

TO: Zoning Board of Appeals
FROM: David J. Waligora, AICP, Senior Planner
DATE: March 19, 2026
RE: 145 Oxbow Lake Rd Variance Request to Permit a Home Remodel

Agenda item: 8A

Appeal Date: February 26, 2026

Applicant: Joseph T Mannozi
145 Oxbow Lake Rd
White Lake, MI 48386

Owners: Joseph T Mannozi
145 Oxbow Lake Rd
White Lake, MI 48386

Address: 145 Oxbow Lake Road
White Lake, MI 48386

Parcel #: 12-27-227-008, Lot 19 of the Baker Beach No 1 Plat

Location: Northeast corner of Oxbow Lake Road and Mill Road

Zoning: R1-C, Single Family Residential

Attachments

1. Variance Application
2. Survey showing existing property, dated
3. Letter of denial from the Building Official dated



Property Description

The subject property is a 0.361-acre (15,725.16-square-foot) platted parcel, identified as Parcel No. 12-27-227-008, located at the northeast corner of Oxbow Lake Road and Mill Road. The parcel is legally described as Lot 19 of the Baker Beach No. 1 Subdivision, which was platted in 1948, and is zoned R-1C, Single-Family Residential.

The surrounding area is primarily residential in character, with R-1C single-family homes located to the east, south, and across the roadway to the west. Oxbow Elementary School is also located west of the property.



Existing Condition Dimensional Review

The property is improved with a bi-level single-family home containing three bedrooms and two bathrooms, measuring approximately 1,472 square feet. The site also contains two accessory structures: a 576-square-foot detached two-car garage with workshop and storage space above, and a 96-square-foot garden shed located in the rear yard.

As a corner lot, the property has two front yards along the west and south lot lines, a side yard along the north lot line, and a rear yard along the east lot line. The lot sits on a slight hill, and the required clear vision triangle at the southwest corner further reduces the usable lot area. As a result, the parcel does not meet the minimum lot area requirement and is considered a legal nonconforming lot.

| | Min Required | Current | Nonconforming Deficiency |
|--------------------|------------------------|--------------------------------|--------------------------|
| Lot Area | 16,000 ft ² | 15,725.16 ft ² | -274.84 ft ² |
| Lot Width | 100 ft | 75.33 ft | -24.67 ft |
| Lot Coverage | 30% | 10% | - |
| Front Yard Setback | 35 ft | 45.8 (west) and 11.5ft (south) | |
| Side Yard Setback | 10 ft | 5.4 ft | -5.6 ft |



Front of House at Corner of Oxbow Lake Rd and Mill Rd looking NE



Front of House at NW Corner of Lot looking SE

Proposed Dimensional Review

The applicant proposes to construct an addition at the northeast corner of the existing home. Although the home is currently oriented at an angle on the lot, the proposed addition would be more aligned with the property lines.

The addition would maintain the existing north side yard setback of 5.4 feet, where 10 feet is required.

| | Min Required | Current | Proposed | Necessary Variance |
|-------------------|--------------|---------|----------|--------------------|
| Side Yard Setback | 10ft | 5.4 ft | 5.4 ft | 4.6 ft |

Summary

The applicant is requesting a variance to allow a reduction of the required north side yard setback from 10 feet to 5.4 feet to construct an addition to the existing single-family home. The subject property is a legal nonconforming lot with deficient lot area and width, and its corner lot configuration creates additional constraints due to two front yards and a clear vision triangle. These conditions limit the buildable area on the site. The proposed addition maintains the existing building line and does not increase the degree of nonconformity. The Zoning Board of Appeals must determine whether these conditions constitute a practical difficulty and whether the request meets the standards of Section 7.37.

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 applicant's 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:

Motion for Approval

"I move to approve the variance request from the R-1C District dimensional requirements to allow a reduction of the required north side yard setback from 10 feet to 5.4 feet (a variance of 4.6 feet) to permit construction of an addition to the existing single-family home, based on the findings that the request meets the standards of Section 7.37 (A through E), subject to the following conditions:

1. The addition shall be constructed in substantial compliance with the plans submitted.
2. No further encroachment into the required side yard setback shall occur without additional Zoning Board of Appeals approval.
3. All necessary permits shall be obtained prior to construction."

Motion for Denial

"I move to deny the variance request from the R-1C District dimensional requirements to allow a reduction of the required north side yard setback from 10 feet to 5.4 feet (a variance of 4.6 feet) to permit construction of an addition to the existing single-family home, based on the findings that the request does not meet the standards of Section 7.37 (A through E), specifically:

1. The request does not demonstrate a practical difficulty that prevents reasonable use of the property.
2. The circumstances are not unique to the property, as similar lot configurations exist within the zoning district.
3. The need for the variance is based on the applicant's proposed expansion rather than a hardship inherent to the land.
4. Granting the variance may confer a special privilege not enjoyed by other properties in the district.
5. The request has not demonstrated that it is the minimum necessary to provide relief."

WHITE LAKE TOWNSHIP



ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION

NAME: Joseph Mannozi PHONE: [REDACTED]

ADDRESS: 145 Oxbow Lake Rd

EMAIL: [REDACTED]

INTEREST PROPERTY: PROPERTY OWNER BUILDER OTHER: _____

PROPERTY INFORMATION

ADDRESS: 145 Oxbow Lake Rd ZONING: R1-C

VALUE OF IMPROVEMENT: \$ 50,000 SEV OF EXISTING STRUCTURE: \$ \$105,460 (2025)
~~\$110,410 (2026)~~

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

We request a variance to put an addition on to the single story portion of our home, a variance is required to achieve this due to the current positioning and orientation of our home on our lot. Our home sits non perpendicular to the northern lot line and already has existing non conformity in this area where the proposed addition would be built. We have attached responses to the standards to this document. The proposed addition will provide an increase in the size of the kitchen as well as another open space for a dinning / living area on the single story section of our home.

APPLICATION FEE: \$440 \$550

APPLICANT'S SIGNATURE: [Signature] DATE: 2/20/2026

Statements for ZBA Regarding Standards

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".

1. *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.*
 1. *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.*

The current plot for 145 Oxbow Lake Road shows that when the home was purchased by the current owners, it was already partially in violation of the 10-foot northern lot line ordinance due to the home's placement and orientation (the structure is not perpendicular to the northern lot line). Prior to renovation, the home's closest point to the northern property line was approximately 5 feet 4 inches, while still maintaining the mandatory 5-foot minimum setback required for emergency services access.

The proposed addition has been designed to maintain the existing 5-foot 4-inch setback along the northern property line. Additionally, the point of connection to the existing structure has been adjusted from the initial drawings so that only the northernmost corner of the proposed addition encroaches into the 10-foot ordinance area, thereby improving overall conformity.

Furthermore, due to the home's tri-level design, the addition is planned for the single-story portion of the structure. Relocating the addition beyond its current position would require it to be constructed as a two-story structure, which is not desirable. Overall, the added square footage will bring the property value more in line with surrounding homes, potentially increasing the property's assessed value and corresponding tax revenue.

2. *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.*

This situation is unique due to the orientation of the home relative to the lot. The northernmost point of the house currently sits approximately 5 feet 4 inches from the property line and is not perpendicular to it. The property at 145 Oxbow is a tri-level home, and the proposed addition is planned for the single-story portion of the structure.

Any further movement of the addition toward the southern lot line would change the design from a single-story addition to a two-story addition. This would require a portion of the addition to be

constructed below grade to align with the existing tri-level configuration. Such a modification is neither desirable nor feasible, particularly due to the location where the septic line exits the home.

3. *Not self created: The applicants problem is not self-created.*

This issue is not self-created, as the home, in its current position on the lot, is already nonconforming. Our intent is not to increase the degree of nonconformity beyond the 5-foot emergency services set back line. We have revised the original drawings to reduce the portion of the proposed addition located along or near the 5-foot emergency setback line and to minimize any encroachment within the 10-foot northern setback ordinance. These modifications maintain the functionality of the proposed addition while keeping it on the single-story section of the home.

4. *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).*

The current variance request maintains the required emergency services setback and does not extend the property beyond our existing property lines. Keeping the addition as a single-story structure will not impede or adversely affect neighboring properties, alter traffic patterns, increase odors, or elevate fire risk beyond what already exists due to the home's current placement.

Our situation is unique because of the home's orientation and positioning on the lot. Granting this variance would allow us to modify and improve our property in a manner consistent with other homes in the area, without granting us any greater rights than our neighbors. In fact, approval of this variance would simply bring our property rights more in line with those of surrounding homeowners, as our current ability to expand our home is limited by the existing nonconformity.

5. *Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.*

The requested variance is the minimal variance needed to maintain functionality of the proposed addition.

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Steve Anderson
Andrea C. Voorheis
Liz Fessler Smith

WHITE LAKE TOWNSHIP

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Joseph Mannozi
145 Oxbow Lake Rd
White Lake, MI 48386

Re: Proposed Addition

Based on the submitted plans, the proposed addition does not satisfy the White Lake Township Clear Zoning Ordinance for R1-C zoning district.

Article 3.1.5 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback of 10 ft each side and minimum lot area of 16,000 sq ft.

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.

The existing corner lot and structure are legal non-conforming. The 15,725 sq ft corner lot contains a residential structure that does not meet the required side yard setback on the north side. The proposed addition would increase the non-conformity, maintaining the existing 5.4 ft setback from the north side yard lot line where 10 ft is required.

Additionally, **Article 5.3** states; in no instance shall any portion of the proposed structure, including overhangs and gutters, project closer than 5 ft to either side yard lot line. **The plan should clearly define whether the setback measurement is to the overhang or side wall.** No board, commission or department can grant approval to any structure, or portion of structure within the 5 ft side yard setback.

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, a certified boundary and location survey showing existing structures, proposed structures, setbacks, and well and septic locations will be required by the ZBA.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

Existing Conditions Sketch

A Part of the Northeast 1/4 of Section 27

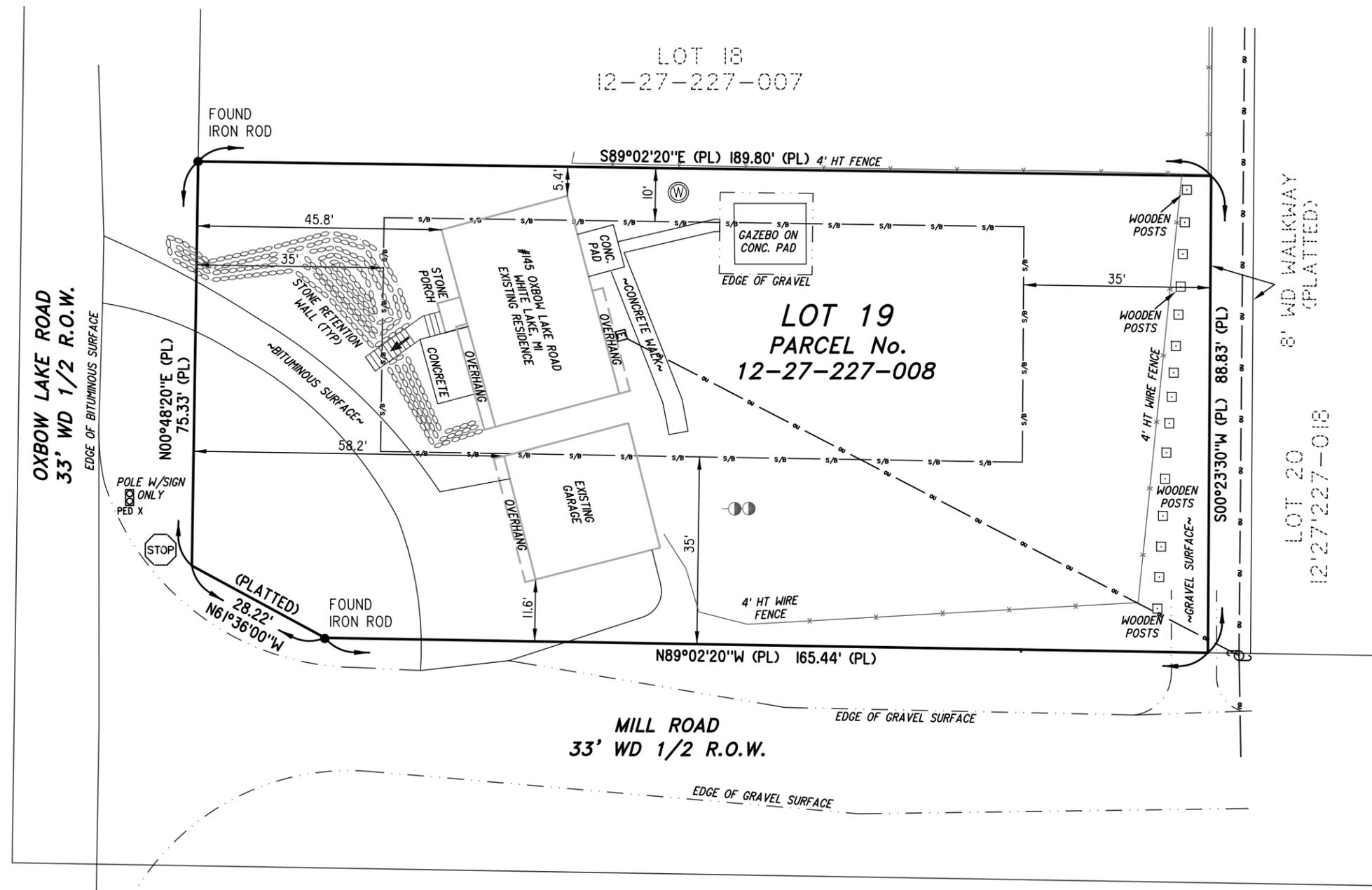
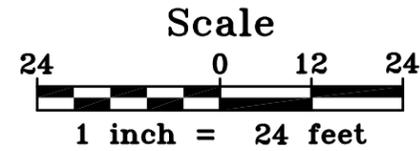
Town 3 North, Range 8 East

White Lake Township, Oakland County, Michigan

LEGAL DESCRIPTION

Lot 19 of "Baker Beach No. 1," a Subdivision of part of the Northeast 1/4 of Section 27, Town 3 North, Range 8 East, White Lake Township, Oakland County, Michigan, according to the plat thereof, as recorded in Liber 59 of Plats, Page 22, Oakland County Records.

Also known as: 145 Oakbow Lake Road, White Lake, Mi



LEGEND

- = MISC. STRUCTURE (AS LABELED)
- = SURVEYOR'S MONUMENTATION (AS LABELED)
- = STOP SIGN
- = DIRECTION TO LOWER LEVEL (STEPS/STAIRS)
- = UTILITY METERS & BOXES (ELECTRIC METER, GAS METER, WATER METER, PHONE BOX, CATV BOX, MAIL BOX, UTIL. BOX, VAULT)
- = UTILITY POLE W/GUY WIRE
- = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
- = STONE RETAINING WALL
- = FENCE (CHAIN LINK UNLESS OTHERWISE LABELED)
- = EDGE OF GRAVEL
- = CLEAN OUT
- = WATER WELL
- = DENOTES LINE BEARING / DISTANCE AS PLATTED

DESINE INC
 (810) 227-9533
 CIVIL ENGINEERS
 LAND SURVEYORS
 2183 PLESS DRIVE
 BRIGHTON, MICHIGAN 48114

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|---------|-----------------------------|
| REVISED | SCALE: 1" = 24' |
| | PROJECT No.: 3-14-27-254965 |
| | DWG NAME: 254965-SKTCH |
| | SHEET No.: 1 OF 1 |
| | DATE: 09/09/25 |

