

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
NOVEMBER 14, 2024**

CALL TO ORDER

Chairperson Spencer called the meeting to order at 6:30 P.M. She led the Pledge of Allegiance.

Roll was called:

ROLL CALL

Present:

Jo Spencer, Chairperson
Niklaus Schillack, Vice Chairperson
Debby Dehart, Planning Commission Liaison
Tony Madaffer

Also Present:

Andrew Littman, Staff Planner
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

MOTION by Member Schillack, seconded by Member Dehart to approve the agenda as presented. The motion carried with a voice vote: (4 yes votes).

CALL TO THE PUBLIC

None.

APPROVAL OF MINUTES

A. October 24, 2024

MOTION by Member Schillack, seconded by Member Madaffer to approve the minutes as presented. The motion carried with a voice vote: (4 votes).

OLD BUSINESS

None.

NEW BUSINESS

- A. Applicants: Irene McDonald and Kathryn Theodorou, represented by Jim Wolfenbarger
2455 Ridge Road
White Lake, MI 48383
Location: **Parcel #12-18-152-016**
Request: The applicant requests a lot split, requiring variances from Article 3.1.5.E, Minimum Lot Area and Article 3.1.5.E, Minimum Lot Width.

Chairperson Spencer noted for the record 30 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 U.S. Postal Service.

Staff Planner Littman gave a summary of the applicant's request. He mentioned the Community Development Director and the Assessor felt this was the cleanest way to handle the request.

Member Schillack asked staff if both parcels were collectively identified as 2455 Ridge Road. Staff Planner Littman said he believed so.

Member Schillack asked staff what type of application was used for this variance request. Staff Planner Littman said a standard ZBA application.

Member Schillack asked staff if a site plan was included with the request. Staff Planner Littman said no, this is the first step the applicant needs, and if the variance requests are approved, he will have to go to Oakland County Environmental Health. One of the conditions of approval is to formally apply for a land division with the Township Assessor.

Member Schillack stated tonight's variance is not for the division line on the parcel. Staff Planner Littman added that the parcel being split will not have buildings on it, just the septic fields.

Jim Wolfenbarger, 2335 Ridge Road, was present to speak on his case. He said he has drawings done by Kieft Engineering. The division of the parcel can be done in equal parts to maintain the 100' width requirement for the R1-C zoning. The drawings will be reviewed before building permits are pulled.

Member Dehart asked the applicant if he needed the variance on the lakeside parcel. Mr. Wolfenbarger said no.

Member Schillack asked the applicant if in the future utilities came to the area, what will happen to the deed-restricted lots. Mr. Wolfenbarger said at that point, the owners could reappear in front of the ZBA with their request to build on the lots.

Member Schillack asked the applicant how the request was not self-created. Mr. Wolfenbarger said it is to remove the septic fields from the lakeside and to satisfy Oakland County Environmental Health's requirement.

Chairperson Spencer opened the public hearing at 6:47 P.M.

Curtis Boggs, 2431 Ridge, said he wasn't opposed to the request but had concerns. There was an eagle's nest on the lakeside property and didn't want the eagles to be disturbed.

Chairperson Spencer closed the public hearing at 6:48 P.M.

The ZBA discussed the standards from Article 7, Section 37 of the ClearZoning Ordinance:

- A. Practical Difficulty
 - Member Dehart said the practical difficulty was caused by Oakland County Environmental Health's requirements.
- B. Unique Situation
 - Same reasoning as above.
- C. Not Self-Created
 - The applicant did not create the County's utility requirements.
- D. Substantial Justice
 - Member Schillack said it allowed the future homeowners to have the same amenities as their neighbors.
- E. Minimum Variance Necessary
 - Member Schillack said the applicant had communicated with Township staff and the County to create the best scenario.

Member Schillack moved to APPROVE the variances requested by Jim Wolfenbarger from Section 3.1.5 of the Zoning Ordinance for Parcel Number 12-18-152-016 in order to effectuate a lot split that would create child parcels that do not meet the minimum lot area and lot width standards for the RI-C zoning district. This approval has the following conditions:

- **The Applicant shall apply for and receive land division approval from the Township Assessor**
- **The Applicant shall obtain approval and permits for each on-site sewage disposal system from the Oakland County Health Division.**
- **The deeds shall contain restrictions as follows: 11a. Each of the four resulting deeds from the lot splits shall provide that no Item A. sale, mortgage, or other transaction or event that may result in a change of ownership can be made unless the "house parcel" and its corresponding "septic parcel" are treated together. b. The septic parcel deeds shall provide that there shall be no structure of any kind or activity inconsistent with its utilization for septic purposes.**

Member Dehart supported and the motion carried with a roll call vote: (4 yes votes). (Schillack/yes, Dehart/yes, Madaffer/yes, Spencer/yes).

B.

Applicant: Jeremy Latozas

4001 Caron Ridge Drive

White Lake, Michigan 48383

Location: **4001 Caron Ridge Drive**

White Lake, Michigan 48383 identified as 12-08-300-062

Request: The applicant requests to build an accessory structure, requiring a variance from Article 5.7.C, Accessory Buildings or Structures in Residential Districts.

Chairperson Spencer noted for the record 29 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 1 letter was returned undeliverable from the U.S. Postal Service.

Staff Planner Littman gave a summary of the applicant's request.

Member Schillack asked staff the distance of the current accessory structure from the house. Staff Planner Littman said 169'.

Member Schillack asked staff if there is a way to restrict the accessory structure from being used as a secondary dwelling. Staff Planner Littman said it could be added as a condition of approval.

Member Dehart asked staff if the proposed height was allowable. Staff Planner Littman confirmed.

Joe Latozas, 4300 Auburn Road, was present to speak on behalf of the applicant. He said the property is large, and there are woods and hills on it. These conditions create maintenance concerns with equipment that needs to be securely housed. He said 4,000 sq ft gives the homeowner ample room to house his equipment and wasn't asking for anything in excess. Setback and height requirements are met. Due to the size and terrain of the property, it makes it unique. The property was rezoned to R1-A in the late '70s. Mr. Latozas said the zoning was not caused by the applicant, nor did it set a precedent.

Member Dehart asked the applicant what the stairs were to be used for. Mr. Jeremy Latozas, the homeowner, said it would be used for seasonal décor storage.

Member Dehart asked the staff if water would be brought to the structure. Mr. Latozas said eventually, he would like to bring water and insulate with floor drains that would drain out into a septic-type system.

Member Madaffer asked the applicant if he intended to bring electricity and heat to the accessory structure. Mr. Latozas confirmed.

Member Schillack asked the applicant if this structure was intended to be used as another dwelling. He said no, and the property would be subdivided eventually to his father-in-law and he would live on the other parcel.

Chairperson Spencer opened the public hearing at 7:05 P.M.

Carey Bacha, 3675 Marie Meadows, spoke in opposition to the applicant's request. He was concerned that the structure would be used for selling old vehicles.

Audrey Bacha, 3675 Marie Meadows, spoke in opposition to the applicant's request. She said motor vehicles are parked on the property at various times.

Shannon Carry, 3601 Marie Meadows, spoke in opposition to the applicant's request. She had concerns with the placement of the structure, and the noise and traffic on the property.

Chairperson Spencer closed the public hearing at 7:10 P.M.

Member Dehart asked the applicant if motor homes and trailers would be stored in the structure. Mr. Latozas said he owned a motor home and a pontoon boat that would be stored.

Member Madaffer said he saw three RVs on the street when he visited the site. Mr. Latozas said no.

The ZBA discussed the potential of rezoning the property to Suburban Farm. This would be another avenue for the applicant to take before seeking a variance.

MOTION by Member Dehart to postpone the appeal of Jeremy Latozas to have time to possibly rezone the property to Suburban Farm, for Parcel Number 12-08-300-062, identified as 4001 Caron Ridge Drive, to consider comments stated during this public hearing.

Member Schillack supported, and the motion carried with a roll call vote: (4 yes votes) (Dehart/yes, Schillack/yes, Madaffer/yes, Spencer/yes).

OTHER BUSINESS

A. 2025 Meeting Dates

The October 23, 2025, meeting date will not work for the Chair or Vice-Chair because of the Planning Conference.

MOTION by Member Schillack, seconded by Member Madaffer, to approve the 2025 meeting dates excluding October 23, 2025. The motion carried with a voice vote: (4 yes votes).

NEXT MEETING DATE: December 12, 2024

ADJOURNMENT

MOTION by Member Schillack, seconded by Member Dehart to adjourn at 7:42 P.M. The motion carried with a voice vote: (4 yes votes).