WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO:

Zoning Board of Appeals

FROM:

Andrew Littman, Staff Planner

DATE:

November 5, 2024

Agenda item:

8B

Appeal Date:

October 15, 2024

Applicant:

Jeremy Latozas

Address:

4001 Caron Ridge Drive

White Lake, MI 48383

Zoning:

R1-A Single Family Residential

Location:

4001 Caron Ridge Drive

White Lake, MI 48383

Property Description

The 40.95-acre parcel identified as 4001 Caron Ridge Drive is zoned R1-A (Single Family Residential). The existing single-family home on the property (measuring 1,028 square feet) utilizes a private well for potable water and a septic system for sanitation.

Applicant's Proposal

The applicant, Jeremy Latozas, seeks to build a 4,000 square-foot accessory structure (or pole barn) to store tractors, large mowers, utility task vehicles, a skid steer, snow removal equipment, lawn and garden hand tools, and other implements or attachments used to maintain the property. The applicant currently stores this equipment outdoors.

The proposed pole barn is to be located 169 feet from the primary structure, and have side yard setbacks of 796 feet and 227 feet, a rear yard setback of 776 feet, and a front yard setback of 60 feet.

Planner's Report

Section 5.7.C of the Zoning Ordinance states the following:

"With the exception of the Suburban Farm (SF) and Agricultural (AG) zoning districts, in no instance shall the sum total of the ground floor areas of all accessory buildings or structures on a single lot exceed 125% of the ground floor area of the principal building or structure".

Since the single-family home on the property is 1,028 square feet, the Ordinance would allow for an accessory structure up to 1,280 square feet in size.

The proponent contends that extraordinary or exceptional conditions exist that justify a variance because (1) the 40.95-acre property is unusually large for the R-1A zoning district and (2) the hilly terrain, and mix of grassy areas, wooded areas, and waterfront pose unique challenges to maintain the property.

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by Joe Latozas from Section 5.7.C of the Zoning Ordinance for Parcel Number 12-08-300-062, identified as 4001 Caron Ridge Drive, in order to construct a new accessory building that would exceed the allowable square footage by 2,720 square feet. This approval is conditional on the applicant obtaining all necessary permits from the White Lake Township Building Department and removing any other structures being utilized for outdoor storage on the property.

<u>**Denial:**</u> I move to deny the variance requested by Joe Latozas for Parcel Number 12-08-300-062, identified as 4001 Caron Ridge Drive, due to the following reason(s):

<u>Postpone:</u> I move to postpone the appeal of Joe Latozas to a date certain or other triggering mechanism for Parcel Number 12-08-300-062, identified as 4001 Caron Ridge Drive, to consider comments stated during this public hearing.

Attachments:

- 1. Zoning Board of Appeals application dated October 15, 2024.
- 2. Letter from Applicant to Planner dated October 22, 2024
- 3. Site Plan dated March 17, 2021
- 4. Floor and Roof Plans dated October 23, 2024
- 5. Building Elevations dated October 23, 2024
- 6. Letter of denial from the Building Official dated October 23, 2024.

7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates <u>all</u> 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:
 - 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.

CHARIER IOWNSHIP OF WHILE LANE

ZONING BOARD OF APPEALS APPLICATION

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

APPLICANT'S NAME: Jeremy Latozas	PHONE: 248-789-7014	
ADDRESS: 4001 Caron Rodge, White Lake MI 48383 APPLICANT'S EMAILADDRESS: specialtyfleetservicesllc@gmail.com APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER:		
ADDRESS OF AFFECTED PROPERTY: 4001 Caron Ridge CURRENT ZONING: R-1A PARCEL SIZE: 40.95 Acres	PARCEL # 12 - ⁰⁸⁻³⁰⁰⁻⁰⁶²	
STATE REQUESTED VARIANCE AND ORDINANCE SECTION: To build larger than the allowed 125% of the principal structure. The proposal is to build a 4 VALUE OF IMPROVEMENT: \$\frac{85,000}{2}\$ SEV OF EXISITING ST	4,000 SF pole barn	
larger than the allowed 125% of the principal structure. The proposal is to build a	4,000 SF pole barn TRUCTURE: \$	



October 22, 2024

White Lake Township Planning Department Andrew Littman, AICP Staff Planner 7525 Highland Rd. White Lake, MI 48383

RE: 4001 Caron Ridge Dr – Request for size variance for Accessory Structure

Mr. Littman,

Jeremy and Jordana Latozas, and Jerry LaForest, have retained Designhaus Architecture to seek a variance for an accessory building on their property at 4001 Caron Ridge Dr. The property owners are proposing to construct an accessory structure to house equipment used to maintain the property, including tractors, large mowers, a skid steer, utility task vehicles, snow removal equipment, lawn and garden hand tools, and other implements or attachments used in maintaining the property.

The property at 4001 Caron Ridge Dr is a 40.95-acre parcel located in White Lake Township. The parcel is zoned R1-A Single Family Residential. There is a single-family home on the parcel that is 32' x 32' or 1,028 square feet in size. The existing home is the only structure on the property.

The White Lake Township Zoning Ordinance, Section 5.7 describes the requirements that must be met for an accessory building or structures in residential districts. The proposed accessory structure will meet most of the criteria of section 5.7: A. 10-foot setback to the primary structure, B. 5-foot setback to the rear and side lot lines, and portions of C. walls not greater than 14 feet in height from the average grade and building height not greater than 18 feet in height from the average grade. Section 5.7.C also gives guidelines for the allowable size of the accessory structure, 125% of the ground floor area of the primary structure, not to exceed 4,000 square feet. The calculated allowable accessory structure size per the size of the primary structure would be 1,280 square feet.

This 40.95-acre property is unusually large for the R-1A Single Family Residential zoning. The size of the lot, the hilly terrain, and the mix of grassy area, wooded area, and waterfront, each pose individual difficulties to maintain utilizing ordinary residential-sized equipment. The equipment the property owners own and utilize to maintain the property are currently stored outdoors. To protect their investment in the equipment and provide a clean and organized storage solution the property owners are proposing to build a 50'x80', or 4,000 square foot, pole barn. The proposed pole barn is located 168.9' feet from the primary structure, meeting the requirements of Section 5.7.A. The proposed side setbacks are 796' and 226.5', the proposed rear setback is 775.5', and the proposed setback is 60' from the front property line, meeting the



requirements of Section 5.7.B. The proposed pole barn will have a wall height of 12'-2 ½" from the average grade and a building height of 15'-6 5/8" from the average grade to the midrise of the roof, meeting the requirements of section 5.7.C. The proposed size of the accessory structure is more than the allowed 125% of the primary structure by 2,720 square feet.

The Property Owners are requesting a size variance for an accessory structure in the amount of 2,720 square feet above the allowed 1,280 square feet.

The White Lake Zoning Ordinance, Section 7.37.B, allows the Zoning Board of Appeals to authorize a variance based on Unique Situations. Due to the size of the property and type of terrain, this property is unique to other R-1A zoned parcels. The applicant did not re-zone this property to R-1A, thus not self-creating the hardship. The proposed accessory structure will allow the equipment required to maintain the property to be stored indoors and out of sight of neighboring properties. This variance does not set a precedence for other R-1A zoned parcels to build accessory structures in excess of the allowed 125% of the primary structure because the parcel at 4001 Caron Ridge Dr is much larger than typical R-1A zoned parcels. The requested variance is the minimum variance necessary to house the equipment needed to maintain the property.

Thank you for your consideration and I am available to discuss this matter further. I can be reached at 248-601-4422 or via email at joe@designhaus.com.

Regards,

Joe Latozas

Senior Vice President

Joseph Latozas

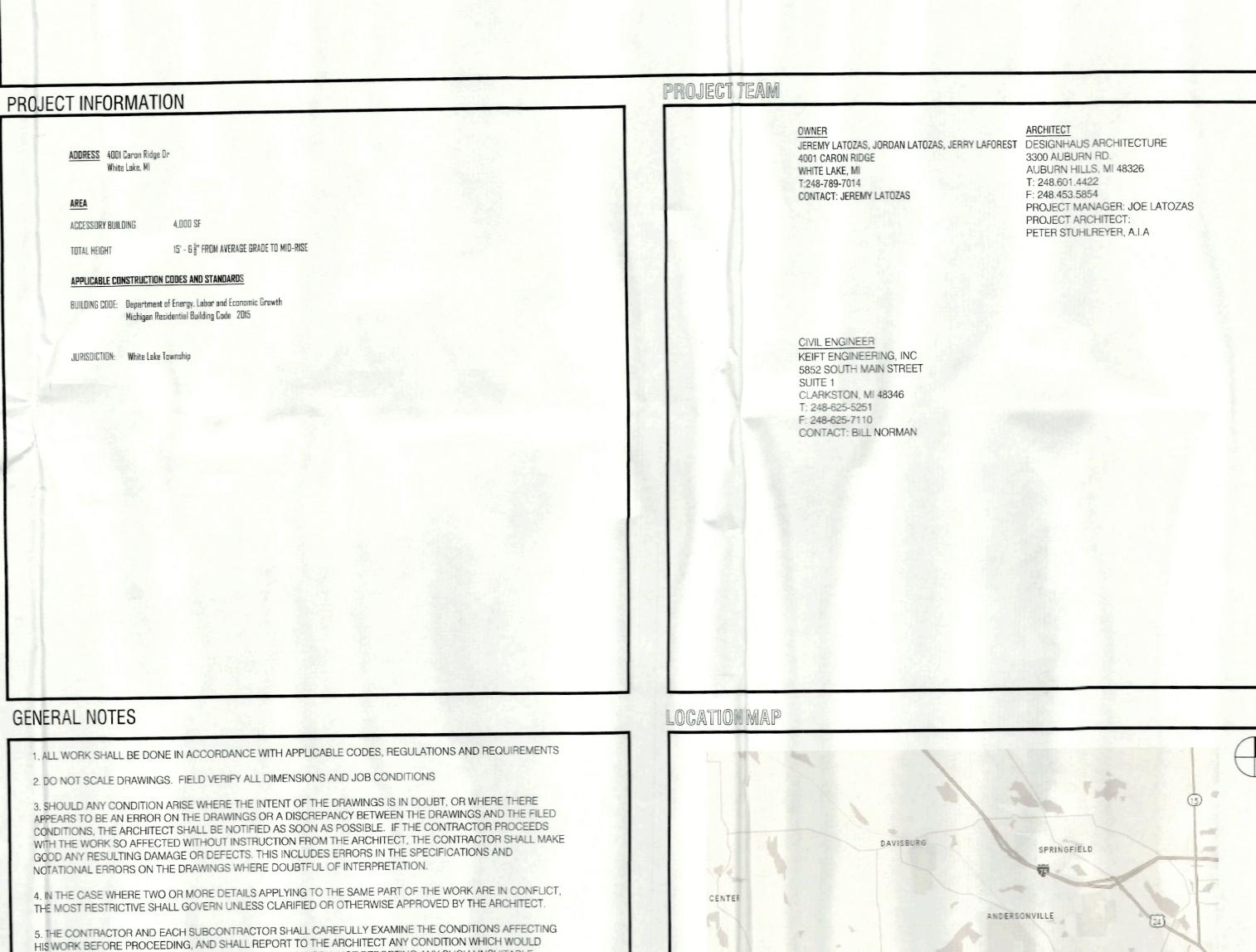
Designhaus, LLC

CC:

Jeremy Latozas Jordana Latozas Jerry LaForest

4001 Caron Ridge Dr 4001 Caron Ridge Dr

White Lake, MI



PREVENT THE PROPER AND LEGAL COMPLETION OF HIS WORK. NOT REPORTING ANY SUCH UNSUITABLE

6. APPROVAL OF SHOP DRAWINGS MEANS APPROVAL OF THE GENERAL METHOD OF FABRICATION ONLY. DIMENSIONS AND QUANTITIES MAY NOT BE CHECKED, AND APPROVAL OF SHOP DRAWINGS DOES NOT RELIEVE THE CONTRACTOR FROM COMPLIANCE WITH THE REQUIREMENTS OF THE DRAWINGS AND SPECIFICATIONS

7. IF SPECIFICATIONS ARE PROVIDED, SEE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS. WHERE

8. NO HAZARDOUS MATERIALS, LIQUIDS OR CHEMICALS SHALL BE STORED OR USED WITHIN THE SUBJECT BUILDING AS TO REQUIRE A HAZARDOUS CLASSIFICATION PER APPLICABLE UNIFORM BUILDING CODE.

9. ALL INTERIOR WALLS AND PARTITIONS SHALL BE DESIGNED AND CONSTRUCTED TO RESIST ALL LOADS TO WHICH THEY ARE SUBJECTED BUT NOT LESS THAN A FORCE OF 5 POUNDS PER SQUARE FOOT APPLIED

10. LIGHT, VENTILATION AND SANITATION SHALL COMPLY WITH SECTIONS OF APPLICABLE BUILDING CODES.

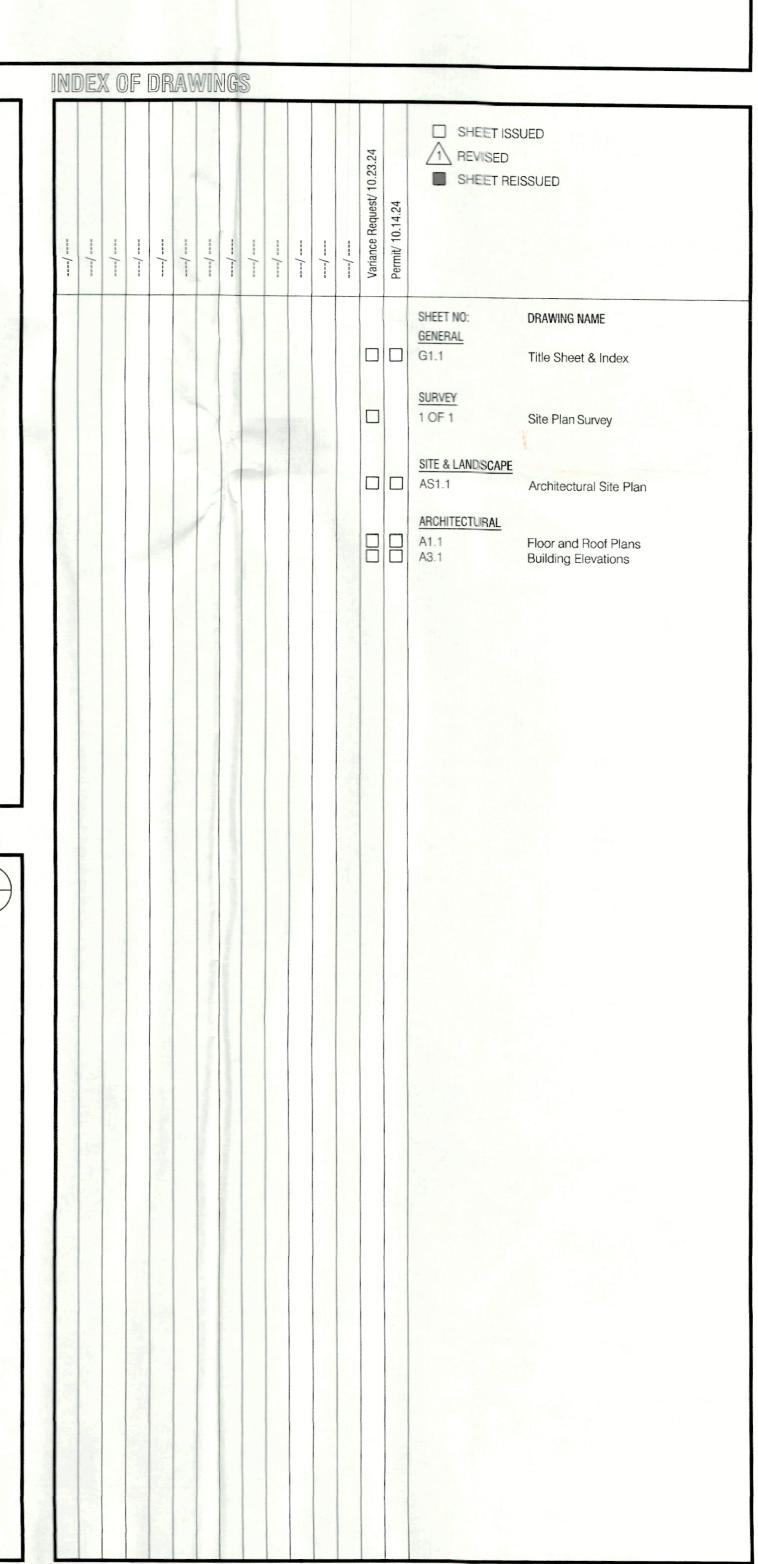
DRAWINGS AND SPECIFICATIONS CONFLICT, THE MOST RESTRICTIVE SHALL APPLY.

CONDITION WILL CONSTITUTE ACCEPTANCE OF ALL CONDITIONS BY THE CONTRACTOR AND/OR

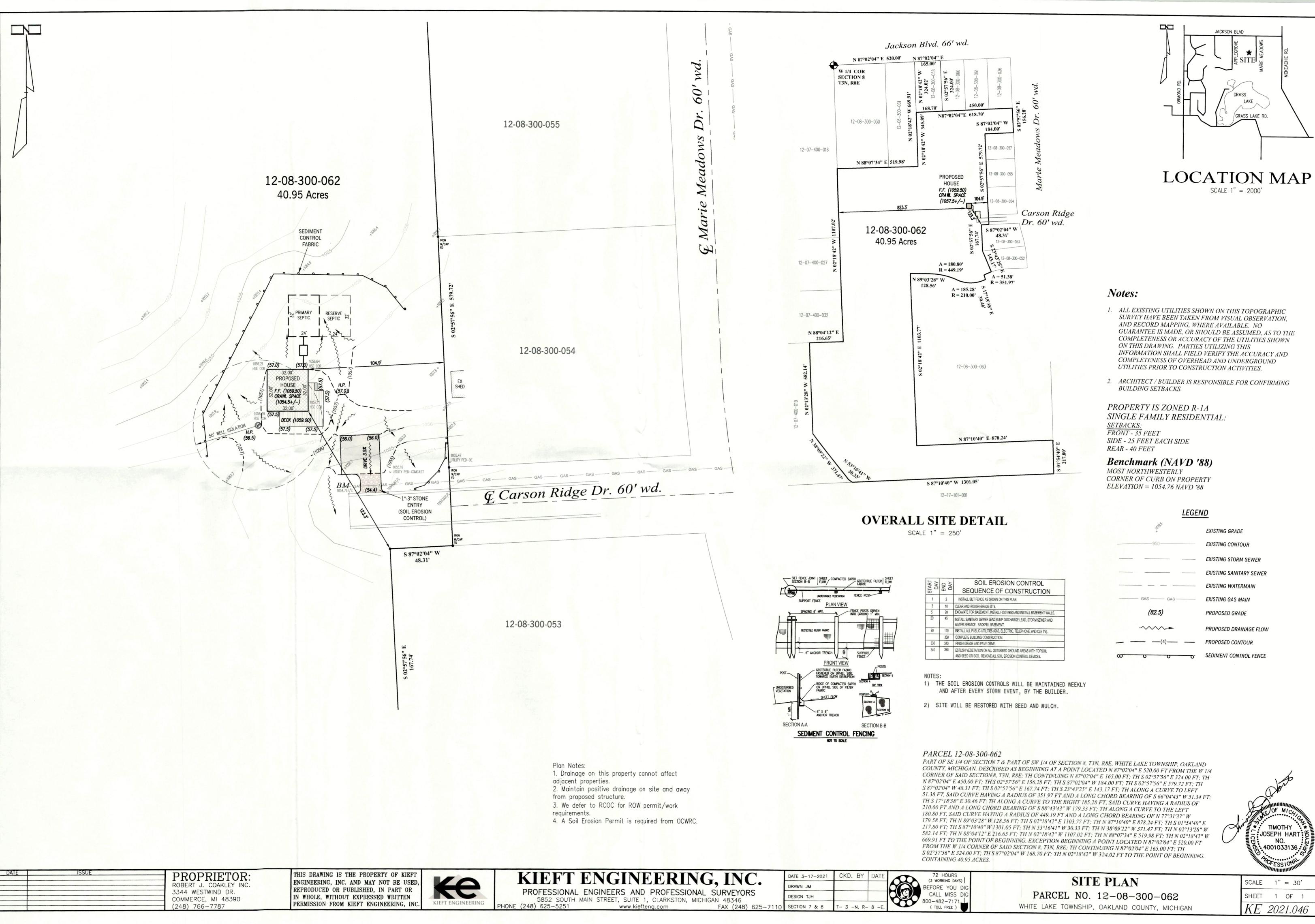
SUBCONTRACTOR.

PERPENDICULAR TO WALLS.

UNLESS SPECIFICALLY INDICATED IN THE APPROVAL.



HAUS CTURE 5 3300 AUBI Auburn --------Variance Request ISSUANCE Ridge Caron on Ridge Dr 400

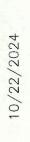


SCALE 1" = 30SHEET 1 OF 1 KE 2021.046

TIMOTHY

NO.







VARIANCE REQUEST Allowable Accessory Structure Size

White Lake Zoning Ordinance Section 5.7.C - In no instance shall the sum total of the ground floor area of all accessory buildings or structures on a singe lot exceed125% of the ground floor area of the principal building or structure, excluding attached garages. No single accessory building or structure may exceed 4,000 square feet of ground floor area, with the exception of those located in the (SF) or (AG) districts, and where the parcel size is a minimum of five (5) acres five (5) acres. Calculated allowable accessory building area:
- Principal Structure - 32'x32' = 1,024 square feet
- 125% of 1,024 SF = 1,280 Square feet
- The accessory building is allowed to be 1,280

square feet Accessory Building size - 50'x80' Accessory Building Area - 4,000 square feet Accessory Structure

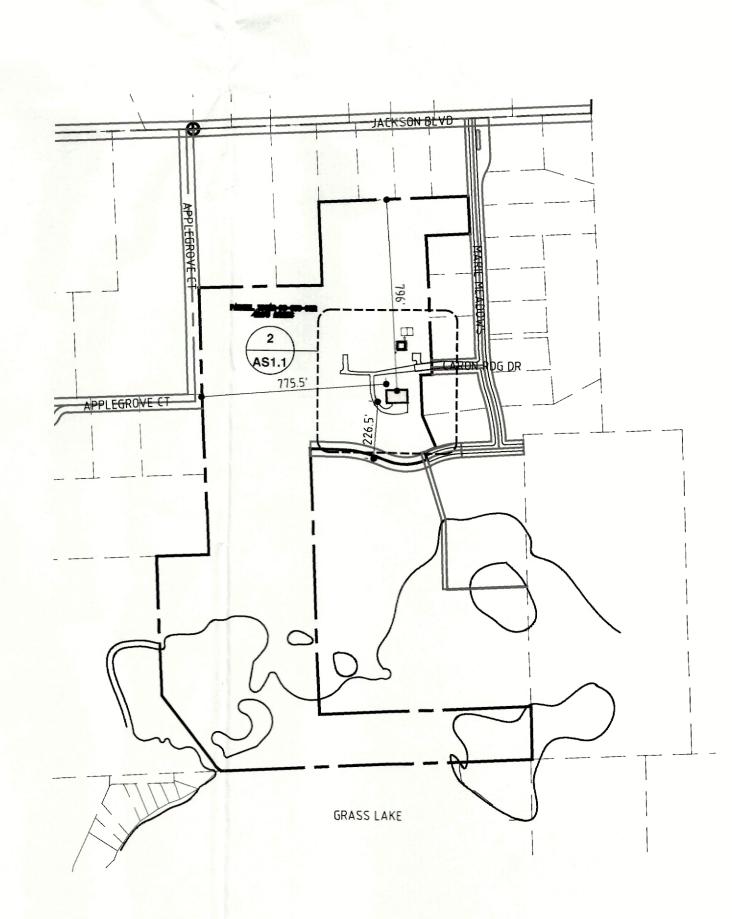
We request a variance to increase the accessory building size by 2,720 square feet in addition to the allowed 1,280 square feet, for a total accessory building size of 4,000 square feet. The proposed area is not larger then the allowed accessory building area per White Lake Zoning Ordinance Section 5.7.C.

SITE DATA

Parcel I.D.	12-08-300-062
Address	4001 Caron Rdg White Lake, MI 48383
Zoning	R-1A Single-Family Residential
Parcel Area	4.095 Acres

70NING SCHEDIU E DE BEGUI ATIONS

		Proposed Accessory Structure
Zoning District	R-1A Single-Family Residential	R-1A Single-Family Residential
Building Setbacks	Front - 35' Sides - 25'/total 50' Rear - 40'	Front - 60' Sides - 796', 296' Rear - 775'-6"'
Accessory Structure	Sides - 5' Rear - 5'	
Building Height Accessory Structure	2.5 stories / 35' walls - 14' Total - 18'	1story / 15' - $6\frac{5}{8}$ " from average grade to mid-rise
Minimum Lot Area	1 acre	40.95 acre2
Maximum Lot Coverage	30%	.02%







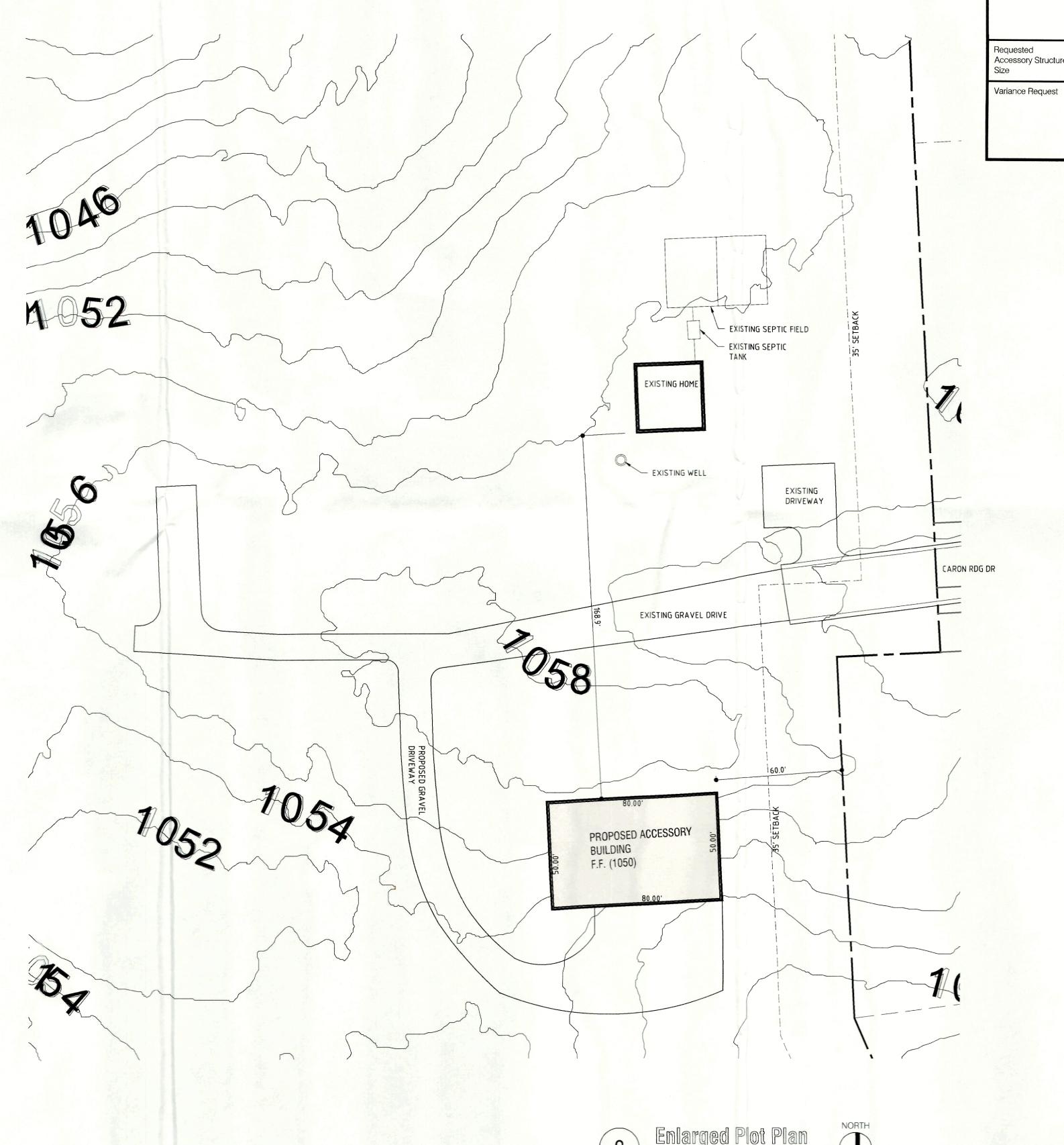
4001 Caron Ridge Dr White Lake, MI Architectural Site Plan

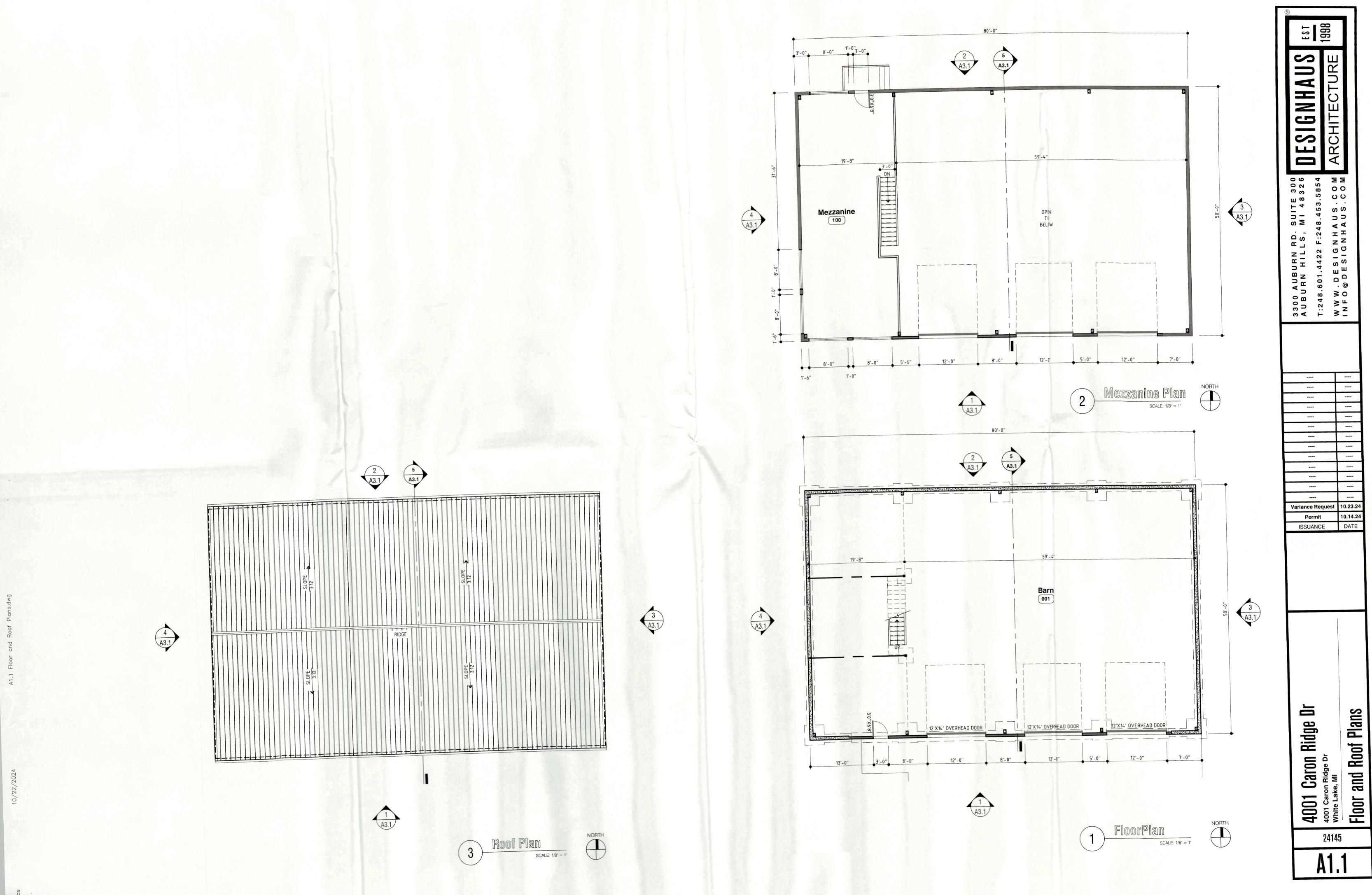
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SUITE 300 MI 48326 48.453.5854

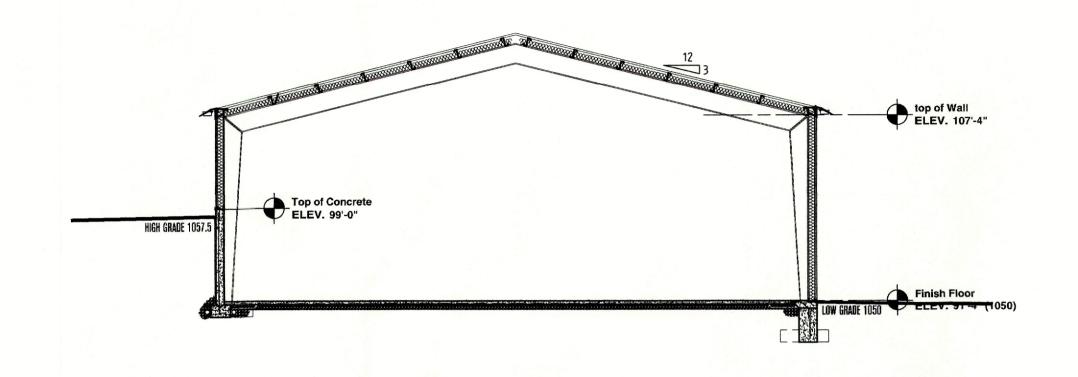
3300 AUBURN I AUBURN HILL T:248.601.4422

Variance Request Permit ISSUANCE

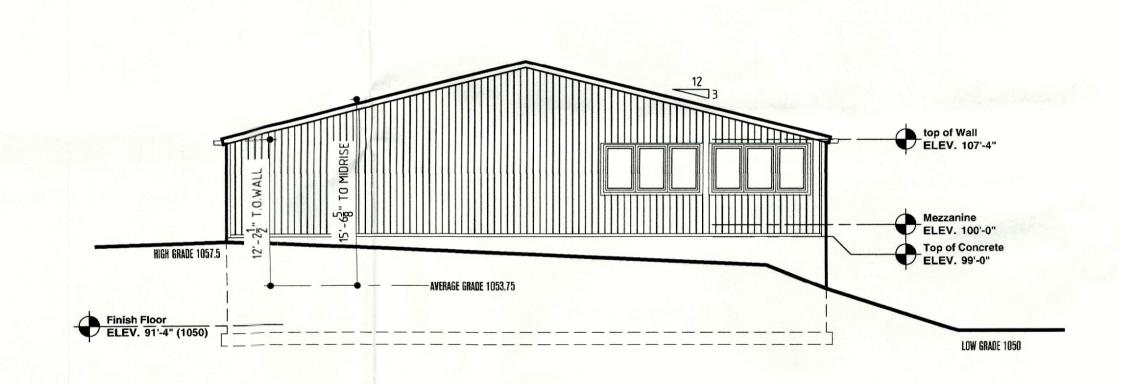




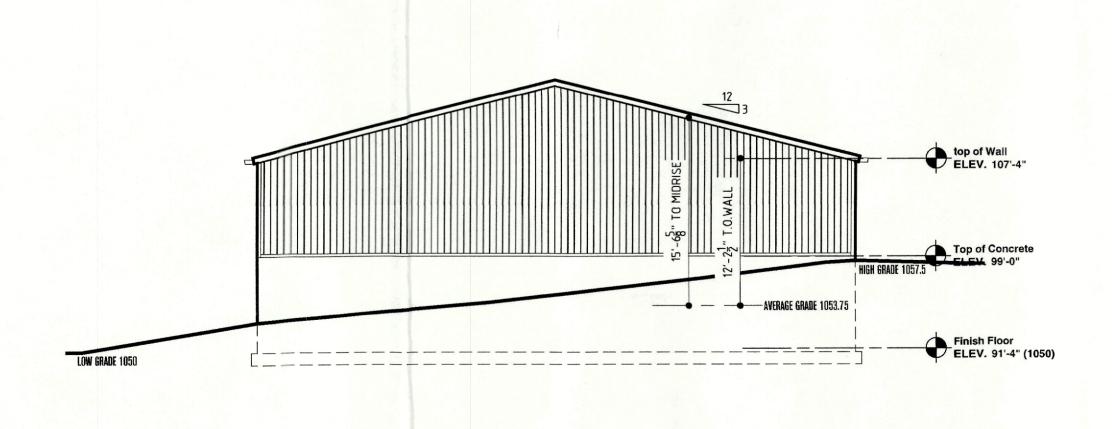
Latozas

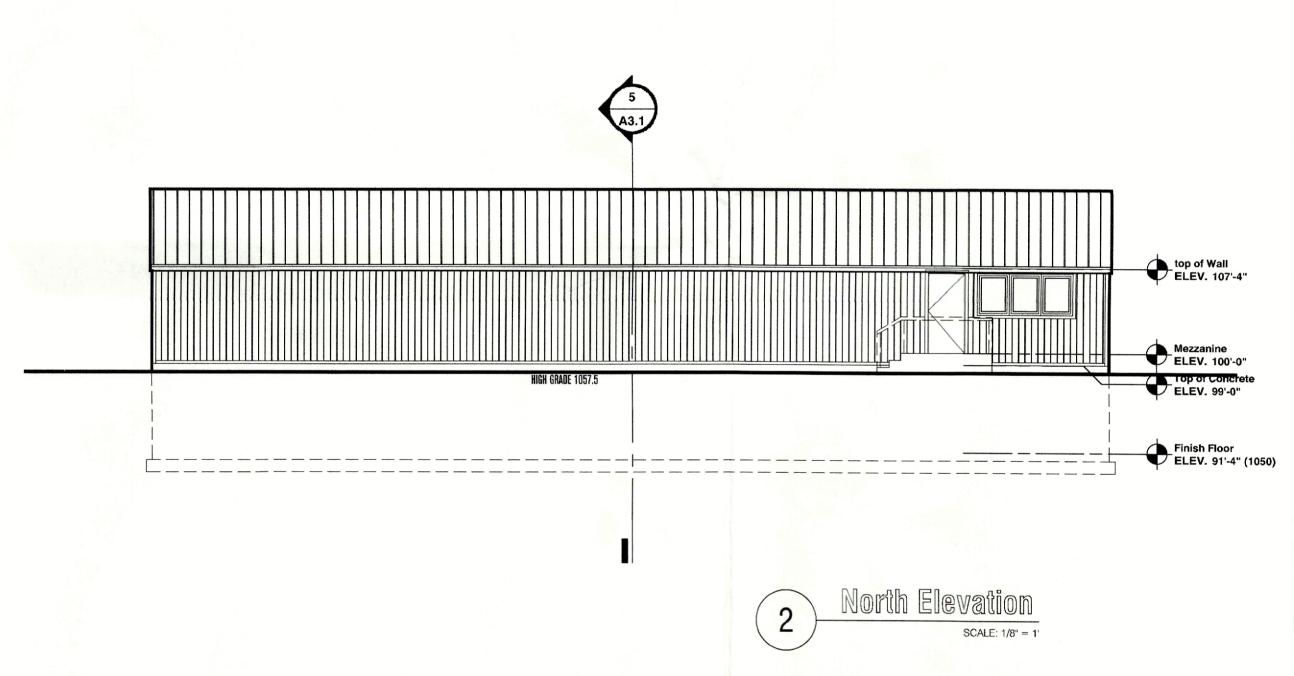


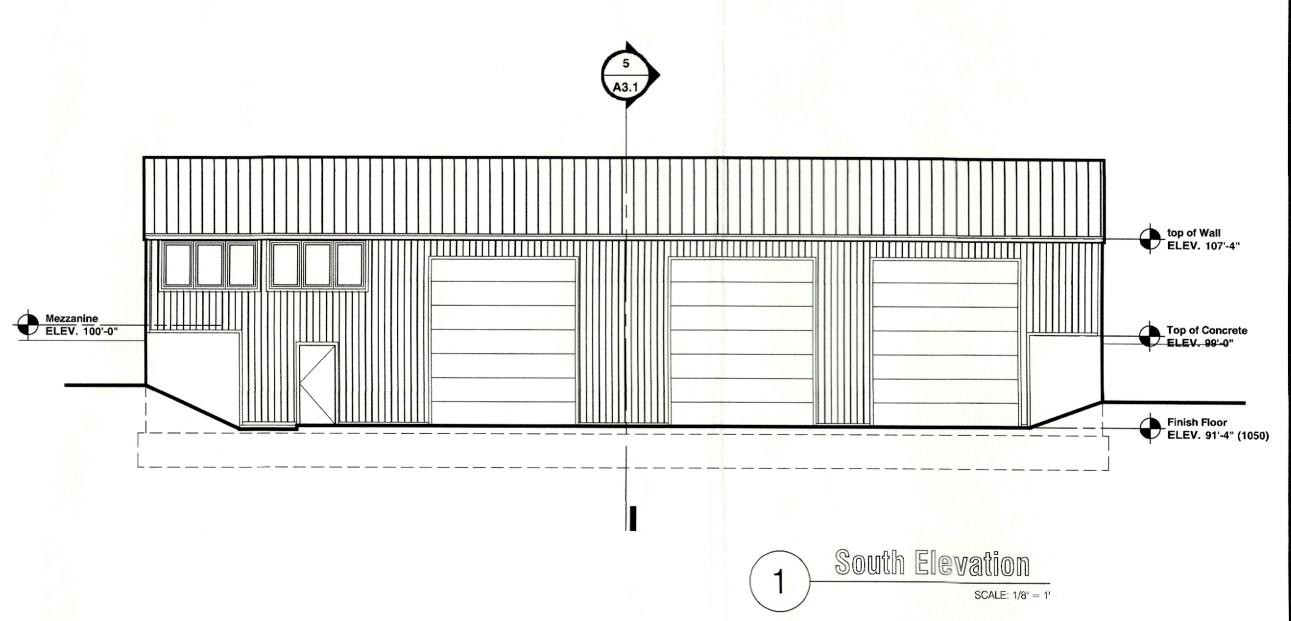
SCALE: 1/8" = 1



SCALE: 1/8" = 1







EST 1998 I

3300 AUBURN RD. SUITE 300 AUBURN HILLS, MI 48326 T:248.601.4422 F:248.453.5854 W W W . DESIGNHAUS.COMINFO@DESIGNHAUS.COM ----

------------------------Variance Request 10.23.24 Permit 10.14.24 ISSUANCE DATE

4001 Caron Ridge Dr
4001 Caron Ridge Dr
White Lake, MI
Building Elevations

24145

A3.1



Trustees Scott Ruggles Liz Fessler Smith Andrea C. Voorheis Michael Powell

WHITE LAKE TOWNSHIP

7525 Highland Road · White Lake, Michigan 48383-2900 · (248) 698-3300 · www.whitelaketwp.com

October 23, 2024

Jeremy Latozas 4001 Caron Ridge White Lake, MI 48383

RE: Proposed Accessory Structure

Based on the submitted plans, the proposed accessory structure does not satisfy the White Lake Township Clear Zoning Ordinance for Accessory Buildings or Structures in R1A Residential Zoning Districts.

Article 5.7 of the White Lake Township Clear Zoning Ordinance states:

C. With the exception of the Suburban Farm (SF) and Agricultural (AG) zoning districts, in no instance shall the sum total of the ground floor areas of all accessory buildings or structures on a single lot exceed 125% of the ground floor area of the principal building or structure, excluding attached garages.

Based on Township records, the principal structure has a ground floor area of 1,024 sq ft. The proposed area of the accessory structure is 4,000 sq ft, which is 390% of the ground floor area of the principal structure; exceeding the 125% of the ground floor area of the principal structure permitted by ordinance.

Approval of the building permit would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the November 14th Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than October 24th at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official

White Lake Township