

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
February 16, 2016, 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. 16-02 ... A request by Douglas Milne, 6505 Forest Beach, for two side yard setback variances to construct a new home.
2. 16-03 ... A request by Kirk Peilet, 1530 Oak Haven, for a side yard setback variance to construct a detached garage.
3. 16-04 ... A request by Holly and Ray Coppielle/E.B.I. Inc., Vacant, Long Pointe Drive (11-10-301-221) for a waterfront setback variance to construct a new home.

Administrative Business:

1. Approval of minutes for the January 19, 2016 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
February 16, 2016
6:30 P.M.**

The Genoa Township Zoning Board of Appeals will hold a public hearing on February 16, 2016 at Genoa Township Hall, 2911 Dorr Road, Brighton, MI, 48116 to review the following variance requests:

1. 16-02 ... A request by Douglas Milne, 6505 Forest Beach, for two side yard setback variances to construct a new home.
2. 16-03 ... A request by Kirk Peilet, 1530 Oak Haven, for a side yard setback variance to construct a detached garage.
3. 16-04 ... A request by Holly and Ray Coppelle/E.B.I. Inc., for a waterfront setback variance to construct a new home.

Please address any written comments to the Genoa Township Zoning Board of Appeals at 2911 Dorr Rd, Brighton, MI 48116 or via email at 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 1-31-16



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 16-02 Meeting Date: 2-16-15

- 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: Douglas Milne
 Property Address: 6505 Forest Beach Dr. Brighton, MI 48116 Phone: (845) 782-6551
 Present Zoning: _____ Tax Code: 4711-26-301-019

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 set back, 30ft to ~~15~~ 130ft
2. Intended property modifications: side set backs
 - a. Unusual topography/shape of land (explain): _____
 - b. Other (explain): _____

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: 1/15/2016 Signature: Douglas Milne

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
FEBRUARY 16, 2016
CASE #16-02

PROPERTY LOCATION: 6505 Forest Beach Drive

PETITIONER: Douglas Milne

ZONING: LDR (Low Density Residential)

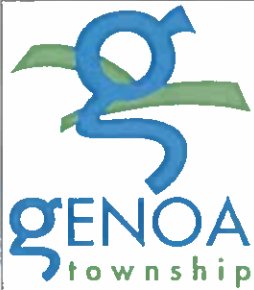
WELL AND SEPTIC INFO: Well and septic

PETITIONERS REQUEST: Requesting two side yard variances to construct a new home.

CODE REFERENCE: Table 03.04.01

STAFF COMMENTS: See Staff Report

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	50	30	30	60	35	100
Setbacks Requested	257	13	11	100	25	100
Variance Amount		-	-	-	-	-



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: February 3, 2016

RE: ZBA 16-02

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

STAFF REPORT

File Number: ZBA#16-02

Site Address: 6505 Forest Beach Drive (Vacant) Brighton, 48116

Parcel Number: 4711-26-301-019

Parcel Size: .60 acre

Applicant: Douglas Milne, 6501 Forest Beach Drive Brighton, 48116

Property Owner: Same as applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variances

Project Description: Applicant is requesting two side yard setback variances in order to construct a new home.

Zoning and Existing Use: LDR (Low Density Residential), the property is vacant.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday January 31, 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:

- See Real Estate Summary and Record Card.
- See Plat Map

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

The proposed project is to construct a new 2 story home. In order to do this the applicant would be required to obtain two side yard setback variances due to the narrowness of the lot. The property is zoned LDR which is not consistent with this size lot.



Variance Requests

The following is the section of the Zoning Ordinance that the variances are being requested from:

Table 3.04.01 (LDR District):	Required Side Yard Setback:	30'
	Proposed Side Yard Setback:	13'
	Proposed Variance Amount:	17'
	Required Side Yard Setback:	30'
	Proposed Side Yard Setback:	11'
	Proposed Variance Amount:	19'

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 side yard setbacks would make the lot unbuildable. The property is 50 feet wide at the front property line and 57 feet at the water's edge. A copy of the plat has been included for your review. The request is located on lot 19.

- (b) **Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is that it is a legal non-conforming lot for the LDR zoning. The need for the variance is due to the narrowness of the lot.
- (c) **Public Safety and Welfare** – The granting of these 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. The proposed structure would be of sufficient distance from adjacent structures to not create any fire or other safety hazards.
- (d) **Impact on Surrounding Neighborhood** – The proposed variances 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 side yard setback variance would make the property unbuildable.
2. The need for this variance is due to the narrowness on the lot.
3. Granting of the requested 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.
4. Granting the requested variances will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The proposed home is consistent with properties in the area.

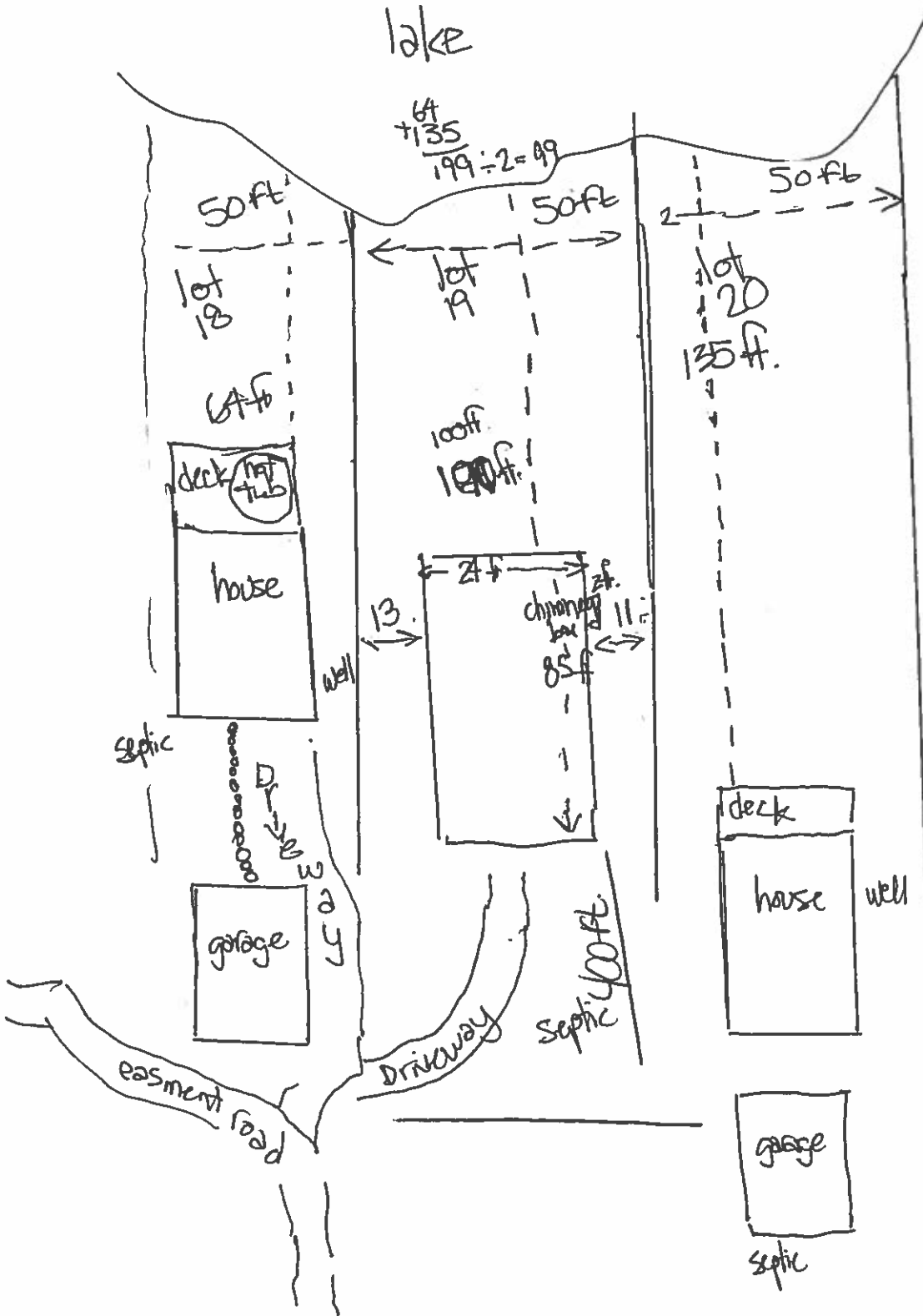
Recommended Conditions

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

1. The home will guttered with downspouts with water draining toward the lake.

6505 Forest Beach Drive
Brighton, MI 48116

Doug Milne
*(845) 702-6551



Covington II (8080)

For questions or to order, please email, live chat or call The House Designers at 866-214-2242.
We'd be happy to assist you!



Stories: 2
Total Living Area: 1943 s.f.
First Floor: 1173 s.f.
Second Floor: 770 s.f.
Bedrooms: 3
Full Baths: 3, Half Baths: 1
Width: 24 ft.
Depth: 79 ft.
Garage Size: 2
Foundation:
Slab

Price: \$500.00 (One Set)

© copyright by designer



Rear



Fireplace Detail



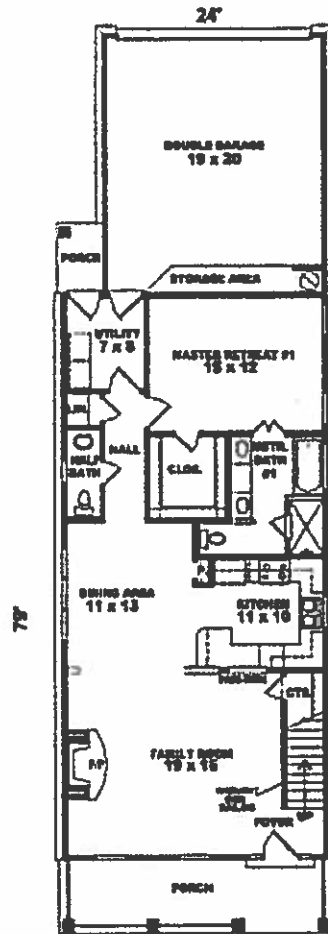
Pass-Thru Detail

Front Elevation:



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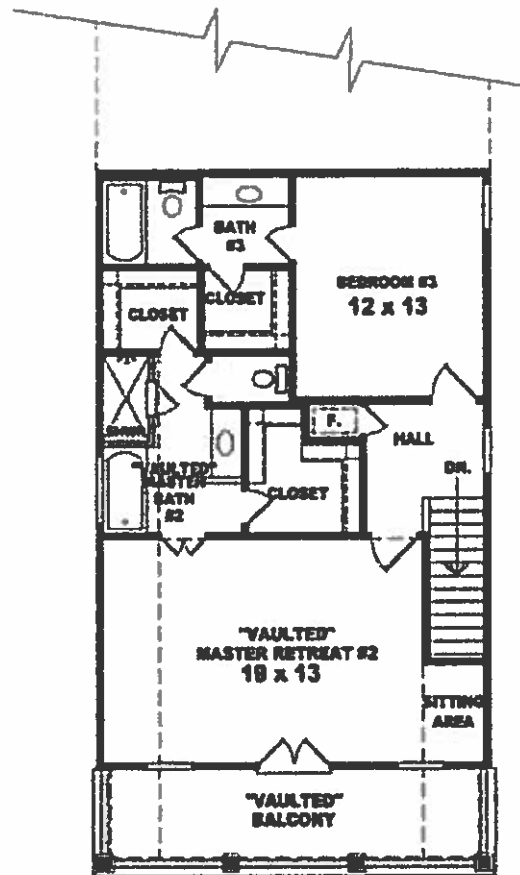
1st Level:



FIRST LEVEL FLOOR PLAN

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2nd Level:



SECOND LEVEL FLOOR PLAN

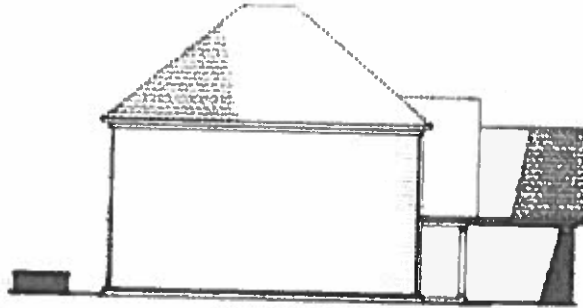
COPYRIGHT NOTICE. It is illegal to build this plan without a legally obtained set of plans. It is illegal to copy or redraw these plans. Violation of U.S. copyright laws are punishable with fines of up to \$200,000. After the purchase of plans, changes may be made by a qualified professional.



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

Plan Number 61212 (Order Code DWV B) Rear Elevation

For more information visit www.homedepot.com

U.S. customers call 1-800-451-4242. International customers call 1-800-361-7820

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GENERAL HOUSE INFORMATION

Number of Stories:	2
Width:	24' 0"
Depth:	79' 0"
Dwelling Number:	Single
Bonus Access:	None

EXTERIOR STYLE

Traditional
Beach
Vacation
Florida
Colonial

NUMBERS OF ROOMS

Bedrooms:	3
Full Baths:	3
Half Baths:	1

FINISHED SQUARE FOOTAGE

Main Level:	1173 Sq. Ft.
Upper Level:	770 Sq. Ft.
Total:	1943 Sq. Ft.

GARAGE

Garage Type:	Attached
Garage Size:	2

FOUNDATION

Slab

HOUSE AND CEILING HEIGHTS

First Floor Ceiling:	9
Second Floor Ceiling:	8
Maximum House Height:	26' 0"

FRAMING INFORMATION

Roof Framing:	Stick
Exterior Wall Framing:	2x4

ROOF PITCH

Primary:	8
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INSULATION (R)

Per IRC Climate Zones

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Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
Property Address		Class: 402 RESIDENTIAL-V		Zoning: LDR	Building Permit(s)	Date	Number	Status				
6505 FOREST BEACH DR		School: BRIGHTON										
Owner's Name/Address		P.R.E. 100% 06/15/2011										
MILNE, DOUGLAS 6501 FOREST BEACH DR BRIGHTON MI 48116		MAP #: V16-02										
Tax Description		2016 Est TCV Tentative		Land Value Estimates for Land Table 00026.FOREST BEACH								
SEC. 26 T2N, R5E, SUPERVISOR'S PLAT OF FOREST BEACH LOT 19		Improved	X	Vacant	* Factors *							
Comments/Influences		Public Improvements		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Dirt Road		LAKE FRONT	57.00	463.00	1.0000	1.0000	2100	100		119,700
		Gravel Road		57 Actual Front Feet, 0.61 Total Acres Total Est. Land Value = 119,700								
		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										
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value				
Who		When	What	2016	Tentative	Tentative	Tentative	Tentative				
				2015	59,900	0	59,900	10,026C				
				2014	57,000	0	57,000	9,869C				
				2013	31,400	0	31,400	9,714C				

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

SURVEYOR'S PLAT OF FOREST BEACH
 PART OF THE W. 1/2 OF SEC. 26, T.2N., R.5E., GENOA TWP., LIVINGSTON CO., MICHIGAN.

SCALE - 1"=100'
 Here all dimensions shown hereon are in feet or decimals of feet.

Sept 20, 1928
 L. H. HULL

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That I Oscar Schoenhals, Supervisor of the Township of Genoa of Livingston County, State of Michigan, by virtue of authority in me vested by Section 3356, Compiled Laws of 1915, as amended, having been duly authorized by the Township Board, have caused the lots described in the annexed plat to be surveyed, laid out and plotted to be known as Supervisor's Plat of Forest Beach.

Witness my hand and the seal of said Township of Genoa this 15th day of September, A.D. 1928.
 Oscar Schoenhals, Supervisor of the Township of Genoa
 William J. Brown

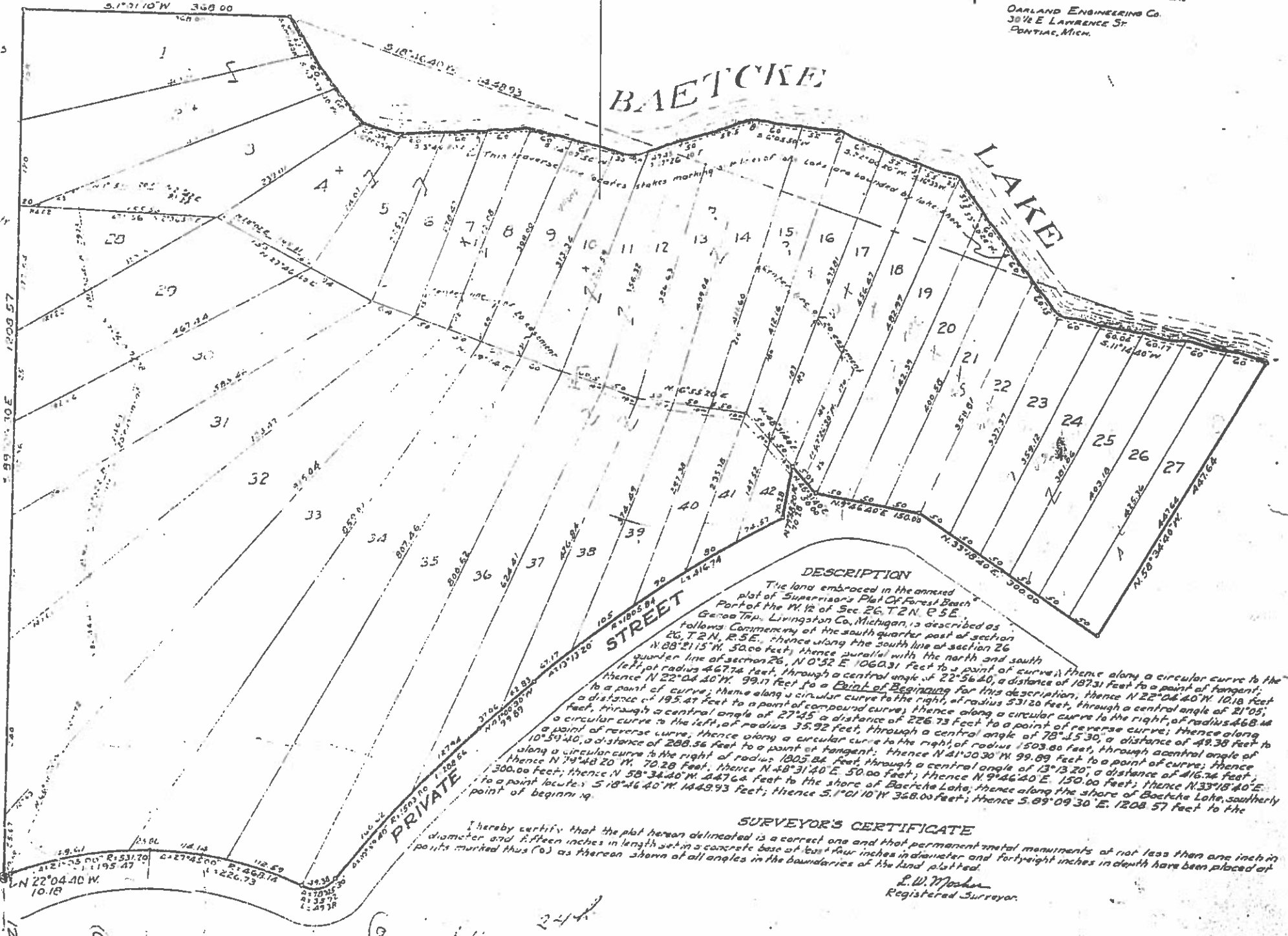
STATE OF MICHIGAN }
 County of Livingston }
 On this 15th day of September, A.D. 1928, before me a Notary Public and Notary in and for the County of Livingston, State of Michigan, personally came the above named Supervisor of the Township of Genoa, and he acknowledged to me the execution of the above and certified that the same to be his free act and deed as such Supervisor.
 My Commission expires 10th day of October, 1930.
 William J. Mather, Notary Public for Livingston County

CERTIFICATE OF MUNICIPAL APPROVAL
 This plat was approved by the Township Board of the Township of Genoa at a meeting held on the 15th day of September, 1928.

CERTIFICATE OF APPROVAL BY COUNTY BOARD
 This plat was approved by the Board of the County of Livingston on the 7th day of September, 1928.

County Treasurer Certificate
 Certified that the above described plat has been duly recorded and that the same is a correct copy of the original as shown by the original.

N
 OARLAND ENGINEERING CO.
 30 1/2 E LAWRENCE ST.
 PONTIAC, MICH.



DESCRIPTION

The lots embraced in the annexed plat of Supervisor's Plat of Forest Beach, Part of the W. 1/2 of Sec. 26, T.2N., R.5E., Genoa Twp., Livingston Co., Michigan, is described as follows: Commencing at the south quarter post of section 26, T.2N., R.5E., thence along the south line of section 26 N. 88° 21' 15\"/>

SURVEYOR'S CERTIFICATE

I hereby certify that the plat hereon delineated is a correct one and that permanent metal monuments of not less than one inch in diameter and fifteen inches in length set in a concrete base of not less than one inch in diameter and forty-eight inches in depth have been placed at points marked thus (O) as thereon shown at all angles in the boundaries of the land platted.
 L. W. Mather
 Registered Surveyor

S. 1/4 PO. & S. 1/4 LINE SEC. 26
 T.2N.
 R.5E.

2027

Amy Ruthig

From: Roger Tagtmeier <smc701@aol.com>
Sent: Monday, February 08, 2016 3:41 PM
To: Amy Ruthig
Subject: PUBLIC HEARING CASE 16-02
Attachments: FOREST BEACH PLOT GENOA.pdf

Genoa Township Zoning Board,

I, Roger E Tagtmeier Jr of 6474 Forest Beach Drive will not be able to attend the Public Hearing for 6505 Forest Beach Drive Variances to construct a new home.

I have a couple of concerns for the Board:

1. Adding another home on the existing property could lead to more property owners doing the same variance and crowding the beautiful area with homes and more cars on our Private Road.
2. What is going to be the minimum size of the home.
3. What would be your spec for the Septic System.

I have attached the Supervisor Plat of Forest Beach Drive with my Property Highlighted. Could you please give me the Plat numbers so I know exacting where the variance is located.

Very Appreciative,
Roger E Tagtmeier Jr
6474 Forest Beach Drive
Brighton, MI 48116



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

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

Case # 16-03

Meeting Date: 2-16-16

PAID Variance Application Fee

\$125.00 for Residential | \$300.00 for Commercial/Industrial

Copy of paperwork to Assessing Department

@ 6:30

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: Kirk Peilet

Property Address: 1530 OAK HAVEN Phone: 734-718-9950

Present Zoning: LRR Tax Code: 11-301-004 ~~00205~~

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

1. Variance requested: SIDE YARD VARIANCE TO CONFORM
DETACHED GARAGE

2. Intended property modifications: _____

a. Unusual topography/shape of land (explain): NARROWNESS OF LOT

b. Other (explain): _____

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: 1/22/16 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
February 16, 2016
CASE #16-03

PROPERTY LOCATION: 1530 Oak Haven Drive Howell

PETITIONER: Kirk Peilet

ZONING: LRR (Lakeshore Resort Residential)

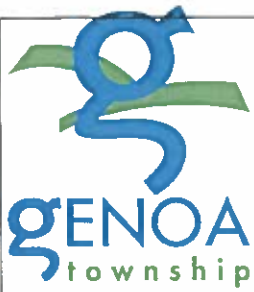
WELL AND SEPTIC INFO: Well and Sewer

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

CODE REFERENCE: Sec. 11.04.01 (f) (2)

STAFF COMMENTS: See Staff Report

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Front	Size	Height
Setbacks of Zoning	10	10	5	10	900	14
Setbacks Requested	85.9	23	3	26	888	14
Variance Amount	-	-	2	-	-	-



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: February 11, 2016
RE: ZBA 16-03

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

STAFF REPORT

File Number: ZBA#16-03

Site Address: 1530 Oak Haven Drive Howell, MI 48843

Parcel Number: 4711-11-301-004

Parcel Size: .60 acre

Applicant: Kirk Peilet, 1530 Oak Haven Drive Howell, MI 48843

Property Owner: Same as applicant

Information Submitted: Application, site plan, conceptual drawing

Request: Dimensional Variances

Project Description: Applicant is requesting a side yard setback variance in order to demolish an existing detached structure and construct a new detached structure.

Zoning and Existing Use: LRR (Lakeshore Resort Residential)

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday January 31, 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:

- A land use permit was approved in 2012 for an addition to the house.
- 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

The proposed project is to demolish an existing detached accessory structure and construct a new detached accessory structure. In order to accomplish the construction, the applicant would be required to obtain a side yard setback variance.



Variance Requests

The following is the section of the Zoning Ordinance that the variances are being requested from:

Section 11.04.01 (f) (2): Required Side Yard Setback: 5'
Proposed Side Yard Setback: 3'
Proposed Variance Amount: 2'

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 side yard setback would prevent the applicant from constructing a new detached structure in the same location as the existing detached structure that would be demolished.

(b) **Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrowness of the lot.

(c) Public Safety and Welfare – The granting of this 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. The proposed structure would be of sufficient distance from adjacent structures to not create any fire or other safety hazards. The applicant is reducing the size of the new detached structure compared to the existing detached structure on the lot.

(d) Impact on Surrounding Neighborhood – The proposed variance would have no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The applicant is proposing to demolish a 24'3" X 44'6" detached structure and construct a smaller detached structure with dimensions 24' X 37'6".

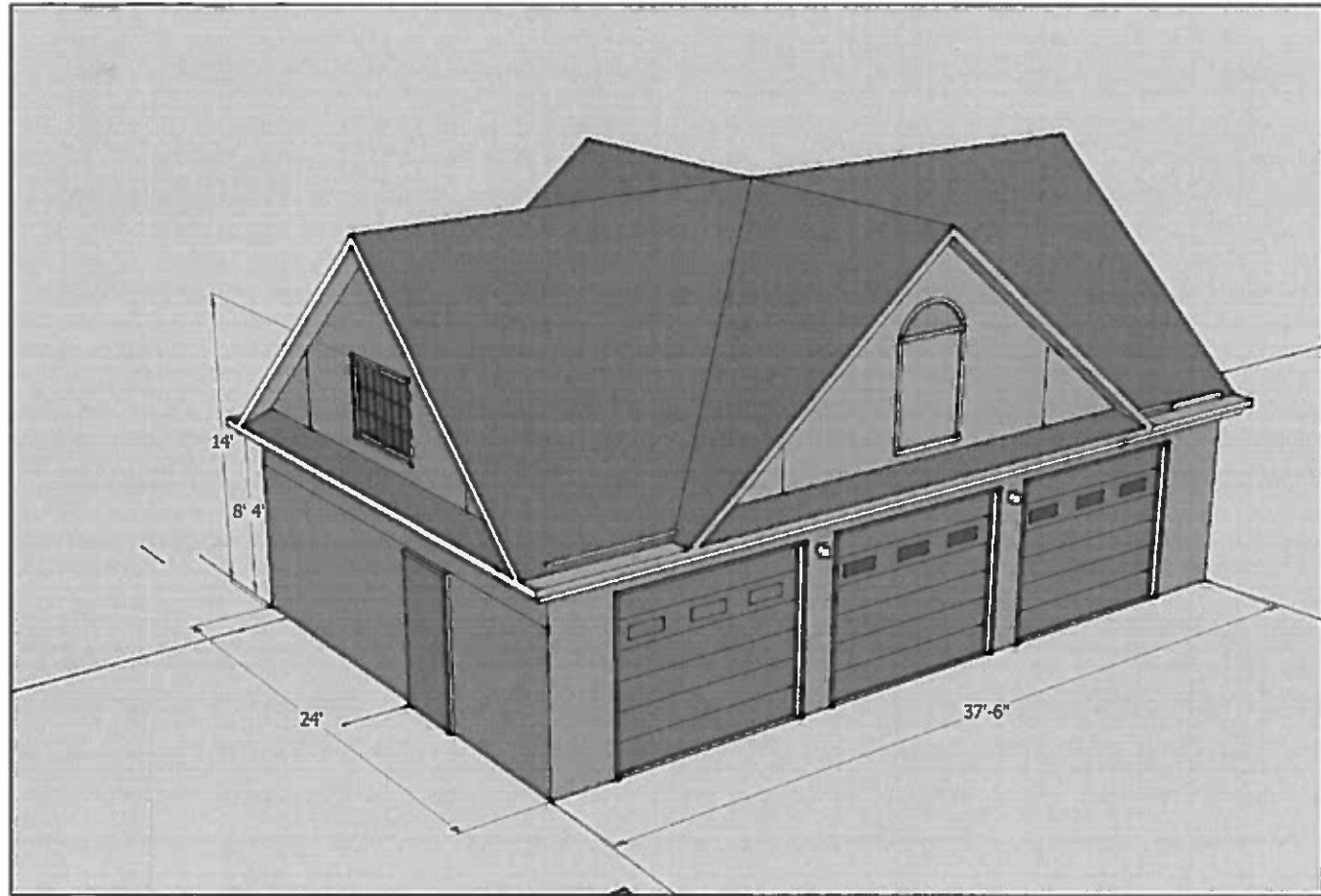
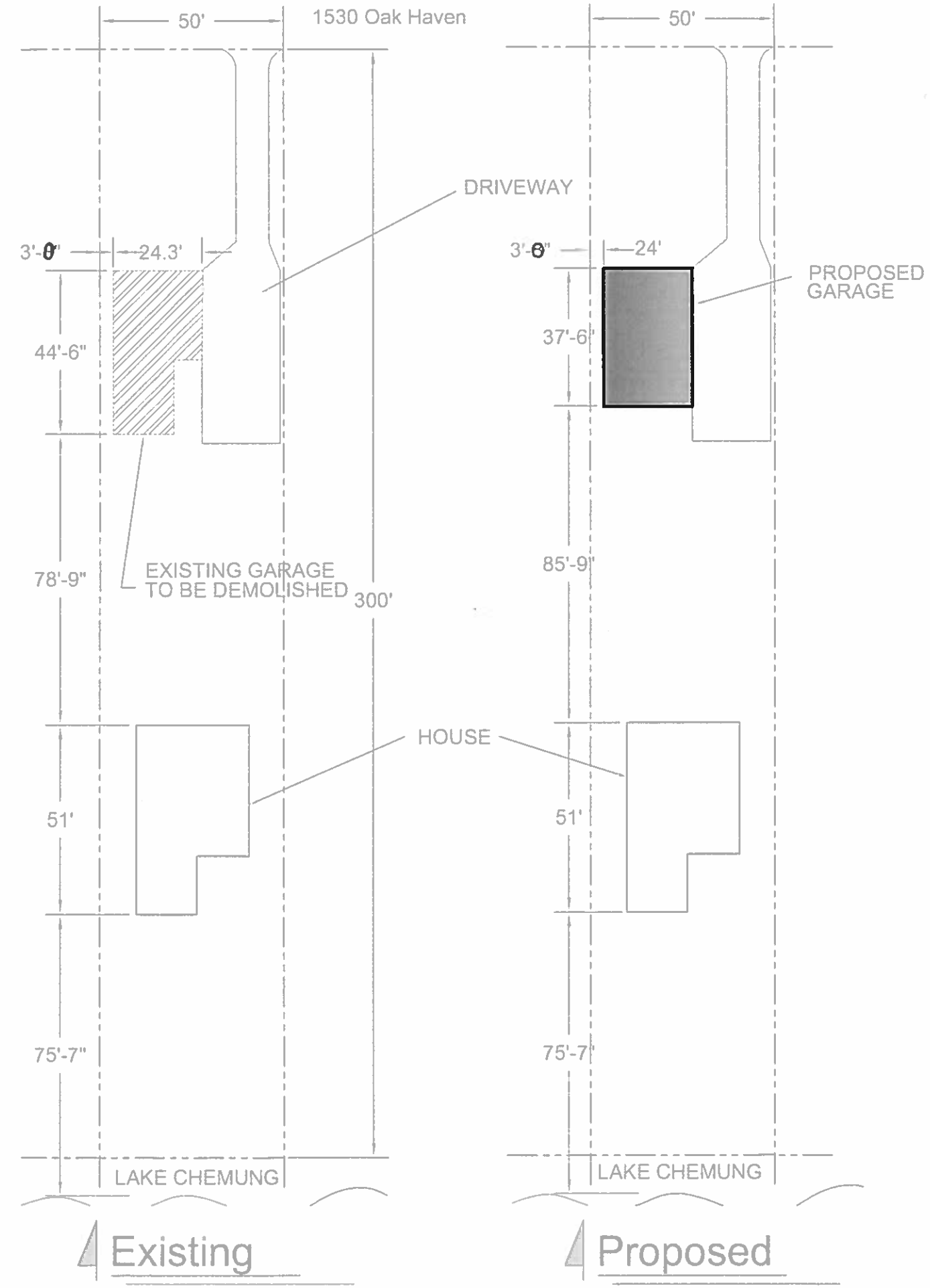
Staff Findings of Fact

1. Strict application of the side yard setback variance would prevent applicant of replacing the existing detached structure with a smaller detached structure in the same setback.
2. The need for this variance is due to the narrowness on the lot.
3. Granting of the requested 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.
4. Granting the requested variances will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The proposed home is consistent with properties in the area.

Recommended Conditions

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

1. The detached accessory structure will be guttered with downspouts and runoff draining toward the lake.



Proposed Garage

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
MARVIN, LARRY	PEILET, KIRK	300,000	05/10/2003	WD	ARMS-LENGTH	3940-0307	BUYER	100.0
DONIE, DAVID & GINA	MARVIN	223,500	05/02/1997	WD	ARMS-LENGTH	2182-0697	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
1530 OAK HAVEN	School: HOWELL		ADDITION	03/16/2012	P12-020	NO START
	P.R.E. 100% 05/20/2003					

Owner's Name/Address	MAP #: V16-03
PEILET, KIRK 1530 OAK HAVEN HOWELL MI 48843	

2016 Est TCV Tentative		Land Value Estimates for Land Table 00004.LAKE CHEMUNG									
X	Improved	Vacant	* Factors *								
Public Improvements			Description	Frontage	Depth	Front	Depth	Rate	Adj.	Reason	Value
	Dirt Road		LAKE FRONT	50.00	276.00	1.0000	1.0000	2300	100		115,000
	Gravel Road		50 Actual Front Feet, 0.32 Total Acres								
	Paved Road		Total Est. Land Value =								
	Storm Sewer		115,000								
	Sidewalk										
	Water										
	Sewer										
	Electric										
	Gas										
	Curb										
	Street Lights										
	Standard Utilities										
	Underground Utils.										

Tax Description
SEC. 11 T2N, R5E, BEACON SHORES NO. 1 LOT 4

Comments/Influences



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

Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X	Level	REFUSE	2016	Tentative	Tentative	Tentative			Tentative
	Rolling		2015	57,500	176,900	234,400			180,779C
	Low		2014	57,500	153,300	210,800			177,933C
	High		2013	55,000	54,900	109,900			96,490C
	Landscaped								
	Swamp								
	Wooded								
	Pond								
	Waterfront								
	Ravine								
	Wetland								
	Flood Plain								

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang		X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System			Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga			Area 64 319	Type CCP (1 Story) Composite	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: 972 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
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			Class: C Effec. Age: 22 Floor Area: 2404 Total Base Cost: 149,367 Total Base New : 222,556 Total Depr Cost: 205,524 Estimated T.C.V: 351,446			CntyMult X 1.490 E.C.F. X 1.710		Bsmnt Garage: Carport Area: Roof:				
Building Style: C		Trim & Decoration		Central Air Wood Furnace			Stories Exterior			Foundation Rate			Bsmnt-Adj		Heat-Adj		Size Cost	
Yr Built Remodeled 1935 FOU 2012		Ex X Ord Min		(12) Electric			2 Story Siding			Crawl Space 101.07			-9.06		3.83		984 94,307	
Condition for Age: Good		Lg X Ord Small		0 Amps Service			1+ Story Siding			Crawl Space 67.21			-9.06		1.92		96 5,767	
Room List		Doors Solid X H.C.		No./Qual. of Fixtures			1 Story Siding			Crawl Space 63.93			-9.06		1.92		256 14,538	
Basement 1st Floor 2nd Floor 4 Bedrooms		(5) Floors		No. of Elec. Outlets			1 Story Siding			Overhang 37.14			0.00		0.00		22 817	
Kitchen: Other: Other:		(6) Ceilings		(13) Plumbing			1 Story Siding			Overhang 37.14			0.00		0.00		46 1,708	
Insulation		Basement: 0 S.F. Crawl: 1336 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s)			1 Story Siding			Overhang 37.14			0.00		0.00		16 594	
(1) Exterior		(7) Excavation		3 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink 1 Separate Shower			Other Additions/Adjustments			Rate			Size		Cost			
Wood/Shingle Aluminum/Vinyl Brick		Basement		3 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink 1 Separate Shower			13) Plumbing			2400.00			2		4,800			
(2) Windows		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		2 Extra Sink 1 Separate Shower			14) Water/Sewer			480.00			2		960			
Many Avg. X Large Avg. X Small		(8) Basement		Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			15) Garages			775.00			1		775			
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		(14) Water/Sewer			Class:C Exterior: Siding Foundation: 42 Inch (Unfinished)			1162.00			1		1,162			
(3) Roof		(9) Basement Finish		Public Water Public Sewer			Base Cost			4975.00			1		4,975			
Gable Hip Flat		Gambrel Mansard Shed		1 Public Water 1 Public Sewer			Phy/Ab.Phy/Func/Econ/Comb.%Good= 78/100/100/100/78.0,			Depr.Cost =			972		14,522		168,432	
X Asphalt Shingle		Joists: Unsupported Len: Cntr.Sup:		1 Water Well 1000 Gal Septic 2000 Gal Septic			Separately Depreciated Items:			Square footage # 1 is depreciated at 96 %Good...			Base Cost Was =		94,307			
Chimney: Brick		Lump Sum Items:		1 Public Water 1 Public Sewer			Square footage # 2 is depreciated at 96 %Good...			County Multiplier = 1.49 =>			Cost New =		140,517			
				1 Water Well 1000 Gal Septic 2000 Gal Septic			Phy/Ab.+hy/Func/Econ/Comb.%Good= 18/100/100/100/18.0,			Depr.Cost =			25,293					
				Lump Sum Items:			Square footage # 3 is depreciated at 96 %Good...			County Multiplier = 1.49 =>			Base Cost Was =		14,538			
							Phy/Ab.+hy/Func/Econ/Comb.%Good= 18/100/100/100/18.0,			Depr.Cost =			3,899					
							(16) Porches											
							<<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>											

*** 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 # 16-04 Meeting Date: 2-16-15

- 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: Holly and Ray Coppieille / E.B.I., INCORPORATED

Property Address: Long Pointe Dr. Phone: _____

Present Zoning: LRR Tax Code: 4711-10-301-221

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: Shoreline Set Back

2. Intended property modifications: _____

a. Unusual topography/shape of land (explain): Irregular shoreline

b. Other (explain): _____

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: 1/25/16 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
FEBRUARY 15, 2016
CASE #16-04

PROPERTY LOCATION: Vacant Long Pointe Drive, Howell

PETITIONER: Raymond and Holly Coppiellie, EBI Inc.

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and sewer

PETITIONERS REQUEST: Requesting a waterfront setback to construct a new home.

CODE REFERENCE: 3.04.01

STAFF COMMENTS: See staff report

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10 (5)	40	25	106
Setbacks Requested	51	10	10	40	25	40
Variance Amount	-	-	-	-	-	66



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: February 9, 2016

RE: ZBA 16-04

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

STAFF REPORT

File Number: ZBA#16-04

Site Address: Vacant Lot, Long Pointe Drive

Parcel Number: 4711-10-301-221

Parcel Size: .54 acres

Applicant: E.B.I Incorporated

Property Owner: Raymond and Holly Coppiellie, 7396 Stonebrook, Canton, MI 48187

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a waterfront yard setback variance in order to construct a new home.

Zoning and Existing Use: LRR (Lakeshore Resort Residential), the property is vacant.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday January 31, 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:

This property was split and combined from a previous parcel in 2014. There have been no previous variances on this parcel.

- Survey from split is included.
- 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

The proposed project is to construct a new two story home. The applicant is requesting a waterfront setback variance due to the proposed placement of the home on the lot.



Variance Requests

The following is the section of the Zoning Ordinance that the variances are being requested from:

Table 3.04.01 (LRR District):	Required waterfront setback:	106'
	Proposed waterfront setback:	40'
	Proposed Variance Amount:	66'

Due to varying adjacent setbacks the waterfront setback was determined using the average of homes within 500 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 the waterfront yard setback would unreasonably prevent the use of the property however it appears that the home could be moved closer to the front yard setback line to minimize the variance amount needed from the waterfront.

The variance amount needed may not be the minimum amount needed to overcome the practical difficulty.

- (b) **Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the irregular shorelines as it pertains to this parcel. The need for the variance is due to the irregular shoreline, however the variance amount requested is more than may be necessary and the neighboring homes are located considerably closer to the road than the waterfront.
- (c) **Public Safety and Welfare** – The granting of this 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. The proposed structure would be of sufficient distance from adjacent structures to not create any fire or other safety hazards.
- (d) **Impact on Surrounding Neighborhood** – The proposed variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Staff Findings of Fact

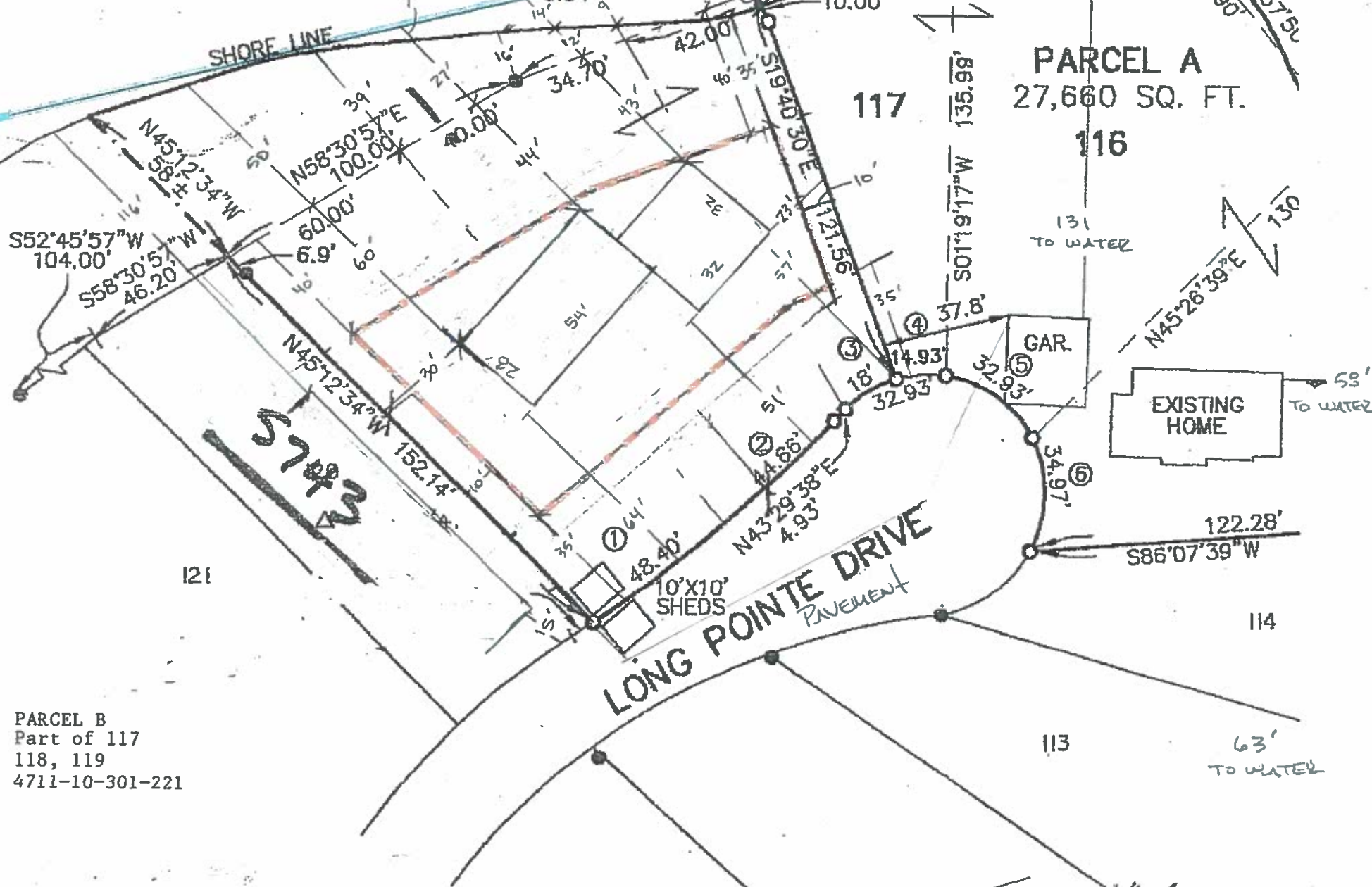
1. Strict application of the waterfront setback would unreasonably prevent the use of the property however the home could be moved closer to the front setback line to minimize the variance amount needed.
2. Granting the requested variance would not impair the adjacent homes.
3. Granting of the requested 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.
4. Granting the requested variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The proposed home is consistent with properties in the area.

Recommended Conditions

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

1. The home will guttered with downspouts with water draining toward the lake.

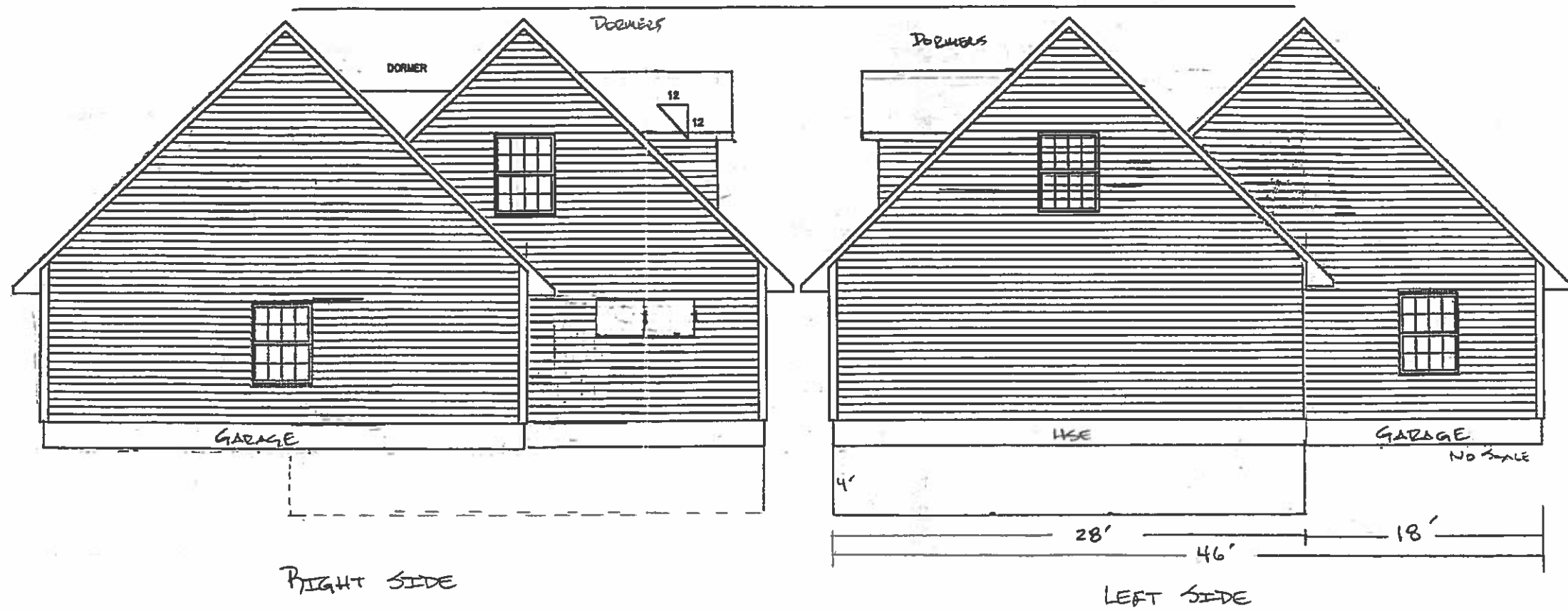
②	④	⑥
$\Delta = 06^{\circ}24'18''$	$\Delta = 24^{\circ}56'52''$	$\Delta = 55^{\circ}09'54''$
$R = 399.50'$	$R = 34.29'$	$R = 36.32'$
$CH = N46^{\circ}41'47''E$	$CH = N86^{\circ}02'39''E$	$CH = S01^{\circ}07'49''W$
44.64'	14.81'	38.64'



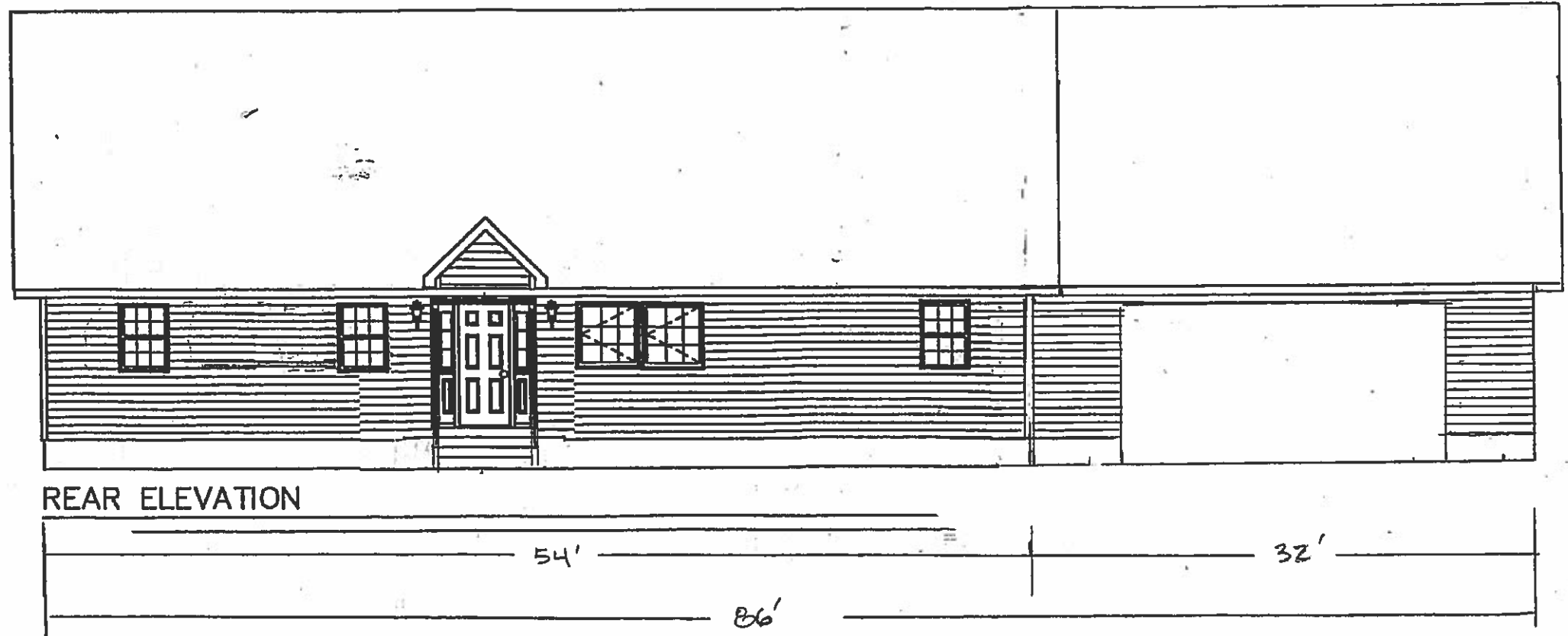
PARCEL A
27,660 SQ. FT.

PARCEL B
Part of 117
118, 119
4711-10-301-221

Scale 1" = 40'



SCALE - 1/8"

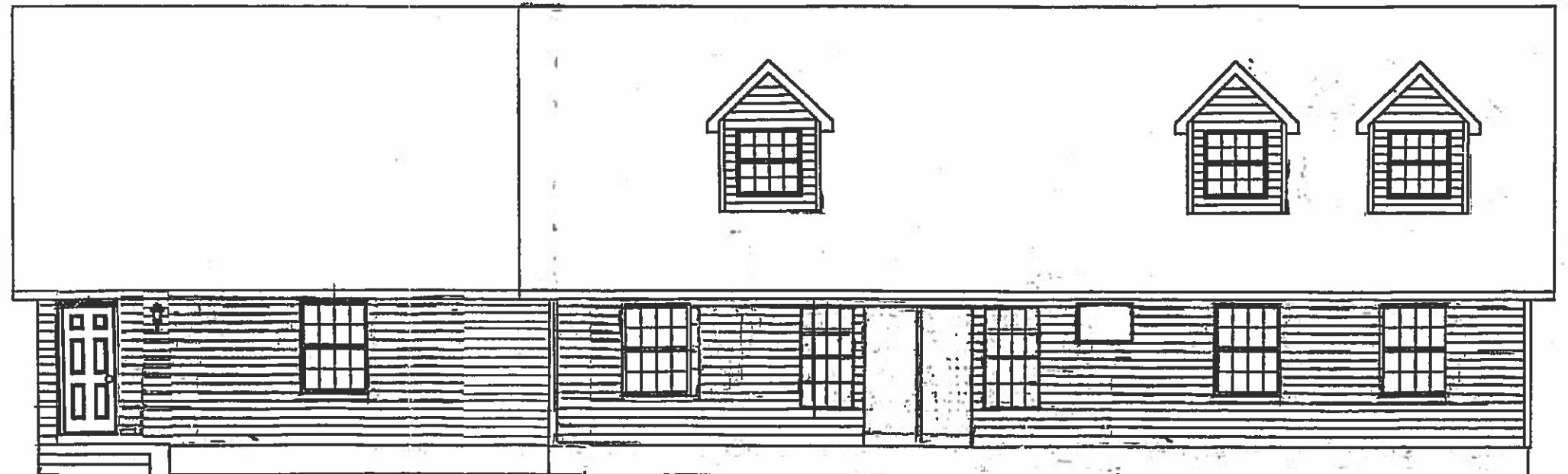


REAR ELEVATION

54'

86'

32'



FRONT ELEVATION - LAKE

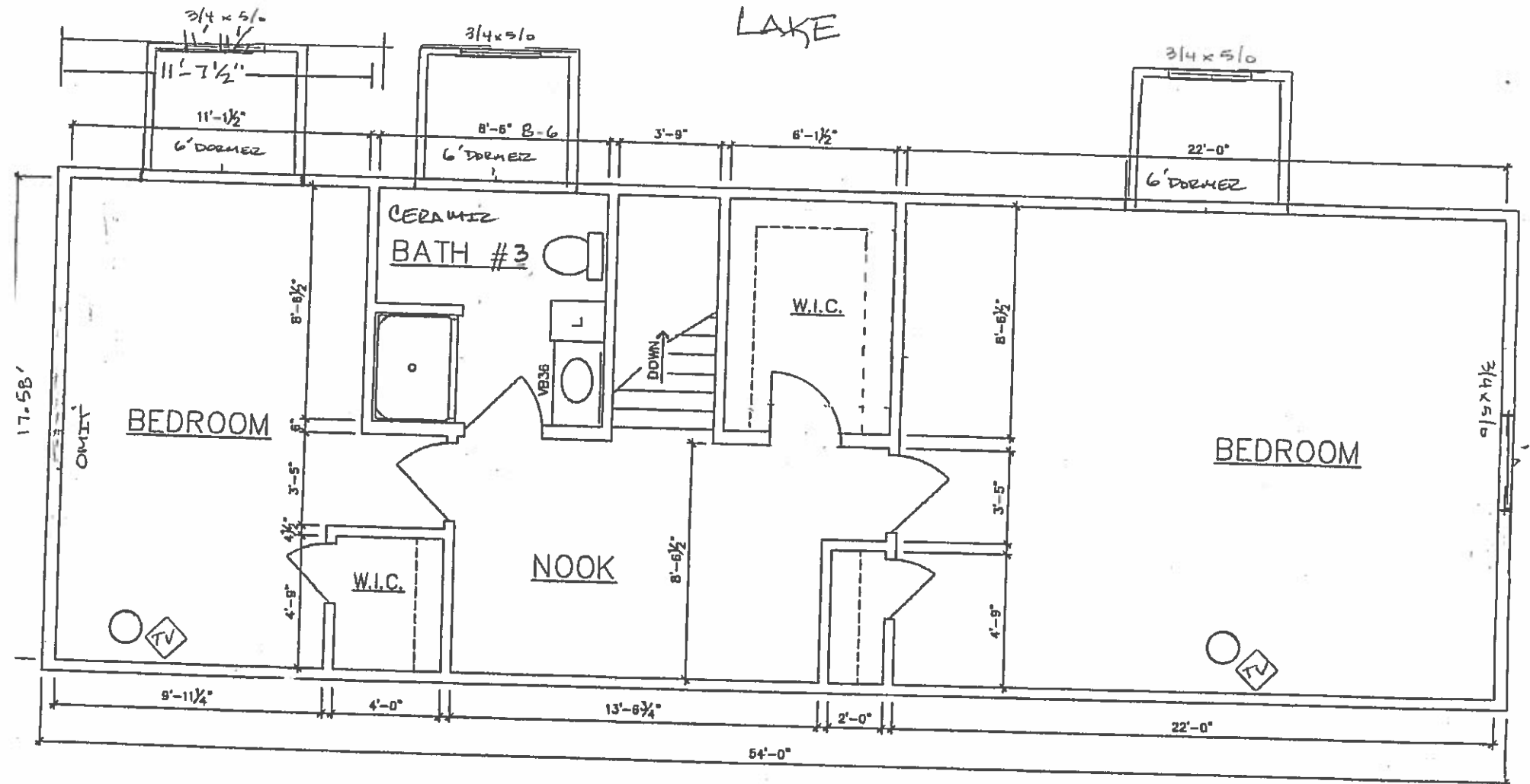
Williamsburg 28x52...10030

1/8"

28x54

REV. 8/12/15

LAKE

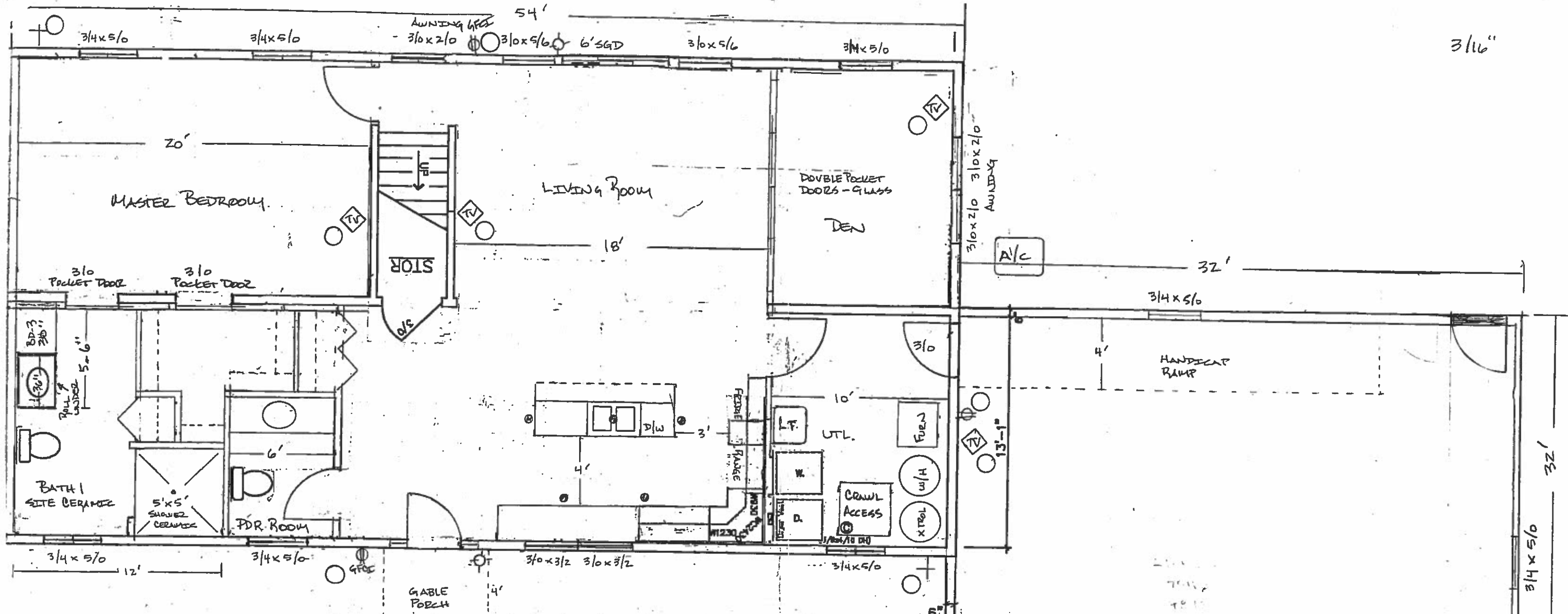


2nd. FLOOR PLAN (FINISHED)

9/23/15 REV. 10/11/15 - CLOSET

(54' Williamsburg)

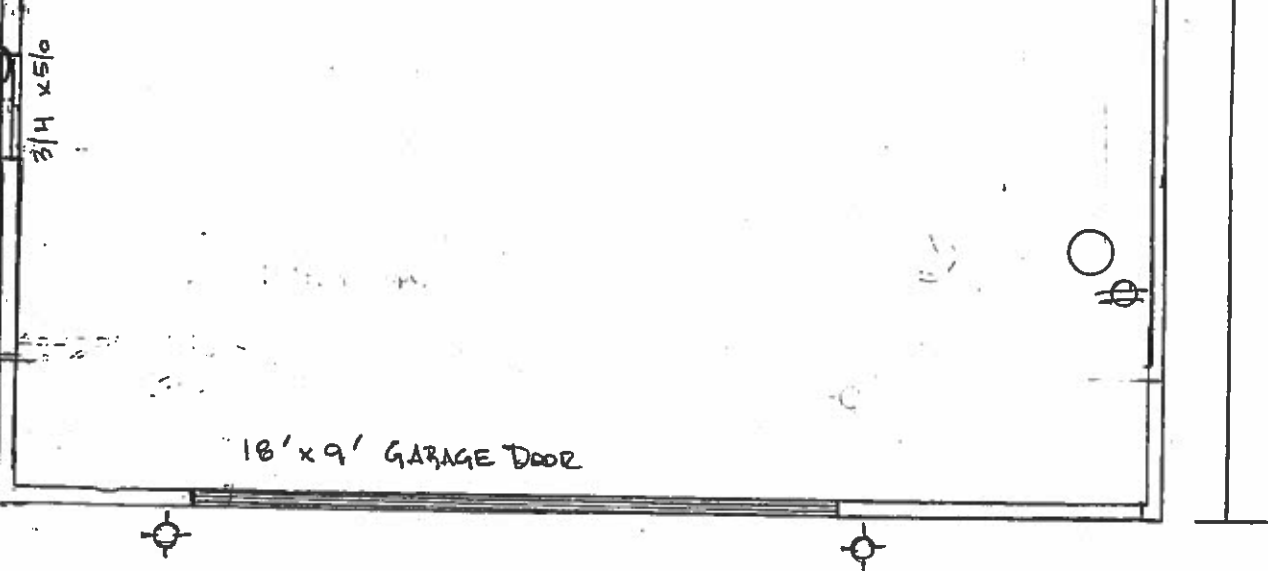
3/16"

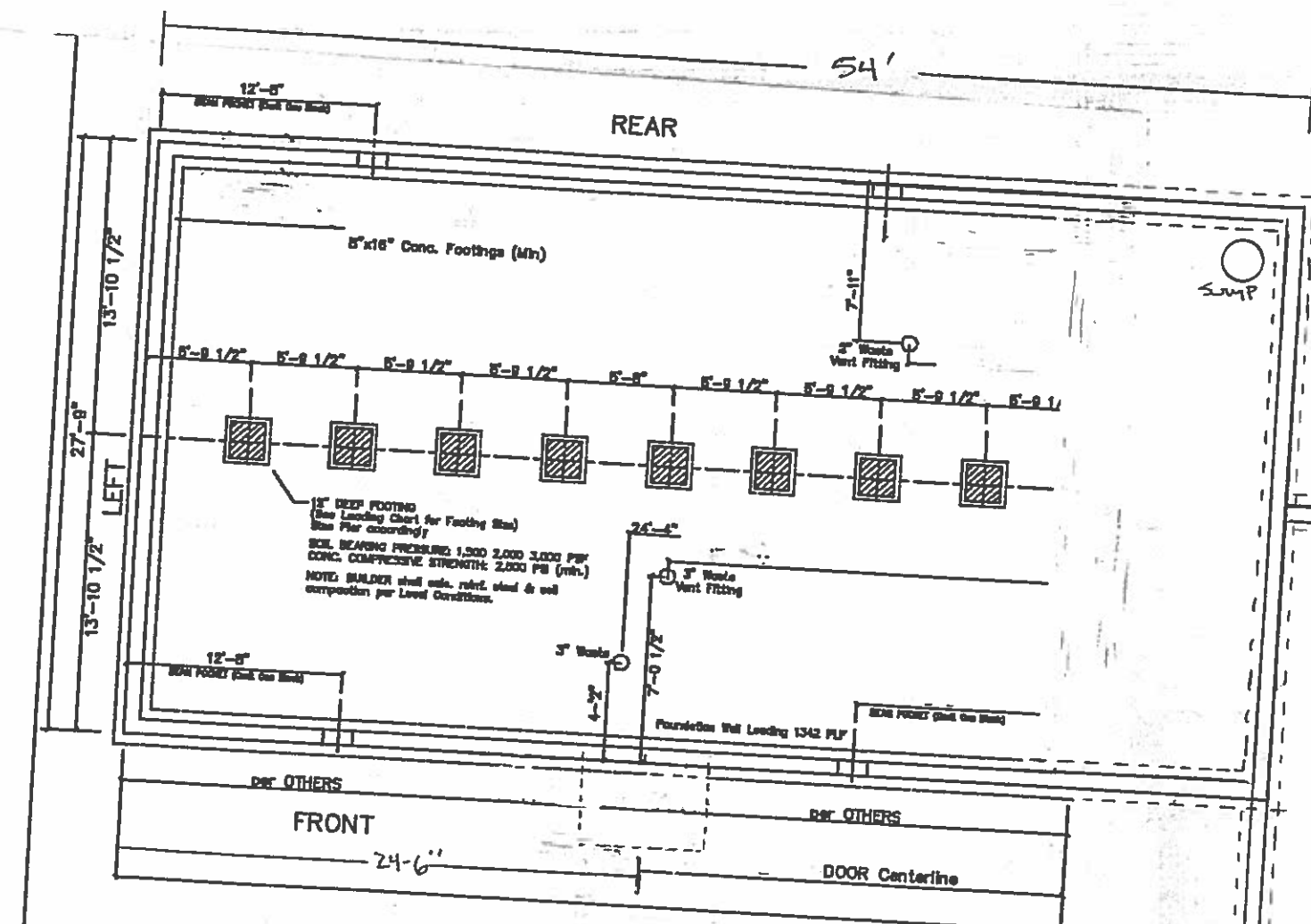


GROUND FLOOR PLAN (CRAWLSPACE) Williamsburg 28x52...10030

1456 Sq.Ft. Ground Floor	953 Sq.Ft. Upper Floor	2409 TOTAL Sq.Ft.	SCALE: 3/16" = 1'
1512 Sq.Ft. GROUND FLOOR	~ 989	~ 2501	

INSULATE INT. WALL
 HOUSE AND GARAGE - BRICK





SUMP

310
Ext.
DOOR

28 X 28
GARAGE

18 X 9 GARAGE DOOR

FOUNDATION PLAN - CRAWL

HGT. - 4' WIDTH - 10"

BRICK LEDGE - HOUSE AND GARAGE - BRICK

Williamsburg 28x54

SCALE 1/4" = 1'-0"

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
COPPIELLIE RAYMOND & HOLL	COPPIELLIE RAYMOND & HOLL	0	05/04/2015	QC	INVALID SALE	2015R-014081	BUYER	0.0
SOUBLIERE RICK J & KATHLE	COPPIELLIE RAYMOND & HOLL	280,000	10/03/2014	WD	ARMS-LENGTH	2014R-028868	BUYER	100.0
AMOS WILLIAM E	SOUBLIERE RICK J & KATHLE	399,900	12/09/2013	WD	ARMS-LENGTH	2013R-046402	BUYER	100.0

Property Address	Class: 402 RESIDENTIAL-V	Zoning: LRR	Building Permit(s)	Date	Number	Status
LONG POINTE DR	School: HOWELL					
Owner's Name/Address	P.R.E. 0%					
COPPIELLIE RAYMOND & HOLLY LIFE ESTATE 7396 STONEBROOK CANTON MI 48187	MAP #: V16-04					
	2016 Est TCV Tentative					

Tax Description	Improved	X	Vacant	Land Value Estimates for Land Table 00005.WEST LAKE CHEMUNG								
				Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value		
SEC 10 T2N R5E LOTS 117,118 & 119 OF GLEN ECHO EXCEPT A PORTION OF LOT 117 DESCRIBED AS BEG AT THE SOUTHWEST CORNER OF LOT 117 TH 14.93 FT ALONG THE SOUTHERLY LINE OF SAID LOT 117 TH N19*40'30"W 121.56 FT TO A POINT ON THE NORTHERLY LINE OF SAID LOT 117 TH N69*04'10"E 63 FT ALONG SAID NORTHERLY LINE TH S01*19'17"W 135.99 FT ALONG EAST LINE OF SAID LOT 177 TO POB PARCEL B SPLIT/COMBINED ON 01/28/2014 FROM 4711-10-301-207				Dirt Road								
				Gravel Road								
				Paved Road								
				Storm Sewer								
				Sidewalk								
				Water								
				Sewer								
				Electric								
				Gas								
				Curb								
				Street Lights								
				Standard Utilities								
				Underground Utils.								
				* Factors *								
				LAKE FRONT	50.00	0.00	1.0000	1.0000	2300	100		115,000
				LAKEVIEW/GR RD	218.00	0.00	1.0000	1.0000	1500	100		327,000
				268 Actual Front Feet, 0.00 Total Acres					Total Est. Land Value =			442,000

SEC 10 T2N R5E LOTS 117,118 & 119 OF GLEN ECHO EXCEPT A PORTION OF LOT 117 DESCRIBED AS BEG AT THE SOUTHWEST CORNER OF LOT 117 TH 14.93 FT ALONG THE SOUTHERLY LINE OF SAID LOT 117 TH N19*40'30"W 121.56 FT TO A POINT ON THE NORTHERLY LINE OF SAID LOT 117 TH N69*04'10"E 63 FT ALONG SAID NORTHERLY LINE TH S01*19'17"W 135.99 FT ALONG EAST LINE OF SAID LOT 177 TO POB PARCEL B SPLIT/COMBINED ON 01/28/2014 FROM 4711-10-301-207



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Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
			2016	Tentative	Tentative	Tentative			Tentative
			2015	177,400	0	177,400			177,400S
			2014	154,100	0	154,100	75,000M		75,000S
			2013	0	0	0			0

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

CERTIFICATE OF SURVEY

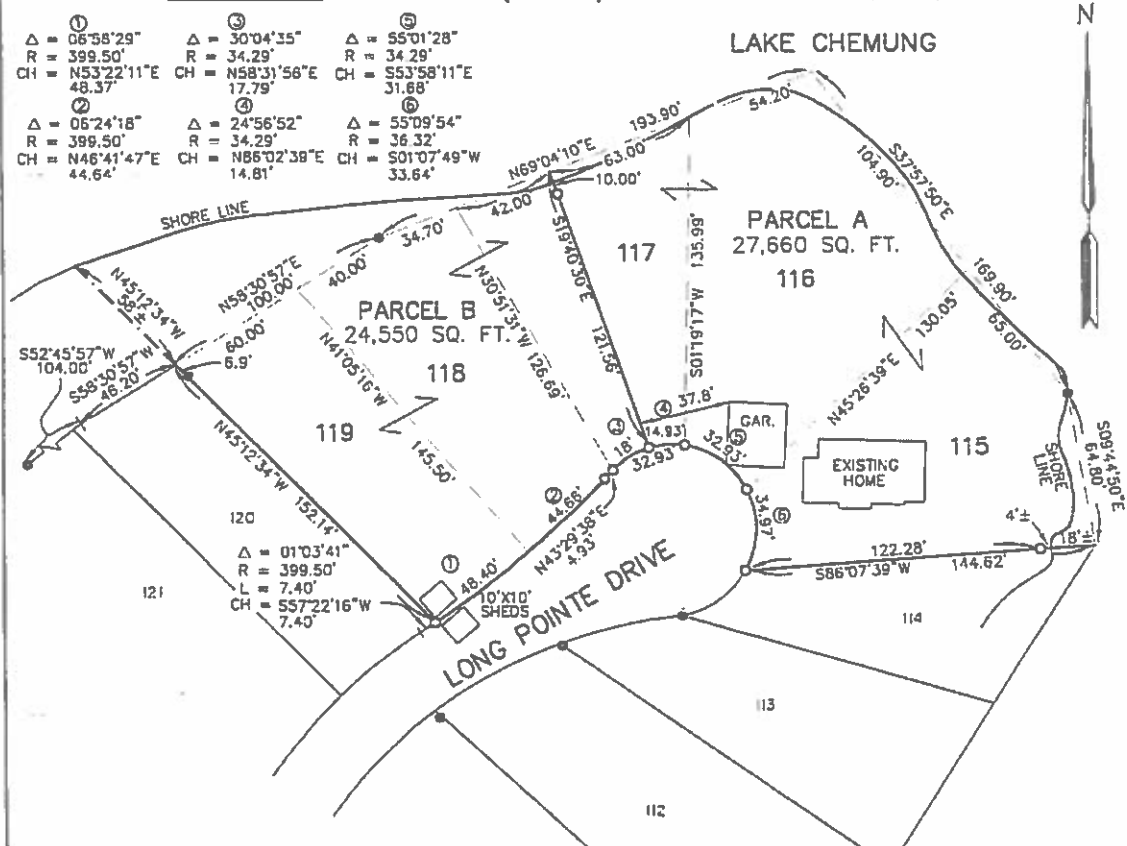
57,200 SQ. FT.±
1.20 AC±
(UPLAND)

LEGEND

- = SET 1/2" STEEL REROD WITH CAP : JKS 35999
- = FOUND CORNER MARKER

CURVE DATA:

① Δ = 06°58'29" R = 399.50' CH = N53°22'11"E 48.37'	③ Δ = 30°04'35" R = 34.29' CH = N58°31'56"E 17.79'	⑤ Δ = 55°01'28" R = 34.29' CH = S53°58'11"E 31.68'
② Δ = 06°24'18" R = 399.50' CH = N46°41'47"E 44.64'	④ Δ = 24°56'52" R = 34.29' CH = N86°02'39"E 14.81'	⑥ Δ = 55°09'54" R = 36.32' CH = S01°07'49"W 33.64'



LEGAL DESCRIPTIONS:

PARCEL A - 27,660 SQ. FT. 10-30-000 III

LOTS 115 AND 116 OF "GLEN ECHO", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1 OF PLATS ON PAGE 75 IN THE OFFICE OF THE REGISTER OF DEEDS FOR LIVINGSTON COUNTY, MICHIGAN ALSO A PORTION OF LOT 117 OF SAID SUBDIVISION DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 117 OF SAID "GLEN ECHO"; THENCE 14.93 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 117 AND THE ARC OF A 34.29 FOOT RADIUS CIRCULAR CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 24°56'52" AND HAVING A CHORD BEARING S86°02'39"W 14.81 FEET; THENCE N19°40'30"W 121.56 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 117; THENCE N69°04'10"E 63.00 FEET ALONG SAID NORTHERLY LINE; THENCE S01°19'17"W 135.99 FEET ALONG THE EAST LINE OF SAID LOT 117 TO THE PLACE OF BEGINNING.

PARCEL B - 24,550 SQ. FT. 10-35-000

LOTS 117, 118 AND 119 OF "GLEN ECHO", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1 OF PLATS ON PAGE 75 IN THE OFFICE OF THE REGISTER OF DEEDS FOR LIVINGSTON COUNTY, MICHIGAN EXCEPT A PORTION OF LOT 117 OF SAID SUBDIVISION DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 117 OF SAID "GLEN ECHO"; THENCE 14.93 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 117 AND THE ARC OF A 34.29 FOOT RADIUS CIRCULAR CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 24°56'52" AND HAVING A CHORD BEARING S86°02'39"W 14.81 FEET; THENCE N19°40'30"W 121.56 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 117; THENCE N69°04'10"E 63.00 FEET ALONG SAID NORTHERLY LINE; THENCE S01°19'17"W 135.99 FEET ALONG THE EAST LINE OF SAID LOT 117 TO THE PLACE OF BEGINNING.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND HEREIN PLATTED AND/OR DESCRIBED ON 12/05/2013, AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/5,000 OR BETTER, AND THAT ALL OF THE REQUIREMENTS OF ACT NO. 132, P.A. 1970 (AS AMENDED) HAVE BEEN COMPLIED WITH.

NOTE: BEARINGS ARE BASED ON A PREVIOUS SURVEY

CLIENT: **RICK SOUBLIERE**

SCALE: 1" = 60'

SECTION: 10 TOWN: 2 NORTH RANGE: 5 EAST

GENOA TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN

JACK K. SMITH
PROFESSIONAL SURVEYOR No. 35999

GARLOCK-SMITH
PROFESSIONAL SURVEYORS
516 EAST GRAND RIVER
HOWELL, MICHIGAN 48843
(517) 546 - 3340
FAX: (517) 546 - 2941

DATE: 01-03-2014

CREW: CJT/DJS

BOOK NO. 213 PG 73

COMP: JKS

DRAWN: JKS

SHEET 1 OF 1

REV: 06-02-2014



**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JANUARY 19, 2016, 6:30 PM**

MINUTES

Call to Order: Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Barb Figurski, Marianne McCreary, Jeff Dhaenens, and Jerry Poissant. Absent was Jean Ledford.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda: It was noted that the “Election of Officers” should be moved to the first item under “Administrative Business”. Moved by McCreary, seconded by Figurski, to approve the agenda as amended. **The motion carried unanimously.**

Call to the Public: The call to the public was made at 6:32 p.m. with no response.

- 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 did not allow for the second floor to be used as living space. The applicant is requesting reconsideration of this condition.**

Tom and Beverly Smith were present. Mr. Smith stated that when they built the home in 2003, they only wanted to finish the first floor. Now they would like to finish the second floor to accommodate their grown children and grandchildren when they come to visit from out of town.

Board Member McCreary reviewed the other variances that were requested, approved, and denied in 2002 and 2003. Mr. Smith explained the reasons for those variance requests.

Board Member Figurski questioned if the work has started on the second floor. Mr. Smith stated he has put up some drywall, he has installed some heat ducts and studs for the walls, but it is not livable.

Board Member Poissant stated that in 2003, the applicant received variances for the front yard, side yard, and waterfront setbacks. They also received a maximum land coverage variance for 41 percent, conditioned upon there be no living space on the second floor, which included no installation of plumbing or heating. He believes that this was done to control the density and the number of people who would be able to live on the site and the number of cars that would be parked on the site, as well as to control traffic. He does not see any reason to change this condition.

Board Member McCreary does not feel that the circumstances of the request represent a hardship. There is no hardship on the property; it is a personal hardship.

Chairman Dhaenens agrees. This request does not meet the requirements of granting a variance.

The call to the public was made at 7:00 p.m. with no response.

Chairman Dhaenens stated that they have received two letters from the applicant's neighbors who are against granting this variance. The letters were received from Malisa Price and Deborah Sullivan.

Board Member McCreary feels the condition of not improving the second floor that was put on the original variance approval was to limit traffic in this area and that is a concern of hers also.

Moved by McCreary, seconded by Figurski, to deny the variance request to remove the restriction of the variance granted in June of 2003 based on the fact that there is no practical difficulty and the hardship is self-created. The applicant accepted the conditions put on the original variance approval. There is a safety issue with an increase in traffic and it would have an impact on the neighborhood. The applicant should place gutters on the home to properly drain away the rainwater per the condition of the previous variance approval. **The motion carried unanimously.**

- 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.**

Mr. Minni was present. He stated he has lived in this home for 20 years and would like to be able to keep this structure. He has an autistic teenage daughter and he would like to be able to do more work at home to help with her care. He will use this structure to store equipment that he currently keeps in a rented storage unit. He believed he was allowed to build it. He noted that his neighbor has offered to sell him 2.5 acres to allow him to have the appropriate amount of acreage for this size structure; however, he would prefer to receive the variance.

Chairman Dhaenens does not feel there is a hardship on the property.

The call to the public was made at 7:27 p.m.

Mr. Dave Henderson of 4316 Crooked Lake Road lives next door to Mr. Minni. He has offered to sell him the acreage; however, he would prefer that Mr. Minni receive the variance. He would like Mr. Minni to be able to keep his structure. He stated that Mr. Minni is a good neighbor and a good person.

Mr. Brian Barker of 4222 Crooked Lake Road lives on the other side of Mr. Minni, adjacent to where the building is located. He does not have any issues with the structure.

The call to the public was closed at 7:30 p.m.

Moved by Poissant, seconded by Figurski, to deny the variance request to allow for an accessory structure which exceeds the maximum square footage requirements and height requirements. The applicant is required to remove the structure for which the variance has been requested within six months from today or acquire additional property to bring his lot size into conformance with the zoning requirements. There is no practical difficulty and this is a self-created hardship. **The motion carried unanimously.**

Administrative Business:

1. Election of Officers

Moved by Figurski, seconded by Poissant, to nominate Board Member Dhaenens as Chairman. The nomination was accepted and **the motion carried unanimously.**

Moved by Figurski, seconded by Poissant, to nominate Board Member McCreary as Vice-Chairperson. The nomination was accepted and **the motion carried unanimously.**

2. Approval of minutes for the December 8, 2015 Zoning Board of Appeals Meeting

Board Member Figurski noted that under the Planning Commission Representative Report in Administrative Business it should state “.....pavilions for the Chaldean Catholic order on McClemens Road”.

Moved by Figurski, seconded by McCreary, to approve the December 8, 2015 Zoning Board of Appeals Meeting Minutes as amended. **The motion carried unanimously.**

3. Correspondence - Ms. Ruthig stated each Board Member has received information on the Michigan Association of Planners Zoning Essentials training.
4. Township Board Representative Report - Board Member Ledford was not present this evening.
5. Planning Commission Representative Report - Board Member Figurski had nothing to report.
6. Zoning Official Report - Ms. Ruthig had nothing to report.
7. Member Discussion - There was no member discussion.
8. Adjournment

Moved by Poissant, seconded by Figurski, to adjourn the meeting at 7:57 p.m. The motion carried unanimously.

Respectfully submitted:

Patty Thomas, Recording Secretary