

GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 15, 2011  
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. 10-25...A request by Delores Malysz, Sec. 12, 1330 Clark Lake Road, for a front yard variance to construct an addition.
2. 11-05...A request by Ray Henrickson, Sec. 19, 3856 Beattie Road, for a rear yard variance to allow for a detached accessory structure.
3. 11-06...A request by Tom Crane, Sec. 22, 3934 Highcrest, for a front yard variance to construct an addition to an existing nonconforming detached accessory structure.
4. 11-07...A request by Tony Baiardi, Sec. 22, 3817 Highcrest, for front yard and two side yard variances to construct a second story addition to an existing nonconforming residence.
5. 11-08...A request by Bob Blair, Sec. 19, 3810 Kipling Circle, for a rear and side yard variance to construct a detached accessory structure.

**ADMINISTRATIVE BUSINESS:**

- A. ***Approval of minutes for the February 15<sup>th</sup>, 2011 Zoning Board of Appeals meeting.***
- B. ***Correspondence***
- C. ***Member Discussion***
- D. ***Adjournment***

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MARCH 15, 2011**  
**CASE #10-25**

**PROPERTY LOCATION:** 1330 Clark Lake Road

**PETITIONER:** Dolores Malysz

**ZONING:** LRR (Lakeshore Resort Residential)

**WELL AND SEPTIC INFO:** Well and Septic

**PETITIONERS REQUEST:** Requesting a front yard variance to construct a covered porch.

**CODE REFERENCE:** Table 3.04.01 – Dimensional Standards - LRR (Lakeshore Resort Residential)

**STAFF COMMENTS:** Petitioner is seeking a variance to enclose a porch on the front of the home. Additionally, the petitioner is seeking to raise the home up to make a walkout basement.

Petitioner was tabled at the December 14th, 2010 meeting to allow the petitioner time to get a revised letter from an engineer to approve the proposed drainage plan.

Staff recommends that any plan approved by the ZBA be conditioned upon the petitioner having the plans drawn by a certified engineer, that those plans be then reviewed by the Township Engineer and that a certified engineer inspect the actual construction and sign off that they were built according to the plans.

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40		-
Setbacks Requested	15					
Variance Amount	20					

revised  
letter

P.O. Box 163 • Fowlerville, MI 48836  
(586) 980-9118 • Fax (517) 546-2059

January 4, 2011

Genoa Township Zoning Board of Appeals  
2911 Dorr Road  
Brighton, Michigan 48116

Re: 1330 Clark Lake Road Residence, Chris Malysz

Dear Board Members :

At the request of Mr. Malysz, I have reviewed the proposed site improvement plan and inspected the existing field conditions regarding the referenced residential property. Based on my review and site inspection, I offer the following for your consideration:

1. The proposed grading required for elevating the existing house will allow for concentrated rainfall run-off to be diverted to two drainage swales along the east and west property lines. The two swales shall be approximately 1 – 2 feet deep and shall be stabilized with sod or seed and mulch or stabilization blankets.
2. Proposed grading will provide positive drainage away from the house.
3. A low point shall be established along the east side of the driveway near Clark Lake Road. A two (2) foot diameter storm drain inlet structure with a flat drain cover shall be provided at the low point in order to intercept run-off from the high point to the driveway. An 8" diameter PVC drainage pipe constructed at 1.00% grade shall be provided as an outlet for the drainage structure. The pipe shall outlet into the west side drainage swale. Stone rip-rap placed over geotextile fabric shall be provided at the point of discharge.
4. Rooftop drainage leads shall be connected to an enclosed piping network and diverted down grade to the drainage swales along the east and west property lines
5. All appropriate approvals and permits shall be acquired prior to the start of any work on this site.
6. Proper soil erosion and sedimentation devices shall be in place prior to the start of work.
7. All disturbed areas shall be stabilized with seed and mulch as soon as the final grade is established.

The proposed improvements to this site will result in negligible rainfall runoff from this site to flow onto adjacent properties. Drainage runoff from Clark Lake Road along the frontage of the subject property and drainage runoff from the site will be contained within the site and will eventually discharge into Clark Lake.

I would recommend that Mr. Malysz hire a licensed civil engineer to monitor construction of the proposed improvements and prepare an "as-built" plan of the improvements and provide certification that the improvements are in substantial compliance with the design plan.

If you should have any questions or need additional information, please call me at (586) 980-9118.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. J. Goodreau', with a long horizontal flourish extending to the right.

William J. Goodreau, PE

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 10-25 Meeting Date: 11-16-10

- 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: DOLORES MALYSZ

Property Address: 1330 CLARK LRD. Phone: 810-923-8843 586-292-6688

Present Zoning: LRR Tax Code: 11-12-400-009

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: FRONT YARD SETBACK

2. Intended property modifications: ENCLOSED FRONT ENTRY, GRADING

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) HOME SETS 48" LOWER THEN ROAD.

b. Other (explain) RAISE HOME 68" S, CONVERT TO WALK OUT BASEMENT.

**Variance Application Requires the Following:**

**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 8 1/2 and 14 in size.**

- **Waterfront properties must indicate setback from water for adjacent homes**
- **Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting**
- **Petitioner (or a Representative) must be present at the meeting**

Date: 22 Oct 2010

Signature: Dolores Malysz

**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 Adam or Amy at the township office to discuss what your next step is.**

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
DECEMBER 14<sup>TH</sup>, 2010  
6:30 P.M.**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Jeff Dhaenens, Barbara Figurski, Marianne McCreary and Chris Grajek. Also present was Township staff member Adam VanTassell and 10 persons in the audience.

**Moved** by Figurski, supported by McCreary, to approve the agenda as submitted. **Motion carried unanimously.**

**10-25...A request by Dolores Malysz, Section 12, 1300 Clark Lake Road, for a front yard variance to construct an addition.**

A call to the public was made with the following response: Mr. Kenneth Frasheski, 1348 Clark Lake Road, stated that he is the immediate neighbor to the east and would like to know when the next meeting is and if comment will be made available.

**Moved** by Grajek, supported by Figurski to table petitioner requests until the next meeting to give petitioner time to get clarification on the engineering letter submitted by Civil Design Services. **Motion carried unanimously.**

**10-27...A request by John Sherston, Section 10, 1706, 1462 S. Hughes Road, for a front variance to extend existing gables.**

A call to the public was made with no response.

**Moved** by Figurski, supported by Grajek, to grant case#10-27 for a 42 foot variance with a 28 foot setback to allow extension of the roof to accommodate pedestrian ingress and egress. The finding of the fact is the size of the lot facing onto Hughes Road and the topography of the lot. Motion carried unanimously.

**10-28...A request by Eileen Klein, Section 12, 1706 High Haven, for a side detached and rear yard variance to allow for an addition to a non-conforming detached accessory structure.**

Chairman Dhaehens made a call to the public. Mr. Saunders of 6945 Wide Valley Drive, spoke on behalf of Ms. Bhasvar. Mr. Sanders stated that Ms. Bhasvar has submitted packets of information to the Zoning Board of Appeals to review. He went over some points in the letters to the board.

**Moved** by Wildman, supported by Figurski, to approve case #10-24, 5365 Walnut Hills Drive, for a rear yard variance of 10' with a 50' setback to construct an addition. Approval conditioned upon the addition being guttered. The finding of fact is the topography of land and the proximity of the wetlands. **Motion carried unanimously.**

**10-25...A request by Dolores Malysz, Sec. 12, 1330 Clark Lake Road, for a front yard variance to construct an addition.**

Mr. Malysz read from the following letter: "I am here this evening to request relief on a unique situation and a hardship that I have to address at 1330 Clark Lake Road pertaining to drainage and runoff of the road and surrounding properties within 300 ft. of 1330 Clark Lake Road.

The finish floor elevation sets between 5 and 6 feet lower than the properties to the north. The drainage and runoff from these properties on their south and east sides all runs towards North Clark Lake Road. Over a period of time the Livingston County Road Commission has changed the direction of the runoff and elevations of the road resulting in the water running into the front yard and driveway at 1330 Clark Lake Road. The drainage and runoff follows a path down the driveway and through the front yard, into and around the crawlspace and basement causing foundation failures, than eventually draining into the neighbor's yard to the east.

Through further inspection it was discovered that the foundation for the crawlspace at 1330 Clark Lake Road isn't deep enough to meet frost codes. It currently only has 24 inches of block below finish grade and code requires a minimum of 42 inches of frost protection.

My requests for relief have taken into the account the following items and none of them being more important or to be concerned about then the other: public safety, drainage and runoff, building codes, topography, neighborhood characteristics, conformity to Genoa Townships Ordinances under Article 24: Non-Conforming structures and uses, any foreseeable concerns of Genoa Township and the neighbors and added value to the community.

With the change of elevation of the structure a change of egress into the structure would be moved from the side of the structure to the roadside front of the home. A ten foot by twelve foot (10 X 12) enclosed entry would be added on. Taking into account the entry would be an encroachment into the front yard setback currently enforced by the Township "a line of sight" for vehicular and pedestrian safety was taken into account.

The Clark Lake Park Community is a rural development, platted and subdivided in 1923 with no sidewalks for pedestrians to walk on. At no point is there less than 300 feet of unobstructed view of the road for vehicle and pedestrian traffic to have sight of one another.

As mentioned before there is a large collection of water that drains onto this property from the property to the north and Clark Lake Road. It drains into the front yard and driveway at 1330 and then into the yard of the property directly to the East, and drain at it's will.

The solution that is being proposed will contain and redirect the runoff. The change in grade proposed will redirect 95% of the current runoff towards and around the West side of the garage with the implementation of a small swale adjacent and following the Southside of Clark Lake Road beginning at the Northeast property iron. The swale drainage will be caught in a catch basin and redirected through a storm drain to another swale along the Westside of the existing garage at 1330 Clark Lake Road down to the lake. With respect to the other 5% of the runoff, a small swale along the East property line will be developed to catch the remaining balance from the front yard and directed down towards the lake. No change in grades will be implemented along the Eastside of the structure; all grades will remain the same. To further reduce any uncontrolled runoff, PVC drains from the downspouts will be installed underground and terminated at the lakes edge.

This where a unique situation and hardship takes place. Given the topography, structure elevation, existing grades of the surrounding properties, road elevations, zoning ordinances being enforced, accompanied with the construction standards applied to the structure, corrections and modernization to current standards need to be applied. The increase elevation will allow for control of the runoff and meet currently enforced codes. Here are just a few of the corrections needed to be made that are imperative of your relief: treated sill plate, proper anchoring of the structure to the foundation, proper foundation depth below frost line, proper finish grades and drain water control and diversion, proper waterproofing of the foundation, proper insulation of the foundation, attractive landscaping and ground cover. As I stated above, these are a few of the improvements that will be made to the property but only with your relief.

Clark Lake Park Subdivision was platted in 1923 with no set standards to the homes nor were any deed restrictions registered with the county leaving it an eclectic development of random decorative ideas. Homes range from setbacks of as little as 6 feet to in the front yard to within 2 feet of side yard. The proposed addition to the front of the structure would be within the front yard setback but would not cause any hardships, eyesores or public safety concerns. It would still be setting back from the road approximately 30 feet.

As stated previously, Clark Lake Park Subdivision was platted in 1923 which predates the current zoning and construction standards by more than 80 years. New and more modern ordinances have been put into place such as the Lakeshore Resort Residential (LRR) as a standard for new developments to meet new safety and construction standards. Some of the considerations would be for the following: there is more than adequate sight distances for public safety and operation, separation of structures for fire jumping prevention and adequate room to extinguish and fight a fire, perform any future maintenance or improvements to the property without causing any hardship or inconvenience on adjacent property owners, additionally heights, egress and drainage



considerations. All of these standards and considerations are being addressed and met given the dimensions and topography of the property however a front yard setback is in need for relief. Under Article 24.04.06 of the ordinance the repairs, improvements and or modernization shall be less then ½ of the value of the property during any period twelve months.

Any foreseeable concerns of Genoa Township or the neighbors. I've tried to give everything that is to be undertaken on this project the utmost consideration and concern for public safety and any concerns of the Township and neighbors in this community. The project won't impair anyone's view, I will be alleviating, I am sure unwanted water from the properties to the north, from further damaging mine or the neighbor's property to the east. I've spoken to numerous neighbors in the community and they all think that it is a great idea and would be nice improvement to the development.

Given today's real estate market any type of dollars invested into a residential project is a plus for the community to improve its appearance, make it a more desirable location and create a higher taxable value for the Township."

A call to the public was with the following responses: Kenneth and Cheryle Frasheski, 1348 Clark Lake Road, stated that he had a lot of concerns with the drainage from the property with the addition of the front porch and raising the walls, how much runoff is he going to get on his property. He would like to know where the concrete holding tank and the leech bed is on the property and with the lot being small are the workers going to be driving over the septic while they do the work. This property is located at the shallow end of the lake and what would happen to the overflow?

**Moved** by Figurski, supported by Grajek to allow the petitioner time to supply the Zoning Board of Appeals with a letter of approval from a drainage engineer. **Motion carried unanimously.**

**10-26...A request by Lawrence Bacon, Sec. 22, 5100 Wildberry Lane, for a waterfront variance to construct an addition.**

A call to the public was made with no response.

**Moved** by Wildman, supported by McCreary, to approve case #10-26, 5100 Wildberry Lane, for a 37' variance with a 93' setback . Conditioned upon the structure being guttered. The finding of fact is the topography of the land. Motion carried unanimously.

**Moved** by Figurski, supported by McCreary to approve the minutes of the October 19<sup>th</sup>, 2010 Zoning Board of Appeals with corrections as submitted. **Motion carried as follows: Ayes- Figurski, McCreary, Wildman, and Dhaenens. Abstain: Grajek.**

The meeting adjourned at 7:55 p.m.

November 23, 2010

Adam VanTasle  
Genoa Township Zoning Board of Appeals  
2911 Dorr Road  
Brighton, Michigan 48116

Re: 1330 Clark Lake Road Residence, Chris Malysz

Dear Board Members and Mr. VanTasle:

At the request of Mr. Malysz, I have reviewed the proposed site improvement plan and inspected the existing field conditions regarding the referenced residential property. Based on my review and site inspection, I offer the following for your consideration:

1. The proposed grading required for elevating the existing house will allow for concentrated rainfall run-off to be diverted to two drainage swales along the east and west property lines. The two swales shall be approximately 1 – 2 feet deep and shall be stabilized with sod or seed and mulch or stabilization blankets.
2. Proposed grading will provide positive drainage away from the house.
3. A low point shall be established along the east side of the driveway near Clark Lake Road. A two (2) foot diameter storm drain inlet structure with a flat drain cover shall be provided at the low point in order to intercept run-off from the high point to the driveway. An 8" diameter PVC drainage pipe constructed at 1.00% grade shall be provided as an outlet for the drainage structure. The pipe shall outlet into the west side drainage swale. Stone rip-rap placed over geotextile fabric shall be provided at the point of discharge.
4. Rooftop drainage leads shall be connected to an enclosed piping network and diverted down grade to the drainage swales along the east and west property lines
5. All appropriate approvals and permits shall be acquired prior to the start of any work on this site.
6. Proper soil erosion and sedimentation devices shall be in place prior to the start of work.
7. All disturbed areas shall be stabilized with seed and mulch as soon as the final grade is established.

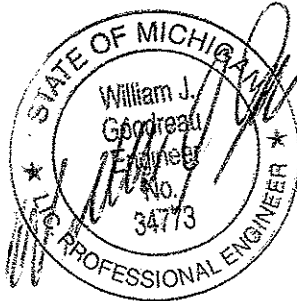
In conclusion, the proposed improvements will reduce rainfall drainage from the subject property onto adjacent properties.

If you should have any questions or need additional information , please call me at (586) 980-9118.

Sincerely,



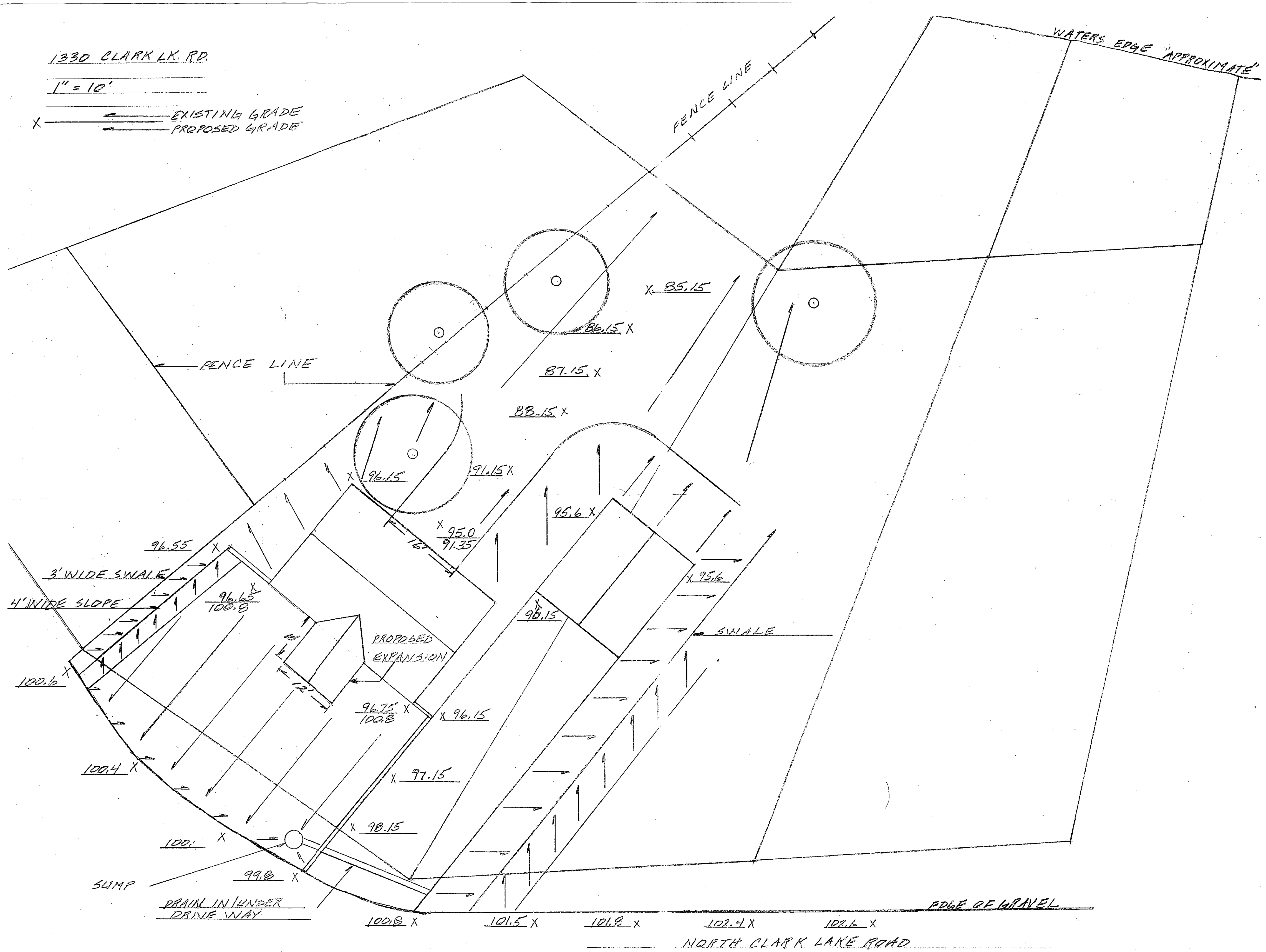
William J. Goodreau, PE



1330 CLARK LK. RD.

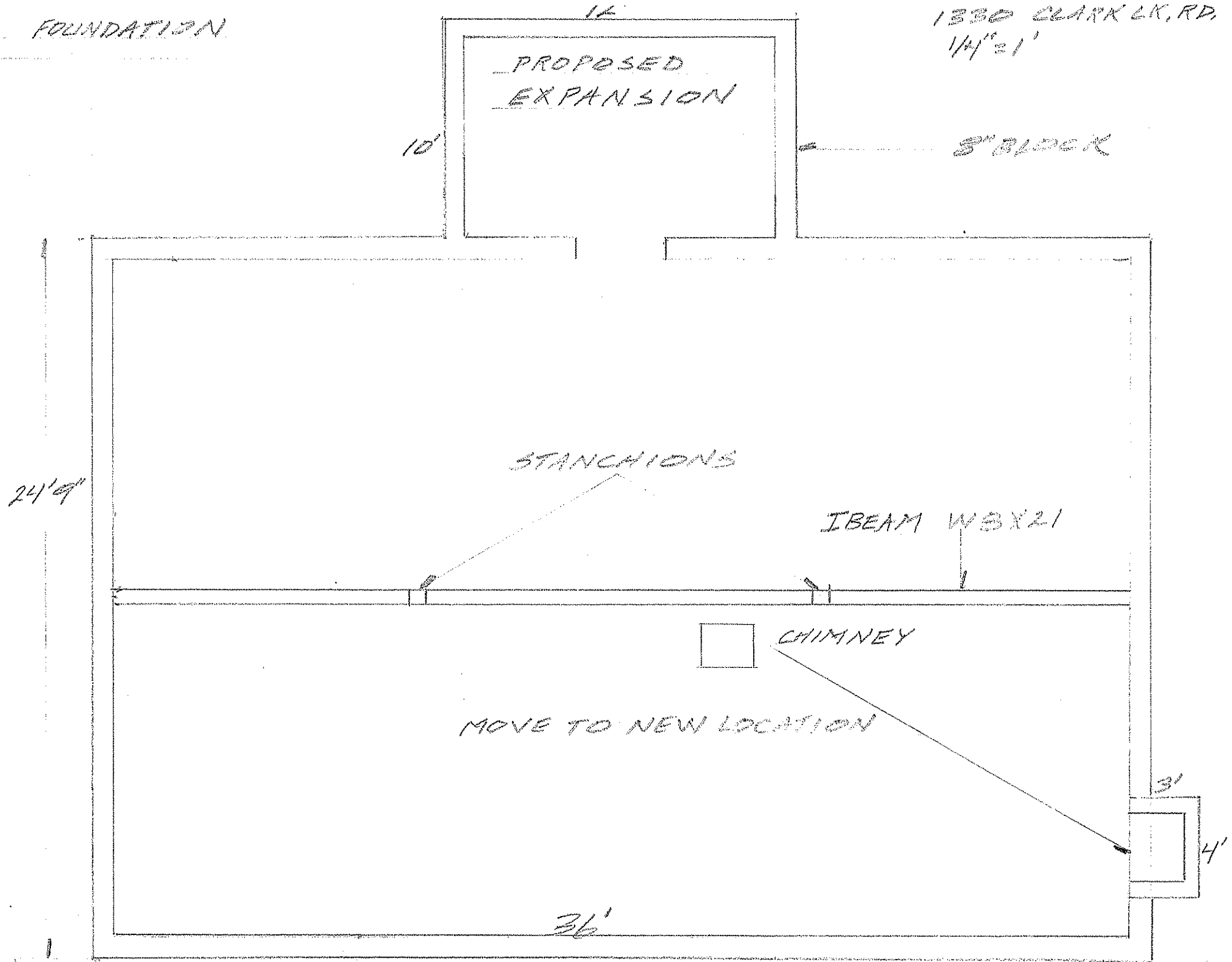
1" = 10'

← EXISTING GRADE  
← PROPOSED GRADE



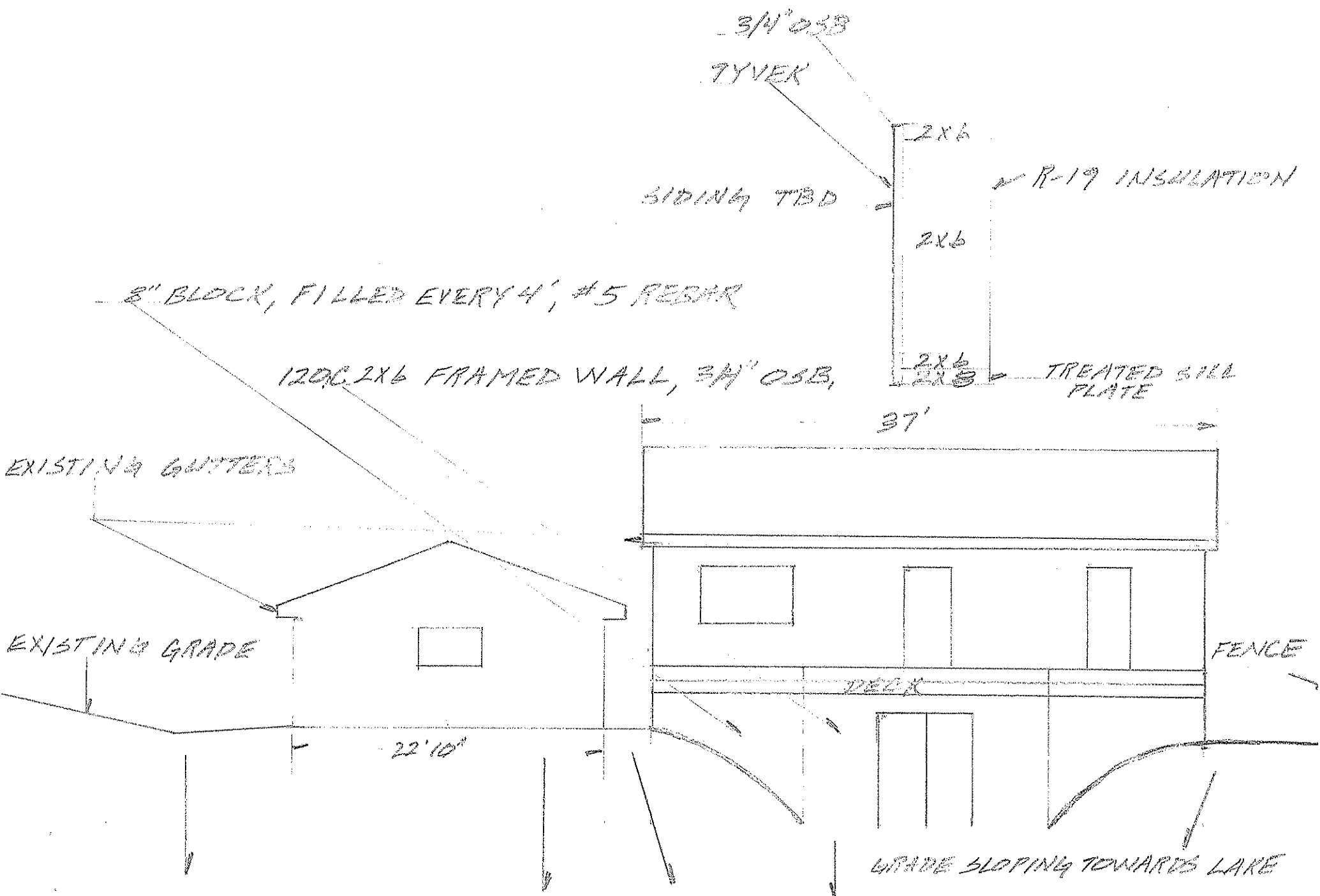
FOUNDATION

1330 CLARK CK, RD.  
1/4" = 1'

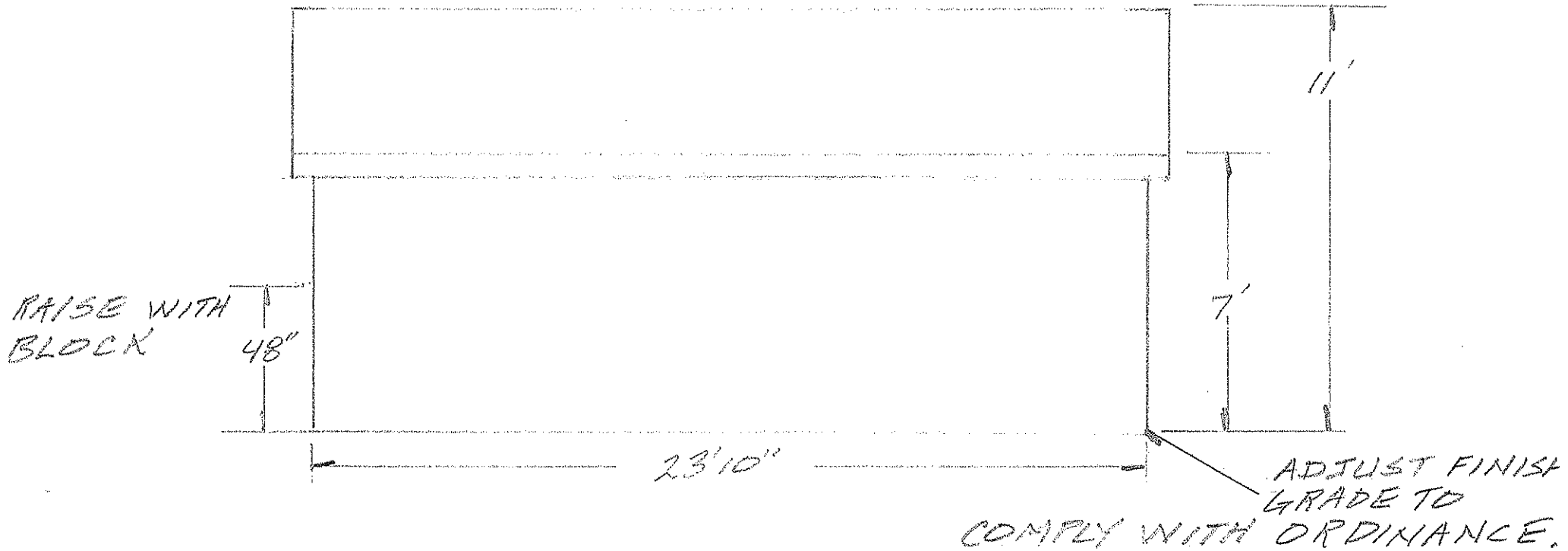


1330 CLARK LKRD.

1/8" = 1'



$\frac{1}{4}'' = 1'$



October 19, 2010

Adam VanTassell  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

Re: 1330 N. Clark Lake Road  
Delores Malysz/Chris Malysz

Dear Mr. VanTassell:

I am in receipt of Mr. Malysz's October 14, 2010 letter in response to my recommendation to the Township in this matter. My reply is as follows. While I am sympathetic to Mr. Malysz's situation, it is still my opinion that Ms. Malysz (Mr. Malysz's mother) needs a variance to construct the improvements that her son is requesting on her behalf. Mr. Malysz in his letter acknowledges the proposed "vertical expansion" of the home (paragraph 3). Even though Mr. Malysz is not now proposing to expand the living area he is intending on expanding the structure vertically and part of this vertical expansion will be within the required setback area. Please refer to Section 24.04.08 of the Genoa Township Ordinance – it is not limited to expansion of habitable living space.

If you have any further questions about this matter, please let me know

Sincerely,

MANCUSO & CAMERON, P.C.

Frank J. Mancuso, Jr.



October 14, 2010

Frank J. Mancuso, Jr.  
MANCUSO & CAMERON, P.C.  
317 West Main Street  
Brighton, MI 48116-1525

and  
Adam Van Tassell  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

Re: 1330 N. Clark Lake Road  
Delores Malysz/Chris Malysz

Gentlemen:

I am writing in response to Mr. Mancuso's letter of October 8, 2010 pertaining to the above-referenced matter, to-wit:

First of all, thank you for your letter, although I do not agree with all of your findings and conclusions. That said, I am writing this letter to propose an interim solution to my primary objective, that being securing a permit to perform basement/foundation work at the above-cited residence.

For the record, I need to implement improvements at 1330 N. Clark Lake Road as my mother, Delores Malysz, is permitting me to assume residence at this premises as I will soon be losing my home across the lake due to foreclosure. Otherwise, I might find my son and myself homeless at the outset of 2011.

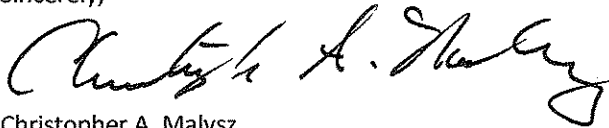
With respect to the interim solution, I am proposing to implement the basement improvements respecting the required 35' setback. In other words, I will leave the area within the 35' setback as a crawl space with a dirt floor. Therefore, no additional habitable living space will be included in the vertical expansion of the building. Foundation modifications/repairs will only be implemented within the existing five foot front yard encroachment area.

Let me reiterate: The only living space added to the structure will be a finished, walkout basement that is at or behind the required 35' setback line. The area between the existing 30' setback and the required 35' setback will remain a crawl space with a dirt floor. Moreover, I will not endeavor to convert that 5' crawl space to habitable space until and if I am granted a Variance or other remedy prescribed under the code.

I would also like to point out that the gradients I am proposing to implement will not divert storm water runoff onto adjacent properties. (I think there may be some confusion over my drawings and instructions.) I intend to direct all of the runoff to the lake.

I am trying to secure the issuance of the required permits before the weather works against my plans. Thank you for your additional consideration of this matter.

Sincerely,



Christopher A. Malysz

cc. Delores Malysz

October 8, 2010

Adam VanTassell  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

Re: 1330 N. Clark Lake Road  
Delores Malysz/Chris Malysz

Dear Mr. VanTassell:

As you requested, I have reviewed Mr. Chris Malysz's request to raise his mother's home located at 1330 N. Clark Lake Road in the Township. According to the Assessor's records, the property is owned by Delores Malysz and is zoned Lakeshore Resort Residential (LRR). The minimum front yard setback required for that zoning district is 35' as you stated. The home currently sits back 30' from the front lot line which means that the home is a non-conforming structure under the ordinance. You have informed me that Mr. Malysz has intending on raising the home 5.8 feet and raising the garage 4 feet. Mr. Malysz has informed you that the home is in need of foundation repairs and that the home should be raised to prevent future damage to the foundation from water. I have also visited the site to familiarize myself with the topography of the surrounding properties, especially the property to the East which is under different ownership.

Article 24 of the Genoa Township Zoning Ordinance governs Nonconforming Structures and Uses. Section 24.02 states: Buildings, structures, lots and uses of land which were lawfully in existence at the time or enactment of amendment to this ordinance and which have been prohibited, regulated or restricted under the terms of this Ordinance are hereby recognized as nonconforming buildings, structures, lots, uses and sites. Section 24.04.08 provides as follows: Expansion of a Nonconforming Residential Building; A residential nonconforming building may be expanded provided the expansion will be within required setbacks and other dimensional and building code requirements are met (spacing between structures, height, maximum lot coverage, etc.).

Mr. Malysz intends on raising his mother's home and converting the existing crawl space to a walkout basement. This is an expansion of a non-conforming building even though Mr. Malysz is not expanding the footprint of the building further into the front yard setback. Mr. Malysz is adding living space/usable space to the home. As such, Mr. Malysz should be required to apply for a variance to raise the home.

There are some other concerns that I want to point out to you with regard to the proposed improvements. First, the site plan and drawings that Mr. Malysz submitted are inconsistent.

You pointed out that Mr. Malysz intends on installing a retaining wall on the North-East corner of the home to maintain the grade on the East Side of the home and in the rear of the home at its present elevation – this is shown on the Site Plan. However, the rear elevation sketch that Mr. Malysz submitted shows the new elevated grade on the East side of the home (to the rear corner) where it then slopes down at the rear of the home. The property to the East of the subject home is significantly lower than the subject property and, according to the site plan submitted by Mr. Malysz, contains a septic field. Raising the grade on the East side of the subject home may cause additional water runoff to the neighboring property unless measures are taken in the design and construction of the subject home to prevent additional water runoff to the East.

Lastly, the Site plan submitted by Mr. Malysz also shows the construction of a retaining wall on the West side of Lot 113 from the North West corner of the home. The sketch of the side elevation submitted by Mr. Malysz shows that the finish grade will be approximately 4" (5' – 68") lower than the grade of the road. This along with the construction of the retaining wall extending from the North East corner of the home seems to suggest that the only place for all of the storm water to drain will be to the East. This may cause problems with the neighbor to the East in the form of additional storm water runoff.

In summary, my conclusion is that Mr. Malysz is required to apply for a variance to raise the home and/or garage at 1330 N. Clark Lake Road and that if the ZBA is to consider granting the variance, consideration should be given to managing storm water runoff from the property as a condition of granting the variance.

If you have any questions, please feel free to contact me.

Sincerely,

MANCUSO & CAMERON, P.C.

Frank J. Mancuso, Jr.

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Z.B.A. of Genoa Township  
Meeting on November 16, 2010  
For variances at 1330 Clark LK.RD.  
Brighton, MI. 48114

I am here this evening to request relief on a unique situation and a hardship that I have to address at 1330 Clark Lake Road pertaining to drainage and runoff of the road and surrounding properties within 300 ft. of 1330 Clark Lake Road.

The finish floor elevation sets between 5 and 6 feet lower than the properties to the north. The drainage and runoff from these properties on their south and east sides all runs towards North Clark Lake Road. Over a period of time the Livingston County Road Commission has changed the direction of runoff and elevations of the road resulting in the water running into the front yard and driveway at 1330 Clark Lake Road. The drainage and runoff follows a path down the driveway and through the front yard, into and around the crawlspace and basement causing foundation failures, than eventually draining into the neighbor's yard to the east.

Through further inspection it was discovered that the foundation for the crawlspace at 1330 Clark Lake Road isn't deep enough to meet frost codes. It currently only has 24 inches of block below finish grade and code requires a minimum of 42 inches of frost protection.

My requests for relief have taken into account the following items and none of them being more important or to be concerned about then the other.

1. Public safety.
2. Drainage and runoff.
3. Building Codes.
4. Topography.
5. Neighborhood characteristics.
6. Conformity to Genoa Townships Ordinances under Article 24: Non-Conforming Structures and Uses.
7. Any foreseeable concerns of Genoa Township and the neighbors.
8. Added value to the community.

Public Safety.

With the change of elevation of the structure a change of egress into the structure would be moved from the side of the structure to the roadside/front of the home. A ten foot by twelve foot (10'X12') enclosed entry would be added on. Taking into account the entry would be an encroachment into the front yard setback currently enforced by the Township "a line of sight" for vehicular and pedestrian safety was taken into account.

The Clark Lake Park Community is a rural development, platted and subdivided in 1923 with no sidewalks for pedestrians to walk on. At no point is there less than 300 feet of unobstructed view of the road for vehicle and pedestrian traffic to have sight of one another.

### Drainage and Runoff.

As mentioned before there is a large collection of water that drains onto this property from the properties to the north and Clark Lake Road. It drains into the front yard and driveway at 1330 and then into the yard of the property directly to the East, and drain at it's will.

The solution that is being proposed will contain and redirect the runoff. The change in grade proposed will redirect 95% of the current runoff towards and around the West side of the garage with the implementation of a small swale adjacent and following the Southside of Clark Lake Road beginning at the Northeast Property iron. The swale drainage will be caught in a catch basin and redirected through a storm drain to another swale along the Westside of the existing garage at 1330 Clark Lake Road down to the lake. With respect to the other 5% of the runoff, a small swale along the East property line will be developed to catch the remaining balance from the front yard and directed down towards the lake. No change in grades will be implemented along the Eastside of the structure; all grades will remain the same. To further reduce any uncontrolled runoff, PVC drains for the downspouts will be installed underground and terminated at the lakes edge.

### Building Codes and Topography.

This where a unique situation and hardship takes place. Given the topography, structure elevation, existing grades of the surrounding properties, road elevations, zoning ordinances being enforced, accompanied with the construction standards applied to the structure, corrections and modernization to current standards need to be applied.

The increased elevation will allow for control of the runoff and meet currently enforced codes. (See attached). Here are just a few of the corrections needed to be made that are imperative of your relief.

1. Treated sill plate.
2. Proper anchoring of the structure to the foundation.
3. Proper foundation depth below frost line.
4. Proper finish grades and drain water control and diversion.
5. Proper waterproofing of the foundation.
6. Proper insulation of the foundation.
7. Attractive landscaping and ground cover.

As I stated above, these are a few of the improvements that will be made to the property but only with your relief.

### Neighborhood characteristics.

Clark Lake Park Subdivision was platted in 1923 with no set standards to the homes nor any deed restrictions were registered with the county leaving it an eclectic development of random decorative ideas.

Homes range from setbacks of as little as 6 feet to in the front yard to within 2 feet of side yard.

The proposed addition to the front of the structure would be within the front yard setback but would not cause any hardships, eyesores or public safety concerns. It would still be setting back from the road approximately 30 feet.

Conformity to Genoa Township Ordinances under Article 24: Non-Conforming Structures and Uses.

As stated previously, Clark Lake Park Subdivision was platted in 1923 which predates the current zoning and construction standards by more than 80 years. New and more modern ordinances have been put into place such as the Lakeshore Resort Residential (LRR) as a standard for new developments to meet new safety and construction standards. Some of the considerations would be for the following. There is more than adequate sight distances for public safety and operation, separation of structures for fire jumping prevention and adequate room to extinguish and fight a fire, perform any future maintenance or improvements to the property without causing any hardship or inconvenience on adjacent property owners, additionally height, egress and drainage considerations. All of these standards and considerations are being addressed and met given the dimensions and topography of the property however a front yard setback is in need for relief.

Under Article 24.04.06 of the ordinance the repairs, improvements and or modernization shall be less than ½ of the value of the property during any period of twelve months.

Any foreseeable concerns of Genoa Township or the neighbors.

I've tried to give everything that is to be undertaken on this project the utmost consideration and concern for public safety and any concerns of the Township and neighbors in this community. The project won't impair anyone's view, I will be alleviating, I'm sure unwanted water from the properties to the north, from further damaging mine or the neighbor's property to the east. I've spoken to numerous neighbors in the community and they all think that it is a great idea and would be a nice improvement to the development.

Added value to the community.

Given today's real estate market any type of dollars invested into a residential project is a plus for the community to improve its appearance, make it a more desirable location and create a higher taxable value for the Township.

Thank you for your time and consideration.

Sincerely,

Christopher A. Malysz

# 1330 Clark Lake Road



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MARCH 15<sup>th</sup>, 2011**  
**CASE #11-05**

**PROPERTY LOCATION:** 3856 Beattie

**PETITIONER:** Ray Henrikson

**ZONING:** CE (Country Estates)

**WELL AND SEPTIC INFO:** Well and Septic

**PETITIONERS REQUEST:** Requesting a rear yard and side yard variance to construct a detached accessory structure on a non-conforming lot.

**CODE REFERENCE:** Section 11.04.01 (c) (2)

**STAFF COMMENTS:** This matter was tabled at the February 15, 2011 meeting to allow the petitioner time to have drawings done placing the proposed structure in the rear yard per the Board's recommendation.

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Rear	Size	Height
Setbacks of Zoning	10	40	40	60	1200	14
Setbacks Requested		15		15	1120	
Variance Amount		25		45		



GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-05 Meeting Date: 2-15-11 @ 6:30

- 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: RAY HENRIKSON

Property Address: 3856 BEATTIE Phone: 517-545-2361

Present Zoning: COUNTRY ESTATES Tax Code: 4711-19-300-007

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: BUILD DETACHED GARAGE  
IN FRONT OF OUR HOUSE AND CLOSER TO SIDE YARD

2. Intended property modifications: \_\_\_\_\_

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) LOCATION OF HOUSE ON PROPERTY  
LOCATED IN BACK 1/4 OF PROPERTY NARROW PROPERTY

b. Other (explain) \_\_\_\_\_

**Variance Application Requires the Following:**

**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 8 1/2 and 14 in size.**

- **Waterfront properties must indicate setback from water for adjacent homes**
- **Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting**
- **Petitioner (or a Representative) must be present at the meeting**

Date: \_\_\_\_\_  
Signature: Ray Henrikson

**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 Adam or Amy at the township office to discuss what your next step is.**

**Moved** by Wildman, supported by Figurski, to grant case #11-04 2062 Webster Park Drive, for a front yard variance of 35 ft. with a 0' setback and an 84' waterfront variance with a 94' setback to construct a 2<sup>nd</sup> story addition. The finding fact is the size of the lot. Conditioned upon the septic field being adequate for an additional bedroom. **Motion carried unanimously.**

**11-05...A request by Ray Henrickson, Sec. 19, 3856 Beattie Road, for a variance to allow a detached accessory structure in the front yard of a non-conforming lot.**

Mr. Ray Henrickson was present for the petitioner.

A call to the public was made with no response.

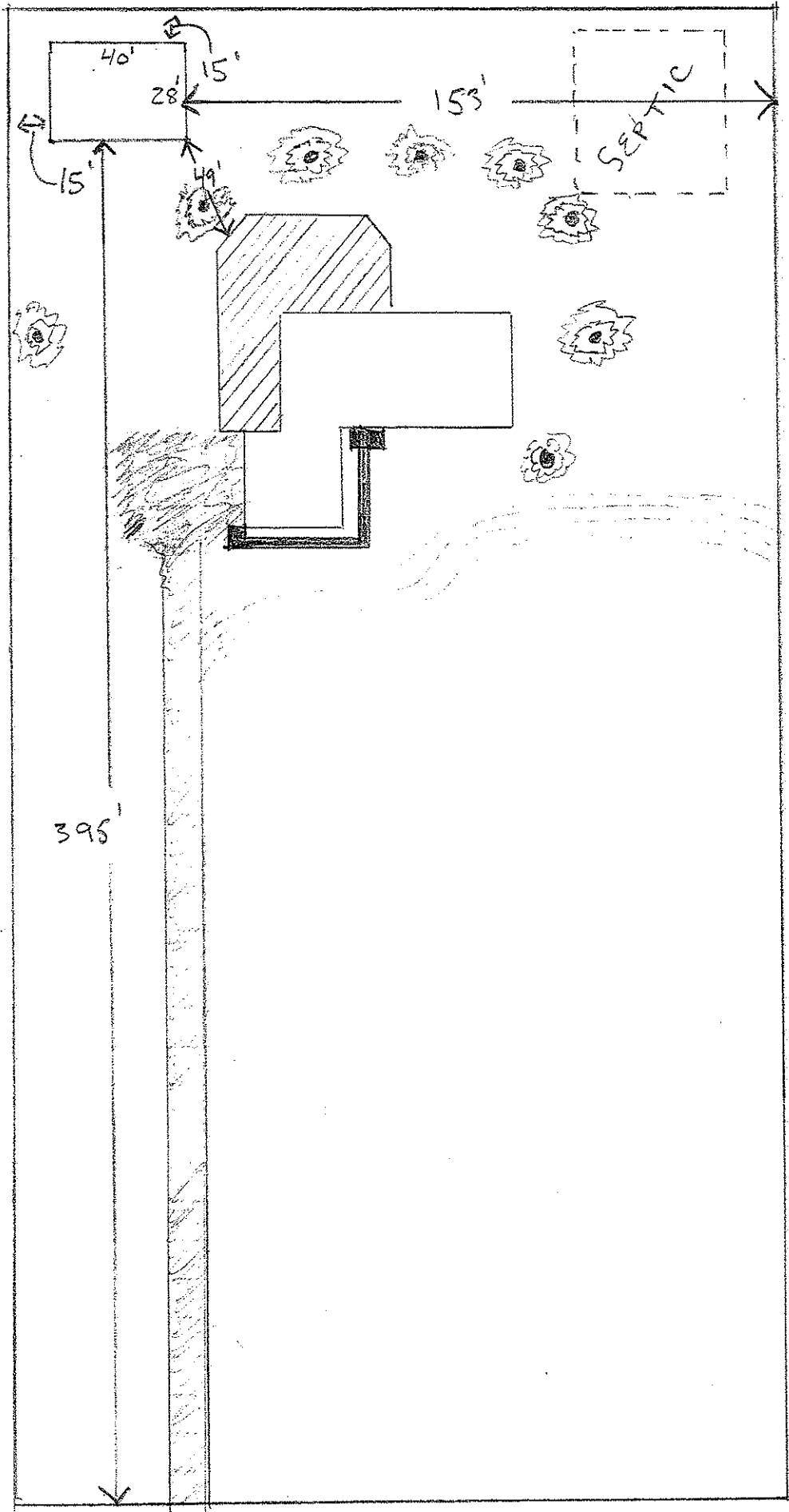
**Moved** by Figurski, supported by Wildman, to table the case until the next ZBA meeting per the petitioner's request. **Motion carried unanimously.**

**Moved** by Figurski, supported by Wildman to approve the January 19<sup>th</sup>, 2011 Zoning Board of Appeals meeting minutes with corrections. **Motion carried unanimously.**

The meeting adjourned at 7:18 pm.

Respectfully Submitted:

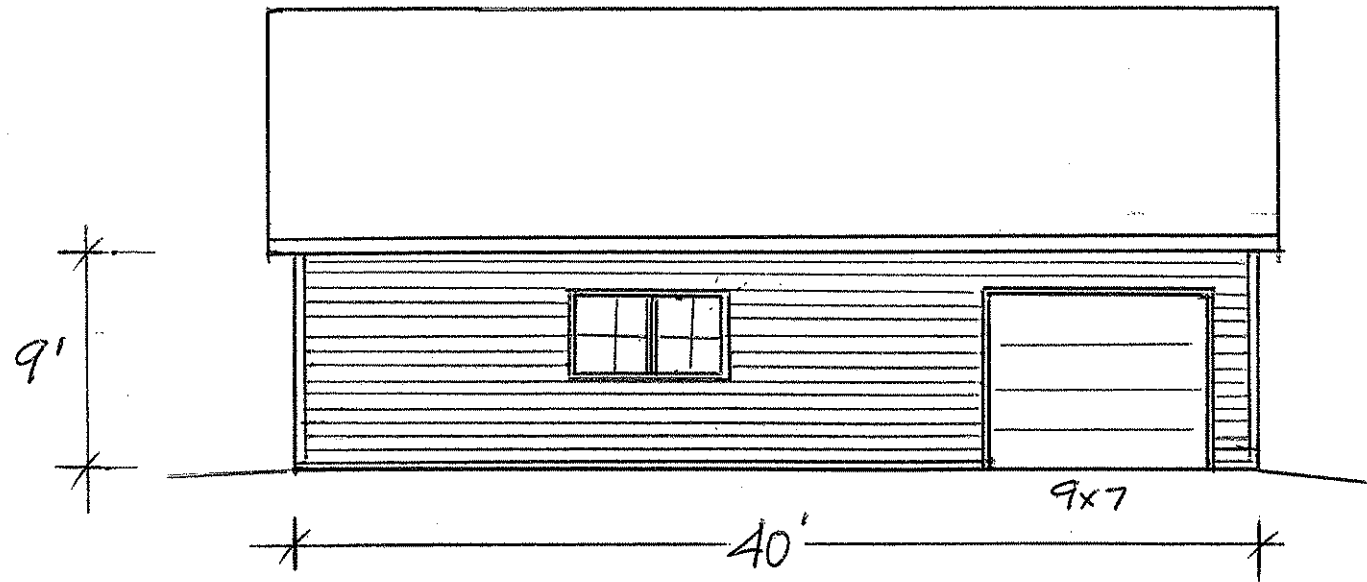
Amy Ruthig



revised drawing

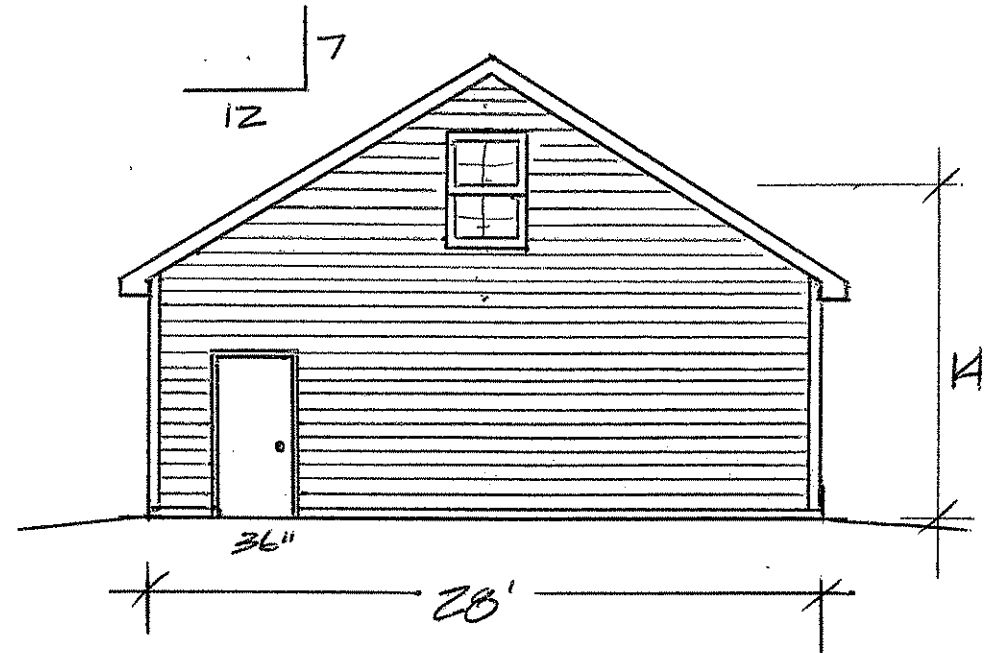
HENRIKSON RESIDENCE  
3856 BEATTIE RD.  
HOWELL, MI

NORTH FACE



TEXTURED SHINGLES  
HORIZONTAL SIDING

WEST SIDE



1/8" = 1'



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MARCH 15<sup>th</sup>, 2011**  
**CASE #11-06**

**PROPERTY LOCATION:** 3934 Highercrest

**PETITIONER:** Tom Crane

**ZONING:** LRR (Lakeshore Resort Residential)

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a side yard variance to construct an addition to an existing nonconforming detached accessory building.

**CODE REFERENCE:** Section 11.04.01 (f) – Accessory structure setbacks on lots under 1 acre in LRR (Lakeshore Resort Residential).

**STAFF COMMENTS:** None

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Front	Size	Height
Setbacks of Zoning	10	10	10	10	900	14
Setbacks Requested		1'4"			870	
Variance Amount		8'8"				

# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-06 Meeting Date: 3-15-11

- 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: TOM CRANE

Property Address: 3934 HIGHCREST Phone: 810-227-4906

Present Zoning: LRR Tax Code: 11-22-302-061

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: PROPOSED ADDITION TO EXIST. DETACHED GARAGE.

2. Intended property modifications: GARAGE ADDITION

This variance is requested because of the following reasons:

a. Unusual topography/shape of land  
(explain) EXIST. GARAGE IS LOCATED 1'-4" FROM SIDE PROP. LINE.

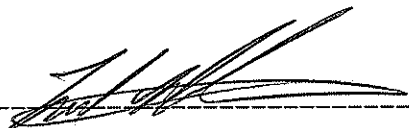
b. Other  
(explain) EXIST. GARAGE IS CURRENTLY 1'-4" FROM THE SIDE PROP. LINE.

THE PROP. ADDITION TO THE GARAGE WILL FOLLOW THIS SAME BUILDING LINE.

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

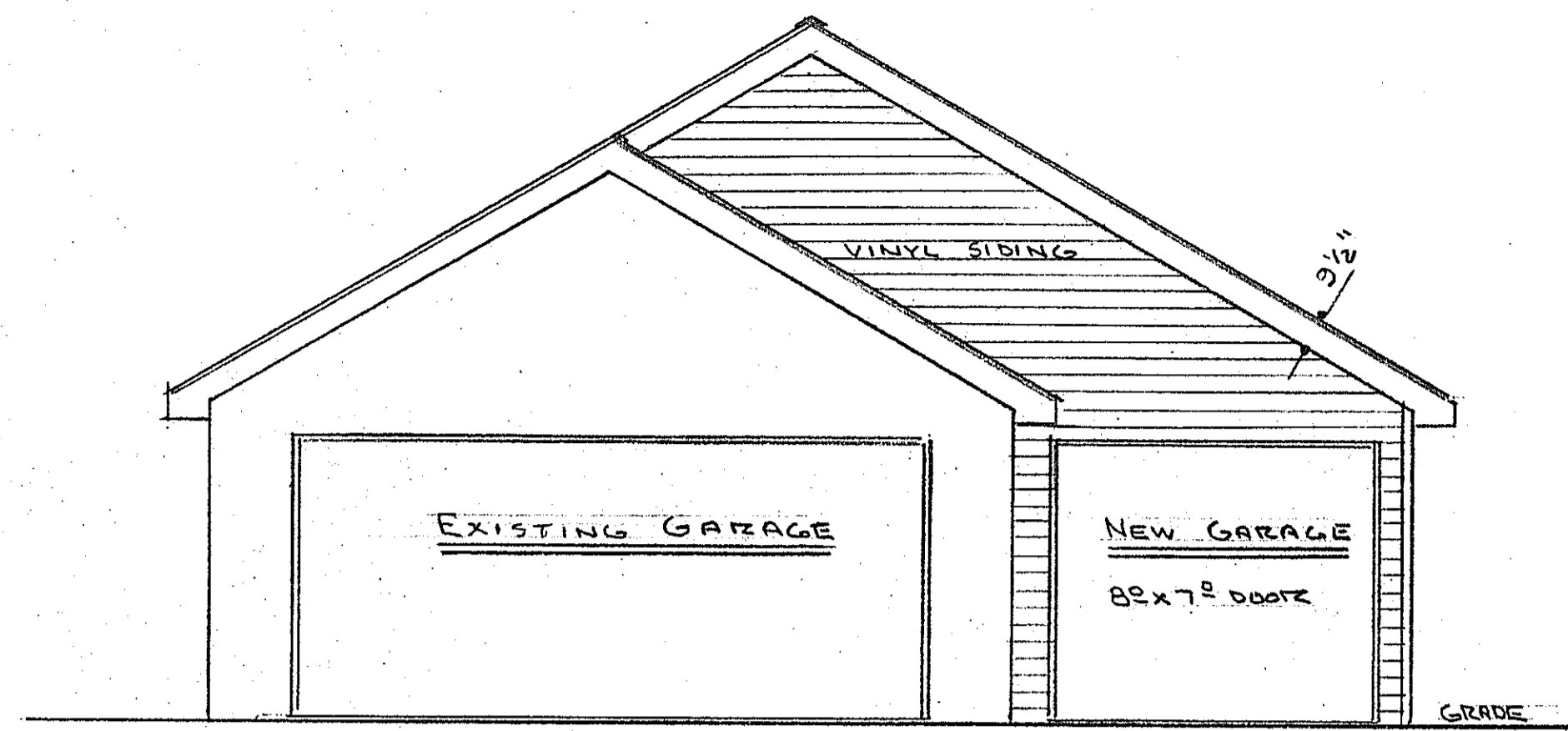
- Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. *Note: Will need 8 copies of any drawings larger than 8 1/2 and 14 in size.*
- **Waterfront properties must indicate setback from water for adjacent homes**
- Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 2-9-11

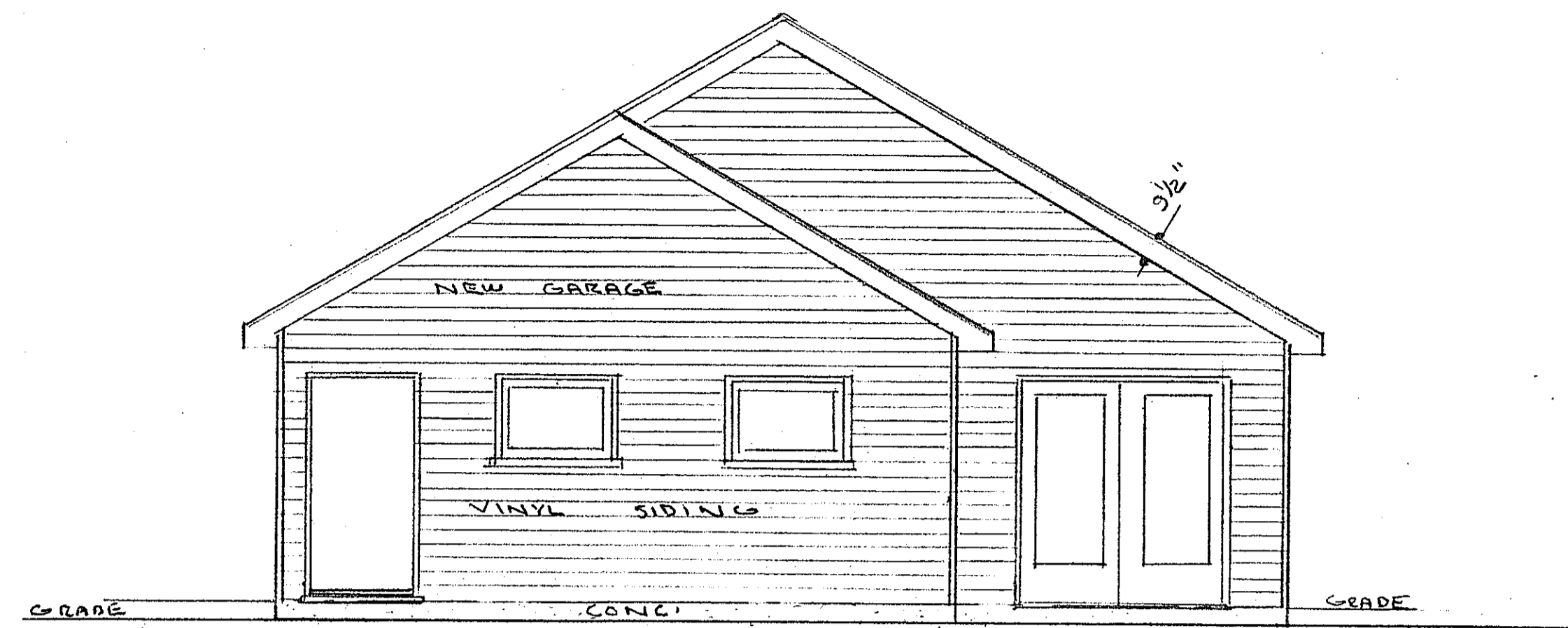
Signature: Thomas L Crane 

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

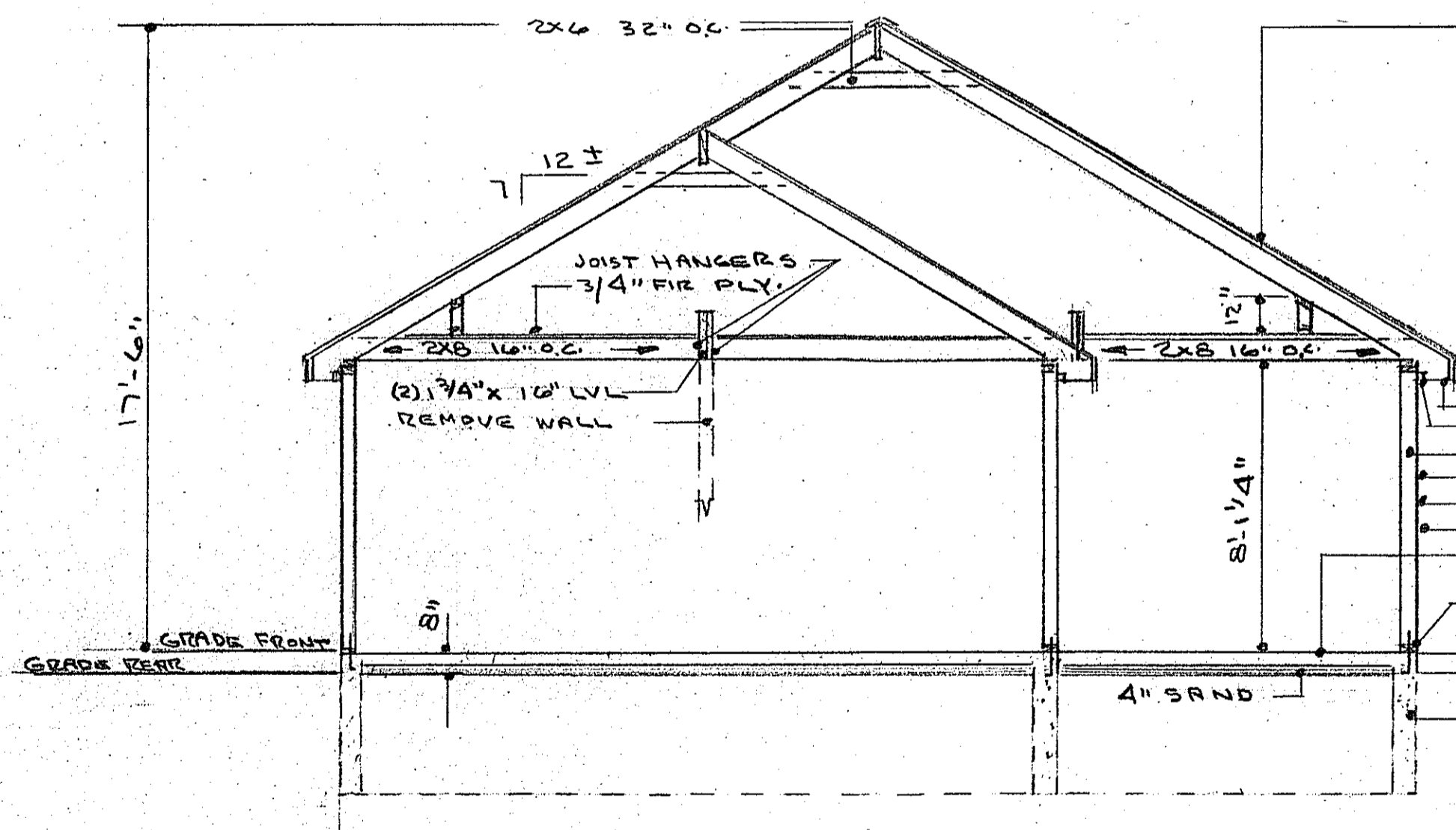
**After the decision is made regarding your variance approval contact Adam or Amy at the township office to discuss what your next step is.**



EAST ELEVATION



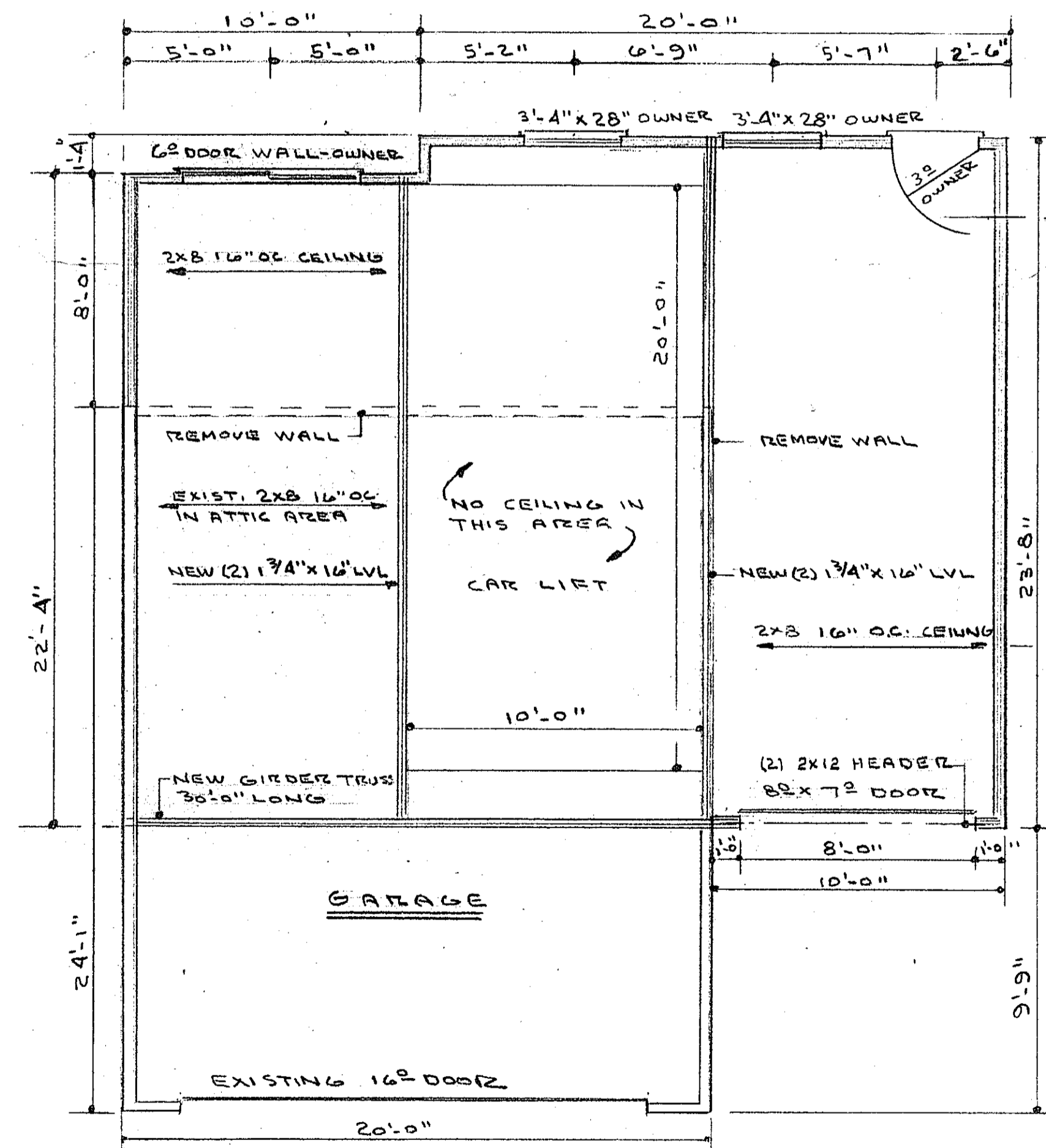
WEST ELEVATION



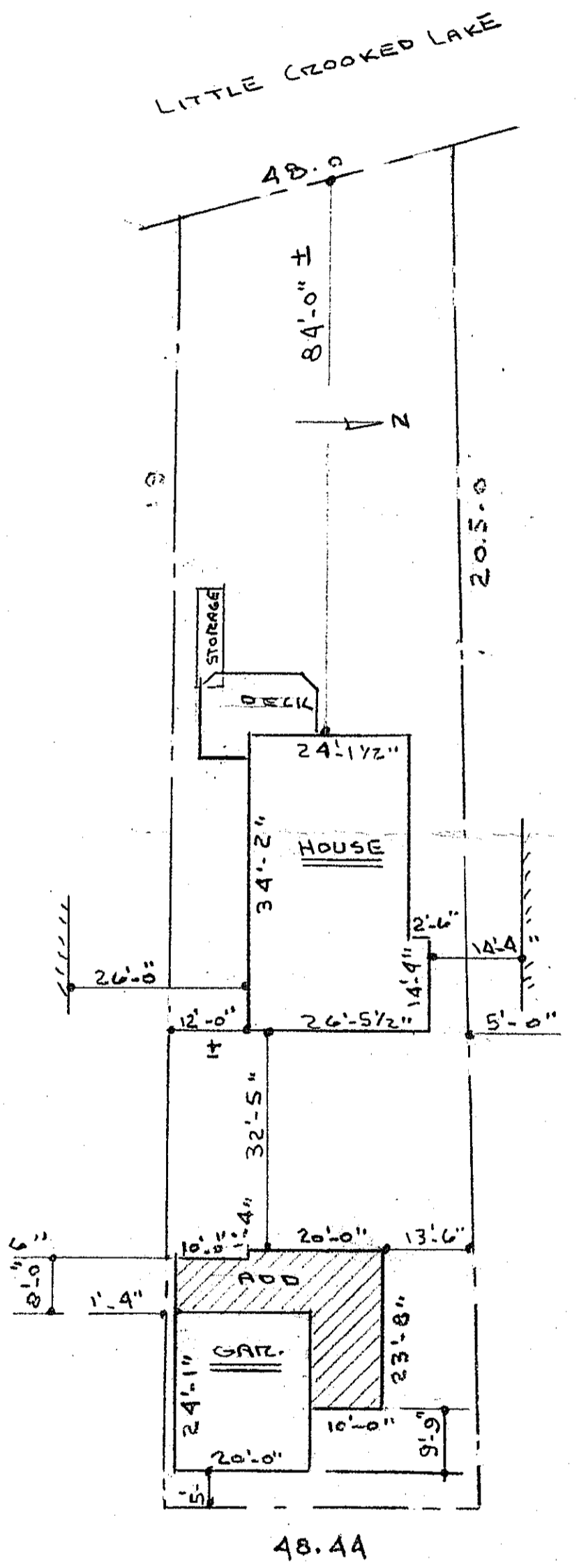
SECTION A  
SCALE 1/4" = 1'-0"

SHINGLED RIDGE VENT  
SEAL DOWN SHINGLES + EXIST. GARAGE  
REMOVE EXISTING SHINGLES  
15# FELT  
7/16 OSB  
2x8 RAFTERS 16" OC  
2x10 RIDGE  
FLASHING  
MATCH EXIST. PITCH  
1" OVER HANG FRONT & REAR  
Drip EDGE  
ALUM. TRIM + EXIST. GARAGE

METAL WIND BRACE  
2x10 FACIA  
13" SOFFIT  
2x4  
2x4 16" OC  
7/16 OSB  
TYVEK  
VINYL SIDING + EXIST. GAR.  
4" CONC. SLAB  
2x4 TREATED PLATE  
1/2" BOLTS 6'-0" OC 12" EACH CORNER  
SILL SEAL  
8"X42" CONC FTG.



FLOOR PLAN  
SCALE 1/4" = 1'-0"



PLOT PLAN

LOT 57 CROOKES LAKE HIGHLANDS  
SUB. INNER LOT W. SIDE OF STREET

ITALY AMERICAN CONST. CO. INC. (313) 278-7500 8401 TELEGRAPH * DEARBORN HEIGHTS MI		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: EQ. K.
DATE: 2/14/2011		REVISED
TOM # JACKIE CRANE (810) 227-4906 3934 HIGHEST DR. GENOA TWP. MI		
	DRAWING NUMBER	2011838



# 3934 Highcrest



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MARCH 15<sup>th</sup>, 2011**  
**CASE #11-07**

**PROPERTY LOCATION:** 3817 Highcrest

**PETITIONER:** Tony Baiardi

**ZONING:** LRR (Lakeshore Resort Residential)

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a front yard and two side yard variances to construct a second story addition to an existing nonconforming residence.

**CODE REFERENCE:** Table 3.04.01 – Dimesional Standards - LRR (Lakeshore Resort Residential)

**STAFF COMMENTS:** Petitioner is seeking to place a second story on an existing first story footprint.

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40	25	45
Setbacks Requested	23.6	8.1	5.3			52
Variance Amount	11.4	1.9	4.7			

# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-001 Meeting Date: 3/15/11

- 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: TONY BAIARDI

Property Address: 2817 HIGHCREST Phone: 231-838-1884

Present Zoning: RESIDENTIAL LRR Tax Code: 11-22-302-014

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: ADDING DORMER WITH BUILDING OUTSIDE OF EXISTING BUILDING FOOTPRINT
2. Intended property modifications: SECOND STORY - BED & NEW GARAGE TRUSSES

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) NARROW LAKE FRONT TYPICAL LOT ON CROOKED BUILT IN 1982 -
- b. Other (explain) \_\_\_\_\_

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

- 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 8 1/2 and 14 in size.*
- **Waterfront properties must indicate setback from water for adjacent homes**
- Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 2/11/11

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 Adam or Amy at the township office to discuss what your next step is.**

**Under ruling: 23.05.03 Criteria applicable to dimensional variance.**

**Jeff and Wanda Tanis, 3817 Highcrest, lot #8**

Genoa Variance Committee, this is for March 15<sup>th</sup> 2011 meeting,

**A. Practical difficulty and substantial justice:**

The first half of this rule does not apply here seeing the house was built in 1982 with a different set of laws. The second half it deals directly with stating the house will be providing substantial justice to the surrounding homes is 100% accurate and will not change zoning. Every renovated house from these old cottages have defined the new direction for the homes built on Crooked Lakes for the years to come. Narrow lots can not be expanded so our expansion is extremely limited. It is a hardship on the current owners that have saved for years and now wish to invest and improve their residence.

**B. Extraordinary circumstances:**

Highcrest street at our location has several 50'+ lots in a row. This house we are referring to is on lot #8. This home was built in 1982 and the current residence bought it from the original owner in 1995. The builder/previous owner now built on lot # 9, directly to the north of our lot. He built his current home to the max at the time of a footprint for the side setbacks and is the closer of the two homes adjacent to us some 11' away. We bought this home knowing this and fully understand narrow lots are just that.

The current owners after years of saving and planning for some time, wish to create a 2011 version of what they bought some 16 years ago. We are not creating a need for a new closer lot line encroachment variance, but seemed to have purchased a house that obviously met past guidelines in 1982 that no longer are recognized. We are just asking to allow us to improve what is here, by just going up. We have both neighbors letters stating they are happy with our new plans and desires and approve without prejudice.

**C. Public safety and welfare:**

We are just doing what every other home owners have done or wishes to do with their current older homes they live in. Both houses bordering our lot are both closer to the water, and we will not be blocking any views from the water or directly side ways. The waterfront dormer style addition will not have any negative impact and will make a 100% positive impact for our area and the good of the lake front owners on both Crooked Lakes.

**Impact section:**

This area we are totally doing what is needed in many areas. We are just following suite of what has been happening for years on both Crooked Lakes. This past improvement has given us comfort knowing our major investment over the years will be sound for our kids to take over in years ahead.

We have taken pictures from the lake and had lines drawn in to show the approximate location of our proposed walls and new ridge lines. It is clear to see our house is dwarfed by the new construction on boat sides of us. We are not moving any closer from the outlines of the existing footprint. We would like to add a water front dormer, new trusses on the garage and a small second story roof over an existing room below. We are not adding bedrooms, just making an actual master suite with connected bath and walk in closet.

I enclosed some pictures to show to the board the situation. I believe the pictures speak clearly on what we look like from the water. The owners consider their home an outdated representation of what was once was, but with current homes and renovations, their home needs some work to conform to their neighbors.

I had Boss engineering this week of 2/14/11 do detailed land survey to correctly show locations of our home on lot #8, and both adjoining in question.

Thanks for your time, see you March 15<sup>th</sup>

Jeff & Wanda Tanis, owners

Designer/builder;  
Baiardi Construction, Baiardiconstruction.com 231-838-1884  
[tonybaiardi@gmail.com](mailto:tonybaiardi@gmail.com)

Hello,

We wish to improve our house and have hired a designer/builder and have created a great print. Our house will definitely take on a great new look that will totally conform to the homes that have been renovated over the years. We applied for our land use permit, without the knowledge that when we bought in 1995 our house was not going to fit current guidelines, which means our house needs a variance approval to proceed.

We are not moving any footings or adding on to make any exterior footprint of our house closer to your house or the waterfront. The waterfront side of the house will go up, creating a second story over our existing first story. The garage will get a new roof - line and the spot above our current kitchen is going up moving a bedroom. Our goal is to get a master bedroom with its own attached bath and enlarging our kitchen. We are not adding more bedrooms, just moving them in the original exterior footprint.

I realize it's the boards decision and improving the home will leave a positive impact on our street. I am asking for your signature to help us show the board that our immediate neighbors have no issues with us moving forward.

Our house is getting all new windows, siding and roof so it will look much more conforming to your house.

Approve: Tom Swed

Address: 3823 Highcrest

Lot#: 7

Thank you,

Jeff and Wanda Tanis  
3817 Highcrest, Lot#8

Hello,

We wish to improve our house and have hired a designer/builder and have created a great print. Our house will definitely take on a great new look that will totally conform to the homes that have been renovated over the years. We applied for our land use permit, without the knowledge that when we bought in 1995 our house was not going to fit current guidelines, which means our house needs a variance approval to proceed.

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I realize it's the boards decision and improving the home will leave a positive impact on our street. I am asking for your signature to help us show the board that our immediate neighbors have no issues with us moving forward.

Our house is getting all new windows, siding and roof so it will look much more conforming to your house.

Approve: Glenn Tanis

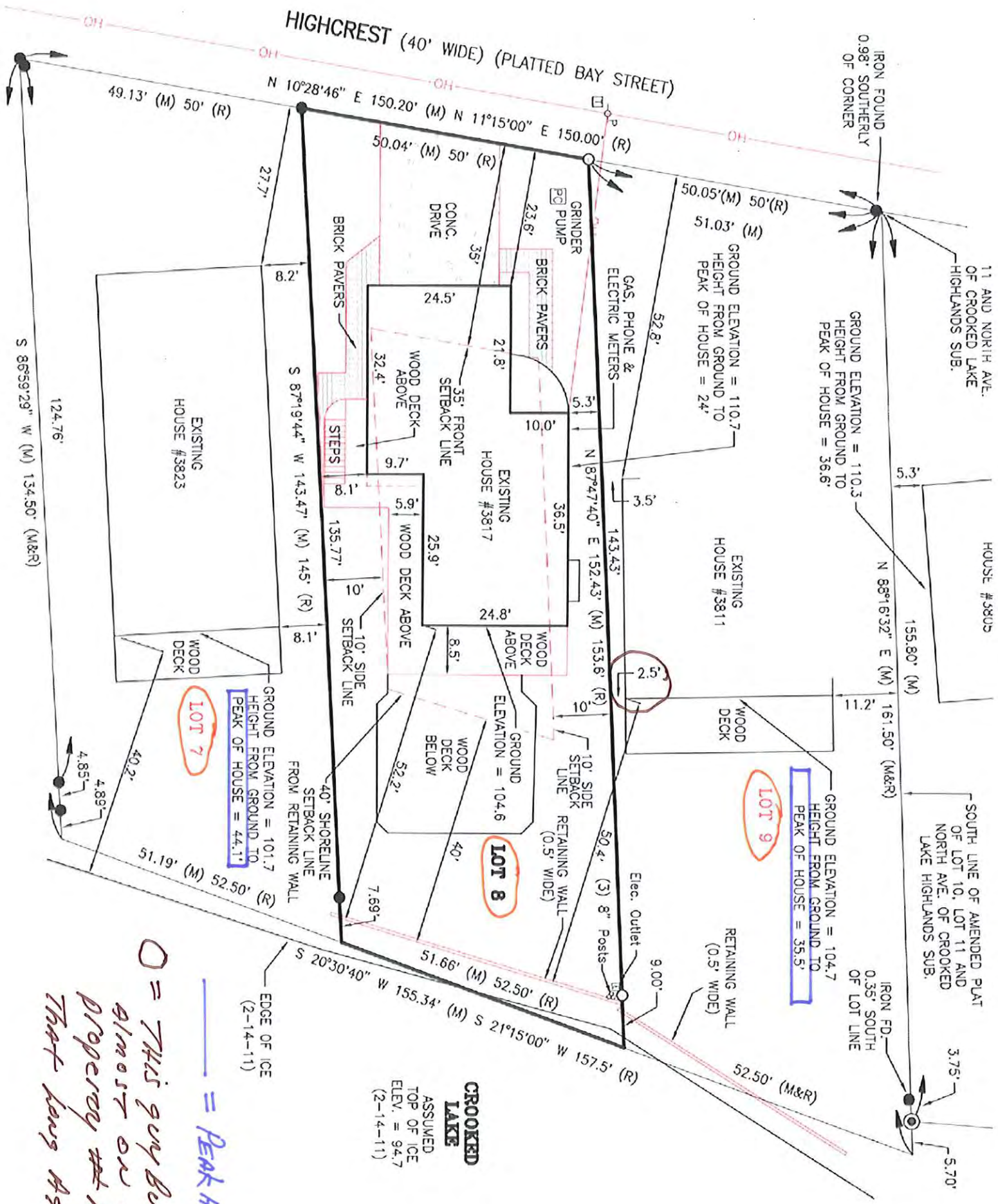
Address: 3817 Highcrest

Lot#: 9

Thank you,

Jeff and Wanda Tanis  
3817 Highcrest, Lot#8

**HIGHCREST (40' WIDE) (PLATTED BAY STREET)**



IRON FOUND 0.98' SOUTHERLY OF CORNER  
 11 AND NORTH AVE. OF CROOKED LAKE HIGHLANDS SUB.  
 GROUND ELEVATION = 110.3  
 HEIGHT FROM GROUND TO PEAK OF HOUSE = 36.6'

GROUND ELEVATION = 110.7  
 HEIGHT FROM GROUND TO PEAK OF HOUSE = 24'

EXISTING HOUSE #3811  
 GROUND ELEVATION = 104.7  
 HEIGHT FROM GROUND TO PEAK OF HOUSE = 35.5'

EXISTING HOUSE #3817  
 GROUND ELEVATION = 104.6  
 HEIGHT FROM GROUND TO PEAK OF HOUSE = 44.1'

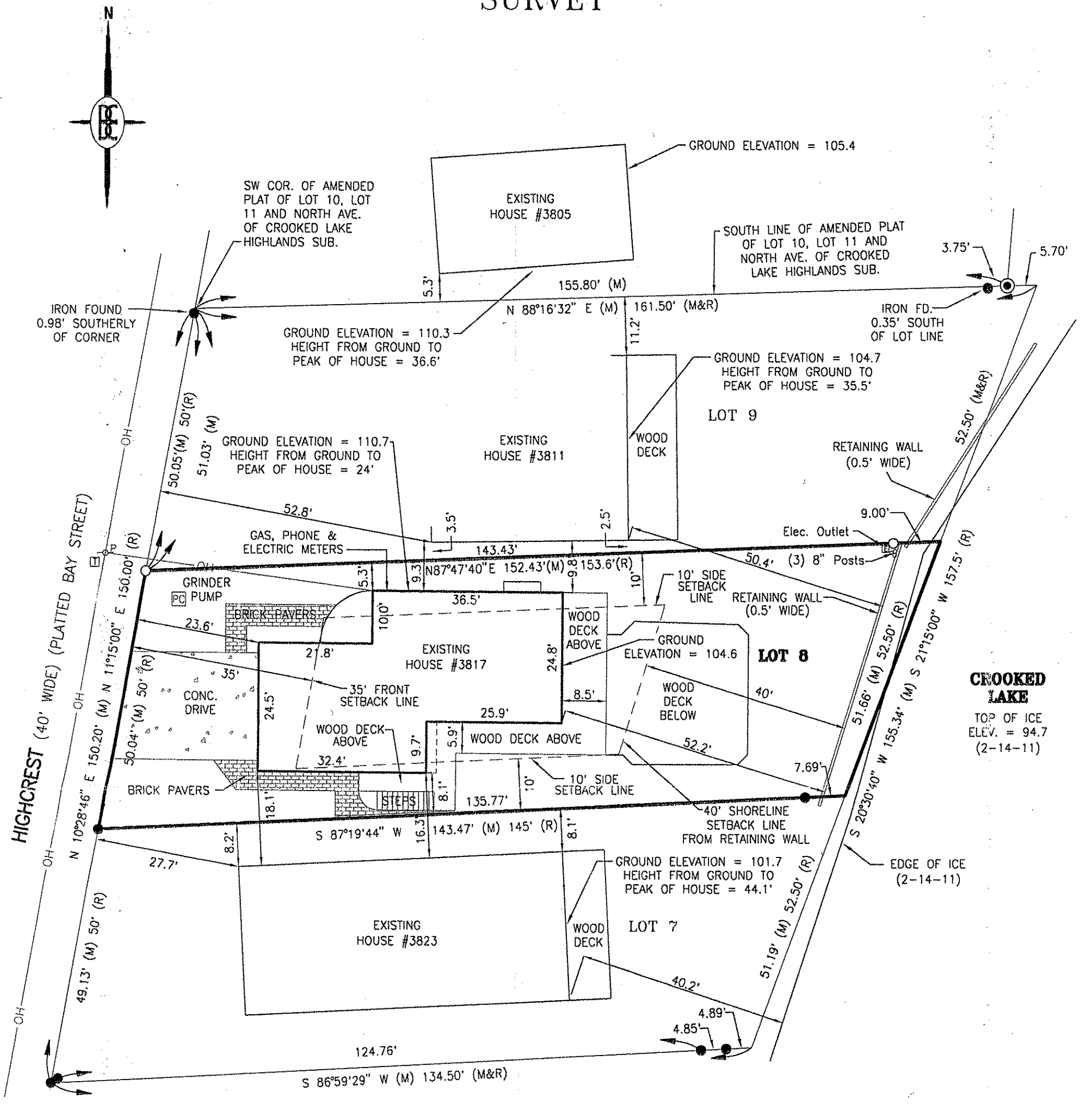
**CROOKED LAKE**  
 ASSUMED TOP OF ICE ELEV. = 94.7 (2-14-11)

— = PEAK HEIGHT

O = This guy built almost on the property not that long ago!



# SURVEY



**CROOKED LAKE**  
 TOP OF ICE  
 ELEV. = 94.7  
 (2-14-11)

LEGEND	
—○—	POWER POLE
□	TELEPHONE RISER
PC	GRINDER PUMP CHAMBER
—OH—	OVERHEAD WIRES

CURRENT ZONING: LRR  
 (LAKESHORE RESORT RESIDENTIAL)  
 -MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET  
 SHORELINE = Minimum 40 feet or consistent with the setbacks of adjacent principal buildings, whichever is greater as determined by the Zoning Administrator. If the setbacks of adjacent principal buildings vary because of irregular shoreline, the setback shall be the average of all lots within 500 feet along the shoreline or 40 feet whichever is the greater.  
 -MINIMUM BUILDING HEIGHT: 2 STORIES OR 25 FEET

**GENERAL SURVEY NOTES:**

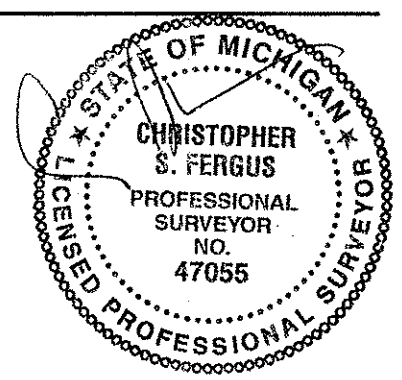
1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "CROOKED LAKE HIGHLANDS", AS RECORDED IN LIBER 1 OF PLATS, PAGES 39-40, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
4. ELEVATIONS WERE ESTABLISHED BY ASSUMING ELEVATION OF 100.00 ON A BOSS ENGINEERING SURVEY CONTROL POINT.

**DESCRIPTION:**

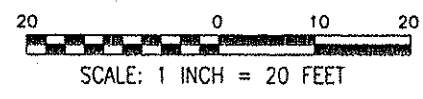
LOT 8, "CROOKED LAKE HIGHLANDS", LIBER 1 OF PLATS, PAGES 39-40, LIVINGSTON COUNTY RECORDS, BEING PART OF THE SOUTHWEST 1/4 OF SECTION 22, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

## BOSS ENGINEERING

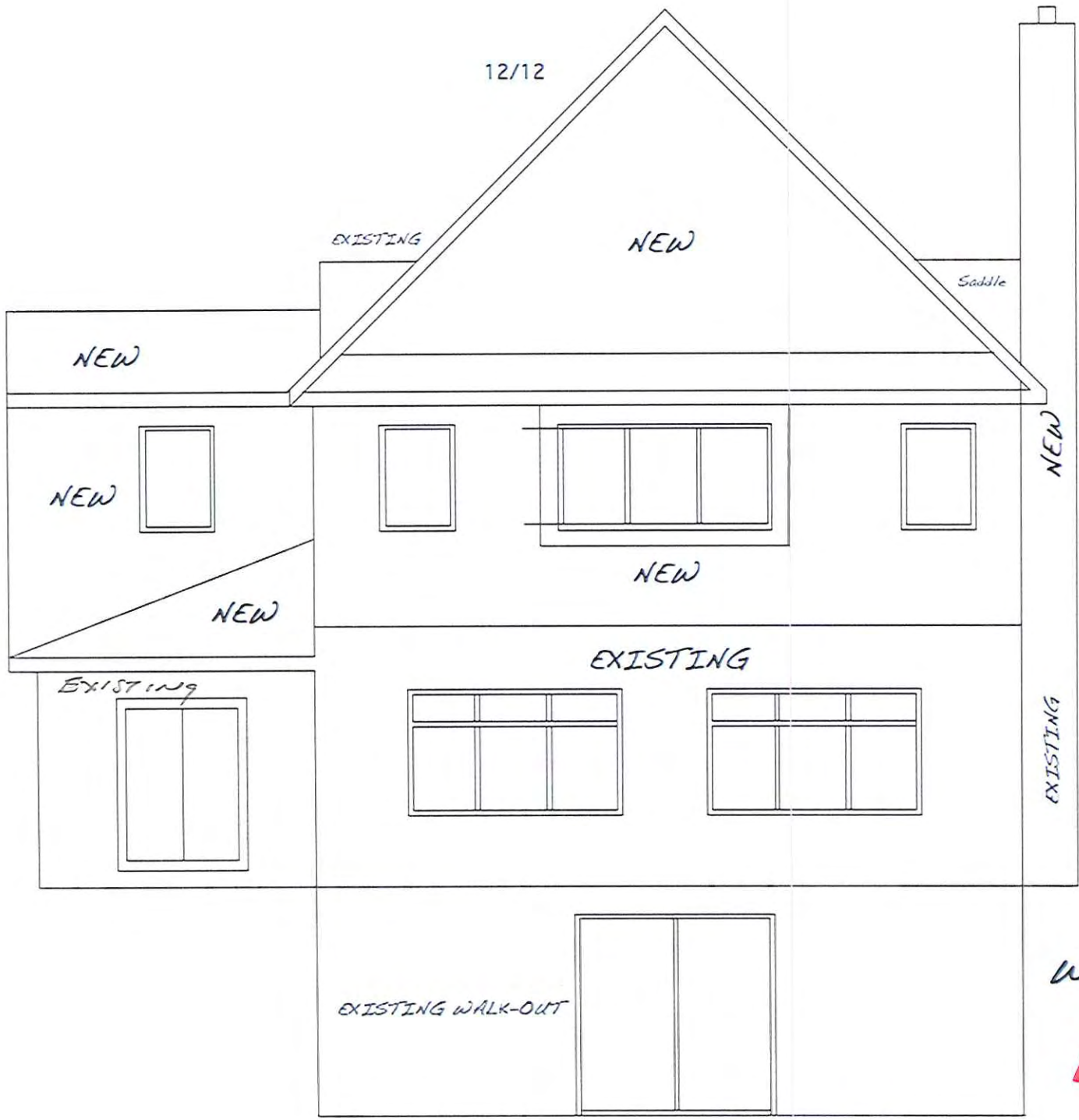
ENGINEERS • SURVEYORS • PLANNERS  
 LANDSCAPE ARCHITECTS  
(E-MAIL: be@bosseng.com)  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 (800) 246-6735; FAX (517) 548-1670



CLIENT: BAIARDI CONSTRUCTION	
JOB NO. 11-017	SHEET 1 OF 1
FB 503	CREW GFD/CSF DR. AEB CK.



LEGEND	
○	= IRON SET
●	= IRON FOUND
⊙	= MONUMENT FOUND
*	= FENCE
(R)	= RECORDED
(M)	= MEASURED



Chimney to extend to 10/12 proper ratios

WATER FRONT  
**PROPOSED**

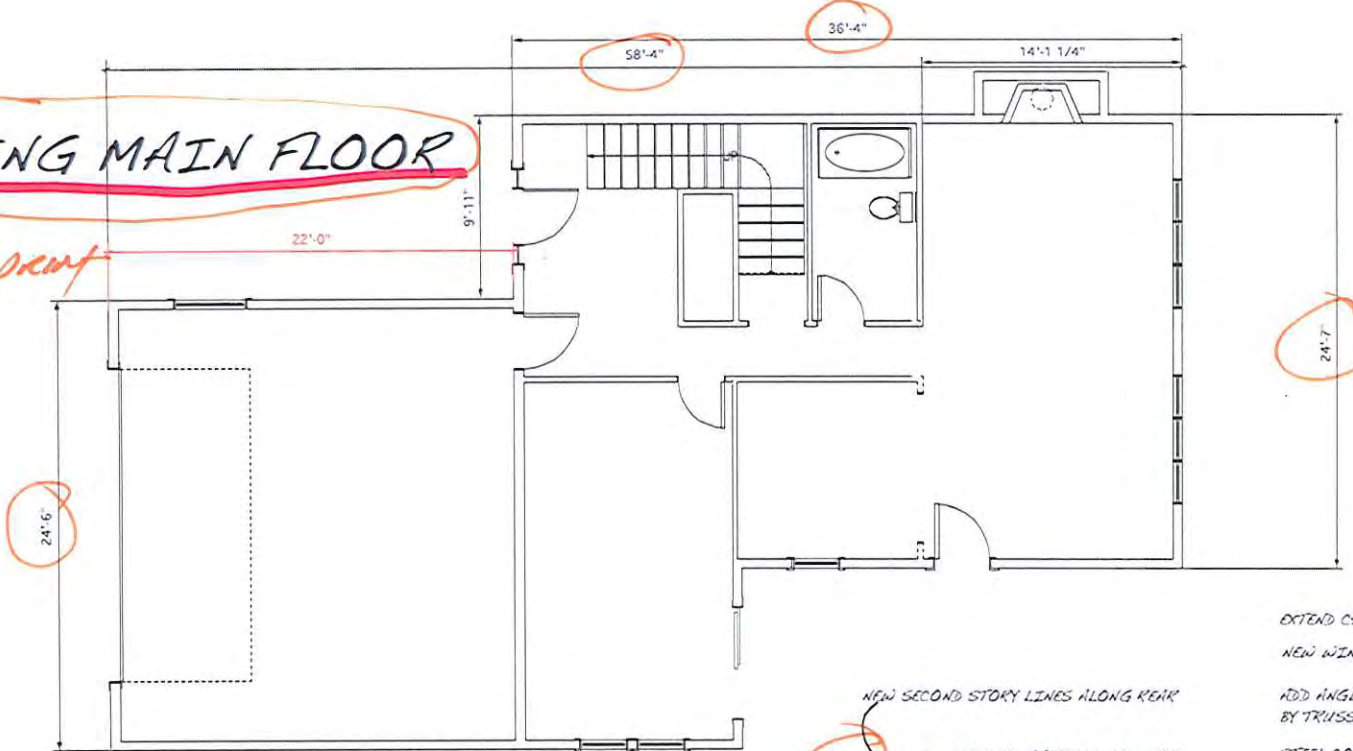


ROAD ELEVATION

LOT # 8 PROPOSED NEW

# EXISTING MAIN FLOOR

Building Footprint Remains



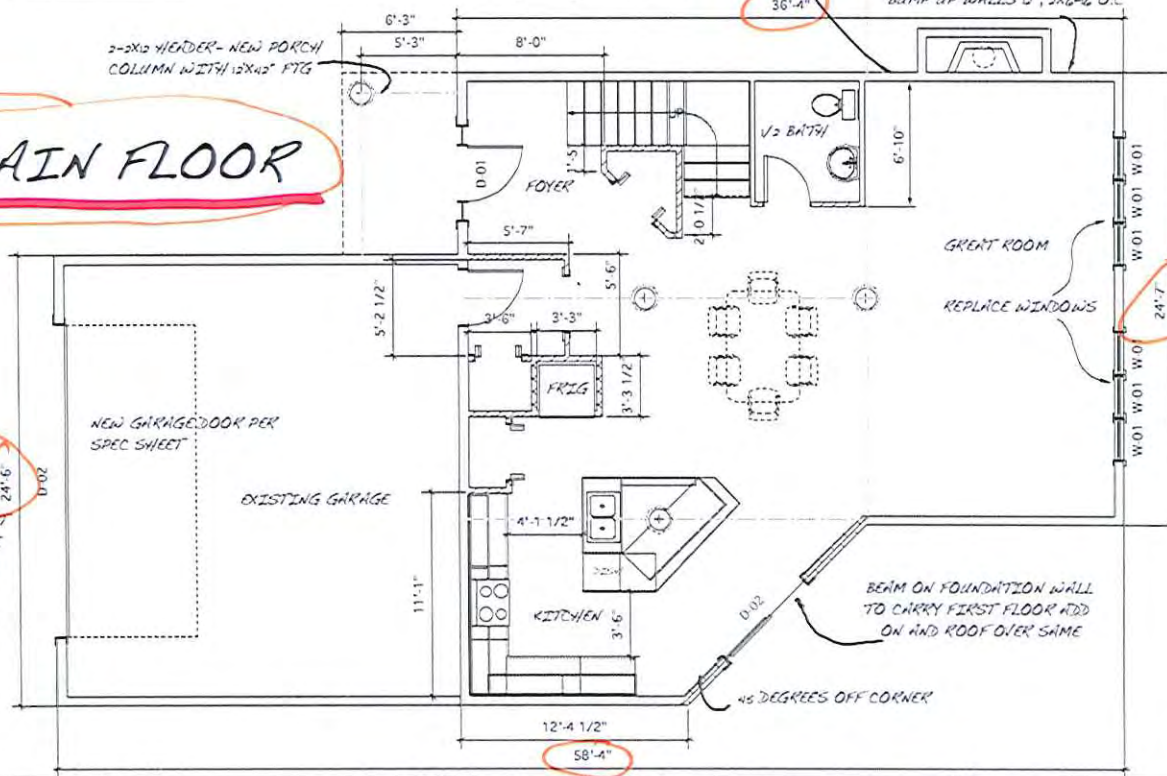
# NEW MAIN FLOOR

EXISTING LOAD POINTS SHOWN AT COLUMNS PTS. EXACT LOCATION MAY VARY PER ON SITE EVALUATION

TRIMS NEEDED IN CEILING AND POST WILL BE DETERMINED ON SITE ONCE THE EXISTING LAYOUT IS EXPOSED

THE ACTUAL BEAM COST IS NOT INCLUDED AND WILL BE T&M TO BE ITR TO BOTH PARTIES

not shown



NEW SECOND STORY LINES ALONG REAR

BUMP UP WALLS 15", 2X6-4" O.C.

2-2X12 HEADER - NEW PORCH COLUMN WITH 12X40" PTG

GREAT ROOM  
REPLACE WINDOWS

BEAM ON FOUNDATION WALL TO CARRY FIRST FLOOR ADD ON AND ROOF OVER SAME

45 DEGREES OFF CORNER

EXTEND CHASE TO CODE  
NEW WINDOWS PER PRINT

ADD ANGLE WITH BEAM DESIGNED BY TRUSS COMPANY

STEEL COLUMN TO LOAD POINTS IN BASEMENT

NEW PORCH ROOF WITH COLUMN

EXISTING MAIN BATH REDUCED

EXISTING FOYER REDUCED

REMOVE ALL EXISTING TRIM

REMOVE ALL EXISTING DOORS

NEW FRONT DOOR AND GARAGE

NEW DRIVE IN GARAGE DOOR

NO KITCHEN DROPS

EXTERIOR WALLS 2X6

PRESERVE WOOD FLRS AS POSSIBLE

REMOVE BATH TILE MAIN FLOOR

SUPPORT BEAMS AND COLUMNS AS NEEDED PER SITE EVALUATION

HOLLOW WALLS ARE NEW BUILT

OAK FLOORS IN NEW AREA FROM GREAT ROOM LINE TO FRONT DOOR

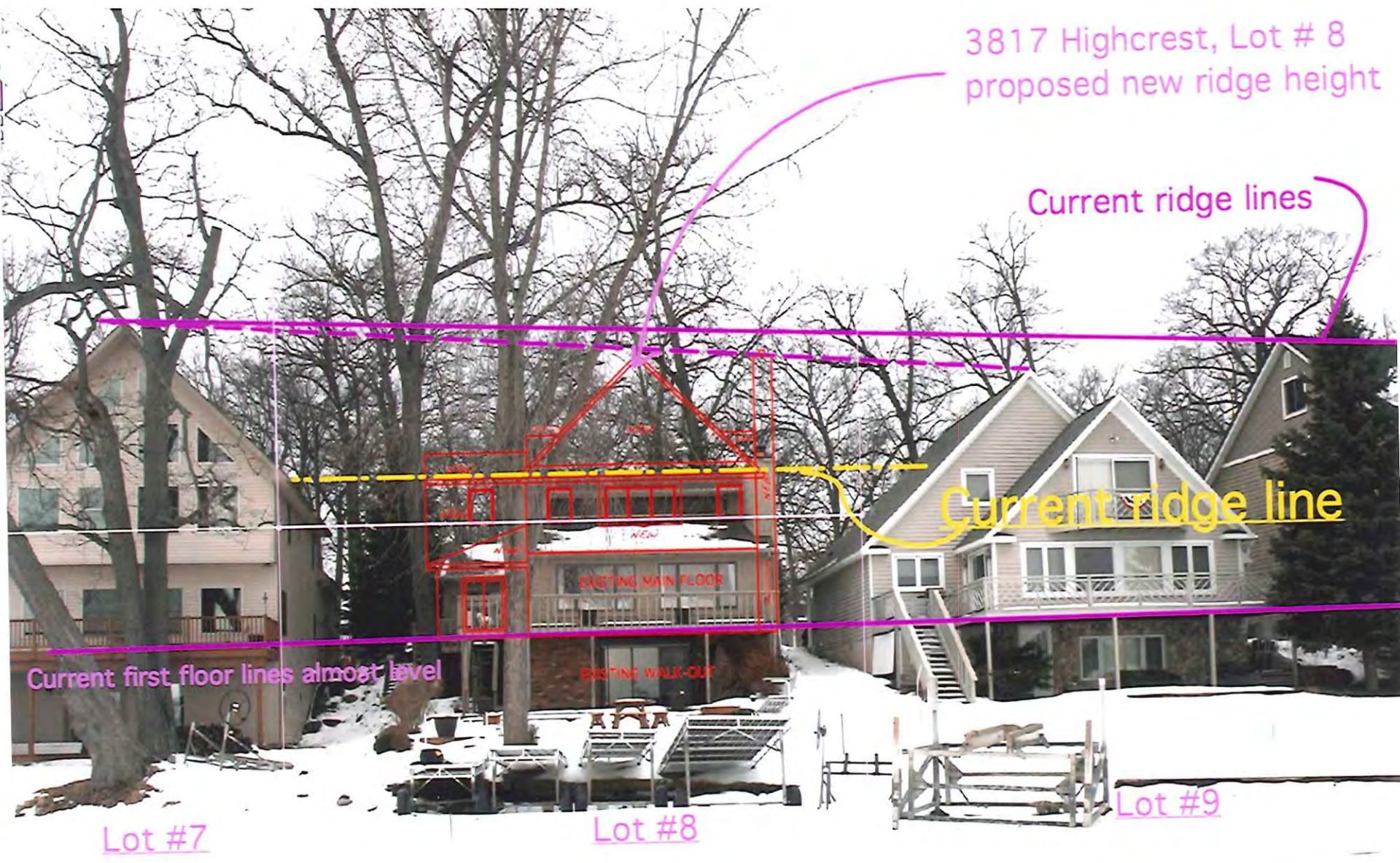
A

B

C

D

E



3817 Highcrest, Lot # 8  
proposed new ridge height

Current ridge lines

Current ridge line

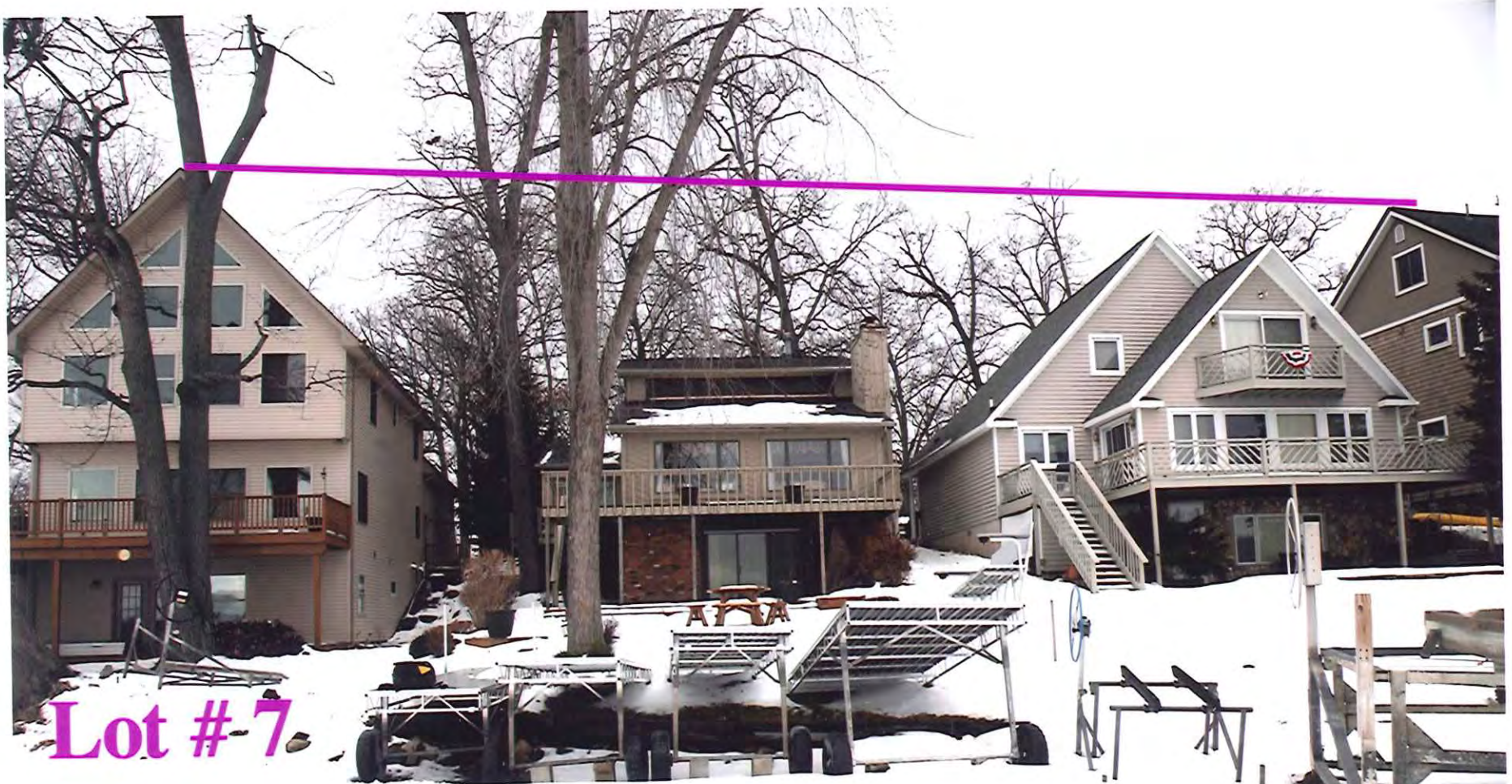
Current first floor lines almost level

Lot #7

Lot #8

Lot #9

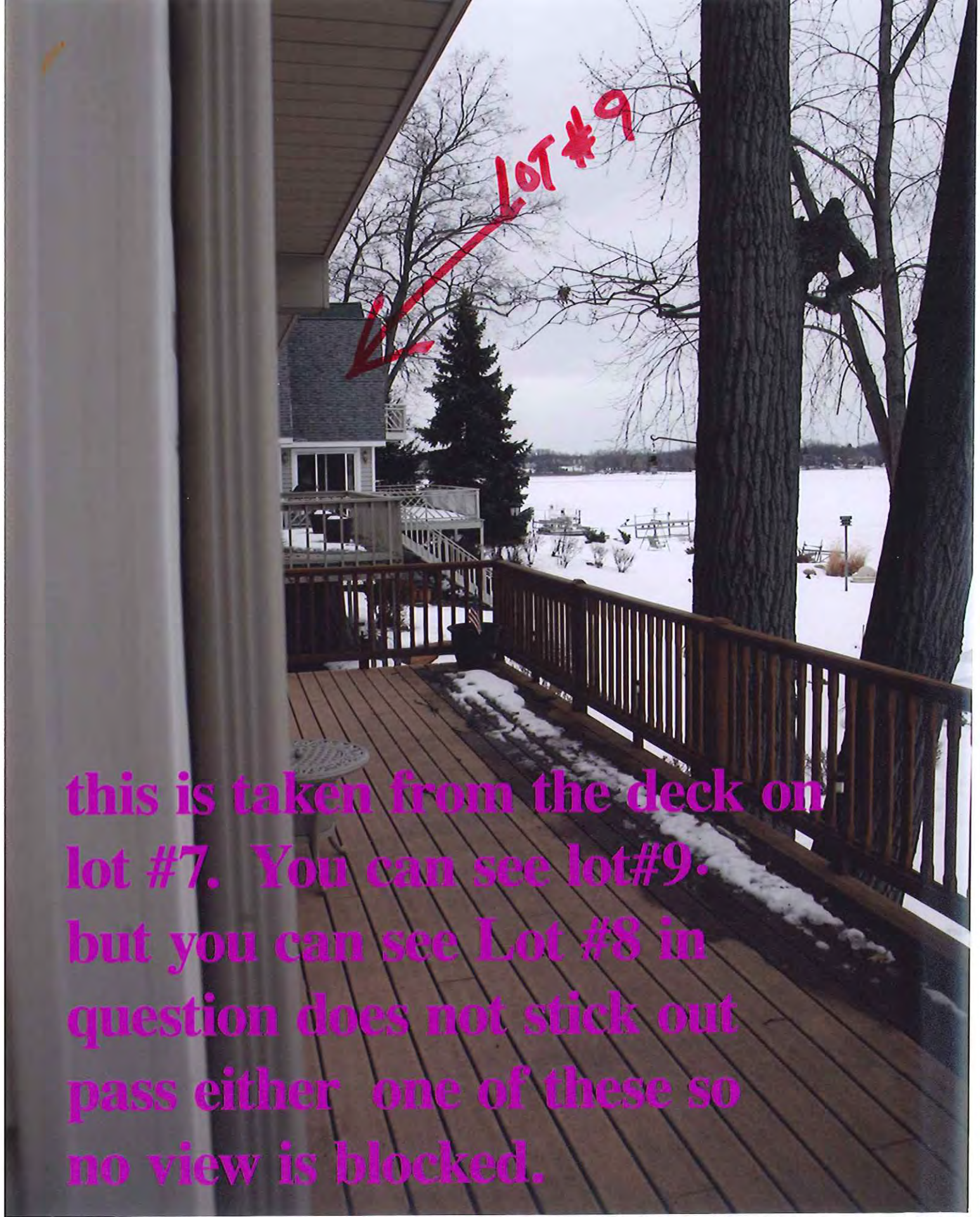
Even with almost level first floor lines with all four houses, look at the ridges that have been approved over the years. Our house at 3817 Highcrest, Lot #8 is a mile lower than the newer house on this picture's left. That is Lot #7, and the ridge is definitely very high and with our proposed ridge line we will still be the shortest ridge of all. Without the improvement our house definitely looks out of place and severely dated. We are just asking to get more current and conform to our neighbors. The house will not be any closer than the current footprint, just going up. Will not block views as pictures show. The red lines are close to what is going to be added.



**Lot # 7**

**3817..lot # 8**

**Lot # 9**



this is taken from the deck on lot #7. You can see lot#9. but you can see Lot #8 in question does not stick out pass either one of these so no view is blocked.



LOT #8 EXISTING





# Charter Township of Genoa

## ZONING BOARD OF APPEALS

MARCH 15<sup>th</sup>, 2011

CASE #11-08

**PROPERTY LOCATION:** 3810 Kipling Circle

**PETITIONER:** Bob Blair

**ZONING:** RPUD (Residential Planned Unit Development)

**WELL AND SEPTIC INFO:** Well and septic

**PETITIONERS REQUEST:** Requesting a rear yard variance to construct a detached accessory structure.

**CODE REFERENCE:** Section 11.04.01 (f) (1) – Accessory structure setbacks on lots over 1 acre  
Novel Estates PUD - Setbacks

**STAFF COMMENTS:** None

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Rear	Size	Height
Setbacks of Zoning	10	30	30	80	900	14
Setbacks Requested		30		30	896	14
Variance Amount				50		

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-08 Meeting Date: 3/15/11

- 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: Bob Blair

Property Address: 3810 Kipling Circle Phone: 616-581-4689

Present Zoning: R.P.V.P Tax Code: 11-19-302-025

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: Build garage 30FT From back & Side of lot  
My home is corner lot
2. Intended property modifications: Add 28'x32' detached Garage

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) this will eliminate cutting into existing hill
- b. Other (explain) The 80' Setback would put garage too close to house

**Variance Application Requires the Following:**

**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 8 1/2 and 14 in size.**

- **Waterfront properties must indicate setback from water for adjacent homes**
- **Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting**
- **Petitioner (or a Representative) must be present at the meeting**

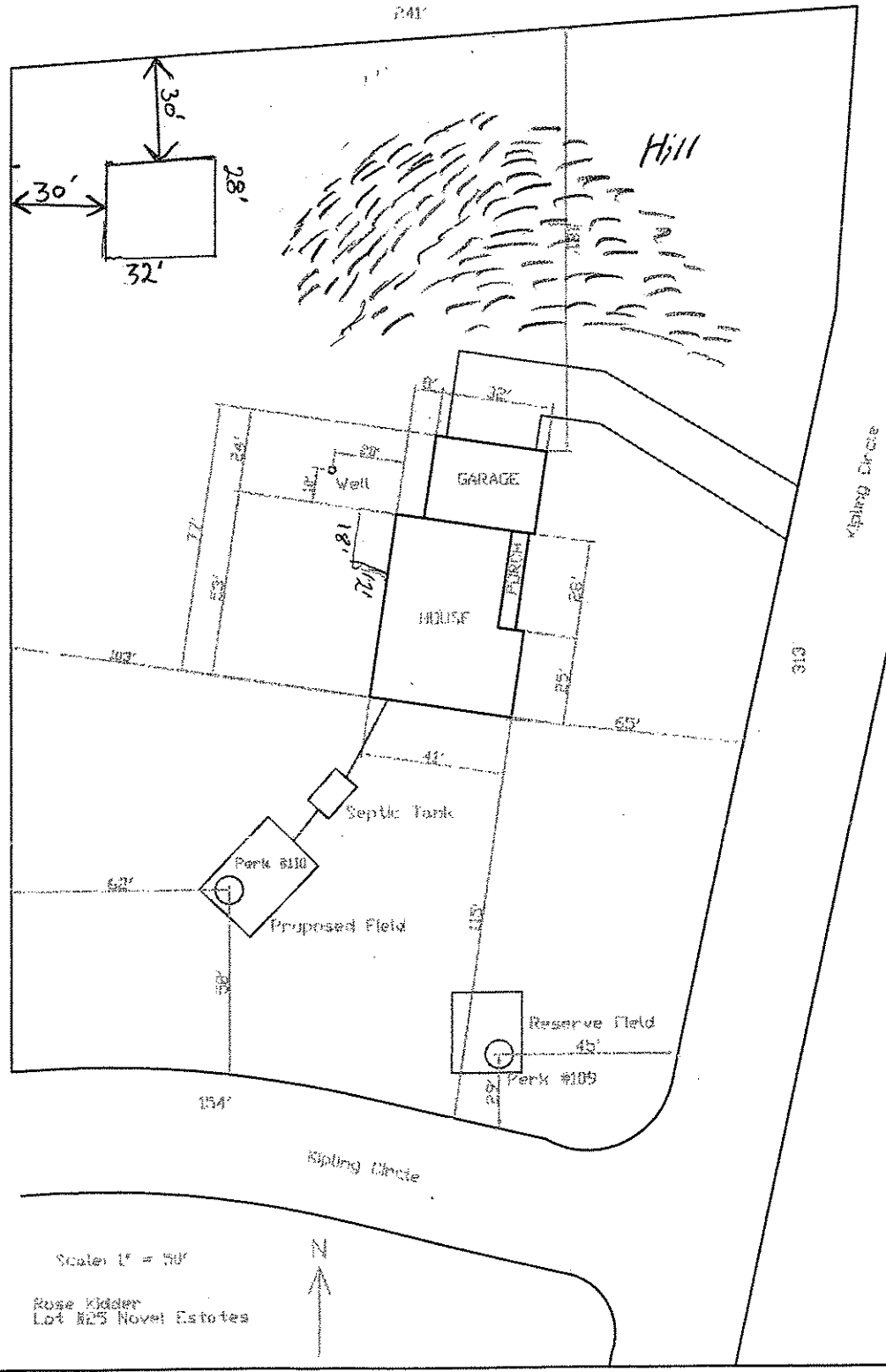
Date: 2/14/2011

Signature: Bob Blair

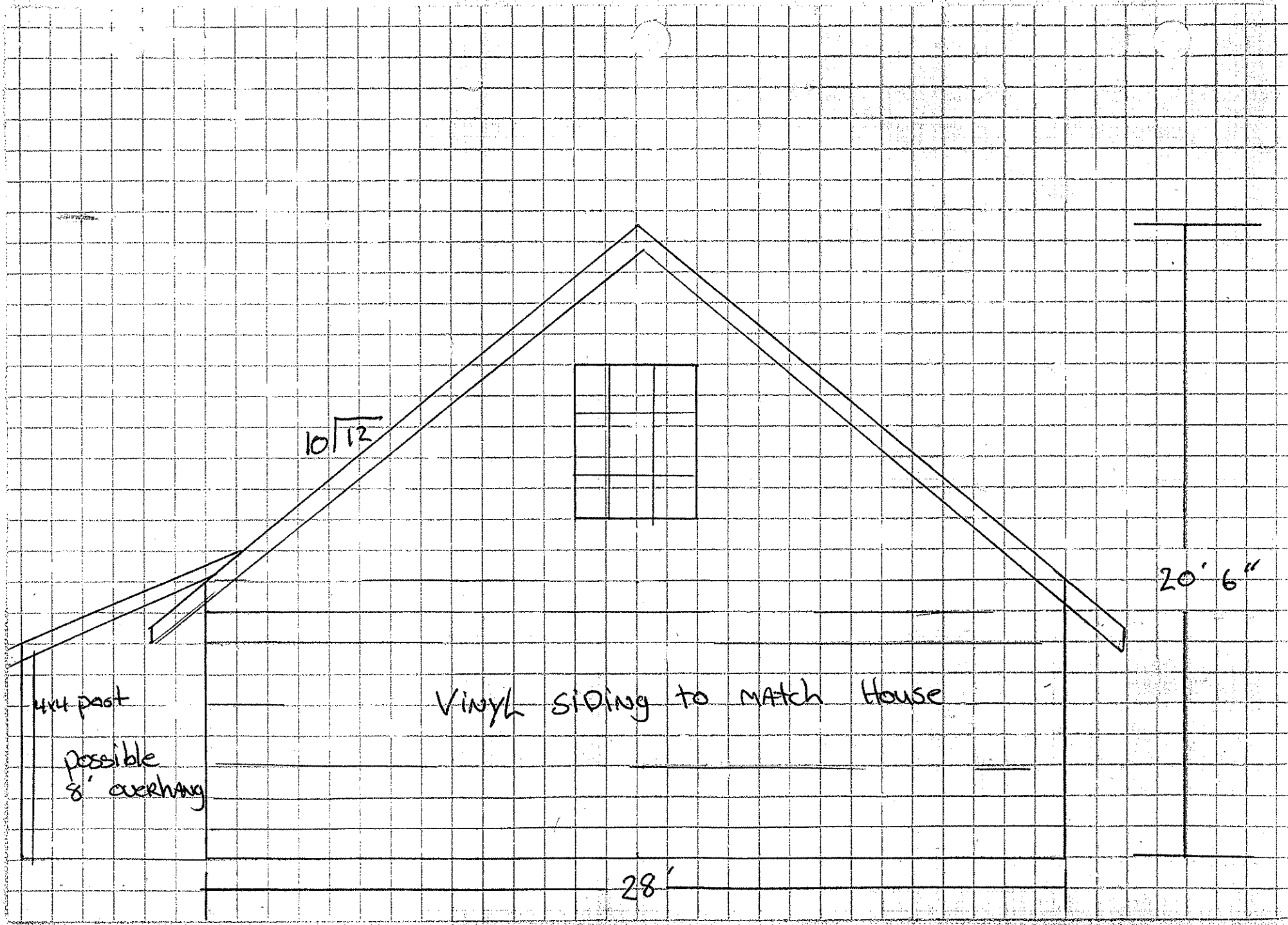
**Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.**

**After the decision is made regarding your variance approval contact Adam or Amy at the township office to discuss what your next step is.**

GENOA TOWNSHIP  
LAND USE  
APPROVED  
General 9-10-02



Scale: 1" = 50'  
Rose Kidder  
Lot #25 Novel Estates



10/12

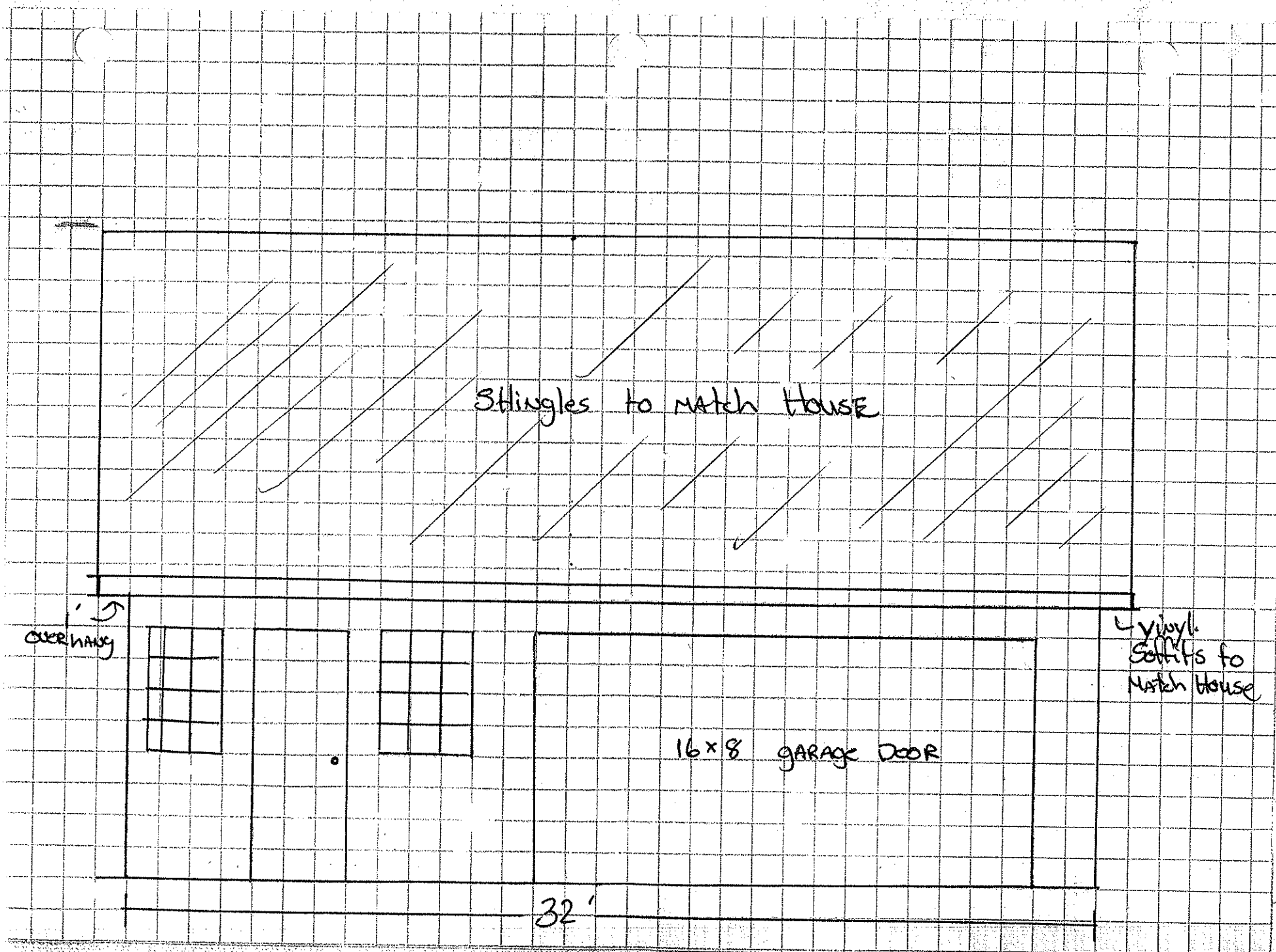
20' 6"

4x4 post

possible  
8' overhang

Vinyl siding to match House

28'



Shingles to match house

OVERHANG

vinyl soffits to match house

16x8 GARAGE DOOR

32'

Genoa Township Board Members,

March 8, 2011

This is in regards to the property variance for a 28'x32' out building (garage) at 3810 Kipling Circle. I was informed that the board members will be physically looking into this issue on Friday 3-11-11. I wanted to make you aware of some very important concerns that my neighbors and I strongly have about how it will affect the street views, because of the position of the proposed garage site.

Please keep in mind that when you approach our subdivision and drive up to the intersection were the road T's off, if the garage is built in the proposed area, at 3810 which is a large corner lot, it will look out of place and very tacky. It will not look like its part of his house, it will be positioned between my home (3518) and his, in the middle of the lot. I have never seen a garage that was appealing and it will not be in this location. We believe that the site of this building, when we (homeowners), friends, family, and even potential home buyers drive into and through the subdivision, will not be a pleasant or appealing view to look at. It's very important to keep our subdivision looking its best at all times and protect what's left of our home investment. We don't understand why a variance needs to be asked for. As much as we would prefer not to have him build this structure at all, if he is admit about having it seems like there is room next to his driveway close to his home.

Please take notice of how it will affect all of the views that people will have to look at from their windows and backyards. How each neighboring home will have to look out at and drive by this out of place structure and view it every day. The reason we all chose our properties was because of the nice views we had to look at in the first place. Most of us are the original owners and have personally picked our lots and built our houses on them. We take this issue seriously and of great concern, we all hope you will also.

Thank you,

Gregory P. Moore  
3518 Kipling Circle  
810-923-9512

# 3810 Kipling Circle





**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
FEBRUARY 15th, 2011  
6:30 P.M.**

**MINUTES**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The board members in attendance were as follows: Marianne McCreary, Chris Grajek, Barbara Figurski and Jeff Dhaenens and Steve Wildman. Also present was Township staff member Adam VanTassell and 7 persons in the audience.

**Moved** by Figurski, supported by Wildman, to approve the agenda as submitted. **Motion carried unanimously.**

**11-03...A request by Maicom/Comcast Cable, Section 11, 6168 E. Grand River, for a use variance to allow in the Genoa Town Center an addition to an existing non-conforming essential public service building with a front yard variance, a building height variance and architectural requirements variance.**

Michael McKelvey, Architect, was in attendance for the petitioner.

A call to the public was made by Ms. Kelly VanMarter, Genoa Township Planning Director, stating that

**Moved** by Wildman, supported by Figurski, to approve case #11-03, 6168 E. Grand River, for a use variance to allow a use not allowed in the Town Center Overlay, a height variance of 6' with a 14' setback and a front yard variance amount of 360' with a 435' setback to construct an addition to existing non-conforming essential public service building. Conditioned upon Planning Commission approval of architectural design. The finding of fact is that the property was not zoned with the Town Center Overlay when it was developed, the use precedes the Town Center Overlay and is unique and not self-created and the use fits the neighborhood's character and capacities. **Motion carried unanimously.**

**11-04...A request by Eli Gergics, Sec. 30, 2062 Webster Park Drive, for a front yard and a waterfront variance to construct a 2nd story addition.**

Mr. Eli Gergics was present as the petitioner.

A call to the public was made with the following response: Mike Uzelac, 2095 Brighton Road, stated that Mr. Gergics has done a great job and they would appreciate the board allowing him to continue with his updates.

**Moved** by Wildman, supported by Figurski, to grant case #11-04 2062 Webster Park Drive, for a front yard variance of 35 ft. with a 0' setback and an 84' waterfront variance with a 94' setback to construct a 2<sup>nd</sup> story addition. The finding fact is the size of the lot. Conditioned upon the septic field being adequate for an additional bedroom. **Motion carried unanimously.**

**11-05...A request by Ray Henrickson, Sec. 19, 3856 Beattie Road, for a variance to allow a detached accessory structure in the front yard of a non-conforming lot.**

Mr. Ray Henrickson was present for the petitioner.

A call to the public was made with no response.

**Moved** by Figurski, supported by Wildman, to table the case until the next ZBA meeting per the petitioner's request. **Motion carried unanimously.**

**Moved** by Figurski, supported by Wildman to approve the January 19<sup>th</sup>, 2011 Zoning Board of Appeals meeting minutes with corrections. **Motion carried unanimously.**

The meeting adjourned at 7:18 pm.

Respectfully Submitted:

Amy Ruthig