

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
MAY 28, 2026**

CALL TO ORDER

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

Roll was called:

ROLL CALL

Present:

Debby Dehart, Planning Commission Liaison
Jo Spencer, Chairperson
Niklaus Schillack, Vice Chairperson
Steve Anderson, Township Board Liaison
Clif Seiber

Also Present:

David Waligora, Senior Planner
Nick Spencer, Building Official
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

It was MOVED by Member Schillack, seconded by Member Anderson to approve the agenda as presented. The motion carried with a voice vote: (5 yes votes).

CALL TO THE PUBLIC

None.

APPROVAL OF MINUTES

A. April 23, 2026

It was MOVED by Member Seiber, seconded by Member Schillack to approve the minutes as presented. The motion carried with a voice vote: (5 yes votes).

OLD BUSINESS

None.

NEW BUSINESS

A. Applicant: John Green, Contractor
102 Lac Sainte Claire Dr
Saint Clair Shores, MI 48082
Location: 4160 Navarra Ct.
White Lake, MI 48386, identified as 12-07-177-015
Request: Variance requests from: Sec. 3.1.6 for a rear yard
variance, and Sec 7.23 A, to enlarge a
non-conforming structure.

Senior Planner Waligora reviewed his report with the ZBA.

John Green, builder, stated the roof over the deck will be used for instances of inclement weather, and the roof will give more curb appeal.

Chairperson Spencer opened the public hearing at 6:43 P.M. Seeing none, she closed the public hearing at 6:43 P.M.

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

- A. Practical Difficulty
 - Member Dehart stated the lot size is a practical difficulty
- B. Unique Situation
 - Member Seiber reiterated the lot size creates a unique situation, as well as parks being in the rear of the property.
- C. Not Self-Created
 - The applicant did not create the lot.
- D. Substantial Justice
 - Member Seiber stated the neighbor to the east encroaches on the rear yard. Member Schillack agreed and said the homeowner would be able to enjoy the same.
- E. Minimum Variance Necessary
 - Member Seiber stated the applicant is following the line of the existing house.

It was MOVED by Member Anderson, seconded by Member Schillack to approve the variance request for the property located at 4160 Navarra Ct, Parcel No. 12-07- 177-015, from the R1-D District dimensional requirements to allow a reduction of the required rear yard setback from 30 feet to approximately 2.7 feet (a variance of 27.3 feet), to allow a reduction of the required side yard setback by approximately 1.28 feet, which recognizes the location of the existing structure and does not increase the degree of side yard encroachment, and to allow a reduction of the required 25-foot setback from a water body to approximately 2.7 feet (a variance of 22.3 feet), in order to permit construction of a covered rear deck attached to the principal structure, based on the findings that the request meets the standards of Section 7.37 (A through E), subject to the following conditions:

- 1. The covered at-grade deck shall be constructed in substantial compliance with the plans submitted.**
- 2. No further encroachment beyond what is approved herein into the required rear yard, side yard, or water setbacks shall occur without additional Zoning Board of Appeals approval.**
- 3. The structure shall remain unenclosed (for example, no 3-season room conversion), and any future enclosure of the covered at-grade deck will require additional review and approval from the ZBA.**
- 4. All necessary permits shall be obtained prior to construction.**

The motion carried with a roll call vote: (5 yes votes)

(Spencer/yes, Schillack/yes, Seiber/yes, Anderson/yes, Dehart/yes).

- B. Applicant: Andrew Hoppe
9020 Maplewood Dr
White Lake, MI 48386
Location: 9020 Maplewood Dr
White Lake, MI 4386; identified as 12-35-426-066
Request: Variance request from Section 3.1.6(E) for a primary building side yard setback variance.

Senior Planner Waligora reviewed his report with the ZBA.

Andrew Hoppe, 9020 Maplewood, was present. He stated mortgage survey he originally had procured was incorrect. He is looking to expand on the house due to his growing family.

Chairperson Spencer opened the public hearing at 7:01 P.M. Seeing none, she closed the public hearing at 7:01 P.M.

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

- A. Practical Difficulty
 - Member Dehart said the configuration of the existing home on the parcel created a practical difficult
- B. Unique Situation
 - Member Anderson stated the position of the lot in relation to the neighbor's property lines created a unique situation.
- C. Not Self-Created
 - The applicant did not construct the original house or combine/plat the lots.
- D. Substantial Justice
 - Member Schillack stated the applicant will be allowed to use his property and home like others houses in the area.
- E. Minimum Variance Necessary
 - Member Schillack stated the request is very modest.

It was MOVED by Member Dehart, seconded by Member Anderson to approve the variance request for Parcel No. 12-35-426-066, 9020 Maplewood Drive, to permit construction of a one-story residential addition with an approximately 9.37-foot side yard setback, where a minimum 10-foot side yard setback is required, representing variance relief of approximately 0.63 feet (8 inches). This motion is based upon the following finding:

The Zoning Board of Appeals finds that the applicant has demonstrated compliance with the variance standards contained in Section 7.37 of the White Lake Township Zoning Ordinance, including that a practical difficulty exists related to the subject site, the practical difficulty results from unique circumstances applying to the property, the condition is not self-created, approval would provide substantial justice, and the requested variance represents the minimum variance necessary to grant relief. Approval is further conditioned upon the following:

1. **Approval shall be limited to the plans submitted and reviewed by the Zoning Board of Appeals.**
2. **The approved addition shall comply with all applicable Township permitting requirements.**
3. **Any future expansion beyond the approved plans shall require additional Township review and approvals as applicable.**

**The motion carried with a roll call vote: (5 yes votes).
(Dehart/yes, Anderson/yes, Seiber/yes, Schillack/yes, Spencer/yes).**

- C. Applicant: Charles L. Deerew
625 Lake View Dr
White Lake, MI 48363
Location: 625 Lake View Dr
White Lake, MI 48363; identified as 12-26-457-007
Request: Variance request from Section 3.1.6(E) for a front yard setback variance for an accessory building.

Senior Planner Waligora reviewed his report with the ZBA.

Mr. Deerew, 625 Lake View, stated he has three front yards, and is looking to construct a garage on his property.

Chairperson Spencer opened the public hearing at 7:21 P.M. Seeing none, she closed the public hearing at 7:21 P.M.

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

- A. Practical Difficulty
 - Member Dehart stated three front yards created practical difficulty.
- B. Unique Situation
 - Member Schillack reiterated the three front yards created a unique situation.
Member Seiber said Echo is also a dead end-street.
- C. Not Self-Created
 - The applicant did not plat the streets.
- D. Substantial Justice
 - Member Seiber the neighbor to the south has a garage very close to the road right of way.
- E. Minimum Variance Necessary
 - Member Dehart stated if Overlook was not there, a variance wouldn't be necessary.

It was **MOVED** by Member Seiber, seconded by Member Schillack to approve the variance request for Parcel No. 12-26-457-007, 625 Lake View Drive, to permit construction of a 25-foot by 25-foot detached garage with an approximate setback of 14.5 feet from Overlook Lane, where a 30-foot front yard setback is required, representing variance relief of approximately 15.5 feet. This motion is based upon the following finding: 1. The Zoning Board of Appeals finds that the applicant has demonstrated compliance with the variance standards contained in Section 7.37 of the White Lake Township Zoning Ordinance, including that a practical difficulty exists related to the subject site due to multiple roadway frontages and resulting reduction in available buildable area, the practical difficulty results from unique circumstances applying to the property and surrounding subdivision pattern, the condition is not self-created, approval would provide substantial justice, and the requested variance represents the minimum variance necessary to grant relief. Approval is further conditioned upon the following:

- Approval shall be limited to the plans, survey, and application materials submitted and reviewed by the Zoning Board of Appeals.
- The approved detached garage shall comply with all applicable Township permitting requirements.
- Any future expansion, relocation, or modification beyond the approved plans shall require additional Township review and approvals as applicable.

The motion carried with a roll call votes: (5 yes votes)
(Spencer/yes, Schillack/yes, Seiber/yes, Anderson/yes, Dehart/yes).

- D. Applicant: Scott David
8070 Rene Dr
White Lake, MI 48386
Location: 8070 Rene Dr
White Lake, MI 4386; identified as 12-24-426-015
Request: Variance from Section 5.7.B for an accessory building height request.

Senior Planner Waligora reviewed his report with the ZBA.

Scott David, 8070 Rene Drive, stated he the purpose of the height was to be apart of the tree canopy. He stated the height of the proposed structure is like the height of the destroyed structure. He was aimable to remove the existing shed on the property. The windows on the sloped roof were for aesthetic purposes.

Chairperson Spencer opened the public hearing at 7:45 P.M. Seeing none, she closed the public hearing at 7:45 P.M.

It was **MOVED** by Member Schillack to deny the variance request for Parcel No. 12-24-426-015, 8070 Rene Drive, to permit construction of an elevated detached accessory structure with an approximate 24.4-foot midpoint roof height, where a maximum height of 18 feet is permitted, representing approximately 6.4 feet of variance relief. This motion is based upon the following findings:

1. The Zoning Board of Appeals finds the applicant has not demonstrated compliance with Section 7.37(A), Practical Difficulty, as the submitted materials do not clearly establish

how physical characteristics of the subject property necessitate the requested 6.4-foot height variance relief, nor demonstrate that strict compliance with the Ordinance would unreasonably prevent reasonable use of the property or render conformity unnecessarily burdensome.

- 2. The Zoning Board of Appeals finds the applicant has not demonstrated compliance with Section 7.37(C), as the requested relief appears associated primarily with the design characteristics of the proposed structure rather than conditions inherent to the subject property.**
- 3. The Zoning Board of Appeals finds the requested variance has not been demonstrated to represent the minimum relief necessary to permit reasonable use of the property, including whether alternative compliant designs or configurations may exist.**
- 4. The Zoning Board of Appeals finds the applicant has not sufficiently demonstrated compliance with all required variance standards contained within Section 7.37, and therefore the requested variance does not satisfy the standards necessary for approval.**

There wasn't support for the motion.

It was MOVED by Member Seiber, seconded by Member Anderson, to postpone the request by Scott David, for the request at 8070 Rene Dr, White Lake, MI 48386 also identified as 12-24-426-015, until the applicant speaks with their architect to create a plan that meets Township ordinance.

Member Schillack wanted to note correct process was followed by staff in this scenario, and commended staff for their consistency over the years. Building Official Spencer sends out a letter to every applicant with denied plans and will discuss potential solutions with the applicants if asked. It was stated that the applicant did not reach out to Building Official Spencer to discuss alternative options for the plan.

The ZBA discussed the options of a postponement versus a denial motion. The applicant would be able to revise his request to meet the ordinance and therefore would not need to come back to the ZBA. The ZBA discussed postponing the case to allow the applicant to revise their plans. Due to the fact a practical difficulty had not been established, and that the applicant could revise their plans to conform to the zoning ordinance, the applicant could potentially be denied again.

After lengthy discussion, Member Anderson withdrew his support.

It was MOVED by Member Schillack, seconded by Member Dehart to deny the variance request for Parcel No. 12-24-426-015, 8070 Rene Drive, to permit construction of an elevated detached accessory structure with an approximate 24.4-foot midpoint roof height, where a maximum height of 18 feet is permitted, representing approximately 6.4 feet of variance relief. This motion is based upon the following findings:

1. **The Zoning Board of Appeals finds the applicant has not demonstrated compliance with Section 7.37(A), Practical Difficulty, as the submitted materials do not clearly establish how physical characteristics of the subject property necessitate the requested 6.4-foot height variance relief, nor demonstrate that strict compliance with the Ordinance would unreasonably prevent reasonable use of the property or render conformity unnecessarily burdensome.**
2. **The Zoning Board of Appeals finds the applicant has not demonstrated compliance with Section 7.37(C), as the requested relief appears associated primarily with the design characteristics of the proposed structure rather than conditions inherent to the subject property.**
3. **The Zoning Board of Appeals finds the requested variance has not been demonstrated to represent the minimum relief necessary to permit reasonable use of the property, including whether alternative compliant designs or configurations may exist.**
4. **The Zoning Board of Appeals finds the applicant has not sufficiently demonstrated compliance with all required variance standards contained within Section 7.37, and therefore the requested variance does not satisfy the standards necessary for approval.**

The motion carried with a roll call vote: (3 yes votes). (Spencer/yes, Schillack/yes, Seiber/no, Anderson/no, Dehart/yes).

- E. Applicant: Michael Seling
9278 Pontiac Lake Rd
White Lake, MI 48386
Location: 9278 Pontiac Lake Rd
White Lake, MI 4386; identified as 12-14-253-006
Request: Variance requests from Section 3.10 for a height setback variance to construct an attached deck on a lakefront property, and from Section 3.11(Q) for a variance from the watercourse setback requirement

Senior Planner Waligora reviewed his report with the ZBA.

Michael Seling, 9278 Pontiac Lake Road, said his elderly father lives with him and he wanted to make the deck accessible and safe for him.

Chairperson Spencer opened the public hearing at 9:08 P.M. Seeing none, the public hearing was closed at 9:08 P.M.

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

- A. Practical Difficulty
 - Member Dehart stated the configuration of the lot provided practical difficulty.
- B. Unique Situation
 - Member Seiber said the water table and elevation of the lot made for a unique situation

- C. Not Self-Created
 - The applicant did not plat the streets.
- D. Substantial Justice
 - Member Schillack stated there was substantial justice in a resident to utilize their house in a safe way.
- E. Minimum Variance Necessary
 - Member Seiber stated it was the minimum variance necessary due to the elevation of the house.

It was MOVED by Member Anderson, seconded by Member Seiber to approve the variance request for Parcel No. Y-12-14-253-006, 9278 Pontiac Lake Road, to permit the construction of a rear deck which exceeds the maximum deck height permitted under Section 3.10.B of the Zoning Ordinance by approximately one (1) foot, allowing a deck height of approximately four (4) feet above grade where a maximum of approximately three (3) feet is permitted. This motion is based upon the following finding: 1. The Zoning Board of Appeals finds that the applicant has demonstrated compliance with the variance standards contained in Section 7.37 of the White Lake Township Zoning Ordinance, including practical difficulty, unique circumstances, lack of self-created hardship, substantial justice, and the minimum variance necessary to grant relief. Approval is further conditioned upon the following:

- 1. The deck shall remain uncovered and unenclosed and shall not be converted into habitable living area without additional Township approvals.**
- 2. Approval is limited to the plans submitted with the application and reviewed by the Zoning Board of Appeals.**
- 3. Approval is limited solely to the requested variance from Section 3.10.B and shall not be interpreted as granting relief from any other applicable ordinance requirements.**

**The motion carried with a roll call vote: (5 yes votes).
(Anderson/yes, Dehart/yes, Seiber/yes, Schillack/yes, Spencer/yes).**

OTHER BUSINESS

Senior Planner Waligora shared the proposed zoning ordinance amendments with the ZBA. He highlighted the language regarding sub-standard lots and zoning board of appeals powers.

NEXT MEETING DATE: June 25, 2026

It was MOVED by Member Seiber, seconded by Member Dehart, to adjourn at 9:28 P.M. The motion carried with a voice vote: (5 yes votes).