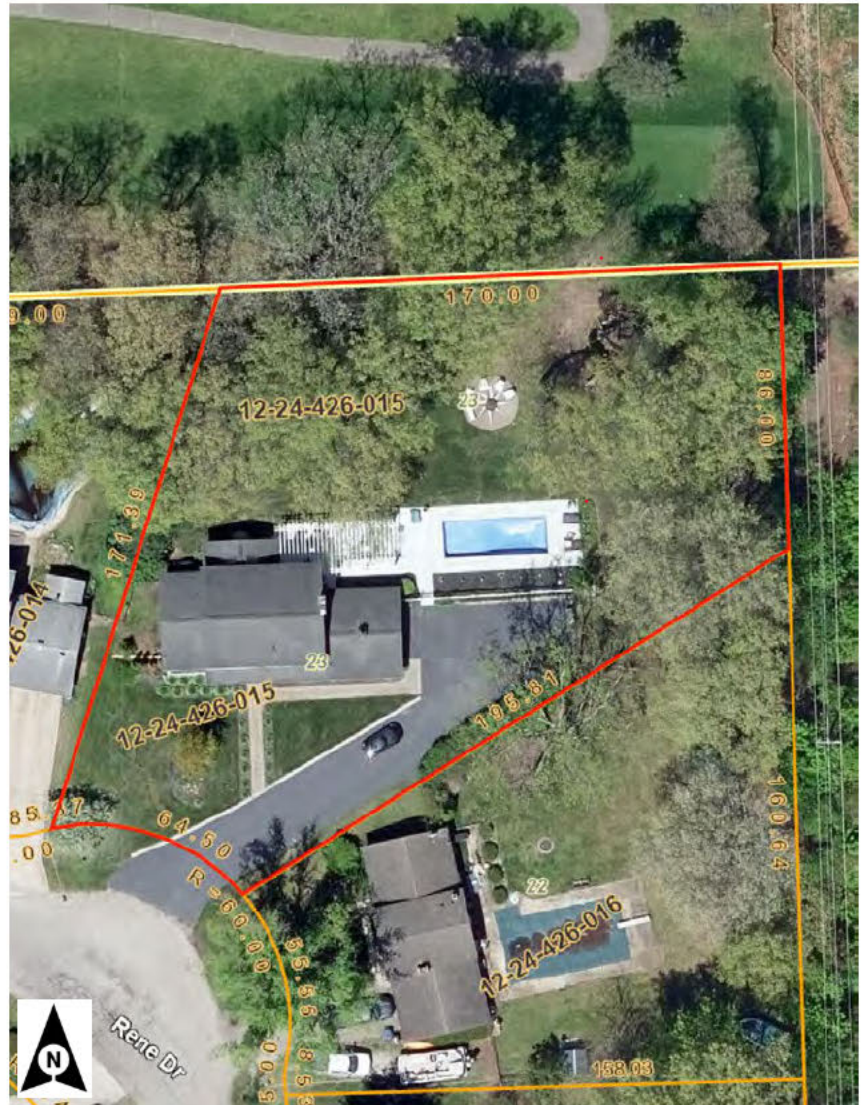


**TO:** Zoning Board of Appeals  
**FROM:** David J. Waligora, AICP, Senior Planner  
**DATE:** May 21, 2026  
**RE:** 8070 Rene Dr: Variance Request to Permit Increased Accessory Structure Height

---

**Agenda item:** 8D  
**Appeal Date:** May 28, 2026  
**Applicant:** Scott David  
8070 Rene Dr  
**Owner:** Scott David  
8070 Rene Dr  
**Address:** 8070 Rene  
**Parcel #:** 12-24-426-015  
**Location:** Directly adjacent to  
the SE corner of the  
White Lake Oaks  
Golf Course  
**Zoning:** R1-C, Single Family  
Residential



### Attachments

1. Application
2. Proposed Survey, Construction Documents, photographs

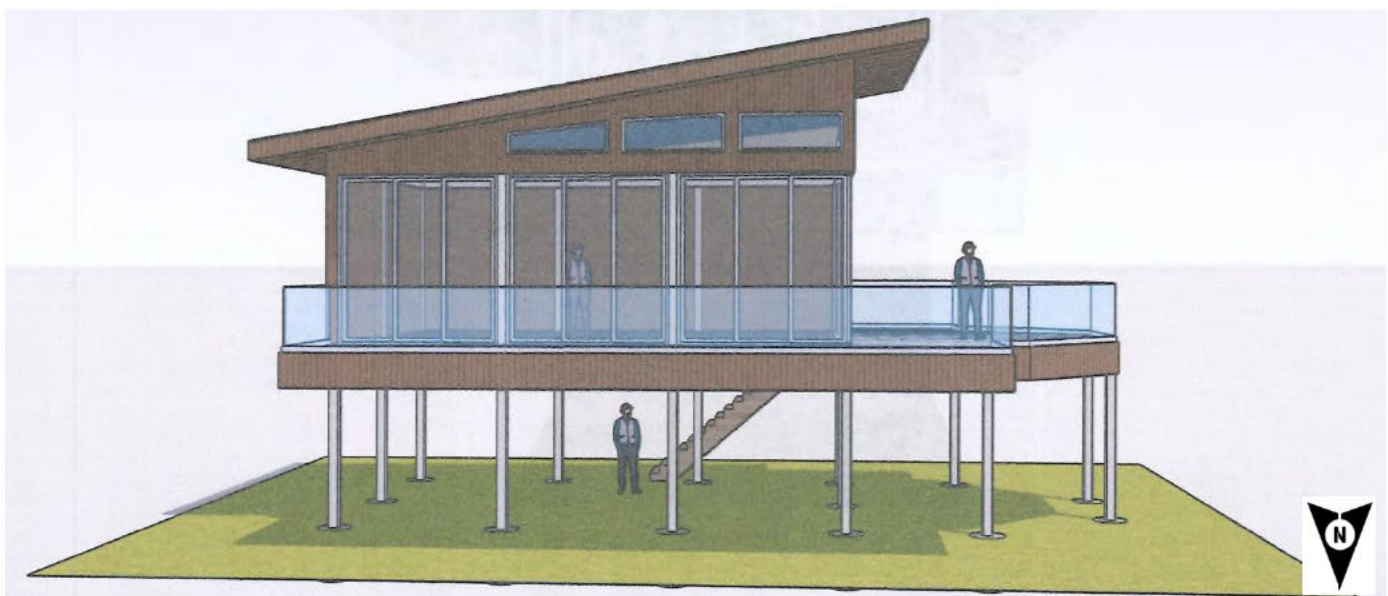
## Property Description

The subject property is located at 8070 Rene Drive and is identified as Parcel No. 12-24-426-015, legally described as Lot 23, Hurondale Subdivision No. 2. The approximately 0.675-acre parcel (29,403 square feet) is zoned R1-C, Single Family Residential, and is improved with an existing single-family residence constructed in 1968. The parcel exceeds the minimum R1-C lot area requirement of 13,600 square feet by approximately 15,803 square feet, making the property more than twice the minimum lot area required in the district. The property is a corner lot with frontage on both Rene Drive and Williams Lake Road, containing approximately 64.5 feet of frontage and an average depth of approximately 183.6 feet.

## Applicant's Proposal

The applicant is requesting variance relief from Section 5.7, Accessory Buildings or Structures in Residential Districts, to permit construction of an elevated detached accessory structure, described by the applicant as a "treehouse," with an approximate 24.4-foot midpoint roof height, where a maximum midpoint roof height of 18 feet is permitted, representing approximately 6.4 feet of variance relief. Based on submitted plans, the proposed structure consists of an elevated detached accessory building with an approximate roof area of 478 square feet, including an approximately 20-foot by 10-foot (200 square foot) enclosed interior area, as well as large wall-length windows, electrical service, attached deck areas, and structural steel reinforcement components.

During staff review, questions arose regarding application of the required front yard setback along Williams Lake Road. Staff discussed these issues with the applicant and offered an opportunity to postpone consideration of the request to allow for revised plans and re-noticing, if necessary. The applicant elected to proceed and indicated willingness to relocate the proposed structure, as necessary, to comply with all applicable setback requirements. Accordingly, staff's analysis is limited to the requested variance associated with accessory structure height.



## Site History

The applicant provided photographs within the application materials indicating an existing elevated treehouse structure was previously located on the property and was subsequently damaged by a fallen tree. During discussions with staff, the applicant indicated that, in the 1980s or 1990s, he had a verbal conversation with the Township Building Official and was advised that a 200-square-foot structure would not require a building permit. Staff was unable to verify the occurrence or content of this conversation.

Based upon staff's interpretation of current and historical permitting requirements, the previously existing structure, as constructed, would likely have required building permits for multiple reasons, including but not limited to: the presence of an elevated deck, stairs, and electrical service. Further, staff notes that while accessory structures measuring less than 200 square feet may be exempt from permitting requirements under certain circumstances, a 200-square-foot accessory structure would require permitting, and the previously existing structure appears to have included additional features beyond those typically exempted from permit requirements.

Staff has not identified records confirming the issuance of permits for the previously existing structure. Accordingly, staff has not relied upon the existence of the prior structure as evidence of a legally established nonconforming structure or as a basis for continuation of a prior condition. Additionally, staff notes that reconstruction, repair, or replacement of a damaged elevated structure of this nature would require applicable permits and review under current Township regulations. Therefore, the current request has been evaluated as a new variance request associated with the proposed accessory structure rather than continuation of a previously existing condition.



## Zoning Analysis

Section 5.7.C, Accessory Buildings or Structures in Residential Districts, states:

*“Accessory building or structure walls in all residential districts, with the exception of Suburban Farm (SF) and Agricultural (AG), shall not exceed fourteen (14) feet in height and the building shall not exceed eighteen (18) feet in height.”*

The Building Official determined the submitted plans indicate a proposed midpoint roof height of approximately 24.4 feet, exceeding the maximum permitted accessory structure height of 18 feet. The request therefore represents approximately 6.4 feet of variance relief.

Staff notes the proposed structure has been described by the applicant as a “treehouse”; however, submitted plans indicate the proposal includes features such as an approximately 20-foot by 10-foot enclosed interior area, large wall-length windows, electrical service, attached deck areas, and structural reinforcement components, which are not typically associated with a traditional treehouse. Further, the structure is not designed to be supported by or integrated into an existing tree.

Staff concurs with the Building Official’s interpretation that the proposed structure constitutes an accessory building or structure subject to the requirements of Section 5.7, Accessory Buildings or Structures in Residential Districts, and therefore must comply with all applicable zoning standards unless otherwise approved by the Zoning Board of Appeals.

Staff notes the practical difficulty standard contained within Section 7.37(A) may warrant additional consideration by the Zoning Board of Appeals, as the submitted materials do not clearly demonstrate how physical characteristics of the subject property necessitate the requested 6.4-foot height variance relief. Determination of compliance with Section 7.37(A), and all other variance standards, remains solely within the authority of the Zoning Board of Appeals.

### **Staff Interpretation – Accessory Structures with Attached Deck Areas**

Additionally, Section 3.10, Attached Decks, Porches, and Patios in Residential Districts, regulates attached decks associated with principal residential structures but does not specifically address deck areas attached to detached accessory structures. Staff interprets attached deck areas associated with an accessory structure as constituting part of the accessory structure for purposes of setback compliance and dimensional review under Section 5.7. Accordingly, staff evaluated the proposal under the standards applicable to accessory structures rather than standards applicable to decks associated with principal dwellings.

As this interpretation is not expressly addressed within the Zoning Ordinance, **staff requests feedback from the Zoning Board of Appeals regarding whether this represents an appropriate interpretation for regulating accessory structures with attached deck areas under the current Ordinance.** Staff notes that future ordinance amendments may provide an opportunity to further clarify standards applicable to accessory structures with attached deck areas.

## Conclusion

The applicant is requesting variance relief from Section 5.7 to permit an elevated detached accessory structure with an approximate 24.4-foot midpoint roof height, where a maximum height of 18 feet is permitted, representing approximately 6.4 feet of relief. Staff concurs with the interpretation that the proposed structure constitutes an accessory building or structure subject to Section 5.7. Staff further requests feedback regarding interpretation of attached deck areas associated with accessory structures. Determination of compliance with Section 7.37, including the practical difficulty standard contained within Section 7.37(A), remains solely within the authority of the Zoning Board of Appeals.

## Zoning Board of Appeals Options:

### Motion for Approval

I move to approve the variance request for Parcel No. 12-24-426-015, 8070 Rene Drive, to permit construction of an elevated detached accessory structure with an approximate 24.4-foot midpoint roof height, where a maximum height of 18 feet is permitted, representing approximately 6.4 feet of variance relief.

This motion is based upon the following findings:

1. The Zoning Board of Appeals finds that the applicant has demonstrated compliance with the variance standards contained within Section 7.37 of the White Lake Township Zoning Ordinance, including that a practical difficulty exists due to unique physical characteristics or circumstances associated with the subject property and that strict compliance with the Ordinance would render conformity unnecessarily burdensome.
2. The Zoning Board of Appeals finds the requested relief is not self-created, and approval of the variance would provide substantial justice while preserving the spirit and intent of the Ordinance.
3. The Zoning Board of Appeals finds the requested 6.4-foot height variance is the minimum necessary to permit reasonable use of the property and would not be materially detrimental to surrounding properties or the public interest.

This approval is subject to the following conditions:

- a. Approval is limited solely to the requested height variance and shall not be interpreted as approval of any noncompliance with applicable setback, permitting, or building code requirements.
- b. The proposed accessory structure shall otherwise comply with all applicable Township ordinances and permitting requirements.

## **Motion for Denial**

I move to deny the variance request for Parcel No. 12-24-426-015, 8070 Rene Drive, to permit construction of an elevated detached accessory structure with an approximate 24.4-foot midpoint roof height, where a maximum height of 18 feet is permitted, representing approximately 6.4 feet of variance relief.

This motion is based upon the following findings:

1. The Zoning Board of Appeals finds the applicant has not demonstrated compliance with Section 7.37(A), Practical Difficulty, as the submitted materials do not clearly establish how physical characteristics of the subject property necessitate the requested 6.4-foot height variance relief, nor demonstrate that strict compliance with the Ordinance would unreasonably prevent reasonable use of the property or render conformity unnecessarily burdensome.
2. The Zoning Board of Appeals finds the applicant has not demonstrated compliance with Section 7.37(C), as the requested relief appears associated primarily with the design characteristics of the proposed structure rather than conditions inherent to the subject property.
3. The Zoning Board of Appeals finds the requested variance has not been demonstrated to represent the minimum relief necessary to permit reasonable use of the property, including whether alternative compliant designs or configurations may exist.
4. The Zoning Board of Appeals finds the applicant has not sufficiently demonstrated compliance with all required variance standards contained within Section 7.37, and therefore the requested variance does not satisfy the standards necessary for approval.

## WHITE LAKE TOWNSHIP



### ZONING BOARD OF APPEALS APPLICATION

NEXT ZBA MEETING: May 28<sup>th</sup> CUT OFF FOR NEXT MONTH'S AGENDA:

Please read these instructions and notes carefully before submitting the attached application.

**Incomplete applications will not be accepted.**

In addition to the application, you must submit the following required documents:

1. 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.
2. 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 dimensions of the property, all existing and proposed structures, and building-to-building and building-to-property line relationships. Private utilities shall be called out.
3. Certified Survey – one copy.
4. 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.
5. Fees  
The fee is \$440.00 for residential land uses and \$550.00 for non-residential land uses.

**All proposed additions must be staked and flagged. Failure to do so may cause your case to be tabled.**

The attached application must be 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 (ZBA) agenda.

You will be notified of the date and time that your request will be considered by the ZBA. Please attend or have a representative attend if you cannot attend the scheduled meeting. All ZBA meetings are held at the Township Annex, 7527 Highland Road, White Lake, 48383, unless otherwise noted.

Notification is given by mail to all property owners of record within 300 feet of the subject property at least 15 days before the meeting.

Information relative to the powers and duties of the ZBA 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 that 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.

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

### **ZBA application checklist:**

- Completed, signed application
- Letter of authorization from the property owner
- One copy of the plan or drawing
- One copy of the certified survey
- Letter of denial from the Building Department
- Copy of building permit application
- Application fee

Any further questions or clarification regarding the ZBA instructions, application, or agenda placement can be directed to the Community Development Department at 248-698-3300 ext. 5.

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)

April 24, 2026

Scott David  
8070 Rene Dr  
White Lake, MI 4886

Re: Proposed Accessory Structure

Based on the submitted plans, the proposed building height does not satisfy the White Lake Township Clear Zoning Ordinance for Accessory Structures.

**Article 5.1 (C) of the White Lake Township Clear Zoning Ordinance:** 18 ft maximum midpoint roof height

The West and East Elevations indicate the proposed structure midpoint roof height to be approximately 24.4 ft.

Approval of the structure would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the May 28<sup>th</sup> Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than April 28<sup>th</sup> at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official  
White Lake Township

WHITE LAKE TOWNSHIP



ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION

NAME: Scott David - [REDACTED]  
ADDRESS: 8070 Rene Dr White Lake MI 48386  
EMAIL: [REDACTED]  
INTEREST IN PROPERTY:  PROPERTY OWNER  BUILDER  OTHER: \_\_\_\_\_

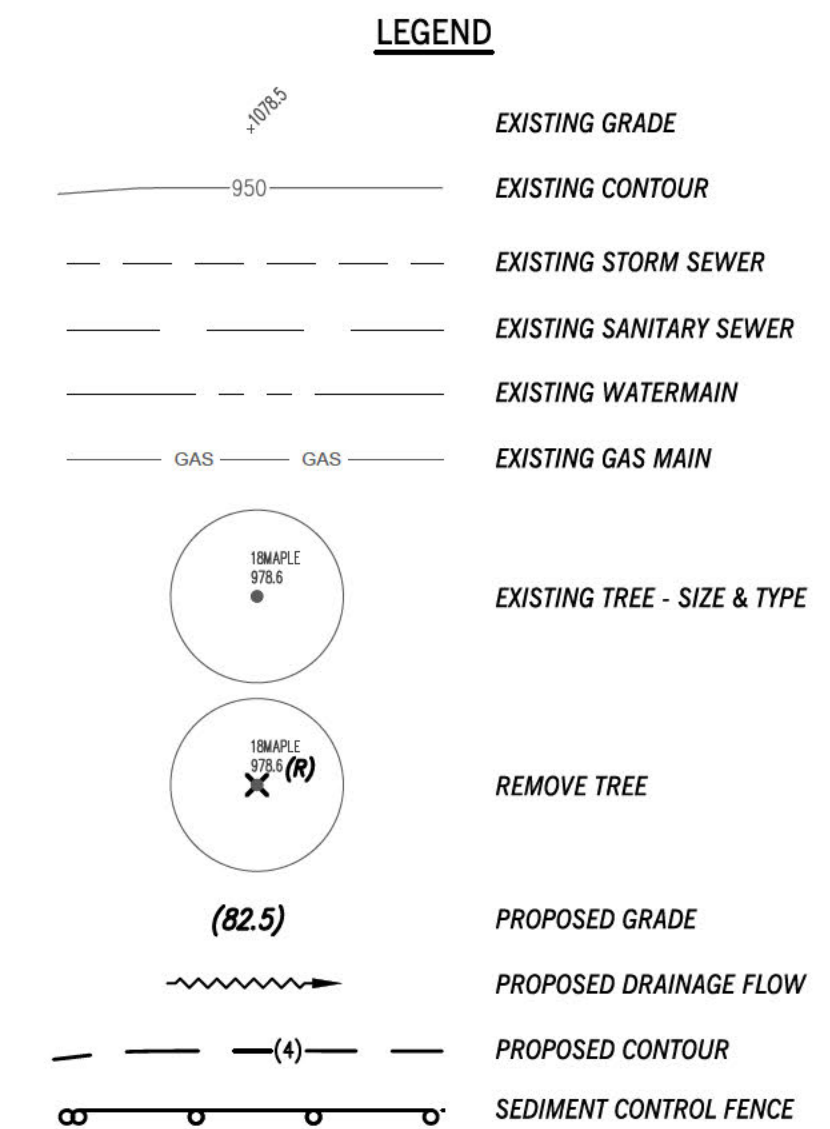
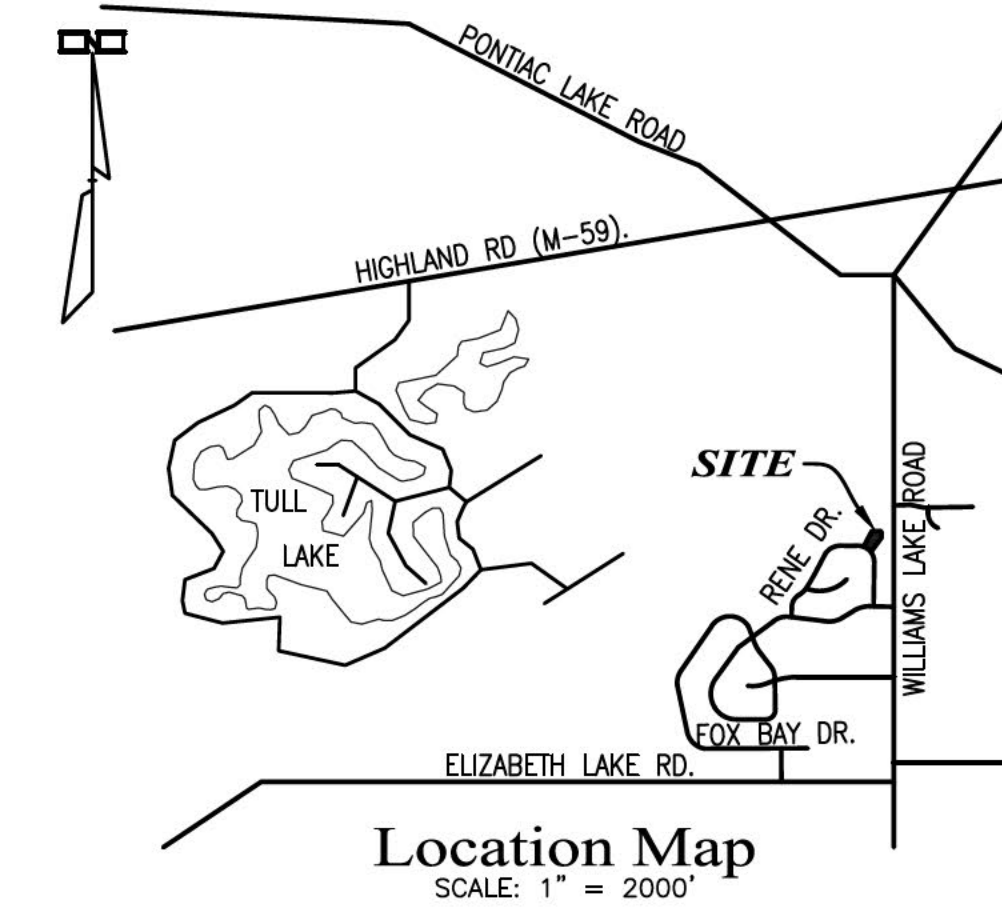
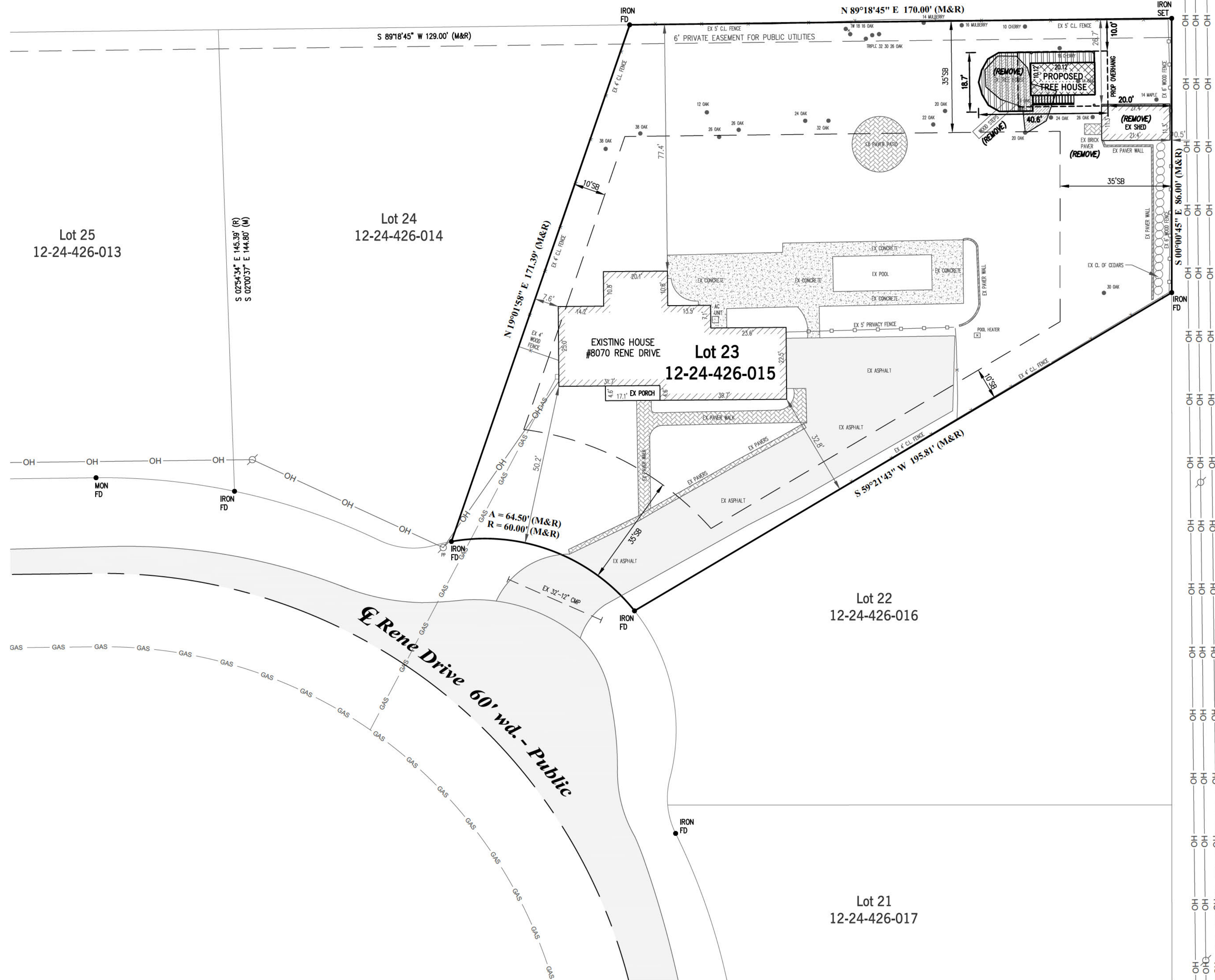
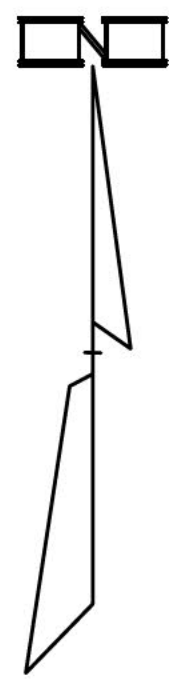
PROPERTY INFORMATION

ADDRESS: 8070 Rene Dr ZONING: \_\_\_\_\_  
VALUE OF IMPROVEMENT: \$ 39000 SEV OF EXISTING STRUCTURE: \$ 0

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

Replace Tree House Structure.  
Tree House Destroyed By Fallen Tree  
Storm Damage.

APPLICATION FEE:  \$440  \$550  
APPLICANT'S SIGNATURE: Scott David DATE: 4/27/26



Plan Notes:  
1. Drainage on this property cannot affect adjacent properties.  
2. Maintain positive drainage on site and away from proposed structure.

**Property is Zoned R1-3  
Single Family Residential:**  
**SETBACKS:**  
FRONT - 35 FEET  
SIDES - 10 FEET EACH SIDE  
REAR - 35 FEET  
MAXIMUM HEIGHT OF STRUCTURES:  
- 30 FEET OR 2 STORIES  
MAXIMUM LOT COVERAGE:  
- 25% ON SEPTIC, 30% ON SANITARY SEWER  
ACCESSORY BUILDING:  
- 5 FEET FROM REAR & SIDE LOT LINES TO ANY PORTION OF STRUCTURE, INCLUDING OVERHANGS OR GUTTERS  
- 10 FEET FROM PRINCIPLE STRUCTURE

**Notes:**  
1. ALL EXISTING UTILITIES SHOWN ON THIS TOPOGRAPHIC SURVEY HAVE BEEN TAKEN FROM VISUAL OBSERVATION, AND RECORD MAPPING, WHERE AVAILABLE. NO GUARANTEE IS MADE, OR SHOULD BE ASSUMED, AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITIES SHOWN ON THIS DRAWING. PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY THE ACCURACY AND COMPLETENESS OF OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES.  
2. ARCHITECT/BUILDER IS RESPONSIBLE FOR CONFIRMING BUILDING SETBACKS.

This is to certify that William J. Norman II, a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:  
**PARCEL 12-24-426-015**  
LOT 23, "HURON SUBDIVISION NO. 2", A PART OF THE SE 1/4 OF SECTION 24, T3N, R8E, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 117 OF PLATS, PAGE 9, OAKLAND COUNTY RECORDS.



DATE	ISSUE
4-2-2025	REV. PROPOSED TREE HOUSE LOCATION PER CLIENT

**PROPRIETOR:**  
SCOTT DAVID  
8070 RENE DRIVE  
WHITE LAKE, MI. 48346  
(248) 431-7575

THIS DRAWING IS THE PROPERTY OF KIEFT ENGINEERING, INC. AND MAY NOT BE USED, REPRODUCED OR PUBLISHED, IN PART OR IN WHOLE, WITHOUT EXPRESSED WRITTEN PERMISSION FROM KIEFT ENGINEERING, INC.



**KIEFT ENGINEERING, INC.**  
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS  
5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346  
PHONE (248) 625-5251    www.kiefteng.com    FAX (248) 625-7110

DATE	CKD. BY	DATE
11-7-2025		
DRAWN TS/JM		
DESIGN WJN		



72 HOURS (3 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG (800) 482-7171 OR 811

**SITE PLAN FOR TREE HOUSE**  
**Parcel No. 12-24-426-015**  
PART OF THE SOUTHEAST 1/4 OF SECTION 24, T3N, R8E, WHITE LAKE TWP., OAKLAND COUNTY, MICHIGAN

SCALE	1" = 20'
SHEET	1 OF 1
KE	2025.042





7800 DIXIE HWY. #800  
 CLARKSTON, MI 48348  
 PHONE 248.600.2000  
 FAX 248.600.6000  
 WEB DSARCHITECTS.COM



David Schaefer

Project **SCOTT DAVID'S TREEHOUSE**

PROFESSIONAL ENGINEER  
 WALTER LANCE WAPP, M-403363

Drawing Title  
**FLOOR PLAN**

Project Number  
**20-115**

Drawn  
 KJM

Checked  
 DJS

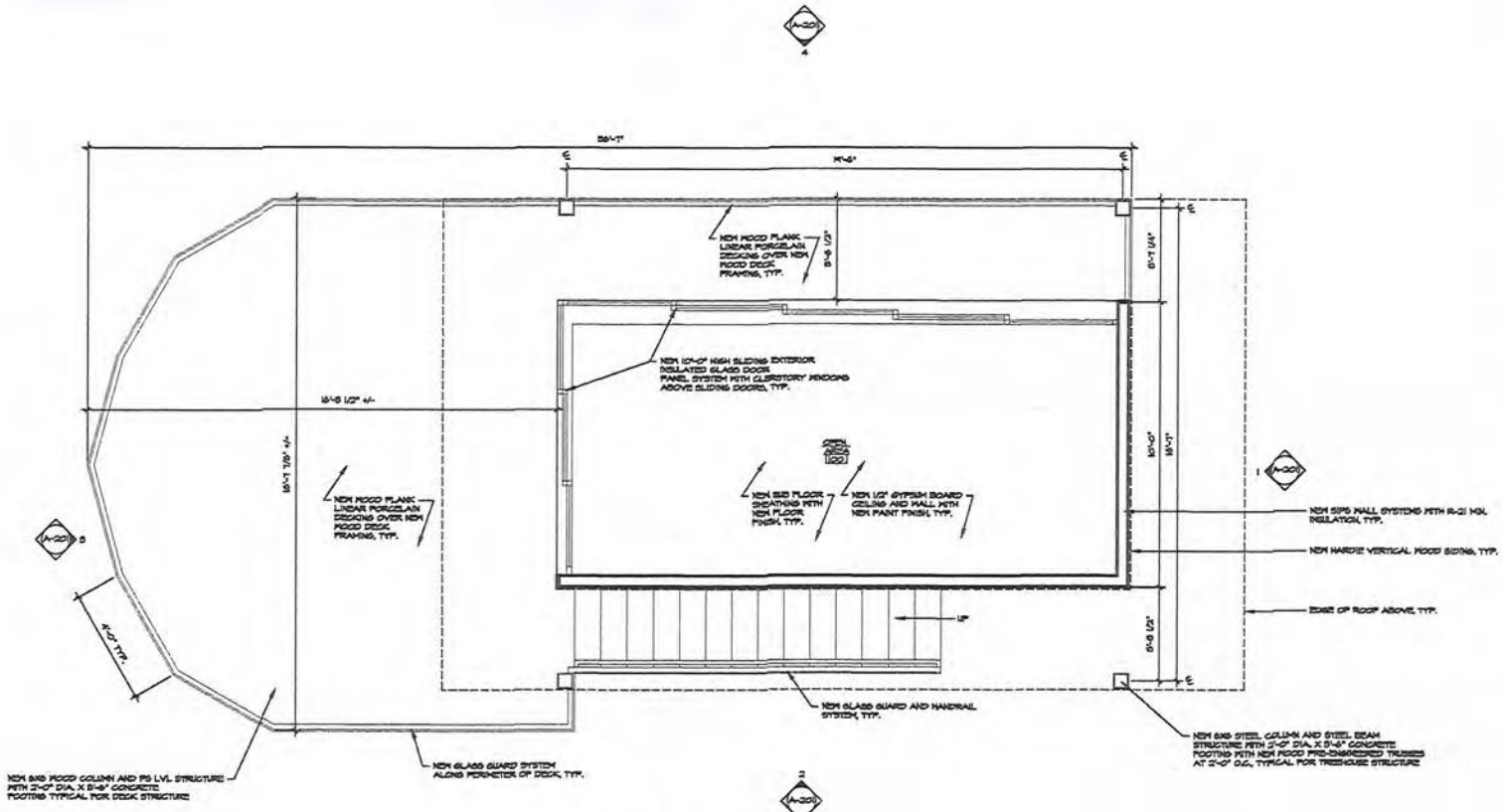
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Date  
 DAVID TREEHOUSE - CDS

Revised  
 DATE REVIEW 5-20-08 DJS  
 DESIGN 5-20-08 DJS

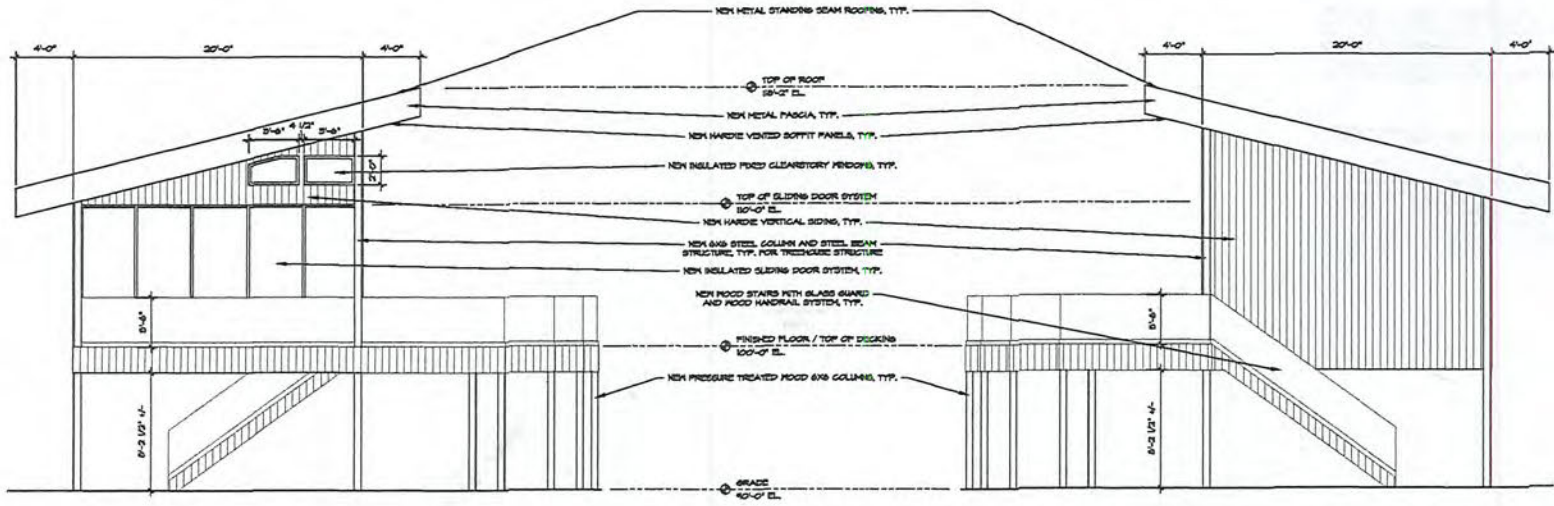
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of  
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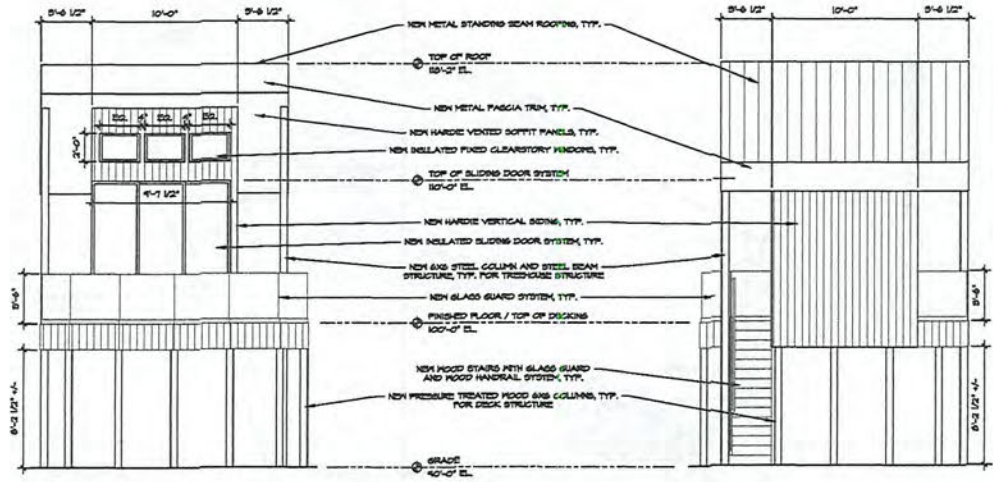
**FLOOR PLAN**  
 1/2" = 1'-0"





**4 NORTH ELEVATION**  
A-102 1/4" = 1'-0"

**2 SOUTH ELEVATION**  
A-102 1/4" = 1'-0"



**3 WEST ELEVATION**  
A-102 1/4" = 1'-0"

**1 EAST ELEVATION**  
A-102 1/4" = 1'-0"

**ARCHITECTS**  
**DS**  
INC.

7300 DIXIE HWY. #800  
CLARKSTON, MI 48346  
PHONE 248.628.5000  
FAX 248.628.5000  
WEB DSAFC@TECTSDOM

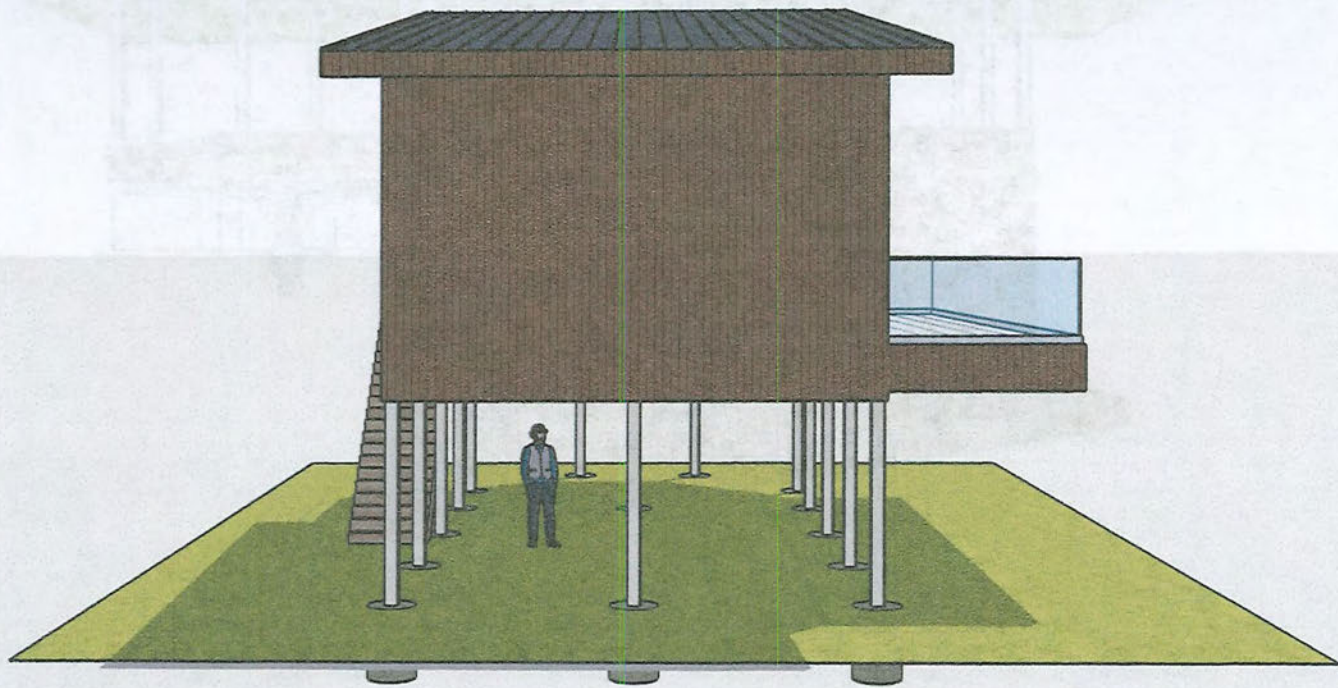
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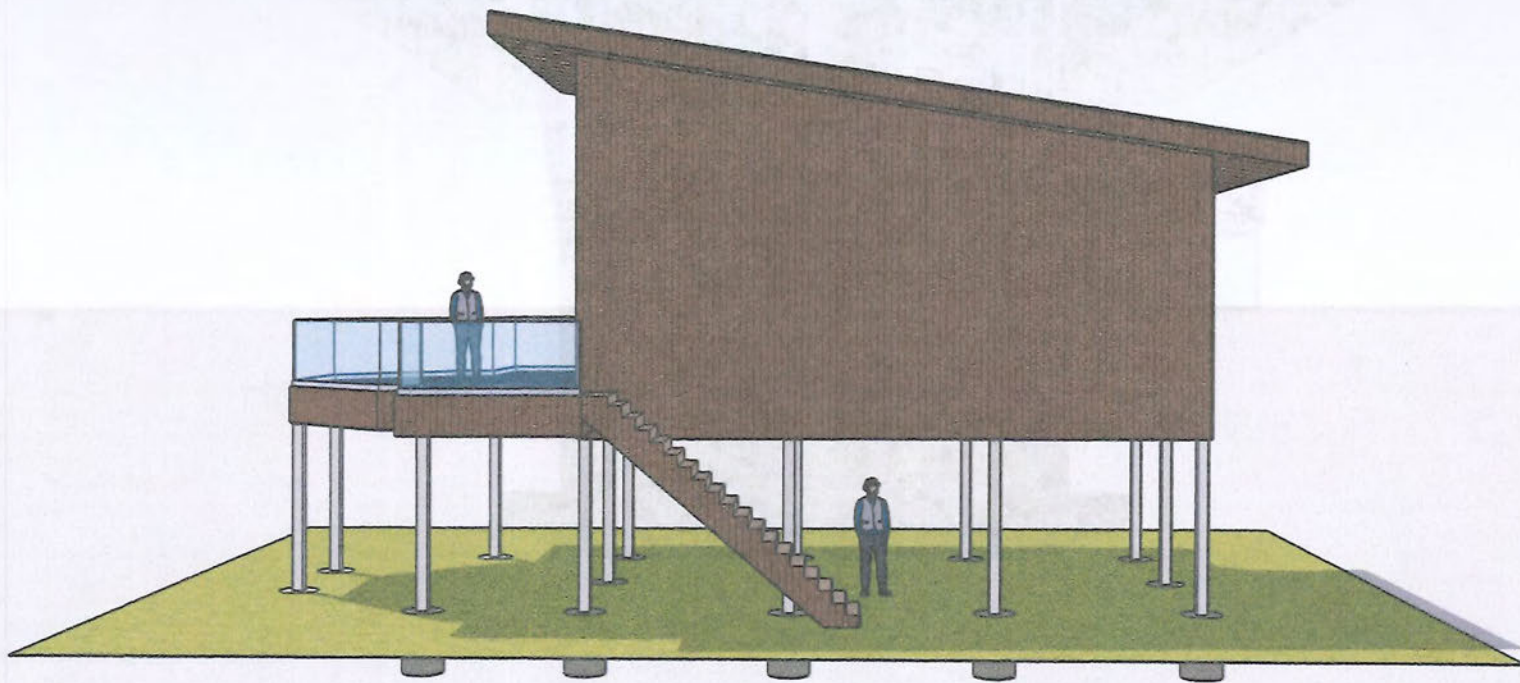
David S. David

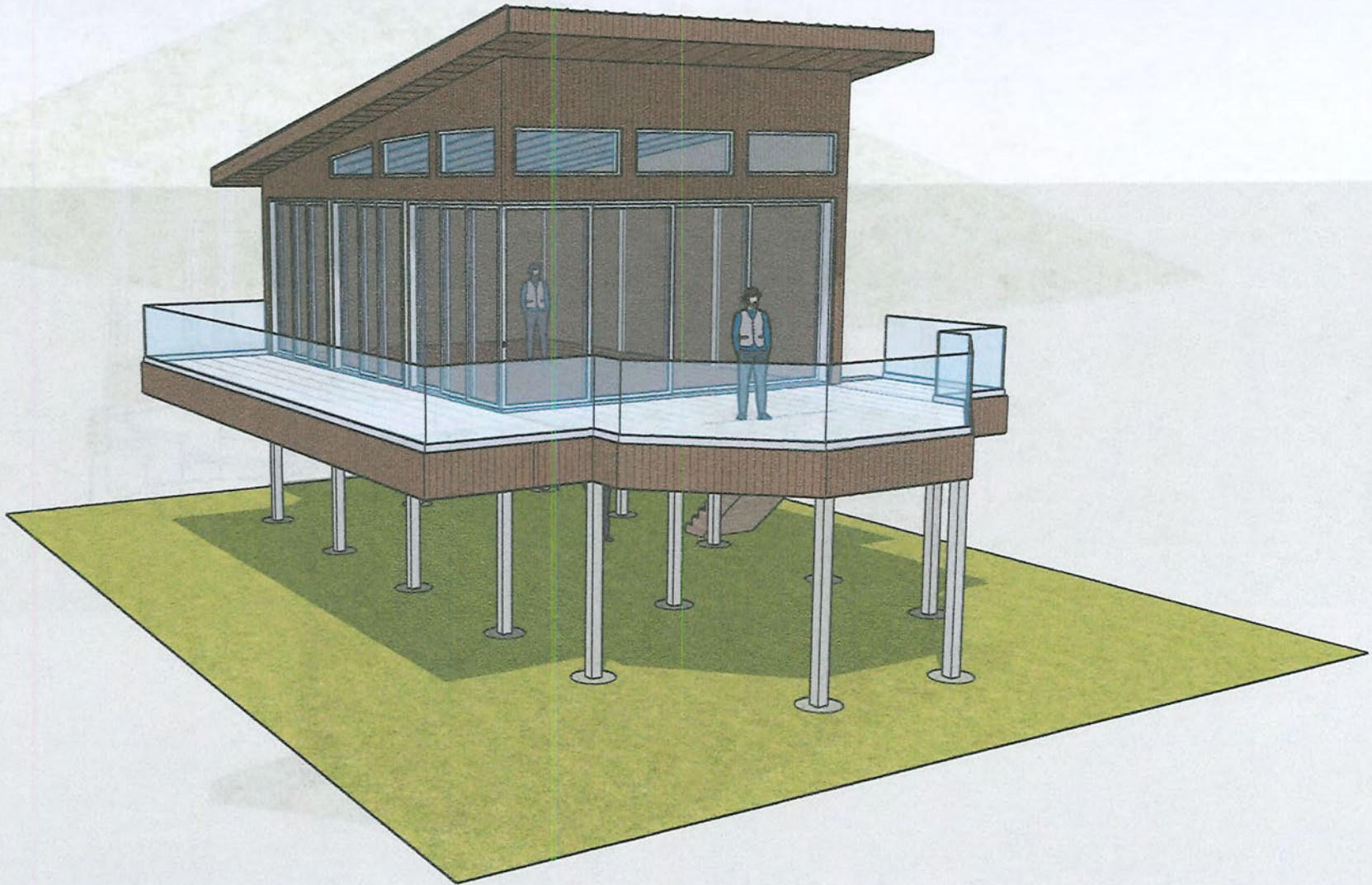
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**SCOTT DAVID'S TREEHOUSE**

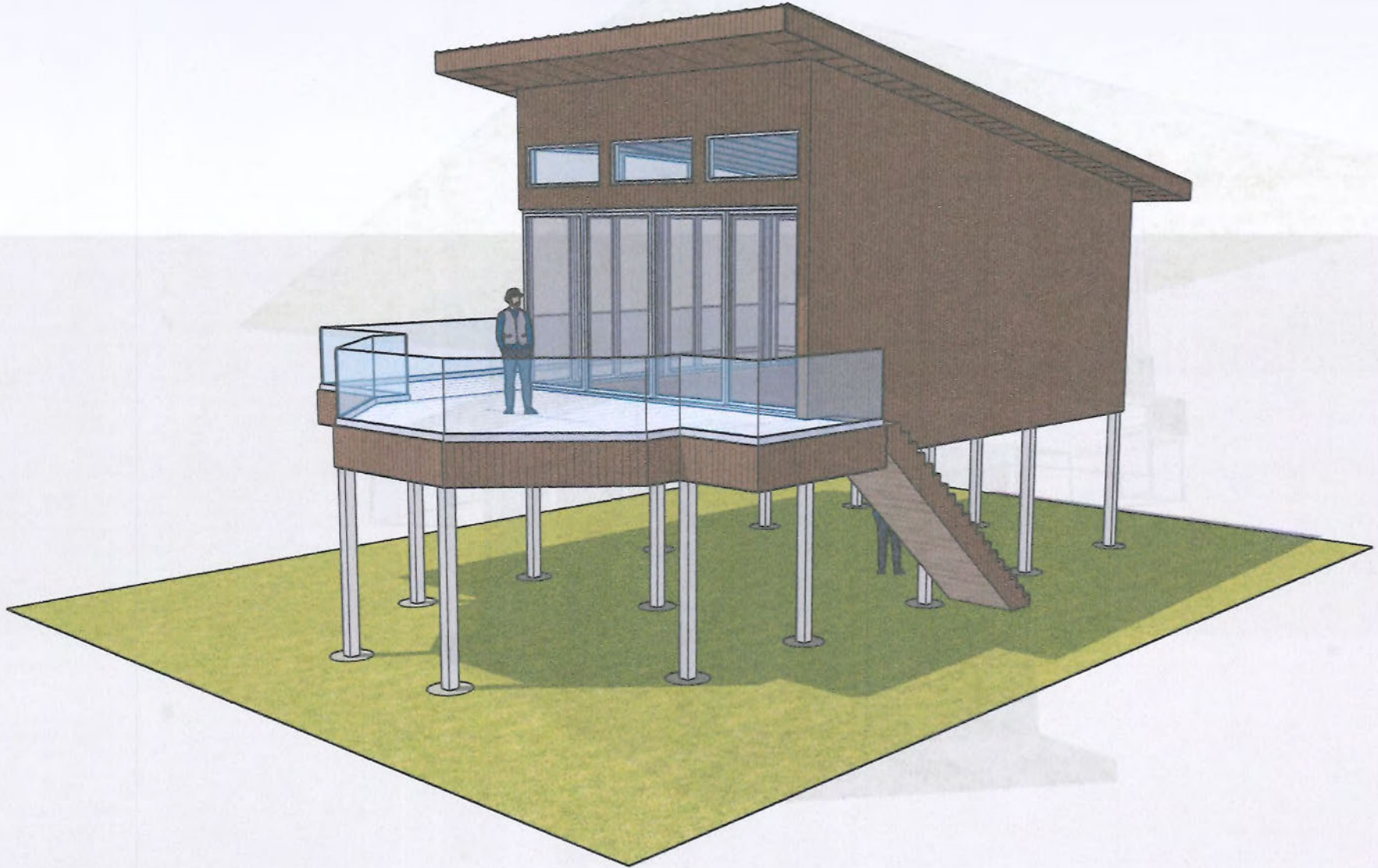
800 CRENSHAW  
WHITEHALL TWP., MI 48393

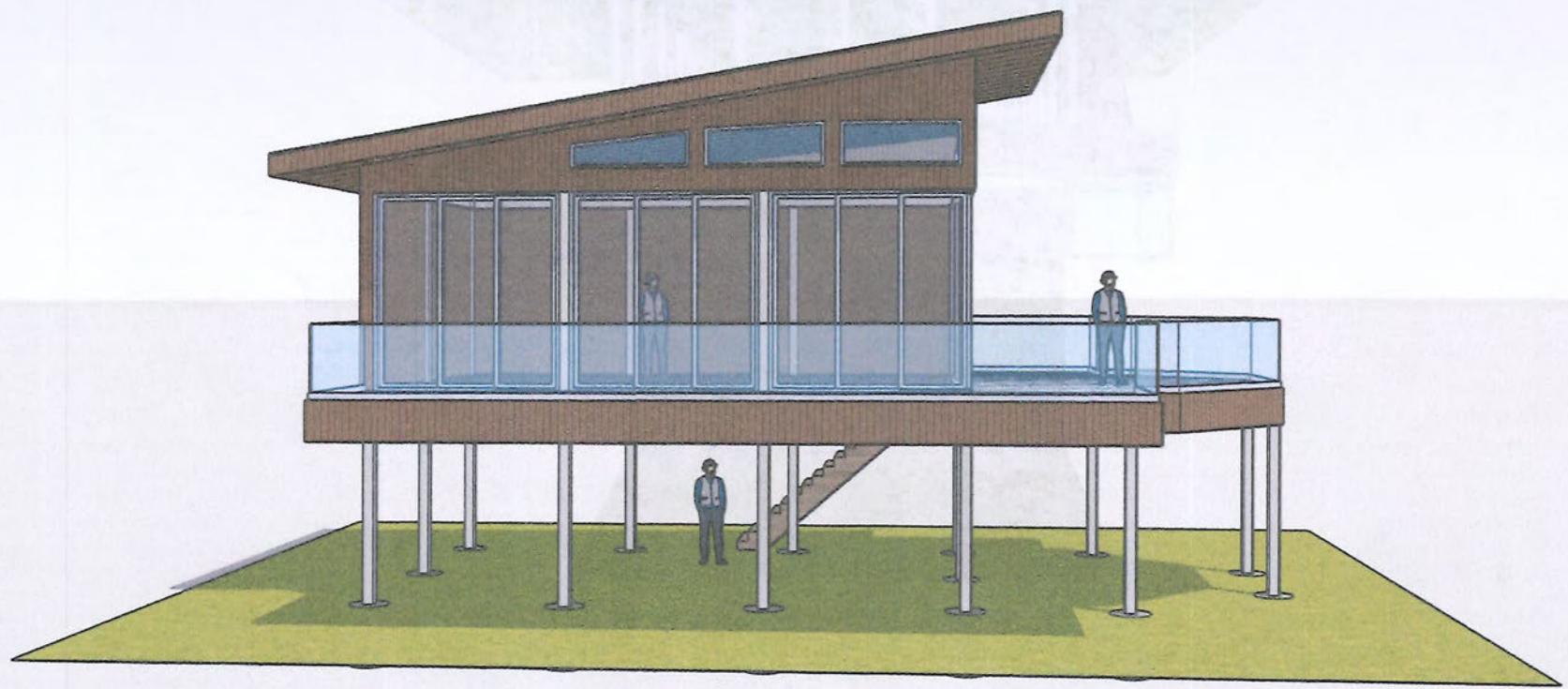
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Author	DS	Revised	
Checked	DJS	Revised	
Sheet Number		<b>A-201</b>	
		of 3	







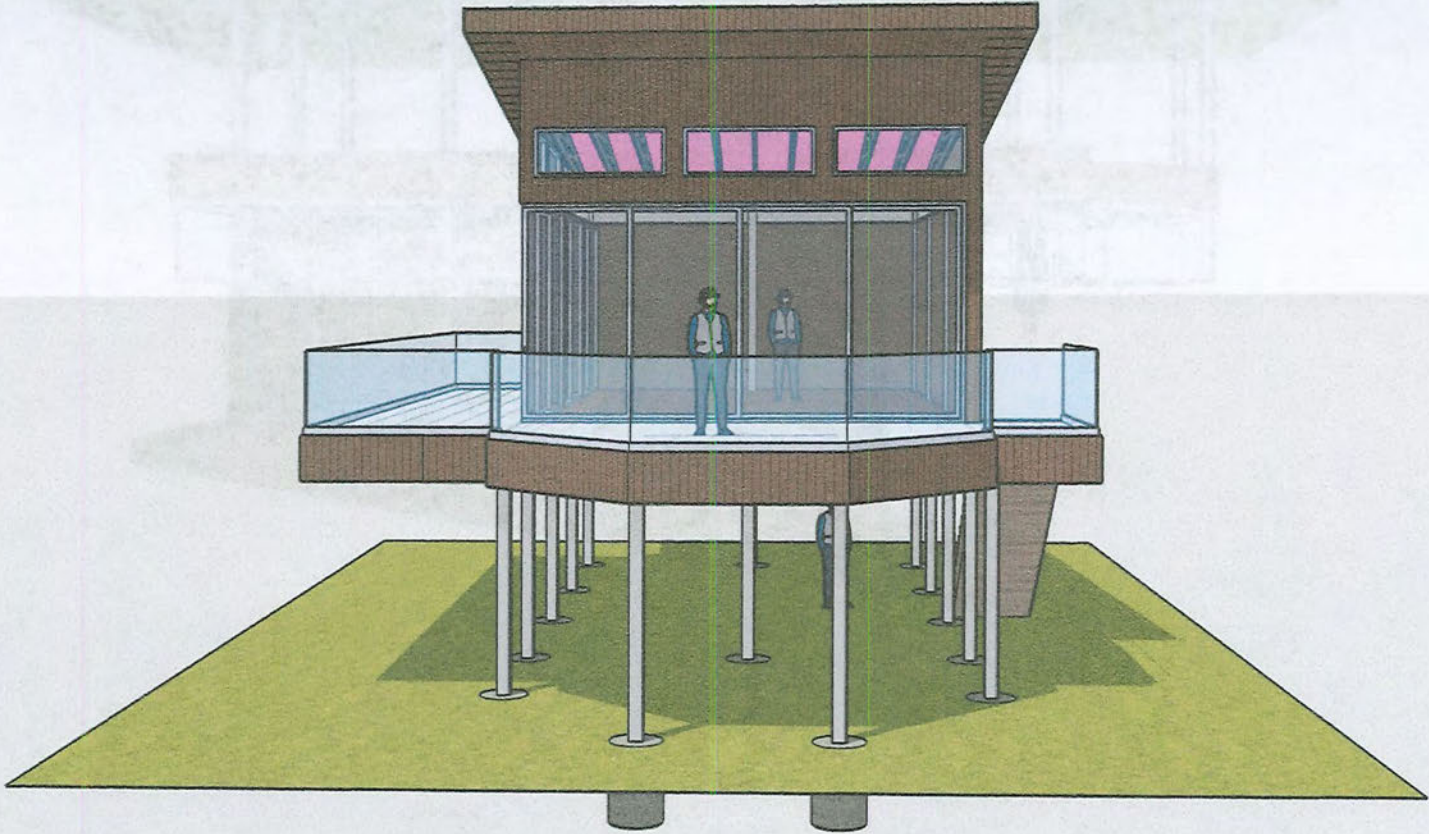
















WHITE LAKE TOWNSHIP  
7525 HIGHLAND RD  
WHITE LAKE, MI 48383-2938  
United States  
Phone : (248) 698-3300

Received From: SCOTT DAVID  
Date: 04/27/2026 Time: 11:31:31 AM  
Receipt: 0000231491  
Cashier: CTRSAM

ZBA

ITEM REFERENCE	AMOUNT
-----	
FEEZBA ZBA/ ZONING BOARD OF APPEALS	
ZBA/ ZONING BOARD OF APPEALS	\$440.00
-----	
TOTAL	\$440.00
CHECK 5251	\$440.00
Total Tendered:	\$440.00
Change:	\$0.00