

**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 17, 2025

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**Agenda item:** 8A

**Appeal Date:** July 24, 2025

**Applicant:** Michael Gordon

**Address:** 4351 Delemere Court  
Royal Oak, MI 48073

**Location:** 575 Washington Boulevard  
White Lake, MI 48386

**Zoning:** R1-C Single Family Residential

### **Property Description**

The approximately 0.39-acre (17,062 square-foot) parcel identified as Parcel Number 12-27-405-019 is located within the Cedar Isle Project subdivision and is zoned R1-C (Single Family Residential). The property currently has a single-family residence with an attached two-car garage located on it. Additionally, the property is served by a private septic and well (both will be located on the survey by the applicant ahead of the meeting). This lot has a width of 65.18 feet along its Washington Boulevard frontage.

### **Applicant's Proposal**

The Applicant is proposing to add two covered decks onto the rear of the existing nonconforming structure where an existing deck now stands, which was installed by a previous owner. The new decks would have side yard setbacks of 5.75 feet on the north side and 8.75 feet on the south side. The applicant describes the new outdoor space as a right that is enjoyed by most of the adjacent owners, and he believes that it is a reasonable request in this case. He stated that centering the decks would impact the natural light into the house, while locating them where they are proposed would allow them to tie the decks into the existing roof structure, window, and door locations. Per the survey provided, the new decks will follow the existing side setbacks of the house.

### **Planner's Report**

The existing lot is legally nonconforming. Per Section 3.1.5 of the Zoning Ordinance, the minimum lot width in the R1-C zoning district is 100 feet. In this case, the lot width is deficient by 34.82 feet. Section 3.1.5 also calls for 10 foot side yard setbacks, and the proposal is deficient on both side yards, however, the proposal is consistent with the existing side yard setbacks and is triggered, in this case, because the decks are covered. Additionally, Section 7.23 ordinance requires that a variance be obtained for enlarging an existing nonconformity and, once again, this is triggered only because the decks will be covered. Finally, Section 7.27 of the ordinance requires that a variance be obtained for any nonconforming lot where the required setbacks cannot be met, which is the case here, and was not created by the applicant.

The requested variances are listed in the following table:

Variance #	Ordinance Section	Subject	Standard	Requested Variance
1	Section 3.1.5	Minimum Side Yard Setback (North)	10 feet	4.25 feet
2	Section 3.1.5	Minimum Side Yard Setback (South)	10 feet	1.25 feet
3	Section 3.1.5	Minimum Lot Width	100 feet	34.82 feet
4	Section 7.23	Nonconforming Structures	Cannot be enlarged	Addition of two covered decks onto the lakefront side of the structure
5	Section 7.27	Nonconforming Lots of Record	Only developable if setbacks are met	Developable even if setback requirements are not met

**Zoning Board of Appeals Options:**

**Approval:** I move to approve the variances requested by Michael Gordon from Section 3.1.5, 7.23, and Section 7.27 of the Zoning Ordinance for Parcel Number 12-27-405-019 identified as 575 Washington Boulevard, in order to build two new covered decks onto the rear of the structure. Variances from Section 3.1.5 are granted to allow for both construction on a lot that is 34.82 feet less than the minimum lot width required in the R1-C zoning district, and for both side yards which will result in variances of 4.25 feet and 1.25 feet respectively. Additionally, a variance from Section 7.23 is also granted to allow for the enlargement of a nonconforming structure. Finally, 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 width. This approval has the following conditions:

1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division and the Oakland County Health 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. Per Section 5.3, all portions of the proposed structure (including the roof/soffits/gutters) shall be setback a minimum of five (5) feet from the north and south property lines.
4. A foundation certificate shall be required prior to vertical construction.
5. An as-built survey shall be required to verify the approved setbacks.

**Denial:** I move to deny the variances requested by Michael Gordon for Parcel Number 12-27-405-019, identified as 575 Washington Boulevard due to the following reason(s):

**Postpone:** I move to postpone the appeal of Michael Gordon *to a date certain or other triggering mechanism* for Parcel Number 12-27-405-019, identified as 575 Washington Boulevard to consider comments stated during this public hearing.

**Attachments:**

1. Variance application dated May 30, 2025.
2. Denial letter, from the Building Official, dated May 5, 2025
3. Applicant's explanatory letter, provided by their representative.
4. Survey showing proposed plan dated April 17, 2025, with revisions on June 11, 2025.
5. Covenant Deed proving ownership.
6. Letter from owner Mark Flynn, dated April 2, 2025 granting authority to Michael Gordon to act on his behalf for matter related to this property.

### 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.

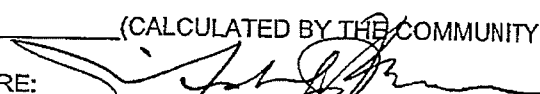
CHARTER TOWNSHIP OF WHITE LAKE  
**ZONING BOARD OF APPEALS APPLICATION**  
Community Development Department, 7525 Highland Road,  
White Lake, Michigan, 48383  
(248) 698-3300 x5

APPLICANT'S NAME: MICHAEL J. GORDON PHONE: 248-318-2919  
ADDRESS: 4351 DELEMERE COURT ROYAL OAK, MI 48073  
APPLICANT'S EMAIL ADDRESS: michaeltg@mga-architects.net  
APPLICANT'S INTEREST IN PROPERTY: ☐ OWNER ☐ BUILDER ☒ OTHER: ARCHITECT

ADDRESS OF AFFECTED PROPERTY: 575 WASHINGTON BLVD PARCEL # 12-27-405-019  
CURRENT ZONING: R1-C PARCEL SIZE: 17,422 SQUARE FEET

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: REQUIRED SIDE YARD SETBACK  
10'-0", 5.7 FT IS PROVIDED FOR THE NORTH SIDE YARD AND 8.7 SOUTH YARD AREA OF 31.5.  
VALUE OF IMPROVEMENT: \$ 60,000 SEV OF EXISTING STRUCTURE: \$ 297,140

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

APPLICATION FEE: \_\_\_\_\_ (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)  
APPLICANT'S SIGNATURE:  DATE: 30 May 2025

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](http://www.whitelaketwp.com)

May 5, 2025

Mark Flynn  
575 Washington Blvd  
White Lake, MI 48386

Re: Proposed Covered Deck Structures

Based on the submitted plans, the proposed covered deck structures do not satisfy the White Lake Township Clear Zoning Ordinance for R1-C zoning district.

**Article 3.1.5 of the White Lake Township Clear Zoning Ordinance:** Requires a minimum side yard setback of 10 ft each side and total of 20 ft, and minimum lot width of 100 ft.

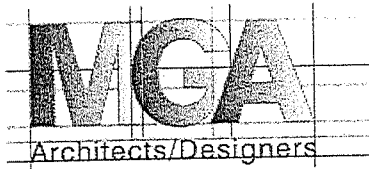
The existing lot and structure are legal non-conforming. The 65.18 ft wide lot contains a residential structure that does not meet the required side yard and front yard setbacks. The proposed reconstructed deck and roof additions will also have an approximate 5.7 ft north side yard setback and approximate 8.7 ft south side yard setback for a total side yard setback of approximately 14.4 ft.

Furthermore, **Article 5.3** states; in no instance shall any portion of the proposed structure, including overhangs and gutters, project closer than 5 ft to either side yard lot line. **The plot plan should clearly define whether the setback measurement is to the overhang or side wall.** No board, commission or department can grant approval to any structure, or portion of structure within the 5 ft side yard setback.

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 June 26<sup>th</sup> Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than May 22<sup>nd</sup> at 4:30 PM. ***Be advised, the certified boundary and location survey must show existing structures, proposed structures, setback dimensions, well and septic locations, and total lot coverage as required by the ZBA.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official  
White Lake Township



May 13, 2025

White Lake Township  
Zoning Board of Appeals  
7525 Highland Rd.  
White Lake, MI 48383-2900

Re: Flynn Residence at 575 Washington Blvd. Covered Deck Structures  
White Lake Township, MI 48386  
Architects Job No. 24242

Dear Board:

We are requesting variances to allow for the construction of two outdoor covered deck structures as noted in Nick Spencer's letter, dated 5 May 2025. The lot is an existing legal non-conforming lot of 65.18 feet where 100 feet is required.

Nick also noted that the decks are proposed to be reconstructed. The column supported decks will be rebuilt in the existing location as part of maintaining and repairing them. They predate the current owner and therefore are not a self-created need. The addition of a roof structure over these decks is the ask in this case.

A covered outdoor space is a right enjoyed by most of the adjoining owners and, we believe, is a reasonable request.

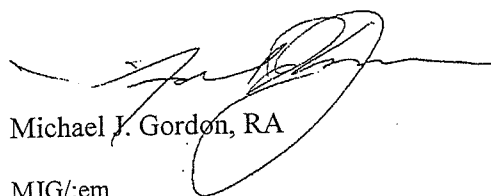
Keeping and reusing as much of the infrastructure of the existing decks is an efficient way to proceed and the position of the roof structures would tie well into the home and work with existing window and door locations.

Moving the covered deck to the middle of the back of the home into a conforming position behind the main living space would impact the light into this space, especially in the off season when spending time outdoors is not desirable due to the weather.

We feel that this is not a self-created situation and granting the variance would do substantial justice to the homeowner. Further, the structures would not adversely impact the rights or negatively impact the property values of the adjoining property owners.

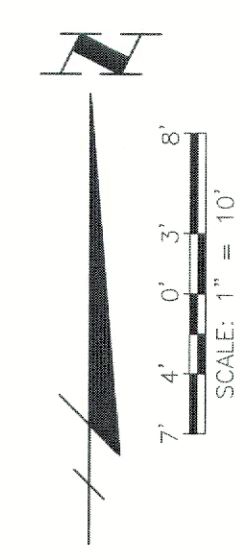
We hope you look favorably on this fairly modest request.

Sincerely,  
MOISEEV/GORDON ASSOCIATES, INC.

  
Michael J. Gordon, RA  
MJG/em



RECEIVED  
APR 29 2025  
BUILDING DEPARTMENT



LAND DESCRIPTION:  
LOT 33, AND THE NORTHERLY 15 FEET OF LOT 34,  
"CEDAR ISLE PROJECT", AS RECORDED IN LIBER 58 OF  
PLATS, PAGE 16, OAKLAND COUNTY RECORDS.

ZONING R-1C  
SINGLE FAMILY  
RESIDENTIAL  
(SETBACKS)  
FRONT - 35'  
SIDE - 10'  
REAR - 35'

Surveying Michigan with pride

72 HOURS  
(3 WORKING DAYS)  
**BEFORE YOU DIG  
CALL MISS DIG  
DIAL 811**  
(TOLL FREE)

FIELD BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FIELD BOOK: \* \_\_\_\_\_ PAGE: \* \_\_\_\_\_  
DRAWING FILE: 230301-10.dwg  
DATA FILE: 220907P  
DESC. FILE: 220907

GRANT J. WARD  
REGISTERED LAND SURVEYOR  
LICENSE NO. 22445

SITE PLAN	
"CEDAR ISLE PROJECT" SUBDIVISION, L.58, P. 16, LOT No. 33 & PART OF 34, WHITE LAKE TOWNSHIP, T.3N., R.8E., OAKLAND COUNTY, SECTION 27, P.I. #12-27-405-019, 587 WASHINGTON BLVD., WHITE LAKE, MICHIGAN 48386	
For MARK R. FLYNN	
575 WASHINGTON BLVD.	
WHITE LAKE, MICHIGAN 48386	
infvnnity@gmail.com	(248) 202-5005

DATE
FEBRUARY 7, 2025
SHEET 1 OF 1
SCALE: 1" = 10'
JOB NO.: 23-0301

**GRANT  
WARD  
SURVEYORS**

REGISTERED LAND SURVEYORS  
655 BROADWAY - P.O. BOX 440  
DAVISBURG, MICHIGAN 48350  
PHONE: (248) 634-0700  
EMAIL: GWS@TR.COM



OAKLAND COUNTY TREASURERS CERTIFICATE  
This is to certify that there are no delinquent property taxes as of this date owed to our office on this property. No representation is made as to the status of any taxes, tax liens or titles owed to any other entities.

APR 30 2021

ANDREW E. MEISNER, County Treasurer  
Sec. 135, Act 206, 1893 as amended

5.00

116604  
LIBER 56171 PAGE 75!  
\$26.00 DEED - COUNTY  
\$4.00 RECONUMENTATION  
\$385.00 TRANSFER TAX COUNTY  
05/03/2021 12:27:06 P.M. RECEIPT# 90905  
PAID RECORDED - OAKLAND COUNTY  
LISA BROWN, CLERK/REGISTER OF DEEDS

2020

NOT EXAMINED

COVENANT DEED

3

W. Timothy Flynn, Successor Trustee of the Nancy N. Flynn Family Trust No. One u/a/d August 15, 2001, also known as the Nancy N. Flynn Trust, dated August 15, 2001, as amended January 30, 2015 whose address is 5944 Darb Lake Drive, Bloomfield, Michigan, 48324 convey(s) to Mark R. Flynn, whose address is 34024 Oakland St., Farmington, Michigan, 48335, the following property located in the Township of White Lake, Oakland County, Michigan:

Lot 33, and the Northeasterly 15 feet of Lot 34, Cedar Isle Project, as recorded in Liber 58 of Plats, Page 16, Oakland County Records.

(575 Washington Blvd.)

for the full consideration of \$350,000.00, subject to easements and restrictions of record and liens for real estate taxes not yet due and payable.

Grantor covenants and agrees to defend the title to the property against all claims arising from acts or omissions of Grantor, but not otherwise.

Dated: March 26, 2021

Nancy N. Flynn Family Trust No. One u/a/d August 15, 2001, also known as the Nancy N. Flynn Trust, dated August 15, 2001, as amended January 30, 2015

W. Timothy Flynn  
W. Timothy Flynn, Successor Trustee

Acknowledged before me in Washtenaw County, Michigan, on March 26, 2021 by W. Timothy Flynn, Successor Trustee of the Nancy N. Flynn Family Trust No. One u/a/d August 15, 2001, also known as the Nancy N. Flynn Trust, dated August 15, 2001, as amended January 30, 2015.

My commission expires:

Lori K. Russo  
Notary Public, Washtenaw County, MI  
My Commission Expires Dec. 8, 2025  
Acting in Washtenaw County

Lori K. Russo  
Notary Public  
Washtenaw County, Michigan

This instrument drafted by:  
Peggy E. Geiger P44285  
2875 W. Liberty Rd.  
Ann Arbor, MI 48103

When recorded return to, and send tax bills to:  
Grantee

Recording Fee: \$30.00 plus \$5.00 Tax Certificate  
Transfer Tax: \$385.00\*  
AB File No.: 89100  
Tax Parcel: 12-27-405-010

IP  
C  
cont

April 2, 2025

To Whom It May Concern,

I have retained Micheal Gordon to assist me with a renovation at my home at 575 Washington Blvd., White Lake, MI 48386. Micheal Gordon is an architect with Moiseev Gordon Associates in Royal Oak Michigan. I have granted Mr. Gordon full authority to speak on my behalf relative to the renovation project at my home with the construction permitting authorities at White Lake Township and Oakland County.

Thank you, and kind regards.

A handwritten signature in blue ink, appearing to read "Mark R. Flynn", with a long horizontal flourish extending to the right.

Mark R. Flynn

248-202-5005