

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

<p>REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT</p>
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TO: Zoning Board of Appeals

FROM: Andrew Littman, Staff Planner

DATE: April 14, 2025

Agenda item: 8B

Appeal Date: March 25, 2025

Applicant: Steve Mitchell

Address: 9049 Longcroft Street
 White Lake, MI 48386

Location: 9049 Longcroft Street
 White Lake, MI 48386

Zoning: R1-D Single Family Residential

Property Description

The 0.271-acre (11,805 square-foot) parcel identified as 9049 Longcroft Street is located on Long Lake and zoned R1-D (Single Family Residential). The existing two-story single-family home on the property (which is 3,915 square feet in size) utilizes a private well for potable water and a septic system for sanitation.

Applicant's Proposal

The Applicant is proposing to build a covered patio addition (measuring 480 square feet) onto an existing 3,915 square-foot single-family home, which is a legally nonconforming structure due to having an east side yard setback of 3.7 feet and west side yard setback of 4.6 feet. The addition is proposed at the rear of the existing residence.

Planner's Report

The existing single-family home and lot are both legally nonconforming. Per Article 3.1.6.E of the Zoning Ordinance, the minimum side yard setback in the R1-D zoning district is 10 feet on each side (and 20 feet for the total of both sides). In this case, the existing single-family home has an east side yard setback of 3.7 feet and west side yard setback of 4.6 feet. Moreover, the lot size (11,805 square feet) is deficient by 195 square feet and the lot width (75 feet) is deficient by 5 feet.

The proposed patio addition would come 5 feet from the east side yard lot line, which would require a 5-foot variance for the east side yard setback. Moreover, the addition would result in the lot coverage equaling 26.5 percent, which is 1.5 percent above the maximum lot coverage (25 percent) allowed for lots served by a private septic system. Finally, the Applicant would need to receive a variance from Section 7.28 of the Zoning Ordinance, which does not allow the cubic content of nonconforming structures to be increased.

The requested variances are listed in the following table:

Variance #	Ordinance Section	Subject	Standard	Requested Variance
1	Section 3.1.6.E	Minimum Side Yard Setback	10 feet per side	5 feet for east side yard setback
2	Section 3.1.6.E	Minimum Lot Area	12,000 square feet	195 square feet
3	Section 3.1.6.E	Minimum Lot Width	80 feet	5 feet
4	Section 3.1.6.E	Maximum Lot Coverage	25 percent	1.5 percent
5	Section 7.27	Nonconforming Lots of Record	Only developable if setbacks are met	Developable even if setback requirements are not met
6	7.28.A	Nonconforming structure	No increase in cubic content	Increase cubic content of nonconforming structure

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Steve Mitchell from Section 3.1.6, Section 7.27, and Section 7.28 of the Zoning Ordinance for Parcel Number 12-35-481-001, identified as 9049 Longcroft Drive, in order to construct a covered patio addition onto an existing single-family home. Variances from Section 3.1.6 are granted to allow for construction on a lot that is 195 square feet less than the minimum lot area, and 5 feet less than the minimum lot width, required in the R1-D zoning district. In addition, variances from Section 3.1.6 are granted to allow the covered patio addition to encroach 5 feet into the required east side yard setback and for the lot coverage to exceed the maximum percentage allowed by 1.5 percent. A variance from Section 7.27 of the Zoning Ordinance is also granted to allow for development on a lot that does not meet the minimum Ordinance requirements for lot area and width. Lastly, a variance from Article 7.28 of the Zoning Ordinance is granted to allow for an increase in cubic content of a nonconforming structure. This approval will have the following conditions:

1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division
2. In no event shall the projection of any roof overhang be closer than five feet to the side lot lines

3. No mechanical units, including HVAC system or generators, shall be placed closer than five feet to any side yard lot line
4. An as-built survey shall be required to verify the approved setbacks

Denial: I move to deny the variances requested by Steve Mitchell for Parcel Number 12-35-481-001, identified as 9049 Longcroft Drive, due to the following reason(s):

Postpone: I move to postpone the appeal of Steve Mitchell *to a date certain or other triggering mechanism* for Parcel Number 12-35-481-001, identified as 9049 Longcroft Drive, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated March 24, 2025
2. Certified boundary survey dated March 24, 2025
3. Certified boundary survey dated November 18, 2020
4. Plans for covered patio
5. Letter of denial from the building department dated March 20, 2025

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

- 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

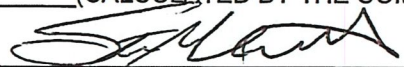
CHARTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION
Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: Steve Mitchell PHONE: 586-846-6951
ADDRESS: 9049 Longcroft, White Lake, MI. 48386
APPLICANT'S EMAIL ADDRESS: smitch98@gmail.com
APPLICANT'S INTEREST IN PROPERTY: ☒ OWNER ☐ BUILDER ☐ OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9049 Longcroft PARCEL # 12 - 35-481-001
CURRENT ZONING: Residential PARCEL SIZE: 75x165x60x155 - ~11,800 square feet

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 3.1.6 Minimum side set back
Variance to the schedule of regulations, Article 7
VALUE OF IMPROVEMENT: \$ 5,000 SEV OF EXISTING STRUCTURE: \$ 361,480

STATE REASONS TO SUPPORT REQUEST: (ATTACH WRITTEN STATEMENT TO APPLICATION)

APPLICATION FEE: \$385⁰⁰ (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE:  DATE: 3/24/25

RECEIVED

MAR 25 2025

COMMUNITY
DEVELOPMENT
DEPARTMENT

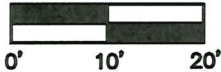
NOTE:

A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

CERTIFIED SURVEY



SCALE: 1"=20'



PROPERTY DESCRIPTION:

LOT 41, LONGCROFT No. 1, PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWN 3 NORTH, RANGE 8 EAST, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 67 OF PLATS, PAGE 19 OF OAKLAND COUNTY RECORDS.

LEGEND

- SET 1/2" REBAR WITH CAP, #53499
- FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

DESCRIPTION OF DISPUTED AREA:

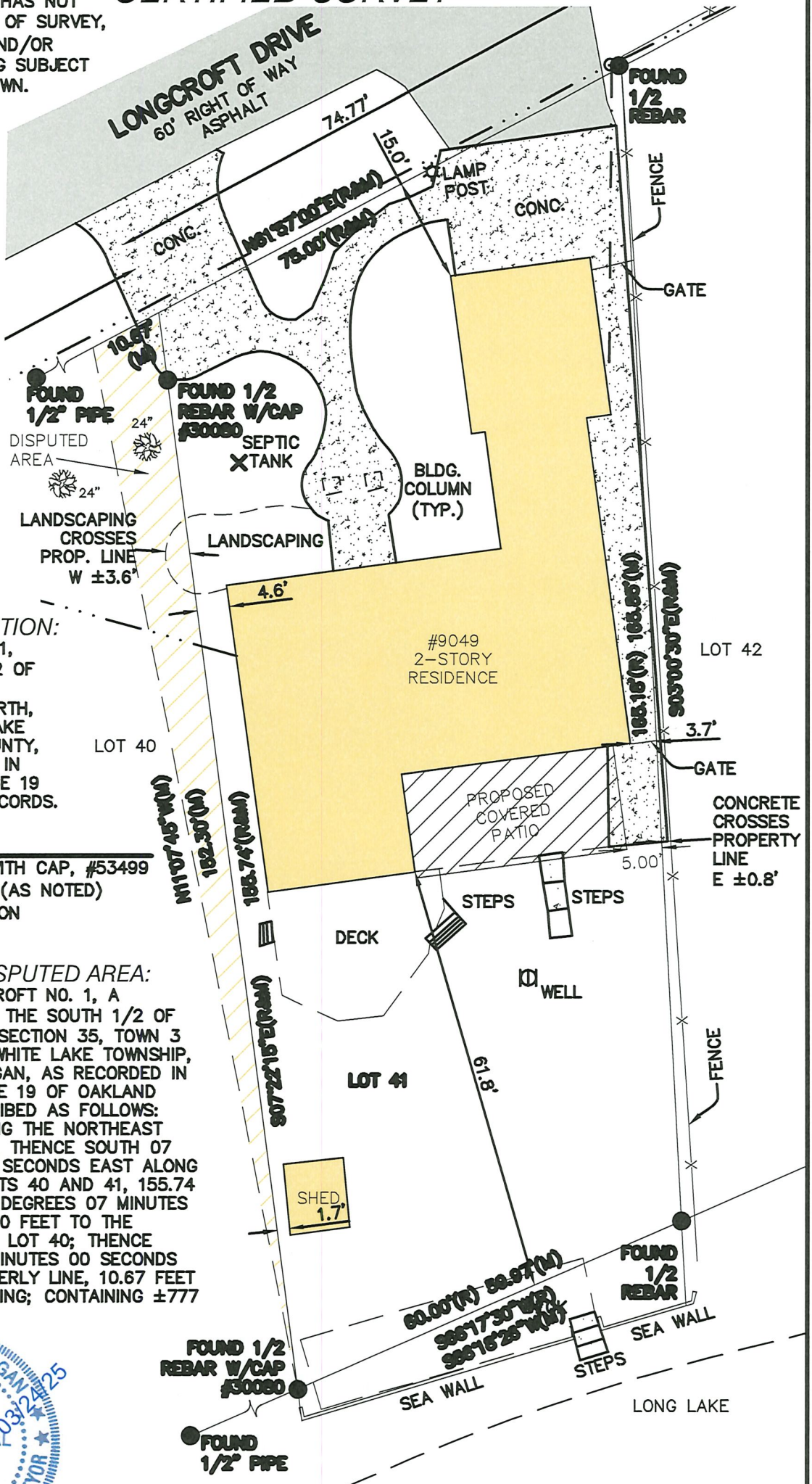
PART OF LOT 40, LONGCROFT NO. 1, A SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWN 3 NORTH, RANGE 8 EAST, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 67 OF PLATS, PAGE 19 OF OAKLAND COUNTY RECORDS, DESCRIBED AS FOLLOWS: POINT OF BEGINNING BEING THE NORTHEAST CORNER OF SAID LOT 40, THENCE SOUTH 07 DEGREES 22 MINUTES 15 SECONDS EAST ALONG THE COMMON LINE OF LOTS 40 AND 41, 155.74 FEET; THENCE NORTH 11 DEGREES 07 MINUTES 45 SECONDS WEST, 152.30 FEET TO THE NORTHERLY LINE OF SAID LOT 40; THENCE NORTH 61 DEGREES 57 MINUTES 00 SECONDS EAST ALONG SAID NORTHERLY LINE, 10.67 FEET TO THE POINT OF BEGINNING; CONTAINING ±777 SQUARE FEET OF LAND.



I CERTIFY THAT THE REQUIREMENTS FOR 1970 PA 132, MCL 54.213 HAVE BEEN MET, AND THAT THE RELATIVE POSITIONAL PRECISION IDENTIFIED FOR THIS SURVEY AND SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING.

D. Jackson

DANIEL J. JACKSON, P.S. NO. 53499



SULLIVAN
SURVEYING

PROFESSIONAL SURVEYING

330-548-1050

sullivanssurveying19@gmail.com

CERTIFIED TO: STEVE MITCHELL

DATE: MARCH 24, 2025

SHEET: 1 OF 1

SCALE: 1" = 20'

JOB NO.: 9049 LONGCROFT

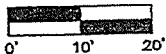
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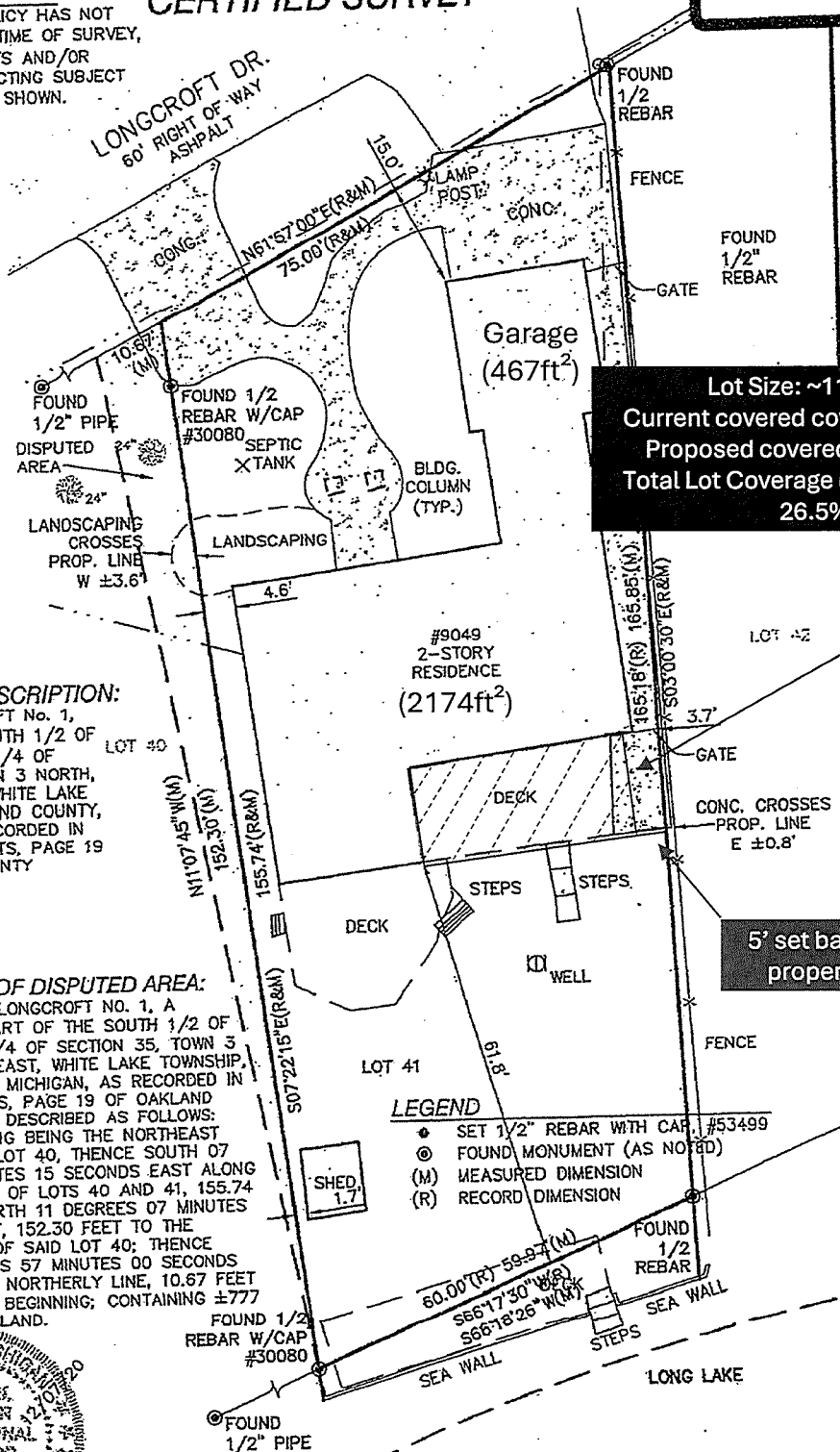
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DANIEL J. JACKSON, P.S. NO. 53499



EXHIBIT

JACKSON 51 8430-21 ALB

Lot Size: ~11,800ft²
Current covered coverage: 2641ft²
Proposed covered area: 480ft²
Total Lot Coverage (covered area): 26.5%

Covered
Patio

5' set back from
property line

LEGEND

- SET 1/2" REBAR WITH CAP #53499
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

KEM-TEC

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SURVEYING & ENVIRONMENTAL
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CERTIFIED TO: MIKE & LINDA LIESS

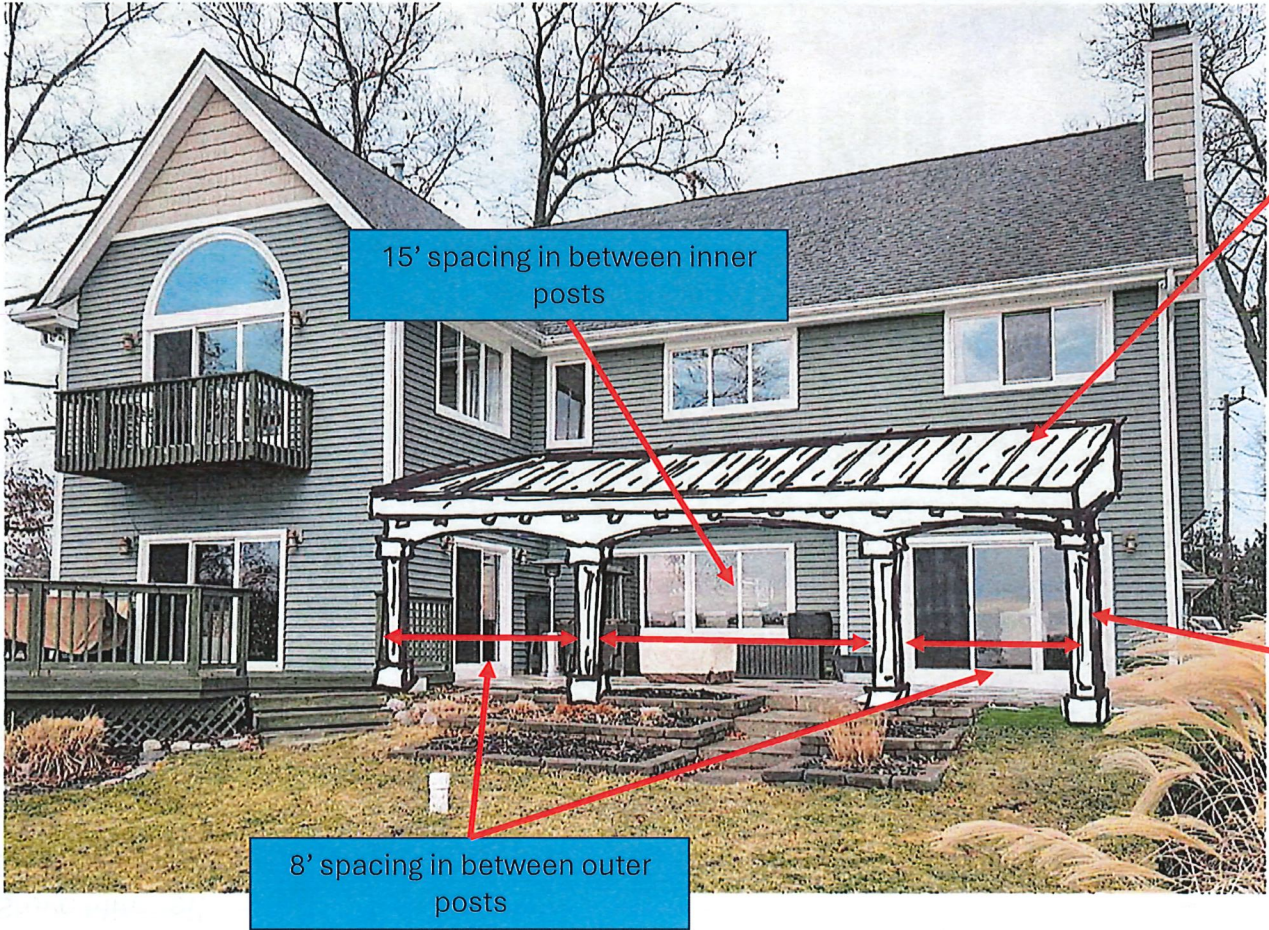
FIELD SURVEY: JS CK AJ DATE: NOVEMBER 18, 2020

DRAWN BY: JWH SHEET: 1 OF 1

SCALE: 1" = 20' JOB NO.: 20-03084

Steve Mitchell
9049 Longcroft
White Lake, MI. 48386

Roof over existing Patio Project



15' spacing in between inner posts

Standing Seam Metal roofing panels with hidden fasteners – on 7/16in. OSB Roof sheathing. 100% coverage of ice & water shield to enable 2:12 pitch – 24” on center trusses

4 - 6x6 treated posts on top of 48” cement footings (minimum diameter for footing?)

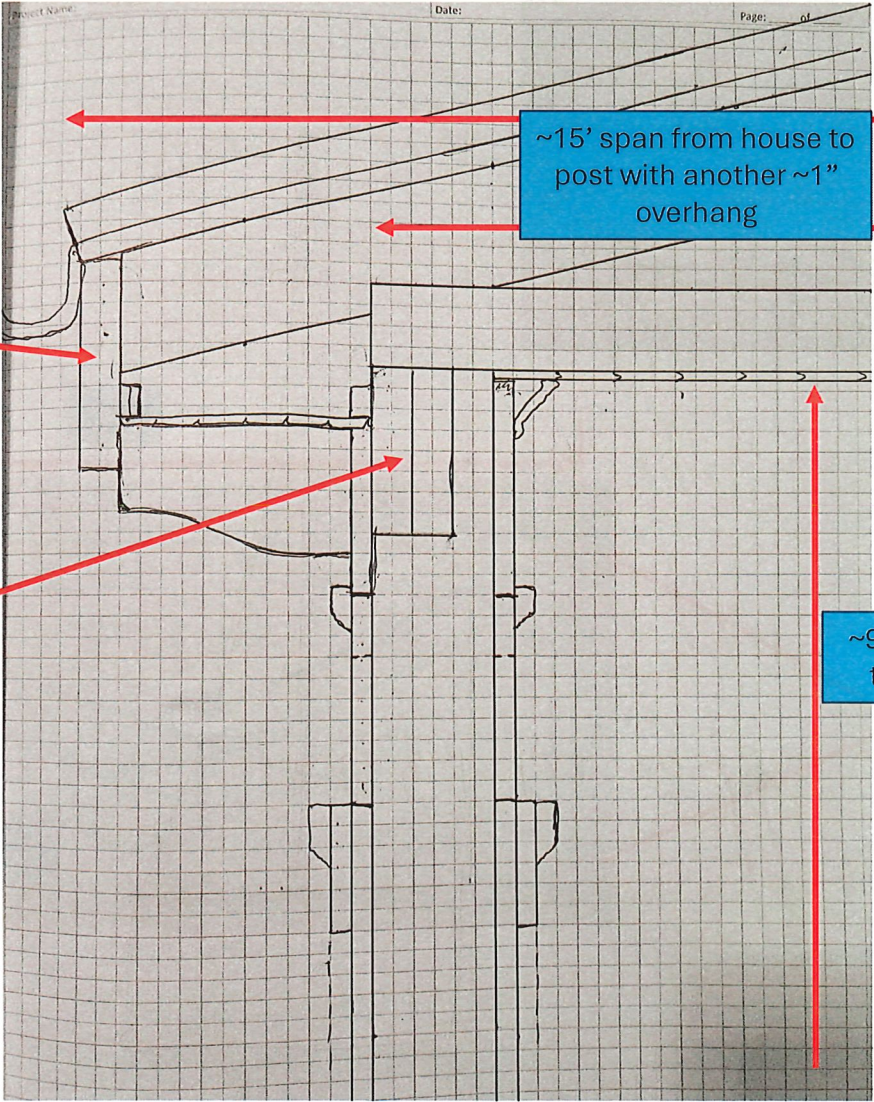
8' spacing in between outer posts

Steve Mitchell
9049 Longcroft
White Lake, MI. 48386

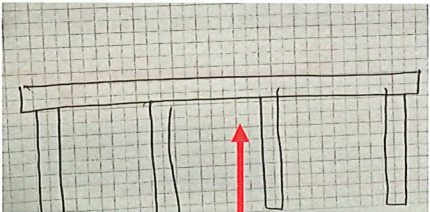
Roof over existing Patio Project

2x10 Fascia
board (treated)

2x10 Treated Beams
(2) to enable larger
span between
center posts – set
onto notched post



~15' span from house to
post with another ~1"
overhang



~9' Roof underside
to Patio surface

(larger spacing between
center posts) - 2x10
Beams (2)

Steve Mitchell
9049 Longcroft
White Lake, MI. 48386



Existing

Roof over existing Patio Project

Roof covering over Patio



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

March 20, 2025

Steve Mitchell
9049 Longcroft
White Lake, MI 48386

Re: Proposed covered porch

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

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback 10 feet each side and total of 20 ft, minimum lot size of 12,000 sq ft, minimum lot width of 80 ft, and maximum lot coverage of 25%.

The existing lot and residential structure are legal non-conforming. The approximate 11,800 sq ft, 75 ft wide lot contains a residential structure with an east side yard setback of 3.7 ft and west side setback of 4.6 ft. The new roof structure addition is proposed to have a 5 ft east side yard setback. While the plan does not indicate the total lot coverage, it should be noted that the addition may put the total lot coverage above 25%.

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 April 24th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than March 27th at 4:30 PM. ***Be advised, a certified boundary and location survey showing existing and proposed structures, setbacks, well and septic locations, and total lot coverage will be required by the ZBA. The survey must be submitted to the Planning Department a minimum of 3 weeks prior to the meeting.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township