

TO: Zoning Board of Appeals

FROM: David J. Waligora, AICP, Senior Planner

DATE: January 15, 2025

RE: 10164 Elizabeth Lake Rd Variance Request to Permit a Home Remodel

Agenda item: 8A

Appeal Date: January 22, 2026

Applicant: Alfa Construction Guys, LLC
23460 Industrial Park Dr.
Farmington, MI 48335

Owners: Sandro & Beatriz Siminovich
4998 Parkgate Dr
Commerce Township, MI 48382

Address: 10164 Elizabeth Lake Road
White Lake, MI 48386

Parcel #: 12-27-226-012

Location: North side of Elizabeth Lake Road
between Oxbow Lake Rd and Mill Road

Zoning: R1-C, Single Family Residential

Attachments

1. Variance application dated November 25, 2025.
2. Survey showing existing property, dated 1/5/26
3. Letter of denial from the Building Official dated November 19, 2025.
4. Copy of Deed verifying ownership
5. Building elevations and a floor plan.
6. Pertinent Zoning Ordinance pages



10164 Elizabeth Lake Rd,
Oakland County GIS

Property Description

The 0.231 acre or 10,062.36 ft² (55' x ±183') unplatted parcel, 12-27-226-012, is located on the north side of Elizabeth Lake Rd between Oxbow Lake Rd and Mill Rd. The property is zoned R1-C (Single-Family Residential). The home is surrounded by R1-C single family homes to the east, west, and south. To the north of the property is Oxbow Lake.



Applicant's Proposal

The applicant proposes to remodel the existing home from a one-story, 2,084 ft² residence (3 bedrooms, 2 bathrooms, and a 1.5-stall garage) into a two-story home with 5 bedrooms, 5.5 bathrooms, and a 3.25-stall garage, equaling 3,784 ft².

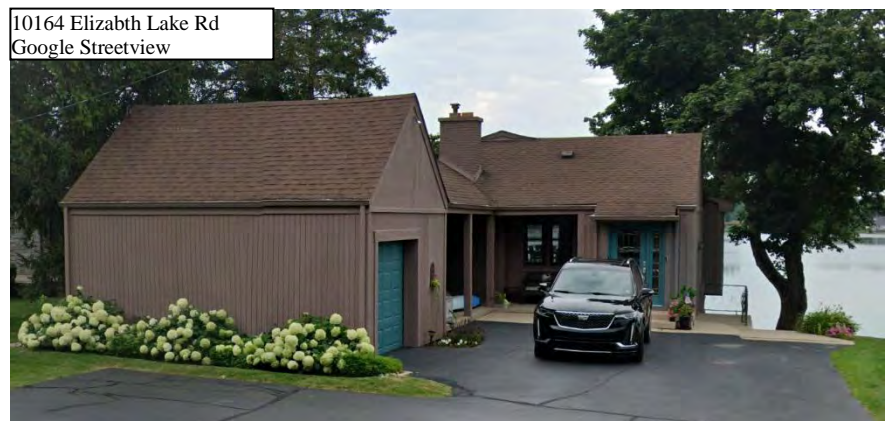
Existing Condition Dimensional Review

The property is currently occupied by a ranch style, single-family home, constructed in 1950, and includes an attached 1.5 stall garage. It is served by a private well and municipal sewer. Below is a comparison chart with the minimum R1-C standards, Section 3.1.5.E, listed next to the existing conditions of the property.

	Min Required	Current	Nonconforming Deficiency
Lot Area	16,000 ft ²	10,062.36 ft ²	-5,937.64 ft ²
Lot Width	100 ft	55 ft	-45 ft
Lot Length	160 ft	183 ft	-
Lot Coverage	30%	16.8%	-
Front Yard Setback	35 ft	25.96 ft	-9.04 ft
Side Yard Setback	10 ft	5.41ft & 8.87ft	4.59ft & 1.13 ft,
Rear Yard Setback	35 ft	54.55 ft	-
Building Height	30 ft	15.58 ft	-

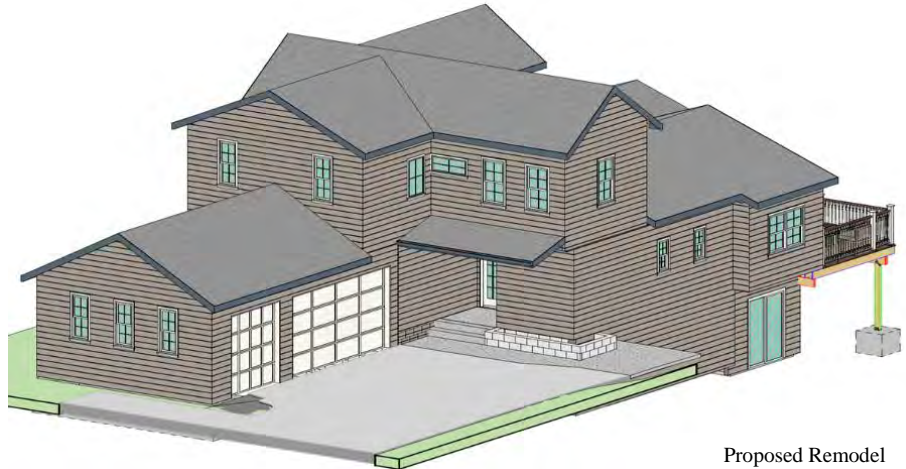
After reviewing the existing conditions, a legal nonconforming deficiency exists in both lot area and lot width. Because of this, staff finds that the subject property is considered a “**Substandard Lot**”, per Section 5.4 of the Zoning Ordinance.

Any lot which was of record at the time of the adoption of this Ordinance, that does not meet the requirements of Article 6 for lot area and width, may be utilized for single-family residences in zones permitting this use, provided that the setback and open space provisions of the Ordinance are met. (Also see Article 7.27 regarding non-conforming lots).



Proposed Dimensional Review

The applicant wishes to construct an addition comprised of the addition of a second story and expansion of the building footprint into the rear yard composed and an enlarged garage footprint into the front yard setback of the property. Once complete, the total proposed home would offer around 3,784 ft² of living space.



Proposed Remodel

The proposed design requires 4 variances. The first 3 are (dimensional) setback variances (Section 3.1.6) and the 4th is a nondimensional variance from Section 7.23-Nonconforming Structures. The proposed design increases only the front yard setback by 4.92 feet.

Specifically, the proposed design increases side yard nonconformity by 3 inches on the westside, where the distance between the two existing structures is presently only by about 16 ft. Further, the request proposes the garage will be closer to the Elizabeth Lake Road ROW, a 2-lane paved road with gravel shoulders.

	Min Required	Current	Proposed	Difference	Necessary Variance
Lot Coverage	30%	14.37%	16.91%	+2.54%	-
Front Yard Setback	35 ft	25.96 ft	20.04 ft	-5 ft	14.96 ft, nonconforming increase of 4.92 ft
West Side Yard Setback	10 ft	8.87 ft	8.87 ft	0 ft	1.13 ft, proposed setback is equal to existing setback
East Side Yard Setback	10 ft	5.41 ft	7.3ft	+1.89 ft	2.7 ft, proposed setback is greater than existing setback
Rear Yard Setback	35 ft	54.55 ft	43.22 ft	-11.33 ft	-
Building Height	30 ft	15.58 ft	24.08 ft	+8.5 ft	-

Conclusion

Staff finds that the subject property is a legally established substandard lot containing a lawful nonconforming structure, that does not meet current front and side yard setback requirements.

The proposed addition would increase the front yard nonconformity, encroaching 5 ft further into the existing 35 ft required setback distance. Staff notes on contrast; the proposed addition does reduce the amount of side yard nonconformity (west side) by 1.89 ft. Staff notes that this side of the home is closest to a neighboring residential structure.

The applicant has provided one narrative response to encompass all four variance requests which I have included in your packet. The ZBA should analyze their arguments to determine if the request can meet the standards of approval.

Section 7.37 – Standards (of Review)

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".

- 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.*

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.

Zoning Board of Appeals Options:

Though the example below has all variances included in one motion, they can be broken up into separate motions at the discretion of the ZBA members.

Approval: I move to approve the 4variances requested by Alfa Construction Guys, LLC, for parcel number 12-27-226-012, identified as 10164 Elizabeth Lake Road, for the purpose of remodeling the existing structure. Specifically approving 3 variances from Section 3.1.6 and 1 from Section 7.23, to allow a 20.04-ft front yard setback where the ordinance requires a minimum of 35 ft; a 7.3 ft west side yard setback where the ordinance requires a minimum of 10 ft; a side yard setback of 8.87 ft where the ordinance requires a minimum of 10 ft; and the ability to increase the nonconforming setback.

1. The applicant has shown their ability to meet the standards of Section 7.37 A – E for each of the variance requests.
2. The Applicant shall obtain all necessary permits from the White Lake Township Building Division.
3. No mechanical units, including an HVAC system or generator, shall be placed in the front yards or closer than five (5) feet to any side yard lot line or rear lot line.
4. A foundation certificate shall be required prior to vertical construction.
5. An as-built survey shall be required to verify the approved setbacks.
6. All necessary permits from RCOC and the Oakland County Health Division will be obtained prior to the issuance of building permits.

Denial: I move to deny the variances requested by Alfa Construction Guys, LLC for Parcel Number 12-27-226-012, 10164 Elizabth Lake Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Alfa Construction Guys, LLC, *to a date certain or other triggering mechanism*, for parcel number 12-27-226-012, 10164 Elizabth Lake Road, to consider comments stated during this public hearing.

WHITE LAKE TOWNSHIP



ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION

NAME: Alfa Construction Guys, LLC PHONE: (248) 230-8787
ADDRESS: 23460 Industrial Park Dr. Farmington Hills, MT 42385
EMAIL: Jason@alfaconstructionguys.com
INTEREST IN PROPERTY: ☐ PROPERTY OWNER ☒ BUILDER ☐ OTHER: _____

PROPERTY INFORMATION

ADDRESS: 10164 Elizabeth Lake Rd. ZONING: R1-D
VALUE OF IMPROVEMENT: \$ 375,760.00 SEV OF EXISTING STRUCTURE: \$ 254,580.00

REASONS TO SUPPORT REQUEST (ADDITIONAL SHEETS MAY BE ATTACHED):

See attached Exhibit A - Variance Justification Letter.

APPLICATION FEE: ☒ \$440 ☐ \$550

APPLICANT'S SIGNATURE: _____

DATE: 11/25/25

10164 Elizabeth Lake Rd, White Lake, MI 48386

Exhibit A – Variance Justification

Submitted by: Alfa Construction Guys, Authorized Agent for Property Owners

1. Unique Physical Circumstances of the Property

The subject property has an unusually narrow lot width of approximately 55 feet, which is significantly less than the required minimum 100-foot width for the R1-C zoning district. This narrower-than-standard lot width is a physical condition unique to this parcel and is not typical of conforming lots in the township.

Additionally, the existing home was constructed many years ago with legal nonconforming side yard setbacks of approximately 5.41 feet on the west side and 8.87 feet on the east side, for a combined total of 14.28 feet where 20 feet is required. These constraints severely limit the ability to improve or expand the home without requesting a variance.

These site characteristics are not typical, not self-created, and cannot be corrected by any reasonable means.

2. Practical Difficulty Preventing Reasonable Use

Due to the narrowness of the lot and the existing placement of the home, it is practically impossible to modernize, improve, or create functional living space that meets current building standards while also meeting today's side yard setback requirements.

Without a variance, the owners cannot:

- Add a second story safely and structurally over the existing footprint
- Improve the living space for their family's needs
- Upgrade the home to modern standards comparable to surrounding homes

The strict application of the ordinance would result in a loss of reasonable and feasible use of the property, creating a practical difficulty as defined by Michigan zoning law.

3. Variance Request is the Minimum Necessary

The proposed second-floor addition and rear first-floor expansion follow the existing footprint and do not extend closer to the property lines than the existing home.

The new construction will:

- Maintain a minimum of 7 feet from side yards (including roof overhangs, gutters, and architectural elements)
- Use the least amount of deviation necessary to allow safe, modern construction

This satisfies the requirement that a variance must be the minimum needed to achieve a reasonable use.

4. Condition Is Not Self-Created

The hardship results from:

- The original lot width established long before current zoning
- The existing home's historical placement
- Community zoning standards that have changed since the structure was originally built

The owners did not create the narrow lot, the home's placement, or the nonconforming setbacks. They are simply attempting to renovate and modernize an existing structure without expanding the footprint into new setback areas.

This satisfies the zoning requirement that the request cannot be self-created.

5. No Negative Impact on Neighborhood or Public Welfare

The proposed addition will:

- Maintain all required safety codes
- Improve the structural integrity of the home
- Enhance the visual appearance and property value
- Remain consistent in size and character with other homes in the neighborhood
- Not negatively impact neighboring properties' access to light, air, or privacy
- Not interfere with drainage, utilities, or emergency access

All improvements will be built in compliance with Michigan Residential Code and township review.

The variance will therefore not alter the essential character of the neighborhood, nor will it be detrimental to public welfare.

6. Substantial Justice and Fair Use of Property

Granting this variance provides substantial justice to the property owners by allowing them a fair and reasonable use of their property — consistent with what other similarly sized or updated homes enjoy in the township.

Strict enforcement, in this case, would:

- Prevent meaningful updates
- Restrict reasonable and typical residential improvements
- Penalize the owners for conditions they did not cause

Granting the variance supports the spirit and intent of the ordinance while avoiding unnecessary hardship.

Approval is respectfully requested.

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

November 19, 2025

Beatriz Siminovich
10164 Elizabeth Lk Rd
White Lake, MI 48386

Based on the submitted plans, the proposed 1st floor and 2nd floor additions do not satisfy the White Lake Township Clear Zoning Ordinance.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance for R1-D requires: Minimum side yard setback of 10 feet each side and 20 feet total of two sides, minimum front yard setback of 30 ft, and minimum lot width of 80 feet.

Article 7.23(A) of the White Lake Township Clear Zoning Ordinance: No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.

Article 5.3 of the White Lake Township Clear Zoning Ordinance states: In no event will the projection be closer than five (5) feet to the lot line.

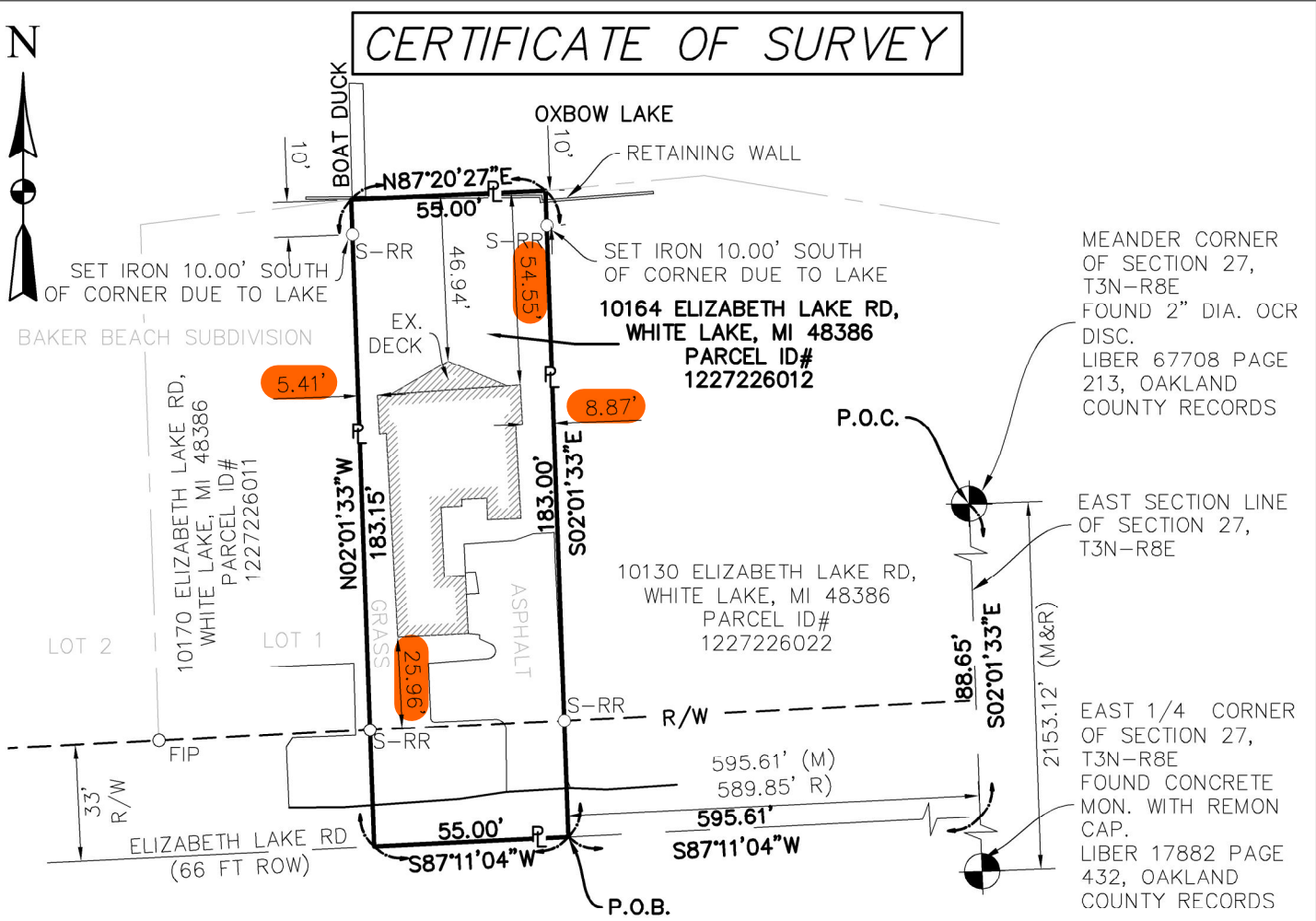
Based on the submitted plans, the existing structures and lot are non-conforming where the lot width is 55 ft. which contains a residential structure having an approximate 5.4 ft side yard setback on the west side and a 9.4 ft side yard setback on the east side for a total of 14.8 ft.

The proposed 2nd story addition would increase these non-conformities by adding living space and roof structures measuring approximately 7.2 ft from the west side yard lot line where a 10 ft side yard setback is required. The proposed 1st story addition in the rear would also expand the approximate 5.4 ft side yard setback. It should further be noted; no newly constructed portion including overhangs and gutters shall extend closer to 5 ft from any side yard lot line

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 22nd Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than December 22nd at 4:30 PM. ***Be advised, the ZBA will require a certified and dimensioned boundary and location survey showing existing and proposed conditions.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township



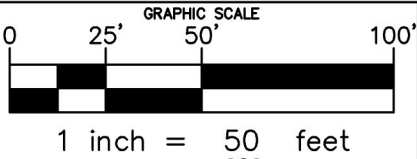
ADDRESSES: 10164 ELIZABETH LAKE RD, WHITE LAKE, MI 48386
PARCEL ID: 1227226012
LEGAL DESCRIPTION: (PER WARRANTY DEED PROVIDED BY THE CLIENT)
 THE LAND REFERRED TO IN THIS DOCUMENT IS SITUATED IN THE TOWNSHIP OF WHITE LAKE, COUNTY OF OAKLAND, STATE OF MICHIGAN AND DESCRIBED AS FOLLOWS:
 TOWN 3 NORTH, RANGE 8 EAST, SECTION 27, PART OF THE NORTHEAST 1/4, BEGINNING AT A POINT IN CENTER OF ELIZABETH LAKE ROAD DISTANCE WEST 589.85 FEET FROM EAST SECTION LINE; THENCE NORTH 89 DEGREES 36 MINUTES 30 SECONDS WEST 55 FEET TO SOUTHEAST CORNER BAKER BEACH; THENCE NORTH 00 DEGREES 23 MINUTES 30 SECONDS EAST 183.15 FEET TO SHORE OF LAKE; THENCE EASTERLY ALONG SHORE 55 FEET; THENCE SOUTH 00 DEGREES 23 MINUTES 30 SECONDS WEST 183 FEET TO BEGINNING.
 COMMONLY KNOWN AS: 10164 ELIZABETH LAKE ROAD, WHITE LAKE, MICHIGAN 48386
 TAX PARCEL NUMBER(S): 12-27-226-012
LEGAL DESCRIPTION (AS SURVEYED):
 COMMENCING AT THE MEANDER CORNER OF SECTION 27, T3N-R8E, TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY, MICHIGAN; THENCE S02°01'33"E 88.65 FEET ALONG THE EAST LINE OF SECTION 27 TO A POINT AT THE CENTER OF ELIZABETH LAKE ROAD; THENCE S87°11'04"W 595.61 FEET TO THE POINT OF BEGINNING AT THE CENTER OF ELIZABETH LAKE ROAD; RUNNING THENCE S87°11'04"W 55.00 FEET ALONG THE CENTER OF ELIZABETH LAKE ROAD; THENCE N02°01'33"W 183.15 FEET TO SHORE OF OXBOW LAKE; THENCE N87°20'27"E 55.00 FEET ALONG THE SHORE; THENCE S02°01'33"E 183.00 FEET TO THE POINT OF BEGINNING AT THE CENTER OF ELIZABETH LAKE ROAD. BEING PART OF THE NORTHEAST 1/4 OF SECTION 27, T3N-R8E, TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY, MICHIGAN AND CONTAINING 0.23 ACRES OF LAND. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD. COMMONLY KNOWN AS 10164 ELIZABETH LAKE ROAD, WHITE LAKE, MICHIGAN 48386

* This boundary survey was conducted without the benefit of a title policy. Therefore, no guarantee can be made that any or all easements or encumbrances are shown.*

* BEARINGS ARE BASED ON THE MICHIGAN STATE PLANE COORDINATE SYSTEM, MICHIGAN SOUTH ZONE, NAD83, INTERNATIONAL FEET.*

LEGEND

- P — PROPERTY LINE
- - - R/W - - - RIGHT OF WAY LINE
- — — SECTION LINE
- — — PLAT LINE
- SECTION CORNER
- FIP FOUND IRON PIPE
- F-RR FOUND IRON ROD
- S-RR SET IRON ROD
- S-X SET CUT CROSS
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- (M) MEASURED
- (R) RECORDED



CERTIFICATION:
 I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE BELOW DESCRIBED PARCEL(S) OF LAND; THAT THE ERROR OF CLOSURE IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING; AND THAT SAID SURVEY IS IN FULL COMPLIANCE WITH ACT 132, P.A. OF 1970 AS AMENDED.

AXIS
 Engineering and Surveying

835 MASON ST, DEARBORN, MI 48124 SUITE# C140
 CONTACT NO- (313) 633-4941
 E-MAIL : MBAGHDADI@ESAXIS.COM

Project 10164 ELIZABETH LAKE RD				
Client MRS. BIA SIMINOVICH				
County OAKLAND		Community PONTIAC		
Township T03N	Range R08E	Section 27	State MICHIGAN	
Project Number 2025_0019		Checked by MMB	Drawn by MMB	Crew/Book

Title CERTIFICATE OF SURVEY	
Date 9/29/25	Rev 1 11/5/26
Drawing Scale 1"=50'	Sheet Number 01 OF 01

WARRANTY DEED

The Grantor(s): Gary J. Pipkin and Karen G. Pipkin, Husband and Wife

whose address is 10164 Elizabeth Lake Road, White Lake, MI 48386

Convey and Warrant to: Sandro Siminovich and Beatriz Mermelstein Siminovich, Husband and Wife

whose address is 4998 Parkgate Drive, Commerce, MI 48382

the following described premises situated in the Township of White Lake, County of Oakland and State of Michigan, to-wit:

SEE ATTACHED EXHIBIT "A"

Commonly known as: 10164 Elizabeth Lake Road, White Lake, Michigan 48386

Tax parcel number(s): 12-27-226-012

For the sum of: Five Hundred Seventy Five Thousand Five Hundred and 00/100 Dollars (\$575,500.00)

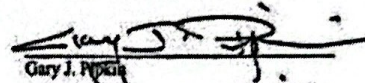
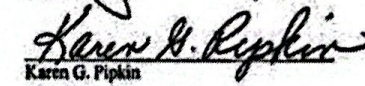
Subject to: The existing building and use restrictions, easements, and zoning ordinances, if any

The grantor grants to the grantee the right to make _____ permissible division(s) under Section 108 of the Land Division Act, Act No 288 of the Public Acts of 1967. This property may be located within the vicinity of farmland or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

Dated: July 22, 2025

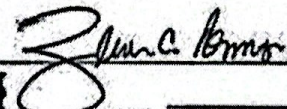
(Attached to and becoming a part of the Warranty Deed dated July 22, 2025, Capital Title Insurance Agency, Inc. File Number 664956-35 between Gary J. Pipkin and Karen G. Pipkin, Husband and Wife as Grantor(s) and Sandro Siminovich and Beatriz Mermelstein Siminovich as Grantee(s))

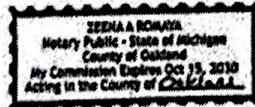
Seller(s):


Gary J. Pipkin

Karen G. Pipkin

STATE OF MICHIGAN)
COUNTY OF Oakland) ss.

Acknowledged by Gary J. Pipkin and Karen G. Pipkin, before me on the 22nd day of July, 2025.


Notary Public
County, Michigan
Acting in _____
My commission expires: _____
County _____



Drafted by: Gary J. Pipkin, 10164 Elizabeth Lake Road, White Lake, MI 48386

When recorded return to: Sandro Siminovich, 10164 Elizabeth Lake Road, White Lake, MI 48386

File Number: 664956-35

EXHIBIT A - LEGAL DESCRIPTION

The land referred to in this document is situated in the Township of White Lake, County of Oakland, State of Michigan and described as follows:

Town 3 North, Range 8 East, Section 27, Part of the Northeast 1/4, Beginning at a point in center of Elizabeth Lake Road distance West 589.85 feet from East section line; thence North 89 degrees 36 minutes 30 seconds West 55 feet to Southeast corner Baker Beach; thence North 00 degrees 23 minutes 30 seconds East 183.15 feet to shore of lake; thence Easterly along shore 55 feet; thence South 00 degrees 23 minutes 30 seconds West 183 feet to beginning.

Commonly known as: 10164 Elizabeth Lake Road, White Lake, Michigan 48386
Tax parcel number(s): 12-27-226-012

11/25/2025

White Lake Township
Community Development – Planning & Zoning Department
7525 Highland Road
White Lake, MI 48383

Subject: Owner Authorization for Zoning Board of Appeals Application
Property Address: 10164 Elizabeth Lake Dr. White Lake, MI 48386
Parcel ID: 12-27-226-012

Dear Planning & Zoning Staff,

We, the undersigned legal property owners, hereby authorize:

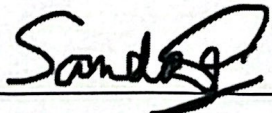
Authorized Representative: Jason Floarea
Company: Alfa Construction Guys, LLC
Address: 23460 Industrial Park Dr. Farmington Hills, MI 48335
Phone: 248-230-8787
Email: jason@alfaconstructionguys.com

to file a Zoning Board of Appeals (ZBA) variance application on our behalf for the property listed above. This authorization includes the ability to:

- Submit applications, drawings, plot plans, surveys, and supporting documents
- Communicate with township officials and departments
- Respond to administrative requests
- Attend and represent us at ZBA hearings
- Receive notices and correspondence related to the variance request

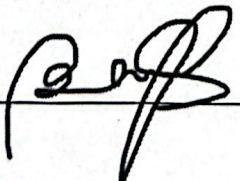
We confirm that we are the legal owners of the property and provide this authorization voluntarily.

Owner 1:
Printed Name: Sandro Siminovich

Signature: _____

Date: 11/25/25

Owner 2:
Printed Name: Beatriz Mermelstein Siminovich

Signature: _____

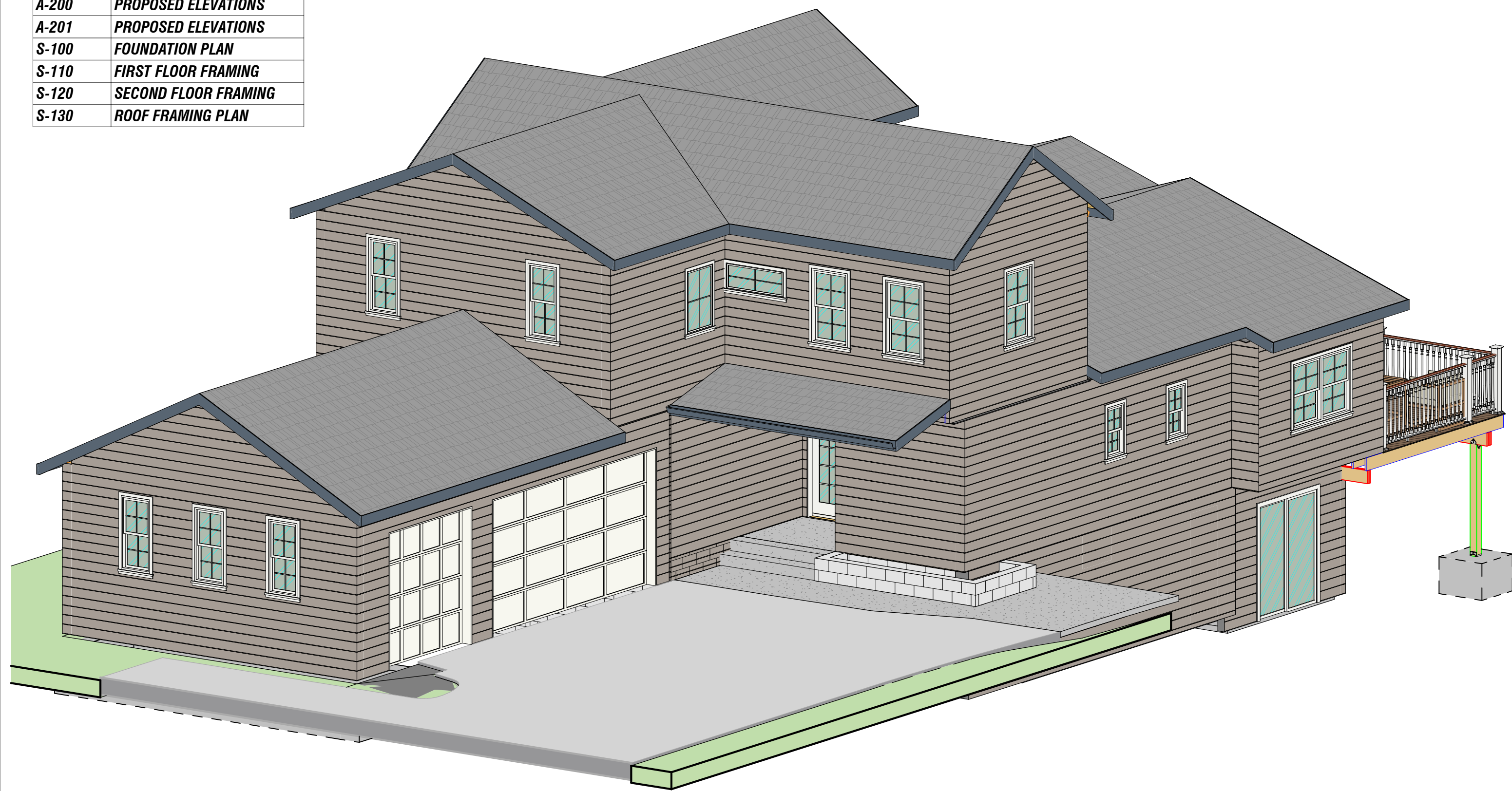
Date: 11/25/25

OVERVIEW

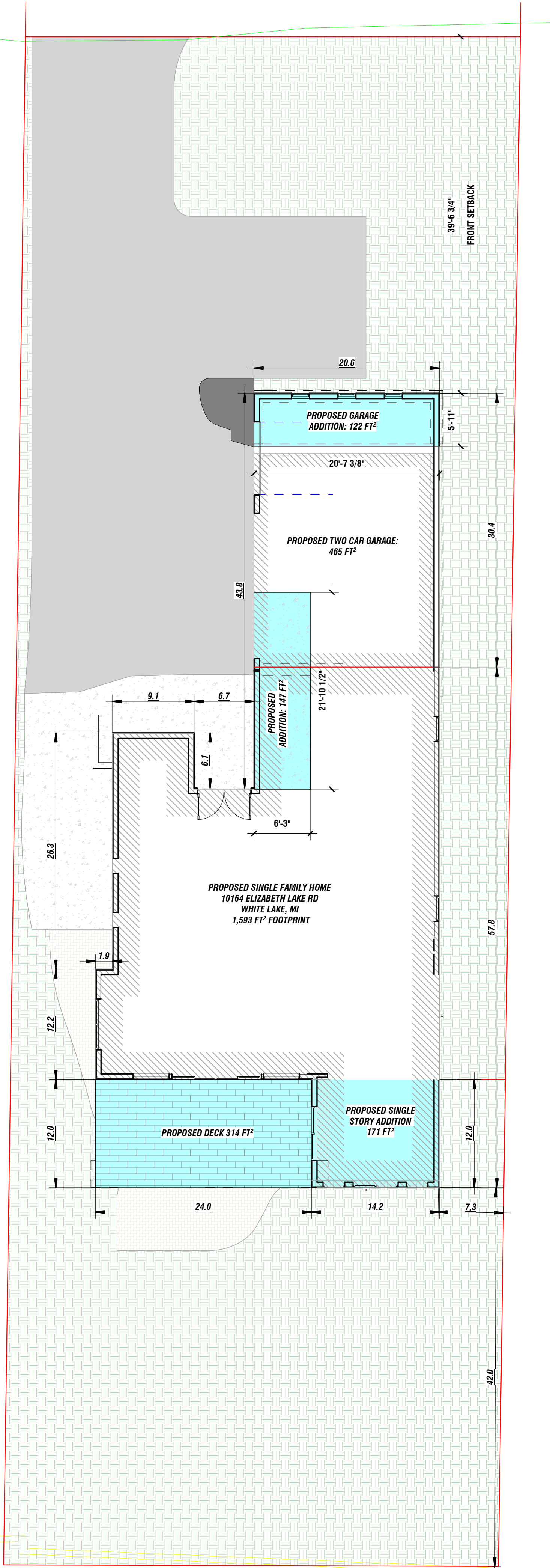
PROJECT DESCRIPTION:		
PROPOSED SECOND STORY ADDITION FOR THE SINGLE FAMILY RESIDENCE LOCATED AT: 10164 ELIZABETH LAKE RD, WHITE LAKE, MI 48386. THE ADDITION INCLUDES EXPANDING THE BASEMENT AT THE FRONT OF THE HOME BY 76 FT² AND EXPANDING THE DECK OUT PER THE PROPOSED SITE PLAN.		
APPLICABLE CODES:		
<div>2021 MICHIGAN REHABILITATION CODEASHRAE 90.1 - 2019</div> <div>2021 MICHIGAN PLUMBING CODE (MPC)NFPA 13</div> <div>2021 MICHIGAN MECHANICAL CODE (MMC)NFPA 72</div> <div>2023 MICHIGAN ELECTRICAL CODE (NEC) W/ PART 8 STATE2015 INTERNATIONAL FIRE CODE</div> <div>2015 INTERNATIONAL FIRE CODE (IFC)</div> <div>2021 MICHIGAN UNIFORM ENERGY CODE</div>		
CHARACTERISTICS	EXISTING	PROPOSED
BUILDING AREA	STORY: AREA (FT²): BASEMENT: 1,195 FIRST FLOOR: 1,446 SECOND FLOOR: N/A TOTAL: 2,084 FT²	STORY: AREA (FT²): BASEMENT: 1,271 (+76) FIRST FLOOR: 1,702 (+256) SECOND FLOOR: 811 (+811) TOTAL: 3,784 FT² (+1,143)
BUILDING HEIGHT	15'-7" FROM FINISHED FLOOR TO RIDGE	24'-1" FROM FINISHED FLOOR TO RIDGE
BEDROOMS	1 BEDROOM IN BASEMENT 2 BEDROOMS ON FIRST FLOOR 3 TOTAL	1 BEDROOM IN BASEMENT 1 BEDROOMS ON FIRST FLOOR 3 BEDROOMS ON SECOND FLOOR 5 TOTAL
BATHROOMS	1 BATH IN BASEMENT 1 BATH ON FIRST FLOOR 2 TOTAL	1 BATH IN BASEMENT 1½ BATH ON FIRST FLOOR 3 BATH ON SECOND FLOOR 5.5 TOTAL

SHEET LIST

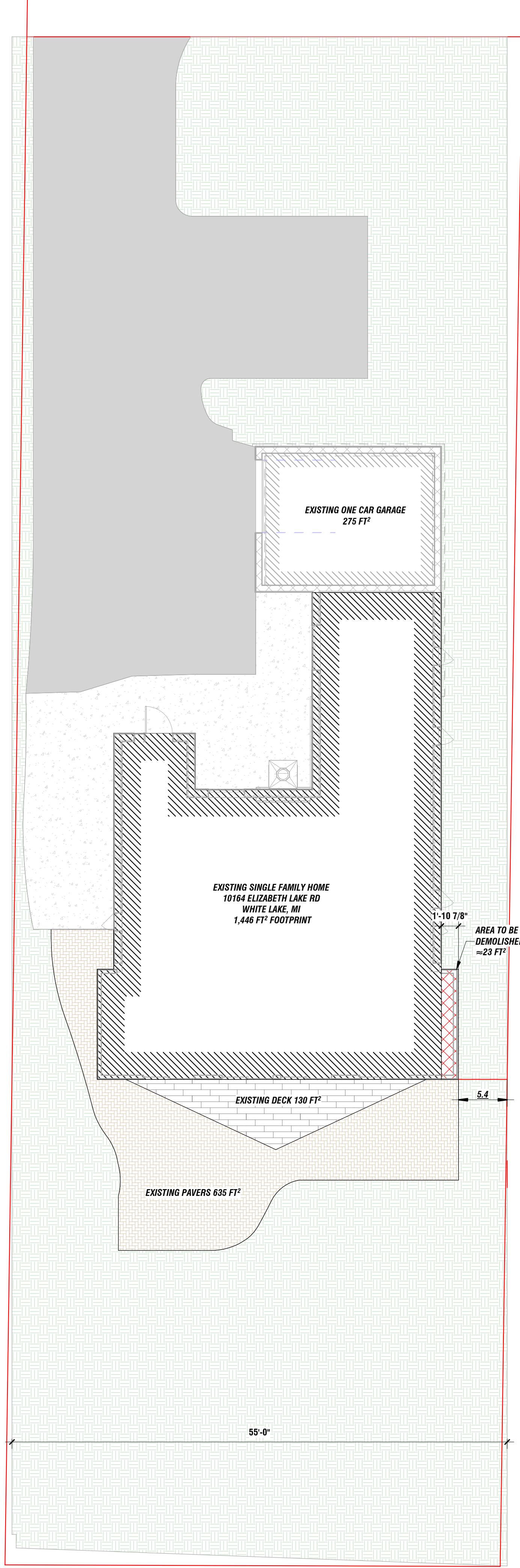
SHEET NO.	SHEET NAME
A-000	OVERVIEW
A-100	BASEMENT FLOOR PLAN
A-110	FIRST FLOOR PLAN
A-120	SECOND FLOOR PLAN
A-130	ROOF PLAN
A-200	PROPOSED ELEVATIONS
A-201	PROPOSED ELEVATIONS
S-100	FOUNDATION PLAN
S-110	FIRST FLOOR FRAMING
S-120	SECOND FLOOR FRAMING
S-130	ROOF FRAMING PLAN



3 PROPOSED 3D VIEW
A-000



2 PROPOSED SITE PLAN
A-000 1/8" = 1'-0"



1 EXISTING SITE PLAN
A-000 1/8" = 1'-0"



BEAM ENGINEERING LLC
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+1 (313) 461-4173
ali@beamengineeringllc.com

REVISIONS	
REVISION	DATE
PERMITS	12.2.2025
REV 1	01.09.2026

CUSTOMER DATA

BEATRIZ SIMINOVICH
10164 ELIZABETH LAKE RD
WHITE LAKE, MI 48396

PROJECT NO:

25129

DRAWN

A. BAZZI PE

DATE

01/13/2026

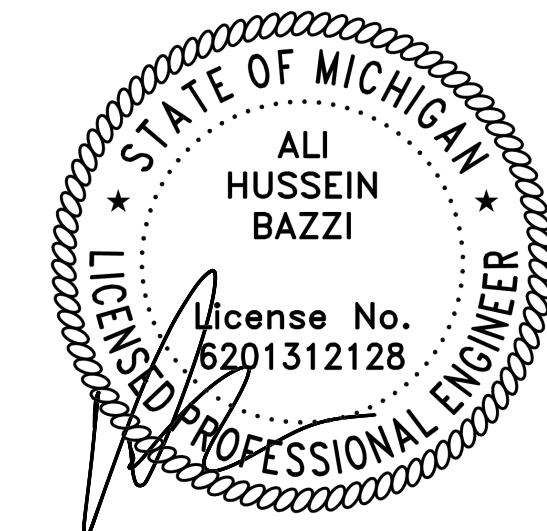
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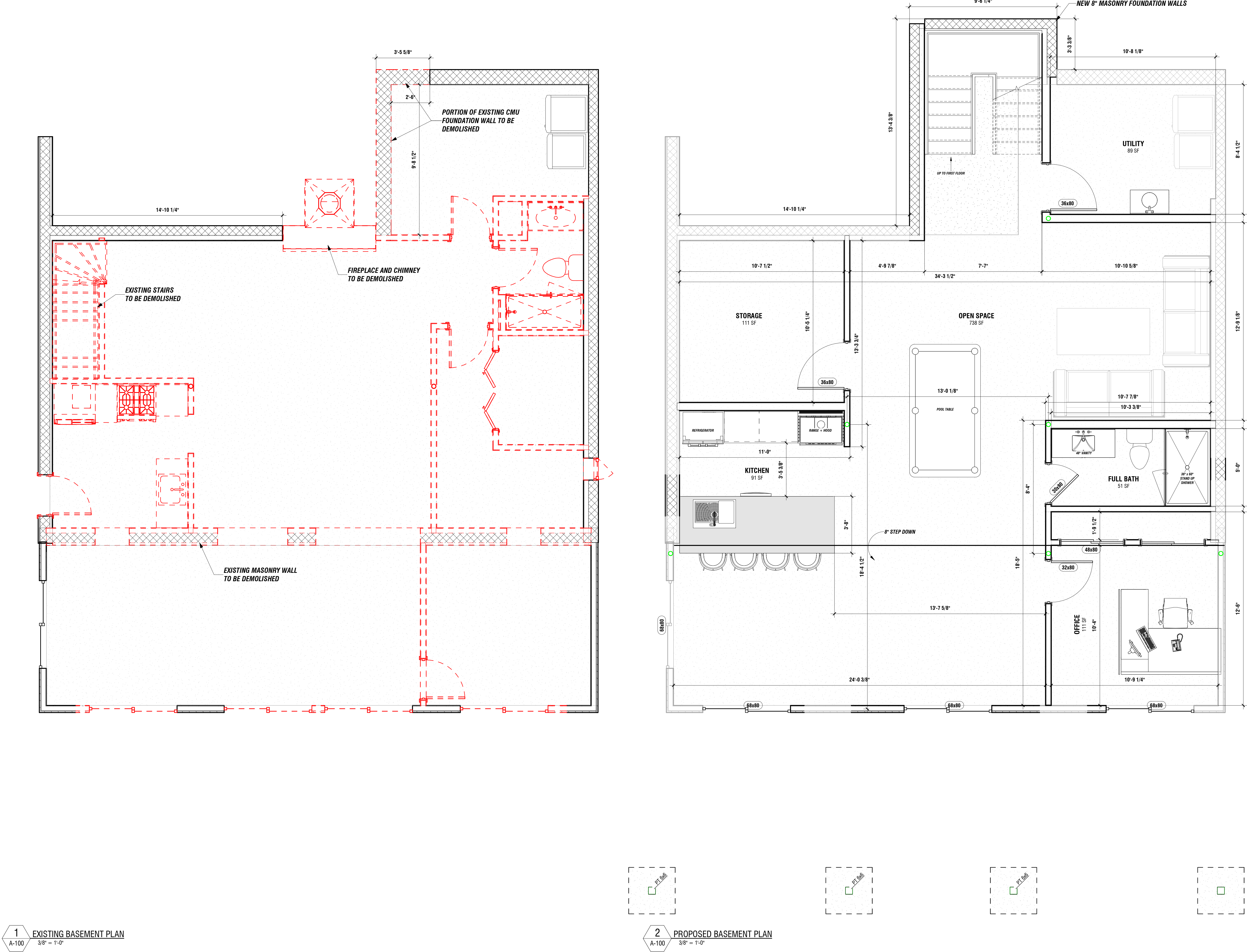
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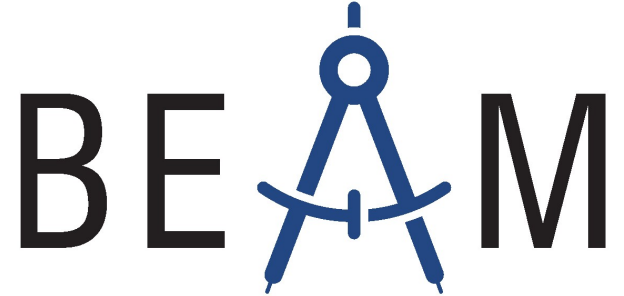
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A-000

OVERVIEW







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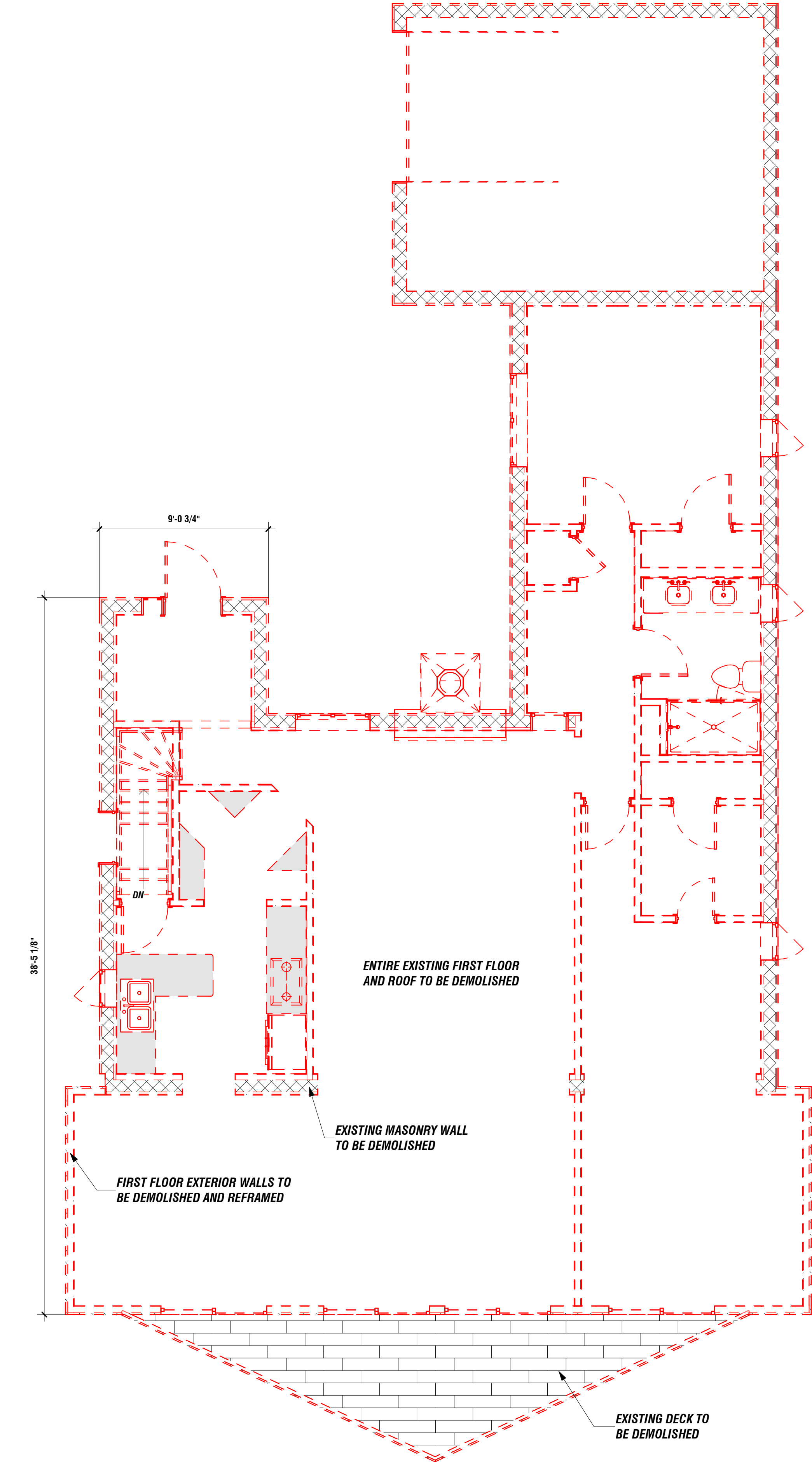
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DATE
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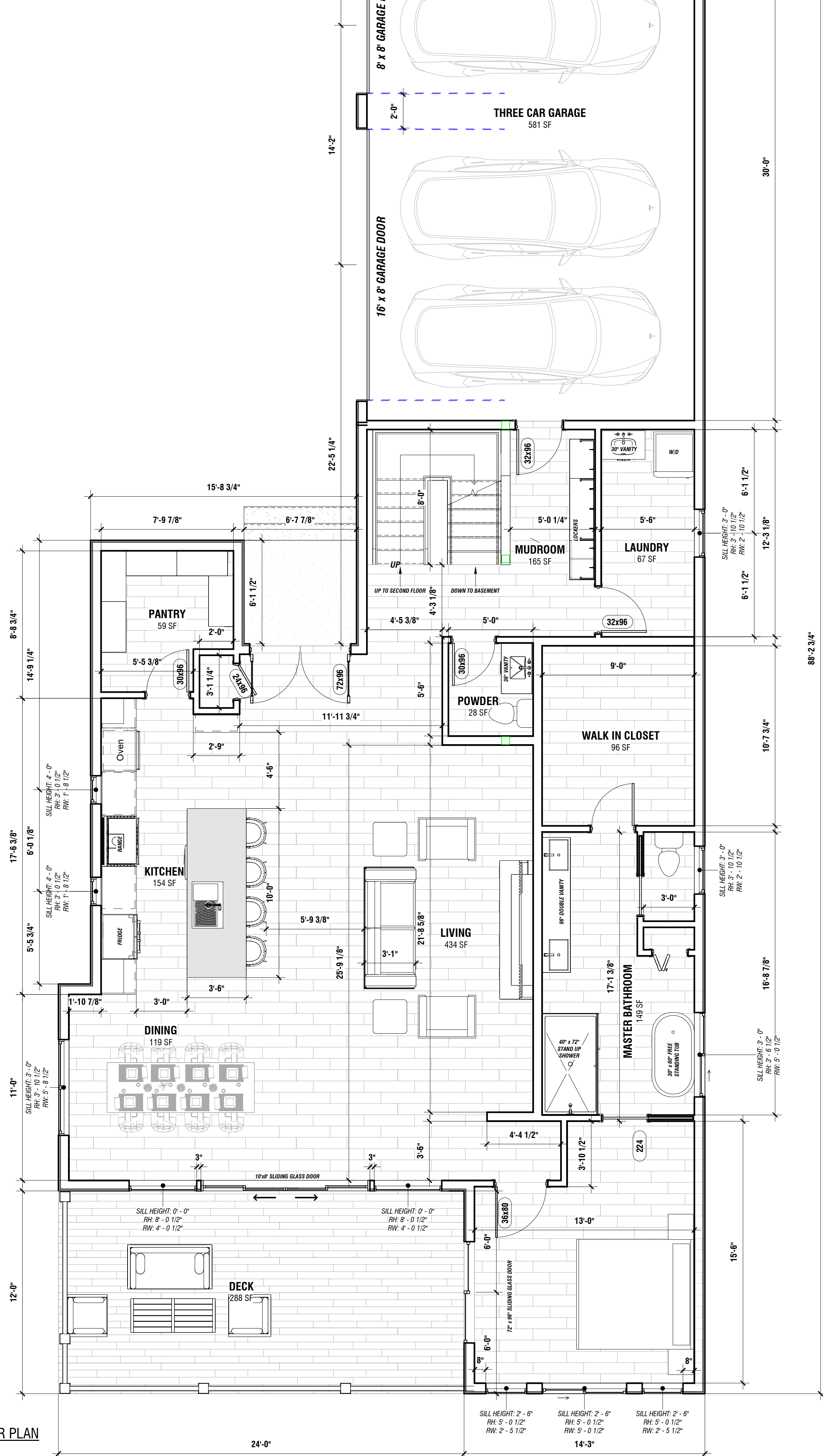
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SHEET NO.
A-100
BASEMENT FLOOR PLAN

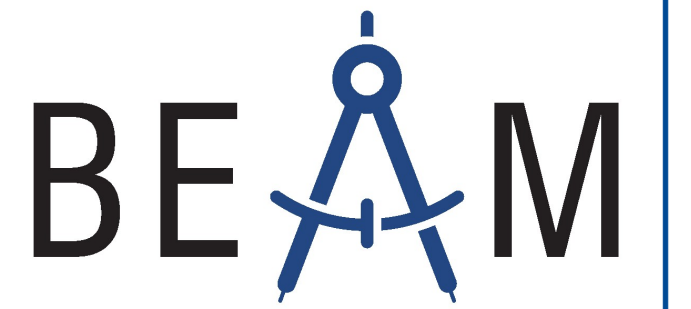




2
A-110
EXISTING FIRST FLOOR PLAN
1/4" = 1'-0"



1
A-110
PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"



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PROJECT NO:

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DATE

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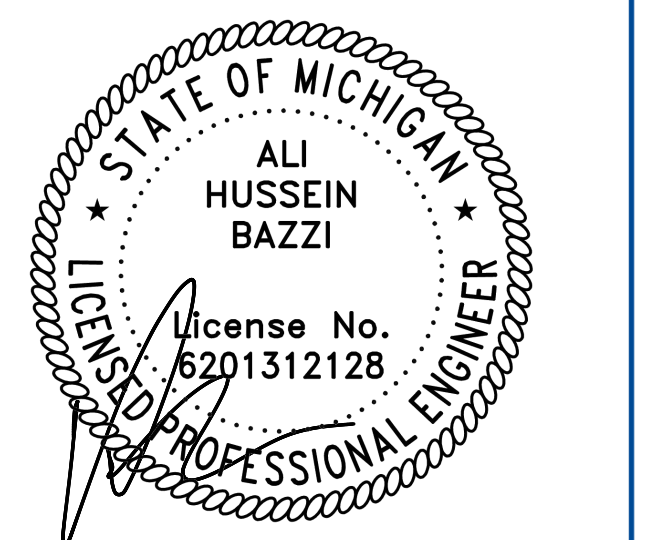
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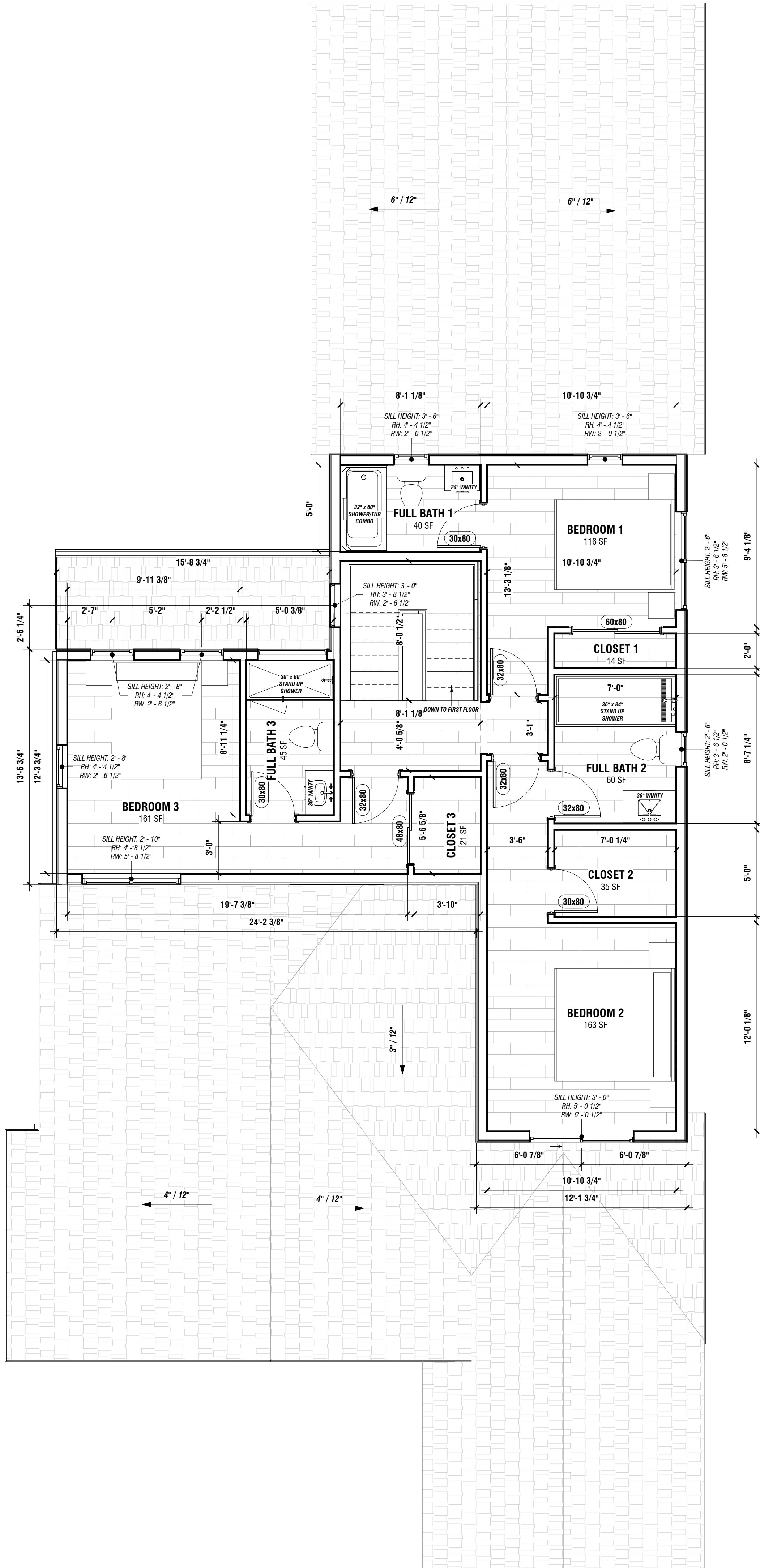
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A-110

FIRST FLOOR PLAN



1/13/2026 7:29:24 PM



1
A-120
PROPOSED SECOND FLOOR
1/4" = 1'-0"



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REVISION	DATE
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REV 1	01.09.2026

CUSTOMER DATA

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PROJECT NO:

25129

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DATE

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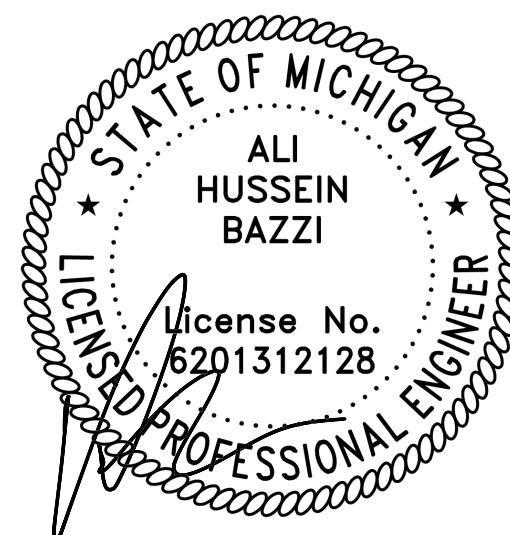
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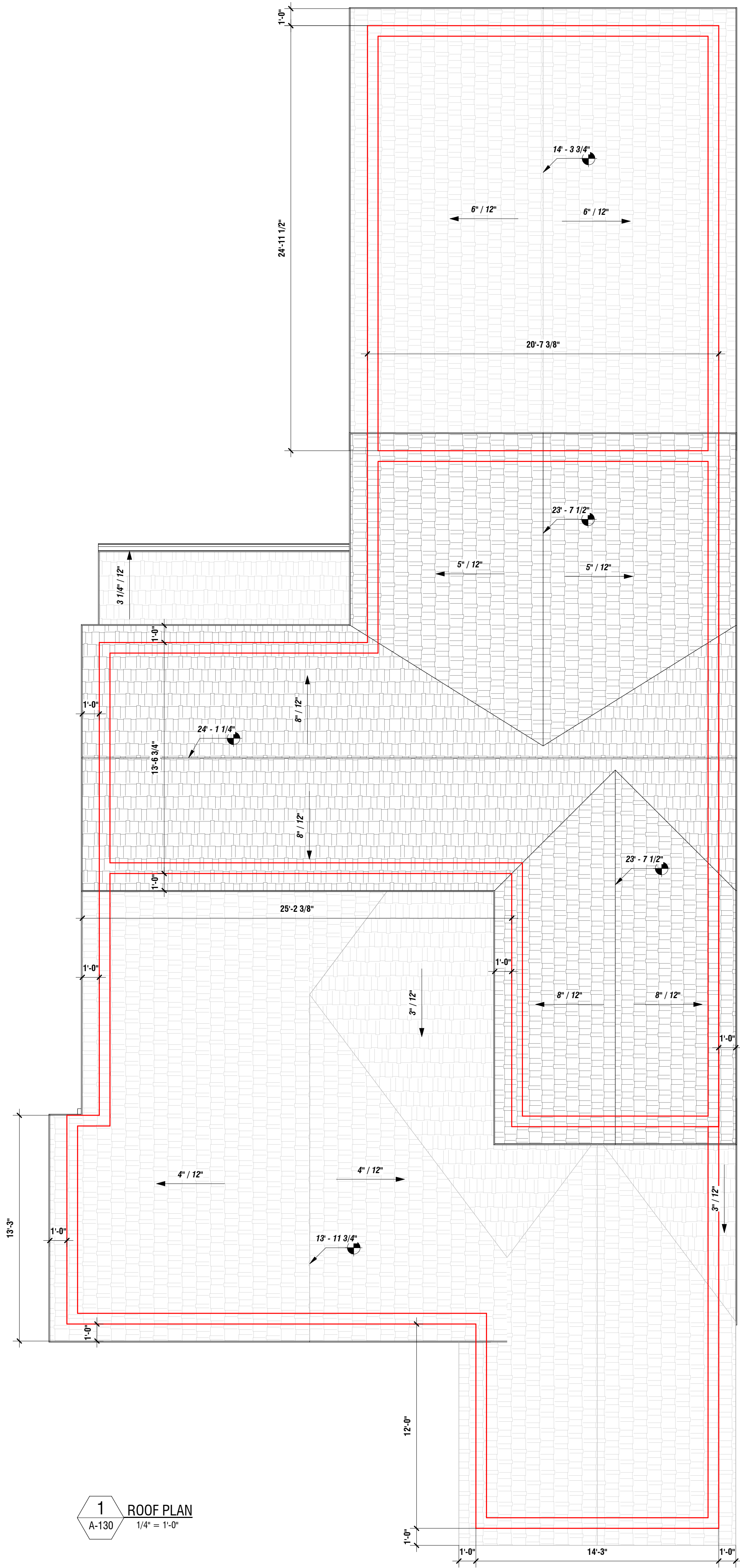
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A-120

SECOND FLOOR PLAN



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TOTAL AREA OF NEW ROOFING: 3,435 FT²



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REV 1	01.09.2026

CUSTOMER DATA

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WHITE LAKE, MI 48396

PROJECT NO.:

25129

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DATE

01/09/2026

SCALE

AS INDICATED

SHEET NO.

A-130

ROOF PLAN





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REVISIONS

REVISION	DATE
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REV 1	01.09.2026

CUSTOMER DATA

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WHITE LAKE, MI 48396

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25129

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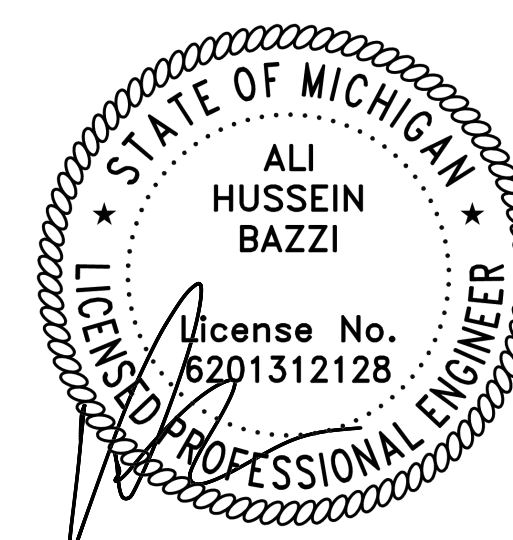
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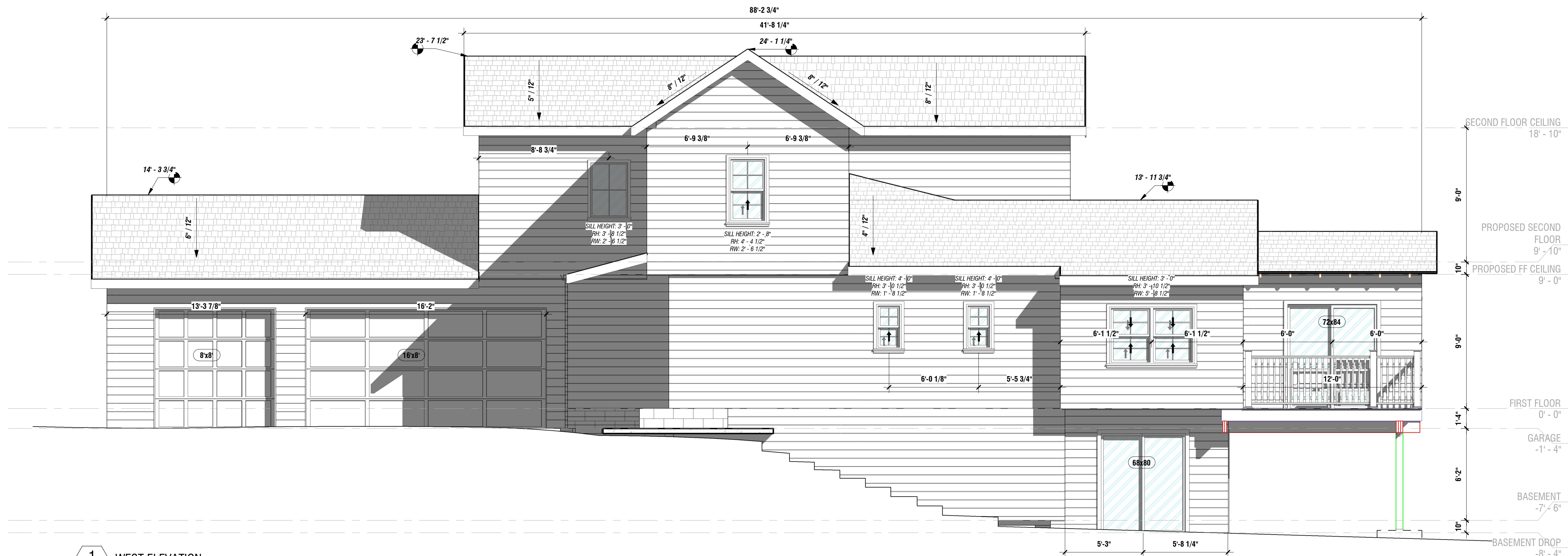
SHEET NO.

A-200

PROPOSED ELEVATIONS



1/13/2026 7:29:47 PM



1 WEST ELEVATION
A-200
1/4" = 1'-0"



2 SOUTH (FRONT) ELEVATION
A-200
3/8" = 1'-0"

REVISIONS

REVISION	DATE
PERMITS	12.2.2025
REV 1	01.09.2026

CUSTOMER DATA

BEATRIZ SIMINOVICH
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WHITE LAKE, MI 48396

PROJECT NO:

25129

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A. BAZZI PE

DATE

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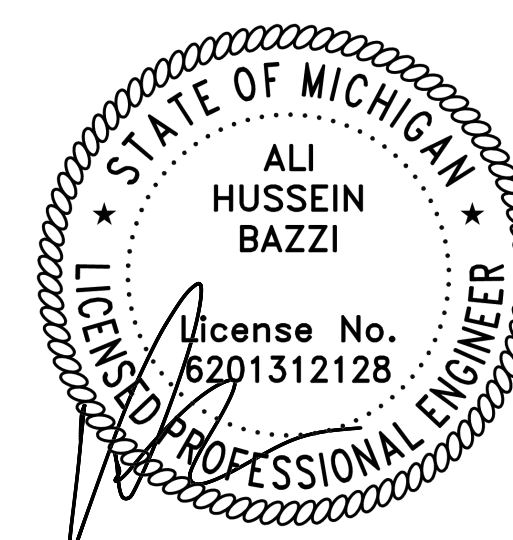
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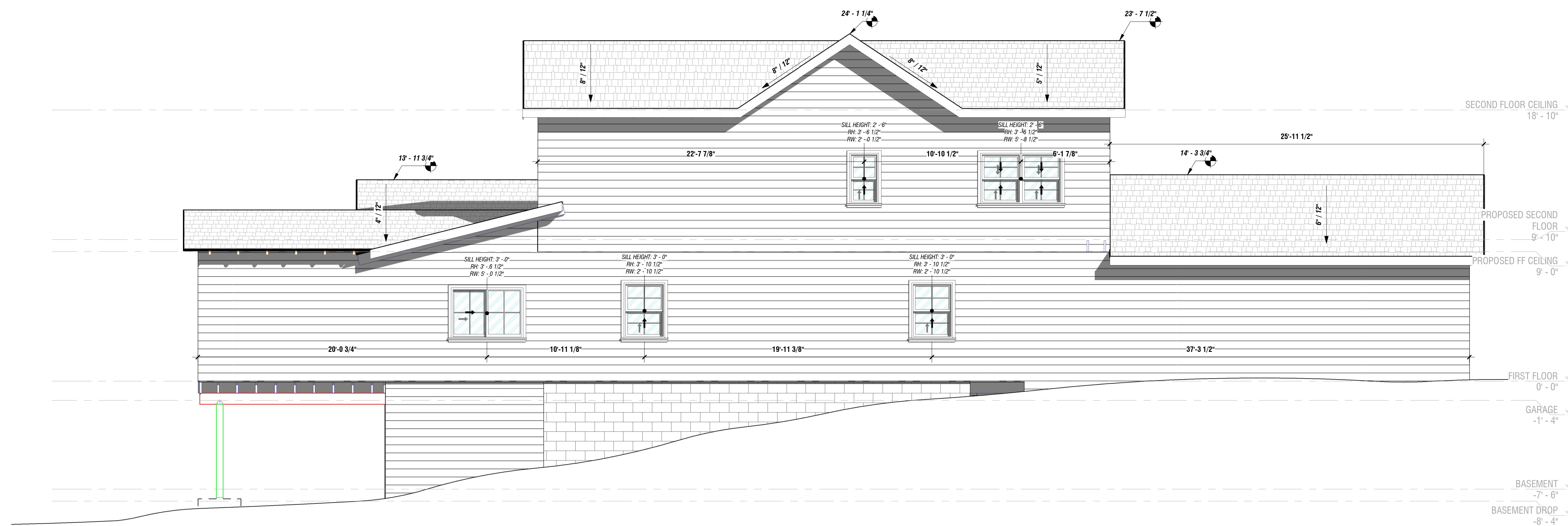
SHEET NO.

A-201

PROPOSED ELEVATIONS



1/13/2026 7:29:56 PM



1 EAST (SIDE) ELEVATION
1/4" = 1'-0"



2 NORTH (REAR) ELEVATION
3/8" = 1'-0"



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CUSTOMER DATA

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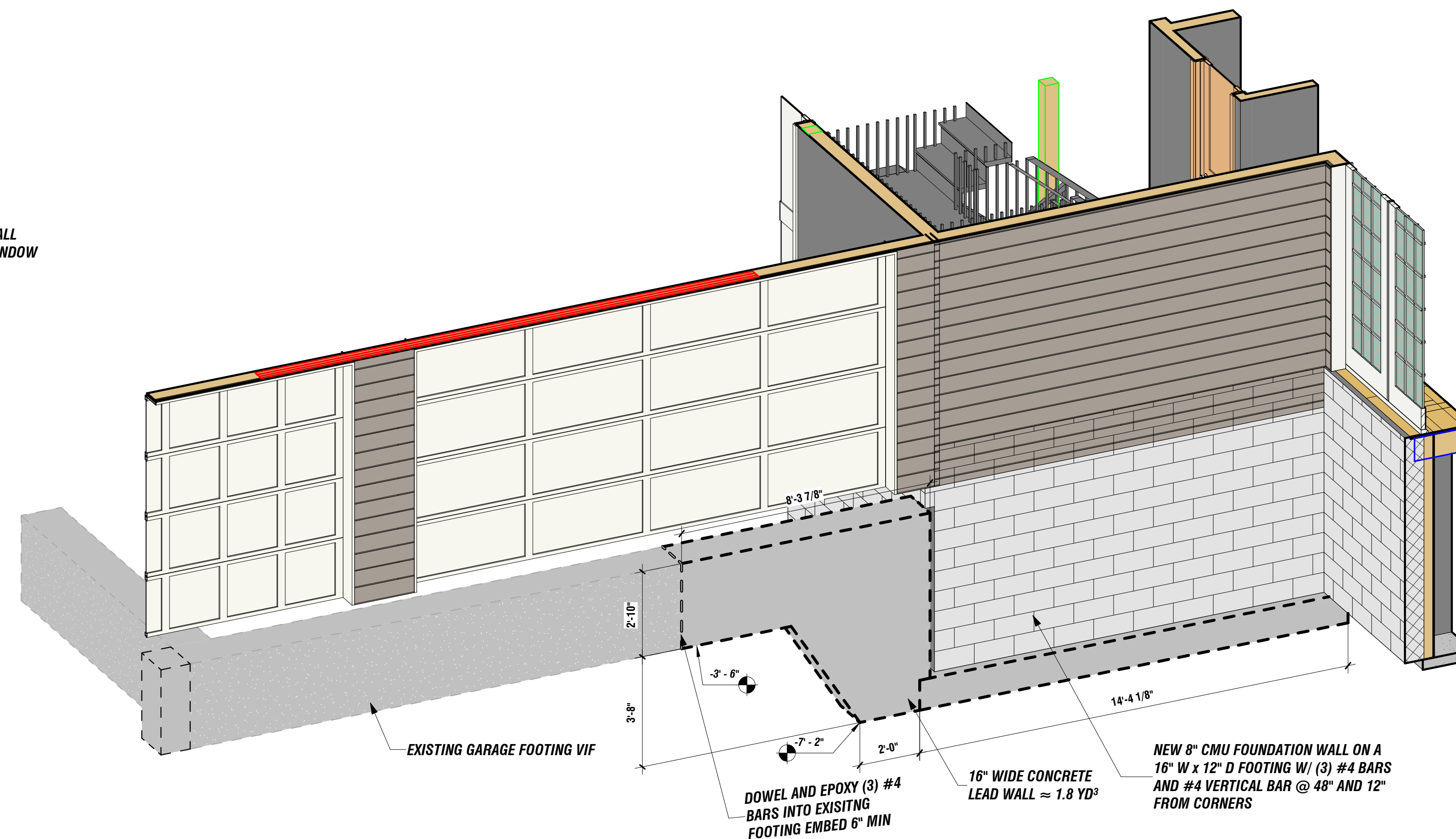
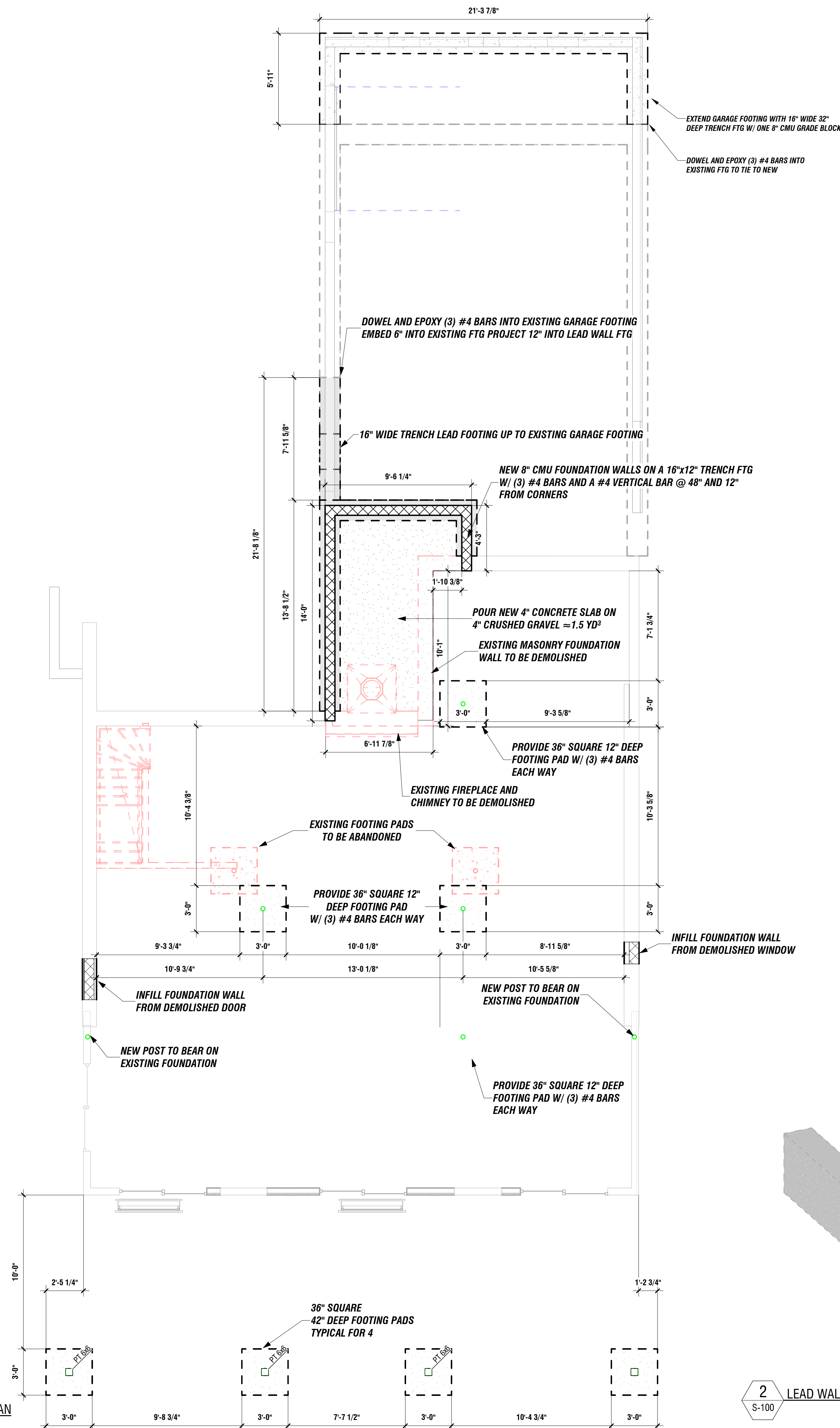
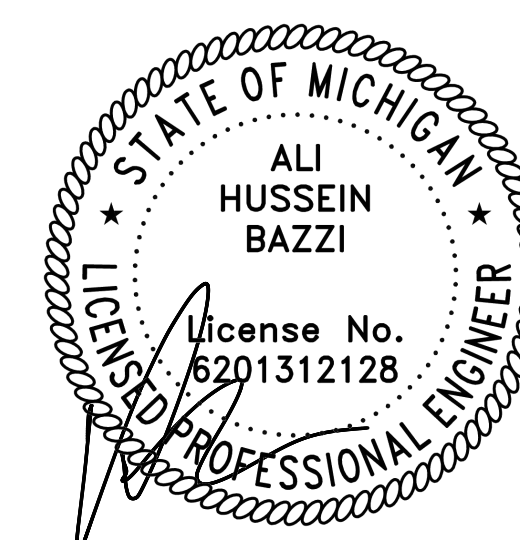
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AS INDICATED

SHEET NO.

S-100

FOUNDATION PLAN



2 LEAD WALL 3D VIEW
S-100



REVISIONS	
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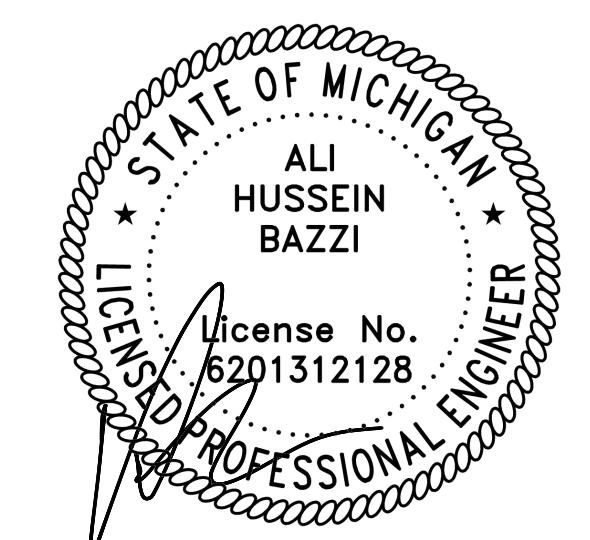
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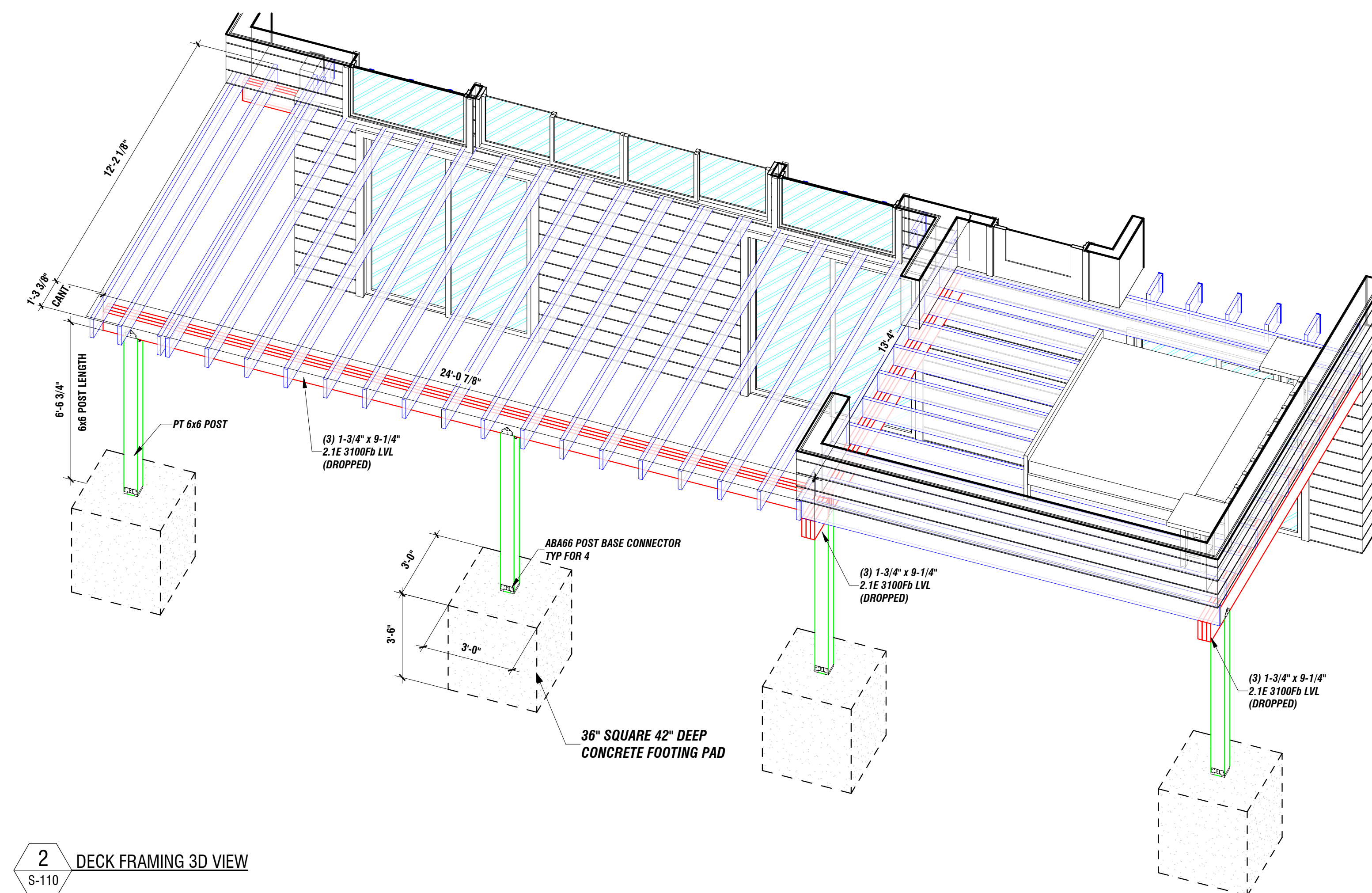
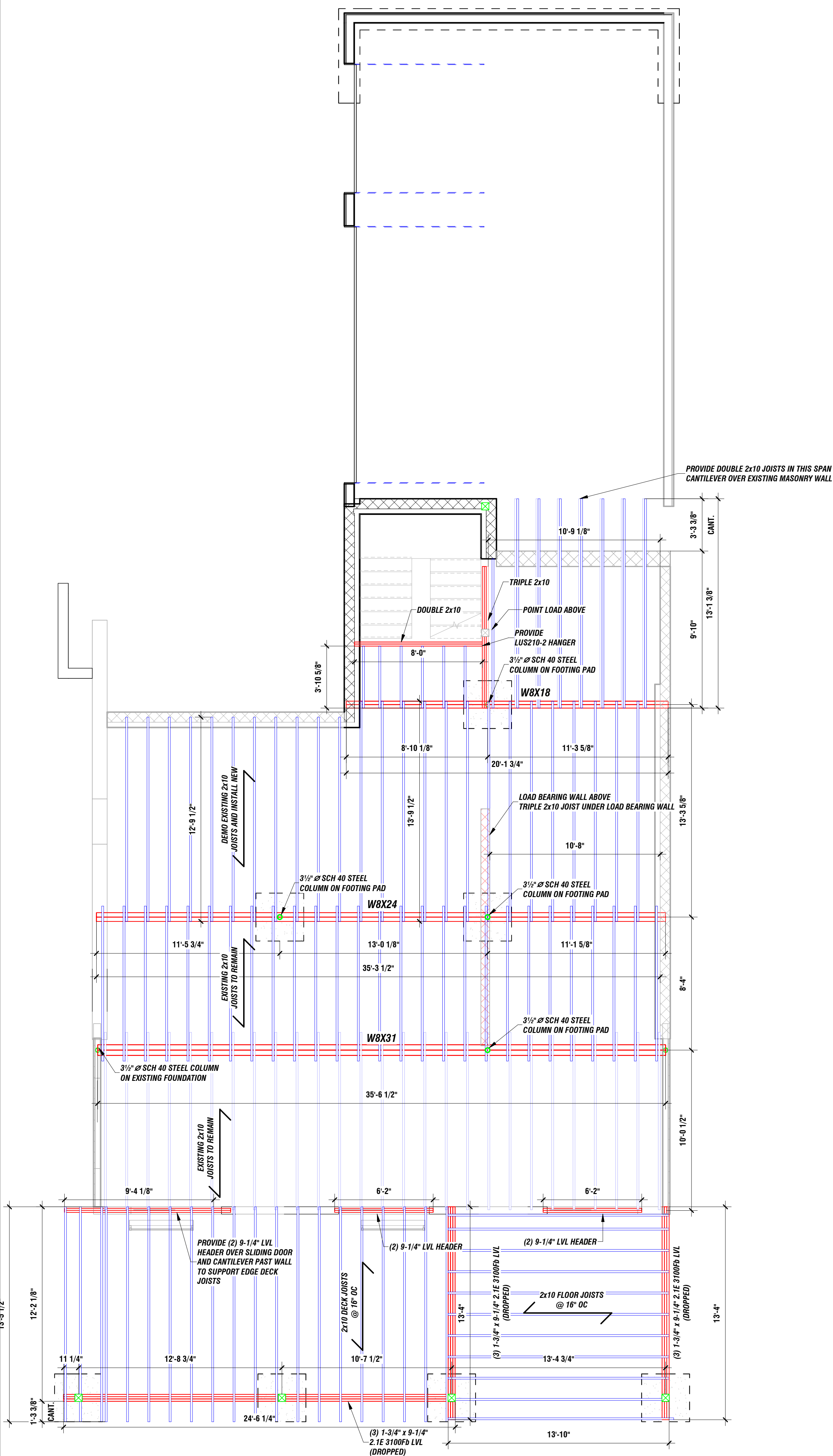
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S-110

FIRST FLOOR FRAMING

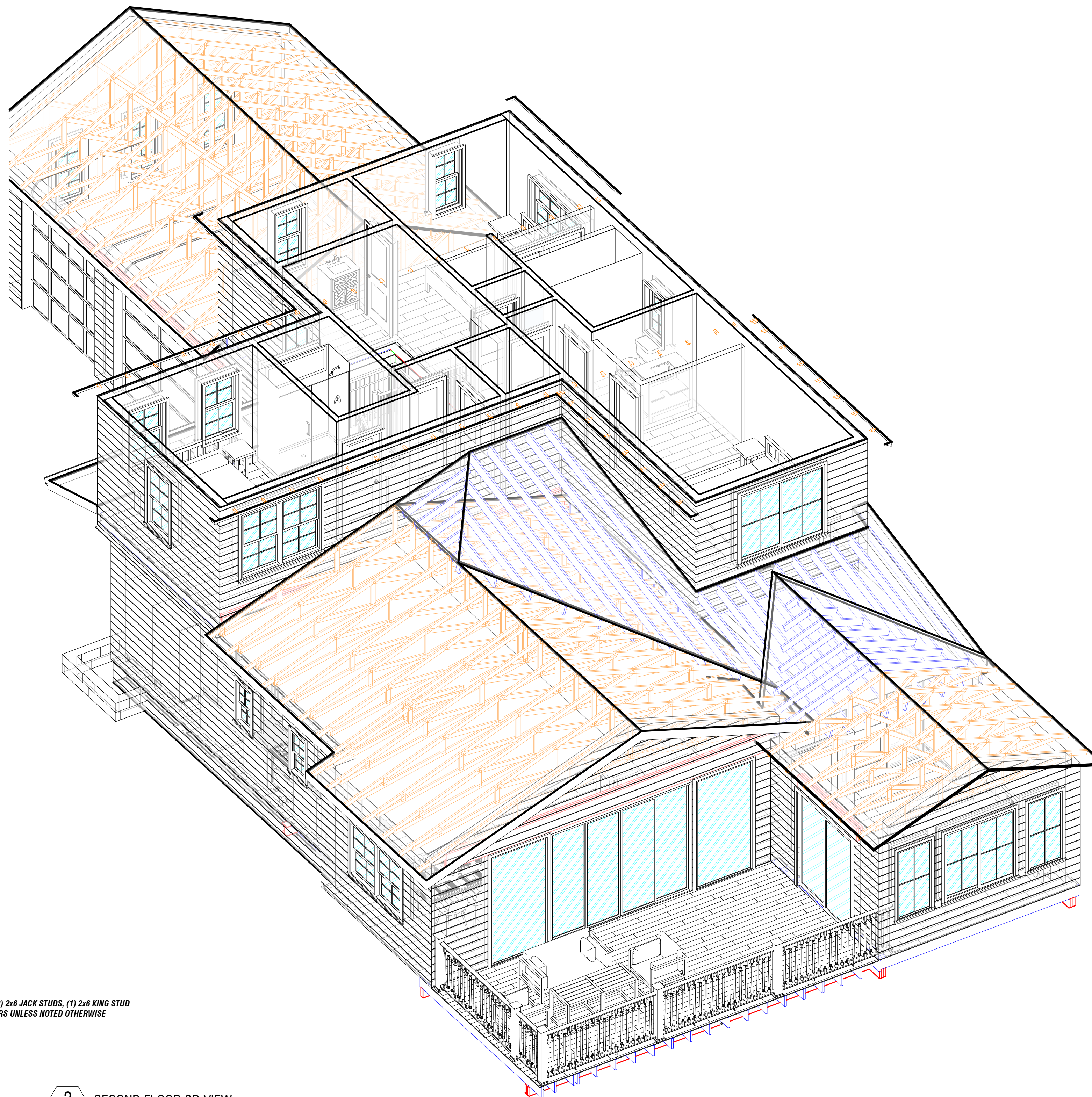
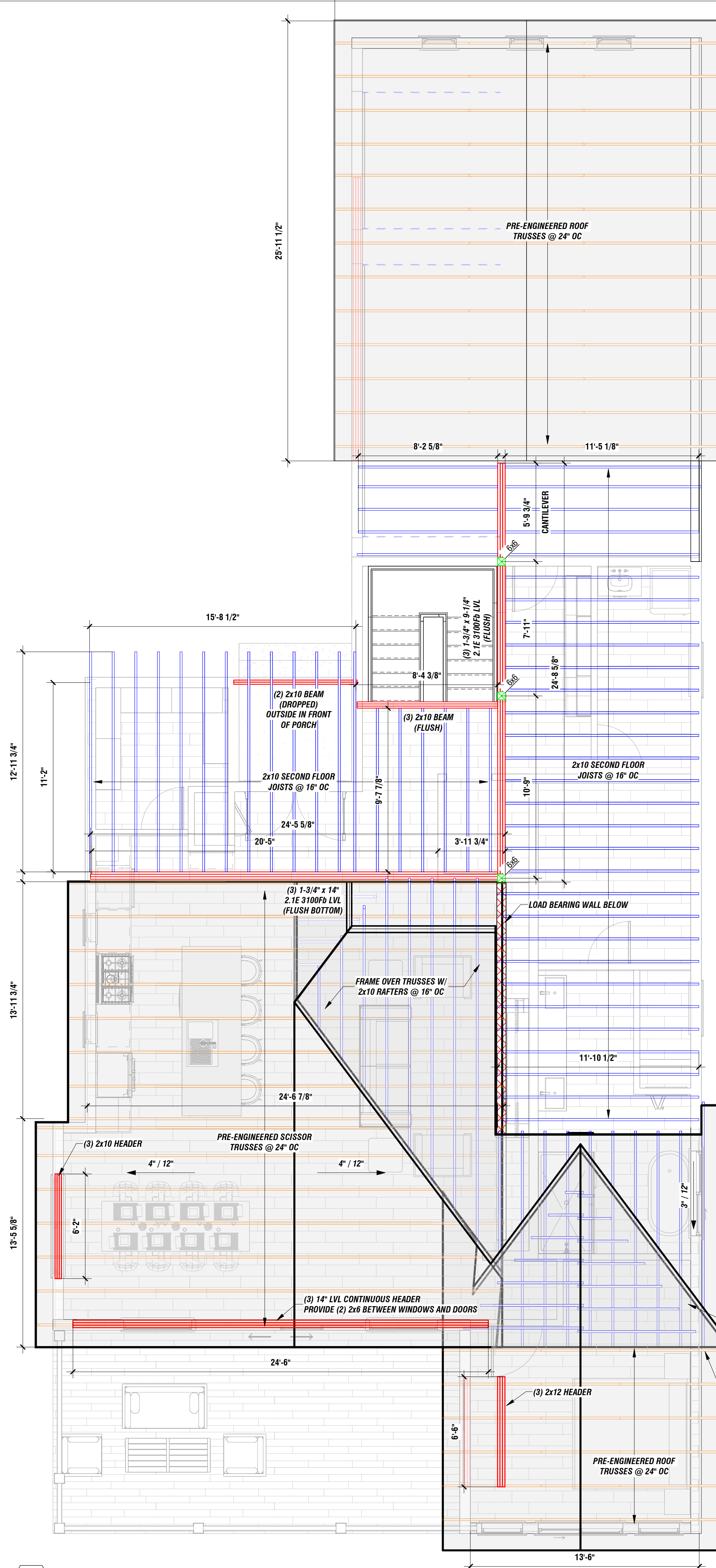


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1 PROPOSED FIRST FLOOR FRAMING PLAN
S-110 1/4" = 1'-0"

2 DECK FRAMING 3D VIEW



NOTE:
PROVIDE (2) 2x10 HEADER, (2) 2x6 JACK STUDS, (1) 2x6 KING STUD
FOR ALL WINDOWS AND DOORS UNLESS NOTED OTHERWISE

REVISIONS	
REVISION	DATE
PERMITS	12.2.2025
REV 1	01.09.2026

CUSTOMER DATA

BEATRIZ SIMINOVICH

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WHITE LAKE, MI 48396

PROJECT NO:

25129

DRAWN

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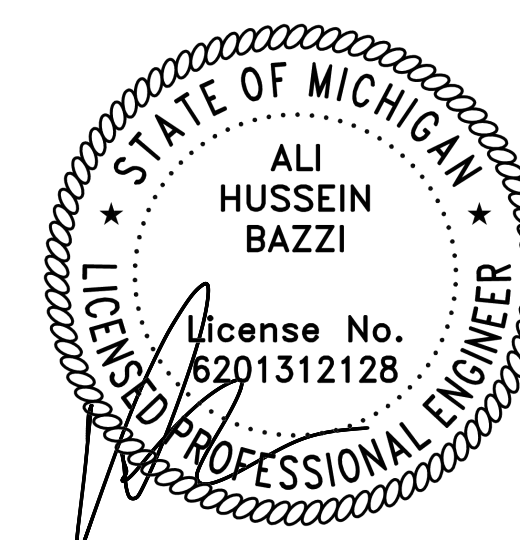
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S-120

SECOND FLOOR FRAMING





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REVISIONS	
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CUSTOMER DATA

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PROJECT NO:

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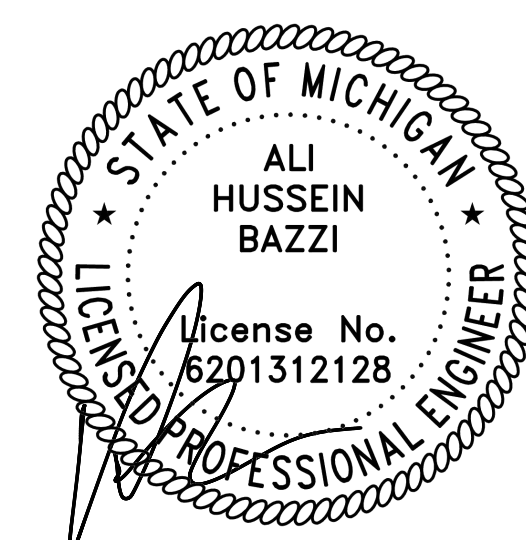
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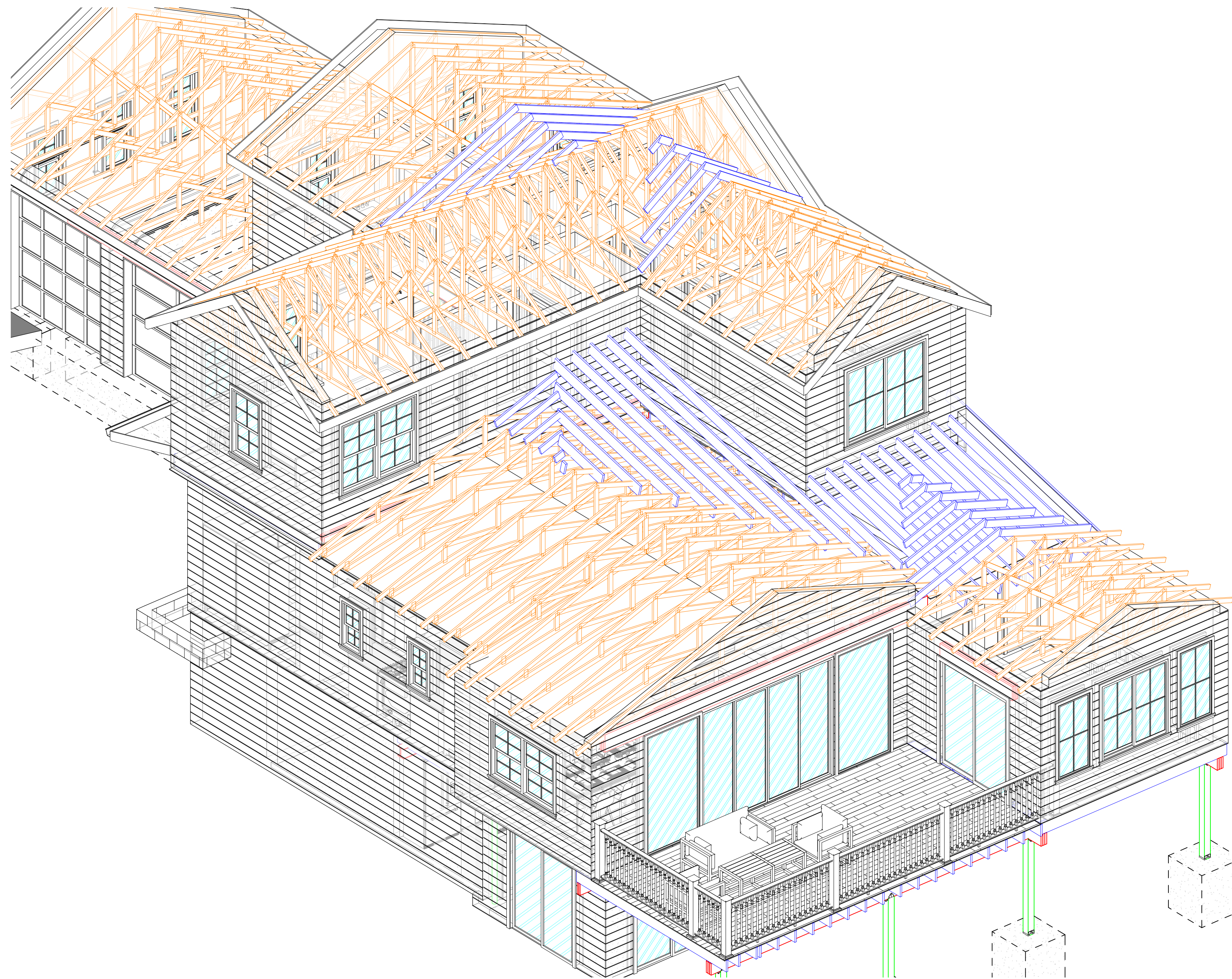
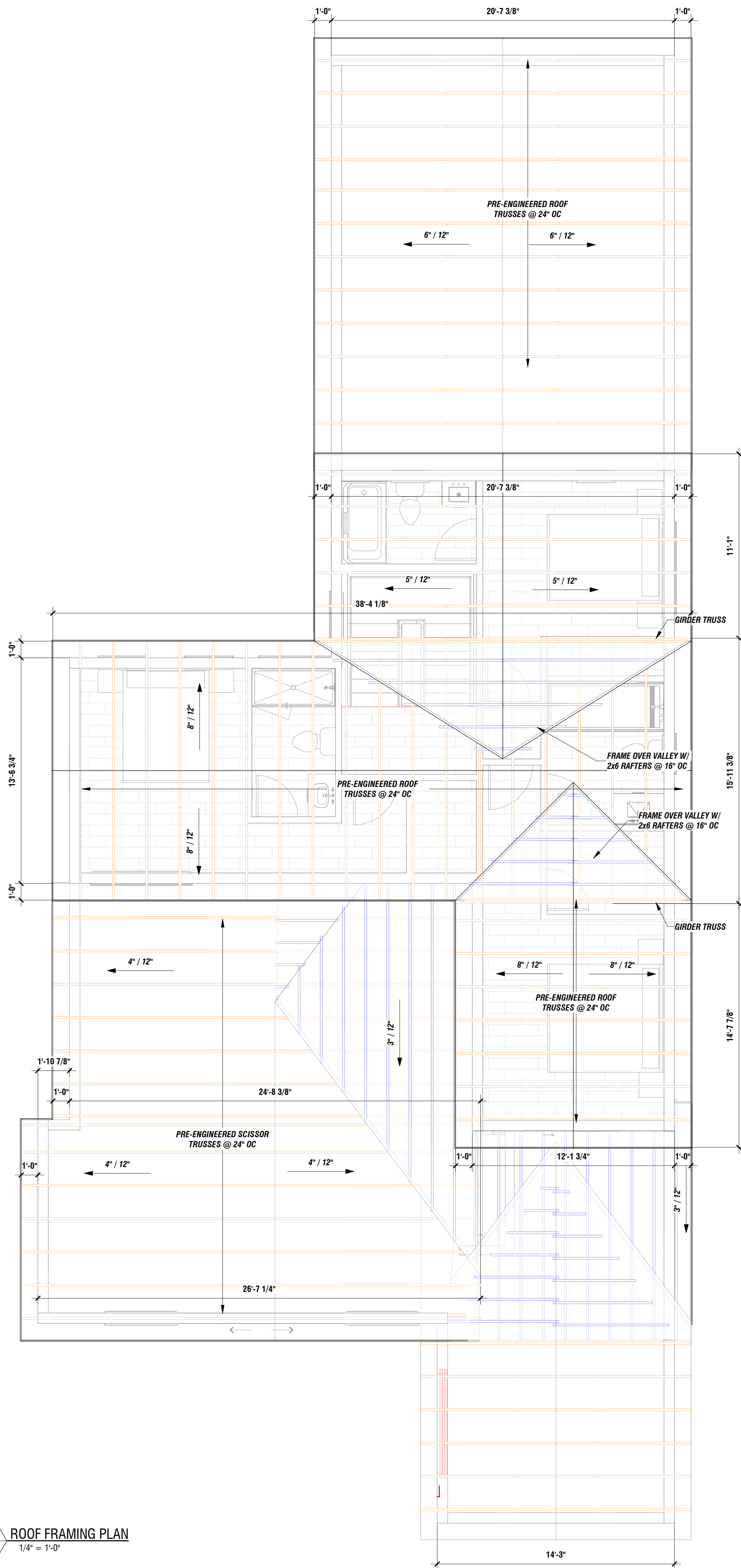
SHEET NO.

S-130

ROOF FRAMING PLAN



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3.1.5

R1-C Single Family Residential District

A. INTENT

The Single-Family Residential Districts are established as districts in which the principal use of land is for single family dwellings, located in neighborhoods that include open space and that preserve sensitive natural environmental features.

 **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. **Single-family detached dwellings**
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- iv. Home occupation
- v. Family day care homes

C. SPECIAL LAND USES

- i. **Cluster housing option** §4.13
- ii. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- iii. **Local utility structures, stations and substations** §4.29
- iv. **Places of worship** §4.15
- v. **Public and private schools** §4.43
- vi. **Utility transmission systems** §4.47
- vii. **Wireless communication antennas** §4.51

D. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Off-street parking** §5.11
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9
- v. **Temporary buildings** §7.20

R1-C Single Family Residential District

3.1.5

E. DEVELOPMENT STANDARDS

Lot Size

Minimum lot area[☐]: 16,000 square feet
Minimum lot width[☐]: 100 feet

Maximum Lot Coverage[☐]

25% for lots served by a private septic system
30% for lots served by public sanitary sewer

Setbacks[☐]

Minimum front yard setback: 35 feet
Minimum rear yard setback: 35 feet
Minimum side yard setback: 10 feet one side
20 feet total of two sides

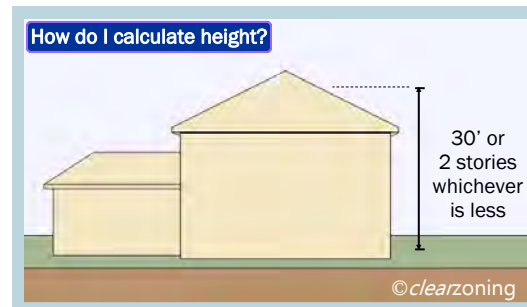
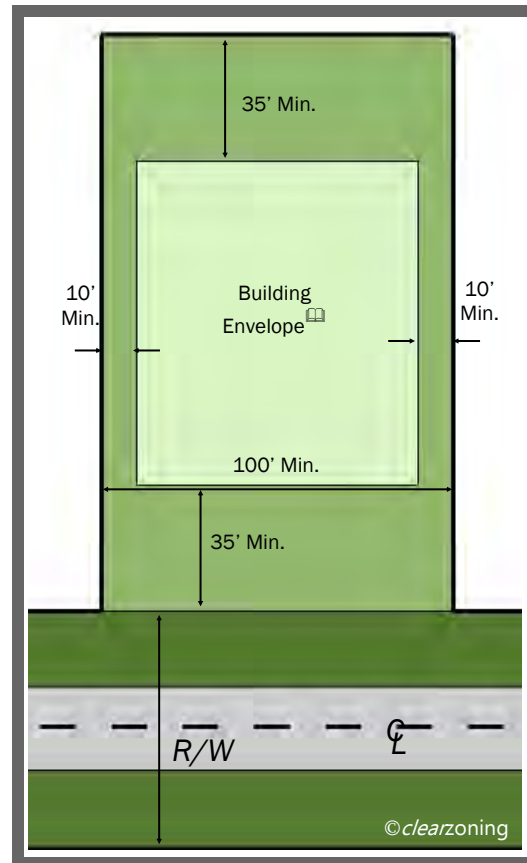
Building Height[☐]

Maximum building height: 30 feet or 2 stories, whichever is less

NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: [A](#), [D](#), [F](#), [J](#), [K](#), [L](#), [P](#), [Q](#), [R](#), [S](#), [T](#), [V](#), [W](#)

(Amended by Ord. 58-24A, 6-18-2024)



The above drawings are not to scale.

SELECTED REFERENCES

3. Zoning Districts

- Open Space Option §3.9

4. Use Standards

5. Site Standards

- Landscape and Screening §5.19
- Off-Street Parking §5.11
- Performance Standards §5.18

- Visibility §5.6
- Fences §5.12
- Private Access Drive §5.16
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

6. Development Procedures

- Condominium §6.1
- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

Other Ordinances

Subdivision Regulations
Land Division Ordinance
Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



Updated Through
3/10/21

White Lake Township Zoning Ordinance
clearzoning®

3-13

5.0 Site Standards

5.1 ZONING LOT

Every building hereafter erected or structurally altered to provide dwelling units shall be located on a lot as herein defined, and in no case shall there be more than one such building on one lot unless otherwise provided in this Ordinance.

5.2 LOT LIMITATIONS

In all residential districts, only one (1) principal building shall be placed on a lot of record (platted lot) with the exception of parcels of record described and designated as outlets or excepted parcels which may be so arranged or subdivided as to provide for one (1) or more principal buildings when the land area allocated to each building is equal to, or greater than, the lot area required for the district and the building and land complies with all the other requirements of the district in which it is located.

5.3 LOTS, YARDS AND OPEN SPACES

No space which for the purpose of a building or dwelling group has been counted or calculated as a part of the minimum requirements of a side yard, rear yard, front yard, court or other open space required by this Ordinance, may by reason of change in ownership or otherwise be counted or calculated to satisfy or comply with a yard, court or other space requirement of, or for any other building. All setbacks as indicated in the Schedule of Regulations, Article 6, shall be measured from the outer edge of the footing and/or basement wall of any principal building. Roofs, gutters, windows and open balconies may project into the required open spaces provided that an eight (8) foot height clearance is provided and maintained above all adjacent ground level and provided further that said projection shall not extend more than five (5) feet into said required open spaces, and in no event will the projection be closer than five (5) feet to the lot line. The minimum yards of other open spaces, including lot area per dwelling unit required by this Ordinance for each and every building existing at the time of the passage of this Ordinance, or for any building hereafter erected, shall not be encroached upon or considered as yard or open space requirements for any other building.

5.4 SUBSTANDARD LOTS

Any lot which was of record at the time of the adoption of this Ordinance, that does not meet the requirements of Article 6 for lot area and width, may be utilized for single-family residences in zones permitting this use, provided that the setback and open space provisions of the Ordinance are met. (Also see Article 7.27 regarding non-conforming lots).

5.5 FRONTAGE

Every principal building shall front upon a public or private street for the minimum width required in that district, as noted in Article 6. This requirement shall not prevent the construction and use of a single-family dwelling, in zones allowing single-family development, on any lot or parcel of land existing and of public record prior to the adoption of this Ordinance, subject to the regulations of Article 6 and Section 7.27. In the case of lake front property, for the purposes of this Ordinance, that part of the house facing upon the street shall be deemed the front of the house.

5.6 VISIBILITY

No wall, structure, fence, shrubbery or trees shall be erected, maintained or planted on any lot which will obstruct the view of the driver of a vehicle approaching an intersection, excepting that shade trees will be permitted where all branches are not less than eight (8) feet above the street level. In the case of corner lots, there shall be provided an unobstructed triangular area formed by the street right-of-way lines and a line connecting them at points twenty-five (25) feet from the intersection of the right-of-way lines, or in the case of a rounded corner, from the intersection of the street right-of-way lines extended.

1
Purpose and
Introduction

2
Definitions

3
Zoning
Districts

4
Use
Standards

5
Site
Standards

6
Development
Procedures

7
Admin and
Enforcement



issued by the Building Official after approval by the Township Board of an official site plan, as defined in Section 6.8, or subdivision or condominium development plan, as defined in this Ordinance, showing finished grades and estimated cubic yards of materials to be balanced or extracted. A temporary extractive permit shall be issued in accordance with the provisions of Section 3.1.22; or provisions defined within the official site or development plan and Section 7.8 (Performance Guarantee); whichever the Township Board may deem most applicable. Such permits shall be issued for periods of 90 days not to exceed two (2) years.

A fee, established by resolution of the Township Board to defray the cost of engineering services, investigation, publication charges and other administration expenses occasioned by processing, shall accompany the application for permit. An inspection fee, established by resolution of the Township Board, shall be required for renewal of such permits.

7.21 PERMIT FOR TEMPORARY USE OF MOTOR HOME, MANUFACTURED HOME OR TRAVEL TRAILER

- A. No occupied motor home or travel trailer shall be parked on any site, lot, field or tract of land within the Township of White Lake not specifically licensed for that purpose or without a Building Permit issued in accordance with this Ordinance.
- B. One (1) occupied motor home or travel trailer may be parked on the premises of any occupied dwelling. The property owner shall make application to the Building Official. The permit shall be valid for a period not to exceed four (4) weeks from the date of application, and it may be used consecutively, or in non-consecutive two (2) week increments. The Building Official shall grant said permit in all cases except where adequate sanitary facilities and/or potable water facilities are unavailable to service the occupants of said motor home or travel trailer. No more than one (1) permit shall be issued to an occupied residential home in one calendar year.
- C. In special instances, permission may be obtained from the Zoning Board of Appeals for the issuance of a permit by the Building Official for the temporary use of a mobile or manufactured home by a watchman,

caretaker, manager or sales office in a commercial, industrial, or extractive district. This permit is not to exceed one (1) year from the date of issuance.

7.22 LOTS, STRUCTURES, USE OF LAND, CHARACTERISTICS OF USE

Within the districts established by this Ordinance there exist:

- A. Lots
- B. Structures
- C. Uses of land and structures, and
- D. Characteristics of use

which were lawful prior to the adoption of this Ordinance or any applicable amendment thereto. For purposes of this Section, "Applicable Amendment" shall mean any amendment that would make unlawful any lot, structure, uses of land and structures, or characteristics of use which were lawful prior to adoption of such amendment. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Nonconforming uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. In addition to the above, a nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of structure and land in combination shall not be extended or enlarged after passage of this Ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, the nature of which would be prohibited in the district involved.

7.23 NONCONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption of this Ordinance, or any applicable amendment thereto, that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:



- A. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.
- B. Should such nonconforming structure or nonconforming portion of structure be destroyed by any means to an extent of more than one hundred (100) percent of the State Equalized Valuation at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
- C. Should such structure be moved for any reason whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

7.24 NONCONFORMING USES OF LAND, OR LAND WITH MINOR STRUCTURES

Where at the time of passage of this Ordinance or applicable amendments thereto lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance or applicable amendment, and where the use involves no individual structure with a State Equalized Valuation exceeding \$500, the use may be continued so long as it remains otherwise lawful provided:

- A. The nonconforming use shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
- B. The nonconforming use shall not be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
- C. If the nonconforming use of land ceases for any reason for a period of more than one (1) year, thereafter such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
- D. Only structures conforming to the requirements of this Ordinance shall be erected in connection with such nonconforming use of land.
- E. The Township shall provide for classes of nonconforming uses.

7.25 CLASS A AND CLASS B NONCONFORMING USES

- A. Class A nonconforming uses and structures are those which have been designated by the Zoning Board of Appeals after application by any interested person or the Building Official upon findings that (1) continuance thereof would not be contrary to the public health, safety or welfare, (2) that the use or structure does not and is not likely to significantly depress the value of nearby properties, (3) that the use or structure was lawful at the time of its inception, and (4) that no useful purpose would be served by strict application of the provisions or requirements of this Ordinance with which the use or structure does not conform.
- B. All nonconforming uses, buildings or structures not designated as Class A are Class B nonconforming uses, buildings or structures.
- C. Procedures for Obtaining Class A Designation, Conditions
 - i. A written application shall be filed with the Township Clerk including the name and address of the applicant, a legal description of the property to which the application pertains and any other information as may be necessary to enable the Zoning Board of Appeals to make a determination of the matter. The Zoning Board of Appeals may require additional information as it considers necessary. The notice and hearing procedure before the Zoning Board of Appeals shall be the same as in the case of an application for a variance. The decision shall be in writing and shall set forth the findings and reasons on which it is based.
 - ii. Conditions may be attached, including any time limits, where necessary to assure that the use, building or structure does not become contrary to the public health, safety or welfare or the spirit and purpose of this Ordinance.
 - iii. No vested interest or right shall arise out of a Class A designation.
- D. Revocation of Class A Designation. Any Class A designation shall be revoked, following the same procedure required for designation, upon a finding that as a result



- D. Whenever a nonconforming use has been changed to a conforming use or to a permitted use in a district of greater restriction, it shall not thereafter be changed to a nonconforming use.
- E. Where a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for one (1) year, the structure, or structure and premises in combination shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- F. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this Section is defined as damage to an extent of more than one hundred (100) percent of the State Equalized Valuation at time of destruction.

7.27 NONCONFORMING LOTS OF RECORD

This Section applies to those districts in which single-family residential is a principal permitted use and is **intended to provide relief for the owners of non-conforming lots** where said lot or lots do not meet the minimum standards of the Ordinance.

- A. Where the owner of a nonconforming lot cannot reasonably acquire sufficient land to enable him to conform to the requirements of this Ordinance relating to lot area, lot width, or both, such **nonconforming lot may be used by such owner as a building site, provided that all front, side, and rear setback and open space requirements are met.**
- B. If all front, side, rear, and open space requirements cannot be met, no building permit shall be issued for a nonconforming lot, except with approval of the Board of Appeals after public hearing in accordance with the Section 7.35 of this ordinance. The application to the Board of Appeals shall simply state, "Nonconforming Lot ." The application shall be on forms established by the Township and shall include at a minimum, a drawing showing all proposed structures on the lot, all applicable setbacks, and areas

designated for parking of automobiles. The Board of Appeals shall permit the use of such nonconforming lot or lots if it finds that the following standards have been met:

- i. The lot was legally established pursuant to all applicable provisions of Michigan law or White Lake Township ordinance.
- ii. The construction that will result from the issuance of said permits will be in keeping with the general character of the neighborhood in which the construction will take place.
- iii. The proposed use will not have a significant effect on adjoining and nearby property owners.
- iv. The design of the proposed structure is appropriate for the area, width, and shape of the lot, and is designed in such a fashion as to provide adequate access for fire and other emergency vehicles.
- v. The proposed design is consistent with the extent to which other developed lots in the subdivision have maintained the setbacks and other required provisions of this Ordinance.
- vi. The nonconforming lot shall meet all other requirements of this Ordinance, which requirements for the purpose of this Section shall be deemed to include reasonable provisions for automobile parking.
- vii. In no event shall the side yards be less than five (5) feet to permit fire equipment and other emergency vehicles reasonable access and further to prevent the spreading of fire; the Board of Appeals shall not have the right to vary this provision.

7.28 REPAIRS AND MAINTENANCE

- A. On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, to an extent not exceeding fifty (50) percent of the State Equalized Valuation of the nonconforming structure or nonconforming portion of the



Appeals shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote indicating such fact, and shall keep records of its findings, proceedings at hearings, and other official actions, all of which shall be immediately filed in the office of the Township Clerk and shall be public record.

7.34 APPEALS AND SPECIAL APPROVALS

An appeal may be taken to the Zoning Board of Appeals by any person, firm or corporation, or by any officer, department, board or bureau aggrieved by a decision of the Building Official. Such appeals shall be taken within such time as shall be prescribed by the Township Board by resolution by filing with the Building Official and with the Zoning Board of Appeals, a Notice of Appeal, specifying the grounds thereof and the payment of a fee established by the Township Board. The Building Official shall forthwith transmit to the Zoning Board of Appeals all of the papers constituting the record upon which action appealed from, unless the Building Official certifies to the Zoning Board of Appeals after the Notice of Appeal shall have been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by restraining order which may be granted by the Circuit Court, on application, on notice to the Building Official and on due cause shown.

The power or authority to alter or change the Zoning Ordinance or Zoning Map is reserved to the Township Board, as is provided by law.

The Zoning Board of Appeals shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the parties and shall render a decision on the appeal without unreasonable delay. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney.

7.35 NOTICE OF HEARING

Public Hearing: Upon a written request seeking an interpretation of the Zoning Ordinance, an appeal of an administrative decision, or a variance, the Zoning Board of Appeals shall

select a reasonable time and place for a hearing of the request. Notice of the hearing shall be given by one (1) publication in a newspaper of general circulation in the Township. The notice shall be given not less than fifteen (15) days before the public hearing date, in accordance with the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.). For requests for a variance or an interpretation or appeal of an administrative decision which involves a specific parcel, written notice shall also be given by mail or personal delivery to the applicant and owners of the subject property, to all persons whom real property is assessed within 300 feet of the subject property, and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or occupant is located within White Lake Charter Township. The notice shall describe the nature of the proposed request, state the time and place of the public hearing, indicate when and where written comments will be received, and indicate the property that is subject of the request including a listing of all existing street addresses within the subject property.

7.36 POWERS OF ZONING BOARD OF APPEALS CONCERNING ADMINISTRATIVE REVIEW AND VARIANCES

The Zoning Board of Appeals as herein created, is a body of limited powers. The Zoning Board of Appeals shall have the following specific powers and duties:

- A. Purpose. To hear and decide appeals where it is alleged there is an error of law in any order, requirement, decision or determination made by Township officials in the enforcement of this Ordinance, and to hear and decide appeals where there are practical difficulties in the way of carrying out the strict letter of this Ordinance so that the spirit of the Ordinance shall be observed, public safety secured, and substantial justice done.
- B. Authorization. **In hearing and deciding appeals, the Zoning Board of Appeals shall have the authority to grant such variances as may be in harmony with the general purpose and intent of this Ordinance, so that the spirit of the zoning ordinance is observed, public safety secured, and**



substantial justice done, including the following:

- i. Interpret the provisions of the Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the Zoning Map, fixing the use districts accompanying this Ordinance, where street layout actually on the ground varies from the street layout as shown on the map aforesaid.

In case of any question as to location of any boundary line between zoning districts, the Zoning Board of Appeals shall interpret the Zoning Map after recommendation from the Township Planning Commission.

- ii. Permit the erection and use of a building, or an addition to an existing building, of a public service corporation or, for public utility purposes, in any zoning district to a greater height or of a larger area than the district requirements herein established, and permit the location in any district of a public utility building or structure if the Zoning Board of Appeals shall find use, height, area, building, or structure reasonably necessary for the public convenience and service.
- iii. Permit the modification of the off-street motor vehicle parking space and loading space requirements where, in the particular instance, such modifications will not be inconsistent with the purpose and intent of such requirements.
- iv. Permit such modification of the height, lot area, yard setbacks, floor area and lot width regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape or size, or so located with relation to surrounding development or physical characteristics, that it cannot otherwise be appropriately improved without such modifications, provided that modification of lot area regulations shall be permitted only in instances where the nature of the soil and drainage is such that there is sufficient area for safe water supply and sanitary disposal of waste (unless central water distribution and/or sanitary sewage are provided).

Whenever the Zoning Board of Appeals determines that the same are necessary in order to render a decision, it may require the appellant to submit a topographical survey or the results of percolation tests certified by a Registered Engineer or Land Surveyor.

v. Permit utilization of substandard lots as regulated by Section 5.4.

- C. Conditions. The Zoning Board of Appeals, by a majority vote, may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as they may deem necessary for the good of the Township. The Board of Appeals may impose conditions upon an affirmative decision so long as the conditions conform to the requirements of Section 7.37 of this Ordinance.

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.

7.38 ZONING BOARD OF APPEALS APPROVAL, AUTHORITY TO REQUIRE DOCUMENTATION

The Zoning Board of Appeals may compel testimony, requiring the appellant to prepare and submit all necessary surveys, plans or other information necessary for the Zoning Board of Appeals to investigate thoroughly the matter before it. The Zoning Board of Appeals may impose such conditions or limitations in granting a variance as it may deem necessary to comply with the spirit and purposes of this

ordinance. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit. The decision of the Zoning Board of appeals shall be final.

7.39 APPROVAL PERIODS

No order of the Zoning Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than twelve (12) months, unless a building permit for such erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than twelve (12) months unless such use is established within such period; provided, however, that such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with such permit.

(Amended by Ord. 58-24A, 6-18-2024)

7.40 APPEALS

Any party aggrieved by a decision of the Zoning Board of Appeals may appeal to the circuit court for the county in which the property is located. The circuit court shall review the record and decision to ensure that the decision meets all of the requirements of P.A. 110 of 2006, as amended, known as the Michigan Zoning Enabling Act. An appeal under this section shall be filed within 30 days after the Zoning Board of Appeals certifies its decision in writing or approves the minutes of its decision.

7.41 INTERPRETATION AND APPLICATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul, any ordinance, rules, regulations or permits previously adopted or issued, and not in conflict with any of the provisions of this Ordinance, or which shall be



LOT COVERAGE. The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

LOT DEPTH. The straight-line distance from the midpoint of the front street line, determined to be the edge of the street right-of-way or easement, to the midpoint of the rear lot line. If any part of this line lies outside the boundaries of the lot, then lot depth shall be the length of the shortest line from the midpoint of the front street line to the rear lot line.

LOT, INTERIOR. A lot other than a corner lot. Any portion of a corner lot more than one hundred twenty (120) feet from the "corner" measured along a front street lot line, shall be considered an interior lot. ✍

LOT LINES. The property lines bounding the lot

1. **Front Lot Line.** A Front Lot Line, in the case of a lot abutting upon one public or private street means the line separating such lot from such street right-of-way. In the case of any other lot, the owner shall, for the purpose of this Ordinance, have the privilege of electing any street lot line, the front lot line, providing that such choice, in the opinion of the Director of the Community Development Department, will not be injurious to the existing, or the desirable future development of adjacent properties. In the case of a lake front property, for purpose of this Ordinance, that part of the lot adjoining the street shall be deemed the front lot line.
2. **Rear Lot Line.** A Rear Lot Line is ordinarily that lot line which is opposite and most distant from the front lot line of the lot (or the street lot line that the owner has elected to designate as the front lot line, in the case of a corner lot). In the case of an irregular, triangular, or gore-shaped lot for the purpose of determining depth of rear yard, a rear lot line shall be considered to be a line ten (10) feet in length entirely within the lot parallel to and at the maximum distance from, the front lot line of the lot. In cases where none of these definitions are applicable, the Director of the Community Development Department shall designate the rear lot line.
3. **Side Lot Line.** Any lot line not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line
4. **Street Lot Line.** A lot line separating the lot from the right-of-way of a street.

LOT OF RECORD. A lot which actually exists in a subdivision plat as shown on the records of the Register of Deeds.

LOT, THROUGH. An interior lot having frontages on two (2) more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, one (1) street will be designated as the front street in the plan and in the request for a building permit. (See sketch)

LOT WIDTH. The straight-line distance between parallel side lot lines, measured at the front setback line. Where side lot lines are not parallel, the width shall be measured at the front setback line parallel to the street or tangent to the curve of the street. ✍

MALFEASANCE. Official misconduct; the commission of an unlawful act, done in an official capacity; an act for which there is no statutory authority. Malfeasance in office requires an affirmative act or omission, for example: failure of a member to disclose a conflict of interest when voting on a matter before the board or commission.

MANUFACTURED BUILDING. A Manufactured Building includes all factory constructed buildings, or three-dimensional modules or units thereof, designed and constructed in a manner facilitating ease of transportation to the site for placement in accordance with local construction codes, connection to required utilities, and subsequent occupancy. The term "manufactured building" includes both a single, three-dimensional module or unit intended to constitute a building and all three-dimensional modules or units intended to be combined on a site to form a building. The term "manufactured building" applies only to those major structural, three-dimensional modules or units requiring relatively minor, incidental combination on site and is not intended to include prefabricated support system components such as panels, trusses, plumbing systems or similar types of prefabricated support system components designed to be incorporated within buildings during the course of construction.



YARD. An open space of uniform width or depth on the same land with a building or group of buildings which open space lies between the building and group of buildings and the nearest lot line, and is unoccupied and unobstructed from the ground upward except otherwise provided herein. This regulation shall not exclude eaves unless an eight (8) foot height clearance is provided above the adjacent ground level. In measuring a yard as hereinafter provided, the line of a building shall be deemed to mean a line parallel to the nearest lot line, drawn through the point of the building or the point of a group of buildings nearest to such lot line.



YARD, FRONT. A yard extending across the full width of the lot and lying between the front line of the lot or a side yard with road frontage, and the nearest line of the building.

YARD, REAR. A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building.

YARD, SIDE. A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot line, as the case may be, except that on a corner lot the side yard adjacent to a street shall extend the full depth of the lot.

ZONING BOARD OF APPEALS. The White Lake Charter Township Zoning Board of Appeals.

ZONING JURISDICTION. Area encompassed by the legal boundaries of a city or village or to the area encompassed by the legal boundaries of a county or township outside the limits of incorporated cities and villages. The zoning jurisdiction of a county does not include the areas subject to township zoning by a township that has adopted a zoning ordinance under this act.

ZONING LOT. A place or parcel of land occupied or to be occupied by a building or structure and its accessory buildings, or by any other activity permitted thereon and including the open spaces required under this ordinance and having its frontage upon a public thoroughfare or any private way used for thoroughfare purposes. A zoning lot may or may not be specifically designated as such on public records provided, that the owner of any number of contiguous lots of record may have as many of said contiguous lots of record considered as a single lot or record for the purpose of this ordinance as he so elects, and in such case the outside perimeter of said group of lots of record shall constitute the front, rear and side lot lines thereof.

