

TO: Zoning Board of Appeals
FROM: David J. Waligora, AICP, Senior Planner
DATE: February 13, 2025
RE: 3837 Jackson Blvd: Variance request to permit a Home Remodel

Agenda item: 8C
Appeal Date: February 26, 2026
Applicant: Eric Stanton
8576 Sandycrest Dr.
White Lake, MI 48386
Owners: George and Sharon Stanton
2870 Mystic Valley Dr
White Lake, MI 48383
Address: 3837 Jackson Blvd
White Lake, MI 48386
Parcel #: 12-07-157-015
Location: North side of Jackson Blvd between
Langolf and Leroy Ct.
Zoning: R1-D, Single Family Residential

Attachments

1. Application and Letters
2. Survey
3. ZBA Meeting Minutes from 12-12-13



Property Description

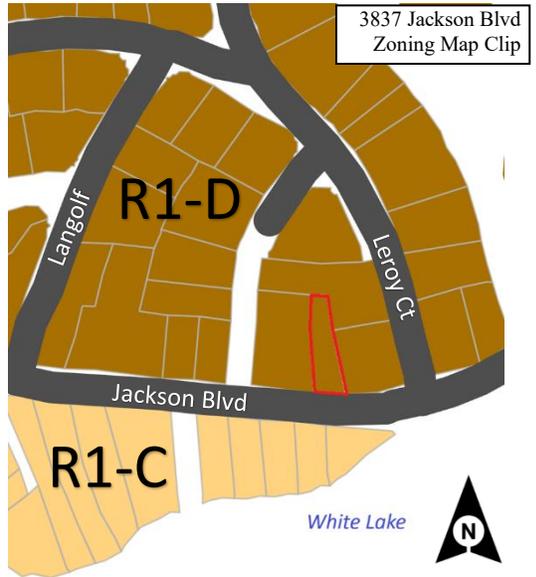
The 0.149 acre or 6,490 sq ft (approx. 55' x ±183'), circa 1920 platted parcel, 12-07-157-015, is located on the north side of Jackson Blvd between Langolf Rd and Leroy Ct. The property is zoned R1-D (Single-Family Residential). The home is surrounded by R1-D single family homes to the east, west, and north. To the south of the property are single family homes zoned R1-C and situated on the northern shore of White Lake.

Applicant's Proposal

The applicant is the contractor representing the property owner. They propose an addition to the existing home, enlarging it from a one-story, one-bedroom, 607 ft² residence into a 2-bedroom with a proposed 381 ft² addition, resulting in a 988.56 ft² single-family home.

Existing Condition Dimensional Review

The property is currently occupied by a ranch style, single-family home, constructed in 1947, and includes a rear 80 ft² shed. It is served by a private well and private septic. Below is a comparison chart with the minimum R1-D standards (Section 3.1.5.E) listed next to the existing findings for the property.



	Min Required	Current	Nonconforming Deficiency
Lot Area	12,000 ft ²	6,490 ft ²	45.9% deficient or 5,510 ft ² smaller
Lot Width	80 ft (min required)	50 ft	37.5% deficient or 30 ft smaller
Lot Length	150 ft (min required for min lot width)	153 ft	
Lot Coverage	25%	9.35%	
Front Yard Setback	30 ft	30.1 ft	
Side Yard Setback	10 ft	7.30 ft (West) 7.77 ft (East)	2.7 ft (West) 2.23 ft (East)
Rear Yard Setback	30 ft	73.87 ft	
Minimum Structure Area	1000 ft ²	607 ft ²	393 ft ²

After reviewing the existing conditions, a legal nonconforming deficiency exists in both lot area and lot width. Because of this, staff finds that the subject property is considered a “**Substandard Lot**”, per Section 5.4 of the Zoning Ordinance.



Conclusion

Staff finds the subject property is a legally established substandard lot containing a lawful nonconforming structure because it does not meet current side yard setback requirements or building size. The parcel is tetragonal in shape and narrows significantly as it extends north from the street, tapering to a width of approximately 26.21 feet. Due to this unique configuration and progressively decreasing width, strict compliance with side yard setback requirements substantially limits the ability to expand or modify the existing structure without the need of a variance.

The proposed addition would increase the degree of nonconformity with respect to the three requested dimensional variances. However, the existing dwelling is limited in floor area, and the addition of another bedroom would move the structure closer to the Township's minimum floor area requirement for single-family dwellings, which is a relevant consideration in this case.

The applicant has indicated that constructing a second story is not feasible because the existing structure was not originally designed to support the additional structural load. Staff further finds that one-bedroom homes are very uncommon within the Township, and the proposed addition would align the dwelling more closely with typical single-family residential development patterns in the vicinity of the subject property.

The Board should consider whether a conforming alternative design could reasonably accommodate the proposed bedroom within the existing available buildable envelope, or whether strict compliance with setback requirements would render such a design unnecessarily burdensome given the lot's narrowing configuration. This determination should be based on whether a conforming addition would provide reasonable residential functionality, as opposed to an ideal or preferred layout.

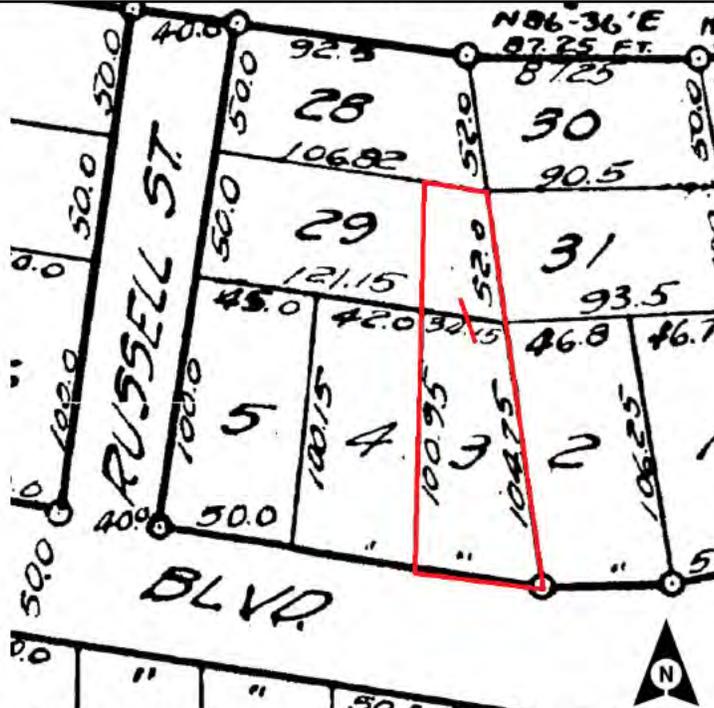
It is important to note that although the property is a legally established substandard lot, the Substandard Lot review criteria are not applicable in this case because the parcel is already developed with a single-family dwelling.

It is however also relevant to note that the Zoning Ordinance reflects a policy preference for single-family residential uses on substandard lots. If the parcel were vacant, the Substandard Lot provisions would permit development of a single-family home on this legally established lot of record, subject to the criteria outlined in that section, which this request would likely meet. This demonstrates the Ordinance's intent to accommodate residential use on substandard parcels under defined circumstances.



Based on the record presented, the Board may consider whether the narrow and uniquely configured shape of the parcel constitutes a practical difficulty that limits reasonable expansion of the existing dwelling. The Board should also consider whether the practical difficulty arises from circumstances unique to the property and not self-created, whether the requested variances represent the minimum necessary to permit reasonable use of the property, and whether granting the request would result in substantial detriment to surrounding properties or the public welfare. The determination rests with the Zoning Board of Appeals following its review of the evidence and testimony presented at the public hearing.

1920 Plat Map illustrating Lot 3 and the part of Lot 29 which comprises the subject parcel



Section 7.37 – Standards (of Review)

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".

- 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.*

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.

Zoning Board of Appeals Options:

Approval Motion Example

I move to approve the requested dimensional variances from Section 3.1.6 (Side Yard Setbacks) and Section 3.11-J (Minimum Floor Area), as well as from Sec 7.23-A, based on the following findings under Section 7.37:

1. A practical difficulty exists due to the legally established substandard nature of the lot, including its 50-foot width, which is approximately 30% deficient from the required 80 feet, and its 6,490 square foot area, which is approximately 45.9% deficient from the required 12,000 square feet. The narrowing configuration of the parcel substantially limits expansion while maintaining the required 10-foot side yard setbacks.
2. The practical difficulty results from the historic configuration of the parcel and is not self-created.
3. The requested relief from Section 3.1.6 to permit side yard setbacks of approximately 5.42 feet (west) and 5.1 feet (east), where 10 feet is required, and the relief from Section 3.11-J related to minimum floor area, represents the minimum necessary to permit reasonable residential use of the property.
4. The structure remains compliant with front and rear yard setbacks, maintains lot coverage significantly below the maximum 25% permitted (approximately 9.35%), and does not appear to create substantial adverse impacts on surrounding properties.
5. Granting the variances will provide substantial justice by allowing use of the property in a manner similar to other single-family homes in the vicinity without bestowing special development rights.

Approval is conditioned upon construction, being substantially consistent with the survey drawn by Dekeyser Surveying for 3837 Jackson Blvd and submitted with the application. Any modification increasing the degree of nonconformity beyond what is approved herein shall require additional review by the Zoning Board of Appeals.

Denial Motion Example

I move to deny the requested dimensional variances from Section 3.1.6 (Side Yard Setbacks) and Section 3.11-J (Minimum Floor Area) based on the following findings under Section 7.37:

1. While the lot is legally established and substandard in width and area, the Board finds that strict compliance with the Ordinance does not unreasonably prevent reasonable residential use of the property. The parcel is currently developed with a single-family dwelling that meets front and rear yard setbacks and maintains lot coverage well below the maximum permitted.
2. The Board finds that a conforming alternative design may be feasible within the existing buildable envelope, and therefore the requested encroachment into the required 10-foot side yard setbacks has not been demonstrated to be necessary to alleviate a practical difficulty inherent in the land.
3. The Board further finds that the applicant has not demonstrated that the requested variances represent the minimum necessary to permit reasonable use of the property.
4. Although the parcel is narrower than typical lots in the district, the Board finds that the request, as proposed, would increase the degree of nonconformity beyond what is necessary to maintain reasonable residential use.

Based on these findings, the applicant has not satisfied the standards set forth in Section 7.37, and the requested variances are therefore denied.

Postpone Motion Example

I move to postpone action on the requested dimensional variances from Section 3.1.6 (Side Yard Setbacks) and Section 3.11-J (Minimum Floor Area) in order to allow the Board additional time to evaluate the standards set forth in Section 7.37 and to obtain supplemental information necessary to make findings under those standards.

The Board requests that the applicant provide:

1. A revised site plan demonstrating whether a conforming alternative design is feasible within the required 10-foot side yard setbacks.
2. Dimensioned floor plans identifying the resulting bedroom size and layout under both the proposed design and any conforming alternative.
3. Any additional information necessary to determine whether the requested variances represent the minimum necessary to alleviate the practical difficulty.

This matter shall be rescheduled for consideration within ninety (90) days of tonight's date. If the requested materials are not submitted within that timeframe, the application may be deemed withdrawn without prejudice.



1949 Aerial Showing the original footprint of the home, staff estimate of property line

WHITE LAKE TOWNSHIP



ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION

NAME: ERIC DENNIS [REDACTED]
[REDACTED] Sandycroft Dr. White Lake MI 48386
EMAIL: ~~ERIC.DENNIS~~ [REDACTED]
INTEREST IN PROPERTY: PROPERTY OWNER BUILDER OTHER: _____

PROPERTY INFORMATION

ADDRESS: 3837 Jackson BLVD ZONING: _____
VALUE OF IMPROVEMENT: \$ 100,000 SEV OF EXISTING STRUCTURE: \$ 39,630

REASONS TO SUPPORT REQUEST (ADDITIONAL SHEETS MAY BE ATTACHED):

See attached approval from the customer wants to make a 1 bedroom home into a 2 bedroom to meet the needs of current living standards. The plot is small and oddly sized. It is cost prohibitive to build up and the current structure is not capable of supporting the load. We will not be adding the front porch previously applied for.

APPLICATION FEE: \$440 \$550

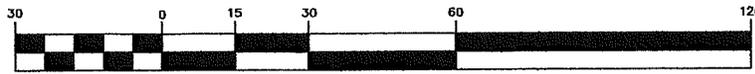
APPLICANT'S SIGNATURE: _____

A handwritten signature in black ink, appearing to read "Eric Dennis".

DATE: 1-16-2026

SITE PLAN

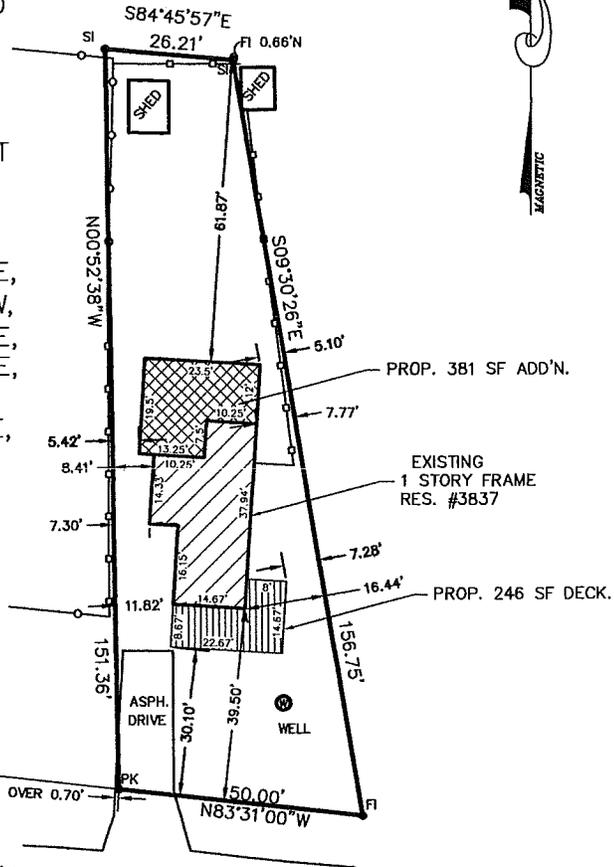
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

DESCRIPTION P#12-07-157-015

LOT 3 AND PART OF LOT 29,
"WHITE LAKE PARK SUBDIVISION",
WHITE LAKE TOWNSHIP, OAKLAND
COUNTY, MICHIGAN AS
RECORDED IN LIBER 24, PAGE
12, OAKLAND COUNTY RECORDS,
AND MORE PARTICULARLY
DESCRIBED AS BEING THAT PART
OF LOT 29, DESCRIBED A
BEGINNING AT THE S.E.LY LOT
CORNER; THENCE N83°31'48"W,
ALONG THE SOUTHERLY LOT LINE,
34.15' FEET; THENCE N0°52'38"W,
50.41' FEET; THENCE S83°31'31"E,
ALONG THE NORTHERLY LOT LINE,
TO THE N.E.LY LOT CORNER,
26.28' FEET; THENCE S9°30'27"E,
52.00' FEET TO THE POINT OF
BEGINNING.



LEGEND

- MON. - FOUND MONUMENT
- FP - FOUND PIPE
- FI - FOUND IRON
- SI - SET IRON
- PK - SET PK NAIL

BEARINGS BASED ON SURVEY BY TOM SMITH
APRIL 6, 1994

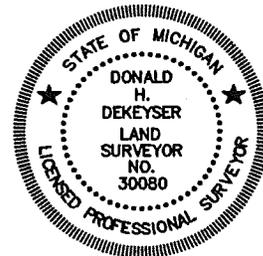
FOR: **DAVID & APRIL RASKY**

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.:
5254

SCALE:
1"=30'

DATE: 2/8/13
REV.10/15/13

Donald H. DeKeyser
DONALD H. DEKEYSER P.L.S. #30080

AFFIDAVIT OF MAILING

STATE OF MICHIGAN

COUNTY OF OAKLAND

Paige Myers being duly sworn, says that she enclosed in envelopes copies of the **Notice of Public Hearing** under Ordinance No. 58, Charter Township of White Lake, scheduled for February 26th, 2026, annexed hereto, sealed the envelopes and addressed the envelopes to the attached list of residents:

Affiant further states that she placed said envelopes in a government mail receptacle located at the White Lake Township Offices in Michigan on February 10th, 2026.

Affiant further states that he placed such amount of postage on the envelopes as is required by the postal regulations to permit mail to go First Class.



PAIGE MYERS

Subscribed and sworn to me before this
9 Day of February, 2026



Signature

Notary Public, Oakland County, MI

My Commission Expires August 31, 2031

NAME: 3837 JACKSON BLVD

OWNER/OCCUPANT AGENDAS MAILED: 91

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



Trustees
Scott Ruggles
Steve Anderson
Andrea C. Voorheis
Liz Fessler Smith

WHITE LAKE TOWNSHIP

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

December 29, 2025

[REDACTED] anton
[REDACTED]
White Lake, MI 48383

Re: 3837 Jackson Blvd

Based on the submitted plans, the proposed 1st floor addition does not satisfy the White Lake Township Clear Zoning Ordinance.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance for R1-D requires: Minimum side yard setback of 10 feet each side and 20 feet total of two sides and minimum lot width of 80 feet.

Article 7.23(A) of the White Lake Township Clear Zoning Ordinance: No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.

Article 5.3 of the White Lake Township Clear Zoning Ordinance states: In no event will the projection be closer than five (5) feet to the lot line.

Based on the submitted plans, the existing structure and lot are non-conforming where the lot width is 50 ft. and contains a residential structure having an approximate 7.3 ft side yard setback on the west side and a 7.77 ft side yard setback on the east side for a total of 15.07 ft.

The proposed addition to the rear of the structure would increase these non-conformities by adding living space 5.42 ft from the west side yard lot line and 5.1 ft from the east side yard lot line for a total of 10.52 ft. Additionally, no newly constructed portion including overhangs and gutters shall extend closer to 5 ft from any side yard lot line. It is further noted; the additional proposed bedroom will need to be approved by Oakland County Health Division for the existing septic system prior to approval from the Building Department.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the February 26th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than January 22nd at 4:30 PM. ***Be advised, the ZBA will require the certified and dimensioned boundary and location survey to show the location of the septic field system.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township



HEALTH DIVISION
Department of Health & Human Services

L. BROOKS PATTERSON, OAKLAND COUNTY EXECUTIVE

Kathleen Forzley, R.S., M.P.A., Manager
HEALTH DIVISION

oakgov.com/health

PERMIT TO INSTALL AN ON-SITE SEWAGE DISPOSAL SYSTEM

PERMIT #: 192-13-000185

Issue Date: 09/10/2013 10:08

APPLICATION TRACKING #: 63226244
PARCEL ID #: 12-07-157-015

APPLICATION RECEIPT DATE: 06/04/2013
LAST ACTIVITY: 05/12/1994

PROPERTY ADDRESS: 3837 JACKSON BLVD WHITE LAKE MI 48383 -1448
SUBDIVISION NAME: White Lake Park

SEPTIC INFORMATION: Proposed Use of Septic: Residential Type of Septic: Repair
Type of Establishment: No. of Bedrooms: 2

OWNER:

Name: [REDACTED]
Address: [REDACTED] 83
Phone: [REDACTED]

APPLICANT:

Name: Timothy Brandel
Address: [REDACTED]
Phone: Home: [REDACTED] Work: (248) 887-2118

PERMIT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

Tank : Two compartment tank recommended

<u>Size of Septic Tank (Gallons)</u>	<u>No. of Compartments</u>	<u>Tank Type</u>	<u>Risers Required</u>
1000.0		Septic Tank (Concrete)	

Final Disposal:

- 1 Drywells of 1000.0 gal, each with 3.0 ft. of stone totaling 288.0 sq.ft
- 1 Drywells of 1000.0 gal, each with 2.0 ft. of stone totaling 240.0 sq.ft

Stipulations:

Locate drain field Over boring 1, per approved site plan

Replacement Area:

Adequate replacement space available. Yes Over existing field

Comments:

STANDARD PERMIT REQUIREMENTS:

- Must install system in accordance with OCHD Sanitary Code, Article III and/or Michigan Criteria for Subsurface Sewage Disposal.
- Required isolation distances must be verified by the installer.
- Call to schedule all necessary inspections prior to the completion of the installation.
- ACT 53 - P.A. 1974 requires the applicant to notify the public utilities prior to excavation. In addition you must call 1-800-MISS DIG to locate public underground utilities.
- This On-Site Sewage Permit **DOES NOT** apply to any addition or expansion of the proposed/existing building.
- This On-Site Sewage Disposal Permit does not ensure a Water Well Permit. An On-Site Sewage Disposal installation may reduce or eliminate an approved well area resulting in denial of an application for a Water Well Permit.

THIS PERMIT IS VOID AFTER TWO (2) YEARS FROM DATE OF ISSUE

Sanitarian: Matt Mehnert

Supervisor: Mary (Liz) John-Braddock

SEE PAGE 2 FOR SPECIAL CONDITIONS AND ADDITIONAL REQUIREMENTS

Page 1 of 3

NORTH OAKLAND HEALTH CENTER
1200 N. TELEGRAPH RD.
PONTIAC, MI 48341-0432
General Information 248-858-1280

SOUTH OAKLAND HEALTH CENTER
27725 GREENFIELD RD.
SOUTHFIELD, MI 48076-3663
General Information 248-424-7000



Department of Health & Human Services

L. BROOKS PATTERSON, OAKLAND COUNTY EXECUTIVE

Kathleen Forzley, R.S., M.P.A., Manager
HEALTH DIVISION

oakgov.com/health

PERMIT#: 192-13-000185 Parcel ID: 12-07-157-015 Application Tracking Number: 63226244 Property Address: 3837 JACKSON BLVD WHITE LAKE MI 48383 -1448
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Special Conditions:

- Final cover over drywells cannot exceed 30 inches. If final cover cannot be maintained a pump chamber/vault must be installed. Septic installer is responsible for all aspects of selection and installation. A pump curve must be submitted to OCHD prior to final approval if installed.
- Old tank must be properly abandoned. Install new 1000 gallon tank and 2 standard drywells per approved site plan that indicates a total of 528 square feet of absorption area for a 2 bedroom home.
- Per Section 5.8 of the Sanitary Code: 250 square feet per bedroom is required for less than optimal but acceptable soils.

APPROVED BORINGS:

Soils Observed by : Matt Mehnert

Date Observed : 08/29/2013

Boring :1

Boring Label : 1
 GPS Coordinates: X: Y:
 HSWT Observed: No HSWT Indicator: Depth of HSWT:
 Ground Water Observed: No Depth of Ground Water:
 Captured Date: 06/13/2013 14:30 Captured By: mehnertm

Texture :

Depth: 12.00 Inch	Soil Info: Topsoil
Size:	Topsoil Texture: Loam
Wetness:	Color:
Depth: 3.00 Feet	Soil Info: Sandy Clay Loam
Size: Coarse	Topsoil Texture:
Wetness:	Color:
Depth: 9.00 Feet	Soil Info: Sand
Size: Coarse	Topsoil Texture:
Wetness:	Color:

Disclaimer: The Oakland County Health Division will not deny participation in its programs based on race, sex, religion national origin, age or disability. State and federal eligibility requirements apply for certain programs.

PERMIT#: 192-13-000185

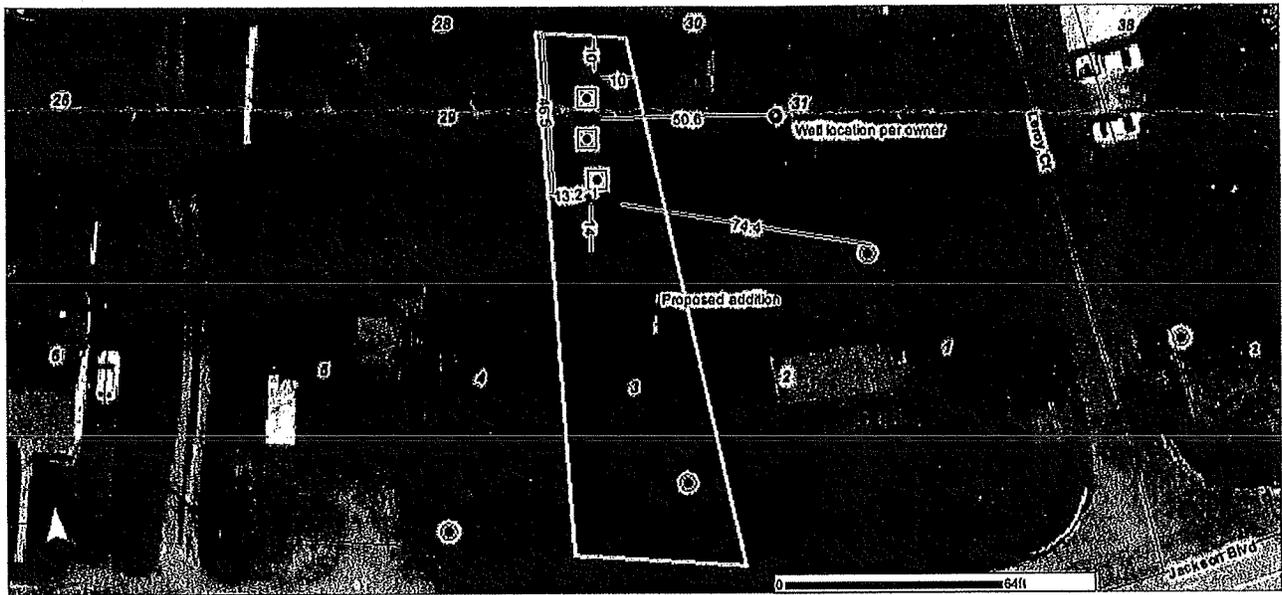
Parcel ID: 12-07-157-015

Application Tracking Number: 63226244

Property Address:

3837 JACKSON BLVD

WHITE LAKE MI 48383-1448



Legend									

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

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



Trustees
Carol J. Burkard
Scott Ruggles
Andrea C. Voorheis
Rik Kowall

WHITE LAKE TOWNSHIP

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

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

Regular Meeting
7525 Highland Road
White Lake, MI 48383
December 12, 2013 @ 7:00 p.m.

Mr. Artinian called the meeting to order at 7:10 p.m. and led the Pledge of Allegiance. Roll was called: Mr. Ruggles and Ms. Spencer were excused.

ROLL CALL: Rob Artinian, Chairperson
Joseph Erlich, Secretary
Gail Novak-Phelps
Scott Ruggles, Board Liaison - Excused
Josephine Spencer, Vice Chairperson - Excused

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

Visitors: 2

Approval of Agenda:

Ms. Novak-Phelps moved to approve the agenda as presented. Mr. Erlich supported and the MOTION CARRIED with a voice vote. (3 yes votes)

Approval of Minutes:

- Minutes of October 24, 2013

Ms. Novak-Phelps moved to approve the minutes of October 24, 2013 as presented. Mr. Erlich supported and the MOTION CARRIED with a voice vote. (3 yes votes)

Call to the Public (for items not on the agenda)

Mr. Artinian opened the discussion for public comment on items not listed on the agenda, but none was offered.

New Business:

- a. **File No.** File No. 13-015
Applicant: David & April Rasky
2754 Mystic Valley Dr.
White Lake, MI 48383
Location: 3837 Jackson, White Lake, MI 48383, identified as parcel 12-07-157-015
Request: Variance to Article 3.1.6 R1-D single family residential, for lot size, lot width, minimum floor area, and side yard setback

Mr. Artinian noted for the record that 42 property owners within 300 ft. were notified and there were no letters received in favor or opposition of the request and 6 letters were returned undeliverable by the U.S. Postal service.

Mr. Artinian noted for the record that 42 property owners within 300 ft. were notified and there were no letters received in favor or opposition of the request and 6 letters were returned undeliverable by the U.S. Postal service.

Mr. Iacoangeli reviewed his report dated December 2, 2013. This is a legal non-conforming lot of record zoned R1-D. The home uses a private well and a private septic system. The applicant is proposing to build a 381 sq. ft. addition to the existing home on the north side of the structure. They are also proposing to add a 255 sq. ft. covered porch to the front of the home. Covered porches are considered just like additions for the purposes of determining setback requirements. The home addition will require a variance to both side yards with a setback of 5.10 ft. on the east side of the home and 5.4 ft. on the west side. The existing house is small in size (550 sq. ft.). The new addition will bring the home up to 931 sq. ft. and it will still be deficient in size by 69 sq. ft. The OCHD has approved the home addition with regard to the well and septic pending final Township approval.

Mrs. Rasky stated she is the property owner of 3837 Jackson. Their practical difficulty is that the lot is non-conforming and deficient in size for the township. The existing home is 1-bedroom and they are trying to make it more livable in today's standards. The house currently sits 10 ft. from the property lines and it's grandfathered in from the old setbacks in place years ago. They've talked to the neighbors on both sides, and neither were opposed to what they want to do. If the variances are granted, there would still be 15ft. between the house on the west, and 29 ft. between the house to the east. They cannot build to the rear without disrupting the septic system. They also cannot go up on the house because the existing structure will not support a second level.

Mr. Artinian noted that the ZBA is bound by what it can and can't do. He asked if there was anything else they could do to not increase the non-conformity. Legally the ZBA cannot increase the non-conformity, and he has reservations about granting these variances. This proposal would be going 3 ft. closer to the neighbors and lessening the access for emergency vehicles.

Ms. Novak-Phelps stated that leveling the house and rebuilding will still not make a conforming situation. Mr. Iacoangeli added that the applicant's hardship is that the district is 12,000 sq. ft. lot area and the applicant is at less than 6,000 sq. ft. Rebuilding would still require variance setbacks. In addition, the back yard is being taken up by the septic field. The applicant is seeking variances. The addition will be remediating a non-conformity. The new addition will make the house more conforming while doing something positive for the ordinance.

There was continued discussion on possible options for the applicant to consider, but the applicant feels they have made the best use of the property with what they are presenting.

Ms. Novak-Phelps moved in File 13-015 to approve the following variances: (1) a 6,257 sq. ft. variance to minimum lot size for an end result of 5,743 sq. ft.; (2) a 30 ft. variance to lot width for an end result of 50 ft.; (3) a 4.9 ft. variance to the east side yard setback for an end result of 5.10 ft.; (4) a 4.6 ft. variance to the west side yard setback for an end result of 5.4 ft.; (5) a 69 sq. ft. variance to minimum floor area for an end result of 931 sq. ft.; and to include gutters and downspouts, and building official make the determination whether a fire rated wall would be necessary. Mr. Erlich supported and the MOTION CARRIED with a roll call vote: Erlich – yes; Novak-Phelps – yes (with adding the fire shielding. She also feels the addition will make the house more conforming and be a nice addition to the neighborhood, and neither neighbor was opposed with the proposal; Artinian – yes (begrudgingly). (3 yes votes)

Other Business:

- a. **Approval of the 2014 ZBA meeting dates**

Ms. Novak-Phelps moved to approve the 2014 ZBA meeting dates as submitted. Mr. Erlich Supported and the MOTION CARRIED with a voice vote. (3 yes votes).

Next Meeting Date:

a. **January 23, 2014**

Adjournment

Ms. Novak-Phelps moved to adjourn the meeting at 7:40 p.m. Mr. Erlich supported and the MOTION CARRIED with a voice vote. (3 yes votes)