

GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MAY 17<sup>th</sup>, 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. 11-09...A request by Bob Beher, Sec. 10, 5814 Glen Echo, for a front (south) yard variance to demo a portion of a non-conforming structure and to construct an addition.
2. 11-10...A request by Timothy Flynn, Sec. 34, 6039 Cunningham Lake Road, for a side yard variance to construct an addition.

**ADMINISTRATIVE BUSINESS:**

- A. ***Approval of minutes for the 2011 Zoning Board of Appeals meeting.***
- B. ***Correspondence***
- C. ***Member Discussion***
- D. ***Adjournment***

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MAY 17<sup>th</sup>, 2011**  
**CASE #11-09**

**PROPERTY LOCATION:** 5814 Glen Echo

**PETITIONER:** Bob Beher

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

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

**PETITIONERS REQUEST:** Requesting a front yard variance to demolish part of an existing structure and construct a new addition.

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

**STAFF COMMENTS:** Petitioner is seeking a front yard variance on a throughlot (bordered on the north by Glen Echo and on the south by Grand River). The plot plan as submitted by Envision Construction services incorrectly shows the true lot dimensions, the property actually consists of Glen Echo Lots 93, 94 and a portion of lot 60. This is better demonstrated in the lot outline on the Staff generated aerial map. The variance is for the front lot line closest to Grand River. Please see Front Lot Line definitions on page 25-18 of the ordinance for reference (a copy is enclosed with the packet).

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40		N/A
Setbacks Requested	9					
Variance Amount	26					

# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-09 Meeting Date: 5/17/11 @ 6:30 p.m.

- 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 BEHER  
Property Address: 5814 GLEN ECHO Phone: 517-579-2423 248-305-8181  
Present Zoning: LRR Tax Code: 11.10.301.208.401.47070

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: REAL YARD SETBACK

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) \_\_\_\_\_
- b. Other (explain) TO RENOVATE EXISTING COTTAGE STRUCTURE. THE NEW STRUCTURE WILL NOT EXTEND AS FAR AS THE EXISTING STRUCTURE DOES.

## 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**
- **A Land Use Permit Application to be submitted with ZBA Variance Application.**
- **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: 4/12/11

Signature: 

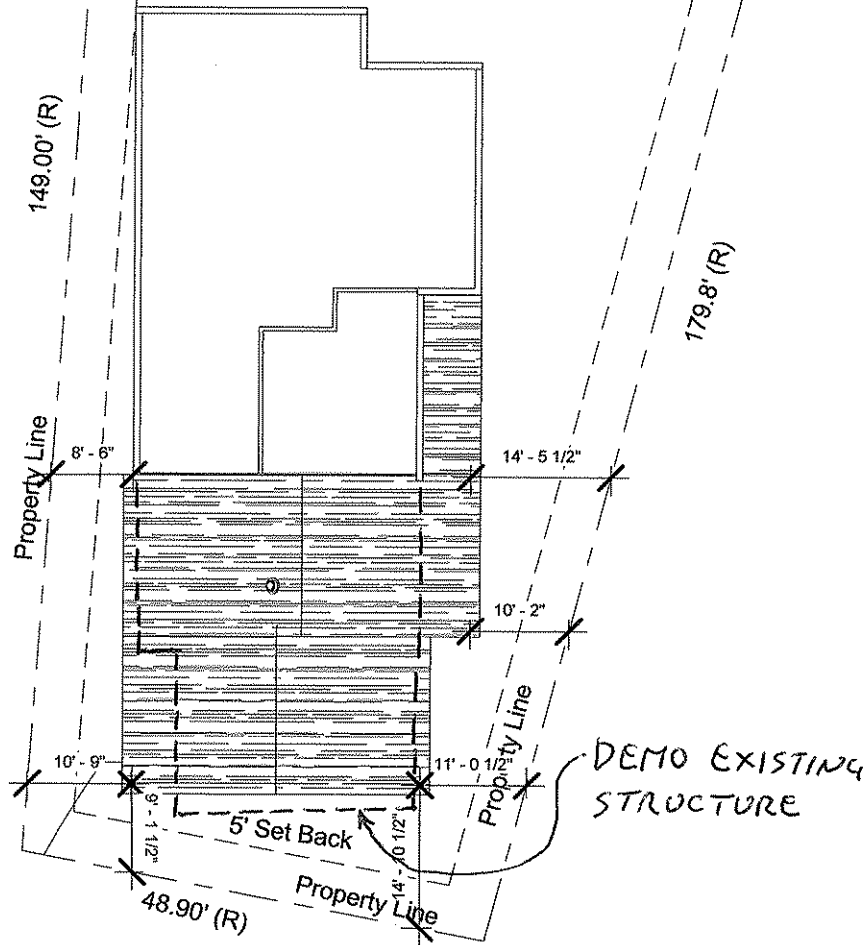
**Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.**

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

Glen Echo Dr.

R= 245.13 (R)

LOT 93



1 Site 8.5x11  
1" = 20'-0"

**Envision**

Construction Services

www.envisionbuilders.net

**Beher Addition**

**5814 Glen  
Echo**

**Site 5814 Glen Echo**

Project number 11-007

Date 3/30/2011

Drawn by Author

Checked by Checker

**C2**

Scale 1" = 20'-0"

**Lot, Corner:** A lot where the interior angle of two adjacent sides at the intersection of two streets is less than one hundred and thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Ordinance if the arc is of less radius than one hundred fifty (150) feet and the tangents to the curve, at the two points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than one hundred and thirty-five (135) degrees. (See Figure 25.7)

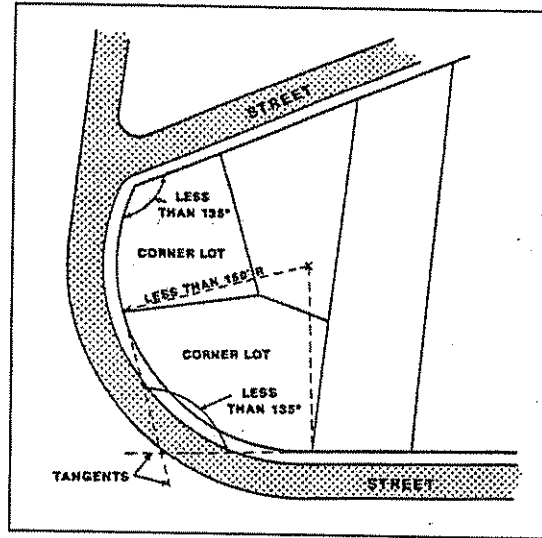


Figure 25.7 Lot, Corner Measurements

**Lot Coverage:** The part or percent of a lot occupied by buildings, structures and accessory buildings.

**Lot Coverage, Impervious Surface:** The part or percent of a lot occupied by building, structures, uses, accessory buildings, accessory structures and paved areas.

**Lot Depth:** The arithmetic mean of the shortest and longest distances from the front lot line to the rear lot line (see figure 25.8).

**Lot, Flag:** A lot that has access to a public right-of-way or private road access easement by means of a narrow strip of land (see figure 25.9).

**Lot, Interior:** Any lot other than a corner lot.

**Lot Line:** The lines bounding a lot or parcel and listed below and illustrated on Figure 25.10.

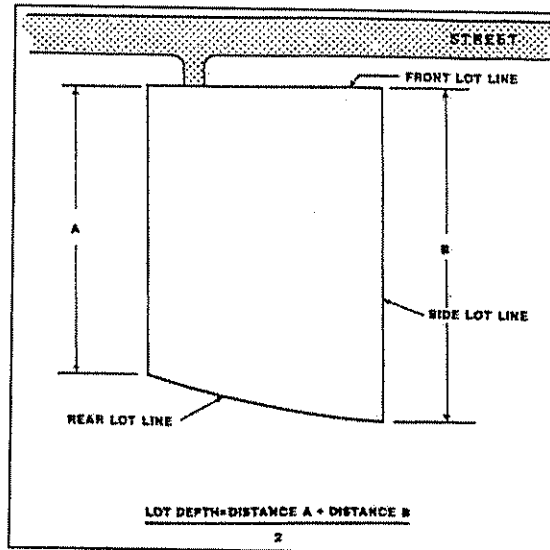


Figure 25.8 Lot Depth Measurement

a. **Front Lot Line:** The lot line(s) abutting a public street or private road easement that separates the lot from such right-of-way or easement; typically measured along the right-of-way line. Corner lots or through lots are considered to have two front lot lines and shall provide the minimum required front yard setback at both front lot lines. In the case of a flag lot, the front lot line shall be that lot line that abuts the public street right-of-way or private road easement and the lot line that is roughly parallel to the street right-of-way (See figure 25.10). (as amended 12/31/06)

b. **Rear Lot Line:** The lot line opposite and most distant from the front lot line. For an irregular or triangular shaped lot, a

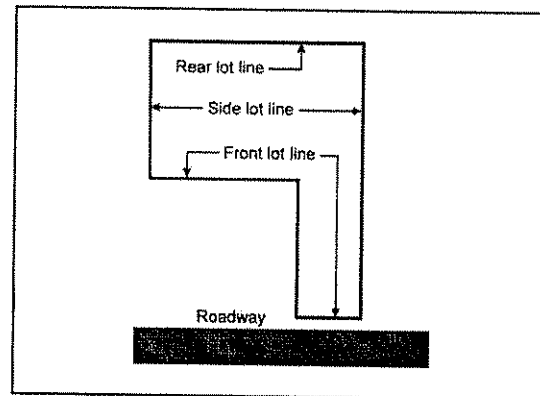
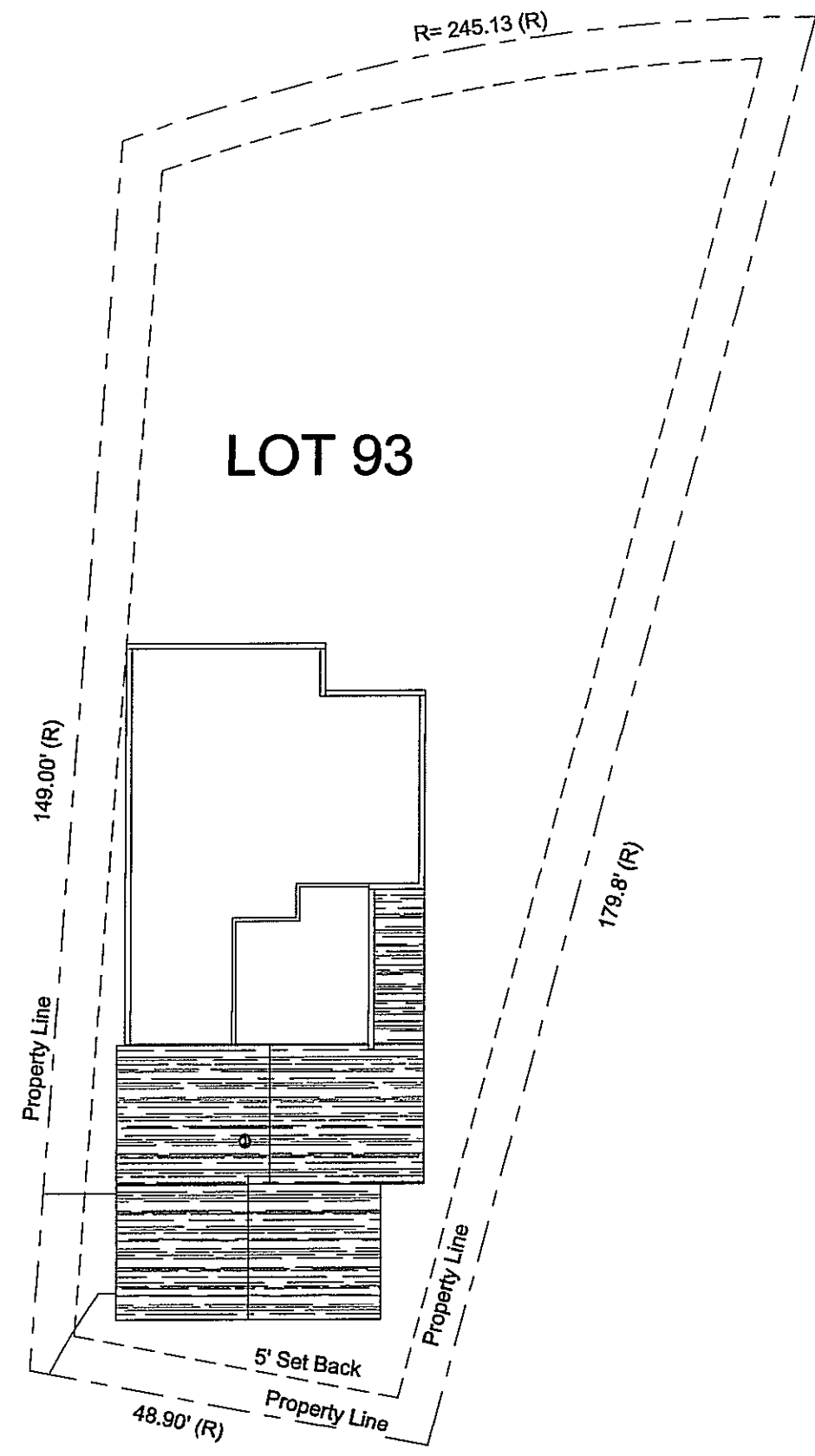
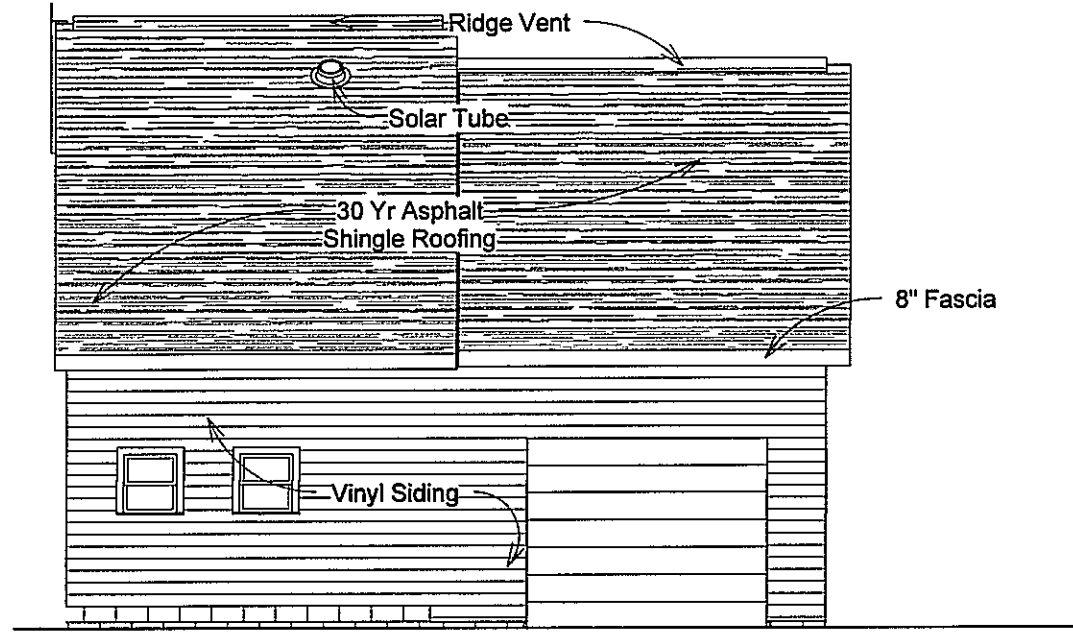


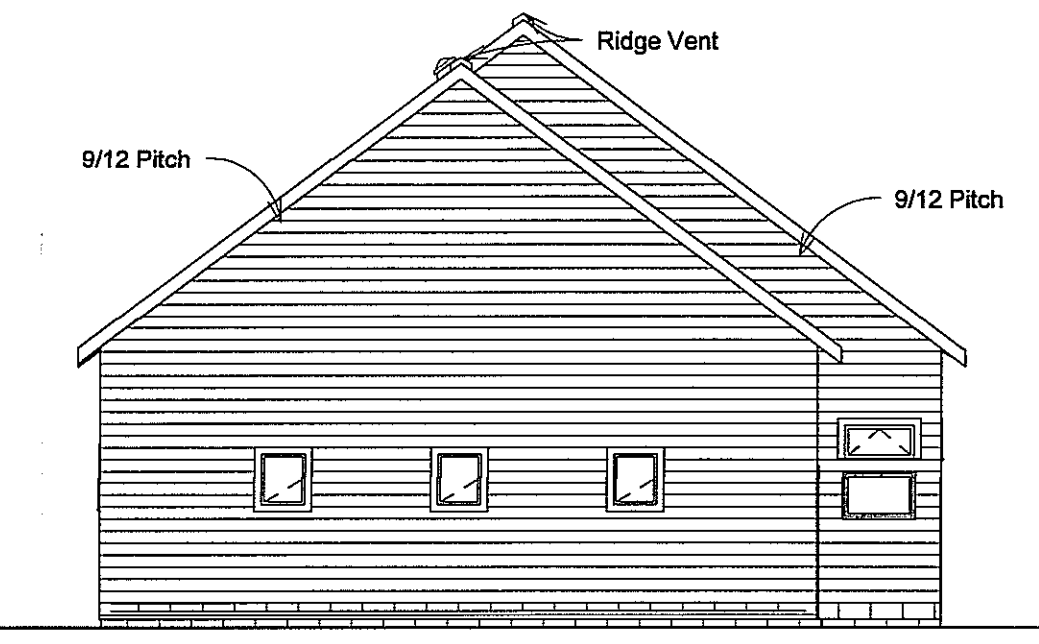
Figure 25.9 Flag-lot Lot Lines



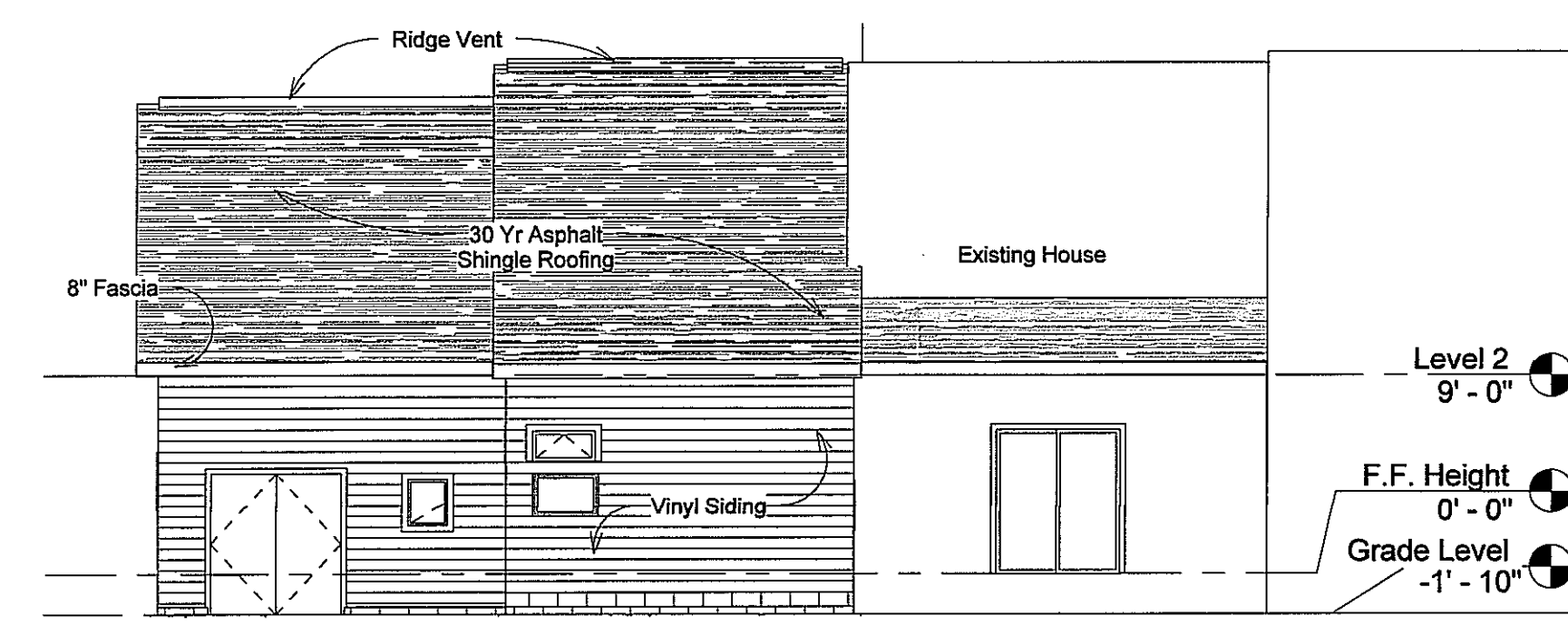
4 Site  
1" = 20'-0"



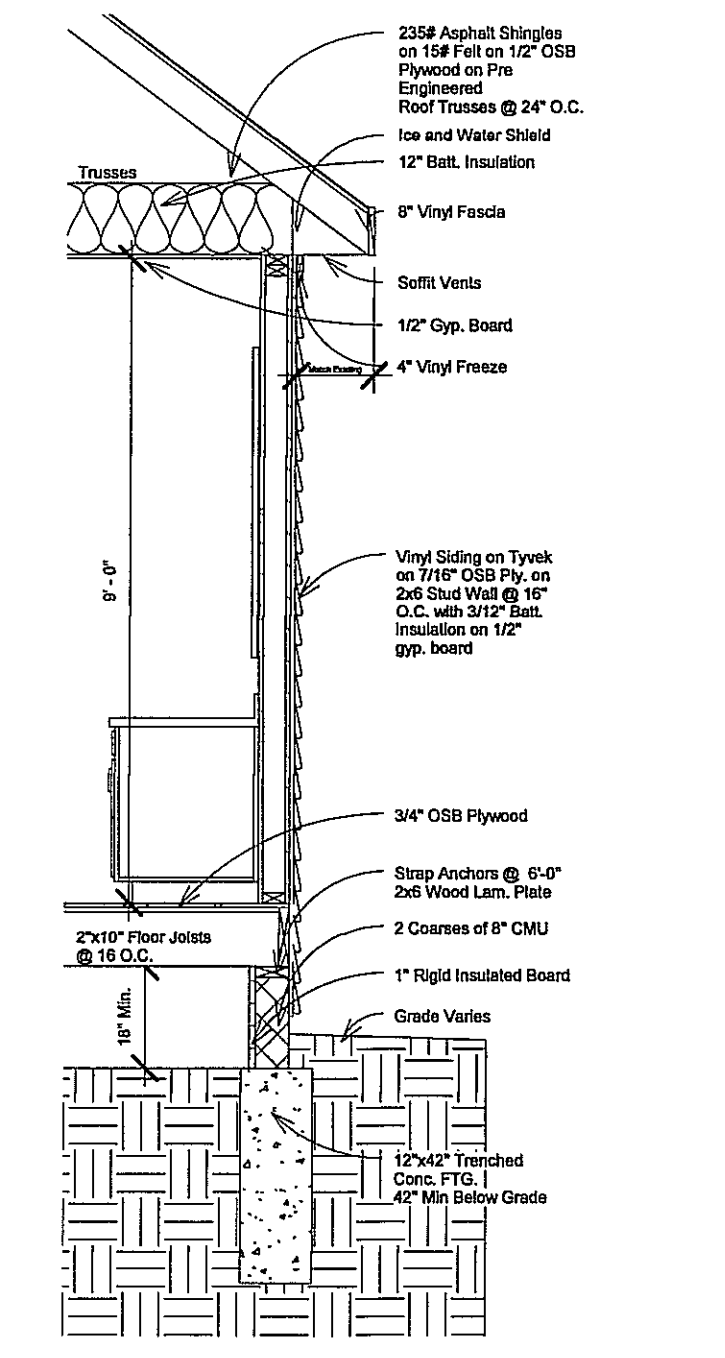
6 West Elevation  
1/8" = 1'-0"



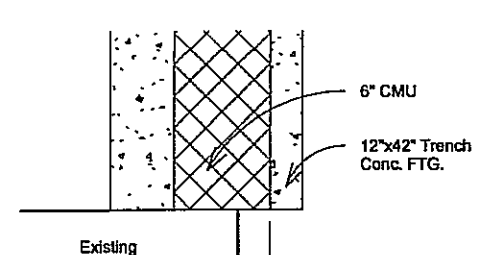
5 South Elevation  
1/8" = 1'-0"



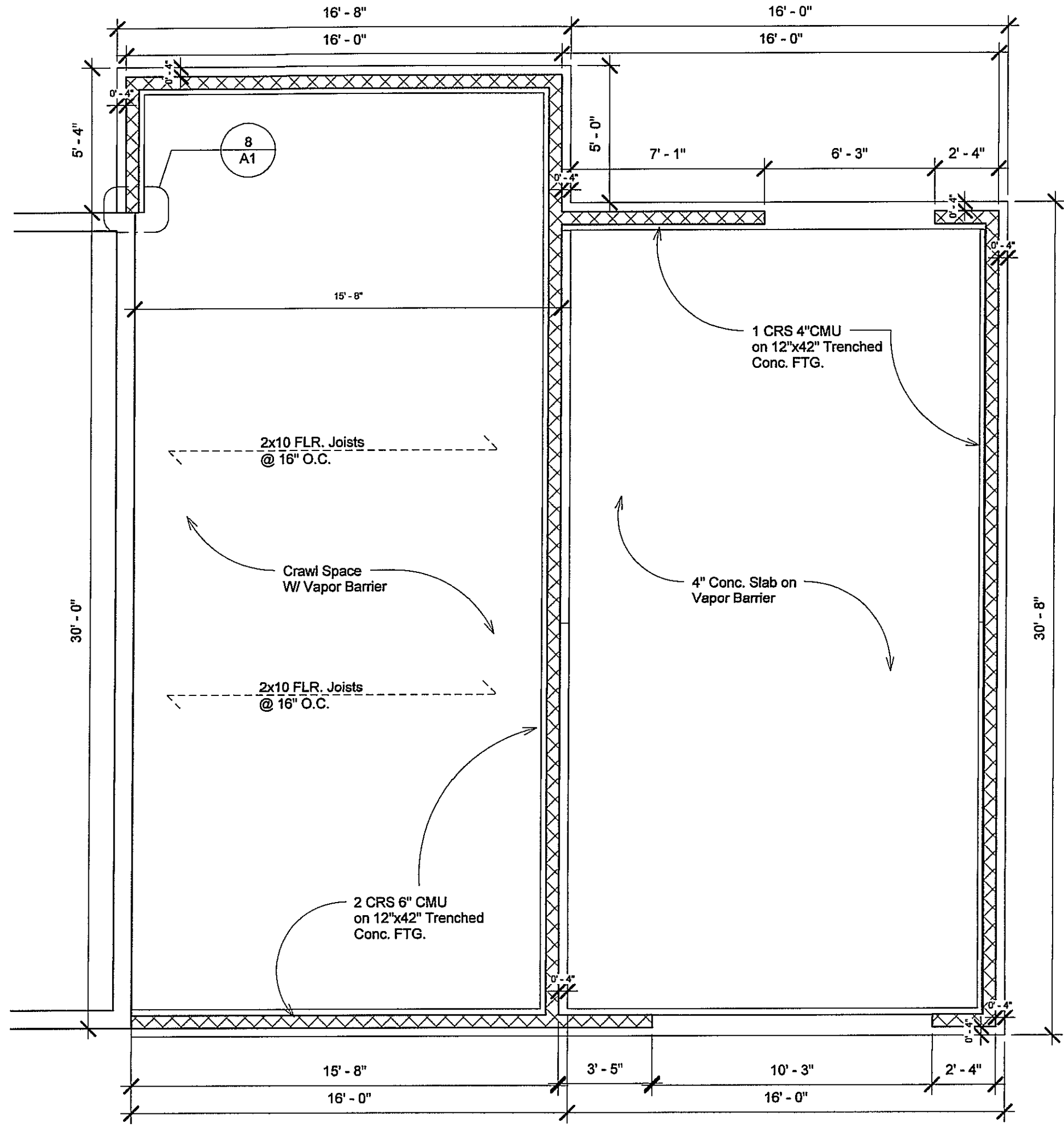
7 East Elevation  
1/8" = 1'-0"



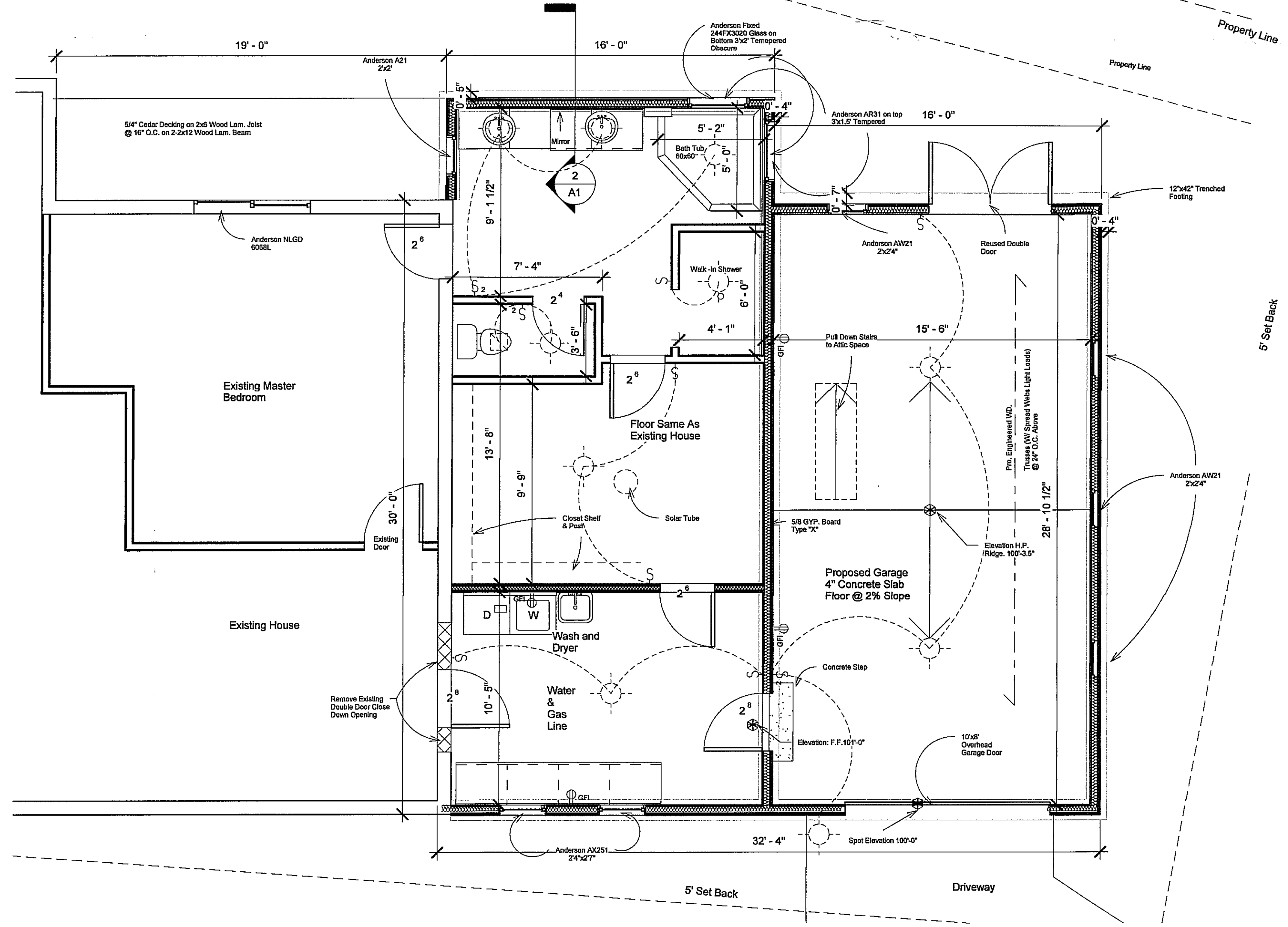
2 Wall Section  
3/8" = 1'-0"



8 House Edge Detail  
1" = 1'-0"



3 Foundation Plan  
1/4" = 1'-0"



1 Beher Addition 1/4" = 1'-0"

**Envision** ■  
CONSTRUCTION SERVICES  
28036 Oakland Oaks Ct.  
Wixom, MI 48393  
(248) 305-8181  
F (248) 305-8183  
www.envisionbuilders.net

Design Notes:  
- Ceiling to be Gypsum Board with insulation throughout, attached to truss system above.  
- Ceiling to be 9" Above Finished Floor  
- Garage Ceiling to be Gypsum Board attached to truss system  
- Pre-engineered truss system at 24" on center (typical)

<b>Beher Addition</b>	
<b>5814 Glen Echo Howell, Mi</b>	
Project number	11-007
Date	3/30/2011
Drawn by	MAC
Checked by	HO
<b>A1</b>	
Scale	As indicated



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MAY 17<sup>th</sup>, 2011**  
**CASE #11-10**

**PROPERTY LOCATION:** 6039 Cunningham Lake Road

**PETITIONER:** Timothy Flynn

**ZONING:** LDR (Low Density Residential)

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

**PETITIONERS REQUEST:** Requesting a side yard variance to construct an addition.

**CODE REFERENCE:** Table 3.04.01 – Dimensional Standards - LDR (Low Density Residential)

**STAFF COMMENTS:** None

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	50	30	30	60	35	-
Setbacks Requested		20				
Variance Amount		10				



# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-10 Meeting Date: 5-17-11

- 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: Timothy Flynn  
Property Address: 6039 Cunningham Ck Rd Phone: (734) 673-5332  
Present Zoning: LDR Tax Code: 4711-34-401-083

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: Side yard set back
2. Intended property modifications: Garage Addition (Attached)

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) House is on top of hill in the center of the property. Front & Rear elevation is approximately 8'
- b. Other (explain) Only other Flat area is for septic Field Back-up site.

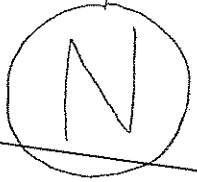
**Variance Application Requires the Following: (failure to meet these requirements may result in tabling of this petition.**

- 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: 4/21/11  
Signature: [Handwritten 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.**



Back-up  
Septic  
Field

Septic  
Field

Mature  
Sikes  
Small  
Pines

Mature  
Pine  
Mature  
Birch

Septic  
Tank #1

Septic  
Tank #2

Small  
Pines  
Mature  
Pines

Deck

Birch

Mature  
Pines

Mature  
Birch

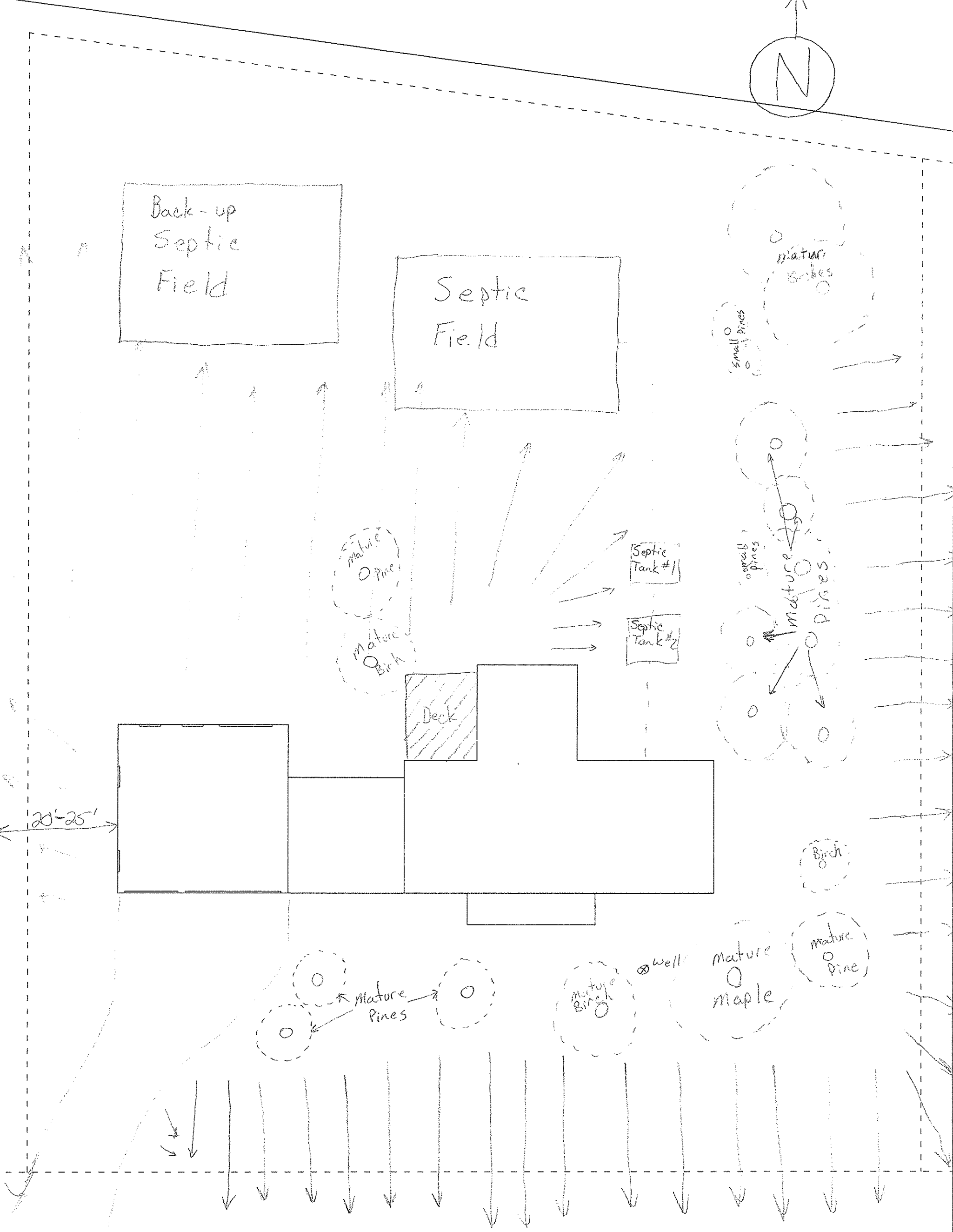
Well

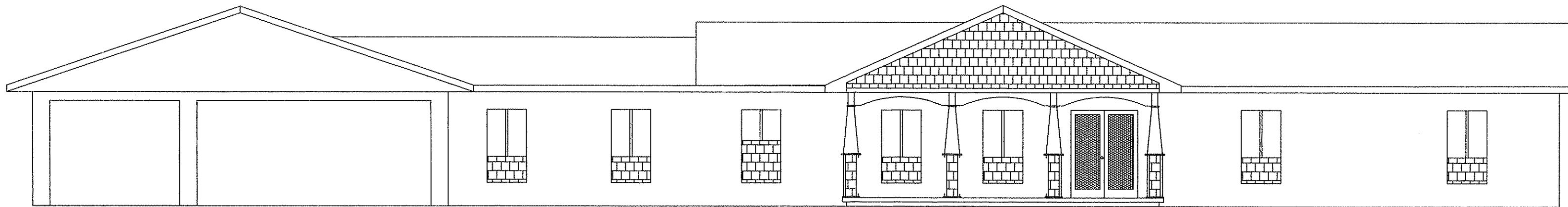
Mature  
Maple

Mature  
Pine

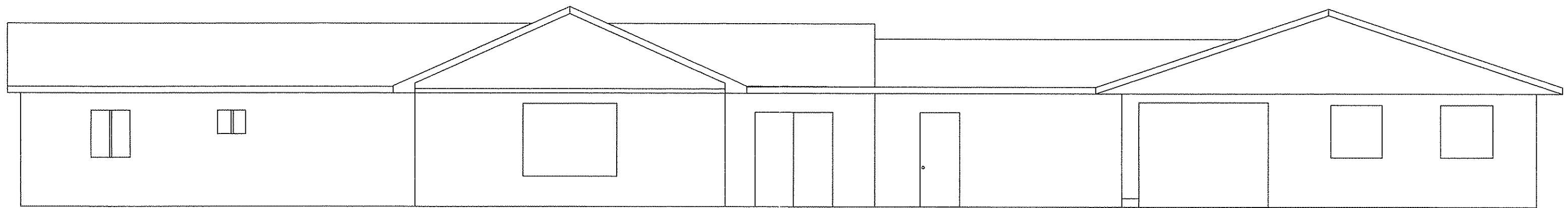
20'-25'

Cunningham Lake Rd





Front View



Rear View



**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 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, Jeff Dhaenens and Steve Wildman. Also present was Township staff member Adam VanTassell and 18 persons in the audience.

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

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

A call to the public was made by Kenneth Frasheski, 1348 Clark Lake Road, who asked what if the plan that Mr. Malysz is presenting does not work. This is the second variance that he has made on property that he does not own. There is no attention to detail with the drawings and what is the distance from the swale to his property. I hope that if you agree to grant this variance that the board would require professional drawings.

**Moved** by Wildman, supported by McCreary, to grant case #10-25, 1330 Clark Lake Road, for a front yard variance for a covered porch with a variance amount of 20' and a setback with 15'. The finding of fact is the typography of the lot. This approval is conditioned upon by the drawings that were submitted be stamped and signed by a certified engineer, an as-built to be drawn up, and all the necessary approvals from the Livingston County Health Department are to be supplied to the Township. **Motion carried unanimously.**

**11-05...A request by Ray Henrickson, Sec. 19, 3856 Beattie Road, for a rear yard variance to allow for a detached accessory structure.**

A call to the public was made with no response.

**Moved** by Wildman, supported by Grajek, to grant case #11-05 ,3856 Beattie Road, a side yard variance of 25' with a setback of 15' and a rear yard variance of 45' with a setback of 15'. The finding of fact is the placement of the home on the property. **Motion carried unanimously.**

3-15-11 Unapproved minutes

**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.**

Tom Crane, property owner and Frank Mastroni from Little Italy Construction was present for the petitioner.

A call to the public was made with no response.

**Moved** by Wildman, supported by McCreary, to grant case #11-06, 3934 Highcrest, for a front yard variance of 8'8" with a setback of 1'4". This approval is conditioned upon the structure to be guttered with water runoff to the lake. The finding of fact is the narrowness of the lot. **Motion carried unanimously.**

**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.**

Mr. Tony Baiardi, Builder and Designer, was present for the petitioner.

A call to the public was made with no response.

**Moved** by Wildman, supported by Grajek to grant case #11-07, 3817 Highcrest, for a front yard variance of 11'4" with a setback of 23'8", a one side yard variance of 1'9" with a setback of 8'3" and another side yard variance of 4'7" with a setback of 5'5". This approval is conditioned upon the structure being guttered and drained towards the lake. The finding of fact is the size of the lot. **Motion carried unanimously.**

**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.**

A call to the public was made with the following responses: Greg Moore, 3518 Kipling Circle, stated what purpose does subdivision setbacks have if they are not followed. When the builder built this home they were not concerned about another building going on this property. There is a hill on the property; however that does not make it impossible to build there. The location of the garage would affect the curb appeal of the subdivision and it would affect my home's value also. Mr. Moore states that he lives in an area of upper class homes. The reason that people chose to live in the neighborhood was because of the nice views they have to look at. Please consider the view of the neighbors having to look at the garage out their windows. If Mr. Blair built the garage along his driveway close to his house, it would have a look of being tucked in. I would ask that the Board deny this variance.

Petitioner withdrew his petition.

3-15-11 Unapproved minutes

Moved by Wildman, supported by Grajek, to approve the February 15, 2011 Zoning Board of Appeals minutes with corrections mentioned. Motion carried unanimously.

**Moved** by Wildman, supported by Grajek to adjourn the Zoning Board of Appeals meeting at 7:55 p.m.  
**Motion carried unanimously.**

Respectfully submitted:

Amy Ruthig