

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JULY 17, 2018
6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Election of Officer:

Introductions:

Approval of Agenda:

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

1. 18-16 ... A request by James Mitte, 5248 Prairie View, for a side yard variance to construct a detached accessory structure. (Tabled from previous meeting)
2. 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. (Tabled from previous meeting)
3. 18-20 ... A request by James Soloman, 7000 Brighton Road, for a waterfront variance to allow for an addition to an existing single family home.
4. 18-22 ... A request by Meghan and Anthony Combs, 6060 Challis Road, for a fence height variance and a variance to install an in-ground pool in the front yard.
5. 18-23 ... A request by Todd and Tracie Richards, 7114 Brighton Road, for a variance to encroach into the 25 foot natural undisturbed features wetland setback to enhance the natural drainage in order to construct a new home.

Administrative Business:

1. Approval of minutes for the June 19, 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

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: 

Applicant submitted new site plan on 7-9-18. Staff report remains the same.



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 18-16

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.

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.

From: [Matthew Widdick](#)
To: [Kelly VanMarter](#); [Kathleen Murphy](#)
Subject: Variance at 5248 Prairie View
Date: Wednesday, July 11, 2018 11:36:42 AM

To whom it may concern,

My name is Matt Widdick and I am the homeowner at 5268 Prairie View. I am in favor of the Mitte's second garage they want to install on 5248 Prairie View. I believe that this will only enhance the quality of our neighborhood. Many houses in this neighborhood have already added a second garage, and this is also something that I have thought about doing in the coming years. I've looked at the positioning of the house and by allowing the variance, the garage will be better situated for access. Without the variance the house is in the way of the garage door, and that could harm resale down the road, something I and the rest of the neighborhood have a vested interest in. I see zero downsides to this project or the variance as it truly makes the neighborhood better.

Matt Widdick
5248 Prairie View
Brighton, MI 48116

Matthew Widdick
widdickm@gmail.com

Kelly VanMarter

From: Chris Claflin <chrisclaflin@gmail.com>
Sent: Thursday, July 12, 2018 3:17 PM
To: Kelly VanMarter; Kathleen Murphy
Subject: property line variance

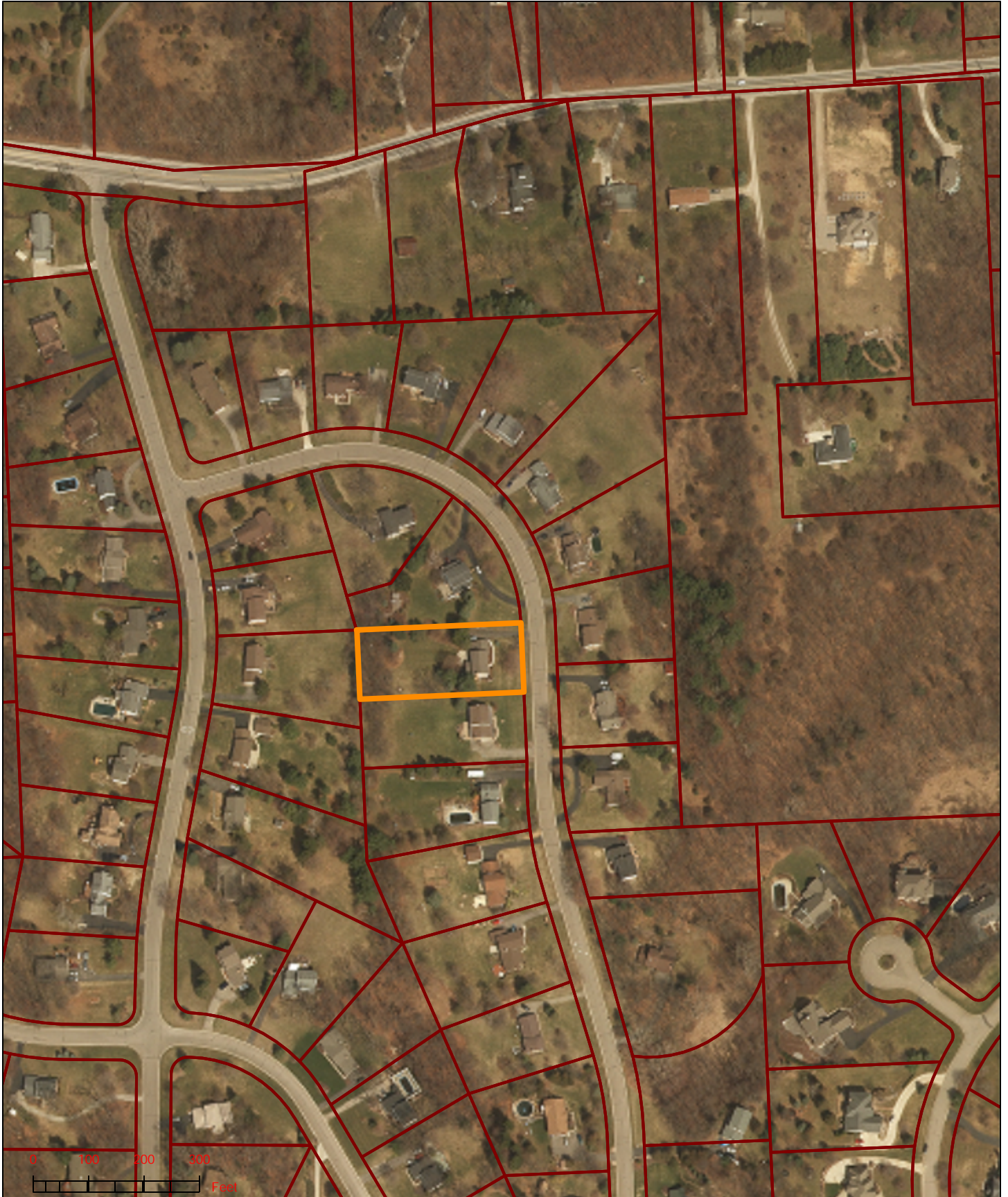
Dear Members of the zoning board,

I'm writing in support of the property line variance request by our neighbor, Jim Mitte. My husband and I share the property line in question with the Mitte family and have no objections to a variance. We won't be able to see the garage from our home which makes it easy to give our blessing to the project. I can't think of a reason why future owners of our house might complain about the position of Mitte's garage.

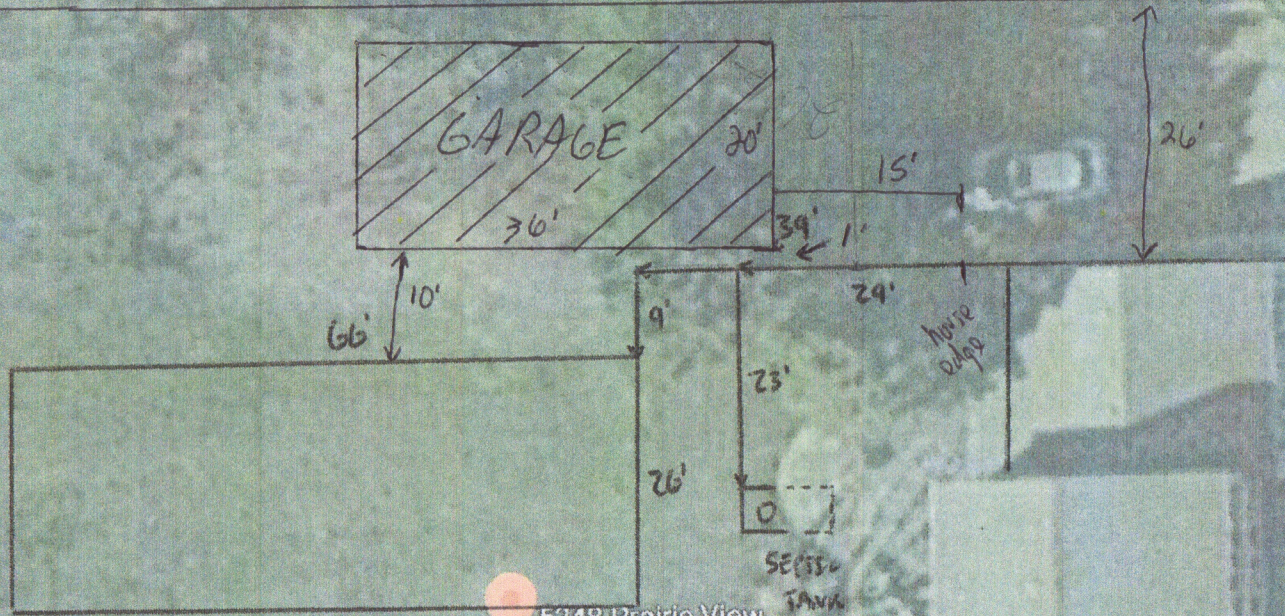
Thank you for your consideration,

Chris and Tom Claflin

GENOA TOWNSHIP



151
→



5248 Prairie View

DRAINAGE BED

Google

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10201

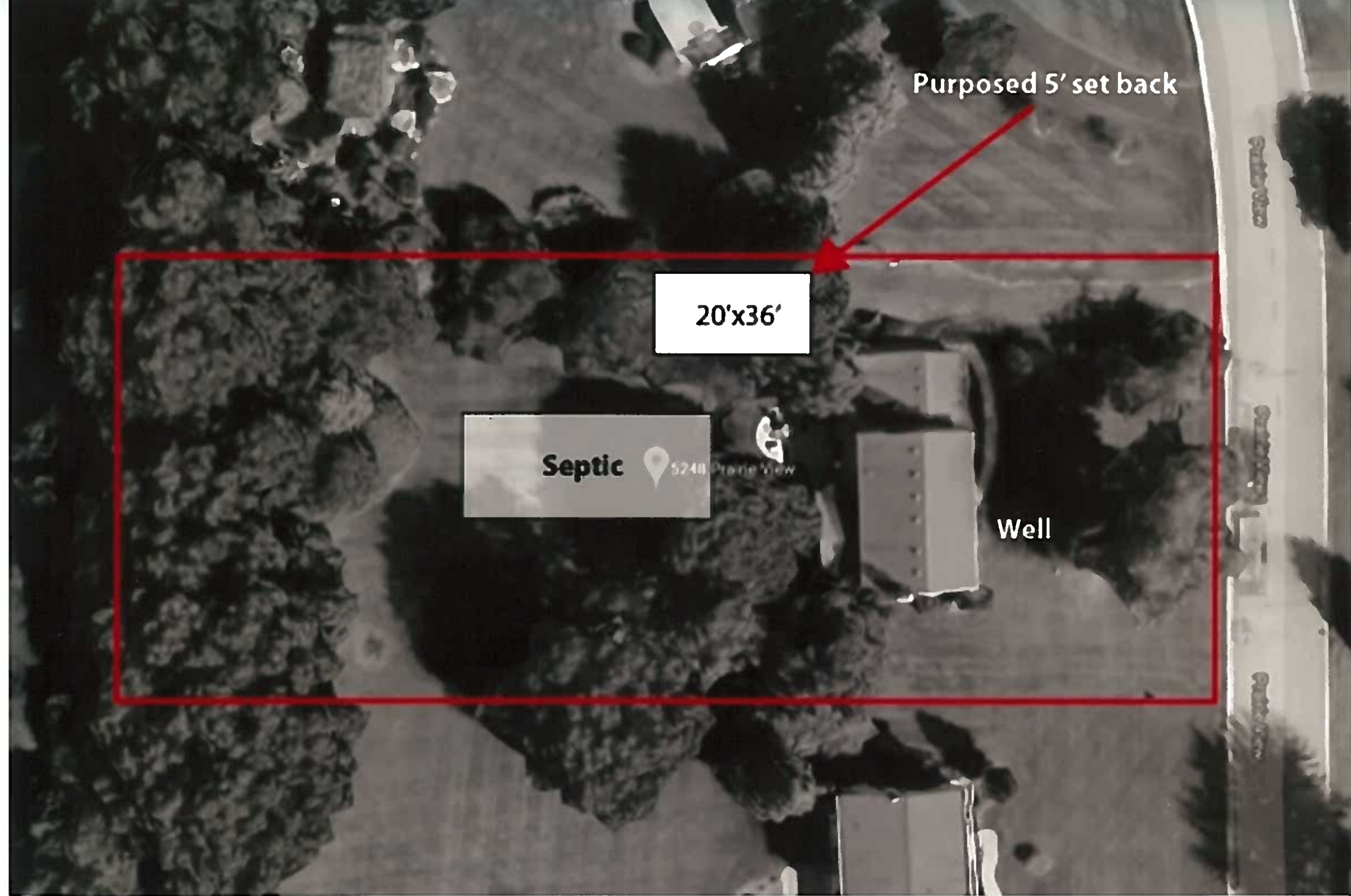
Purposed 5' set back

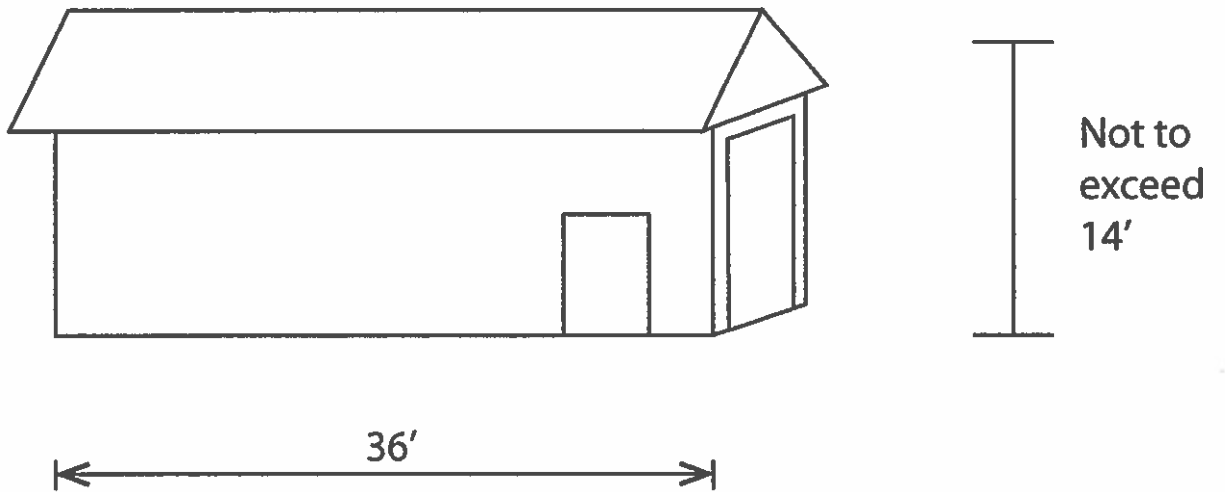
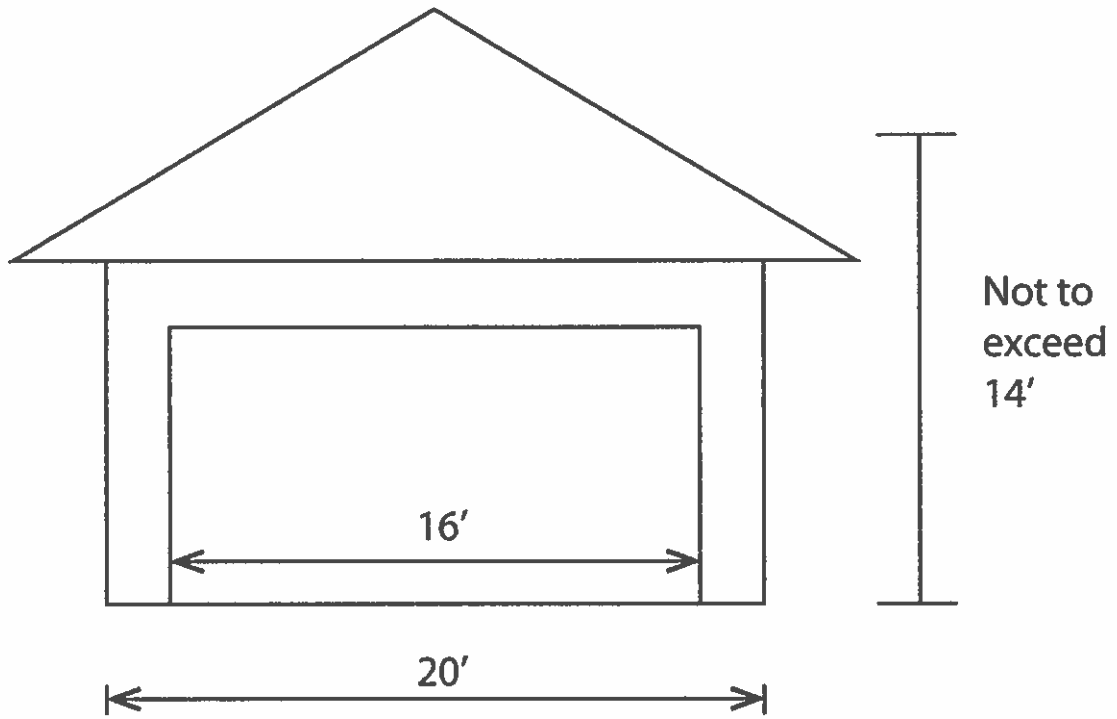
20'x36'

Septic

5248 Prairie View

Well





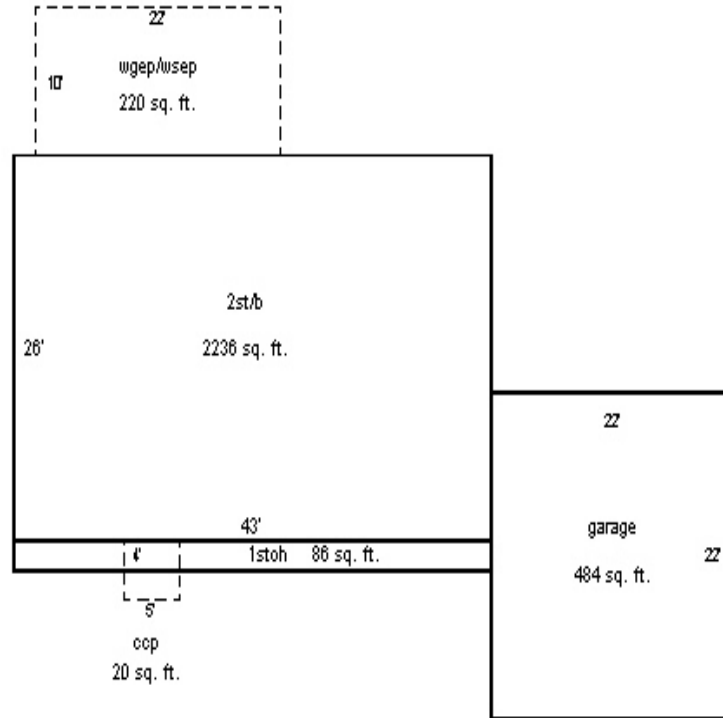
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
GADBAW, JOHN & DONNA	MITTE JAMES E II & CHRISTINA	255,000	08/27/2004	WD	ARMS-LENGTH	4578/0837	BUYER	100.0		
		175,900	09/01/1991	WD	ARMS-LENGTH		BUYER	0.0		
Property Address		Class: 401 RESIDENTIAL-IM		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

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

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																																																																																							
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented 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																																																																																																	
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Condition: Good		Doors: Solid X H.C.																																																																																																				
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X	Wood/Shingle Aluminum/Vinyl Brick Insulation			No./Qual. of Fixtures Ex. X Ord. Min																																																																																																		
				No. of Elec. Outlets Many X Ave. Few																																																																																																		
(2) Windows		(7) Excavation Basement: 1118 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(13) Plumbing Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan																																																																																																		
X	Many Avg. Few	X	Large Avg. Small	(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																																																																																		
				(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF																																																																																																		
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:																																																																																																		
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X	Asphalt Shingle																																																																																																					
Chimney: Brick																																																																																																						
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 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>2 Story</td> <td>Siding</td> <td>Basement</td> <td>1,118</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding</td> <td>Overhang</td> <td>86</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>347,062</td> <td>216,657</td> </tr> </tbody> </table> Other Additions/Adjustments <table border="1"> <thead> <tr> <th>Item</th> <th>Quantity</th> <th>Unit Cost</th> <th>Total Cost</th> </tr> </thead> <tbody> <tr> <td>Plumbing</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3 Fixture Bath</td> <td>1</td> <td>8,525</td> <td>8,525</td> </tr> <tr> <td>2 Fixture Bath</td> <td>1</td> <td>5,683</td> <td>5,683</td> </tr> <tr> <td>Water/Sewer</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1000 Gal Septic</td> <td>1</td> <td>4,987</td> <td>4,987</td> </tr> <tr> <td>Water Well, 200 Feet</td> <td>1</td> <td>10,076</td> <td>10,076</td> </tr> <tr> <td>Porches</td> <td></td> <td></td> <td></td> </tr> <tr> <td>CSEP (1 Story)</td> <td>220</td> <td>10,784</td> <td>2,374,480</td> </tr> <tr> <td>CGEP (1 Story)</td> <td>220</td> <td>16,392</td> <td>3,606,240</td> </tr> <tr> <td>Garages</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="4">Class: B Exterior: Siding Foundation: 42 Inch (Unfinished)</td> </tr> <tr> <td>Base Cost</td> <td>484</td> <td>27,840</td> <td>13,474,560</td> </tr> <tr> <td>Common Wall: 1 Wall</td> <td>1</td> <td>-2,973</td> <td>-2,973</td> </tr> <tr> <td colspan="3">Totals:</td> <td>428,376</td> </tr> <tr> <td colspan="3">ECF (4020 PRARIEVIEW) 0.960 => TCV:</td> <td>265,117</td> </tr> </tbody> </table>															Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	2 Story	Siding	Basement	1,118			1 Story	Siding	Overhang	86			Total:				347,062	216,657	Item	Quantity	Unit Cost	Total Cost	Plumbing				3 Fixture Bath	1	8,525	8,525	2 Fixture Bath	1	5,683	5,683	Water/Sewer				1000 Gal Septic	1	4,987	4,987	Water Well, 200 Feet	1	10,076	10,076	Porches				CSEP (1 Story)	220	10,784	2,374,480	CGEP (1 Story)	220	16,392	3,606,240	Garages				Class: B Exterior: Siding Foundation: 42 Inch (Unfinished)				Base Cost	484	27,840	13,474,560	Common Wall: 1 Wall	1	-2,973	-2,973	Totals:			428,376	ECF (4020 PRARIEVIEW) 0.960 => TCV:			265,117
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Sketch by Apex IV™

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



Tabled from previous meeting

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: Mr. Brett 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

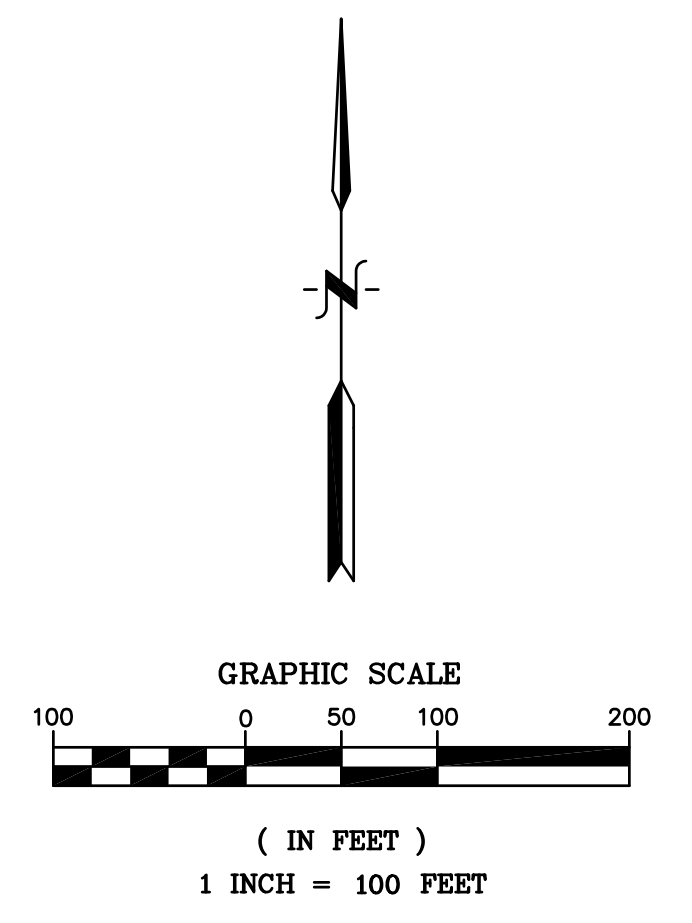
If the Zoning Board of Appeals grants the variance requests, staff recommends the following conditions be placed on the approval.

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

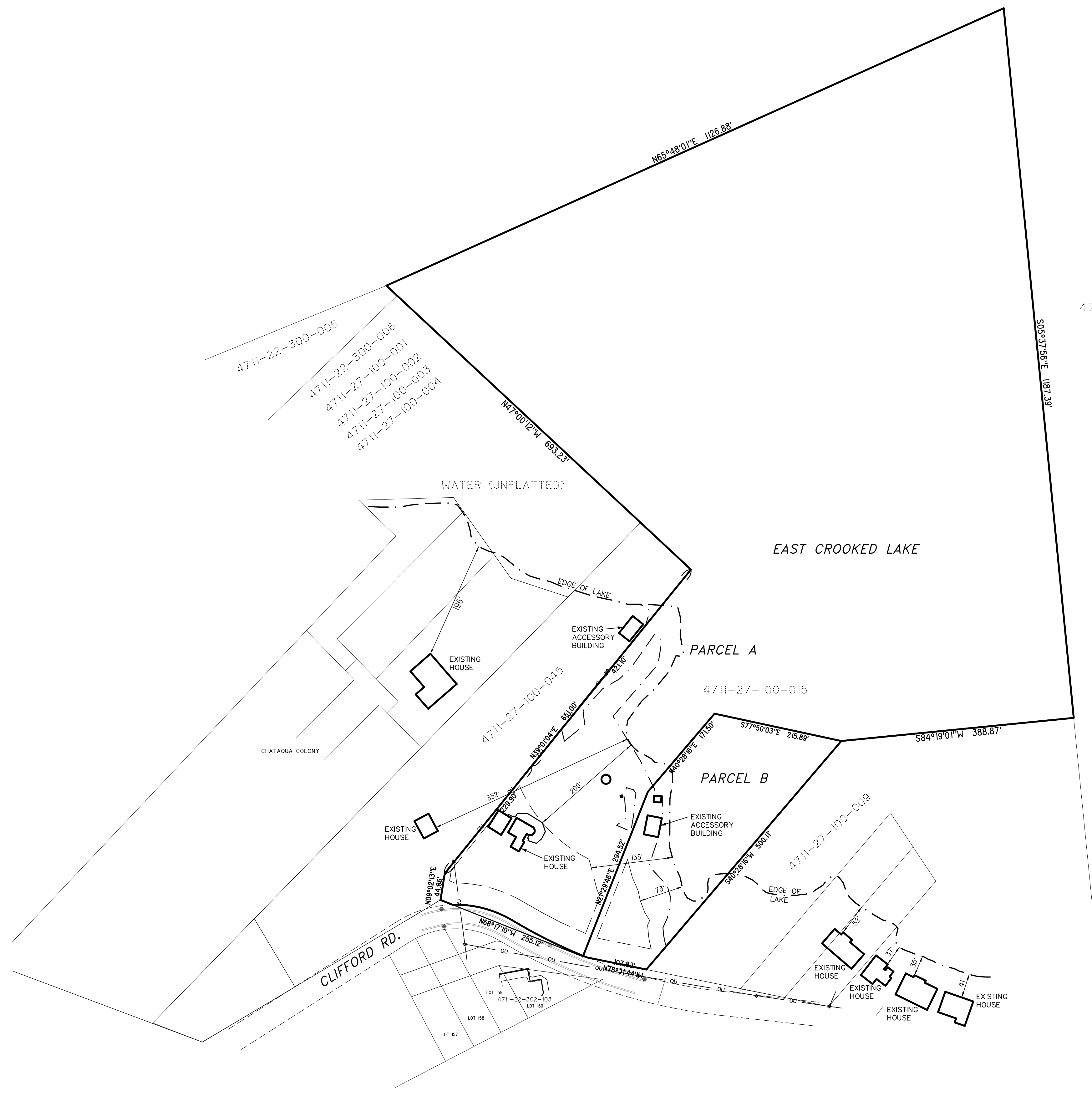




LEGEND

- 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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 (810) 227-9533
 CIVIL ENGINEERS
 LAND SURVEYORS
 2183 PLESS DRIVE
 BRIGHTON, MICHIGAN 48114

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

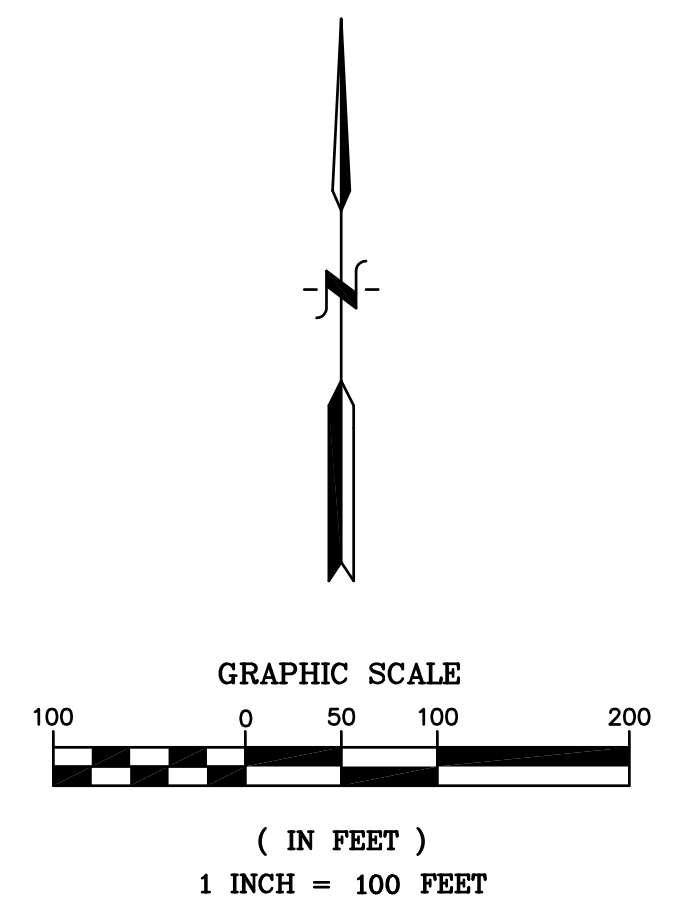
PARCEL #
 4711-27-100-015

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%

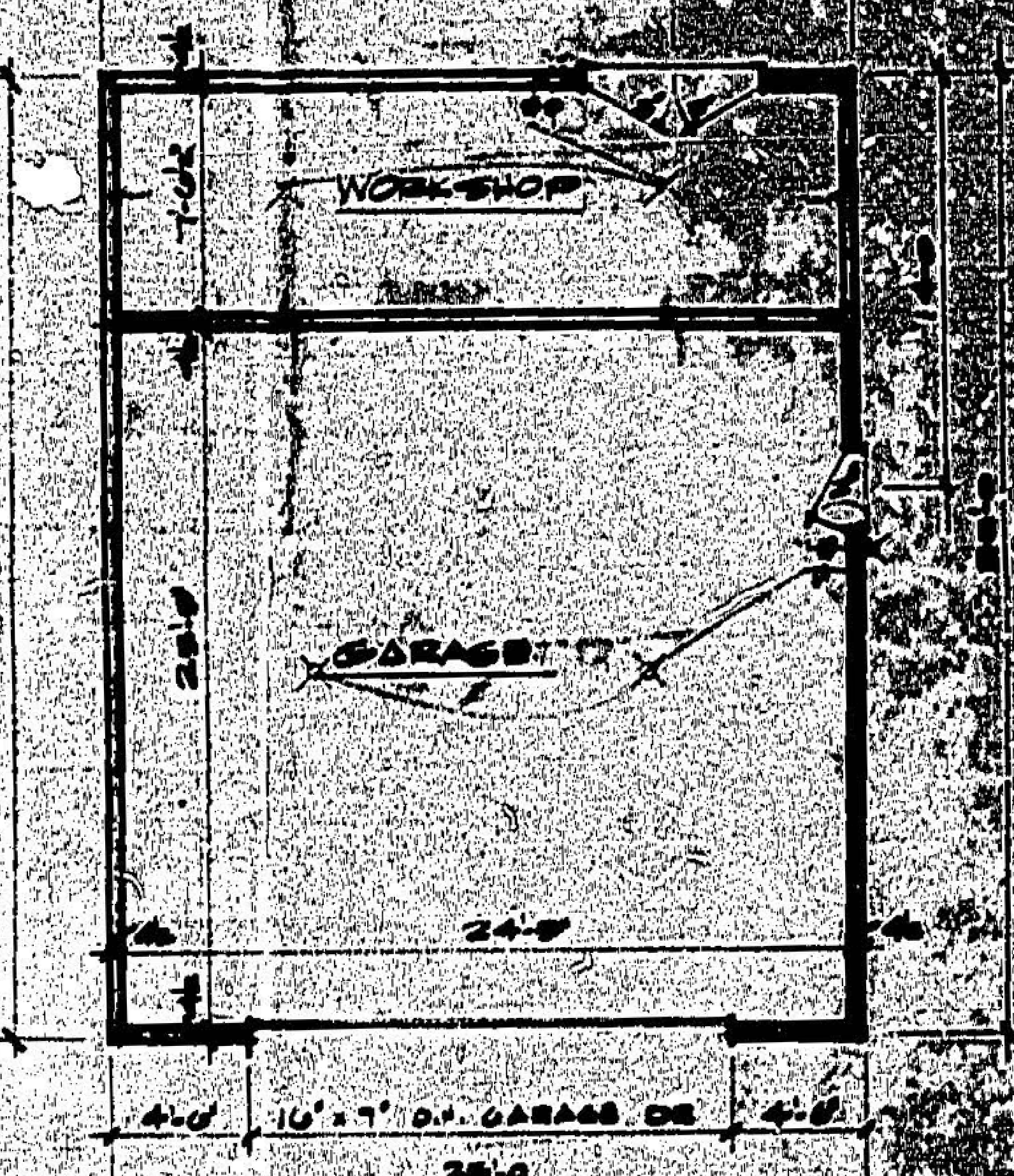
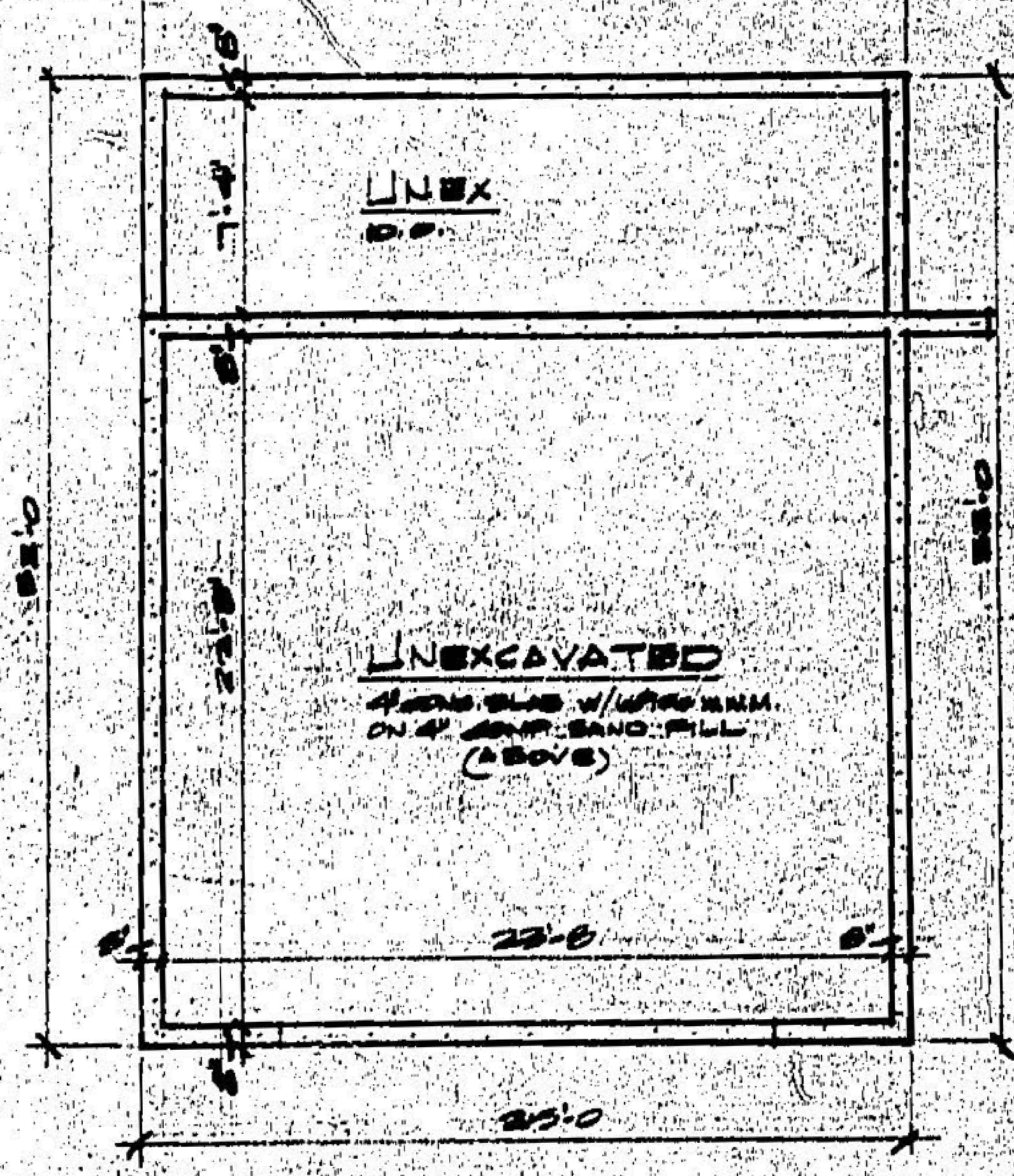
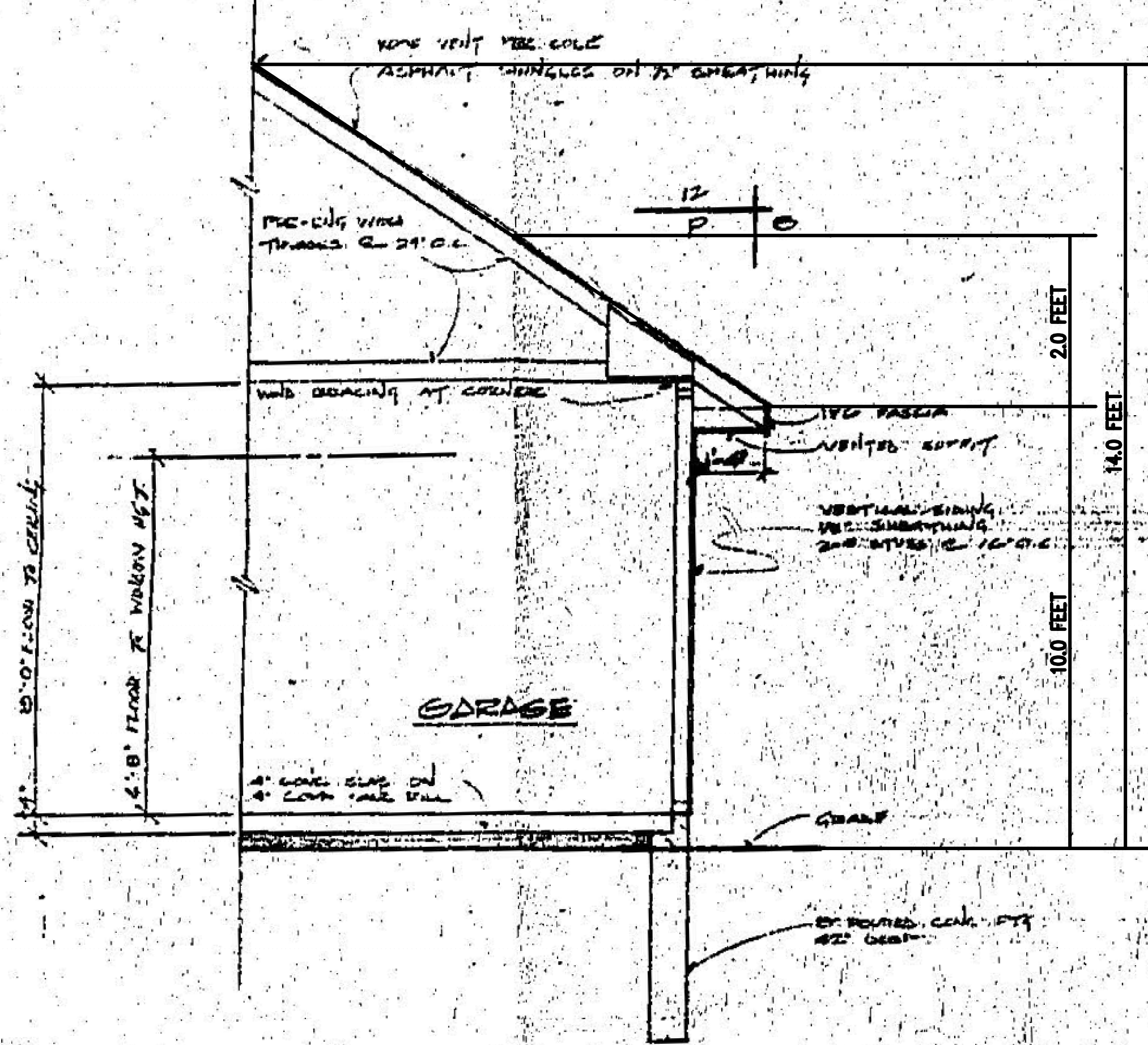
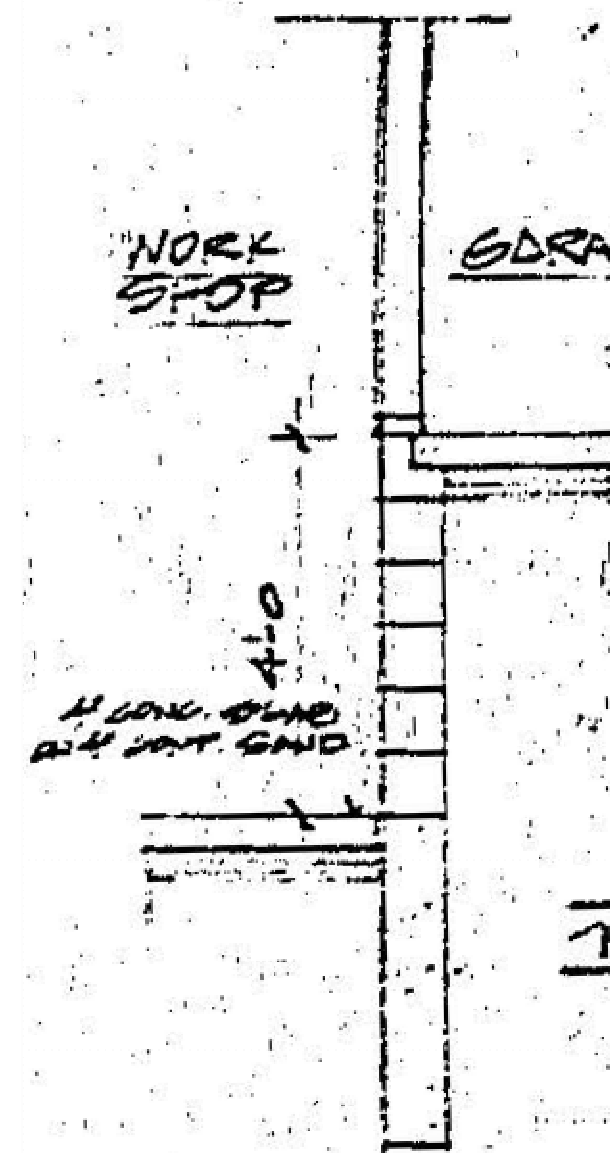
DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: JHG						
CHECK: WMP						

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

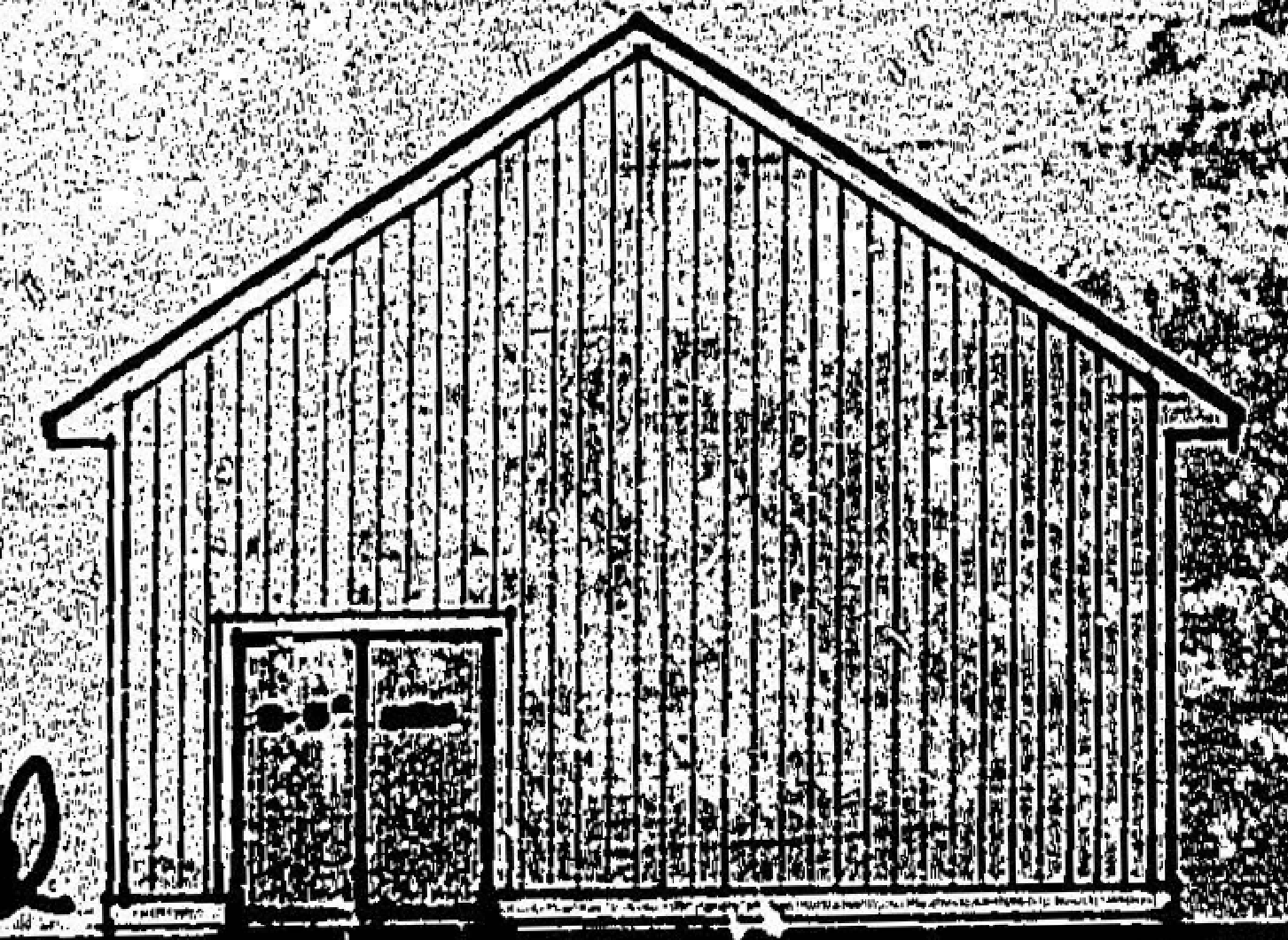
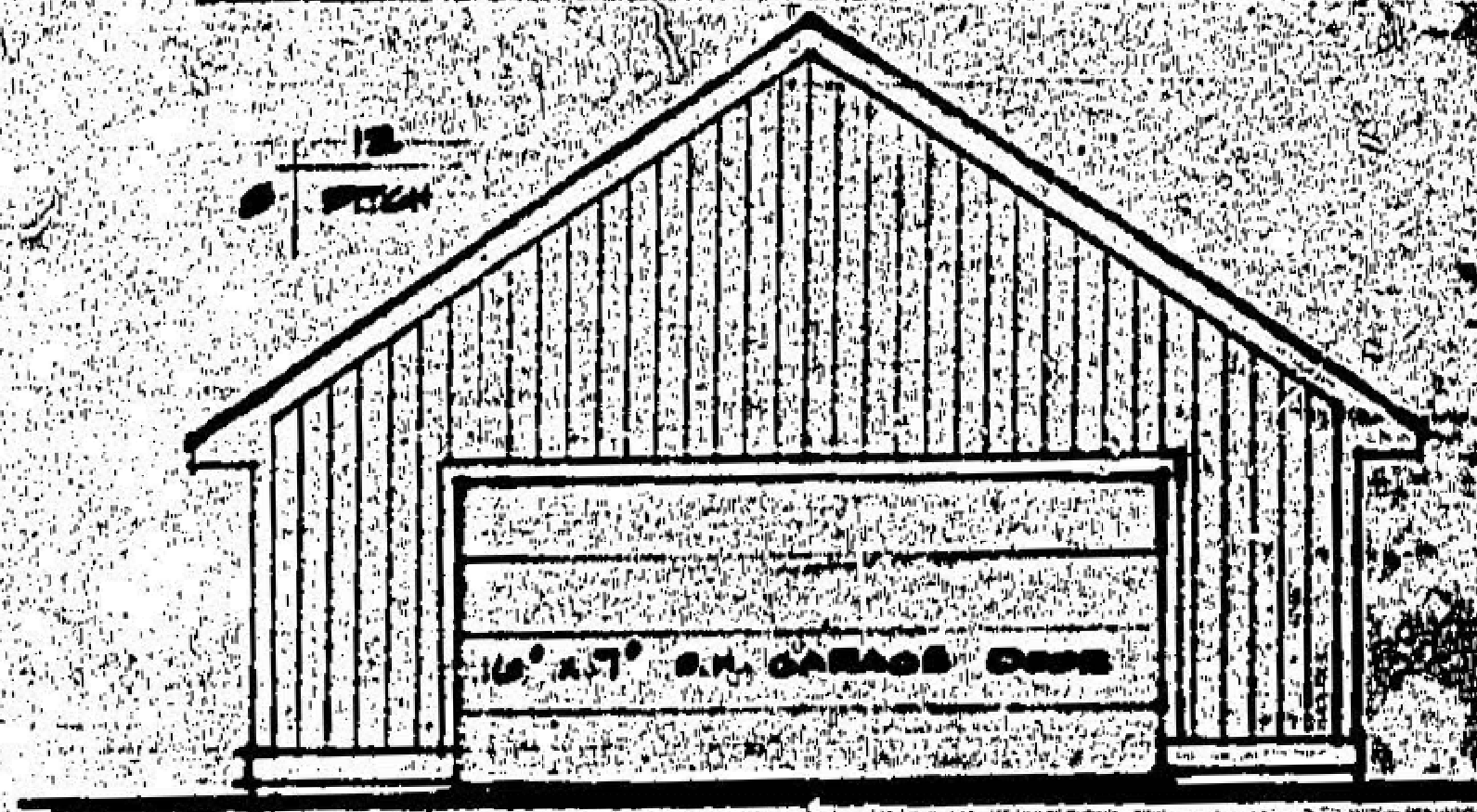
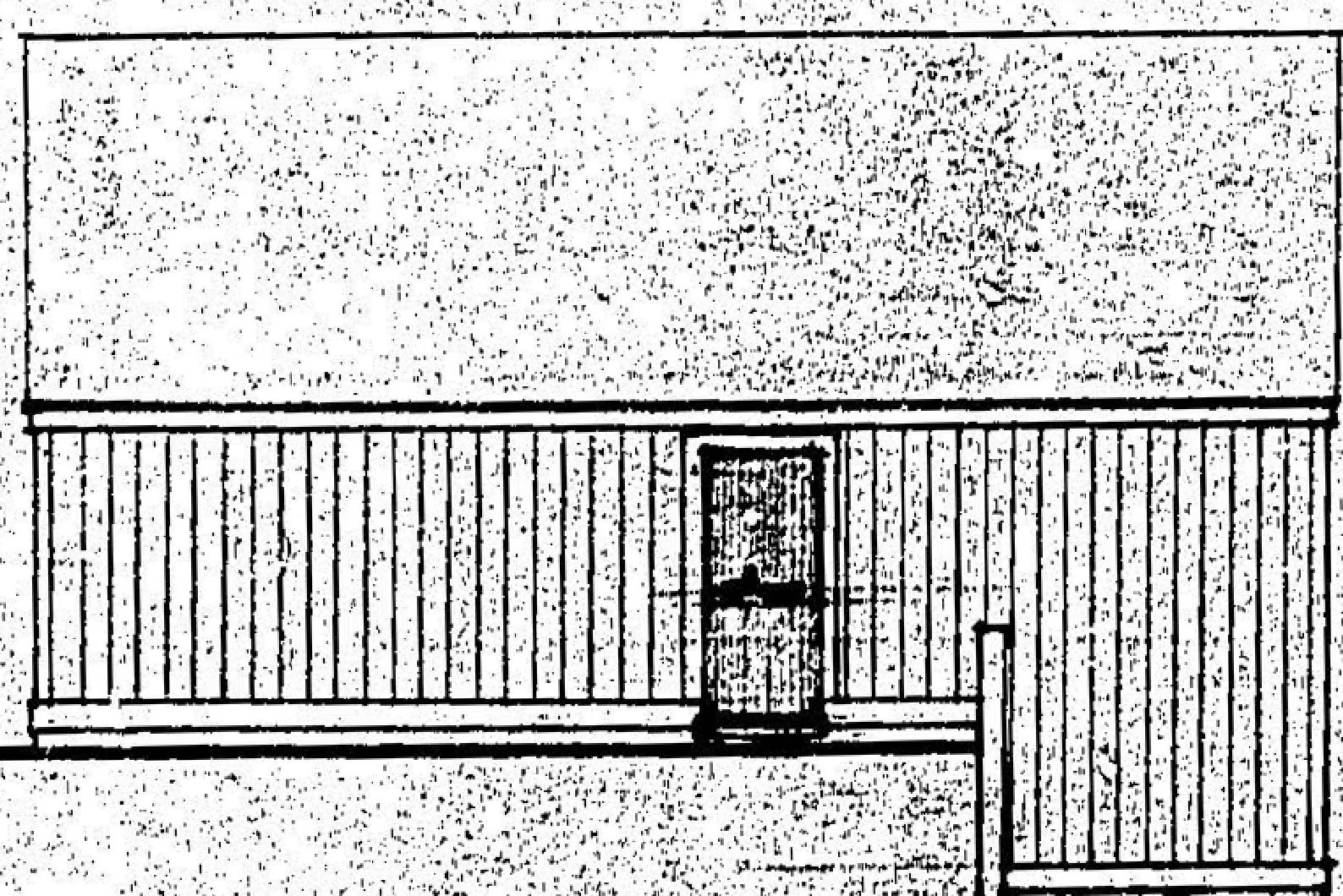
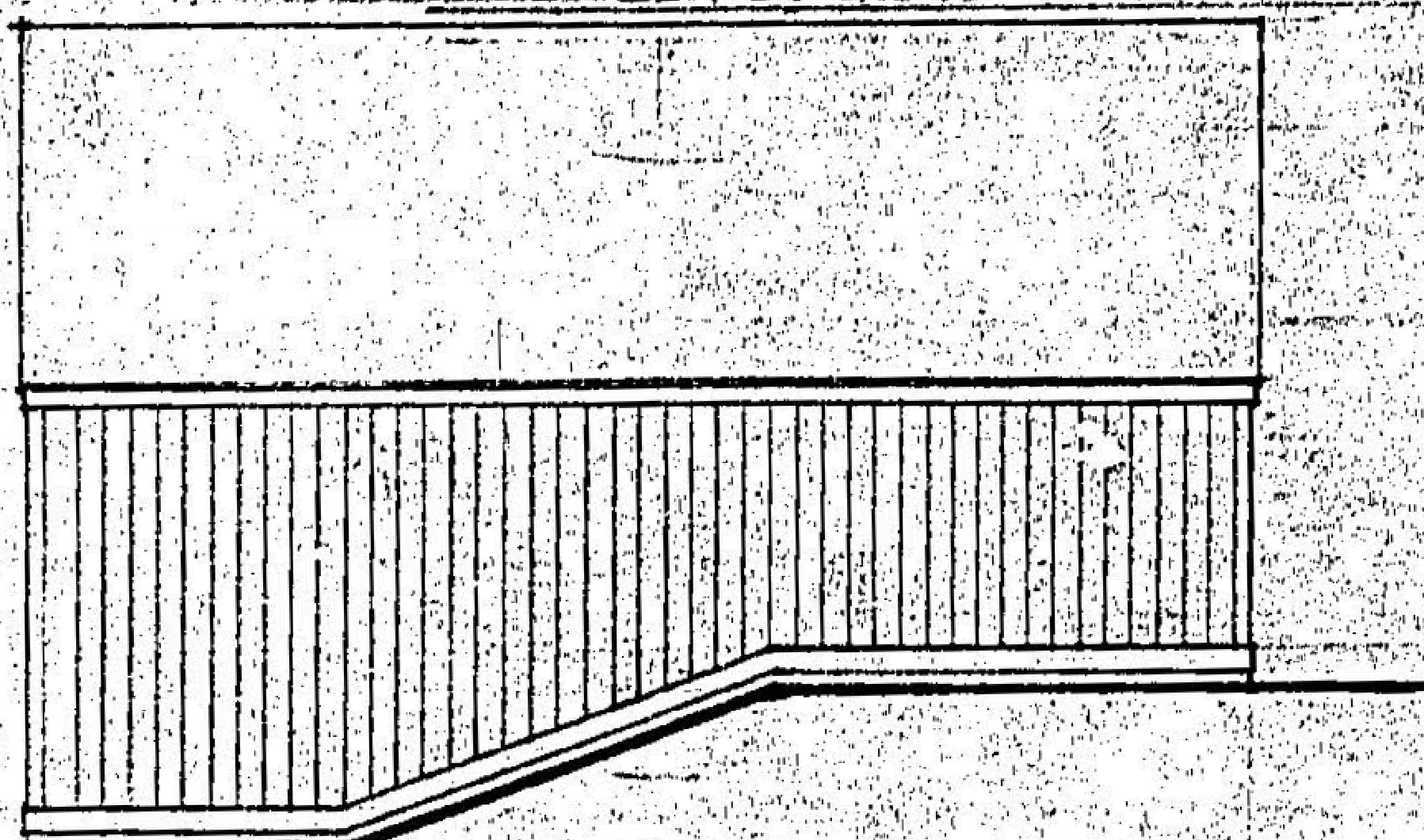


Pressure Treat All Wood in Direct Contact with Concrete or Masonry, and Where in Contact with Soil.

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.



4137 Clifford

ALL DRAWINGS MADE BY JIMMY L. KAY

JIMMY L. KAY
 ARCHITECT
 1000 W. 10th St.
 Livingston, Michigan

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											
Owner's Name/Address		P.R.E. 100% / /											
NORMAND MARCEL & MARY 4137 CLIFFORD RD BRIGHTON MI 48116		MAP #: V18-19		2019 Est TCV Tentative									
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT								
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	Public Improvements		* Factors *								
Comments/Influences			Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
			Gravel Road		A LAKE FRONT	50.00	300.00	1.0000	1.0000	3000	100		150,000
			Paved Road		B EXC W CR LK	50.00	300.00	1.0000	1.0000	1500	100		75,000
			Storm Sewer		'D' EXC AC	250.00	300.00	1.0000	1.0000	500	100	TOTALLY UNDERWATER	125,000
			Sidewalk		350 Actual Front Feet, 2.41 Total Acres				Total Est. Land Value =		350,000		
			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	10/05/2017	INSPECTED	2018	175,000	127,900	302,900			196,685C		
		CG	07/06/2016	REVIEWED R	2017	152,500	138,100	290,600			192,640C		
					2016	197,600	180,800	378,400			190,922C		

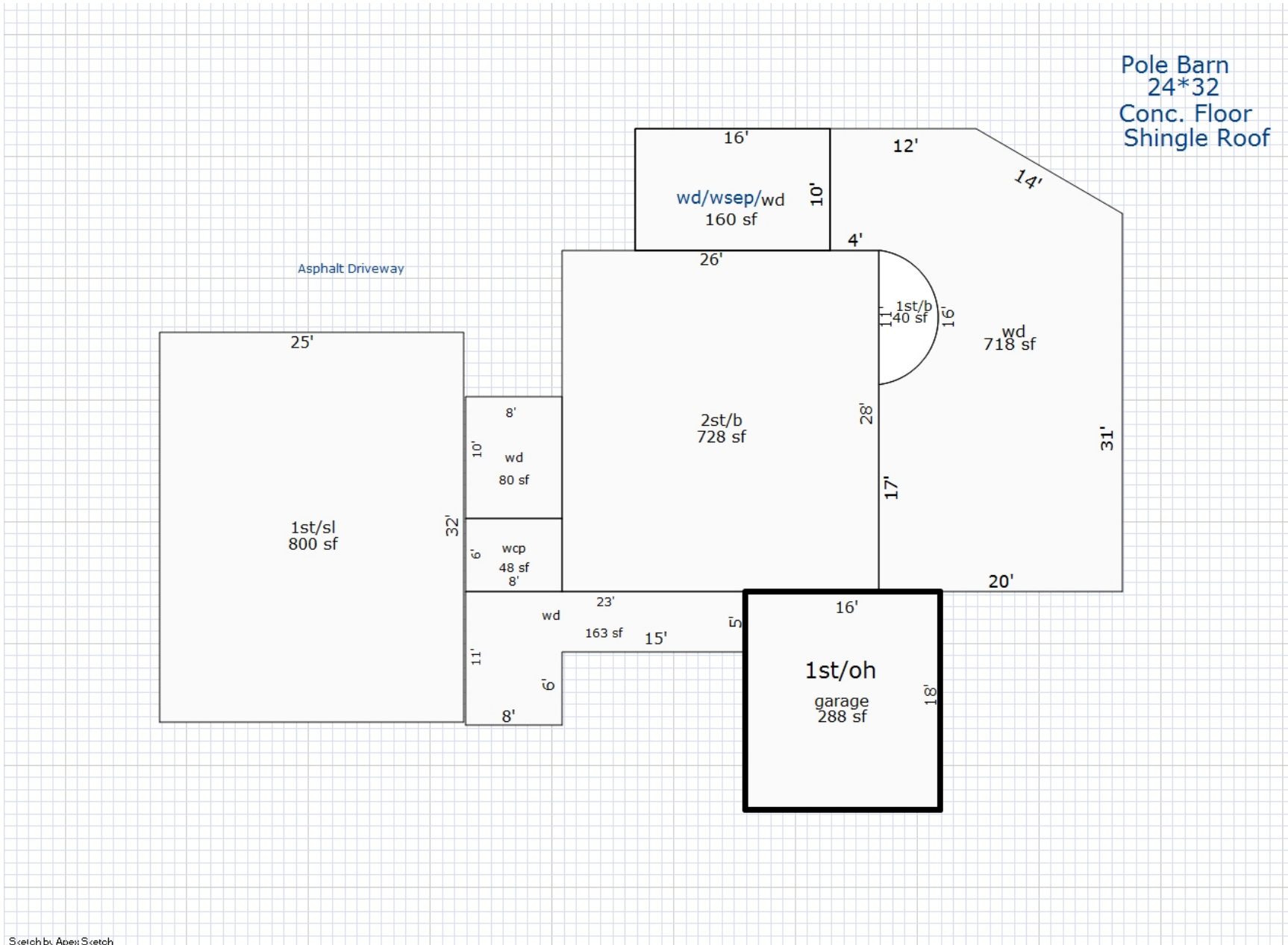


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*** Information herein deemed reliable but not guaranteed***

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				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	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			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			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			160 48 160 243 160 718	WSEP (1 Story) WCP (1 Story) Treated Wood Treated Wood Treated Wood	Bsmnt Garage: Carport Area: Roof:		
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		Kitchen: Other: Other:			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:		(12) Electric			Ex. X Ord. Min			(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							
(1) Exterior				No. of Elec. Outlets			Many X Ave. Few			Building Areas							
X	Wood/Shingle Aluminum/Vinyl Brick			(7) Excavation			(13) Plumbing			Stories Exterior Foundation			Size		Cost New Depr. Cost		
Insulation				Basement: 768 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			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			2 Story Stone Basement 1 Story Stone Basement 1 Story Siding Overhang			728 40 288				
(2) Windows				(8) Basement			(14) Water/Sewer			Other Additions/Adjustments			Total:		165,984 81,485		
X	Many Avg. Few	X	Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			Public Water Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			Plumbing 3 Fixture Bath Porches WSEP (1 Story) WCP (1 Story) Deck Treated Wood Treated Wood Treated Wood Treated Wood			1 160 48 160 243 160 718		3,148 1,700 6,254 3,377 2,224 1,201 2,853 1,541 3,752 2,026 2,853 1,541 7,424 4,009		
(3) Roof				(9) Basement Finish						Garages			Class: CD Exterior: Siding Foundation: 42 Inch (Unfinished)				
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors No Floor SF			Lump Sum Items:			Base Cost Common Wall: 1 Wall Water/Sewer Public Sewer Water Well, 200 Feet Built-Ins Hot Tub			288 1 1 1 1		11,629 -2,048 1,082 8,461 5,345		6,280 -2,048 584 4,569 2,886	
X	Asphalt Shingle			(10) Floor Support						Class: CD Exterior: Siding Foundation: 42 Inch (Unfinished)							
Chimney: Brick				Joists: Unsupported Len: Cntr.Sup:						Water/Sewer Public Sewer Water Well, 200 Feet Built-Ins Hot Tub			1 1 1		1,082 8,461 5,345		
<<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>																	

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



Sketch by Apex Sketch

*** 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		No. of Elec. Outlets			Plumbing			Ground Area = 800 SF Floor Area = 800 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=71/100/100/100/71						
Room List		(5) Floors		Average Fixture(s)			(13) Plumbing			Building Areas						
	Basement 1st Floor 2nd Floor Bedrooms	Kitchen: Other: Other:		X Ex. Ord. Min			1 No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Stories Exterior Foundation 1 Story Siding Slab			Size 800		Cost New Depr. Cost	
(1) Exterior		(6) Ceilings		Many X Ave. Few			Other Additions/Adjustments			Totals:			75,313		53,472	
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 0 S.F. Crawl: 0 S.F. Slab: 800 S.F. Height to Joists: 0.0		(14) Water/Sewer			Other Additions/Adjustments			Totals:			75,313		53,472	
(2) Windows		(8) Basement		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			ECF (4306 TRI LAKES LAKE FRONT) 1.700 => TCV:			Totals:			75,313		90,902	
Many Avg. Few	X Large Avg. Small	(9) Basement Finish		Lump Sum Items:												
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Recreation SF Living SF Walkout Doors No Floor SF														
(3) Roof		(10) Floor Support														
X	Gable Hip Flat	Joists: Unsupported Len: Cntr.Sup:														
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 VARIANCE APPLICATION
2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 18-20 Meeting Date: 7-17-18 @ 6:30 p.m.

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

Applicant/Owner: James Soolomon Email: jsolomon@crystalglassinc.net
Property Address: 7000 Brighton Rd Phone: 810-599-9849
Present Zoning: Residential Tax Code: 4711-25-300-005

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: 25 foot variance on the shoreline setback

2. Intended property modifications: Enclose the underside of the deck.

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 setback prevents me from improving my property and using land that already has structure on it.

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 house, which was built in 1964 is 90' from the shore. The deck extends 10' past that and has had a concrete patio underneath it the entire time. This is an extraordinary circumstance and the use of the land under the deck should be allowed.

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.

Improving this land poses no safety threat and does not have any effect on the public or my neighbors

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 variance will interfere with 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: 



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 26, 2018
RE: ZBA 18-20

File Number: ZBA#18-20

Site Address: 7000 Brighton Road

Parcel Number: 4711-25-300-005

Parcel Size: 1.8 Acres

Applicant: James Solomon, 7000 Brighton Road Brighton 48116

Property Owner: Same as applicant

Information Submitted: Application, site plan, building plan

Request: Dimensional Variances

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

Zoning and Existing Use: LDR (Low Density Residential)

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday July 1, 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 1964.
- The property utilizes a well and a septic system.
- See Real Record Card.
- In 2012, a waiver was issued for interior work.

Summary

The applicant is requesting a waterfront yard variance to allow for an addition that was constructed without a land use permit. The applicant applied for a land use permit after Livingston County Building Department sent a notice. The permit could not be approved due to the setback not meeting the Zoning Ordinance. The applicant enclosed the area under a portion of the existing deck to make a storage area.

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

Variance Requests

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

Table 3.04.01: LDR District

Required Waterfront Yard Setback: 100'

Proposed Waterfront Yard Setback: 80'

Proposed Variance Amount: 20'

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.

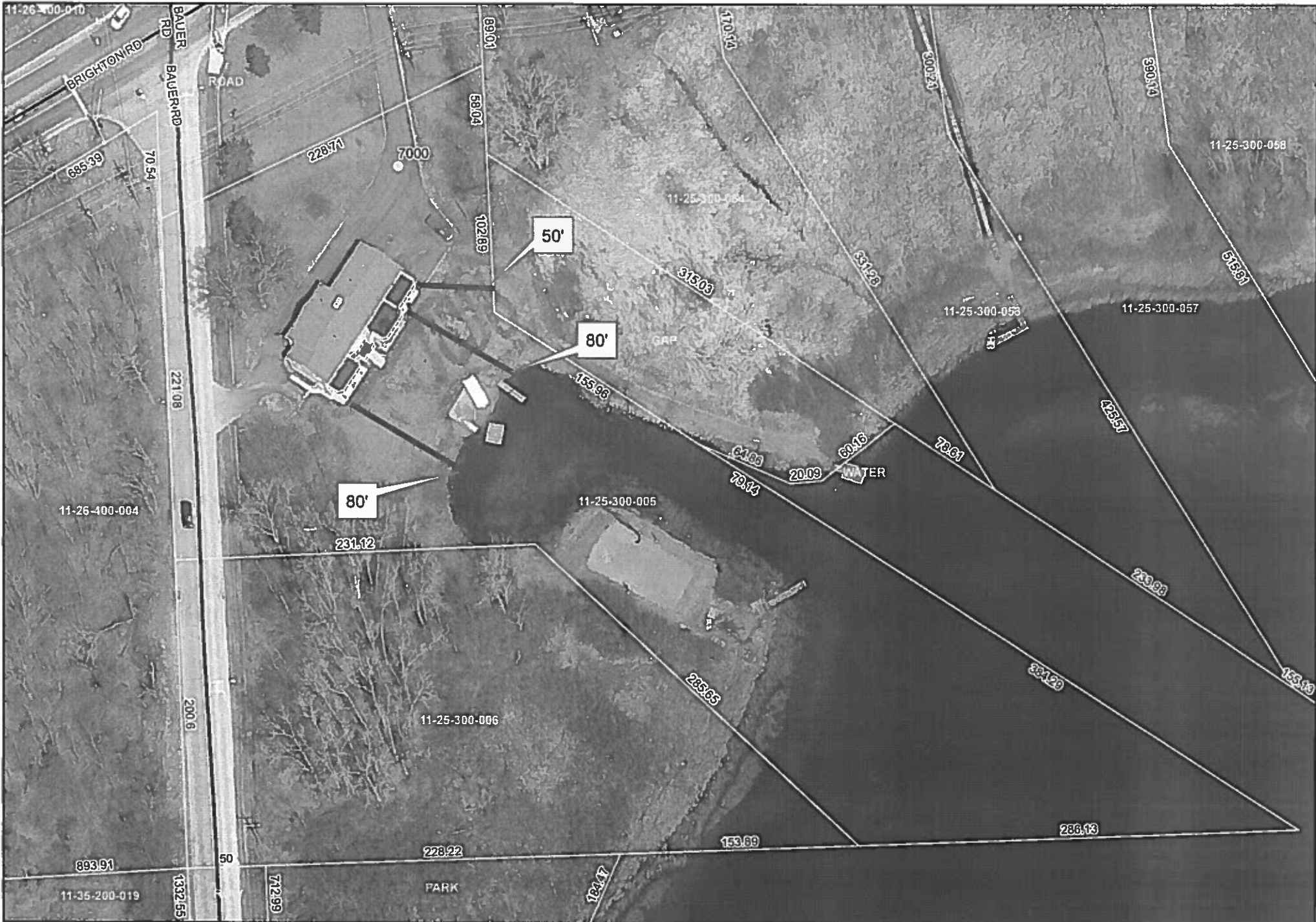
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the ordinance would prevent the applicant from maintaining the enclosure of the existing deck however it does not appear that any homes within the vicinity of the parcel have reduced waterfront setbacks therefore granting of the requested variance would not do substantial justice and is not necessary for the preservation of a substantial property right possessed by other properties in the vicinity.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home on a corner lot and the lake inlet that is located on the property. The variance would not make the property consistent with other properties in the vicinity. The need for the variance is self-created by the applicant because they failed to seek necessary approvals for the project prior to initiating the construction.
- (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 applicant should describe why their application states the variance WILL interfere with the surrounding neighborhood. Staff believes 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

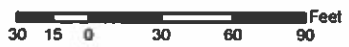
None

GENOA TOWNSHIP





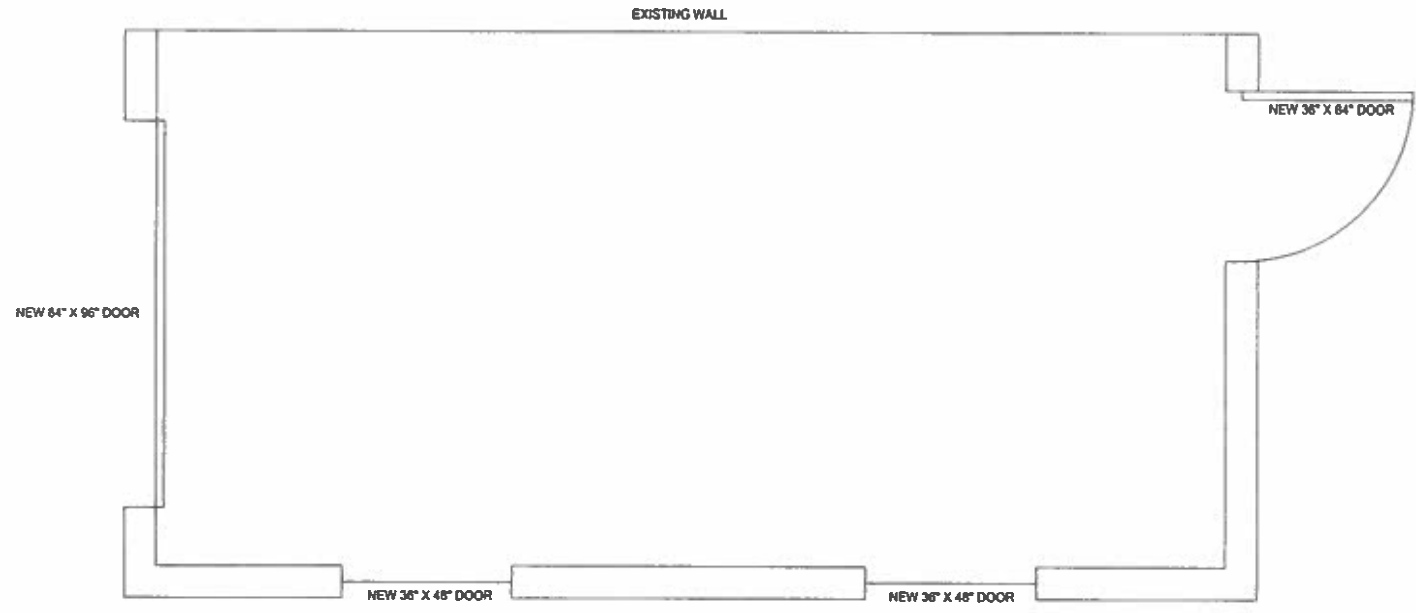
Livingston County, Michigan
 Information Technology Department
 G.I.S. Division 517.548.3230

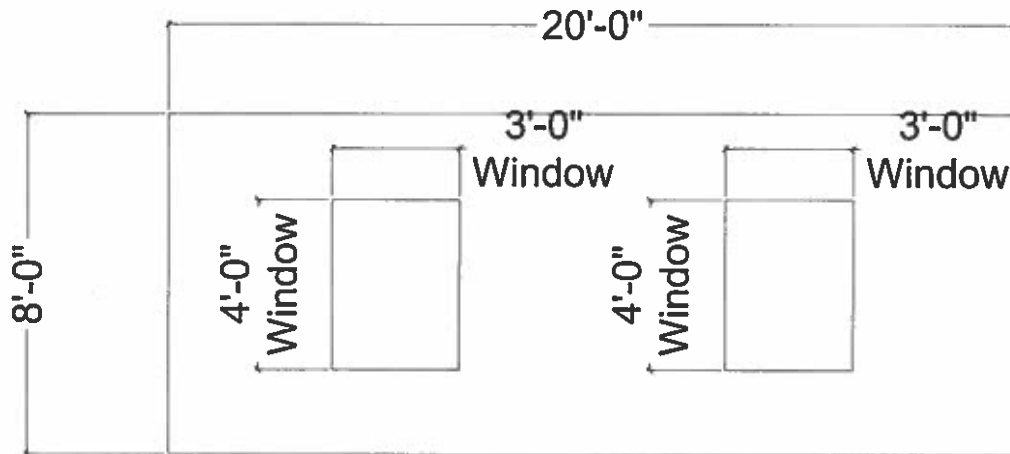
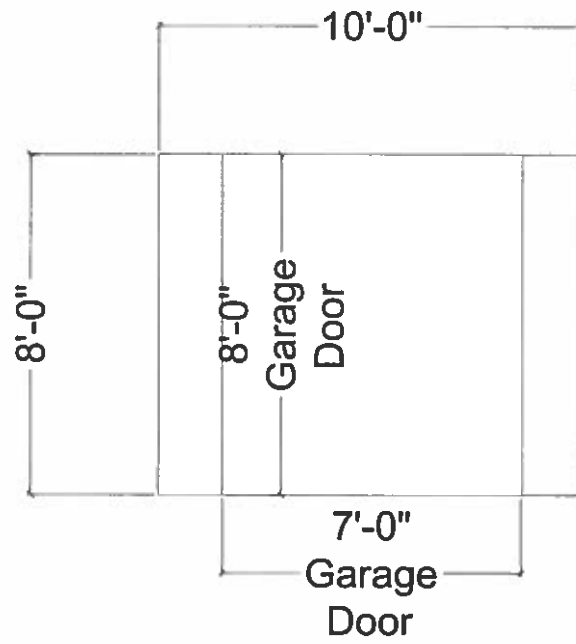
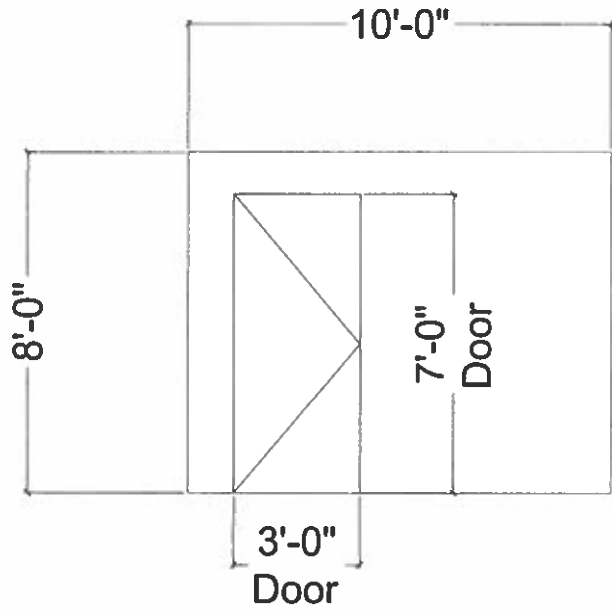


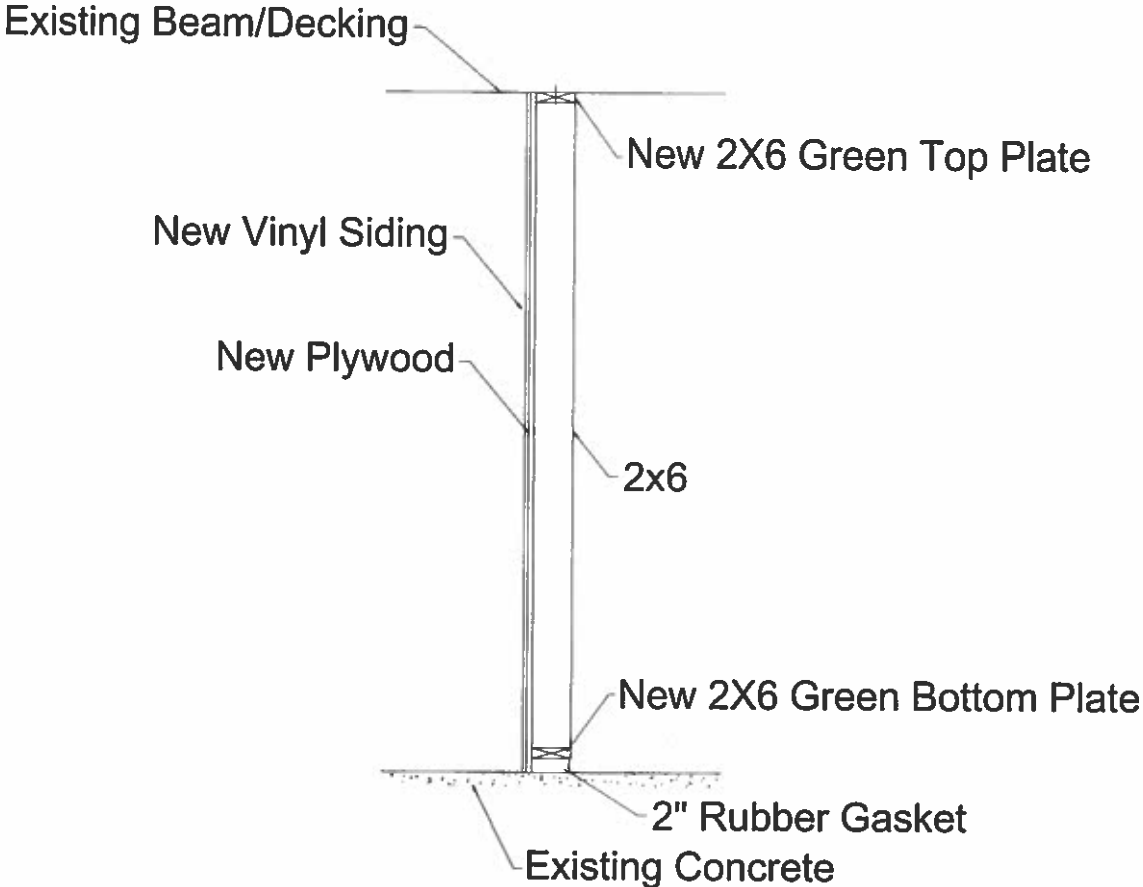
11-25-300-005



Orthophotos Flown Spring 2015
 Printed Date: January 10, 2018
 Parcel lines are a representation only;
 Not intended for survey purposes.







Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.							
SOLOMON CYNTHIA	SOLOMON JAMES & DIANA	240,000	10/30/2013	WD	INVALID SALE	2013R-042313	BUYER	100.0							
SOLOMON CYNTHIA IRREVOCABL	SOLOMON CYNTHIA	0	07/19/2012	QC	INVALID SALE	2012R-024609	BUYER	0.0							
SOLOMON, HAROLD & CYNTHIA	SOLOMON CYNTHIA IRREVOCABL	0	05/04/2007	QC	ARMS-LENGTH	2007R-019323	BUYER	0.0							
SOLOMON, HAROLD & CYNTHIA	SOLOMON	0	01/08/1997	QC	QUIT CLAIM	2283-0823	BUYER	0.0							
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LDR		Building Permit(s)		Date	Number	Status					
7000 BRIGHTON RD		School: BRIGHTON		RES MISCEL		12/28/2012		W12-208	NO START						
Owner's Name/Address		P.R.E. 100% 10/31/2013		MAP #: V18-20		2019 Est TCV Tentative									
SOLOMON JAMES & DIANA 7000 BRIGHTON RD BRIGHTON MI 48116		X Improved		Vacant		Land Value Estimates for Land Table 122.BRIGHTON M & B									
Tax Description		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason Value									
SEC 25 T2N R5E BEG 200 FT N OF SW 1/4 OF SEC, N ALONG W LINE OF SEC & BAUER RD 219.96 FT, N 66* 40' E 233 FT, S 160.93 FT, S 54* 30' E 235.1 FT, TH S 54* 30'E 250 FT, N89*W ALG S LINE OF SEC 25 275 FT NWLY 250 FT, TH W 233 FT TO POB. 1.8 AC M/L		Dirt Road		<Site Value A> LIME LAKE		70000		100		70,000					
Comments/Influences		Gravel Road		1.800 Acres		0		100		0					
		Paved Road		1.80 Total Acres		Total Est. Land Value =				70,000					
		Storm Sewer		Land Improvement Cost Estimates		Description		Rate		Size % Good	Cash Value				
		Sidewalk		D/W/P: 3.5 Concrete		5.37		312		47 787					
		Water		D/W/P: 3.5 Concrete		5.37		704		47 1,777					
		Sewer		Total Estimated Land Improvements True Cash Value =						2,564					
		Electric		Topography of Site		Year		Land Value		Building Value		Assessed Value	Board of Review	Tribunal/Other	Taxable Value
		Gas		Level		2019		Tentative		Tentative		Tentative		Tentative	
		Curb		Rolling		2018		50,000		154,200		204,200		149,507C	
		Street Lights		Low		2017		50,000		157,200		207,200		146,432C	
		Standard Utilities		High		2016		75,000		139,600		214,600		145,126C	
		Underground Utils.		Landscaped											
		Topography of Site		Swamp											
		Level		Wooded											
		Rolling		Pond											
		Low		Waterfront											
		High		Ravine											
		Landscaped		Wetland											
		Swamp		Flood Plain											
		Wooded		REFUSE											
		Pond		Who		When		What							
		Waterfront		LM		10/17/2014		INSPECTED							
		Ravine		LM		11/05/2013		INSPECTED							
		Wetland		LM		05/29/2013		REVIEWED R							
		Flood Plain													
		REFUSE													



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 2 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 234 366 433 96 295	Type CCP (1 Story) Composite Composite Composite 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: 576 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
X	Wood Frame		Drywall Paneled		Plaster Wood T&G											
Building Style: C		Trim & Decoration		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			Central Air Wood Furnace			Class: C +5 Effec. Age: 21 Floor Area: 2,568 Total Base New : 412,592 Total Depr Cost: 337,536 Estimated T.C.V: 388,166			E.C.F. X 1.150		Bsmnt Garage:	
Yr Built 1964	Remodeled 2013	Size of Closets		No. Heating/Cooling			(12) Electric			Total Depr Cost: 337,536					Carport Area: Roof:	
Condition: Good		Lg	X	Ord		Small	0 Amps Service			Total Base New : 412,592						
Room List		(5) Floors		Kitchen: Other: Other:			(12) Electric			Total Depr Cost: 337,536						
	Basement 1st Floor 2nd Floor 5 Bedrooms			Other:			0 Amps Service			Estimated T.C.V: 388,166						
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family C			Cls C 5 Blt 1964						
X	Wood/Shingle Aluminum/Vinyl Brick			Ex. X Ord. Min			(11) Heating System: Forced Heat & Cool			Ground Area = 2468 SF Floor Area = 2568 SF.						
	Insulation			No. of Elec. Outlets			Phy/Ab.Phy/Func/Econ/Comb. % Good=79/100/100/100/79			Building Areas						
(2) Windows		(7) Excavation		Many X Ave. Few			Stories Exterior Foundation			Size Cost New Depr. Cost						
X	Many Avg. Few	X	Large Avg. Small	(13) Plumbing			1 Story Siding Basement			1,892						
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Basement: 1892 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s) 5 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 2 Extra Sink 1 Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			1 Story Siding Overhang			576						
(3) Roof		(8) Basement		Softener, Manual Solar Water Heat No Plumbing Extra Toilet 2 Extra Sink 1 Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			1 Story Siding Overhang			48						
X	Gable Hip Flat	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		Other Additions/Adjustments			1 Story Siding Overhang			52						
	Asphalt Shingle	(9) Basement Finish		Exterior Brick Veneer Basement, Outside Entrance, Below Grade			1 Story Siding Overhang			96			1,346 1,063			
	Chimney: Brick	Recreation SF Living SF 1 Walkout Doors No Floor SF		Plumbing 3 Fixture Bath Extra Sink Separate Shower			1 Story Siding Overhang			4			15,156 11,973			
X	Gambrel Mansard Shed	(10) Floor Support		Water/Sewer Porches CCP (1 Story)			1 Story Siding Overhang			2			1,549 1,224			
		Joists: Unsupported Len: Cntr.Sup:		Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished)			1 Story Siding Overhang			1			1,109 876			
		1 1000 Gal Septic 2000 Gal Septic		Water/Sewer 1000 Gal Septic Water Well, 200 Feet			1 Story Siding Overhang			1			3,967 3,134			
		Lump Sum Items:		Porches CCP (1 Story)			1 Story Siding Overhang			1			8,762 6,922			
				Fireplaces Exterior 1 Story			1 Story Siding Overhang			2			10,624 8,393			
<p><<<<< Calculations too long. See Valuation printout for complete pricing. >>>>></p>																

*** 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 # 18-21 Meeting Date: July 17, 2018

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

Applicant/Owner: Meghan + Anthony Combs Email: MeghanCombs@yahoo.com
Property Address: 10060 Challis Rd Phone: 517-402-9371
Present Zoning: RR Tax Code: 11-26-100-019

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: permission to install an inground pool on south side of property (being used as backyard) between the house + meadow pointe circle.
2. Intended property modifications: Installation of a 14x28 rectangular inground pool w/ cement surround patio.

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.

We have 2 front yards + if ordinance were followed we wouldn't be allowed to have a pool. Side yards are not a practical for the pool installation. Our next door neighbor has the exact same scenerio and has a pool.

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.

We have 2 roads thus deeming we have 2 front yards. We use only Chalk Rd (front yard + driveway) for access. Neighbor in same scenerio has a pool.

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.

our variance + pool will not impact public safety + welfare at all.

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.

Variance will not cause any problems w/ surroundings or neighbors. All neighbors have written letters in agreement w/ the installation of pool.

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: 10/21/18 Signature: Meaghan Combs



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 26, 2018

RE: ZBA 18-21

STAFF REPORT

File Number: ZBA#18-21
Site Address: 6060 Challis Road
Parcel Number: 4711-26-100-019
Parcel Size: 2.3 Acres
Applicant: Anthony and Meghan Combs, 6060 Challis Road, Brighton
Property Owner: Same as Applicant

Information Submitted: Application and site plan

Request: Dimensional Variance

Project Description: Applicant is requesting a variance to install an in-ground pool in the front yard and a fence height variance to enclose the pool.

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 July 1, 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 2001.
- In 2000, a permit was issued for a new construction home.
- 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 install an in-ground pool located in what is considered the rear of the existing home but which is actually a front yard because the lot is a through-lot with frontage on two parallel streets. The property is bordered by Challis Road (public) to the north and a private road to the south. In order to install the proposed pool with a fence, the applicant is requesting a variance to install an in-ground pool in the front yard and a fence height variance to enclose the pool per building code with a 48" tall fence which is required per the Zoning Ordinance. The applicant does have deeded access to the private road along the southern property line.

Variance Requests

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

11.04.03 Swimming Pools

- (a) **Requirement for Fence:** Every person owning land on which there is located a swimming pool, spa, hot tub, or similar device (below ground or above ground) which contains twenty-four (24) inches or more of water in depth at any point, shall erect and maintain thereon a fence or enclosure approved by the Building Official surrounding the device sufficient to make such device inaccessible to small children. Such fence or enclosure, including the gates, shall not be less than four (4) feet or greater than (6) feet above grade. All gates shall be self-latching with latches placed no less than four (4) feet above grade or otherwise made inaccessible from the outside to small children. A hot tub with a locking cover shall not require a fence.
- (b) **Relationship of Height to Setback:** Swimming pools, spas, hot tubs, similar facilities and surrounding decks with an elevation measured from the mean grade at any point adjacent to such facility of three (3) feet or less shall be at least ten (10) feet from any lot line. Where the elevation is greater than three (3) feet above grade at any point, the setback shall be at least fifteen (15) feet from any lot line.
- (c) **Restriction from Front Yard:** Swimming pools, spas, hot tubs and similar devices shall not be located in any front yard.

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 installing the proposed in-ground pool and fence south of the existing home. The applicant has indicated that locating the pool in the side yard is not practical, however they have not provided evidence to indicate why the pool could not be located in the side yard on the west side of the home. The home next door which is both a through and corner lot (3 front yards) has a pool located in the front yard and many homes have pools located in the rear of the home therefore granting the requested variance would provide substantial justice.
- (b) **Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the through-lot with two front yards created by the private road along the south property line. The need for the variance is not self-created by the applicant.

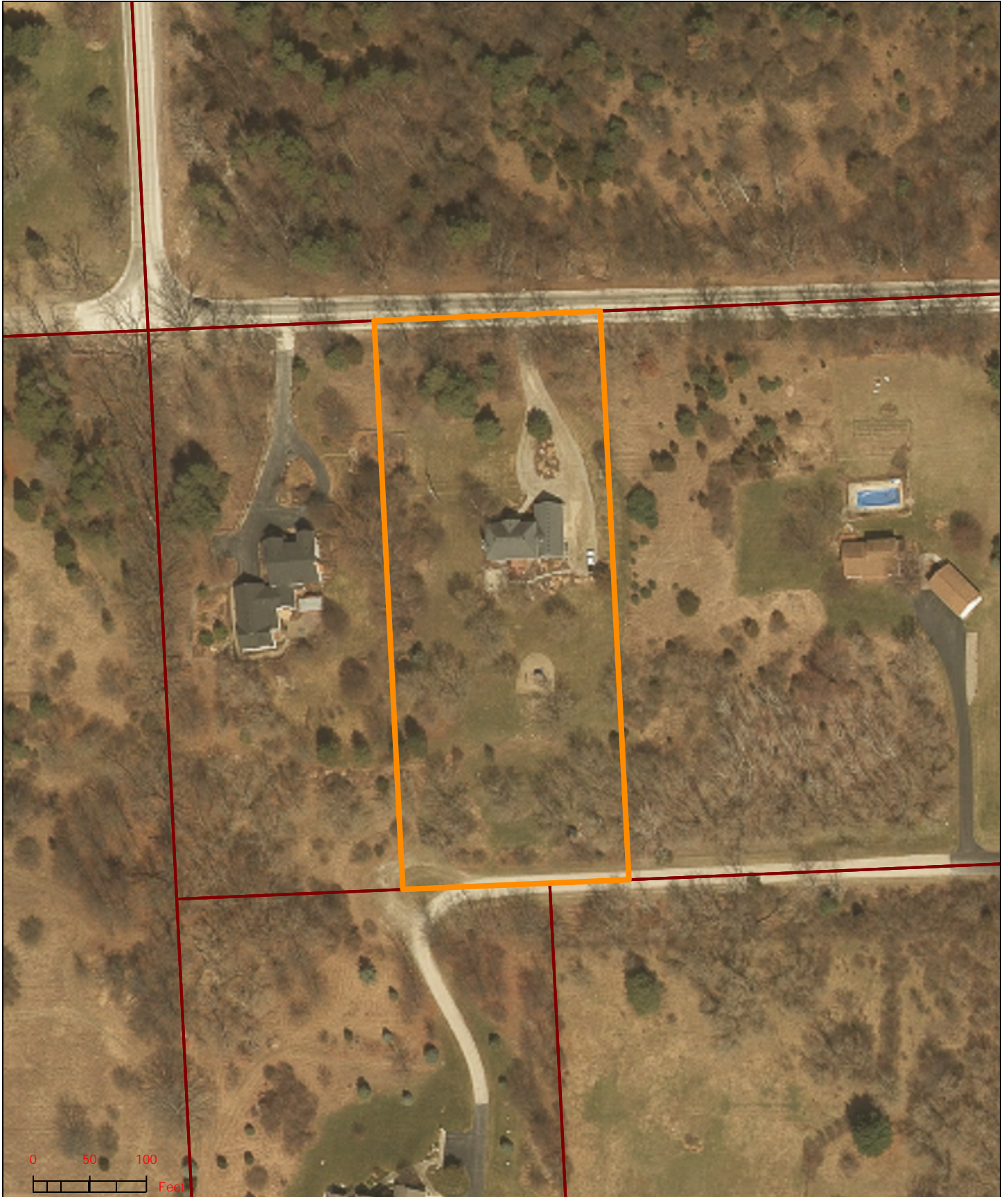
(c) Public Safety and Welfare – The granting of these variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants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

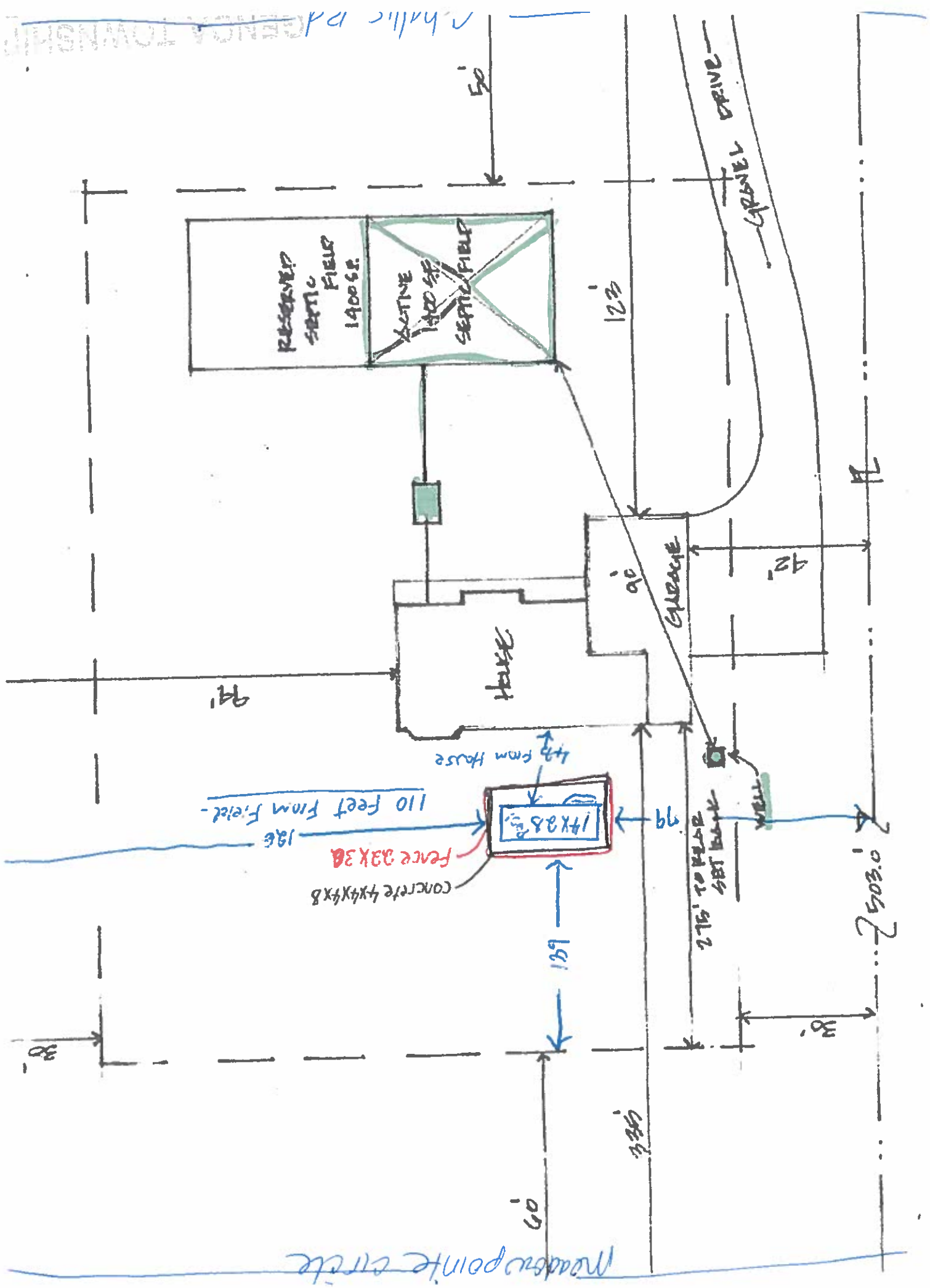
(d) Impact on Surrounding Neighborhood – The proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Recommended Conditions

None.

GENOA TOWNSHIP





Meadow pointe circle

Meadow pointe circle

2503.0'

275' TO NEAR SET BACK

GRANITE DRIVE

CHARGE

HOUSE

49' from House

110 Feet From Field

CONCRETE 4x4x8
FENCE 2x3x3

RESERVED SEPTIC FIELD 1400 SF
ACTIVE SEPTIC FIELD 1400 SF

50'

123'

42'

90'

91'

99'

191'

60'

38'

450'

42'

6/9/2018

Anthony and Meghan Combs
6060 Challis Rd.
Brighton, MI 48116

517-402-9371
517-402-9372

To Whom it May Concern,

We would like to have a 14 x 28 (4' & 6' deep) vinyl liner rectangular in-ground pool with concrete surround installed on the south side of our property between our house and Meadow Pointe Circle.

The builder is Lawrence Joseph Miner, Jr of Andrew Rose Pools, builder's license #: 2101171399.

We have spoken to all neighbors within 300 feet of our property and have obtained signed letters of support by all of them.

We request that our case be reviewed and approved as soon as possible based on the technicality of having " 2 front yards": We use the south side of the property as our backyard with no access to Meadow Pointe Circle and have a driveway on the north side with access to Challis Rd.

Since all neighbors have agreed to the project we'd like to be granted permission to move forward and avoid having to obtain a variance. If indeed a variance is still required, we request that we be put on the 6/19/18 meeting agenda since all affected parties have been contacted and have approved the project.

Thank you for your consideration,



Anthony and Meghan Combs

Robert R. Murray
6022 Challis Rd
Brighton, MI 48116
810-227-5701

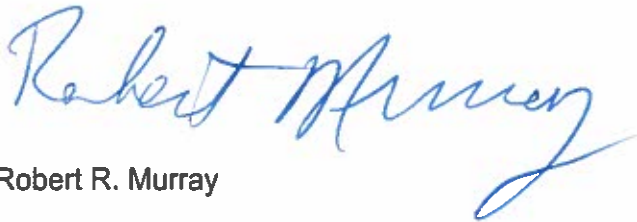
6/9/2018

To Whom It May Concern,

I would like to express my full support of the in-ground pool installation project that my neighbors Meghan and Anthony Combs (6060 Challis Rd Brighton, MI 48116) would like to move forward with.

I have been made aware of the plans to install the pool on the south side of the property between the house and Meadow Pointe Circle and have absolutely no objections to these plans.

Please contact me with any questions,



Robert R. Murray

6/10/18

Dorothy Boettger and John Coddington
3939 Dorr Rd.
Brighton. MI 48116

To Whom it May Concern,

We are aware that our neighbors Anthony and Meghan Combs at 6060 Challis Rd would like to install an in-ground pool and we are fully supportive of this project and have no objection at all.

If you have any questions at all please call us at 810-227-4833

Thank you.



Dorothy Boettger



John Coddington

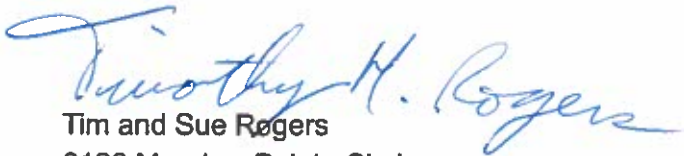
To Whom it May Concern,

6/8/18

Our neighbors, Anthony and Meghan Combs at 6060 Challis Rd Brighton, MI 48116 would like to install an in-ground pool in their yard on the South side of their property off of Meadow Pointe Circle and we entirely support this project with no objection whatsoever.

If you have any questions please let us know.

Thank you,



Tim and Sue Rogers
6126 Meadow Pointe Circle
Brighton, MI 48116
810-599-8199

Tim and Nancy Walter
6060 Meadow Pointe Circle
Brighton, MI 48116
517-304-7899

6/9/18

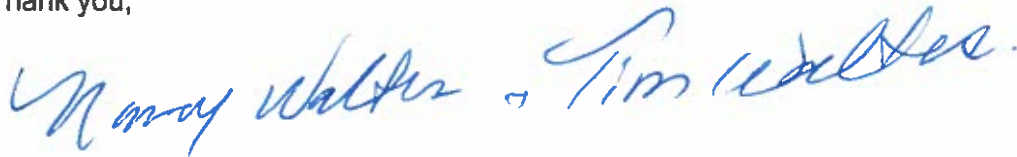
To Whom It May Concern,

We are neighbors of Anthony and Meghan Combs at 6060 Challis Rd Brighton, MI 48116 and would like to express our full support of their in-ground pool project on the south side of their property between their house and Meadow Pointe.

We attest that we have no objection to this project.

Please feel free to contact me with any questions.

Thank you,

A handwritten signature in blue ink that reads "Nancy Walter & Tim Walter". The signature is written in a cursive style.

Tim and Nancy Walter

6/8/18

Jerry and Chris Rans
4160 Summer Hill
Brighton, MI 48116

810-923-5620

To Whom it May Concern,

We would like to state that we are aware of the plans and have no objection to the installation of the in-ground pool that our neighbors, Meghan and Anthony Combs at 6060 Challis Rd Brighton, MI 48116 want to put in their yard on the south side of the property near Meadow Pointe Circle.

Please let us know if you have any further questions.

Thank you,

A handwritten signature in blue ink that reads "Jerry Rans & Christine Rans". The signature is written in a cursive style with a large initial 'J' and 'C'.

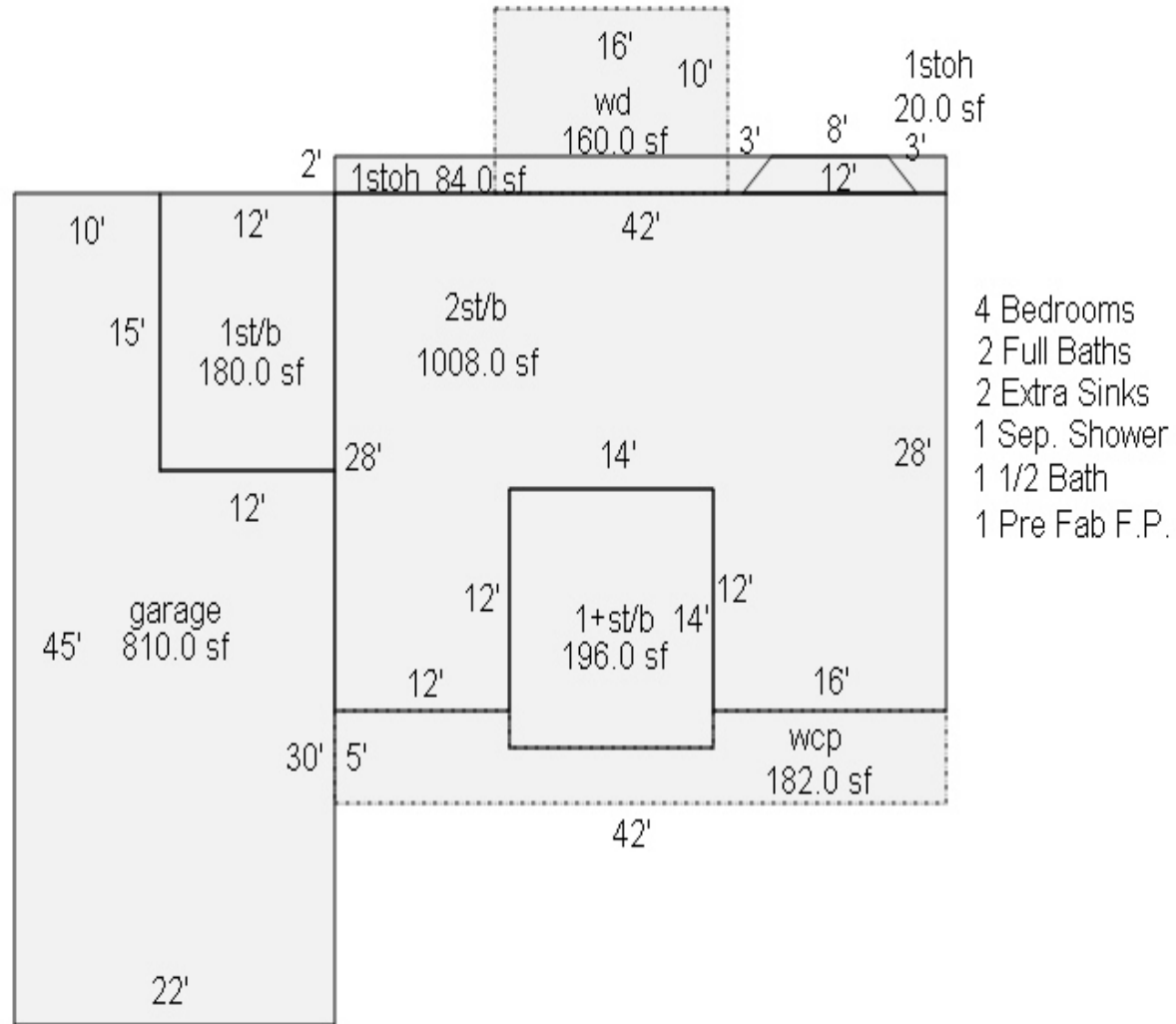
Jerry and Chris Rans

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
MURRAY, ROBERT	COMBS, ANTHONY W. & MEGHAN	0	07/10/2001	QC	QUIT CLAIM	3050-0790	BUYER	100.0													
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: RR		Building Permit(s)		Date	Number	Status											
6060 CHALLIS RD		School: BRIGHTON		WOOD DECK		06/25/2002		01-417A	NO START												
Owner's Name/Address		P.R.E. 100% 10/01/2002		HOME		07/16/2001		01-417	NO START												
COMBS, ANTHONY W. & MEGHAN M. 6060 CHALLIS RD BRIGHTON MI 48116		MAP #:		2019 Est TCV Tentative																	
Tax Description		X Improved		Vacant		Land Value Estimates for Land Table 122.BRIGHTON M & B															
SEC 26 T2N R5E PARCEL 12, BEG AT A POINT ON THE N LINE OF SAID SEC 26, E 200 FT FROM THE NW COR OF SAID SEC 26, TH E 200 FT ALONG SAID N SEC LINE, TH S 00*26'20"E 503 FT, TH W 200 FT, TH N 00*26'20"W 503 FT TO POB, SPLIT FR 001, 2.30AC		X		Public Improvements		* Factors *															
Comments/Influences		Dirt Road		Gravel Road		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value	
		X		Sewer		TABLE A		2.30		Total Acres		26,522		100		Total Est. Land Value =		61,000			
		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		30,500		123,300		153,800						121,451C					
		X		2017		30,500		125,600		156,100						118,953C					
		X		2016		30,500		117,700		148,200						117,892C					
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 1 Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 182 160	Type WCP (1 Story) Treated Wood	Year Built: 2001 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: 810 % Good: 0 Storage Area: 0 No Conc. Floor: 0				
X	Wood Frame		Drywall Paneled		Plaster Wood T&G													
Building Style: C		Trim & Decoration		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 X Forced Heat & Cool Heat Pump No Heating/Cooling			Class: C Effec. Age: 15 Floor Area: 2,496 Total Base New : 309,219 Total Depr Cost: 262,837 Estimated T.C.V: 302,263			E.C.F. X 1.150		Bsmnt Garage: Carport Area: Roof:			
Yr Built 2001	Remodeled 0	Size of Closets		Lg X Ord			Small			Doors: Solid X H.C.								
Condition: Good		(5) Floors		Kitchen: Other: Other:			(12) Electric 0 Amps Service			Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 1384 SF Floor Area = 2496 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=85/100/100/100/85			Cls C		Blt 2001			
Room List		Basement 1st Floor 2nd Floor 4 Bedrooms		(6) Ceilings			No./Qual. of Fixtures Ex. X Ord. Min			Building Areas			Total: 253,518		209,516			
(1) Exterior		Wood/Shingle Aluminum/Vinyl Brick		(7) Excavation			No. of Elec. Outlets Many X Ave. Few			Other Additions/Adjustments								
Insulation		Basement: 1384 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(8) Basement			(13) Plumbing			Plumbing								
(2) Windows		Many Avg. X Large Avg. Small		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 2 Extra Sink 1 Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			2 Story Siding 1+ Story Siding 1 Story Siding 1 Story Siding 1 Story Siding			Foundation Basement 1,008 Basement 196 Basement 180 Overhang 84 Overhang 20		Cost New 253,518		Depr. Cost 209,516	
X 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			(14) Water/Sewer			Water/Sewer			1000 Gal Septic Water Well, 200 Feet					
(3) Roof		Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(10) Floor Support			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Porches WCP (1 Story)			182		6,153		5,230	
X	Gable Hip Flat	Gambrel Mansard Shed		Joists: Unsupported Len: Cntr.Sup:			Lump Sum Items:			Deck Treated Wood			160		2,917		2,479	
X	Asphalt Shingle									Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 810 Common Wall: 1.5 Wall 1			25,620 -3,285		21,777 -2,792			
Chimney: Brick										Fireplaces <<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>								

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



- 4 Bedrooms
- 2 Full Baths
- 2 Extra Sinks
- 1 Sep. Shower
- 1 1/2 Bath
- 1 Pre Fab F.P.

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

**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 # 18-22 Meeting Date: 7-17-18

PAID Variance Application Fee @ 6:30
\$125.00 for Residential | \$300.00 for Commercial/Industrial

Applicant/Owner: Todd+Tracie Richards/Nonni Enterprises Email: trichards1183@gmail.com

Property Address: 7114 Brighton Rd. (3A Lime Lake) Phone: 517-404-3599

Present Zoning: _____ Tax Code: 1125300057

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 Attached

2. Intended property modifications: See Attached

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 Attached

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 Attached

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.

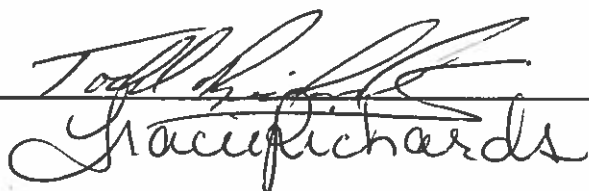
See Attached

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 Attached

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: 6/21/18 Signature: 

Genoa Charter Township Variance Application

Applicant/Owner: Todd and Tracie Richards/ Nonni Enterprises
Property Address: 7114 Brighton Rd, Brighton 48116 (Parcel 3A Lime Lake)
Email: trichards1183@gmail.com
Phone: 517-404-3599
Property Code: 1125300057

Please explain the proposed variance below:

- 1. Variance Requested:**
We are requesting a 15-foot rear variance to the 25-foot required wetland setback, for a 10-foot setback. At the wetland delineation line there is the old Brighton Road asphalt, as well as fill material brought in from previous construction with grass growing on top. Approval of the request will allow us to enhance the natural drainage pattern to the wetland by removing the old road and this fill material, and it will preserve the wetland's ecological and aesthetic value.
- 2. Intended Property Modifications:**
The intention is to remove the old road and fill material to enhance the natural drainage pattern to the wetland.

How the proposed project meets each criteria:

- 1. Practical Difficulty/Substantial Justice:**
The restrictions derived by the "old Brighton Road" and the fill material, prohibit proper drainage to the wetlands. Potential homes to the east of this property also have the "old Brighton Road" passing through their property and potential building envelope. The approval would allow the removal of the "old Brighton Road" and the fill material to improve the drainage to the wetlands.
- 2. Extraordinary Circumstances:**
The property is currently undeveloped. The need for the variance is not self-created by the applicant due to the irregularly shaped property and the wetlands, creating a small building envelope. The size of the home approved is consistent with surrounding homes in the vicinity, at 2000 sq ft. Homes to the east and west of this property sit closer to the wetland than the requested 15-foot variance, thereby making the request for the variance inconsequential to the neighboring homes. The need for the variance is not self-created by the applicant.
- 3. Public Safety and Welfare:**
Approval of the 15-foot variance to the wetlands does not impede the neighboring views. This variance would 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 reverse →



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: July 9, 2018
RE: ZBA 18-22

File Number: ZBA#18-22

Site Address: Vacant parcel located on Brighton Road, east of Bauer Road.

Parcel Number: 4711-25-300-057

Parcel Size: 2.47 Acres

Applicant: Todd and Tracie Richards/Nonni Enterprises

Property Owner: Same as applicant

Information Submitted: Application, site plan, elevations

Request: Wetland Setback Variance

Project Description: Applicant is requesting a wetland setback variance from the required 25 foot undisturbed natural features setback.

Zoning and Existing Use: LDR (Low Density Residential)

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday July 1, 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:

- A land use permit was issued in 2018 for a single family home.
- The property will be serviced by a well and a septic system.
- See Real 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

Summary

The applicant is requesting a variance from the required 25 foot undisturbed natural features setback to allow for the removal of the old Brighton Road asphalt and for the removal of fill dirt located within the setback. Staff has met with the applicants in regards to the wetland setback before purchasing the property, prior to home design and before issuing a land use permit which was issued in June of 2018. (See Attached)

The applicant should clarify if the proposed 15' encroachment in the wetland setback is a temporary or permanent encroachment. The way the application is worded it sounds like the intent might be temporary to allow some grading in which case the appropriate review would be for a special land use permit from the Planning Commission. If the intent of this request is to maintain a permanent encroachment into the wetland setback to maintain a manicured area as close as 10 feet from the wetland than the variance is the appropriate request. The following review assumes the variance request is for a permanent encroachment.

Variance Requests

The following is the section of the zoning ordinance that the variance is being requested from as well the criteria applicable to your review of variances in this regard.

13.02.04 Genoa Township Wetland Protection Standards

(d) Required 25-foot setback: An undisturbed natural setback shall be maintained twenty-five (25) feet from a MDEQ determined/regulated wetland. Trails and recreational areas may be allowed in the wetland setback. Any site grading or storage within the wetland protection setback area shall require a Special Land Use Permit according to Article 19; provided that no such activity shall be allowed within ten (10) feet of a regulated wetland unless specifically approved by the Planning Commission.

13.02.05 Variances from the Wetland Setback Requirement

In considering a variance for the wetland setback, the applicant must demonstrate to the Board of Appeals:

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

Summary of Findings 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 13.02.05.

- (a)** Given the proximity of the home to the wetland, the wetland setback may be necessary to preserve the wetland's ecological and aesthetic value. The potential impacts from normal residential use including but not limited to fertilizer or pesticide use in addition to the home's rear overhead garage access, deck and sunroom, and patio door so close to the sensitive area have the ability to further

impact the wetland. Reducing the setback also provides less protection from possible future homeowner encroachment into the wetland area. The applicant should provide evidence as to how the reduced setback would preserve the wetlands ecological and aesthetic value at the same level as the required 25 setback.

- (b) The applicant should provide a grading plan to show that the natural drainage pattern to the wetland will not be significantly affected.
- (c) Having a decreased buffer area will increase the potential for erosion. If the area is to be established as lawn or patio area, the additional compacted land surface could contribute to increased volumes and higher velocities by lessening the degree of stormwater infiltration and increasing the rate of runoff.
- (d) This is a vacant lot and the applicant had full knowledge of the required natural features setback prior to purchase and submittal of a permit to construct a home. Due to this prior knowledge, this request for variance is self-created and there are other feasible and prudent alternatives. Township staff informed the owners prior to purchase that the building envelope would be limited by the wetland setback. The proposed home footprint utilizes the entire depth of the building envelope which puts the home within inches of the required natural undisturbed wetland setback. A home design with an alternative building footprint should be considered which would eliminate or lessen the need for the variance.
- (e) A MDEQ permit is not needed for a work inside in the 25 foot natural features setback from the wetland.

Recommended Conditions

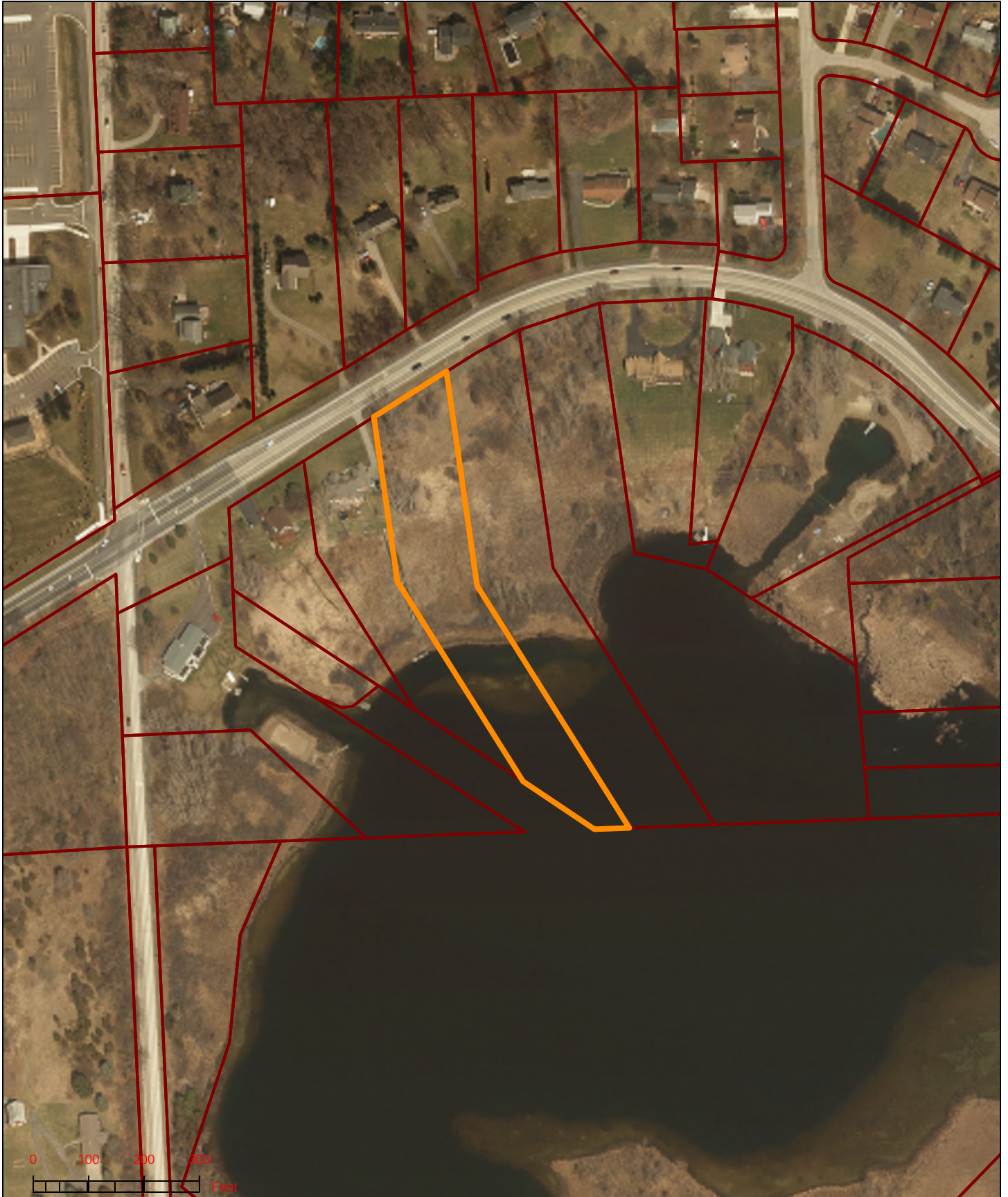
If the Zoning Board of Appeals grants the variance requests staff recommends the following conditions be placed on the approval.

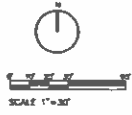
1. The applicant shall permanently demarcate and install educational signage to indicate the edge of the undisturbed natural area. This shall remain in perpetuity to ensure future owners do not further encroach.
2. The entire remaining 10' setback buffer area shall remain in a natural and undisturbed state and is not eligible for trail or recreational area exemptions.
3. The applicant shall submit for Township approval a landscaping enhancement plan for the remaining 10' buffer zone area. Native wetland friendly vegetation shall be provided to help reduce erosion and maintain water quality.
4. Down spouts shall be directed into drywells or rain gardens containing native plants to help slow the flow of water to the wetlands.
5. If used, the applicant shall utilize slow release and low phosphorus fertilizers.
6. Silt fencing must be utilized during the construction phase, and the applicant must obtain all necessary approvals from the Livingston County Drain Commissioner.



1. PROJECT INFORMATION					
Site Address: <u>PARCEL 3A LIME LAKE BRIGHTON RD, BRIGHTON, MI 48116</u>				ID# <u>1125300057</u>	Acreage: <u>2.47</u>
2. OWNER/CONTRACTOR INFORMATION					
Owner Name: <u>NONNI ENTERPRISES / TODD & TRACIE RICHARDS</u>			Phone No.: <u>248-212-4800</u>		
Owner Address: <u>47225 Autumn Park Ct</u>		City: <u>NOVI</u>	State: <u>MI</u>	Zip: <u>48374</u>	
Contractor name: <u>TODD & TRACIE RICHARDS</u>			Phone No.: <u>517-464-2579</u>		
Contractor Address: <u>4167 DEESIDE DR.</u>		City: <u>BRIGHTON</u>	State: <u>MI</u>	Zip: <u>48116</u>	
3. TYPE OF IMPROVEMENT					
A. Principal Structure					
<input checked="" type="checkbox"/> New Single Family <input type="checkbox"/> New Multiple Family <input type="checkbox"/> Addition to Existing Building <input type="checkbox"/> Grading/Site Work					
<input type="checkbox"/> Other: _____					
B. Accessory Structure					
<input type="checkbox"/> Fence <input type="checkbox"/> Deck <input type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Pool/Hot Tub					
<input type="checkbox"/> Other: _____					
4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION					
A. Proposed Principal Structure Setbacks (in feet)					
Front: <u>50</u> (measured from front property line, right-of-way line or private road easement, whichever is less)					
Rear: <u>60</u>	Least Side: <u>30</u>	Side: <u>30</u>	Water/Wetland: <u>25</u>		
B. Proposed Accessory Structure Setbacks (in feet)					
Front:	Least Side:	Side:	Rear:	Water/Wetland:	Distance from Principle Structure:
C. Proposed Building/Improvement Dimensions					
Size of Building/Improvement: <u>1,999.11</u> square feet			Height: <u>22' 10 3/4"</u> FEET FROM FLOOR ELEVATION		
			Height: <u>31' 4 3/4"</u> FEET FROM REAR WALKWAY		
6. 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: <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Lessee/Renter <input type="checkbox"/> Architect/Engineer <input type="checkbox"/> Other:					
Signature of Applicant: <u>Todd Richards</u>			Printed Applicant name: <u>TODD RICHARDS</u>		Date: <u>5-21-2018</u>
▽ FOR OFFICE USE ONLY ▽					
FLOODPLAIN					
Floodplain: <u>N/A</u>	Panel #:		Zone #:		
ASSESSING APPROVAL					
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: <u>Raura Miron</u>		Date:	
ZONING APPROVAL		Parcel I.D. No.: <u>11-25-300-057</u>		Zoning: <u>LDR</u>	
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: <u>[Signature]</u>		Date: <u>5-31-18</u>	
Comments/Conditions: <u>No construction equipment in the 25' Natural features setback. NO clearing or cutting in 25' Natural features setback - Drainage must be maintained on lot. must follow ord # 13.02.04(d) #1. Site inspection required prior to C of O. Any violations will result in a ticket. Date picked up</u>					
ZBA	Case #/Approval date: <u>All grading to be done on property only.</u>		Conditions: <u>10-1-18</u>		
3. FEES					
Land Use:	\$ <u>15</u>	Water/Sewer:	\$ <u>1</u>	Meter:	\$ <u>0</u>

GENOA TOWNSHIP





BRIGHTON ROAD (100 FOOT WIDE)

1000 G.A. S/C 8/10/18

PAR 3A
2.47 ACRES

PAR 3B

EDGE OF WETLANDS PER NISWANDER ENVIRONMENTAL 5/1/18

APPROX. EDGE OF WATER

LIME LAKE

DATE

PREPARED BY
TODD RICHARDS

TODD RICHARDS
PARCEL 3A BRIGHTON ROAD
SITE PLAN



DATE
03-30-18
DRAWN BY
PCR
CHECKED BY
PCR
JOB NO.
96252-A

PLANNING NO.

DATE	REVISION	BY



FRONT ELEVATION
SCALE: 3/32" = 1'-0"

HOUSE PLAN

RICHARDS

ENCORE BUILDERS

9864 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116
PHONE: (248) 678-6104

PROJECT NAME	
RICHARDS	
HOMEOWNER	
TODD & TRACIE RICHARDS PARCEL 3-A, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY	SHEET
EB	4a
DATE	
CHECKED BY	
01/22/18	

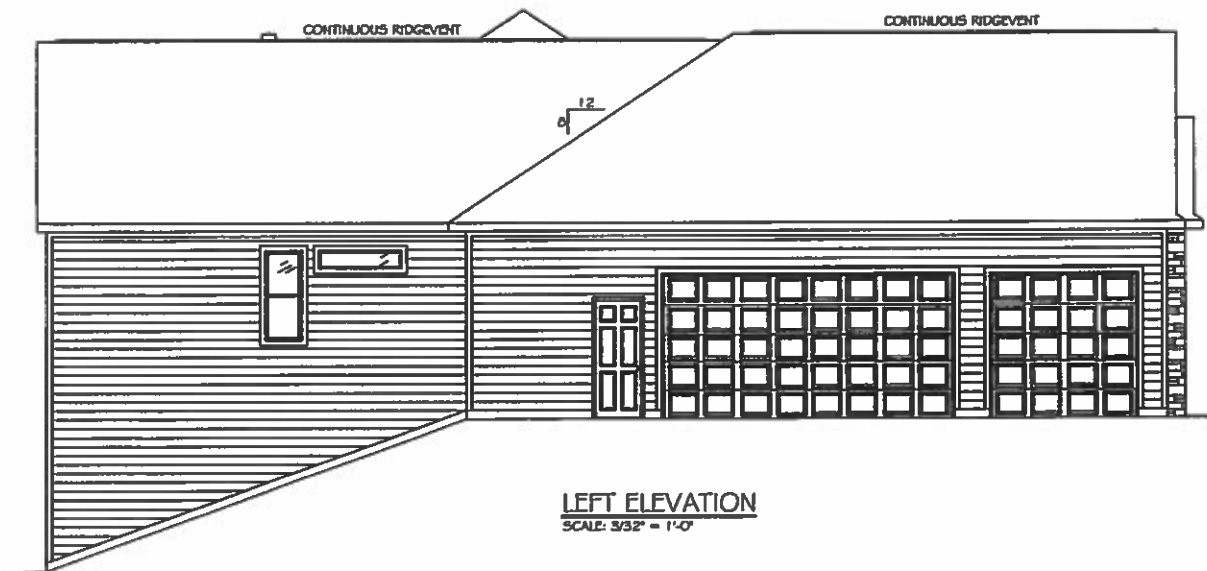


REAR ELEVATION
SCALE: 3/32" = 1'-0"

DATE	REVISION	BY

HOUSE PLAN
RICHARDS
ENCORE BUILDERS
9864 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116
PHONE: (248) 678-6104

PROJECT NAME RICHARDS	
HOMEOWNER TODD & TRACIE RICHARDS PARCEL 3-A, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY EB	SHEET 5a
DATE 01/22/18	CHECKED BY



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

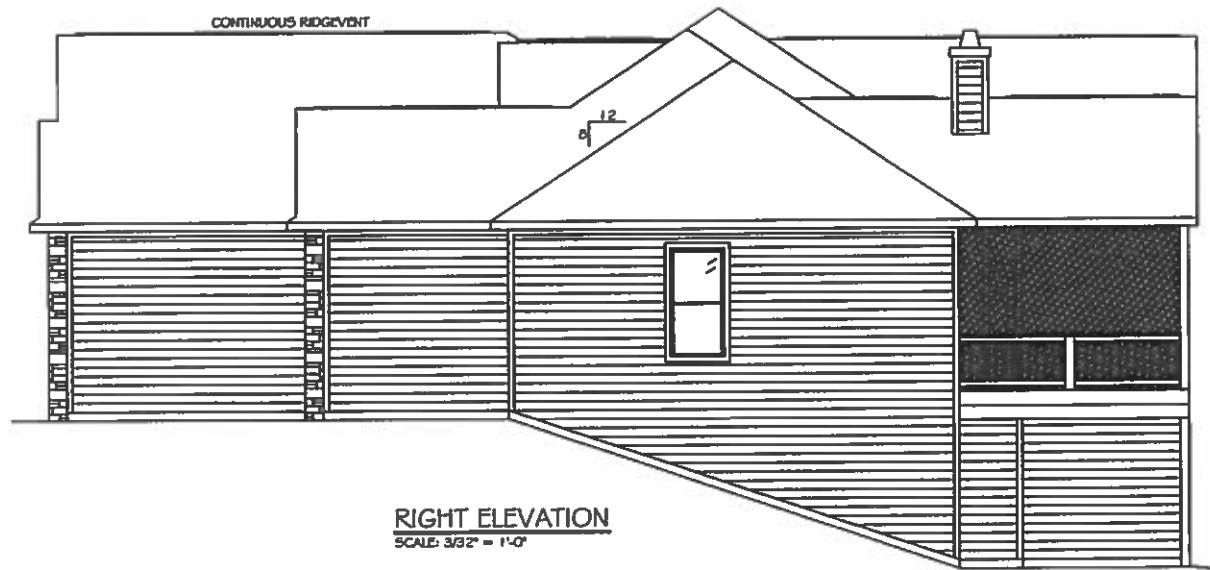
DATE	REVISION	BY

HOUSE PLAN

RICHARDS

ENCORE BUILDERS
9664 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116
PHONE: (248) 875-6104

PROJECT NAME RICHARDS	
HOMEOWNER TODD & TRACIE RICHARDS PARCEL 3-A, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY EB	SHEET 6a
DATE 01/22/18	CHECKED BY



RIGHT ELEVATION
SCALE: 3/32" = 1'-0"

DATE	REVISION	BY

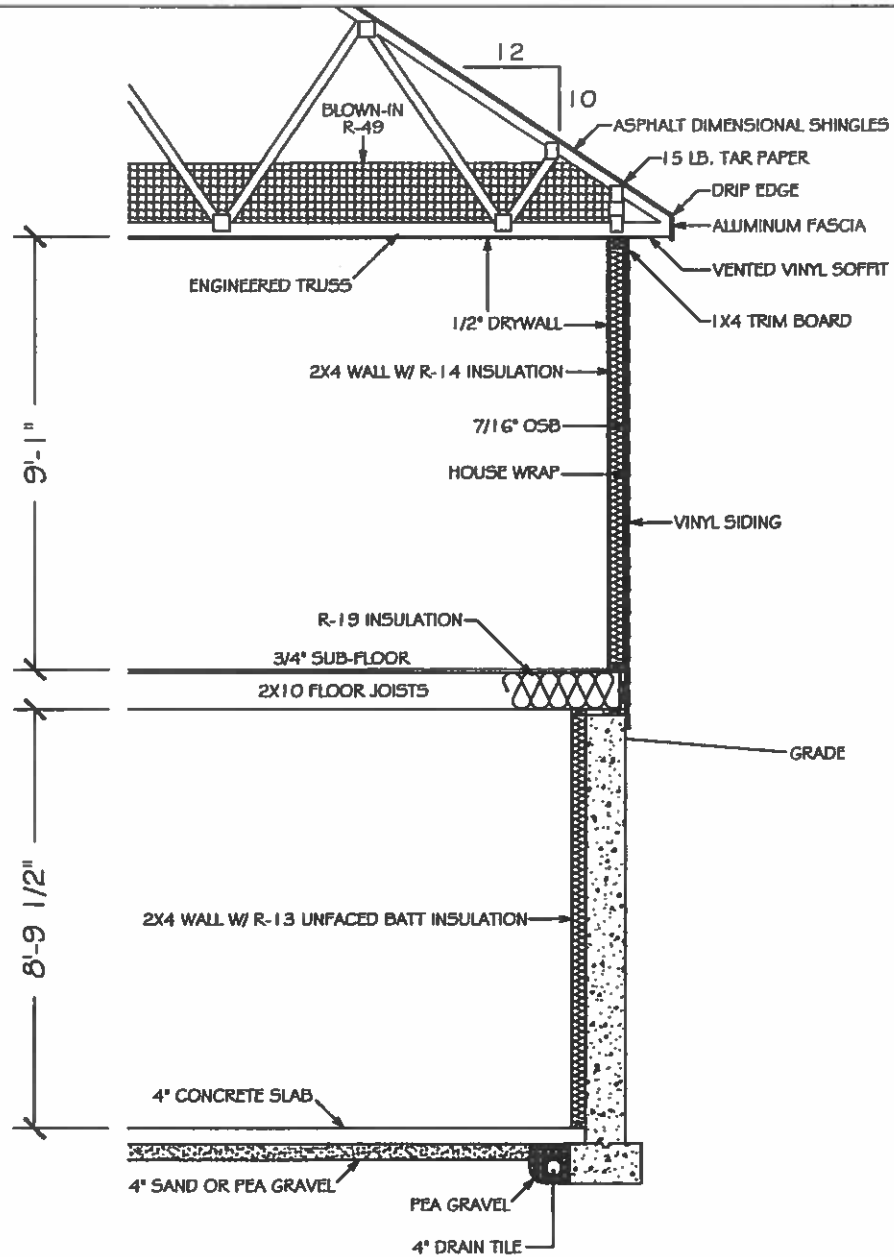
HOUSE PLAN

RICHARDS

ENCORE BUILDERS

9564 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116
PHONE: (248) 878-6104

PROJECT NAME	
RICHARDS	
HOMEOWNER	
TODD & TRACIE RICHARDS PARCEL 3-A, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY	SHEET
EB	7a
DATE	
CHECKED BY	
01/22/18	



CROSS SECTION

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

DATE	REVISION	BY

HOUSE PLAN

RICHARDS

ENCORE BUILDERS

9664 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116
PHONE: (248) 876-6104

PROJECT NAME	
RICHARDS	
HOMEOWNER	
TODD & TRACIE RICHARDS PARCEL 3-A, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY	SHEET
EB	CS
DATE	
01/22/18	
CHECKED BY	



1. PROJECT INFORMATION					
Site Address: <u>PARCEL 3A LIME LAKE BRIGHTON RD, BRIGHTON, MI 48116</u>				ID# <u>1125300057</u>	Acreage: <u>2.47</u>
2. OWNER/CONTRACTOR INFORMATION					
Owner Name: <u>NONNI ENTERPRISES / TODD & TRACIE RICHARDS</u>			Phone No.: <u>248-212-4800</u>		
Owner Address: <u>47225 Autumn Park Ct</u>		City: <u>NOVI</u>	State: <u>MI</u>	Zip: <u>48374</u>	
Contractor name: <u>TODD & TRACIE RICHARDS</u>			Phone No.: <u>517-464-2579</u>		
Contractor Address: <u>4167 DEESIDE DR.</u>		City: <u>BRIGHTON</u>	State: <u>MI</u>	Zip: <u>48116</u>	
3. TYPE OF IMPROVEMENT					
A. Principal Structure					
<input checked="" type="checkbox"/> New Single Family <input type="checkbox"/> New Multiple Family <input type="checkbox"/> Addition to Existing Building <input type="checkbox"/> Grading/Site Work					
<input type="checkbox"/> Other: _____					
B. Accessory Structure					
<input type="checkbox"/> Fence <input type="checkbox"/> Deck <input type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Pool/Hot Tub					
<input type="checkbox"/> Other: _____					
4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION					
A. Proposed Principal Structure Setbacks (in feet)					
Front: <u>50</u> (measured from front property line, right-of-way line or private road easement, whichever is less)					
Rear: <u>60</u>	Least Side: <u>30</u>	Side: <u>30</u>	Water/Wetland: <u>25</u>		
B. Proposed Accessory Structure Setbacks (in feet)					
Front:	Least Side:	Side:	Rear:	Water/Wetland:	Distance from Principle Structure:
C. Proposed Building/Improvement Dimensions					
Size of Building/Improvement: <u>1,999.11</u> square feet			Height: <u>22' 10 3/4"</u> FEET FROM FLOOR ELEVATION		
			Height: <u>31' 4 3/4"</u> FEET FROM REAR WALKWAY		
6. 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: <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Lessee/Renter <input type="checkbox"/> Architect/Engineer <input type="checkbox"/> Other:					
Signature of Applicant: <u>Todd Richards</u>			Printed Applicant name: <u>TODD RICHARDS</u>		Date: <u>5-21-2018</u>
▽ FOR OFFICE USE ONLY ▽					
FLOODPLAIN					
Floodplain: <u>N/A</u>	Panel #:		Zone #:		
ASSESSING APPROVAL					
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: <u>Raura Miron</u>		Date:	
ZONING APPROVAL		Parcel I.D. No.: <u>11-25-300-057</u>		Zoning: <u>LDR</u>	
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: <u>[Signature]</u>		Date: <u>5-31-18</u>	
Comments/Conditions: <u>No construction equipment in the 25' Natural features setback. NO clearing or cutting in 25' Natural features setback - Drainage must be maintained on lot. must follow ord # 13.02.04(d) #1. Site inspection required prior to C of O. Any violations will result in a ticket. Date picked up</u>					
ZBA	Case #/Approval date: <u>All grading to be done on property only.</u>		Conditions: <u>10-1-18</u>		
3. FEES					
Land Use:	\$ <u>15</u>	Water/Sewer:	\$ <u>1</u>	Meter:	\$ <u>0</u>

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
NONNI ENTERPRISES LLC	RICHARDS TODD & TRACIE	1	06/28/2018	TA	QUIT CLAIM		BUYER	0.0
TOTH, WILLIAM & COLEY, LAR	NONNI ENTERPRISES LLC	70,000	01/05/2018	WD	ARMS-LENGTH	2018R-00897	BUYER	100.0
MOON, DONALD	TOTH, WILLIAM & COLEY, LAR	0	10/05/1999	WD	ARMS-LENGTH	27750879	BUYER	0.0

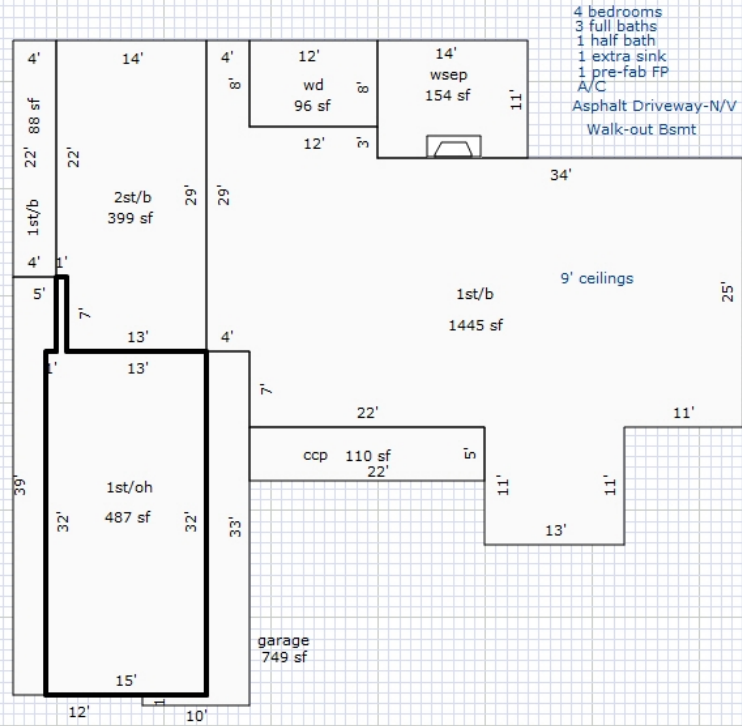
Property Address	Class: 402 RESIDENTIAL-VA	Zoning: LDR	Building Permit(s)	Date	Number	Status		
BRIGHTON RD	School: BRIGHTON		HOME	06/01/2018	P18-091	NO START		
	P.R.E. 0%							
Owner's Name/Address	MAP #: V18-20							
RICHARDS TODD & TRACIE 47225 AUTUMN PARK CT NOVI MI 48374	2019 Est TCV Tentative							
	X Improved	Vacant	Land Value Estimates for Land Table 122.BRIGHTON M & B					
	Public Improvements		* Factors *					
			Description	Frontage	Depth	Front Depth	Rate %Adj. Reason	Value
			<Site Value A> LIME LAKE				70000 100	70,000
				2.470 Acres			0 100	0
				2.47 Total Acres			Total Est. Land Value =	70,000
Tax Description								
SEC 25 T2N R5E COMM AT SW COR TH N01*W 492.69 FT TH N59*E 533 FT TO POB TH N59*E 153.91 FT TH S07*E 391.04 FT TH S31*E 515.81 FT TH S89*W 63 FT TH N55*W 155.13 FT TH N31*W 425.57 FT TH N07*W 303.16 FT TO POB CONT. 2.47 AC M/L SPLIT FR 052 5/99 PARCEL 3-A								
Comments/Influences								
	Topography of Site							
	Level							
	Rolling							
	Low							
	High							
	Landscaped							
	Swamp							
	Wooded							
	Pond							
	Waterfront							
	Ravine							
	Wetland							
	Flood Plain							
	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
	Who	When	What	2019	Tentative	Tentative	Tentative	
				2018	50,000	0	50,000	
				2017	50,000	0	50,000	
				2016	75,000	0	75,000	

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

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins		(15) Fireplaces		(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame	X	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	X	Drywall Paneled		Plaster Wood T&G			Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling					Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
Building Style: BC		Trim & Decoration		Central Air Wood Furnace			(12) Electric		Class: BC Effec. Age: 0 Floor Area: 0 Total Base New : 0 Total Depr Cost: 0 Estimated T.C.V: 0		E.C.F. X 0.930		Bsmnt Garage:	
Yr Built 2018	Remodeled 0	Size of Closets		(13) Plumbing			0 Amps Service		Totals: 0 ECF (47010 BRIGHTON M & B) 0.930 => TCv: 0				Carport Area: Roof:	
Condition: Good		Doors: Lg X Ord Small		No./Qual. of Fixtures			Average Fixture(s)							
Room List		(5) Floors		Ex. X Ord. Min			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							
	Basement 1st Floor 2nd Floor Bedrooms	Kitchen: Other: Other:		No. of Elec. Outlets			1000 Gal Septic 2000 Gal Septic							
(1) Exterior		(6) Ceilings		Many X Ave. Few			(14) Water/Sewer							
	Wood/Shingle Aluminum/Vinyl Brick X Vinyl X Insulation	Basement: 0 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Recreation SF Living SF Walkout Doors No Floor SF			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic							
(2) Windows		(8) Basement		Lump Sum Items:										
X	Many Avg. Few	X	Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor										
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish												
(3) Roof		(10) Floor Support												
X	Gable Hip Flat	Gambrel Mansard Shed												
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:												
Chimney:														

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



Sketch by Apex Sketch

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
June 19, 2018 - 6:30 PM**

MINUTES

Call to Order: Vice Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:33 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Marianne McCreary, Jean Ledford, Bill Rockwell, Greg Rassel, and Amy Ruthig, Zoning Official. Absent was Dean Tengel.

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 Rassel, seconded by Board Member Rockwell, to approve the agenda as presented. **The motion carried unanimously.**

Election of Officer

Moved by Board Member Rassel, seconded by Board Member Rockwell, to table the Election of Officer until the July 17, 2018 Zoning Board of Appeals Meeting because there is not a full board present. **The motion carried unanimously.**

Call to the Public:

The call to the public was made at 6:35 pm with no response.

1. 18-10 ... A request by David and Deborah Sullivan, 5372 Wildwood Drive, for a size variance and a variance to construct a detached accessory structure in the front yard (Tabled 5-15-18).

Mr. David Sullivan and his friend, Mike Gehring of 959 Brighton Lake Road, were present. Mr. Sullivan stated that he cannot build the structure and meet the ordinance requirement because of the hill on his property. He is also requesting a square footage variance. The existing carport is being calculated in the square footage maximum allowed. If that was not included, he would be within the requirement. He would be willing to decrease the size of the building to meet the size requirement.

He stated he would be using the building for storage, an art room for his wife, and a recreation area for himself and his grandchildren. Only one car will be able to park inside.

The call to the public was made at 6:52 pm with no response.

Moved by Board Member Ledford, seconded by Board Member Rassel, to deny the petitioner's request for a size variance of 24 square feet due to no evidence to support practical difficulty or substantial justice. **The motion carried unanimously.**

Moved by Board Member Rockwell, seconded by Board Member Rassel, to approve the variance request for Case #18-10 for 5372 Wildwood Drive by David and Deborah Sullivan to construct a detached accessory structure in the front yard due to the following findings of fact:

- 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.
- 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 structure in the front yard is not self-created.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of this variance is conditioned upon the following:

1. Drainage from the detached structure must be maintained on the lot.
2. The structure must be guttered with downspouts.
3. The maximum average height of the structure cannot exceed 14 feet.

The motion carried unanimously.

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.

Mr. and Mrs. Holubka were present. Mrs. Holubka stated the residence is currently used as a cottage and they would like to remove this structure and build a permanent home. The hardships are that the property is an odd shaped lot which would prevent

the design of a marketable house. The existing house was built prior to the zoning ordinance and is already a non-conforming structure. They are proposing to build the new house very close to the footprint of the original home. The setback along the water will be further from where the home is currently. This variance will not interfere or discourage the appropriate development, continued use or value of adjacent properties in the surrounding neighborhood. The proposed home is reasonably sized for the lot and consistent with surrounding homes

The call to the public was made at 7:04 pm..

Tim Robinson of 903 Sunrise Park believes this new home would be an asset to the neighborhood.

The call to the public was closed at 7:05 pm.

Vice-Chairperson McCreary read two letters of support for the applicant from Lyn Hewitt of 837 Sunrise Park and Brett Gierak of 921 Sunrise Park.

Moved by Board Member Ledford, seconded by Board Member Rassel, to approve Case #18-14 for 895 Sunrise Park by Joe and Anne Holubka of 19230 Augusta Ct, Livonia for an 3 foot 1 inch front yard setback variance from the required 35 feet for a setback of 26 feet 11 inches in order to demolish the existing home and construct a new single family home with the existing garage attached. The existing garage would be considered illegal and non-conforming if left unattached. The applicant will bring the new home in conformance with the waterfront setback. The variance is recommended for approval due to the following findings of fact:

- Granting this variance would offer substantial justice to the applicant. Homes in the immediate area have similar setbacks.
- 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 and 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.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of this variance is conditioned upon the following:

1. The applicant shall be required to completely remove the remaining garage structure if construction on the new principal residence is not commenced within 90 days of the 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 six months for Item #1.
3. The final architectural design shall not exceed the maximum 24 foot height requirement.
4. The structure must be guttered with downspouts.
5. Dust control measures shall be taken during demolition of the existing home.

The motion carried unanimously.

3. 18-14 ... A request by Randy and Marjorie Czajka, 6550 Challis Court, for a front yard variance to construct an addition to an existing home.

Mr. and Mrs. Czajak were present. They are requesting a front yard setback variance to put on an addition to an existing home. The hardships are the extreme slope of the lot and the locations of the well and septic, which are all located in areas where they would be able to put on an addition. Their house with the addition will be consistent with homes in the neighborhood and will not have a negative impact on their neighbors.

It was noted the front yard setback is currently non-conforming.

The call to the public was made at 7:20 pm with no response.

Vice-Chairperson McCreary stated a letter was received from several neighbors who are in support of the addition.

Moved by Board Member Ledford, seconded by Board Member Rasser, to approved Case #18-14 for 6550 Challis Road by Randy and Marjorie Czajka for a 44 foot 8 inch front yard setback variance from the required 50 feet to a 5 foot 8 inch front yard setback to construct an addition to an existing single-family home based on the following findings of fact:

- 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 residence as it has been for the last 13 years is not impacted.
- 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.
- The exceptional or extraordinary condition of the property is the topography of the lot, location of the existing home, and the location of the well and septic.
- The need for this variance is non self-created.

- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of this variance is conditioned upon the following:

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

The motion carried unanimously.

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.

Katherine Riesterer, legal counsel for the applicant, and Jeanne Young were present. Ms. Riesterer stated the contractor constructed the fence and he did not obtain a permit. Prior to the applicant coming before the ZBA, the neighbor filed a lawsuit, that is still pending, because they believe the fence is located on their property.

The applicant would like to wait until the court case is settled before the Township makes a determination on the variance request

The call to the public was made at 7:30 pm.

Mr. Martin Popp of 7485 Herbst Road stated that he is the neighbor who is involved in the lawsuit with the applicant. No permits were pulled to construct the fence. He had an engineer do a survey and it showed that the fence is built on his property. He has asked the applicants to move the fence off of his property and they have refused. He would request the Township deny the height and location variances for the fence.

The call to the public was closed at 7:34 pm.

Moved by Board Member Rockwell, Seconded by Board Member Rassel, to table Case #18-15 until the next scheduled ZBA meeting following the court ruling on the pending lawsuit. **The motion carried unanimously.**

5. 18-16 ... A request by James Mitte, 5248 Prairie View, for a side yard variance to construct a detached accessory structure.

Mr. Mitte was present. They would like to add a detached garage and are requesting a five-foot side-yard variance. The practical difficulty is that the lot drops 25 to 30 feet from one side to the other. There is currently less than 25 feet from the current garage

to their side property line. He noted that when the home was built in 1976, part of their driveway and the retaining wall was put on the neighboring property. The location of the septic field prohibits him from moving the garage to meet the setback. There are other homes in the neighborhood who have detached garages. The garage will be 20 feet wide, which is four feet less than a standard garage.

The call to the public was made at 7:50 pm with no response.

The Board discussed the lack of a hardship or practical difficulty and that the request for the variance is self-created.

Vice-Chairperson McCreary advised the applicant that there is not a full Board this evening, so he has the option to table his request until there are more members present or he could amend his request and return to a future meeting.

Moved by Board Member Rassel, seconded by Board Member Ledford, to table Case #18-16 per the petitioner's request until the July 17, 2018 ZBA meeting. **The motion carried unanimously.**

6. 18-17 ... A request by Robert and Jennifer Marschall, 936 White Willow, for a front yard variance to construct an addition to an existing home.

Tom Ballou, the architect, and Robert Marschall, the property owner, were present. Mr. Ballou stated that the practical difficulty is the unusually shaped lot. They are proposing a front addition; however, due to the shape of the lot, they are requesting a side yard setback variance. Because of where the house is located on the lot and the shape of the lot, the applicant would not be able to add an addition without a variance.

Board Member Rassel noted that if the road was straight and not in a cul de sac, the applicant would not require a variance. Ms. Ruthig confirmed that statement.

The call to the public was made at 8:07 pm with no response.

Moved by Board Member Rassel, seconded by Board Member Ledford, to approve Case #18-17 from Robert and Jennifer Marschall for a front yard setback variance of 12 feet from the required 35 feet for a 23 foot side yard setback based on the following findings of fact:

- Granting the variance 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.
- 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.

- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The motion carried unanimously.

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.

Mr. and Mrs. Bialowicz were present. Mr. Bialowicz stated they are proposing to demolish the existing detached garage and construct an attached garage and an addition to the home. The hardships are the odd-shaped lot and the location of the existing home. They will not be encroaching further into the side yard setback than where the existing detached garage is currently located.

The existing home currently encroaches into the waterfront setback. However, since they will be covering the porch, it will increase the waterfront variance to 41.5 feet.

The call to the public was made at 8:30 pm with no response.

Moved by Board Member Ledford, seconded by Board Member Rasser, to approve Case #18-18 for 1370 Elmhurst Drive by Rob and Sandra Bialowicz of 5743 Long Pointe Drive, Howell for 41.5 foot waterfront setback variance from the required 84.5 feet for a 43 foot waterfront setback, and a side yard setback of 5 feet from the required 10 feet for a 5 foot setback in order to construct an addition to an existing home by demolishing an existing detached accessory structure and constructing an attached garage to the existing single-family home based on the following findings of fact:

- The Township Assessor has verified that the applicant does own to the water's edge since the location of the waterfront property line on the drawing varies considerably from the parcel aeria overlay on the GIS map.
- 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 the side yard setback as the current house location. There are other homes in the vicinity with reduced water front yard setbacks that would support substantial justice.
- 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 this variance would make it consistent with many homes in the vicinity.
- The need for the variance is not self-created.
- Granting this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- Granting this variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of this variance is conditioned upon the following:

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

The motion carried unanimously.

8. 18-19 A request by Marcel Norman, 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.

Ms. Ruthig stated that Mr. Norman requested to have his application tabled until the next ZBA meeting

Moved by Board Member Rasser, seconded by Board Member Rockwell, to table Case #18-19 until the July 17, 2018 Zoning Board of Appeals Meeting. **The motion carried unanimously.**

Administrative Business:

1. Approval of the minutes for the May 15, 2018 Zoning Board of Appeals Meeting.

There were some typographical changes that needed to be made.

Moved by Board Member Ledford, seconded by Board Member Rassel, to approve the May 15, 2018 Zoning Board of Appeals Meeting minutes with the changes noted. **The motion carried unanimously.**

2. Correspondence –

Ms. Ruthig introduced Michelle Kreutzberg, who is the new Alternate Board Member for the ZBA.

3. Township Board Representative Report - Board Member Ledford provided a review of the Township Board meetings held on May 21, June 4, and June 18, 2018.

4. Planning Commission Representative Report – Board Member McCreary provided a review of the Planning Commission meeting held on June 11, 2018.

5. Zoning Official Report – Ms. Ruthig provided a review of the applications for July's meeting.

6. Member Discussion

There were no items discussed this evening.

7. Adjournment

Moved by Board Member Rasser, seconded by Board Member Ledford, to adjourn the meeting at 9:16 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary