

GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
January 13, 2015, 6:30 P.M.
AGENDA

Call to Order:

Pledge of Allegiance:

Introduction:

Approval of Agenda:

Call to the Public: *(Please Note: The Board will not begin any new business after 10:00 p.m.)*

1. 14-30 ... A request James Harmon, 4289 Sweet Road, for a variance from the maximum allowable size of a detached accessory building.
2. 15-01 ... A request by Phil Poma III, 2092 Webster Park Drive, for a variance to allow an easement over a residential riparian lot which will provide access to the water for an individual who is not a resident of such residential riparian lot.

Administrative Business:

1. Approval of minutes for the December 9, 2014 Zoning Board of Appeals meeting.
2. Election of Officers
3. 2014 Year End Report
4. Correspondence
5. Township Board Representative Report
6. Planning Commission Representative Report
7. Zoning Official Report
8. Member Discussion
9. Adjournment

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
January 13, 2015
6:30 P.M.**

The Genoa Township Zoning Board of Appeals will hold a public hearing at Genoa Township Hall, 2911 Dorr Road, Brighton, MI, 48116 for the following variance requests at the January 13, 2015 regular meeting:

1. 15-01 ... A request by Phil Poma, 2092 Webster Park Dr., for a variance to allow an easement over a residential riparian lot which will provide access to the water for an individual who is not a resident of such residential riparian lot.

Please address any written comments to the Genoa Township Zoning Board of Appeals at, 2911 Dorr Rd, Brighton, MI 48116 or via email at ron@genoa.org. All materials relating to this request are available for public inspection at the Genoa Township Hall prior to the hearing.

Genoa Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact the Genoa Township Hall at (810) 227-5225 at least seven (7) days in advance of the meeting if you need assistance.

Published: BA-LCP 12-28-14

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

2911 DORR RD. BRIGHTON, MI 48116
(810) 227-5225 FAX (810) 227-3420

Case # 14-30 Meeting Date: Dec. 9th 2014

- PAID Variance Application Fee
\$125.00 for residential - \$300.00 for commercial/industrial
 Copy of paperwork to Assessing Department

- **Article 23** of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals. (Please see attached)

Applicant/Owner: JAMES HARMON
Property Address: 4289 SWART Phone: (517) 404-8174
Present Zoning: CE Tax Code: 4711-09-300-004

The applicant respectfully requests that an adjustment of the terms of the Zoning Ordinance be made in the case of their property because the following peculiar or unusual conditions are present which justify variance.

1. Variance Requested: ~~PTCR~~ maximum detached accessory building size
2. Intended property modifications: addition to existing polebuilding (garage)

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) _____
- b. Other (explain) _____

Variance Application Requires the Following: (failure to meet these requirements may result in tabling of this petition.)

- **PROPERTY MUST BE STAKED SHOWING ALL** proposed improvements 5 days before the meeting and remain in place until after the meeting
- **Plot Plan drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. Note: will need 8 copies of any drawings larger than 11 x 17.**
- Waterfront properties must indicate setback from water from adjacent homes.
- Petitioner (or a Representative) must be present at the meeting

Date: 11/3/14
Signature: [Signature]

Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.

After the decision is made regarding your variance approval contact Ron Akers at the township office to discuss what your next step is.

Charter Township of Genoa
ZONING BOARD OF APPEALS
January 13, 2015
CASE #14-30

PROPERTY LOCATION: 4289 Sweet Rd

PETITIONER: James Harmon

ZONING: CE (Country Estate)

WELL AND SEPTIC INFO: Septic, Well

PETITIONERS REQUEST: 1,200 square foot variance from the maximum accessory building size (1,200 square feet), to construct a 24' X 50' (1,200 square foot) addition to the existing detached accessory building.

CODE REFERENCE: 11.04.01(h)

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Maximum Combined Accessory Building Size
Setbacks for Zoning	N/A	N/A	N/A	N/A	N/A	1,200 sf
Setbacks Requested	N/A	N/A	N/A	N/A	N/A	2,400 sf
Variance Amount	N/A	N/A	N/A	N/A	N/A	1,200 sf

***Please note decision on the application was postponed from the December 9, 2014 Zoning Board of Appeals meeting so it could be evaluated by the full board. Please refer to the meeting minutes for information on the public hearing and any board discussion.**



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: November 26, 2014
RE: ZBA 14-30

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

STAFF REPORT

File Number: ZBA#14-30

Site Address: 4289 Sweet Rd

Parcel Number: 4711-09-300-004

Parcel Size: 2.94 Acres

Applicant: James Harmon, 4289 Sweet Rd, Howell, MI 48843

Property Owner: Same as Applicant

Information Submitted: Application, site plan, building plans

Request: Dimensional Variance

Project Description: Applicant is requesting a variance from the maximum allowable size of a detached accessory building.

Zoning and Existing Use: CE (Country Estate), Single Family Residential

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday November 23, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property lines in accordance with the Michigan Zoning Enabling Act.

Background

The following is a brief summary of the background information we have on file:

- Per provided site plan the parcel has a 1,200 square foot detached accessory building.
- The property is on septic and well.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The applicant began construction of an addition to the existing detached accessory building with no permits. Notice was provided by the Livingston County Building Department and the applicant was instructed that he would need to obtain the proper permits to continue the construction of the detached accessory building. The applicant reached out to the Township and it was determined that due to his parcel being a non-conforming parcel in the CE (Country Estate) zoning district, he would only be permitted to have 1,200 square feet in maximum allowable detached accessory building size. Due to this restriction the applicant has applied for the variance in order to keep the addition built onto the detached accessory building.

Variance Requests

The following is the portion of the zoning ordinance that the variance is being requested from:

Article 11.04.01(h) Maximum Size: The combined total of all accessory buildings in any residential district shall be a maximum of nine hundred (900) square feet in area for lots less than two (2) acres and one thousand two hundred (1,200) square feet in area for lots equal to or greater than two (2) acres. Accessory buildings and structures located on conforming lots in Agricultural and Country Estates Districts shall not be limited by size, provided all required setback are met.

Maximum Allowed: 1,200 square feet

Proposed: 2,400 square feet

Standards for Approval

The following are the standards of approval that are listed in the Zoning Ordinance for Dimensional Variances:

23.05.03 Criteria Applicable to Dimensional Variances. No variance in the provisions or requirements of this Ordinance shall be authorized by the Board of Appeals unless it is found from the evidence that all of the following conditions exist:

(a) Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

(b) Extraordinary Circumstances. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance was not self-created by the applicant.

(c) Public Safety and Welfare. The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

(d) Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Summary of Findings

Please note that in order for a variance to be approved it has to meet all of the standards in 25.05.03.

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with this provision would not unreasonably prevent the use of the property as the applicant already has a detached accessory building which complies with the maximum size requirements of the zoning ordinance. All parcels (including this one) in the general vicinity have a right to place detached accessory buildings on their property. The Zoning Ordinance does not limit the size of detached accessory buildings on conforming lots in the Country Estate district. A conforming lot in the Country Estate district has a minimum size of five (5) acres. If a parcel in the Country Estate district has smaller than five (5) acres it is subject to the 1,200 square foot restriction. Due to this the “right” to be exempted from the maximum allowable size restrictions is based upon a minimum lot size that this parcel does not have. Alternatively the applicant could attach the proposed accessory building to the existing house and construct a building which suits their needs.
- **Extraordinary Circumstances** – The exceptional or extraordinary circumstance of this property is that it is a non-conforming lot in the Country Estate District, but there are several properties in the vicinity that share the same characteristic. This property has no physical constraints which would prohibit the placement of an accessory building which complies with the requirements of the Zoning Ordinance. The majority of the properties in the vicinity of the parcel do not have accessory buildings which exceed 1,200 square feet. The need for the variance is not due to any physical constraints of the property, and thus the need for the variance is likely to be self-created.
- **Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- **Impact on Surrounding Neighborhood** – I do not believe that the variance will have a substantial negative impact on the surrounding neighborhood. The

separation between buildings should provide enough distance to where the accessory building is not negatively impacting the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

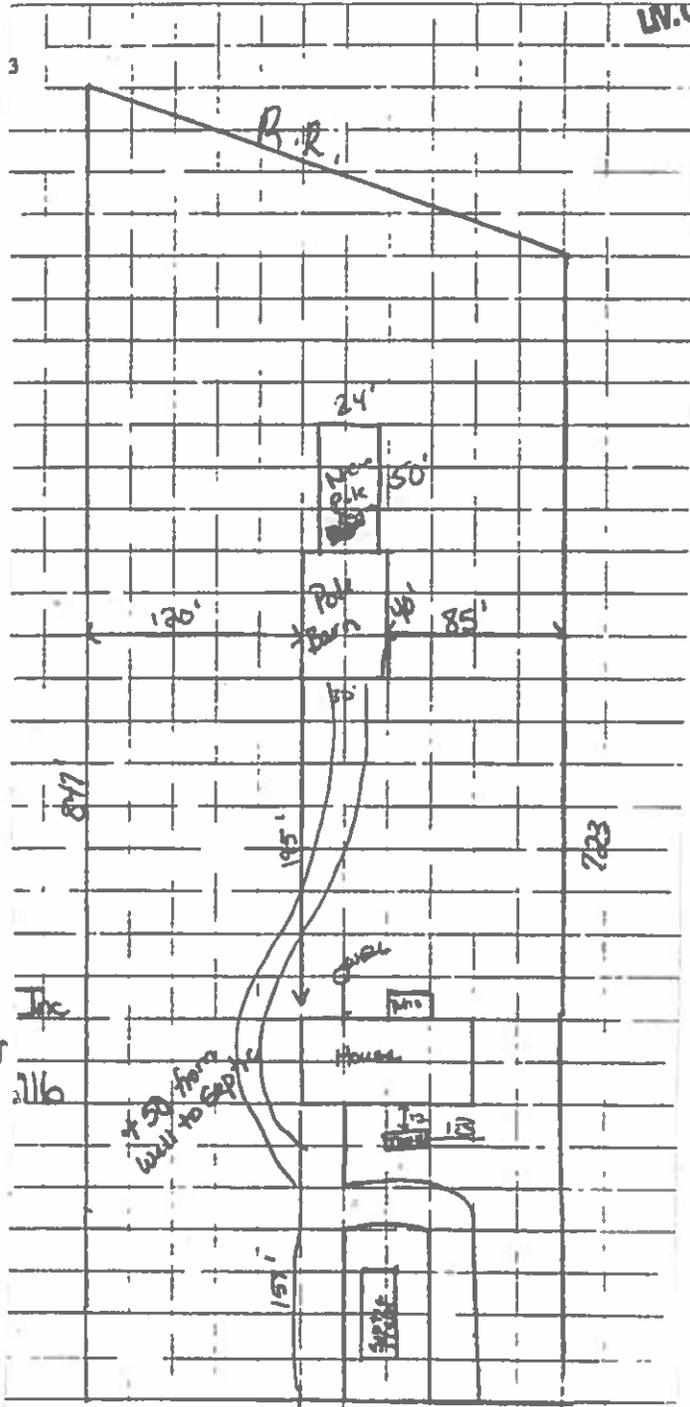
Staff Findings of Fact

1. Strict compliance with the maximum allowable square footage for detached accessory buildings would not unreasonably prevent the use of the property. The applicant has the ability to place detached accessory buildings on the property which comply with the requirements of the Zoning Ordinance.
2. Granting the requested variance would not make the property consistent with the majority of the properties in the vicinity of the parcel. Only two properties along Sweet Rd have detached accessory buildings over 1,200 square feet.
3. There are no exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which would prevent the applicant from complying with the Zoning Ordinance.
4. The need for the variance is not based on any physical conditions of the property.
5. The granting of the setback variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
6. Granting the variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

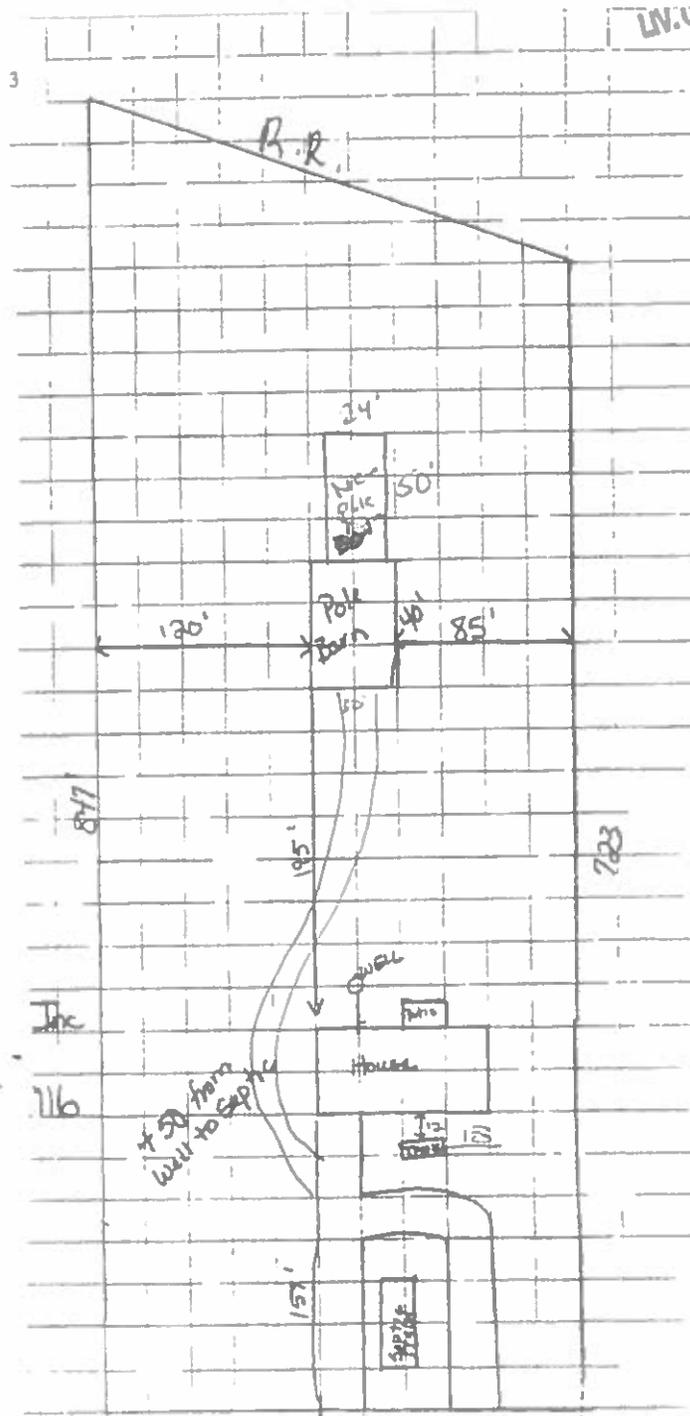
LV.0

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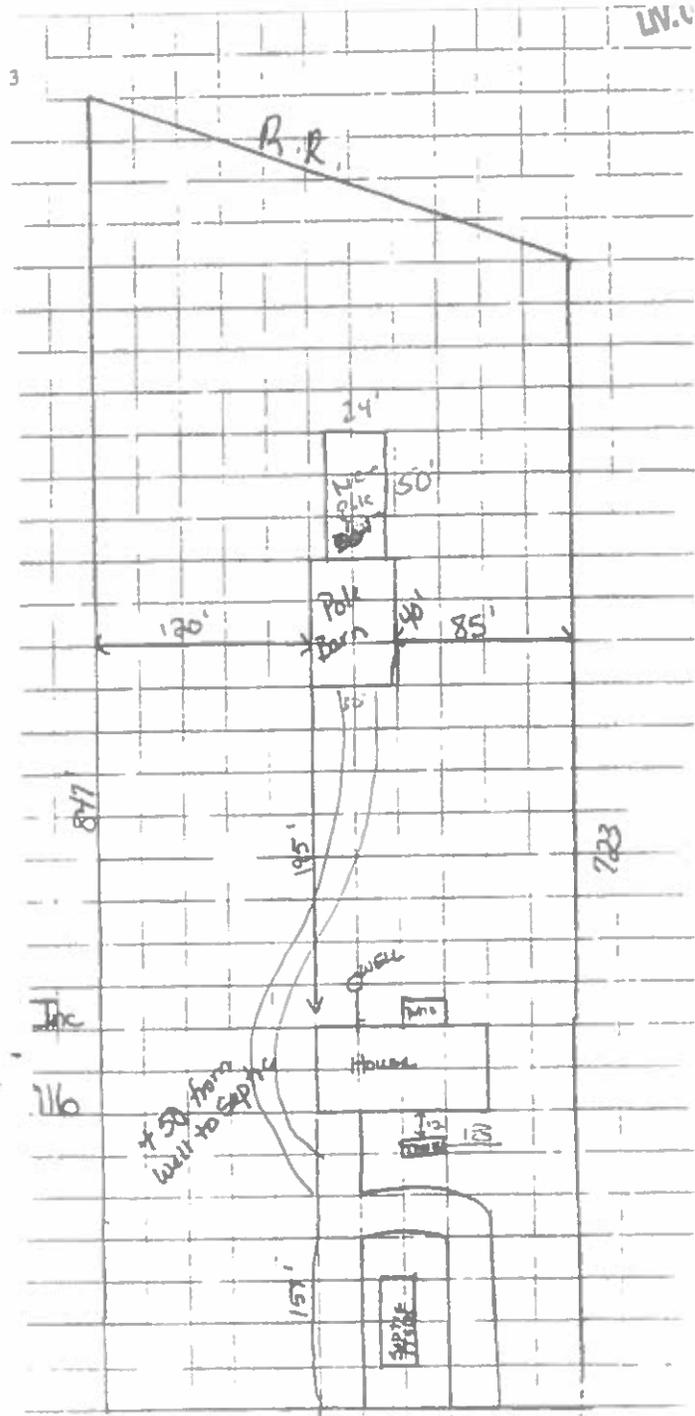
B.R.



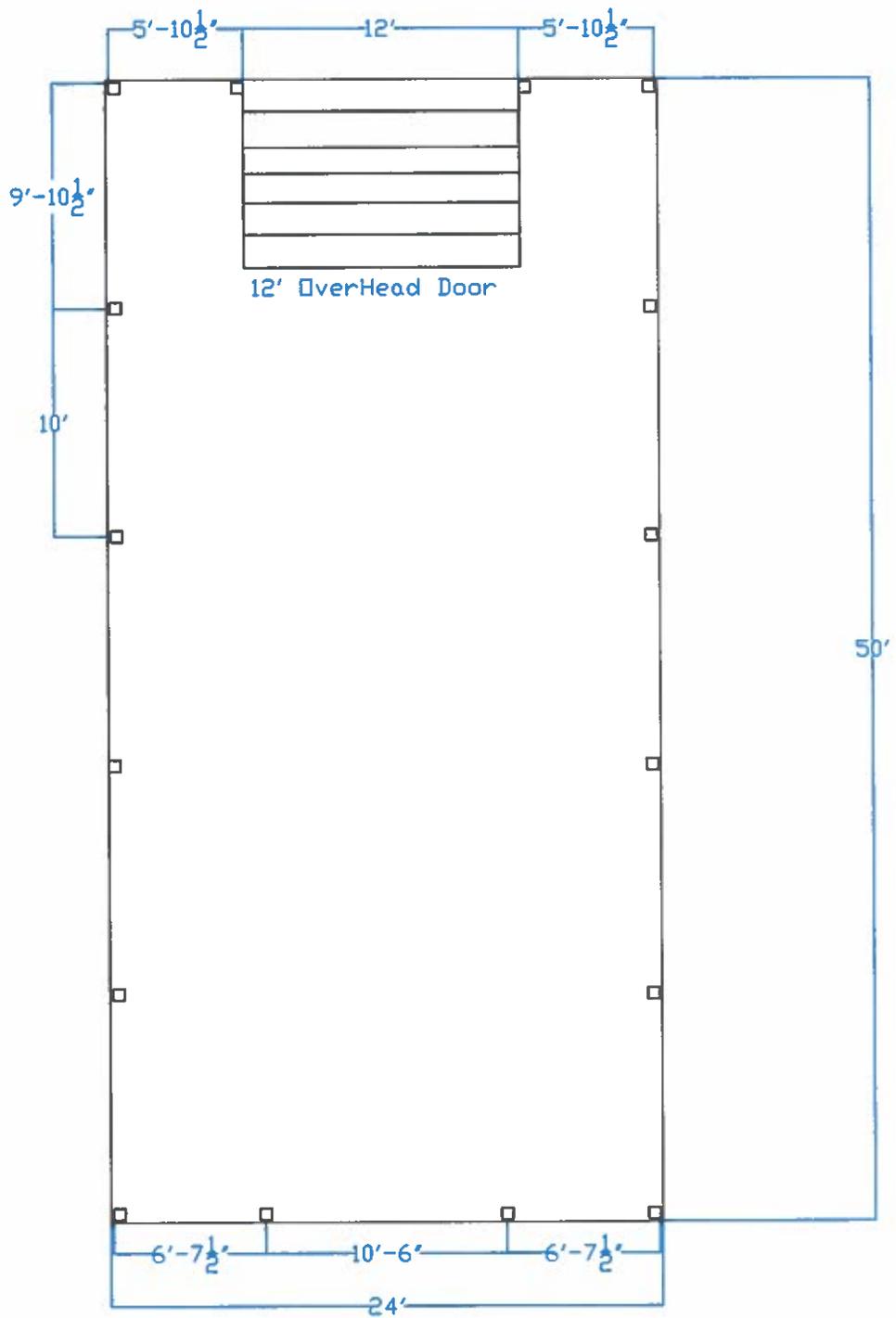
4289 Sweet Road

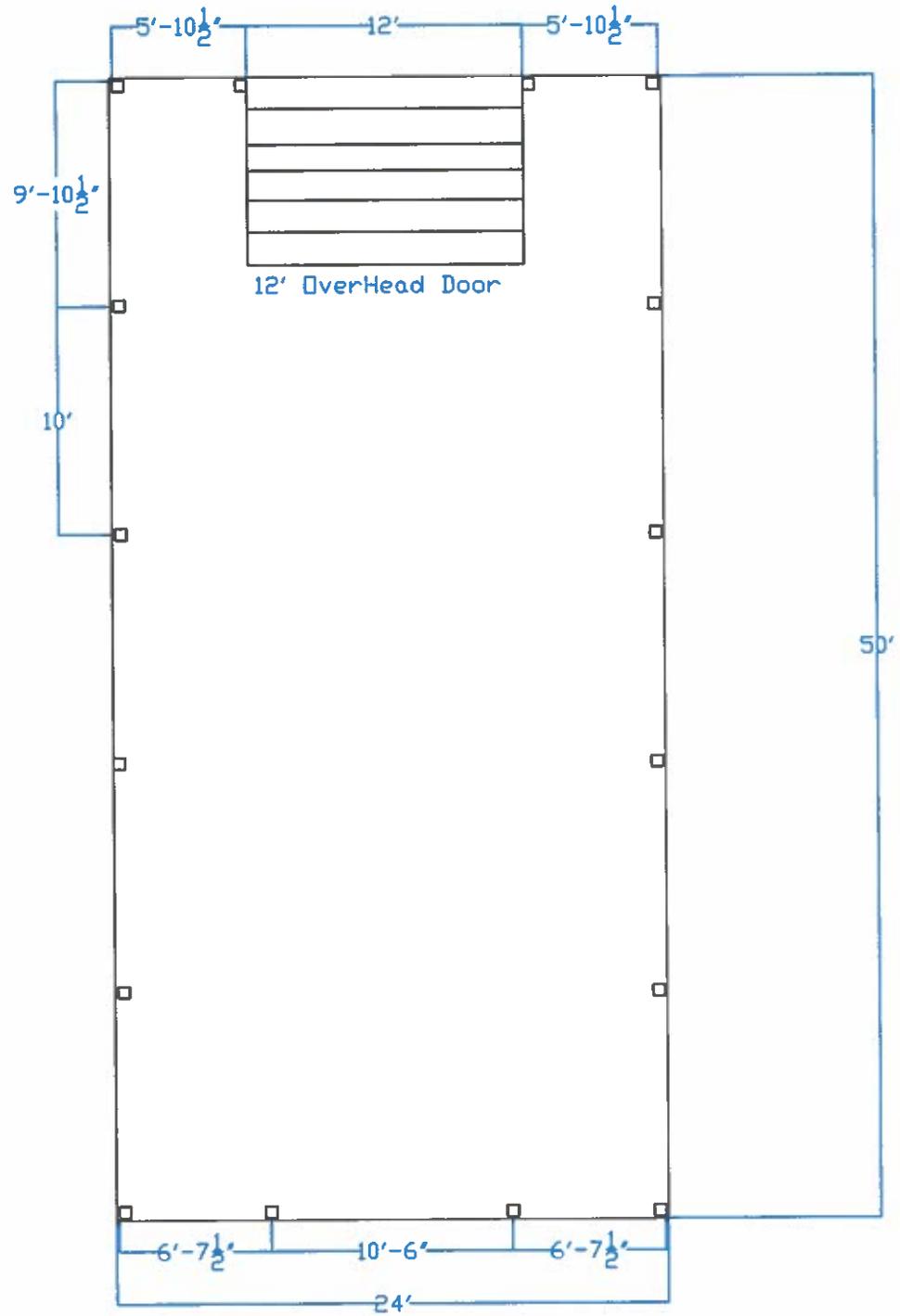


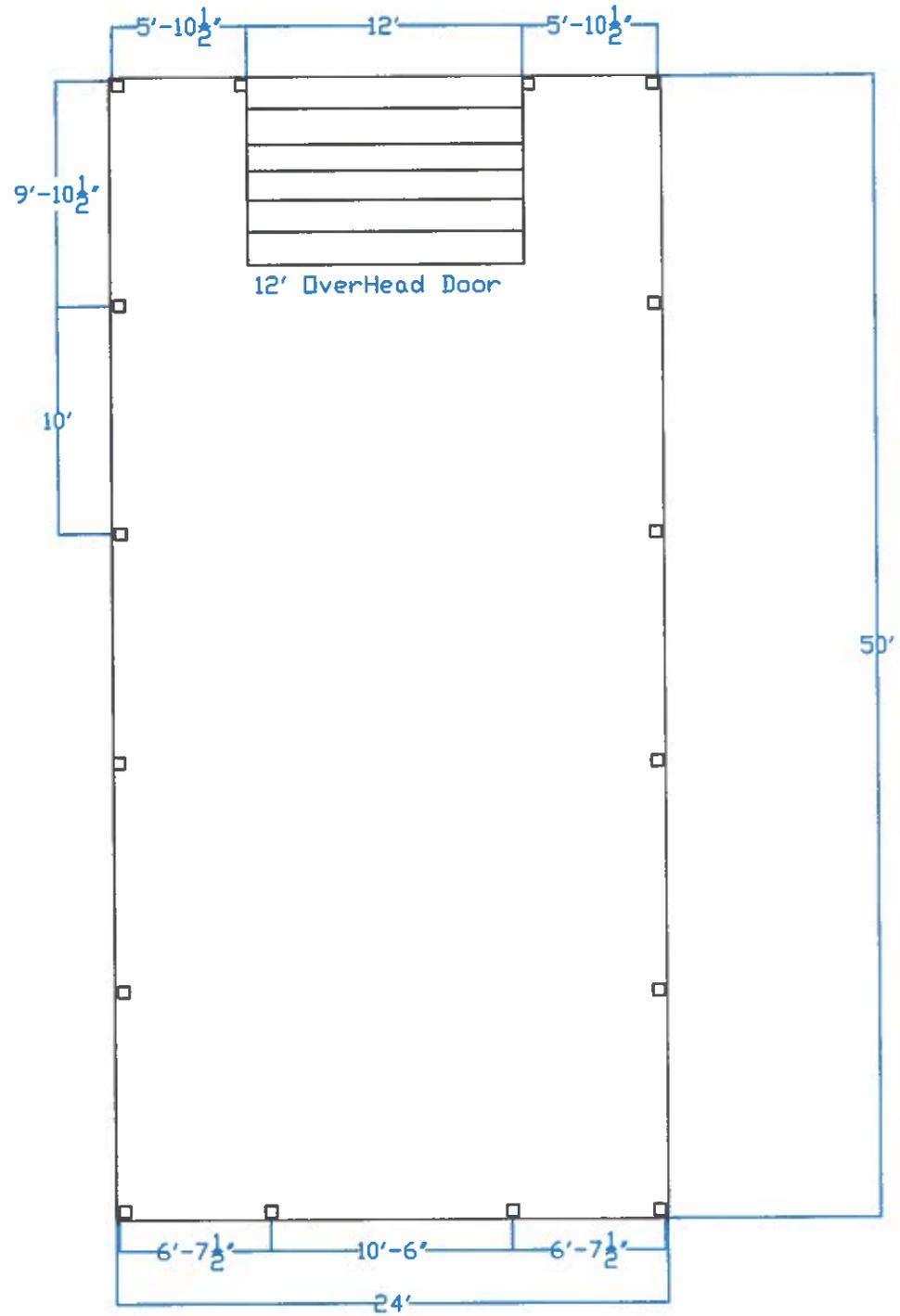
4289 Sweet Road

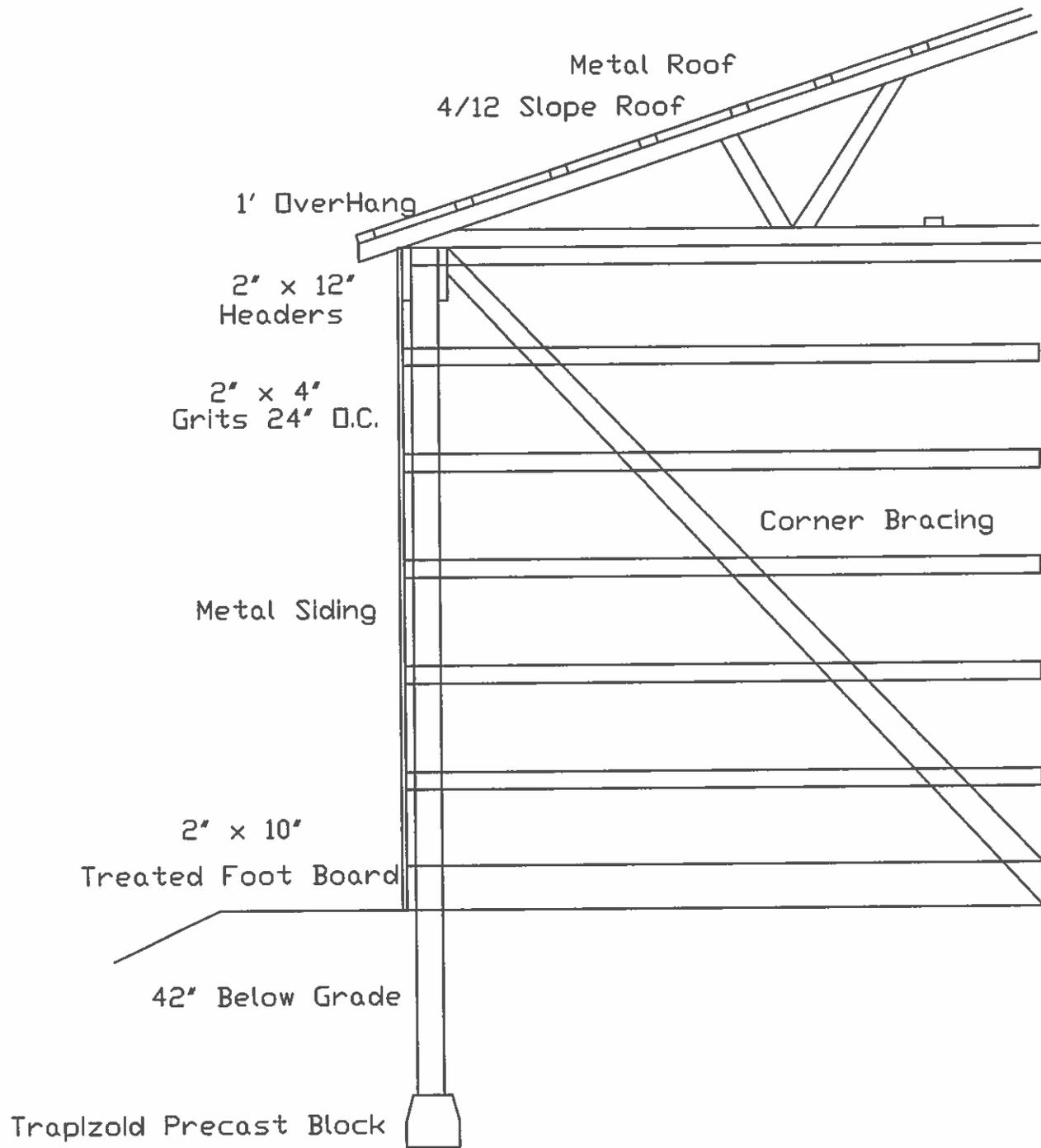


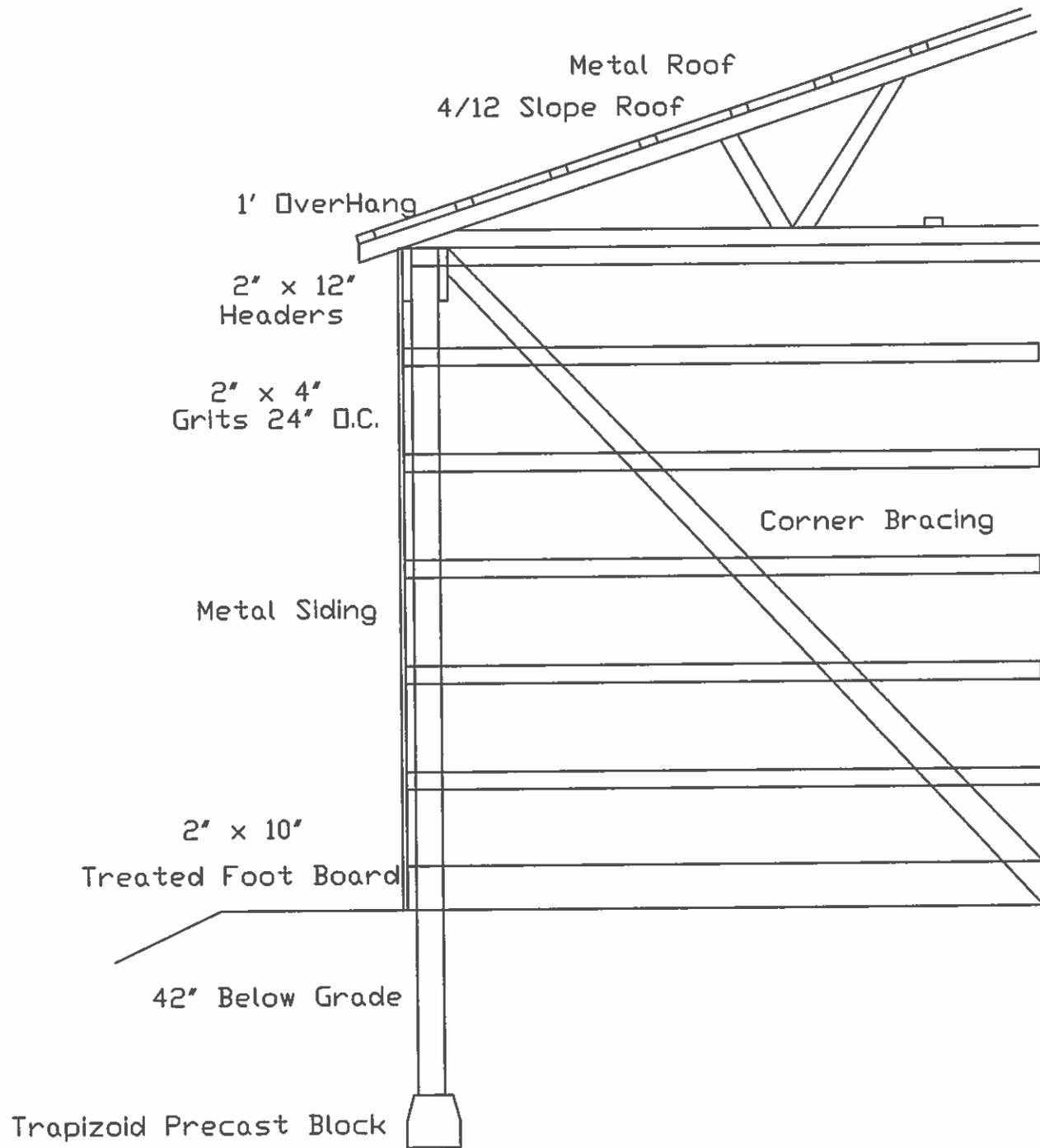
4289 Sweet Road

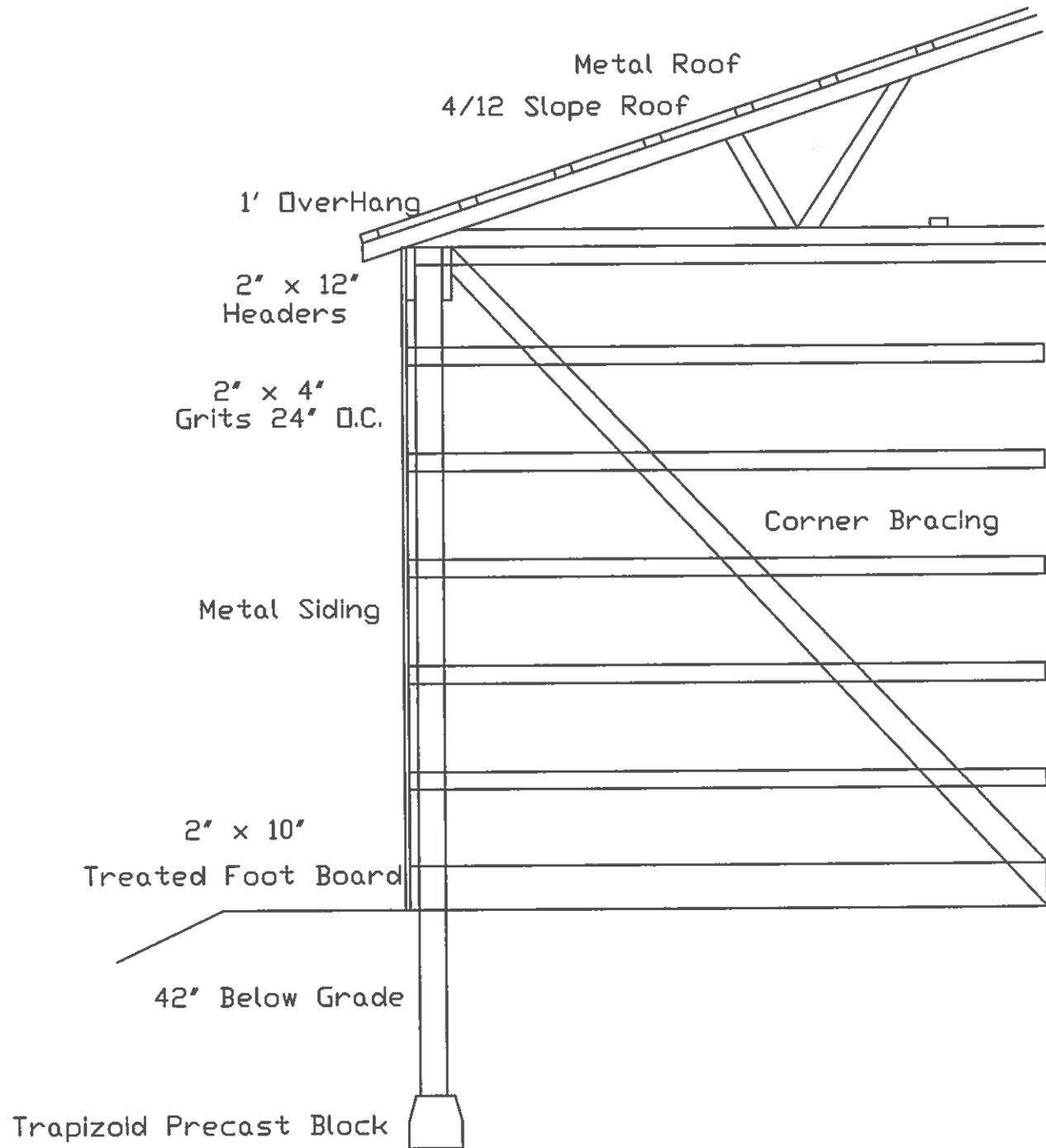










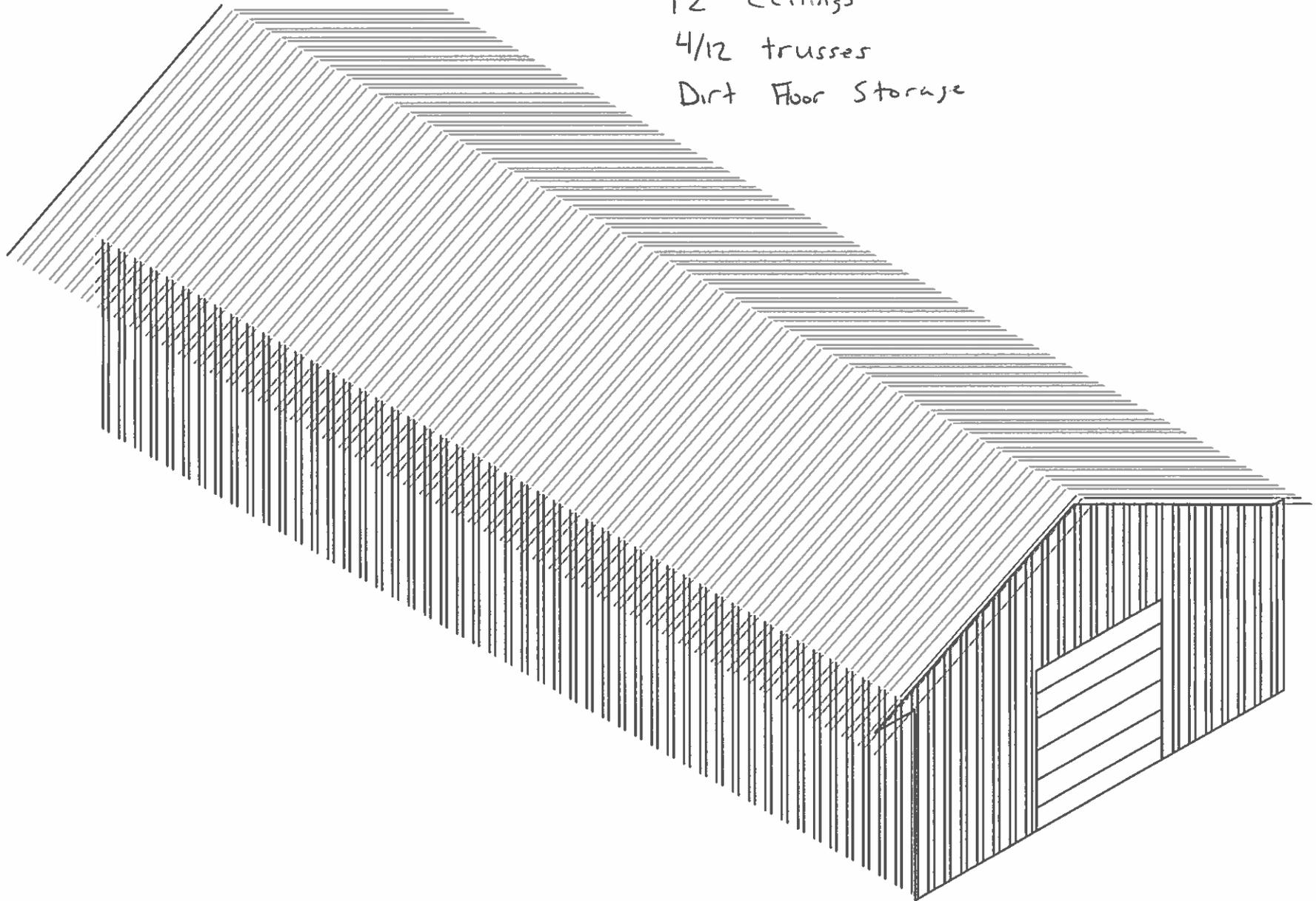


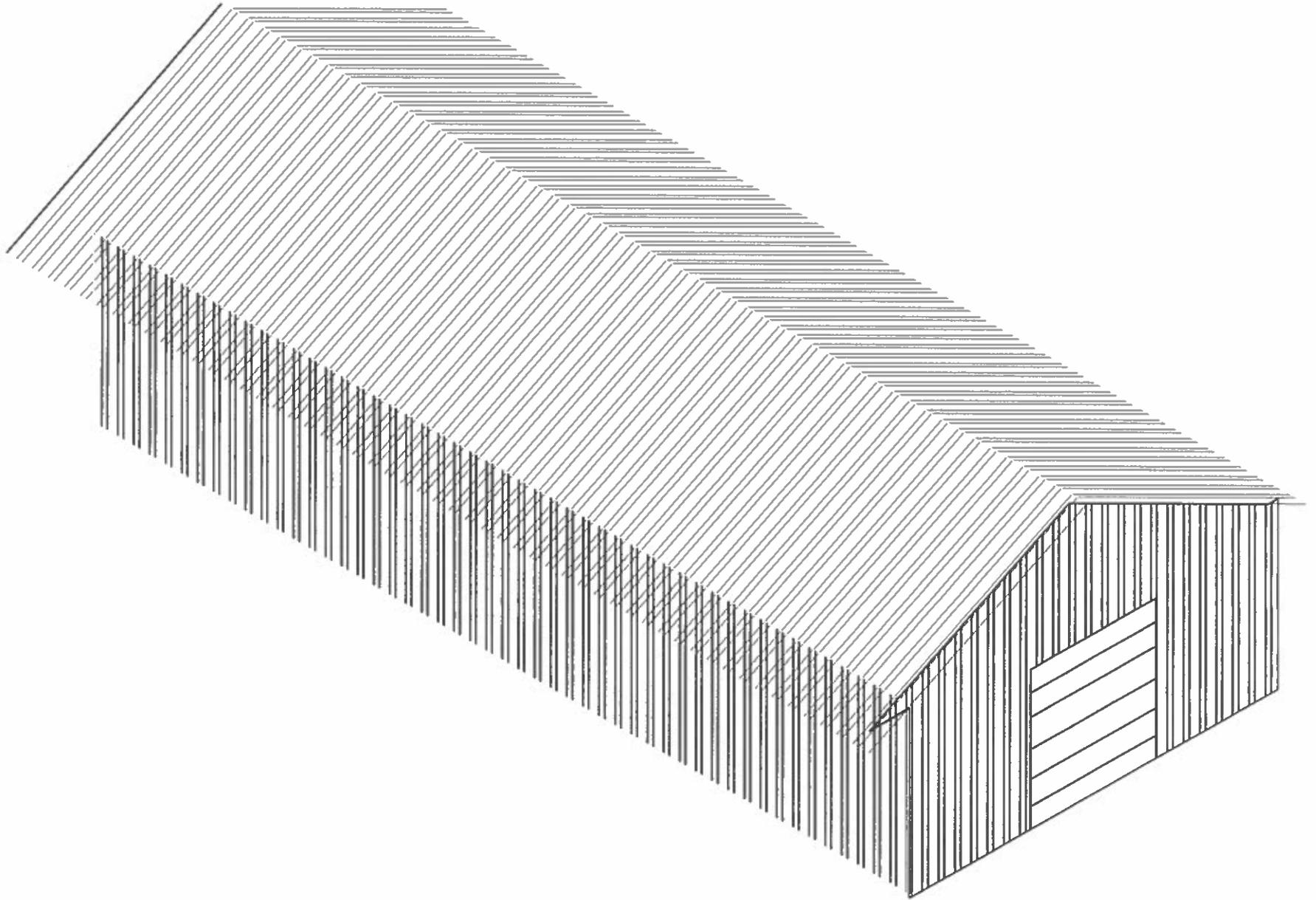
24' x 50' Polebarn

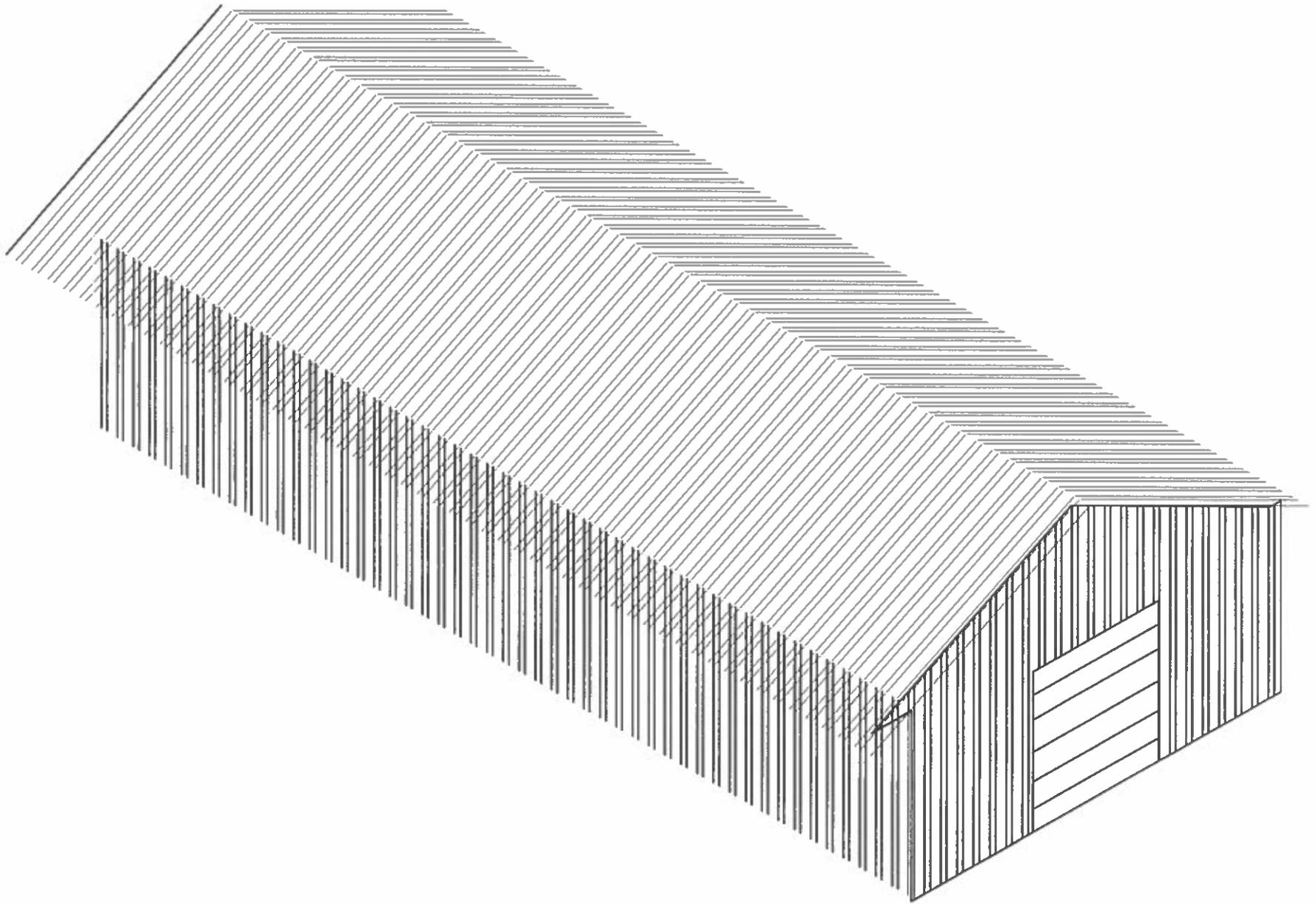
12' ceilings

4/12 trusses

Dirt Floor Storage









Residential Land Use Permit

Genoa Charter Township • 2911 Dorr Rd. • Brighton, MI 48116
Phone (810) 227-5225 • Fax (810) 227-3420 • www.genoa.org

PERMIT NO. _____

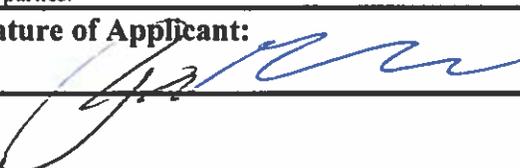
revised 10/09/14

1. PROJECT INFORMATION					
Site Address: <u>4289 SWEET RD, HOWELL, MI 48843</u>					Acreage:
2. OWNER/CONTRACTOR INFORMATION					
Owner Name: <u>JAMES HARMON</u>			Phone No: <u>(517) 404-8174</u>		<input type="checkbox"/>
Owner Address: <u>4289 SWEET RD</u>		City: <u>HOWELL</u>	State: <u>MI</u>	Zip: <u>48843</u>	
Contractor name:			Phone No.:		<input type="checkbox"/>
Contractor Address:		City:	State:	Zip:	
3. TYPE OF IMPROVEMENT					
A. Principal Structure					
<input type="checkbox"/> New Single Family <input type="checkbox"/> New Multiple Family <input type="checkbox"/> Addition to Existing Building <input type="checkbox"/> Grading/Site Work <input type="checkbox"/> Other: _____					
B. Accessory Structure					
<input type="checkbox"/> Fence <input type="checkbox"/> Deck <input checked="" type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Pool/Hot Tub <input type="checkbox"/> Other: _____					
4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION					
A. Proposed Principal Structure Setbacks (in feet)					
Front: <u>33'</u> (measured from front property line, right-of-way line or private road easement, whichever is less)					
Rear:	Least Side: <u>35'</u>	Side: <u>125'</u>	Water/Wetland:		
B. Proposed Accessory Structure Setbacks (in feet)					
Front: <u>39'</u>	Least Side: <u>88'</u>	Side: <u>120'</u>	Rear: <u>223'</u>	Water/Wetland:	Distance from Principle Structure: <u>255'</u>
C. Proposed Building/Improvement Dimensions					
Size of Building/Improvement: _____ square feet			Height: _____ feet		
6. SIGNATURE OF APPLICANT					
I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent. The owner and applicant agree to conform to all applicable ordinances of Genoa Township. Any modification to location, size or dimensions must be approved by Genoa Township. A Land Use Permit is valid for a period of 12 months from the date of issue. In signing of this application, I am permitting an official representative of Genoa Charter Township to do on-site inspections. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.					
Applicant is: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Lessee/Renter <input type="checkbox"/> Architect/Engineer <input type="checkbox"/> Other:					
Signature of Applicant:			Printed Applicant name:		Date:
▽ FOR OFFICE USE ONLY ▽					
FLOODPLAIN					
Floodplain:		Panel #:		Zone #:	
ASSESSING APPROVAL					
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by:		Date:	
ZONING APPROVAL					
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Parcel I.D. No.:		Zoning:	
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by:		Date:	
Comments/Conditions:					
Date picked up:					
ZBA	Case #/Approval date:		Conditions:		
3. FEES					
Land Use:	\$	Water/Sewer:	\$	/	Meter: \$



GENOA TOWNSHIP ASSESSING DEPARTMENT
REQUIRED LAND USE INFORMATION FORM
 2911 Dorr Road ❖ Brighton, Michigan 48116
 Phone: (810) 227-5225 ❖ Fax: (810) 227-3420 ❖ www.genoa.org

PERMIT NO. _____

1. PROJECT INFORMATION										
Site Address: 4289 SWEET RD				Parcel I.D. No.:			Zoning:			
2. TYPE OF IMPROVEMENT										
A. Principal Structure <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Addition to Existing Building										
B. Accessory Structure <input type="checkbox"/> Fence <input type="checkbox"/> Deck <input checked="" type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Sunroom <input type="checkbox"/> Pool/Hot Tub: <input type="checkbox"/> Above ground <input type="checkbox"/> In ground										
C. Total Project Cost: \$ _____										
3. SELECTED CHARACTERISTICS OF IMPROVEMENT										
Building Style		<input type="checkbox"/> Ranch		<input type="checkbox"/> 1.5 Story		<input type="checkbox"/> 2 Story				
Frame		<input type="checkbox"/> Masonry, Wall Bearing		<input type="checkbox"/> Wood Frame		<input type="checkbox"/> Structural Steel		<input type="checkbox"/> Reinforced Concrete		
Exterior		<input type="checkbox"/> Brick		<input type="checkbox"/> Stone		<input type="checkbox"/> Siding		<input type="checkbox"/> Wood		
Foundation		<input type="checkbox"/> Basement		<input type="checkbox"/> Crawl		<input type="checkbox"/> Slab				
Area		New Building Square Footage:				Addition Square Footage:				
Bedrooms		No. of:								
Bathrooms		No. of Full:		No. of Half:		No. of Sinks:		No. of Showers		
Basement		Walkout: <input type="checkbox"/> Yes <input type="checkbox"/> No	Finished: <input type="checkbox"/> Yes <input type="checkbox"/> No	Finished Square Footage:		Basement Baths:	No. of Full:		No. of Half:	
Central Air		<input type="checkbox"/> Yes <input type="checkbox"/> No				Fire Suppression:		<input type="checkbox"/> Yes <input type="checkbox"/> No		
Fireplace		<input type="checkbox"/> Direct Vent		<input type="checkbox"/> Pre-fab		<input type="checkbox"/> Other:				
Garage		<input type="checkbox"/> Attached	<input type="checkbox"/> Detached	Height: feet		Depth: feet		Width: feet		
Inground Pool		<input type="checkbox"/> Fiberglass		<input type="checkbox"/> Gunitite		<input type="checkbox"/> Plastic				
Driveway		<input type="checkbox"/> Gravel	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Concrete	<input type="checkbox"/> Brick	<input type="checkbox"/> Other _____				
Accessory Structure		Height: 12 feet	Depth: 50 feet	Width: 24 feet		Flooring:		<input type="checkbox"/> Concrete	<input checked="" type="checkbox"/> Dirt	<input type="checkbox"/> Wood
4. APPLICANT SIGNATURE (below)										
I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent and agree to conform to all applicable ordinances of Genoa Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.										
Signature of Applicant: 					Date: 11/3/14					

Accessory Building Comparison

The following is a list of properties in the vicinity of 4289 Sweet Rd. The parcels marked as “No” do not have detached accessory buildings which are larger than 1,200 square feet. Parcels marked as “Yes” do have detached accessory buildings larger than 1,200 square feet. The information used in this comparison was acquired from the individual parcels assessing data. Those parcels designated with an asterisk (*) are zoned CE (Country Estate) and a conforming lots. All other parcels are zoned CE and are non-conforming lots. The specific parcels used are highlighted on the provided map.

4353 Sweet Rd – No

4350 Sweet Rd – Yes

4392 Sweet Rd – No

4307 Sweet Rd – No

*4318 Sweet Rd – No

*4290 Sweet Rd – No

*4260 Sweet Rd – No

4201 Sweet Rd – No

4179 Sweet Rd – No

*4200 Sweet Rd – No

*4166 Sweet Rd – No

*4159 Sweet Rd – Yes

4130 Sweet Rd – No

*4075 Sweet Rd – No

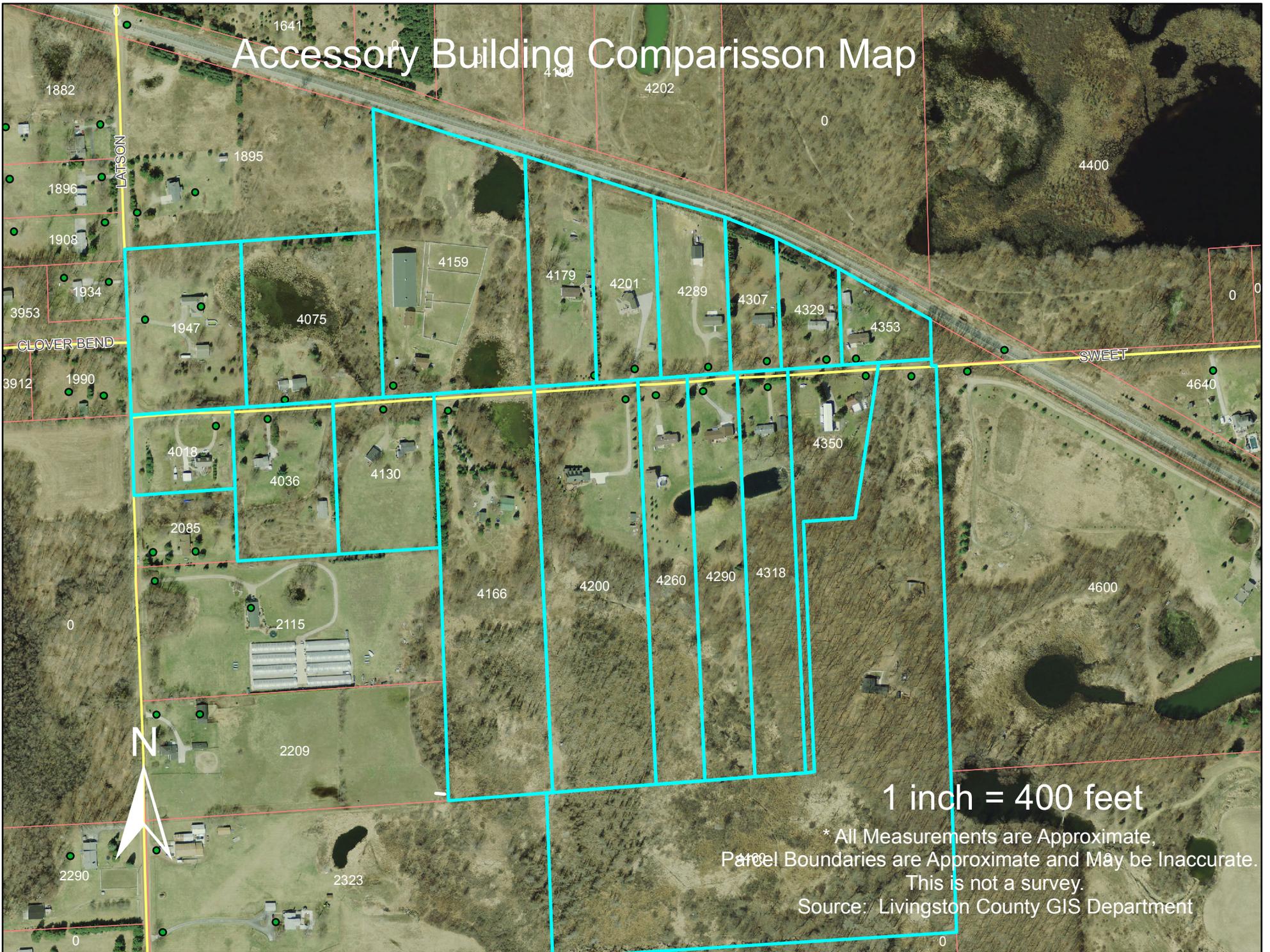
4036 Sweet Rd – No

1947 S. Latson Rd – No

4018 Sweet Rd – No

*4460 Sweet Rd - No

Accessory Building Comparisson Map



1 inch = 400 feet

* All Measurements are Approximate,
Parcel Boundaries are Approximate and May be Inaccurate.
This is not a survey.
Source: Livingston County GIS Department

ZBA 14-30 Area Map



1 inch = 500 feet

* All Measurements are Approximate.
Parcel Boundaries are Approximate and May be Inaccurate.
This is not a survey.

Source: Livingston County GIS Department

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

11/21/2014 12:23 PM

Parcel:	4711-09-300-004	Current Class:	401.401 RESIDENTIAL-IMPROVED
Owner's Name:	HARMON JAMES A	Previous Class:	401.401 RESIDENTIAL-IMPROVED
Property Address:	4289 SWEET RD. HOWELL, MI 48843	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V14-30
		School:	47070 HOWELL
		Neighborhood:	47070 47070 HOWELL M & B
Liber/Page:	2007R-005278	Created:	//
Split:	//	Active:	Active
Public Impr.:	None		
Topography:	REFUSE		

Mailing Address:

HARMON JAMES A
4289 SWEET RD.
HOWELL MI 48843

Most Recent Sale Information

Sold on 02/01/2007 for 82,500 by WELLS FARGO BANK MINNESOTA.

Terms of Sale: INVALID SALE

Liber/Page: 2007R-005278

Most Recent Permit Information

Permit 01-070 on 02/26/2001 for \$10,000 category ACCESSORY BLDG .

Physical Property Characteristics

2015 S.E.V.:	Tentative	2015 Taxable:	Tentative	Lot Dimensions:	
2014 S.E.V.:	80,000	2014 Taxable:	76,809	Acres:	2.94
Zoning:	CE	Land Value:	65,000	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

of Residential Buildings: 1
Year Built: 1972
Occupancy: Single Family
Class: C+10
Style: C
Exterior: Wood Siding
% Good (Physical): 69
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: -15
Full Baths: 1 Half Baths: 0
Floor Area: 960
Ground Area: 960
Garage Area: 920
Basement Area: 960
Basement Walls:
Estimated TCV: 101,265

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
WELLS FARGO BANK MINNESOTA	HARMON JAMES A	82,500	02/01/2007	QC	INVALID SALE	2007R-005278	BUYER	100.0													
WATSON, MARTIN & LISA	WELLS FARGO BANK MINNESOTA	166,000	11/03/2006	TA	INVALID SALE		BUYER	0.0													
WATSON, MARTIN	WATSON, MARTIN & LISA	0	10/04/2001	QC	QUIT CLAIM	3148-0506	BUYER	0.0													
BYERS	FLY	0	03/26/2001	QC	QUIT CLAIM	2945-0936	BUYER	0.0													
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: CE		Building Permit(s)		Date	Number	Status											
4289 SWEET RD.		School: HOWELL		ACCESSORY BLDG		02/26/2001		01-070	NO START												
Owner's Name/Address		P.R.E. 100% 02/01/2007		MAP #: V14-30		2015 Est TCV Tentative															
HARMON JAMES A 4289 SWEET RD. HOWELL MI 48843		X Improved		Vacant		Land Value Estimates for Land Table 124.HOWELL M& B															
Tax Description		Public Improvements		* Factors *																	
SEC 9 T2N R5E E 230 FT OF W 1/2 OF SE 1/4 OF SW 1/4 LYING S OF PMRR 2.94 AC M/L CORR 10/89		Dirt Road		Description		Frontage		Depth		Front Depth		Rate %Adj. Reason		Value							
Comments/Influences		Gravel Road		LAND TABLE A		2.94		Total Acres		22109		100		65,000							
2005 WINTER TAX BILL RETURNED WITH A FORWARDING ADDRESS OF 6270 BETH, BRIGHTON MI 48116-2104. RESENT TAX BILL TO FORWARDING ADDRESS WITH A CHANGE OF ADDRESS FORM.		Paved Road		2.94 Total Acres		Total Est. Land Value =		65,000													
		Storm Sewer																			
		Sidewalk																			
		Water																			
		Sewer																			
		Electric																			
		Gas																			
		Curb																			
		Street Lights																			
		Standard Utilities																			
		Underground Utils.																			
		Topography of Site																			
		Level																			
		Rolling																			
		Low																			
		High																			
		Landscaped																			
		Swamp																			
		Wooded																			
		Pond																			
		Waterfront																			
		Ravine																			
		Wetland																			
		Flood Plain																			
		X REFUSE																			
		Who		When		What		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
								2015		Tentative		Tentative		Tentative						Tentative	
								2014		32,500		47,500		80,000						76,809C	
								2013		32,500		43,100		75,600						75,600S	
								2012		32,500		42,000		74,500						74,500S	



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*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 480 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G												
Building Style: C		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			Class: C +10 Effec. Age: 31 Floor Area: 960 Total Base Cost: 108,166 Total Base New : 159,003 Total Depr Cost: 109,712 Estimated T.C.V: 101,265			CntyMult X 1.470 E.C.F. X 0.923			Bsmnt Garage: Carport Area: Roof:				
Yr Built 1972	Remodeled 0	Size of Closets		Central Air Wood Furnace			(12) Electric 0 Amps Service			Total Base Cost : 108,166 Total Base New : 159,003 Total Depr Cost : 109,712 Estimated T.C.V: 101,265			Bsmnt Garage: Carport Area: Roof:				
Condition for Age: Good		Lg	X	Ord		Small	No./Qual. of Fixtures			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj			Size Cost				
Room List		(5) Floors		Kitchen: Other: Other:			Ex. X Ord. Min			Rate Bsmnt-Adj Heat-Adj			Size Cost				
	Basement 1st Floor 2nd Floor -16 Bedrooms	Kitchen: Other: Other:		(12) Electric 0 Amps Service			No. of Elec. Outlets			Rate Bsmnt-Adj Heat-Adj			Size Cost				
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures			Ex. X Ord. Min			Rate Bsmnt-Adj Heat-Adj			Size Cost				
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 960 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains 1 Ceramic Tub Alcove Vent Fan			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
(2) Windows		(7) Excavation		(13) Plumbing			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
X	Many Avg. Few	X	Large Avg. Small	Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains 1 Ceramic Tub Alcove Vent Fan			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
(3) Roof		(8) Basement		(14) Water/Sewer			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains 1 Ceramic Tub Alcove Vent Fan			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
X	Gable Hip Flat	Gambrel Mansard Shed	(9) Basement Finish		(14) Water/Sewer			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost			
X	Asphalt Shingle	Recreation SF Living SF Walkout Doors No Floor SF		(14) Water/Sewer			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
Chimney: Brick		(10) Floor Support		(14) Water/Sewer			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
		Joists: Unsupported Len: Cntr.Sup:		(14) Water/Sewer			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				
		Lump Sum Items:		(14) Water/Sewer			Many X Ave. Few			Rate Bsmnt-Adj Heat-Adj			Size Cost				

*** Information herein deemed reliable but not guaranteed***

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

2911 DORR RD. BRIGHTON, MI 48116
(810) 227-5225 FAX (810) 227-3420

Case # 15-01 Meeting Date: 1-13-15

- PAID Variance Application Fee
\$125.00 for residential - \$300.00 for commercial/industrial
 Copy of paperwork to Assessing Department

- **Article 23** of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals. (Please see attached)

Applicant/Owner: Phil Poma III Executor of the Estate
Property Address: 2092 Webster Park Dr Phone: (517) 202-2345
Present Zoning: LRR Tax Code: 471130101006
Howell MI 48843
517-294-697
Lori Kilen.

The applicant respectfully requests that an adjustment of the terms of the Zoning Ordinance be made in the case of their property because the following peculiar or unusual conditions are present which justify variance.

1. Variance Requested: 13.03.04 to be able to Grant A 20' EASEMENT to John + Joyce Trudel @ 2093 Webster PARK DR. Allowing the same USAGE that they CURRENTLY Have for parcel 1130101007
20' EASEMENT to Be Located on the North 20 feet of Lot 5.
2. Intended property modifications: _____

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) The easement is requested because the TRUDEL'S @ 2093 Webster will only sell/eliminate the N10ft of Lot 7 to 2092 Webster if they will be granted the EASEMENT so their property value will not decrease. The N10ft of Lot 7 currently owned by the TRUDEL'S because of its location has caused the owner's of 2092 Webster PARK A HARDSHIP & subsequently has decreased their value. The N. 10' ft of Lot 7 is currently located just off the steps of 2092 Webster PARKS front door so 2092 Webster is actually trespassing when walking from driveway to home.
- b. Other (explain) _____

Variance Application Requires the Following: (failure to meet these requirements may result in tabling of this petition.)

- **PROPERTY MUST BE STAKED SHOWING ALL** proposed improvements 5 days before the meeting and remain in place until after the meeting
- **Plot Plan drawings showing setbacks and elevations of proposed buildings showing all other pertinent information.** Note: will need 8 copies of any drawings larger than 11 x 17.
- Waterfront properties must indicate setback from water from adjacent homes.
- Petitioner (or a Representative) must be present at the meeting

Date: 12-15-14

Signature: _____

Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.

After the decision is made regarding your variance approval contact Ron Akers at the township office to discuss what your next step is.

Reason for VARIANCE cont. -

We have 2092 Webster PARK Dr in contract to sale subject to Resolving and gaining ownership of the N10 Ft. of Lot 7. After much Deliberation + negotiating with 2093 Webster PARK (John + Joyce Trudel) this was the only Acceptable Resolution to the Trudels.

Charter Township of Genoa
ZONING BOARD OF APPEALS
January 13, 2015
CASE #15-01

PROPERTY LOCATION: 2092 Webster Park Dr.

PETITIONER: Phillip Poma

ZONING: LRR (Lake Resort Residential)

WELL AND SEPTIC INFO: Septic, Well

PETITIONERS REQUEST: Variance to allow an easement over a residential riparian lot which will provide access to the water for an individual who is not a resident of such residential riparian lot.

CODE REFERENCE: 13.03.04

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	N/A	N/A	N/A	N/A	N/A	N/A
Setbacks Requested	N/A	N/A	N/A	N/A	N/A	N/A
Variance Amount	N/A	N/A	N/A	N/A	N/A	N/A



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: December 18, 2014
RE: ZBA 15-01

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

STAFF REPORT

File Number: ZBA#15-01

Site Address: 2092 Webster Park Dr.

Parcel Number: 4711-30-101-006

Parcel Size: 0.937 Acres

Applicant: Phillip Poma, 2092 Webster Park Dr., Howell, MI 48843

Property Owner: Same as Applicant

Information Submitted: Application, site plan

Request: Dimensional Variance

Project Description: Applicant is requesting a variance to allow an easement over a residential riparian lot which will provide access to the water for an individual who is not a resident of such residential riparian lot.

Zoning and Existing Use: LRR (Lake Resort Residential), Single Family Residential

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday December 28, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

Background

The following is a brief summary of the background information we have on file:

- Per assessing records the parcel has a 1,008 square foot single family home and a 540 square foot detached accessory building.
- There is a 10' wide parcel which bisects the subject parcel that is owned by a property owner across the street. (2093 Webster Park Dr.)
- The property is on septic and well.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The parcel as it exists today has a 10' wide strip of separate property which bisects the parcel. This 10' wide parcel is owned by a property owner across the street (2093 Webster Park Dr.) and its purpose is to provide access to the lake for that parcel. The owner of the subject property (2092 Webster Park Dr.) has discussed with the neighbor the potential of purchasing the 10' wide parcel due to the issues it would create by limiting the buildable area of the parcel. The owner to the 10' wide parcel has agreed to sell them the 10' strip of property only if the owners of the parcel grant them an access easement over another portion of their property. This access easement is proposed to be 20' wide and located on the far southern side of the property.

The Genoa Township Zoning Ordinance prohibits the granting of an easement over a residential riparian lot for an individual who is not a resident of such lot. Due to this the request is not consistent with the zoning ordinance and cannot be approved administratively.

Variance Requests

The following is the portion of the zoning ordinance that the variance is being requested from:

13.03.04 Easements: An easement over a residential riparian lot shall not be utilized to provide boat access or docking for an individual who is not a resident of such residential riparian lot.

Standards for Approval

The following are the standards of approval that are listed in the Zoning Ordinance for Dimensional Variances:

23.05.03 Criteria Applicable to Dimensional Variances. No variance in the provisions or requirements of this Ordinance shall be authorized by the Board of Appeals unless it is found from the evidence that all of the following conditions exist:

(a) Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

(b) Extraordinary Circumstances. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance was not self-created by the applicant.

(c) Public Safety and Welfare. The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

(d) Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Summary of Findings

Please note that in order for a variance to be approved it has to meet all of the standards in 25.05.03.

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with this provision would not unreasonably prevent the use of the property. While it is true that the existing location of the 10' parcel would create issues when a new home is constructed, that issue is not being considered. The issue that is being considered is whether or not a variance should be granted to allow the adjacent non-riparian property owner to have an easement over the subject parcel. Strict compliance with the Zoning Ordinance standards which prohibit these type of easements would not unreasonably prevent the owner from using the property. The easement is not for the benefit of the property owner, but is for the benefit of the adjacent neighbor. Granting this variance would do substantial justice to neither the property owner nor any of the adjacent neighbors because this request would not allow either to do something which has been prevented due to a physical constraint of the lot. The property owner of 2092 Webster Park Dr has riparian access to the lake frontage and there are no non-riparian parcels in the general vicinity, that I am aware of, which have an exclusive access easement.
- **Extraordinary Circumstances** – The exceptional or extraordinary circumstances associated with the property is the 10' wide strip of property which bisects the 2092 Webster Park Dr. property. Despite this unique circumstance the creation of this easement would not make the property more consistent with the majority of properties in the vicinity because there are no easements in the area, that I am aware of, which provide exclusive riparian access for an individual property owner. The need for the variance is based upon a negotiated deal between the owners of 2092 Webster Park Dr. and the owners at 2093 Webster Park Dr. and not a condition or circumstance on the property. Due to this need for the variance is self-created.
- **Public Safety and Welfare** – The granting of the variance would not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

- **Impact on Surrounding Neighborhood** – The proposed variance would have little impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Staff Findings of Fact

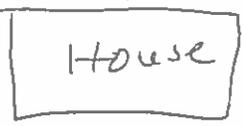
1. Strict compliance with the article 13.03.04 would not unreasonably prevent the use of the property.
2. There are no exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which would prevent the applicant from complying with the Zoning Ordinance.
3. The need for the variance is self-created.
4. The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
5. Granting the variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

N 20' of Lot 5
Proposed 20' EASEMENT

DRIVEWAY



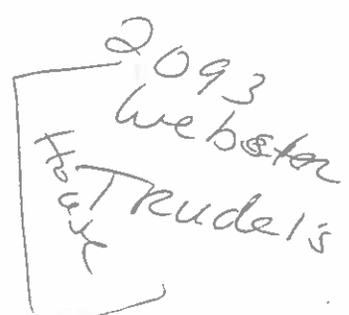
N 10 FT OF Lot 7 (Trudel's)



WOODS

ROAD

2092
Webster



WATER



Area Map



1 inch = 100 feet

* All Measurements are Approximate,
Parcel Boundaries are Approximate and May be Inaccurate.
This is not a survey.

Source: Livingston County GIS Department

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

12/18/2014 10:06 AM

Parcel:	4711-30-101-006	Current Class:	401.401 RESIDENTIAL-IMPROVED
Owner's Name:	POMA, PHILLIP JR.	Previous Class:	401.401 RESIDENTIAL-IMPROVED
Property Address:	2092 WEBSTER PARK DR. HOWELL, MI 48843	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V15-01
		School:	47070 HOWELL
		Neighborhood:	4043 4043 WEBSTER PARK
Liber/Page:	2083-0263	Created:	//
Split:	//	Active:	Active
Public Impr.:	None		
Topography:	REFUSE		

Mailing Address:

POMA, PHILLIP JR.
2092 WEBSTER PARK DR.
HOWELL MI 48843

Most Recent Sale Information

Sold on 11/24/1978 for 26,000 by KRAWCZAK.

Terms of Sale: INVALID SALE

Liber/Page: 2083-0263

Most Recent Permit Information

None Found

Physical Property Characteristics

2015 S.E.V.:	Tentative	2015 Taxable:	Tentative	Lot Dimensions:	
2014 S.E.V.:	93,800	2014 Taxable:	39,887	Acreage:	0.94
Zoning:	LRR	Land Value:	153,000	Frontage:	170.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	240.0

Improvement Data

of Residential Buildings: 1
Year Built: 1940
Occupancy: Single Family
Class: D
Style: D
Exterior: Wood Siding
% Good (Physical): 45
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: 2
Full Baths: 1 Half Baths: 0
Floor Area: 1,008
Ground Area: 1,008
Garage Area: 540
Basement Area: 0
Basement Walls:
Estimated TCV: 34,276

Image



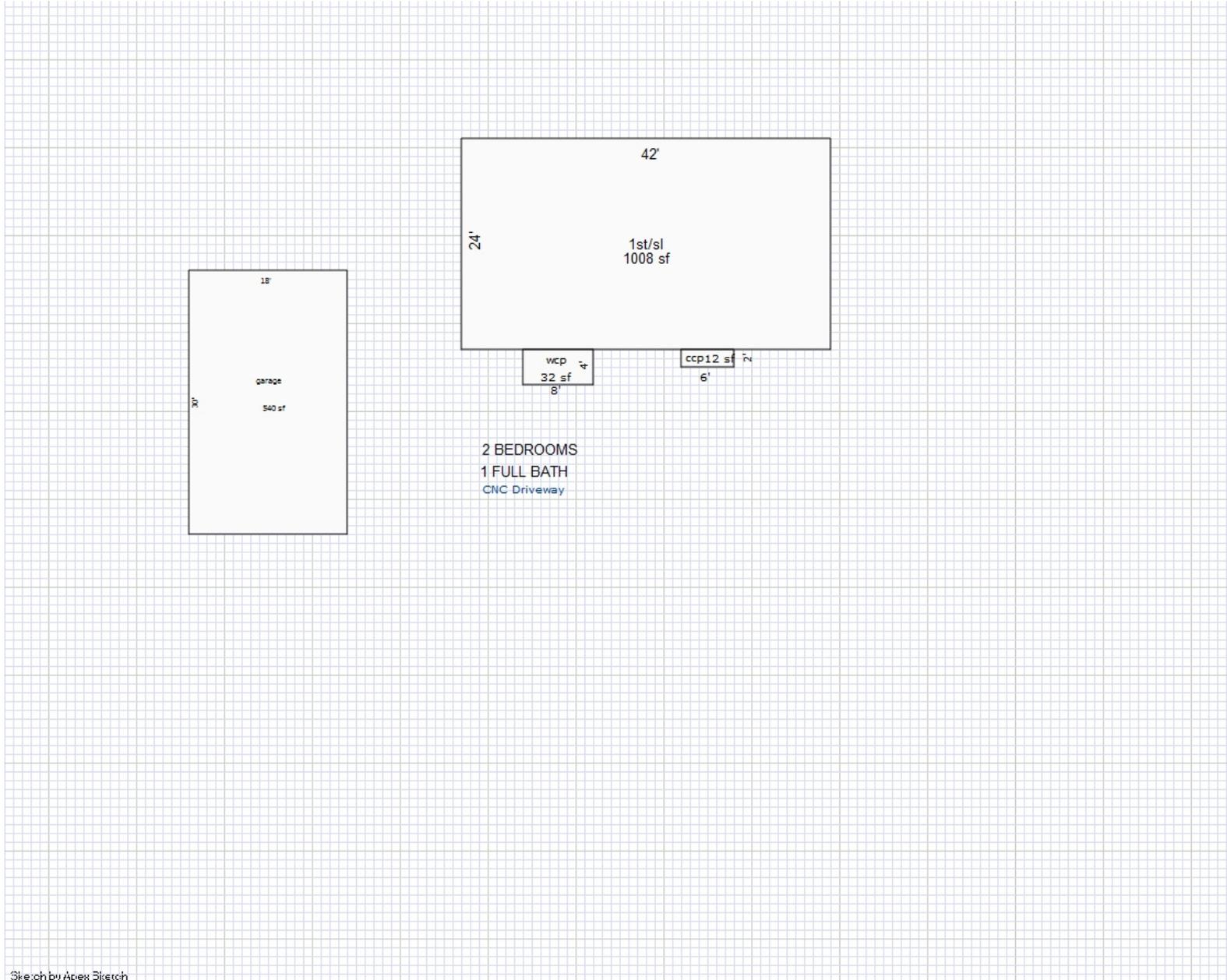
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
KRAWCZAK		26,000	11/24/1978	WD	INVALID SALE	2083-0263	BUYER	0.0		
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status		
2092 WEBSTER PARK DR.		School: HOWELL								
Owner's Name/Address		P.R.E. 100% / /								
POMA, PHILLIP JR. 2092 WEBSTER PARK DR. HOWELL MI 48843		MAP #: V15-01								
Tax Description		2015 Est TCV Tentative		Land Value Estimates for Land Table 119.PARDEE LK FRT						
SEC. 30 T2N, R5E, WEBSTER PARK N 20 FT. OF LOT 5, ALSO S 30 FT. OF LOT 7 ALSO LOTS 6 AND 8 & 9		X	Improved	Vacant	* Factors *					
Comments/Influences		Public Improvements		Description Frontage Depth Front Depth Rate %Adj. Reason Value						
		Dirt Road		PARDEE LK FRT 170.00 240.00 1.0000 1.0000 900 100				153,000		
		Gravel Road		170 Actual Front Feet, 0.94 Total Acres				Total Est. Land Value = 153,000		
		Paved Road								
		Storm Sewer								
		Sidewalk								
		Water								
		Sewer								
		Electric								
		Gas								
		Curb								
		Street Lights								
		Standard Utilities								
		Underground Utils.								
		Topography of Site								
		Level								
		Rolling								
		Low								
		High								
		Landscaped								
		Swamp								
		Wooded								
		Pond								
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
		X	REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
		Who	When	What	2015	Tentative	Tentative	Tentative		Tentative
		LM	05/29/2014	REVIEWED R	2014	76,500	17,300	93,800		39,887C
					2013	76,500	13,900	90,400		39,259C
					2012	76,500	14,100	90,600		38,339C



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Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth 1 Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: D Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 540 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G								12 CCP (1 Story) 32 WCP (1 Story)				
Building Style: D		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace			Class: D Effec. Age: 63 Floor Area: 1008 Total Base Cost: 60,040 Total Base New : 88,260 Total Depr Cost: 39,717 Estimated T.C.V: 34,276			CntyMult X 1.470 E.C.F. X 0.863			Bsmnt Garage: Carport Area: Roof:	
Yr Built 1940	Remodeled 0	Size of Closets		No./Qual. of Fixtures			Stories Exterior Foundation			Rate Bsmnt-Adj Heat-Adj			Size Cost				
Condition for Age: Good		Lg X Ord Small		Ex. X Ord Min			1 Story Siding Slab			48.38 -9.43 0.66			1008 39,927				
Room List		Doors: Solid X H.C.		No. of Elec. Outlets			Other Additions/Adjustments			Rate			Size Cost				
Basement 1st Floor 2nd Floor 2 Bedrooms		Kitchen: Other: Other:		Many X Ave. Few			(14) Water/Sewer			Well, 200 Feet 1000 Gal Septic			1 4,400 1 2,720				
(1) Exterior		(6) Ceilings		(13) Plumbing			(15) Built-Ins & Fireplaces			Fireplace: Wood Stove			1 950				
X Wood/Shingle Aluminum/Vinyl Brick		Basement: 0 S.F. Crawl: 0 S.F. Slab: 1008 S.F. Height to Joists: 0.0		Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			(16) Porches			CCP (1 Story), Standard WCP (1 Story), Standard			67.40 12 809 44.30 32 1,418				
(2) Windows		(8) Basement		(14) Water/Sewer			(17) Garages			Class:D Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 18.18			540 9,817				
Many Avg. Few X Avg. X Avg. Large Small		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(14) Water/Sewer			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (4043 WEBSTER PARK)			0.863 => TCV of Bldg: 1 =			39,717 34,276				
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish		Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic													
(3) Roof		Recreation SF Living SF Walkout Doors No Floor SF		Lump Sum Items:													
X Gable Hip Flat	Gambrel Mansard Shed	(10) Floor Support															
X Asphalt Shingle		Joists: Unsupported Len: Cntr.Sup:															
Chimney: Brick																	

*** Information herein deemed reliable but not guaranteed***



Sketch by Apex Sketch

*** Information herein deemed reliable but not guaranteed***

GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
DECEMBER 9, 2014
6:30 P.M.

MINUTES

Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:32 p.m. at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were as follows: Jerry Poissant, Marianne McCreary and Barbara Figurski. Also present was Township staff member Ron Akers. There were 12 persons in the audience.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of Agenda: Moved by Poissant, seconded by Figurski to approve the agenda as presented. **Motion passed.**

Call to the Public: was made with no response. (*Please Note: The Board will not begin any new business after 10:00 p.m.*)

14-25 ... A request by Chilson Pointe LLC, 4666 Brighton Road, for a variance from the maximum allowable size of a detached accessory building to construct a detached accessory structure.

Mr. Joe Perri, Co-owner of Chilson Pointe LLC., was present for the petitioner. Mr. Perri informed that Board that he does have access to the parcel from a shared driveway according to the survey and title work. Mr. Perri also stated that due to the missing board members he would like to postpone the Board's decision until the March Zoning Board of Appeals meeting.

A call to the public was made with the following responses: Don Kroeyer, 4688 Brighton Road, stated that he is upset about the last minute tabling of this item. The access that Mr. Perri is referring to is for parcels 3 and 4. Mr. Perri is requesting the variance on parcel 1.

Stacy Kroeyer, 4688 Brighton Road, stated that Mr. Perri is selling the property for a strip mall. They have been taking care of the road for 15 years and plowing it. Mr. Perri has heavy equipment and she has young children. The tenants have been cutting and burning wood all year.

Moved by Poissant, supported by Figurski, to table case #14-25 until March 17th, 2015 Zoning Board of Appeals meeting at the petitioner's request. **Motion carried.**

14-30 ... A request James Harmon, 4289 Sweet Road, for a variance from the maximum allowable size of a detached accessory building.

Mr. James Harmon was present for the petitioner. Mr. Harmon stated that he would like to construct an addition to store equipment and camper. He stated that the current size of his existing detached structure is 1200 sq.ft.

A call to the public was made with the following response: Ben Marhofer, 4179 Sweet Road, he is in support of this variance. He stated that it would make the neighborhood look better with the equipment stored in the structure.

Moved by Figurski, supported by Poissant to table case #14-30 until the January 13th, 2015 Zoning Board of Appeals meeting at the petitioner's request. **Motion carried.**

14-31 ... A request by Steve Schenck, Section 4, 4072 E. Grand River, for a variance to permit a temporary sign, which exceeds the allowable period of time a temporary sign is allowed to be permitted and to exceed the number of times a business is allowed to use a temporary sign during its stay at the same location. Other street addresses at this parcel include: 4050, 4072, 4080, 4084, 4092, 4096, 4104, 4116, 4128, 4132, 4140, 4144, 4148, and 4160.

Mr. Steve Schenck, Owner of Liberty Tax Service was present for the petitioner. Mr. Schenck stated that 56% of their business is seen by the end of February. They are limited by signage at their location.

Moved by Poissant, supported by Figurski, to approve case# 14-31 for a temporary signage variance due to the unique nature of the business's seasonal period and the need to be more visible. Starting January 16th, 2015 thru February 8th, 2015 and resuming April 6th, 2015 thru April 15th, 2015 for a total of 35 days. **Motion carried.**

14-32 ... A request by Christian and Damian Karch, 5400 Brady Road, for a side yard setback variance to construct an addition onto an existing detached accessory building.

Mr. Christian and Mr. Damian Karch were present for the petitioner. Mr. Karch stated that they would like to construct an addition on to their existing detached accessory building. They would like preserve the mature trees that are located on the lot. The property had been surveyed for easements.

Moved by Poissant, supported by Figurski, to approve case# 14-32 for a 13.5 foot side yard setback with a 26.5 foot variance to construct a 2100 sq. ft. addition due to the limitations on the property to building in a different location. **Motion carried.**

Administrative Business:

1. **Approval of minutes: moved** by Poissant, supported by Figurski, to approve the Oct. 21, 2014 Zoning Board of Appeals meeting minutes with typographical corrections. **Motion carried.**
2. **Correspondence:** Akers stated that the Board received information regarding ZBA training in their packets and to let him know if they are interested in attending.
3. **Township Board Representative Report:** Ledford was absent.
4. **Planning Commission Representative Report:** Figurski gave an overview of the November and December Planning Commission meetings.
5. **Zoning Official Report:** Akers stated that code enforcement is up to date and the Township has hired a part-time code enforcement officer who will start in January.
6. **Member Discussion:** Discussion was held regarding responsibility to making decisions in the public interest.
7. **Adjournment: moved** by Figurski, supported by Poissant, to adjourn the Zoning Board of Appeals meeting at 7:54 p.m. **Motion carried.**



MEMORANDUM

TO: Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: 12-15-14
RE: Election of Officers

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

As specified in the ZBA Rules of Procedure, we are required to have election of officers in the first meeting of the calendar year. The election process requires that an individual nominates another for a position (either chairperson or vice-chairperson), another individual supports the nomination and assuming the person accepts the nomination the ZBA will vote on it. A simple majority is needed to approve the appointment. We can start with either position, but it is common to start with the chairperson first. I look forward to any comments or questions the ZBA may have regarding this topic.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS RULES OF PROCEDURE
Effective January 14, 2014

ARTICLE 1: AUTHORITY

These rules of procedure are adopted by the Genoa Charter Township Zoning Board of Appeals (hereinafter referred to as the “ZBA”), to facilitate the duties of the ZBA as outlined in Public Act 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et. seq.) and the Genoa Charter Township Zoning Ordinance.

ARTICLE 2: MEMBERSHIP

Section 1. The ZBA shall consist of five (5) members as follows:

- A. Planning Commission Member.** The first member shall be a member of the Township Planning Commission.
- B. Other Members.** The remaining members shall be selected and appointed by the Township Board from among electors residing in the unincorporated area of the Township.
- C. Township Trustee.** Only one member may be from the Township Board and their membership term shall be limited to the time they are a member of the Township Board.
- D. Alternates.** The Township Board may appoint not more than two (2) alternate members for the same term as regular members to the ZBA.
- E. Terms.** Terms shall be for three (3) years, except for members serving because of their membership on the Planning Commission or Township Board, whose terms shall be limited to the time they are members of those respective boards. Any vacancies shall be filled within one (1) month after the vacancy occurs. Vacancies for unexpired terms shall be filled by the Township Board for the remainder of the unexpired term.
- F. Removal.** Members of the ZBA shall be removable by the Township Board for misfeasance, malfeasance or nonfeasance, upon filing of written charges and after a public hearing before the Township Board.
- G. Resignation.** A member may resign from the ZBA by sending a letter of resignation to the Township Supervisor or the Township Board.

Section 2. Members of the ZBA shall be subject to the following membership requirements.

- A. Attendance.** If any member of the ZBA is absent from three (3) consecutive meetings then that member shall be considered delinquent. Delinquency can be grounds for the

Township Board to remove a member of the ZBA for nonperformance of duty or misconduct after holding a public hearing on the matter.

- B. Training.** Members of the ZBA should participate in training opportunities when they are available. Participating in training is not mandatory for membership, but it is strongly encouraged.
- C. Staff Support.** Township staff will have the ability to participate in discussion with the ZBA and nothing else. Township staff cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum or be expected to comply with attendance requirements in these rules of procedure. Township staff includes employees, agents and consultants of Genoa Charter Township. Other individuals may be allowed to participate in discussion at the discretion of the chairperson.

ARTICLE 3: OFFICERS

Section 1. The Officers of the ZBA shall be a chairperson and a vice-chairperson. The Township Board representative shall not serve as an officer.

- A. Duties of the Chairperson.** The chairperson shall preside at all meetings and hearings of the ZBA, shall have the duties normally conferred by parliamentary usage on such officers and shall serve as the liaison between the ZBA and Township Staff.
- B. Duties of the Vice-Chairperson.** The vice-chairperson shall preside and exercise all of the duties of the chairperson in his/her absence. Should neither the chairperson nor the vice-chairperson be present at a meeting, a temporary chairperson shall be elected by a majority vote of the members present.

Section 2. The duties of the Planning Commission representative and Township Board representative shall be as follows:

- A. Duties of the Township Board Representative.** The Township Board representative shall report the actions of the ZBA to the Township Board and shall update the ZBA on the actions of the Township Board.
- B. Duties of the Planning Commission Representative.** The Planning Commission representative shall report the actions of the ZBA to the Planning Commission and shall update the ZBA on the actions of the Planning Commission.

Section 3. The election of officers shall be carried out in the following manner.

- A. Elections.** At the first meeting of the calendar year, the ZBA shall select from its membership a chairperson and a vice-chairperson who shall serve for a twelve-month period and who shall be eligible for re-election. A candidate receiving a majority vote of the membership present shall be declared elected. Newly elected officers will assume their office at the next meeting.

B. Vacancies. Vacancies in office shall be filled by regular election procedure and shall only serve the remainder of the term.

ARTICLE 4: ADMINISTRATIVE DUTIES

Section 1. Duties of Township Staff. Township Staff is responsible for the execution of documents in the name of the ZBA and shall perform the duties hereinafter listed below, and other such duties as the ZBA may determine.

- A. Minutes.** ZBA minutes shall be prepared by Township Staff. The minutes shall contain a brief synopsis of the meeting, complete statement of the conditions or recommendations made on any action; and recording of attendance.
- B. Correspondence.** Township Staff shall be responsible for the issuance of formal written correspondence with other groups or persons, as directed by the ZBA.
- C. Attendance.** Township Staff shall be responsible for maintaining an attendance record for each member of the ZBA.
- D. Notices/Agenda.** Township Staff shall issue such notices and prepare the agendas for all meetings.

ARTICLE 5: MEETINGS

Section 1. Regular Meetings. Regular meetings of the ZBA shall be held the third Tuesday of every month. The dates and times shall be posted at the Township Hall in accordance with the Open Meetings Act. Any changes in the date or time of the regular meetings shall be posted in the same manner as originally established. When a regular meeting falls on or near a legal holiday, suitable alternate dates in the same month shall be selected in accordance with the Open Meetings Act.

Section 2. Meeting Notices. All meetings shall be posted at the Township Hall according to the Open Meetings Act. The notice shall include the date, time and place of the meeting.

Section 3. Special Meetings. A special meeting may be called by three members of the ZBA upon written request to the chairperson or by the chairperson himself/herself. The business which the ZBA may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. Public notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meetings Act, and Township Staff shall send notice of a special meeting to ZBA members.

Section 4. Open Meetings. All meetings of the ZBA shall be opened to the public and held in a place available to the general public. A person shall be permitted to address the ZBA during call to the public. A person shall not be excluded from a meeting of the ZBA except for breach of the peace, committed at the meeting.



MEMORANDUM

TO: Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: 12-22-2014
RE: 2014 Zoning Board of Appeals Year End Report

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

Please find information for the 2014 ZBA year-end report. Please consider recommendations that could be submitted in the executive summary and I will ensure it is prepared for the February meeting. Thank you and I look forward to our discussion on this topic.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell



2014 Zoning Board of Appeals Annual Report

Summary:

The purpose of the Zoning Board of Appeals (ZBA) Annual report is to summarize and identify the activities completed by the ZBA over the calendar year. Identifying the number and types of variances that were granted over the year can provide guidance to the Planning Commission and Township Board of Trustees when making future land use decisions. The primary activities that were handled by the Zoning Board of Appeals in 2014 were hearing variance requests, the election of officers, and the creation of the 2013 Annual Report and Executive Summary.

Variations

During 2014 the Zoning Board of Appeals heard thirty-one (31) variance cases. They are broken down as follows:

- **31 Total Cases**
 - 20 Approved, 6 Denied, 3 Removed from Agenda at Applicants Request, 2 Pending Decision in 2015
- **16 Variance Cases on Properties with Lake Frontage**
 - 13 Approved, 1 Denied, 2 Removed from Agenda at Applicants Request
- **Breakdown by Project Type**
 - 8: New Single Family Homes
 - 7 Approved, 1 Denied
 - 6 Lake Front
 - 11: Residential Additions
 - 9 Approved. 0 Denied, 1 Removed from Agenda at Applicants Request, 1 Pending Decision in 2015
 - 9 Lake Front
 - 8: Detached Accessory Buildings
 - 3 Approved, 2 Denied, 2 Removed from Agenda at Applicants Request, 1 Pending Decision in 2015
 - 1 Lake Front
 - 2: Sign
 - 1 Approved, 1 Denied
 - 1: Use of a non-conforming duplex which was vacant for more than twelve (12) months.
 - 0 Approved, 1 Denied
 - 1: Patio installation in the required wetland buffer.
 - 0 Approved, 1 Denied
- **Breakdown by Zoning District & Variance Type**
 - Lake Resort Residential (LRR): (18 Cases)
 - Building Height (2 Requests)
 - 1 Approved, 1 Removed at Applicants Request
 - Use Variance (1 Request)
 - 1 Denied
 - Separation Between Principal and Accessory Building (1 Request)
 - 1 Approved
 - Front Yard Setback (11 Requests)
 - 10 Approved, 1 Removed at Applicants Request
 - Shoreline Setback (6 Requests)
 - 6 Approved

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- Side Yard Setback (9 Requests)
 - 6 Approved, 3 Removed at Applicants Request
 - Rear Yard Setback (1 Request)
 - 1 Approved
- Country Estate (CE): (5 Cases)
 - Detached Accessory Building Size (2 Requests)
 - 1 Denied, 1 Pending Decision in 2015
 - Detached Accessory Building Without a Principal Building (1 Request)
 - 1 Approved
 - Front Yard Setback (1 Request)
 - 1 Approved
 - Side Yard Setback (3 Requests)
 - 3 Approved
- Suburban Residential (SR): (3 Cases)
 - Building Height (1 Request)
 - 1 Denied
 - Wall Sign (1 Request)
 - 1 Denied
 - Side Yard Setback (1 Request)
 - 1 Denied
- Low Density Residential (LDR): (1 Case)
 - Detached Accessory Building Size (1 Request)
 - 1 Pending Decision in 2015
 - Rear Yard Setback (1 Request)
 - 1 Pending Decision in 2015
- Rural Residential (RR): (1 Case)
 - Detached Accessory Building Size (1 Request)
 - 1 Denied
- Office Service (OSD): (1 Case)
 - Wetland Buffer Setback (1 Request)
 - 1 Denied
- General Commercial (GC): (1 Case)
 - Temporary Sign (1 Request)
 - 1 Approved
- Mixed Use Planned Unit Development (MUPUD): (1 Case)
 - Rear Yard Setback (1 Request)
 - 1 Approved

Please see attached case summaries for more information about specific cases.

2014 ZBA Case Summaries

JANUARY

Variance: 1

Case: 14-01

Applicant Name: Ben Marhofer

Address: 4179 Sweet Road

Type of Variance: Side yard setback variance of 31.5 feet to build an attached garage.

Lakefront: No

Decision: Approved

Why? Conditions? Approval conditioned upon the garage being guttered with downspouts.

FEBRUARY

Variance: 2

Case: 14-02

Applicant Name: Larry and Christa White

Address: 4489 Oak Pointe Drive

Type of Variance: Height variance of 5 feet to build a new single family residence.

Lakefront: Yes

Decision: Approved

Why? Conditions? The Board approved a 5-foot roof height variance with 30 feet of allowed height. They said the owners must get an easement with the golf course to cross that property for installation of sewer line. House must have gutters and downspouts.

Variance: 3

Case: 14-03

Applicant Name: Michael and Gail McLean

Address: Homestead Drive (no address)

Type of Variance: Front yard setback of 8 feet and 5-foot side yard setback variance to build a new single family home.

Lakefront: Yes

Decision: Approved

Why? Conditions? Board allowed an 8-foot variance with resulting setback of 27 feet. They must remove a landscaping trellis before land use permit will be issued and the new structure must have gutters and downspouts.

MARCH

Meeting Cancelled

April

Variance: 4

Case: 14-04

Applicant Name: Patricia Crane and Ronald Cyr

Address: 4283 Clifford Road

Type of Variance: 5-foot shoreline setback variance

Lakefront: Yes

Decision: Approved

Why? Conditions? Board approved a 5-foot shoreline setback due to practical difficulty. No conditions.

Variance: 5

Case: 14-05

Applicant Name: Joseph Andrews

Address: 1115 Norfolk

Type of Variance: Use variance to use existing building as a duplex

Lakefront: No

Decision: Denied

Why? Board denied request because home was vacant for 12 months and reverted to single family residential. All neighboring properties are single family.

Variance: 6

Case: 14-06

Applicant Name: Ronald Stotler

Address: 4337 Richardson Road

Type of Variance: 65-foot front yard setback, 15-foot side yard setback, 60-square-foot variance from the maximum allowable size of a detached accessory building, and a variance to allow a detached accessory building in the front yard.

Lakefront: No

Decision: Approved (Front and Side Yard Setback), Denied (Accessory Building Size)

Why? Conditions? Board approved the 65-foot front yard setback, the side yard setback and the detached accessory building in the front yard due to practical difficulty. They denied the variance from the maximum allowable size of a detached accessory building.

Variance: 7

Case: 14-07

Applicant Name: PB Development LLC

Address: 4252, 4260 Highcrest

Type of Variance: 2-foot shoreline setback, 10-foot front yard setback (was granted in January 2013)

Lakefront: Yes

Decision: Approved

Why? Conditions? Board approved a 10-foot front yard and 2-foot shoreline setback for the construction of a new home. The house must be guttered. Also, a variance granted at the Jan. 15, 2013 meeting, Case 13-04, is null and void.

MAY

Variance: 8

Case: 14-08

Applicant Name: EBI Inc.

Address: 5411 Ridgemont St.

Type of Variance: 30-foot rear yard setback, 5-foot variance from the minimum separation distance between the principal and accessory building.

Lakefront: No

Decision: Approved

Why? Conditions? Board granted variances for 30 feet in rear yard and 5 feet for separation between the principal structure and the accessory structure. Conditions placed were gutters and downspouts on the new home, and homeowner obtaining a staked survey.

Variance: 9

Case: 14-09

Applicant Name: Kelly Cadegan

Address: 652 S. Hughes

Type of Variance: 2-foot side yard setback

Lakefront: No

Decision: Tabled in May at the request of the petitioner. Case removed from June agenda.

Why? Cadegan met the terms of the ordinance.

Variance: 10

Case: 14-10

Applicant Name: Jan and Anne Pitzer

Address: 3680 Dorr Road

Type of Variance: 10-foot side yard setback to construct a new single family home

Lakefront: Yes

Decision: Denied

Why? Conditions? Request was denied due to no existing hardship with the land.

Variance: 11

Case: 14-11

Applicant Name: Charles E. Horan

Address: 1828 S. Hughes

Type of Variance: 11-foot front yard setback, 6.6-foot side yard setback, 1-foot maximum building height, 12-foot shoreline setback

Lakefront: Yes

Decision: Approved(Front, Side Yard & Shoreline Setbacks); Applicant requested height request be removed.

Why? Conditions? Approval was given for an addition which maintains the current setbacks of the existing footprint because the property is nonconforming and there are not safety or welfare issues for the neighborhood. The board said the new home must have gutters and downspouts.

Variance: 12

Case: 14-12

Applicant Name: Todd Hurley

Address: 3292 Beck

Type of Variance: 1,200-square-foot variance from the maximum accessory building size of 1,200 square feet

Lakefront: No

Decision: Denied

Why? Conditions? Board members denied the request because there was no practical difficulty.

Variance: 13

Case: 14-14

Applicant Name: Tom Secrest

Address: 4089 Homestead

Type of Variance: 9-foot side yard setback variance and 24-foot front yard setback variance

Lakefront: Yes

Decision: Tabled in May to allow Secrest to stake the property so the board can see if drivers can safely back out of the garage. Secrest came back to the ZBA in June and received approval.

Why? Conditions? He received approval for a 9-foot side yard setback and a 22-foot front yard setback to build an attached garage and second story to an existing home. The conditions are that he put in gutters and downspouts.

JUNE

Variance: 14

Case: 14-15

Applicant Name: Kristinne Horvath

Address: 3682 Beattie Road

Type of Variance: 4.5 feet from the maximum allowable height for a detached accessory building

Lakefront: No

Decision: Tabled in June for further discussion at July meeting; petitioner then asked for a delay until August. Request was denied at August meeting.

Why? Conditions? Board denied case because there was a lack of hardship, extraordinary circumstances or practical difficulty.

Variance: 15

Case: 14-16

Applicant Name: NorthRidge Church

Address: 7555 Brighton Road

Type of Variance: 54.67 square feet to place a wall sign on the church building

Lakefront: No

Decision: Tabled in June at petitioner's request; denied at July meeting.

Why? Conditions? The request was denied because it was based on the philosophy of the church, not on extraordinary circumstances applicable to the property or use. Zoning prohibits use of more than one sign.

Variance: 16

Case: 14-17

Applicant Name: Tim Chouinard

Address: 824 Pathway

Type of Variance: Shoreline, front yard and side yard setbacks to build an addition onto a single family home.

Lakefront: Yes

Decision: Tabled in June; approved at July meeting.

Why? Conditions? The Board granted a 27.5-foot variance from the front yard setback, 1.34 feet from the side yard and 6 feet from the shoreline setback. The Board cited the practical difficulty of the lakefront lot and the topography. Gutters and downspouts are required.

Variance: 17

Case: 14-18

Applicant Name: Brad Rondeau

Address: 6919 W. Grand River

Type of Variance: 14 feet from the required wetland setback to build a patio.

Lakefront: No

Decision: Denied

Why? Conditions? The request was denied because of the adjacent wetlands and the practical difficulty was self-created.

JULY

Variance: 18

Case: 14-19

Applicant Name: John Smarch

Address: 715 Pathway

Type of Variance: Side yard setback to build an addition above the attached garage.

Lakefront: Yes

Decision: Approved

Why? Conditions? Smarch was granted a side yard setback variance of 10 feet to build an addition to the attached garage and resolve a drainage issue on the property. Because of proximity to the neighboring house, he must construct a firewall. He must also install gutters and downspouts.

Variance: 19

Case: 14-20

Applicant Name: Poloski Construction Inc.

Address: 3758 Noble St.

Type of Variance: Shoreline and front yard setbacks to build a new single family home.

Lakefront: Yes

Decision: Approved

Why? Conditions? Poloski was given a 32-foot front yard variance and a 4-foot shoreline variance as the Board cited the narrowness of the land and the topography. Gutters and downspouts required.

Variance: 20

Case: 14-21

Applicant Name: Dolores Malysz

Address: 1330 Clark Lake Road

Type of Variance: Front yard setback to build an addition and raise the foundation.

Lakefront: Yes

Decision: Approved

Why? Conditions? Front yard setback approved based on the topography of the lot. The approval was conditioned upon certified drawings stamped and signed by an engineer, necessary approvals from the

Health and Building departments being supplied to the Township. Applicant will also agree to have Akers review little ordinance with him.

AUGUST

Variance: 21

Case: 14-22

Applicant Name: Paul and Joy Corneliusen

Address: 3880 Highcrest Drive

Type of Variance: Side yard setback to build a detached accessory building

Lakefront: Yes

Decision: Tabled in August at request of petitioners. Case removed from the September agenda at request of the applicant. It has not come back to Board.

Variance: 22

Case: 14-23

Applicant Name: Scott and Maureen Kiefer

Address: 3695 Highcrest Drive

Type of Variance: Front and side yard setbacks to build an addition to the existing single family home.

Lakefront: Yes

Decision: Tabled in August. Request then dropped at request of petitioner.

Why? Conditions? Applicant wanted time to revisit both 3-foot setbacks and address the drainage. They then dropped the request and came back with different plans as Case #14-28.

SEPTEMBER

Variance: 23

Case: 14-24

Applicant Name: Rod and Tamara Evans

Address: 4147 Highcrest Drive

Type of Variance: 7.25-shoreline setback and 16.25-front yard setback to build a new single family home.

Lakefront: Yes

Decision: Approved

Why? Conditions? Board cited the practical difficulty and extraordinary circumstances with limited building envelope due to shoreline setback, topography and narrowness of lot, and placement of well and sewer. House must be guttered with downspouts and water runoff toward the lake.

Variance: 24

Case: 14-01

Applicant Name: Chilson Pointe LLC

Address: 4666 Brighton Road

Type of Variance: 1,520-square-foot variance from the maximum accessory building size of 1,200 feet to build a 40-foot-by-50-foot accessory building, Rear Yard Setback Variance.

Lakefront: No

Decision: Tabled in September and October at request of petitioner. Tabled again in December until March 17, 2015 meeting at the request of the petitioner

OCTOBER

Variance: 25

Case: 14-26

Applicant Name: Donald Davis

Address: 3907 Homestead

Type of Variance: 10.2-foot front yard setback to build a second floor addition on a single family home.

Lakefront: Yes

Decision: Approved

Why? Conditions? The board cited the practical difficulty of the small building envelope created by the existing placement of the home, it is legally non-conforming and the need is not self-created. Variance will make it consistent with the neighboring properties.

Variance: 26

Case: 14-27

Applicant Name: Todd Hutchins

Address: 3350 S. Latson

Type of Variance: Variance to allow and accessory building on a parcel without a principal building.

Lakefront: No.

Decision: Approved

Why? Conditions? Condition placed to allow the accessory building as long as the 4.42 acres are rezoned from Country Estates to Rural Residential. Also, if the home is not built within a year of the property being split, the owner must demolish the accessory structures at their expense.

Variance: 27

Case: 14-28

Applicant Name: Scott and Maureen Kiefer

Address: 3695 Highcrest

Type of Variance: Front and side yard variances to build an addition to an existing single family home.

Lakefront: Yes

Decision: **Approved**

Why? Conditions? Board approved 5-foot front yard variances with a 30-foot setback and a 11-foot side yard variance with a 9.1-foot setback to build an addition. Board cited practical difficulty of the current home location and grade. Home must be guttered with downspouts. (See case #14-23)

Variance: 28

Case: 14-29

Applicant Name: Steven C. Liedel and Janine K. Fogg

Address: Lot 23, Oak Tree Court, 4711-28-401-023

Type of Variance: Rear yard setback of 9.9 feet to build a new single family home.

Lakefront: No

Decision: Approved

Why? Conditions? Board cited the practical difficulty of the tree location to the east and the utility easement to the north.

NOVEMBER

Meeting Cancelled

DECEMBER

Variance: 29

Case: 14-30

Applicant Name: James Harmon

Address: 4289 Sweet Road

Type of Variance: 1,200-square-foot variance from the maximum accessory building size (1,200 square feet) to build a 1,200-square-foot addition to an existing detached accessory building

Lakefront: No

Decision: Tabled until Jan. 13, 2014 meeting at the petitioner's request.

Variance: 30

Case: 14-31

Applicant Name: Steve Schenck (Liberty Tax Service)

Address: 4072 E. Grand River

Type of Variance: Relief from zoning ordinance that prohibits temporary signs to 14 days or once during the stay of the business at same location or if the business has new owners.

Lakefront: No

Decision: Approved

Why? Conditions? Board said approval was given because of seasonal nature of the business and the need for it to be more visible: Jan. 16 through Feb. 8, 2015 and again April 6-15, 2015.

Variance: 31

Case: 14-32

Applicant Name: Christian and Damian Karch

Address: 5400 Brady Road

Type of Variance: 26.5-foot side yard variance for a 2,100-square-foot addition onto an existing detached accessory building.

Lakefront: No

Decision: Approved

Why? Conditions? Board cited the limitations on the property when approving the request.

Michigan Association of Planning's
**2015 Training Workshops for
 Planning & Zoning Officials**

COMMUNITY ENGAGEMENT | TRAVERSE CITY

February 12th | 5:00 p.m. - 9:00 p.m.

Traverse City Government Center

Knowing which public engagement technique to use for which audience, and managing the public participation process so that all voices can be heard, all the while ensuring that the input is meaningful and relevant is one of a planner's greatest challenges. A process that can be rife with politics, on one hand, and rewarding and beneficial on the other, is part and parcel of the effort. This interactive session explains best practices on how to engage with community members and stakeholders in a more meaningful way.

SITE PLAN REVIEW | LANSING

March 5th | 5:00 p.m. - 9:00 p.m.

Hampton Inn - Okemos

This program will demonstrate the site plan review and approval process and provide practical tools and techniques on how to read a site plan. You'll discuss site design principles, such as pedestrian and traffic considerations, lighting, utilities, ADA compliance, inspections, and landscaping. Participants in this hands-on workshop receive an engineering scale, turning template, and a sample site plan to evaluate.

ZONING BOARD OF APPEALS: BEYOND THE BASICS | LANSING

March 5th | 5:00 p.m. - 8:00 p.m.

Hampton Inn - Okemos

Quasi-judicial functions of the zoning process are handled by the Zoning Board of Appeals. This interactive, case study based workshop goes into greater depth on the issues of practical difficulty and unnecessary hardship. Recent case law is also discussed, along with a summary of voting and membership requirements, and other procedural requirements unique to ZBA operation.

PLANNING & ZONING ESSENTIALS | 4:00 p.m. - 9:00 p.m.

January 14th | Mt. Pleasant (Isabella Co. Building)

February 4th | Kalamazoo Area (Oshtemo Twp. Hall)

February 26th | Ann Arbor Area (Washtenaw Co. Building, Zeeb Rd.)

The Planning & Zoning Essentials program is ideal for new planning commissioners and zoning board of appeals members to their roles and responsibilities, and also for more experienced officials looking to refresh their skills and build upon existing knowledge. Roles and responsibilities, site plan review, comprehensive planning, zoning ordinances, variances, how to determine practical difficulty, and standards for decision-making are covered. Choose from three options to fit your needs:

- Attend the Full Program** (4 p.m. - 9 p.m.) and get the best overview and understanding of how the planning commissioners, zoning board of appeals members, elected officials, and staff interact.
- Attend the Planning Commission Session** (4 p.m. - 7:30 p.m.)
- Attend the Zoning Board of Appeals Session** (6 p.m. - 9 p.m.)

REGISTRATION FORM

Complete one form per registrant. All rates include a light dinner

CONTACT INFORMATION:

NAME _____

AFFILIATION _____

EMAIL (confirmations and directions will be sent via email) _____

PHONE (with area code) _____

BILLING ADDRESS (include apt. or suite #) _____

CITY _____ STATE _____ ZIP _____

REGISTRATION INFORMATION:

- I'm a MAP Member
- Join MAP now (\$60) and receive the member discount
- I'm a full-time student, and want to join MAP now for \$15.

MEMBER RATE	NON-MEMBER RATES	** Apply a \$25 late fee if you register LESS THAN 5 business days before workshop **
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	Community Engagement Feb. 12 Traverse City 5pm - 9pm
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	Site Plan Review Mar. 5 Lansing 5pm - 9pm
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	ZBA: Beyond the Basics Mar. 5 Lansing 5pm - 8pm
<input type="checkbox"/> \$85 <input type="checkbox"/> \$75 <input type="checkbox"/> \$75	<input type="checkbox"/> \$115 <input type="checkbox"/> \$105 <input type="checkbox"/> \$105	Planning & Zoning Essentials FULL Program (4pm - 9pm) PC Session (4pm - 7:30 pm) ZBA Session (6pm - 9pm)
Pick a PZE location:		
<input type="checkbox"/> Mt. Pleasant <input type="checkbox"/> Kalamazoo Area <input type="checkbox"/> Ann Arbor		
<input type="checkbox"/> \$15	Student (Full-time) Member Rate Workshop & date: _____	

PAYMENT INFORMATION: TOTAL: _____

- Check enclosed Master Card Visa Invoice Me
- Make checks payable to: Michigan Association of Planning*

CARD # _____

EXPIRATION DATE _____ SECURITY CODE _____

SIGNATURE _____

Forms can be mailed, faxed or emailed to:

Michigan Association of Planning
 1919 West Stadium Blvd, Suite 4 | Ann Arbor, MI 48103
 p: (734)913-2000 | f: (734)913-2061
 info@planningmi.org

MAP's Registration Policy:
www.planningmi.org/officialtraining.asp