

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
AUGUST 21, 2012
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. 12-16...A request by Charles and Linda Szafran, 7584 McClements, Sec. 12, for a size variance to rebuild and increase the size of a non-conforming structure.
2. 12-17...A request by Scott Sherman, 3743 Westphal, Sec. 20, for a side yard variance to construct an addition to an existing non-conforming structure.
3. 12-18...A request by James and Emma Seger, 5715 Cherokee Bend, Sec. 3, for a front yard variance to construct an addition.
4. 12-19...A request by Robert and Mary Spensley, 4390 Skusa, Sec. 27, for a front, rear and waterfront variance to construct a new home.
5. 12-20...A request by John and Carrie Mitter, 5287 Edgewood Shores Drive, Sec. 22, for a side yard variance to construct an addition.
6. 12-21...A request by Roderick Smith, 3773 Highcrest, Sec. 22, for a front and side yard variance to construct a detached accessory structure.

ADMINISTRATIVE BUSINESS:

- A. Approval of minutes for the July 17, 2012 Zoning Board of Appeals meeting.
- B. Correspondence
- C. Member Discussion
- D. Adjournment

Charter Township of Genoa
ZONING BOARD OF APPEALS
AUGUST 21, 2012
CASE #12-16

PROPERTY LOCATION: 7584 McClements

PETITIONER: Szafran, Charles and Linda

ZONING: LDR (Low Density Residential)

WELL AND SEPTIC INFO: Well and septic

PETITIONERS REQUEST: Requesting a size variance to rebuild and increase the size of a non-conforming detached accessory structure.

CODE REFERENCE: Section 11.04.01 (h) – Maximum size of detached accessory buildings on lots not zoned AG/CE.

STAFF COMMENTS: Petitioner currently has a nonconforming structure due to its size (1280 square feet) which was built prior to 1990. Petitioner is on a 5 acre lot but is zoned LDR and therefore is restricted to 1200 feet maximum.

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Rear	Size	Height
Setbacks of Zoning					1200	
Setbacks Requested					1920	
Variance Amount					720	

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

6:30

Case # 12-16

Meeting Date: Aug. 8, 2012²¹

- 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: SZAFRAN, CHARLES + LINDA

Property Address: 7584 McClements Phone: 810-623-6900; 810-623-6963

Present Zoning: L.D.R. Tax Code: 4711-12-200-009

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: 1920 SQUARE FOOT GARAGE

2. Intended property modifications: _____

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) LOT IS 5 ACRE IN SIZE

PROPOSE BUILDING IS NORMAL FOR THIS SIZE LOT.

b. Other (explain) REPLACE EXISTING POLE BARN.

Variance Application Requires the Following:

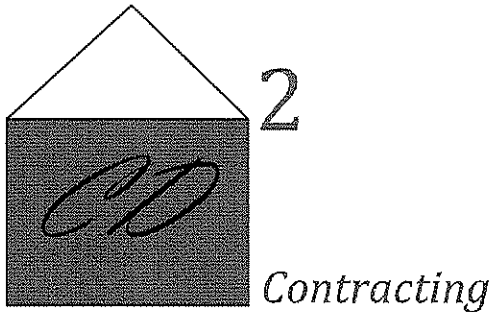
- Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. Note: Will need 8 copies of any drawings larger than 8 1/2 and 14 in size.
- Waterfront properties must indicate setback from water for adjacent homes.
- Property must be staked showing 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: 7-16-2012

Signature: Charles A Szafra

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.



1205 Ashlyn Court, Fowlerville, MI 48836

Quote

July 11, 2012

RE: Charles Szafran – 7584 McClemens
Garage

$$48 \times 40 = 1920$$

Construct a 32' x 40' garage in same location as existing garage.
Includes material, and labor:

8" block concrete base wall; two block high; trench footing foundation
4" concrete slab in interior only

14' sidewall 2' x 6' construction
30-yr shingled roof
Double 4 vinyl siding
(6) 2' x 4' non-opening windows (white)
(1) 8' x 8' overhead insulated door installed/with openers
(1) 12' x 13' overhead insulated door installed/with openers
(1) 3' flat steel service door (right swing)

Permits Included: Building, grading, and land use

No interior finish work included (osb, drywall, paint, etc.)
No electrical permits or work included

\$35,300.00

Additional Charge Option:

Demolish existing garage, includes removal of materials, including concrete

\$1,400.00

Quote valid for 30 days, alterations, adjustments, or additions subject to price change/increase

MCCLEMENTS

401

403



Charter Township of Genoa
ZONING BOARD OF APPEALS
AUGUST 21, 2012
CASE #12-17

PROPERTY LOCATION: 3743 Westphal

PETITIONER: Sherman, Scott

ZONING: CE (Country Estates)

WELL AND SEPTIC INFO: Well and septic

PETITIONERS REQUEST: Requesting a side yard variance to construct an addition on an existing non-conforming detached accessory structure.

CODE REFERENCE: Section 11.04.01 (f) (1) – Required setbacks for detached accessory structures over 120 square feet on lots greater than one (1) acre.

STAFF COMMENTS: Petitioner is seeking to expand a nonconforming horse stable.

Portions of the petitioners proposed structure are inside the working horse riding area and thus are not staked so as not to injure/confuse horses. Please exercise caution when doing on-site visits so as to not spook the horses, the petitioner stated they would accommodate visiting board members when/if encountered.

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Rear	Size	Height
Setbacks of Zoning		40				
Setbacks Requested		16				
Variance Amount		24				

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

6:30

Case # 12-17 Meeting Date: ~~8-21-12~~ 8-21-12

- 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: SCOTT SHERMAN
Property Address: 3743 WESTPHAL Phone: 517-540-0224
Present Zoning: CE Tax Code: 11-20-300-013

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: ADDITION TO EXISTING BARN IN SIDE-YARD SETBACK
EXISTING BARN WITHIN 100' RADIUS OF HOUSE

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) SEE NARRATIVE SHEET SP-1
- b. Other (explain) SEE NARRATIVE SHEET SP-1

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: 07/19/2012
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.

NEIGHBOR'S CONCENT TO PROJECT AND VARIANCE

I am a neighbor located within 300 feet of the property located at 3743 Westphal, Genoa Township, owned by Scott and Charlotte Sherman. Scott has reviewed with me his plans dated July, 16, 2012 for an addition to a horse barn. He has explained that a Township Variance is required for this project because the existing barn and the proposed addition does not comply with the current Township Zoning Ordinance with respect to side yard setback requirements and the minimum distance between an occupied residence and a barn. After review of this proposed addition I wish to inform the Zoning Board of Appeals that I have no objection to this project or any variances that may be required.

Neighbor Brenda Bearden

Signature Brenda Bearden

Address 3711 Westphal

Relationship to 3743 NORTH

Neighbor A Wayne Bearden

Signature A Wayne Bearden

Address 3711 Westphal

Relationship to 3743 NORTH

Neighbor ROBERT LAGANA

Signature Robert Lagana

Address 3710 WESTPHAL

Relationship to 3743 NORTH WEST

Neighbor Lynn Lagana

Signature Lynn Lagana

Address 3710 Westphal

Relationship to 3743 NORTH WEST

Neighbor Gwen Haggerty-Bearden

Signature Gwen Haggerty-Bearden

Address 3742 Westphal Rd.

Relationship to 3743 WEST

Neighbor Steven Bearden

Signature Steven W. Bearden

Address 3742 Westphal Rd.

Relationship to 3743 WEST

Neighbor BRYAN BELTOWSKI

Signature Bryan J. Beltowski

Address 3823 WESTPHAL

Relationship to 3743 SOUTH

PROJECT NARRATIVE:

VARIANCES REQUESTED:

- 1 - A VARIANCE IS REQUESTED TO ALLOW THE CONSTRUCTION OF AN ADDITION TO AN EXISTING BARN THAT WAS ORIGINALLY CONSTRUCTED IN THE SIDE-YARD SETBACK AS DEFINED IN THE CURRENT ZONING ORDINANCE.
- 2 - A VARIANCE IS REQUESTED TO ALLOW AN EXISTING BARN USED FOR THE HOUSING OF ANIMALS TO REMAIN WITHIN A 100 FOOT RADIUS OF AN OCCUPIED DWELLING.

PROPERTY HISTORY:

THE CURRENT PROPERTY OWNERS PURCHASED THE PROPERTY DURING THE SUMMER OF 1998. THE PROPERTY WAS PURCHASED WITH THE DWELLING UNIT, UTILITY BARN, HORSE BARN, AND MUCH OF THE FENCED-IN GRAZING AREAS IN PLACE. THE HOUSE AND BARN WERE CONSTRUCTED BY THE LAND DEVELOPERS WITH THE ORIGINAL HOUSE BUILT IN THE EARLY 1950'S. THE ORIGINAL LAND DEVELOPERS ALSO CONSTRUCTED AN ADDITION TO THE HOUSE AT A TIME UNKNOWN TO THE CURRENT RESIDENTS. THE CURRENT OWNERS CONSTRUCTED A SECOND ADDITION TO THE DWELLING BEGINNING THE SUMMER OF 2004. THE HORSE BARN WAS ORIGINALLY CONSTRUCTED TO ACCOMMODATE GOATS. THE IMMEDIATE PREVIOUS OWNER CONVERTED THE GOAT BARN TO ACCOMMODATE HORSES WITH THE INSTALLATION OF TEN HORSE STALLS. THIS PROJECT WOULD MODIFY THE EXISTING TEN HORSE STALL CONFIGURATION TO ACCOMMODATE FOUR PERMANENT HORSE STALLS WITH A FIFTH STALL TO BE USED TEMPORARILY DURING HORSE STALL CLEANING. THE CURRENT RESIDENT HAS FOUR HORSES ON THE PROPERTY WITH NO PLANS FOR ANY ADDITIONAL HORSES.

PRACTICAL DIFFICULTY:

THE PURPOSE OF THE ADDITION IS TO PROVIDE A COVERED AREA FOR THE EXERCISE AND DAILY TURNOUT OF HORSES DURING INCLEMENT WEATHER. AS A PRACTICAL MATTER THIS COVERED AREA NEEDS TO BE DIRECTLY CONNECTED TO THE BARN WHICH CONTAINS THE NIGHT TIME STALLS, FEED, AND HORSE RELATED EQUIPMENT. AS THIS BARN WAS CONSTRUCTED PRIOR TO THE ADOPTION OF THE CURRENT ORDINANCE AND IN THE NEWLY DEFINED SIDE-YARD SETBACK, IT WOULD NOT BE PRACTICAL TO CONSTRUCT AN EXERCISE AREA CONNECTED TO THE BARN MEETING ALL THE CURRENT REQUIREMENTS WITHOUT RECONSTRUCTING THE BARN. NOT ONLY IS RECONSTRUCTION OF THE BARN WITH AN ATTACHED EXERCISE AREA IMPRACTICAL FROM A COST PERSPECTIVE BUT WOULD BE NEARLY IMPOSSIBLE DUE TO THE PROPERTY CONSTRAINTS OF THE EXISTING DWELLING UNIT, NEW SIDE-YARD SETBACK REQUIREMENTS, AND THE EXISTENCE OF A NATURAL FEATURE, A ONE HALF ACRE POND, AND ITS REQUIRED NATURAL FEATURE SETBACK REQUIREMENT.

EXTRAORDINARY CIRCUMSTANCES:

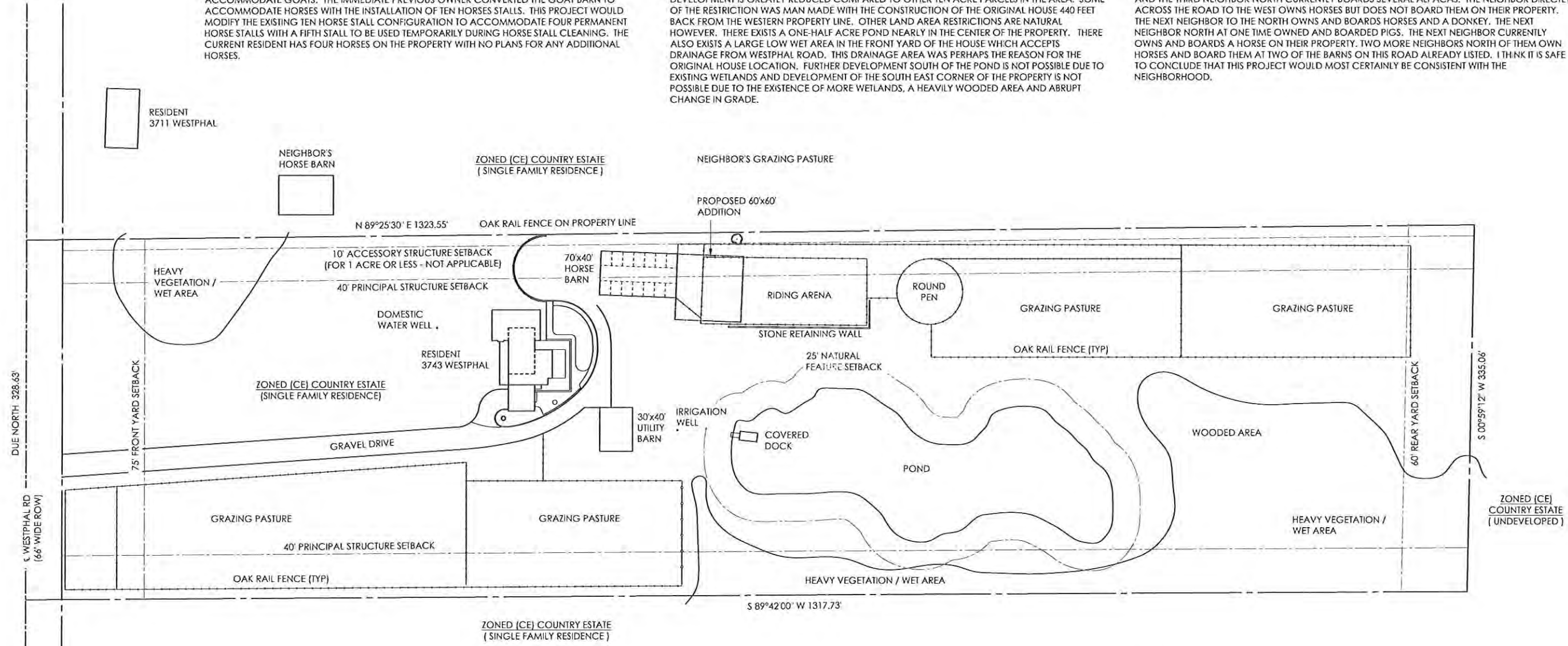
ALTHOUGH THE PROPERTY IS SLIGHTLY LARGER THAN TEN ACRES, THE LAND AVAILABLE FOR DEVELOPMENT IS GREATLY REDUCED COMPARED TO OTHER TEN ACRE PARCELS IN THE AREA. SOME OF THE RESTRICTION WAS MADE WITH THE CONSTRUCTION OF THE ORIGINAL HOUSE 440 FEET BACK FROM THE WESTERN PROPERTY LINE. OTHER LAND AREA RESTRICTIONS ARE NATURAL HOWEVER. THERE EXISTS A ONE-HALF ACRE POND NEARLY IN THE CENTER OF THE PROPERTY. THERE ALSO EXISTS A LARGE LOW WET AREA IN THE FRONT YARD OF THE HOUSE WHICH ACCEPTS DRAINAGE FROM WESTPHAL ROAD. THIS DRAINAGE AREA WAS PERHAPS THE REASON FOR THE ORIGINAL HOUSE LOCATION. FURTHER DEVELOPMENT SOUTH OF THE POND IS NOT POSSIBLE DUE TO EXISTING WETLANDS AND DEVELOPMENT OF THE SOUTH EAST CORNER OF THE PROPERTY IS NOT POSSIBLE DUE TO THE EXISTENCE OF MORE WETLANDS, A HEAVILY WOODED AREA AND ABRUPT CHANGE IN GRADE.

APPEAL BENEFIT:

PART OF THIS PROJECT IS TO RECONFIGURE THE EXISTING BARN. ALTHOUGH THE BARN WOULD STILL BE WITHIN THE 100 FOOT RADIUS RESTRICTION OF THE DWELLING UNIT, AFTER RECONFIGURATION THE FOUR OCCUPIED HORSE STALLS WOULD BE OUTSIDE THIS NEWLY ESTABLISHED RADIUS. FURTHER THE COVERED TURNOUT ADDITION WOULD ALLOW THE HORSES TO SPEND MOST OF THEIR TIME OUTSIDE THE BARN, EVEN DURING TIMES OF BAD WEATHER IN AN AREA FAR OUTSIDE OF THE 100 FOOT RESTRICTION. THIS NEW ATTACHED TURNOUT AREA WOULD ALSO GREATLY MITIGATE THE USE OF THE FIFTH CLEANING STALL WHICH IS STILL WITHIN THE RADIUS RESTRICTION.

NEIGHBORHOOD INTERFERENCE OR DISCOURAGEMENT:

WESTPHAL ROAD IS A HAVEN FOR OWNERS OF LARGE ANIMALS. THE NORTHERN NEIGHBOR MOST AFFECTED BY THIS PROJECT ALSO OWNS AND BOARDS HORSES BOTH HERE AND IN KENTUCKY. THE KENTUCKY HORSES, THOROUGHBRED RACING HORSES, ARE OFTEN CYCLED FROM KENTUCKY TO THEIR FARM NEXT TO ME FOR REST. THE AREA IMMEDIATELY NEXT TO THE PROPOSED ADDITION IS HORSE GRAZING LAND. THE NEXT NEIGHBOR NORTH HAS BOARDED A HORSE ON THEIR PROPERTY AND THE THIRD NEIGHBOR NORTH CURRENTLY BOARDS SEVERAL ALPACAS. THE NEIGHBOR DIRECTLY ACROSS THE ROAD TO THE WEST OWNS HORSES BUT DOES NOT BOARD THEM ON THEIR PROPERTY. THE NEXT NEIGHBOR TO THE NORTH OWNS AND BOARDS HORSES AND A DONKEY. THE NEXT NEIGHBOR NORTH AT ONE TIME OWNED AND BOARDED PIGS. THE NEXT NEIGHBOR CURRENTLY OWNS AND BOARDS A HORSE ON THEIR PROPERTY. TWO MORE NEIGHBORS NORTH OF THEM OWN HORSES AND BOARD THEM AT TWO OF THE BARN ON THIS ROAD ALREADY LISTED. I THINK IT IS SAFE TO CONCLUDE THAT THIS PROJECT WOULD MOST CERTAINLY BE CONSISTENT WITH THE NEIGHBORHOOD.



SITE PLAN

24x36 SHEET SCALE: 1" = 50' 438,170.43 SF (10.06 ACRES)
 11x17 SHEET SCALE: 1" = 100'

1. REFER TO PARTIAL SITE PLAN SHEET-SP2 FOR ADDITIONAL SITE DIMENSIONS.

SCOTT & CHARLOTTE SHERMAN RESIDENCE
 3743 WESTPHAL ROAD
 HOWELL (GENOA TWP), MICHIGAN, 48843
 PROPERTY ID NO. 11-20-300-013

LEGAL DESCRIPTION:

A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 20; THENCE DUE NORTH ALONG THE CENTERLINE OF WESTPHAL ROAD, ALSO BEING THE WEST SECTION LINE OF SAID SECTION 20, 1003.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUING DUE NORTH ALONG THE CENTERLINE OF WESTPHAL ROAD 328.63 FEET; THENCE NORTH 89°25'30" EAST 1323.55 FEET; THENCE SOUTH 00°59'12" WEST 335.06 FEET; THENCE SOUTH 89°42'00" WEST 1317.73 FEET TO THE POINT OF BEGINNING.

SHEET SCHEDULE:

- SP-1 - SITE PLAN
- SP-2 - PARTIAL SITE PLAN
- SP-3 - FLOOR PLAN
- SP-4 - WEST & SOUTH ELEVATION
- SP-5 - EAST & NORTH ELEVATION
- SP-6 - SITE SURVEY & 2004 LAND USE APPROVAL SITE PLAN
- SP-7 - SITE AERIAL VIEW
- SP-8 - SITE PHOTOGRAPHS



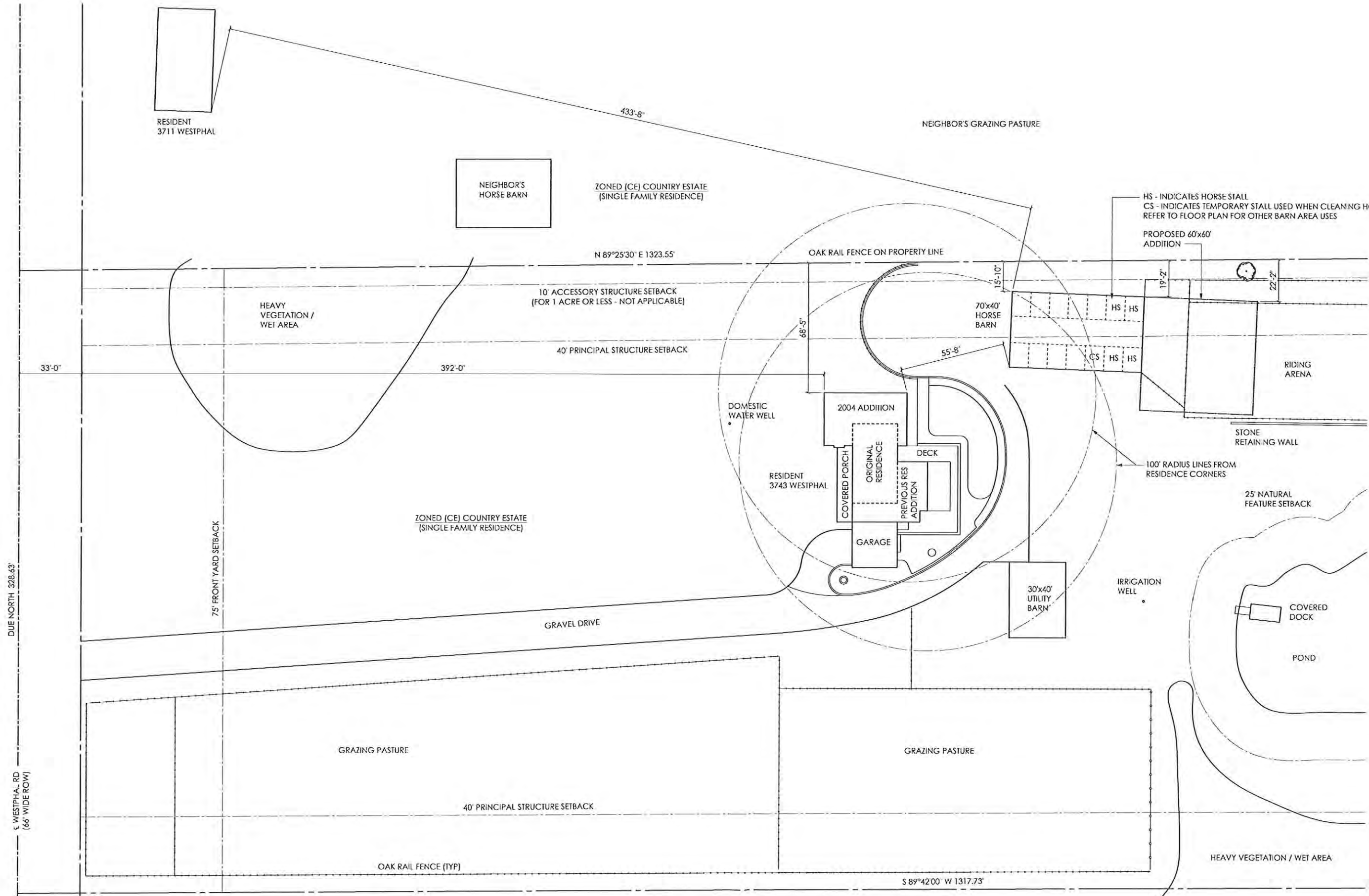
1361 hartsough
 plymouth, michigan 48170
 web www.api-architects.com
 email opl@api-architects.com

architects & planners, inc.

office (734) 453 6060
 fax (517) 518 8052
 david schaff direct (734) 377 7110
 scott sherman direct (734) 377 7127

DATE
 JUL 16 2012
 RELEASED FOR
 ZBA REVIEW
 PROJECT NO.
 12121
 SHEET NO.
 SP-1
 SITE PLAN

SHERMAN BARN ADDITION
 3743 WESTPHAL, GENOA TOWNSHIP



HS - INDICATES HORSE STALL
CS - INDICATES TEMPORARY STALL USED WHEN CLEANING HORSE STALLS
REFER TO FLOOR PLAN FOR OTHER BARN AREA USES

architects & planners, inc.

office (734) 453 6060
fax (517) 518 8052
david schaff direct (734) 377 7110
scott sherman direct (734) 377 7127

DATE JUL 16 2012
RELEASED FOR ZBA REVIEW
PROJECT NO 12121
SHEET NO SD-2
SHERMAN BARN ADDITION
3743 WESTPHAL, GENOA TOWNSHIP

ZONED (CE) COUNTRY ESTATE
(SINGLE FAMILY RESIDENCE)



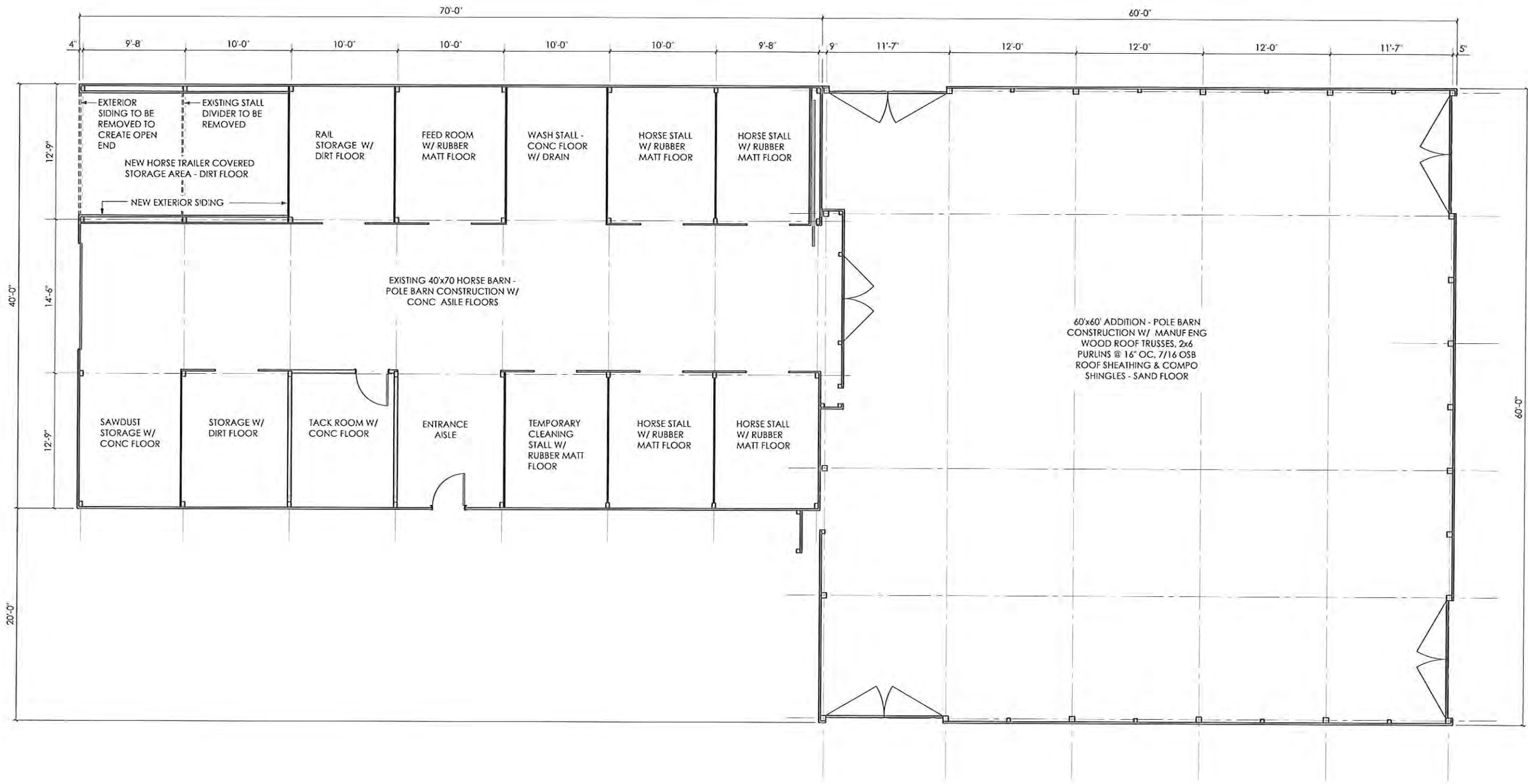
PARTIAL SITE PLAN

24x36 SHEET SCALE: 1" = 25'
11x17 SHEET SCALE: 1" = 50'

438,170.43 SF (10.06 ACRES)



1361 hartsough
plymouth, michigan 48170
web www.api-architects.com
email api@api-architects.com



architects & planners, inc.

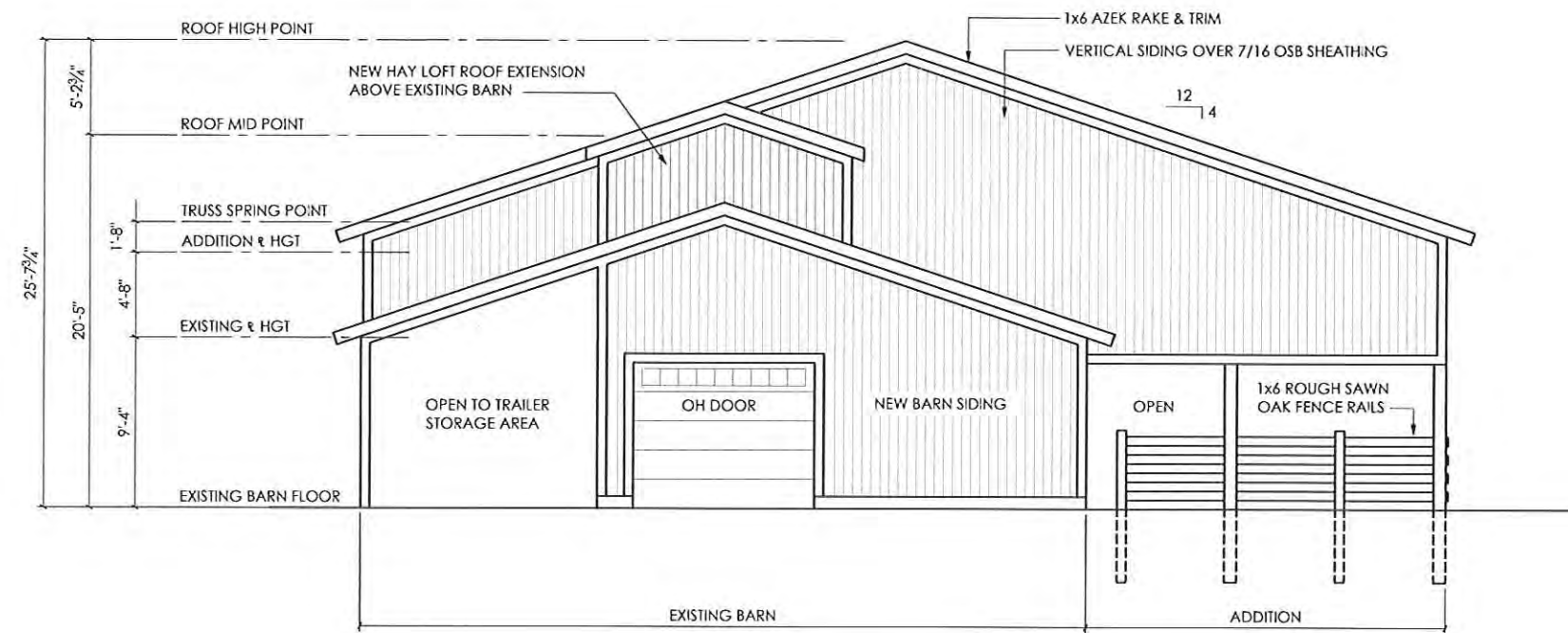
office (734) 453 6060
fax (517) 518 8052
david schaff direct (734) 377 7110
scott sherman direct (734) 377 7127



FLOOR PLAN

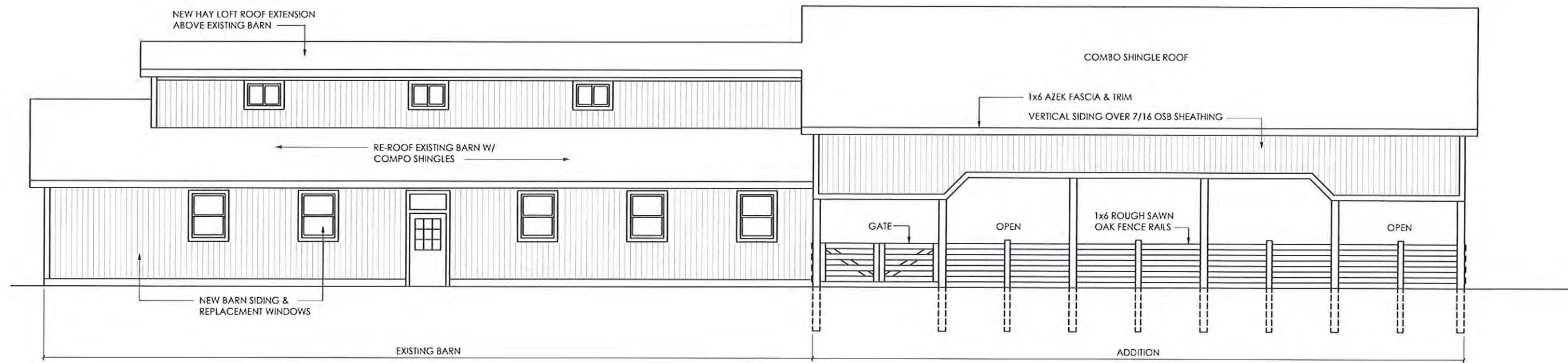
24x36 SHEET SCALE: 1" = 5'-0"
11x17 SHEET SCALE: 1" = 10'-0"

ADDITION 3,600 SF



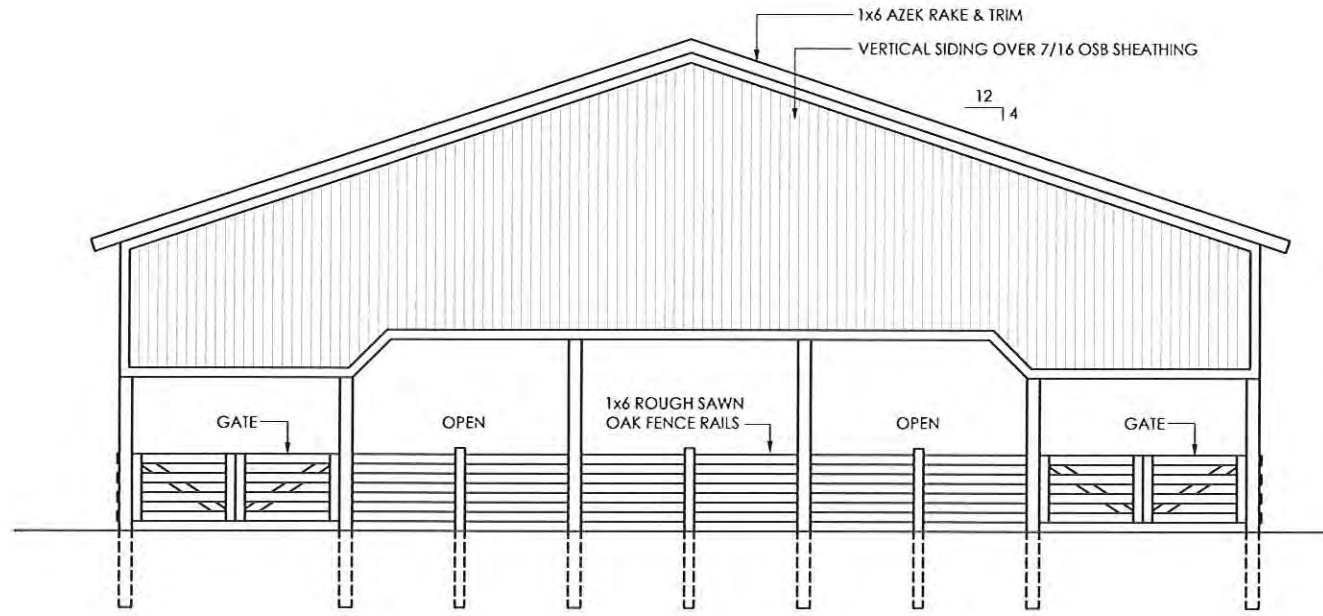
WEST ELEVATION

24x36 SHEET SCALE: 1" = 5'-0"
11x17 SHEET SCALE: 1" = 10'-0"



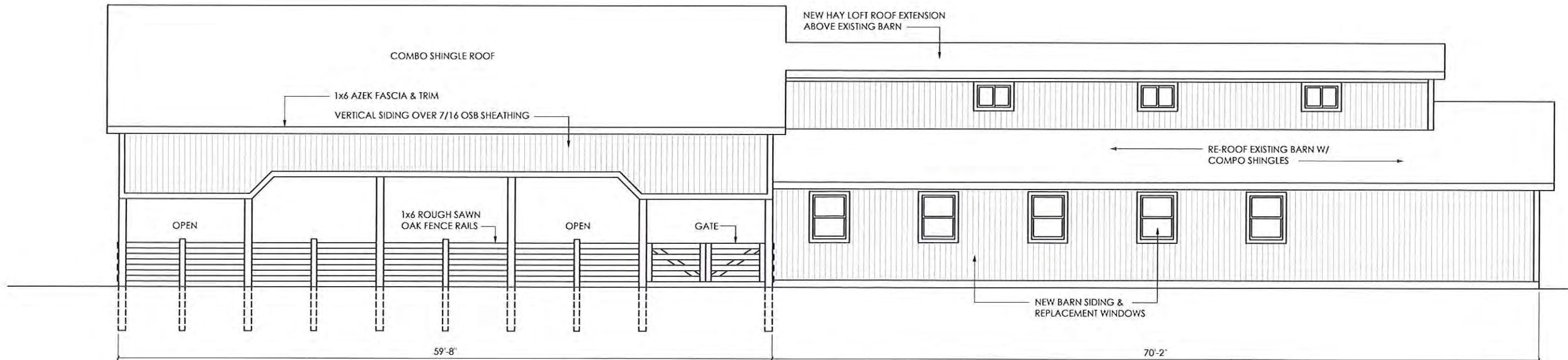
SOUTH ELEVATION

24x36 SHEET SCALE: 1" = 5'-0"
11x17 SHEET SCALE: 1" = 10'-0"



EAST ELEVATION

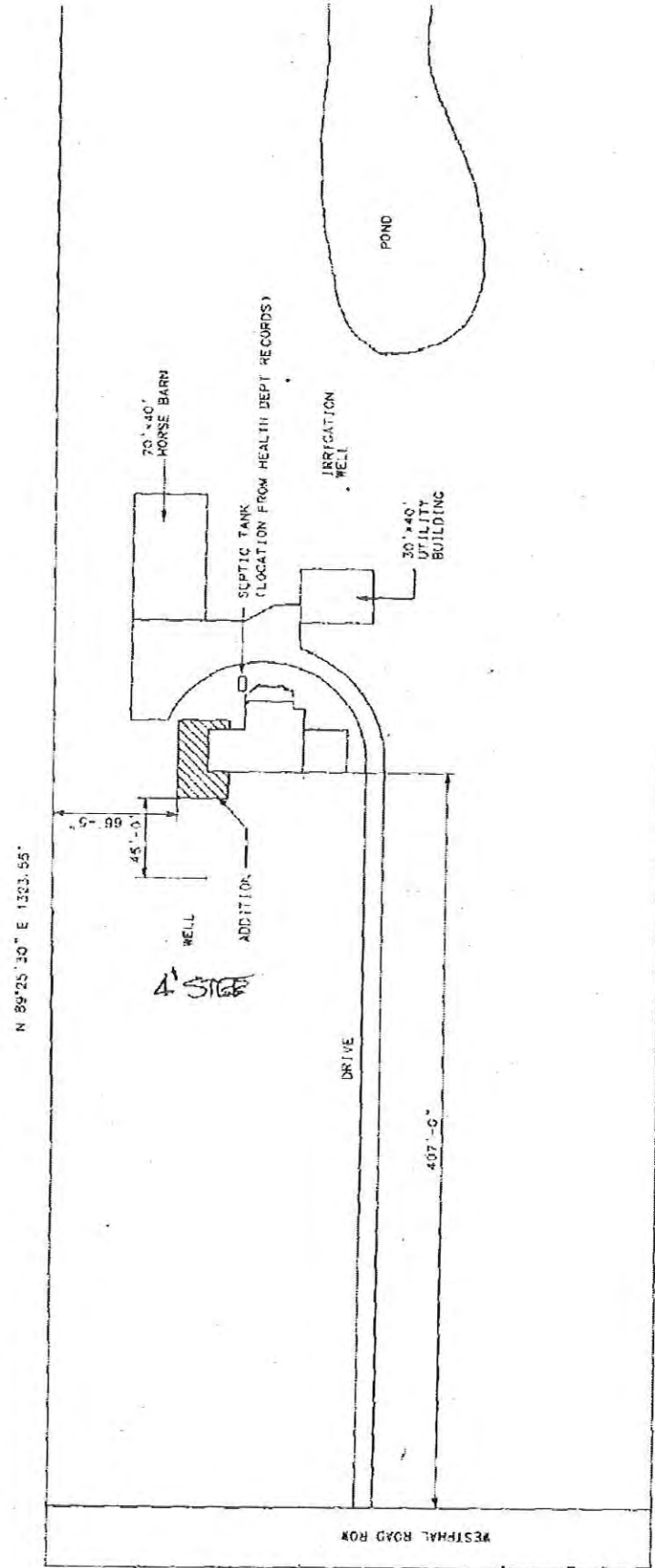
24x36 SHEET SCALE: 1" = 5'-0"
11x17 SHEET SCALE: 1" = 10'-0"



NORTH ELEVATION

24x36 SHEET SCALE: 1" = 5'-0"
11x17 SHEET SCALE: 1" = 10'-0"

Addition to Scott & Charlotte Sherman Residence
 3743 Westphal Road
 Howell, Michigan, 48843
 Property ID No. 11-20-300-013
 Genoa Twp.



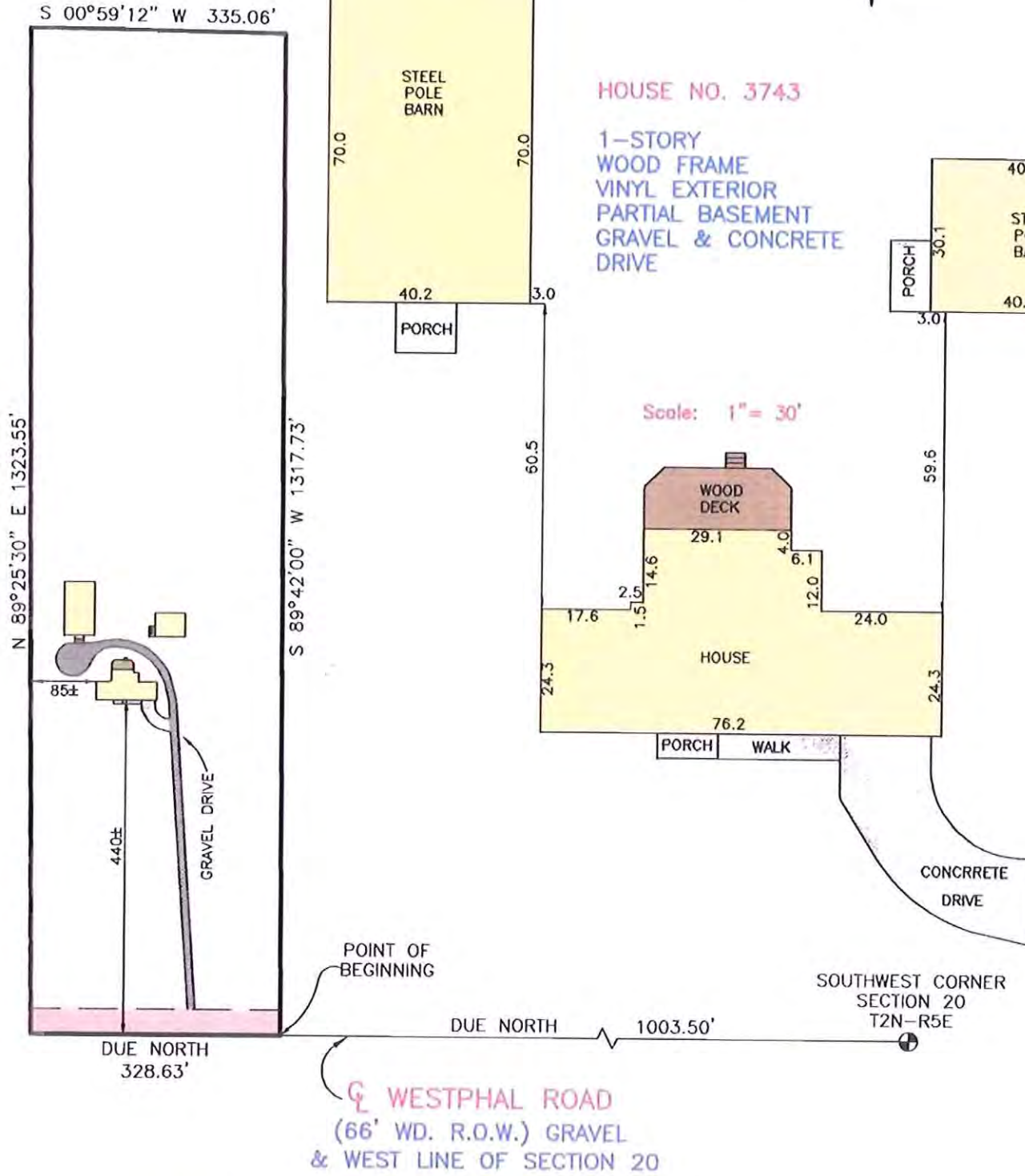
S 89°49' W 1317.73'



PARTIAL SITE PLAN
 SCALE: 1"=60'

GENOA TOWNSHIP
 AUG 05 2004
 PERMIT APPROVED

GENOA TWP, MICHIGAN
 SHERMAN RESIDENCE
 04200



BOSS ENGINEERING
ENGINEERS & SURVEYORS

MAIN OFFICE: 3121 E. GRAND RIVER - HOWELL, MICHIGAN 48843 - (517)546-4836 - BRIGHTON (810)229-4773

Scale: 1" = 200'
 Job No.: M-38040

1361 hartsough
 plymouth, michigan 48170
 web www.cpi-architects.com
 email cpi@cpi-architects.com

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SHERMAN BARN ADDITION
 3743 WESTPHAL, GENOA TOWNSHIP

DATE
 JUL 16 2012
 RELEASED FOR
 ZBA REVIEW
 PROJECT NO
 12121
 SHEET NO
 SD-6

SITE SURVEY & 2004 LAND USE APPROVAL SITE PLAN



60'x60'
ADDITION

Westphal Rd

Westphal Rd

Westphal Rd

100 ft
50 m

DATE
JUL 16 2012
RELEASED FOR
ZBA REVIEW
PROJECT NO.
12121
SHEET NO.

SD-7

SITE AERIAL VIEW

SHERMAN BARN ADDITION
3743 WESTPHAL, GENOA TOWNSHIP

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plymouth, michigan 48170
web www.api-architects.com
email api@api-architects.com





VIEW OF EXISTING BARN FROM BACK (EAST SIDE)
OF NORTHERN NEIGHBOR'S RESIDENCE



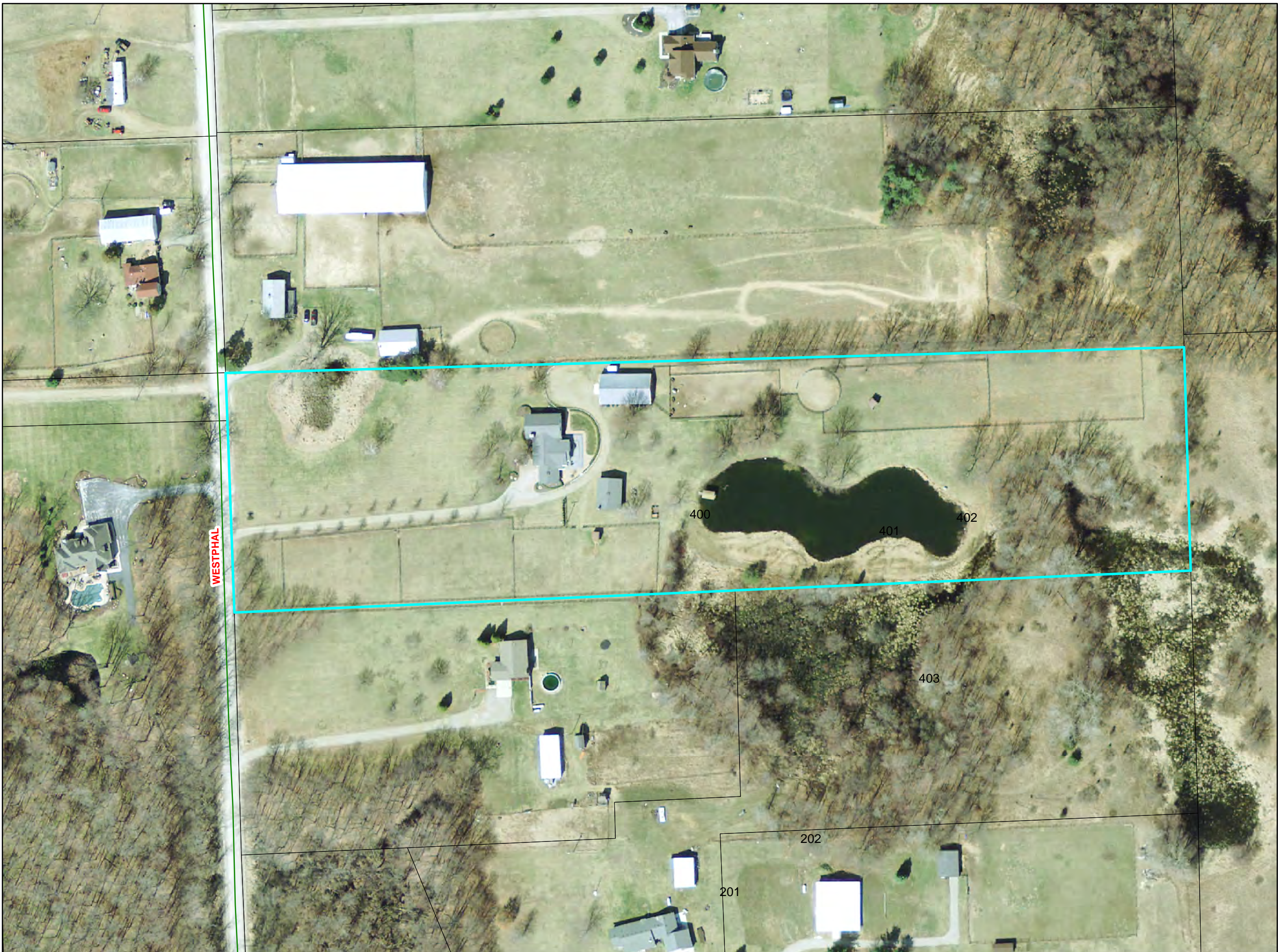
VIEW OF NORTHERN NEIGHBOR'S RESIDENCE FROM
THE FRONT (WEST SIDE) OF EXISTING BARN



NORTHEAST CORNER OF EXISTING BARN



SOUTHEAST CORNER OF EXISTING BARN



WESTPHAL

400

401

402

403

202

201

Charter Township of Genoa
ZONING BOARD OF APPEALS
AUGUST 21, 2012
CASE #12-18

PROPERTY LOCATION: 5715 Cherokee Bend

PETITIONER: James and Emma Seger

ZONING: MHP (Manufactured Housing Park)

WELL AND SEPTIC INFO: Well and sewer

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

CODE REFERENCE: Table 3.04 – Dimensional Standards - MHP (Manufactured Housing Park)

STAFF COMMENTS: Petitioner was denied for a front yard variance for a 14 foot addition at the July 17th 2012 ZBA meeting. Petitioner has submitted a new petition for a 12 foot addition.

	Front	Front	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	35	10	40	25	-
Setbacks Requested	12	24				
Variance Amount	23	11				

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

6:30

Case # 12-18 Meeting Date: 8-21-12

- 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 F. & EMMA Seger

Property Address: 5215 Cherokee Bl. Phone: 517-404-5635

Present Zoning: MHP Tax Code: 11-03-401-050

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 VARIANCE

2. Intended property modifications: ADDITION TO PRESENT HOME

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) UNUSUAL SHAPE OF LOT

b. Other (explain) _____

Variance Application Requires the Following:

~~Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. Note: All need 5 copies of any drawings larger than 11" x 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

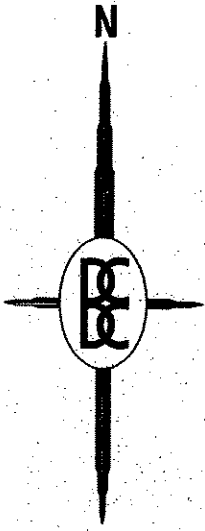
Date: 7-26-2012

Signature: Emma Seger Ch# 1297

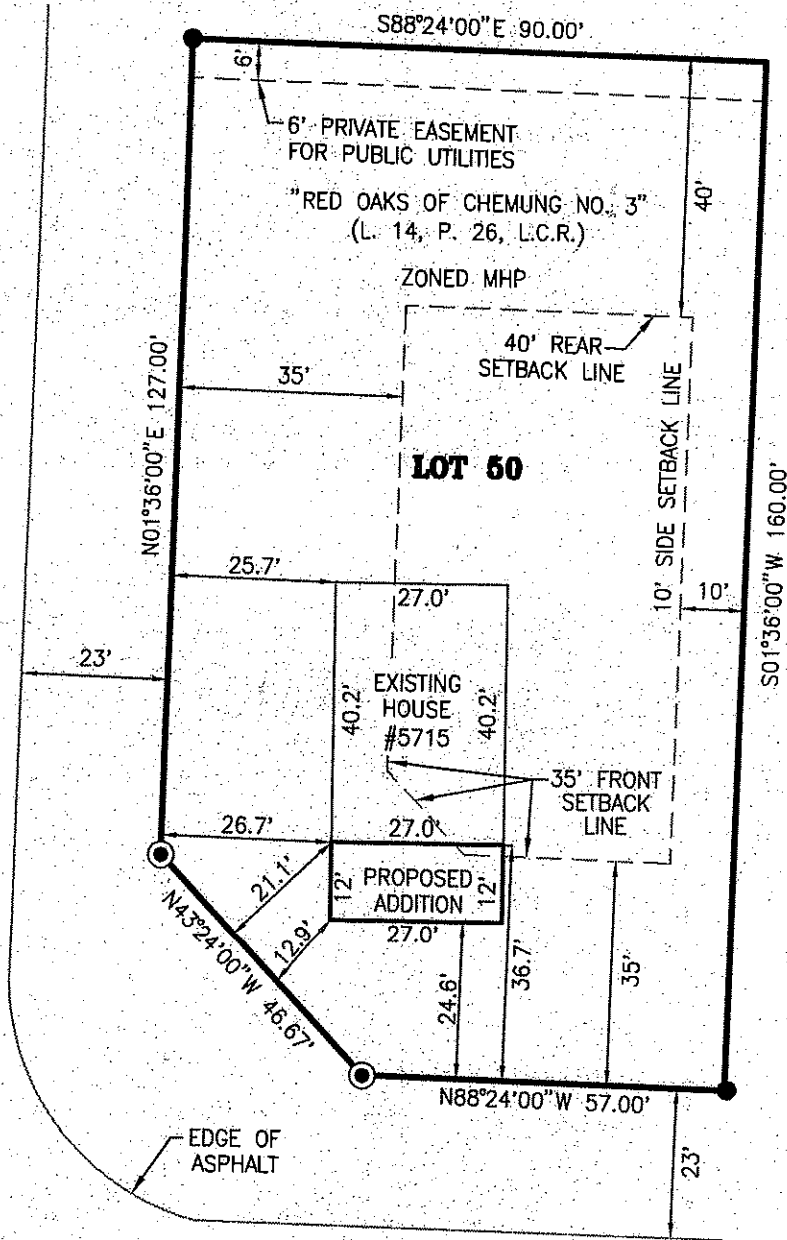
Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.

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

SURVEY



CHEYENNE TRAIL (66' WIDE R/W)
(ASPHALT SURFACE)



CHEROKEE BEND (66' WIDE R/W)
(ASPHALT SURFACE)

GENERAL SURVEY NOTES:

- CURRENT ZONING: MHP (MANUFACTURED HOUSING PARK)
- MINIMUM SETBACK REQUIREMENTS:
FRONT = 35 FEET
SIDES = 10 FEET
REAR = 40 FEET
- BEARINGS WERE ESTABLISHED FROM THE PLAT OF "RED OAKS OF CHEMUNG NO. 3", AS RECORDED IN LIBER 14 OF PLATS, PAGE 26, LIVINGSTON COUNTY RECORDS.
- 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.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

DESCRIPTION:
LOT 50, "RED OAKS OF CHEMUNG NO. 3", (L. 14, P. 26, L.C.R.), BEING PART OF S 1/2, SEC. 3, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICH.

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:
SEGER



SCALE: 1 INCH = 30 FEET

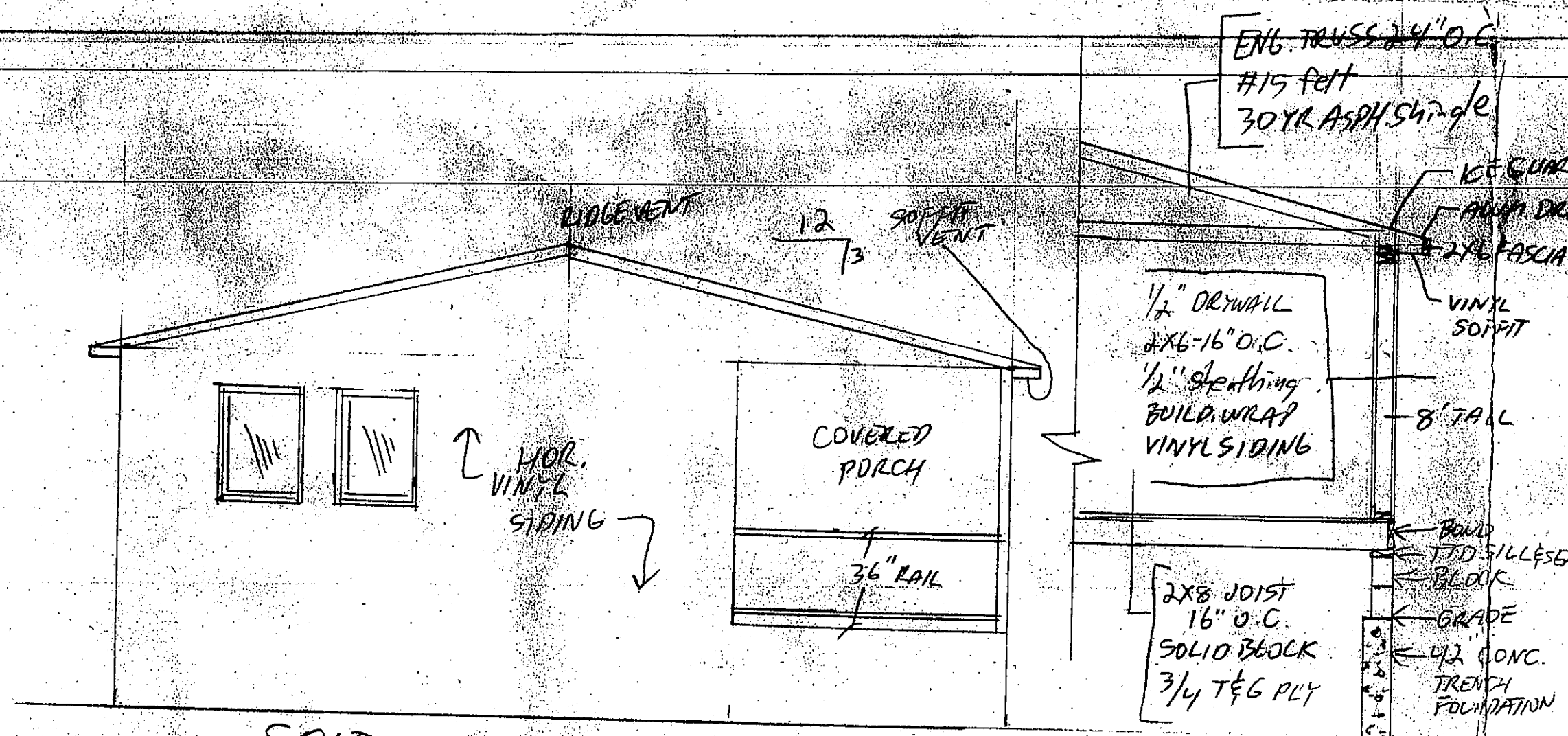
LEGEND

- = IRON SET
- = IRON FOUND
- ⊙ = MONUMENT FOUND
- * = FENCE
- (R) = RECORDED
- (M) = MEASURED

JOB NO.	12-162	DATE	6-25-12	7-30-12
SHEET	1 OF 1	FB.517	CREW.GFD	DR. AEB CK Cut

NOTES: R-13 MIN. CRAWL SPACE WALL INSULATION
 R-38 ATTIC INSULATION
 R-19 WALL INSULATION

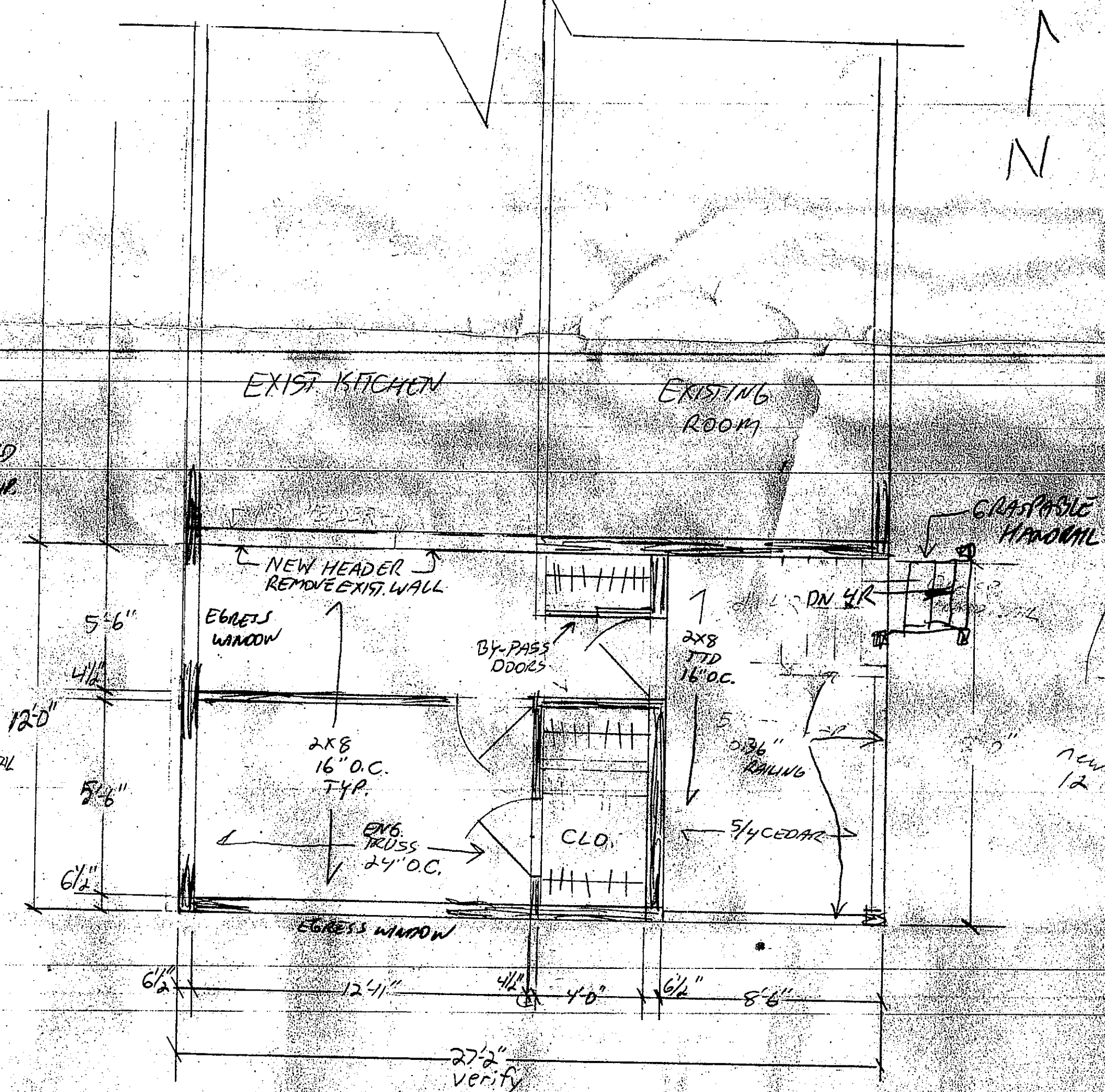
take 5/19/10



SOUTH ELEV.

SEGER RESIDENCE SCALE 1/4" = 1'-0"

R-11 Paint walls R-38
 ceiling walls R-19



27'-2" verify



CHEYENNE

CHEROKEE

Charter Township of Genoa
ZONING BOARD OF APPEALS
AUGUST 21, 2012
CASE #12-19

PROPERTY LOCATION: 4390 Skusa

PETITIONER: Spensley, Robert and Mary

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and sewer

PETITIONERS REQUEST: Requesting a front, rear and waterfront variance to construct a new home.

CODE REFERENCE: Table 3.04 – Dimensional Standards - LRR (Lakeshore Resort Residential)

STAFF COMMENTS: Petitioner originally received variances for a proposed home in 2005 but never pursued the project. (See attached 2005 ZBA file)

Petitioner is seeking to demolish an existing nonconforming building and construct a new home.

Any approval must include the condition that the lots be combined into one tax code.

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40	25	40
Setbacks Requested	16			28		28
Variance Amount	19			12		12

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 12-19 Meeting Date: 8/21/12

- 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: ROBERT & MARY SPENSLEY
Property Address: 4390 SKUSA Phone: 517-404-4542
Present Zoning: LRR Tax Code: 11-27-103-046

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: FRONTYARD OF 18'-2", FROM 35' TO 16'-10"
WATERFRONT OF 11'-5", FROM 40' TO 28'-7"

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) _____
- b. Other (explain) SUBSTANDARD LOT AREA IMPOSES A PRACTICAL DIFFICULTY MEETING SETBACKS FRONT TO BACK.

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: 7/27/12

Signature: Dennis Dinsler DENNIS DINSELER
ARCADIAN DESIGN 517 540 9960

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
ZONING BOARD OF APPEALS
DECEMBER 13, 2005
6:30 P.M.**

MINUTES

Chairman Doug Brown 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 the Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Doug Brown, Steve Wildman, Barbara Figurski, and Joe Perri. Also present was Township staff member Adam Van Tassell and approximately 9 persons in the audience.

Chairman Brown gave a brief introduction of the Board members including new Board member Steve Wildman and a report on why the Zoning Board of Appeals exists.

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

A call to the public was made for non-agenda items with no response.

05-35...A request by Robert and Mary Spensley, Section 27, 4390 Skusa, for two side yard variances, front yard variance and a rear yard variance to construct a new home.

A call to the public was made with no response.

Moved by Perri, supported by Figurski, to grant petitioner's request of case #05-35 located at 4390 Skusa Drive for a 5' variance on the west side with a 5' setback, 15' variance on the south side (road side), 7' variance on the north side (waterfront), and 15' variance from the rear lot line to construct a new home conditioned with the home being guttered. The practical difficulty is the size of the lots and the topography of the lake. **Motion carried unanimously.**

05-45...A request by Chris Malysz, Section 12, 1330 Clark Lake Road, is for a variance to split property into two nonconforming lots.

Mr. Malysz introduced his brother Karl Malysz that will be representing him tonight. Mr. Karl Malysz stated for the record that he was born and raised in Michigan but for the past couple of years he has been living Kentucky and that he is an urban planner and is AICP certified.

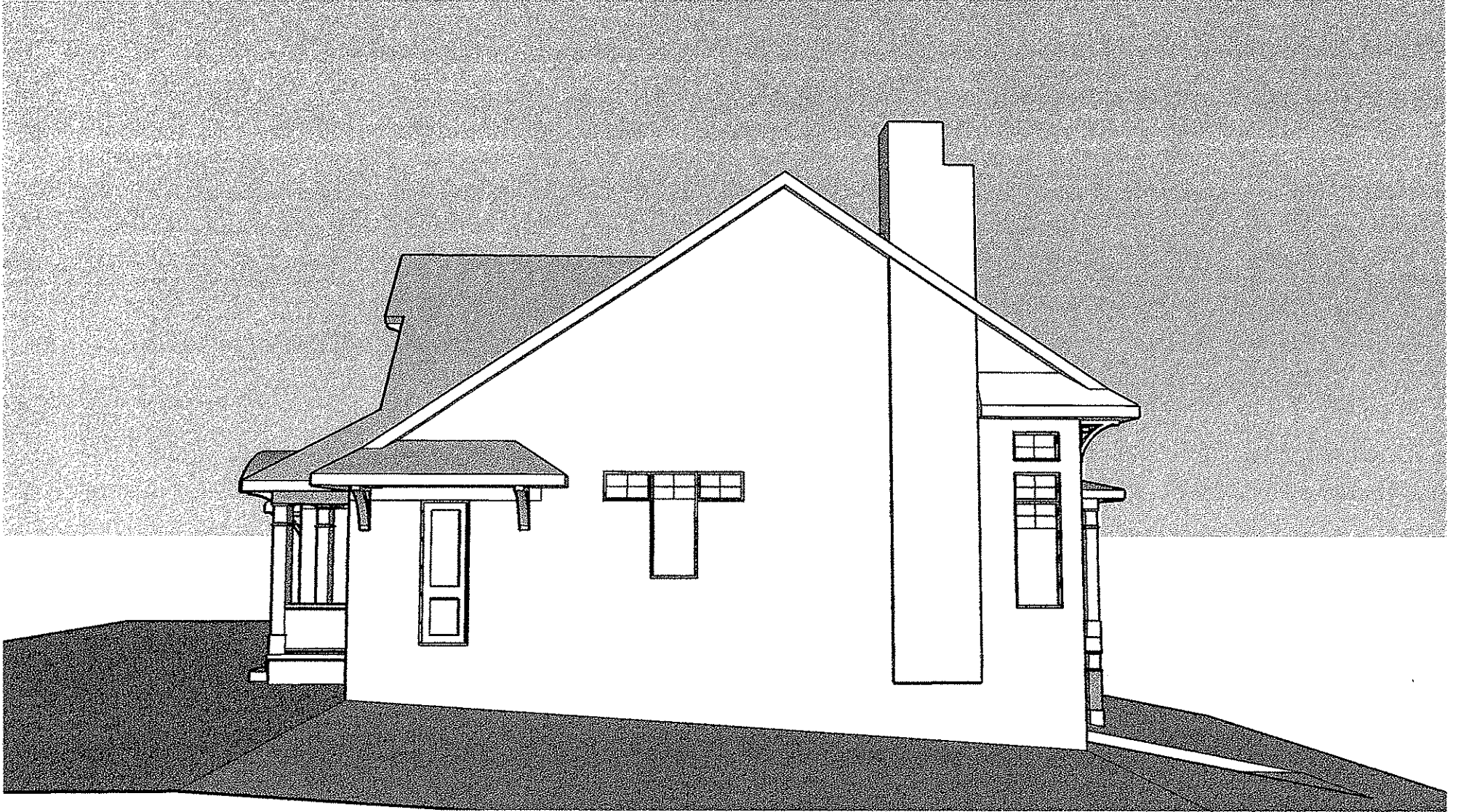
A call to the public was made with the following comments: Mr. George Kandler- 1475 Clark Lake Road, I live across the street and am against this variance for a number of reasons. If these splits were to happen they would lose a garage and there would be no



FRONT ELEVATION



FRONT-RIGHT ELEVATION



RIGHT SIDE ELEVATION



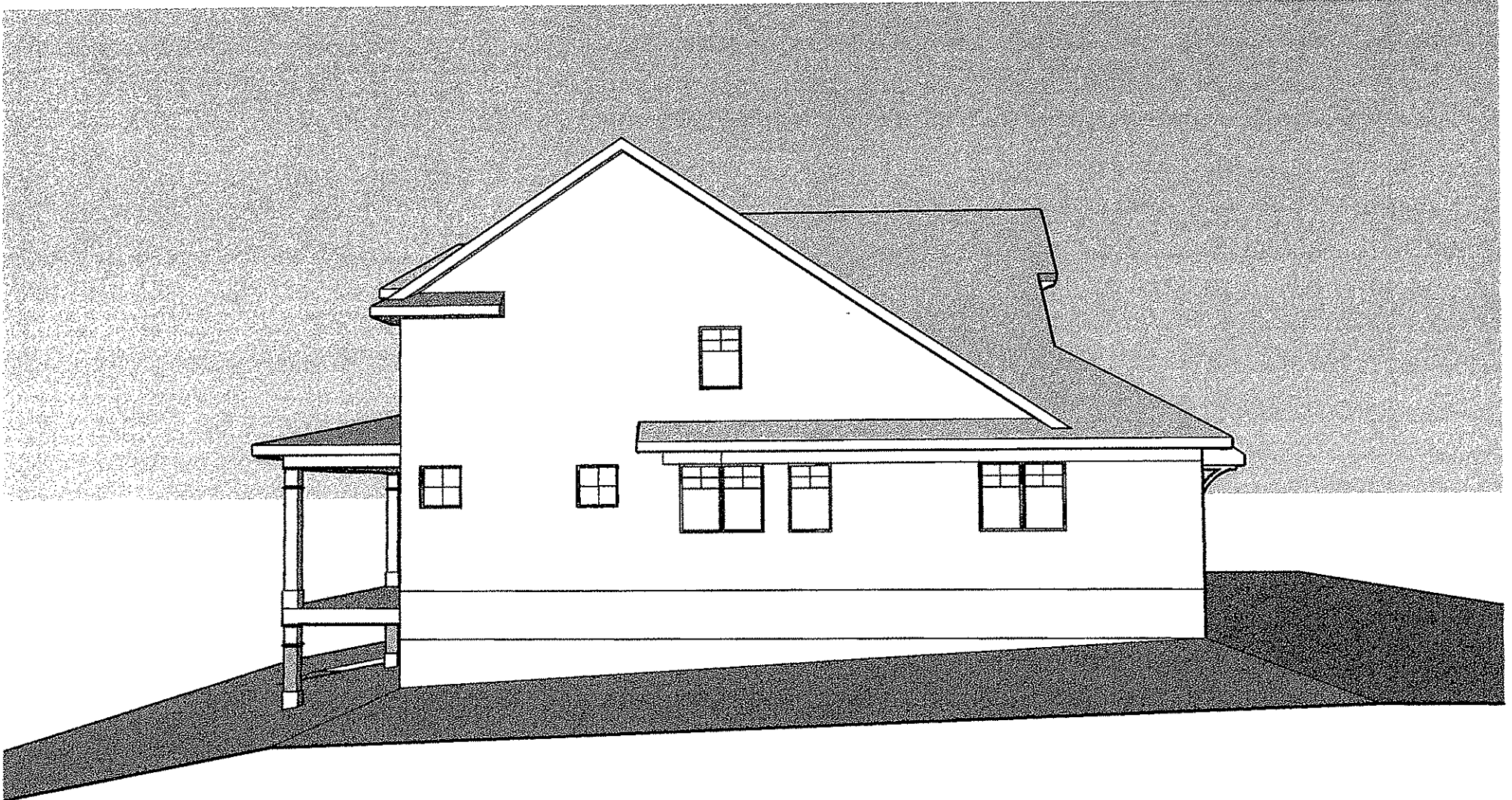
REAR-RIGHT ELEVATION



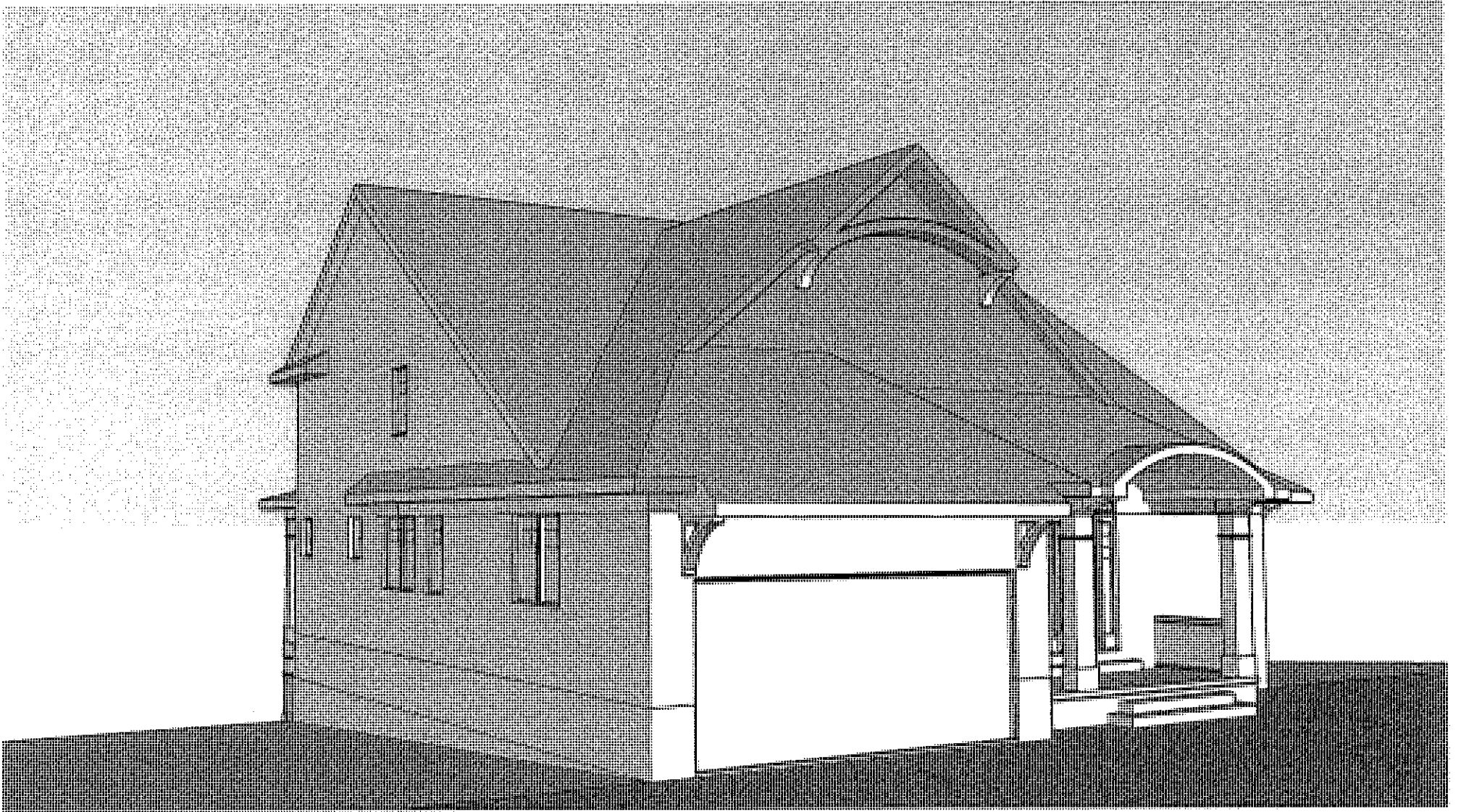
REAR ELEVATION



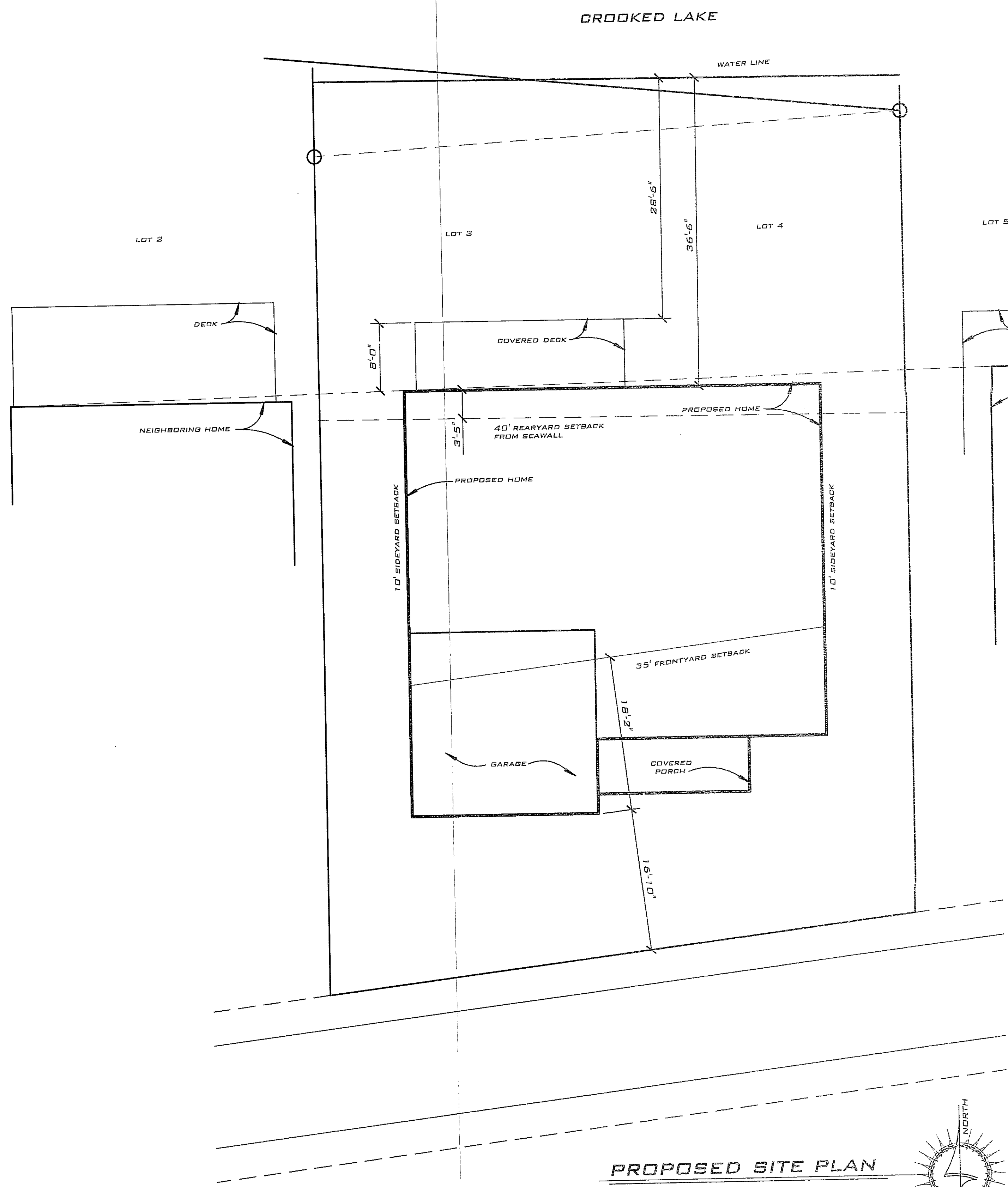
REAR-LEFT ELEVATION



LEFT SIDE ELEVATION



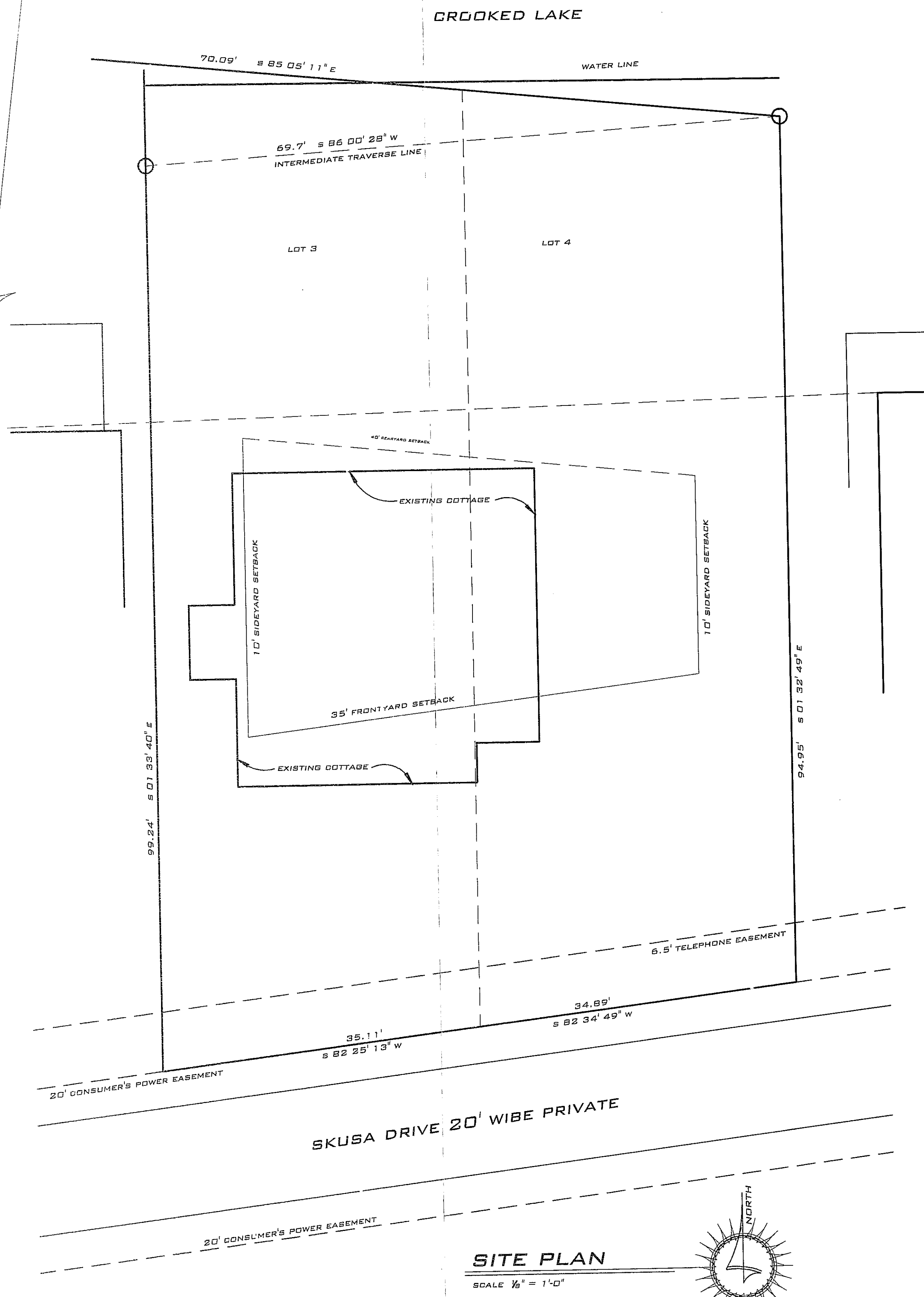
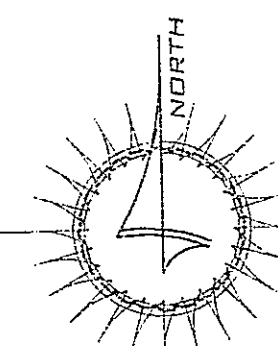
FRONT-LEFT ELEVATION



PROPOSED SITE PLAN

SCALE 1/8" = 1'-0"

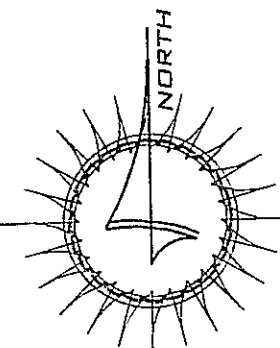
4390 SKUSA



SITE PLAN

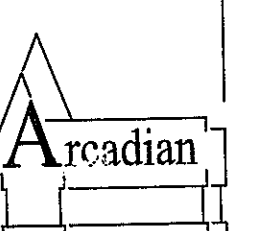
SCALE 1/8" = 1'-0"

4390 SKUSA



SKUSA DRIVE 20' WIBE PRIVATE

SPENSLEY RESIDENCE



Residential Design
DENNIS DINSER
7091 Augustine Ct.
Fenton, MI 48430
517-540-9960
www.arcadiandesign.net

DRAWN DD
CHECKED
DATE
SHEET NUMBER
1 of 1
PROJECT NUMBER



SKUSA

Charter Township of Genoa
ZONING BOARD OF APPEALS
AUGUST 21, 2012
CASE #12-20

PROPERTY LOCATION: 5287 Edgewood Shores Drive

PETITIONER: Mitter, John and Carrie

ZONING: RPUD (Residential Planned Unit Development)

WELL AND SEPTIC INFO: Well and sewer

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

CODE REFERENCE: Northshore Village PUD – principal building setbacks

STAFF COMMENTS: Petitioner’s home was built with a side entry garage, allowing the side yard setbacks to adjust from 20 feet on each side to 20 feet on the garage side and reduced to 10 feet on the other side to allow for turning radius and driveway. Petitioner is currently seeking to construct an addition which expands into the 20 foot side yard setback. Any such addition could not be closer than 30 feet to adjacent structures.

	Front	One Side	Other Side	Rear	Height	Adjacent building setback
Setbacks of Zoning	40	10	20	50		30
Setbacks Requested			10			
Variance Amount			10			

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 12-20 Meeting Date: 8-21-12 @ 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: John and Carrie Mitter
Property Address: 5287 Edgewood Shores Drive 517-546-2492
Present Zoning: RPUD Tax Code: 11-22-102-159

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: To move eastside setback to be 10 ft. to put an addition on our house

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) _____
- b. Other (explain) To add an addition on to our house

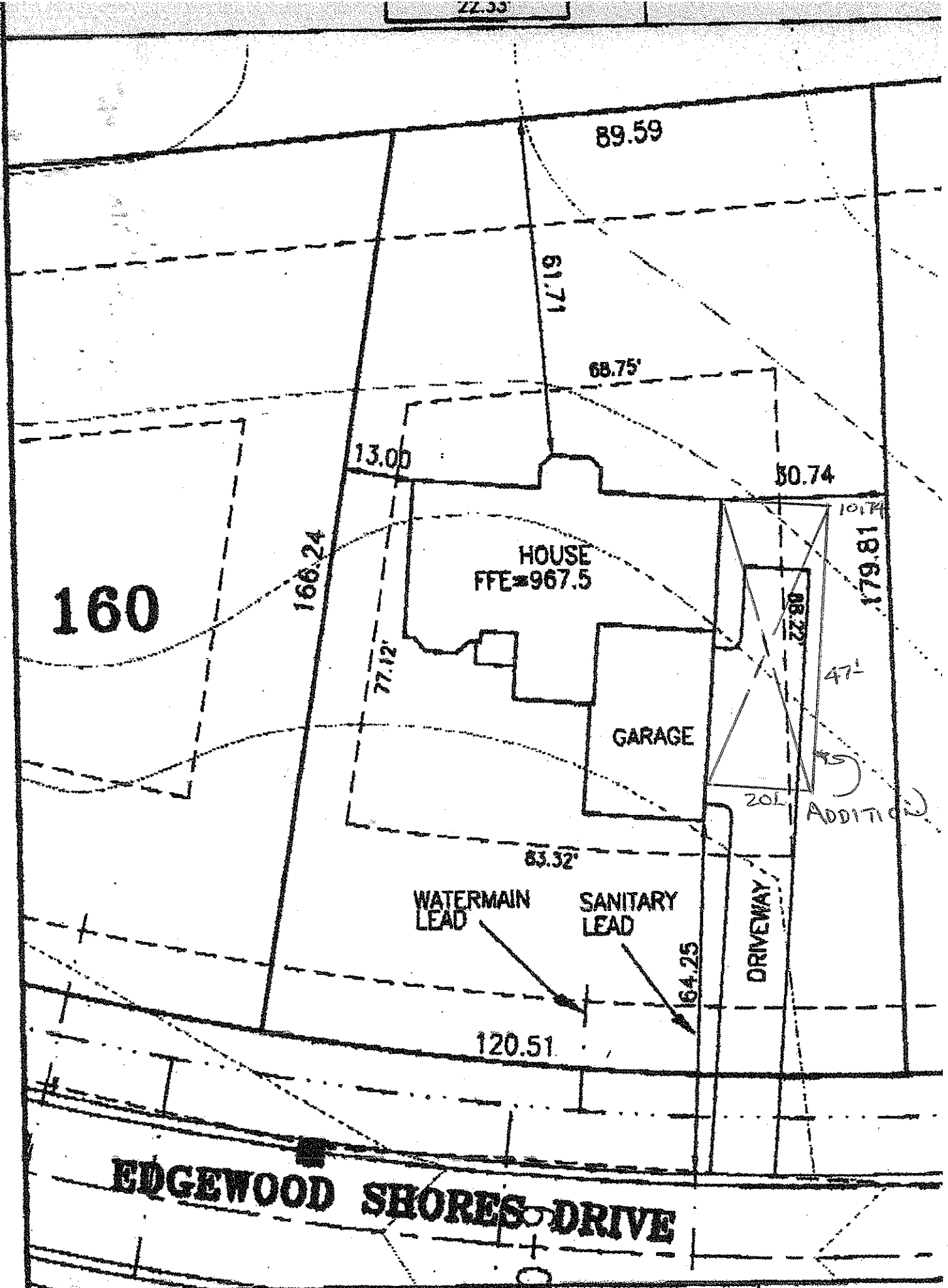
Variance Application Requires the Following:

- **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**
- **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: 7/30/12
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.



160

HOUSE
FFE=967.5

GARAGE

WATERMAIN
LEAD

SANITARY
LEAD

DRIVEWAY

20' ADDITION

EDGEWOOD SHORES DRIVE

DESCRIPTION:

UNIT 150

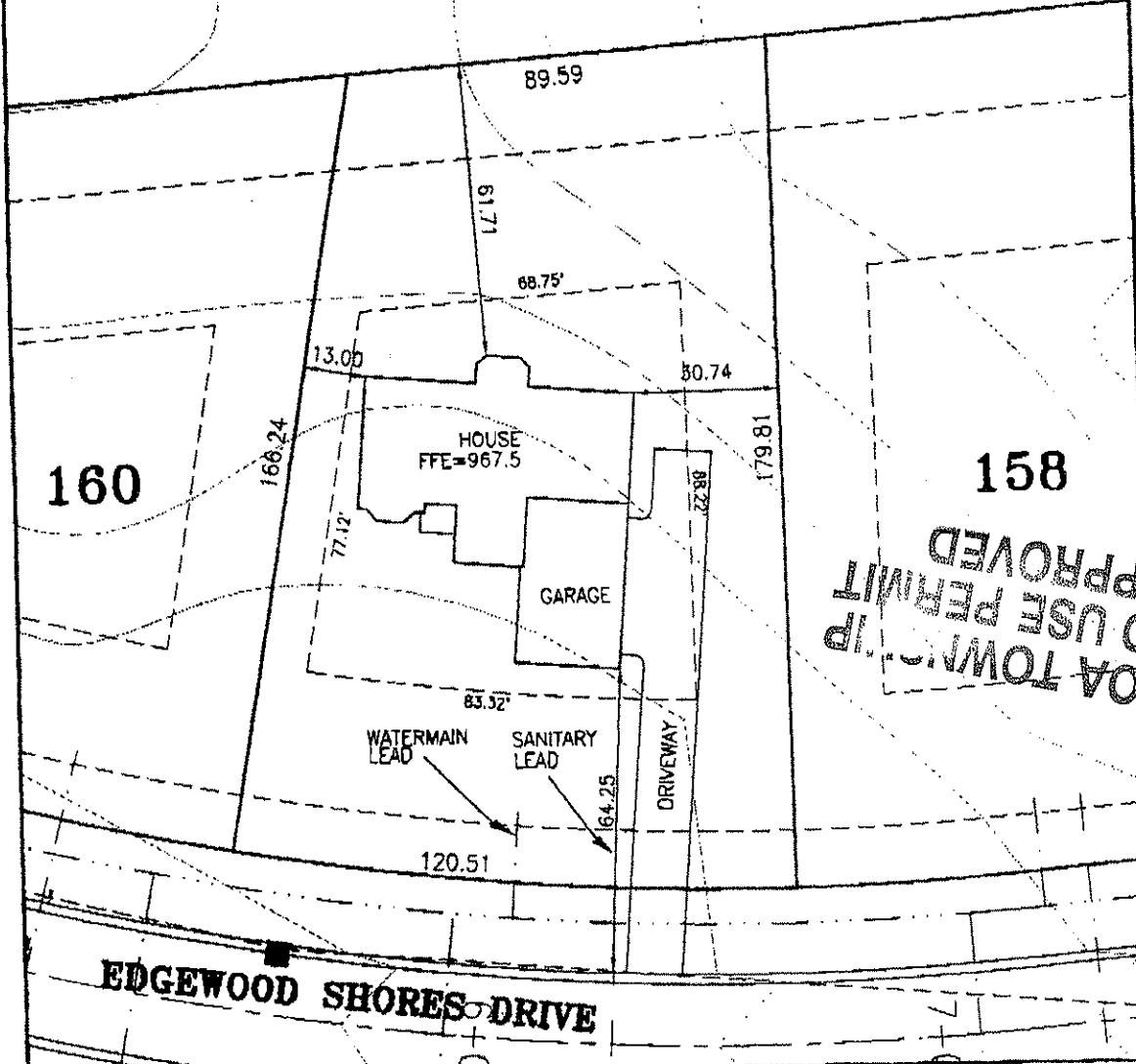
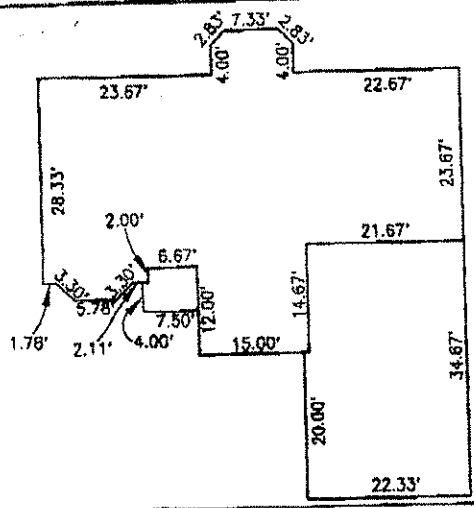
EDWOOD ENGINEERING

MAIN OFFICE:
3121 E. GRAND RIV
HOWELL, MICHIGAN

UNIT 159

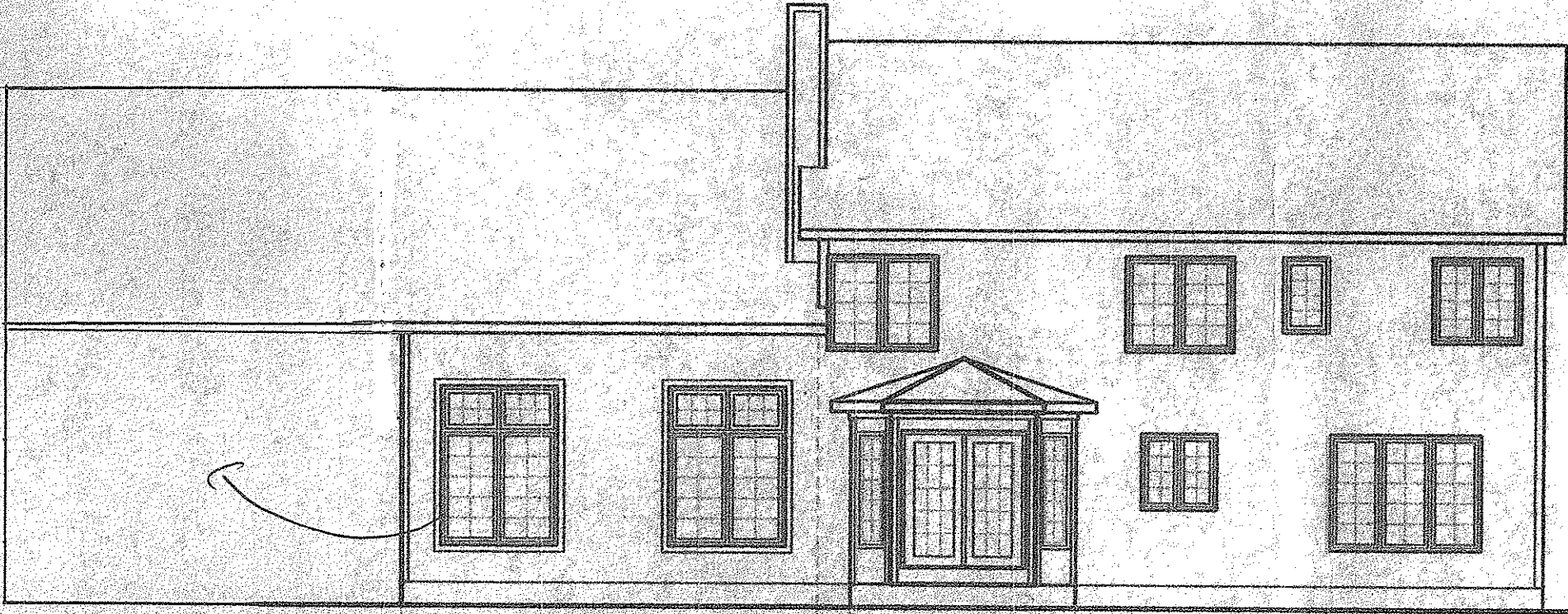
NOTE:

1. ALL BUILDING DIMENSIONS AND SEWER LEADS TO BE FIELD VERIFIED BY CONTRACTOR.
2. FINISH FLOOR, FINISH GRADE & SPOT ELEVS. INDICATED ARE APPROXIMATE ELEVATIONS. FINAL ELEVATIONS SHALL BE DETERMINED IN THE FIELD BY THE BUILDING CONTRACTOR.



Rec.
6.27.00

<p>DESCRIPTION: UNIT 159 PLOT PLAN NORTH SHORE PHASE VII</p>	<p>BOSS ENGINEERING ENGINEERS & SURVEYORS</p>	<p>MAIN OFFICE: 3121 E. GRAND RIVER HOWELL MICHIGAN 48843</p> <p>HOWELL (517) 546-4836 FAX (517) 548-1670 BRIGHTON (313) 229-4773 CHARLEVOIX (616) 547-2872</p>	<p>SITE BENCHMARK: DOUBLE NAIL NORTH SIDE 35" OAK WEST SIDE OF LAKEWOOD SHORES DRIVE BETWEEN STILL- MEADOW DRIVE AND NORTHFIELD DRIVE. ELEVATION=993.74</p>
<p>CLIENT: GORDON</p>	<p>30 0 15 30 SCALE: 1 INCH = 30 FEET</p>	<p>LEGEND ○ = IRON SET ● = IRON FOUND ⊙ = MONUMENT FOUND + = FENCE (R) = RECORDED (M) = MEASURED</p>	
<p>JOB NO. 95477</p>	<p>DATE 06/26/00</p>	<p>FB CREW</p>	
<p>BASE DRAWING G:\98756\DWG\98756HSE</p>	<p>LJC CHKD.</p>	<p>06/27/00 04:09:46 PM EDT</p>	

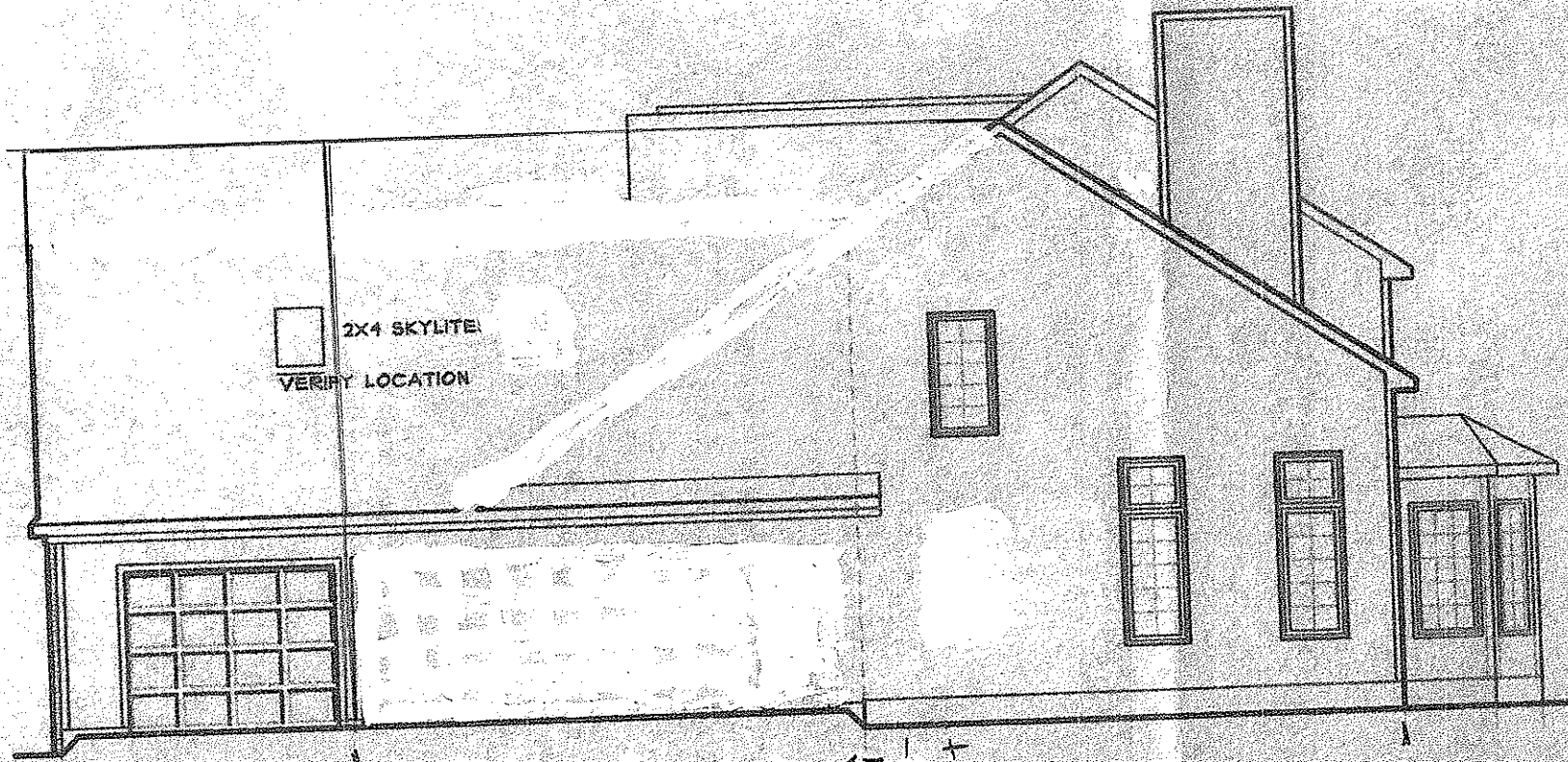


201

REAR ELEVATION

SCALE 1/8" = 1'-0"

LOOKING SOUTH



2x4 SKYLITE
VERIFY LOCATION

47'- $\frac{1}{2}$ "

RIGHT SIDE ELEVATION SCALE 1/8" = 1'-0"

ASPHALT
SHINGLES

SIDING

SIDING

BRICK

BRICK

SCALE 1/4" = 1'-0"
30% WINDOW - 24"x24"
DIMENSIONS ARE STUD TO STUD
4" OUTSIDE
3.5" INSIDE

FRONT
ELEV.

LOOKING
NORTH

20'

the parking lot be lighted or the walkway? Ferlito - No there will be no lighting. Wolzak - What is the opening between lots 67 and 68? Ferlito - That will provide access to the area to the south. There will be a wood chip construction to the docks.

Robertson - The impact assessment includes a written description of the 14 slip facility. LeClaire - The lake access information is also included in the drawing. Robertson - The lot numbers should be included in the by-laws. Ferlito - They will be included in the master deed and the by-laws. Robertson - With regard to natural features you refer to 20 boats and that should be 14 slips. The impact assessment can be changed.

Wolzak - Will there be water or sewer hook up in that area?
Ferlito - No.

* PLANNING COMMISSION DISPOSITION OF MR. FERLITO'S PETITION.

Moved by Pobuda, supported Litogot, by to recommend approval of an amendment to the PUD agreement with the changing in the side yard setback for homes being built with a side entrance garage with the following conditions:

1. The abutting side yard is 20' so there is a minimum of 30' between buildings.
2. The reduction is to accommodate a side entry garage on the lot with the 10' side yard.

The motion carried unanimously.

- as long as there 30' between each Building

Moved by Litogot, supported by Pobuda, to recommend approval of an amendment to the PUD agreement to allow homes with areas of 950 square feet on first floor and a total of 2000 square feet in area in Phase III of the development. The motion carried unanimously.

A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.

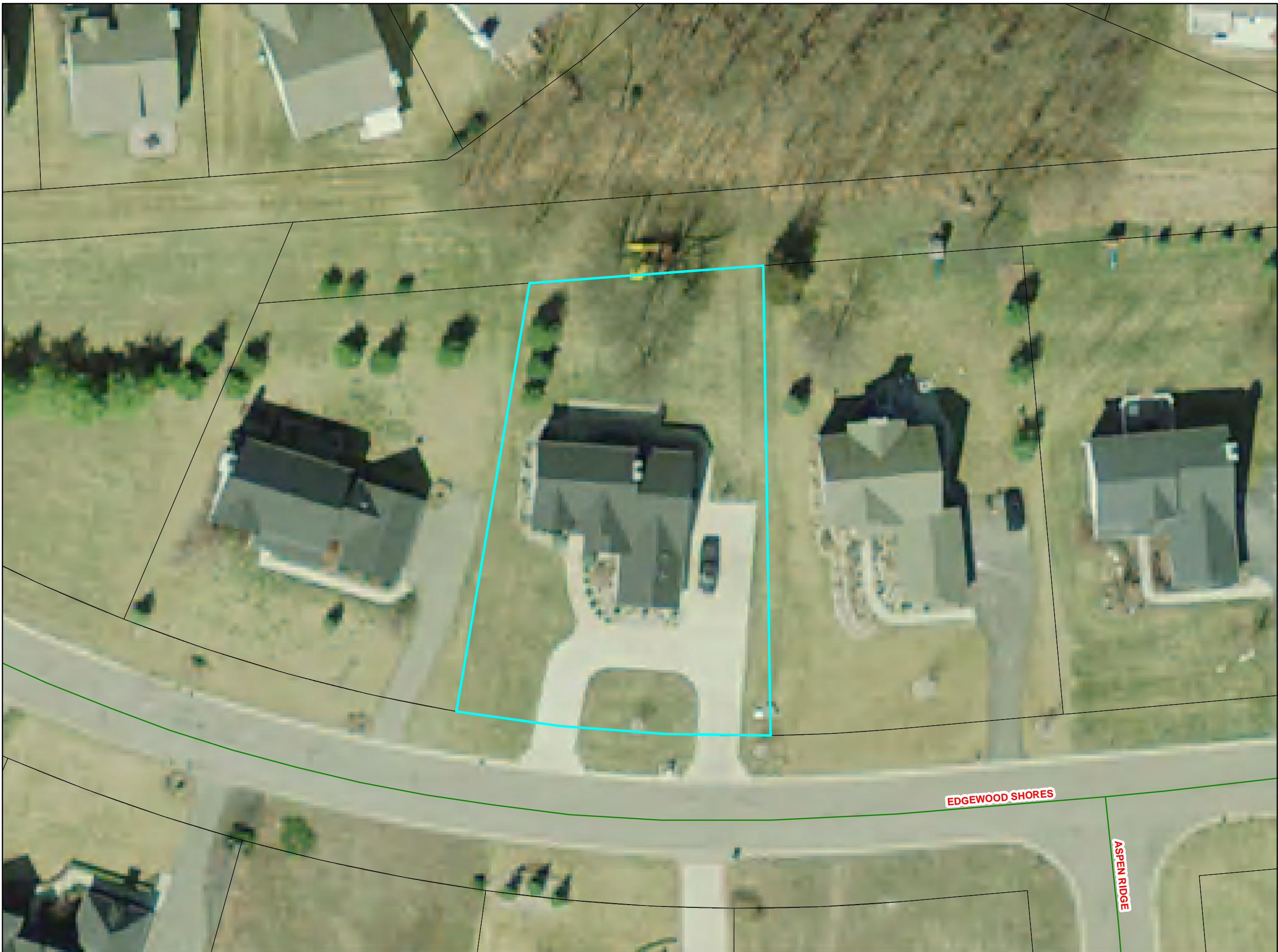
Moved by Litogot, supported by Pobuda, to recommend approval of the impact assessment with a revised date 01-25-96, further, correcting item letter C paraphrasing under natural features changing the number of slips from 20 to 14. The motion carried unanimously.

B. DISPOSITION OF SITE PLAN.

Moved by McCririe, supported by Litogot, to approve the site plan conditional upon the following:

- the petitioner will renumber the lots on page 3.
- That split rail fences will be provided at the entries to the walking paths from the roadways.
- That an easement be provided between lots 113 and 112 for a pedestrian path which may be eliminated should a bike trail be provided along the road right-of-way.
- Township Board approval of impact assessment.

The motion carried unanimously.



EDGEWOOD SHORES

ASPEN RIDGE

Charter Township of Genoa
ZONING BOARD OF APPEALS
AUGUST 21, 2012
CASE #12-21

PROPERTY LOCATION: 3773 Highcrest

PETITIONER: Smith, Roderick

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and sewer

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

CODE REFERENCE: Section 11.04.01 (f) – Detached Accessory structure setbacks over 120 square feet on lots less than 1 acre.

STAFF COMMENTS: Petitioner is seeking to reconstruct an existing garage as a side entry garage.

On a related note, Township staff is currently reviewing a change to the ordinance to allow side entry garages in the LRR district to be setback 5 feet from the front lot line instead of the current setback of 10 feet.

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Front	Size	Height
Setbacks of Zoning				10		
Setbacks Requested				3		
Variance Amount				7		

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 12-21

Meeting Date: Aug 21ST @ 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: RODERICK B. SMITH

Property Address: 3773 HIGHCREST Phone: 810 360 0851

Present Zoning: LRR Tax Code: 4711-22-301-001

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 SET BACK FOR SIDE ENTRY GARAGE

2. Intended property modifications: _____

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) NARROWNESS OF LOT & PLACEMENT OF WELL

b. Other (explain) _____

Variance Application Requires the Following:

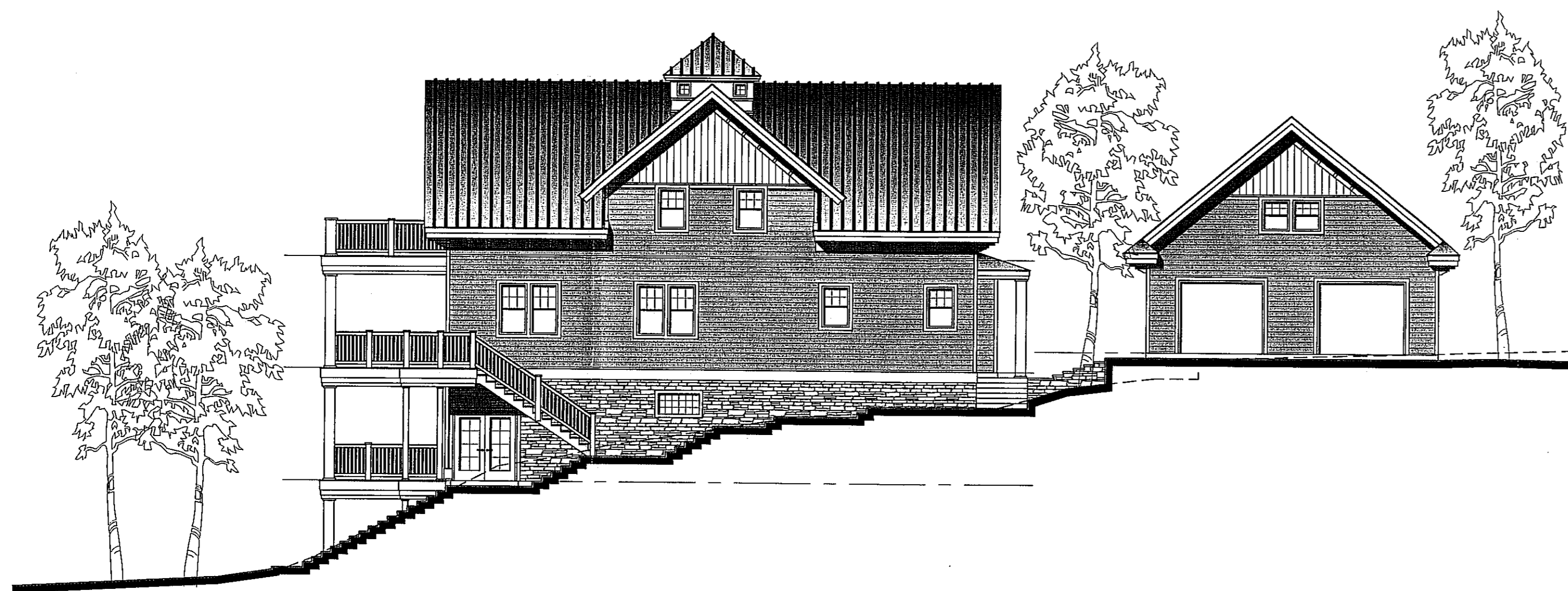
- Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. *Note: Will need 8 copies of any drawings larger than 8 1/2 and 14 in size.*
- * Waterfront properties must indicate setback from water for adjacent homes
- * Property must be staked showing 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: 8/1/12

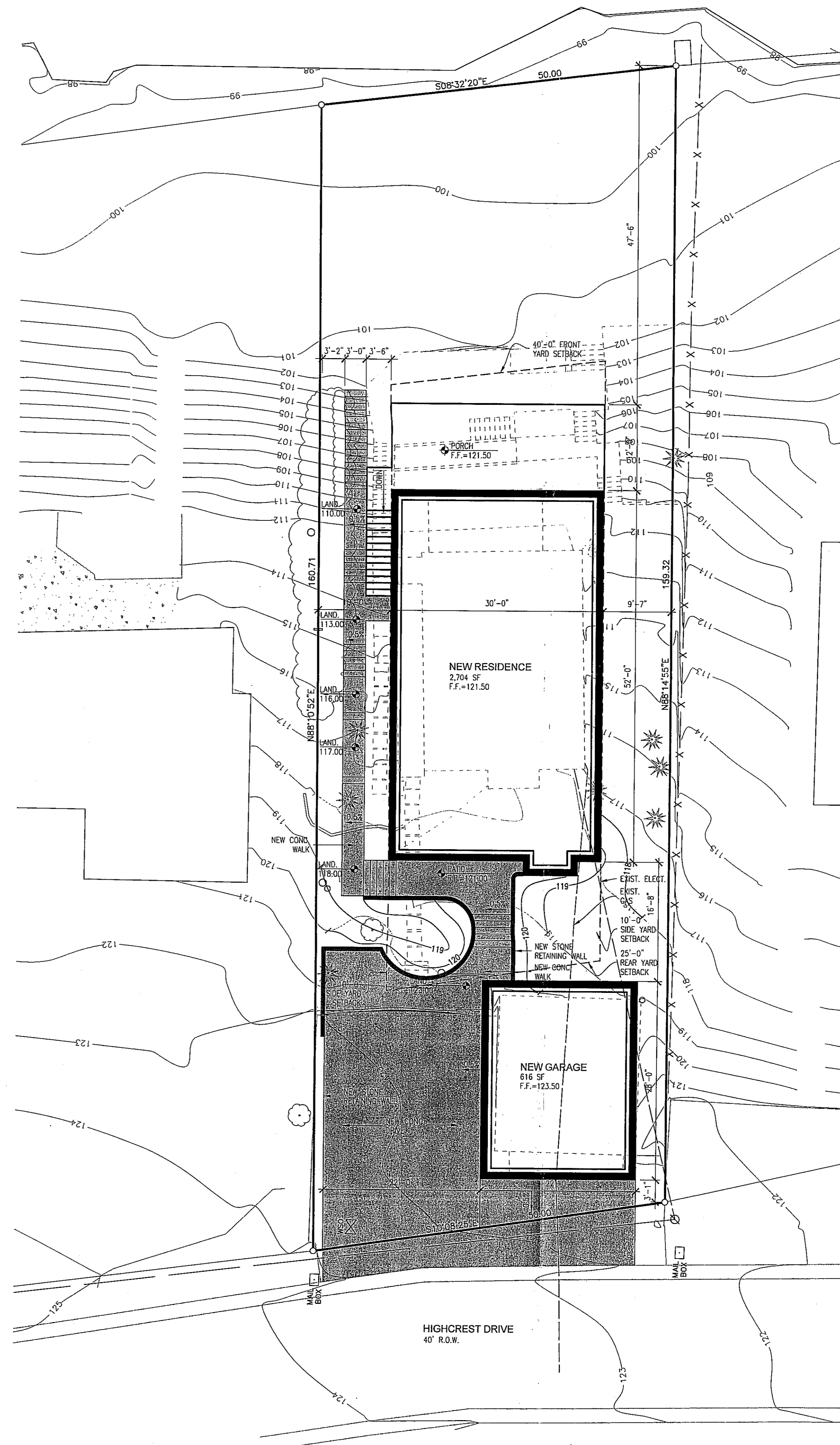
Signature: Roderick B. Smith

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.



NORTH SITE ELEVATION
1"=10'-0"



SITE PLAN
1"=10'-0"

1233 MEADOW LANE
CHELSEA, MICHIGAN 48118
P. 734.827.4499
WWW.ARK-PLC.COM ARCHITECTS, PLC

ARK

PROJECT

SMITH RESIDENCE
3773 HIGHCREST
BRIGHTON MI

R E V

DATE
07 27 12

FILE #
1225

SHEET
P1



GROVER

HIGHEST

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

JULY 17TH, 2012

6:30 P.M.

MINUTES

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30pm at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The members and staff of the Zoning Board of Appeals were then introduced. The board members in attendance were as follows: Chris Grajek, Marianne McCreary, Barbara Figurski, Jeff Dhaenens, and Steve Wildman. Also present was Township staff member Adam VanTassell and 8 persons in the audience.

Moved by Figurski, support by Wildman, to approve the agenda as presented. **Motion carried unanimously.**

A call to the public was made with no response.

12-09 A request by Douglas Milne, 6501 Forest Beach Drive, for a height variance to allow an 8' fence.

Mr. Milne stated he would consider 6 foot so it matches the existing fence on his property.

A call to the public with the following responses:

Linda Breed, 6489 Forest Beach Drive, stated her support of Mr. Milne's fence petition and Patricia Hanaford, 6471 Forest Beach Drive also stated her support for the petition.

Moved by Figurski, Supported by Grajek, to deny case #12-09, 6501 Forest Beach Drive, for a height variance to allow an 8' fence. The finding of fact is the lack of a practical difficulty. **Motion carried unanimously.**

12-14 A request by James and Emma Seger, 5715 Cherokee Bend, for a front yard variance to construct an addition.

A call to the public with no response.

Moved by Figurski, Supported by McCreary, to deny case #12-14, 5715 Cherokee Bend, for a front yard variance to construct an addition. The finding of fact is the lack of a practical difficulty. Motion ayes: Grajek, McCreary, Figurski. Nays: Dhaenens, Wildman.

Moved by Figurski, Supported by Wildman, to approve the June 19, 2012 Zoning Board of Appeals minutes as submitted. **Motion carried unanimously.**

Moved by Figurski, Supported by Wildman to adjourn the Zoning Board of Appeals meeting at 7:45 p.m. **Motion carried unanimously.**