

GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
December 9, 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 to construct a detached accessory structure.
2. 14-30 ... A request James Harmon, 4289 Sweet Road, for a variance from the maximum allowable size of a detached accessory building.
3. 14-31 ... A request by Steve Schenck, Section 4, 4072 E. Grand River, for a variance to permit a temporary sign, which exceeds the allowable period of time a temporary sign is allowed to be permitted and to exceed the number of times a business is allowed to use a temporary sign during its stay at the same location. Other street addresses at this parcel include: 4050, 4072, 4080, 4084, 4092, 4096, 4104, 4116, 4128, 4132, 4140, 4144, 4148, and 4160.
4. 14-32 ... A request by Christian and Damian Karch, 5400 Brady Road, for a side yard setback variance to construct an addition onto an existing detached accessory building.

Administrative Business:

1. Approval of minutes for the Oct. 21, 2014 Zoning Board of Appeals meeting.
2. Correspondence
3. Township Board Representative Report
4. Planning Commission Representative Report
5. Zoning Official Report
6. Member Discussion
7. Adjournment

**GENOA TOWNSHIP  
ZONING BOARD OF APPEALS  
December 9, 2014  
6:30 P.M.**

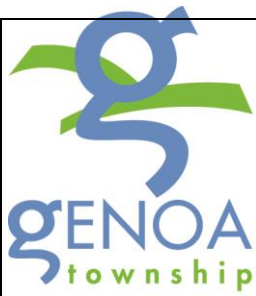
The Genoa Township Zoning Board of Appeals will hold a public hearing at Genoa Township Hall, 2911 Dorr Road, Brighton, MI, 48116 for the following variance requests at the December 9, 2014 regular meeting:

1. 14-30 ... A request James Harmon, 4289 Sweet Road, for a variance from the maximum allowable size of a detached accessory building.
2. 14-31 ... A request by Steve Schenck, Section 4, 4072 E. Grand River, for a variance to permit a temporary sign, which exceeds the allowable period of time a temporary sign is allowed to be permitted and to exceed the number of times a business is allowed to use a temporary sign during its stay at the same location. Other street addresses at this parcel include: 4050, 4072, 4080, 4084, 4092, 4096, 4104, 4116, 4128, 4132, 4140, 4144, 4148, and 4160.
3. 14-32 ... A request by Christian and Damian Karch, 5400 Brady Road, for a side yard setback variance to construct an addition onto an existing detached accessory building.

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 11-23-14



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** December 2, 2014  
**RE:** ZBA 14-25

---

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

As of December 2, 2014 I have received no additional information or contact from the applicant despite multiple attempts. If the applicant does not show up to the meeting on December 9, 2014 we have a few options. The Board can either remove the item from the agenda based on non-contact from the applicant forcing the applicant to reapply if they want to obtain the variance or the Board can make a decision on the request. I look forward to your discussion on the matter at the meeting.

**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

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. Vagitt

*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

---

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,

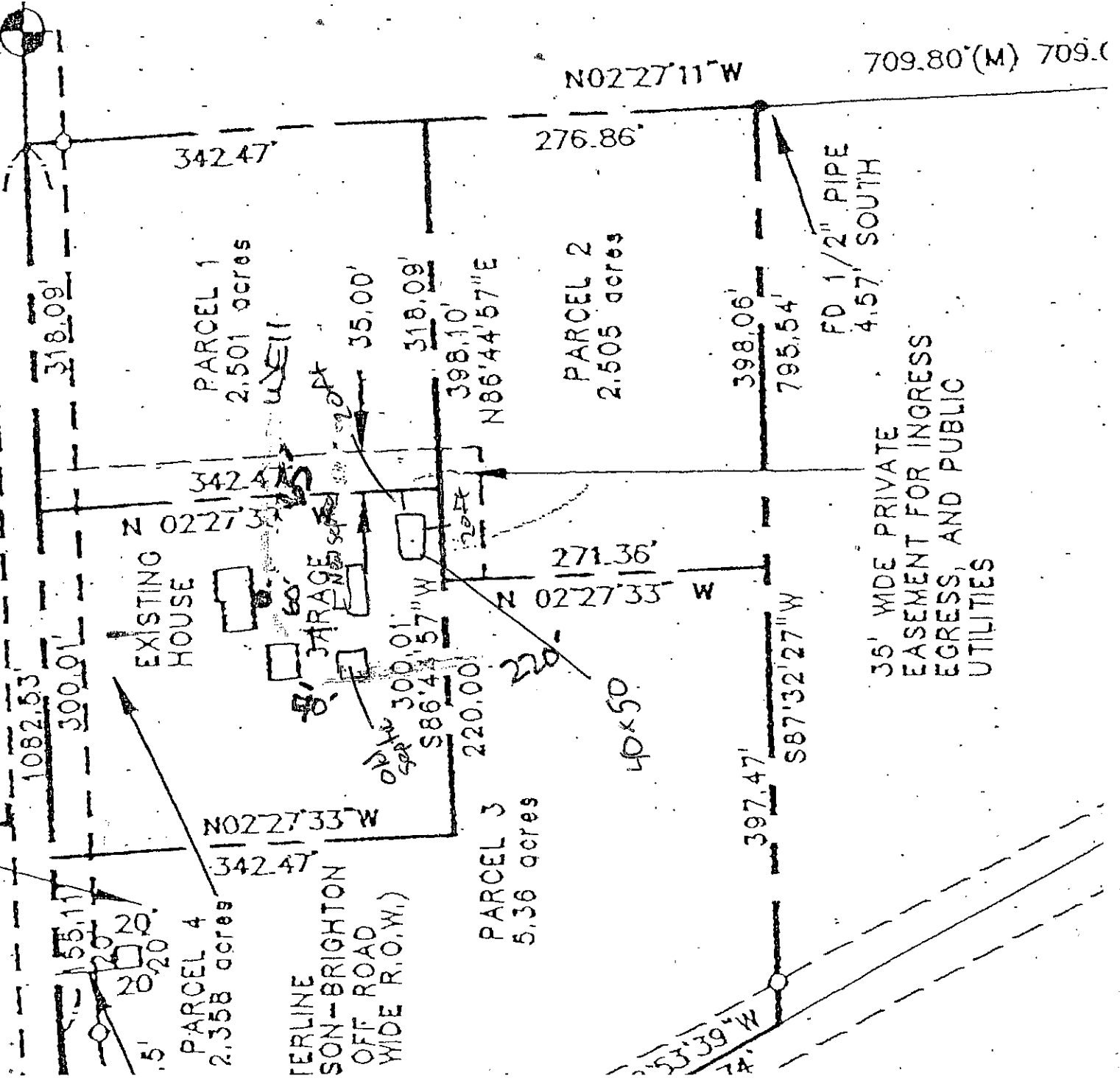
# GATE OF SURVEY

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



PARCEL 1  
2.501 acres

PARCEL 2  
2.505 acres

PARCEL 3  
5.36 acres

PARCEL 4  
2.358 acres

EXISTING HOUSE

GARAGE

WELL

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

36' WIDE PRIVATE  
EASEMENT FOR INGRESS  
EGRESS, AND PUBLIC  
UTILITIES

FD 1/2" PIPE  
4.57' SOUTH

N0227'11"W

709.80'(M) 709.0

N 0227'33"

N 0227'33" W

N0227'33" W

S87'32'27"W

342.47'

276.86'

342.47'

35.00'

318.09'

398.10'

N86'44'57"E

398.06'

795.54'

2633.32'

1082.53'

300.01'

155.17'

20.20'

20.20'

op the 300.01'  
septic

S86'44'57"W

220.00'

220'

40x50

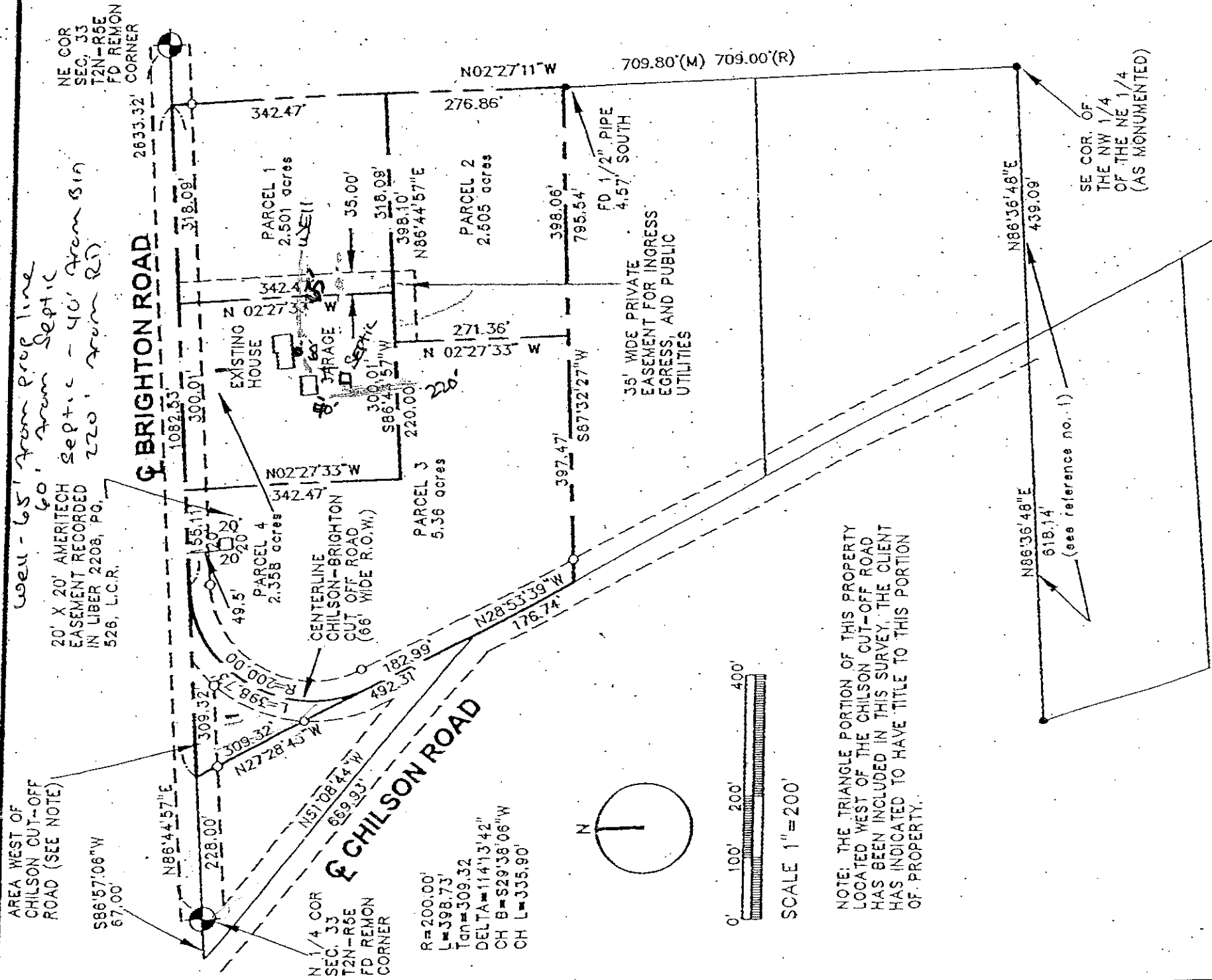
397.47'

S87'32'27"W

S53'39"W

74.1'

# CERTIFICATE OF SURVEY



AREA WEST OF  
CHILSON CUT-OFF  
ROAD (SEE NOTE)

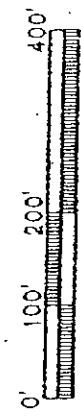
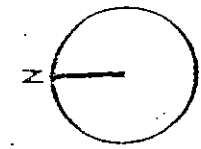
Well - 65' from prop line  
60' from Septic  
20' X 20' AMERITECH Septic  
EASEMENT RECORDED  
IN LIBER 2208, PG.  
526, L.C.R.

NE COR  
SEC. 33  
T2N-R5E  
FD REMON  
CORNER

BRIGHTON ROAD

CHILSON ROAD

R=200.00'  
L=398.73'  
Tan=309.32  
DELTA=114°13'42"  
CH B=S29°38'06"W  
CH L=335.90'



SCALE 1"=200'

NOTE: THE TRIANGLE PORTION OF THIS PROPERTY  
LOCATED WEST OF THE CHILSON CUT-OFF ROAD  
HAS BEEN INCLUDED IN THIS SURVEY. THE CLIENT  
HAS INDICATED TO HAVE TITLE TO THIS PORTION  
OF PROPERTY.

SE COR. OF  
THE NW 1/4  
OF THE NE 1/4  
(AS MONUMENTED)

BEARINGS WERE BASED ON THE NORTH LINE OF SECTION 35 AS SHOWN ON A  
SURVEY BY NORMAN C. KAPIO, R.L.S. NO. 25861, AS RECORDED IN LIBER 2014,  
PAGE 513, LIVINGSTON COUNTY RECORDS.

Irons found at all points marked thus "I"  
Irons not at all points marked thus "O"  
The ratio of closures on the unadjusted field observations of this survey was 1/5000

I hereby certify that the requirements  
of Act 132, P.A. 1970 or amended in  
Act 24, P.A. 1988, have been met.

CLIENT:	VALENTE
DESCRIPTION:	PART OF THE NE 1/4 OF SEC. 33 GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN
JOB NO.	99042
DATE:	5-11-99
REVISED:	X
OFFICE:	JO
FIELD:	RA/TL
SHEET:	1 OF 2

**ADVANTAGE**  
CIVIL  
ENGINEERING

1110 E. Grand River, Howell, MI 48843 517 546-4141 Fax 517 546-4166

MGR A. Bailey, Authorized Agent  
L.S. No. 59073

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.

# 4666 Brighton Rd Area Map



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  
Selected Parcels Denote Parcels Used in  
Accessory Building Comparison

## **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

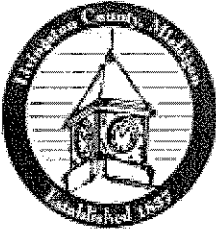
5324 Chilson – 1200 sf + 625 sf = 1825 sf

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

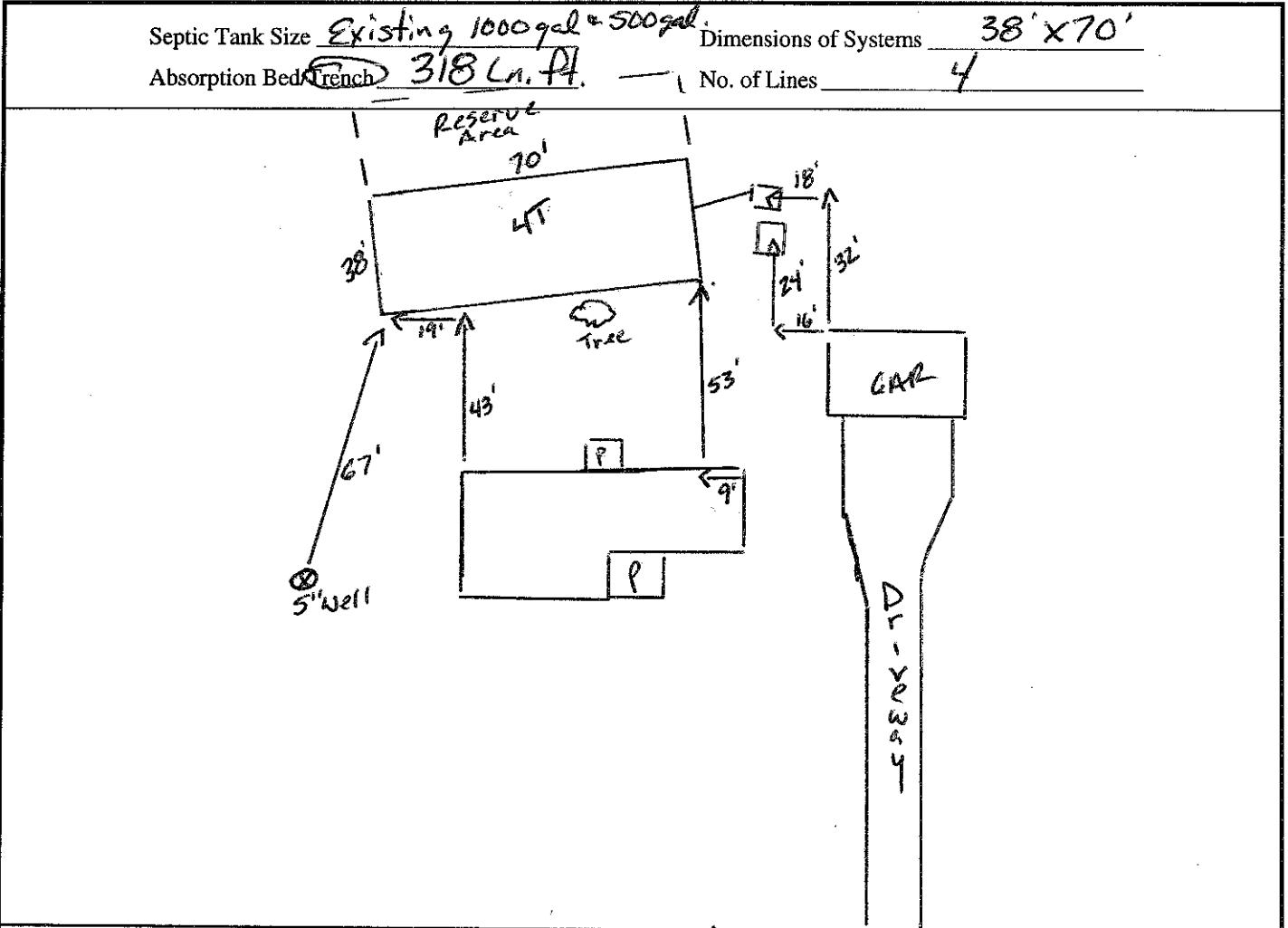
Fax (517) 546-9853 • Phone (517) 546-9858

**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 \_\_\_\_\_ 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							SKETCH	
Boring #	Soil Type	Desc	Beg Depth	End Depth	SWT	WT Depth	Brighton Rd.	
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				

**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  
WE 2007-  
00444  
Bad Beat

REQUEST FOR SOILS EVALUATION -  
SUBSURFACE SEWAGE DISPOSAL SYSTEMS

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

Applicant

Name CARL Vaymetti  
Address 6870 Grand River

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

Property Owner

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

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



30 15 0 30 60 Feet  
1 inch = 50 feet

**County of Livingston**

**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.



# 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

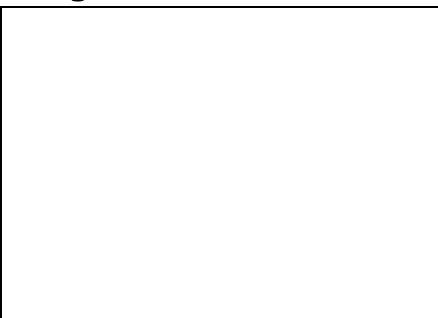
## Physical Property Characteristics

<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 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	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		

\*\*\* 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: 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		Kitchen: Other: Other:			No. of Elec. Outlets			Other Additions/Adjustments			Rate		Size Cost		
	Basement 1st Floor 2nd Floor -16 Bedrooms	(6) Ceilings		(13) Plumbing			Many X Ave. Few			(14) Water/Sewer			4975.00 3085.00		1 1		
(1) Exterior		(7) Excavation		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			(15) Built-Ins & Fireplaces			Fireplace: Exterior 1 Story			3875.00		1 3,875		
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 1566 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Basement			(16) Water/Sewer			Class:C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 17.28 Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (47010 BRIGHTON M & B)			Depr.Cost = 90,452 0.923 => TCV of Bldg: 1 = 83,487			720 12,442	
(2) Windows		(8) Basement		(9) Basement Finish			(14) Water/Sewer			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (47010 BRIGHTON M & B)			Depr.Cost = 90,452 0.923 => TCV of Bldg: 1 = 83,487			720 12,442	
X	Many Avg. Few	X	Large Avg. Small	Recreation SF Living SF Walkout Doors No Floor SF			(14) Water/Sewer			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (47010 BRIGHTON M & B)			Depr.Cost = 90,452 0.923 => TCV of Bldg: 1 = 83,487			720 12,442	
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish		(10) Floor Support			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (47010 BRIGHTON M & B)			Depr.Cost = 90,452 0.923 => TCV of Bldg: 1 = 83,487			720 12,442	
(3) Roof		(10) Floor Support		Lump Sum Items:			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (47010 BRIGHTON M & B)			Depr.Cost = 90,452 0.923 => TCV of Bldg: 1 = 83,487			720 12,442				
X	Gable Hip Flat		Gambrel Mansard Shed	Joists: Unsupported Len: Cntr.Sup:			Lump Sum Items:			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (47010 BRIGHTON M & B)			Depr.Cost = 90,452 0.923 => TCV of Bldg: 1 = 83,487			720 12,442	
X	Asphalt Shingle																
Chimney: Brick																	

\*\*\* 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 CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 14-30 Meeting Date: Dec. 9th 2014

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

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

Applicant/Owner: JAMES HARMON  
Property Address: 4289 SWART Phone: (517) 404-8174  
Present Zoning: CE Tax Code: 4711-09-300-004

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: ~~PTCR~~ maximum detached accessory building size
2. Intended property modifications: addition to existing polebuilding (garage)

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) \_\_\_\_\_
- b. Other (explain) \_\_\_\_\_

**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: 11/3/14  
Signature: [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.**





## MEMORANDUM

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

---

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

### STAFF REPORT

**File Number:** ZBA#14-30

**Site Address:** 4289 Sweet Rd

**Parcel Number:** 4711-09-300-004

**Parcel Size:** 2.94 Acres

**Applicant:** James Harmon, 4289 Sweet Rd, Howell, MI 48843

**Property Owner:** Same as Applicant

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

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a variance from the maximum allowable size of a detached accessory 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 November 23, 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 provided site plan the parcel has a 1,200 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 began construction of an addition to the existing detached accessory building with no permits. Notice was provided by the Livingston County Building Department and the applicant was instructed that he would need to obtain the proper permits to continue the construction of the detached accessory building. The applicant reached out to the Township and it was determined that due to his parcel being a non-conforming parcel in the CE (Country Estate) zoning district, he would only be permitted to have 1,200 square feet in maximum allowable detached accessory building size. Due to this restriction the applicant has applied for the variance in order to keep the addition built onto the detached accessory building.

### Variance Requests

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

**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: 2,400 square feet**

### 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 already has a detached accessory building which complies with the maximum size requirements of the zoning ordinance. All parcels (including this one) in the general vicinity have a right to place detached accessory buildings on their property. The Zoning Ordinance does not limit the size of detached accessory buildings on conforming lots in the Country Estate district. A conforming lot in the Country Estate district has a minimum size of five (5) acres. If a parcel in the Country Estate district has smaller than five (5) acres it is subject to the 1,200 square foot restriction. Due to this the “right” to be exempted from the maximum allowable size restrictions is based upon a minimum lot size that this parcel does not have. Alternatively the applicant could attach the proposed accessory building to the existing house and construct a building which suits their needs.
- **Extraordinary Circumstances** – The exceptional or extraordinary circumstance of this property is that it is a non-conforming lot in the Country Estate District, but there are several properties in the vicinity that share the same characteristic. This property 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 1,200 square feet. The need for the variance is not due to any physical constraints of the property, and thus the need for the variance is likely to be self-created.
- **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

separation between buildings should provide enough distance to where the accessory building is not negatively impacting the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

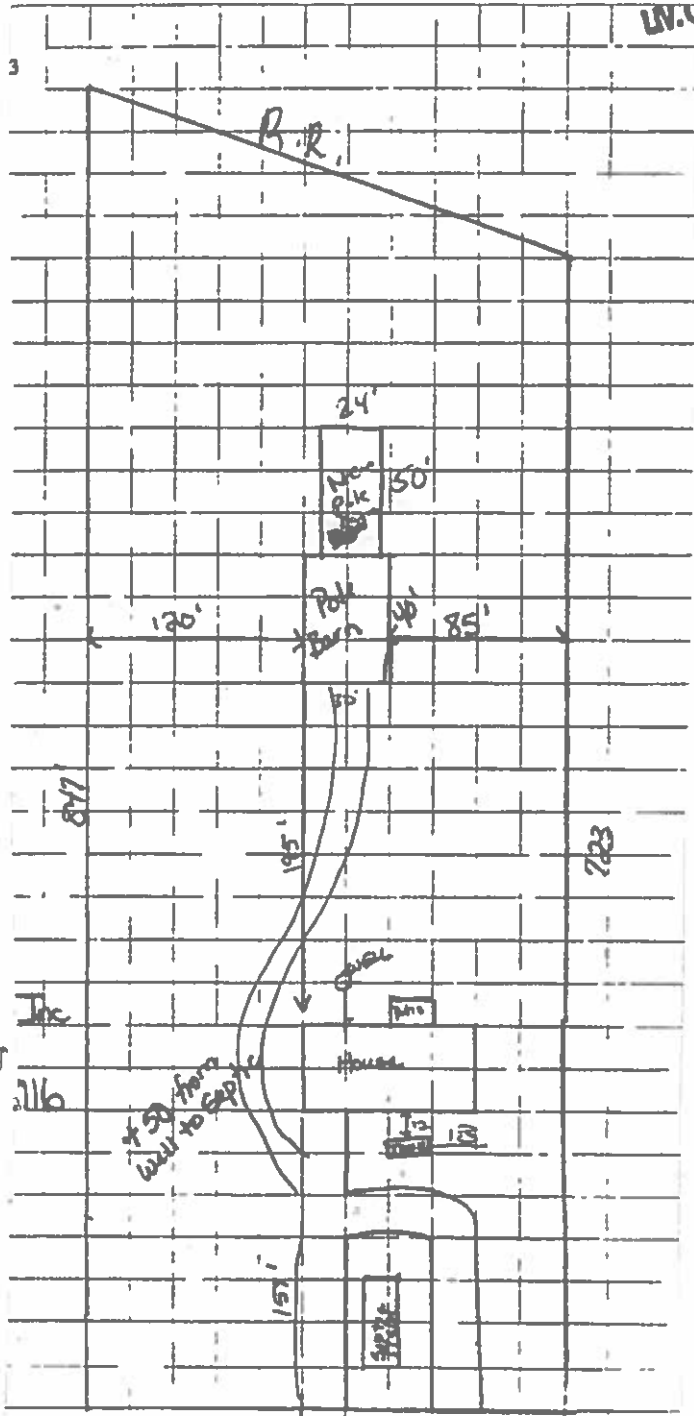
**Staff Findings of Fact**

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. Granting the requested variance would not make the property consistent with the majority of the properties in the vicinity of the parcel. Only two properties along Sweet Rd have detached accessory buildings over 1,200 square feet.
3. 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.
4. The need for the variance is not based on any physical conditions of the property.
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 variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

LV.0

3

B.R.



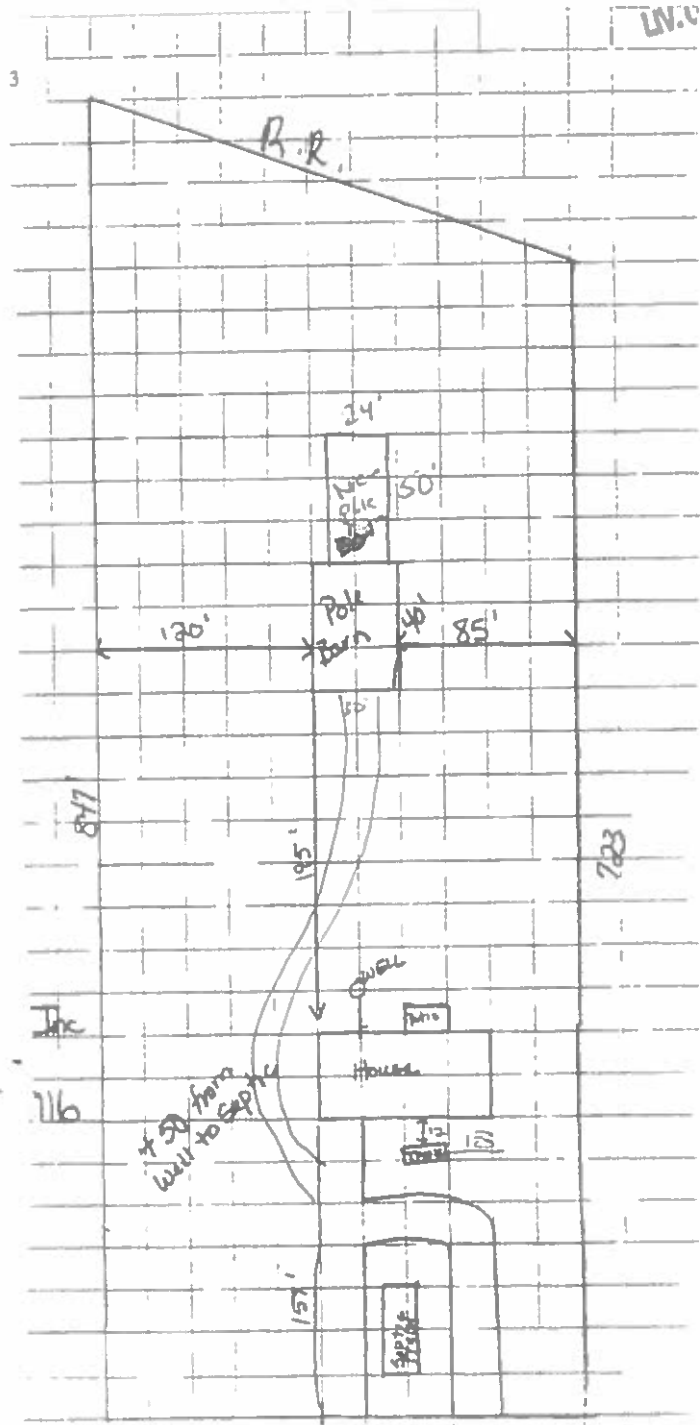
847

723

Inc

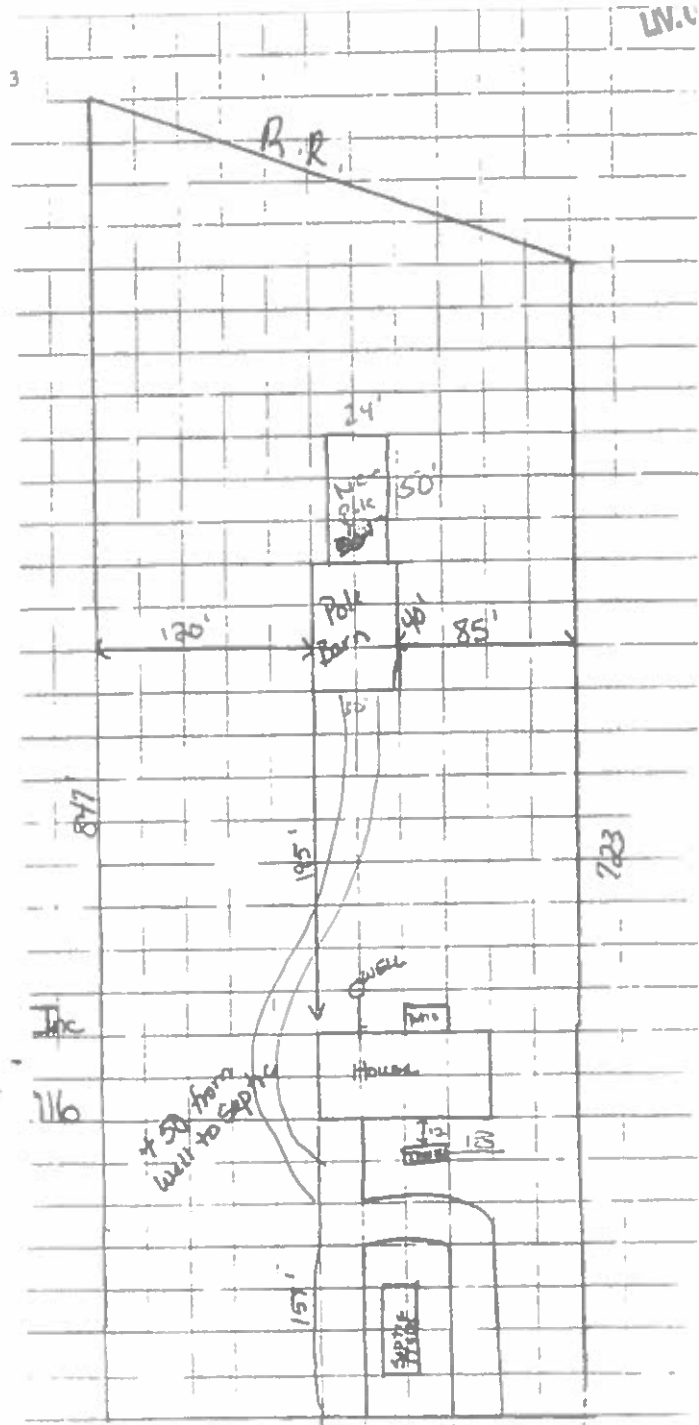
216

4289 Sweet Road

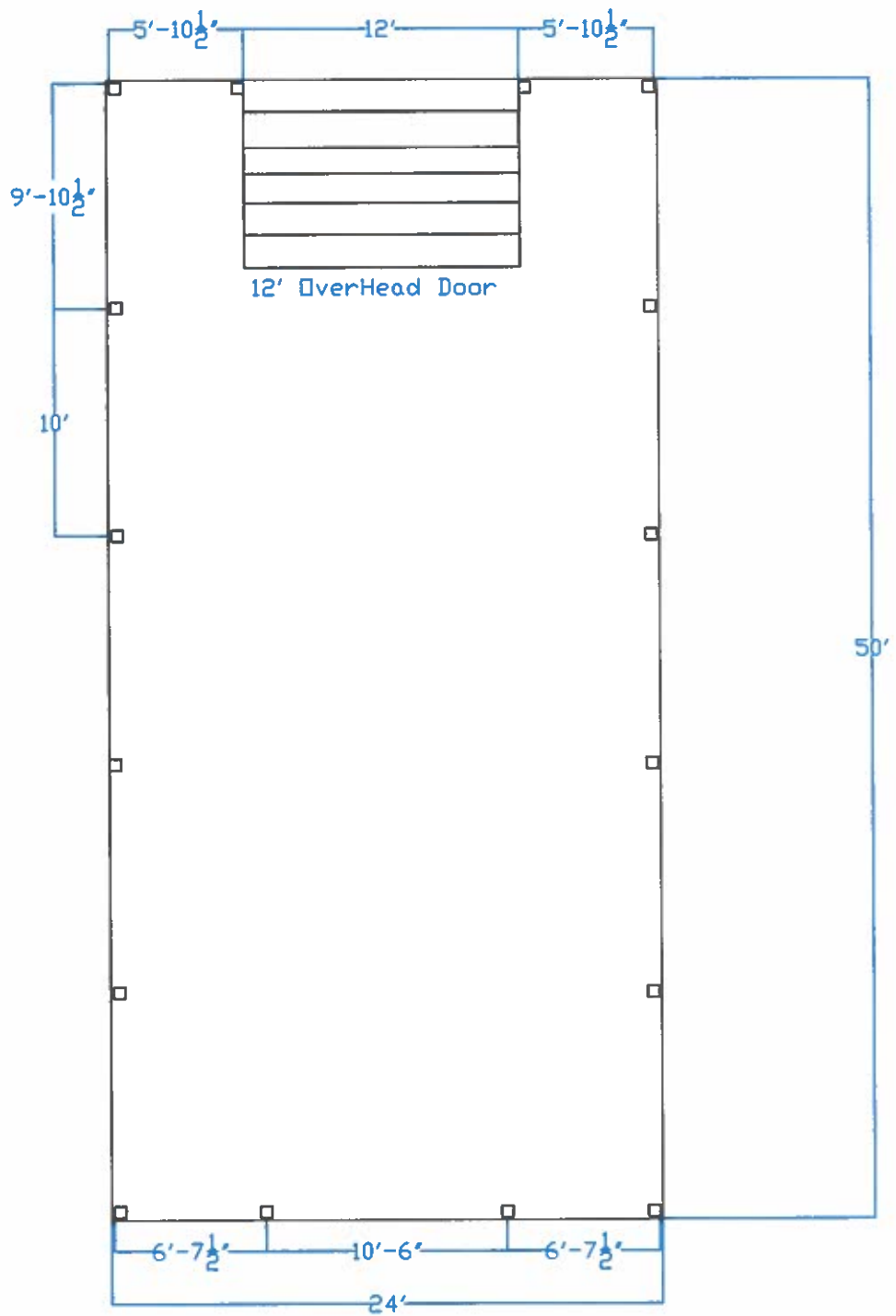


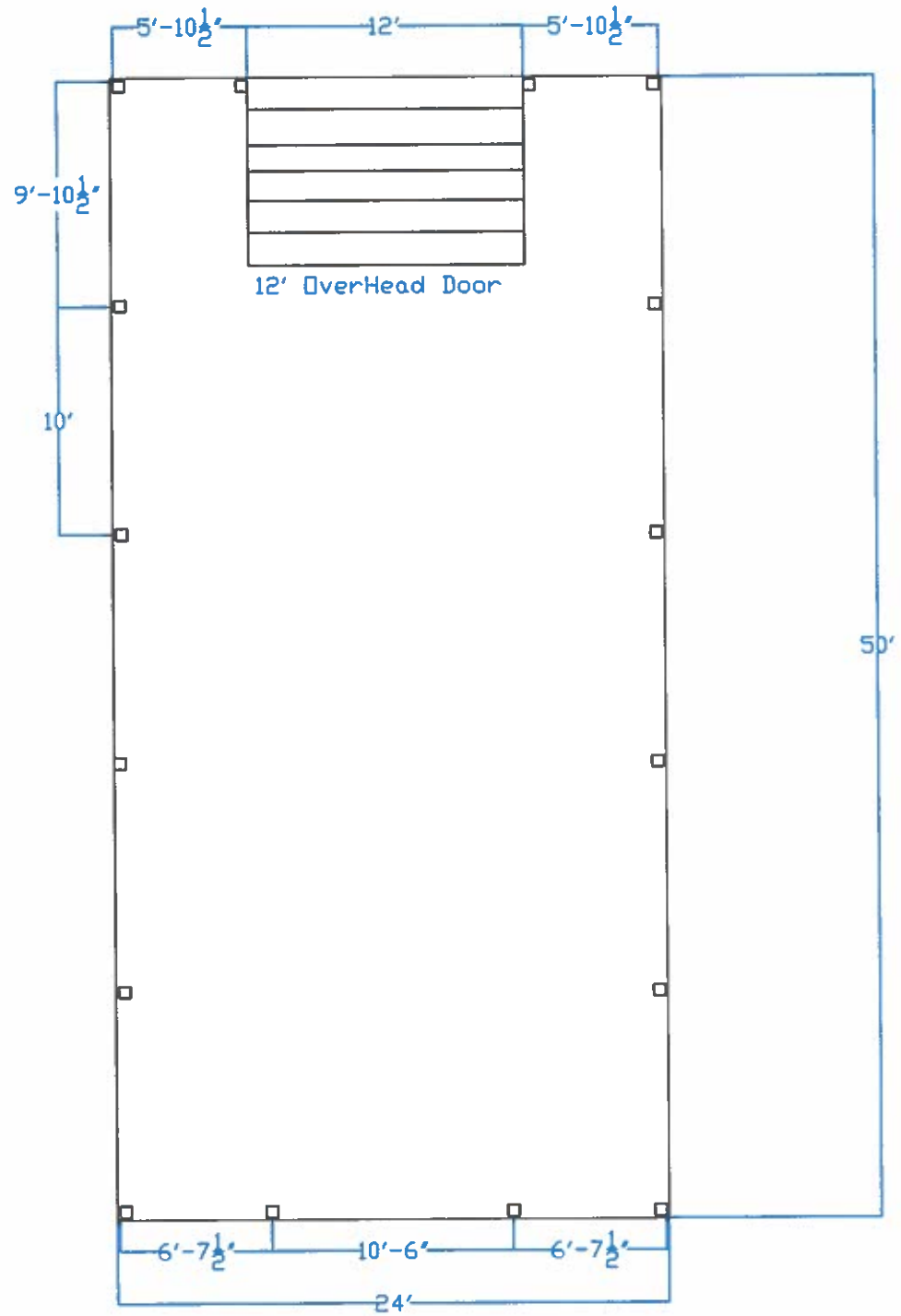
4289 Sweet Road

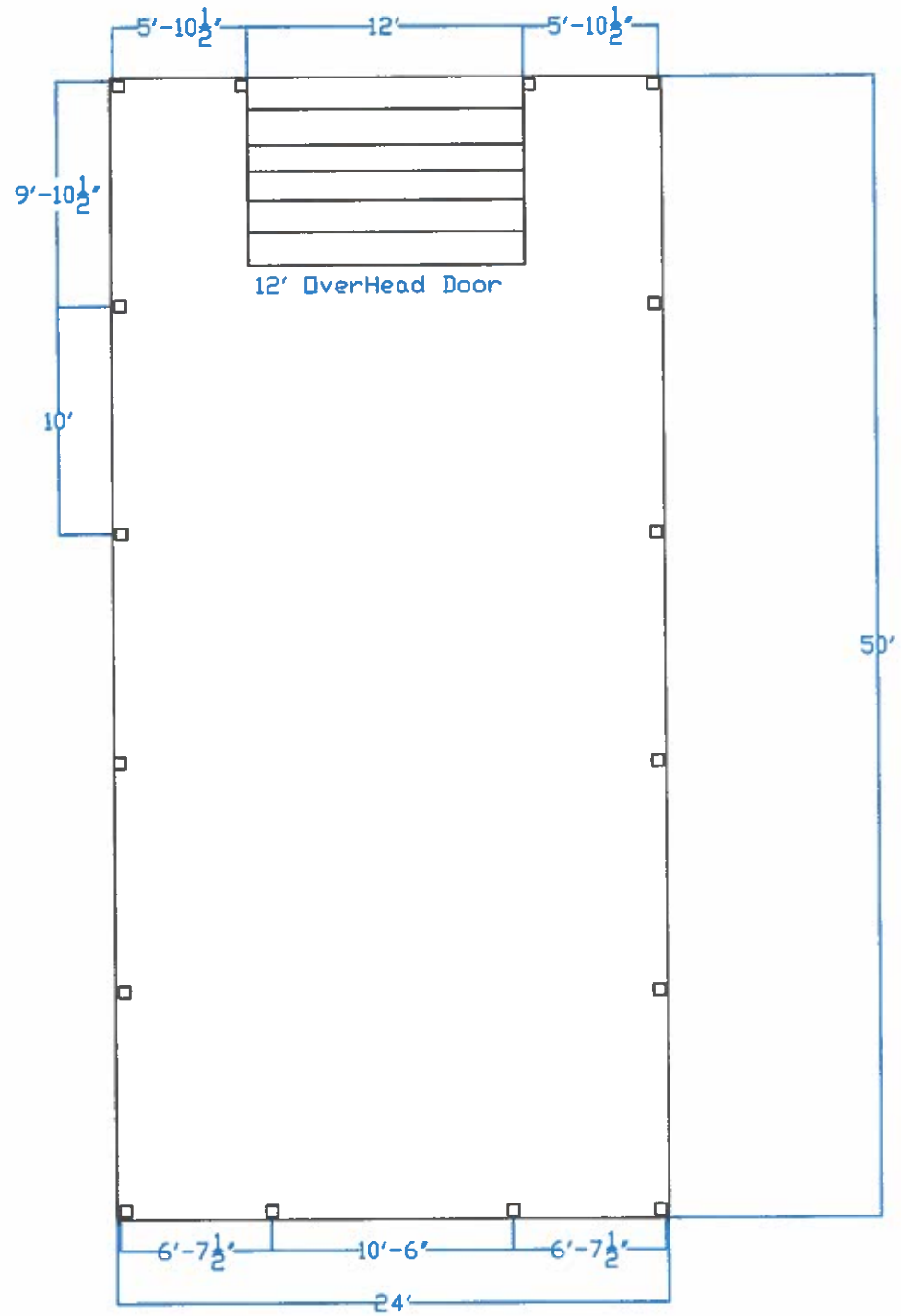


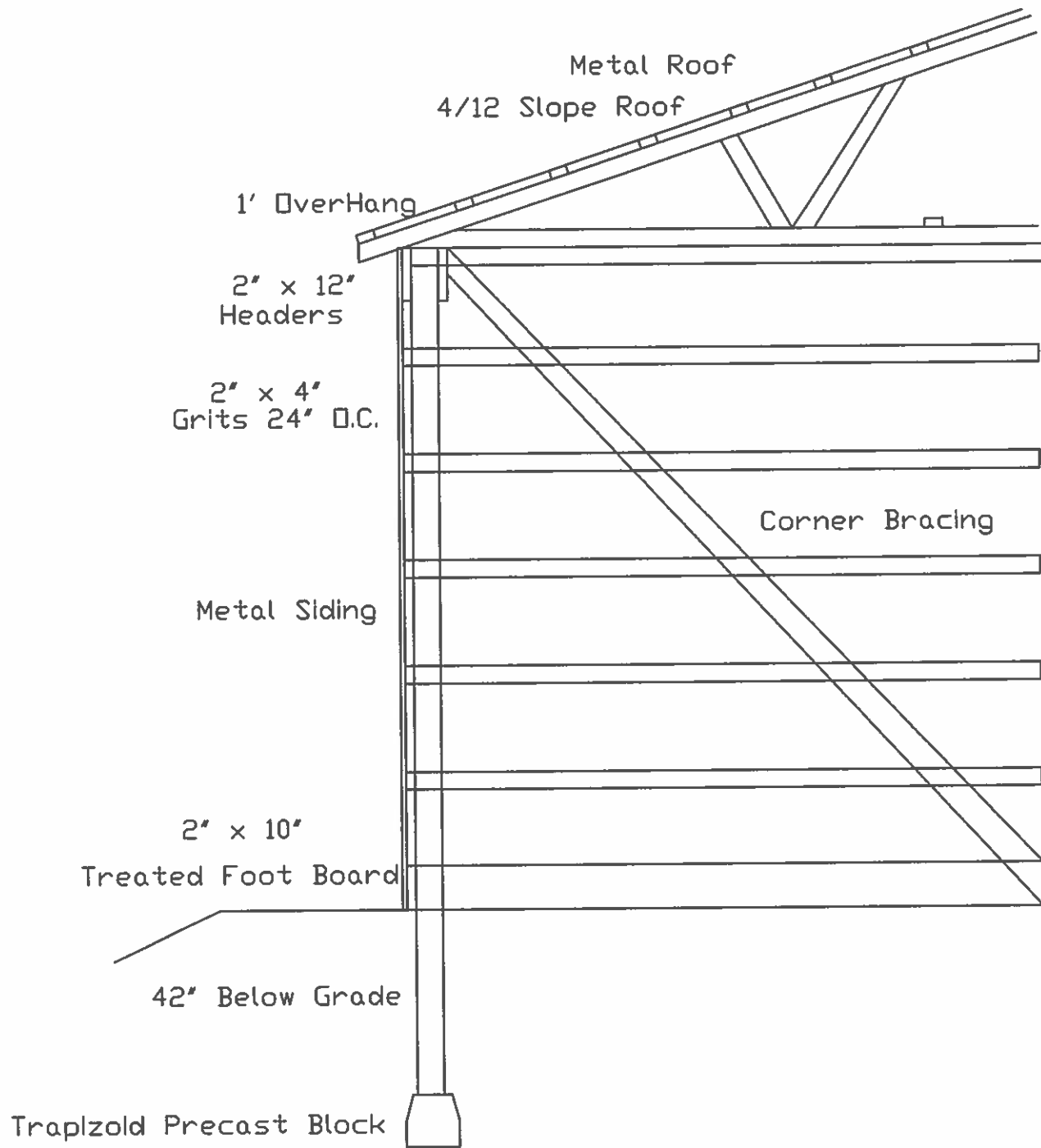


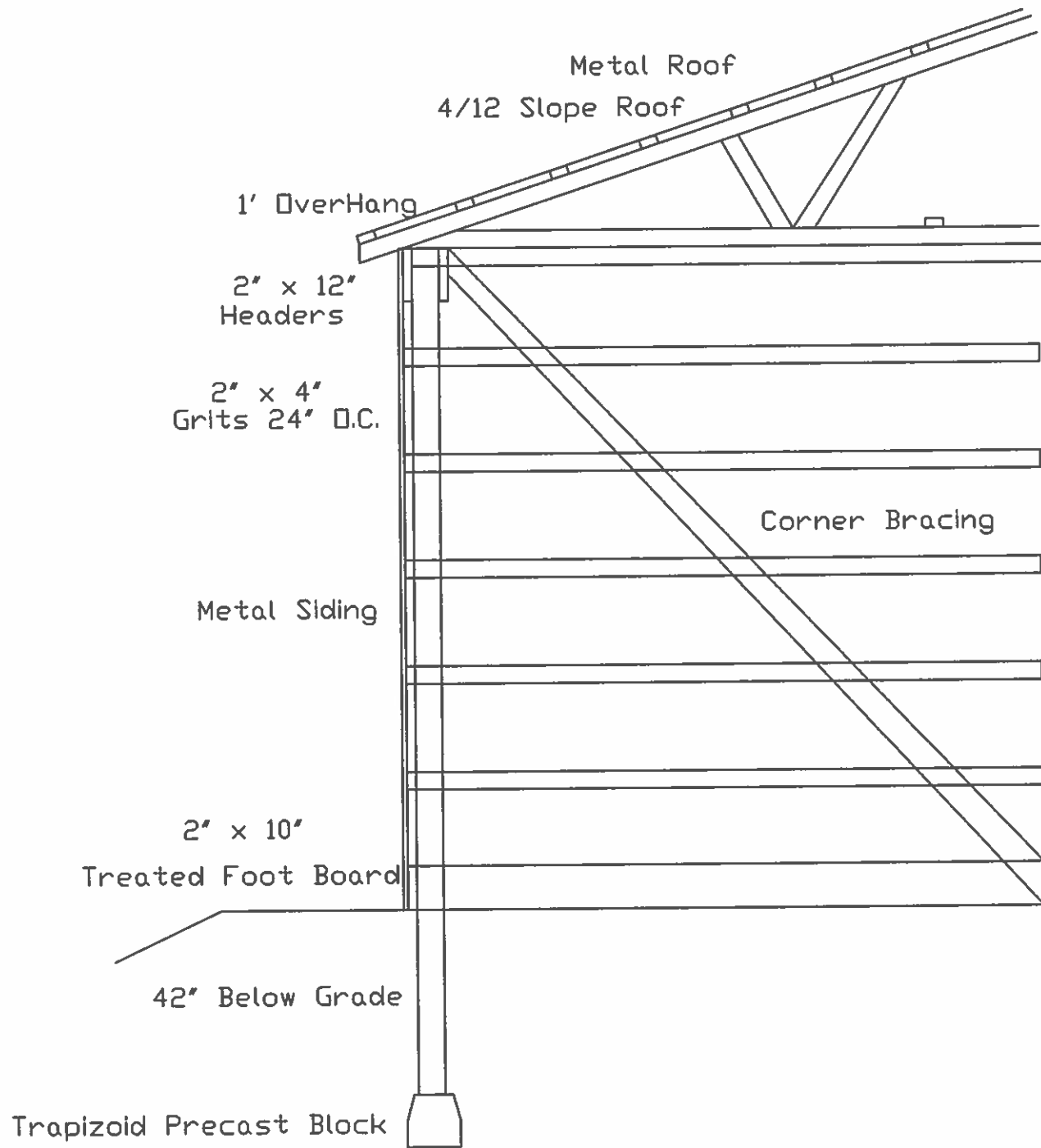
4289 Sweet Road

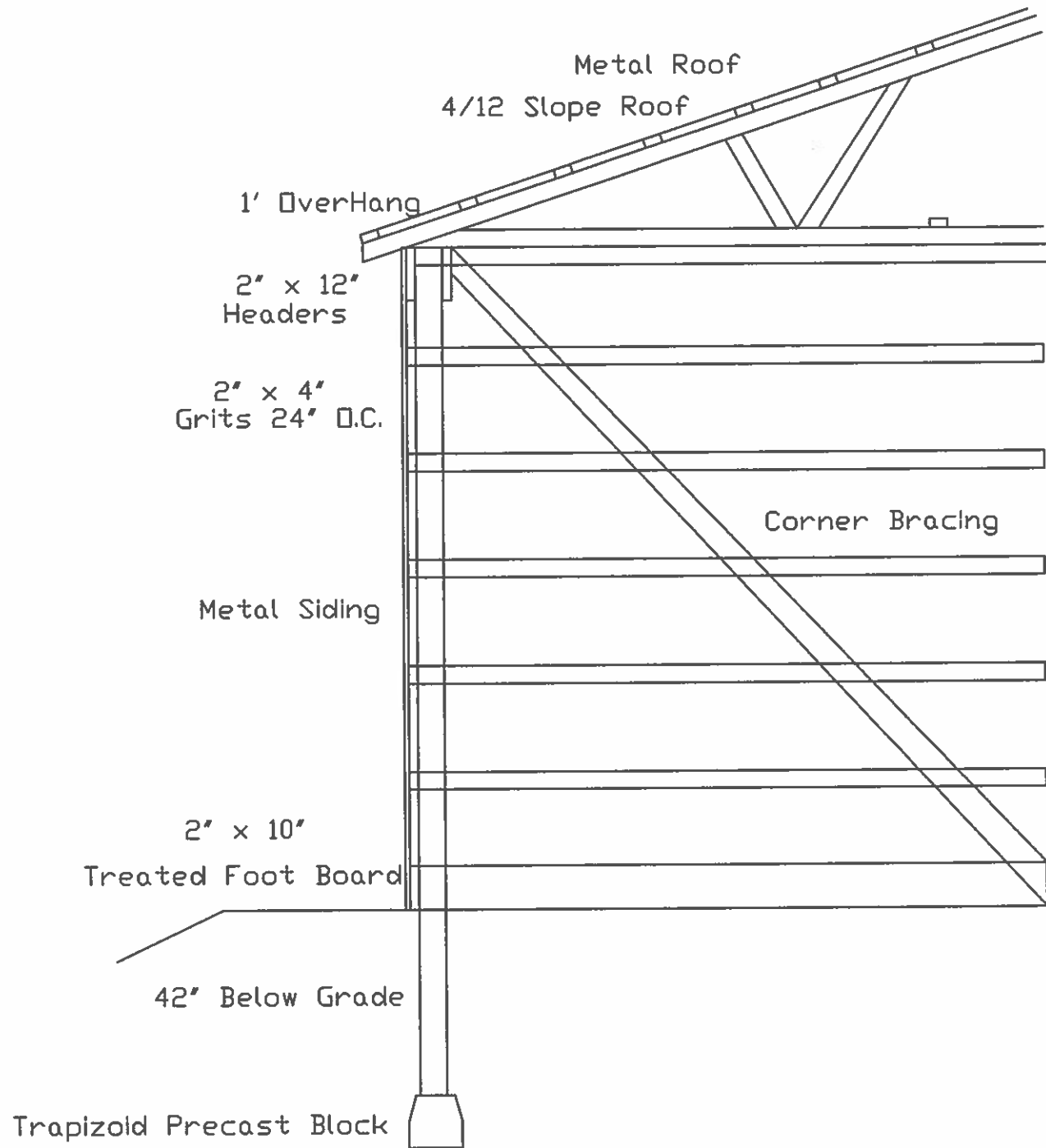










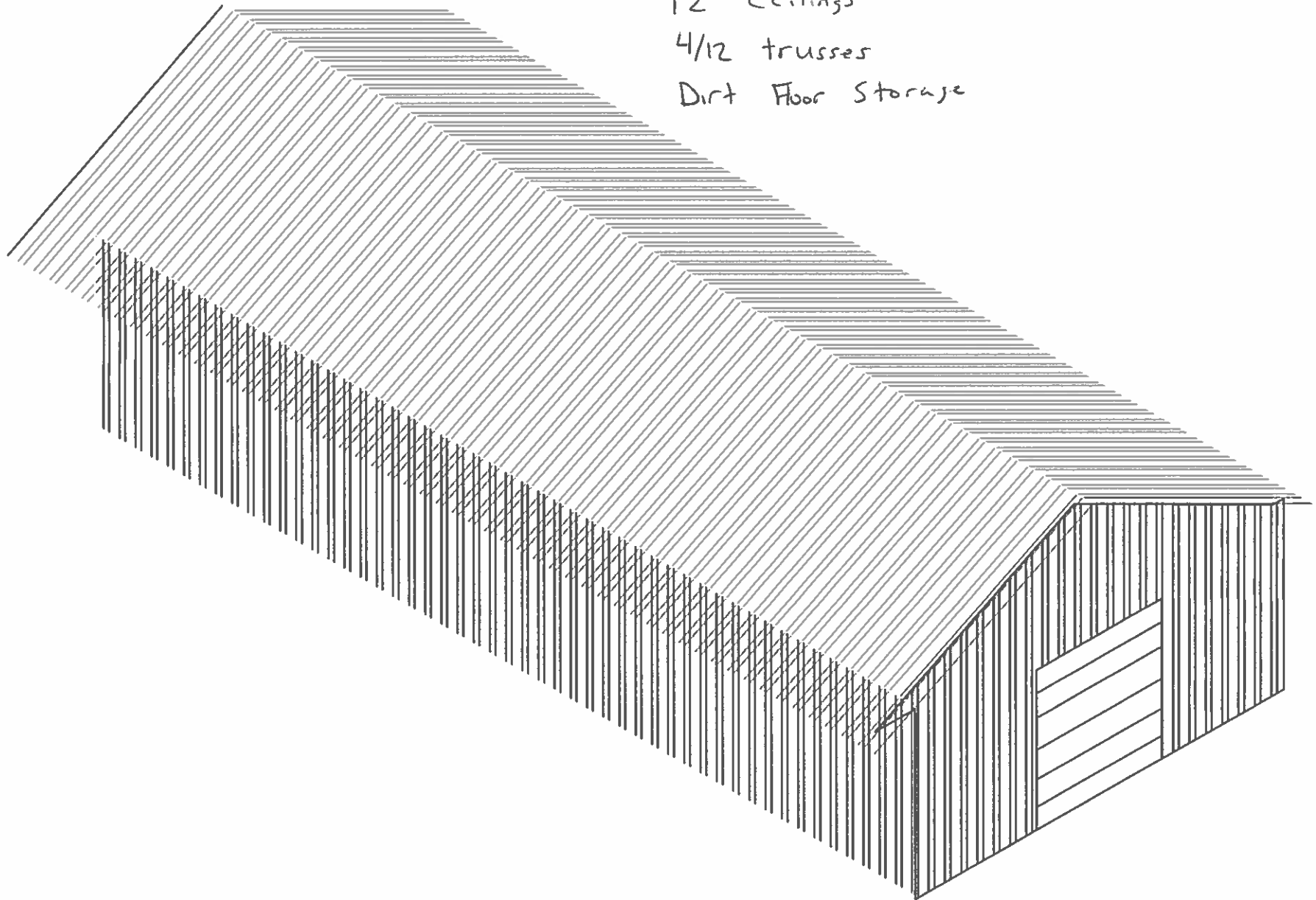


24' x 50' Polebarn

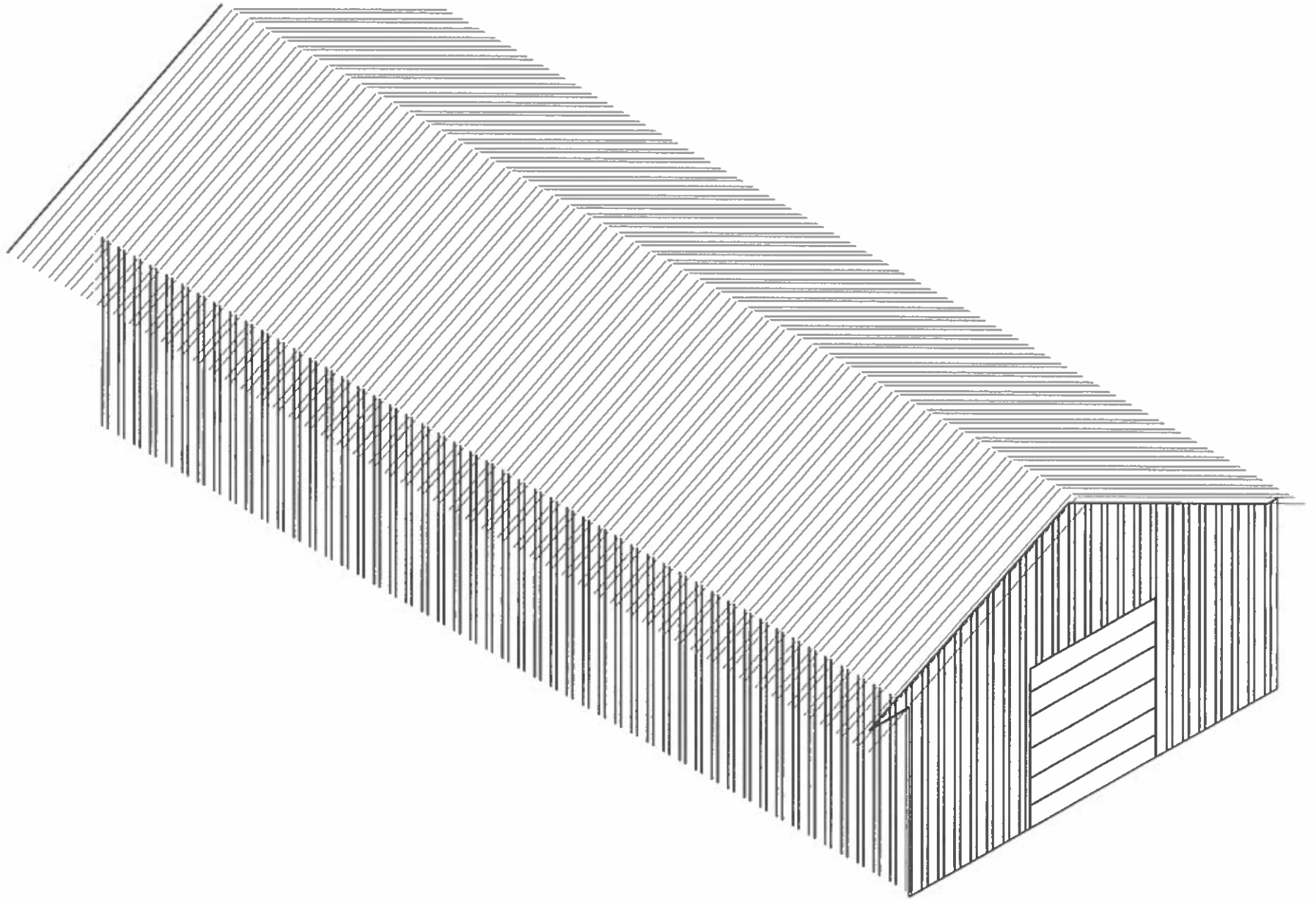
12' ceilings

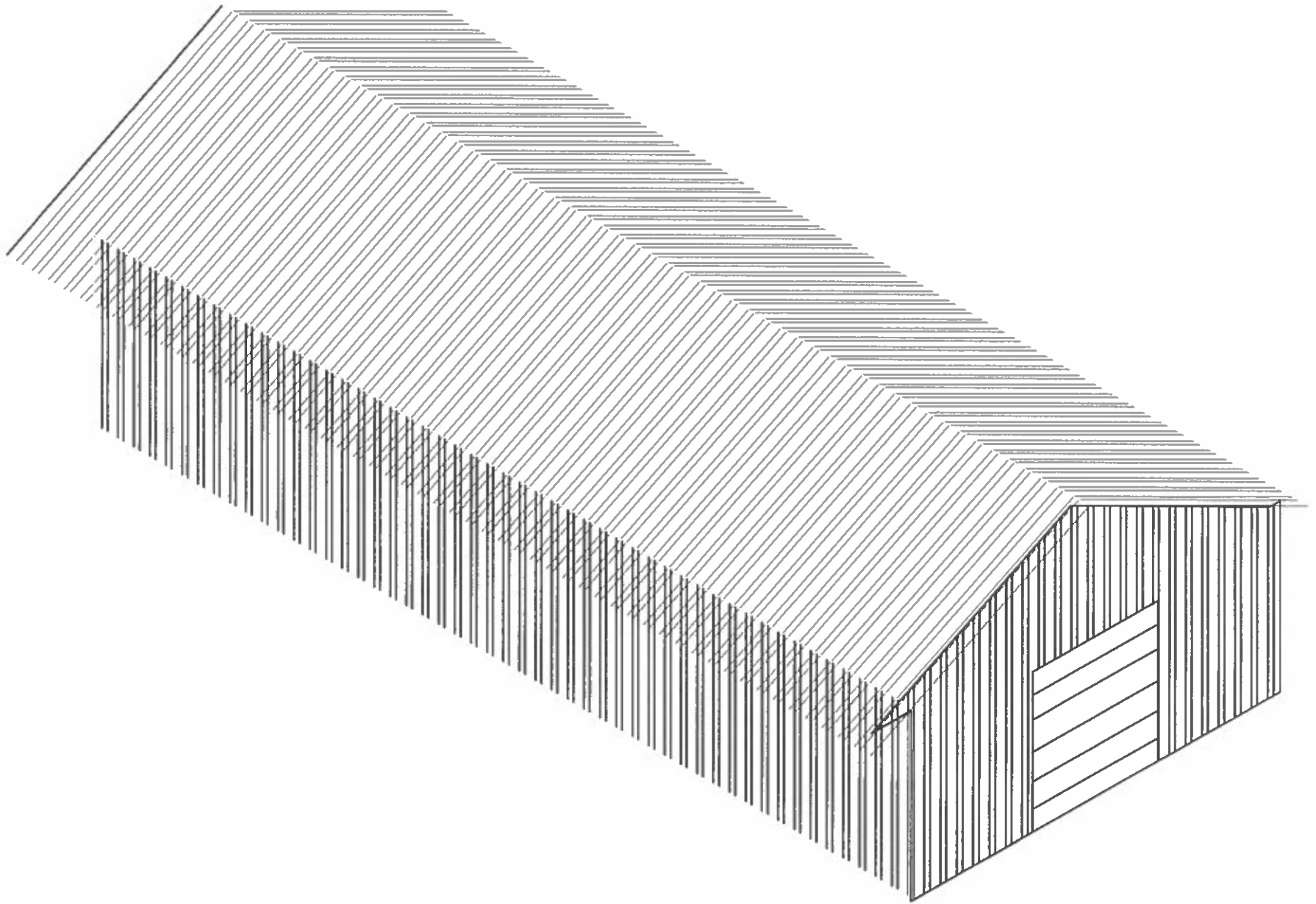
4/12 trusses

Dirt Floor Storage











**Residential Land Use Permit**

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

PERMIT NO. \_\_\_\_\_

revised 10/09/14

**1. PROJECT INFORMATION**

Site Address: 4289 SWEET RD, HOWELL, MI 48843 Acreage: \_\_\_\_\_

**2. OWNER/CONTRACTOR INFORMATION**

Owner Name: JAMES HARMON Phone No: (517) 404-8174

Owner Address: 4289 SWEET RD City: HOWELL State: MI Zip: 48843

Contractor name: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Contractor Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**3. TYPE OF IMPROVEMENT**

**A. Principal Structure**  
 New Single Family  New Multiple Family  Addition to Existing Building  Grading/Site Work  
 Other: \_\_\_\_\_

**B. Accessory Structure**  
 Fence  Deck  Detached Accessory (garage, shed, pole barn)  Pool/Hot Tub  
 Other: \_\_\_\_\_

**4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION**

**A. Proposed Principal Structure Setbacks (in feet)**

Front: 33' (measured from front property line, right-of-way line or private road easement, whichever is less)

Rear: \_\_\_\_\_ Least Side: 35' Side: 125' Water/Wetland: \_\_\_\_\_

**B. Proposed Accessory Structure Setbacks (in feet)**

Front: 39' Least Side: 88' Side: 120' Rear: 223' Water/Wetland: \_\_\_\_\_ Distance from Principle Structure: 255'

**C. Proposed Building/Improvement Dimensions**

Size of Building/Improvement: \_\_\_\_\_ square feet Height: \_\_\_\_\_ feet

**6. SIGNATURE OF APPLICANT**

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent. The owner and applicant agree to conform to all applicable ordinances of Genoa Township. Any modification to location, size or dimensions must be approved by Genoa Township. A Land Use Permit is valid for a period of 12 months from the date of issue. In signing of this application, I am permitting an official representative of Genoa Charter Township to do on-site inspections. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

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

Signature of Applicant: \_\_\_\_\_ Printed Applicant name: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR OFFICE USE ONLY**

**FLOODPLAIN**

Floodplain: \_\_\_\_\_ Panel #: \_\_\_\_\_ Zone #: \_\_\_\_\_

**ASSESSING APPROVAL**

Approved  Disapproved Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

**ZONING APPROVAL**

Parcel I.D. No.: \_\_\_\_\_ Zoning: \_\_\_\_\_  
 Approved  Disapproved Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Comments/Conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Date picked up: \_\_\_\_\_

ZBA Case #/Approval date: \_\_\_\_\_ Conditions: \_\_\_\_\_

**3. FEES**

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



**GENOA TOWNSHIP ASSESSING DEPARTMENT  
REQUIRED LAND USE INFORMATION FORM**

2911 Dorr Road ❖ Brighton, Michigan 48116

Phone: (810) 227-5225 ❖ Fax: (810) 227-3420 ❖ www.genoa.org

PERMIT NO. \_\_\_\_\_

1. PROJECT INFORMATION										
Site Address: <b>4289 SWEET RD</b>				Parcel I.D. No.:			Zoning:			
2. TYPE OF IMPROVEMENT										
<p>A. <u>Principal Structure</u></p> <p><input type="checkbox"/> Single Family      <input type="checkbox"/> Multi-Family      <input type="checkbox"/> Addition to Existing Building</p> <p>B. <u>Accessory Structure</u></p> <p><input type="checkbox"/> Fence   <input type="checkbox"/> Deck   <input checked="" type="checkbox"/> Detached Accessory (garage, shed, pole barn)      <input type="checkbox"/> Sunroom</p> <p><input type="checkbox"/> Pool/Hot Tub:   <input type="checkbox"/> Above ground      <input type="checkbox"/> In ground</p> <p>C. <u>Total Project Cost:</u> \$ _____</p>										
3. SELECTED CHARACTERISTICS OF IMPROVEMENT										
<b>Building Style</b>		<input type="checkbox"/> Ranch		<input type="checkbox"/> 1.5 Story		<input type="checkbox"/> 2 Story				
<b>Frame</b>		<input type="checkbox"/> Masonry, Wall Bearing		<input type="checkbox"/> Wood Frame		<input type="checkbox"/> Structural Steel		<input type="checkbox"/> Reinforced Concrete		
<b>Exterior</b>		<input type="checkbox"/> Brick		<input type="checkbox"/> Stone		<input type="checkbox"/> Siding		<input type="checkbox"/> Wood		
<b>Foundation</b>		<input type="checkbox"/> Basement			<input type="checkbox"/> Crawl			<input type="checkbox"/> Slab		
<b>Area</b>		New Building Square Footage:				Addition Square Footage:				
<b>Bedrooms</b>		No. of:								
<b>Bathrooms</b>		No. of Full:		No. of Half:		No. of Sinks:		No. of Showers		
<b>Basement</b>		Walkout: <input type="checkbox"/> Yes <input type="checkbox"/> No	Finished: <input type="checkbox"/> Yes <input type="checkbox"/> No	Finished Square Footage:		Basement Baths:	No. of Full:		No. of Half:	
<b>Central Air</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No				<b>Fire Suppression:</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>Fireplace</b>		<input type="checkbox"/> Direct Vent		<input type="checkbox"/> Pre-fab		<input type="checkbox"/> Other:				
<b>Garage</b>		<input type="checkbox"/> Attached	<input type="checkbox"/> Detached	Height:      feet		Depth:      feet		Width:      feet		
<b>Inground Pool</b>		<input type="checkbox"/> Fiberglass			<input type="checkbox"/> Gunit			<input type="checkbox"/> Plastic		
<b>Driveway</b>		<input type="checkbox"/> Gravel	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Concrete	<input type="checkbox"/> Brick	<input type="checkbox"/> Other _____				
<b>Accessory Structure</b>		Height: <b>12</b> feet	Depth: <b>50</b> feet	Width: <b>24</b> feet		<b>Flooring:</b>		<input type="checkbox"/> Concrete	<input checked="" type="checkbox"/> Dirt	<input type="checkbox"/> Wood
4. APPLICANT SIGNATURE (below)										
<p>I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent and agree to conform to all applicable ordinances of Genoa Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.</p>										
Signature of Applicant: 					Date: <b>11/3/14</b>					

## **Accessory Building Comparison**

The following is a list of properties in the vicinity of 4289 Sweet Rd. The parcels marked as “No” do not have detached accessory buildings which are larger than 1,200 square feet. Parcels marked as “Yes” do have detached accessory buildings larger than 1,200 square feet. The information used in this comparison was acquired from the individual parcels assessing data. Those parcels designated with an asterisk (\*) are zoned CE (Country Estate) and a conforming lots. All other parcels are zoned CE and are non-conforming lots. The specific parcels used are highlighted on the provided map.

4353 Sweet Rd – No

4350 Sweet Rd – Yes

4392 Sweet Rd – No

4307 Sweet Rd – No

\*4318 Sweet Rd – No

\*4290 Sweet Rd – No

\*4260 Sweet Rd – No

4201 Sweet Rd – No

4179 Sweet Rd – No

\*4200 Sweet Rd – No

\*4166 Sweet Rd – No

\*4159 Sweet Rd – Yes

4130 Sweet Rd – No

\*4075 Sweet Rd – No

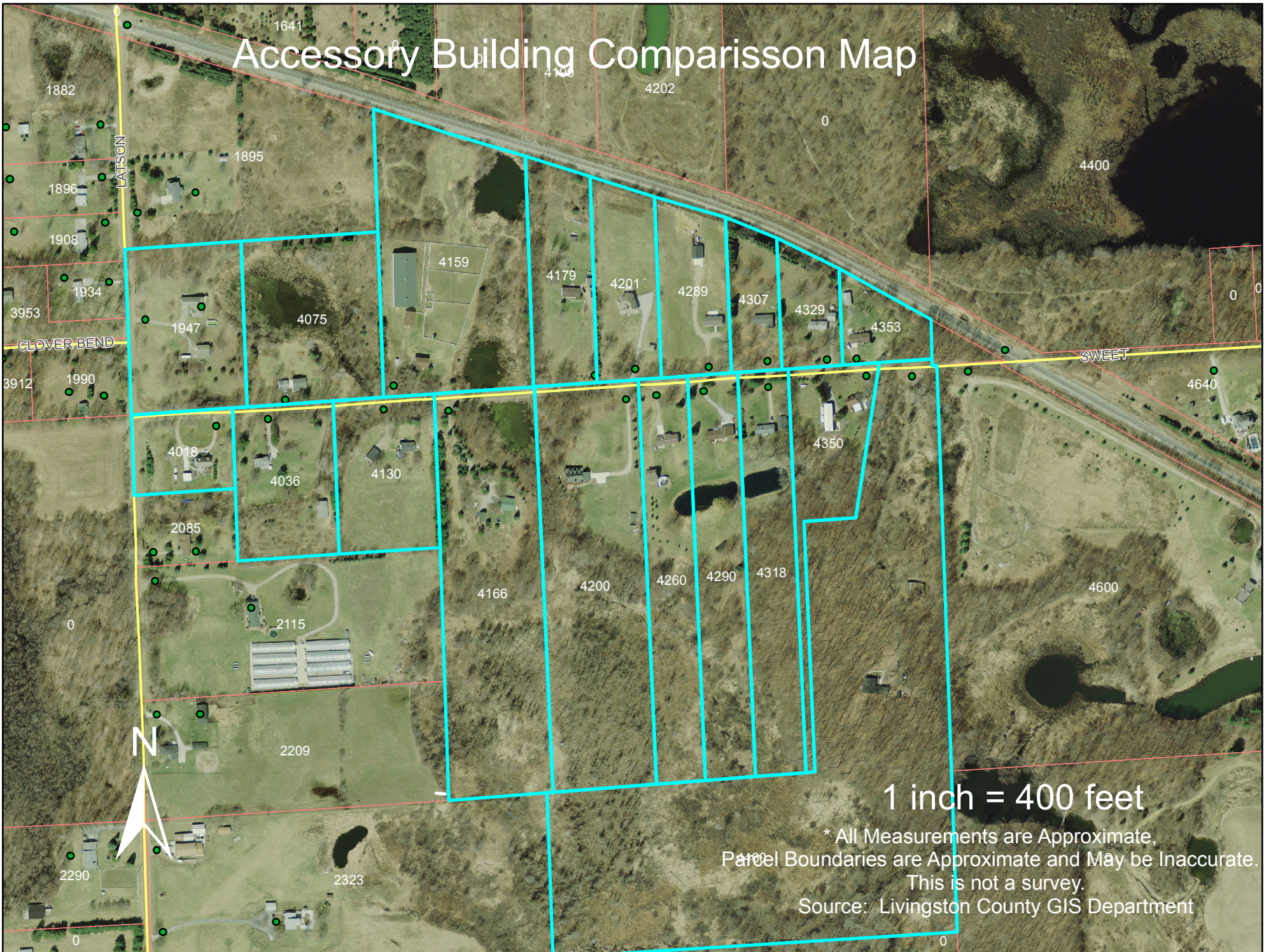
4036 Sweet Rd – No

1947 S. Latson Rd – No

4018 Sweet Rd – No

\*4460 Sweet Rd - No

# Accessory Building Comparisson Map



# ZBA 14-30 Area Map



196 S LATSON

BECK

LATSON

CLOVER BEND

SWEET



1 inch = 500 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\*\*\*

11/21/2014 12:23 PM

<b>Parcel:</b>	4711-09-300-004	<b>Current Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Owner's Name:</b>	HARMON JAMES A	<b>Previous Class:</b>	401.401 RESIDENTIAL-IMPROVED
<b>Property Address:</b>	4289 SWEET RD. HOWELL, MI 48843	<b>Gov. Unit:</b>	4711 GENOA CHARTER TOWNSHIP
		<b>MAP #</b>	V14-30
		<b>School:</b>	47070 HOWELL
		<b>Neighborhood:</b>	47070 47070 HOWELL M & B
<b>Liber/Page:</b>	2007R-005278	<b>Created:</b>	//
<b>Split:</b>	//	<b>Active:</b>	Active
<b>Public Impr.:</b>	None		
<b>Topography:</b>	REFUSE		

## Mailing Address:

HARMON JAMES A  
4289 SWEET RD.  
HOWELL MI 48843

## Most Recent Sale Information

Sold on 02/01/2007 for 82,500 by WELLS FARGO BANK MINNESOTA.

**Terms of Sale:** INVALID SALE

**Liber/Page:** 2007R-005278

## Most Recent Permit Information

Permit 01-070 on 02/26/2001 for \$10,000 category ACCESSORY BLDG .

## 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>	80,000	<b>2014 Taxable:</b>	76,809	<b>Acres:</b>	2.94
<b>Zoning:</b>	CE	<b>Land Value:</b>	65,000	<b>Frontage:</b>	0.0
<b>PRE:</b>	100.000	<b>Land Impr. Value:</b>	0	<b>Average Depth:</b>	0.0

## Improvement Data

# of Residential Buildings: 1  
Year Built: 1972  
Occupancy: Single Family  
Class: C+10  
Style: C  
Exterior: Wood Siding  
% Good (Physical): 69  
Heating System: Forced Air w/ Ducts  
Electric - Amps Service: 0  
# of Bedrooms: -15  
Full Baths: 1 Half Baths: 0  
Floor Area: 960  
Ground Area: 960  
Garage Area: 920  
Basement Area: 960  
Basement Walls:  
Estimated TCV: 101,265

## Image





Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.						
WELLS FARGO BANK MINNESOTA	HARMON JAMES A	82,500	02/01/2007	QC	INVALID SALE	2007R-005278	BUYER	100.0						
WATSON, MARTIN & LISA	WELLS FARGO BANK MINNESOTA	166,000	11/03/2006	TA	INVALID SALE		BUYER	0.0						
WATSON, MARTIN	WATSON, MARTIN & LISA	0	10/04/2001	QC	QUIT CLAIM	3148-0506	BUYER	0.0						
BYERS	FLY	0	03/26/2001	QC	QUIT CLAIM	2945-0936	BUYER	0.0						
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: CE		Building Permit(s)		Date	Number	Status				
4289 SWEET RD.		School: HOWELL		ACCESSORY BLDG		02/26/2001		01-070	NO START					
Owner's Name/Address		P.R.E. 100% 02/01/2007		MAP #: V14-30		2015 Est TCV Tentative								
HARMON JAMES A 4289 SWEET RD. HOWELL MI 48843		X Improved		Vacant		Land Value Estimates for Land Table 124.HOWELL M& B								
Tax Description		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason		Value						
SEC 9 T2N R5E E 230 FT OF W 1/2 OF SE 1/4 OF SW 1/4 LYING S OF PMRR 2.94 AC M/L CORR 10/89		Dirt Road		LAND TABLE A		2.94 Acres 22109 100		65,000						
Comments/Influences		Gravel Road		2.94 Total Acres		Total Est. Land Value =		65,000						
2005 WINTER TAX BILL RETURNED WITH A FORWARDING ADDRESS OF 6270 BETH, BRIGHTON MI 48116-2104. RESENT TAX BILL TO FORWARDING ADDRESS WITH A CHANGE OF ADDRESS FORM.		Paved Road												
		Storm Sewer												
		Sidewalk												
		Water												
		Sewer												
		Electric												
		Gas												
		Curb												
		Street Lights												
		Standard Utilities												
		Underground Utils.												
		Topography of Site												
		Level												
		Rolling												
		Low												
		High												
		Landscaped												
		Swamp												
		Wooded												
		Pond												
		Waterfront												
		Ravine												
		Wetland												
		Flood Plain												
		X REFUSE												
		Who		When		What		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
								2015	Tentative	Tentative	Tentative			Tentative
								2014	32,500	47,500	80,000			76,809C
								2013	32,500	43,100	75,600			75,600S
								2012	32,500	42,000	74,500			74,500S



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

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	Type	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall 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: C		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace			Class: C +10 Effec. Age: 31 Floor Area: 960 Total Base Cost: 108,166 Total Base New : 159,003 Total Depr Cost: 109,712 Estimated T.C.V: 101,265			CntyMult X 1.470 E.C.F. X 0.923		Bsmnt Garage:			
Yr Built 1972	Remodeled 0	Size of Closets		No./Qual. of Fixtures			Stories Exterior 1 Story Siding			Foundation Basement			Rate	Bsmnt-Adj	Heat-Adj	Size	Cost	
Condition for Age: Good		Doors: Lg X Ord Small		Ex. X Ord Min			Other Additions/Adjustments			Rate								
Room List		(5) Floors		No. of Elec. Outlets			(9) Basement Finish			Rate								
	Basement 1st Floor 2nd Floor -16 Bedrooms	Kitchen: Other: Other:		Many X Ave. Few			Basement Living Finish			17.25							576	9,936
(1) Exterior		(6) Ceilings		(13) Plumbing			(14) Water/Sewer			4975.00							1	4,975
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 960 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		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 1 Ceramic Tub Alcove Vent Fan			Well, 200 Feet 1000 Gal Septic			3085.00							1	3,085
(2) Windows		(8) Basement		(14) Water/Sewer			Class:C Exterior: Siding Foundation: 42 Inch (Unfinished)			20.90							480	10,032
X	Many Avg. Few	X	Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			Class:C Exterior: Siding Foundation: 42 Inch (Unfinished)			-1300.00							1	-1,300
(3) Roof		(9) Basement Finish		Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Base Cost			21.75							440	9,570
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Recreation SF Living SF Walkout Doors No Floor SF		Lump Sum Items:			Phy/Ab.Phy/Func/Econ/Comb.%Good= 69/100/100/100/69.0,			Depr.Cost =								109,712
Chimney: Brick							ECF (47070 HOWELL M & B)			0.923 => TCV of Bldg: 1 =								101,265

\*\*\* 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 # 14-031 Meeting Date: 12-9-14

- 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: Steve Schenck, Owner Liberty Tax Service - Howell

Property Address: 4072 E Grand River Ave Phone: 517-540-1040

Present Zoning: GCD Tax Code: 4711-045-300-010

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.

I. Variance Requested: Five weeks of temporary signage (split between late January and early April, coinciding the with start and end of tax season) for 2015 *SKS*  
(typical pictures from previous years attached)

This variance is requested because of the following reasons:

a. Unusual topography/shape of land Poor visibility of office from road and visibility is critically important in the early part of tax season.

b. Other Individual income tax preparation is very seasonal; there is a limited time window to raise customer awareness.

## Variance Application Requires the Following:

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

Date: 11/7/14

Signature: SR Schenck

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

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

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**December 9, 2014**  
**CASE #14-31**

**PROPERTY LOCATION:** 4072 E. Grand River

**PETITIONER:** Steve Schenck, Owner of Liberty Tax Service

**ZONING:** GCD (General Commercial District)

**WELL AND SEPTIC INFO:** Water and Sewer Present

**PETITIONERS REQUEST:** Petitioners are requesting a variance from provisions in the zoning ordinance which limit temporary signs to a fourteen (14) day period once during the stay of a business at the same location or if the business has new owners.

**CODE REFERENCE:** 16.07.07

**STAFF COMMENTS:** See Attached Staff Report



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** November 21, 2014  
**RE:** ZBA 14-31

---

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

### STAFF REPORT

**File Number:** ZBA#14-31

**Site Address:** 4072 E. Grand River Ave

**Parcel Number:** 4711-04-300-010

**Parcel Size:** 9.876 Acres

**Applicant:** Steve Schenck, Owner of Liberty Tax Service

**Property Owner:** Country Corners Shopping Center

**Information Submitted:** Application, Sign Picture

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a variance from Article 16.07.07 in order to place a temporary sign on the property for a period of time which extends past the maximum fourteen (14) day period and exceeds the requirement of once during the stay of a business at the same location or if the business has new owners.

**Zoning and Existing Use:** GCD(General Commercial District), Commercial

**Other:**

The public hearing notice was published in the Livingston County Press and Argus on November 23, 2014 and notices were mailed to any real property within 300 feet of the property lines on November 21, 2014 in accordance with the Michigan Zoning Enabling Act.

**Background**

The following is a brief summary of the background information we have on file relevant to this ZBA case:

- The applicant has applied for and been granted variances to place temporary signs for an additional three (3) weeks beyond the two (2) week period five (5) times.

**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 requesting to place temporary signs on the “Country Corners” property for Liberty Tax. The applicant has been approved five (5) times to place these temporary signs on the property. According to the pictures the signs have been located in the grass area between the sidewalk and the parking lot. Placing these temporary signs would require a variance from the temporary sign regulations in the zoning ordinance due to the limitations that the temporary signs can only be utilized once during the business’s stay at the same location and during that one period, can only be out for fourteen (14) days.

### **Variance Requests**

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

1. Article 16.07.07 **Temporary signs:** One temporary sign may be permitted on the site for a period not to exceed fourteen (14) days. A business shall only be allowed to use a temporary sign once during its stay at the same location or have new owners. The sign shall be no larger than thirty-five (35) square feet in surface display area per side and shall not exceed six (6) feet in height. Wind-blown devices, such as pennants, spinners, and streamers shall also be allowed on the site of the business advertising a grand opening for the fourteen day time period designated for the temporary sign.

### **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**

The following are findings based upon the presented materials.

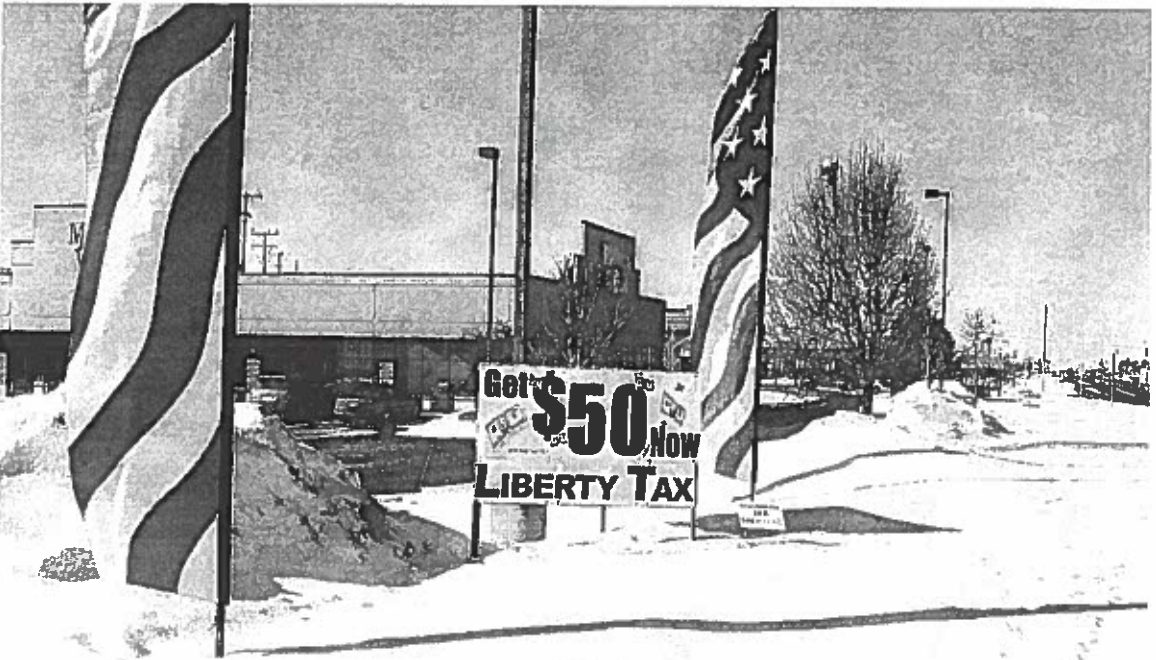
- **Practical Difficulty/Substantial Justice** – Strict compliance with this provision of the Zoning Ordinance would not unreasonably prevent the use of the property. The applicants would have the ability to place a wall sign on the building which is visible from E. Grand River. Granting a variance would not do substantial justice to the other tenants within the building who do not have the ability to place temporary signage for periods of time which exceed the provisions in the Zoning Ordinance.
- **Extraordinary Circumstances** – There are no exceptional or extraordinary circumstances or conditions which are different than other properties in the same zoning district. Issuing a variance for the additional temporary signage would not make the property consistent with the majority of other properties in the vicinity as this zoning ordinance requirement is applicable to all businesses.
- **Public Safety and Welfare** –The proliferation of signs can be distracting to motorists. Temporary signs if used in excess can create a traffic safety issue.
- **Impact on Surrounding Neighborhood** – The proposed signs would not create any situation which discourages development, continued use or value of adjacent properties as they are temporary in nature.

### **Staff Findings of Fact**

1. Strict compliance with the standards in 16.07.07 would not unreasonably limit the tenant from placing any signage as there are opportunities for other types of signs in the zoning ordinance.
2. The granting of a variance would not do substantial justice to other business owners in the same zoning district because they are subject to the same temporary sign regulations.
3. There are no conditions or circumstances on the property that are exceptional or extraordinary. Granting this variance would not make the property consistent with the majority of other properties in the vicinity as all are subject to the temporary sign regulations.

4. Temporary signs used in excess can be distracting to motorists and thus can create a public safety issue.





# ZBA 14-31 Area Map



LATSON

FIGURSKI

GRAND RIVER

EDENVALE

WHITE HORSE

WESTBURY

WILTSHIRE

STROMBRIDGE

ARUNDELL

PARKWAY

1 inch = 300 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\*\*\*

11/21/2014 12:21 PM

<b>Parcel:</b>	4711-04-300-010	<b>Current Class:</b>	201.201 COMMERCIAL- IMPROVED
<b>Owner's Name:</b>	COUNTRY CORNERS SHOPPING CENTER	<b>Previous Class:</b>	201.201 COMMERCIAL- IMPROVED
<b>Property Address:</b>	4046 E GRAND RIVER 4192 HOWELL, MI 48843	<b>Gov. Unit:</b>	4711 GENOA CHARTER TOWNSHIP
		<b>MAP #</b>	V14-31
		<b>School:</b>	47070 HOWELL
		<b>Neighborhood:</b>	2014 2014 RETAIL/SERV
<b>Liber/Page:</b>	2303-0782	<b>Created:</b>	/ /
<b>Split:</b>	/ /	<b>Active:</b>	Active
<b>Public Impr.:</b>	None		
<b>Topography:</b>	None		

## Mailing Address:

COUNTRY CORNERS SHOPPING CENTER  
P O BOX 637  
GARDEN CITY MI 48136

## Most Recent Sale Information

Sold on 04/23/1997 for 0 by SOUTHERN PROPERTIES WEST, INC..

**Terms of Sale:** INVALID SALE

**Liber/Page:** 2303-0782

## Most Recent Permit Information

Permit 11-024 on 03/18/2011 for \$0 category TENANT BUILD-OUT.

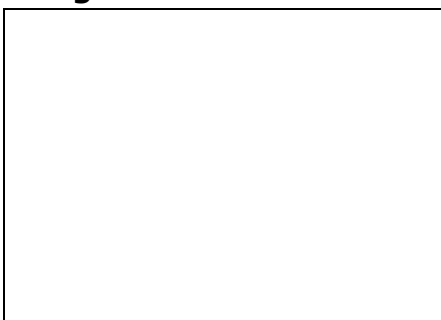
## Physical Property Characteristics

<b>2015 S.E.V.:</b>	Tentative	<b>2015 Taxable:</b>	Tentative	<b>Lot Dimensions:</b>	
<b>2014 S.E.V.:</b>	3,413,700	<b>2014 Taxable:</b>	1,881,913	<b>Acreage:</b>	9.88
<b>Zoning:</b>	GCD	<b>Land Value:</b>	2,187,848	<b>Frontage:</b>	989.0
<b>PRE:</b>	0.000	<b>Land Impr. Value:</b>	256,000	<b>Average Depth:</b>	435.0

## Improvement Data

# of Commercial Buildings: 2  
Type: Shopping Center, Neighborhood  
Desc:  
Class: C  
Quality: Average  
Built: 1997 Remodeled: 0  
Overall Building Height: 0  
Floor Area: 69,866  
Sale Price/Floor Area: 0.00  
Estimated TCV: 4,501,569  
Cmts:

## Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
SOUTHERN PROPERTIES WEST,	COUNTRY CORNERS SHOPPING C	0	04/23/1997	WD	INVALID SALE	2303-0782	BUYER	0.0
INTERNATIONAL SOCIETY	SOUTHERN PROPERTIES W., IN	0	04/23/1997	LC	MEMO L/C	2180-0371	BUYER	0.0
SOUTHERN PROPERTIES W., IN	COUNTRY CORNERS SHOPPING C	0	04/23/1997	LC	MEMO L/C	2180-0374	BUYER	100.0

Property Address	Class: 201 COMMERCIAL- IM	Zoning: GCD	Building Permit(s)	Date	Number	Status			
4046 E GRAND RIVER 4192	School: HOWELL		TENT	07/14/2014	W14-148	NO START			
	P.R.E. 0%		COMM MISCEL	06/25/2014	W14-142	NO START			
Owner's Name/Address	MAP #: V14-31		SIGN	04/17/2014	P14-041	NO START			
COUNTRY CORNERS SHOPPING CENTER P O BOX 637 GARDEN CITY MI 48136	2015 Est TCV Tentative		TENANT BUILD-OUT	01/22/2014	P14-010	NO START			
	X Improved	Vacant	Land Value Estimates for Land Table GRIVE.GRAND RIVER FRONTAGE						
	Public Improvements		* Factors *						
			Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value
			GRD RIVR 1500	989.00	435.00	1.0000	1.4748	1500 100	2,187,848
			989 Actual Front Feet, 9.88 Total Acres Total Est. Land Value = 2,187,848						
			Land Improvement Cost Estimates						
			Description	Rate	CountyMult.	Size	%Good	Cash Value	
			Commercial/Industrial Local Cost Land Improvements						
			Description	Rate	CountyMult.	Size	%Good	%Arch.Mult	Cash Value
			PAVING AVE	2.00	1.00	200000.0	64	100	256,000
			Total Estimated Land Improvements True Cash Value = 256,000						
			Taxable Value						
			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value
			2015	Tentative	Tentative	Tentative			Tentative
			2014	1,093,900	2,319,800	3,413,700			1,881,913C
			2013	1,093,900	2,289,300	3,383,200			1,852,277C
			2012	1,093,900	2,422,100	3,516,000			1,808,865C

Tax Description	Public Improvements	Topography of Site	Level
SEC 4 & 9 T2N R5E COM SW COR SEC 4 TH N86*E 223 FT TO POB, TH N2*W 179.92 FT, TH N86*E 20 FT, TH N2*W 238.88 FT, TH S65*E 293.36 FT, TH S64*E 668.29 FT, TH S2*E 464.59 FT, TH N64*W 989.41 FT, TH N2*W 32 FT TO POB 9.21 AC M/L SPLIT 1-92 FR 009 & 002. COR 4/17/97 TVF	Dirt Road Gravel Road Paved Road 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

Comments/Influences	Who	When	What
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan			

Desc. of Bldg/Section: Calculator Occupancy: Shopping Center, Neighborhood				<<<<< Calculator Cost Computations >>>>>			
Class: C				Class: C    Quality: Average    Percent Adj: +0			
Floor Area: 60,614 Gross Bldg Area: 69,866 Stories Above Grd: 1 Average Sty Hght : 18 Bsmnt Wall Hght		Construction Cost		Base Rate for Upper Floors = 60.70			
		High	Above Ave.				
Depr. Table : 1.5% Effective Age : 16 Physical %Good: 79 Func. %Good : 100 Economic %Good: 100		** ** Calculator Cost Data ** **		(10) Heating system: Package Heating & Cooling    Cost/SqFt: 0.00    100% Adjusted Square Foot Cost for Upper Floors = 60.70			
		Quality: Average    Adj: %+0    \$/SqFt:0.00					
1997 Year Built Remodeled		*** Basement Info ***		1 Stories    Number of Stories Multiplier: 1.000 Average Height per Story: 18    Height per Story Multiplier: 1.130 Ave. Floor Area: 60,614    Perimeter: 1968    Perim. Multiplier: 0.891 Refined Square Foot Cost for Upper Floors: 61.11			
		Area: Perimeter: Type:					
Overall Bldg Height		* Mezzanine Info *		Total Floor Area: 60,614    Base Cost New of Upper Floors = 5,519,555 Reproduction/Replacement Cost = 5,519,555 Eff.Age:16    Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 79 /100/100/100/79.0 Total Depreciated Cost = 4,360,448			
		Area #1: Type #1: Area #2: Type #2:					
Comments:		* Sprinkler Info *		Area: Type: Average			
		Area: Perimeter: Type:					
(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets:                      Fixtures:			
X	Poured Conc.	Brick/Stone	Block	Many Above Ave.	Average Typical		
(3) Frame:		Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets		Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners		Few Average Many Unfinished Typical	
(4) Floor Structure:		(9) Sprinklers:		Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct		Incandescent Fluorescent Mercury Sodium Vapor Transformer	
(5) Floor Cover:				(10) Heating and Cooling:		(13) Roof Structure:    Slope=0	
(6) Ceiling:		Gas	Coal	Hand Fired	(14) Roof Cover:		
		Oil	Stoker	Boiler			

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

Desc. of Bldg/Section: Calculator Occupancy: Store, Retail		<<<<< Calculator Cost Computations >>>>> Class: C Quality: Average Percent Adj: +0							
Class: C Floor Area: 9,252 Gross Bldg Area: 69,866 Stories Above Grd: 1 Average Sty Hght : 16 Bsmnt Wall Hght		Construction Cost High Above Ave. Ave. X Low				Base Rate for Upper Floors = 56.10			
Depr. Table : 1.5% Effective Age : 16 Physical %Good: 79 Func. %Good : 100 Economic %Good: 100		** ** Calculator Cost Data ** ** Quality: Average Adj: %+0 \$/SqFt:0.00 Heat#1: Package Heating & Cooling 100% Heat#2: Package Heating & Cooling 0% Ave. SqFt/Story: 9252 Ave. Perimeter: 420 Has Elevators:				(10) Heating system: Package Heating & Cooling Cost/SqFt: 0.00 100% Adjusted Square Foot Cost for Upper Floors = 56.10  1 Stories Number of Stories Multiplier: 1.000 Average Height per Story: 16 Height per Story Multiplier: 1.090 Ave. Floor Area: 9,252 Perimeter: 420 Perim. Multiplier: 0.948 Refined Square Foot Cost for Upper Floors: 57.97			
1997 Year Built Remodeled		*** Basement Info *** Area: Perimeter: Type: Heat: Hot Water, Radiant Floor				County Multiplier: 1.49, Final Square Foot Cost for Upper Floors = 86.374  Total Floor Area: 9,252 Base Cost New of Upper Floors = 799,134  Reproduction/Replacement Cost = 799,134 Eff.Age:16 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 79 /100/100/100/79.0 Total Depreciated Cost = 631,316			
Overall Bldg Height		* Mezzanine Info * Area #1: Type #1: Area #2: Type #2:				Local Cost Items Rate Quantity/Area %Good Depr.Cost LC CANOPY 12.75 99 80 1,010 AVE CANOPY 16.25 690 80 8,970			
Comments:		* Sprinkler Info * Area: Type: Average				ECF (2014 RETAIL/SERV) 0.900 => TCV of Bldg: 2 = 577,166 Replacement Cost/Floor Area= 87.45 Est. TCV/Floor Area= 62.38			
(1) Excavation/Site Prep:		(7) Interior:				(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:				Outlets:		Fixtures:	
X	Poured Conc.	Brick/Stone	Block	Many Above Ave.	Average Typical	Few None	Few Average	Few Average	
(3) Frame:		Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets				Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners		Many Unfinished Typical	
(4) Floor Structure:		(9) Sprinklers:				Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct		Incandescent Fluorescent Mercury Sodium Vapor Transformer	
(5) Floor Cover:		(10) Heating and Cooling:				(13) Roof Structure: Slope=0		(40) Exterior Wall:	
(6) Ceiling:		Gas Oil	Coal Stoker	Hand Fired Boiler		(14) Roof Cover:		Thickness	Bsmnt Insul.

\*\*\* 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 # 14-32 Meeting Date: 12/9/14  
 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: Christian & Damian Karch

Property Address: 5400 Brady Rd. Phone: 734-585-6583

Present Zoning: CE Tax Code: 11-31-100-011

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

1. Variance Requested: side variance

2. Intended property modifications: Replacement of existing Barn

This variance is requested because of the following reasons:

a. Unusual topography/shape of land  
(explain) \_\_\_\_\_

Topography of Property with Slopes greater then 12%. Marsh / Wetlands and Utility Gas Pipelines in Backyard.

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: 11/14/2014

Signature: Christian Karch / Damian Karch

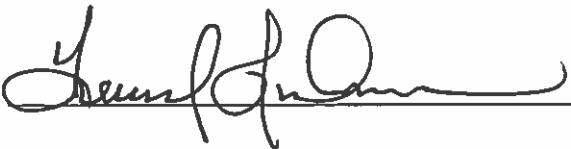
**Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.**

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

Neighbor's Statement to Project and Variance

I am a neighbor located at 5352 Brady Rd. in Howell on the north side of the property located at 5400 Brady Rd. in Howell, Genoa Township, owned by Christian and Damian Karch. Damian and Christian have reviewed with me his plans dated June 26<sup>th</sup> 2013 for an addition to a pole barn. They have explained that a Township Variance is required for this project because the existing barn and the proposed addition does not comply with the current Township Ordinance with respect to side yard setback requirements. After review of this proposed addition I wish to inform the Zoning Board of Appeals that I have no objection to this project or any variances that may be required.

Neighbor TERRY JOHNSON

Signature 



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**December 9, 2014**  
**CASE #14-32**

**PROPERTY LOCATION:** 5400 Brady Rd

**PETITIONER:** Christian & Damian Karch

**ZONING:** CE (Country Estate)

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

**PETITIONERS REQUEST:** 26.5' Side Yard Setback Variance for an addition onto an existing detached accessory building.

**CODE REFERENCE:** Table 3.04.01

**STAFF COMMENTS:** See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	Accessory Building Size
Setbacks for Zoning	75'	40'	40'	60'	N/A	No Limit
Setbacks Requested	221'	13.5'	265.5'	1020'	N/A	3,300 sf
Variance Amount	N/A	26.5'	N/A	N/A	N/A	N/A



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Ron Akers, Zoning Official  
**DATE:** December 2, 2014  
**RE:** ZBA 14-32

---

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

### STAFF REPORT

**File Number:** ZBA#14-32

**Site Address:** 5400 Brady Rd

**Parcel Number:** 4711-31-100-011

**Parcel Size:** 10 Acres

**Applicant:** Christian and Damian Karch, 5400 Brady Rd, Howell, MI 48843

**Property Owner:** Same as applicant.

**Information Submitted:** Application, site plan, building layout.

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a side yard setback variance from Table 3.04.01 in order to construct an addition onto an existing detached accessory building.

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

**Other:**

The public hearing notice was published in the Livingston County Press and Argus on November 23, 2014 and notices were mailed to any real property within 300 feet of the property lines on November 21, 2014 in accordance with the Michigan Zoning Enabling Act.

**Background**

The following is a brief summary of the background information we have on file relevant to this ZBA case:

- House was built in 1974.
- See record card and real estate summary.

**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 requesting a side yard setback variance to construct an addition to their detached accessory building. The existing building is setback 13.5' from the north property line and the proposed addition extends towards the rear of the property along the same setback line by an additional 48'.

### Variance Requests

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

1. **Table 3.04.01: CE (Country Estate) Side Yard Setback**
  - a. **Required: 40'    Proposed: 13.5'    Variance Amount: 26.5'**

### 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.

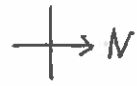
## Summary of Findings

The following are findings based upon the presented materials.

- **Practical Difficulty/Substantial Justice** – Strict compliance with the required setback regulations would prevent the applicant from taking advantage of the exemption from maximum accessory building size requirements. The presence of steep topography and wetlands limits the buildable areas on the parcel. In the buildable areas are the septic tank and septic fields and several mature oak trees that the applicant is interested in keeping. These restrict the areas where the applicant can construct the addition to the accessory building.
- **Extraordinary Circumstances** – The exceptional or extraordinary circumstances applicable to the property are related to the topography and wetlands. While many properties in the CE district have substantial topography and wetlands, many do not have the same building area limitations. These circumstances as well as Zoning Ordinance requirements which prohibit the placement of detached accessory buildings in the front yard restrict the areas where detached accessory buildings could be constructed. The need for the variance is created due to the topography, wetlands, the existing location of the septic field and utilities on the property and the interest in keeping the mature oak trees.
- **Public Safety and Welfare** – The proposed variance should have little if any impact on public safety and welfare. The proposed addition is 13.5' from the closest property line and 300+ feet from any structures on other properties.
- **Impact on Surrounding Neighborhood** – The variance should have little impact on adjacent properties and the surrounding neighborhood.

## Staff Findings of Fact

1. Strict compliance with the side yard setback standards in table 3.04.01 would unreasonably limit the applicant from adding onto an existing detached accessory building as there is no other reasonable location where the applicant could build due to the location of wetlands, an existing septic field, several mature oak trees and substantial topography.
2. The topography and wetlands are exceptional conditions which limit the buildable area on the property. The presence of the oak trees and existing septic field are also conditions that limit this buildable area.
3. The need for the variance is due to the topography, wetlands, existing location of the septic field and utilities and the location of the mature oak trees.
4. The proposed 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. The proposed variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.



30'

18'

30'

PROPOSED  
NEW AREA

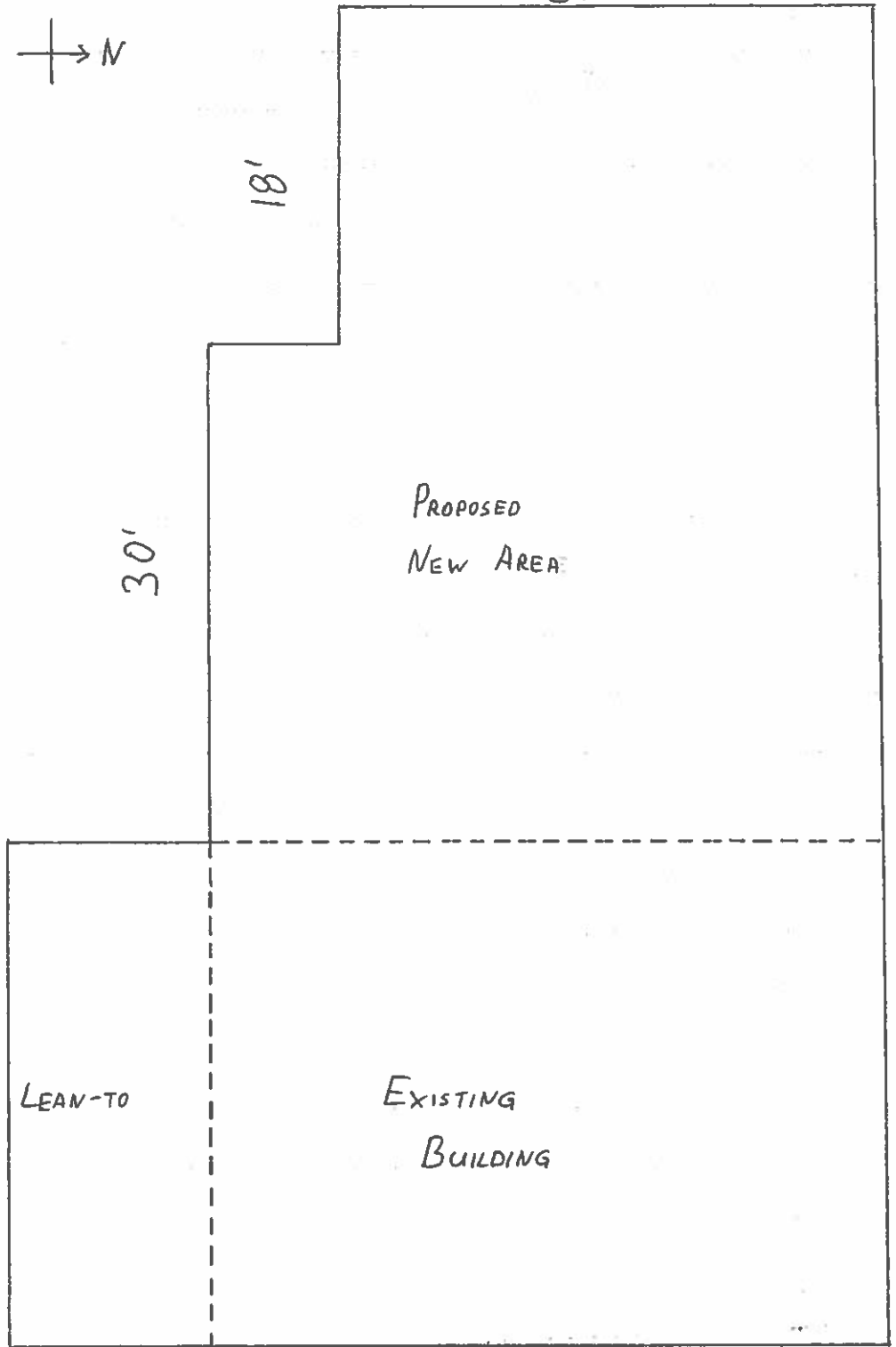
30'

LEAN-TO

EXISTING  
BUILDING

12'

40'



# Application for Variance

5400 Brady Rd. Howell, MI



Property Overview with Utility Gas Pipelines

# Application for Variance

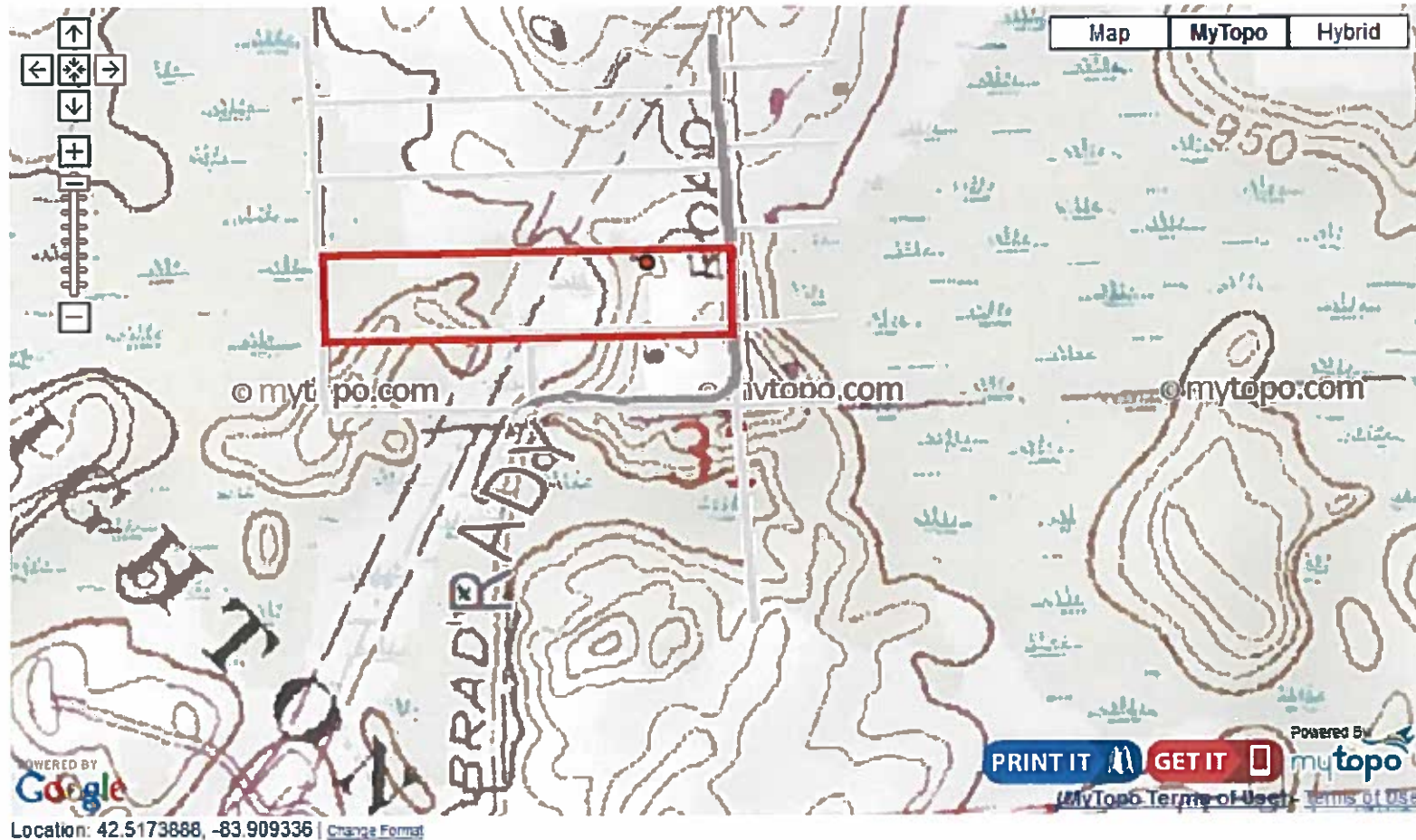
5400 Brady Rd. Howell, MI



Detailed Property Overview with Utility Gas Pipelines

# Application for Variance

5400 Brady Rd. Howell, MI

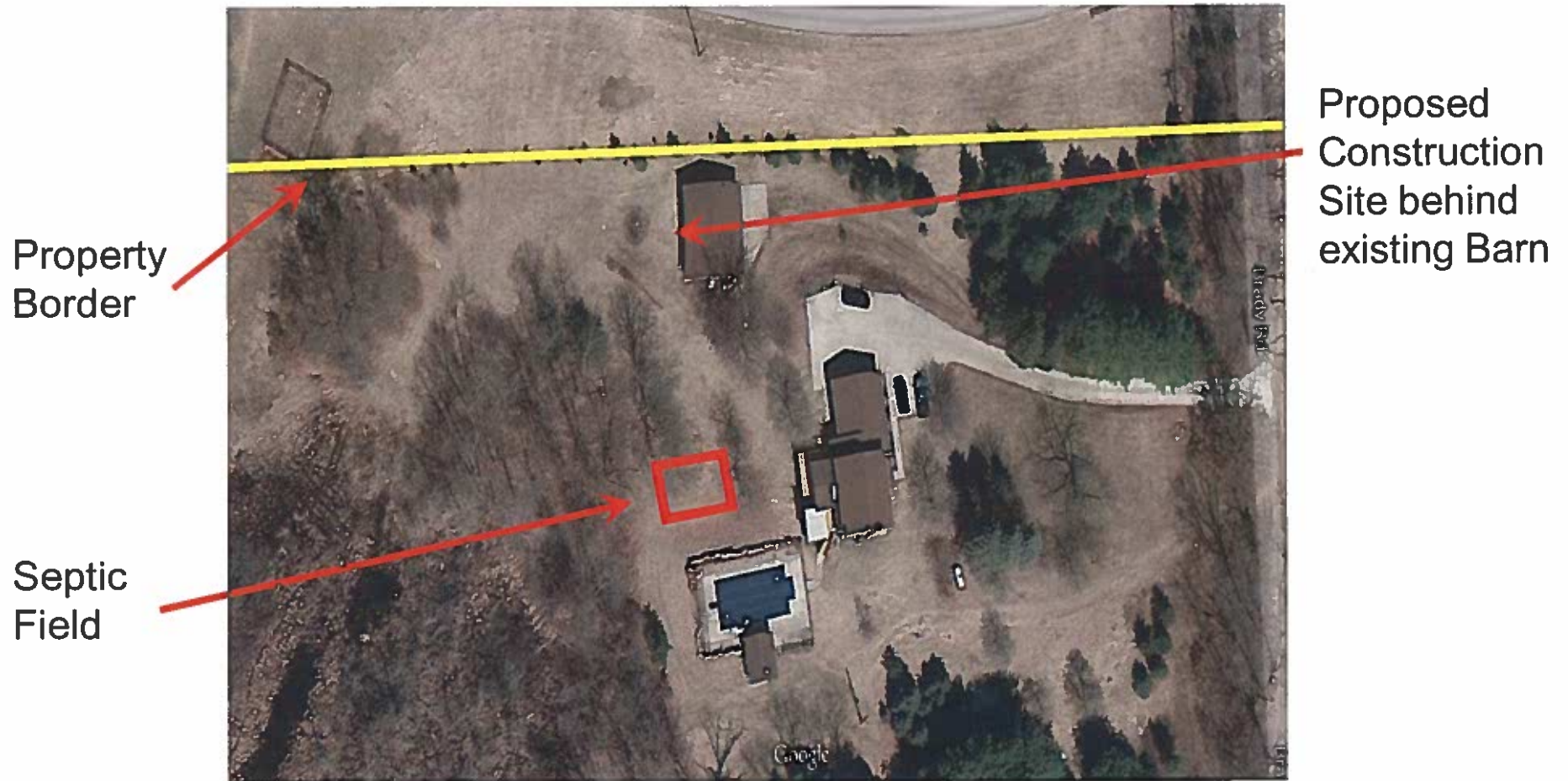


Property Overview with Utility Gas Pipelines and Topography  
Red Dot on Property shows existing Structure



# Application for Variance

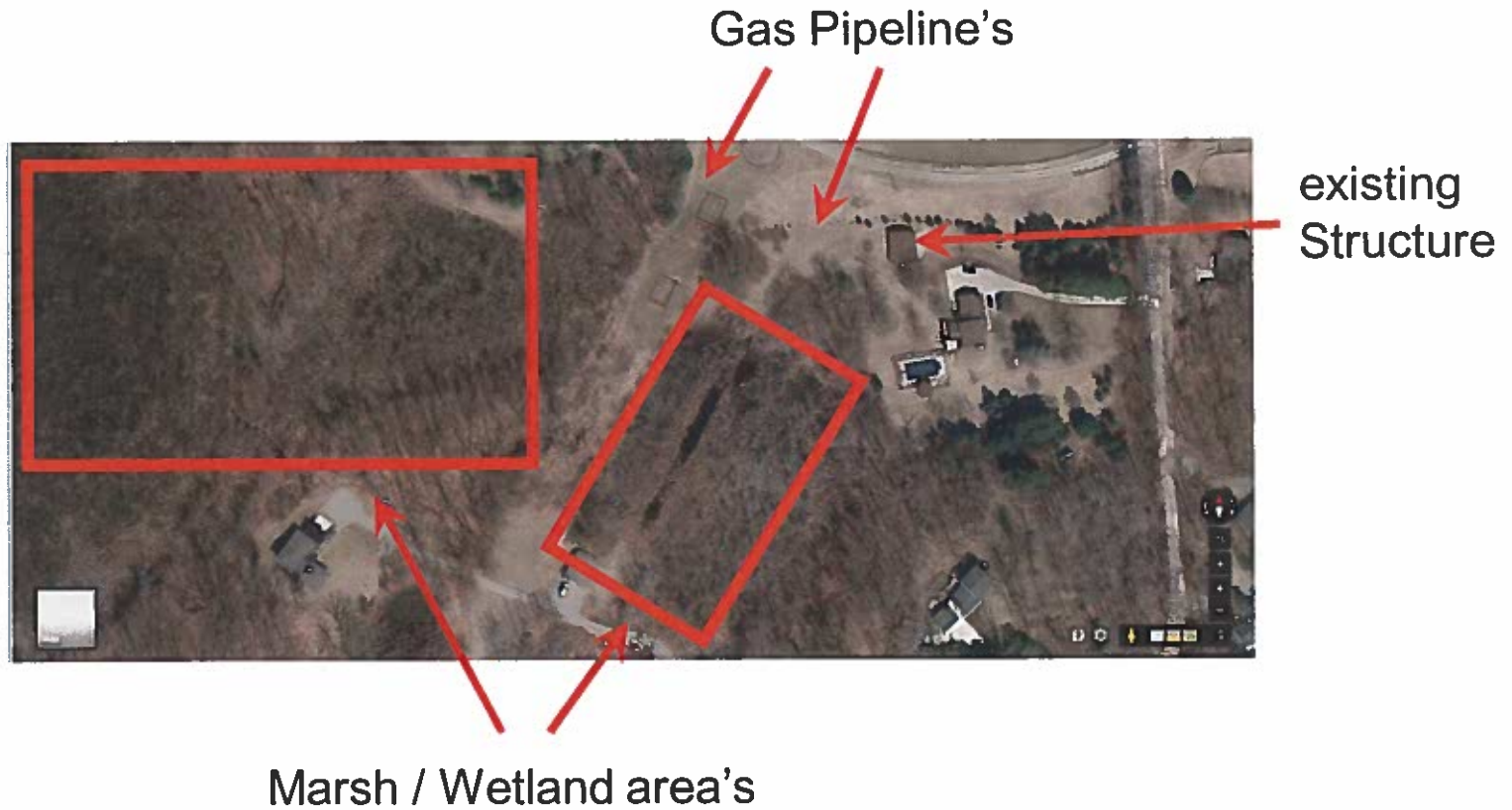
5400 Brady Rd. Howell, MI



Property Overview with Property Border, Septic Field and Proposed Construction Site

# Application for Variance

5400 Brady Rd. Howell, MI



Overview of Property

# Application for Variance

5400 Brady Rd. Howell, MI



Driveway to existing Structure

# Application for Variance

5400 Brady Rd. Howell, MI



West view of existing Structure

# Application for Variance

5400 Brady Rd. Howell, MI



South front view of existing Structure

# Application for Variance



South front view from existing Structure

# Application for Variance

5400 Brady Rd. Howell, MI



Proposed  
Construction  
Site

West view of existing Structure

# Application for Variance

5400 Brady Rd. Howell, MI



Mature Oak  
tree

East view of existing Structure



# Application for Variance

5400 Brady Rd. Howell, MI



Overview of Slopes on Property

# Application for Variance

5400 Brady Rd. Howell, MI



South view from Deck

# Application for Variance

5400 Brady Rd. Howell, MI



West view from Deck

# Application for Variance

5400 Brady Rd. Howell, MI



West view of mature oak tree's

# Application for Variance

5400 Brady Rd. Howell, MI



West slope view towards wetland

# Application for Variance

5400 Brady Rd. Howell, MI

Existing  
Structure



West view from adjacent Property of Neighbor Terry Johnson

# Application for Variance

5400 Brady Rd. Howell, MI



Existing  
Structure

East view from adjacent Property of Neighbor Terry Johnson

# Application for Variance

5400 Brady Rd. Howell, MI



North view towards adjacent Neighbor Terry Johnson



# Application for Variance

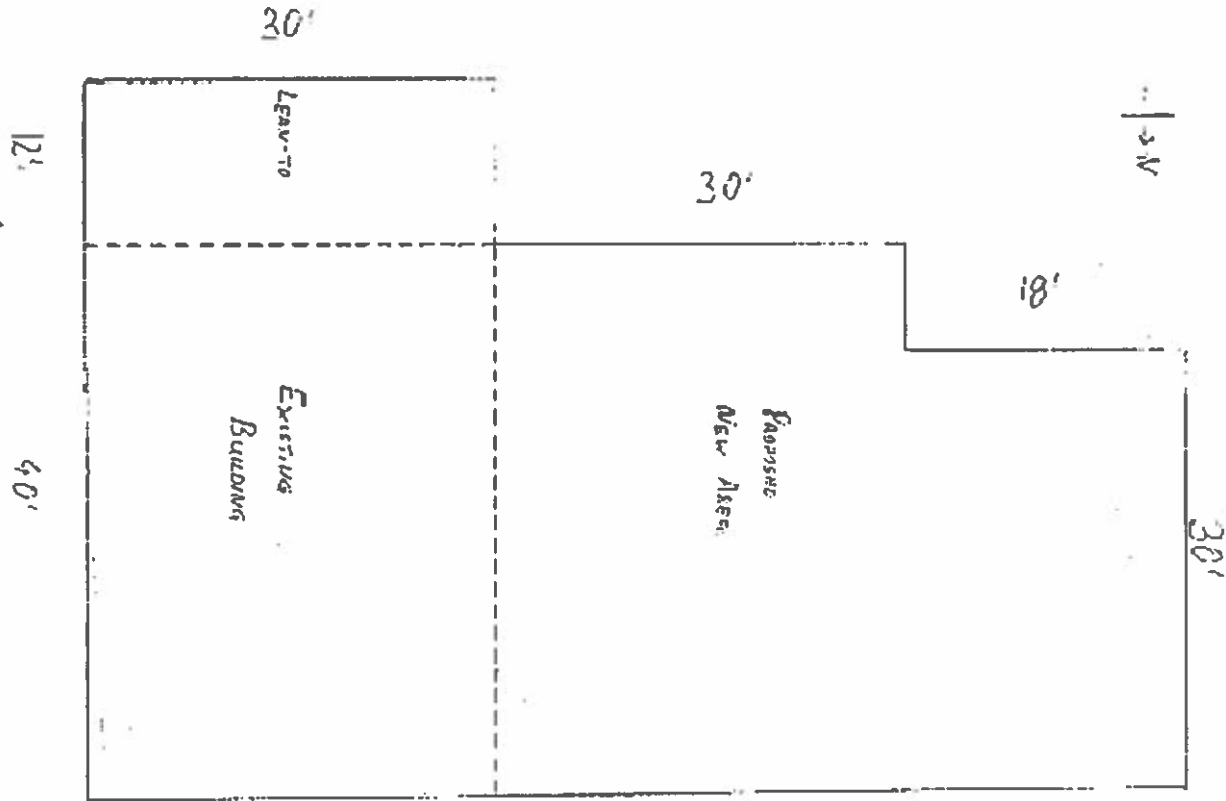
5400 Brady Rd. Howell, MI



West view towards adjacent Neighbor Terry Johnson

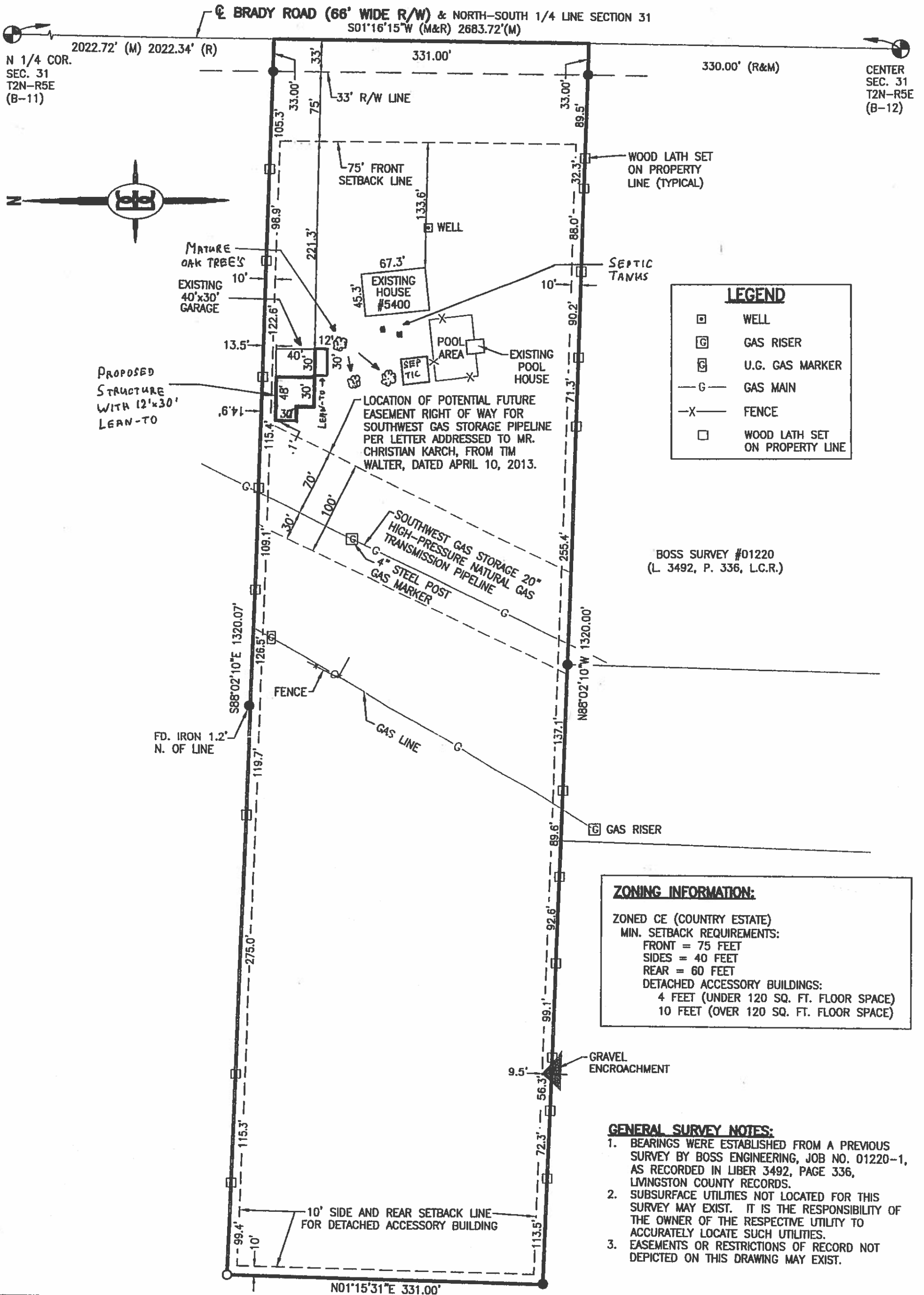
# Application for Variance

5400 Brady Rd. Howell, MI



Plan of new proposed Building

# SITE PLAN



**ZONING INFORMATION:**

ZONED CE (COUNTRY ESTATE)  
 MIN. SETBACK REQUIREMENTS:  
 FRONT = 75 FEET  
 SIDES = 40 FEET  
 REAR = 60 FEET  
 DETACHED ACCESSORY BUILDINGS:  
 4 FEET (UNDER 120 SQ. FT. FLOOR SPACE)  
 10 FEET (OVER 120 SQ. FT. FLOOR SPACE)

- GENERAL SURVEY NOTES:**
- BEARINGS WERE ESTABLISHED FROM A PREVIOUS SURVEY BY BOSS ENGINEERING, JOB NO. 01220-1, AS RECORDED IN LIBER 3492, PAGE 336, LIVINGSTON COUNTY RECORDS.
  - SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
  - EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

<p><b>DESCRIPTION:</b></p> <p>PART OF NW 1/4, SECTION 31, T2N-R6E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN</p>	<p><b>BOSS ENGINEERING</b>          ENGINEERS • SURVEYORS • PLANNERS          LANDSCAPE ARCHITECTS  <small>(C-1042) bosseng.com</small>          3121 E. GRAND RIVER AVE.          HONOLULU, HI 96813          (808) 348-8728; FAX (817) 548-1870</p>	<p>THE LOCATION AND ELEVATION 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 ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY CONFLICTS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.</p>
<p><b>CLIENT:</b></p> <p style="text-align: center;">KARCH</p>	<p>100      0      50      100</p> <p>SCALE: 1 INCH = 100 FEET</p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li>○ = IRON SET</li> <li>● = IRON FOUND</li> <li>⊙ = MONUMENT FOUND</li> <li>* = FENCE</li> <li>(R) = RECORDED</li> <li>(M) = MEASURED</li> </ul>
<p><b>JOB NO.</b> 12-279      <b>DATE</b> 11-8-12      11-19-12      6-26-13</p> <p><b>SHEET</b> 1 OF 1      <b>FB 521</b>      <b>CREW GFD</b>      <b>DR. AEB</b>      <b>CHKD.</b></p> <p style="font-size: small;">G:\12-279\dwg\12-279.dwg, 6/26/2013 2:05:33 PM, andy</p>		<p><b>3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG</b></p> <p>1-800-482-7171</p> <p style="font-size: x-small;">FOR THE MICHIGAN DEPARTMENT OF TRANSPORTATION</p>

# ZBA 14-32 Area Map

BRIGHTON

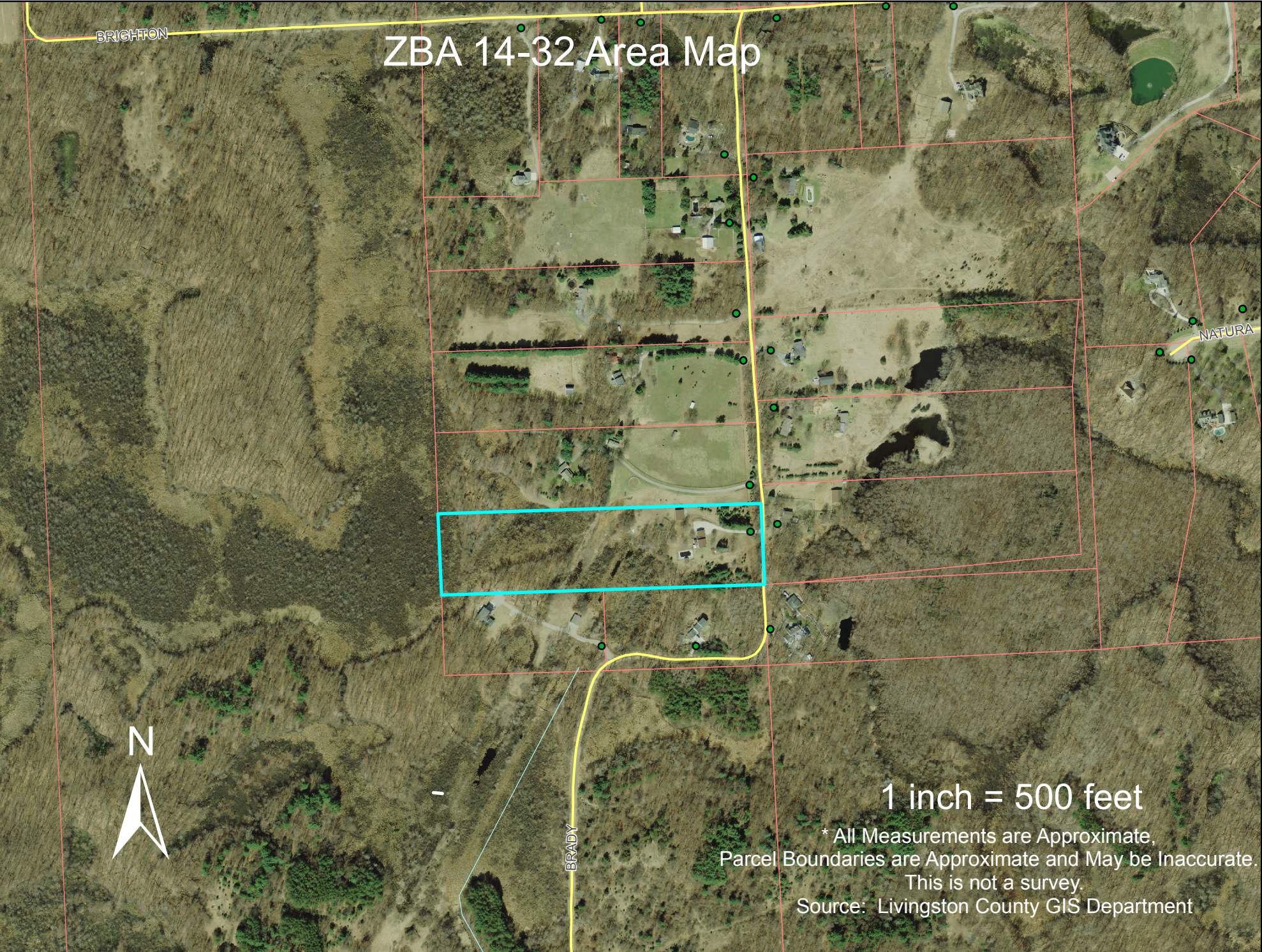
NATURA

BRADY



1 inch = 500 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\*\*\*

11/21/2014 12:22 PM

**Parcel:** 4711-31-100-011  
**Owner's Name:** KARCH CHRISTIAN W & DAMIAN  
**Property Address:** 5400 BRADY RD  
HOWELL, MI 48843

**Current Class:** 401.401 RESIDENTIAL-IMPROVED  
**Previous Class:** 401.401 RESIDENTIAL-IMPROVED  
**Gov. Unit:** 4711 GENOA CHARTER TOWNSHIP  
**MAP #** V14-32  
**School:** 47070 HOWELL  
**Neighborhood:** 47070 47070 HOWELL M & B

**Liber/Page:** 2011R-023524      **Created:** / /  
**Split:** / /      **Active:** Active

**Public Impr.:** None  
**Topography:** REFUSE

## Mailing Address:

KARCH CHRISTIAN W & DAMIAN  
5400 BRADY RD  
HOWELL MI 48843

## Most Recent Sale Information

Sold on 07/29/2011 for 240,000 by SPAULDING BARBARA.

**Terms of Sale:** ARMS-LENGTH      **Liber/Page:** 2011R-023524

## Most Recent Permit Information

Permit W12-120 on 07/16/2012 for \$7,074 category WINDOW/DOOR REPLACEMENT.

## 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> 150,300	<b>2014 Taxable:</b> 145,084	<b>Acres:</b> 10.03
<b>Zoning:</b> CE	<b>Land Value:</b> 120,225	<b>Frontage:</b> 0.0
<b>PRE:</b> 100.000	<b>Land Impr. Value:</b> 9,754	<b>Average Depth:</b> 0.0

## Improvement Data

# of Residential Buildings: 1	# of Agricultural Buildings: 1
Year Built: 1974	Estimated TCV: 4,935
Occupancy: Single Family	Cmts:
Class: BC	
Style: BC	
Exterior: Wood Siding	
% Good (Physical): 60	
Heating System: Forced Air w/ Ducts	
Electric - Amps Service: 0	
# of Bedrooms: -15	
Full Baths: 3    Half Baths: 0	
Floor Area: 2,281	
Ground Area: 1,268	
Garage Area: 702	
Basement Area: 1,268	
Basement Walls:	
Estimated TCV: 176,255	

## Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
SPAULDING BARBARA	KARCH CHRISTIAN W & DAMIAN	240,000	07/29/2011	WD	ARMS-LENGTH	2011R-023524	BUYER	100.0		
SPAULDING, ROBERT E & BARB	SPAULDING BARBARA	0	06/28/2006	QC	INVALID SALE	2006R-014286	BUYER	0.0		
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: CE		Building Permit(s)		Date	Number	Status
5400 BRADY RD		School: HOWELL		WINDOW/DOOR REPLACEMENT		03/25/2013		W13-039	NO START	
Owner's Name/Address		P.R.E. 100% 07/29/2011		WINDOW/DOOR REPLACEMENT		07/16/2012		W12-120	NO START	
KARCH CHRISTIAN W & DAMIAN 5400 BRADY RD HOWELL MI 48843		MAP #: V14-32		2015 Est TCV Tentative						
Tax Description		X Improved		Vacant		Land Value Estimates for Land Table 124.HOWELL M& B				
SEC 31 T2N R5E BEG S01*16'15"W 2022.34 FT FROM N 1/4 COR OF SEC TH S01*16'15" W 331 FT TH N88*02'10"W 1320 FT TH N01*15'31"E 331 FT TH S88*02'10"E 1320.07 FT TO BEG. 10.03 AC		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason Value				
Comments/Influences		Dirt Road		LAND TABLE A		10.030 Acres		11987 100		120,225
		Gravel Road		Land Improvement Cost Estimates		10.03 Total Acres		Total Est. Land Value =		120,225
		Paved Road		Description		Rate CountyMult.		Size %Good		Cash Value
		Storm Sewer		Pool: Plastic		22.75 1.00		800 48		8,736
		Sidewalk		Shed: Wood Frame		13.26 1.00		160 48		1,018
		Water		Total Estimated Land Improvements True Cash Value =						9,754
		Sewer								
		Electric								
		Gas								
		Curb								
		Street Lights								
		Standard Utilities								
		Underground Utils.								
		Topography of Site								
		Level								
		Rolling								
		Low								
		High								
		Landscaped								
		Swamp								
		Wooded								
		Pond								
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
		X REFUSE								
		Who		When		What		Year		Land Value
		LM		07/30/2012		DATA ENTER		2015		Tentative
								2014		60,100
								2013		60,100
								2012		60,100
										90,200
										82,700
										142,800
										147,600
										145,084C
										142,800S
										147,600S



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 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: Car Capacity: Class: BC Exterior: Brick Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 702 % Good: 0 Storage Area: 0 No Conc. Floor: 0																				
X	Wood Frame		Drywall Paneled		Plaster Wood T&G																															
Building Style: BC		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Stories Exterior			Foundation			Rate		Bsmnt-Adj		Heat-Adj		Size		Cost												
Yr Built 1974	Remodeled 0	Ex	X	Ord		Min	0 Amps Service			1 Story Brick			Basement			137.27		0.00		0.00		971		133,289												
Condition for Age: Good		Lg	X	Ord		Small	No Heating/Cooling			1 Story Brick			Basement			87.70		0.00		0.00		297		26,047												
Room List		(5) Floors		No./Qual. of Fixtures			No. of Elec. Outlets			1 Story Siding			Overhang			42.48		0.00		0.00		14		595												
	Basement 1st Floor 2nd Floor -16 Bedrooms	Kitchen: Other: Other:		(6) Ceilings			Many			X			Ave.			Few			(13) Plumbing			Other Additions/Adjustments			Rate		Size		Cost							
(1) Exterior				Ex.			X			Ord.			Min			1 Story Siding			Overhang			42.48		0.00		0.00		28		1,189						
X	Wood/Shingle Aluminum/Vinyl Brick																								Walk out Basement Door(s)		1025.00		1		1,025					
	Insulation																								Average Fixture(s)		3		3 Fixture Bath		3525.00		2		7,050	
(2) Windows		Many Avg. Few		X		Large Avg. Small		Basement: 1268 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			(8) Basement			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			5700.00		3550.00		1		5,700							
X	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		(9) Basement Finish			Recreation SF Living SF 1 Walkout Doors No Floor SF			(14) Water/Sewer			Fireplace: Exterior 1 Story			4925.00						1		4,925												
(3) Roof													(16) Porches			CCP (1 Story), Standard WGEP (1 Story), Standard CCP (1 Story), Standard		51.53 42.50 26.61						35 200 160		1,804 8,500 4,258										
X	Gable Hip Flat	Gambrel Mansard Shed		(10) Floor Support			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			(17) Garages			Treated Wood, Standard			6.95						600		4,170												
X	Asphalt Shingle			Joists: Unsupported Len: Cntr.Sup:			Lump Sum Items:			Class:BC Exterior: Brick Foundation: 42 Inch (Unfinished)			Base Cost		24.01						702		16,855													
Chimney: Brick										Common Wall: 1 Wall			-2450.00								1		-2,450													
										Phy/Ab.Phy/Func/Econ/Comb.%Good= 60/100/100/100/60.0, ECF (47070 HOWELL M & B)			0.923 => TCV of Bldg: 1 =										190,959 176,255													

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

Building Type	Utility Building			
Year Built				
Class/Construction	D,Pole			
Quality/Exterior	Low Cost			
Base Rate/SF	4.45			
# of Walls, Perimeter	4 Wall, 140			
Perimeter Mult.	X 1.084 = 4.82			
Height	10			
Story Height Mult.	X 1.000 = 4.82			
Heating System	No Heating/Cooling			
Heat Adj./SF				
Misc. Adjustment				
Misc. Adj./SF				
County Multiplier	X 1.47 = 7.09			
Final Rate/SF	\$7.09			
Length/Width/Area	40 x 30 = 1200			
Cost New	\$ 8,509			
Phy./Func./Econ. %Good	58/100/100 58.0			
Depreciated Cost	\$ 4,935			
+ Unit-In-Place Items	\$ 0			
Description, Size X Rate X %Good = Cost				
Itemized ->				
Unit-In-Place ->				
Items ->				
E.C.F.	X 1.00			
% Good	58			
Est. True Cash Value	\$ 4,935			
Comments:				

Total Estimated True Cash Value of Agricultural Improvements / This Card: 4935 / All Cards: 4935

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



**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
OCTOBER 21, 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, Marianne McCreary and Chairman Dhaenens. Also present was Township staff member, Ron Akers. There were 12 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 McCreary, supported by Poissant to approve the agenda as submitted. **Motion carried.**

**Call to the Public:** (Please note: the Board will not begin any new business after 10:00 p.m.) with no response.

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

A call to the public was made with no response.

**Moved** by Figurski, supported by Ledford, to table until the November 11<sup>th</sup>, 2014 Zoning Board of Appeals meeting if the meeting is canceled than the December 9<sup>th</sup>, 2014 meeting per the petitioner's request. **Motion carried.**

**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.**

Dennis Dinser from Arcadian Design, was present for the petitioner. They are proposing to turn a one bedroom home into a three bedroom by constructing a second story on the existing home which would be consistent with the neighboring properties. It was stated that the existing detached accessory structure will remain on the property.

A call to the public was made with an email that was received from Ron and Anna Rea of 3925 Homestead stating that they are in agreement for the proposed front yard setback variance.

Michael McLean, 3913 Homestead, stated that he is the next door neighbor and they are in full agreement with what Mr. Davis has planned for the addition.

**Moved** by Ledford, supported by Figurski to approve case #14-26, 3907 Homestead, and a 10'2" front yard variance to construct a second floor addition on the existing single family home. The practical difficulty is the small building envelope created by the existing placement of the home, it is legally non-conforming and the need is not self-created. Granting the variance will make it consistent with the neighboring properties. **Motion carried.**

**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.**

Todd and Julie Hutchins were present for the petitioner. They would like to rezone their property for a split and they spoke with staff in regards to applying for a variance to have the pole barn on a separate lot. They would like to build another house on the back part of the property. Along the south end of the property they have been approved for a driveway permit by the Livingston County Road Commission. A perk test has not been conducted.

The adjacent parcels located on the same side of the road in the surrounding area are zoned Rural Residential which allows 2 acre lots. They are looking to start within one year. McCreary stated that the petitioner should look into the lien holder conditions.

The Board is concerned about the number of outstanding issues that the owner has to address in regards to the property prior to splitting property

A call to the public was made with Charlie Comer, owns the 40 acre property to the west and the property does perk. He would like to make sure that the new home would be the setback from his property.

**Moved** by Ledford, supported by Poissant, to approve case# 14-27, 3350 S. Latson Road for a variance to allow for an accessory building to be located on a parcel with a principal building. Conditioned upon the rezoning of the 4.42 acres from Country Estates to Rural Residential to be approved by the Township Board and if the building of the single family home does not take place within a year of the property being split the applicant must demolish the accessory structures at the owner's expense. **Motion carried as follows: Ayes- Poissant, Figurski, Dhaenens and Ledford. Nays-McCreary.**

**14-28...A request by Scott and Marilyn Kiefer, 3695 Highcest, for a front yard setback variance and a side yard setback variance to building an addition to an existing home.**

Dennis Dinser, Arcadian Design was present for the petitioner. This parcel was brought before the board in August and there was an error on the drawing. A front yard variance is needed of 5 feet and the side yard variance has been reduced from 3 feet to 11 inches.

The Board stated that they have concerns about the drainage on the property.

A call to the public was made by Al Sharp-3665 Highcrest stated the he has lived here since 1965. This variance will improve the neighborhood and the parking on Highcrest. The applicant is looking for an 11" variance not a 3' variance that was previously requested. It will be a benefit having the garage setback and the drainage taken care of. The Zoning Board of Appeals has approved side yard variances of 3 feet or less. Mr. Sharp is in support of this petition.

**Moved** by McCreary, supported by Poissant, to approve case #14-28, 3695 Highcrest, for a 5 foot front yard variance with a 30 foot setback and an 11" side yard variance with a 9'1" setback to build an addition to an existing single family home. The finding of fact of practical difficulty is the current location of the home itself and the grade of the lot. The grade and typography of the lot does not allow the addition to take place any other place on the lot. This does not impede on public safety and welfare. There is improving of the surrounding neighborhood. The drain runoff will be high priority and to address any drainage issues properly. The addition is to be guttered and appropriate downspouts.

**Motion carried.**

**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.**

Ron Godair, Godair Builders and Steven Liedel, homeowner, were present for the petitioner. The house has been sifted back and the lot is irregular. It is consistent with the houses in the area. The houses adjacent to the north and to the south-east will benefit in the moving the house toward the rear of the property. The rear yard also backs to Brighton Road.

A call to the public was made with no response.

**Moved** by Ledford, supported by Figurski, to approve case #14-29, lot 23 Oak Tree Court located in Oak Pointe for a rear yard setback variance of 9'9" to construct a single family home. The practical difficulty is the located of the tree to the east and the utility easement to the north. Granting of this variance will make the property consistent with the surrounding area and consistent with Oak Tree Court. **Motion carried.**

**Administrative Business:**

1. **Approval of Minutes:** **Moved** by Figurski, supported by Poissant, to approve the September 16, 2014 Zoning Board of Appeals minutes. **Motion carried with McCreary abstaining.**
2. **2013 Annual Report Executive Summary:** Akers stated that he addressed what was discussed at the last meeting and the next step would be placing the Summary in correspondence for the Planning Commission and Township Board. **Moved** by McCreary, supported by Figurski to

approve the Executive Summary and to forward to the appropriate committees for review.

**Motion carried.**

3. **Election of Vice-Chairperson: Moved** by Figurski, supported by Ledford to appoint McCreary as Vice-Chairperson until January. **Motion carried.**
4. **Correspondence:** There was no correspondence to report.
5. **Township Board Representative Report:** Ledford reported that the Township Board had its first reading of the Noxious Weed Ordinance.
6. **Planning Commission Representative Report:** Figurski reported that Chem-Trend was approved to allow them to improve their façade on the property located on Grand River at the October Planning Commission meeting.
7. **Zoning Official Report:** Akers reported that LSL Consultants were chosen to update the Township Zoning Ordinance. They are looking at making the ordinance more user friendly with GIS links and web links. One of the changes that they are looking at changing the front yard setback in the LRR district. There was discussion of reducing the side yard setback on LRR properties. Akers will be keeping the Zoning Board of Appeals in the loop on the discussion. Akers stated that the Township has advertised for a part-time Ordinance Enforcement Officer.
8. **Member Discussion:** The November 11, 2014 Zoning Board of Appeals meeting has been canceled due to lack of agenda items.
9. **Adjournment: Moved** by Ledford, supported by Figurski to adjourn the Zoning Board of Appeals meeting at 8:24 p.m. **Motion carried.**

# 2015 Training Workshops for Planning & Zoning Officials

## COMMUNITY ENGAGEMENT | TRAVERSE CITY

February 12<sup>th</sup> | 5:00 p.m. - 9:00 p.m.

Traverse City Government Center

Knowing which public engagement technique to use for which audience, and managing the public participation process so that all voices can be heard, all the while ensuring that the input is meaningful and relevant is one of a planner's greatest challenges. A process that can be rife with politics, on one hand, and rewarding and beneficial on the other, is part and parcel of the effort. This interactive session explains best practices on how to engage with community members and stakeholders in a more meaningful way.

## SITE PLAN REVIEW | LANSING

March 5<sup>th</sup> | 5:00 p.m. - 9:00 p.m.

Hampton Inn - Okemos

This program will demonstrate the site plan review and approval process and provide practical tools and techniques on how to read a site plan. You'll discuss site design principles, such as pedestrian and traffic considerations, lighting, utilities, ADA compliance, inspections, and landscaping. Participants in this hands-on workshop receive an engineering scale, turning template, and a sample site plan to evaluate.

## ZONING BOARD OF APPEALS: BEYOND THE BASICS | LANSING

March 5<sup>th</sup> | 5:00 p.m. - 8:00 p.m.

Hampton Inn - Okemos

Quasi-judicial functions of the zoning process are handled by the Zoning Board of Appeals. This interactive, case study based workshop goes into greater depth on the issues of practical difficulty and unnecessary hardship. Recent case law is also discussed, along with a summary of voting and membership requirements, and other procedural requirements unique to ZBA operation.

## PLANNING & ZONING ESSENTIALS | 4:00 p.m. - 9:00 p.m.

January 14<sup>th</sup> | Mt. Pleasant (Isabella Co. Building)

February 4<sup>th</sup> | Kalamazoo Area (Oshtemo Twp. Hall)

February 26<sup>th</sup> | Ann Arbor Area (Washtenaw Co. Building, Zeeb Rd.)

The Planning & Zoning Essentials program is ideal for new planning commissioners and zoning board of appeals members to their roles and responsibilities, and also for more experienced officials looking to refresh their skills and build upon existing knowledge. Roles and responsibilities, site plan review, comprehensive planning, zoning ordinances, variances, how to determine practical difficulty, and standards for decision-making are covered. Choose from three options to fit your needs:

1. **Attend the Full Program** (4 p.m. - 9 p.m.) and get the best overview and understanding of how the planning commissioners, zoning board of appeals members, elected officials, and staff interact.
2. **Attend the Planning Commission Session** (4 p.m. - 7:30 p.m.)
3. **Attend the Zoning Board of Appeals Session** (6 p.m. - 9 p.m.)

# REGISTRATION FORM

Complete one form per registrant. All rates include a light dinner

## CONTACT INFORMATION:

NAME \_\_\_\_\_

AFFILIATION \_\_\_\_\_

EMAIL (confirmations and directions will be sent via email) \_\_\_\_\_

PHONE (with area code) \_\_\_\_\_

BILLING ADDRESS (include apt. or suite #) \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP \_\_\_\_\_

## REGISTRATION INFORMATION:

- I'm a MAP Member
- Join MAP now (\$60) and receive the member discount
- I'm a full-time student, and want to join MAP now for \$15.

MEMBER RATE	NON-MEMBER RATES	** Apply a \$25 late fee if you register LESS THAN 5 business days before workshop **
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	<b>Community Engagement</b> Feb. 12   Traverse City   5pm - 9pm
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	<b>Site Plan Review</b> Mar. 5   Lansing   5pm - 9pm
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	<b>ZBA: Beyond the Basics</b> Mar. 5   Lansing   5pm - 8pm
<input type="checkbox"/> \$85 <input type="checkbox"/> \$75 <input type="checkbox"/> \$75	<input type="checkbox"/> \$115 <input type="checkbox"/> \$105 <input type="checkbox"/> \$105	<b>Planning &amp; Zoning Essentials</b> FULL Program (4pm - 9pm) PC Session (4pm - 7:30 pm) ZBA Session (6pm - 9pm)
<b>Pick a PZE location:</b>		
<input type="checkbox"/> Mt. Pleasant <input type="checkbox"/> Kalamazoo Area <input type="checkbox"/> Ann Arbor		
<input type="checkbox"/> \$15	<b>Student (Full-time) Member Rate</b> Workshop & date: _____	

## PAYMENT INFORMATION: TOTAL: \_\_\_\_\_

- Check enclosed     Master Card     Visa     Invoice Me
- Make checks payable to: Michigan Association of Planning

CARD # \_\_\_\_\_

EXPIRATION DATE \_\_\_\_\_

SECURITY CODE \_\_\_\_\_

SIGNATURE \_\_\_\_\_

## Forms can be mailed, faxed or emailed to:

Michigan Association of Planning  
1919 West Stadium Blvd, Suite 4 | Ann Arbor, MI 48103  
p: (734)913-2000 | f: (734)913-2061  
info@planningmi.org

**MAP's Registration Policy:**  
www.planningmi.org/officialtraining.asp