

**WHITE LAKE TOWNSHIP
INTER-OFFICE MEMORANDUM
COMMUNITY DEVELOPMENT DEPARTMENT**

DATE: January 9, 2023

TO: Rik Kowall, Supervisor
Township Board of Trustees

FROM: Sean O'Neil, AICP
Community Development Director

**SUBJECT: Rezoning request
9400 Gale**

Property identified as Parcel Number 12-11-401-003 (9400 Gale Road), located east of Teggerdine Road, west of Lynn Drive, consisting of approximately 42.53 acres. Applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning district.

The rezoning request was considered by the Planning Commission at their regular meeting of January 5, 2023 at which time the **Planning Commission recommended approval**. Please find enclosed the following related documents:

- Draft minutes of the January 5, 2023 Planning Commission meeting.
- Review letter prepared by the Township Staff Planner, Justin Quagliata, dated December 14, 2022.
- Rezoning application submitted by the applicant
- Public hearing notice.

Please place this matter on the next available Township Board agenda. Do not hesitate to contact me should you require additional information.

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION**

Township Annex, 7527 Highland Road
White Lake, MI 48383
January 5, 2023 @ 7:00 PM

CALL TO ORDER

Commissioner Anderson called the meeting to order at 7:01 PM and led the Pledge of Allegiance. Roll was called.

ROLL CALL

Steve Anderson
Debby Dehart
Scott Ruggles
Robert Seeley
Matt Slicker
Merrie Carlock
Mark Fine

Absent: Pete Meagher
T. Joseph Seward

Also Present: Sean O'Neil, Community Development Director
Aaron Potter, DPS Director
Lisa Kane, Recording Secretary

Visitors: Approximately 12 members of the public were present

APPROVAL OF AGENDA

Commissioner Carlock moved to approve the agenda of the January 5, 2023 Planning Commission Meeting.
Commissioner Seeley supported and the **MOTION CARRIED** with a voice vote: 7 yes votes.

APPROVAL OF MINUTES

- a. Regular meeting minutes of December 1, 2022

Commissioner Seeley moved to approve the Minutes of December 5, 2022.
Commissioner Dehart supported and the **MOTION CARRIED** with a voice vote: 7 yes votes.

CALL TO THE PUBLIC (FOR ITEMS NOT ON THE AGENDA)

John Hunt of 871 Oxhill Dr. was concerned that he missed the December meeting and inquired if it was a closed meeting. Mr. Hunt had presented a letter to the Planning Commission regarding the property value for his home.

Commissioner Anderson stated that the December meeting was a regular meeting and that Planning Commission meetings are every first and third Thursday of the month unless otherwise posted.

PUBLIC HEARING

A. 9400 Gale Rezoning Request

Location: Property described as parcel number 12-11-401-003 (9400 Gale Road), located east of Teggerdine Road, west of Lynn Drive, consisting of approximately 42.53 acres.

Request: **The applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning district.**

Applicant: Jeff Lauzon
2105 Sunnybrook
Commerce, MI 48382

Applicant present: Brian Biskner of Powell Engineering, representing the owner, Jeff Lauzon and Ryan Hoppe

Director O'Neil introduced the rezoning request of a large parcel. The subject site is currently zoned Agricultural and rezoning to Suburban Farms is consistent with the Master Plan and is less intense than what potentially could be requested. Sanitary sewer is available at the subject site and the low density would not have a significant impact on traffic. The conceptual plan shows nine parcels proposed which is consistent with surrounding use. Staff recommends approval.

Commissioner Dehart inquired about the road frontage requirement for the cul-de-sac lots for this zoning.

Commissioner Carlock commented that she was disappointed to see the mature trees removed on the site recently.

Commissioner Slicker commented on the equestrian easements on the conceptual plan.

Mr. Potter of the White Lake Department of Public Services stated that sanitary sewer is available for the subject site. Extension of sanitary sewer requires a review by EGLE and Oakland County Water Commission. Pump stations for each residential lot would be required. A storm water plan, including an easement and agreement is required.

Commissioner Slicker inquired if they are required to connect to sanitary sewer.

Mr. Potter stated that they are required to connect to sanitary sewer.

Commissioner Anderson inquired if the applicant had been made aware of the pump station, two-year maintenance bond and storm water plan.

Mr. Potter has not had a conversation with the applicant regarding these issues.

Director O'Neil stated that at this stage of the process for rezoning no reviews are required, however the conversation has occurred with the applicant about what will be required to move forward with the project.

Mr. Potter stated that the applicant inquired if sanitary sewer was available for the subject site.

Mr. Biskner introduced the project. The future property owners would be required to maintain the easements, which could be fenced and used for horses, a small beach and park area. Parcel divisions

would include common areas for the residents. The Pontiac Lake State Park equestrian trails would be accessible to the residents along the north and west property lines.

Mr. Hoppe stated that the dead and dying trees needed to be cleared, as well as the debris that had accumulated over the years by the prior owners. They plan to replant more trees in the area as soon as it is possible.

Commissioner Seeley inquired what mining operation was there previously.

Mr. Hoppe stated that it was sand and gravel mining operation that the previous owner operated.

Commissioner Dehart noted that she is thrilled that they are incorporating the equestrian trails into their concept design.

Commissioner Slicker inquired about the equestrian trails to the north and west of the subject site.

Mr. Hoppe stated that the adjoining land is owned by Pontiac Lake State Park and there are equestrian trails that could connect to the proposed easement.

Mr. Biskner presented the conceptual development plan and pointed out where the likely areas for dwellings would be built.

Commissioner Anderson opened the public hearing at 7:41 PM

Michael Johnson of 2925 Lynn has concerns about the aquifer, the water quality and radon. Mr. Johnson is also concerned about the wetlands being disturbed near his home.

Anita Poute of 2778 Wabum Rd has concerns about the density of the development and shares concerns about the water quality and the trees that were removed.

Jim Chism of 9345 Gale is disappointed that the trees were removed.

Cicely Gaulmeyer of 9283 Camelot has concerns of the potential density if this is rezoned.

Commissioner Anderson stated that a letter and an email were received stating concern about the development.

Commissioner Anderson closed the public hearing at 7:53 PM

Director O'Neil addressed the concerns stated during public comment and clarified that the applicant followed all applicable regulations regarding posting signs and work performed on the property. Zoning determines the lot minimum size and ability to create a private road. The applicant is seeking the lowest density compatible with the Master Plan.

Mr. Hoppe addressed the concerns about the pond and stated that all of the trees that are remaining will not be removed. They have no intention of developing the existing wetlands on the east boundary.

Commissioner Ruggles stated that the current zoning of the property is Agricultural and the owners have the right to remove any and all trees that they want to.

Commissioner Carlock inquired about the process of lot splits, land divisions and the creation of a private road.

Director O'Neil clarified that process. Nine lots are the maximum that can be divided under the Land Division Act.

Commissioner Seeley moved to forward a favorable recommendation to the Township Board, the rezoning for parcel number 12-11-401-003 (9400 Gale Road), located east of Teggerdine Road, west of Lynn Drive, consisting of approximately 42.53 acres, to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning district.

Commissioner Ruggles supported, and the MOTION CARRIED/FAILED with a roll call vote (7 yes votes):
(Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Seeley/yes, Slicker/yes, Ruggles/yes)

Director O'Neil stated to the public that the Township Board will hear this case in two readings. The first reading will be January 17, 2023 and the second reading will be at the February regular meeting. If anyone from the public has any further questions, he can be reached during regular business hours at Town Hall.

CONTINUING BUSINESS

None

NEW BUSINESS

None

OTHER BUSINESS

A. Election of Officers

Commissioner Dehart nominated Joe Seward to serve as Chairperson of the White Lake Township Planning Commission for the remainder of 2023.

Commissioner Fine supported and the MOTION CARRIED with a voice vote: (7 yes votes)

Commissioner Fine nominated Merrie Carlock to serve as Vice Chair of the White Lake Township Planning Commission for the remainder of 2023.

Commissioner Dehart supported and the MOTION CARRIED with a voice vote: (7 yes votes).

Commissioner Carlock nominated Debbie Dehart to serve as the Secretary of the White Lake Township Planning Commission for the remainder of 2023.

Commissioner Fine supported and the MOTION CARRIED with a voice vote: (7 yes votes).

B. Liaison Assignments

Commissioner Seeley nominated Debbie Dehart to serve as the liaison to the Zoning Board of Appeals for the remainder of 2023.

Commissioner Fine supported and the MOTION CARRIED with a voice vote: (7 yes votes).

Commissioner Seeley nominated Merrie Carlock to serve as the Planning Commission liaison to the Parks and Recreation Board for the remainder of 2023.

Commissioner Fine supported and the MOTION CARRIED with a voice vote: (7 yes votes).

LIAISON'S REPORT

Commissioner Dehart was not able to attend the last Zoning Board of Appeals meeting due to illness.

Commissioner Carlock stated that the Parks and Rec committee will meet next week. They have applied for a Sparks Grant.

Commissioner Ruggles stated that the Township Board met on the December 20, 2022 and voted in favor to sponsor the Huron Valley Youth Assistance. The first reading of the Fee Ordinance update has been completed. The board authorized litigation against 9885 Cedar Island Rd as a person was living in a construction trailer. The next Township Board meeting is on Tuesday, January 17, 2023.

DIRECTOR'S REPORT

Director O'Neil reported that the Township Board approved a contract with Carlisle Wortman & Associates to establish a Corridor Improvement Authority Plan. The 5 Year Parks and Recreation Master Plan is expected to be approved by the Township Board in February. The Land Use Master Plan has begun and the draft survey is expected in the next two weeks. The Civic Center Development Committee will meet in January. The new Taco Bell has opened. New Hope White Lake has received the Certificate of Occupancy and will have residents moving in soon.

COMMUNICATIONS

Commissioner Anderson stated that he appreciates the support from his fellow commissioners' during his tenure as Chair and hopes that they will give Commissioner Seward same support.

NEXT MEETING DATES: January 19, 2023
 February 2, 2023

ADJOURNMENT

Commissioner Fine moved to adjourn the meeting at 8:35 PM

Commissioner Slicker supported and the MOTION CARRIED with a voice vote: 7 yes votes

WHITE LAKE TOWNSHIP PLANNING COMMISSION

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission

FROM: Sean O'Neil, AICP, Community Development Director
Justin Quagliata, Staff Planner

DATE: December 14, 2022

RE: 9400 Gale Road (Parcel Number 12-11-401-003)
Rezoning – Review #1

Jeff Lauzon has requested the rezoning of approximately 42.53 acres located at 9400 Gale Road from AG (Agricultural) to SF (Suburban Farms). The site is located east of Teggerdine Road, west of Lynn Drive and contains approximately 1,112.29 feet of frontage on Gale Road.

The Future Land Use Map from the Master Plan designates the subject site in the Residential Resort category, with most development within this category occurring as individual homes in platted or condominium subdivisions. Connections to the Township community-wide pathway system are required as an integral part of all developments. Taking existing development into consideration, the net density of Residential Resort areas is planned to range between 2.0 and 3.0 dwellings per acre.

FUTURE LAND USE MAP



Zoning

The subject site is currently zoned AG, which requires a minimum of 300 feet of lot width and five (5) acres of lot area. The requested SF zoning district requires a minimum of 165 feet of lot width and two (2) acres of lot area. With approximately 1,112.29 feet of lot width on Gale Road and 42.53 acres of lot area, the site meets the minimum standards for both lot area and lot width of the existing AG and proposed SF zoning districts. The following table illustrates the lot width and lot area standards for the existing AG and proposed SF zoning districts:

| ZONING DISTRICT | LOT WIDTH | LOT AREA |
|-----------------|-----------|----------|
| AG | 300 feet | 5 acres |
| SF | 165 feet | 2 acres |

ZONING MAP



Physical Features

The site was previously utilized for excavation and removal of sand, gravel, and/or stone. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map indicates floodplain is not present on the site.

Access

The site fronts on Gale Road, which along most of the subject property is a gravel public road designated a local road by the National Functional Classification System (NFCS) utilized by the Road Commission for Oakland County (RCOC). Approximately 165 feet of the parcel’s road frontage (easterly) is on the paved portion of Gale Road.

Utilities

The property is currently not served by public utilities; however, sanitary sewer is available to serve the site.

Staff Analysis

In considering any petition for an amendment to the zoning map, the Planning Commission and Township Board must consider the following criteria from Section 7.13 of the zoning ordinance in making its findings, recommendations, and decision:

- A. *Consistency with the goals, policies and future land use map of the White Lake Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area.* The Future Land Use Map from the Master Plan designates the subject site in the Residential Resort category, which aligns with the proposed SF zoning district.
- B. *Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district. If the property is rezoned to SF, it would not directly or indirectly have a substantial adverse impact on the natural resources of the Township.*
- C. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under the current zoning.* No such evidence has been submitted.
- D. *The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.* The majority of the permitted and special land uses in the SF district are compatible with the surrounding uses and the nature of the uses anticipated in the Township Master Plan. Only the Township Assessor may provide comment on property values.
- E. *The capacity of Township utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township.* The site is in an area intended to be serviced by sanitary sewer. The Community Development Department defers to the Director of Public Services and Township Engineering Consultant on this matter.
- F. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.* Pursuant to Section 6.3.E of the zoning ordinance, the requirement for submittal of a rezoning traffic study was waived by the Community Development Department. Future requests for development, if submitted, may require submittal of a traffic analysis.
- G. *The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land in the township currently zoned and available to accommodate the demand.* Evidence of the demand in the Township for additional SF zoned property has not been submitted. However, the location is appropriate for property zoned as such, given the traffic, residential units, and general density in the area.

- H. The boundaries of the requested rezoning district are reasonable in relationship to its surroundings, and construction on the site will be able to meet the dimensional regulations for the zoning district listed in the Schedule of Regulations. Construction on the site is not proposed at this time. Factors that may impact future development of the site, such as, but not limited to, soils, topography, site layout, stormwater/drainage, and utilities would be considered at the time of a development proposal.*
- I. The requested zoning district is considered to be more appropriate from the township's perspective than another zoning district. The uses allowed in the SF district are appropriate for the site.*
- J. If the request is for a specific use, is rezoning the land more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use? The request is not for a specific use.*
- K. The requested rezoning will not create an isolated and unplanned spot zone. The site is surrounded by Recreation and Open Space zoning to the north and west, and AG, R1-C (Single-Family Residential), and R1-D (Single-Family Residential) zoning to the east and south.*
- L. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided. This request is a new application.*
- M. An offer of conditions submitted as part of a conditional rezoning request shall bear a reasonable and rational relationship to the property for which rezoning is requested. This standard is not applicable.*
- N. Other factors deemed appropriate by the Planning Commission and Township Board. The Planning Commission and Township Board could also consider other factors which may be relevant to the rezoning request.*

The applicant indicated he would file a land division application with the Assessing Department if the rezoning is approved. Demonstration the remainder parcel and resulting parcels comply with the minimum lot area and width requirements of the SF district would need to be provided.

Planning Commission Options

The Planning Commission may recommend approval or denial of the rezoning request, or it may recommend a different zoning designation than proposed by the applicant to the Township Board. The proposed rezoning is compatible with the Master Plan and surrounding land uses.
Staff recommends approval of rezoning from AG (Agricultural) to SF (Suburban Farms).

CHARTER TOWNSHIP OF WHITE LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
7525 Highland Road, White Lake, Michigan 48383-2900
248-698-3300, Ext. 163

APPLICATION TO REZONE PROPERTY

Date: 11-22-2022

Applicant: Jeff Lauzon

Address: 2105 Sunnybrook, Commerce MI. 48382

Phone No.: 248-444-8203 Fax No.: _____

E-mail: j_lauzon@msn.com

Applicant's Interest in Property: Owner

Property Owner: Gale Road Development, LLC

Owner's Address: 2105 Sunnybrook, Commerce MI. 48382

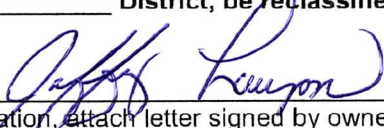
Phone No.: 248-444-8203 Fax No.: _____

Location of Property: 9400 Gale Road, White Lake

Sidwell No(s): 12-11-401-003

Total area of change: 42.98 acres

I, the undersigned (owner, attorney, or option holder) hereby request that this property now classified as AG AGRICULTURAL District, be reclassified as SF SUBURBAN FARM District.

Applicant's Signature: 
(If owner does not sign application, attach letter signed by owner, requesting zoning change.)

Please Print Name: Jeffrey Lauzon

Required Attachments:

- X 1. Legal description of the property proposed to be rezoned.
- X 2. Location map
- X 3. Rezoning sign location map
- X 4. Statement indicating why change is requested
- _____ 5. Review fee (check payable to the Charter Township of White Lake)

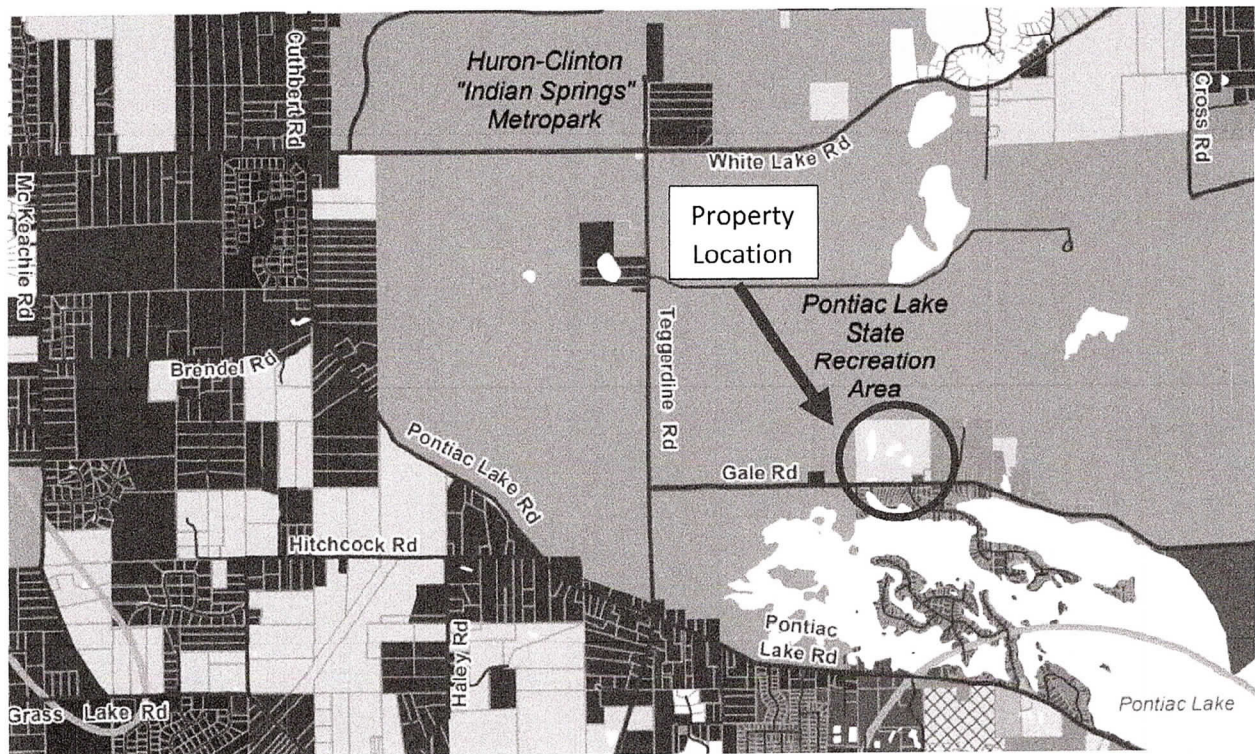
Legal Description

9400 GALE RD WHITE LAKE MI. 48386 +/-42.98 acres

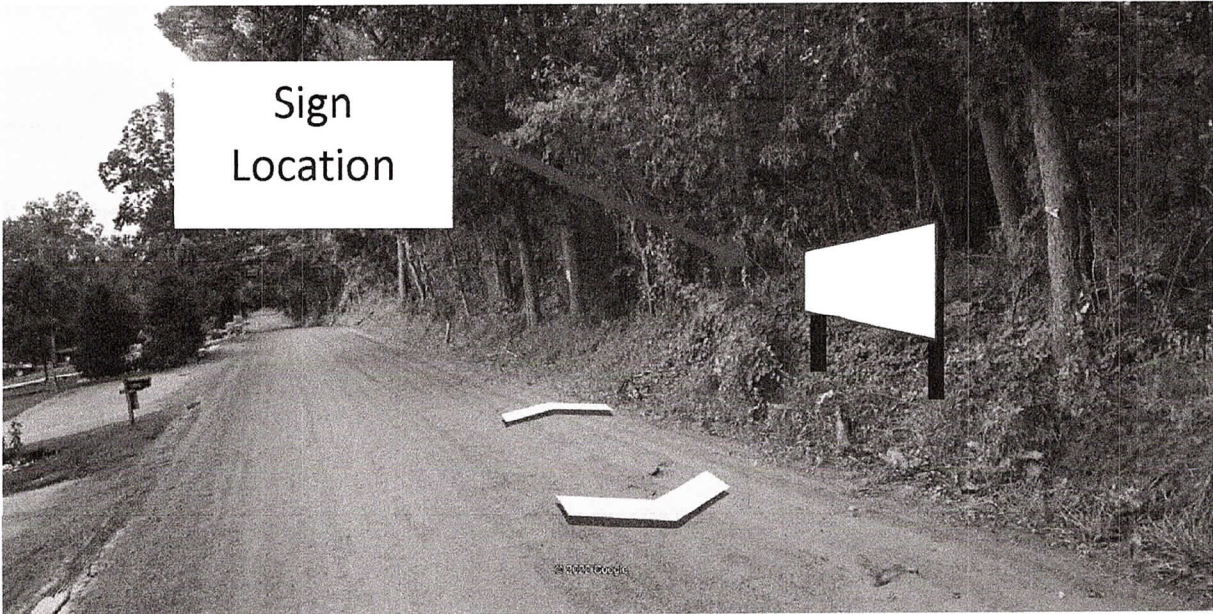
Parcel #: 12-11-401-003

T3N, ROE, SEC 11 THAT PART OF SE 1/4 LYING NLY OF GEN LINE OF GALE RD & WLY OF W LINE OF 'SUPERVISOR'S PLAT NO 5' EXC BEG AT PT DIST N 89-43-50 W 1190.50 FT & S 00-08-00 W 1001.50 FT FROM E 1/4 COR, TH N 89-58-39 W 150.57 FT, TH S 00-01-21 W 89.40 FT, TH N 89-58-39 W 230.00 FT, TH S 00-01-21 W 201.00 FT, TH S 89-58-39 E 380.00 FT, TH N 00-08-00 E 290.40 FT TO BEG 42.53

LOCATION MAP



Rezoning sign location map



Change Request Statement

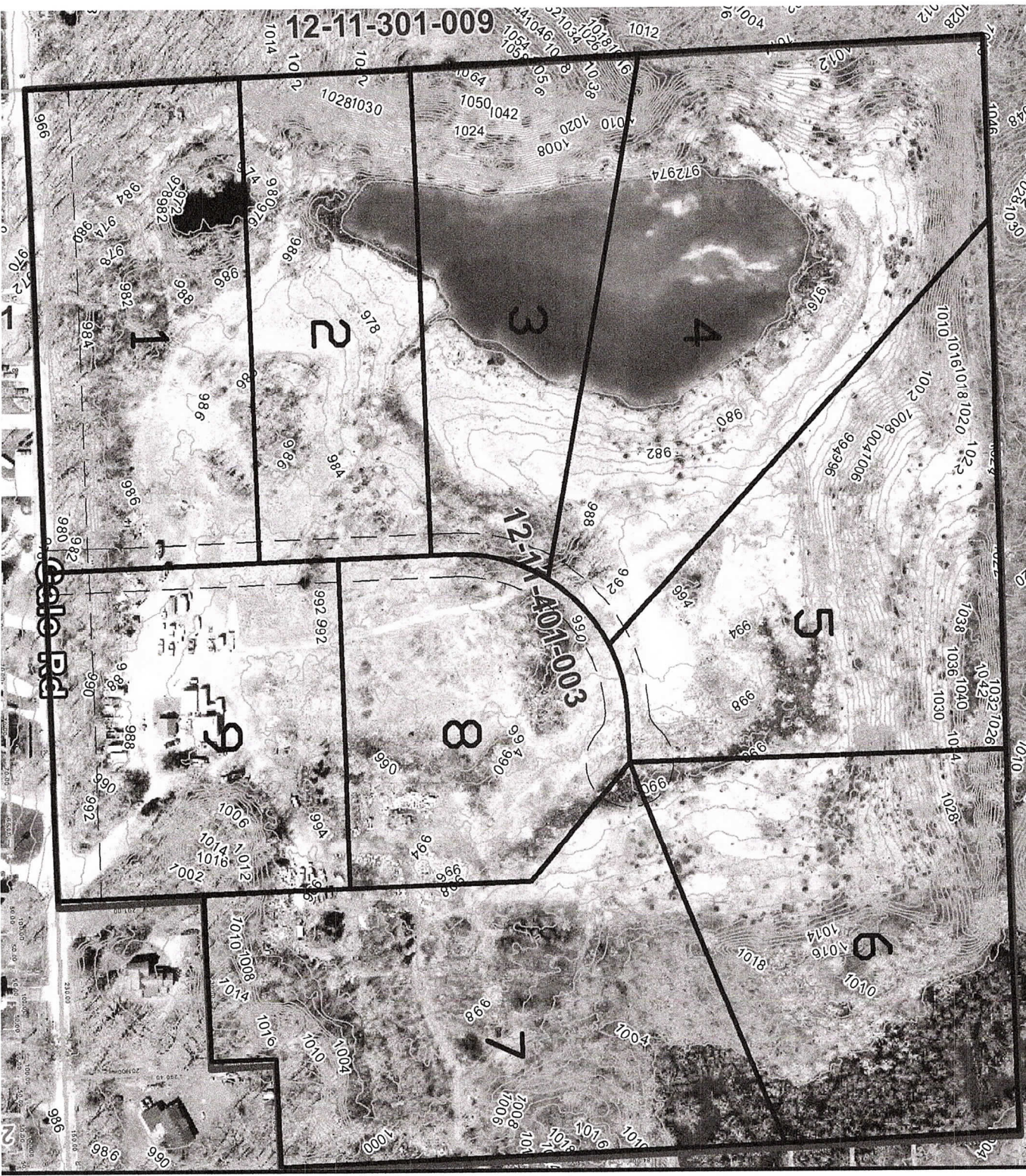
The re-zoning request is being made to maximize the splits allowed by the Michigan Land Division Act. I am requesting a zoning change from Agriculture (5-acre Minimum) to Suburban Farm (2-acre minimum). The parent parcel is 42.98 acres and will produce (post-split) nine 4-acre+/- parcels.

Thank you



Jeff Lauzon

2.0 AC ZONING SKETCH



**WHITE LAKE TOWNSHIP
NOTICE OF PUBLIC HEARING**

Notice is hereby given the Planning Commission of the Charter Township of White Lake will hold a public hearing on **Thursday, January 5, 2023 at 7:00 P.M.** at the Township Annex, 7527 Highland Road, White Lake, Michigan 48383, to consider the following changes to the zoning map:

Property identified as Parcel Number 12-11-401-003 (9400 Gale Road), located east of Teggerdine Road, west of Lynn Drive, consisting of approximately 42.53 acres.

Applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning district.

Persons interested are requested to be present. Pertinent information relative to this rezoning request is on file at the Community Development Department and may be examined at any time during the Township's regular business hours; Monday through Friday, 8:00 a.m. through 5:00 p.m. Persons interested may visit the Community Development Department, contact the Community Development Department by telephone at 248-698-3300, ext. 5, or attend the Public Hearing on the date specified. Written comments are also welcome at 7525 Highland Road, White Lake, MI 48383. Individuals with disabilities requiring auxiliary aids or services should contact the Clerk's Office at least 5 days before the hearing.

Sean O'Neil, AICP
Community Development Director