

Rik Kowall, Supervisor
Terry Lilley, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Michael Powell
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WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

November 29, 2018

7525 Highland Road
White Lake, MI 48383

Ms. Spencer called the regular meeting of the White Lake Township Zoning Board of Appeals to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called:

ROLL CALL: Debby Dehart
Mike Powell – Board Liaison
Nik Schillack
Cliff Seiber (Alternate), Excused
Josephine Spencer –Chairperson
Allison Swanson, Excused
Dave Walz – Vice Chair

Also Present: Jason Iacoangeli, AICP, Staff Planner
Sherri Ward, Recording Secretary

Visitors: 6

Approval of the Agenda:

The Board needs to approve the meeting minutes of September 27th and October 11th.

Mr. Walz moved to approve the agenda as amended. Ms. Dehart supported and the MOTION CARRIED with a voice vote (5 yes votes)

Approval of Minutes:

- a. Zoning Board of Appeals Meeting of September 27, 2018

Mr. Walz moved to approve the meeting minutes of September 27, 2018 as presented. Mr. Powell supported and the MOTION CARRIED with a voice vote (5 yes votes)

- b. Zoning Board of Appeals Meeting of October 11, 2018

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: White Lake Township Zoning Board of Appeals

FROM: Jason Iacoangeli AICP, Senior Planner

DATE: November 15, 2018

Agenda item: 6e

Appeal Date: November 29, 2018

Case No.: 18-028

Applicant: Ockert Van Schalkwyk

Address: 6210 Grass Lake Road

Zoning: Planned Development (PD)

Location: 6210 Grass Lake Road
White Lake, MI 48383

Property Description: The property at 6210 Grass Lake Road is a single family home zoned Planned Development (PD). Although the home has a Grass Lake Road address the home is actually located at the end of the private road Dawson's Lane. The home uses a private well for water, and a private septic for sanitation.

Applicant's Proposal: The applicant is proposing to construct a new pole barn on the west side of the property in the front of the home. The new 36 x 48 or 1,728 square foot pole barn meets the current standards for size for accessory buildings in residential districts.

Staff Planner's Report: The Planned Development (PD) zoning for the property at 6210 Grass Lake Road is a holdover from the development of the adjacent Aspen Meadows Site Condo development. The setback standards for the Planned Development District are for larger project either commercial, residential, or potentially a mix of both. This district uses a development agreement to establish standards. The home at 6210 Grass Lake Road is a legal non-conforming Planned Development lot. The setbacks for the front yard are forty (40') feet in this district and the side yard a twenty-five (25') feet. The applicant is proposing to be 19.10 feet from the property line along Dawson Lane and fifteen (15') feet from the property line to the south. The lot is deficient in lot size being only 0.65 Acres or the required ten (10) Acres for Planned Development. This new pole barn meets the standards for both size, and lot coverage for a residential accessory building. With the new pole barn the lot coverage is still below the twenty (20%) maximum for most residential districts. Based on the applicant's lot size, the most conforming district would be R1-B Single Family Residential. The standards for this district would require a front yard setback of thirty-five (35') feet and a side yard setback of ten (10') feet. The lot size is 20,000 square feet, the applicant's lot being 28,439. R1-B requires 120' feet of lot width, this lot has 127' feet.

Proposed Variances

Variance #	Ordinance Section	Subject	Permitted	Requested Variance	End Results
1	Article 3.1.10	Front Yard Setback	40.0'	20'	20'

Variance #	Ordinance Section	Subject	Permitted	Requested Variance	End Results
2	Article 3.1.10	Side Yard Setback (North)	25.0'	10.0'	15.0'

Variance #	Ordinance Section	Subject	Required	Requested Variance	End Results
3	Article 3.1.10	Minimum Lot Size	10 Acres	9.35 Acres	0.65 Acres

Recommended Motions:

Table: “I move to table variance request of Ockert Van Schalkwyk for 6210 Grass Lake Road identified as 12-17-400-022 to consider comments noted during this public hearing”.

Approval: “I move to approve the variance requested by Ockert Van Schalkwyk for the property at 6210 Grass Lake Road identified as 12-17-400-022 in order to construct a pole barn. The variances requested are as follows (see table). This approval will have the following conditions:

- Applicant will pull all necessary permits with the White Lake Township Building Department.

Denial: “I move to deny the variance requests of Ockert Van Schalkwyk for the home addition, at 6210 Grass Lake Road the parcel 12-17-400-022, due to the following reason (s):

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.

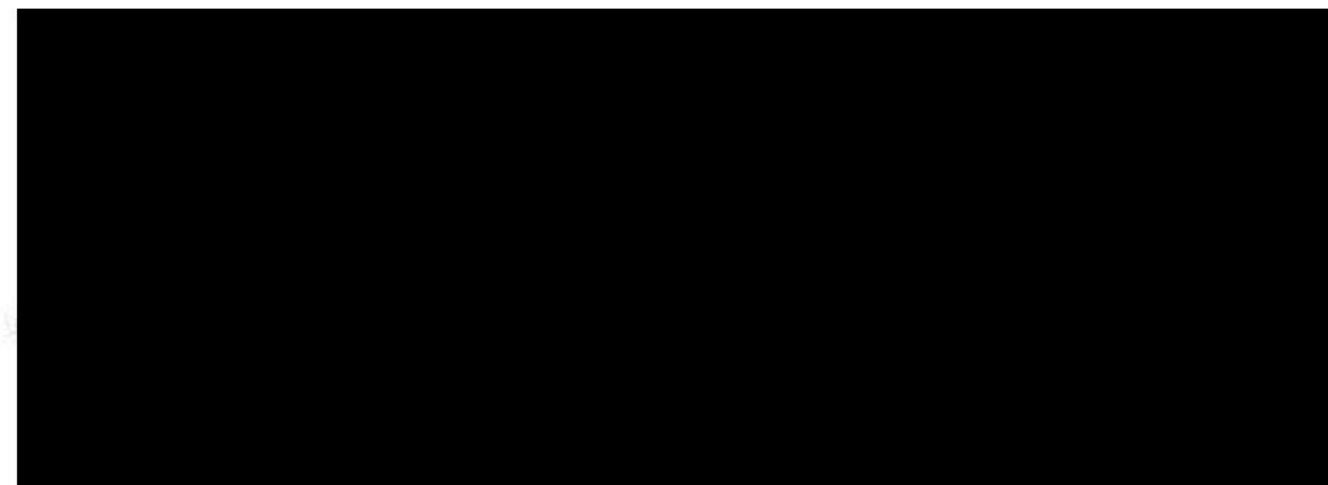
- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using 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

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: Ockert Van Schalkwyk PHONE: 

ADDRESS: 6210 Grass Lake Rd.

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

ADDRESS OF AFFECTED PROPERTY: 6210 Grass Lake Rd PARCEL # 12 - 17-400-022

CURRENT ZONING: PD PARCEL SIZE: 0.65 AC

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

Setback - Side - 25' - Requesting 15' - 3.1.10E

Setback - Front - 40' - Requesting 20' - 3.1.10E

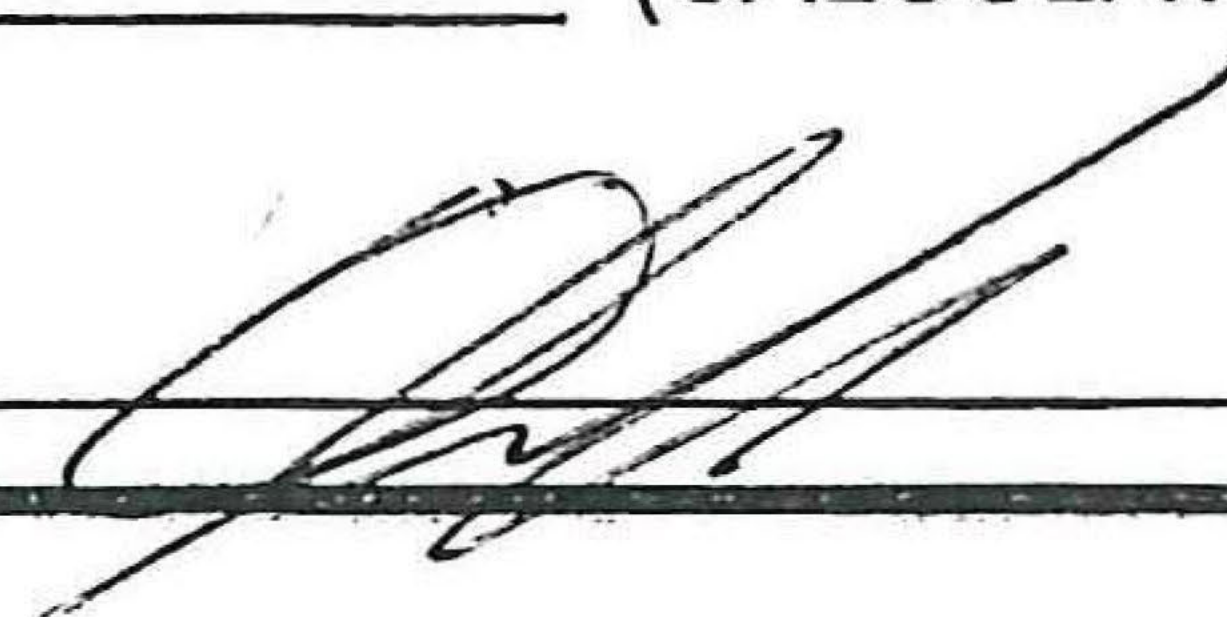
STATE REASONS TO SUPPORT REQUEST: (ADDITIONAL SHEETS MAY BE ATTACHED)

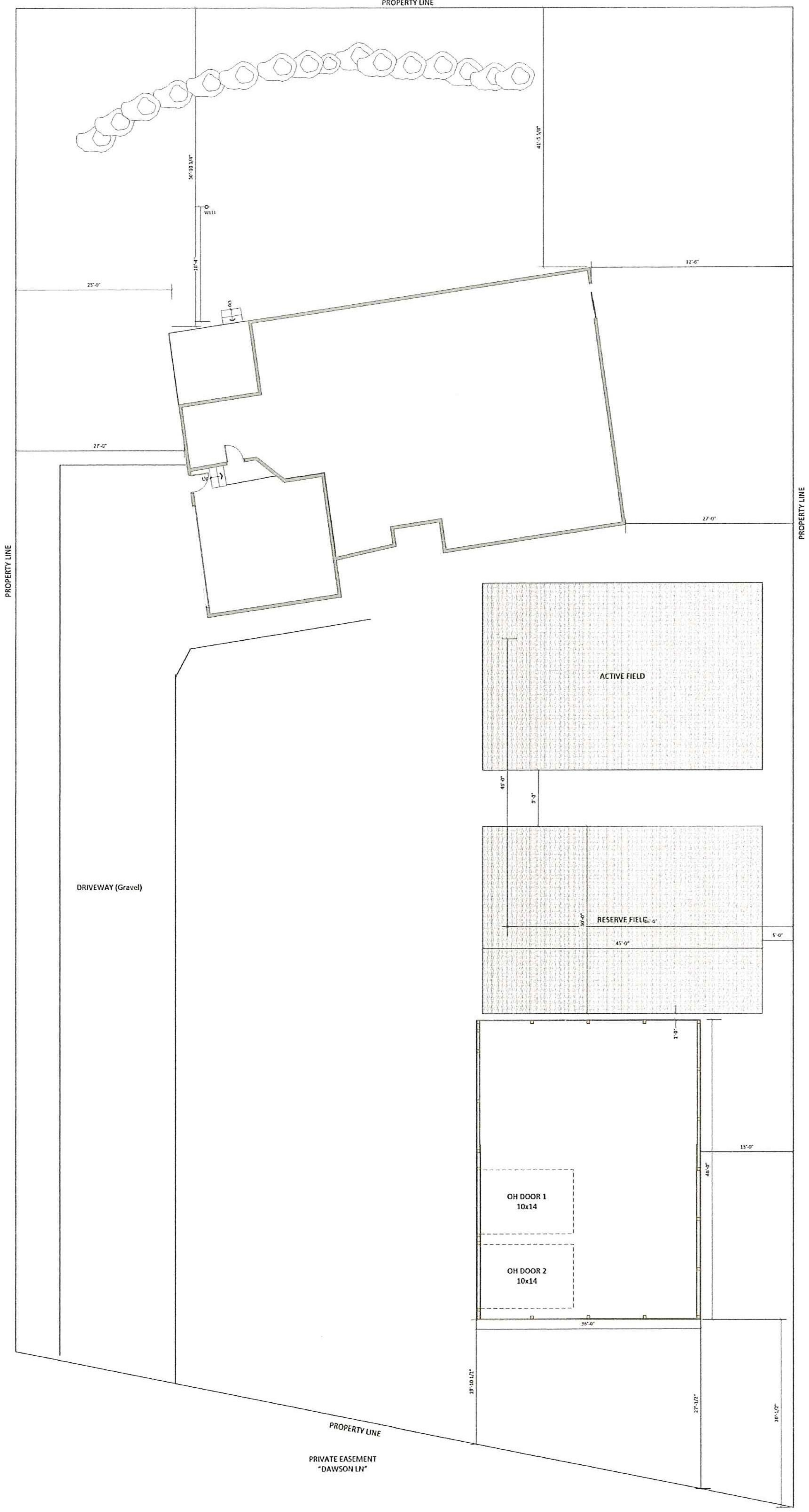
- Lot zoned PD despite lot size. Setbacks requested mirror R1D zoning.

- Due to PD setbacks, lot has limited building area, rear of home & sides are unusable due to terrain, house placement, and setback requirements.

- Pole barn would mirror neighbor's barn setups.

APPLICATION FEE: \$385.00 (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE:  DATE: 10/1/18



Brent Bonnier, Building Official
White Lake Township
BBB/tls

Brent Bonnavier, Building Official
White Lake Township
BBB/tls



White Lake Township Building Dept.
7525 Highland Rd.
White Lake, MI 48383

(248) 698-3300
Fax (248) 666-7451

APPLICATION FOR BUILDING & ZONING PERMIT

DATE OF APPLICATION: 10/1/18

PERMIT #: _____

1. Address of new construction: 6210 Grass Lake Rd.
2. Request Permit For: Pole barn
3. Sidwell #: 12-17-400-022 4. Lot #: _____ 5. Zoning: PD
6. Subdivision: None 7. Subdivision Approval X: _____
8. Lot Size: Front 127' Rear 125' Side 215' Side 240'
9. Total Sq. Ft. of Lot: 28,314
10. Required Setbacks: Front 40' Rear * Side 25' Side 25'
11. Proposed Setbacks: Front 20' Rear Same Side Same Side 15'
12. Building Height at Mid-Peak: _____ Total Height: _____ 13. Total # of Stores: 1
14. # of Bedrooms: 0 15. Building Use Group: _____
16. Type of Construction: Post 17. Type of Foundation: _____
18. Sq. Ft. of Proposed Construction:
Garage: 1728 1st Floor: 11 2nd Floor: _____ Total: 1728
19. Sq. Ft. of Existing Structures:
Garage: 400 1st Floor: 2100 2nd Floor: _____ Total: 2500
20. Septic Permit #: _____ 21. Driveway Permit #: _____ County Rd. Private Rd.
22. Soil Erosion Permit # _____ 23. Wetland – on or abutting (circle one) YES NO
24. Value of Proposed Work: \$ 30,000 25. Permit Fee: 256
26. Attach a Detailed Plot Plan 27. Review Fee: 50

APPLICANT'S NAME: Ockert Van Schaalkwyk PHONE #: 248-568-1708
ADDRESS: 6210 Grass Lake Rd, White Lake, MI 48383
DATE: 10/1/2018

Z.B.A. Approval Date _____
Case # _____
Conditions Attached _____

APPLICATION FOR BUILDING PERMIT AND PLAN EXAMINATION

7525 Highland Road
White Lake, MI 48383

6000
to 231A



RECEIVED

OCT - 2 2018

(248) 698-3300
Fax (248) 666-7451

BUILDING
DEPARTMENT

AUTHORITY: P.A. 230 of 1972, AS AMENDED
COMPLETION: MANDATORY TO OBTAIN PERMIT
PENALTY: PERMIT WILL NOT BE ISSUED

THE DEPARTMENT WILL NOT DISCRIMINATE AGAINST ANY INDIVIDUAL OR GROUP
BECAUSE OF RACE, SEX, RELIGION, AGE, NATIONAL ORIGIN, COLOR, MARITAL
STATUS, HANDICAP, OR POLITICAL BELIEFS.

APPLICANT TO COMPLETE ALL ITEMS IN SECTION I, II, III, IV, V AND VI

NOTE: SEPARATE APPLICATIONS MUST BE COMPLETED FOR PLUMBING, MECHANICAL, AND ELECTRICAL WORK PERMITS

I. PROJECT INFORMATION				
PROJECT NAME Pole Barn		ADDRESS 6210 Grass Lake Rd.		
CITY White Lake	VILLAGE	TOWNSHIP	COUNTY Oakland	ZIP CODE 48383
BETWEEN Porter Rd		AND Hill Rd.		
II. IDENTIFICATION				
A. OWNER OF LESSEE				
NAME Ockert Van Schalkwyk		ADDRESS 6210 Grass Lake Rd.		
CITY White Lake	STATE MI	ZIP CODE 48383	TELEPHONE NUMBER 248-568-1708	
B. ARCHITECT OR ENGINEER				
NAME		ADDRESS		
CITY	STATE	ZIP CODE	TELEPHONE NUMBER	
LICENSE NUMBER		EXPIRATION DATE		
C. CONTRACTOR				
NAME		ADDRESS		
CITY	STATE	ZIP CODE	TELEPHONE NUMBER	
BUILDERS LICENSE NUMBER		EXPIRATION DATE		
FEDERAL EMPLOYER ID NUMBER OR REASON FOR EXEMPTION				
WORKERS COMP INSURANCE CARRIER OR REASON FOR EXEMPTION				
MESC EMPLOYER NUMBER OR REASON FOR EXEMPTION				
III. TYPE OF IMPROVEMENT AND PLAN REVIEW				
A. TYPE OF IMPROVEMENT				
1. ☒ NEW BUILDING	3. ☐ ALTERATION	5. ☐ DEMOLITION	7. ☐ FOUNDATION ONLY	9. ☐ RELOCATION
2. ☐ ADDITION	4. ☐ REPAIR	6. ☐ MOBILE HOME SET-UP	8. ☐ PREMANUFACTURE	10. ☐ SPECIAL INSPECTION
B. REVIEW(S) TO BE PERFORMED				
☒ BUILDING	☐ ELECTRICAL	☐ MECHANICAL	☐ PLUMBING	☐ FOUNDATION

IV. PROPOSED USE OF BUILDING				
A. RESIDENTIAL				
1. ☐ ONE FAMILY	3. ☐ HOTEL, MOTEL NO. OF UNITS _____	5. ☒ DETACHED GARAGE		
2. ☐ TWO OR MORE FAMILY NO. OF UNITS _____	4. ☐ ATTACHED GARAGE	6. ☐ OTHER		
B. NON-RESIDENTIAL				
7. ☐ AMUSEMENT	11. ☐ SERVICE STATION	15. ☐ SCHOOL, LIBRARY, EDUCATIONAL		
8. ☐ CHURCH, RELIGION	12. ☐ HOSPITAL, INSTITUTIONAL	16. ☐ STORE, MERCANTILE		
9. ☐ INDUSTRIAL	13. ☐ OFFICE, BANK, PROFESSIONAL	17. ☐ TANKS, TOWERS		
18. ☐ PARKING GARAGE	14. ☐ PUBLIC UTILITY	18. ☐ OTHER		
NONRESIDENTIAL-DESCRIBE IN DETAIL PROPOSED OF BUILDING, E.G. FOOD PROCESSING PLANT, MACHINE SHOP, LAUNDRY BUILDING AT HOSPITAL, ELEMENTARY SCHOOL, SECONDARY SCHOOL, COLLEGE, PAROCHIAL SCHOOL, PARKING GARAGE FOR DEPARTMENT STORE, RENTAL OFFICE BUILDING, OFFICE BUILDING AT INDUSTRIAL PLANT. IF USE OF EXISTING BUILDING IS BEING CHANGED, ENTER PROPOSED USE.				
V. SELECTED CHARACTERISTIC OF BUILDING				
A. PRINCIPAL TYPE OF FRAME				
1. ☐ MASONRY, WALL BEARING	2. ☒ WOOD FRAME	3. ☐ STRUCTURAL STEEL	4. ☐ REINFORCED CONCRETE	5. ☐ OTHER
B. PRINCIPAL TYPE OF HEATING FUEL				
6. ☐ GAS	7. ☐ OIL	8. ☐ ELECTRICITY	9. ☐ COAL	10. ☒ OTHER <u>None</u>
C. TYPE OF SEWAGE DISPOSAL				
11. ☐ PUBLIC OR PRIVATE COMPANY		12. ☐ SEPTIC SYSTEM <u>None</u>		
D. TYPE OF WATER SUPPLY				
13. ☐ PUBLIC OR PRIVATE COMPANY		14. ☐ PRIVATE WELL OR CISTERN <u>None</u>		
E. TYPE OF MECHANICAL				
15. WILL THERE BE AIR CONDITIONING? ☐ YES ☒ NO		16. WILL THERE BE FIRE SUPPRESSION? ☐ YES ☒ NO		
F. DIMENSIONS/DATA				
17. NUMBER OF STORIES	<u>1</u>	21. FLOOR AREA:	EXISTING	ALTERATIONS
18. USE GROUP		BASEMENT	<u>2,100</u>	<u>—</u>
19. CONST. TYPE	<u>Post</u>	1ST & 2ND FLOOR	<u>2,000</u>	<u>—</u>
20. NO. OF OCCUPANTS	<u>0</u>	3RD - 10TH FLOOR	<u>—</u>	<u>—</u>
		11TH - ABOVE	<u>—</u>	<u>—</u>
		TOTAL AREA	<u>4,100</u>	<u>1,728</u>
G. NUMBER OF OFF STREET PARKING SPACES				
22. ENCLOSED <u>4</u>		23. OUTDOORS _____		

VI. APPLICANT INFORMATION

APPLICANT IS RESPONSIBLE FOR THE PAYMENT OF THE FEES AND CHARGES APPLICABLE TO THIS APPLICATION AND MUST PROVIDE THE FOLLOWING INFORMATION.

NAME

Ockert Van Schalkwyk

ADDRESS

6210 Grass Lake Rd

CITY

White Lake

STATE

MI

ZIP CODE

48383

FEDERAL ID NUMBER/SOCIAL SECURITY NUMBER

I HEREBY CERTIFY THAT I AM AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT, AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

Section 23a of the state construction code act of 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to civil fines.

SIGNATURE OF APPLICANT



PLAN REVIEW FEE ENCLOSED \$

BUILDING PERMIT FEE ENCLOSED \$

VII. LOCAL GOVERNMENTAL AGENCY TO COMPLETE THIS SECTION

ENVIRONMENTAL CONTROL APPROVALS

	REQUIRED?	APPROVED	DATE	NUMBER	BY
A - ZONING	☐ YES ☐ NO				
B - FIRE DISTRICT	☐ YES ☐ NO				
C - POLLUTION CONTROL	☐ YES ☐ NO				
D - NOISE CONTROL	☐ YES ☐ NO				
E - SOIL EROSION	☐ YES ☐ NO				
F - FLOOD ZONE	☐ YES ☐ NO				
G - WATER SUPPLY	☐ YES ☐ NO				
H - SEPTIC SYSTEM	☐ YES ☐ NO				
I - VARIANCE GRANTED	☐ YES ☐ NO				
J - OTHER	☐ YES ☐ NO				

VIII. VALIDATION - FOR DEPARTMENT USE ONLY

USE GROUP

BASE FEE

TYPE OF CONSTRUCTION

NUMBER OF INSPECTIONS

SQUARE FEET

APPROVAL SIGNATURE

TITLE

DATE

Z.B.A. Approval Date
Case #
Conditions Attached

RECEIVED

OCT - 2 2018

BUILDING
DEPARTMENT

6x6 #1 Critical Structural
AC2 Green Pressure
Treated SYP

Z.B.A. Approval Date _____
Case # _____
Conditions Attached _____

2x12 SYP #1
Interior
Surface Mounted

2x12 SYP #1
Exterior
Surface Mounted

2x12 SYP #1
Interior
Notched Mounted

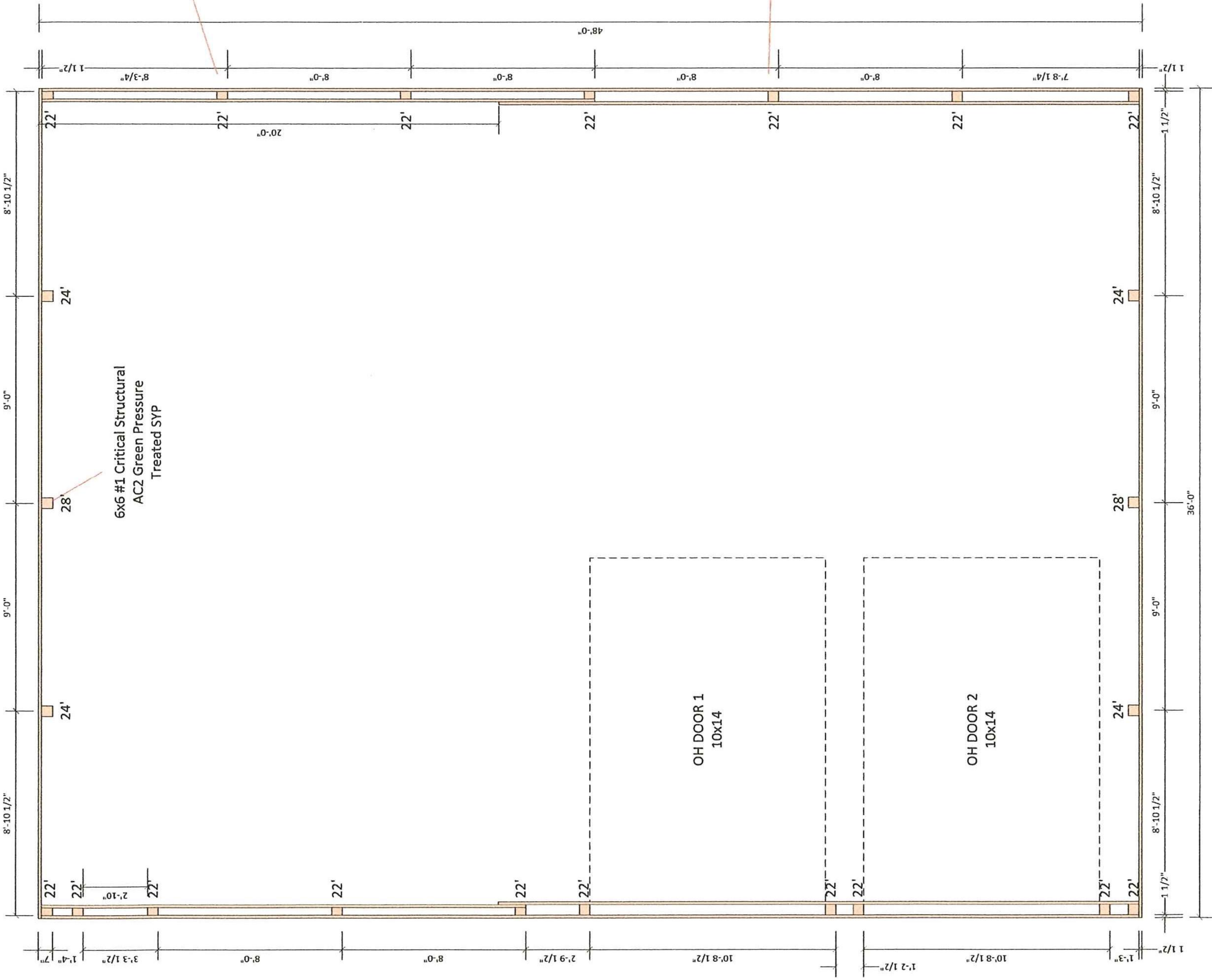
2x12 SYP #1
Exterior
Surface Mounted

6x6 #1 Critical Structural
AC2 Green Pressure
Treated SYP

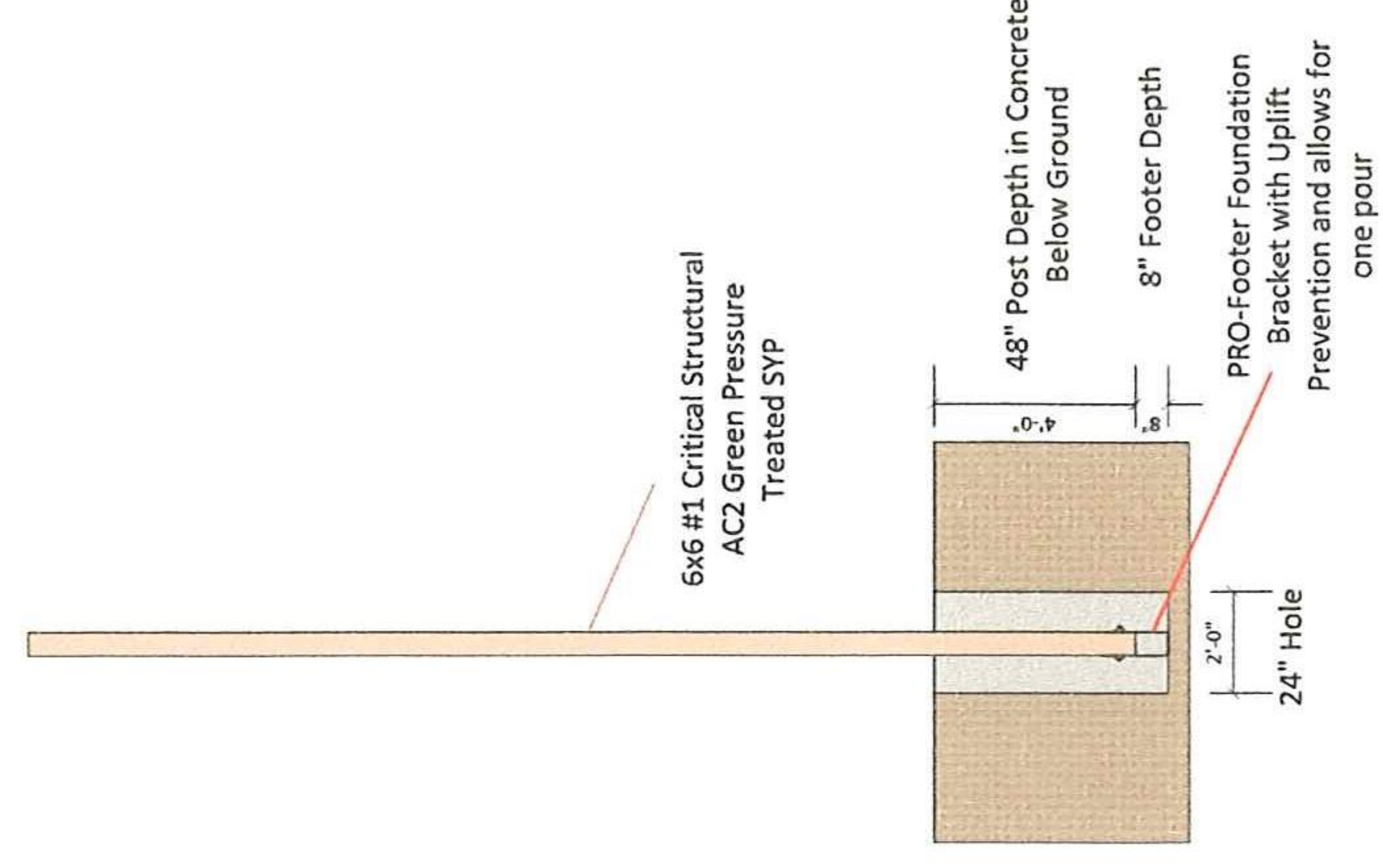
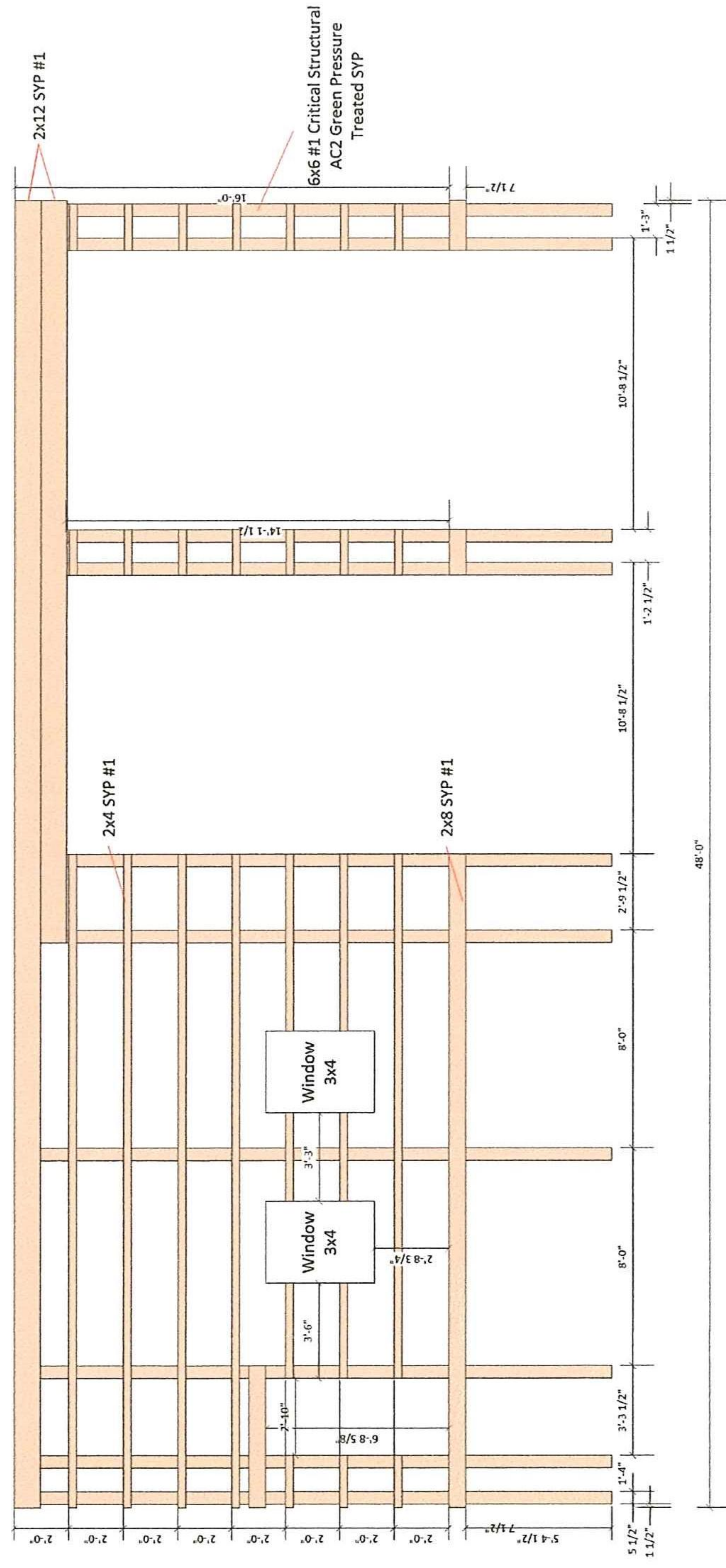
6x6 #1 Critical Structural
AC2 Green Pressure
Treated SYP

OH DOOR 1
10x14

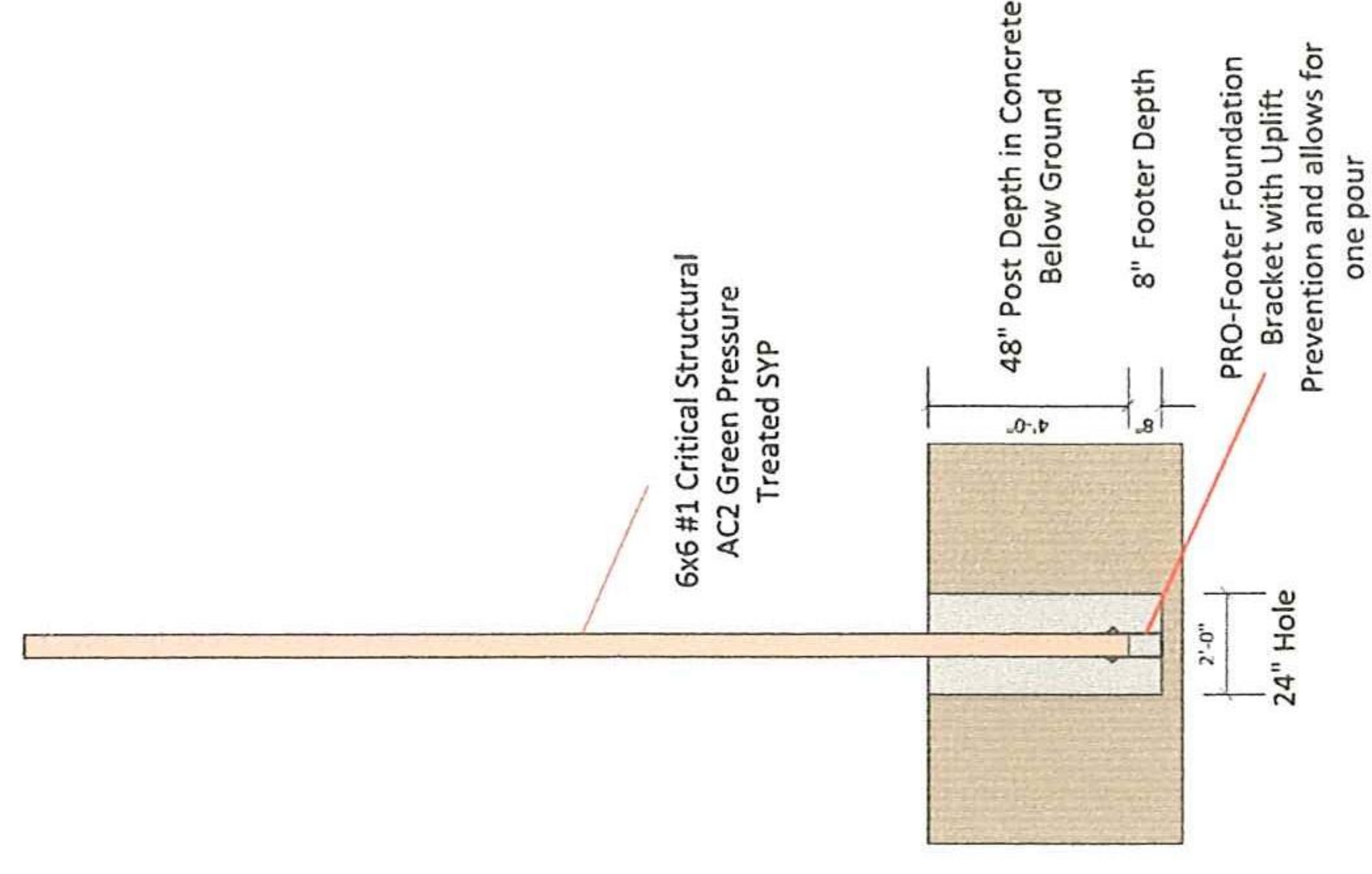
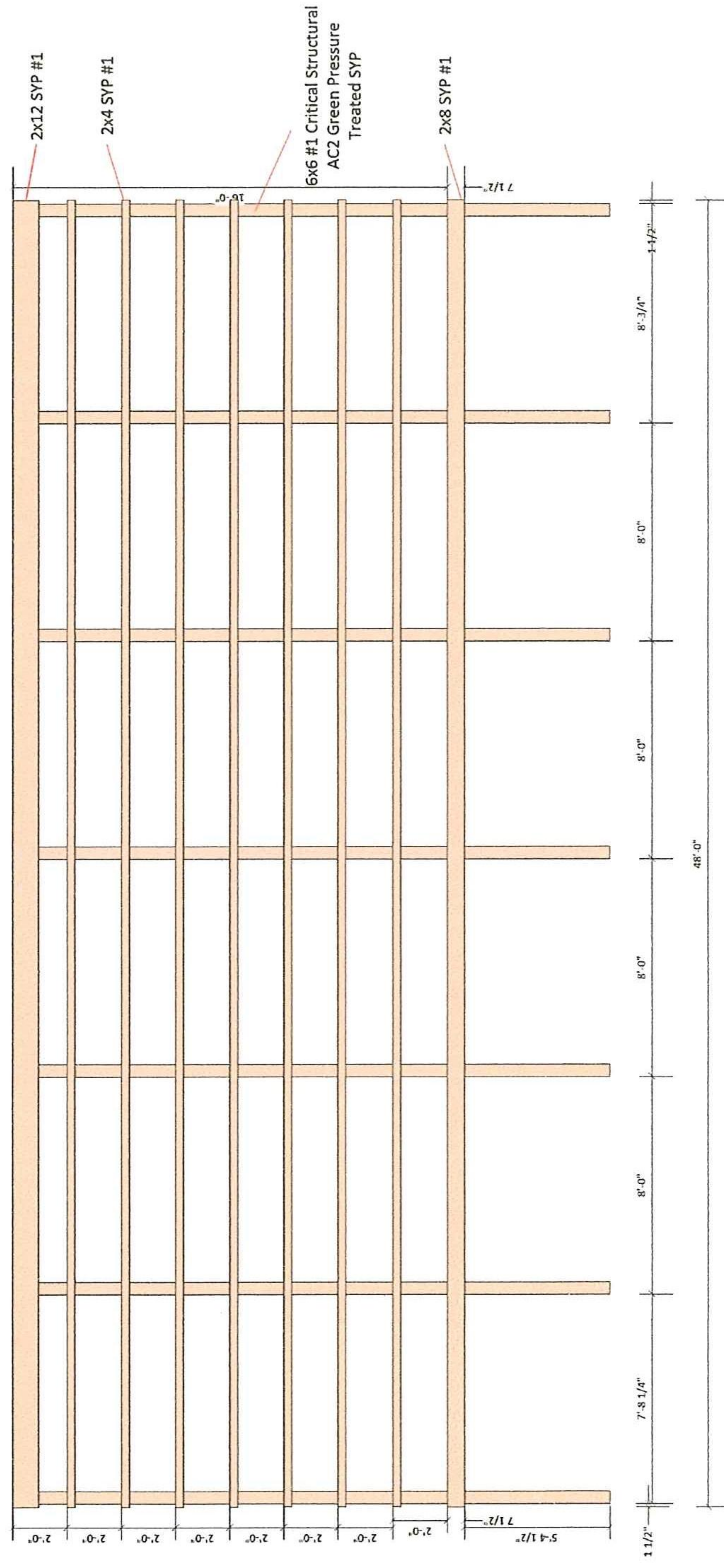
OH DOOR 2
10x14



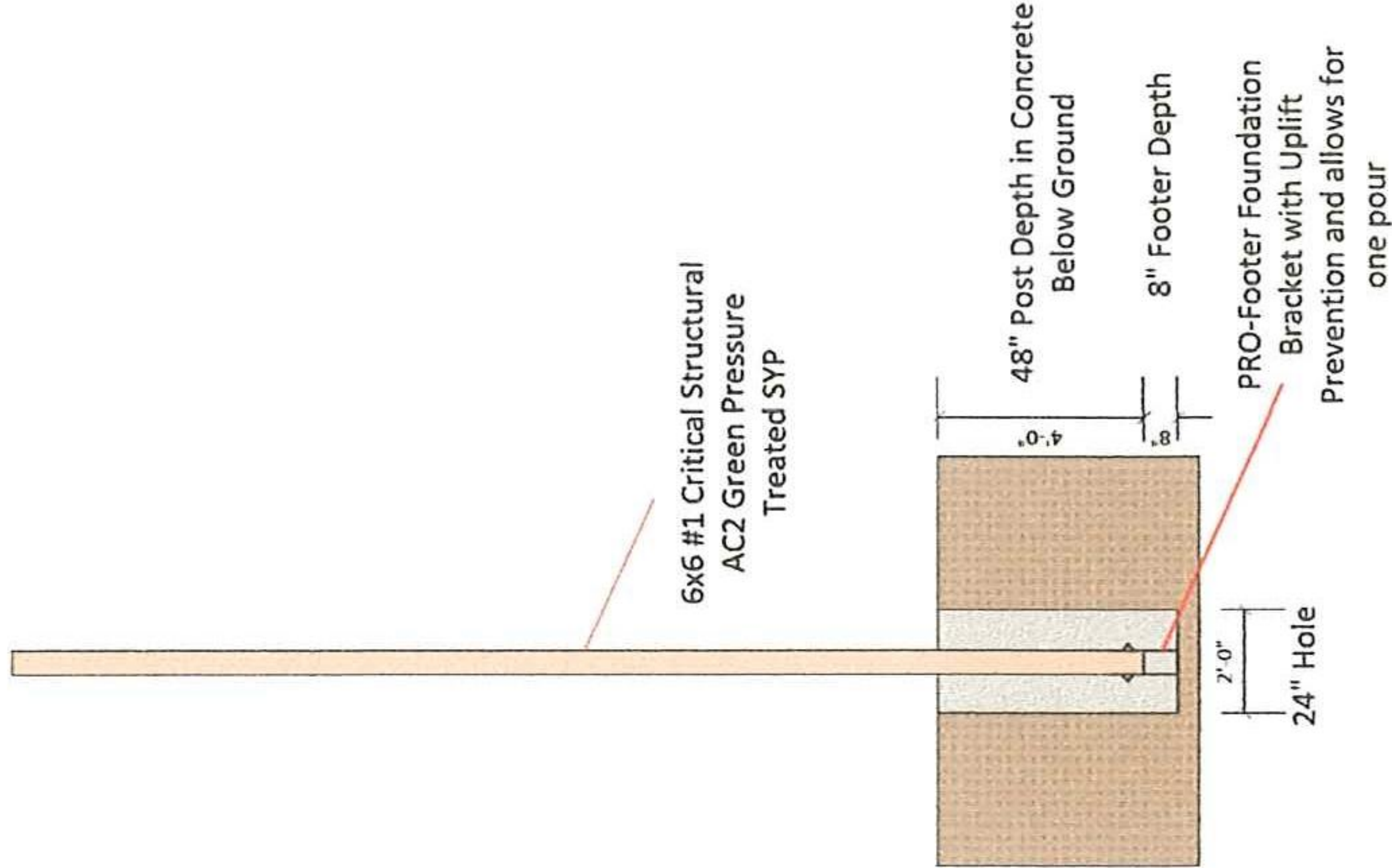
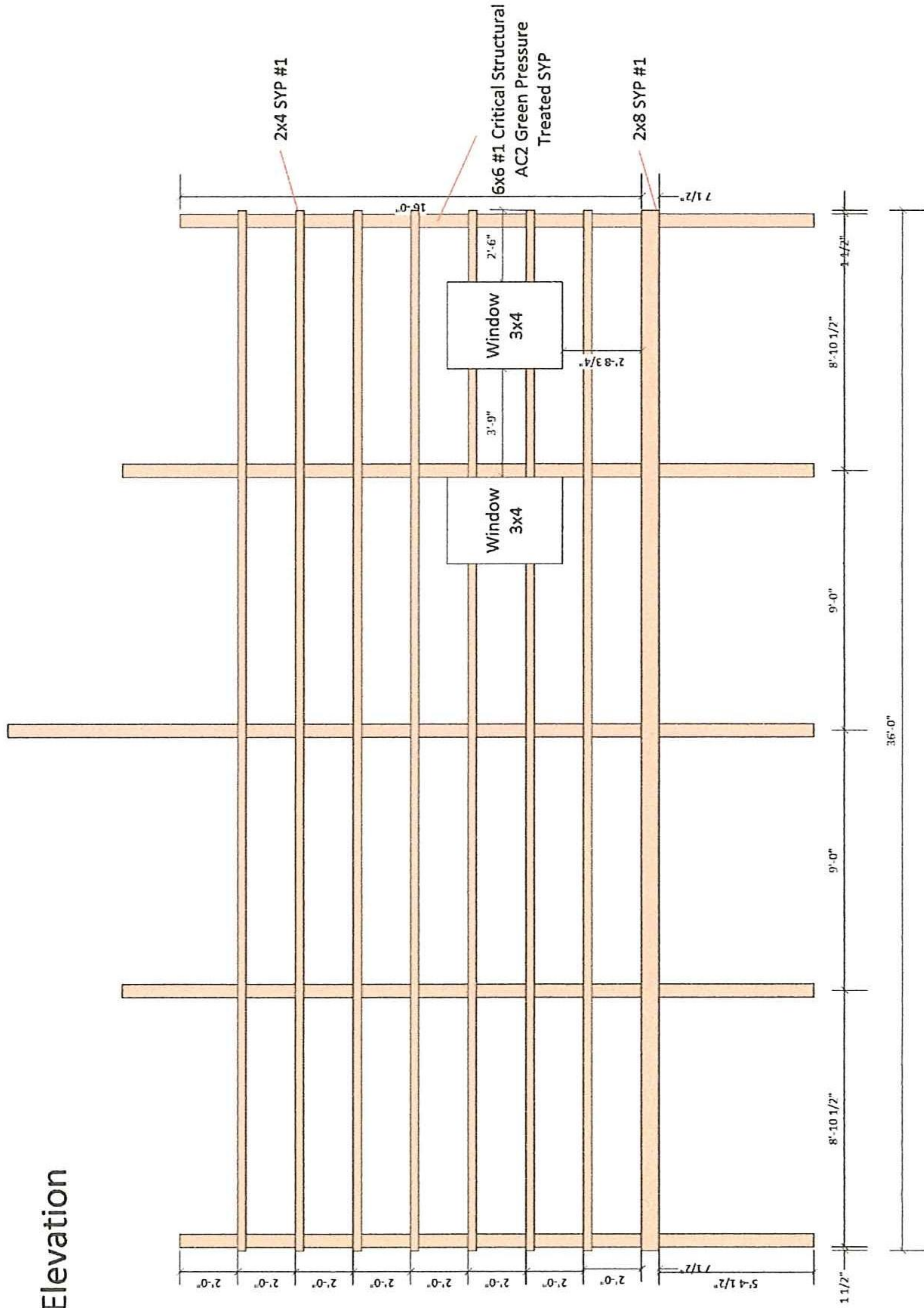
Front Framing Elevation



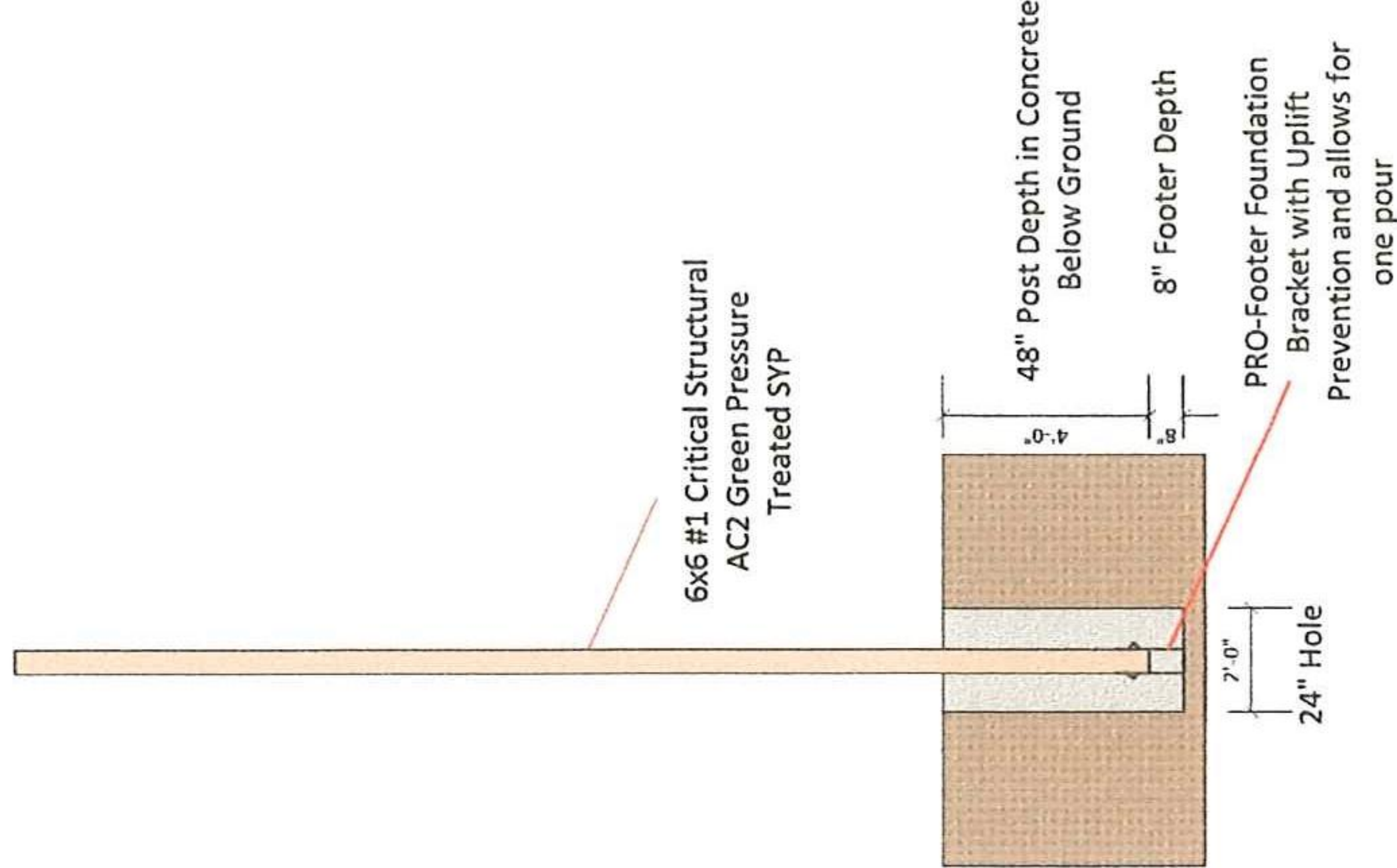
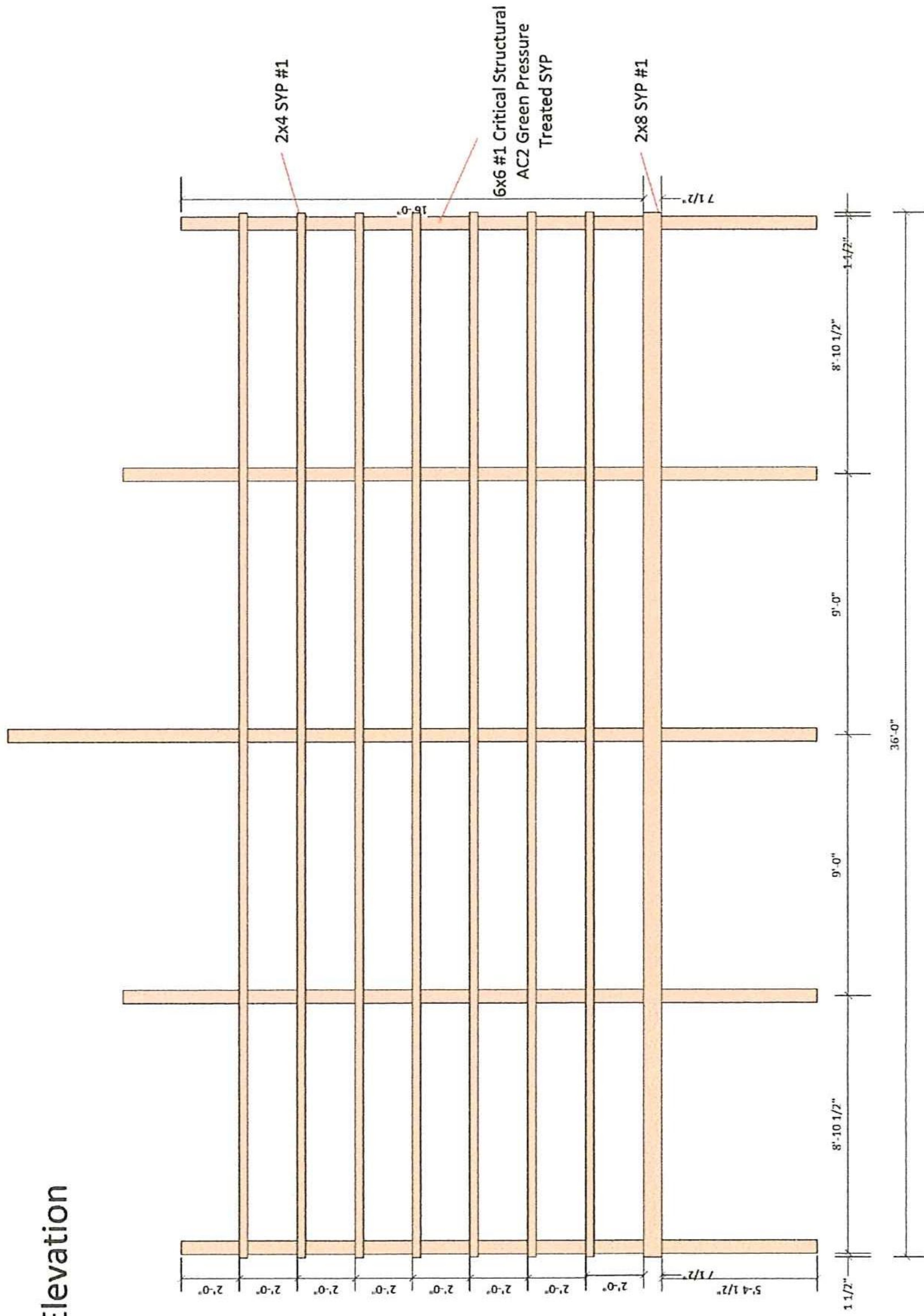
Rear Framing Elevation



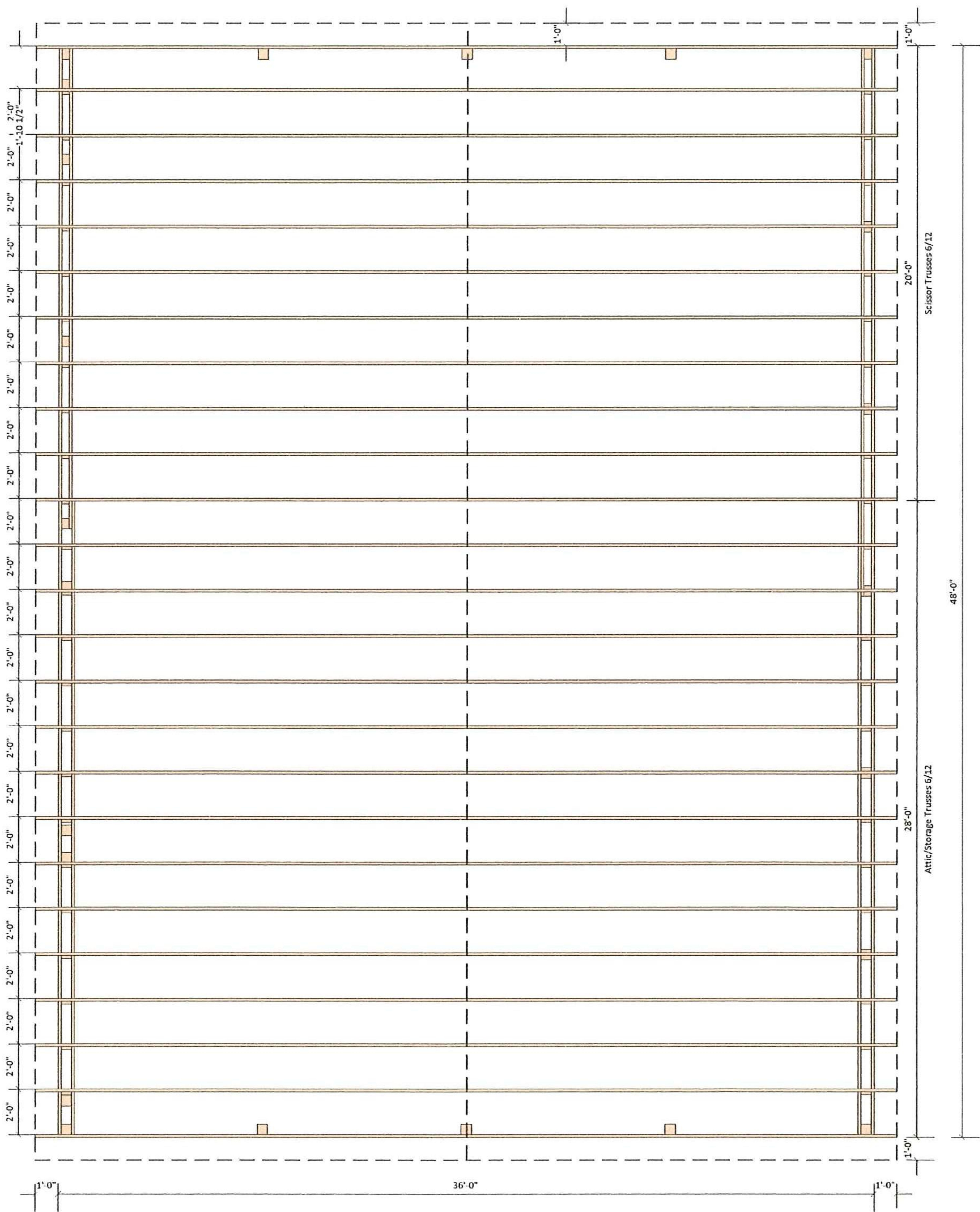
House Framing Elevation



Road Framing Elevation



Roof Truss Design



Project Location:
6210 GRASS LAKE RD.
WHITE LAKE, MI 48383



White Lake Township Building Dept.
7525 Highland Rd.
White Lake, MI 48383

(248) 698-3300
Fax (248) 666-7451

BUILDING AND ZONING PERMIT REGULATIONS

1. A Certificate of Occupancy must be obtained before occupying the building.
2. Additional permits are required for HVAC, Plumbing, Electrical, Fireplaces, Pools, Fences and Decks.
3. Three (3) site plans and three (3) sets of construction plans with sectionals are required to be submitted with the building application.
4. The Builder and property owner are responsible for drainage and grade on the construction site.
5. The Builder and property owner are responsible for lot line and proper setbacks as approved by White Lake Township.
6. Attach a complete list of all sub-contractor names, trades, license numbers and phone numbers.
7. A \$50.00 re-inspection fee will be charged to all permit holders if any of the following is not in place when an inspection is called for:
 - A. Soil erosion fence is not installed properly
 - B. The lot number is not properly marked (properly marked is a visible address with the lot number and permit number that can be clearly seen from the road).
 - C. The job site must be clean with a safe access for the inspectors.
8. The road must be cleaned and maintained properly (this includes snow removal).
9. If granted, a Temporary Certificate of Occupancy will cost \$100.00 every 30 days until a final Certificate is issued and must be paid for in advance.

Builder's Name: _____

Signature: _____ Phone: _____

Property Owner: Ockert Van Schalkwyk

Signature: [Signature] Phone: [Redacted]

