

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: April 25, 2024

Agenda item: 8d

Appeal Date: April 25, 2024

Applicant: Eric Goins & Julie Rule-Goins

Address: 1032 Round Lake Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 1032 Round Lake Road
White Lake, MI 48386

Property Description

The 0.21-acre (9,134 square feet) parcel identified as 1032 Round Lake Road is located on Mandon Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 2,564 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

Eric Goins & Julie Rule-Goins, the Applicants, are proposing to alter a nonconforming building and increase the cubic content of a nonconforming building by increasing the second-story roof height. The proposed roof setback from the north side lot line is 7 feet-9 inches.

Planner's Report

Currently the existing house is nonconforming to setbacks; the building is located 5.9 feet from the north side property line. A minimum 10-foot side yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 2,866 square foot deficiency in lot area. In the R1-D zoning district the minimum lot area requirement is 12,000 square feet.

Article 7.28 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. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$101,230), the maximum extent of improvements cannot exceed \$50,615. The value of the proposed work is \$60,000. A variance to exceed to exceed the allowed value of improvements by 119% is requested.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming structure	Increased nonconformities
2	Article 7.28.A	Nonconforming structure	50% SEV (\$50,615)	119%	\$9,385 over allowed improvements
3	Article 3.1.6.E	Minimum lot area	12,000 square feet	2,866 square feet	9,134 square feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Eric Goins & Julie Rule-Goins from Article 7.23.A and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-35-255-013, identified as 1032 Round Lake Road, in order to increase the second-story roof height that would encroach 2 feet-3 inches feet into the required side yard setback from the north lot line and exceed the allowed value of improvements to a nonconforming structure by 119%. A 2,866 square foot variance from the required lot area 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 Division.
- The roof overhang shall be no closer than five feet to the north side lot line.

Denial: I move to deny the variances requested by Eric Goins & Julie Rule-Goins for Parcel Number 12-35-255-013, identified as 1032 Round Lake Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Eric Goins & Julie Rule-Goins *to a date certain or other triggering mechanism* for Parcel Number 12-35-255-013, identified as 1032 Round Lake Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated March 27, 2024.
2. Applicant's written statement dated March 27, 2024.
3. Certified boundary survey dated March 25, 2024 (revision date April 11, 2024).
4. Architectural plans dated March 27, 2024.
5. Letter of denial from the Building Official dated April 9, 2024.

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

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

APPLICANT'S NAME: Eric + Julie Rule-Goins 9838 PHONE: 248 472 7889
ADDRESS: 1032 Round Lk. Ad., White Lk. MI. 48386
APPLICANT'S EMAIL ADDRESS: esgoins@yahoo.com, michiganrules1@gmail.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 1032 Round Lk. Rd. PARCEL # 12-35-255-013
CURRENT ZONING: SFR PARCEL SIZE: 136.77' x 80.00' x 160.66' x 35.06'

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____
VALUE OF IMPROVEMENT: \$ 60,000^{est} SEV OF EXISITING STRUCTURE: \$ 153,330⁴¹⁰

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

APPLICATION FEE: \$385 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: [Signature] DATE: 3-27-24
Julie Rule-Goins 3-27-24

March 27, 2024

Eric & Julie Goins
1032 Round Lake Rd.
White Lake, MI. 48386

To whom it may concern,

Due to being within 10' of our North property line, we are asking for a variance to allow us permission to raise the height of an existing ridge beam to straighten an old, sagging ridge line, increase the roof pitch, and tie it in better visually with the new East facing reverse gable on our second-floor addition.

Regards,

Eric & Julie Goins

CERTIFIED BOUNDARY SURVEY

LEGAL DESCRIPTION OF PARCEL PER WARRANTY DEED RECORDED L:24321 P:064

LOT 15 AND LOT 16, EXCEPT A TRIANGULAR PART DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 16; THENCE NORTH 89 DEGREES 26 MINUTES 00 SECONDS WEST 180 FEET; THENCE NORTH 32 DEGREES 59 MINUTES 00 SECONDS EAST, 44.31 FEET; THENCE SOUTH 75 DEGREES 58 MINUTES 15 SECONDS EAST, 160.66 FEET TO THE POINT OF BEGINNING OF HAMBLEY AND BOWLED OAK PARK SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN PLAT LIBER 15, PAGE 21, OAKLAND COUNTY RECORDS

PARCEL I.D. #12-35-255-013
COMMONLY KNOWN AS: 1032 ROUND LAKE ROAD, WHITE LAKE, MI 48386

LEGAL DESCRIPTION OF PARCEL AS SURVEYED:

A PARCEL OF LAND BEING PART OF THE NORTHEAST QUARTER OF SECTION 35, TOWN 3 NORTH, RANGE 8 EAST, COUNTY OF OAKLAND, STATE OF MICHIGAN; CONSISTING OF ALL OF LOT 15 AND PART OF LOT 16 OF HAMBLEY AND BOWLES OAK PARK SUBDIVISION, AS RECORDED IN LIBER 15, PAGE 21, OAKLAND COUNTY RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 35, THENCE SOUTH 88°07'29" WEST, ALONG THE 1/4 LINE OF SAID SECTION 1,374.23 FEET; THENCE NORTH 2°46'30" WEST, 33.00 FEET TO THE POINT OF INTERSECTION OF THE WEST LINE OF ROUND LAKE ROAD AND THE NORTH LINE OF CEDAR ISLAND ROAD; THENCE CONTINUING NORTH 2°46'30" WEST, ALONG SAID WEST LINE 543.69 FEET TO THE SOUTHEAST CORNER OF LOT 16 OF SAID SUBDIVISION, ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 79°18'41" WEST, 160.66 FEET; THENCE NORTH 27°41'39" EAST, 11.87 FEET; THENCE NORTH 19°48'30" EAST, 35.06 FEET TO THE NORTHWEST CORNER OF LOT 15 OF SAID SUBDIVISION; THENCE NORTH 87°13'30" EAST, ALONG THE NORTH LINE OF SAID LOT 15 136.77 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 2°46'30" EAST, ALONG THE EAST LINE OF SAID LOT 15 ALSO BEING THE WEST LINE OF ROUND LAKE ROAD, 80.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,134 SFT OR 0.21 ACRES MORE OR LESS

SECTION CORNER WITNESSES

E 1/4 CORNER, SEC 35. T3N, R8E
FND MON W/ REMON CAP
PER LCRC L:17882 P:464

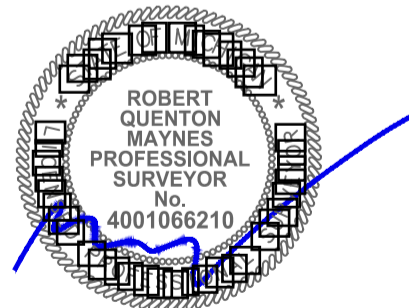
SOUTH 20.18' - CENTER OF CEDAR ISLAND ROAD
N70°E 12.43' - SET NAIL S FACE 6' WILLOW
S03°E 54.50' - NE CORNER OF TELEPHONE RISER
S78°E 120.93' - SET NAIL N FACE OF 24" OAK

P.C.C. 026 (CENTER) SEC 35. T3N, R8E
FND MON W/ REMON CAP
PER LCRC L:39860 P:110

N81°W 42.47' - NAIL W/TAG S FACE U. POLE
S41°W 100.97" - SE GARAGE CORNER HOUSE #1100
S35°E 91.16' - NAIL W/TAG W FACE U. POLE
S67°E 69.55' - NAIL W/TAG S FACE U. POLE

ZONING REQUIREMENTS

DISTRICT: R1-D
LOT SIZE: 12,000 SFT (REQ)/9,134 SFT (EXIST)
FRONT SETBACK: 30 FT (REQ)/35.7 FT (EXIST)
REAR SETBACK: 30 FT (REQ)/34.0 FT (EXIST)
SIDE SETBACK: 10 FT (REQ)/5.9 FT (EXIST)



SURVEYOR'S CERTIFICATION

I, ROBERT Q. MAYNES, P.S.#4001066210, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE SUBJECT PROPERTIES ON 08-11-2023 AND THAT THE RELATIVE POSITION OF ALL FIELD OBSERVATIONS IS WITHIN TOLERANCES GENERALLY ACCEPTED BY CURRENT SURVEYING PRACTICES AND THAT I HAVE FULLY COMPLIED WITH THE REGULATIONS OF ACT 132, P.A. 1970, AS AMENDED.

ROBERT Q. MAYNES, P.S.#4001066210

REFERENCE: ROGER STECKER SURVEY, DATED 4-05-07 OF LOTS 17-19

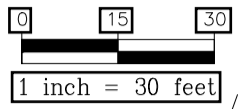
EXISTING PARCEL LEGAL DESCRIPTION

CLIENT: ERIC GOINS
1032 ROUND LAKE ROAD
WHITE LAKE, MI 48386

THE UMLOR GROUP
49287 WEST ROAD
WIXOM, MICHIGAN 48393
TEL. (248) 773-7656
FAX. (866) 690-4307

DRAWN BY: RQM
CHKD BY: BDR
DATE: 03/25/2024
SHT. NO.: 1 OF 2

CERTIFIED BOUNDARY SURVEY



MANDON LAKE

FND IRON ROD
IN HANDHOLE AT
NE CORNER LOT 1
(HELD FOR LINE)

670' (C)
668.97' (M)

PARCEL #12-35-255-012
1026 ROUND LAKE RD

LOT 14

CONC. 0.70' NORTH
OF ℓ AT CORNER

LAYOVER NEW ROOF, INCREASE
FROM 4/12 TO 6/12

S89°26'E 138' (R)
N87°13'30"E 136.77' (M)

N23°09'E 34.6' (R)
N19°48'30"E 35.06' (M)

OWNER: JULIE RULE &
ERIC GOINS
PARCEL #12-35-255-013
1032 ROUND LAKE RD

LOT 15

ROUND LAKE ROAD
33 FT 1/2 WIDTH ROW

FND T-IRON
1.30' N OF ℓ
1.98' S OF
LOT 15/16 LINE

N32°59'E (R) 11.70' (C)
-N27°41'39"E 11.87' (M)

PROPOSED BALCONY

PROPOSED 2nd FLOOR ADDITION

N32°59'00"E (R)
N29°38'30"E (M) 44.31' (R&M)

LOT 16

WALL ON ℓ ±

S75°58'15"E (R)
N79°18'41"W (M) 160.66' (R&M)

POB

N89°26'00"W (R)
S87°13'30"W (M) 180.00' (R&M)

PARCEL #12-35-255-014
1042 ROUND LAKE RD

LOT 17

S0°34'W (R)
N02°46'30"E (M) 80.00' (R&M)

FND NAIL & WASHER
IRON #30103
0.15' WEST

FND IRON ROD
(HELD)

LOT 18

FND CAPPED
IRON #30103
0.15' SOUTH

S0°34'W (R)
N02°46'30"W (M) 537.00' (C)
543.69' (M)

FND CAPPED
IRON #30103
(HELD)

LEGEND

- @ SET IRON ROD W/CAP #66210
- (C) COMPUTED MEASUREMENT
- (R) RECORD MEASUREMENT
- (M) AS-SURVEYED MEASUREMENT
- EXISTING BUILDING
- CONCRETE PAVEMENT
- - - EXISTING FENCE
- REQUIRED SETBACK PER ORDINANCE

BASIS OF BEARING

BEARINGS SHOWN HEREON ARE "AS-SURVEYED" AND
BASED ON THE MICHIGAN STATE PLANE COORDINATE
SYSTEM, SOUTH ZONE, INTERNATIONAL FOOT

P.C.C. 026 (CENTER)
SEC 35. T3N, R8E

S0°34'W (R)
N02°46'30"W (M) 33.00' (R&M)

CEDAR ISLAND
ROAD

E 1/4 CORNER
SEC 35. T3N, R8E

S88°07'29"W 1374.23' (M)

SKETCH OF SUBJECT PROPERTY

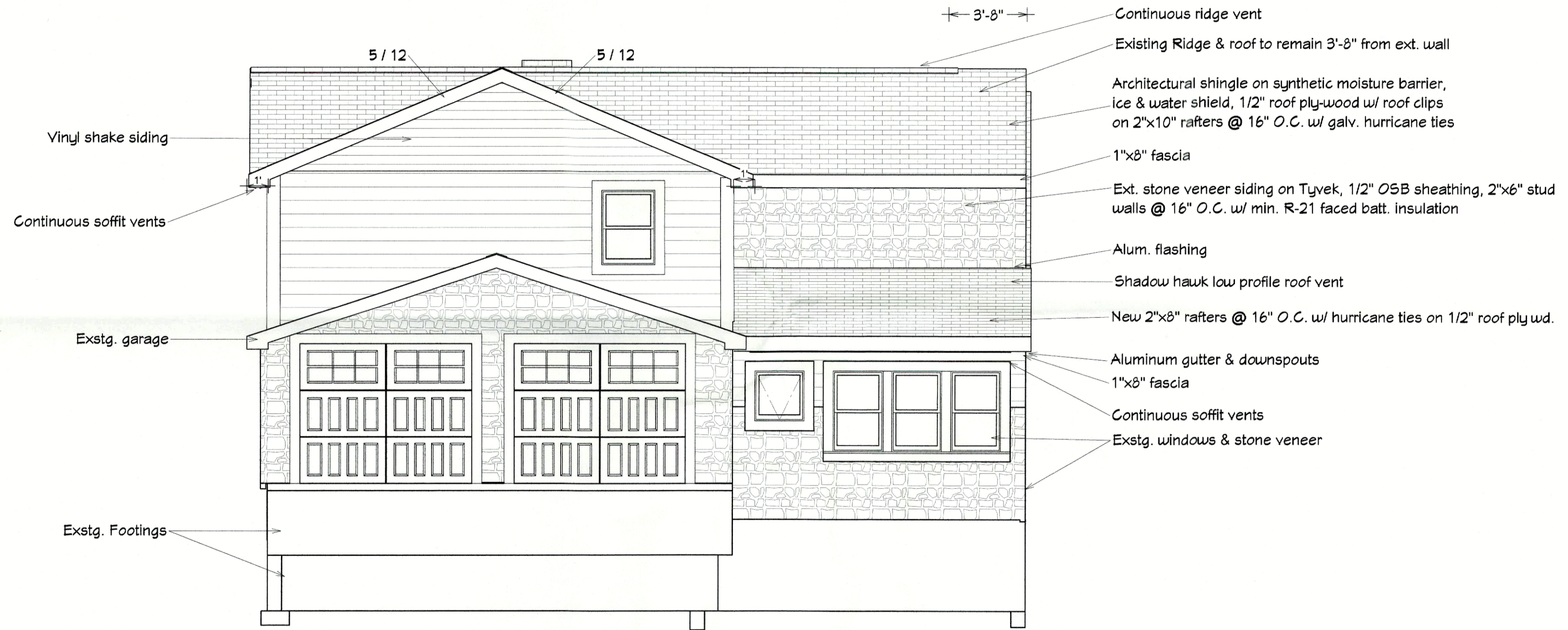
CLIENT: ERIC GOINS
1032 ROUND LAKE ROAD
WHITE LAKE, MI 48386

THE UMLOR GROUP
49287 WEST ROAD
WIXOM, MICHIGAN 48393
TEL. (248) 773-7656
FAX. (866) 690-4307

DRAWN BY: RQM
CHKD BY: BDR
DATE: 03/25/2024
SHT. NO. 2 OF 2



REV PER TWP 4/11/2024



Elevation 9

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
East Elevation

PROJECT DESCRIPTION:
Goins Residence Addition
1032 Round Lake Rd.
White Lake, MI. 48386

DRAWINGS PROVIDED BY:
Eric Goins
248-472-9838
esgoins@yahoo.com

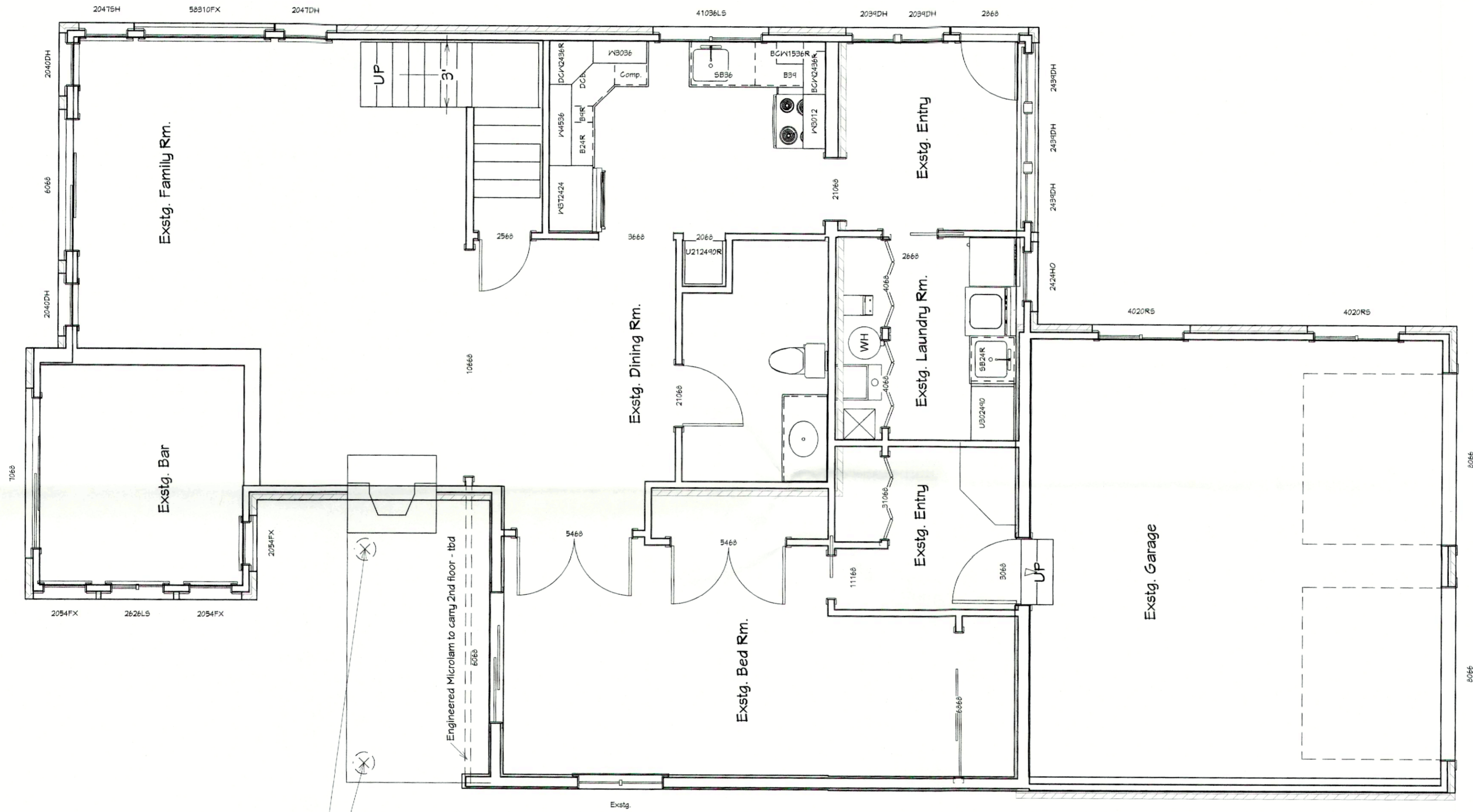
DATE:

3/27/24

SCALE:

SHEET:

A-1



Two 6"x6" pressure trtd. posts
w/ (3) 2"x10" header & 2"x8"
floor joist @ 16" O.C.

Engineered Microlam to carry 2nd floor - tbd

LIVING AREA
1782 sq ft

NO.	DESCRIPTION	BY	DATE

SHEET TITLE: First Floor Plan			
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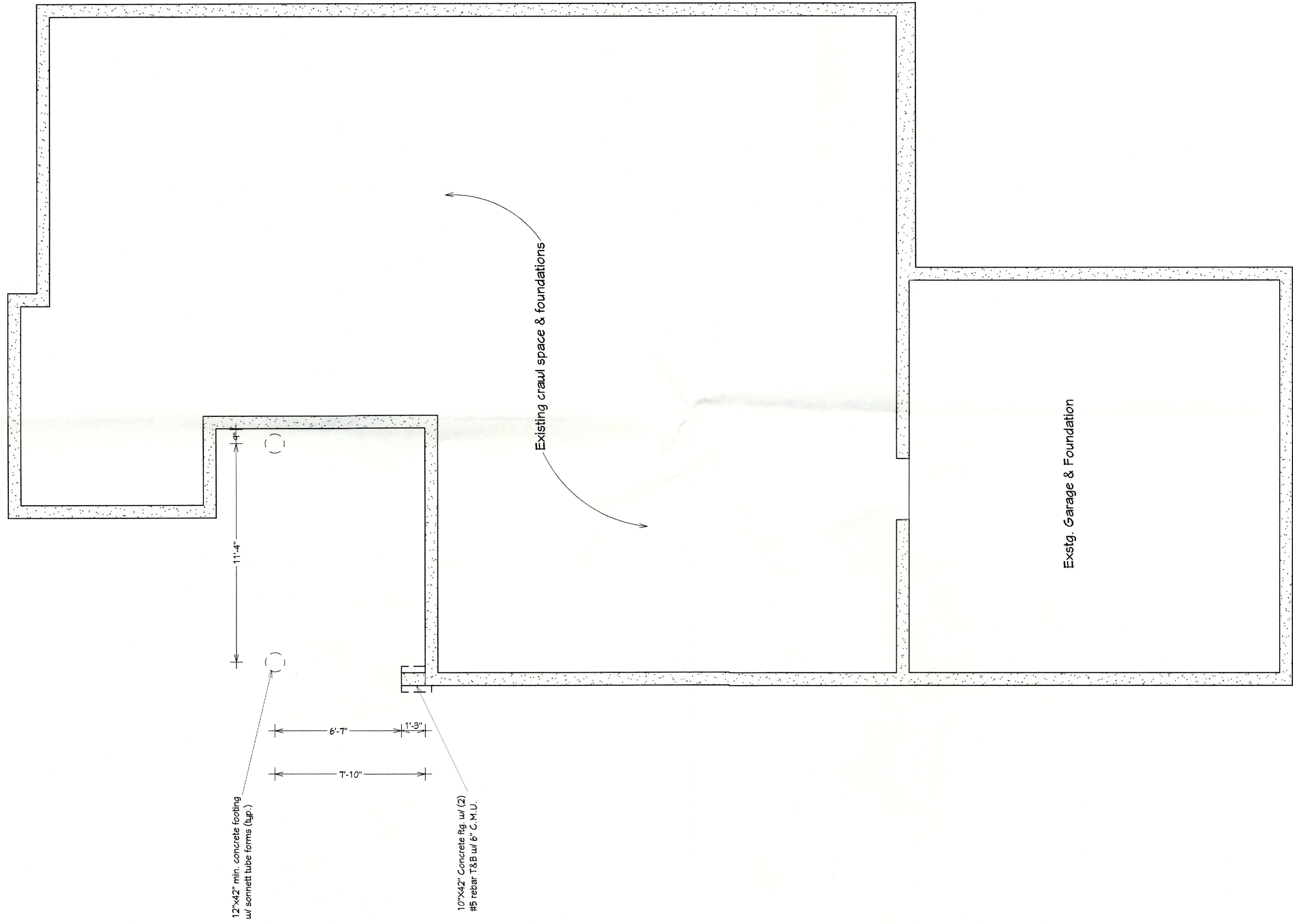
PROJECT DESCRIPTION:
Goins Residence Addition
1032 Round Lake Rd.
White Lake, MI. 48386

DRAWINGS PROVIDED BY:
Eric Goins
248-472-9838
esgoins@yahoo.com

DATE:
3/27/24

SCALE:

SHEET:
A-1



NO.	DESCRIPTION	BY	DATE

PROJECT DESCRIPTION:			
Goins Residence Addition			
1032 Round Lake Rd.			
White Lake, MI. 48386			

SHEET TITLE:
Foundation Plan

DRAWINGS PROVIDED BY:
Eric Goins
 248-472-9838
 esgoins@yahoo.com

DATE:
 3/27/24

SCALE:

SHEET:
A-1

Frame new roof w/ 2"x10" Rafters @ 16" O.C.
& layover existing roof

Cont. ridge vent (Typ.)

Architectural shingles on synthetic moisture
barrier, ice & water shield, 1/2" roof plywood
w/ roof clips on 2"x10" rafters @ 16" oc.
w/ hurricane ties

1"x6" Rakes

1"x8" Fascias

12" Overhangs w/ cont. vented
soffits & insulation baffles (Typ.)

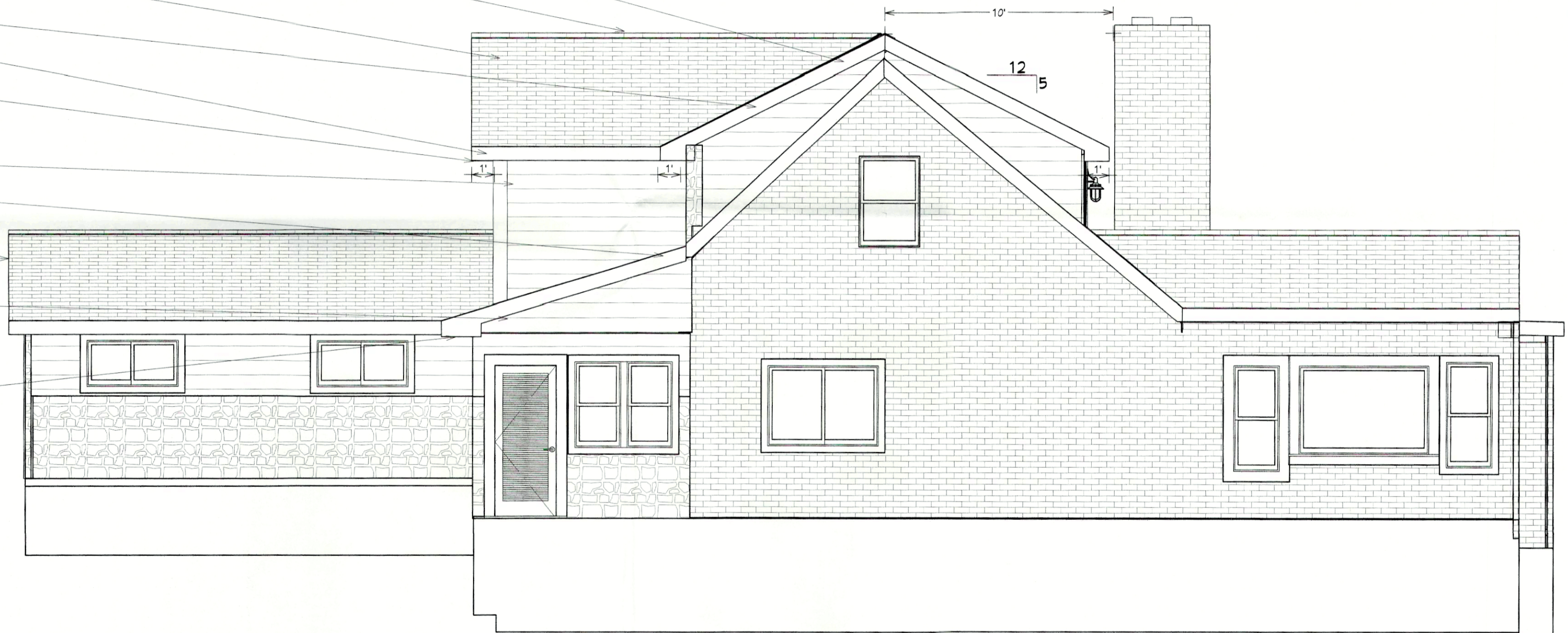
Lap siding on tyvek, 1/2" O.S.B. & 2"x6"
studs @ 16" O.C. w/ R-21 faced insulation

ShadowHawk low profile roof vent

Exstg. garage

Reframe roof w/ 1/2" roof plywood w/ roof
clips on 2"x8" rafters @ 16" o.c. & hurricane ties

16" O.H. w/ continuous soffit vent



Elevation 10

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
North Elevation

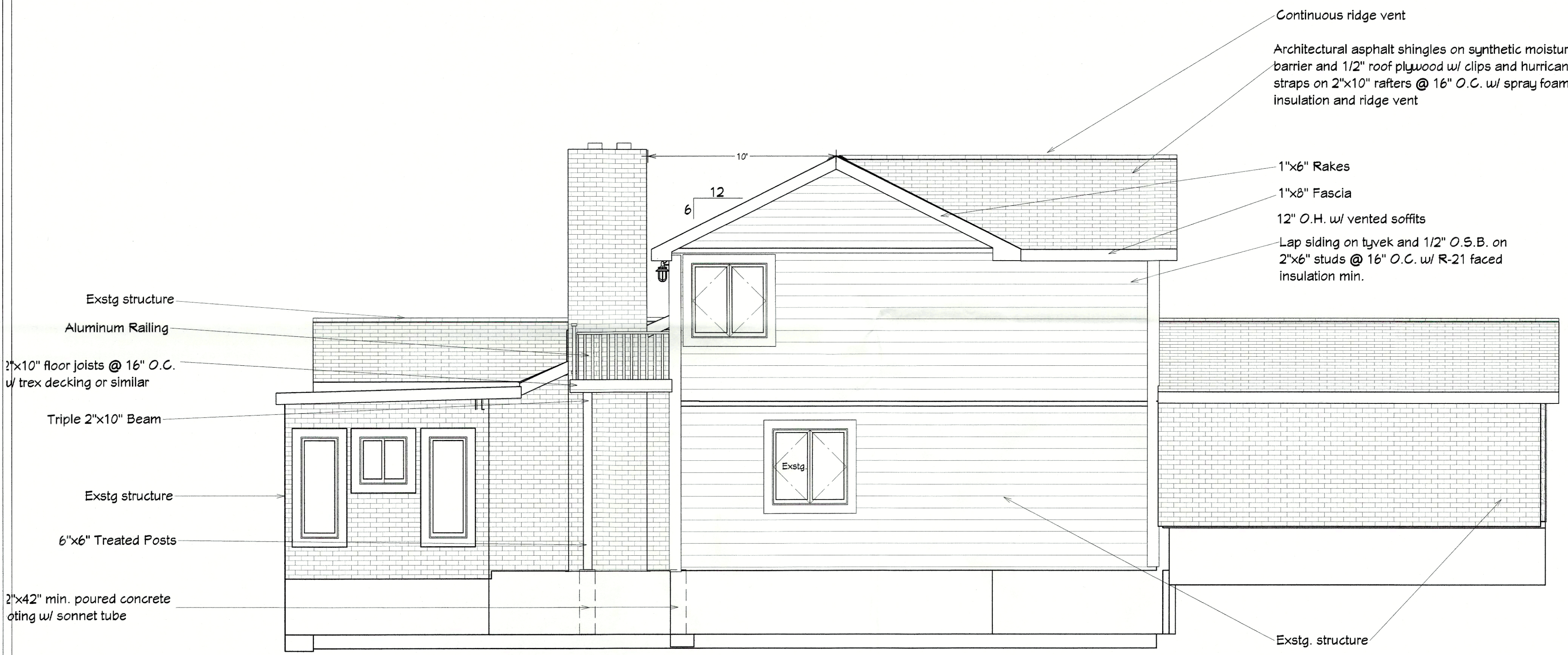
PROJECT DESCRIPTION:
**Goins Residence Addition
1032 Round Lake Rd.
White Lake, MI. 48386**

DRAWINGS PROVIDED BY:
**Eric Goins
248-472-9838
esgoins@yahoo.com**

DATE:
3/27/24

SCALE:

SHEET:
A-1



Elevation 12

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
South Elevation

PROJECT DESCRIPTION:
**Goins Residence Addition
 1032 Round Lake Rd.
 White Lake, MI. 48386**

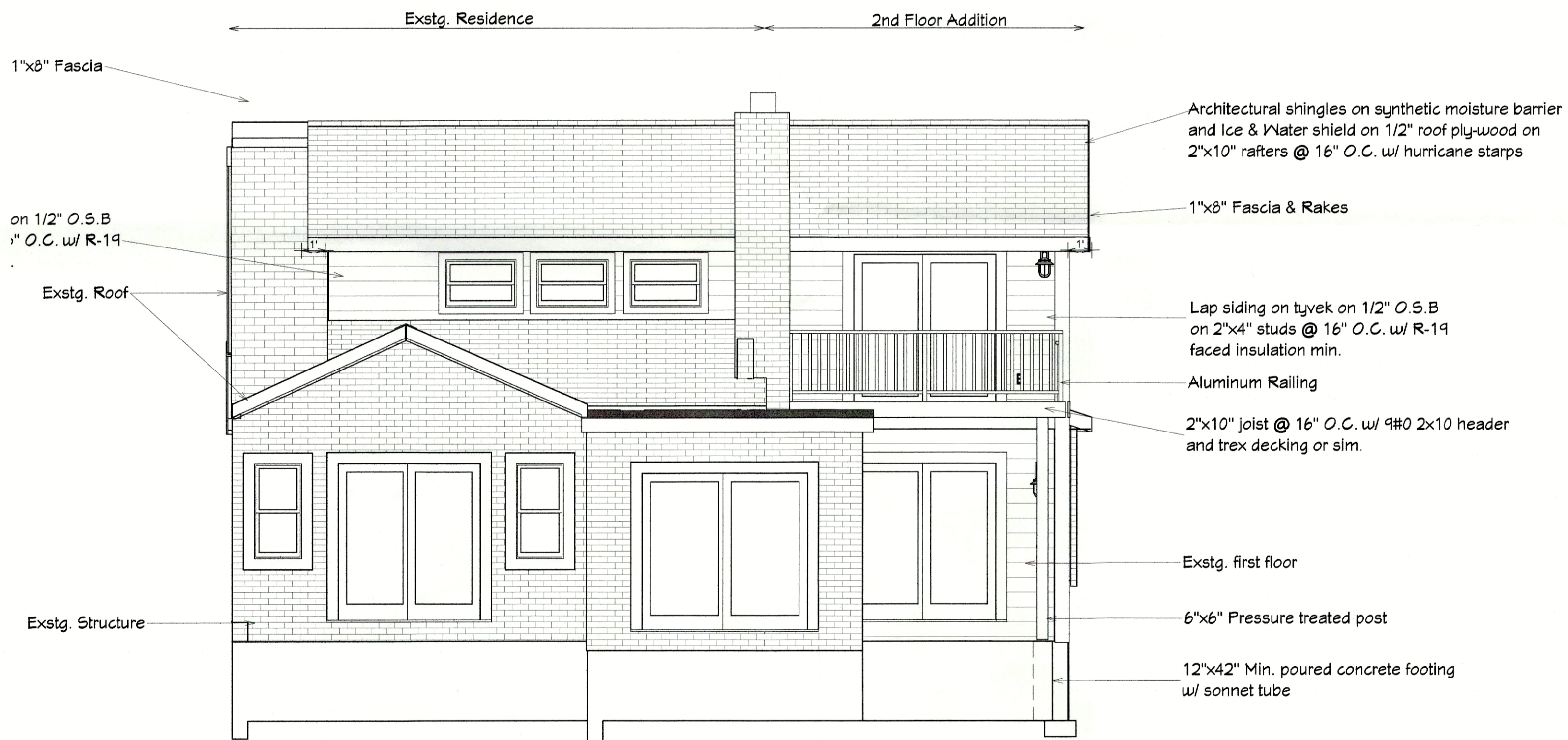
DRAWINGS PROVIDED BY:
**Eric Goins
 248-472-9838
 esgoins@yahoo.com**

DATE:
 3/27/24

SCALE:

SHEET:

A-1



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
West Elevation

PROJECT DESCRIPTION:
**Goins Residence Addition
1032 Round Lake Rd.
White Lake, MI. 48386**

DRAWINGS PROVIDED BY:
**Eric Goins
248-472-9838
esgoins@yahoo.com**

DATE:
3/27/24

SCALE:

SHEET:

A-1

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

April 9, 2024

Eric Goins
1032 Round Lake Rd
White Lake, MI 48386

RE: Proposed Addition

Based on the submitted plans, the proposed residential addition 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 side yard setback of 10 ft each side, as well as a minimum lot size of 12,000 sq ft.

The existing lot and structure are legal non-conforming with the 9,134 sq ft lot containing a residential structure; having an approximate 5.5 ft side yard setback on the north side. The proposed 2nd story addition would further increase this non-conformity on the south side of the property with an approximate 8 ft side yard setback.

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. **The certified boundary and location survey should be updated to detail the existing side yard setback dimension and proposed 2nd story side yard setback dimension for the Zoning Board of Appeals to make an informed decision.** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township