

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
May 17, 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. 16-05 ... A request by Michael A. Quin, 1731 Fisk Road, for a side yard variance and a variance from the required natural features setback from MDEQ regulated wetland to construct a detached accessory structure.
2. 16-12 ... A request by Tim Chouinard, 4009 Highcrest, for two side yard and front yard variances to construct an addition onto an existing home.
3. 16-13 ... A request by Scott Bederka, 3783 Highcrest, for a front yard variance to construct a new home and garage.
4. 16-14 ... A request by Brad Rondeau, 2800 Acorn Lane, for a front yard variance to construct an addition onto an existing home.
5. 16-15 ... A request by Troy Locklear, 3406 Pineridge Lane, for a front yard variance to construct an addition onto an existing home.
6. 16-16 ... A request by Brian and Renee Mayday, 5440 Sharp Drive, for front and waterfront variances for demolition of an existing home and garage in order to construct a new home and garage.
7. 16-17 ... A request by Daniel Trospen, 4105 Highcrest, for a front, rear and waterfront variances to construct a garage and a second story addition onto an existing home.

Administrative Business:

1. Approval of minutes for the April 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

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MAY 17<sup>th</sup>, 2016**  
**CASE # 16-05**

**PROPERTY LOCATION:** 1731 Fisk Road

**PETITIONER:** Michael Quin

**ZONING:** RR (Rural Residential)

**WELL AND SEPTIC INFO:** Well and septic

**PETITIONERS REQUEST:** Requesting a side yard variance and a variance from the required 25 foot natural features setback from a MDEQ regulated wetland.

**CODE REFERENCE:** 3.04.01, 13.02.04 (d)

**STAFF COMMENTS:** See Staff Report

DETACHED ACCESSORY STRUCTURE	Natural Features Setback	One Side
Required Setback	25	30
Setbacks Requested	14	15
Variance Amount	11	15



**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

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

Case # 16-05

Meeting Date: 3/15/2016

- 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 (see attached).

Applicant/Owner: Michael A. Quin

Property Address: 1731 Fisk Road, Howell Phone: 517-294-3196

Present Zoning: RURAL Residential Tax Code: 11-07-100-003

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

1. Variance requested: Side Set Back

2. Intended property modifications: Add a 22<sup>ft</sup> x 35<sup>ft</sup> Garage

a. Unusual topography/shape of land (explain): Due to the topography, this is the only spot to put the garage.

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: 2/5/16 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.**

**FILE COPY**  
2/5/16 HKU



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** May 10, 2016

**RE:** ZBA 16-05

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

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### STAFF REPORT

**File Number:** ZBA#16-05

**Site Address:** 1731 Fisk

**Parcel Number:** 4711-07-100-003

**Parcel Size:** 5 Acres

**Applicant:** Michael Quin

**Property Owner:** Same as applicant

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a side yard variance and a variance from the required 25 foot natural features setback from MDEQ regulated wetland.

**Zoning and Existing Use:** RR (Rural Residential), Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday May 1, 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 2003.
- 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 22 X26 detached accessory structure. In order to do this the applicant would be required to obtain a side yard variance and a variance from the required 25 foot natural features setback from a MDEQ regulated wetland. The proposed structure would encroach into the 25 foot setback by 11 feet.



**Variance Requests**

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

**Table 3.04.01 (RR District):**

<b>Required Side Yard Setback:</b>	<b>30'</b>	<b>Required Wetland Setback:</b>	<b>25'</b>
<b>Proposed Side Yard Setback:</b>	<b>15'</b>	<b>Proposed Wetland Setback:</b>	<b>14'</b>
<b>Proposed Variance Amount:</b>	<b>15'</b>	<b>Proposed Variance Amount:</b>	<b>11'</b>

## **Standards for Approval**

The following are the standards of approval that are listed in the Zoning Ordinance for dimensional and wetland 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.

**13.02.05 Criteria Applicable to Variances from the Natural Features Setback Requirement.** In considering a variance for the natural features setback, the applicant must demonstrate to the Board of Appeals:

- (a) the setback is not necessary to preserve the wetland's ecological and aesthetic value.
- (b) the natural drainage pattern to the wetland will not be significantly affected;
- (c) the variance will not increase the potential for erosion, either during or after construction;
- (d) no feasible or prudent alternative exists and the variance distance is the minimum necessary to allow the project to proceed; or
- (e) MDEQ permit requirements have been met and all possible avoidable impacts to wetlands have been addressed.

## **Summary of Findings**

Please note that in order for a variance to be approved it has to meet all of the standards in 23.05.03 for the side yard variance and 13.02.05 for the natural features variance.

The following are findings based upon the presented materials.

### **Regarding 25.05.03- Dimensional**

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the side yard setback would prevent the applicant from constructing a detached accessory structure. Granting the requested variances would do substantial justice to the applicant as well as to the other property owners in the district.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the home, the well, septic system location in the front yard, the County drain, and wetlands. The variance would make the property consistent with the majority of other properties in the vicinity with detached accessory structures.
- (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.
- (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.

### **Regarding 13.02.05- Natural Features Setback**

- (a)** The applicant should discuss what his construction method will be and what efforts will be made to protect and preserve the wetland.
- (b)** The natural drainage pattern to the wetland will not be affected due to the location of the drain that is located in the rear of the proposed location of the detached structure.
- (c)** The variance could increase the potential for erosion during construction and applicant should discuss his efforts to handle any erosion, which should include the utilization of silt fencing and obtaining any necessary permits from the Livingston County Drain Commissioner.
- (d)** There is no feasible or prudent alternative that exists due to the location of the septic tanks, septic field, well, County drain, and wetlands for the applicant to place the detached accessory structure on the parcel.
- (e)** A MDEQ permit is not needed for a work inside in the 25 foot natural features setback from the wetland.

### **Staff Findings of Fact**

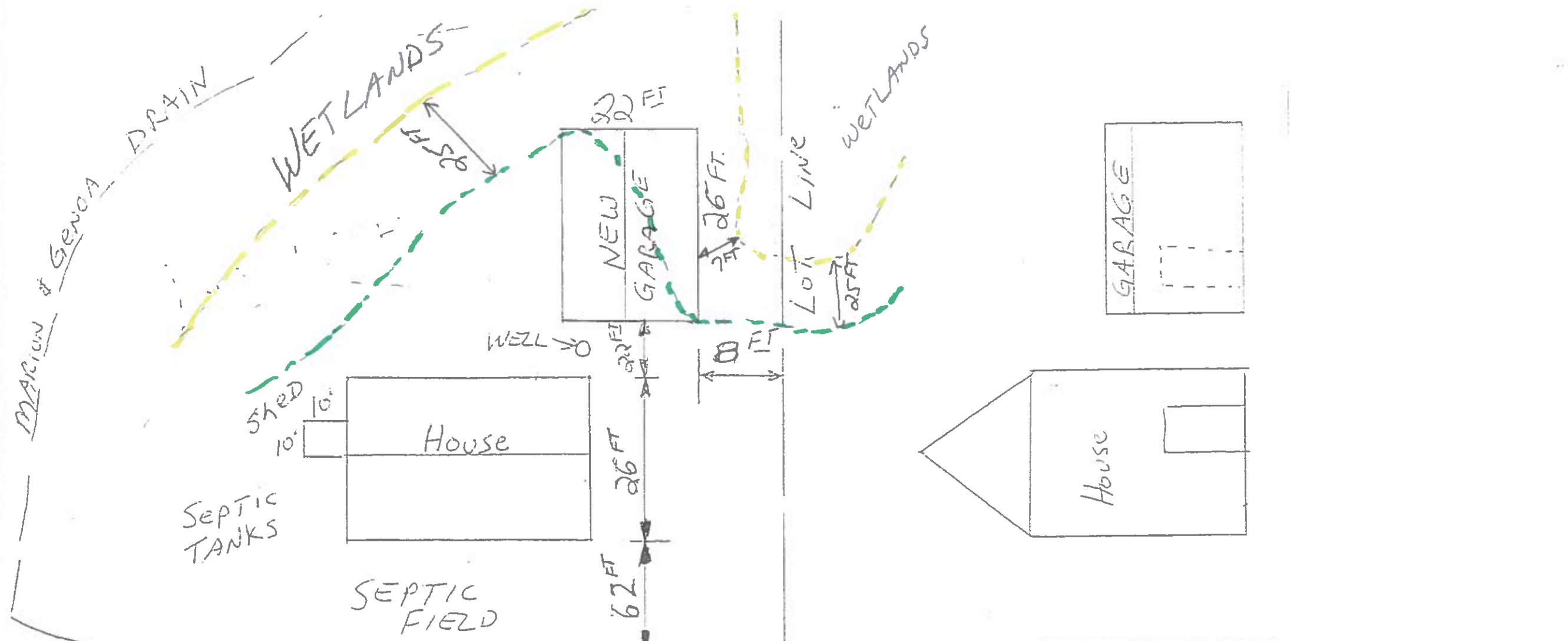
1. Strict application of the ordinance would prevent the applicant from constructing a detached accessory structure.
2. The need for these variances is due to the location of the home, well, drain, wetlands and the septic system.
3. Granting of the requested variances will not impair an adequate supply 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
5. The variance will not have any negative impact on the protection or preservation of the on-site regulated wetlands.

### **Recommended Conditions**

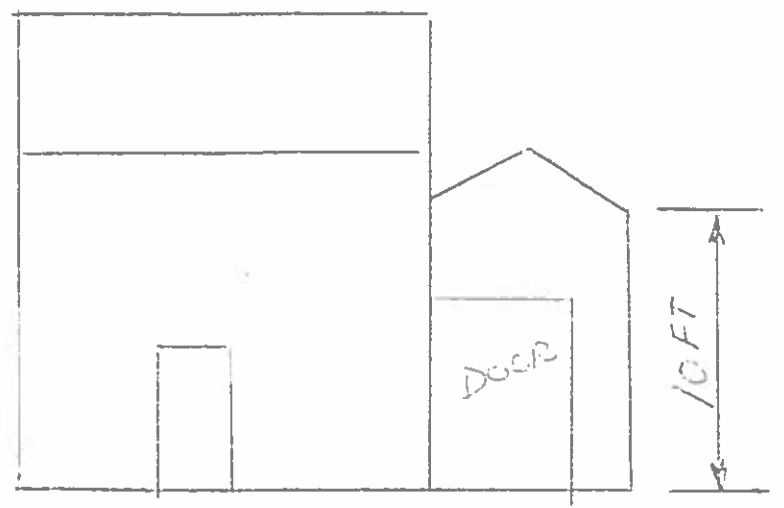
If the Zoning Board of Appeals grants the variance request staff recommends the following conditions be placed on the approval.

1. Applicant must obtain all necessary approvals from the Livingston County Drain Commissioner.
2. Silt fencing must be utilized.
3. Applicant must preserve the drainage pattern of the existing drain.
4. Applicant must enhance remaining setback area with native wetland friendly vegetation.





----- 25FT SETBACK  
 ----- WETLANDS



Michael QUIN  
 1731 FISK RD  
 GENOA TWP  
 PROPOSED 22 FT x 26 FT GARAGE

FRANCIS

FISK RD.

MARION & GENOA DRAIN

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
QUIN MICHAEL A & PATRICK	QUIN MICHAEL A	0	10/29/2015	QC	FAMILY SALE	2015R-034491	BUYER	0.0
AMERICAN HOME MORTGAGE SE	QUIN MICHAEL A & PATRICK	51,000	03/04/2011	SD	FORECLOSURE	2011R-009855	BUYER	100.0
RAMSEY, MICHAEL & TERI	AMERICAN HOME MORTGAGE SE	73,500	02/02/2010	SD	FORECLOSURE	2009R-027230	BUYER	0.0
THOMPSON		3,763	02/22/1996	WD	ARMS-LENGTH	2010-0279	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: RR	Building Permit(s)	Date	Number	Status
1731 FISK RD	School: HOWELL		HOME	11/01/1999	99-560	NO START
	P.R.E. 100% 11/02/2015					
Owner's Name/Address	MAP #: V16-05					
QUIN MICHAEL A 1731 FISK RD HOWELL MI 48843	2016 Est TCV Tentative					

Tax Description	X Improved		Vacant	Land Value Estimates for Land Table 124.HOWELL M& B					Value
	Public Improvements			Description	Frontage	Depth	* Factors *	Rate %Adj. Reason	
SEC 7 T2N R5E COMM AT NW COR TH S00*27'E 402.70 FT TO POB TH S00*27'E 440.46 FT TH S87*37'E 1004.39 FT TH ALONG ARC OF A CURVE TO THE RIGHT CHORD BEARING N13*20'W 315.27 FT TH S84*29'W 398.13 FT TH S21*39'30"W 189.45TH N85*08'30"W 110.35 FT TH N15*42'W 215.37 FT TH S89*15'W 119.83 FT TH N34*01'W 129.73 FT TH N53*03'W 111 FT TH S89*33W 20 FT TO POB EXCEPTING THEREFROM THE AARR 5.02AC M/L CORR LEGAL 3/11	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.			WETLANDS			5.020 Acres 14,958 100	Total Est. Land Value =	75,090 75,090

Comments/Influences



Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain			2016	Tentative	Tentative	Tentative			Tentative
X REFUSE			2015	18,000	61,900	79,900			71,328C
LM 10/15/2014 REVIEWED R			2014	18,000	56,500	74,500			70,205C
			2013	18,000	51,100	69,100			69,100S

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang		X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System			Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga			Area Type			Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
X	Wood Frame	Drywall Paneled		Plaster Wood T&G			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: 8 Floor Area: 1680 Total Base Cost: 98,213 Total Base New : 146,337 Total Depr Cost: 134,630 Estimated T.C.V: 132,745			CntyMult X 1.490 E.C.F. X 0.986			Bsmnt Garage: Carport Area: Roof:		
Building Style: C		Trim & Decoration		X			Central Air Wood Furnace			Foundation Crawl Space			Rate Bsmnt-Adj Heat-Adj			Size Cost		
Yr Built Remodeled 2003 0		Ex X Ord Min		Size of Closets			(12) Electric			Rate			Rate			Size Cost		
Condition for Age: Good		Lg X Ord Small		Doors Solid X H.C.			0 Amps Service			Other Additions/Adjustments			Rate			Size Cost		
Room List		(5) Floors		Kitchen: Other: Other:			No./Qual. of Fixtures			Rate			Rate			Size Cost		
Basement 1st Floor 2nd Floor 4 Bedrooms		Kitchen: Other: Other:		(6) Ceilings			Ex. X Ord. Min			Rate			Rate			Size Cost		
(1) Exterior							No. of Elec. Outlets			Rate			Rate			Size Cost		
X	Wood/Shingle Aluminum/Vinyl Brick						Many X Ave. Few			Rate			Rate			Size Cost		
Insulation		(7) Excavation		Basement: 0 S.F. Crawl: 1120 S.F. Slab: 0 S.F. Height to Joists: 0.0			(13) Plumbing			Rate			Rate			Size Cost		
(2) Windows		Many X Large Avg. X Avg. Few Small		(8) Basement			Average Fixture(s) 2 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 1 Extra Sink 1 Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Rate			Rate			Size Cost		
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens				Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			(14) Water/Sewer			Rate			Rate			Size Cost		
(3) Roof				(9) Basement Finish			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Rate			Rate			Size Cost		
X	Gable Hip Flat	Gambrel Mansard Shed		Recreation SF Living SF Walkout Doors No Floor SF			Lump Sum Items:			Rate			Rate			Size Cost		
X	Asphalt Shingle			(10) Floor Support						Rate			Rate			Size Cost		
Chimney: Brick				Joists: Unsupported Len: Cntr.Sup:						Rate			Rate			Size Cost		

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

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MAY 17, 2016**  
**CASE # 16-12**

**PROPERTY LOCATION:** 4009 Highcrest

**PETITIONER:** Tim Chouinard, Janet Exline

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

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a front yard and two side yard variances to construct an addition towards the water and adding a second story addition on a portion of the existing single family home.

**CODE REFERENCE:** Table 3.04.01

**STAFF COMMENTS:** See Staff Report

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	5	10	40	25	132
Setbacks Requested	9	2.25	3.68	134	23	134
Variance Amount	26	2.75	6.32	-	-	-



**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

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

Case # 116-12

Meeting Date: May 17, 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 (see attached).

Applicant/Owner: Tim Chouinard

Property Address: 4009 Highcrest

Phone: 517-546-6587

Present Zoning: LRR

Tax Code: 4711-22-302-122

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 setback 2.75' West and 1.58' on the East

front yard

2. Intended property modifications: Addition and remodeling existing structure

a. Unusual topography/shape of land (explain): Narrow lot with existing building currently encroaches into setback

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: 4-21-2016

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.**



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** May 10, 2016  
**RE:** ZBA 16-12

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

### STAFF REPORT

**File Number:** ZBA#16-12

**Site Address:** 4009 Highcrest

**Parcel Number:** 4711-22-302-122

**Parcel Size:** ~0.197

**Applicant:** Tim Chouinard, Chouinard Construction

**Property Owner:** Janet Exline, 4009 Highcrest Brighton, MI

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard and two side yard variances to construct an addition towards the water and adding a second story addition on a portion of the existing single family home.

**Zoning and Existing Use:** LRR (Lake Resort Residential), Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday May 1, 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 1957.
- In 2013 a variance was approved for a side yard variance to construct an addition. (see attached minutes)
- The addition was never constructed.
- 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 24 x 15 addition toward the waterfront and a second story addition to a portion of the existing single family home. In order to do this the applicant is required to obtain a front yard and two side yard variances due to the location of the home.



### **Variance Requests**

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

#### **Table 3.04.01 (LRR District):**

<b>Required Front Yard Setback:</b>	<b>35'</b>	<b>Proposed Front Yard Setback:</b>	<b>9'</b>
<b>Required Side Yard Setback:</b>	<b>5'</b>	<b>Proposed Side Yard Setback:</b>	<b>2.25</b>
<b>Required Side Yard Setback:</b>	<b>10</b>	<b>Proposed Side Yard Setback:</b>	<b>3.68</b>

### **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 front yard and two side yard setbacks would prevent the applicant from constructing a second story addition. Granting the requested variances would do substantial justice to the applicant as well as to the other property owners in the district.

**(b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing single family home which is nonconforming. The variances would make the property consistent with the majority of other properties in the vicinity.

**(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.



**(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 front yard and two side yard setbacks would prevent the applicant from constructing a second story addition.
2. The need for these variances is due to the location of the existing single family home.
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.

**Recommended Conditions**

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

1. The addition shall be guttered with downspouts directing runoff to the lake.

## 6-18-13 ZBA Approved Minutes

Ronald Socia was present for the petitioner. Mr. Socia gave a history of the property and stated the improvements that he would like to make are interior and exterior with no changes to the building footprint.

A call to the public was made with no response.

Moved by McCreary and supported by Figurski to approve case #13-15, 3950 Highcrest for Ronald Socia, to approve a variance to make improvements and modifications on the interior and exterior of the home to a nonconforming structure. Conditioned upon the structures including gutters and downspouts, no improvements shall be made to increase the footprint or height of the structures and the structure shall not be used as rentals. The practical difficulty is the uniqueness of the property. **Motion carried as follows: Ayes- Dhaenens, Ledford, McCreary and Figurski. Nays- Grajek.**

**13-16...A request by Janine Exline, Sec. 22, 4009 Highcrest Drive, for a side yard variance.**

Janine and James Exline were present for the petitioner. They gave a presentation on the variance that they are requesting.

A call to the public was made with no response.

Members of the Board voiced concerns over the ability to have emergency vehicle access to the shoreline.

Moved by Grajek, supported by Ledford, to approve case#13-16, 4009 Highcrest for Janine Exline for a 2.25 foot side yard setback with a 2.75 foot variance and an 8.15 foot setback on the west side with a 1.85 foot variance. Conditioned upon the structure to include gutters and downspouts. The practical difficulty is the narrowness of the lot and the continuing narrowness toward the road side. **Motion carried unanimously.**

**13-17...A request by Thomas and Diana Fleming, Sec. 28, 4049 Homestead, for a sight line and side yard variance.**

Mr. and Mrs. Fleming were present for the petitioner. Mr. Fleming stated that they are seeking a variance to tear down an existing cottage and garage and build a retirement home.

A call to the public was made with the following responses: Oliver Lanzon, 4053 Homestead stated that the only objection he had was moving the house 2 feet and the sun porch that would obstruct their view.

The Board stated that they are concerned about the setback from the water's edge in regards to the neighbors view and if emergency vehicles could access the waterfront.

Moved by Figurski, supported by McCreary, to table case#13-17, 4049 Homestead for Thomas and Diana Fleming, per petitioner's request. **Motion carried unanimously.**

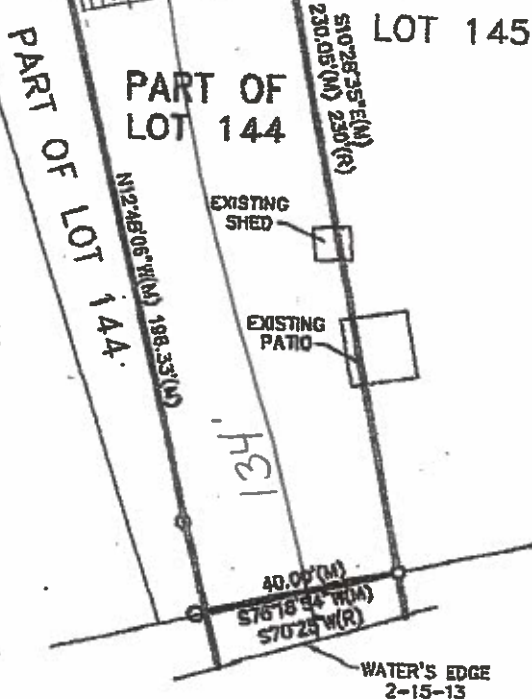
HIGHCREST DRIVE (50 FT. WIDE)  
CLIFFORD DRIVE (40 FT. WIDE)

3.8  
20.2  
24'

deck 122 from #20  
134' from #20



LOT 143



LEGEND

○ FD. IRON

LEGAL DESCRIPTION

SECTION 27, T2N, R5E, CROOKED LAKE HIGHLANDS SUB. E'LY 60 FEET ON HIGHCREST DRIVE, CLOSING TO E'LY 40 FEET ON ROUND LAKE OF LOT 144.

NOTE

BEARINGS BASED ON CROOKED LAKE HIGHLANDS SUB., AS RECORDED IN LIBER 1 OF PLATS, PAGES 39-40, LIVINGSTON COUNTY RECORDS, LIVINGSTON COUNTY, MICHIGAN.

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED, AND THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE ABOVE DESCRIBED PROPERTY, EXCEPT AS SHOWN HEREON.

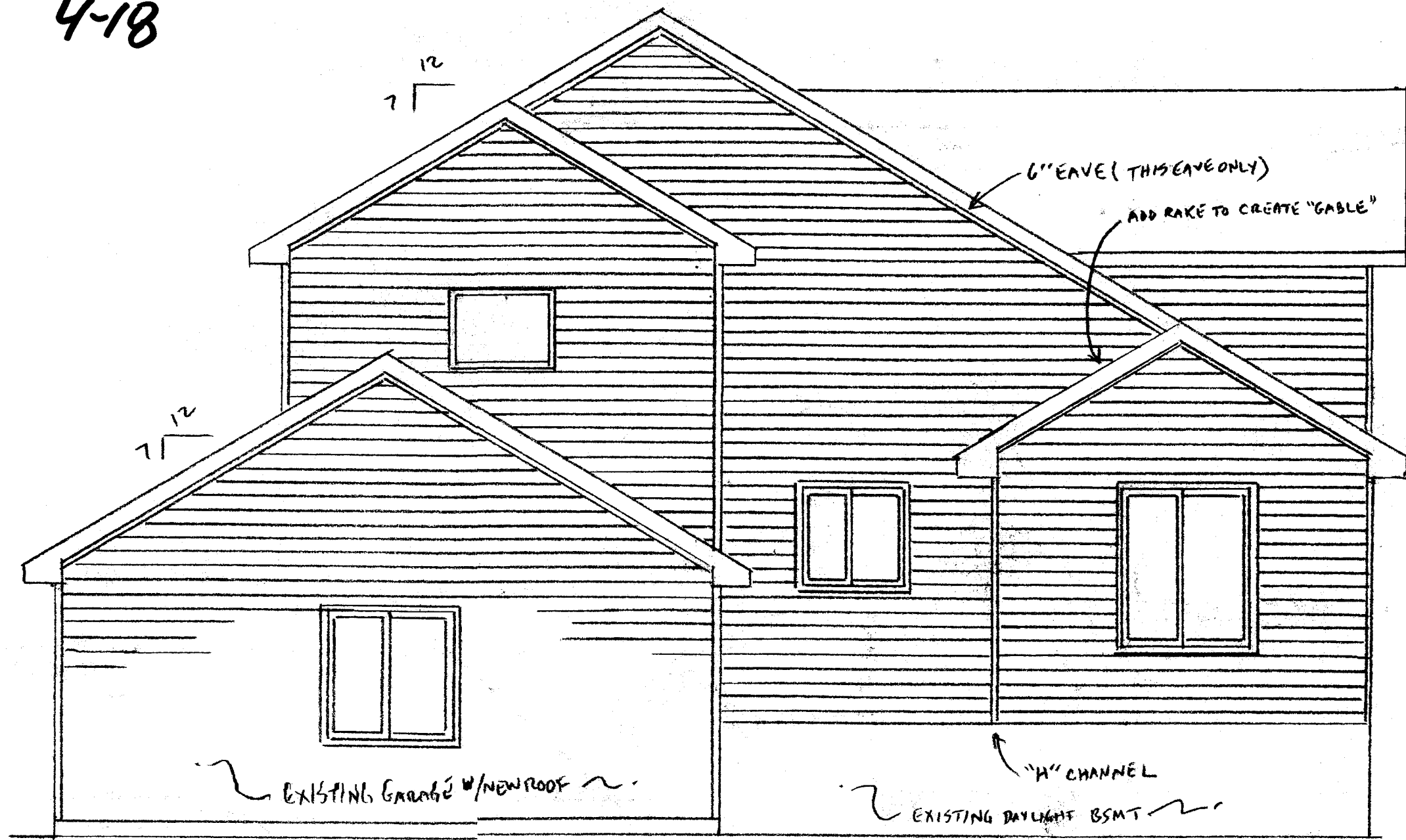
*Ginger Michalski-Wallace*  
GINGER MICHALSKI-WALLACE  
PROFESSIONAL SURVEYOR NO. 47904

**ALPINE ENGINEERING, INC.**  
CIVIL ENGINEERS & LAND SURVEYORS

48892 WEST ROAD  
SUITE 109  
NOVI, MICHIGAN 48377  
(248) 926-3701 (BUS)  
(248) 926-3785 (FAX)

CLIENT:	CLAUDIO DALOISIO	DATE:	2-27-13
		DRAWN BY:	GLM
<b>BOUNDARY SURVEY</b>		CHECKED BY:	JIF
4009 HIGHCREST		0	15
SECTION: 27 TOWNSHIP: 2 N RANGE: 5 E		FBK: 256	1
GENOA TOWNSHIP		CNF: JM	1
LIVINGSTON COUNTY		SCALE: HORIZ 1" = 30 FT. VERT 1" = 10 FT.	
MICHIGAN			

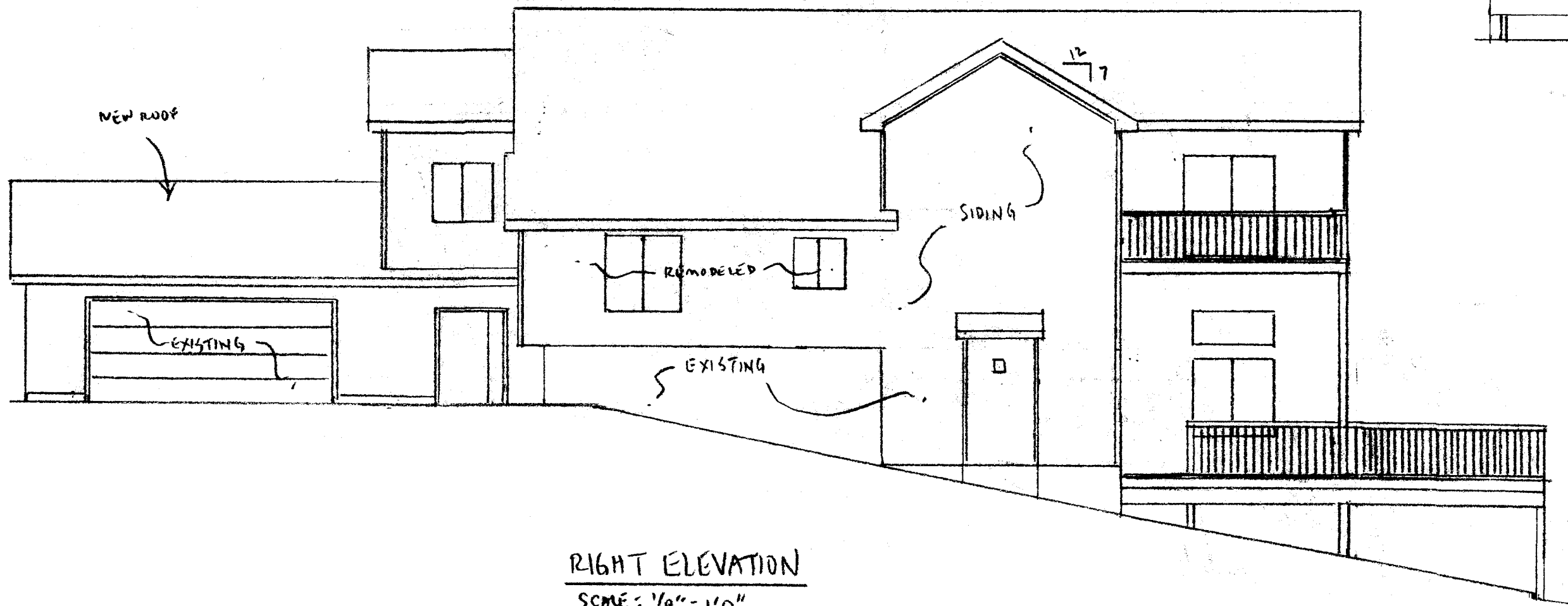
EXLIDE  
4-18



FRONT (STREET) ELEVATION  
SCALE: 1/4" = 1'0"

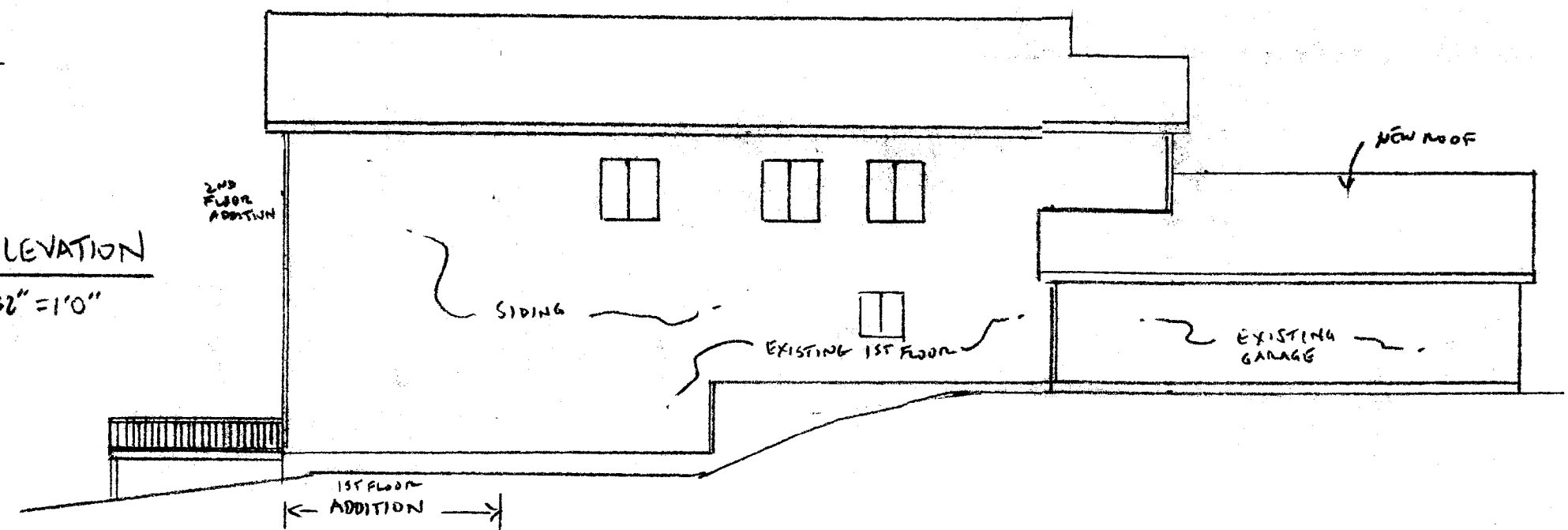


REAR (LAKE) ELEVATION  
SCALE: 1/4" = 1'0"



RIGHT ELEVATION  
SCALE: 1/8" = 1'0"

LEFT ELEVATION  
SCALE: 3/32" = 1'0"



# SECOND FLOOR PLAN





SCALE: 1/4" = 1'0" 1860

NOTE: NEW EXT 2X4 WALLS DRAWN 6 1/2" THICK  
INT 2X4 WALLS DRAWN 4 1/2" THICK

NOTES: 2X12 HDGS OVER EXT DOOR  
& WINDOWS

NOTE: SMOKE DETECTORS WIRED IN  
SERIES WITH BATTERY BACK UP

## LEGEND

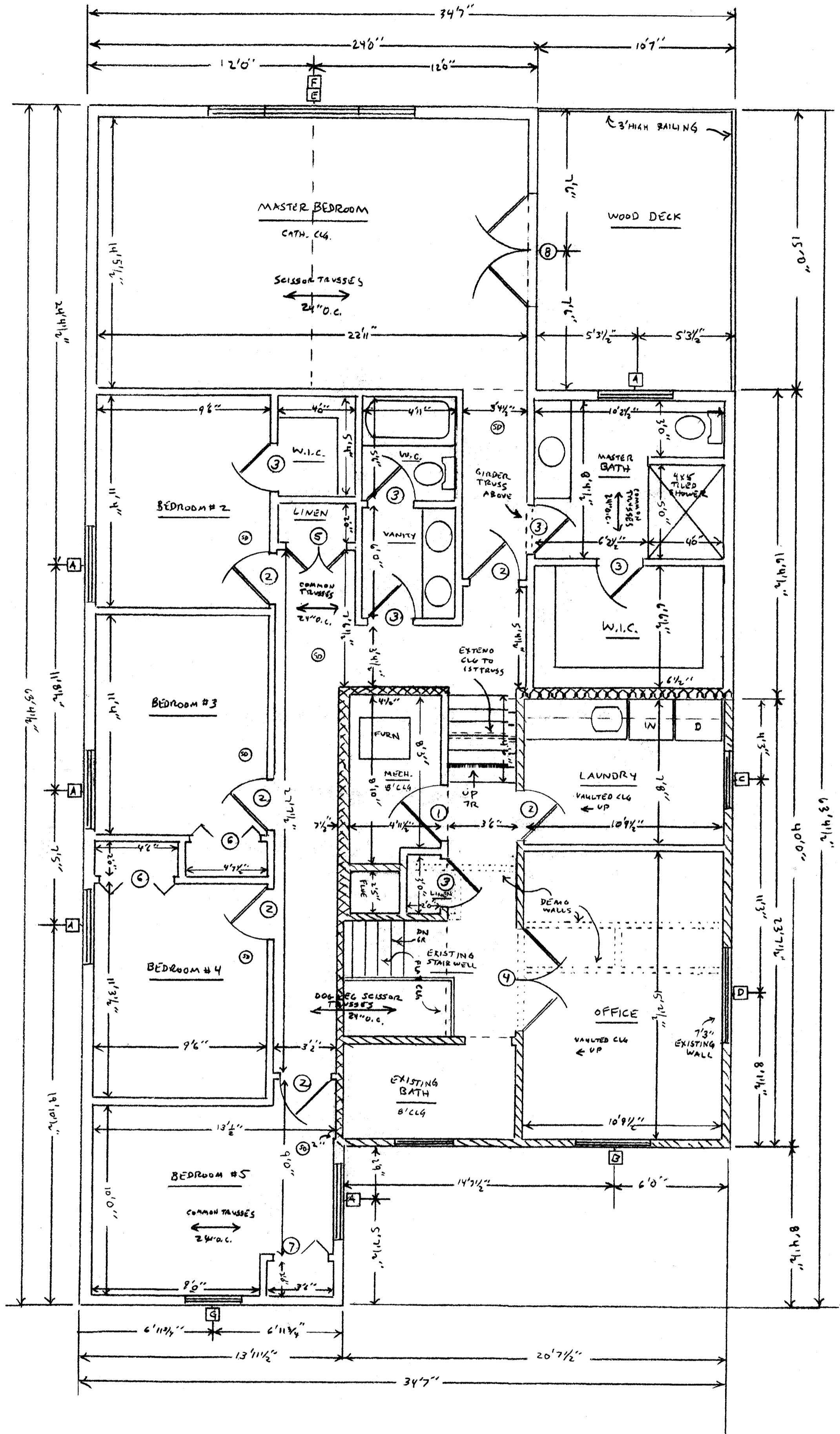
-  = EXISTING WALL
-  = BUILD ON EXISTING 1/2 WALL
-  = DEMO WALL
-  = NEW WALL

DOOR SCHEDULE			
KEY	SIZE	QTY	DESC
1	3'0"	1	INT. SWING
2	2'6"	6	INT. SWING
3	2'6"	6	INT. SWING
4	5'6"	1	INT. FULL GLOSS FRENCH
5	3'6"	1	DOUBLE
6	4'6"	2	BIFOLD
7	3'6"	1	BIFOLD
8	6'6"	1	EXT. FULL GLOSS FRENCH

WINDOW SCHEDULE			
KEY	SIZE	QTY	DESC
A	4'4"	3	GLIDER
B	4'5"	1	GLIDER
C	3'3"	1	GLIDER
D	5'5"	1	GLIDER
E	11'5"	1	3'5" DH / 5'5" FH @ 3'5" DH
F	5'2"	1	FIXED 1/2 ROUND
G	3'3"	1	FIXED TRANSOM @ 7'8"

NOTE: SIZES VARY BY MFR

NOTE: VERIFY DIMENSIONS WITH FIELD MEASUREMENTS



# FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0" 360' ADDITION

- NOTE: NEW EXT 2x6 WALLS DRAWN 6 1/4" THICK INT 2x4 WALLS DRAWN 4 1/4" THICK
- NOTE: 2x1/2 HORS OVER EXT DOOR & WINDOWS
- NOTE: SMOKE DETECTORS WIRED IN SERIES WITH BATTERY BACK UP

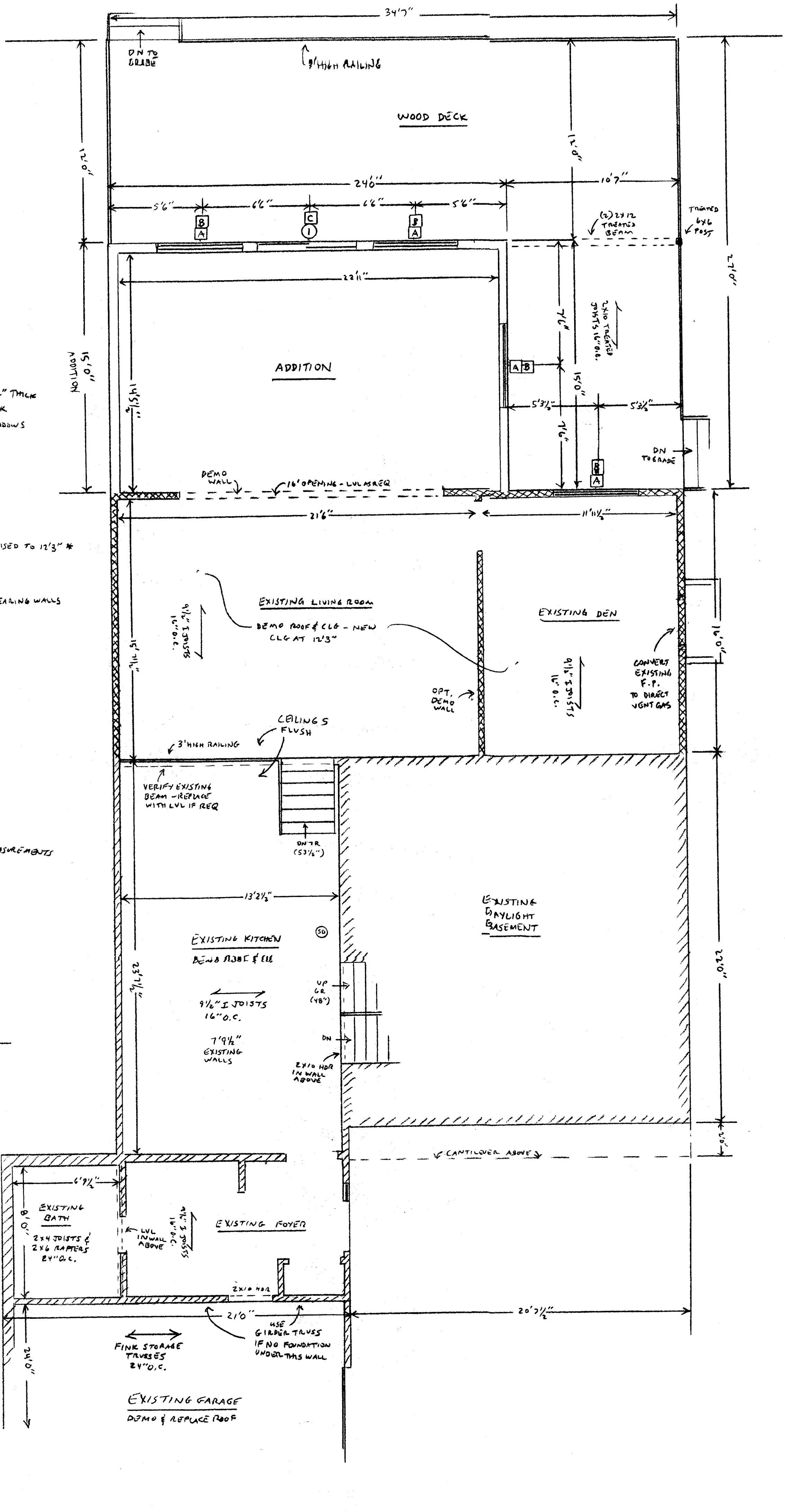
- LEGENDS**
- = EXISTING WALL
  - = EXISTING WALL RAISED TO 12'3" \*
  - = NEW WALL

\*NOTE: ADD LATERAL BRACING TO BEARING WALLS

KEY	SIZE	QTY	DESC
<b>DOOR SCHEDULE</b>			
1	6'2"	1	SLIDING GLASS
<b>WINDOW SCHEDULE</b>			
A	5'5"	4	GLIDER
B	5'2"	4	FIXED TRANSOM
C	6'3"	1	FIXED TRANSOM

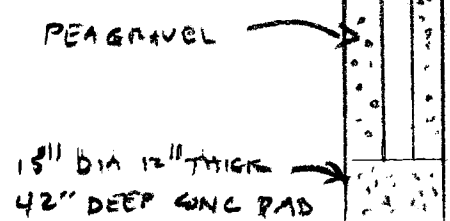
NOTE: SIZES VARY BY MFR.

NOTE: VERIFY DIMENSIONS WITH FIELD MEASUREMENTS

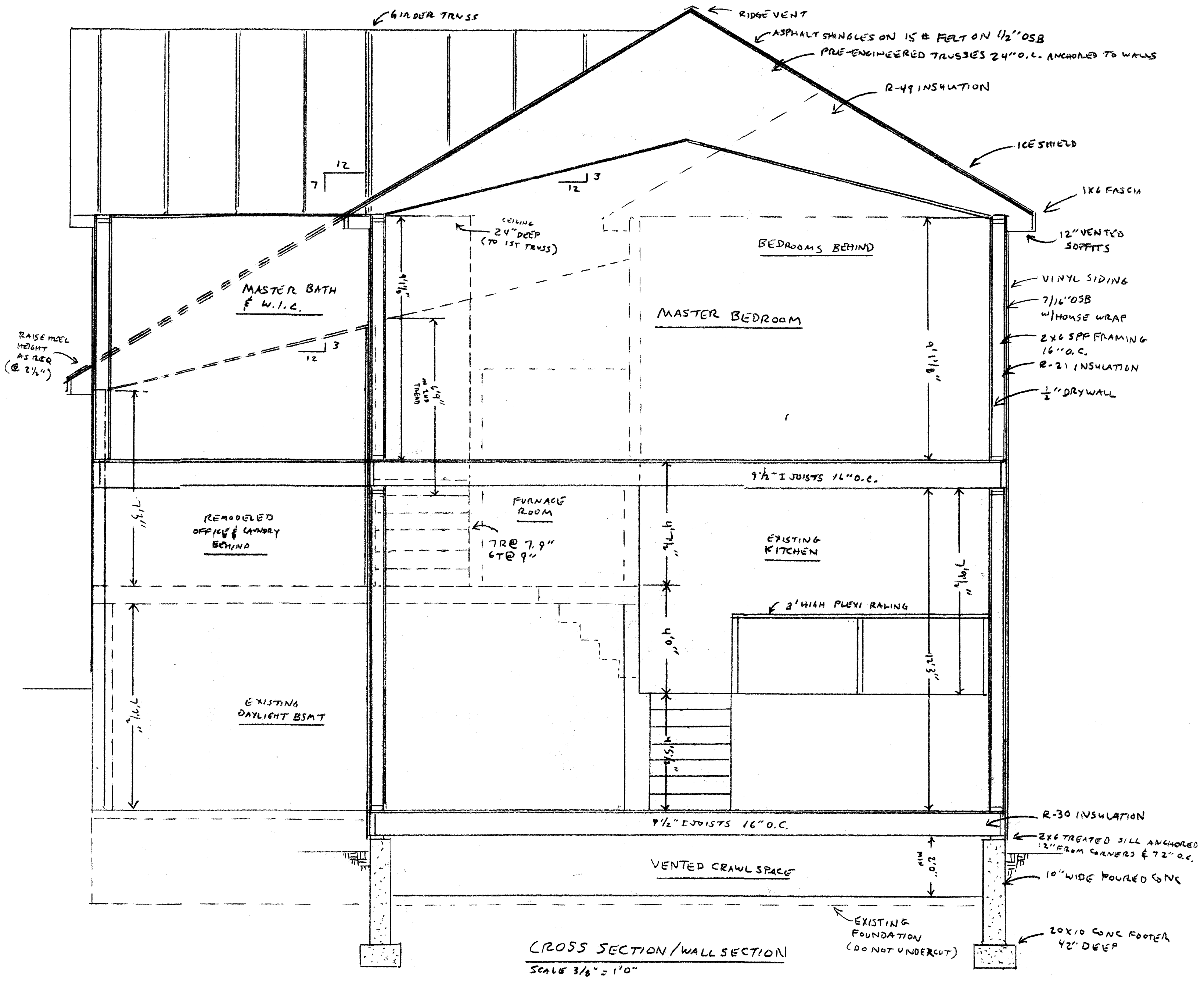
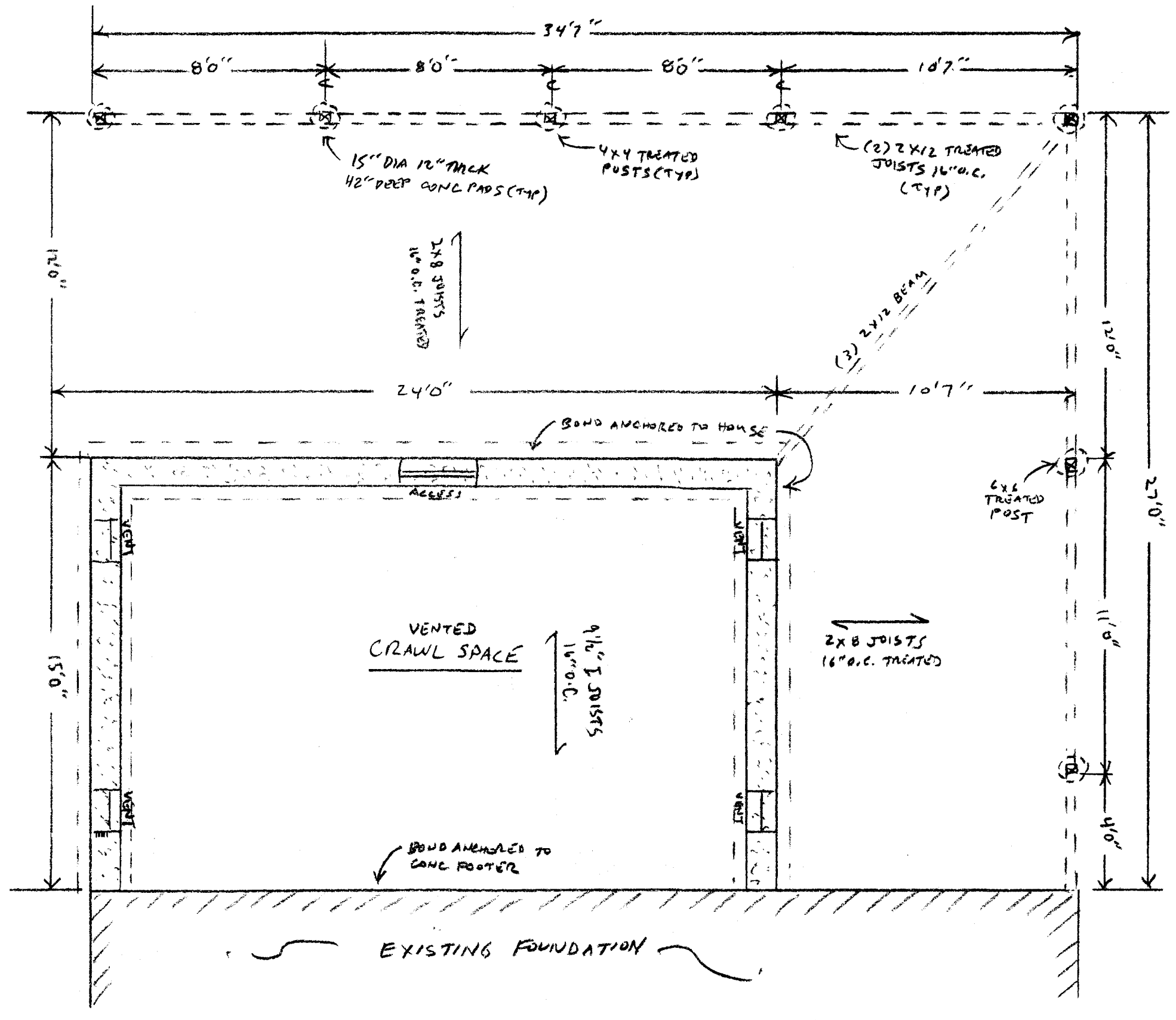


## DECK SECTION

SCALE: 3/8" = 1'-0"



**FOUNDATION PLAN**  
SCALE: 1/4" = 1'0"



**CROSS SECTION / WALL SECTION**  
SCALE 3/8" = 1'0"

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
EXLINE JANINE & JAMES	EXLINE JANINE	0	07/10/2013	QC	INVALID SALE	2013R-030822	BUYER	0.0
GO PROPERTIES, LLC	EXLINE JANINE & JAMES	220,000	06/29/2012	WD	ARMS-LENGTH	2012R-023574	BUYER	100.0
GORO MICHAEL & SUSAN	GO PROPERTIES, LLC	0	08/27/2008	WD	INVALID SALE	2008R-028632	BUYER	0.0
MITCHELL, DANNY M. & JACQ	GORO MICHAEL & SUSAN	274,985	06/30/2005	WD	ARMS-LENGTH	4860/0079	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
4009 HIGHCREST	School: BRIGHTON		WINDOW/DOOR REPLACEMENT	11/12/2014	W14-264	NO START
	P.R.E. 100% 05/17/2013		WINDOW/DOOR REPLACEMENT	08/15/2014	W14-183	NO START
Owner's Name/Address	MAP #: V16-12		REMODEL	11/22/2013	W13-256	NO START
	2017 Est TCV Tentative		ADDITION	06/27/2013	P13-079	NO START

Tax Description	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT	
	Improved	Vacant
SEC. 27 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. E'LY. 60 FT. ON HIGHCREST DR. CLOSING TO E'LY. 40 FT. ON ROUND LAKE OF LOT 144		
Comments/Influences		

EXLINE JANINE  
4009 HIGHCREST  
BRIGHTON MI 48116

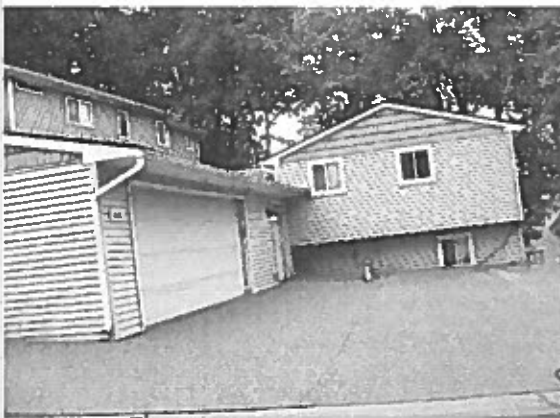
- X Improved
- Public Improvements
- Dirt Road
- Gravel Road
- Paved Road
- Storm Sewer
- Sidewalk
- Water
- Sewer
- Electric
- Gas
- Curb
- Street Lights
- Standard Utilities
- Underground Utils.

\* Factors \*

Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
LAKE FRONT	40.00	215.00	1.0000	1.2392	2300	100		114,010
40 Actual Front Feet, 0.20 Total Acres								Total Est. Land Value = 114,010

Topography of Site

- Level
- Rolling
- Low
- High
- Landscaped
- Swamp
- Wooded
- Pond
- Waterfront
- Ravine
- Wetland
- Flood Plain
- X REFUSE



Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2017	Tentative	Tentative	Tentative			Tentative
LM 10/16/2014	57,000	66,500	123,500			119,478C
LM 11/05/2013	57,000	66,400	123,400			119,121C
LM 10/26/2011	54,500	67,500	122,000			117,246C

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

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



Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang		X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove 1 Direct-Vented Ga	Area 200	Type Pine	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 504 % 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 X Forced Heat & Cool Heat Pump No Heating/Cooling			Class: C Effec. Age: 55 Floor Area: 1880 Total Base Cost: 120,040 Total Base New : 178,859 Total Depr Cost: 80,487 Estimated T.C.V: 133,044			CntyMult X 1.490 E.C.F. X 1.653		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 1957	Remodeled 0	Ex	X Ord	Min	(12) Electric			1	Story Siding	Slab	62.86	-10.83	1.92	168	9,064	
Condition for Age: Good		Lg	X Ord	Small	0 Amps Service			1	Story Siding	Slab	62.86	-10.83	1.92	544	29,349	
Room List		(5) Floors		No./Qual. of Fixtures			1	Bi-Level Siding	Bi-Lev. 80%	80.90	0.00	3.83	440	37,281		
Basement	1st Floor	Kitchen:		Ex. X Ord. Min			1	Story Siding	Basement	62.86	0.00	1.92	336	21,766		
2nd Floor	3 Bedrooms	Other:		No. of Elec. Outlets			1	Story Siding	Overhang	36.53	0.00	0.00	40	1,461		
		Other:		Many X Ave. Few			Other Additions/Adjustments			Rate		Size		Cost		
				(7) Excavation			Walk out Basement Door(s)			775.00		1		775		
				Basement: 336 S.F. Crawl: 0 S.F. Slab: 712 S.F. Height to Joists: 0.0			(13) Plumbing			2400.00		1		2,400		
(1) Exterior				(8) Basement			3 Fixture Bath			480.00		1		480		
X	Wood/Shingle Aluminum/Vinyl Brick			Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			2 Fixture Bath			1162.00		1		1,162		
Insulation				(9) Basement Finish			Softener, Auto			4975.00		1		4,975		
(2) Windows				Recreation SF Living SF 1 Walkout Doors No Floor SF			Softener, Manual			1200.00		1		1,200		
Many	X Avg.	X Avg.	Large				Solar Water Heat No Plumbing Extra Toilet			5.60		200		1,120		
X	Few	Few	Small				1 Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0,		Depr.Cost =		80,487		
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens							(14) Water/Sewer			Common Wall: 1 Wall		-1300.00		1	-1,300	
(3) Roof							Public Water Public Sewer			Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0,		Depr.Cost =		80,487		
X	Gable Hip Flat	Gambrel Mansard Shed						1 Water Well 1000 Gal Septic 2000 Gal Septic			ECF (4306 TRI LAKES LAKE FRONT)		1.653 => TCV of Bldg: 1 =		133,044	
X	Asphalt Shingle						Lump Sum Items:									
Chimney: Brick																

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

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**May 17, 2016**  
**CASE #16-13**

**PROPERTY LOCATION:** 3783 Highcrest

**PETITIONER:** Scott Bederka

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

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a front yard variance 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	5	10	40	25	71'6"
Setbacks Requested	8	5	13	73	21	73
Variance Amount	27	-	-	-	-	-



**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**

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

Case # 16-13 Meeting Date: MAY 17-16

- 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: SCOTT BIEDERKA

Property Address: 3783 HIGHCREST Phone: 586-212-0910

Present Zoning: LRR Tax Code: 4711-22-302-017

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

1. Variance requested: FRONT YARD SETBACK TO 8'. NEEDED TO ACCOMMODATE CONSTRUCTION OF NEW HOME AND GARAGE

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

- a. Unusual topography/shape of land (explain): DUE TO SLOPE OF LAND A GARAGE WOULD BE IMPOSSIBLE TO CONSTRUCT. IT WOULD REQUIRE BACKYARD VARIANCE
- b. Other (explain): NEW HOME WILL BRING SOUTH SIDE YARD INTO COMPLIANCE.

**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: 4-13-16 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.**



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** May 10, 2016

**RE:** ZBA 16-13

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

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### STAFF REPORT

**File Number:** ZBA# 16-13

**Site Address:** 3783 Highcrest

**Parcel Number:** 4711-22-302-017

**Parcel Size:** ~0.189

**Applicant:** Scott Bederka

**Property Owner:** Same as applicant

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard variance to construct a new home with attached garage.

**Zoning and Existing Use:** LRR (Lake Resort Residential), Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday May 1, 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 1940.
- A ZBA variance was approved for a second story addition in 1999. (see attached minutes)
- 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 home with an attached garage. In order to do this the applicant would be required to obtain a front yard variance to construct the new home. The proposed location of the new home would be located further from the water than the existing home and would bring the side yard into conformance.



### 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 Front Yard Setback: 35'**

**Proposed Front Yard Setback: 8'**

### **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 front yard setback would prevent the applicant from constructing a new home with an attached garage. Granting the requested variance would do substantial justice to the applicant as well as to the other property owners in the district.

**(b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography of the property. The variance would make the property consistent with the majority of other properties in the vicinity.

**(c) Public Safety and Welfare** – The granting of this 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 proposed variance 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 front yard setback would prevent the applicant from constructing a new home with an attached garage.
2. The need for this variance is due to the topography of 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 variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

**Recommended Conditions**

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

1. The addition shall be guttered with downspouts directing runoff to the lake.

**99-45...A request by Mark Ostrowski, 3894 Highcrest, Section 22, for a 5' side variances and a 20' front variance to rebuild a home.**

A call to the public was made with the following response: Tom Crane - How close to the lake will this home sit? Murray - 66'. The petitioner asked to build a home 3800 sq. ft. in area with a three-car garage. Moved by Skolarus, supported by Litogot, to table for up to 90 days to allow the petitioner to reconsider his request. The motion carried unanimously.

**99-46...A request by John Lepak and builder Ronald Martyn, 3783 Highcrest, Section 22, for a 7' side variance to build an addition.**

A call to the public was made with the following response: Tom Crane - The letter was not clear as to who the owner of the property was. Mr. Lepak's name was added to the petition. Moved by Skolarus, supported by Litogot, to approve a 6' waterfront variance for a 2nd story addition to an existing home contingent upon the home being guttered with all water being retained on the property. This action would constitute the continuation of a nonconforming use. The motion carried unanimously.

**99-47...A request by Mary Mitchell, 5278 Wildwood, Section 10, for a 3' and a 7'5" side variance to rebuild a home.**

A call to the public was made with no response. Moved by Skolarus, supported by Litogot, to approve a 5' front yard variance to Dixon and a 32' front yard variance to Wildwood, and 3' and 7' 7" variances to the side yard setbacks for construction of a single story new home in accordance with the plans submitted to replace a home destroyed by fire. The hardship is the narrowness of the lot. The motion carried unanimously.

Moved by Litogot, supported by Murray, to approve the Minutes of the July 13, 1999 regular meeting of the Zoning Board of Appeals as submitted. The motion carried unanimously.

The regular meeting of the Zoning Board of Appeals was adjourned at 8:40 p.m.

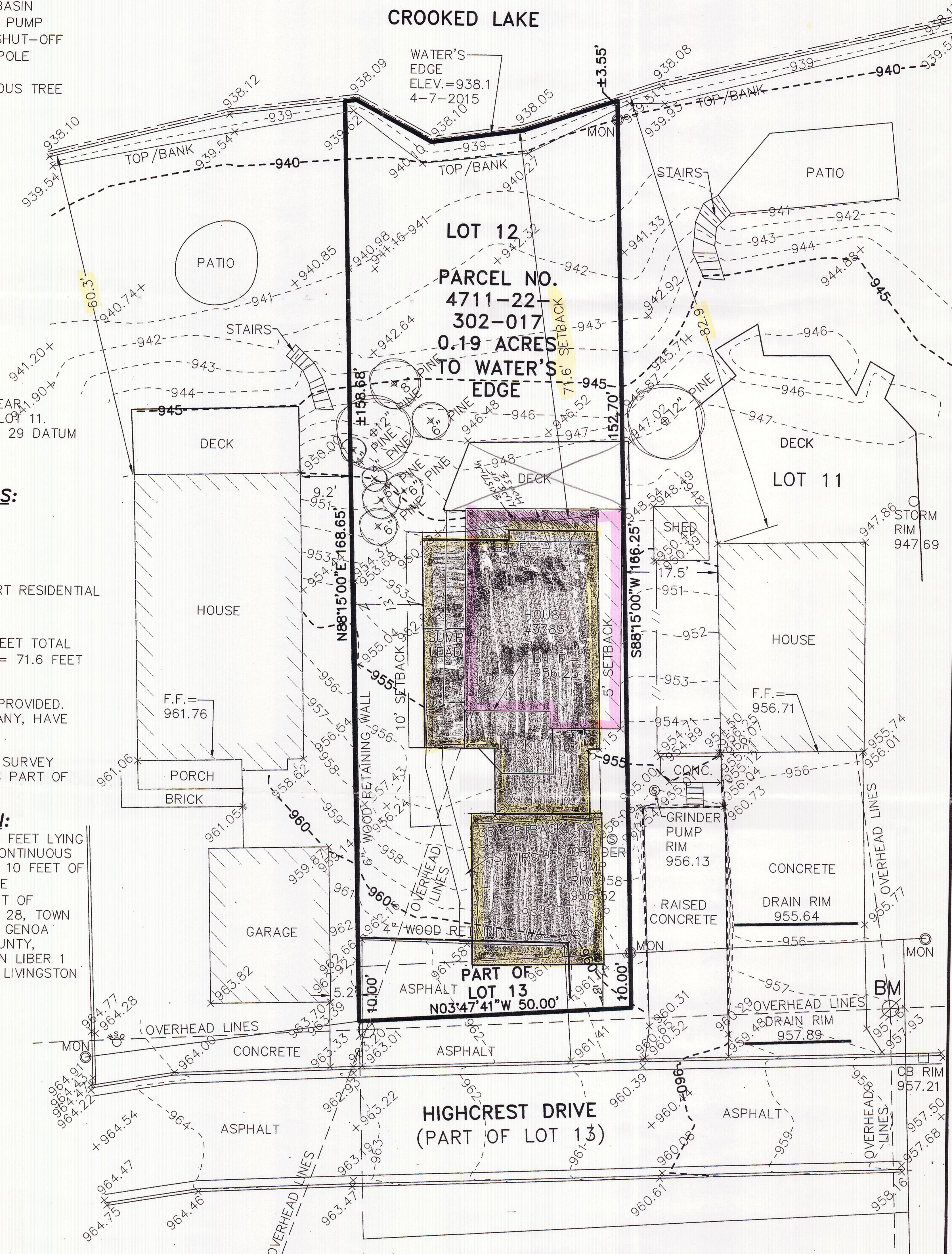
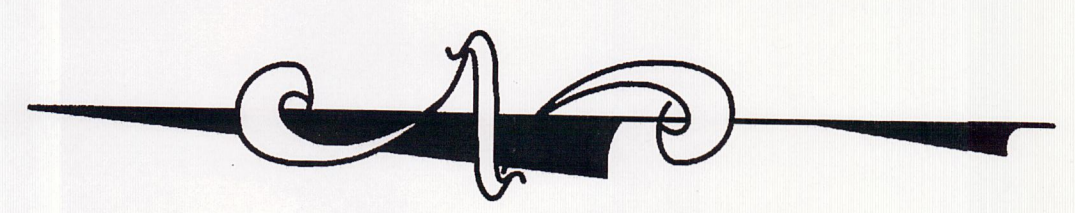
Paulette A. Skolarus  
Recording Secretary





**LEGEND**

- EX. OVERHEAD LINES
- EX. FENCE LINE
- MON FOUND MONUMENT
- EX. CATCH BASIN
- EX. GRINDER PUMP
- EX. WATER SHUT-OFF
- EX. UTILITY POLE
- EX. CONIFEROUS TREE



**BENCHMARK:**

SPIKE IN POWER POLE NEAR  
SOUTHWEST CORNER OF LOT 11.  
ELEVATION: 958.72 NGVD 29 DATUM

**OWNER:**

SCOTT BEDERKA

**PROPERTY ADDRESS:**

3783 HIGHCREST DRIVE

**PARCEL NUMBER:**

4711-22-302-017

**ZONING:**

LRR - LAKESHORE RESORT RESIDENTIAL

**SETBACKS:**

FRONT: 35 FEET  
SIDES: 5 FEET MIN., 15 FEET TOTAL  
LAKE: 60.3 + 82.9 / 2 = 71.6 FEET

**SURVEY NOTES:**

1. TITLE WORK WAS NOT PROVIDED.  
EXISTING EASEMENTS, IF ANY, HAVE  
NOT BEEN SHOWN.

2. A WETLAND AND TREE SURVEY  
WERE NOT PERFORMED AS PART OF  
THIS SURVEY.

**LEGAL DESCRIPTION:**

LOT 12 AND ALSO THE 10 FEET LYING  
IMMEDIATELY WEST AND CONTINUOUS  
THERE TO BEING THE EAST 10 FEET OF  
LOT 13 OF "CROOKED LAKE  
HIGHLANDS SUB.", OF PART OF  
SECTIONS 21, 22, 27 AND 28, TOWN  
2 NORTH, RANGE 5 EAST, GENOA  
TOWNSHIP, LIVINGSTON COUNTY,  
MICHIGAN, AS RECORDED IN LIBER 1  
OF PLATS, PAGES 39-40, LIVINGSTON  
COUNTY RECORDS.

**NOTICE:**

CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE  
CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE  
EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK,  
OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR  
OF ANY OTHER PERSONS.

**NOTE:**

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN  
APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY  
RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE  
COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO  
THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL  
DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE  
COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY  
AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE  
CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND  
ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE  
DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.



**GREENTECH**  
ENGINEERING, INC.

CIVIL ENGINEERS & LAND SURVEYORS

51111 W. Pontiac Trail, Wixom, MI 48393  
Phone: (248) 668-0700 Fax: (248) 668-0701

RESIDENTIAL  
Subdivisions  
Site Condominium  
Multi-Family  
Plot Plans

COMMERCIAL  
Site Planning  
Site Engineering  
Industrial & Multi-Unit  
Land Surveying

SURVEYING  
ALTA Surveys  
Boundary Surveys  
Topographic Surveys  
Parcel Splits  
Construction Staking

CLIENT:

SCOTT BEDERKA

**TOPOGRAPHIC SURVEY**

3783 HIGHCREST DRIVE - PARCEL NO. 4711-22-302-017

SECTION: 22

TOWNSHIP: 2 N.  
GENOA TOWNSHIP  
LIVINGSTON COUNTY  
MICHIGAN

RANGE: 5 E.

REVISED

DATE: 5-11-2015

DRAWN BY: JPP

CHECKED BY: DJL

FBK: 126

CHF: JM

SCALE HOR 1"=20 FT.  
VER 1"=5 FT.

1

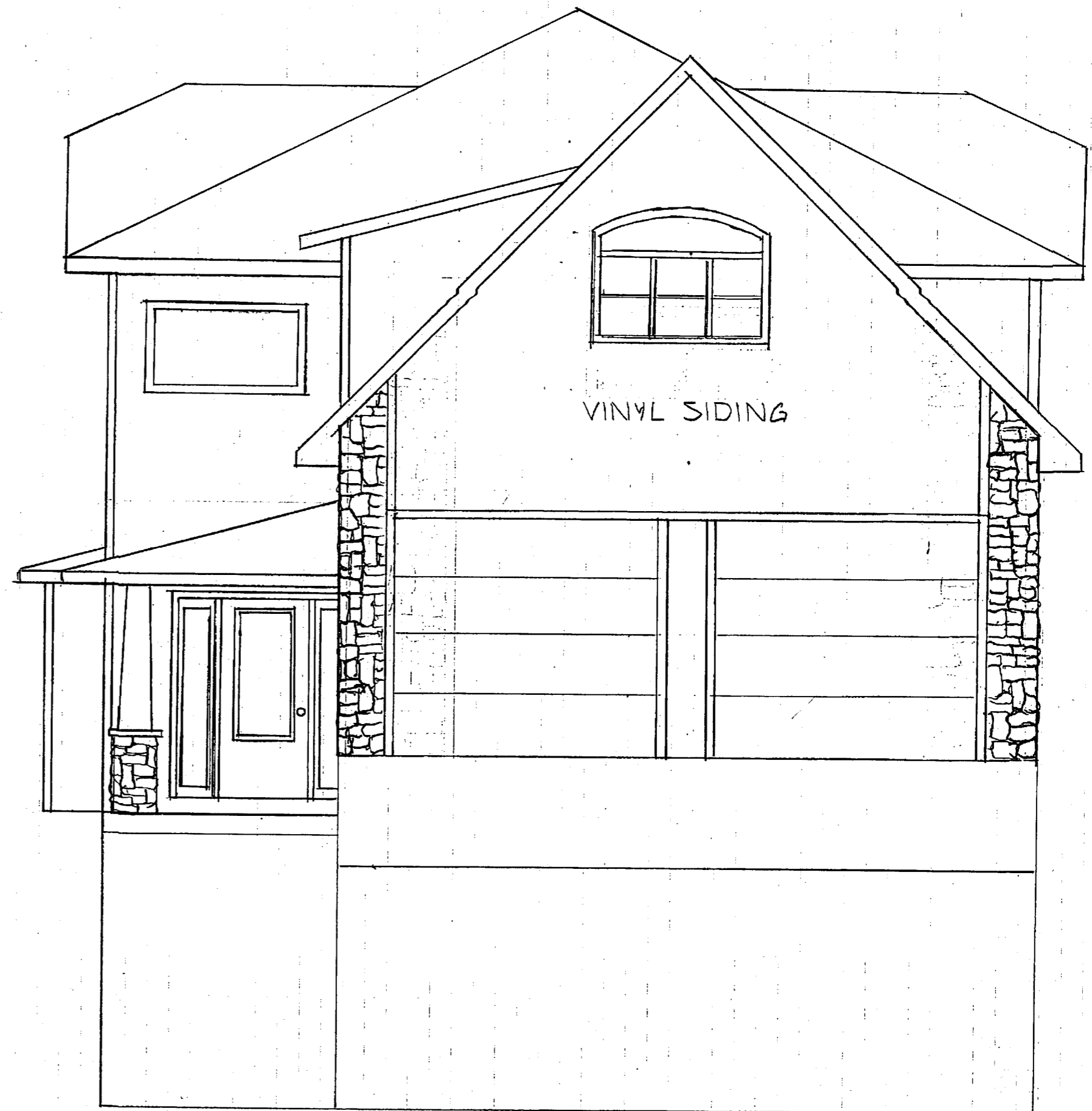
15-167

SLOTT AND CHRISTY BEDERKA  
3783 HIGHCREST DR.  
BRIGHTON, MICH.

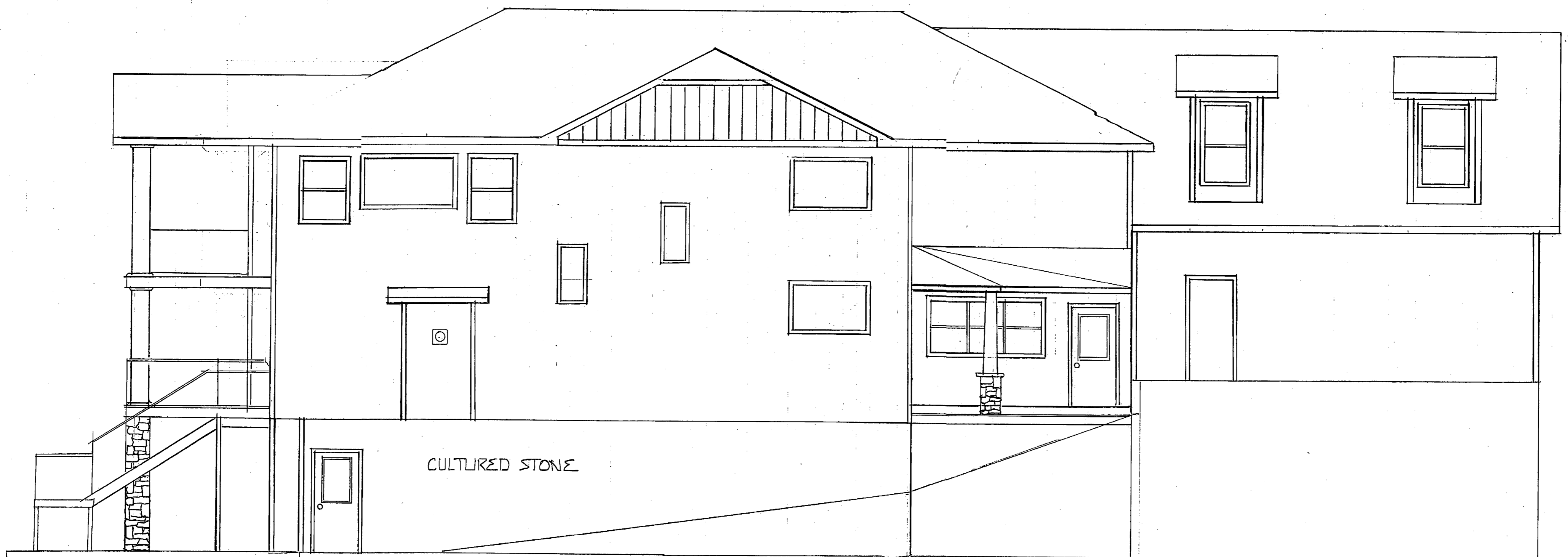
HEIGHT 21'



EAST ELEVATION

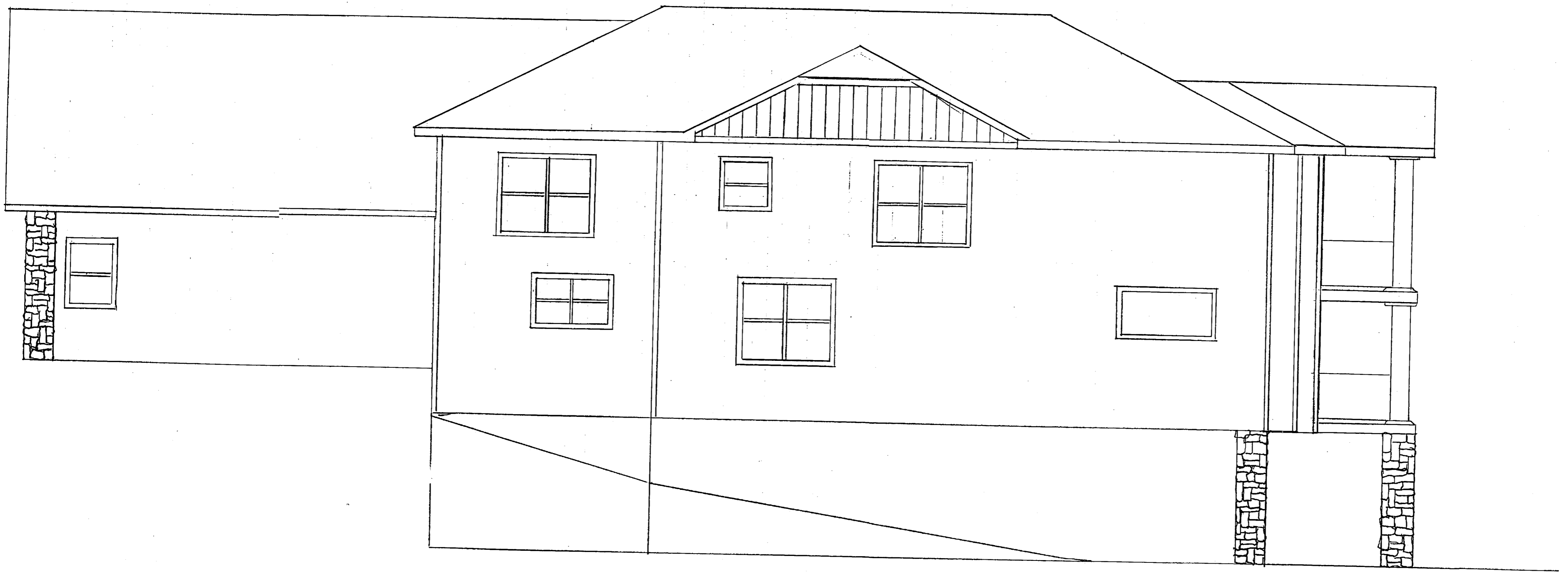


WEST ELEVATION

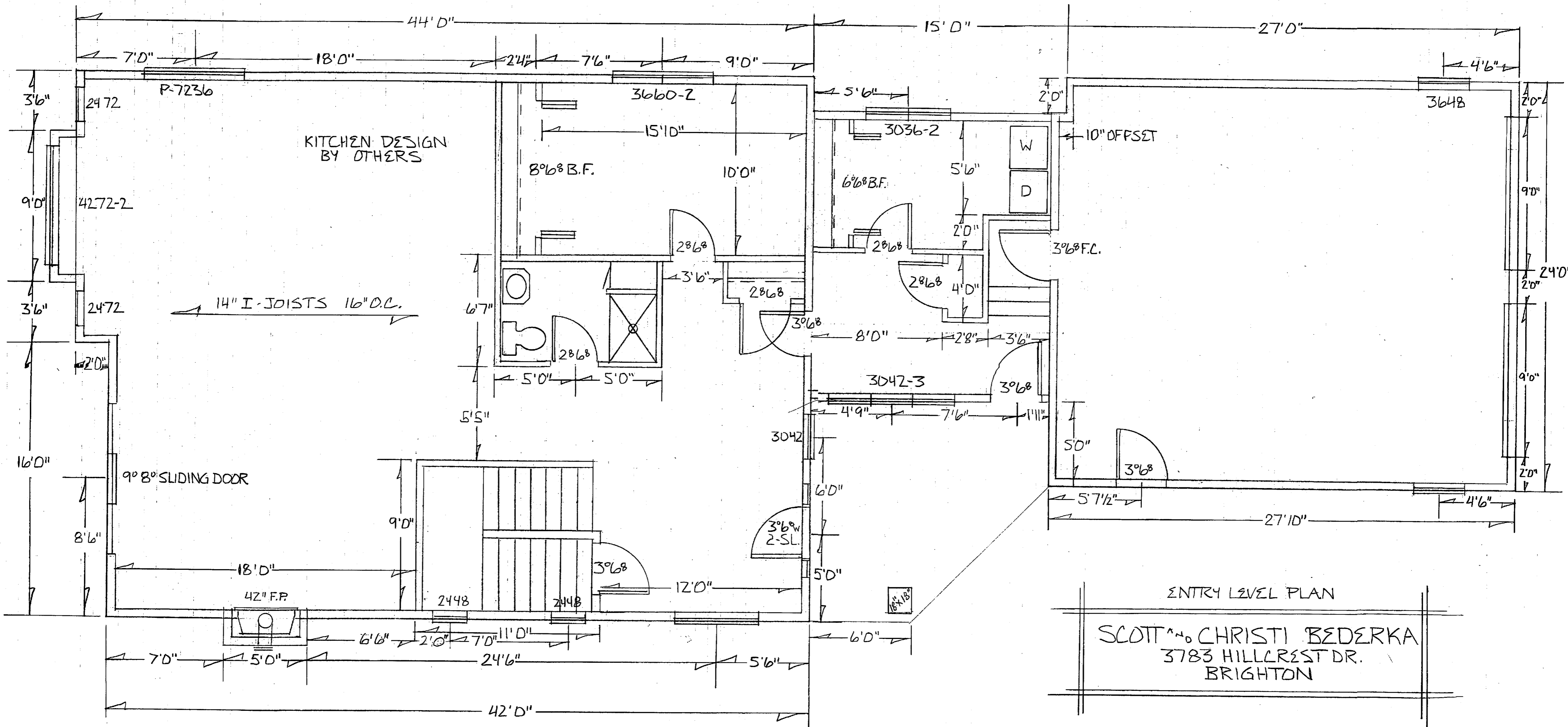


CULTURED STONE

\*50 SCALE\*

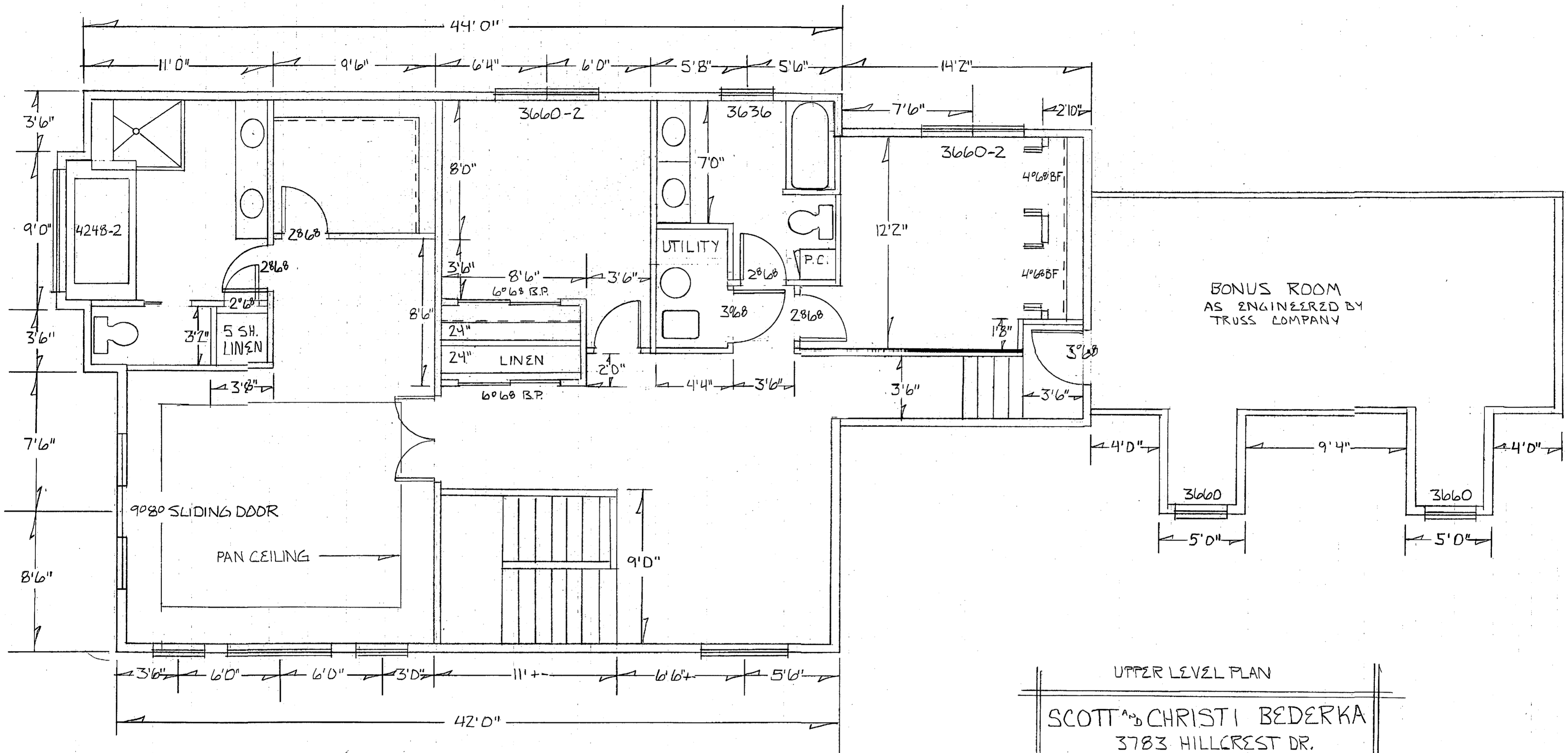






ENTRY LEVEL PLAN

SCOTT & CHRISTI BEDERKA  
 3783 HILLCREST DR.  
 BRIGHTON



UPPER LEVEL PLAN

SCOTT & CHRISTI BEDERKA  
 3783 HILLCREST DR.  
 BRIGHTON

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
LPAK, DOLORES	BEDERKA SCOTT	323,000	06/27/2014	WD	ARMS-LENGTH	2014R-018844	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
3783 HIGHCREST	School: BRIGHTON		ADDITION	07/06/1999	99-453	NO START
Owner's Name/Address	P.R.E. 0%					
BEDERKA SCOTT 5275 TIMBER BEND DR. BRIGHTON MI 48116	MAP #: V16-13					

2017 Est TCV Tentative		Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT							
X	Improved	Vacant	* Factors *					Value	
Public Improvements			Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value
			LAKE FRONT	50.00	165.00	1.0000	1.0856	2300 100	124,846
			50 Actual Front Feet, 0.19 Total Acres					Total Est. Land Value =	124,846
Land Improvement Cost Estimates									
			Description	Rate	CountyMult.	Size	%Good	Cash Value	
			D/W/P: 3.5 Concrete	2.98	1.00	336	49	491	
			Total Estimated Land Improvements True Cash Value =					491	

Tax Description  
 SEC 22 T2N R5E CROOKED LAKE HIGHLANDS SUB  
 LOT 12 AND ALSO THE 10 FT LYING  
 IMMEDIATELY WEST AND CONTINUOUS THERETO  
 BEING THE EAST 10 FT OF LOT 13. CORR  
 LEGAL 6/14

Comments/Influences



- Topography of Site
- Level
- Rolling
- Low
- High
- Landscaped
- Swamp
- Wooded
- Pond
- Waterfront
- Ravine
- Wetland
- Flood Plain
- X REFUSE

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2017	Tentative	Tentative	Tentative			Tentative
2016	62,400	70,000	132,400			132,295C
2015	62,400	69,500	131,900			131,900S
2014	59,700	40,900	100,600			72,723C

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

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



Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation	0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area 112 336	Type CPP Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:				
X	Wood Frame	Drywall Paneled	Plaster Wood T&G	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: D Effec. Age: 36 Floor Area: 1764 Total Base Cost: 88,519 Total Base New : 131,894 Total Depr Cost: 84,412 Estimated T.C.V: 139,533	CntyMult X 1.490 E.C.F. X 1.653	Bsmnt Garage: Carport Area: Roof:						
Building Style: D		Trim & Decoration		(12) Electric			Stories	Exterior	Foundation	Rate	Bsmnt-Adj	Heat-Adj	Size	Cost		
Yr Built Remodeled 1940 1979		Ex X Ord Min		0 Amps Service			2	Story Siding	Basement	75.86	0.00	1.31	616	47,537		
Condition for Age: Good		Size of Closets		Central Air Wood Furnace			1+	Story Siding	Basement	49.54	0.00	0.66	448	22,490		
Room List		Lg X Ord Small		(13) Plumbing			2	Story Siding	Slab	75.86	-9.23	1.31	36	2,446		
Basement 1st Floor 2nd Floor 3 Bedrooms		Doors Solid X H.C.		Average Fixture(s) 3 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			1	Story Siding	Overhang	28.33	0.00	0.00	12	340		
(1) Exterior		(5) Floors		(14) Water/Sewer			Other Additions/Adjustments		Rate			Size	Cost			
Wood/Shingle Aluminum/Vinyl Brick		Kitchen: Other: Other:		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			(9) Basement Finish		Basement Living Finish	14.75		200	2,950			
Insulation		(6) Ceilings		Lump Sum Items:			(13) Plumbing		Walk out Basement Door(s)	625.00		1	625			
(2) Windows		(7) Excavation					(14) Water/Sewer		3 Fixture Bath	1650.00		2	3,300			
Many Avg. X Large Avg. Small		Basement: 1064 S.F. Crawl: 0 S.F. Slab: 36 S.F. Height to Joists: 0.0					(15) Fireplaces		Public Sewer	912.00		1	912			
X Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(8) Basement					(16) Porches		Well, 200 Feet	4400.00		1	4,400			
(3) Roof		(9) Basement Finish					(16) Deck/Balcony		CPP, Standard	13.46		112	1,508			
Gable Hip Flat		Recreation SF Living SF Walkout Doors No Floor SF					(16) Deck/Balcony		Treated Wood, Standard	5.99		336	2,013			
Gambrel Mansard Shed		(10) Floor Support					Phy/Ab.Phy/Func/Econ/Comb.%Good= 64/100/100/100/64.0,		Depr.Cost =				84,412			
X Asphalt Shingle		Joists: Unsupported Len: Cntr.Sup:					ECF (4306 TRI LAKES LAKE FRONT)		1.653 => TCV of Bldg: 1 =				139,533			
Chimney: Brick																

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

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MAY 17<sup>th</sup>, 2016**  
**CASE # 16-14**

**PROPERTY LOCATION:** 2800 Acorn Lane

**PETITIONER:** Brad Rondeau

**ZONING:** RR (Rural Residential)

**WELL AND SEPTIC INFO:** Well and septic

**PETITIONERS REQUEST:** Requesting a front yard variance to construct an addition to an existing single family home.

**CODE REFERENCE:** Table 3.04.01

**STAFF COMMENTS:** See Staff Report

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	50	30	30	60	35	-
Setbacks Requested	18	64.6	550 +	133	32	
Variance Amount	32	-	-	-	-	



**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**

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

Case # 16-14

Meeting Date: May 17, 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 (see attached).

Applicant/Owner: BRAD RONDEAU

Property Address: 2800 Acorn Ln Phone: 810-772-9325

Present Zoning: RESIDENTIAL<sup>RR</sup> Tax Code: 4711-18-400-019

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: ADDITION TO EITHER THE FRONT (ROADSIDE) OR EAST SIDE, GARAGE WITH ABOVE LIVING SPACE

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

a. Unusual topography/shape of land (explain): TWO 250 year old OAK TREES on WEST. LARGE ROCK RETAINING WALL + BACK PATIO at SOUTH. SOIL IS VERY SOFT AT SOUTH.

b. Other (explain): HOUSE ALREADY BUILT INTO SET BACK (FRONT)  
ORIGINAL 1999 DRAWING DOES NOT MATCH CURRENT STATE.  
THE CUL-DE-SAC IS NOT AS WAS DRAWN IN 1999. IT IS 75' TO NE

**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: 4-20-16 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.**



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** May 10, 2016  
**RE:** ZBA 16-14

---

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

### STAFF REPORT

**File Number:** ZBA#16-14

**Site Address:** 2800 Acorn Lane

**Parcel Number:** 4711-18-400-019

**Parcel Size:** 5.58 Acres

**Applicant:** Brad Rondeau, 2800 Acorn Lane Howell, MI

**Property Owner:** Same as applicant

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard variance to construct an addition to an existing single family home.

**Zoning and Existing Use:** RR (Rural Residential), Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday May 1, 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 1999.
- In 1998 a variance was approved to construct a new home within the front yard setback. (See attached minutes)
- In 2000 a variance was approved for a detached accessory structure to be constructed in the front yard. (See attached minutes)
- 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 an addition to an existing home. In order to do this the applicant would be required to obtain a front yard variance due to the location of the road easement and the location of the existing home that was previously approved for a variance in 1998 to construct the home.



**Variance Requests**

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

**Table 3.04.01 (RR District):**

**Required Front Yard Setback: 50'**

**Proposed Front Yard Setback: 18'**

### **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 front yard setback would prevent the applicant from constructing an addition to the existing home. Granting the requested variance would do substantial justice to the applicant as well as to the other property owners in the district.

**(b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the road easement on the applicant’s parcel and the placement of the road within the easement. There are is a wetland and pond located on the property as well as historically aged trees.

**(c) Public Safety and Welfare** – The granting of this 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 proposed variance 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 front yard setback would prevent the applicant from constructing an addition.
2. The need for this variance is due to the location of the road easement, the existing location of the house, location of wetland and pond on property as well as historically aged trees.
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.

**Recommended Conditions**

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

N/A

**GENOA TOWNSHIP  
ZONING BOARD OF APPEALS  
MAY 12<sup>TH</sup>, 1998**

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 following board members were present constituting a quorum for the transaction of business: Rick Staley, Chris Hensick, Barbara Figurski, Nancy Litogot and Robert Murray. Also present were Mike Archinal, Township Manager and approximately 30 persons in the audience.*

*Moved by Figurski, supported by Hensick, to approve the Agenda as presented. The motion carried.*

*A call to the public was made with no response.*

- 1.) *98-13...A request by Douglas Noggle, 4336 Highcrest, Brighton, Section 22, for a 7' side variance. Request is also made to live in existing house while new home is being constructed and upon completion, tear down existing house with the exception of 370 sq. ft. to be used as a utility shed. (Tabled from April meeting)*

*A call to the public was made with the following response: Don Van Buster – I have no objection to the project but would like to get verification of the lot lines. Noggle – Boss Engineering will verify the parameters of the site. Moved by Murray, supported by Figurski, to approve a 5-½ foot variance to the side yard setback with the following contingencies: 1. A staked survey of the property boundaries will be provided to the township manager before a land use permit is issued. 2. The existing building will be removed within 60 days of the certificate of occupancy being issued. The hardship is the narrowness of the lot. The motion was voted and carried unanimously.*

- 2.) *98-14...A request by Courtney Lusk, 2800 Acorn Ln., Howell, Section 18, for a front variance of 45' to construct a home with preservation of natural features on a road not built to the right away.*

*A call to the public was made with the following response: Pam Veloy – This request is to save the trees. The trees have already been removed. Ben Veloy = We all had to make sacrifices because of the way the road is laid out. He is building on a wetland and water is standing on that property most of the time. Lusk – there is no other place on the five acres to build a home. I have an approved perk test from the Health Department. Moved by Hensick, supported by Murray, to grant the 45' front yard variance from the edge of Acorn Lane contingent upon the petitioner not removing the remaining two trees from the parcel. The hardship is the unusual topography with lowlands and the only usable site for construction being in this area near the road. The motion carried unanimously.*



**10" variance in the front yard greenbelt**  
**Building F: 12' foot variance for the access drive (side yard)**  
**10" variance in the front yard greenbelt**

Deleted at the petitioner's request.

**00-21... A request by William Bortels, Section 18, 2456 Chilson Road, the request is for an 18' side variance to build a detached garage.**

A Call to the Public was made with no response. A letter was received from Geraldine and John Brennan with no objection being raised, provided the garage will not exceed the height of the house. Moved by Ledford, supported by Skolarus, to an 18' side yard variance for construction of a 32' x 28' single story garage, attached to the house with a breezeway. The hardship is the location of the existing house and the retention of mature trees. The motion carried unanimously.

**00-22... A request by Courtney Lusk, Section 18, 2800 Acorn Lane, the request is a variance to place a pole barn 36' from the front property line with adjacent lots being undeveloped. (Section 3.3106)**

A Call to the Public was made with no response. Moved by Figurski, supported by Ledford, to grant a 14' variance from the roadside contingent upon removal of the large shed. The hardship is the unusual terrain and wetlands that would not allow the placement of the barn in any other location. The motion carried unanimously.

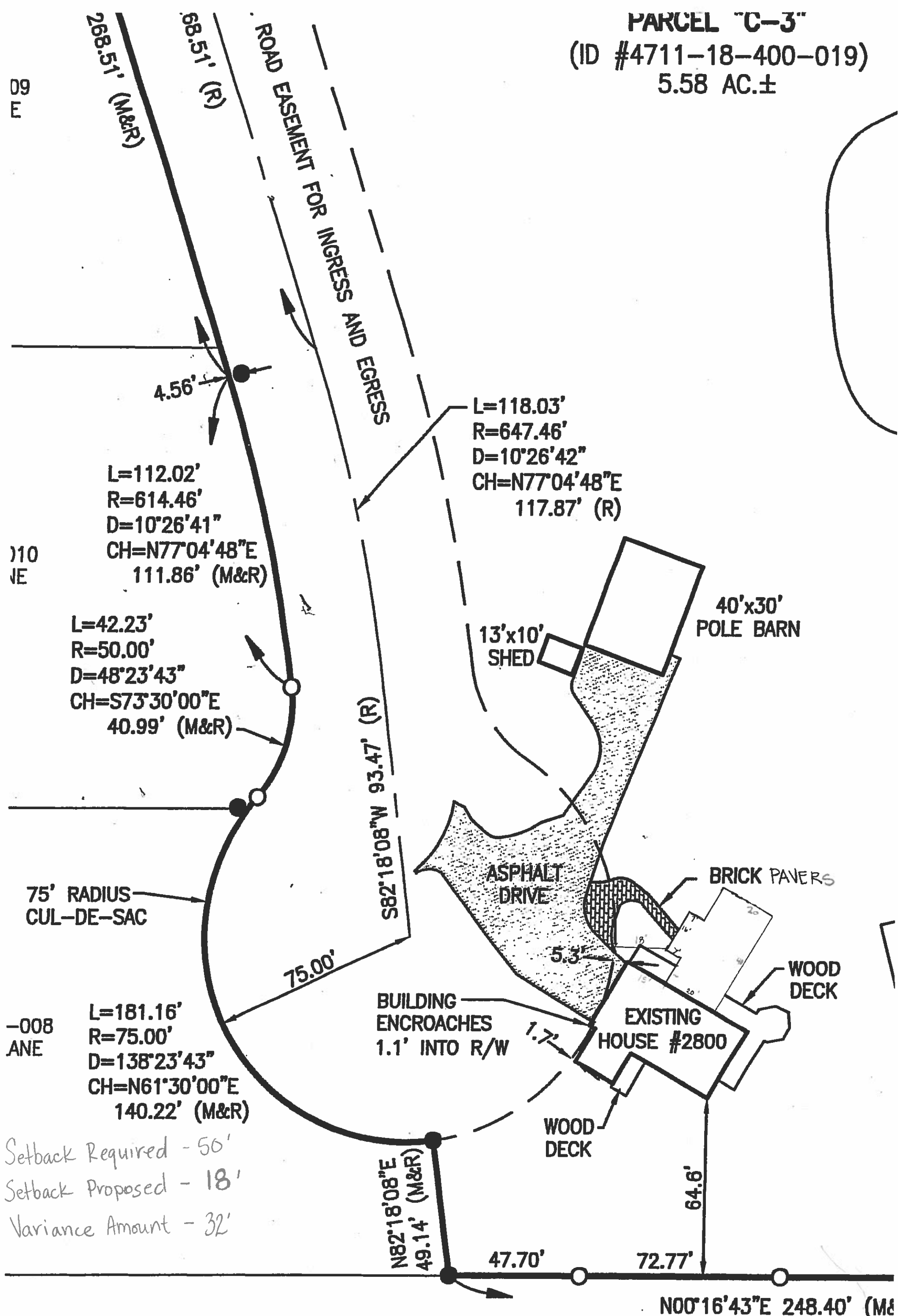
**00-23... A request by Darrin Zimlich, Section 22, Lot 139 Highcrest, the request is for the following variances: 27' front, 2' side, 5' side, and a 20' waterfront to build a new home.**

A Call to the Public was made with no response. The home would be a total of 1753 sq. ft. with the main floor being 1133 sq. ft. and the 2nd floor and loft at 620 sq. ft. Moved by Skolarus, supported by Hensick, to table (at the petitioner's request) until the next regular meeting of the board to allow the petitioner to calculate the area being covered. The motion carried unanimously.

**00-24...A request by Ronnie Monarch, Section 28, 4001 Chilson Road, the request is for a 11' side variance to place a pole barn 29' from lot line.**

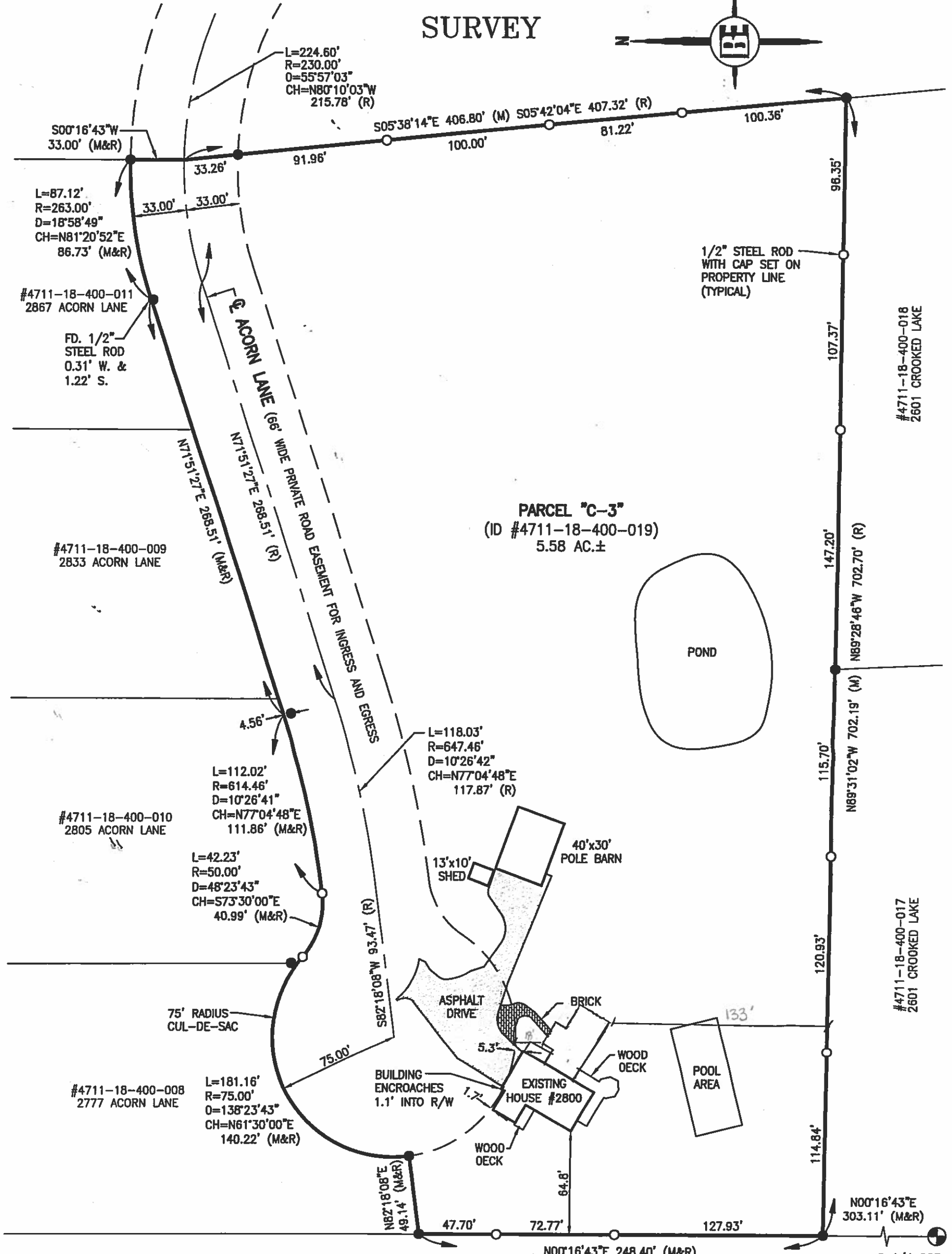
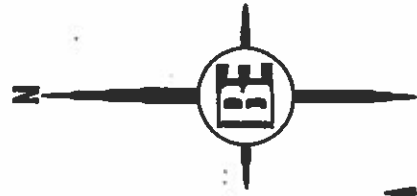
A Call to the Public was made with no response. Moved by Ledford, supported by Skolarus, to approve a 11' variance to the side yard setback to construct a pole barn, contingent upon landscaping being added to the north side of the pole barn and road side. Th existing garage is to eventually be converted to living space. The hardship is the location of the septic field and over head power lines crossing the center of the property. The motion failed as follows: Ayes - Ledford and Skolarus. Nay - Staley, Figurski and Hensick.

**PARCEL "C-3"**  
 (ID #4711-18-400-019)  
 5.58 AC.±



LOCATED FROM A PREVIOUS SURVEY BY DON ROSS, JOB NO. 77-707,  
 7.  
 LOCATED END THIS SURVEY MAY EXIST IT IS THE DEEDS AND CIBILITY

# SURVEY



**GENERAL SURVEY NOTES:**

1. BEARINGS WERE ESTABLISHED FROM A PREVIOUS SURVEY BY DON ROSS, JOB NO. 77-707, DATED SEPTEMBER 19, 1977.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

S 1/4 COR.  
SEC. 18  
T2N-R5E  
(B-07)

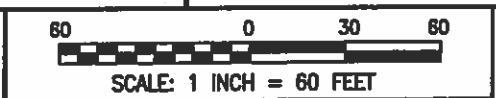
**DESCRIPTION:**  
PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

**BEBOSS**  
*Engineering*  
Engineers Surveyors Planners Landscape Architects  
3121 E. GRAND RIVER AVE.  
HOWELL, MI. 48843  
800.246.6735 FAX 517.548.1670

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



<b>CLIENT:</b>	RONDEAU		
<b>JOB NO.</b>	15-100	<b>DATE</b>	4-29-15
<b>SHEET</b>	1 OF 2	<b>FB 547</b>	<b>CREW GFD/KJ</b> <b>OR. AEB</b> <b>CHKD.</b>



- LEGEND**
- = STEEL ROD SET
  - = STEEL ROD FD.
  - ⊙ = MONUMENT FOUND
  - ✦ = FENCE
  - (R) = RECORDED
  - (M) = MEASURED

**3 WORKING DAYS BEFORE YOU DIG DIG**  
CALL MISS 1-800-482-7171  
(FULL FEE) FOR THE LOCATION OF UNDERGROUND UTILITIES

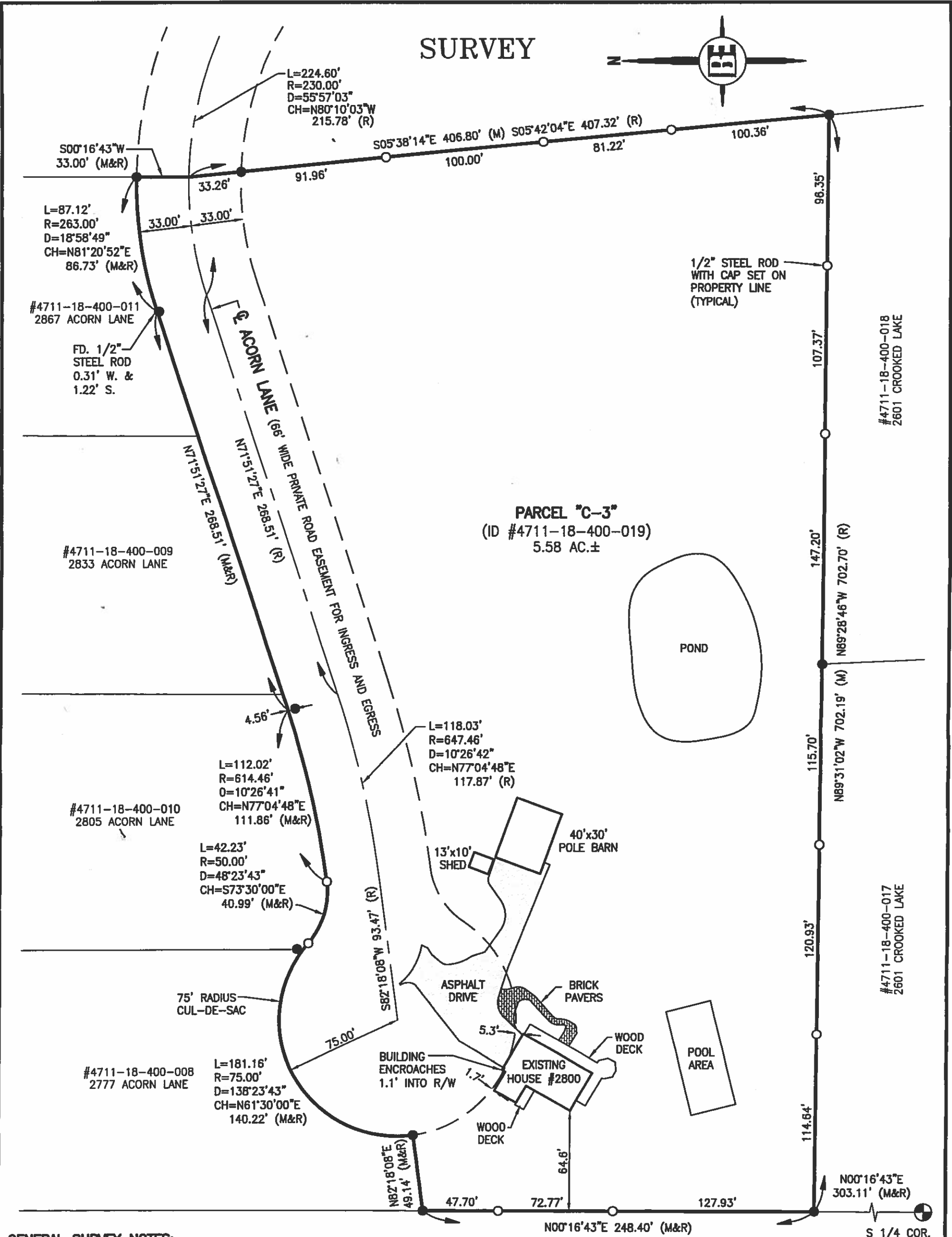
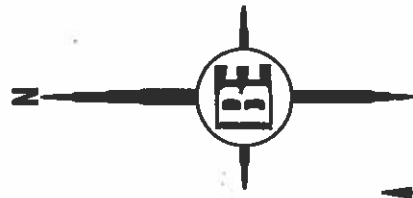


1/4" = 1'



$\frac{1}{4}'' = 1'$

# SURVEY



**GENERAL SURVEY NOTES:**

1. BEARINGS WERE ESTABLISHED FROM A PREVIOUS SURVEY BY DON ROSS, JOB NO. 77-707, DATED SEPTEMBER 19, 1977.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

**DESCRIPTION:**  
 PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

**BEBOSS**  
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CLIENT:	RONDEAU		
JOB NO.	15-100	DATE	4-29-15
SHEET	1 OF 2	FB 547	CREW GFD/KJ OR. AEB CHKD.

60      0      30      60  
  
 SCALE: 1 INCH = 60 FEET

- LEGEND**
- = STEEL ROD SET
  - = STEEL ROD FD.
  - ⊙ = MONUMENT FOUND
  - \* = FENCE
  - (R) = RECORDED
  - (M) = MEASURED

3 WORKING DAYS  
**BEFORE YOU DIG**  
 CALL MISS DIG  
 1-800-482-7171  
(CALL FIRST)  
 FOR THE LOCATION OF UNDERGROUND UTILITIES

# DESCRIPTION

Description per Boss Engineering Mortgage Report, Job No. M37807, dated 7-28-98:

**PARCEL C3:**

Part of the Southwest 1/4 of the Southeast 1/4 of Section 18, T2N-R5E, Genoa Township, Livingston County, Michigan, beginning at a point distant North 00°16'43" East, 303.11 feet from the South 1/4 corner of said Section 18; thence continuing North 00°16'43" East, 248.40 feet; thence North 82°18'08" East 49.14 feet to a point on the North right of way line of Acorn Lane, being a point on a curve concave to the right, having a radius of 75.00 feet and a central angle of 138°23'43"; thence along with said curve to the right, an arc distance of 181.16 feet, whose long chord bears North 61°30'00" East 140.22 feet to a point of reverse curvature of a curve concave to the left, having a radius of 50.00 feet, and a central angle of 48°23'43"; thence along with said curve to the left, an arc distance of 42.23 feet, whose long chord bears South 73°30'00" East 40.99 feet to a point of compound curvature of a curve concave to the left, having a radius of 614.46 feet, and a central angle of 10°26'41"; thence along with said curve to the left, an arc distance of 112.01 feet, whose long chord bears North 77°04'48" East 111.86 feet to a point of tangent; thence North 71°51'27" East 268.51 feet to a point of curvature of a curve concave to the right having a radius of 263.00 feet, and a central angle of 18°58'49"; thence along with said curve to the right, an arc distance of 87.12 feet, whose long chord bears North 81°20'52" East 86.73 feet; thence South 00°16'43" West 33.00 feet; thence South 05°42'04" East 407.32 feet; thence North 89°28'46" West 702.70 feet to the point of beginning. Together with and subject to the use of Acorn Lane, a 66 foot wide private road easement for ingress and egress as described below.

**66 FOOT WIDE PRIVATE ROAD EASEMENT FOR INGRESS AND EGRESS (ACORN LANE):**

Described as beginning at a point on the South line of said Section 18, distant South 89°28'46" East 947.99 feet from the South 1/4 corner of said Section 18; thence North 00°31'14" East 33.00 feet to a point of curvature of a curve concave to the right, having a radius of 230.00 feet, and a central angle of 24°18'09"; thence along with said curve to the right, an arc distance of 97.56 feet, whose long chord bears North 12°40'18" East 96.83 feet to a point of tangency; thence North 24°49'23" East 269.79 feet to a point of curvature of a curve concave to the left, having a radius of 133.58 feet, and a central angle of 99°11'17"; thence along with said curve to the left, an arc distance of 231.25 feet, whose long chord bears North 24°46'15" West 203.44 feet to a point of tangent; thence North 74°21'54" West 53.64 feet to a point of curvature of a curve concave to the right, having a radius of 230.00 feet, and a central angle of 22°10'21"; thence along with said curve to the right, an arc distance of 89.01 feet, whose long chord bears North 63°16'44" West 88.45 feet to a point of tangent; thence North 52°11'33" West 83.37 feet to a point of curvature of a curve concave to the left, having a radius of 230.00 feet, and a central angle of 55°57'00"; thence along with said curve to the left, an arc distance of 224.60 feet, whose long chord bears North 80°10'03" West 215.78 feet to a point of tangent; thence South 71°51'27" West 268.51 feet to a point of curvature of a curve concave to the right, having a radius of 647.46 feet, and a central angle of 10°26'41"; thence along with said curve to the right, an arc distance of 118.03 feet, whose long chord bears South 77°04'48" West, 117.87 feet to a point of tangent; thence South 82°18'08" West 93.47 feet to the point of ending, being also the center of a 75 foot radius turnaround whose return radius measures 50 feet.

DESCRIPTION:  
PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

**BEBOSS**  
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CLIENT: <b>RONDEAU</b>		NO SCALE			
JOB NO. 15-100	DATE 4-29-15				
SHEET 2 OF 2	FB 547	CREW GFD/KJ	DR. AEB	CHKD.	<i>CSF</i>

- LEGEND**
- = IRON SET
  - = IRON FOUND
  - ⊙ = MONUMENT FOUND
  - \* = FENCE
  - (R) = RECORDED
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**3 WORKING DAYS BEFORE YOU DIG**  
**CALL MISS DIG**  
 1-800-482-7171  
CALL FIRST FOR THE LOCATION OF UNDERGROUND UTILITIES

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MAY 17, 2016**  
**CASE #16-15**

**PROPERTY LOCATION:** 3406 Pineridge Lane

**PETITIONER:** Troy Locklear

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

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a front yard variance to construct an addition

**CODE REFERENCE:** 3.4.01

**STAFF COMMENTS:** See Staff Report

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	5	40	25	230.5
Setbacks Requested	27'4	18.1	6'3	271	23	271
Variance Amount	7'8	-	-	-	-	-





**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**

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

Case # 16-15 Meeting Date: 5/17/16

- 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: TROY LUKLEAR

Property Address: 3406 PINERIDE LN. Phone: 734-395-5312

Present Zoning: RESIDENTIAL Tax Code: 4711-22-202-020

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: GARAGE AND OUTDOOR LIVING AREA OUTSIDE BUILD ENVELOPE
2. Intended property modifications: FULL REMODEL OF LAKE HOME
  - a. Unusual topography/shape of land (explain): UNUSUAL BUILD ENVELOPE
  - 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: 4/21/16 Signature: Troy Luklear

**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.**



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** May 10, 2016

**RE:** ZBA 16-15

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

---

### STAFF REPORT

**File Number:** ZBA#16-15

**Site Address:** 3406 Pineridge Lane

**Parcel Number:** 4711-22-202-020

**Parcel Size:** 1.014

**Applicant:** Troy Locklear

**Property Owner:** Same as applicant

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard variance to construct an addition to an existing single family home.

**Zoning and Existing Use:** LRR (Lake Resort Residential), Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday May 1, 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 1980.
- 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 an addition to an existing home. In order to do this the applicant would be required to obtain a front yard variance. The proposed addition would encroach into the front yard setback due to the location of the existing home.



**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 Front Yard Setback: 35'**

**Proposed Front Yard Setback: 26.8**

### **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 front yard setback would prevent the applicant from constructing an addition. Granting the requested variance would do substantial justice to the applicant as well as to the other property owners in the district.

**(b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography of the lot and the location of the existing home. The variance would make the property consistent with the majority of other properties in the vicinity.

**(c) Public Safety and Welfare** – The granting of this 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 proposed variance 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 front yard setback would prevent the applicant from constructing the addition.
2. The need for this variance is due to the topography of the lot and the location of the existing home.
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.

**Recommended Conditions**

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

1. The addition shall be guttered with downspouts directing runoff to the lake.



**FIRST FLOOR PLAN**

SCALE 3/32" = 1'-0"

BALCONY

OUTDOOR LIVING

COVERED  
OUTDOOR LIVING

MASTER BDRM.  
13'-4" x 18'-0"

GREAT RM.  
18'-0" x 18'-0"  
11' CLG.

DINING  
12'-0" x 15'-0"

W.I.C.  
11'-6" x 8'-0"

BATH

KITCHEN  
15'-0" x 16'-0"

FAM  
ENTRY

BDRM. #3  
12'-6" x 13'-0"

BDRM. #2  
10'-0" x 11'-8"

FOYER

PANT.

PORCH

GARAGE  
25'-0" x 26'-0"

FRONT YARD  
REQUEST 1'-10"

EXISTING  
FOOTPRINT 8'-4"

TO WATERS EDGE 27'

REAR YARD  
SETBACK

SIDE YARD REQUEST 3'

5'-4" REAR YARD  
REQUEST

10'-0"  
SIDE YARD  
SETBACK

10'-0"  
SIDE YARD  
SETBACK

35'-0"  
FRONT YARD  
SETBACK

35'-0"  
FRONT YARD  
SETBACK

16'-8"

26'-8"

21'-4"

7'

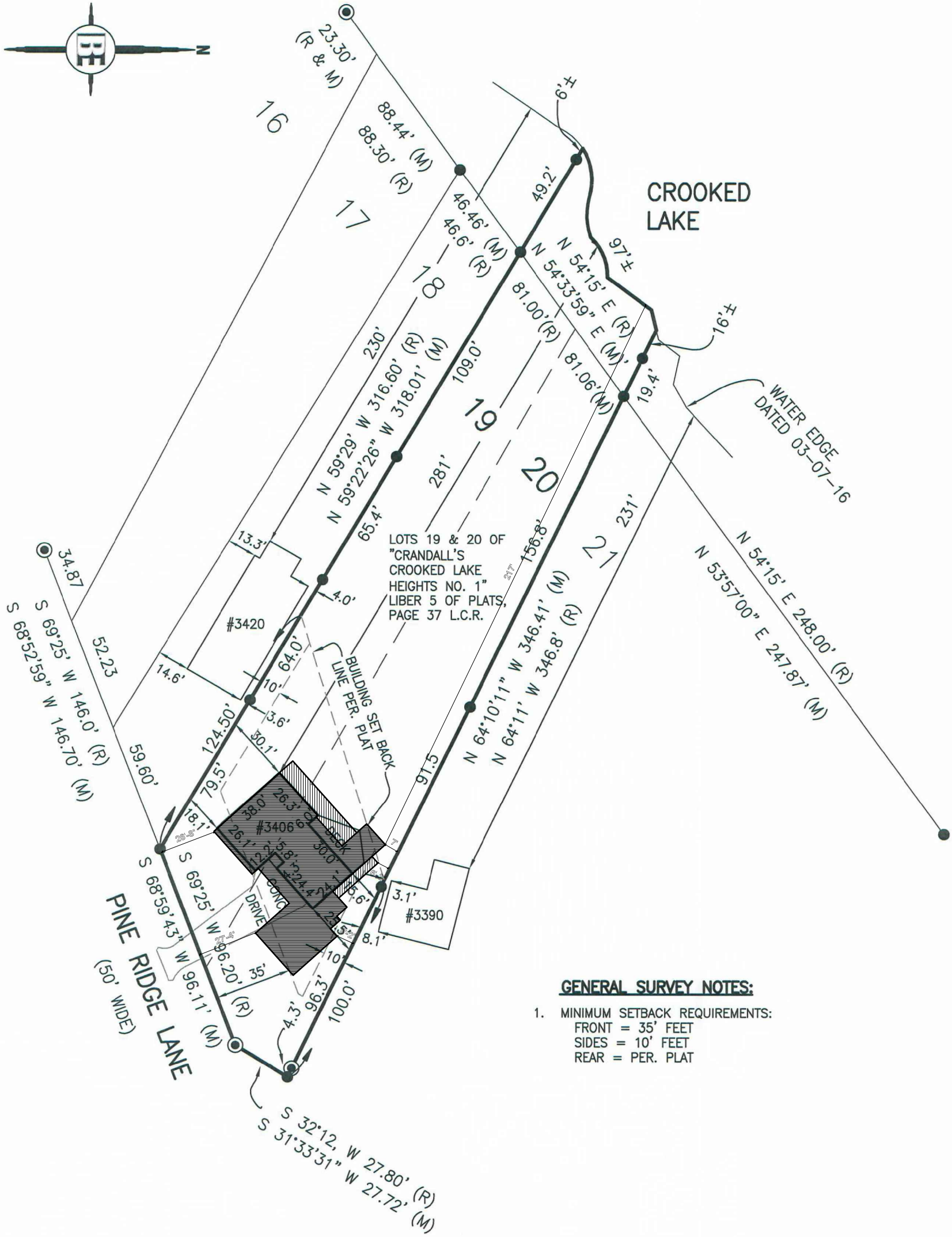
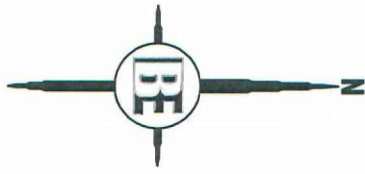
6'-3"

3'-8"

1'-10"

8'-2"

# SURVEY



**GENERAL SURVEY NOTES:**

1. MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35' FEET  
 SIDES = 10' FEET  
 REAR = PER. PLAT

**DESCRIPTION:**  
 LOT'S 19 & 20 OF "CRANDALL'S CROOKED LAKE HEIGHTS NO. 1", A SUBDIVISION OF PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 22, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN AS RECORDED IN LIBER 5 OF PLATS, PAGE 37, L.C.R.

**BEBOSS**  
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CLIENT: <b>LOCKLER</b>	 SCALE: 1 INCH = 50 FEET	<b>LEGEND</b> ○ = IRON SET ● = IRON FOUND ⊙ = MONUMENT FOUND * = FENCE (R) = RECORDED (M) = MEASURED
JOB NO. 16-050	DATE 03-10-16	
SHEET 1 OF 1	FB 462 CREW GD	DR. KRJ CHKD.

**3 WORKING DAYS  
 BEFORE YOU DIG**  
 CALL MISS DIG  
 1-800-482-7171  
(TOLL FREE)  
 FOR THE LOCATION OF UNDERGROUND FACILITIES

Locklear  
Variance Request Material  
For 5-17-16 Meeting

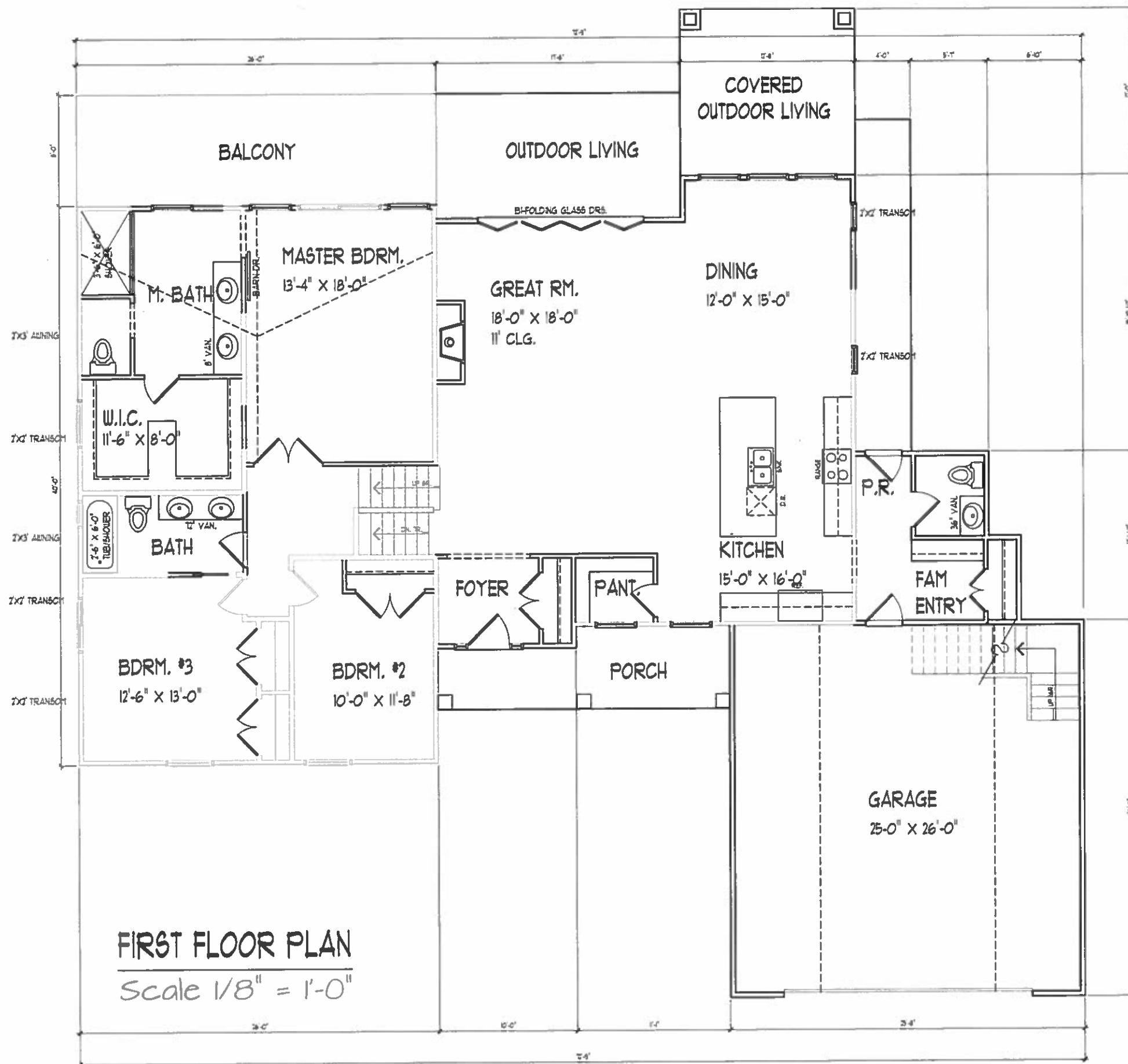


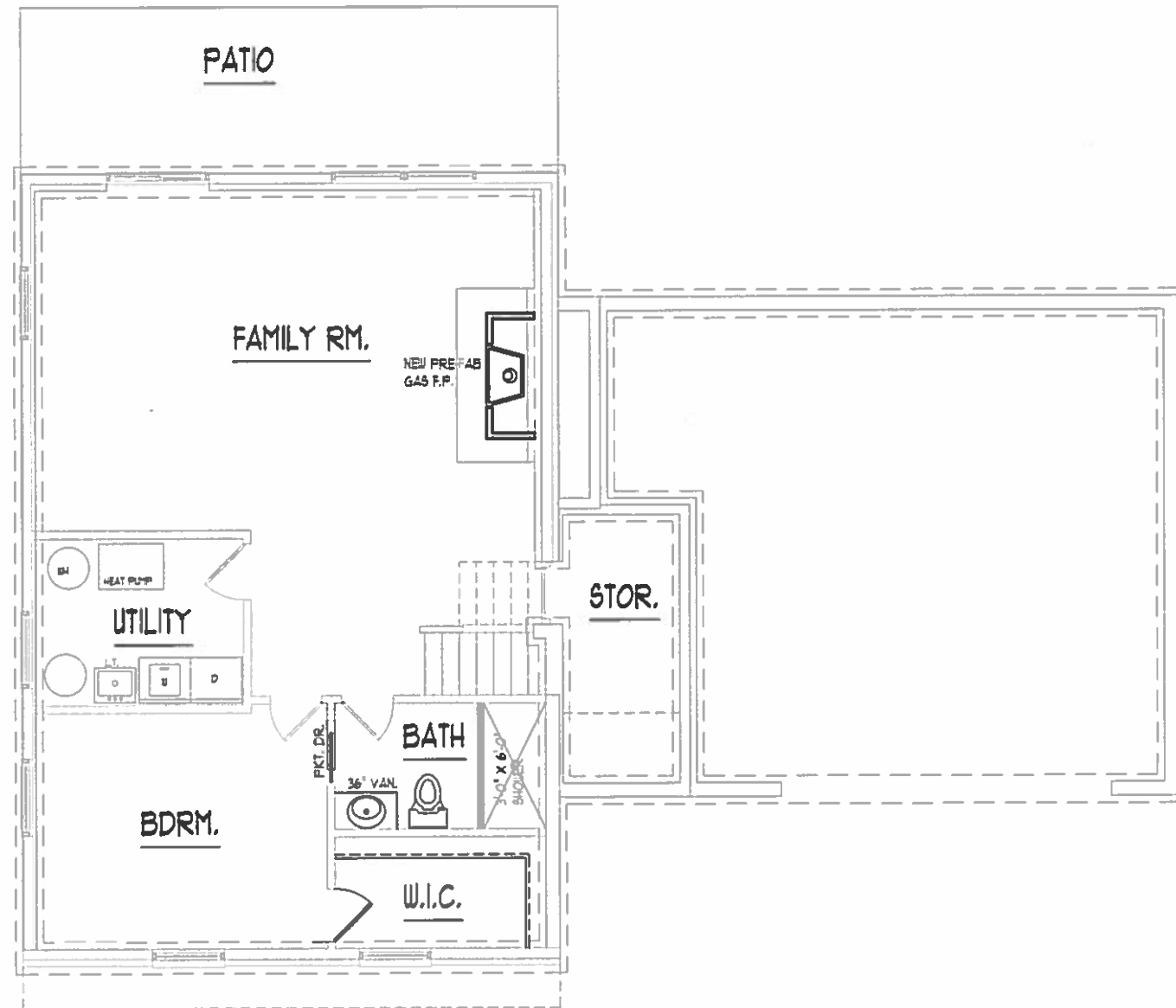
T K D E S I G N  
— & —  
A S S O C I A T E S





Front Elevation





BASEMENT FLOOR PLAN

Scale 1/8" = 1'-0"

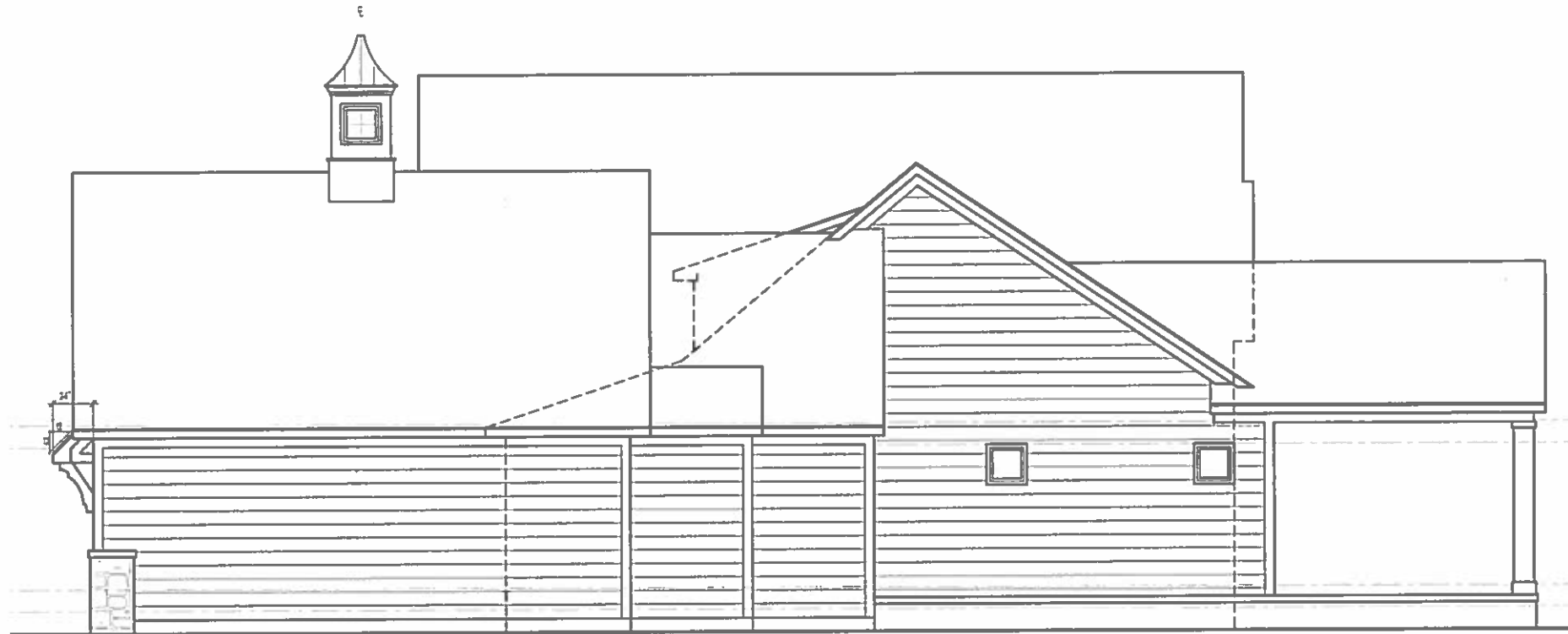


**FRONT ELEVATION**  
SCALE 1/8" = 1'-0"

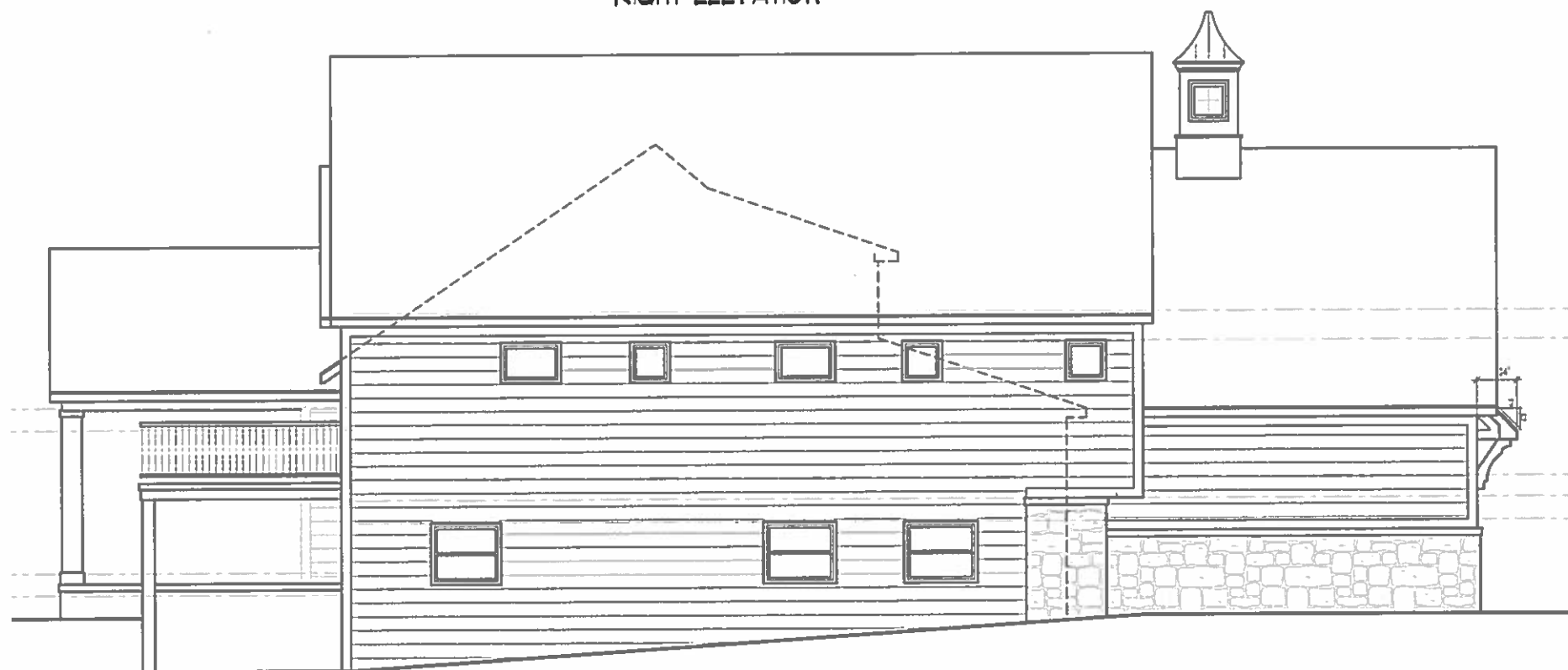


**REAR ELEVATION**

Scale 1/8" = 1'-0"

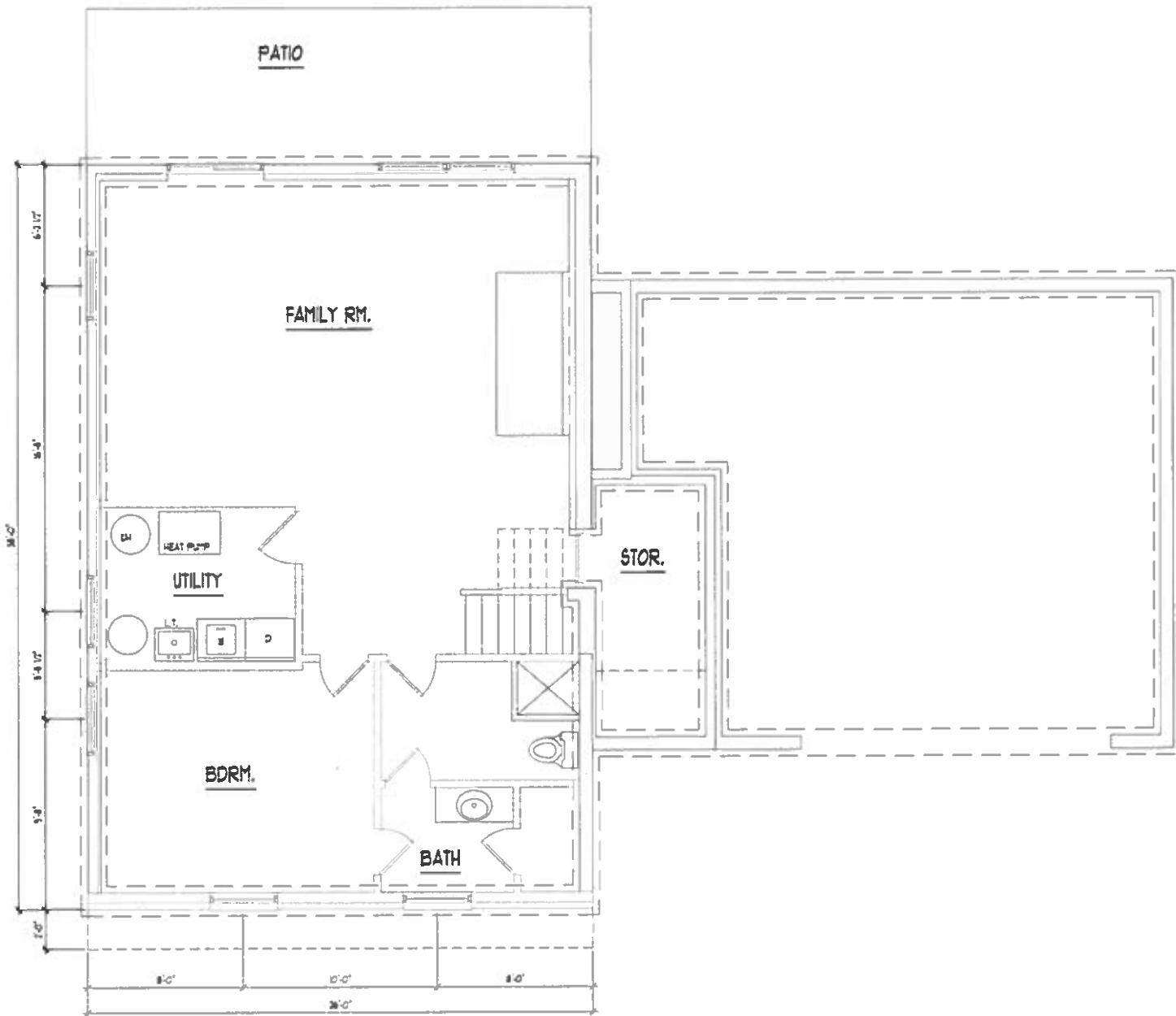


RIGHT ELEVATION

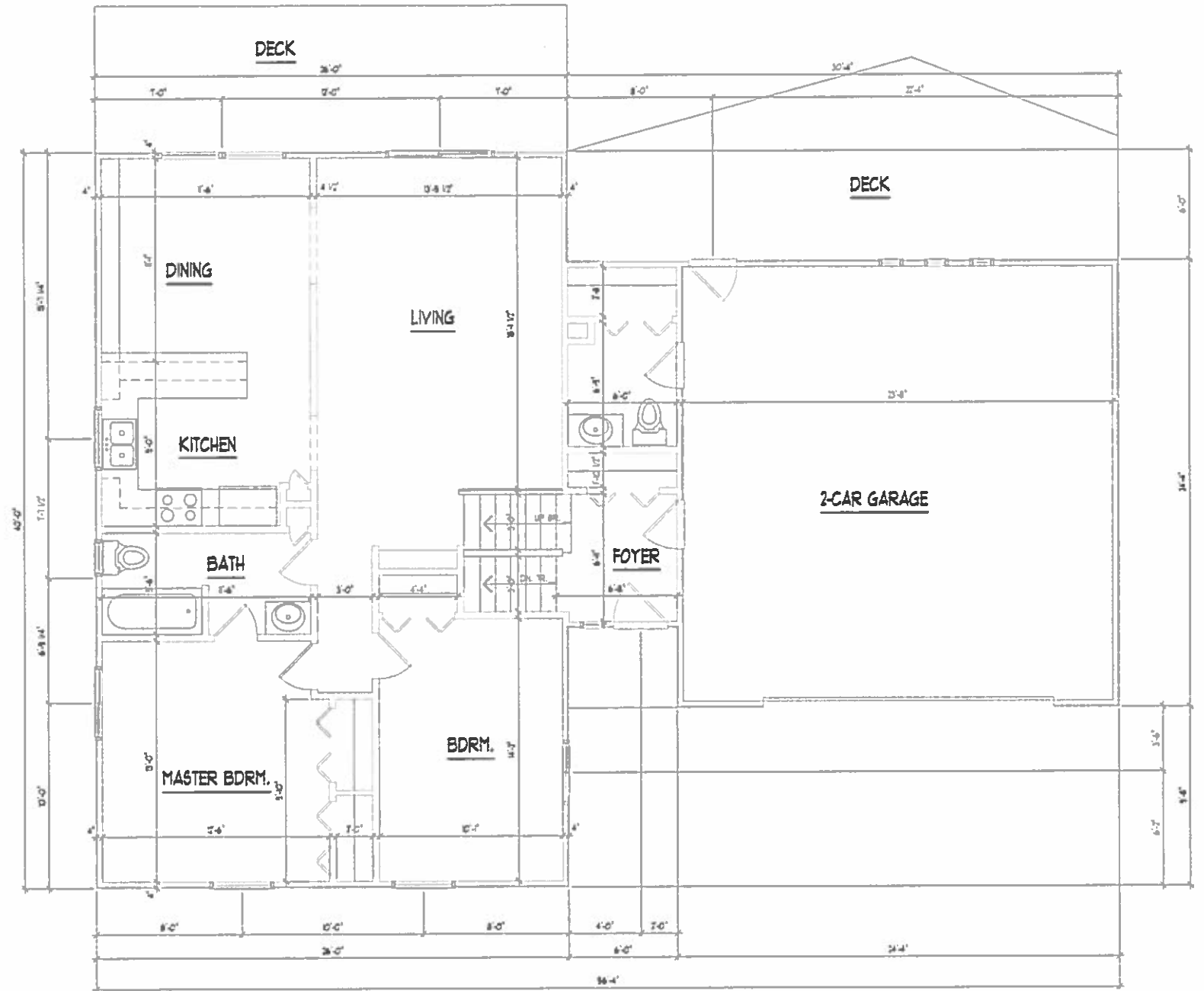


LEFT ELEVATION

Scale 1/8" = 1'-0"



EXISTING FOUNDATION PLAN



EXISTING FIRST FLOOR PLAN

Scale 1/8" = 1'-0"

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
PRAKKN SYBIL REVOCABLE L	LOCKLEAR TROY & REGINA	417,500	09/05/2014	WD	ARMS-LENGTH	2014R-026032	BUYER	100.0
PRAKKN, SYBIL M.	PRAKKN SYBIL REVOCABLE L	0	12/18/2009	QC	INVALID SALE	2009R-034047	BUYER	0.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
3406 PINERIDGE LANE	School: BRIGHTON					
	P.R.E. 100% 09/05/2014					
Owner's Name/Address	MAP #: V16-15					
LOCKLEAR TROY & REGINA 3406 PINERIDGE LANE BRIGHTON MI 48116	2017 Est TCV Tentative					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT							
				Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value	
SEC. 22 T2N, R5E CRANDALL'S CROOKED LAKE HEIGHTS NO. 1 LOT 20 AND LOT 19				LAKE FRONT	50.00	526.00	1.0000	1.9383	2300	100	222,909
				'D' FRONTAGE	34.00	526.00	1.0000	1.9383	400	100	26,361
				84 Actual Front Feet, 1.01 Total Acres Total Est. Land Value = 249,270							

Comments/Influences	X	Improved	Vacant	Land Improvement Cost Estimates						
				Description	Rate	CountyMult.	Size	%Good	Cash Value	
				Gazebo(s): Standard	2500.00	1.00	1	48		1,200
				Total Estimated Land Improvements True Cash Value = 1,200						

Topography of Site	X	Improved	Vacant	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
				Level			2017	Tentative	Tentative	Tentative
Rolling			2016	124,600	74,500	199,100			196,588C	
Low			2015	124,600	71,400	196,000			196,000S	
High			2014	119,800	64,300	184,100			119,551C	



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Topography of Site	X	Improved	Vacant	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level				2017	Tentative	Tentative	Tentative			Tentative
Rolling				2016	124,600	74,500	199,100			196,588C
Low				2015	124,600	71,400	196,000			196,000S
High				2014	119,800	64,300	184,100			119,551C

\*\*\* 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		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story	Area 24 260 306	Type CCP (1 Story) Treated Wood Treated Wood	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 576 % Good: 0 Storage Area: 0 No Conc. Floor: 0					
X	Wood Frame	(4) Interior 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		1	Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga								
	Building Style: C	Trim & Decoration Ex X Ord Min					Central Air Wood Furnace			Class: C Effec. Age: 35 Floor Area: 1950 Total Base Cost: 127,092 Total Base New : 189,366 Total Depr Cost: 123,088 Estimated T.C.V: 147,706								
	Yr Built 1980	Remodeled 0	Size of Closets Lg X Ord Small				(12) Electric 0 Amps Service											
	Condition for Age: Good	Doors	Solid X H.C.															
	Room List	(5) Floors Kitchen: Other: Other:																
	Basement 1st Floor 2nd Floor 3 Bedrooms	(6) Ceilings					No./Qual. of Fixtures Ex. X Ord. Min											
	(1) Exterior						No. of Elec. Outlets Many X Ave. Few											
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation Basement: 0 S.F. Crawl: 0 S.F. Slab: 120 S.F. Height to Joists: 0.0					(13) Plumbing Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan											
	Insulation	(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor					(14) Water/Sewer Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic											
	(2) Windows	(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF																
X	Many Avg. X Few	Large Avg. X Small																
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens																	
	(3) Roof	(10) Floor Support Joists: Unsupported Len: Cntr.Sup:																
X	Gable Hip Flat	Gambrel Mansard Shed																
X	Asphalt Shingle																	
	Chimney: Brick																	

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



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**MAY 17<sup>th</sup>, 2016**  
**CASE # 16-17**

**PROPERTY LOCATION:** 4105 Highcrest

**PETITIONER:** Daniel Trospen

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

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a waterfront, rear and front yard variance to construct a second story addition with an attached garage.

**CODE REFERENCE:** Table 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'	48'
Setbacks Requested	0	22'	11'	31'	25'	31'
Variance Amount	35	-	-	9'	-	17'



# GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

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

Case # 16-17

Meeting Date: 5-17-16

PAID Variance Application Fee  
\$125.00 for Residential | \$300.00 for Commercial/Industrial

@ 6:30 p.m.

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: Daniel Trooper

Property Address: 4105 Highcrest Phone: 734-377-9213

Present Zoning: LRR Tax Code: 11-22-302-134

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: 20x22 Garage w/ 2<sup>nd</sup> story addition

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

a. Unusual topography/shape of land (explain): shallow lot and location of existing home

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: 5-26-16 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.**

I, Dolores Judd give Daniel Troser permission to apply for a variance for 4105 Highcrest  
Brighton Mi. 48116 with Genoa Township zoning board of appeals for

*Dolores Judd*  
Dolores Judd

*3/25/16*



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** May 10, 2016  
**RE:** ZBA 16-17

---

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

### STAFF REPORT

**File Number:** ZBA#16-17  
**Site Address:** 4105 Highcrest  
**Parcel Number:** 4711-22-302-134  
**Parcel Size:** ~0.11  
**Applicant:** Daniel Trosper  
**Property Owner:** Thomas and Delores Judd (Letter of permission is included)  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variances  
**Project Description:** Applicant is requesting a rear, front and waterfront yard variance to construct an addition to an existing single family home.  
**Zoning and Existing Use:** LRR (Lake Resort Residential), Single Family Dwelling located on property.  
**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday May 1, 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 1979.
- Applicant was approved for a variance at the April 19, 2016 Zoning Board of Appeals meeting for a waterfront, rear and front yard variance. (see attached minutes)
- The survey required at the April 19, 2016 ZBA meeting revealed that the home's location on the lot was inaccurate which necessitates a new application with revised variance amounts.
- 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 an attached garage and a second story on an existing home. In order to do this the applicant would be required to obtain a front yard variance to construct the attached garage and a rear and waterfront yard variance to construct the second story. Applicant obtained approval on April 19<sup>th</sup>, 2016 for a front, rear and waterfront yard variance conditioned upon a completed stake survey. After applicant obtained the survey, it was discovered that the proposed location of the addition is on the front property line and the home is closer to the lake than originally depicted.



### **Variance Requests**

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

#### **Table 3.04.01 (LRR District):**

<b>Required Front Yard Setback:</b>	<b>35'</b>	<b>Proposed Front Yard Setback:</b>	<b>0'</b>
<b>Required Rear Yard Setback:</b>	<b>40'</b>	<b>Proposed Rear Yard Setback:</b>	<b>31'</b>
<b>Required Waterfront Setback:</b>	<b>48'</b>	<b>Proposed Waterfront Setback:</b>	<b>17'</b>

## **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 front, rear and waterfront yard setback would prevent the applicant from constructing a second story addition with an attached garage. Granting the requested variances would do substantial justice to the applicant as well as to the other property owners in the district.

**(b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home which is nonconforming. The variance would make the property consistent with the majority of other properties in the vicinity.

**(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.

**(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 front, rear and waterfront yard setback would prevent the applicant from constructing a second story addition with an attached garage.
2. The need for the variances is due to the location of the existing home 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.

**Recommended Conditions**

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

1. The addition shall be guttered with downspouts directing runoff to the lake.

Mr. Ikle stated that he meets the criteria for granting a variance per the Township Staff's report, and he has letters of support from his neighbors.

Board Member McCreary stated that the applicant is requesting to put a building on the waterfront side of the property that could block the neighbors' views of the lake.

Mr. Ikle stated the building materials for the garage will match the existing home. It is not a pole barn. He also disagrees that it will block the neighbors' views of the lake.

The call to the public was made at 7:07 p.m.

Mr. Craig Fons of 4K Chemung Investments, LLC stated he and his partner own the adjoining lot, which are directly behind the proposed building. It would be between his property and the lake. He submitted suggestions for other locations where the building could be placed on the site. Approving this variance will adversely affect his property value and there is no hardship. The applicant has other options.

The call to the public was closed at 7:12 p.m.

All Board Members feel there are other options for the building to be placed within the building envelope. They do not agree with granting this variance.

Chairman Dhaenens stated that the Board had asked Mr. Ikle to return to them with other options. Mr. Ikle stated he met with his engineer and confirmed that due to the topography of the lot, this is the only location where it can be placed. He reiterated that the Livingston County Road Commission approved the location of the driveway.

**Moved** by McCreary, seconded by Figurski, to deny Request #16-10 from Matt Ikle for 5555 Grand River to construct a detached accessory structure in the front yard as it is believed it will inhibit public safety and welfare, will negatively impact the surrounding properties, it does not meet all four of the standards of approval for granting a variance, and the hardship is self-created. **The motion carried unanimously.**

**3. 16-11...A request by Daniel Trospen, 4105 Highcrest, for a waterfront variance and front yard variance to construct an attached garage and second story addition to an existing home.**

Ms. Laura Trospen stated they are interested in purchasing this property and if they do, they would like to construct an attached garage as well as add a second story over the existing footprint. She noted they have not yet received the survey and have only submitted a mortgage survey.

Board Member McCreary asked staff what would need to be done if the survey is different than what was submitted. Ms. Ruthig stated the applicant would need to come back for a different variance.

The call to the public was made at 7:39 p.m.



04-19-16 ZBA Unapproved Minutes

Mr. Robert Jenkins of 4097 Highcrest, which is adjacent to this property, does not feel that the drawing is to scale. Also, when the home was built, it was put too close to the lake. He is concerned with the bump out to the rear of the home. He has no other concerns.

The call to the public was closed at 7:41 p.m.

**Moved** by Ledford, seconded by Poissant, to approve Case #16-11 from Daniel Trosper, 4105 Highcrest, for a 15-foot front yard variance from 35 feet to 20 feet, a waterfront variance of 5 feet from 44 feet to 39 feet and a 1-foot rear yard variance from 40 feet to 39 feet to construct a second story addition with an attached garage, based on the following findings of fact:

- Strict compliance with the setback would prevent the applicant from erecting a garage and second story addition.
- The need for the variance is due to the location of the existing home on the lot.
- The granting of this variance will not impair an adequate supply of light and air to adjacent properties 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 air of residents of the Township.
- The granting of this variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Granting of this variance is conditioned upon:

- The addition will be guttered with downspouts and water runoff directed toward the lake.
- The Township shall review the professional survey for final approval.

**The motion carried unanimously.**

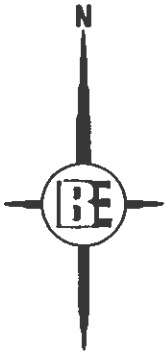
**Administrative Business:**

1. Approval of minutes for the March 15, 2016 Zoning Board of Appeals Meeting

Commissioner McCreary noted that the motion for Item #16-07 should state, "...for a 7.85 foot waterfront variance from 66.05 feet to **58.2** feet .....

**Moved** by McCreary, seconded by Poissant, to approve the March 15, 2016 Zoning Board of Appeals Meeting minutes as amended. **The motion carried unanimously, with Board Member Figurski abstaining.**

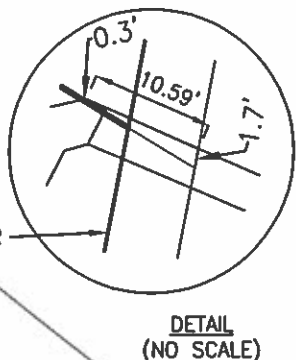
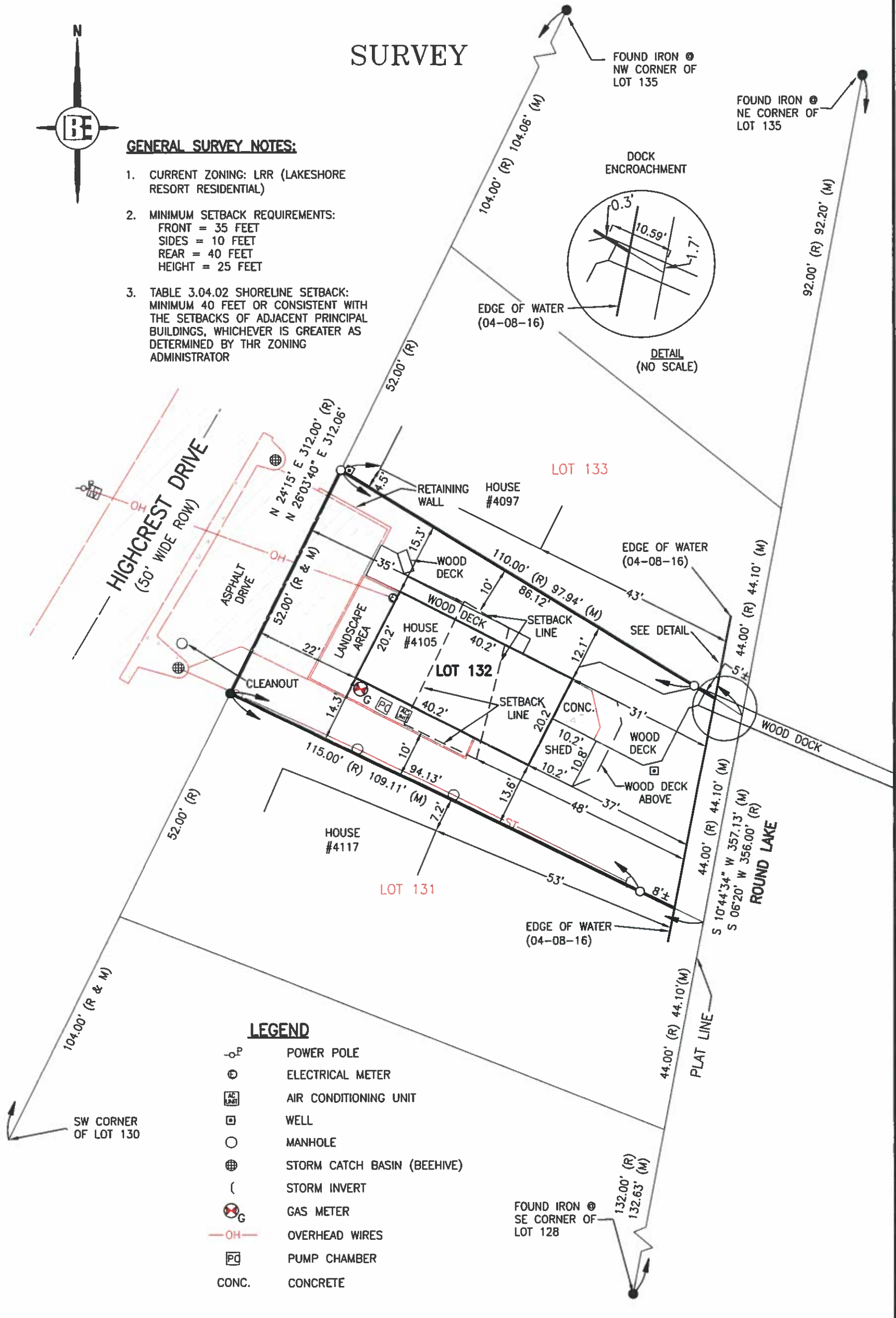
2. Correspondence – There was no correspondence.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board Meetings of March 21<sup>st</sup>, April 4<sup>th</sup>, and April 18, 2016.



# SURVEY

## GENERAL SURVEY NOTES:

1. CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)
2. MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET  
 REAR = 40 FEET  
 HEIGHT = 25 FEET
3. TABLE 3.04.02 SHORELINE SETBACK:  
 MINIMUM 40 FEET OR CONSISTENT WITH THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS, WHICHEVER IS GREATER AS DETERMINED BY THR ZONING ADMINISTRATOR



## LEGEND

- POWER POLE
- ELECTRICAL METER
- AIR CONDITIONING UNIT
- WELL
- MANHOLE
- STORM CATCH BASIN (BEEHIVE)
- STORM INVERT
- GAS METER
- OVERHEAD WIRES
- PUMP CHAMBER
- CONC. CONCRETE

DESCRIPTION:  
 LOT 132 OF "CROOKED LAKE HIGHLANDS" A SUBDIVISION PART OF THE SOUTHWEST 1/4 OF SECTION 22, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 1 OF PLATS, PAGES 39-40, LIVINGSTON COUNTY RECORDS.

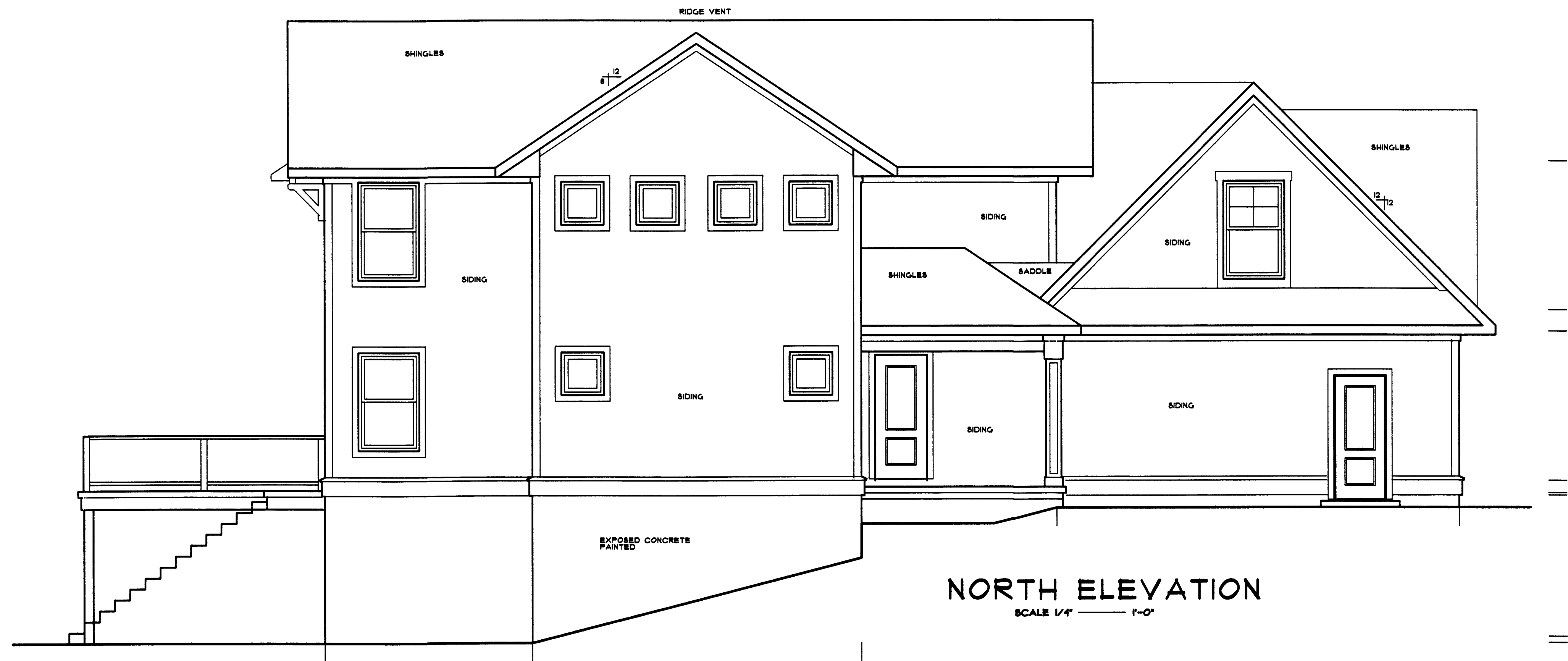
**BEBOSS**  
**Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 800.246.6735 FAX 517.548.1670

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

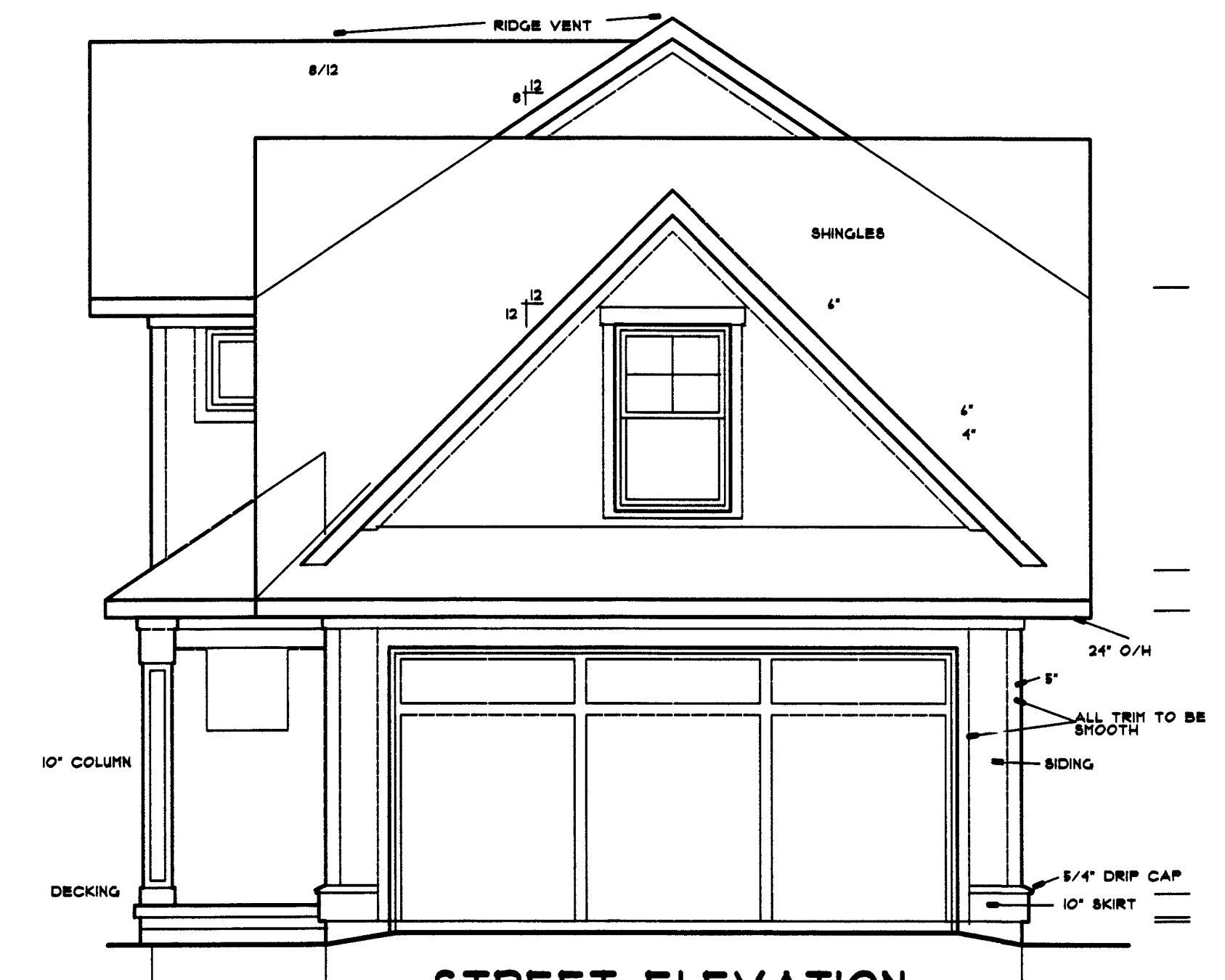
CLIENT: <b>TROSPER</b>	20 0 10 20 SCALE: 1 INCH = 20 FEET
JOB NO. 16-106	DATE 04-19-16
SHEET 1 OF 1	FB 561 CREW GD/CE DR. KRJ CHKD.

- LEGEND
- = IRON SET
  - = IRON FOUND
  - = MONUMENT FOUND
  - = FENCE
  - (R) = RECORDED
  - (M) = MEASURED

3 WORKING DAYS BEFORE YOU DIG  
 CALL MISS DIG  
 1-800-482-7171  
 (TOLL FREE)  
 FOR THE LOCATION OF UNDERGROUND UTILITIES



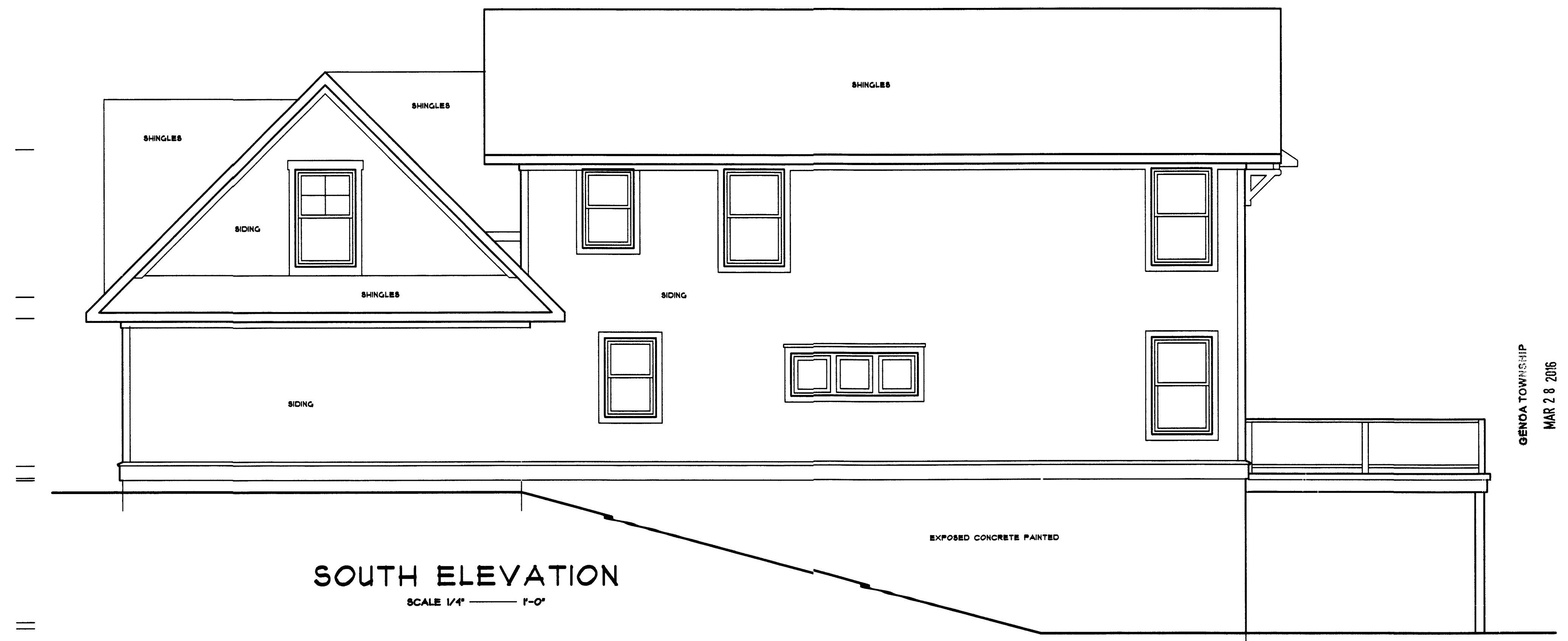
**NORTH ELEVATION**  
SCALE 1/4" = 1'-0"



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



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

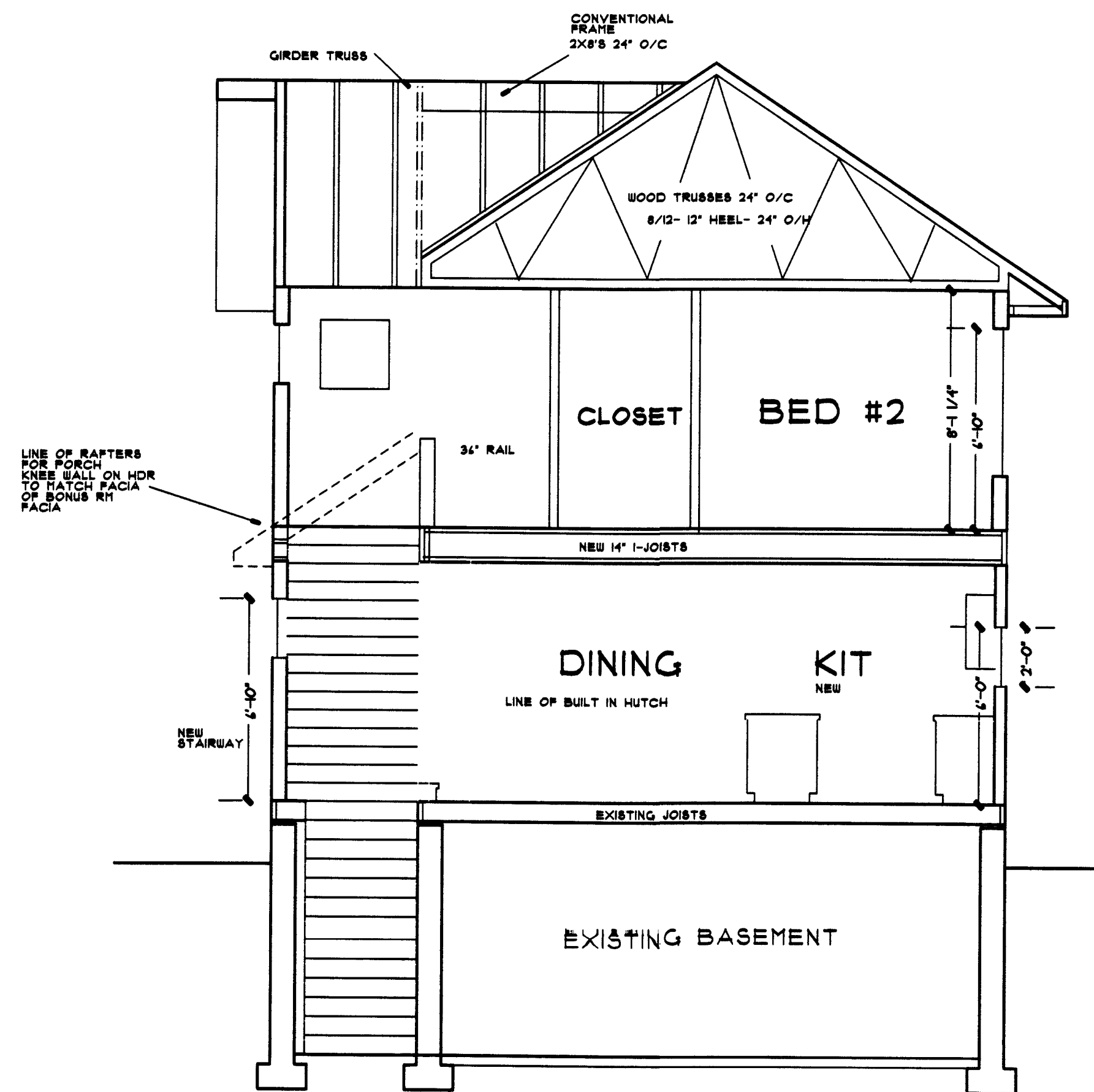


**SOUTH ELEVATION**  
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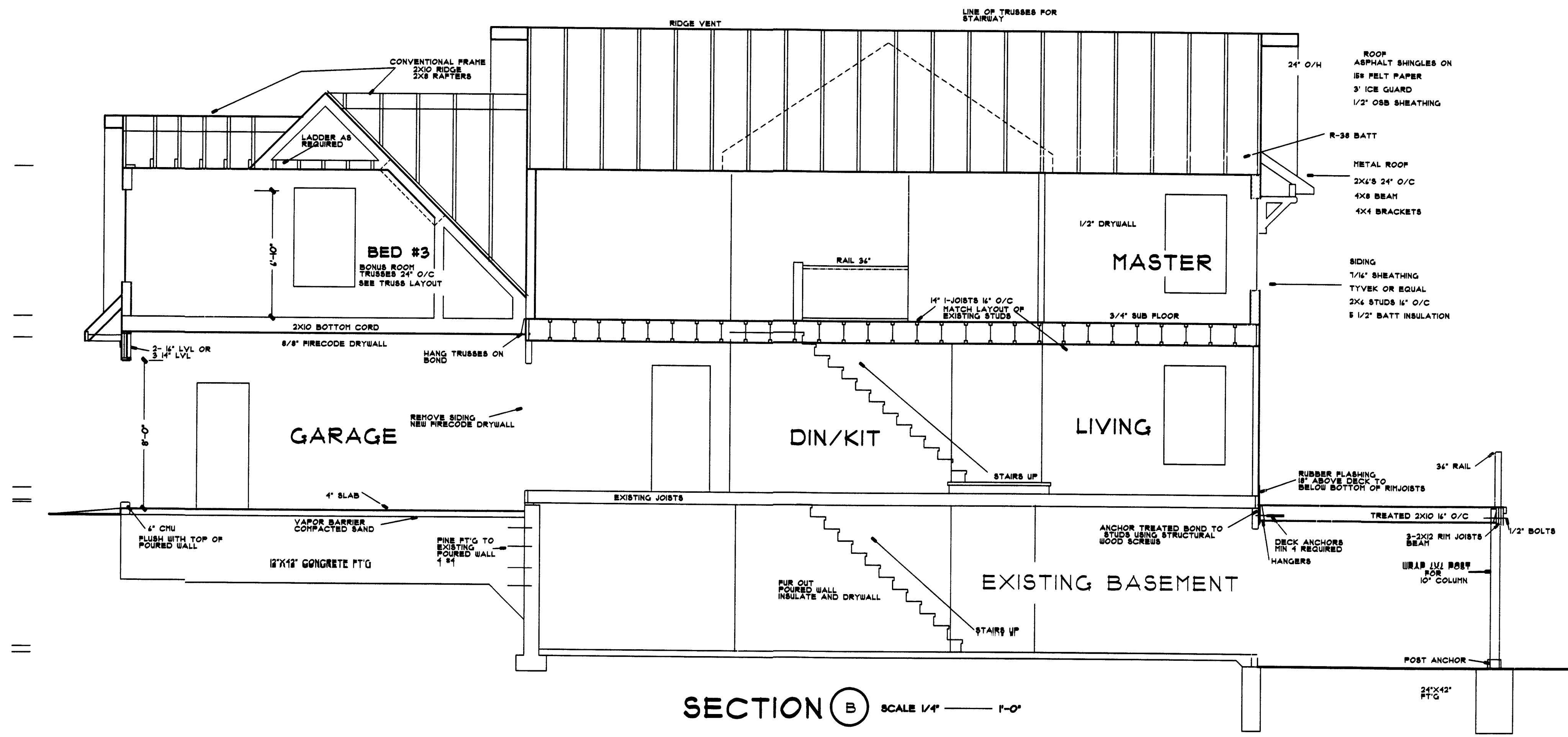
GENOA TOWNSHIP  
MAR 28 2016  
RECEIVED

DATE





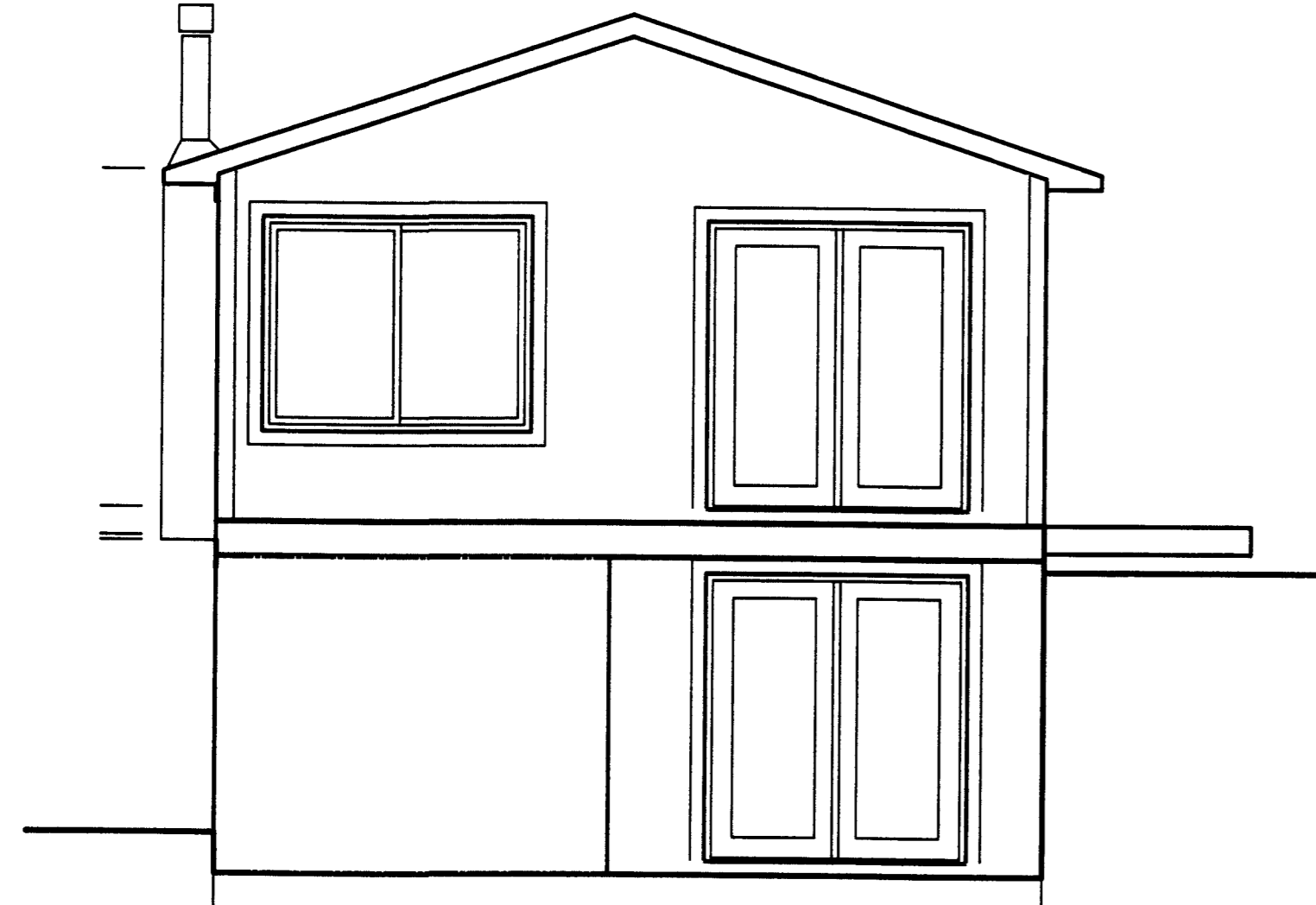
SECTION A SCALE 1/4" = 1'-0"



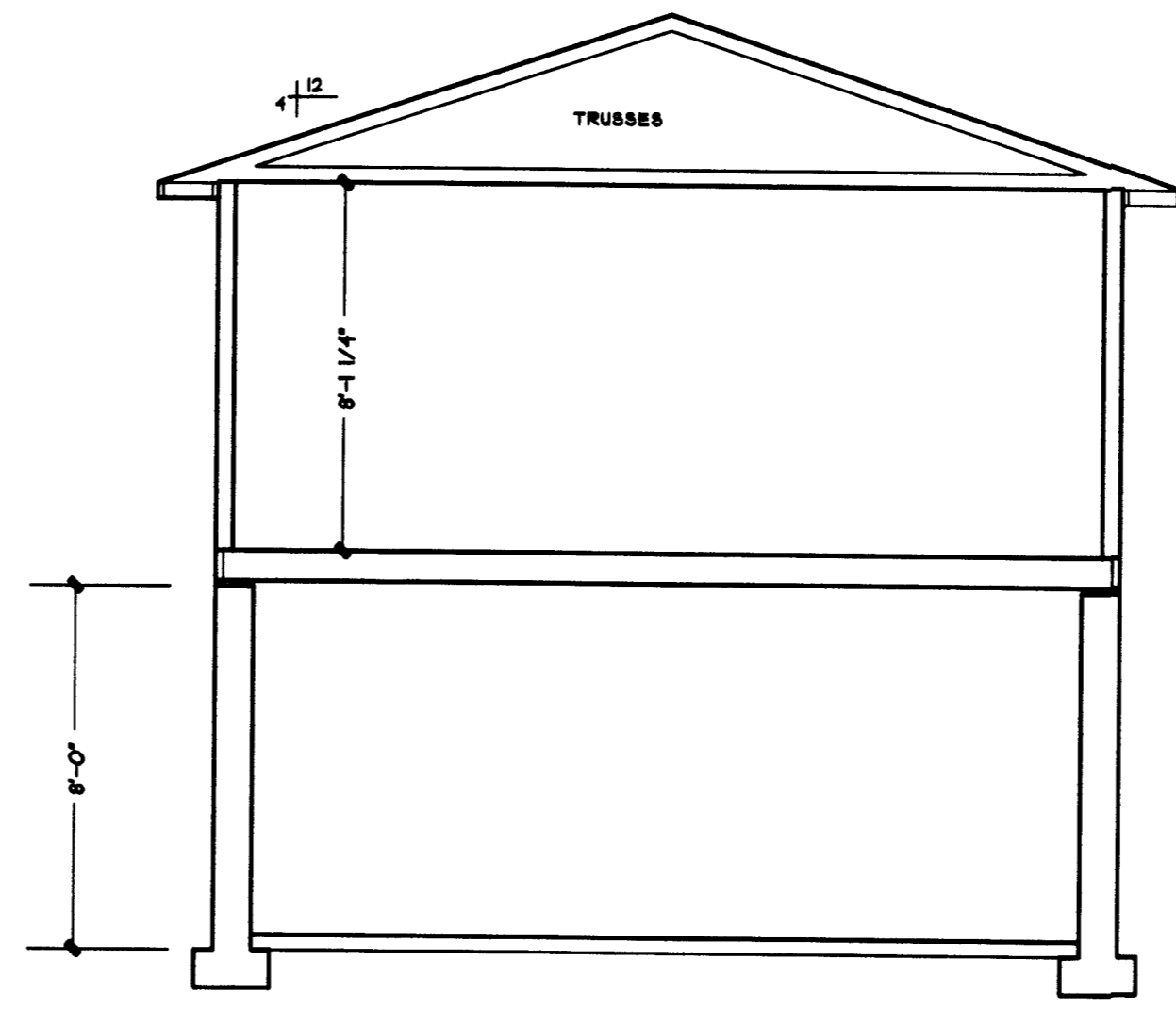
SECTION B SCALE 1/4" = 1'-0"

CONSTRUCTION NOTES

- FOUNDATION**
- \*3000 PSI CONCRETE FOR ALL FOOTINGS
- \*MIN. DEPTH BELOW GRADE 3'± CHECK LOCAL CODES
- PLATWORK**
- \*ALL PLATWORK TO BE 4000 PSI WITH AIR ENTRAINMENT CONCRETE
- \*4" THICK 2x4x4 W/1/2" FRESH PROVIDE 4 MIL VISQUEEN VAPOR BARRIER ON 4" COMPACTED SAND MIN.
- \*SLOPE TO DRAINS
- \*ONLY NON-CORROSIVE ADMIXTURES PERMITTED-ADMIXTURES CONTAINING CHLORIDE IONS ARE NOT PERMITTED
- \*EXPANSION JOINT MAT AT ALL CONC. SLABS ABUTTING CONCRETE OR MASONRY WALLS
- \*EXPANSION JOINTS AS PER LOCAL CODES
- SOIL**
- \*ALL LOADS BASED ON 2500 PSI SOIL
- \*TRENCH FOOTINGS TO VIRGIN SOIL
- MASONRY**
- \*USE TYPE N MORTAR
- \*WALL ANCHORS STRAPS 1 FOOT FROM CORNERS. 4 FOOT O/C
- \*USE LOAD BEARING MASONRY BLOCK ONLY
- WOOD FRAMING**
- \*SILL FOAM SEALER
- \*TREATED SILL PLATES WITH CONTACT WITH MASONRY OR CONCRETE
- \*2x4 STUD GRADE 1" O/C INTERIOR/ 2x4 EXTERIOR WALLS
- \*2 TOP PLATES
- \*ALL FLOOR JOISTS SIZED AS PER PLAN
- \*LADDERS OR DOUBLERS UNDER ALL PARALLEL LOAD BEARING PARTITIONS
- \*1/4 OSB SHEATHING EXTERIOR WALLS
- \*ALL MANUFACTURED JOISTS TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS
- \*MANUFACTURED PRODUCTS, JOISTS OR TRUSSES, TO BE SIZED & VERIFIED BY MANUFACTURER
- \*MANUFACTURER TO PROVIDE COMPLETE INSTALLATION INSTRUCTIONS TO INSTALLER, AS REQUIRED
- \*USE APPROVED HANGERS, ANGLES AND NAILS AS REQUIRED
- \*BRIDGING METAL OR WOOD 8" O/C
- \*ALL TRUSSES INSTALLED AS PER MANUFACTURERS SPECIFICATIONS
- \*1/2" OSB ROOF SHEATHING WITH CLIPS
- \*2x4 HEADERS ON ALL NON LOAD BEARING INTERIOR WALLS
- \*2x10 HEADERS 3' OR LESS 1/2" SOLID PLY BETWEEN
- \*2x10 HEADERS 3' OR MORE 1/2" SOLID PLY BETWEEN
- \*INTERIOR WALLS ARE DIMENSIONED STUD TO STUD
- \*CHECK LOCAL CODES FOR SPECIAL STRAPS, HURRICANE CLIPS, ETC.
- ROOFING**
- \*3" OF ICE GUARD AT START OF OVERHANG AND VALLEYS
- \*15# FELT PAPER IF REQUIRED
- \*24# ASPHALT SHINGLES
- \*RIDGE VENT
- \*VENT ROOF AS MARKED AS PER SECTIONS
- INSULATION**
- \*1/2" BATT W/VAPOR BARRIER WALLS
- \*R-34 CEILING
- \*USE Baffles AS REQUIRED
- \*10" BATT IN FLOORS EXPOSED TO OUTSIDE
- \*PROVIDE SCUTTLE HOLE AS REQUIRED
- DRYWALL**
- \*1/2" WALLS
- \*1/2" WATER RESISTANT IN BATHS
- \*5/8" FIRE CODE IN UTILITY AND AS REQUIRED IN CARPORT/FIREWALLS
- WINDOWS AND DOORS**
- \*6-0" OF DOORS AND WINDOWS AT 4'-10" UNLESS NOTED
- \*ALL BEDROOMS TO HAVE EGRESS WINDOWS-CHECK PLAN WITH LOCAL CODES
- \*EXTERIOR CASERMENT 2'-8"x5'-0"
- \*FIRE CODE DOORS AS REQUIRED
- \*CHECK LOCAL CODES FOR MINIMUM DOOR SIZE
- MISC.**
- \*SLOPE GRADE 1 IN 12 AWAY FROM STRUCTURE
- \*ALL WOOD FRAMING 8" ABOVE GRADE
- \*SMOKE DETECTORS AS REQUIRED BY CODE
- \*FIRE-FABRICATED FIREPLACES SHALL BE UL APPROVED
- \*FLUES, CHIMNEY CHASE SHALL BE APPROVED BY AND INSTALLED AS PER MANUFACTURERS SPECIFICATIONS
- \* DESIGN IS BASED ON COMMON CONSTRUCTION PRACTICES AND SUBJECT TO LOCAL CODES
- \* ANY SPECIAL ENGINEERING REQUIRED WILL BE THE RESPONSIBILITY OF OWNER/BUILDER



LAKE ELEVATION

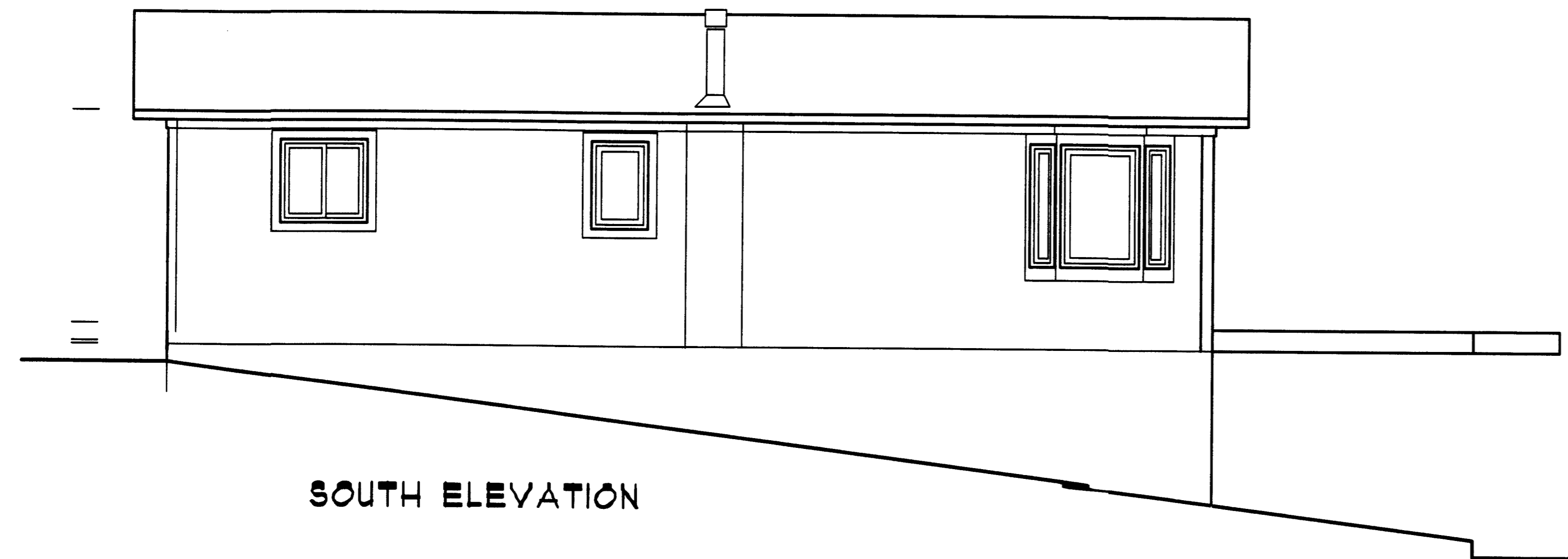


SECTION EXISTING

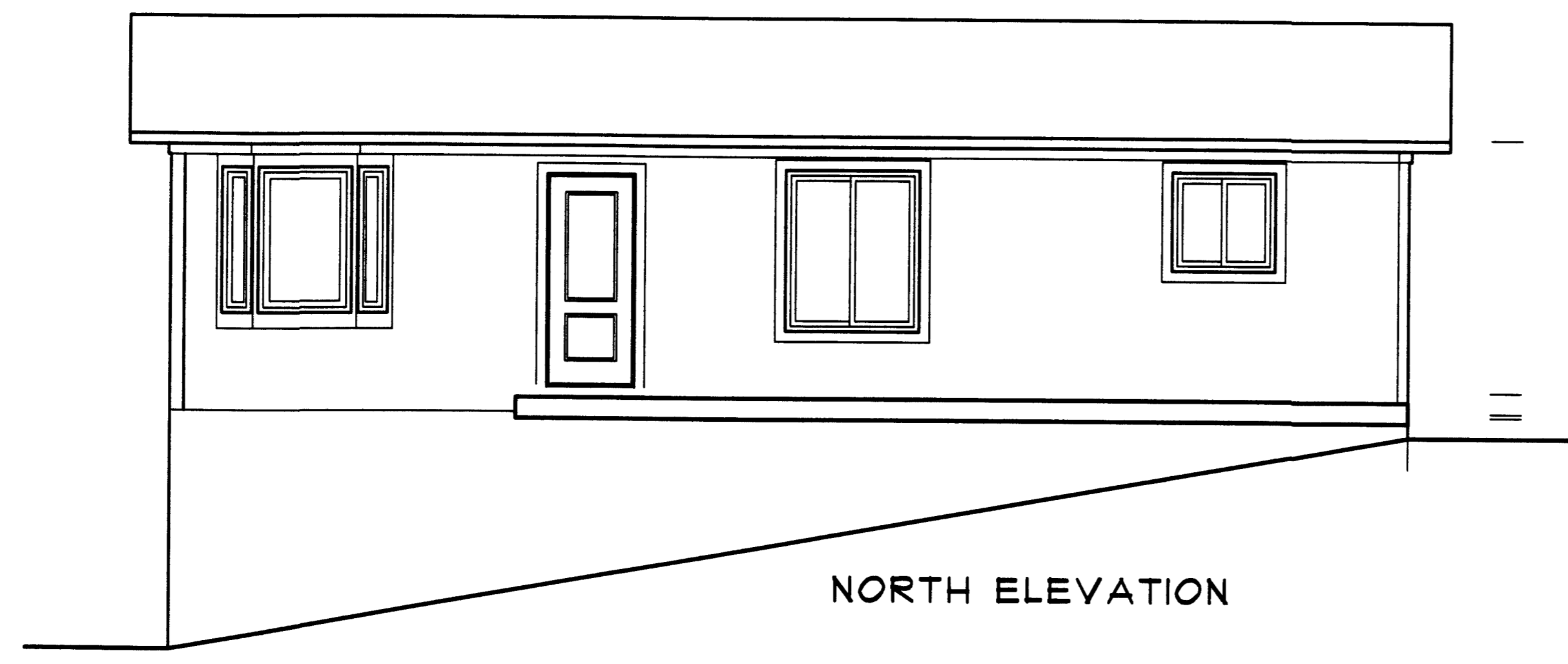
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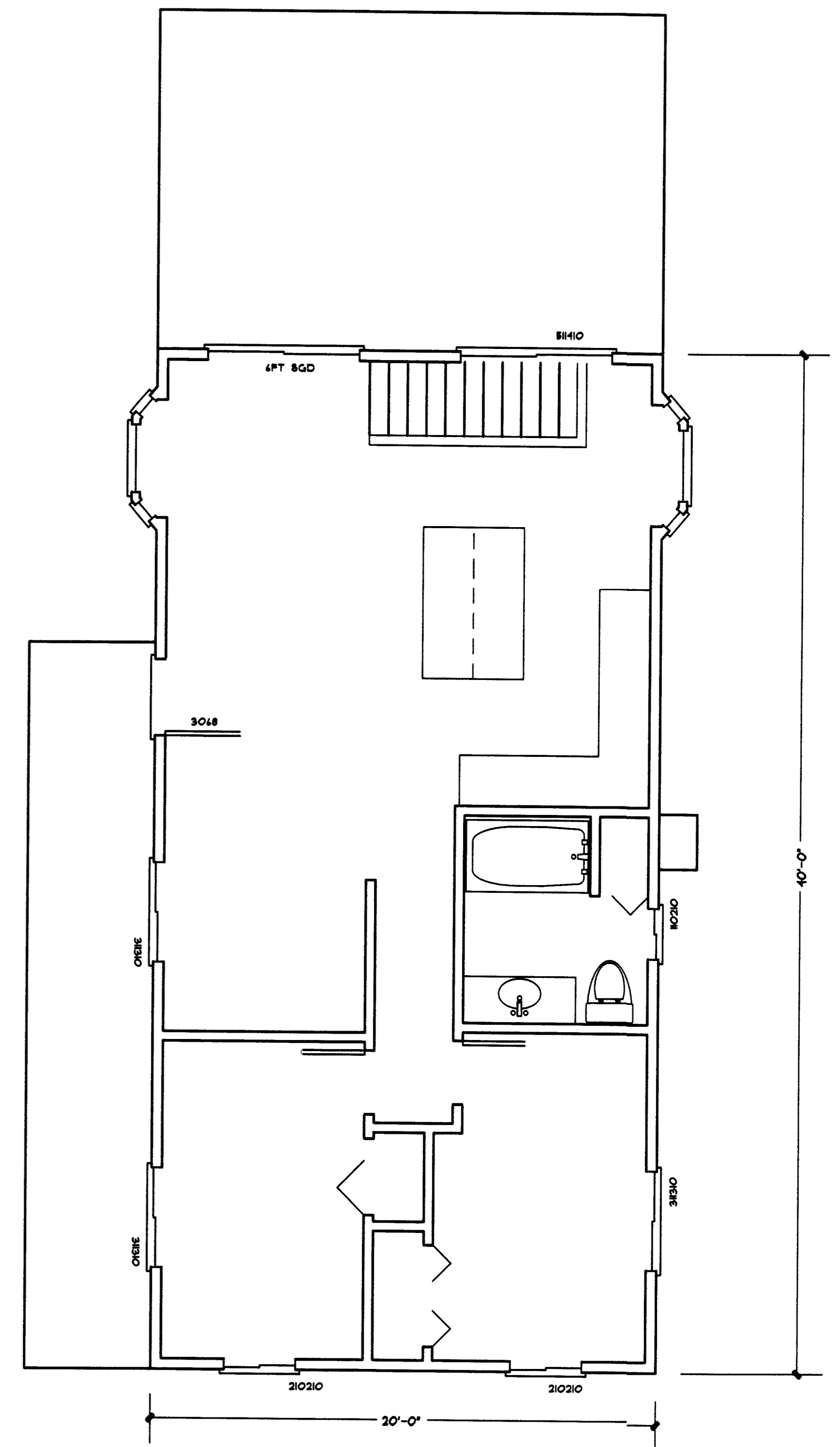
STREET ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



PLAN VIEW

SCALE 1/4" = 1'-0"

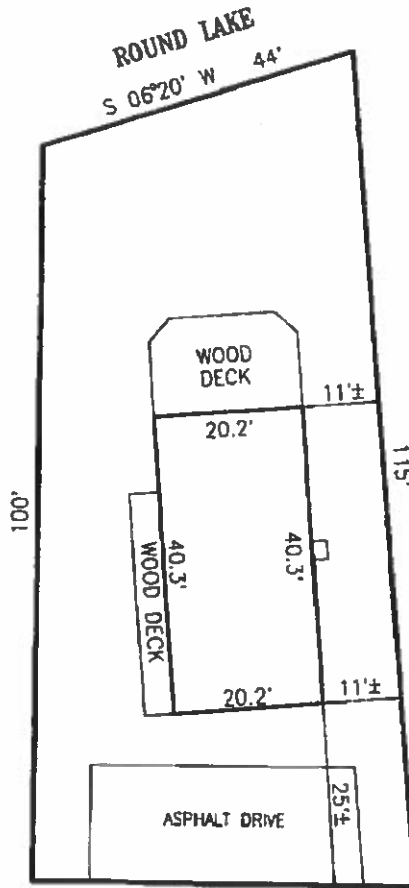
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DESIGN BY THOMAS B. COATES JR  
 213 W. MAIN ST  
 BRIGHTON, MICH 48103-2291

39-1

**PAGE**      **DATE**  
 FOR DAN TROSPER  
 134-911-9213  
 4105 HIGHCREST

MORTGAGE REPORT



HOUSE NO. 4105

1-STORY  
WOOD FRAME  
WOOD EXTERIOR  
NO BASEMENT  
ASPHALT DRIVE

N 24°15' E 52'  
**HIGHCREST DRIVE**  
-PLATTED AS: HIGHLAND AVENUE -  
(50' WD. R.O.W.) ASPHALT

 **BOSS ENGINEERING**  
ENGINEERS • SURVEYORS • PLANNERS  
LANDSCAPE ARCHITECTS

HOWELL OFFICE:  
3121 E. GRAND RIVER AVE  
HOWELL, MI 48843  
(517)546-4836 FAX (517)548-1670



Scale: 1" = 20'  
Job No: M-40424

# MORTGAGE REPORT

Certified To: **BANK ONE MORTGAGE CENTER**  
Loan Number: **10000089**  
Applicant: **CRAIG D. & ELIZABETH A. HAGEN**

I hereby certify that this inspection report shows the improvement or improvements as located on the premises described, that the improvement or improvements are entirely within lot lines, and that there are no encroachments upon the premises described by the improvement or improvements of any adjoining premises, except as indicated.

I further certify that this Mortgagee's inspection was prepared for identification purposes only for the Mortgagee in connection with this mortgage and is not intended or represented to be a land or property line survey; that no property corners were set; and is not to be used, or relied upon, for the establishment of any fence, building, or other improvement lines.

Property Address: **4105 HIGHCREST DRIVE**

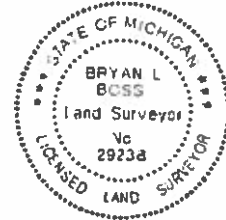
**Description:**

Lot 132 of "CROOKED LAKE HIGHLANDS", a subdivision of part of the Southwest ¼ of Section 22, T2N-R5E, Genoa Township, Livingston County, Michigan, as recorded in Liber 1 of Plats, Pages 39-40, Livingston County Records.



DATE: 7/19/00

JOB NO: M40424



3121 EAST GRAND RIVER HOWELL, MICHIGAN 48843  
PHONE (517)548-4836 FAX (517)548-1670 E MAIL - bosseng@tami.net



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
THERRIEN, MICHAEL	JUDD THOMAS & DOLORES	230,000	07/24/2006	TA	ARMS-LENGTH		BUYER	100.0
MIKLOS, DIANA & JOE	THERRIEN	155,000	11/15/1996	WD	ARMS-LENGTH	2115-0703	BUYER	100.0
		118,000	07/01/1990	WD	ARMS-LENGTH		BUYER	0.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
4105 HIGHCREST	School: BRIGHTON					
Owner's Name/Address	P.R.E. 100% 07/25/2006					
JUDD THOMAS & DOLORES 4105 HIGHCREST BRIGHTON MI 48116	MAP #: V16-11					
	2017 Est TCV Tentative					

Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT							
			Description	Frontage	Depth	Front Depth	Rate	%Adj. Reason	Value	
SEC. 27 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 132			LAKE FRONT	44.00	106.00	1.0000	0.8701	2300	100	88,058
Comments/Influences			44 Actual Front Feet, 0.11 Total Acres Total Est. Land Value = 88,058							

Comments/Influences	Land Improvement Cost Estimates					
	Description	Rate	CountyMult.	Size	%Good	Cash Value
	Shed: Wood Frame	11.23	1.00	110	42	519
	Total Estimated Land Improvements True Cash Value =					519

Public Improvements	Topography of Site					
	Level	Rolling	Low	High	Landscaped	Swamp
Dirt Road						
Gravel Road						
Paved Road						
Storm Sewer						
Sidewalk						
Water						
Sewer						
Electric						
Gas						
Curb						
Street Lights						
Standard Utilities						
Underground Utils.						



Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2017	Tentative	Tentative	Tentative			Tentative
2016	44,000	67,200	111,200			101,671C
2015	44,000	66,500	110,500			101,367C
2014	42,100	61,900	104,000			99,771C

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

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins		(15) Fireplaces		(16) Porches/Decks		(17) Garage																																																																																																																																														
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area	Type	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:																																																																																																																																															
X	Wood Frame		(4) Interior 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																																																																																																																																																						
Building Style: C		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace																																																																																																																																																							
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Condition for Age: Good				No. of Elec. Outlets Many X Ave. Few																																																																																																																																																							
Room List		(5) Floors		(13) Plumbing Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan																																																																																																																																																							
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X	Wood/Shingle Aluminum/Vinyl Brick																																																																																																																																																										
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(2) Windows		Basement: 820 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0																																																																																																																																																									
X	Many Avg. X Few	Large Avg. X Small	(8) Basement																																																																																																																																																								
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																																																																																																																																									
(3) Roof		(9) Basement Finish																																																																																																																																																									
X	Gable Hip Flat	Gambrel Mansard Shed	205 Recreation SF Living SF 1 Walkout Doors No Floor SF																																																																																																																																																								
X	Asphalt Shingle	(10) Floor Support																																																																																																																																																									
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:																																																																																																																																																									
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**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
April 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: Jeff Dhaenens, Marianne McCreary, Jean Ledford, Barb Figurski and Jerry Poissant.

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

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

**Approval of the Agenda:**

**Moved** by Ledford, seconded by Poissant, to approve the agenda as presented. **The motion carried unanimously.**

**Call to the Public:** The call to the public was made at 6:33 p.m. with no response.

- 1. 16-05...A request by Michael A. Quin, 1731 Fisk Road, for a side yard setback variance to build a detached garage.**

Chairman Dhaenens stated that the applicant has requested to have this item tabled until the May 17, 2016 ZBA meeting.

**Moved** by McCreary, seconded by Figurski, to table Agenda Item #1, Case #16-05 at the request of the applicant. **The motion carried unanimously.**

- 2. 16-10...A request by Matt Ikle, 5555 E. Grand River, for a variance to construct a detached accessory structure in the front yard.**

Mr. Ikle stated that his builder has submitted a letter addressing the concerns of the Board at their last meeting. Also, the Livingston County Road Commission issued him a permit for the driveway. He submitted a picture showing a similar garage in a similar location on a lot in his neighborhood. He stated the practical difficulty is the topography of the lot. It does not permit the garage to be placed at any other location on the site, which he has confirmed with his engineer.

Board Member Figurski stated she visited the site today and could not determine the proposed location of the building or the driveway. Mr. Ikle stated it has been staked by his engineer and the Road Commission. Ms. Figurski feels it is too close to the road.

Chairman Dhaenens stated that the engineer noted that the garage could be placed at another location on the site; however, it would require more excavation and be more expensive.

Mr. Ikle stated that he meets the criteria for granting a variance per the Township Staff's report, and he has letters of support from his neighbors.

Board Member McCreary stated that the applicant is requesting to put a building on the waterfront side of the property that could block the neighbors' views of the lake.

Mr. Ikle stated the building materials for the garage will match the existing home. It is not a pole barn. He also disagrees that it will block the neighbors' views of the lake.

The call to the public was made at 7:07 p.m.

Mr. Craig Fons of 4K Chemung Investments, LLC stated he and his partner own the adjoining lot, which are directly behind the proposed building. It would be between his property and the lake. He submitted suggestions for other locations where the building could be placed on the site. Approving this variance will adversely affect his property value and there is no hardship. The applicant has other options.

The call to the public was closed at 7:12 p.m.

All Board Members feel there are other options for the building to be placed within the building envelope. They do not agree with granting this variance.

Chairman Dhaenens stated that the Board had asked Mr. Ikle to return to them with other options. Mr. Ikle stated he met with his engineer and confirmed that due to the topography of the lot, this is the only location where it can be placed. He reiterated that the Livingston County Road Commission approved the location of the driveway.

**Moved** by McCreary, seconded by Figurski, to deny Request #16-10 from Matt Ikle for 5555 Grand River to construct a detached accessory structure in the front yard as it is believed it will inhibit public safety and welfare, will negatively impact the surrounding properties, it does not meet all four of the standards of approval for granting a variance, and the hardship is self-created. **The motion carried unanimously.**

**3. 16-11...A request by Daniel Trosper, 4105 Highcrest, for a waterfront variance and front yard variance to construct an attached garage and second story addition to an existing home.**

Ms. Laura Trosper stated they are interested in purchasing this property and if they do, they would like to construct an attached garage as well as add a second story over the existing footprint. She noted they have not yet received the survey and have only submitted a mortgage survey.

Board Member McCreary asked staff what would need to be done if the survey is different than what was submitted. Ms. Ruthig stated the applicant would need to come back for a different variance.

The call to the public was made at 7:39 p.m.

Mr. Robert Jenkins of 4097 Highcrest, which is adjacent to this property, does not feel that the drawing is to scale. Also, when the home was built, it was put too close to the lake. He is concerned with the bump out to the rear of the home. He has no other concerns.

The call to the public was closed at 7:41 p.m.

**Moved** by Ledford, seconded by Poissant, to approve Case #16-11 from Daniel Trosper, 4105 Highcrest, for a 15-foot front yard variance from 35 feet to 20 feet, a waterfront variance of 5 feet from 44 feet to 39 feet and a 1-foot rear yard variance from 40 feet to 39 feet to construct a second story addition with an attached garage, based on the following findings of fact:

- Strict compliance with the setback would prevent the applicant from erecting a garage and second story addition.
- The need for the variance is due to the location of the existing home on the lot.
- The granting of this variance will not impair an adequate supply of light and air to adjacent properties 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 air of residents of the Township.
- The granting of this variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Granting of this variance is conditioned upon:

- The addition will be guttered with downspouts and water runoff directed toward the lake.
- The Township shall review the professional survey for final approval.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the March 15, 2016 Zoning Board of Appeals Meeting

Commissioner McCreary noted that the motion for Item #16-07 should state, "...for a 7.85 foot waterfront variance from 66.05 feet to **58.2** feet .....".

**Moved** by McCreary, seconded by Poissant, to approve the March 15, 2016 Zoning Board of Appeals Meeting minutes as amended. **The motion carried unanimously, with Board Member Figurski abstaining.**

2. Correspondence – There was no correspondence.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board Meetings of March 21<sup>st</sup>, April 4<sup>th</sup>, and April 18, 2016.

4. Planning Commission Representative Report - Board Member Figurski was not present at the previous Planning Commission meeting. Ms. Ruthig gave a review of the April 11, 2016 Planning Commission meeting.
5. Zoning Official Report - Ms. Ruthig stated she is working with the Livingston County Building Department regarding an abandoned home that may need to be demolished. Also, there will be an application before the Board for a garage that was built without a permit and requires a variance.
6. Member Discussion – No members had anything to discuss.
7. Adjournment

**Moved** by Ledford, seconded by Figurski, to adjourn the meeting at 8:03 p.m. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary