

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: December 14, 2023

Agenda item: 8a

Appeal Date: December 14, 2023

Applicant: Leonard Mydini

Address: 4780 Dixie Hwy.
Waterford, MI 48329

Zoning: GB General Business

Location: 8317 Highland Road
White Lake, MI 48386

Property Description

The approximately 0.729-acre parcel identified as 8317 Highland Road is located on the south side of Highland Road, west of Pontiac Lake Road, and zoned GB (General Business).

Applicant's Proposal

Leonard Mydini, the applicant, is proposing to install a wall sign on the side elevation of the building.

Planner's Report

A maximum of one (1) wall sign is permitted for each principal building. The one permitted wall sign must be located flat against the building's front facade or parallel to the front facade on a canopy. The applicant is requesting a variance to install a 55.4 square foot wall sign on the west (side) elevation of the building.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 5.9.J.ii.b	Wall signs	Front Facade	Side Facade (west)	1 wall sign (west facade)

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by Leonard Mydini from Article 5.9.J.ii.b of the Zoning Ordinance for Parcel Number 12-13-455-021, identified as 8317 Highland Road, in order to install a 55.4 square foot wall sign on the west side elevation of the building. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Division.
- No additional signage shall be permitted on the building.
- Any future modification to signage on the building, except for eliminating signage, shall require approval of the Zoning Board of Appeals.

Denial: I move to deny the variance requested by Leonard Mydini for Parcel Number 12-13-455-021, identified as 8317 Highland Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Leonard Mydini to a date certain or other triggering mechanism for Parcel Number 12-13-455-021, identified as 8317 Highland Road, to consider comments stated during this hearing.

Attachments:

1. Variance application dated October 24, 2023.
2. Sign permit application received by the Township September 15, 2023.

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 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:
 - 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 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.

Bring pet By Nov 14

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: LEONARDO MYDINI PHONE: 248.568.5682

ADDRESS: 8317 HIGHLAND RD White LAKE

APPLICANT'S EMAIL ADDRESS: MYDINI@COMCAST.NET

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: ① SAME PARCEL # 12 - 13-455-021

CURRENT ZONING: _____ PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

VALUE OF IMPROVEMENT: \$ _____ SEV OF EXISTING STRUCTURE: \$ _____

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

APPLICATION FEE: \$440 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)

APPLICANT'S SIGNATURE: [Signature] DATE: 10-24-2023

7525 Highland Road
White Lake, MI 48383



(248) 698-3300
Fax (248) 666-7451

RECEIVED

WHITE LAKE TOWNSHIP
APPLICATION FOR SIGN PERMIT

OFFICE USE ONLY
DATE OF APPLICATION
PERMIT #

SEP 15 2023

BUILDING
DEPARTMENT

The undersigned hereby applies for a permit to construct, erect, or alter a sign according to the provisions of White Lake Township Ordinances 58 and 93, and according to the following statements.

3 COMPLETE SETS OF PLANS, INCLUDING SITE PLANS SHOWING SUFFICIENT DETAIL DRAWN TO SCALE ARE REQUIRED FOR PERMIT CONSIDERATION. TOWNSHIP ORDINANCE 58.

- 1. Address of new sign: 8317 Highland Rd
- 2. Zoning District: _____ 3. Sidwell #: _____
- 4. Circle what applies: Temporary Sign Permanent Sign Pylon Sign Wall Sign
Other, Describe: _____
- 5. Sign Height: 56" h + 140 w 6. New Sign Sq. Ft.: 54.4 sf
- 7. Lot Line Set Back: Front _____ Rear _____ Side _____ Side _____
- 8. Final Site Plan Approval Date: _____
- 9. Wording on Sign: Ripples of the Lakes
- 10. Estimated Value of Sign: 4800 =

Property Owner: Name Leonard Mydini Phone# 248-568-5682
Address 8317 Highland Rd White Lake, MI 48386

Business Owner: Name Ripples of the Lake Phone# _____
Address 8317 Highland Rd, White Lake, MI

Contractors (Installer): Name Matthew Newman Phone# 248-877-9001
Address 72 Pinewood Dr., White Lake, MI 48386
License# 5306263 SS or Federal ID# 46-2797784
MESC# _____ Disability Comp. Ins. Markell Insurance

Issued By: _____ Date: _____

Denied By: _____ Date: _____

DENIED

SEP 15 2023

PERMIT FEE: _____

WHITE LAKE TOWNSHIP
COMMUNITY DEVELOPMENT