

WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS VIRTUAL REGULAR MEETING
FEBRUARY 25, 2021

Chairperson 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:

ROLL CALL: Josephine Spencer – Chairperson, present in White Lake, MI
 Dave Walz – Vice Chair, present in White Lake, MI
 Nik Schillack
 Debby Dehart
 Mike Powell

Also Present: Justin Quagliata, Staff Planner
 Hannah Micallef, Recording Secretary
 Jason Hudson, White Lake Township Ordinance Officer
 Nick Spencer, White Lake Township Building Official

Visitors: 0

Approval of the Agenda:

Mr. Schillack MOTIONED to approve the agenda as presented. Ms. Dehart supported and the MOTION CARRIED with a roll call vote(Schillack/yes, Dehart/yes, Powell/yes, Spencer/yes, Walz/yes).

Approval of Minutes:

Zoning Board of Appeals Special Meeting of January 28, 2021.

Mr. Schillack MOTIONED to approve the special meeting minutes of January 28, 2021 as presented. Mr. Powell supported and the MOTION CARRIED with a roll call vote (Schillack/yes, Powell/yes, Spencer/yes, Dehart/yes, Walz/yes).

Continuing Business

- a. Applicant: Robert Snapp
 3960 Woodmere Drive
 Waterford, MI 48329
- Location: **8834 Arlington Road**
 White Lake, MI 48386 identified as 12-13-176-002
- Request: The applicant requests to construct a single-family house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Side-Yard Setback, Maximum Lot Coverage, Minimum Lot Area, and Minimum Lot Width.

Ms. Spencer noted since the public hearing was opened during the January 28, 2021 meeting, there would not be a public hearing again.

Staff Planner Quagliata gave his staff report. The plan has changed since the last meeting. On the west side of the lot, the original plan showed a proposed side yard set back of 7' and the architectural bump out was 1.21' from

the side yard lot line. The setback from the east side was 8.5' The revised plan changed slightly; the bump out was reduced to 1', resulting in a 10' setback between structures on the west side.

Mr. Snapp was present to speak on his case. He said he took 6" off the side of the house, and took 8-9" off where the bump out was to give 10' between his and the neighbor's house. He added the bump out is tapered.

Mr. Schillack MOVED to move to approve the variances requested by Robert Snapp from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-13-176-002, identified as 8834 Arlington Road, in order to construct a new house that would exceed the allowed lot coverage by 13% and encroach 2.29 feet into the required west side yard setback and 1.5 feet into the required east side yard setback. A 30-foot variance from the required lot width and 5,020 square foot variance from the required lot size are also granted from Article 3.1.6.E. This approval will have the following conditions:

- **Applicant shall obtain all necessary permits from the White Lake Township Building Department.**

Ms. Dehart SUPPORTED, and the motion CARRIED with a roll call vote (5 yes votes).

Schillack: YES; due to the changes the applicant made to the plan, there was no longer a self-imposed hardship.

Dehart: YES; the applicant worked hard and made changes with the ZBA's concerns in mind.

Powell: YES; for the reasons stated.

Spencer: YES; the parcel was non conforming, and there wasn't a self imposed hardship.

Walz: YES; for the reasons stated.

New Business:

- a. Applicant: Scott Grant
9411 Bonnie Briar Drive
White Lake, MI 48386
- Location: **9411 Bonnie Briar Drive**
White Lake, MI 48386 identified as 12-14-277-001
- Request: The applicant requests to construct an enclosed porch, requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Rear-Yard Setback.

Ms. Spencer noted for the record that 22 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Staff Planner Quagliata gave his staff report.

Mr. Powell asked staff where the rear yard setback was. Staff Planner Quagliata said the setback was measured from the water's edge; and the natural water feature setback of 25' does not negate the underlying zoning district's rear yard setback.

Mr. and Mrs. Grant were present to speak on their case. Mr. Grant said he was looking to replace the existing deck with a screened in deck, which would require a roof. The lot was long and narrow. He said he was looking for a 9' foot setback between the deck and the water's edge. He wanted a useful deck area. Mrs. Grant said the architect seamlined all three of the roof differences so the roofline would look cleaner.

Ms. Dehart asked if the new porch would have same footprint as the existing porch. Mr. Grant said it would be it would be 1' further from the house, and into the side yard setback.

Mr. Powell said the plan shows 21.3' from the waters edge. The measurement from the water is perpendicular to the water, not perpendicular to the addition. Staff Planner Quagliata said that dimension was not shown correctly on the plan.

Mr. Powell asked the applicant the reason behind the bump out. Mr. Grant said it would be for more room for furniture. Mr. Powell said the setback from the bump out was greater at the southeast corner from the proposed deck.

Ms. Spencer opened the public hearing at 7:23 PM. Seeing no public comment, she closed the public hearing at 7:24 PM.

Ms. Dehart MOVED to approve the variance requested by Scott Grant from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-277-001, identified as 9411 Bonnie Briar Drive, in order to construct an enclosed porch that would encroach 14 feet into the required rear yard setback. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department. An as-built survey shall be required to verify the approved rear yard setback.**

Mr. Schillack SUPPORTED, and the motion CARRIED with a roll call vote (5 yes votes).

Dehart: YES; based on the lot size, the proposed deck would not obstruct anyone's views.

Schillack: YES; for the reasons stated.

Powell: YES; the circumstance was unique and denying this would deny substantial justice to the applicant.

Walz: YES; a hardship existed due to the challenges of the lot.

Spencer: YES; a hardship existed and the lot size was large enough so views would not be obstructed.

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|------------|---|
| Applicant: | Signature Group of Livingston Inc.
508 E. Grand River Avenue, Suite 100A
Brighton, MI 48116 |
| Location: | 2765 Ridge Road
White Lake, MI 48383 identified as 12-18-101-025 |
| Request: | The applicant requests to construct an addition to a single-family house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Side-Yard Setback and Minimum Lot Width. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures will be required due to both the value of improvements and the increase in cubic content. |

Ms. Spencer noted for the record that 22 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Staff Planner Quagliata gave his staff report.

Mr. Schillack asked staff if the overhang was in the 5', the ZBA could not legally approve the requested variance. Staff Planner Quagliata confirmed.

Mr. Walz asked staff what can be done with the shed. Staff Planner Quagliata said the ZBA could remain or be moved.

Mr. Schillack asked if the addition increased the non conformity of the home. Staff Planner Quagliata confirmed, there was an increase of 598 sq ft.

Mr. and Mrs. Rozman, were present to speak on their case. The home was a cottage lake home that needed work to be made liveable. It was assessed as a three-bedroom home, but it was more like a one bedroom. The deck was rotting and unsafe and needed to come out. That would free up space for a master bedroom and bathroom, which the home lacked. They were not extending or encroaching on the side lot line.

David Holdwich, builder, was also present. He said the south side of the home had 30" overhangs. If the overhang was an issue, they could be reduced or eliminated.

Mr. Powell said the house was not parallel to the property line. The closer the addition was to the property line, the side yard setback was reduced from 5.5' to 5.3'. He suggested moving the addition to the north, instead of matching the side of the house.

Mr. Powell asked what the shed was used for, and if it could be removed. The shed looked like an obstacle for pulling into the current home. He also asked where the A/C unit was going to be placed. Mr. Holdwich said the A/C would be placed by the current electrical and gas meter, but it could be moved to the east side of the addition. Mrs. Rozman said the shed was used for excess storage.

Mr. Powell asked about moving the addition a foot north, instead of eliminating the overhang. Mr. Holdwich said it could be done, but wanted to see how it would impede on an east facing kitchen window. He said there would be 12' to the window, so the addition could be moved 12" inches north with a 12" overhang.

Mrs. Rozman added the house was small, and she just wanted to make the home liveable. She added she and her husband were willing to with the ZBA to be able to achieve a favorable outcome for everyone.

Mr. Schillack asked if the addition could go further east. Mr. Holdwich said the design was made for entry; if the house was elongated, there would be no real entry into the home.

Chairperson Spencer opened the public hearing at 7:51 PM. Seeing no public comment, she closed the public hearing at 7:52 PM

Ms. Dehart asked the whole addition were to be moved to the north, and enlarged on the east, what square footage would have been lost. Mr. Holdwich said the square footage would be taken from the proposed bathroom.

Mr. Powell asked if the shed had a foundation. Mr. Rozman said it did, and he would prefer to keep it. Mrs. Rozman said the shed was there when the home was bought, and it was being used. Mr. Holdwich said there was just one corner of the shed that was 6" off the property line.

Mr. Powell MOVED move to approve the variances requested by Signature Group of Livingston Inc. from Articles 3.1.6.E and 7.28.A of the Zoning Ordinance for Parcel Number 12-18-101-025, identified as 2765 Ridge Road, in order to construct an addition that would encroach 3.7 ft feet into the required side yard setback from the south lot line and exceed the allowed value of improvements to a nonconforming structure by 620.44%. A 19.51-foot variance from the required lot width is also granted from Article 3.1.6.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- In no event shall the projection of the roof overhang be closer than five feet to the south side lot line.
- An as-built survey shall be required to verify the roof overhang setback from the south side lot line.
- If the current shed is damaged in anyway from now on, it must be moved to comply with Township Zoning Ordinance
- Any air conditioner or mechanical units must be moved to the east side of the home, not along the side yard.

Mr. Schillack SUPPORTED, and the motion **CARRIED** with a roll call vote(5 yes votes):

Powell: YES; the lot posed a hardship.

Schillack: YES; there was a practical difficulty demonstrated.

Dehart: YES; for the reasons stated.

Spencer: YES; the applicants listened to the concerns of the ZBA.

Walz: YES; the applicant demonstrated a hardship with the existing structure and the lot was non conforming.

- c. Applicant: Brandon Gibson
1349 Sugden Lake Road
White Lake, MI 48386
- Location: **1349 Sugden Lake Road**
White Lake, MI 48386 identified as 12-34-351-016
- Request: The applicant requests to construct an addition to a single-family house, requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures will be required due to both the value of improvements and the increase in cubic content.

Ms. Spencer noted for the record that 12 owners within 300 feet were notified. 1 letter was received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Mr. Powell asked staff if there was a proposed addition lakeside. Staff Planner Quagliata said no.

Mr. Schillack asked staff since the plan was changed, would ZBA be able to vote on it. Staff Planner Quagliata said the garage was not meant to be demolished, but it was. The garage was non-conforming, but the applicant wants to rebuild a new garage in its place.

Mr. Gibson was present to speak on his case. He said he thought the Building Department knew the garage was going to be torn down. His intent was to only keep the garage footprint, and to build up from where the garage was. He spoke to the Building Department about constructing the proposed garage 10' away, but ran into issues because of an elevation change. There were several issues within the current home, so the variance from Article 7.28.A was due to bringing the home up to code.

Mr. Powell asked the applicant if the plans submitted to the Building Department showed a detached garage. Mr. Gibson confirmed. Mr. Powell asked if revised plans were submitted to the Building Department. Mr. Gibson said no. Mr. Powell asked the applicant if the intent of the plans submitted to the Planning Department were to leave the existing garage and put a second story on top of it. Mr. Gibson said no, and the architect may have drawn the plan in error. Mr. Powell said there was a setback requirement from the right of way, and that Sugden Lake Road was a wider right of way than most subdivisions. Mr. Powell asked why the addition couldn't be moved closer to the lake and away from the right of way now the garage was demolished. Mr. Gibson said the septic was 20' behind where the existing garage was. Mrs. Gibson, who was also present, said the grade dropped behind the home and that posed an issue. Mr. Powell asked what the applicant was saving construction wise from the existing garage. Mr. Gibson said he would try to save the slab foundation.

Ms. Spencer opened the public hearing at 8:25 PM. She read a letter of favor from Jeffrey and Michelle Rice, 1361 Sugden Lake Road. Seeing no public comment, she closed the public hearing at 8:26 PM.

Mr. Powell asked staff if the variance requested was granted, could the applicant submit new plans with the garage even with the setback offered. Staff Planner Quagliata confirmed.

Ms. Dehart MOVED to approve the variances requested by Brandon Gibson from Articles 3.1.6.E and 7.28.A of the Zoning Ordinance for Parcel Number 12-34-351-016, identified as 1349 Sugden Lake Road, in order to construct an attached garage and second-story addition that would encroach 23.1 feet into the required front yard setback and exceed the allowed value of improvements to a nonconforming structure by 546%. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**

Mr. Walz SUPPORTED and the MOTION CARRIED with a roll call vote (5 yes votes):

Dehart: YES; the lot offered challenges.

Walz: YES; there was an existing hardship with the existing structure and lot.

Spencer: YES; there was a practical difficulty and there was an hardship as well.

Powell: YES; the applicant was not proposing any increase in non conformity, and Sugden Lake Road had a large right of way, which proved to be a hardship.

Schillack: YES; there was a practical difficulty and a hardship was demonstrated.

d. Applicant: John Rozanski
2704 Wabum Road
White Lake, MI 48386
Location: **8565 Pontiac Lake Road**

Request: White Lake, MI 48386, identified as 12-13-328-003
The applicant requests to construct an apartment building and associated parking lot, requiring variances from Article 3.1.9.E, RM-2 Multiple Family Residential Side-Yard Setback and Minimum Lot Width. A variance from Article 3.11.Q, Natural Features Setback is required due to the building being located within the wetland setback. A variance from Article 5.11.A, Off-Street Parking is required due to the parking setbacks. A variance from Article 5.19.N.i.c, Dumpsters and Trash Storage Enclosures is required for the dumpster projection in front of a principal building.

Ms. Spencer noted for the record that 10 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Staff Planner Quagliata gave his report.

Mr. Schillack asked staff what plan did the Planning Commission approve? Staff Planner Quagliata said the Planning Commission approved the entire preliminary site plan, and if the requested variances were granted, the applicant would need to revise the plans before final site plan approval.

Ms. Dehart asked staff about the applicant's desire to install docks on the adjacent vacant parcel. Staff Planner Quagliata said the Township Board could address that, and EGLE would be the agency permitting those docks. The Township Board would consider the preliminary plan provided there weren't any significant changes regarding the variances requested. If there were, the plan would go back to the Planning Commission.

Mr. Schillack asked Ms. Dehart if the Planning Commission had concern regarding the amount of asphalt on the site. Ms. Dehart said no, and the Township Engineer reviewed the plans and did not see a drainage issue. Ms. Dehart added it was discussed at the Planning Commission meeting that the applicant would not be requesting as many variances the units were reduced.

Mr. Brian Howard was present to speak on behalf of the applicant. He wanted to clarify that the balconies/cantilevers do not go down to grade. The building needs to be moved back 6" so the foundation/garden level wall is outside of the natural features setback. He asked once the building is outside the natural features setback, why couldn't the cantilevers go up 8'-10'.

Mr. Powell asked Mr. Howard asked if there would be no sidewalk or patios, up to the building's edge on the walk out side if the cantilevers were drawn as previously suggested. Mr. Howard confirmed and said there would be a mulch walkway that would come up to the building's edge.

Mr. Rozanski, owner, was also present. He said he went with 14 units without the need for a community well. He is not planning on putting a marina in. He didn't realize how challenging the site would be to build on, but was willing to do what he would have to. He was trying to create an improvement for the area that surrounds the existing building.

Mr. Howard said there was an attempt to put the building on Pontiac Lake Road, but it was determined it wasn't cost prohibitive. He ultimately designed the building to be flipped and built into the hill. He said he tried to move the trash enclosure, but there was no other place to move it. They plan to landscape, and want to put up fencing

for additional screening. There were other utility challenges that were presented during the design process as well.

Chairperson Spencer opened the public hearing at 9:05 PM. Seeing no public comment, she closed the public hearing at 9:06 PM.

Mr. Powell asked what the parking requirements were. Staff Planner Quagliata said the minimum required parking spaces would be 34, and that was provided on the site plan.

Mr. Powell asked staff how the ZBA could suggest that the owner voluntarily one unit off each floor, and shrink the building width down, the side yard setback variance would be reduced. It would also reduce the parking spaces required, which would allow for bigger setbacks on both sides of the parking lot. Staff Planner Quagliata said in that scenario, the plan would get sent back to the Planning Commission with direction for their approval, then the plan would come back to the ZBA. The plan would have to be denied this evening, and sent back to the Planning Commission for the ZBA to consider a new plan with new variances. The applicant would have to reapply for the ZBA since there would be substantive changes to the plan.

Mr. Powell expressed his concerns in regards to a garbage truck being able to maneuver within the site. Mr. Rozanski said he met with the Fire Department and the plans did meet the turning radius for a fire truck, so a garbage truck should fit as well.

Mr. Rozanski said he could consider eliminating three total units if it would aid him in getting approval for the project.

Mr. Schillack said the number of units requested was a self-imposed hardship, and the applicant was maxing out the lot, as well as maxing out variances.

Mr. Howard said he could see a design of three floors of four units each, to reduce the side yard setback. The south side yard setback would be pulled in and reduced around 20'. He could try to then rotate the trash enclosure along the south corner. He would still need a variance for the parking along Pontiac Lake Road. He said there was some flexibility if the owner was on board with reducing the units.

Mr. Powell asked the applicant how much that would reduce the width of the building. Mr. Howard said if the one southern unit was eliminated, and left the footprint of the building on the north side against the 30' set back, and the entire building was moved off the south lot line, there would be a 46' setback.

Mr. Powell asked staff if there was a potential to have overflow parking on the other side of Pontiac Lake Road for overflow parking? Staff Planning Quagliata said the RM-2 zoning district requires a certain amount of area for recreation, and if that area became parking, the calculation for recreation would need to be redone.

Mr. Powell asked why curbing was not proposed around the parking lot. Mr. Howard wasn't sure, and Mr. Rozanski said he wasn't opposed to curbing.

Mr. Powell MOVED to deny the variances requested by John Rozanski for Parcel Number 12-13-328-003, identified as 8565 Pontiac Lake Road, due to the following reason(s):

- **To allow the owner and his consultants to make modifications to the site to lessen the requested variances to the site by reducing the units reducing the parking requirements as the owner and**

Planning Commission believe is best, and increase the buffering for the parking lot and landscape buffering around the dumpster area.

Mr. Schillack SUPPORTED, and the MOTION CARRIED with a roll call vote (5 yes votes):

Powell: YES; the site plan could be resubmitted with less variances requested.

Schillack: YES; the plan had too many variances and the number requested would need to be reduced.

Dehart: YES; for the reasons stated.

Walz: YES; for the reasons stated.

Spencer: YES.

Other Business

Staff Planner Quagliata said the ZBA training scheduled for March was tentatively rescheduled for April in person. He also added that a second alternate will be recommended to the Township Board during their March meeting. Her name is Kathy Aseltyne, and she comes with years of experience on different Township boards, as well as being on the Parks and Recreation committee currently.

Adjournment: Mr. Schillack MOTIONED to adjourn the meeting at 9:43 PM. Mr. Walz SUPPORTED. All in favor.

Next Meeting Date: March 25, 2021

DRAFT

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: March 25, 2021

Agenda item: 6a

Appeal Date: March 25, 2021

Applicant: Ryan Heil

Address: 11600 Hazel Avenue
Grand Blanc, MI 48439

Zoning: R1-D Single Family Residential

Location: Parcel Number 12-14-282-002
English Villas Sub Lot 345

Property Description

The approximately 0.12-acre (5,348 square feet) parcel identified as Parcel Number 12-14-282-002 is located on Pontiac Lake and zoned R1-D (Single Family Residential). The public sanitary sewer system is available to serve the site.

Applicant's Proposal

Ryan Heil, the applicant, is proposing to construct a new house on an undeveloped lot.

Planner's Report

The parcel is nonconforming due to a 6,652 square foot deficiency in lot area and a 38-foot deficiency in lot width (42 feet in width at the front lot line); in the R1-D zoning district the minimum lot size requirement is 12,000 square feet and the minimum lot width requirement is 80 feet.

The applicant is proposing to construct a 2,144 square foot two-story house, including a 541 square foot unfinished second-story and 440 square foot two-car attached garage. The proposed house would be located 14.54 feet from the north lot line, 6.66 feet from the east (side) lot line, and 8.56 feet from the west (side) lot line. In the R1-D zoning district the minimum front yard setback is 30 feet and the minimum side yard setback is 10-feet. A 15.46-foot variance to encroach into the front setback, a 3.34-foot variance to encroach into the east side setback, and a 1.44-foot variance to encroach into the west side setback are being requested. Additionally, the proposed lot coverage is 29.97% (1,603 square feet), which is 9.97% (533.4 square feet) beyond the 20% maximum lot coverage allowed (1,069.6 square feet).

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	15.46 feet	14.54 feet
2	Article 3.1.6.E	Side yard setback	10 feet	3.34 feet (east) 1.44 feet (west)	6.66 feet (east) 8.56 feet (west)
3	Article 3.1.6.E	Maximum lot coverage	20% (1,069.6 square feet)	9.97% (533.4 square feet)	29.97% (1,603 square feet)
4	Article 3.1.6.E	Minimum lot size	12,000 square feet	6,652 square feet	5,348 square feet
5	Article 3.1.6.E	Minimum lot width	80 feet	38 feet	42 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Ryan Heil from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-282-002 in order to construct a new house that would exceed the allowed lot coverage by 9.97%, encroach 15.46 feet into the required front yard setback, and encroach 3.34 feet into the required east side yard setback and 1.44 feet into the required west side yard setback. A 38-foot variance from the required lot width and 6,652 square foot variance from the required lot size are also granted from Article 3.1.6.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.

Denial: I move to deny the variances requested by Ryan Heil for Parcel Number 12-14-282-002 due to the following reason(s):

Table: I move to table the variance requests of Ryan Heil for Parcel Number 12-14-282-002 to consider comments stated during this public hearing.

Attachments:

1. Variance application dated February 17, 2021.
2. Site plan dated November 20, 2020 (revision date February 20, 2021).
3. Elevations and floor plans dated January 2021.
4. Letter of denial from the Building Department dated February 24, 2021.

7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
- i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
 - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: Ryan Heil PHONE: 248-214-1563
ADDRESS: 11600 Hazel Ave, Grand Blanc MI 48439
APPLICANT'S EMAIL ADDRESS: Ryan_Heil@yahoo.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: _____ PARCEL # 12-14-282-002
CURRENT ZONING: R1D PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____
VALUE OF IMPROVEMENT: \$ _____ SEV OF EXISTING STRUCTURE: \$ _____

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)
Handicap
 PAID CASH CHECK# _____
FEB 17 2021
TREASURER
CHARTER TWP. OF WHITELAKE

APPLICATION FEE: \$385.00 (CALCULATED BY THE PLANNING DEPARTMENT)
APPLICANT'S SIGNATURE: _____ DATE: 2/17/21

DESCRIPTION PARCEL #12-14-282-002:

LOT 345 OF "ENGLISH VILLAS SUBDIVISION", A SUBDIVISION OF PART OF SECTION 14, T.3N., R.8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MI, AS RECORDED IN LIBER 51 OF PLATS ON PAGE 22, OAKLAND COUNTY RECORDS.

MIN. SETBACK REQUIREMENTS R-1D

DESCRIPTION	REQ.	PROP.
SIDE YARD (EAST)	10'	6.66'
SIDE YARD (WEST)	10'	8.56'
FRONT YARD (ROAD)	30'	15.96'
REAR YARD (LAKE)	25'	33.78'

(7.58 O.H.)

30'

BUILD. AREA CALCULATIONS

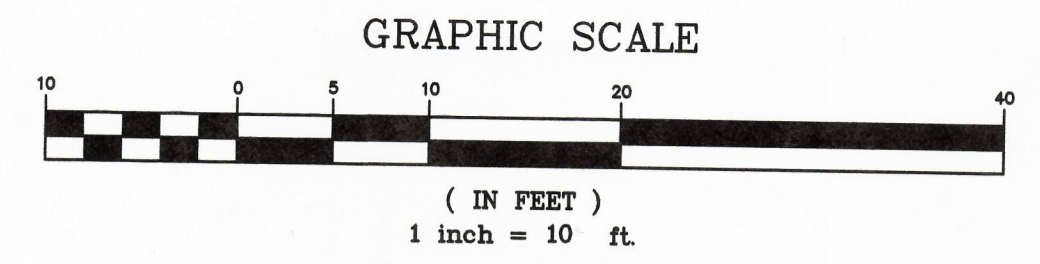
	SQ. FT.
HOUSE W/O.H.	1,163
ATTACHED GARAGE	440
TOTAL	1,603
LOT	5,348
COVERAGE	29.97%
MAX COVERAGE ALLOWED	30.00%

IMPERVIOUS AREA CALC'S

	SQ. FT.
DRIVE CONC.	290
WALLS	143
CONC. WALK	85
TOTAL	518
LOT	5,348
COVERAGE	9.53%
MAX COVERAGE ALLOWED	30.00%

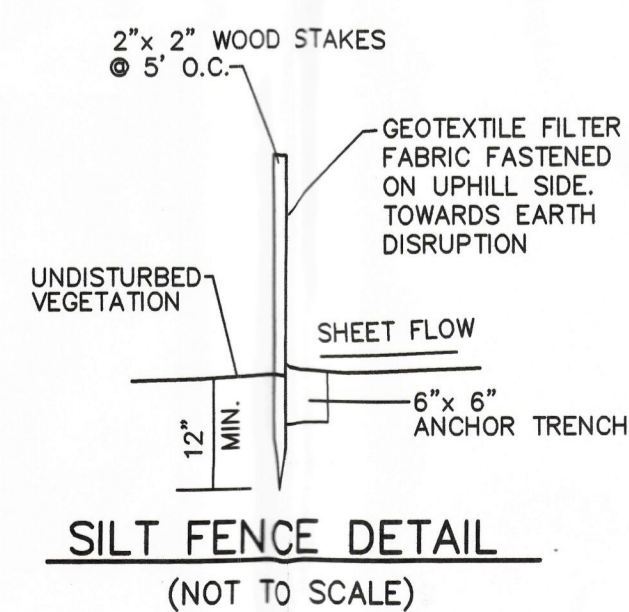
TOTAL SURFACE COVERAGE

	SQ. FT.
BUILD. AREA	1,603
IMPERVIOUS AREA	518
TOTAL COMBINED AREA	2,121
LOT	5,348
COVERAGE	39.66%
MAX COVERAGE ALLOWED	60.00%



LEGEND

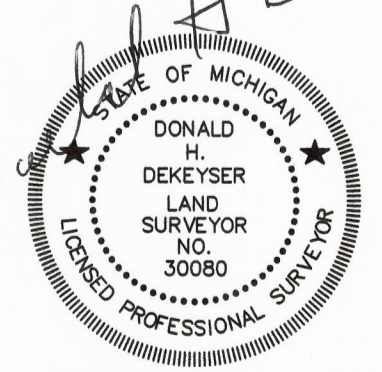
- ○ ○ ○ ○ EXISTING ELEV.
- □ □ □ □ PROPOSED ELEV.
- ▨ ▨ ▨ ▨ ▨ AS BUILT ELEV.
- FLOW DIRECTION
- CONTOURS
- SANITARY
- WATER MAIN
- STW SEWER
- GAS LINE
- OH WIRE LINE
- CHAIN FENCE
- WOOD FENCE
- SILT FENCE
- CMP
- ⊗ TREE TO BE REMOVED
- FOUND IRON OR PIPE
- SET IRON
- FOUND MONUMENT
- ⊕ SECTION CORNER
- ⊙ POWER POLE
- ⊙ CATCH BASIN
- ⊙ CENTERLINE OF ROAD
- ⊙ GATE VALVE WATER
- ⊙ GAS MARKER
- ⊙ DOWNSPOUT
- ⊙ WATER SHUT OFF



SOIL EROSION SEQUENCE

1. INSTALL SILT FENCE AROUND ENTIRE LOT OR AS SHOWN ON DWG., LEAVING AN OPENING FOR THE DRIVE WHICH SHALL HAVE A BASE OF GRAVEL OR CRUSHED CONCRETE INSTALLED PRIOR TO BEGINNING CONSTRUCTION AND CALL TWP. OR CITY FOR INSPECTION.
2. CLEAR AND ROUGH GRADE SITE.
3. EXCAVATE BASEMENT AND INSTALL SANITARY, SUMP, AND WATER LEADS AS NECESSARY AND BACK FILL BASEMENT.
4. INSTALL ALL PUBLIC UTILITIES.
5. COMPLETE BUILDING CONSTRUCTION.
6. FINISH GRADE SITE AND PAVE DRIVE.
7. HOMEOWNERS TO ESTABLISH VEGETATION ON ALL DISTURBED AREAS WITH TOPSOIL AND SEED OR SOO.
8. REMOVE ALL SOIL EROSION CONTROL DEVICES AFTER VEGETATION IS ESTABLISHED.
9. SOIL EROSION CONTROLS SHALL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT.

Handwritten signature: D. Heil



DEKEYSER SURVEYING 6038 NORTHROP, WATERFORD MI. 48329 PH. 248-623-1518		
SCALE: 1"=10'	REV. 2-20-21	DRAWN BY: AB
DATE: 11-20-20	REV.	REV.
JOB DESCRIPTION: SITE PLAN		
CLIENT RYAN HEIL PH. 248-214-1563	DRAWING NUMBER 6842	

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Home INNOVATION
 Design & Construction
 517-202-2118

Note:
 All Dimensions And Materials Are To Be Checked By The Builder Before Construction Begins

All Dimensions Are "Wood To Wood" Exterior Sheathing Included

2x6 Treated Sill Plate To Be Applied Over Sill Sealer Tape At Concrete Walls

All Joist Material To Be Wood Joists Per Mfr. Layout

Subfloor Decking To Be 3/4" T & G OSB Material, Glued And Screwed @ 16" O.C. Along Joist Length

Stairs Are Calculated w/ 10" Tread (Nose to Nose), 1 1/4" Nosing, All Risers Equal w/ 7 3/4" Maximum Rise. Knotted 2x12 Stringers w/ 2x4 Applied. Use 2x12 Tread Stock & 1x8 Riser Stock Fasten w/ 16d Nails Typical, Glue All Joints

Exterior Wall Framing To Be 2x6 Studs @ 16" O.C., Fasten Members w/ 16d Nails Typical

Exterior Vertical Wall Sheathing To Be 7/16" OSB Material, Fasten w/ 8d Ringshank Nails 16" O.C.

Exterior Vertical Walls To Have Water Resistant Barriers Applied Per Code R703.2 And Manufacturer Specification

All Headers To Be 2-2x12 Unless Otherwise Noted

Install All Metal Hangers And Connectors Per Manufacturer Specification

Roof Sheathing To Be 1/2" Plywood Fasten w/ 8d Ringshank Nails 16" O.C.

Cover Roof Sheathing w/ 15# Felt Paper Apply Ice Shield At All Valleys And Eave Lines To 2" Inside Exterior Wall Line. Shingle Over w/ Selected Asphalt Shingles

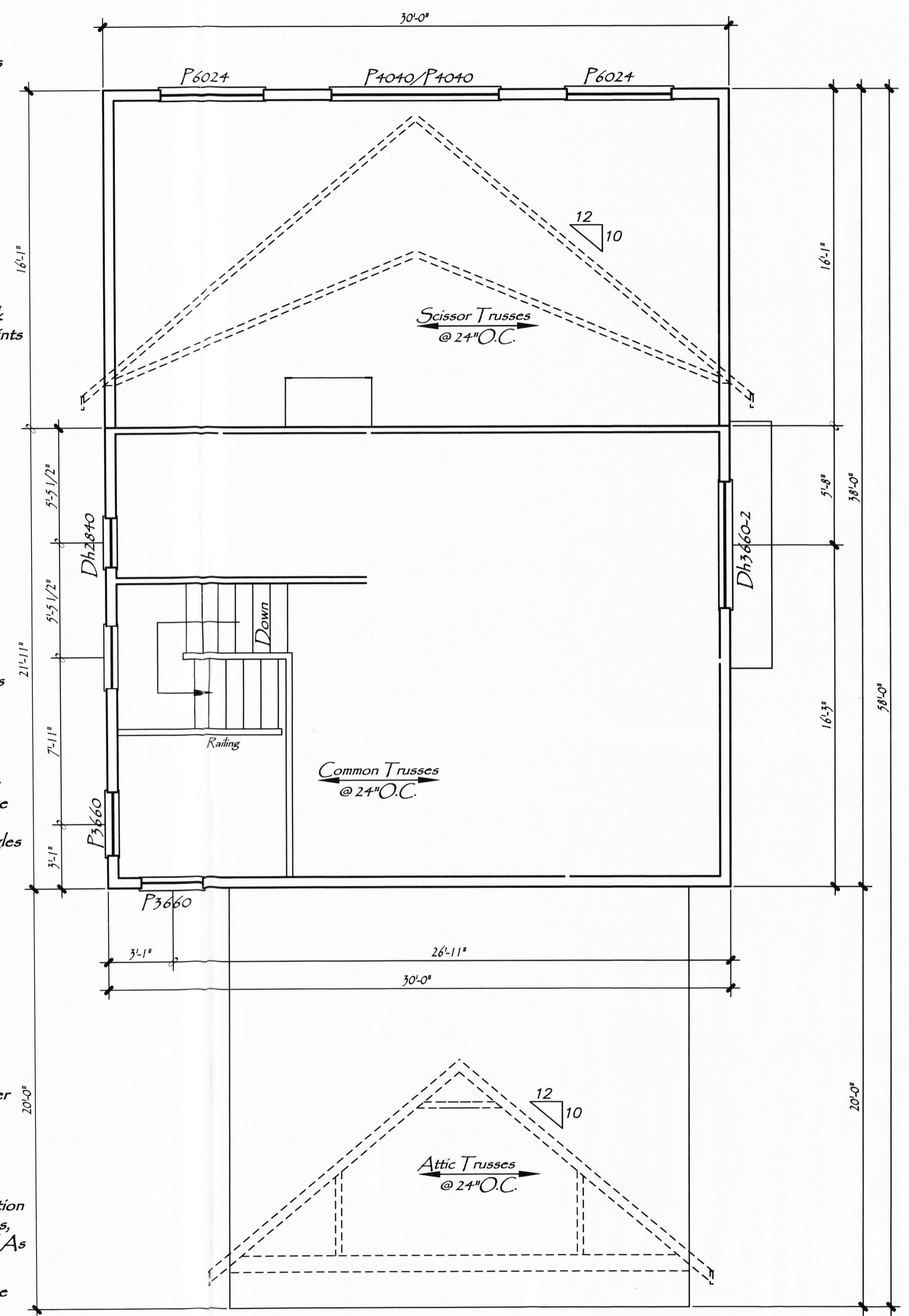
Engineered Building Systems Such As
 Roof Trusses
 Joist Floor Systems
 Prefabricated Wall Systems
 Structural Insulated Panels
 Precast Foundations
 Must Have Manufacturer Engineering Specification And Layouts Attached

Insulation Manufacturer Specifications And Installation To Be Made Available For Inspection And Left With The Owner

Interior Wallboard Installation And Finish Per Code R702, And Manufacturer Specifications

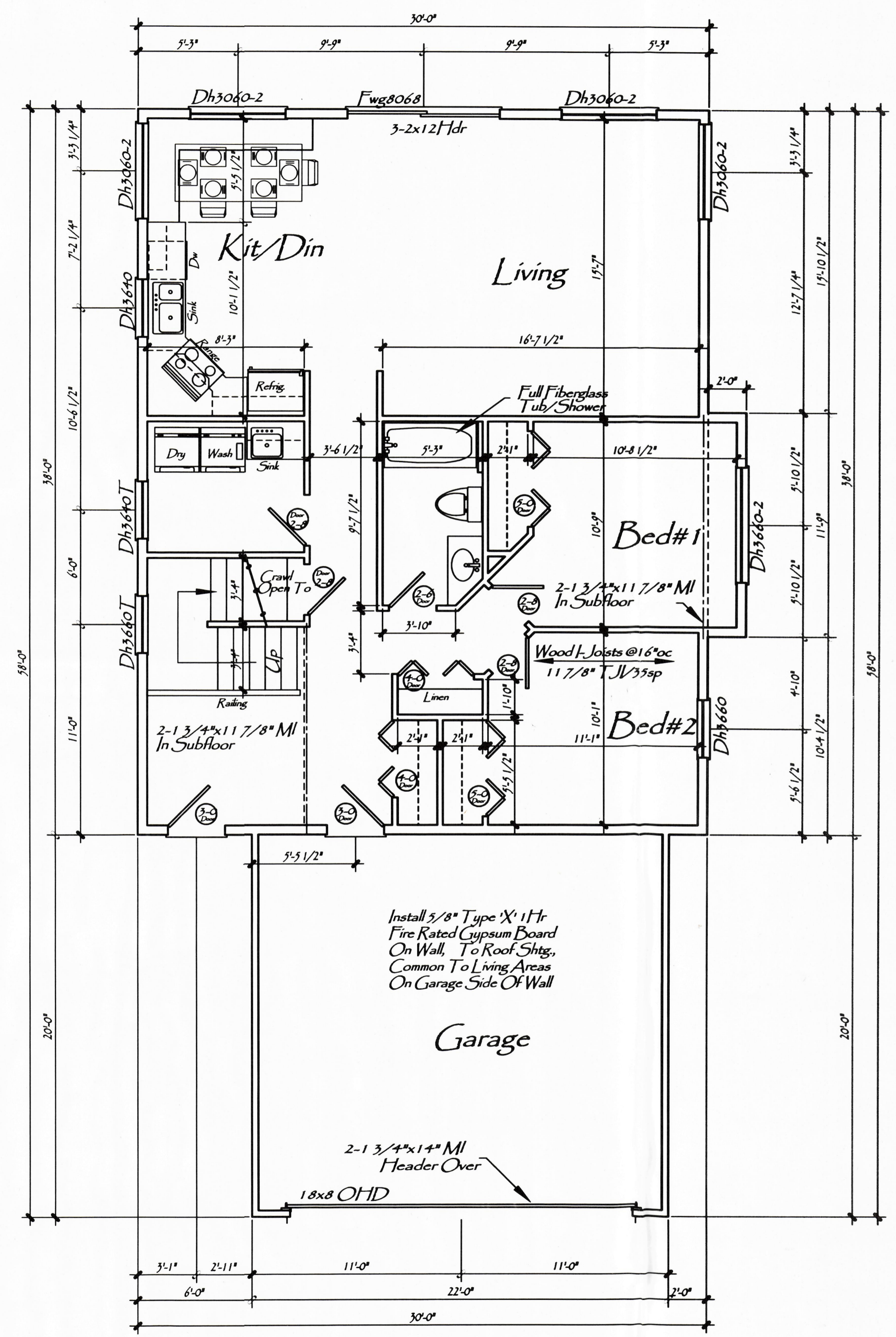
Interior Finish Products Per Owner Selection To Be Installed To All Applicable Codes, Including Sizes And Clearances, As Well As Manufacturer Recommendations

All Work Performed Shall Comply w/ The 2015 Michigan Residential Code, Local Ordinances, And Shall Be Performed To Industry Standards Or Better



Second Floor

532 Sq. Ft. Unfinished Scale 1/4" = 1'-0"



First Floor

1164 Sq. Ft. Living Scale 1/4" = 1'-0"

Builder: X

Site Location: Buckingham Road

Residence For:
 Ryan Heil

AI
 1/2021

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Home INNOVATION
Development, LLC
1177-202-2115

ROOF VENTILATION

ONE SQ. FT. OF VENTILATION IS REQUIRED FOR EVERY 150 SQ. FT. OF ROOF.

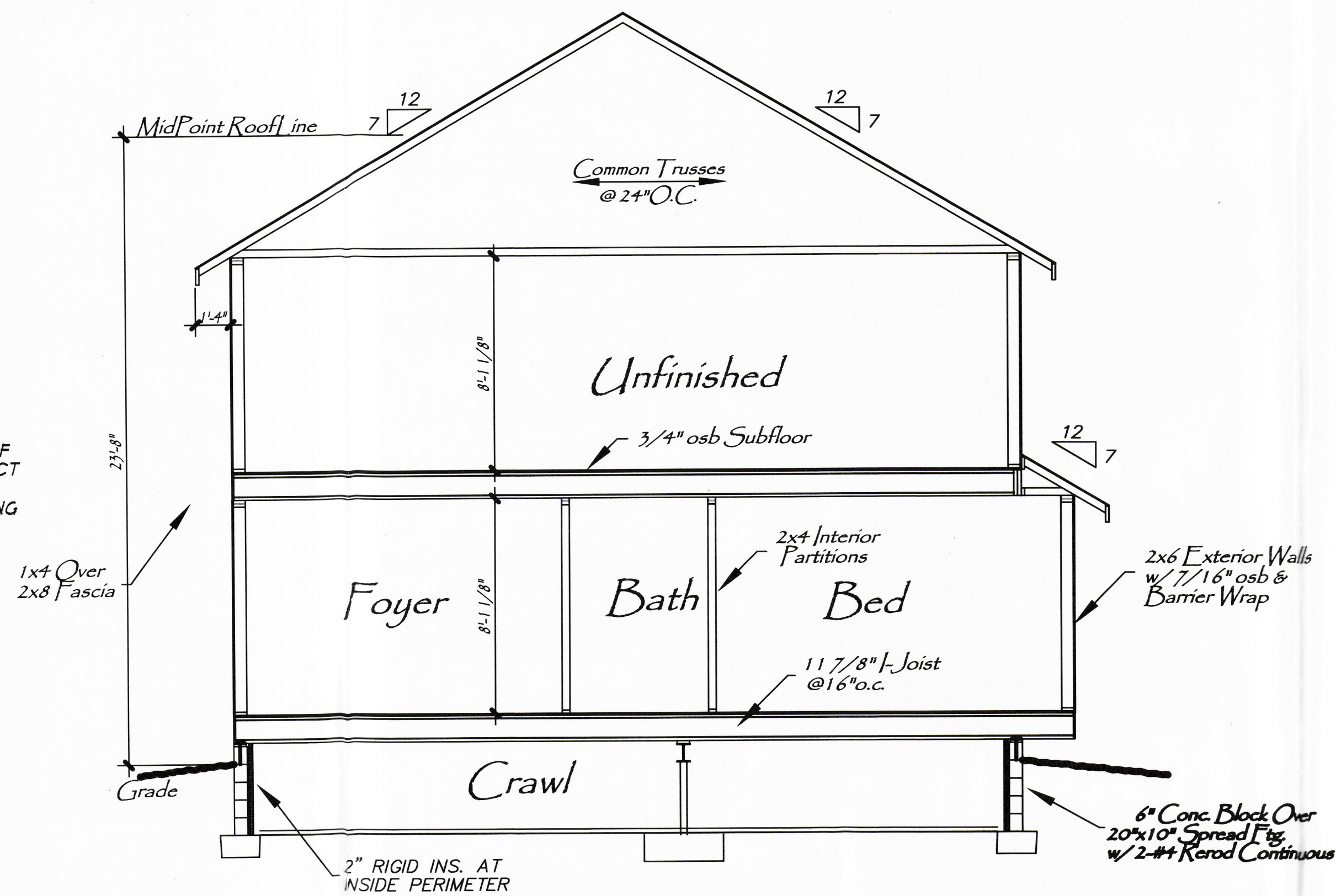
BALANCE VENTILATION FROM EAVE AND UPPER VENTILATED AREA

CONSULT VENTILATION CAPACITIES OF PRODUCTS CHOSEN FOR THIS PROJECT

PERIODIC MAINTENANCE AND CLEANING OF VENTS IS RECOMMENDED

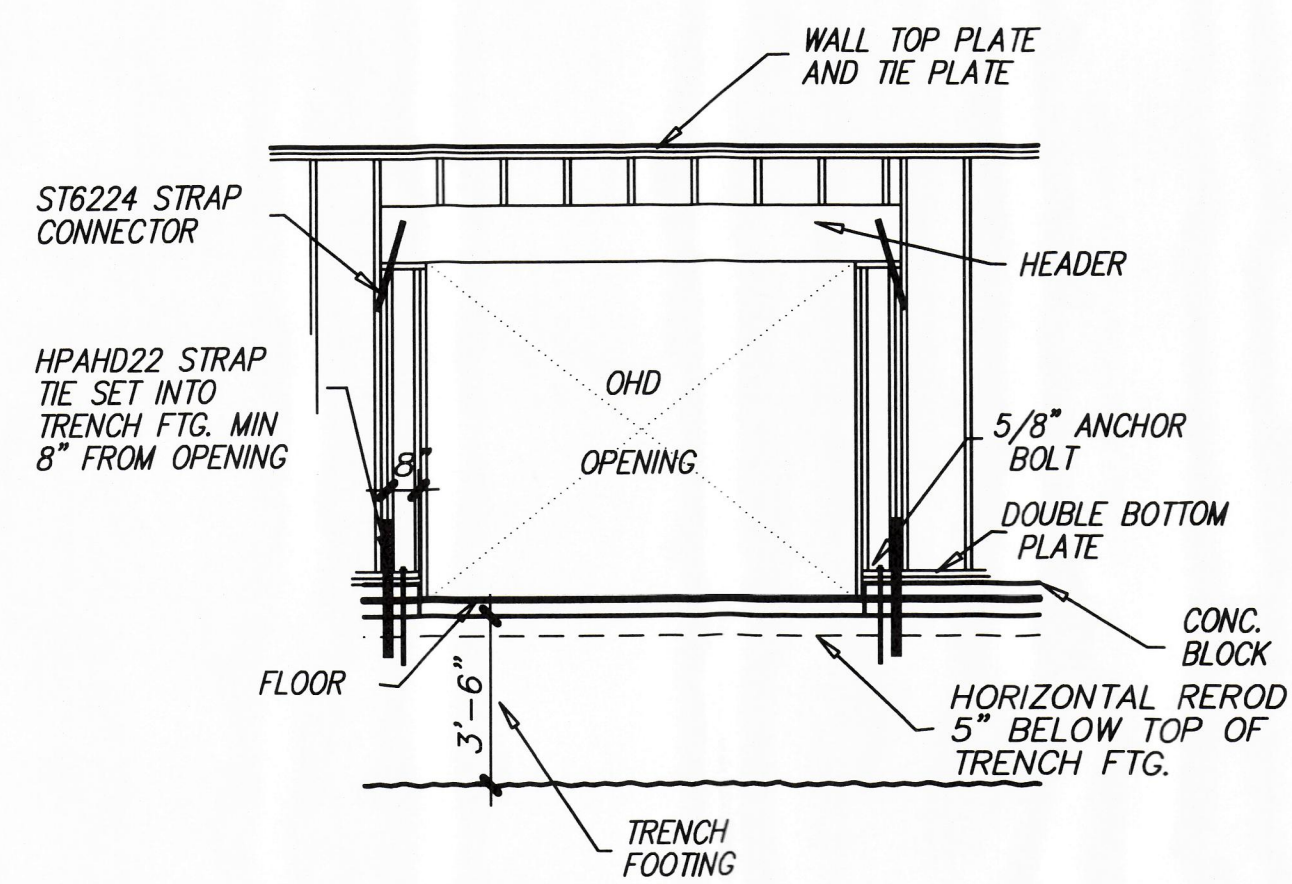
ATTIC ACCESS

ATTIC ACCESS TO BE MIN. 22"x30" TO EACH ATTIC SPACE. LOCATION PER BUILDER/OWNER



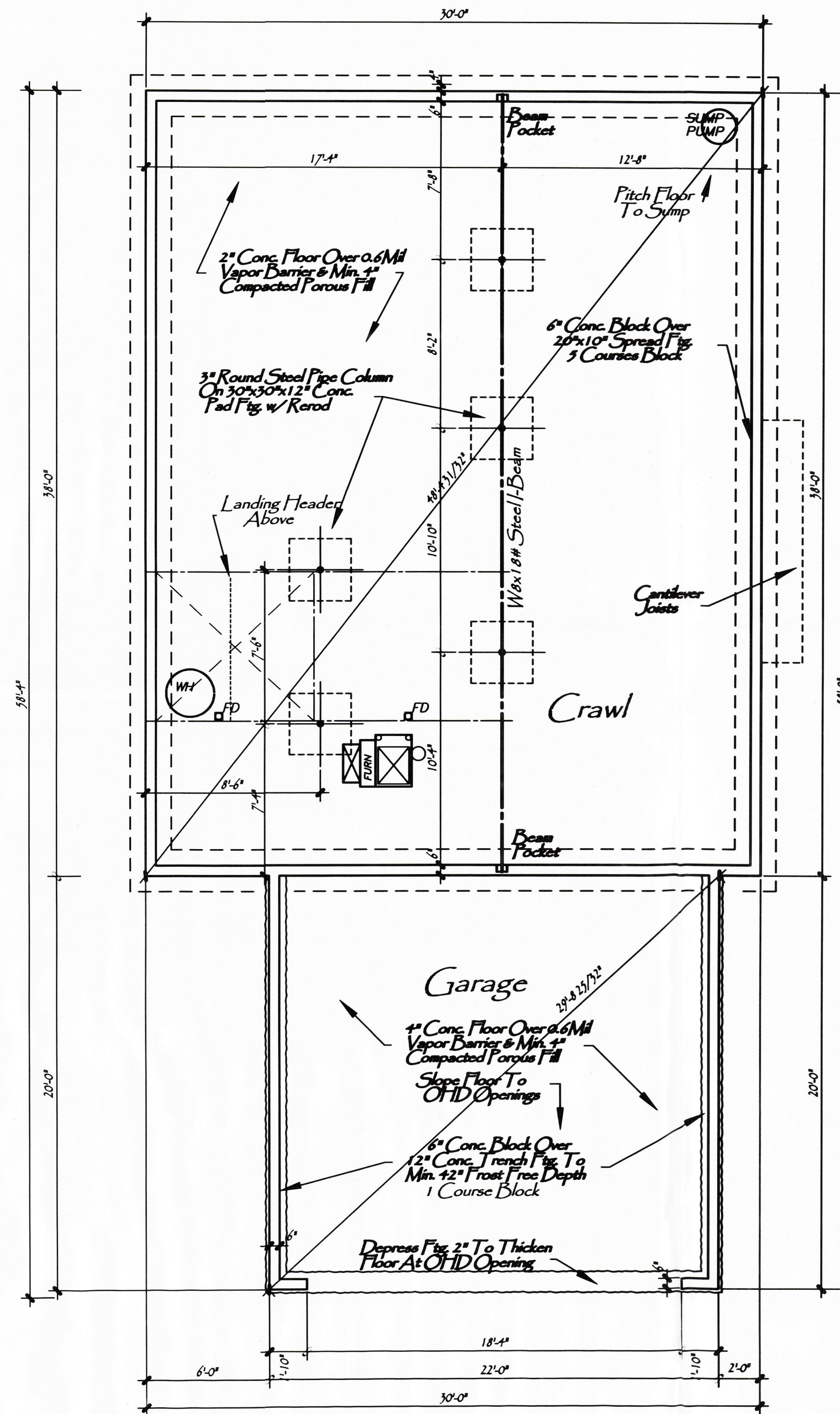
CONDITIONED CRAWL SPACE REQUIRES NO EXTERIOR VENTING. MECHANICAL VENTING REQUIRED AT RATE OF ONE CFM PER 50 SQ. FT. AREA. DO NOT INSULATE FLOOR JOISTS

Section



DETAIL

WALL BRACING WALLS SHORTER THAN 4' GARAGE OHD OPENINGS TYPICAL



Note: All Dimensions And Materials Are To Be Checked By The Builder Before Construction Begins

6" Conc. Block Over 12" Conc. Trench Fig. To Min. 42" Frost Free Depth

Vertical Expansion Joints Are Req. in All Concrete Walls 30' Or More In A Single Span Length

Place Sill Ties 6' o.c. Max And 1' Max From Corners / Ends Follow Mfr. Depth Setting

Apply Mastic Damp Proof Coating To Exterior Conc. Wall To Grade Line

Perimeter Drain Tile To Be Connected To Footing Bleeders & Covered w/ Min. 12" Peastone Fill

Perimeter Foundation Drain Tile Must Connect To Sump Crack, Even When Exterior Gravity Conditions Exist

Backfill Foundation w/ Clean Loose Fill And Grade Surface To Slope Away From Foundation. Maintain Min. 8" From Top Of Wall

Apply Foam Sill Sealer Tape Between Top Of Conc. Wall & Sill Plate

Wood In Direct Contact w/ Concrete Masonry, And / Or, Soils Must Be Pressure Treated

Install Proper Expansion Material At Perimeter Of Interior Conc. Floors

All Work Performed Shall Comply w/ The 2015 Michigan Residential Code, Local Ordinances, And Shall Be Performed To Industry Standards Or Better

Foundation Plan

Scale 1/4" = 1'-0"

Builder: X

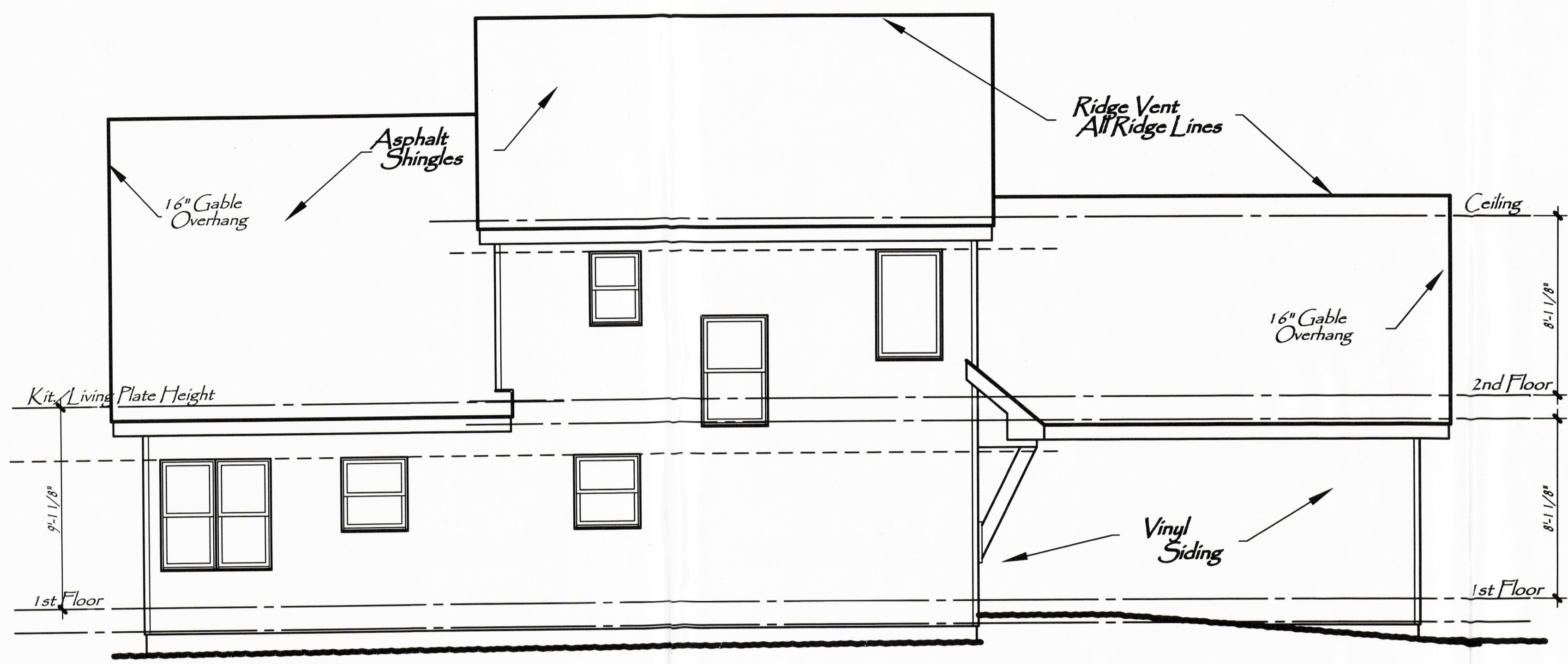
Site Location: Buckingham Road

Residence For: Ryan Heil

A2
1/2021

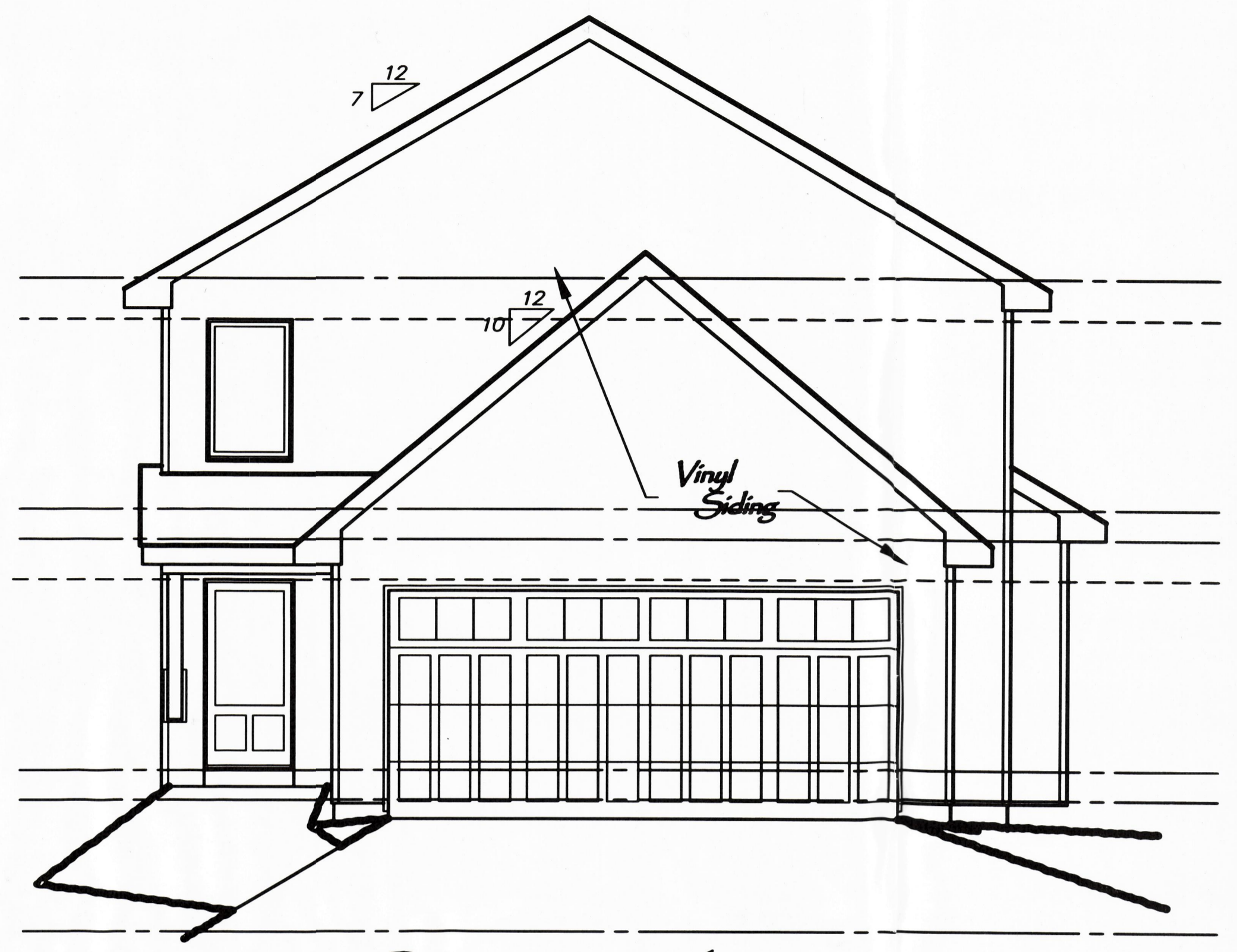
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 Design // Architecture
 13922 SHERWOOD BLVD
 517-202-2118

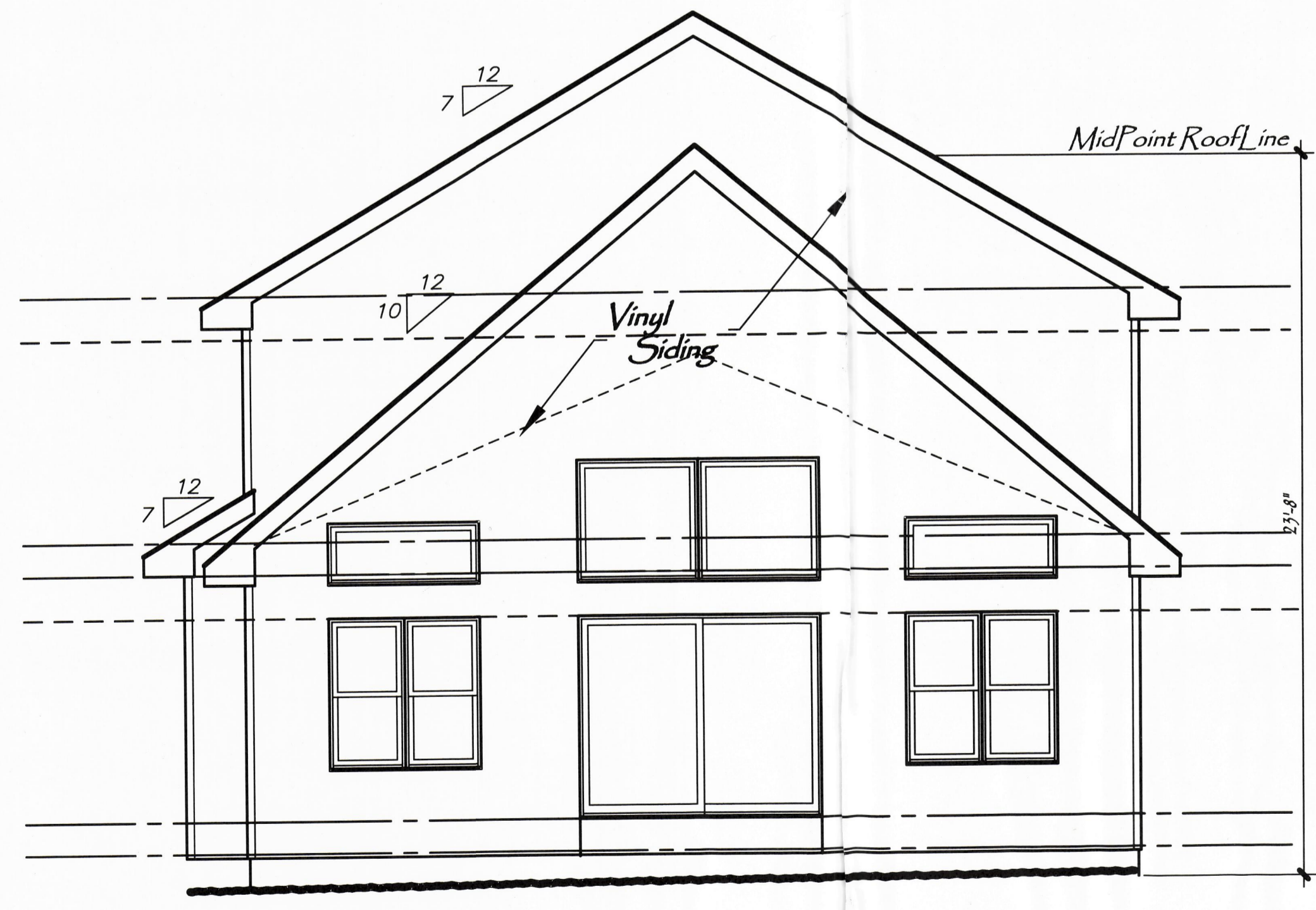


East Elev.

Scale 1/4" = 1'-0"



Street Elev.



Lake Elev.



West Elev.

Scale 1/4" = 1'-0"

Architect	
Date	

Builder: X

Site Location: Buckingham Road

Residence For:
 Ryan Heil

A3
 1/2024

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Liz Fessler Smith
Andrea C. Voorheis
Michael Powell

WHITE LAKE TOWNSHIP

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

February 24, 2021

Ryan Hail
11600 Hazel Ave
Grand Blanc, MI 48439

RE: Proposed Residential Structure on Parcel # 12-14-282-002 Buckingham

Based on the submitted plans, the proposed residential structure does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum front yard setback of 30 ft, minimum side yard setback of 10 ft each side and total of 20 ft, minimum lot area of 12,000 sq ft, minimum lot width of 80 ft, and maximum lot coverage of 20%.

The existing lot is legal non-conforming with an area of 5,348 sq ft and lot width of 42 ft. The proposed residential structure would have a side yard setback of 7.58 ft on the west side and 6.66 ft on the east side, for a combined total of 14.24 ft. The front yard setback is proposed as 14.54 ft. Furthermore, the lot coverage would be 29.97%.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the March 25th Zoning Board of Appeals meeting, application must be submitted to the White Lake Township Planning Department no later than February 25th at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: March 25, 2021

Agenda item: 6b

Appeal Date: March 25, 2021

Applicant: Metro Detroit Signs

Address: 11444 Kaltz Avenue
Warren, MI 48089

Zoning: GB General Business

Location: 6491 Highland Road
White Lake, MI 48386

Property Description

The approximately 1.31-acre parcel identified as 6194 Highland Road is located on the north side of Highland Road, east of Bogie Lake Road, and zoned GB (General Business).

Applicant's Proposal

Metro Detroit Signs, the applicant, on behalf of property owner McDonald's, is proposing to install four wall signs on the building.

Planner's Report

The following four wall signs are proposed:

- 14 square foot wall sign on the south (front) elevation
- 14 square foot wall sign on the west (side) elevation
- 14 square foot wall sign on the east (side) elevation
- 32.8 square foot wall sign on the east (side) elevation

In accordance with Article 5, Section 9.J.ii.b, a maximum of one (1) wall sign is permitted for each principal building. The one permitted wall sign must be located flat against the building's front facade or parallel to the front facade on a canopy.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 5.9.J.ii.b	Maximum number of wall signs	1 wall sign	3 wall signs	4 wall signs

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by Metro Detroit Signs from Article 5.9.J.ii.b of the Zoning Ordinance for Parcel Number 12-20-276-020, identified as 6491 Highland Road, in order to install four wall signs where only one sign is permitted. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- No additional signage shall be permitted on the building.
- Any future modification to signage on the building, except for eliminating signage, shall require approval of the Zoning Board of Appeals.

Denial: I move to deny the variance requested by Metro Detroit Signs for Parcel Number 12-20-276-020, identified as 6491 Highland Road, due to the following reason(s):

Table: I move to table the variance request of Metro Detroit Signs for Parcel Number 12-20-276-020, identified as 6491 Highland Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated February 18, 2021.
2. Applicant's written statement dated February 18, 2021.
3. Sign plans.
4. Site plan.

7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
 - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
 - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

RECEIVED

FEB 19 2021

COMMUNITY
DEVELOPMENT
DEPARTMENT

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: Metro Detroit Signs PHONE: 586-759-2700

ADDRESS: 11444 Kaltz Ave Warren, MI 48089

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: Sign Contractor

ADDRESS OF AFFECTED PROPERTY: 6491 Highland Rd PARCEL # 12 - _____

CURRENT ZONING: _____ PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

Please see the attached ZBA cover letter

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

Please see the attached ZBA cover letter

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: *Don Deeter* DATE: 2/18/21



11444 Kaltz Ave. Warren, MI 48089
P: (586)759-2700 F: (586)759-2703
kdeters@metrodetroitsigns.com

DATE: 2/18/21
TO: White Lake Township ZBA
FROM: Kevin Deters
Metro Detroit Signs
RE: McDonald's signs at 6491 Highland Rd

ZBA Cover Letter

We applied for the following signs as part of the McDonald's remodel:

- a 4' x 9'-7" monument sign with an electronic message board (38.3 sq feet) at 6' OAH
- a 4' x 3'-6" (14 sq feet) arch logo wall sign on the south (front) elevation
- a 4' x 3'-6" (14 sq feet) arch logo wall sign on the east (side) elevation
- a 4' x 3'-6" (14 sq feet) arch logo wall sign on the west (drive thru) elevation
- a 2' x 16'-5" (32.8 sq feet) McDonald's wall sign on the east (side) elevation

The only sign that could be approved was the south elevation arch wall sign facing Highland Rd. The rest of the signage requires a variance.

The monument sign at this location is unique in that it has to be setback 13 feet north of the property line along Highland Rd in order to be outside of the water main easement. There is really no other place on the property to realistically and practically install a monument sign. Also, the proposed new monument sign is much smaller and aesthetically pleasing than the existing 20' high pylon that it will be replacing.

The additional wall signage is necessary for visibility for eastbound and westbound traffic along Highland Rd. It is also essential for McDonald's to have building identification over their drive thru on the west elevation and also over their customer entrance on the east elevation.

Feel free to call me at (586)759-2700 if anything else is needed. Thank you for your assistance.

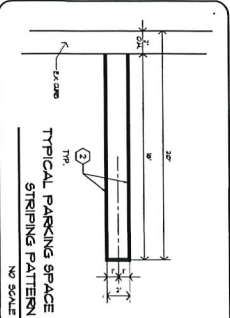
RECEIVED

FEB 19 2021

COMMUNITY
DEVELOPMENT
DEPARTMENT

ADA SITE COMPLIANCE NOTES

- GENERAL NOTES:**
1. PROVIDE CURB CUTS FROM CURB TO SIDEWALK TO BE COMPLIANT WITH ADA REQUIREMENTS.
 2. PROVIDE CURB CUTS FROM SIDEWALK TO SIDEWALK TO BE COMPLIANT WITH ADA REQUIREMENTS.
 3. PROVIDE CURB CUTS FROM SIDEWALK TO DRIVEWAY TO BE COMPLIANT WITH ADA REQUIREMENTS.
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 12. PROVIDE CURB CUTS FROM SIDEWALK TO SIDEWALK TO BE COMPLIANT WITH ADA REQUIREMENTS.

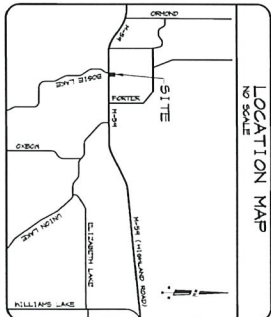
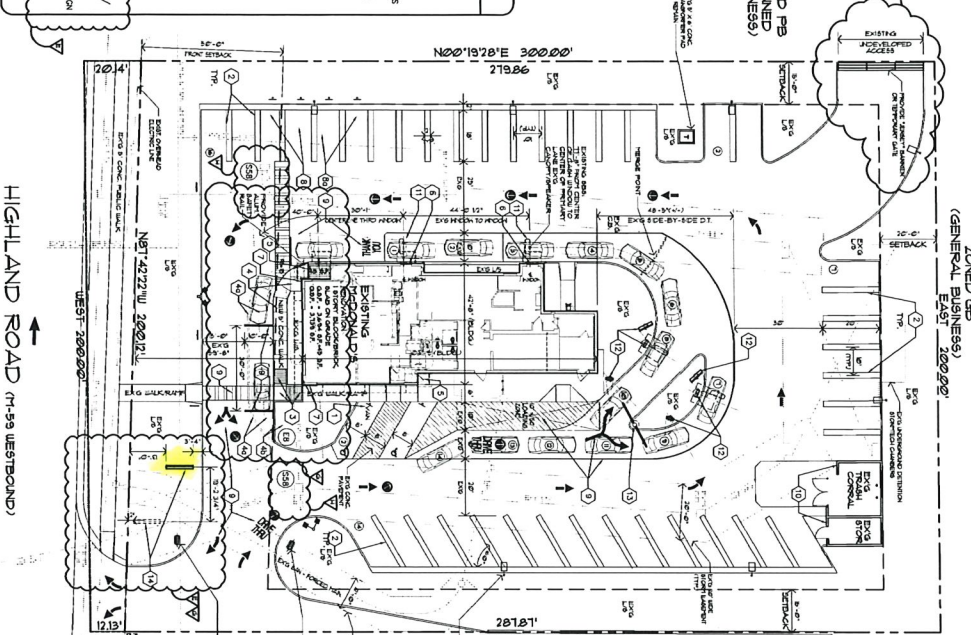


TAGGED SITE NOTES

1. PROVIDE BARRIER-FREE WALK ACCESSIBLE PARKING AS SHOWN. ALSO SEE ADA SITE COMPLIANCE NOTES, THIS SHEET.
2. PROVIDE BARRIER-FREE WALK ACCESSIBLE PARKING AS SHOWN. ALSO SEE ADA SITE COMPLIANCE NOTES, THIS SHEET.
3. PROVIDE BARRIER-FREE WALK ACCESSIBLE PARKING AS SHOWN. ALSO SEE ADA SITE COMPLIANCE NOTES, THIS SHEET.
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11. PROVIDE BARRIER-FREE WALK ACCESSIBLE PARKING AS SHOWN. ALSO SEE ADA SITE COMPLIANCE NOTES, THIS SHEET.
12. PROVIDE BARRIER-FREE WALK ACCESSIBLE PARKING AS SHOWN. ALSO SEE ADA SITE COMPLIANCE NOTES, THIS SHEET.

ZONED CB (GENERAL BUSINESS)

ILLUMINATION: LED
SPACING: 45' Spacing @ 120' Max.
POWER SOURCE: Applicant For 200V/120V/277V
FACE DETAIL: Letter Cut (See Section with Illumination and Detail) See Note.



LEGAL DESCRIPTION

SECTION 17, T12N, R12E, S12W, CO. OF ILLINOIS, CHICAGO, ILLINOIS

COMMENCING AT THE N. 1/4 CORNER OF SECTION 20, T12N, R12E, S12W, CO. OF ILLINOIS, CHICAGO, ILLINOIS, AND THENCE S. 89° 58' 00\"

ZONED CB (GENERAL BUSINESS DISTRICT)

EXISTING SIGN ON THE SITE IN ACCORDANCE WITH THE CITY OF CHICAGO SIGNAGE ORDINANCE AND THE ILLINOIS SIGNAGE ACT.

SCALE: 1" = 20'

SCALE: 1" = 20'

SCALE: 1" = 20'

GENERAL NOTES

1. PROVIDE CURB CUTS FROM CURB TO SIDEWALK TO BE COMPLIANT WITH ADA REQUIREMENTS.
2. PROVIDE CURB CUTS FROM SIDEWALK TO SIDEWALK TO BE COMPLIANT WITH ADA REQUIREMENTS.
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12. PROVIDE CURB CUTS FROM SIDEWALK TO SIDEWALK TO BE COMPLIANT WITH ADA REQUIREMENTS.

LAND/BUILDING/PARKING DATA AND NOTES

LAND AREA: 3000 S.F.

BUILDING AREA: 3000 S.F.

PARKING SPACES: 41

DATE: 02-15-18

PARKING INFORMATION

TOTAL	SHADES	NO. OF
41	2	SHADES
20	20	SHADES
21	0	SHADES

ARCHITECT/PLANNER

DATE

SITE LOCATION

PROJECT STREET ADDRESS

CITY

STATE

COUNTY

NATIONAL I.D. NO.

SITE LOCATION CODE NO.

McDonald's

OFFICE: MICHIGAN

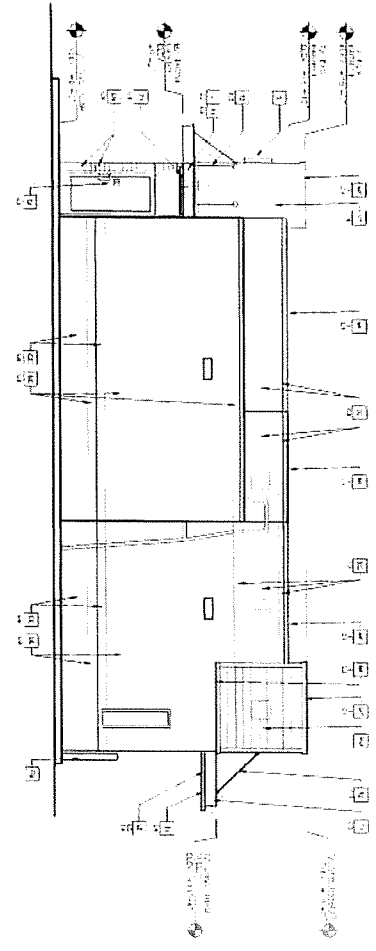
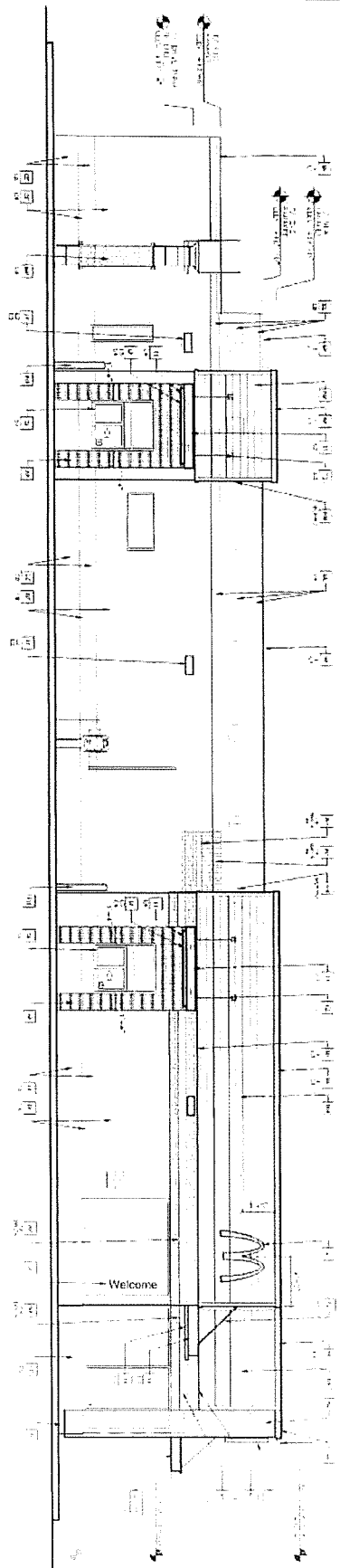
ADDRESS: 110 N. CARPENTER ST., CHICAGO, IL 60607

PLAN APPROVALS

DATE	SIGNATURE (2 REQUIRED)	NAME

CO-SIGNATURES

DATE	SIGNATURE	NAME



REAR ELEVATION - NORTH

DRIVE-THRU ELEVATION - WEST

- GENERAL NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
 2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT AND THE LOCAL BUILDING DEPARTMENT.
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 6. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
 8. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
 9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.
 10. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MATERIALS AND STRUCTURES.
 12. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 13. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 14. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION.
 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
 16. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
 17. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.
 18. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MATERIALS AND STRUCTURES.
 20. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: March 25, 2021

Agenda item: 6c

Appeal Date: March 25, 2021

Applicant: James Kovach

Address: 3700 Jackson Boulevard
White Lake, MI 48386

Zoning: R1-C Single Family Residential

Location: 3700 Jackson Boulevard
White Lake, MI 48386

Property Description

The approximately 0.251-acre (10,933.56 square feet) parcel identified as 3700 Jackson Boulevard is located on White Lake and zoned R1-C (Single Family Residential). The existing house on the property (approximately 1,129 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant's Proposal

James Kovach, the applicant, is proposing to demolish the existing house and construct a new house.

Planner's Report

The existing house was built in 1920 and is nonconforming because it is located two feet from the east (side) lot line. A minimum 10-foot side yard setback is required in the R1-C zoning district. The parcel is also nonconforming due to a 5,066.44 square foot deficiency in lot area and a 53.21-foot deficiency in lot width (46.79 feet in width at the front lot line); in the R1-C zoning district the minimum lot size requirement is 16,000 square feet and the minimum lot width requirement is 100 feet.

The applicant is proposing to demolish the existing house to construct an approximately 3,053 square foot (plus bonus room over garage) two-story house with an attached two-car garage. The proposed house would be located 6 feet from the east and west property lines. A four-foot variance is being requested to encroach into the east and west side yard setbacks. However, the proposed roof overhang (1'-8") is within five feet (4.33 feet) of the side lot line. Article 5, Section 3 of the zoning ordinance prohibits roofs, gutters, windows, and open balconies from projecting closer than five feet to a lot line. Article 7, Section 27.vii prohibits the Zoning Board of Appeals from permitting side yards of less than five feet for safety reasons.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.5.E	Side yard setback	10 feet	4 feet (east and west)	6 feet (east and west)
2	Article 3.1.5.E	Minimum lot size	16,000 square feet	5,066.44 square feet	10,933.56 square feet
3	Article 3.1.5.E	Minimum lot width	100 feet	53.21 feet	46.79 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by James Kovach from Article 3.1.5.E of the Zoning Ordinance for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, in order to construct a new house that would encroach four feet into the required east and west side yard setbacks. A 53.21-foot variance from the required lot width and 5,066.44 square foot variance from the required lot size are also granted from Article 3.1.5.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- In no event shall the projection of the roof overhang be closer than five feet to the east and west side lot lines.
- An as-built survey shall be required to verify the roof overhang setback from the east and west side lot lines.

Denial: I move to deny the variances requested by James Kovach for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, due to the following reason(s):

Table: I move to table the variance requests of James Kovach for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated February 24, 2021.
2. Site plan.
3. Floor plans and elevations dated November 24, 2020.
4. Letter of denial from the Building Department dated February 24, 2021.

7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
- i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
 - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

RECEIVED
FEB 24 2021
COMMUNITY DEVELOPMENT

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

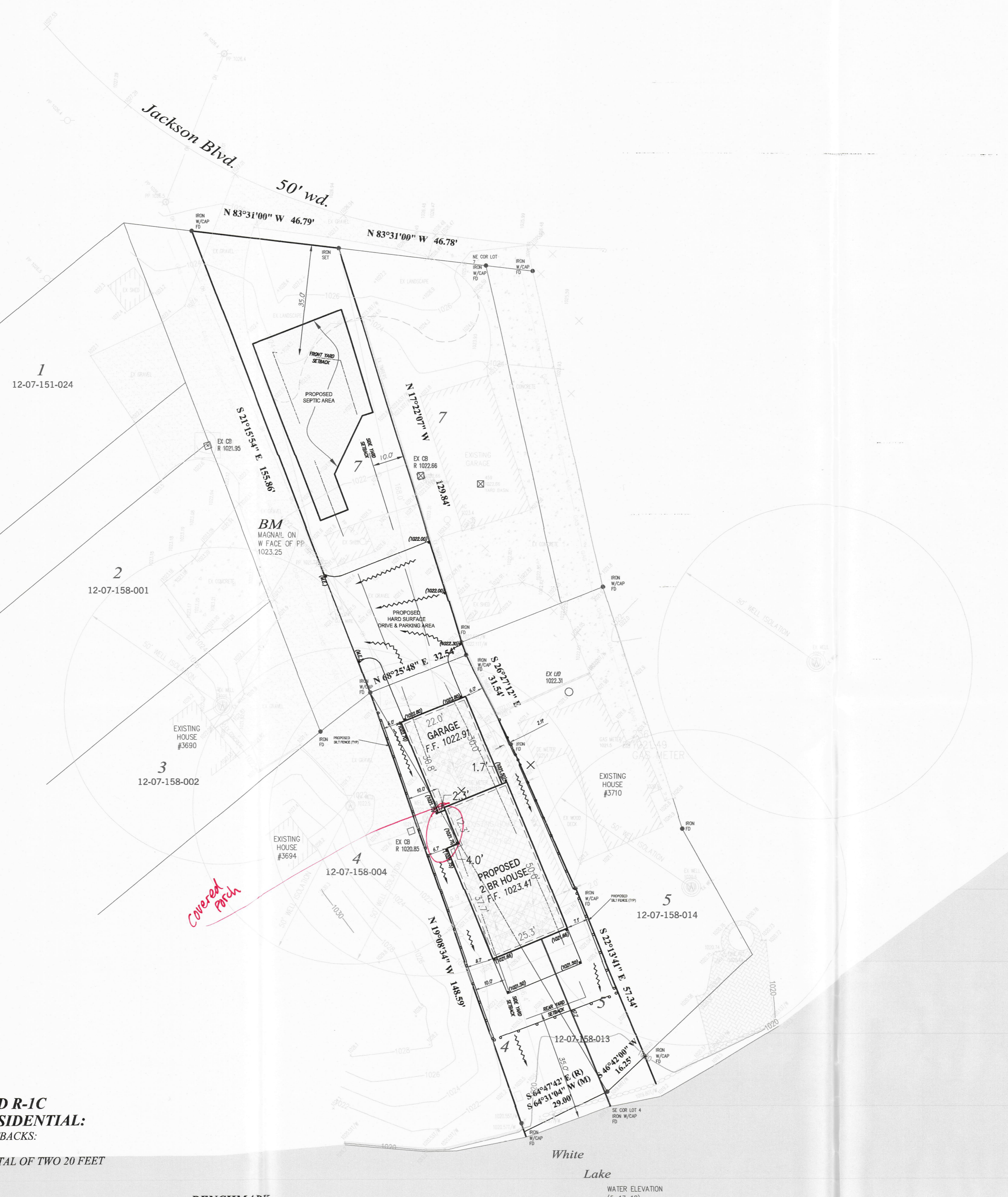
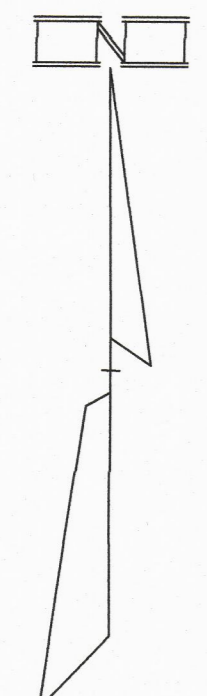
APPLICANT'S NAME: James Kovach PHONE (248) 770-8955
ADDRESS: 3700 Jackson Blvd White Lake 48383
APPLICANT'S EMAIL ADDRESS: jim@kovachllc.net
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 3700 Jackson Blvd PARCEL # 12-07-158-013
CURRENT ZONING: R-1C PARCEL SIZE: 12,000 sq ft

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____
VALUE OF IMPROVEMENT: \$ _____ SEV OF EXISITING STRUCTURE: \$ 139,680

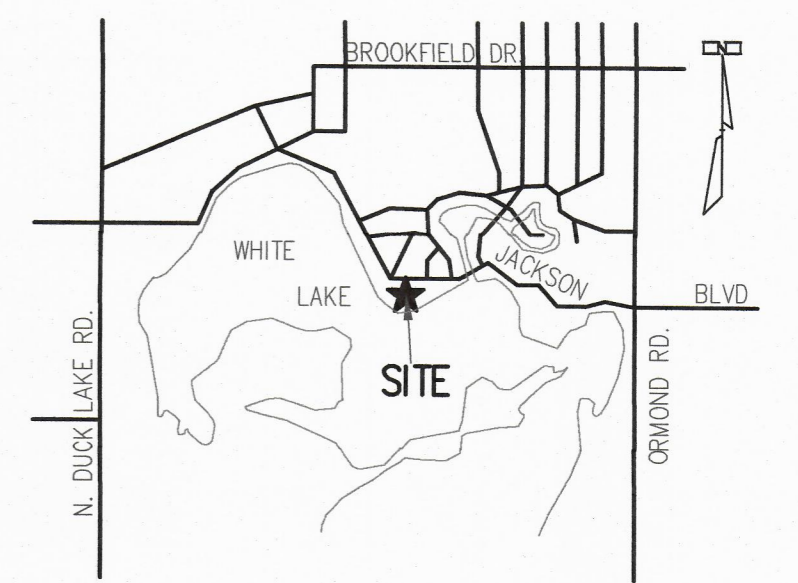
STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)
APPLICANT'S SIGNATURE: [Signature] DATE 2-24-21

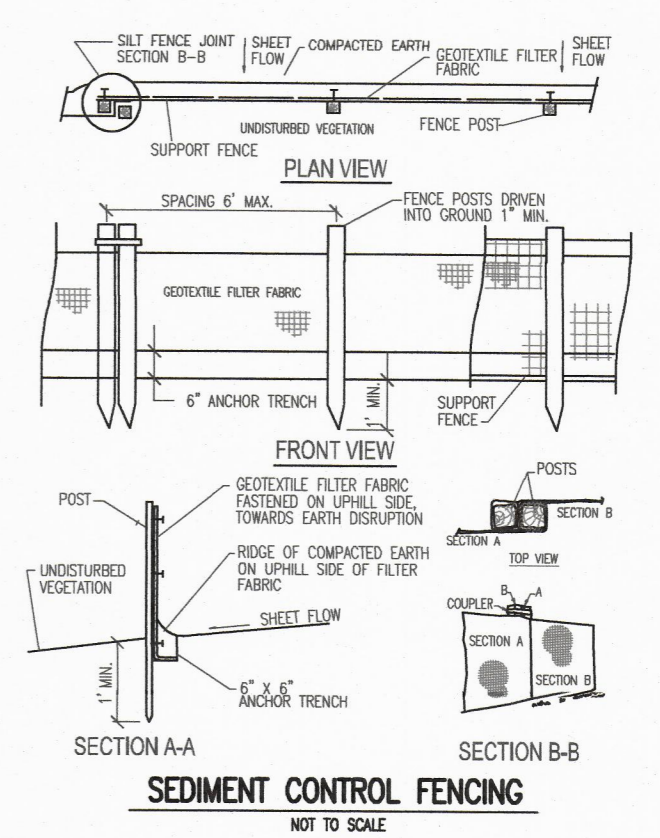


LEGEND

- EXISTING GRADE
- EXISTING CONTOUR
- EXISTING GAS MAIN
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- EXISTING WATERMAIN
- EXISTING TREE
- REMOVE TREE
- PROPOSED GRADE
- PROPOSED DRAINAGE FLOW
- PROPOSED CONTOUR
- SEDIMENT CONTROL FENCE



LOCATION MAP
SCALE 1" = 2000'



SEDIMENT CONTROL FENCING
NOT TO SCALE

START DATE	END DATE	SOIL EROSION CONTROL SEQUENCE OF CONSTRUCTION
1	2	INSTALL SILT FENCE AS SHOWN ON THIS PLAN.
3	10	CLEAR AND ROUGHEN GRADE SITE.
11	25	EXCAVATE FOR BASEMENT, INSTALL FOOTINGS AND INSTALL BASEMENT WALLS.
26	45	INSTALL SANITARY SEWER, LEAD SLUMP DISCHARGE, LEAD, STORM SEWER AND WATER SERVICE. BACKFILL BASEMENT.
46	100	INSTALL ALL PUBLIC UTILITIES (GAS, ELECTRIC, TELEPHONE, AND CABLE TV).
101	105	COMPLETE BUILDING CONSTRUCTION.
106	125	FINISH GRADE AND PAVE DRIVE.
126	180	ESTABLISH VEGETATION ON ALL DISTURBED GROUND AREAS WITH TOPSOIL AND SEED OR SOIL. REMOVE ALL SOIL EROSION CONTROL DEVICES.

- NOTES:
- THE SOIL EROSION CONTROLS WILL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT, BY THE BUILDER.
 - SITE WILL BE RESTORED WITH SEED AND MULCH.

LEGAL DESCRIPTION

PARCEL 12-07-158-013
PART OF LOTS 4 & 5, "BAKER'S POINT" A SUBDIVISION OF PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 7, T3N, R8E, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 21 OF PLATS, PAGE 11, OAKLAND COUNTY RECORDS. DESCRIBED AS BEGINNING AT THE SE CORNER OF SAID LOT 4, TH W'LY ALONG WHITE LAKE SHORE 29 FT; TH N'LY TO NE COR OF LOT 4; TH E'LY ALONG NORTHERLY LINE OF LOT 5 32.54 FT; TH S 26°27'12" E 31.54 FT; TH S 23°43'37" E 50.00 FT; TH S 22°13'41" E 57.34 FT; TH W'LY 16.25 FT TO THE POINT OF BEGINNING. ALSO PART OF LOT 7, DESCRIBED AS BEGINNING AT A POINT LOCATED N 83°31'00" W 46.78 FT FROM NE COR OF SAID LOT 7, TH CONTINUING N 83°31'00" W 46.79 FT; TH S 21°15'54" E 155.86 FT; TH N 68°25'48" E 32.54 FT; TH N 20°38'56" W 4.36 FT; TH 17°22'07" W 129.84 FT TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

PROPERTY IS ZONED R-1C
SINGLE FAMILY RESIDENTIAL:
RESIDENTIAL LAKE LOTS SETBACKS:
FRONT - 35 FEET
SIDE - 10 FEET ONE SIDE, TOTAL OF TWO FEET
REAR - 35 FEET

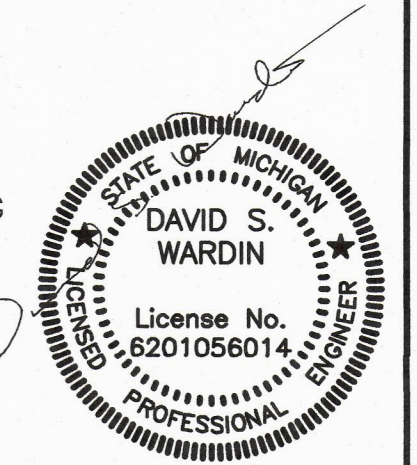
- Notes:**
- ALL EXISTING UTILITIES SHOWN ON THIS TOPOGRAPHIC SURVEY HAVE BEEN TAKEN FROM VISUAL OBSERVATION, AND RECORD MAPPING, WHERE AVAILABLE. NO GUARANTEE IS MADE, OR SHOULD BE ASSUMED, AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITIES SHOWN ON THIS DRAWING. PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY THE ACCURACY AND COMPLETENESS OF OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES.
 - ARCHITECT / BUILDER IS RESPONSIBLE FOR CONFIRMING BUILDING SETBACKS.

BENCHMARK:
MAGNAIL ON WEST FACE OF PP
ELEVATION - 1023.25

WATER ELEVATION
(5-17-18)
1019.21

"I DAVID S. WARDIN CERTIFY THAT THE PLANS SUBMITTED FOR REVIEW WERE PREPARED BY ME OR BY PERSONS UNDER MY EMPLOY OR SUPERVISION. I AM A PRINCIPAL OF THE FIRM INDICATED IN THE TITLE BLOCK OR THE RESPONSIBLE LICENSEE IN CHARGE OF THE PROJECT FOR THE FIRM PRODUCING THE DOCUMENTS. MY LICENSE IS IN GOOD STANDING WITH THE MICHIGAN LICENSING DEPARTMENT AND IS CURRENTLY ACTIVE."

David S. Wardin
DAVID S. WARDIN P.E. # 56014



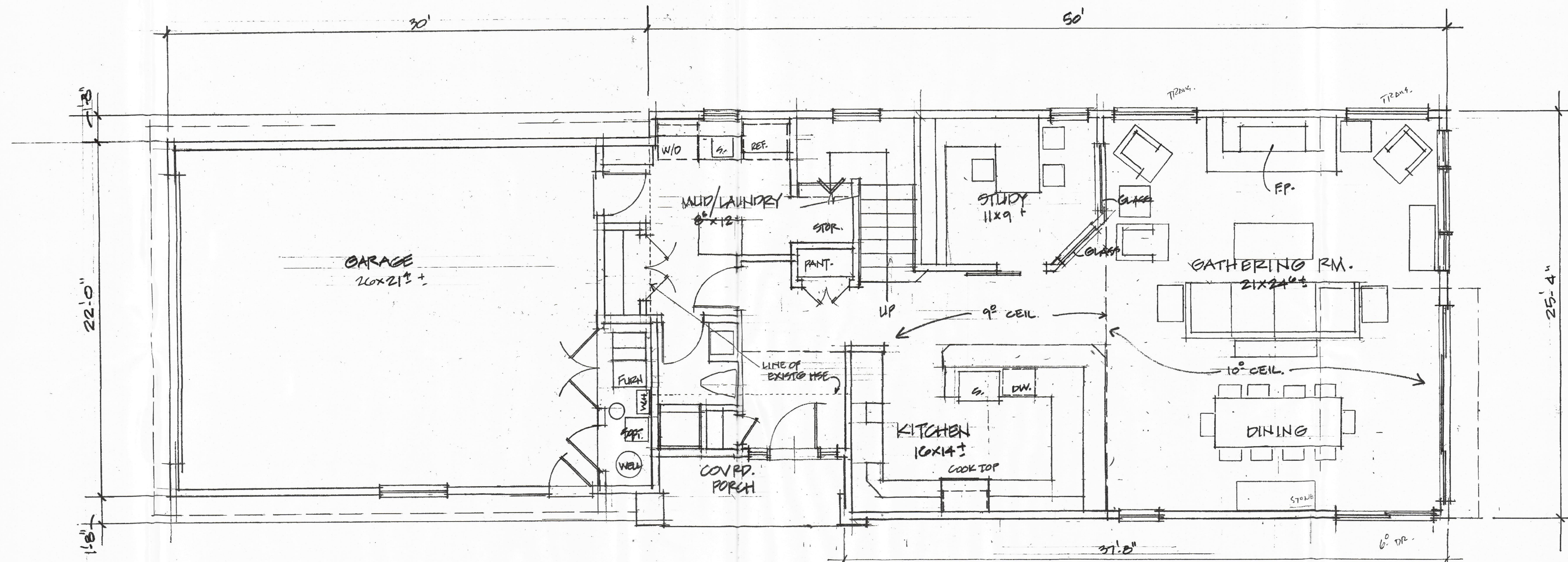
DATE	ISSUE	PROPRIETOR: JAMES KOVACH 3700 JACKSON BLVD. WHITE LAKE, MI 48383 (248) 770-8955	THIS DRAWING IS THE PROPERTY OF KIEFT ENGINEERING, INC. AND MAY NOT BE REPRODUCED OR PUBLISHED, IN PART OR IN WHOLE, WITHOUT EXPRESSED WRITTEN PERMISSION FROM KIEFT ENGINEERING, INC.		KIEFT ENGINEERING, INC. PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS 5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346 PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110	72 HOURS (2 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG 800-482-7171 (TOLL FREE)	VARIANCE SITE PLAN PARCEL 12-07-158-013 WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN	SCALE 1" = 20' SHEET 1 OF 1 KE 2018.116
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KOVACH TOPO

MARK POSTAL EXPRESSLY
RESERVES HIS COPYRIGHT AND
OTHER PROPERTY RIGHTS IN
THESE PLANS. THESE PLANS
AND DRAWINGS ARE NOT TO BE
REPRODUCED, CHANGED OR
COPIED IN ANY FORM OR MANNER
WHATSOEVER WITHOUT FIRST
OBTAINING WRITTEN
PERMISSION AND CONSENT OF
MARK POSTAL.

THE
KOVACH HOUSE
3700 JACKSON BLVD., WHITE LAKE

3 pencils + 1/2



PRELIMINARY PLAN
NOT FOR
CONSTRUCTION

MAIN FLOOR PLAN 1205 SQ. FT.

MARK POSTAL DESIGNER
P.O. BOX 908
CLARKSTON, MICHIGAN 48347
PH. 248-425-7144



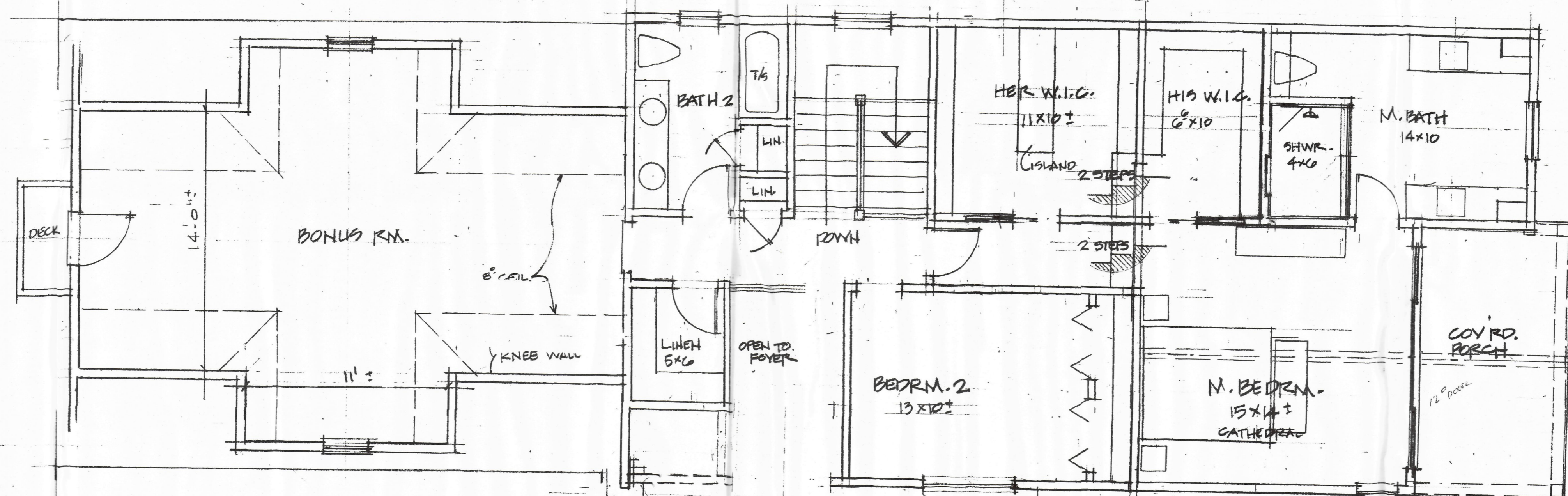
11/24/20

JOB NO.
20200804
DATE
2020

SHEET
1
OF 2

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OTHER PROPERTY RIGHTS IN
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AND DRAWINGS ARE NOT TO BE
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COPIED IN ANY FORM OR MANNER
WHATSOEVER WITHOUT FIRST
OBTAINING WRITTEN
PERMISSION AND CONSENT OF
MARK POSTAL.

MARK POSTAL - DESIGNER
P.O. BOX 908
CLARKSTON, MICHIGAN 48347
PH. 248-425-7144



UPPER FLOOR PLAN 1128 SQ. FT. + BONUS RM.

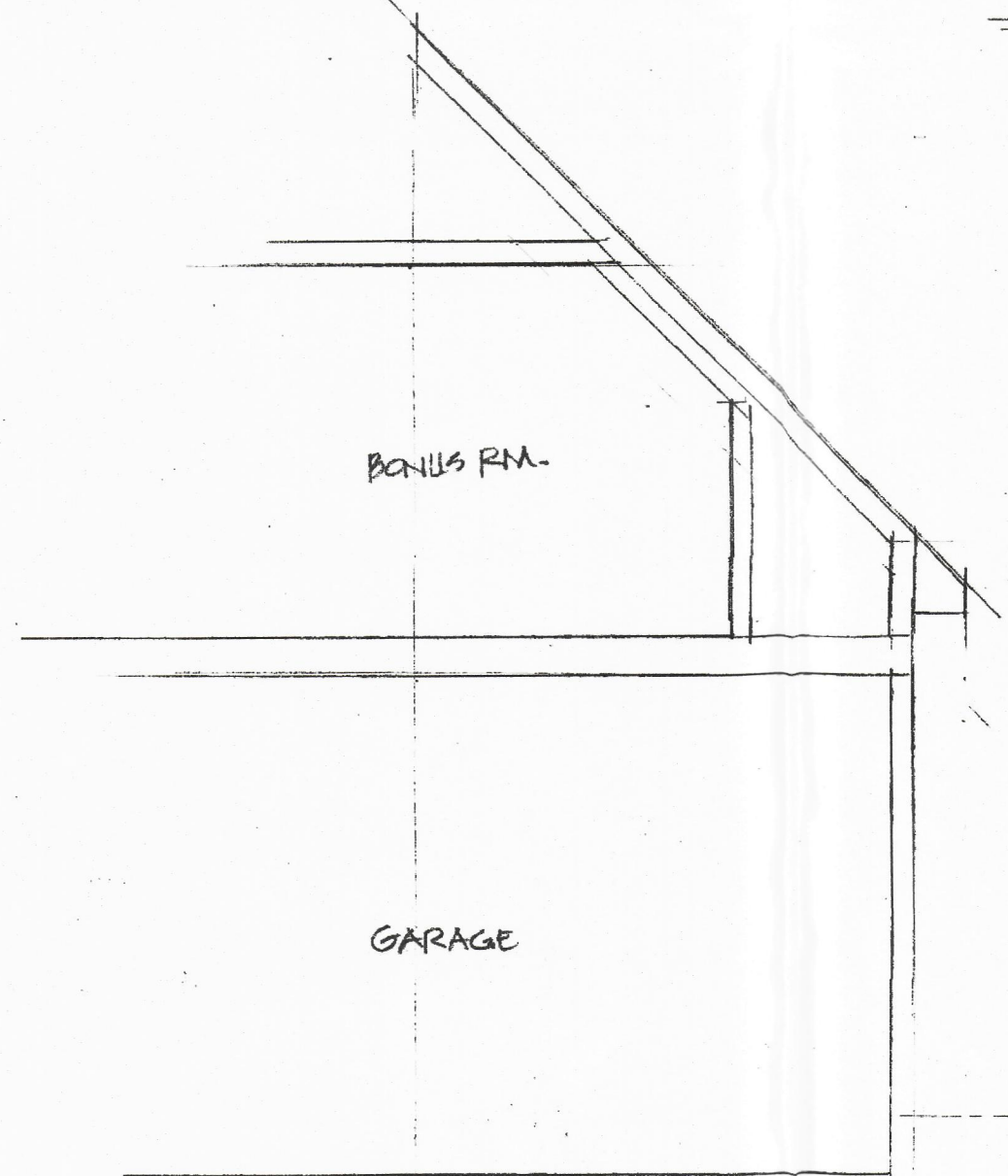
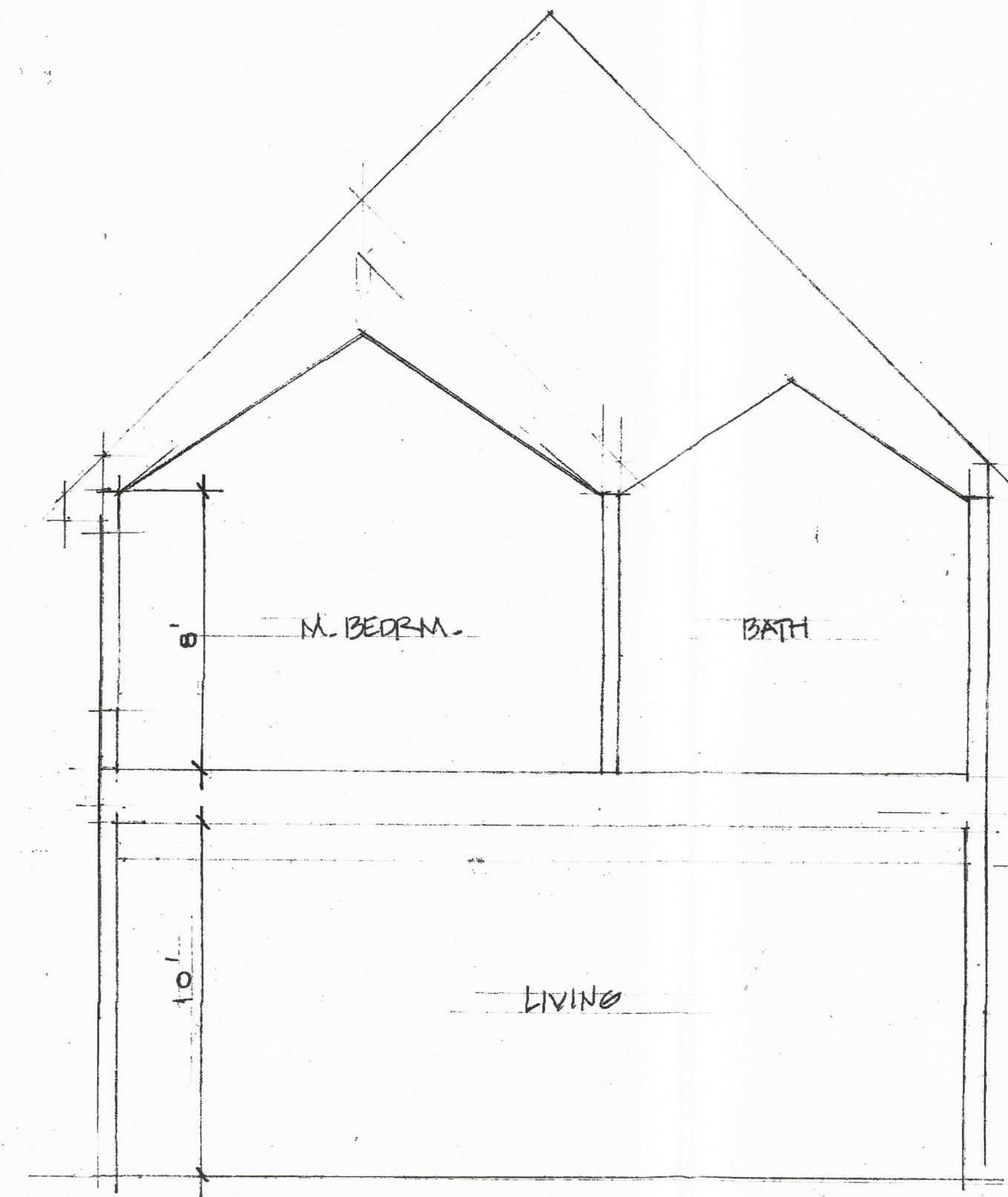
PRELIMINARY PLAN
NOT FOR
CONSTRUCTION

20200804
11/24/20
2
OF 3



LAKE SIDE ELEVATION

PRELIMINARY PLAN
NOT FOR
CONSTRUCTION



BONUS RM.

GARAGE



WEST ELEVATION

11/24/20

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Liz Fessler Smith
Andrea C. Voorheis
Michael Powell

WHITE LAKE TOWNSHIP

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

February 24, 2021

James Kovach
3700 Jackson Blvd.
White Lake, MI 48383

RE: Proposed Residential Structure at 3700 Jackson

Based on the submitted plans, the proposed structure does not satisfy the White Lake Township Clear Zoning Ordinance for setbacks and lot width.

Article 3.1.5 of the White Lake Township Clear Zoning Ordinance for R1-C requires: Minimum side yard setback of 10 ft each side and a total of 20 ft combined, as well as a minimum lot width of 100 ft.

The proposed structure has a front side yard setback of 6 ft. and total of 12 ft combined. Furthermore, the lot width at the road is 46.79 ft.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the March 25th Zoning Board of Appeals meeting, application must be submitted to the White Lake Township Planning Department no later than February 25th at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Spencer", written over a horizontal line.

Nick Spencer, Building Official
White Lake Township

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: March 25, 2021

Agenda item: 6d

Appeal Date: March 25, 2021

Applicant: Robert Knisley

Address: 8780 Arlington Street
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 9604 Buckingham Road
White Lake, MI 48386

Property Description

The approximately 0.218-acre (9,505 square feet) parcel identified as 9604 Buckingham Road is located within the English Villas subdivision on Pontiac Lake and zoned R1-D (Single Family Residential). The existing single-story house on the property (701 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation. The double lot (Lots 187 and 188) contains 95 feet in width at the front property line.

Applicant's Proposal

Robert Knisley, the applicant, is proposing to construct a first- and second-story addition on the house, with a proposed breezeway connecting to a proposed two-car garage.

Planner's Report

The project involves adding 448 square feet to the first floor and constructing a 1,149 square foot second story on the existing dwelling; the total size of the house with the addition would be 2,298 square feet. A 28 foot by 28 foot (784 square feet) two-car garage addition is also proposed. A 255 square foot breezeway would connect the two structures. The garage would be part of the principal structure if connected to the house. Therefore, the total size of the proposed structure is 3,337 square feet, an increase in 2,636 square feet.

Article 7, Section 28 of the zoning ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any twelve (12) consecutive months in order to retain its legal nonconforming status. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$6,510), the maximum extent of improvements cannot exceed \$3,255. The value of the proposed work is \$220,000. A variance to exceed the allowed value of improvements by 6,758.83% is requested.

The proposed lot coverage is 23% (2,188 square feet), which is 3% (287 square feet) beyond the allowable limit (1,901 square feet). As proposed, the second-story addition at its closest point would be located 7.2 feet from the front lot line, requiring a variance of 22.8 feet from the required 30-foot front yard setback.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	22.8 feet	7.2 feet
2	Article 3.1.6.E	Maximum lot coverage	20% (1,901 square feet)	3% (287 square feet)	23% (2,188 square feet)
3	Article 7.28.A	Nonconforming structure	50% SEV (\$3,255)	6,758.83%	\$216,745 over allowed improvements
4	Article 3.1.6.E	Minimum lot area	12,000 square feet	2,495 square feet	9,505 square feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Robert Knisley from Articles 3.1.6.E and 7.28.A of the Zoning Ordinance for Parcel Number 12-14-201-015, identified as 9604 Buckingham Road, in order to construct an addition that would encroach 22.8 feet into the required front yard setback, exceed the allowed lot coverage by 3%, and exceed the allowed value of improvements to a nonconforming structure by 6,758.83%. A 2,495 square foot variance from the required lot size is also granted from Article 3.1.6.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.

Denial: I move to deny the variances requested by Robert Knisley for Parcel Number 12-14-201-015, identified as 9604 Buckingham Road, due to the following reason(s):

Table: I move to table the variance requests of Robert Knisley for Parcel Number 12-14-201-015, identified as 9604 Buckingham Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated February 25, 2021.
2. Applicant’s written statement dated February 10, 2021.
3. Site plan dated February 24, 2021.
4. Elevations and floor plans.
5. House photos taken November 2020.
6. Letter of denial from the Building Department dated February 24, 2021.

7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
 - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
 - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

PAID 360
CASH CHECK#

FEB 25 2021

TREASURER
CHARTER TOWNSHIP OF WHITE LAKE

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383-2486 248-698-3300 x163

APPLICANT'S NAME: Robert Kwisley PHONE: 248-495-6065
ADDRESS: 8780 Arlington St White LK MI 48386
APPLICANT'S EMAIL ADDRESS: BobKwisley@gmail.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9604 Buckingham PARCEL # 12-14-201-015
CURRENT ZONING: R1d PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____
VALUE OF IMPROVEMENT: \$ 220,000.00 SEV OF EXISITING STRUCTURE: \$ _____

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

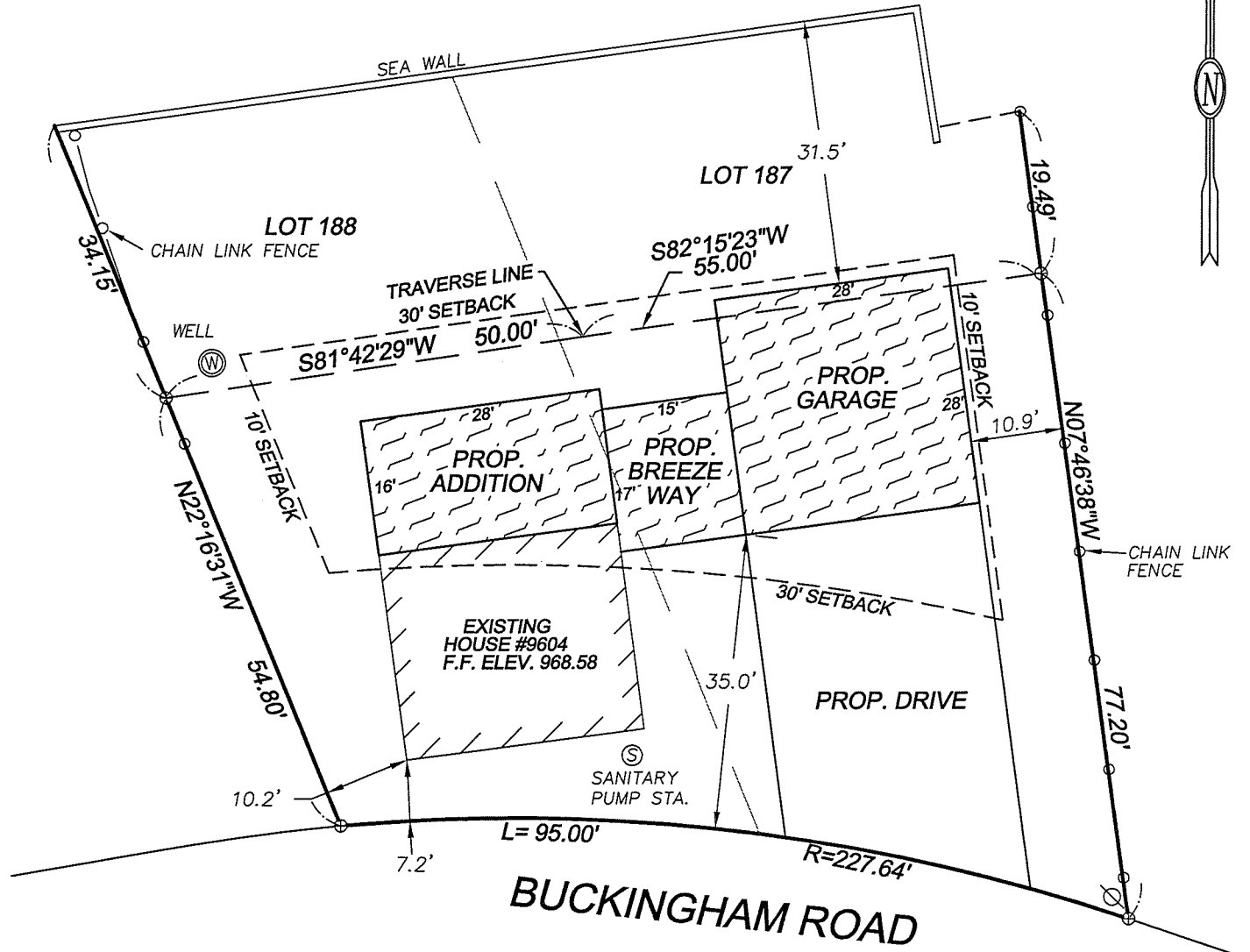
APPLICATION FEE: \$385.00 (CALCULATED BY THE PLANNING DEPARTMENT)
APPLICANT'S SIGNATURE: Robert Kwisley DATE: 2-25-21

Bob Kwisley

I'm Looking Forward To Building my retirement home at 9604 Buckingham Street, Since I was born on Pontiac Lake in 1966, I have had 3 house on the Lake since then and raised 10 kids my son still lives with me and my daughter has recently bought her own house, my parents will still come up and stay with us in the summer and hopefully in the near future we will have some grand kids and keep the tradition going for ~~many~~ many years to come, This will be a beautiful house and fit nicely in the neighborhood

Bob Kwisley

PONTIAC LAKE
WATER ELEV. 962.11



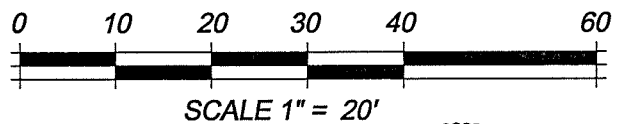
LOT COVERAGE

LOT AREA = 9,505 S.F.
EXISTING HOUSE = 701 S.F.
PROP. ADDITION, BREEZEWAY & GARAGE = 1,487 S.F.
2,188 S.F. TOTAL = 23.0 % (30% MAX)

DESCRIPTION PARCEL 12-14-201-015

LOTS 187 & 188 OF "ENGLISH VILLAS SUBDIVISION", A SUBDIVISION OF PART OF SECTIONS 11, 13, & 14, T.3N., R.8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 51 OF PLATS, PAGES 22 & 22A, OAKLAND COUNTY RECORDS.

BEARINGS BASED ON NAD83 (CORS2011) SPC MI. SOUTH ZONE
ELEVATION DATUM NAVD 88



Drawing for:
ROBERT KNISLEY
9604 BUCHINGHAM RD.
WHITE LAKE, MI. 48386

Drawn By: **LAS**

Date: **2/24/21**

Scale: **1" = 20'**

Job Number: **10860**

LEGEND

R. = RECORDED	⊕ = FOUND "T" IRON
M. = MEASURED	⊙ = CONCRETE MONUMENT
D. = DEEDED	○ = FOUND IRON PIPE
C. = CALCULATED	⊠ = LATH ON LINE
⊕ = SET 1/2" IRON BAR	× = CHISELED "X"
● = FOUND IRON	○ = SET NAIL / SPIKE

TRI-COUNTY SURVEYING, INC.
8615 RICHARDSON RD.
COMMERCE TWP., MICHIGAN 48390
248-363-2550

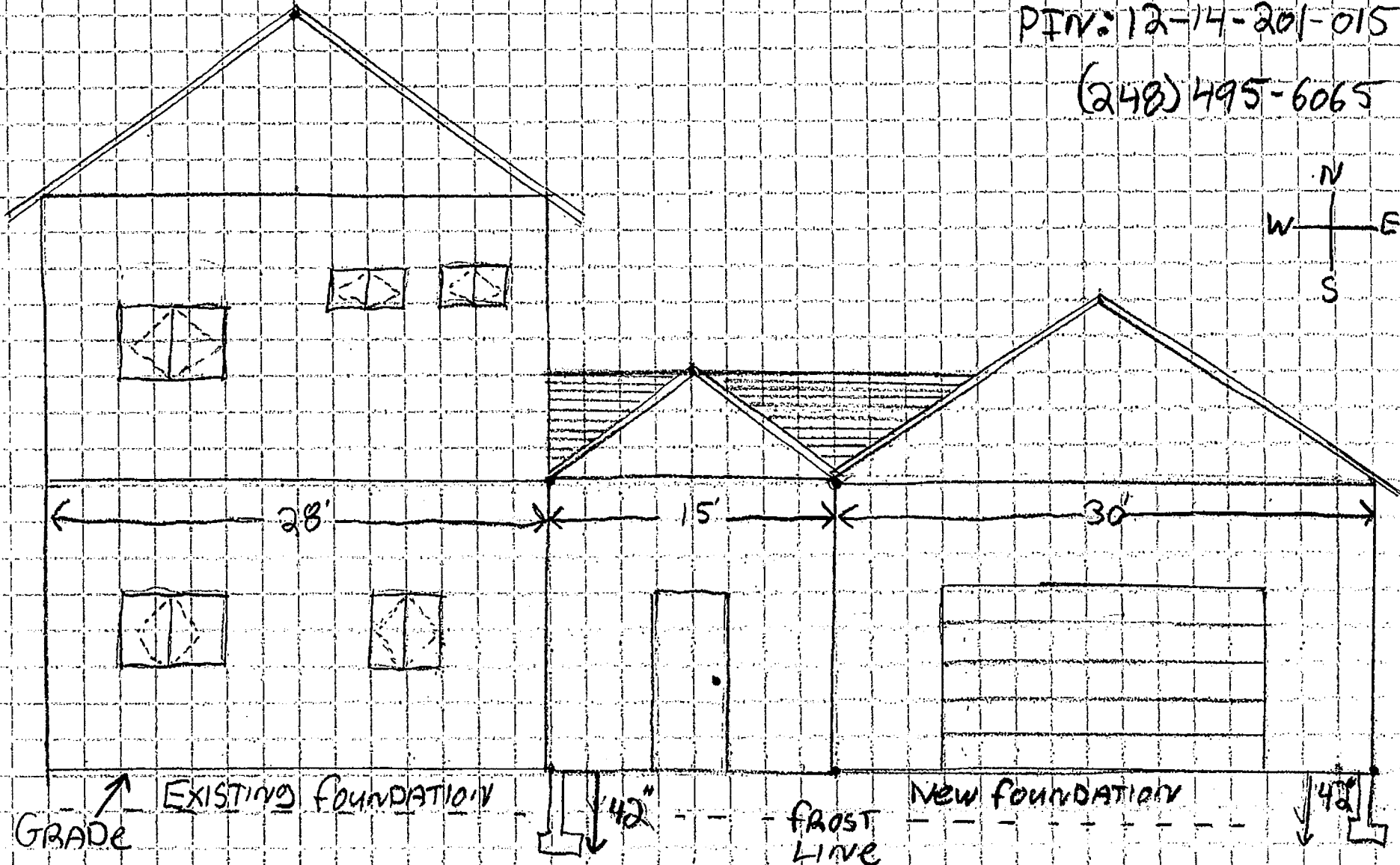
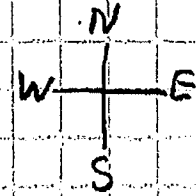
STATE OF MICHIGAN
Joseph Carl Kapelczak
License No. 4001024598
LICENSED PROFESSIONAL SURVEYOR



ROBERT KMSLEY
9604 BUCKINGHAM RD.
WHITE LK MI 48386

PTV: 12-14-201-015

(248) 495-6065

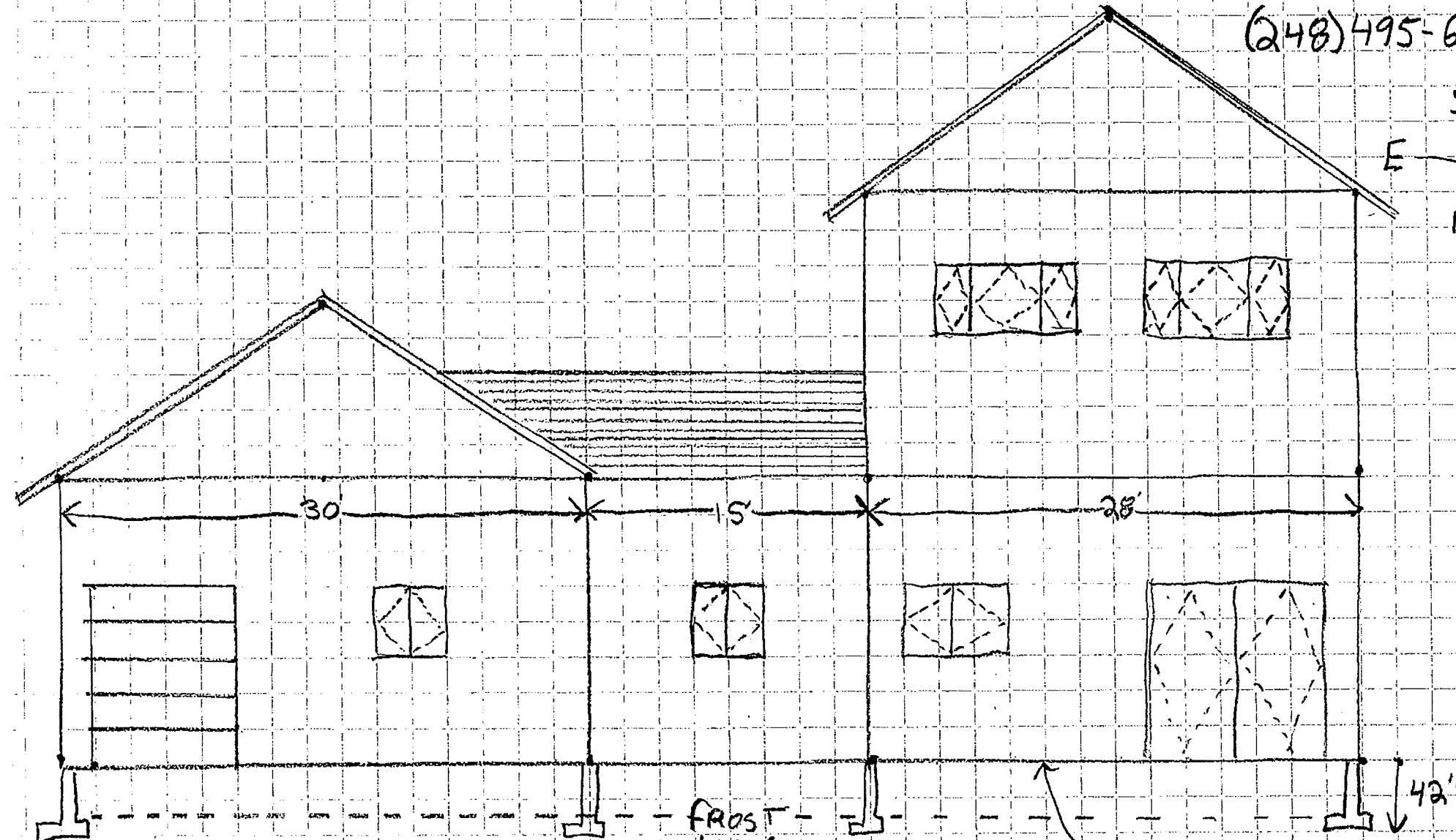
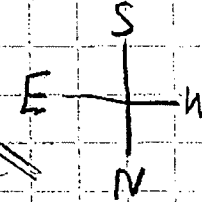


ROAD SIDE FRONT VIEW:

ROBERT KNISLEY
9604 BUCKINGHAM RD
WHITE LK MI 48386

PIV: 12-14-201-015

(248) 495-6065



New
FOUNDATION

FROST
LINE

GRADE

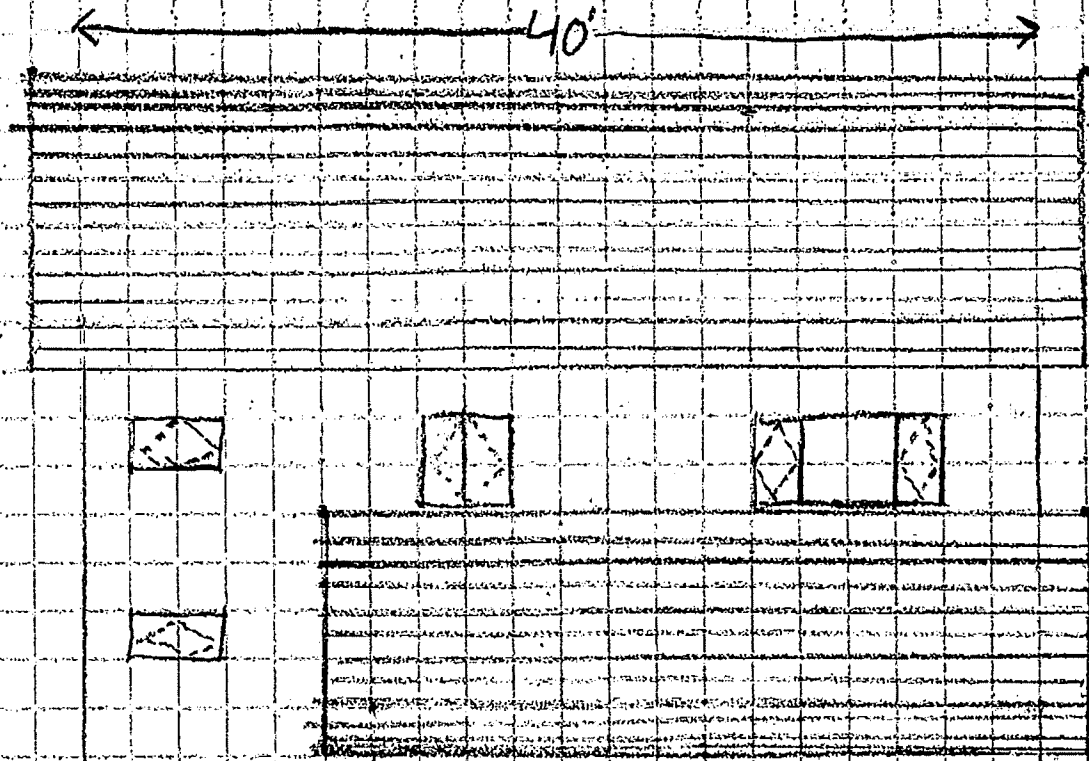
42"

LAKE SIDE FRONT VIEW

ROBERT Knisley
9604 BUCKINGHAM RD
WHITE LK MI 48386

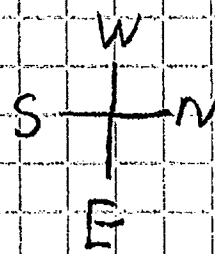
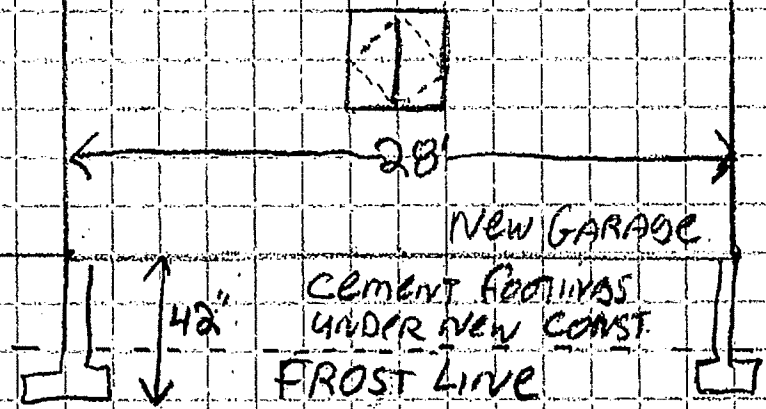
PIV: 12-14-201-015

(248) 495-6065



EXISTING FOUNDATION

ROAD

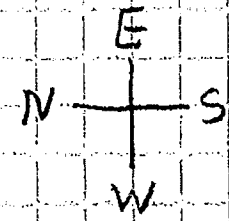
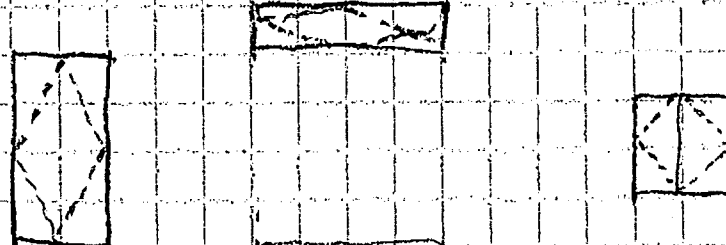
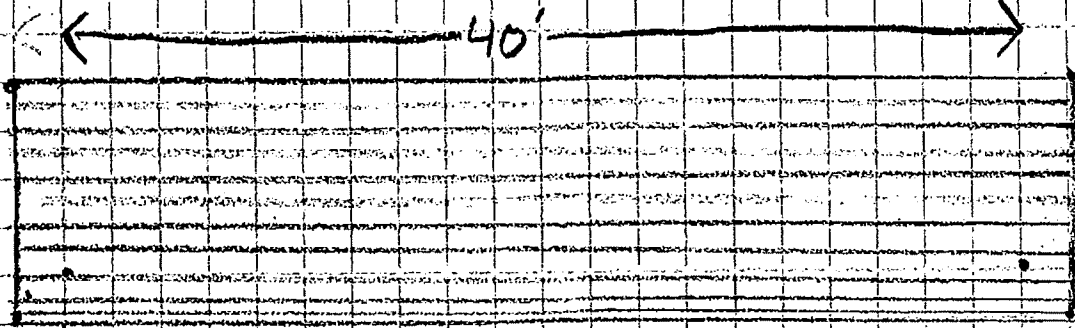


WATER

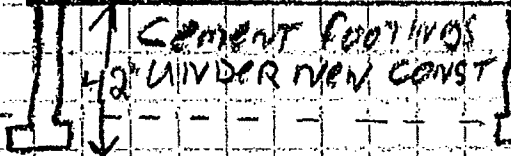
SIDE VIEW:

ROBERT KNISLEY
9604 BUCKINGHAM RD
WHITE LK MI 48386

PTN: 12-14-201-01
(248) 495-6065



WATER



EXISTING FOUNDATION ROAD

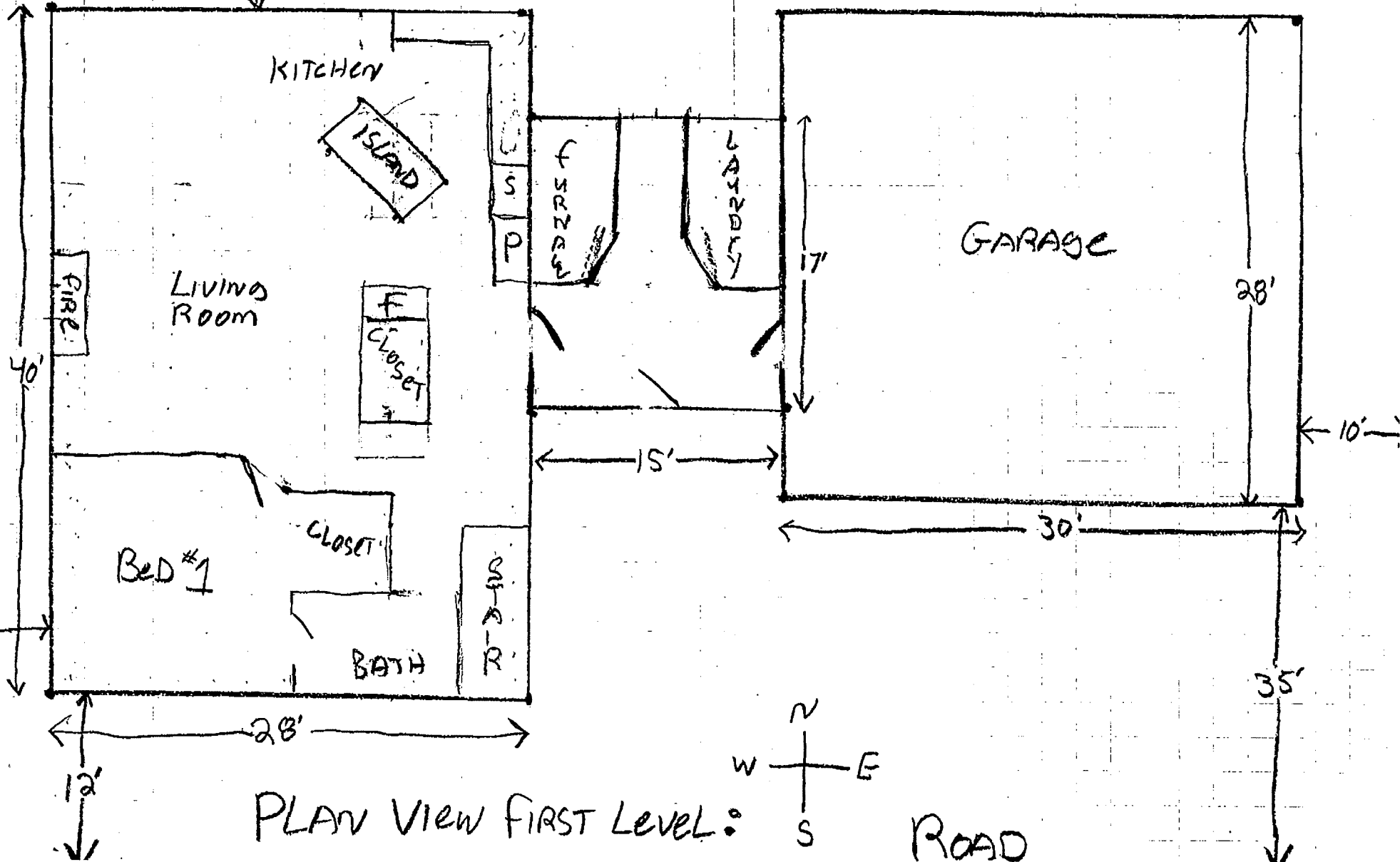
SIDE View: FROST LINE

WATER W

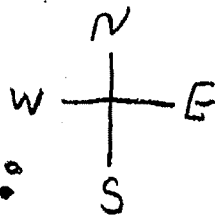
ROBERT KAVISLEY
9604 BUCKINGHAM RD
WHITE LK MI 48386

PIV: 12-14-201-015
(248) 495-6065

39'



PLAN VIEW FIRST LEVEL:

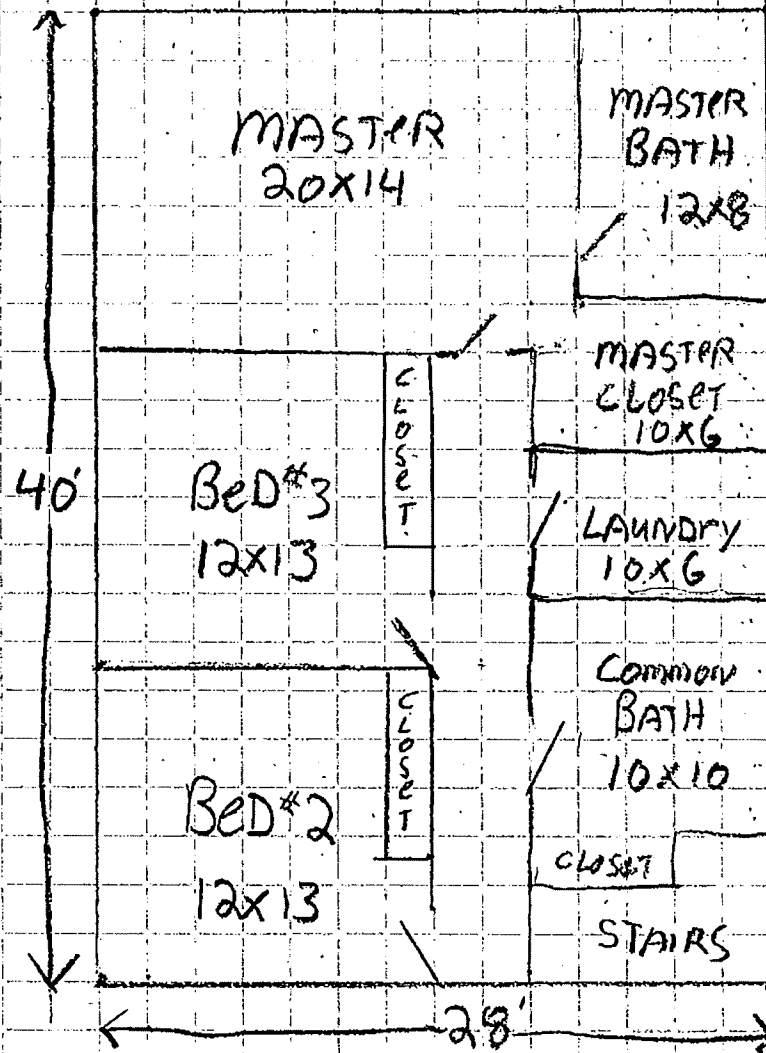


ROAD

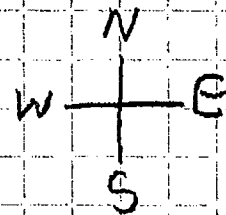
WATER W

ROBERT Krivley
9604 BUCKINGHAM RD
WHITE LK MI 48386

PIN# 12-14-201-015
(248) 495-6065



PLAN VIEW SECOND LEVEL:



ROAD

















Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Liz Fessler Smith
Andrea C. Voorheis
Michael Powell

WHITE LAKE TOWNSHIP

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

February 24, 2021

Robert Knisley
9604 Buckingham Rd
White Lake, MI 48386

RE: Proposed Addition

Based on the submitted plans, the proposed residential structure does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum front yard setback of 30 ft, minimum lot area of 12,000 sq ft, and maximum lot coverage of 20%.

The existing structure is legal non-conforming with the 9,505 sq ft lot containing a residential structure having a 7.2 ft. front yard setback. The proposed 2nd story addition would further increase this non-conformity. Furthermore, the proposed addition would increase the lot coverage to 23%.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the March 25th Zoning Board of Appeals meeting, application must be submitted to the White Lake Township Planning Department no later than February 25th at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: March 25, 2021

Agenda item: 6e

Appeal Date: March 25, 2021

Applicant: Dave and Diane Sheill

Address: 11112 Windhurst Drive
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 11112 Windhurst Drive
White Lake, MI 48386

Property Description

The approximately 0.26-acre (11,325.6 square feet) parcel identified as 11112 Windhurst Drive is located on Bogie Lake and zoned R1-D (Single Family Residential). The existing two-story house on the property (approximately 3,631 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant's Proposal

Dave and Diane Sheill, the applicants, are proposing to remove the existing garage structure and slab, pour new footings and slab, and build a new garage.

Planner's Report

A two-car, two-story detached garage is proposed to replace the existing 22 foot by 26 foot (572 square feet) single-story detached garage. The first-floor footprint of the new garage would be 28 feet by 28 feet (784 square feet) in size. Including the second story (627 square feet) the new garage would be 1,254 square feet in size. As proposed, the garage at its closest point would be located five feet from the front lot line, requiring a variance of 25 feet from the required 30-foot front yard setback.

Currently the house and existing garage cover 25% of the lot. The proposed lot coverage is 27% (3,037 square feet), which is 7% (772 square feet) beyond the allowable limit (2,265 square feet).

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	25 feet	5 feet
2	Article 3.1.6.E	Maximum lot coverage	20% (2,265 square feet)	7% (772 square feet)	27% (3,037 square feet)
3	Article 3.1.6.E	Minimum lot size	12,000 square feet	674.4 square feet	11,325.6 square feet
4	Article 3.1.6.E	Minimum lot width	80 feet	30.97 feet	49.03 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Dave and Diane Sheill from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-33-476-010, identified as 11112 Windhurst Drive, in order to construct a detached garage that would exceed the allowed lot coverage by 7% and encroach 25 feet into the required front yard setback. A 30.97-foot variance from the required lot width and 674.4 square foot variance from the required lot size are also granted from Article 3.1.6.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The second-story of the garage shall not be used as living space.
- No septic or future sanitary sewer services shall be extended to the garage.

Denial: I move to deny the variances requested by Dave and Diane Sheill for Parcel Number 12-33-476-010, identified as 11112 Windhurst Drive, due to the following reason(s):

Table: I move to table the variance requests of David and Diane Sheill for Parcel Number 12-33-476-010, identified as 11112 Windhurst Drive, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated February 25, 2021.
2. Applicant's written statement dated February 25, 2021.
3. Screen dump provided by the Applicant.
4. Plot plan and elevations provided by the Applicant.
5. Letter of denial from the Building Department dated February 23, 2021.

7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
- i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
 - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: Dave and Diane Sheill PHONE: 248-494-3868

ADDRESS: 11112 Windhurst, White Lk Twsp, 48386

APPLICANT'S EMAIL ADDRESS: davesheill@comcast.net

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 11112 Windhurst PARCEL # 12 - 23-33-476-010

CURRENT ZONING: R1-D PARCEL SIZE: 195x55 average

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Proposed front setback of 5.0 ft.
Article 3.1.6 of WLT Clear Zoning Ord. for R1-D requires 30 ft minimum

VALUE OF IMPROVEMENT: \$ 44,000 SEV OF EXISTING STRUCTURE: \$ 192,420

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

please see attached

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)

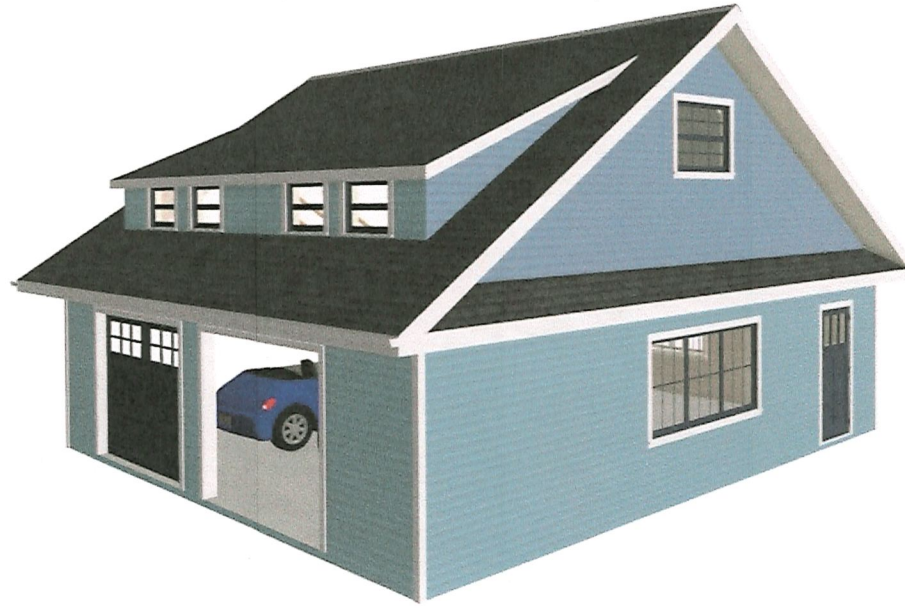
APPLICANT'S SIGNATURE: Dave D Sheill DATE: 2/25/21

Diane M. Sheill

Dave and Diane Sheill Supplemental Sheet for ZBA Application 2/25/21

State Reasons fo Support Request:

- 1) Existing garage structure is approaching end of life (circa 1960) and is nonconforming in both side and front setbacks
- 2) Proposed garage will eliminate the side setback non-conformance and significantly improve the front setback non-compliance. If current garage is simply re-sided and repaired (12 of 13 garages on our street have taken this approach), current non-conformances will be perpetuated.
- 3) Septic system limits further movement of garage location.
- 4) Original cottage was destroyed by fire the in 1996 and previous owners did not updrade the old garage when building a much larger home. So, a slightly larger garage would be more appropriate and more in concert with our house size. Lakelots also seem to demand more accessory storage due to small or non-existant basements. Also, in our case, an outside storage yard next to the garage would be eliminated and our cars and trash cans will finally be stored out of sight as they have never been garaged.
- 5) Proposed design is in concert with our house design (reverse gable/dormers) providing positive astetics helping to reduce the "alley like" appearance of our street (13 roadside garages). This project will certainly be a postive impact on the neighborhood.
- 6) Road side of most lake lots seem more like the back of a city lot and vice versa. Ordinance setbacks seem to be mostly derived for city type lots.



SHELL BEACHSIDE
1/4 RENDERING

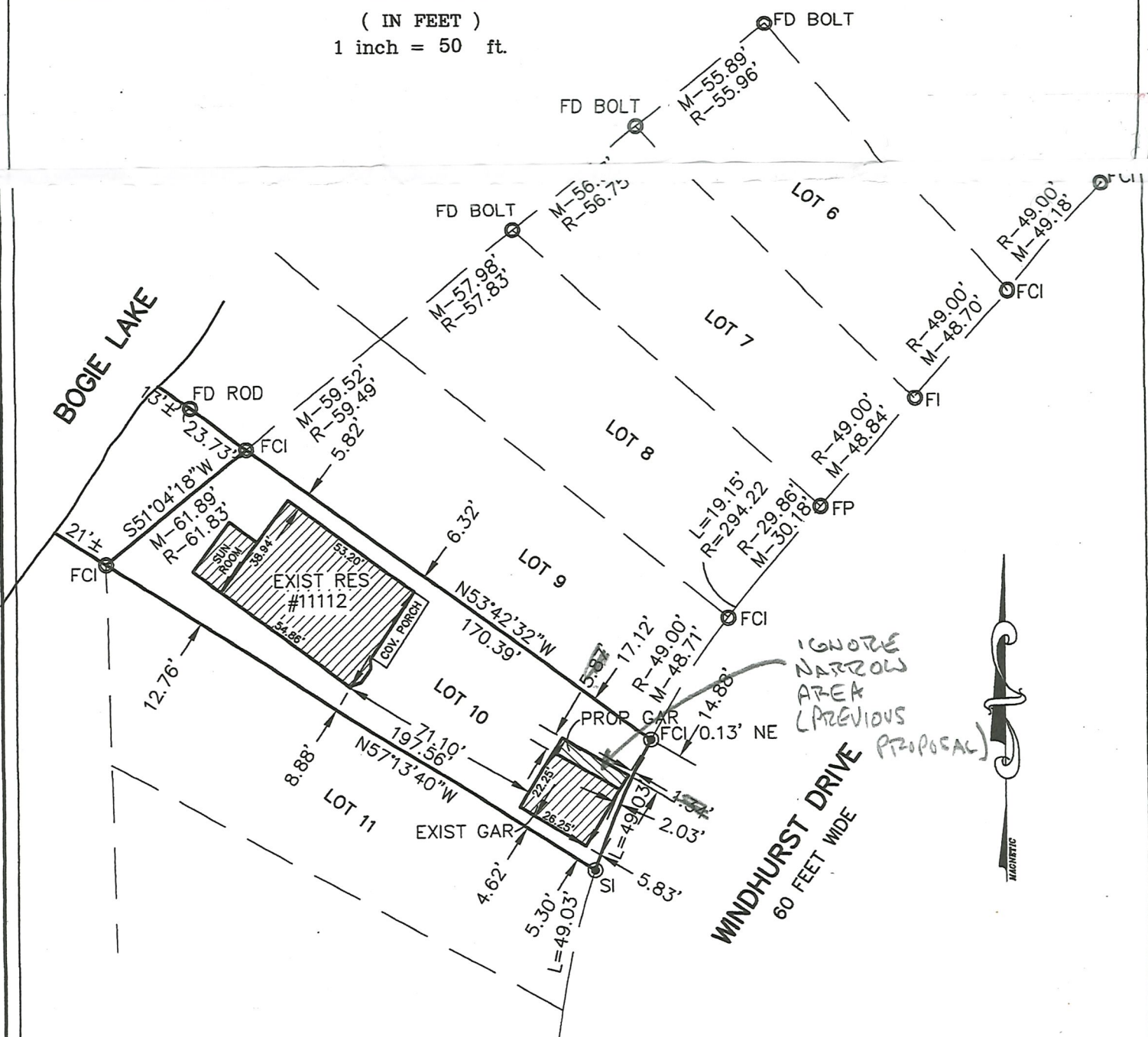
CERTIFICATE OF SURVEY

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

BEARINGS BASED ON
EAST LINES OF LOTS 13
THROUGH 15 AS PLATTED



DESCRIPTION PARCEL #12-33-476-010:

LOT 10 OF "HIAWATHA SHORES", A SUBDIVISION OF PART OF SECTION 33, T.3N., R.8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MI, AS RECORDED IN LIBER 57 OF PLATS ON PAGE 56, OAKLAND COUNTY RECORDS.

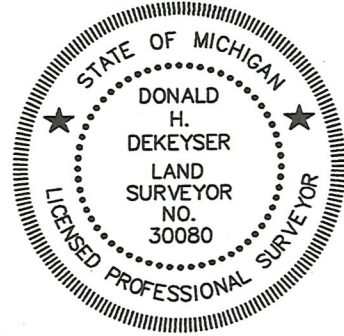
LEGEND

- FM - FOUND MONUMENT
- FP - FOUND PIPE
- FI - FOUND IRON
- SI - SET IRON
- POL - STAKE ON LINE

FOR: DAVID AND DIANE SHEILL

I HEREBY CERTIFY that I have surveyed and mapped the above described land on the date stated below; that there are no encroachments except as shown; the error of closure is 1 in 5000 +, which is within the accuracy of survey as required in Act No. 288 of Public Acts of 1967.

This survey complies with the requirements of Sec. 3, Public Act 132 of 1970, as amended.



DEKEYSER SURVEYING

6038 NORTHRUP ST.
WATERFORD, MICHIGAN 48329
PHONE (248)623-1518 FAX (248)623-3078

JOB NO.:	SCALE:	DATE:
6797	1"=50'	9-8-20

Donald H. DeKeyser
DONALD H. DEKEYSER P.L.S. #39080

UPDATED SURVEY

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Liz Fessler Smith
Andrea C. Voorheis
Michael Powell

WHITE LAKE TOWNSHIP

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

February 23, 2021

Dave Sheill
11112 Windhurst
White Lake, MI 48386

RE: Proposed Garage at 11112 Windhurst

Based on the submitted plans, the proposed garage does not satisfy the White Lake Township Clear Zoning Ordinance for setbacks.

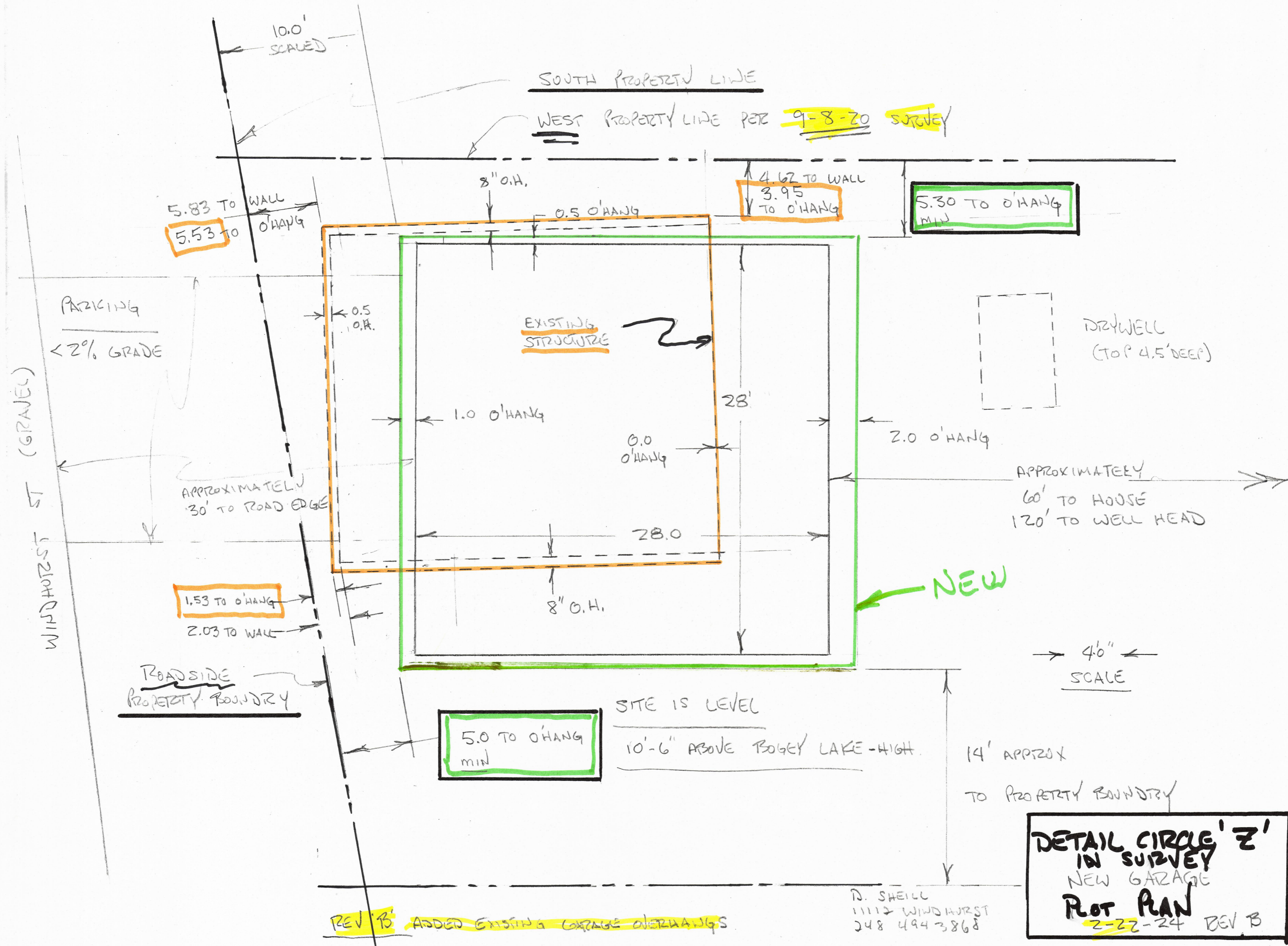
Article 3.1.6 of the White Lake Township Clear Zoning Ordinance for R1-D requires: Minimum front yard setback of 30 ft.

The proposed structure has a front yard setback of 5 ft. where a 30 ft. minimum is required.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance.

Sincerely,

Nick Spencer, Building Official
White Lake Township



SOUTH PROPERTY LINE

WEST PROPERTY LINE PER 9-8-20 SURVEY

5.83 TO WALL
5.53 TO O'HANG

4.62 TO WALL
3.95 TO O'HANG

5.30 TO O'HANG
MIN

EXISTING STRUCTURE

DRYWELL
(TOP 4.5' DEEP)

NEW

4'0" SCALE

SITE IS LEVEL

10'-6" ABOVE BOGEY LAKE-HIGH

14' APPROX
TO PROPERTY BOUNDARY

DETAIL CIRCLE 'Z'
IN SURVEY
NEW GARAGE
Plot Plan
2-22-24 REV B

REV B ADDED EXISTING GARAGE OVERHANGS

D. SHELL
11112 WINDHURST
248 494 3868

WINDHURST ST (GRAVEL)

PARKING
< 2% GRADE

APPROXIMATELY
30' TO ROAD EDGE

1.53 TO O'HANG
2.03 TO WALL

ROADSIDE
PROPERTY BOUNDARY

5.0 TO O'HANG
MIN

0.0 O'HANG

2.0 O'HANG

APPROXIMATELY
60' TO HOUSE
120' TO WELL HEAD

28.0

28'

1.0 O'HANG

0.5 O.H.

8" O.H.

0.5 O'HANG

10.0'
SCALED

PROPERTY LINE
~~5.05~~
5.30

14' APPROX
TO
PROPERTY LINE

0'-6"
WEST SIDE

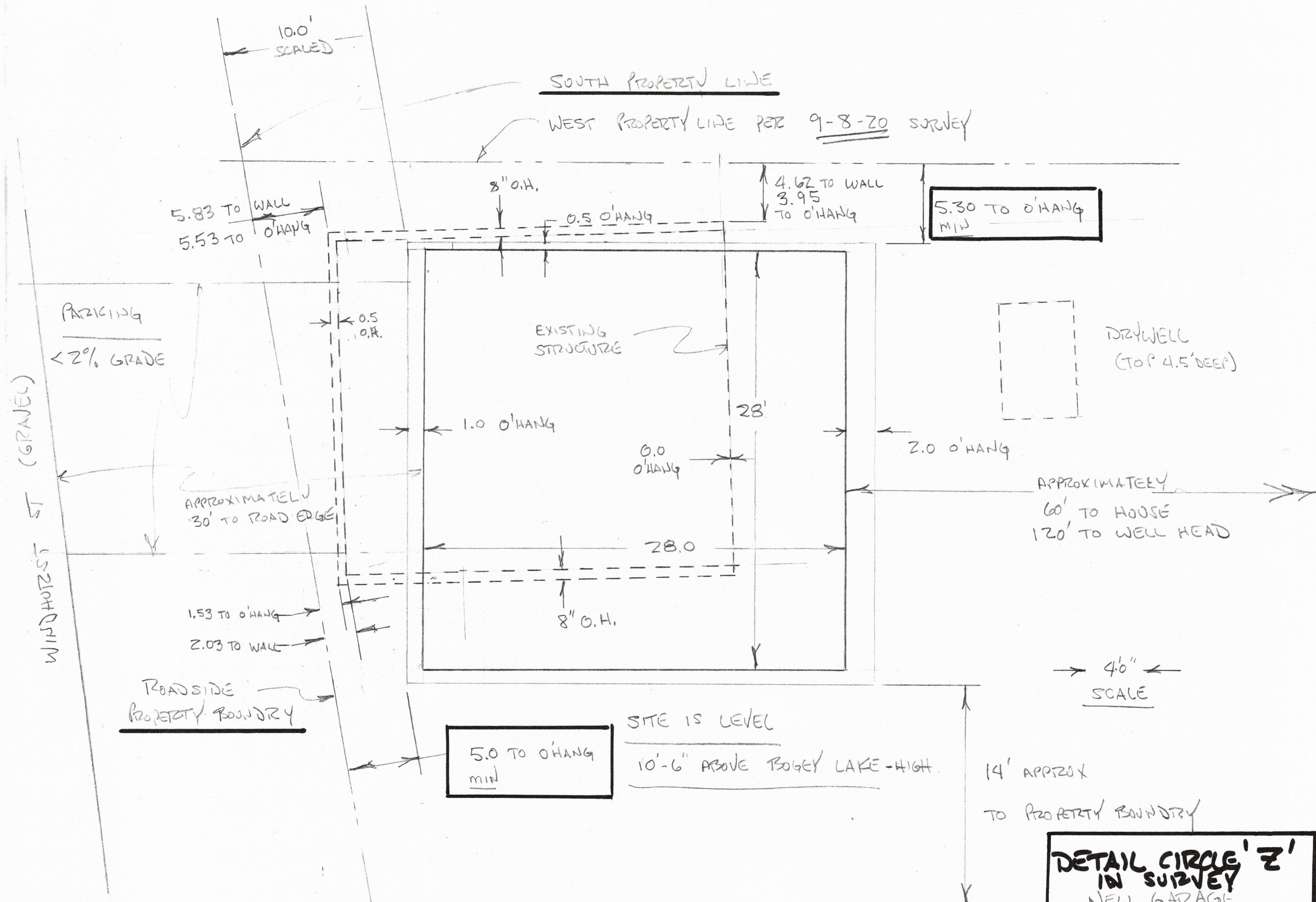
1'-6"
EAST SIDE

28'-0"

D. SHELL
1117 WINDHURST
248-494-3868

ROADSIDE ELEVATION
W/ SETBACKS
2-22-21





SOUTH PROPERTY LINE

WEST PROPERTY LINE PER 9-8-20 SURVEY

5.83 TO WALL
5.53 TO O'HANG

8" O.H.

0.5 O'HANG

4.62 TO WALL
3.95 TO O'HANG

5.30 TO O'HANG
MIN

PARIZING
< 2% GRADE

EXISTING
STRUCTURE

DRYWELL
(TOP 4.5' DEEP)

0.5 O.H.

1.0 O'HANG

28'

2.0 O'HANG

APPROXIMATELY
60' TO HOUSE
120' TO WELL HEAD

APPROXIMATELY
30' TO ROAD EDGE

0.0 O'HANG

28.0

8" O.H.

1.53 TO O'HANG

2.03 TO WALL

ROADSIDE
PROPERTY BOUNDARY

40"
SCALE

SITE IS LEVEL

5.0 TO O'HANG
MIN

10'-6" ABOVE BOGEY LAKE-HIGH

14' APPROX
TO PROPERTY BOUNDARY

REV B ADDED EXISTING GARAGE OVERHANGS

D. SHELL
11112 WINDHURST
248 494 3868

DETAIL CIRCLE 'Z'
IN SURVEY
NEW GARAGE
Plot Plan
2-22-24 REV B

REF: HOUSE IS 32'-0" HIGH

2'-0" SCALE

