

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 19, 2018
6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Introduction:

Approval of Agenda:

Election of Officer:

Call to the Public: *(Please Note: The Board will not begin any new business after 10:00 p.m.)*

1. 18-10 ... A request by David and Deborah Sullivan, 5372 Wildwood Drive, for a size variance and a variance to construct detached accessory structure in the front yard. (Tabled 5-15-18)
2. 18-13 ... A request by Joe and Ann Holubka, 895 Sunrise Park, for a front yard variance to demolish an existing home and construct a new home.
3. 18-14 ... A request by Randy and Marjorie Czajka, 6550 Challis Road, for a front yard variance to construct an addition to an existing home.
4. 18-15 ... A request by Jeanne Young and Bonnie Appell, 7505 Herbst Road, for a height and impervious variance to allow a privacy fence in the side and front yard.
5. 18-16 ... A request by James Mitte, 5248 Prairie View, for a side yard variance to construct a detached accessory structure.
6. 18-17 ... A request by Robert and Jennifer Marschall, 936 Willow View, for a front yard variance to construct an addition to an existing home.
7. 18-18 ... A request by Rob and Sandra Bialowicz, 1370 Elmhurst, for a waterfront and side yard variance to construct an addition to an existing home.
8. 18-19... A request by Marcel Normand, 4137 Clifford Drive, for a variance to create a lot with a detached accessory structure without a principal structure to be able to split the property.

Administrative Business:

1. Approval of minutes for the May 15, 2018 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 # 18-10 Meeting Date: May 15, 2018

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

Applicant/Owner: David & Deborah Sullivan Email: Sully48021@yahoo.com
Property Address: 5372 Wildwood Dr Phone: 586-634-3660
Present Zoning: LRR Tax Code: 4711-10-102-079

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

- Variance requested: SET BACK VARIANCE BECAUSE OF LOTS ON HILL, AND TO BUILD A GARAGE 30' X 24' WHICH WOULD PUT THE GARAGE PLUS CORRIDOR 24 SQ. FT. OVER THE ALLOWABLE 900 SQ. FT. TOTAL ALLOWED
- Intended property modifications: ~~NOTE~~ REMOVE EXISTING SHED TO ALLOW FOR GARAGE.

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

The lots front (hillside) on Willwood Dr. the rear of the house in on Circle Drive. All of the homes on Circle are closer to that rd. because our frontage is a hill.

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.

As explained above the garage cannot be built on the hill

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.

I believe it meets all of the above criteria. I will still have 5 parking spaces on my property not including the garage

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.

I believe there will be no negative impact on the surrounding community

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 with additional site plan and construction plans.

Date: 4/2/2018 Signature: [Signature]



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: May 8, 2018

RE: ZBA 18-10

STAFF REPORT

File Number: ZBA#18-10
Site Address: 5372 Wildwood Drive, Howell
Parcel Number: 4711-10-102-079
Parcel Size: .202 Acres
Applicant: David and Deborah Sullivan
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variances

Project Description: Applicant is requesting a size variance and a variance to construct a detached accessory structure in the front yard.

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 29, 2018 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:

- No year built was found in assessing records.
- In 2010, a land use waiver was issued for window replacement.
- In 2013, a land use permit was issued for construction of a deck.
- In 2015, land use waivers were issued for a reroof and repairs to the front covered porch.
- 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 30 X 24 detached accessory structure. In order to construct the detached accessory structure as proposed, the applicant is in need of a size variance and a variance to construct the detached accessory structure in the front yard. The lot is considered a through lot which has two front lot lines. The applicant proposes to keep the existing carport however the existing shed will be removed. It has been determined that the structure meets building height of 14 feet.

Variance Requests

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

Sec. 11.04 ACCESSORY BUILDINGS AND STRUCTURES (c) and (h)

11.04.01 Accessory Buildings, Structures and Uses in General

(c) Restrictions in Front Yard: Detached accessory buildings shall not be erected in any front yard, except accessory buildings are permitted in the front yards as follows:

- (1) Waterfront lots in the Lakeshore Resort Residential District.
- (2) Lots of at least five (5) acres when the front setback is equal to or greater than the average setback of established buildings on adjoining lots, as determined by the Zoning Administrator. If the adjacent lots are undeveloped, then front yard accessory buildings are permitted with a minimum front yard setback of two hundred (200) feet.

(h) Maximum Size: The combined total of all accessory buildings in any residential district shall be a maximum of nine hundred (900) square feet in area for lots less than two (2) acres and one thousand two hundred (1200) square feet in area for lots equal to or greater than two (2) acres. Accessory buildings and structures located on conforming lots in Agricultural and Country Estates Districts shall not be limited by size, provided all required setback are met.

Square footage allowed	
Required	900
Requested	924
Total Variance Amount	24

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 ordinance would not allow the applicant to construct the detached accessory structure in the desired location. It does appear there exist multiple detached accessory structures in the vicinity that do not meet the setback

requirements therefore the variance may provide substantial justice to the property. There is no evidence to support practical difficulty or substantial justice in regards to the size variance.

- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography of the lot and the lot is a through lot which has two front lot lines. The need for the variance to construct a detached accessory in the front yard is not self-created however the request for the size variance is 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 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.
3. The shed must be removed before issuance of Certificate of Occupancy.

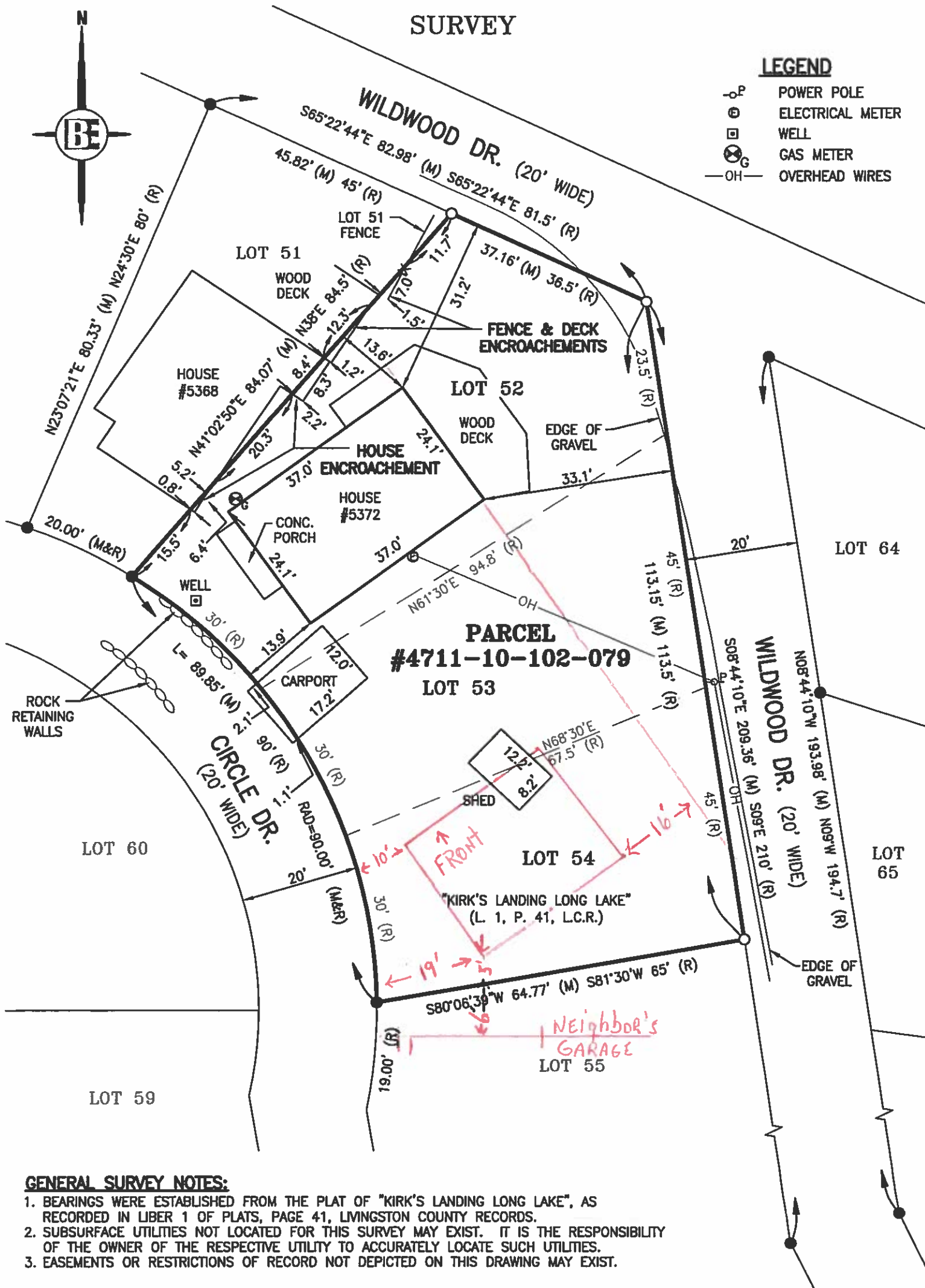
GENOA TOWNSHIP



SURVEY

LEGEND

-  POWER POLE
-  ELECTRICAL METER
-  WELL
-  GAS METER
-  OVERHEAD WIRES



GENERAL SURVEY NOTES:

1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "KIRK'S LANDING LONG LAKE", AS RECORDED IN LIBER 1 OF PLATS, PAGE 41, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

DESCRIPTION:

LOTS 52, 53 & 54 OF "KIRK'S LANDING LONG LAKE", AS RECORDED IN LIBER 1 OF PLATS, PAGE 41, LIVINGSTON COUNTY RECORDS, BEING PART OF THE NORTHEAST 1/4 OF SECTION 10, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

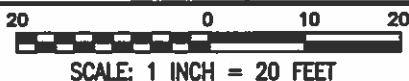
BEBOSS

Engineering







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

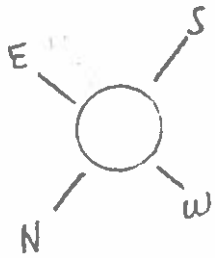


CLIENT: **SULLIVAN**



JOB NO.	17-440	DATE	12-9-17	FB 581	CREW GFD	DR. AEB	CK. <i>CW</i>
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- ### LEGEND
-  = IRON SET
 -  = IRON FOUND
 -  = MONUMENT FOUND
 -  = FENCE
 -  (R) = RECORDED
 -  (M) = MEASURED



£

← 15 →

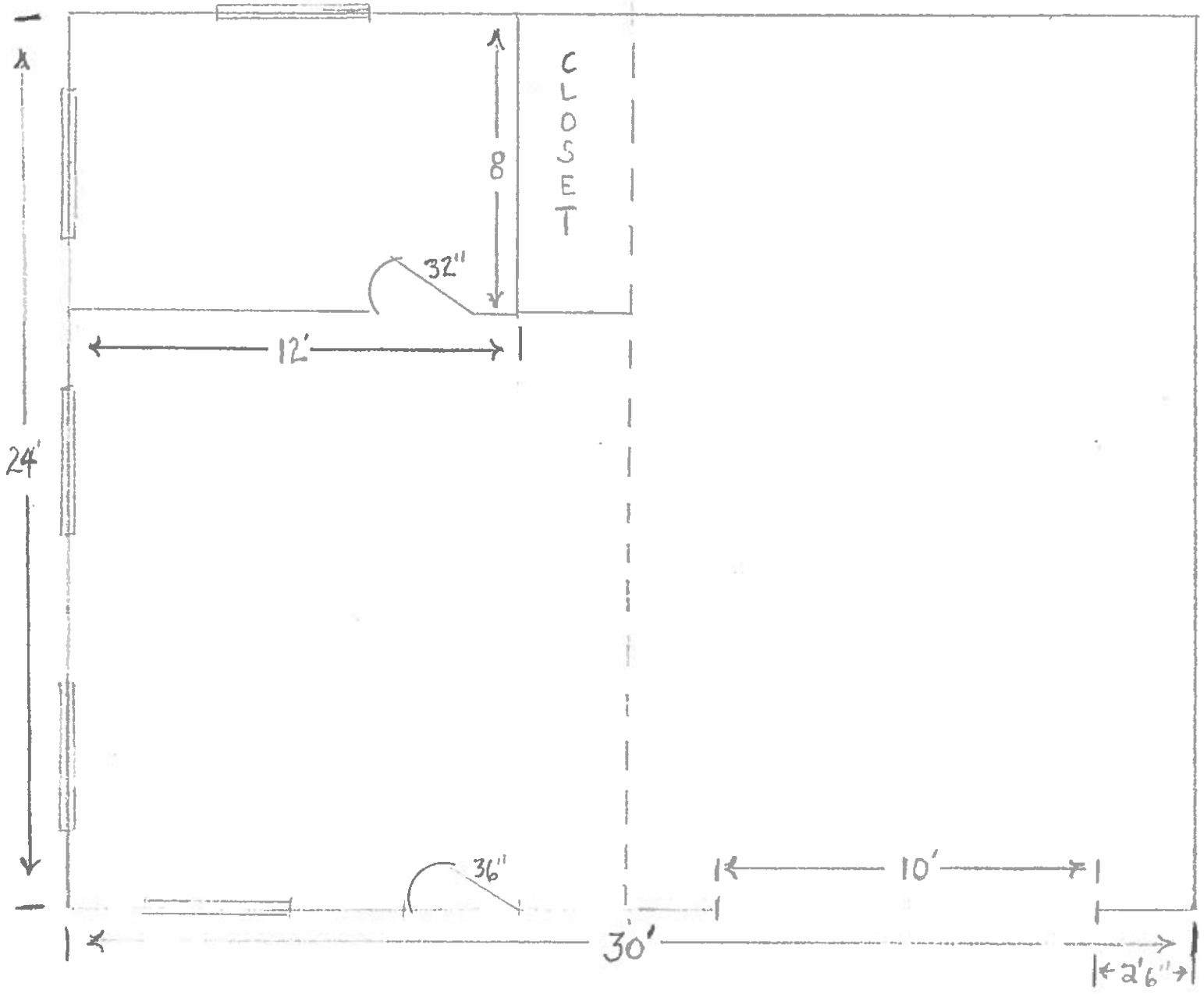
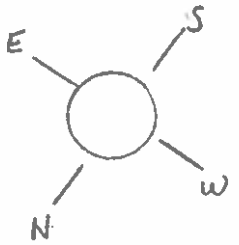
9'

19'

← 30 →



Root
15'



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
KELLER, CHRIS	SULLIVAN DEBORAH	87,500	04/16/2009	WD	ARMS-LENGTH	2009R-012621	BUYER	100.0
PATTERSON, FRANK R.		60,000	03/15/1996	WD	ARMS-LENGTH	2027-0120	BUYER	100.0
PATTERSON, FRANK R.		0	06/15/1994	WD	QUIT CLAIM	18380416	BUYER	0.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LRR	Building Permit(s)	Date	Number	Status
5372 WILDWOOD	School: HOWELL		REROOF	06/26/2015	W15-102	NO START
	P.R.E. 100% 04/16/2009		RES MISCEL	06/22/2015	P15-100	NO START
Owner's Name/Address	MAP #: V18-10		WOOD DECK	04/10/2013	P13-020	NO START
SULLIVAN DEBORAH 5372 WILDWOOD HOWELL MI 48843	2019 Est TCV Tentative		RES MISCEL	05/27/2010	W10-049	NO START

X Improved		Vacant	Land Value Estimates for Land Table 00005.WEST LAKE CHEMUNG						
Public Improvements			* Factors *						
Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value	
Dirt Road	50.00	0.00	1.0000	1.0000	800	100		40,000	
Gravel Road	74.00	0.00	1.0000	1.0000	500	100		37,000	
Paved Road	124 Actual Front Feet, 0.00 Total Acres							Total Est. Land Value =	77,000

Land Improvement Cost Estimates		Description	Rate	CountyMult.	Size	%Good	Cash Value	
Water		D/W/P: 3.5 Concrete	2.98	1.00	234	47	328	
Sewer		Total Estimated Land Improvements True Cash Value =						328

Topography of Site		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level		2019	Tentative	Tentative	Tentative			Tentative
Rolling								
Low		2018	38,500	27,300	65,800			55,896C
High		2017	38,500	27,900	66,400			54,747C
Landscaped		2016	38,500	25,200	63,700			54,259C
Swamp								
Wooded								
Pond								
Waterfront								
Ravine								
Wetland								
Flood Plain								
X REFUSE								

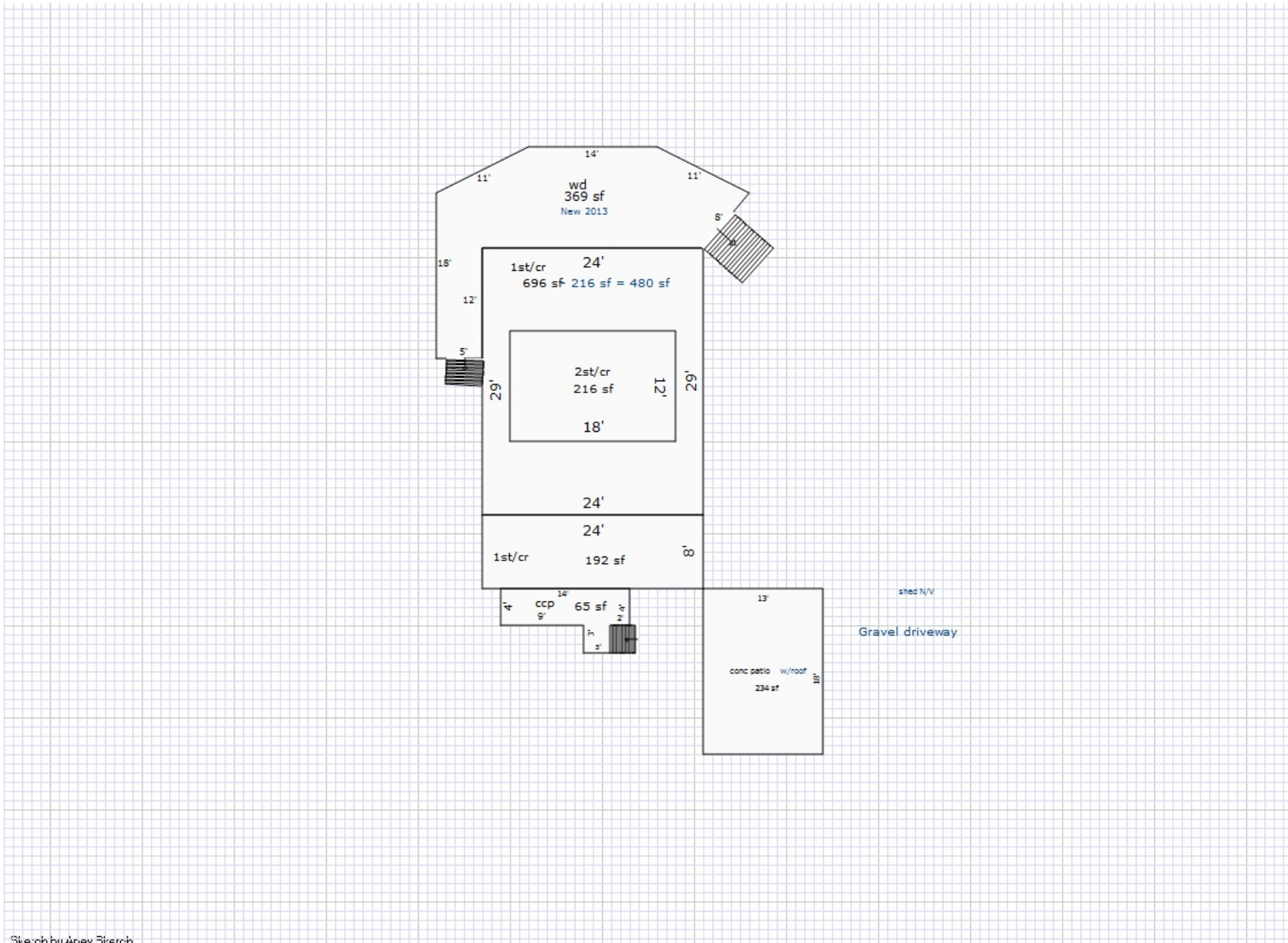


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*** Information herein deemed reliable but not guaranteed***

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		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	Type	Year Built:	Car Capacity:				
		0	Front Overhang			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								65	CCP (1 Story)		Class:	Exterior:				
		0	Other Overhang			(4) Interior								369	Treated Wood		Brick Ven.:	Stone Ven.:				
X	Wood Frame		Drywall Paneled			Plaster Wood T&G								234	Roof Cover Onl		Common Wall:	Foundation:				
Building Style: D		Trim & Decoration			X			Forced Heat & Cool Heat Pump No Heating/Cooling			Class: D Effec. Age: 46 Floor Area: 1104 Total Base Cost: 57,450 Total Base New : 86,749 Total Depr Cost: 49,306 Estimated T.C.V: 54,236			CntyMult X 1.510 E.C.F. X 1.100			Storage Area: No Conc. Floor:					
Yr Built	Remodeled	Size of Closets			Lg			X Ord			Small			Bsmnt Garage:			Carport Area:					
0	0	Doors:			Solid			X H.C.									Roof:					
Condition: Good		(5) Floors			Kitchen:			(12) Electric			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj Size Cost											
Room List		Basement 1st Floor 2nd Floor 2 Bedrooms			Other:			0 Amps Service			2 Story Siding 1 Story Siding 1 Story Siding Other Additions/Adjustments			Crawl Space Crawl Space Crawl Space Rate			79.22 -8.70 5.17 216 16,349 49.79 -8.70 2.59 480 20,966 49.79 -8.70 2.59 192 8,387					
(1) Exterior		(7) Excavation			(13) Plumbing			(14) Water/Sewer			Public Sewer Well, 200 Feet Phy/Ab.Phy/Func/Econ/Comb.%Good= 54/100/100/100/54.0, Separately Depreciated Items:			912.00 1 912 4400.00 1 4,400 Depr.Cost = 41,597								
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 0 S.F. Crawl: 888 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			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Phy/Ab.Phy/Func/Econ/Comb.%Good= 97/100/100/100/97.0, (16) Deck/Balcony Treated Wood,Standard County Multiplier = 1.51 => Phy/Ab.Phy/Func/Econ/Comb.%Good= 95/100/100/100/95.0, Roof Cover Only,Standard County Multiplier = 1.51 => Phy/Ab.Phy/Func/Econ/Comb.%Good= 47/100/100/100/47.0, Total Depreciated Cost = ECF (4301 W. LK CHEMUNG NON LK FRONT) 1.100 => TCV of Bldg: 1 =			31.69 65 2,060 County Multiplier = 1.51 => Cost New = 3,110 Depr.Cost = 3,017 5.93 369 2,188 County Multiplier = 1.51 => Cost New = 3,304 Depr.Cost = 3,139 9.35 234 2,188 County Multiplier = 1.51 => Cost New = 3,304 Depr.Cost = 1,553 Total Depreciated Cost = 49,306 1.100 => TCV of Bldg: 1 = 54,236								
(2) Windows		(8) Basement			(14) Water/Sewer																	
Many Avg. Few	X Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			(14) Water/Sewer																	
(3) Roof		(9) Basement Finish																				
X	Gable Hip Flat	Recreation SF Living SF Walkout Doors No Floor SF																				
Chimney: Brick		(10) Floor Support																				
		Joists: Unsupported Len: Cntr.Sup:																				
X	Asphalt Shingle																					

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



Sketch by Apex Sketch

*** 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 # 18-13 Meeting Date: June 19, 2018

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

Applicant/Owner: JOE AND ANNE HOLUBKA Email: aholubka@aol.com
Property Address: 895 Sunrise Park Drive Phone: 734.516.6373
Present Zoning: LRR Tax Code: 11-09-201-056

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

- Variance requested:** FRONT YARD VARIANCE OF (8'-2") FOR FRONT ENTRY/PORCH
FRONT YARD VARIANCE (16'-9") TO RE-USE EXIST. GARAGE/FOOTINGS FOR RENOVATION
- Intended property modifications:** DEMO EXIST. HOUSE & FOOTINGS EXCEPT EXIST. GARAGE
RE-BUILD NEW HOUSE WITH NEW FOOTINGS. EXIST. GARAGE FOOTINGS MAY REQUIRE REPLACEMENT
NEW FRONT YARD DRIVE AND REAR YARD PATIO. REST OF PROPERTY WILL BE GRASS OR LANDSCAPE

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

Property has an odd shape with no setback parallel or perpendicular to each other and prevents the design of a practical, marketable house. The buildable area of the setbacks is 2206 sf. If a 2-car Garage is built in the setback (approx. 450sf); 1756 SF of buildable area remains and if we square off dimensions it leaves only 1200 SF of buildable area.

Existing house was built prior to current zoning ordinance and is already a non-conforming structure.

Existing house is already over the rear setback and front setbacks

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.

Owner has owned property as-is and did not build original house and did not make any additions or alterations to the existing house or property that self-created any of the setback issues.

Years of re-parcelling land in the area around the lake caused inconsistent and odd shape lots.

Owner has a disability reducing his ability to use stairs and requires a safe first floor access to standard habitable spaces including kitchen, living room, dining room, garage, bathroom, and master bedroom. Forcing a second floor master bedroom would violate the owners rights to live on the property.

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.

The renovations and additions proposed Will increase air and light in the rear yard by removing the existing non conformity. This will protect the lake view and conditions by increasing the distance of the house from the water line,

The location of existing garage is already in line with the neighboring house. Reducing the garage will not increase air and light as the existing Adjacent house is already in line with existing garage and blocks the sun. The left side of house is in line with the neighbor which creates a transition between the two neighboring houses.

To increase the safety of street traffic, a circle drive is proposed to keep cars off of the street and allow owners and visitors to directly access the front door.

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.

The house proposed is reasonably sized for the Lot.

This project is consistent in size and scale of the surrounding properties.

The house size and amenities are reasonable for the current market in the area. House of this size are in high market demand due to inventory shortages and will increase value of surrounding properties. and will encourage Development

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 with additional site plan and construction plans.

Date: May 23, 2018 Signature: Gene M. Holubka



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

MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 11, 2018
RE: ZBA 18-13

File Number: ZBA#18-13

Site Address: 895 Sunrise Park Drive

Parcel Number: 4711-09-201-056

Parcel Size: 0.14 Acres

Applicant: Joe and Anne Holubka, 19230 Augusta Ct. Livonia, MI 48152

Property Owner: Same as applicant

Information Submitted: Application, site plan, building plans

Request: Dimensional Variances

Project Description: Applicant is requesting a front yard variance to demolish existing home while leaving the attached garage and constructing a new single family home onto the garage.

Zoning and Existing Use: LRR (Lake Resort Residential), Single Family Residential

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 3, 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 parcel has an existing single family dwelling built in 1950.
- The property utilizes public sewer and has an existing well.
- See Real Record Card.
- In 2007, a waiver was issued for a reroof and deck repair.
- The parcel is serviced by well and public sewer.
- The attached garage will remain.

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 applicant is proposing to demolish the existing home and maintain the attached garage and to construct a new single family home to the remaining garage. In order to construct the proposed home, the applicant will need a front yard variance. The applicant is proposing to bring the new home into conformance with the waterfront setback. The existing garage would be illegal non-conforming if left unattached however the applicant is proposing to construct onto the remaining garage.

Variance Requests

The following are the various sections of the zoning ordinance that variances are being requested from:

Table 3.04.01: LRR District

Required Front Yard Setback: 35' Proposed Front Yard Setback: 26'11" Proposed Variance Amount: 8'1"

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 ordinance would prevent the applicant from constructing the proposed home while utilizing the existing attached garage. Granting of this variance would offer substantial justice. Homes in the immediate area have similar setbacks.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the small lot size and location of the existing home with attached garage which will remain. The need for the variance is not self-created. The proposed home is not encroaching closer to the front property line than the attached garage therefore there is no increase in non-conformity. The variance would make the property consistent with the surrounding area.
- (c) Public Safety and Welfare** – The granting of this variance would not have an impact on 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 not have an 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. The applicant shall be required to completely remove the remaining garage structure, if construction on the new principle residence is not commenced within 90 days of removal of the existing home.

2. Township staff shall have discretion to approve extensions to the above deadline under proven special or extenuating circumstances but in no case shall that extension exceed 6 months for Item 1.
3. The final architectural design shall not exceed the 25' height requirement.
4. The structure must be guttered with downspouts and drainage must be maintained on the lot.

GENOA TOWNSHIP



SITE NOTES

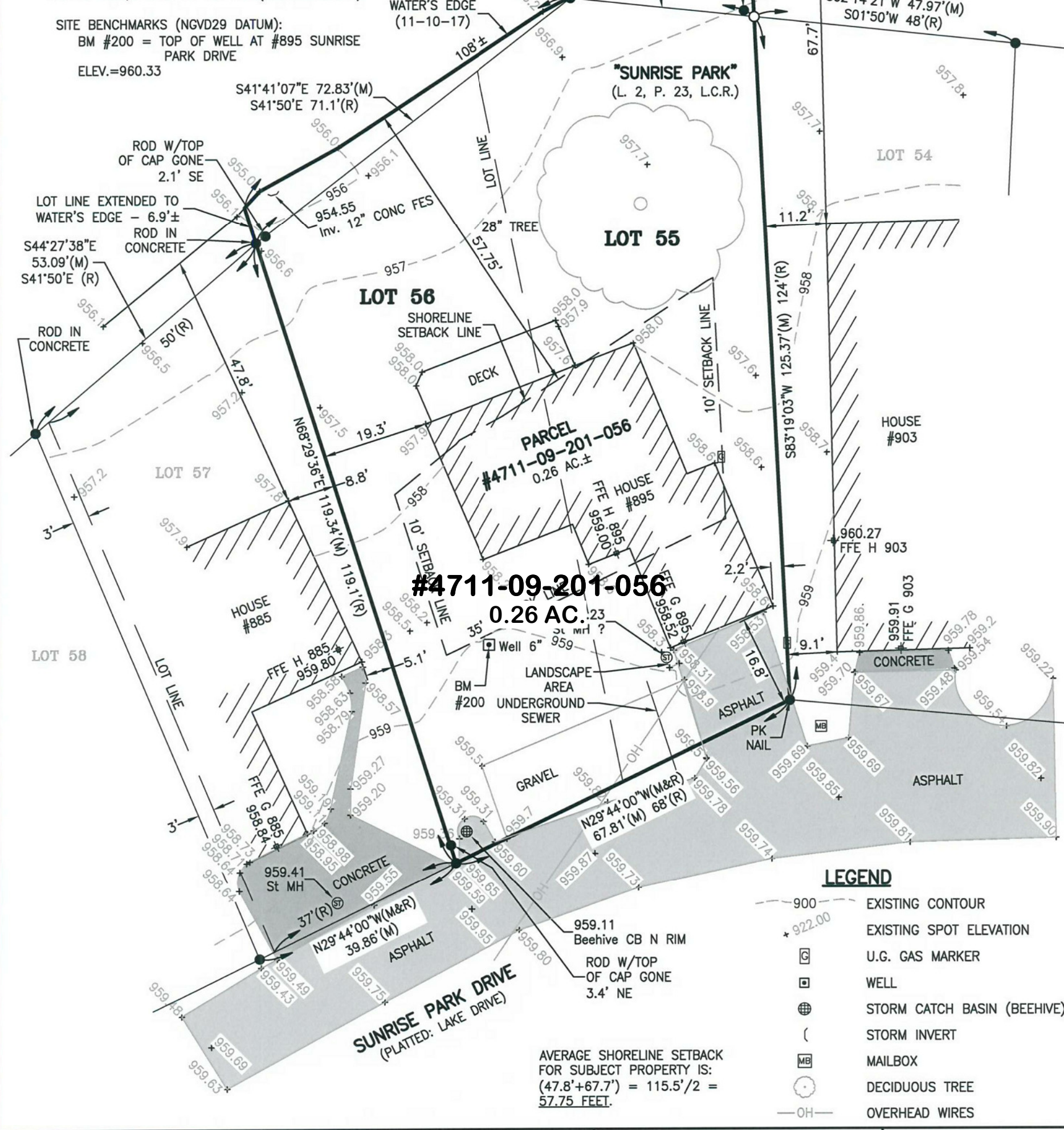
TAG	NOTE CONTENT
1	EXIST HOUSE TO BE DEMOD AS REQ'D
2	EXIST TREE TO BE REMOVED.
3	NEW GRAVEL
4	NEW MULCH
5	NEW 3'-0" HIGH SCREEN WALL (SHRUBS)
6	REPLACE EXIST WELL
7	REPLACE EXIST CONC DRIVE
8	EXIST STORM DRAIN TO REMAIN
9	SLOPE GRADE AWAY FROM HOUSE MIN 6' @ 10'-0"
10	NEW STAMPED CONC PATIO
11	NO WETLANDS EXIST. ON SITE

ZONE: LRR (LAKESHORE RESORT RESIDENTIAL)

LOT COVERAGE	AREA
FIRST FLOOR AREA	1620 SF
PATIO	465 SF
CONC DRIVEWAY	472 SF
CONC DRIVEWAY	312 SF
TOTAL	2,870 SF
SITE	10,695 SF
2,870 SF / 10,695 SF =	27% < 50%

GENERAL SURVEY NOTES: BOUNDARY/TOPOGRAPHICAL SURVEY

- CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)
- MINIMUM SETBACK REQUIREMENTS:
FRONT = 35 FEET
SIDES = 10 FEET
REAR = 40 FEET
- BEARINGS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2, PAGE 23, LIVINGSTON COUNTY RECORDS.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
- ELEVATIONS WERE ESTABLISHED RELATIVE TO BENCHMARK INFORMATION BY BOSS ENGINEERING AS SHOWN ON JOB NO. 11-010, DATED 01-31-11. (NGVD29 DATUM)



BOSS Engineering
3121 E. GRAND RIVER AVE.
HOWELL, MI 48843
800.246.6735 FAX 517.398.1670

CLIENT: HOLUBKA
JOB NO. 17-415 DATE 12-18-17
SHEET 1 OF 1 FB 585 CREW GFD/CE DR. WRW [CHKD.]

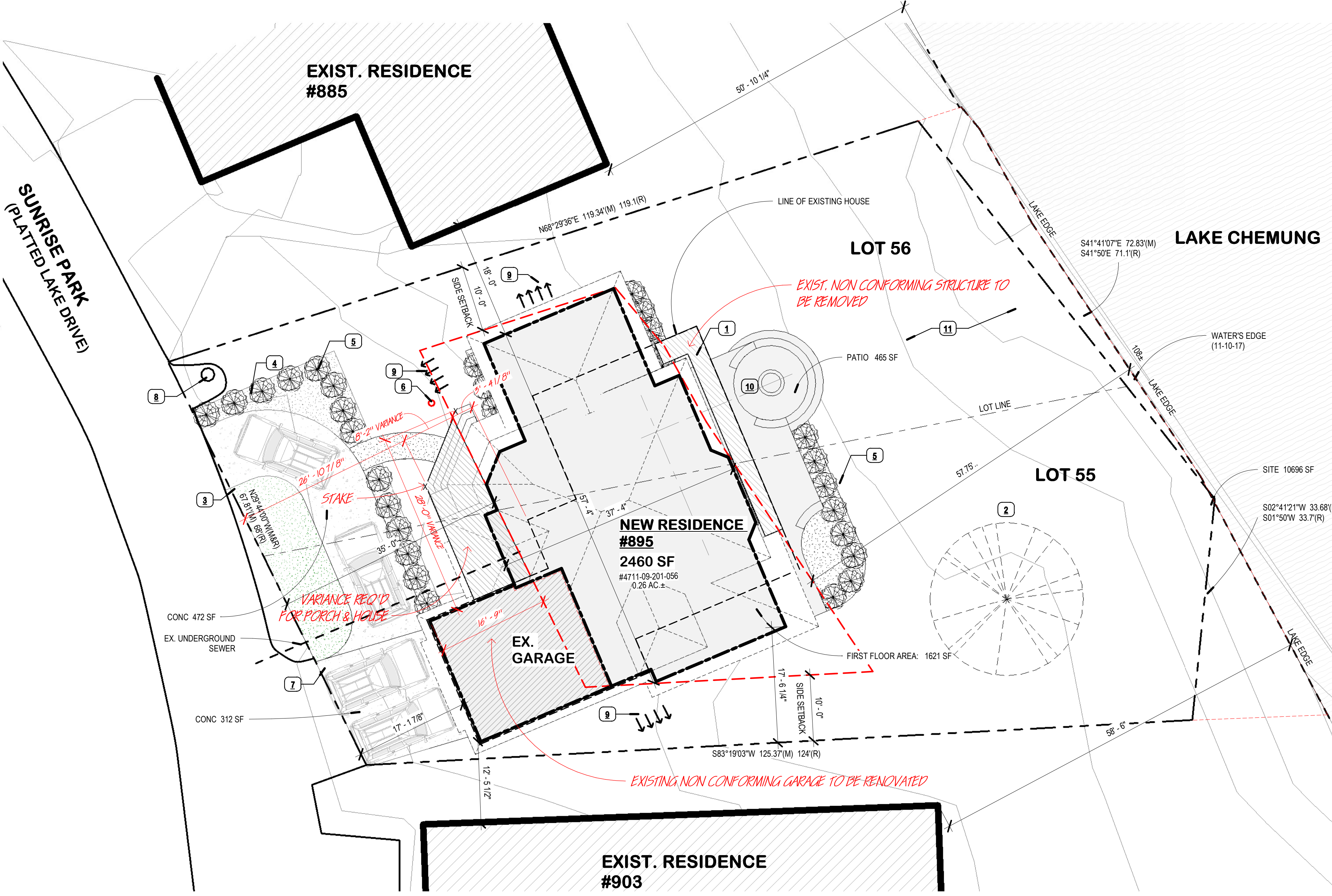
LEGEND:
● IRON SET
○ IRON FOUND
○ MONUMENT FOUND
— FENCE
(R) RECORDED
(M) MEASURED

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171

STATE OF MICHIGAN
CHRISTOPHER S. FERGUS
PROFESSIONAL SURVEYOR
NO. 47055



2 PERSPECTIVE 01



1 PLOT PLAN
1" = 10'-0"

NOTES

- CODE**
- 2015 MICHIGAN RESIDENTIAL BUILDING CODE
 - LOCAL ZONING ORDINANCE
- DEFERRED SUBMITTALS**
- ALL PLANS LABELED AS DEFERRED SUBMITTALS SHALL BE SUBMITTED TO THE ARCHITECT AND/OR LOCAL AUTHORITY FOR APPROVAL PRIOR TO INSTALLATION.
- DO NOT SCALE PLANS
 - COORDINATE ALL DRAWINGS, DETAILS, AND EQUIPMENT SPECS
 - ALL TRADES SHALL REVIEW AND HAVE ACCESS TO ENTIRE SET OF PLANS AND SPECS PRIOR TO BIDDING AND DURING CONSTRUCTION.
 - SUBMIT WEEKLY UPDATES TO OWNER/ARCHITECT INCLUDING SCHEDULE, PHOTOS, AND PROGRESS REPORT.
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 - WORK SHALL NOT COMMENCE PRIOR TO RECEIPT OF ALL APPROVED PERMITS.
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 - THE PLANS AND DETAILS INCLUDED IN THIS PROJECT ARE FOR THE SOLE PURPOSE OF THIS PROJECT. THE USE OF THESE DETAILS ON ANOTHER PROJECT IS STRICTLY PROHIBITED UNLESS APPROVED BY ARCHITECT.
 - COPYRIGHT 2018 BIGGDESIGNS, LLC

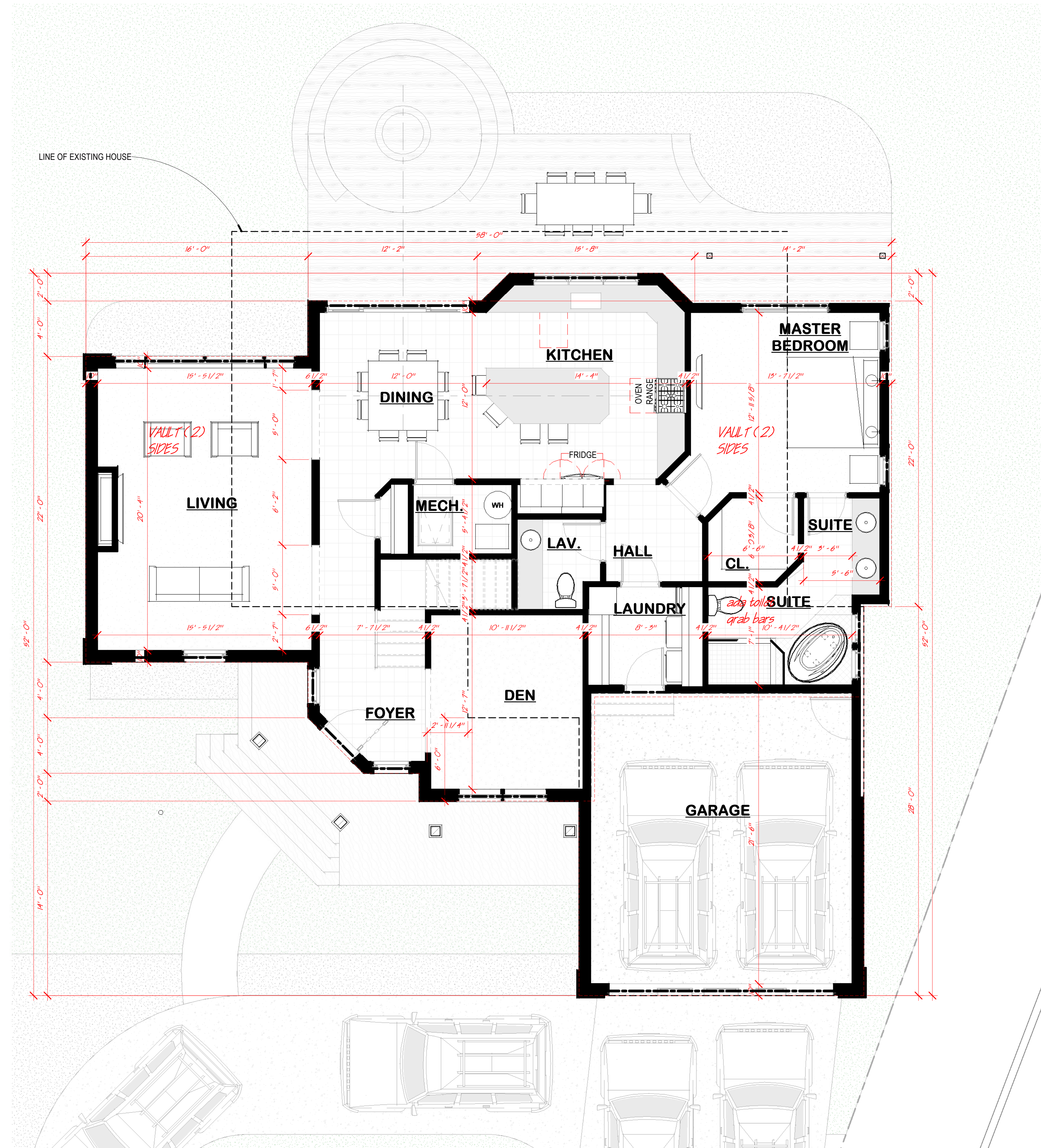
ARCHITECTURE
BIGGDESIGNS, LLC
127 E COMMERCE ST. #201
MILFORD, MI 48381
248.886.4460
BIGGDESIGNSLLC@GMAIL.COM
WWW.BIGGDESIGNS.COM

PROJECT

18130 HOLUBKA HOUSE
JOE & ANNE HOLUBKA
895 SUNRISE PARK
HOWELL, MI 48843
PER-ZBA
PLOT PLAN
05.21.2018

REV	NOTE	DATE

ZBA-1



NOTES

- CODE
 • 2015 MICHIGAN RESIDENTIAL BUILDING CODE
 • LOCAL ZONING ORDINANCE

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PROJECT

18130
HOLUBKA HOUSE
 JOE & ANNE HOLUBKA
 895 SUNRISE PARK DRIVE
 HOWELL, MI 48843
PER-ZBA
 FIRST FLOOR PLAN
 05.21.2018

REV	NOTE	DATE

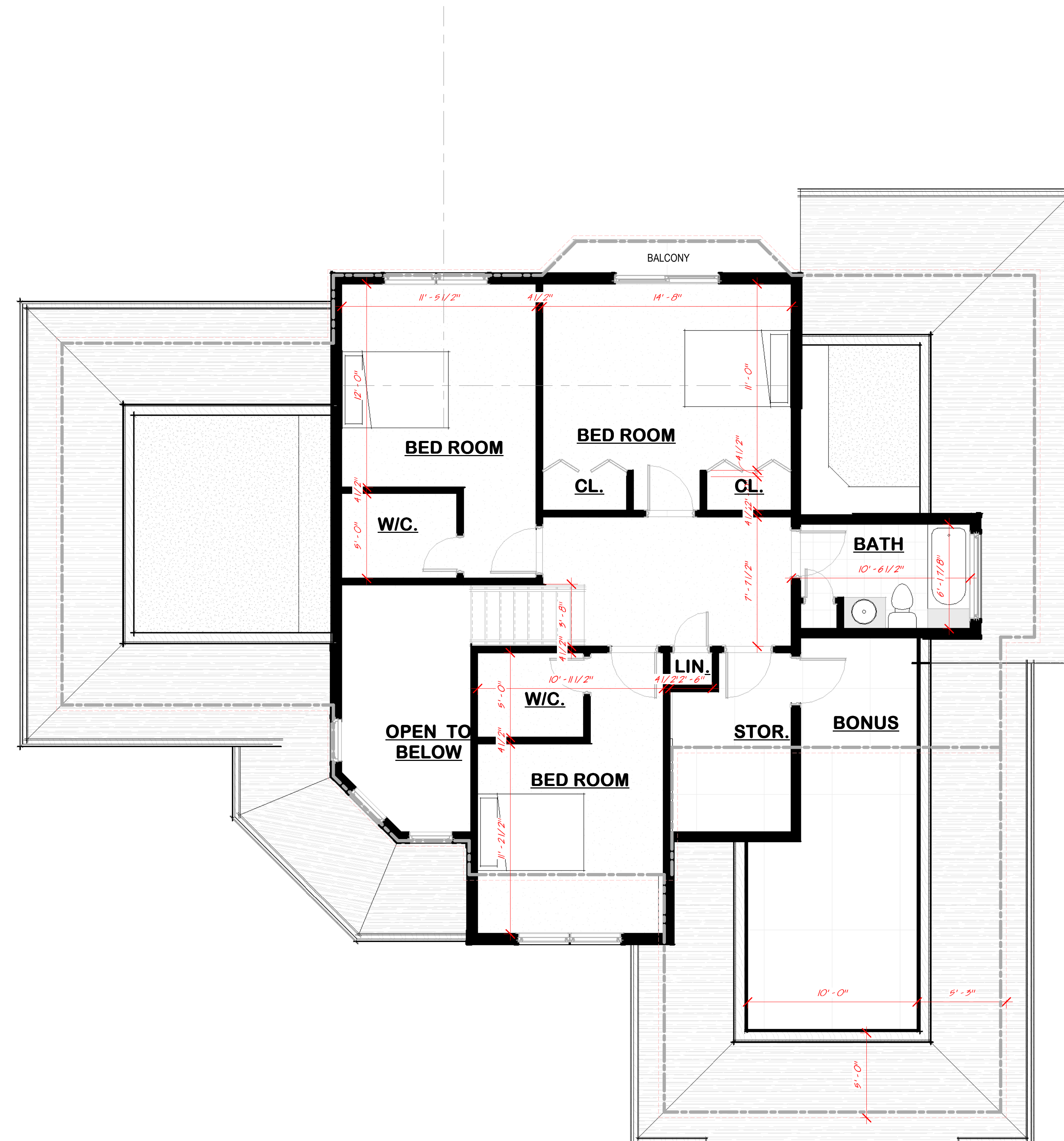
1 SD - FIRST FLOOR 1620 SF
 1/4" = 1'-0"

NOTES

- CODE**
 • 2015 MICHIGAN RESIDENTIAL BUILDING CODE
 • LOCAL ZONING ORDINANCE

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1 SD - SECOND FLOOR
 1/4" = 1'-0"
 840 SF

**ARCHITECTURE
 BIGGDESIGNS, LLC**
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 248.886.4460
 BIGGDESIGNSLLC@GMAIL.COM
 WWW.BIGGDESIGNS.COM

PROJECT
18130
HOLUBKA HOUSE
 JOE & ANNE HOLUBKA
 895 SUNRISE PARK DRIVE
 HOWELL, MI 48843
PER-ZBA
 SECOND FLOOR PLAN
 05.21.2018

REV	NOTE	DATE

ZBA-3

NOTES

- CODE
 • 2015 MICHIGAN RESIDENTIAL BUILDING CODE
 • LOCAL ZONING ORDINANCE

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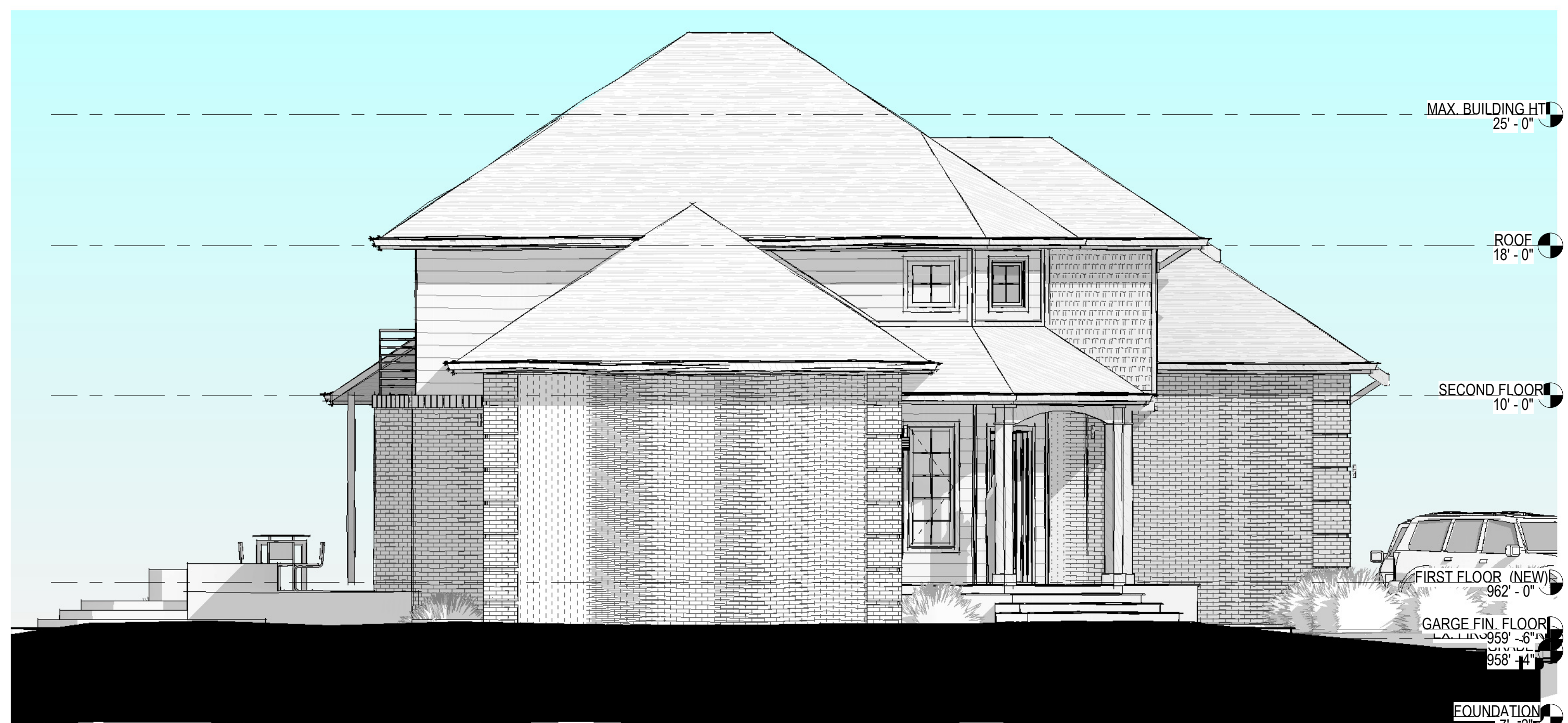
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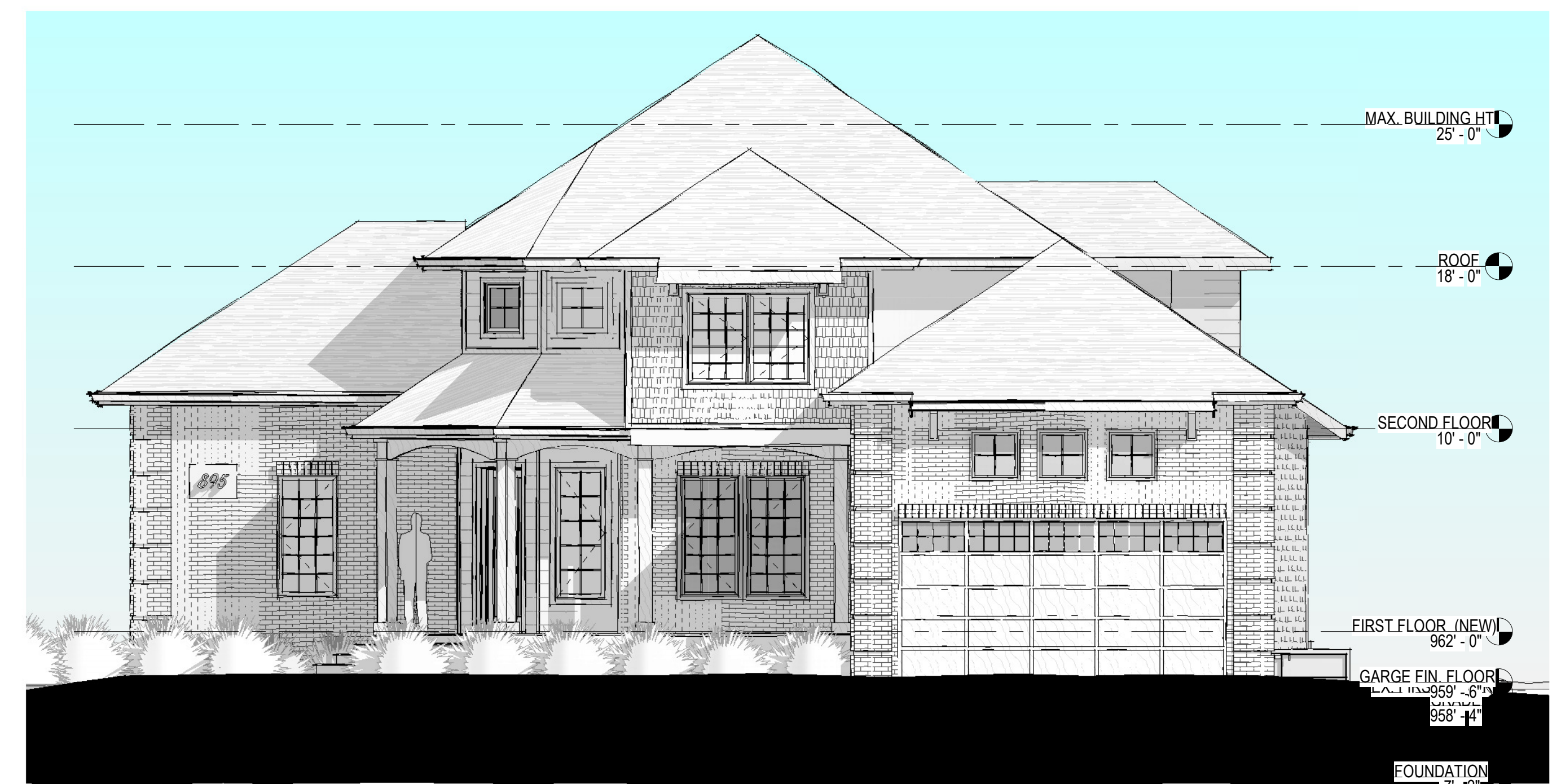
2 SD-EAST ELEVATION
 3/16" = 1'-0"



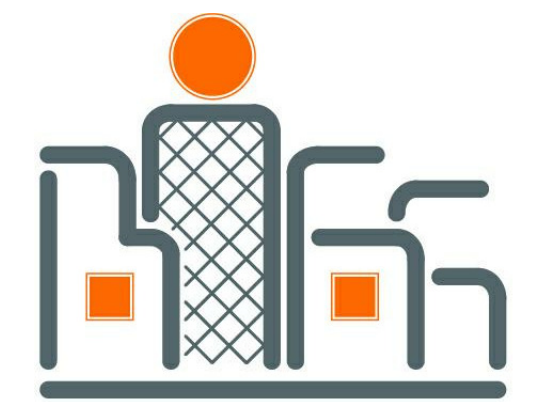
1 SD-NORTH ELEVATION
 3/16" = 1'-0"



4 SD-WEST ELEVATION
 3/16" = 1'-0"



3 SD-SOUTH ELEVATION
 3/16" = 1'-0"



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 WWW.BIGGDESIGNS.COM

PROJECT

18130
HOLUBKA HOUSE
 JOE & ANNE HOLUBKA
 895 SUNRISE PARK DRIVE
 HOWELL, MI 48843
PER-ZBA
 ELEVATIONS
 05.21.2018

REV

REV	NOTE	DATE

ZBA-4

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
GILLETT, CALE		168,000	07/31/1995	WD	ARMS-LENGTH	1946-0442	BUYER	100.0				
Gillette, Cale T.		145,000	07/15/1994	LC	MEMO L/C	1848-0063	BUYER	0.0				
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status				
895 SUNRISE PARK		School: HOWELL			REROOF	09/25/2007	W07-074	NO START				
Owner's Name/Address		P.R.E. 0%			WOOD DECK	05/31/2007	W07-032	NO START				
HOLUBKA, JOSEPH W. & ANN 19230 AUGUSTA CT. LIVONIA MI 48152		MAP #: V18-13		2019 Est TCV Tentative								
Tax Description		X Improved		Vacant	Land Value Estimates for Land Table 00006.SUNRISE PARK							
SEC. 9 T2N, R5E, SUNRISE PARK LOTS 55 AND 56		Public Improvements		* Factors *				Value				
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Gravel Road		A LAKE FRONT	50.00	125.00	1.0000	1.0000	2700	100		135,000
		Paved Road		50 Actual Front Feet, 0.14 Total Acres				Total Est. Land Value =		135,000		
		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		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
		Who	When	What	2019	Tentative	Tentative	Tentative		Tentative		
					2018	67,500	51,100	118,600		70,856C		
					2017	57,500	52,400	109,900		69,399C		
					2016	57,500	51,400	108,900		68,780C		

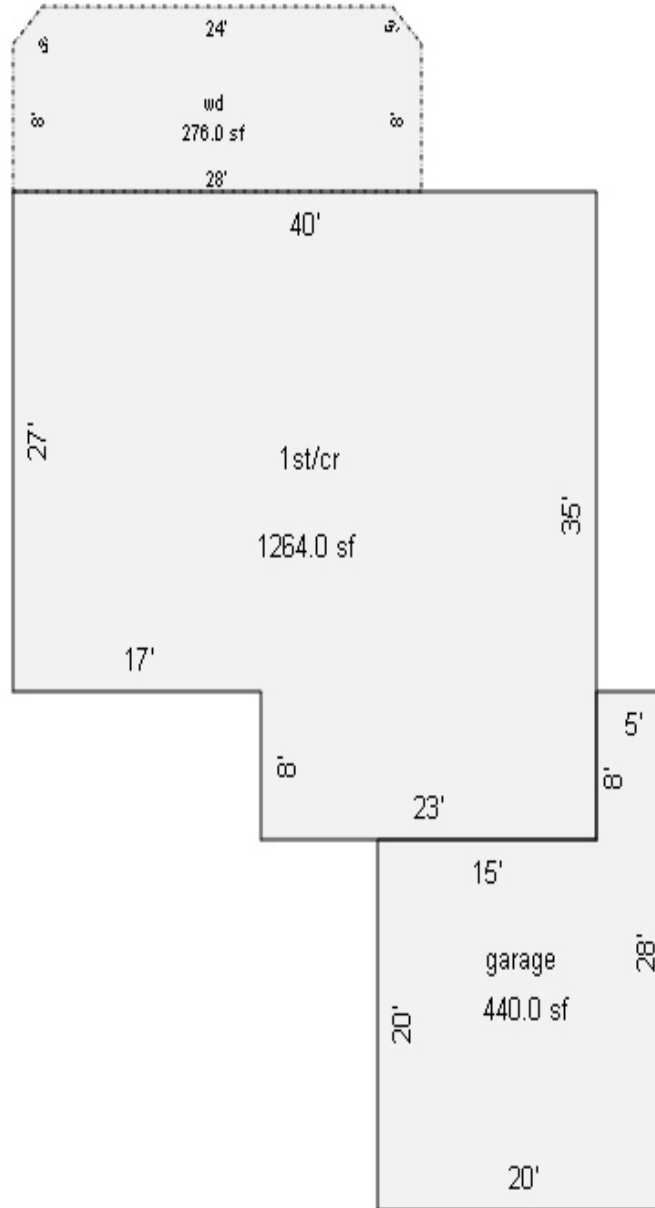


The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 280	Type Pine	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1.5 Wal Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 440 % 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 Effec. Age: 50 Floor Area: 980 Total Base New : 136,018 Total Depr Cost: 67,710 Estimated T.C.V: 121,878			E.C.F. X 1.800		Bsmnt Garage: Carport Area: Roof:	
Yr Built 1950	Remodeled 0	Size of Closets		No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family C			Cls C Blt 1950						
Condition: Good		Doors: Lg X Ord Small		Ex. X Ord Min			No. of Elec. Outlets			Ground Area = 980 SF Floor Area = 980 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=50/100/100/100/50						
Room List		(5) Floors		(13) Plumbing			Building Areas			Stories Exterior Foundation			Size		Cost New Depr. Cost	
	Basement 1st Floor 2nd Floor -16 Bedrooms	Kitchen: Other: Other:		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			Other Additions/Adjustments			Deck Pine			280		3,366 3,029 *9	
(1) Exterior		(6) Ceilings		(14) Water/Sewer			Class: C Exterior: Siding Foundation: 42 Inch (Unfinished)			Base Cost			440		16,878 8,439	
X	Wood/Shingle Aluminum/Vinyl Brick			Public Water Public Sewer Water Well			Water/Sewer			Public Sewer			1		1,218 609	
	Insulation			Lump Sum Items:			Fireplaces			Water Well, 200 Feet			1		8,762 4,381	
(2) Windows							Prefab 1 Story			Totals:			136,018		67,710	
X	Many Avg. Few	X	Large Avg. Small				ECF (4302 SUNRISE PARK LAKEFRONT) 1.800 => TCV:						121,878			
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
(3) Roof		(9) Basement Finish														
X	Gable Hip Flat		Recreation SF Living SF Walkout Doors No Floor SF													
	Gambrel Mansard Shed	(10) Floor Support														
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:														
Chimney: Brick																

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



Sketch by Apex Medina™

*** 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 # 18-14 Meeting Date: June 19, 2018

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

Applicant/Owner: Randy & Magorie Czajka Email: rmezajka@comcast.net
Property Address: 6550 Charles Ct. Phone: 734-368-3942
Present Zoning: LDR Tax Code: 4711-26-200-027

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: Front yard set back variance for addition to
create first floor laundry, bedroom, bathroom &
pantry.

2. Intended property modifications: Need additional living space. Current home
is only 2 bedrooms and 1728 sq ft. 2 br homes
are difficult for resale. The topography for expansion
does not provide an alternative location.

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

The addition would increase the house value. The increase in sq. footage will make our residence more comparable with neighboring homes. Our addition is not in view of the neighboring properties. No alternate location: septic on right (south), well on the left (north).

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.

Location is on a private drive. Only 2 homes pass our driveway, neither is effected. Our home is smallest in the neighborhood. We have sloped topography which provides no alternate location.

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.

Private street. Only 5 homes in neighborhood. No neighbors across the street, or in view of the proposed addition.

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.

Addition will not be detrimental to neighboring properties which are substantially larger than our square footage. Need 3rd bedroom for resale and first floor laundry as we age in our home.

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 with additional site plan and construction plans.

Date: 5-22-18 Signature: 



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 11, 2018

RE: ZBA 18-14

STAFF REPORT

File Number: ZBA#18-14
Site Address: 6550 Challis Court
Parcel Number: 4711-26-200-027
Parcel Size: 1.880 Acres
Applicant: Randy and Marjorie Czajka, 6550 Challis Court, Brighton 48116
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

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

Zoning and Existing Use: LDR (Low Density Residential) Single Family Dwelling located on property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 3, 2018 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 1995.
- The property was split in 1997.
- The parcel is serviced by well and septic.
- 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 an addition to an existing single family home. In order to construct the addition, the applicant is requesting a front yard variance. The existing home was constructed 50 feet from the property line however the setback is required to be measured from the road right of way line on a public or private road.

Variance Requests

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

Table 3.04.01 (LDR District):

Required Front Yard Setback: 50'

Proposed Front Yard Setback: 5.8'

Proposed Variance Amount: 44.4'

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.

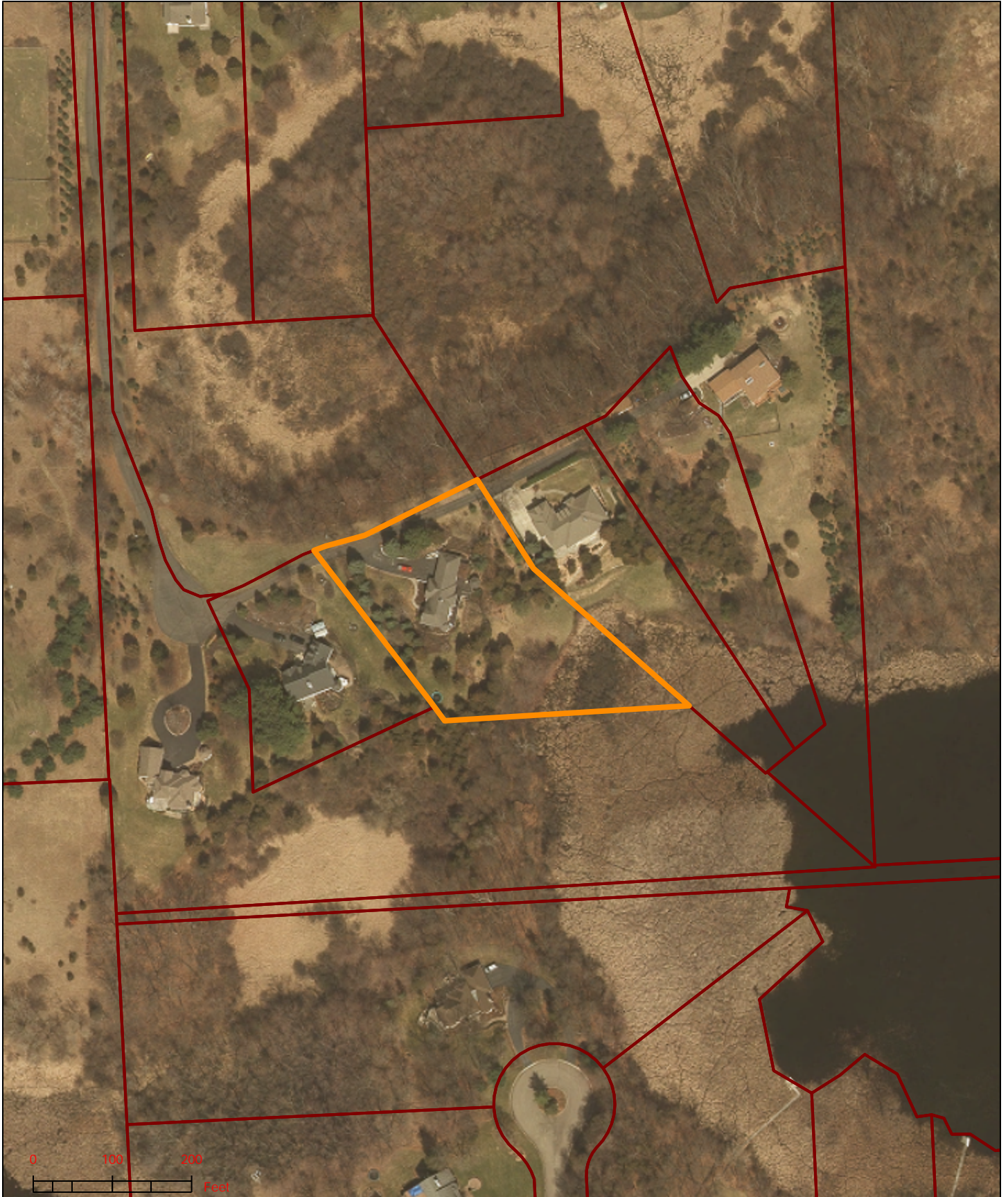
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the front yard setback would prevent the applicant from constructing the addition however the use of the property for a single family resident as it has been for the last 13 years is not impacted. The variance does not provide substantial justice since it would greatly reduce the front yard setback and would not make the home consistent with properties in the same zoning or vicinity. Granting the variance would allow the home to be similar in size and features to other homes in the vicinity. There are homes in the immediate area that appear to have non-conforming setbacks.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography of the lot, location of the existing home and location of the well and septic. The need for the variance is not self-created.
- (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 structure must be maintained on the lot.
2. Structure must be guttered with downspouts.

GENOA TOWNSHIP

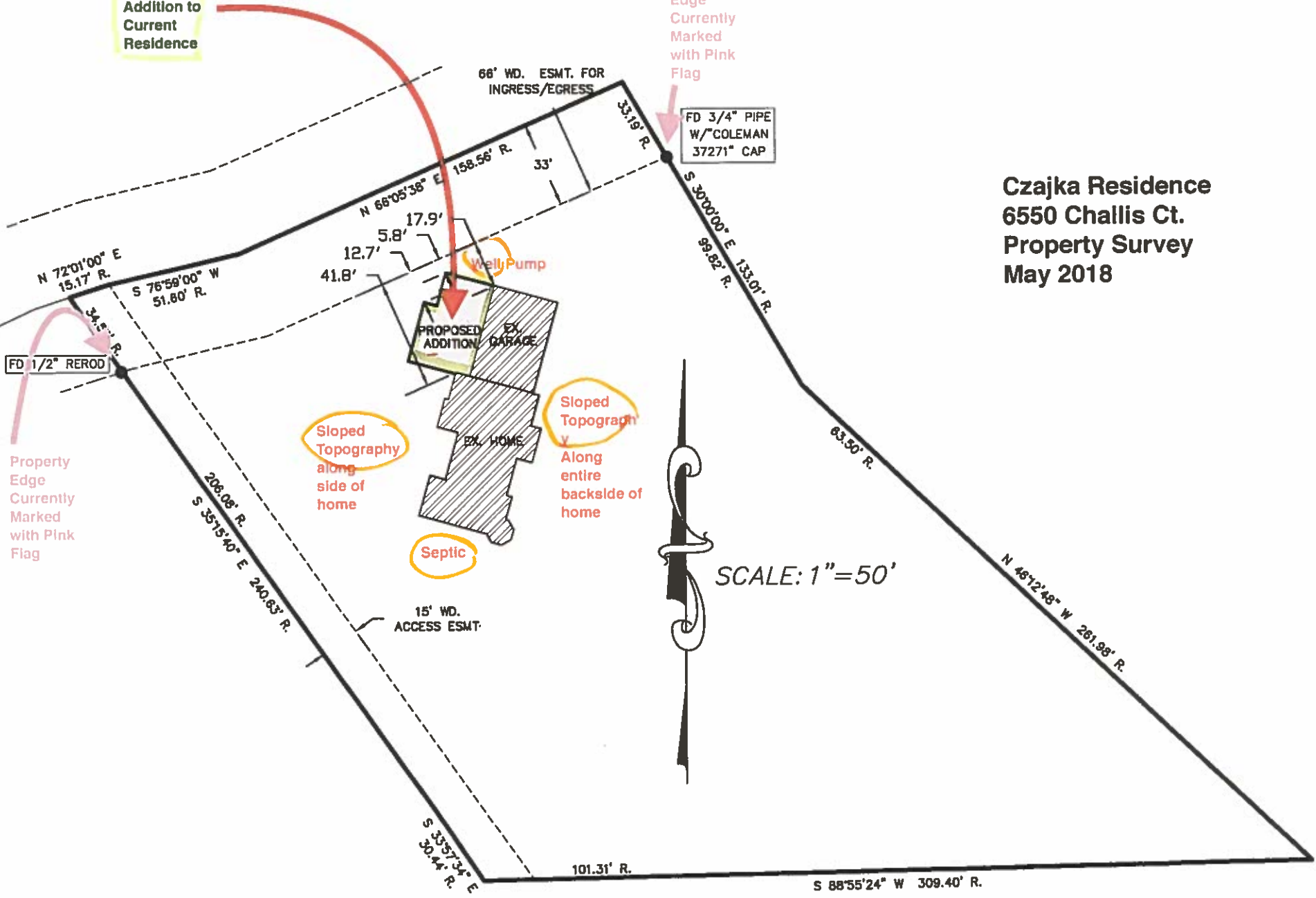


Location of Proposed Addition to Current Residence

Property Edge Currently Marked with Pink Flag

FD 3/4" PIPE W/COLEMAN 37271" CAP

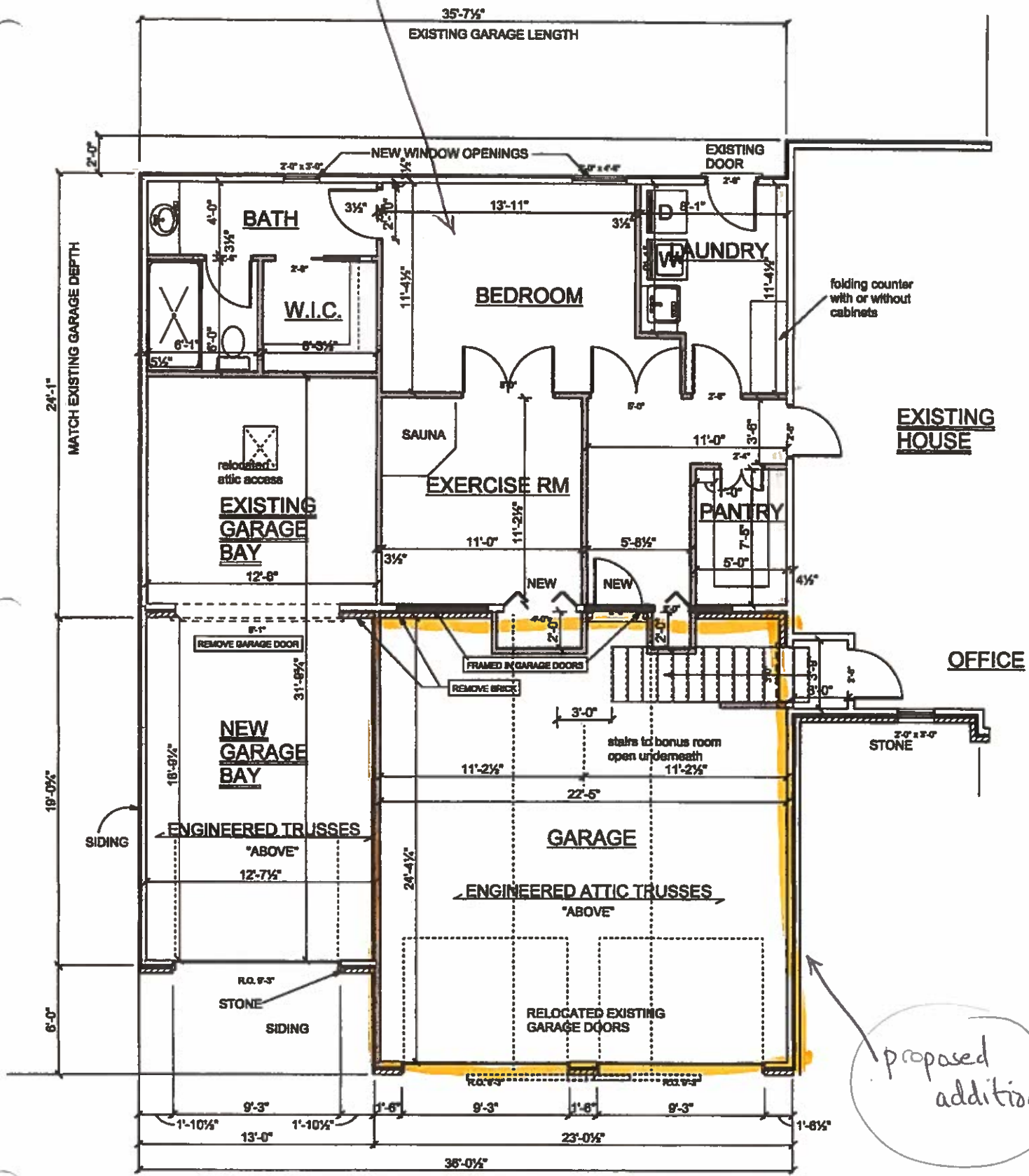
Czajka Residence
6550 Challis Ct.
Property Survey
May 2018



Property Edge Currently Marked with Pink Flag

Convert existing garage to third bedroom and first floor laundry

EXISTING GARAGE



EXISTING HOUSE

OFFICE

proposed addition

PROPOSED FLOOR PLAN

To: Neighbors of Challis Ct.
From: Randy and Marji Czajka, 734-368-3942
Date: May 18, 2018
Re: Request for Variance for Proposed Addition

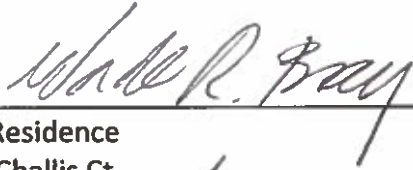
This memo was shared with neighbors and is provided to show ~~the~~ support of the variance and proposed project.

On June 19, 2018, we are requesting a property variance for the attached proposed addition at our residence. The meeting is at Genoa Township at 6:30 pm.

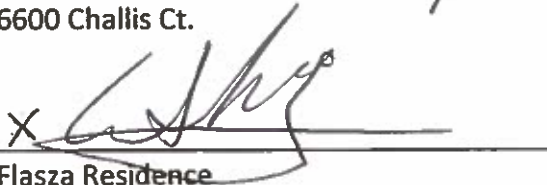
The variance is requested as our topography and the location of our well and septic does not provide an alternative location for the addition. There are currently pink flags that have been displayed by BF Thompson Surveyors marking the side boundaries of our lot. There is also a taped display of the corners of the addition marked on our driveway. Please feel free to walk over and personally view the location of the proposed addition. You will also be receiving a package from the township that will inform you of our request and allow you to voice your support or concern.

If you don't see any issues with this proposal, would you please provide your signature and date below for me to include in our application? Please let us know if you have any questions.

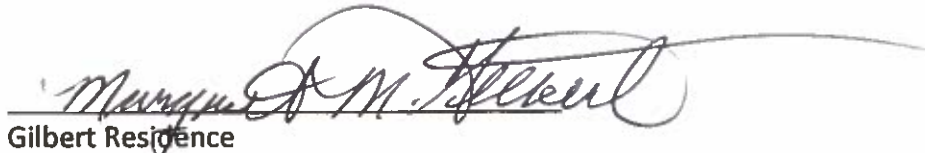
Thankyou!




Bray Residence
6600 Challis Ct.



Flasza Residence
6562 Challis Ct.



Gilbert Residence
6530 Challis Ct.



Skolarus Residence
6520 Challis Ct.

* Only 4 neighbors in the neighborhood.

the Planning Commission or any administrative official charged with administration or enforcement of this Ordinance.

- 23.02.02 Variances (Dimensional and Use).** To authorize, upon a variance from the strict application of the provisions of this Ordinance, where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance.
- 23.02.03 Interpretation.** Upon request of the Planning Commission or any administrative or enforcement officer charged with administration or enforcement of this Ordinance, the Board of Appeals may interpret and clarify the meaning of Ordinance text. The Board of Appeals may also be requested to interpret boundaries of zoning districts where the zoning district classification can not be clearly discerned on the Official Zoning Map. (as amended 12/31/06)
- 23.02.04 Approvals.** To hear and decide requests for other decisions that this Ordinance specifically authorizes the Board of Appeals to pass.
- 23.02.05 Special Land Uses.** The Board of Appeals may grant dimensional or other site plan related variances for special land uses. The Board of Appeals shall not have the power to reverse or modify the Township Board's decision to approve or deny a special land use permit nor grant variances to any conditions placed on special land use approval.
- 23.02.06 Powers**
- (a) The Board of Appeals shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms of this Ordinance.
 - (b) The decision of the Board of Appeals shall be final. However, a person having an interest affected by this Ordinance may appeal to the circuit court for review pursuant to section 23(a) of the Michigan Zoning Enabling Act (Public Act 110 of 2006).
 - (c) In granting a variance the Board of Appeals may attach thereto such conditions regarding the location, character, and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance.

Sec. 23.03 MEETINGS

- 23.03.01 Meetings.** All meetings of the Board of Appeals shall be held at the call of the Chairman, and at such times as the Board of Appeals may determine. The Board of Appeals shall not conduct business unless three (3) members of the Board of Appeals are present. All meetings of the Board of Appeals shall be open to the public. The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote, indicating such fact, and shall keep records of its findings, proceedings at hearings, and other official actions, all of which shall be immediately filed with the Township and shall be a public record. (as amended 12/31/06)

Images of Proposed Addition – May 2018



6550 CHALLIS CT BRIGHTON, MI 48116 (Property Address)

Parcel Number: 4711-26-200-027



Item 1 of 8 6 Images / 2 Sketches

Property Owner: CZAJKA RANDY & MARJORIE

Summary Information

> Residential Building Summary

- Year Built: 1995
- Bedrooms: 2
- Full Baths: 3
- Half Baths: 0
- Sq. Feet: 1,726
- Acres: 1.880

- > Assessed Value: \$193,600 | Taxable Value: \$177,850
- > Property Tax information found

WE ARE SMALLEST SQUARE FOOTAGE IN NEIGHBORHOOD

Important Message

+ Attention FireFox Users

Owner and Taxpayer Information

Owner CZAJKA RANDY & MARJORIE Taxpayer SEE OWNER INFORMATION
 6550 CHALLIS CT
 BRIGHTON, MI 48116

General Information for Tax Year 2018

Property Class	401 RESIDENTIAL-IMPROVED Unit	4711 GENOA CHARTER TOWNSHIP
School District	BRIGHTON	\$193,600
MAP #	MARY22	\$177,850
USER NUM IDX	0	\$193,600
USER ALPHA 1	Not Available	Date of Last Name Change 11/12/2014
USER ALPHA 3	Not Available	Notes Not Available
Historical District	Not Available	Census Block Group Not Available
USER ALPHA 2	Not Available	Exemption No Data to Display

OUR HOME IS THE HIGHEST TAXABLE VALUE IN NEIGHBORHOOD

Principal Residence Exemption Information

Homestead Date 11/07/2014

Principal Residence Exemption	June 1st	Final
2018	100.0000 %	100.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2017	\$196,900	\$196,900	\$174,192
2016	\$192,800	\$192,800	\$179,336
2015	\$178,800	\$178,800	\$178,800
2014	\$154,000	\$154,000	\$143,468
2013	\$141,600	\$141,600	\$141,209
2012	\$137,900	\$137,900	\$137,900
2011	\$141,000	\$141,000	\$141,000
2010	\$145,700	\$145,700	\$145,700
2009	\$166,100	\$166,100	\$166,100
2008	\$162,800	\$162,800	\$162,800
2007	\$167,300	\$167,300	\$159,420
2006	\$159,800	\$159,800	\$153,732
2005	\$181,200	\$181,200	\$148,821
2004	\$157,700	\$157,700	\$145,476
2003	\$155,200	\$155,200	\$142,206

6520 CHALLIS CT BRIGHTON, MI 48116 (Property Address)

Parcel Number: 4711-26-200-028



Item 1 of 5 3 Images / 2 Sketches

Property Owner: SKOLARUS, PAULETTE &

Summary Information

> Residential Building Summary

- Year Built: 1998
- Full Baths: 4
- Sq Feet: 2,390
- Bedrooms: 4
- Half Baths: 0
- Acres: 5.700

*662 sq ft
More*

- > Assessed Value: \$203,100 | Taxable Value: \$148,983
- > Property Tax information found

Important Message

+ Attention FireFox Users

Owner and Taxpayer Information

Owner SKOLARUS, PAULETTE & LOLLIO, KELLY LYNN
6520 CHALLIS CT
BRIGHTON, MI 48116

Taxpayer SEE OWNER INFORMATION

General Information for Tax Year 2018

Property Class	401 RESIDENTIAL-IMPROVED Unit	4711 GENOA CHARTER TOWNSHIP
School District	BRIGHTON	Assessed Value
MAP #	MARY22	\$203,100
USER NUM IDX	0	Taxable Value
USER ALPHA 1	Not Available	\$148,983
USER ALPHA 3	Not Available	State Equalized Value
Historical District	Not Available	\$203,100
USER ALPHA 2	Not Available	Date of Last Name Change
		01/18/2005
		Notes
		Not Available
		Census Block Group
		Not Available
		Exemption
		No Data to Display

Principal Residence Exemption Information

Homestead Date 04/24/1995

Principal Residence Exemption	June 1st	Final
2018	100.0000 %	100.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2017	\$208,100	\$208,100	\$145,919
2016	\$195,700	\$195,700	\$144,618
2015	\$170,300	\$170,300	\$144,186
2014	\$162,000	\$162,000	\$141,916
2013	\$150,200	\$150,200	\$139,682
2012	\$146,500	\$146,500	\$136,409
2011	\$149,400	\$149,400	\$132,823
2010	\$158,500	\$158,500	\$130,603
2009	\$182,100	\$182,100	\$130,996
2008	\$184,800	\$184,800	\$125,476
2007	\$189,700	\$189,700	\$122,655
2006	\$181,200	\$181,200	\$118,279
2005	\$182,700	\$182,700	\$114,501
2004	\$178,900	\$178,900	\$111,927
2003	\$166,700	\$166,700	\$104,817

6600 CHALLIS CT BRIGHTON, MI 48116 (Property Address)

Parcel Number: 4711-26-200-033



Item 1 of 5 3 Images / 2 Sketches

Property Owner: BRAY, WADE R.

Summary Information

> Residential Building Summary

- Year Built: N/A
- Full Baths: 1
- Sq. Feet: 3,200
- Bedrooms: 0
- Half Baths: 1
- Acres: 5.700

- > Assessed Value: \$161,500 | Taxable Value: \$132,151
- > Property Tax information found

1552 sq ft more

Important Message

⊕ Attention FireFox Users

Owner and Taxpayer Information

Owner	BRAY, WADE R. 6600 CHALLIS CT BRIGHTON, MI 48116	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2018

Property Class	401 RESIDENTIAL-IMPROVED Unit		4711 GENOA CHARTER TOWNSHIP
School District	BRIGHTON	Assessed Value	\$161,500
MAP #	MARY22	Taxable Value	\$161,500 \$132,151
USER NUM IDX	0	State Equalized Value	\$161,500
USER ALPHA 1	Not Available	Date of Last Name Change	05/26/2004
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
USER ALPHA 2	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information

Homestead Date 09/29/1995

Principal Residence Exemption	June 1st	Final
2018	100.0000 %	100.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2017	\$164,200	\$164,200	\$129,433
2016	\$156,500	\$156,500	\$128,279
2015	\$138,100	\$138,100	\$127,896
2014	\$132,300	\$132,300	\$125,882
2013	\$123,900	\$123,900	\$123,900
2012	\$121,400	\$121,400	\$121,400
2011	\$123,900	\$123,900	\$123,087
2010	\$134,900	\$134,900	\$121,010
2009	\$156,500	\$156,500	\$121,375
2008	\$159,900	\$159,900	\$116,260
2007	\$183,900	\$183,900	\$113,647
2006	\$155,300	\$155,300	\$109,593
2005	\$156,800	\$156,800	\$106,092
2004	\$153,800	\$153,800	\$103,707
2003	\$141,200	\$141,200	\$94,533

6562 CHALLIS CT BRIGHTON, MI 48116 (Property Address)

Parcel Number: 4711-26-200-030



Item 1 of 5 3 Images / 2 Sketches

Property Owner: FLASZA, C. ANTONIE & ANNE G.

Summary Information

> Residential Building Summary

- Year Built: 2000
- Full Baths: 3
- Sq. Feet: 2,800
- Bedrooms: 2
- Half Baths: 1
- Acres: 1.280

816 sq ft more

- > Assessed Value: \$215,100 | Taxable Value: \$169,725
- > Property Tax information found

Important Message

[Attention FireFox Users](#)

Owner and Taxpayer Information

Owner FLASZA, C. ANTONIE & ANNE Taxpayer **SEE OWNER INFORMATION**
 G.
 6562 CHALLIS CT
 BRIGHTON, MI 48116

General Information for Tax Year 2018

Property Class	401 RESIDENTIAL-IMPROVED Unit	4711 GENOA CHARTER TOWNSHIP
School District	BRIGHTON	Assessed Value
MAP #	MARY22	\$215,100
USER NUM IDX	0	Taxable Value
USER ALPHA 1	Not Available	\$169,725
USER ALPHA 3	Not Available	State Equalized Value
Historical District	Not Available	\$215,100
USER ALPHA 2	Not Available	Date of Last Name Change
		02/13/2007
		Notes
		Not Available
		Census Block Group
		Not Available
		Exemption
		No Data to Display

Principal Residence Exemption Information

Homestead Date 03/11/2003

Principal Residence Exemption	June 1st	Final
2018	100.0000 %	100.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2017	\$218,900	\$218,900	\$166,235
2016	\$206,100	\$206,100	\$164,753
2015	\$184,500	\$184,500	\$164,261
2014	\$174,400	\$174,400	\$161,675
2013	\$159,900	\$159,900	\$159,129
2012	\$155,400	\$155,400	\$155,400
2011	\$159,000	\$159,000	\$159,000
2010	\$163,200	\$163,200	\$163,200
2009	\$192,900	\$192,900	\$192,900
2008	\$206,300	\$206,300	\$206,300
2007	\$212,500	\$212,500	\$207,635
2006	\$202,700	\$202,700	\$200,227
2005	\$204,600	\$204,600	\$193,831
2004	\$199,800	\$199,800	\$189,474
2003	\$187,400	\$187,400	\$185,215

6530 CHALLIS CT BRIGHTON, MI 48116 (Property Address)

Parcel Number: 4711-26-200-026



Item 1 of 6 4 Images / 2 Sketches

Property Owner: GILBERT MARGARET REVOCABLE TRUST

Summary Information

> Residential Building Summary

- Year Built: 1998
- Full Baths: 3
- Sq. Foot: 2,570
- Bedrooms: 3
- Half Baths: 1
- Acres: 1.020

- > Assessed Value: \$209,800 | Taxable Value: \$166,669
- > Property Tax Information found

942 sq ft more

Important Message

Attention FireFox Users

Owner and Taxpayer Information

Owner	GILBERT MARGARET REVOCABLE TRUST 6530 CHALLIS CT BRIGHTON, MI 48116	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2018

Property Class	401 RESIDENTIAL-IMPROVED Unit	4711 GENOA CHARTER TOWNSHIP
School District	BRIGHTON	Assessed Value
MAP #	SALES STUDY 2012	Taxable Value
USER NUM IDX	0	State Equalized Value
USER ALPHA 1	Not Available	Date of Last Name Change
USER ALPHA 3	Not Available	Notes
Historical District	Not Available	Census Block Group
USER ALPHA 2	Not Available	Exemption

Principal Residence Exemption Information


Homestead Date: 10/20/2011

Principal Residence Exemption	June 1st	Final
2018	100.0000 %	100.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2017	\$213,500	\$213,500	\$163,241
2016	\$200,800	\$200,800	\$161,785
2015	\$181,200	\$181,200	\$161,302
2014	\$171,200	\$171,200	\$158,762
2013	\$157,000	\$157,000	\$156,262
2012	\$152,600	\$152,600	\$152,600
2011	\$156,100	\$156,100	\$158,100
2010	\$139,900	\$139,900	\$139,900
2009	\$163,900	\$163,900	\$163,900
2008	\$169,400	\$169,400	\$169,024
2007	\$174,400	\$174,400	\$165,224
2006	\$165,900	\$165,900	\$159,329
2005	\$167,400	\$167,400	\$154,240
2004	\$163,600	\$163,600	\$150,773
2003	\$156,400	\$156,400	\$147,384

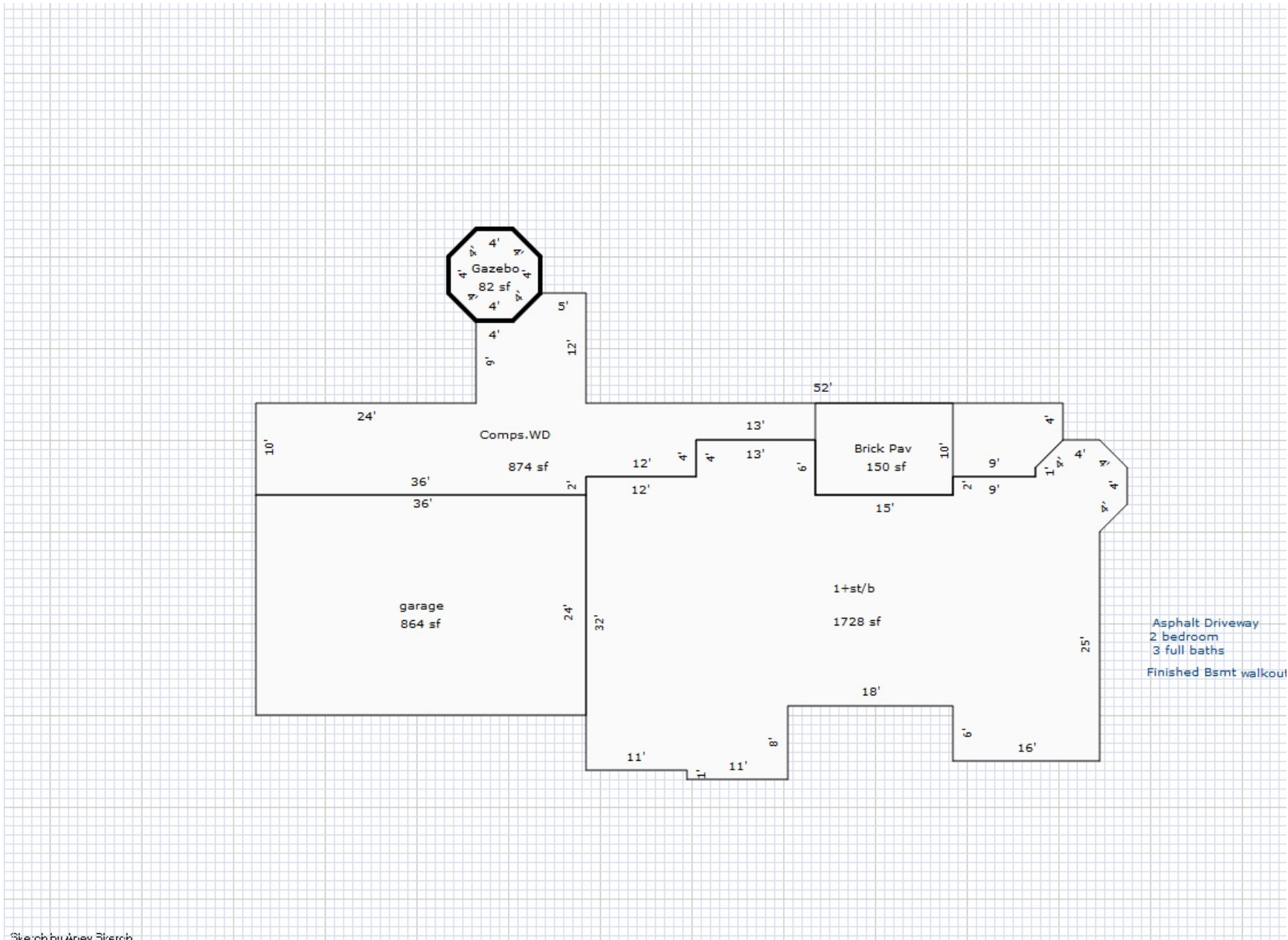
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
DOYLE SUSAN A & MICHAEL J	CZAJKA RANDY & MARJORIE	365,000	11/07/2014	WD	ARMS-LENGTH	2014R-034440	BUYER	100.0
HODGSON, MARGARET L.	DOYLE SUSAN A & MICHAEL J	363,750	01/28/2008	WD	ARMS-LENGTH	2008R-008204	BUYER	100.0
SKOLARUS, EDWARD & PAULLET	HODGSON	299,000	08/28/1998	WD	ARMS-LENGTH	2422-0434	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LDR	Building Permit(s)	Date	Number	Status					
6550 CHALLIS CT	School: BRIGHTON										
	P.R.E. 100% 11/07/2014										
Owner's Name/Address	MAP #: V18-14										
CZAJKA RANDY & MARJORIE 6550 CHALLIS CT BRIGHTON MI 48116	2019 Est TCV Tentative										
Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 122.BRIGHTON M & B								
SEC 26 T2N R5E COMM N 1/4 COR TH S00*026'38"E 581.00 FT, TH N88*32'30"E 366.00 FT, TH S30*E 246.99 FT TO POB, TH S30*E 133.01 FT, TH S46*12'48"E 261.98 FT TH N88*52'24"W 309.40 FT, TH N33*57'34"W 30.44 FT, TH N35*15'40"W 240.63 FT TO THE C/L OF CHALLIS COURT, A PRIVATE RODAD EASEMENT, TH N72*01'E 15.17 FT, TH N76*59'E 51.60 FT, TH N66*05'38"E 158.56 FT TO POB CONT. 1.61 AC M/L. SPLIT 10/97 FR 020. COR 3/08	Public Improvements		* Factors *								
	Dirt Road		WETLANDS	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
	Gravel Road					1.880	Acres	19,191	100		36,080
	Paved Road					1.88 Total Acres		Total Est. Land Value =			36,080
	Storm Sewer		Land Improvement Cost Estimates								
	Sidewalk		Description								
	Water		Rate								
	Sewer		Size % Good								
	Electric		Cash Value								
	Gas		Gazebo(s): Standard			15,482.50		1	91		14,090
	Curb		D/W/P: Brick on Sand			19.55		150	48		1,408
	Street Lights		Total Estimated Land Improvements True Cash Value =								
	Standard Utilities										
	Underground Utils.										
Comments/Influences	Topography of Site		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
	X	Level	2019	Tentative	Tentative	Tentative			Tentative		
		Rolling	2018	18,000	175,600	193,600			177,850C		
		Low	2017	18,000	178,900	196,900			174,192C		
		High	2016	18,000	183,900	201,900	192,800M		179,336C		
		Landscaped									
	Swamp										
	Wooded										
	Pond										
	Waterfront										
	Ravine										
	Wetland										
	Flood Plain										
	X REFUSE										
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan	LM	11/14/2014	INSPECTED								

*** 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 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove 1 Direct-Vented Gas	Area 874	Type Composite	Year Built: Car Capacity: Class: B Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 864 % Good: 0 Storage Area: 0 No Conc. Floor: 0										
X	Wood Frame		(4) Interior Drywall Paneled Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling																			
Building Style: B		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			Cost Est. for Res. Bldg: 1 Single Family B			Class: B Effec. Age: 19 Floor Area: 1,728 Total Base New : 484,109 Total Depr Cost: 391,563 Estimated T.C.V: 450,297			E.C.F. X 1.150		Cls B Blt 1995									
Yr Built 1995	Remodeled 0	Size of Closets Lg X Ord Small		(12) Electric 0 Amps Service			Ground Area = 1728 SF Floor Area = 1728 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=81/100/100/100/81			Building Areas			Stories		Exterior		Foundation		Size		Cost New		Depr. Cost	
Condition: Good		Doors: Solid X H.C.		No./Qual. of Fixtures X Ex. Ord. Min			No. of Elec. Outlets Many X Ave. Few			Other Additions/Adjustments			1+ Story		Siding		Basement		1,728		318,486		257,974	
Room List		(5) Floors Kitchen: Other: Other:		(13) Plumbing Average Fixture(s) 3 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Other Additions/Adjustments			Exterior			Brick Veneer		400		7,268		5,887					
Basement 1st Floor 2nd Floor 2 Bedrooms		(6) Ceilings		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:			Exterior			Basement, Outside Entrance, Below Grade			1		3,472		2,812							
(1) Exterior		(7) Excavation Basement: 1728 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(14) Water/Sewer			Plumbing			Plumbing			3 Fixture Bath		2		17,050		13,810					
X	Wood/Shingle Aluminum/Vinyl Brick	(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(14) Water/Sewer			Water/Sewer			1000 Gal Septic			1		4,987		4,039							
Insulation		(9) Basement Finish Recreation SF Living SF 1 Walkout Doors No Floor SF		(14) Water/Sewer			Water Well, 200 Feet			Water Well, 200 Feet			1		10,076		8,162							
(2) Windows		Many Avg. X Large Avg. Small		(14) Water/Sewer			Garages			Class: B Exterior: Siding Foundation: 42 Inch (Unfinished)			Base Cost		864		41,524		33,634					
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(10) Floor Support Joists: Unsupported Len: Cntr.Sup:		(14) Water/Sewer			Fireplaces			Prefab 1 Story			1		3,560		2,884							
Many Avg. X Large Avg. Small		(10) Floor Support		(14) Water/Sewer			Direct-Vented Gas			Deck			Composite		874		11,965		9,692					
X	Gable Hip Flat	Gambrel Mansard Shed		(14) Water/Sewer			Basement Living Area			Composite			1350		64,395		52,160							
X	Asphalt Shingle	Chimney: Brick		(14) Water/Sewer			Totals:			484,109			391,563		450,297									
Chimney: Brick				(14) Water/Sewer			ECF (47010 BRIGHTON M & B) 1.150 => TCV:			450,297														

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



Sketch by Apex Sketch

*** 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 # 18-15 Meeting Date: June 19, 2018

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

Applicant/Owner: Jeanne Young and Bonnie Appell Email: appellbsa@att.net

Property Address: 7505 Herbst Road, Brighton Phone: 810-224-2741

Present Zoning: RR Residential Tax Code: 4711-13-400-032

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: See "Attachment to Application for Zoning Board of Appeals"

2. Intended property modifications: See "Attachment to Application for Zoning Board of Appeals"

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

See "Attachment to Application for Zoning Board of Appeals"

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.

See "Attachment to Application for Zoning Board of Appeals"

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.

See "Attachment to Application for Zoning Board of Appeals"

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.

See "Attachment to Application for Zoning Board of Appeals"

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 with additional site plan and construction plans.

Date: May 23, 2018 Signature: Bonnie S. Appell 

Attachment to Application for Zoning Board of Appeals

**Genoa Township ZBA
Fence Located at 7505 Herbst Road, Brighton, MI 48114
Tax Id No: 4711-13-400-032
Application Date: May 25, 2018
Hearing Date: June 19, 2018**

I. SUMMARY OF VARIANCE REQUEST

The subject property, commonly known as 7505 Herbst Road, is located in the RR Residential Zoning district which is comprised primarily of single family residences and owned by Bonnie Appell and Jeanne Young (“Applicants”). The parcel is approximately 1.84 acres and contains a residential home which is disproportionately located on the far west side of the parcel. The owners are requesting permission to maintain a section of existing stockade fencing near the western boundary of their property that is approximately seventy feet in length and eight feet tall (“the Fence”) as a means of privacy against their neighbor to the west.¹ Ex. A – Photos of Fence.

II. ANALYSIS

A. Variance and Fence Standards

Section 23.02.02 of the Genoa Township Zoning Ordinances governs the ZBA’s review of a dimensional or use variance application. Section 23.05.03 outlines the criteria applicable to dimensional variances. The ZBA has authority under the Michigan Zoning and Enabling Act (“MZEA”), MCL 125.3604, and Section 23.02.02 of the Ordinance to “authorize, upon a variance from the strict application of the provisions of this Ordinance, where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance.”

¹ Appell and Young’s neighbors to the west (Marty and Laurie Popp) have filed a lawsuit against them which is currently pending in the Livingston County Circuit Court, *Popp v. Appell, et al.*, Case No. 17-29669-CZ. Several improvements, including the section of stockade fencing, are alleged to be encroaching onto the Popp property. Applicants understand that Genoa Township does not wish to wait for the conclusion of the property dispute to bring this fence into compliance. Therefore, Applicants are requesting this variance with the condition that if the Court requires the Applicants to relocate the fence that it be permitted to do so in the same configuration (size, height, and material) positioned on Applicant’s western boundary line as determined by the court. Applicants have filed counterclaims that would entitle them to keep the fence in its present location. Applicants are not requesting Genoa Township to make any declarations concerning the disputed property line as such determination should be properly made by the court and is irrelevant for purposes of granting Applicants’ variance request.

May 24, 2018
Page 2

Section 11.04.04 of the Ordinances limits front yard fences to three (3) feet in height² and side yard fences to four (4) feet in height, except the Zoning Administrator may approve a privacy fence up to six (6) feet high within the side yard provided it does not extend beyond the front building line. A building line is defined (see Section 25.02) as a horizontal line parallel to a front, side or rear lot line which is located at the point of principal exterior wall or structural feature nearest the front, side or rear lot line, not including permitted yard projections. The attached Desine Survey (Exhibit B) shows the location of the existing fence.³ The angle of the southern boundary line of Applicants' property causes its front dimensional building line (which must run parallel to the front lot line) to cut at the same angle. This, in turn, causes Applicants' side yard to be significantly smaller than it would otherwise be. Stated another way, portions of Applicants' property that would seemingly be in their side yard are actually considered to be their front yard. The Desine survey demonstrates that approximately half of the existing fence is in Applicants' side yard, and the other half is considered to be in their front yard (which by Township ordinances would limit it to three feet in height).⁴

B. The Variance Request Should Be Granted Because the Applicant Has Shown Practical Difficulty, and all of the additional requirements of the Ordinance Section 23.05.03.

In order to vary the terms of the Ordinance, Section 23.05.03 requires that the ZBA find that certain facts and circumstances exist. The variance request relating to the Applicants' Fence meets all four of these criteria.

- 1. Practical Difficulties: The ZBA must find that compliance with the strict letter of restrictions governing area, setbacks, frontage, density, or other dimensional provisions would create practical difficulties, unreasonably prevent the use of the property. Granting of a requested variance 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.**

Applicants purchased their home in 1996. Because their home is disproportionately located on the far west side of the parcel⁵, to obtain additional privacy from the neighbors to the west, Applicant Appell purchased forty arborvitae which were planted along the western boundary line of Applicants' property. Shortly thereafter, the trees all started dying for unknown reasons. In 2005, Applicants attempted once again to create natural privacy against their neighbors to the west by again purchasing

² Fences located in the front yard shall also not be in excess of 49% solid or impervious. See Section 11.04.04.

³ Applicants note that portions of the fence are slightly over the western boundary line. Applicants have filed Counterclaims in the pending lawsuit alleging causes of action that would entitle them to keep the fence in its present location based upon theories of adverse possession and acquiescence.

⁴ Applicants' contractor, after the completion of construction, submitted a Fence Permit to Genoa Township on July 12, 2017 (Ex. C) which was never processed or issued.

⁵ The Popp property is also disproportionately located on the east side of their property. Ex. D – Popp Survey

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Page 3

several trees (this time spruce trees) which were planted along the western boundary line. Ex. E – Invoice. These trees also all started dying for unknown reasons. As a result, Applicants concluded that the construction of a fence was the only way for them to obtain privacy against their neighbors to the west. In 2017, Applicants hired Davis Outdoor Services to perform some landscaping improvements, which included the construction of the Fence.

Interestingly, if the Applicants' neighbor to the west had elected to construct this same fence in the same location, the entirety of it would be considered to be in their side yard, not front yard (based on the location of their home in relation to their front lot line). However, when analyzed in relation to Applicants' existing home, the Fence is considered to be partially in Applicants' side yard and partially in Applicants' front yard. It seems fundamentally unfair that Applicants' neighbor to the west would be entitled to a six foot tall privacy for a fence in that same location while Applicants would only be entitled to three (at least for a portion of the fence).

Maintaining a reasonable level of privacy is a substantial property right possessed by all property owners and indeed Applicants' neighbor, had they elected to construct this same fence would be entitled to maintain up to 6 feet in height for the purpose of privacy (with Zoning Administrator approval) since it would fall entirely within their side yard. Applicants recognize that the instant Application is for 8 feet in height, however, given the proximity of the two homes to one another and the fact that natural barriers have proven to not be feasible, Applicants are seeking reasonable privacy in the only method remaining available to them.

- 2. Extraordinary Circumstances: The ZBA must find that exceptional or extraordinary circumstances or conditions apply to the property in question or the intended use which are different from other properties and the need for the variance was not self-created by the applicant.**

The characteristics which necessitate the need for the current variance request is the angle of the roadway and the location of Applicants' home on the parcel which significantly limits the size of their side yard. Neither of these characteristics were self-created by the Applicants.⁶ Additionally, Applicants contend that there are extraordinary conditions to allow the Fence given the expensive and repeated failed attempts at creating natural privacy between Applicants and their neighbors to the west. Applicants did not create any of these conditions.

⁶ Applicants understood that its contractor Davis would be handling obtaining any necessary permits in connection with the 2017 landscaping project. The owner of Davis maintains that he discussed his construction of the Fence with Genoa Township staff and was assured that it was compliant and no permit was required. Applicants understand and can appreciate that Genoa Township staff disputes this representation. Applicants point this out so the Township understands that they did not blindly embark on this process without due consideration to applicable ordinances. However, importantly, Applicants would be seeking this same variance even if the Fence was not yet constructed.

May 24, 2018
Page 4

3. **Public Safety and Welfare:** The ZBA must find that the variance will not impair an adequate supply of light and air to adjacent property ... or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

There is no danger to public safety created by the variance. Furthermore, Applicants have surveyed the surrounding neighborhood and secured signatures from 43 neighboring property owners who have agreed that they do not object to the Fence, believe it to be of high quality, nice in appearance and not negatively impacting property values. In short, the neighborhood stands behind the Applicants' request with the exception of their neighbor, the Popps. Ex. F – Neighbor Signatures.

4. **Impact on Surrounding Neighborhood:** The ZBA must find that the variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Granting the requested variance to the Applicants will not interfere with the value of adjacent properties or the surrounding neighborhood given the overwhelming support Applicants have received from 43 neighboring property owners. Ex. F. It is unlikely that there are any other property owners that have as compelling of circumstances as the Applicants do when you consider the limited side yard they have available to them with the fact that they have attempted on multiple occasions to secure alternative means of privacy, unsuccessfully. Applicants have a reasonable expectation to privacy in the use of their property and home. Under the circumstances, the only way for them to achieve that is by way of the Fence.

III. CONCLUSION

The applicant's request for a variance for the Fence should be granted. Practical difficulties clearly exist which warrant and support the request. Applicants have attempted, repeatedly, to create natural privacy features near the western boundary line of their property. Applicants have conservatively spent more than \$10,000 to pay for the installation of arborvitaes and spruce trees, all of which have inexplicably died. Applicants have significant support from the surrounding property owners as reflected on the petition attached with this application which contains the signatures of 43 property owners. While Applicants' request is to maintain the Fence in its current configuration, at minimum, their request would be to have it no less than six feet in height, as that is permitted in any side yard (with Zoning Administrator approval).

Very truly yours,


Jamie K. Stewart

May 24, 2018
Page 5

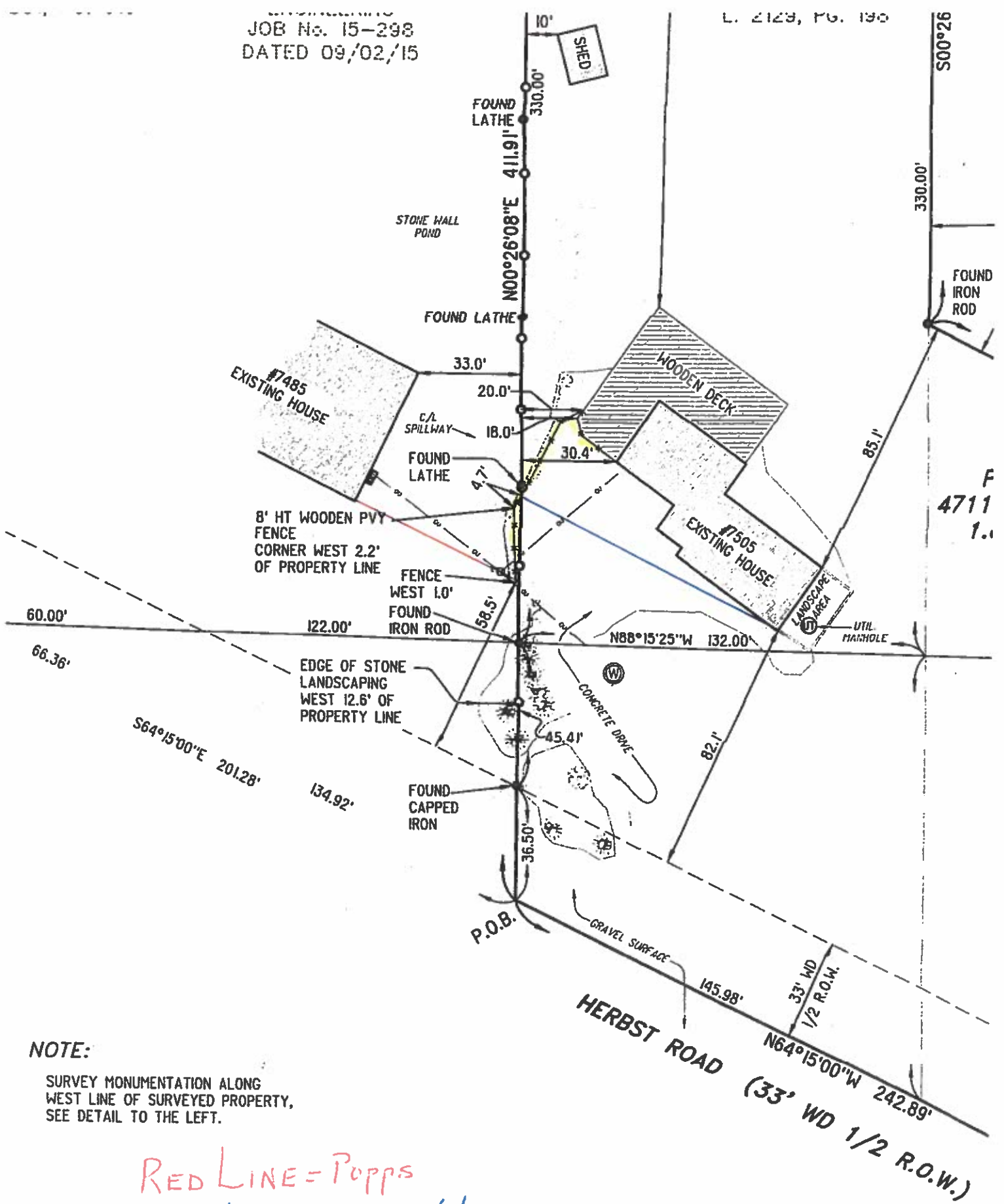
LIST OF EXHIBITS

- | | | |
|---------|----|---------------------|
| Exhibit | A. | Photos of Fence |
| Exhibit | B. | Desine Survey |
| Exhibit | C. | Fence Permit |
| Exhibit | D. | Popp Survey |
| Exhibit | E. | Invoice |
| Exhibit | F. | Neighbor Signatures |

EXHIBIT A



EXHIBIT B



F
4711
1..

NOTE:

SURVEY MONUMENTATION ALONG
 WEST LINE OF SURVEYED PROPERTY,
 SEE DETAIL TO THE LEFT.

RED LINE = Popp's
 BLUE LINE = APPELL/YOUNG
 [Yellow Box] = fence

EXHIBIT C



Residential Land Use Permit
 Genoa Charter Township • 2911 Dorr Rd. • Brighton, MI 48116
 Phone (810) 227-5225 • Fax (810) 227-3420 • www.genoa.org

JUL 12 2017

RECEIVED

PERMIT NO. _____

revised 10/09/14

1. PROJECT INFORMATION

Site Address: 7505 HERBST RD. BRIGHTON, MI 48114 Acreage: 1.84 ac.

2. OWNER/CONTRACTOR INFORMATION

Owner Name: BONNIE APPELL & JEANNE YOUNG Phone No.: 810-225-0423
 Owner Address: 7505 HERBST RD. City: BRIGHTON State: MI Zip: 48114
 Contractor name: DAVIS Outdoor Services LLC Phone No.: 248-432-0404
 Contractor Address: 3795 CHELDS LAKE RD City: MILWAUKEE State: MI Zip: 48381

3. TYPE OF IMPROVEMENT

A. Principal Structure
 New Single Family New Multiple Family Addition to Existing Building Grading/Site Work
 Other: _____

B. Accessory Structure
 Fence Deck Detached Accessory (garage, shed, pole barn) Pool/Hot Tub
 Other: _____

4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION

A. Proposed Principal Structure Setbacks (in feet)
 Front: _____ (measured from front property line, right-of-way line or private road easement, whichever is less)
 Rear: _____ Least Side: _____ Side: _____ Water/Wetland: _____

B. Proposed Accessory Structure Setbacks (in feet) FENCE
 Front: 65' Least Side: 6" Side: 121' Rear: 220' Water/Wetland: _____ Distance from Principle Structure: 18'

C. Proposed Building/Improvement Dimensions FENCE
 Size of Building/Improvement: _____ square feet Height: 8' feet

5. SIGNATURE OF APPLICANT

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent. The owner and applicant agree to conform to all applicable ordinances of Genoa Township. Any modification to location, size or dimensions must be approved by Genoa Township. A Land Use Permit is valid for a period of 12 months from the date of issue. In signing of this application, I am permitting an official representative of Genoa Charter Township to do on-site inspections. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

Applicant is: Owner Contractor Lessee/Renter Architect/Engineer Other:
 Signature of Applicant: [Signature] Printed Applicant name: ROBERT F. DAVIS Date: 7/12/17

FOR OFFICE USE ONLY

FLOODPLAIN
 Floodplain: _____ Parcel #: _____ Zone #: _____

ASSESSING APPROVAL

Approved Disapproved Approved by: _____ Date: _____

ZONING APPROVAL

Parcel I.D. No.: _____ Zoning: _____
 Approved Disapproved Approved by: _____ Date: _____

Comments/Conditions:

_____ Date picked up: _____

ZBA Case #/Approval date: _____ Conditions: _____


3. FEES
 Land Use: \$ _____ Water/Sewer: \$ _____ / _____ Meter: \$ _____

ck. # 10647



GENOA TOWNSHIP ASSESSING DEPARTMENT
REQUIRED LAND USE INFORMATION FORM
 2921 Dorr Road ♦ Brighton, Michigan 48116
 Phone: (810) 227-5225 ♦ Fax: (810) 227-3420 ♦ www.genoa.org

PERMIT NO. _____

1. PROJECT INFORMATION									
Site Address: <u>7505 HERBST ROAD</u> <u>BRIGHTON MICHIGAN 48114</u>				Parcel I.D. No.:			Zoning:		
2. TYPE OF IMPROVEMENT									
A. Principal Structure <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Addition to Existing Building									
B. Accessory Structure <input checked="" type="checkbox"/> Fence <input type="checkbox"/> Deck <input type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Sunroom <input type="checkbox"/> Pool/Hot Tub: <input type="checkbox"/> Above ground <input type="checkbox"/> In-ground									
C. Total Project Cost: \$ <u>3500</u>									
3. SELECTED CHARACTERISTICS OF IMPROVEMENT									
Building Style		<input type="checkbox"/> Ranch		<input type="checkbox"/> 1.5 Story		<input type="checkbox"/> 2 Story			
Frame		<input type="checkbox"/> Masonry, Wall Bearing		<input type="checkbox"/> Wood Frame		<input type="checkbox"/> Structural Steel		<input type="checkbox"/> Reinforced Concrete	
Exterior		<input type="checkbox"/> Brick		<input type="checkbox"/> Stone		<input type="checkbox"/> Siding		<input type="checkbox"/> Wood	
Foundation		<input type="checkbox"/> Basement		<input type="checkbox"/> Craw		<input type="checkbox"/> Slab			
Area		New Building Square Footage:				Addition Square Footage:			
Bedrooms		No. of:							
Bathrooms		No. of Full:		No. of Half:		No. of Sinks:		No. of Showers	
Basement		Walkout: <input type="checkbox"/> Yes <input type="checkbox"/> No	Finished: <input type="checkbox"/> Yes <input type="checkbox"/> No	Finished Square Footage:		Basement Baths:	No. of Full:		No. of Half:
Central Air		<input type="checkbox"/> Yes <input type="checkbox"/> No			Fire Suppression:		<input type="checkbox"/> Yes <input type="checkbox"/> No		
Fireplace		<input type="checkbox"/> Direct Vent		<input type="checkbox"/> Pre-fab		<input type="checkbox"/> Other:			
Garage		<input type="checkbox"/> Attached	<input type="checkbox"/> Detached	Height:	feet	Depth:	feet	Width: feet	
Inground Pool		<input type="checkbox"/> Fiberglass			<input type="checkbox"/> Gunite			<input type="checkbox"/> Plastic	
Driveway		<input type="checkbox"/> Gravel	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Concrete	<input type="checkbox"/> Brick	<input type="checkbox"/> Other:			
Accessory Structure		Height:	feet	Depth:	feet	Width:	feet	Flooring: <input type="checkbox"/> Concrete <input type="checkbox"/> Dirt <input type="checkbox"/> Wood	
4. APPLICANT SIGNATURE (below)									
I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent and agree to conform to all applicable ordinances of Genoa Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.									
Signature of Applicant: 					Date: <u>7/12/17</u>				

revised 2/21/14

11-13-400-032

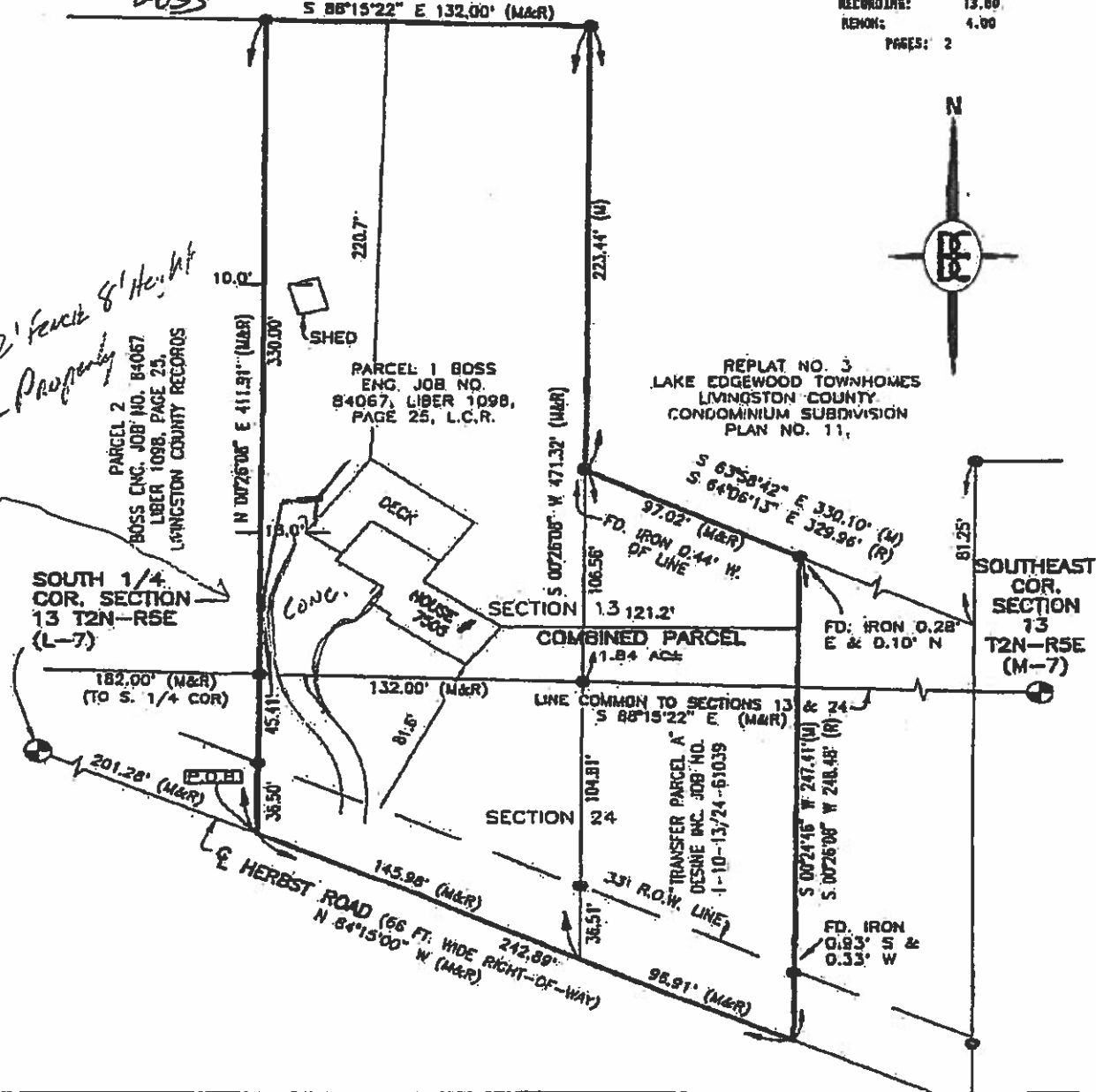


* 2006S-0047 *
2006S-0047
 RECORDED ON
 07/24/2008 12:21:45PM
 SALLY REYNOLDS
 REGISTER OF DEEDS
 LIVINGSTON COUNTY, MI 48843
 RECORDING: 13.00
 REMON: 4.00
 PAGES: 2

BOUNDARY SURVEY

Z

BOSS



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT NUMBER 132-10.

DESCRIPTION:
 PART OF SECTIONS 13 & 24, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



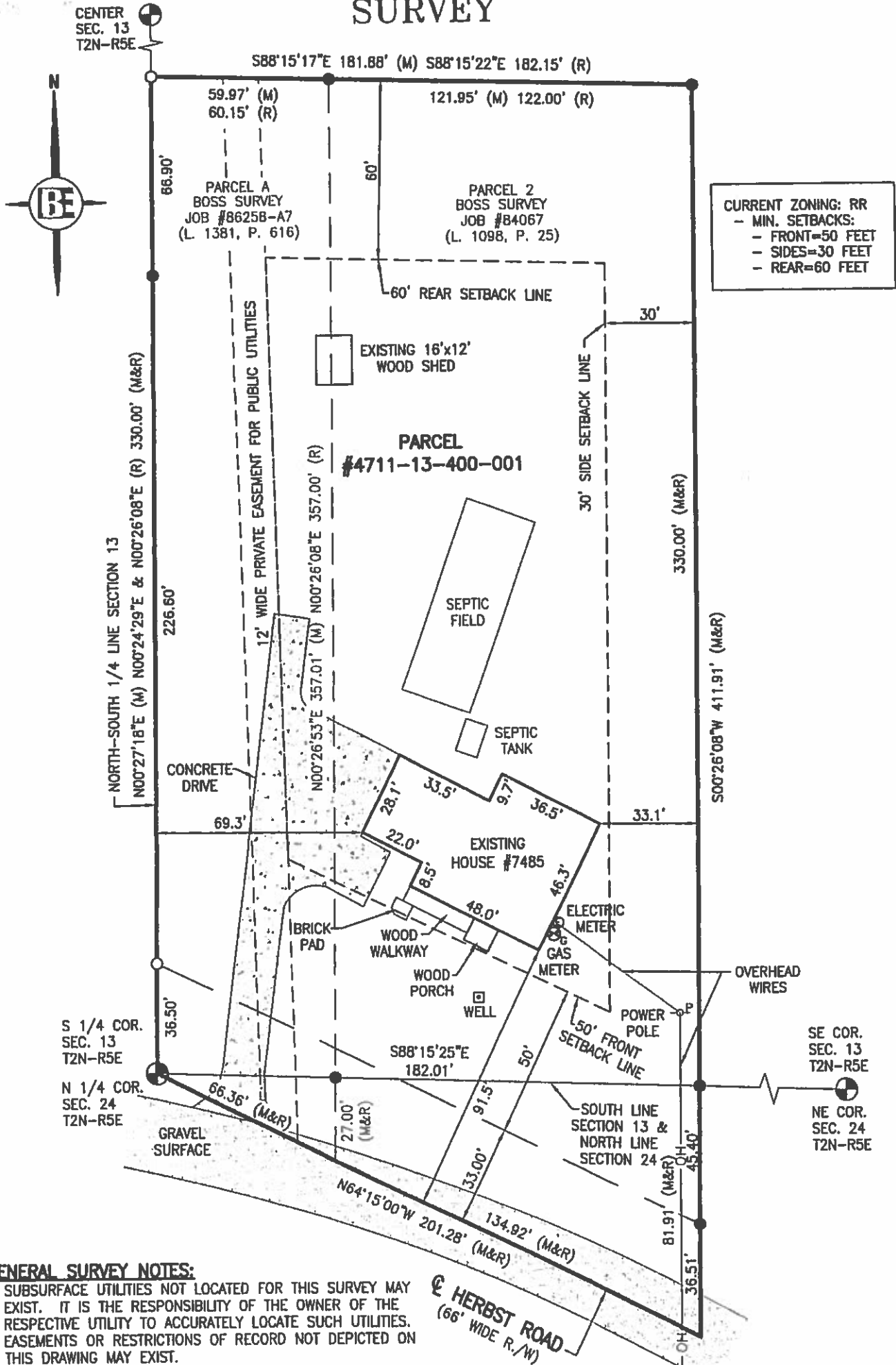
CLIENT:	YOUNG		
JOB NO.	06216	DATE	08/23/06
SHEET	1 OF 2	FB 433	CREW GO/PAK DR. JPL CHKD. [initials]



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

EXHIBIT D

SURVEY



CURRENT ZONING: RR
 - MIN. SETBACKS:
 - FRONT=50 FEET
 - SIDES=30 FEET
 - REAR=60 FEET



CENTER
 SEC. 13
 T2N-R5E

S 1/4 COR.
 SEC. 13
 T2N-R5E

N 1/4 COR.
 SEC. 24
 T2N-R5E

SE COR.
 SEC. 13
 T2N-R5E

NE COR.
 SEC. 24
 T2N-R5E

HERBST ROAD
 (66' WIDE R./W)

DESCRIPTION OF TAX PARCEL #4711-13-400-001 PER LIVINGSTON COUNTY TAX ROLL:

SEC 13 T2N R5E BEG S 1/4 COR SEC 13, TH N 330 FT, TH E 162.15 FT, TH S 411.91 FT, TH N64°W 201.37 FT TO POB. CONT 1.55 AC M/L. CORR 4/94 FR L-1811 P-090 & FR L 2014 P-518 TVF

DESCRIPTION OF PARCEL #4711-13-400-031, AS SURVEYED:

Part of the Southeast 1/4 of Section 13 and part of the Northeast 1/4 of Section 24, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Beginning at the South 1/4 Corner of Section 13; thence along the North-South 1/4 line of Section 13, N 00°27'18" E (recorded as N 00°24'29" E and N 00°26'08" E), 330.00 feet; thence S 88°15'17" E, 181.88 feet (recorded as S 88°15'22" E, 182.15 feet); thence S 00°26'08" W, 411.91 feet; thence along the centerline of Herbst Road (66 foot wide Right of Way), N 64°15'00" W, 201.28 feet, to the POINT OF BEGINNING, containing 1.55 acres, more or less, and subject to the rights of the public over existing Herbst Road. Also subject to any other easements or restrictions of record.

Bearings were established from a previous survey by Boss Engineering, Job No. 84067, dated April 9, 1984, as recorded in Liber 1098, Page 25, Livingston County Records.

REFERENCES:

1. Previous survey by Boss Engineering, Job No. 84067, dated April 9, 1984, as recorded in Liber 1098, Page 25, Livingston County Records.
2. Previous survey by Boss Engineering, Job No. 86258-A, dated 7-11-89, as recorded in Liber 1381, Page 616, Livingston County Records.



EXHIBIT E



Invoice

MCN MNLA
MGIA ICPI
Affiliated

11000 Roberts Road, Stockbridge MI 49285
PHONE: (517) 851-7017 / FAX: (517) 851-4783
EMAIL: skyhorse@dmci.net / WEB: skyhorsestation.com

"From Concept to Completion...with Competence, Integrity and a Smile"

Bill To:
Jeanne Young 7505 Herbst Brighton, MI 48114

Phone #	2134
Customer Phone	810-225-0423
Customer Alt. Phone	517-304-4089
Customer Alt. contact	
Customer Fax	
Customer E-mail	

Invoice Date:	5/7/2005
Skyhorse Rep:	
Installation Date:	
Tree Warranty:	1 year W...
Flagging:	typd.

Description	Qty	Unit	Price
Blue Spruce 10-12'	3		
12 MONTH Tree Guarantee + Complete Installation	3		
Blue Spruce 8'	2		
12 MONTH Tree Guarantee + Complete Installation	2		
Blue Spruce 7.5'	1		
12 MONTH Tree Guarantee + Complete Installation	1		
Arden (purple) Hibiscus 24-36"	2		
Lucy (pink) Rose of Sharon	2		
ADD			
Blue Spruce 10-12'	4		
12 MONTH Tree Guarantee + Complete Installation	4		
Build Berm	1		
Discount			
Sales Tax			

Customer Acceptance:	Date:
Authorizing Acceptance:	Date:

Total	\$5,825.07
Payments/Credits	\$-5,825.07
Balance Due	\$0.00

We value our customers and have two new programs that can provide substantial benefits to you. 1) Our Customer Referral Program- provides current cash rebates. 2) Our Good Customer Loyalty Program- provides discounts on future phases.



Invoice

MCN MNLA
MGIA ICPI
Affiliated

11000 Roberts Road, Stockbridge MI 49285
PHONE: (517) 851-7017 / FAX: (517) 851-4783
EMAIL: skyhorse@dmci.net / WEB: skyhorsestation.com

"From Concept to Completion...with Competence, Integrity and a Smile"

Bill To:
Jeanne Young 7505 Herbst Brighton, MI 48114

Customer Phone	810-225-0423
Customer Alt. Phone	517-304-4089
Customer Alt. contact	
Customer Fax	
Customer E-mail	

Invoice #	45
Invoice Date:	6/7/2006

Installation Date:	
Tree Warranty:	1 year Warranty

Flagging Color	
----------------	--

Description	Qty	Unit	Amount
Blue Spruce 7-8' replacement-Install Serv. charge	1		65.00
Sales Tax			0.00
<p><i>PAID ✓ #2856</i> <i>6-12-06</i> <i>NEW TREE</i> <i>INSTALLED</i> <i>6-12-06</i></p>			

Total	\$65.00
Payments/Credits	\$0.00
Balance Due	\$65.00

We value our customers and have two new programs that can provide substantial benefits to you. 1) Our Customer Referral Program- provides current cash rebates. 2) Our Good Customer Loyalty Program- provides discounts on future phases.

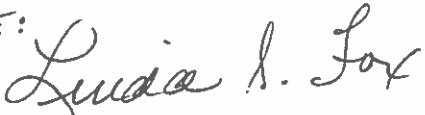
EXHIBIT F

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES, OR THE TOWNSHIP IN ANY WAY.


1. NAME: James Rohrer
ADDRESS: 7447 Herbst

SIGNATURE & DATE:  4/22/18

2. NAME: Lucia Fox
ADDRESS: 7466 Herbst Rd

SIGNATURE & DATE:  4/22/18

3. NAME: Julie L'Esperance
ADDRESS: 2490 Spring Grove

SIGNATURE & DATE:  4/22/18

4. NAME: Patricia O'heary
ADDRESS: 2580 Spring Grove

SIGNATURE & DATE:  4/26/18

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES, OR THE TOWNSHIP IN ANY WAY.

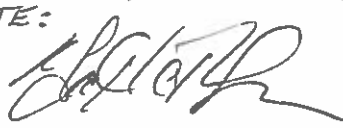



1. NAME: Lori Hauser
ADDRESS: 7520 Herbst Rd.
SIGNATURE & DATE: Lori Hauser 4-22-18

2. NAME: Ronda Golip
ADDRESS: 11401 Herbst Rd
SIGNATURE & DATE:
Ronda Golip 4-22-18

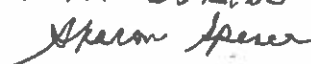
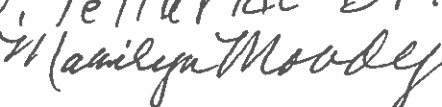


3. NAME: FRANK BERGER
ADDRESS: 2915 DUNSARY LN
BRIGHTON MI 48114
SIGNATURE & DATE:
Frank Berger 4/22/18

4. NAME: Ian Kerr
ADDRESS: 2933 Dunsary Ln
SIGNATURE & DATE:
Ian Kerr 4/22/18

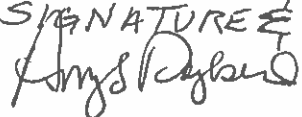
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1. NAME: MATTHEW RIESTERER
ADDRESS: 2533 SPRING GROVE
SIGNATURE & DATE:  7/26/18
2. NAME: CHARLES LEWIS
ADDRESS: 2447 SPRING GROVE
SIGNATURE & DATE:  4/26/18
3. NAME: DATHY PIZNER
ADDRESS: 7590 HERBST
SIGNATURE & DATE:  4.26.18
4. NAME: JEFF PIZNER
ADDRESS: 7590 HERBST
SIGNATURE & DATE:  4.26.18

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES, OR THE TOWNSHIP IN ANY WAY.


1. NAME: SHARON SPENCE
ADDRESS: 3069 W. TELLURIDE BRIGHTON
SIGNATURE & DATE:  5/2/17
2. NAME: Marilyn Moody
ADDRESS: 3056 W. Telluride Brighton
SIGNATURE & DATE:  5/1/18
3. NAME: Aaron Gage
ADDRESS: 2500 Spring Grove Dr, Brighton, MI
SIGNATURE & DATE:  5/7/18
4. NAME: CONNIE DEBRINCAT
ADDRESS: 2608 SPRING GROVE DRIVE
SIGNATURE & DATE:  5/7/18

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES, OR THE TOWNSHIP IN ANY WAY.

1. NAME: Amy Daybird
ADDRESS: 3033 West Telluride, Brighton 48114
SIGNATURE & DATE:  4/26/18

2. NAME: CHERYL VRABEL
ADDRESS: 3041 W. TELLURIDE BRIGHTON, MI 48114
SIGNATURE & DATE: Cheryl A. Vrabel 4-26-18

3. NAME: PAT MORLEY
ADDRESS: 3049 W TELLURIDE
SIGNATURE & DATE: Pat Morley 4-24-18

4. NAME: JEFFREY BARWELL
ADDRESS: 7516 RADCLIFFE
SIGNATURE & DATE:  5/7/18

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES, OR THE TOWNSHIP IN ANY WAY.

1. NAME: Thomas John
ADDRESS: 7514 RADCLIFFE

SIGNATURE & DATE:

Thomas John 05/07/2018

2. NAME: Barbara Shafi
ADDRESS: 7517 Radcliffe

SIGNATURE & DATE: Barbara Shafi 5/7/2018.

3. NAME: Sue E. Kerr
ADDRESS: 7531 Radcliffe

SIGNATURE & DATE: Sue E. Kerr 5/7/18

4. NAME: Carole Scott

ADDRESS: 3040 W. Telegraph

SIGNATURE & DATE: Carole J. Scott 5-7-18

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES, OR THE TOWNSHIP IN ANY WAY.

1. NAME: Dorothy Strong
ADDRESS: 2896 W. Telluride
SIGNATURE & DATE: Dorothy Strong
4-26-18
2. NAME: M Miran Zor
ADDRESS: 2912 W Telluride
SIGNATURE & DATE: M Miran Zor 4/26/18
3. NAME: Nancy Stoddard
ADDRESS: 2964 W. Telluride
SIGNATURE & DATE: Nancy A. Stoddard 4/26/18
4. NAME: Sail Bliss
ADDRESS: 2982 W. Telluride
SIGNATURE & DATE: Sail Bliss 4-26-18

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1. NAME: Art Wood
ADDRESS: 7690 DUMMISON
SIGNATURE & DATE: Art Wood 4.26.18
2. NAME: Mary Ellen Bell
ADDRESS: 2848 W. TELLURIDE
SIGNATURE & DATE: Mary Ellen Bell 4-26-18
3. NAME: Elaine Quesada
ADDRESS: 2872 W Telluride
SIGNATURE & DATE: Elaine Quesada
4. NAME: Dee Brock
ADDRESS: 2888 W. Telluride
SIGNATURE & DATE: Dennis Brock

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES.


1. NAME: Nancy Hester
ADDRESS: 2955 Breckenridge
SIGNATURE & DATE: N Hester 4.19.18


2. NAME: CATHY BAMRICK
ADDRESS: 2957 BRECKENRIDGE BRIGHTON MI 48114
SIGNATURE & DATE: Cathy Bamrick 4/19/18

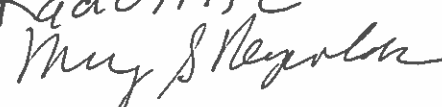
3. NAME: JOAN MATHONEY
ADDRESS: 3017 N. TELLURIDE, BRIGHTON, MI 48114
SIGNATURE & DATE: Joan Mathoney 4-19-2018

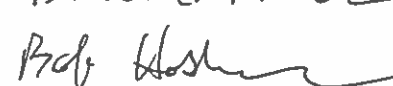
4. NAME: Dave Drain
ADDRESS: 7560 Herbst Rd
SIGNATURE & DATE:
David J Drain 4-19-18

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES.

1. NAME: Sue Gannon
ADDRESS: 7493 Radcliffe
SIGNATURE & DATE:  4/19/18

2. NAME: KAYE ROBINE
ADDRESS: 7499 Radcliffe
SIGNATURE & DATE:  4/19/18

3. NAME: Mary Reynolds
ADDRESS: 7505 Radcliffe
SIGNATURE & DATE:  4/19/18

4. NAME: Bob Hoshaw
ADDRESS: 2975 BRECKENRIDGE
SIGNATURE & DATE: 

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES, OR THE TOWNSHIP IN ANY WAY.

1. NAME: LINDA JOHANSON
ADDRESS: 2624 SPRING GROVE DR
BRIGHTON, MI 48114
SIGNATURE & DATE: *Linda Johanson* 5/7/18

2. NAME: Paul A. South
ADDRESS: 7311 Herbst Rd Brighton Mi.
SIGNATURE & DATE: *Paul A. South* 5/9/2018

3. NAME:
ADDRESS:
SIGNATURE & DATE:

4. NAME:
ADDRESS:
SIGNATURE & DATE:

I/WE DO NOT OPPOSE A VARIANCE BEING GRANTED FOR THE PRIVACY FENCE LOCATED AT 7505 HERBST RD, BRIGHTON, MI 48114. WE/I DO NOT OPPOSE THE LOCATION OR HEIGHT OF THE FENCE. I/WE BELIEVE THE FENCE IS OF HIGH QUALITY AND IS NICE IN APPEARANCE. IN OUR OPINION THE FENCE IS NOT NEGATIVELY IMPACTING PROPERTY VALUES.

1. NAME: Aaron Pfeifer
ADDRESS: 7545 Herbst Rd Brighton
SIGNATURE & DATE: *Aaron Pfeifer* 4/19/18

2. NAME:
ADDRESS:
SIGNATURE & DATE:

3. NAME:
ADDRESS:
SIGNATURE & DATE:

4. NAME:
ADDRESS:
SIGNATURE & DATE:



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 11, 2018

RE: ZBA 18-15

STAFF REPORT

File Number: ZBA#18-15
Site Address: 7505 Herbst Road
Parcel Number: 4711-13-400-032
Parcel Size: 1.840 Acres
Applicant: Jeanne Young and Bonnie Appell, 7505 Herbst Road, Brighton
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a height and impervious fence variance to allow an eight foot tall fence that is 100% impervious located in the front and side yard on the property.

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

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 3, 2018 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 1953.
- In 2014, a land use wavier was issued for a reroof.
- In 2015, a land use wavier was issued for a reroof.
- The parcel is serviced by well and sewer
- 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: In spring of 2017, township staff was contacted from the Applicant’s contractor in regards to a driveway and landscaping project at that time, no reference to a fence was made . Staff stated permits were not required for driveway and landscape improvements. Subsequently, staff received a complaint about a fence that was constructed on the subject property without township approvals. Staff initiated code enforcement and we have been working with the applicant on resolution of the fence violations. There has been considerable delay due to a lot line dispute which also involved a survey being required. The survey verified that the fence was in violation of section 11.04.04 in regards to height and impervious surface. It should be noted that the issue of off-site fence location is being disputed through the courts.

Variance Requests

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

11.04.04 Fences, Walls and Screens

- (a) Unless specifically authorized elsewhere in this Ordinance, fences, walls or screens located within the front yard in any residential zoning district shall not exceed three (3) feet in height, or be in excess of forty nine (49) percent (%) solid or impervious.
- (c) Unless specifically authorized elsewhere in this Ordinance, fences, walls or screens located within the required side yard or required rear yard in any zoning district shall not exceed a height of four (4) feet, except the Zoning Administrator may approve the following:
 - (1) A privacy fence or wall up to six (6) feet high within the required side yard provided the wall does not extend beyond the front building line or more than ten (10) feet beyond the rear building line;

Variance Requests:

HEIGHT

Required Front Yard Height:	3’	Required Side Yard Height:	6’
Proposed Front Yard Height:	8’	Proposed Side Yard Height:	8’
Proposed Variance Amount:	5’	Proposed Variance Amount:	2’

IMPERVIOUS

Required Front Yard Impervious:	49%
Proposed Front Yard Impervious:	100%
Proposed Variance Amount:	51%

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 ordinance restrictions would prevent the applicant from having the requested fence height and design but does not unreasonably prevent use of the property. In regard to the 8 foot fence height, granting of the variance does not provide substantial justice and is not necessary for 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. Due to the front building line of the adjacent home to the west, the area in question would be permitted for a six foot solid fence if requested by the adjacent land owner. The

varied building line does create an issue of substantial justice for the applicant when compared to the neighbor.

(b) Extraordinary Circumstances – The exceptional or extraordinary condition of the property is the angle of the house on the property and the angle of the front lot line due to the road. The need for the variance is self-created.

(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.

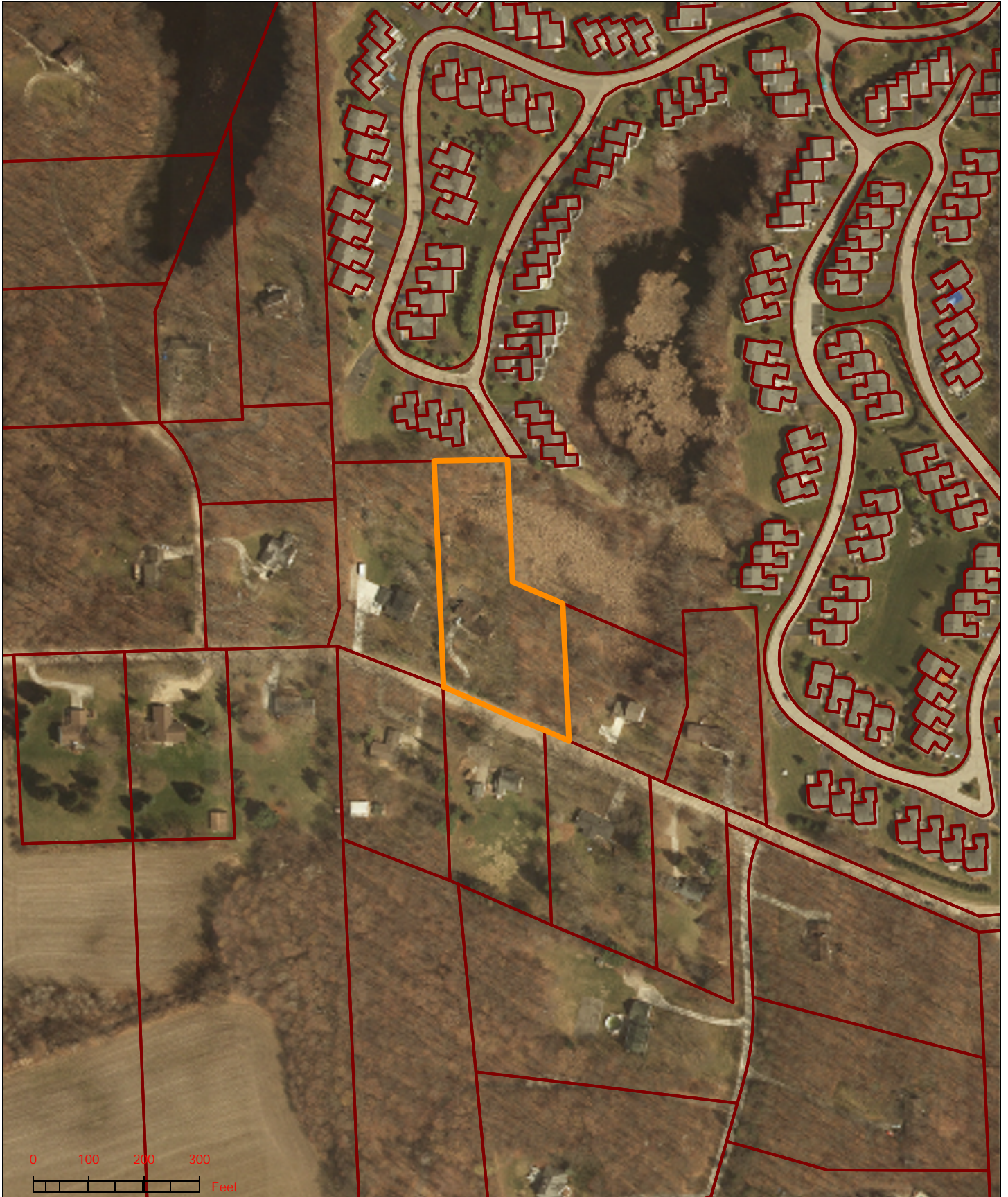
(d) Impact on Surrounding Neighborhood – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Recommended Conditions

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

1. Applicant must obtain a land use permit including evidence of property ownership dispute resolution.

GENOA TOWNSHIP



June 5, 2018

RE: ZBA - Fence Variance Request – 7505 Herbst Road, Genoa Township, Brighton, Michigan

FACTS

- May 2017 – Homeowners, Bonnie Appell and Jeanne Young, caused to be erected a fence without pulling the required permit, nor inquiring about fence requirements (ordinances). This information was verified by Genoa Township's attorney.
- Fence in the front yard exceeds not only height restrictions, but also exceeds the 49% impervious requirement. The fence resembles a stockade type of construction.

OUR VIEW OF THE VARIANCE REQUEST

We, Martin and Laurie Popp, are the homeowners immediately impacted by the non-permitted fence (7485 Herbst Road). We have owned and lived in our home since 1987. We enjoy the neighborhood and feel very fortunate to live in such a beautiful area. We have always appreciated the openness and unimpeded views of the neighborhood around us.

Our objections to the fence in its current condition are:


- The fence is extremely high – 10' in some areas. Ordinance states 3' maximum for a front yard fence and 4' for a side yard.
- Materials – the fence looks like a stockade, visually prevents any views of the beautiful area. Ordinance requires 49% or less solid construction.
- Promotes an unfriendly environment – looks like the homeowners are blocking themselves off from the neighborhood.
- The fence is unsightly – it is viewable not only from our front yard, but also from our backyard patio. The resemblance to a fort comes to mind. In addition, this type of fence construction is typically installed with the finished side facing out. The homeowners elected to instead have the unfinished side face our property.

Granting this variance would also set a precedent – the once beautiful open spaces we all now enjoy could become segregated looking and promote a feeling of unfriendliness if other neighbors in the area elected to also build this type of stockade fence in their front yards.

We are asking that the Township uphold the fence requirements and not grant the variance request. This problem was of the homeowner's own making when they elected not to secure a permit or bother asking about the fence requirements before constructing.

The variance request will be presented at the next Genoa Township Zoning Board of Appeals meeting scheduled for Tuesday, June 19, 2018 beginning at 6:30 pm.

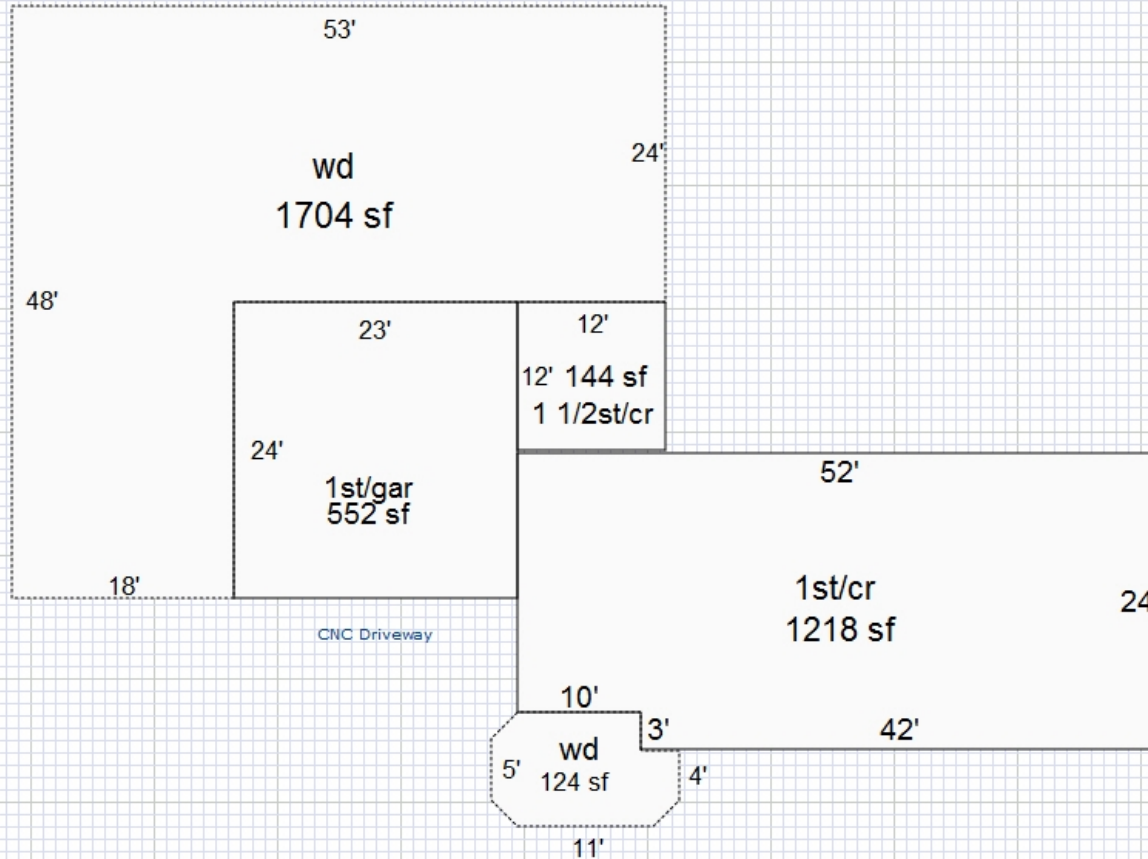
Our wish is that our neighbors will take both parties' comments into account before providing your response at the Zoning meeting on June 19.

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.						
ROD PIERON BUILDING	APPELL BONNIE & YOUNG JEANNE	0	06/28/2006	WD	INVALID SALE	2006R-011877	BUYER	0.0						
APPELL, BONNIE S.	APPELL, BONNIE & YOUNG, JEANNE	0	11/16/2001	QC	QUIT CLAIM	3180-0768	BUYER	0.0						
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: RR		Building Permit(s)		Date	Number	Status				
7505 HERBST RD		School: BRIGHTON		REROOF		05/27/2015		W15-081	NO START					
		P.R.E. 100% 11/07/2006		REROOF		11/05/2014		W14-260	NO START					
Owner's Name/Address		MAP #: V18-15		2019 Est TCV Tentative										
APPELL, BONNIE & YOUNG, JEANNE 7505 HERBST RD BRIGHTON MI 48114		X Improved		Vacant		Land Value Estimates for Land Table 122.BRIGHTON M & B								
Tax Description		Public Improvements		Description		* Factors *		Reason		Value				
SEC 13 T2N R5E COMM AT S 1/4 COR TH S64*15'00"E 201.29 FT TO POB TH N00*26'08"E 411.91 FT TH S88*15'22"E 132 FT TH S00*26'08"W 222.57 FT TH S64*06'31"E 97.02 FT TH S00*26'08"W 248.48 FT TH N64*15'00"W 242.89 FT TO POB CONT. 1.84 AC M/L PARCEL A SPLIT ON 07/31/2006 FROM 4711-24-200-021, 4711-24-200-068, 4711-13-400-002;		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		TABLE A		1.840 Acres		29,457 100		54,200				
Comments/Influences		Topography of Site		Year		Land Value		Building Value		Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
Split/Comb. on 07/31/2006 completed 07/31/2006 DUFFY ;		Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain X REFUSE		2019		Tentative		Tentative		Tentative			Tentative	
		Who		When		What		2018		27,100			66,077C	
								2017		27,100			64,718C	
								2016		27,100				64,141C
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan														

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	1	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 1704 124	Type Treated Wood 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: BC		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			(12) Electric 0 Amps Service			Class: BC Effec. Age: 62 Floor Area: 1,986 Total Base New : 287,124 Total Depr Cost: 155,066 Estimated T.C.V: 178,326			E.C.F. X 1.150		Bsmnt Garage: Carport Area: Roof:	
Yr Built 1953	Remodeled 0	Size of Closets Lg X Ord Small		No./Qual. of Fixtures Ex. X Ord. Min			Cost Est. for Res. Bldg: 1 Single Family BC (11) Heating System: Forced Heat & Cool Ground Area = 1362 SF Floor Area = 1986 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=45/100/100/100/45			Cls BC Blt 1953						
Condition: Good		Doors: Solid X H.C.		No. of Elec. Outlets Many X Ave. Few			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 1.5 Story Siding Crawl Space 144 1 Story Siding Crawl Space 1,218 1 Story Siding Overhang 552 Total: 240,031 86,855									
Room List		(5) Floors Kitchen: Other: Other:		(13) Plumbing Average Fixture(s) 2 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			Other Additions/Adjustments Plumbing 3 Fixture Bath 1 5,572 2,507 Water/Sewer 1000 Gal Septic 1 4,597 2,069 Water Well, 200 Feet 1 9,556 4,300 Deck Treated Wood 124 2,609 1,174 Treated Wood 1704 19,119 8,604 Fireplaces Interior 1 Story 1 5,640 2,538 Totals: 287,124 155,066 ECF (47010 BRIGHTON M & B) 1.150 => TCV: 178,326									
(1) Exterior		(6) Ceilings		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:												
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	(7) Excavation Basement: 0 S.F. Crawl: 1362 S.F. Slab: 0 S.F. Height to Joists: 0.0														
(2) Windows		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF												
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens																
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:														
X	Gable Hip Flat	Gambrel Mansard Shed														
X	Asphalt Shingle															
Chimney: Brick																

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



Sketch by Apex Sketch

*** 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

PROPERTY MUST BE STAKED SHOWING REQUESTED SETBACKS 7 DAYS PRIOR TO MEETING DATE. FAILURE TO STAKE COULD RESULT IN POSTPONEMENT OR DENIAL OF PETITION.

Case # 18-16 Meeting Date: June 19, 2018

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

Applicant/Owner: James Mitte Email: JIM@TURTLEHUT.COM
Property Address: 5248 Prairie View Phone: 248-763-4270
Present Zoning: LDR Tax Code: 4711-35-102-061

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: to change the outbuilding set back from 10 feet to 5 feet

2. Intended property modifications: add a detached garage

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

current 10' setback does not allow for the garage to align with the driveway (based on house placement)

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.

the retaining wall for the driveway is actually on the neighbors property. poor alignment at the house/drive makes this variance necessary for proper garage alignment

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.

correct

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.

should not have an impact, many other properties also have detached garages

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 with additional site plan and construction plans.

Date: 5/24/2018 Signature: 



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 11, 2018

RE: ZBA 18-16

STAFF REPORT

File Number: ZBA#18-16

Site Address: 5248 Prairie View

Parcel Number: 4711-35-102-061

Parcel Size: .85 Acres

Applicant: James Mitte, 5248 Prairie View Brighton, 48116

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 20 X 36 detached accessory structure.

Zoning and Existing Use: LDR (Low Density Residential) Single Family Dwelling located on property.

Other: Public hearing was published in the Livingston County Press and Argus on Sunday June 3, 2018 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 1976.
- The parcel is serviced by well and septic.
- 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 20 X 36 detached accessory structure. A side yard variance is necessary to construct the structure in the applicant's location.

Variance Requests

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

Sec. 11.04.01(f): Required Setbacks (Detached, over one hundred twenty (120) square feet total floor area): Detached accessory buildings and structures over one hundred twenty (120) square feet of total floor area shall be at least ten (10) feet from any principal building, and at least ten (10) feet from any side or rear lot line

Required Side Yard Setback: 10'

Proposed Side Yard Setback: 5'

Proposed Variance Amount: 5'

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.

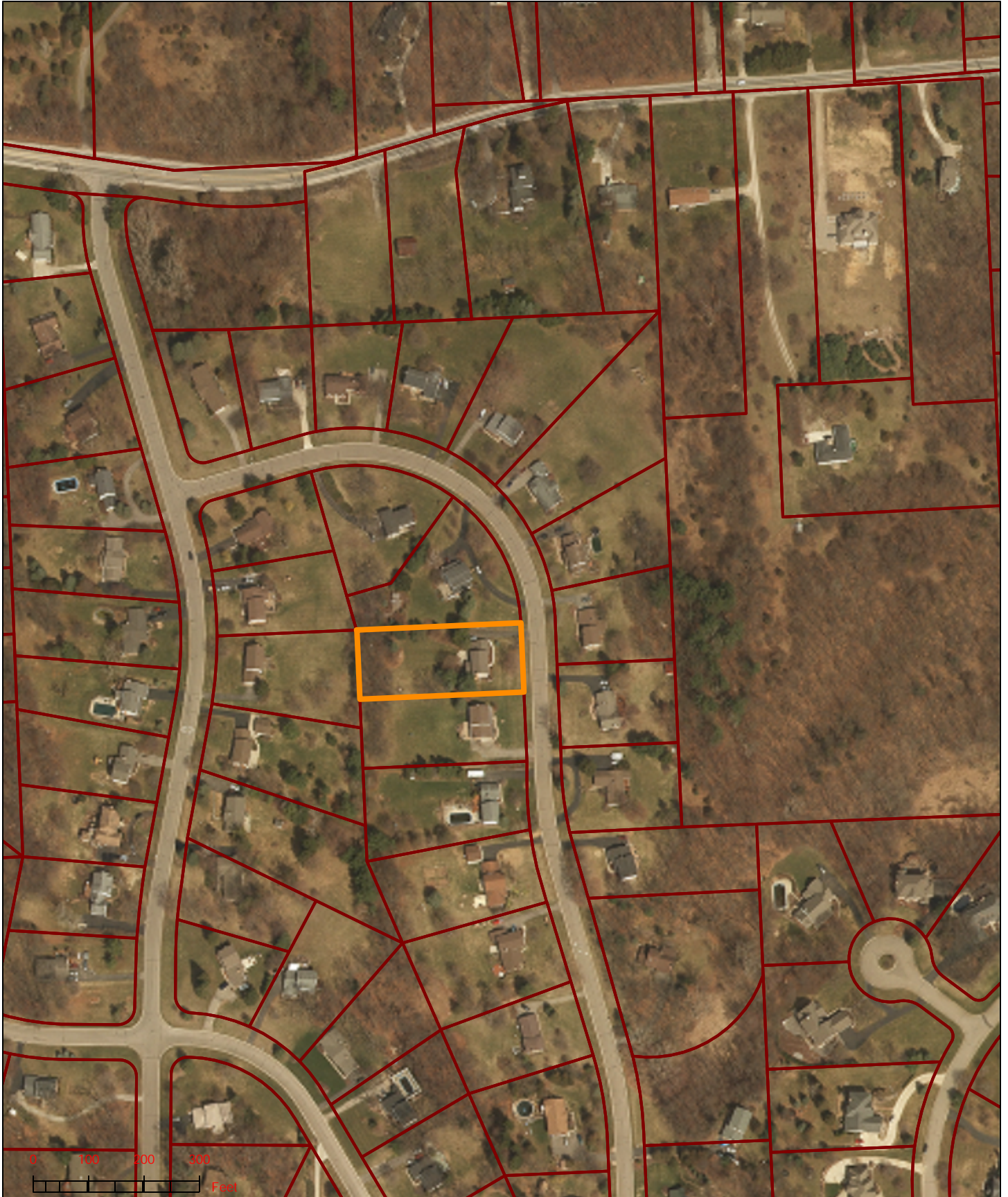
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the side yard setback would not unreasonably prevent the use of the property. The variance does not provide substantial justice for the district and is not necessary to preserve or enjoy a property right similar to other LDR zoned parcels.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition is the property is the location of the septic field behind the home and orientation of the existing home and driveway location on the lot. Need for the variance is self-created.
- (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.

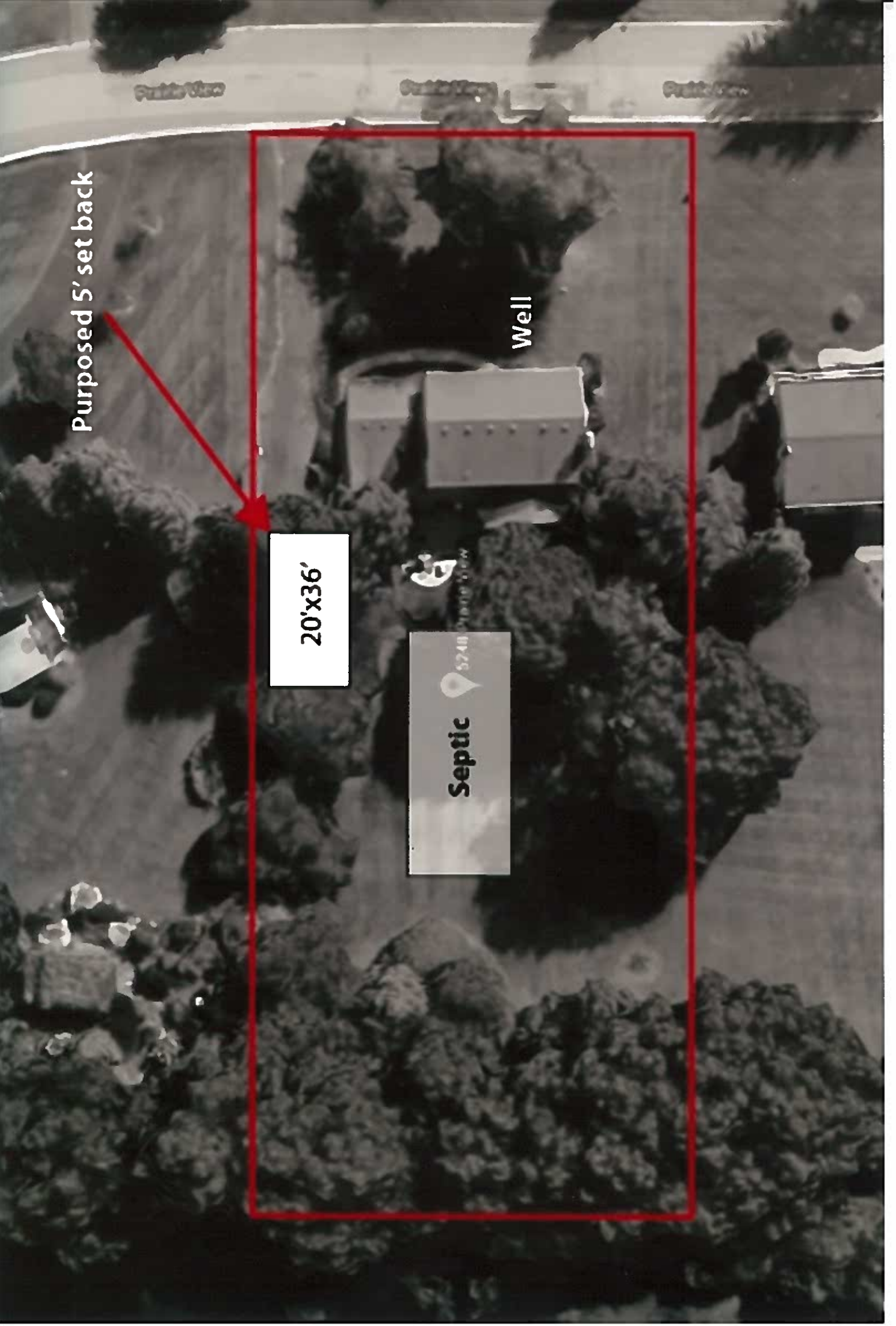
Recommended Conditions

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.
3. Shall comply with the accessory structure requirements.

GENOA TOWNSHIP





Purposed 5' set back

20'x36'

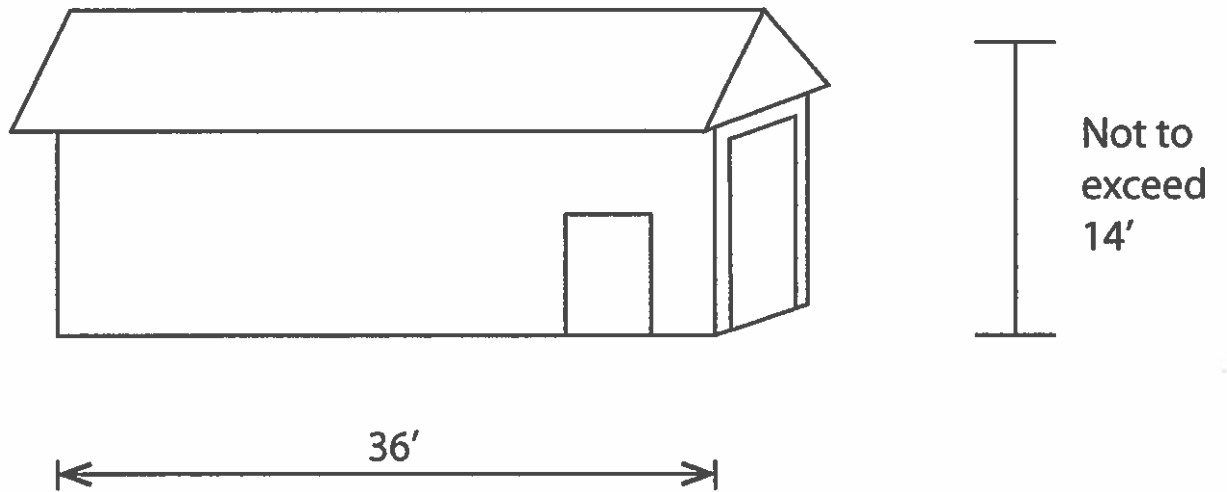
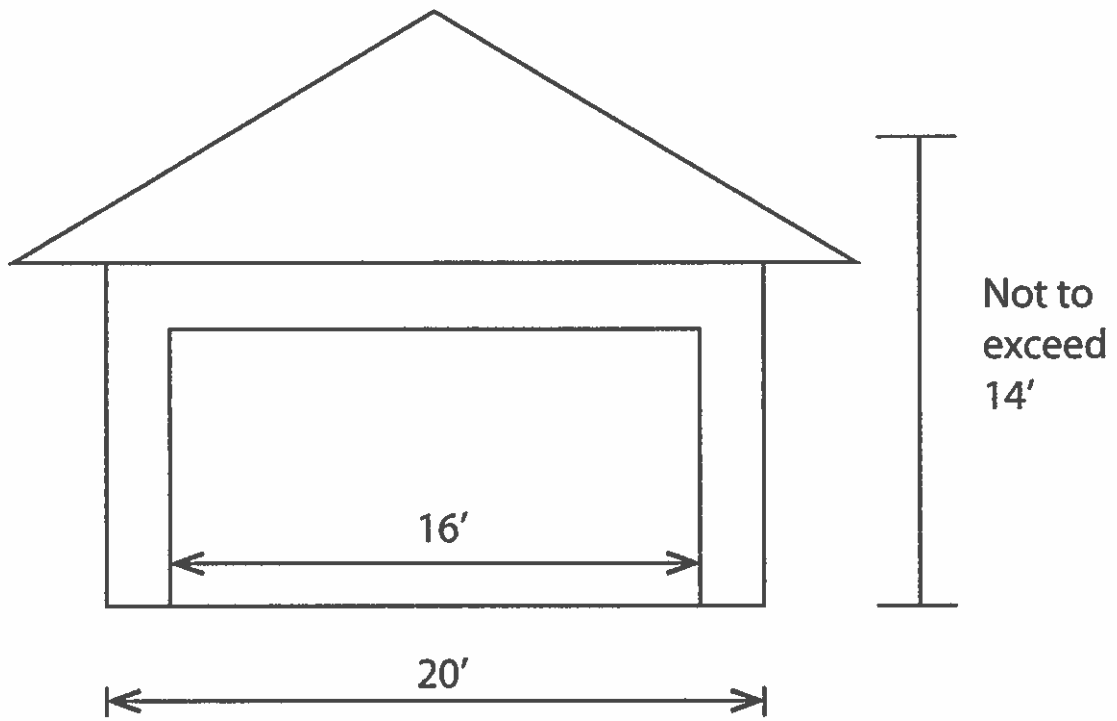
Septic



5248

Orange Glen

Well

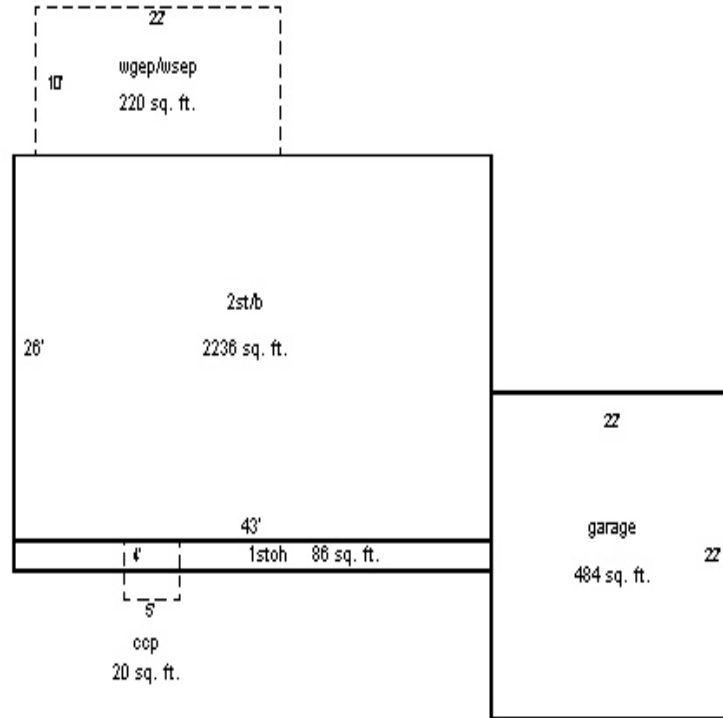


Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
GADBAW, JOHN & DONNA	MITTE JAMES E II & CHRISTINA	255,000	08/27/2004	WD	ARMS-LENGTH	4578/0837	BUYER	100.0		
		175,900	09/01/1991	WD	ARMS-LENGTH		BUYER	0.0		
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LDR	Building Permit(s)	Date	Number	Status		
5248 PRAIRIE VIEW		School: BRIGHTON								
Owner's Name/Address		P.R.E. 100% 08/28/2004								
MITTE JAMES E II & CHRISTINA 5248 PRAIRIE VIEW Brighton MI 48116		MAP #: V18-16								
Tax Description		2019 Est TCV Tentative		Land Value Estimates for Land Table 00039.PRAIRIE VIEW						
SEC 35 T2N R5E PRAIRIE VIEW HILLS LOT 61		X	Improved	Vacant	* Factors *					
Comments/Influences		Public Improvements		Description Frontage Depth Front Depth Rate %Adj. Reason Value						
		Dirt Road		<Site Value A> A STANDARD 70000 100 70,000						
		Gravel Road		125 Actual Front Feet, 0.85 Total Acres Total Est. Land Value = 70,000						
		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	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
		Who	When	What	2019	Tentative	Tentative	Tentative		Tentative
					2018	35,000	99,700	134,700		105,177C
					2017	35,000	95,600	130,600		103,014C
					2016	35,000	86,400	121,400		102,096C

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 220 220	Type CSEP (1 Story) CGEP (1 Story)	Year Built: Car Capacity: Class: B Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 484 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
X	Wood Frame		(4) Interior Drywall Paneled Plaster Wood T&G	X	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling											
Building Style: B		Trim & Decoration Ex X Ord Min		(12) Electric 0 Amps Service			Central Air Wood Furnace			Class: B Effec. Age: 36 Floor Area: 2,322 Total Base New : 428,376 Total Depr Cost: 276,164 Estimated T.C.V: 265,117			E.C.F. X 0.960		Bsmnt Garage: Carport Area: Roof:	
Yr Built 1976	Remodeled 0	Size of Closets Lg X Ord Small		No./Qual. of Fixtures Ex. X Ord. Min			Cost Est. for Res. Bldg: 1 Single Family B (11) Heating System: Forced Hot Water Ground Area = 1118 SF Floor Area = 2322 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=64/100/100/100/64			Cls B Blt 1976						
Condition: Good		Doors: Solid X H.C.		(13) Plumbing Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,118 1 Story Siding Overhang 86 Total: 347,062 216,657									
Room List		(5) Floors Kitchen: Other: Other:		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:			Other Additions/Adjustments Plumbing 3 Fixture Bath 1 8,525 5,456 2 Fixture Bath 1 5,683 3,637 Water/Sewer 1000 Gal Septic 1 4,987 3,192 Water Well, 200 Feet 1 10,076 6,449 Porches CSEP (1 Story) 220 10,784 6,902 CGEP (1 Story) 220 16,392 10,491 Garages Class: B Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 484 27,840 17,818 Common Wall: 1 Wall 1 -2,973 -2,973 Totals: 428,376 276,164 ECF (4020 PRARIEVIEW) 0.960 => TCV: 265,117									
(1) Exterior		(6) Ceilings		(15) Fireplaces			Class: B Effec. Age: 36 Floor Area: 2,322 Total Base New : 428,376 Total Depr Cost: 276,164 Estimated T.C.V: 265,117			E.C.F. X 0.960		Bsmnt Garage: Carport Area: Roof:				
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	(7) Excavation Basement: 1118 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(16) Porches/Decks			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,118 1 Story Siding Overhang 86 Total: 347,062 216,657									
(2) Windows		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(17) Garage			Class: B Effec. Age: 36 Floor Area: 2,322 Total Base New : 428,376 Total Depr Cost: 276,164 Estimated T.C.V: 265,117			E.C.F. X 0.960		Bsmnt Garage: Carport Area: Roof:				
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,118 1 Story Siding Overhang 86 Total: 347,062 216,657									
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:		(18) Other			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,118 1 Story Siding Overhang 86 Total: 347,062 216,657									
X	Gable Hip Flat	Gambrel Mansard Shed	(11) Heating/Cooling		(19) Other			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,118 1 Story Siding Overhang 86 Total: 347,062 216,657								
X	Asphalt Shingle	(12) Electric 0 Amps Service		(20) Other			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,118 1 Story Siding Overhang 86 Total: 347,062 216,657									
Chimney: Brick		(13) Plumbing Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan		(21) Other			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,118 1 Story Siding Overhang 86 Total: 347,062 216,657									

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



Sketch by Apex IV™

*** 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 # 18-17 Meeting Date: June 19, 2018

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

Applicant/Owner: Robert + Jennifer Marschall Email: robert_marschall@hotmail.com
jennifer_marschall@yahoo.com
Property Address: 936 White Willow Ct Phone: (734) 673-6669
Present Zoning: MHP Tax Code: 4711-10-302-013

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: 12ft variance to required 35'-0" front setback.

2. Intended property modifications: 15' x 22' Family Room Addition
(Drawings also indicate 2nd Fl addition which does not require a variance)

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

Side addition is intended to expand Living room, located at the front of the house. An addition toward the back would impact req'd egress windows in the basement and 2nd floor.

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.

Unusual shape of the property creates an unusual front setback line that prevents a side addition even though there is a large side yard. The addition maintains the existing line of the front facade

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.

The proposed addition has generous space on all sides. The proposed side yard is significantly larger than the required side yard.

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.

The proposed addition is common in this neighborhood, and is intended to increase the function + value of this property, and the surrounding properties

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 with additional site plan and construction plans.

Date: 5-25-18 Signature: Rob Zell



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 11, 2018

RE: ZBA 18-17

STAFF REPORT

File Number: ZBA#18-17
Site Address: 936 White Willow Court
Parcel Number: 4711-10-302-013
Parcel Size: 0.34 Acres
Applicant: Robert and Jennifer Marschall, 936 White Willow Court, Howell
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

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

Zoning and Existing Use: MHP (Manufacturing House Park) Single Family Dwelling located on property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 3, 2018 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

Background

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

- Per assessing records the existing home on the parcel was constructed in 2003.
- In 2003, a land use permit was issued for a new construction home.
- In 2014, a land use permit was issued for an above ground pool.
- In 2016, a land use permit was issued for a deck.
- The parcel is serviced by well and public sewer.
- See Assessing Record Card.

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

SUPERVISOR

Bill Rogers

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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 an addition to an existing single family home. In order to construct the addition, the applicant is requesting a front yard variance.

Variance Requests

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

Table 4.05.01 (MHP District):

Required Front Yard Setback: 35'

Proposed Front Yard Setback: 23'

Proposed Variance Amount: 12'

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.

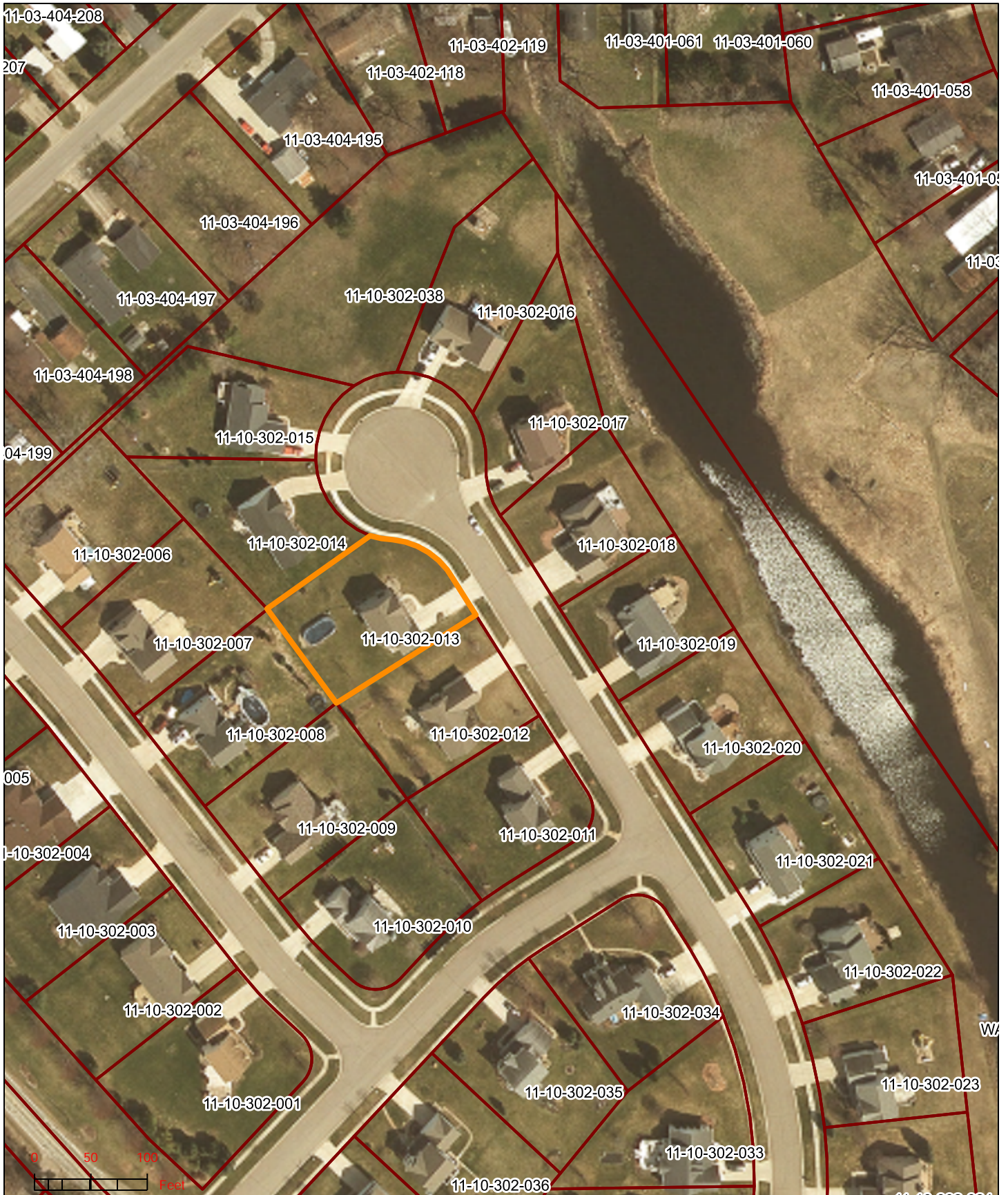
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the front yard setback would prevent the applicant from constructing addition in desired location however it does not unreasonably prevent use of the property in terms of setback reduction however it would allow an addition to the home consistent with the building lines of other homes in the neighborhood which are not on the inside curve of a cul-de-sac.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home and the curve of the front yard lot line that follows the road which encroaches into what would typically be considered the side yard. The need for the variance is not self-created.
- (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 structure must be maintained on the lot.
2. Structure must be guttered with downspouts.

GENOA TOWNSHIP



MARSHALL RESIDENCE

GENOA TOWNSHIP, MI

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BALLOU ENTERPRISES PLLC

ZBA
CONCEPT 24 MAY 2018
23 MAY 2018

LEGAL DESCRIPTION:

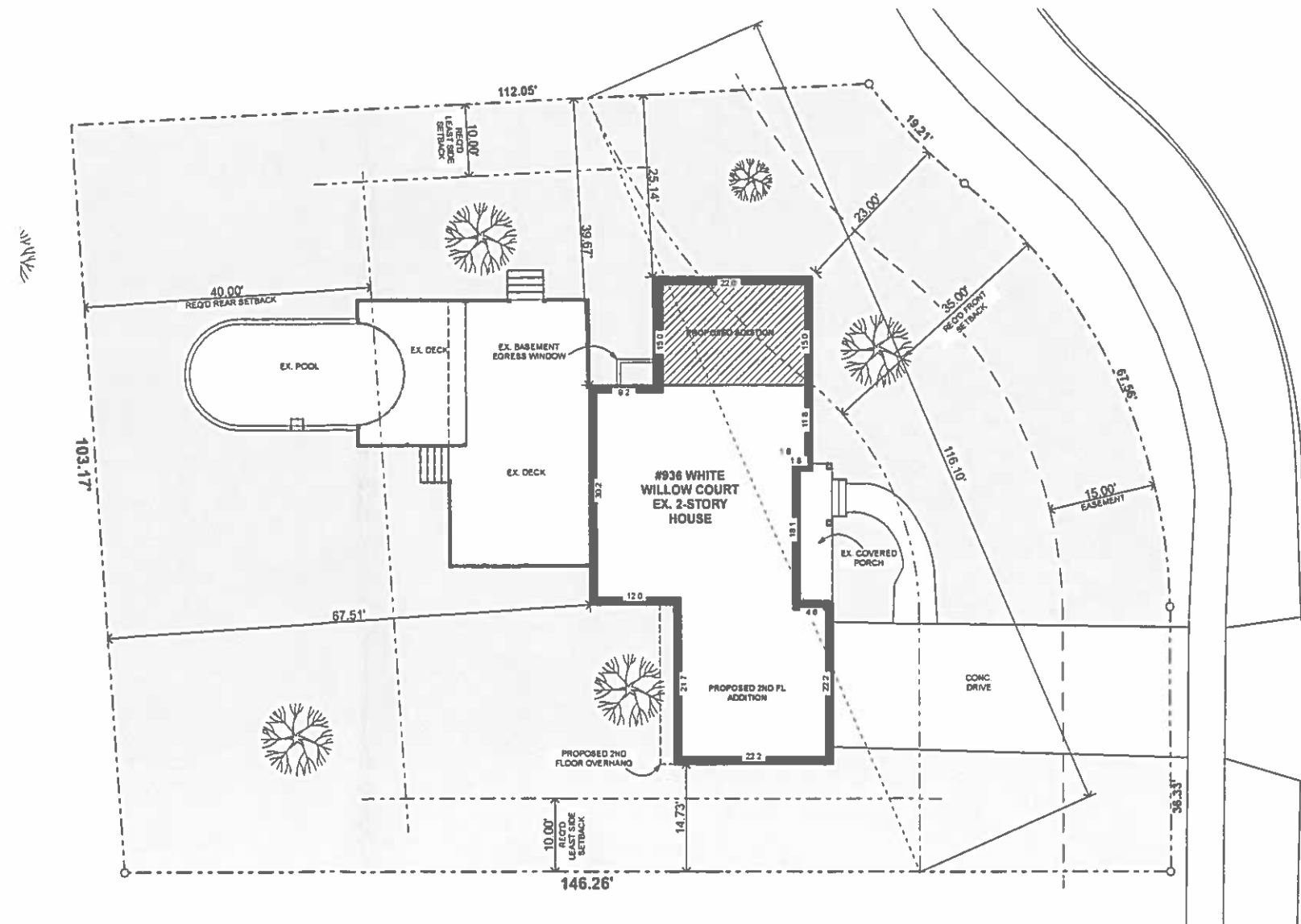
LOT 13, WILLOW CREEK, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 3 AND A PART OF THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 37 OF PLATS, PAGE 15, LIVINGSTON COUNTY RECORDS

AREA ANALYSIS

EXISTING		PROPOSED	
EX. 1ST FLOOR LIVING AREA	899 SF	EX. 1ST FLOOR LIVING AREA	899 SF
EX. 2ND FLOOR LIVING AREA	910 SF	FAMILY RM ADDITION	+330 SF
EXISTING LIVING AREA	1,809 SF	EX. 2ND FLOOR LIVING AREA	910 SF
		BEDROOM ADDITION	+521 SF
		PROPOSED LIVING AREA	2,660 SF
EX. 1ST FLOOR LIVING AREA	899 SF	PROP. 1ST FL LIVING AREA	1,229 SF
EX. ATTACHED GARAGE	478 SF	EX. ATTACHED GARAGE	478 SF
EX. COVERED PORCH	87 SF	EX. COVERED PORCH	87 SF
EXISTING BLDG FOOTPRINTS	1,464 SF	PROP. BEDROOM OVERHANG	+44 SF
		PROP. BLDG FOOTPRINTS	1,838 SF
EXISTING BLDG FOOTPRINTS	1,464 SF	PROP. BLDG FOOTPRINTS	1,838 SF
EXISTING POOL	430 SF	EXISTING POOL	430 SF
EX. DRIVEWAY & WALKS	929 SF	EX. DRIVEWAY & WALKS	929 SF
IMPERVIOUS AREAS	2,823 SF	IMPERVIOUS AREAS	3,197 SF
EX. LOT AREA	14,945 SF (0.34 ACRES)		
EX. LOT COVERAGE	$\frac{1,464 \text{ SF}}{14,945 \text{ SF}} = 9.8\%$	PROP. LOT COVERAGE	$\frac{1,838 \text{ SF}}{14,945 \text{ SF}} = 12.3\%$
EX. IMPERVIOUS AREA	$\frac{2,823 \text{ SF}}{14,945 \text{ SF}} = 18.9\%$	PROP. IMPERVIOUS AREA	$\frac{3,197 \text{ SF}}{14,945 \text{ SF}} = 21.4\%$

SCHEDULE OF REGULATIONS

ZONED MHP MOBILE HOUSING PARK	REQ'D	EXISTING	PROPOSED	VARIANCE
MIN LOT WIDTH	80.0 FT	116.1 FT	NO CHANGE	NONE
MIN FRONT YARD	35.0 FT	35.0 FT ±	23.0 FT	12.0 FT VARIANCE
LEAST SIDE/ SOUTH	10.0 FT	14.7 FT ±	NO CHANGE	NONE
MIN TOTAL SIDES	20.0 FT	54.4 FT ±	39.9 FT ±	NONE
MIN REAR SETBACK	40.0 FT	67.5 FT ±	NO CHANGE	NONE
MAX LOT COVERAGE	35.0 %	9.8%	12.3%	NONE
MAX IMPERVIOUS SURFACE	50.0 %	18.9%	21.4%	NONE
MAX BLDG HEIGHT	25 FT	23.33 FT	NO CHANGE	NONE
	2 STORIES	2 STORIES	NO CHANGE	NONE



SITE PLAN

1" = 10'

focus / design
Todd Ballou, Registered Architect
(734) 276-2110
www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd., Ypsilanti, MI 48198

PROJECT:
MARSHALL RESIDENCE
938 WHITE WILLOW COURT
GENOA TOWNSHIP, MI

TITLE: **SITE PLAN**

JOB NO:
1811

SHEET NO.

A1



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BALLOU ENTERPRISES PLLC

ZBA 24 MAY 2018
CONCEPT 23 MAY 2018

focus / design
Todd Ballou, Registered Architect
(734) 276-2110
www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd., Ypsilanti, MI 48198



PROJECT:
MARSHALL RESIDENCE
226 WHITE WILLOW COURT
GENOA TOWNSHIP, MI

TITLE:
ELEVATIONS

JOB NO:
1811

SHEET NO.
A2

1 FRONT ELEVATION
A2

1/4" = 1'-0"

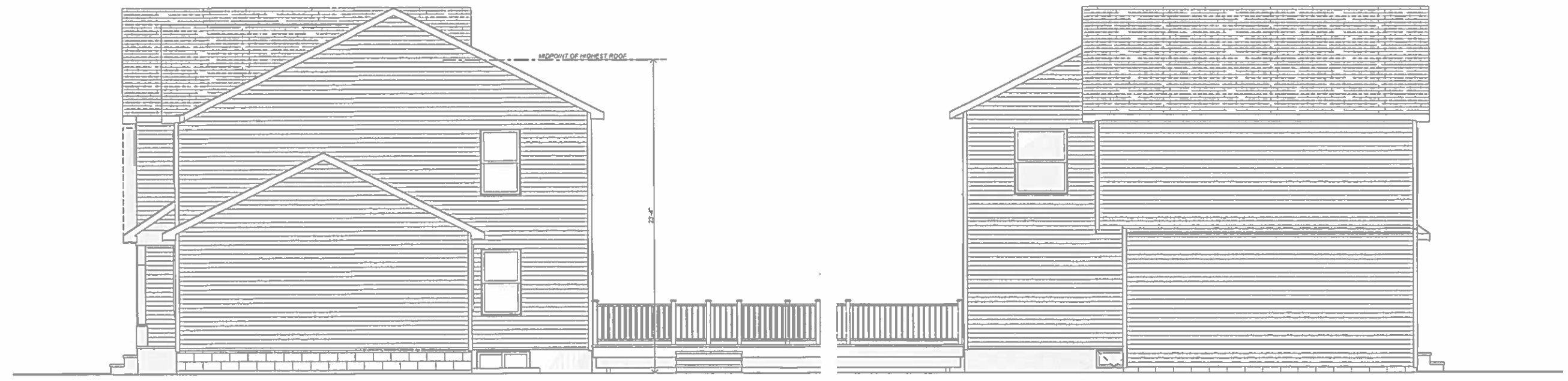
focus / design
Todd Ballou, Registered Architect
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www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd., Ypsilanti, MI 48198

PROJECT:
MARSCHALL RESIDENCE
938 WHITE WILLOW COURT
GENOA TOWNSHIP, MI

TITLE:
ELEVATIONS

JOB NO:
1811

SHEET NO.
A3



3
A3 RIGHT ELEVATION

2
A3 LEFT ELEVATION



1
A3 REAR ELEVATION


Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
LIBERTY HOMES	MARSCHALL, ROBERT E. & JEN	223,850	08/07/2003	WD	ARMS-LENGTH	4080-0136	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: MHP	Building Permit(s)	Date	Number	Status
936 WHITE WILLOW CT	School: HOWELL		WOOD DECK	04/22/2016	P16-051	NO START
	P.R.E. 100% 03/10/2004		ABOVE GROUND POOL	06/02/2014	P14-070	NO START
Owner's Name/Address	MAP #: V18-17		HOME	03/31/2003	03-090	NO START

MARSCHALL, ROBERT E. & JENIFER M. 936 WHITE WILLOW CT HOWELL MI 48843	2019 Est TCV Tentative		Land Value Estimates for Land Table 00075.WILLOW CREEK							
	X	Improved	Vacant							
		Public Improvements		* Factors *						
				Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value
				<Site Value A>	A BASIC LAND			60000	100	60,000
						0.00	Total Acres	Total Est. Land Value =		60,000

Tax Description	X	Dirt Road								
SEC 10 T2N R5E WILLOW CREEK SUB LOT # 13		Gravel Road								
Comments/Influences		Paved Road								
		Storm Sewer								
		Sidewalk								
		Water								
		Sewer								
		Electric								
		Gas								
		Curb								
		Street Lights								
		Standard Utilities								
		Underground Utils.								

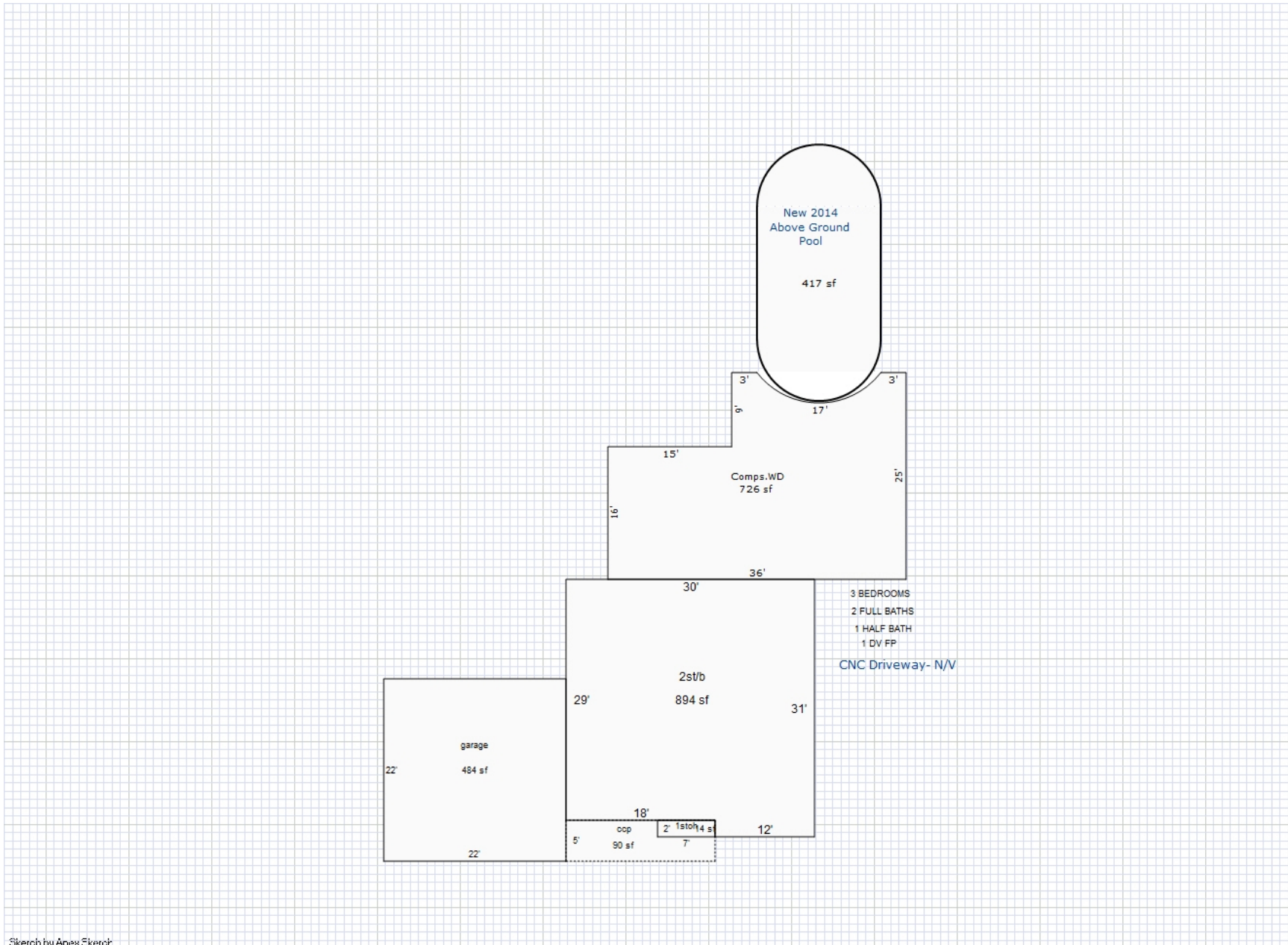
		Topography of Site								
		Level								
		Rolling								
		Low								
		High								
		Landscaped								
		Swamp								
		Wooded								
		Pond								
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
	X	REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value

	Who	When	What	2019	Tentative	Tentative	Tentative			Tentative
	JB	09/27/2017	INSPECTED	2018	30,000	90,100	120,100			85,569C
	JB	11/02/2016	INSPECTED	2017	30,000	88,800	118,800			82,242C
	LM	08/13/2014	REVIEWED R	2016	30,000	80,300	110,300			79,824C
	The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan									

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove 1 Direct-Vented Gas	Area 90 726	Type CCP (1 Story) Composite	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: 484 % Good: 0 Storage Area: 0 No Conc. Floor: 0			
X	Wood Frame		(4) Interior		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: C		Trim & Decoration		Central Air Wood Furnace			Cost Est. for Res. Bldg: 1 Single Family C			Class: C +5 Effec. Age: 11 Floor Area: 1,802 Total Base New : 244,287 Total Depr Cost: 218,094 Estimated T.C.V: 218,094			E.C.F. X 1.000		Bsmnt Garage: Carport Area: Roof:		
Yr Built 2002	Remodeled 0	Size of Closets		(12) Electric			Ground Area = 894 SF Floor Area = 1802 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=89/100/100/100/89			Building Areas							
Condition: Good		Doors: Lg X Ord Small		0 Amps Service			Building Areas			Stories Exterior Foundation Size Cost New Depr. Cost							
Room List		(5) Floors		No./Qual. of Fixtures			Other Additions/Adjustments			Plumbing							
	Basement 1st Floor 2nd Floor 3 Bedrooms	Kitchen: Other: Other:		Ex. X Ord. Min			Plumbing			3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan							
(1) Exterior		(6) Ceilings		No. of Elec. Outlets			Other Additions/Adjustments			Public Water Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic							
X	Wood/Shingle Aluminum/Vinyl Brick			Many X Ave. Few			Plumbing			1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic							
	Insulation	Basement: 894 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(13) Plumbing			Plumbing			Lump Sum Items:							
(2) Windows		(8) Basement		(14) Water/Sewer			Fireplaces			Deck							
X	Many Avg. Few X Large Avg. Small			Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Direct-Vented Gas			Composite							
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish		Public Water Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			Totals: 244,287			ECF (4037 WILLOW CREEK) 1.000 => TCV: 218,094							
(3) Roof		Recreation SF Living SF Walkout Doors No Floor SF		Lump Sum Items:													
X	Gable Hip Flat	Gambrel Mansard Shed															
X	Asphalt Shingle																
Chimney: Brick																	

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



Sketch by Apex Ekerch

*** 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

**PROPERTY MUST BE STAKED SHOWING REQUESTED SETBACKS 7 DAYS PRIOR TO MEETING DATE.
 FAILURE TO STAKE COULD RESULT IN POSTPONEMENT OR DENIAL OF PETITION.**

Case # 18-18 Meeting Date: June 19, 2018

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

Applicant/Owner: Rob + Sandra Bialowicz Email: sandrabialowicz@yahoo.com

Property Address: 1310 Elmhurst Phone: 810 650-8432

Present Zoning: LRR Tax Code: 4711-10-202-006

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: Water front

2. Intended property modifications: Square-up Waterfront Property, (Lanai) Covered Porch and Attached Garage

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

Yes

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.

No

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.

No

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.

No

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 with additional site plan and construction plans.

Date:

May 29 / 18

Signature:

Andre B. Sufowicz



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 11, 2018

RE: ZBA 18-18

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

STAFF REPORT

File Number: ZBA#18-18
Site Address: 1370 Elmhurst Drive
Parcel Number: 4711-10-202-006
Parcel Size: .253 Acres
Applicant: Rob and Sandra Bialowicz, 5743 Long Pointe Drive, Howell
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a waterfront 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 June 3, 2018 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 1968.
- The parcel is serviced by well and public sewer.
- See Assessing Record Card.

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 proposed project is to demolish existing detached accessory and construct an attached garage and an addition to an existing single family home. In order to construct the addition as proposed, the applicant is required to obtain a waterfront and side yard variance. The location of the waterfront property line on the drawing varies considerably from the parcel aerial overlay on the GIS map provided. The Township Assessor has verified that the applicant does own to the water's edge. The applicant is not proposing to encroach any closer into the side yard setback than the current home.

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 Waterfront Yard Setback:	84.5'	Required Side Yard Setback:	10'
Proposed Waterfront Yard Setback:	43'	Proposed Side Yard Setback:	5'
Proposed Variance Amount:	41.5'	Proposed Variance Amount:	5'

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 waterfront and side yard setback would prevent the applicant from constructing the addition to the existing single family home as proposed. The applicant is proposing to not encroach any further into side yard setbacks as the current house location. There are other homes in the vicinity with reduced waterfront 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, narrow lot and the adjacent lot is not in the same plat therefore a deeper lot allows for a larger setback which impacts the setback for the adjacent site. 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 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 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.

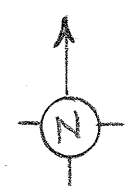
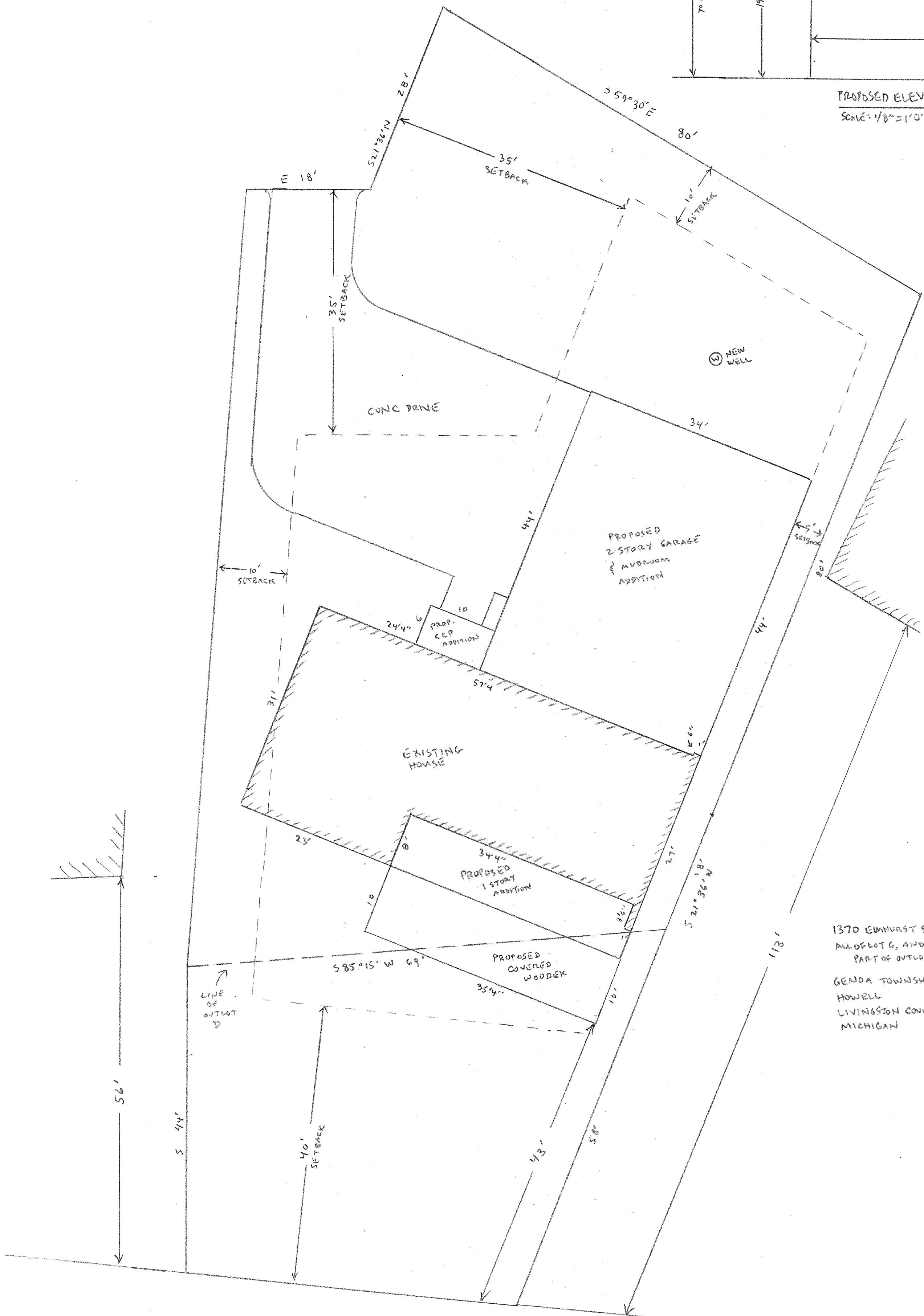
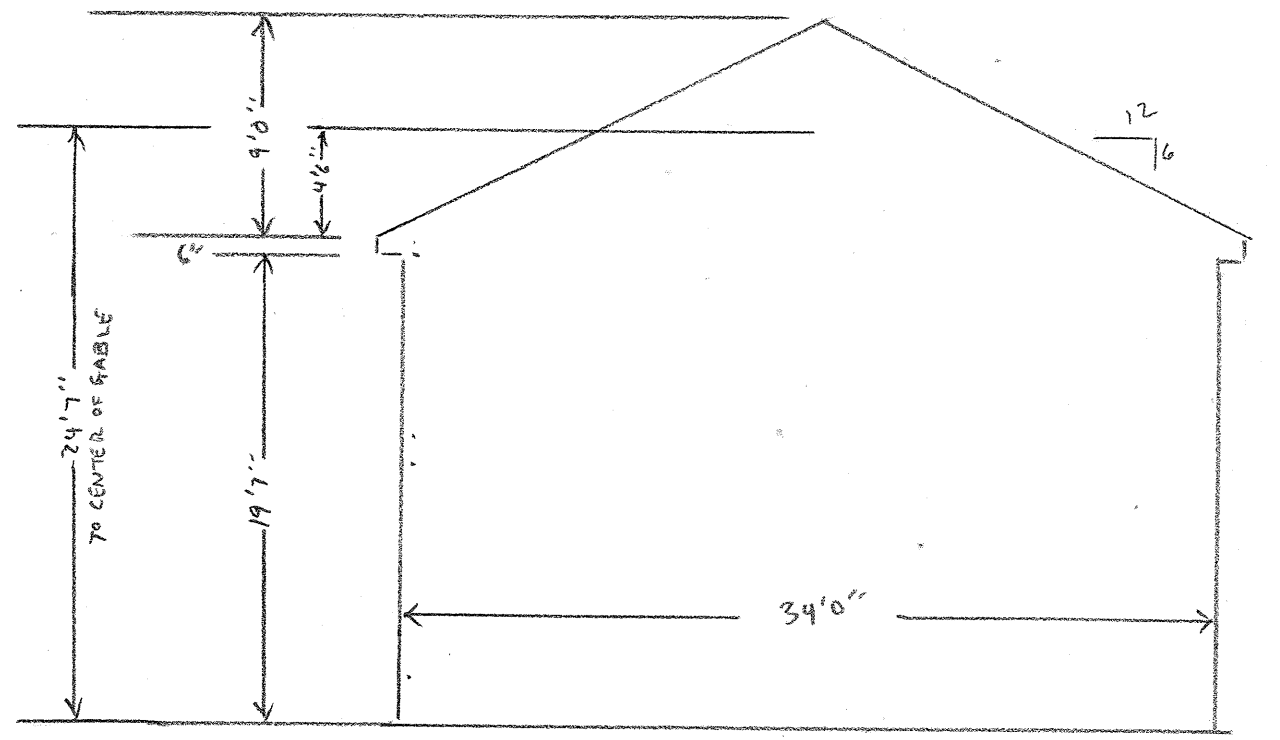
Recommended Conditions

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.

GENOA TOWNSHIP





SCALE: 1" = 10'0"

1370 ELMHURST DRIVE
ALL OF LOT 6, AND PART OF LOT 7 & 8, AND
PART OF OUTLOT D OF ELMHURST SUBDIVISION
GENOA TOWNSHIP
HOWELL
LIVINGSTON COUNTY
MICHIGAN

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
FIGURSKI, BARBARA A.	FIGURSKI BARBARA LTS 9.3	1	02/22/2018	QC	LADY BIRD	2018R-004726	BUYER	0.0				
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status				
1370 ELMHURST		School: HOWELL										
Owner's Name/Address		P.R.E. 100% / /										
FIGURSKI BARBARA LTS 9.3 1370 ELMHURST HOWELL MI 48843		MAP #: V18-18		2019 Est TCV Tentative								
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 00004.LAKE CHEMUNG							
SEC. 10 T2N, R5E, ELMHURST LOTS 6 & PARTS OF LOT 7 & LOT 8. ALSO PART OF OUTLOT D.		Public Improvements		* Factors *								
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Gravel Road		B LAKE FRONT	60.00	160.00	1.0000	1.0000	2700	100		162,000
		Paved Road		G EXC LF	9.00	160.00	1.0000	1.0000	1000	100		9,000
		Storm Sewer		69 Actual Front Feet, 0.25 Total Acres				Total Est. Land Value =		171,000		
		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										
		X	REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
		Who	When	What	2019	Tentative	Tentative	Tentative		Tentative		
				2018	85,500	115,500	201,000			83,513C		
				2017	69,000	116,500	185,500			81,796C		
				2016	69,000	112,900	181,900			81,067C		

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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 463	Type Pine	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 990 % Good: 0 Storage Area: 0 No Conc. Floor: 0																		
X	Wood Frame		(4) Interior Drywall Paneled Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling																											
Building Style: C		Trim & Decoration Ex X Ord Min																														
Yr Built 1968	Remodeled 0	Size of Closets Lg X Ord Small																														
Condition: Good		Doors: Solid X H.C.																														
Room List		(5) Floors		Central Air Wood Furnace																												
	Basement 1st Floor 2nd Floor -16 Bedrooms	Kitchen: Other: Other:		(12) Electric 0 Amps Service																												
		(6) Ceilings		No./Qual. of Fixtures Ex. X Ord. Min																												
(1) Exterior				No. of Elec. Outlets Many X Ave. Few																												
X	Wood/Shingle Aluminum/Vinyl Brick Insulation			(13) Plumbing Average Fixture(s) 3 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan																												
(2) Windows		Basement: 0 S.F. Crawl: 1518 S.F. Slab: 0 S.F. Height to Joists: 0.0																														
X	Many Avg. Few	X	Large Avg. Small	(8) Basement																												
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																														
(3) Roof		(9) Basement Finish																														
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors No Floor SF	(14) Water/Sewer																												
X	Asphalt Shingle	(10) Floor Support		Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic																												
Chimney: Brick				Lump Sum Items:																												
Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 1518 SF Floor Area = 1518 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=75/100/100/100/75 Building Areas <table border="1"> <thead> <tr> <th>Stories</th> <th>Exterior</th> <th>Foundation</th> <th>Size</th> <th>Cost New</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>1 Story</td> <td>Siding</td> <td>Crawl Space</td> <td>1,518</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>166,197</td> <td>124,647</td> </tr> </tbody> </table> Other Additions/Adjustments Plumbing 3 Fixture Bath 2 7,578 5,683 Deck Pine 463 4,672 3,504 Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 990 29,938 22,453 Water/Sewer Public Sewer 1 1,218 913 Water Well, 200 Feet 1 8,762 6,571 Fireplaces Exterior 1 Story 1 5,312 3,984 Totals: 223,677 167,755 ECF (4307 W. LK CHEMUNG LK FRONT) 1.750 => TCv: 293,571															Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	1,518			Total:				166,197	124,647
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																											
1 Story	Siding	Crawl Space	1,518																													
Total:				166,197	124,647																											

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



Sketch by Apex Medina™

*** 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 # 18-19 Meeting Date: June 19, 2018

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

Applicant/Owner: MARCEL NORMAND Email: didonato1@sbcglobal.net
Property Address: 4137 Clifford Dr., Brighton, MI 48116 Phone: (810) 225-4288
Present Zoning: LRR - Lakeshore Residential Tax Code: 4711-27-100-015

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: The proposed land division will create Parcel B containing the existing accessory building without a principal structure, temporarily, as required by Section 11.04.01(a). Setbacks to the existing accessory building do not conform to Sections 11.04.01(f)(1) & 11.04.01(g). Existing wetland setback = 0 ft., Existing lake setback = 13 ft.

2. Intended property modifications: Property is to be divided into 2 parcels, a new, single-family residential house is anticipated to be constructed on Parcel B. The existing, non-conforming, permitted accessory building on Parcel B is not being modified.

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

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.

The existing accessory building was constructed in 1994 as a conforming structure. The adjacent properties to the East and West both contain accessory structures that do not conform to the current lake and wetland setback requirements for the LRR district. Relocation of the existing pole barn type structure is not feasible. Removal of the existing structure will deprive the owner of a benefit provided the neighboring property owners.

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.

The variance to section 11.04.01(a) is a temporary condition that will be eliminated upon approval of a land division and construction of a house on Parcel B. The existing accessory building was permitted by Genoa Township in 1993 and constructed in 1994 as a conforming, accessory structure and no variances were required. Changes to site conditions and/or changes in regulations related to accessory buildings has caused the need for setback variances.

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.

The existing accessory structure was permitted in 1993 & constructed in 1994. The structure has not negatively impacted the public safety or welfare of the residents in the area. The continued presence of the existing structure does not alter, change, impact or interfere with the neighbors public safety, comfort, morals or welfare.

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.

The adjacent properties are fully developed and the continued use and value of the neighboring properties has not been negatively impacted by the presence of the structure since 1994 and it's continued presence and use, following construction of a principal structure on parcel B, will not negatively impact the surrounding neighborhood.

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 with additional site plan and construction plans.

Date: 5-25-18 Signature: m. G. C. T. Hornum



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 11, 2018

RE: ZBA 18-19

STAFF REPORT

File Number: ZBA#18-19
Site Address: 4137 Clifford Road
Parcel Number: 4711-27-100-015
Parcel Size: 2.410 Acres
Applicant: Marcel Normand, 4137 Clifford Drive, Brighton 48116
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a variance to split property that will create a parcel consisting of an existing detached accessory with a principal 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 3, 2018 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 1946.
- In 1991, a land use permit was issued for an addition to the existing home.
- In 1994, a land use permit was issued for a detached accessory structure.
- The parcel is serviced by well and public sewer
- 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 split an existing parcel into 2 parcels. In order to complete the proposed split, a variance would be required to allow the existing detached accessory structure on the new parcel without a principal building. The application references the non-conforming setbacks of the detached accessory structure however a variance is not needed for an existing condition. These setbacks do however make the structure illegal non-conforming since it was not accurately depicted on the site plan associated with the approved permit in 1994. The barn was labeled as 338 feet from the waterfront and no wetlands were indicated. (See attached permit) Section 24.01.01 provided that the purpose of the Zoning Ordinance is to terminate or remove structures in violation of the Zoning Ordinance.

Variance Requests

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

11.04.01 (a) Relation to Principal Building: Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building, that is occupied by a use permitted in the particular zoning district. In the Agricultural District an accessory building or structure may be permitted on a separate lot in conjunction with activity of a permitted use on another lot under same ownership. No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.

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 ordinance requirement would not unreasonably prevent the use of the property. The variance does not provide substantial justice for the district and is not necessary to preserve or enjoy a property right similar to other LRR zoned parcels.
- (b) Extraordinary Circumstances** – There are no exceptional or extraordinary circumstances or conditions applicable to the property. The variance would not make the property consistent with other properties in the vicinity. The need for the variance is self-created.
- (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

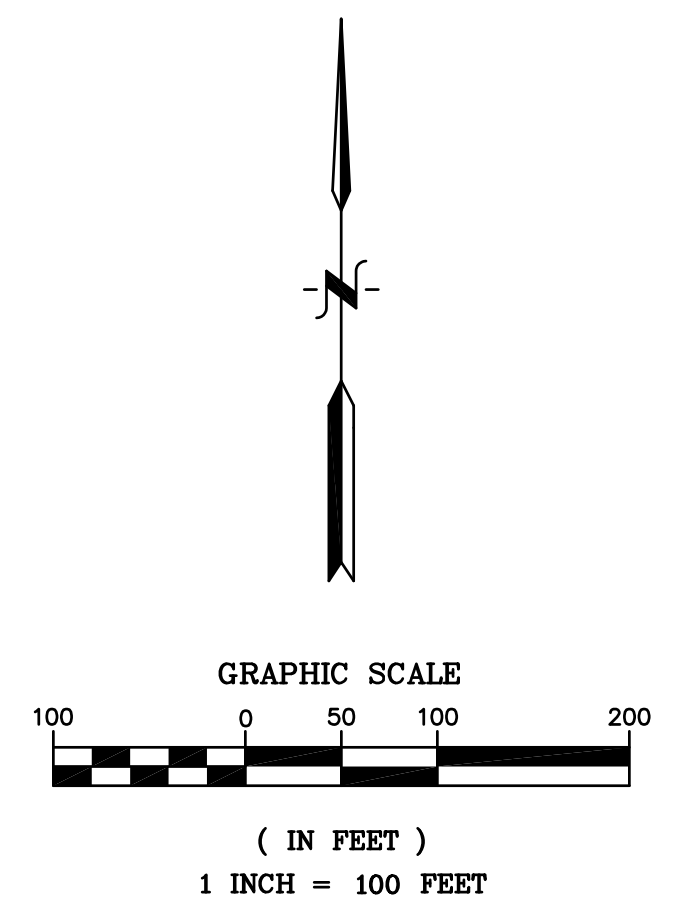
If the Zoning Board of Appeals grants the variance requests, staff recommends the following conditions be placed on the approval.

1. The applicant shall be required to completely remove the detached accessory structure under the following conditions:

- a. If a permit to construct a new principle residence is not issued within 6 months of the split being approved by Township Assessor; and/or
- b. If the applicant fails to obtain final occupancy certification from the Livingston County Building Department within 1 year of Land Use permit issuance.
- c. Township staff shall have discretion to approve extensions to the above deadlines under proven special or extenuating circumstances but in no case shall that extension exceed 6 months for Item (a) or 12 months for Item (b).

GENOA TOWNSHIP

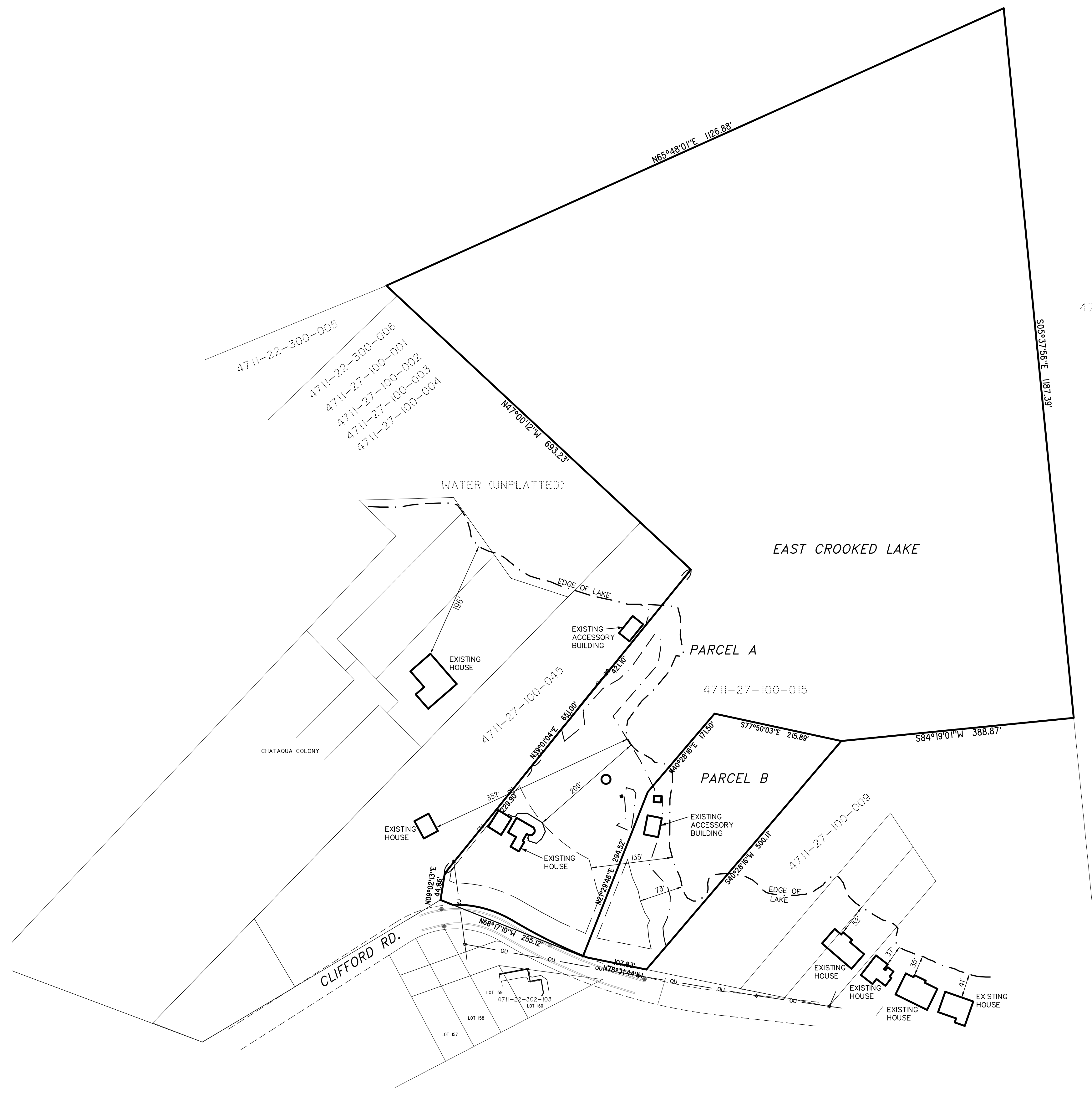




LEGEND

- PARCEL BOUNDARY
- - - - EDGE OF LAKE
- · - · WETLAND LINE
- BUILDING SETBACK LINE
- CONCRETE CURB
- EDGE OF PAVEMENT

Description of Record
 Sec. 22 & 27, T2N, R5E, Com. SW cor. Sec. , Th
 N89°E 201 FT. Th South 296.95 FT., Th S65°E
 361 FT., Th N63°E 461.74 FT., to POB, Th N11°E
 45.61 FT., Th N43°E 651 FT., Th N43°W 704.54
 FT., Th N70°E 1139.32 FT., Th S1°E 1187.39
 FT., Th S88°W 388.87 Ft., Th S44°W 500 Ft., Th
 N74°W 108.1 FT., Th N63°W 255.1 Ft. to POB.
 23.30 ac. M/L. Reference Document
 2017-020315 Livingston County Records.



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 2183 PLESS DRIVE
 BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: JHG						
CHECK: WMP						

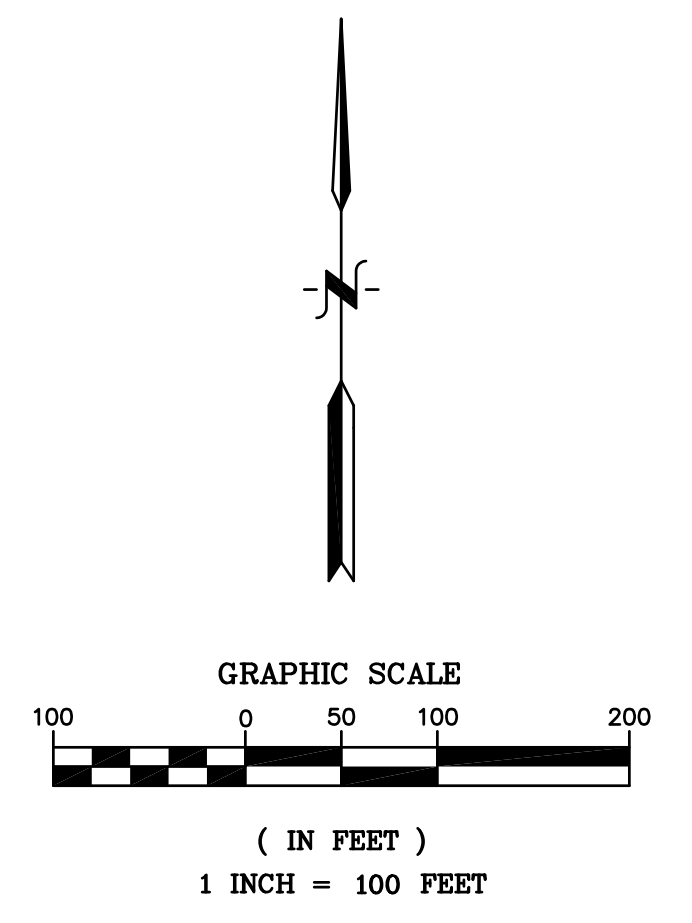
PARCEL #
 4711-27-100-015

VARIANCE REQUEST
 OVERALL PLAN

CLIENT:
 MARCEL & MARY NORMAD
 4137 CLIFFORD RD.
 BRIGHTON, MICHIGAN 48116
 810-225-4288

SCALE: 1in. = 100 ft.
 PROJECT No.: 183380
 DWG NAME: ZBA PLAN 1
 ISSUED: MAY 28, 2018

1



- LEGEND**
- PARCEL BOUNDARY
 - - - - EDGE OF LAKE
 - - - - WETLAND LINE
 - - - - BUILDING SETBACK LINE
 - CONCRETE CURB
 - EDGE OF PAVEMENT

4711-27-100-015

PARCEL B
 TOTAL AREA = 79,467 sq.ft.
 UPLAND AREA less ROW = 22,514 sq.ft.
 WETLAND AREA = 7,520 sq.ft.
 NET PARCEL AREA = 24,394 sq.ft.
 LOT COVERAGE (BLDG) = 1.0%

PARCEL A
 TOTAL AREA = 21.23 Acres
 UPLAND AREA less ROW = 82,518 sq.ft.
 WETLAND AREA = 12,257 sq.ft.
 NET PARCEL AREA = 85,581 sq.ft.
 LOT COVERAGE (BLDG) = 0.2%

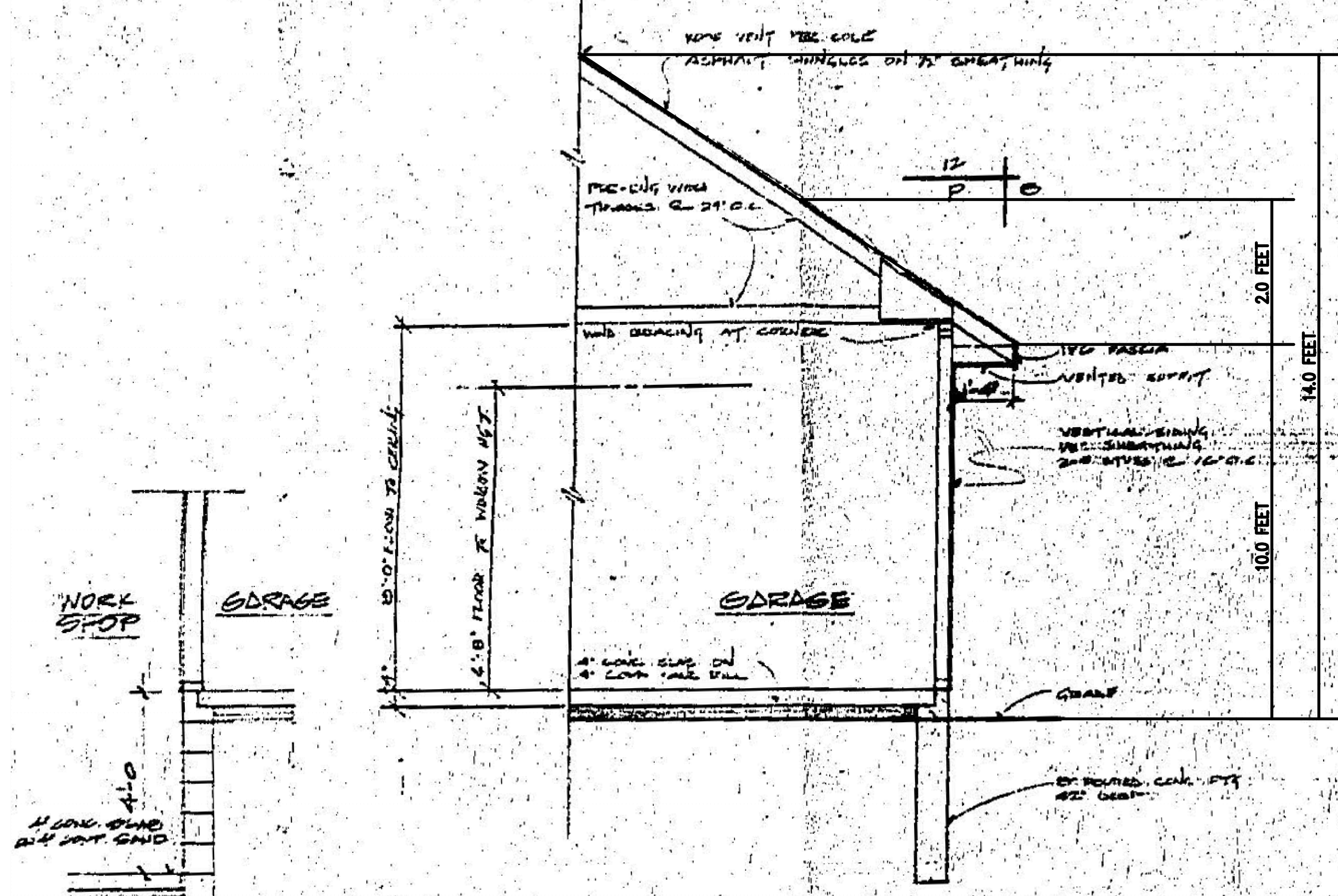
DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: JHG						
CHECK: WMP						

PARCEL #
 4711-27-100-015

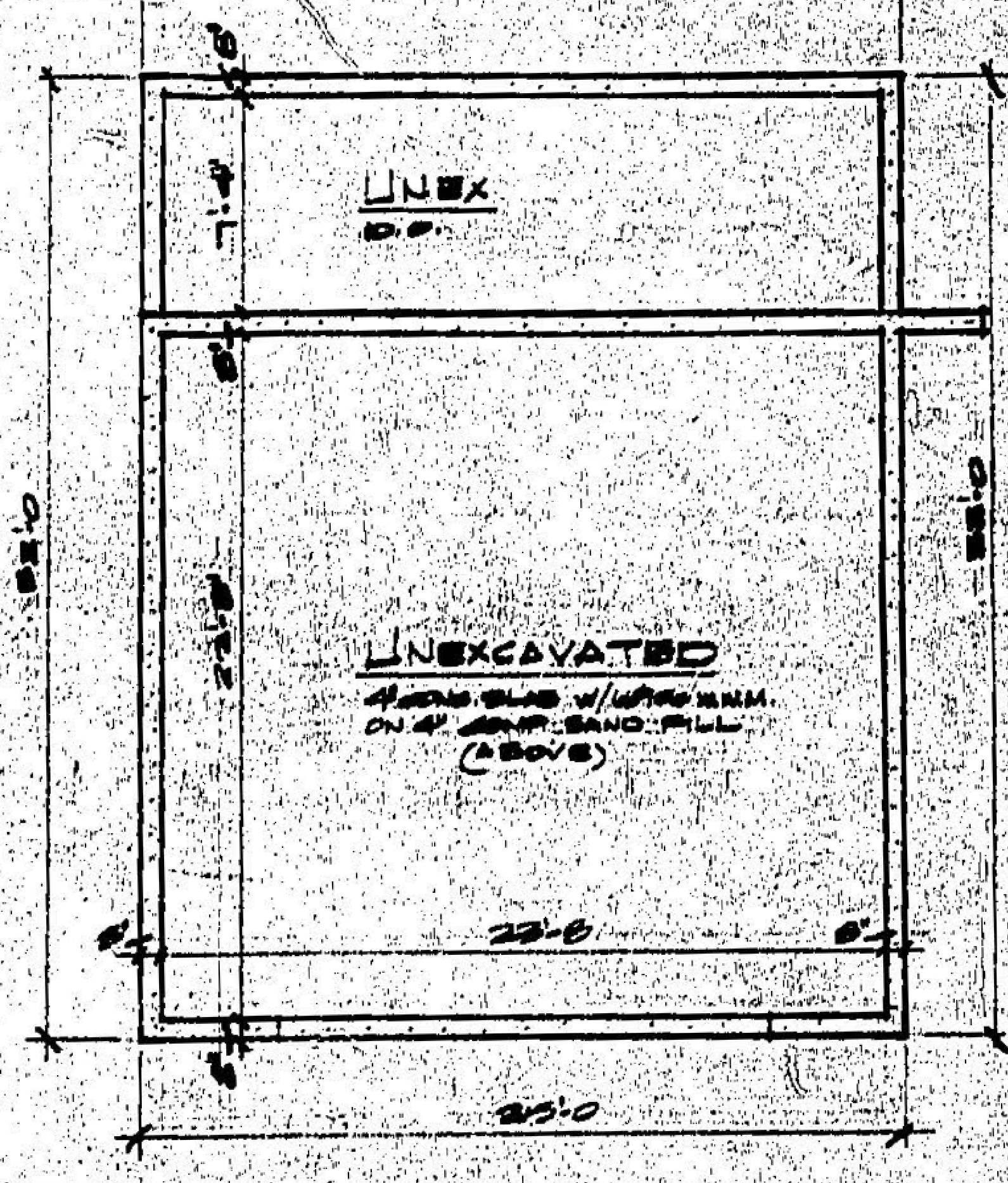
VARIANCE REQUEST
 DETAIL PLAN

CLIENT: MARCEL & MARY NORMAD
 4137 CLIFFORD RD.
 BRIGHTON, MICHIGAN 48116
 810-225-4288

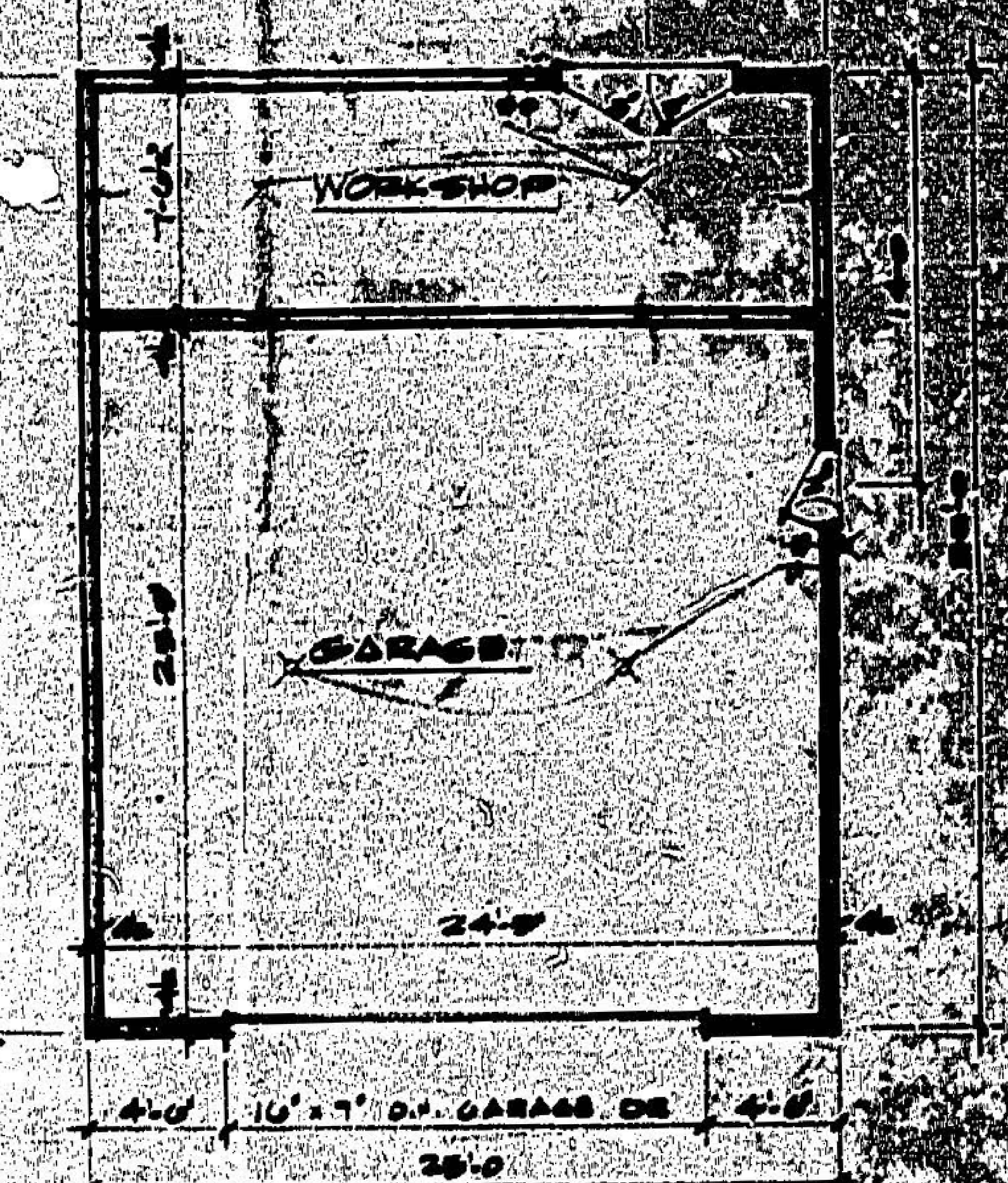
SCALE: 1in. = 100 ft.
 PROJECT No.: 183380
 DWG NAME: ZBA PLAN 1
 ISSUED: MAY 28, 2018



TYPICAL WALL SECTION 1/2" = 1'-0"



FOUNDATION PLAN 1/4" = 1'-0"



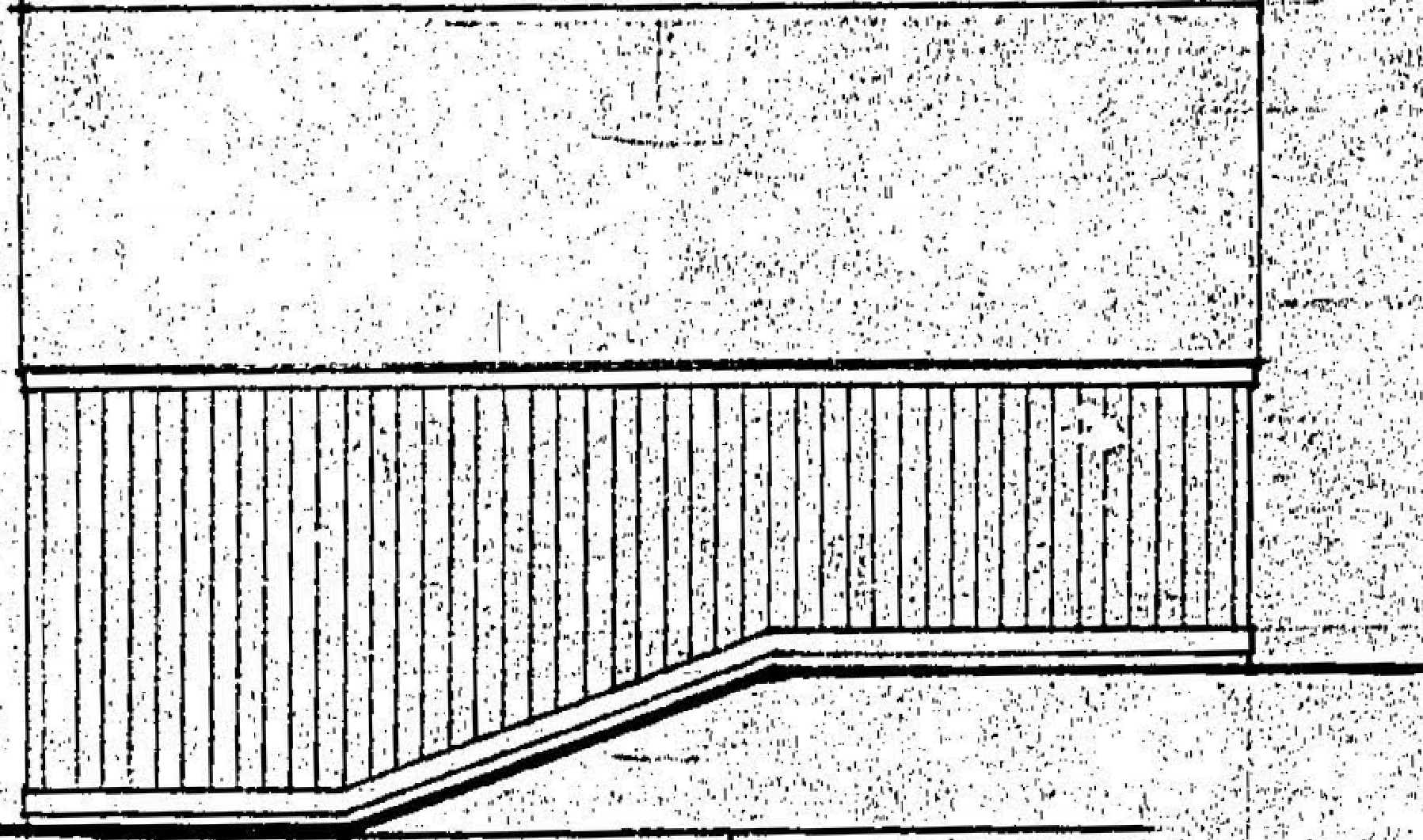
FLOOR PLAN 1/8" = 1'-0"

Pressure Treat All Wood in Direct Contact with Concrete or Masonry, and Where in Contact with Soil.

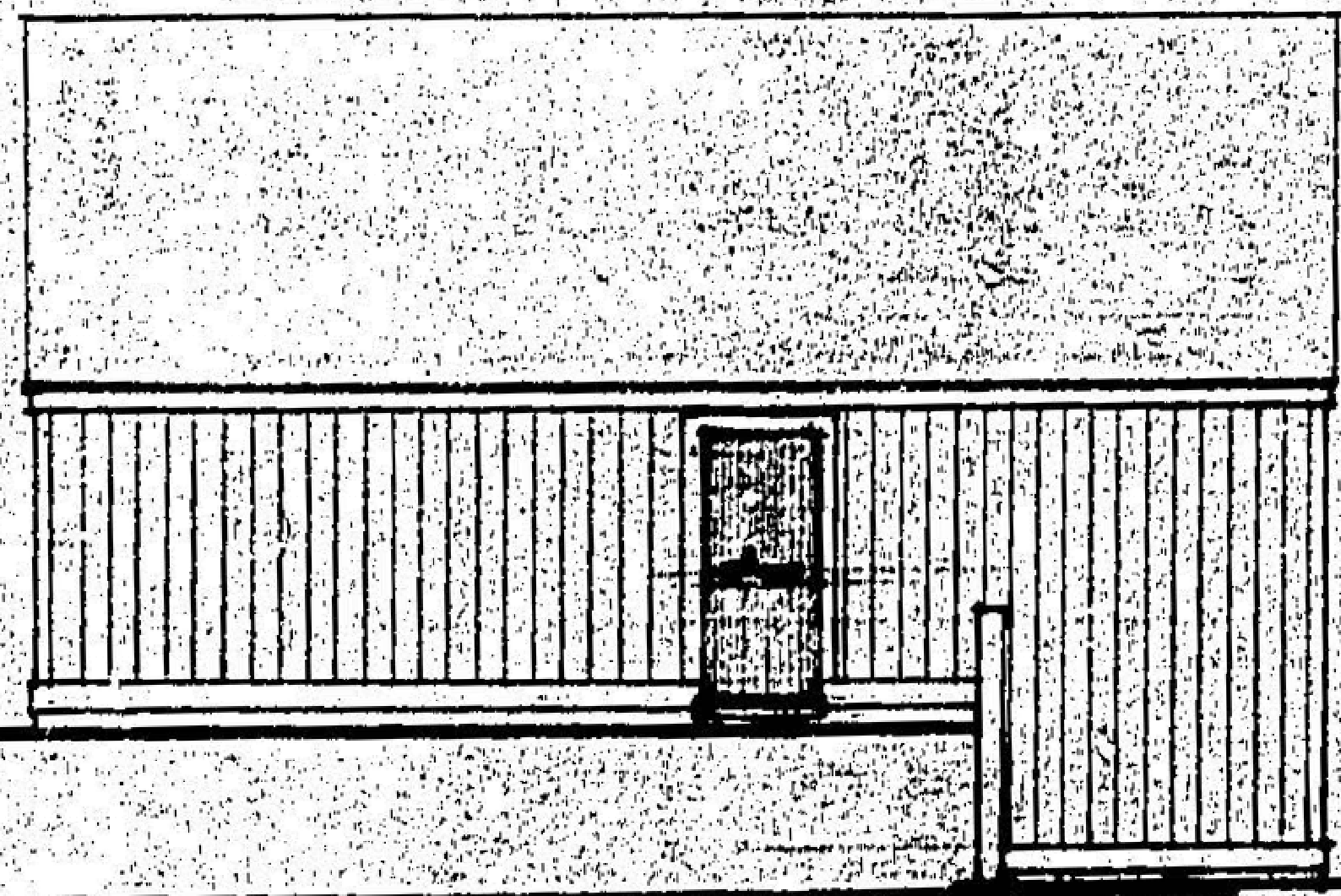
FOUNDATION ANCHORAGE 8 FT. FROM CORNERS - EVERY 10 FT.

SAND INSPECTION BEFORE POURING CEMENT TAMP OR COMPACT

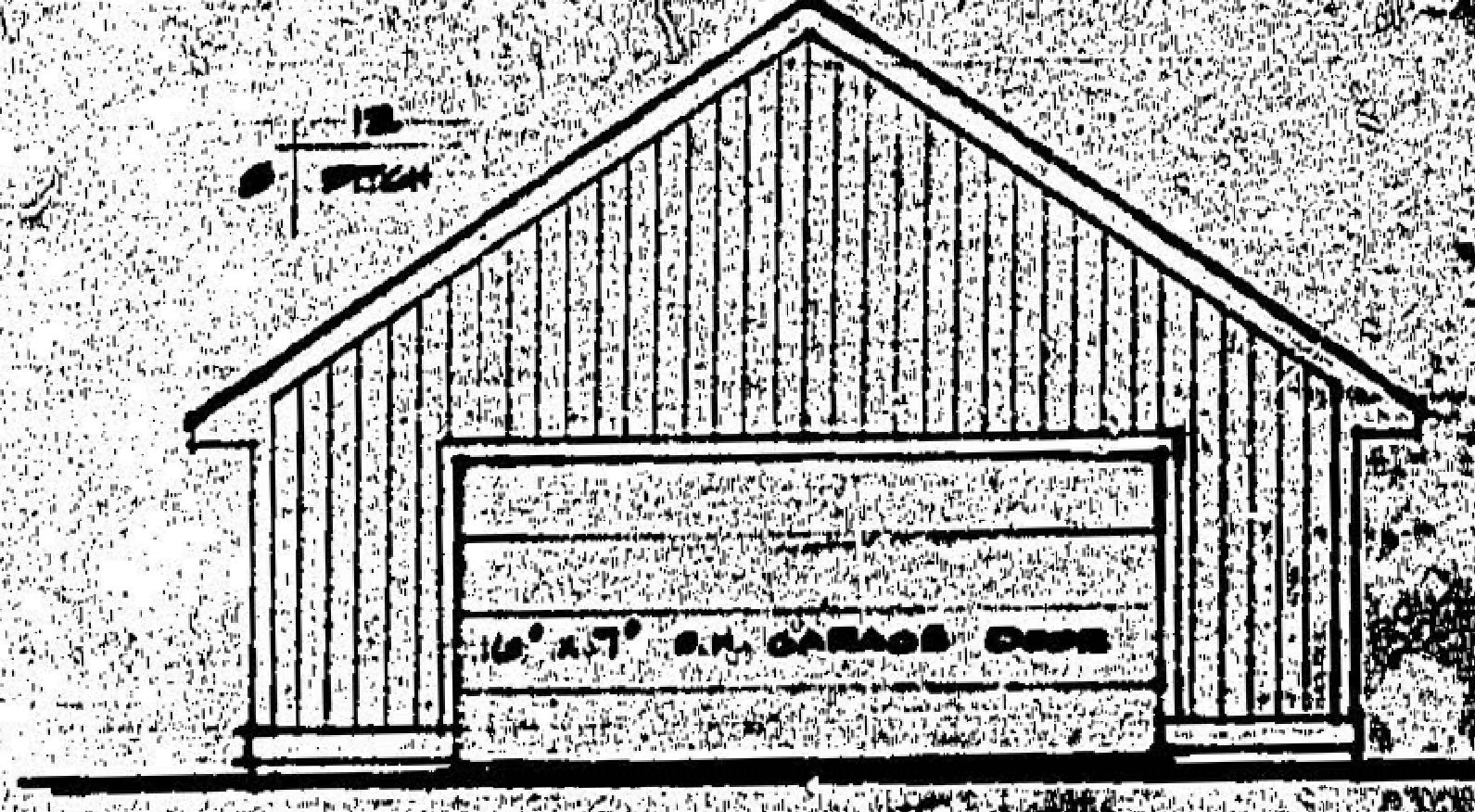
APPROVED PLANS MUST BE ON JOB SITE BEFORE ANY INSPECTION CAN BE MADE LIVINGSTON COUNTY BUILDING DEPT.



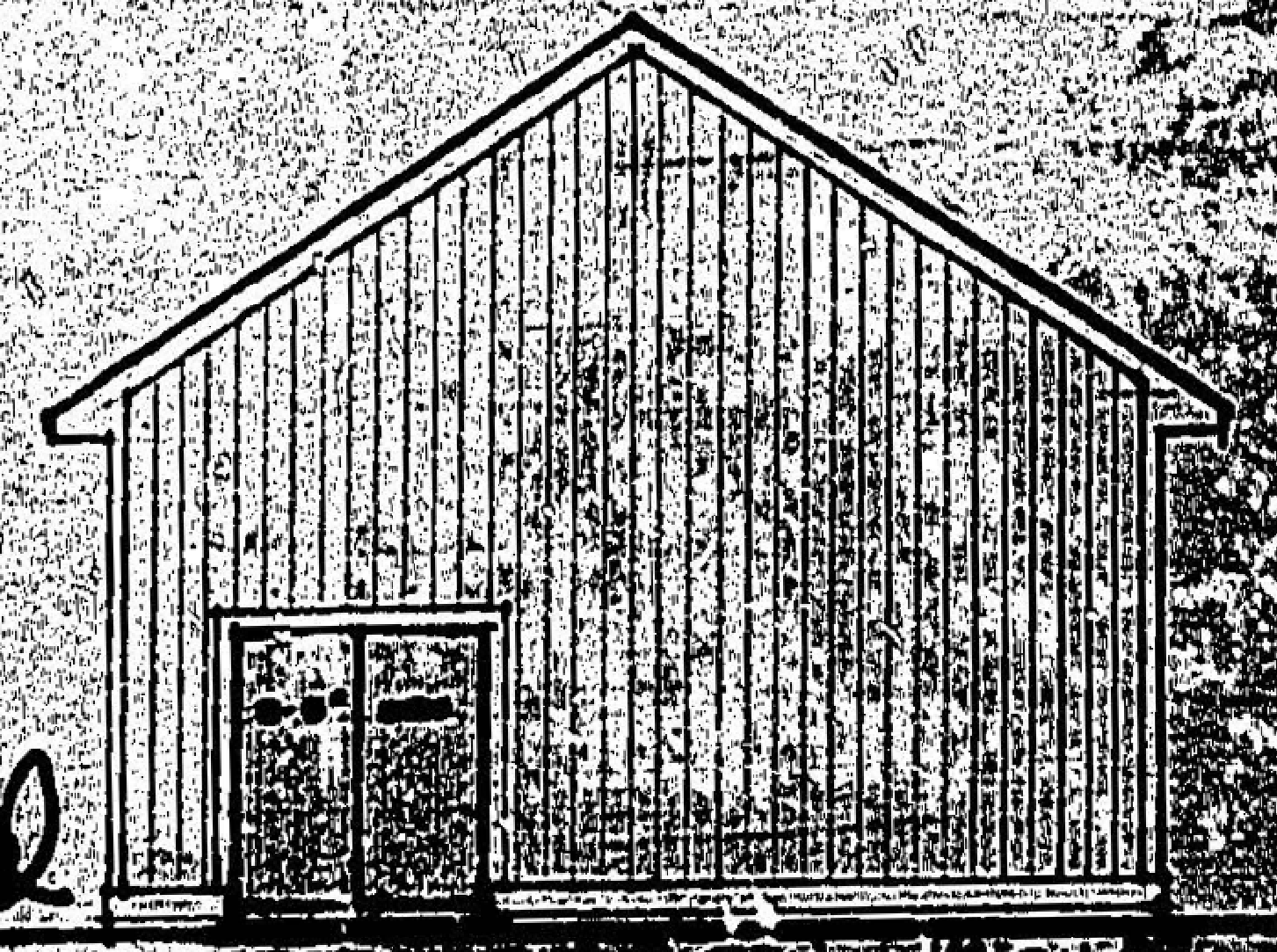
LEFT ELEVATION 1/4" = 1'-0"



RIGHT ELEVATION 1/4" = 1'-0"



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



REAR ELEVATION 1/8" = 1'-0"

4137 Clifford

ALL DRAWINGS MADE BY THE ARCHITECT

CLIFFORD ARCHITECTS

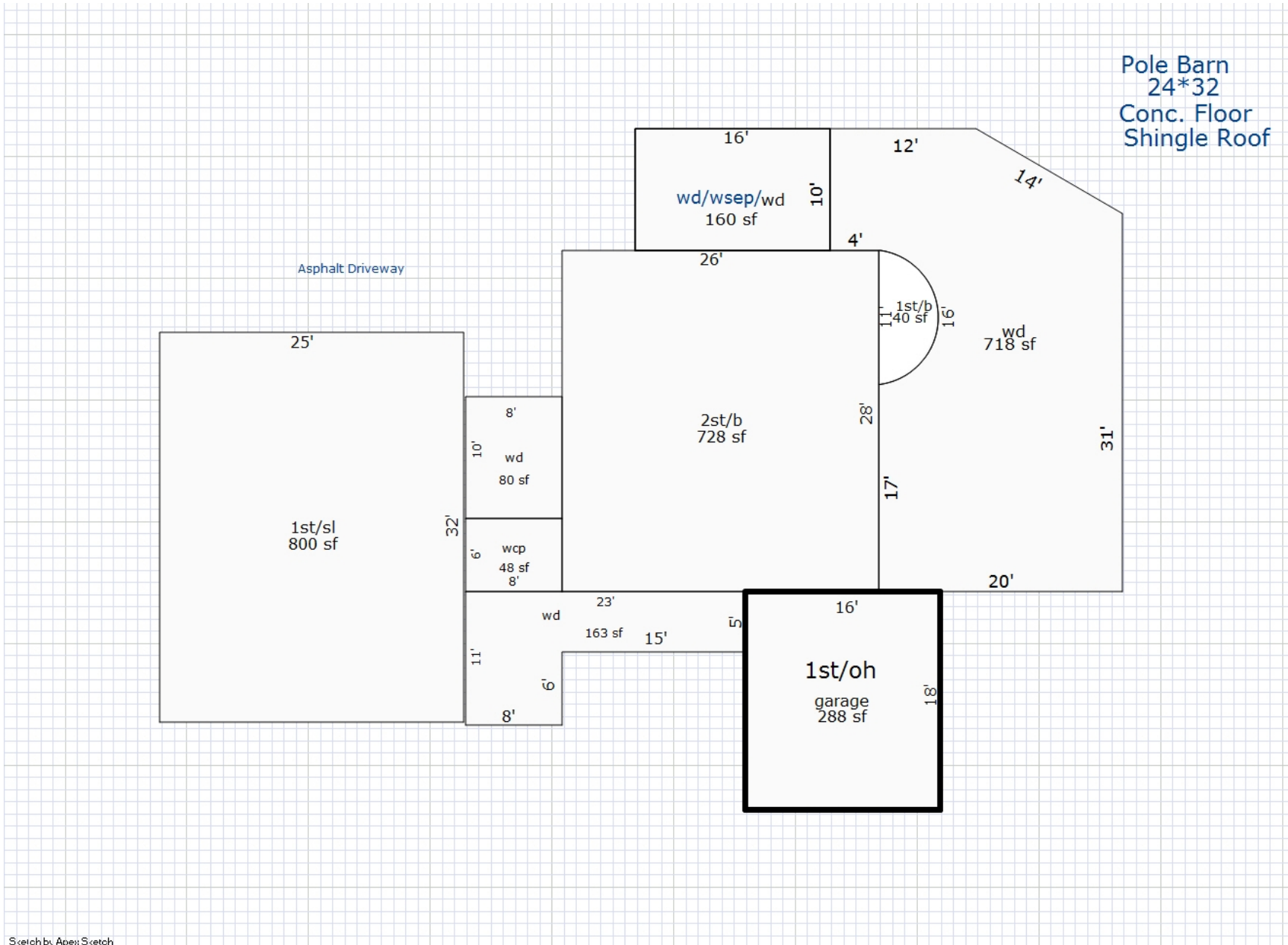
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
NORMAND, MARCEL R.	NORMAND MARCEL & MARY	1	06/23/2017	QC	ADDING SPOUSE	2017R-020315	BUYER	0.0													
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR		Building Permit(s)		Date	Number	Status											
4137 CLIFFORD RD		School: BRIGHTON		P.R.E. 100% / /																	
Owner's Name/Address		MAP #: V18-19		2019 Est TCV Tentative																	
NORMAND MARCEL & MARY 4137 CLIFFORD RD BRIGHTON MI 48116		X Improved		Vacant		Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT															
Tax Description		Public Improvements		* Factors *																	
SEC 22 & 27 T2N R5E COM SW COR SEC 22, TH N89*E 201 FT, TH S 296.95 FT, TH S65*E 361 FT, TH N63* E 461.74 FT TO POB, TH N11*E 45.61 FT, TH N43*E 651 FT, TH N43*W 704.54 FT, TH N70*E 1139.32 FT, TH S1*E 1187.39 FT, TH S88*W 388.87 FT TH S44*W 500 FT, TH N74*W 108.1 FT, TH N63*W 255.1 FT TO POB. 23.30 AC M/L CORREC 11-87		X		Dirt Road		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value	
Comments/Influences		X		Gravel Road		A LAKE FRONT		50.00		300.00		1.0000		1.0000		3000		100		150,000	
		X		Paved Road		B EXC W CR LK		50.00		300.00		1.0000		1.0000		1500		100		75,000	
		X		Storm Sewer		'D' EXC AC		250.00		300.00		1.0000		1.0000		500		100		TOTALLY UNDERWATER 125,000	
		X		Sidewalk		350 Actual Front Feet, 2.41 Total Acres														Total Est. Land Value = 350,000	
		X		Water																	
		X		Sewer																	
		X		Electric																	
		X		Gas																	
		X		Curb																	
		X		Street Lights																	
		X		Standard Utilities																	
		X		Underground Utils.																	
		X		Topography of Site																	
		X		Level																	
		X		Rolling																	
		X		Low																	
		X		High																	
		X		Landscaped																	
		X		Swamp																	
		X		Wooded																	
		X		Pond																	
		X		Waterfront																	
		X		Ravine																	
		X		Wetland																	
		X		Flood Plain																	
		X		REFUSE																	
		X		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value					
		X		2019		Tentative		Tentative		Tentative						Tentative					
		X		2018		175,000		127,900		302,900						196,685C					
		X		2017		152,500		138,100		290,600						192,640C					
		X		2016		197,600		180,800		378,400						190,922C					
		X		Who		When		What													
		X		JB		10/05/2017		INSPECTED													
		X		CG		07/06/2016		REVIEWED R													
		X		The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan																	



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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan		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	Type		Year Built: Car Capacity: Class: CD Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 288 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
X	Wood Frame		(4) Interior		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			1	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			160 48 160 243 160 718	WSEP (1 Story) WCP (1 Story) Treated Wood Treated Wood Treated Wood				
Building Style: CD		Trim & Decoration		Central Air Wood Furnace						Class: CD Effec. Age: 46 Floor Area: 1,784 Total Base New : 218,961 Total Depr Cost: 124,234 Estimated T.C.V: 211,198			E.C.F. X 1.700		Bsmnt Garage: Carport Area: Roof:		
Yr Built 1946	Remodeled 0	Size of Closets		(12) Electric													
Condition: Good		Lg	X Ord	Small	0 Amps Service												
Room List		(5) Floors		No./Qual. of Fixtures						Cost Est. for Res. Bldg: 1 Single Family CD			Cls CD		Blt 1946		
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:		(13) Plumbing						(11) Heating System: Forced Heat & Cool Ground Area = 768 SF Floor Area = 1784 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=54/100/100/100/54 Building Areas							
(1) Exterior		(6) Ceilings		Average Fixture(s)						Stories Exterior Foundation 2 Story Stone Basement 1 Story Stone Basement 1 Story Siding Overhang			Size		Cost New Depr. Cost		
X	Wood/Shingle Aluminum/Vinyl Brick			2 3 Fixture Bath						Other Additions/Adjustments Plumbing 3 Fixture Bath Porches WSEP (1 Story) WCP (1 Story) Deck Treated Wood Treated Wood Treated Wood Treated Wood			728 40 288		Total: 165,984 81,485		
	Insulation	Basement: 768 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan						1 3,148 1,700 160 6,254 3,377 48 2,224 1,201 160 2,853 1,541 243 3,752 2,026 160 2,853 1,541 718 7,424 4,009							
(2) Windows		(8) Basement		(14) Water/Sewer						Garages Class: CD Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1 Wall Water/Sewer Public Sewer Water Well, 200 Feet Built-Ins Hot Tub							
X	Many Avg. Few	X	Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			288 11,629 6,280 1 -2,048 -2,048 1 1,082 584 1 8,461 4,569 1 5,345 2,886							
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(9) Basement Finish		Recreation SF Living SF Walkout Doors No Floor SF			Lump Sum Items:										
(3) Roof		(10) Floor Support															
X	Gable Hip Flat		Gambrel Mansard Shed	Joists: Unsupported Len: Cntr.Sup:													
X	Asphalt Shingle																
Chimney: Brick																	

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



*** 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	Type	Year Built:	Car Capacity:	
X	Wood Frame		(4) Interior		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling										Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
Building Style: CD		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Class: CD Effec. Age: 29 Floor Area: 800 Total Base New : 75,313 Total Depr Cost: 53,472 Estimated T.C.V: 90,902			E.C.F. X 1.700		Bsmnt Garage:	
Yr Built 0	Remodeled 0	Size of Closets		0 Amps Service			No./Qual. of Fixtures			Cost Est. for Res. Bldg: 2 Single Family CD			Cls CD		Blt 0	
Condition: Good		Doors: Lg X Ord Small		Kitchen: Other: Other:			No. of Elec. Outlets			Ground Area = 800 SF Floor Area = 800 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=71/100/100/100/71 Building Areas						
Room List		(5) Floors		(6) Ceilings			(13) Plumbing			Stories Exterior Foundation Size Cost New Depr. Cost						
	Basement 1st Floor 2nd Floor Bedrooms	Basement: 0 S.F. Crawl: 0 S.F. Slab: 800 S.F. Height to Joists: 0.0		Basement: 0 S.F. Crawl: 0 S.F. Slab: 800 S.F. Height to Joists: 0.0			Average Fixture(s) 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat 1 No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			1 Story Siding Slab 800 Total: 75,313 53,472						
(1) Exterior		(7) Excavation		(8) Basement			(14) Water/Sewer			Other Additions/Adjustments			Totals: 75,313 53,472		ECF (4306 TRI LAKES LAKE FRONT) 1.700 => TCV: 90,902	
X	Wood/Shingle Aluminum/Vinyl Brick	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		Recreation SF Living SF Walkout Doors No Floor SF			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic									
Insulation		(9) Basement Finish		Lump Sum Items:												
(2) Windows		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		(10) Floor Support														
X	Gable Hip Flat	Gambrel Mansard Shed														
X	Asphalt Shingle															
Chimney: Brick																

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

Building Type	Farm Utility Buildings			
Year Built				
Class/Construction	D,Pole			
Quality/Exterior	Low Cost			
# of Walls, Perimeter	4 Wall, 112			
Height	10			
Heating System	No Heating/Cooling			
Length/Width/Area	24 x 32 = 768			
Cost New	\$ 6,128			
Phy./Func./Econ. %Good	72/100/100 72.0			
Depreciated Cost	\$ 4,412			
+ Unit-In-Place Items	\$ 0			
Description, Size X Rate X %Good = Cost				
Itemized ->				
Unit-In-Place ->				
Items ->				
E.C.F.	X 1.00			
% Good	72			
Est. True Cash Value	\$ 4,412			
Comments:				
Total Estimated True Cash Value of Agricultural Improvements / This Card: 4412 / All Cards: 4412				

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MAY 15, 2018 - 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, Jean Ledford, Marianne McCreary, Dean Tengel, Bill Rockwell, and Amy Ruthig, Zoning Official. Approximately 8 persons in the audience.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda:

Moved by Board Member McCreary, seconded by Board Member Rockwell, to approve the agenda with the addition of a presentation by Township Staff members, Sharon Stone Francis and Amy Ruthig. **The motion carried unanimously.**

Call to the Public:

The call to the public was made at 6:32 pm with no response.

Amy Ruthig, Zoning Official and Sharon Stone Francis, Code Enforcement Officer presented to the Zoning Board of Appeals a presentation on “Phasing in Natural Shorelines” to obtain their Master Citizen Planner Certificate.

Chairman Dhaenans thanked Ms. Francis and Ms. Ruthig for the information.

- 1. 18-05 ... A request by Greg Cameron, 3651 Conrad Road, for a front and two side variances and a variance to allow a deck in the front yard to build an addition to an existing home.**

Greg Cameron, homeowner was present for petitioner. Mr. Cameron thanked the Board for allowing him to postpone this meeting so he could address their concerns. He spoke with the Brighton Area Fire Department and the inspector submitted a letter. Mr. Tataro from the Genoa Township Utility Department submitted a letter with approval for the addition placement with conditions.

Chairman Dhaenans thanked the applicant for the staking the property and proposed addition.

Board Member Rockwell stated that Mr. Tatara's letter should be dated May 3, 2018.

A call to the public was made with no response.

Moved by Board Member Rockwell, supported by Board Member Ledford, to approve case# 18-09 for Greg Cameron of 3651 Conrad Road for a dimensional front water yard variance of 23'6" and one side variance of 2' and other side variance of 5", and approval of a variance to construct deck in the front yard.

Approval is based on the following finding of facts:

1. Practical Difficulty/Substantial Justice – Strict compliance with the front and side yard setbacks would prevent the applicant from constructing the proposed addition with the proposed deck. The other homes in the vicinity do not meet the front yard setback from Conrad Road therefore granting of the requested variances would do substantial justice to the applicant and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the vicinity of the subject parcel.
2. Extraordinary Circumstances – The exceptional or extraordinary condition of the property is the location of the private road easement (not recorded) which includes the Consumer's Gas easement and the topography of the property. These variances would make the property consistent with other properties in the vicinity. The need for the variance is not self-created. The unique nature of the lot which the waterfront yard is also the front yard makes the deck in the front yard appropriate.
3. 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.
4. Impact on Surrounding Neighborhood – The proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

The following conditions must be followed:

1. The structure must be guttered with downspouts and drainage must be maintained on the lot.
2. The conditions of the Utility Director's letter dated 5-3-17 (5-3-2018) must be followed.

The motion carried unanimously.

2. **18-10 ... A request by David and Deborah Sullivan, 5372 Wildwood Drive, for a size variance and a variance to construct detached accessory structure in the front yard.**

The petitioner was not present for the meeting.

Moved by Board Member McCreary, supported by Board Member Tengel, to moved case #18-10, David and Deborah Sullivan, 5372 Wildwood Drive to the end of the agenda for tonight's meeting. **The motion carried unanimously.**

3. **18-11 ... A request by Nathan DesJardin, 582 Hilltop Drive for a variance to construct a detached accessory structure in the front yard.**

Nathan DesJardin, homeowner, was present for the petitioner. Mr. DesJardin stated that he would like to construct a detached garage in the front yard due to the steep hill at the rear of the house.

Board Member McCreary stated that the location of the gas and sewer lines leaves the homeowner limited room for placement of the garage. Board Member McCreary spoke to Mrs. DesJardin that stated that the side property line is where the fence is currently located. Board Member McCreary stated that she would like to see where the side property line actually is located by a line survey. If the road is a public road the Livingston County Road Commission would need to approve a secondary drive permit.

A call to the public was made with the following response: Gary Boyd, 2715 Meadowlark Street, Brighton 48114, stated that if the neighbor had issues they would be here tonight.

Moved by Board Member Tengel, supported by Board Member Ledford, to approved case #18-11 for Nathan DesJardin, 582 Hilltop for a variance to construct a detached accessory structure in the front yard per the following findings of facts:

1. Practical Difficulty or Substantial Justice – Compliance with the strict letter of the ordinance would prevent the applicant from constructing a detached accessory

structure. Granting of the requested variance would do substantial justice to the applicant as well as to other property owners in the district. There are some detached accessory structures in the front yards within the surrounding neighborhood.

2. Extraordinary Circumstances – The exceptional or extraordinary condition of the property is location of the existing single family home pushed back to the rear of the lot to create a large front yard and topography of the property. The property is considered a through lot with two front yards. The need for the variance was not self-created by the applicant.

3. 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.

4. Impact on Surrounding Neighborhood – The proposed variance would have a very little impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

The following conditions must be followed:

1. The detached accessory structure will be guttered with downspouts. The applicant must maintain drainage on their property.
2. Detached accessory structure located in the front yard will be removed before issuance of Certificate of Occupancy. **The motion carried as follows:
Ayes:Tengel, Rockwell, Dhaenans and Rassel. Nay: McCreary**

4. 18-12 ... A request by Samuel Orvelo, 1752 Woodhill Drive, for a rear yard variance to allow for an addition to the existing home.

Samuel Orvelo, homeowner and Gary Boyd, 2715 Meadowlark Drive, were present for the applicant. Mr. Boyd stated that he built the structure. The owner needed additional storage and the breezeway was leaking. He chose to make the addition flush with the rear of the home. If required to remove the 3 feet from the rear of the structure, water could leak into the storage area.

Board Member Tengel explained to the applicant that there has to be a hardship with the land. The Zoning Board of Appeals is creating a legal document when approving a variance.

Chairman Dhaenans stated that the structure was built before a permit was issued. The process should have started with a land use permit.

Board Member Rockwell stated that the Zoning Board of Appeals is bound by section 23.05.03 which includes 4 criteria for approving a variance. All 4 criteria need to be met to approve a variance.

Mr. Boyd stated that they will remove 3 feet off of the structure.

A call to the public was made with no response.

Moved by Board Member Rockwell, seconded by Board Member McCreary, for case# 18-12, Mr. Samuel Orvelo, 1752 Woodhill Drive to deny the rear yard variance of 3 feet for the following finding of facts:

1. No practical difficulty or substantial justice in the request to justify the need for the variance.
2. There is no exceptional or extraordinary condition of the property. The need for the variance was self-created by the applicant.
3. 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.
4. Impact on Surrounding Neighborhood – The proposed variance would have a very little impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

The motion carried unanimously.

- 2. 18-10 ... A request by David and Deborah Sullivan, 5372 Wildwood Drive, for a size variance and a variance to construct detached accessory structure in the front yard.**

Moved by Board Member McCreary, seconded by Board Member Ledford, to postpone case# 18-10 until the next scheduled Zoning Board of Appeals meeting on June 19, 2018. **The motion carried unanimously.**

Administrative Business:

1. Approval of the minutes for the April 17, 2018 Zoning Board of Appeals Meeting. There was one typographical change that needed to be made.

Moved by Board Member Rockwell, seconded by Board Member Tengel, to approve the April 17, 2018 Zoning Board of Appeals Meeting minutes with one change noted. **The motion carried unanimously with Board Member Ledford abstaining.**

2. Correspondence – There was no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford provided a review of the Township Board meetings held on May 4 and 14, 2018.
4. Planning Commission Representative Report – Board Member McCreary provided a review of the Planning Commission meeting held on May 14, 2018.
5. Zoning Official Report – There is 2 cases for the June meeting to date.
6. Member Discussion – Chairman Dhaenans informed the Board that he has been appointed to the Genoa Township Planning Commission and will be stepping down from the Zoning Board of Appeals. Board Member Rassel will be a full ZBA member. Ms. Ruthig informed that board that the township is looking for a new alternate for the ZBA.
7. Adjournment

Moved by Board Member Ledford, seconded by Board Member Rockwell, to adjourn the meeting at 8:18 pm. **The motion carried unanimously.**

Respectfully submitted:

Amy Ruthig