

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
MARCH 27, 2025**

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:

Jo Spencer, Chairperson
Steve Anderson, Township Board Liaison
Clif Seiber
Tony Madaffer

Absent:

Debby Dehart, Planning Commission Liaison
Niklaus Schillack, Vice Chairperson

Also Present:

Andrew Littman, Staff Planner
Nick Spencer, Building Official
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

MOTION by Member Anderson, seconded by Member Seiber, to remove case A from the agenda and approve the agenda as amended. The motion carried with a voice vote: (4 yes votes).

APPROVAL OF MINUTES

A. January 23, 2025

MOTION by Member Anderson, seconded by Member Madaffer to approve the minutes as presented. The motion carried with a voice vote: (4 yes votes).

CALL TO THE PUBLIC

None.

NEW BUSINESS

- A. ~~Applicant: Richard and Ashley Boday~~
~~3105 Ridge Road~~
~~White Lake, MI 48383~~
~~Location: 3105 Ridge Road~~
~~White Lake, Michigan 48383 identified as 12-18-101-010~~
~~Request: The applicant requests to build a deck, which would be attached to an existing single family home, and an accessory structure, requiring variances from Section 3.1.6 — Maximum Lot Coverage, Section 3.1.6 — Minimum Lot Width, Section 3.1.6 — Minimum~~

~~Lot Area, Section 3.1.6 – Minimum Side Yard Setback, and Section 7.27 – Nonconforming Lots of Record.~~

- B. Applicant: Dale Leighton
809 Worchester Drive
Fenton, MI 48430
Location: **448 Burgess Drive**

White Lake, Michigan 48386 identified as 12-27-427-009

Request: The applicant requests to build an addition above a garage attached to its single-family home, requiring variances from Section 3.1.5 – Minimum Lot Area, Section 3.1.5 – Minimum Lot Width, Section 7.23 – Nonconforming Structures, and Section 7.27 – Nonconforming Lots of Record.

Chairperson Spencer noted for the record that 21 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Littman reviewed his report.

Member Anderson asked staff if the addition would encroach more on the non-conformity of the current home. Staff Planner Littman said the cubic content would be increased.

Member Anderson asked staff if renderings were included with the applicant's package. Staff Planner Littman said no.

Member Seiber asked staff if the applicant would be able to put eaves on the overhang in the side yard. Building Official Spencer said nothing can encroach more than 5' into the side yard setback.

Rob Priebe, 448 Burgess, said he recently purchased the home to be closer to family. He wanted to enlarge the home with an addition to provide space for his family. He presented a rendering of the proposed addition to the ZBA.

Member Seiber asked the applicant how big the addition's overhang would be. Mr. Priebe said 1'. Member Seiber said gutters and downspouts would not be allowed to encroach past 5' in the side yard setback.

Member Seiber asked the applicant if he was adding another bedroom. Mr. Priebe said no, the existing bedroom will be renovated into a bathroom.

Chairperson Spencer opened the public hearing at 6:54 P.M. Seeing none, she closed the public hearing at 6:54 P.M.

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

- A. Practical Difficulty
 - Chairperson Spencer said the lot is non-conforming.
- B. Unique Situation
 - Chairperson Spencer said the lot is non-conforming.
- C. Not Self-Created
 - The ZBA agreed the applicant did not plat the lot.
- D. Substantial Justice
 - Member Seiber said the applicant's front yard setback was greater than the homes that surround it.
- E. Minimum Variance Necessary
 - Chairperson Spencer said it was the minimum variance necessary.

MOTION by Member Seiber to approve the variances requested by Dale Leighton from Article 3.1.5 and Article 7.28 of the Zoning Ordinance for Parcel Number 12-27-427-009, identified as 448 Burgess Drive, in order to construct a second-story addition onto a single-family home. Variances from Article 3.1.5 are granted to allow for construction on a lot that is 4,066 square feet less than the minimum lot area, and 40 feet less than the minimum lot width, required in the RI-C zoning district. In addition, a variance from Article 3.1.5 is granted to allow the second-story addition to encroach 4 feet into the required southeast side yard setback. Lastly, a variance from Article 7.28 of the Zoning Ordinance is granted to allow for the increase in cubic content of a nonconforming structure. This approval is conditional on the following:

- The applicant must obtain all necessary permits from the White Lake Township Building Division
- In no event shall any overhang or eavestrough project closer than five feet to the side yard lot lines.
- An as-built survey shall be required to verify the overhang setbacks in the side yard lot lines.

Member Anderson supported, and the motion carried with a voice vote: (4 yes votes). (Seiber/yes, Anderson/yes, Madaffer/yes, Spencer/yes).

- C. Applicant: Allied Signs, Inc.
33650 Giftos Drive
Clinton Township, MI 48035
Location: Kroger
10951 Highland Road
White Lake, MI 48386 identified as 12-22-301-004
Request: The applicant requests to add signage onto an existing non-residential building, requiring variances from Section 5.9.J.ii.a – Maximum Size of Wall Signs in a Non-Residential District, Section 5.9.J.ii.b – Maximum Number of Wall Signs in a Non-Residential District, and Section 7.23 – Nonconforming Structures.

Chairperson Spencer noted for the record that 19 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Littman reviewed his report.

Member Seiber asked staff if the previous variances granted in 2024 expire. Building Official Spencer confirmed. Member Seiber reviewed the motion for the removal of the three signs from the March 2024 motion. The temporary banners have not been removed, nor have the wall signs.

Bob Bongiorno, Allied Signs, was present to speak on behalf of the case. Kroger would like additional signage square footage. He said some signs will be eliminated, and others will be enlarged. Kroger is undergoing a national rebranding, which calls for the signs to be rebranded. He said the signage is hard to read from Highland Road. He said the "Murray's Cheese" sign will be removed. He said the grocery pick-up signs are important to navigate customers through the site. He said he needs 96 sq ft additional to enlarge the current non-conforming "Kroger" signs and for the grocery pick-up signs. The "Starbucks" sign will be reduced in size.

Member Anderson expressed concern about the removal of the signs being followed through. Mr. Bongiorno said Kroger is hurting for employees and that may be why the banners are still up.

Member Seiber said he understood the need for enlarging the Kroger sign on the Highland Road frontage, but struggled with the enlargement of the Kroger sign facing Elizabeth Lake Road. The sign facing Elizabeth Lake Road is proposed to be bigger than the sign facing Highland Road. Mr. Bongiorno said signage looks smaller when placed higher on a façade.

Member Anderson asked if the "Kroger" signs will be lit. Mr. Bongiorno confirmed.

Member Anderson asked if the "Marketplace" portion of the "Kroger" sign could be moved. Mr. Bongiorno said it could, but it might make the sign more crowded and harder to read.

Member Seiber asked how many sides are on the building's front facing Highland Road. Mr. Bongiorno said six. Member Seiber asked staff if directional signs count towards sign allowances. Staff Planner Littman confirmed. The variances would result in five signs on the Highland Road frontage, and four on the Elizabeth Lake Road frontage.

Chairperson Spencer opened the public hearing at 7:27 P.M.

Mary Earley, 5925 Pine Ridge Court, said she counted eight signs on the store today. She said the pickup signs are redundant. She is opposed to the applicant's request.

Building Official Spencer said staff will put together a letter about the removal of the temporary signs.

Member Seiber said the building is large, and saw the need for signage on the Highland Road frontage, but did not see the need for the signs on the Elizabeth Lake Road frontage. He said he would table the request until the temporary signs are removed.

Member Seiber MOVED to postpone the appeal of Allied Signs to a date after the existing temporary signs are removed for Parcel Number 12-22-301-014, identified as 10951 Highland Road, to consider comments stated during this public hearing, and for the applicant to resize the western building signage to 200 sq ft or less.

Member Anderson supported, and the motion carried with a roll call vote: (4 yes votes) (Seiber/yes, Anderson/yes, Spencer/yes, Madaffer/yes).

OTHER BUSINESS

None.

NEXT MEETING DATE: April 24, 2025

ADJOURNMENT

MOTION by Member Madaffer, seconded by Member Anderson, to adjourn at 7:44 P.M. The motion carried with a voice vote: (4 yes votes).