

**WHITE LAKE TOWNSHIP  
ZONING BOARD OF APPEALS**

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

**FROM:** Sean O'Neil, Community Development Director

**DATE:** July 15, 2025

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**Agenda item:** 8B

**Appeal Date:** July 24, 2025

**Applicant:** Marlene Klimechi

**Address:** 17290 Garden Ridge Lane  
Northville, MI 48168

**Location:** 8852 Charbane Avenue  
White Lake, MI 48386

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

### **Property Description**

The approximately 0.17-acre (7,490 square-foot) parcel identified as Parcel Number 12-36-351-022 is located within the Twin Shores subdivision and zoned R1-D (Single Family Residential). The property currently has a single-family residence, and a detached one-car garage located on it. Additionally, the property is served by a private septic and well (both are located on the survey). This lot has a width of 50 feet along its Charbane Avenue frontage.

### **Applicant's Proposal**

The Applicant is proposing to demolish the existing nonconforming detached garage and build a new 22' x 22' side-entry, two-car, detached garage. The new garage would have a front yard setback of 5 feet and side yard setbacks of 21.5 feet (north side) and 5 feet (south side). The applicant describes her current one-car detached garage as both deteriorated and infested. Per the survey provided, this garage is also only 1.2 feet from the southerly side property line and is 5.6' from the front property line. While variances will be required in order to construct the proposed garage, it does remove a structure that is more nonconforming than what is proposed, and that is also in poor condition.

### **Planner's Report**

The existing lot is legally nonconforming. Per Section 3.1.6 of the Zoning Ordinance, the minimum lot size and minimum lot width in the R1-D zoning district are 12,000 square feet and 80 feet, respectively. In this case, the minimum lot size requirement of 12,000 square feet is deficient by 4,510 square feet, and the lot width is deficient by 30 feet. Additionally, the proposed garage would be located 5 feet from the front lot line where a 30 foot setback is required. Section 3.11.T of the ordinance also requires side-entry garages to have a 25 foot setback from a side lot line. In this case, 21.6 feet are provided. 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. The applicant did not create this situation.

The requested variances are listed in the following table:

Variance #	Ordinance Section	Subject	Standard	Requested Variance
1	Section 3.1.6	Minimum Front Yard Setback	30 feet	25 feet
2	Section 3.11.T	Minimum Side Yard Setback for Side-Entry Garage	25 feet	3.4 feet
3	Section 3.1.6	Minimum Lot Width	80 feet	30 feet
4	Section 3.1.6	Minimum Lot Area	12,000	4,510
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 Marlene Klimechi from Section 3.1.6, 3.11.T, and Section 7.27 of the Zoning Ordinance for Parcel Number 12-36-351-022 identified as 8852 Charbane Avenue, in order to build a new two-car, detached garage. Variances from Section 3.1.6 are granted to allow for both construction on a lot that is 30 feet less than the minimum lot width required, and 4,510 square feet less than the required minimum lot area in the R1-D zoning district. Additionally, a variance from Section 3.1.6 is granted to allow for the garage to encroach 25 feet into the required front yard setback (from Charbane Avenue). A 3.4 foot variance from Section 3.11.T is also granted, allowing an encroachment into the required side yard setback for side-entry garages. Lastly, 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. 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 south 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. Parking of vehicles/equipment, and storage of any kind, will not be permitted in the area between the new structure and Charbane Avenue.
7. All necessary permits from RCOC and the Oakland County Health Division will be obtained prior to the issuance of building permits.

**Denial:** I move to deny the variances requested by Marlene Klimechi for Parcel Number 12-36-351-022, identified as 8852 Charbane Avenue due to the following reason(s):

**Postpone:** I move to postpone the appeal of Marlene Klimechi *to a date certain or other triggering mechanism* for Parcel Number 12-36-351-022, identified as 8852 Charbane Avenue to consider comments stated during this public hearing.

**Attachments:**

1. Variance application dated May 7, 2025.
2. Applicant's explanatory letter, with pictures.
3. Survey showing proposed plan dated April 17, 2025, with revisions on June 11, 2025.
4. Warranty Deed proving ownership.

### 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.

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: MARLENE C KLIMECKI PHONE: (248) 933-7655

ADDRESS: 17290 Garden Ridge Lane, Northville 48168

APPLICANT'S EMAIL ADDRESS: MarleneKLIMECKI@gmail.com

APPLICANT'S INTEREST IN PROPERTY: ☒ OWNER ☐ BUILDER ☐ OTHER: \_\_\_\_\_

ADDRESS OF AFFECTED PROPERTY: 2852 Charbone PARCEL # 12 - 36-351-022  
R1-D

CURRENT ZONING: Li-Li(4) PARCEL SIZE: 50' x 50' x 149' x 187'

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Front Yard Set Back  
Sect 3.1.6

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

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

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

APPLICANT'S SIGNATURE: Marlene C Klimecki DATE: 5-7-25

**Charter Township of White Lake  
APPLICATION INSTRUCTIONS  
ZONING BOARD OF APPEALS**

1. Please read these instructions carefully before submitting the attached application. **Fill out the entire application in detail.** If a portion is not applicable in your case, please mark "Not Applicable" or "N/A" on the application.
2. In addition to the attached application, you must submit the following:
  - a. **Proof of Ownership**  
If you are not the property owner of record, a copy of the land contract, option to purchase, purchase agreement, lease agreement, or letter of authorization from the property owner must be presented with the application to indicate the applicant's interest in the subject property. In addition, a letter of no objection from the property owner may be required by Township staff.
  - b. **Plan or drawing – one copy**  
Attach one copy of the plot plan of the subject property drawn to scale. The plan must depict the shape and dimension of the property, all existing and proposed structures and building-to-building and building to property line relationships.
  - c. **Certified Survey – one copy**
  - d. **Letter of denial from the Building Department**  
The Building Department must have reviewed and formally denied your application for a building permit before a Z.B.A. application can be considered for processing.
3. The required filing fee is **\$440.00 for residential land uses** and **\$550.00 for non-residential land uses** and must be submitted with the application.
4. **All proposed additions must be staked and flagged.**
5. The attached application must be completely filled out and all documents, plans, other necessary information, and the application fee, as required, must be submitted before the application will be considered complete and accepted for processing. The application will then be placed on the next available Zoning Board of Appeals agenda.
6. You will be notified of the date and time that your request will be considered by the Zoning Board of Appeals (Z.B.A.). Please attend or have a representative attend if you cannot attend the scheduled meeting. All Z.B.A. meetings are held at the Township Annex, 7527 Highland Road, White Lake, Michigan.
7. Notification is given by mail to all property owners of record within 300 feet of the subject property at least 15 days prior to the meeting.
8. Information relative to the powers and duties of the Z.B.A. can be found in Article 7.36 of the White Lake Township Zoning Ordinance. To be granted a variance, an applicant must provide proof that a **practical difficulty** exists and the practical difficulty must relate to a unique circumstance of the property which prevents the applicant from reasonably using the property for a permitted use. Furthermore, no variance shall be granted unless all of the criteria found in Article 7.37 of the Zoning Ordinance have been met.

**APPLICATION CHECKLIST:**

- \_\_\_\_\_ COMPLETED, SIGNED APPLICATION
- \_\_\_\_\_ LETTER OF AUTHORIZATION FROM THE PROPERTY OWNER
- \_\_\_\_\_ ONE COPY OF THE PLAN OR DRAWING (SEE ABOVE)
- \_\_\_\_\_ ONE COPY OF THE CERTIFIED SURVEY (SEE ABOVE)
- \_\_\_\_\_ LETTER OF DENIAL FROM BUILDING DEPARTMENT
- \_\_\_\_\_ COPY OF BUILDING PERMIT APPLICATION
- \_\_\_\_\_ APPLICATION FEE (see #3 above)

Please direct any questions to the White Lake Township Community Development Department at 248.698.3300 extension 5.

**NOTE: ZONING BOARD OF APPEALS MEMBERS AND TOWNSHIP STAFF WILL LIKELY VISIT THE SITE PRIOR TO THE MEETING AS PART OF THEIR PREPARATION FOR EACH CASE.**

May 6, 2025

TO: Zoning Board of Appeals

RE: Tear Down of Existing Garage and Replacement  
8852 Charbane, White Lake, MI

When I had a private building inspection on the house and garage, the house only being 5 years old only had a few minor suggestions for improvements. The garage, however, being a log structure probably 80+ years old and not at all maintained has 3-4 layers of roof shingles on it, did not get the same good report.

The written estimate (attached) shows an estimate of \$3,997 for the garage roof (not including replacing any rotten roof boards AND a notation NOT responsible for structure of garage). I thought initially the garage could be saved but, after several people looking at it, the floor is sloped down on the approach, no longer working electrical, wood rot on all sides, open areas to animals and now infestation, it needs to be replaced (photos attached).

Since the house does not have a basement, I am dealing with limited storage for any type of yard tools and personal property. I also own two vehicles and after last week's storm, would like to have a garage to safely park them.

I have talked to the neighbors that have lived on the street a long time, and other than a few jokes about the garage, there would be no love lost to see it get replaced. Also the new garage would not block anyone's lake view.

I would possibly consider making it my year round home at some point in the future if this could be a possibility but without it, it would have to be seasonal use only. I have already made substantial investments, \$2,385 for the updated survey through FSE for the Zoning Board of Appeals, the new dock, a reverse osmosis system, all new furniture, and would like to continue to improve it to make it my home.

The existing garage is 22.5 x 13.4 and my proposed side entry that would mirror the garage next door but on a smaller scale, would be 22 x 20 (photo attached).

Thank you in advance for your time and consideration in this matter to make this improvement.

OLD WINDOW maybe ?



Same Set BACK On Cement PAD House  
NEXT DOOR



TOTAL DETERIORATION FROM AGE + INFESTATION



DEPTH IS THERE FOR SIDE ENTRY 9'x9'  
LIKE HOUSE NEXT DOOR.



Side Entry Garage Next Door.



Big Dip Going Into Garage.



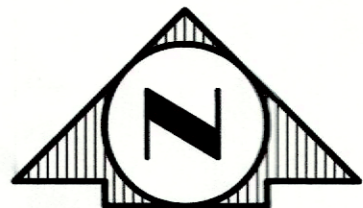
WOOD CANNOT BE SAVED



PROPERTY DESCRIPTION PROVIDED:

LOT 13 OF TWIN SHORES AS RECORDED IN LIBER 25, PAGE 18  
OAKLAND COUNTY PLAT RECORDS.

NOTE: NO LOT STAKE WAS PERFORMED. PROPERTY LINES SHOWN ARE  
BASED ON FOUND CORNER EVIDENCE ONLY.



GRAPHIC SCALE



( IN FEET )  
1 inch = 10 ft.

LEGEND

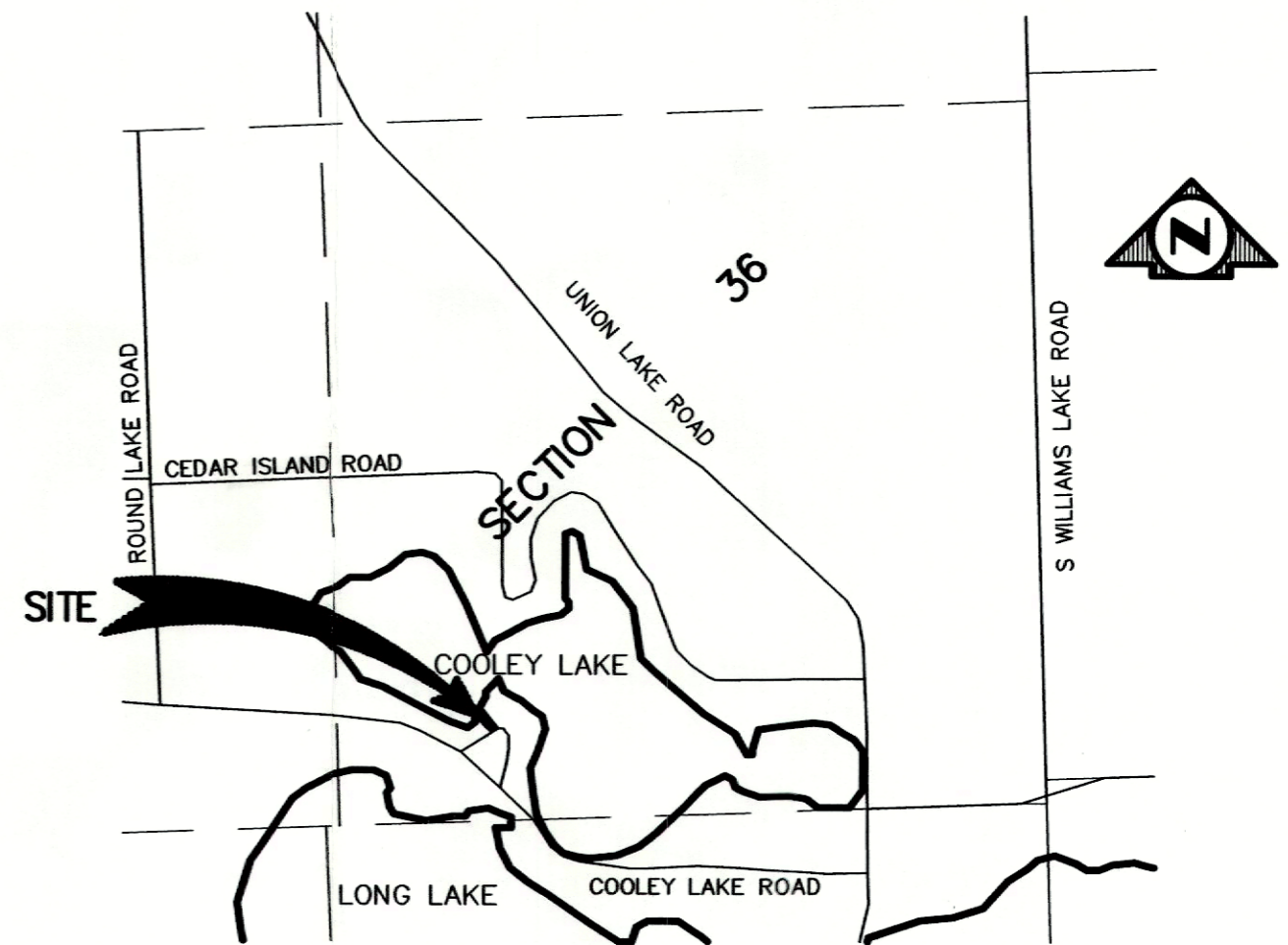
●	FOUND IRON
○	SET IRON
■	FOUND MONUMENT
□	SET MONUMENT
⊙	STORM SEWER & MANHOLE
⊗	SANITARY SEWER & MANHOLE
—	WATERMAIN, HYDRANT, & GATE VALVE
—	GAS MAIN & VALVE
⊕	BURIED TELEPHONE & MANHOLE
—	U.G. UNDER GROUND ELECTRIC & MANHOLE
—	OVERHEAD ELECTRIC POLE & GUY WIRE
⊕	CATCH BASIN (CURB & ROUND)
—	CONTOUR LINE
—	FENCE
—	GUARD RAIL
—	WELL
—	LIGHT POLE
—	METAL POLE
—	SIGN
—	STREET SIGN
—	WALKWAY
—	CONCRETE
—	ASPHALT

BENCHMARKS

BM #1  
SOUTHEAST CORNER OF NORTH NEIGHBOR'S CONCRETE  
PARKING SLAB.  
ELEV. = 938.67 N.G.V.D. 88

BM #2  
NORTHEAST CORNER OF END OF CONCRETE SIDEWALK ON  
SOUTH NEIGHBOR'S PROPERTY.  
ELEV. = 937.86 N.G.V.D. 88

NOTE: WITH NEW GARAGE THE TOTAL BUILDING AREA WILL BE 1,579 S.F.



LOCATION MAP  
NO SCALE



GARAGE SITE PLAN

Revisions  
6-11-25 REVISED PER TWP PLANNER

GARAGE SITE PLAN

MARLENE KLIMECKI  
RESIDENCE

SECTION 36, WHITE LAKE TOWNSHIP  
OAKLAND COUNTY, MICHIGAN

F.S.E  
Surveying & Engineering  
Since 1957  
5370 MILLER ROAD, SUITE 13 • SWARTZ CREEK, MI 48473  
PHONE: (810) 230-1333 FAX: (810) 230-7844

Date :  
4-17-25

Drawn by:  
N.C.C.

Designed by:

Sheet No.  
1 OF 1

Job No.  
27063

RCV'D 11/21/2024

**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.

**11/21/2024**

**ROBERT WITTENBERG, County Treasurer**  
Sec. 135, Act 206, 1893 as amended NH  
2023 Not Examined

5.00

133324 Liber 59825 Page 841 thru 842

11/25/2024 8:31:56 AM Receipt #000405386

\$26.00 Misc Recording

\$4.00 Remonumentation

\$5.00 Automation

\$4,149.50 Transfer Tax

PAID RECORDED - Oakland County, MI e-recorded  
Lisa Brown, Clerk/Register of Deeds

**STATE OF MICHIGAN**  
Oakland  
11/26/2024  
000405386



**REAL ESTATE TRANSFER TAX**  
\$530.75 :00  
\$3,618.75 :8T  
1413868

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**WARRANTY DEED**

File No.: MI-24-1748

Drafted by:

Peter Joelson, Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2, Plymouth, MI 48170

When recorded return to:

Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2 Plymouth, MI 48170

THE GRANTOR, Jim Stanecki, a single person

Whose address is: 8852 Charbane Ave. White Lake, MI 48386

Conveys and Warrants to Marlene C. Klimecki, a single Woman

Whose address is: 17290 Garden Ridge Lane Northville, MI 48168

Legal Description: Land Situated in Township of White Lake, County of Oakland, State of Michigan, known as:

Lot Number 12, TWIN SHORES, as shown in the recorded Plat Map thereof, as recorded in Liber 25 of Plats, Page 18, Oakland County Records.

Tax Parcel No.: 12-36-351-022

Commonly known as: 8852 Charbane Ave. White Lake, MI 48386

For the sum of **FOUR HUNDRED EIGHTY TWO THOUSAND FIVE HUNDRED AND 00/100 Dollars**  
(\$482,500.00)

The Grantor grants to the Grantee the right to make (ALL) divisions under section 108 of the land division act, Act 288 of the Public Act of 1967.

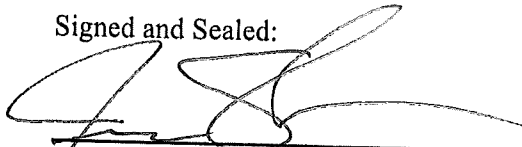
If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act."

Subject to easements, reservations and restrictions of record.

Attached to and becoming part of the Warranty Deed, on this November 21, 2024, file # MI-24-1748, between Jim Stanecki, grantor(s) and Marlene C. Klimecki, grantee(s).

Dated: November 21, 2024

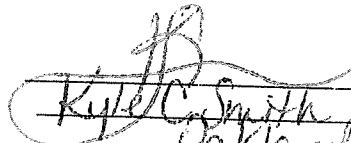
Signed and Sealed:

  
Jim Stanecki

STATE OF Michigan } ss  
COUNTY OF Oakland }

On this **November 21, 2024**, before me personally appeared **Jim Stanecki, a single person** to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.



  
\_\_\_\_\_, Notary Public  
Oakland County, Michigan  
My Commission Expires: 10.12.2030  
Acting in: Oakland