

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Sean O'Neil, Community Development Director
DATE: July 15, 2025



Agenda item: 8D

Appeal Date: July 24, 2025

Applicant: Micah Swansey

Address: 417 Teggerdine Road
White Lake, MI 48386

Location: 417 Teggerdine Road
White Lake, MI 48386

Zoning: R1-C Single Family Residential

Property Description

The approximately 0.37-acre (16,516 square-foot) parcel identified as Parcel Number 12-22-326-022 is located between Teggerdine Road and Teggerdine Trail, and is zoned R1-C (Single-Family Residential). The property, which is currently occupied by a single-family structure with an attached two-car garage, is served by a private septic and well. This property has a width of 100 feet along its Teggerdine Road frontage and a width of 132.5 feet along its Teggerdine Trail frontage.

Applicant's Proposal

The Applicant is proposing to build a new 30' x 40' pole barn (accessory structure) behind (west of) the primary structure, that would result in a front yard setback (from Teggerdine Trail) of 6.1 feet. According to the survey provided, Teggerdine Trail has a 93-foot-wide right-of-way that puts this parcel's front lot line approximately 24 feet from the traveled portion of Teggerdine Trail.

Planner's Report

The existing lot is irregular in its layout, due to the configuration that results in two front yards opposite one another, but is conforming in both lot size and width. Per Section 3.1.5 of the Zoning Ordinance, the minimum lot size and minimum lot width in the R1-C zoning district are 16,000 square feet and 100 feet, respectively. In this case, as was previously noted, the lot size is approximately 16,516 square feet and 100 feet in width.

The applicant has requested that the Teggerdine Trail front yard be designated as his rear yard, per Section 2.2 of the Zoning Ordinance. And while we do not object, as it pertains to his ability to locate this pole barn as close as 5 feet from a side lot line, we do feel that it is appropriate for a variance request to move forward for consideration of the setback from Teggerdine Trail, which as proposed would be 6.1 feet (approximately 30 feet from the traveled portion of the road). The applicant has also stated that the proposed location of this structure is being driven by the existing grades in this area of the parcel. Please note that this request was published as a variance to Section 3.11.K but could have also been approached as a variance to 3.1.5 as was referenced in the Building Official's denial letter.

The requested variances are listed in the following table:

Variance #	Ordinance Section	Subject	Standard	Requested Variance
1	Section 3.11.K	Minimum Front Yard Setback	35 feet	6.1 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Micah Swansey from Section 3.11.K of the Zoning Ordinance for Parcel Number 12-22-326-022, identified as 417 Teggerdine Road, in order to build a new accessory structure. A variance from Section 3.11.K is granted to allow for construction of said structure that will encroach 28.9 feet into the required front yard setback (from Teggerdine Trail). This approval has the following conditions:

1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division.
2. No mechanical units, including a HVAC system or generator, shall be placed in the front yards or closer than five (5) feet to any side yard lot line or rear lot line.
3. The proposed structure shall be setback at least five (5) feet from the north property line.
4. A foundation certificate shall be required prior to vertical construction.
5. An as-built survey shall be required to verify the approved setbacks.
6. A driveway permit (for Teggerdine Trail) from RCOC must be obtained prior to the issuance of a building permit.

Denial: I move to deny the variances requested by Micah Swansey for Parcel Number 12-22-326-022, identified as 417 Teggerdine Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Micah Swansey *to a date certain or other triggering mechanism* for Parcel Number 12-22-326-022, identified as 417 Teggerdine Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated June 25, 2025.
2. Applicant's explanatory letter.
3. Survey showing proposed plan dated June 25, 2025.
4. Aerial view of the property showing the approximate wellhead location and proposed structure's distance from the traveled portion of Teggerdine Trail.
5. Letter of denial from the Building Official dated June 20, 2025.
6. Building elevations and a floor plan.

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 difficulty 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.

WHITE LAKE TOWNSHIP



ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION

NAME: Micah Swansey PHONE: 248-843-5409

ADDRESS: 417 Teggerdine Road, White Lake, MI 48386

EMAIL: mswansey@gmail.com

INTEREST IN PROPERTY: ☒ PROPERTY OWNER ☐ BUILDER ☐ OTHER: _____

PROPERTY INFORMATION

ADDRESS: 417 Teggerdine Road, White Lake, MI 48386 ZONING: R1-C

VALUE OF IMPROVEMENT: \$ 25,000 SEV OF EXISTING STRUCTURE: \$ 174,300

REASONS TO SUPPORT REQUEST (ADDITIONAL SHEETS MAY BE ATTACHED):

Please see attached Reasons for Support Request.

APPLICATION FEE: ☒ \$440 ☐ \$550

APPLICANT'S SIGNATURE: DATE: 25-JUL-2025

Reasons to Support Request:

The current homeowners are requesting approval for the construction of a new accessory building located at 417 Teggerdine Road, White Lake, Michigan, 48386. A building permit was denied by the Township due to the property being bordered by road frontage on the east and west sides of the property; Teggerdine Road to the east and Teggerdine Trail to the west. The letter stated:

This lot contains two front yards. All new structures are required to meet the front yard setback for each roadway. The proposed accessory structure has a front yard setback from the west side road right of way of approximately 6.7 ft., being deficient approximately 28.3 ft.

The current front of the dwelling unit faces to the east with frontage along Teggerdine Road with Teggerdine Trail in the rear of the dwelling unit. Teggerdine Road is the deemed the front property line of the parcel.

Per the definitions section of the Clear Zoning Ordinance, Lot Lines are defined as:

LOT LINES. The property lines bounding the lot

1. Front Lot Line. A Front Lot Line, in the case of a lot abutting upon one public or private street means the line separating such lot from such street right-of-way. In the case of any other lot, the owner shall, for the purpose of this Ordinance, have the privilege of electing any street lot line, the front lot line, providing that such choice, in the opinion of the Director of the Community Development Department, will not be injurious to the existing, or the desirable future development of adjacent properties. In the case of a lake front property, for purpose of this Ordinance, that part of the lot adjoining the street shall be deemed the front lot line.

2. Rear Lot Line. A Rear Lot Line is ordinarily that lot line which is opposite and most distant from the front lot line of the lot (or the street lot line that the owner has elected to designate as the front lot line, in the case of a corner lot). In the case of an irregular, triangular, or gore-shaped lot for the purpose of determining depth of rear yard, a rear lot line shall be considered to be a line ten (10) feet in length entirely within the lot parallel to and at the maximum distance from, the front lot line of the lot. In cases where none of these definitions are applicable, the Director of the Community Development Department shall designate the rear lot line.

Supporting this request, I the property owner, elect to have the front lot line as Teggerdine Road, supported by the front of the dwelling unit facing this direction and the property being addressed on Teggerdine Road.

Per 5.7 of the Clear Zoning Ordinance enacted by White Lake Township the required setbacks for an accessory building are a minimum of five (5) feet from the side lot line and five (5) feet from the rear lot lines, and a minimum of ten (10) feet to any principal structure or building. These setbacks have been met by the proposed site plan.

These definitions would bring the proposed accessory building construction into compliance with the guidelines set forth in Section 5.7 and 3.1.5 of the Clear Zoning Ordinance.

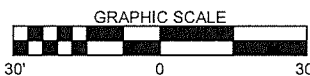
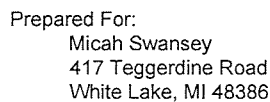
Further supporting this request, neighboring property (435 Teggerdine Road), with the same parcel and frontage conditions, have accessory buildings constructed less than thirty-five (35) feet from the property line along Teggerdine Trail.

A variance is requested defining the rear lot line as the line along Teggerdine Trail to the west, or for an accessory building being constructed less than 35 feet from the line along Teggerdine Trail.

SECTION 22, T3N, R8E, WHITE LAKE TOWNSHIP
OAKLAND COUNTY, MICHIGAN

(M & R) N83° 53' 09"W 228.63'-



Part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22, T3N, R8E, described as: Beginning at a point located S02°04'11"E, 320.10 feet and N83°53'09"W, 228.63 feet and S06°06'51"W, 50.00 feet and S18°01'minutes 17 seconds West, 88.10 feet and S20°22'44"W, 19.75 feet from the center of Section 22; thence S20°22'44"W, 100.00 feet; thence N83°53'09"W, 118.01 feet; thence N2°33'03"W, 132.50 feet; thence S72°03'07"E, 166.14 feet to the point of beginning. Said Parcel contains 0.38 acres, \pm .



COPY

OFFICIAL SEAL

Bearing Basis: Deed: Liber 56883, Page 109	
DATE: June 25, 2025	PAGE: Sheet 1 of 1
SCALE: 1" = 30'	REVISED:
DWG NO: S25D14CR	DRAWN BY: TRC
CLIENT: JOB Swansey: S245D14C	CHK:

 Campbell Surveying
Engineering, Inc. 

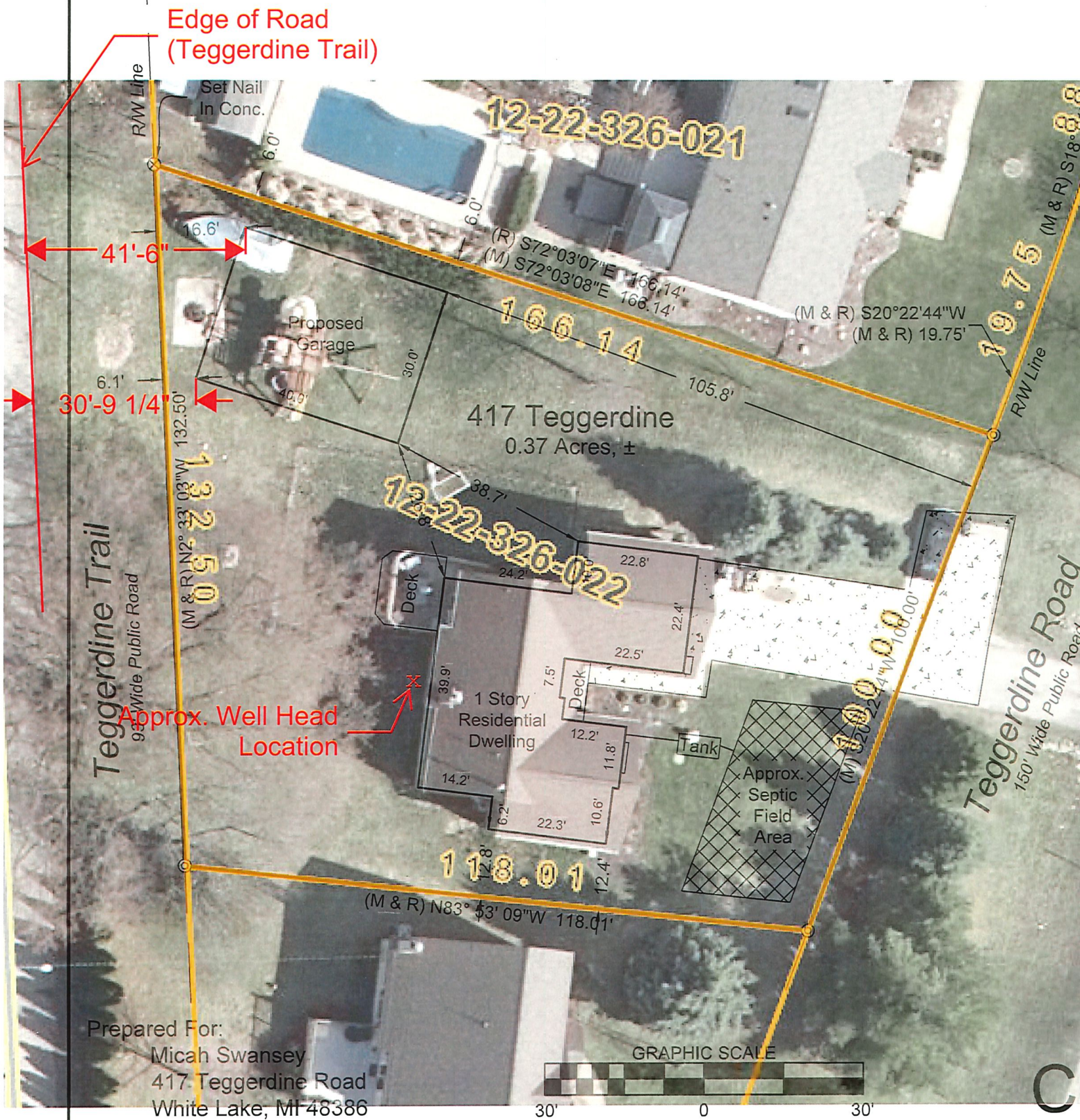
8437 Pineview Lake Drive
Linden, Michigan 48451

www.campbellse.com
(989) 390-1189

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Land situated in the Charter Township of White Lake, County of Oakland, and State of Michigan, legally described to-wit:

Part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22, T3N, R8E, described as: Beginning at a point located S02°04'11"E, 320.10 feet and N83°53'09"W, 228.63 feet and S06°06'51"W, 50.00 feet and S18°01'17 seconds West, 88.10 feet and S20°22'44"W, 19.75 feet from the center of Section 22; thence S20°22'44"W, 100.00 feet; thence N83°53'09"W, 118.01 feet; thence N2°33'03"W, 132.50 feet; thence S72°03'07"E, 166.14 feet to the point of beginning. Said Parcel contains 0.38 acres, \pm .



I, Terry R. Campbell, have surveyed the above mapped and described property and that the Relative Positional Precision of each corner is within the limits accepted by the professional practice of surveying.

Bearing Basis: Deed: Liber 56883, Page 109

DATE:

June 25, 2025

SCALE:

1" = 30'

DWG NO:

S25D14CR

CLIENT: JOB

Swansey: S245D14C

PAGE:

Sheet 1 of 1

REVISED:

DRAWN BY:

TRC

CHK:

LEGEND

- ⊙ FOUND CAPPED IRON
- SET CAPPED IRON
- FOUND IRON OR PIPE
- FOUND CONCRETE MONUMENT
- (R) RECORD (M) MEASURED

Campbell Surveying
Engineering, Inc.

8437 Pineview Lake Drive
Linden, Michigan 48451

www.campbellse.com
(989) 390-1189

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Terry R. Campbell

ORIGINAL

OF

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

June 20, 2025

Micah Swansey
417 Teggerdine Rd
White Lake, MI 48386

Re: Proposed Accessory Structure

Based on the submitted plans, the proposed building front yard setback does not satisfy the White Lake Township Clear Zoning Ordinance for R1C zoning district.

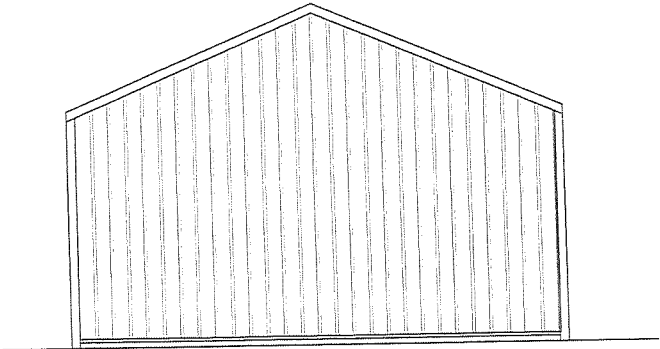
Article 3.1.5 of the White Lake Township Clear Zoning Ordinance: Requires a minimum front yard setback of 35 ft.

This lot contains two front yards. All new structures are required to meet the front yard setback for each roadway. The proposed accessory structure has a front yard setback from the west side road right of way of approximately 6.7 ft., being deficient approximately 28.3 ft.

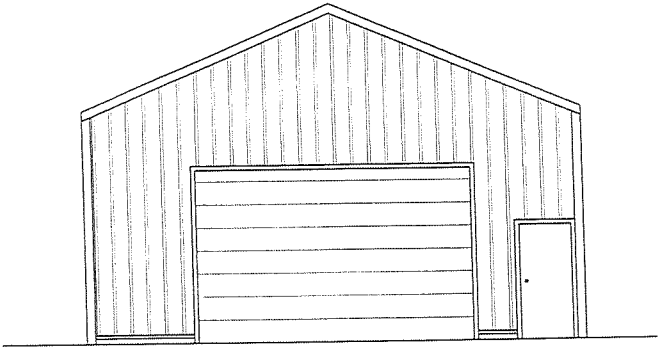
Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the July 24th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than June 26th at 4:30 PM. ***Be advised, the ZBA will require a certified boundary and location survey showing the proposed structure with dimensions.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township



END ELEVATION



END ELEVATION

NOT TO SCALE

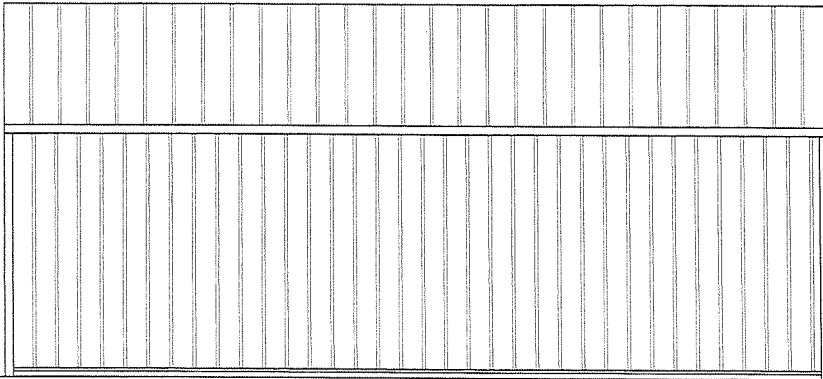


REVISIONS	BY	
	DATE	SUPP.

CLEARSPAN
UTILITY BUILDING

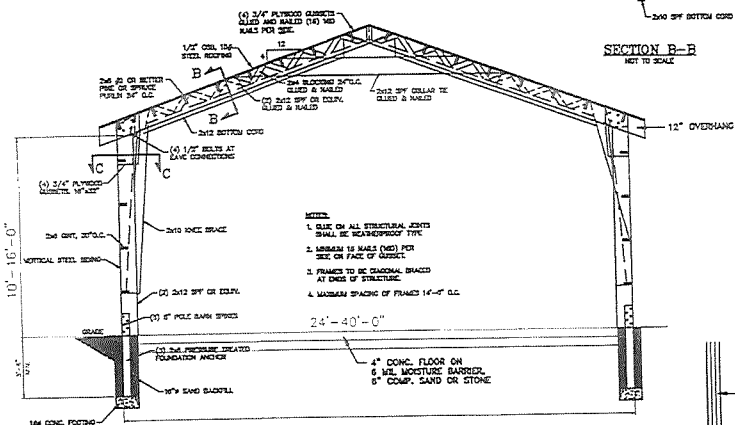
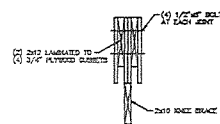
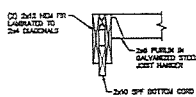
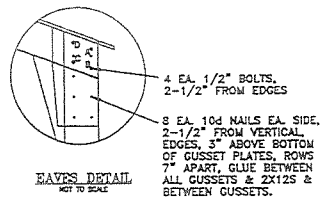
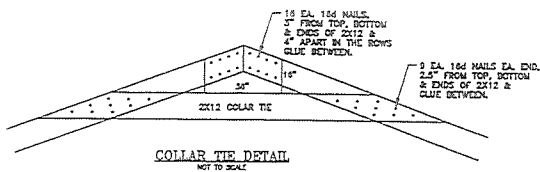
KAIER ENGINEERING ASSOCIATES
6093 ANCHOR COVE
PHONE: (517) 974-2343 Intereng@aol.com

ACCEPTED	OWNER
BUILDER	
DRAWN	D. BAKER
CHECKED	T. BAKER



NOT TO SCALE

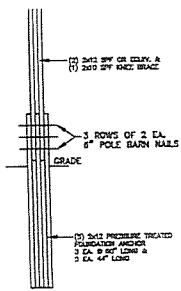
[illegible]



NOT TO SCALE

FOUNDATION ALTERNATIVE A FULL CONCRETE FOOTING W/ POST BASE CLIP MAY BE SUBSTITUTED FOR ABOVE DETAIL

CROSS SECTION A-A
NOT TO SCALE



REVISIONS	BY	
	DATE	DESCRIPTION

CLEARSPAN
UTILITY BUILDING

TALLER ENGINEERING ASSOCIATES
6093 ANCHOR COVE
PHONE: (517) 974-2343 info@taller.com

ACCEPTED	OWNER
BUILDER	
DRAWN	D. BAKER
CHECKED	T. BAKER