

**WHITE LAKE TOWNSHIP
INTER-OFFICE MEMORANDUM
COMMUNITY DEVELOPMENT DEPARTMENT**

DATE: September 9, 2022

TO: Rik Kowall, Supervisor
Township Board of Trustees

FROM: Sean O'Neil, AICP
Community Development Director

SUBJECT: **Haley Road Rezoning Request**
Property identified as Parcel Number 12-15-300-005 (2110 Haley Road), located south of Hitchcock Road and east of Porter Road, consisting of approximately 68.93 acres. Applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning district.

The rezoning request was considered by the Planning Commission at their regular meeting of September 1st, 2022, at which time the **Planning Commission recommended approval of this rezoning request**. Please find enclosed the following related documents:

- ❑ Draft minutes of the September 1st, 2022 Planning Commission meeting.
- ❑ Review letter prepared by the Township Staff Planner, Justin Quagliata, dated August 22, 2022.
- ❑ Rezoning application submitted by the applicant.
- ❑ Public hearing notice.

Please place this matter on the next available Township Board agenda. Do not hesitate to contact me should you require additional information.

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION**

Township Annex, 7527 Highland Road
White Lake, MI 48383
September 1, 2022 @ 7:00 PM

CALL TO ORDER

Commissioner Anderson called the meeting to order at 7:15 PM and led the Pledge of Allegiance. Roll was called.

ROLL CALL

Steve Anderson
Pete Meagher
Debby Dehart
Matt Slicker
Mark Fine

Absent: T. Joseph Seward
Scott Ruggles
Robert Seeley
Merrie Carlock

Also Present: Sean O'Neil, Community Development Director
Lisa Kane, Recording Secretary

Visitors: Approximately 4 members of the public were present

APPROVAL OF AGENDA

Commissioner Fine moved to approve the agenda of the September 1, 2022 Planning Commission Meeting.

Commissioner Meagher supported and the **MOTION CARRIED** with a voice vote: 5 yes votes.

APPROVAL OF MINUTES

- a. Regular meeting minutes of August 18, 2022

Commissioner Dehart moved to approve the amended Minutes of August 18, 2022.

Commissioner Meagher supported and the **MOTION CARRIED** with a voice vote: 5 yes votes.

CALL TO THE PUBLIC (FOR ITEMS NOT ON THE AGENDA)

None

PUBLIC HEARING

A. Haley Road Rezoning

Property identified as Parcel Number 12-15-300-005 (2110 Haley Road), located south of Hitchcock Road and east of Porter Road, consisting of approximately 68.93 acres.

Request: The applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning district.

Applicant: Charles Burt
2110 Haley Road
White Lake, MI 48383

Applicant present: Charles Burt of 2110 Haley Road

Director O'Neil gave a brief introduction to the rezoning request. The requested zoning is consistent with the master plan and harmonious with the surrounding area, which is surrounded by low density residential. Staff recommends approval. No utilities are available to this site and there is no need for a traffic study.

Commissioner Slicker inquired about the similarity between Suburban Farms zoning and Rural Estates as it is stated in the master plan.

Director O'Neil stated how Rural Estates relates to the Suburban Farms zoning in lot size and low density.

Mr. Burt stated that he has a conceptual idea of the development he will propose and shared it with the board members.

Deliberation on the lot size requirements for Suburban Farms zoning and requirements for frontage as it relates to roads and splitting of the property.

Commissioner Anderson opened public comment at 7:33 PM

No one from the audience spoke.

Commissioner Anderson closed public comment at 7:35 PM

Commissioner Fine moved to forward a favorable recommendation to the Township Board, the rezoning for parcel number 12-15-300-005 (2110 Haley Road), located south of Hitchcock Road and east of Porter Road, consisting of approximately 68.93 acres.

Request: The applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms)

Commissioner Meagher supported and the motion carried unanimously with a roll call vote (5 yes votes) (Anderson/yes, Dehart/yes, Fine/yes, Meagher/yes, Slicker/yes)

B. Oakland Harvesters

Located on the north side of White Lake Road, west of Old White Lake Road and east of Orr Road, consisting of 2 acres.

Currently zoned Light Manufacturing (LM). Identified as vacant parcel 12-01-127-001

Request: Special Land Use Approval
Applicant: Oakland Harvesters

840 Sherbrooke St
Commerce Township, MI 48382

Applicant present: Ty Nyottilla of Oakland Harvesters at 840 Sherbrooke St., Commerce

Director O'Neil introduced the request of special land use approval, which was previously granted on July 15, 2021. The approval expired in July of 2022 and the applicant has returned to request reinstatement of the approval. On May 5, 2022 the final site plan approval was granted, staff asks that the special land use expire May 5, 2023 to give the applicant the time needed to begin the project.

Mr. Nyottilla stated that his business has been very busy in the summer and asked for clarification with the May 5, 2023 target date.

Chairperson Anderson stated that the project only needs to be begun by that day and has recommended the applicant have a process timeline chart for the project.

Director O'Neil stated that the applicants engineer needs to submit some changes for the final site plan approval. The building permit for this project must be issued by May 5, 2023.

Commissioner Anderson opened public comment at 7:50 PM

No one from the audience spoke.

Commissioner Anderson closed public comment at 7:52 PM

Commissioner Slicker moved to approve the special land use, subject to all original conditions and with an expiration date of May 5, 2023, for the property described as parcel number 12-01-127-001, located on the north side of White Lake Road, west of Old White Lake Road and east of Orr Road, consisting of 2 acres. Currently zoned Light Manufacturing (LM)

Commissioner Meagher supported and the MOTION CARRIED with a roll call vote (5 yes votes): (Anderson/yes, Dehart/yes, Fine/yes, Meagher/yes, Slicker/yes)

C. 2023-2028 Capital Improvement Plan (CIP)

Director O'Neil presented the 2023-2028 Capital Improvement Plan, which is a tool used by the Township Board in the budgeting process. Director O'Neil thanked Justin Quagliata for all of his work updating the plan.

Commissioner Meagher inquired if the public had an opportunity to review the plan on the website.

Director O'Neil stated that the document has been available on the White Lake Township website for the public to view.

Commissioner Anderson thanked staff for the work that was put into updating this plan.

Commissioner Anderson opened public comment at 8:04 PM

John Hunt of 871 Oxhill Dr. requested a copy of the plan.

Commissioner Slicker inquired who makes the decision on which projects presented in the plan get selected for funding.

Director O'Neil stated that not all projects are expected to be completed, however the funding source helps to determine which ones can be funded. The Township Board makes the final decision on which projects are completed and in what order.

Commissioner Anderson closed public comment at 8:08 PM

Commissioner Meagher moved to adopt the **2023-2028 Capital Improvement Plan (CIP), resolution #22-027** and recommend that the Township Board accept **2023-2028 Capital Improvement Plan (CIP), resolution #22-027**.

Commissioner Fine supported and the **MOTION CARRIED** with a roll call vote (5 yes votes):
(Anderson/yes, Dehart/yes, Fine/yes, Meagher/yes, Slicker/yes)

CONTINUING BUSINESS

None

NEW BUSINESS

None

OTHER BUSINESS

None

LIAISON'S REPORT

Commissioner Ruggles Not in attendance, nothing to report.

Commissioner Dehart Nothing to report from the Zoning Board of Appeals.

Commissioner Carlock Director O'Neil reported that the Parks & Rec Committee will have a booth at the Fisk Farm Festival on Saturday, September 10 to collect input for the Parks & Rec plan. The online survey is available until September 15 and the public is encouraged to give input.

DIRECTOR'S REPORT

Director O'Neil reported on the Avalon project, which went to the Township Board and the Board asked the developer to make some minimal changes. The applicant was agreeable to making those changes and at the September 20, 2022 meeting the Township Board will consider the preliminary site plan. Black Rock has responded with a revised plan. They are close to demonstrating feasibility and will require a public hearing for special land use regarding outdoor seating. The RFP for the Master Plan update has been sent out to 7 companies. Interviews could occur at the October 20, 2022 meeting.

COMMUNICATIONS

NEXT MEETING DATES: September 15, 2022
October 6, 2022

ADJOURNMENT

Commissioner Slicker moved to adjourn the meeting at 8:21 PM

Commissioner Fine supported and the MOTION CARRIED with a voice vote: 5 yes votes

DRAFT

WHITE LAKE TOWNSHIP PLANNING COMMISSION

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission

FROM: Sean O'Neil, AICP, Community Development Director
Justin Quagliata, Staff Planner

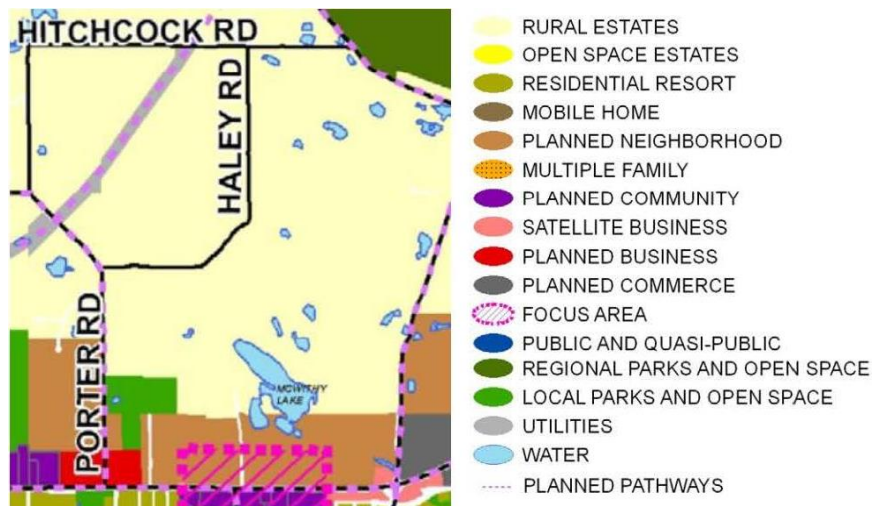
DATE: August 22, 2022

RE: 2110 Haley Road (Parcel Number 12-15-300-005)
Rezoning – Review #1

Charles Burt has requested the rezoning of approximately 70 acres located at 2110 Haley Road from AG (Agricultural) to SF (Suburban Farms). The site is located south of Hitchcock Road, east of Porter Road and contains approximately 328 feet of frontage on Haley Road.

The Future Land Use Map from the Master Plan designates the subject site in the Rural Estates category, which is intended to establish a specific identity characterized by larger, estate size lots interspersed with open spaces. Features such as open meadows, equestrian riding trails, small agribusiness uses, and preserved wildlife corridors are intended to remain as permanent natural and visual characteristics of Rural Estates areas.

FUTURE LAND USE MAP



Zoning

The subject site is currently zoned AG, which requires a minimum of 300 feet of lot width and five (5) acres of lot area. The requested SF zoning district requires a minimum of 165 feet of lot width and two (2) acres of lot area. With approximately 328 feet of lot width on Haley Road and 70 acres of lot area, the site meets the minimum standards for both lot area and lot width of the existing AG and proposed SF zoning districts. The following table illustrates the lot width and lot area standards for the existing AG and proposed SF zoning districts:

ZONING DISTRICT	LOT WIDTH	LOT AREA
AG	300 feet	5 acres
SF	165 feet	2 acres

ZONING MAP



Physical Features

A single-family house and a few accessory buildings of varying sizes occupy the northern portion of the parcel. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map indicates floodplain is not present on the site.

Access

The site fronts on Haley Road, which along the subject property is a gravel public road designated a local road by the National Functional Classification System (NFCS) utilized by the Road Commission for Oakland County (RCOC).

Utilities

The property is served by a private well for potable water and a private septic system for sewerage disposal. The Rural Estates land use category is not intended to receive sanitary sewer service.

Staff Analysis

In considering any petition for an amendment to the zoning map, the Planning Commission and Township Board must consider the following criteria from Section 7.13 of the zoning ordinance in making its findings, recommendations, and decision:

- A. *Consistency with the goals, policies and future land use map of the White Lake Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area. The Future Land Use Map from the Master Plan designates the subject site in the Rural Estates category, which aligns with the proposed SF zoning district.*
- B. *Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district. If the property is rezoned to SF, it would not directly or indirectly have a substantial adverse impact on the natural resources of the Township.*
- C. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under the current zoning. No such evidence has been submitted.*
- D. *The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values. The majority of the permitted and special land uses in the SF district are compatible with the surrounding uses and the nature of the uses anticipated in the Township Master Plan. Only the Township Assessor may provide comment on property values.*
- E. *The capacity of Township utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township. The site is not in an area intended to be serviced by public water and sanitary sewer. The Community Development Department defers to the Director of Public Services and Township Engineering Consultant on this matter.*
- F. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district. Pursuant to Section 6.3.E of the zoning ordinance, the requirement for submittal of a rezoning traffic study was waived by the Community Development Department. Future requests for development, if submitted, may require submittal of a traffic analysis.*

- G. The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land in the township currently zoned and available to accommodate the demand. Evidence of the demand in the Township for additional SF zoned property has not been submitted. However, the location is appropriate for property zoned as such, given the traffic, residential units, and general density in the area.*
- H. The boundaries of the requested rezoning district are reasonable in relationship to its surroundings, and construction on the site will be able to meet the dimensional regulations for the zoning district listed in the Schedule of Regulations. Construction on the site is not proposed at this time. Factors that may impact future development of the site, such as, but not limited to, soils, topography, site layout, stormwater/drainage, and utilities would be considered at the time of a development proposal.*
- I. The requested zoning district is considered to be more appropriate from the township's perspective than another zoning district. The uses allowed in the SF district are appropriate for the site.*
- J. If the request is for a specific use, is rezoning the land more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use? The request is not for a specific use.*
- K. The requested rezoning will not create an isolated and unplanned spot zone. The site is surrounded by AG and SF zoned properties.*
- L. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided. This request is a new application.*
- M. An offer of conditions submitted as part of a conditional rezoning request shall bear a reasonable and rational relationship to the property for which rezoning is requested. This standard is not applicable.*
- N. Other factors deemed appropriate by the Planning Commission and Township Board. The Planning Commission and Township Board could also consider other factors which may be relevant to the rezoning request.*

The applicant indicated he would file a land division application with the Assessing Department if the rezoning is approved. Demonstration the remainder parcel and resulting parcel comply with the minimum lot width requirement of the SF zoning district would need to be provided. With approximately 328 feet of frontage on Haley Road, there is insufficient lot width for a land division. A survey would need to be provided demonstrating the required frontage, or a Zoning Board of Appeals application requesting a variance to divide the parcel would be required.

Planning Commission Options

The Planning Commission may recommend approval or denial of the rezoning request, or it may recommend a different zoning designation than proposed by the applicant to the Township Board. The proposed rezoning is compatible with the Master Plan and surrounding land uses.
Staff recommends approval of rezoning from AG (Agricultural) to SF (Suburban Farms).

RECEIVED

July 29
2022

BUILDING
DEPARTMENT

CHARTER TOWNSHIP OF WHITE LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
7525 Highland Road, White Lake, Michigan 48383-2900
248-698-3300, Ext. 163

APPLICATION TO REZONE PROPERTY

Date: July 29 2022

Applicant: Charles Burt

Address: 2110 Hally white Lake MI 48383

Phone No.: 248 892 0080 Fax No.: 248 889 0387

E-mail: C Burt 4 @ gmail . com

Applicant's Interest in Property: owner

Property Owner: Charles Burt

Owner's Address: 156 E meadow circle white Lake

Phone No.: 248 892 0080 Fax No.: _____

Location of Property: 2110 Hally

Sidwell No(s): Y-12-15-300-005

Total area of change: 70 acres

I, the undersigned (owner, attorney, or option holder) hereby request that this property now classified as Agriculture District, be reclassified as Suburban Farm District.

Applicant's Signature: Charles Burt
(If owner does not sign application, attach letter signed by owner, requesting zoning change.)

Please Print Name: Charles Burt

Required Attachments:

- _____ 1. Legal description of the property proposed to be rezoned.
- _____ 2. Location map
- _____ 3. Rezoning sign location map
- _____ 4. Statement indicating why change is requested
- _____ 5. Review fee (check payable to the Charter Township of White Lake)



Roberts Dr

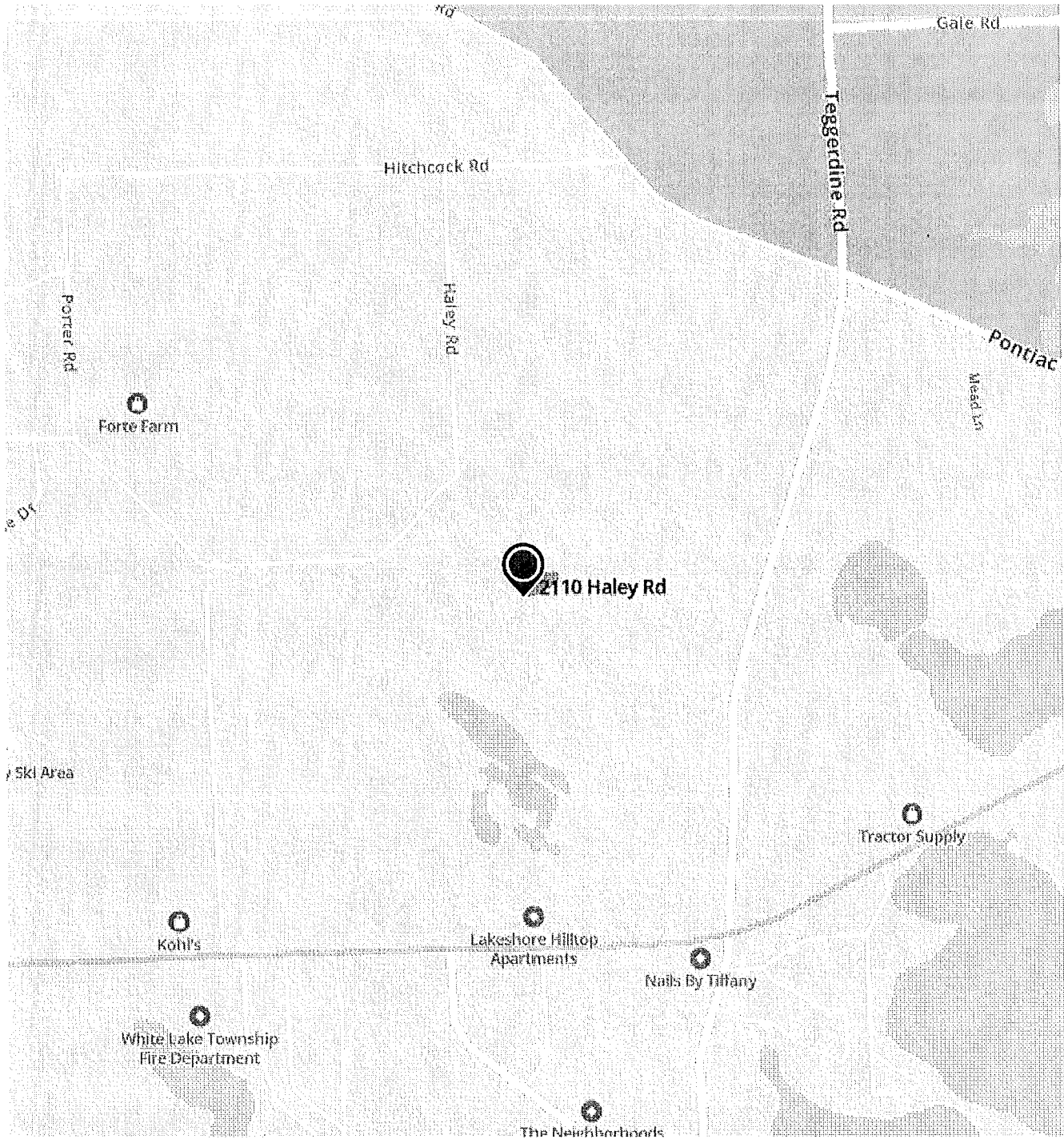
Haley Rd

Reznick St

2110 Haley Rd

Yeggerdine Rd

Lake Lane Dr



We are requesting the property to be rezoned to suburban farm and split the original farmhouse from the property to allow for a new single family residence to be constructed.



WHITE LAKE TOWNSHIP NOTICE OF PUBLIC HEARING

Notice is hereby given the Planning Commission of the Charter Township of White Lake will hold a public hearing on **Thursday, September 1, 2022 at 7:00 P.M.** at the Township Annex, 7527 Highland Road, White Lake, Michigan 48383, to consider the following changes to the zoning map:

Property identified as Parcel Number 12-15-300-005 (2110 Haley Road), located south of Hitchcock Road and east of Porter Road, consisting of approximately 68.93 acres.

Applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning district.

Persons interested are requested to be present. Pertinent information relative to this rezoning request is on file at the Community Development Department and may be examined at any time during the Township's summer business hours; Monday through Thursday, 8:00 a.m. through 5:00 p.m., and Friday from 8:00 a.m. through 12:00 p.m., (excluding holidays). Persons interested may visit the Community Development Department, contact the Community Development Department by telephone at 248-698-3300, ext. 5, or attend the Public Hearing on the date specified. Written comments are also welcome at 7525 Highland Road, White Lake, MI 48383. Individuals with disabilities requiring auxiliary aids or services should contact the Clerk's Office at least 5 days before the hearing.

Sean O'Neil, AICP
Community Development Director