

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
FEBRUARY 26, 2026**

CALL TO ORDER

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

Roll was called:

ROLL CALL

Present:

Debby Dehart, Planning Commission Liaison
Jo Spencer, Chairperson
Tony Madaffer
Steve Anderson, Township Board Liaison
Clif Seiber

Absent:

Niklaus Schillack, Vice Chairperson

Also Present:

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

A. January 22, 2026

It was MOVED by Member Seiber, seconded by Member Anderson to approve the minutes of January 22, 2026, as presented. The motion carried with a voice vote: (5 yes votes).

CALL TO THE PUBLIC

None.

OLD BUSINESS

None.

NEW BUSINESS

- A. Applicant: Derek and Kaitlyn Byerle, Owner
12201 William Randy Ct.
White Lake, MI 48386
Location: **12201 William Randy Ct**
White Lake, MI 48386, identified as 12-15-276-031
Request: A variance from Sec 5.14-C to allow one private road gate.

Senior Planner Waligora reviewed his report with the Zoning Board of Appeals.

Member Seiber asked staff if there is another instance of a private road like this in the Township. Senior Planner Waligora said no.

Member Dehart asked staff if the private road was an easement, or a drive, would it require a variance. Senior Planner Waligora said no.

Member Anderson asked staff how they were made aware of the gate. Building Official Spencer said another complaint unrelated to the gate was made on the property, and staff investigated. The gate was discovered during the investigation.

Kaitlyn Byerle, applicant, was present to speak on her case. She stated for years her private road was used as uncontrolled access for other drivers to access. Significant damage has been inflicted on the driveway, and many unsafe incidents have occurred on the private road. There are concerns about strangers loitering on the property due to the appearance of the private road being an open area. She stated the Police Department recommended the gate.

Member Dehart stated she appreciated the gate being far enough off the road where a misdirected truck would have enough room to turn around.

Chairperson Spencer opened the public hearing at 7:00 P.M.

Mary Earley, 5925 Pine Ridge Court, asked if the private road could be vacated and classified as a driveway. Senior Planner Waligora said no.

Chairperson Spencer read six letters in favor of the applicant's request in the record.

Chairperson Spencer closed the public hearing at 7:06 P.M.

Member Seiber stated the road shouldn't have been built as a private road.

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

A. Practical Difficulty

- Member Dehart said the Township imposed the private road on the property.

B. Unique Situation

- Member Seiber said the irregular shaped lot and road frontage made for a unique situation.

C. Not Self-Created

- The applicant did not build the private road.

D. Substantial Justice

- Member Seiber said at least two neighbors on Teggerdine Road have gated driveways and enjoy the same privacy the applicant is seeking.

E. Minimum Variance Necessary

- Member Spencer said it was the minimum variance necessary.

Member Seiber MOVED to approve the variance requested by Derek and Kaitlyn Byerle, for parcel number 12- 15-276-031, identified as 12201 William Randy Ct., Specifically approving a variance from Section 5.14-C of the White Lake Township Zoning Ordinance to allow one private road access gate on William Randy Ct.

- 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 and Fire Department.**
- 3. Subject to review of the Fire Department whether the Knox Box is required (due to the Fire Department having the access code to the gate).**

Member Anderson seconded, and the motion carried with a roll call vote: (5 yes votes) (Anderson/yes, Dehart/yes, Spencer/yes, Madaffer/yes, Seiber/yes).

- B. Applicant: David Van Assche
102 Lac Sainte Claire Dr
Saint Clair Shores, MI 48082
Location: **2305 Ridge Rd.**
White Lake, MI 4386, identified as 12-18-151-029
Request: Substandard Lot

Senior Planner Waligora reviewed his report with the Zoning Board of Appeals.

David Van Assche, applicant, said he moved back to Michigan, and his original intention was to renovate the existing house. It was determined it was more cost effective to tear the existing house down and rebuild. Mr. Van Assche has been working with Township staff to create an acceptable building envelope on the lot.

Chairperson Spencer opened the public hearing at 7:34 P.M. Seeing none, she closed the public hearing at 7:34 P.M.

It was MOVED Member Seiber to postpone the substandard lot request from David Van Assche, for the property located at 2305 Ridge Road White Lake, MI 4386, identified as 12-18-151-029, for the reasons stated at tonight's hearing.

There was no support, and the motion failed.

It was MOVED by Member Dehart to approve the substandard lot request from David Van Assche, for the property located at 2305 Ridge Road White Lake, MI 4386, identified as 12-18-151-029 to permit the use of such non conforming lot with the following conditions:

- 1. Lot coverage no greater than 25%**
- 2. The north side set back of no greater of 6.1' ft**
- 3. The south side setback no greater than 5.9 ft,**
- 4. The Community Development Department to review administratively.**

Member Anderson seconded, and the motion carried with a roll call vote: (3 yes votes) (Seiber/yes, Madaffer/no, Spencer/yes, Dehart/yes, Anderson/yes).

- C. Applicant: Eric Dennis
8576 Sandycrest Dr
White Lake, MI 48386
Location: **3837 Jackson Blvd**
White Lake, MI 4386, identified as 12-07-157-015
Request: Variance requests from: Sec. 3.1.6 for a side yard variance; Sec 3.11.J for a minimum floor area variance; Sec 5.3 for a side yard projection variance; Sec. 7.23(A) expansion of a nonconformity

Senior Planner Waligora reviewed his report with the Zoning Board of Appeals.

Eric Dennis, applicant, stated a similar variance was approved prior for the neighbors to the east. The addition did not encroach more north due to the septic field location.

Member Seiber asked Mr. Dennis if there will be any overhangs on the side yard. Mr. Dennis said no.

Member Dehart asked Mr. Dennis why the existing west side yard setback couldn't remain. Mr. Dennis stated the intention was to meet the ordinance the best as it could be while utilizing space.

Chairperson Spencer opened the public hearing at 8:04 P.M. Seeing none, she closed the public hearing at 8:04 P.M.

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

A. Practical Difficulty

- Member Seiber stated that lot width is a practical difficulty.

B. Unique Situation

- Member Dehart stated the lot width and the septic field requirements provide a unique situation.

- C. Not Self-Created
 - The request is not self-created.
- D. Substantial Justice
 - Member Anderson said the request will provide substantial justice.
- E. Minimum Variance Necessary
 - Member Dehart said it was the minimum variance necessary.

Member Seiber MOVED to approve the requested dimensional variances requested by Eric Dennis for the property located at 3837 Jackson Blvd, White Lake, MI 4386, identified as 12-07-157-015 from Section 3.1.6 (Side Yard Setbacks) and Section 3.11-J (Minimum Floor Area), as well as from Sec 7.23-A, based on the following findings under Section 7.37:

1. A practical difficulty exists due to the legally established substandard nature of the lot, including its 50-foot width, which is approximately 30% deficient from the required 80 feet, and its 6,490 square foot area, which is approximately 45.9% deficient from the required 12,000 square feet. The narrowing configuration of the parcel substantially limits expansion while maintaining the required 10-foot side yard setbacks.
2. The practical difficulty results from the historic configuration of the parcel and is not self-created.
3. The requested relief from Section 3.1.6 to permit side yard setbacks of approximately 5.42 feet (west) and 5.1 feet (east), where 10 feet is required, and the relief from Section 3.11-J related to minimum floor area, represents the minimum necessary to permit reasonable residential use of the property.
4. The structure remains compliant with front and rear yard setbacks, maintains lot coverage significantly below the maximum 25% permitted (approximately 9.35%), and does not appear to create substantial adverse impacts on surrounding properties.
5. Granting the variances will provide substantial justice by allowing use of the property in a manner similar to other single-family homes in the vicinity without bestowing special development rights.

Member Seiber then included the following additional conditions:

1. Approval is conditioned upon construction being substantially consistent with the survey drawn by Dekeyser Surveying for 3837 Jackson Blvd bearing a most recent revision date of October 15, 2013.
2. The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
3. No mechanical units, including HVAC or generator shall be placed in the front yard of closer than five feet to any side yard lot line or rear lot line.
4. A foundation certificate shall be required to verify the approved setbacks.
5. An as built survey shall be required to verify the approve setbacks.
6. All necessary permits from the Oakland Counter Health Division shall be obtained prior to the issuance of a building permit.

7. Per Section 5.3 of the Zoning Ordinance, all portions of the proposed structure (including roof, soffits, and gutters) shall be setback a minimum of five feet from the side property lines and submitted with the application.

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It was seconded by Member Anderson, and the motion carried with a roll call vote: (5 yes votes) (Seiber/yes, Anderson/yes, Madaffer/yes, Dehart/yes, Spencer/yes).

OTHER BUSINESS

None.

NEXT MEETING DATE: March 26, 2026

ADJOURNMENT

It was MOVED by Member Dehart, Member Anderson to adjourn at 8:10 P.M. The motion carried with a voice vote: (5 yes votes).

DRAFT