

GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
July 15, 2014, 6:30 P.M.
AGENDA

Call to Order:

Pledge of Allegiance:

Introduction:

Approval of Agenda:

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

1. 14-15 ... A request by Kristinne Horvath, 3682 Beattie Road, for a variance from the maximum allowable building height of an accessory building to construct a detached accessory building.
2. 14-16 ... A request by NorthRidge Church, 7555 Brighton Road, for a variance to install a wall sign in a single family residential zoning district.
3. 14-17 ... A request by Tim Chouinard, 824 Pathway, for side yard setback variance, front yard setback variance and shoreline setback variance to construct an addition to the existing house.
4. 14-19 ... A request by John Smarch, 715 Pathway, for a side yard setback variance to construct an addition above the attached garage.
5. 14-20 ... A request by Poloski Construction Inc., 3758 Noble St., for a shoreline setback variance and a front yard setback variance in order to construct a single family home.
6. 14-21 ... A request by Delores Malysz, 1330 Clark Lake Road, for a front yard setback variance to construct an addition and raise the foundation.

Administrative Business:

1. Approval of minutes for the June 17, 2014 Zoning Board of Appeals meeting.
2. 2013 Annual Report Executive Summary
3. Correspondence
4. Township Board Representative Report
5. Planning Commission Representative Report
6. Zoning Official Report
7. Member Discussion
8. Adjournment

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
July 15, 2014
6:30 P.M.**

The Genoa Township Zoning Board of Appeals will hold a public hearing at Genoa Township Hall, 2911 Dorr Road, Brighton, MI, 48116 for the following variance requests at the July 15, 2014 regular meeting:

1. 14-16 ... A request by NorthRidge Church, 7555 Brighton Road, for a variance to install a wall sign in a single family residential zoning district.
2. 14-19 ... A request by John Smarch, 715 Pathway, for a side yard setback variance to construct an addition above the attached garage.
3. 14-20 ... A request by Poloski Construction Inc., 3758 Noble St., for a shoreline setback variance and a front yard setback variance in order to construct a single family home.
4. 14-21 ... A request by Delores Malysz, 1330 Clark Lake Road, for a front yard setback variance to construct an addition and raise the foundation.

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

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

Published: BA-LCP 6-29-14

Ron Akers

From: chrisandkris@comcast.net
Sent: Thursday, July 03, 2014 2:26 PM
To: Ron Akers
Cc: chrisandkris@comcast.net
Subject: 14-15 zoning variance request

Follow Up Flag: Follow up
Flag Status: Flagged

Board of Appeals,
Please postpone the decision on my over height barn request. We are still working on a building plan that is acceptable for the property. There are still some ideas that the builder and I are considering. I request that my variance proposal be delayed until the August 19, 2014 meeting.
Thank you,

Kristinne Horvath
3682 Beattie Rd

Sent from Xfinity Connect Mobile App

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-16 Meeting Date: 6/17/14

- 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: NorthRidge Church - Attention Jim King

Property Address: 7555 Brighton Road Phone: 734-414-7777

Present Zoning: SR Tax Code: 4711-25-300-037

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: TABLE 16.1 - Wall Signs

Not permitted in SR zoning

2. Intended property modifications: Renovations to existing church

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) Not applicable

Not applicable


b. Other (explain) Traditional churches use steeples, bell towers, cross, etc...attached to their buildings as their identifiers.

Philosophically, NorthRidge does not utilize religious icons, so their logo/sign replaces traditional religious icons.

Variance Application Requires the Following:

- **Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information.**
- **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: 4-29-2014

Signature:  CFE/Tree

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

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



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: June 12, 2014
RE: ZBA 14-16

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

STAFF REPORT

File Number: ZBA#14-16

Site Address: 7555 Brighton Rd

Parcel Number: 4711-25-300-037

Parcel Size: 15.25 Acres

Applicant: Northridge Church, 7555 Brighton Rd, Brighton, MI 48116

Property Owner: Same as applicant

Information Submitted: Application, sign dimensions, elevation drawing

Request: Dimensional Variance

Project Description: Applicant is requesting a variance from Table 16.1 to place a wall sign on a building in a single family residential zoning district.

Zoning and Existing Use: SR (Suburban Residential), Church

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 1, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property lines in accordance with the Michigan Zoning Enabling Act.

Background

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

- A sketch plan was approved at the April 14, 2014 Planning Commission meeting for several improvements to the property (minutes attached).
- Northridge Church will be re-occupying the existing building.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The applicant has secured approval from the Planning Commission to re-occupy and make several improvements to the existing building. As part of proposed improvements the applicants have proposed placing a wall sign on the existing building. Wall signs are not permitted in single family residential districts. The proposed wall sign is 54.67 square feet.

Variance Requests

The regulations in the zoning ordinance pertaining to this variance are as follows:

DISTRICT (7)	WALL OR CANOPY SIGN		MONUMENT SIGN		
	MAX. NO. OF SIGNS ⁽¹⁾	MAX SIZE	MAX. NO. OF SIGNS ⁽³⁾	MAX. SIZE ^(3,4,5)	MAX. HEIGHT
Agricultural Districts	1	10 sq. ft.	1	10 sq. ft.	6 ft.
Single Family Residential (6)	N/A	N/A	(See Exempt Signs)		
Multiple Family Residential	N/A	N/A	(See Exempt Signs)		
Mobile/Manufactured Home District	N/A	N/A	(See Exempt Signs)		
Neighborhood Service District	1 per business	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
General Commercial District Regional Commercial District	1 per business	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
Office-Service District	1 per business	10% of front facade ⁽²⁾	1	72 sq. ft.	6 ft.
Recreational Facilities District	1	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
Industrial District	1	10% of front facade ⁽²⁾	1	60 sq. ft.	6 ft.
Planned Industrial and PUD Districts (7)	1	10% of front facade ⁽²⁾	1	60 sq. ft.	6 ft.

Standards for Approval

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

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

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

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

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

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

Summary of Findings

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

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the wall sign prohibition would not unreasonably prevent the use of the property. The applicant still has the ability to construct a monument sign providing some advertisement for their church. This is a regulation that other churches and all other uses in the SR zoning district are required to comply with. A Google maps search indicated that of the two other churches in the immediate vicinity, one did not have any wall signage and the other had a cross above the roofline.
- **Extraordinary Circumstances** –The e-mail provided by the applicant dated June 30, 2014, describes limited sight lines due to trees located around the property and issues related to the curvature of Brighton Road. While these are valid concerns, placing a wall sign would not increase visibility from greater distances because the building is not visible until you are close to the driveway. The applicant has indicated that the need for the variance is due to Northridge

church not utilizing religious icons as an architectural element. While this is a logical and understandable argument, the need of the variance is based on the philosophy of the church, not an extraordinary or unusual circumstance applicable to the property or use. The prohibition of wall signs in single family residential districts is consistent for all uses in that district. It does not target any specific use. Due to this the need for the variance is self-created.

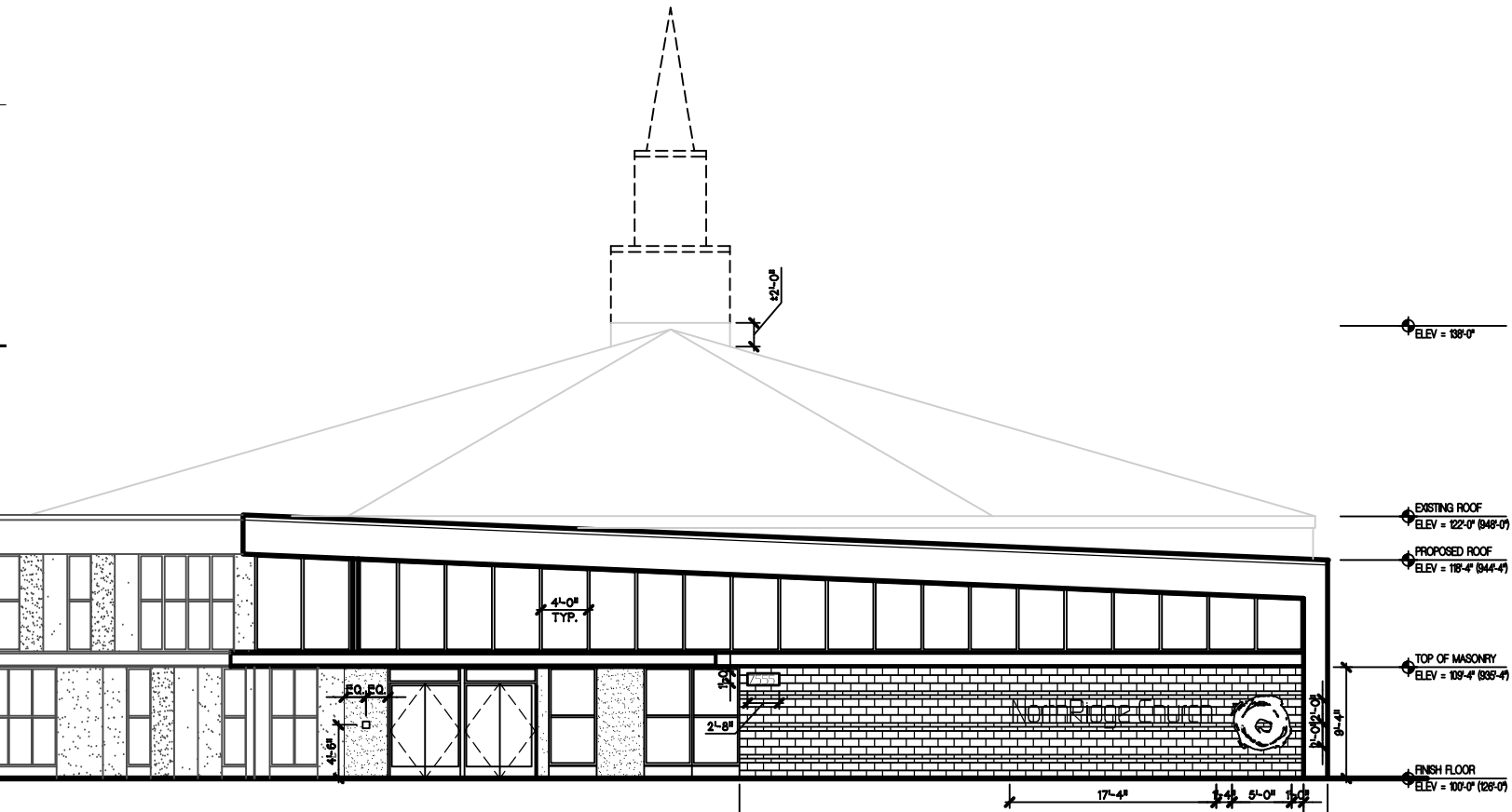
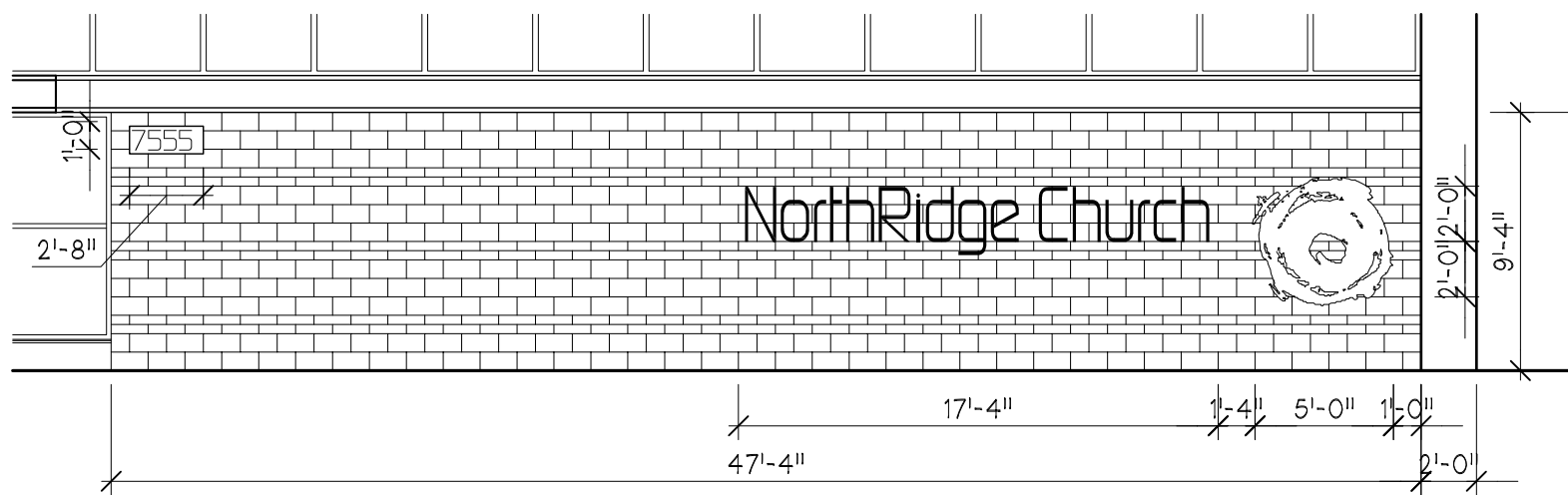
- **Public Safety and Welfare** –There are no perceived public safety and welfare issues with the request.
- **Impact on Surrounding Neighborhood** – The proposed wall sign would not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Staff Findings of Fact

1. Strict compliance with the prohibition of wall signs in the single family residential district would not unreasonably prevent the use of the property. The applicant has the ability to place a 25 square foot monument sign on the property for advertisement and identification.
2. The prohibition of the placement of a wall sign is consistent for all properties in single family residential districts.
3. The placement of a wall sign would not make the church consistent with the majority of other churches in the immediate vicinity.
4. There are no unusual or extraordinary conditions of the property or use which would prevent the applicant from complying with this requirement.
5. The need for the variance is self-created by the applicant.
6. The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
7. The requested variance will not interfere or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.



ADDRESS
PIN MOUNTED EXTRUDED ALUM. LETTERS



ELEVATIONS / WALL SIGN

7555 BRIGHTON ROAD

Ron Akers

From: Bryan L Amann <bryanlamann@gmail.com>
Sent: Monday, June 30, 2014 10:55 AM
To: Ron Akers
Cc: Jim King; David E. Williams
Subject: Genoa Township ZBA sign request

Ron,

Here is the information I promised you to supplement what Hobbs & Black submitted earlier.

The basis of NorthRidge's request for the variance to allow a wall sign is that we are trying to provide a very practical solution to a very practical hardship. The proposed wall sign is intended to be an additional navigational tool to help maximize public safety by minimizing confusion for those driving along Brighton Road. The practical hardship is due to:

a) The site's unique characteristics, including:

- 1) it's location related to the curvature of Brighton road, resulting in very limited sight lines and distance for those traveling east or west of the entire site, as demonstrated by a Google Earth view, or driving it;
- 2) the presence of a significant stand of trees immediately west of and adjacent to the driveway, resulting in limited sight lines for the road sign;
- 3) the presence of two other churches immediately east of the site;
- 4) the topography of the site which slopes downward significantly from the southeast corner of the site at the road to the building.

b) The site's history of having a failed church which had only a road-side sign. NorthRidge is making every effort to make the building look obviously different than it did to those who are driving by. In fact, we've removed the steeple and changed the front exterior. To some it may look less "churchy" but our desire is to ensure that even those driving by realize at first glance it is a church...just not the kind most people are used to. We believe there will be some "head turning" after people drive by the road sign and believe having "NORTHRIDGE" on the wall will help shorten and respond to the head turning.

c) Just as many of the "new old" business repopulating Old Town Brighton (understandably outside of Genoa Township) their unique wall signage is as much a part of their signature as their product. Business in Genoa Township also enjoy the use of wall signage and road monument signs. It seems only appropriate that religious institutions, which are given greater protection for free speech than commercial establishments, would enjoy the same means of communication.

We understand concerns about blending churches into residentially zoned areas and ensuring the site and building reflect that. Everything we are doing is an attempt to reflect the types of construction around the site. Certainly the entire renovation is a significant upgrade from the past. We believe the requested wall sign will not negatively impact the appearance of the building or its compatibility with the surrounding properties.

As we see other institutional buildings in residential settings like schools and funeral homes, they not only have monument signs but wall signs as well. We believe our request is in keeping with the past practices of Genoa Township in those instances and will significantly improve public safety by adding an additional navigational tool for those driving by. The speed limit on Brighton Road at the site means traffic moves quickly, giving drivers very little time to make their navigation decisions.

The sign itself is very discreet and done in tones which match the building. It is not electrified or blinking. The building is set back significantly from the road as well.

NorthRidge is a regional-drawing-type church. The current campus being moved to this site meets in Howell. There will be people coming from greater distances than many other local or traditional churches would usually experience. The greater navigational assistance we can provide, the less likely there will be people making u-turns or using other driveways on Brighton Road to turn around.

Our experience in Plymouth, where our campus is adjacent to M-14, is that many people find us by seeing our sign on the side of our building. We hear story after story of this. We believe having a wall sign would not only help improve navigation but assist us in our religious purpose.

We would respectfully request the Zoning Board of Appeal's approval of the request.

Thank you!

Bryan

Bryan L. Amann PLLC
Attorney & Counselor
Specializing in Land Use Entitlements

7555 Brighton Road



1 inch = 150 feet

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

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/12/2014 10:26 AM

Parcel:	4711-25-300-037	Current Class:	708.708-EXEMPT RELIGIOUS
Owner's Name:	NORTHRIDGE CHURCH	Previous Class:	708.708-EXEMPT RELIGIOUS
Property Address:	7555 BRIGHTON RD BRIGHTON, MI 48116	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V14-16
		School:	47010 BRIGHTON
		Neighborhood:	1000 1000 EXEMPT
Liber/Page:	2013R-045015	Created:	//
Split:	//	Active:	Active
Public Impr.:	None		
Topography:	None		

Mailing Address:

NORTHRIDGE CHURCH
7555 BRIGHTON
BRIGHTON MI 48116

Most Recent Sale Information

Sold on 11/26/2013 for 1,000,000 by BRIGHTON WESLEYAN CHURCH.

Terms of Sale: ARMS-LENGTH

Liber/Page: 2013R-045015

Most Recent Permit Information

Permit 99-415 on 08/09/1999 for \$10,000 category GARAGE.

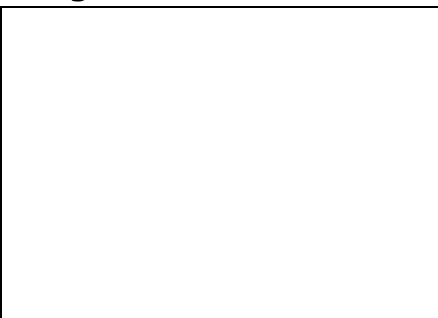
Physical Property Characteristics

2015 S.E.V.:	Tentative	2015 Taxable:	Tentative	Lot Dimensions:	
2014 S.E.V.:	0	2014 Taxable:	0	Acreage:	15.25
Zoning:	SR	Land Value:	57,530	Frontage:	0.0
PRE:	0.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
BRIGHTON WESLEYAN CHURCH	NORTHRIDGE CHURCH	1,000,000	11/26/2013	WD	ARMS-LENGTH	2013R-045015	BUYER	100.0				
Property Address		Class: 708-EXEMPT RELIGIO		Zoning: SR		Building Permit(s)		Date	Number	Status		
7555 BRIGHTON RD		School: BRIGHTON		GARAGE		08/09/1999		99-415	NO START			
Owner's Name/Address		P.R.E. 0%		MAP #: V14-16		2015 Est TCV Tentative						
NORTHRIDGE CHURCH 7555 BRIGHTON BRIGHTON MI 48116		Improved X Vacant		Land Value Estimates for Land Table 00105.EXEMPT								
Tax Description		Public Improvements		* Factors *								
SEC 25 T2N R5E COM S 1/4 COR, TH N1*W 184.21 FT TO POB, TH N66*41'32"W 51.42 FT TH N65*35'55"W 170.43 FT, TH N1*30'42"W 661.98 FT, TH S88*57'00"W 100 FT, TH N1*30'42"W 400 FT, TH N88*57'00"E 300FT, TH N89*03'20"E 332.75FT, TH S1*27'28"E 1250.69 FT, TH N75*07'07"W 345.61 FT TO POB 15.25 AC M/L SPLIT 12/89 FR 035 CORR 12/06		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
Comments/Influences		Topography of Site		0		15.25	15.25	Acres	3772	100	Total Est. Land Value =	57,530
		Level		Total Est. Land Value = 57,530								
		Rolling		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
		Low		2015	EXEMPT	EXEMPT	EXEMPT			EXEMPT		
		High		2014	EXEMPT	EXEMPT	EXEMPT			EXEMPT		
		Landscaped		2013	0	0	0			0		
		Swamp		2012	0	0	0			0		
		Wooded										
		Pond										
		Waterfront										
		Ravine										
		Wetland										
		Flood Plain										
		Who When What										
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan												

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
APRIL 14, 2014
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were Barbara Figurski, Eric Rauch, Jim Mortensen, John McManus, Diana Lowe and Chairman Doug Brown. Also present were Kelly VanMarter, Township Assistant Manager and Community Development Director, and Brian Borden of LSL Planning.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: **Motion** by Barbara Figurski to approve the agenda as submitted. The motion was supported by Diana Lowe. **Motion carried unanimously.**

CALL TO THE PUBLIC: Chairman Brown made a call to the public for the audience to address non-agenda items. There was no response.

OPEN PUBLIC HEARING #1... Public Hearing for the purpose of considering Zoning Ordinance Text Amendments to Articles 7 and 25 regarding Temporary Outdoor Sales and Events.

Brian Borden addressed the Planning Commission. The ordinance as it exists does not currently address weekend sales, events, etc., very clearly. He reviewed the language proposed by Kelly VanMarter and has no technical concerns with it.

Kelly VanMarter addressed the Planning Commission. She gave a history of the issue beginning with Art Van's inquiry one year ago. Both Art Van and the Chamber of Commerce have written letters to the Township. The proposed changes would permit events (not sales) a total of 28 days per calendar year. In addition, there would be 28 days permitted for tent sales. Chairman Brown inquired whether other businesses have requested increases in time or if other businesses have tent sales. Kelly VanMarter reported that there are some that have tent events.

John McManus inquired whether there should be a distinction drawn between restaurants and businesses that sell material goods. He asked if the 28 days are consecutive or broken up. Jim Mortensen believes that should be left up to the retailer.

Chairman Brown inquired as to how parking would be policed. Kelly VanMarter advised that the Township is well aware of what businesses would have parking issues if a tent sale were held in their lot. The permit would be terminated under item 8 if parking issues were to develop. The permit may not even be issued if a known problem exists.

Mr. Kennedy from Art Van was present. Chairman Brown asked what would happen if the parking lot became full. Mr. Kennedy advised there is additional parking along the side of the building and behind the building.

Chairman Brown inquired what would happen if the Zoning Administrator was not available to inspect a site. Kelly VanMarter advised that any of the Township Administrators could address the issue, including herself.

Chairman Brown suggested that language should be inserted to provide that any agency such as the fire department could inspect premises in addition to the Township.

Chairman Brown asked about the noise ordinance language as proposed. He asked who would be responsible for taking the readings for decibel output and what output would be considered excessive. Kelly VanMarter indicated that the language as proposed was what was recommended.

Chairman Brown inquired whether a definition for vendor and outside vendor should be provided in the ordinances. Kelly VanMarter agreed those definitions should be added.

Chairman Brown inquired about a smaller business wishing to have a tent sale on the premises of a larger business. That is not permitted by this ordinance as proposed. They could have small pop-up canopies or something else that could be agreed upon with the Township staff. Kelly VanMarter believes this is how it should be regulated.

Chairman Brown asked whether food wagons would be permitted at the outdoor events. This is not permitted under the ordinance unless the vendor is a lessee of the premises. Diana Lowe indicated street food is becoming popular and may need to be addressed in the future.

Eric Rauch asked if every one-day event would be required to go through land use permits, etc. Kelly VanMarter indicated that the land use permit is required, but they can apply for various dates in the same permit. The Township does try to be flexible and allow amending permits often without an additional fee.

Jim Mortensen suggested that 25A should be expanded to add the limitation that the materials offered for sale should be consistent with those offered for sale inside the building.

Larry Horton addressed the Planning Commission. He provided a scenario of a classic car show on a weeknight. They run from 5-8 p.m. from mid-May until the end of September. People sit in their chairs and listen to the DJ play oldies. He advised that's all they are asking.

Planning Commission disposition of petition

A. Recommendation of Zoning Ordinance Text Amendments.

Motion by Jim Mortensen to recommend to the Township Board approval of the changes to Zoning Ordinance 7.02 regarding outdoor sales and outdoor events to allow such activities to occur for 28 days in a calendar year subject to the following changes:

- A. Paragraph 7.02.02V, item 5, would be amended to include any other governmental agencies listed, as well as the Livingston County Drain Commission;
- B. The definitions on page 25-26 shall be modified to be consistent with the definitions on page 7-15 with regard to the requirement that the goods offered for sale outside must be consistent with those offered inside the business establishment;
- C. Add a definition for vendor.

Support by Diana Lowe. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Review of sketch plan application and sketch plan for building renovation, parking lot improvements, and signage for Northridge Church, located at 7555 Brighton Rd, Brighton, Parcel # 4711-25-300-037. The request is petitioned by Jim King on behalf of Northridge Church.

Brent LaVanway of Boss Engineering and Jim King of Northridge Church addressed the Planning Commission.

Brent LaVanway gave a brief overview of the proposal. A 4' ribbon of asphalt will be added to the entrance onto Grand River. This has been approved by the Road Commission. The small parking lot will be removed and a drop off driveway will be created in that location. A dumpster enclosure will be built. The steps in back will be reconstructed as concrete steps. The existing monument sign will be deconstructed east of the entrance and a new one is proposed for west of the entrance.

David Williams addressed the Planning Commission. He is with Hobbs and Black, the architects. He gave an overview of the building plan and presented a proposed sample board. The goal is to provide an open feeling to the building and the façade was opened to provide as much natural light as possible. The slope of the roof was to anchor the building to the earth.

Jim Mortensen indicated he feels the rendering is a radical departure for an area that is zoned residential. He feels the building materials should be toned down. Brian Ammon of Northridge Church indicated that the rendering is incorrect in that it's a white roof rather than the color it would actually be. The roofing will not be light as in the rendering.

Jonathon Pearn addressed the Planning Commission and answered various questions about the rendering. David Williams reviewed various interior renderings to describe some of the reasons they are exploring methods to draw more outside light. They would be willing to explore bringing cultured stone to the façade of the building in an effort to tie in the look with Pine Ridge across the street.

Jim Mortensen asked about the front of the building, if it would be brick. The petitioner indicated it would be brick. The color of the brick is negotiable. Since it is under the overhang, there will be some shadowing which would alter the color's appearance.

Barbara Figurski asked about the roof. The pitched roofs will remain. The existing color will remain the same.

Brian Borden addressed the Planning Commission. Churches are special land uses in residential districts. There are some existing condition problems with the parking lot. The northwestern parking aisle is a few feet deficient in minimum width. The things to be considered are whether it's an existing condition and whether there is a planned reconfiguration and re-striping of the lot. The petitioner will delete the two perpendicular parking spaces. Parking lot landscaping could be utilized conceivably, to help direct traffic in this area, but it would be costly. The petitioner will be getting rid of the pews and is hoping to have seating capacity at 480. There are 12 spaces above minimum requirements. Mr. LaVanway indicated there is a significant elevation change in the parking lot area.

Brian Borden addressed the lighting in the parking lot. There is a light pole on the back wood stairs that has flood lights that are directed outward. That will be removed with the new stairway construction. The wall sign will be addressed by the Zoning Board of Appeals. The set back from Brighton Road for the proposed monument sign is 10' from the right-of-way. Jonathan Pearn said they are approximately 50' from the road. The drawing is to scale, but overlaid onto an aerial photo. A sign permit will be required, so all of that information will be provided at that time.

The outdoor gathering space was not addressed in the sketch plan and it should be added. The staff can verify that is done. Mr. Ammon said this will be used as an outdoor patio for coffee, group discussions, studies, etc. The building in back was intended to be a youth building or storage of equipment. It is the petitioner's intention to use it for storage only.

Eric Rauch asked if the sidewalk would be tied to the church from Brighton Rd. Mr. Ammons indicated they would consider that. Kelly VanMarter indicated it would be beneficial.

Kelly VanMarter indicated the Township Engineer had no issues with the sketch plan. The Road Commission and Fire Department provided letters for review. The petitioner will comply with the points addressed in the Fire Department letter and Road Commission letter.

Brian Borden indicated there is no requirement for interior parking lot landscaping. Jonathan Pearn indicated there was a landscaped island included in the plan.

Eric Rauch asked about wall-mounted lighting. There would be some under the canopy to light the area there.

Planning Commission disposition of petition

A. Disposition of Sketch Plan.

Motion by John McManus to recommend approval of the sketch plan dated 3/28/14, subject to:

- A. Façade renovations, construction of the new drop-off area, demolition of the small parking lot and the re-paving of the existing parking lot;
- B. The wall sign will need approval by ZBA;
- C. The sign set-back and dimensions will comply with the ordinance and be reviewed by staff;
- D. The sketch plan should reflect outdoor activity renditions for approval by staff;
- E. The sidewalk along Brighton Rd. will be tied to the building;
- F. Compliance with the Fire Department letter and Road Commission letters;
- G. The flood light at the rear of the property will be removed;
- H. The building material color samples will become Township property;
- I. The petitioner will remove the two back parking spaces to comply with the drive aisle width requirement and there will be double striping there.

Support by Jim Mortensen. **Motion carried unanimously.**

Administrative Business:

- *Staff report. Kelly VanMarter had nothing to report.*
- *Approval of March 10, 2014 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes as submitted amended. Support by Jim Mortensen. **Motion carried unanimously.***
- *Member discussion. The Board of Trustees has approved a raise to the Planning Commission to \$168.00 and the Chairman's premium has been raised to \$10.00 more.*
- *Adjournment. **Motion** by John McManus to adjourn the meeting at 8:11 p.m. Support by Diana Lowe. **Motion carried unanimously.***

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-17 Meeting Date: June 17, 2014

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

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

Applicant/Owner: Lia C HOWARD

Property Address: B24 PATHWAY Phone: 517-546-6587

Present Zoning: _____ Tax Code: 4711-10-101-052

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, FRONT YARD, BACK YARD

2. Intended property modifications: REAR ANGLE POSITION OF HOUSE ADD NEW LIVING QUARTERS AND GARAGE

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) TRYING TO KEEP HOME SQUARE WITH EXISTING HOME AND ADDING GARAGE

b. Other (explain) _____

Variance Application Requires the Following:

- **Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information**
- **Waterfront properties must indicate setback from water for adjacent homes**
- **Property must be staked showing all proposed improvements 3 days before the meeting and remain in place until after the meeting**
- **Petitioner (or a Representative) must be present at the meeting**

Date: 5-20-14

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 Ron at the township office to discuss what your next step is.

Charter Township of Genoa
ZONING BOARD OF APPEALS
July 15, 2014
CASE #14-17

PROPERTY LOCATION: 824 Pathway

PETITIONER: Tim Chouinard

ZONING: LRR (Lake Resort Residential)

WELL AND SEPTIC INFO: Public Sewer, well

PETITIONERS REQUEST: Shoreline Setback Variance, Front Yard Setback Variance, Side Yard Setback Variance to construct an addition to a single family home.

CODE REFERENCE: Table 3.04.01, 3.04.02

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	35'	N/A	10'	N/A	N/A	45.5'
Setbacks Requested	7.5'	N/A	8.66'	N/A	N/A	39.6'
Variance Amount	27.5'	N/A	1.34'	N/A	N/A	5.9'



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 11, 2014
RE: ZBA 14-17

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

STAFF REPORT

File Number: ZBA#14-17

Site Address: 824 Pathway

Parcel Number: 4711-10-101-052

Parcel Size: 0.146 Acres

Applicant: Tim Chouinard

Property Owner: Ron & Susan Measel, 824 Pathway, Howell, MI 48843

Information Submitted: Application, site plan, elevation drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a front yard setback variance, a side yard setback variance and a shoreline setback variance to construct an addition to an existing single family home.

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

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 1, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property lines in accordance with the Michigan Zoning Enabling Act.

Background

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

- The parcel currently has an existing single family home on it which was built in 1920.
- The property is on a public sewer and is on a well.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The applicant is proposing to remove a portion of the existing single family home and add an addition. The proposed location of the single family home requires a shoreline setback variance, a side yard setback variance and a front yard setback variance. It is very common in this area for the homes to be located close to the road. The applicant went before the Zoning Board of Appeals in June and the decision on the application was postponed in order to give the applicant the ability to revise the site plan in order to attempt to comply with the side yard setback requirements.

Variance Requests

The regulations in the zoning ordinance pertaining to this variance are as follows:

- 1) Table 3.04.01 – LRR Front Yard Setback: Required 35', Proposed 7.5
- 2) Table 3.04.01 – LRR Side Yard Setback: Required 10', Proposed 8.66'
- 3) Table 3.04.02 - Shoreline Setback: Required 45.5, Proposed 39.5'

Standards for Approval

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

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

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

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

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

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

Summary of Findings

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

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the side yard setback requirement would not unreasonably prevent the use of the property. The parcel has approximately 90' in parcel width, which would leave a building envelope 70' wide. This is larger than what is typically around the lake and is sufficient to construct a home which is of similar size to others on Pathway. Strict compliance with the front yard and shoreline setback would unreasonably prevent the use of the property as it does create a situation where, there is a building envelope too small to construct a home. Homes in this area are very close to the road in order to compensate for this, and this proposal is no different.
- **Extraordinary Circumstances** – In regards to the side yard setback variance there are no unusual or extraordinary circumstances of the property or the use. This parcel has a larger width than many lakefront properties giving it an ability to comply with the Zoning Ordinance. This need for the side yard setback is self-created as the building size can be reduced or rearranged in order to comply. With regards to the front and shoreline setback variance the location of the existing road (Pathway) and the shoreline create a small building envelope, and the need for the front yard setback and shoreline variances are due to that small building envelope.
- **Public Safety and Welfare** –Regarding the side yard setback, there will be sufficient distance between the proposed house and the house on the neighboring property in order to prevent creating a public safety and welfare issue. In regards to the shoreline and front yard setback, the attached garage will provide off street parking and the 15' distance between the garage and the road will allow parking a small vehicle.
- **Impact on Surrounding Neighborhood** – The new home should not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The side yard setback requirement should maintain sufficient distance from the neighbor. The shoreline setback variance could limit the neighbor's view of the lake.

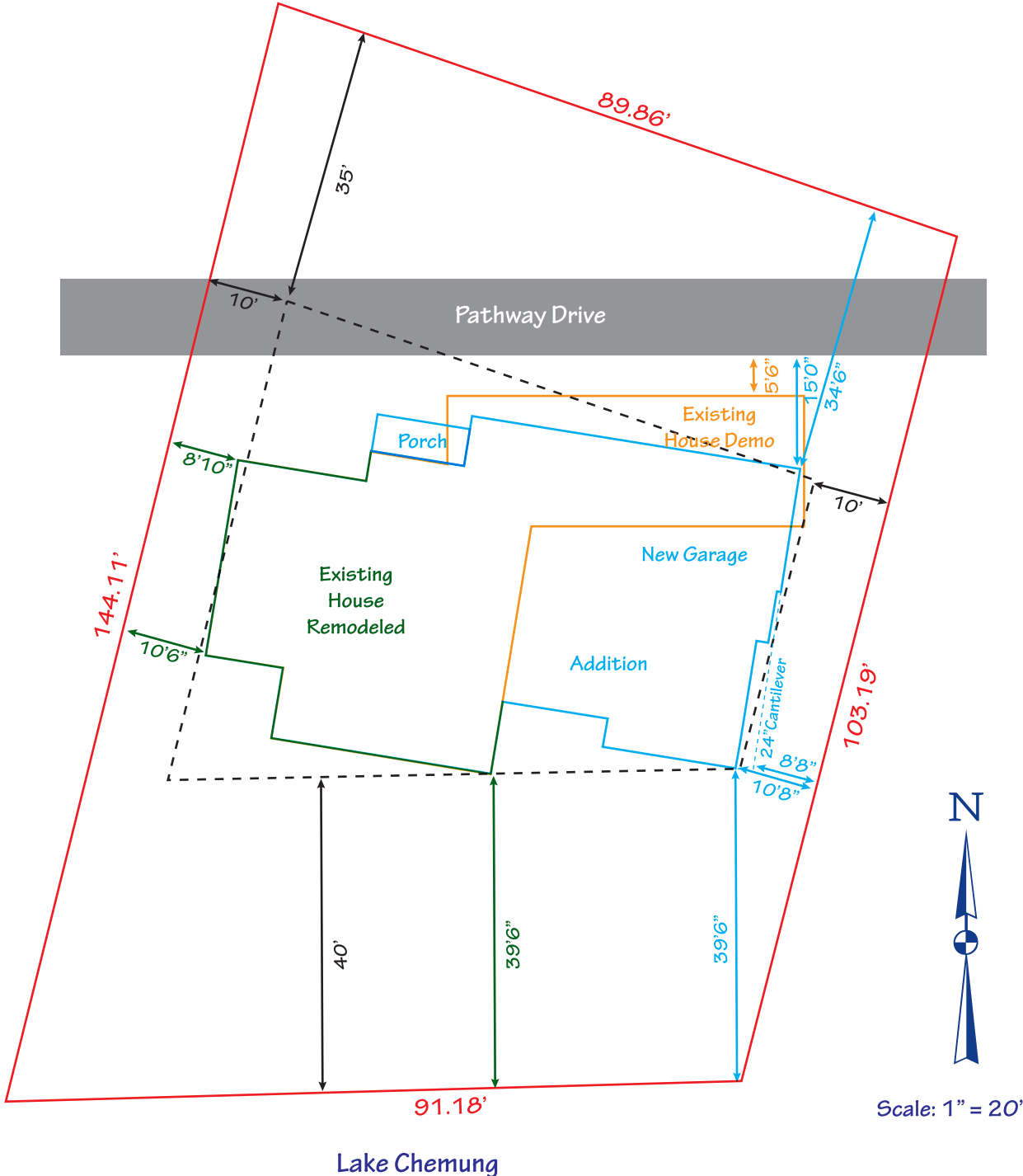
Staff Findings of Fact

1. Strict compliance with the side yard setback requirements would not unreasonably prevent the use of the property. The parcel is approximately 90' wide which leaves an approximate 70' wide building envelope.
2. Strict compliant with the front yard setback and shoreline setback requirements would unreasonably prevent an addition from being built on the property due to a limited building envelope.

3. There are no unusual or extraordinary circumstances of the property or use which would prevent the applicant from complying with the side yard setback requirement.
4. The location of Pathway Drive and the small lot width would prevent the applicant from complying with the front yard setback and shoreline setback requirements.
5. The granting of the side yard setback variance, front yard setback variance and shoreline setback variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
6. Granting the side yard setback variance or the front yard setback variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.
7. Granting the shoreline setback variance would impact the view of the lake from the side windows on the house to the east.

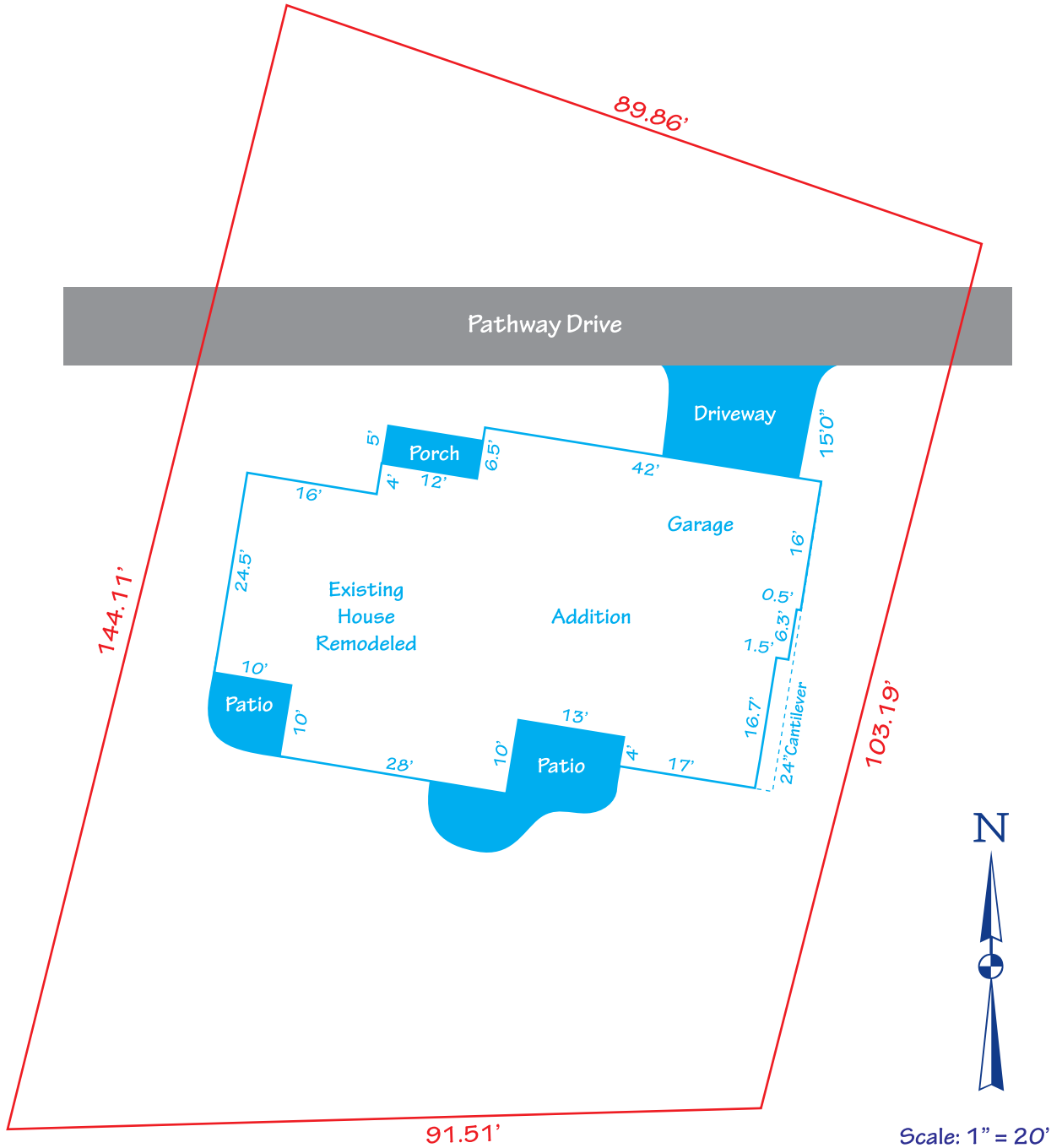
Plot Plan Showing: Lot Lines, Setbacks, Existing and New Construction

Lots 21 & 22 (Except East 10' of Lot 22)
Tax #4711-10-100-002



Plot Plan Showing: Lot Lines, Building Footprint & Lot Coverage

Lots 21 & 22 (Except East 10' of Lot 22)
Tax #4711-10-100-002



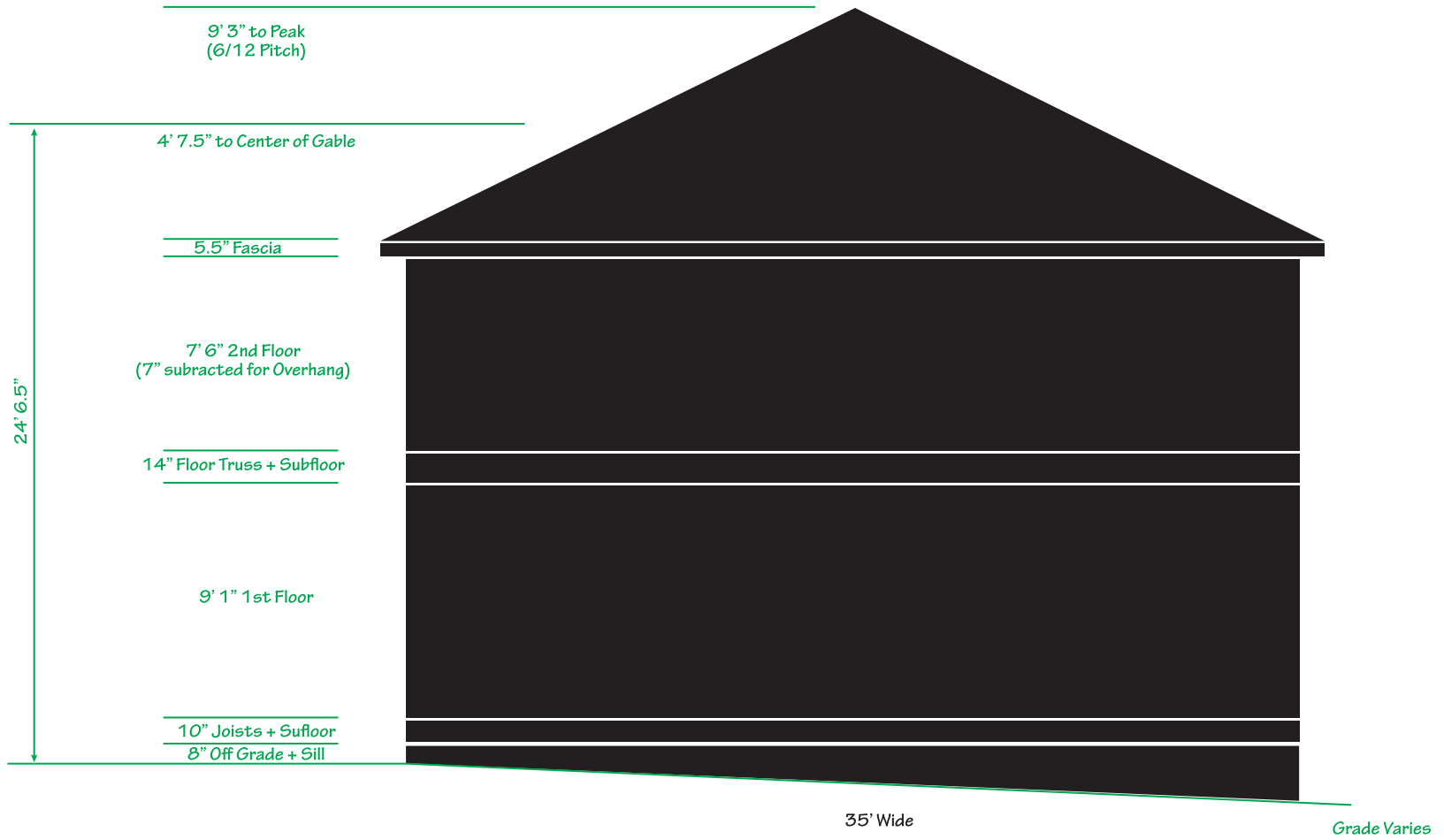
Scale: 1" = 20'

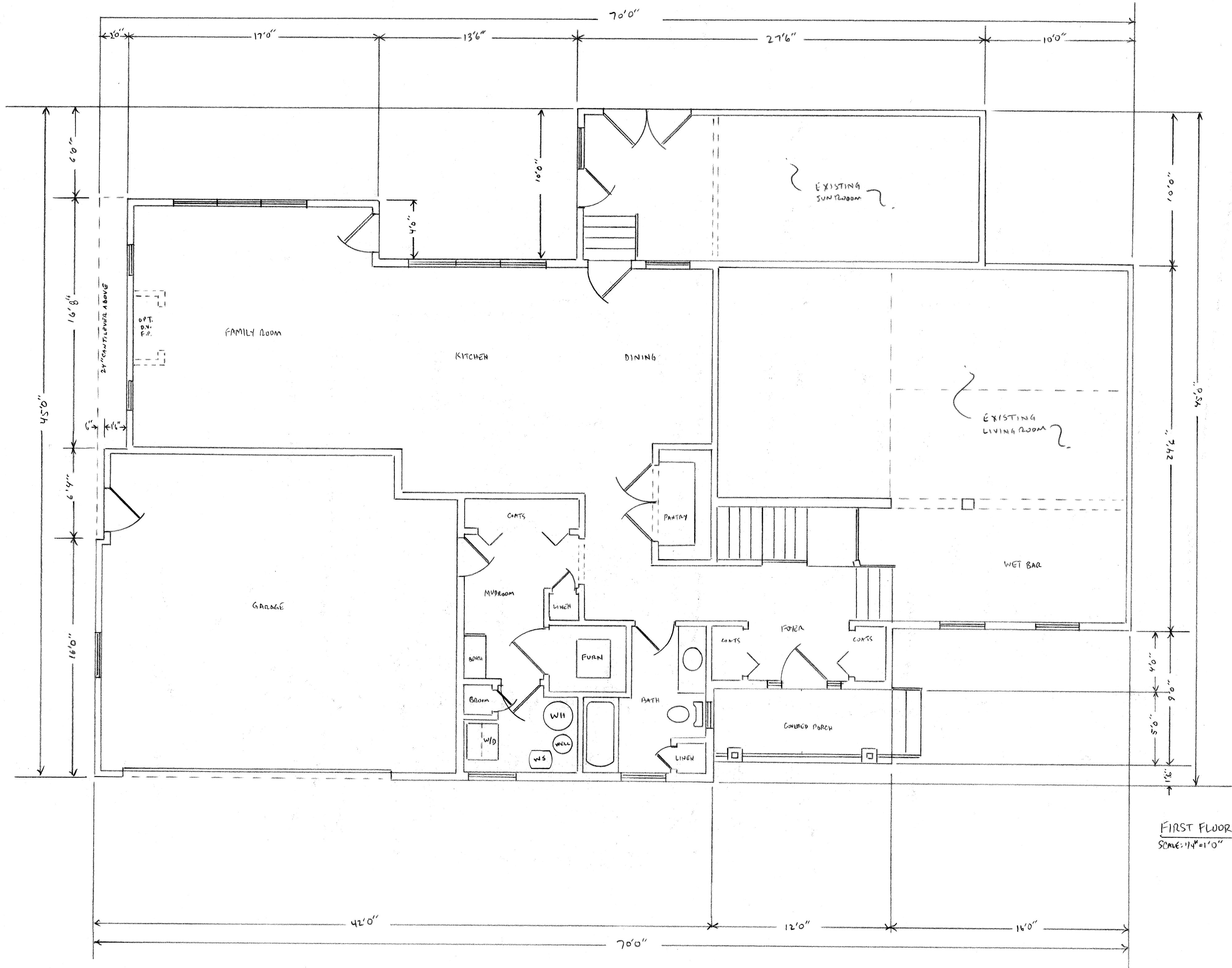
Lake Chemung

Lot Square Footage: @11,598
Allowable 35% Coverage: 4,059

House Footprint:	2,524
Porch:	60
Driveway:	225
Patios:	307
Total:	3,117

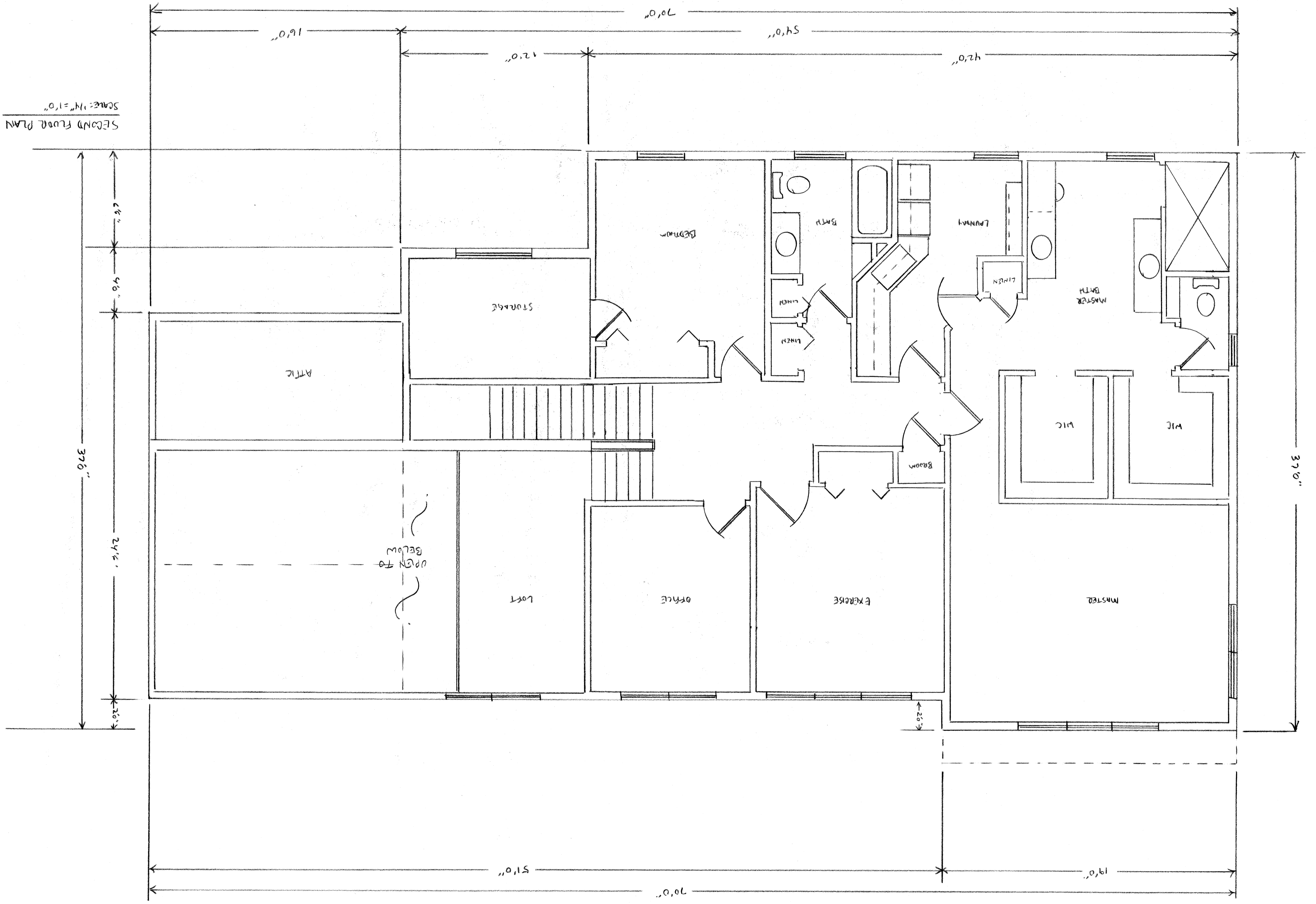
Building Height





FIRST FLOOR PLAN
SCALE: 1/4" = 1'0"

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



824 Pathway Area Map



1 inch = 60 feet

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

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/12/2014 10:27 AM

Parcel:	4711-10-101-052	Current Class:	401.401 RESIDENTIAL-IMPROVED
Owner's Name:	MEASEL RON & SUSAN	Previous Class:	401.401 RESIDENTIAL-IMPROVED
Property Address:	824 PATHWAY Howell, MI 48843	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V14-17
		School:	47070 HOWELL
		Neighborhood:	4309 4309 LK CHEMUNG LAKEFRONT

Liber/Page:	4830/0861	Created:	05/11/2005
Split:	05/11/2005	Active:	Active

Public Impr.:	None
Topography:	REFUSE

Mailing Address:
MEASEL RON & SUSAN
824 PATHWAY
Howell MI 48843

Most Recent Sale Information

Sold on 05/16/2005 for 200,000 by DIXON FAMILY TRUST.

Terms of Sale:	ARMS-LENGTH	Liber/Page:	4830/0861
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Most Recent Permit Information

None Found

Physical Property Characteristics

2015 S.E.V.:	Tentative	2015 Taxable:	Tentative	Lot Dimensions:	
2014 S.E.V.:	121,500	2014 Taxable:	113,487	Acres:	0.15
Zoning:	LRR	Land Value:	155,000	Frontage:	100.0
PRE:	0.000	Land Impr. Value:	0	Average Depth:	63.5

Improvement Data

of Residential Buildings: 1
Year Built: 1920
Occupancy: Single Family
Class: D
Style: D
Exterior: Wood Siding
% Good (Physical): 59
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: 2
Full Baths: 1 Half Baths: 0
Floor Area: 1,330
Ground Area: 1,330
Garage Area: 0
Basement Area: 0
Basement Walls:
Estimated TCV: 97,571

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
DIXON FAMILY TRUST	MEASEL RON & SUSAN	200,000	05/16/2005	WD	ARMS-LENGTH	4830/0861	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LRR	Building Permit(s)	Date	Number	Status
824 PATHWAY	School: HOWELL					
Owner's Name/Address	P.R.E. 0%					
MEASEL RON & SUSAN 824 PATHWAY Howell MI 48843	MAP #: V14-17					
	2015 Est TCV Tentative					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 00004.LAKE CHEMUNG								
				Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value	
SEC. 10 T2N, R5E, LAKE BREEZE GROVE LOTS 21 & 22 EXCEPT THE E 10 FT OF LOT 22 Split on 05/11/2005 from 4711-10-101-022, 4711-10-101-024;				LAKE FRONT	50.00	127.00	1.0000	1.0000	2300	100		115,000
				NON LAKE FRONT	50.00	0.00	1.0000	1.0000	800	100		40,000
				100 Actual Front Feet, 0.15 Total Acres						Total Est. Land Value =	155,000	

Comments/Influences
Split/Comb. on 05/11/2005 completed 05/11/2005 DUFFY ;
Parent Parcel(s): 4711-10-101-022, 4711-10-101-024;
Child Parcel(s): 4711-10-101-052, 4711-10-101-053;



Topography of Site				Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level	Rolling	Low	High	2015	Tentative	Tentative	Tentative			Tentative
Landscaped	Swamp	Wooded	Pond	2014	77,500	44,000	121,500			113,487C
Waterfront	Ravine	Wetland	Flood Plain	2013	72,500	39,200	111,700			111,700S
X REFUSE				2012	72,500	38,300	110,800			110,800S

The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage			
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 460 72	Type WGEP (1 Story) CCP (1 Story)	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
X	Wood Frame		Drywall Paneled				Plaster Wood T&G											
Building Style: D		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace			Class: D Effec. Age: 41 Floor Area: 1330 Total Base Cost: 70,312 Total Base New : 103,359 Total Depr Cost: 60,982 Estimated T.C.V: 97,571			CntyMult X 1.470 E.C.F. X 1.600		Bsmnt Garage: Carport Area: Roof:			
Yr Built 1920	Remodeled 0	Size of Closets		No./Qual. of Fixtures			(12) Electric			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj Size Cost								
Condition for Age: Good		Lg	X	Ord		Small	0 Amps Service			Other Additions/Adjustments Rate								
Room List		(5) Floors		No. of Elec. Outlets			(13) Plumbing			Rate								
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:		Ex. X Ord. Min			Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Public Sewer Well, 200 Feet			912.00 4400.00		1 4,400			
(1) Exterior		(6) Ceilings		Basement: 0 S.F. Crawl: 0 S.F. Slab: 1330 S.F. Height to Joists: 0.0			(14) Water/Sewer			WGEP (1 Story), Standard CCP (1 Story), Standard Phy/Ab.Phy/Func/Econ/Comb.%Good= 59/100/100/59.0, ECF (4309 LK CHEMUNG LAKEFRONT)			22.12 30.33 1.600 => TCV of Bldg: 1 =		460 72		10,175 2,184 60,982 97,571	
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation		Many X Ave. Few			(14) Water/Sewer			Rate								
Insulation		Basement Finish		Recreation SF Living SF Walkout Doors No Floor SF			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Rate								
(2) Windows		(8) Basement		Lump Sum Items:														
Many Avg. Few	X	Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor															
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish																
(3) Roof		(10) Floor Support																
X	Gable Hip Flat		Gambrel Mansard Shed															
X	Asphalt Shingle																	
Chimney: Brick																		

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

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 1419 Meeting Date: July 15, 2014

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

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

Applicant/Owner: John Smarch

Property Address: 715 Pathway Phone: 546 5409

Present Zoning: LRR. Tax Code: 4711 - 10 - 101 - 003

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: Work within a required sideyard

2. Intended property modifications: change roof line

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) Existing building built close to property intended to improve drainage problem
- b. Other (explain) _____

Variance Application Requires the Following:

- **Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information.**
- **Waterfront properties must indicate setback from water for adjacent homes**
- **Property must be staked showing all proposed improvements 8 days before the meeting and remain in place until after the meeting**
- **Petitioner (or a Representative) must be present at the meeting**

Date: 6/10/14

Signature: 

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

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
July 15, 2014
CASE #14-19

PROPERTY LOCATION: 715 Pathway

PETITIONER: John Smarch

ZONING: LRR (Lake Resort Residential)

WELL AND SEPTIC INFO: Public Sewer, well

PETITIONERS REQUEST: Side Yard Setback Variance to construct an addition above the attached garage.

CODE REFERENCE: Table 3.04.01,

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	N/A	N/A	10'	N/A	N/A	N/A
Setbacks Requested	N/A	N/A	0'	N/A	N/A	N/A
Variance Amount	N/A	N/A	10'	N/A	N/A	N/A



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 11, 2014
RE: ZBA 14-19

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

STAFF REPORT

File Number: ZBA#14-19

Site Address: 715 Pathway

Parcel Number: 4711-10-101-003

Parcel Size: 0.108 Acres

Applicant: John Smarch, 715 Pathway, Howell, MI 48843

Property Owner: Same as applicant

Information Submitted: Application, site plan, elevation drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a side yard setback variance to construct an addition above the attached garage.

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

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 29, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property lines in accordance with the Michigan Zoning Enabling Act.

Background

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

- The parcel currently has an existing single family home on it which was built in 1967.
- The property is on a public sewer and is on a well.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The applicant is proposing to construct an overhang above the attached garage to solve a drainage problem on the property. In order to construct the overhang the applicant needs to obtain a side yard setback variance because the current house sits directly on the property line.

Variance Requests

The regulations in the zoning ordinance pertaining to this variance are as follows:

- 1) Table 3.04.01 – LRR Side Yard Setback: Required 10', Proposed 0'

Standards for Approval

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

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

- (a) Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.
- (b) Extraordinary Circumstances. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance was not self-created by the applicant.
- (c) Public Safety and Welfare. The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Summary of Findings

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

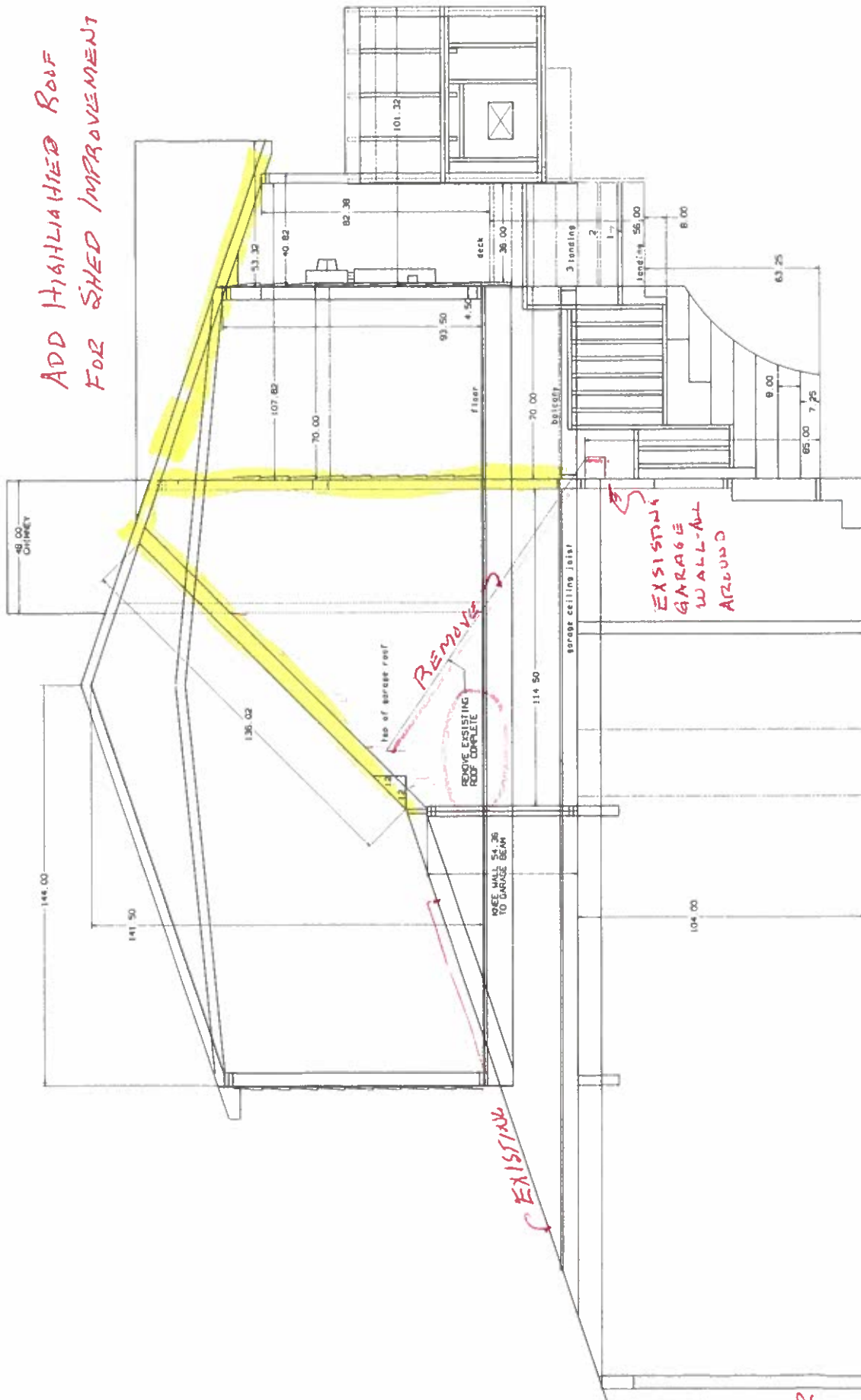
The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the side yard setback requirement would prevent the applicant from constructing this overhang to correct his drainage issue.
- **Extraordinary Circumstances** – The unique circumstance on the property is the current location of the house on the property line. This need for the side yard setback variance is created by this.
- **Public Safety and Welfare** – There should be a limited impact on public safety. Due to the two houses being so close together the applicant may increase fire exposure risk on the adjacent property, but this could be alleviated through the construction of the appropriate fire walls.
- **Impact on Surrounding Neighborhood** – The new home should not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Staff Findings of Fact

1. Strict compliance with the side yard setback requirements would not allow the applicant to construct an addition above the garage to resolve a drainage issue on the property.
2. The location of the house directly on the property line and the small lot size is a unique circumstance on the property which would prevent the applicant from addressing the drainage issue.
3. The need for the variance is not self-created, but due to the existing location of the house and current drainage situation on the property.
4. The granting of the side yard setback variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa. With proper firewall installation the risk of fire should be alleviated.
5. Granting the side yard setback variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

ADD HIGHLIGHTED ROOF
FOR SHED IMPROVEMENT



PATHWAY DR
ROAD.

707 PATHWAY

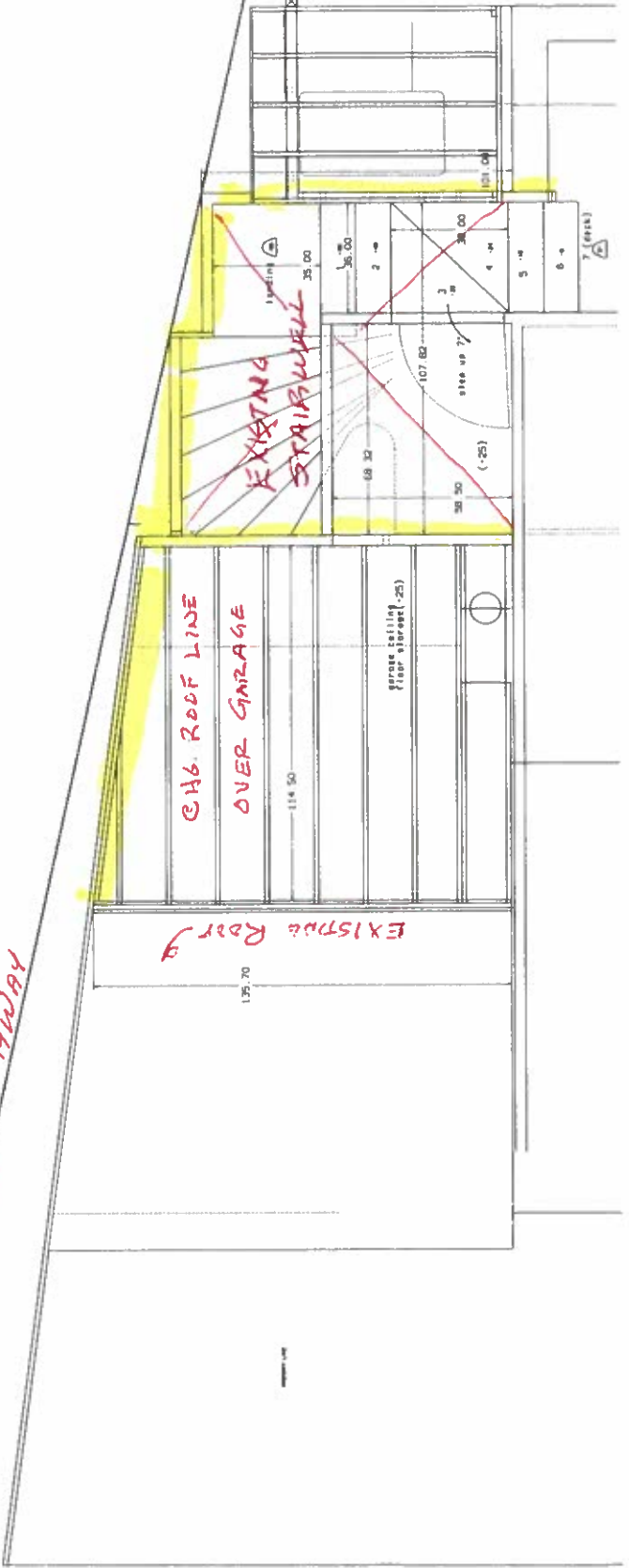
715 PATHWAY

PROPERTY
STAKE

EXISTING ROOF

CHG. ROOF LINE
OVER GARAGE

EXISTING
STAIRWELL





715 Pathway

1 inch = 60 feet



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

Source: Livingston County GIS Department

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

07/11/2014 11:53 AM

Parcel: 4711-10-101-003
Owner's Name: SMARCH, JOHN
Property Address: 715 PATHWAY
HOWELL, MI 48843

Current Class: 401.401 RESIDENTIAL-IMPROVED
Previous Class: 401.401 RESIDENTIAL-IMPROVED
Gov. Unit: 4711 GENOA CHARTER TOWNSHIP
MAP # 14-19
School: 47070 HOWELL
Neighborhood: 4309 4309 LK CHEMUNG LAKEFRONT

Liber/Page: / / **Created:** / /
Split: / / **Active:** Active

Public Impr.: Gravel Road
Topography: REFUSE

Mailing Address:

SMARCH, JOHN
715 PATHWAY
HOWELL MI 48843

Most Recent Sale Information

None Found

Most Recent Permit Information

Permit W07-075 on 09/28/2007 for \$0 category REROOF.

Physical Property Characteristics

2015 S.E.V.:	Tentative	2015 Taxable:	Tentative	Lot Dimensions:	
2014 S.E.V.:	193,000	2014 Taxable:	113,901	Acres:	0.11
Zoning:	LRR	Land Value:	135,000	Frontage:	75.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	62.7

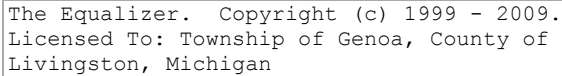
Improvement Data

of Residential Buildings: 1
Year Built: 1967
Occupancy: Single Family
Class: BC
Style: BC
Exterior: Wood Siding
% Good (Physical): 69
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: -15
Full Baths: 2 Half Baths: 1
Floor Area: 2,340
Ground Area: 1,211
Garage Area: 560
Basement Area: 0
Basement Walls:
Estimated TCV: 267,393

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status													
715 PATHWAY		School: HOWELL			REROOF	09/28/2007	W07-075	NO START													
Owner's Name/Address		P.R.E. 100% / /																			
SMARCH, JOHN 715 PATHWAY HOWELL MI 48843		MAP #: 14-19																			
Tax Description		2015 Est TCV Tentative		Land Value Estimates for Land Table 00004.LAKE CHEMUNG																	
SEC. 10 T2N, R5E, LAKE BREEZE GROVE SE'LY 25 FT. OF LOT 2 AND LOT 3, AND ALSO COMM AT NE COR OF LOT 1 TH S27*33'08"E 43.55 FT TO POB TH S27*33'08"E 1 FT TH S74*03'39"W 31.47 FT TH N72*15'59"E 31.28 FT TO POB AND EXCEPT COMM AT NE COR LOT 1 TH S27*33'08"E 43.55 FT TH S72*15'59"W 31.28 FT TO POB TH S72*15'59"W 31.94 FT TH N15*56'21"W 1 FT TH N74*03'39"E 31.92 FT TO POB CORR LEGAL 2/07		X Improved		Vacant		* Factors *															
Comments/Influences		Public Improvements		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value			
		Dirt Road		LAKE FRONT		50.00		94.00		1.0000		1.0000		2300 100				115,000			
		Gravel Road		NON LAKE FRONT		25.00		0.00		1.0000		1.0000		800 100				20,000			
		Paved Road		75 Actual Front Feet, 0.11 Total Acres										Total Est. Land Value =				135,000			
		Storm Sewer																			
		Sidewalk																			
		Water																			
		Sewer																			
		Electric																			
		Gas																			
		Curb																			
		Street Lights																			
		Standard Utilities																			
		Underground Utils.																			
		Topography of Site																			
		Level																			
		Rolling																			
		Low																			
		High																			
		Landscaped																			
		Swamp																			
		Wooded																			
		Pond																			
		Waterfront																			
		Ravine																			
		Wetland																			
		Flood Plain																			
		X REFUSE																			
		Who		When		What		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/ Other		Taxable Value	
								2015		Tentative		Tentative		Tentative						Tentative	
								2014		67,500		125,500		193,000						113,901C	
								2013		63,800		111,600		175,400						112,108C	
								2012		63,800		108,900		172,700						109,481C	



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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage				
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 33 25 119	Type CCP (1 Story) CCP (1 Story) Pine	Year Built: Car Capacity: Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 560 % Good: 0 Storage Area: 0 No Conc. Floor: 0				
X	Wood Frame		Drywall Paneled		Plaster Wood T&G															
Building Style: BC		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Class: BC Effec. Age: 31 Floor Area: 2340 Total Base Cost: 164,764 Total Base New : 242,204 Total Depr Cost: 167,120 Estimated T.C.V: 267,393			CntyMult X 1.470 E.C.F. X 1.600			Bsmnt Garage: Carport Area: Roof:				
Yr Built 1967	Remodeled 0	Size of Closets		0 Amps Service			No./Qual. of Fixtures			Stories Exterior			Foundation Rate			Bsmnt-Adj Heat-Adj			Size Cost	
Condition for Age: Good		Lg	X	Ord		Min	No. of Elec. Outlets			Other Additions/Adjustments			Rate			Size Cost				
Room List		Doors:		Solid	X	H.C.	(13) Plumbing			(1) Exterior			Rate			Size Cost				
Basement 1st Floor 2nd Floor -16 Bedrooms		Kitchen: Other: Other:		(12) Electric			Average Fixture(s)			Brick Veneer			8.80			152 1,338				
(1) Exterior		(6) Ceilings		Ex. X Ord. Min			2 3 Fixture Bath			(13) Plumbing			3525.00			1 3,525				
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation		Many X Ave. Few			1 2 Fixture Bath			(14) Water/Sewer			2350.00			1 2,350				
	Insulation	Basement: 0 S.F. Crawl: 1211 S.F. Slab: 0 S.F. Height to Joists: 0.0		(13) Plumbing			Softener, Auto			(15) Built-Ins & Fireplaces			1487.00			1 1,487				
(2) Windows		(8) Basement		Basement: 0 S.F. Crawl: 1211 S.F. Slab: 0 S.F. Height to Joists: 0.0			Softener, Manual			(16) Porches			5700.00			1 5,700				
X	Many Avg. Few	X	Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower			(16) Deck/Balcony			4925.00			1 4,925				
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish		Recreation SF Living SF Walkout Doors No Floor SF			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			(17) Garages			52.91			33 1,746				
(3) Roof		(10) Floor Support		Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Public Water			(17) Garages			58.45			25 1,461				
X	Gable Hip Flat		Gambrel Mansard Shed	Joists: Unsupported Len: Cntr.Sup:			1 Public Sewer			Class:BC Exterior: Siding Foundation: 42 Inch (Unfinished)			23.47			560 13,143				
X	Asphalt Shingle	Chimney: Brick		1 Water Well 1000 Gal Septic 2000 Gal Septic			1 Public Sewer			Common Wall: 1 Wall			-1425.00			1 -1,425				
				Lump Sum Items:			Phy/Ab.Phy/Func/Econ/Comb.%Good= 69/100/100/100/69.0,			Depr.Cost = 167,120			ECF (4309 LK CHEMUNG LAKEFRONT) 1.600 => TCV of Bldg: 1 = 267,393							

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

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-20 Meeting Date: July 15, 2014
 PAID Variance Application Fee
\$125.00 for residential - \$300.00 for commercial/industrial
 Copy of paperwork to Assessing Department

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

Applicant/Owner: POLOSKI CONSTRUCTION INC. STAN POLOSKI
Property Address: 3758 W NOBLE ST Phone: (313) 919-1717
Present Zoning: LRR Tax Code: 4711-22-302-042

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: SHOWLINE + FRONT YARD SET BACK
SHOWLINE SET BACK 80'

2. Intended property modifications: _____

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) EXISTING BUILDING ENVELOPE IS TOO SMALL FOR NEW RES.
- b. Other (explain) TRYING TO MATCH SET BACKS ON NEIGHBORING HOMES.

Variance Application Requires the Following:

- Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information
- Waterfront properties must indicate setback from water for adjacent homes
- Property must be staked showing all proposed improvements 3 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 6-18-14

Signature: Stan Poloski

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

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
July 15, 2014
CASE #14-20

PROPERTY LOCATION: 3758 Noble St

PETITIONER: Poloski Construction Inc.

ZONING: LRR (Lake Resort Residential)

WELL AND SEPTIC INFO: Public Sewer, Well

PETITIONERS REQUEST: Shoreline Setback Variance, Front Yard Setback Variance, to construct a single family home.

CODE REFERENCE: Table 3.04.01, 3.04.02

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	35'	10'	10'	N/A	N/A	84'
Setbacks Requested	3'	10'	10'	N/A	N/A	80'
Variance Amount	32'	N/A	N/A	N/A	N/A	4'



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 11, 2014
RE: ZBA 14-20

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

STAFF REPORT

File Number: ZBA#14-20

Site Address: 3758 Noble

Parcel Number: 4711-22-302-042

Parcel Size: 0.16 Acres

Applicant: Poloski Construction Inc.

Property Owner: Scott & Tracey King, 910 Westbury, Howell, MI 48843

Information Submitted: Application, site plan, building prints

Request: Dimensional Variance

Project Description: Applicant is requesting a front yard setback variance and a shoreline setback variance to construct a new single family home.

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

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 29, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property lines in accordance with the Michigan Zoning Enabling Act.

Background

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

- The parcel is currently vacant
- The property has sewer available.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The applicant is proposing to construct a new single family home on Noble. In order to construct this single family home the applicant will need a shoreline setback variance and a front yard setback variance. The applicant has attempted to site the house so it is consistent with the other houses on the street and so it would not impede the view of adjacent properties. This has resulted in a 3' front yard setback. Due to the property lines being set off the actual road a substantial distance this leaves the applicant with 18' of space in the driveway to park a vehicle.

Variance Requests

The regulations in the zoning ordinance pertaining to this variance are as follows:

- 1) Table 3.04.01 – LRR Front Yard Setback: Required 35', Proposed 3'
- 2) Table 3.04.02 - Shoreline Setback: Required 84', Proposed 80'

Standards for Approval

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

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

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

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

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

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

Summary of Findings

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

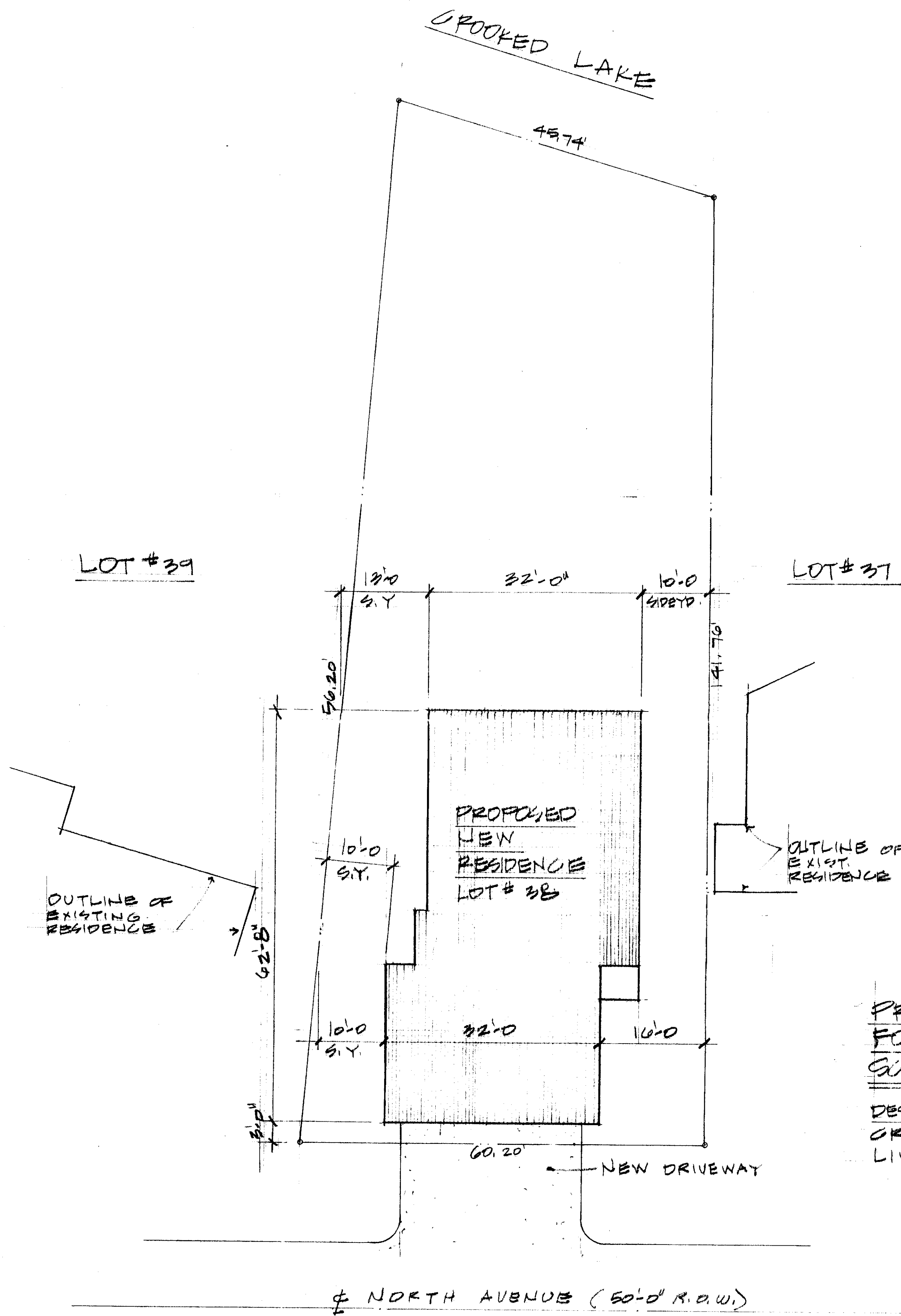
The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the shoreline and front yard setback would unreasonably prevent the use of the property. The combined setbacks would leave the applicant with a 22' X 40' building envelope which would prevent the applicant from constructing a house which meets the minimum floor area.
- **Extraordinary Circumstances** – Granting the shoreline and front yard setback variance would make the property consistent with other properties in the vicinity. This house would be consistent with the setbacks of other homes on the shoreline side of Noble. The need for the variance was created by the setbacks severely limiting the building envelope.
- **Public Safety and Welfare** –The proposed variance will not create a public safety or welfare issue. The driveway and attached garage will provide sufficient off road parking to meet the standards in the ordinance. The distance from the proposed house to the front property line is close, but is consistent with other homes on the street.
- **Impact on Surrounding Neighborhood** – The new home should not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The proposed location of the house may limit the views of the house to the east, but the proposed house cannot be pushed toward the front property line any further without risking losing off-street parking, which could create a safety issue.

Staff Findings of Fact

1. Strict compliance with the front yard setback and shoreline setback requirements would unreasonably prevent the use of the property. The setbacks would leave a 22' X 40' long building envelope which is insufficient to construct a single family home that is compliant with the minimum floor area of the LRR district.
2. Granting the front yard and shoreline setback variance would make the property more consistent with other properties in the vicinity.
3. The need for the shoreline and front yard setback variances are not self-created, but due to the setbacks not allowing a sufficient building envelope to build a single family home that is consistent with the Zoning Ordinance.
4. The granting of the setback variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

5. Granting the side yard setback variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.



PROPOSED SITE PLAN FOR
SCOTT & TRACEY KING
 DESCRIPTION: LOTS 24 + 33
 CROOKED LAKE HIGHLANDS
 LIVINGSTON COUNTY

To the best of the designer's knowledge these plans are drawn to comply with the owner's specifications. Any changes made to the plans after final prints are made will be done at the owner's expense. The contractor will verify all dimensions and drawings. The designer is not liable for errors after construction has begun. While every attempt has been made in the preparation of these plans to avoid errors, the designer cannot guarantee against human error. The contractor on the job must check all dimensions and other details and be responsible for same.

Use Dimensions Do	Figured Not	Only Scale
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All local codes take precedence over these plans

NOTICE: THESE PLANS ARE NOT TO BE REPRODUCED IN ANY WAY, IN PART OR IN WHOLE, WITHOUT WRITTEN PERMISSION FROM LIVINGSTON HOME PLANNERS AND DESIGNERS, LLC.

Owner

Builder



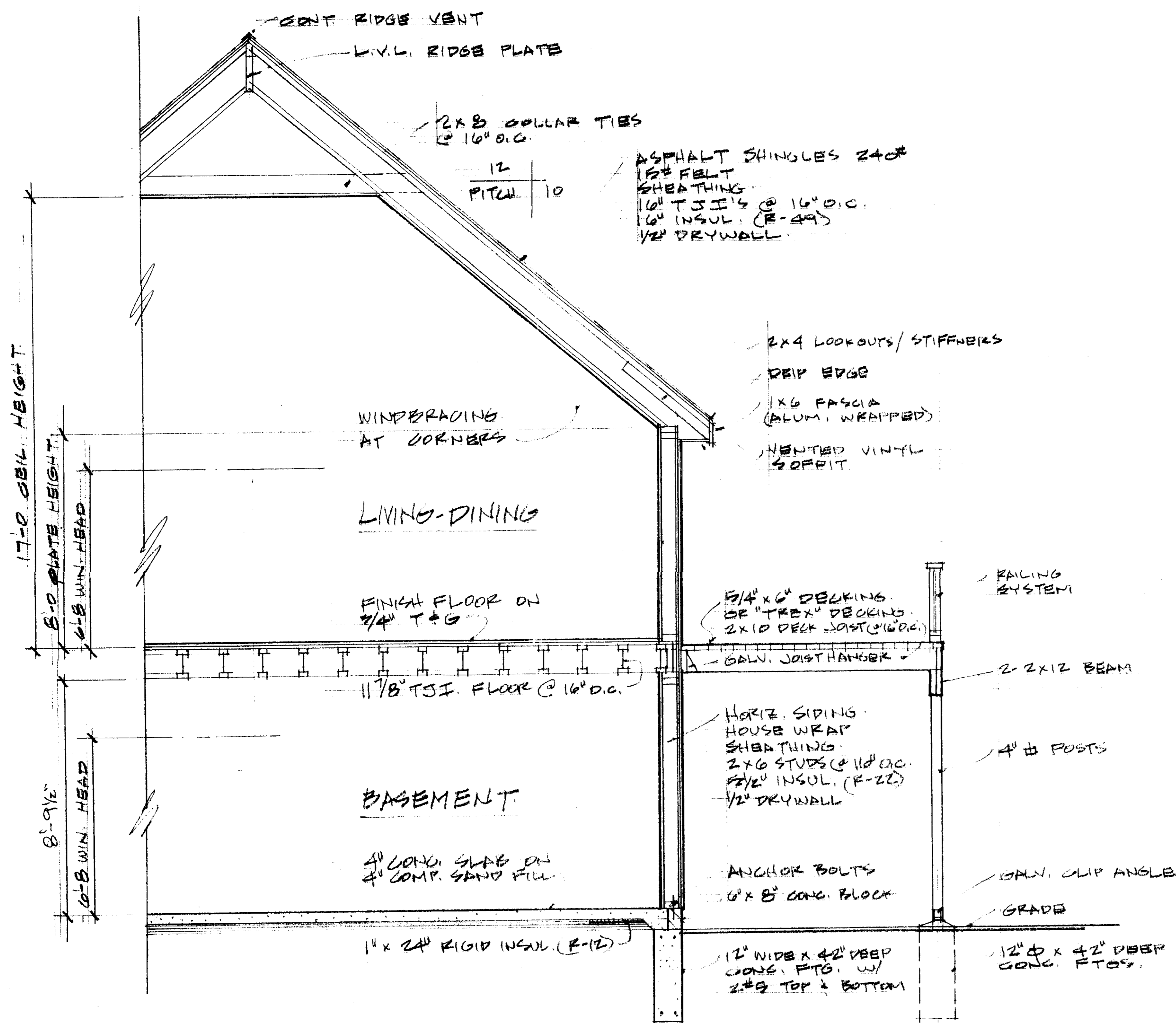
Livingston Home Planners and Designers LLC.
 123 East Mason Road
 Howell, Michigan
 517.546.3114
 livingstonhomeplannersllc@yahoo.com

Job # 140402

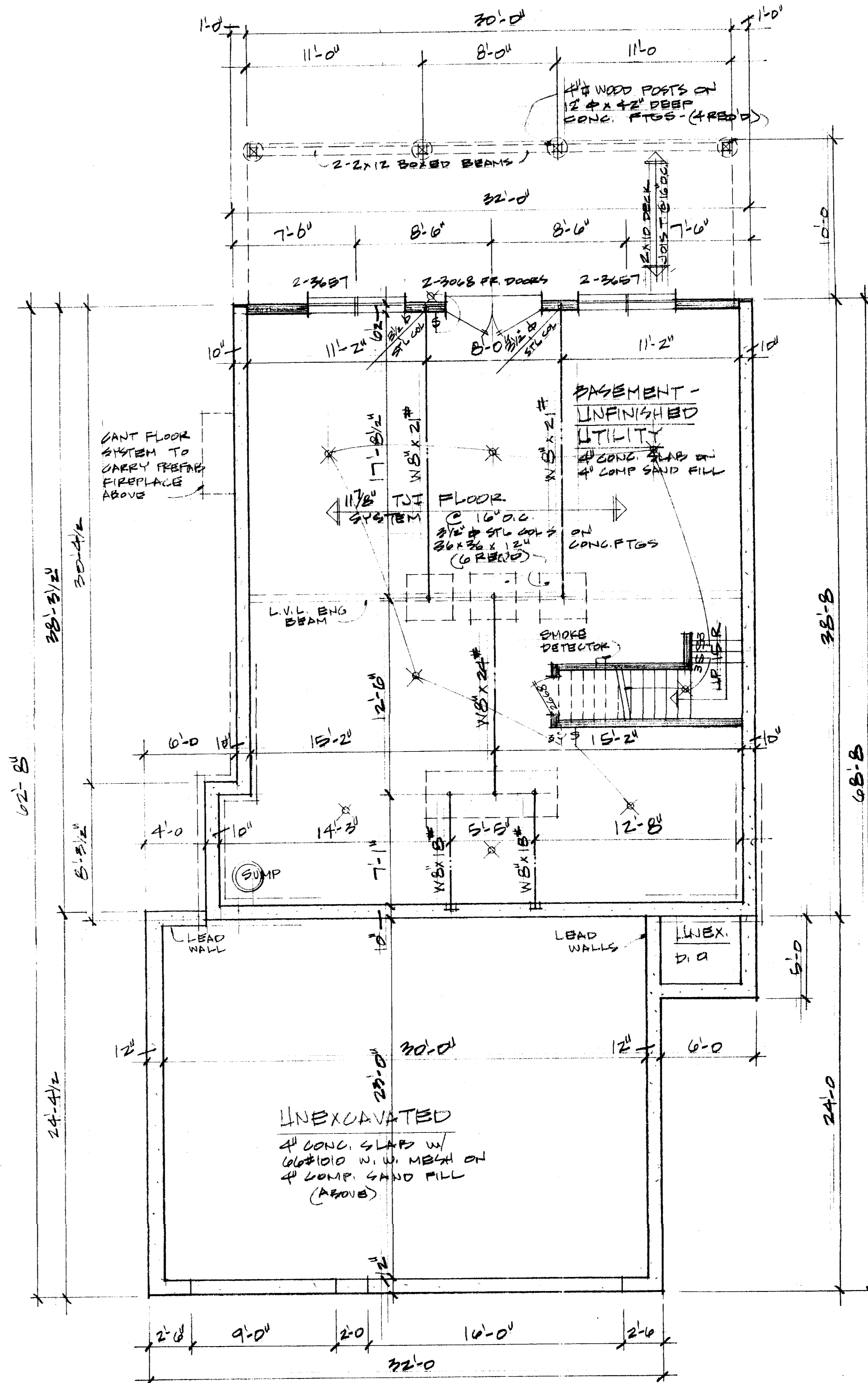
Sheet # 1 OF 5

Date 24 APRIL 2014

REVISIONS
 10 JUNE 2014



TYPICAL WALL SECTION 3/8\"/>



BASEMENT PLAN 1/4\"/>

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Use Dimensions	Figured Only
Do	Not
All local codes take precedence over these plans	

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Owner

Builder



Livingston Home Planners and Designers LLC
 123 East Mason Road
 Howell, Michigan
 517.546.3114
 livingstonhomeplannersllc@yahoo.com

Job # 140402

Sheet # 2 OF 5

Date 21 APRIL 2014

To the best of the designer's knowledge these plans are drawn to comply with the owner's specifications. Any changes made to the plans after final prints are made will be done at the owner's expense. The contractor will verify all dimensions and drawings. The designer is not liable for errors after construction has begun. While every attempt has been made in the preparation of these plans to avoid error, the designer cannot guarantee against human error. The contractor on the job must check all dimensions and other details and be responsible for same.

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Do Not Scale

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Owner
KING RESIDENCE

504# UPPER
1232# LOWER
1736# TOTAL
+ 456# BONUS

Builder
FOLDSKI CONSTRUCT.



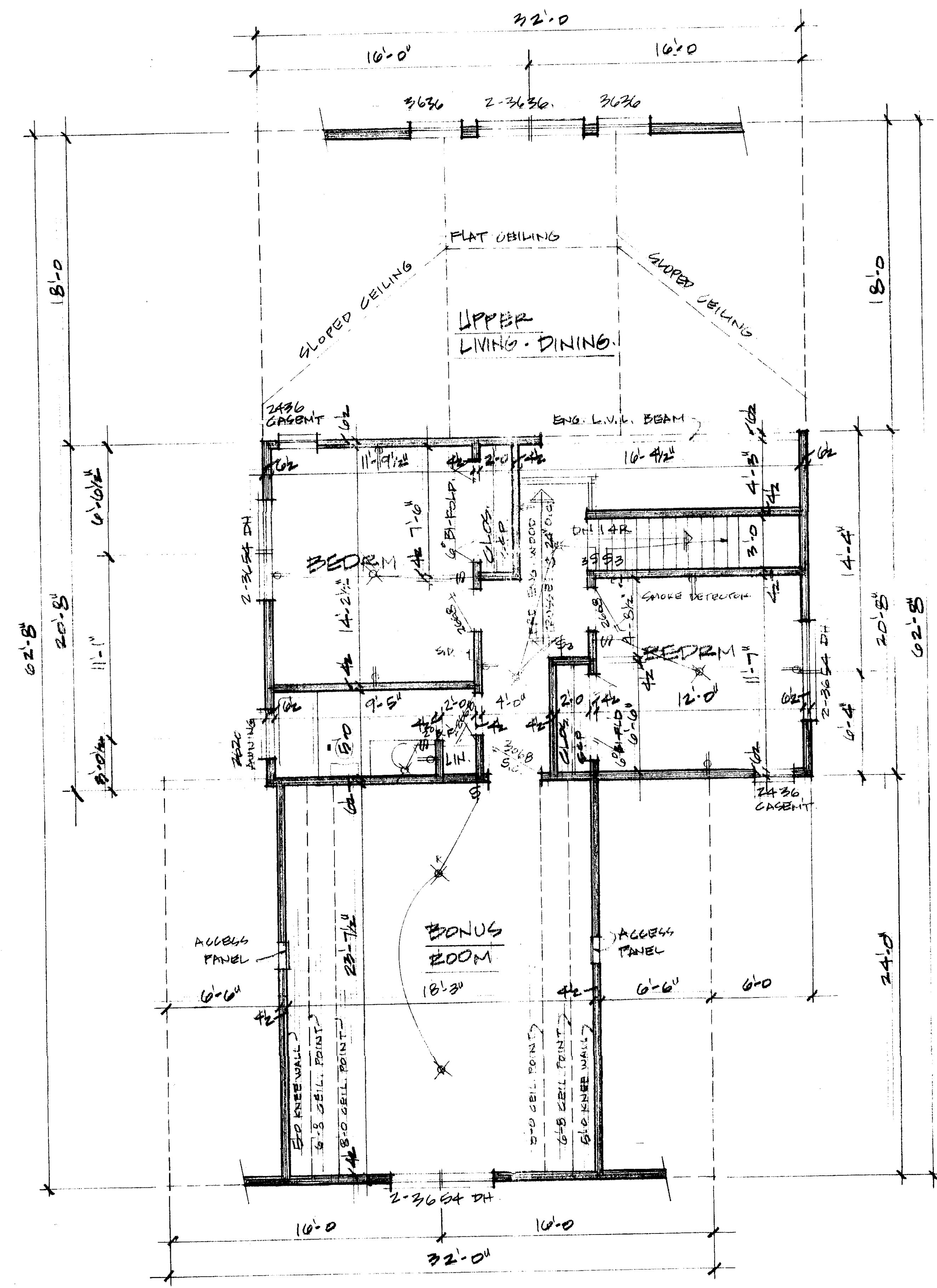
Livingston Home Planners and Designers, LLC
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517-346-3114
livingstonhomeplannersllc@yahoo.com

Job # 140402

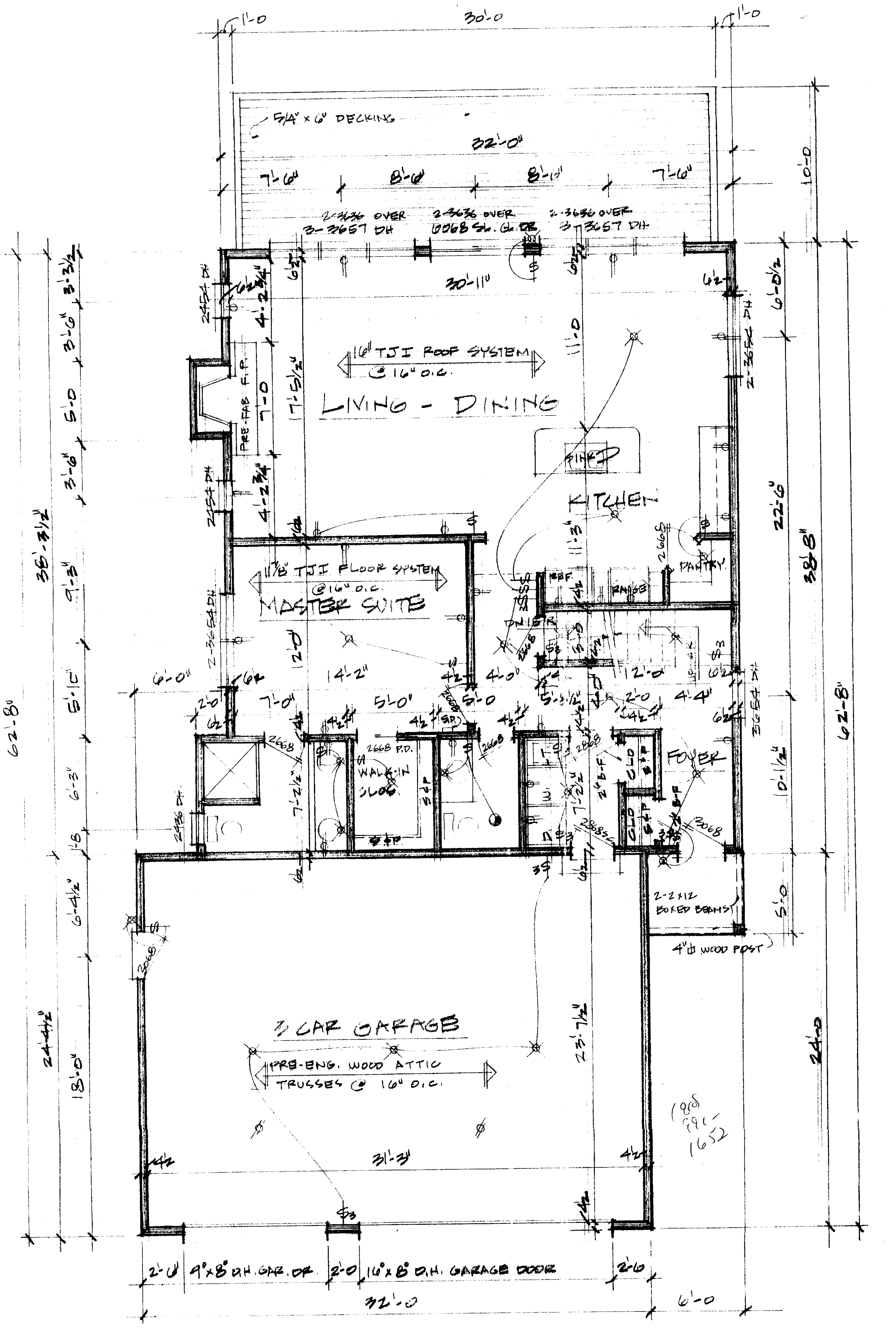
Sheet # 2 OF 6

Date 24 APRIL 2014

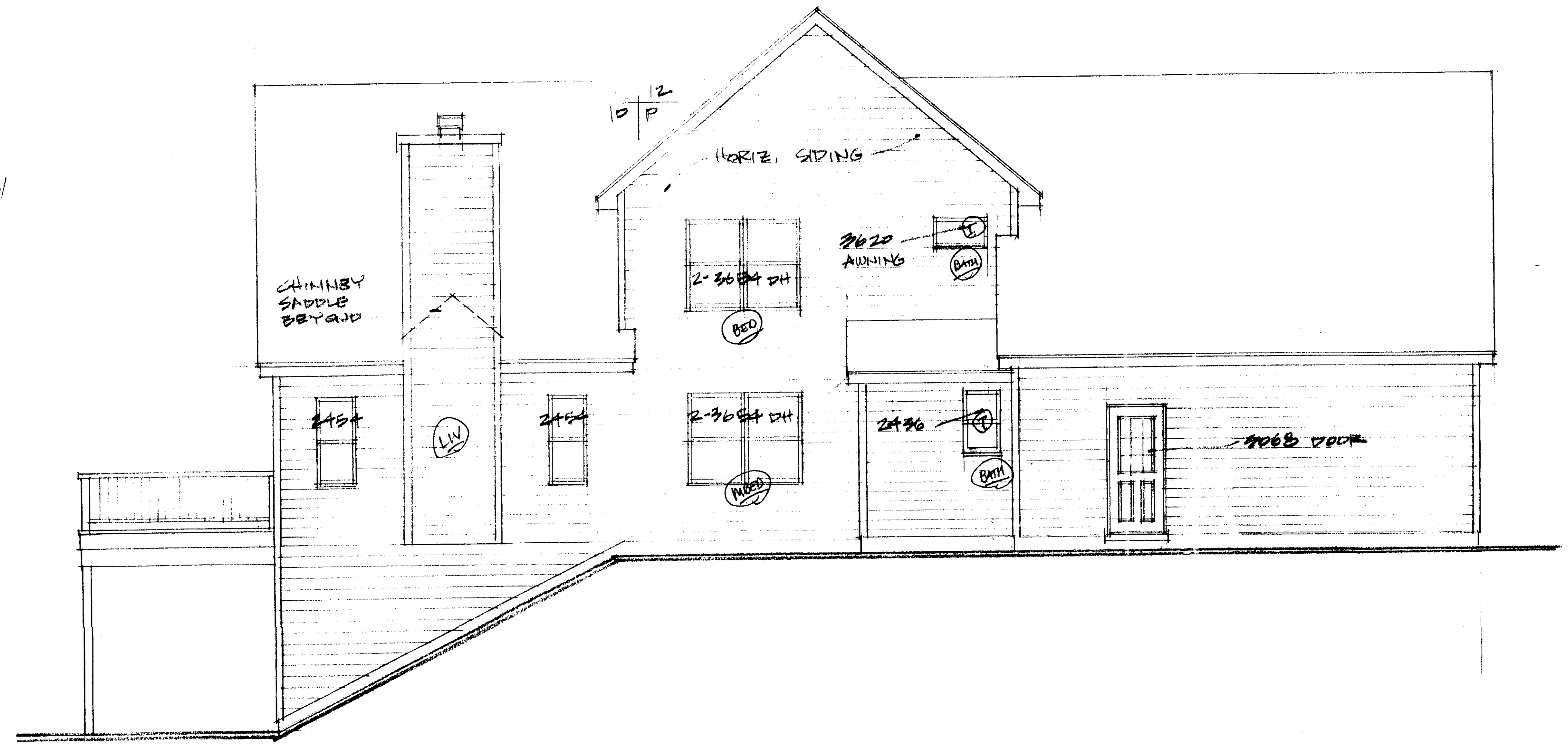
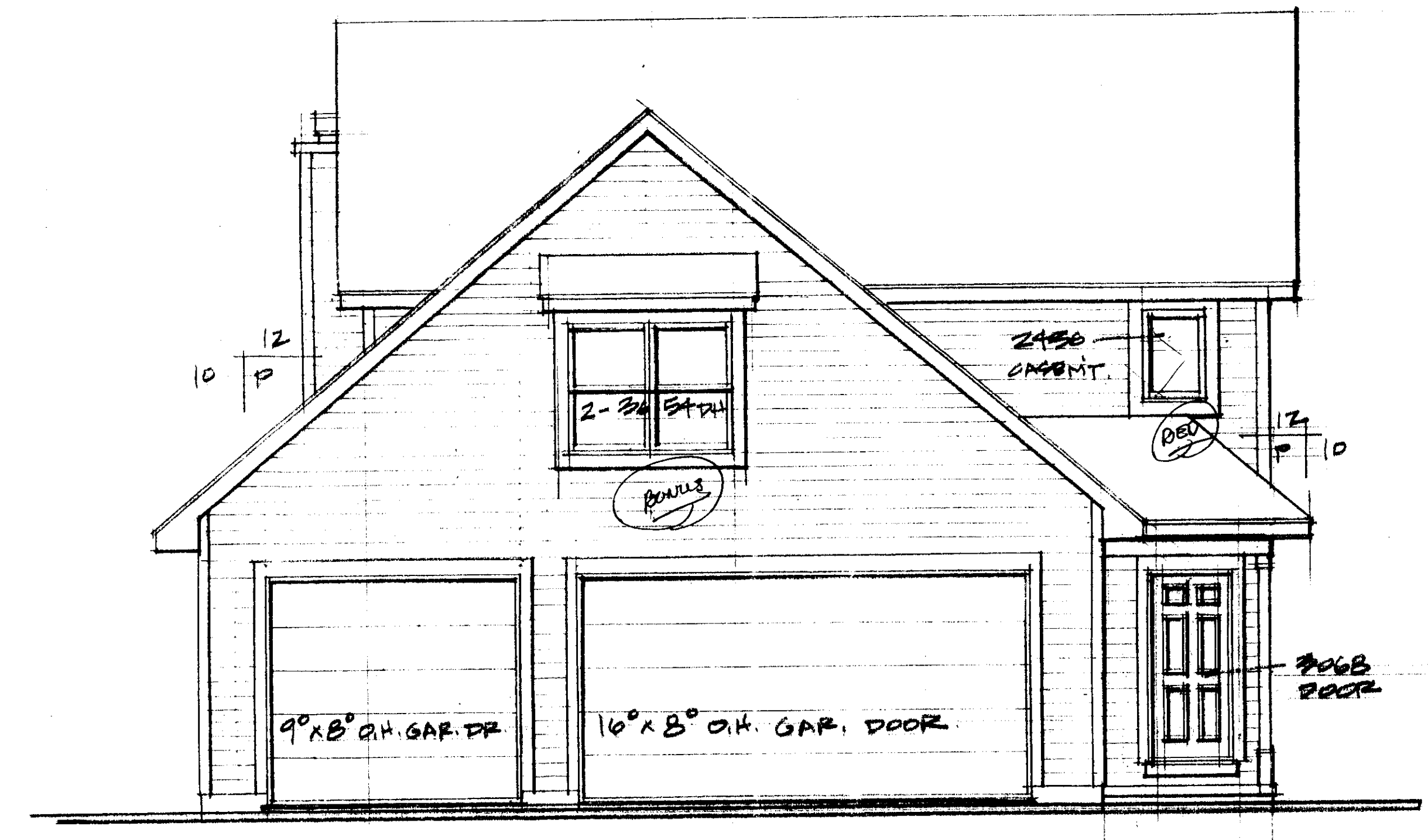
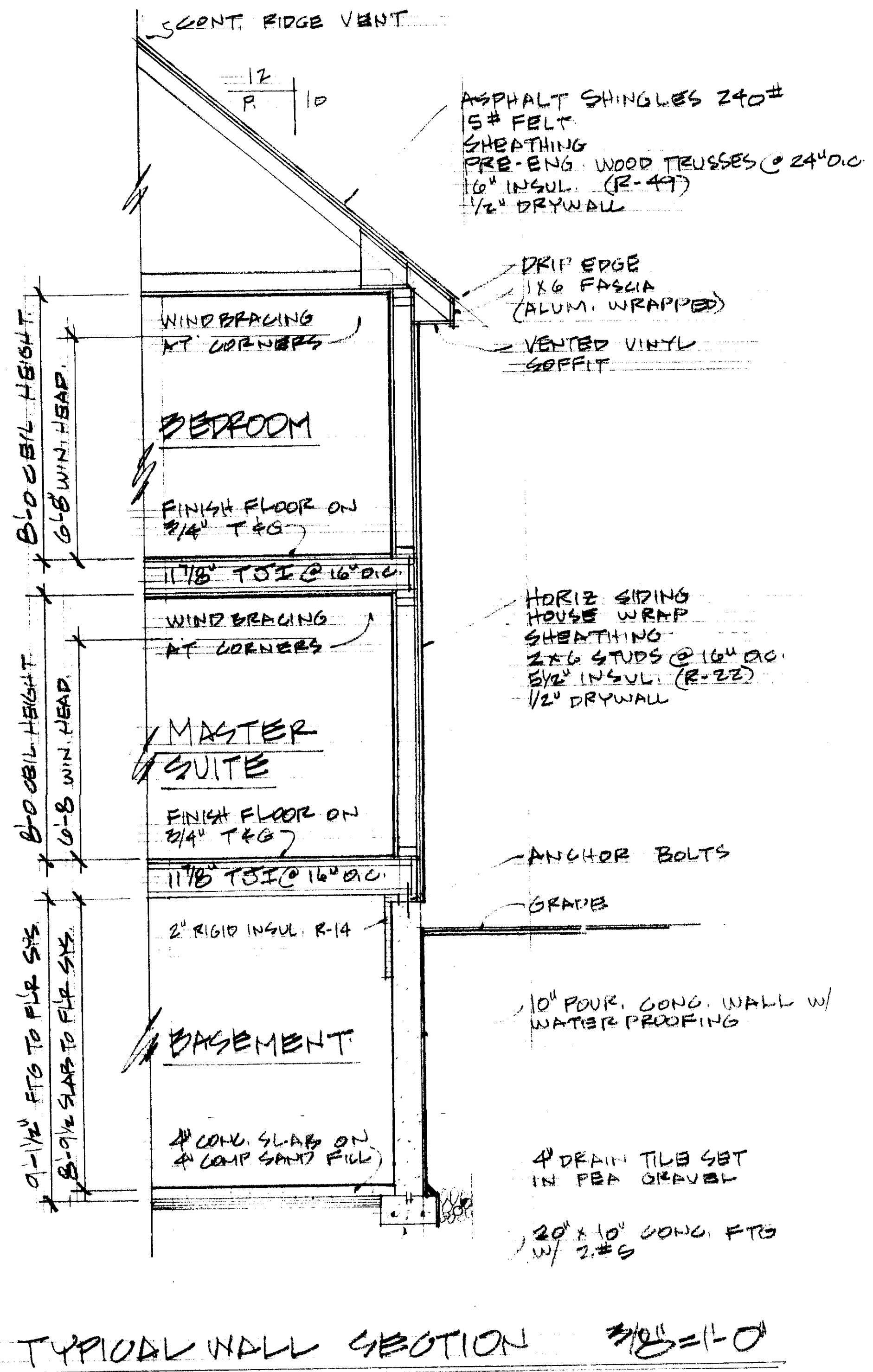
© copyright plans



UPPER FLOOR PLAN $1/4" = 1'-0"$



LOWER FLOOR PLAN $1/4" = 1'-0"$



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Use Figured
 Dimensions Not Only
 Do Not Scale

All local codes
 take precedence
 over these plans

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Owner

Builder



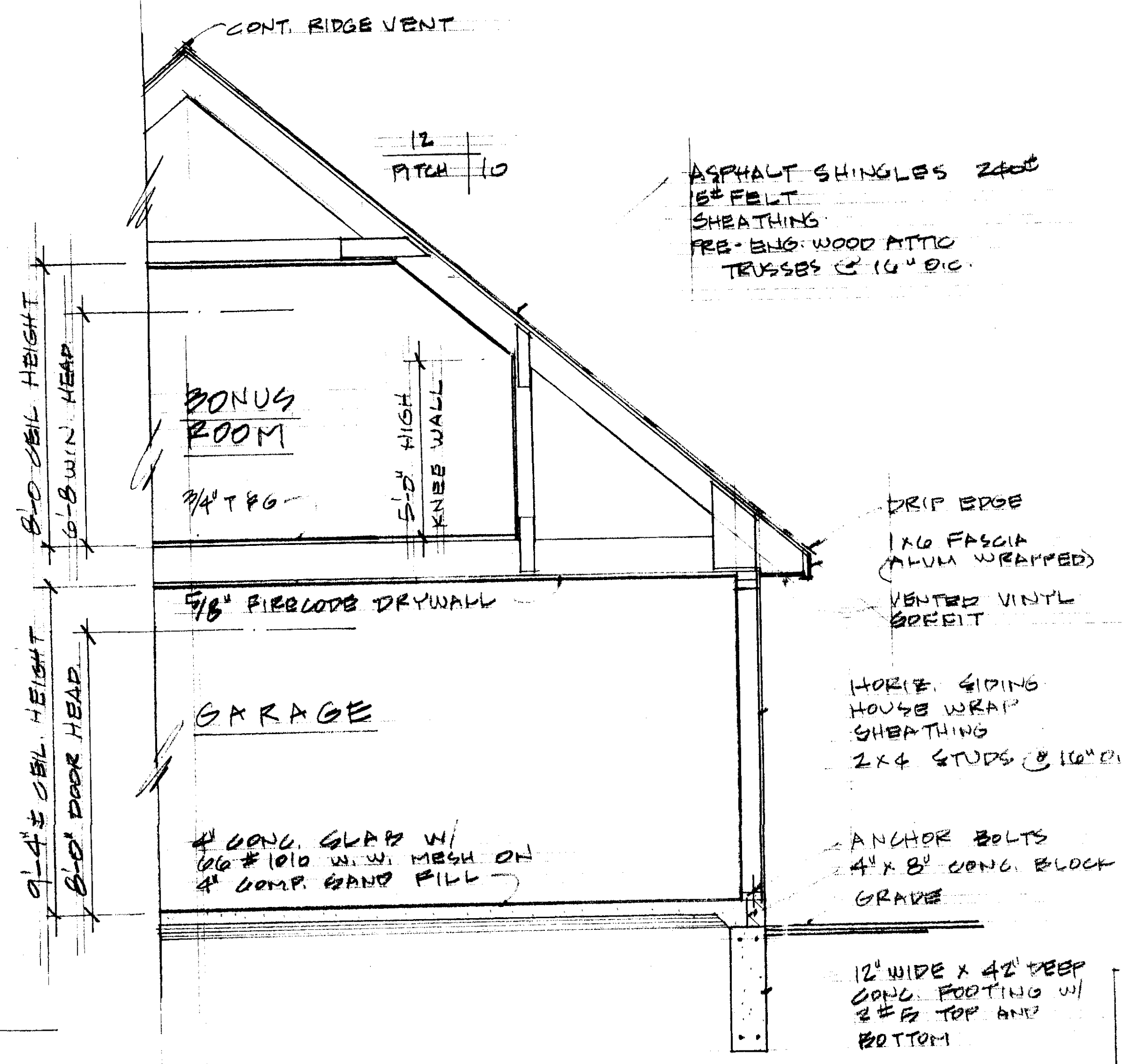
Livingston
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 livingstonhomeplannersllc@yahoo.com

Job # 140402

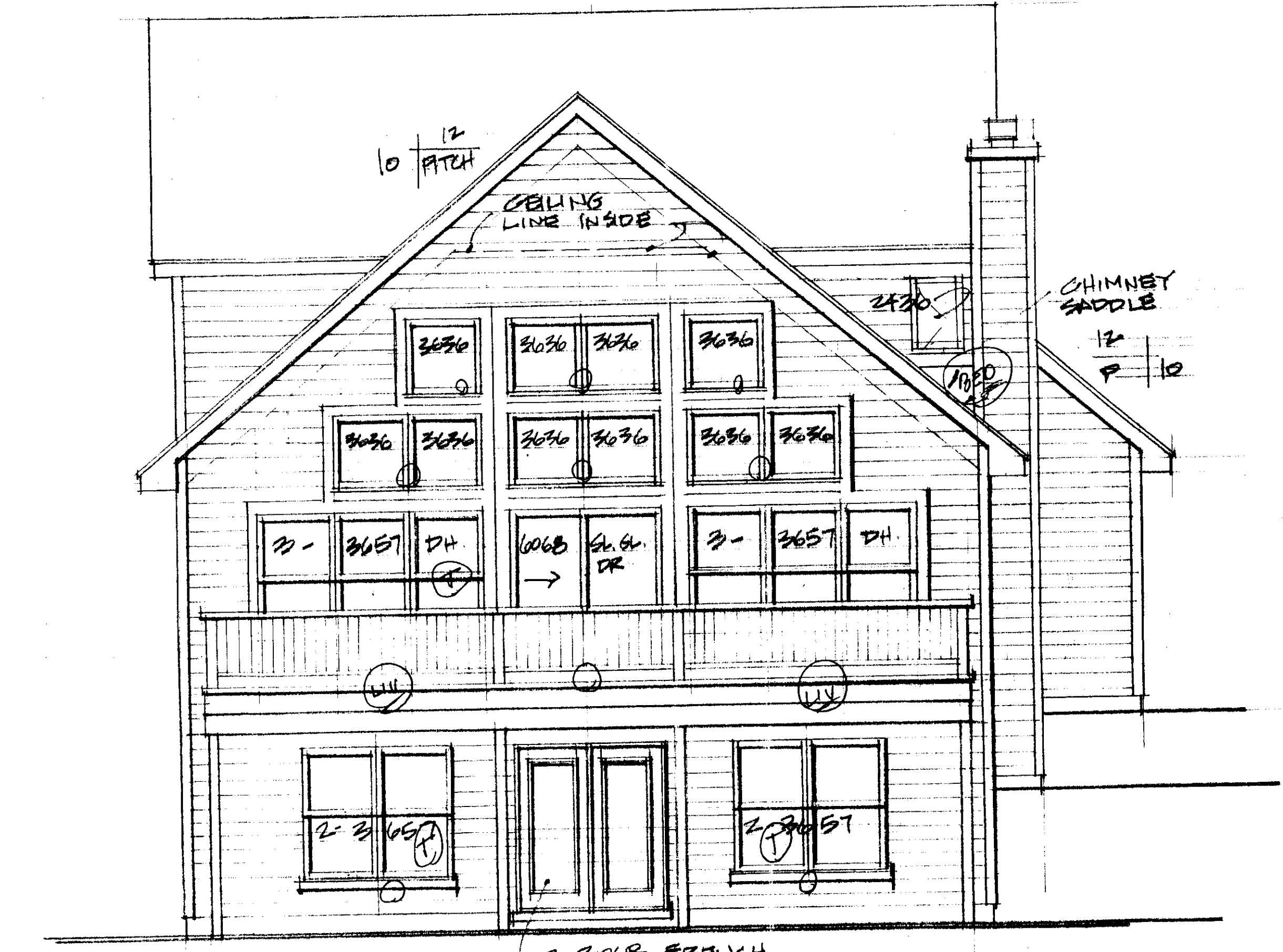
Sheet # 4 OF 6

Date 24 APRIL 2014

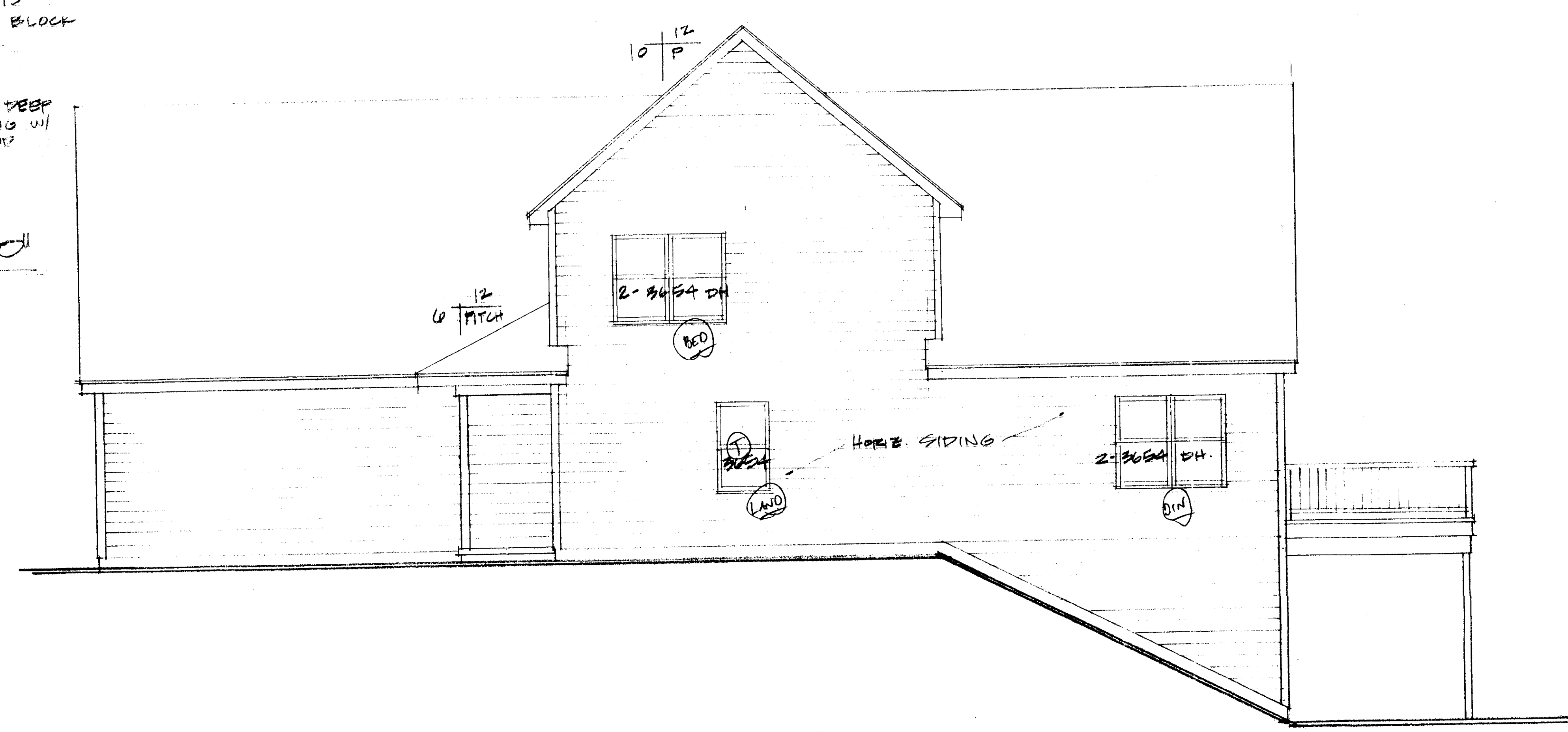
© copyright plans



TYPICAL WALL SECTION 3/8"=1'-0"



REAR ELEVATION (LAKESIDE) 1/4"=1'-0"



RIGHT SIDE ELEVATION 1/4"=1'-0"

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Do	Not Scale

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Owner

Builder



Livingston Home Planners and Designers LLC
 123 East Mason Road
 Howell, Michigan
 517.546.3114
 lvngstnhmplanersllc@yahoo.com

Job # 140402

Sheet # 5 OF 6

Date 24 APRIL 2014

3758 Noble

1 inch = 80 feet



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

Source: Livingston County GIS Department

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

07/11/2014 11:47 AM

Parcel:	4711-22-302-042	Current Class:	402.402 RESIDENTIAL-VACANT
Owner's Name:	KING SCOTT M & TRACEY L	Previous Class:	402.402 RESIDENTIAL-VACANT
Property Address:	3758 NOBLE BRIGHTON, MI 48116	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	14-20
		School:	47010 BRIGHTON
		Neighborhood:	4306 4306 TRI LAKES LAKE FRONT
Liber/Page:	2014R-016370	Created:	//
Split:	//	Active:	Active
Public Impr.:	None		
Topography:	REFUSE		

Mailing Address:

KING SCOTT M & TRACEY L
910 WESTBURY
HOWELL MI 48843

Most Recent Sale Information

Sold on 05/29/2014 for 189,900 by JARVIS DEVELOPMENT, INC.

Terms of Sale: ARMS-LENGTH

Liber/Page: 2014R-016370

Most Recent Permit Information

Permit W12-074 on 05/22/2012 for \$0 category DEMO.

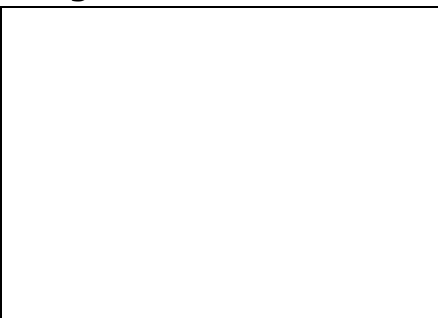
Physical Property Characteristics

2015 S.E.V.:	Tentative	2015 Taxable:	Tentative	Lot Dimensions:	
2014 S.E.V.:	53,700	2014 Taxable:	49,580	Acreage:	0.16
Zoning:	LRR	Land Value:	107,469	Frontage:	48.0
PRE:	0.000	Land Impr. Value:	0	Average Depth:	145.0

Improvement Data

None

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
JARVIS DEVELOPMENT, INC	KING SCOTT M & TRACEY L	189,900	05/29/2014	WD	ARMS-LENGTH	2014R-016370	BUYER	100.0			
LESIW ROMANA & VICTOR	JARVIS DEVELOPMENT, INC	130,000	04/26/2012	WD	ARMS-LENGTH	2012R-017252	BUYER	100.0			
Property Address											
3758 NOBLE		Class: 402 RESIDENTIAL-VA		Zoning: LRR	Building Permit(s)		Date	Number	Status		
		School: BRIGHTON		DEMO		05/22/2012	W12-074	NO START			
		P.R.E. 0%									
Owner's Name/Address											
KING SCOTT M & TRACEY L 910 WESTBURY HOWELL MI 48843		MAP #: 14-20		2015 Est TCV Tentative							
		Improved	X	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT						
		Public Improvements		* Factors *							
		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Gravel Road		LAKE FRONT	48.00	145.00	1.0000	1.0177	2200	100	107,469
		Paved Road		48 Actual Front Feet, 0.16 Total Acres Total Est. Land Value = 107,469							
		Storm Sewer									
		Sidewalk									
		Water									
		Sewer									
		Electric									
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
		X	REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
		Who	When	What	2015	Tentative	Tentative	Tentative		Tentative	
		LM	06/22/2012	INSPECTED	2014	53,700	0	53,700		49,580C	
					2013	48,800	0	48,800		48,800S	
					2012	48,800	22,200	71,000		52,539C	

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Licensed To: Township of Genoa, County of Livingston, Michigan

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

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-21 Meeting Date: July 15, 2014

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

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

Applicant/Owner: DOLORES M. MALYSZ
Property Address: 1330 CLARK LK. Phone: 586-292-6688
Present Zoning: LR2 Tax Code: 4711-12-400-009

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 ENCROACHMENT OF 9'
RAISE FINISH FLOOR 60"
2. Intended property modifications: SAME AS #1

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) FIVE ACRES OF RAIN WATER DRAINS ONTO THE PROPERTY, DOWN THE DRIVE WAY
- b. Other (explain) AND ~~THROUGH~~ THROUGH THE GARAGE AND FOUNDATION OF HOME.

Variance Application Requires the Following:

- Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information.
- Waterfront properties must indicate setback from water for adjacent homes
- Property must be staked showing all proposed improvements 3 days before the meeting and remain in place until after the meeting.
- Petitioner (or a Representative) must be present at the meeting

Date: 27 JUNE 2014

Signature: C. L. Galley

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

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
July 15, 2014
CASE #14-21

PROPERTY LOCATION: 1330 Clark Lake Rd

PETITIONER: Dolores Malysz

ZONING: LRR (Lake Resort Residential)

WELL AND SEPTIC INFO: Septic, well

PETITIONERS REQUEST: Requesting a front yard variance to construct an addition and raise the foundation.

CODE REFERENCE: Table 3.04.01 – Dimensional Standards – LRR

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	35'	10'	10'	40'	24'	N/A
Setbacks Requested	16'	N/A	N/A	N/A	N/A	N/A
Variance Amount	19'	N/A	N/A	N/A	N/A	N/A



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 11, 2014
RE: ZBA 14-21

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

STAFF REPORT

File Number: ZBA#14-21

Site Address: 1330 Clark Lake Rd

Parcel Number: 4711-12-400-009

Parcel Size: 0.31 Acres

Applicant: Dolores Malysz, 1330 Clark Lake Rd, Brighton, MI 48114

Property Owner: Same as applicant

Information Submitted: Application, site plan, letter depicting changes

Request: Dimensional Variance

Project Description: Applicant is requesting a variance from table 3.04.01 to increase the foundation height and construct an addition to the existing house on the property.

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

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 29, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property lines in accordance with the Michigan Zoning Enabling Act.

Background

The applicant obtained a variance for the proposed work on March 11, 2011. The language of the variance approval is in the attached minutes. There was no work done within twelve (12) months of the variance approval and due to this the variance approval is null and void per section 23.08.02 of the Zoning Ordinance. As part of the original approval the Board of Appeals made conditions which required the applicant to have an engineer review the storm water runoff calculations to ensure that this proposed activity would not create additional run-off on adjacent properties. An e-mail sent by the applicant on June 30, 2014 indicated there were two proposed changes to the project. These are as follows:

1. The addition to the existing home will be reduced from 10' to 9' which would reduce the variance amount required from 20' to 19'

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

2. The applicant has indicated that the slope to the east side of the property will no longer be on a taper, but instead made out of stone/concrete retaining wall materials.

As the conditions of the property or the Zoning Ordinance have not changed since the initial variance was granted and the reduction on size will reduce the variance amount needed, I recommend that the Zoning Board of Appeals approve the variance as it was before, with the changes being reviewed by an engineer as they were in the previous approval.

Ron Akers

From: cmalysz@yahoo.com
Sent: Monday, June 30, 2014 6:19 AM
To: Ron Akers
Subject: Changes to Prints/Variance requests.

Mr. Akers,

As per your request from Friday the 27th of June 2014, the adjustments to the variance requests are as follows.

1. The extension/addition to the north/roadside of 1330 Clark Lake Road will only be 9 feet in depth and not the 10 feet originally approved.
2. The slope to the East side of property will not be on a taper, but instead made out of stone/concrete retaining wall materials installed vertically for maximum water control.

If any further questions please contact me.

Sincerely,

Christopher Malysz



Residential Land Use Permit

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

PERMIT NO. 12-019

11-19-12

1. PROJECT INFORMATION

Site Address: 1330 CLARK LK. RD. Acreage:

2. OWNER/APPLICANT INFORMATION

Owner Name: DOLORES MALYSZ Phone No.: 810-923-8843

Owner Address: 1330 CLARK LK RD. City: BRIGHTON State: MI Zip: 48114

Applicant is: Owner Contractor Lessee/Renter Architect/Engineer Other:

Applicant name: Phone No.:

Applicant Address: City: State: Zip:

3. TYPE OF IMPROVEMENT

A. Principal Structure
 New Single Family New Multiple Family Addition to Existing Building Grading/Site Work

Other: REPAIRS TO FOUNDATION, ADD ON ENCLOSED ENTRY

B. Accessory Structure
 Fence Deck Detached Accessory (garage, shed, pole barn)

Pool/Hot Tub ROOF TEAR-OFF
 Other: REPAIRS TO GARAGE FOUNDATION, RAISE HOUSE ELEVATION

4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION

A. Proposed Principal Structure Setbacks (in feet)

Front: 30' (measured from front property line, right-of-way line or private road easement, whichever is less)

Rear: 80' Least Side: 8'5" Side: 30' Water/Wetland: 135'

B. Proposed Accessory Structure Setbacks (in feet)

Front: Least Side: 8'5" Side: 30' Rear: 70' Water/Wetland: 125' Distance from Principle Structure:

C. Proposed Building/Improvement Dimensions

Size of Building/Improvement: 120 square feet Height: 14 feet

6. SIGNATURE OF APPLICANT

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent and agree to conform to all applicable ordinances of Genoa Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

Signature of Applicant: Dolores Malysz Printed Applicant name: Dolores Malysz Date: 9 MAR 12

FOR OFFICE USE ONLY

FLOODPLAIN

Floodplain: N/A Panel #: Zone #:

ASSESSING APPROVAL

Approved Disapproved Approved by: Tommy Rudberg Date: 3/14/12

ZONING APPROVAL Parcel I.D. No.: 11-12-400-009 Zoning: LRR

Approved Disapproved Approved by: Ann Van Tassel Date: 3-12-12

Comments/Conditions: LCHD approvals to be supplied to Township

ZBA Case #/Approval date: 10-25 / 03-15-11 Conditions: Engineer certified, As-Built, LCHD approval

3. FEES

Land Use: \$ 75.00 Water/Sewer: \$ / Meter: \$

GENOA TOWNSHIP ASSESSING DEPARTMENT

2911 Dorr Road ❖ Brighton, Michigan 48116

Phone: (810) 227-5225 ❖ Fax: (810) 227-3420

PERMIT: 12-019

1. PROJECT INFORMATION

Site Address: 1330 CLARK LK. RD.	Parcel I.D. No.: 4711-12-400-009	Zoning: CTR
--	--	-----------------------

2. OWNER/APPLICANT INFORMATION

Owner Name: DOLORES MALYSZ	Phone No.: 810-923-8843
Owner Address: 1330 CLARK LK. RD.	City: BRIGHTON State: MI Zip: 48114

Applicant is: Owner Contractor Lessee Architect/Engineer Other:

Applicant Name:	Phone No.:
-----------------	------------

Applicant Address:	City:	State:	Zip:
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3. TYPE OF IMPROVEMENT

A. Principal Structure
 New Building - Single Family Multi-Family Commercial/Industrial
 Tenant Buildout Addition to Existing Building

B. Accessory Structure
 Fence Deck Detached Accessory (garage, shed, pole barn)
 Pool/Hot Tub- Above ground In ground

4. SELECTED CHARACTERISTICS OF IMPROVEMENT

Value of Improvement	\$ 12,000		
Building Style	<input checked="" type="checkbox"/> Ranch	<input type="checkbox"/> 1.5 Story	<input type="checkbox"/> 2 Story
Frame	<input type="checkbox"/> Masonry, Wall Bearing	<input checked="" type="checkbox"/> Wood Frame	<input type="checkbox"/> Structural Steel <input type="checkbox"/> Reinforced Concrete
Exterior	<input type="checkbox"/> Brick	<input type="checkbox"/> Stone	<input checked="" type="checkbox"/> Siding <input type="checkbox"/> Wood
Foundation	<input checked="" type="checkbox"/> Basement	<input type="checkbox"/> Crawl	<input type="checkbox"/> Slab
Area	New Building Square Footage:	Addition Square Footage:	120 sqft.
Bedrooms	No. of: 3		
Bathrooms	No. of Full: 2	No. of Half:	No. of Sinks: No. of Showers:
Basement	Walkout: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Finished: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Finished Square Footage:
	Basement Baths-		No. of Full: No. of Half:
Central Air	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Fire Suppression <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Fireplace	<input checked="" type="checkbox"/> Direct Vent	<input type="checkbox"/> Pre-fab	<input type="checkbox"/> Other:
Garage	<input type="checkbox"/> Attached <input checked="" type="checkbox"/> Detached	Height: 12' feet	Depth: 22' feet Width: 22' feet
Inground Pool	<input type="checkbox"/> Fiberglass	<input type="checkbox"/> Gunite	<input type="checkbox"/> Plastic
Accessory Structure	Height: feet	Depth: feet	Width: feet Flooring- <input type="checkbox"/> Concrete <input type="checkbox"/> Dirt <input type="checkbox"/> Wood

5. APPLICANT SIGNATURE

I hereby certify that all information and data attached to and made part of this application are true and accurate and to the best of my knowledge and belief. I also certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent, and we agree to conform to all applicable laws, codes and ordinances of the State of Michigan and Genoa Township. Private covenants and restrictions are potentially enforceable by private parties. Any modification to location, size, or dimensions must be approved by Genoa Township.

Signature of Applicant: <i>Dolores Malysz</i>	Date: 9 MARCH 2012
--	------------------------------

FOUNDATION

ALL BLOCK TO BE FILLED
EVERY 4" P.C. AND REINFORCED
WITH #5 RE BARS. FOUNDATION
MIN. 18" THICK.

10'

PROPOSED
EXPANSION

1330 CLARK A.K.RD.
141/51'

SPREAD PERMITS 8" X 16" X 8"
5" REINFORC.

WALL BEHIND WALL

2 X 8 REARER 5 1/2" X 5 1/2"

2 X 8 WALL 12" P.C.

GLENDA TOWNSHIP
MAR 12 2012
PERMIT APPROVED

2 X 8 REARER 5 1/2" X 5 1/2"



CHIMNEY

MOVE TO NEW LOCATION

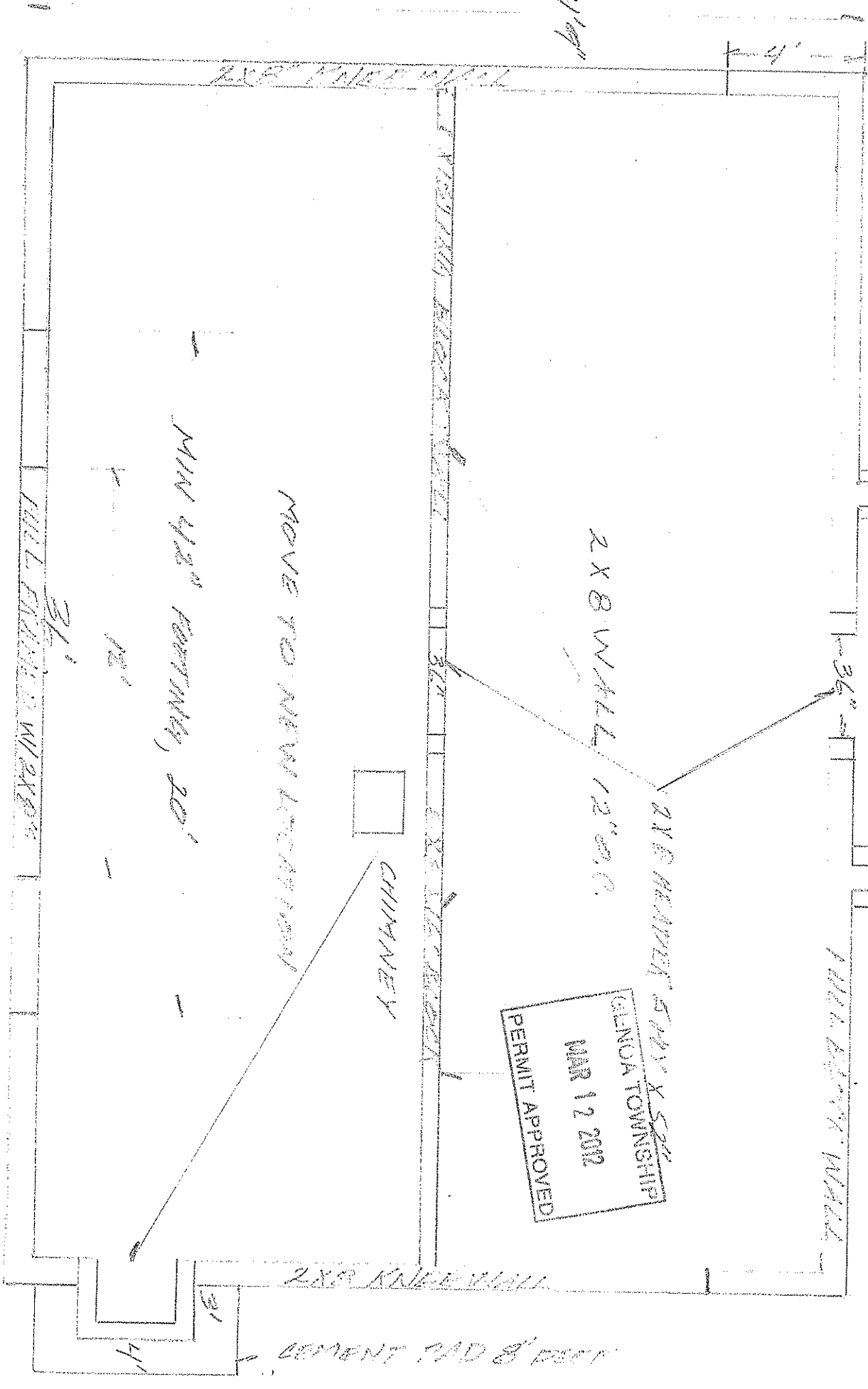
MIN 4 1/2" THICKNESS, 20'

2 X 8 KNEE WALL

2 X 8 KNEE WALL

CEMENT PAD 8 FEET

WALL FILLED W/ 2 X 8"



1350 24TH AVE RD.
118' - 1'

GENOA TOWNSHIP
MAR 12 2012
PERMIT APPROVED

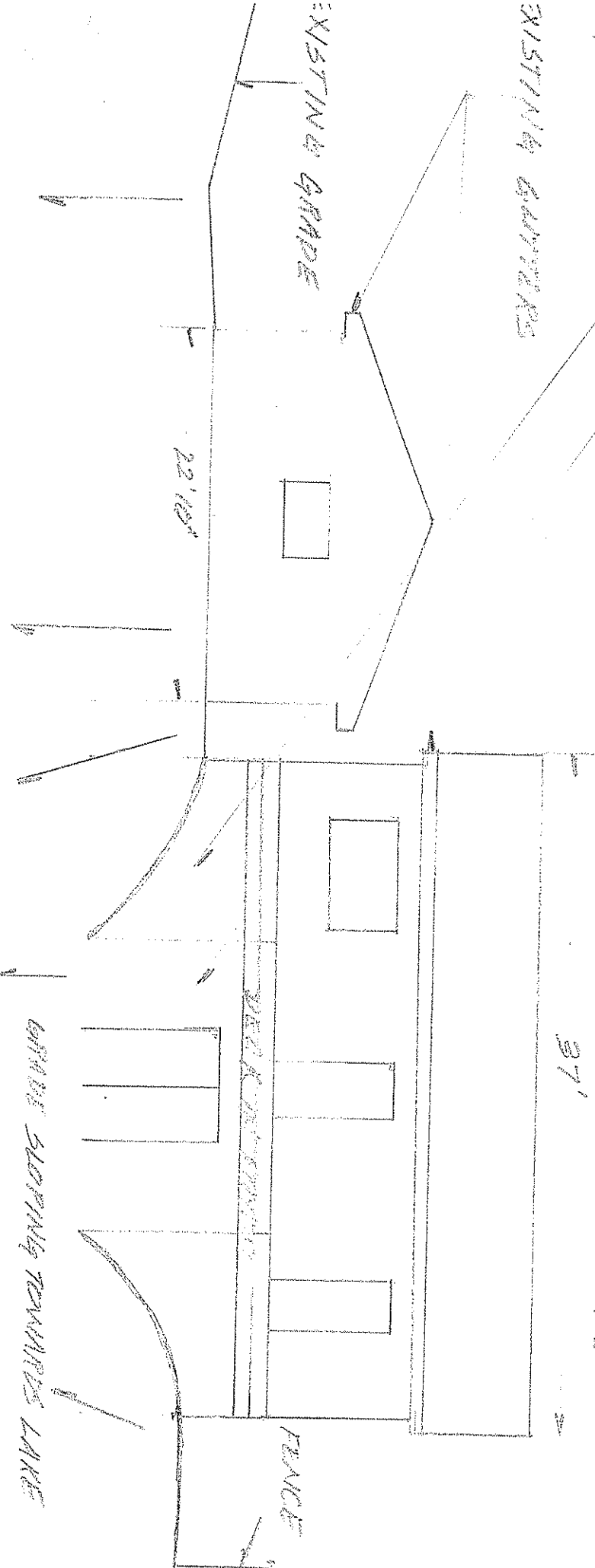
8" BLOCK, FILLER EVERY 4', 45 REBAR

1200 2X8 FRAMED WALL, 3/4" OSB,

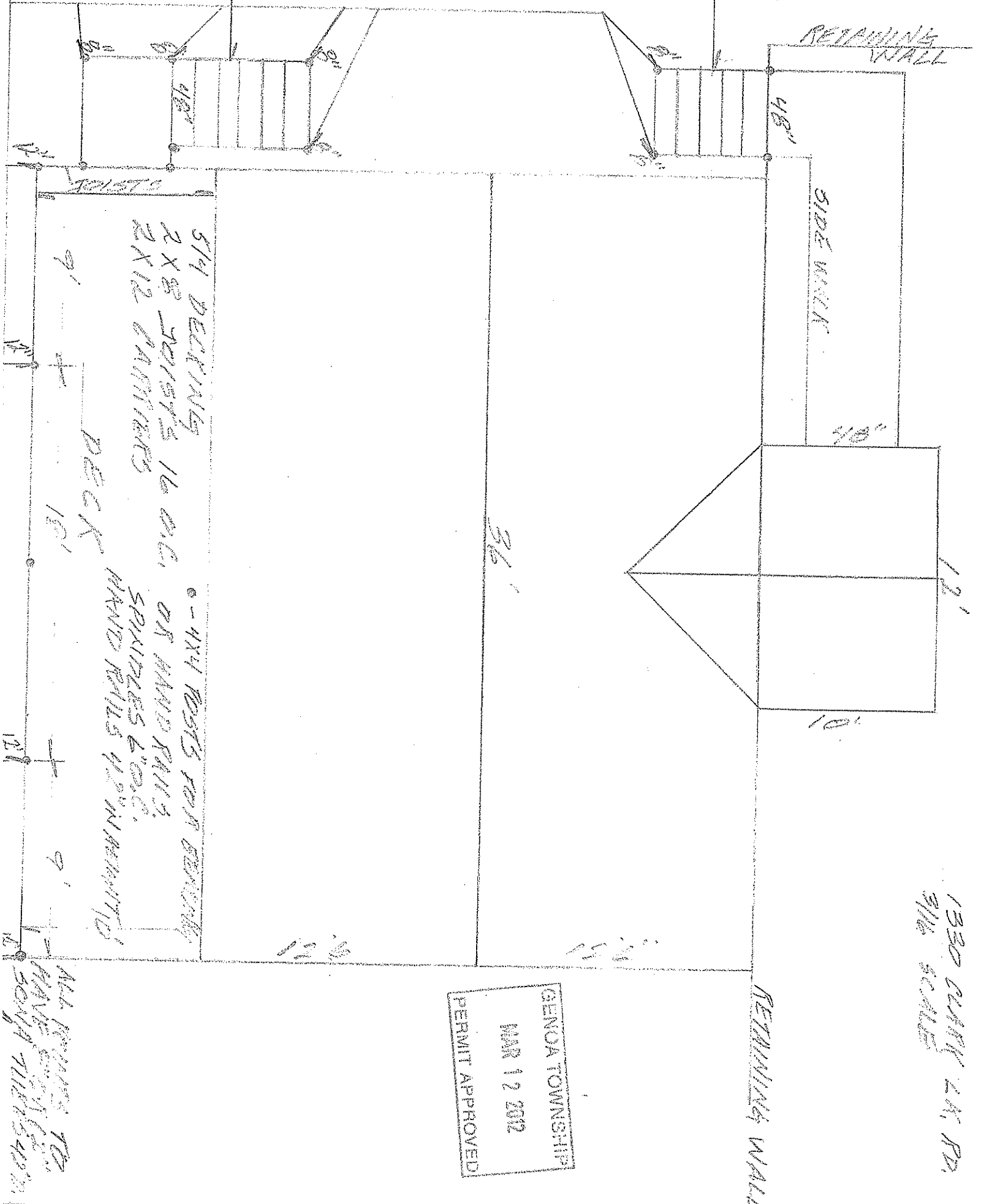
2X5 - TRIMMED END
37'

EXISTING GUTTERS

EXISTING GRADE



STAIRS TO HAVE 12" STAIRNIPS, 12" TREADS, 7" RISE



GENOA TOWNSHIP
 MAR 12 2012
 PERMIT APPROVED

1330 CLARK LN. RD.
 3/16 SCALE

ALL ELECTRICAL
TO MATCH EXISTING.

ROOF 1/2" OSB
3" INSULATION
30# GUTTERS
W/ 1" ALUMINUM DRAINAGE
COLLS. REMAINING
1" W/

2X6, FASCIA ALTH.

VINYL SIDING

INSULATION R-50 IN
ALL WALLS, RAFTERS
& BOND'S FILLED W/ MINW
CDSB. 1" OSB

TYVEK
1/2" OSB,

2X6 WALLS

3 1/2" OSB FLOOR

2X8" P.S.

BOND STAPLS 5/8" IN
MAX. 2 MAX MID SIDE
MICRO. 1/2" OSB

SIDE WALK ADJUSTED TO
CON. SIDE

1/2 OSB DECKING

2X1 RAFTERS 16 O.C.

36" EXTERIOR
DOORS

6
12

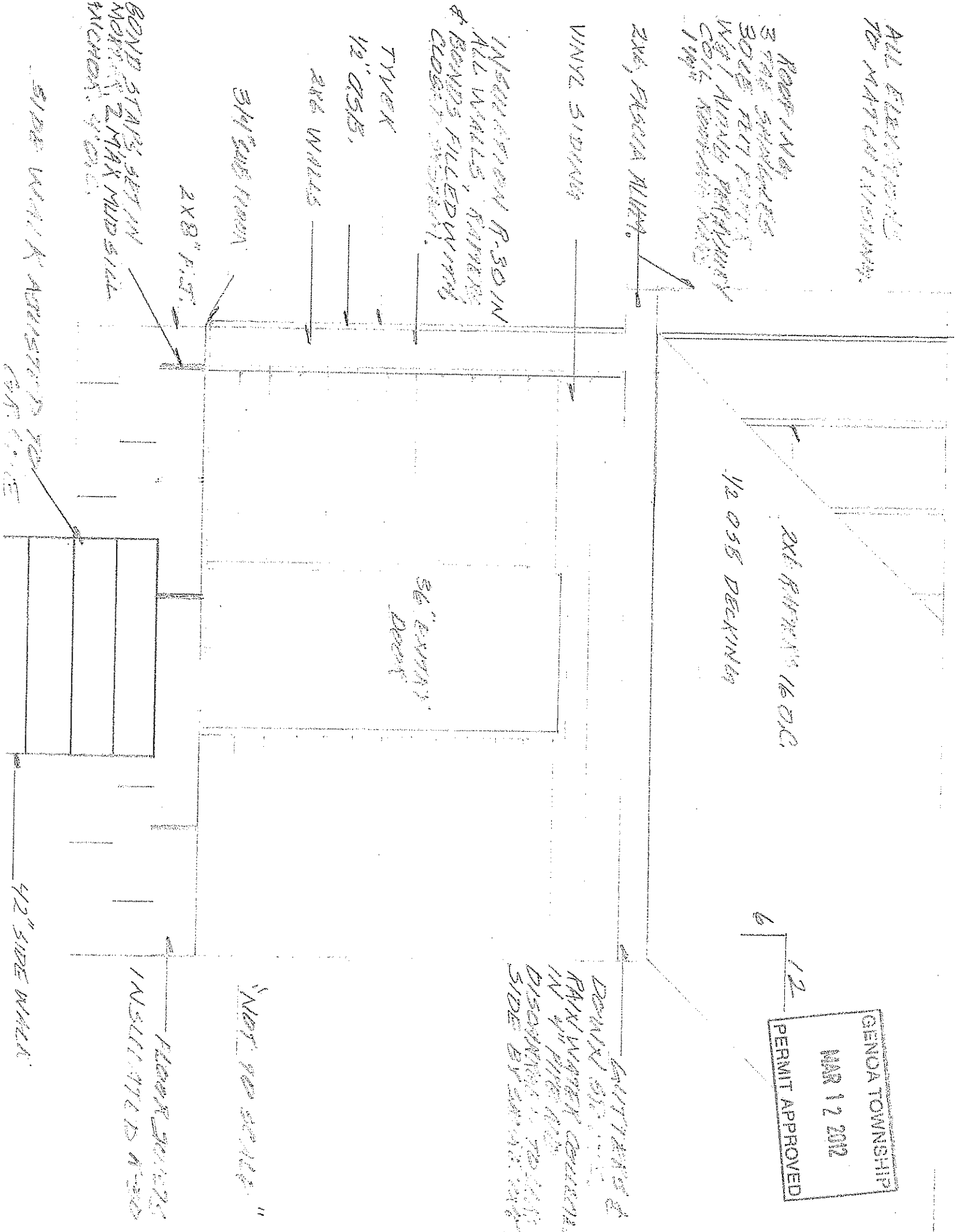
GENOA TOWNSHIP
MAR 12 2012
PERMIT APPROVED

RAFTERS &
DOWNED 6" O.C.
RAIN WATER COLLECTORS
IN 4" PIPE RISER
DISCONNECT TO TOWNSHIP
SIDE BY 2" MIN. CLEARANCE

NOT TO SCALE

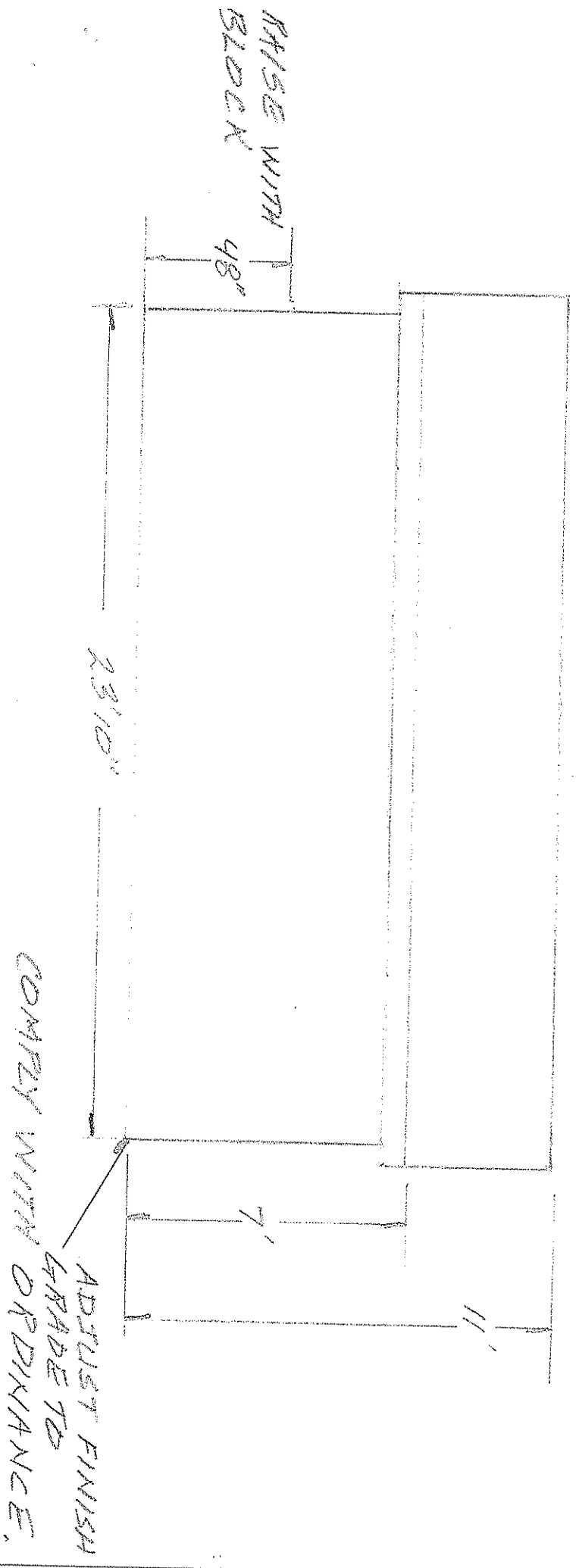
FLOOR JOISTS
INSULATED 4" OSB

42" SIDE WALK



1/2" = 1'

GENOA TOWNSHIP
MAR 12 2012
PERMIT APPROVED



1330 CLARK LN RD
3-9-2012

DOWN SPRAWL

96.55

SWALE
96.65
100.5

DOWN SPRAWL

PROPOSED
EXPANSION

96.75
100.8

DOWN SPRAWL

96.15

SIDE POND

95.0
91.35

DOWN SPRAWL

DOWN SPRAWL

DOWN SPRAWL ON
BOTH SIDES
95.6

96.15

100

99.8

98.15

97.15

UNDEVELOPED

UNDEVELOPED

DRAIN IN LINDER

GEXDA TOWNSHIP
MAR 12 2012

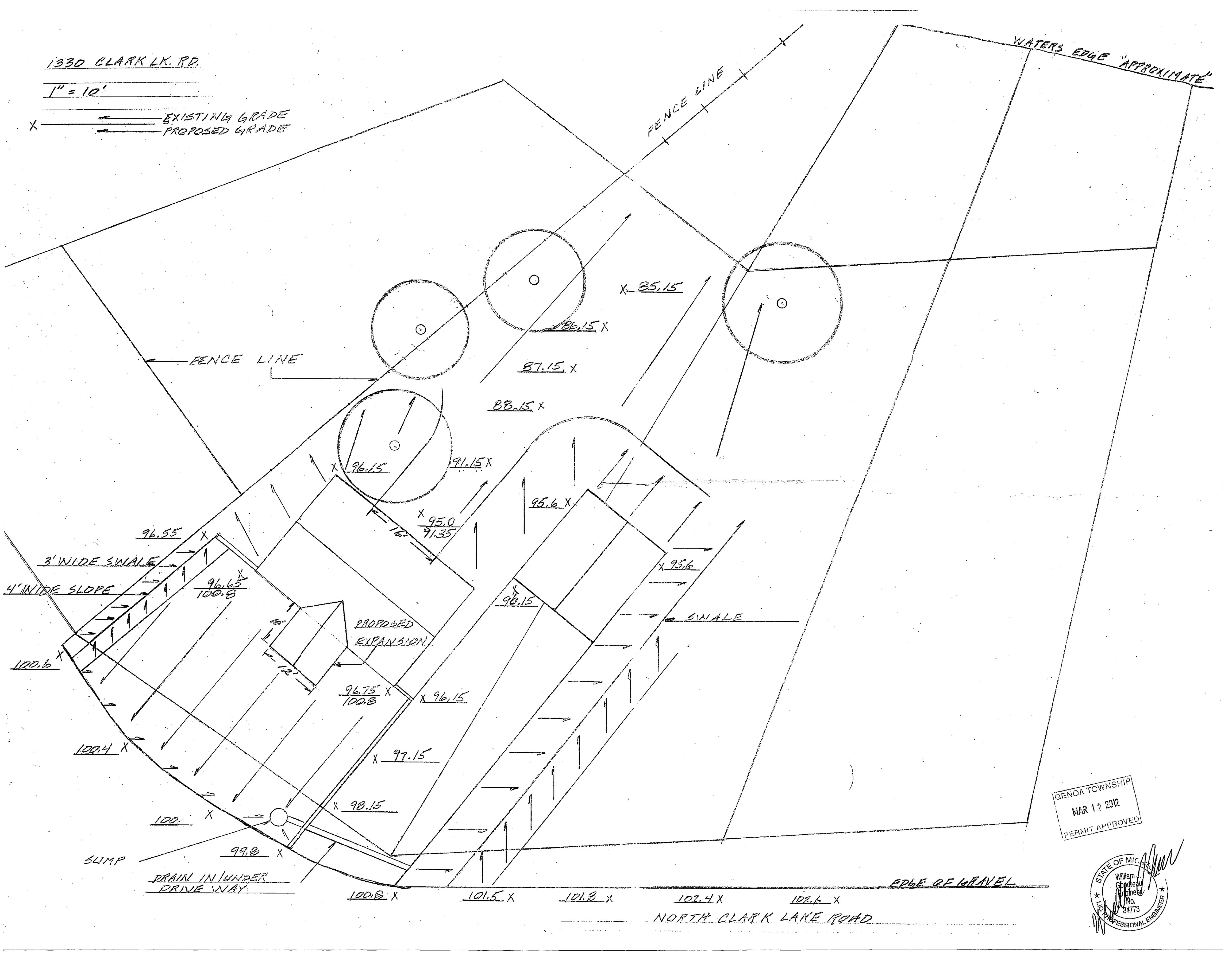
PERMIT APPROVED



1330 CLARK LK. RD.

1" = 10'

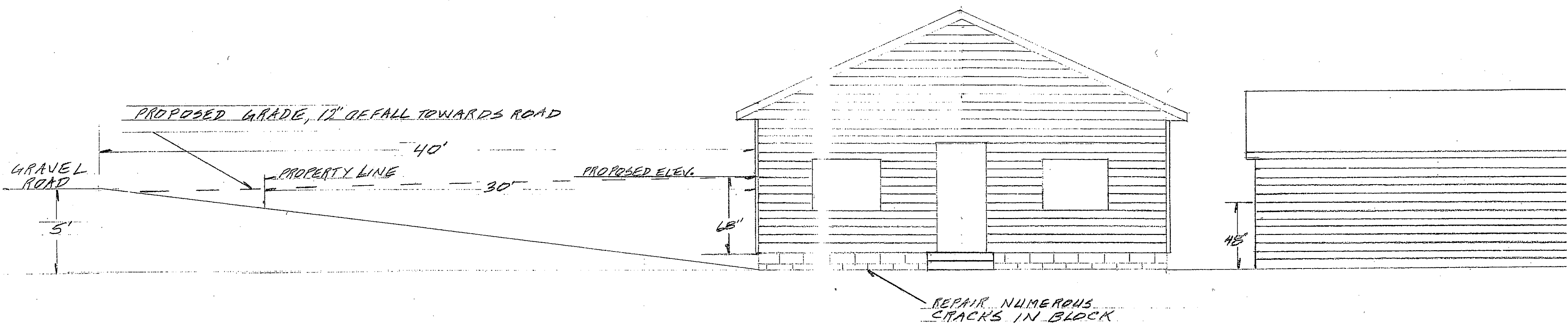
X ——— EXISTING GRADE
——— PROPOSED GRADE



GENOA TOWNSHIP
MAR 12 2012
PERMIT APPROVED

STATE OF MICHIGAN
 William J. Gopreau
 No. 34773
 PROFESSIONAL ENGINEER

1330 CLARK LK RD
1/4" PER FOOT
FOUNDATION REPAIRS
ELEVATION & GRADE CHANGES
CONTACT # 526-272-4488
PLEASE CALL IF ANY Q'S



GENOA TOWNSHIP
MAR 12 2012
PERMIT APPROVED

**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 the drawings that were submitted being 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 Approved 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 Approved 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

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 CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
DECEMBER 14TH, 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 19th, 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.

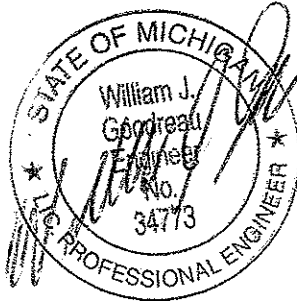
In conclusion, the proposed improvements will reduce rainfall drainage from the subject property onto adjacent properties.

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

Sincerely,



William J. Goodreau, PE



1330 Clark Lake Rd

1 inch = 100 feet



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

Source: Livingston County GIS Department



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

07/11/2014 11:46 AM

Parcel: 4711-12-400-009
Owner's Name: MALYSZ DOLORES REVOCABLE TRUST
Property Address: 1330 CLARK LAKE RD
BRIGHTON, MI 48114

Current Class: 401.401 RESIDENTIAL-IMPROVED
Previous Class: 401.401 RESIDENTIAL-IMPROVED
Gov. Unit: 4711 GENOA CHARTER TOWNSHIP
MAP # V14-21
School: 47070 HOWELL
Neighborhood: 47070 47070 HOWELL M & B

Liber/Page: 2013R-011998 **Created:** / /
Split: / / **Active:** Active

Public Impr.: None
Topography: REFUSE

Mailing Address:

MALYSZ DOLORES REVOCABLE TRUST
1330 CLARK LAKE RD
BRIGHTON MI 48114

Most Recent Sale Information

Sold on 03/21/2013 for 0 by MALYSZ DELORES.

Terms of Sale: INVALID SALE

Liber/Page: 2013R-011998

Most Recent Permit Information

Permit W11-025 on 04/08/2011 for \$0 category REROOF.

Physical Property Characteristics

2015 S.E.V.: Tentative	2015 Taxable: Tentative	Lot Dimensions:
2014 S.E.V.: 34,400	2014 Taxable: 33,121	Acreage: 0.00
Zoning: LRR	Land Value: 28,000	Frontage: 70.0
PRE: 100.000	Land Impr. Value: 0	Average Depth: 0.0

Improvement Data

of Residential Buildings: 1
Year Built: 1962
Occupancy: Single Family
Class: CD
Style: CD
Exterior: Wood Siding
% Good (Physical): 47
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: 3
Full Baths: 1 Half Baths: 1
Floor Area: 900
Ground Area: 900
Garage Area: 460
Basement Area: 0
Basement Walls:
Estimated TCV: 43,243

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
MALYSZ DELORES	MALYSZ DOLORES REVOCABLE T	0	03/21/2013	QC	INVALID SALE	2013R-011998	BUYER	0.0
MALYSZ, CHRISTOPHER A.	MALYSZ DELORES	0	12/29/2003	QC	QUIT CLAIM	4288/0287	BUYER	0.0
OZAR, CASIMIRA	MALYSZ, CHRISTOPHER A.	62,500	01/30/2001	WD	ARMS-LENGTH	3079-0691	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LRR	Building Permit(s)	Date	Number	Status			
1330 CLARK LAKE RD	School: HOWELL		ADDITION	03/12/2012	P12-019	NO START			
	P.R.E. 100% 08/10/2012		REROOF	04/08/2011	W11-025	NO START			
Owner's Name/Address	MAP #: V14-21		RES MISCEL	10/15/2010	10-127	NO START			
MALYSZ DOLORES REVOCABLE TRUST 1330 CLARK LAKE RD BRIGHTON MI 48114	2015 Est TCV Tentative		Land Value Estimates for Land Table 00010.DODGE ESTATES						
	X Improved	Vacant	* Factors *						
	Public Improvements		Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value

Tax Description	Value
SEC. 12 T2N, R5E, CLARK LAKE PARK LOTS 113 AND 114	28,000
Comments/Influences	70 Actual Front Feet, 0.00 Total Acres Total Est. Land Value = 28,000

Public Improvements	Value
Dirt Road	
Gravel Road	
Paved Road	
Storm Sewer	
Sidewalk	
Water Sewer	
Electric	
Gas	
Curb	
Street Lights	
Standard Utilities	
Underground Utils.	

Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level							
Rolling							
Low							
High							
Landscaped							
Swamp							
Wooded							
Pond							
Waterfront							
Ravine							
Wetland							
Flood Plain							
X REFUSE							



Who	When	What	2015	2014	2013	2012
LM	10/25/2012	DATA ENTER	Tentative	14,000	18,600	14,000
LLM	10/28/2010	DATA ENTER				

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 55	Type CPP	Year Built: Car Capacity: Class: CD Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 460 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G												
Building Style: CD		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj			CnlyMult		Bsmnt Garage:		
Yr Built 1962	Remodeled 0	Ex	X	Ord		Min	0 Amps Service			Total Base Cost: 67,811			X	1.470			
Condition for Age: Good		Size of Closets		No./Qual. of Fixtures			Other Additions/Adjustments			Total Base New : 99,682			E.C.F.		Carport Area:		
Room List		Lg		X	Ord		Average Fixture(s)			Total Depr Cost: 46,850			X		Roof:		
Basement 1st Floor 2nd Floor 3 Bedrooms		Doors:			Solid	X	H.C.	13 Fixture Bath 12 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Estimated T.C.V: 43,243						
(1) Exterior		(5) Floors		(6) Ceilings			(9) Basement Finish			Rate			X		0.923		
X	Wood/Shingle Aluminum/Vinyl Brick	Kitchen: Other: Other:		Basement: Crawl: Slab: Height to Joists:			(13) Plumbing			Basement Recreation Finish			11.25		180 2,025		
(2) Windows		Many Avg. Few		X	Large Avg. Small		13 Fixture Bath 12 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Well, 200 Feet 1000 Gal Septic			4675.00 2895.00			1 4,675 1 2,895	
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		Recreation SF Living SF Walkout Doors No Floor SF			(14) Water/Sewer			CPP, Standard			18.32		55 1,008		
(3) Roof		Gable Hip Flat		Gambrel Mansard Shed		Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Class:CD Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 20.45 Phy/Ab.Phy/Func/Econ/Comb.%Good= 47/100/100/100/47.0, ECF (47070 HOWELL M & B)			0.923 => TCV of Bldg: 1 =			460 9,407 46,850 43,243		
X Asphalt Shingle		Chimney: Brick		Lump Sum Items:													

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

JUNE 17, 2014

6:30 P.M.

MINUTES

Call to Order: 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 members and staff of the Zoning Board of Appeals were as follows: Chris Grajek, Jean Ledford, Barbara Figurski, Marianne McCreary and Jeff Dhaenens. Also present was Township staff member Ron Akers. There were 8 people in the audience.

Approval of Agenda: **Moved** by Grajek, supported by Figurski to remove case# 14-09 due to petitioner meeting the ordinance. **Motion passed.**

Moved by Ledford, supported by Grajek to approve the agenda with items 2 through 5. **Motion passed.**

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

14-14... A request by Tom Sechrist, 4089 Homestead, for a side yard setback variance and a front yard setback variance to construct an attached garage and second story on an existing home.

Mr. Tom Sechrist and his builder were present for the petitioner.

Mr. Sechrist stated that he did make the garage 2 feet smaller in depth and are trying to improve the clearance on backing out of the garage into the street.

Figurski stated that she is concern about the setback from the front property line. Grajek thanked the petitioner for taking the Zoning Board of Appeals recommendation into consideration.

A call to the public was made with no response.

Moved by Ledford, supported by Figurski, to approve case #14-14, 4089 Homestead for Mr. Sechrist for a 9 foot side yard setback variance and a 22 foot front yard setback variance to construct an attached garage and a second story to the existing home. Conditioned upon the structure being gutter with downspouts.

The practical difficulty is it is not self-created and is consistent with the neighborhood and due to the small lot size, narrow lot width and it does not cause any safety and public welfare issues.

Motion passed.

14-15 ... A request by Kristinne Horvath, 3682 Beattie Road, for a variance from the maximum allowable building height of an accessory building to construct a detached accessory building.

Ms. Horvath was present for the petitioner.

Ms. Horvath explained due to the motor home that she purchased she needs a detached accessory structure that requires a 14 foot garage door. The height of the pole barn will not exceed her house height. Ms. Horvath stated that she did not believe that the variance would not impose safety and public welfare issues for the neighborhood.

Figurski stated that she is not in support of height variance due to the variance request being self-imposed. Akers explained how the height of the detached accessory structure is measured per the Zoning Ordinance.

A call to the public was made with receipt of an email from Ron and Ruth Schworm, 3771 Beattie Road, stating that they have no objection to the variance.

Moved by Grajek, supported by Figurski to table case#14-15, 3862 Beattie Road for Kristinne Horvath for further discussion at the July 15th, 2014 Zoning Board of Appeals meeting. **Motion passed.**

14-16 ... A request by NorthRidge Church, 7555 Brighton Road, for a variance to install a wall sign in a single family residential zoning district.

Moved by Grajek, supported by Figurski to table case# 14-16, 7555 Brighton Road for Northridge Church per petitioner's request until the July 15th, 2014 Zoning Board of Appeals meeting. **Motion passed.**

14-17 ... A request by Tim Chouinard, 824 Pathway, for side yard setback variance, front yard setback variance and shoreline setback variance to construct an addition to the existing house.

Mr. Tim Chouinard of Chouinard Builders and Mr. Ron Measel the property owner were present for the petitioner.

Mr. Chouinard stated they are looking to construct an addition for year round living and are struggling to meet the ordinance in regards to the front, side and waterfront setbacks. The owners are trying to preserve the huge tree that is located on the adjacent lot.

Grajek questioned the height of the building. Mr. Chouinard stated that the structure will be under the 25 feet. Figurski inquired about the lot coverage of this request. Akers stated that the lot coverage would be estimated at 37 percent. Petitioner was informed that if approve they would have to meet the lot coverage ordinance.

A call to the public was made with the following response: Mr. Akers stated that a letter was received from the Family Tree Doctor, Jeremy Hertz. Derek Dixon was present for his parents that live at 836 Pathway. He stated that his parents have concerns regarding saving the large oak tree that is located on their property that provides shade, cooling effect on the house and privacy. They are also concerned about the side yard setback and waterfront setback. It will not impact their views however they will be closer to the water. Mr. Dixon bought an additional 10 feet on

the side to protect the tree and his setback on the side. If the tree dies it could fall onto his home. There is enough room on this lot of 90 feet wide to construct a large home. It is reasonable to assume that they would like the setbacks upheld due to the size of the lot. The neighbor on the other side was granted a variance of 3 feet from the side property line.

Sue Measel, property owner, stated that if they tore the original structure down they would lose the appeal of the existing cottage.

Moved by Figurski, supported by Ledford to table case#14-17, 824 Pathway, until the July 15th, 2014 Zoning Board of Appeals meeting. **Motion passed.**

14-18 ... A request by Brad Rondeau, 6919 W. Grand River, for a variance from the required wetland setback to construct a patio and walkway.

Mr. Stan Schafer, Schafer Construction, was present for the petitioner.

Grajek questioned if the Department of Environmental Quality would require a permit. Akers stated the since there is no grading or work being done within the wetland that a permit would not be required.

Mr. Schafer stated that the original plan had a door with landing. When Lindhout and Associates designed the building it was designed for office use in the basement.

A call to the public was made with no response.

The Board stated that they are concerned about the building being new and now the petitioner is coming back for a variance already and the practical difficulty is self-created. The owner has chosen to build on this lot that is small and has wetlands. Grajek questioned if the petitioner could move the patio to the west side of the building. Mr. Schafer stated that there is a 10 or 11 foot difference in grade.

Moved by Figurski, **supported** by Ledford to deny case#14-15, 6919 W. Grand River, for a variance from the required wetland setback to construct a patio due to the adjacent of the wetlands and the practical difficulty is self-created. **Motion passed.**

ADMINISTRATIVE BUSINESS:

Approval of Minutes: **Moved** by Figurski, supported by McCreary to approve the May 20, 2014 Zoning Board of Appeals minutes with typographical corrections. **Motion passed.**

2013 Annual Report Executive Summary: Akers explained that the Zoning Ordinance will be updated in the fall. The Township would like the Zoning Board of Appeals feedback. The next couple of meetings discussion would be held to gather information for the Summary. The Zoning Board of Appeals discussed lakefront zoning issues with setbacks. It was recommended that Board members bring their concerns to the next board meeting to be included in the report.

Correspondence: Akers reviewed the amended ordinances in regards to Temporary Events and the Definitions portion of the ordinance.

Township Board Representative Report: Ledford stated that the Township Board complimented Akers on his performance.

Planning Commission Representative Report: Figurski stated that she was absent from the May Planning Commission meeting. Akers was in attendance. The planning commission approved a sketch plan for Champion Chevrolet and a site plan for a medical building located across from 6919 W, Grand River.

Zoning Official Report: Akers informed the Board of clean-ups that have been taking place in Suburban Mobile Home Estates and it was met with a great response.

Member Discussion: Grajek recommended a map being included in the packets and Figurski stated that the Township Board approved McCreary and Grajek for renewal of their term.

Moved by Figurski, supported by Ledford, to adjourn the Zoning Board of Appeals meeting at 9:14 p.m.
Motion passed.