

GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
October 21, 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. 14-25 ... A request by Chilson Pointe LLC, 4666 Brighton Road, for a variance from the maximum allowable size of a detached accessory building and a rear yard setback variance to construct a detached accessory structure.
2. 14-26 ... A request by Donald Davis, 3907 Homestead, for a front yard setback variance to construct a second story addition on a single family home.
3. 14-27 ... A request by Todd and Julie Hutchins, 3350 S. Latson Road, for a variance to allow an accessory building to be located on a parcel without a principal building.
4. 14-28 ... A request by Scott and Marilyn Kiefer, 3695 Highcrest, for a front yard setback variance and a side yard setback variance to build an addition to an existing home.
5. 14-29 ... A request by Steven C. Liedel and Janine K. Fogg, Parcel ID 4711-28-401-023, Oak Tree Court, Lot 23, for a rear yard setback variance to build a new home.

Administrative Business:

1. Approval of minutes for the Sept 16, 2014 Zoning Board of Appeals meeting.
2. 2013 Annual Report Executive Summary
3. Election of a Vice Chair
4. Correspondence
5. Township Board Representative Report
6. Planning Commission Representative Report
7. Zoning Official Report
8. Member Discussion
9. Adjournment

**GENOA TOWNSHIP  
ZONING BOARD OF APPEALS  
October 21, 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 Oct. 21, 2014 regular meeting:

1. 14-25 ... A request by Chilson Pointe LLC, 4666 Brighton Road, for a variance from the maximum allowable size of a detached accessory building and a rear yard setback variance to construct a detached accessory structure.
2. 14-26 ... A request by Donald Davis, 3907 Homestead, for a front yard setback variance to construct a second story addition on a single family home.
3. 14-27 ... A request by Todd and Julie Hutchins, 3350 S. Latson Road, for a variance to allow an accessory building to be located on a parcel without a principal building.
4. 14-28 ... A request by Scott and Marilyn Kiefer, 3695 Highcrest, for a front yard setback variance and a side yard setback variance to build an addition to an existing home.
5. 14-29 ... A request by Steven C. Liedel and Janine K. Fogg, Parcel ID # 4711-28-401-023, on Oak Tree Court, Lot 23, for a rear yard setback variance to build a new home.

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](mailto: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 10-5-14

GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-25 Meeting Date: 9/16/14  
 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: CHILSON POINTE LLC

Property Address: 4666 BRIGHTON Phone: 810-844-2339

Present Zoning: LDR Tax Code: 4711-33-200-027

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: CONSTRUCTION OF POLE BARN  
40' x 50'

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

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) \_\_\_\_\_
- 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 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 8-22-14

Signature: Carl A. Vogt

*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**  
**October 21, 2014**  
**CASE #14-25**

**PROPERTY LOCATION:** 4666 Brighton Rd

**PETITIONER:** Chilson Pointe LLC

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

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

**PETITIONERS REQUEST:** 1,520 square foot variance from the maximum accessory building size (1,200 square feet), to construct a 40' X 50' (2,000 square foot) accessory building (720 square foot detached accessory building existing). 40' Rear yard setback variance

**CODE REFERENCE:** Table 3.04.01 (LDR Rear Yard Setback), 11.04.01(h)

**STAFF COMMENTS:** See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Maximum Combined Accessory Building Size
Setbacks for Zoning	N/A	N/A	N/A	60'	N/A	1,200 sf
Setbacks Requested	N/A	N/A	N/A	20'	N/A	2,720 sf
Variance Amount	N/A	N/A	N/A	40'	N/A	1,520 sf





## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** October 3, 2014  
**RE:** ZBA 14-25

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

### STAFF REPORT

**File Number:** ZBA#14-25

**Site Address:** 4666 Brighton Rd

**Parcel Number:** 4711-33-200-027

**Parcel Size:** 2.358 Acres

**Applicant:** Chilson Pointe LLC, 6870 Grand River, Brighton, MI 48114

**Property Owner:** Same as Applicant

**Information Submitted:** Application, site plan

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a variance from the maximum allowable size of a detached accessory building and a rear yard setback variance.

**Zoning and Existing Use:** LDR (Low Density Residential), Single Family Residential

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday October 5, 2014 and 300 foot mailings were sent to any real property within 300 feet of the property lines in accordance with the Michigan Zoning Enabling Act.

**Background**

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

- Per assessing records the parcel has a 1,566 square foot single family residential home on it with a 720 square foot detached accessory building.
- The property is on septic and well.
- See Real Estate Summary and Record Card.

**SUPERVISOR**

Gary T. McCririe

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**MANAGER**

Michael C. Archinal

**TRUSTEES**

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

### Summary

The applicant is proposing to construct a 2,000 square foot detached accessory building on the property at 4666 Brighton Rd. Section 11.04.01(h) of the Zoning Ordinance requires that the combined total of all accessory buildings in any residential district shall be a maximum of 1,200 for lots equal to or greater than 2 acres. There is an existing detached accessory building located on the property that is 720 square feet per assessing records. The proposed 2,000 square foot detached accessory building combined with the 720 square foot detached accessory building would result in a combined total square footage of 2,720 square feet which is 1,520 square feet larger than the maximum allowable combined total square footage for detached accessory buildings on that parcel. In order to construct this additional pole building the applicant is requesting a rear yard setback variance of 40' due to the location of a septic field on the property.

### Variance Requests

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

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

Maximum Allowed: 1,200 square feet Proposed: 2,720 square feet

2. **Table 3.04.01 – LDR Rear Yard Setback:** Required 60', Proposed: 20'

### Standards for Approval

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

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

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

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

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

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

### **Summary of Findings**

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

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with this provision would not unreasonably prevent the use of the property as the applicant has the ability to place detached accessory buildings which comply with the maximum size requirements of the zoning ordinance. This is the same right that is possessed by other properties outside of the Agricultural and Country Estate District. If a variance is granted for the size requirement then strict compliance with the rear yard setback would prevent the placement of this accessory building due to the location of the septic field. (Health Department permit attached).
- **Extraordinary Circumstances** – There are no 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. The property at 4666 Brighton Rd has no physical constraints which would prohibit the placement of an accessory building which complies with the requirements of the Zoning Ordinance. The majority of the properties in the vicinity of the parcel do not have accessory buildings which exceed the maximum allowable size. The need for the variance is not due to any physical constraint of the property, and thus the need for the variance is likely to be self-created. With regards to the rear yard setback variance, if the size variance is granted then the existing location of the septic field, the presence of trees on the adjacent side of the parcel and a zoning restriction which prohibits the placement of an accessory building in the front yard would limit the applicants ability to place this accessory building on the property.
- **Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase

the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

- **Impact on Surrounding Neighborhood** – I do not believe that the variance will have a substantial negative impact on the surrounding neighborhood. The accessory building will be shielded on three sides by trees limiting any visual impacts. The applicant has proposed to access the accessory building via a shared driveway to the east then south of the parcel. Access to this accessory building for uses such as home occupations where commercial vehicles are stored, could have a negative impact on the adjacent properties.

**Staff Findings of Fact**

1. Strict compliance with the maximum allowable square footage for detached accessory buildings would not unreasonably prevent the use of the property. The applicant has the ability to place detached accessory buildings on the property which comply with the requirements of the Zoning Ordinance.
2. If a variance is granted for the accessory building size requirement then strict compliance with the rear yard setback would prevent the placement of this accessory building due to the location of the septic field, the presence of trees on the adjacent side of the property and the zoning ordinance provision which prohibits the placement of a detached accessory structure in the front yard.
3. Granting the requested variance would not make the property consistent with the majority of the properties in the vicinity of the parcel. In the prepared study looking at accessory building size in the vicinity only three properties out of eleven had detached accessory buildings which exceeded the maximum allowable square footage. The applicant is requesting accessory building square footage which is 816 sf more than the property with the largest amount of square footage (5209 Chilson -1,904 sf).
4. There are no exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which would prevent the applicant from complying with the Zoning Ordinance.
5. The need for the accessory building size variance is not based on any physical conditions of the property.
6. The granting of the 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.
7. Granting the accessory building size variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood,

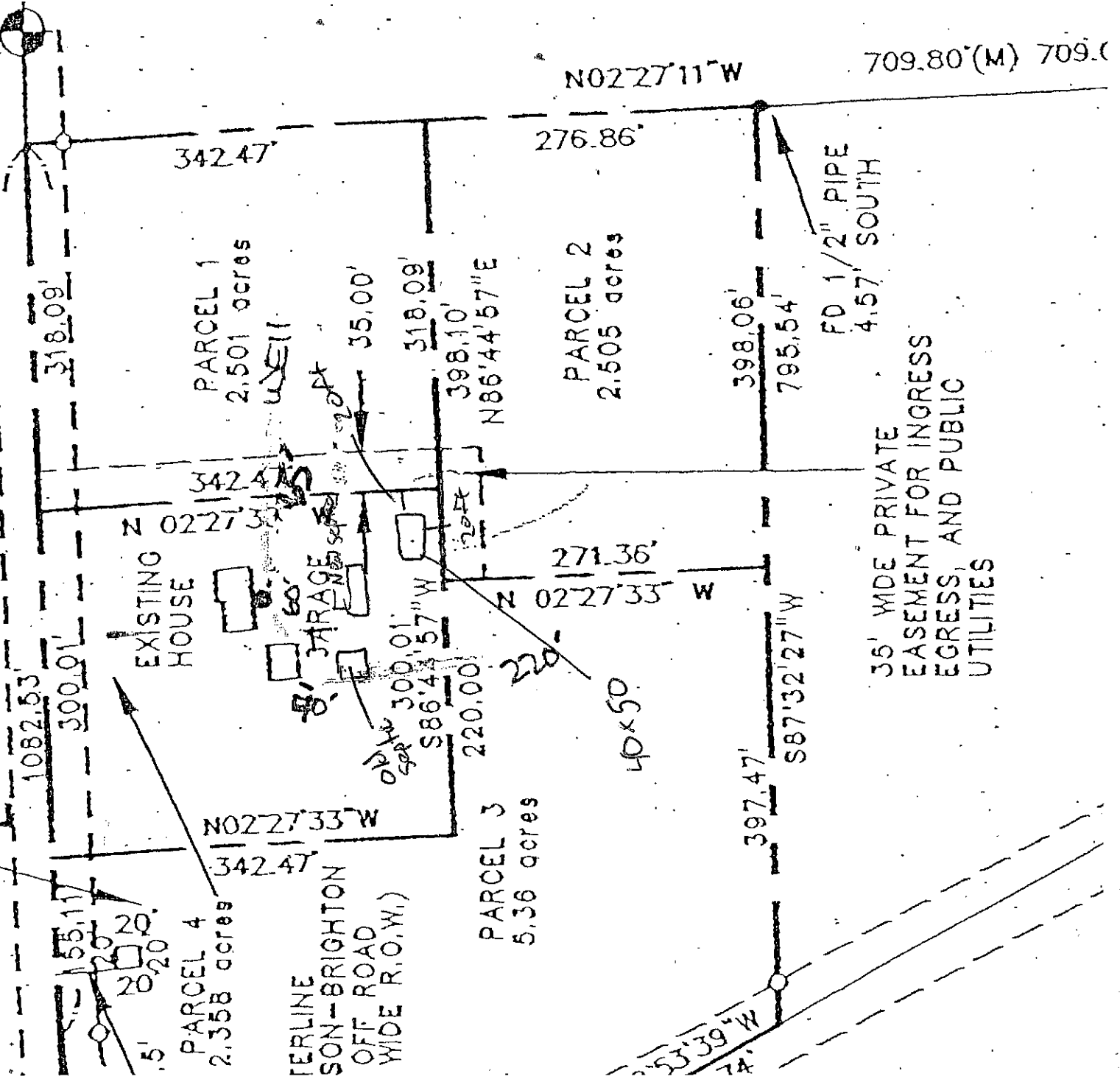
# GATE OF SURVEY

Well - 65' from prop line  
60' from Septic

20' AMERITECH SEPTIC - 40' from SIN  
MENT RECORDED  
SER 2208, PG. 220, from RD  
L.C.R.

NE COR  
SEC. 33  
T2N-R5E  
FD REMON  
CORNER

## BRIGHTON ROAD



TERLINE  
SON-BRIGHTON  
OFF ROAD  
WIDE R.O.W.)



Situated in the Township of Genoa, County of Livingston, State of Michigan:

PARCEL 4:

Part of the Northeast 1/4 of Section 33, T2N, R5E, Genoa Township, Livingston County, Michigan being described as follows: Commencing at the North 1/4 corner of said Section 33; thence along the North line of said Section 33 and centerline of Brighton Road, North 86 degrees 44' 57" East, 692.43 feet to the Point of Beginning of the Parcel to be described; thence continuing along the North line of said Section 33 and centerline of Brighton Road, North 86 degrees 44' 57" East, 300.01 feet; thence South 02 degrees 27' 33" East, 342.47 feet; thence South 86 degrees 44' 57" West, 300.01 feet; thence North 02 degrees 27' 33" West, 342.47 feet to the Point of Beginning.







## **Accessory Building Comparison**

List of Properties with Detached Accessory Buildings and Their Size in the Vicinity of 4666 Brighton Rd. The information used in this comparison was acquired from the individual parcels assessing data. Please note the parcels that were not used in the evaluation did not have accessory buildings, or were located in Oak Pointe. The specific parcels used are highlighted on the area map.

5191 Chilson – 576 sf

5209 Chilson – 1200 sf + 704 sf = 1904 sf

5267 Chilson - 744 sf + 500 sf = 1244 sf

5339 Chilson – 360 sf

5281 Chilson – 520 sf

5366 Chilson – 1160 sf

5346 Chilson – 720 sf

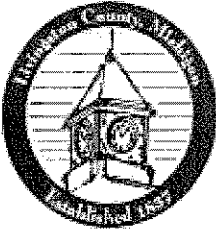
5324 Chilson – 1200 sf + 625 sf = 1825 sf

5290 Chilson – 1200 sf

5202 Chilson – 768 sf

5166 Chilson – 576 sf

4666 Brighton Rd – 720 sf (Existing), 2000 sf (Proposed) = 2720 sf



Livingston County Department of Public Health

Environmental Health Division
2300 E. Grand River Ave.
Howell, MI 48843
517.546.9858 \* 517.546.9853 FAX
co.livingston.mi.us/health

PERMIT #: SEP2014-00096
APPLIED: 05/28/2014
ISSUED: 05/29/2014
EXPIRES: 05/29/2015

Sewage Permit

SITE ADDRESS: 4666 BRIGHTON RD BRIGHTON 48116
PARCEL NO.: 11-33-200-027
TOWNSHIP: Genoa Township
SUBDIVISION:
LOT/PARCEL: 1
DIRECTIONS:



OWNER

CHILSON POINTE LLC
6870 GRAND RIVER
BRIGHTON MI 48114

BUILDER



CONTRACTOR

ELDRED & SONS
2025 EULER RD
BRIGHTON MI 48114
PH1 810-229-6857

Environmental Sanitarian: Aaron S. Aumock

Issued Date: May 29, 2014

Project Description:

Information:

Type of Use: RESIDENTIAL
Type of Water: Residential
Type of Work: Replacement
# of Tanks/Capacity: 1 / 1,000
Field Size: 300 Lin.Ft.
#Beds/Baths: 3 / 0
Type of Parcel: Metes and Bounds
Bsmt Plumbing:

1000 gal
+ 500 gal existing

Disp.Sys: TRENCH
Pretreatment: None
Type of Flow: Gravity
Effluent Filter: RESIDENTIAL
Sys.Elevation: Below Grade
Max.Est.Flow:

Special Requirements:

- Locate the system in the exact area of the approved soil boring # 1.
Locate and install 300 lineal ft. of trenches in area approved. BUC size 18" to 36"
Verify existing septic tank sizes and condition in writing (Min. 1000 Gal. required) otherwise install a new 1500 gal. septic tank.
Install a septic tank filter on the outlet end of the septic tank.
Install Diverter Valve (if feasible). - No D-Valve
Required inspections: 1) midcut 2) final

OK 6/3/14 AA
OK 6/4/14 AA

Environmental Sanitarian: [Signature]

Date Finalized: 6/5/14

GENOA
33
4666 BRIGHTON
SEP2014-00096

**Livingston County Department of Public Health—Environmental Health Services**

2300 E. Grand River, Suite 102, Howell, Michigan 48843-7578

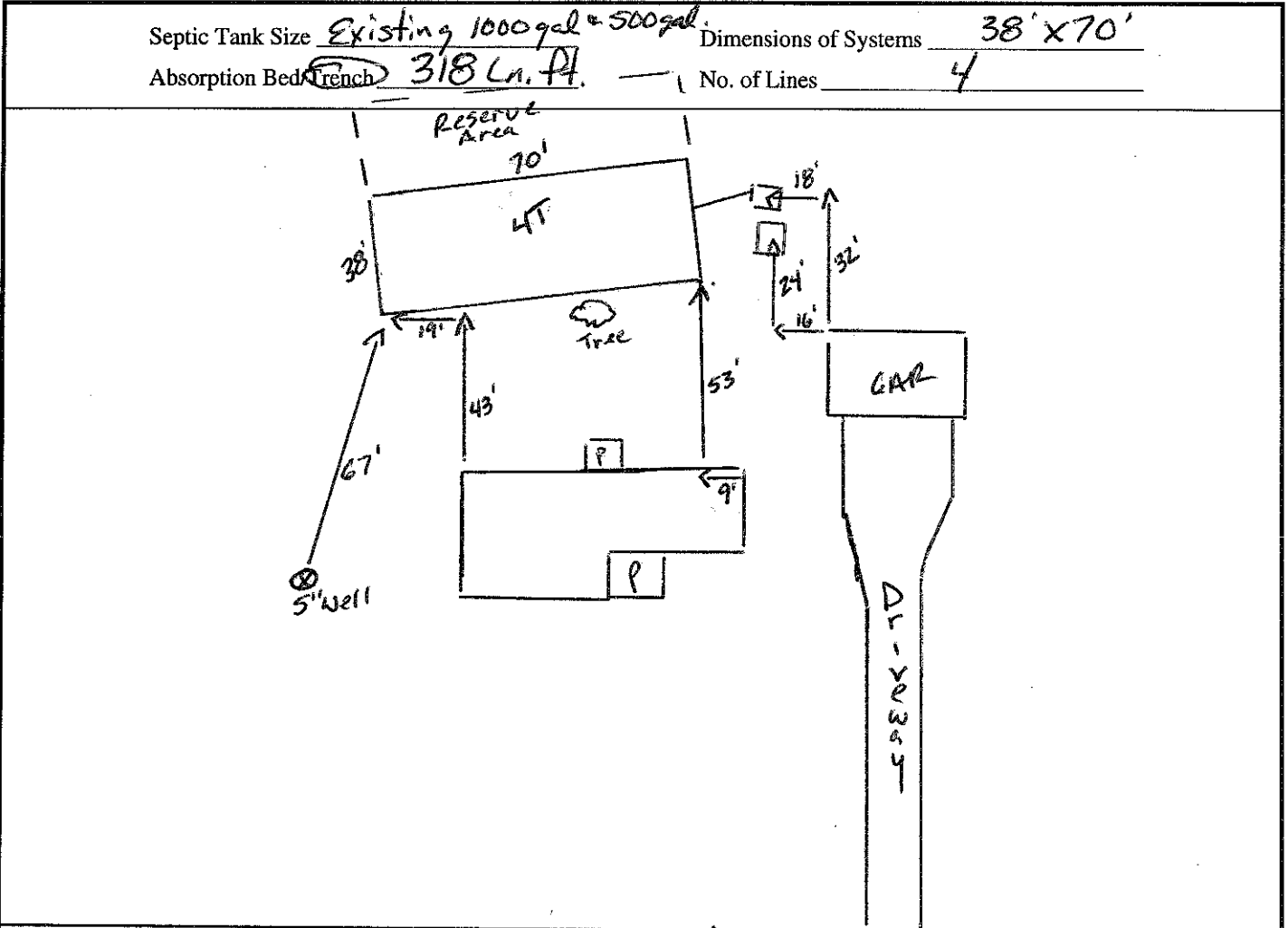
Fax (517) 546-9853 • Phone (517) 546-9858

**HOMEOWNER INFORMATION SHEET FOR WATER SUPPLY  
AND/OR SEWAGE DISPOSAL FACILITIES**

The following sketch represents the location of the on-site sewage disposal system and/or water well supply for the dwelling located at

Address 4666 Brighton Rd. Township Genoa Section No. 33  
City Brighton State MI Zip 48116

Septic Tank Size Existing 1000 gal + 500 gal. Dimensions of Systems 38' x 70'  
Absorption Bed/Trench 318 Ln. Ft. No. of Lines 4



Brighton Rd.

Well Driller \_\_\_\_\_  
Water Supply Approved [Signature] Date \_\_\_\_\_  
Inspecting Sanitarian [Signature]

Sewage Disposal Contractor Eldredt Sons  
Sewage Disposal Facilities Approved 6/5/14 Date

Please read the attached information regarding maintenance and care of the on-site sewage disposal facilities. The on-site sewage disposal system was inspected and approved in accordance with the Livingston County Sanitary Code. The water supply system was approved after reviewing the well log submitted by the well driller and receiving acceptable water quality analysis. If you did not receive a copy of your well log from the driller, please contact Environmental Health Services of the Livingston County Department of Public Health.

Since many interrelating factors contribute to the failure of a sewage disposal system and/or changes in water quality, approval cannot be considered as a guarantee by Environmental Health Services that successful operation or quality of drinking water is assured. On-site sewage disposal systems, under the best of installation conditions and practices, are in no way the equivalent of municipal sewer collection and treatment facilities.



# LIVINGSTON COUNTY DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL HEALTH DIVISION

2300 E. Grand River, Suite 102 • Howell, Michigan 48843-7578

(517) 546-9858 • FAX (517) 546-9853

www.lchd.org

## Application for Sewage Disposal and/or Water Supply Facilities For Single, Two Family, Industrial, Commercial & Multiple Family Dwellings

Commercial       New Construction  
 Residential       Replacement

Septic Permit # SEP2014-00096  
 Well Permit # \_\_\_\_\_

### I. LOCATION OF BUILDING Please Print or Type

Address <u>4666 BRIGHTON RD</u>	City/Village <u>BRIGHTON</u>	Zip Code
Township <u>GENOA</u>	Tax Code # <u>11-33-20027</u>	Section# <u>28</u>
Subdivision	Lot(s) #	Parcel#
Acreage		

Directions

**Residential only:**

Geo Thermal Heating/Cooling: yes  no  Type: \_\_\_\_\_ If yes, must be included on site plan

# of bedrooms 3 Den/Office proposed  yes  no

Is plumbing elevation lower than the septic tank making it necessary to install a sewage lift pump?  yes  no

**Commercial only:**

Business Name \_\_\_\_\_

Premise Usage \_\_\_\_\_ # of Employees/Occupants \_\_\_\_\_

Max. Est. Daily Wastewater Flow \_\_\_\_\_ How determined \_\_\_\_\_

### A. OWNER

Name CARL VAGNETTI / CALSON POINT LLC Phone: ( ) \_\_\_\_\_

Address 6870 GRAND RIVER

City/State BRIGHTON MI Zip Code 48114

### B. CONTRACTOR for Sewage Disposal System

Name \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Address FLORES + SONS

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_

### C. CONTRACTOR for Water Supply

Name \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_

### D. BUILDER

Name \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_

I hereby apply for this permit and have authorization to do so. I understand this is a construction permit only and the sewage disposal system and/or well is not to be put into service until final written approval has been granted. I further state the information given herein is accurate and complete.

Applicant's Signature [Signature] Date \_\_\_\_\_

\*\*\*\*\*For Office Use Only\*\*\*\*\*

Receipt# 322014-477 Amount \$ 291.00 Payer ETDRED  
CK 8819

Livingston County Department of Public Health

SEV2014-00107

Receipt Number

Environmental Health Division

Case No.

2300 E. Grand River \* Suite 102 \* Howell, MI 48843

11-33-200-027

Fax (517) 546.9853 \* Phone (517) 546.9858

Current Desc. #

http://co.livingston.mi.us/health

SOILS EVALUATION FOR SUB-SURFACE SEWAGE DISPOSAL SYSTEMS

**Location and Directions:** 4666 BRIGHTON RD BRIGHTON 48116

**Applicant**

CARL VAGNETTI  
6870 GRAND RIVER  
BRIGHTON MI 48114

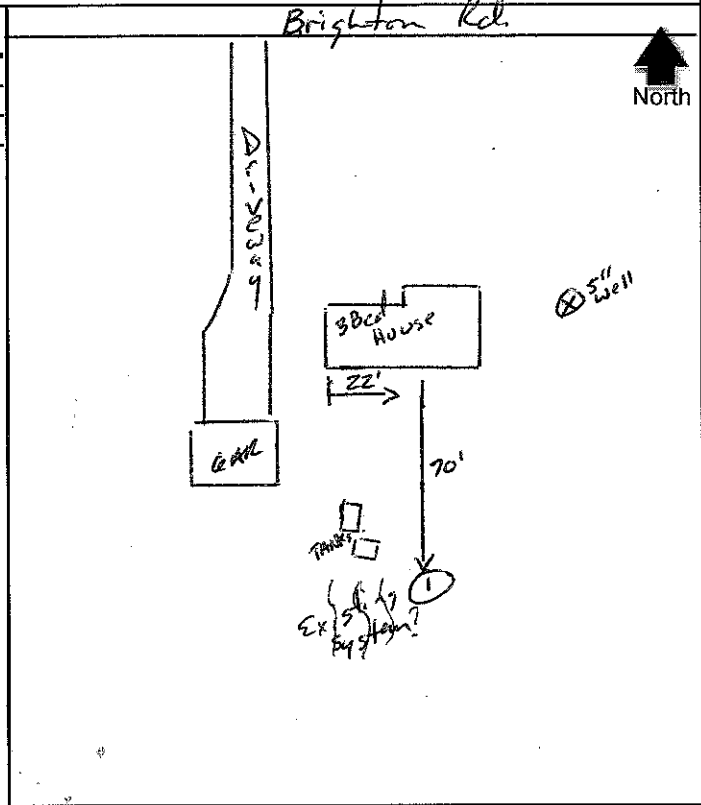
**Owner**

CHILSON POINTE LLC  
6870 GRAND RIVER  
BRIGHTON MI 48114

**SOIL DESCRIPTION**

Boring #	Soil Type	Desc	Beg Depth	End Depth	SWT	WT Depth
5/27/14	1 Fine Sand/Loamy Ss	TS	0.00	1.00	NONE	
	1 Fine Sand/Loamy Ss	HEA	1.00	5.00		
	1 Coarse Sand, Mediu	DRY	5.00	8.00		

**SKETCH**



**Suitable with Special Restrictions**

Within 800 feet of a potential or known source of contamination **No**

Oversize: N

Alternative Review: **No**

**Comments:**

**Conditions**

- Locate the system in the exact area of the approved soil boring # 1.
- Locate and install 300 lineal ft. of trenches in area approved. BUC size 18" to 36"
- Verify existing septic tank sizes and condition in writing (Min. 1000 Gal. required) otherwise install a new 1500 gal. septic tank.
- Install a septic tank filter on the outlet end of the septic tank.
- Install Diverter Valve (if feasible).

Met?	Date
N	5/27/14
N	5/27/14
N	5/27/14
N	5/27/14
N	5/27/14

ASA

**Aaron S. Aumock**  
Environmental Health Representative

**May 27, 2014**

Date

Soils evaluation based on criteria stated in Livingston County Sanitary Code, effective January 4, 1993.

This is NOT a permit. A suitable soils rating is NOT a guarantee that a permit to construct an on-site subsurface sewage disposal system will be granted. Changing conditions that might result in permit denial are explained in more detail on the reverse side.

Location

Township

Section No.

Subdivision/Acreage

Lot, Parcel

4666 BRIGHTON RD BRIGHTON 48116

Genoa

33

1

Page 2 of 2

LIVINGSTON COUNTY DEPARTMENT OF PUBLIC HEALTH  
ENVIRONMENTAL HEALTH DIVISION  
2300 E. GRAND RIVER, SUITE 102, HOWELL, MICHIGAN 48843-7578  
(517) 546-9858

*Open Well -  
Permit  
WEI 2007-  
00444  
Bad Beat*

REQUEST FOR SOILS EVALUATION -  
SUBSURFACE SEWAGE DISPOSAL SYSTEMS

Please print or type - See reverse side for directions and explanations.

Applicant

Property Owner

Name CARL Vaymetti  
Address 6870 Grand River

Name Chilson Pt.  
Address \_\_\_\_\_

City BRE State \_\_\_\_\_ Zip 48114  
Telephone No. 810-499-7370

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone No. \_\_\_\_\_

Location of Property

Road 4666 Brighton Rd Township Genoa Sect. No. 33  
Directions \_\_\_\_\_

Subdivision/Acreage \_\_\_\_\_

Parcel No. \_\_\_\_\_ Lot No. \_\_\_\_\_ Tax ID# 11-33-200-027

Nature of Intended Use

Single Family  Multi-Family Residence  Commercial  
 Two-Family Dwelling  Other (Specify) \_\_\_\_\_  
Person or Firm conducting excavation Eldred  
Telephone No. \_\_\_\_\_

Available Water Supply

Private (Individual Wells)  Public (Municipal Water)

Utilities County Drains  Yes  No

Attachments

Certificate of Survey \_\_\_\_\_ or Legal Description and Preliminary Sketch \_\_\_\_\_

The undersigned being duly authorized certifies the statements herein contained are true and correct and further acknowledges he/she is the property owner or is acting as an authorized representative on behalf of the property owner.

Signature tele Date 5/20/14

If mailing, allow adequate time before calling for an appointment.

FOR LIVINGSTON COUNTY DEPARTMENT OF PUBLIC HEALTH USE ONLY

Appointment (date & time) Tues. MAY 27 @ 1:30 w/ARON  
Soil Evaluation I.D. No. SEV2014-107 Receipt No. N/A  
Comments \_\_\_\_\_

NOTE: APPLICANT SUBJECT TO ADDITIONAL FEE FOR FAILING TO KEEP APPOINTMENT

*Repair*



300.00 DUNSTON RD

ROW  
OAK-POINTE-SOUTH  
401

11-33-200-024

4700

398.10

11-33-200-023 4688

342.47

271.36

4666

11-33-200-027

220

342.47

11-33-200-026

Livingston County, Michigan  
Information Technology Department  
G.I.S. Division  
304 E. Grand River Ave., Howell, MI 48843  
517.546.3230  
co.livingston.mi.us or livingstonlive.org

Printed: 5/27/2014  
Aerial Year: 2010

MAP INTERPRETATION NOTICE  
Map information depicted is not intended to replace or substitute for a professional survey. This map is based on the most recent available National Map Accuracy Standards and use the most recent accurate sources available to the people of Livingston County. Boundary measurements and area calculations are approximate and should not be construed as survey measurements.

30 15 0 30 60 Feet  
1 inch = 50 feet

N  
W E  
S

**County of Livingston**

# Real Estate Summary Sheet

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

09/11/2014 3:50 PM

<b>Parcel:</b>	4711-33-200-027	<b>Current Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Owner's Name:</b>	CHILSON POINTE LLC	<b>Previous Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Property Address:</b>	4666 BRIGHTON RD BRIGHTON, MI 48116	<b>Gov. Unit:</b>	4711 GENOA CHARTER TOWNSHIP
		<b>MAP #</b>	V14-25
		<b>School:</b>	47010 BRIGHTON
		<b>Neighborhood:</b>	47010 47010 BRIGHTON M & B
<b>Liber/Page:</b>	2012R-038119	<b>Created:</b>	//
<b>Split:</b>	//	<b>Active:</b>	Active
<b>Public Impr.:</b>	None		
<b>Topography:</b>	REFUSE		

## Mailing Address:

CHILSON POINTE LLC  
6870 GRAND RIVER  
BRIGHTON MI 48114

## Most Recent Sale Information

Sold on 10/23/2012 for 0 by VAGNETTI CARL.

**Terms of Sale:** INVALID SALE

**Liber/Page:** 2012R-038119

## Most Recent Permit Information

None Found

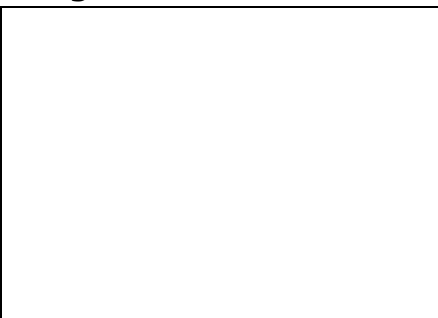
## Physical Property Characteristics

<b>2015 S.E.V.:</b>	Tentative	<b>2015 Taxable:</b>	Tentative	<b>Lot Dimensions:</b>	
<b>2014 S.E.V.:</b>	69,700	<b>2014 Taxable:</b>	66,649	<b>Acres:</b>	2.36
<b>Zoning:</b>	LDR	<b>Land Value:</b>	62,160	<b>Frontage:</b>	0.0
<b>PRE:</b>	0.000	<b>Land Impr. Value:</b>	0	<b>Average Depth:</b>	0.0

## Improvement Data

# of Residential Buildings: 1  
Year Built: 1955  
Occupancy: Single Family  
Class: C+15  
Style: C  
Exterior: Wood Siding  
% Good (Physical): 45  
Heating System: Forced Air w/ Ducts  
Electric - Amps Service: 0  
# of Bedrooms: -15  
Full Baths: 1 Half Baths: 0  
Floor Area: 1,566  
Ground Area: 1,566  
Garage Area: 720  
Basement Area: 1,566  
Basement Walls:  
Estimated TCV: 83,487

## Image





Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
VAGNETTI CARL	CHILSON POINTE LLC	0	10/23/2012	QC	INVALID SALE	2012R-038119	BUYER	100.0				
FIRST NATIONAL BANK OF HOW	VAGNETTI CARL	110,000	12/16/2011	WD	FORECLOSURE	2011R-036315	BUYER	100.0				
PERRI, JOE JR.	FIRST NATIONAL BANK OF HOW	0	10/03/2011	QC	FORECLOSURE	2011R-028402	BUYER	0.0				
NATIONAL DEVELOPMENT CORP.	PERRI, JOE JR.	0	04/10/2000	WD	MEMO L/C	27500613	BUYER	100.0				
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LDR	Building Permit(s)		Date	Number	Status			
4666 BRIGHTON RD		School: BRIGHTON										
		P.R.E. 0%										
Owner's Name/Address		MAP #: V14-25										
CHILSON POINTE LLC 6870 GRAND RIVER BRIGHTON MI 48114		2015 Est TCV Tentative										
		X	Improved	Vacant	Land Value Estimates for Land Table 122.BRIGHTON M & B							
Tax Description		Public Improvements		* Factors *								
SEC 33 T2N R5E COMM AT N 1/4 COR TH N86*E 692.43 FT TO POB TH N86*E 300.01 FT TH S02*E 342.47 FT TH S86*W 300.01 FT TH N02*W 342.47 FT TO POB CONT. 2.358 AC M/L SPLIT FR 004 8/99 PARCEL # 4		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		TABLE A		Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
Comments/Influences		Topography of Site		2.36 Total Acres Total Est. Land Value = 62,160								
		Level		Year								
		Rolling		Land Value								
		Low		Building Value								
		High		Assessed Value								
		Landscaped		Board of Review								
		Swamp		Tribunal/Other								
		Wooded		Taxable Value								
		Pond		Year								
		Waterfront		Land Value								
		Ravine		Building Value								
		Wetland		Assessed Value								
		Flood Plain		Board of Review								
		X REFUSE		Tribunal/Other								
		Who	When	What	2015	Tentative	Tentative	Tentative			Tentative	
						2014	31,100	38,600	69,700		66,649C	
						2013	31,100	34,500	65,600		65,600S	
						2012	31,100	33,000	64,100		64,100S	

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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 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: 0 Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 720 % Good: 0 Storage Area: 0 No Conc. Floor: 0			
X	Wood Frame		Drywall Paneled		Plaster Wood T&G												
Building Style: C		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Class: C +15 Effec. Age: 59 Floor Area: 1566 Total Base Cost: 136,737 Total Base New : 201,004 Total Depr Cost: 90,452 Estimated T.C.V: 83,487			CntyMult X 1.470 E.C.F. X 0.923		Bsmnt Garage: Carport Area: Roof:		
Yr Built 1955	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	Ex. X Ord. Min			Rate			Size Cost				
Room List		(5) Floors		(13) Plumbing			Other Additions/Adjustments			Rate			Size Cost				
Basement 1st Floor 2nd Floor -16 Bedrooms		Kitchen: Other: Other:		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			(14) Water/Sewer			Well, 200 Feet 1000 Gal Septic Fireplace: Exterior 1 Story Class:C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (47010 BRIGHTON M & B)			4975.00 3085.00 3875.00 17.28 0.923 => TCV of Bldg: 1 =			1 4,975 1 3,085 1 3,875 720 12,442 90,452 83,487	
(1) Exterior		(6) Ceilings		(14) Water/Sewer			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
X	Wood/Shingle Aluminum/Vinyl Brick						Many X Ave. Few			Rate			Size Cost				
	Insulation	(7) Excavation		(14) Water/Sewer			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
(2) Windows		Basement: 1566 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(14) Water/Sewer			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
X	Many Avg. Few	X	Large Avg. Small	(14) Water/Sewer			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(9) Basement Finish		(14) Water/Sewer			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
(3) Roof		Recreation SF Living SF Walkout Doors No Floor SF		(14) Water/Sewer			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
X	Gable Hip Flat		Gambrel Mansard Shed	(10) Floor Support			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Rate			Bsmnt-Adj Heat-Adj			Size Cost				
Chimney: Brick		Lump Sum Items:															

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

## Ron Akers

---

**From:** Stacey Kroeyr <skroeyr@yahoo.com>  
**Sent:** Tuesday, September 16, 2014 3:22 PM  
**To:** Ron Akers  
**Subject:** Zoning Board of Appeals - September 16, 2014 14-25 4666 Brighton Rd., variance

We the homeowners at 4688 and 4700 are going to be expressing some concerns at tonight's meeting. Per my phone conversation with you on August 27, 2014, I expressed the concern of the homeowners (renters) at 4666 Brighton Rd., Brighton, MI

The man and his wife were cutting down our trees.

They have been discreetly cutting down trees and burning since last fall, every day, including if it were raining or snowing. The man had trespassed in front of our house, shooting his gun into the wooded area to the west of our property. My granddaughter and I observed him and we were scared. We should have called the sheriff, but didn't want any revenge circumstances.

The property lines and private road will be addressed.

The building or pole barn and use of the private road will be addressed.

The building has to be so many feet away from our property lines.

What is outlined in pink tape is on our property line.

Constructing a pole barn would be infringing on the sale or possible sales of the existing homes on 4688 and 4700 Brighton Rd.

Why don't they build where the existing garage is?

Mr. Perri has called Mr. LeFevere several times to get him to sign off on the road usage.

We feel Mr. Perri's plans and Mr. Vagnetti's plans for Chilson Point LLC, will be for usage of the road and construction of other properties.

Besides, the place of construction is a rental. Neither one of the property owners resides there.

# GENOA TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-26 Meeting Date: 10-21-14  
 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: DONALD DAVIS

Property Address: 3907 HOMESTEAD Phone: 248 219 0859

Present Zoning: LRR Tax Code: 4711-21-401-027

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: 10'-2" FRONTYARD VARIANCE, RESULTING IN A 24'-10" SETBACK

2. Intended property modifications: PLEASE SEE ATTACHED

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) NONCONFORMING NATURE OF THE SITE  
PLEASE SEE ATTACHED.
- 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 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 9-2-14

Signature: Dennis Dinsler DENNIS DINSLER, ARCADIAN DESIGN.

**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.**

September 2, 2014

Genoa Zoning Board of Appeals

2911 Dorr Road, Brighton, MI 48116

Re: Davis variance, 3907 Homestead

Dear Board,

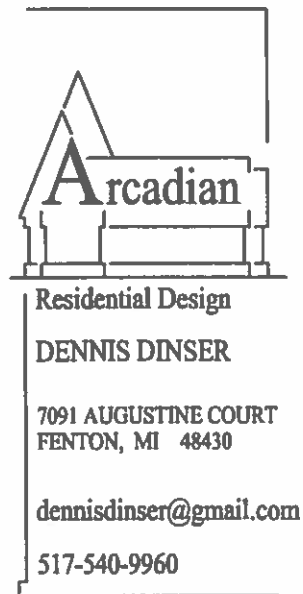
This letter is to be an addition to the ZBA application for variance.

The intent of the Davis project is simply to add Bedrooms and a Bath to the second floor of the home. We will not be adding to the first floor or changing the footprint of the house in any way.

The existing house sits on a nonconforming lot on Homestead, as many of them do. Our lot is 50' wide, rather than the 80' prescribed by the LRR zoning district. Our lot is 8570 square feet in area, rather than the 12,800 prescribed. We respect the waterfront setback and do not wish to disturb anyone's lake view or enjoyment of their lot. We are asking for relief from the frontyard setback as many Homestead properties have been granted. The examples of this variance on this street are too numerous to mention here, but a listing of their addresses will be available for the meeting.

We are asking to build over an existing attached garage; we will not exceed these bounds, we will not change the current footprint, we will not change the drainage conditions. The home currently exists as a single bedroom house, our goal is to achieve a three bedroom house, all bedrooms on the second floor. We think this is reasonable and commensurate with the neighborhood, and does substantial justice to Mr. Davis.

Respectfully,



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**October 21, 2014**  
**CASE #14-26**

**PROPERTY LOCATION:** 3907 Homestead

**PETITIONER:** Donald Davis

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

**WELL AND SEPTIC INFO:** Public Sewer, Well

**PETITIONERS REQUEST:** Front Yard Setback Variance to construct a second floor addition on a single family home.

**CODE REFERENCE:** Table 3.04.01

**STAFF COMMENTS:** See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	35'	5'	10'	N/A	N/A	N/A
Setbacks Requested	24' 10"	15'	10'	N/A	N/A	N/A
Variance Amount	10' 2"	N/A	N/A	N/A	N/A	N/A



## MEMORANDUM

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

---

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

### STAFF REPORT

**File Number:** ZBA#14-26

**Site Address:** 3907 Homestead

**Parcel Number:** 4711-21-401-027

**Parcel Size:** 0.273 Acres

**Applicant:** Donald Davis, 3907 Homestead Howell, MI 48843

**Property Owner:** Same as Applicant

**Information Submitted:** Application, site plan, building plans

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a front yard setback to construct a second floor addition on a 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 October 5, 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 house on the property was constructed in 1989.
- The property is on public sewer and well.
- See Real Estate Summary and Record Card.

**SUPERVISOR**

Gary T. McCririe

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**MANAGER**

Michael C. Archinal

**TRUSTEES**

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

### Summary

The applicant is proposing to construct an addition on the second story of the existing house. The purpose of this addition is to add bedrooms and a bathroom to the home. This proposed addition will not increase the footprint of the house in any way as the applicant will not be adding onto the first floor. The reason why the applicant requires a front yard setback variance is due to the existing location of the house within the setback.

### 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 24' 10"

### Standards for Approval

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

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

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

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

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

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



### Summary of Findings

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

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the front yard setback would prevent the applicant from adding an addition onto the existing home. The existing home building in 1989 is legal non-conforming due to its location on the property. Front yard setback variances have been routinely granted for 2 story structures in the vicinity, most recently for the property immediately to the south (3919 Homestead, case 14-03, February 2014). There are several properties in the immediate vicinity which do not conform to the front yard setback.
- **Extraordinary Circumstances** – Granting this variance would make the property consistent with the majority of other properties in the vicinity. There is an exceptional circumstance on the property due to the lot size being smaller than the minimum required and the existing location of the house on the property.
- **Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- **Impact on Surrounding Neighborhood** – I do not believe that the variance will have a substantial negative impact on the surrounding neighborhood. The proposed addition would be constructed on the same building envelope and the setback would be consistent with several other properties in the vicinity.

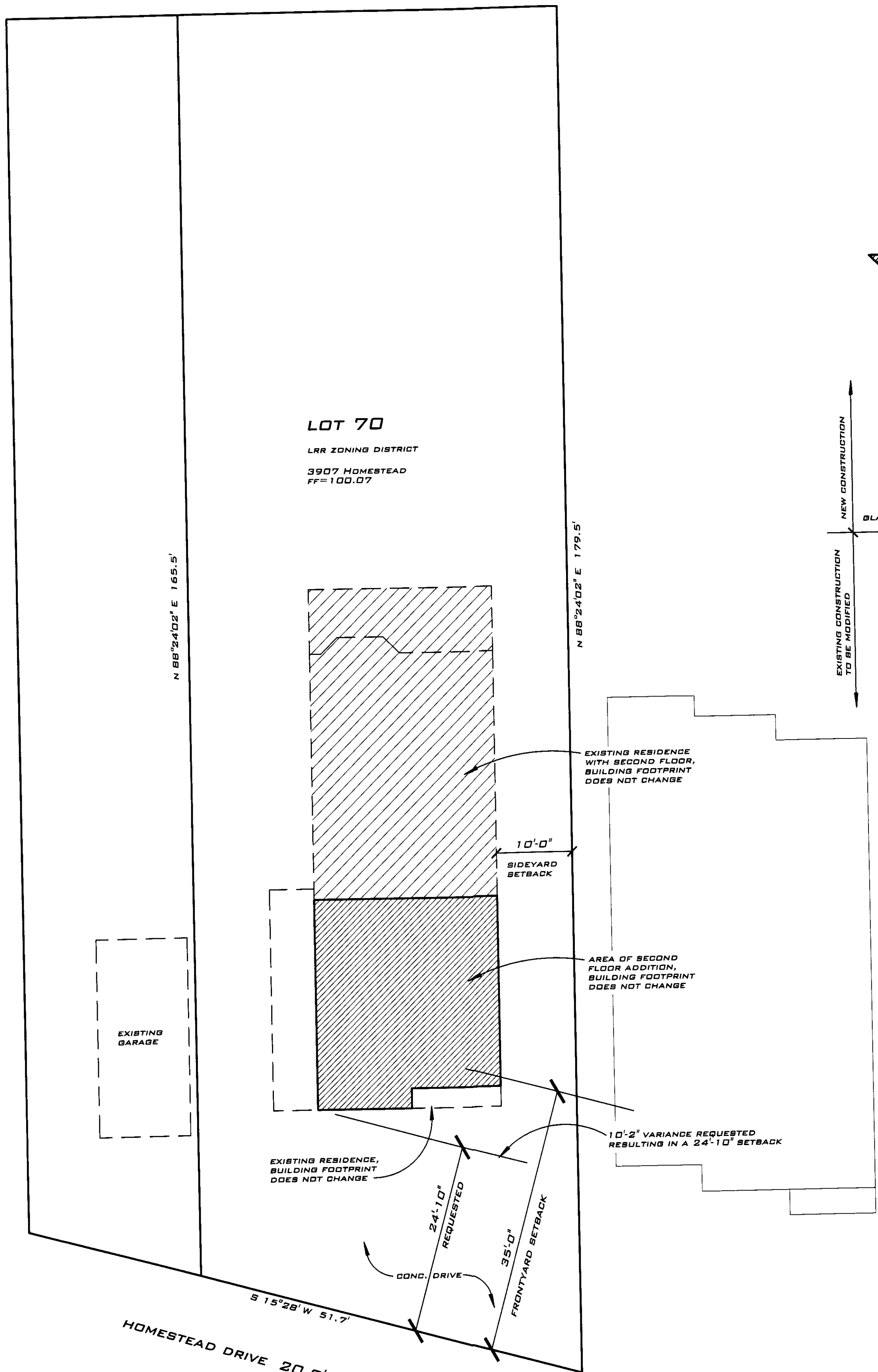
### Staff Findings of Fact

1. Strict compliance with the front yard setback would prevent the applicant from constructing an addition onto the existing home. This is due to the small lot size and existing location of the home.
2. Granting the requested variance would make the property consistent with the majority of the properties in the vicinity of the parcel. Many of the properties in the general vicinity do not meet the front yard setback requirements.
3. The need for the variance is due to the small building envelope on the property created by the location of the existing home and the small lot size.
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 setbacks variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and

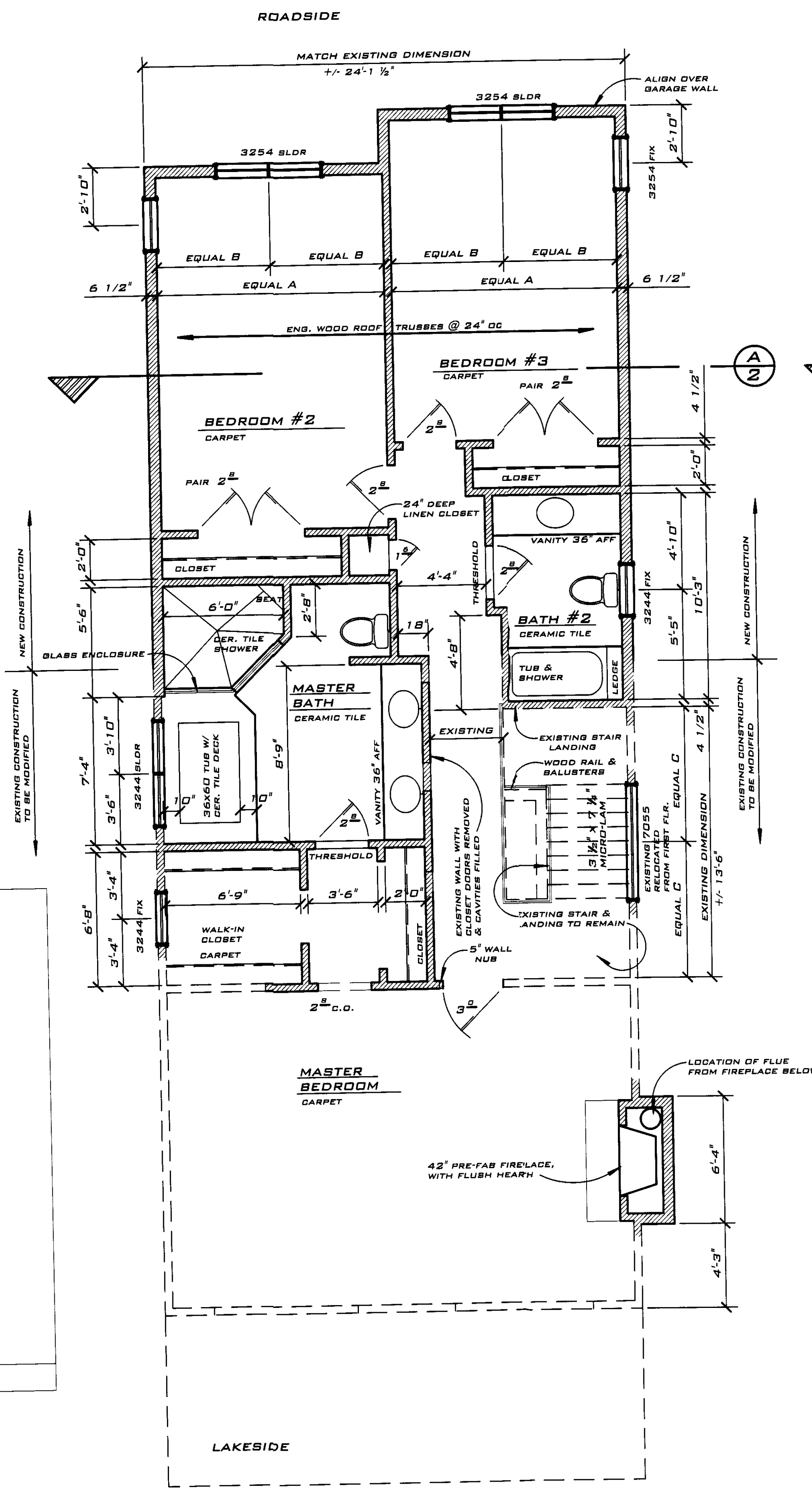
the surrounding neighborhood. According to the site plan the location of the house would be consistent with the site lines of the adjacent principal buildings.

CROOKED LAKE  
SURFACE ELEVATION 96.8

LOT 70  
LRR ZONING DISTRICT  
3907 HOMESTEAD  
FF=100.07



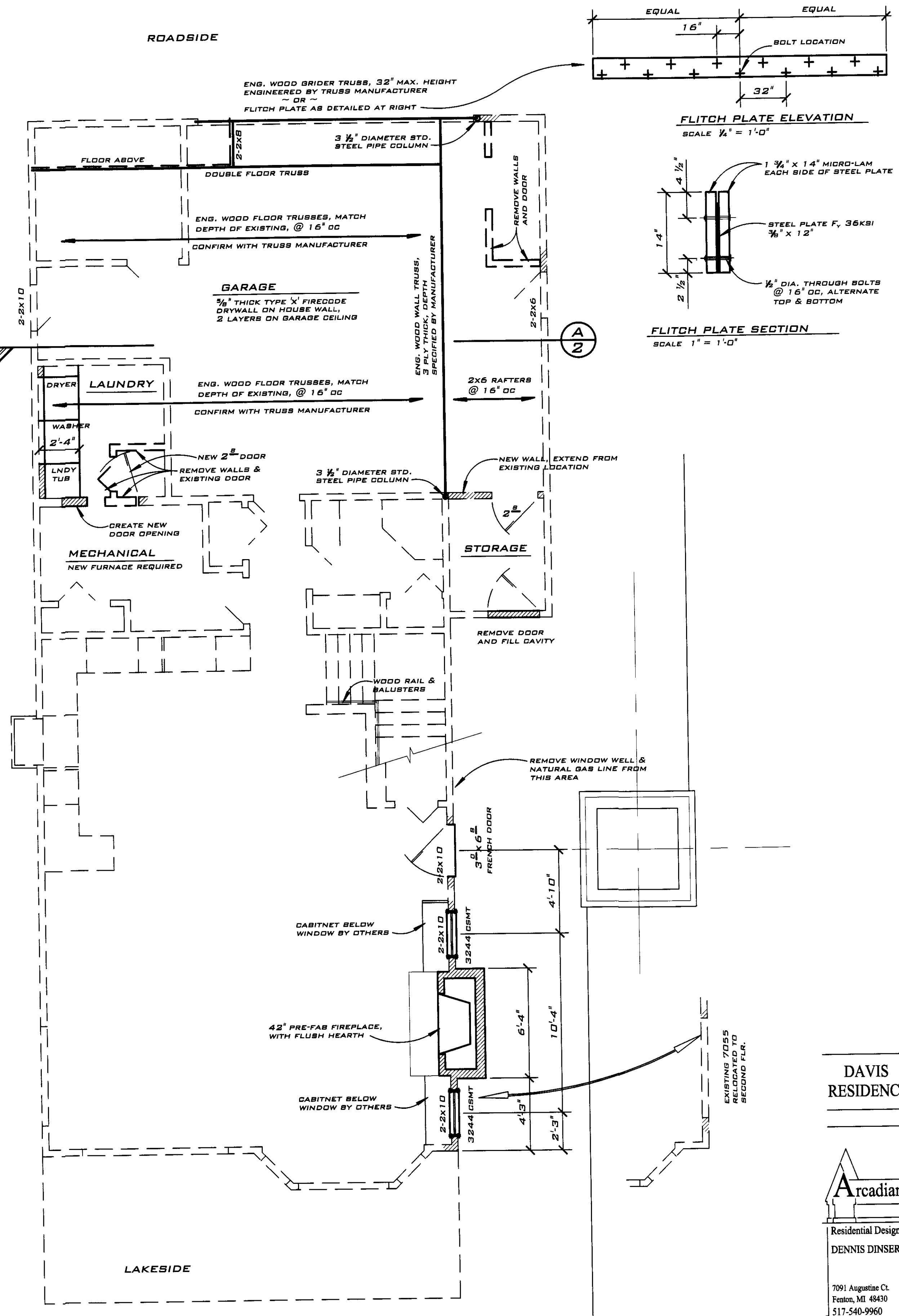
PROPOSED SITE PLAN  
SCALE 1" = 10'-0"



SECOND FLOOR PLAN

SCALE 1/4" = 1'-0"  
CEILING HEIGHT TO MATCH EXISTING 8'-0", DOOR & BATH HEIGHT TO BE 6'-8", UNLESS NOTED OTHERWISE

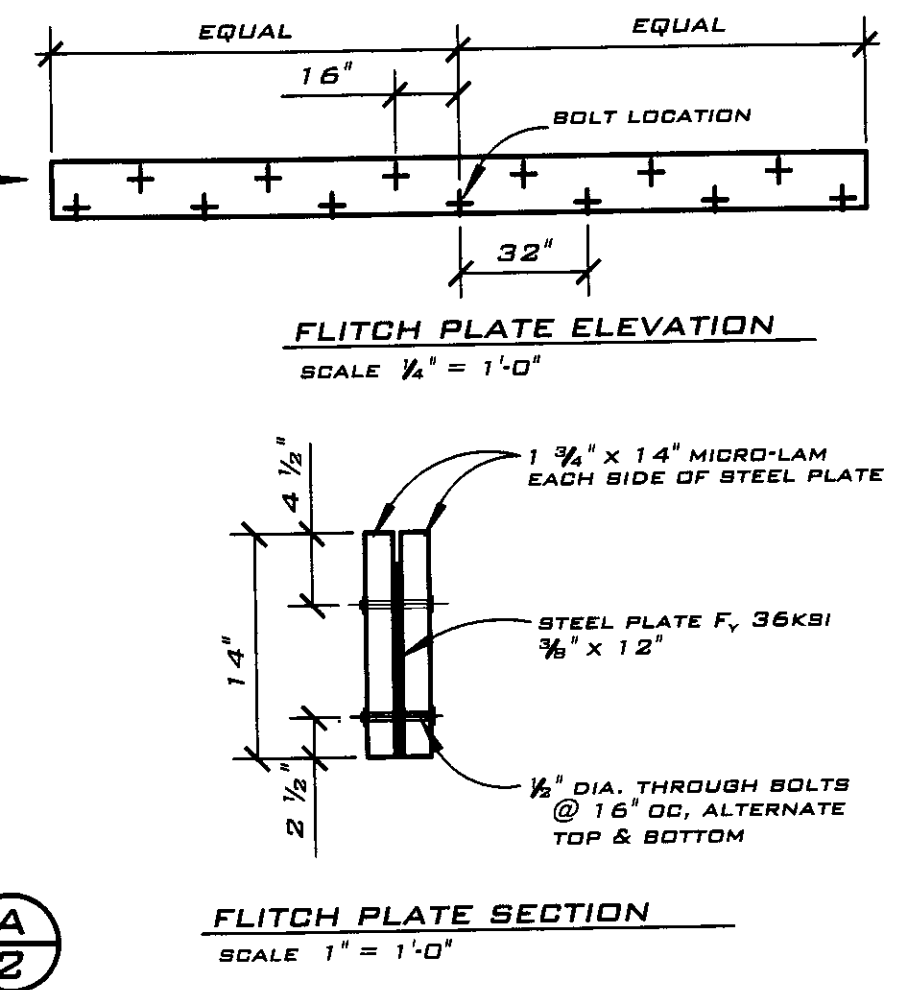
FOR DIMENSIONING PURPOSES  
ALL EXTERIOR FRAME WALLS TO BE 6 1/2" THICK, FINISH, TYPICAL FOR 2X6 FRAME CONSTRUCTION.  
ALL INTERIOR FRAME WALLS TO BE 4 1/2" THICK, FINISH, TYPICAL FOR 2X4 FRAME CONSTRUCTION



FIRST FLOOR PLAN

SCALE 1/4" = 1'-0"

FOR DIMENSIONING PURPOSES  
ALL EXTERIOR FRAME WALLS TO BE 6 1/2" THICK, FINISH, TYPICAL FOR 2X6 FRAME CONSTRUCTION.  
ALL INTERIOR FRAME WALLS TO BE 4 1/2" THICK, FINISH, TYPICAL FOR 2X4 FRAME CONSTRUCTION



FLITCH PLATE ELEVATION  
SCALE 1/4" = 1'-0"

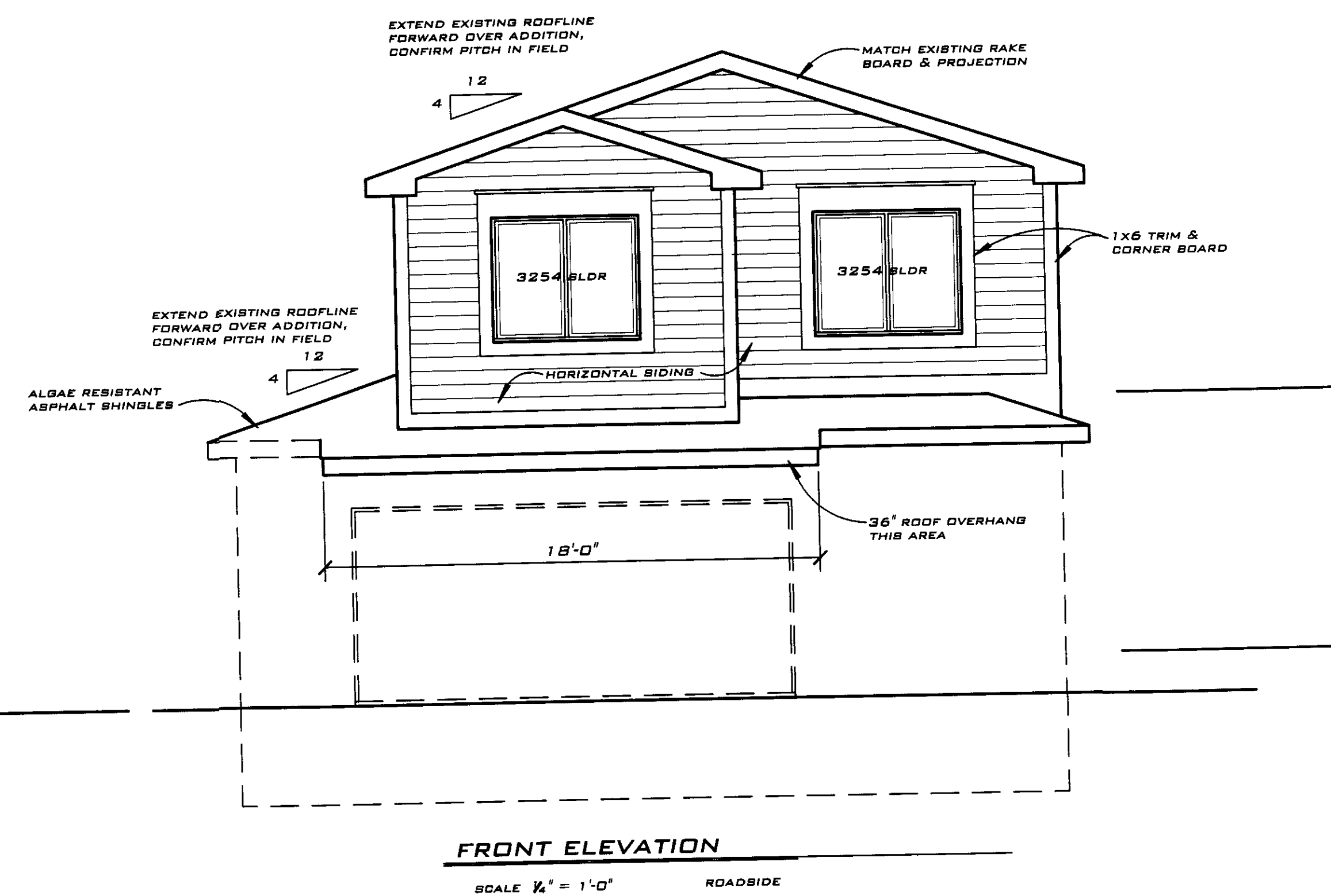
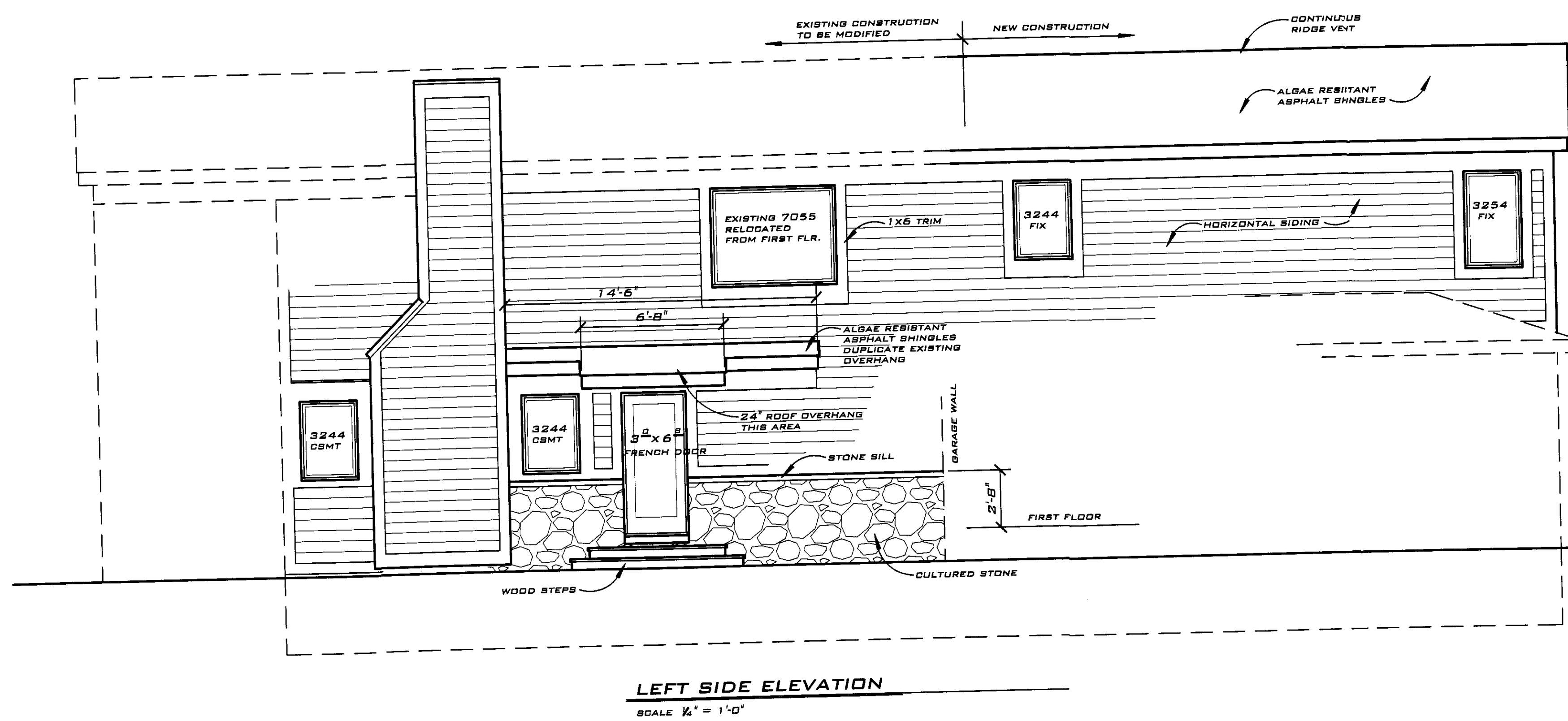
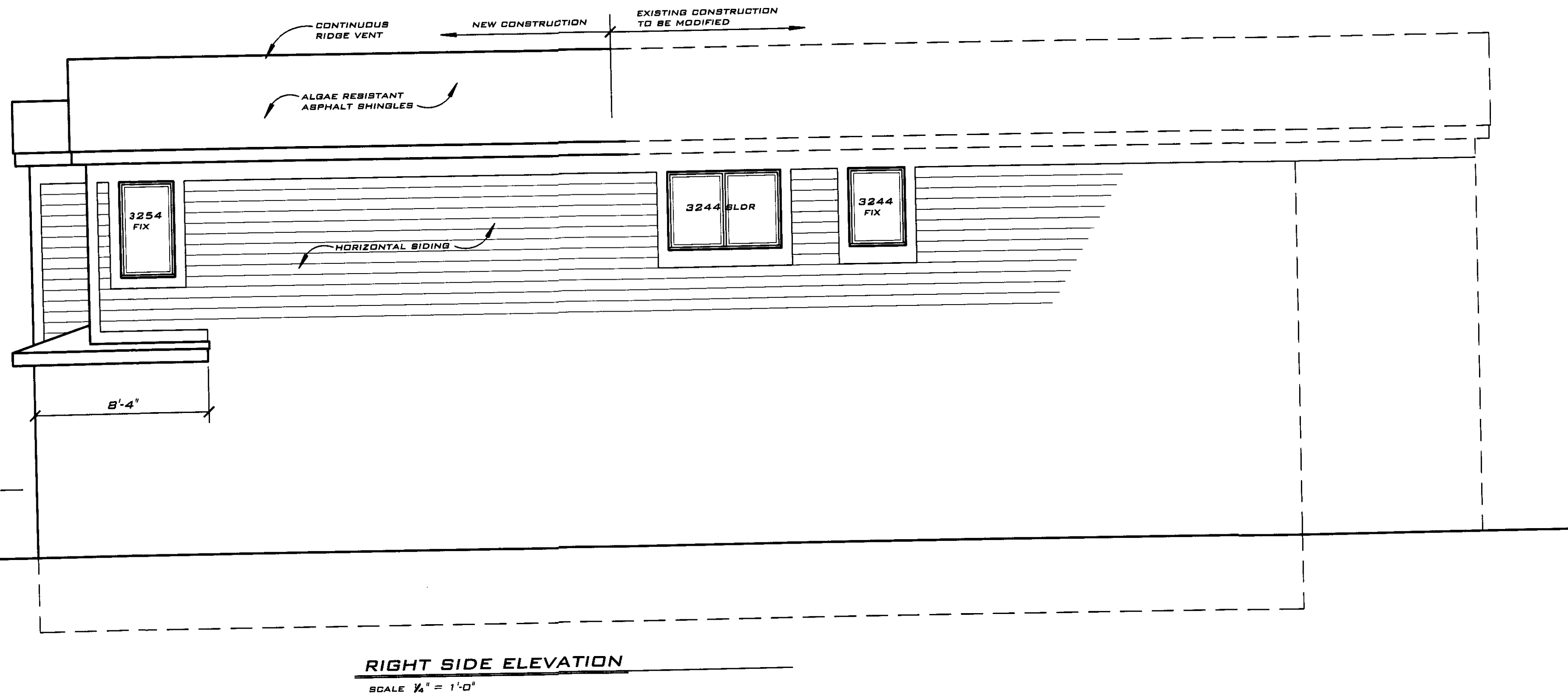
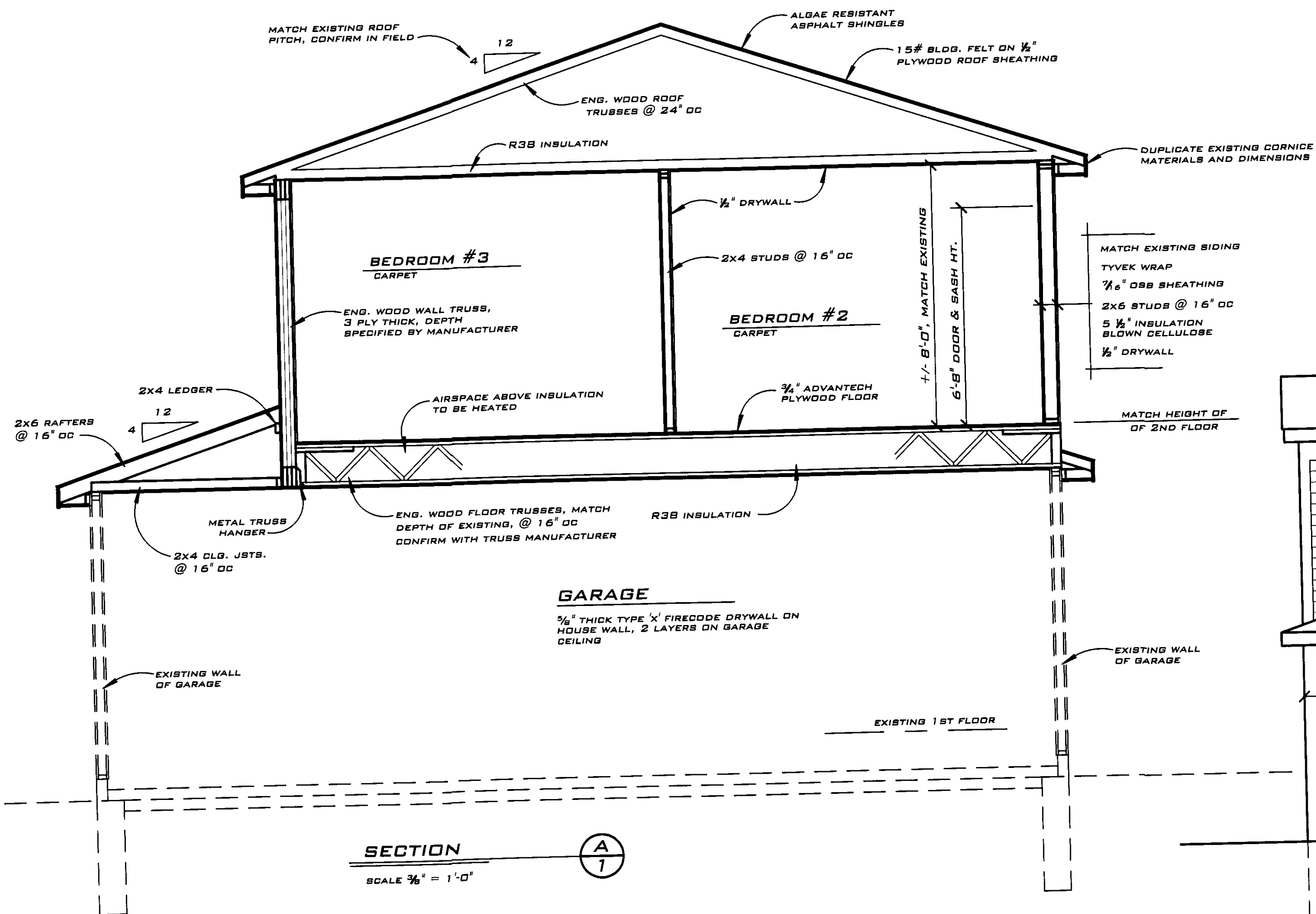
FLITCH PLATE SECTION  
SCALE 1" = 1'-0"

DAVIS  
RESIDENCE

Arcadian  
Residential Design  
DENNIS DINSER

7091 Augustine Ct.  
Fenton, MI 48430  
517-540-9960

DRAWN DD  
CHECKED DD  
DATE  
SHEET NUMBER  
1 of 2  
PROJECT NUMBER  
140810



DAVIS RESIDENCE



Residential Design  
DENNIS DINSER

7091 Argonne Ct.  
Farmington, MI 48430  
517-540-9960

DRAWN DD  
CHECKED DD

DATE

SHEET NUMBER

2 of 2

PROJECT NUMBER

140810





4540

3859

3871

3883

3907

0

3925

3943

3949

3961

3973

3990

3985

3997

4016

4007

4003

4001

4015

4011

4026

4021

4027

4041



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\*\*\*

09/26/2014 1:43 PM

<b>Parcel:</b>	4711-21-401-027	<b>Current Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Owner's Name:</b>	DAVIS DONALD	<b>Previous Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Property Address:</b>	3907 HOMESTEAD HOWELL, MI 48843	<b>Gov. Unit:</b>	4711 GENOA CHARTER TOWNSHIP
		<b>MAP #</b>	V14-26
		<b>School:</b>	47010 BRIGHTON
		<b>Neighborhood:</b>	4304 4304 OLD HOMESTEAD
<b>Liber/Page:</b>	2010R-021436	<b>Created:</b>	01/10/2007
<b>Split:</b>	01/10/2007	<b>Active:</b>	Active
<b>Public Impr.:</b>	None		
<b>Topography:</b>	None		

## Mailing Address:

DAVIS DONALD  
3907 HOMESTEAD  
HOWELL MI 48843

## Most Recent Sale Information

Sold on 07/08/2010 for 320,000 by FRANTZ, RONALD.

**Terms of Sale:** ARMS-LENGTH

**Liber/Page:** 2010R-021436

## Most Recent Permit Information

None Found

## Physical Property Characteristics

<b>2015 S.E.V.:</b>	Tentative	<b>2015 Taxable:</b>	Tentative	<b>Lot Dimensions:</b>	
<b>2014 S.E.V.:</b>	168,000	<b>2014 Taxable:</b>	168,000	<b>Acres:</b>	0.27
<b>Zoning:</b>	LRR	<b>Land Value:</b>	168,000	<b>Frontage:</b>	70.0
<b>PRE:</b>	100.000	<b>Land Impr. Value:</b>	0	<b>Average Depth:</b>	170.0

## Improvement Data

# of Residential Buildings: 1  
Year Built: 1989  
Occupancy: Single Family  
Class: CD  
Style: CD  
Exterior: Wood Siding  
% Good (Physical): 72  
Heating System: Forced Air w/ Ducts  
Electric - Amps Service: 0  
# of Bedrooms: 1  
Full Baths: 1 Half Baths: 0  
Floor Area: 1,536  
Ground Area: 768  
Garage Area: 1,008  
Basement Area: 768  
Basement Walls:  
Estimated TCV: 178,989

## Image





Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
FRANTZ, RONALD	DAVIS DONALD	320,000	07/08/2010	WD	ARMS-LENGTH	2010R-021436	BUYER	100.0			
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status			
3907 HOMESTEAD		School: BRIGHTON		P.R.E. 100% 07/08/2010							
Owner's Name/Address		MAP #: V14-26		2015 Est TCV Tentative							
DAVIS DONALD 3907 HOMESTEAD HOWELL MI 48843		X	Improved	Vacant	Land Value Estimates for Land Table 00029.OLD HOMESTEAD						
Tax Description		Public Improvements		* Factors *				Value			
SEC. 21 T2N, R5E, OLD HOMESTEAD NO. 1 THE NORTH 10 FT OF LOT 69, LOT 70 AND ALSO THE SOUTH HALF OF LOT 71 SPLIT ON 01/10/2007 FROM 4711-21-401-025, 4711-21-401-017, 4711-21-401-016;		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
Comments/Influences		Gravel Road		LAKE FRONT	70.00	170.00	1.0000	1.0000	2400	100	168,000
Split/Comb. on 01/10/2007 completed 01/10/2007 DUFFY ;		Storm Sewer		70 Actual Front Feet, 0.27 Total Acres				Total Est. Land Value =		168,000	
Parent Parcel(s): 4711-21-401-025, 4711-21-401-017, 4711-21-401-016;		Sidewalk									
Child Parcel(s): 4711-21-401-026, 4711-21-401-027;		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									
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
Who	When	What	2015	Tentative	Tentative	Tentative		Tentative			
			2014	84,000	84,000	168,000		168,000S			
			2013	84,000	82,600	166,600		166,600S			
			2012	84,000	80,600	164,600		164,600S			



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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 88 288	Type CCP (1 Story) Treated Wood	Year Built: Car Capacity: Class: CD Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Yes Auto. Doors: 0 Mech. Doors: 0 Area: 696 % 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			Class: CD Effec. Age: 28 Floor Area: 1536 Total Base Cost: 106,314 Total Base New : 156,281 Total Depr Cost: 110,147 Estimated T.C.V: 178,989			CntyMult X 1.470 E.C.F. X 1.625			Bsmnt Garage:	
Yr Built 1989	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		Doors: Lg X Ord Small		No. of Elec. Outlets			Many X Ave. Few			(14) Water/Sewer			Rate		Size Cost		
Room List		(5) Floors		Average Fixture(s)			1 3 Fixture Bath			(16) Porches			1025.00		1 1,025		
	Basement 1st Floor 2nd Floor 1 Bedrooms	Kitchen: Other: Other:		(13) Plumbing			2 Fixture Bath			(16) Deck/Balcony			4675.00		1 4,675		
(1) Exterior		(6) Ceilings		Softener, Auto			Softener, Manual			(17) Garages			29.85		88 2,627		
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 768 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Solar Water Heat			No Plumbing			Class:CD Exterior: Siding Foundation: 42 Inch (Finished )			20.01		696 13,927		
(2) Windows		(8) Basement		Extra Toilet			Extra Sink			Base Cost			-1225.00		1 -1,225		
X	Many Avg. Few	X	Large Avg. Small	Ceramic Tile Floor			Ceramic Tile Wains			Common Wall: 1 Wall			Phy/Ab.Phy/Func/Econ/Comb.%Good= 72/100/100/100/72.0,		Depr.Cost = 104,379		
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(9) Basement Finish		Separate Shower			Ceramic Tub Alcove			Class:CD Exterior: Siding Foundation: 42 Inch (Unfinished)			24.66		312 7,694		
(3) Roof		Recreation SF Living SF Walkout Doors No Floor SF		Vent Fan			(14) Water/Sewer			County Multiplier = 1.47 =>			Cost New = 11,310				
X	Gable Hip Flat		Gambrel Mansard Shed	Public Water			1 Public Sewer			Phy/Ab.Phy/Func/Econ/Comb.%Good= 51/100/100/100/51.0,			Depr.Cost = 5,768				
X	Asphalt Shingle	(10) Floor Support		1 Water Well			1000 Gal Septic			Total Depreciated Cost = 110,147			ECF (4304 OLD HOMESTEAD)		1.625 => TCV of Bldg: 1 = 178,989		
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:		2000 Gal Septic			Lump Sum Items:										

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



# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-27 Meeting Date: 10-21-14

- 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: Mr. & Mrs. Todd Hutchins  
Property Address: 3350 S. Latson Phone: 517-375-4632  
Present Zoning: Country Estate Tax Code: 4711-20-200-017

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

1. Variance Requested: To keep accessory buildings on back parcel.
2. Intended property modifications: ① Re-zone to RR and split property in order to build a house.

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) \_\_\_\_\_
- b. Other (explain) Accessory building exceeds parcel guidelines

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

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

Date: \_\_\_\_\_

Signature:  \_\_\_\_\_

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

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

## Ron Akers

---

**From:** Julie Hutchins <julie.hutchins@yahoo.com>  
**Sent:** Sunday, September 21, 2014 2:37 PM  
**To:** Ron Akers  
**Subject:** Variance

Hi Ron, This is a quick email stating why we are applying for a variance before submitting an application to rezone our property.

After speaking with you and Kelly VanMarter, Todd and I agreed it made sense for us to apply for a variance first. Ultimately, we would like to split the property and build a new house on the back acreage. If we don't get approval for our variance, we would not proceed to rezone the property. Todd and I feel the barn is original to the property and have no desire to tear it down. Please feel free to contact me if you have any further questions.

Sincerely,  
Julie Hutchins (517-375-3245)

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**October 21, 2014**  
**CASE #14-27**

**PROPERTY LOCATION:** 3350 S. Latson

**PETITIONER:** Todd Hutchins

**ZONING:** CE (Country Estate)

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

**PETITIONERS REQUEST:** Variance to allow an accessory building to be located on a parcel without a principal building.

**CODE REFERENCE:** 11.04.01(a)

**STAFF COMMENTS:** See Attached Staff Report

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



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** October 3, 2014  
**RE:** ZBA 14-27

---

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

### STAFF REPORT

**File Number:** ZBA#14-27

**Site Address:** 3350 S. Latson Rd

**Parcel Number:** 4711-20-200-017

**Parcel Size:** 4.2 Acres

**Applicant:** Todd & Julie Hutchins, 3350 S. Latson Rd, Howell, MI 48843

**Property Owner:** Same as Applicant

**Information Submitted:** Application, site plan

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a variance from section 11.04.01(a) to split their property, leaving two detached accessory buildings on the northern most parcel without a principal building.

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

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday October 5, 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 property is on septic and well.
- See Real Estate Summary and Record Card.

**SUPERVISOR**

Gary T. McCririe

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**MANAGER**

Michael C. Archinal

**TRUSTEES**

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

### Summary

The applicants want to split the property at 3350 S. Latson Rd into two (2) parcels of two (2) acres in size. In order to do this the applicants are required to seek a variance in order to keep the accessory buildings on the northern most parcel without a principal building and make application to rezone the property from Country Estate (CE) to Rural Residential (RR). After discussion between the Assistant Township Manager, the property owners and I, we believe that the most appropriate course of action would be to start this process at the Zoning Board of Appeals. The applicants have expressed that their intent is to eventually construct a home on the second parcel within one year of the split thus eventually eliminating the non-conformity. Despite this a variance is still required. It would be wise for the Zoning Board of Appeals to place conditions on this request that mirror the applicants declared intent. These will be further discussed below.

### Variance Requests

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

**11.04.01 (a) Relation to Principal Building:** Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building, that is occupied by a use permitted in the particular zoning district. In the Agricultural District an accessory building or structure may be permitted on a separate lot in conjunction with activity of a permitted use on another lot under same ownership. No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.

### Standards for Approval

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

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

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

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

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

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

### **Summary of Findings**

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

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the requirement to have a principal building in order to have a detached accessory building would prevent the applicant from splitting the property while maintaining the detached accessory buildings. The goal of the applicant is to maintain the existing detached accessory buildings and construct a new single family home on the newly created parcel. If everything is approved between the Zoning Board of Appeals and the Planning Commission and the applicant does as they have indicated, the end result will be a parcel which conforms to this portion of the Zoning Ordinance. If approval is granted, the Zoning Board of Appeals should place controls into place which guarantee this will occur via conditions on the approval.
- **Extraordinary Circumstances** – There is nothing extraordinary or exceptional about the property, this request is simply intended to allow for a temporary non-conformity to occur in order to maintain accessory buildings. The need for the variance is created by the existing location and number of the accessory buildings on the property.
- **Public Safety and Welfare** – Granting of this variance should have no issues with regard to this standard.
- **Impact on Surrounding Neighborhood** – With the appropriate conditions placed on this variance and subsequent follow through by the applicants there should be no issues with this section of the zoning ordinance.

### **Staff Findings of Fact**

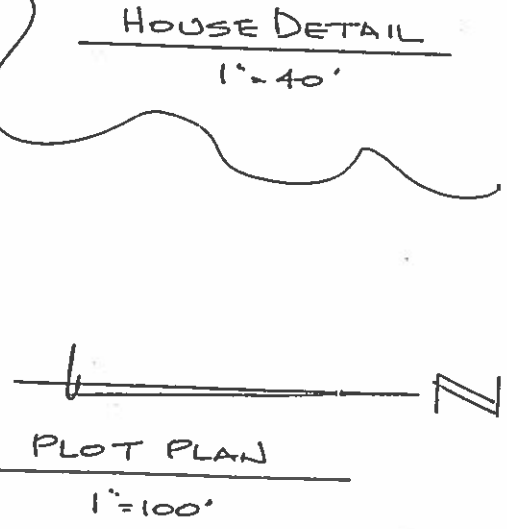
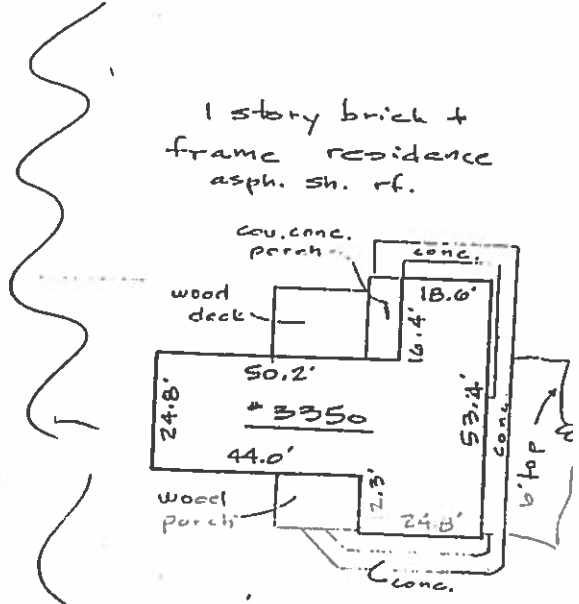
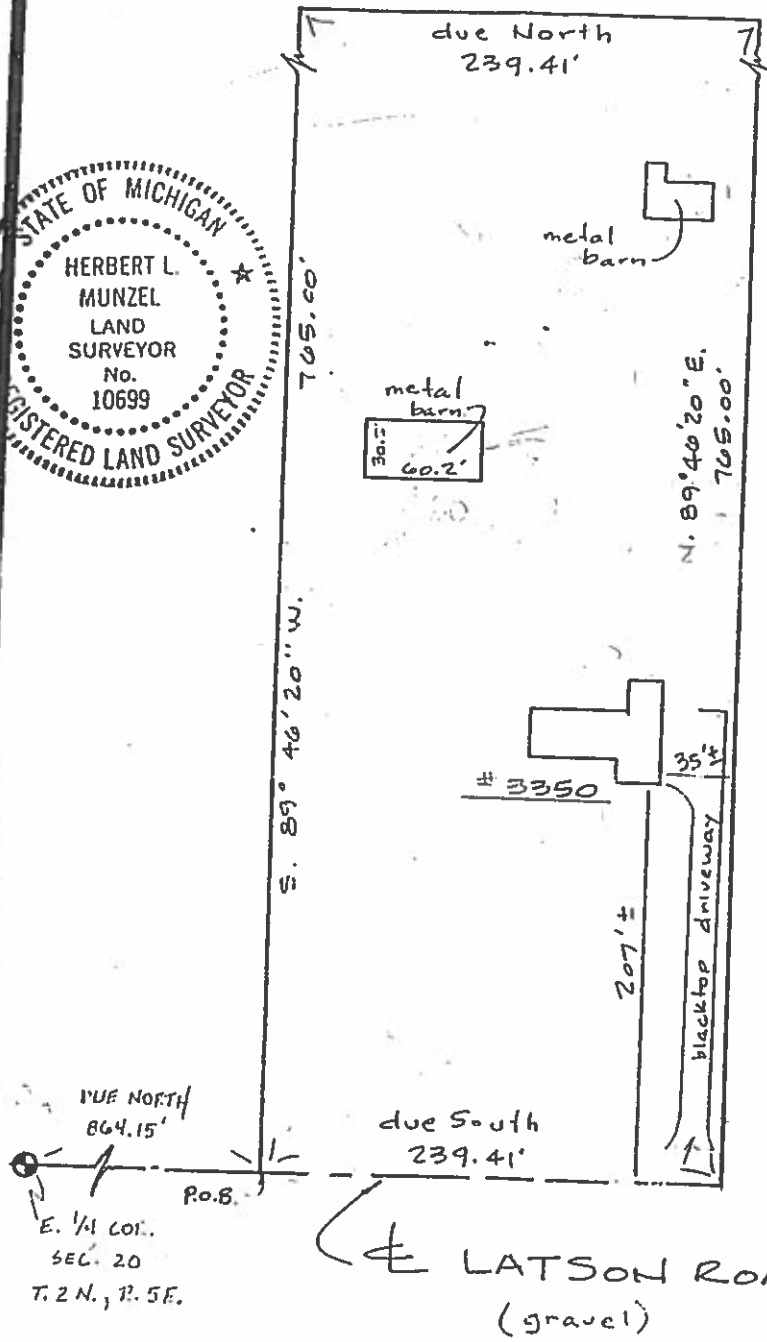
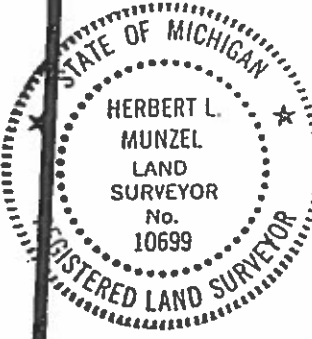
1. Strict compliance with the requirement to have a principal building in order to have a detached accessory building would prevent the applicant from splitting the property while maintaining the detached accessory buildings.
2. There are no exceptional or extraordinary circumstances applicable to the property and the property will be consistent with the Zoning Ordinance after the additional house is built.

3. The need for the variance is due to the location of the detached accessory buildings on the property and the applicants desire to maintain them.
4. The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
5. Granting the variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. According to the site plan the location of the house would be consistent with the site lines of the adjacent principal buildings.

**Proposed Conditions if the Request is Approved**

1. This approval is contingent upon the applicants successfully gaining approval for the rezoning of the property from CE, Country Estate to RR, Rural Residential.
2. The applicant shall begin construction of a single family home on the newly created parcel within one (1) year of approval of the rezoning request.
3. Should the applicants fail to begin construction of a single family home within one (1) year the detached accessory buildings located on the newly created parcel shall be demolished at the owner's expense.

DESCRIBED AS FOLLOWS: BEGINNING AT A POINT DUE NORTH ALONG THE CENTERLINE OF LATSON ROAD 864.15 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 20; THENCE SOUTH 89 DEGREES 46 MINUTES 20 SECONDS WEST 765.0 FEET; THENCE DUE NORTH 239.41 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 20 SECONDS EAST 765.0 FEET TO THE CENTER OF LATSON ROAD; THENCE DUE SOUTH ALONG THE CENTERLINE OF LATSON ROAD 239.41 FEET TO THE POINT OF BEGINNING. Subject to any easements of record



We hereby certify that we have measured the buildings and their location on the above described parcel of land, as indicated on the sketch. Sideline and setback dimensions should not be used for establishing property lines or for setting fences.

ENCROACHMENTS: \_\_\_\_\_

*Herbert L. Munzel* # 10699

CERTIFIED TO: All Title Companies  
**HOMESTEAD MORTGAGE**  
 FOR: TODD W. HUTCHINS

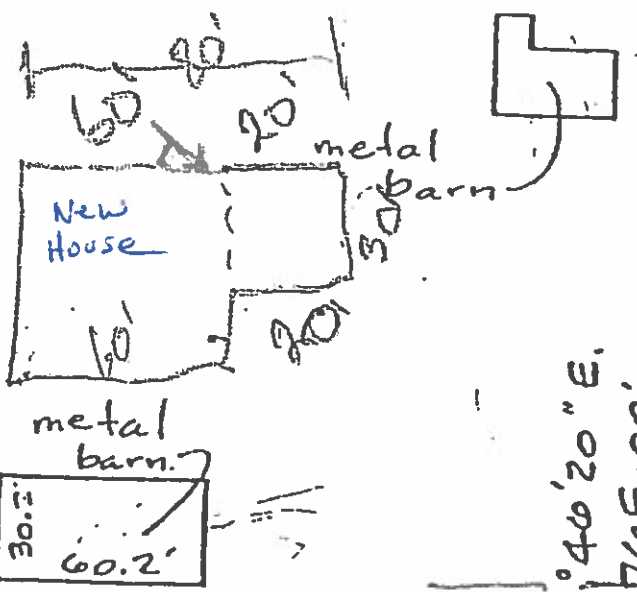
**H** HERBERT L. MUNZEL  
**L** Registered Professional Engineer and Land Surveyor  
**M** 222 West Grand River Avenue  
 Brighton, Michigan 48116  
 Phone (810) 229-9588 Fax (810) 229-9686



MICHIGAN  
 ★  
 ERT L.  
 VZEL  
 ND  
 /EYOR  
 o.  
 699  
 AND SURVEYOR

due North  
 239.41'

765.00'



N. 89° 46' 20" E.  
 765.00'

S. 89° 46' 20" W.  
 765.00'

EASEMENT

# 3350

# 207 ±

blacktop driveway

due South  
 239.41'

NORTH  
 4.15'





3990

3115

3300

3301

3322

0

3350

3345

3370

3365

0

3468

3743

3545



1 inch = 200 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\*\*\*

09/26/2014 1:44 PM

<b>Parcel:</b>	4711-20-200-017	<b>Current Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Owner's Name:</b>	HUTCHINS TODD & JULIE	<b>Previous Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Property Address:</b>	3350 S LATSON RD HOWELL, MI 48843	<b>Gov. Unit:</b>	4711 GENOA CHARTER TOWNSHIP
		<b>MAP #</b>	V14-27
		<b>School:</b>	47070 HOWELL
		<b>Neighborhood:</b>	47070 47070 HOWELL M & B
<b>Liber/Page:</b>	2011R-031068	<b>Created:</b>	//
<b>Split:</b>	//	<b>Active:</b>	Active
<b>Public Impr.:</b>	None		
<b>Topography:</b>	REFUSE		

## Mailing Address:

HUTCHINS TODD & JULIE  
3350 S LATSON RD  
HOWELL MI 48843

## Most Recent Sale Information

Sold on 10/21/2011 for 0 by HUTCHINS, TODD & VEIK, JULIE.

**Terms of Sale:** INVALID SALE

**Liber/Page:** 2011R-031068

## Most Recent Permit Information

Permit 06-187 on 06/21/2006 for \$0 category ADDITION.

## Physical Property Characteristics

<b>2015 S.E.V.:</b>	Tentative	<b>2015 Taxable:</b>	Tentative	<b>Lot Dimensions:</b>	
<b>2014 S.E.V.:</b>	162,800	<b>2014 Taxable:</b>	155,143	<b>Acres:</b>	4.20
<b>Zoning:</b>	CE	<b>Land Value:</b>	78,000	<b>Frontage:</b>	0.0
<b>PRE:</b>	100.000	<b>Land Impr. Value:</b>	9,337	<b>Average Depth:</b>	0.0

## Improvement Data

# of Residential Buildings: 1	# of Agricultural Buildings: 2
Year Built: 1973	Estimated TCV: 27,900
Occupancy: Single Family	Cmts:
Class: BC	
Style: BC	
Exterior: Wood Siding	
% Good (Physical): 70	
Heating System: Forced Heat & Cool	
Electric - Amps Service: 0	
# of Bedrooms: 2	
Full Baths: 1 Half Baths: 1	
Floor Area: 3,279	
Ground Area: 1,604	
Garage Area: 1,025	
Basement Area: 0	
Basement Walls:	
Estimated TCV: 225,418	

## Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.						
HUTCHINS, TODD & VEIK, JUL	HUTCHINS TODD & JULIE	0	10/21/2011	QC	INVALID SALE	2011R-031068	BUYER	0.0						
LANE, JAMES E. & BARBARA	HUTCHINS TODD & VEIK JULIE	168,500	06/28/1996	WD	ARMS-LENGTH	2065-0301	BUYER	100.0						
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: CE		Building Permit(s)		Date	Number	Status				
3350 S LATSON RD		School: HOWELL		ADDITION		06/21/2006		06-187	NO START					
		P.R.E. 100% 06/28/1996		ADDITION		04/01/2004		04-083	NO START					
Owner's Name/Address		MAP #: V14-27		GARAGE		01/05/2000		00-005	NO START					
HUTCHINS TODD & JULIE 3350 S LATSON RD HOWELL MI 48843		2015 Est TCV Tentative		Land Value Estimates for Land Table 124.HOWELL M& B										
Tax Description		X Improved		Vacant		* Factors *		Value						
SEC 20 T2N - R5E - BEG 864.15 FT N OF E 1/4 COR OF SEC. TH S 89*46'20" W 765 FT N 239.41 FT, N 89*46'20" E 765 FT, S 239. 41 FT TO BEG. 4.21 A.		Public Improvements		Description		Frontage Depth		Rate %Adj. Reason		Value				
Comments/Influences		Dirt Road		LAND TABLE A		4.200 Acres		18571 100		78,000				
NOVEMBER 2013 ADDRESS WAS CHANGED FROM NIXON RD TO LATSON RD ADDRESS.		Gravel Road		Land Improvement Cost Estimates		4.20 Total Acres		Total Est. Land Value =		78,000				
		Paved Road		Description		Rate CountyMult.		Size %Good		Cash Value				
		Storm Sewer		Residential Local Cost Land Improvements		1.00 1.00		10040.0 93		9,337				
		Sidewalk		Description		Total Estimated Land Improvements True Cash Value =				9,337				
		Water		Year		Land Value		Building Value		Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
		Sewer		2015		Tentative		Tentative		Tentative			Tentative	
		Electric		2014		39,000		123,800		162,800			155,143C	
		Gas		2013		39,000		113,700		152,700			152,700S	
		Curb		2012		39,000		111,100		150,100			150,100S	
		Street Lights												
		Standard Utilities												
		Underground Utils.												
Topography of Site		Level												
		Rolling												
		Low												
		High												
		Landscaped												
		Swamp												
		Wooded												
		Pond												
		Waterfront												
		Ravine												
		Wetland												
Flood Plain														
X REFUSE														
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\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



Building Type	Barn, General Purpose	Barn, General Purpose		
Year Built				
Class/Construction	D,Pole	D,Pole		
Quality/Exterior	Low Cost	Low Cost		
Base Rate/SF	10.10	10.10		
# of Walls, Perimeter	4 Wall, 72	4 Wall, 180		
Perimeter Mult.	X 1.368 = 13.82	X 1.040 = 10.50		
Height	0	0		
Story Height Mult.	X 0.946 = 13.07	X 0.946 = 9.94		
Heating System	No Heating/Cooling	No Heating/Cooling		
Heat Adj./SF				
Misc. Adjustment				
Misc. Adj./SF				
County Multiplier	X 1.47 = 19.21	X 1.47 = 14.61		
Final Rate/SF	\$19.21	\$14.61		
Length/Width/Area	20 x 16 = 320	60 x 30 = 1800		
Cost New	\$ 6,148	\$ 26,293		
Phy./Func./Econ. %Good	86/100/100 86.0	86/100/100 86.0		
Depreciated Cost	\$ 5,288	\$ 22,612		
+ Unit-In-Place Items	\$ 0	\$ 0		
Description, Size X Rate X %Good = Cost  Itemized ->  Unit-In-Place ->  Items ->				
E.C.F.	X 1.00	X 1.00		
% Good	86	86		
Est. True Cash Value	\$ 5,288	\$ 22,612		
Comments:				

Total Estimated True Cash Value of Agricultural Improvements / This Card: 27900 / All Cards: 27900

\*\*\* 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 # 14-28 Meeting Date: 10/21/14

- 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: SCOTT & MAUREEN KIEFER

Property Address: 31695 HIGHCREST Phone: 810 923 1566

Present Zoning: LRR Tax Code: 4711-22-301-010

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: 5'-0" FRONTYARD, FROM 35' TO 30'  
11" SIDEYARD, FROM 10' TO 9'-1"
2. Intended property modifications: ADDITION OF ENTRY, LAUNDRY, POWDER, & GARAGE

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) PLEASE SEE LETTER ATTACHED
- 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 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 9-26-14

Signature: Dennis Dinsetz ON KIEFER'S BEHALF  
DENNIS DINSETZ, ARCADIAN DESIGN

**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.**

9-26-14

Genoa Township Board of Appeals

Re: continuation of Kiefer appeal from August 2014

Dear Board,

The proposal presented to this board at the August meeting was flawed. The site plan indicated a frontyard setback of about 25', rather than the necessary 35'. The error was mine, and has been corrected in the drawings before you today. So, rather than a variance that resulted in a 22' frontyard setback, the proposal before you now produces a 30' frontyard setback. A substantial difference of 8'. Our sideyard setback request has been reduced from 3' to 11", allowing the resulting house width to increase from 72'-8" to 73'-8", as the lot line runs on an angle to the house. The sideyard variance we're requesting represents 1.37% of the home's width.

To address the standards for approval;

Standard A, practical difficulty / substantial justice. Granting this variance would do substantial justice to the Kiefers and is necessary for the use and enjoyment of a substantial property right similar to that possessed by neighboring properties. We are laboring under site conditions that make it impossible to comply with the current zoning setback requirements, as our land drops 32' from front to back. We are building utilitarian spaces; garage, laundry, and powder room. This is not a capricious act on the applicant's part, we are seeking to build spaces commensurate with other properties in our district and vicinity. The topography of the site and the position of the house will not allow these spaces to be built in any other location.

Standard B, Extraordinary circumstances. The size and topography of the site, combined with the position of the house, offer us no alternative location for the building of these necessary spaces. The applicant certainly did not create the site conditions that bring us before you today.

Standard C, Public safety & welfare. The proposed addition offers no intrusion on the public safety or welfare as evidenced by the overwhelming support of our neighbors. Emergency vehicles will have a clear 18'-7" distance between our proposed addition and the neighboring structures. The variance would not allow any neighbor's view to be hindered, enjoyment of the lake to be intruded upon, nor their property to function any differently than it currently does.

Standard D, Impact on surrounding neighborhood. Again, as evidenced by our neighbor's support, no neighbor will be interfered with or have development discouraged by this proposal. Adjacent properties should experience a value increase, rather than decrease, as a result of our pursuit.

As I read these standards, it seems that they were intended to address *e x a c t l y* the circumstances the Kiefers find themselves in.

There is ample precedent for granting the Kiefer's petition. Site topography was cited as a cause for variance in cases # 13-10, 13-17, 13-26, 14-01, 14-17, & 14-20. The location of the existing home was cited in case # 14-01. A small building envelope was cited in case # 13-18, and bringing a property into consistency with neighbors was cited in case # 14-14. The Kiefer's site qualifies under all nine of these past petitions approved by this board.



The Kiefer's home, even with the variance, will be built with a greater frontyard setback than many neighboring properties on Highcrest, and the petition is very consistent with setback variances previously granted to other properties in this zoning district and in our immediate vicinity. I will supply specific addresses and photographs at the October 21 meeting.

Lastly, our neighbors the Edwards, Carlowski, and Sharpe attended the August meeting and all spoke in favor of this variance. I would not ask, nor would I expect any of them to inconvenience themselves a second time. I simply would like their support to be refreshed in your memory as you deliberate over this request.

The proposal before you now is significantly smaller than our previous petition, and I apologize for the error depicted in the previous submittal. I'm hopeful that you see our plight and recognize the effort that's been given to design a logical, harmonious, and reserved response to the applicant's conditions. According to the standards for approval, I think we meet the requirements, and ask that you contact me with any questions or concerns you may have. My contact information is in the title block of every sheet submitted.

Thank you for your time and attention, Dennis Dinser, Arcadian Design.

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**October 21, 2014**  
**CASE #14-28**

**PROPERTY LOCATION:** 3695 Highcrest

**PETITIONER:** Scott & Maureen Kiefer

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

**WELL AND SEPTIC INFO:** Public Sewer, Well

**PETITIONERS REQUEST:** Front Yard Setback Variance & Side Yard Setback Variance to construct an addition to the existing single family home.

**CODE REFERENCE:** Table 3.04.01

**STAFF COMMENTS:** See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	35'	10'	N/A	N/A	N/A	N/A
Setbacks Requested	30'	9' 1"	N/A	N/A	N/A	N/A
Variance Amount	5'	11"	N/A	N/A	N/A	N/A



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** September 26, 2014  
**RE:** ZBA 14-28

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

### STAFF REPORT

**File Number:** ZBA#14-28

**Site Address:** 3695 Highcrest

**Parcel Number:** 4711-22-301-010

**Parcel Size:** 0.359 Acres

**Applicant:** Scott & Maureen Kiefer, 3695 Highcrest, Brighton, MI 48116

**Property Owner:** Same as applicant

**Information Submitted:** Application, site plan, building prints

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard setback variance and a side yard 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 October 5, 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 has a single family home, constructed in 1978.
- The property is connected to public sewer.
- 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 addition to the existing single family home. This request was before the Zoning Board of Appeals in August of 2014 where the Board of Appeals requested that the applicant reduce their variance request on both the front yard and side yard. The previous request was for an addition which would result in setbacks of 7' from the side property line and 22' from the front property line. There was an error in the previous request where the applicant had depicted the required front yard setback at 25' rather than the required 35'. The result of this is that he applicant was actually requesting a 13' variance as opposed to the 3' variance that we had listed.

The revised application reduced the setback variance amount from 13' to 5' in the front yard (30' setback vs. 22' setback) and 3' to 11" in the side yard (7' setback vs. 9'1" setback).

### 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 9' 1" |
| 2) Table 3.04.01 - LRR Front Yard Setback: | Required 35', Proposed 30'   |

### 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.

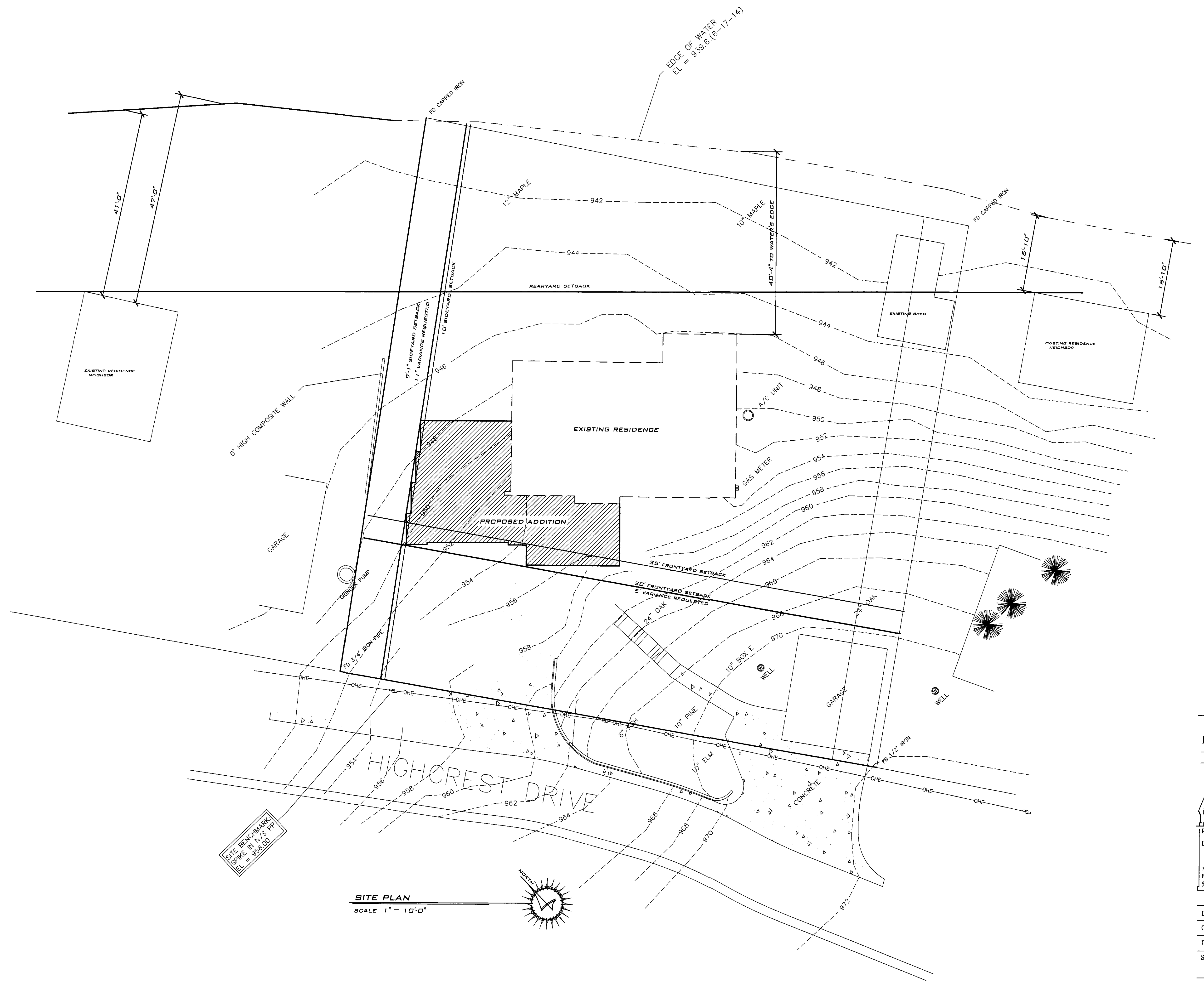
The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the front yard and side yard setback would prevent the applicant from constructing an attached garage. Due to the bump out on the house, moving the attached garage further toward the lake would require further encroachment on the side yard setback and would reduce the depth of the garage.
- **Extraordinary Circumstances** – Granting the front yard setback variance and side yard setback variance would make the property consistent with other properties in the vicinity. The immediately adjacent homes are both closer to the road than this home. The addition would still be further from the road than the neighboring houses. The need for the front yard setback variance is due to the existing location of the house on the property and the steep topography on the southern portion of the lot. The need for the side yard setback variance is due to existing placement of the house on the lot.
- **Public Safety and Welfare** –The proposed variance will not create a public safety or welfare issues. The driveway and attached garage will provide sufficient off road parking to meet the standards in the ordinance. The distance between the two homes should not increase the risk for fire.
- **Impact on Surrounding Neighborhood** – Neither variance would interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

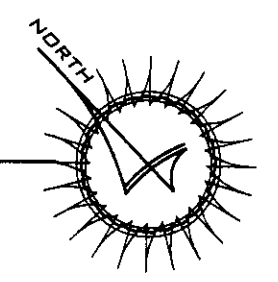
### **Staff Findings of Fact**

1. Strict compliance with the front yard setback and side yard setback would unreasonably prevent the applicant from constructing an attached two car garage due to the existing location of the house.
2. Granting the front yard setback variance and side yard setback variance would make the property more consistent with other properties in the vicinity.
3. The extraordinary or exceptional conditions or circumstances applicable to the property are the substantial topography on the south and east side of the property and the existing location of the house.
4. The need for the front and side yard setback variance is due to the existing location of the house.

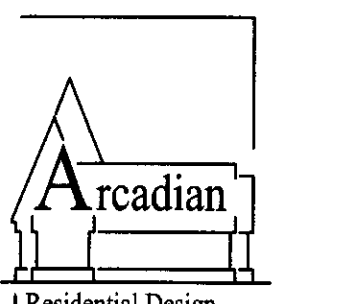
5. The granting of the setback variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
6. Granting the variances would not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.



**SITE PLAN**  
SCALE 1" = 10'-0"



**KIEFER  
RESIDENCE**



Residential Design  
DENNIS DINSER

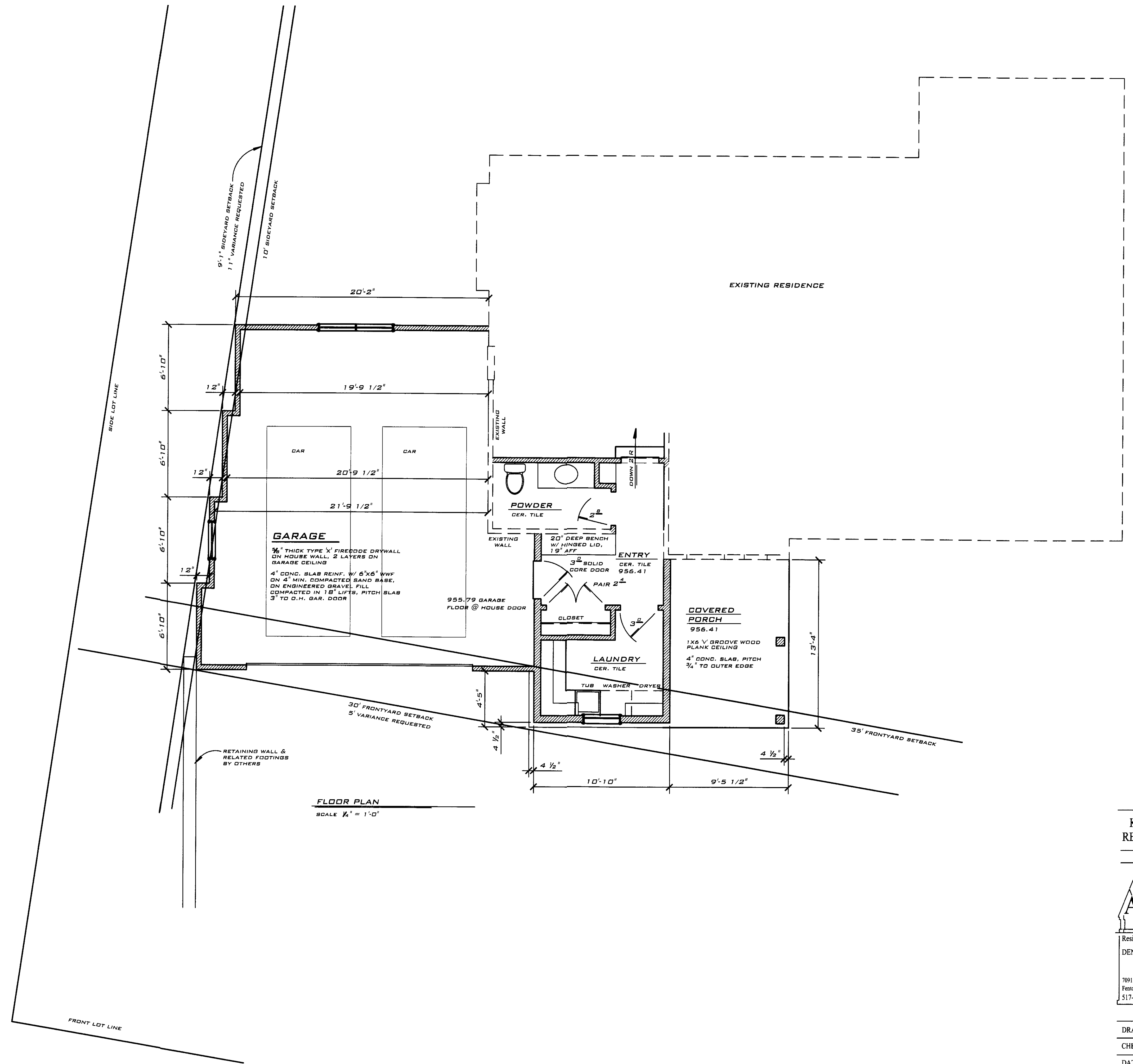
7091 Augustine Ct.  
Fenton, MI 48430  
517-540-9960

DRAWN DD  
CHECKED

DATE

SHEET NUMBER  
1 of 3

PROJECT NUMBER  
140909



KIEFER  
RESIDENCE



Residential Design  
DENNIS DINSER

7091 Augustine Ct.  
Fenton, MI 48430  
517-540-9960

DRAWN DD

CHECKED

DATE

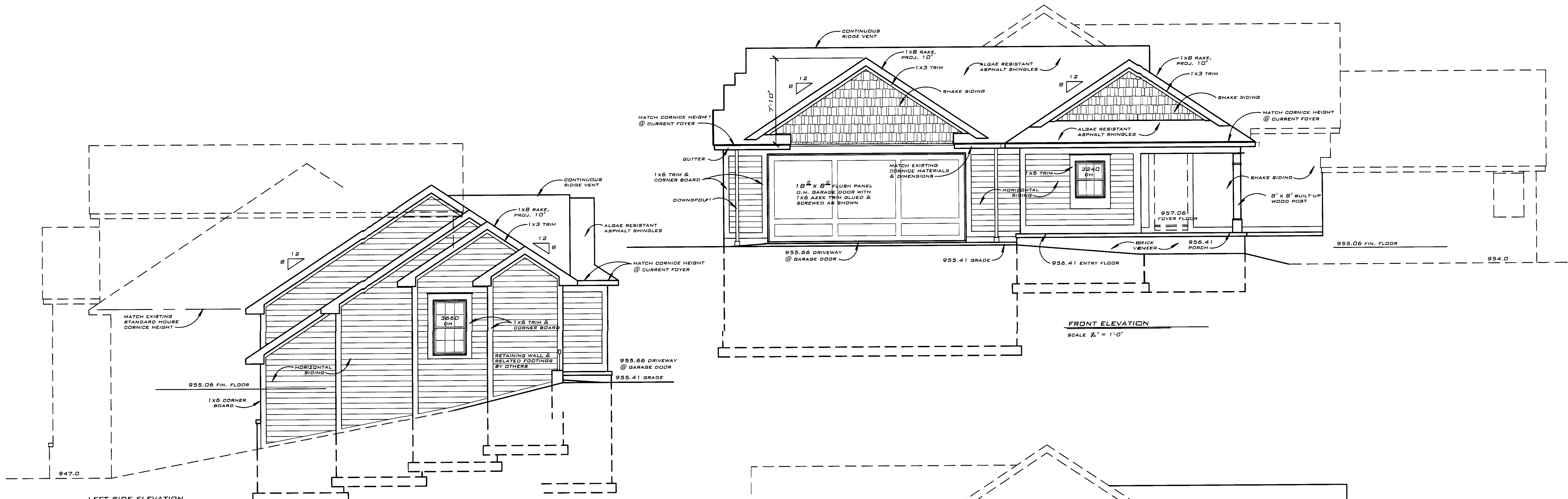
SHEET NUMBER

2 of 3

PROJECT NUMBER

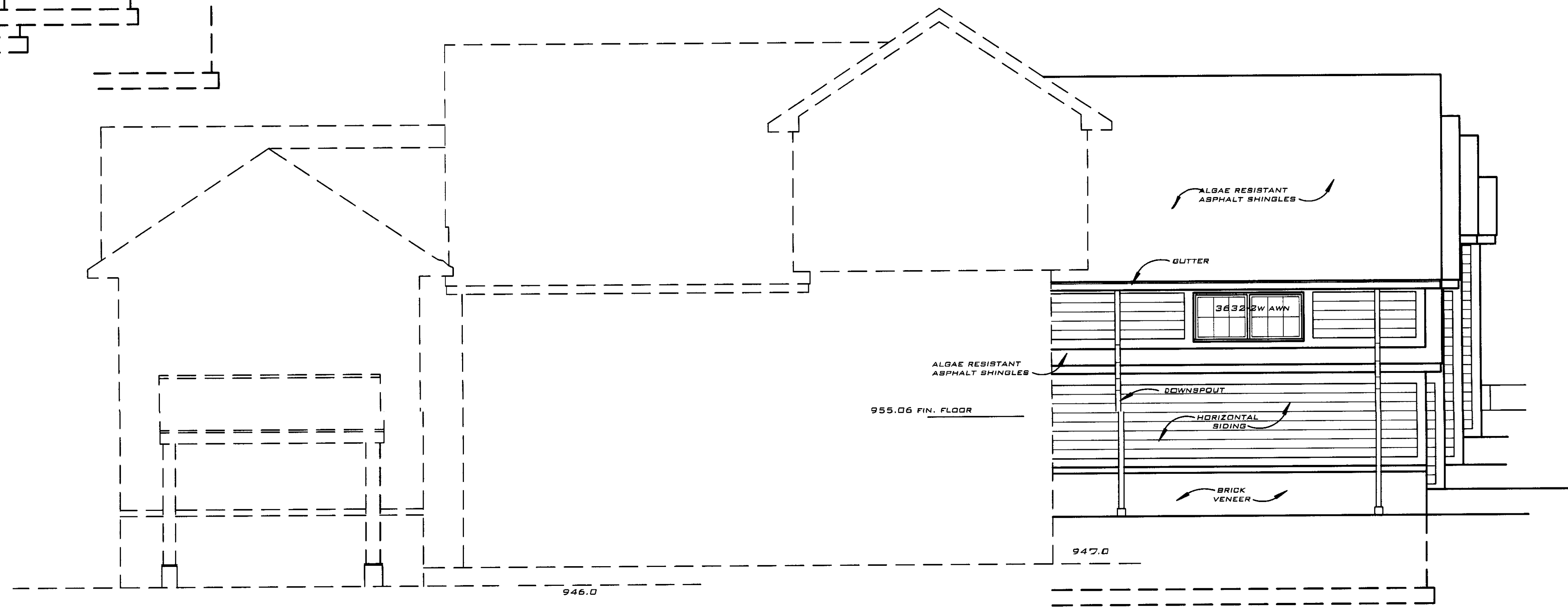
140909





**LEFT SIDE ELEVATION**  
SCALE 1/4" = 1'-0"

**FRONT ELEVATION**  
SCALE 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE 1/4" = 1'-0"

KIEFER  
RESIDENCE

**Arcadian**  
Residential Design  
DENNIS DINSER  
7091 Augustine Ct.  
Fenton, MI 48430  
517-540-9960

DRAWN DD  
CHECKED  
DATE  
SHEET NUMBER  
3 of 3  
PROJECT NUMBER  
140909



0

3665

3673

3683

3701

3689

3695

3677

3713

3671

3719

3665

3723

5001

5011

5027

3739

N

3668

3720

3751

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

5000

5020

5040

5050

5060

5070

0

3775

3783

3793

0

3783



# Real Estate Summary Sheet

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

08/15/2014 11:57 AM

**Parcel:** 4711-22-301-010  
**Owner's Name:** KIEFER MAUREEN M TRUST  
**Property Address:** 3695 HIGHCREST  
BRIGHTON, MI 48116  
**Liber/Page:** 2014R-017798  
**Split:** / /  
**Public Impr.:** None  
**Topography:** REFUSE

**Current Class:** 401.401 RESIDENTIAL-IMPROVED  
**Previous Class:** 401.401 RESIDENTIAL-IMPROVED  
**Gov. Unit:** 4711 GENOA CHARTER TOWNSHIP  
**MAP #** V14-23  
**School:** 47010 BRIGHTON  
**Neighborhood:** 4306 4306 TRI LAKES LAKE FRONT

**Created:** / /  
**Active:** Active

## Mailing Address:

KIEFER MAUREEN M TRUST  
3695 HIGHCREST  
BRIGHTON MI 48116

## Most Recent Sale Information

Sold on 06/11/2014 for 520,000 by EDWARDS LIVING TRUST.

**Terms of Sale:** ARMS-LENGTH

**Liber/Page:** 2014R-017798

## Most Recent Permit Information

None Found

## Physical Property Characteristics

<b>2015 S.E.V.:</b>	Tentative	<b>2015 Taxable:</b>	Tentative	<b>Lot Dimensions:</b>	
<b>2014 S.E.V.:</b>	265,200	<b>2014 Taxable:</b>	160,063	<b>Acres:</b>	0.36
<b>Zoning:</b>	LRR	<b>Land Value:</b>	174,809	<b>Frontage:</b>	125.0
<b>PRE:</b>	100.000	<b>Land Impr. Value:</b>	3,673	<b>Average Depth:</b>	125.0

## Improvement Data

# of Residential Buildings: 1  
Year Built: 1978  
Occupancy: Single Family  
Class: BC  
Style: BC  
Exterior: Wood Siding  
% Good (Physical): 81  
Heating System: Forced Heat & Cool  
Electric - Amps Service: 0  
# of Bedrooms: 3  
Full Baths: 2 Half Baths: 1  
Floor Area: 2,118  
Ground Area: 1,488  
Garage Area: 480  
Basement Area: 1,488  
Basement Walls:  
Estimated TCV: 377,411

## Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
EDWARDS LIVING TRUST	KIEFER MAUREEN M TRUST	520,000	06/11/2014	WD	ARMS-LENGTH	2014R-017798	BUYER	100.0				
EDWARDS, JOHN	EDWARDS LIVING TRUST	0	12/22/2010	WD	INVALID SALE	2011R-003490	BUYER	0.0				
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status				
3695 HIGHCREST		School: BRIGHTON		P.R.E. 100% 06/12/2014								
Owner's Name/Address		MAP #: V14-23		2015 Est TCV Tentative								
KIEFER MAUREEN M TRUST 3695 HIGHCREST BRIGHTON MI 48116		X	Improved	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT							
Tax Description		Public Improvements		* Factors *				Value				
SEC 22 T2N R5E CROOKED LAKE PENINSULAR SUB, LOTS 10,11 & S 1/2 LOT 12		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
Comments/Influences		Gravel Road		LAKE FRONT	50.00	125.00	1.0000	0.9449	2200	100		103,940
		Paved Road		0	50.00	125.00	1.0000	0.9449	1100	100		51,970
		Storm Sewer		'C' FRONTAGE	25.00	125.00	1.0000	0.9449	800	100		18,898
		Sidewalk		125 Actual Front Feet, 0.36 Total Acres				Total Est. Land Value =		174,809		
		Water		Land Improvement Cost Estimates								
		Sewer		Description	Rate	County	Mult.	Size	%Good	Cash Value		
		Electric		D/W/P: Brick on Sand	11.28	1.00		496	40	2,238		
		Gas		Shed: Wood Frame	11.96	1.00		240	50	1,435		
		Curb		Total Estimated Land Improvements True Cash Value = 3,673								
		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	
				2014	87,400	177,800	265,200			160,063C		
				2013	79,700	172,000	251,700			157,543C		
				2012	79,700	170,100	249,800			153,851C		



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 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 60 218	Type CCP (1 Story) Treated Wood			Year Built: Car Capacity: Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 480 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
X	Wood Frame		Drywall Paneled		Plaster Wood T&G													
Building Style: BC		Trim & Decoration		X Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace			Class: BC Effec. Age: 19 Floor Area: 2118 Total Base Cost: 195,056 Total Base New : 286,732 Total Depr Cost: 232,253 Estimated T.C.V: 377,411			CntyMult X 1.470 E.C.F. X 1.625			Bsmnt Garage: Carport Area: Roof:		
Yr Built 1978	Remodeled 0	Size of Closets		Lg X Ord Small			0 Amps Service			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj Size Cost								
Condition for Age: Good		Doors: Solid X H.C.		(5) Floors			(12) Electric			1+ Story Siding Basement 78.99 0.00 1.85 414 33,468			1+ Story Siding Basement 78.99 0.00 1.85 578 46,726					
Room List		Basement 1st Floor 2nd Floor 3 Bedrooms		Kitchen: Other: Other:			No./Qual. of Fixtures			2 Story Siding Basement 117.39 0.00 3.70 496 60,061			1 Story Siding Overhang 41.28 0.00 0.00 134 5,532			Other Additions/Adjustments Rate Size Cost		
(1) Exterior		(7) Excavation		(13) Plumbing			1+ Story Siding Overhang 41.28 0.00 0.00 134 5,532			Basement Living Finish 19.75 721 14,240								
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 1488 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s) 2 3 Fixture Bath 1 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			2 Story Siding Basement 117.39 0.00 3.70 496 60,061			3 Fixture Bath 3525.00 1 3,525			2 Fixture Bath 2350.00 1 2,350					
(2) Windows		(8) Basement		(14) Water/Sewer			1+ Story Siding Overhang 41.28 0.00 0.00 134 5,532			Public Sewer 1487.00 1 1,487			Well, 200 Feet 5700.00 1 5,700					
X	Many Avg. Few X Large Avg. Small	(9) Basement Finish		(15) Built-Ins & Fireplaces			1+ Story Siding Overhang 41.28 0.00 0.00 134 5,532			Fireplace: Exterior 2 Story 5875.00 1 5,875			CCP (1 Story), Standard 38.87 60 2,332					
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		(16) Porches			1+ Story Siding Overhang 41.28 0.00 0.00 134 5,532			Treated Wood, Standard 7.86 218 1,713			Class:BC Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 25.10 480 12,048					
(3) Roof		721 Recreation SF Living SF Walkout Doors No Floor SF		(17) Garages			1+ Story Siding Overhang 41.28 0.00 0.00 134 5,532			Phy/Ab.Phy/Func/Econ/Comb.%Good= 81/100/100/81.0, Depr.Cost = 232,253 ECF (4306 TRI LAKES LAKE FRONT) 1.625 => TCV of Bldg: 1 = 377,411								
X	Gable Hip Flat	Gambrel Mansard Shed		(10) Floor Support			1+ Story Siding Overhang 41.28 0.00 0.00 134 5,532											
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			1+ Story Siding Overhang 41.28 0.00 0.00 134 5,532											
Chimney: Brick				Lump Sum Items:														

\*\*\* 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 # 14-29 Meeting Date: 10-21-14

- 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: Steven C. Liedel & Janine K. Fogg

Property Address: Oak Tree Ct, Lot 23 Phone: 810-355-4423

Present Zoning: Residential Tax Code: 4711-28-401-023

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: Dimensional variance fo rear setback line

2. Intended property modifications: Construction of new single family home

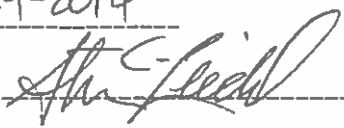
This variance is requested because of the following reasons:

- a. Unusual topography/shape of land  
(explain) SETBACKS AND ORIENTATION OF LOT TO STREET LIMIT WHERE HOUSE COULD BE LOCATED AND ABILITY TO PRESERVE LARGE OAK TREE.
- b. Other (explain) STRICT COMPLIANCE WITH SETBACKS WOULD PREVENT CONSTRUCTION OF HOUSE OF SIMILAR SIZE AND STREET ORIENTATION TO OTHERS IN IMMEDIATE VICINITY AND REQUIRE DESTRUCTION OF LARGE OAK TREE NEAR FRONT OF LOT.

### 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: 9-24-2014

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**  
**October 21, 2014**  
**CASE #14-29**

**PROPERTY LOCATION:** Lot 23, Oak Tree Ct., 4711-28-401-023

**PETITIONER:** Steven C. Liedel & Janine K. Fogg

**ZONING:** MUPUD (Mixed Use Planned Unit Development) – Oak Pointe

**WELL AND SEPTIC INFO:** Public Sewer, Public Water

**PETITIONERS REQUEST:** Rear Yard Setback Variance to construct a single family home.

**CODE REFERENCE:** Table 3.04.01

**STAFF COMMENTS:** See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Shoreline
Setbacks for Zoning	40'	10'	20'	50'	35'	35'
Setbacks Requested	77'	29.7'	20'	40.1'	N/A	N/A
Variance Amount	N/A	N/A	N/A	9.9'	N/A	N/A



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** October 3, 2014  
**RE:** ZBA 14-29

---

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

### STAFF REPORT

**File Number:** ZBA#14-29

**Site Address:** None Assigned

**Parcel Number:** 4711-28-401-023

**Parcel Size:** 0.393 Acres

**Applicant:** Steven C. Liedel & Janine K. Fogg, 11149 Pine Needle, Brighton, MI 48114

**Property Owner:** Same as Applicant

**Information Submitted:** Application, site plan, building plans

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a rear yard setback to construct a single family home.

**Zoning and Existing Use:** MUPUD (Mixed Use Planned Unit Development) – Oak Pointe, Single Family Residential

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday October 5, 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 property is vacant.
- Pubic sewer and public water are 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 single family home on one of the last vacant lots in Oak Pointe. In order to do this the applicant is requesting a rear yard setback variance. The reason for this variance request is due to the presence of a large oak tree on the front of the property and the presence of a utility easement on the northern line of the property.

### Variance Requests

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

- 1) Oak Pointe PUD Rear Yard Setback: Required 50', Proposed 40.1'

### Standards for Approval

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

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

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

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

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

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

### **Summary of Findings**

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

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the rear yard setback would not prevent the applicant from constructing the proposed home on the property. The proposed setbacks would leave a building envelope of 50' X 134' which would fit the proposed house, (approximately 60' X 43') and an attached garage (approximately 24' X 30') without encroaching in the setbacks. What does appear to limit the ability of the applicant to place this proposed home is the location of a tree on the east end of the property. I believe that this is a physical characteristic of the property in which a variance could be granted
- **Extraordinary Circumstances** – Granting this variance would make the orientation of the property consistent with the majority of other properties in the vicinity. The exceptional circumstance on the property due to the existing oak tree, the orientation of the lot and the existence of the utility easement to the north.
- **Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- **Impact on Surrounding Neighborhood** – I do not believe that the variance will have a substantial negative impact on the surrounding neighborhood. On the contrary having the house in alignment with the neighboring homes and the maintenance of the mature oak tree makes the neighborhood more attractive.

### **Staff Findings of Fact**

1. Strict compliance with the rear yard setback would prevent the applicant from constructing the proposed home due to the location of the utility easement to north and the existing oak tree to the east.
2. Granting the requested variance would make the property consistent with the majority of the properties in the vicinity of the parcel as the house would be oriented with Oak Tree Ct. The neighbor to the east currently does not comply with the rear yard setback.
3. The need for the variance is due to the existing oak tree and utility easement on the property.
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 setbacks variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. By maintaining the mature oak tree and aligning the building with Oak Tree Ct. the applicant will positively affect the surrounding neighborhood.

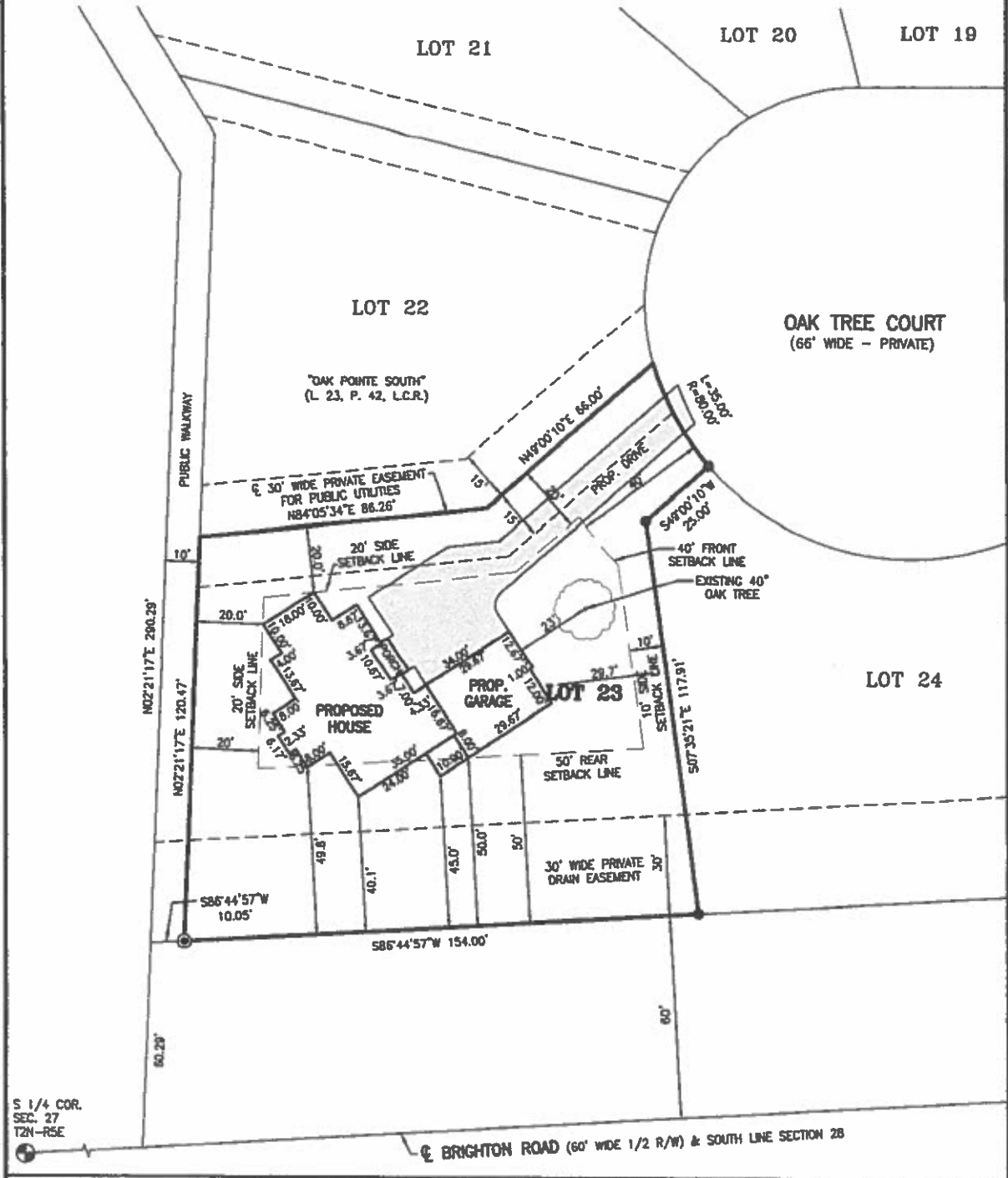
CURRENT ZONING: PUD  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 40 FEET  
 SIDES = 10 FEET (SIDE ONE)  
 20 FEET (SIDE TWO)  
 REAR = 50 FEET



# PLOT PLAN

**GENERAL SURVEY NOTES:**

1. THIS IS NOT A BOUNDARY SURVEY. THIS DRAWING IS FOR CLIENT USE IN DETERMINING HOUSE FIT.
2. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "OAK PONTE SOUTH", AS RECORDED IN LIBER 23 OF PLATS, PAGE 42, LIVINGSTON COUNTY RECORDS.
3. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
4. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.



S 1/4 COR.  
 SEC. 27  
 T2N-R5E

⊕ BRIGHTON ROAD (60' WIDE 1/2 R/W) & SOUTH LINE SECTION 28

**DESCRIPTION:**  
 LOT 23 OF "OAK PONTE SOUTH",  
 (L. 23, P. 42, L.C.R.), BEING PART  
 OF THE SOUTHEAST 1/4 OF SECTION  
 28, T2N-R5E, GENOA TOWNSHIP,  
 LIVINGSTON COUNTY, MICHIGAN

**BEBOSS**  
 Engineering  
Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI 48843  
 800.246.6725 FAX 517.548.1670

THE LOCATION AND DEPTH OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND DEPTH OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE OWNER IF ANY COMPLEXES ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.

CLIENT:  
**GORDON BUILDERS**

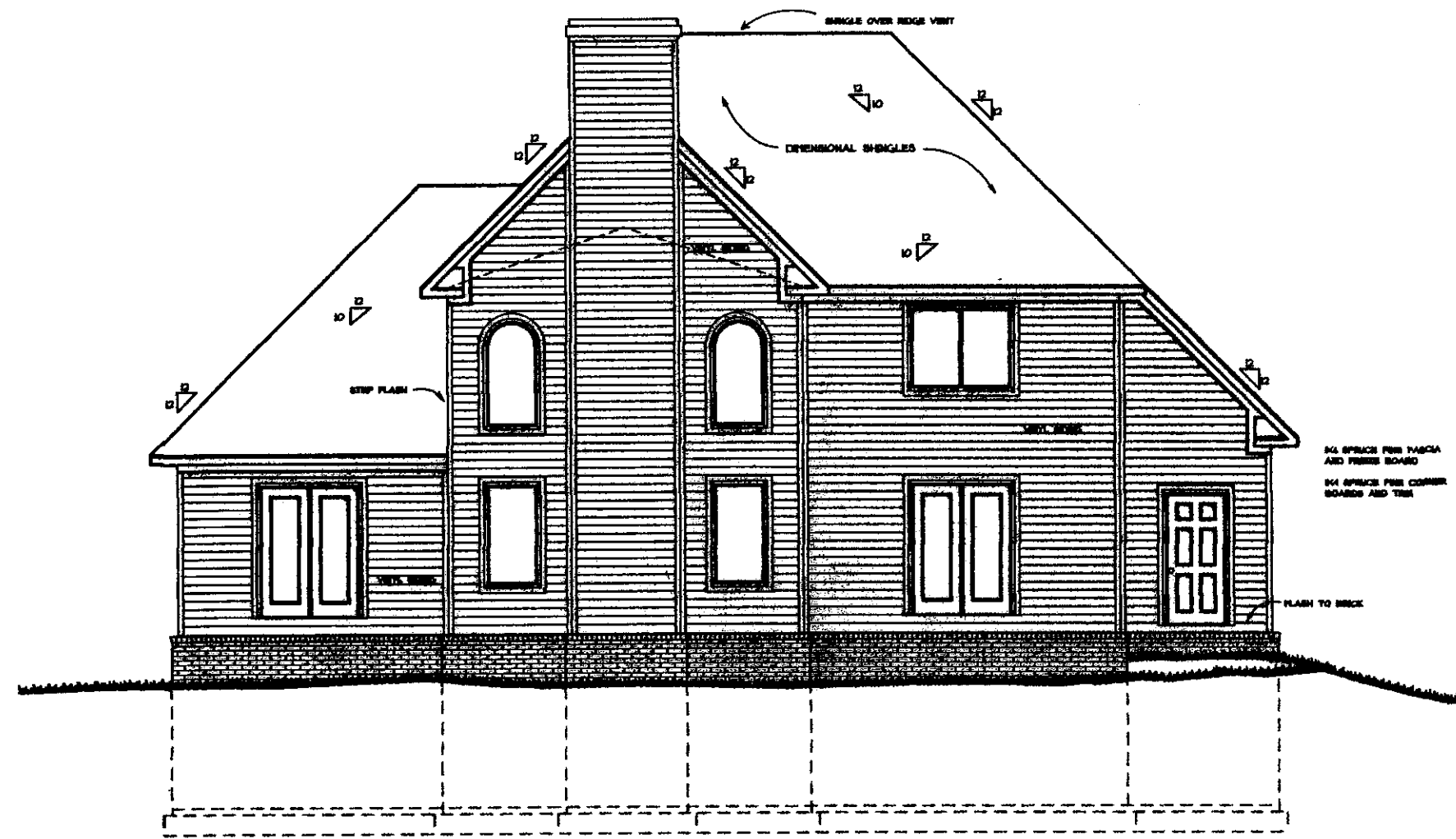
JOB NO. 14-278  
 SHEET 1 OF 1

DATE 9-26-14  
 CREW  
 DR. AEB CHKD.

- LEGEND**
- = IRON SET
  - = IRON FOUND
  - ⊙ = MORTMENT FOUND
  - ⊕ = FENCE
  - (R) = RECORDED
  - (M) = MEASURED

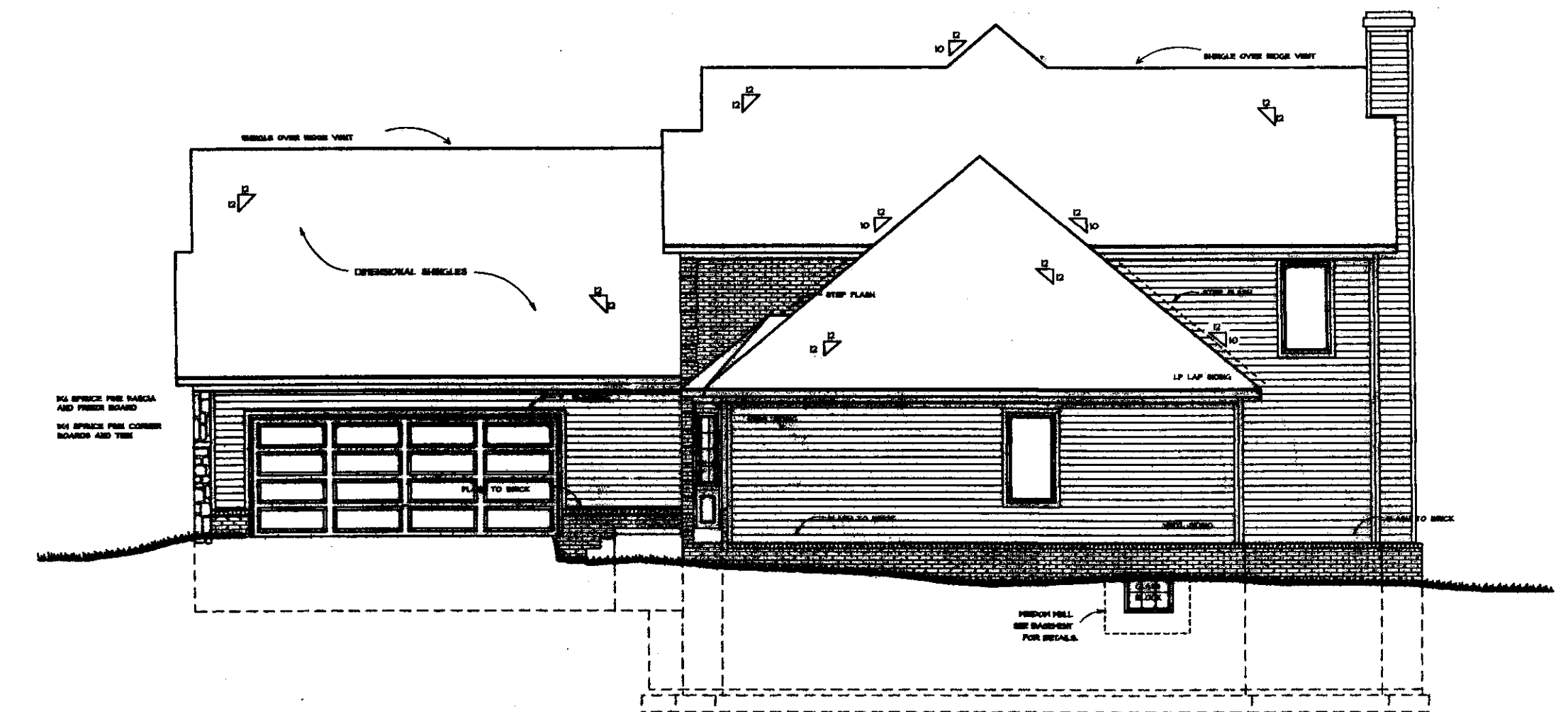
3 WEEKS OUT  
 BEFORE YOU DIG  
 CALL MISS DIG  
 1-800-482-7171





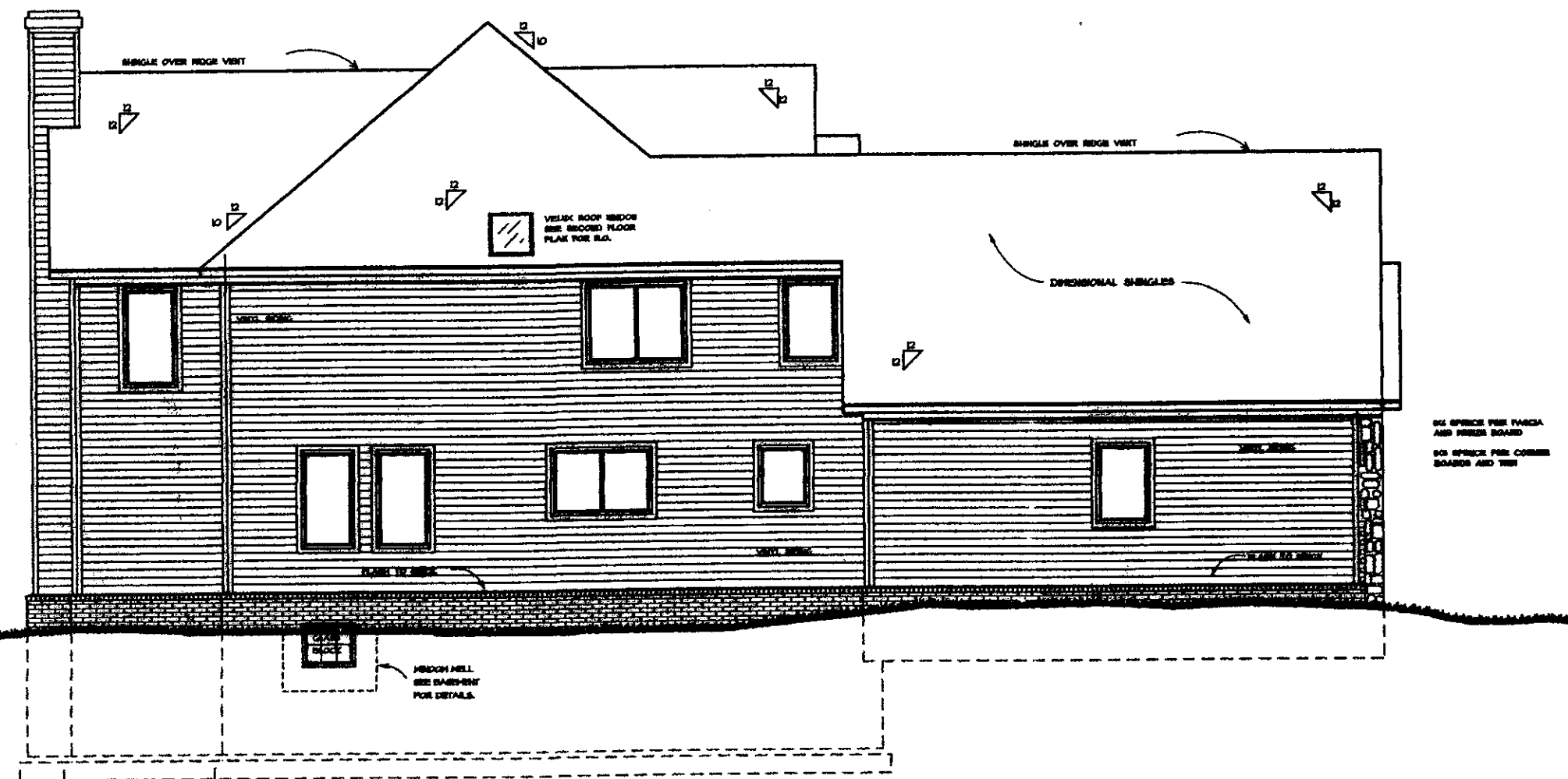
REAR ELEVATION

SCALE: 1/8" = 1'-0"



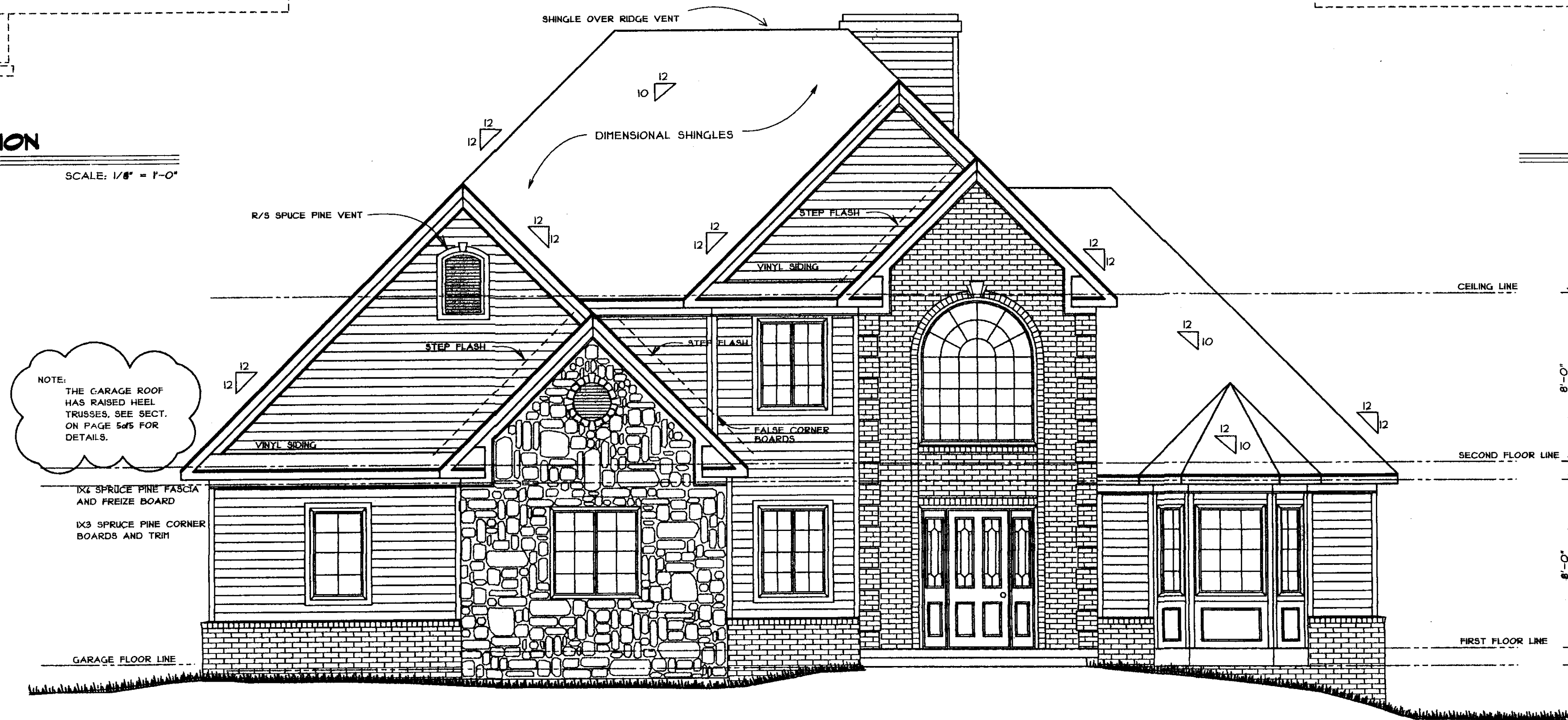
RIGHT SIDE ELEVATION

SCALE: 1/8" = 1'-0"



LEFT SIDE ELEVATION

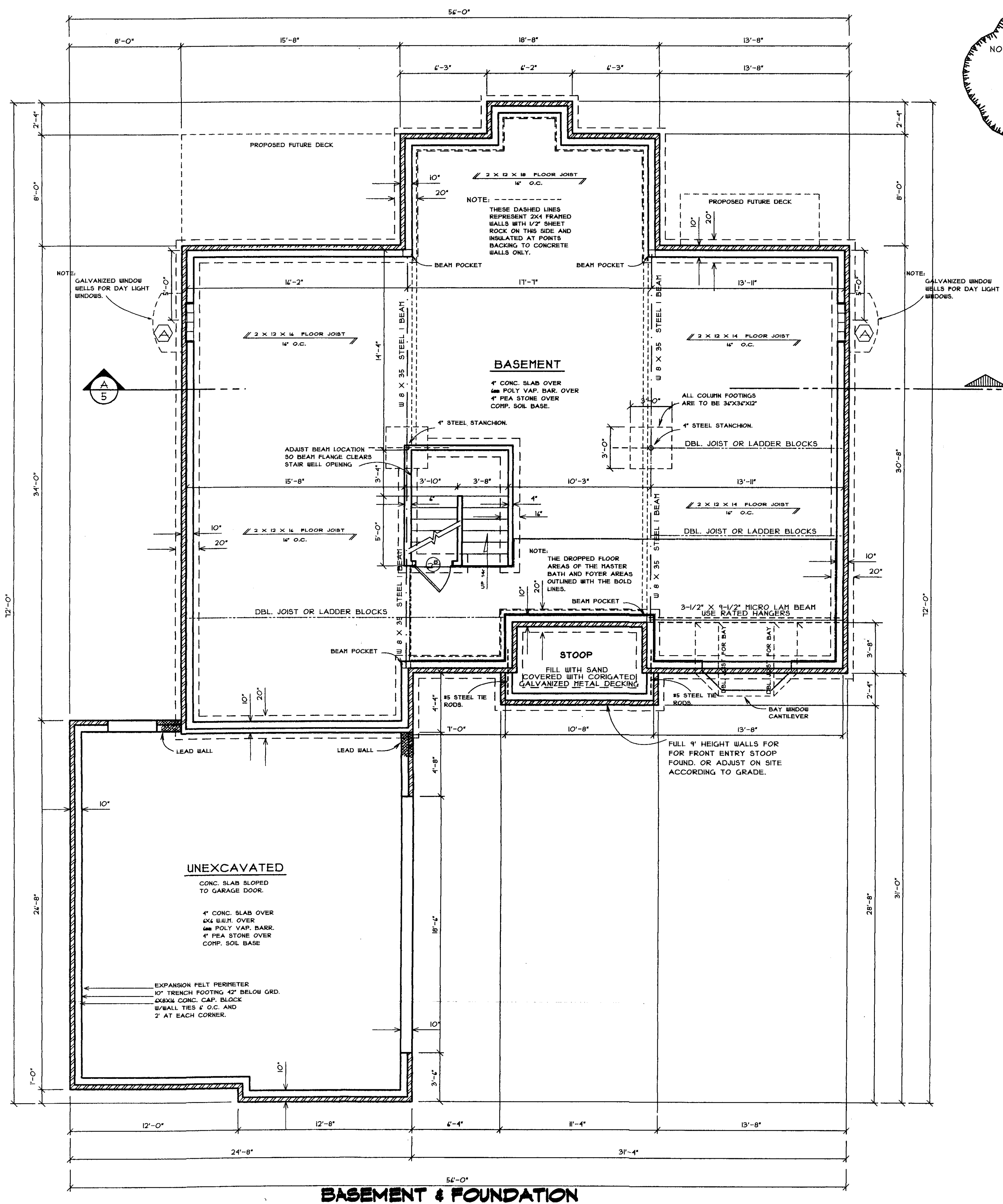
SCALE: 1/8" = 1'-0"



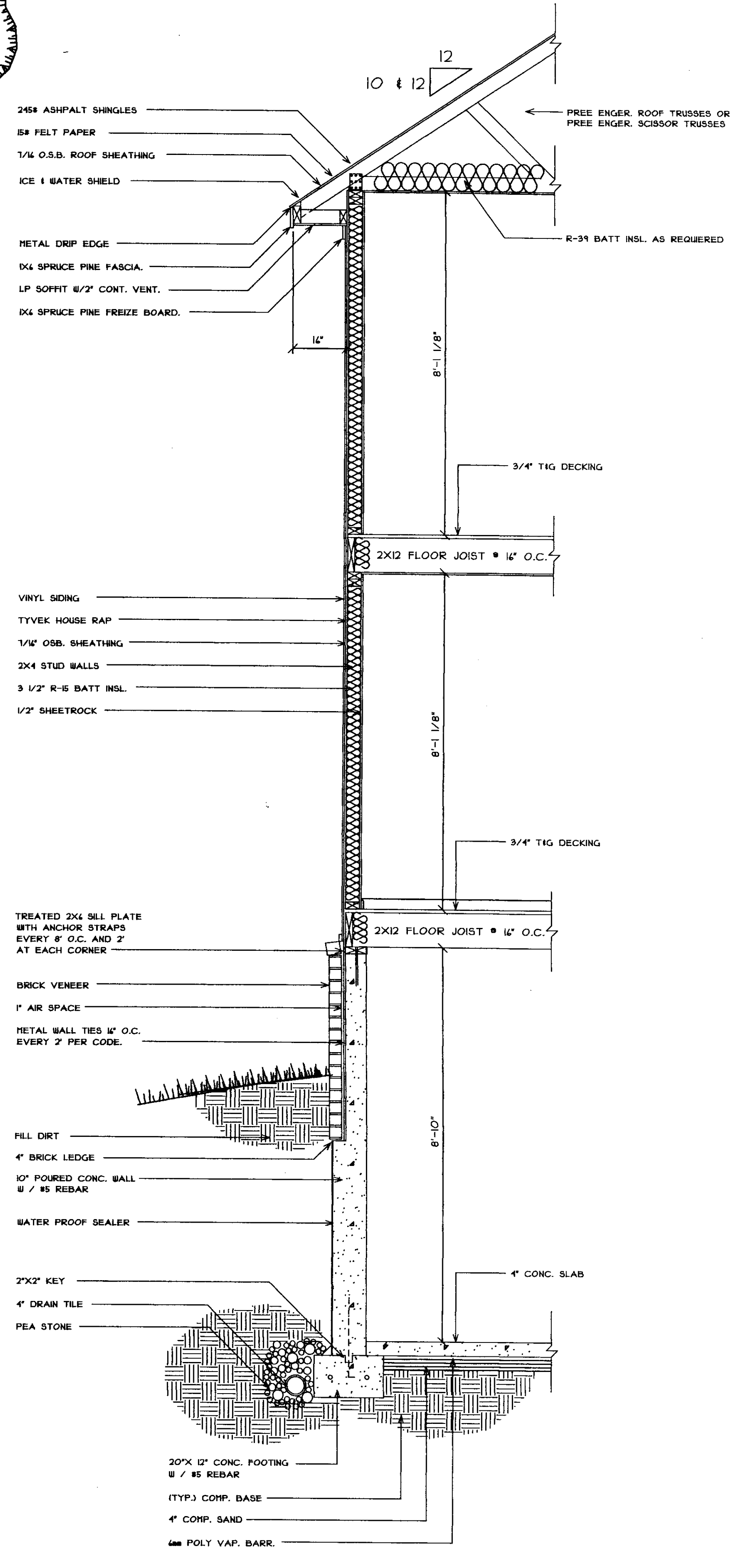
ELEVATIONS

2230 SQ.FT.

SCALE: 1/4" = 1'-0"



NOTE:  
FOOTING SIZES AND DEPTHS  
WILL BE DETERMINED ON  
SITE ACCORDING TO SOIL  
CONDITIONS.



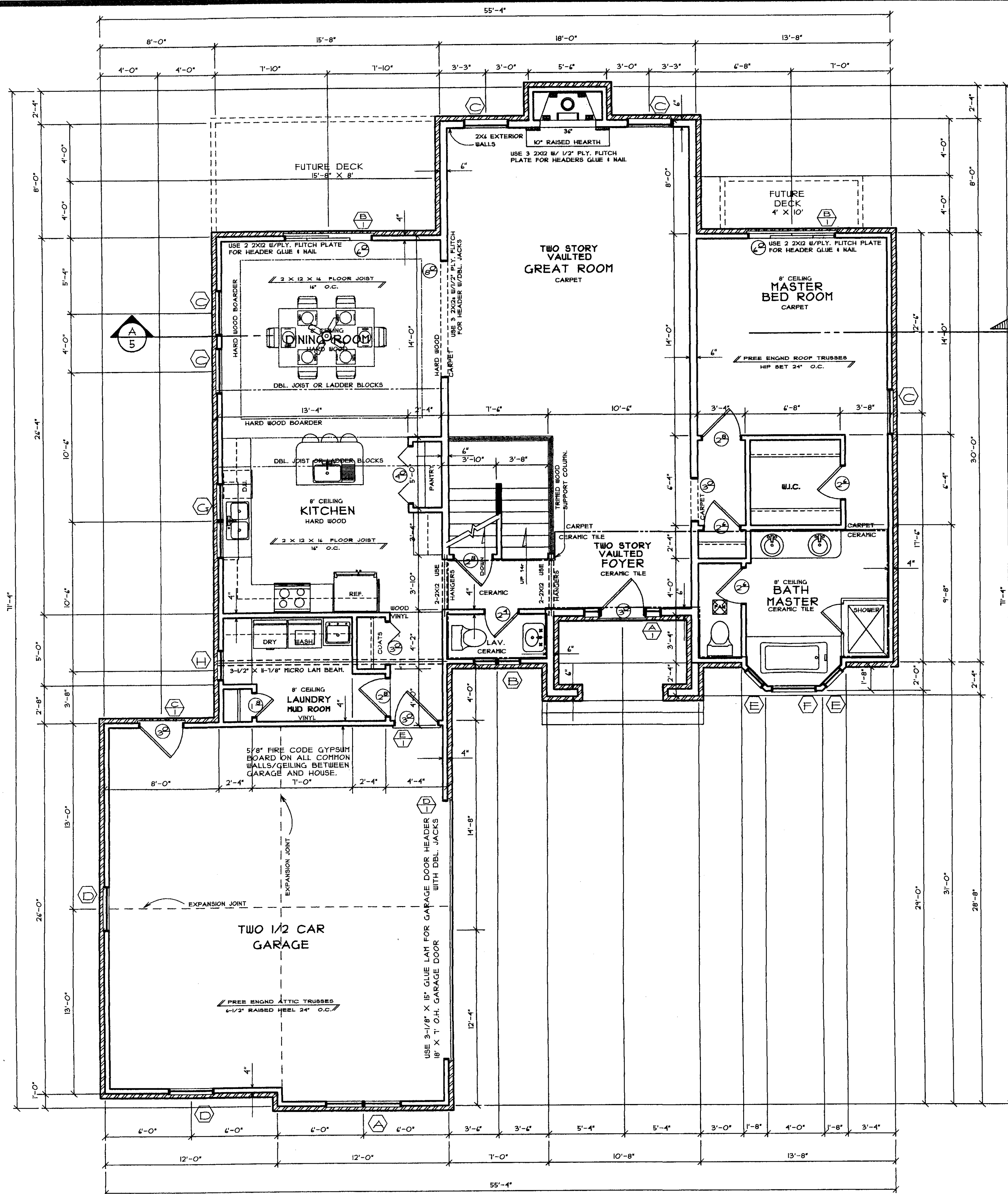
(TYP) WALL SECTION.

SCALE: 1/2" = 1'-0"

1622 SQ. FT.

SCALE: 1/4" = 1'-0"

DO NOT SCALE THESE PRINTS, USE FIGURED DIMENSIONS ON



**FIRST FLOOR PLAN**

1622 SQ. FT.

SCALE 1/4" = 1'-0"

WINDOW & DOOR SCHEDULE				FIRST FLOOR		
SYM	MAKE	TYPE	R. O.	NOTES	GRILLE	QTY
(A)	THERMA-TRU	14'-3"-0" / 14" FRONT ENTRY	49-1/2" X 82 1/2" 2" X 9302 EXD JAMB	FOYER EX/JAMB	Y	1
(B)	PELLA	PCS-1282 OXIXO	5'-11 3/4" X 4'-8 5/8"	DINING & MASTER	N	2-LR
(C)	THERMA-TRU	3'-0" X 4'-8" K400	38-1/8" X 82"	GARAGE	N	1
(D)	PERMA	STEEL PANEL GARAGE DOOR	8'-3" X 7'-1 1/2"	GARAGE	N	1
(E)	THERMA-TRU	3'-0" X 4'-8" FIRE DOOR #510	38'-3/8" X 82'-1/2"	GARAGE	N	1
(F)	PELLA	PCC-2541-2	4'-2 1/2" X 3'-11 1/2"	GARAGE	N	1
(G)	PELLA	PCC-2411-2 LR	3'-4 1/2" X 3'-11 1/2"	1/2 BATH	Y	1
(H)	PELLA	PCC-2459 W/EXND JAMB	2'-5 1/2" X 4'-11 1/2"	MAST/GRT/DING	N	5
(I)	PELLA	PCC-2441	2'-5 1/2" X 3'-11 1/2"	GARAGE	N	2
(J)	PELLA	1442-CI	1'-9 1/2" X 3'-11 3/4"	MASTER BATH	Y	2
(K)	PELLA	3042-CI FIXED	2'-11 1/2" X 3'-11 3/4"	MASTER BATH	Y	1
(L)	PELLA	PCC-2435-2 LR	4'-10 1/2" X 2'-11 1/2"	KITCHEN	N	1
(M)	PELLA	PCC-2435	2'-5 1/2" X 2'-11 1/2"	LAUNDRY ROOM	N	1
BASEMENT WINDOWS & DOORS SCHEDULE						
(N)	GLASS BLOCK	8' X 8'	32" X 14"	BASEMENT	N	2

NOTE:  
THE DROPPED FLOOR AREAS OF THE MASTER BATH AND FOYER FOR CERAMIC TILE OUTLINED WITH BOLD LINES.

THESE PRINTS ARE THE SOLE PROPERTY OF CONTRACTOR SUPPORT INC. AND MAY NOT BE REPRODUCED, ALTERED OR COPIED IN ANY MANNER WITHOUT PRIOR WRITTEN AUTHORIZATION OF CONTRACTOR SUPPORT INC.

DO NOT SCALE THESE PRINTS. USE FIGURED DIMENSIONS ONLY.

**GENERAL NOTES.**

1623 sq.ft. BASEMENT.  
634 sq.ft. GARAGE.  
1623 sq.ft. FIRST FLOOR.  
601 sq.ft. SECOND FLOOR.  
2230 sq.ft. TOTAL SQUARE FOOTAGE

- \*2x4 studs exterior walls @ 16" o.c. unless noted elsewhere.
- \*2x4 studs interior walls @ 16" o.c. throughout unless noted elsewhere.
- \*use 2x2s for all headers INT. and EXT. with 1/2" ply between.
- \*Water resistant drywall in all baths & shower enclosures.
- \*Properly freestop all tubs, cabinet drops, mechanical chases and over cuts.
- \*Dbls. or ladders under all parallel partition walls and tub areas.
- \*All items shall be rigidly anchored or attached, square, plumb and true.
- \*Joist shall be tight even and free of offsets.

ALL TRADES ARE TO CO-ORDINATE THEIR WORK AND VERIFY DIMENSIONS AND FIELD CONDITIONS WITH PLANS PRIOR TO BEGINNING PROJECT WITH BUILDER.

CONTRACTOR AND OR BUILDER SHALL FIELD VERIFY DIMENSIONS OF FLOOR AND ROOF TRUSSES PRIOR TO ORDERING.

CONTRACTOR SHALL NOTIFY THE BUILDER & OWNER OF ANY DISCREPANCIES PRIOR TO BEGINNING WORK.

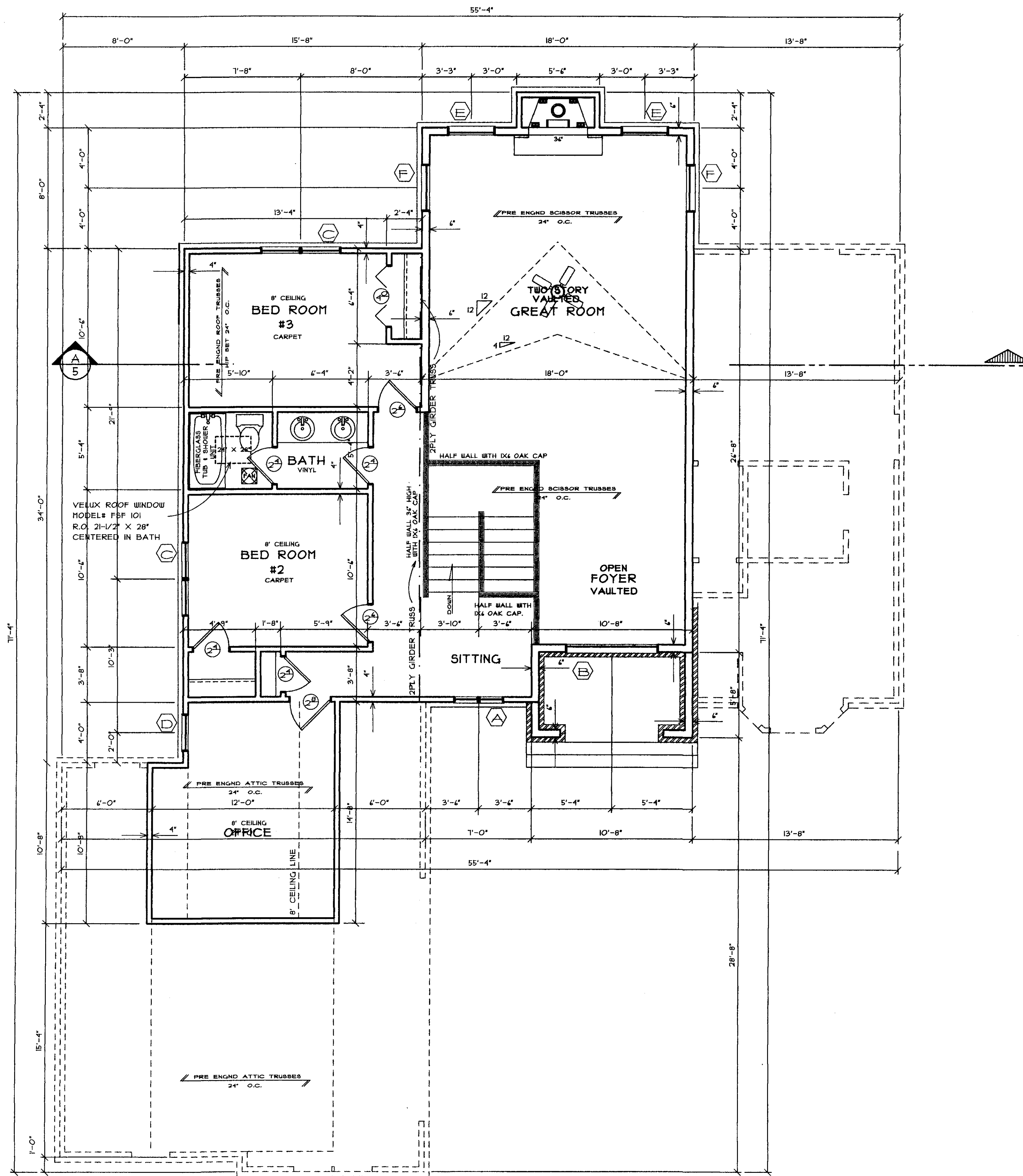
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION.

\*ALL FEDERAL, STATE AND LOCAL, CODES, ORDINANCES, REGULATIONS, ETC. SHALL BE CONSIDERED AS PART OF THE SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED OR IMPLIED WHERE VARIANCES OCCUR.

Before you dig call MISS DIG 1-800-482-1171  
12 hours prior to excavation.

DO NOT SCALE THESE PRINTS, USE FIGURED DIMENSIONS ONLY.





WINDOW & DOOR SCHEDULE				SECOND FLOOR		
SYM	MAKE	TYPE	R. O.	NOTES	GRILLE	QTY
(A)	PELLA	PCC-2411 LR	3'-4 1/2" X 3'-11 1/2"	SITTING	Y	1
(B)	PELLA W/EXD JAM	SPRINGLINE 45X12	4'-1/2" X 82'-1/2"	FOYER ARCH	Y	1
(C)	PELLA	PCC-2441-2 LR	4'-10 1/2" X 3'-11 1/2"	BED ROOM #2#3	N	2
(D)	PELLA	PCC-2441	2'-5 1/2" X 3'-11 1/2"	OFFICE	N	1
(E)	PELLA W/EXD JAM	CHS-2945 CIRCLE HEAD	2'-5 1/2" X 5'-5 1/2"	GREAT ROOM	N	2
(F)	PELLA W/EXD JAM	PCC-2451	2'-5 1/2" X 5'-5 1/2"	GREAT ROOM	N	2
(G)	VELUX	PSF-101 ROOF WINDOW	2'-1 1/2" X 28"	HALL BATH	N	1

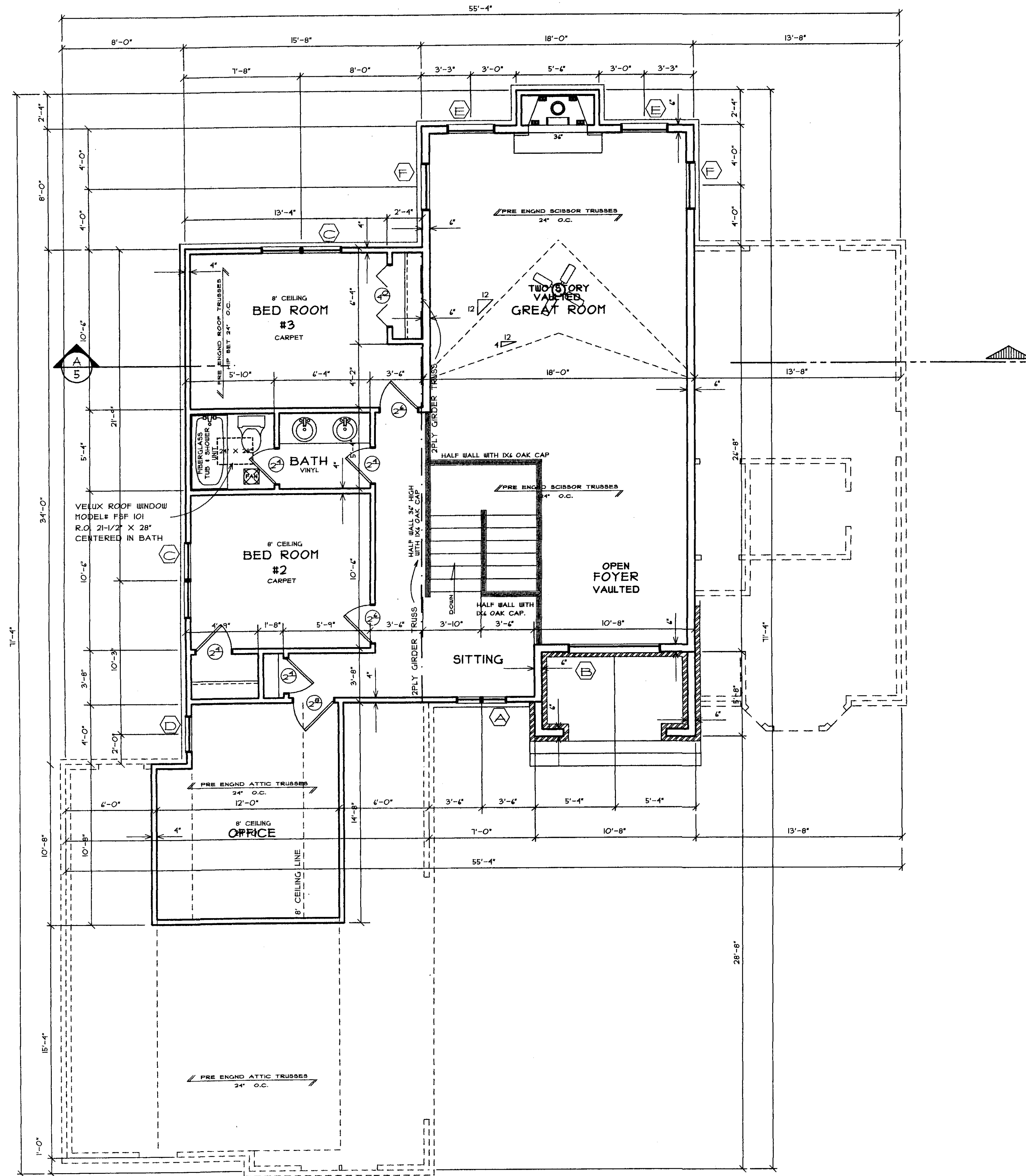
**SECOND FLOOR PLAN**

607 SQ. FT.

SCALE: 1/4" = 1'-0"

**ROOF DETAIL & LAYOUT**

SCALE: 1/8" = 1'-0"



WINDOW & DOOR SCHEDULE				SECOND FLOOR		
SYM	MAKE	TYPE	R. O.	NOTES	GRILLE	QTY
(A)	PELLA	PCC-2141 LR	3'-4 1/2" X 3'-11 1/2"	SITTING	Y	1
(B)	PELLA W/EXD JAM	SPRINGLINE 45X12	4'-1/2" X 82'-1/2"	FOYER ARCH	Y	1
(C)	PELLA	PCC-2941-2 LR	4'-10 1/2" X 3'-11 1/2"	BED ROOM #2#3	N	2
(D)	PELLA	PCC-2941	2'-5 1/2" X 3'-11 1/2"	OFFICE	N	1
(E)	PELLA W/EXD JAM	CHS-2145 CIRCLE HEAD	2'-5 1/2" X 5'-5 1/2"	GREAT ROOM	N	2
(F)	PELLA W/EXD JAM	PCC-2954	2'-5 1/2" X 5'-5 1/2"	GREAT ROOM	N	2
(G)	VELUX	F5F-101 ROOF WINDOW	2'-1 1/2" X 28"	HALL BATH	N	1

**ROOF DETAIL & LAYOUT**

SCALE: 1/8" = 1'-0"

**SECOND FLOOR PLAN**

401 SQ. FT.

SCALE: 1/4" = 1'-0"



# Lot 23 Oak Tree Ct Area Map



1 inch = 120 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\*\*\*

10/03/2014 9:45 AM

**Parcel:** 4711-28-401-023  
**Owner's Name:** EBERSOLE BRADLEY & THERESE  
**Property Address:** VACANT  
Brighton, MI 48116

**Current Class:** 402.402 RESIDENTIAL-VACANT  
**Previous Class:** 402.402 RESIDENTIAL-VACANT  
**Gov. Unit:** 4711 GENOA CHARTER TOWNSHIP  
**MAP #** V14-25  
**School:** 47010 BRIGHTON  
**Neighborhood:** 4044 4044 OAK TREE CT

**Liber/Page:** 4687/0306      **Created:** / /  
**Split:** / /      **Active:** Active

**Public Impr.:** Paved Road  
**Topography:** None

**Mailing Address:**

EBERSOLE BRADLEY & THERESE  
2765 EAGER ROAD  
Howell MI 48843

---

## Most Recent Sale Information

Sold on 12/09/2004 for 92,000 by BOSS ENGINEERING CO., INC..

**Terms of Sale:** VACANT LAND

**Liber/Page:** 4687/0306

---

## Most Recent Permit Information

None Found

---

## Physical Property Characteristics

<b>2015 S.E.V.:</b> Tentative	<b>2015 Taxable:</b> Tentative	<b>Lot Dimensions:</b>
<b>2014 S.E.V.:</b> 35,000	<b>2014 Taxable:</b> 30,480	<b>Acreage:</b> 0.39
<b>Zoning:</b> MUPUD	<b>Land Value:</b> 70,000	<b>Frontage:</b> 92.0
<b>PRE:</b> 0.000	<b>Land Impr. Value:</b> 0	<b>Average Depth:</b> 185.9

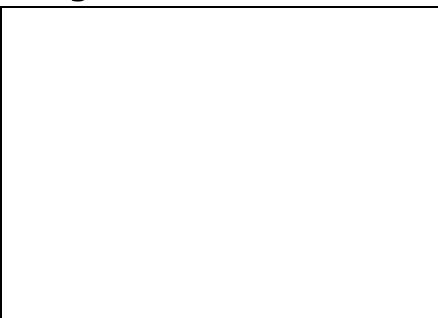
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## Improvement Data

None

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## Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
BOSS ENGINEERING CO., INC.	EBERSOLE BRADLEY & THERESE	92,000	12/09/2004	WD	VACANT LAND	4687/0306	BUYER	100.0			
		60,000	02/09/1993	WD	INVALID SALE	16720931	BUYER	0.0			
Property Address		Class: 402 RESIDENTIAL-VA		Zoning: MUPUD	Building Permit(s)	Date	Number	Status			
VACANT		School: BRIGHTON									
Owner's Name/Address		P.R.E. 0%									
EBERSOLE BRADLEY & THERESE 2765 EAGER ROAD Howell MI 48843		MAP #: V14-25									
Tax Description		2015 Est TCV Tentative									
SEC 28 T2N R5E OAK POINTE SOUTH, LOT 23		Improved	X	Vacant	Land Value Estimates for Land Table 00030.OAK POINTE						
Comments/Influences		Public Improvements		* Factors *							
		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value	
		Gravel Road		<Site Value B> SITE VALUE B				70000	100		70,000
		Paved Road		92 Actual Front Feet, 0.39 Total Acres				Total Est. Land Value =			70,000
		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									
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
Who		When	What	2015	Tentative	Tentative	Tentative		Tentative		
				2014	35,000	0	35,000		30,480C		
				2013	30,000	0	30,000		30,000S		
				2012	30,000	0	30,000		30,000S		

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

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

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
SEPTEMBER 16, 2014**

**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 members and staff of the Zoning Board of Appeals present were as follows: Barbara Figurski, Jean Ledford, Jerry Poissant, and Chairman Dhaenens. Absent was Marianne McCreary. Also present was Township staff member, Ron Akers. There were 7 members of the public present.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

**Introduction:** The members of the Board introduced themselves.

**Approval of Agenda:** **Moved** by Figurski, supported by Poissant to remove case #14-15 and #14-22 at the request of the applicants and add the addition of election of a Vice-Chairman as Item #8 under Administrative business. **Motion carried.**

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

**14-24...A request by Rod and Tamara Evans, 4174 Highcrest Drive, for a shoreline setback variance and front yard setback variance for the construction of a new home.**

Mr. Rod Evans was present for the petitioner. Mr. Evans demonstrated that by placing his home closer to the road would maintain his neighbor's views. It is a 3 bedroom 2 story home with an attached garage and the setback from the front would allow for ample parking on the lot.

Ledford questioned if gutters and downspouts were included on the drawing.

A call to the public was made with no response.

**Moved** by Ledford, supported by Figurski to approve case #14-24 for a 4174 Highcrest for a 7.25 shoreline setback variance and a 16.25 front yard setback variance to construct a single family home with attached garage.

The practical difficulty and the extraordinary circumstances are the building envelope is limited due to the typography of the lot, narrowness of the lot and the placement of the well and sewer. The shoreline setback limits the available building envelope. According to the site plan the location of the house will be consistent with the site lines of the adjacent properties. Conditioned upon the structure being guttered with downspouts and the water runoff to be directed to the lake. **Motion carried.**

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

Joe Perri and Carl Vagnetti, Chilson Pointe LLC., was present for the petitioner. Mr. Perri stated that the substantial justice to the property is due to the fact that other properties in the Low Density Residential Zoning District have detached accessory structures which exceed the maximum allowable size also Mr. Perri provided pictures of detached accessory structures that exceeded the allowance within Low Density Residential District in the Township including structures along Kellogg and Chilson Road.

The Board had concerns about the variance request being self-created. The Board also questioned if emergency vehicles could access the parcel and if there will be any storage of hazardous materials in the proposed accessory building.

Ledford asked if the title works states that the parcel has access off of the easement to the east and south of the parcel.

A call to the public was made with the following response:

Mark LeFevere- 4700 Brighton Road, his property is adjacent to 4666 Brighton Road and that Mr. Perri does not have access to the easement between their properties. He originally had intended on building homes back on that lot and did not start the project.

Don Kroeyer- 4688 Brighton Road stated that he had a few concerns which were as follows: the easement was never put in for the 5.26 acres. The property at 4666 Brighton does not have access to the easement. He also stated that Mr. Perri does not live at the property. They have had problems with the renters by not taking care of the place. There is already a detached garage on the site, he could add to that. The L-shaped part of the easement is on my property. The tenant is tearing down trees on my property despite the property line being surveyed twice. The easement was dropped when the subdivision could not use the easement. He

showed photos to the board of the staked area for the proposed structure and where his property line is.

Stacy Kroeyer- 4688 Brighton Road- stated that she has an issue with the tenant that has been burning and cutting down trees. They have trespassed with a gun on her property. The petitioner wants to build a Wal-Greens or whatever.

Mr. Perri requested that the decision on the variance request be postponed until the full membership of the Board can be present.

**Moved** by Figurski, supported by Ledford, to table until the October 21, 2014 Zoning Board of Appeals meeting per the petitioner's request. **Motion carried.**

#### **Administrative Business:**

1. **Approval of Minutes:** **Moved** by Figurski, supported by Ledford, to approve the minutes with typographical corrections. **Motion carried.**
2. **2013 Annual Report Executive Summary:** The Board members stated that maybe the fee for residents for the Zoning Board of Appeals meeting needs to be reviewed.
3. **Correspondence:** There was no correspondence to report.
4. **Township Board Representative Report:** There was no report given.
5. **Planning Commission Representative Report:** At the last Planning Commission meeting, Timbergreen Subdivision was approved an amendment to their PUD.
6. **Zoning Official Report:** Akers reported that he is busy with code enforcement.
7. **Member Discussion:** The Board Members stated that they would like to have I.D. tags for visiting applicant's sites.
8. **Election of Vice-President:** It was decided to postpone election until there is a full quorum.
9. **Adjournment:** **Moved** by Ledford, supported Poissant to adjourn the Zoning Board of Appeals meeting at 7:45 p.m. **Motion carried.**



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** September 25, 2014  
**RE:** 2013 Annual Report Executive Summary

---

Please find attached to this memo the proposed 2013 Annual Report Executive Summary. I look forward to your comments regarding this topic.

2911 Dorr Road  
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**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





# 2013 Zoning Board of Appeals Annual Report Executive Summary

2911 Dorr Road  
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## Summary:

This Executive Summary of the 2013 Zoning Board of Appeals Annual Report is separated into two (2) parts. These parts are the analysis of the report and recommendations based on the analysis. The analysis section of the Executive Summary evaluates the nature of the variance requests and trends that exist in those requests. The recommendations section is based upon the analysis section and board discussion.

## Analysis:

The following are trends noticed in 2013 for variance requests:

1. 50% of the variance requests (14) were on properties in the Lake Resort Residential (LRR) Zoning District.
  - a. 85.7 % were approved (12 requests)
  - b. 14.3% were denied (2 requests)
2. 35.7% of the variance requests (10) were for single family additions or new construction.
  - a. 90% of those requests (9) were in the LRR zoning district.
  - b. 100% were approved
3. 17.9% of the variance requests (5) were for detached accessory buildings.
  - a. 20% of those requests (1) was in the LRR zoning district and was approved.
  - b. 80% of those requests (4) were denied.
4. 21.4% of the variance requests (6) were for signs.
  - a. 83.3% of the variance requests (5) were approved.
  - b. 16.7% of the variance requests (1) were denied.
5. The number of variance requests were consistent with 2012 and slightly above the five (5) year average, but down overall in the past ten (10) years and below the ten (10) year average:

2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
28	29	25	28	20	21	39	39	48	54

Five (5) Year Average: 26  
Ten (10) Year Average: 33.1

## Recommendations:

The following are recommendations by the Zoning Board of Appeals based upon analysis and board discussion:

1. Reduce the Required Front Yard Setback in the Lake Resort Residential (LRR) District  
Several variance requests are considered by the Zoning Board of Appeals due to a reduced building envelope caused by the varying nature of the required shoreline setback and smaller lot sizes. The current front yard setback in the LRR district is 35'

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despite there being a vast number of properties which do not conform to this requirement. The main concerns the Board of Appeals considers when addressing these types of requests are the ability of the applicant to provide sufficient off street parking in the front yard. This is determined by ensuring the applicant has enough space for two parking spaces (90 Degree parking 9' x 18'). Due to this we believe that allowing for a smaller front yard setback requirement of 18', or allowing for some variation between the front and side yard setback to allow side entry garages (i.e. 10' front yard setback if the applicant provides a side entry garage and can maintain an 18' side yard setback to allow for sufficient off street vehicle parking.) would sufficiently increase the building envelope for parcels in the LRR district and reduce the number of variances which are granted.

2. Use a Single Lot Size for Exceptions from Maximum Size and Height Requirements for Detached Accessory Buildings

The Zoning Ordinance in section 11.04.01(h) & (j) has requirements for maximum size and height of detached accessory buildings. These sections of the Zoning Ordinance also have exceptions for these requirements for conforming lots in the Country Estate (CE), Rural Residential (RR) and Agricultural (AG) zoning districts. The language is as follows:

- a. 11.04.01(h): Maximum Size: The combined total of all accessory buildings in any residential district shall be a maximum of nine hundred (900) square feet in area for lots less than two (2) acres and one thousand two hundred (1200) square feet in area for lots equal to or greater than two (2) acres.  
**Accessory buildings and structures located on conforming lots in Agricultural and Country Estates Districts shall not be limited by size, provided all required setback are met.**
- b. 11.04.01(j): Maximum, Height: The maximum building height of any detached accessory building shall be fourteen (14) feet (see Article 25 for calculation of building height), except as follows:
  - (1) Antenna heights may be as noted in Section 11.04.06
  - (2) Accessory buildings on conforming lots in the Agricultural, Country Estate Districts and Rural Residential districts may exceed the maximum height restrictions for principal buildings by up to fifteen (15) feet.**

In these provisions the requirement that the parcel be a "conforming lot" creates a situation where there can be inconsistencies. For example a property owner could have a five (5) acre parcel zoned CE (5 acre minimum lot size) and take advantage of the height and size exceptions, but if an adjacent property owner had a five (5) acre parcel zoned AG (10 acre minimum lot size) they would not be able to take advantage of height and size exceptions. The same example could be used for parcels less than five (5) acres in the CE district when height exceptions are allowed in the RR district (2 acre minimum lot size). This provision allows for a zoning district which is smaller and intended to be less rural to take advantage of size bonuses which are more characteristic of larger more rural uses, but due to a non-conforming parcel size (which may be the same as the less rural) the larger, more rural zoning districts are prohibited from taking advantage of the exception.

In order to remedy this we propose the following:

- a. In 11.04.01(h), change the exception to, “Accessory buildings and structures located in Agricultural and Country Estate Districts on lots of five (5) acres or greater shall not be limited by size provided all required setbacks are met.” This maintains the intended requirement that in order to take advantage of the exception you need to have at least five (5) acres (minimum parcel size in the CE district) and would allow for non-conforming lots in the AG district which are five (5) acres or greater to take advantage of the exception.
  - b. In 11.04.01(j), change the exception to, “Accessory buildings on lots of two (2) acres or greater within the Agricultural, Country Estate Districts and Rural Residential districts may exceed the maximum height restrictions for principal buildings by up to fifteen (15) feet.” This change would maintain the intended requirement that in order to take advantage of the height exception you need to have at least two (2) acres (minimum parcel size in the RR district) and would allow for non-conforming lots in the AG and CE district which are two (2) acres or greater to take advantage of the exception.
3. Consider Revising the Application Fees for the Zoning Board of Appeals  
 The current application fees for the ZBA are \$125 for residential applications and \$300 for commercial applications. Table 1 depicts the application fees for our neighboring communities. Based on this the ZBA feels that the Township Board should consider increasing the application fees to bring us closer to other communities which are immediately adjacent to us and the further recover some of the costs associated with the Zoning Board of Appeals.

<b>Table 1 - ZBA Fees In Adjacent Communities</b>			
<b>Municipality</b>	<b>Residential Variance</b>	<b>Commercial Variance</b>	<b>Other</b>
Brighton Township	\$1,150.00	\$1,150.00	\$1,300.00 road
Hamburg Township	\$325.00	\$325.00	\$200.00 per rehearing
Hartland Township	\$700.00	\$700.00	
Green Oak Township	\$300.00	\$750.00	\$935.00 if special meeting
Putnam Township	\$600.00	\$600.00	\$1,000.00 escrow
Oceola Township	\$100.00	\$300.00	
City of Brighton	\$150.00	\$450.00	Multiple residences \$450.00
City of Howell	\$100.00	\$150.00	
Genoa Township	\$125.00	\$300.00	



# 2013 Zoning Board of Appeals Annual Report

2911 Dorr Road  
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genoa.org

## Summary:

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

## Variations

During 2013 the Zoning Board of Appeals heard twenty-eight (28) requests for variances. These can be broken down as follows:

- 28 Total Variance Requests
  - 21 Approved, 6 Denied, 1 Variance Not Required
- 13 Variance on Properties with Lake Frontage
  - 12 Approved, 1 Denied
- Breakdown by Type
  - 6: New Single Family Homes
    - 6 Approved, 0 Denied
    - 5 Lake Front
  - 4: Residential Addition
    - 4 Approved. 0 Denied
    - 4 Lake Front
  - 5: Detached Accessory Buildings
    - 1 Approved, 4 Denied
    - 1 Lake Front
  - 2: Commercial Additions
    - 2 Approved, 0 Denied
  - 6: Signs
    - 5 Approved, 1 Denied
  - 1: Fence
    - 1 Variance Not Needed
  - 2: Improvements to Non-Conforming Structure in Excess of 10%
    - 1 Approved, 1 Denied (Same property)
    - 2 Lake Front
  - 2: Decks
    - 2 Approved, 0 Denied
    - 1 Lake Front

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

## Rules of Procedure

The purpose of the rules of procedure is similar to the Planning Commission By-laws. They establish guidelines for the procedural aspects of the ZBA including membership, election of officers, public hearing rules, responsibilities of township staff and members of the ZBA and they establish guidelines for handling conflict of interest. This document was adopted in January of 2014 and is available for review.

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# 2013 ZBA Case Summaries

## JANUARY

**Variance:** 1

**Case:** 13-01

**Applicant Name:** Christian and Damian Karch

**Address:** 5400 Brady Road

**Type of Variance:** Construction of a detached accessory building in front yard

**Lakefront:** No

**Decision:** Denied

**Why? Conditions?** Ample room on the lot; no practical difficulty.

**Variance:** 2

**Case:** 13-02

**Applicant Name:** Champion Buick GMC

**Address:** 7885 W. Grand River

**Type of Variance:** Front yard variance to construct an addition to a non-conforming building

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** Variance of 13.7 feet with a Grand River side setback of 56.3 feet granted. The finding of fact is the building was non-conforming after the Zoning Ordinance changed.

**Variance:** 3

**Case:** 13-03

**Applicant Name:** Genoa Charter Township

**Address:** 2911 Dorr Road

**Type of Variance:** Sign

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** An 8-foot variance with a 14 foot height and a 257 foot area variance amount for a sign area of 329 feet. The finding of fact is the configuration of the property and the ability to not be able to place a sign on the exit ramp.

**Variance:** 4

**Case:** 13-04

**Applicant Name:** Blair Bowman

**Address:** 4252 Highcrest

**Type of Variance:** Front yard and waterfront

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Front yard variance of 15 feet with a setback of 20 feet and a waterfront variance of 2 feet with a setback of 73 feet. The finding of fact is the topography and conditions of the lot.

**Variance:** 5

**Case:** 12-27

**Applicant Name:** Joe Aguis

**Address:** 5311 Brighton Road

**Type of Variance:** Sign variance

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** A 1-foot variance for a 7-foot-tall sign. The finding of fact is the sight distance and visibility from the road.

## FEBRUARY

**Variance:** 6

**Case:** 13-06

**Applicant Name:** Angela Nieves-Valentine

**Address:** 3837 E. Coon Lake Road

**Type of Variance:** Height variance for a fence

**Lakefront:** No

**Decision:** Variance not needed

**Why? Conditions?** The ZBA interprets the fence is built in the side yard.

## MARCH

**Variance:** 7

**Case:** 13-05

**Applicant Name:** Brett Gierak

**Address:** 921 Sunrise Park

**Type of Variance:** Side and rear yard variance for an addition

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** The finding of fact is the lack of zoning predated the construction of the house. The practical difficulty is due to the location of the utility lines and the sewer line.

**Variance:** 8

**Case:** 13-07

**Applicant Name:** Charles Horan

**Address:** 1828 Hughes Road

**Type of Variance:** Front, waterfront and side yard variance to construct a garage addition and a second story addition

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Allowed to construct a second story that will match the existing footprint with a 4-foot-4-inch side yard extension. Conditions: Must remove the garage from the plans and the addition must have gutters and downspouts. The finding of the fact is the narrowness of the lot and pre-existing house where it is built in regards to the current zoning.

## April

**Variance:** 9

**Case:** 13-08

**Applicant Name:** Champion Buick

**Address:** 7885 W. Grand River

**Type of Variance:** Sign

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** Additional sign allowed with the square footage being less than two allowed per the Township Ordinance. The practical difficulty is it will improve the visibility and sign distance of the site. Conditioned upon the following:

1. The drawings provided indicate that the "Champion" and "Certified Service" signs will be channel letters and the "Buick GMC" sign will be a unibody sign. The letters themselves will be black or white in color.
2. The plans indicate that the signs require circuits and will be lit.
3. The wall signs will be allowed to project up to 1-foot beyond the face of the wall.

**Variance:** 10

**Case:** 13-10

**Applicant Name:** Jeff Gontarski

**Address:** 4401 Filbert

**Type of Variance:** Front yard variance to build a new home

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Front yard variance of 25 feet with a setback of 10 feet approved. Conditioned upon the home being guttered. The practical difficulty is the topography of the land.

**Variance:** 11

**Case:** 13-11

**Applicant Name:** Art Van Furniture

**Address:** 4101 E. Grand River

**Type of Variance:** Sign

**Lakefront:** No

**Decision:** Denied

**Why? Conditions?** No practical difficulty.

## MAY

**Variance:** 12

**Case:** 13-09

**Applicant Name:** Leo and Karen Mancini

**Address:** 4057 Homestead Road

**Type of Variance:** Two side yard variances to construct an attached garage

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Given a 5-foot-6-inch variance on both sides with a 4-foot-6-inch setback on both sides. Conditioned upon the garage being guttered. The practical difficulty is the narrowness of the lot.



**Variance:** 13  
**Case:** 13-12  
**Applicant Name:** Robert Morrison  
**Address:** 3699 Nixon Road  
**Type of Variance:** Pole barn on a vacant lot  
**Lakefront:** No  
**Decision:** Denied  
**Why? Conditions?** No practical difficulty.

## JUNE

**Variance:** 14  
**Case:** 13-13  
**Applicant Name:** Curt Brown  
**Address:** 4010 Homestead  
**Type of Variance:** Front yard variance and a waterfront variances to replace an existing garage  
**Lakefront:** Yes  
**Decision:** Approved  
**Why? Conditions?** Given a 25-foot shoreline variance with a 15-foot setback, front yard variance of 27 feet with an 8-foot setback, an accessory building size variance of 442 feet from the 900 feet allowed and an accessory building height variance of 6-foot-6-inches from the 14 feet allowed. Conditioned upon the structure being guttered and having downspouts and any grading issues should be addressed and satisfactorily dealt with by the petitioner. The practical difficulty is the topography of the lot and the difficulty to construct on the lot.

**Variance:** 15  
**Case:** 13-15  
**Applicant Name:** Ronald Socia  
**Address:** 3950 Highcrest Drive  
**Type of Variance:** Home improvements/modernization to non-conforming structures in excess of 10% of its replacement value  
**Lakefront:** Yes  
**Decision:** Approved  
**Why? Conditions?** Can make improvements and modifications on the interior and exterior of the home to a nonconforming structure. Conditioned upon the structures including gutters and downspouts, no improvements shall be made to increase the footprint or height of the structures and the structure shall not be used as rentals. The practical difficulty is the uniqueness of the property.

**Variance:** 16  
**Case:** 13-16  
**Applicant Name:** Janine and James Exline  
**Address:** 4009 Highcrest Drive  
**Type of Variance:** Side yard  
**Lakefront:** Yes  
**Decision:** Approved  
**Why? Conditions?** Given a 2.25-foot side yard setback with a 2.75-foot variance and an 8.15-foot setback on the west side with a 1.85-foot variance. Conditioned upon the structure including gutters and

downspouts. The practical difficulty is the narrowness of the lot and the continuing narrowness toward the road side.

## JULY

**Variance:** 17

**Case:** 13-17

**Applicant Name:** Thomas and Diana Fleming

**Address:** 4049 Homestead

**Type of Variance:** Side yard

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Approved a side yard setback variance of 5 feet and a waterfront setback variance of 16.5 feet for the construction of a new home. Conditions placed on the approval are that the structure is to have gutters and downspouts installed and that any grading and drainage issues should be addressed and satisfactorily dealt with by the petitioner. The practical difficulty is the topography and narrowness of the lot.

**Variance:** 18

**Case:** 13-18

**Applicant Name:** Mary Dean and Jeff Barringer

**Address:** 5359 Wildwood Drive

**Type of Variance:** Front yard setback variance and a water front setback variance for the construction of a single family home

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Approved a 19.9 foot front yard setback variance and a 17.7-foot waterfront setback variance for the construction of a new home. Based on the practical difficulty of a small building envelope and the narrowness of the platted subdivision. Conditioned upon the structure having gutters and downspouts, grading or drainage issues should be addressed and satisfactorily dealt with by the petitioner. If there is damage to the fence and arborvitae plants, they are to be replaced by the expense of the petitioner.

## AUGUST

**Variance:** 19

**Case:** 13-19

**Applicant Name:** Bob Maxey Ford

**Address:** 2798 E. Grand River

**Type of Variance:** Front yard setback and parking lot

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** Approved a front yard setback variance of 5 feet and parking lot variance of 7 feet on the rear property line based on the following finding of facts:

1. Strict compliance with the front yard setback requirement would limit the ability of the property owner to construct an addition which maintains a consistent front building line with the existing main building;
2. The area within the rear lot line parking lot setback is already developed as a parking area and the proposed 6-foot masonry screening wall will adequately mitigate the impact the proposed changes to the site plan will have on the adjacent residential properties;
3. The need for the variance is not self-created;

4. According to the Planner's Report, the proposed variance will not impair public safety or welfare;
5. There will be little if any impact on the surrounding neighborhood. The front yard variance will provide for a consistent appearance on the Grand River corridor and the proposed 6-foot masonry screening wall will mitigate the impacts of the extended parking lot.

**Variance:** 20

**Case:** 13-20

**Applicant Name:** Zion Restoration

**Address:** 6518 Catalpa

**Type of Variance:** Side yard for an addition

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** Approved a 14-foot side yard variance due to the addition having little impact on the adjacent properties. The addition will be the same distance from the side property line as the attached garage.

The hardship is the property is zoned LDR (Low Density Residential) and was created under less strict zoning requirements. The lot size and building were made non-conforming by the current zoning requirements. The pie shaped lot has limitations. The variance is not self-created. Conditioned upon the home and garage being guttered.

**Variance:** 21

**Case:** 13-21

**Applicant Name:** Thomas and Donna Phelps

**Address:** 4470 Clifford Road

**Type of Variance:** Side yard setback and deck extension

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Approved a 2-foot side yard variance and a 3-foot variance from the rear distance line. The Finding of Fact is the side yard variance will comply with the current building and is not self-created. The proposed deck will reduce the non-conformity of the deck.

## **SEPTEMBER**

**Variance:** 22

**Case:** 13-23

**Applicant Name:** Charles Denning

**Address:** Parcel ID 4711-10-301-029 on East Grand River

**Type of Variance:** Add a carport to property without a principle building

**Lakefront:** No

**Decision:** Denied

**Why? Conditions?** ZBA based decision on the finding of fact that there is no allowance for additional structures on properties without principle buildings.

**Variance:** 23

**Case:** 13-24

**Applicant Name:** Bob Maxey Ford

**Address:** 2798 E. Grand River

**Type of Variance:** To increase allowable wall sign square footage from 150 square feet to 169 square feet and to install two (2) additional walls signs which will exceed the maximum number of allowable wall signs by three (3) for a total of five (5) wall signs on the building

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** Approved a variance of 19 square feet of allowable wall sign area and for two additional wall signs with the finding of fact that the length of the building and the speed of traffic on Grand River Avenue requires additional signage to safely guide traffic in and out of the property.

**Variance:** 24

**Case:** 13-25

**Applicant Name:** Jane and Randy Evans

**Address:** 4444 Glen Eagles Court

**Type of Variance:** Variance from the deck setback requirement between condominium units to extend an existing deck

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** Given a 4-foot variance to extend a deck which is located between two condominium units based on the findings of fact that the condominium was built in 1996 and at the time did not meet the standard set forth in Section 11.04.02(b), the need for the variance was not self-created by the applicant, the layout and design of the building created a need for the variance. Granting this variance will make the property consistent with other properties in the area.

## OCTOBER

**Variance:** 25

**Case:** 13-27

**Applicant Name:** Robert Socia

**Address:** 3950 Highcrest

**Type of Variance:** Wanted modification of the variance granted on June 18, 2013 in order to remove the condition that limits the applicant's ability to increase the height of the structure

**Lakefront:** Yes

**Decision:** Denied

**Why? Conditions?** ZBA denied request due to the existing condition stipulated in prior approval on June 18, 2013 for case #13-15 which limited the applicant's ability to increase the height of the structure.

## NOVEMBER

**Variance:** 26

**Case:** 13-26

**Applicant Name:** Oren and Jill Lane

**Address:** 623 Sunrise Park

**Type of Variance:** Both side yard setbacks, the front yard setback, the shoreline setback, and the maximum building height

**Lakefront:** Yes

**Decision:** Approved

**Why? Conditions?** Given a front yard variance of 25 feet with a 10-foot setback, 3-foot variance on both sides with 7-foot setback on both sides, 2-foot height variance and a 4-foot waterfront variance.

Conditioned upon the new home having gutters with downspouts. The finding of fact is the narrowness of the lot; the variances are not self-created and the topography of the lot.

## **DECEMBER**

**Variance:** 27

**Case:** 13-28

**Applicant Name:** Steve Gronow

**Address:** 3800 Chilson Road

**Type of Variance:** Maximum allowable size of a detached accessory building

**Lakefront:** No

**Decision:** Denied

**Why? Conditions?** No finding of practical difficulty

**Variance:** 28

**Case:** 13-29

**Applicant Name:** Steve Schenck

**Address:** 4072 E. Grand River; other street addresses at this property include: 4050, 4072, 4080, 4084, 4092, 4096, 4104, 4116, 4128, 4132, 4140, 4144, 4148, and 4160.

**Type of Variance:** Temporary sign and exceed time sign is allowed and number of time sit is used.

**Lakefront:** No

**Decision:** Approved

**Why? Conditions?** The finding of fact is that the location of this is a busy location where traffic is very fast. So those passing cannot see the services advertised. It is a seasonal business and therefore, very limited. This does not injure or affect the safety or welfare of the public or neighborhood.



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** October 7, 2014  
**RE:** Election of a New Vice-Chairperson

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Due to the current vice-chairperson Chris Grajek being appointed to the Planning Commission, the Zoning Board of Appeals will need to elect a new vice-chairperson to fill the remainder of his term. The ZBA Rules of Procedure states as follows,

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

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

Based on this a new member will need to be elected from the existing membership and will serve until January when the next elections occur. Please keep in mind that the Township Board representative cannot serve as the Chairperson or Vice-Chairperson. I look forward to your discussion on this matter.

**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