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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS December 15, 2011 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. Lanthier was excused.

ROLL CALL: Robert Artinian – Vice Chairperson
Wayne Gilbert - Alternate
Rik Kowall - Alternate
Mike Lanthier - **Excused**
Gail Novak-Phelps
Linda Pearson - Secretary
Josephine Spencer - Chairperson

Also Present: Sean O'Neil, Community Development Director
Jason Iacoangeli, Staff Planner
Lynn Lindon, Recording Secretary

Visitors: 2

Approval of Agenda:

Mr. Iacoangeli requested to add the 2012 Meeting Schedule under New Business.

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

Approval of Minutes:

a. Minutes of October 27, 2011

Ms. Novak-Phelps moved to approve the minutes of October 27, 2011 as amended to note that Mr. Artinian is Vice Chair, Mr. Gilbert is an Alternate, and Ms. Pearson is no longer an alternate and will serve as Secretary. Mr. Artinian supported and the MOTION CARRIED with a voice vote. (4 yes votes)

New Business:

File No. 11-013
Applicant: F.D. Stella Alpine Valley, Inc.
700 Fenkel
Detroit, MI 48238
Location: 6685 Highland Road, identified as 12-20-276-013
Request: Variance to Article 6 for lot width, lot area, ant to Article 4.16 for
Frontage.

Ms. Spencer noted for the record that 26 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and one letter was returned undeliverable by the US postal service.

Mr. O'Neil noted that the applicant was not present this evening.

Mr. Iacoangeli gave a brief history of the case. The owners of the property have indicated they had split the property in the past and had recorded the split with Oakland County. However, the split was not done through the formal process with the township and is in fact still one parcel.

The applicant wishes to split the parcel, but it doesn't meet the requirements of the ordinance. The ZBA is being asked to look at the variances required in order to split the parcel. The one-acre minimum is mandatory. There are many problems with this case, the main one being with the septic system in that it is not connected to the public utilities or sanitary sewer. The septic field needs to be included with the land that is split. Even if it were incorporated in some configuration, it must be approved by the Oakland County Health Department. There are many issues that need to be clarified and shown in the overall proposal of a new parcel.

In addition, Oakland County Health Department needs to make a determination on how much land area the septic needs to function and it may be easier for this parcel to be connected to the sanitary sewer system. Based on the current standards, the county may not allow another septic field to be rebuilt.

Asha Payloi, the owner of the Motel, stated that the county health department had visited the property 6 months ago and she has three 3,000 gallon tanks. She also added that the Motel is her livelihood and she doesn't want to see it affected. She was under the assumption that she bought the land and Motel together. She has been paying all the taxes on the land to date.

Mr. Kowall suggested that Ms. Payloi research her deed and consult a real estate attorney and title company to find out where she stands in her chain of ownership to protect her interests. Mr. Iacoangeli added that the applicant in this case needs to determine where the septic field is located and how much land will be needed to support the hotel. This could change the variance request.

Mr. O'Neil stated that he has had meetings with the owner of the property. A property sale took place with a land contract at some point in time and they recorded a split without going through the process. The last recourse here is with the ZBA, at which the applicant will have to come back.

Ms. Pearson moved to table File 11-013. Mr. Kowall supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)

New Business:

- a. 2012 Meeting Schedule

Mr. Artinian moved to approve the 2012 ZBA Meeting Schedule as presented. Ms. Novak-Phelps supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)

Next Meeting Date:

- a. January 26, 2012

Adjournment:

Ms. Novak-Phelps moved to adjourn the meeting at 7:22 pm. Ms. Pearson supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)