

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Andrew Littman, Staff Planner
DATE: January 15, 2025

Agenda item: 8B

Appeal Date: December 18, 2024

Applicant: Michael Epley

Address: 6075 Carroll Lake Road
Commerce, MI 48382

Location: 8274 Fox Bay Drive
White Lake, MI 48386

Zoning: R1-C Single Family Residential

Property Description

The 0.298-acre (12,981 square-foot) parcel identified as 8274 Fox Bay Drive is zoned R1-C (Single Family Residential). The existing single-family home on the property (which is 1,743 square feet in size) utilizes a private well for potable water and a septic system for sanitation.

Applicant's Proposal

The Applicant proposes to build a sunroom over an existing uncovered deck at the back of a single-family home.

Planner's Report

Per Article 3.1.5 of the Zoning Ordinance, the minimum rear yard setback in the R1-C zoning district is 35 feet. Since the proposed sunroom would have a rear yard setback of 22.4 feet, a 12.6-foot variance is being requested.

The Applicant has submitted plans showing all other development standards would be met.

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by Mike Epley from Article 3.1.5 of the Zoning Ordinance for Parcel Number 12-24-453-001, identified as 8274 Fox Bay Drive, in order to build a sunroom onto an existing home that encroaches 12.6 feet into the required rear yard setback. This approval will be conditional on the applicant obtaining all necessary permits from the White Lake Township Building Division, and providing an as built survey to verify the approved rear yard setback.:

Denial: I move to deny the variance requested by Mike Epley for Parcel Number 12-24-453-001, identified as 8274 Fox Bay Drive due to the following reason(s):

Postpone: I move to postpone the appeal of Mike Epley *to a date certain or other triggering mechanism* for Parcel Number 12-24-453-001, identified as 8274 Fox Bay Drive, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated December 18, 2024
2. Letter of denial from the Building Official dated December 16, 2024
3. Survey dated November 11, 2024
4. Plans of proposed sunroom provided by applicant

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 difficulty 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

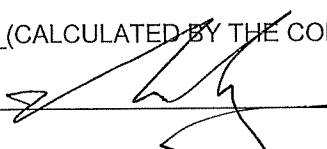
Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: Epley Custom Design PHONE: 248-787-1130
ADDRESS: 6075 Carroll Lk. Rd. Commerce, MI. 48382
APPLICANT'S EMAIL ADDRESS: mike@epleycustomdesign.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 8274 Fox Bay Dr. PARCEL # 12-24-453-001
CURRENT ZONING: R1-C PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: 3-1.5
VALUE OF IMPROVEMENT: \$ 15,000⁻ SEV OF EXISITING STRUCTURE: \$ _____

STATE REASONS TO SUPPORT REQUEST: (ATTACH WRITTEN STATEMENT TO APPLICATION)

APPLICATION FEE: 385⁰⁰ (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE:  DATE: 12/18/24

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 16, 2024

Robert Meyer
8274 Fox Bay Dr
White Lake, MI 48386

Re: Proposed Sunroom/Screened Porch

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

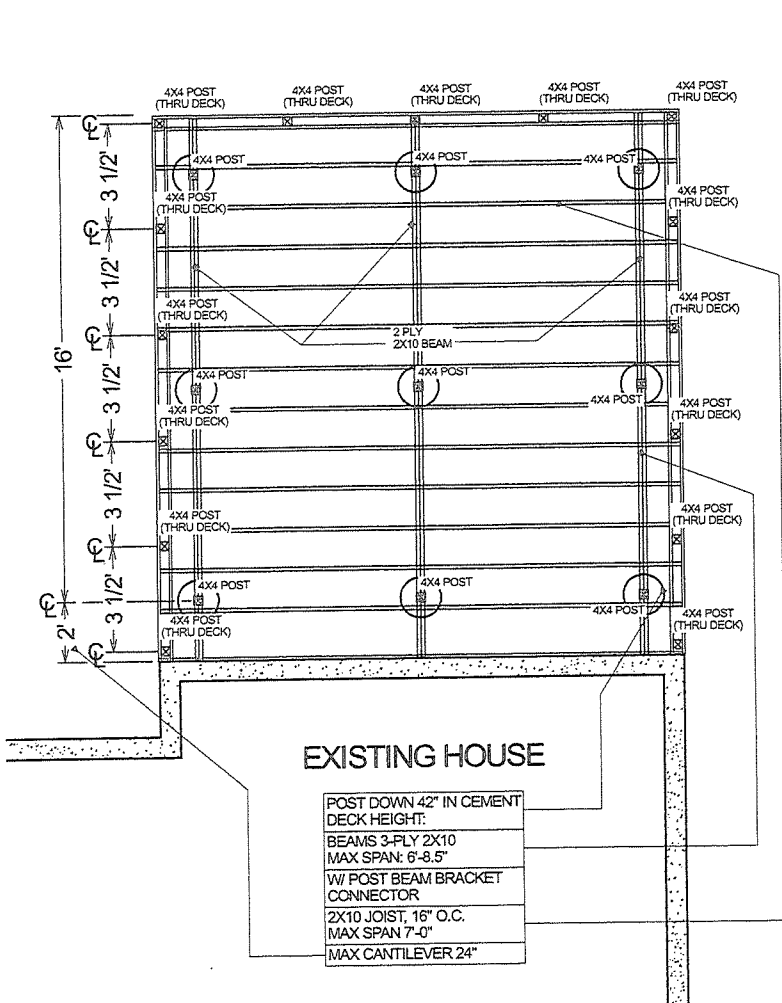
Article 3.1.5 of the White Lake Township Clear Zoning Ordinance: Requires a minimum rear yard setback of 35 ft.

The existing residential structure and deck conform to the setbacks of R1C zoning, as uncovered decks can encroach into the rear yard setback. However, the addition of a roof structure to the deck would cause the deck to fall within the required rear yard setback, and be deficient by approximately 12.9 ft.

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 January 23rd Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than December 19th at 4:30 PM. ***Be advised, the ZBA will require the certified boundary and location survey be updated with rear yard dimensions to the edge of proposed sunroom.*** The Planning Department can be reached at (248)698-3300, ext. 5

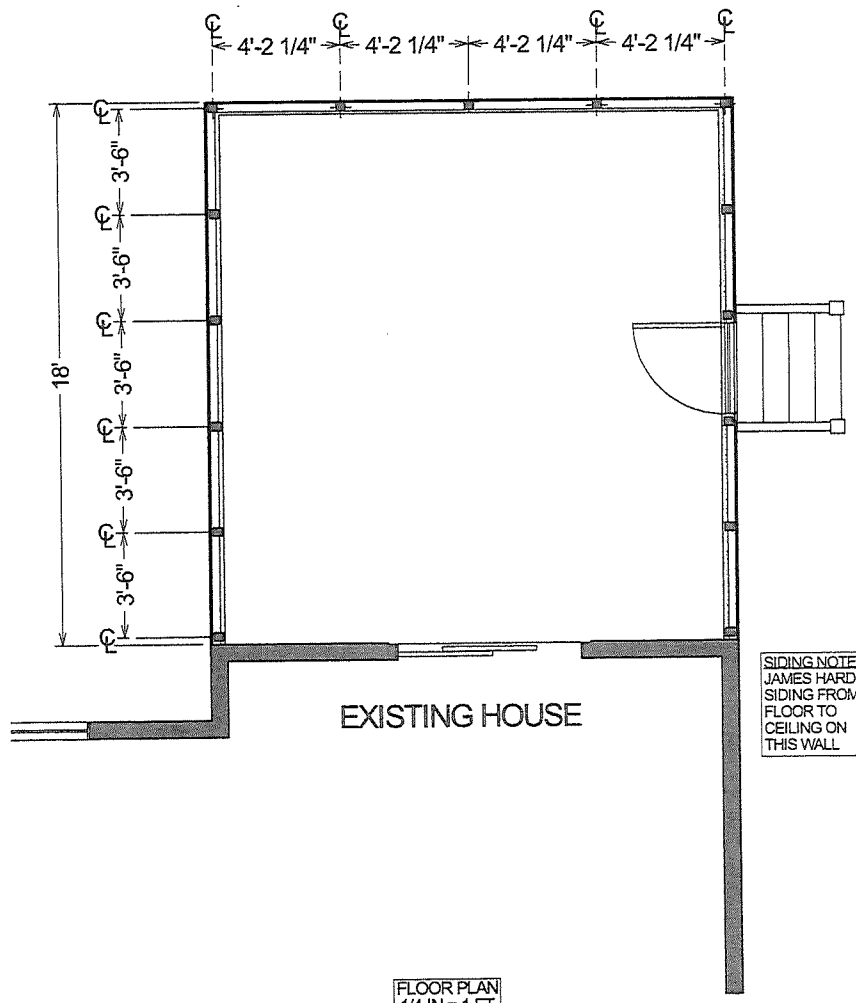
Sincerely,

Nick Spencer, Building Official
White Lake Township



POST DOWN 42" IN CEMENT
 DECK HEIGHT:
 BEAMS 3-PLY 2X10
 MAX SPAN: 6'-8.5"
 W/ POST BEAM BRACKET
 CONNECTOR
 2X10 JOIST, 16" O.C.
 MAX SPAN 7'-0"
 MAX CANTILEVER 24"

FRAMING PLAN
 1/4 IN = 1 FT



EXISTING HOUSE

SIDING NOTE:
 JAMES HARDIE
 SIDING FROM
 FLOOR TO
 CEILING ON
 THIS WALL

FLOOR PLAN
 1/4 IN = 1 FT

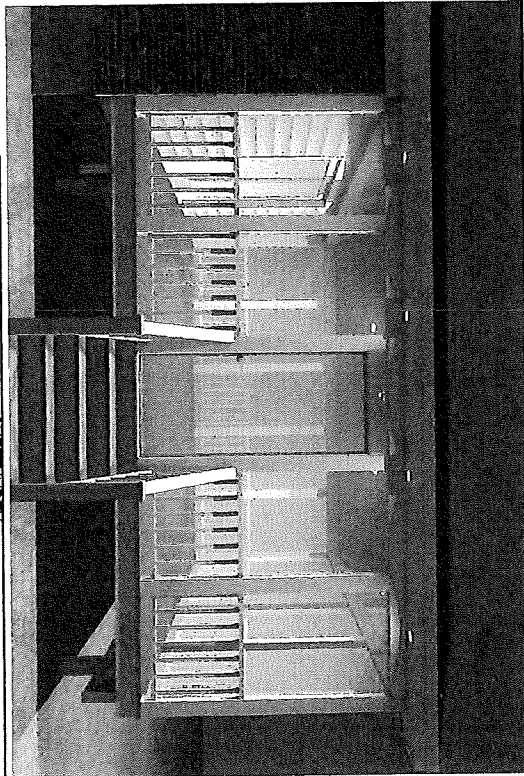
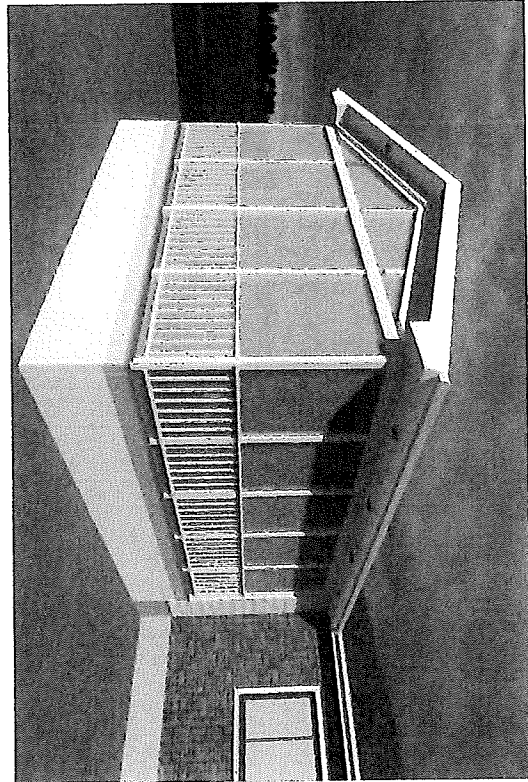
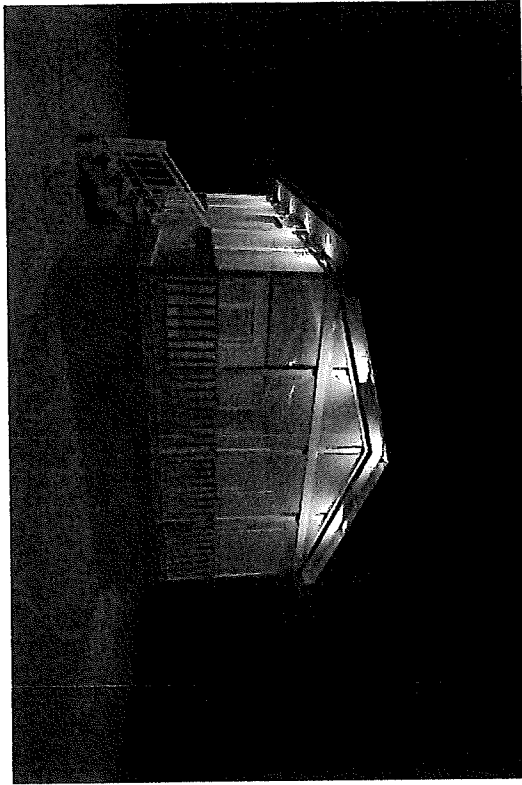
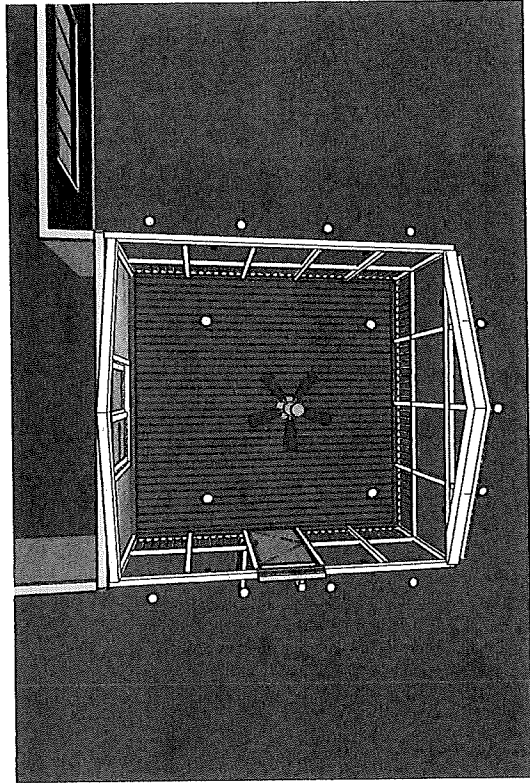
PROJECT:	MEYER - DECK
CLIENT(S):	ROBERT MEYER AMY MEYER
ADDRESS:	8274 FOX BAY DR, WHITE LAKE, MI 48386

DECK FRAMING PLAN
 + FLOOR PLAN

DATE:
 07/29/2022

SHEET:
 2

EPLEY
 CUSTOM DESIGN
 248-787-1130



SHEET	TITLE
1	INDEX, 3D OVERVIEW & 3D RENDERINGS
2	DECK FRAMING PLAN + FLOOR PLAN
3	ROOF FRAMING & PLYWOOD LAYOUT FOR CEILING
4	CEILING PLAN W/ ELECTRICAL AND NEW ROOF PLAN
5	ELEVATIONS
6	SCOPE OF WORK



DATE: 07/29/2022

SHEET: 1

INDEX, 3D OVERVIEW & 3D RENDERINGS

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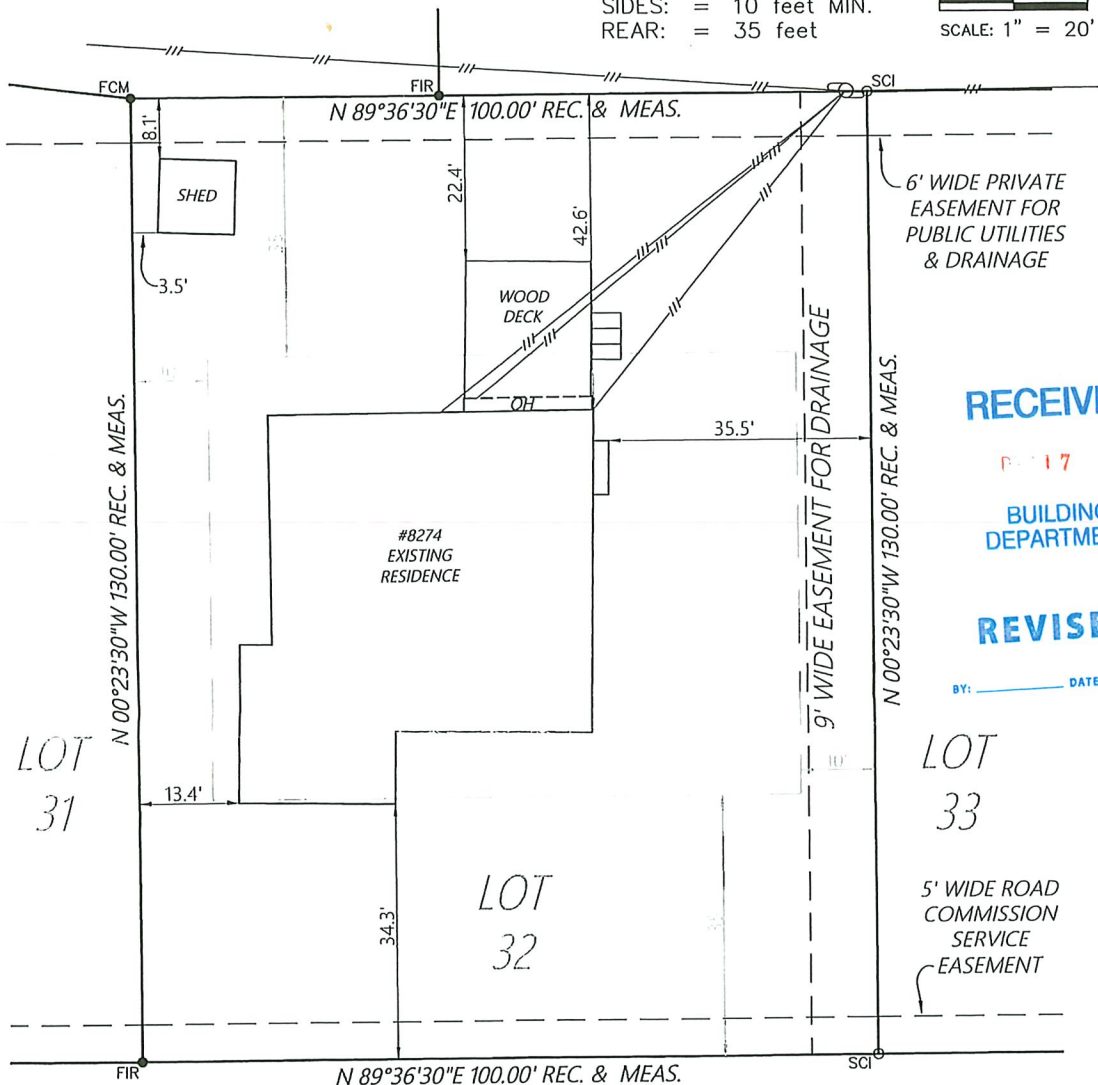
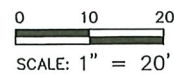
SKETCH OF SURVEY

Prepared For: BOB MEYER

Legal Description: PARCEL ID: 12-24-453-001
 Lot 32 of FOX BAY SUB, a subdivision of part of the S 1/2 of Section 24, T. 3 N., R. 8 E., White Lake Township, Oakland County, Michigan as recorded in Oakland County Records.

ZONING:
 PROPERTY IS ZONED: R1-C
 (SINGLE FAMILY RESIDENTIAL)

SETBACKS:
 FRONT: = 35 feet
 SIDES: = 10 feet MIN.
 REAR: = 35 feet



RECEIVED

APR 17 4

BUILDING DEPARTMENT

REVISED

BY: _____ DATE: _____

NOTES:

NO TITLEWORK WAS SUPPLIED BY CLIENT, THEREFORE ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.

THIS SURVEY REFLECTS ALL EASEMENTS OF RECORD AS PER OAKLAND COUNTY PLAT OF RECORDS.

BEARING BASIS:
 HELD BEARING BASIS AS PER PLAT OF RECORD.

FOX BAY DRIVE
 (60' WIDE)

LEGEND

- - IRON SET
- - IRON FOUND
- MEAS. - MEASURED
- REC. - RECORDED
- FCM - FOUND CAPPED MONUMENT
- FIR - FOUND IRON ROD
- SCI - SET CAPPED IRON
- /// - OVERHEAD WIRES
- ⊕ - UTILITY POLE

I hereby certify only to the parties hereon, that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set as noted hereon, permanent markers at the exterior corners of said lot and that all visible encroachments of a permanent nature upon said lot, are as shown on this survey. Said lot subject to all easements and restrictions of record.



KAROL L. GROVE
 LICENSED PROFESSIONAL SURVEYOR
 #4001039075

ALPINE
 Land Surveying, Inc.

376 BEECH FARM CIRCLE SUITE # 1293
 HIGHLAND, MICHIGAN, 48357
 PHONE: 810-207-8050

FIELD: KG DATE: 11-11-2024
 DRAWN: DJS JOB NO: 24-6776
 CHECKED: KG SHEET: 1 OF 1
 REVISED: 12-17-24 ADDED DIMENSION FROM DECK TO REAR LINE