

Gregory R. Baroni, Supervisor  
Terry Lilley, Clerk  
Mike Roman, Treasurer



Trustees  
Scott Ruggles  
Andrea C. Voorheis  
Rik Kowall  
Michael Powell

## WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

### WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

**June 23, 2016 at 7:00 p.m.**

7525 Highland Road  
White Lake, MI 48383

Ms. Spencer called the regular meeting of the White Lake Township Zoning Board of Appeals to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called: Mr. Ruggles was excused.

ROLL CALL: Joseph Erlich – Chairperson  
Gail Novak-Phelps  
Scott Ruggles – Board Liaison - Excused  
Josephine Spencer – Vice Chairperson  
Dave Walz - Secretary

Also Present: Jason Iacoangeli, AICP, Staff Planner  
Lynn Hinton, Recording Secretary

Visitors: 16

#### **Approval of Agenda:**

**Ms. Novak-Phelps moved to approve the agenda as presented. Ms. Spencer supported and the MOTION CARRIED with a voice vote. (4 yes votes)**

#### **Approval of Minutes:**

- a. Minutes of regular meeting of April 28, 2016

**Ms. Spencer moved to approve the minutes of April 28, 2016 as presented. Mr. Walz supported and the MOTION CARRIED with a voice vote. (4 yes votes)**

#### **New Business:**

- a. **File 16-010**  
Applicant: Raymond Portelli  
2089 Kingston  
White Lake, MI 48386  
Location: 2089 Kingston, White Lake, MI 48386, identified as 12-13-153-002  
Request: Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback, side yard setback, lot width, lot size, and lot coverage.

Mr. Erlich noted for the record that 24 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and no letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated June 8, 2016. This property is zoned R1-D Single Family Residential. The home is located in the English Villas Subdivision on Pontiac Lake and uses a private well and the public sewer system. The applicant is proposing to construct an attached 14.5 ft. x 17 ft. (246 sq. ft.) garage to the north side of the property. The new attached garage will require a side yard setback variance of 5 ft. The new garage will be located 5 ft. from the north side of the property line. The R1-D district requires a minimum of 10 ft. side yard setback. The new garage addition will place the lot coverage at 33%, which is 13% over the allowable 20% lot coverage. This lot is deficient in size for the district, being at 5,880 sq. ft. of the required 12,000 sq. ft. for the R1-D district. The lot width is 65 ft. of the needed 80 ft. require per the Ordinance.

Mr. Portelli, 2089 Kingston, White Lake, MI 48386, stated he needs a garage because he doesn't have any storage and this is the only location to put it.

Mr. Erlich opened the discussion for public comment at 7:09 p.m. With no comments, the public hearing was closed at 7:10 p.m.

Ms. Spencer stated this is a non-conforming lot and there is not much he can do. The variances requested are minimal.

**Ms. Spencer moved to approve the variance requested by Raymond Portelli for the property at 2089 Kingston, parcel 12-13-153-002 in order to construct an attached garage. The variances requested are: (1) a 5 ft. north side yard setback for an end result of 5 ft.; (2) a 13% variance to Maximum Lot Coverage for an end result of 33%; (3) a 6,120 sq. ft. variance to Minimum Lot Size for an end result of 5,880 sq. ft.; (4) a 15 ft. variance to Required Lot Width for an end result of 65 ft., conditioned that the applicant will pull all necessary permits from the township building department, and that gutters and downspouts will be required. Ms. Novak-Phelps supported and the MOTION CARRIED with a roll call vote: Spencer – yes (there is a practical difficulty with a non-conforming lot and the variances requested are minimal); Novak-Phelps – yes (it appears the building and the property is already non-conforming and the variance is minimal); Walz – yes (for the reasons stated); Erlich – yes. (4 yes votes)**

<b>b.</b>	<b>File 16-011</b>
Applicant:	Paul Cronenwett 220 Bogie Lake Road White Lake, MI 48383
Location:	220 Bogie Lake Road, White Lake, MI 48383, identified as 12-20-451-010
Request:	Variance to Article 5.9.H.V. for Residential District Signs

Mr. Erlich noted for the record that 15 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and one letter was returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated June 23, 2016. This property is zoned (AG) Agricultural District. The property is the home of Grace Countryside Church. The applicant is proposing to construct a new monument sign for the Church on property they have an easement to use for ingress and egress to the church property. The new monument sign that the applicant is proposing for the Church is located within an easement that the church has for ingress and egress to the church property. The Community Development Department feels this sign needs to be treated as an off-site sign for the purpose of the Ordinance. Although the Church has an

easement in place to use the property, we think a variance is needed in order to set a precedent that easements do not automatically equate to the approval to place "off-site" signage. The location of the sign will be set back 45 ft. from the traveled portion of the road. The sign will require a variance to the size of a sign for Churches and Schools. The allowable size per the Ordinance is 16 sq. ft. and the applicant is proposing 22 sq. ft. A variance in the amount of 6 ft. would be required. He added that the church is set back off Bogie Lake Road, they have an easement over the property and ITC corridor to get back to the church. There is an existing sign there that they would be replacing.

Ms. Spencer asked if the township calls for any type of bond for purposes of accidents. Mr. Iacoangeli responded that it did not and the sign would be insured through the church. Ms. Spencer asked whether the applicant would have to show proof that the policy has been renewed. Mr. Iacoangeli responded that it did not, and the sign would be at their detriment. He added that the minimum requirement for masonry materials have to be 18" block at the bottom of the sign and this request exceeds that.

Mr. Erlich asked whether the sign would have lights. Mr. Cronenwett, 1536 Malibu Court, Highland, MI 48356, stated there is a streetlight near the existing sign, but the new sign would be illuminated. Mr. Iacoangeli added that lights are acceptable if they are decorative in nature and do not cause traffic implications. There are other signs in the township that have to be dimmed or go static at certain parts of the evening and the board could make a recommendation as to lighting.

The designer for the project stated that the lights on top of the sign would be accent lights. They are also proposing landscape lighting pointed directly at the sign with LED bulbs, which would not be bright enough to distract traffic.

Mr. Erlich opened the public hearing at 7:22 p.m. With no comments offered, the public hearing was closed at 7:23 p.m.

**Mr. Walz moved to approve the variance requested by Paul Cronenwett for the property at 220 Bogie Lake Road, parcel 12-20-451-010 in order to construct a Non-Accessory Monument Sign for the Grace Countryside Church. The variances are to permit the construction of non-accessory sign, and for the size of the sign in a residential district. (1) to allow for Grace Countryside Church to construct a Non-Accessory Sign; (2) a 6 sq. ft. variance to Residential District Signs/Monument Sign Size Requirements for an end result of 22 sq. ft., conditioned that the applicant must pull all necessary permits from the township building department, and the lighting will not distract drivers. If the lights become deemed a nuisance, they will need to be removed by the White Lake building department. Ms. Novak-Phelps supported and the MOTION CARRIED with a roll call vote: Spencer – yes (with the provision that the lighting wattage not distract drivers, and she feels the church needs a new sign); Walz – yes (this is an improvement over the existing sign); Erlich – yes (for reasons stated); Novak-Phelps – yes (this is a vast improvement from what is there and it will allow people to see the church from Bogie Lake Road. Any lighting issues will defer to the planning department for review). (4 yes votes)**

<b>c.</b>	<b>File 16-012</b>
Applicant:	Dennis Irons 4676 Clearwater Dr. Holly, MI 48440
Location:	9470 Thames, White lake, MI 48386, identified as 12-14-203-008
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback, lot size, lot width, and lot coverage.

Mr. Erlich noted for the record that 39 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and 2 letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated June 8, 2016. This property is zoned R1-D Single Family Residential. The home is located in the English Villas Subdivision on Pontiac Lake. The home uses a private well and public sewer system. The applicant is proposing to construct an attached 22 ft. x 24 ft. (528 sq.ft.) garage to the north side of the property. The new attached garage will require a front yard setback variance of 12 ft. The new garage will be located 18 ft. from the front property line along Thames. The new garage addition will place the lot coverage at 25%, which is 5% over the allowable 20% lot coverage. This lot is deficient in size for the district, the lot size being 6,862 sq. ft. of the required 12,000 sq. ft. for the R1-D district. The lot width is 65 ft. of the needed 80 ft. required per the Ordinance.

Christine Tressh, 9470 Thames, White Lake, MI 48386, stated she is looking to build a garage for storage and plans on removing the existing shed.

Ms. Spencer asked whether the lot coverage would change when she removes the shed. Mr. Iacoangeli responded that he didn't include the shed in the configuration because the applicant stated on the application that it would be removed. He added that this could be a condition of the approval.

Mr. Erlich opened the public hearing at 7:32 pm.

Dave & Karen Misichko, 9496 and 9506 Thames, White Lake, MI 48386 stated they are in favor of the request. They would like to see the shed removed as well. In this case, Ms. Tressh doesn't have anywhere to put stuff and this would be a perfect solution, and it would clear up this section of the neighborhood.

With no other comments, Mr. Erlich closed the public hearing at 7:34 p.m.

**Ms. Spencer moved to approve the variance requested by Dennis Irons for the property at 9470 Thames, parcel 12-14-203-008 in order to construct an attached garage. The variances requested are: (1) a 12 ft. front yard setback for an end result of 18 ft.; (2) a 5% variance to Maximum Lot Coverage for an end result of 25%; (3) a 5,138 sq. ft. variance to Minimum Lot Size for an end result of 6,862 sq. ft.; (4) a 15 ft. variance to Required Lot Width for an end result of 65 ft., conditioned that they pull the necessary permits from building department. Ms. Novak-Phelps supported and the MOTION CARRIED with a roll call vote. Walz – yes (due to the non-conformities of the exiting lot); Spencer – yes (there is a practical difficulty with the lot being non-conforming); Novak Phelps – yes (the lot is already non-conforming and there is a practical difficulty); Erlich – yes (for the reasons stated, and it will dress up the neighborhood). (4 yes votes)**

<b>d.</b>	<b>File 16-013</b>
Applicant:	Tim & Meggan Rogers 2420 Woodcroft White Lake, MI 48383
Location:	2420 Woodcroft, White Lake, MI 48383, identified as 12-18-176-018
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback

Mr. Erlich noted for the record that 22 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and no letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated June 9, 2016. This is a Single Family Residential property zoned R1-C. The home is located in the Rolling Acres neighborhood. The home uses a private well and private septic system. The applicant is proposing to construct an 18 ft. x 21 ft.

addition to the front of the home located on the west side of the property. The new home addition will require a 3 ft. front yard setback variance. The new addition will be located 32 ft. from the property line, where 35 ft. is required for the R1-C district. He added they are trying to reduce the amount of the front yard setback by making the addition. The stairs going into the basement become non-functional and he will let the applicant explain. The lot is conforming to the district standards.

Tim Rogers, 2420 Woodcroft, White Lake, MI 48386, noted for the record that his neighbors support his request by signing their plans. He explained that the existing stairs are steep and there is a chimney 2 ft. away at the base of the stairs. They are trying to gain access to the basement with a safe staircase. They have a septic, waterline, mechanicals and utility lines on the property that limit their options of how to achieve this. They have a hill that slopes down at the rear of the property and they would need a deck in order to build off the back of the house to access that floor. They've looked at other ways, but they don't make sense. They have flat area on the south side, which a hot tub occupies. They looked at the west side, but they are planning on having a 5x8 window to get solar energy. Again, they've looked at other alternatives, but they are open to suggestions.

Mr. Erlich opened the discussion for public comment at 7:44 p.m. There were no comments and the public hearing was closed at 7:44 p.m.

**Ms. Novak-Phelps moved to approve the variance requested by Tim Rogers for the property at 2420 Woodcroft, parcel 12-18-176-018 in order to construct an attached garage. The variance requested is for a 3 ft. front yard setback for an end result of 32 ft. The applicant will pull all of the necessary permits from the township building department and the addition will include all gutters and downspouts as required. Ms. Spencer supported and the MOTION CARRIED with a roll call vote: Novak-Phelps – yes (this will not impact surrounding properties and there is significant difficulties with the slope of the property); Spencer – yes (for the reasons stated, and one thing to consider is the health, safety and welfare, and this will fall in line); Erlich – yes (for the reasons stated); Walz – yes (for reasons stated in addition to practical difficulty of the stairs. (4 yes votes)**

<b>e.</b>	<b>File 16-014</b>
Applicant:	E.B.I. Incorporated 10454 Grand River Brighton, MI 48116
Location:	11172 Windhurst, White Lake, MI 48386, identified as 12-33-476-016
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback, lot width, lot size, and lot coverage.

Mr. Erlich noted for the record that 20 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and no letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated June 9, 2016. This property is zoned R1-D Single Family Residential and is the home is located in the Hiawatha Shores neighborhood located on Bogie Lake. The home uses a private well and private septic system. The applicant is proposing to construct a 24 ft. x 24 ft. detached garage on a legal non-conforming property located at 11172 Windhurst. The new garage will require a front yard setback variance of 19 ft. The garage will be located 11 ft. from the front property line. The lot is deficient in size being 11,417 sq. ft. of the required 12,000 sq. ft. for the R1-D district. The lot is also deficient in lot width. The lot is 49 ft. wide of the needed 80 ft. for the district.

Bill Rogers of EBI, representing Rodney and Christina Pickett, stated this was a demo and they currently have a temporary Certificate of Occupancy. They would like a garage for storage. The lake side of the house goes straight down and they can't push the garage any further back. They are limited per the Oakland County Health Department with setbacks from wells and septic fields.

Mr. Erlich opened the public hearing at 7:52 p.m. With no comments, he closed the public hearing at 7:52 p.m.

**Mr. Walz moved to approve the variance requested by EBI Incorporated for the property at 11172 Windhurst, parcel 12-33-476-016 in order to construct a detached garage. The variances requested are: (1) a 19 ft. variance to the front yard setback for an end result of 11 ft.; (2) an 828 sq. ft. variance to Minimum Lot Size for an end result of 11,172 sq. ft.; (3) a 31 ft. variance to Required Lot Width for an end result of 49 ft. and conditioned that the applicant will pull all necessary permits from the township building department, and that gutters and downspouts will be added. Ms. Spencer supported and the MOTION CARRIED with a roll call vote: Spencer – yes (there is a practical difficulty, this is a non conforming lot of record, and there are requirements from the County); Novak-Phelps – yes (she agrees with Ms. Spencer and feels the garage will fit with the surrounding structures); Erlich – yes (for previous mentioned facts); Walz – yes (for the reasons stated). (4 yes votes)**

**Next Meeting Date:**

- a. Regular Meeting – July 28, 2016 (possible cancellation)

**Adjournment:**

**Ms. Spencer moved to adjourn the meeting at 7:56 p.m. Ms. Novak-Phelps supported and the MOTION CARRIED with a voice vote. (4 yes votes)**