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 16, 2025

Agenda item:

8E

Appeal Date:

July 24, 2025

Applicant:

Brett Meyer

Address:

9507 Mandon Road

White Lake, MI 48386

Location:

9507 Mandon Road

White Lake, MI 48386

Zoning:

R1-D Single Family Residential

Property Description

The approximately 0.19-acre (8,266 square-foot) parcel, identified as Parcel Number 12-35-129-037, is located in the Cedar Lake Park subdivision and is zoned R1-D (Single-Family Residential). The property is currently occupied by a one-story, single-family structure, and a small shed. The house is served by a private septic and well. This property has a width of 80 feet along its Mandon Road frontage and a width of approximately 80 feet along its Mandon Lake frontage. It should be noted that, per the attached survey, a portion of the subject parcel, along the east property line, has a maintenance and ingress/egress easement over it, for the benefit of the neighbor at 9501 Mandon, which has significant encroachments. Additionally, the survey shows that the current location of the travelled portion of Mandon Road falls partially outside of the platted road location, which results in this structure being located further away from the road surface (approximately 35 feet).

Applicant's Proposal

The Applicant is proposing to build a second story addition onto the primary structure, that would not expand the existing building footprint, therefore causing no further encroachment into the existing setbacks, which are nonconforming on both the front yard and east side yard. The current front yard setback (from Mandon Road) of 14.4 feet would be maintained as would the current side yard setback (on the east side) of 9.6 feet. The plans are included for your review.

Planner's Report

The existing structure is nonconforming with regard to the front and (east) side yard setbacks, but the applicant is not proposing an addition to the footprint. Instead, he is adding a second story addition which will increase the cubic content of the structure, but not the existing deficiencies with regard to the setbacks.

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	15.6 feet		
2	Section 3.1.6	Minimum Side Yard Setback	10	0.4 feet		
3	Section 7.23	Nonconforming Structures	Cannot be enlarged	Addition of second story over existing structure		

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Brett Meyer from Section 7.23 of the Zoning Ordinance for Parcel Number 12-35-129-037, identified as 9507 Mandon Road in order to build a second story on an existing one-story, nonconforming structure. Variances from Section 3.1.6 are also granted to allow for construction of said addition that will have encroachments, which are existing, of 15.6 feet into the required front yard setback and 0.4 feet into the side yard setback. This approval has the following conditions:

- 1. The Applicant shall obtain all necessary permits from the Oakland County Health Division prior to the issuance of a building permit.
- 2. The Applicant shall obtain all necessary permits from the White Lake Township Building Division.
- 3. 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.

Denial: I move to deny the variances requested by Brett Meyer for Parcel Number 12-35-129-037, identified as 9507 Mandon Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Brett Meyer to a date certain or other triggering mechanism for Parcel Number 12-35-129-037, identified as 9507 Mandon Road to consider comments stated during this public hearing.

Attachments:

- 1. Variance application dated June 25, 2025, which includes the applicant's reasons to support his request.
- 2. Survey showing the existing conditions dated July 8, 2024.
- 3. Letter of denial from the Building Official dated June 25, 2025.
- 4. Building elevations and a floor plan dated December 16, 2024.

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 <u>all</u> 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 burdensome. unnecessarily 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:
 - 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

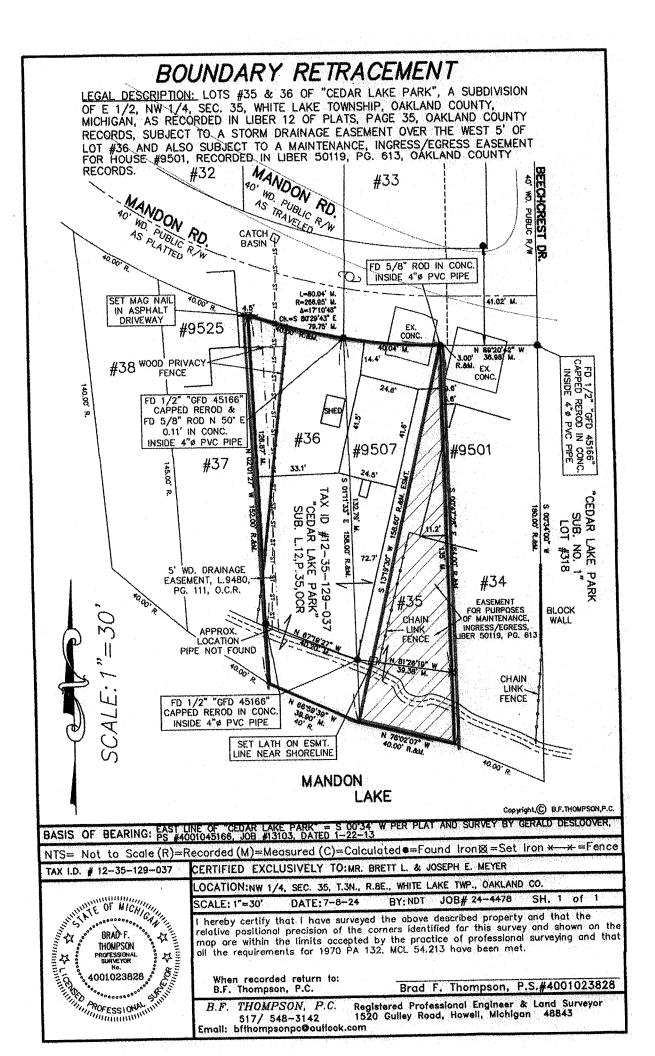


ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION	
NAME: Brett Meyer	PHONE: (248) 444- 6870
ADDRESS: 9507 Mandon Rd. Wh	ite Lake, Hi 49386
EMAIL: breyerfilms e grail.	
INTEREST IN PROPERTY: PROPERTY OWN	ER 🗆 BUILDER 🗆 OTHER:
PROPERTY INFORMATION	
ADDRESS: 9507 Mardon Rd. White	Lake, Hi ZONING: RI-D
	48386
VALUE OF IMPROVEMENT: \$ 140,660	_ SEV OF EXISTING STRUCTURE: \$ 144 420
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REASONS TO SUPPORT REQUEST (ADDITION	AL SHEETS MAY BE ATTACHED):
Requesting O.Y H Sothack variance	ont. Side of home + 15,6 ft. Variance
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APPLICANT'S SIGNATURE

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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 25, 2025

Brett Meyer 9507 Mandon Rd White Lake, MI 48386

Re: Proposed 2nd Story Addition

Based on the submitted plans, the proposed 2nd story addition does not satisfy the White Lake Township Clear Zoning Ordinance.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance for R1-D requires: Minimum side yard setback of 10 feet each side and minimum front yard setback of 30 ft

Article 7.23(A) of the White Lake Township Clear Zoning Ordinance: No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.

Based on the survey and plans submitted, the existing structures and lot are non-conforming, where the lot contains a portion of a residential structure from an adjacent property. Based on the *Boundary Retracement* survey, the existing residential structure has a 9.6 ft. side yard setback on the east side and a front yard setback of 14.4 ft. The proposed 2nd story addition would increase these non-conformities by adding living space within the required 10 ft. side yard setback and 30 ft front yard setback. It should be noted that while the *Reservation of Easement* from October of 2016 has been recorded with the County, the *Boundary Retracement* survey has not, and it appears the County does not recognize the adjusted boundary lines.

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 addition with dimensions as well as the location of the septic tank, septic field, and well.* The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official

White Lake Township

					*

Home Addition

Location: 9507 Mandon Rd. White Lake, MI 48386

Owner:

Brett Meyer

Residential Property class:

GENERAL NOTES

- For any items not explicitly shown on plans, Contractor shall meet all applicable codes, laws, and regulations as directed by Building Official. Contact Designer if in doubt about any requirements. Contractor shall notify the Designer before proceeding if anything shown is identified (by Contractor, Owner, Building Official, etc.) as being not in conformance with an applicable requirement, or if any change to be in conformance will impose additional costs.
- **Project Scope**: Home Addition
- Colors, finishes and materials to be selected by owner
- Perform demolition as shown and as required. Patch finishes where required by
- Verify all existing conditions in field. Notify Designer of discrepancies before proceeding with construction.
- Do not scale drawings.
- Construction Site Safety: Site safety is the sole responsibility of the Contractor. Unless noted otherwise, dimensions are to face of finish or face of masonry.
- Contact MISS DIG, 1-800-482-7171, to have existing utilities located prior to performing any excavation on the site.
- It is the contractor's responsibility to provide adequate shoring and bracing during construction to account for all forces, including but not limited to: forces from gravity, earth, wind, and unbalanced forces due to construction sequence.
- 10. Mechanical and electrical systems shall be design-build by their respective contractors. Contractors shall obtain sealed engineering drawings where required by municipality. Field verify all existing conditions, and modify and/or supplement as required by new
- 11. Work shall conform to all applicable codes and ordinances, including but not limited to: building, plumbing, electrical, and mechanical codes.
- 12. Any errors, omissions, or conflicts found within these drawings shall be brought to the attention of the owner or their representative before proceeding with the work.
- 13. Do not scale these drawings. written dimensions take precedence over measurements. 14. Dimensions are taken from face of framing lumber, face of concrete/ masonry, center of
- column, and centerline of fixture, unless noted otherwise.

15. All dimensions noted "verify in field (v.i.f.)" shall be measured by the contractor prior to

- construction. report any discrepancies to the owner or their representative. 16. Details shown are typical. similar details apply in similar situations.
- 17. In the case of discrepancies within descriptions of similar items, precedence shall be given to notes & drawings of greater detail.
- 18. All required exits shall be operable from the inside, without the use of a key or any special knowledge.
- 19. Any electrical, plumbing and/or hvac systems included in the work shall be installed on a design-build basis, and shall not significantly alter the structure or finishes.

CONSTRUCTION NOTES

- All construction shall be true, plumb, level, square, and in proper
- 2. The general contractor shall maintain a current and complete set of drawings on the job site during all phases of construction. all subcontractors shall be provided with a set of drawings.
- 3. The general contractor shall verify and assume responsibility for all dimensions and site conditions, as well as inspect the premises and take note of existing conditions prior to submitting prices. no claim shall be allowed for problems which could have been reasonably prevented by a thorough examination.
- Provide temporary support as necessary to ensure the structural integrity of the building under construction. the general contractor is responsible for all construction-related activities.
- Install fixtures, materials, and equipment according to manufacturers specifications. should those specs conflict with the drawings, immediately notify the owner or the owner's representative.
- 6. Verify clearances for fixtures, vents, chases, etc. before ordering or installing related work items.
- Install smoke detectors and fire extinguishers in conformance to local fire Marshall requirements.
- All required exits shall be operable from the inside, without the use of a key or any special knowledge.
- Coordinate all work with existing conditions, including but not limited to: irrigation pipes, electrical conduits, water lines, gas lines, and drainage lines.
- 10. The general contractor shall be responsible for regularly removing the waste materials of all subcontractors, and maintain strict control over job cleaning to prevent dust and rubbish from interfering with operations.
- 11. Construction equipment noise shall be minimized during the construction phases by muffling and shielding impact tools whenever possible.

CODE SUMMARY

2021 Michigan Rehabilitation Code For Existing Buildings.

2021 Michigan Mechanical Code

2023 National Electrical Code (NEC)

2021 Michigan Plumbing Code

Snow load on ground: 30 LB/SF Wind speed: 115 mph

SHEET INDEX

C-1: Cover & Notes

A-1: Floor Plans

A-2: Roof, Framing & Elec. Plans

A-3: Elevations

A-4: Sections, Details & Wall Section

A-5: Deck & Stair Details

SCOPE OF WORK

- Modify Bathroom area in first floor.
- Add Stairs in Mechanical room.
- Add a Second Floor. Add 2nd Floor Porch & Stairs.



ARCHITECT www.DARYStudio.com

3523 Meadow Grove TRL Ann Arbor, MI 48108 Ph: 734.369.4273 george@DARYstudio.com



6/4/2025

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ddition Home 9507

PROJECT NUMBER:

640924

OWNER INFO:

Brett Meyer Phone NO: 000-0000-0000

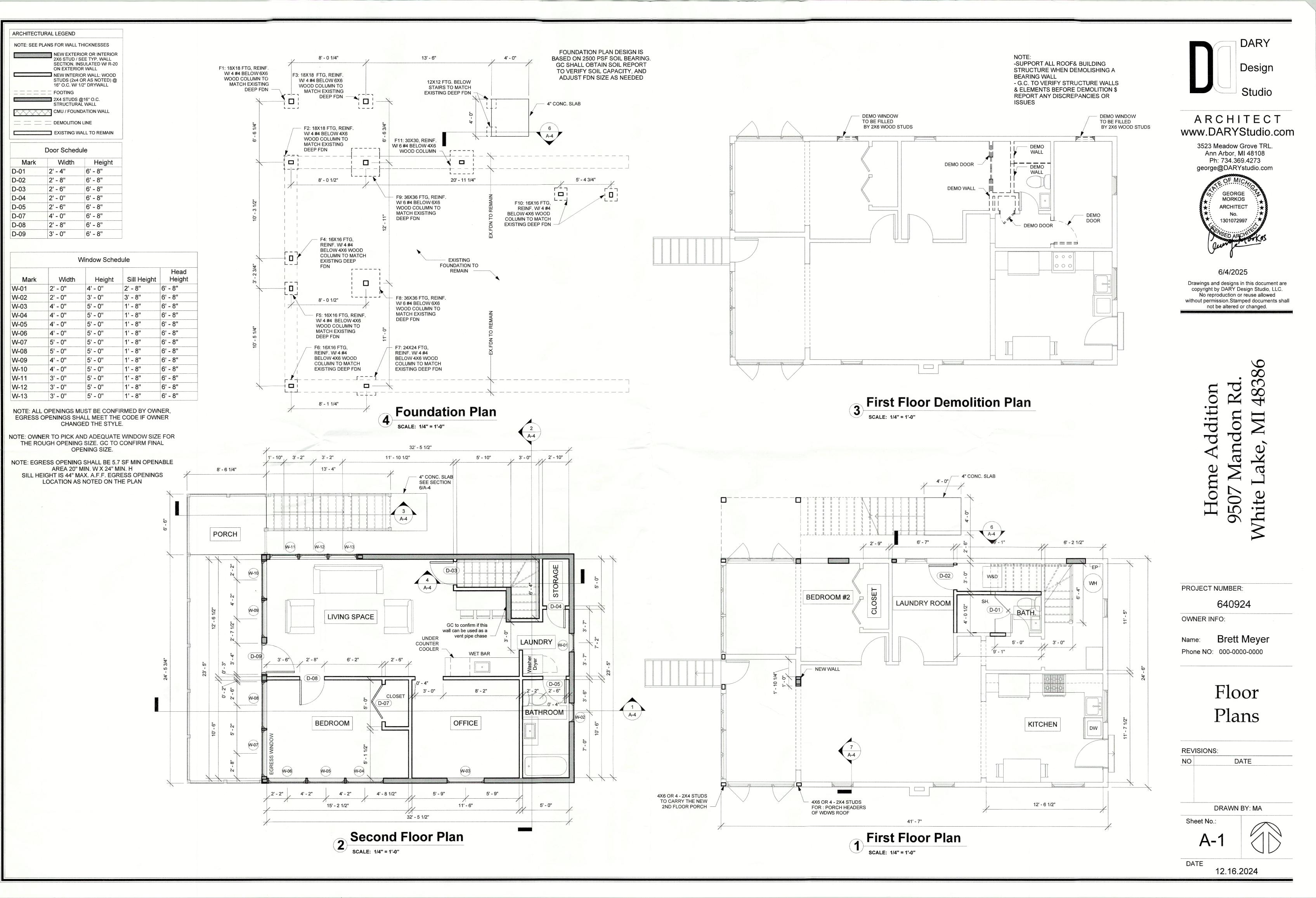
Cover & Notes

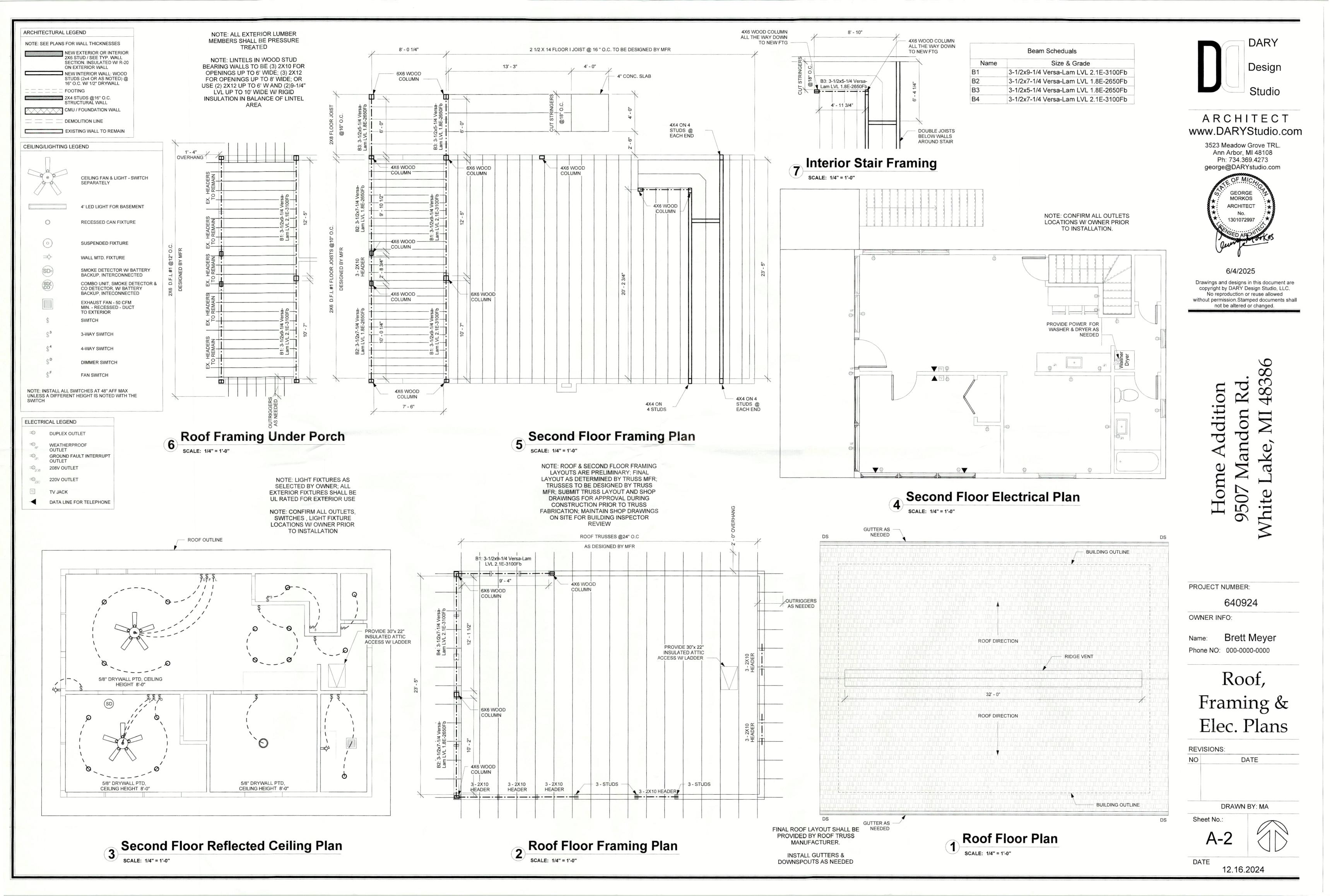
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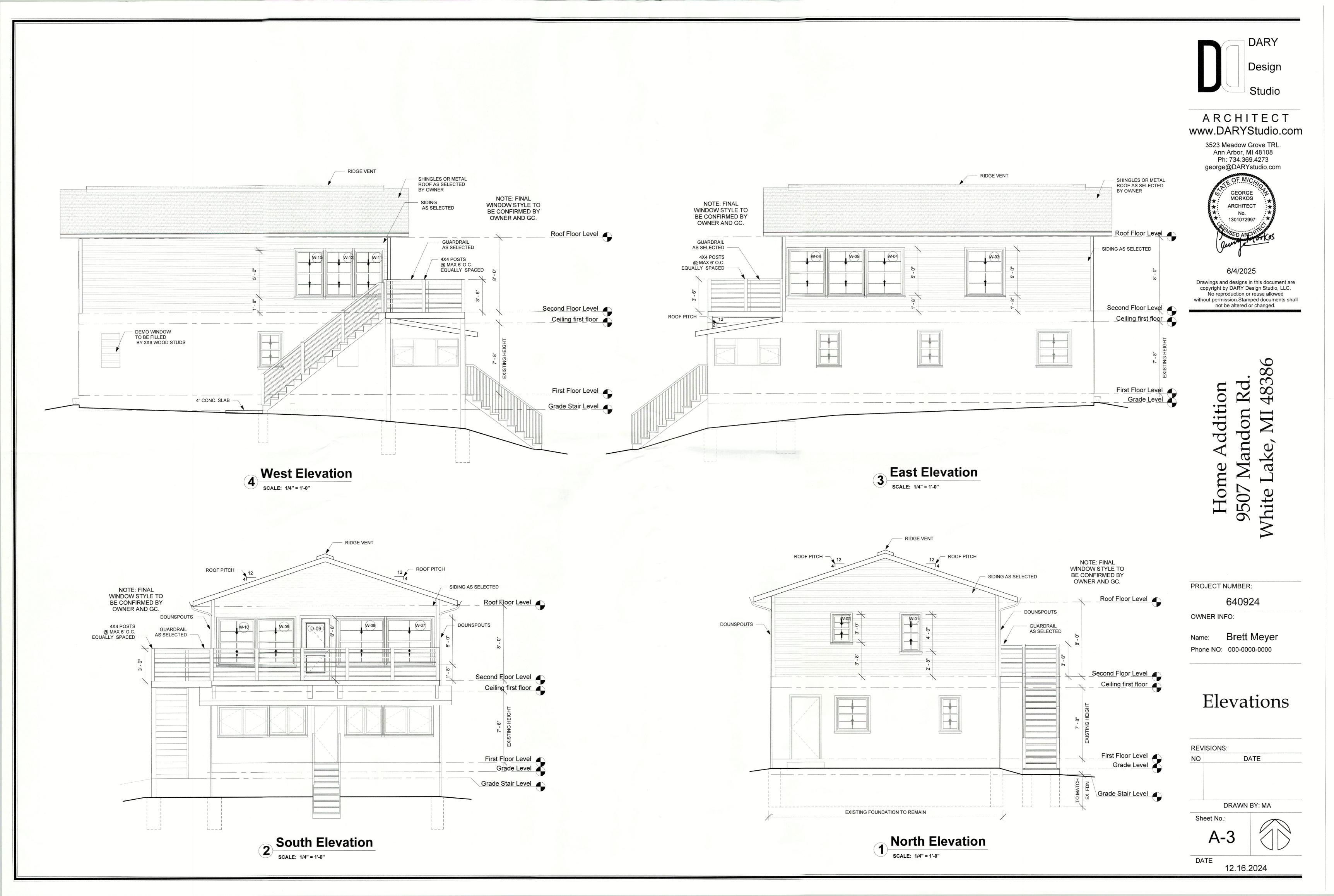
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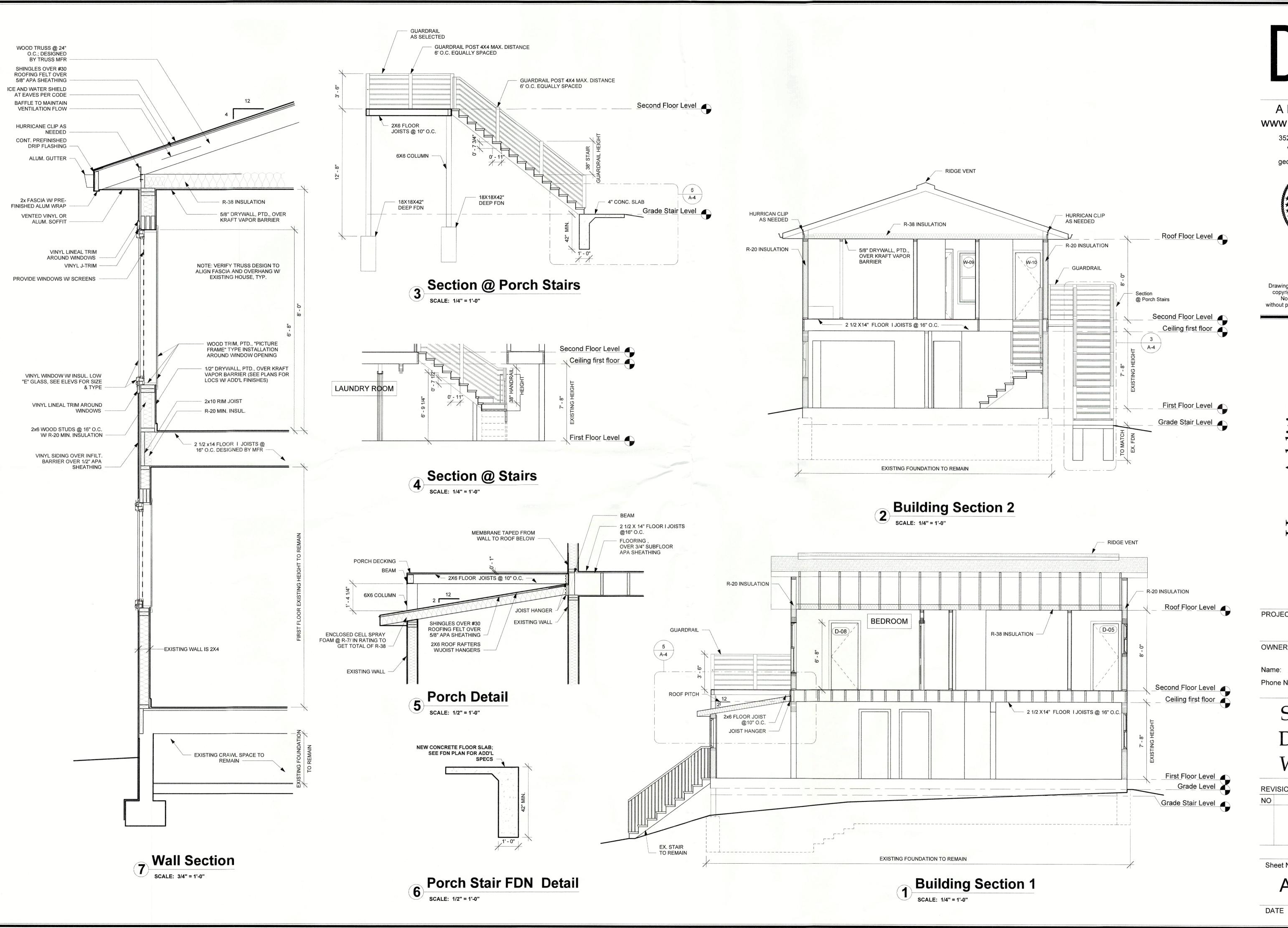
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12.16.2024









DARY Design Studio

ARCHITECT www.DARYStudio.com

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6/4/2025

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> ddition and

PROJECT NUMBER:

640924

OWNER INFO:

Brett Meyer Phone NO: 000-0000-0000

> Sections, Details & Wall Sec.

REVISIONS:

DATE

DRAWN BY: MA

Sheet No.:

12.16.2024

