

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
January 19, 2016, 6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Introduction:

Approval of Agenda:

Election of Officers:

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

1. 15-31 ... A request by Thomas and Beverly Smith, 5415 Wildwood Drive, for reapplication of a variance that was denied in part. The variance granted on did not allow for the second floor to be used as living space. Applicant is requesting reconsideration of this condition.

2. 16-01 ...A request by John Minni, 4300 Crooked Lake Road, for a variance to allow for an accessory structure which exceeds the maximum square footage requirements and height requirements.

Administrative Business:

1. Approval of minutes for the December 8, 2015 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
January 19, 2016
6:30 P.M.**

The Genoa Township Zoning Board of Appeals will hold a public hearing on January 19, 2016 at Genoa Township Hall, 2911 Dorr Road, Brighton, MI, 48116 to review the following variance requests:

1. 15-31 ... A request by Thomas and Beverly Smith, 5415 Wildwood Drive, for reapplication of a variance that was denied in part. The variance granted on did not allow for the second floor to be used as living space. Applicant is requesting reconsideration of this condition.
2. 16-01 ...A request by John Minni, 4300 Crooked Lake Road, for a variance to allow for an accessory structure which exceeds the maximum square footage requirements and a height variance.

Please address any written comments to the Genoa Township Zoning Board of Appeals at 2911 Dorr Rd, Brighton, MI 48116 or via email at amy@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 1-3-16

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-31 Meeting Date: JAN 19, 2016

- 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: THOMAS E + BEVERLY L SMITH 48843

Property Address: 5415 WILDWOOD DR Howell, MI 48843 Phone: 517 540-1107

Present Zoning: LLR Lakeshore Resort Residential Tax Code: 4711-10-102-065

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: PERMISSION TO FINISH OFF 2ND FLOOR STORAGE SPACE INTO LIVING SPACE.
2. Intended property modifications: NO CHANGE TO EXTERIOR OF HOUSE OR LAND.

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) _____

b. Other (explain) WHEN WE BUILT THE HOUSE 13 YEARS AGO, WE SAID THAT WE WOULD NOT FINISH OFF THE 2ND FLOOR. NOW, WITH EXPANDING FAMILY SIZE AND SEVERAL GRANDCHILDREN, WE NEED SPACE FOR THEM TO STAY WHEN VISITING FROM OUT OF TOWN.

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: One paper copy of all drawings is required.**
- Waterfront properties must indicate setback from water from adjacent homes.
- Petitioner (or a Representative) must be present at the meeting

Date: 11/25/15

Signature: Thomas E Smith, Beverly L Smith

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

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
January 19, 2016
CASE #15-31

PROPERTY LOCATION: 5415 Wildwood

PETITIONER: Thomas and Beverly Smith

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and Sewer Present

PETITIONERS REQUEST: Petitioners are requesting a reconsideration of a variance that was denied in part. The variance granted on did not allow for the second floor to be used as living space.

STAFF COMMENTS: See Attached Staff Report



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: January 14, 2016
RE: ZBA 15-31

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

STAFF REPORT

File Number: ZBA#15-31

Site Address: 5415 Wildwood Drive Howell, MI 48843

Parcel Number: 4711-10-102-065

Parcel Size: .09 Acres

Applicant: Thomas and Beverly Smith

Property Owner: Same as applicant

Information Submitted: Application, floor plan

Request: Reapplication of a variance that was denied in part. The variance granted on June 10, 2003 did not allow for the second floor to be used as living space. Applicant is requesting reconsideration of this condition.

Project Description: Applicant is requesting a reconsideration of a previous condition that was placed on a variance approval in 2003.

Zoning and Existing Use: LRR (Lakeshore Resort Residential) Single Family Residential.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday Jan. 3, 2016 and 300 foot mailings were sent to any real property within 300 feet of the property 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 home was constructed in 2006.
- The parcel is serviced by well and sewer.
- See Real Estate Summary and Record Card.
- In 2003, the applicant was granted a variance a front, side and rear yard variance to construct a new home.

SUPERVISOR

Gary T. McCrie

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 request is for a reconsideration of a condition that was placed on an approval for the applicant's variance that was granted in 2003. The Zoning Board of Appeals at the time of approval placed the condition that the applicant could not finish the second floor as living space and required that it not include plumbing and heating. (See Attached Minutes)



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.

- (a) **Practical Difficulty/Substantial Justice** –Strict compliance with the condition placed on the applicant at time of variance approval would prohibit the applicant from utilizing the space on the second story. Granting of this reconsideration would make the property consistent with several other properties in the vicinity.
- (b) **Extraordinary Circumstances** – The extraordinary or exceptional circumstances applicable to the property would be the placement of the condition on the applicant’s variance approval in 2003.
- (c) **Public Safety and Welfare** – The approval of the reconsideration would 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 reconsideration of the variance granted would have a limited impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

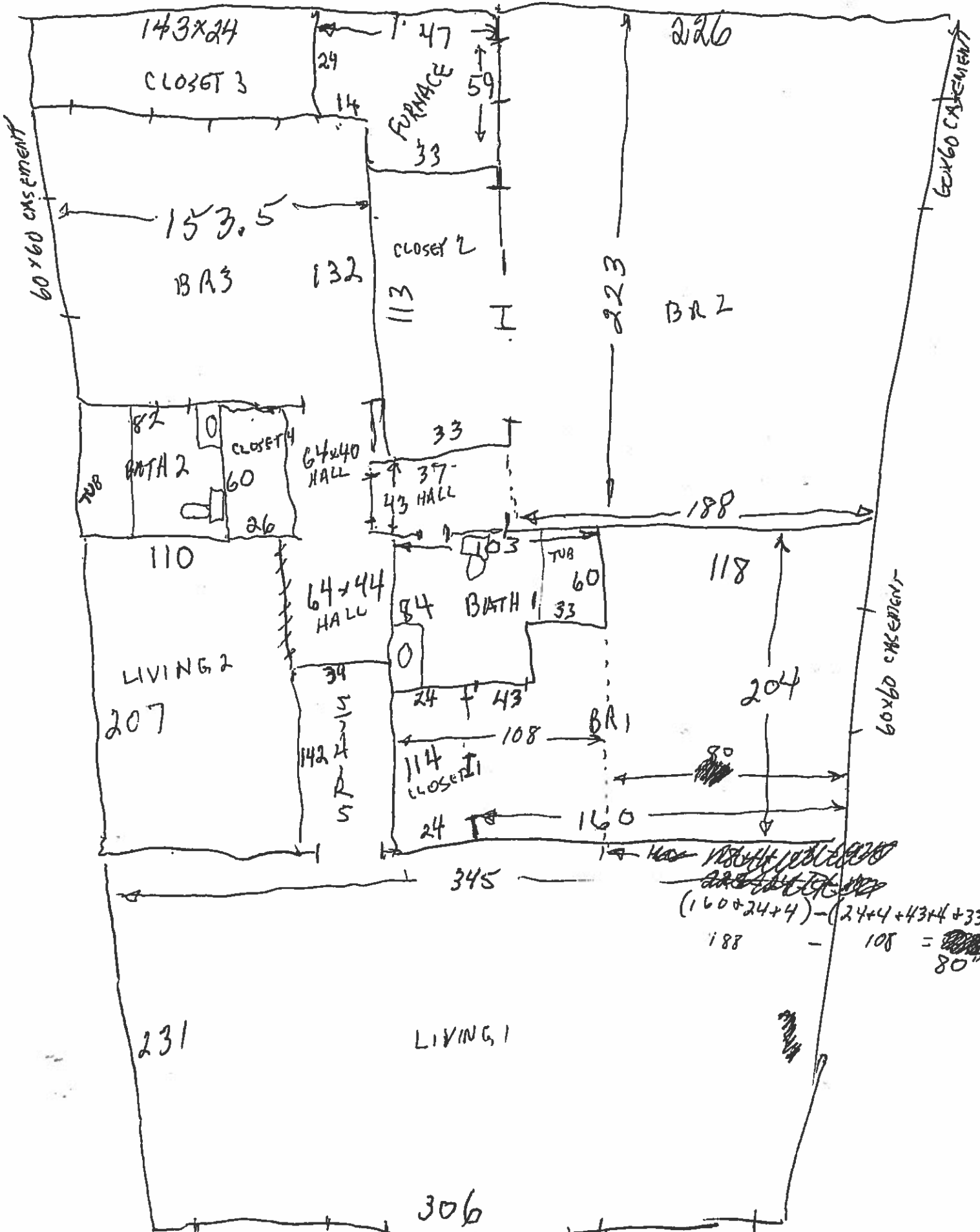
Staff Findings of Fact

1. Strict application of the condition that was placed on the applicant would prohibit the applicant from utilizing their existing second story.
2. The exceptional or extraordinary circumstances on the property would be the placement of the condition on the applicant’s variance approval in 2003.
3. Granting of the requested reconsideration 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.
4. Granting the requested reconsideration will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Conditions of Approval

1. Applicant must apply for a land use permit and must obtain a building permit from the Livingston County Building Department.

2ND FLOOR



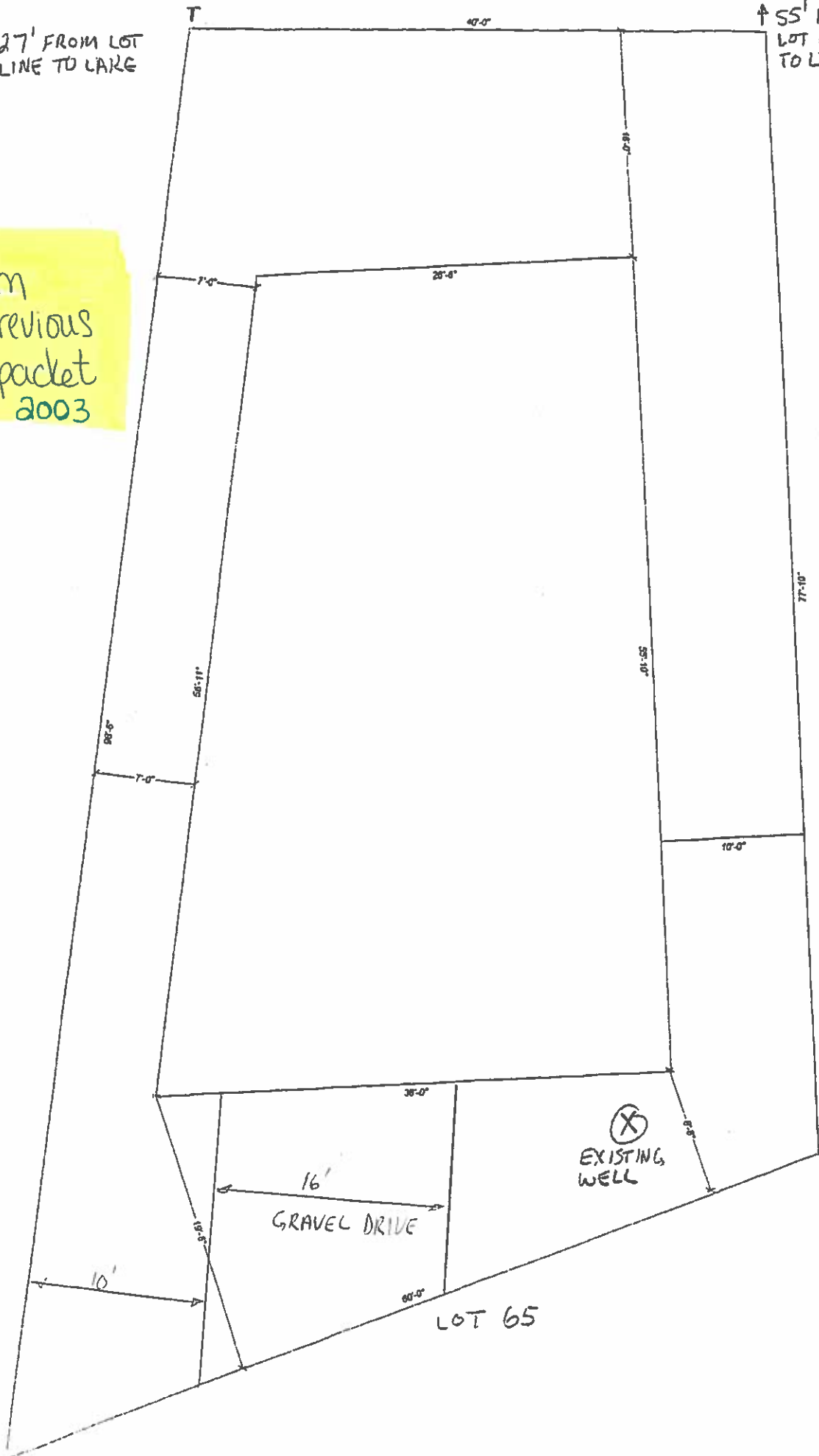
~~160 + 24 + 4~~ - (24 + 4 + 43 + 4 + 33) = 80"

8' DOORWALLS X 3 OUT TO BALCONY

27' FROM LOT LINE TO LAKE

↑ 55' FROM LOT LINE TO LAKE

From previous packet 2003



300 Foot Buffer for Noticing

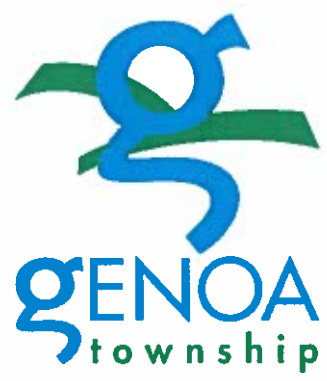


Variance Case #15-31

Applicants: Thomas and Beverly Smith

Parcel: 4711-10-102-065

Meeting Date: January 19, 2016



December 1, 2015

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 10, 2003**

MINUTES

Chairman Rick Staley called a regular meeting of the Zoning Board of Appeals to order at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following members of the Zoning Board of Appeals were present constituting a quorum for the transaction of business: Rick Staley, Barbara Figurski, Chris Hensick, Jean Ledford and Dean Tengel. Also present were Township Ordinance Enforcement Officer Adam VanTassell and approximately 25 persons in the audience.

A call to the public was made with no response.

Moved by Ledford, supported by Figurski, to approve the Agenda as submitted. The motion carried unanimously.

02-56...A request by Charles Fillion, Section 28, 4089 Homestead, for a variance to construct an addition and an attached garage on an existing non-conforming building.

A call to the public was made with the following response: Steve Collett – I will lose my view of the lake if this petition is granted. Pat Ellerhold – The lot is pie shaped and I would like to see an official survey before any house is built. Lily Gillespie – I have owned my lot for 51 years. The original house is not 5' from the property line.

Moved by Hensick, supported by Ledford, to table (at the petitioner's request until the July meeting of the ZBA) with the Fillions considering a review of their application with a possible reduction in the size, scope and projection toward the water of the building. The height is restricted to the ordinance designation for Lake Shore Resort Residential and will be included on future site plan drawings. The motion carried unanimously.

03-27...A request by Thomas and Beverly Smith, Section 10, 5424 Wildwood, for a rear yard, side yard and front yard variance to construct a new home.

A call to the public was made with the following response: Leonard Wilde – This proposal would benefit the neighborhood and I am in favor of the request. Moved by Hensick, supported by Ledford, to allow a residential structure and two-car attached garage within the footprint provided for a single story structure with an attic and approximately 1250 sq. ft. of living space on the main floor. Further, the petitioner has agreed that any portion of the structure above the ground floor will not be finished as living space and will not include plumbing or heating. The variances granted are as follows: 19' front, 3' north side, 31.4" road side, 20' waterfront with lot coverage not to exceed 41% for the building surface. This action is contingent upon the shed and part of the ramp being removed and the home will be guttered with all water retained on this

property. The practical difficulty is the unusual shape of the lot. The motion carried as follows: Ayes – Hensick, Ledford, Tengel and Staley. Nay – Figurski.

03-28...A request by Thomas O'Brien, Section 16, 4290 Sweet Road, for a 14 foot side variance to construct an attached garage.

A call to the public was made with no response. Moved by Ledford, supported by Hensick, to approve the construction of a single-story garage measuring 28' x 28' with a 14' side yard variance. The extraordinary circumstance is the location of the pond and septic field and the steep incline that will not allow construction in another location. The motion carried unanimously.

03-30...A request by Dennis Ling, Section 10, 1840 Gray Road, for a size variance to construct a pole barn.

A call to the public was made with no response. Mr. Ling advised the board that he needed the variance for storage of vehicles – a 30' trailer, van, motor home, tools and other vehicles. No hardship was presented related to the land. Moved by Figurski, supported by Ledford, to deny the request since no hardship or practical difficulty was presented other than self-imposed. The motion carried unanimously.

03-31...A request by Robert McColl, Section 7, 2610 Chilson Meadows, for a height and size yard variance to construct a pole barn.

A call to the public was made with no response. Mr. McColl advised the board that the zoning on his property was rural residential and that the property really should be country estate since all parcels in that area exceeded the five acre minimum with the exception of parcels along Chilson Road. He did not feel that he should personally make an application for rezoning since that would be considered spot zoning. Perhaps the township would consider taking this matter up at a later date since it appears that the property should never have been rezoned to rural residential.

Moved by Hensick, supported by Ledford, to deny the request since no hardship or practical difficulty associated with the land was presented. The motion carried unanimously.

03-32...A request by Stuart and Sylvia Willner, Section 28, 4121 Homestead, is for a rear yard and side yard variance to construct an addition.

A call to the public was made with the following response: Tom Rafferty – I have no objection to this petition being granted. It will enhance the neighborhood. Annette Dubanik – It appears that the Zoning Board of Appeals in their granting of variances has now created a “plan” for our community. Moved by Ledford, supported by Tengel, to grant a 4'6” side yard variance and a 22'10” rear yard variance for the construction of an addition. This action is contingent upon removal of an existing shed on the east side. The height of the home will meet the 25' requirement. The practical difficulty is the

GENOA TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 11, 2002

MINUTES

A regular meeting of the Genoa Township Zoning Board of Appeals was called to order by Vice-Chairman Figurski at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

The following board members were present constituting a quorum for the transaction of business: Barbara Figurski, Judy Stornant, Jean Ledford and Chris Hensick. Also present were Township Ordinance Enforcement Officer Adam VanTassell and approximately 20 persons in the audience.

Moved by Ledford, supported by Hensick, to approve the Agenda as presented. The motion carried unanimously.

A Call to the Public was made with no response.

02-16...A request by Thomas and Beverly Smith, Section 10, 5425 Wildwood for a 6.5-foot side yard variance with a 3.5 foot setback and a 31 foot front yard variance with a 4 foot setback to construct an addition.

Smith - This request is for a 627-sq. ft. addition. Our neighbors have supported us on this request. Our cottage is the second oldest on the lake and needs to be updated. We don't want to join the lots because we may sell the other parcel sometime in the future. A Call to the Public was made with no response. Moved by Ledford, supported by Hensick, to deny the request for variance since no practical difficulty exists because the petitioner owns a vacant parcel adjoining this parcel. In addition there is no space for a garage on the existing lot. The petitioner uses the side of the lot for parallel parking. The motion carried unanimously.

02-18...A request by Mark Restoration, Section 5, 1091 Victory Dr. for a 25-foot front yard variance with a 50 foot setback to install additional parking.

A Call to the Public was made with no response. Moved by Hensick, supported by Ledford, to grant a 25-foot front yard variance for the addition of a parking surface as presented by Desine, Inc. for nine additional spaces with curbing. The practical difficulty is the extensive wetland characteristics of the parcel that will not allow for an expansion in any other area. The motion carried unanimously.

02-24...A request by John Edwards, Section 22, 3671 Highcrest for an 8'6" waterfront variance with a 33-foot setback to construct a deck.

GENOA TOWNSHIP
ZONING BOARD OF APPEALS
MAY 14, 2002

MINUTES

A regular meeting of the Zoning Board of Appeals was called to order by Chairman Staley at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

The following board members were present constituting a quorum for the transaction of business: Rick Staley, Jean Ledford, Polly Skolarus and Judy Stornant. Also present were Township Zoning Administrator Adam VanTassell and approximately 20 persons in the audience.

Moved by Ledford, supported by Stornant, to approve the Agenda with the tabling of petition 02-18. The motion carried unanimously.

A Call to the Public was made with no response.

02-13...A request by Gary Spare, Section 10, 5264 Westwood for an 8 foot side yard variance with a 2 foot side yard setback and a 17.5 foot front yard variance with a 17.5 foot setback to construct an addition.

A Call to the Public was made with no response. Moved by Skolarus, supported by Ledford, to approve the variance of 8' on the side and 17.5' on the front, contingent on the home being guttered. The practical difficulty is the narrowness of the lot. The motion carried unanimously.

~~02-16...A request by Thomas and Beverly Smith, Section 10, 5425 Wildwood, is for a 6.5 foot side yard variance with a 3.5 foot setback and a 31 foot front yard variance with a 4 foot setback to construct an addition.~~

A Call to the Public was made with the following response: Joyce Matevia. - My home is on the property line and there is enough room for two cars on the side of the house, next to the fence. A letter of support was received from John Benson. Moved by Skolarus, supported by Ledford, to deny the request because of the potential harm to the safety and welfare of the community when there is no place for a garage or parking. The motion failed as follows: Ayes - Skolarus and Ledford. Nay - Stornant and Staley. Moved by Ledford, supported by Skolarus, to table until the next regular meeting of the board when there are five members present to make a decision. The motion carried unanimously.


02-18...A request by Mark I Restoration, Section 5, 1091 Victory Dr., is for a 25-foot front yard variance with a 50-foot setback to install additional parking.

Tabled at the petitioner's request.

the lot in LDR zone, the preservation of existing mature trees and the location of the existing home on the site that will not allow the addition in any other place. The motion carried unanimously.

02-15...A request by Craig White, Section 28, 4277 Homestead, for a 3-foot side yard variance with a 7-foot setback to construct an attached garage and a side variance to construct an addition on a detached garage.

A Call to the Public was made with no response. The petitioner was advised that no practical difficulty existed for the variance to the accessory structure. The petitioner withdrew his request for the variance for the accessory building. He will comply with the 900-sq. ft. requirement of the ordinance. Moved by Skolarus, supported by Figurski, to grant a 5' variance to the side to allow the construction of an attached garage in the dimensions provided. The practical difficulty is that there is no other feasible location for the placement of the garage. This action would allow the continuation of a nonconforming use. The motion carried unanimously.

 **02-16...A request by Thomas and Beverly Smith, Section 10, 5425 Wildwood, for a 6.5-foot side yard variance with a 3.5-foot setback, 20-foot waterfront variance with a 60-foot setback and a 31-foot front yard variance with a 4-foot setback to construct an addition.**

A Call to the Public was made with no response. A letter of support was received from John and Karen Buckley. The petitioner advised the board that the existing home is approximately 1300-sq. ft. in area. Their plan is to remove the existing Florida room (measuring 6' x 20') and deck and replace it with an addition of approximately 672-sq. ft. in area. Moved by Ledford, supported by Figurski, to deny the request since the small lot size and the existence of the present structure is out-weighted by the health and safety impact on the township and the adjacent property owners. The parcel at present does not make allowance for any parking. The petitioner advised the board that they park their vehicles on the neighboring lot that they own. The board felt that the petitioner should combine both lots and make a buildable site that would allow them to meet the standards of the zoning ordinance. Any future sale of the existing home would be a severe problem for anyone purchasing the site in that there is no parking area on the site. In addition, the impervious lot coverage is far in excess of the maximum allowance under the zoning ordinance. Before the board could make a final decision, the petitioner asked if the board could make any compromise on their request. It was the consensus of the board that a split vote would allow the petitioner to ask for a tabling of their request in order to allow them to discuss other options. The motion failed as follows: Aye - Figurski and Ledford. Nay - Skolarus and Staley. Moved by Skolarus, supported by Ledford, to table (at the petitioner's request) until the next regular meeting of the board. The motion carried unanimously.

02-17...A request by Cedar West Development, Section 9, 4300 E. Grand River, for a 10-foot front yard variance with a setback of 60 feet for an existing structure with

01-48...A request by Brian Lynn, Section 10, 733 Pathway, is for a 27-foot rear yard and a 6 foot side yard variance to construct an attached garage.

A Call to the Public was made with no response. Moved by Figurski, supported by Ledford, to grant a 6' variance on the northwest side and a 27' variance to the rear contingent upon the building being guttered. The extraordinary circumstance is the topography and unusual lot size. The motion carried as follows: Ayes - Figurski, Ledford, Hensick and Skolarus. Nay - Staley.

02-06...A request by Donald Toomey, Section 28, 4510 Oak Pointe Drive, is for a variance to allow the construction of an accessory structure on a lot without a primary residence.

A Call to the Public was made with the following response: Letters of objection were received from Paul and Cecile Henderson, David Loan, Jean Merrion and Glenn and Bonnie Price. The following persons addressed the board: David Lardinai (representing the Oak Pointe Homeowners Association) - We believe that there are easements for this property but not ownership of the land. Oak Pointe is a fenceless community by covenant and we feel that this parcel should abide by the restrictions. David Merrion - I am opposed to the variance. This request is not compatible with the neighborhood and may decrease the value of my property. Rich Rachner - I believe that this structure is not compatible with the neighborhood. Dave Parker - This is an area of quality homes. The homeowner's association should follow suit and not allow fences. Connie DeLuca - I am opposed to this building being constructed before the residential structure. Skolarus - Mr. Toomey - Your neighbors are concerned with the fence will you relinquish your permit? Toomey - I will relinquish the fence construction permit.

The board reviewed Adam Van Tassell's memorandum of 02-07-02. It was determined that since Mr. Price was not present his request to rescind the permit was not an appropriate action for the Zoning Board to take. Mike Olson (Attorney for Mr. Price) addressed the board - We agree that the establishment of ownership of the property is necessary before the Zoning Board can act. Toomey - I retract that I have a right to put up a fence. Staley - In light of Mr. Olson's presence and under the township-zoning ordinance, we should take action rescinding Archinal's permit. Hensick disagreed. Moved by Skolarus, supported by Ledford, to rescind the township manager's previous action concerning the construction of a fence and to revoke the fence permit for Mr. Toomey. The motion carried unanimously.

Moved by Hensick, supported by Ledford, to table the request until such time as the petitioner can provide clear ownership of the property to which he seeks a variance. The motion carried unanimously.

02-07...A request by Thomas and Beverly Smith, Section 10, 5425 Wildwood, is for a 6.5-foot side yard variance with a 3.5-foot side yard setback and a 2-foot side yard variance with an 8-foot side yard setback to construct an addition.

A Call to the Public was made with the following response: John Benson - I am opposed to the 2' variance on the south side. I have no objection to the other variances being granted. Letters of objection were received from John Benson and Karen Buckley. Moved by Hensick, supported by Ledford, to deny the variances sought. The overall lot coverage is 90% more than what is allowed in the ordinance. There is also a safety factor with the house being located right on the edge of the road. The motion carried unanimously.

02-08...A request by Janet Henry, Section 34, 5050 Kintyre Lane, is for a variance to install a lighted ground sign for a Bed and Breakfast in a residential area.

A Call to the Public was made with the following response: Joan LaCroix - I am not happy with the Bed and breakfast and do not want to see a lighted sign. Richard Starns - There are already two spotlights on the trees on the lot. I object to more light. Ms. Morrison - I have no objection to the bed and breakfast, but the lighted sign is not normal to this use and I object to the sign and the light. Moved by Skolarus, supported by Hensick, to grant the variance for signage along Brighton Road. The sign will be no more than 2.5' off the ground and measure no larger than 3' x 3' in area, as provided in the application for variance. This action is contingent on no lighting be allowed to illuminate the signage because it is located in a residential area. The practical difficulty is the need for identification of the location of the facility for persons using the bed and breakfast. The motion carried as follows: Ayes - Skolarus, Hensick, Ledford and Staley. Nay - Figurski.

02-09...A request by Chris and Jean Hensick, Section 1, 7589 McClements, is for a 3-foot side yard variance with a 17-foot side yard setback to construct an addition.

Hensick advised the board that he would abstain from discussion and voting and that his wife Jean would represent their petition. A Call to the Public was made with no response. Moved by Skolarus, supported by Figurski, to grant a 3' variance to construct an addition. The practical difficulty is the unusual orientation of the existing home on an irregularly shaped lot. The motion carried unanimously.

02-10...A request by David Templeton, Section 12 at 1600 Euler Road, is for a 50-foot variance from wetlands with a 50-foot wetland setback for an accessory structure.

A Call to the Public was made with the following response: Letters of objection were received from Attorney Michele Formes representing Walter and Jane Wasilewski, and from Scott Williams. The petitioner advised the board that he services tires on heavy equipment. He carries no inventory on his property or hazardous materials. Moved by Hensick, supported by Figurski, to table the petition until the Templetons can supply a boundary survey in relation to the pond, easement, home and barn. The motion carried unanimously.

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
BAKER, JEANETTE M.	SMITH	178,000	09/06/2000	WD	ARMS-LENGTH	28370149	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
5415 WILDWOOD	School: HOWELL		FENCE	08/10/2012	P12-097	NO START
	P.R.E. 100% 03/30/2006		WOOD DECK	08/26/2009	09-079	NO START
Owner's Name/Address	MAP #: V1531		HOME	09/27/2003	03-534	NO START

SMITH, THOMAS E. & BEVERLY L. 5415 WILDWOOD HOWELL MI 48843	2016 Est TCV Tentative		Land Value Estimates for Land Table 00005.WEST LAKE CHEMUNG			
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Tax Description	X Improved	Vacant	* Factors *						Value
			Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	
SEC. 10 T2N, R5E, KIRK'S LANDING LONG LAKE LOT 65			LAKE FRONT	46.00	88.00	1.0000	1.0000	2300 100	105,800
			46 Actual Front Feet, 0.09 Total Acres						Total Est. Land Value = 105,800

Comments/Influences

- 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



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

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2016	Tentative	Tentative	Tentative			Tentative
2015	52,900	136,500	189,400			167,637C
2014	52,900	118,400	171,300			164,998C
2013	57,500	104,900	162,400			162,400S

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage			
X	Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang		X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System			Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove 1 Direct-Vented Ga			Area	Type	Year Built:	Car Capacity:	
X	Wood Frame	Drywall Paneled		Plaster Wood T&G			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			72 130			Treated Wood Wood Balcony	Class: C Effec. Age: 8 Floor Area: 1318 Total Base Cost: 115,727 Total Base New : 172,434 Total Depr Cost: 158,639 Estimated T.C.V: 271,272		CmtyMult X 1.490 E.C.F. X 1.710		Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Yes Auto. Doors: 0 Mech. Doors: 0 Area: 396 % Good: 0 Storage Area: 1714 No Conc. Floor: 0
Building Style: C		Trim & Decoration		Central Air Wood Furnace			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj Size Cost			Total Base Cost: 115,727		CmtyMult		Bsmnt Garage:				
Yr Built Remodeled 2006 0		Ex X Ord Min		(12) Electric			1 Story Siding			Total Base New : 172,434		E.C.F.		Carport Area:				
Condition for Age: Good		Lg X Ord Small		0 Amps Service			Other Additions/Adjustments			Total Depr Cost: 158,639		X 1.710		Roof:				
Room List		(5) Floors		No./Qual. of Fixtures			Rate			Estimated T.C.V: 271,272		X 1.710						
Basement 1st Floor 2nd Floor 2 Bedrooms		Kitchen: Other: Other:		X Ex. Ord. Min			64.05			0.00		1.92		1318 86,948				
(1) Exterior		(6) Ceilings		No. of Elec. Outlets			Other Additions/Adjustments			Rate		Rate		Size Cost				
X Wood/Shingle Aluminum/Vinyl Brick		Basement: 1318 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Many X Ave. Few			(13) Plumbing			2400.00		1		2,400				
(2) Windows		(7) Excavation		Average Fixture(s)			Public Sewer			1162.00		1		1,162				
X Many Avg. Few Large Avg. Small		Basement		2			Well, 200 Feet			4975.00		1		4,975				
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(8) Basement		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			1200.00		1		1,200				
(3) Roof		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(14) Water/Sewer			Fireplace: Direct-Vented Gas			9.11		72		656				
X Gable Hip Flat Gambrel Mansard Shed		(9) Basement Finish		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			(16) Deck/Balcony			17.50		130		2,275				
X Asphalt Shingle		Recreation SF Living SF Walkout Doors No Floor SF		Lump Sum Items:			Treated Wood, Standard Wood Balcony			26.87		396		10,641				
Chimney: Brick		(10) Floor Support					Class:C Exterior: Siding Foundation: 42 Inch (Finished)			-1300.00		1		-1,300				
		Joists: Unsupported Len: Cntr.Sup:					Base Cost Common Wall: 1 Wall Storage area over garage			3.95		1714		6,770				
							Phy/Ab.Phy/Func/Econ/Comb.%Good= 92/100/100/100/92.0, Depr.Cost = 158,639 ECF (4307 W. LK CHEMUNG LK FRONT) 1.710 => TCV of Bldg: 1 = 271,272											

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



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

(810) 227-5225 | FAX (810) 227-3420

Case # 16-01 Meeting Date: 1-19-16

- 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 (see attached).

Applicant/Owner: JOHN MINNI
 Property Address: 4300 CROOKED LK Phone: 517-545-8640
 Present Zoning: CE Tax Code: 4711-21-100-027

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: FOR NEW BUILDING
2. Intended property modifications: _____
 - a. Unusual topography/shape of land (explain): SHORT OF PROPERTY
ALLOWED / NEBOR WILL SELL LAND
 - b. Other (explain): TO GET ME TO MINIMUM

The following is required. Failure to meet these requirements may result in tabling of this petition:

1. Property must be staked showing **all** proposed improvements five (5) days before the meeting and remain in place until after the meeting;
2. Plot Plan drawings must be submitted, showing setbacks and elevations of proposed buildings and all other pertinent information. **One paper copy of all drawings is required.**
3. Waterfront properties must indicate setback from water for adjacent homes.
4. Petitioner (or a Representative) must be present at the meeting.

Date: 12/10/15 Signature: [Signature]

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

**After the decision is made regarding your Variance approval:
Contact the Genoa Township Zoning office to discuss your next step.**

Charter Township of Genoa
ZONING BOARD OF APPEALS
January 19, 2016
CASE #16-01

PROPERTY LOCATION: 4300 Crooked Lake Road

PETITIONER: John Minni

ZONING: CE (Country Estate)

WELL AND SEPTIC INFO: Septic, Well

PETITIONERS REQUEST: 1,216 square foot variance from the maximum accessory building size (1,200 square feet), to allow for a 32 X 38 addition to the existing detached accessory building.

CODE REFERENCE: 11.04.01(h)(j)

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	N/A	14'	1,947 sf
Setbacks Requested	N/A	N/A	N/A	N/A	18'6"	1216 sf
Variance Amount	N/A	N/A	N/A	N/A	4'6"	1216 sf



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: January 14, 2016
RE: ZBA 16-01

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

STAFF REPORT

File Number: ZBA#16-01

Site Address: 4300 Crooked Lake Road

Parcel Number: 4711-21-100-027

Parcel Size: 2.5 Acres

Applicant: John Minni

Property Owner: Same as applicant

Information Submitted: Application, site plan, construction drawings

Request: Dimensional Variances

Project Description: Applicant is requesting a size and height variance in order to allow a newly constructed addition to an existing detached structure.

Zoning and Existing Use: CE (Country Estates), Single Family Dwelling located on property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday January 3, 2016 and 300 foot mailings were sent to any real property within 300 feet of the property 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 existing home on the parcel was constructed in 1971.
- There have been no previous variances granted on the property.
- There have been three land use permits granted on the property. In 1996, a land use permit was issued for construction of a detached accessory structure. In 2000, a land use permit was issued was an addition to existing detached accessory structure. In 2004, a land use permit was issued for an addition to the existing home.
- The property is on well and septic.
- 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 request is to allow for an existing 32 x 38 addition that was constructed on the existing detached accessory structure. Township enforcement staff noticed the construction and contacted the property owner to inform them that permits were required. Upon review for permits it was identified that the addition did not meet Township ordinance requirements. When the previous permits were issued, the Zoning Ordinance did not require the lot to be conforming in the CE district. The side yard setback dimension on the side plan provided conflicts with measurements shown on plans submitted for previous permits. The side yard setback needs to be verified by the applicant.



Variance Requests

The following is the section of the Zoning Ordinance that the variances are 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 (1200) square feet in area for lots equal to or greater than two (2) acres. Accessory buildings and structures located on conforming lots in Agricultural and Country Estates Districts shall not be limited by size, provided all required setback are met.

Maximum allowed: 1,200 sq.ft. **Proposed:** 3,136 sq.ft. (1,216 in addition to 1,920 existing)

Article 11.04.01(j)(2) (2) Accessory buildings on conforming lots in the Agricultural, Country Estate Districts and Rural Residential districts may exceed the maximum height restrictions for principal buildings by up to fifteen (15) feet.

Maximum allowed: 14 feet **Proposed:** 18.6 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.

(a) **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 exceeds 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 construct an addition to the existing house to suit their needs.

- (b) Extraordinary Circumstances** – The exceptional or extraordinary circumstance of this property is that it is a non-conforming lot in the Country Estate District. There are several properties in the vicinity that share the same characteristic. Granting 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. There are also surrounding properties in the vicinity of the parcel that have accessory buildings which exceed 1,200 square feet. (See Attached Map)
- (c) Public Safety and Welfare** – The granting of the variance may 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 depending on the intended use of the structure.
- (d) Impact on Surrounding Neighborhood** – Depending on the intended use of the structure the variance may have a substantial negative impact on the surrounding neighborhood.

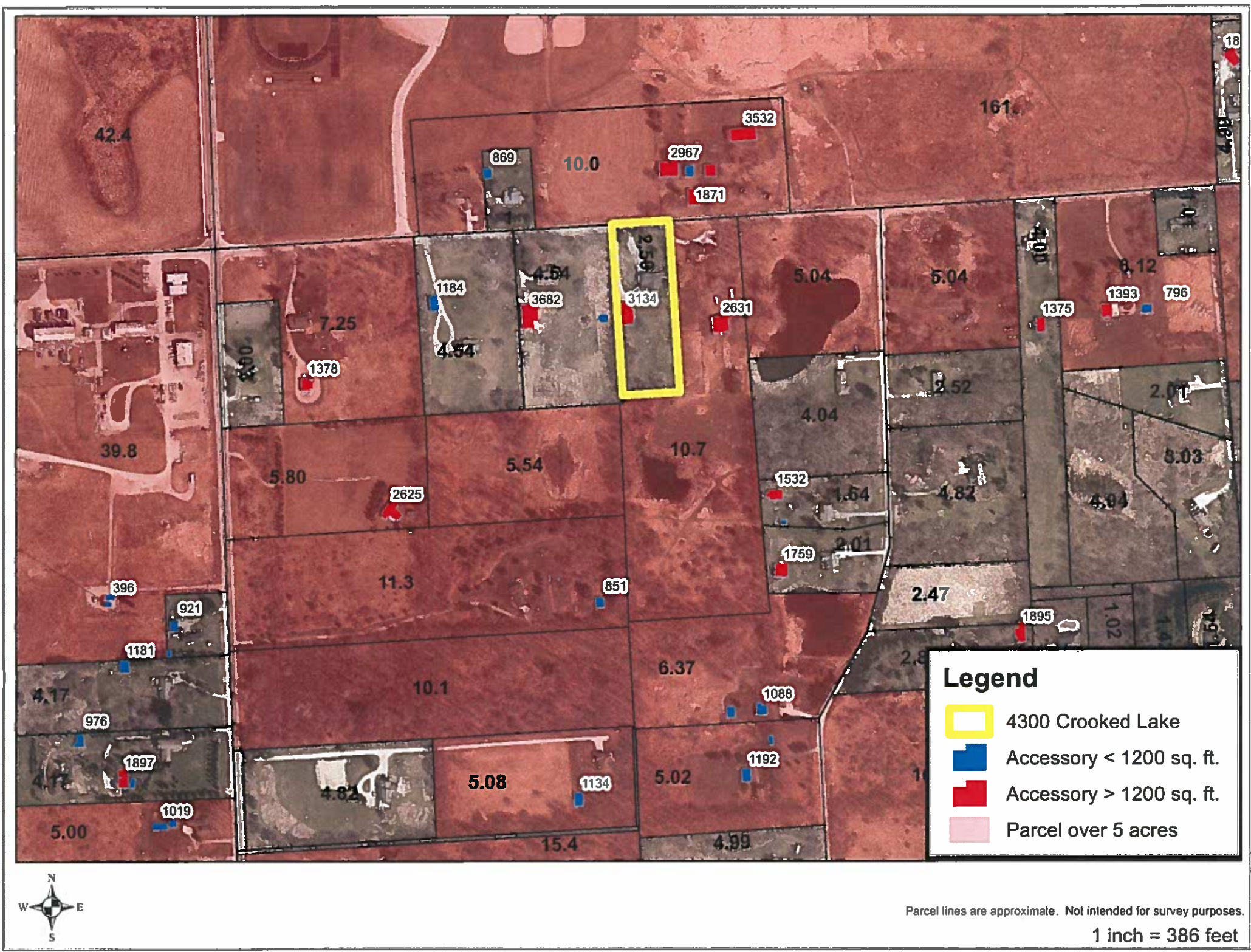
Staff Findings of Fact

1. Strict compliance with the maximum allowable square footage for detached accessory buildings would not unreasonably prevent the use of the property. The applicant currently exceeds the maximum size allowed for detached accessory buildings on the property.
2. Granting the requested variance would make the property consistent with the properties in the vicinity of the parcel.
3. The exceptional or extraordinary circumstances or conditions applicable to the property is the nonconforming lot size in the CE district.
4. The granting of the size and height variance may 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 depending on the intended use of the structure.
5. Granting the variance may interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood depending on the intended use of the structure.

Recommended Conditions

If the Zoning Board of Appeals grants the variance request staff recommends the following conditions be placed on the approval;

1. The applicant should verify side yard setback
2. The applicant must apply for a Land Use Permit.
3. The applicant shall provide a written statement detailing the intended use of the accessory structure and shall agree to comply with the home based business and accessory structure use standards in the Zoning Ordinance Section 3.03.02.



Legend

- 4300 Crooked Lake
- Accessory < 1200 sq. ft.
- Accessory > 1200 sq. ft.
- Parcel over 5 acres



Parcel lines are approximate. Not intended for survey purposes.

1 inch = 386 feet

CROOKED LAKE ROAD



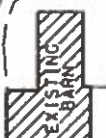
EXISTING HOUSE



EXISTING HOUSE



EXISTING HOUSE

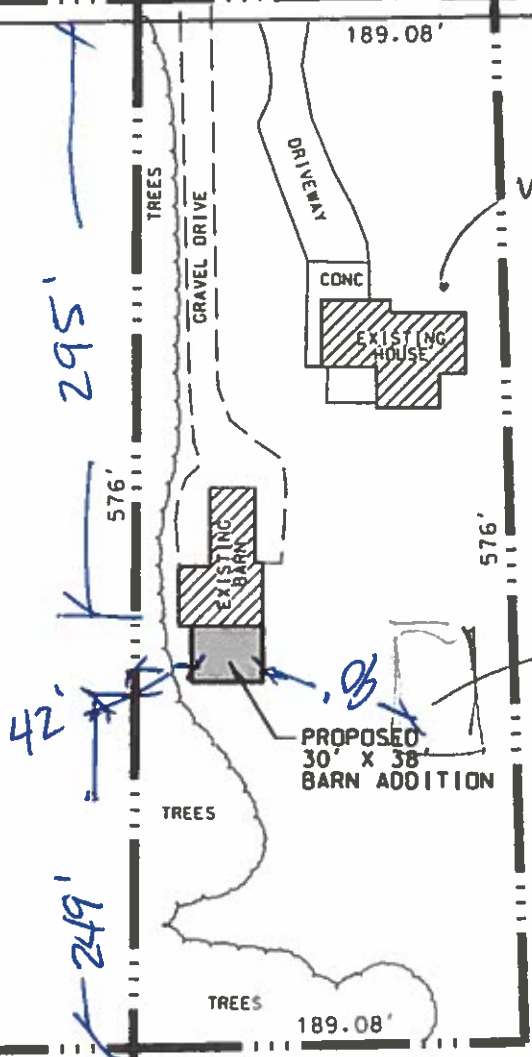


EXISTING BARN

PROPOSED 30' X 38' BARN ADDITION

SEPTIC

WELL



189.08'

189.08'

295'

42'

249'

576'

576'



SCALE

PROPOSED BARN ADDITION SITE PLAN

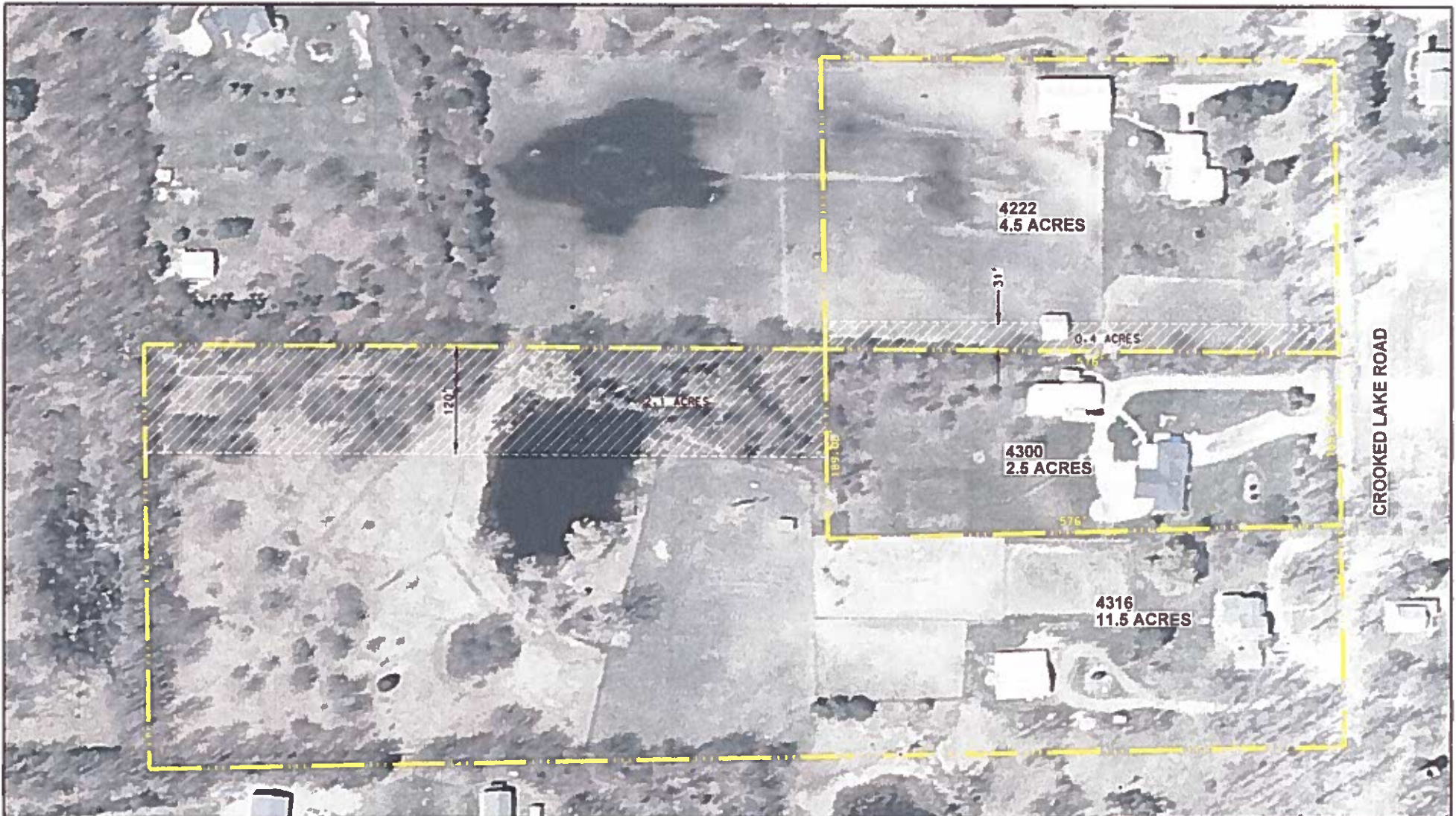
MINNI RESIDENCE
4300 CROOKED LAKE ROAD
HOWELL, MICHIGAN

4-6-15

1" = 100'

3:34:33 PM
4/6/2015
L:\Private\dhenderson\house\minni\minni siteplan2.dgn

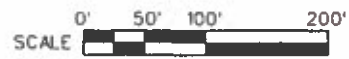
8.5"x11"



THE PLOTTED: 8:13:39 AM
 DATE: 3/31/2015
 PLOTNAME: L:\Projects\4300residence\4300res\4300res.dwg

The land referred to in this plat is located in GEMA TOWNSHIP, Livingston County, State of Michigan, and is described as follows:
 PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 5 EAST, GEMA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF CROOKED LAKE ROAD, SOUTH 89 DEGREES 41 MINUTES 52 SECONDS WEST 1135.04 FEET FROM THE NORTH 1/4 CORNER OF SAID SECTION 21; THENCE SOUTH 60 DEGREES 12 MINUTES 08 SECONDS EAST 576.0 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 52 SECONDS WEST 189.00 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 08 SECONDS WEST 576.0 FEET TO THE CENTERLINE OF CROOKED LAKE ROAD; THENCE NORTH 89 DEGREES 41 MINUTES 52 SECONDS EAST ALONG SAID CENTERLINE 189.00 FEET TO THE POINT OF BEGINNING.
 COMMONLY KNOWN AS: 4300 CROOKED LAKE ROAD

DRAWING SIZE: 11"x17"



PROJECT:		MINNI RESIDENCE 4300 CROOKED LAKE ROAD	
SHEET TITLE:			
SITE PLAN			
PROJECT NO.	-----	FIGURE NO.	
SCALE:	1" = 100'		1
DATE:	3-29-15		



The land referred to in this policy is located in GENOA TOWNSHIP, Livingston County, State of Michigan, and is described as follows:

PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 21, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE CENTERLINE OF CROOKED LAKE ROAD, SOUTH 88 DEGREES 41 MINUTES 52 SECONDS WEST 1135.04 FEET FROM THE NORTH 1/4 CORNER OF SAID SECTION 21; THENCE SOUTH 00 DEGREES 12 MINUTES 08 SECONDS EAST 576.0 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 52 SECONDS WEST 189.08 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 08 SECONDS WEST 576.0 FEET TO THE CENTERLINE OF CROOKED LAKE ROAD; THENCE NORTH 88 DEGREES 41 MINUTES 52 SECONDS EAST ALONG SAID CENTERLINE 189.08 FEET TO THE POINT OF BEGINNING.

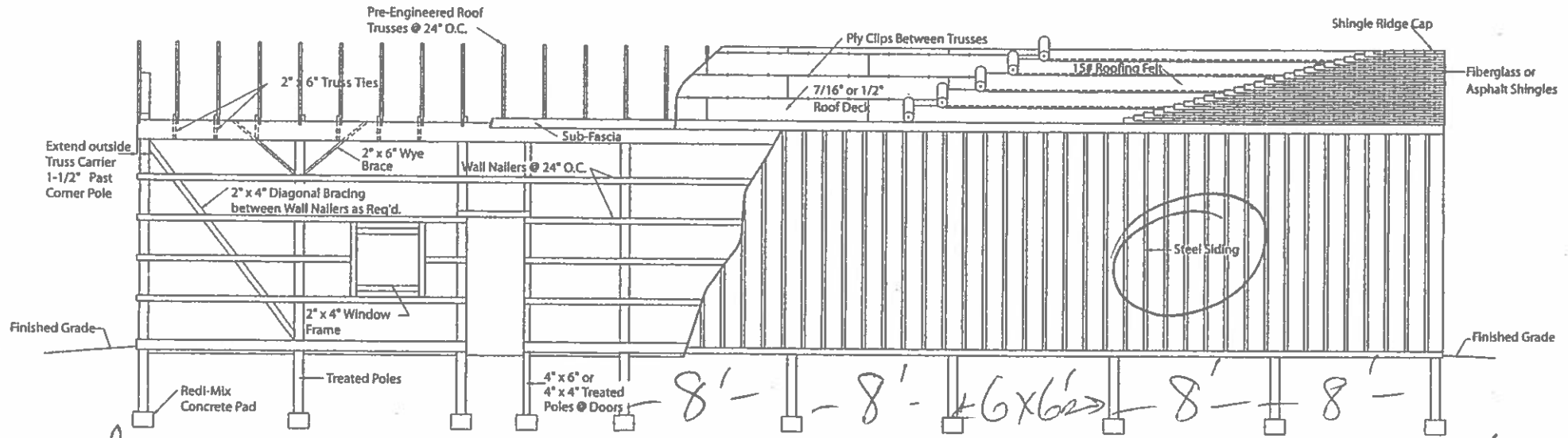
COMMONLY KNOWN AS: 4300 CROOKED LAKE ROAD

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DRAWING SIZE: 11"x17"

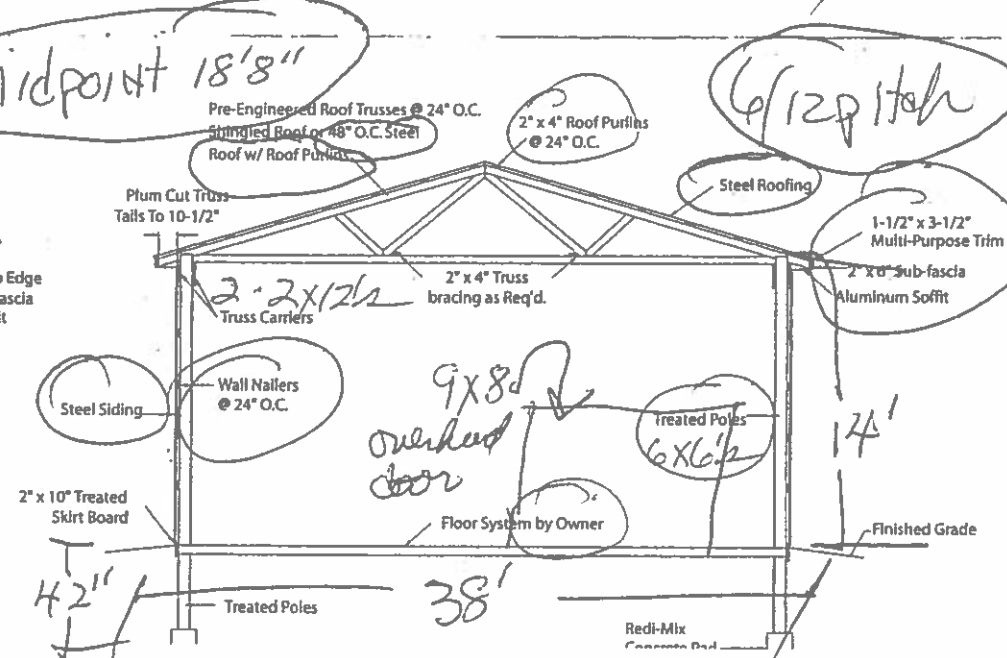
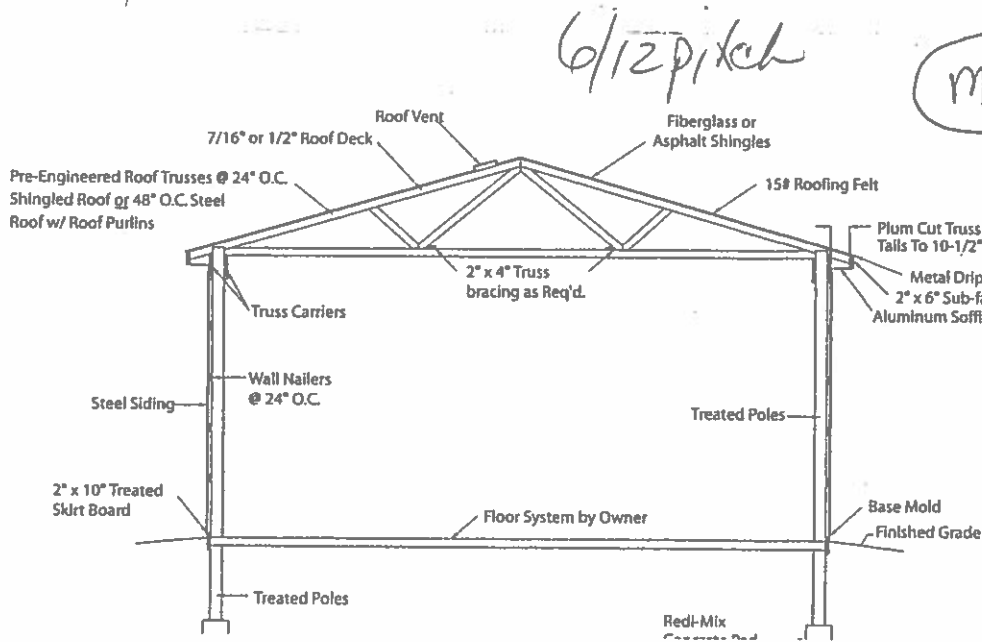


PROJECT:		MINNI RESIDENCE 4300 CROOKED LAKE ROAD	
SHEET TITLE:		SITE PLAN	
PROJECT NO:	----	FIGURE NO.	
SCALE:	1" = 100'		1
DATE:	12-7-15		



Typical Elevation 32'

No Scale



Amy Ruthig

From: Dave Henderson <dave_hend@yahoo.com>
Sent: Thursday, January 14, 2016 11:14 AM
To: Amy Ruthig
Subject: Zoning case 16-01

Amy,

Regarding John Minni's zoning variance request (Case 16-01), I support his request for zoning variance for his barn addition and hope Zoning Board would approve his request.

Our property is adjacent to his property on the eastern and southern boundaries. Minni's have been our neighbors for 20 years and have kept their property and home in excellent condition.

You may have seen my December 8, 2015 letter agreeing to sell the Minni's 2.5 acres of our 11.5 acres to him in order for him to meet minimum acreage requirements. I would prefer not to have to sell the 2.5 acres and keep our 11.5 acres intact, but would if he needed it.

I plan to attend Zoning Board of Appeal hearing on January 19th to show support for his variance request and if you have any questions.

Sincerely
David Henderson
4316 Crooked Lake Road

Amy Ruthig

From: Marguerite Perry <deweyperry@att.net>
Sent: Wednesday, January 13, 2016 12:46 PM
To: Amy Ruthig
Subject: To: Genoa Township Zoning Board of Appeals

To: Genoa Township Zoning Board of Appeals
Case 16-01. (4300 Crooked Lake Road)

This is to inform you that we have no objections to John Minni's accessory structure or the fact it exceeds maximum square footage, and feel that he should be given the variance for the square footage and A height variance

Respectfully submitted,

Dewey and Margueritte Perry

Sent from my iPad

300-foot Buffer for Noticing



Variance Case #16-01

Applicant: John Minni

Parcel: 4711-21-100-027

Meeting Date: January 19, 2016



December 14, 2015

LAND USE PERMIT

GENOA TOWNSHIP

2911 Dorr Road • Brighton, MI 48116
(810) 227-5225 • Fax (810) 227-3420



Permit No. 00-134 Date 3-5-00

Owner JOHN MINNI Telephone 517 545 8640

Site Address 4300 CROOKED LK. City HOWELL Zip 48843

Contractor JEM BUILDINGS. Telephone _____

Address _____ City _____ Zip _____

On the _____ side of _____ between _____ and _____ roads.

Subdivision _____ Lot No. _____

Size of Lot: Front _____ Rear _____ Side _____ Side _____

Acreage 2 1/2 Zoning District Classification CE

Tax Code No. 11-21-100-027

Application is made to _____

- Dwelling
- Addition
- Garage
- Deck
- Swimming Pool
- Accessory Bldg
- Mobile Home
- Commercial
- Industrial
- Sign
- Sewer Connection
- Water Connection

Type of Construction: Brick Stone Frame Cinder Block Steel Other

Foundation: Basement Full Part Poured Block Walkout Conventional Crawlspace Slab

Size of Building: Front 30' Rear 30' Deep 32' Height 12'

Estimate Value \$ 15000 Total Square Feet 960

Building Setback: 18' feet from front property line. 18' feet from rear line. _____ waterfront.

_____ feet least side. _____ feet side line.

Attach drawing showing the following: dimensions of property; all roads adjacent to property (indicate private or county); easements; lakes and streams; all structures; existing or proposed septic tank and field; existing or proposed well; dimensions from buildings to property line; dimensions of proposed building.

For sign, attach drawing showing dimensions of sign, and for a wall sign, the facade to which it will be attached.

Attach proof of ownership of property.

I hereby certify that all information and data attached to and made part of this application are true and accurate to the best of my knowledge and belief. I understand that there may be deed restrictions that may apply to this project. A Land Use Permit is valid for a period of 12 months from the date of issue. Any modification to location, size, or dimensions must be approved by Genoa Township.

Applicant Signature [Signature] Date 3-5-00

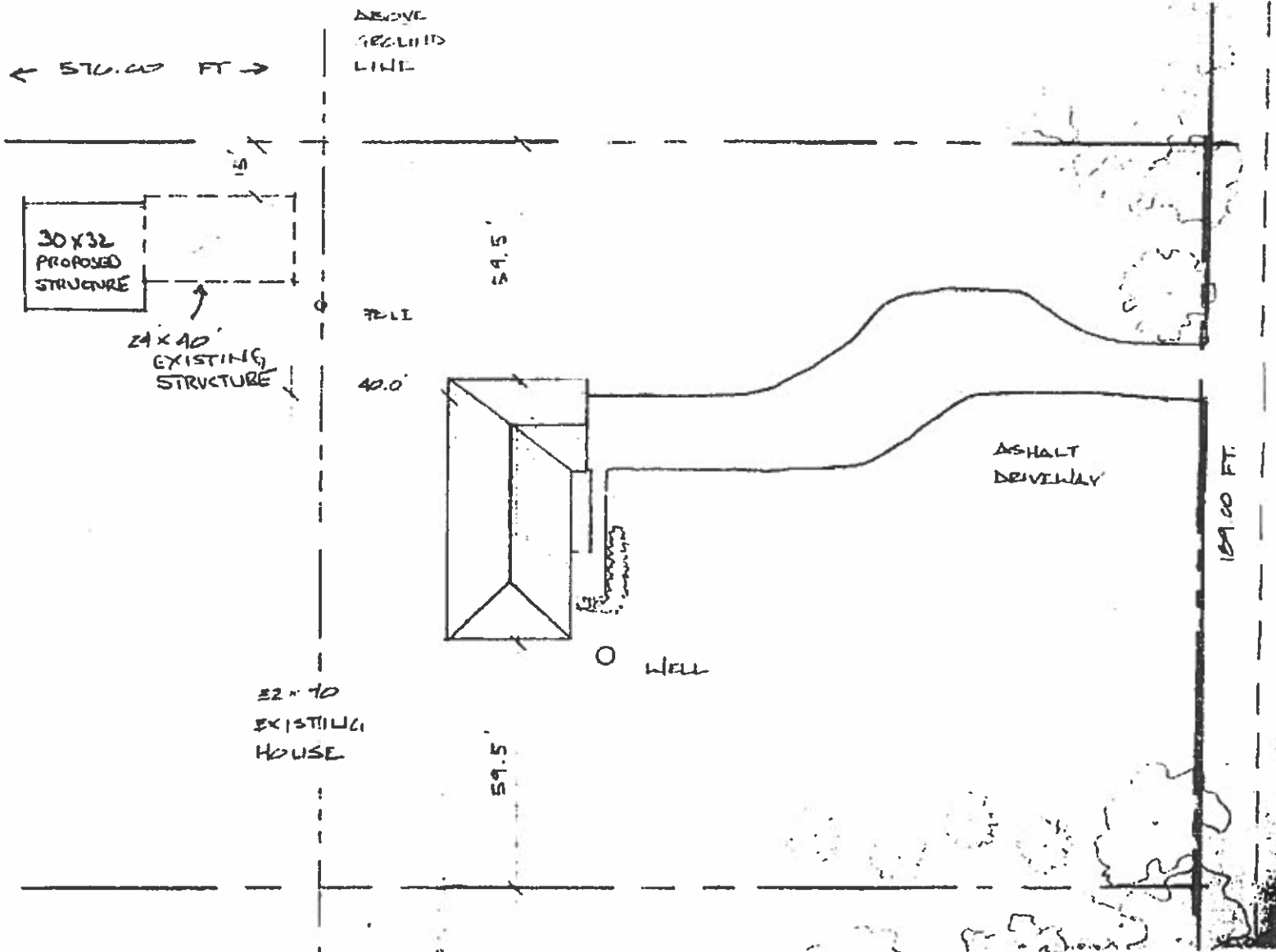
Approved Disapproved Date 4/5/00

Conditional May not encroach closer than existing building to west property line per permit #96-349

Land use	<u>75⁰⁰</u>
Connection-water	_____
-sewer	_____
Meter	_____
Total Paid	<u>75⁰⁰</u>

Zoning Inspector [Signature]

**GENOA TOWNSHIP
LAND USE PERMIT
APPROVED**
30x32 Structure



APPLICATION & LAND USE PERMIT

GENOA TOWNSHIP
2980 Dorr Road • Brighton, MI 48116
(810) 227-5225

Permit No. 96-349 Date AUG 16 96
Applicant JOHN D. MINNI Telephone 545-8640
Address 4300 CROOKED LK RD. City HOWELL Zip 48143
Structure GEM. BUILDING Telephone _____
Address _____ City _____ Zip _____

Location is between _____ side of _____ and _____ roads.

Division _____ Lot No. _____

Dimensions of Lot: Front 189' Rear 189' Side 576' Side 576'

Age 2 1/2 Zoning District Classification _____

Code No. 21-100-027

Location is made to POLE BARN

- | | | | |
|-----------------------------------|---|--------------------------------------|--|
| <input type="checkbox"/> Dwelling | <input checked="" type="checkbox"/> Pole Barn | <input type="checkbox"/> Sign | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Swimming Pool | <input type="checkbox"/> Commercial | <input type="checkbox"/> Sewer & Water Fee |
| <input type="checkbox"/> Garage | <input type="checkbox"/> Accessory Bldg. | <input type="checkbox"/> Mobile Home | <input type="checkbox"/> Other |

Construction: Brick Stone Frame Cinder Block Steel Other

Foundation: Basement Full Part Poured Block Walkout Conventional Crawlspace Slab

Dimensions of Building: Front _____ Rear 24' Deep 46' Height 10'

Estimated Value \$ 5,000 Total Square Feet 9600'

Setback: 100' feet from front property line. 100' feet from rear line. _____ waterfront.
15' feet least side. 100' feet side line.

Attach drawing showing the following: dimensions of property; all roads adjacent to property, indicate private or county; easements; lakes and streams; all structures; existing or proposed septic tank and field; existing or proposed well; dimensions from buildings to property line; dimensions of proposed building.

Attach proof of ownership of property.

Applicant certifies that all information and data attached to and made part of this application are true and accurate to the best of my knowledge and belief. I understand that there may be deed restrictions that may apply to this project.

Applicant Signature [Signature] Date AUG 16 96

Approved Disapproved Date _____

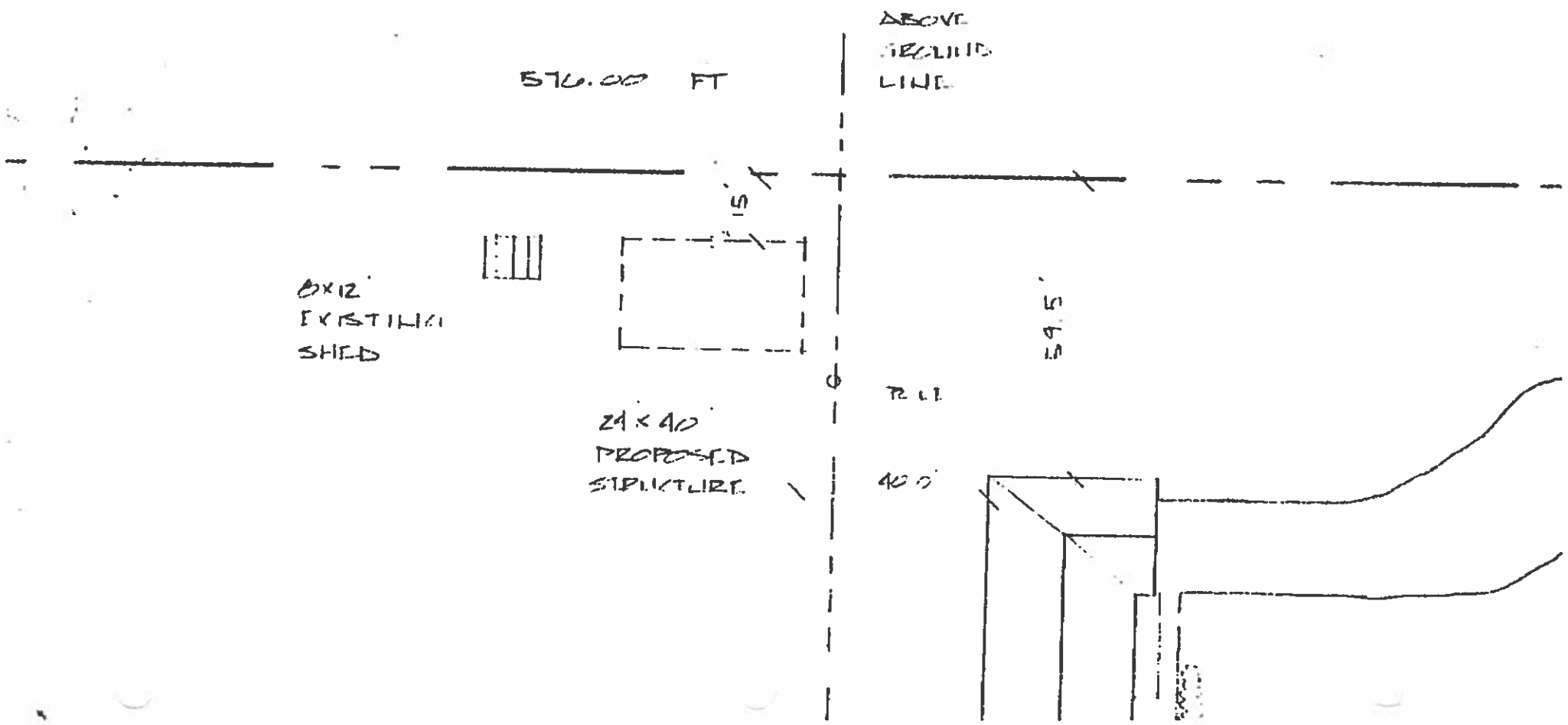
Additional _____

Inspection: Satisfactory Unsatisfactory

Fee 75 Paid 75 ARK Date Aug - 19 - 96

Inspected by _____

Colors: White-Township Canary-Assessor Pink-Applicant



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
PLESS		132,500	05/01/1996	WD	ARMS-LENGTH	2050-0184	BUYER	100.0
Pless, Tedd & Barbara		116,000	09/09/1994	WD	ARMS-LENGTH	1866-0042	BUYER	0.0
		0	10/27/1993	IV	QUIT CLAIM	17560570	BUYER	0.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: CE	Building Permit(s)	Date	Number	Status
4300 CROOKED LAKE RD	School: HOWELL		ADDITION	07/09/2004	04-304	NO START
	P.R.E. 100% 05/01/1996		RES MISCEL	09/09/2003	PO3W-094	NO START
Owner's Name/Address	MAP #: V1601		ACCESSORY BLDG	03/05/2000	00-134	NO START
	2016 Est TCV Tentative		POLE BARN	08/16/1996	96-349	NO START

Tax Description	X Improved		Vacant	Land Value Estimates for Land Table 124.HOWELL M& B								
	Public Improvements			Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
SEC 21 T2N, R5E BEG 1135.04 FT W FROM N 1/4 COR OF SEC, TH S 576 FT, W 189.08 FT, N 576 FT, E 189.08 FT TO BEG 2.5A	Dirt Road			LAND TABLE A			2.50	Total Acres	26,000	100		65,000
	Gravel Road			* Factors *								
	Paved Road			2.50 Total Acres Total Est. Land Value = 65,000								
	Storm Sewer			Land Improvement Cost Estimates								
	Sidewalk			Description	Rate	CountyMult.	Size	%Good	Cash Value			
	Water			D/W/P: 3.5 Concrete	4.04	1.00	360	42	611			
	Sewer			D/W/P: 3.5 Concrete	4.04	1.00	60	42	102			
	Electric			Shed: Wood Frame	13.69	1.00	140	42	805			
	Gas			Total Estimated Land Improvements True Cash Value = 1,518								
	Curb											
	Street Lights											
	Standard Utilities											
	Underground Utils.											



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Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level			2016	Tentative	Tentative	Tentative			Tentative
Rolling			2015	32,500	114,100	146,600			135,328C
Low			2014	32,500	107,500	140,000			133,197C
High			2013	32,500	98,600	131,100			131,100S
Landscaped									
Swamp									
Wooded									
Pond									
Waterfront									
Ravine									
Wetland									
Flood Plain									
X REFUSE									
Who	When	What							

*** 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			1	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 Ga		Area Type 21 CCP (1 Story)		Year Built: Car Capacity: Class: BC Exterior: Block Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1.5 Wall Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 572 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame	Drywall Paneled	Plaster Wood T&G	X	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			Class: BC Effec. Age: 34 Floor Area: 2350 Total Base Cost: 199,258 Total Base New : 296,894 Total Depr Cost: 216,348 Estimated T.C.V: 212,021			CntyMult X 1.490 E.C.F. X 0.980		Bsmnt Garage: Carport Area: Roof:				
Building Style: BC		Trim & Decoration		Central Air Wood Furnace			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj Size Cost			Rate Bsmnt-Adj Heat-Adj		Size Cost					
Yr Built Remodeled 1971 0		Ex X Ord Min		(12) Electric			1 Story Brick Crawl Space 79.01 -9.72 0.00 1582 109,617			X 1.490		768 54,758					
Condition for Age: Good		Lg X Ord Small		0 Amps Service			1 Story Siding Basement 71.30 0.00 0.00 768 54,758			Rate		Size Cost					
Room List		(5) Floors		No./Qual. of Fixtures			Other Additions/Adjustments			Rate		Size Cost					
Basement 1st Floor 2nd Floor 3 Bedrooms		Kitchen: Other: Other:		Ex. X Ord. Min			(13) Plumbing			3525.00		2 7,050					
(1) Exterior		(6) Ceilings		No. of Elec. Outlets			(14) Water/Sewer			2350.00		1 2,350					
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 768 S.F. Crawl: 1582 S.F. Slab: 0 S.F. Height to Joists: 0.0		Many X Ave. Few			Well, 200 Feet 1000 Gal Septic			5700.00		1 5,700					
Insulation		(7) Excavation		(13) Plumbing			(15) Built-Ins & Fireplaces			3550.00		1 3,550					
(2) Windows		Basement Finish		Average Fixture(s)			Fireplace: Interior 1 Story			4100.00		1 4,100					
X	Many Avg. X Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		3 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			(16) Porches			65.22		21 1,370					
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(8) Basement		(14) Water/Sewer			(17) Garages			23.93		572 13,688					
(3) Roof		Recreation SF Living SF Walkout Doors No Floor SF		Public Water Public Sewer			Class:BC Exterior: Block Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Phy/Ab.Phy/Func/Econ/Comb.%Good= 66/100/100/100/66.0, Depr.Cost = 195,950			-2925.00		1 -2,925					
X	Gable Hip Flat	Gambrel Mansard Shed		1 Water Well			Separately Depreciated Items: Square footage # 2 is depreciated at 91 %Good... Base Cost Was = 54,758 County Multiplier = 1.49 => Cost New = 81,590 Phy/Ab.+hy/Func/Econ/Comb.%Good= 25/100/100/100/25.0, Depr.Cost = 20,398 ECF (47070 HOWELL M & B) 0.980 => TCV of Bldg: 1 = 212,021										
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		1 1000 Gal Septic 1 2000 Gal Septic													
Chimney: Brick		Lump Sum Items:															

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Building Type	Barn, General Purpose	Barn, General Purpose		
Year Built				
Class/Construction	D, Pole	D, Pole		
Quality/Exterior	Low Cost	Low Cost		
Base Rate/SF	10.10	10.10		
# of Walls, Perimeter	4 Wall, 128	4 Wall, 122		
Perimeter Mult.	X 1.127 = 11.38	X 1.122 = 11.33		
Height	10	10		
Story Height Mult.	X 1.000 = 11.38	X 1.000 = 11.33		
Heating System	No Heating/Cooling	No Heating/Cooling		
Heat Adj./SF				
Misc. Adjustment				
Misc. Adj./SF				
County Multiplier	X 1.50 = 17.07	X 1.50 = 17.00		
Final Rate/SF	\$17.07	\$17.00		
Length/Width/Area	40 x 24 = 960	30 x 31 = 930		
Cost New	\$ 16,391	\$ 15,808		
Phy./Func./Econ. %Good	84/100/100 84.0	84/100/100 84.0		
Depreciated Cost	\$ 13,769	\$ 13,279		
+ Unit-In-Place Items	\$ 0	\$ 0		
Description, Size X Rate X %Good = Cost				
Itemized ->				
Unit-In-Place ->				
Items ->				
E.C.F.	X 1.00	X 1.00		
% Good	84	84		
Est. True Cash Value	\$ 13,769	\$ 13,279		
Comments:				
Total Estimated True Cash Value of Agricultural Improvements / This Card: 27048 / All Cards: 27048				

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**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
DECEMBER 8, 2015, 6:30 P.M.**

MINUTES

Call to Order: Vice-Chairperson McCreary 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 were as follows: Barb Figurski, Marianne McCreary, and Jean Ledford. Absent were Jeff Dhaenens and Jerry Poissant. Also present was Township staff member Amy Ruthig. There were 2 in the audience.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of Agenda: Moved by Figurski, seconded by Ledford to approve the agenda as submitted. **Motion carried unanimously.**

Call to the Public: A call to the public was made with no response.

15-29 ... 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.

Mr. Steve Schenck, Owner of Liberty Tax Service was present for the petitioner. Mr. Schenck stated this is the 7th time requesting a variance. Their office is set back off the road and the visibility is key to their business. He stated that their business is the only seasonal business located in the plaza. They are limited by signage at their location.

Ledford questioned if the business has picked up since they opened. Mr. Schenck stated that they do not have a number on how many customers come in due to the signage. McCreary inquired as to when the lease is up for their location. Mr. Schenck stated that it is due to renew in 2017.

Moved by Figurski, supported by Ledford, to approve case #15-29 for Liberty Tax at Country Corners, for a temporary signage variance due to the unique nature of the business's seasonal period and the need to be more visible. Starting January 15th, 2016 thru February 8th, 2016 and resuming April 6th, 2015 through April 15th, 2016 for a total of 35 days. Finding of fact is Article 25.03.03 a,b,c,d of the Zoning Ordinance. **Motion carried unanimously.**

Administrative Business:

1. Approval of the October 20th Zoning Board of Appeals meeting minutes with one typographical correction. **Moved** by Figurski, seconded by Ledford. **Motion carried unanimously.**
2. **Correspondence:** Ruthig supplied the Board with information regarding House Bill #5041 with regards to non-conforming structures.
3. **Township Board Representative Report:** Ledford stated at the last Township Board meeting on December 7th, 2015 the following took place: Approval of Master Plan Update, approval of Resolution #1 and #2 for Sunrise Park Road Assessment, approval of selling property on Hughes Road for the what the Township paid for it, approval to purchase a Vector truck for the Utility Department, decision was made to opt out of SELCRA, and discussion was had regarding bill payment policy and board meeting cancelations.
4. **Planning Commission Representative Report:** Figurski stated that the Planning Commission approved 4 outside pavilions and the December Planning Commission was canceled due to lack of agenda items.
5. **Zoning Official Report:** Ruthig stated that Sharon Stone Francis, Code Enforcement Officer, has been instated at full time.
6. **Member Discussion:** McCreary informed the board of changes for the Tax Tribunal adding an appraiser and extending time for filing. McCreary also informed the board on House Bill #4173 in regards to amendments for property sales tax.
7. **Adjournment:** **Moved** by Ledford, seconded by Figurski, to adjourn the meeting at 7: 02p.m. **Motion carried unanimously.**

Respectfully submitted:

Amy Ruthig