

**Director's Report**

Project Name: Six Lakes/Filling Station  
Description: Rezoning Request  
Date on Agenda this packet pertains to: February 1, 2024

- Public Hearing
- Initial Submittal
- Revised Plans
- Preliminary Approval
- Final Approval
- Special Land Use
- Rezoning
- Other: \_\_\_\_\_

Contact	Consultants & Departments	Approval	Denial	Approved w/Conditions	Other	Comments
Sean O'Neil	Community Development Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Based on comments from the Staff Planner
Justin Quagliata	Staff Planner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Per letter dated 1/24/24

# 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:** January 24, 2024

**RE:** Filling Station and Six Lakes Party Store  
Rezoning – Review #1

---

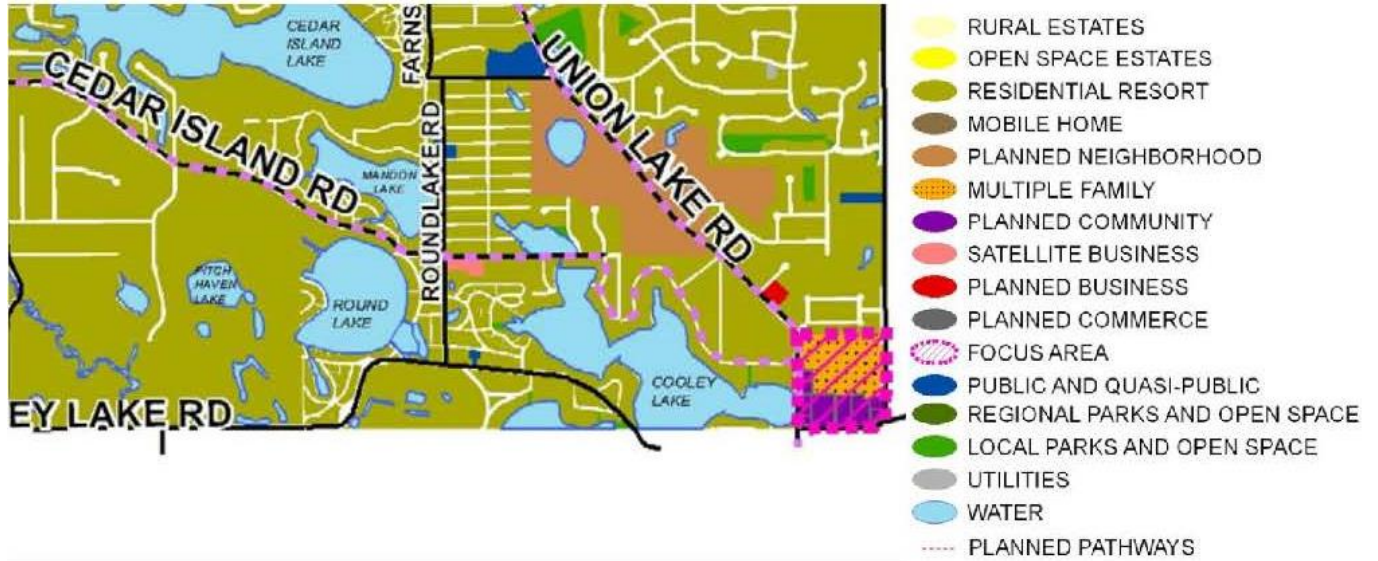
David Toma and Stacy Orosz have requested rezoning of three parcels totaling approximately 0.64 acre in size located at the northeast corner of Cooley Lake Road and Round Lake Road. The following parcels are proposed to be rezoned:

- Parcel Number 12-35-476-004 (9266 Cooley Lake Road) is approximately 0.31 acre in size and currently zoned LB (Local Business). David Toma is requesting to rezone the parcel to GB (General Business).
- Parcel Number 12-35-476-021 (9260 Cooley Lake Road) is approximately 0.11 acre in size and currently zoned LB. Stacy Orosz is requesting to rezone the parcel to GB.
- Parcel Number 12-35-476-050 (no address) is approximately 0.22 acre in size and currently zoned NB-O (Neighborhood Business Office). Stacy Orosz is requesting to rezone the parcel to GB.

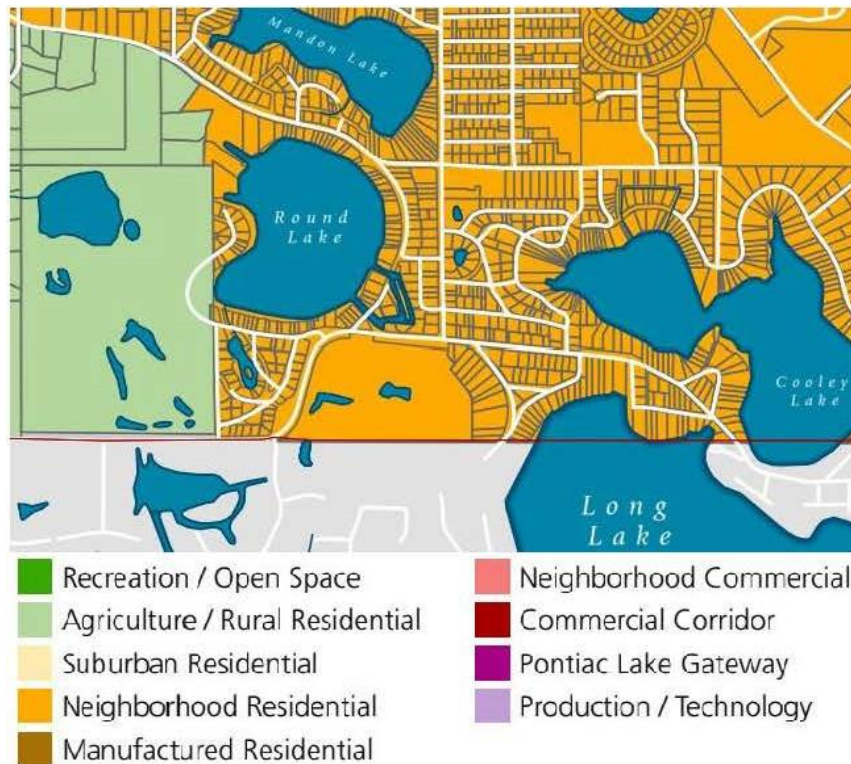
The Future Land Use Map from the 2012 Master Plan designates the subject site in the Residential Resort category, with most development within this category occurring as individual homes in platted or condominium subdivisions. Connections to the Township community-wide pathway system are required as an integral part of all developments. Taking existing development into consideration, the net density of Residential Resort areas is planned to range between 2.0 and 3.0 dwellings per acre.

The Future Land Use Map from the draft 2024 Master Plan designates the subject site in the Neighborhood Residential category, which is intended to maintain existing neighborhoods and provide for denser residential development in places where there is infrastructure to support the density. Residential density of Neighborhood Residential areas is planned to range between 2.0 and 8.0 dwelling units per acre (du/a).

### 2012 FUTURE LAND USE MAP



### DRAFT 2024 FUTURE LAND USE MAP



*Zoning*

The westerly two parcels comprising the subject site are currently zoned LB, which requires a minimum of 120 feet of lot width and one (1) acre of lot area. The easterly parcel comprising the subject site is currently zoned NB-O, which requires a minimum of 120 feet of lot width and one (1) acre of lot area. The requested GB zoning district requires a minimum of 200 feet of lot width and one (1) acre of lot area. None of three (3) parcels comprising the subject site meet the minimum standards for lot area and lot width of the existing LB and NB-O and proposed GB zoning districts. The following table illustrates the lot width and lot area standards for the existing LB and NB-O and proposed GB zoning districts:

ZONING DISTRICT	LOT WIDTH	LOT AREA
LB	120 feet	1 acre
NB-O	120 feet	1 acre
GB	200 feet	1 acre

**ZONING MAP**



*Physical Features*

Parcel Number 12-35-476-004 (9266 Cooley Lake Road) is occupied by Six Lakes Party Store and associated parking. Parcel Number 12-35-476-021 (9260 Cooley Lake Road) is occupied by the Filling Station restaurant. Parcel Number 12-35-476-050 (no address) is occupied by a parking lot serving the Filling Station restaurant.

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) Wetland Map and the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map indicate neither wetlands nor floodplain are present on or near the site.

### *Access*

Parcel Number 12-35-476-004 (9266 Cooley Lake Road) fronts on Cooley Lake Road and Round Lake Road (with one curb cut on each road), which along the subject site are both paved County primary roads. Parcel Number 12-35-476-021 (9260 Cooley Lake Road) has no driveway, but is accessed by a Cooley Lake Road driveway serving the parking lot on Parcel Number 12-35-476-050 (no address) to the east.

### *Utilities*

Parcel Number 12-35-476-004 (9266 Cooley Lake Road) is not connected to sanitary sewer and Parcel Number 12-35-476-021 (9260 Cooley Lake Road) is connected to sanitary sewer. Municipal water is not available to serve the subject site.

### **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 2012 Master Plan designates the subject site in the Residential Resort category and the Future Land Use Map from the draft 2024 Master Plan designates the subject site in the Neighborhood Residential category. Neither category aligns with the proposed GB zoning district. However, staff recommends the Future Land Use Map in the draft 2024 Master Plan be revised to identify the subject site as Neighborhood Commercial, which would be consistent with the existing and likely continuing land uses.*
- 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 GB, 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. Some of the permitted principal uses in the GB 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. One of the parcels comprising the subject site is serviced by sanitary sewer. Municipal water is not available to serve the subject site. 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 redevelopment, 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 GB zoned property has not been submitted. However, the location is appropriate for property zoned RB (Restricted Business) as opposed to GB, 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. Redevelopment of the site is not proposed at this time. Factors that may impact future redevelopment 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. Some of the permitted principal uses allowed in the GB district are appropriate for the site. Special land uses allowed in the GB district are not 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? Six Lakes Party Store sells alcohol/liquor which is a nonconforming use under the current zoning as LB does not allow alcohol sales. Also, the Filling Station is seeking a rezoning in order to serve alcohol/hard cider made on the premises (after obtaining a license from the Michigan Liquor Control Commission (MLCC)). Rezoning would be the most appropriate way to allow for these uses. Amending the LB and NB-O zoning districts to allow alcohol sales and restaurants would not be advised.*
- K. The requested rezoning will not create an isolated and unplanned spot zone. The site is surrounded by R1-D (Single-Family Residential) zoning to the north, east, and west, and GB and R1-D zoning to the south.*

- 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.*

### **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 Applicants to the Township Board. The proposed rezoning is compatible with the draft 2024 Master Plan and surrounding land uses. **While the requested GB zoning district could be appropriate for the subject site, staff recommends approval of rezoning from LB (Local Business) and NB-O (Neighborhood Business Office) to RB (Restricted Business) as the intent of the district is to serve as a transition between less-intensive commercial uses and adjacent residential areas.** RB zoning allows a variety of commercial uses (including alcohol sales and restaurants). GB zoning permits a wider range of commercial activities than those permitted in the LB and RB districts. RB zoning is more suitable for this site and area of the Township than GB zoning.

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

RECEIVED

JAN 10 2024

COMMUNITY  
DEVELOPMENT  
DEPARTMENT

**APPLICATION TO REZONE PROPERTY**

Date: 1-10-24

Applicant: David Toma - Six Lakes Party Store

Address: 9266 Cooley Lake Road

Phone No.: 248-366-4093 Fax No.: 248-366-4128

E-mail: davidstoma@gmail.com

Applicant's Interest in Property: Business owner

Property Owner: David Toma / Naval Toma

Owner's Address: 9004 Tomberview Trail

Phone No.: 248-788-1124 Fax No.: \_\_\_\_\_

Location of Property: 9266 Cooley Lake Road

Sidwell No(s): 12-35-476-004

Total area of change: 0.31 acres

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

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

Please Print Name: David Toma

**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)



RECEIVED

JAN 03 2024

COMMUNITY  
DEVELOPMENT  
DEPARTMENT

APPLICATION TO REZONE PROPERTY

Date: 1-3-24

Applicant: Stacy Orosz "The Filling Station Burger Bar"

Address: 9260 Cooley Lake Rd. White Lake, MI 48386

Phone No.: 248-779-7571 Fax No.: \_\_\_\_\_

E-mail: fillingstationburgerbar@gmail.com

Applicant's Interest in Property: Business Owner

Property Owner: Tony Camaj

Owner's Address: 7246 Pinhook Pike Collinwood, TN 38450

Phone No.: 248-633-5099 Fax No.: \_\_\_\_\_

Location of Property: 9260 Cooley Lake Rd.

Sidwell No(s): \_\_\_\_\_

Total area of change: \_\_\_\_\_ acres

I, the undersigned (owner, attorney, or option holder) hereby request that this property now classified as Local Business District, be reclassified as General Business District.

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

Please Print Name: Stacy Orosz

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)


**Justin Quagliata**

---

**From:** Stacy Orosz <fillingstationburgerbar@gmail.com>  
**Sent:** Friday, January 12, 2024 1:32 PM  
**To:** Justin Quagliata  
**Cc:** Hannah Kennedy-Galley; Sean O'Neil; davidstoma@gmail.com  
**Subject:** Re: Six Lakes Party Store & Filling Station - Rezoning Signs

Stacy Orosz, owner of The Filling Station Burger Bar located at 9260 Cooley Lake Road under Parcel number Y-12-35-476-021 and parking lot Parcel number Y-12-35-476-050, is requesting a re-zoning classification from Local Business to General Business in order to serve hard cider made on premise.

The property owner Anton Camaj gives permission for reclassification as shown by signing below.

  
\_\_\_\_\_ Date 1-10-24  
Printed Name: Anton Camaj