

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 20, 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. 17-11 ... A request by Janet Evans, 4276 Highcrest, for a front yard variance to construct an addition.
2. 17-12 ... A request by Brice Nelson, vacant lot Forest Beach Drive, parcel #11-26-301-024, for two side yard variances to construct a single family home.

Administrative Business:

1. Approval of minutes for the May 16, 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 # 17-11 Meeting Date: 5-16-17

PAID Variance Application Fee @ 6:30
(\$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: JANET EVANS (GRISCOM)

Property Address: 4276 HIGHEST DR. Phone: 810-623-2768

Present Zoning LRR Tax Code: 11-22-302-185

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: TO BUILD CLOSER TO STREET SIDE PROPERTY LINE; LESS THAN 35' SETBACK FOR GARAGE

2. Intended property modifications: ADDITION OF ATTACHED GARAGE

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

b. Other (explain): SAME AS ABOVE

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: 4.20.2017 Signature: Janet Evans

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: June 15, 2017

RE: ZBA 17-11

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

STAFF REPORT

File Number: ZBA#17-11
Site Address: 4276 Highcrest Drive
Parcel Number: 4711-22-302-185
Parcel Size: .285
Applicant: Janet Evans (Griscom), 4276 Highcrest Brighton
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

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

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

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 1920 and remodeled in 2011.
- See Assessing Record Card.
- Please note that the plans are labeled as the Carlson Residence however the address is correct.

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

The applicant was tabled at the May Zoning Board of Appeals meeting. Please see attached minutes. The applicant has submitted a revised site plan showing the proposed home to be 17.1 feet from the front property line which is a 5 foot setback difference from last meeting. Since submitting the revised plan, the applicant had sent an email on 6-8-17 stating that they wish to be 15.1 feet from the front property line (see attached). The possible finding of facts contained in my May 10, 2017 staff report or unchanged in either case. The report is attached for your review.

Variance Requests

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

Table 3.04.01 (LRR District):	Required Front Yard Setback:	35
	Proposed Front Yard Setback:	17.1
	Proposed Variance Amount:	17.9

- The vacant lot #31 gives access off of Grand River to the residential property with an address of 5520 Wildwood, which is how the applicant enters and exits his property.
- The extraordinary circumstances are the division of the lots with a walking path in between and the inability to change the platted subdivision.
- The owner is in sole possession of two parcels that are separated by a walking trail in between them.
- The granting of the variance would give substantial justice to the applicant due to the uniqueness of the plat.
- 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 properties or unreasonably increase the congestion of 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 may have little impact on the appropriate development, continued use or value of adjacent properties and the surrounding properties and is similar to homes surrounding it that front Grand River with waterfront on the opposite site.

Approval of this variance is conditioned upon:

- No other additional structures are allowed on the lot.
- A deed restriction requiring that the vacant land cannot be sold separately from 5520 Wildwood shall be prepared by the Township Attorney and given to the Township to record.

The motion carried unanimously.

4. 17-11 ... A request by Janet Evans, 4276 Highcrest, for a front-yard variance to construct an addition.

Ms. Janet Evans, the applicant, and Mark Carlson, the builder, were present. They would like to build a 29x34 garage addition to their existing home. There is a shed there currently and they want to incorporate this as part of the addition. It would be a breezeway from the home to the garage and there would be additional living space above. There is an existing grinder pump and a well on the north side of the property.

She stated they will still have space to park four cars. Mr. Carlson stated there would be approximately 28 feet from the face of the proposed addition to the curb edge. The Board expressed their concerns with site distance for vehicles backing out of the driveway because of the curve of the road to the north of their property. It is a safety issue. Board Member Ledford would like to have the garage moved further from the front property line.

Board Member Figurski stated that when she visited the site and parked in the driveway where it would be if the addition was to be built, her car was right at the curb. She would not vote in support of this variance.

The applicant asked to have their item tabled this evening to review the Board's comments this evening and possibly return with a revised plan, if a variance would still be needed.

Board Member McCreary stressed to the applicant that safety is very important so if a revised plan is presented, proof needs to be given that there is adequate site distance.

The call to the public was made at 7:31 pm.

John Booker of 4268 Highcrest does not have any issues with the proposed plan.

Chairman Dhaenens stated an e-mail was received from Vince and Amy Parlove of 4284 Highcrest in support of the variance request.

The call to the public was closed at 7:32 pm.

Moved by Ledford, seconded by Tengel, to postpone Case #17-11 at the applicants request until the June 20, 2017 ZBA meeting. **The motion carried unanimously.**

Administrative Business:

1. Approval of minutes for the April 18, 2017 Zoning Board of Appeals Meeting

Moved by Figurski, seconded by McCreary, to approve the April 18, 2017 Zoning Board of Appeals Meeting minutes as presented. **The motion carried unanimously.**

2. Correspondence – Ms. Ruthig stated that a neighbor submitted a video and pictures of Mr. Okopski of 100 Chilson Road burning the bedding and manure of his chickens, which is in direct violation of the GAAMPS. She presented a letter that she sent to Mr. Okopski advising him of this violation. She asked Mr. Okopski to contact her by May 5th and she has not received a response. Board Member McCreary suggested sending a certified letter to Mr. Okopski advising him that his non-compliance with GAAMPS violates his variance and it is hereby revoked so he needs to remove the farm animals within a certain amount of time. Ms. Ruthig will confirm with the Township Attorney that this can be done without any other steps needed.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board meetings held on May 1st and May 15, 2017.
4. Planning Commission Representative Report – Board Member Figurski gave a review of the May 8, 2017 Planning Commission meeting.
5. Zoning Official Report - Ms. Ruthig had nothing to report.
6. Member Discussion - There were no member discussion items.

Amy Ruthig

From: Janet Evans <jevans@peainc.com>
Sent: Thursday, June 08, 2017 4:11 PM
To: Amy Ruthig
Cc: carlsonmark45@gmail.com
Subject: 4276 HIGHCREST VARIANCE GARAGE ADDITION
Attachments: IMG_20170601_071050480.jpg; IMG_20170601_071117451.jpg; IMG_20170531_195546926.jpg; IMG_20170531_195619670_HDR.JPG; IMG_20170531_195218293_HDR.JPG; IMG_20170531_195817540.jpg; Carlson turning radius ORIGINAL.PDF

Please see the attached photos concerning the drive distance from curb to proposed garage face for 4276 Highcrest Drive.

The first 2 pictures show our house with an extended truck and car parked where the original plan was staked. This original plan shows the vehicle's fit in the drive easily with a range of 24-30' from curb to new garage. A regular car parking space is 9' x 19' long.

Also the grade would change; our drive would raise approx. 2' to make it less of a slope to the street. The existing planting bed adjacent to the street will change to accommodate a better curve.

After reviewing, we thought maybe the 2 women who mentioned they could not maneuver our drive, may have not used the correct stakes.

The remaining attached photos show various houses down our street also that have just been constructed.

The 3rd photo 4129 Highcrest shows 16' curb to garage, 4th photo, 4105, shows 16' also.

The 5th photo, 4212 Highcrest shows 24-26'; our proposed addition would be similar to this one.

Some houses can only parallel park.

We obviously would like to remain with the original variance drawing submitted, verses pushing it back 5 more feet. Moving it back only 2 more feet would be more reasonable.

We would like to understand why we were singled out to not have enough room from curb to bldg. to pull in and out of our drive when it ranges from 24' to 30'?

We would be happy to discuss further before the meeting on June 20.

Please call with any questions or info we can provide you.

Thank you for your review and considerations.

Janet Evans
810 623 2768
Mark Carlson
734 812 8300

Janet Evans, PLA
Senior Landscape Architect

PEA



4212



4129

1150









A black GMC SUV parked in the driveway. The front grille features the GMC logo. The license plate is not visible.

A white Toyota SUV parked in the driveway. It has a spare tire mounted on the rear. The license plate is blue and reads "BV6 1634".

A blue shed with a green door. The door has the numbers 4, 2, 7, and 6 on it.

A grey house with a brick chimney and several windows.



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: May 10, 2017

RE: ZBA 17-11

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

STAFF REPORT

File Number: ZBA#17-11
Site Address: 4276 Highcrest Drive
Parcel Number: 4711-22-302-185
Parcel Size: .285
Applicant: Janet Evans (Griscom), 4276 Highcrest Brighton
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a front yard variance to construct an addition to an existing 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 April 30, 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 1920 and remodeled in 2011.
- See Assessing Record Card.
- Please note that the plans are labeled as the Carlson Residence however the address is correct.

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 garage and guest suite to an existing single family home. In order to construct the addition as proposed, the applicant is required to obtain a front yard variance. The location of the front (road side) property line on the drawing varies considerably from the parcel aerial overlay on the GIS map provided. Although not 100% accurate staff has found these GIS files to be mostly reliable and in this situation a survey verifying the property line and roadway locations may be appropriate. Since the publication date, it has been determined that a lot coverage variance is not required.

Variance Requests

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

Table 3.04.01 (LRR District):	Required Front Yard Setback:	35
	Proposed Front Yard Setback:	12.1
	Proposed Variance Amount:	22.9

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 front yard setback would prevent the applicant from constructing the addition to the existing single family home as proposed. There are other homes in the vicinity with reduced front yard setbacks that would support substantial justice.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the non-conforming location of the existing home and narrow lot. Granting of the variance would make it consistent with many homes in the vicinity. 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. It might cause an increase in congestion to the public streets. The location of the property on the curve of Highcrest and the fact that the road is located very close to the property line could cause an increase in congestion and create public safety concern due to a vehicle backing out of the driveway that could possibly not be seen to oncoming traffic. In addition, the plans indicate the 2nd floor of the addition to be used as a guest suite while the addition will occupy the available on-site parking. The applicant should demonstrate there will be sufficient on-site parking.
- (d) Impact on Surrounding Neighborhood** – Providing the parking concerns are addressed, the proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

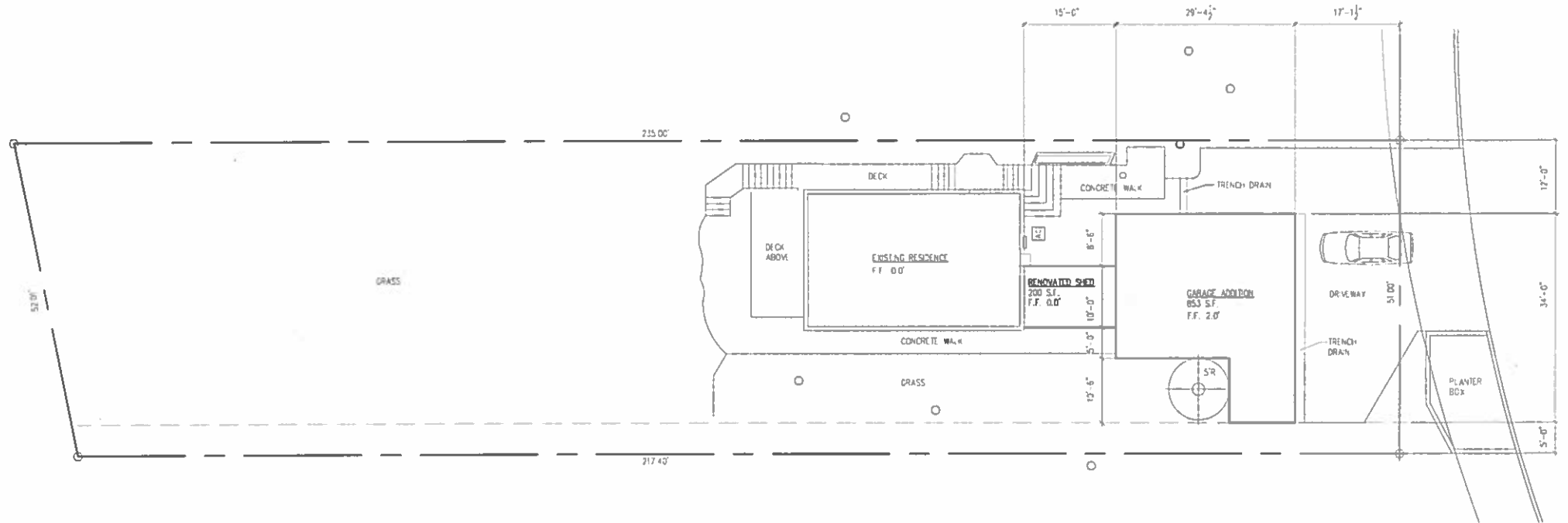
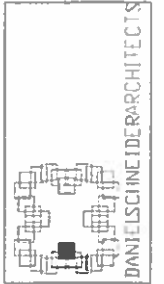
Recommended Conditions

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

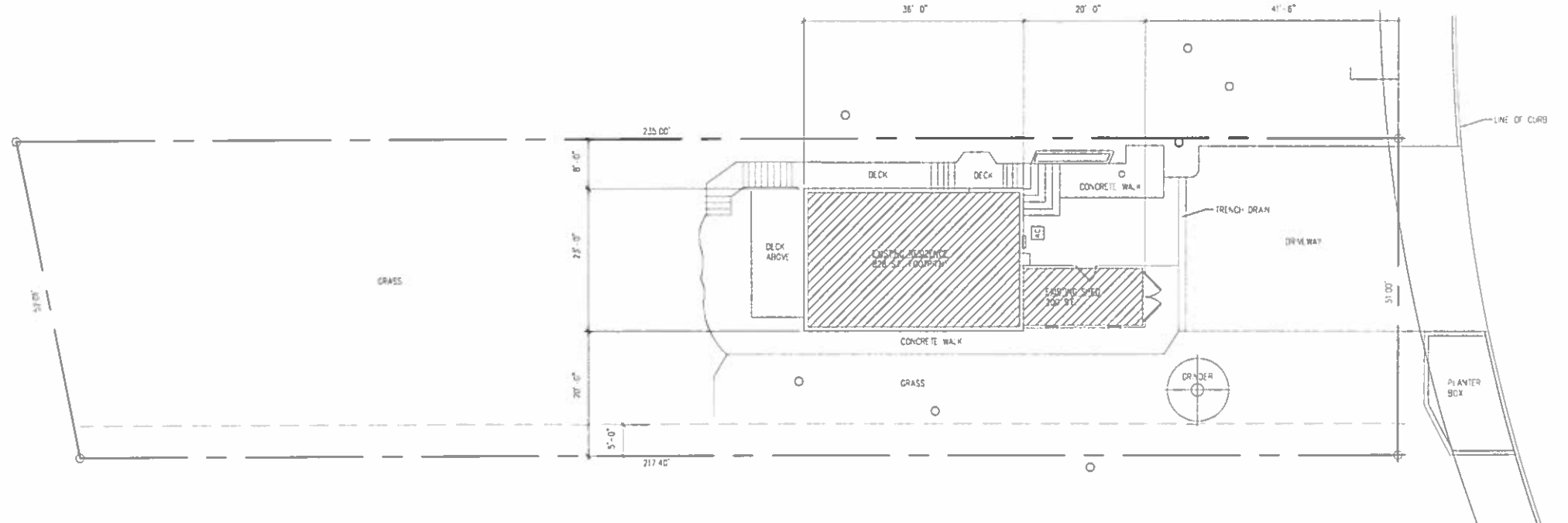
1. Drainage from the home must be maintained on the lot.
2. Structure must be guttered with downspouts.
3. Applicant should obtain survey documenting location of front lot line and edge of roadway.
4. Sufficient on-site parking shall be maintained at all times.

GENOA TOWNSHIP





ARCHITECTURAL
 SITE PLAN - PROPOSED
 SCALE: 3/32" = 1'-0"



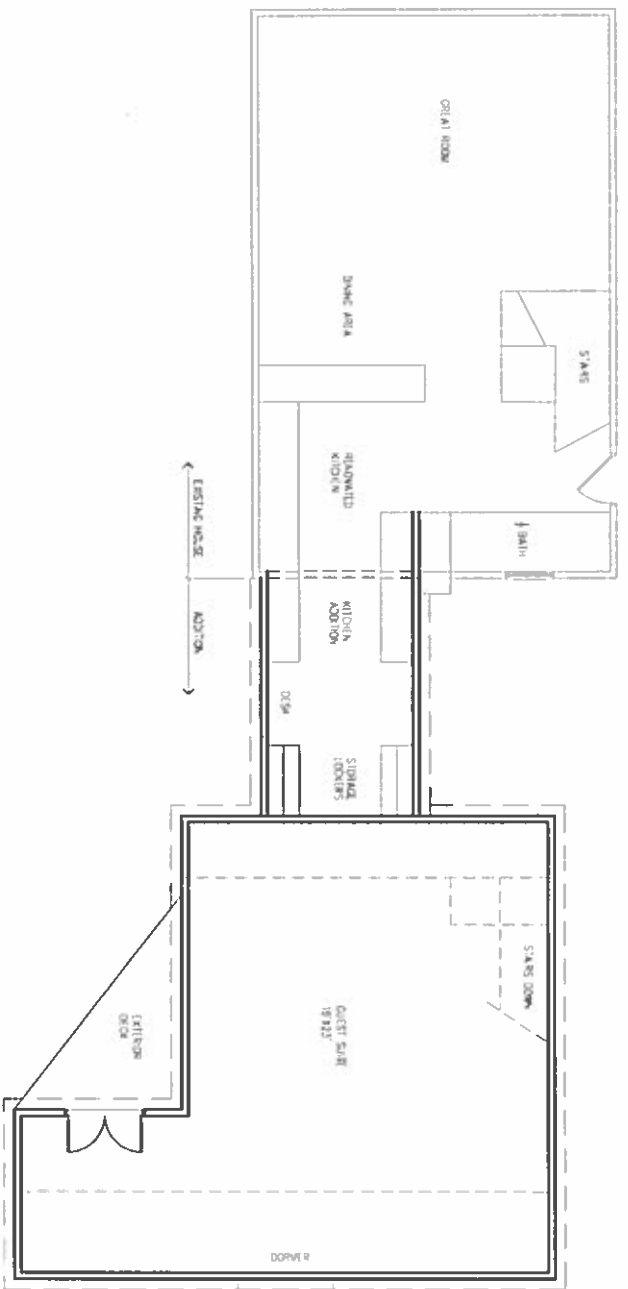
ARCHITECTURAL
 SITE PLAN - EXISTING
 SCALE: 3/32" = 1'-0"

See and Signature

Carlson Residence
 Garage Addition and Renovation Project
 4276 HIGGCREST DRIVE, BRIGHTON, MI 48116

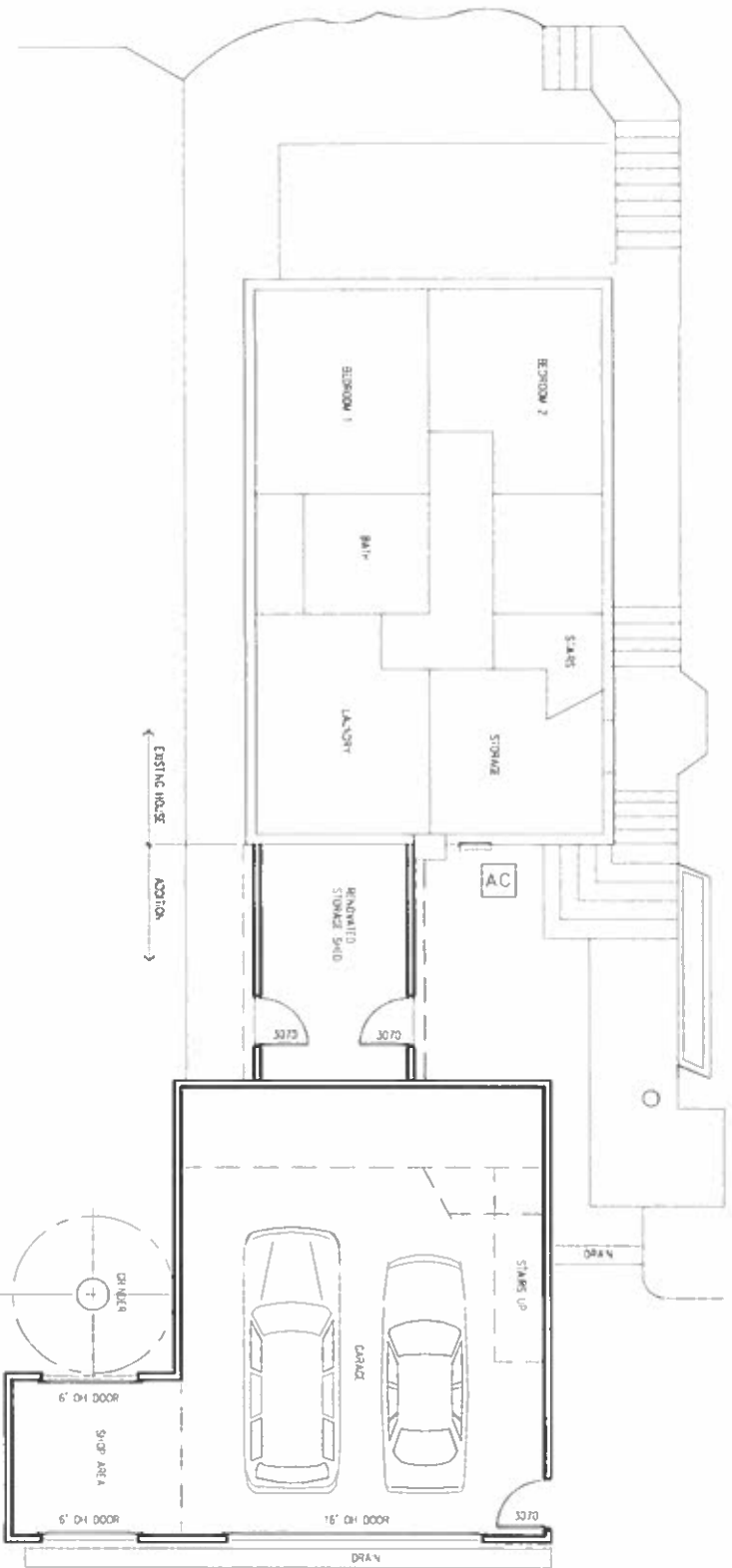
Issued for:	Date:
VARIANCE SUBMITAL	04.27.17
VARIANCE RE-SUBMITAL	05.26.17

Scale: AS NOTED
 Project No. 10102
 Drawing Title:
 SITE PLANS



N

 SECOND LEVEL FLOOR PLAN
 SCALE: 3/16" = 1'-0"



N

 MAIN LEVEL FLOOR PLAN
 SCALE: 3/16" = 1'-0"

P.O. Box 153
 Northville, Michigan 48167
 Tel: 248.345.3718
 daniel@dschneider.com
 www.dschneiderarchitects.com

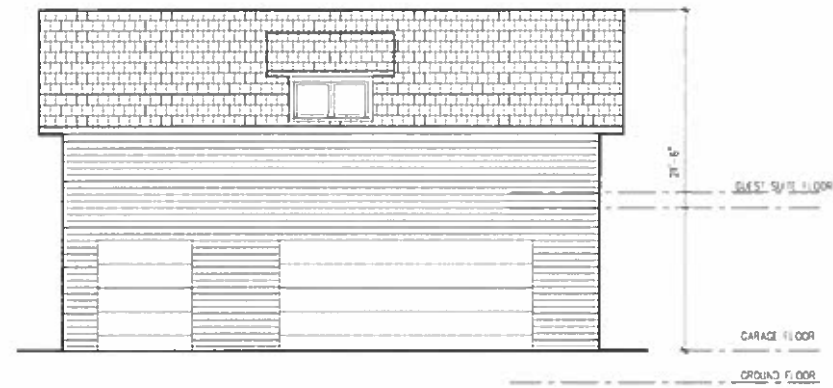
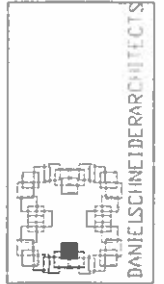


See and Signatures

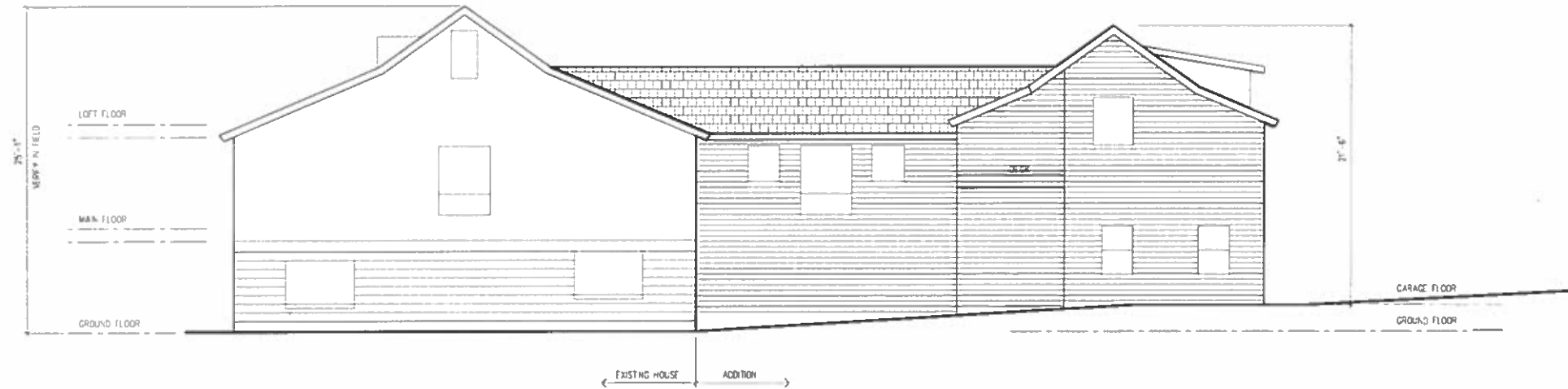
Carlson Residence
 Garage Addition and Renovation Project
 4276 HIGHCREST DRIVE, BRIGHTON, MI 48116

Issued for:	Date:
VAR AND SBRITTA	04.21.17
VAR AND R. SBRITTA	05.26.17

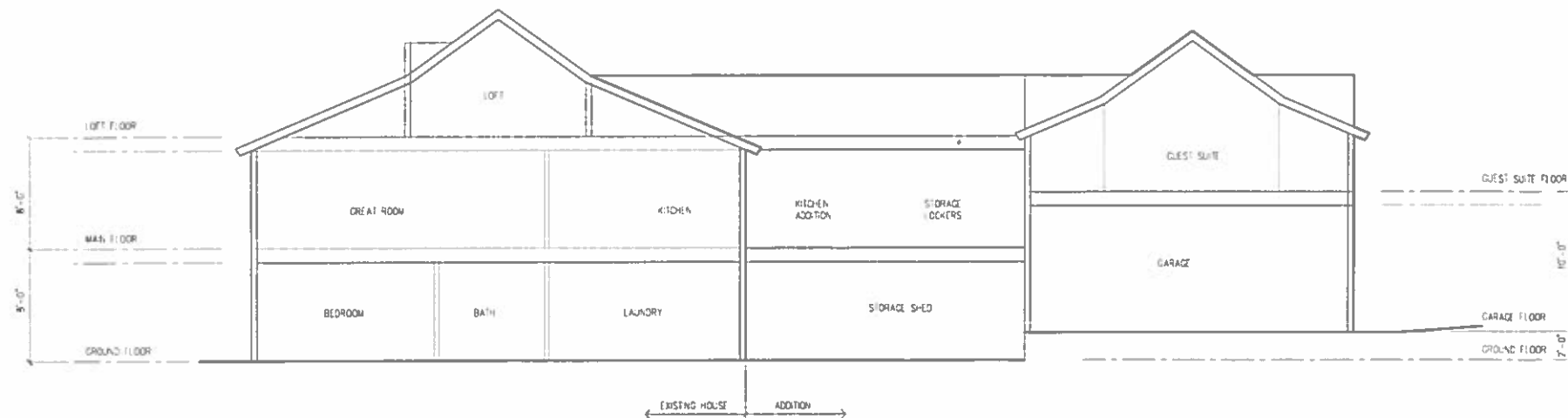
Scale: 1/4" = 1'-0"
 Project No: 1022
 Drawing Title:
FLOOR PLANS
A200



SOUTH ELEVATION
 SCALE: 3/16" = 1'-0"



WEST ELEVATION
 SCALE: 3/16" = 1'-0"



SCHEMATIC BUILDING SECTION
 SCALE: 3/16" = 1'-0"

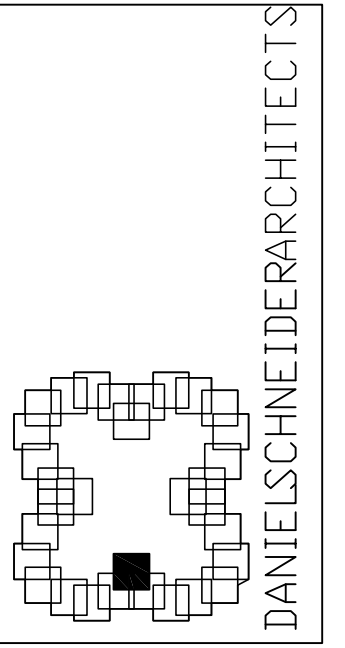
Seal and Signature

Carlson Residence
 Garage Addition and Renovation Project
 4276 MIDCREST DRIVE, BRIGHTON, MI 48116

Issued for:	Date:
VARIANCE SUBMITTAL	04.21.17
VARIANCE RE-SUBMITTAL	05.26.17

Scale: 1/4" = 1'-0"
 Project No: 10'02

Drawing Title:
EXTERIOR ELEVATIONS



Seal and Signature

Carlson Residence
Garage Addition and Renovation Project
4276 HIGHEST DRIVE, BRIGHTON, MI 48116

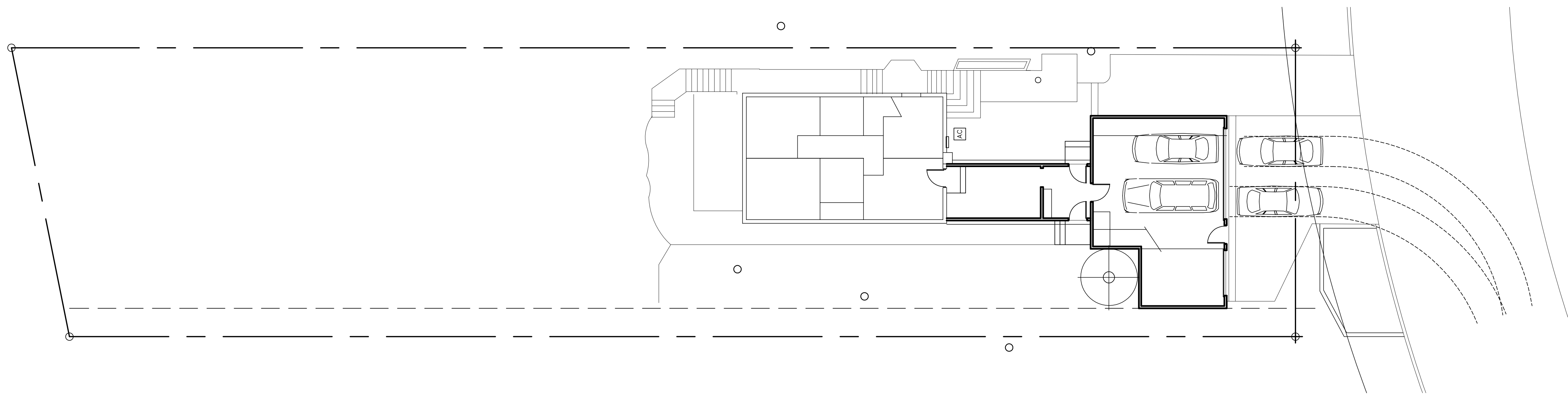
Issued for:	Date:
VARIANCE SUBMITTAL	04.21.17
VARIANCE RE-SUBMITTAL	05.26.17

Scale: AS NOTED

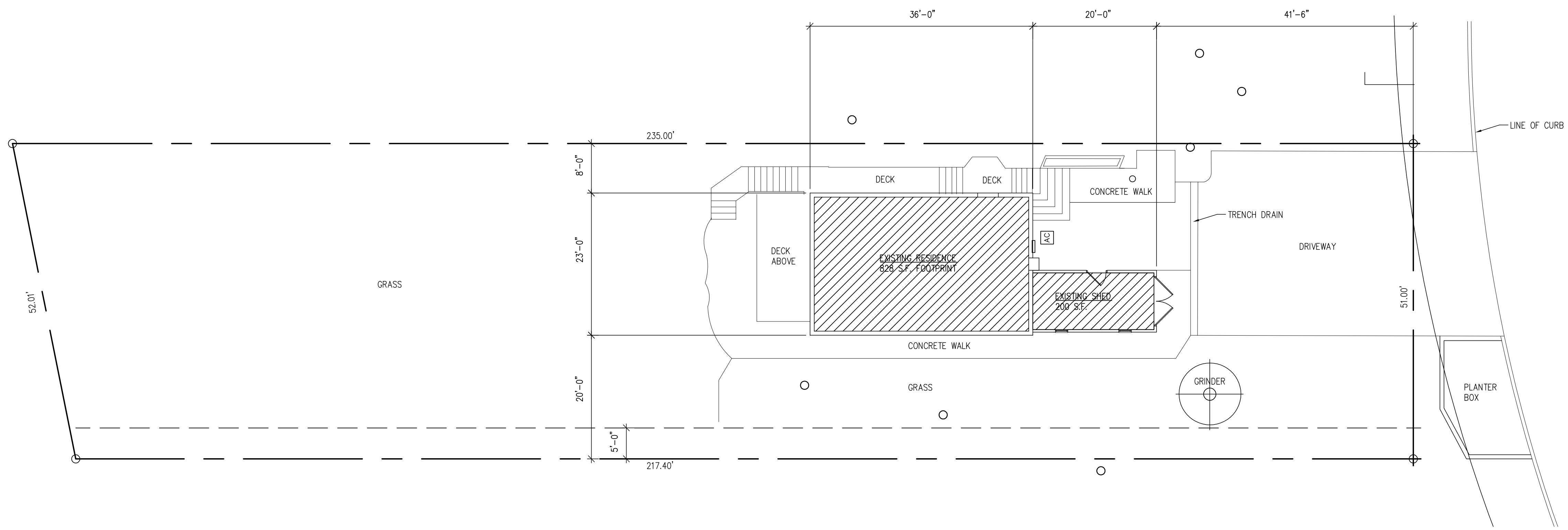
Project No.10102

Drawing Title:
SITE PLANS

A100



ARCHITECTURAL
SITE PLAN— PROPOSED
SCALE: 3/32" = 1'-0"



ARCHITECTURAL
SITE PLAN— EXISTING
SCALE: 3/32" = 1'-0"

From the Desk of
Blair M. Bowman

May 2, 2017

Genoa Township Zoning Board of Appeals
Attention: Amy Ruthig
2911 Dorr Road
Brighton, MI 48116

RE: Genoa Township Zoning Board of Appeals Meeting – 05/16/17
4276 Highcrest Front Yard Variance Request

To Whom It May Concern:

I am in full support of the variance and addition and appreciate in advance your positive consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Blair M. Bowman', with a long horizontal line extending to the right.

Blair M. Bowman
4252 Highcrest
Brighton, MI 48116

Amy Ruthig

From: Amy Ruthig
Sent: Saturday, May 13, 2017 12:42 PM
To: Vince Parlove
Subject: Re: Variance Request

Thank you. I will give this to the members of the board.

Have a great weekend.

Sent from my iPhone

> On May 13, 2017, at 10:20 AM, Vince Parlove <vparlove@mimutual.com> wrote:

>

> Dear Amy,

>

> I'm writing you regarding the variance request for 4276 Highcrest. My wife Amy and I fully support approving this variance for Janet Evans and the building of her garage. If you have any any additional questions feel free to email me or call my cell at 248-943-3709.

>

> Thanks Again,

>

> Vince Parlove

> 4284 Highcrest

>

> Vince

>

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.									
JAMES, MICHAEL	GRISCOM JANET E.	345,000	08/14/2014	WD	ARMS-LENGTH	2014R-025426	BUYER	100.0									
LINDSEY LEIGH & KRISTINE	JAMES MICHAEL	305,000	08/01/2012	WD	ARMS-LENGTH	2012R-028771	BUYER	100.0									
COOK, KRISTINE L. & LINDSEY	LINDSEY LEIGH & KRISTINE	0	10/21/2010	QC	INVALID SALE	2010R-031051	BUYER	0.0									
FITTERY	COOK	320,000	11/13/2002	WD	ARMS-LENGTH	3635-0687	BUYER	100.0									
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR		Building Permit(s)		Date	Number	Status							
4276 HIGHCREST		School: BRIGHTON		P.R.E. 100% 08/14/2014													
Owner's Name/Address		MAP #: V17-11		2018 Est TCV Tentative													
GRISCOM JANET E. 4276 HIGHCREST BRIGHTON MI 48116		X Improved		Vacant		Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT											
Tax Description		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason Value											
SEC. 22 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 105		Dirt Road		A LAKE FRONT		50.00 230.00 1.0000 1.0000		3000 100		150,000							
Comments/Influences		Gravel Road		B EXC W CR LK		4.00 230.00 1.0000 1.0000		1100 100		4,400							
		Paved Road		54 Actual Front Feet, 0.28 Total Acres		Total Est. Land Value =				154,400							
		Storm Sewer		Land Improvement Cost Estimates		Description Rate CountyMult. Size %Good Cash Value											
		Sidewalk		D/W/P: 3.5 Concrete		2.98 1.00		284 48		406							
		Water		Shed: Wood Frame/Conc.		10.68 1.00		200 91		1,944							
		Sewer		Total Estimated Land Improvements True Cash Value =						2,350							
		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		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
		Who		When		What		2018		Tentative						Tentative	
		LM		08/20/2014		INSPECTED		2017		77,200		71,400		148,600		146,844C	
		LM		05/15/2013		REVIEWED R		2016		76,000		69,700		145,700		145,535C	
								2015		76,000		69,100		145,100		145,100S	



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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 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 200 372	Type CSEP (1 Story) 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		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling												
Building Style: D		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			Stories Exterior Foundation 1.5 Story Siding Basement Other Additions/Adjustments			Class: D Effec. Age: 29 Floor Area: 1056 Total Base Cost: 77,262 Total Base New : 117,439 Total Depr Cost: 83,382 Estimated T.C.V: 138,413			CntyMult X 1.520 E.C.F. X 1.660			Bsmnt Garage: Carport Area: Roof:	
Yr Built 1920	Remodeled 2011	Size of Closets Lg X Ord Small		(12) Electric 0 Amps Service			Rate Bsmnt-Adj Heat-Adj 67.35 0.00 3.87			Rate 14.75 625.00			Size Cost 704 50,139				
Condition: Good		Doors: Solid X H.C.		No./Qual. of Fixtures Ex. X Ord. Min			No. of Elec. Outlets Many X Ave. Few			Basement Living Finish Walk out Basement Door(s)			Size Cost 678 10,001				
Room List		(5) Floors Basement 1st Floor 2nd Floor 3 Bedrooms		Kitchen: Other: Other:			(13) Plumbing Average Fixture(s) 1 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			2 Fixture Bath Public Sewer Well, 200 Feet Fireplace: Exterior 1 Story CSEP (1 Story), Standard Treated Wood, Standard			1 1,100 1 912 1 4,400 1 3,050 200 4,830 372 2,206				
(1) Exterior		(6) Ceilings		Basement: 704 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			(14) Water/Sewer Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			Phy/Ab.Phy/Func/Econ/Comb.%Good= 71/100/100/100/71.0, ECF (4306 TRI LAKES LAKE FRONT) 1.660 => TCV of Bldg: 1 =			Depr.Cost = 83,382 138,413				
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			Lump Sum Items:										
(2) Windows		(9) Basement Finish 678 Recreation SF Living SF 1 Walkout Doors No Floor SF															
X	Many Avg. Few X Large Avg. Small																
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															
X	Asphalt Shingle																
Chimney: Brick																	

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



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

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

Case # 17-12 Meeting Date: June 20, 2017

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: Brice Nelson

Property Address: Lot 24 and S 1/2 of 25 - Baetcke Lake Phone: 734-904-9614

Present Zoning: LDR Tax Code: 11-26-301-024

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:** 10 foot sideyard setback on North Side and 8 foot sideyard setback on South Side

2. **Intended property modifications:** Build New 4 bedroom house - approx. 56' by 56'

a. Unusual topography/shape of land (explain): Lot is non-conforming. Less than 1 acre.

Lot is also very narrow - approx 75 feet at street and 84 feet at lake front which leaves only a very narrow building envelope (15 ft)

b. Other (explain): _____

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

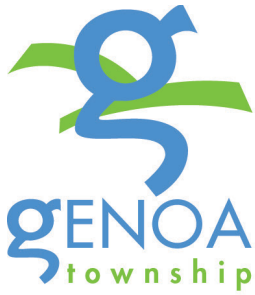
Property must be staked showing all proposed improvements seven (7) days before the meeting and remain in place until after the meeting.

Date: 5/24/17 Signature: [Handwritten Signature]

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: June 15, 2017
RE: ZBA 17-12

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

STAFF REPORT

File Number: ZBA#17-12
Site Address: Lot 24 and ½ of 25 Forest Beach Drive (Vacant) Brighton, 48116
Parcel Number: 4711-26-301-024
Parcel Size: .777 Acre
Applicant: Brice and Carrie Nelson, 1183 Gentry Drive South Lyon, MI 48178
Property Owner: Same as applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

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

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

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 4, 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:

- See Record Card.
- The property is vacant.

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

The applicant is proposing to construct a new single family home on a vacant lot. In order to construct the proposed home, the applicant would need to obtain two side yard variances.

Variance Requests

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

Table 3.04.01 (LDR District):

Side Yard Setback:	30	Side Yard Setback:	30
Proposed Side Yard Setback:	10	Proposed Side Yard Setback:	8
Proposed Variance Amount:	20	Proposed Variance Amount:	22

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 setbacks for the LDR zoning would make the lot unbuildable. The width of the proposed house is not typical for the narrow lake lot and would not be compatible with the adjacent homes. The shape of the home may not be conducive to the narrowness of the lot. The home design could be altered without losing square footage to occupy less width and more depth thus reducing the amount of relief needed from the setback requirements.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is that it is a legal non-conforming lot for the LDR zoning. The non-conformity is the size and width of the lot. The need for the variance is due to the narrowness of the lot. The proposed home could be altered to reduce the amount of relief from the setback requirements. The variance would not make the lot consistent with other properties in the vicinity. 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. The proposed structure would be of sufficient distance from adjacent structures to not create any fire or other safety hazards.
- (d) Impact on Surrounding Neighborhood** – The proposed variances would have a limited impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Recommended Conditions

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

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

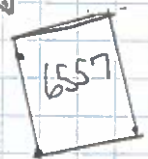
GENOA TOWNSHIP



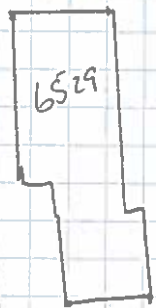
N →

LAKE

240'



60'



Well Area

8'

57'

10'

Perched septic area

28'

360'

385'

Lot 23

Lot 24 + 1/2 25

Lot 1/2 25 + 26 + 1/2 27

175'

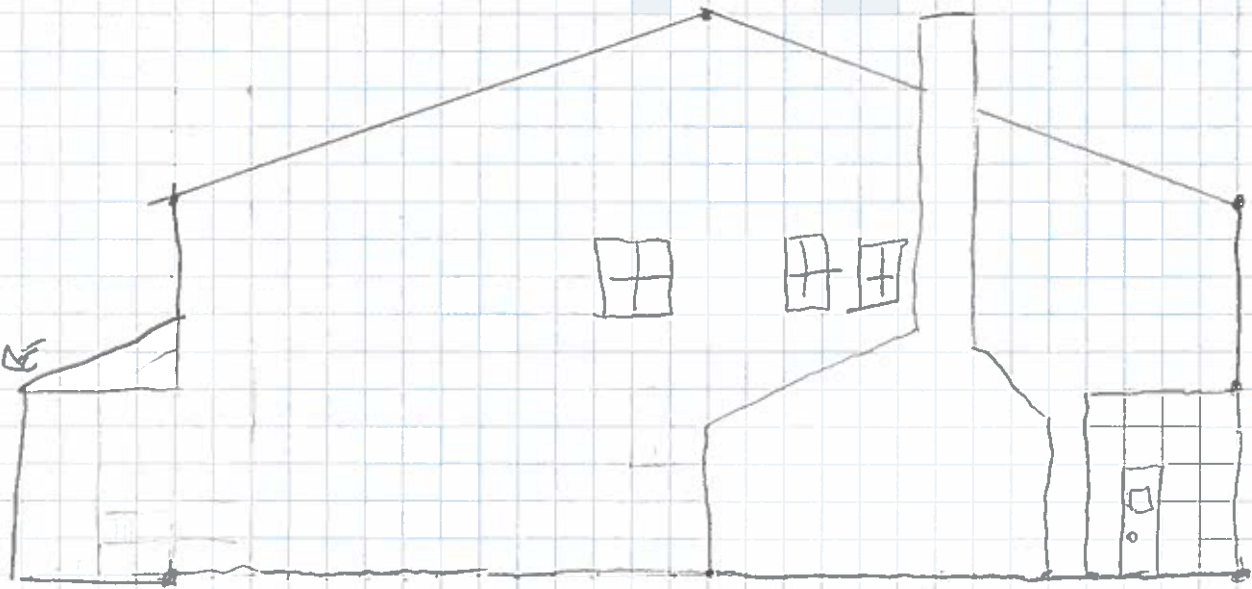
ROAD



(REVERSE)

EAST SIDE OF HOUSE

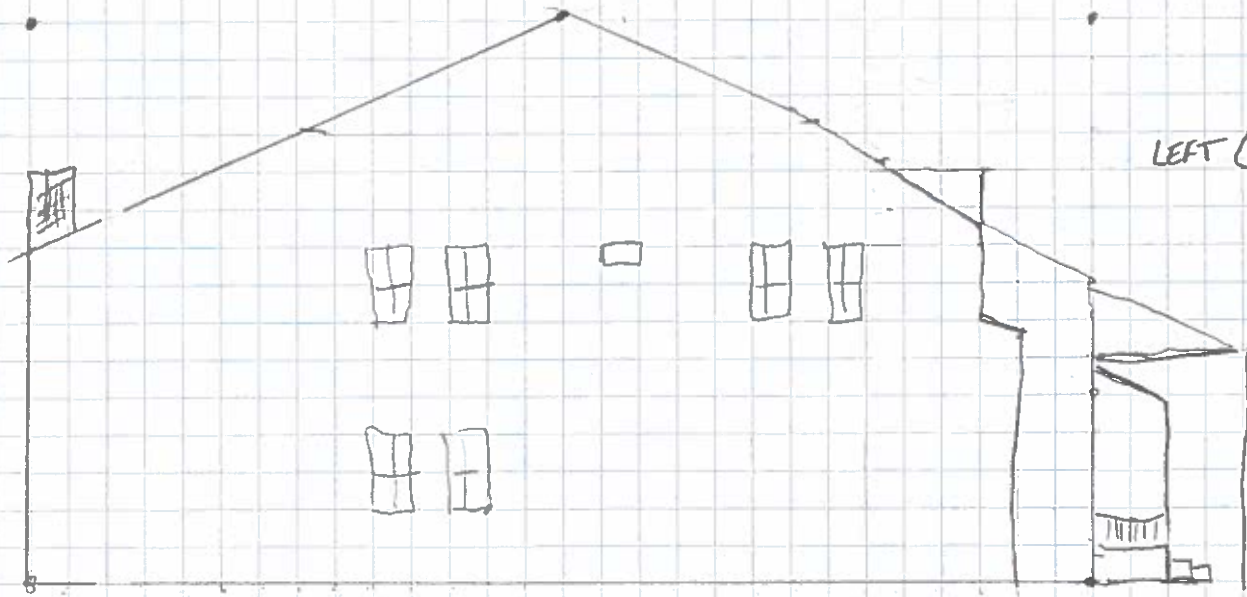
RIGHT SIDE
VIEW



RIGHT (NORTH) SIDE

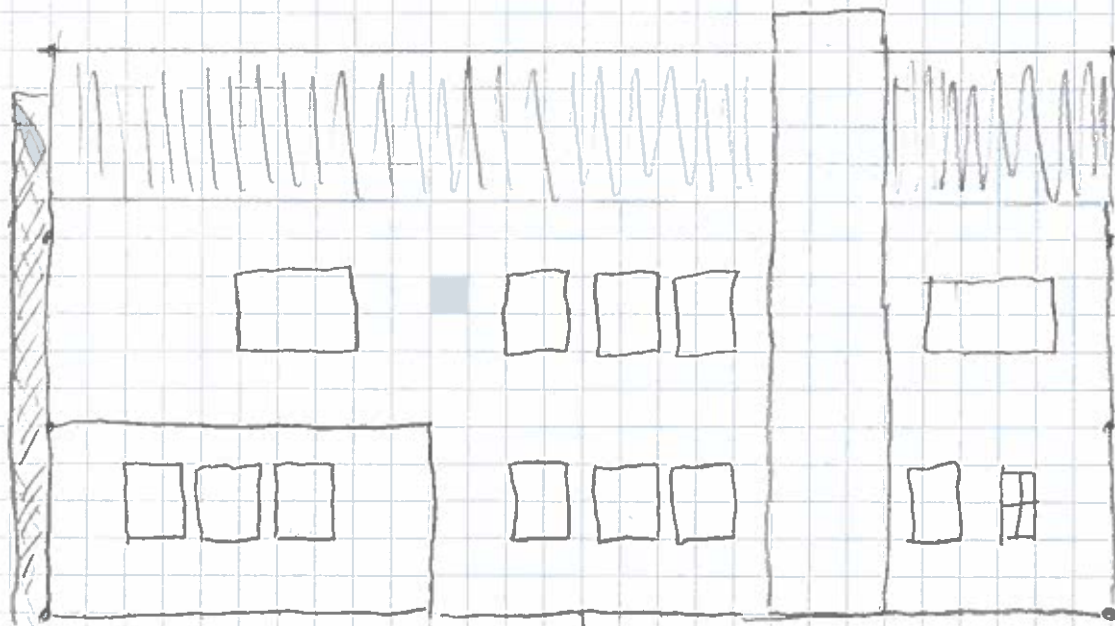
→ LAKE

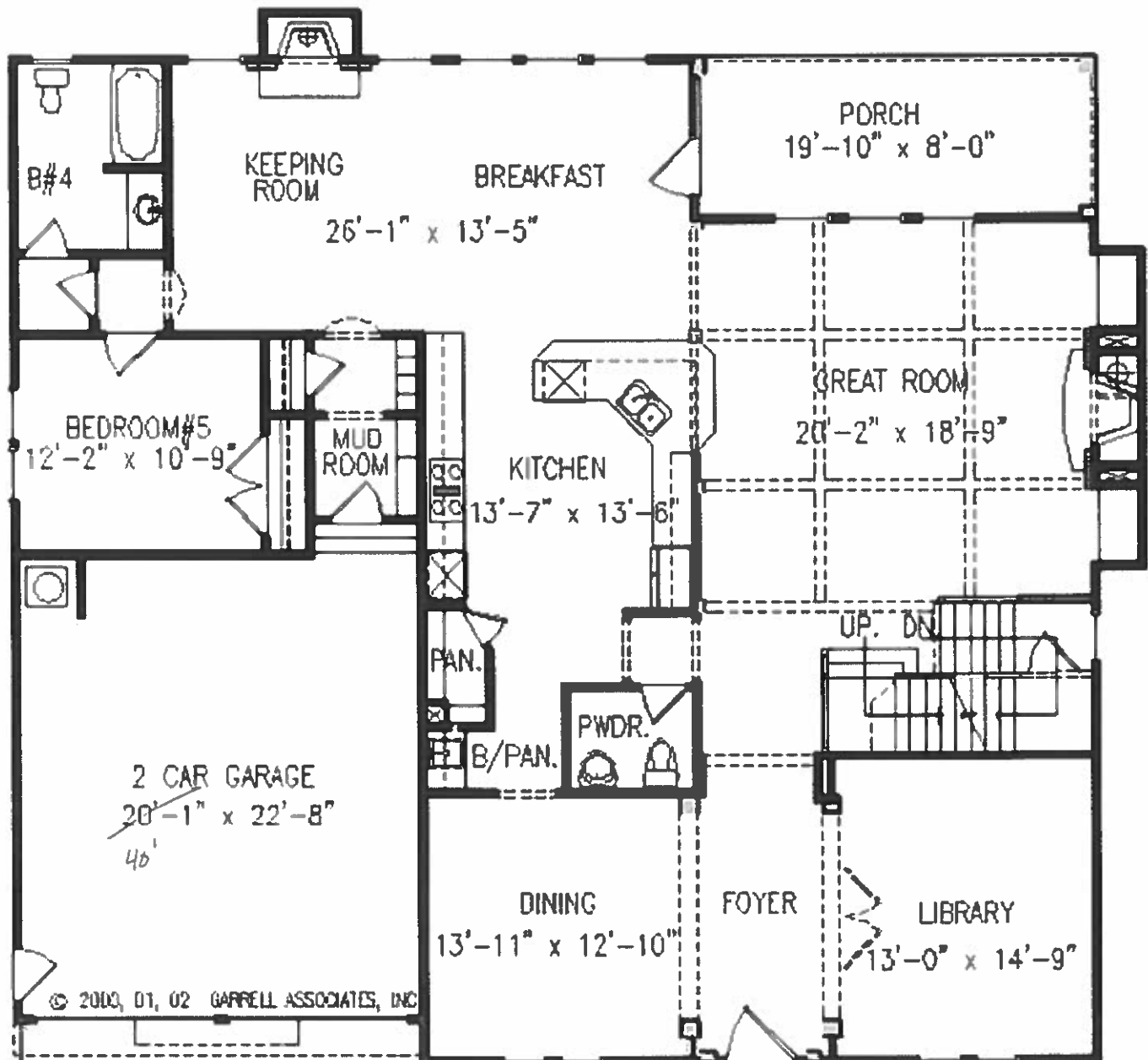
LAKE
←



LEFT (SOUTH) SIDE

VIEW FROM LAKE
WEST SIDE OF HOUSE





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Residential Design Consultants
GARRELL 

WWW.GARRELLASSOCIATES.COM

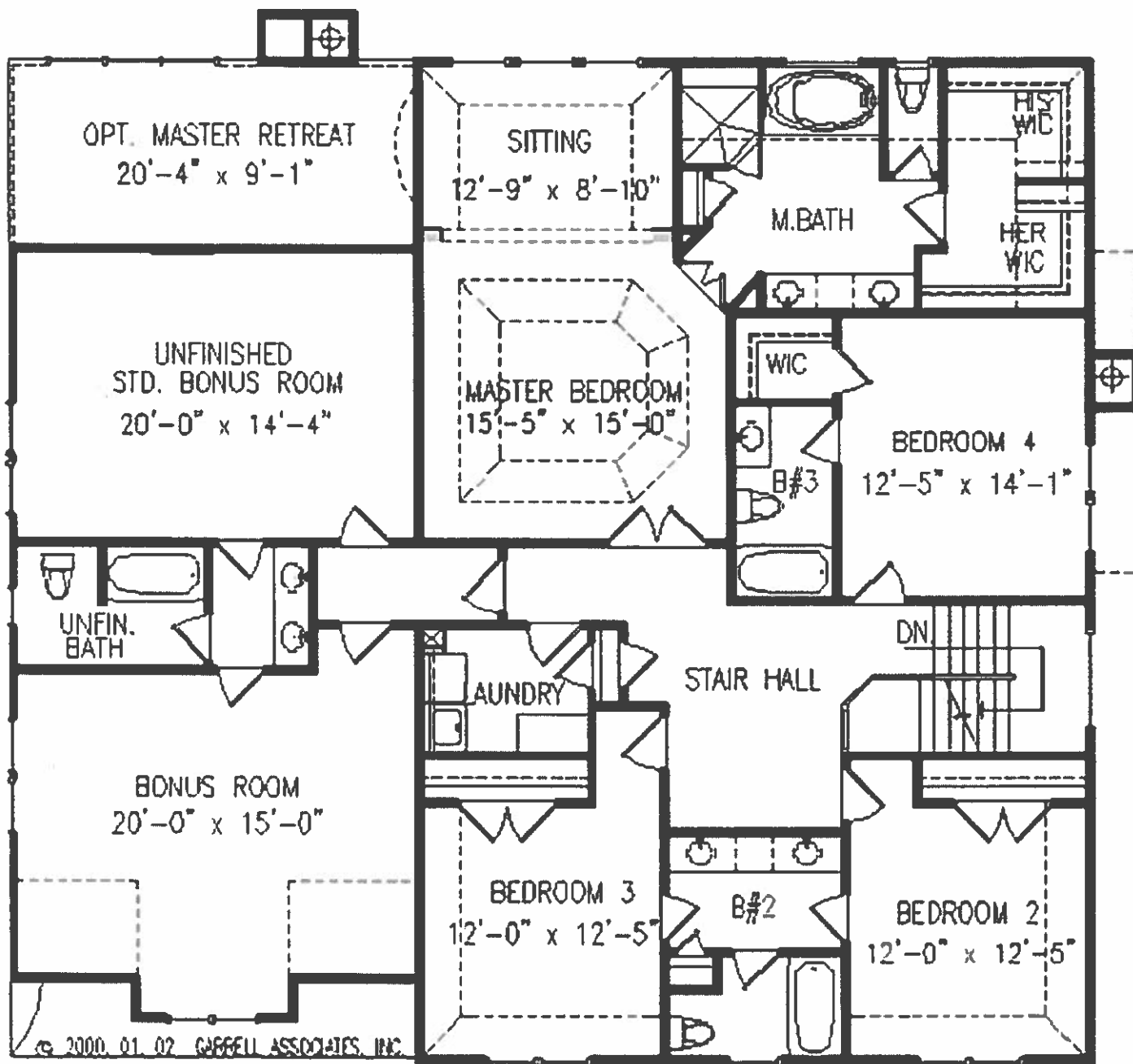
DESIGN BY
 MICHAEL W. GARRELL

THE SOUTHTON

PLAN # 01446

\$ 1195.00

1st FLOOR 2,039 s.f.
 2nd FLOOR 1,612 s.f.
 TOTAL 3,651 s.f.
 W - 56' 09"
 D - 56' 04"



1st FLOOR 2,039 s.f.
 2nd FLOOR 1,612 s.f.
 TOTAL 3,651 s.f.
 W- 56' 09"
 D - 56' 04"

Residential Design Consultants
GARRELL 

WWW.GARRELLASSOCIATES.COM

DESIGN BY
 MICHAEL W. GARRELL
 THE SOUTHTON
 PLAN # 01446
 \$ 1195.00

SUTLER V ISURE PLAT OF FOREST BEACH

PART OF THE W. 1/2 OF SEC. 26, T. 2 N., R. 5 E., GENOA TWP., LIVINGSTON CO., MICHIGAN.

SCALE - 1" = 100'
 Note: All dimensions shown hereon are in feet or decimals of feet.

Sept 20, 1928
 L. W. Mosher

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that I, Oscar Schoenhals, Supervisor of the Township of Genoa of Livingston County, State of Michigan, by virtue of authority in me vested by Section 3350, Compiled Laws of 1915, as amended, having been duly authorized by the Township Board, have caused the land described in the annexed plat to be surveyed, laid out and platted to be known as "Supervisor's Plat of Forest Beach".

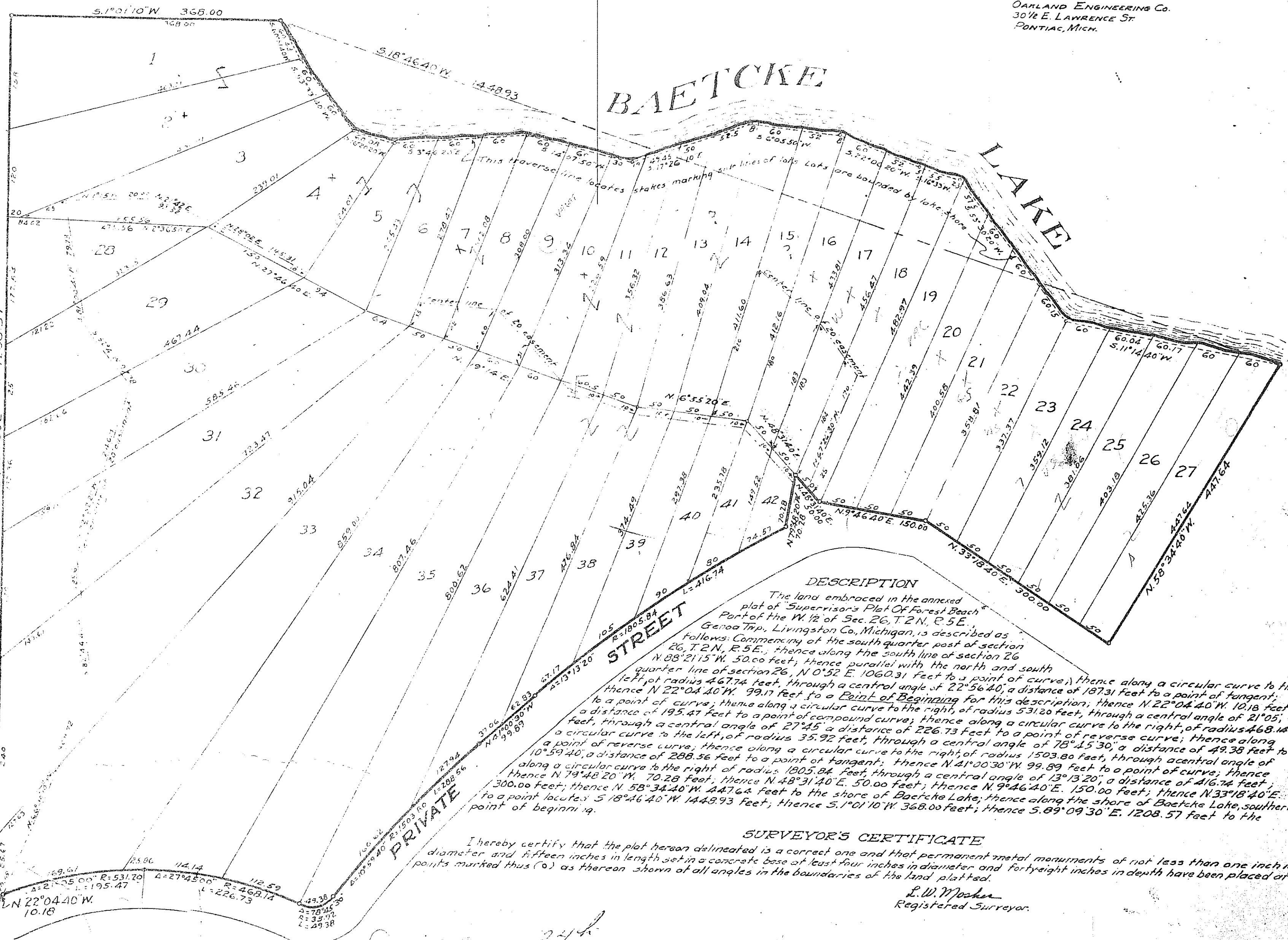
Witness my hand and seal of office this 15th day of September, A.D. 1928.
 Oscar Schoenhals, Supervisor of the Township of Genoa
 Lillian J. Hossen, Notary Public for Livingston County

STATE OF MICHIGAN }
 County of Livingston }
 On this 15th day of September, A.D. 1928, before me, a Notary Public for said County, personally came the above named Supervisor of the Township of Genoa, known to me to be the person who executed the above dedication and acknowledged the same to be his free act and deed as such Supervisor.
 Lillian J. Hossen, Notary Public for Livingston County
 My Commission expires May 10th, 1930

CERTIFICATE OF MUNICIPAL APPROVAL
 This plat was approved by the Township Board of the Township of Genoa at a meeting held on the 7th day of September, 1928.
 Clerk

CERTIFICATE OF APPROVAL BY COUNTY BOARD
 This plat was approved on the 7th day of September, 1928.
 Judge of Probate
 County Clerk
 County Treasurer

County Treasurer Certificate
 Office of the County Treasurer, Livingston Co., Mich.
 I hereby certify that there are no tax liens or taxes held by the State or County against the land shown on this plat and that the same are not subject to any lien or tax for the five years ending on the date of this certificate and that the same are not subject to any lien or tax as shown by the records of this office.



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

BAETCKE

LAKE

STREET

PRIVATE

DESCRIPTION

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

SURVEYOR'S CERTIFICATE

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

L. W. Mosher
 Registered Surveyor.

S. 1/2 of Sec. 26, T. 2 N., R. 5 E.

244
 28 10
 3
 Plate
 26
 6
 1928

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
ESTATE OF ALVINA ROGAN	NELSON BRICE C & CARRIE M	75,000	02/19/2016	WD	VACANT LAND	2016R-013812	BUYER	100.0			
SWIFT TRUST	SWIFT DENNIS E & CHRISTINE	50,000	10/31/2008	WD	INVALID SALE	2008R-032819	BUYER	100.0			
SWIFT/ROGAN TRUST	SWIFT TRUST	0	12/10/2005	WD	ARMS-LENGTH	4999/0351	BUYER	0.0			
ROGAN, A. (SWIFT)	SWIFT, DENNIS E.	0	08/08/2002	QC	QUIT CLAIM	3524-0507	BUYER	0.0			
Property Address		Class: 402 RESIDENTIAL-VA		Zoning: LDR	Building Permit(s)		Date	Number	Status		
FOREST BEACH DR		School: BRIGHTON									
		P.R.E. 0%									
Owner's Name/Address		MAP #: V17-12									
NELSON BRICE C & CARRIE M 1183 GENTRY DRIVE SOUTH LYON MI 48178		2018 Est TCV Tentative									
		Improved	X	Vacant	Land Value Estimates for Land Table 00026.FOREST BEACH						
Tax Description		Public Improvements		* Factors *							
SEC. 26 T2N, R5E, SUPERVISOR'S PLAT OF FOREST BEACH LOT 24 AND S 1/2 OF LOT 25		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
Comments/Influences		Gravel Road		LAKE FRONT	60.00	376.00	1.0000	1.0000	1500	100	90,000
		Paved Road		'B' Frontage	30.00	376.00	1.0000	1.0000	1100	100	33,000
		Storm Sewer		90 Actual Front Feet, 0.78 Total Acres Total Est. Land Value = 123,000							
		Sidewalk									
		Water									
		Sewer									
		Electric									
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
Who		When	What	2018	Tentative	Tentative	Tentative	Tentative			
				2017	79,500	0	79,500	79,500S			
				2016	79,500	0	79,500	51,249C			
				2015	79,500	0	79,500	51,096C			

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
May 16, 2017 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, Dean Tengel, and Amy Ruthig, Zoning Administrator.

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 6:32 pm with no response.

1. 17-08 ... A request by Jonathon McLachlan, 1193 Chemung Drive, for a rear-yard variance to construct a detached accessory structure.

Mr. Jonathon McLachlan was present. He would like to replace his existing 8x8 shed with a new 16x20 shed for storage. He does not have a garage. His lot is narrow and he has two large trees that he does not want to cut down in order to meet the ordinance requirements.

Board Member Ledford questioned why Mr. McLachlan doesn't put up a garage. Mr. McLachlan stated the well is in the area where the garage would be and he does not want a garage. He would prefer to have the open space.

The call to the public was made at 6:40 pm with no response.

Board Member McCreary asked if he could move the shed further from the rear property line. Mr. McLachlan stated his concrete contractor advised him that there are very large tree roots in that area and he wants to avoid damaging them.

Moved by Tengel, seconded by Ledford, to approve Case #17-08 for 1193 Chemung Drive by Jonathon McLachlan for a rear-yard setback variance of 5 feet to construct a 16x20 detached accessory structure based on the following findings of fact:

- Strict compliance with the rear-yard setback would not allow the applicant to construct the detached accessory structure in the desired location.
- There exists multiple detached accessory structures in the vicinity that do not meet the setback requirements; therefore the variance will provide substantial justice to the property.

- The exceptional condition of the lot is it is a narrow lot and the applicant has stated that they would like to preserve the old trees that are located on the property.
- 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 properties or unreasonably increase the congestion of 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.

Approval of this variance is conditioned upon:

- Drainage from the detached structure must be maintained on the lot.
- The structure must be guttered with downspouts.

The motion carried unanimously.

2. 17-09 ... A request by John and Wendy Myers, 7505 Forest Beach (vacant), for a side-yard variance to construct a new single-family home.

Mr. Chouinard was present to represent the applicant. He stated that the property is zoned low density residential. They previously received a 13-foot side-yard. He believed the lot was 50 feet wide; however, when the survey was completed, it showed that it tapers slightly so an additional variance is being requested.

Chairman Dhaenens asked if the size of the home has changed since the previous variance was granted. The previous house was 24 feet wide, and this home is 26 feet wide.

Board Member McCreary noted that a requirement was attached to the previous variance approval, which required verification from a well-drilling authority that there is adequate access to the augmentation well. She asked if this has been submitted. Mr. Ruthig stated it has been received by the Township.

Board Member Ledford asked if the well and septic have been approved by the Livingston County Health Department. Mr. Chouinard has received this approval.

The call to the public was made at 6:50 pm with no response.

Moved by McCreary, seconded by Ledford, to approve Case #17-09 for the property located at 6505 Forest Beach (vacant land) for a side-yard variance of .8 feet from the required 13 feet for a side-yard setback of 12.4 feet to construct a new single-family home based on the following findings of fact:

- Previous approval was given for a 13-foot side-yard setback.
- A stake survey provided by a licensed engineering firm indicated the property was wider in the building area than originally shown.
- Strict compliance with the current setback requirements would not allow a building to sit within the width allowances.
- The need for the variance is not self-created.

- The extraordinary circumstances are the lot's dimension for the LDR zoning with a minimum of one acre. The acreage of this parcel is just under 24,000 square feet as opposed to the 43,560 square feet minimum requirement and has a legal non-conforming status.
- The need for the variance is the narrowness of 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 of public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed structure would be of sufficient distance from adjacent structures to not create any fire or other impact on the 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 and will be consistent with other homes in the surrounding neighborhood.

Approval of this variance is conditioned upon:

- The home shall be guttered with downspouts with water running towards the lake
- Access to the augmentation well will not be restricted from maintenance or necessary work being performed by a well company. The applicant shall provide verification from a well-drilling company to satisfy this requirement.

The motion carried unanimously.

3. 17-10 ... A request by Joe Tiano, vacant lot between 5481 and 5525 E. Grand River, for a variance to construct a detached accessory structure on a vacant lot.

Chairman Dhaenens asked Mr. Tiano if he knows that he is not able to build on the easement between the two properties that he owns. Mr. Tiano is aware of the easement and this restriction.

Board Member McCreary asked Mr. Tiano how he accesses his home. He stated that he drives through the vacant lot being discussed this evening. She noted that if this variance is granted, she would require that the two lots remain under the same ownership in perpetuity. If Mr. Tiano wants to sell the lot with the existing home and garage, he would have to also sell this vacant property.

The call to the public was made at 7:04 pm with no response.

Chairman Dhaenens stated that a document signed by four of Mr. Tiano's neighbors who are in support of this variance was received.

Moved by McCreary, seconded by Figurski, to approve the request for a variance for Parcel #11-10-301-031 by Joe Tiano to construct a detached accessory structure on a vacant lot based on the following findings of fact:

- The vacant lot #31 gives access off of Grand River to the residential property with an address of 5520 Wildwood, which is how the applicant enters and exits his property.
- The extraordinary circumstances are the division of the lots with a walking path in between and the inability to change the platted subdivision.
- The owner is in sole possession of two parcels that are separated by a walking trail in between them.
- The granting of the variance would give substantial justice to the applicant due to the uniqueness of the plat.
- 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 properties or unreasonably increase the congestion of 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 may have little impact on the appropriate development, continued use or value of adjacent properties and the surrounding properties and is similar to homes surrounding it that front Grand River with waterfront on the opposite site.

Approval of this variance is conditioned upon:

- No other additional structures are allowed on the lot.
- A deed restriction requiring that the vacant land cannot be sold separately from 5520 Wildwood shall be prepared by the Township Attorney and given to the Township to record.

The motion carried unanimously.

4. 17-11 ... A request by Janet Evans, 4276 Highcrest, for a front-yard variance to construct an addition.

Ms. Janet Evans, the applicant, and Mark Carlson, the builder, were present. They would like to build a 29x34 garage addition to their existing home. There is a shed there currently and they want to incorporate this as part of the addition. It would be a breezeway from the home to the garage and there would be additional living space above. There is an existing grinder pump and a well on the north side of the property.

She stated they will still have space to park four cars. Mr. Carlson stated there would be approximately 28 feet from the face of the proposed addition to the curb edge. The Board expressed their concerns with site distance for vehicles backing out of the driveway because of the curve of the road to the north of their property. It is a safety issue. Board Member Ledford would like to have the garage moved further from the front property line.

Board Member Figurski stated that when she visited the site and parked in the driveway where it would be if the addition was to be built, her car was right at the curb. She would not vote in support of this variance.

The applicant asked to have their item tabled this evening to review the Board's comments this evening and possibly return with a revised plan, if a variance would still be needed.

Board Member McCreary stressed to the applicant that safety is very important so if a revised plan is presented, proof needs to be given that there is adequate site distance.

The call to the public was made at 7:31 pm.

John Booker of 4268 Highcrest does not have any issues with the proposed plan.

Chairman Dhaenens stated an e-mail was received from Vince and Amy Parlove of 4284 Highcrest in support of the variance request.

The call to the public was closed at 7:32 pm.

Moved by Ledford, seconded by Tengel, to postpone Case #17-11 at the applicants request until the June 20, 2017 ZBA meeting. **The motion carried unanimously.**

Administrative Business:

1. Approval of minutes for the April 18, 2017 Zoning Board of Appeals Meeting

Moved by Figurski, seconded by McCreary, to approve the April 18, 2017 Zoning Board of Appeals Meeting minutes as presented. **The motion carried unanimously.**

2. Correspondence – Ms. Ruthig stated that a neighbor submitted a video and pictures of Mr. Okopski of 100 Chilson Road burning the bedding and manure of his chickens, which is in direct violation of the GAAMPS. She presented a letter that she sent to Mr. Okopski advising him of this violation. She asked Mr. Okopski to contact her by May 5th and she has not received a response. Board Member McCreary suggested sending a certified letter to Mr. Okopski advising him that his non-compliance with GAAMPS violates his variance and it is hereby revoked so he needs to remove the farm animals within a certain amount of time. Ms. Ruthig will confirm with the Township Attorney that this can be done without any other steps needed.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board meetings held on May 1st and May 15, 2017.
4. Planning Commission Representative Report – Board Member Figurski gave a review of the May 8, 2017 Planning Commission meeting.
5. Zoning Official Report - Ms. Ruthig had nothing to report.
6. Member Discussion - There were no member discussion items.

7. Adjournment

Moved by Figurski, seconded by Ledford, to adjourn the meeting at 8:06 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary

UNAPPROVED