

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
SEPTEMBER 15, 2020  
7:30 P.M.  
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

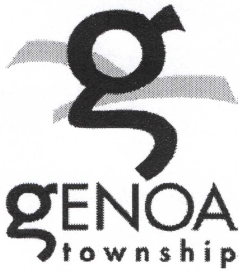
Approval of Agenda:

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

1. 20-17 ... A request by William and Kristi Shaffer, 5294 Sharp Drive, for a side yard setback to allow for a cantilevered chimney.
2. 20-18 ... A request by Ventures Design, 3470 Pineridge Lane, for a waterfront setback variance to install a swimming pool and a variance to construct retaining walls in the required waterfront yard.

Administrative Business:

1. Approval of minutes for the August 18, 2020 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 # 20-17

Meeting Date: Sept 15, 2020 @ 6:30pm

PAID Variance Application Fee

\$215.00 for Residential | \$300.00 for Sign Variance | \$395.00 for Commercial/Industrial

Applicant/Owner: WILLIAM & KRISTI SHAFFER Email: theshaffers20@gmail.com

Property Address: 5294 SHARP Phone: 810 923 6306

Present Zoning: LRR Tax Code: 11-22-100-022

**ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals.**

Each application for Variance is considered individually by the ZBA. The ZBA is a 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 application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members, township officials and township staff 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/intended property modifications: SEEKING RELIEF FROM  
SIDEYARD SETBACK TO ALLOW FOR A CANTILEVERED  
CHIMNEY OF 15 1/2". PLEASE SEE ATTACHED.

The following is per Article 23.05.03 of the Genoa Township Ordinance:

**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.

PLEASE SEE ATTACHED

Extraordinary Circumstances. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance was not self-created by the applicant.

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.

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.

**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: 8-18-2020 Signature: Krist Skaper

**DIMENSIONAL VARIANCE FOR  
THE SHAFFER RESIDENCE  
5295 SHARP DR.**

**PRACTICAL DIFFICULTY / SUBSTANTIAL  
JUSTICE**

**COMPLIANCE WITH THE STRICT LETTER OF THE RESTRICTIONS GOVERNING AREA, SETBACKS, FRONTAGE, HEIGHT, BULK, DENSITY, OR OTHER 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 THE 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 DO THINK THAT OUR REQUEST IS REASONABLE TO OUR ENJOYMENT OF THE PROPERTY. OUR SITE PLAN CLEARLY INDICATES OUR EFFORTS TO COMPLY WITH AN ODD SITE. THE CANTILEVERED FIREPLACE WAS NOT A LARGE CONCERN DURING THE DESIGN PHASE, AS OUR TALKS WITH GENOA TOWNSHIP INDICATED THAT THE ZONING ORDINANCE WAS LIKELY TO PROVIDE FOR CANTILEVERED FIREPLACES. PARTICULARLY A CANTILEVER OF JUST 15 1/2".**

**OBVIOUSLY, THE VIRUS PUT ALL PLANNING ON HOLD IN FAVOR OF STABILITY, AND THE ANTICIPATED ORDINANCE CHANGE DID NOT OCCUR.**

**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 EXTRAORDINARY CIRCUMSTANCE THAT EXISTS WITH THIS SITE IS THE UNIQUE AND IRREGULAR SHAPE OF THE LOT. BEING A SLIVER OF PROPERTY BOUNDED BY A CUL-DE-SAC AND THE LAKE, THE BOUNDARIES HAVE BEEN A CONTINUING CHALLENGE. AS EVIDENCED BY OUR SITE PLAN AND BUILDING FOOTPRINT, WE HAVE STRUGGLED TO COMPLY WITH ALL ORDINANCES. HAVING ACCOMPLISHED THIS, WITH THE EXCEPTION OF THE FIREPLACE, THE GRANTING OF THIS VARIANCE WOULD GO A LONG WAY IN RECOGNIZING THE DIFFICULTY AND MAKING THIS PROPERTY A LITTLE MORE CONSISTENT WITH THE NEIGHBORING PROPERTIES.**

**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, INCREASE THE DANGER OF FIRE OR ENDANGER THE PUBLIC SAFETY, COMFORT, MORALS, OR WELFARE OF THE INHABITANTS OF THE TOWNSHIP OF GENOA.**

**OUR 15 1/2" PROJECTION IS TOO SMALL TO THREATEN THE PUBLIC SAFETY, WELFARE, OR ANY OF THE CONDITIONS LISTED IN THIS QUESTION.**

**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.**

**AGAIN, OUR 15 1/2" PROJECTION IS TOO SMALL TO HAVE ANY IMPACT ON NEIGHBORING PROPERTIES OR DEVELOPMENTS.**





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

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford  
H. James Mortensen  
Terry Croft  
Diana Lowe

**MANAGER**

Michael C. Archinal

## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** September 9, 2020  
  
**RE:** ZBA 20-17

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### STAFF REPORT

**File Number:** ZBA#20-17  
**Site Address:** 5294 Sharp Drive  
**Parcel Number:** 4711-22-100-022  
**Parcel Size:** .243 Acres  
**Applicant:** William and Kristi Shaffer, 3732 Conrad, Brighton  
**Property Owner:** Same as owner  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variances  
**Project Description:** Applicant is requesting a side yard setback variance to allow a cantilevered chimney in the side yard setback.  
**Zoning and Existing Use:** LRR (Lakeshore Resort Residential), Single Family Dwelling is being constructed on the property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday August 30, 2020 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 home is currently under construction.
- In 2020, a land use permit was issued for a new home.
- Parcel is serviced by public sewer and private well.
- See Record Card.

The proposed project is to construct a cantilevered chimney into the side yard setback. In order to construct the proposed addition, the applicant would be required to obtain a side yard variance. Township staff is in the process of updating the entire Zoning Ordinance. Included in the update, is a change to Sec. 11.01.04 Projections into Yard to allow for a chimney encroachment of 2 feet into the side yard. Please see the current ordinance below that demonstrates what is currently allowed to project into the side yard setback:

11.01.04      **Projections into Yards:** Certain architectural features may project into the required yards as follows:

**PERMITTED PROJECTIONS INTO REQUIRED YARDS**

Projection	Front Yard	Rear/ Waterfront Yard	Interior Side Yard	Corner Side Yard
Air conditioning equipment shelters	--	5 ft.	3 ft.	3 ft.
Arbors and trellises	Permitted up to 4 feet from any lot line			
Awnings and canopies	3 ft.	5 ft.	3 ft.	3 ft.
Bay windows	3 ft.	5 ft.	3 ft.	3 ft.
Decks, open or enclosed*	See Section 11.04.02			
Eaves, overhanging	3 ft.	5 ft.	3 ft.	3 ft.
Fences and walls*	See Section 11.04.04			
Flagpoles	Permitted up to 4 feet from any lot line			
Gardens and landscaping	Permitted in all yards			
Gutters	3 ft.	5 ft.	3 ft.	3 ft.
Laundry drying equipment	--	5 ft.	3 ft.	--
Light standard, ornamental	Permitted in any yard			
Mechanical equipment such as HVAC	--	5 ft.	3 ft.	--
Paved terraces	Permitted up to 4 feet from any lot line			
Unroofed porches and stoops*	3 ft.	5 ft.	3 ft.	3 ft.
Approved signs*	See Article 16			
Stairways, open unroofed	3 ft.	5 ft.	3 ft.	3 ft.
Steps	3 ft.	5 ft.	3 ft.	3 ft.
Television or radio towers or antennas*	--	5 ft.	3 ft.	3 ft.
Window air conditioning units	3 ft.	5 ft.	3 ft.	3 ft.

**Variance Requests**

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

**Table 3.04.01 (LRR District):**

SINGLE FAMILY STRUCTURE	Side Yard Setback
Required Setbacks	5'
Setback Amount Requested	1' 3.5"
Variance Amount	3' 8.5"

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the side yard setback would prevent the applicant from constructing the addition. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property due to other properties in the vicinity with reduce side yard setbacks.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the triangular shape of the lot, location of the cul-de-sac at the front of the property and with irregular shoreline which creates a difficult building envelope. Due to the difficult building envelope the need for the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance would not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

**Recommended Conditions**

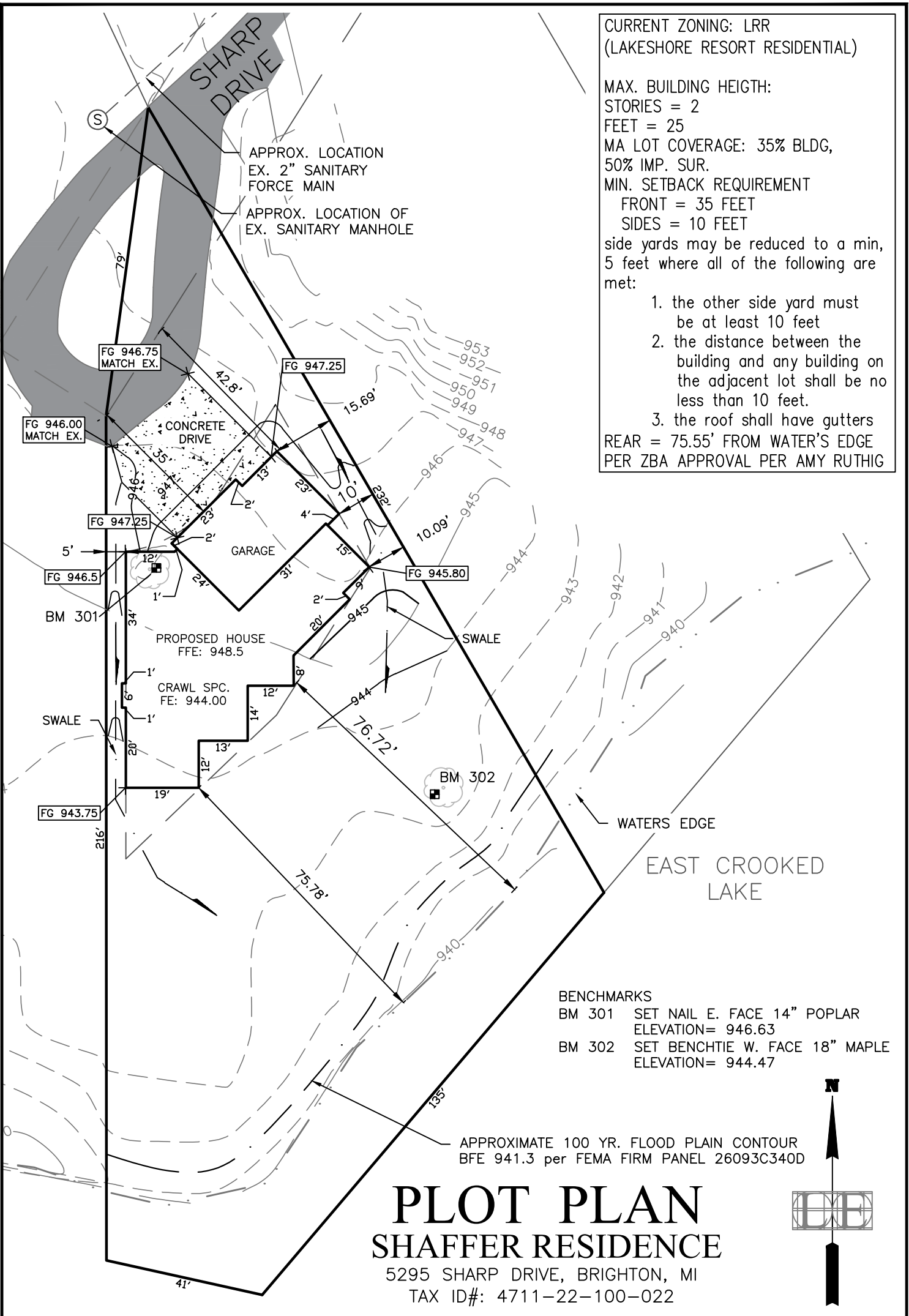
If the Zoning Board of Appeals grants the variance requests staff recommends the following conditions be placed on the approval.

1. N/A

# GENOA TOWNSHIP







CURRENT ZONING: LRR  
(LAKESHORE RESORT RESIDENTIAL)

MAX. BUILDING HEIGHT:  
STORIES = 2  
FEET = 25  
MA LOT COVERAGE: 35% BLDG,  
50% IMP. SUR.  
MIN. SETBACK REQUIREMENT  
FRONT = 35 FEET  
SIDES = 10 FEET  
side yards may be reduced to a min,  
5 feet where all of the following are met:

1. the other side yard must be at least 10 feet
2. the distance between the building and any building on the adjacent lot shall be no less than 10 feet.
3. the roof shall have gutters

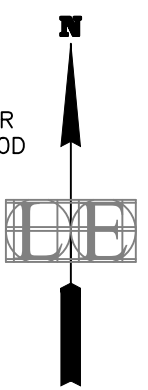
REAR = 75.55' FROM WATER'S EDGE  
PER ZBA APPROVAL PER AMY RUTHIG

BENCHMARKS  
 BM 301 SET NAIL E. FACE 14" POPLAR  
 ELEVATION= 946.63  
 BM 302 SET BENCHTIE W. FACE 18" MAPLE  
 ELEVATION= 944.47

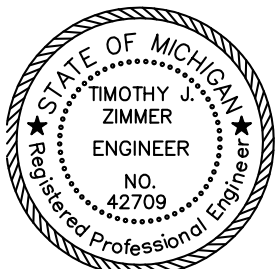
# PLOT PLAN

## SHAFFER RESIDENCE

5295 SHARP DRIVE, BRIGHTON, MI  
TAX ID#: 4711-22-100-022



**LIVINGSTON ENGINEERING**  
 CIVIL ENGINEERING SURVEYING PLANNING  
 3300 S. OLD U.S. 23, BRIGHTON, MICHIGAN 48114  
 INTERNET: WWW.LIVINGSTONENG.COM PHONE: (810) 225-7100 FAX: (810) 225-7699



*Timothy J. Zimmer*

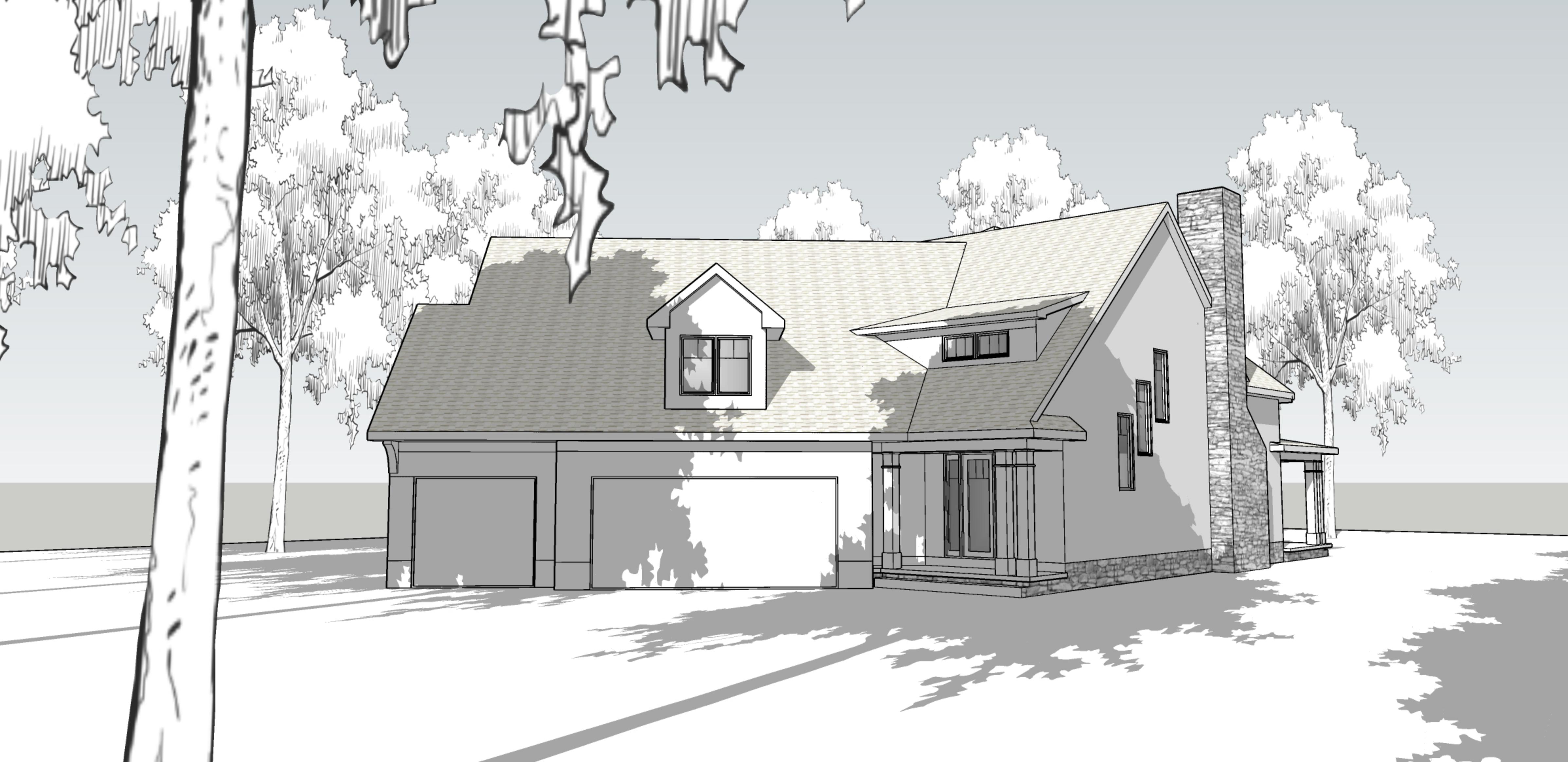
CLIENT ARCADIAN DESIGN	0' 30' 60'	DATE 03/02/20
DESCRIPTION PART OF THE SOUTH 4 RODS OF THE NE1/4 NW1/4 & SE1/4 NW1/4 OF SECTION 22, T2N-R5E GENOA TOWNSHIP LIVINGSTON COUNTY, MICHIGAN	SCALE 1"=30'	REV. 03/20/20
	JOB No. 16161-1	CREW
FILE: C:\Users\User\Dropbox (Liveng)\Projects\2016\16161 Donovan Sharp Drive Crooked Lake\dwg\Plot Plan\16161-1_PP_20200221.dwg	SHEET No. 1 of 1	CHECK





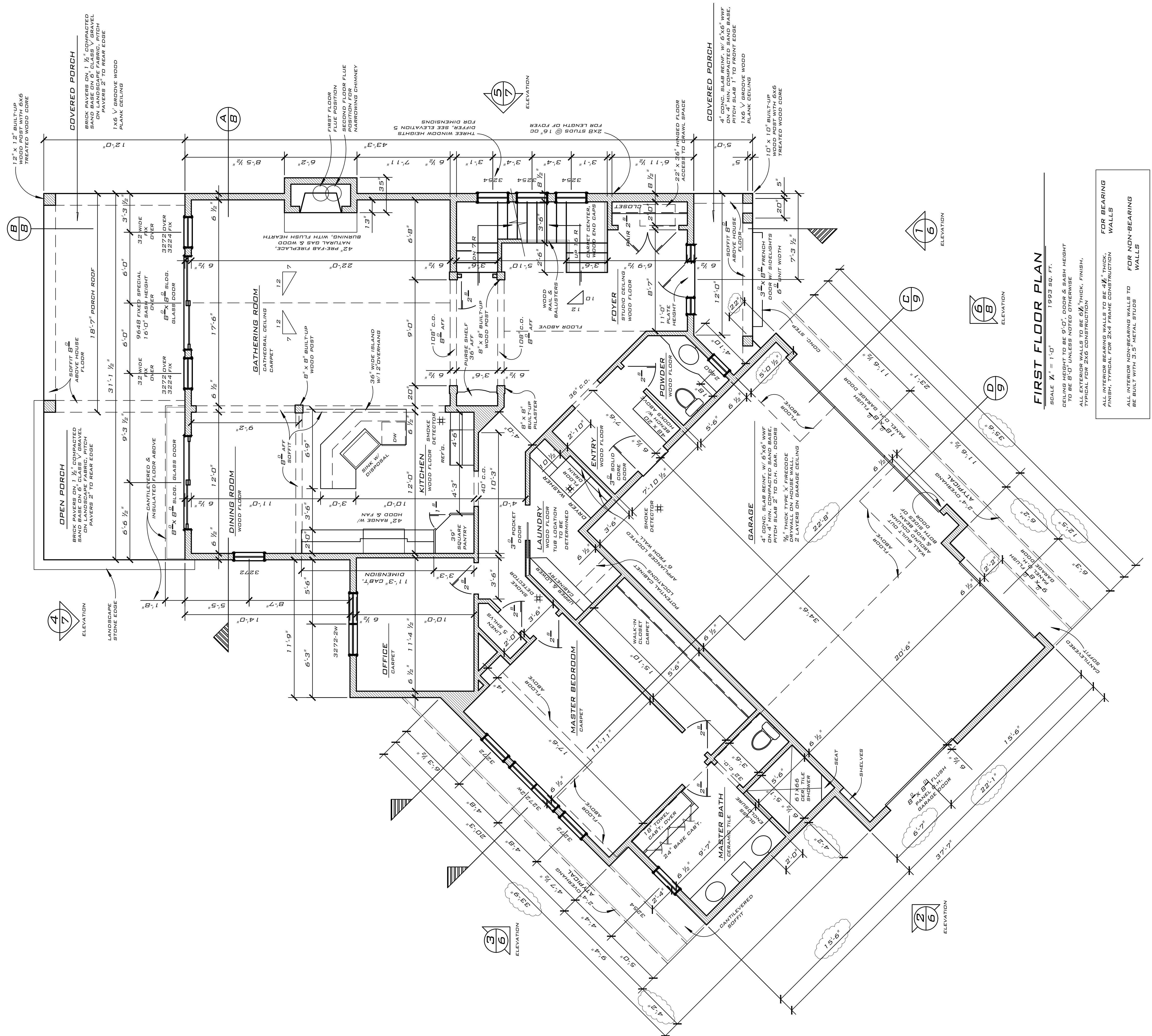












**FIRST FLOOR PLAN**

SCALE: 1/8" = 1'-0"  
 1993 SQ. FT.  
 CEILING HEIGHT TO BE 9'-0", DOOR & BASH HEIGHT TO BE 8'-0" UNLESS NOTED OTHERWISE  
 ALL EXTERIOR WALLS TO BE 6M" THICK, FINISH TYPICAL FOR 2X6 CONSTRUCTION

ALL INTERIOR BEARING WALLS TO BE 4M" THICK, FINISH, TYPICAL FOR 2X4 FRAME CONSTRUCTION  
 ALL INTERIOR NON-BEARING WALLS TO BE BUILT WITH 3.5" METAL STUDS FOR NON-BEARING WALLS

SHAFFER RESIDENCE



Residential Design

DENNIS DINSER

7091 Augustine Court  
 Fenton, MI 48430

517-540-9960

www.arcadiandesign.net

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 CHECKED DD

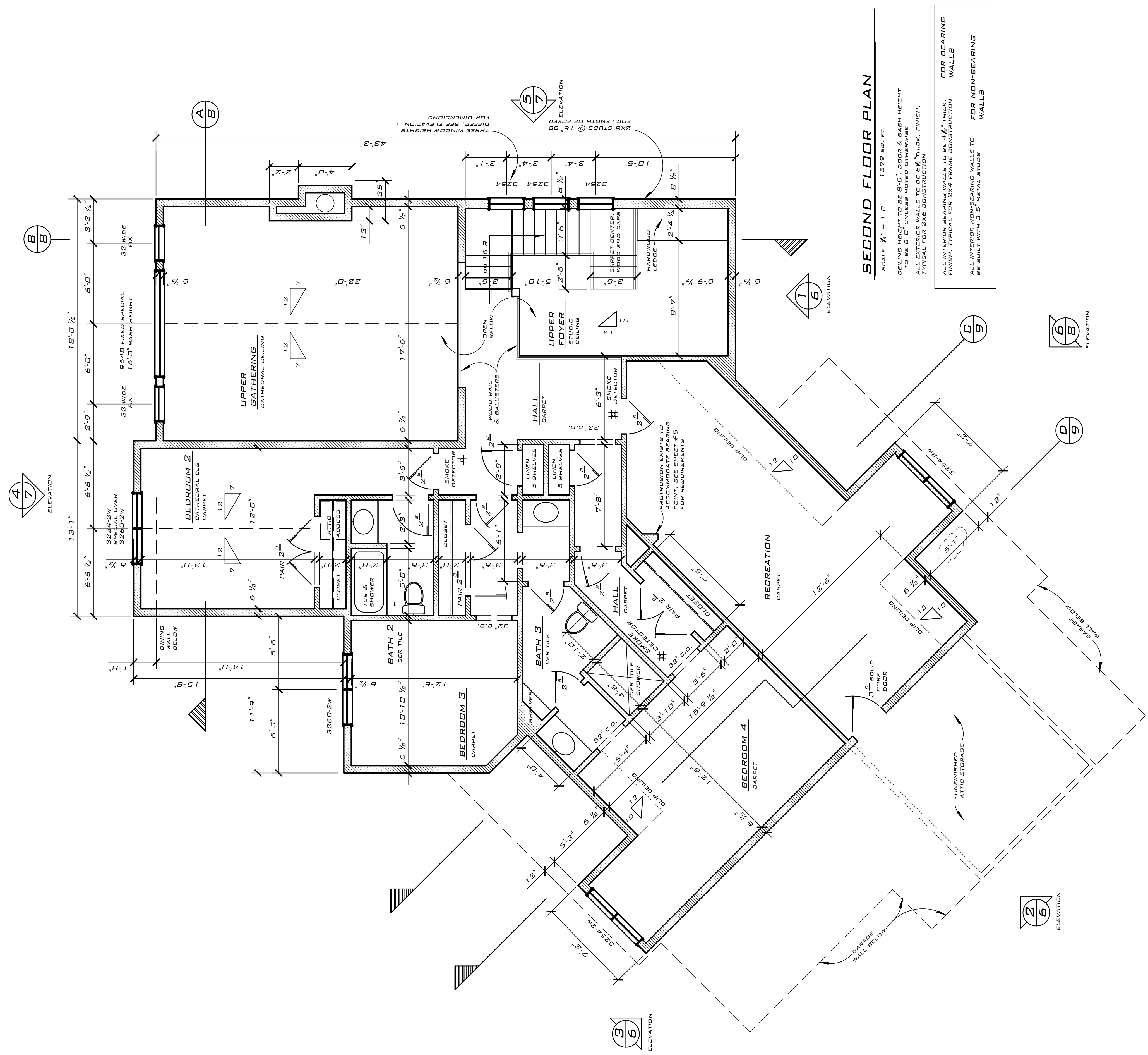
DATE 2-24-2020  
 SHEET NUMBER

2 of 9

PROJECT NUMBER  
 022020

REVISED 3-27-2020  
 REVISED 3-31-2020

When directed from Washington when to sow and when to reap, we should soon want bread  
 Thomas Jefferson



**SECOND FLOOR PLAN**  
 SCALE 1/4" = 1'-0" 1579 SQ. FT.

CEILING HEIGHT TO BE 8'-0", DOOR & BASH HEIGHT TO BE 6'-8" UNLESS NOTED OTHERWISE  
 ALL EXTERIOR WALLS TO BE 6" THICK, FINISH, TYPICAL FOR 2X6 CONSTRUCTION

**FOR BEARING WALLS**  
 ALL INTERIOR BEARING WALLS TO BE 4" THICK, FINISH, TYPICAL FOR 2X4 FRAME CONSTRUCTION  
 ALL INTERIOR NON-BEARING WALLS TO BE BUILT WITH 3.5" METAL STUDS

REVISED  
 3-27-2020

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SHEET NUMBER	3 of 9
PROJECT NUMBER	022020

**SHAFFER RESIDENCE**

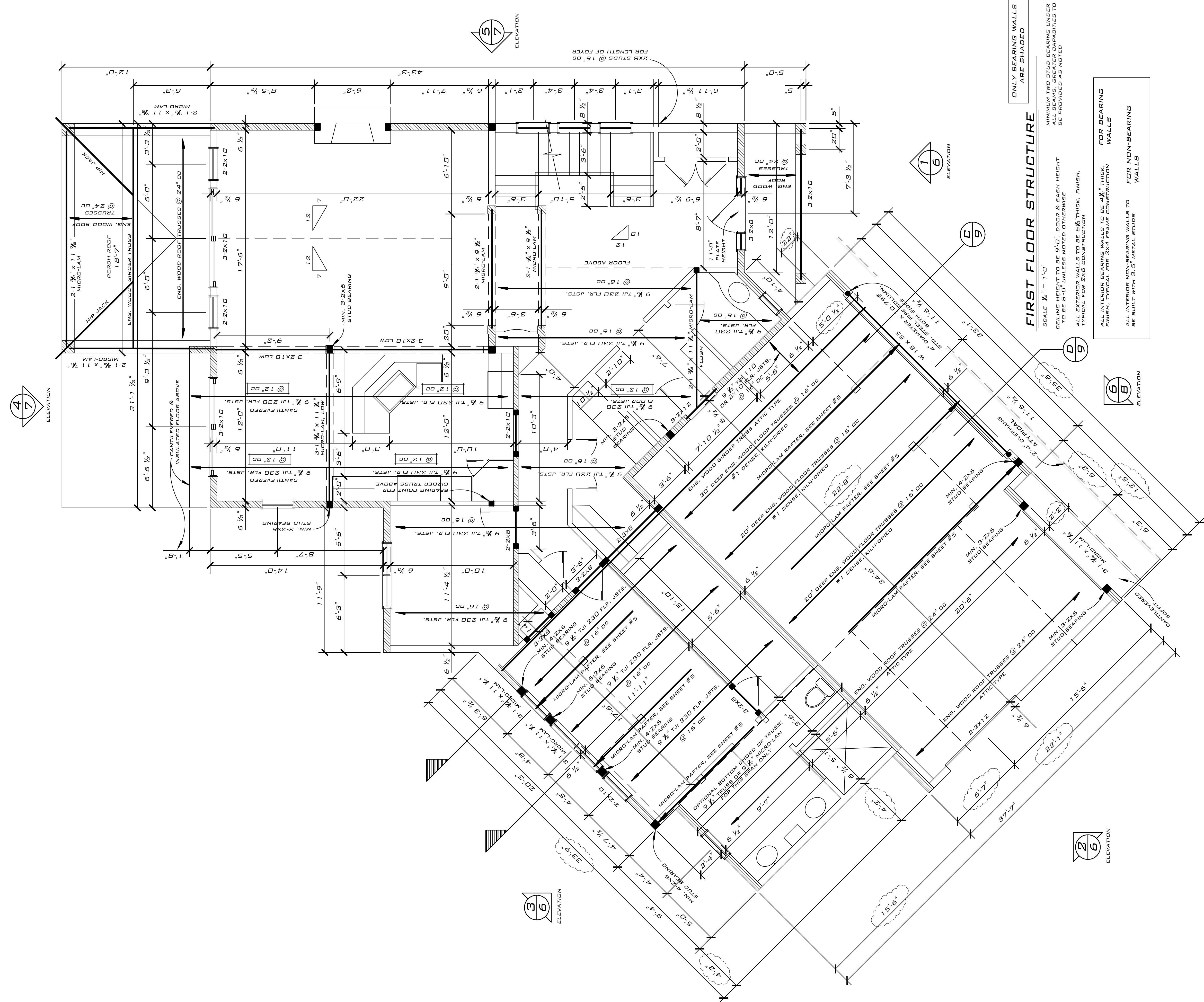


Arcadian  
 Residential Design

DENNIS DINSER  
 7091 Augustine Court  
 Fenton, MI 48430

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**FIRST FLOOR STRUCTURE**  
 ONLY BEARING WALLS ARE SHADED

SCALE 1/8" = 1'-0"  
 MINIMUM TWO STUD BEARING UNDER ALL EXTERIOR WALLS UNLESS NOTED OTHERWISE  
 ALL EXTERIOR WALLS TO BE 6" THICK, FINISH TYPICAL FOR 2X6 CONSTRUCTION

ALL INTERIOR BEARING WALLS TO BE 4" THICK, FINISH TYPICAL FOR 2X4 FRAME CONSTRUCTION  
 ALL INTERIOR NON-BEARING WALLS TO BE BUILT WITH 3.5" METAL STUDS

ELEVATION 4

ELEVATION 5

ELEVATION 6

ELEVATION 7

ELEVATION 8

ELEVATION 9

SHAFFER RESIDENCE



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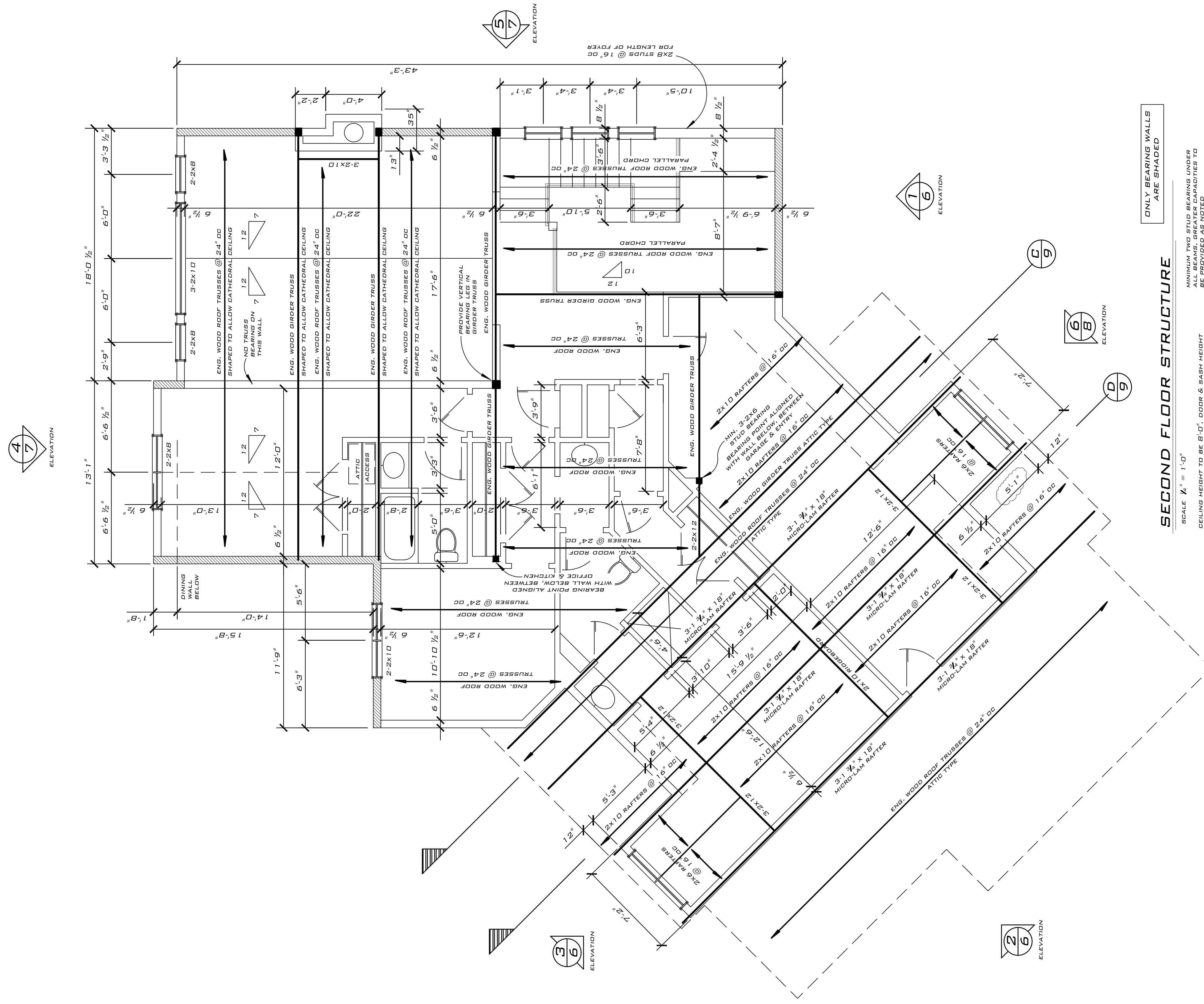
4 of 9  
 PROJECT NUMBER 022020

REVISED 3-27-2020

REVISED 3-31-2020

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**SECOND FLOOR STRUCTURE**

SCALE 1/4" = 1'-0"  
 CEILING HEIGHT TO BE 8'-0", ODDR & BASH HEIGHT TO BE 6'-8" UNLESS NOTED OTHERWISE.  
 ALL WALLS TO BE 4" THICK, FINISH TYPICAL FOR 2X6 CONSTRUCTION.

**FOR BEARING WALLS**  
 ALL INTERIOR BEARING WALLS TO BE 4" THICK, FINISH, TYPICAL FOR 2X4 FRAME CONSTRUCTION.  
**FOR NON-BEARING WALLS**  
 ALL INTERIOR NON-BEARING WALLS TO BE BUILT WITH 3.5" METAL STUDS

SHAFFER RESIDENCE



DENNIS DINSER

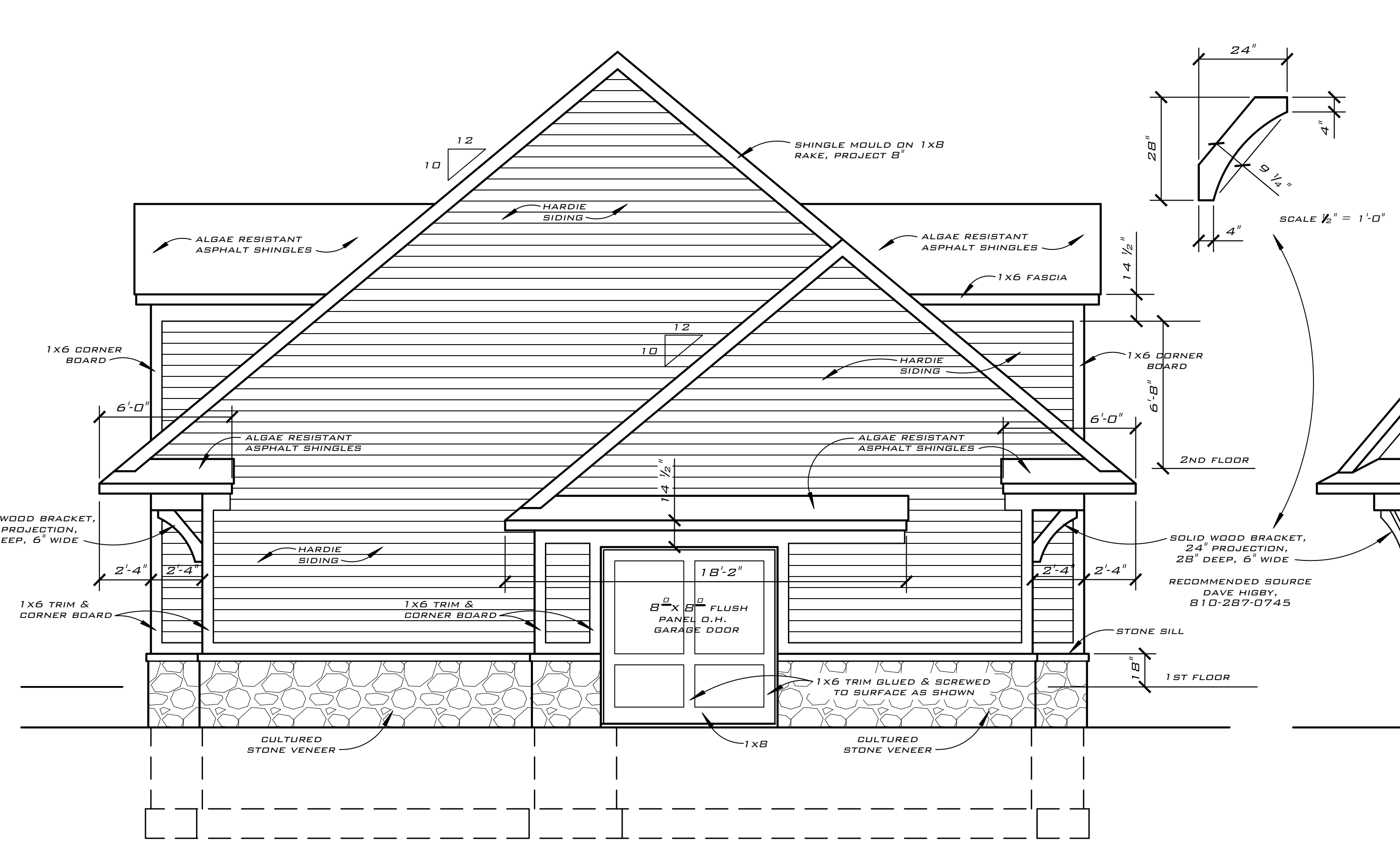
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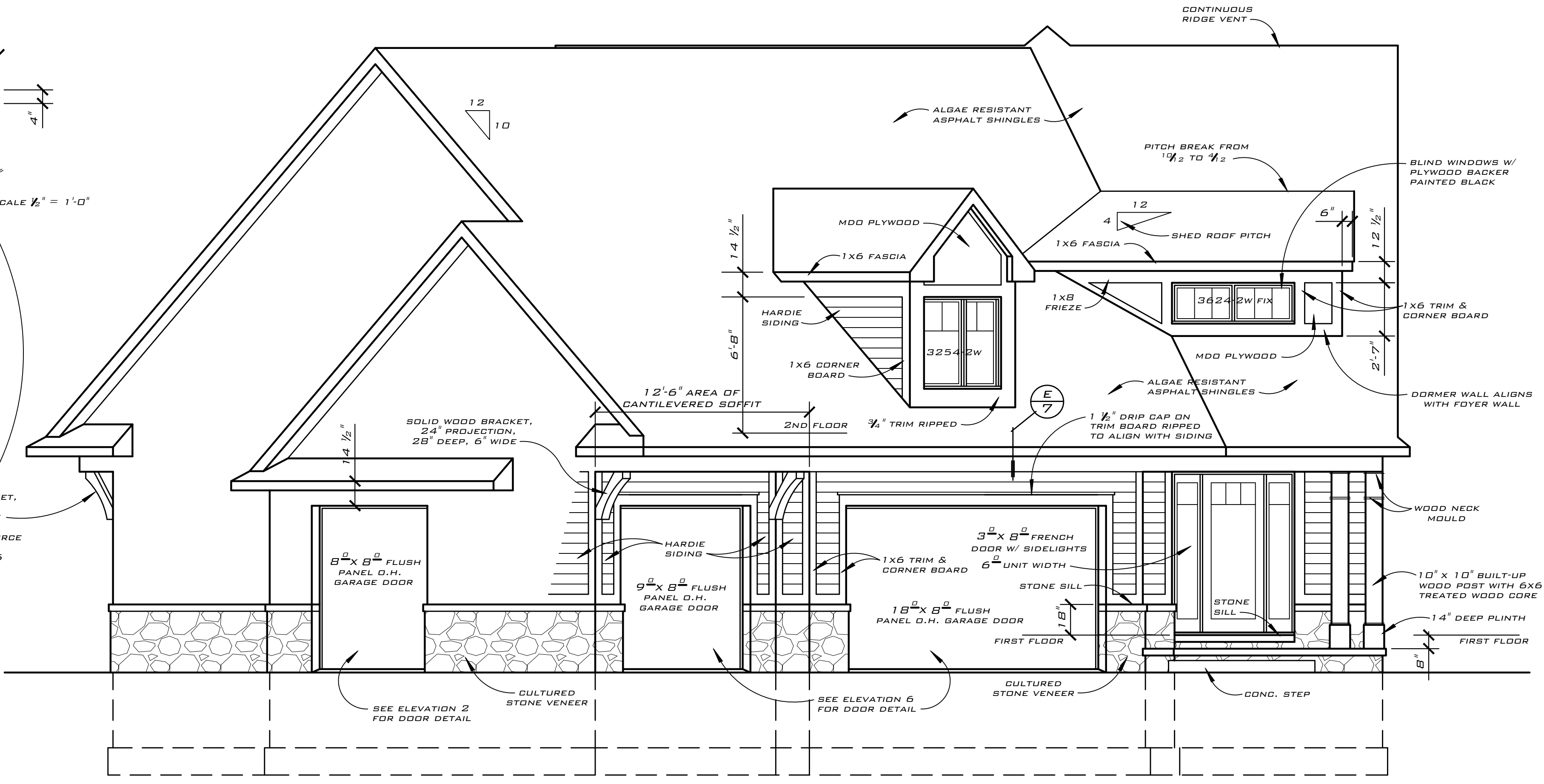
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SHEET NUMBER	5 of 9
PROJECT NUMBER	022020

REVISED  
 3-27-2020

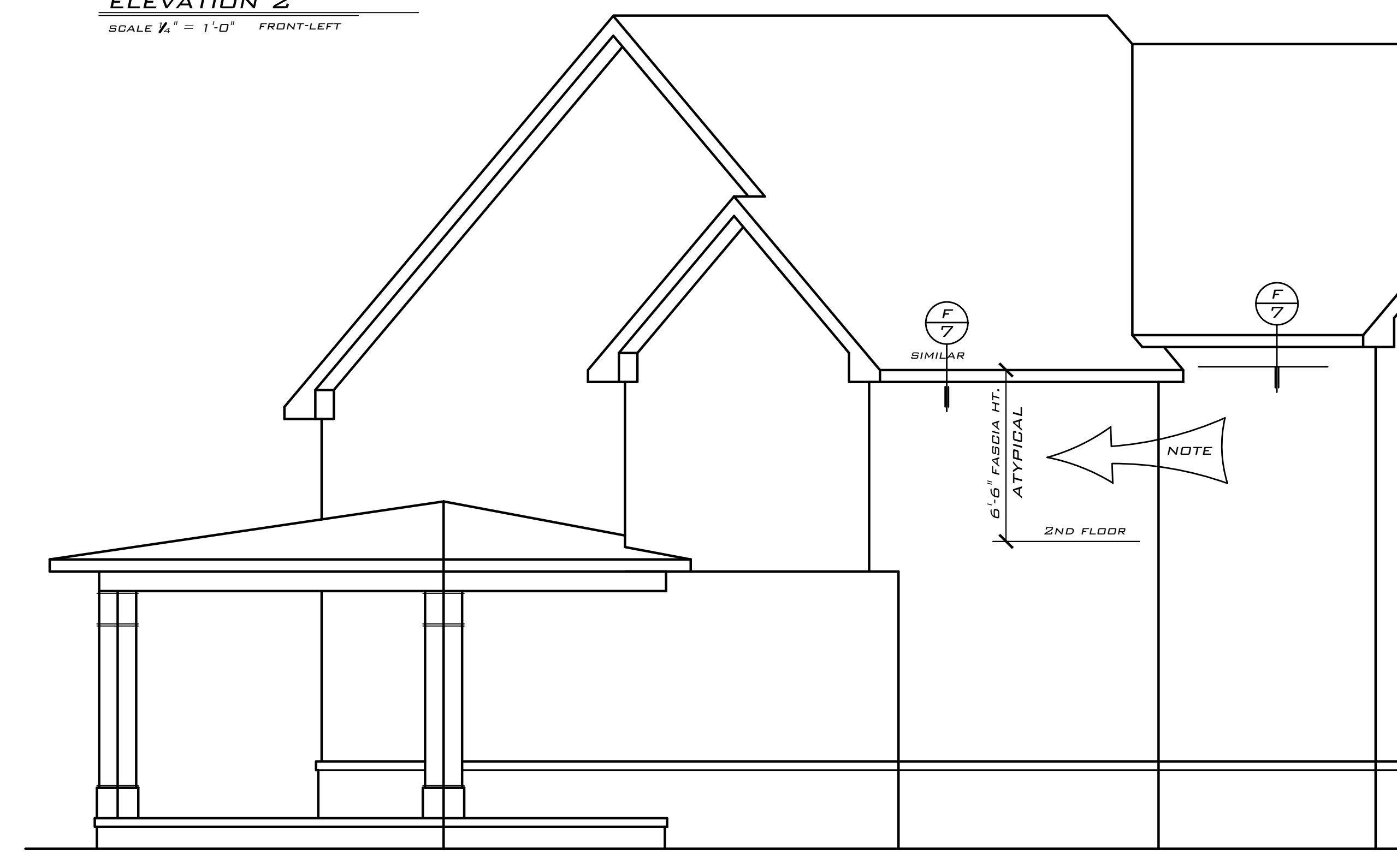
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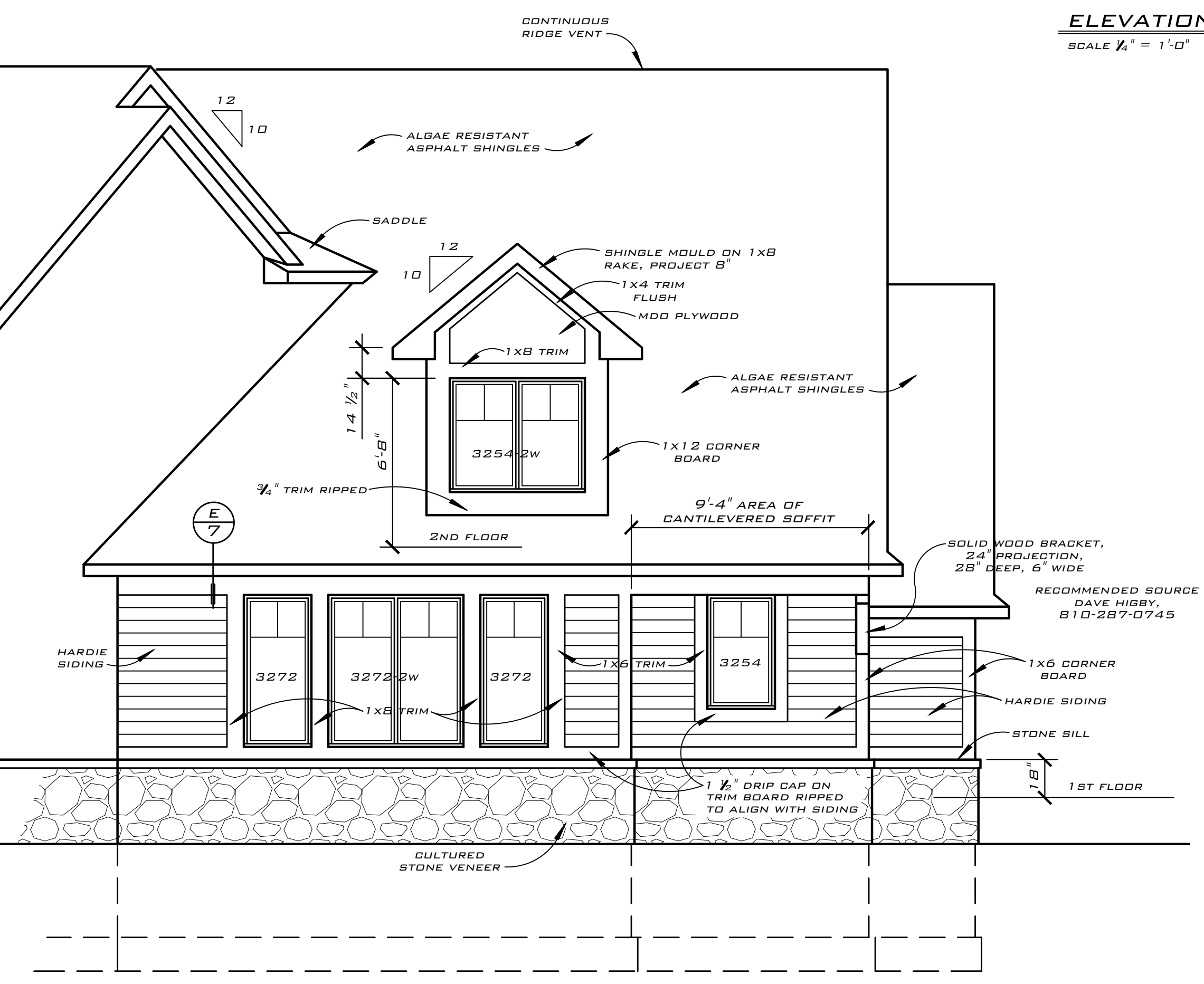
**ELEVATION 2**  
SCALE 1/4" = 1'-0" FRONT-LEFT



**ELEVATION 1**  
SCALE 1/4" = 1'-0" FRONT



**ELEVATION 3**  
SCALE 1/4" = 1'-0" RIGHT-REAR



SHAFFER  
RESIDENCE



Residential  
Design

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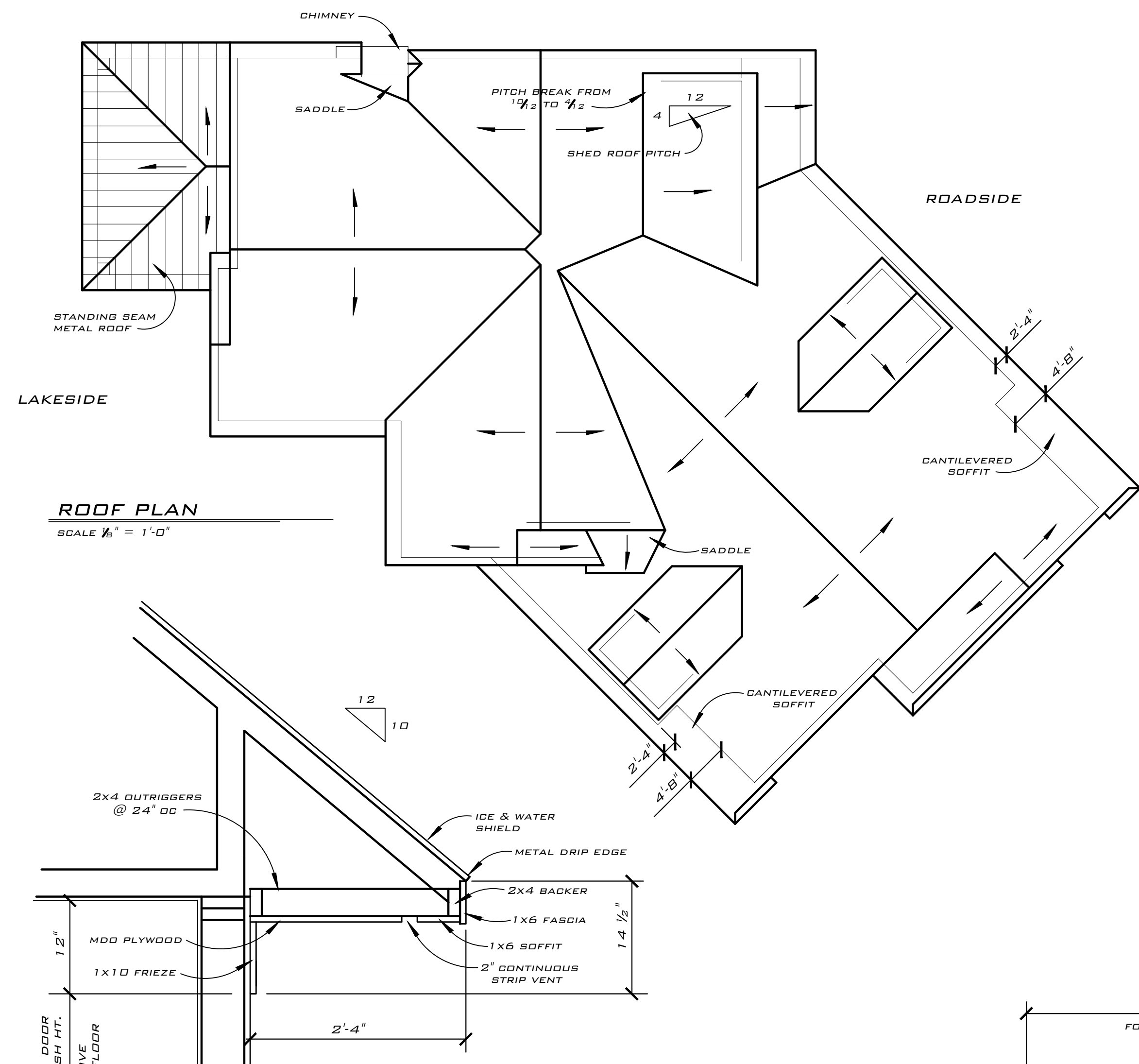
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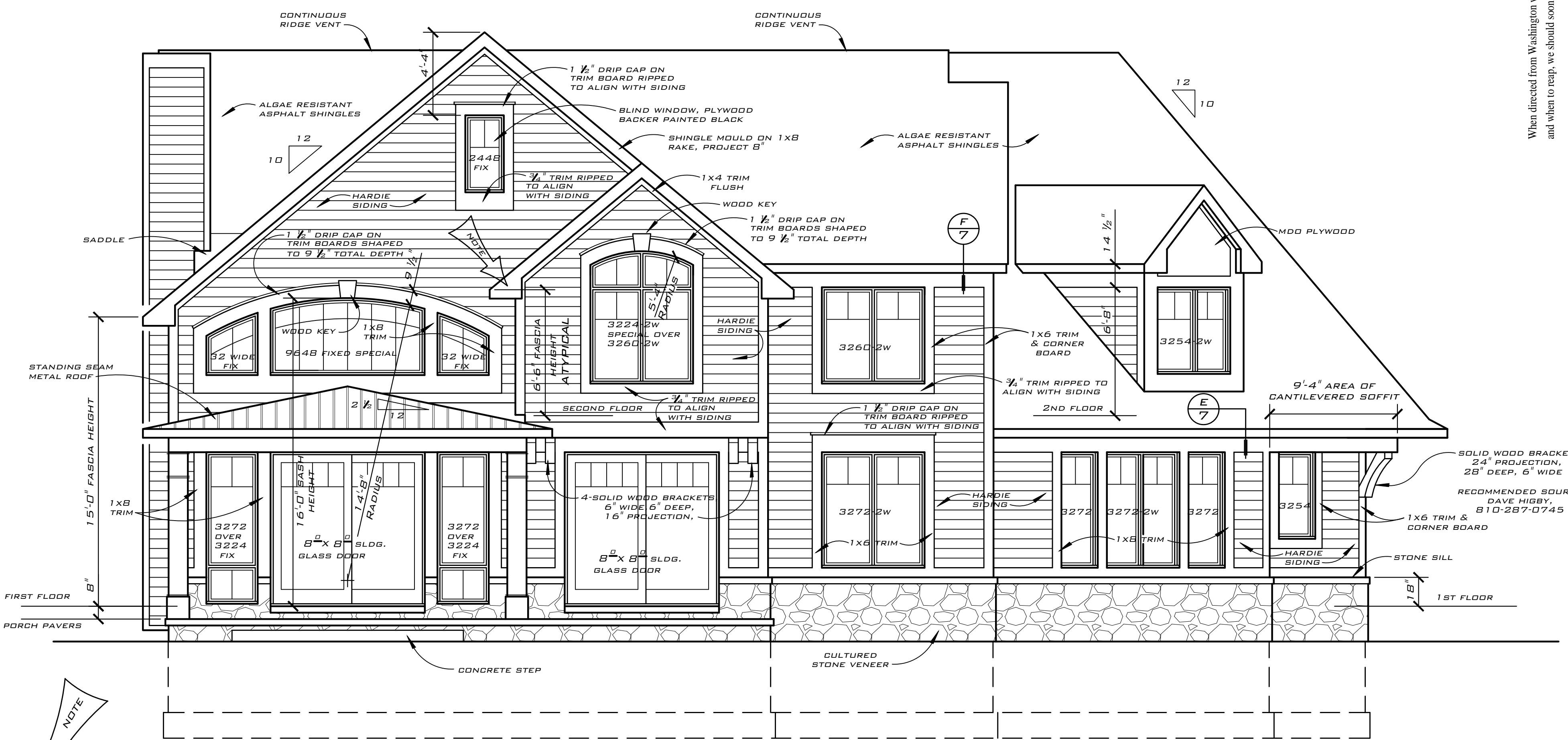
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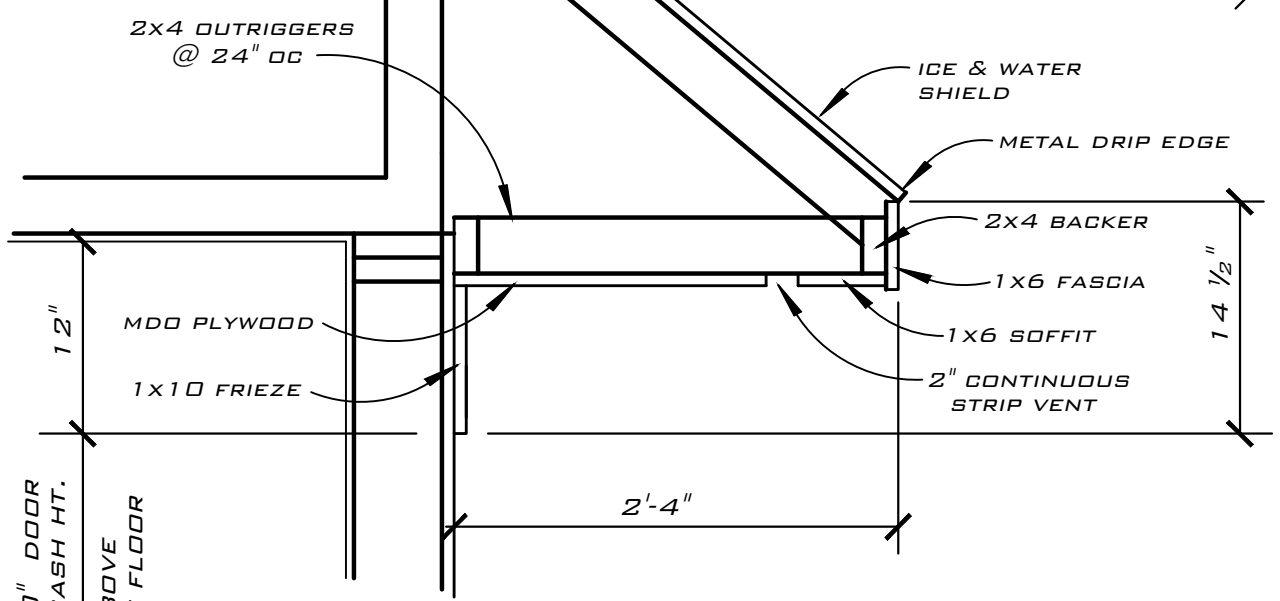
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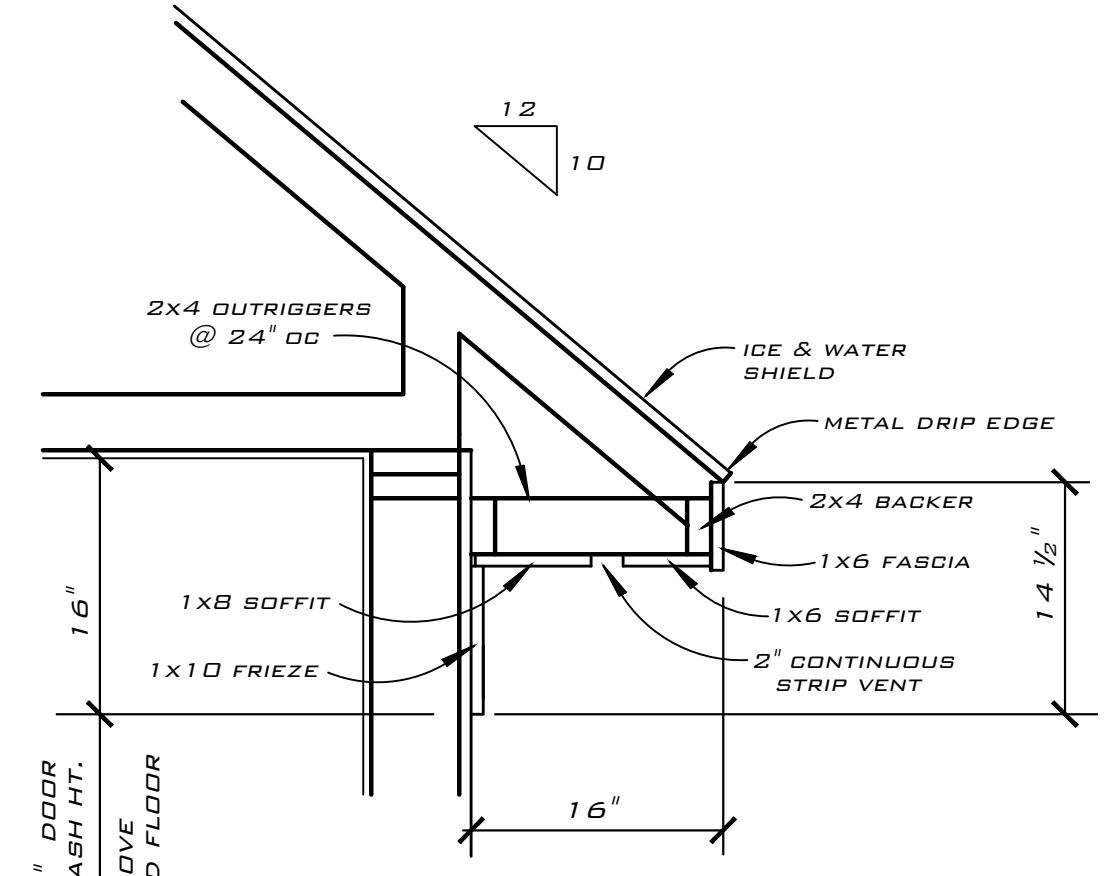
**ROOF PLAN**  
SCALE 1/8" = 1'-0"



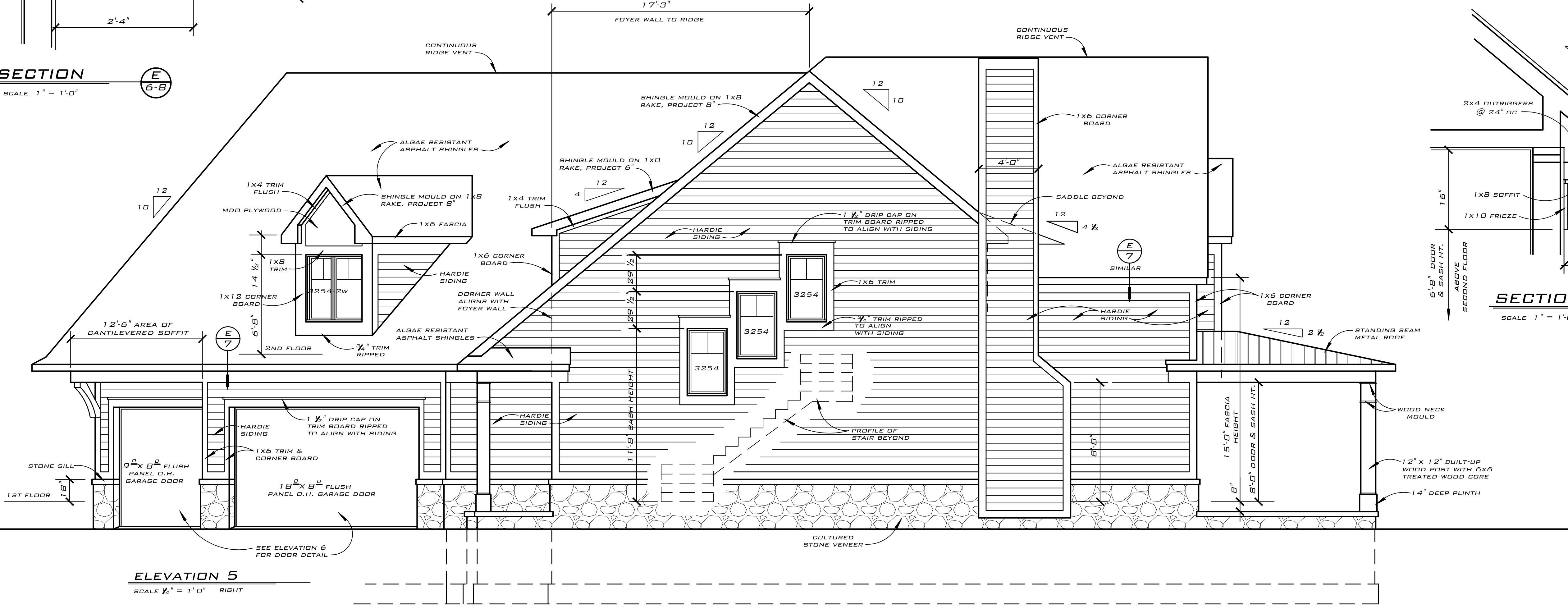
**ELEVATION 4**  
SCALE 1/8" = 1'-0" REAR



**SECTION E-6-B**  
SCALE 1" = 1'-0"



**SECTION F-6-B**  
SCALE 1" = 1'-0"



**ELEVATION 5**  
SCALE 1/8" = 1'-0" RIGHT

NOTE

When directed from Washington when to sow and when to reap, we should soon want bread  
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SHAFFER RESIDENCE



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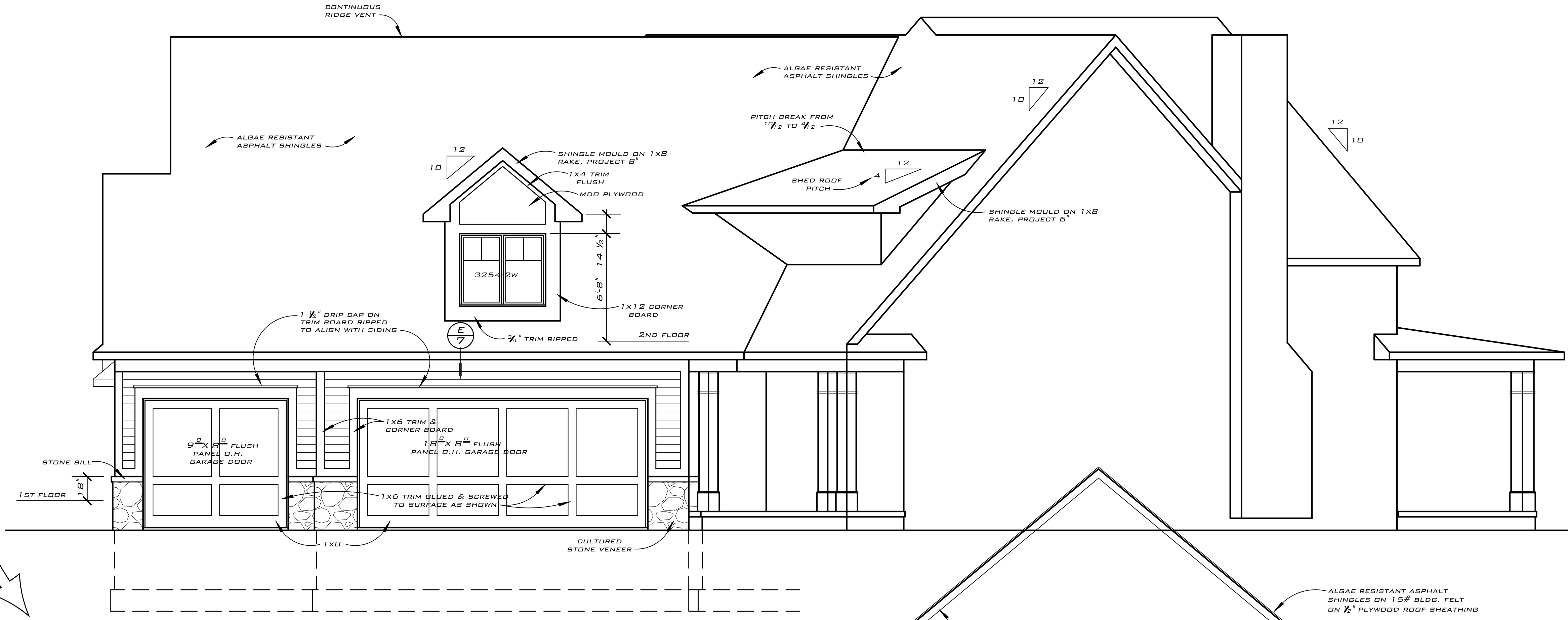
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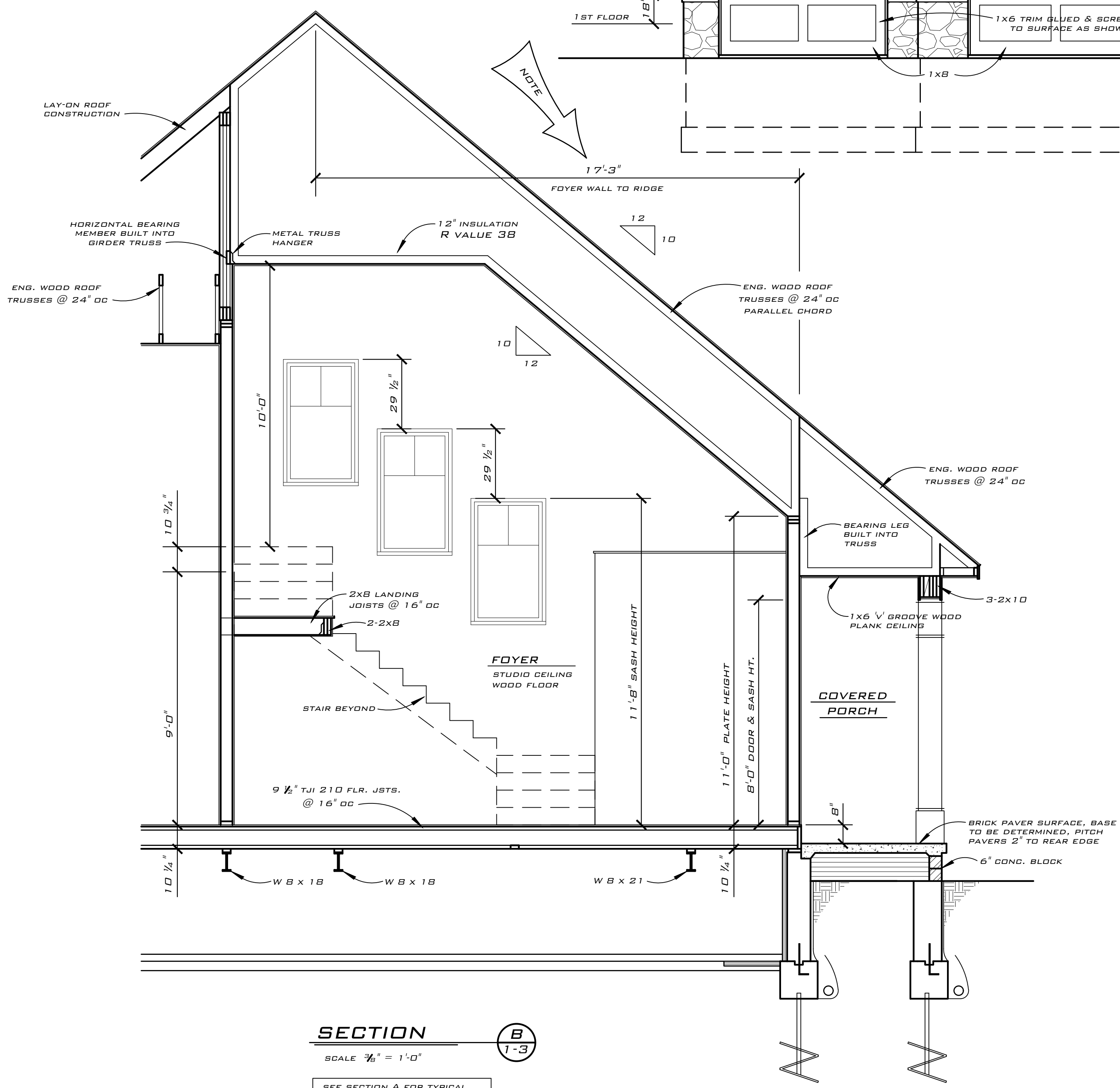
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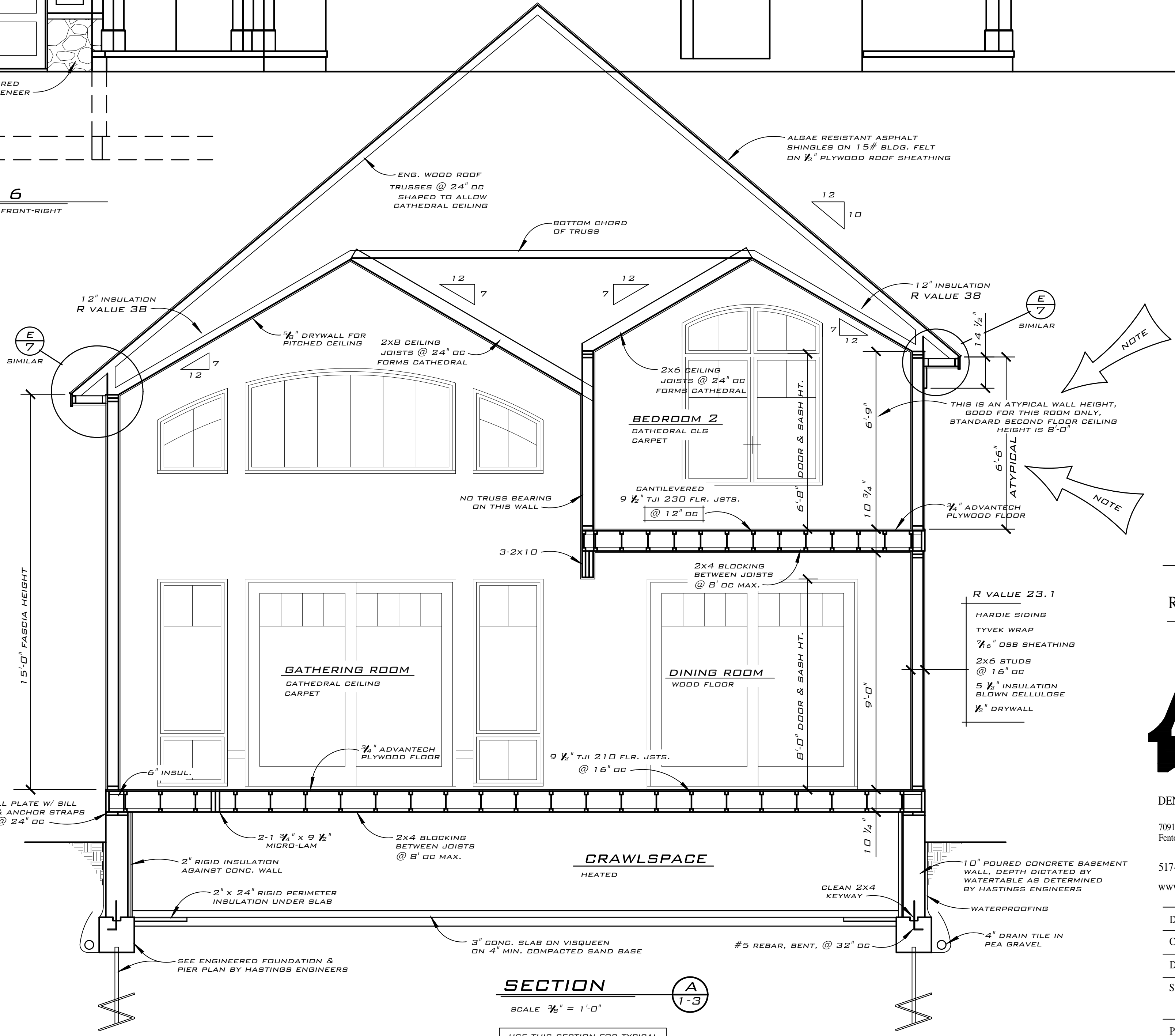


**ELEVATION 6**  
SCALE 1/8" = 1'-0" FRONT-RIGHT



**SECTION B**  
SCALE 1/8" = 1'-0"

SEE SECTION A FOR TYPICAL AND REPETITIVE DETAILS



**SECTION A**  
SCALE 1/8" = 1'-0"

USE THIS SECTION FOR TYPICAL AND REPETITIVE DETAILS

SHAFFER RESIDENCE



Residential Design

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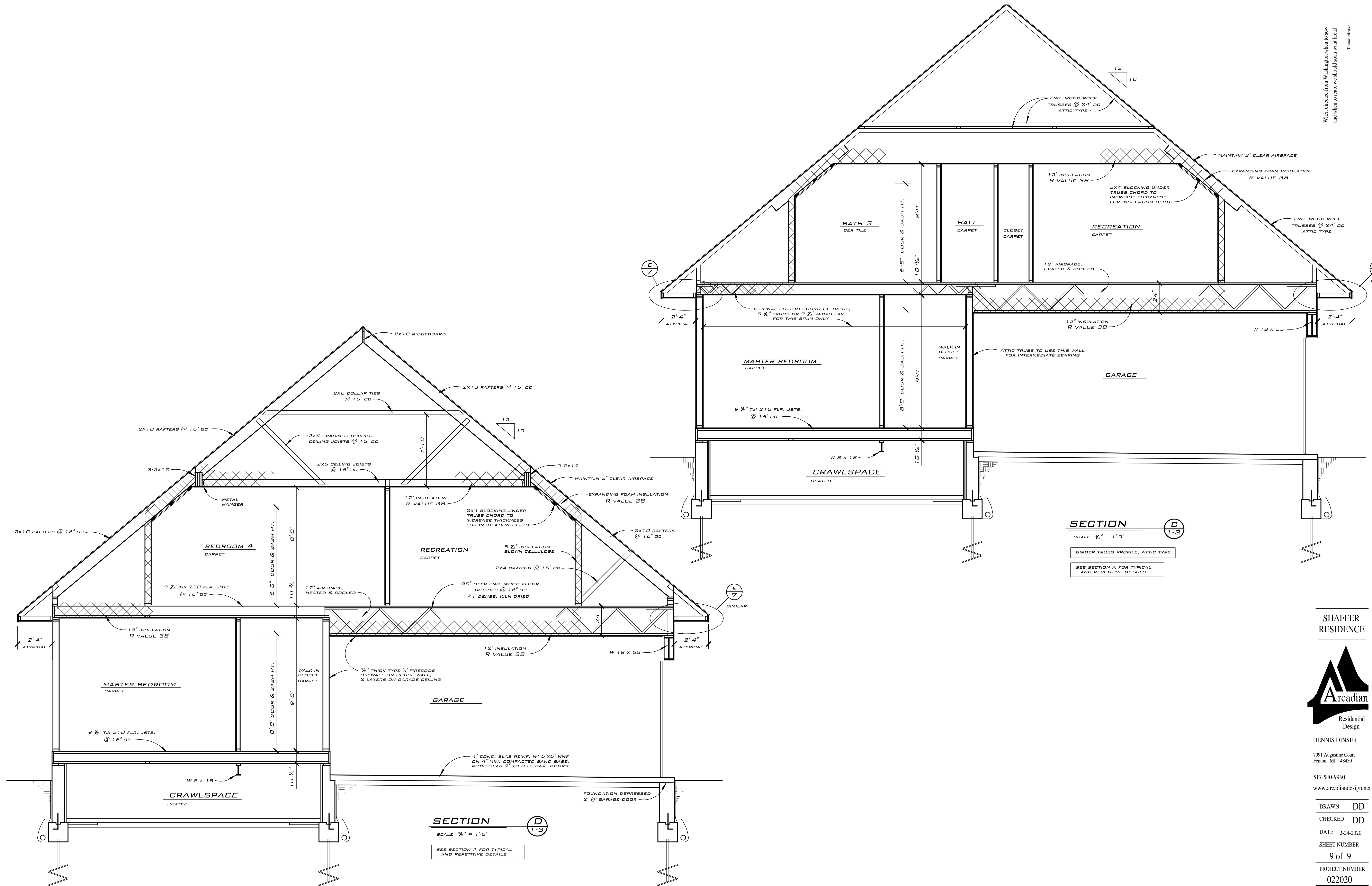
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022020



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and when to reap, we should soon want bread  
Thomas Jefferson



**SECTION** C  
 SCALE 3/8" = 1'-0"  
 GIRDER TRUSS PROFILE, ATTIC TYPE  
 SEE SECTION A FOR TYPICAL AND REPETITIVE DETAILS

**SECTION** D  
 SCALE 3/8" = 1'-0"  
 SEE SECTION A FOR TYPICAL AND REPETITIVE DETAILS

SHAFFER  
RESIDENCE



Residential  
Design  
DENNIS DINSER

7091 Augustine Court  
Fenton, MI 48430

517-540-9960  
www.arcadiandesign.net

DRAWN DD  
 CHECKED DD  
 DATE 2-24-2020  
 SHEET NUMBER  
 9 of 9  
 PROJECT NUMBER  
 022020

**From:** [Mike Siwik](#)  
**To:** [Amy Ruthig](#)  
**Subject:** Variance Request For 5294 Sharp Dr / Shaffer Residence  
**Date:** Thursday, September 10, 2020 10:46:23 AM

---

RE: Variance request by William and Kristi Shaffer at 5294 Sharp Drive for a side yard setback to allow for a cantilevered chimney.

We are one of two neighbors living directly next to the property in question. We have no objections to the Shaffer's request for the above mentioned variance, and see no reason why it should not be granted.

Regards,

Michael and Patricia Siwik  
5300 Sharp Drive

Sent from [Mail](#) for Windows 10

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.						
BOUTROS HENRY & STARLING	SHAFFER KRISTI & WILLIAM J	280,000	05/03/2019	WD	ARMS-LENGTH	2019R-010905	BUYER	100.0						
NOWICKI, JOHN J. & ELLEN V	BOUTROS HENRY & STARLING	255,000	08/12/2016	WD	ARMS-LENGTH	2016R-024745	BUYER	100.0						
NOWICKI, JOHN J. & ELLEN V	NOWICKI, JOHN J. & ELLEN V	0	09/29/2003	WD	INVALID SALE	4173-0783	BUYER	0.0						
HANNIFORD, PATRICK	NOWICKI, JOHN J. & ELLEN V	340,000	09/15/2003	WD	VACANT LAND	4204-0383	BUYER	100.0						
Property Address		Class: RESIDENTIAL-VACANT		Zoning: LRR		Building Permit(s)		Date	Number	Status				
5294 SHARP DR		School: HOWELL PUBLIC SCHOOLS		Residential New Constructi		03/04/2020		P20-032						
Owner's Name/Address		P.R.E. 0%		MAP #: V20-17		2021 Est TCV Tentative								
SHAFFER KRISTI & WILLIAM JR 3732 CONRAD BRIGHTON MI 48116		X Improved		Vacant		Land Value Estimates for Land Table 4041.SHARP DR								
Tax Description		Public Improvements		* Factors *										
SEC. 22, T2N, R5E COMM AT E 1/8 COR OF NW 1/4 TH N01*40'W 33.01 TH WEST 815.89 FT TH S34*30'W 186.04 FT TO POB TH N09*58'05"E 79.49 FT TH S27*56'09"E 231.72 FT TH S42*33'W 134.75 FT TH N75*20'W 40.72 FT TH N02*10'50"E 215.54 FT TO POB CONT. .50 AC M/L SPLIT10/00 FR. CORR LEGAL 12/04 PARCEL B		Dirt Road		A LAKE FRONT		66.00	160.00	1.0000	1.0000	3500	100	231,000		
Comments/Influences		Gravel Road		B SURP LFRONT		68.00	160.00	1.0000	1.0000	900	100	61,200		
		Paved Road		134 Actual Front Feet, 0.49 Total Acres		Total Est. Land Value =				292,200				
		Storm Sewer												
		Sidewalk												
		Water												
		Sewer												
		Electric												
		Gas												
		Curb												
		Street Lights												
		Standard Utilities												
		Underground Utils.												
		Topography of Site												
		Level												
		Rolling												
		Low												
		High												
		Landscaped												
		Swamp												
		Wooded												
		Pond												
		Waterfront												
		Ravine												
		Wetland												
		Flood Plain												
		Who		When		What		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
								2021	Tentative	Tentative	Tentative			Tentative
								2020	146,100	0	146,100			146,100S
								2019	146,100	0	146,100			132,710C
								2018	129,600	0	129,600			129,600S

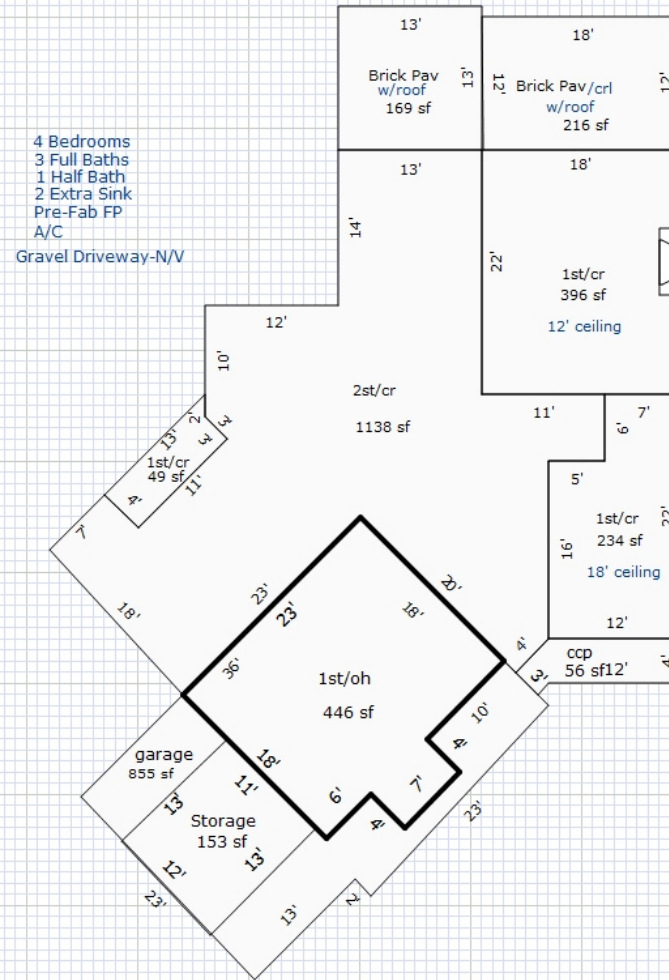
The Equalizer. Copyright (c) 1999 - 2009.  
Licensed To: Township of Genoa, County of Livingston, Michigan

\*\*\* 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 Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:			
X	Wood Frame	X	Drywall Paneled			Plaster Wood T&G									
Building Style: BC		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling											
Yr Built 2019	Remodeled 0	Ex	X	Ord		Min									
Condition: Good		Size of Closets		Central Air Wood Furnace											
		Lg	X	Ord		Small									
Room List		Doors:		X H.C.											
Basement 1st Floor 2nd Floor Bedrooms		Kitchen: Other: Other:		(12) Electric 0 Amps Service											
		(6) Ceilings		No./Qual. of Fixtures											
(1) Exterior				Ex. X Ord. Min											
Wood/Shingle Aluminum/Vinyl Brick X Vinyl X Insulation				No. of Elec. Outlets											
				Many X Ave. Few											
(2) Windows				(13) Plumbing											
Many Avg. Few	X Large Avg. Small	Basement: 0 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan											
				(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											
		Recreation SF Living SF Walkout Doors No Floor SF													
(3) Roof				(14) Water/Sewer											
X	Gable Hip Flat	Gambrel Mansard Shed		(10) Floor Support											
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic											
Chimney:				Lump Sum Items:											
Cost Est. for Res. Bldg: 1 Single Family BC (11) Heating System: Forced Heat & Cool Ground Area = 0 SF Floor Area = 0 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=100/100/100/100/100 Building Areas Stories Exterior Foundation Size Cost New Depr. Cost Other Additions/Adjustments Notes: ECF (4041 SHARP/ MERROW LANE AREA) 0.980 => TCv: 0 Totals: 0 0												E.C.F. X 0.980		Bsmnt Garage: Carport Area: Roof:	

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

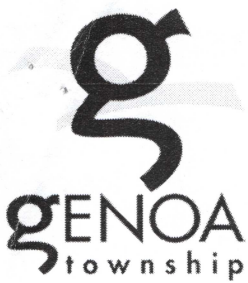




- 4 Bedrooms
- 3 Full Baths
- 1 Half Bath
- 2 Extra Sink
- Pre-Fab FP
- A/C
- Gravel Driveway-N/V

Sketch by Apex Ekerch

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



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

Case # 20-18 Meeting Date: Sept. 15<sup>th</sup>

PAID Variance Application Fee

\$215.00 for Residential | \$300.00 for Sign Variance | \$395.00 for Commercial/Industrial

Applicant/Owner: Ventures Design Email: Lubig@Ventures-design.com  
Property Address: 3470 Pineridge Ln Phone: (734) 395-4375  
Present Zoning: LRR Tax Code: 11-22-202-014

**ARTICLE 23** of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals.

Each application for Variance is considered individually by the ZBA. The ZBA is a 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 application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members, township officials and township staff 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/intended property modifications: Requesting a variance to  
build into the waterfront setback to construct retaining walls  
and a pool. We are requesting a 21 foot variance.

The following is per Article 23.05.03 of the Genoa Township Ordinance:

**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.

There is a very significant grade drop approx 60ft from the water. The wall will cut into the area of the grade drop to create more functional/practical space. The current lakefront set back is in line with the back of the house leaving no room for the pool or walls.

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.

Similar properties have drops in grade between the home and the water but not as drastic compared to the property in question. Neighboring properties also have retaining walls in similar locations near the water front.

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

The proposed pool and walls will not be visible from the street. The pool will be elevated and protected with an auto cover.

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 walls will be retaining the current grade before the significant drop off. So there will be no added height interfering with the current sight line.

**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: 8/20/2020 Signature: 





# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** September 9, 2020

**RE:** ZBA 20-18

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

---

## STAFF REPORT

**File Number:** ZBA#20-18  
**Site Address:** 3470 Pineridge Lane  
**Parcel Number:** 4711-22-202-014  
**Parcel Size:** .449 Acres  
**Applicant:** Ventures Design  
**Property Owner:** Ralph and Mary Slider, 9903 Doornoch, Brighton

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a waterfront setback variance to install an in ground pool and a variance to allow retaining walls in the required waterfront yard.

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

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday August 30, 2020 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 current home is under construction.
- In 2019, a waterfront setback variance to construct a new home was denied. (See attached minutes)
- In 2019, a permit was issued to construct a new home.
- The parcel is serviced by a 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

**Summary**

The proposed project is to install an in ground swimming pool and retaining walls in the waterfront yard. The applicant is required to obtain a waterfront setback variance to install the in ground swimming pool and a variance to allow retaining walls in the required waterfront yard.

**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**

**(g) Setback from Shoreline: Detached accessory buildings shall be setback at least fifty (50) feet from the nearest edge of any lake shoreline, except in the Lakeshore Resort Residential District where accessory buildings shall meet the shoreline setback requirements for the principle structure as specified in Table 3.04.02. Detached accessory buildings shall be setback at least twenty-five (25) feet from the edge of any wetland.**

**Table 3.04.01 (LRR District):**

<b>Table 3.04.01 LRR District</b>	<b>Waterfront Setback</b>
Requirement	80.5
Request	60
Variance Amount	20.5

**11.04.04 Fences, Walls and Screens**

**(b) Chain link fences shall not be erected in any front yard within a residential district, unless enclosing a retention pond that has been approved by the Planning Commission. Fences shall not be permitted in the required waterfront yard.**

**Sec. 25.02 Definitions**

**Fence: A structure of definite height and location constructed of wood, masonry, stone, wire, metal, or any other material or combination of materials serving as a physical barrier, marker, or enclosure, (see also "Wall").**

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

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

**(a) Practical Difficulty/Substantial Justice –Strict compliance with the waterfront yard setback would prevent the install of the in ground swimming pool and retaining walls. The granting of the waterfront setback variance for the in ground pool would not provide substantial justice and is not necessary for the preservation and enjoyment of a substantial property right similar to that**

possessed by other properties in the same vicinity of the subject parcel. Staff cannot confirm the granting of the retaining walls in the waterfront yard would be necessary to provide substantial justice due to the substantial grading of the site for the new home. The Board could request the applicant to supply additional information in regards the retaining wall request.

- (b) Extraordinary Circumstances** – In regards to the retaining wall request, the exceptional or extraordinary condition of the property is the topography of the lot however it appears that the property has had substantial grading since construction of the home. Applicant needs to confirm that the need for the retaining walls was not self-created and is the least amount necessary. In regards to the in ground swimming pool request, there are no exceptional or extraordinary conditions of the property due to the large building envelope.
- (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 proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

#### **Recommended Conditions**

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

1. Applicant should ensure that grading on site will not affect neighboring properties.



10 foot separation from the two structures, so Mr. Bush's home can be five feet from the property line.

Chairman Tengal noted that the Building Department and the Drain Commissioner's Office will address the issue of the soil erosion concerns. That is an issue that is beyond the scope of the Zoning Board of Appeals.

The call to the public was closed at 7:10 p.m.

Board Member Rassel stated last month the concern was with the height variance request and the applicant has addressed that concern.

**Moved** by Rassel, seconded by Ledford, to approve Case #19-05 for Brad and Amber Busch at 792 Pathway Drive for a side variance of 4' 11" and to build an accessory structure without a principle structure, based on the following findings of fact:

- Strict compliance with the zoning requirements would prevent the applicant from constructing the proposed accessory 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.
- 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.
- The need for the variance is not self-created.
- 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.
- 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.**

3. 19-06... A request by Ralph and Mary Slider, 3470 Pineridge Lane, for a waterfront variance to construct a new single-family home.

Mr. and Mrs. Slider were present. They are requesting a 6.5 foot waterfront yard setback variance. This building will not be further toward the lake than the existing home.

Mr. Slider stated the challenge with the property is that it narrows toward the road so it would be difficult to get a boat from the road into the garage. Because of the curve of the properties, both of the homes on either side of them actually face away from him so their house would not impede their lake view.

Chairman Tengal does not believe there is a hardship or practical difficulty with the property that would justify granting this variance. Board Member Ledford agrees. Mr. Slider noted that the covered patio can be shorted by nine feet and then an uncovered deck could be built fifteen feet further out from that instead of the size of the covered patio that is being proposed.

Mr. Slider noted that his neighbor was granted a 102 foot variance in 2002, which allows them to place their home 63 feet from the water's edge.

The call to the public was made at 7:26 pm with no response.

Board Member Rassel agrees that there is no practical difficulty with the property. Board Member Kreutzberg agrees.

**Moved** by Board Member Rassel, seconded by Board Member Kreutzberg to deny Case #19-06 for Ralph and Mary Slider of 3470 Pineridge Lane for a waterfront yard setback variance of 6.5 feet, due to the following findings of fact:

- Strict compliance with the waterfront yard setback would prevent the applicant from constructing the new home with the same setback as the existing home. While the adjacent homes have reduced waterfront setbacks the majority of the homes in the vicinity are setback further from the water than what is proposed. Granting the variance would provide substantial justice to the applicant in consideration of the adjacent homes however this is not supported by review of properties in the district or vicinity. Granting of the variance request is not 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.
- There are not 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. The variance would not make the property consistent with the majority of other properties in the vicinity.
- The need for the variance is self-created by the applicant.
- 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.**

4. 19-07... A request by Lynda and Jackie Williams, 4219 Homestead Drive, for a waterfront variance to construct a sunroom to an existing home.

Ms. Lynda Williams and Ms. Jackie Williams stated they are requesting to add an all-seasons sunroom to their home. They are requesting an 11 foot, 7 inch waterfront setback variance. The hardship is that this is the only location on their home where they can put this addition because of the type of roofline of the home.

Board Member Kreutzberg's concern is the sight line of the lake for the neighbor to the left. This would block their view.

The call to the public was made at 7:37 pm.

Mr. Mark O'Brien at 4225 Homestead Drive, which is directly to the south of the Williams' property is concerned with his sight line of the lake being blocked. It will cause the value of his property to decrease.

The call to the public was closed at 7:38 pm.

Board Member Rockwell feels the requested variance is self-created.

**Motion** by Board Member Ledford, seconded by Board Member Rassel, to deny Case # 19-07 for 4219 Homestead Drive for the applicants and property owners, Lynda & Jackie Williams, for waterfront setback variance of 11.7 feet from the required 40 feet to 28.5 feet, due to the following findings of fact:

- There are no exceptional or extraordinary circumstances or conditions of the property. The variance would not make the property consistent with the surrounding properties.
- The need for the variance to construct the sunroom is self-created.
- Strict compliance with the setbacks would cause the applicant to be unable to construct the sunroom but does not unreasonably prevent the use of the property. There are other homes in the vicinity that do not meet the waterfront



# GENOA TOWNSHIP



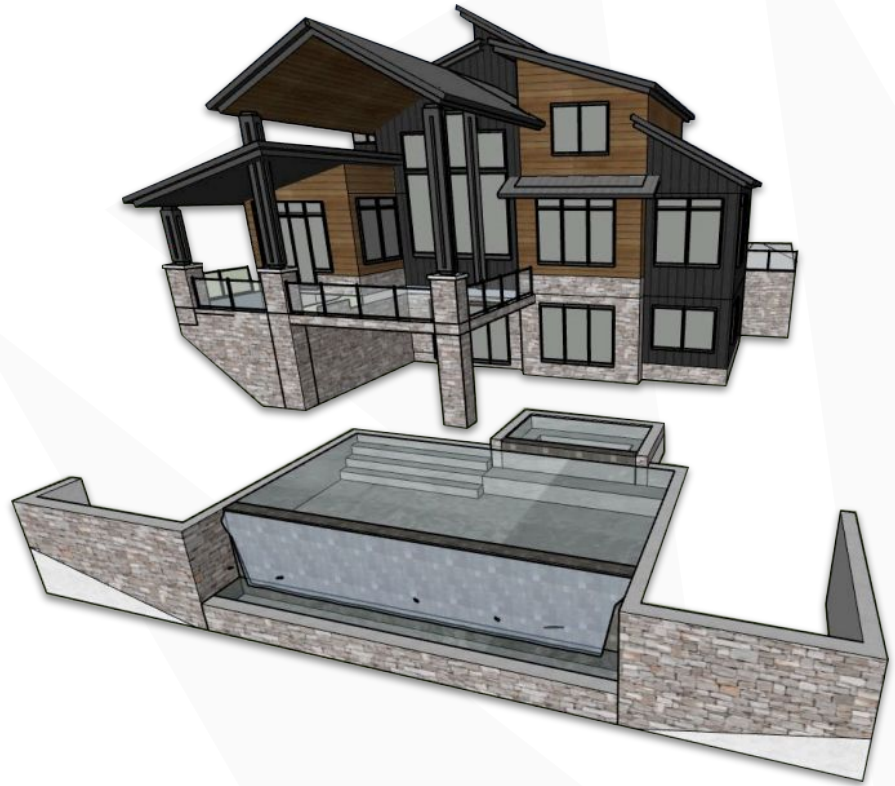
Design Proposal

**3740 Pineridge Ln  
Brighton, MI 48116**

Prepared By:

**Ventures Design**

29454 Haas Rd  
Wixom, MI 48393





## Previous Structure



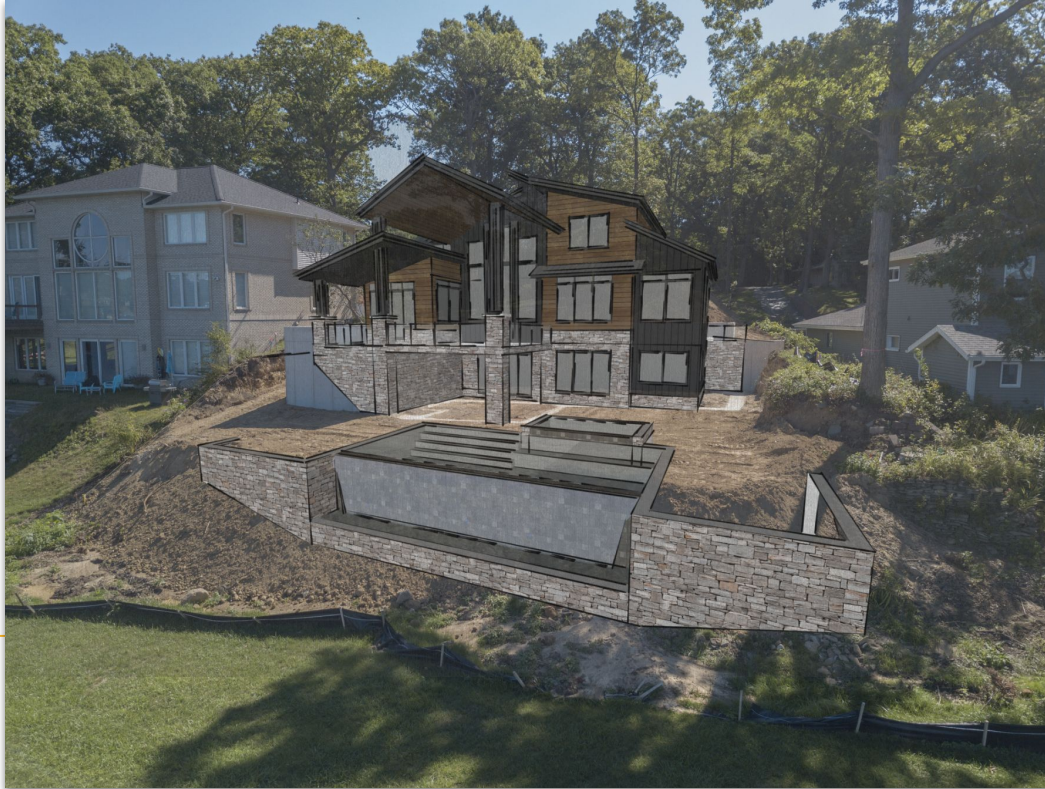
- **Trees have been removed to north and south improving line of site**



## Previous Structure



## Proposed Structure



- **Retaining wall with grade**
- **Pool w/ Autocover**
- **No fence required**



# Proposed Structure



# Proposed Structure

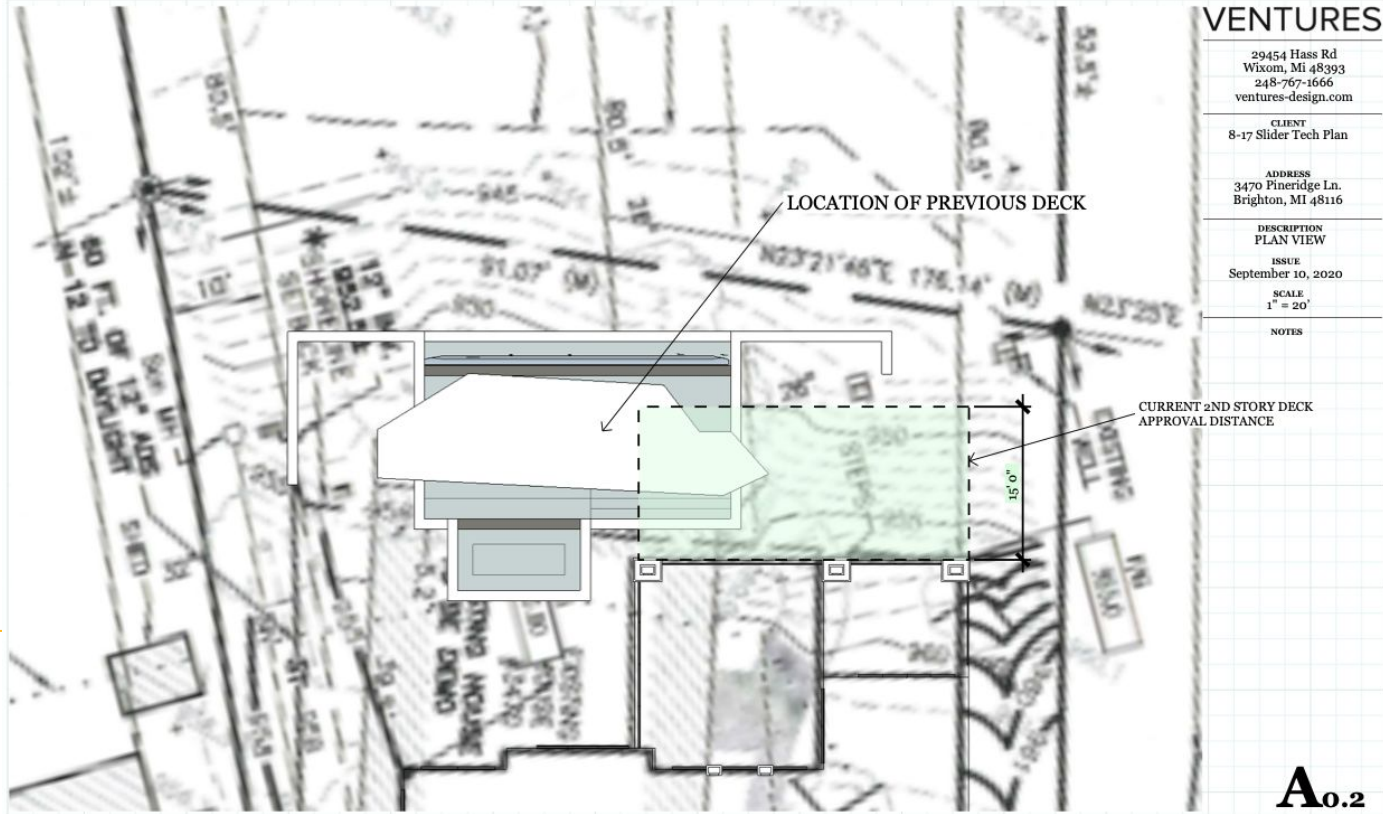




# Proposed Structure



# Comparison with previous structure



## VENTURES

29454 Hass Rd  
Wixom, MI 48393  
248-767-1666  
ventures-design.com

CLIENT  
8-17 Slider Tech Plan

ADDRESS  
3470 Pineridge Ln.  
Brighton, MI 48116

DESCRIPTION  
PLAN VIEW  
ISSUE  
September 10, 2020

SCALE  
1" = 20'

NOTES

A0.2

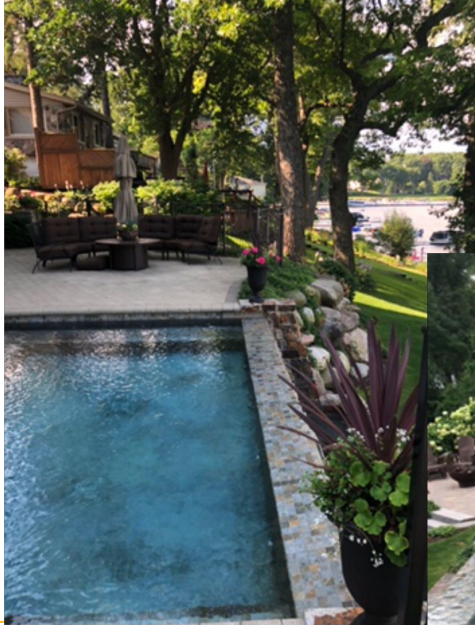


## Allowed per Zoning Guidelines - Second Story deck extending 15'



- Due to the elevation of a deck, this structure would impede line of site significantly whereas walls built to support a lower level area would not.

## Similarly allowed- Pool/ walls on Highcrest Drive





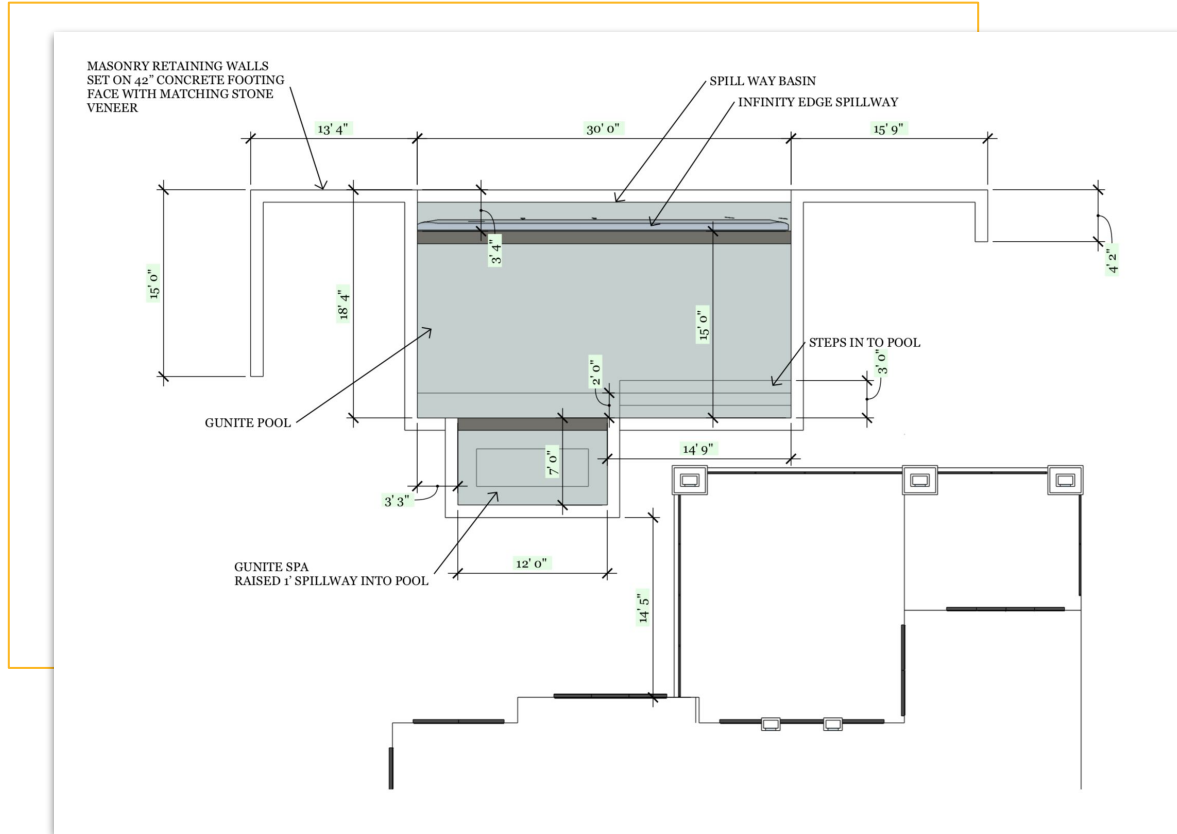
# ZBA Approved walls for 3940 Hichrest Drive - August 20, 2019



# Technical Plans



# Technical Plans

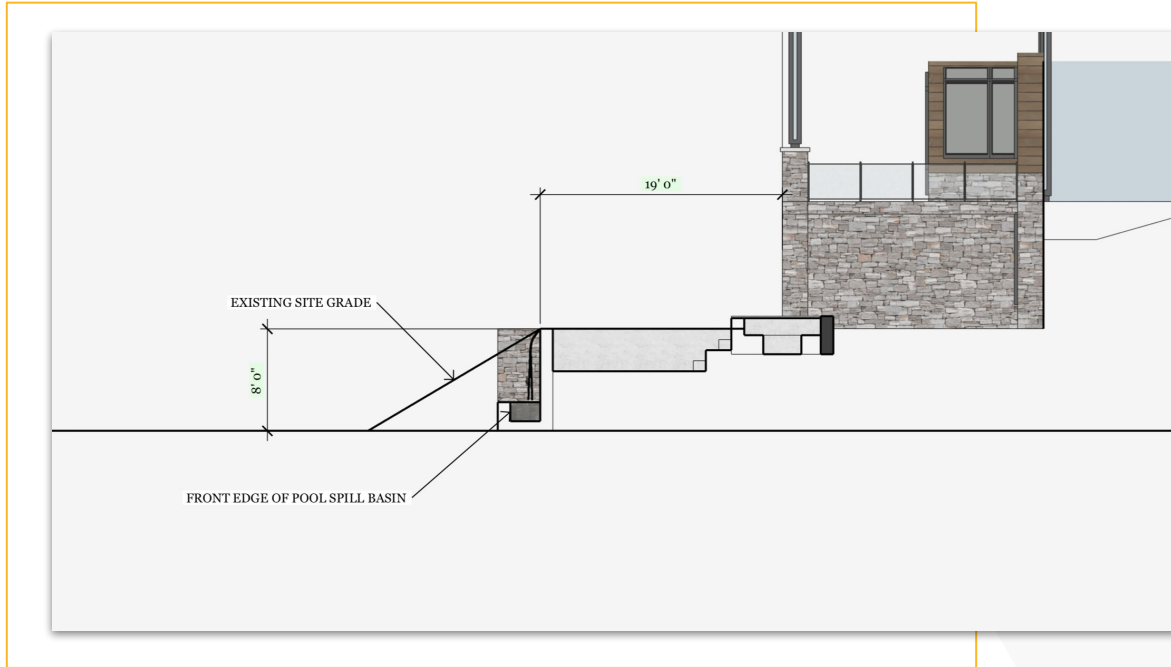


# Technical Plans



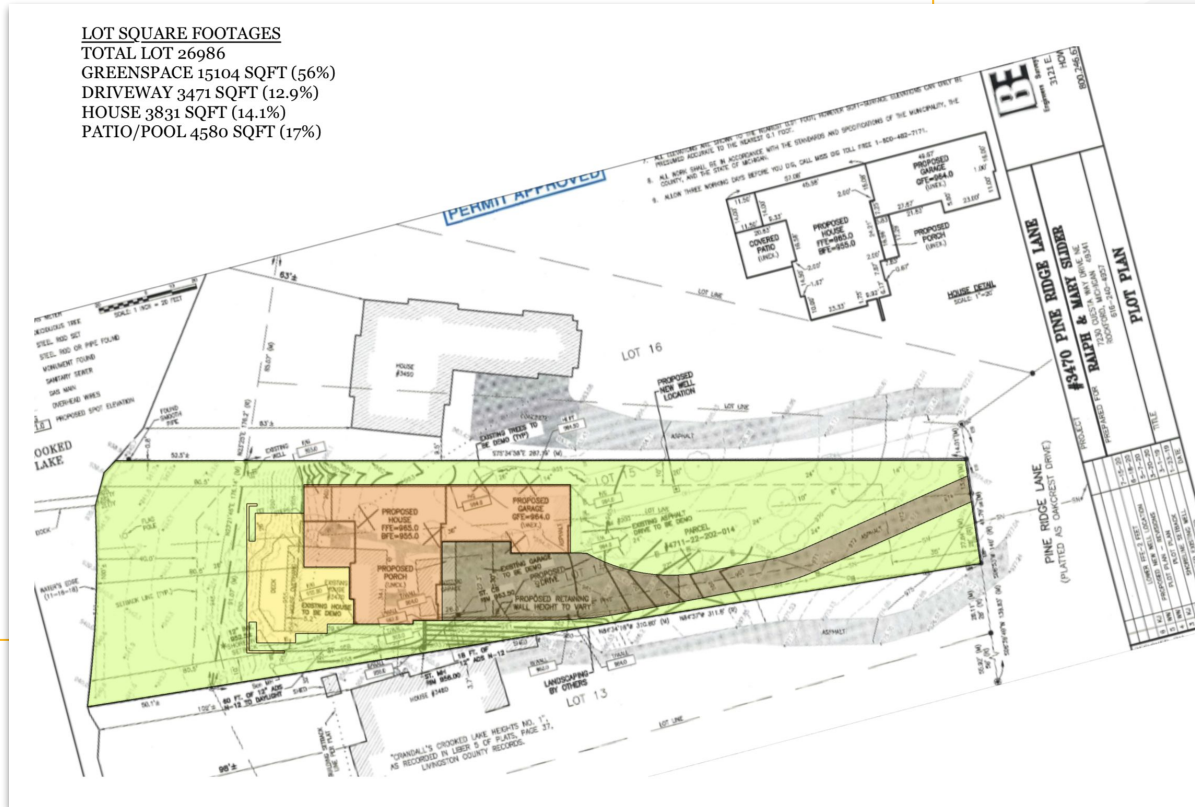


# Technical Plans



# Technical Plans

**LOT SQUARE FOOTAGES**  
 TOTAL LOT 26986  
 GREENSPACE 15104 SQFT (56%)  
 DRIVEWAY 3471 SQFT (12.9%)  
 HOUSE 3831 SQFT (14.1%)  
 PATIO/POOL 4580 SQFT (17%)



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.						
RINGHOLZ, DAVID	SLIDER RALPH & MARY	417,500	02/12/2016	WD	ARMS-LENGTH	2016R-006071	BUYER	100.0						
MCMACHEN		0	12/26/1995	WD	L.C.P.O.	2000-0730	BUYER	0.0						
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR	Building Permit(s)	Date	Number	Status						
3470 PINERIDGE LANE		School: BRIGHTON AREA SCHOOLS			Residential New Constructi	05/26/2020	P20-050							
Owner's Name/Address		P.R.E. 0% Cond. 1st												
SLIDER RALPH & MARY 9903 DOORNOCH BRIGHTON MI 48114		MAP #: V20-18												
Tax Description		2021 Est TCV Tentative												
SEC. 22 T2N, R5E CRANDALL'S CROOKED LAKE HEIGHTS NO. 1 LOT 14 & S 1/2 OF LOT 15		X	Improved	Vacant	Land Value Estimates for Land Table 4306.TRI LAKES LAKE FRONT									
Comments/Influences		Public Improvements			* Factors *									
		Dirt Road			Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value	
		Gravel Road			A LAKE FRONT	91.00	215.00	1.0000	1.0000	4000	100		364,000	
		Paved Road			91 Actual Front Feet, 0.45 Total Acres Total Est. Land Value = 364,000									
		Storm Sewer			Land Improvement Cost Estimates									
		Sidewalk			Description					Rate		Size	% Good	Cash Value
		Water			D/W/P: Patio Blocks					12.95		340	65	2,862
		Sewer			Total Estimated Land Improvements True Cash Value = 2,862									
		Electric												
		Gas												
		Curb												
		Street Lights												
		Standard Utilities												
		Underground Utils.												
		Topography of Site												
		Level												
		Rolling												
		Low												
		High												
		Landscaped												
		Swamp												
		Wooded												
		Pond												
		Waterfront												
		Ravine												
		Wetland												
		Flood Plain												
		X REFUSE			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
		Who	When	What	2021	Tentative	Tentative	Tentative			Tentative			
		LM	08/23/2013	DATA ENTER	2020	182,000	90,100	272,100			199,223C			
					2019	125,800	87,300	213,100			195,509C			
					2018	105,800	89,200	195,000			190,927C			



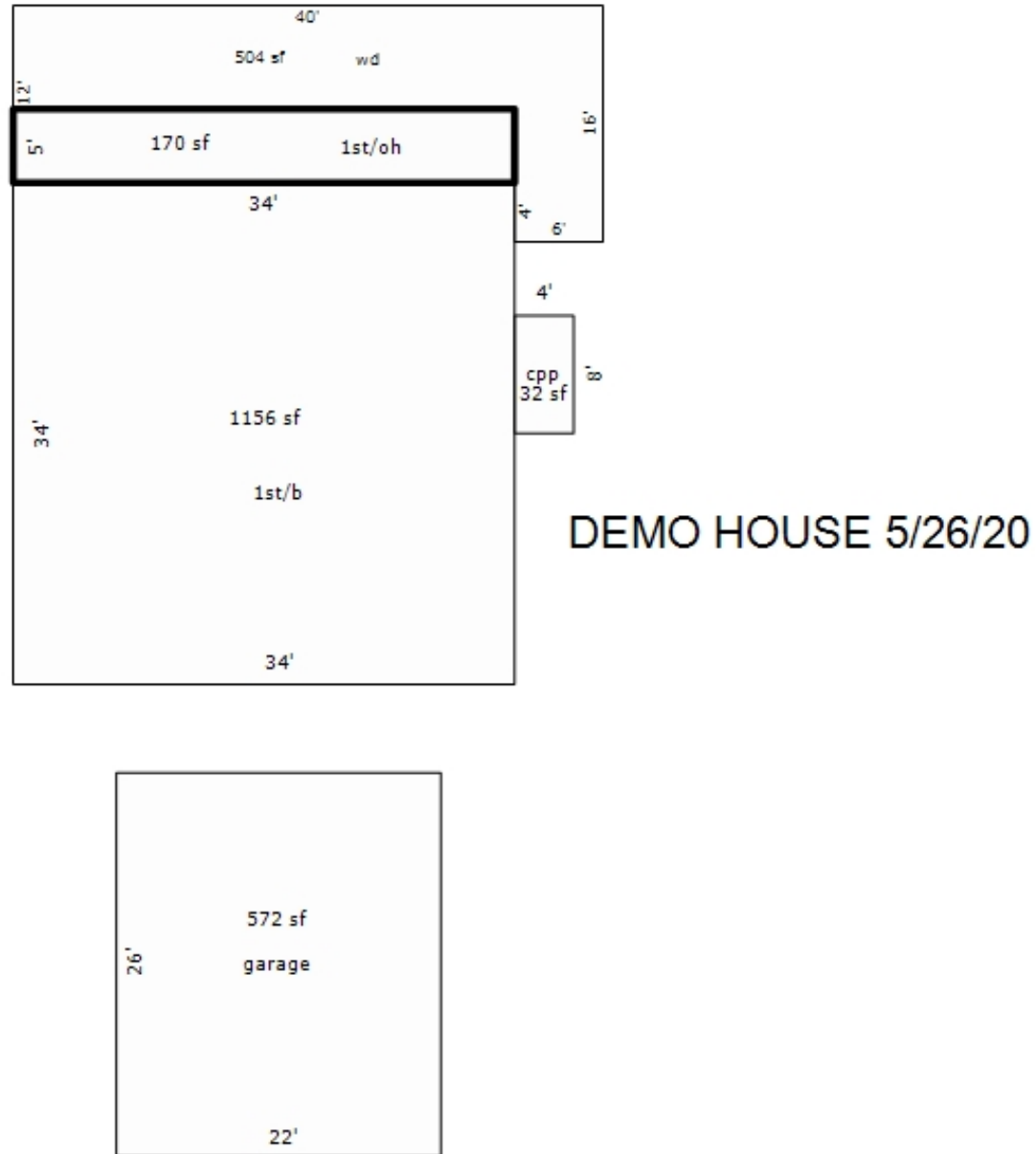
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\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided 1 Exterior 1 Story Exterior 2 Story 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 32 504	Type CPP Treated Wood	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 572 % Good: 0 Storage Area: 0 No Conc. Floor: 0
X	Wood Frame		(4) Interior Drywall Paneled				Plaster Wood T&G									
Building Style: C		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Class: C Effec. Age: 47 Floor Area: 1,326 Total Base New : 236,235 Total Depr Cost: 125,204 Estimated T.C.V: 186,930			E.C.F. X 1.493		Bsmnt Garage: Carport Area: Roof:	
Yr Built 1965	Remodeled 0	Size of Closets		0 Amps Service			No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Air w/ Ducts Ground Area = 1156 SF Floor Area = 1326 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=53/100/100/100/53			Cls C		Blt 1965	
Condition: Good		Doors: Lg X Ord Small		No. of Elec. Outlets			(13) Plumbing			Building Areas						
Room List		(5) Floors		Average Fixture(s)			Other Additions/Adjustments			Stories			Size		Cost New	
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:		3 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Basement Living Area Basement, Outside Entrance, Below Grade Plumbing 3 Fixture Bath Porches CPP Deck Treated Wood Garages			1 Story Siding Foundation 1 Story Siding Overhang			1,156 170 Total: 155,381		82,353	
(1) Exterior		(6) Ceilings		(14) Water/Sewer			Water/Sewer			Public Sewer Water Well, 200 Feet			Fireplaces			
X	Wood/Shingle Aluminum/Vinyl Brick			Public Water			Public Sewer			Exterior 1 Story Prefab 1 Story			1 5,404 1 2,151		2,864 1,140	
	Insulation			1 Water Well 1000 Gal Septic 2000 Gal Septic			Lump Sum Items:			Notes:			Totals: 236,235		125,204	
(2) Windows		(8) Basement					ECF (4306 TRI LAKES LAKE FRONT) 1.493 => TCV:						20,489		10,859	
X	Many Avg. Few	X	Large Avg. Small										1 1,240		657	
	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											8,914		4,724	
(3) Roof		(9) Basement Finish											1 2,151		1,140	
X	Gable Hip Flat		Recreation SF Living SF 1 Walkout Doors No Floor SF										Totals: 236,235		125,204	
	Gambrel Mansard Shed															
X	Asphalt Shingle															
Chimney: Brick																

\*\*\* 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: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	E.C.F. X 1.493	Bsmnt Garage: Carport Area: Roof:				
	(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			
X Wood Frame	X Drywall Paneled			Plaster Wood T&G			Central Air Wood Furnace										
Building Style: B		Trim & Decoration			(12) Electric			Cost Est. for Res. Bldg: 2 Single Family B			Cls B		Blt 2020				
Yr Built 2020	Remodeled 0	Ex X Ord Min			0 Amps Service			Ground Area = 0 SF Floor Area = 0 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=100/100/100/100/100			Totals: 0		0				
Condition: Good		Size of Closets			No./Qual. of Fixtures			Building Areas			Size		Cost New		Depr. Cost		
Room List		(5) Floors			(13) Plumbing			Notes:			ECF (4306 TRI LAKES LAKE FRONT) 1.493 =>		TCV: 0				
Basement 1st Floor 2nd Floor 3 Bedrooms		Kitchen: Other: Other:			Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan												
(1) Exterior		(6) Ceilings			(14) Water/Sewer												
Wood/Shingle Aluminum/Vinyl Brick X Brick/Siding X Insulation		Basement: 0 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic												
(2) Windows		(7) Excavation			Lump Sum Items:												
Many Avg. Few X Avg. Large X Avg. Small		(8) Basement															
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor															
(3) Roof		(9) Basement Finish															
X Gable Hip Flat		Recreation SF Living SF Walkout Doors No Floor SF															
X Asphalt Shingle		(10) Floor Support															
Chimney:		Joists: Unsupported Len: Cntr.Sup:															

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**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
AUGUST 18, 2020 - 6:30 PM**

**MINUTES**

**Call to Order:** Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Michele Kreutzberg, Jean Ledford, Bill Rockwell, Marianne McCreary, and Amy Ruthig, Zoning Official.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

**Introduction:** The members of the Board introduced themselves.

**Approval of the Agenda:**

Chairman Rassel noted that the applicant for Case #20-17 has requested to be tabled this evening.

**Moved** by Board Member McCreary, seconded by Board Member Ledford, to approve the agenda with the tabling of Case #20-17 at the owner's request until the September 15, 2020 Zoning Board of Appeals Meeting . **The motion carried unanimously.**

**Call to the Public:**

The call to the public was made at 6:33 pm with no response.

**New Business**

1. 20-12...A request by Brett and Jennifer Landacre, 528 S. Hacker, for a side yard variance to construct a detached accessory structure or a variance to construct a detached accessory structure in the front yard.

Ms. Jennifer Landacre was present. She was before the board last month and had her item tabled as the Board requested she obtain a survey. The survey has been submitted to the Township. She is requesting a rear yard setback variance of one foot to construct a 40 x 24 detached structure. A variance would have been needed to put this building anywhere on their property and this location makes the most sense for the building because there is an existing concrete pad. They will be removing the existing accessory structure on their property. This location avoids them being under the power lines. She provided examples of other properties in the area that have accessory buildings that do not meet the required setbacks. Because of the existing concrete pad, people who live behind her are using this area as access to their homes.

Having this structure will eliminate this. It will not negatively affect any of the values or public safety of the neighborhood.

Board Member McCreary reviewed the survey and stated that she is never in favor of supporting a one-foot setback; however, because of the easement, nothing can be built to the rear of the proposed location of the barn.

The call to the public was made at 6:48 pm with no response.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to approve Case #20-12 at 528 S. Hacker for Brett & Jennifer Landacre for a 29 foot side yard variance from the required 30 feet for a 1 foot side yard setback to construct a 40 x 24 accessory building with a height not to exceed the requirement as documented by Ordinance 11.04.01.j, based on the following findings of fact:

- The subject property was split from an original parent parcel and the splits that were created left the abutting parcel with a section of land that touches, and that parcel is separated by a 33-foot-wide road easement. The portion of the property that is abutting this property where the request for a setback is, does not have a home on it.
- The exceptional or extraordinary condition of the property is the configuration of the lot and power lines. The need for the variance is not self-created. Due to the unusual configuration of the split of the property from the original lot, it provides substantial justice to the applicant and affords the same rights as other properties in the surrounding area.
- The granting of the variance will not impair an adequate supply of light and air to adjacent properties 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 Genoa Township.
- The proposed variance should have limited impact on the adjacent neighbors nor the values of homes surrounding it. This approval is conditioned upon the following:
  1. All existing detached accessory structures will be removed prior to Certificate of Occupancy issuance.

**The motion carried unanimously.**

2. 20-13 ... A request by Mark St. Germain, 4071 Homestead Drive, for two side yard setback variances to construct a second story to an existing home.

Mr. St. Germain was present. He has a 1,200 square foot home and he would like to add a bedroom and a bathroom. It makes more sense to build up instead of toward the road or the lake. He would be adding 800 square feet and stay within the footprint of the existing home.

Board Member McCreary asked if the applicant and his neighbor are aware that the neighbor's home encroaches onto his property. Mr. St. Germain learned this when he obtained the survey. He is not sure if the neighbor is aware.

Board Member Kreuzberg wanted to confirm that the height of the home will not exceed the 25 feet height limit. Ms. Ruthig explained how the home height is determined. She confirmed that the proposed home is within the ordinance.

The call to the public was made at 6:59 pm with no response.

**Moved** by Board Member Kreuzberg, seconded by Board Member Ledford, to approve Case #20-13 for Mark St. Germain of 4071 Homestead Drive granting two two side yard setback variances of 2.6 feet from required 10 feet for a 7.4 foot setback and variance of 5.7 feet from required 10 feet for a 4.3 foot setback to construct a second story addition to an existing home, based on the following findings of fact:

- Granting the variances would provide substantial justice. Strict compliance with the setbacks would unreasonably restrict use of the property. The proposed structure will maintain the same setbacks as the existing home. Granting these variance will provide substantial justice in granting the applicant the same rights as similar properties in the neighborhood and is not self-created.
- The extraordinary circumstances are the narrow lot and location of the existing home.
- The granting of these variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion or increase the danger of fire or endanger the public safety, comfort, morals or welfare.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood.

This approval is conditioned upon the following:

1. Structure must be guttered with downspouts.
2. Building height must not exceed 25 feet.

**The motion carried unanimously.**

3. 20-14...A request by Jeff Weber, 5498 Sharp Drive, for a variance to construct a detached accessory structure in the front yard.

Mr. and Mrs. Weber were present. They would like to build a 12 x 18, 8 foot high shed. They have two front yards so they require a variance. Their three neighbors have structures in the front yards. Theirs will be smaller than those buildings.

The call to the public was made at 7:03 pm.

Mr. Jeff Dhaenens of 5498 Sharp Drive stated that he has submitted an email to the Township in support of this request.



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

**Moved** by Board Member Ledford, seconded by Board Member Rockwell, to approve Case #20-14 for Jeff Weber of 5498 Sharp Drive for a variance from Section 11.04.01(c) of the Genoa Township Ordinance to construct a 12 x 18 detached accessory building in the front yard, based on the following findings of fact

- Compliance with the strict letter of the ordinance would prevent the applicant from constructing a detached accessory structure. Since detached accessory structures are common in this area granting the variance would provide substantial justice 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 exceptional or extraordinary condition of the property is that it is bordered by Merrow Lane on the south and east portion of the property and by Sharp Drive on the west portion of the property, the location of the creek and existing location of the home. Granting the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance is not self-created.
- The granting of the variance will not impair an adequate supply of light and air to the 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 will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. Section 03.03.02 - Home Occupations of the Zoning Ordinance must be followed.
2. Building height shall not exceed 14 feet.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for both July 21, 2020 Zoning Board of Appeals meetings.

Needed changes were noted. **Moved** by Board Member McCreary, seconded by Board Member Rockwell, to approve both July 21, 2020 ZBA meeting minutes as corrected  
**The motion carried unanimously.**

2. Correspondence - Ms. Ruthig had no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford provided a review of the August 3 and August 17, 2020 Board Meetings.

Zoning Board of Appeals

August 18, 2020

Unapproved Minutes

4. Planning Commission Representative Report - Board Member McCreary provided a review of the August 10, 2020 Planning Commission meeting.
5. Zoning Official Report - Ms. Ruthig stated there are six cases scheduled for next month's meeting. She is deciding if she will again have two separate meetings, and possibly on two separate days.
6. Member Discussion - There were no items to discuss this evening.
7. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member Rockwell, to adjourn the meeting at 7:29 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary