

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JANUARY 15, 2019
6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Election of Officers:

Introductions:

Approval of Agenda:

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

1. 19-01... A request by Joe Sizemore, 3857 E. Grand River, for a wall sign variance for the TCF Bank.
2. 19-02 ... A request by Brad and Amber Busch, Pathway Drive, Parcel #11-10-101-044) for a variance to construct an accessory structure on a lot without a principal use and front, side and height variances for proposed accessory structure.
3. 19-03 ... A request by Brad and Amber Busch, 792 Pathway, for a front yard variance to construction of a new single family home.
4. 19-04 ... A request by Matt Wilson, 4761 Bauer Road, for a size variance to construct a detached accessory structure.

Administrative Business:

1. Approval of minutes for the December 18, 2018 Zoning Board of Appeals meeting.
2. Correspondence
3. Township Board Representative Report
4. Planning Commission Representative Report
5. Zoning Official Report
6. Member Discussion
7. Adjournment



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

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

Case # 19-01

Meeting Date: January 15, 2019

PAID Variance Application Fee

\$125.00 for Residential | \$300.00 for Commercial/Industrial

Applicant/Owner: Joe Sizemore **Email:** jsizemore@optiviasolutions.com

Property Address: 3857 East Grand River Ave. Howell, MI 48843 **Phone:** 1.800.823.2265

Present Zoning: MUPUD **Tax Code:** 4711-05-400-057

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

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

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

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

Please explain the proposed variance below:

- Variance requested:** Hang a new branded TCF Bank surround around the through the wall ATM in the drive-thru lane. PDF of proposed surround attached.
- Intended property modifications:** No structural modification to the building will occur. The current ATM does not have a surround. We are simply applying a new surround to the face of the building around the ATM. Additionally, two (2) protective pipe bollards will be installed on either side of the proposed surround.

3. 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 understand the branding on the surround categorizes it as a sign, and an additional sign is not allowed per Article 16 of the Genoa Township Zoning Ordinance. However, the new surround application does not affect setbacks, frontage, height, bulk, density, or other dimensional provisions that would unreasonably prevent the use of the property. We will simply be applying the new surround to the brick face around the current though the wall ATM location.

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 need for this variance is not self-created by the applicant or owner of this property. It is very common for banks to add a surround on the exterior wall around a through the wall ATM. This particular ATM that we would like to place the surround on is concealed underneath the canopy to the drive-thru for TCF Bank. Thus, this would not cause any extraordinary circumstances or conditions to the property or intended use which would identify it as being different from other properties in the surrounding area.

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 new ATM surround is simply a branding tool to raise awareness of TCF Bank's ATM in their drive-thru. In no way, shape, or form would this surround application to the ATM impair the adequate supply of light/air to the adjacent property, endanger public safety, or increase congestion in the public streets. The ATM surround would be increasing public safety during night hours as the surround is back lit to provide increased visibility and awareness to users. As far as congestion, the traffic flow would not increase by this addition as we are adding the surround to an existing ATM location on the property.

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.

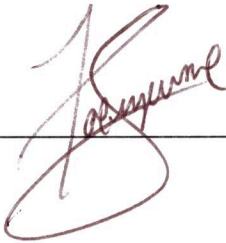
This variance would have no impact on future development, continued use, or value of adjacent properties as it is will be applied on the surface of the existing brick facade around the ATM. The surround would be adding 4" of depth to the face of the ATM (See attached surround proposal). By adding 4" of depth to the face of the ATM, we will be decreasing the existing "over" reach, to a more comfortable reach for the user. More importantly, the ATM is underneath the canopy of the drive-thru for the bank and would be concealed, preventing visibility from the majority of public.

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: 12.12.2018

Signature: _____



JOE SIZEMORE



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: January 7, 2019

RE: ZBA 19-01

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

STAFF REPORT

File Number: ZBA#19-01
Site Address: 3857 E. Grand River Avenue, Howell
Parcel Number: 4711-05-400-057
Parcel Size: 1.731 Acres
Applicant: Joe Sizemore, Opivia Solutions
Property Owner: TCF Bank, 1405 Xenium Lane North Minneapolis, MN
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a sign variance.

Zoning and Existing Use: MUPUD (Mixed Use Planned Unit Development) bank with drive through located on property. See attached Signage requirements from PUD.

Other:
Public hearing was published in the Livingston County Press and Argus on Sunday December 30, 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 year built is 2002
- 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 applicant requesting to be allowed to install a third sign on the existing TCF Bank for the ATM. In 2002, TCF Bank received approval from the Zoning Board of Appeals to install a second wall sign on the north wall in addition to the original sign on the south side.

Variance Requests

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

Table 16.1 Sign Dimensional Standards and Regulations

DISTRICT (7)	WALL OR CANOPY SIGN		MONUMENT SIGN		
	MAX. NO. OF SIGNS ⁽¹⁾	MAX SIZE	MAX. NO. OF SIGNS ⁽³⁾	MAX. SIZE ^(3,4,5)	MAX. HEIGHT
Agricultural Districts	1	10 sq. ft.	1	10 sq. ft.	6 ft.
Single Family Residential (6)	N/A	N/A	(See Exempt Signs)		
Multiple Family Residential	N/A	N/A	(See Exempt Signs)		
Mobile/Manufactured Home District	N/A	N/A	(See Exempt Signs)		
Neighborhood Service District	1 per business	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
General Commercial District Regional Commercial District	1 per business	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
Office-Service District	1 per business	10% of front facade ⁽²⁾	1	72 sq. ft.	6 ft.
Recreational Facilities District	1	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
Industrial District	1	10% of front facade ⁽²⁾	1	60 sq. ft.	6 ft.
Planned Industrial and PUD Districts (7)	1	10% of front facade ⁽²⁾	1	60 sq. ft.	6 ft.

Footnote (2) The maximum wall sign shall not exceed ten percent (10%) of the facade of the building that the sign is attached to and is occupied by the business or one-hundred (100) square feet, per use or business establishment whichever is less. The maximum allowable wall sign area may be utilized in the following manner:

- a. Two wall signs may be permitted for businesses located on a corner or through-lot. One sign, meeting the maximum allowable sign area, shall be permitted on each side of the building that fronts along the public right-of-way, including I-96.
- b. At the discretion of the Planning Commission, two wall signs may be permitted for businesses located on an interior lot (non-corner lot) which under certain circumstances, such as obstructed views and building orientation, require additional visibility. The total collective sign area of the two signs may not exceed one-hundred (100) square feet.
- c. Commercial structures containing one use or business establishment use, as determined by the Planning Commission, the size of the wall sign may be increased up to the maximum square footage given in the following table.

1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance = 150 square foot maximum wall sign area.
2. Over 400 linear feet of building frontage facing a public street and having a public entrance = 200 square foot maximum wall sign area.
3. The maximum wall sign can be increased by up to twenty percent (20%) if required number or size of landscape materials is exceeded by at least twenty percent (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 not unreasonably prevent use of the property. The ATM is attached to and contained within the building and on a side of the building with signs therefore it is reasonable to assume that ATM is affiliated with the branch and additional signage does not provide substantial justice nor is it necessary for preservation of enjoyment of a substantial property right possessed by other properties.
- (b) Extraordinary Circumstances** – There are no exceptional or extraordinary conditions of the property or use that would warrant the need for an ATM sign. The applicant indicates the sign is “simply a branding tool” making the need for the variance 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.

N/A

02-45...A request by TCF Bank, Section 5, 3875 E. Grand River, is for a variance to place a second wall sign on north wall.

A call to the public was made with the following response: Jay Powell – I have no issue with the request, however, if a vehicle used this access to get from Latson to Grand River, they would get a ticket. Craig Lesley – I used to serve on the Planning Commission. The township made every effort with this development to achieve safety. The township may have forgotten one thing with regard to signage on out lots. Safety was the real objective of the Master Plan.

Moved by Hensick, supported by Ledford, to grant the variance, allowing a second wall sign on the north elevation as delineated on the application. The practical difficulty is identified as the internal traffic pattern that has been developed under the Master Plan. The motion carried unanimously.

02-46...A request by James and Dawn Holland, Section 10, 1205 Chemung Drive, is for a variance to split property into nonconforming lots.

A call to the public was made with no response. A petition from neighboring homeowners was submitted requesting denial. Moved by Ledford, supported by Hensick, to deny the request since no hardship or practical difficulty exists. Further, the split would create a nonconforming lot. The motion carried unanimously.

02-47...A request by Pete Berton, Section 31, 2760 Brighton Road, is for a 27-foot side yard variance with a 13-foot setback to construct an accessory structure.

The petitioner was advised that his property was not staked. Moved by Hensick, supported by Ledford, to table the request until the next regular meeting of the board. The motion carried unanimously.

02-48...A request by Dennis Jackson, Section 22, 5730 Griffith, is for a variance to construct an accessory structure located in the front yard.

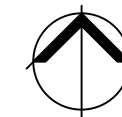
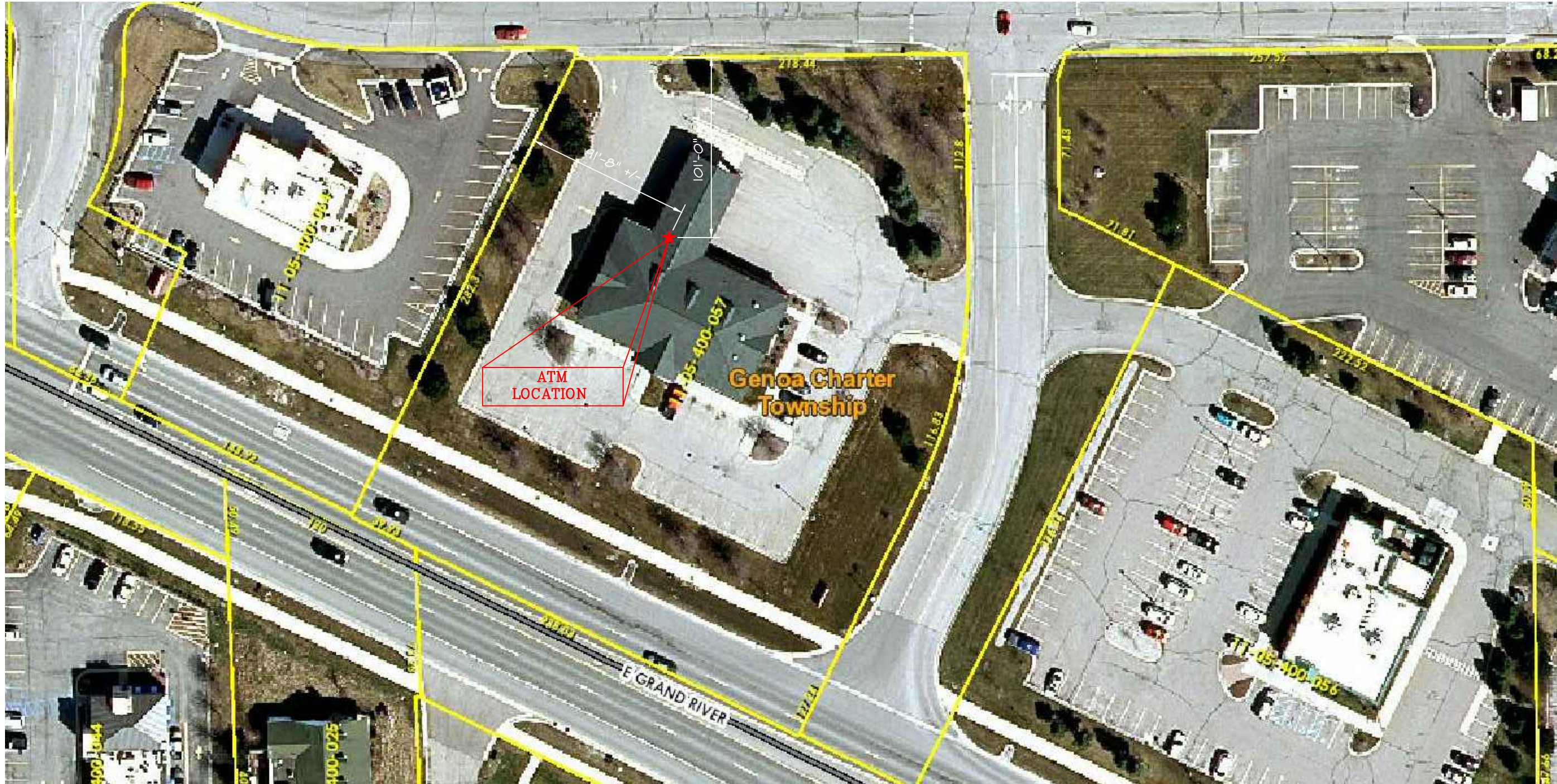
A call to the public was made with the following response: Craig Lesley – I am a neighbor who opposes the request. Detached garages are not allowed in our neighborhood. Steve Rossin – This garage will be at a lower elevation and I do not have a problem with the request. Figurski – The Zoning Board of Appeals can only act on a hardship or practical difficulty that is related to the land. Your request is self-imposed. Hensick – The garage in the front is out of character with the area.

Moved by Hensick, supported by Stornant, to deny the variance since the petitioner presented no practical difficulty or hardship. The motion carried unanimously.

02-50...A request by Christopher Voris, Section 11, 1656 Hughes, is for a 5-foot side yard variance with a 5-foot setback to construct an accessory structure.

GENOA TOWNSHIP





SITE LOCATION PLAN

SCALE: 1" = 60'-0"

PARCEL ID: 4711-05-400-057

REVISIONS:

Project Location:



Howell - Genoa
3857 East Grand River Avenue
Howell, MI 48843



DATE:
12/12/18

SCALE:
1" = 60'-0"

DESIGNER:
JSB

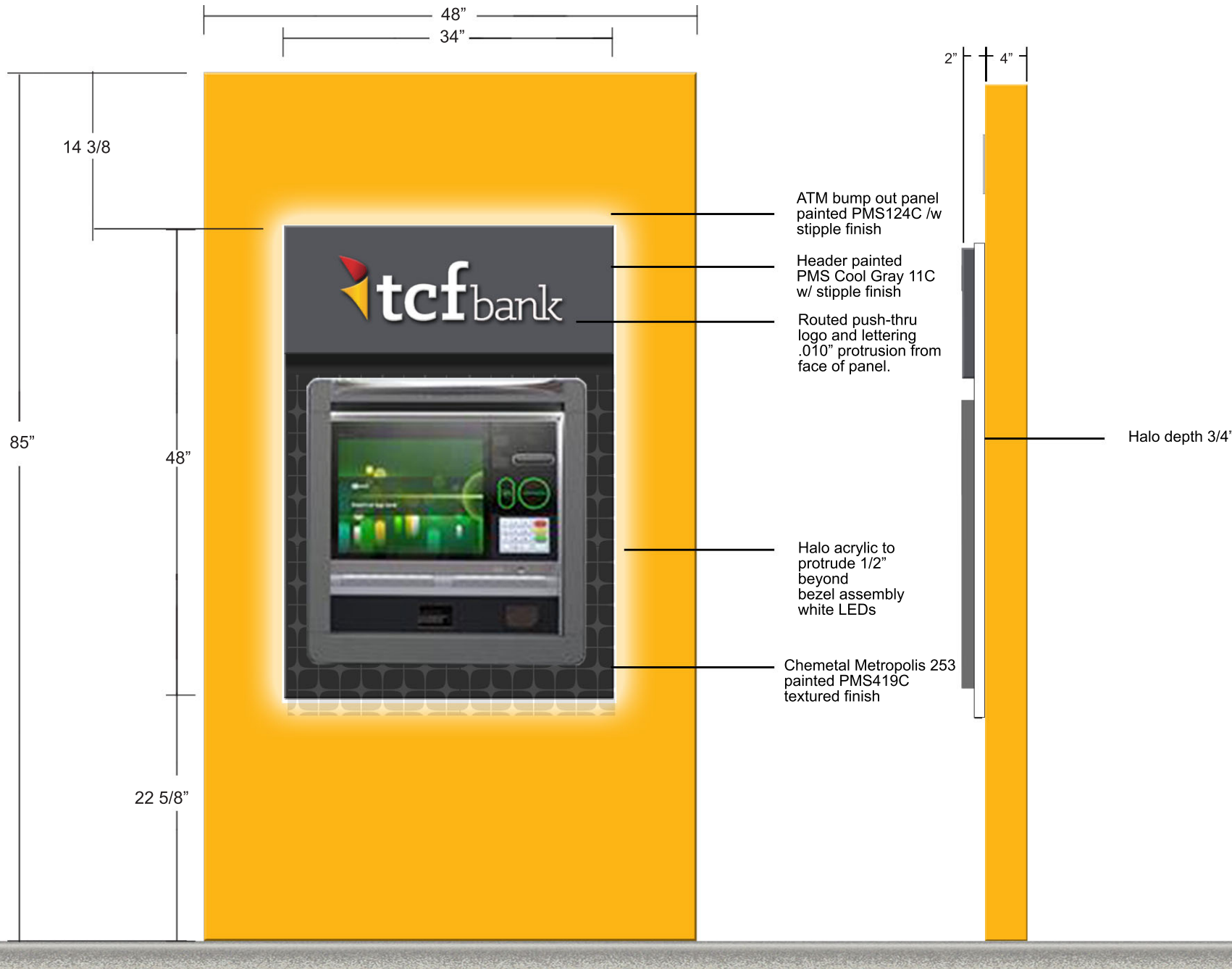
PHONE:

CLIENT APPROVAL:

PRODUCT ORDER #:

SHEET NO:

1



Front View

Side View

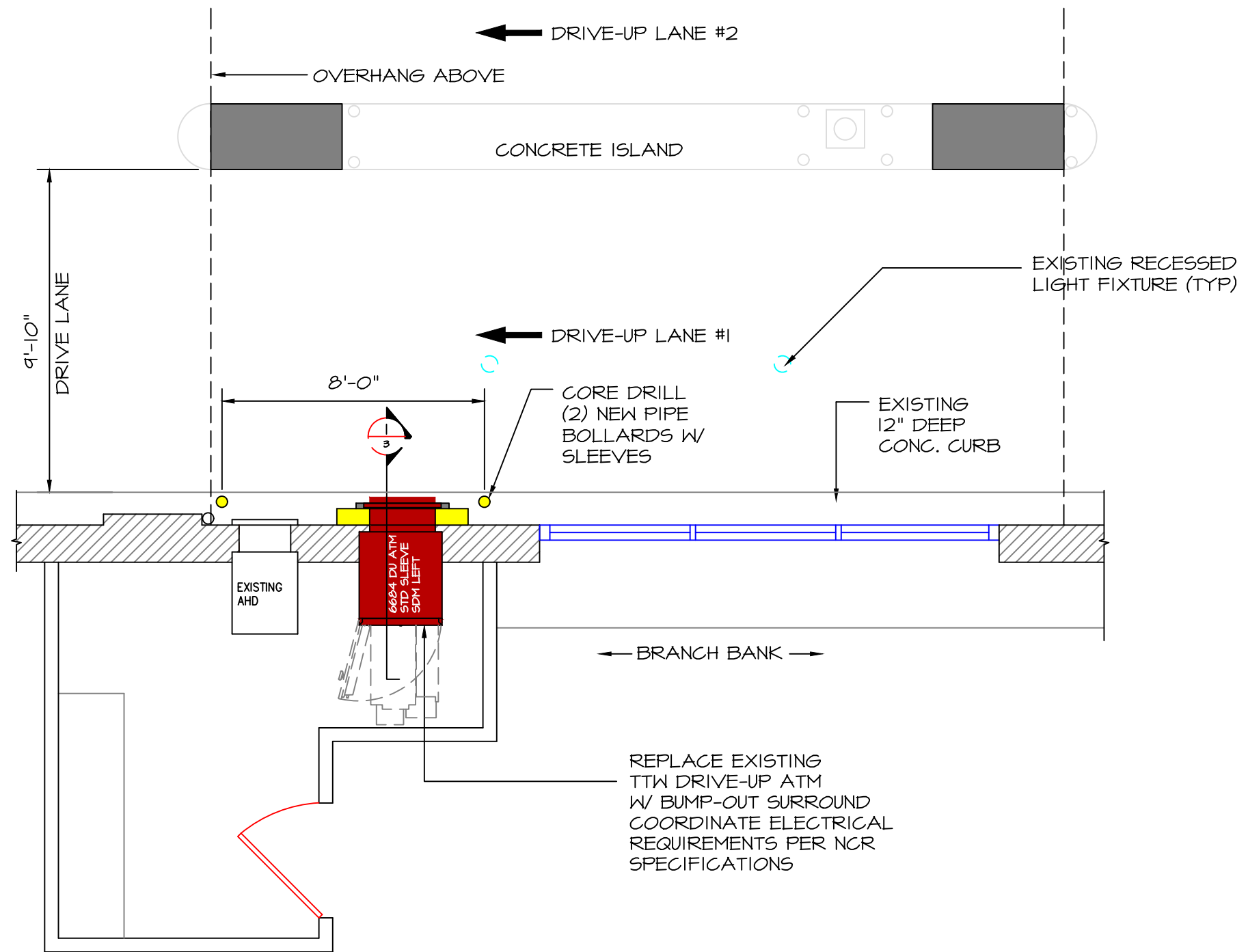


Colors: specified
 Artwork: vector
 Note:
 Rendered: JBB Approved By: _____

- 062-PMS124C
- 062-PMSCool Gray 11C
- 062-PMS419C
- 062-PMS7621C

TCF Bank
 Model 9440 Surround
 Shown with NCR 6684 DU ATM
 December 05, 2018
 T\TCFBank\9440_6684_TCF

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|| ATM POWER TO BE SUPPLIED ON A DEDICATED 20 AMP CIRCUIT, DIRECT FROM SERVICE PANEL ||
 || (VERIFY EXISTING SERVICE) ||

PARTIAL FLOOR PLAN
 SCALE: 1/4" = 1'-0"

REVISIONS:

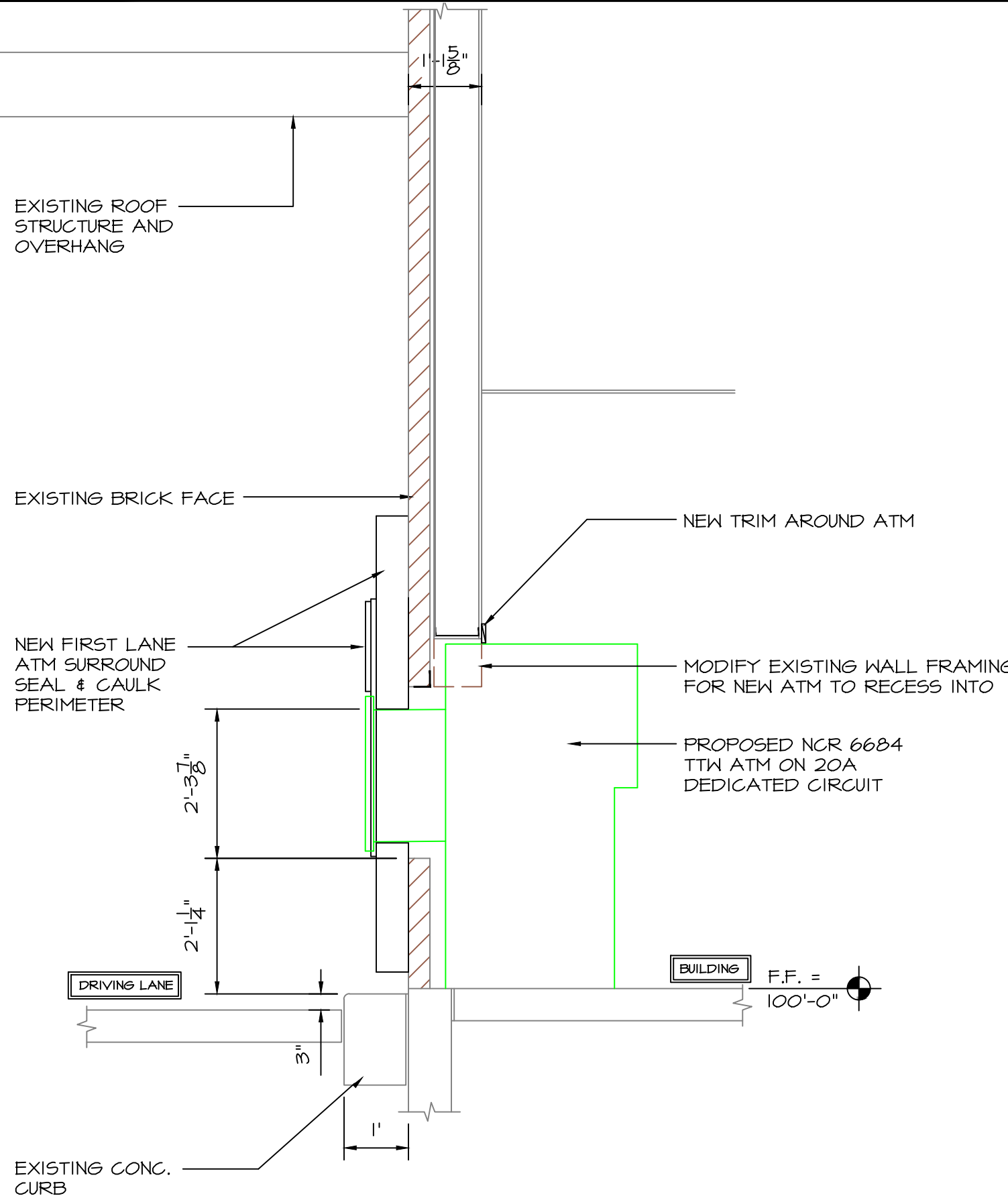
Project Location:

 Howell - Genoa
 3857 East Grand River Avenue
 Howell, MI 48843

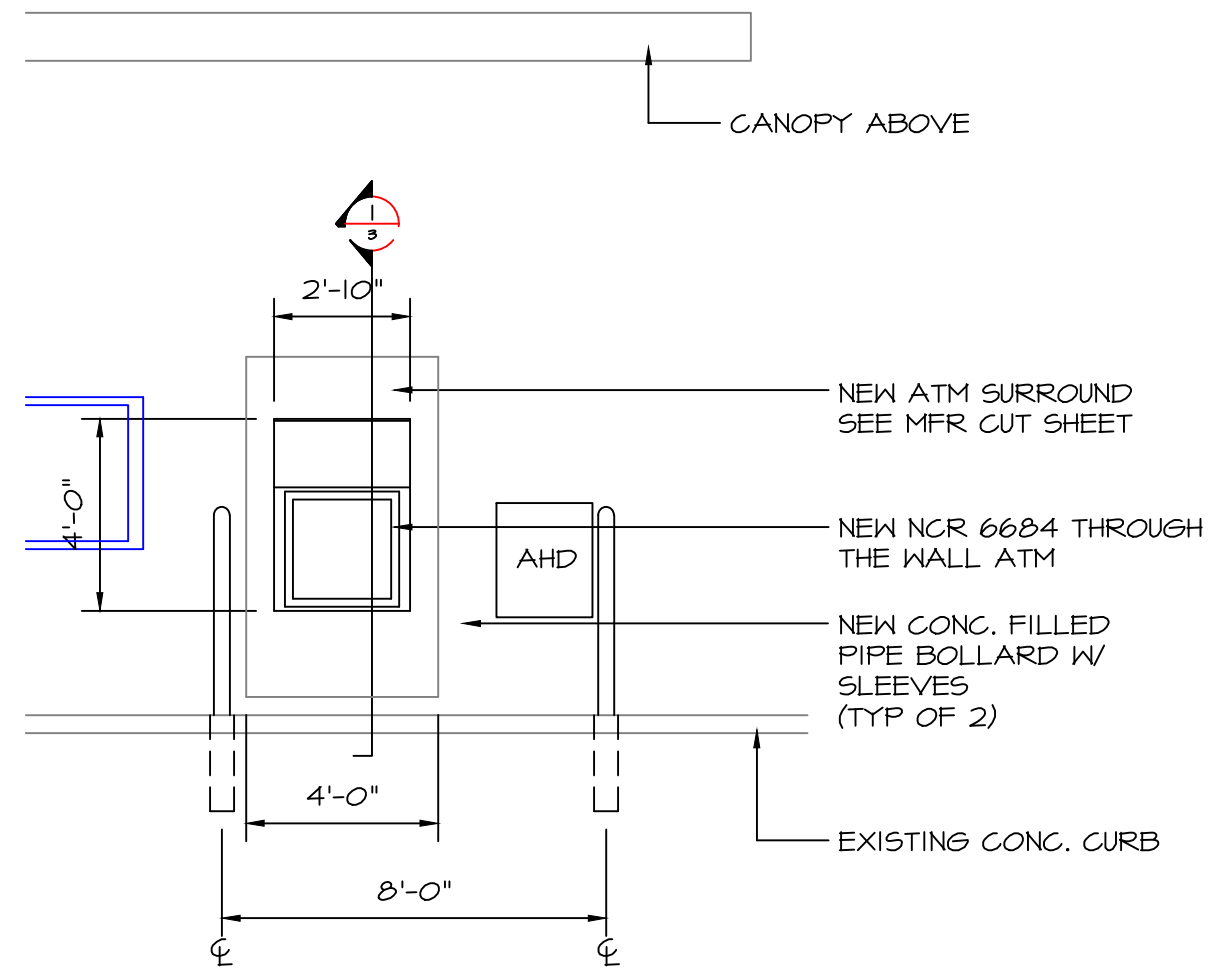
OptiVia
 Bank Equipment Services

DATE:	12/12/18
SCALE:	1/4" = 1'-0"
DESIGNER:	JSB
PHONE:	
CLIENT APPROVAL:	
PRODUCT ORDER #:	

SHEET NO:
2



BUILDING SECTION
 SCALE: 1/2" = 1'-0"
 1
 3



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

REVISIONS:

Project Location:
tcfbank
 Howell - Genoa
 3857 East Grand River Avenue
 Howell, MI 48843

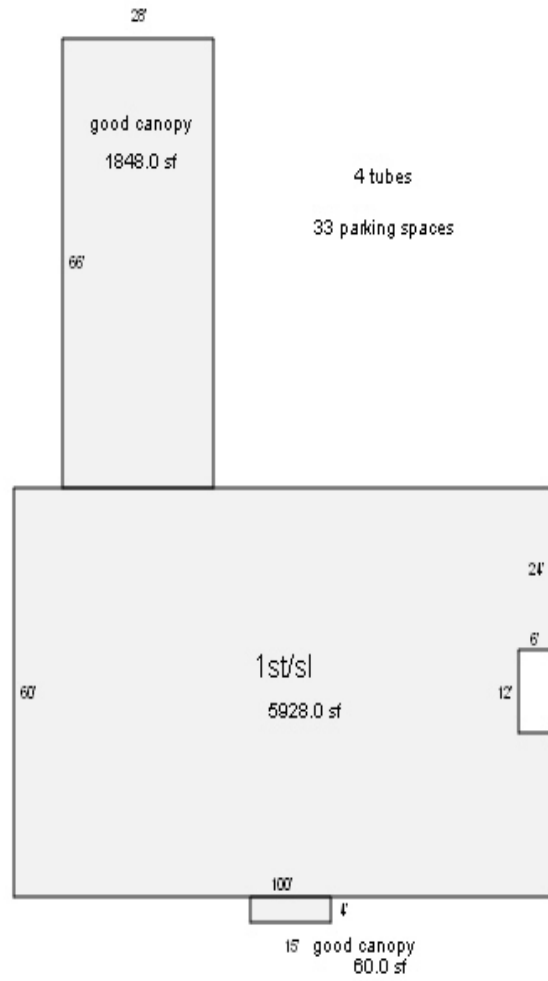
OptiVia Bank Equipment Services	
DATE:	12/12/18
SCALE:	SEE SHEET
DESIGNER:	JSB
PHONE:	
CLIENT APPROVAL:	
PRODUCT ORDER #:	
SHEET NO:	3

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
MEIJER, INC. (APPLEWOODC	TCF BANK	0	01/24/2002	WD	NON DISCLOSED	3453-0598	BUYER	100.0				
Property Address		Class: 201 COMMERCIAL- IM		Zoning: MUPUD	Building Permit(s)	Date	Number	Status				
3857 E GRAND RIVER		School: HOWELL			COMM MISCEL	08/13/2010	W10-076	NO START				
Owner's Name/Address		P.R.E. 0%			SIGN	10/30/2008	08-139	NO START				
TCF BANK M/C PCC-1C-Z 1405 XENIUM LANE NORTH MINNEAPOLIS MN 55441		MAP #: V19-01			COMMERCIAL BLDG	04/05/2002	02-104	NO START				
Tax Description		2019 Est TCV Tentative		Land Value Estimates for Land Table GRIVE.GRAND RIVER FRONTAGE								
SEC 5 T2N R5E COMM AT SE COR TH N02*11'26"E 548.49 FT TH N60*51'00"W 749.38 FT TO POB TH N60*51'00"W 277.95 FT TH N29*09'00"E 282.30 FT TH S87*39'25"E 218.44 FT TH S02*20'35"W 123.98 FT TH ALONG A CURVE TO THE RIGHT CHORD BEARING S15*44'48"W 116.83 FT TH S29*09'00"W 156.51 FT TO POB CONT. 2.05 AC M/L SPLIT FR 055 10/01		X	Improved	Vacant	* Factors *							
Comments/Influences		Public Improvements		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Dirt Road		MAIN CORRIDOR	260.00	290.00	1.0000	1.2042	2000	100		626,163
		Gravel Road		260 Actual Front Feet, 1.73 Total Acres Total Est. Land Value = 626,163								
		Paved Road		Land Improvement Cost Estimates								
		Storm Sewer		Description	Rate			Size % Good		Cash Value		
		Sidewalk		Commercial Local Cost Land Improvements								
		Water		Description	Rate			Size % Good Arch Mult		Cash Value		
		Sewer		WELL/WATER	4,475.00			1 78 100		3,490		
		Electric		SEPTIC/SEWER	4,400.00			1 78 100		3,432		
		Gas		Ad-Hoc Unit-In-Place Items								
		Curb		Description	Rate			Size % Good		Cash Value		
		Street Lights		33 SPACES @ \$300 EA.	1.00			9900 100		9,900		
		Standard Utilities		Total Estimated Land Improvements True Cash Value = 16,822								
		Underground Utils.										
		Topography of Site										
		Level										
		Rolling										
		Low										
		High										
		Landscaped										
		Swamp										
		Wooded										
		Pond										
		Waterfront										
		Ravine										
		Wetland										
		Flood Plain										
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value				
Who	When	What	2019	Tentative	Tentative	Tentative		Tentative				
			2018	313,100	482,900	796,000		485,996C				
			2017	313,100	419,400	732,500	476,000T	476,000C				
			2016	313,100	411,500	724,600		544,180C				

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

Desc. of Bldg/Section: Calculator Occupancy: Banks - Branch				<<<<<< Calculator Cost Computations >>>>>>			
Class: D Floor Area: 5,928 Gross Bldg Area: 5,928 Stories Above Grd: 1 Average Sty Hght : 12 Bsmnt Wall Hght				Class: D Quality: Average Stories: 1 Story Height: 12 Perimeter: 320			
Depr. Table : 1.5% Effective Age : 13 Physical %Good: 82 Func. %Good : 100 Economic %Good: 100				Construction Cost High Above Ave. Ave. X Low ** ** Calculator Cost Data ** ** Quality: Average Heat#1: Package Heating & Cooling 100% Heat#2: Package Heating & Cooling 0% Ave. SqFt/Story: 5928 Ave. Perimeter: 320 Has Elevators:			
2002 Year Built Remodeled Overall Bldg Height				Base Rate for Upper Floors = 161.05 (10) Heating system: Package Heating & Cooling Cost/SqFt: 20.91 100% Adjusted Square Foot Cost for Upper Floors = 181.96 Total Floor Area: 5,928 Base Cost New of Upper Floors = 1,078,658 Reproduction/Replacement Cost = 1,078,658 Eff.Age:13 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 82 /100/100/100/82.0 Total Depreciated Cost = 884,500			
Comments: Area #1: Type #1: Area #2: Type #2: * Mezzanine Info * Area: Type: Average * Sprinkler Info * Area: Type: Average				Unit in Place Items TUBES 14361.90 4 1.00 86 49,405 WINDOW 7180.96 1 1.00 86 6,176 Local Cost Items Rate Quantity/Area %Good Depr.Cost AVE CANOPY 16.25 60 79 770 GOOD CANOPY 20.25 1848 79 29,563 ECF (2014 MAIN COMMERCIAL) 1.050 => TCV of Bldg: 1 = 1,018,934 Replacement Cost/Floor Area= 197.98 Est. TCV/Floor Area= 171.89			
(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets:		Fixtures:	
X Poured Conc.	Brick/Stone	Block	Footings	Many Above Ave.	Average Typical	Few None	
(3) Frame:		Total Fixtures		Urinals		Flex Conduit	
		3-Piece Baths		Wash Bowls		Rigid Conduit	
		2-Piece Baths		Water Heaters		Armored Cable	
		Shower Stalls		Wash Fountains		Non-Metalic	
		Toilets		Water Softeners		Bus Duct	
(4) Floor Structure:		(9) Sprinklers:		Incandescent		(40) Exterior Wall:	
				Fluorescent		Thickness	
(5) Floor Cover:		(10) Heating and Cooling:		Mercury		Bsmnt Insul.	
		Gas		Sodium Vapor			
		Oil		Transformer			
		Coal Stoker					
		Hand Fired Boiler		(13) Roof Structure: Slope=0			
(6) Ceiling:				(14) Roof Cover:			

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



Sketch by Apex Medina™

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



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION
2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 19-02 Meeting Date: 1-15-2019
6:30pm

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

1. Applicant/Owner: Brad and Amber Busch Email: Brad_Busch@buschs.com

Property Address: 792 Pathway Drive Brighton, MI 48116 Phone: (734) 214-8281

Present Zoning: Lake Resort Residential Tax Code: 11-10-101-044

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: Need variance from front set back, side setbacks and height requirement. as well as a variance to build the garage on the lot.

2. Intended property modifications: We are tearing down existing garage to build a new garage on the site.

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 current garage on the site encroaches .6 feet into the neighboring lot as well as it sits under the existing power line to the neighborhood. We own the lake front lot across the street from this lot. We cannot combine the lots because the private road separates our lake lot from our garage lot. Since we cannot combine the lots, we are not allowed to build a garage with out a variance.

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.

There are 3 extraordinary circumstances. The current garage sits under the powerline and encroaches .6' on to the neighbors lot. The lot also slopes up in the back behind the current garage. Because the lots are so narrow it makes it almost impossible to build into the slope.

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.

Granting this variance will not impare adequate supply of light and air to adjacent properties. As the new garage will sit farther back than the other garages in the neighborhood there will be no increased danger. Actually it will provide more parking and less likelihood of vehicles in the road.

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 not adversely affect the neighborhood in any way.

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:

12/12/18

Signature:





MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: January 9, 2019

RE: ZBA 19-02

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

STAFF REPORT

File Number: ZBA#19-02

Site Address: Garage Only, located directly across from 792 Pathway Drive

Parcel Number: 4711-10-101-044

Parcel Size: .444 Acres

Applicant: Brad and Amber Busch, 3027 Stillriver Drive, Howell

Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a variance to demolish an existing accessory structure and to construct a new accessory structure on a lot without a principle residence and side and height variance for proposed structure.

Zoning and Existing Use: LRR (Lakeshore Resort Residential) accessory structure located on property.

Other: Public hearing was published in the Livingston County Press and Argus on Sunday December 30, 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, there is not a correct build date on file for the accessory structure.
- See Assessing Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

The proposed project is to demolish existing non-conforming accessory structure and to reconstruct a new 21 x 36 accessory structure that is 16.6 in height at the midpoint. The applicant is proposing to locate the new structure further from the front lot line and the side property line where the current structure is encroaching on the neighboring property.

Variance Requests

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

(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; except as follows:

11.04.01 Accessory Buildings, Structures and Uses in General

(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.

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

(1) Waterfront lots in the Lakeshore Resort Residential District.

The Zoning Ordinance does not offer setbacks from detached accessory structures in the front yard unless the lot is a waterfront lot.

(j) Maximum, Height: The maximum building height of any detached accessory building shall be fourteen (14) feet (see Article 25 for calculation of building height), except as follows:

(1) Antenna heights may be as noted in Section 11.04.06

(2) Accessory buildings on conforming lots in the Agricultural, Country Estate Districts and Rural Residential districts may exceed the maximum height restrictions for principal buildings by up to fifteen (15) feet.

(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; except as follows:

(2) On lots in the Lakeshore Resort Residential District a detached accessory building over one hundred twenty (120) square feet of total floor area shall be allowed to reduce one (1) side yard setback to at least five (5) feet as follows:

a. The accessory building shall be setback at least ten (10) feet from the other side lot line.

b. There shall be a minimum of ten (10) feet of separation from buildings on adjacent lots.

Required Side Yard Setback: 10'
Proposed Side Yard Setback: 5'9"
Proposed Variance Amount: 4'3"

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 zoning requirements would prevent the applicant from constructing the proposed accessory structure. The applicant is proposing to construct the structure further away from the front and side yard lot lines than the current structure. Granting the variance to construct the proposed structure on the lot would give the applicant substantial justice due to other accessory structures in the area on lots without principal dwellings. Granting of the height variance would not offer substantial justice. The applicant can construct a structure within the height requirements.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrow lot size and that the parcel with house cannot be combined to this parcel. Granting of the variance for the structure on a lot without a principle structure would make it consistent with other properties in the vicinity and the need for the variance is not self-created. The request for the height variance is self-created.
- (c) Public Safety and Welfare** – The granting of the 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 granting of the 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.

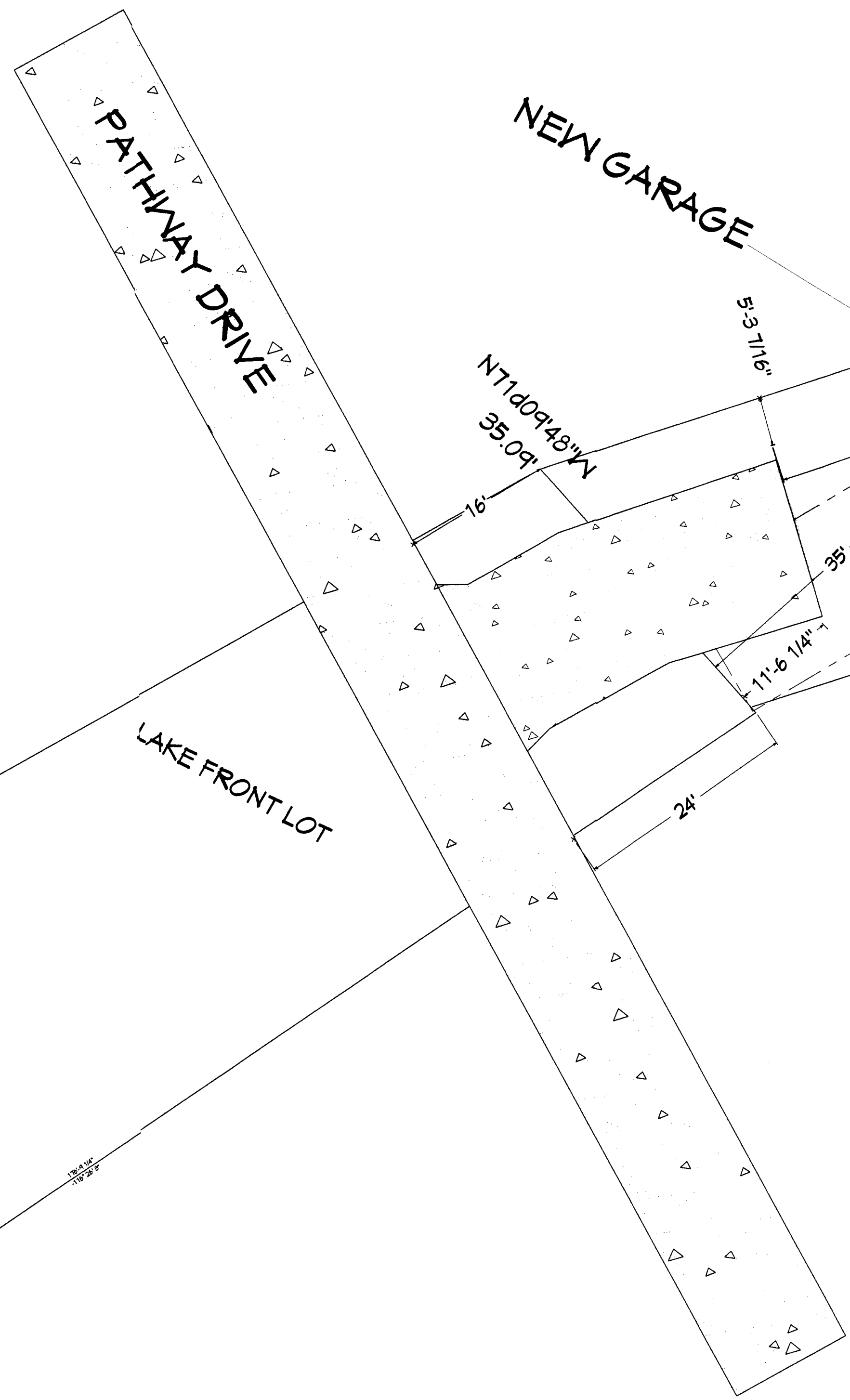
Recommended Conditions

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

1. Structure must be guttered with downspouts.
2. Grading and soil erosion plan by civil engineer to ensure stabilization of slopes and avoid impacts on adjacent parcels.
3. Accessory structure cannot be used for living purposes.

GENOA TOWNSHIP





SCALE 1" = 10'

JOB SITE
792 PATHWAY DR.
HOWELL, MI 48843
GARAGE SITE PLAN

OWNERS ADDRESS
3027 STILL RIVER DRIVE
HOWELL, MI 48843
BRAD BUSCH 734.255.7885
AMBER BUSCH 517.974.0707

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OUT PERMISSION

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
GARAGE SITE PLAN

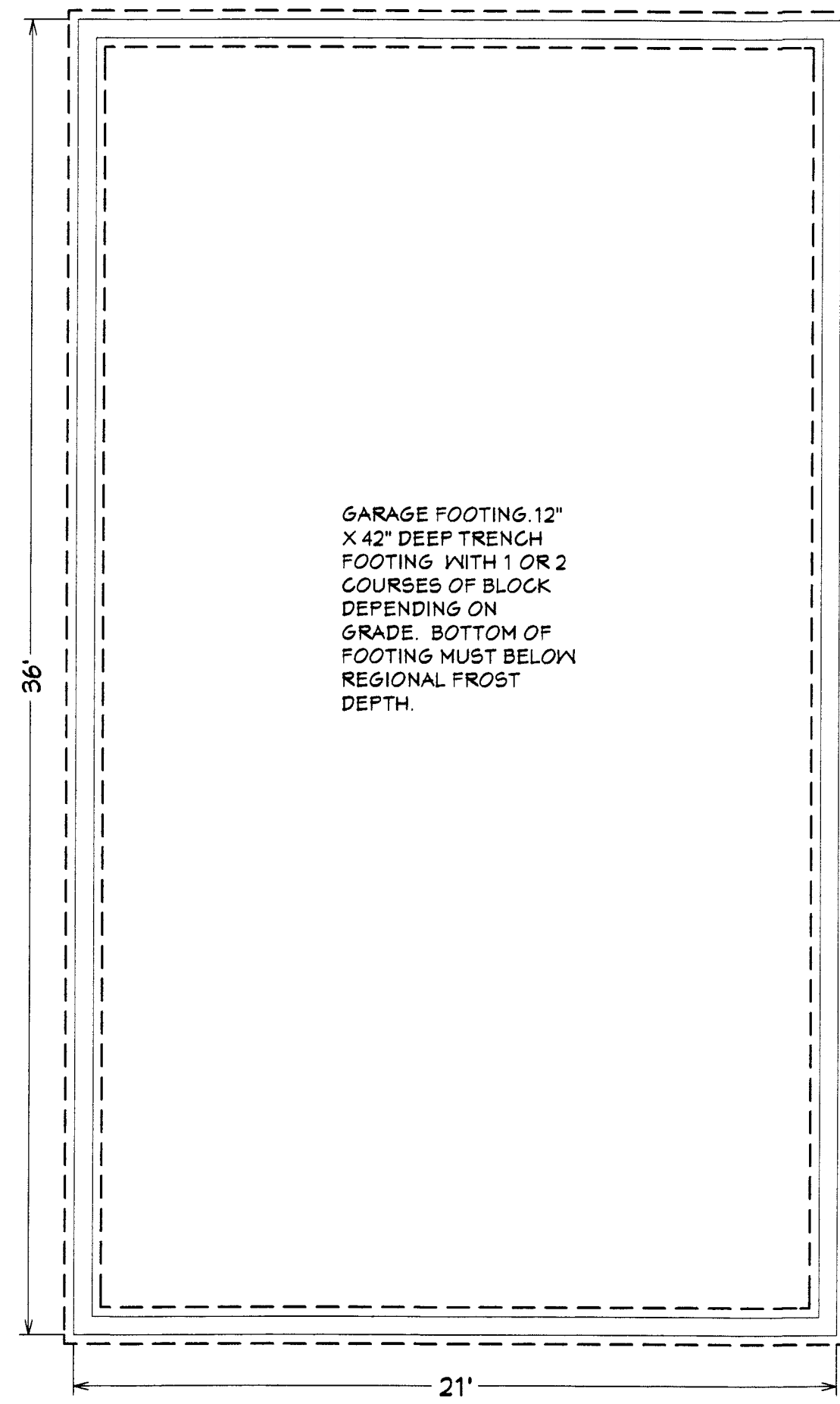
PROJECT DESCRIPTION:
**NEW GARAGE PLANS
BRAD AND AMBER BUSCH**

DRAWINGS MODIFIED AND PROVIDED BY:
Doyle Homes Inc.
4926 CHILSON RD
HOWELL, MI 48843
517-540-4714

DATE:
12/13/2018

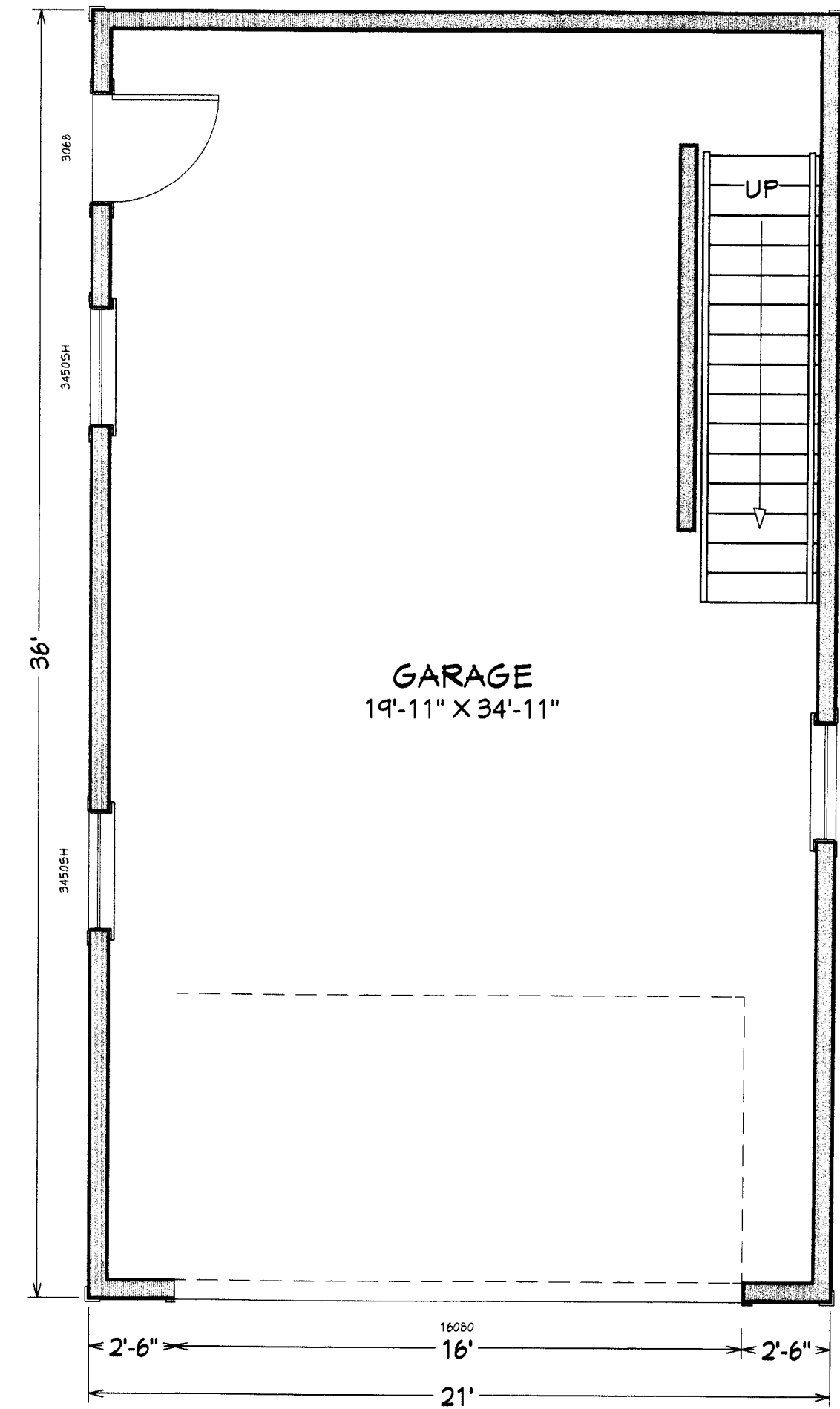
SCALE:

SHEET:
A-3

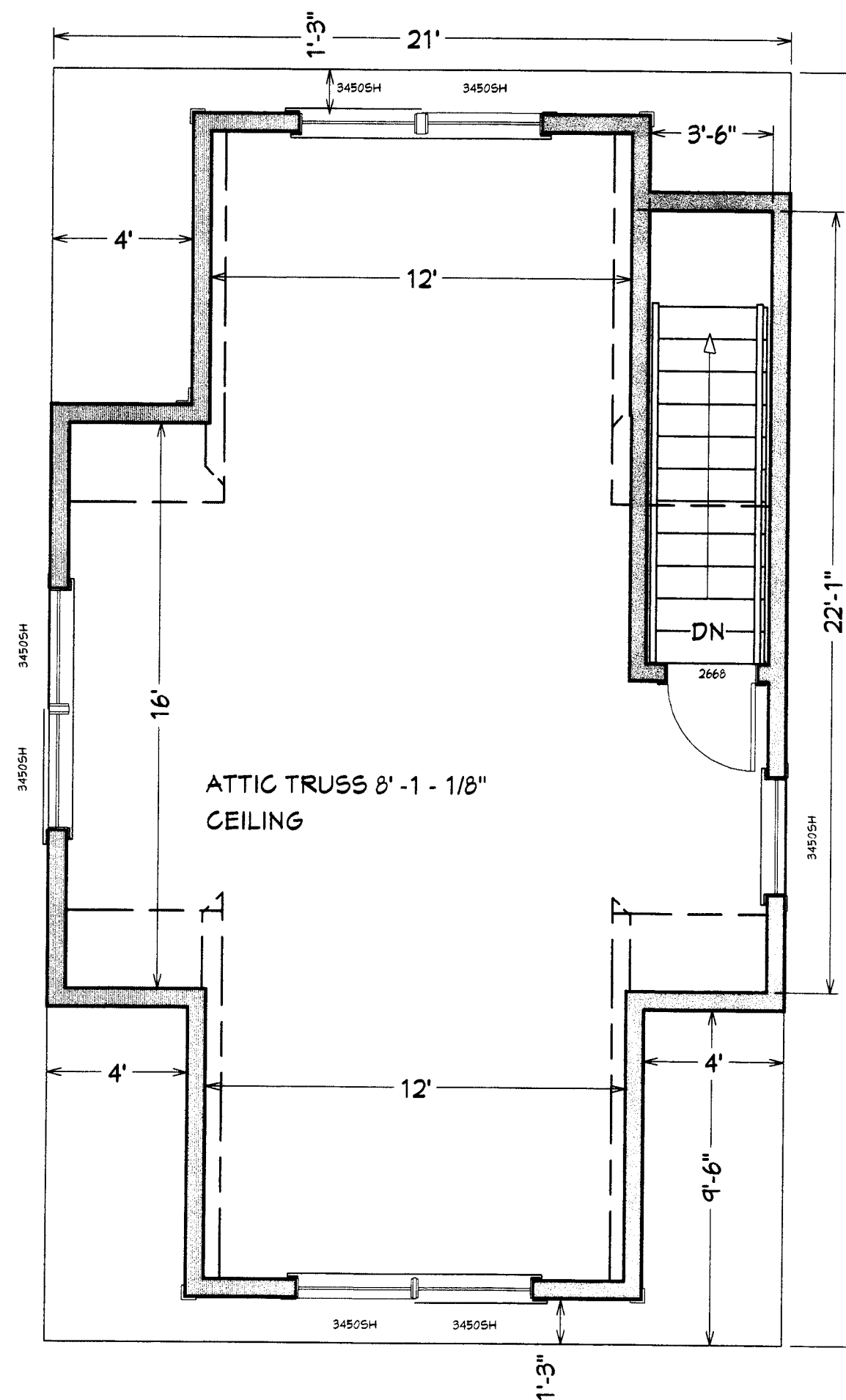


Foundation

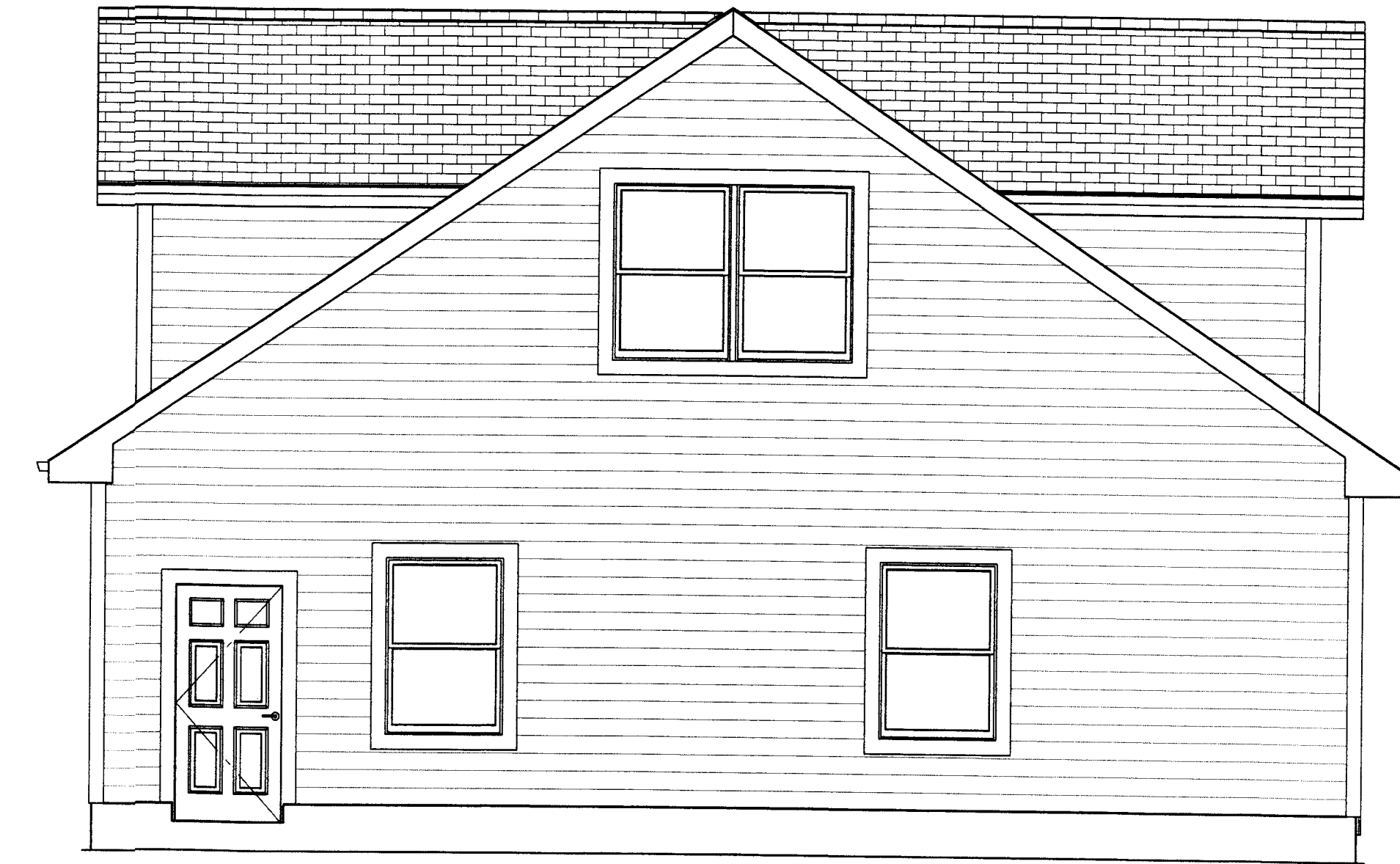
GARAGE FOOTING 12" X 42" DEEP TRENCH FOOTING WITH 1 OR 2 COURSES OF BLOCK DEPENDING ON GRADE. BOTTOM OF FOOTING MUST BE BELOW REGIONAL FROST DEPTH.



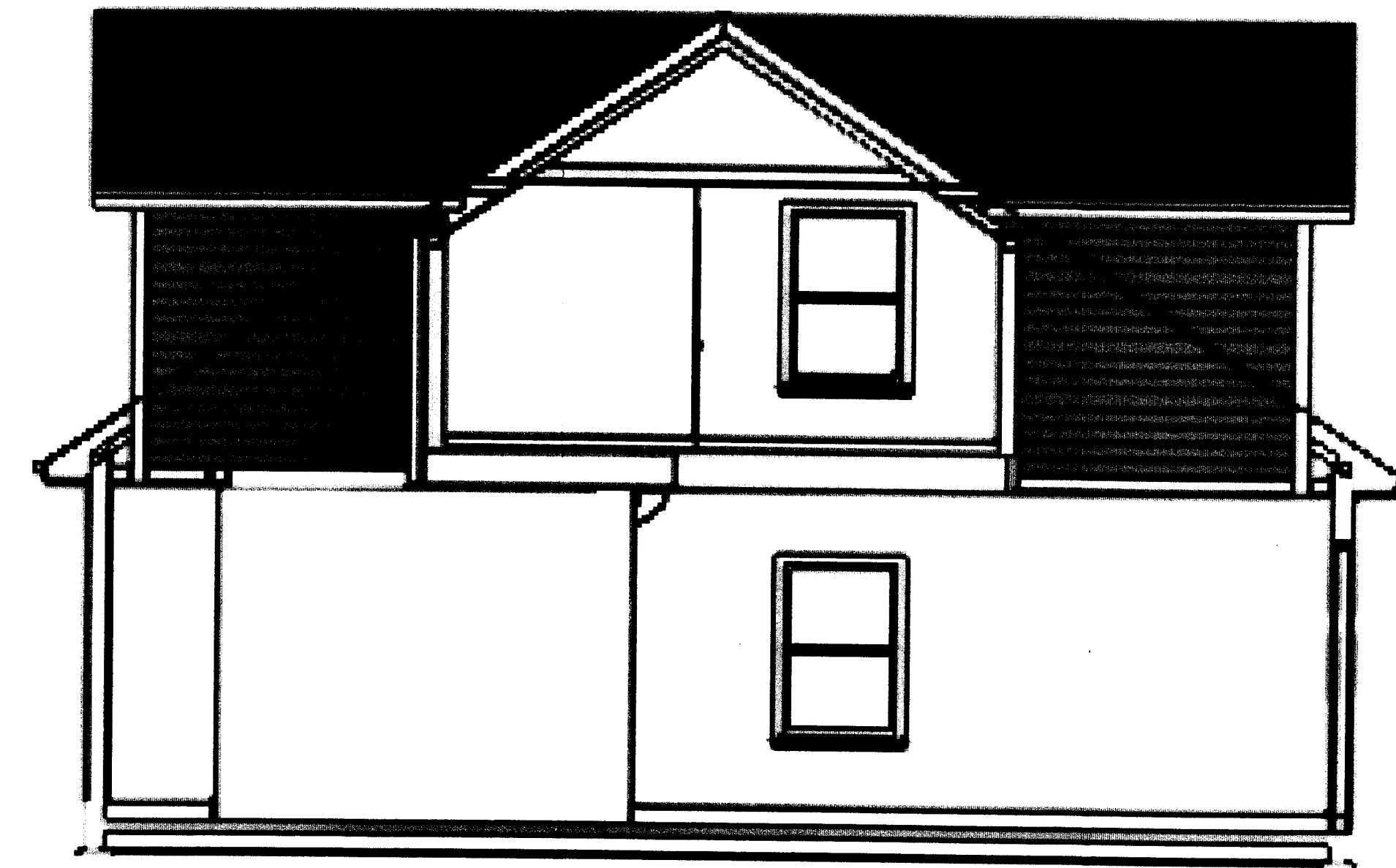
1st Floor



2nd Floor



Elevation 5

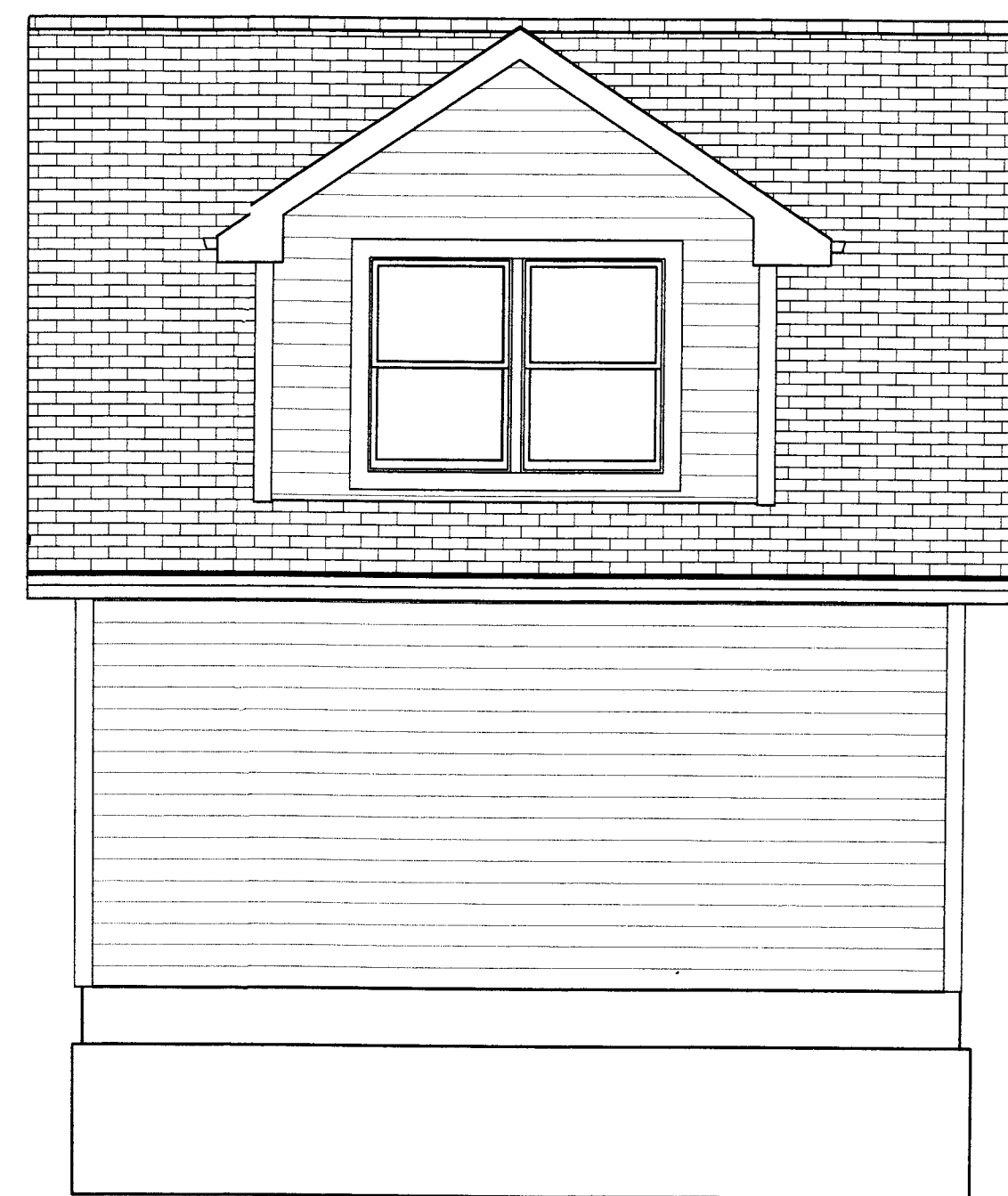


756
528

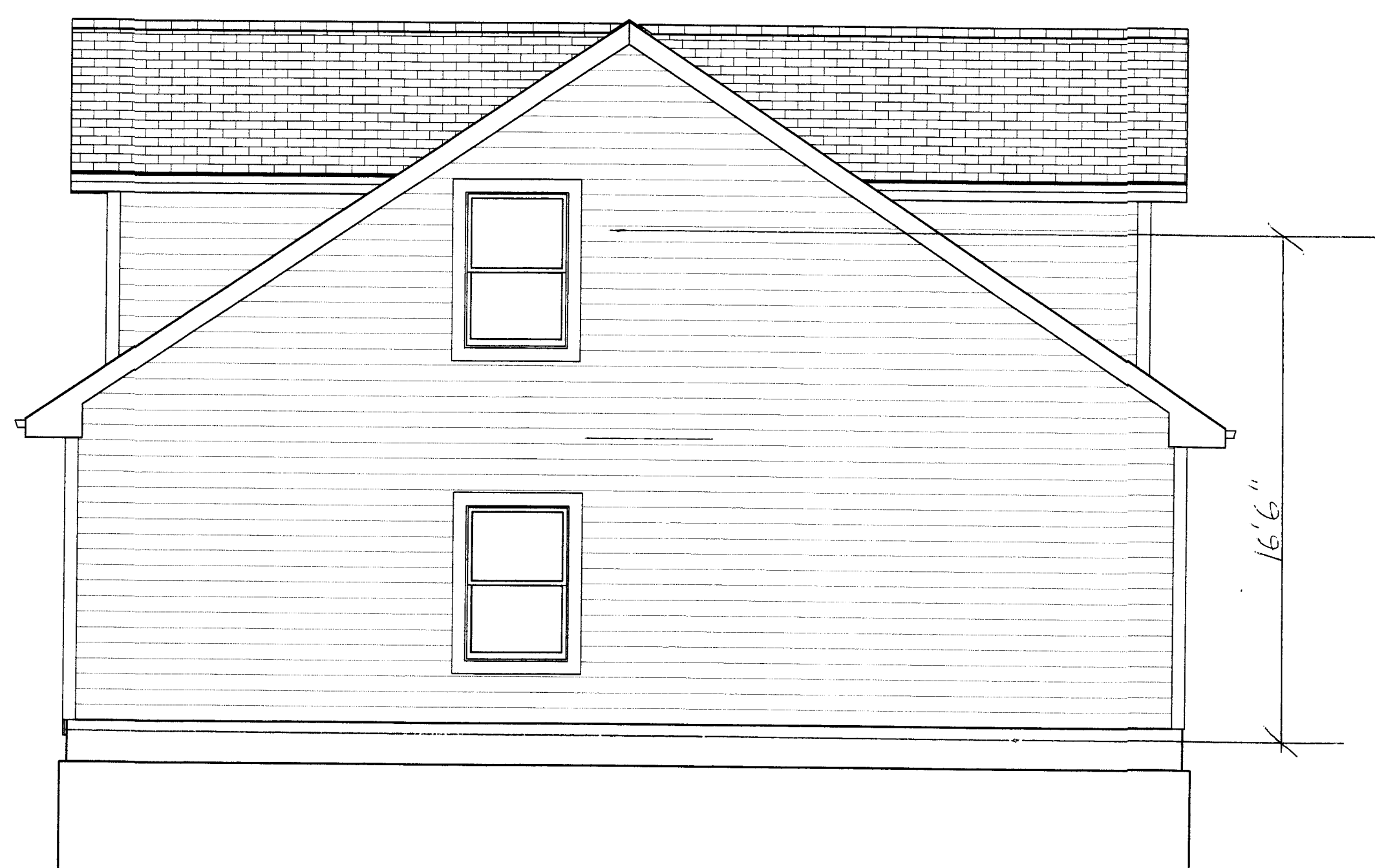
GARAGE SQUARE FOOTAGE
BONUS ROOM



Elevation 4



Elevation 6



Elevation 3

- 16" OVERHANG STD
- 12" RAKE OVERHANG STD
- 8/12 PITCH FRONT TO BACK
- 8/12 PITCH ON FRONT GABLES
- VINYL SIDING
- 5" WINDOW TRIM
- 5" VINYL CORNERS

JOB SITE
792 PATHWAY DR.
HOWELL, MI 48843

OWNERS ADDRESS
3027 STILL RIVER DRIVE
HOWELL, MI 48843
BRAD BUSCH 734.255.7885
AMBER BUSCH 517.974.0707

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OUT PERMISSION

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
FLOOR PLAN

PROJECT DESCRIPTION:
**NEW GARAGE PLANS
BRAD AND AMBER BUSCH**

DRAWINGS MODIFIED AND PROVIDED BY:
Doyle Homes Inc.
4926 CHILSON RD.
HOWELL, MI 48843
517-548-4774

DATE:
12/13/2018

SCALE:

SHEET:

A-2

To: Genoa Township ZBA
From: Mark and Amy Trump
786 Pathway Drive Howell, Michigan 48843
Date: 1/6/2019
Subject: Pathway Drive: **Vacant Variance Request** (Parcel #11-10-101-044)

Genoa Township ZBA,

My wife and I own the house at 786 Pathway. Our home is our primary residence and is located west of the applicants' 792 Pathway cottage. The current request involves a parcel that is already non-conforming as it is built on 800 Pathway's property.

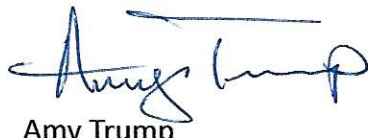
Due to the fact that the applicants request is beyond the existing zoning guidelines for height and easement setbacks, we are sending you this letter to communicate our concerns. They are as follows:

- 1) Current existing conditions on Pathway drive are "very tight" to say the least already
- 2) Pathway Drive is just that - a single car wide path for egress in and out of the neighborhood
- 3) The current request for the second story height variance for a 36 foot deep garage on the vacant parcel does not show any extraordinary circumstances that would require this need.
- 4) **Height Variance Concerns:** The proposed new structure will be higher than the hill ground behind it - and be nearly as tall as the proposed new house on the lake parcel.
 - Having multiple two story high buildings on both sides of the street, including the Lake front side and the forest hilltop side of Pathway drive, is unreasonable and will ruin the current Lakeshore Resort Residential Living esthetic
 - Our concern is this will deteriorate the property values in the neighborhood, as it will start to look like Sunrise Park
 - In addition, the current request does not address soil erosion concerns of building into the hill. This could negatively impact adjacent properties.
- 5) **Side Setback Concerns:** The proposed new structure will also be non-compliant with the current side setbacks requirements.
 - This will make a "tight" living area even "tighter"
 - In addition, it is an unreasonable request as adjacent parcels will be impacted in the building of the 36 foot deep two story high structure.
 - The side and height set back requirements are in place for a reason and should be strictly adhered to.

We ask that you take the above concerns into consideration regarding the garage variance request.

Sincerely,


Mark Trump


Amy Trump

786 Pathway Drive Howell, MI 48843
Cell: 517-404-5395

To: Genoa Township ZBA

**From: James and Martha Barton
800 Pathway Drive Howell, MI 48843**

Date: January 6, 2019

Subject: Pathway Drive: Vacant Variance Request (Parcel #11-10-101-044)

Genoa Township ZBA

My wife and I own the house at 800 Pathway, which is located on the lot east of the applicants' 792 Pathway cottage. The front corner of the applicants existing non-conforming garage is currently located on my property. When you make your site visit you will be able to see the survey pin in the driveway inside the front east corner of the garage. Below are my concerns with respect to the applicants' variance request. I respectfully ask that you take them into consideration when you make your decision on the garage variance request.

Garage Height Variance Request

The request for a height variance does not constitute the required **“Extraordinary Circumstance Condition”**. The garage height variance request is a **“self created need”** by the applicant. There is a large hill that the back end of the proposed garage will be built into. If the garage height variance is granted, the top of the garage will be above the hill which will look unappealing. Therefore, I request the ZBA denies the garage height variance request.

Soil Stabilization Around the Back of Garage

The proposal of a 36 foot deep garage is a **“self created need”**. This will require excavation of the steep 20 foot hill behind the proposed garage. The documents submitted for the garage variance do not provide a detailed plan on how the soil around the back of the garage will be stabilized. If the proposed garage was not so deep or if it was moved closer to the road, excavation of the hill would not be required. At the very least I request that the ZBA require the applicant to provide a detailed plan that will insure that the soil from the hill around the garage remains stable while maintaining public safety.

I certainly support the building of a new garage that is no longer on my property and address the concerns stated above. Thank you for your consideration.

James Barton Martha Barton

800 Pathway Drive Howell, MI 48843

Cell: 248-921-4942

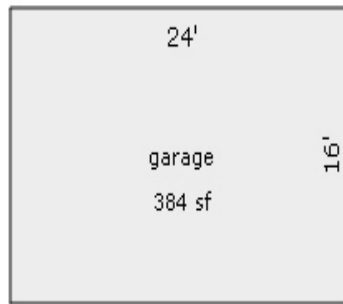
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.	
SORTOR ROSANNA REVOCABLE T	BUSCH JOHN & AMBER	163,000	10/14/2011	WD	ARMS-LENGTH	2011R-030950	BUYER	0.0	
SORTOR, ROSEANNE	SORTOR ROSANNA REVOCABLE T	0	02/15/2008	QC	INVALID SALE	2011R-027603	BUYER	0.0	
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status	
VACANT		School: HOWELL		P.R.E. 100% / /					
Owner's Name/Address		MAP #: V19-02/03		2019 Est TCV Tentative					
BUSCH JOHN & AMBER 3027 STILLRIVER DR HOWELL MI 48843		X Improved		Vacant	Land Value Estimates for Land Table 00004.LAKE CHEMUNG				
Tax Description		X		Public Improvements		* Factors *			
SEC 10 T2N R5E BEG N 89*W 683.37 FT & S 42*W 106.24 FT FROM N1/4 COR, TH S 42*W 545.85 FT, TH N 71*W 35 FT, TH N42*E 560.73 FT, TH S 46*E 36.41 FT TO POB .462AC M/L SPLIT 1984 FR 032		Dirt Road		Gravel Road		Description Frontage Depth Front Depth Rate %Adj. Reason Value			
Comments/Influences		Storm Sewer		Paved Road		D EXCESS NON LF 35.00 552.00 1.0000 1.0000 500 100 17,500			
		Sidewalk		Water		35 Actual Front Feet, 0.44 Total Acres Total Est. Land Value = 17,500			
		Sewer		Electric					
		Gas		Curb					
		Street Lights		Standard Utilities					
		Underground Utils.		Topography of Site					
		Level		Rolling					
		Low		High					
		Landscaped		Swamp					
		Wooded		Pond					
		Waterfront		Ravine					
		Wetland		Flood Plain					
		Year		Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
		Who	When	What	2019	2018	2017	2016	
					Tentative	8,800	8,800	8,800	Tentative
						6,200	6,000	5,700	12,582C
						15,000	14,800	14,500	12,324C
									12,215C

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	X Eavestrough	X 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: 0 Car Capacity: Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 384 % Good: 0 Storage Area: 0 No Conc. Floor: 0						
	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 Forced Heat & Cool Heat Pump No Heating/Cooling	Class: BC Effec. Age: 21 Floor Area: 0 Total Base New : 19,849 Total Depr Cost: 15,681 Estimated T.C.V: 14,113	E.C.F. X 0.900	
																Building Style: BC
Yr Built 2008	Remodeled 0	Size of Closets			(12) Electric								Bsmnt Garage:			
Condition: Good		Lg	X	Ord		0 Amps Service								Carport Area:		
Room List		(5) Floors			No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family BC			Cls BC		Blt 2008			
Basement	Kitchen:			Ex.			X	Ord.	Min	(11) Heating System: Forced Air w/ Ducts						
1st Floor	Other:			No. of Elec. Outlets			Ground Area = 0 SF Floor Area = 0 SF.			Phy/Ab.Phy/Func/Econ/Comb. % Good=79/100/100/100/79						
2nd Floor	Other:			Many			X	Ave.	Few	Building Areas						
Bedrooms	(6) Ceilings			(13) Plumbing			Stories Exterior Foundation Size Cost New Depr. Cost									
(1) Exterior		Basement: 0 S.F.			Average Fixture(s)			Other Additions/Adjustments								
Wood/Shingle	Crawl: 0 S.F.			1 3 Fixture Bath			Garages									
Aluminum/Vinyl	Slab: 0 S.F.			2 Fixture Bath			Class: BC Exterior: Siding Foundation: 42 Inch (Unfinished)									
Brick	Height to Joists: 0.0			Softener, Auto			Base Cost 384 19,849									
X Vinyl	(8) Basement			Softener, Manual			Totals: 19,849 15,681									
X Insulation	Conc. Block			Solar Water Heat			Notes:									
(2) Windows		Poured Conc.			No Plumbing			ECF (4300 LK CHEMUNG NON WATERFRONT) 0.900 => TCV: 14,113								
Many		Stone			Extra Toilet											
X Avg.	X	Treated Wood			Extra Sink											
Few		Concrete Floor			Separate Shower											
(3) Roof		(9) Basement Finish			Ceramic Tile Floor											
Wood Sash	Recreation SF			Ceramic Tile Wains												
Metal Sash	Living SF			Ceramic Tub Alcove												
Vinyl Sash	Walkout Doors			Vent Fan												
Double Hung	No Floor SF			(14) Water/Sewer												
Horiz. Slide	(10) Floor Support			Public Water												
Casement	Joists:			Public Sewer												
Double Glass	Unsupported Len:			Water Well												
Patio Doors	Cntr.Sup:			1000 Gal Septic												
Storms & Screens	Lump Sum Items:			2000 Gal Septic												
X Gable																
Hip																
Flat																
X Asphalt Shingle																
Chimney:																

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



Sketch by Apex Medina™

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



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION
2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 19-03 Meeting Date: 1-15-2019
6:30pm

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

1. Applicant/Owner: Brad and Amber Busch Email: Brad_Busch@buschs.com

Property Address: 792 Pathway Drive Brighton, MI 48116 Phone: (734) 214-8281

Present Zoning: Lake Resort Residential Tax Code: ~~11-10-101-020~~ 10-101-017

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:** Need variance from road side setback. We are tearing down existing cottage to build a new home on the site. We would like the same setback as the existing home off of the roadside.

2. **Intended property modifications:** New single family home per the attached plans and site plan.

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 roadway for the lot cuts through the lot. The lot extends to the other side of the road. Homes are not able to be built in this area with out a roadside variance. All neighbors have variances for the road set back as well as existing home that will be torn down.

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.

All neighbors homes are sitting closer to the road than is allow by the current ordinance.

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.

Granting this variance will not impare adequate supply of light and air to adjacent properties. As the new home will sit at the same setback as the existing home and similar to others in the area there will be no increased danger. As it is replacing an existing home, no increased congestion is anticipated.

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 not adversely affect the neighborhood in any way.

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: 12/12/18 Signature: 



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: January 9, 2019

RE: ZBA 19-03

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

STAFF REPORT

File Number: ZBA#19-03
Site Address: 792 Pathway Drive
Parcel Number: 4711-10-101-017
Parcel Size: .184 Acres
Applicant: Brad and Amber Busch, 3027 Stillriver Drive, Howell
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a front yard variance to construct a new home.
Zoning and Existing Use: LRR (Lakeshore Resort Residential) Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday December 30, 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 1977.
- The parcel is serviced by well and public sewer.
- See Assessing Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

The proposed project is to demolish existing single family home and construct a new home. In order to construct the new home as proposed, the applicant is required to obtain a front yard variance. Pathway Drive is a non-platted road. However, it meets the definition of a private road therefore front yard setback is taken from the edge of the road. The applicant is proposing to not encroach any closer into the front yard setback than the current home.

Variance Requests

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

Table 3.04.01 (LRR District):

Required Front Yard Setback: 35'
Proposed Front Yard Setback: 15'
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 front yard setback would prevent the applicant from constructing the new home. The applicant is proposing to not encroach any further into front yard setbacks as the current house location. There are other homes in the vicinity with reduced front yard setbacks that would support substantial justice.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the non-conforming location of the existing home, narrow lot and the location of the non-platted road. Granting of the variance would make it consistent with many homes in the vicinity. The need for the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** - The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

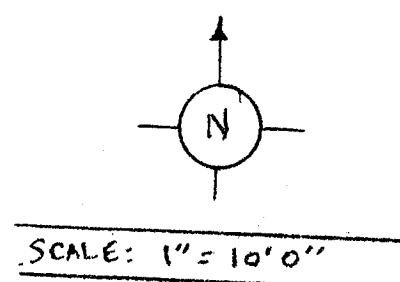
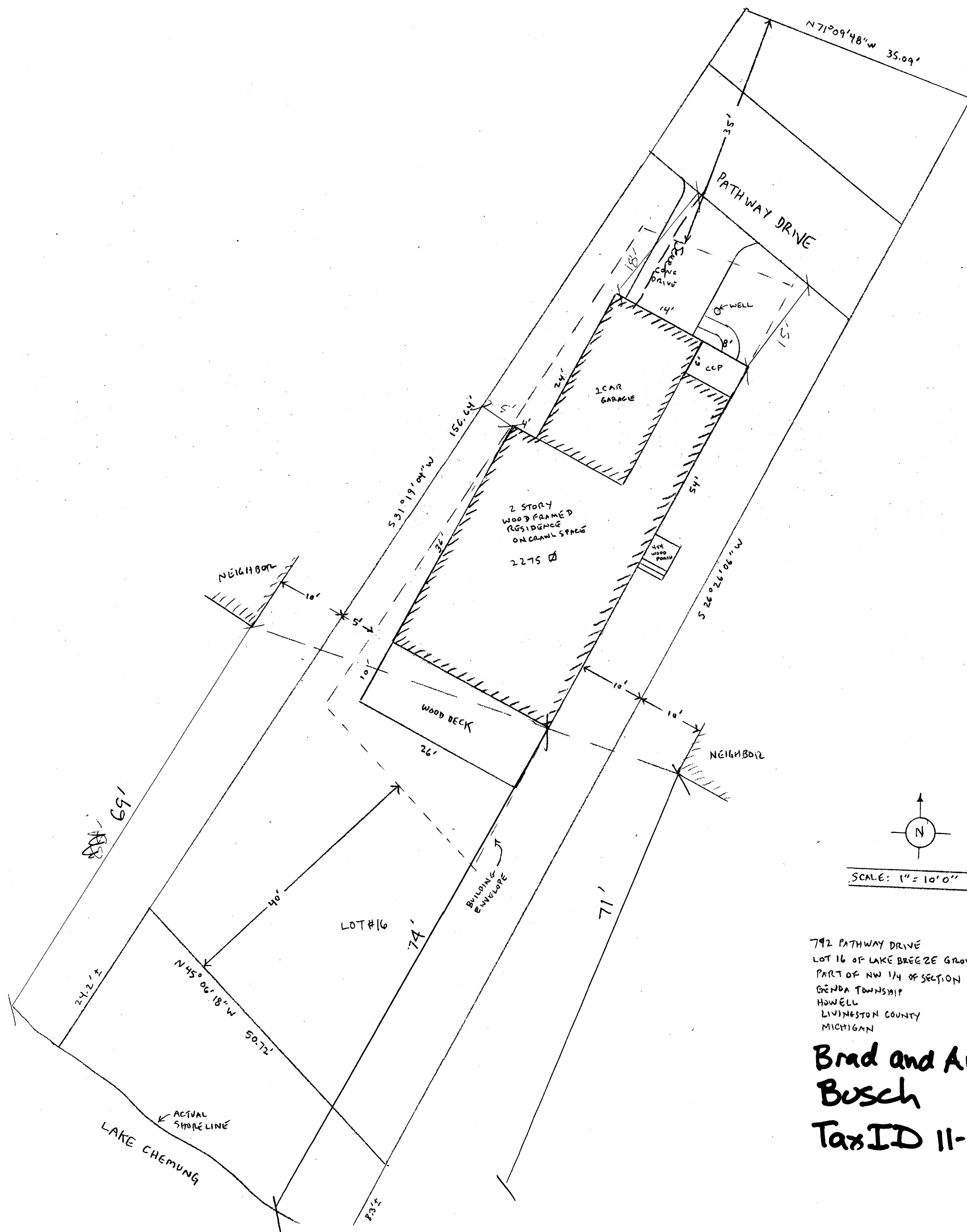
Recommended Conditions

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

1. Structure must be guttered with downspouts.

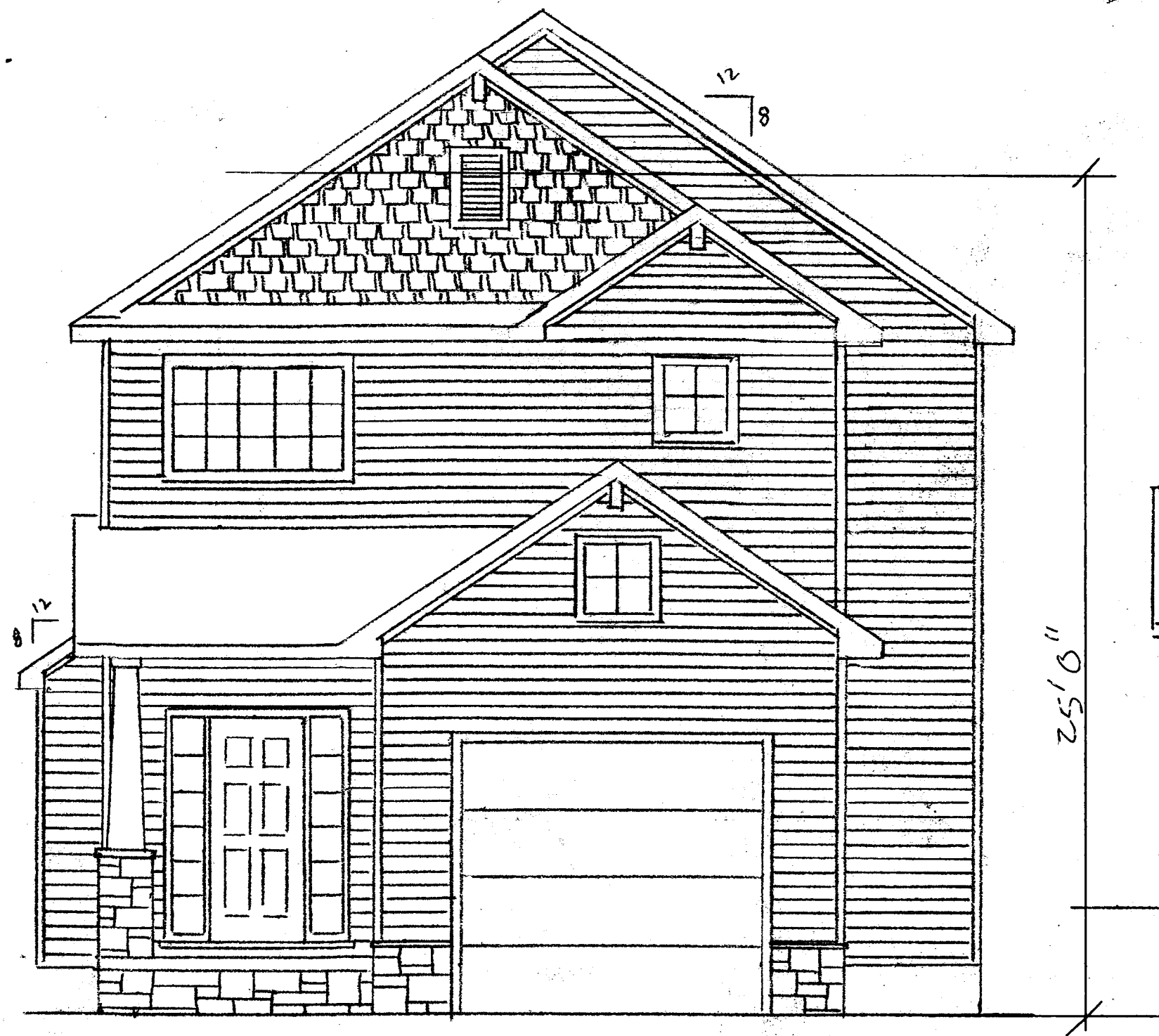
GENOA TOWNSHIP



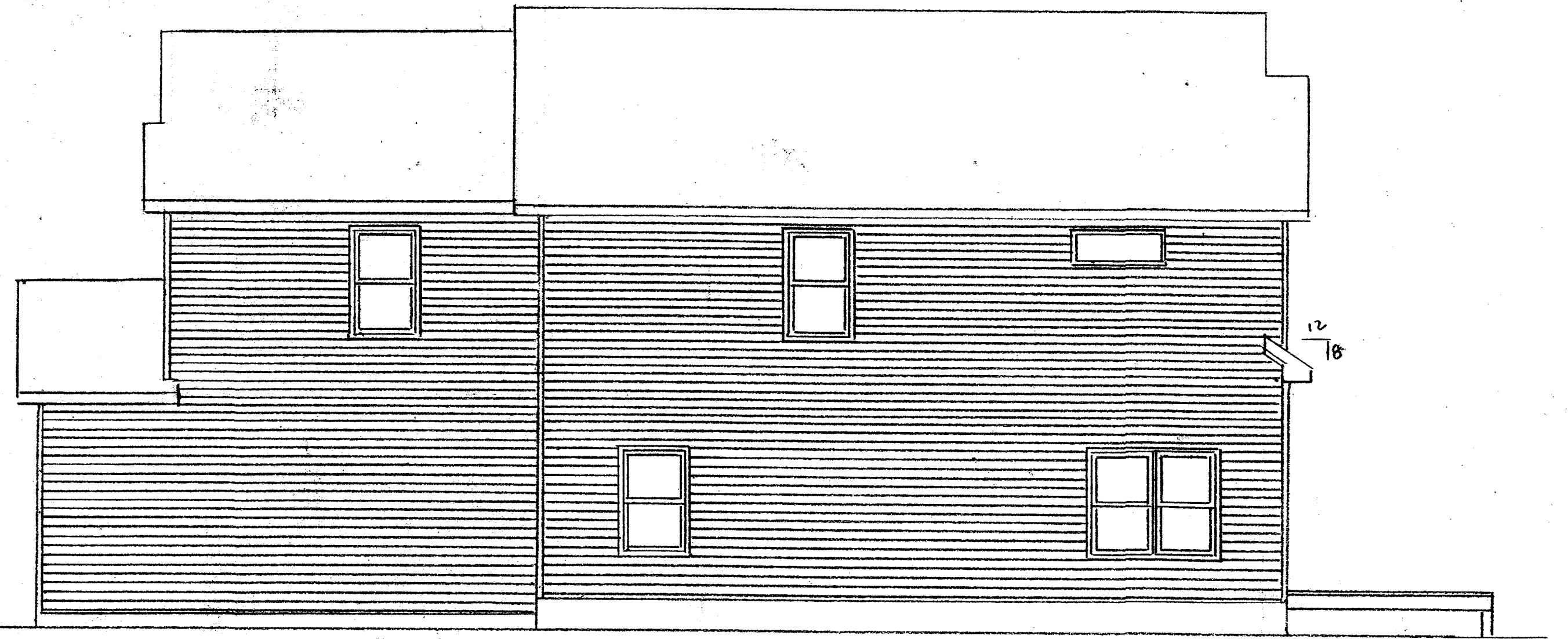


792 PATHWAY DRIVE
 LOT 16 OF LAKE BREEZE GROVE SUBDIVISION
 PART OF NW 1/4 OF SECTION 10, T2N R5E
 GENOA TOWNSHIP
 HOWELL
 LIVINGSTON COUNTY
 MICHIGAN

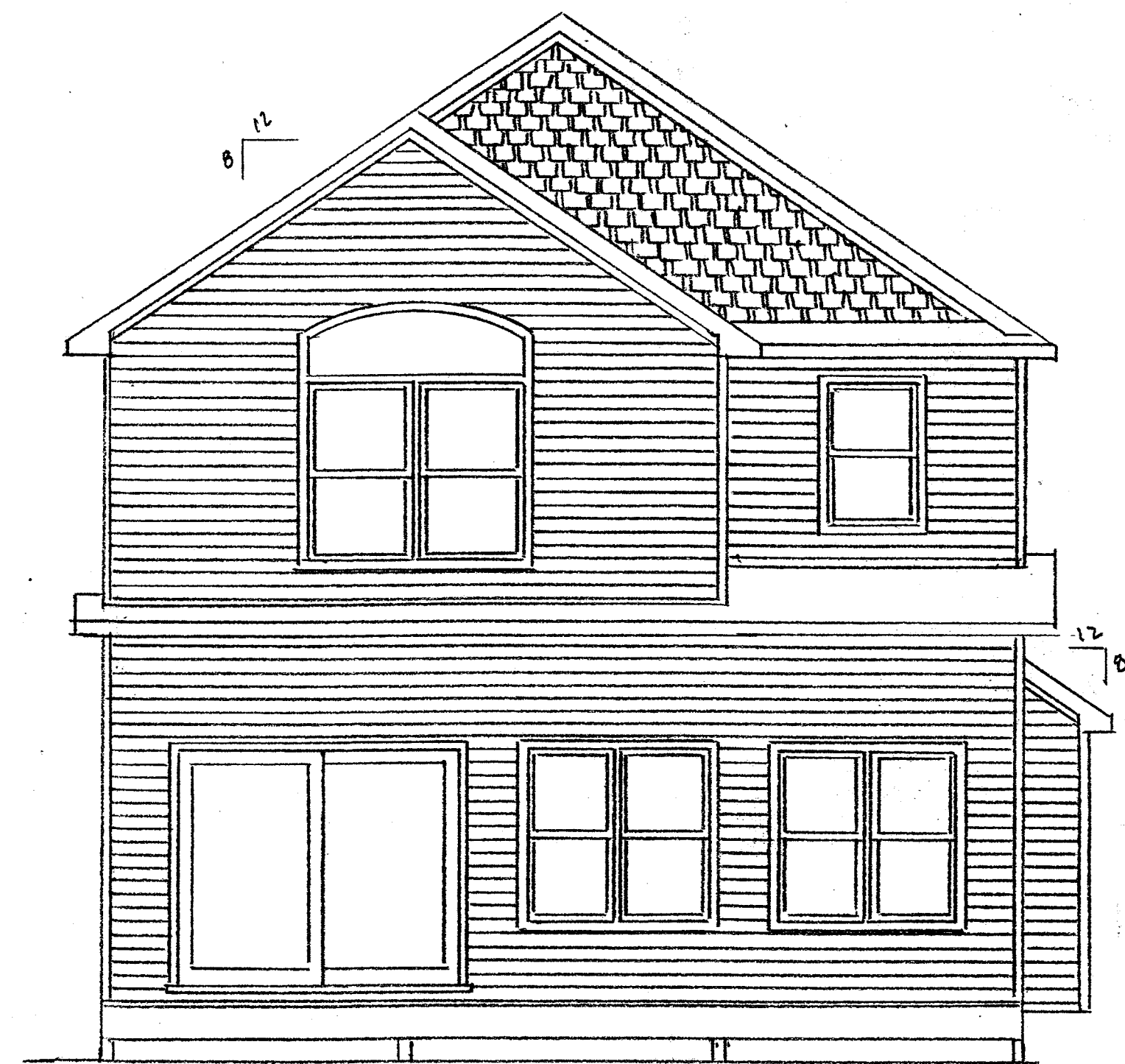
**Brad and Amber
 Busch**
Tax ID 11-10-19-026



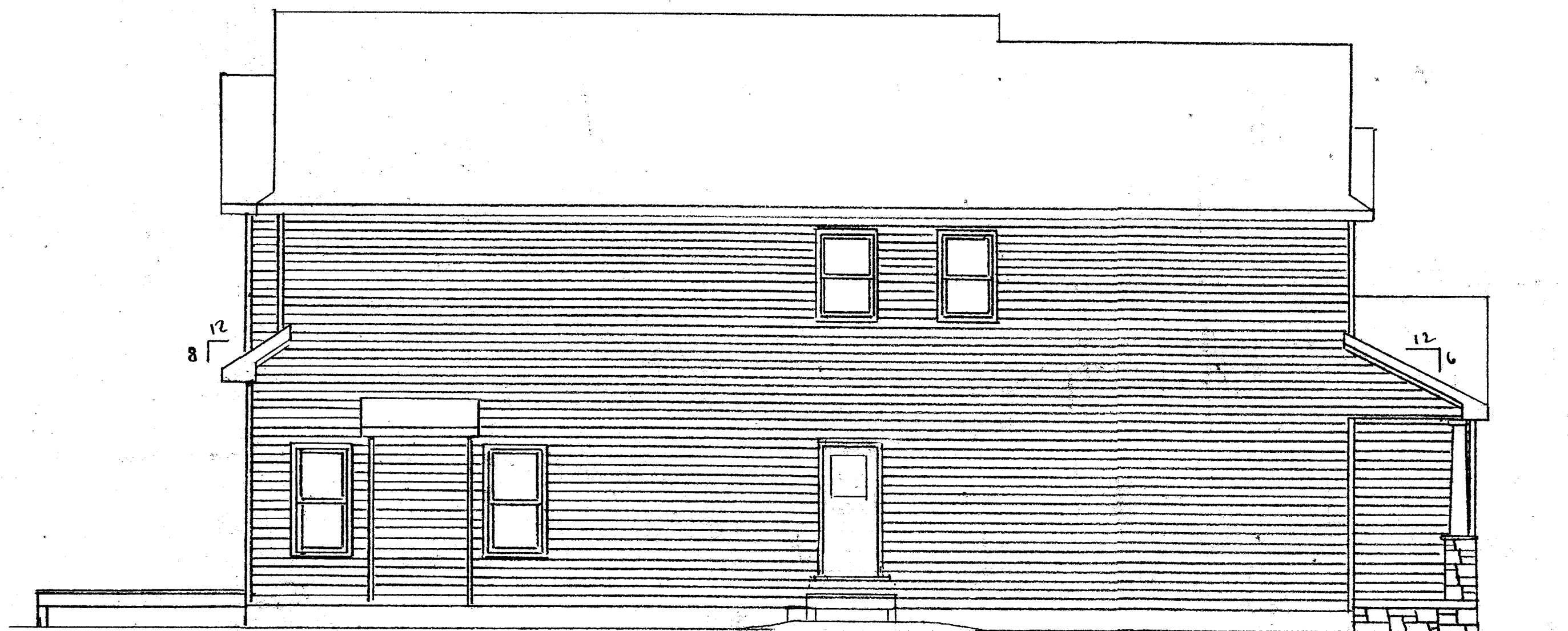
FRONT (STREET) ELEVATION
SCALE: 1/4" = 1'0"



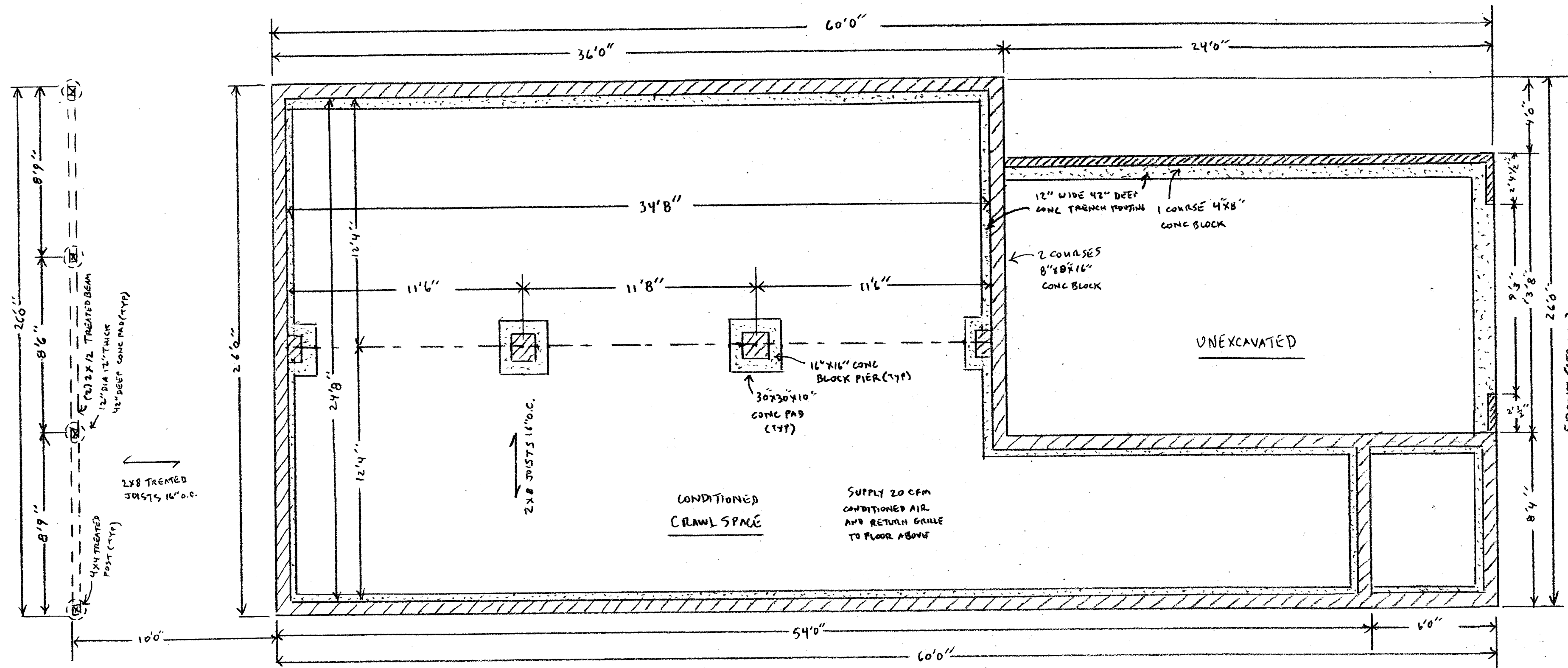
RIGHT ELEVATION
SCALE: 3/16" = 1'0"



REAR (LAKE) ELEVATION
SCALE: 1/4" = 1'0"

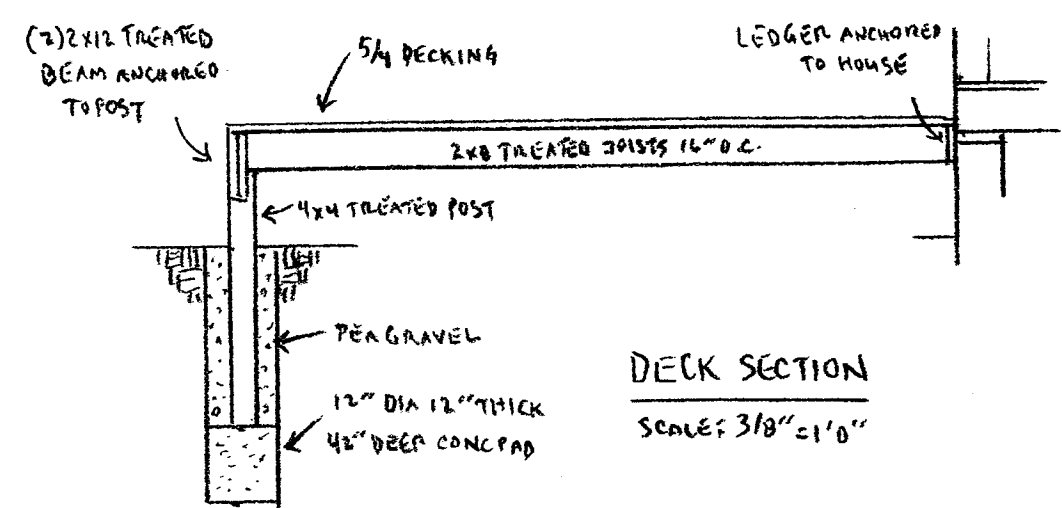


LEFT ELEVATION
SCALE: 3/16" = 1'0"



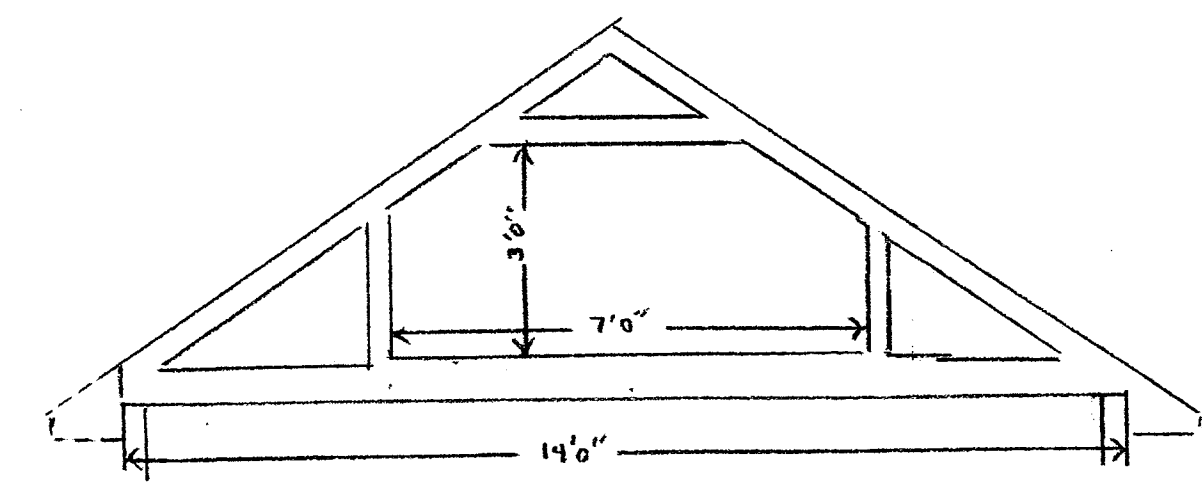
FOUNDATION PLAN

SCALE: 1/4" = 1'0"



DECK SECTION

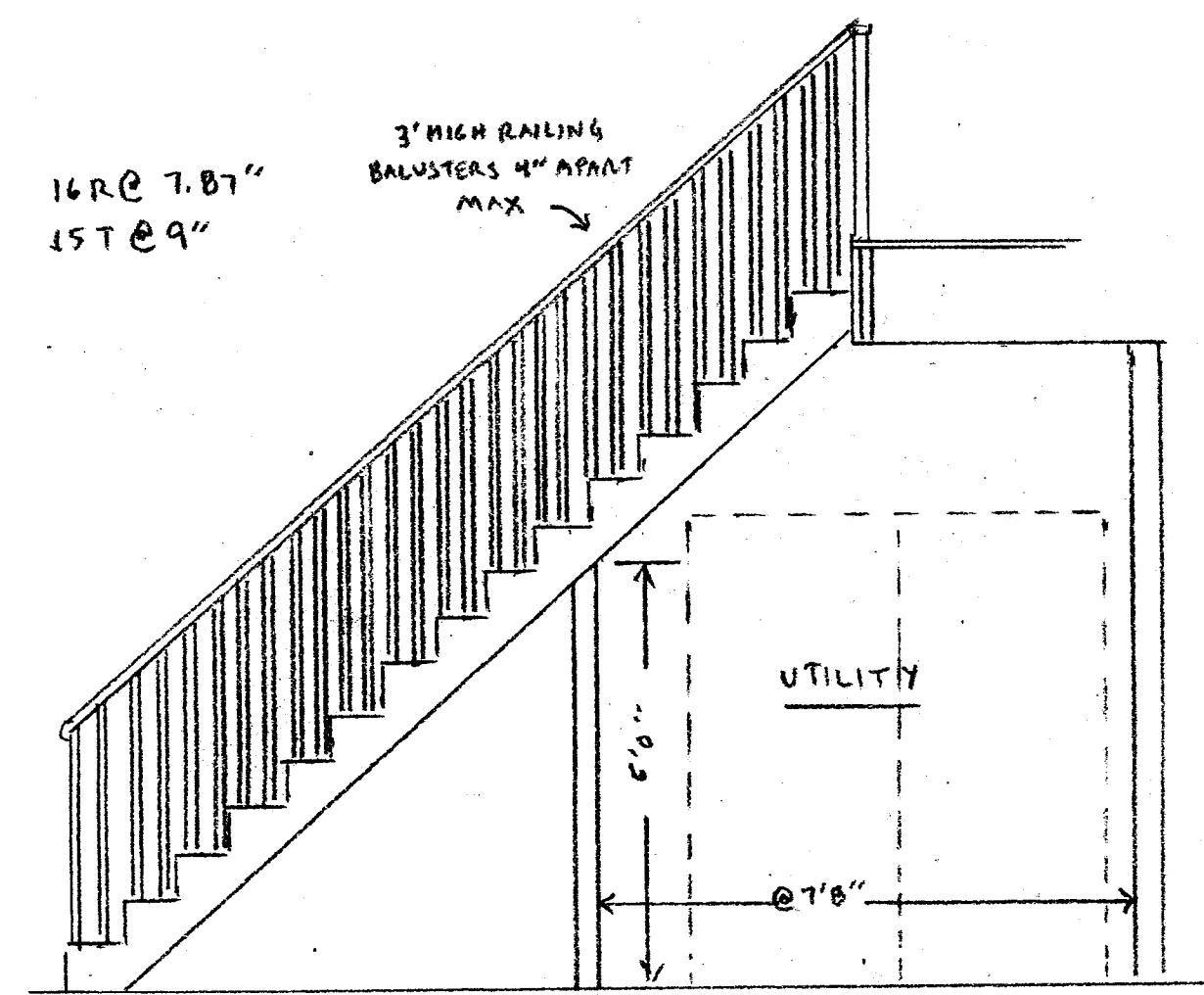
SCALE: 3/8" = 1'0"



GARAGE ATTIC TRUSS

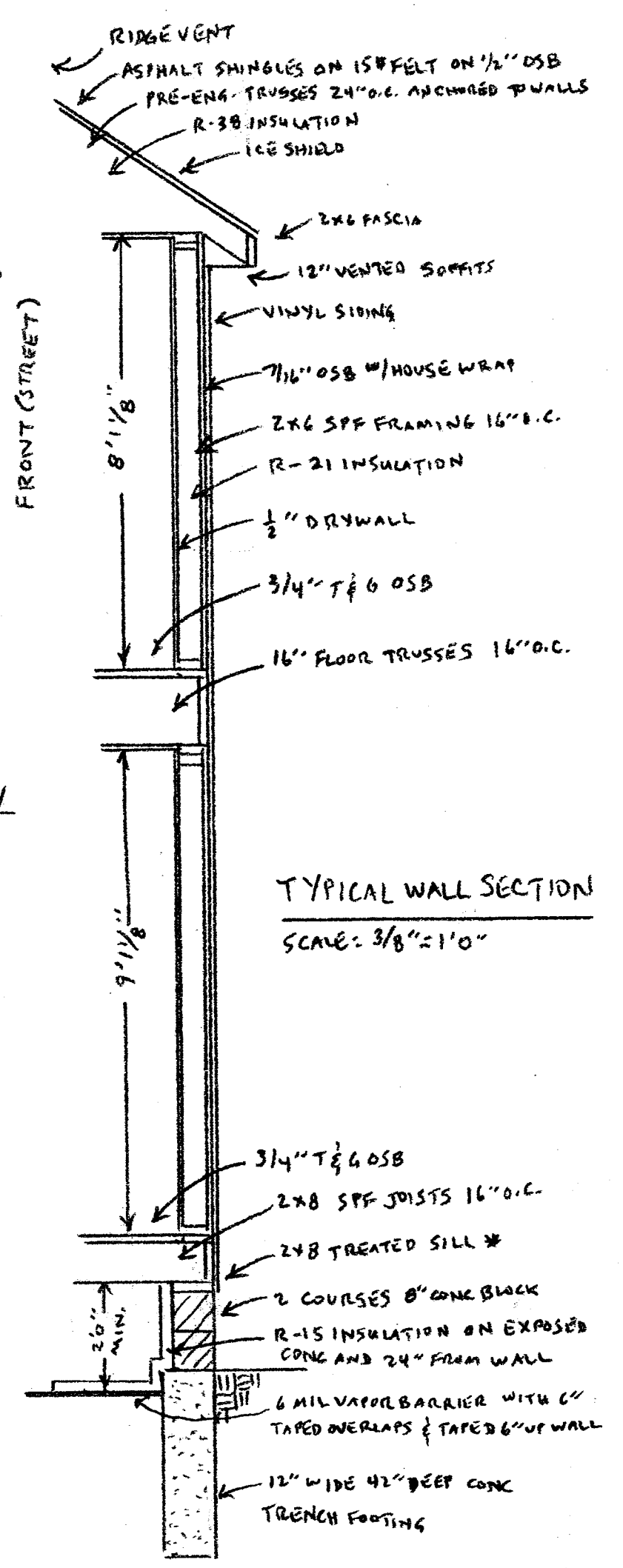
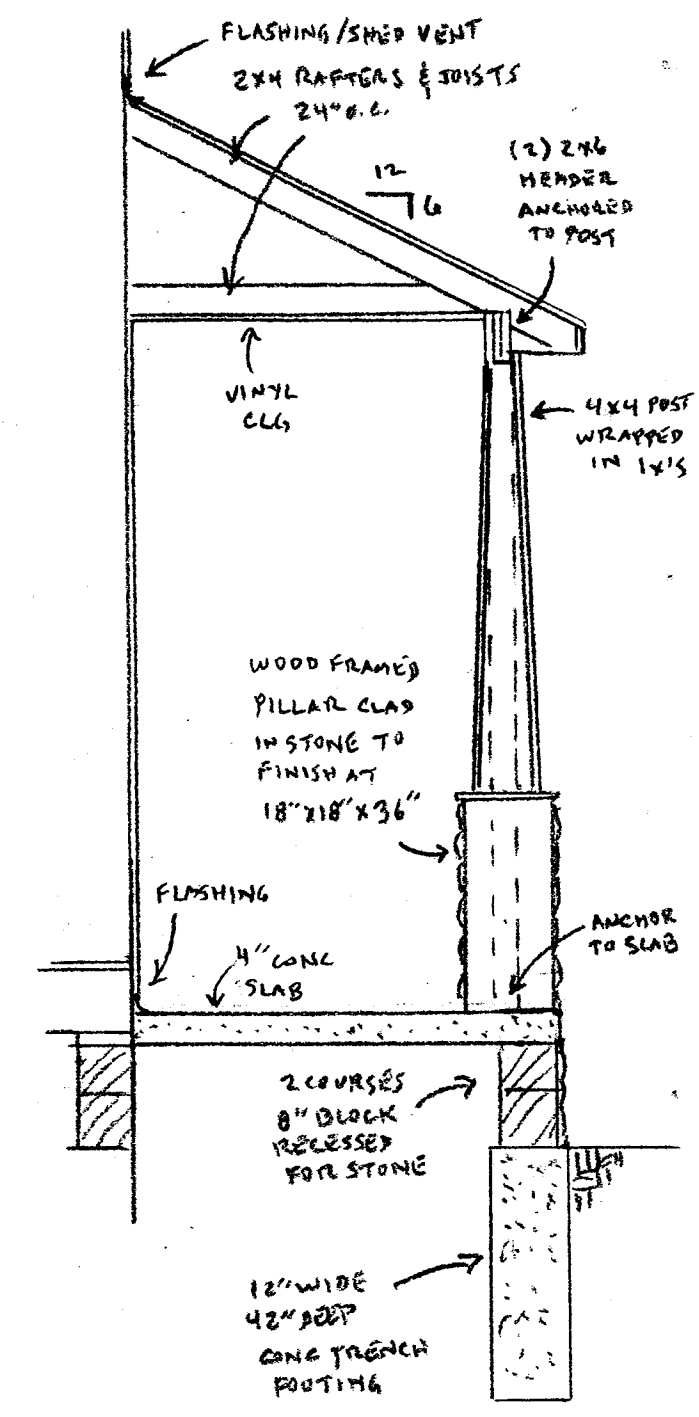
SCALE: 3/8" = 1'0"

NOTE: TBD BY TRUSS CO.



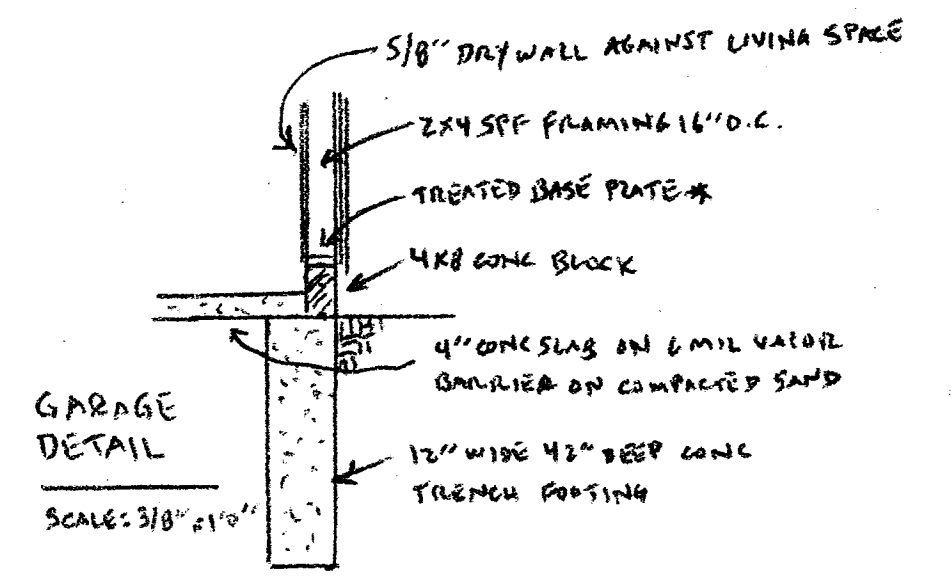
STAIRCASE SECTION

SCALE: 3/8" = 1'0"

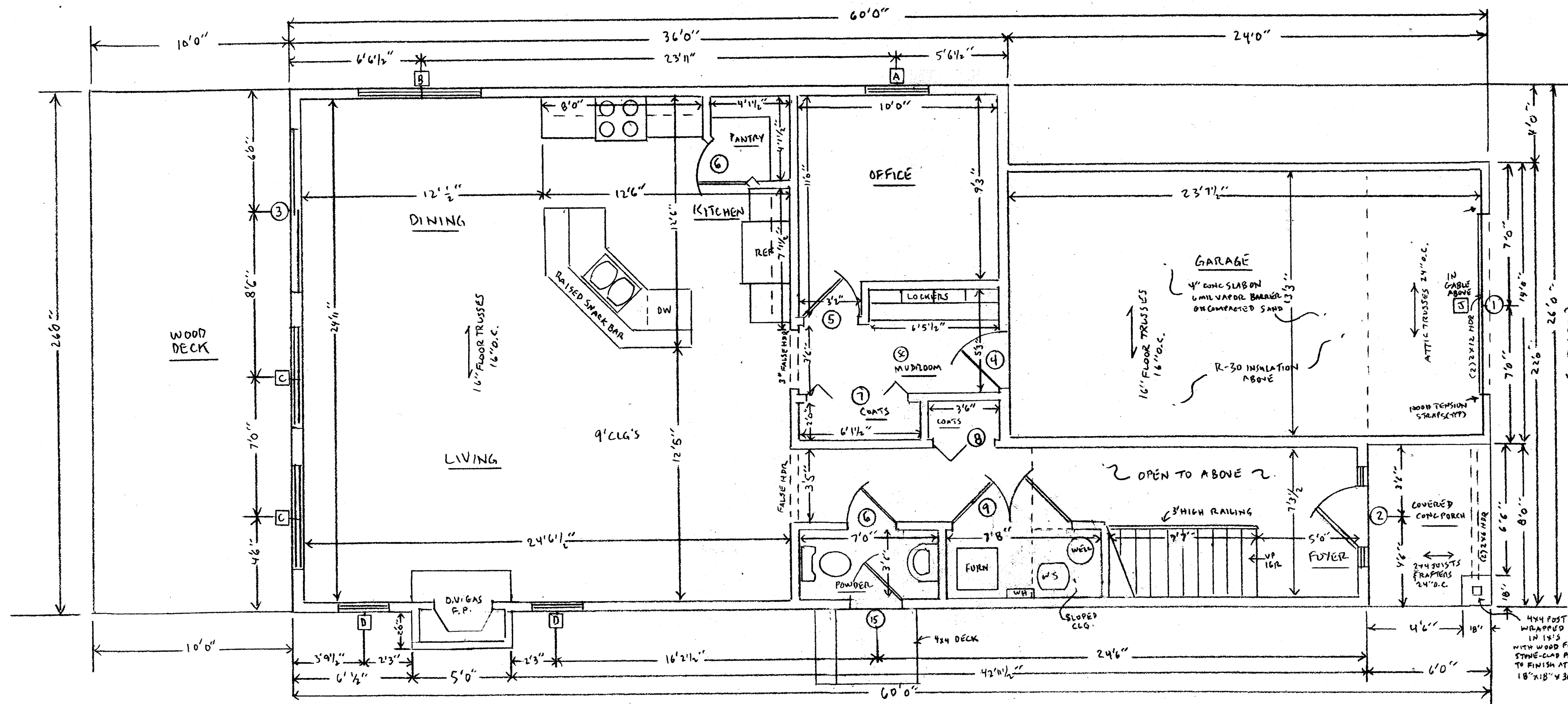


TYPICAL WALL SECTION

SCALE: 3/8" = 1'0"



* ANCHORED 12" FROM CORNERS AND 72" O.C.

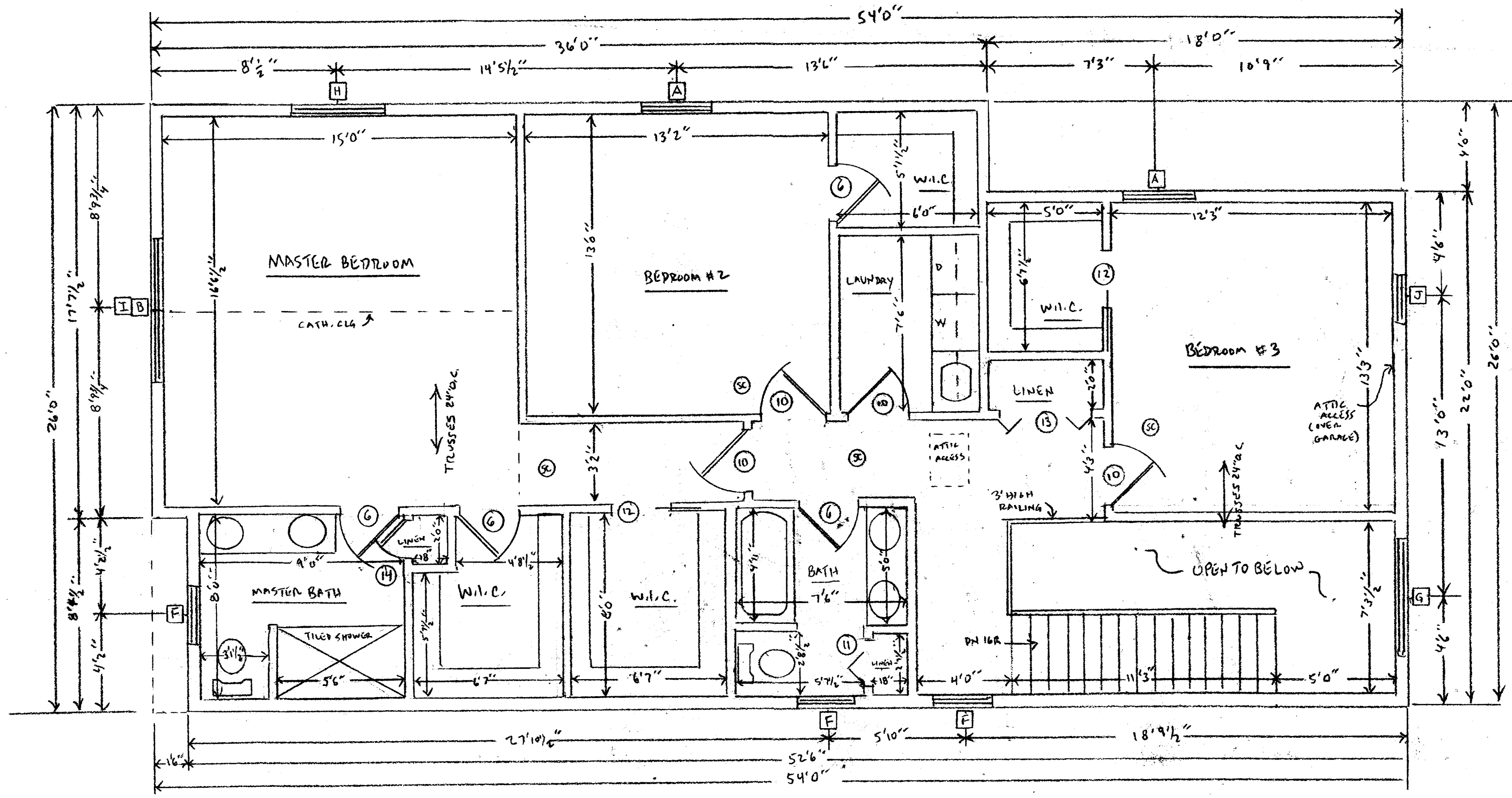


FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0" 1087

NOTES: EXT 2x6 WALLS DRAWN 6/8" THICK
INT 2x4 WALLS DRAWN 4/4" THICK
NOTE: 2x12 HDRS OVER EXT DOORS & WINDOWS
NOTE: SMOKE DETECTORS WIRED IN SERIES WITH BATTERY BACKUP
NOTE: WINDOWS WITH ≥ 6" DROP TO GRADE TO BE EQUIPPED WITH SAFETY STOPS IF SILL IS < 24" FROM FINISHED FLOOR

KEY	SIZE	QTY	DESC
A	3'0"	3	D.H.
B	6'0"	2	(2) 3'0" D.H. MULLED
C	5'0"	2	(2) 2'5" D.H. MULLED
D	2'5"	2	D.H.
E			
F	2'4"	3	D.H.
G	5'0"	1	FIXED
H	4'0"	1	FIXED TRANSOM
I	6'0"	1	FIXED ARCHED TRANSOM
J	2'0"	2	FIXED

NOTE: SIZES VARY BY MFR.



KEY	SIZE	QTY	DESC
1	4'0"	1	OVERHEAD GARAGE
2	5'0"	1	3' 6" PANEL EXT W/1/2" SIDELITES
3	8'0"	1	SLIDING GLASS
4	2'8"	1	FIRE-RATED
5	2'8"	1	FULL GLASS INT.
6	2'6"	6	INT. SWING
7	5'6"	1	BIFOLD
8	3'6"	1	BIFOLD
9	6'0"	1	INT. DOUBLE
10	2'8"	4	INT. SWING
11	2'6"	1	BIFOLD
12	2'6"	2	POCKET
13	4'0"	1	BIFOLD
14	1'6"	1	INT. SWING
15	2'6"	1	1/2 GLASS EXT

SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0" 1188

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
SORTOR, ROSEANNE	BUSCH JOHN B & AMBER	163,000	10/14/2011	WD	INVALID SALE	2011R-030950	BUYER	100.0
DEVRIES	SORTOR	14,500	10/14/1982	WD	L.C.P.O.	2427-0662	BUYER	0.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LRR	Building Permit(s)	Date	Number	Status
792 PATHWAY	School: HOWELL		WOOD DECK	08/05/2016	P16-154	NO START
	P.R.E. 0%		RES MISCEL	03/09/2012	W12-019	NO START
Owner's Name/Address	MAP #: V19-02/03					
BUSCH JOHN B & AMBER 3027 STILLRIVER DR HOWELL MI 48843	2019 Est TCV Tentative					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 00004.LAKE CHEMUNG								
				Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value	
SEC. 10 T2N, R5E, LAKE BREEZE GROVE LOT 16	X			B LAKE FRONT	50.00	160.00	1.0000	1.0000	2700	100		135,000
				50 Actual Front Feet, 0.18 Total Acres Total Est. Land Value = 135,000								

Comments/Influences	Public Improvements	* Factors *
	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.	

Topography of Site

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

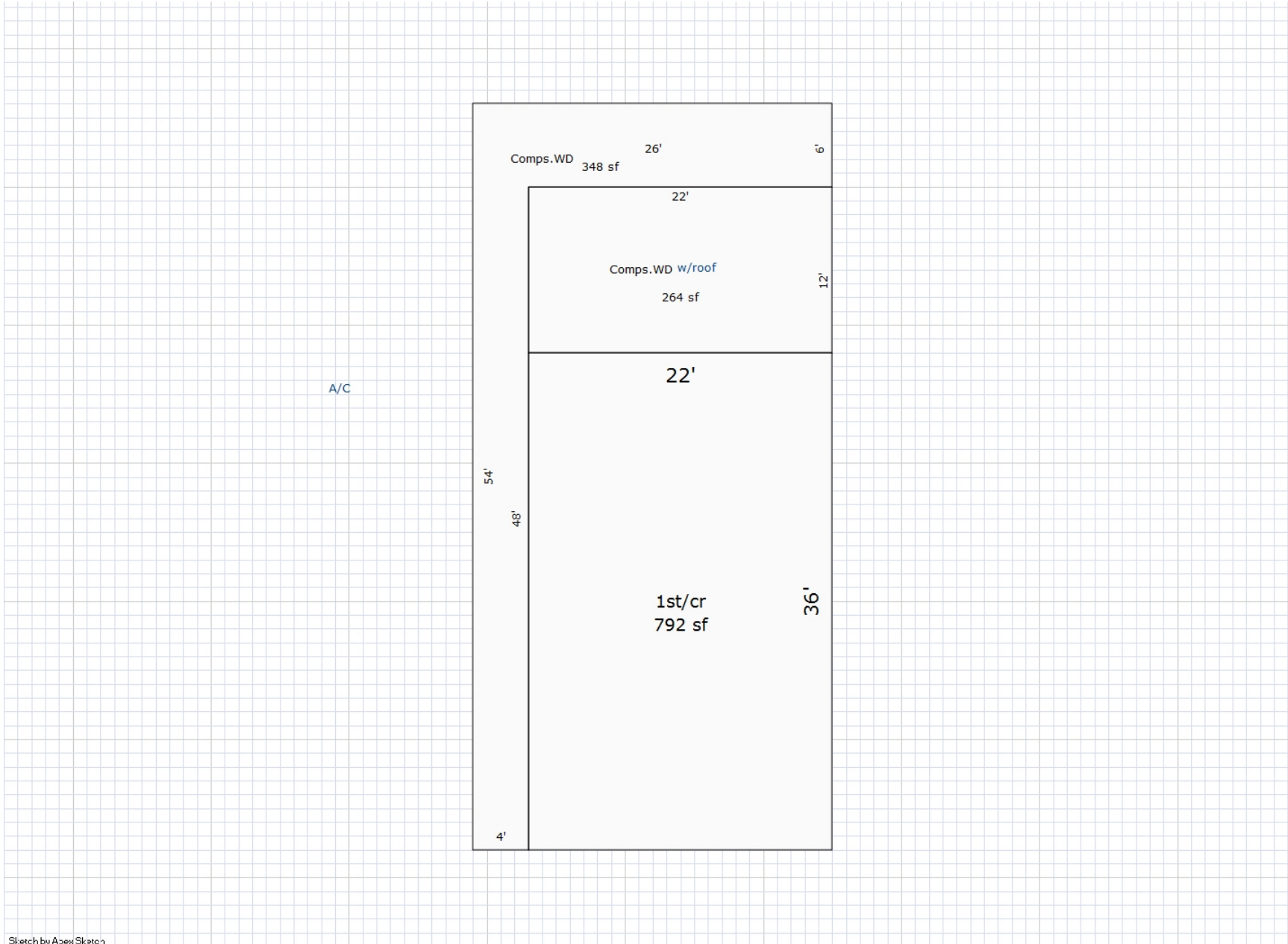


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*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 348 264	Type Composite Composite	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:																		
X	Wood Frame		(4) Interior Drywall Paneled Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling																											
Building Style: C		Trim & Decoration Ex X Ord Min																														
Yr Built 1977	Remodeled 2012	Size of Closets Lg X Ord Small																														
Condition: Good		Doors: Solid X H.C.																														
Room List		(5) Floors Basement 1st Floor 2nd Floor 2 Bedrooms		Kitchen: Other: Other:			(12) Electric 0 Amps Service																									
		(6) Ceilings		No./Qual. of Fixtures Ex. X Ord. Min																												
(1) Exterior				No. of Elec. Outlets Many X Ave. Few																												
X	Wood/Shingle Aluminum/Vinyl Brick Insulation			(13) Plumbing Average Fixture(s) 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																												
(2) Windows		Many Avg. 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																																
X	Gable Hip Flat	Gambrel Mansard Shed		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:			1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic																									
X	Asphalt Shingle						Lump Sum Items:																									
Chimney: Brick																																
Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 792 SF Floor Area = 792 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=77/100/100/100/77 Building Areas <table border="1"> <thead> <tr> <th>Stories</th> <th>Exterior</th> <th>Foundation</th> <th>Size</th> <th>Cost New</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>1 Story</td> <td>Siding</td> <td>Crawl Space</td> <td>792</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>92,888</td> <td>71,523</td> </tr> </tbody> </table> Other Additions/Adjustments Water/Sewer Public Sewer 1 1,218 938 Water Well, 200 Feet 1 8,762 6,747 Fireplaces Prefab 1 Story 1 2,114 1,628 Deck Composite 348 5,109 4,956 *9 Composite w/Roof (Deck Portion) 264 4,211 4,085 *9 Composite w/Roof (Roof portion) 264 3,429 3,326 Totals: 117,731 93,203															Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	792			Total:				92,888	71,523
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																											
1 Story	Siding	Crawl Space	792																													
Total:				92,888	71,523																											
Notes: ECF (4309 LK CHEMUNG LAKEFRONT) 1.512 => TCV: 140,923																																

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





GENOA CHARTER TOWNSHIP VARIANCE APPLICATION
2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 19-04 Meeting Date: Jan. 15, 2019
@ 6:30pm

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

Applicant/Owner: Matt Wilson Email: mattjwil@umich.edu

Property Address: 4761 Bauer Rd, Brighton Phone: 734 395-3254

Present Zoning: SR Tax Code: 4711-25-300-041

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: Dimensional: I am requesting an additional 150 square feet to my design.

2. Intended property modifications: Please see architectural drawing included which show an additional 150 square feet designed into the east side of structure

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.

My home was built in 1877 and does not conform to current code standards as it stands and therefore I am unable to enjoy the liberties that the majority of my neighbors can take advantage of due to their modern built homes. Therefore I am limited to options due to existing architectural and geographical conditions that are pre-existing therefore I can not enjoy my property as my neighbors do with theirs.

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.

Due to the time period architecture of my house and the grade of the property I am unable to add a connected breezeway to the existing structure without it causing an eyesore to the public which would be burdensome and also cause a negative effect in how my neighbors can enjoy their own property. According to my research at the state level, a request for additional space, especially one as minimal as mine does not fall under "self-created" hardship, especially in consideration of the age of my house and property.

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

My request will not do any of the above, infact I argue that this additional space will improve public safety, confort, moral and welfare of my neighbors. Our home is very visible and many people comment if our tractor has been left in one plkace too long. We have also been asked why we do not have a qarage yet. This can not be used in an arguement but it does show the exposure that our property has to our neighbors and passersby.

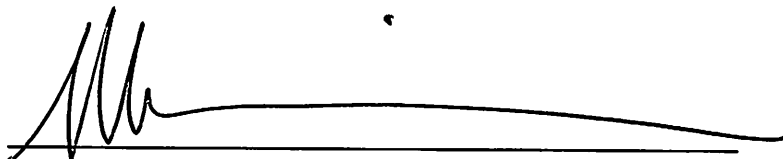
Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Under the spirit of "de minimis rule" I feel that the requested additioanl sqaure footage will not interfere with any of the above items.

The submitted design is well thought out and works with current architecture of existing structure plus it will allow for adequate storage of tools and garden equipment so that they are not in the public's eye or open to theft or negative elements.

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: 12/13/18 Signature: 



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: January 8, 2019

RE: ZBA 19-04

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

STAFF REPORT

File Number: ZBA#19-04
Site Address: 4761 Bauer Road, Brighton
Parcel Number: 4711-25-300-041
Parcel Size: 1.190 Acres
Applicant: Matt Wilson, 4761 Bauer Road Brighton
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a size variance to construct a detached accessory structure.
Zoning and Existing Use: SR (Suburban Residential) Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday December 30, 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 1877
- 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

The proposed project is to construct a 1053 sq. ft. detached accessory structure. The applicant is proposing a structure that is 153 sq. ft. more than allowed in the SR zoning.

Variance Requests

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

11.04.01 Accessory Buildings, Structures and Uses in General

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

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.

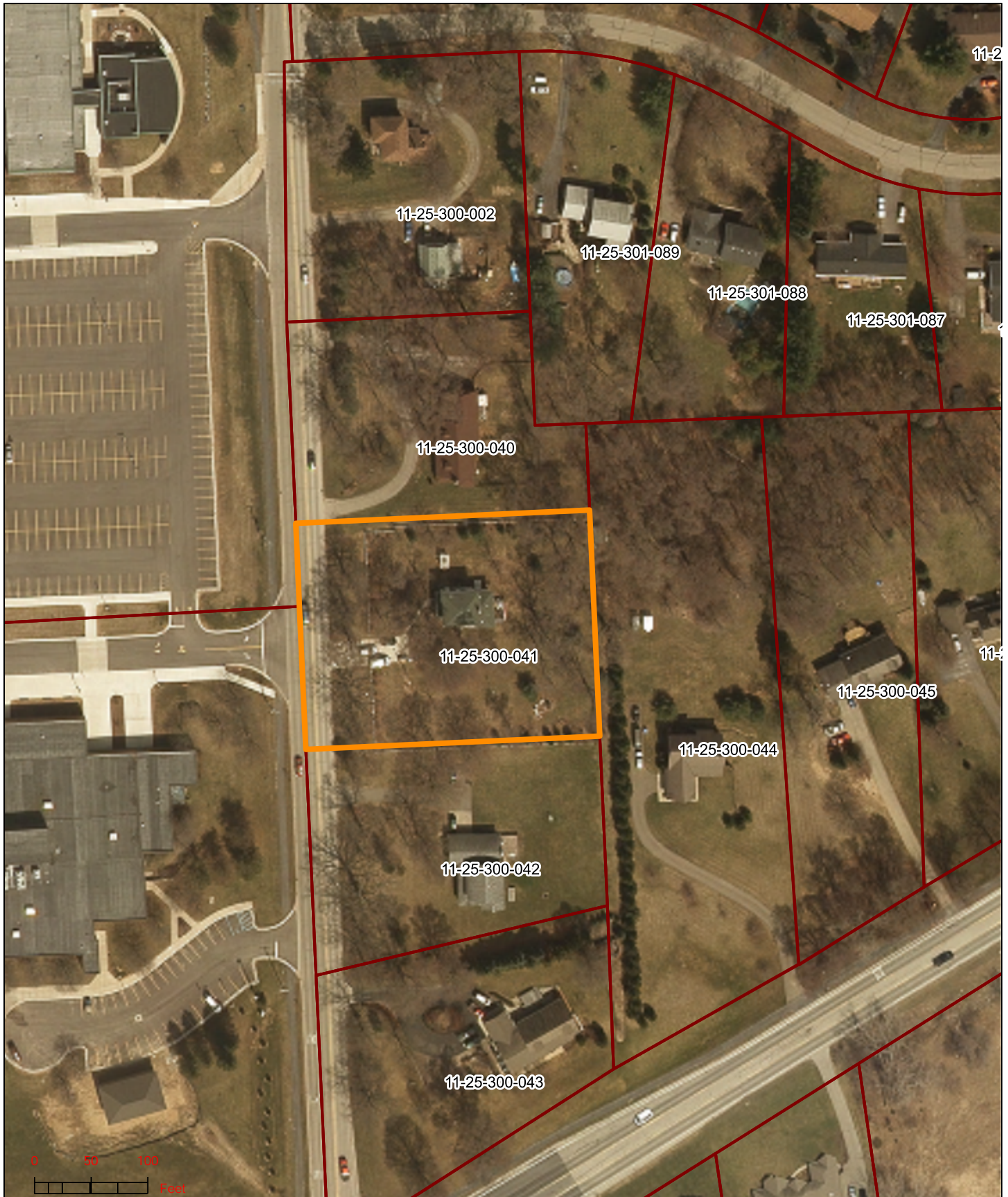
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the zoning ordinance would not prevent use of the property. The applicant can construct a 900 sq. ft. detached accessory structure without requiring a variance. Granting the variance would not offer substantial justice and is not necessary for the preservation and enjoyment of substantial property rights similar to that possessed by other properties in the same zoning and vicinity.
- (b) Extraordinary Circumstances** – This lot complies with all Zoning Ordinance requirements and there is nothing unique to this lot that would support extraordinary circumstances. Granting the variance will make the lot inconsistent with other lots in the vicinity since most of the detached structures in the immediate vicinity are less than 900 sq. ft.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** - The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

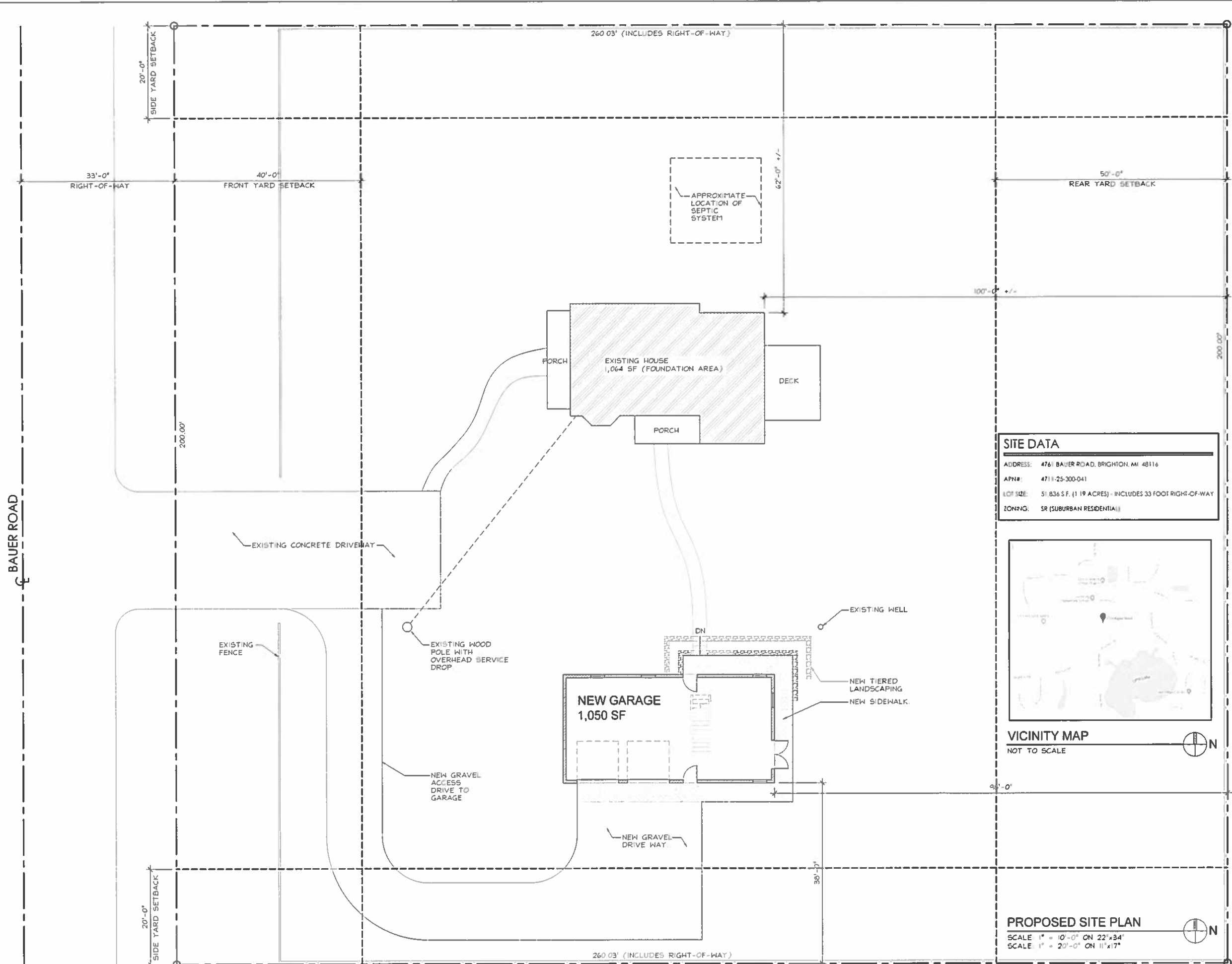
Recommended Conditions

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

N/A

GENOA TOWNSHIP





SITE DATA	
ADDRESS:	4761 BAUER ROAD, BRIGHTON, MI 48116
APN#:	4711-25-300-041
LOT SIZE:	51,836 S.F. (1.19 ACRES) - INCLUDES 33 FOOT RIGHT-OF-WAY
ZONING:	SR (SUBURBAN RESIDENTIAL)



VICINITY MAP
NOT TO SCALE

PROPOSED SITE PLAN
SCALE 1" = 10'-0" ON 22"x34"
SCALE 1" = 20'-0" ON 11"x17"

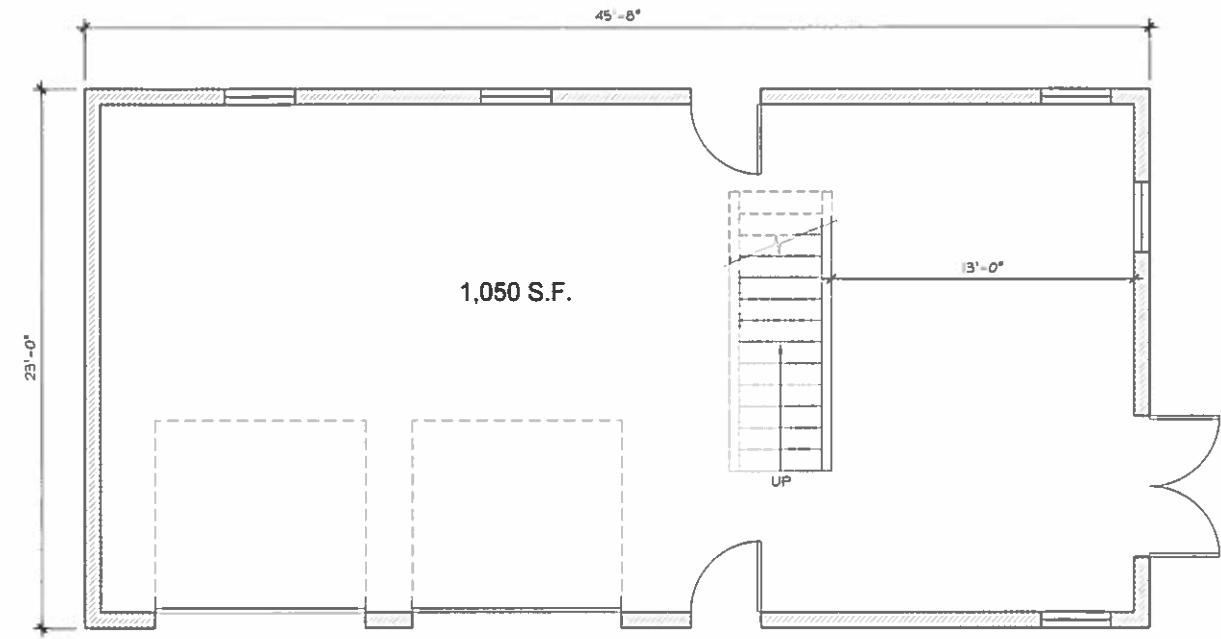
New Garage
4761 Bauer Rd
Brighton, MI 48116

Revisions

Project No. 1802

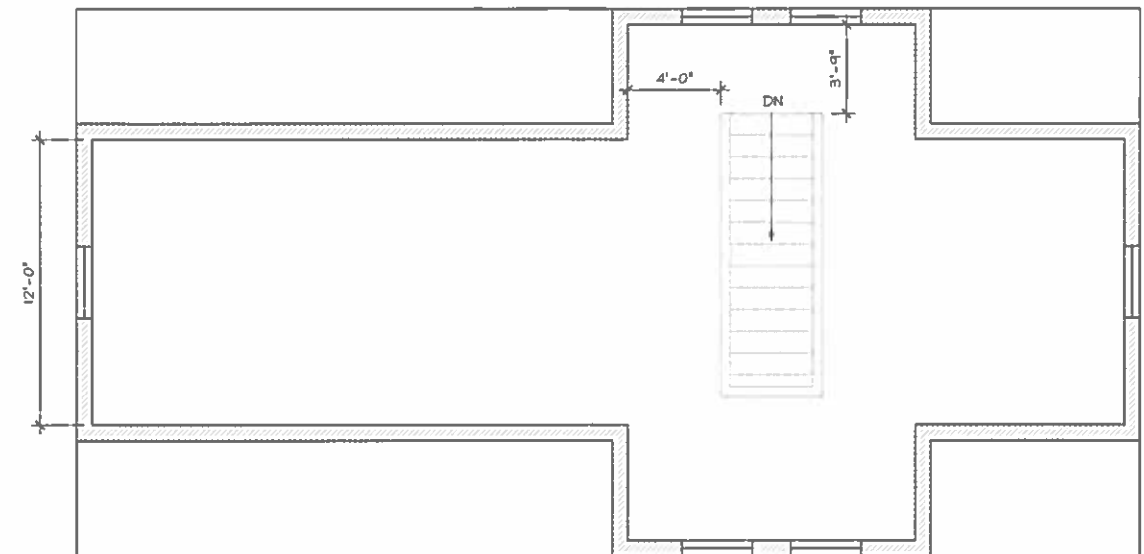
Date 12/11/18

A1.1



GARAGE LEVEL

SCALE: 1/4" = 1'-0" ON 22"x34"
SCALE: 1/8" = 1'-0" ON 11"x17"



STORAGE LEVEL

SCALE: 1/4" = 1'-0" ON 22"x34"
SCALE: 1/8" = 1'-0" ON 11"x17"



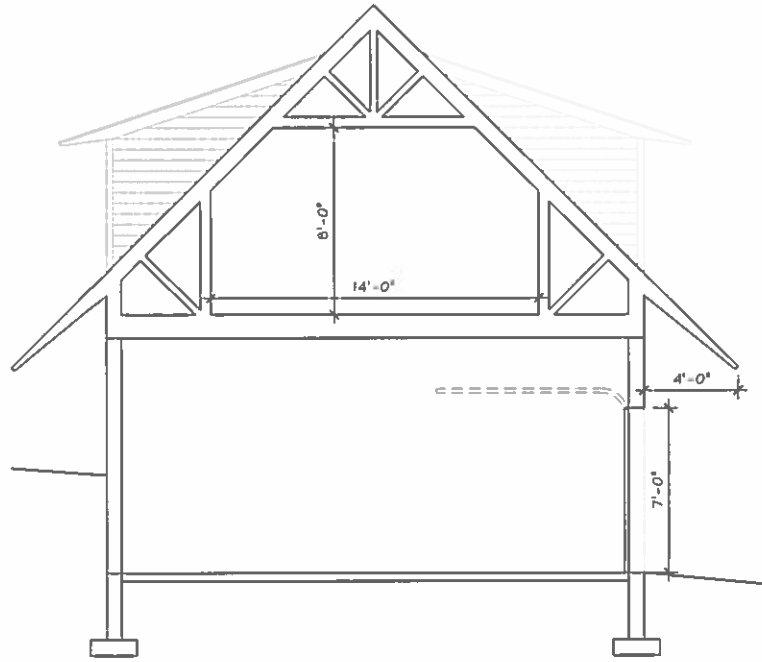
New Garage
4761 Bauer Rd.
Brighton, MI 48116

Revisions:

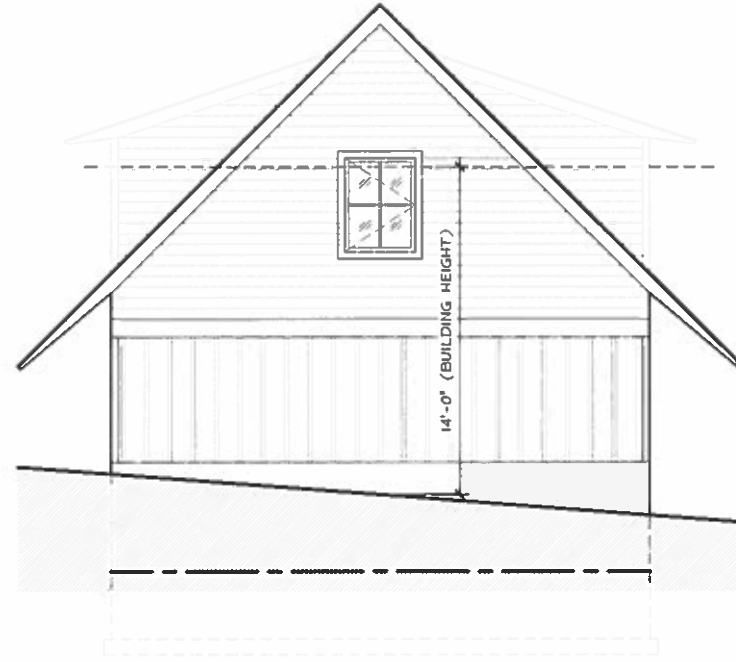
Project No. 1802

Date: 12/11/18

A2.1



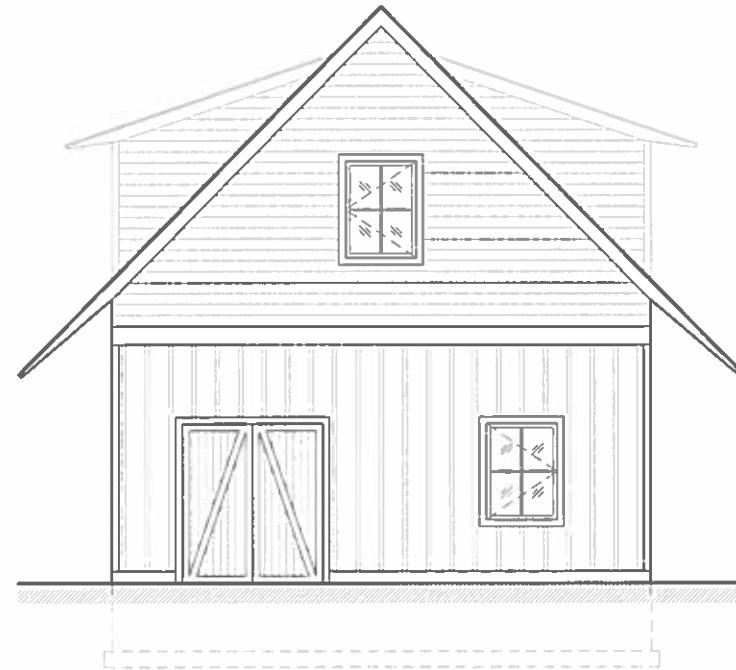
PROPOSED SECTION
SCALE: 1/4" = 1'-0"



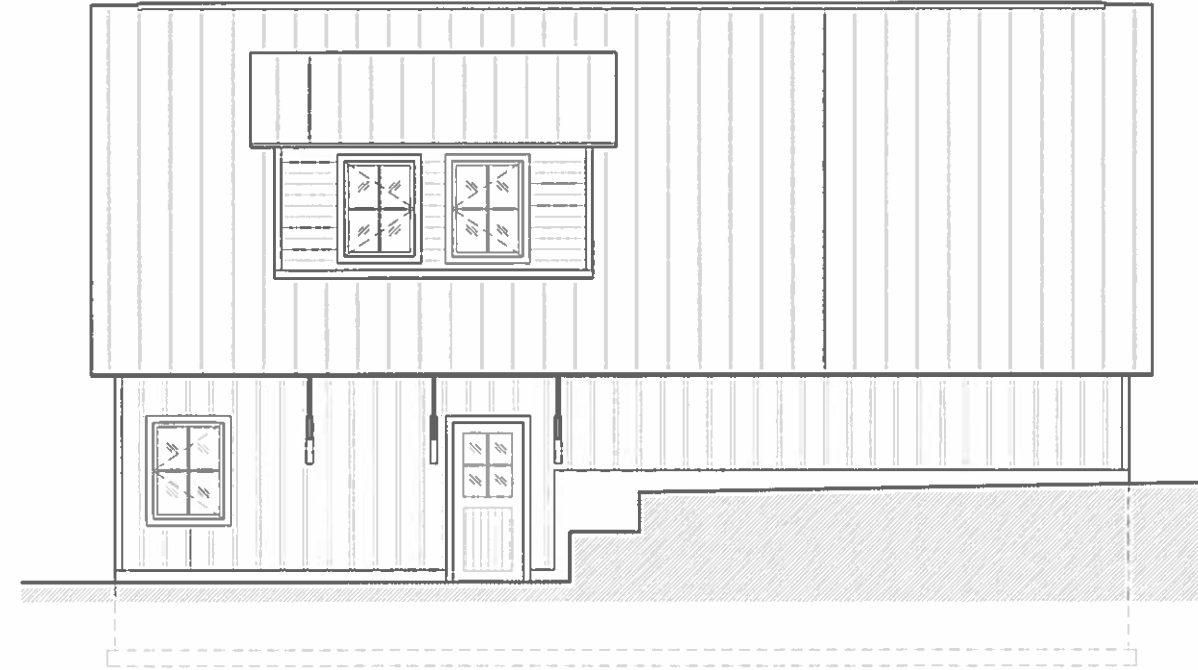
1 PROPOSED WEST ELEVATION (STREET FACING)
SCALE: 1/4" = 1'-0"



2 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



3 PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"



4 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"


New Garage
4761 Bauer Rd.
Brighton, MI 48116

Revisions

Project No. 1802

Date 12/11/18

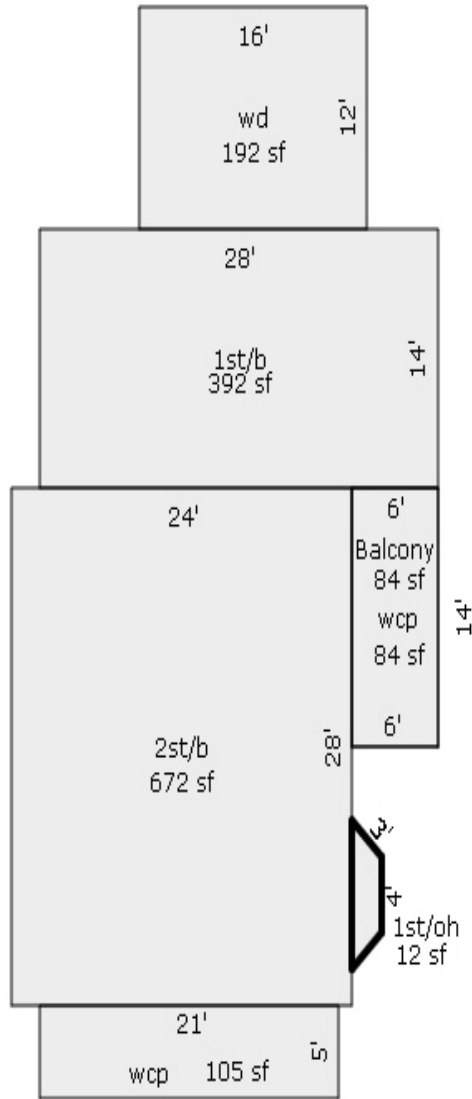
A3.1

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.					
HEFELE, ANDREW J.	WILSON MATTHEW J & KIMBERLY	250,000	08/15/2008	WD	INVALID SALE	2008R-032308	BUYER	100.0					
FABIRKIEWICZ, JOHN J.	HEFELE, ANDREW J.	248,000	01/15/2003	WD	ARMS-LENGTH	3726-0258	BUYER	100.0					
HUTCHINSON	FABIRKIEWICZ	225,900	11/09/2000	WD	ARMS-LENGTH	28620269	BUYER	100.0					
NAIDOO, KRISTEN, & SEELIN	HUTCHINSON	175,000	11/14/1997	WD	ARMS-LENGTH	2260-0452	BUYER	100.0					
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: SR		Building Permit(s)		Date	Number	Status			
4761 BAUER RD		School: BRIGHTON		FENCE		10/07/2009		09-093	NO START				
		P.R.E. 100% 08/16/2008											
Owner's Name/Address		MAP #: V19-04		2019 Est TCV Tentative									
WILSON MATTHEW J & KIMBERLY A 4761 BAUER RD BRIGHTON MI 48116		X Improved		Vacant		Land Value Estimates for Land Table 122.BRIGHTON M & B							
Tax Description		Public Improvements		Description		* Factors *		Value					
SEC 25 T2N R5E COM SW COR, TH N1*W 1051.02 FT TO POB, TH N1*W 200 FT, TH N88*E 260.03 FT, TH S1*E 200 FT, TH S88*W 260.03 FT TO POB 1.19 AC M/L SPLIT 12/89 FROM 029 & 030		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		TABLE A		1.190 Acres 47,017 100		55,950					
Comments/Influences		Topography of Site		1.19 Total Acres		Total Est. Land Value =		55,950					
		Level		Year		Land Value		Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
		Rolling		X REFUSE		2019		Tentative		Tentative		Tentative	
		Low		LLM 10/20/2010 INSPECTED		2018		25,500		85,000		110,500	
		High				2017		25,500		86,800		112,300	
		Landscaped				2016		25,500		81,400		106,900	
Swamp													
Wooded													
Pond													
Waterfront													
Ravine													
Wetland													
Flood Plain													
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan													

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage						
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:							
X	Wood Frame		(4) Interior		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							84 WCP (1 Story) 105 WCP (1 Story) 192 Treated Wood 84 Wood Balcony									
Building Style: C		Trim & Decoration		Central Air Wood Furnace																	
Yr Built 1877	Remodeled 1980	Ex	X Ord	Min	(12) Electric																
Condition: Good		Size of Closets		0 Amps Service																	
Room List		(5) Floors		No./Qual. of Fixtures																	
	Basement 1st Floor 2nd Floor 3 Bedrooms	Kitchen: Other: Other:		Ex. X Ord. Min																	
(1) Exterior		(6) Ceilings		No. of Elec. Outlets																	
X	Wood/Shingle Aluminum/Vinyl Brick			Many X Ave. Few																	
Insulation		(7) Excavation		(13) Plumbing																	
(2) Windows		Basement: 1064 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																	
X	Many Avg. Few	X	Large Avg. Small	(8) Basement																	
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(9) Basement Finish																	
(3) Roof		800 Recreation SF Living SF 1 Walkout Doors No Floor SF		(14) Water/Sewer																	
X	Gable Hip Flat	Gambrel Mansard Shed		(10) Floor Support																	
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		1 Public Water 1 Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic																	
Chimney: Brick				Lump Sum Items:																	
Notes:										Class: C Effec. Age: 28 Floor Area: 1,748 Total Base New : 248,013 Total Depr Cost: 178,570 Estimated T.C.V: 166,070		E.C.F. X 0.930		Cls C Blt 1877							
Cost Est. for Res. Bldg: 1 Single Family C										Ground Area = 1064 SF		Floor Area = 1748 SF.		Phy/Ab.Phy/Func/Econ/Comb. % Good=72/100/100/100/72		Building Areas					
										Stories		Exterior		Foundation		Size		Cost New		Depr. Cost	
										2 Story		Siding		Basement		672					
										1 Story		Siding		Basement		392					
										1 Story		Siding		Overhang		12					
										Total:				190,231		136,968					
Other Additions/Adjustments										Basement, Outside Entrance, Below Grade		1		2,088		1,503					
Plumbing										3 Fixture Bath		1		3,789		2,728					
Water/Sewer										1000 Gal Septic		1		3,967		2,856					
										Water Well, 200 Feet		1		8,762		6,309					
Porches										WCP (1 Story)		84		3,559		2,562					
										WCP (1 Story)		105		4,035		2,905					
Deck										Treated Wood		192		3,285		2,365					
Balcony										Wood Balcony		84		2,791		2,010					
Fireplaces										Prefab 1 Story		1		2,114		1,522					
										Basement Living Area		800		23,392		16,842					
										Totals:		248,013		178,570							
										ECF (47010 BRIGHTON M & B) 0.930 =>		TCV:		166,070							

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



Sketch by Apex Medina™

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**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
DECEMBER 18, 2018 - 6:30 PM**

MINUTES

Call to Order: Vice-Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Jean Ledford, Marianne McCreary, Bill Rockwell, Greg Rassel, Michele Kreutzberg, 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:

Vice Chairman McCreary noted that Case #18-35 will not be held this evening at the direction of the Township Attorney.

Moved by Board Member Ledford, seconded by Board Member Rassel, to approve the agenda with the removal of Case #18-35. **The motion carried unanimously.**

Call to the Public:

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

1. 18-34... A request by Vinyl Sash of Flint, 1053 Sunrise Park, for a waterfront variance to enclose an existing deck.

Ms. Mary Neaton, the property owner of 1053 Sunrise Park, stated she would like to enclose her existing deck to create more living space for her and her mother. Her mother cannot go upstairs.

Mf. Robert Boss, the President of Vinyl Sash, provided details of the proposed sunroom, describing the materials that would be used. There is 24 inches of siding around the bottom and then the remaining area would be windows. Only the footprint of the

existing deck will be enclosed. He noted that the existing deck does not meet code for the windows and door walls so it will be removed, rebuilt, and then enclosed.

This home was always used as only a summer home and she is now using it full time. She has done many things to make it more usable in the winter, and enclosing the deck is one of those things. She noted that her neighbors have enclosed porches and they are in support of her request. She will not be negatively affecting their views.

The call to the public was made at 6:54 pm with no response.

Vice-Chairman McCreary noted that two letters of support were received. One from John Hull of 1065 Sunrise Park and the other from Michael P. Suciu of 1071 Sunrise Park.

Board Members discussed if this request meets the four criteria for granting a variance. It is self-created; however, there are other homes in the area that have enclosed porches and sunrooms and are the same, or less, distance from the lake. Mr. Boss agreed that the next door neighbor has a sunroom and it is in line with what Ms. Neaton is proposing.

The applicant was asked if she would consider making the enclosed porch smaller, thus requiring a less variance. Ms. Neaton would agree to a smaller room.

Moved by Board Member Rassel, seconded by Board Member Ledford to deny Case #18-34 due to the following findings of fact:

- Strict compliance with the setbacks does cause the applicant to be unable to construct the addition.
- The need for the variance to construct the addition is self-created.
- The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed 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.

A call to the public was made to see if anyone was in attendance in regards to the deleted Agenda item #2 with no response.

Administrative Business:

1. Approval of the minutes for the November 14, 2018 Zoning Board of Appeals Meeting.

Moved by Board Member Rockwell, seconded by Board Member Rassel, to approve the November 14, 2018 Zoning Board of Appeals Meeting minutes as presented. **The motion carried unanimously.**

2. Correspondence – There were no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford provided a review of the Township Board meetings held on December 3 and December 17, 2018.
4. Planning Commission Representative Report – Board Member McCreary stated there was no Planning Commission meeting in December.
5. Zoning Official Report – Ms. Ruthig had nothing to report.
6. Member Discussion - There were no items discussed this evening.
7. Adjournment

Moved by Board Member Ledford, seconded by Board Member Rockwell, to adjourn the meeting at 7:24 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary