

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Andrew Littman, Staff Planner
DATE: July 15, 2024

Agenda item: 8E

Appeal Date: June 26, 2024

Applicant: Wade Paris

Address: 9377 Gale Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 9090 Buckingham Street
White Lake, MI 48386

Property Description

The approximately 0.23-acre (10,106 square feet) parcel identified as 9090 Buckingham Street is located on Pontiac Lake and zoned R1-D (Single Family Residential). The existing single-family home on the property (which is approximately 1,025 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

The applicant, Wade Paris, seeks to construct a new single-family home.

Planner's Report

The existing lot and single-family home are legally nonconforming, as the lot is 8,837 square feet and the front yard setback is roughly 15 feet. Per Article 3.1.6.E of the Zoning Ordinance, in the R1-D district, the minimum lot size is 12,000 square feet and minimum front yard setback is 30 feet. The proposed new single-family home is planned to have a 24-foot front yard setback, requiring an 6-foot variance.

Staff would like to note the unique development challenges posed by this area's geography, and also that the front yard setback from the traveled portion of the road is roughly 32.5 feet.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Minimum Lot Size	12,000 square feet	3,163 square feet	8,837 square feet
2	Article 3.1.6.E	Front yard Setback	30 feet	6 feet	24 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Wade Paris from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-280-015, identified as 9090 Buckingham Street, in order to build a new single-family home that would encroach 6 feet into the required front yard setback. Additionally, a 3,163 square-foot variance from the required lot size 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.

- No mechanical units, including HVAC system or generator, shall be placed closer than five feet to any side yard lot line.
- A foundation certificate shall be required prior to the backfill inspection by the Building Department.
- An as-built survey shall be required to verify the approved setbacks and lot coverage.

Denial: I move to deny the variances requested by Wade Paris for Parcel Number 12-14-280-015, identified as 9090 Buckingham Street, due to the following reason(s):

Table: I move to table the variance requests of Wade Paris for Parcel Number 12-14-280-015, identified as 9090 Buckingham Street, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated June 26, 2024.
2. Preliminary Site Plan dated July 9, 2024.
3. Letter of denial from the Building Department dated July 2, 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

- 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

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: Wade Paris PHONE: 248-820-9087
ADDRESS: 9377 Gale Rd
APPLICANT'S EMAIL ADDRESS: Parispropertyholdings@yahoo.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9090 Buckingham PARCEL # 12-14-280-15
CURRENT ZONING: R1-D PARCEL SIZE: 8146 SQ FT

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: FRONT SET BACK variance to 22' = 8' variance
VALUE OF IMPROVEMENT: \$ 700,000 SEV OF EXISITING STRUCTURE: \$ 0

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

APPLICATION FEE: \$305 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: [Signature] DATE: 6-26-24

RECEIVED

JUN 26 2024

COMMUNITY DEVELOPMENT DEPARTMENT

PAID CASH CHECK# 1309

JUN 26 2024

TREASURER
CHARTER TWP. OF WHITELAKE

PRELIMINARY SITE PLAN

Prepared For: WADE PARIS

LEGAL DESCRIPTION: PARCEL ID: 12-14-280-015
 LOTS 111 AND 112 OF "ENGLISH VILLAS SUBDIVISION", A
 SUBDIVISION OF PART OF SECTION 14, T. 3 N., R. 8 E., WHITE
 LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED
 IN LIBER 51 OF PLATS ON PAGE 22, OAKLAND COUNTY
 RECORDS.

SITE BENCH MARK

TOP OF FOUND CAPPED IRON LOCATED AT
 SOUTHWESTERLY CORNER OF LOT 112 (AS SHOWN)
 ELEVATION = 965.54' (NAVD 1988)

ZONING:

PROPERTY IS ZONED: R1-D
 (SINGLE FAMILY RESIDENTIAL)

SETBACKS:

FRONT: = 30 feet
 SIDES: = 10 feet MIN./20 feet TOTAL
 REAR: = 30 feet

MAXIMUM LOT COVERAGE = 20%

LOT COVERAGE	
	AREA
PR HOUSE	1280
PR GARAGE	672
TOTAL	1952
ENTIRE LOT	8,837
1952/8837	=0.22
TOTAL LOT COVERAGE = 22%	

NOTES:

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

BEARING BASIS:
 HELD BEARING ALONG BUCKINGHAM ROAD AS PER PLAT
 OF RECORD.

THE FEMA 100-YEAR BASE FLOOD ELEVATION FOR
 PONTIAC LAKE = 964.8' (NAVD 1988)

ALL ELEVATIONS ARE SHOWN IN NAVD 1988 DATUM.

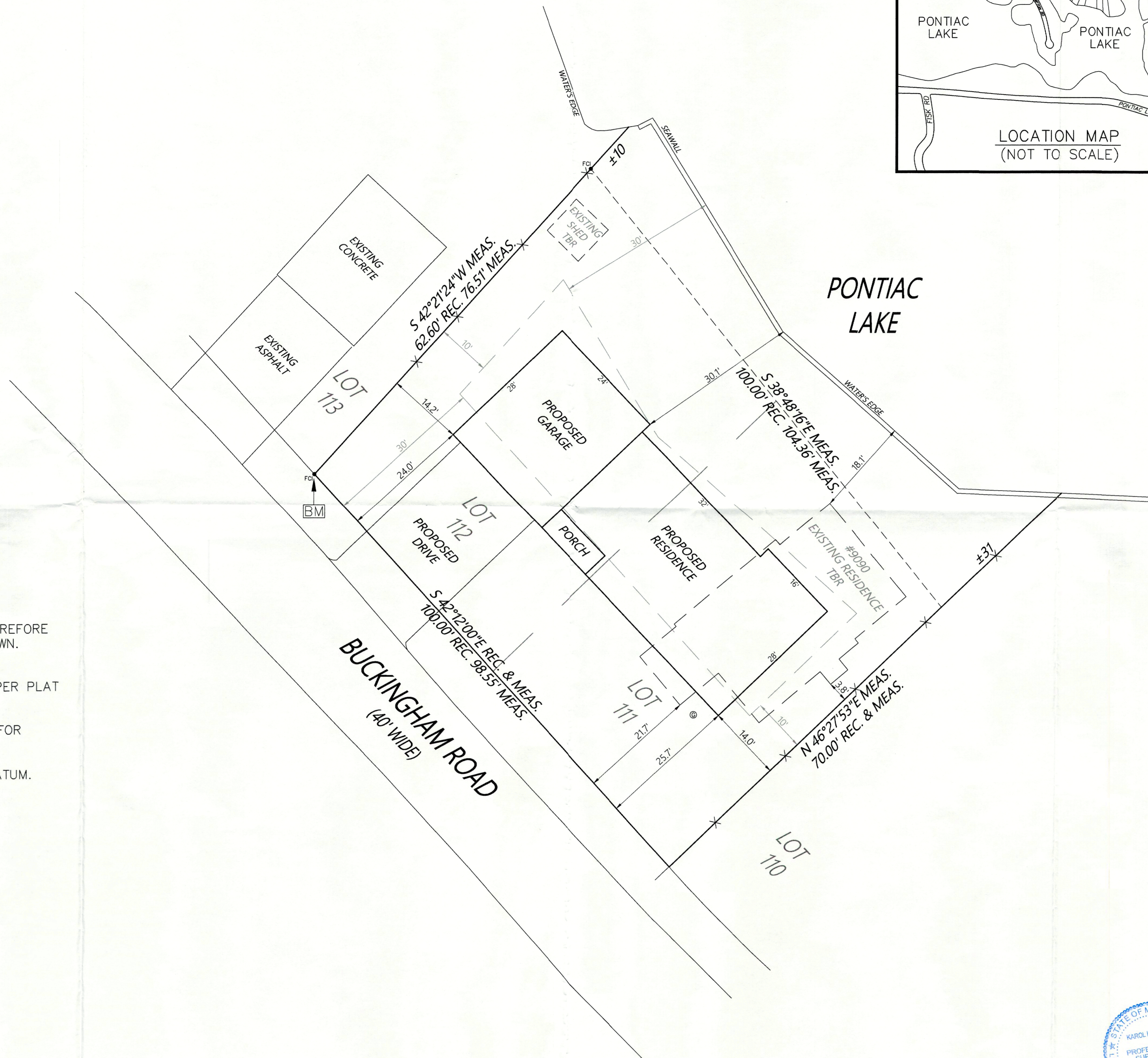
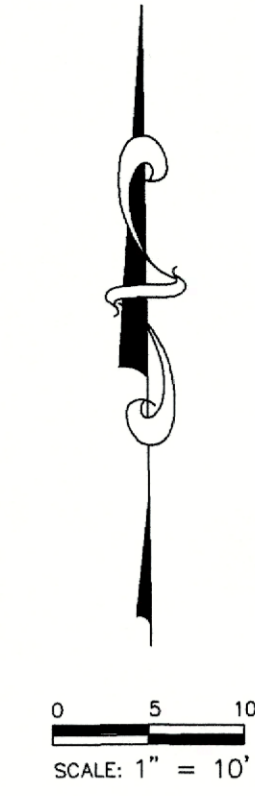
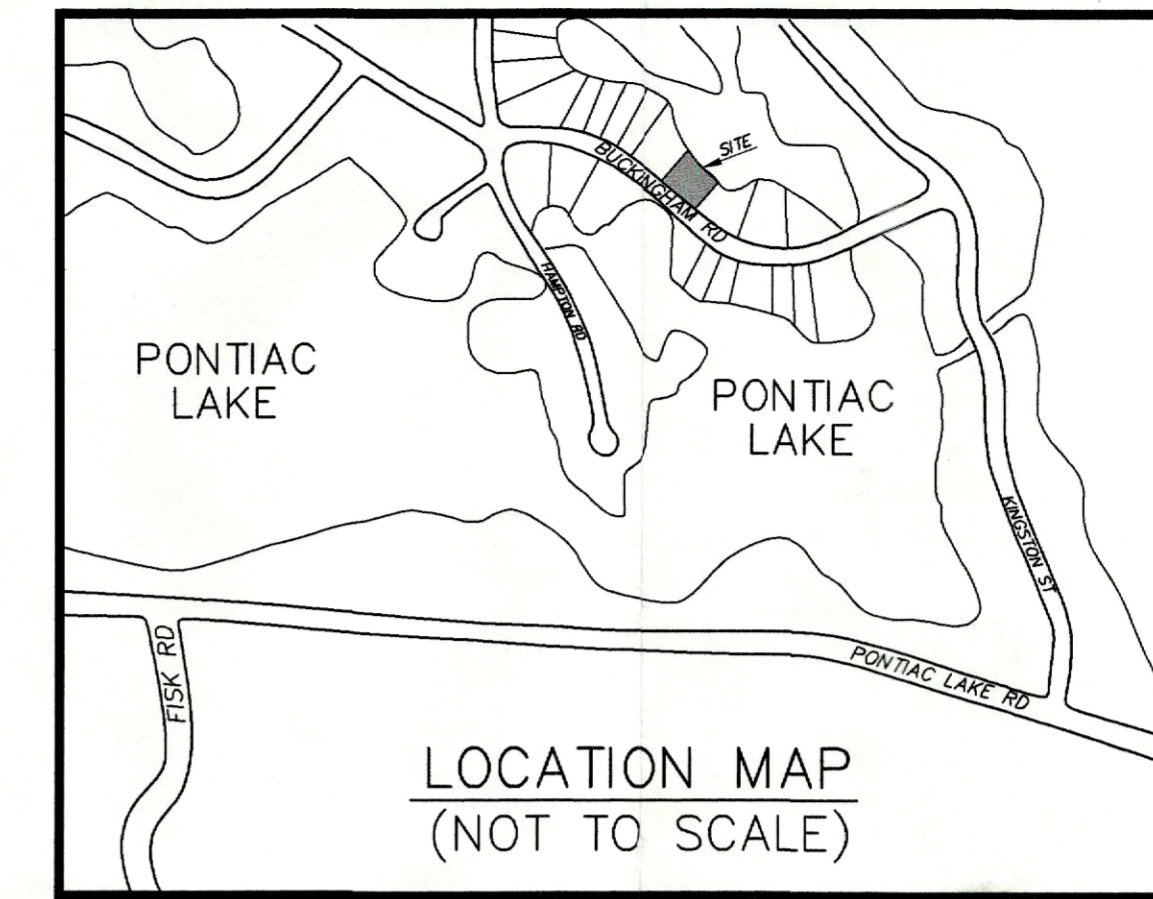
LEGEND:

- | | |
|---|--|
| <ul style="list-style-type: none"> ⊙ STORM SEWER & MANHOLE ⊙ SANITARY SEWER & MANHOLE ⊙ WATER MAIN, HYDRANT, & VALVE ⊙ GAS MAIN & VALVE ⊙ BURIED TELEPHONE & MANHOLE ⊙ UNDER GROUND ELECTRIC & MANHOLE ⊙ OVERHEAD ELECTRIC, POLE, & GUY WIRE ⊙ CATCH BASIN (CURB & ROUND) ⊙ FENCE ⊙ GUARD RAIL ⊙ GRINDER PUMP ⊙ BENCHMARK | <ul style="list-style-type: none"> → DRAINAGE ARROW — EXISTING ELEVATION — PROPOSED ELEVATION ⊙ PROPOSED WELL ⊙ EXISTING PERK TEST ⊙ SILT FENCE — FLOOD ZONE LINE |
|---|--|
-
- | | | |
|-----------------------|--------------------|-----------------------|
| (MEAS.) - MEASURED | ○ - IRON SET | ⊙ - FOUND CAPPED IRON |
| (REC.) - RECORDED | ● - IRON FOUND | ⊙ - FOUND IRON ROD |
| (CALC.) - CALCULATED | ⊙ - MONUMENT SET | ⊙ - SET CAPPED IRON |
| ⊙ - SEC. CORNER FOUND | ⊙ - MONUMENT FOUND | TBR - TO BE REMOVED |

UTILITY WARNING

UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THE
 PLAN WERE OBTAINED FROM UTILITY OWNERS AND
 WERE NOT FIELD LOCATED.
 A MINIMUM OF 3 WORKING DAYS PRIOR TO BEGINNING
 CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY
 "MISS DIG" AND HAVE ALL UNDERGROUND UTILITIES
 STAKED BEFORE ANY WORK ANY DEEP.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE
 PROTECTION AND OR RELOCATION OF ALL UTILITIES
 THAT MAY INTERFERE WITH CONSTRUCTION.

3 WORKING DAYS
BEFORE YOU DIG
 CALL MISS DIG
 1-800-482-7171



ALPINE Land Surveying, Inc.
 376 BEECH FARM CIRCLE SUITE # 1293
 HIGHLAND, MICHIGAN 48357
 PHONE: 810-207-8050

PRELIMINARY SITE PLAN

WADE PARIS (248) 820-9087
 #9090 BUCKINGHAM ROAD
 LOTS 111 AND 112
 OF "ENGLISH VILLAS SUBDIVISION"
 WHITE LAKE TOWNSHIP,
 OAKLAND COUNTY, MI

KAROL L GROVE
 PROFESSIONAL SURVEYOR
 No. 39075

07-09-2024
 DATE

Scale: 1"=10'
 Date: 06-27-2024
 Job No.: 24-6704
 Sht. No.: 1 of 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

July 2, 2024

Wade Paris
9377 Gale Rd
White Lake, MI 48386

Re: Proposed Residential Dwelling at 9090 Buckingham

Based on the submitted plans, the proposed residential dwelling 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 front yard setback of 30 ft and lot area of 12,000 sq ft.

The existing lot and residential structure are nonconforming; with a lot area of approximately 8,146 sq ft, and setbacks that do not conform on 3 sides. While the existing structure is planned to be demolished, the proposed structure will have a front yard setback of approximately 25 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. The Planning Department can be reached at (248)698-3300

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Spencer".

Nick Spencer, Building Official
White Lake Township