

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
June 21, 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. 16-18 ... A request by Michael Berean, Parcel ID 4711-12-100-008, Vacant parcel on Euler Road, for a use variance to allow for horses in a Rural Residential zoning, variance from the required natural features setback from MDEQ regulated wetland and a height variance for a fence located in the front yard.
2. 16-18 ... A request by Stephen Gucciardo, 4133 Highcrest, for a front yard variance to build a second-story addition and an attached garage.
3. 16-20 ... A request by Jeff Jacobs, 4391 Skusa, for a rear yard setback variance to build an addition to an existing home.
4. 16-21 ... A request by Richard Ruggles, 806 Sunrise Park, for side and rear yard variances to build a detached garage.

Administrative Business:

1. Approval of minutes for the May 17, 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
JUNE 21, 2016
CASE # 16-18

PROPERTY LOCATION: Vacant parcel #11-12-100-008, Euler Road

PETITIONER: Michael Berean

ZONING: RR (Rural Residential)

WELL AND SEPTIC INFO: Well and septic

PETITIONERS REQUEST: Requesting a variance from the required 25 foot natural features setback from a MDEQ regulated wetland, fence height variance and a use variance to allow horses in a RR zoning.

CODE REFERENCE: 11.04.04, 13.02.04 (d), 3.03.02 (g) (2)

STAFF COMMENTS: See Staff Report

DETACHED ACCESSORY STRUCTURE	Natural Features Setback	Fence Height	Horses
Required Setback	25	3'	CE/AG
Setbacks Requested	15'	5'	RR
Variance Amount	10'	2'	To Allow



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

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

Case # 16-18

Meeting Date: June 21, 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 Borean

Property Address: Not assigned Tax ID - 1112100006 Phone: 734 244 6247

Present Zoning: RR Tax Code: 4711-12-100-006

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: 1) 2 Horses in RR zone (parcel is 10 acres)
2) variance for front yard fence height of 5' (not visible from road)
3) wetland variance of 10' for pasture fence
2. Intended property modifications: fence posts for pasture, cedar post + electric fence
 - a. Unusual topography/shape of land (explain): area of wetlands is determining shape of pasture + fence is 200' deep from road frontage
 - b. Other (explain): Wetland area will not support RR 2 acre parcels. wetland has made only back of property usable w/o impacting wetlands.

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: 5/10/16 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: June 14, 2016
RE: ZBA 16-18

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

STAFF REPORT

File Number: ZBA#16-18
Site Address: Vacant, Euler Road
Parcel Number: 4711-12-100-008
Parcel Size: 10.013 Acres
Applicant: Michael Berean
Property Owner: Joyce Oliveto, 963 Peaceful Court, Brighton, MI 48114
Information Submitted: Application and site plan
Request: Use and Dimensional Variances

Project Description: Applicant is requesting a variance from the required 25 foot natural features setback from MDEQ regulated wetland, a use variance to allow horses in Rural Residential (RR) zoning, a 2 foot height variance to install a 5 foot fence.

Zoning and Existing Use: RR (Rural Residential), vacant property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 3, 2016 and a 300 foot mailing was sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

Background

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

- See Real Estate Summary and Record Card.
- In 2003, the parcel and surrounding area was rezoned from PRF (public recreation facility) to RR (rural residential) by the previous owner.

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 install a 5' fence within the front yard and the fence would encroach into the required 25 foot natural features setback from a MDEQ regulated wetland. Applicant is also requesting a use variance to allow horses within the RR zoning which currently prohibits equine. It should be noted that there is a pending rezoning to CE (Country Estates) which would eliminate the need for the use variance which will be heard at the July Planning Commission meeting.

Variance Requests

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

Table 11.04.04:		13.02.04 (d)	
Required Fence Height:	3'	Required Wetland Setback:	25'
Proposed Fence Height:	5'	Proposed Wetland Setback:	15'
Proposed Variance Amount:	2'	Proposed Variance Amount:	10'

3.03.02 (g) (2) Use Variance: to allow horses in a RR zoning currently allowed in CE/AG

Standards for Approval

The following are the standards of approval that are listed in the Zoning Ordinance for use, dimensional and wetland variances:

23.05.04 Criteria Applicable to Use Variances. The Board of Appeals may grant a use variance only upon a finding that an unnecessary hardship exists. A use variance is approval to allow a use that is otherwise not permitted in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of all of the following:

- (a) Unreasonable Current Zoning Designation. The applicant has demonstrated that the site cannot reasonably be used for any of the uses allowed within the current zoning district designation. The Board of Appeals may require submission of documentation from professionals or certified experts to substantiate this finding.
- (b) Unique Circumstances. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must prove that there are certain features or conditions of the land that are not generally applicable throughout the zone and that these features make it impossible to earn a reasonable return without some adjustment.
- (c) Not Self-Created. The problem and resulting need for the variance has not been self-created. The Board of Appeals shall consider changes made to the property by the applicant and near term predecessors.
- (d) Capacity of Roads, Infrastructure and Public Services. The capacity and operations of public roads, utilities, other facilities and services will not be significantly compromised.

(e) Character of Neighborhood. The use variance will not alter the essential character of the neighborhood nor be a detriment to adjacent properties.

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.

Staff finding of facts

Please note that in order for a variance to be approved it has to meet all of the standards in 23.05.04 for the use variance, 23.05.03 for the fence height variance and 13.02.05 for the natural features variance.

The following are findings based upon the presented materials.

Regarding 23.05.04- Use

- (a) The applicant has not demonstrated that the site cannot be reasonably used for any of the uses allowed within the RR zoning. In fact, by purchasing the property and constructing a home they are establishing a principle use which eliminates this criteria.
- (b) There are not unique circumstances peculiar to the property and or other properties in the RR zoning district. The applicant has not proved that there are certain features or conditions of the land that are not applicable throughout the zone. In addition, the keeping of horses is not necessary to earn a reasonable return.
- (c) The prior owner of the property petitioned the Township and successfully made the argument to have the area rezoned from PRF to RR. The current owner purchased the property while under the RR zoning so the need for the variance is self-created.
- (d) The capacity and operations of public roads, utilities, other facilities and services will not be significantly compromised.
- (e) This property is located in a predominantly rural and agricultural area. The use variance would not alter the character of the neighborhood. The keeping of equine in the RR district has a high potential to pose a detriment to adjacent properties.

Regarding 23.05.03- Dimensional

- (a) **Practical Difficulty/Substantial Justice** –Strict compliance with the fence height in the front yard would prevent the applicant from installing a 5’ fence to enclose the pasture.
- (b) **Extraordinary Circumstances** – The exceptional or extraordinary circumstances or conditions applicable to the property or intended use which are different. Suitable septic soils were located in the rear of the site prompting the proposed home to be located in the rear of the site.
- (c) **Public Safety and Welfare** – The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (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.

Regarding 13.02.05- Natural Features Setback

- (a) The applicant should discuss what his clearing and installation methods will be and what efforts will be made to protect and preserve the wetland.
- (b) The applicant should demonstrate that the natural drainage pattern to the wetland will not be affected with the installation of the fence and pasture.
- (c) The applicant should demonstrate that the variance will not 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.

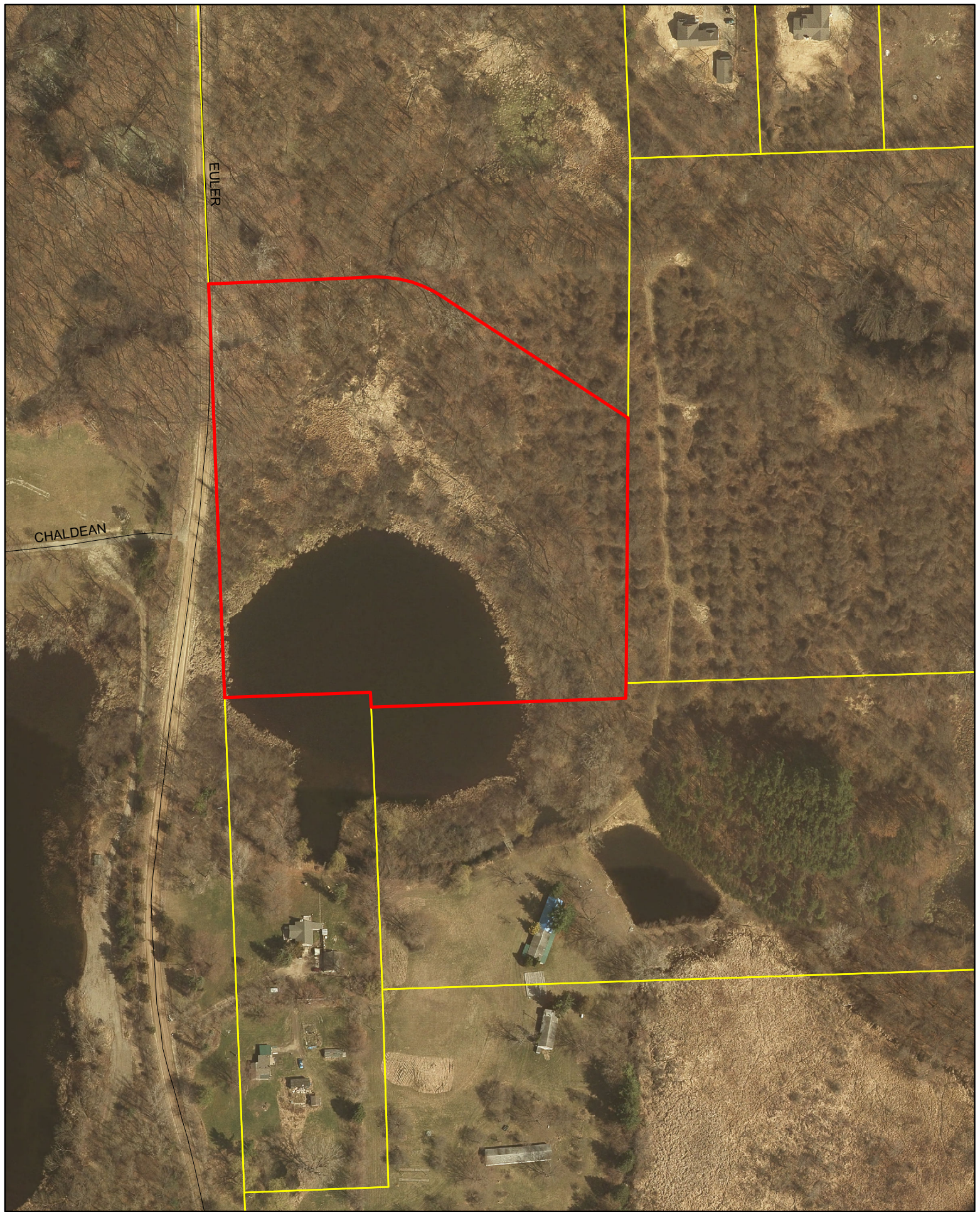
(d) It is unclear why the applicant is unable to decrease the need for the variance by reducing the size of the pasture and maintain the wetland setback.

(e) A MDEQ permit is not needed for a work inside in the 25 foot natural features setback from the wetland.

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.



Orthophotos Flown Spring 2015
Parcel lines are a representation only;
Not intended for survey purposes.

PROPERTY LOCATION: Euler Rd

PETITIONER: Mike and Dori Berean

ZONING: RR (Rural Residential)

WELL AND SEPTIC INFO: Well and Septic to be installed per code

PETITIONERS REQUEST: 2' front fence height variance, 10' wetland setback variance.

Use Variance- (2) horses within (RR) zoning

CODE REFERENCE: 3.04.01, 13.02.01 (b) 4, 13.02.04 (c) (d)

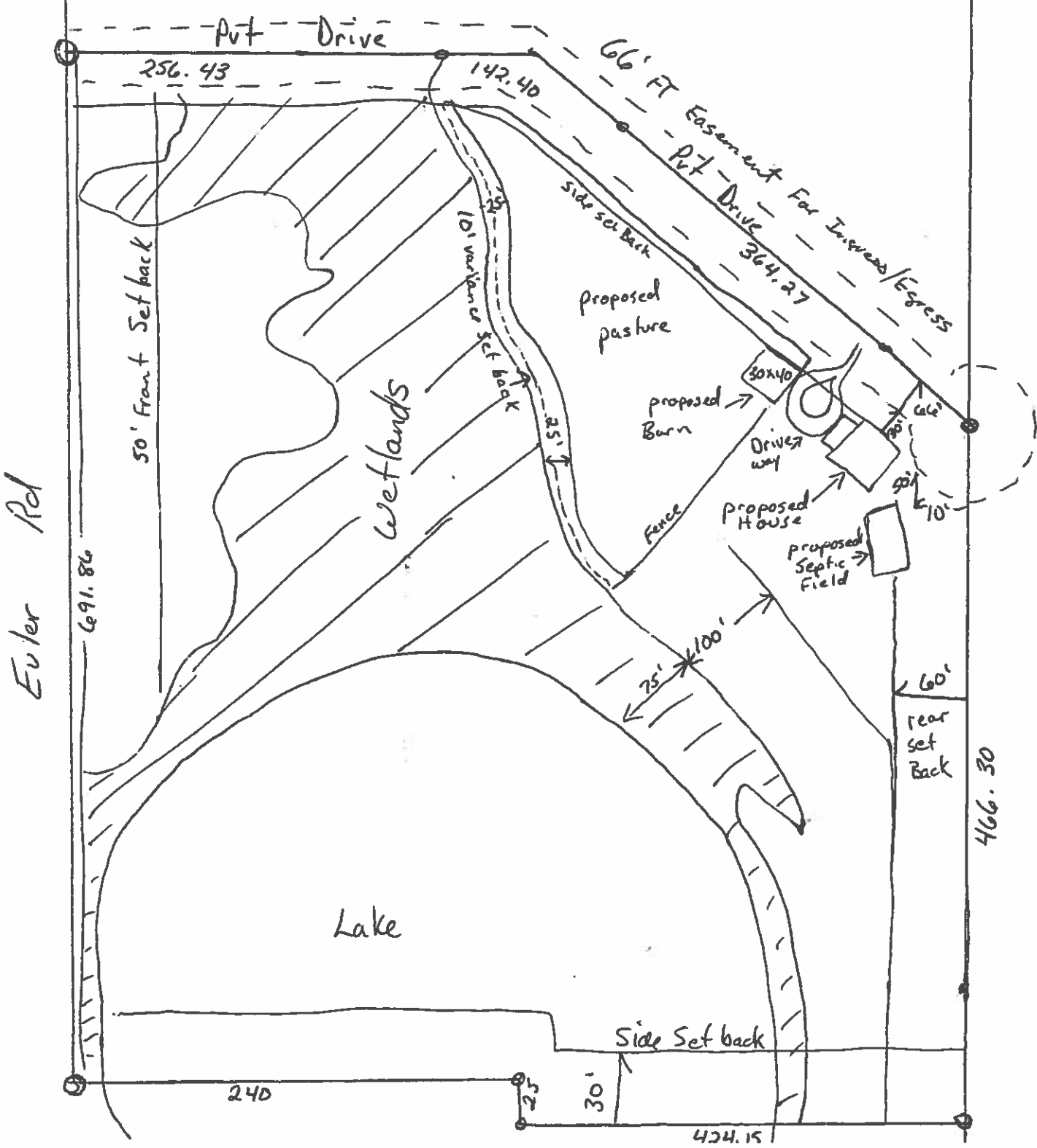
	Front	Side	Other Side	Rear	Height	Waterfront	Wetland
Allowed	50	30	30	60	35	100	25
Requested	50	30	30	60	35	100	10
Variance Amt.	0	0	0	0	0	0	15



Orthophotos Flown Spring 201
Parcel lines are a representation of

- Dimension Variance's
- 1.) Front Fence Height Variance - 4'-5" 200' from Road Frontage
 - 2.) 10' Variance to Wetland border For Front Fence

Use variance 1.) 2 Horses, which is reason For Dimension Variance

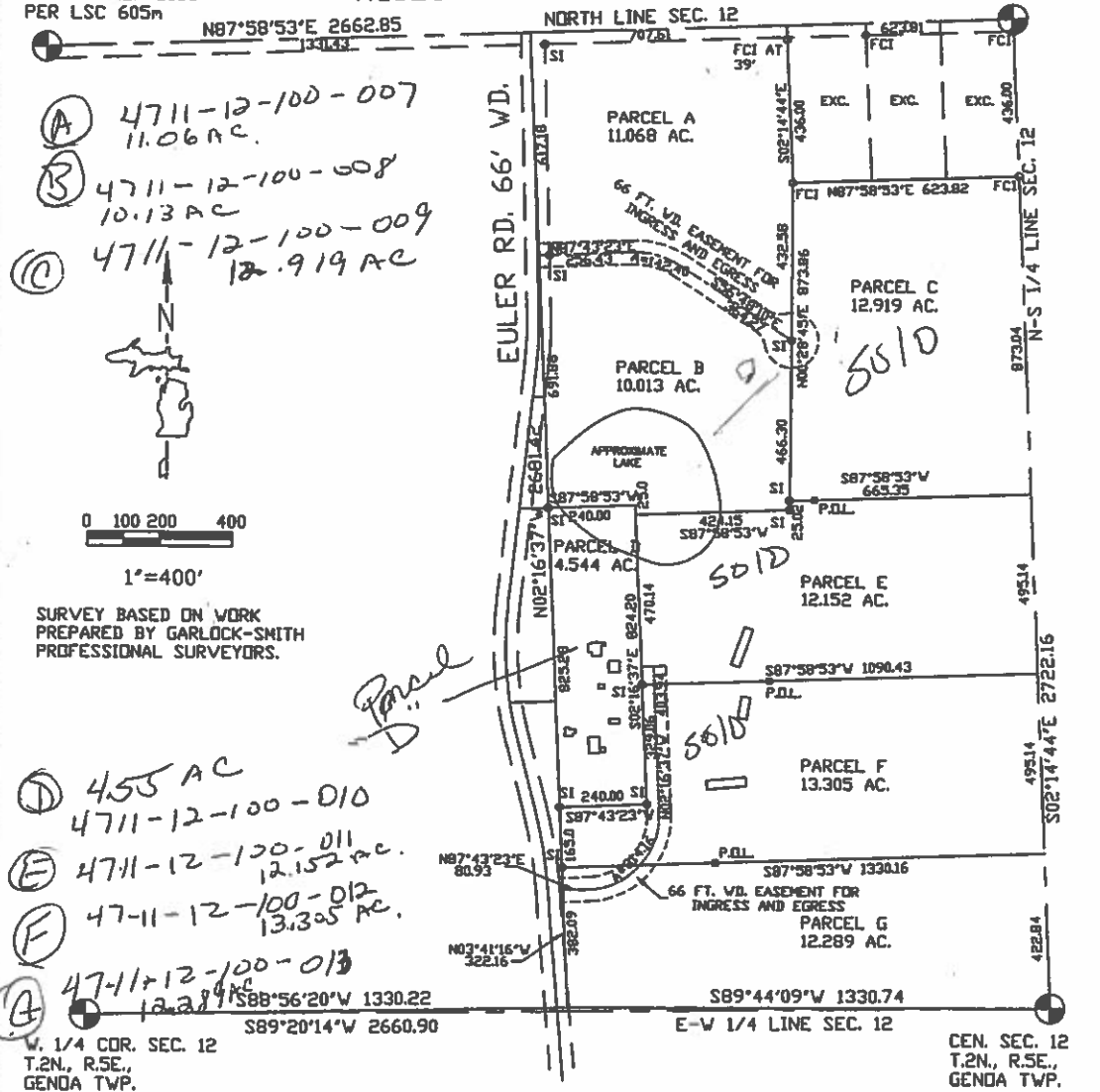


CERTIFIED SURVEY

K-3
N.W. COR. SEC. 12
T.2N., R.5E.,
GENOA TWP.
FND. RE-MON DISC
PER LSC 605m

L-3
N. 1/4 COR. SEC. 12
T.2N., R.5E.,
GENOA TWP.
FND. RE-MON DISC
PER LSC 602m

McCLEMENTS RD. 66' WD.



SURVEY BASED ON WORK
PREPARED BY GARLOCK-SMITH
PROFESSIONAL SURVEYORS.

- Ⓐ 4711-12-100-007
11.068 AC.
- Ⓑ 4711-12-100-008
10.13 AC
- Ⓒ 4711-12-100-009
12.919 AC
- Ⓓ 455 AC
4711-12-100-010
- Ⓔ 4711-12-100-011
12.152 AC.
- Ⓕ 47-11-12-100-012
13.305 AC.
- Ⓖ 47-11-12-100-013
12.289 AC.

SURVEYOR'S CERTIFICATE - I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, THAT I AM A PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF MICHIGAN, THAT THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF SECTION 3.P.A. 132 OF 1970 AS AMENDED BY P.A. 280 OF 1972, AND THAT THE ERROR OF CLOSURE IS NO GREATER THAN 1 TO 5000.



LEGEND	
○	FI = Found Iron
●	SCI = Set Capped Iron
⊙	FCI = Fnd. Capped Iron
(R)	= Recorded
(M)	= Measured

John S. Blanchard
JOHN S. BLANCHARD P.S. #27446

CLIENT: J. OLIVETO

APEX SURVEY 36554 GRANDON LYONIA MICHIGAN 48150 LAND SURVEYOR # 27446 (734) 634-3591 FAX (734) 421-1036	JOB #15-48	1"=400'
	DATE 10-15-15	SCALE
	DWG. BYMWD	BK PG
SHEET 1 OF 4		

LEGAL DESCRIPTION

PARCEL A

A PARCEL OF LAND IN THE N.W. 1/4 OF SECTION 12, T.2N., R.5E., GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE S87°58'53"W, ALONG THE NORTH LINE OF SAID SECTION 12 AND THE CENTERLINE OF McCLEMENTS ROAD, 66 FEET WIDE, 623.81 FEET TO THE POINT OF BEGINNING; THENCE S02°14'44"E, 436.00 FEET; THENCE S00°28'45"W, 432.58 FEET; THENCE N56°48'10"W, 364.27 FEET; THENCE 142.40 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 230.00 FEET AND A CHORD BEARING N74°32'23"W, 140.14 FEET; THENCE S87°43'23"W, 256.43 FEET; THENCE N02°16'37"W, 617.18 FEET TO SAID NORTH LINE AND CENTERLINE; THENCE N87°58'53"E, ALONG SAID NORTH LINE AND CENTERLINE, 707.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.068 ACRES OF LAND MORE OR LESS.

SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33 FEET FOR McCLEMENTS ROAD AND THE WESTERLY PORTION FOR EULER ROAD. ALSO SUBJECT TO A 66 FEET WIDE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES, THE CENTERLINE BEING DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12, THENCE S87°58'53"W, ALONG THE NORTH LINE OF SAID SECTION 12 AND THE CENTERLINE OF McCLEMENTS ROAD, 66 FEET WIDE, 1331.42 FEET; THENCE S02°16'37"E, 617.18 FEET TO THE POINT OF BEGINNING; THENCE N87°43'23"E, 256.43 FEET; THENCE 142.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET AND A CHORD BEARING S74°32'23"E, 140.14 FEET; THENCE S56°48'10"E, 364.27 FEET TO THE CENTER OF A 75 FEET RADIUS CUL-DE-SAC AND THE POINT OF ENDING.

ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

PARCEL B

A PARCEL OF LAND IN THE N.W. 1/4 OF SECTION 12, T.2N., R.5E., GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE S87°58'53"W, ALONG THE NORTH LINE OF SAID SECTION 12 AND THE CENTERLINE OF McCLEMENTS ROAD, 66 FEET WIDE, 623.81 FEET; THENCE S02°14'44"E, 436.00 FEET; THENCE S00°28'45"W, 432.58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°28'45"W, 466.30 FEET; THENCE S87°58'53"W, 424.15 FEET; THENCE N02°16'37"W, 25.00 FEET; THENCE S87°58'53"W, 240.00 FEET; THENCE N02°16'37"W, 691.86 FEET; THENCE N87°43'23"E, 256.43 FEET; THENCE 142.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET AND A CHORD BEARING S74°32'23"E, 140.14 FEET; THENCE S56°48'10"E, 364.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.013 ACRES OF LAND MORE OR LESS.

SUBJECT TO THE WESTERLY PORTION FOR EULER ROAD. ALSO SUBJECT TO A 66 FEET WIDE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES, THE CENTERLINE BEING DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12, THENCE S87°58'53"W, ALONG THE NORTH LINE OF SAID SECTION 12 AND THE CENTERLINE OF McCLEMENTS ROAD, 66 FEET WIDE, 1331.42 FEET; THENCE S02°16'37"E, 617.18 FEET TO THE POINT OF BEGINNING; THENCE N87°43'23"E, 256.43 FEET; THENCE 142.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET AND A CHORD BEARING S74°32'23"E, 140.14 FEET; THENCE S56°48'10"E, 364.27 FEET TO THE CENTER OF A 75 FEET RADIUS CUL-DE-SAC AND THE POINT OF ENDING.

ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

PARCEL C

A PARCEL OF LAND IN THE N.W. 1/4 OF SECTION 12, T.2N., R.5E., GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE S02°14'44"E, ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 12, 436.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S02°14'44"E, ALONG SAID NORTH-SOUTH 1/4 LINE, 873.04 FEET; THENCE S87°58'53"W, 665.35 FEET; THENCE N00°28'45"E, 873.66 FEET; THENCE N87°58'53"E, 623.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.919 ACRES OF LAND MORE OR LESS.

SUBJECT TO AND TOGETHER WITH A 66 FEET WIDE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES, THE CENTERLINE BEING DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12, THENCE S87°58'53"W, ALONG THE NORTH LINE OF SAID SECTION 12 AND THE CENTERLINE OF McCLEMENTS ROAD, 66 FEET WIDE, 1331.42 FEET; THENCE S02°16'37"E, 617.18 FEET TO THE POINT OF BEGINNING; THENCE N87°43'23"E, 256.43 FEET; THENCE 142.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET AND A CHORD BEARING S74°32'23"E, 140.14 FEET; THENCE S56°48'10"E, 364.27 FEET TO THE CENTER OF A 75 FEET RADIUS CUL-DE-SAC AND THE POINT OF ENDING.

ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

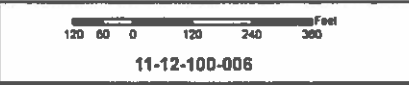
Bareau

CLIENT: J. OLIVETO

APEX SURVEY 38554 GRANDON LIVONIA MICHIGAN 48150 LAND SURVEYOR # 27446 (734) 634-3591 FAX (734) 421-1036	JOB #15-48	
	DATE 10-15-15	SCALE
	DWG. BYMWD	BK PG
	SHEET <u>2</u> OF <u>4</u>	




Livingston County, Michigan
Information Technology Department
G.I.S. Division 517.548.3230




 Orthophoto: flown Spring 2010
 Printed: August 17, 2013
 Parcel lines are a representation only.
 Not intended for survey purposes.

GENOA TOWNSHIP ZONING ORDINANCE

The extent to which the following criteria apply to a specific case shall be determined by the ZBA.

23.05.02 **Criteria Applicable to Appeals to Administrative Decisions.** The Board of Appeals may reverse an order of an administrative official or the Planning Commission only if it finds that the action or decision appealed meets one (1) or more of the following requirements:

- (a) Was arbitrary or capricious.
- (b) Was based on an erroneous finding of a material fact.
- (c) Constituted an abuse of discretion.
- (d) Was based on erroneous interpretation of the Zoning Ordinance or zoning law.

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. *200' of woods between road frontage & fence. (not visible from Euler Rd)*
- (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.

23.05.04 **Criteria Applicable to Use Variances.** The Board of Appeals may grant a use variance only upon a finding that an unnecessary hardship exists. A use variance is approval to allow a use that is otherwise not permitted in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of all of the following:

- (a) **Unreasonable Current Zoning Designation.** The applicant has demonstrated that the site can not reasonably be used for any of the uses allowed within the current zoning district designation. The Board of Appeals may require submission of documentation from professionals or certified experts to substantiate this finding.

wetland shape makes 2 ac. parcels impossible for development (RR) should be CE

- (b) Unique Circumstances. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must prove that there are certain features or conditions of the land that are not generally applicable throughout the zone and that these features make it impossible to earn a reasonable return without some adjustment. *property land features are unique to this parcel (lake + wetland) which limits ability to develop 2ac. parcels*
- (c) ✓ Not Self-Created. The problem and resulting need for the variance has not been self-created. The Board of Appeals shall consider changes made to the property by the applicant and near term predecessors.
- (d) Capacity of Roads, Infrastructure and Public Services. The capacity and operations of public roads, utilities, other facilities and services will not be significantly compromised. *N/A*
- (e) Character of Neighborhood. The use variance will not alter the essential character of the neighborhood nor be a detriment to adjacent properties. *w/ CE and AG surrounding property will fit in w/ character*

Sec. 23.06 OFFICIAL RECORD; FINDINGS OF FACT

Minutes shall be kept of each meeting. The Board of Appeals shall record into the minutes all relevant findings, conditions, facts and other relevant factors, including the vote of each member upon each question, or if absent or failing to vote, and all of its official actions. To this end the Board of Appeals shall prepare an official record for all appeals and shall base its decision on this record. The official record shall, at a minimum, include the following items:

- 23.06.01 The relevant administrative records and orders issued relating to the appeal;
- 23.06.02 The notice of the appeal;
- 23.06.03 Such documents, exhibits, photographs or written reports as may be submitted to the Board of Appeals for its consideration; and,
- 23.06.04 The findings of the Board of Appeals, stating the facts of the appeal, the decision, any conditions of the decision and the reasons for reaching such a decision.

Sec. 23.07 ORDERS

In exercising the above powers, the Board of Appeals may reverse or affirm wholly or partly, or may modify the orders, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Zoning Administrator from whom the appeal is taken.

Sec. 23.08 TIME REQUIREMENTS

- 23.08.01 **Effective Date of Decisions.** Decisions and orders of the Board of Appeals shall become effective after the decision is reached, unless the Board of Appeals shall find immediate effect is necessary to preserve a substantial property right and shall so certify in the record.
- 23.08.02 **Validity for Construction.** An order of the Board of Appeals permitting the erection of a building shall be valid for a period of one (1) year. If actual physical construction of a substantial nature of the improvements included in the approval has not commenced and

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
Property Address		Class: 402 RESIDENTIAL-V		Zoning: PRF (Building Permit(s)	Date	Number	Status			
EULER RD		School: HOWELL		GRADING/SITE WORK		05/17/2016	W16-092	NO START			
Owner's Name/Address		P.R.E. 0%		MAP #: LABEL15							
OLIVETO, JOYCE 963 PEACEFUL COURT BRIGHTON MI 48114		2017 Est TCV Tentative									
Tax Description		Improved	X	Vacant	Land Value Estimates for Land Table 124.HOWELL M& B						
		Public Improvements		* Factors *							
SEC 12 T2N R5E COMM AT N 1/4 COR TH S87*58'53"W 623.81 FT TH S02*14'44"E 436 FT TH S00*28'45"W 432.58 FT TO POB TH S00*28'45"W 466.30 FT TH S87*58'53"W 424.15 FT TH N02*16'37"W 25 FT TH S87*58'53"W 240 FT TH N02*16'37"W 691.86 FT TH N87*43'23"E 256.43 FT TH ALONG ARC OF A CURVE TO THE RIGHT CHORD BEARING S74*32'23"E 140.14 FT TH S56*48'10"E 364.27 FT TO POB SPLIT ON 10/27/2015 FROM 4711-12-100-006 CONT 10.013 AC PACREL B		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Topography of Site		LAND TABLE A			10.013 Acres	11,994	100		120,098
		Level		10.01 Total Acres Total Est. Land Value = 120,098							
Split/Comb. on 10/27/2015 completed 10/27/2015 Duffy ; Parent Parcel(s): 4711-12-100-006; Child Parcel(s): 4711-12-100-007, 4711-12-100-008, 4711-12-100-009, 4711-12-100-010, 4711-12-100-011, 4711-12-100-012, 4711-12-100-013;		Rolling		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
		Low		2017	Tentative	Tentative	Tentative			Tentative	
		High		2016	60,000	0	60,000			29,283C	
		Landscaped		2015	0	0	0			0	
		Swamp		2014	0	0	0			0	
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan		Who		When		What					

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
JUNE 21, 2016
CASE #16-19

PROPERTY LOCATION: 4133 Highcrest

PETITIONER: Stephen Gucciardo

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and sewer

PETITIONERS REQUEST: Requesting a front yard variance to construct a second story addition and an attached garage.

CODE REFERENCE: 3.04.01

STAFF COMMENTS: See staff report

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	5	40	25	67'6"
Setbacks Requested	6	14	5	-	21'8"	74'11"
Variance Amount	29	-	-	-	-	-



Steve 810 623-6508M

GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

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

Case # 16-19 Meeting Date: 6/16/16

- 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: Stephen Paul Gucciardo

Property Address: 4133 Highcrest Brighton MI Phone: 810-623-6508

Present Zoning: LRR Tax Code: 11-22-302-137

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

2. Intended property modifications: Add GARAGE & 2nd story addition & Improve Roof Line

- a. Unusual topography/shape of land (explain): The narrow peninsula like area the homes were constructed on in the 50's makes land use challenging
- 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: 5/13/16 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: June 13, 2016
RE: ZBA 16-19

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

STAFF REPORT

File Number: ZBA#16-19
Site Address: 4133 Highcrest
Parcel Number: 4711-22-302-137
Parcel Size: .148
Applicant: Stephen Paul Gucciardo
Property Owner: Same as applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a front yard variance in order to construct a second story addition and an attached garage.
Zoning and Existing Use: LRR (Lakeshore Resort Residential), Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday June 5, 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 1958.
- In 2012, a permit was issued for a new roof.
- 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 second story addition and an attached garage to an existing single family home. Due to the current location of the existing home the applicant would be required to obtain a front yard variance.

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'
	Existing Front Yard Setback:	30'
	Proposed Front Yard Setback:	6'
	Proposed Variance Amount:	29'

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 23.05.03.

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 second story addition and an attached garage to the existing single family home.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home. The need for the variance is not self-created. Constructing the addition with attached garage would make the property consistent with the properties in the vicinity.
- (c) Public Safety and Welfare** – The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Staff Findings of Fact

1. Strict application of the front setback would prevent the applicant from constructing a second story addition and an attached garage to an existing single family home.
2. The need for this variance is due to the location of the existing single family 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. Drainage from the structure must be maintained on the lot.
2. Structure must be guttered with downspouts.

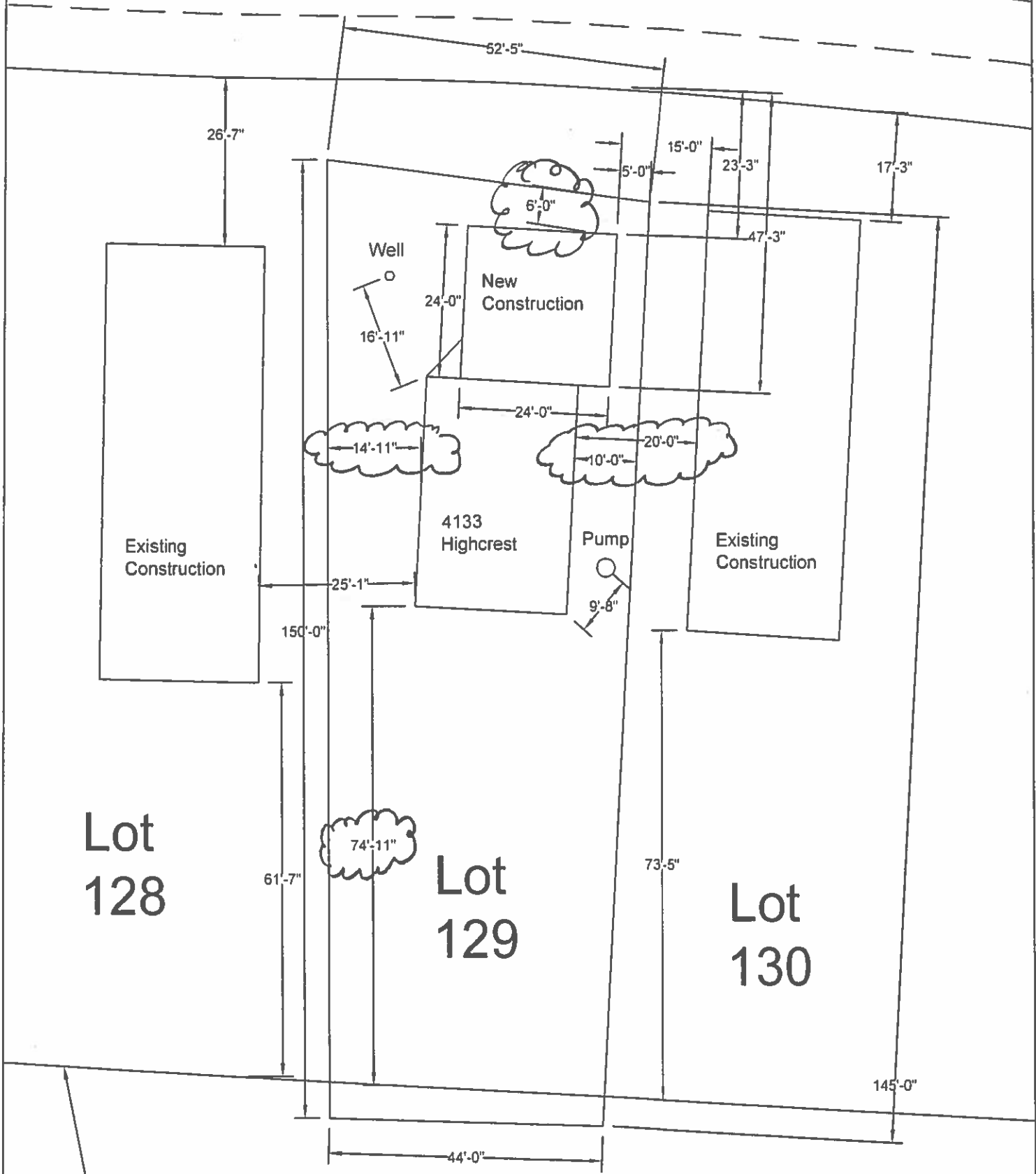


HIGHCREST



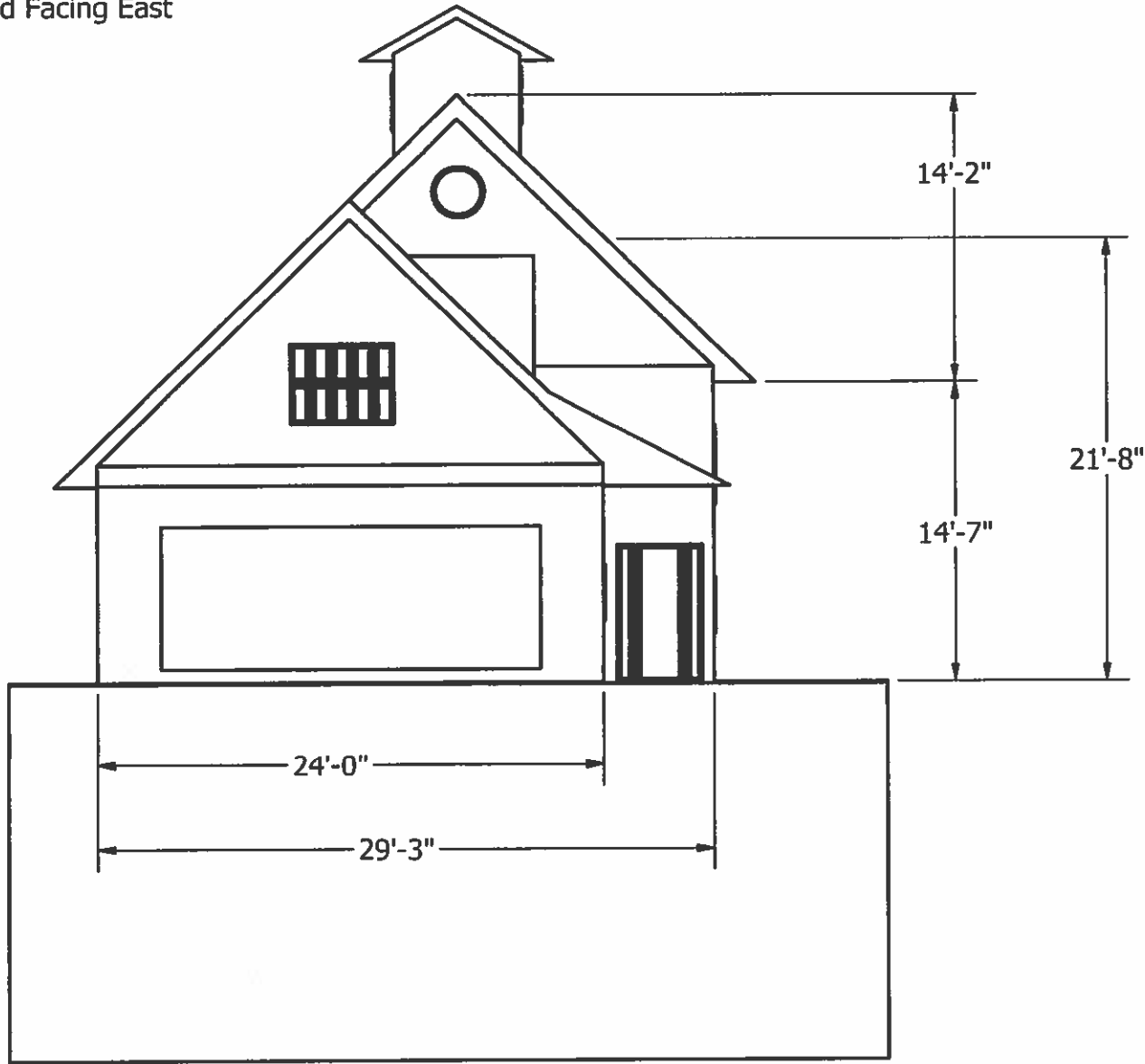
Orthophotos Flown Spring 2015
Parcel lines are a representation only;
Not intended for survey purposes.

4133 Highcrest Brighton, MI 48116
Actual Dimensions (2016) +/- 1' where no previous survey avail.
Application for Front Yard Variance (Garage to lot line 6')
Scale: proportional



This Line Represents the Water Edge

Elevation
From Road Facing East



2

1

B

B

A

A

A

A

2

1

Elevation
From Side Facing North

2

1

B

B

21'-8"

A

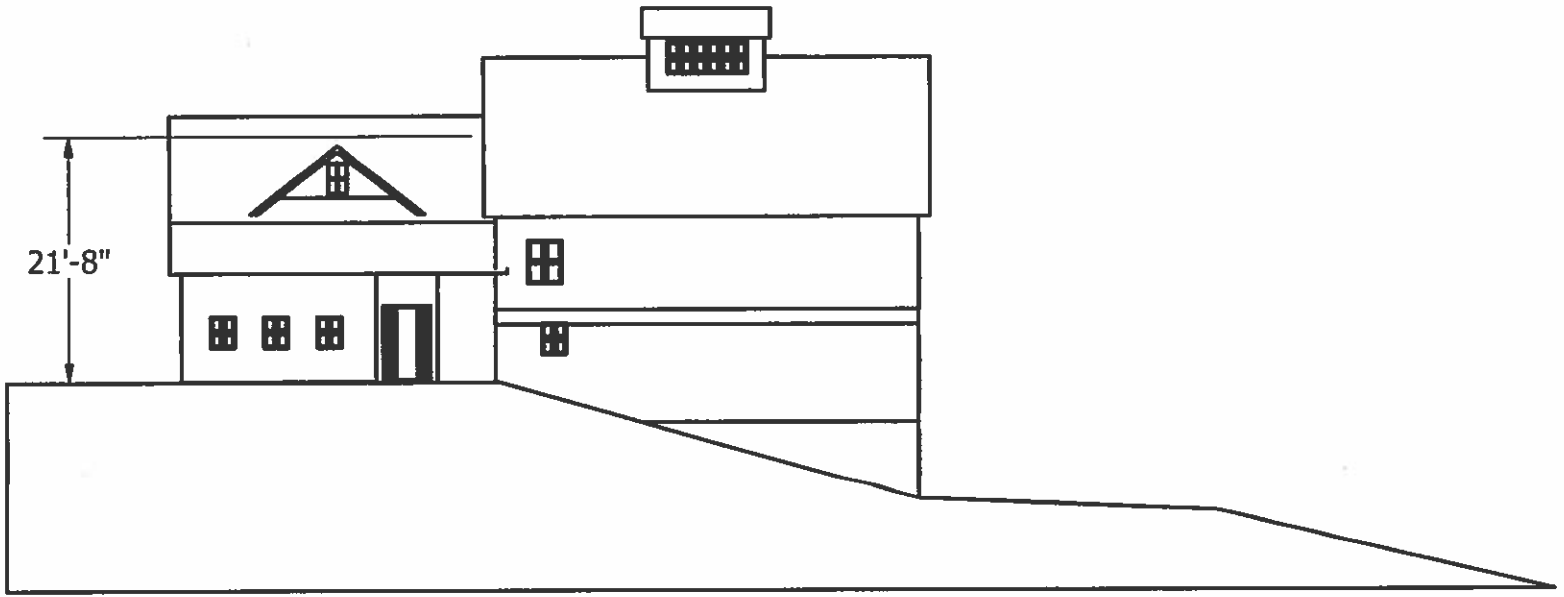
A

A

A

2

1



Elevation
From Lake Facing West



B

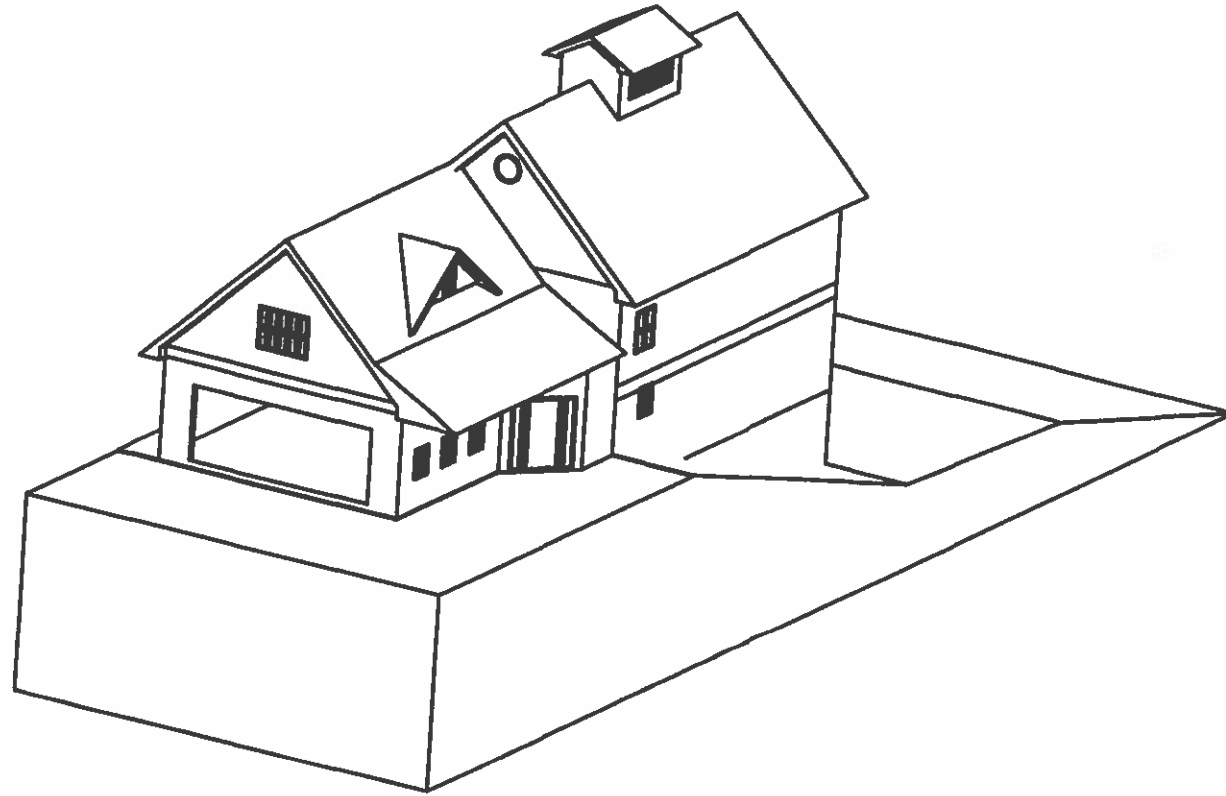
B



A

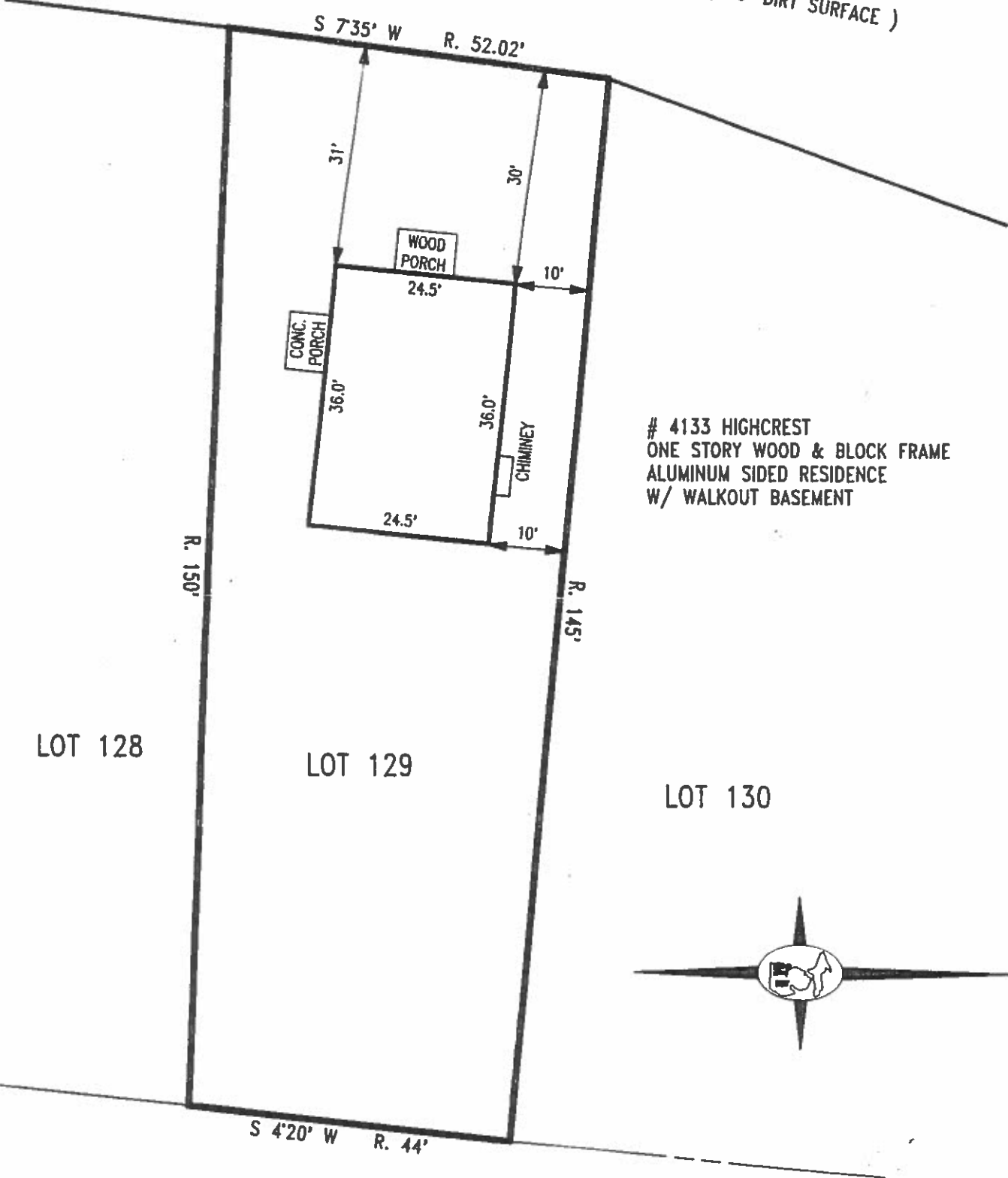
A

Elevation
Isometric View From Road Facing North East





HIGHCREST STREET 50 FT. WD.
 (PLATTED AS HIGHLAND AVENUE)
 (20' DIRT SURFACE)

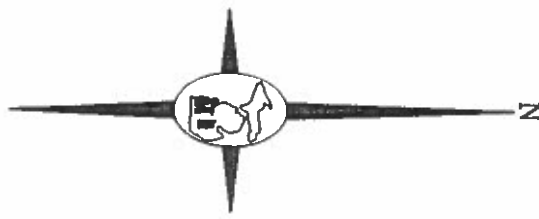


4133 HIGHCREST
 ONE STORY WOOD & BLOCK FRAME
 ALUMINUM SIDED RESIDENCE
 W/ WALKOUT BASEMENT

LOT 128

LOT 129

LOT 130



ROUND LAKE

JOB NO.: M - 00247
 DATE: 1-31-90
 SCALE: 1" = 20'
 DRAWN BY: TAD

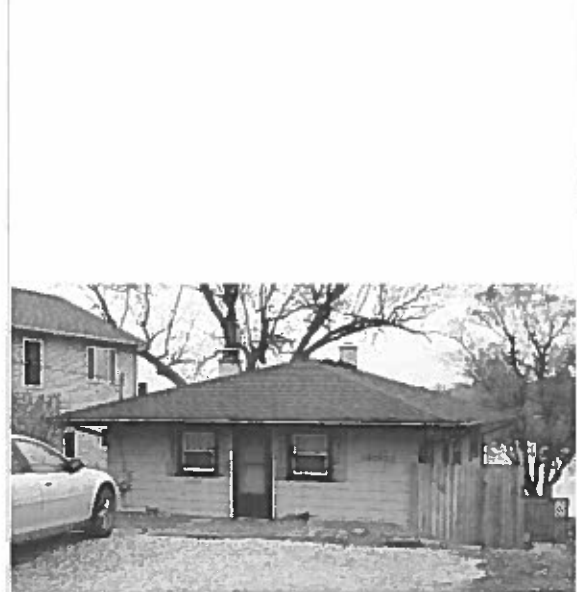


THE MICHIGAN ENGINEERING & SURVEYING GROUP, INC.
 7600 GRAND RIVER • BRIGHTON, MI. • (313) 227-8013

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
GREENLEE RYAN	GUCCIARDO STEPHEN	230,000	10/23/2015	TA	ARMS-LENGTH	2015R-034586	BUYER	100.0
PARLOVE LYNN	GREENLEE RYAN	124,500	10/28/2011	WD	ARMS-LENGTH	2011R-032380	BUYER	100.0
PARLOVE, FRANK	PARLOVE LYNN	0	04/28/2010	QC	INVALID SALE	2010R-016529	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
4133 HIGHCREST	School: BRIGHTON		REROOF	04/30/2012	W12-059	NO START
	P.R.E. 100% 10/27/2015					
Owner's Name/Address	MAP #: V16-19					
GUCCIARDO STEPHEN 4133 HIGHCREST BRIGHTON MI 48116	2017 Est TCV Tentative					

Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT								
SEC. 27 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 129			* Factors *								
Comments/Influences			Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
			LAKE FRONT	44.00	147.00	1.0000	1.0247	2300	100		103,699
			44 Actual Front Feet, 0.15 Total Acres Total Est. Land Value = 103,699								
			Land Improvement Cost Estimates								
			Description	Rate	CountyMult.	Size	%Good	Cash Value			
			D/W/P: Patio Blocks	6.84	1.00	16	92	101			
			Total Estimated Land Improvements True Cash Value = 101								



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

Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level							
Rolling							
Low							
High							
Landscaped							
Swamp							
Wooded							
Pond							
Waterfront							
Ravine							
Wetland							
Flood Plain							
X REFUSE							
Who	When	What	2017	Tentative	Tentative	Tentative	Tentative
LM	06/22/2012	DATA ENTER	2016	51,800	37,200	89,000	89,000S
LM	08/22/2011	DATA ENTER	2015	51,800	34,700	86,500	77,935C
			2014	49,600	31,800	81,400	76,708C

*** 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		Gas Wood	Oil Coal	X Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System			Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga			Area	Type	Year Built:	Car Capacity:	
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			Class: D Effec. Age: 59 Floor Area: 864 Total Base Cost: 66,935 Total Base New : 101,742 Total Depr Cost: 45,784 Estimated T.C.V: 75,680			20 20	CPP CPP			Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
Building Style: D		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			Stories Exterior Foundation 1 Story Siding Basement			Rate	Bsmnt-Adj	Heat-Adj	Size	Cost	Bsmnt Garage:		
Yr Built 1958	Remodeled 0	Size of Closets Lg X Ord Small		(12) Electric 0 Amps Service			Other Additions/Adjustments			Rate			Size	Cost	Roof:		
Condition for Age: Good		Doors Solid X H.C.		No./Qual. of Fixtures Ex. X Ord. Min			(9) Basement Finish Basement Living Finish Walk out Basement Door(s)			14.75			775	11,431			
Room List		(5) Floors Kitchen: Other: Other:		(13) Plumbing Average Fixture(s) 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			(13) Plumbing 3 Fixture Bath (14) Water/Sewer Public Sewer Well, 200 Feet			1650.00			1	1,650			
Basement 1st Floor 2nd Floor 2 Bedrooms		(6) Ceilings		2			(15) Built-Ins & Fireplaces Fireplace: Exterior 1 Story			912.00			1	912			
(1) Exterior							(16) Porches CPP, Standard CPP, Standard			4400.00			1	4,400			
X	Wood/Shingle Aluminum/Vinyl Brick						Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, ECF (4306 TRI LAKES LAKE FRONT)			3050.00			1	3,050			
Insulation							Depr.Cost = 45,784 1.653 => TCV of Bldg: 1 = 75,680			28.93			20	579			
(2) Windows										28.93			20	579			
X	Many Avg. Few	X	Large Avg. Small	(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											
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens																	
(3) Roof																	
X	Gable Hip Flat	Gambrel Mansard Shed		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:													
X	Asphalt Shingle																
Chimney: Brick																	

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
JUNE 21, 2016
CASE #16-20

PROPERTY LOCATION: 4391 Skusa

PETITIONER: Jeff Jacobs

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Sewer and well

PETITIONERS REQUEST: Requesting a rear yard variance to construct an addition.

CODE REFERENCE: Sec. 3.04, Lot coverage is at 21%

STAFF COMMENTS: See Staff Report

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	-	10	5	40	25	-
Setbacks Requested		15	7	34	-	
Variance Amount	-	-	-	6	-	-



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

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

Case # 16-20

Meeting Date: JUNE 21, 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: JEFF JACOBS

Property Address: 4891 SKUSA Phone: 810-599-0629

Present Zoning: LRR Tax Code: 11-27-103-026

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: WANT A 36' BACK YARD SET BACK VERSUS STANDARD SET BACK OF 40'
2. Intended property modifications: 262' ADDITION (LAUNDRY, BATH, BCO)
 - a. Unusual topography/shape of land (explain): EXISTING LOCATION OF 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: 5/26/14 Signature: [Signature]

Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the 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: June 13, 2016
RE: ZBA 16-20

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

STAFF REPORT

File Number: ZBA#16-20
Site Address: 4391 Skusa
Parcel Number: 4711-27-103-026
Parcel Size: .136
Applicant: Jeff Jacobs, 4487 Filbert Drive Brighton, MI 48116
Property Owner: Same as applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a rear yard variance in order to construct an addition to an existing single family home.
Zoning and Existing Use: LRR (Lakeshore Resort Residential), Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday June 5, 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 1945.
- In 1997, a permit was issued to construct a detached accessory structure.
- In 2007, a permit was issued to install a fence.
- 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 the rear of an existing single family home. In order to do this the applicant would be required to obtain a rear yard variance. The existing 8 X 8 structure on the rear of the home will be removed. The addition will be located 10 feet from the existing garage.

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 Rear Yard Setback:	40'
	Proposed Rear Yard Setback:	34'
	Proposed Variance Amount:	6'

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 rear yard setback would prevent the applicant from constructing an addition in the rear of the existing single family home.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home, small lot, well and sewer located in the front yard. The need for the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

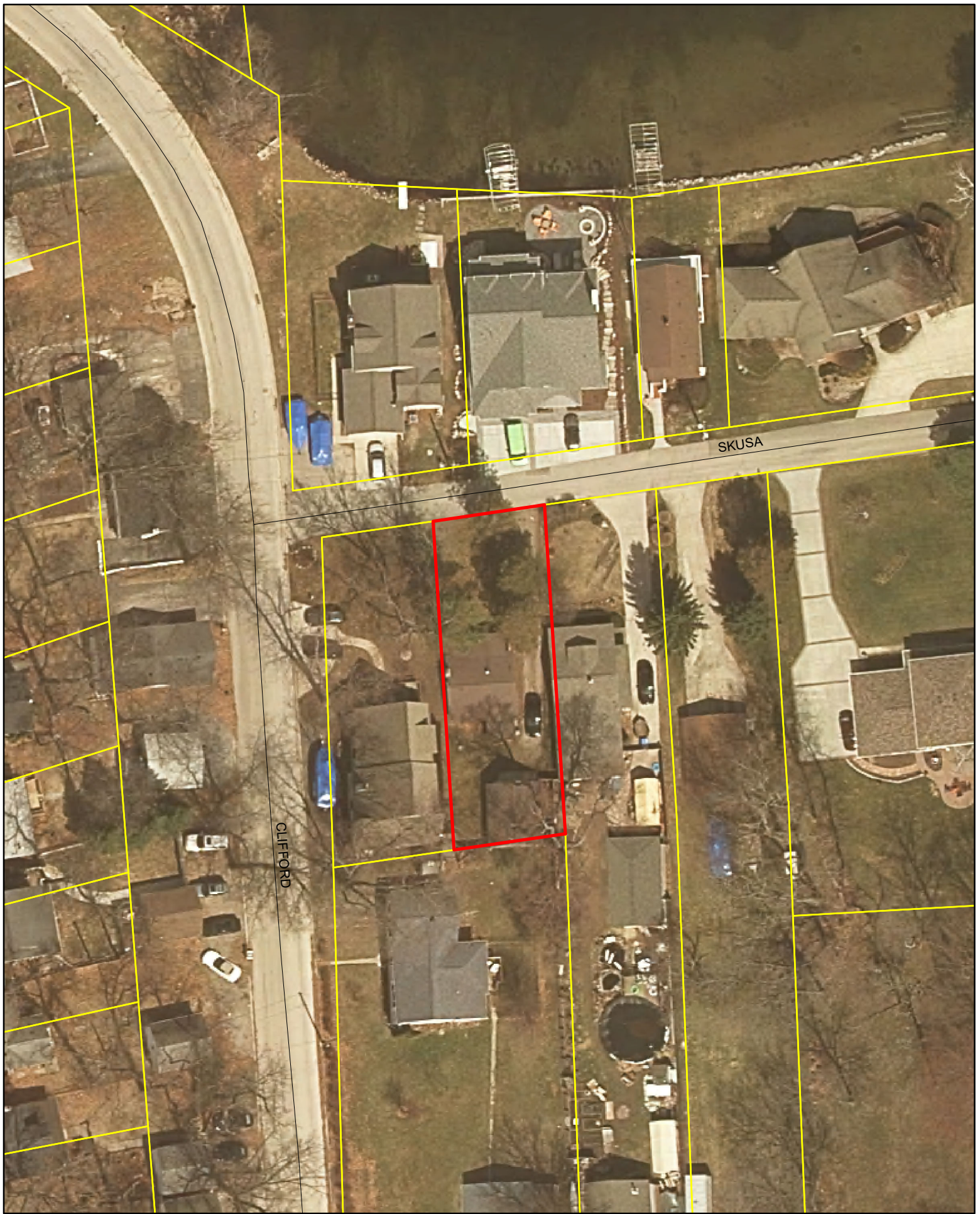
Staff Findings of Fact

- 1. Strict application of the rear setback would prevent the applicant from constructing an addition to an existing single family home.
- 2. The need for this variance is due to the location of the existing single family home, , small lot, well and sewer located in the front yard.
- 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.

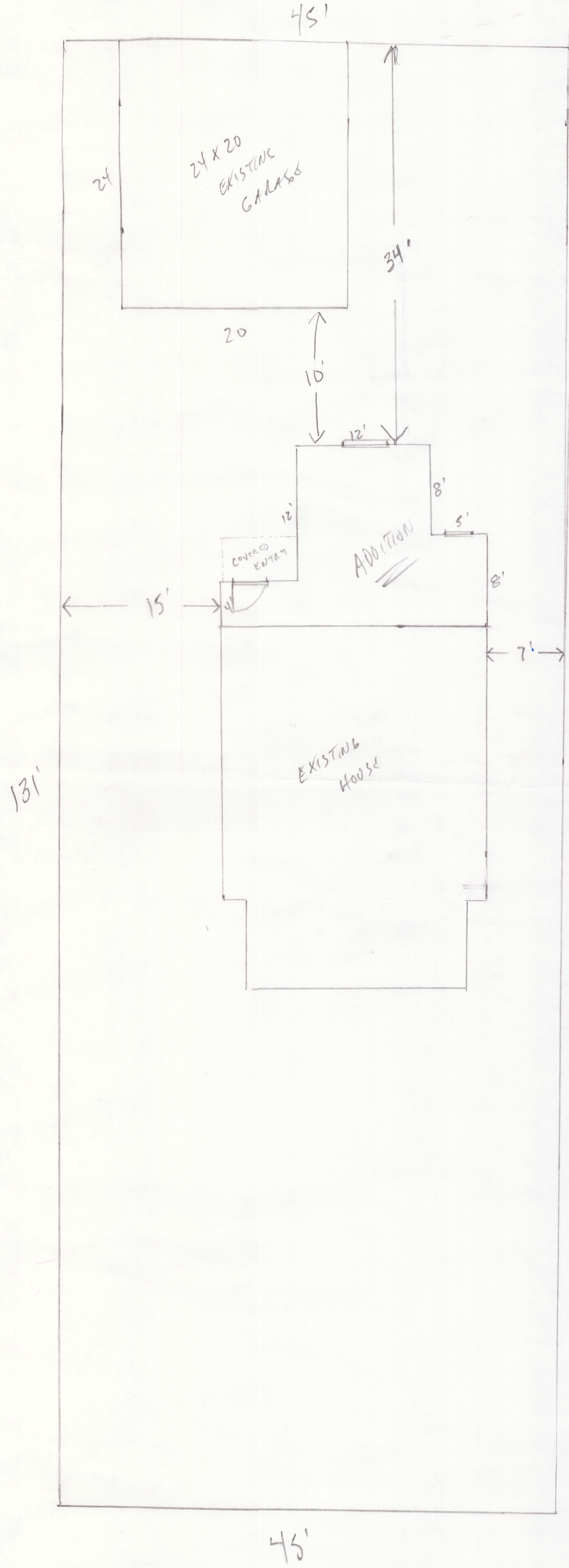
Recommended Conditions

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

- 1. Drainage from the structure must be maintained on the lot.
- 2. Structure must be guttered with downspouts.



Orthophotos Flown Spring 2015
Parcel lines are a representation only;
Not intended for survey purposes.



1/8" = 1 FOOT

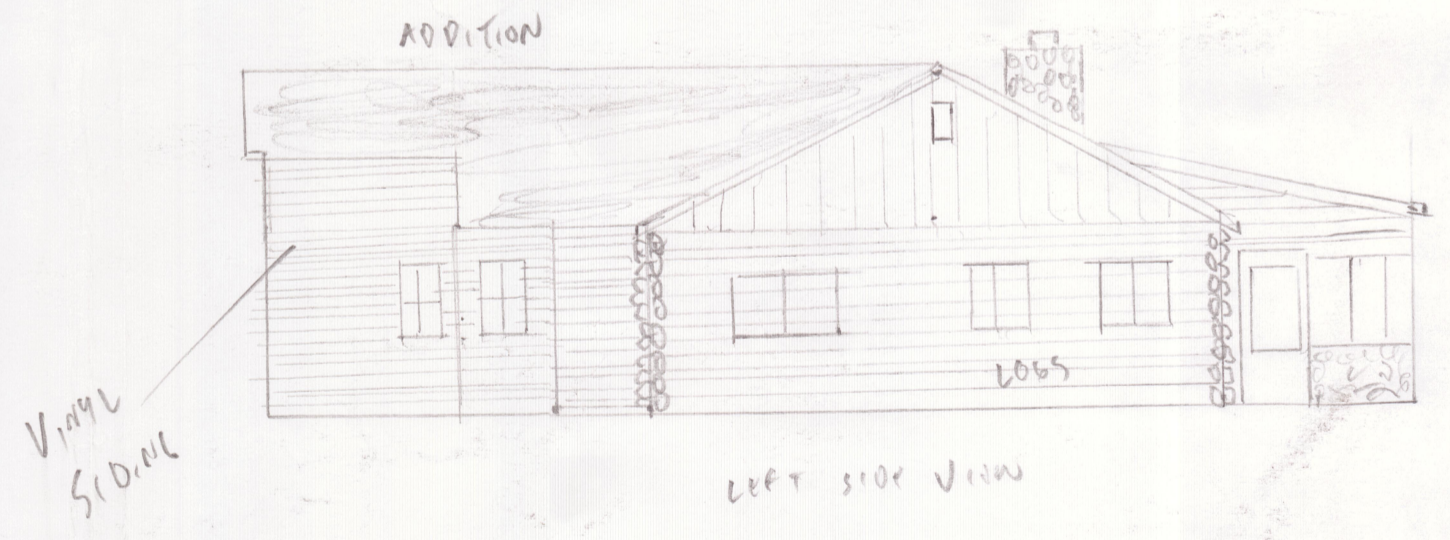
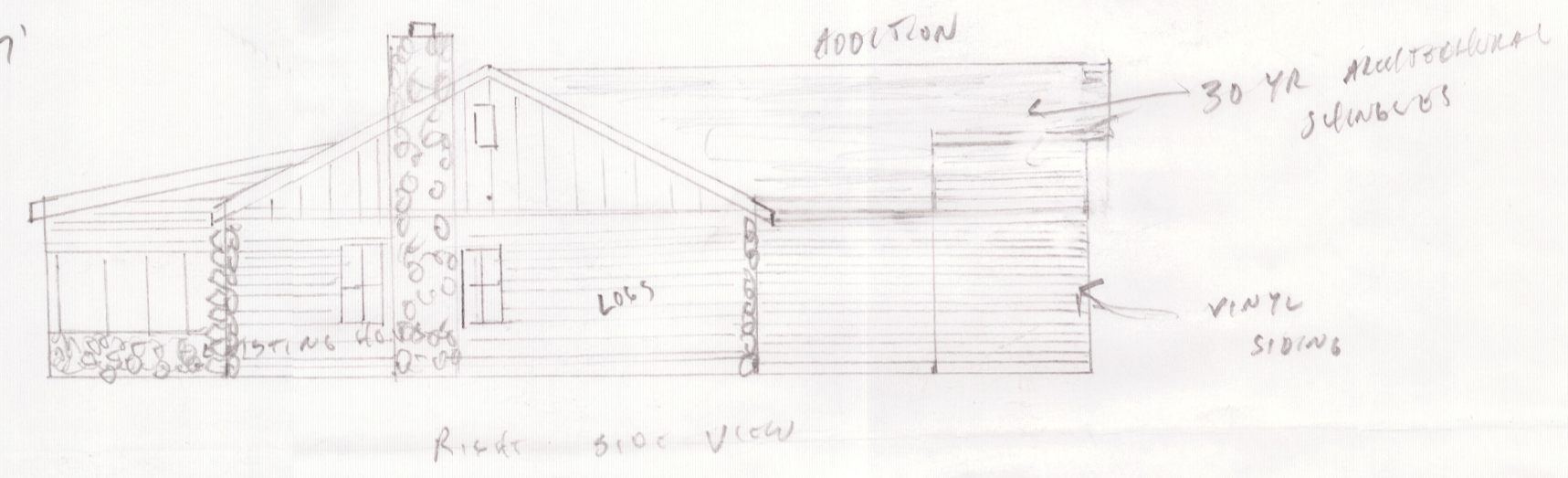
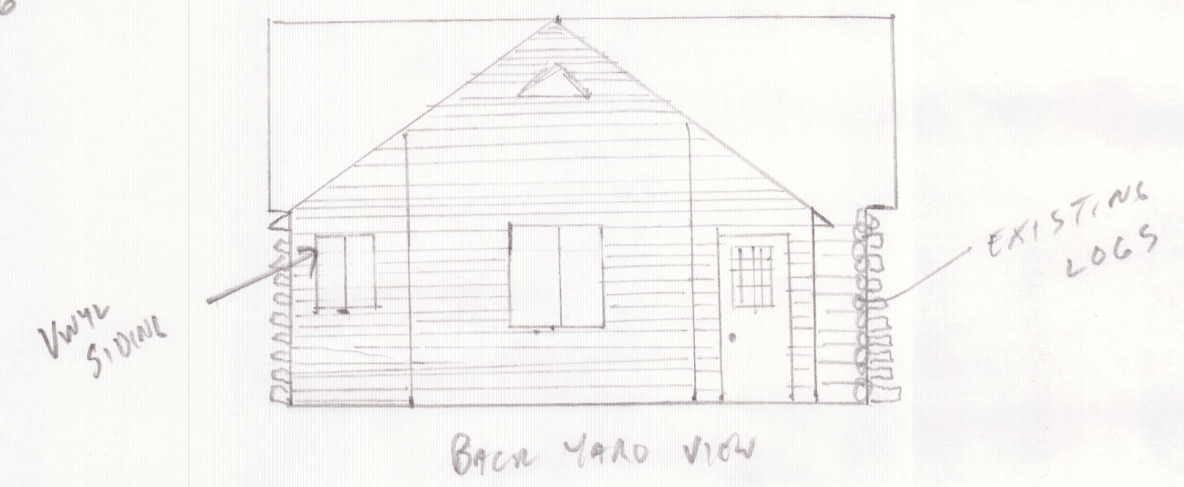
BACK YARD SET BACK = 40'

VARIANCE WANTED = 36'

SMALLEST SIDE YARD SET BACK = 10'

EXISTING AND NEW STRUCTURE = 7'

* FRONT YARD VIEW DOES NOT CHANGE



Lakeshore Resort Residential (LRR)

REAR 40' WANT 36'

SMALLEST SIDE 10'

TOTAL SIDE 25'

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
JACOBS JEFFREY R & KAREN	JENJA ENTERPRISES LLC	0	06/27/2012	QC	INVALID SALE	2012R-022132	BUYER	0.0													
FANNIE MAE	JACOBS JEFFREY R & KAREN	40,000	02/25/2011	WD	FORECLOSURE	2011R-006307	BUYER	100.0													
WELLS FARGO BANK	FANNIE MAE	0	02/25/2010	QC	FORECLOSURE	2010R-006781	BUYER	0.0													
PELTO KEVIN	WELLS FARGO BANK	149,320	11/18/2009	SD	FORECLOSURE	2010R-005579	BUYER	0.0													
Property Address		Class: 401 RESIDENTIAL-I		Zoning: LRR		Building Permit(s)		Date	Number	Status											
4391 SKUSA		School: BRIGHTON		FENCE		06/19/2007		07-084	NO START												
Owner's Name/Address		P.R.E. 0%		GARAGE		10/16/1997		97-506	NO START												
JENJA ENTERPRISES LLC 4487 FILBERT DR BRIGHTON MI 48116		MAP #: V16-20		2017 Est TCV Tentative																	
Tax Description		X Improved		Vacant		Land Value Estimates for Land Table 00028.TRI LAKES															
SEC. 27, T2N R5E, SUP. PLAT OF CONRAD SUB. LOT 26 SUB. LOT 26		Public Improvements		Description		Frontage		Depth		* Factors *		Rate %Adj. Reason		Value							
Comments/Influences		Dirt Road		0		45.00		132.00		1.0000 0.9710		1100 100		48,065							
		Gravel Road		45 Actual Front Feet, 0.14 Total Acres		Total Est. Land Value =								48,065							
		Paved Road		D/W/P: Crushed Rock		1.20		1.00		1 0				0							
		Storm Sewer																			
		Sidewalk																			
		Water																			
		Sewer																			
		Electric																			
		Gas																			
		Curb																			
		Street Lights																			
		Standard Utilities																			
		Underground Utils.																			
		Topography of Site																			
		Level																			
		Rolling																			
		Low																			
		High																			
		Landscaped																			
		Swamp																			
		Wooded																			
		Pond																			
		Waterfront																			
		Ravine																			
		Wetland																			
		Flood Plain																			
		X REFUSE																			
		Who		When		What		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
		LM		11/10/2011		INSPECTED		2017		Tentative		Tentative		Tentative						Tentative	
								2016		24,000		23,200		47,200						42,966C	
								2015		24,000		21,300		45,300						42,838C	
								2014		24,000		19,700		43,700						42,164C	



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

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins		(15) Fireplaces		(16) Porches/Decks		(17) Garage							
X	Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang		X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area	Type	Year Built: 1997 Car Capacity: Class: D Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 480 % Good: 73 Storage Area: 240 No Conc. Floor: 0								
X	Wood Frame	Drywall Paneled		Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			Class: D Effec. Age: 52 Floor Area: 720 Total Base Cost: 58,986 Total Base New : 89,658 Total Depr Cost: 46,871 Estimated T.C.V: 47,293		CntryMult X 1.520 E.C.F. X 1.009		Bsmnt Garage: Carport Area: Roof:							
Building Style: D		Trim & Decoration		Central Air Wood Furnace			(12) Electric		Foundation		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost	
Yr Built Remodeled 1945 0		Ex X Ord Min		No./Qual. of Fixtures			0 Amps Service		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
Condition for Age: Good		Lg X Ord Small		Ex. X Ord. Min			No. of Elec. Outlets		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
Room List		Doors Solid X H.C.		Many X Ave. Few			Other Additions/Adjustments		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
Basement 1st Floor 2nd Floor 2 Bedrooms		Kitchen: Other: Other:		(13) Plumbing			Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
(1) Exterior		(6) Ceilings		Average Fixture(s)			Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
Wood/Shingle Aluminum/Vinyl Brick		(7) Excavation		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			Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
X Pine/Cedar Insulation		Basement: 0 S.F. Crawl: 576 S.F. Slab: 144 S.F. Height to Joists: 0.0		(14) Water/Sewer			Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
(2) Windows		(8) Basement		(14) Water/Sewer			Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
Many Avg. X Large Avg. Small		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
X Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish		Lump Sum Items:			Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
X Many Avg. X Large Avg. Small		Recreation SF Living SF Walkout Doors No Floor SF					Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
(3) Roof		(10) Floor Support					Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
X Gable Hip Flat		Gambrel Mansard Shed					Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
X Asphalt Shingle		Joists: Unsupported Len: Cntr.Sup:					Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			
Chimney: Brick							Rate		Rate		Bsmnt-Adj		Heat-Adj		Size		Cost			

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
JUNE 21, 2016
CASE #16-21

PROPERTY LOCATION: 806 Sunrise Park

PETITIONER: Richard Ruggles

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and sewer

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

CODE REFERENCE: Sec. 11.04

STAFF COMMENTS: See staff report

DETACHED ACCESSORY STRUCTURE	One Side	Other Side	Rear	Size	Height
Setbacks of Zoning	10	5	10	900	14
Setbacks Requested	25	3	5.25	280	14
Variance Amount	-	2	4.75	-	-



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

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

Case # 16-21

Meeting Date: June 21, 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: RICHARD BRIAN RUGGLES

Property Address: 806 SUNRISE PARK ST Phone: (517) 376-0368

Present Zoning: LRR Tax Code: 11-09-201-117

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 AND REAR VARIANCE

2. Intended property modifications: ADDITION OF 14x20 DETACHED GARAGE

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

b. Other (explain): _____

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

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

Date: 5-26-2016 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: June 6, 2016
RE: ZBA 16-21

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

STAFF REPORT

File Number: ZBA#16-21
Site Address: 806 Sunrise Park Drive
Parcel Number: 4711-09-201-117
Parcel Size: .145
Applicant: Richard Brian Ruggles, 806 Sunrise Park Drive, Howell, MI
Property Owner: Same as applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variances
Project Description: Applicant is requesting a side and rear yard variance in order to construct a detached accessory structure.
Zoning and Existing Use: LRR (Lakeshore Resort Residential), Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday June 5, 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 1941.
- In 1997, a permit was pulled to construct addition.
- 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 detached accessory structure in the rear yard. In order to do this the applicant would be required to obtain a rear and side yard variance. The existing shed will be removed. The applicant accesses his home off of the alley in the rear of house. This property is located in a platted subdivision and the alley that they use for access is not platted making Sunrise Park Drive is front yard.

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 Rear Yard Setback:	10
	Proposed Rear Yard Setback:	5.25
	Proposed Variance Amount:	4.75
	Required Side Yard Setback:	5'
	Proposed Side Yard Setback:	3'
	Proposed Variance Amount:	2'

Standards for Approval

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

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

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

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

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

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

Summary of Findings

Please note that in order for a variance to be approved it has to meet all of the standards in 23.05.03.

The following are findings based upon the presented materials.

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the rear and side yard setback would prevent the applicant from constructing a detached garage capable of housing a vehicle. Construction of the garage would give the applicant substantial justice.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the small size of the lot. The need for the variance is not self-created.
- (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 will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Staff Findings of Fact

1. Strict application of the rear and side setbacks would prevent the applicant from constructing a detached accessory structure.
2. The lot is of small size and the need for the variance is not self-created.
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.

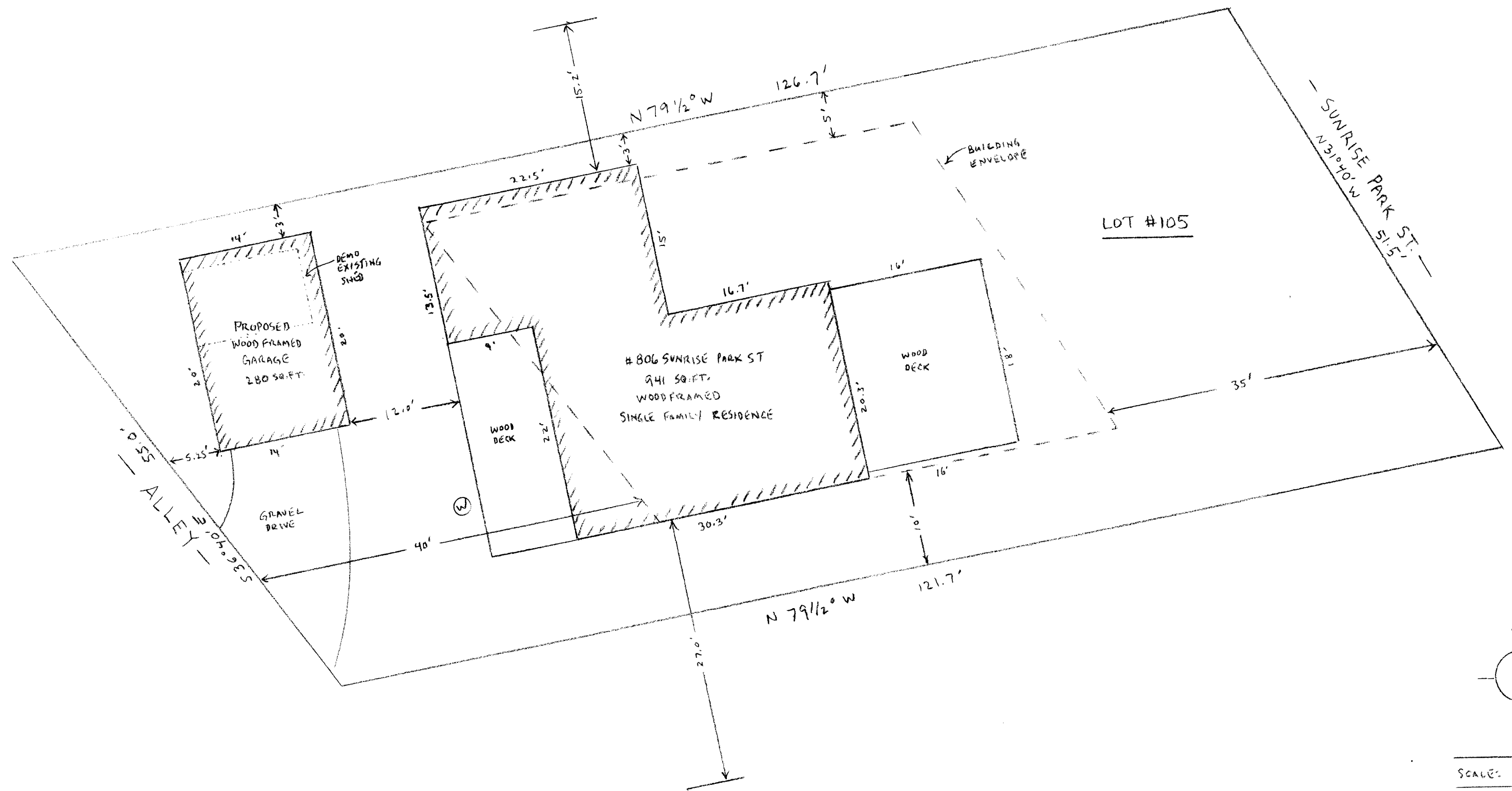
Recommended Conditions

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

1. Drainage from the detached accessory structure must be maintained on the lot.
2. Structure must be guttered with downspouts.



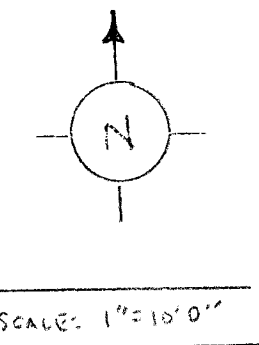
Orthophotos Flown Spring 2015
Parcel lines are a representation only;
Not intended for survey purposes.



APPROX LOT SQ. FT = 6086 SQ. FT
 STRUCTURES ALLOWED (35%) = 2130 SQ. FT
 EXISTING & PROPOSED SQ. FT. = 1221 SQ. FT. = 20%

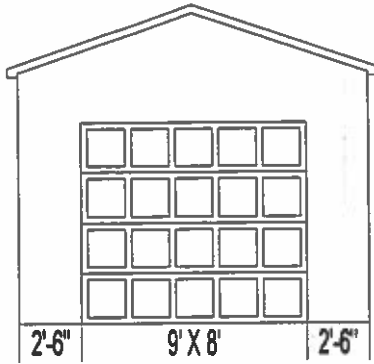
SITE PLAN

#806 SUNRISE PARK ST.
 LOT #105
 SUNRISE PARK SUBDIVISION
 PART OF NE 1/4 OF SEC. 9 AND SE 1/4 OF SEC. 4 T2N R5E
 GENDA TOWNSHIP
 LIVINGSTON COUNTY
 MICHIGAN

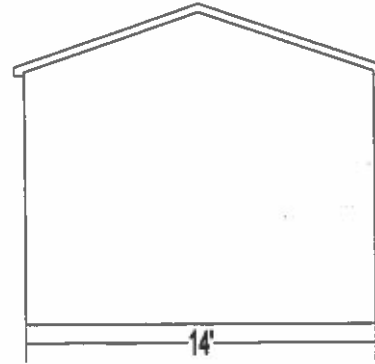


*** Here are the wall configurations for your design.

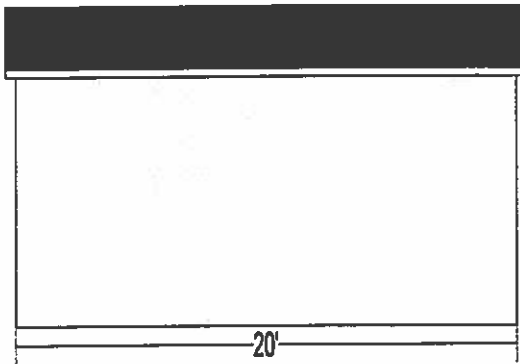
Illustration May Not Depict All Options Selected



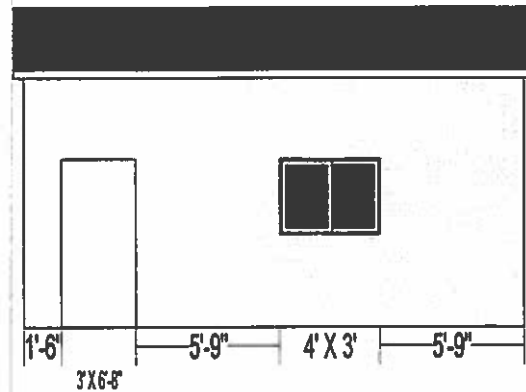
Gable Front View
(1) -



Gable Back View



Eave Front View



Eave Back View
(1) -
(1) -

NOTE: SIDING & SHINGLES
WILL MATCH HOUSE.

Building Size: 14 feet wide X 20 feet long X 10 feet high

Approximate Peak Height: 12 feet 8 inches (152 inches)

NOTE: Overhead doors may need to be "Wind Code Rated" depending on your building location.
Confirm the door requirements with your local zoning official before construction.

Menards-provided material estimates are intended as a general construction aid and have been calculated using typical construction methods. Because of the wide variability in codes and site restrictions, all final plans and material lists must be verified with your local zoning office. Menards is a supplier of construction materials and does not assume liability for design, engineering or the completeness of any material lists provided. Underground electrical, phone and gas lines should be located and marked before your building plans are finalized. Remember to use safety equipment including dust masks and sight and hearing protection during construction to ensure a positive building experience.

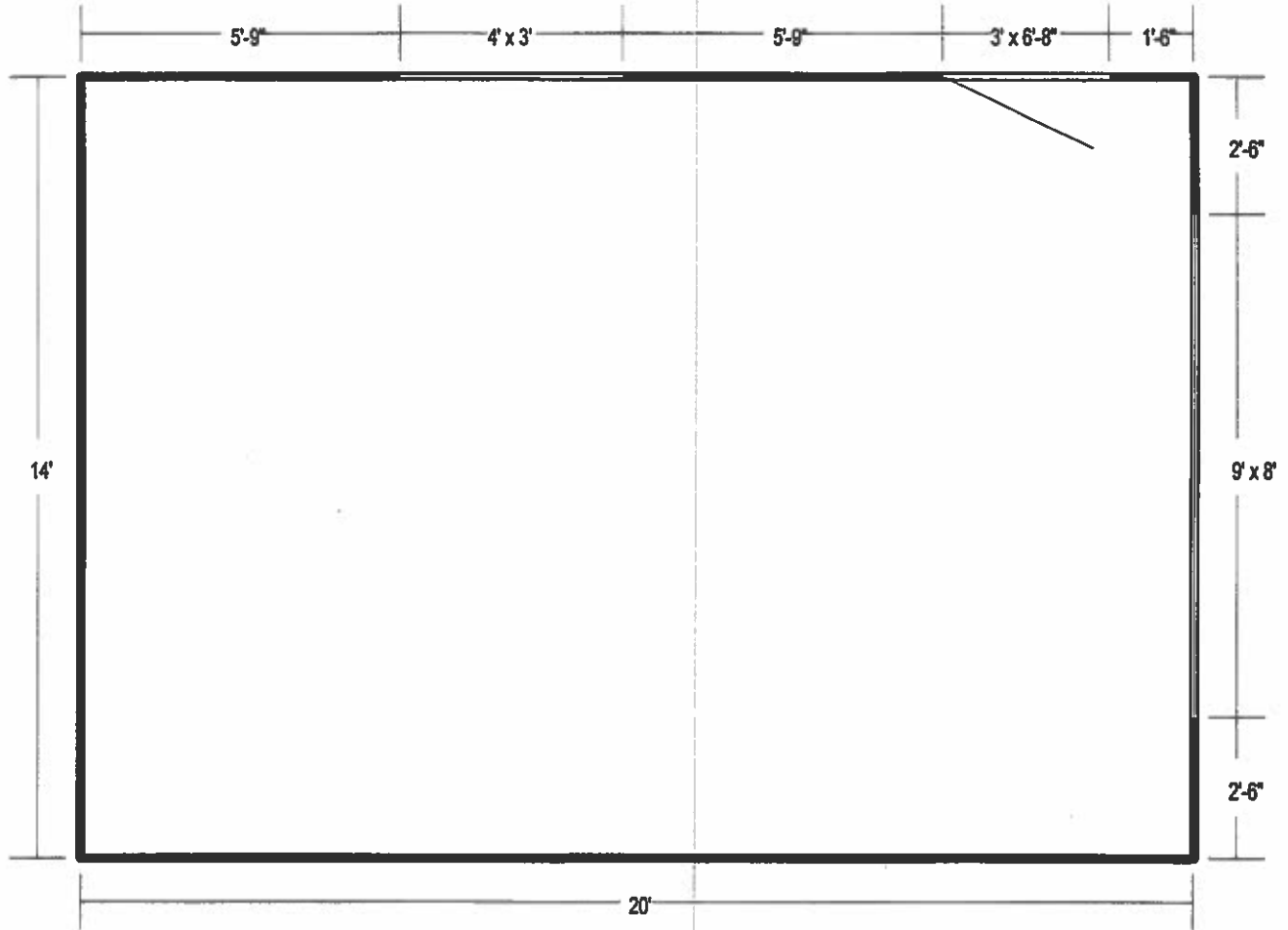
Estimate Id: 16950



Page 3 of 3
5/25/2016

*** Garage Floor Plan.

Illustration May Not Depict All Options Selected



Building Size: 14 feet wide X 20 feet long X 10 feet high

Note: Wall construction is 2x4 @ 16" on center

Amy Ruthig

From: Lyn Hewitt <hayhewitt@yahoo.com>
Sent: Wednesday, June 08, 2016 7:12 AM
To: Amy Ruthig
Subject: Case 16-21

Amy,

I am writing in regards to the proposed construction at 806 Sunrise Park St. I spoke with Mr. Ruggles concerning his plans to construct a garage on this property. I am in support of this project. Mr. Ruggles plans to build a garage to house his vehicle and lawn equipment which will improve the visual aesthetics of the property. In addition, he has chosen a simple design that will be quick to construct, thus minimizing any inconvenience to neighbors during construction. These types of improvements are nice to see in our community.

Regards,

Lyn Hewitt
837 Sunrise Park St
Howell MI 48843-7500

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
STRAKA, TERRI M.	RUGGLES RICHARD B	90,000	07/21/2008	WD	ARMS-LENGTH	2008R-022912	BUYER	100.0
LAPHAM, CHRISTOPHER E.	STRAKA, TERRI M.	130,000	01/29/2003	WD	ARMS-LENGTH	3750-0790	BUYER	100.0
LAPHAM, SHERRI	LAPHAM, CHRISTOPHER E.	1	03/21/2001	QC	QUIT CLAIM	2958-0943	BUYER	0.0
STALLSMITH, BARBARA	LAPHAM, CHRISTOPHER E.	0	03/21/2001	QC	QUIT CLAIM	2958-0945	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-I	Zoning: LRR	Building Permit(s)	Date	Number	Status
806 SUNRISE PARK	School: HOWELL		ADDITION	05/02/1997	97-145	NO START
	P.R.E. 100% 10/15/2008					
Owner's Name/Address	MAP #: V16-21					
	2017 Est TCV Tentative					

Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 00006.SUNRISE PARK								
			Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
SEC. 9 T2N, R5E, SUNRISE PARK LOT 105	X		'B'LAKEVIEW FRT	51.00	124.00	1.0000	1.0000	1500	100		76,500
Comments/Influences			51 Actual Front Feet, 0.14 Total Acres Total Est. Land Value = 76,500								

Comments/Influences	X	Land Improvement Cost Estimates						
		Description	Rate	CountyMult.	Size	%Good	Cash Value	
		Shed: Wood Frame	11.06	1.00	120	50	663	
		Total Estimated Land Improvements True Cash Value =					663	

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

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2017	Tentative	Tentative	Tentative			Tentative
2016	38,300	31,700	70,000			45,140C
2015	33,200	31,500	64,700			45,005C
2014	33,200	21,300	54,500			44,297C



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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area 120 120	Type WPP 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		(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			Class: C Effec. Age: 58 Floor Area: 900 Total Base Cost: 61,680 Total Base New : 93,754 Total Depr Cost: 53,656 Estimated T.C.V: 66,104	CntyMult X 1.520 E.C.F. X 1.232	Bsmnt-Adj Heat-Adj Size Cost	Bsmnt Garage: Carport Area: Roof:					
Building Style: C		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj Size Cost									
Yr Built 1941	Remodeled 0	Size of Closets Lg X Ord Small		(12) Electric 0 Amps Service			1 Story Siding Crawl Space 68.63 -10.06 0.00 620 36,313									
Condition for Age: Good		Doors Solid X H.C.		No./Qual. of Fixtures Ex. X Ord. Min			1 Story Siding Crawl Space 68.63 -10.06 0.00 280 16,400									
Room List		(5) Floors Kitchen: Other: Other:		No. of Elec. Outlets Many X Ave. Few			Other Additions/Adjustments (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			Rate						
Basement 1st Floor 2nd Floor 3 Bedrooms		(6) Ceilings		(7) Excavation Basement: 0 S.F. Crawl: 900 S.F. Slab: 0 S.F. Height to Joists: 0.0			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Rate						
(1) Exterior		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF			Lump Sum Items:			Rate						
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	(2) Windows Many Avg. X Large Avg. Small		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Rate						
(2) Windows										Rate						
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens									Rate						
(3) Roof										Rate						
X	Gable Hip Flat	Gambrel Mansard Shed								Rate						
X	Asphalt Shingle									Rate						
Chimney: Brick										Rate						

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
May 17, 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 Figurski, 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 variance and a variance from the required natural features setback from MDEQ regulated wetland to construct a detached accessory structure.**

Mr. Michael A. Quinn and Mr. Michael Quinn were present. Mr. Quinn stated they would like to build a 22 x 26 garage and they are requesting a variance due to the locations of the wetlands and the well.

Board Member Ledford asked the applicant if they were aware of the wetlands location on the property when the home was purchased. They stated they did not know they were wetlands.

The call to the public was made at 6:48 pm with no response.

Moved by Poissant, seconded by Ledford, to approve Case #16-05 from Michael A. Quinn for 1731 Fisk Road for a 22-foot side yard variance from the required 30 feet to 8 feet and a natural features setback of 7 feet from the required 25 feet to 18 feet with the following findings of fact:

- Strict compliance with the setbacks would prevent the applicant from constructing a detached accessory structure.
- The location of the existing home, well, public drain, and wetlands makes this the only feasible location for the building.
- The granting of the variances will not impair an adequate supply of light and air or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township.

- The granting of these variances will have little impact on the appropriate development, continued use or value of adjacent properties in the surrounding neighborhood.

Approval of these variances is conditioned upon:

- The applicant shall obtain all of the necessary approvals from the Livingston County Drain Commission.
- There shall be a survey done showing the lot line on the south side of the property.
- Silt fencing shall be utilized during construction.
- The applicant must preserve the drainage pattern of the existing drain
- The applicant must enhance the remaining setback area with native wetland friendly vegetation.

The motion carried unanimously.

2. 16-12...A request by Tim Chouinard, 4009 Highcrest, for two side yard and a front yard variance to construct an addition onto an existing home.

Mr. Chouinard stated there was a variance granted on this home three years ago; however, that contractor did not complete the work. They have changed the plans and are requesting the three variances for an addition and a second story.

The call to the public was made at 7:12 pm with no response.

Moved by Ledford, seconded by Figurski, to approve Case #16-12 for 4009 Highcrest from Tim Chouinard, applicant, and Janet Exline, owner, for a 6-foot front yard variance from the required 25 feet to 9 feet, one 2.75-foot side yard setback variance from the required 5 feet to 2.25 feet, and a second side-yard setback of 6.32 feet from the required 10 feet to 3.68 feet to add an addition toward the water and add a second story on a portion of an existing single-family home due to the following findings of fact:

- The location of the existing home, which is non conforming, and the narrowness of the lot.
- The variance is not self created.
- The granting of these variances will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township.
- Granting these variances will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of these variances is conditioned upon:

- The addition shall be guttered with downspouts directing runoff to the lot.

The motion carried unanimously.

3. 16-13...A request by Scott Bederka, 3783 Highcrest, for a front yard variance to construct a new home and garage

Mr. Scott Tarkleson, the builder, was present. Mr. Tarkleson stated they would like to remove the existing non-conforming home and erect a new one with a garage.

Board Member McCreary is concerned with how close the garage is to the road. Mr. Tarkleson stated it is 18 feet and most trucks are 17 feet long.

The call to the public was made at 7:24 pm with no response.

Moved by Figurski, seconded by Ledford, to approve Case #16-13 from Scott Bederka of 3783 Highcrest for a front yard setback variance of 27 feet from the required 35 feet to 8 feet to construct a new home with an attached garage due to the following findings of fact:

- Strict application of the front-yard setback requirements would prevent the applicant from constructing a new home with an attached garage.
- The need for this variance is due to the topography of the lot.
- The proposed home and garage is consistent with other homes in the vicinity.
- Granting of the requested variance will not impair an adequate supply of light and air to adjacent properties
- Granting this variance will have little impact on the surrounding properties.

Approval of this variance is conditioned upon the addition being guttered with downspouts directing runoff to the lake.

The motion carried unanimously

16-14...A request by Brad Rondeau, 2800 Acorn Lane, for a front yard variance to construct an addition onto an existing home.

Mr. Rondeau was present. He stated the variance is needed because there is a 250-year-old tree on the west side of his property that cannot be removed as a condition of a variance granted by the Township. To the south of the property there is a rock retaining wall and the ground is very soft.

The call to the public was made at 7:36 pm with no response.

Moved by Poissant, seconded by McCreary, to approve Case #16-14 from Brad Rondeau of 2800 Acorn Lane for a front-yard variance of 32 feet from the required 50 feet to 18 feet due to the following findings of fact:

- Strict application of the front yard setback would prevent the applicant from constructing an addition to a non-conforming residence.
- The non-conforming home was approved by the Township on March 12, 1998.
- Granting the variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of Genoa Township.
- Granting the requested variance will have little impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The motion carried unanimously.

16-15...A request by Troy Locklear, 3406 Pineridge Lane, for a front yard variance to construct an addition onto an existing home.

Mr. Locklear and Mr. Mike Latimer, the architect, were present. Mr. Latimer stated they are requesting these variances due to the existing non-conforming and topography of the lot. Their proposal will not impair the view of the lake for the neighbors. He showed colored renderings of the front of the proposed home.

The call to the public was made at 7:46 p.m.

Mr. Doug Brown of 3420 Pineridge is Mr. Locklear's neighbor. He has spoken to him and has seen the plans and he feels this will be a fine addition to the neighborhood.

The call to the public was closed at 7:47 pm.

Moved by Ledford, seconded by Figurski, to approve Case #16-15 from Mr. Troy Locklear of 3406 Pineridge for an 8.2-foot front-yard variance from the required 35 feet to 26.8 feet to construct an addition onto an existing home due to the following findings of fact:

- Granting this variance will do substantial justice to the applicant and the neighbors.
- The variance is not self created.
- The need for this variance is due to the topography of the lot and the location of the existing home.
- Granting this variance would make the property consistent with the majority of other properties in the area.
- The granting of the variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of Township residents.
- Granting the variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The motion carried unanimously.

16-16...A request by Brian and Renee Mayday, 5400 Sharp Drive, for front and waterfront variances for demolition of an existing home and garage in order to construct a new home and garage.

Chairman Dhaenens stated that the applicant has requested to have their request withdrawn.

Moved by Figurski, seconded by Ledford, to withdraw Case #16-16 per the applicant's request. **The motion carried unanimously.**

16-17...A request by Daniel Prosper, 4105 Highcrest, for front, rear, and waterfront variances to construct a garage and a second story addition onto an existing home.

Ms. Laura Trosper stated they have received the survey and due to its results, they are requesting different variances than what was approved last month.

Board Member Figurski asked if the lot coverage is within the requirement. Ms. Ruthig stated is it below the maximum allowed.

The call to the public was made at 7:56 pm with no response.

Moved by Ledford, seconded by McCreary, to approve Case #16-17 from Daniel Trosper, 4105 Highcrest, for a 35-foot front-yard setback from the required 35 feet to 0 feet, a 9-foot rear-yard setback from the required 40 feet to 31 feet, and a 17-foot waterfront variance from the required 48 feet to 31 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 motion carried unanimously.

Administrative Business:

1. Approval of minutes for the April 19, 2016 Zoning Board of Appeals Meeting

Ms. Ruthig stated that Mr. Ikle would like to have a sentence removed from the minutes of the meeting when his case was discussed. All members agree that the sentence should remain because that is what was said in the meeting.

Moved by Figurski, seconded by McCreary, to approve the April 19, 2016 Zoning Board of Appeals Meeting minutes as presented. **The motion carried unanimously.**

2. Correspondence

Ms. Ruthig presented the commissioners with an updated Variance Request Application, which will help streamline the process. Ms. VanMarter has approved it. All commissioners agree and staff should begin using it.

3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board Meetings of May 2nd and May 16th. She did not attend the May 2nd meeting, but reviewed what was on the agenda.

4. Planning Commission Representative Report – Board Member Figurski gave a review of the May 9, 2016 Planning Commission meeting.

5. Zoning Official Report

There will be a use variance request on next month's agenda. The applicant would like to have horses at a home in a zoning district where they are not allowed.

A draft of the zoning ordinance update will be received back from the consultants at the end of May for staff to review.

6. Member Discussion – No members had anything to discuss.

7. Adjournment

Moved by Figurski, seconded by Poissant, to adjourn the meeting at 8:19 p.m. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary