

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
APRIL 18, 2017
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. 17-07 ... A request by Mark Collins, 2455 Pardee Road, for a side yard variance to construct an attached garage to an existing single family home.

Administrative Business:

1. Approval of minutes for the March 21, 2017 Zoning Board of Appeals meeting.
2. Correspondence
3. Township Board Representative Report
4. Planning Commission Representative Report
5. Zoning Official Report
6. Member Discussion
7. Adjournment



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

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

Case # 17-07

Meeting Date: 4/18/17

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

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: MARK COLLINS

Property Address: 2455 ARDEE RD, HOWELL 48843 Phone: 734-260-2662

Present Zoning: CE Tax Code: 4711-19-100-009

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: REQUESTING VARIANCE OF REQUIRED DISTANCE FROM SIDE OF ADDITION TO SIDE PROPERTY LINE.
- 2. Intended property modifications: ADDITION OF ATTACHED GARAGE 36'x32'
 - a. Unusual topography/shape of land (explain): SMALLER, (LONG/NARROW), 1 ACRE LOT IN A 5 ACRE COUNTRY ESTATE DISTRICT.
 - b. Other (explain): ATTACHED GARAGE WOULD BE MORE COSMETICALLY APPEALING FOR ME & THE NEIGHBORS AND WOULD ALLOW ADDITIONAL SPACE BETWEEN BUILDING & NEIGHBORING PROPERTY LINE VS. STAND ALONE.

The following is required. Failure to meet this requirement may result in postponement or denial of this petition.

Property must be staked showing all proposed improvements seven (7) days before the meeting and remain in place until after the meeting.

Date: 3/24/17 Signature: Mark R Collins

Application must be completely filled out before submittal to Township and all submittal requirements must accompany application.

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 a land use permit will be required.



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: April 12, 2017

RE: ZBA 17-07

STAFF REPORT

File Number: ZBA#17-07
Site Address: 2455 Pardee Road
Parcel Number: 4711-19-100-009
Parcel Size: 1 Acre
Applicant: Mark Collins
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a side yard variance to construct a 36 x 32 attached garage.
Zoning and Existing Use: CE (Country Estates) Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday April 2, 2017 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 1977.
- See Assessing Record Card.

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

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

Summary

The proposed project is to construct a 36 x 32 attached garage to an existing home. In order to construct the addition, the applicant is in need of a side yard variance.

Variance Requests

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

Table 3.04.01 (CE District):

Required Side Yard Setback: 40'

Proposed Side Yard Setback: 22'

Proposed Variance Amount: 18'

Summary of Findings of Fact- After reviewing the application and materials provided, I offer the possible findings of fact for your consideration:

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

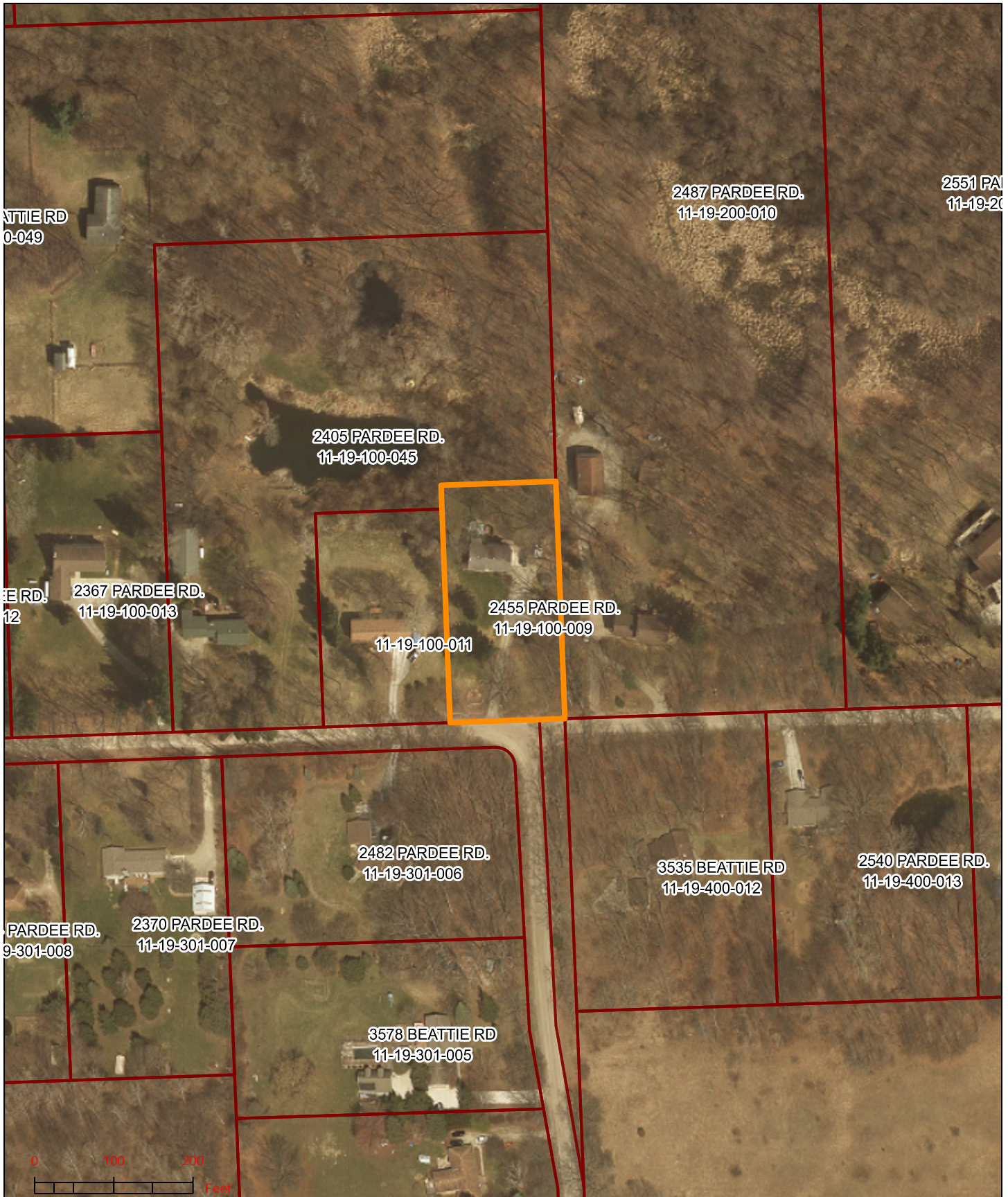
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the side yard setback would not allow the applicant to construct the addition in the desired location. The applicant could reduce the size of the addition to lessen the variance amount requested.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition is the property is a non-conforming lot in the Country Estates zoning district which is a 5 acre minimum.
- (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 proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

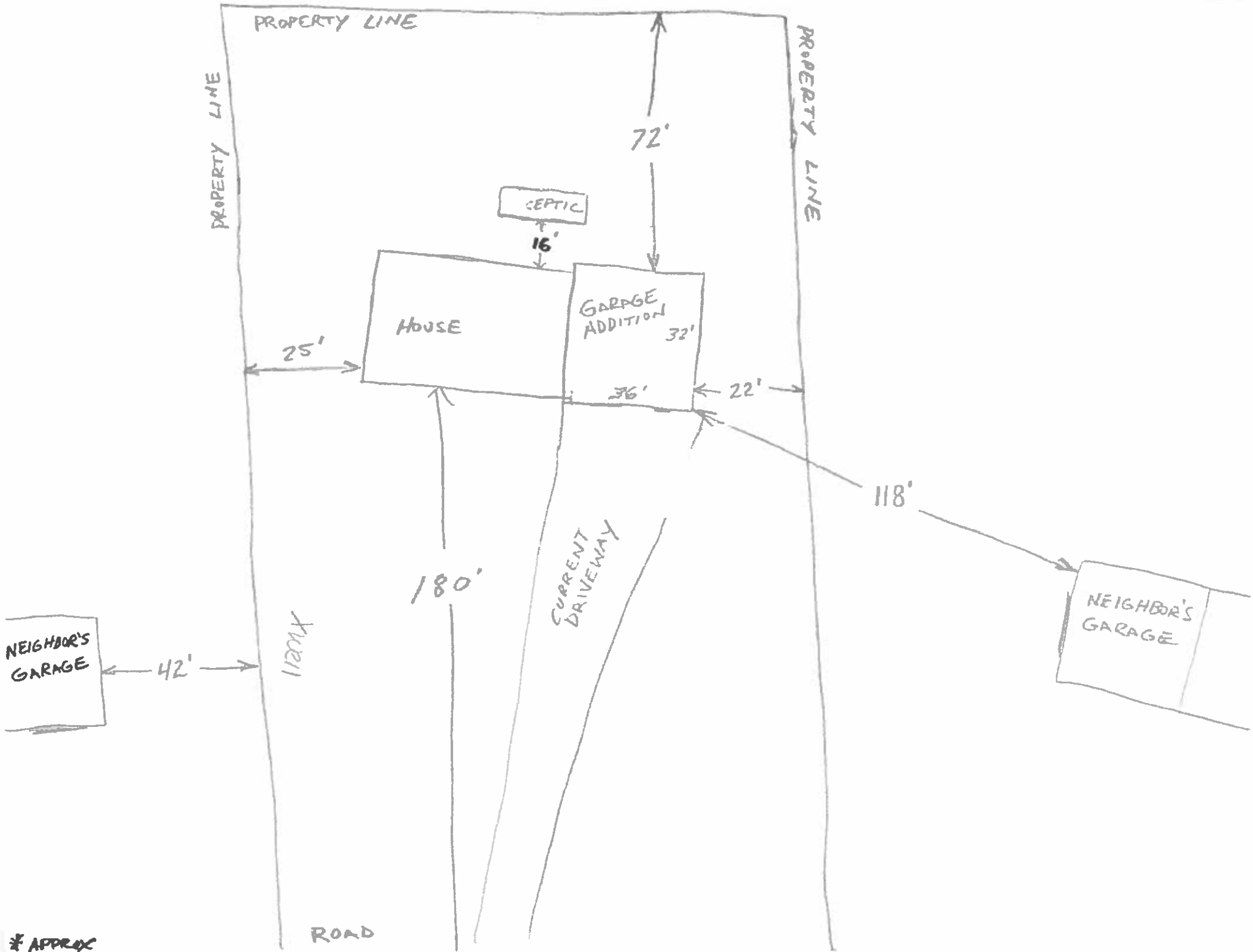
Recommended Conditions

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

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

GENOA TOWNSHIP

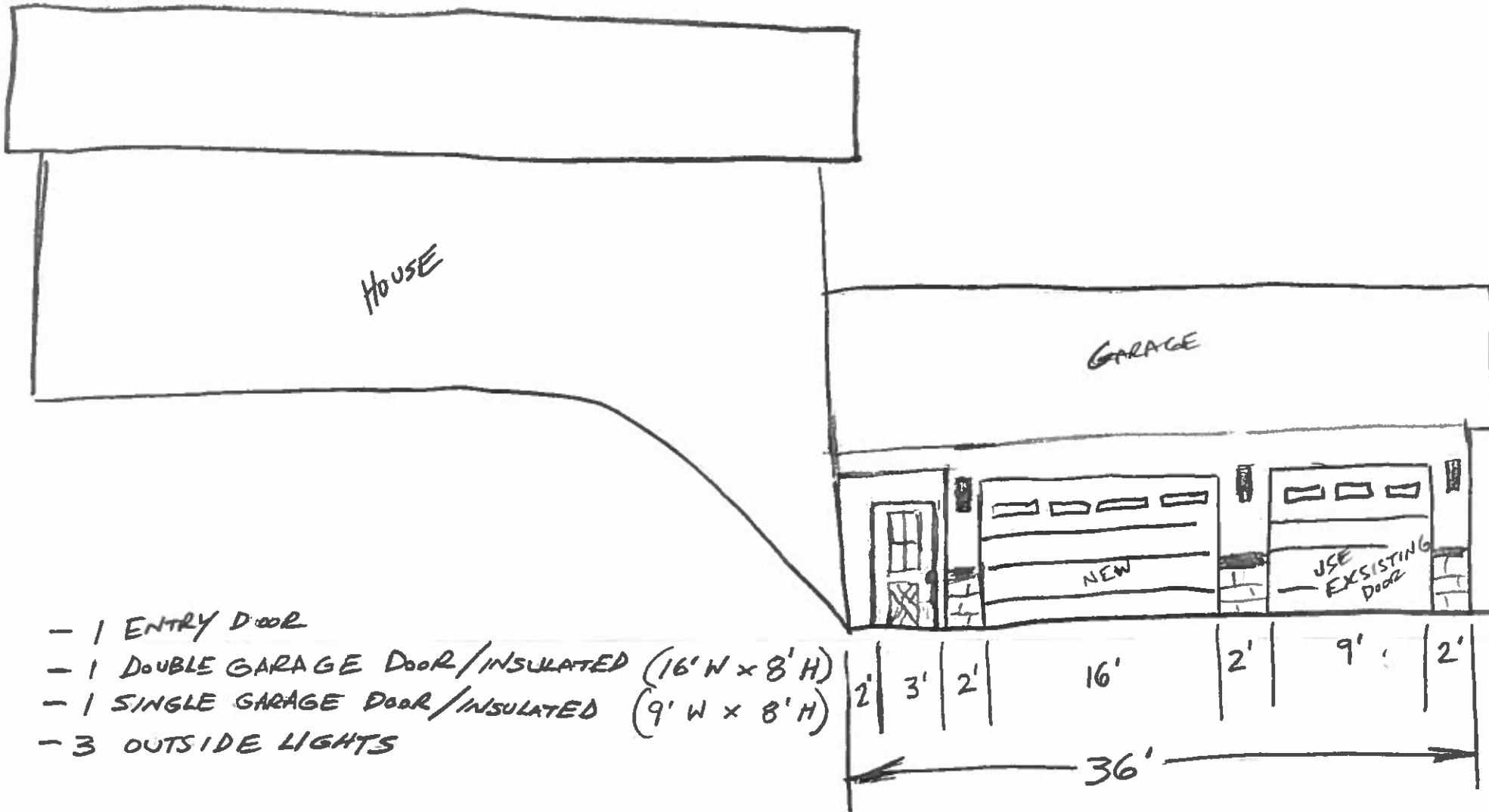




* APPROX

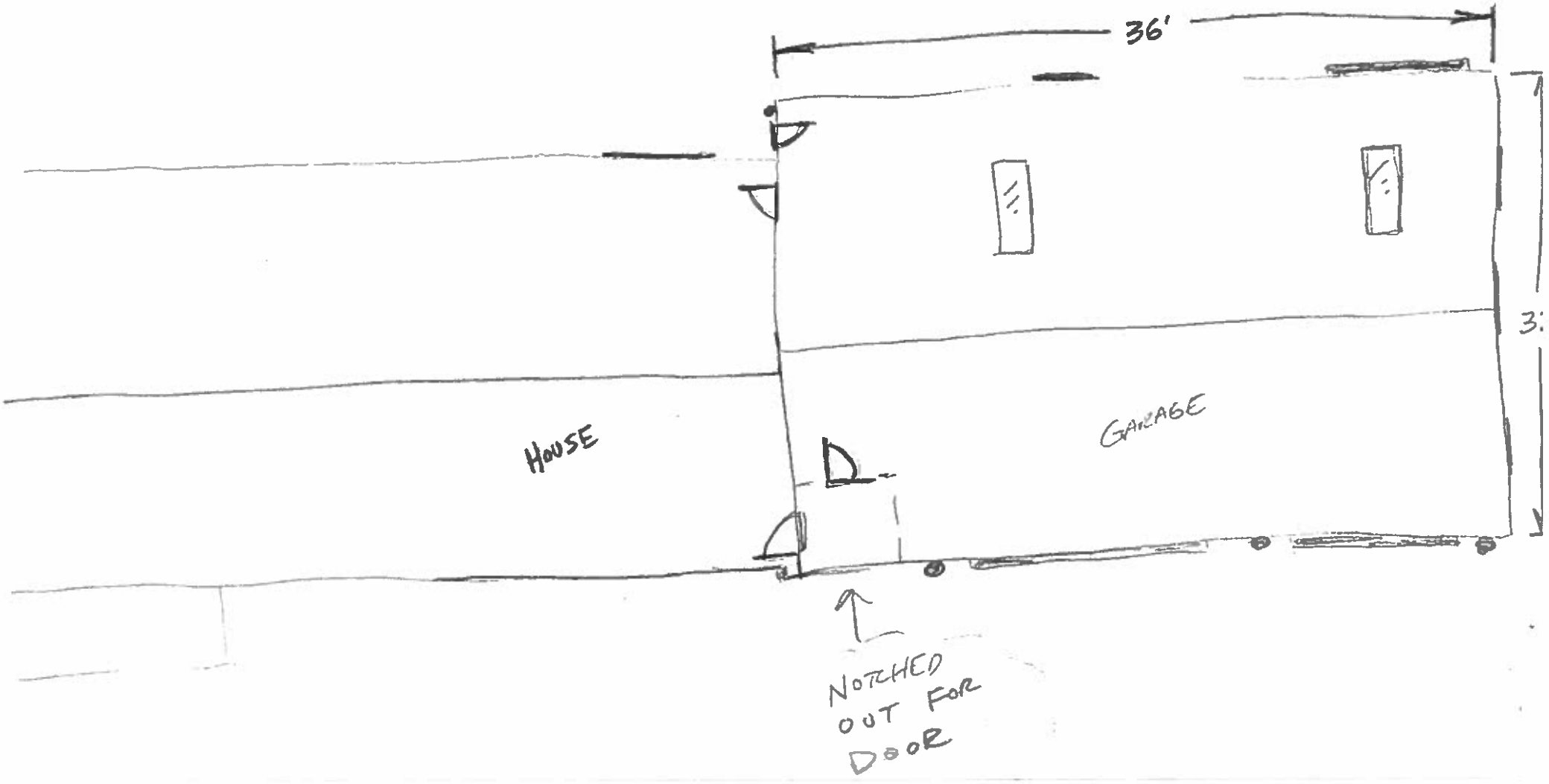
FRONT

32 x 36 ATTACHED GARAGE



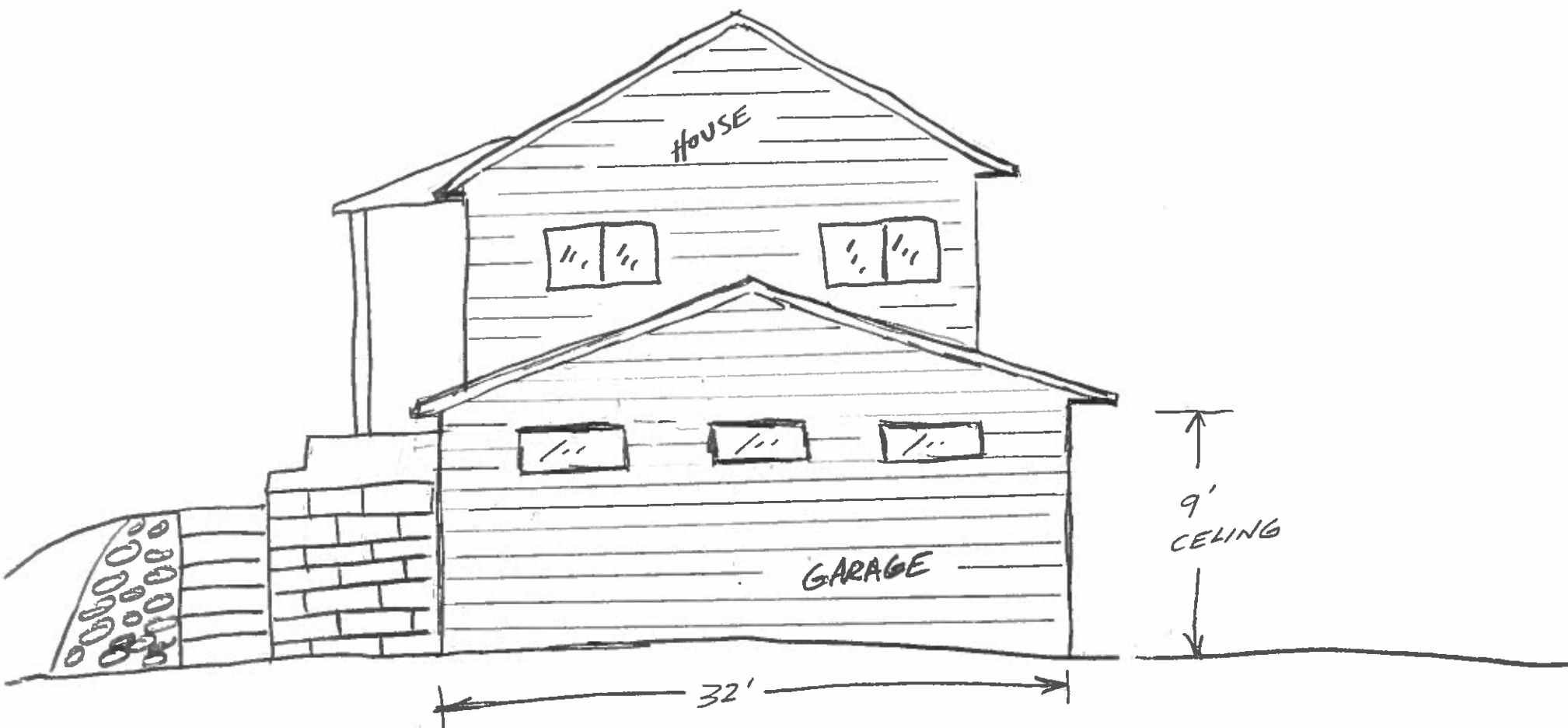
- 1 ENTRY DOOR
- 1 DOUBLE GARAGE DOOR/INSULATED (16' W x 8' H)
- 1 SINGLE GARAGE DOOR/INSULATED (9' W x 8' H)
- 3 OUTSIDE LIGHTS

TOP



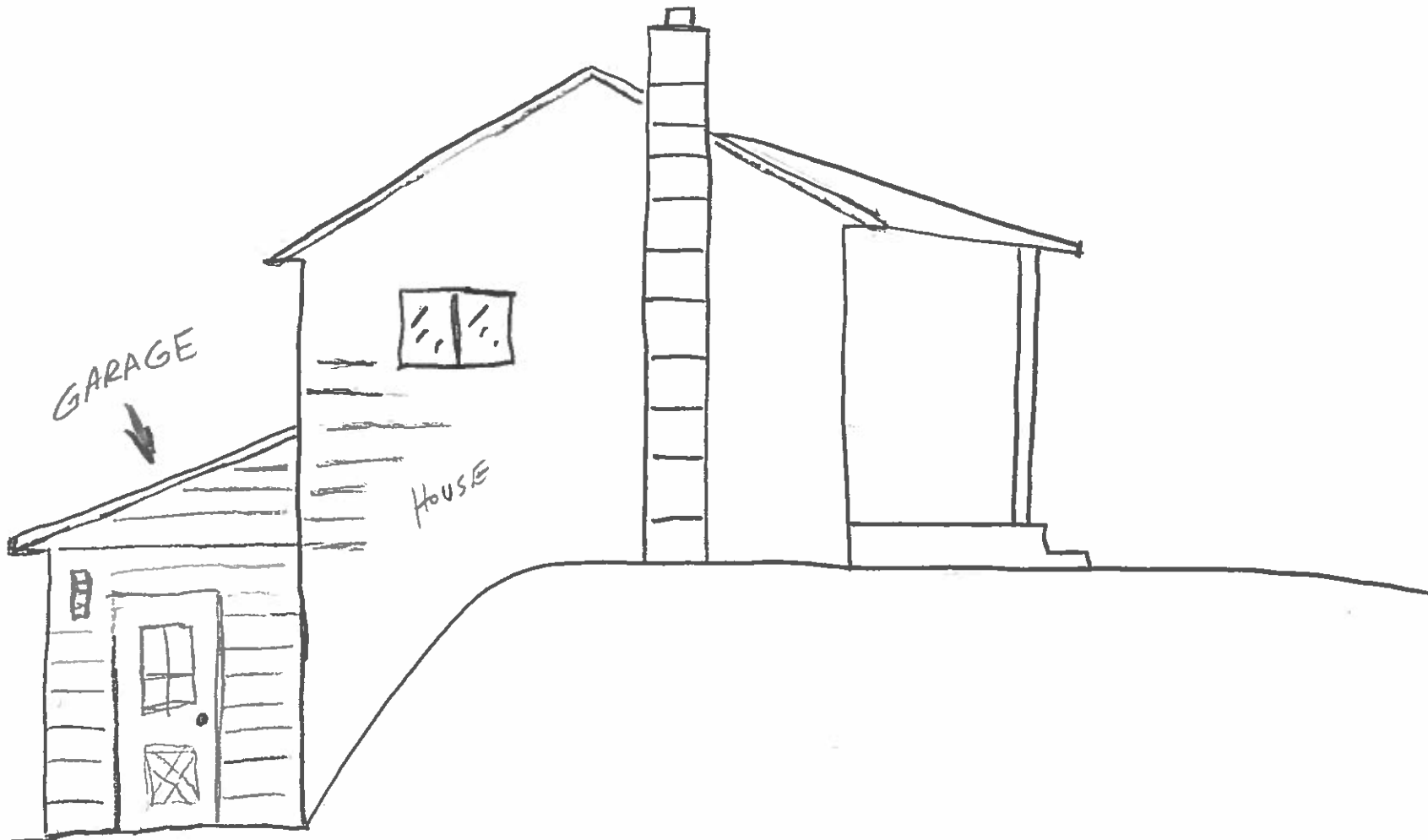
FRONT (ROAD SIDE)

RIGHT SIDE



- 3 WINDOWS

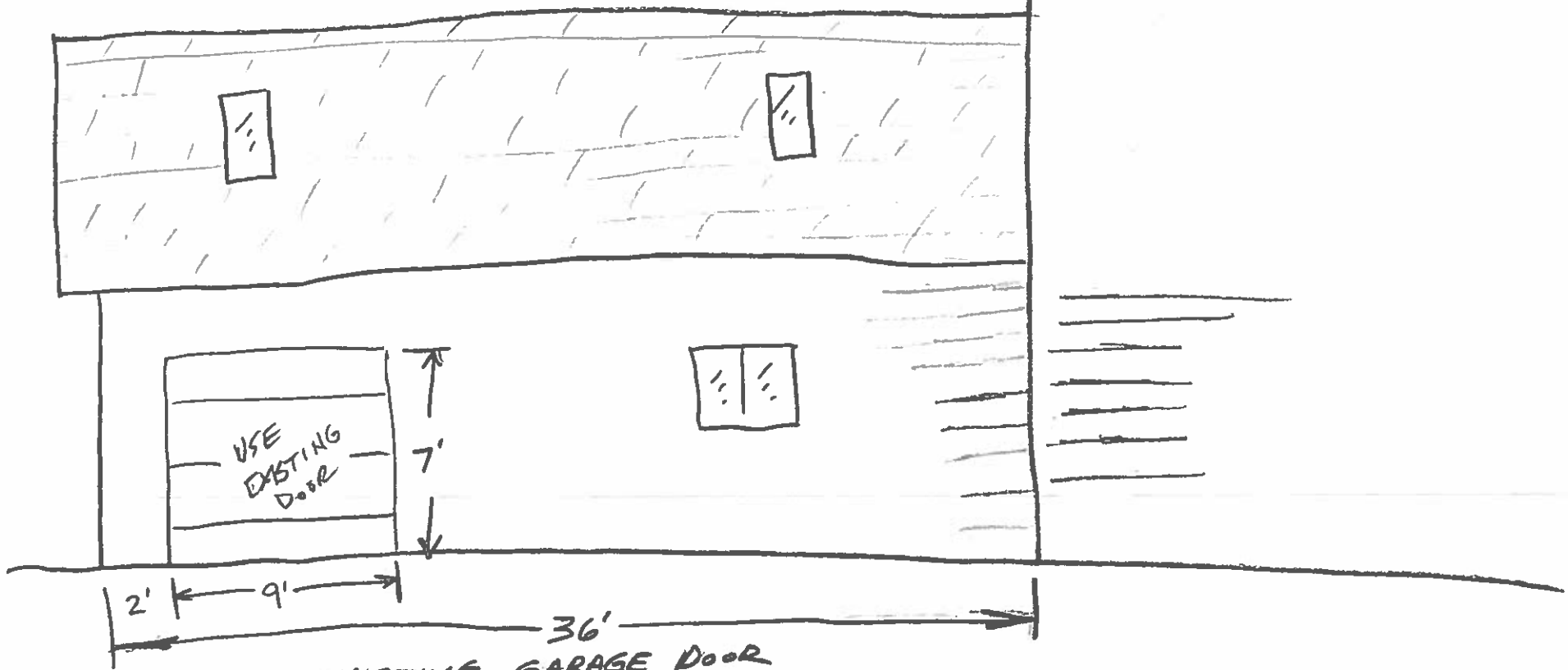
LEFT SIDE



- 1 ENTRY DOOR
- 1 OUTSIDE LIGHT

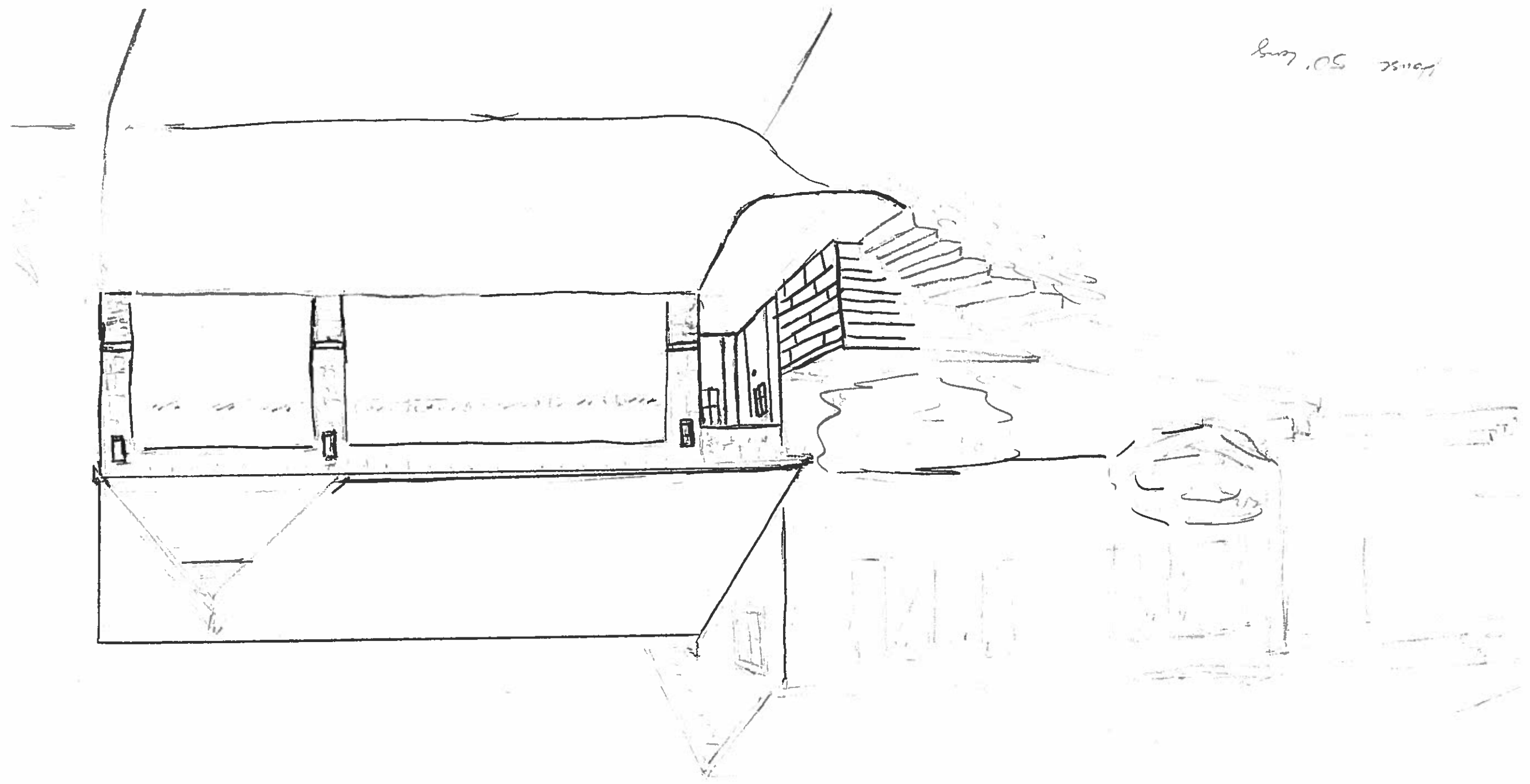
BACK

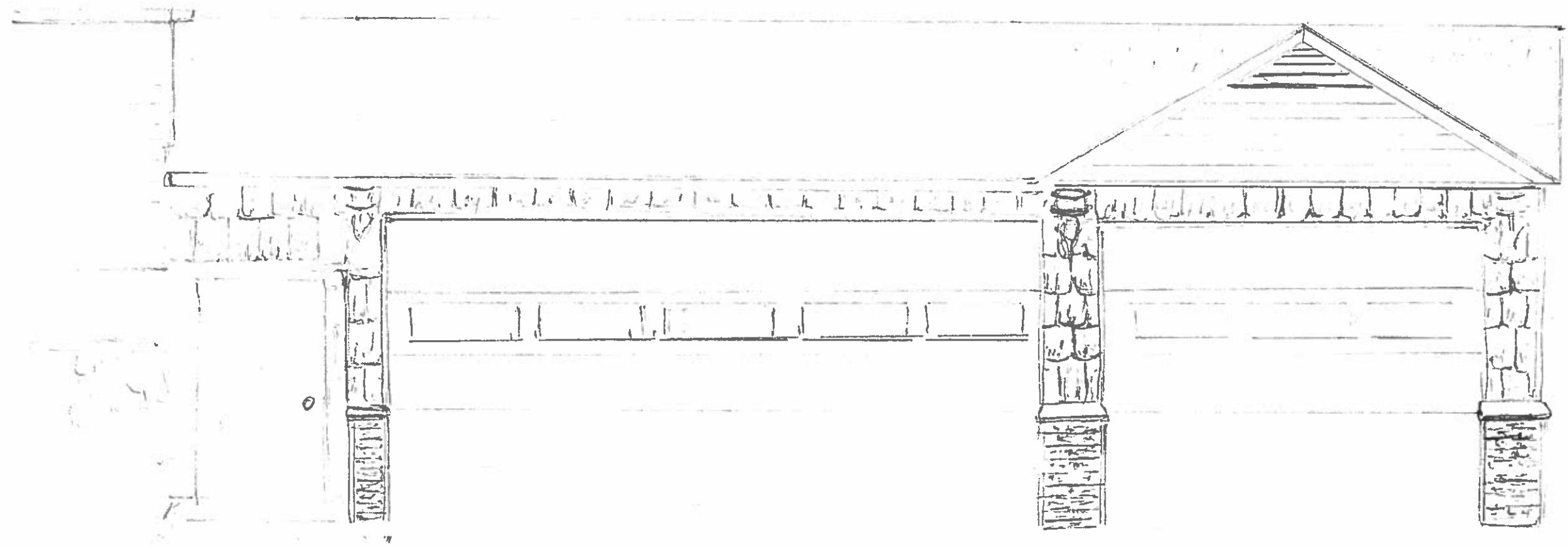
HOUSE



- USE EXISTING GARAGE DOOR
- 1 WINDOW
- 2 SKY LIGHTS

House 50' long





7/16 scale

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
COLLINS, ROBERT & NANCY LE	COLLINS MARK & DANIELLE	175,000	12/05/2016	LC	MEMO L/C	2016R-037513	BUYER	100.0			
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: CE	Building Permit(s)		Date	Number	Status		
2455 PARDEE RD.		School: HOWELL									
		P.R.E. 100% 01/12/2017									
Owner's Name/Address		MAP #: V17-07									
COLLINS MARK & DANIELLE 2455 PARDEE RD. HOWELL MI 48843		2018 Est TCV Tentative									
		X	Improved	Vacant	Land Value Estimates for Land Table 124.HOWELL M& B						
		Public Improvements		* Factors *							
				Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value	
				LAND TABLE A			1.000	Acres	50,000 100	50,000	
				1.00 Total Acres Total Est. Land Value =					50,000		
				Land Improvement Cost Estimates							
				Description	Rate	County	Mult.	Size	%Good	Cash Value	
				Shed: Wood Frame	11.23	1.00		110	49	605	
				Total Estimated Land Improvements True Cash Value =					605		
Tax Description		X		Dirt Road							
SEC 19 T2N - R5E - BEG IN CENTER OF SEC - TH W 145 FT - TH N 0*11'40" W 300 FT - TH E 145 FT - TH S 0*11'40" E 300 FT TO BEG - 1 A. M/L				Gravel Road							
				Paved Road							
				Storm Sewer							
				Sidewalk							
				Water							
				Sewer							
				Electric							
				Gas							
				Curb							
				Street Lights							
				Standard Utilities							
				Underground Utils.							
				Topography of Site							
				Level							
				Rolling							
				Low							
				High							
				Landscaped							
				Swamp							
				Wooded							
				Pond							
				Waterfront							
				Ravine							
				Wetland							
				Flood Plain							
				X REFUSE							
		Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
					2018	Tentative	Tentative	Tentative			Tentative
		JB	02/13/2017	INSPECTED	2017	25,000	63,900	88,900			88,900S
					2016	25,000	55,900	80,900			71,956C
					2015	25,000	52,300	77,300			71,741C



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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 Gas	Area 115 230	Type CCP (1 Story) Pine	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 624 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G												
Building Style: C		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Class: C +10 Effec. Age: 30 Floor Area: 1352 Total Base Cost: 107,114 Total Base New : 162,814 Total Depr Cost: 113,970 Estimated T.C.V: 125,367			CntyMult X 1.520 E.C.F. X 1.100			Bsmnt Garage: Carport Area: Roof:	
Yr Built 1977	Remodeled 0	Size of Closets		0 Amps Service			No./Qual. of Fixtures			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj			Size Cost				
Condition: Good		Lg	X	Ord		Min	Ex. X Ord. Min			1 Story Siding Basement 79.15 0.00 0.00			728 57,621				
Room List		(5) Floors		Kitchen: Other: Other:			No. of Elec. Outlets			1 Story Siding Overhang 41.69 0.00 0.00			624 26,015				
	Basement 1st Floor 2nd Floor 3 Bedrooms	Kitchen: Other: Other:		Basement: 728 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			Many X Ave. Few			Other Additions/Adjustments Rate Size Cost			1 775				
(1) Exterior		(7) Excavation		(13) Plumbing			Walk out Basement Door(s) 775.00			(14) Water/Sewer			1 4,975				
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 728 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			1000 Gal Septic 3085.00			(16) Porches CCP (1 Story), Standard 27.84			115 3,202				
(2) Windows		(8) Basement		(14) Water/Sewer			Well, 200 Feet 4975.00			(16) Deck/Balcony Pine, Standard 5.48			230 1,260				
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish			1 1000 Gal Septic			(17) Garages			1 4,975				
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Recreation SF Living SF 1 Walkout Doors No Floor SF		(14) Water/Sewer			2000 Gal Septic			Class:C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 18.40 Common Wall: 1 Wall -1300.00 Phy/Ab.Phy/Func/Econ/Comb.%Good= 70/100/100/100/70.0, Depr.Cost = 113,970 ECF (47070 HOWELL M & B) 1.100 => TCV of Bldg: 1 = 125,367			624 11,482 1 -1,300				
(3) Roof		(10) Floor Support		(14) Water/Sewer			Lump Sum Items:										
X	Gable Hip Flat		Gambrel Mansard Shed	Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic													
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:															
Chimney: Brick																	

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
March 21, 2017 6:30 PM**

MINUTES

Call to Order: Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:32 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, Dean Tengal, and Kelly VanMarter, Community Development Director/Assistant Township Manager.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda:

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

Call to the Public: The call to the public was made at 6:31 pm with no response.

1. 17-06 ... A request by Brett Gierak, 921 Sunrise Park, for a rear yard variance to construct a second story addition on an existing home.

Ms. VanMarter stated the measurements were taken incorrectly by staff, so the side-yard setback is no longer needed as published. The agenda is correct.

Mr. and Mrs. Gierak were present. Mr. Gierak stated they would like to add a second-story to the home as well as expand the home toward the rear and the side; however, a variance is not needed for the side.

A call to the public was made at 6:38 pm. Lynn Hewitt of 837 Sunrise Park stated she is in support of the request. She would like for the improvements to be made so it can be a year-round home. The call to the public was closed at 6:39 pm.

Moved by Ledford, seconded by McCreary, to approve Case #17-06 for 921 Sunrise Park by Brett Gierak for a rear yard/lakefront variance of 11 feet for a rear yard/lakefront setback of 29 feet from the required 40 feet, to construct a second-story addition to a single-family home, based on the following findings of fact:

- Strict compliance with the rear yard setback would prevent the applicant from constructing the addition to the existing single family home.
- The exceptional or extraordinary condition of the property is the non-conforming location of the existing home. The need for the variance is not self-created
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase

the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

The granting of this variance is conditioned upon:

- The structure must contain gutters and downspouts
- Drainage must be directed toward the lake

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the February 21, 2017 Zoning Board of Appeals Meeting

Moved by Figurski, seconded by Ledford, to approve the February 21, 2017 Zoning Board of Appeals Meeting minutes with the changes discussed. **The motion carried unanimously.**

2. Correspondence –There were no correspondence to present this evening.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board meetings held on March 6th and March 20, 2017.
4. Planning Commission Representative Report – Board Member Figurski gave a review of the March 13, 2017 Planning Commission meeting.
5. Zoning Official Report - Ms. VanMarter had nothing to report this evening.
6. Member Discussion - There were no member discussion items.
7. Adjournment

Moved by Figurski, seconded by McCreary, to adjourn the meeting at 7:02 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary