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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS – Special Meeting December 27, 2012 at 6:00 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: All the members were present. Ms. Spencer reviewed the process and procedures of how the meeting would be conducted with the applicants and the audience.

ROLL CALL: Robert Artinian – Vice Chairperson
Gail Novak-Phelps
Scott Ruggles – Board Liaison
Josephine Spencer - Chairperson

Also Present: Jason Iacoangeli, Staff Planner
Lynn Lindon, Recording Secretary

Visitors: 2

Approval of Agenda:

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

Approval of Minutes:

- a. October 25, 2012
- b. November 29, 2012

Novak-Phelps moved to approve the minutes of October 25, 2012 as presented. Mr. Artinian supported and the MOTION CARRIED with a voice vote. (4 yes votes).

Ms. Novak-Phelps moved to approve the minutes of November 29, 2012 as presented. Mr. Artinian supported and the MOTION CARRIED with a voice vote. (4 yes votes).

Continuing Business:

Applicant: **File 12-018**
Alan Asp
8876 Tackles
White Lake, MI 48386

Location: 8876 Tackles, identified as 12-13-104-009
Request: Variance to Article 3.1.6 R1-D single family residential, for lot width, lot size, side yard setback, front yard setback, lot coverage, minimum floor area per dwelling, and distance to neighbors.

Ms. Spencer noted for the record that 45 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and no letters were returned undeliverable by the US postal service.

Mr. Iacoangeli reported this case was tabled at the October meeting. Since that time, Mr. Asp has provided clarification as requested by the Zoning Board members with regard to surveys from his property and his neighbors. Mr. Asp has decreased the size of the garage from his first submission and he is looking to construct a 26 ft. x 24 ft. garage on the front of the home. With the reduction, the variances have dropped somewhat since the last request.

Ms. Spencer noted from the last meeting the board had a hard time determining where the lot lines were since there was no survey. Mr. Asp has now provided that information including surveys from his neighbors.

Mr. Asp indicated the neighbor to his right is in favor of his plan and provided the survey of their property. He added that he currently has an 18 ft. x 7 ft. shed that would be removed when the garage is constructed. He would very much like to have a garage to park 2 vehicles.

Ms. Novak-Phelps moved to take File 12-018 off the table. Mr. Artinian supported and the MOTION CARRIED with a voice vote (4 yes votes).

Mr. Artinian moved in File 12-018 to approve the following variances: (1) a 6,093 sq. ft. variance to Minimum Lot Size for an end result of 5,907 sq. ft.; (2) a 40 ft. variance to the Required Lot Width for an end result of 40 ft.; (3) a 4.0% variance to the Maximum Lot Coverage for an end result of 24.0%; (4) a 16 ft. variance to the Front Yard Setback for an end result of 14 ft.; (5) a 4.2 ft. variance to the East Side Yard Setback for an end result of 5.8 ft.; (6) a 11 ft. variance to the Distance to Neighbors for an end result of 9 ft.; (7) a 2.6 ft. variance to the West Side Yard Setback for an end result of 7.4 ft.; (8) a 1.6 ft. variance to Distance to Neighbors for an end result of 18.4 ft.; (9) a 160 sq. ft. variance to Minimum Floor Area for an end result of 840 sq. ft.; and that the existing 18 ft. x 7 ft. shed would be removed. Also noted for record is a letter from Mr. Asp stating that he met with the Water Resources Commission and was informed of a sewer pipe 4 ft. under the ground where a cement pad will be placed. He understands if the City or Water Resources Department needs to access the pipe due to repair or Mr. Asp himself damages the pipe that Mr. Asp would hold all responsibility. And finally, that gutters and downspouts be included. Mr. Ruggles supported and the MOTION CARRIED with a roll call vote: Novak-Phelps – yes; Spencer – yes (the property is non-conforming and the applicant has done what was requested by the board and based on the letter from Mr. Asp regarding his conversation with the Water Resources Department that he understands the consequences, and Mr. Asp has also reduced his original request; Artinian – yes; Ruggles – yes. (4 yes votes)

New Business:

Applicant: **File 12-020**
Patrick Pfeiffer
4270 Leroy
White Lake, MI 48383

Location: 4270 Leroy, identified as 12-07-160-016
Request: Variance to Article 3.1.6 R1-D single family residential, for front yard setback, side yard setback, distance to neighbors and lot coverage.

Ms. Spencer noted that the applicant was not present this evening. There were 42 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and 4 letters were returned undeliverable by the US postal service.

Mr. Iacoangeli reviewed his report dated November 19, 2012. This is a single-family residential home located in the White Lake Grove neighborhood on the canals near White Lake. This home IS NOT served by the sanitary sewer system and uses a private well.

The applicant seeks to build a 10.5' x 19.3', 203 sq. ft. home addition cantilevered over the existing garage, with a 7.7' x 13.3', 102 sq. ft. home addition to the front of the home.

This is a non-conforming lot of record located on White lake. The lot has received variances in the past for lot size and lot width. The lot is deficient in size by 6,740 sq. ft. and is also deficient with regard to lot width with 35 ft. frontage along Leroy Street. In 1998 the ZBA made a condition of their approval to limit the home not to exceed 1,052 sq. ft. Twenty (20%) percent lot coverage for this lot is 1,052 sq. ft. and the existing home is just below this total at 1,022 sq. ft. The applicant's request would exceed the lot coverage by 5% for a total of 1,327 sq. ft. The ZBA does have the ability to change this condition if it so chooses. The setbacks that are being requested are typical for lots in this neighborhood. The existing home is non-conforming, as the west side of the home is already 5 ft. from the property line.

Mr. Ruggles noted the neighbor has done the exact same thing that the applicant is requesting so the request is not out of character with the neighborhood.

Ms. Novak-Phelps moved in File 12-020 to grant (1) a 5.2% variance to maximum lot coverage for an end result of 25.2%; (2) a 5 ft. west side yard setback for an end result of 5 ft.; (3) a 1 ft. variance to the west distance to the neighbors for an end result of 19 ft.; (4) a 3.3 ft. east side yard setback for an end result of 6.7 ft.; (5) a 5 ft. variance to east distance to the neighbors for an end result of 15 ft. Mr. Ruggles supported and the MOTION CARRIED with a roll call vote: Novak-Phelps – yes (she commends them for being a good neighbor); Spencer – yes (this is non-conforming lot of record and variances requested are minimal in size; Artinian – yes; for reasons stated; Novak-Phelps – yes; it is consistent with the neighborhood. (4 yes votes)

Other Business:

- a. 2013 Meeting Dates

Mr. Artinian moved to approve the 2013 meeting dates as presented. Ms. Novak-Phelps supported and the MOTION CARRIED with a voice vote. (4 yes votes)

- b. Capstone Presentation

Ms. Spencer reported that she is attending classes through the Michigan State University Extension on becoming a Master Citizen Planner. Part of her requirements is to present a planning related topic to a public board or committee. Her presentation focused on making effective decisions as a Zoning Board of Appeals member and she also discussed situations of conflicts of interest and ethics.

Next Meeting Date:

- a. January 24, 2012

Adjournment:

Ms. Novak-Phelps moved to adjourn the meeting at 7:25 pm. Mr. Artinian supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)