

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
JULY 20, 2021  
6:30 P.M.  
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

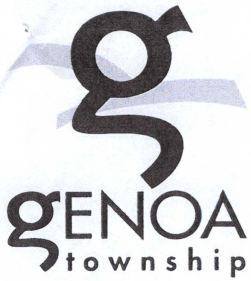
Approval of Agenda:

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

1. 21-14...A request by Gina Gerbe, 894 Del Sher Drive, for a side yard setback variance to allow for an addition to an existing home.
2. 21-15...A request by Robert Savage, Lot 144 Sunrise Park Tax ID 4711-09-201-156, for front and rear yard setback variances to construct a new home on a vacant lot.
3. 21-16...A request by Paulette Skolarus, Challis Court Tax ID 4711-26-200-029, for three front yard setback variances to construct a new home on a vacant lot.

Administrative Business:

1. Approval of minutes for the June 15, 2021 Zoning Board of Appeals meetings.
2. Correspondence
3. Member Discussion
4. Adjournment



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

Case # 21-14 Meeting Date: 07/20/2021 @ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Gina Gerbe Email: gmmacerie@gmail.com  
Property Address: 894 Del Sher Drive Phone: 248-993-1304  
Brighton MI 48114  
Present Zoning: SR Tax Code: 4711-01-401-020

**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 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: Placing an edition  
off the back of the home.

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.

Other properties in neighborhood have 4 bedrooms

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.

Misshapen lot, Placement of house

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

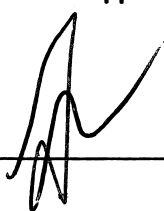
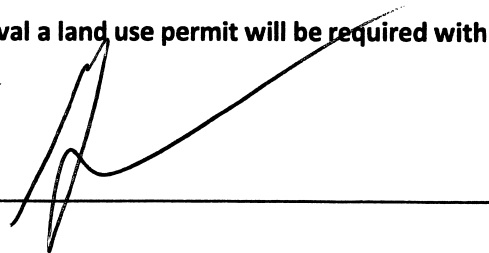
No impact.

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

No impact.

**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 Oct 22 / 2021 Signature:  



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** July 6, 2021

**RE:** ZBA 21-14

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

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## STAFF REPORT

**File Number:** ZBA#21-14  
**Site Address:** 894 Del Sher Drive  
**Parcel Number:** 4711-01-401-020  
**Parcel Size:** .429 Acres  
**Applicant:** Gina Gerbe  
**Property Owner:** Thomas Maceri and Gina Gerbe, 894 Del Sher Drive, Brighton

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

**Request:** Dimensional Variance

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

**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 July 4, 2021 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 1986.
- The parcel is serviced by well and septic.
- See Assessing Record Card.

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

## Summary

The proposed project is to construct an addition to an existing single family home. In order to construct the addition, the applicant is requesting a side yard variance. The proposed deck location meets the Zoning Ordinance requirements.

## Variance Requests

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

### **Table 3.04.01 (SR District):**

**Required Side Yard Setback: 20'**

**Proposed Side Yard Setback: 17'**

**Proposed Variance Amount: 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 side yard setback would prevent the applicant from constructing the proposed addition. There are homes in the immediate area that appear to have non-conforming side yard setbacks.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home and the irregular shaped lot. The request appears to be the least amount necessary and is not self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

## Recommended Conditions

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

N/A

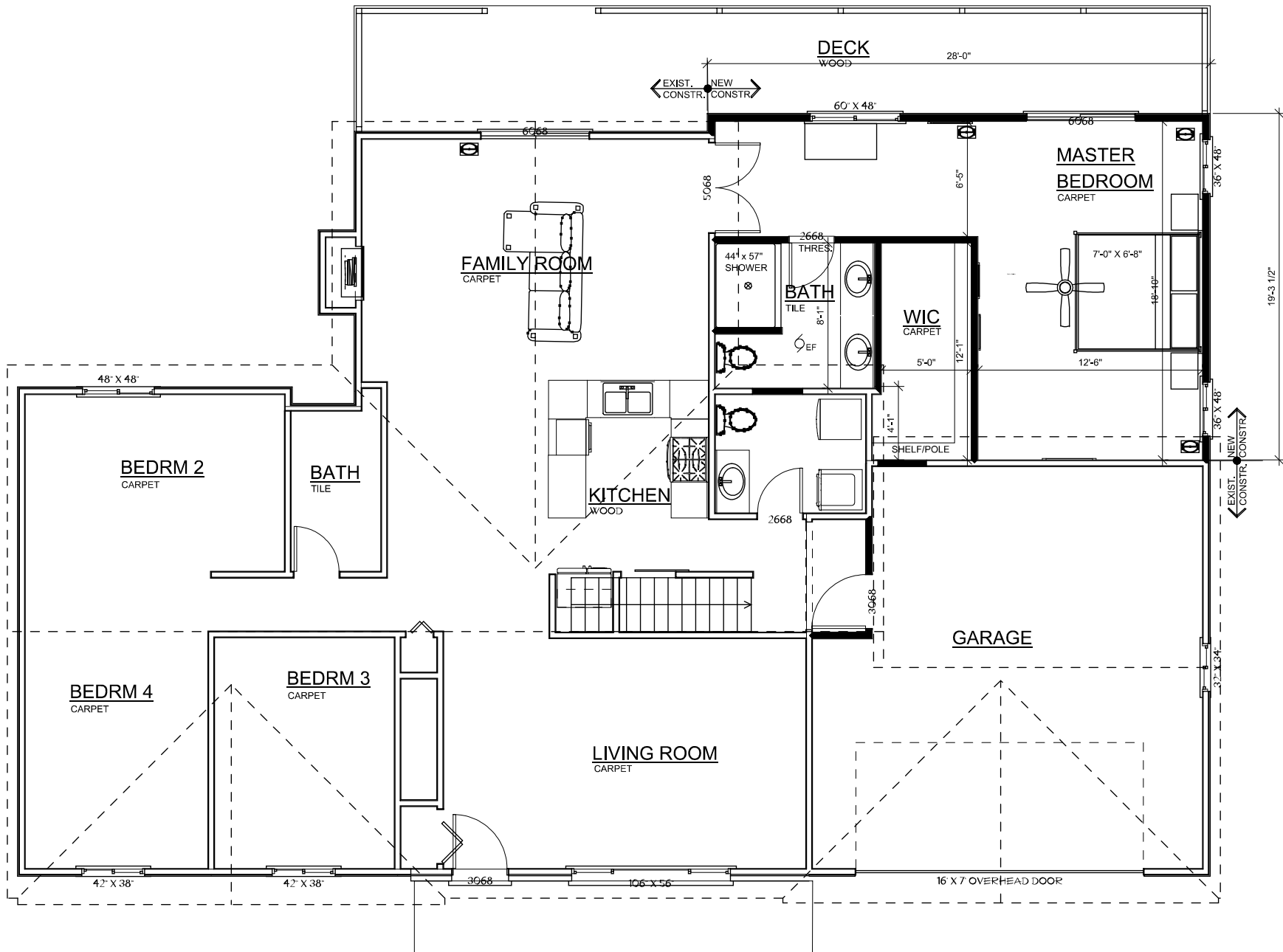
# GENOA TOWNSHIP



Deck is 11 feet from side property line

Proposed addition is 17 foot setback from side property line





# FIRST FLOOR PLAN

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

NEW 1/2" DRYWALL ON 2 X 4 STUDS @ 16" OC VINYL SIDING	EXISTING 1583 S.F.
EXIST. 1/2" DRYWALL ON 2 X 4 STUDS @ 16" OC	NEW 505 S.F.
	TOTAL 2,088 S.F.
	8

**General**

**Note:** Contractor to verify all dimensions before commencing work and to report any discrepancies.  
Contractor to verify all structural members for sizing and design loads. Preparer of drawings not responsible.

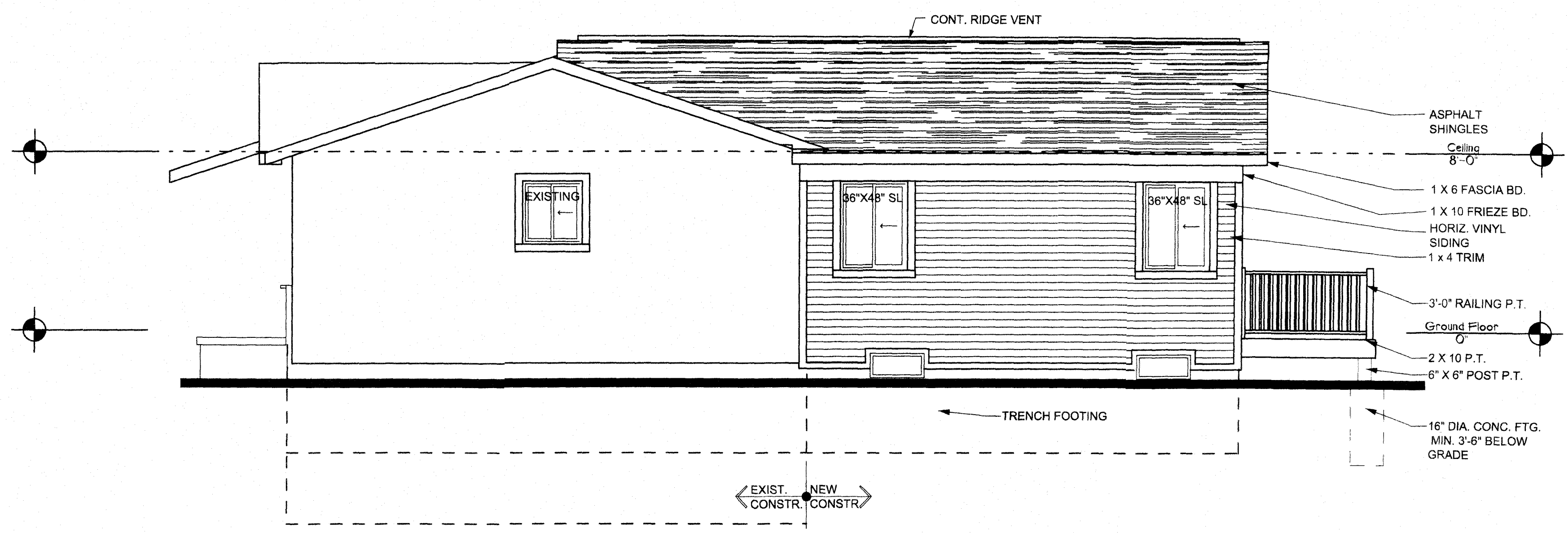
Project Name:  
**Gina & Jeff Renovation**  
894 Del Sher Dr.  
Brighton, MI  
248 993 1304

**Floor Plan**

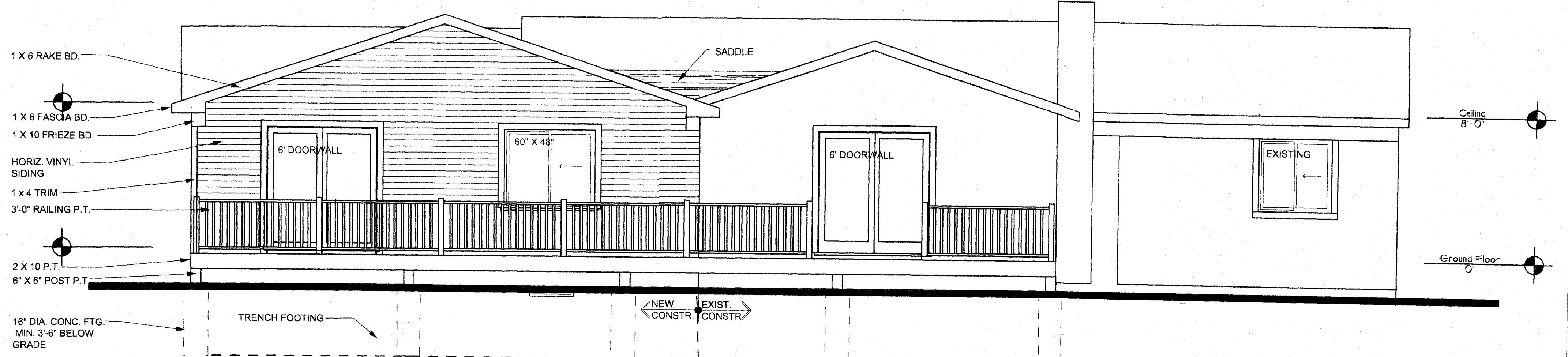
Drawing:  
Drawn By: BA  
Checked By: ??  
Date: May 16, 2021  
Scale: 1/4" = 1'-0"

Sheet:  
**A-1**

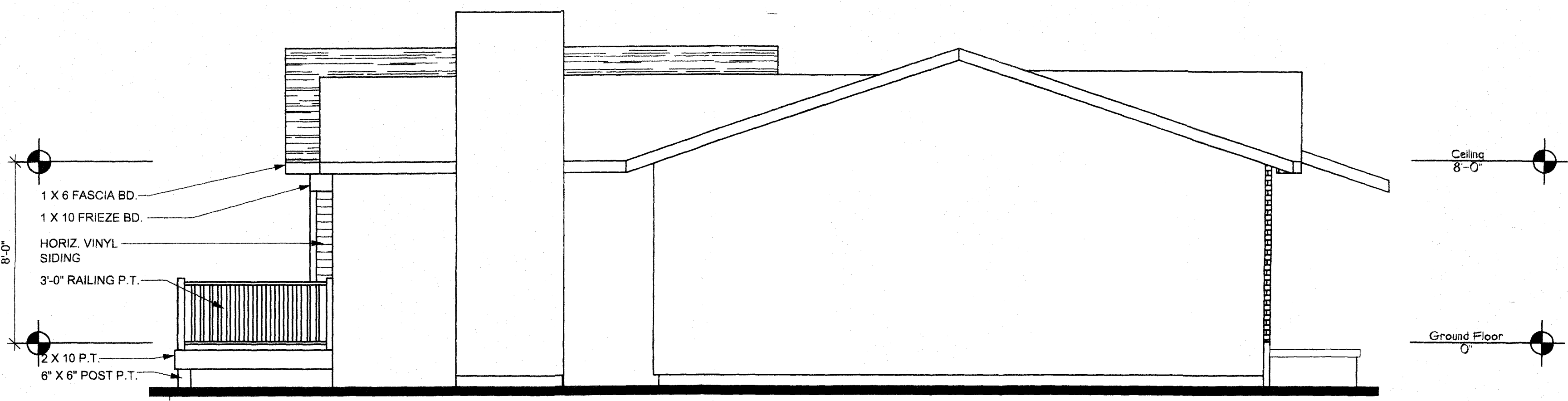




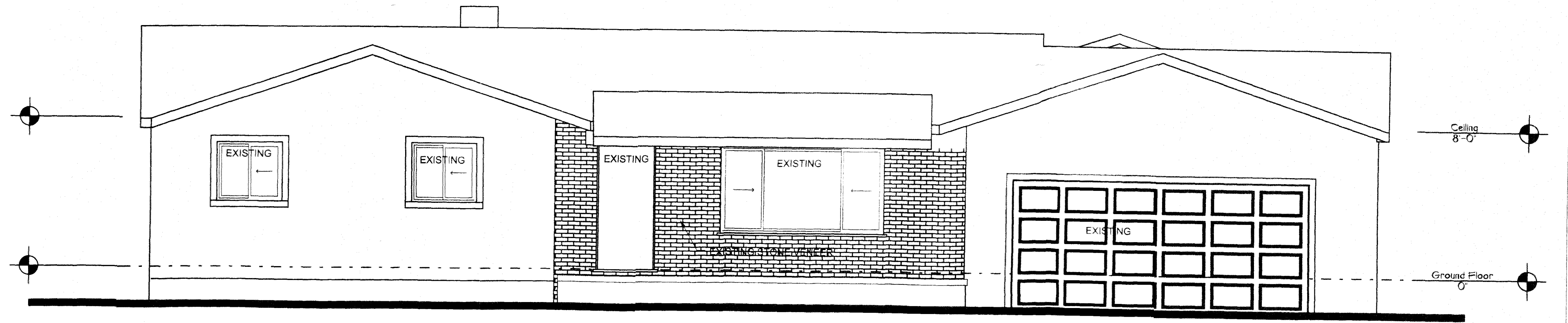
**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



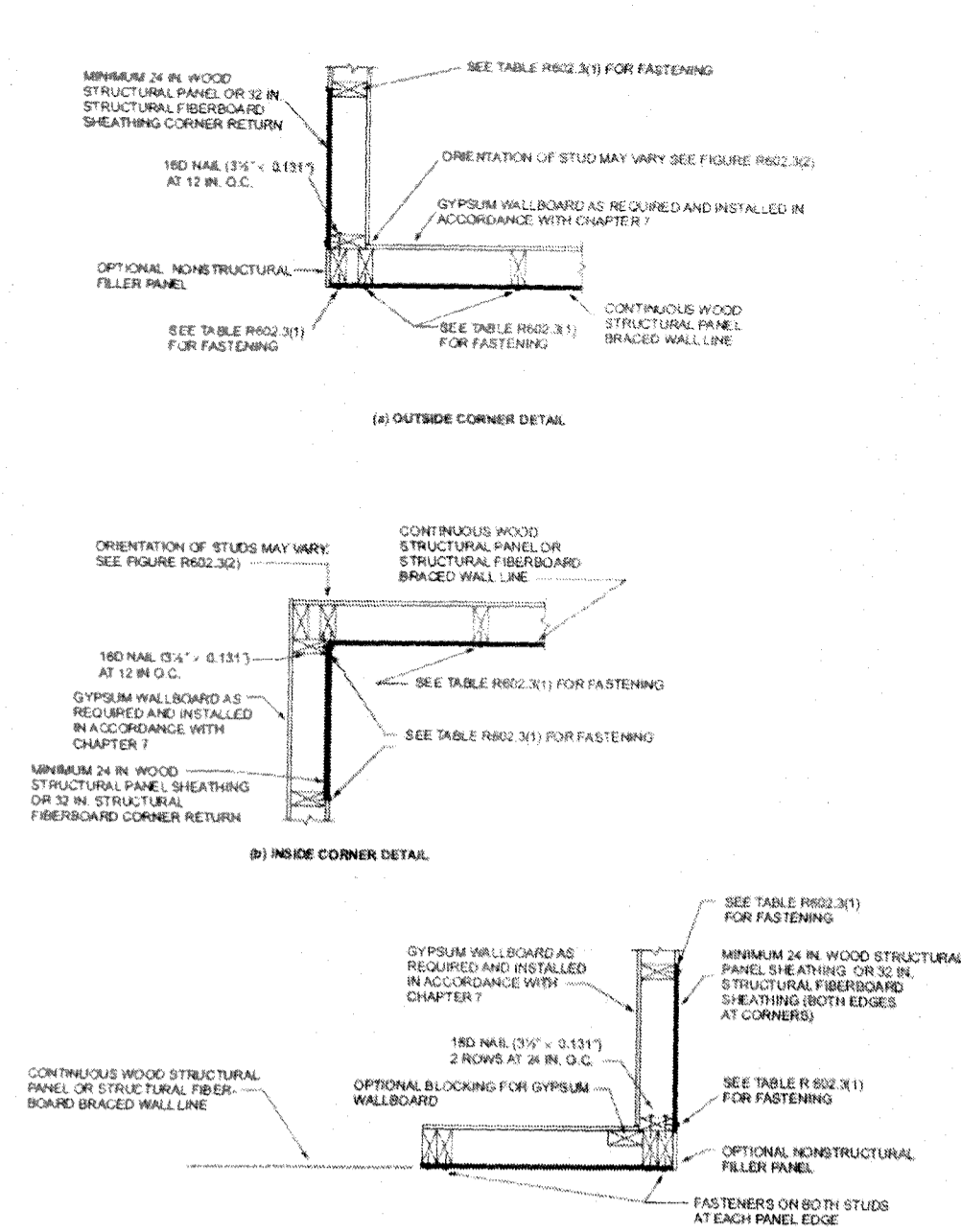
**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



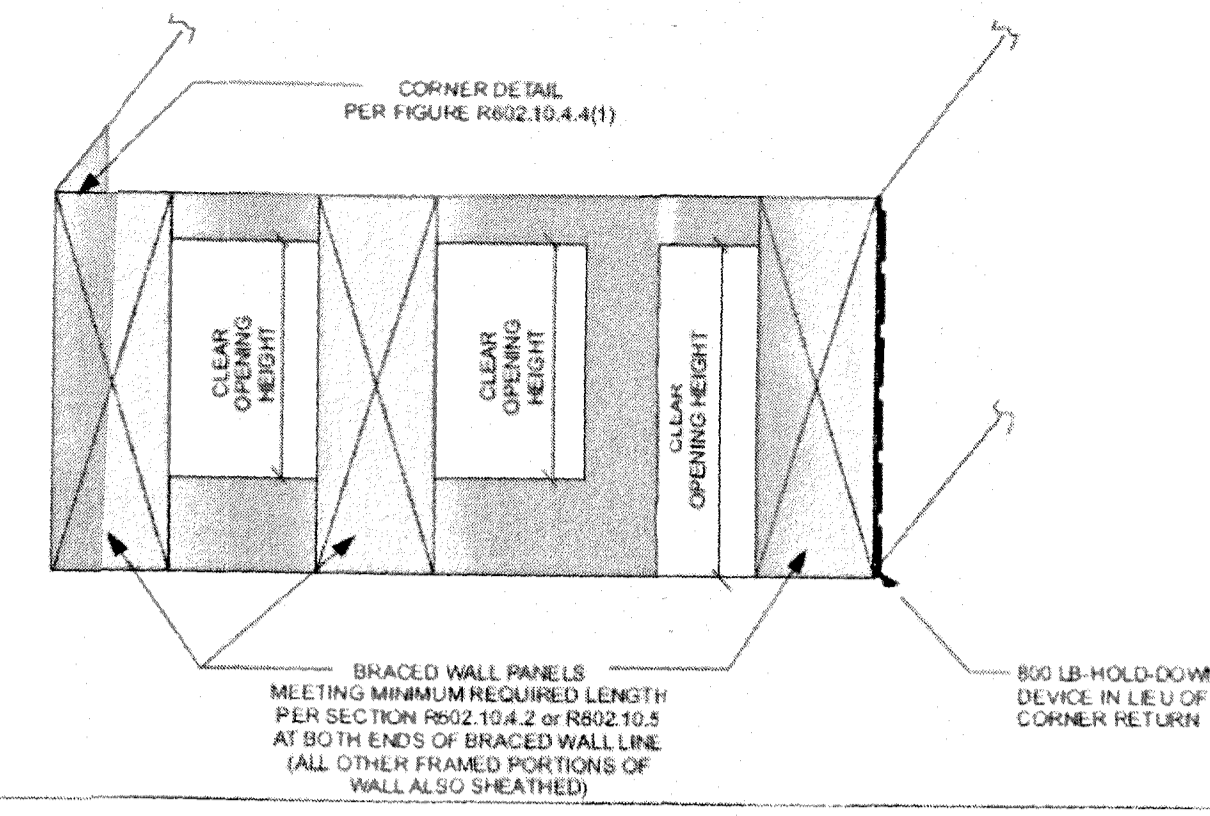
**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



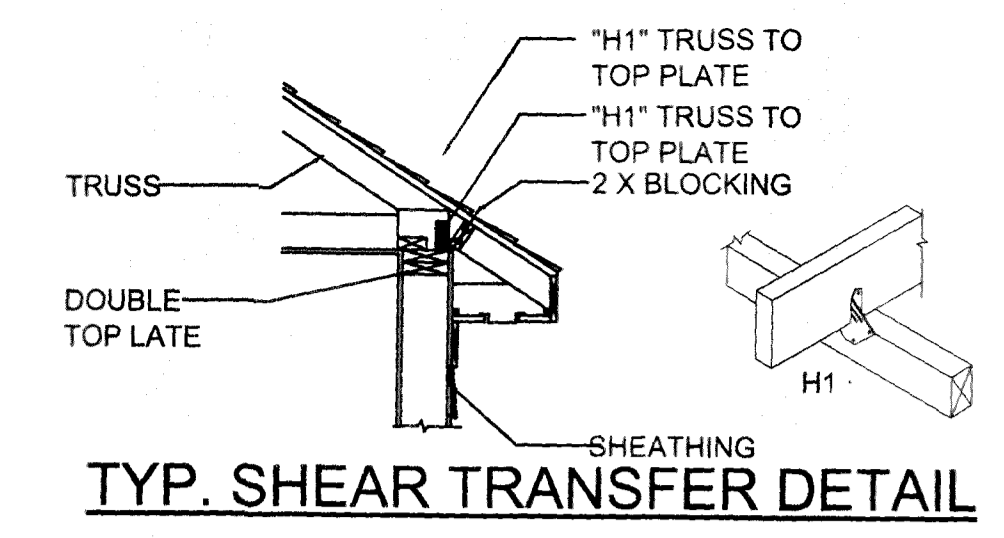
**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



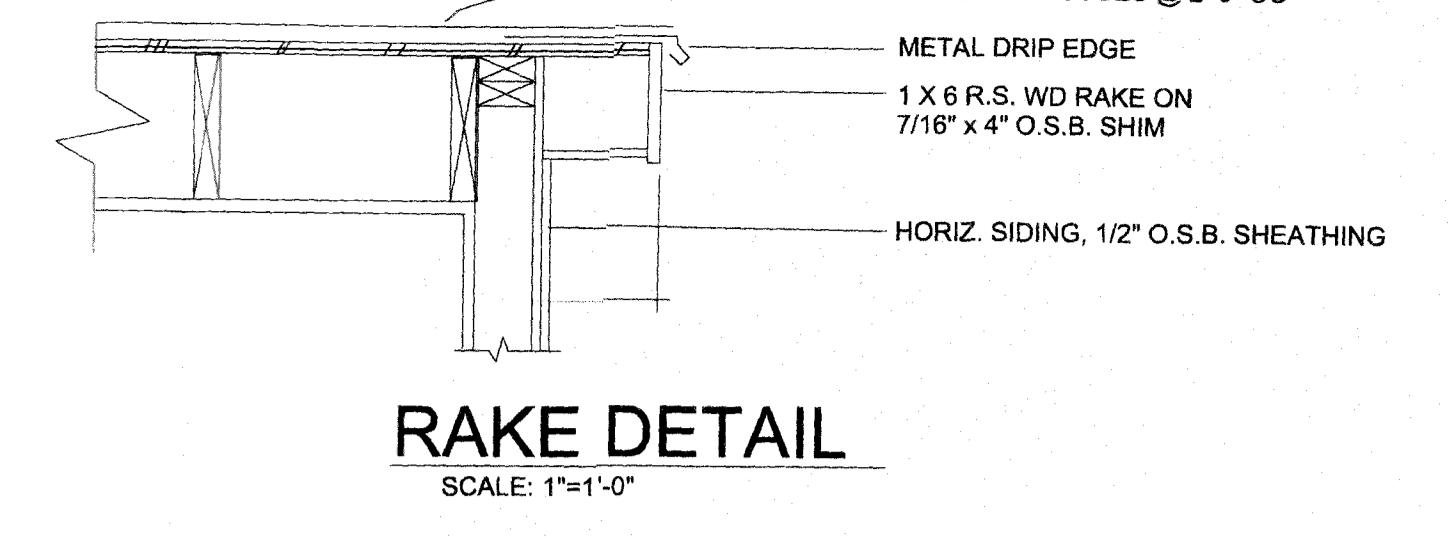
**BRACING DETAILS**  
COMPLY WITH R802.1



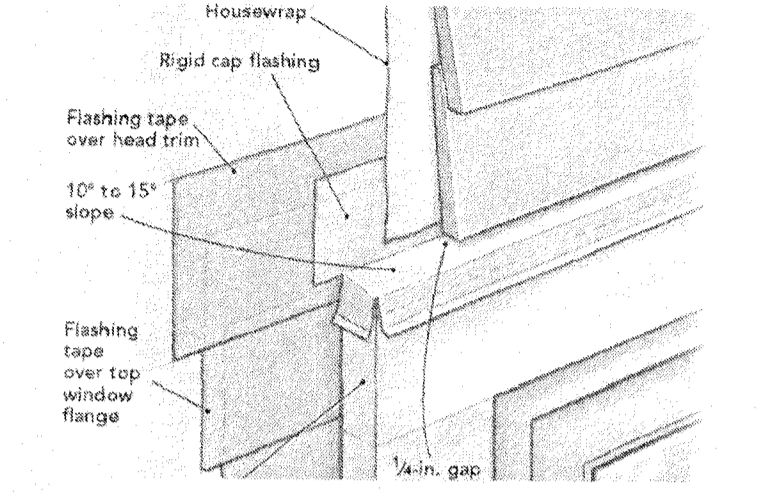
**BRACING DETAILS**



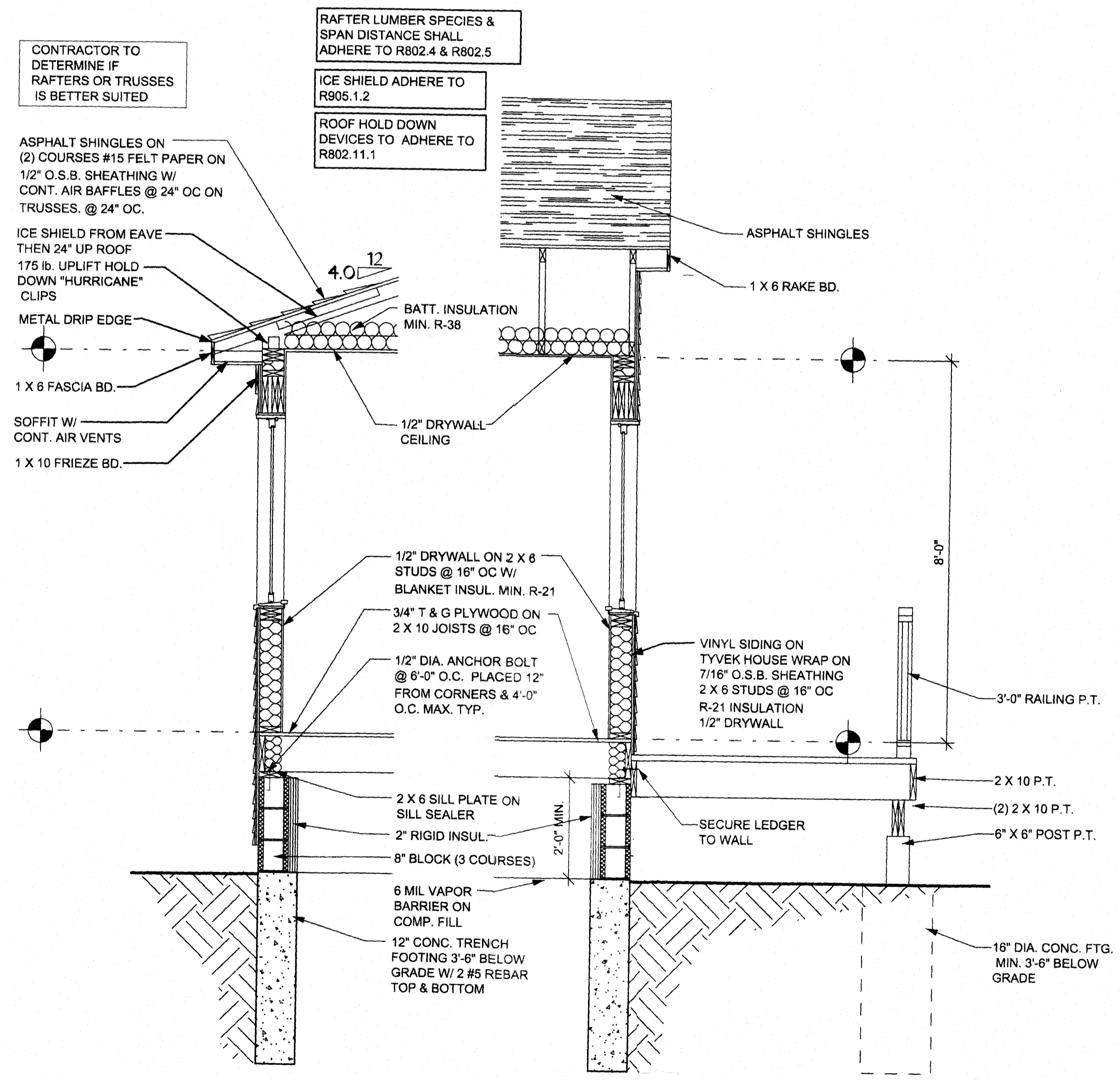
**TYP. SHEAR TRANSFER DETAIL**



**RAKE DETAIL**  
SCALE: 1"=1'-0"

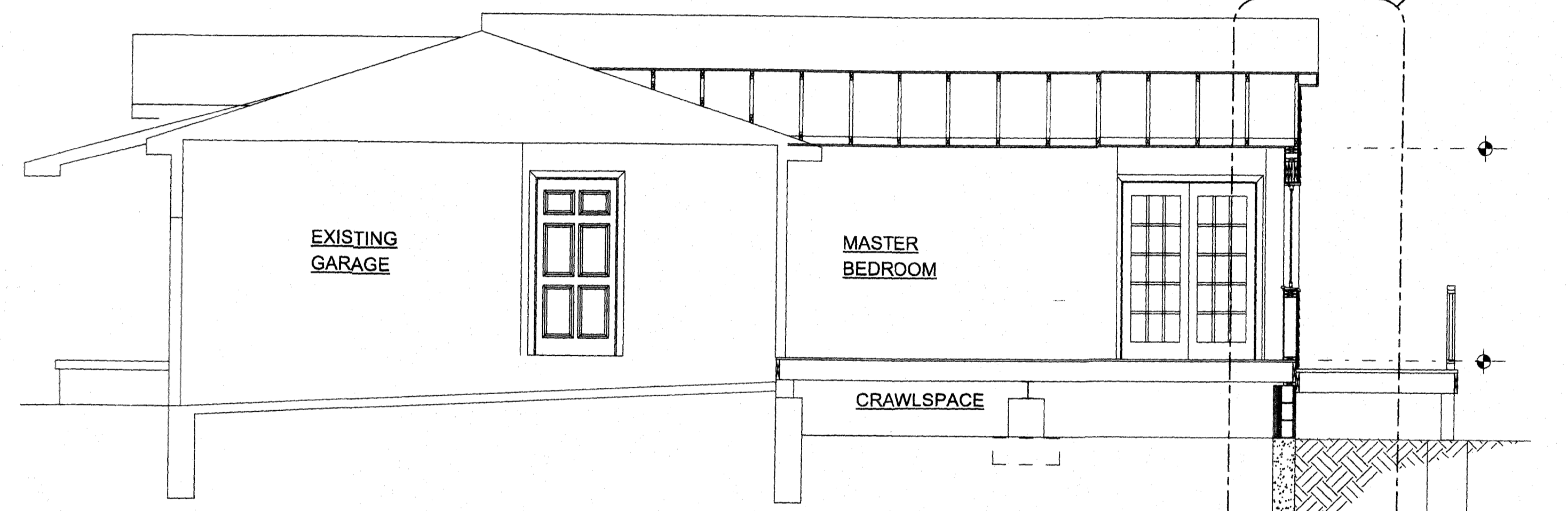


**FLASHING DETAIL**  
R703.4 Requires that flashing be installed in shingle-fashion in such a manner as to prevent entry of water into the wall cavity or penetration of water to the building structural framing components.

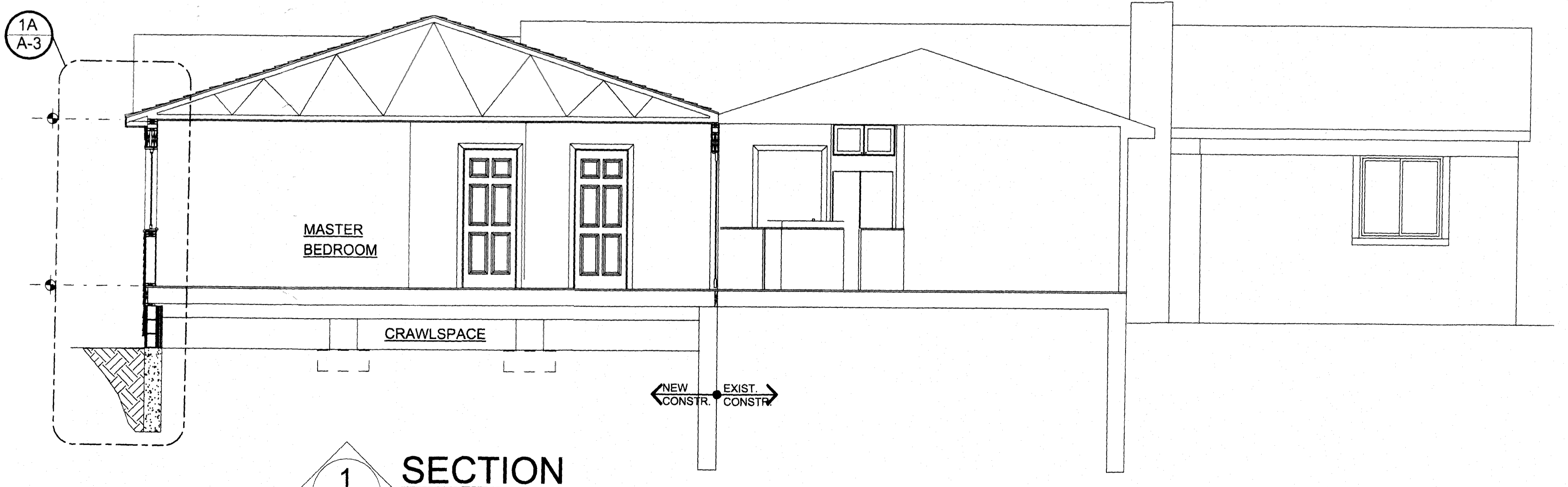


**1A SECTION**  
Scale: 1/2" = 1'-0"

**2A SECTION**  
Scale: 1/2" = 1'-0"



**2 SECTION**  
Scale: 1/4" = 1'-0"



**1 SECTION**  
Scale: 1/4" = 1'-0"

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
BUCK, GEORGE	MACERI THOMAS & GERBE GINA	195,000	01/27/2017	WD	03-ARM'S LENGTH	2017R-003287	BUYER/SELLER	100.0		
BUCK, GEORGE & LILLIAN		0	05/12/1995	QC	21-NOT USED		BUYER/SELLER	100.0		
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: SR	Building Permit(s)		Date	Number	Status	
894 DEL SHER DR		School: HARTLAND CONSOLIDATED SCHS								
Owner's Name/Address		P.R.E. 100% 02/15/2017								
MACERI THOMAS & GERBE GINA 894 DEL SHER DR BRIGHTON MI 48114-8746		MAP #: V21-14		2022 Est TCV Tentative						
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 4013.DEL SHER					
SEC 1 T2N R5E DEL-SHER ESTATES SUB, LOT 20		Public Improvements		* Factors *						
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value
		Gravel Road		<Site Value A> SITE VALUE		55000		100		55,000
		Paved Road		110 Actual Front Feet, 0.43 Total Acres		Total Est. Land Value =				55,000
		Storm Sewer		Land Improvement Cost Estimates						
		Sidewalk		Description		Rate	Size	% Good	Cash Value	
		Water		D/W/P: 4in Concrete		6.13	332	80	1,628	
		Sewer		Total Estimated Land Improvements		True Cash Value =				1,628
		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								
		REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
		X		2022	Tentative	Tentative	Tentative			Tentative
		JB	08/15/2017 INSPECTED	2021	25,000	103,800	128,800			111,625C
				2020	25,000	99,300	124,300			110,084C
				2019	22,500	94,500	117,000			108,032C

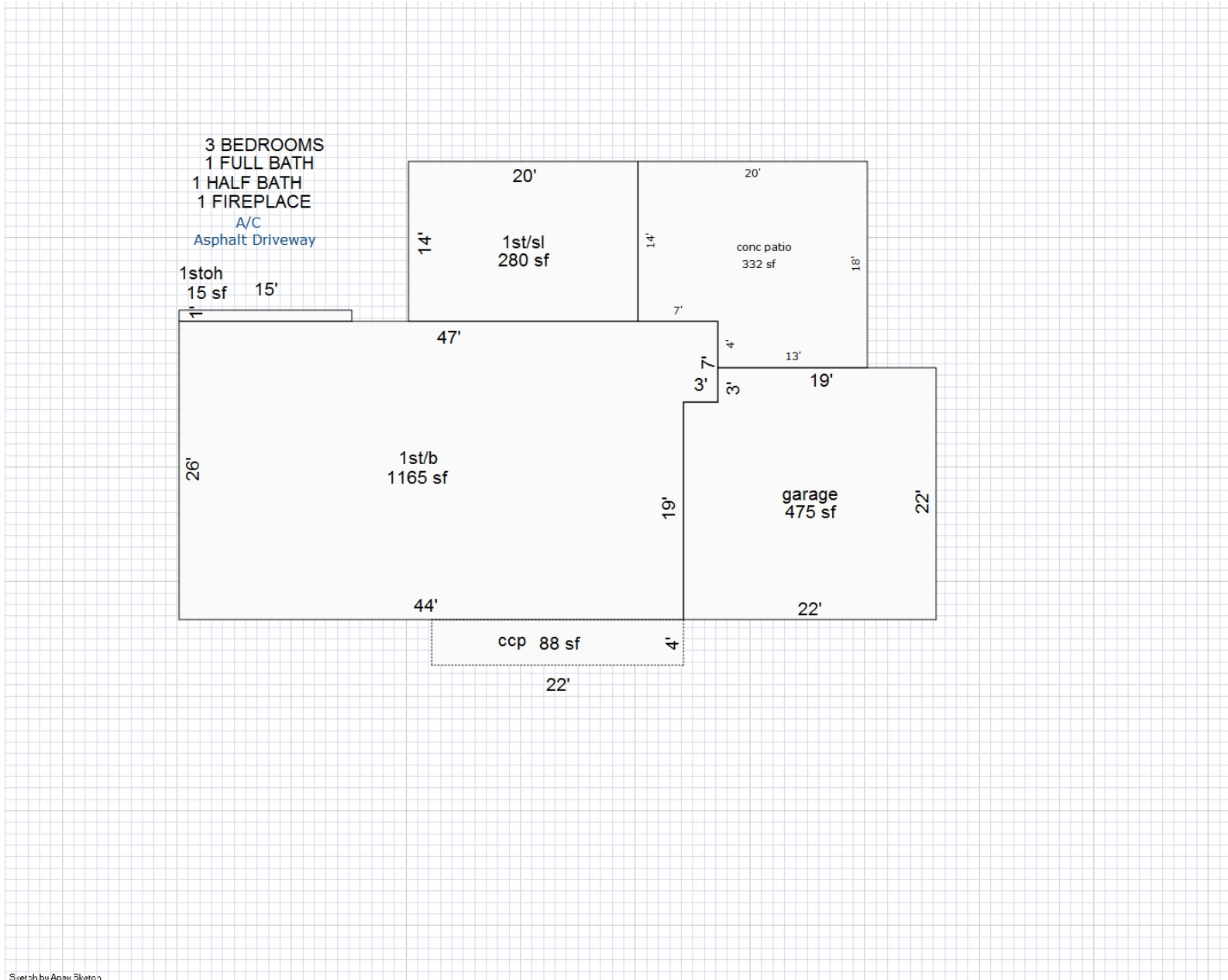


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\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

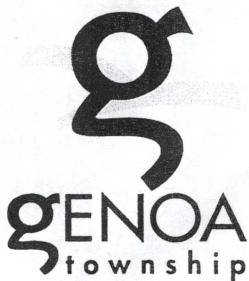
Building Type		(3) Roof (cont.)			(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																	
X Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation		X Gas Wood	Oil Coal	Elec. Steam	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System			Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas			Area 88	Type CCP (1 Story)	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 475 % Good: 0 Storage Area: 0 No Conc. Floor: 0																			
	0 Front Overhang 0 Other Overhang								Exterior	E.C.F. X 1.000	Bsmnt Garage:																						
X Wood Frame	Drywall Paneled		Plaster Wood T&G	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace  (12) Electric  0 Amps Service			Class: C +10 Effec. Age: 17 Floor Area: 1,460 Total Base New : 263,256 Total Depr Cost: 218,494 Estimated T.C.V: 218,494			E.C.F. X 1.000	Carport Area: Roof:																			
Trim & Decoration		Ex											X Ord	Min	Size of Closets	Lg	X Ord	Small	Doors:	Solid X	H.C.	(5) Floors	Kitchen:	Other:	Other:								
Building Style: C		Yr Built 1986		Remodeled 0		Condition: Good			Room List		(1) Exterior		Basement	1st Floor	2nd Floor	3 Bedrooms																	
Ex		X Ord		Min		Size of Closets		Lg		X Ord		Small		Doors:		Solid X																	
H.C.		(5) Floors		Kitchen:		Other:		Other:		(6) Ceilings		No./Qual. of Fixtures	Ex.	X Ord.	Min	No. of Elec. Outlets																	
No. of Elec. Outlets		Many		X Ave.		Few		(13) Plumbing		Average Fixture(s)	1 3 Fixture Bath	1 2 Fixture Bath	Softener, Auto	Softener, Manual	Solar Water Heat	No Plumbing	Extra Toilet	Extra Sink	Separate Shower	Ceramic Tile Floor	Ceramic Tile Wains	Ceramic Tub Alcove	Vent Fan										
(13) Plumbing		1 3 Fixture Bath		1 2 Fixture Bath		Softener, Auto		Softener, Manual		Solar Water Heat		No Plumbing		Extra Toilet		Extra Sink		Separate Shower		Ceramic Tile Floor		Ceramic Tile Wains		Ceramic Tub Alcove		Vent Fan							
Height to Joists: 0.0		(8) Basement		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(9) Basement Finish		Recreation SF	Living SF	Walkout Doors	No Floor SF	(14) Water/Sewer		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 1445 SF Floor Area = 1460 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=83/100/100/100/83 Building Areas			Stories	Exterior	Foundation	Size	Cost New	Depr. Cost				
(2) Windows		Many Avg. Few		X Avg. Small		(9) Basement Finish		Recreation SF	Living SF	Walkout Doors	No Floor SF	(14) Water/Sewer		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 475 Common Wall: 1 Wall 1 Fireplaces 1 Prefab 1 Story			1 Story	Siding	Basement	1,165	204,221	169,494				
X Many Avg. Few		X 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	(14) Water/Sewer		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		1 Story			Siding	Basement	1,165	204,221	169,494			
X Wood/Shingle Aluminum/Vinyl Brick		Insulation		(7) Excavation		Basement: 1165 S.F. Crawl: 0 S.F. Slab: 280 S.F. Height to Joists: 0.0		(8) Basement		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor	(9) Basement Finish		Recreation SF	Living SF	Walkout Doors	No Floor SF	(14) Water/Sewer		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		1 Story			Siding	Basement	1,165	204,221	169,494
(3) Roof		Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(7) Excavation		Basement: 1165 S.F. Crawl: 0 S.F. Slab: 280 S.F. Height to Joists: 0.0		(8) Basement		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor	(9) Basement Finish		Recreation SF	Living SF	Walkout Doors	No Floor SF	(14) Water/Sewer		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		1 Story			Siding	Basement	1,165	204,221	169,494
X Gable Hip Flat		Gambrel Mansard Shed		(10) Floor Support		Joists: Unsupported Len: Cntr.Sup:		(10) Floor Support		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		Notes:			ECF (4013 DEL SHER ESTATES) 1.000 => TCV:			218,494										
X Asphalt Shingle		Chimney: Brick		(10) Floor Support		Joists: Unsupported Len: Cntr.Sup:		(10) Floor Support		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		Notes:			ECF (4013 DEL SHER ESTATES) 1.000 => TCV:			218,494										
Chimney: Brick		(10) Floor Support		Joists: Unsupported Len: Cntr.Sup:		(10) Floor Support		Public Water	Public Sewer	Water Well	1 1000 Gal Septic	2000 Gal Septic	Lump Sum Items:		Notes:			ECF (4013 DEL SHER ESTATES) 1.000 => TCV:			218,494												

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



Sketch by Apex Sketech

\*\*\* 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 # 21-15 Meeting Date: July 20  
~~June 22, 2021~~ @ 6:30pm  
 PAID Variance Application Fee

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

Applicant/Owner: Robert Sarage Email: krsarageenterprise@gmail.com  
 Property Address: Lot 144 Sunrise Park Phone: 248 240 1269  
 Present Zoning: RESIDENTIAL Tax Code: 4711.09.201.156

**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 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: This is an empty lot. I bought the lot to build a home for my stepdaughter and family. There are four in family and so need 3 bedroom house with 2 car garage. The only variance are the front/back set backs but we show that we are not outside the average for homes on our side of the street, and especially better setbacks than the lakeside homes

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.

FRONT/BACK  
SETBACKS - WE COULD NOT DO BOTH 3 BEDROOM W/ 2 CAR GARAGE (NEED)  
WITHOUT IMPACTING SETBACKS. BUT NOT OUTSIDE NEIGHBORS SETBACKS  
3-5 ON EITHER SIDE.

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.

MAKES IT CONSISTENT W/ MAJORITY OF PROPERTIES ON MY SIDE  
OF STREET AND MORE CONSISTENT THAN ACROSS STREET (LARGE SIDE) WHERE  
AVG SET BACK TO ROAD IS UNDER 15' FOR MOST HOMES

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.

HOME IS VERY CONSISTENT IN SIZE AND SQ.FT. OF HOMES IN AREA  
SHOULD BE NO SAFETY/WELFARE IMPACT

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.

FULLY EXPECT THIS BUILD TO BOTH ENCOURAGE FURTHER DEVELOPMENT &  
VALUE OF ADJACENT PROPERTIES

Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the Zoning Board of Appeals (ZBA).

After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.

Date: 6/14/21 Signature: R./



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:** July 2, 2021  
**RE:** ZBA 21-15

---

### STAFF REPORT

**File Number:** ZBA#21-15  
**Site Address:** Vacant Lot, Sunrise Park Drive  
**Parcel Number:** 4711-09-201-156  
**Parcel Size:** 0.143 Acre  
**Applicant:** Robert Savage, 8436 Woodland Shores Drive, Brighton  
**Property Owner:** Same as applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variances  
**Project Description:** Applicant is requesting a front and rear yard setback variance to construct a new single-family 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 July 4, 2021 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, this is a vacant lot.
- The property would be serviced by a private well and public sewer.
- See Assessing Record Card.



The proposed project is to construct a new single-family home. In order to construct the new home as requested, the applicant would be required to obtain a front and rear yard setback variance. Staff has included the stairway that projects into the front yard in the request for the front yard setback variance. Staff has determined that this lot is not a through lot due to the alley that is located at the rear of the property is not a platted road or drive.

**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'      **Required Rear Yard Setback:** 40'  
**Proposed Front Yard Setback (including stairs):** 21'7"      **Proposed Rear Yard Setback:** 16'5"  
**Proposed Variance Amount:** 13'5"      **Proposed Variance Amount:** 23'7"

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
Stairways, open unroofed	3 ft.	5 ft.	3 ft.	3 ft.

**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 and rear yard setback would prevent the applicant from constructing the single-family home as proposed. Granting this variance would offer substantial justice to the applicant due to other homes in the immediate vicinity have similar non-conforming front and rear yard setbacks 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 property.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrowness of the lot. The need for the variance is not self-created and would make it consistent with other properties in the vicinity. However, applicant should demonstrate that the variance requests are the least necessary.
- (c) Public Safety and Welfare** – The granting of these variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

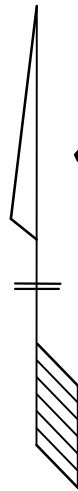
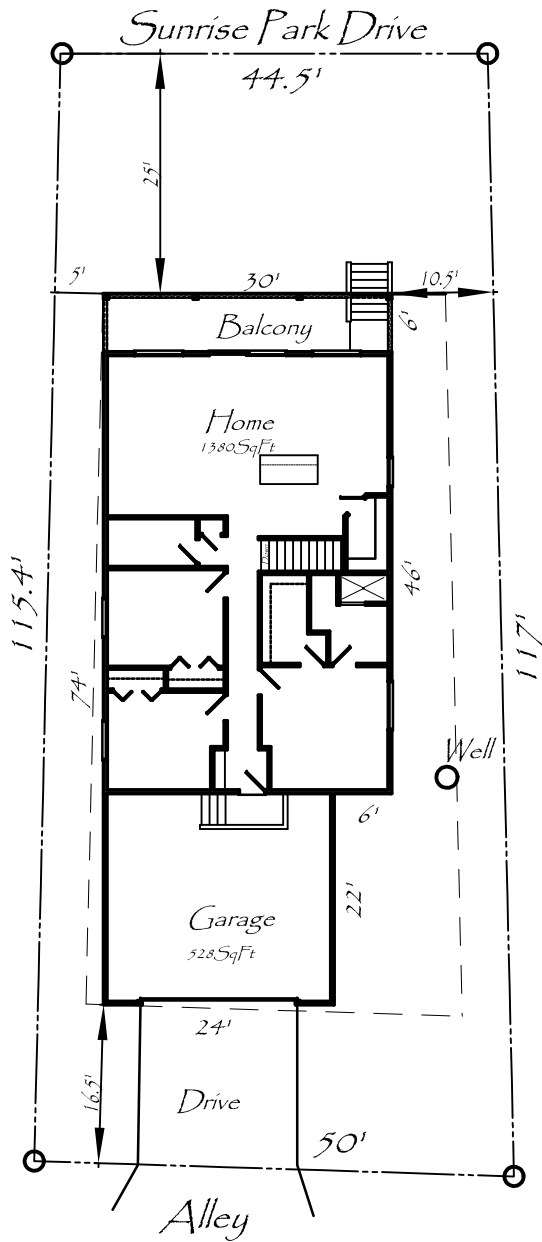
### **Recommended Conditions**

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

1. Structure must be guttered with downspouts.
2. Property was assessed for sewers. No tap fee would be required to hook to the public sewer.

# GENOA TOWNSHIP



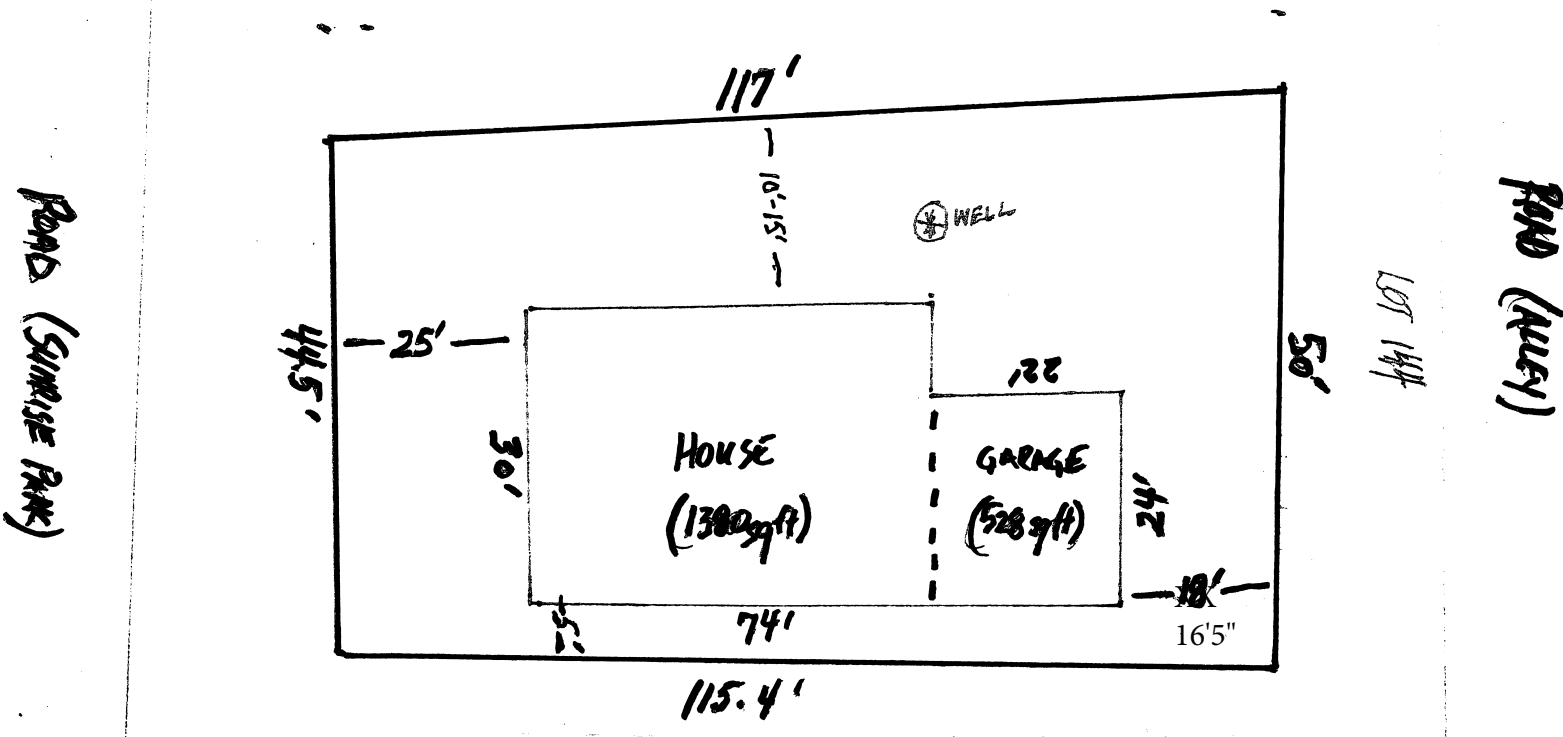


# Sunrise Park Site 144

Genoa Twp., Livingston County  
I.D. 06-32-627-012

Scale 1"=20'

# LOT 144 SUNRISE PARK (NEW BUILD)



LOT COVERAGE:  $5,558 \div 1,908 = 34.3\%$

SET BACKS : 5 HOUSES TO RIGHT, 4 HOUSES TO LEFT

PROPOSED :	25'	18'
<u>ADDRESS (RIGHT) :</u>	<u>SUNRISE PARK SETBACK (AVG 26.7')</u>	<u>ALLEY SETBACK (AVG 8.4')</u>
1076	30'	8'
1072	30'	2'
1068	27'	5'
1062	30'	23'
1054	19'	11'
<b>(LEFT)</b>		
1088	32'	5'
1096	25'	5'
1106	27'	N/A
	21'	11'

This drawing is the intellectual property of Home Innovation Design. Authorization is valid only to the named client after final payment is received, and for only one individual site location. Any other use, for whatever purpose is forbidden and in violation of US Copyright Law.

**Home INNOVATION**  
Design & Construction  
38855 WOODBURN RD, BLDG 4000  
TOWNSHIP 27 NORTH, WESTLAND MI 48090  
517-202-2115

Note:  
All Dimensions And Materials Are To Be Checked By The Builder Before Construction Begins

All Dimensions Are "Wood To Wood" Exterior Sheathing Included

2x6 Treated Sill Plate To Be Applied Over Sill Sealer Tape At Concrete Walls

All Joist Material To Be Hem-Fir #2 & Better

Subfloor Decking To Be 3/4" T&G OSB Material, Glued And Screwed @ 16" O.C. Along Joist Length

Stairs Are Calculated w/ 10" Tread (Nose to Nose), 1 1/4" Nosing, All Risers Equal w/ 3/4" Maximum Rise. Knotted 2x12 Stringers w/ 2x4 Applied. Use 2x12 Tread Stock & 1x8 Riser Stock. Fasten w/ 16d Nails Typical, Glue All Joints

Exterior Wall Framing To Be 2x4 Studs @ 16" O.C., Fasten Members w/ 16d Nails Typical

Exterior Vertical Wall Sheathing To Be 1" Oxboard Material, Fasten w/ 8d Nails 16" O.C.

Exterior Vertical Walls To Have Water Resistant Barriers Applied Per Code R703.2 And Manufacturer Specification

All Headers To Be 2-2x10 Unless Otherwise Noted

Install All Metal Hangers And Connectors Per Manufacturer Specification

Roof Sheathing To Be 1/2" Plywood Fasten w/ 8d Nails 16" O.C.

Cover Roof Sheathing w/ 15# Felt Paper Apply Ice Shield At All Valleys And Eave Lines To 24" Inside Exterior Wall Line. Shingle Over w/ Selected Asphalt Shingles

Engineered Building Systems Such As Roof Trusses Joist Floor Systems Prefabricated Wall Systems Structural Insulated Panels Precast Foundations Must Have Manufacturer Engineering Specification And Layouts Attached

Insulation Manufacturer Specifications And Installation To Be Made Available For Inspection And Left With The Owner

Interior Wallboard Installation And Finish Per Code R702, And Manufacturer Specifications

Interior Finish Products Per Owner Selection To Be Installed To All Applicable Codes, Including Sizes And Clearances, As Well As Manufacturer Recommendations

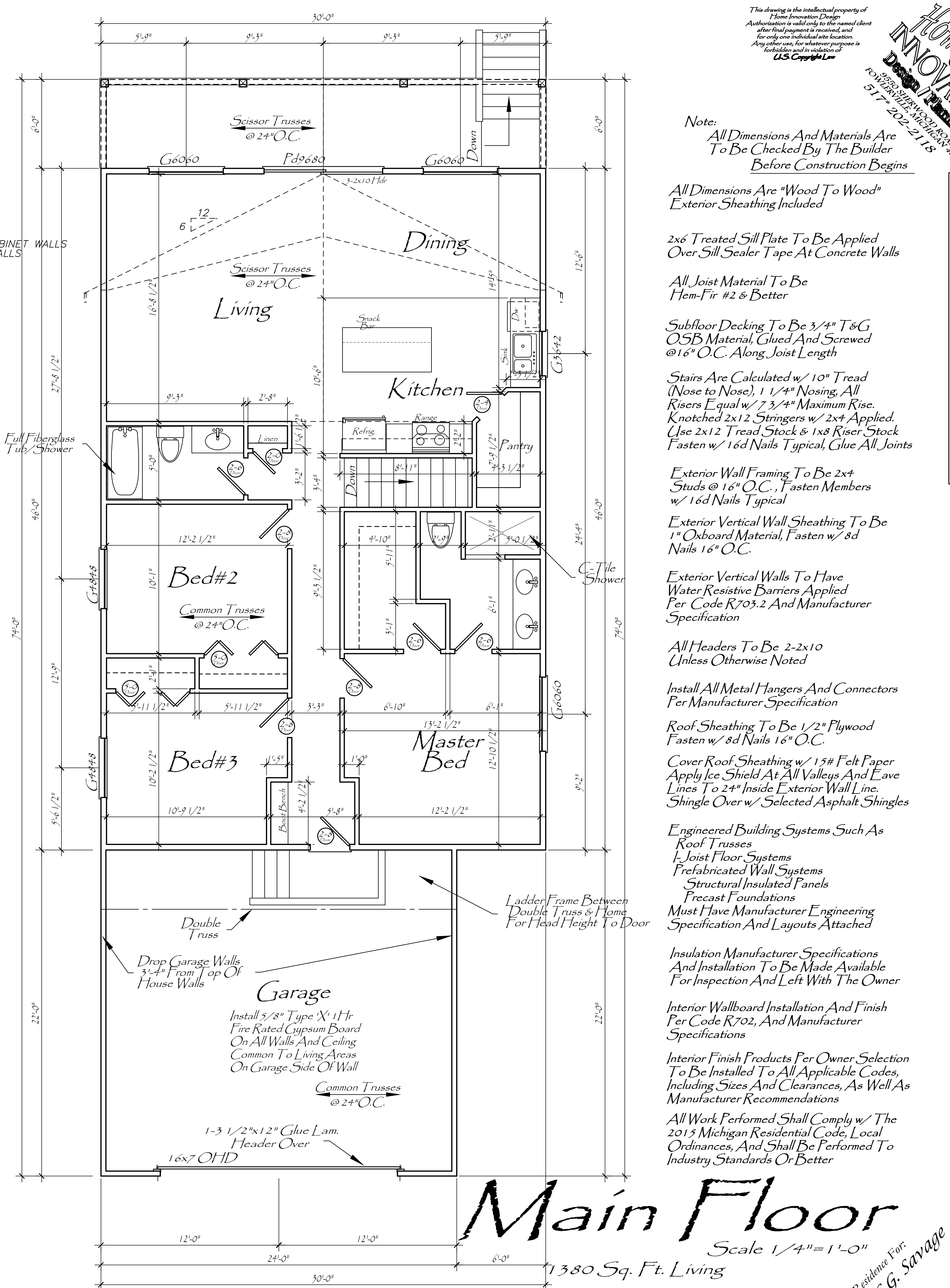
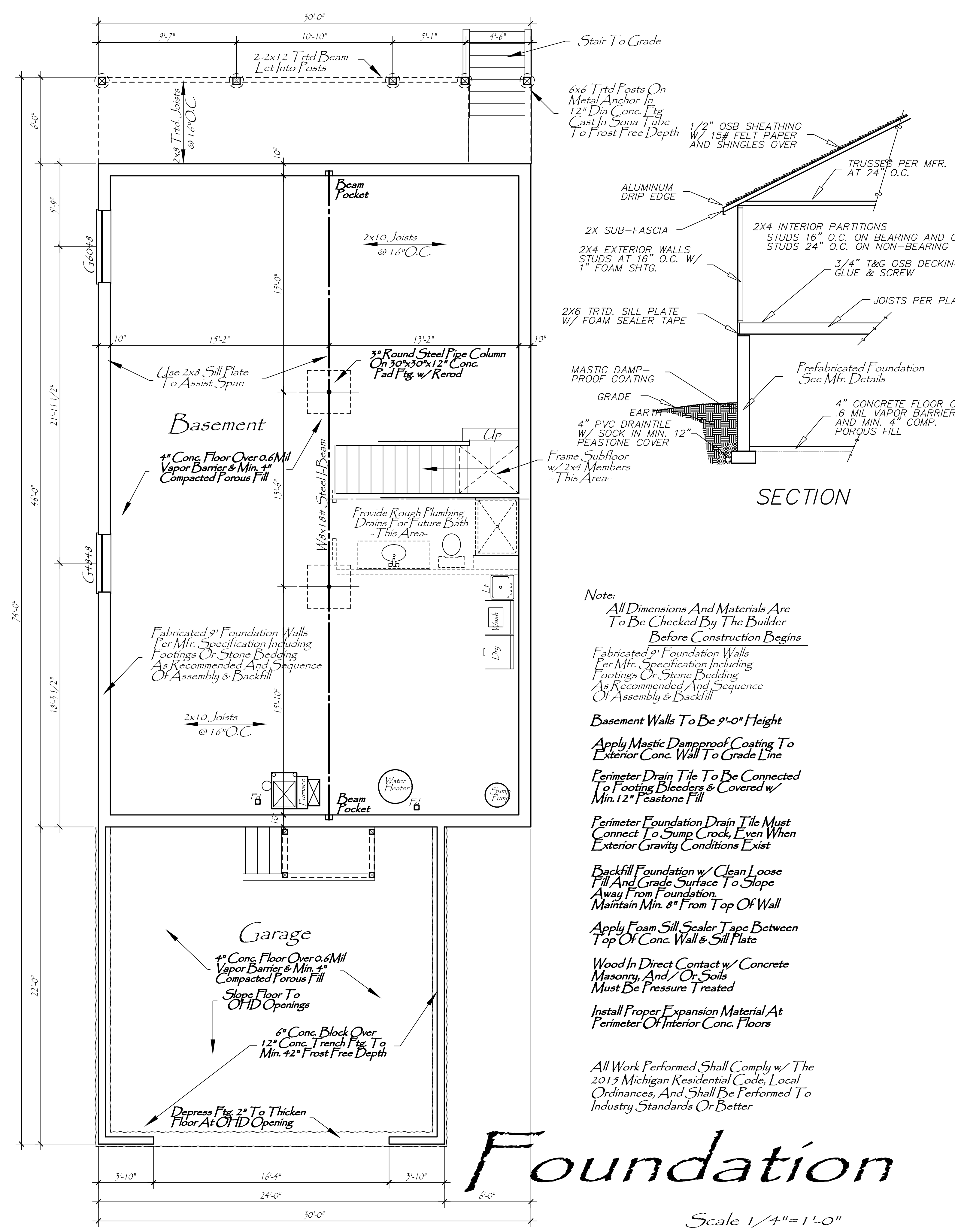
All Work Performed Shall Comply w/ The 2015 Michigan Residential Code, Local Ordinances, And Shall Be Performed To Industry Standards Or Better

Roofing
Windows
Doors

Builder: Tom Kovach Builder, Inc.

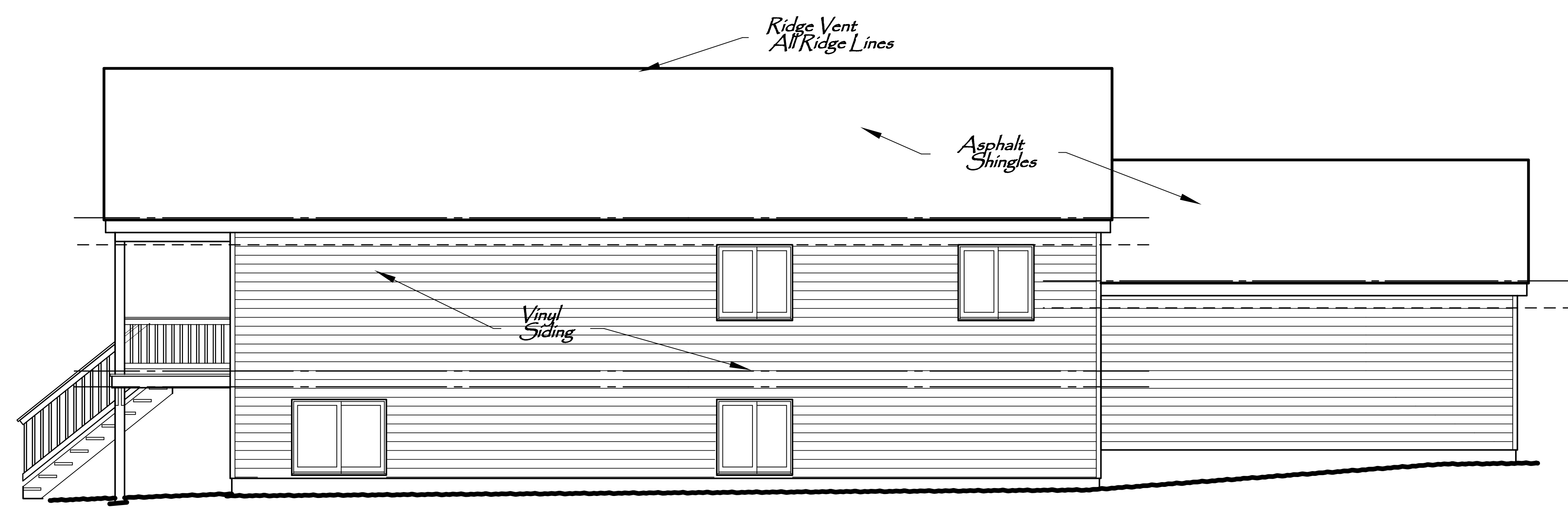
Site Location: X

Residence For: S.G. Savage  
4/2021

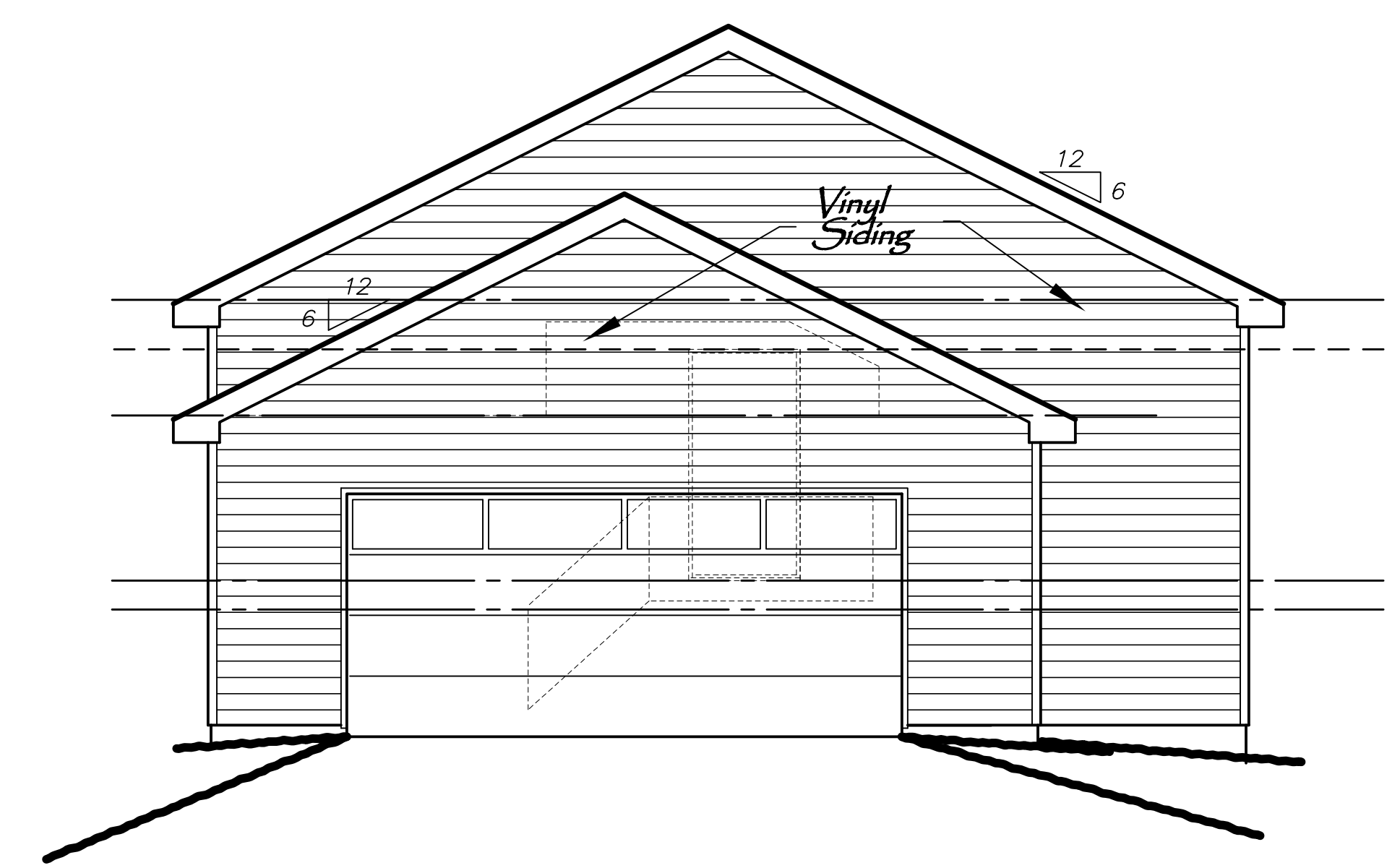


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**Home INNOVATION**  
 Design & Construction  
 10120 W. 11th Ave. Suite 100  
 Aurora, CO 80015  
 303.733.8342  
 517-202-2118



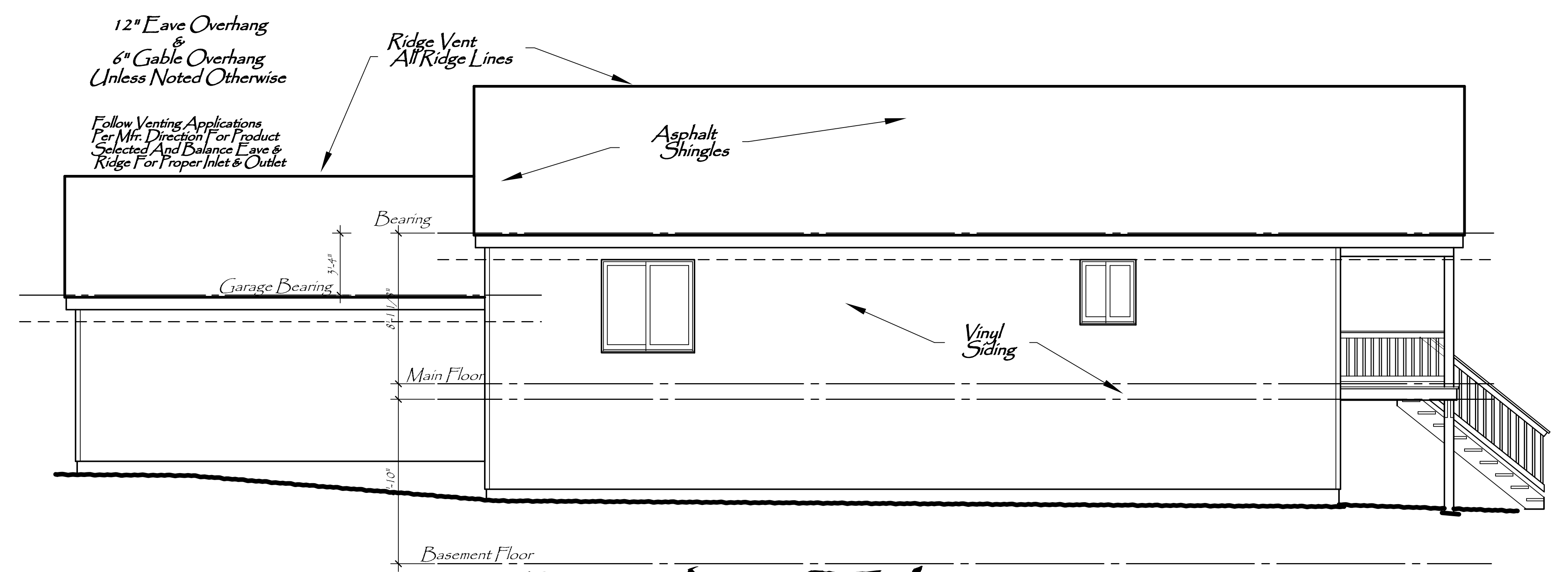
*Left Elevation*



*Front Elevation*



*Rear Elevation*



*Right Elevation*

Revisions	
Date	

Builder: Tom Kovach Builder, Inc.

Site Location: X

Residence For:  
 S.G. Savage

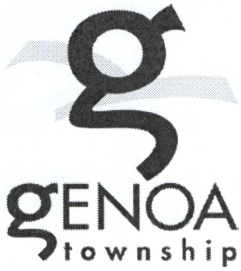
**A2**  
 4/2021

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
LUFF, EDWARD & IRENE	SAVAGE ROBERT	38,000	12/21/2018	WD	03-ARM'S LENGTH	2019R-000529	BUYER/SELLER	100.0			
KLAUZA, HARVEY J.		0	02/24/1995	QC	21-NOT USED	1903-0852	BUYER/SELLER	0.0			
Property Address		Class: RESIDENTIAL-VACANT		Zoning: LRR	Building Permit(s)	Date	Number	Status			
SUNRISE PARK		School: HOWELL PUBLIC SCHOOLS									
Owner's Name/Address		P.R.E. 0%									
SAVAGE ROBERT 8436 WOODLAND SHORE DR BRIGHTON MI 48114-7303		MAP #: V21-15									
Tax Description		2022 Est TCV Tentative		Land Value Estimates for Land Table 4302.SUNRISE PARK							
SEC. 9 T2N, R5E, SUNRISE PARK LOT 144		Improved	X	Vacant	* Factors *						
Comments/Influences		Public Improvements		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
SEE PRE COMMENTS.		Dirt Road		C NON LF	50.00	125.00	1.0000	1.0000	950	100	47,500
		Gravel Road		50 Actual Front Feet, 0.14 Total Acres Total Est. Land Value = 47,500							
		Paved Road									
		Storm Sewer									
		Sidewalk									
		Water									
		Sewer									
		Electric									
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
Who		When	What	2022	Tentative	Tentative	Tentative	Tentative			
				2021	23,800	0	23,800	23,800S			
				2020	23,800	0	23,800	23,800S			
				2019	23,800	0	23,800	23,800S			

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

\*\*\* 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 # 21-16 Meeting Date: 07/20/21

PAID Variance Application Fee

\$215.00 for Residential

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

Applicant/Owner: Paulette A. Skolarus Email: skolarus@att.net  
 Property Address: A-3 Challis Ct Phone: 810-227-1232  
 Present Zoning: LDR Tax Code: 11-26-200-029

**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: This property is  
3 Acres with a private drive  
servicing 5 homes. I am asking for  
a 12' variance to allow for a  
2-Car garage. The existing plan only  
has room for a single garage while  
other properties have two, three or four  
car garages.

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.

In May a request for a variance was denied. I have a new plan for a home that can be constructed within the setbacks.

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

This new plan, while staying within the setbacks would only allow for a single garage

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

No

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

None - except additional vehicles

**Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the Zoning Board of Appeals (ZBA).**

**After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.**

Date: 6/7/2021 Signature: Paulette A. Leland



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** July 2, 2021  
**RE:** ZBA 21-16

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

---

### STAFF REPORT

**File Number:** ZBA#21-16  
**Site Address:** Parcel A-3, Challis Ct.  
**Parcel Number:** 4711-26-200-029  
**Parcel Size:** 3.02 Acres  
**Applicant:** Paulette Skolarus, 6520 Challis Ct., Brighton, MI  
**Property Owner:** Same as applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variances  
**Project Description:** Applicant is requesting three front yard variances to construct a new single-family home.  
**Zoning and Existing Use:** LDR (Low Density Residential), the property is vacant.  
**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday July 4, 2021 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:

- The property is vacant.
- Applicant was denied front yard setback variances at the April 2021, ZBA meeting. (See attached minutes)
- In 1997, the applicant split the property to create parcel A-E.
- In 1998, a private road site plan approval was granted for the pavement and installation of a cul-de-sac on Challis Ct. (See attached minutes and site plan)
- In 1998, the applicant received a variance for a road width reduction for Challis Ct. (See attached minutes)
- In 2001, the applicant was approved for a side yard setback variance to construct a new home. (See attached minutes)
- The property will be served by a well and private septic.

### **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 was denied a variance in April 2021. The applicant has submitted a new site plan and a new home elevation to apply for three front yard variances. The applicant has moved the home closer to the wetland setback line and the rear lot line which reduced the amount of the variance setback request being requested.

According to Section 23.08.05 of the Zoning Ordinance: No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted within one (1) year from the date of the original filing of an application for the variance, except on grounds of new evidence or proof of changed conditions relating to the reasons for the denial of the original appeal found by the Board of Appeals to be valid.

The Zoning Administrator made a determination that the applicant could reapply within the 12 months of the original denial.

**Variance Requests**

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

**Table 3.04.01 (LDR District):**

SINGLE FAMILY SETBACK STANDARDS	East Front Yard Setback	South Front Yard Setback	South-West Front Yard
Required	50'	50'	50'
Setback Amount Requested	43'8"	45'5"	44'
Variance Amount	6'4"	4'7"	6'

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the ordinance would prevent the applicant from constructing the proposed new home. Without the variances, the topography of this lot would unreasonable prevent use of the property for residential development. Granting the variances would provide substantial justice in that it would allow for a home to be constructed however the reduced front yard setbacks do not support substantial justice to the other property owners in the district and is not similar to the same district and vicinity of the subject property.
  
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography and the location of the wetlands on the lot. Even though the applicant did not create the topography of the lot, the applicant did split the lot without securing a feasible building envelope thus making the need for the variance self-created.

**(c) Public Safety and Welfare** – The granting of the variances would not impair an adequate supply of light and air to adjacent property. Granting of the variances could unreasonably increase the congestion on the private road and increase the danger of fire or endanger the public safety due to possible sight distance issues from the proposed location of the driveway for emergency vehicles and neighbors that access the road.

**(d) Impact on Surrounding Neighborhood** – The proposed variances could have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The approved private road site plan was designed for the road runoff to flow to the vacant lot.

### **Recommended Conditions**

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

1. Any retaining walls will require a land use permit.
2. Applicant must demonstrate that drainage from the home will not be directed towards the road.
3. Due to the location of the home on the 25-foot undisturbed natural features wetland setback line, a wetland delineation shall be required by a professional wetland consultant prior to land use permit issuance.
4. The 25-foot wetland natural features setback must remain undisturbed.

If the Zoning Board of Appeals **DENIES** the variance request staff recommends the following conditions be placed:

1. Applicant should consider combining the vacant lot to the parcel that is adjacent and under common ownership.
2. Unless applicant can demonstrate a change in conditions or new evidence, then Section 23.08.05 would have to be followed.

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
APRIL 20, 2021 - 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, Jean Ledford, Bill Rockwell, Craig Fons, Michelle Kreutzberg, and Amy Ruthig, Zoning Official. Absent was Marianne McCreary.

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

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

**Approval of the Agenda:**

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

**Call to the Public:**

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

1. 21-04... A request by Paulette Skolarus, Challis Court Tax ID 4711-26-200-029, for two front yard setback variances to construct a new home.

Ms. Paulette Skolarus and Mr. Ron Godair were present. Mr. Godair stated they are proposing to construct a single-family residence. The hardships are that this is a corner piece of property so there are two front yards as well as the drastic grade changes from the front to the back of the site. He showed a site plan depicting the right of way of the cul de sac of the private drive. They originally had the entrance coming off of the private drive, but now they will have the driveway off of the private road, which facilitates the ingress and egress better. They have moved the house back and will curve the driveway off of the road. They are requesting 23.9 foot and 36.9-foot variances. He does not believe that they have overbuilt this site and the house is not a deterrent for the neighbors. Ms. Skolarus noted that the home sits 40 feet back from the roadway.

Ms. Skolarus stated that the water runoff will not enter on the next door neighbor's property. She stated that fire trucks were here a few months ago and they did not have trouble accessing the area.

Mr. Rockwell noted that the Fire Marshal did not do a review of the request. Ms. Ruthig agreed. The review that was done by the Fire Marshal was done in 2017 and was regarding a different matter and not the proposed location of this home.

Mr. Fons does not feel there was any effort made to conform to the setbacks. There is room to move the home back and still provide a setback from the road. Mr. Godair stated they have spent a lot of time and money on the plan. Also, if the setbacks were met, the corners of the home would be cut off and it would not meet the size requirements. He reiterated the difference in topography from the front to the back of the property. Mr. Fons stated it may be expensive, but the lot can be graded to lessen the variance that is needed. Mr. Godair disagreed.

The call to the public was made at 6:55 pm.

Mr. Roger Myers, the attorney for Mr. and Mrs. Bray, who own the property further to the east of this parcel. The applicant has not demonstrated a hardship. The hardship cannot be financially based or self-created. The applicant does not want to spend the money to change the grade and she created her own hardship by splitting the property the way she did. Another issue is the width and pitch of the drive that is serving those homes. The pitch is too steep so the only way fire trucks could respond to homes further down the road is to come in at an angle. This area of this road is a hazard so adding another home and a septic field would increase the hazard. Additionally, the proposed home does not meet the covenants and restrictions of this area; the proposed home is too small. All four factors of granting a variance have not been met by the applicant. He and his clients are requesting that the variances be denied.

Ms. Skolarus stated that Mr. Bray created the hardship for the roadway. Mr. Godair stated that the septic fields are 35 feet away from the roadway so the fire trucks have room to maneuver to the homes further down. He showed how they would maneuver on the site plan.

Chairman Rassel noted that covenants are not the authority of the Zoning Board of Appeals; they are a civil matter. The Township has received two letters from neighbors who are in support of the variances.

The call to the public was closed at 7:08 pm.

**Moved** by Board Member Ledford, seconded by Board Member Kreutzberg, to deny Case #21-04 from Paulette Skolarus, Challis Court Tax ID 4711-26-200-029 for a south front yard variance and an east front yard variance to construct a new home, based on the following findings of fact:

- The topography of the lot prevents the use of the property for residential development and therefore is an unbuildable lot.
- The greatly-reduced front yard setbacks do not support substantial justice to other property owners in the district.

- The proposed location of the home is not similar or consistent with the majority of other properties in the area. The applicant split the lot without securing a feasible building envelope, making the need for a variance self-created.
- The original approval private road site plan was designed for the road runoff to flow to the vacant lot.
- To eliminate an unbuildable lot, the applicant should consider combining the property that abuts the subject parcel, which is under common ownership.

**The motion carried (Fons - yes; Rockwell - no; Kreutzberg - yes; Rassel - yes; Ledford - yes).**

2. 21-06...A request by Haran and Kayla Lerma, 3205 Old Carriage Trail, for height variance to install a 6-foot fence.

Ms. Lerma was present. They are requesting a variance for a six-foot fence along the back of their property. Their backyard backs up to Dorr Road, which has a lot of traffic and is noisy. It is also a safety issue. Their home is the closest to the road than any other home on their street. They are not able to build trees as a barrier due to the location of the septic field. She showed a sketch plan showing the location of the fence. They want to put a four-foot chain link fence on the sides of the home and a six-foot white vinyl fence along the back.

Board Member Ledford stated the applicant requested a six-foot fence in April of 2018 due to Dorr Road. Ms. Lerma stated that letter was written when the Township was proposing to require a variance for a six-foot fence, but would allow a four-foot fence.

Board Member Ledford noted that the applicant should have known Dorr Road was heavily traveled before they purchased the home. Ms. Lerma said they did not know how busy Dorr Road was when they viewed the home before they purchased it. They always viewed it at off peak times. She noted that she submitted letters from eight neighbors who are in support of her request.

Board Member Ledford is not in favor of this request.

Board Member Rockwell asked why the six-foot high fence is needed. Ms. Lerma stated the six-foot provides more privacy and safety.

Board Member Kreutzberg asked Ms. Ruthig if she is aware if the six-foot fence ordinance is in the process of being reviewed and approved. Ms. Ruthig stated the ordinance change has been drafted and is going to be presented to the Planning Commission and the Township Board for review and approval; however, she is not sure when.

The call to the public was made at 7:26 pm.



## GENOA TOWNSHIP BOARD

Regular Meeting  
March 16, 1998

### MINUTES

The regular meeting of the Genoa Township Board was called to order by Supervisor Murray at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Robert Murray, Paulette Skolarus, Robin Hunt, Gary McCririe, Kathy Robertson, and Craig Jarvis. Also present were Mike Archinal, Township Manager; Rick Heikkinen, Township Attorney; and approximately eight persons in the audience.

Moved by McCririe, supported by Jarvis, to approve the Agenda as presented. The motion carried unanimously.

A call to the public was made with the following response: Bill and Nancy Litogot – A proposal for aquatic weed control was presented along with the language for a petition. Heikkinen will review the petition and respond as to the language.

1. **Presentation** and update on the Greenways Project by Coy Vaughn, Livingston County Planning.

The Greenways concept plan was presented to the board. Grant funding is expected to be obtained this fall. The project involving Genoa Township will run from the City of Brighton to Bauer Road and then south of Bauer to Hamburg Township.

2. **Request for approval** of a private road, Challis Court, located off Challis Road between Dorr and Bauer Roads.

Moved by McCririe, supported by Hunt, to approve the private road with the conditions as listed in the Planning Commission Minutes of 02-23-98 and reflecting the variances granted by the Zoning Board of Appeals on March 10, 1998. The motion carried with Skolarus abstaining.

3. **Request for approval** of resolutions for the Baetcke Lake Road Improvement Project.

A. Resolution No. 3 (Reimbursement Resolution).

Moved by Skolarus, supported by Jarvis, to approve resolution No. 3. The motion carried by roll call vote as follows: Ayes – Ledford, McCririe, Hunt, Robertson, Jarvis, Skolarus and Murray. Nays – None.

B. Resolution No. 4 (Approving the project details and directing the preparation of the special assessment roll).

Moved by McCririe, supported by Ledford, to approve resolution No. 4. The motion carried by roll call vote as follows: Ayes – Ledford, McCririe, Hunt, Robertson, Jarvis, Skolarus and Murray. Nays – None.

**GENOA TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 10<sup>TH</sup>, 1998**

Minutes

*A regular meeting of the Zoning Board of Appeals was called to order by Chairman Staley at 7:00 p.m. at the Genoa Township Hall. The following board members were present constituting a quorum for the transaction of business: Rick Staley, Barbara Figurski, Robert Murray, Paulette Skolarus and Nancy Litogot. Also present were Mike Archinal, Township Manager and approximately ten persons in the audience.*

*Moved by Figurski, supported by Litogot, to approve the Agenda with the tabling of Case 98.03 at the petitioner's request. The motion carried unanimously.*

*A call to the public was made with no response.*

- 1.) *97-41...A request by Wade Bray, 6600 Challis, Brighton, Section 26, for a variance to the 22' wide requirement for a private road to 20' to preserve the land including trees and wetlands. (Tabled from February 10, 1998 meeting)*

*A call to the public was made with no response. Moved by Murray, supported by Figurski, to approve a private road with a 20' width as depicted in the plans submitted by Munzel engineering, and to allow six parcels to be served by the private road identified as Challis Court. The hardship is determined to be the preservation of the natural features and trees on the site. The motion carried with Skolarus abstaining.*

- 2.) *97-45...A request by Dan and Sheryl Spagnoletti, Chilson Meadows, Howell, Section 07, to move a mobile home onto property during construction of their home. (Tabled from February 10, 1998 meeting)*

*Moved by Murray, supported by Figurski, to dismiss this case since the petitioner was not present when it was called. The motion carried unanimously.*

- 3.) *98-03...A request by CEI Engineering, 2649 Grand River, Brighton, Section 06, for a 22' variance to the rear yard setbacks to construct a retail only auto parts store with parking.*

*Tabled at the petitioner's request.*

- 4.) *98-04...A request by Holland, 1205 Chemung, Howell, Section 10, to give lots #40 & 41 unique tax I.D.'s to sell as "buildable" lots.*

**Moved** by Mortensen, supported by Figurski, to recommend to the Township Board the approval of the Impact Assessment for Lakeshore Village dated December 5, 1997, revised January 20, 1998. **Motion unanimously carried.**

**Moved** by McCririe, supported by Pobuda, site plan approval for Lakeshore Village, subject to the following:

- Township Board approval of Impact Assessment as presented.
- Township engineering review and approval of all plans and specifications.
- Petitioner shall provide shared access easements to the entrance for adjacent properties, in recordable form to the satisfaction of the Township Board and township attorney.
- Petitioner shall provide for an emergency access easement on the south side of the site, in recordable form to the satisfaction of the township attorney and township engineers.
- The 26' road width, as proposed, is acceptable with the conditions that the petitioner not allow parking on streets and petitioner shall post "no parking" signs, day and night, within the development.
- Any and all detention ponds will not be fenced and outlet easements shall be provided to the satisfaction of the township engineers and attorney.
- Any requirement by the Drain Commissioner for fencing any detention ponds shall be considered a significant change to the site plan and require new site plan approval by the Planning Commission.
- Fire marshall and township engineers shall review the construction plans and placement of the community center.
- It is the finding of this board that section 15.1004, subsection (d), has been met pertaining to secondary access.
- Petitioner shall provide approvals from the following governmental agencies:
  - Michigan Department of Transportation
  - Michigan Department of Environmental Quality
  - Livingston County Drain Commission
  - Livingston County Health Department, if necessary
- Petitioner is aware of, and accepts, the Township's rates and calculations pertaining to residential equivalent users fees for sewer and water for the site.
- Any signage shall conform to Township ordinances.
- The materials board, as provided, is acceptable.

**Motion unanimously carried.**

- 2) OPEN PUBLIC HEARING #2...REQUEST FOR APPROVAL OF A PRIVATE ROAD, CHALLIS CT., LOCATED OFF CHALLIS BETWEEN DORR AND BAUER ROADS. SECTION 26: WADE BRAY/POLLY SKOLARUS.

## A. RECOMMENDATION REGARDING IMPACT ASSESSMENT

## B. RECOMMENDATION REGARDING SITE PLAN

Mr. Wade Bray, 6600 Challis Ct., stated they wish to upgrade a 950 foot gravel cul-de-sac. The present drive accesses four building sites - two existing sites and two homes under construction. In order to preserve some trees and natural features, the proposed road improvements have a width which is narrower than the ordinance requires (i.e., 22 feet). The plan shows the road narrowing to 16-18 feet in the center (area BB). A variance from the ZBA is required for the narrower road width. The City of Brighton Fire Department has recommended the road be widened to at least 20 feet for emergency vehicles. They are willing to meet this requirement.

Chairman Colley asked why the road width needed to be reduced. He felt the road could be moved to the west in that area, maintaining a 22' width, and then when you get past the wetlands drop off, you could move east again. In his opinion, a 22' width could be maintained.

Mr. Dan Munzel, Munzel Engineering, stated they looked at the trees, elevations, etc. when widening the road. The goal was to keep the existing drive in a "lane fashion" and maintain trees and the wetlands. If he gets too close to some of the larger oak trees, root damage may occur and impact the health of the trees. If shifted to the west, it would impact many more trees. As proposed, about 460 feet of the road would have a 20' width.

Chairman Colley made a call to the public at 8:10 p.m., with no response.

Commissioner McCririe stated the road currently serves five residential lots and, thus, may be constructed of gravel. He asked if the applicant was aware that the zoning ordinance requires that for six or more units, the road needs to be paved. In other words, if parcels are split in the future for development, the road would need to be paved.

Mr. Bray stated it was his understanding that the unit limit for pavement was eight, not six.

Mr. Purdy stated that the country estates district is eight; in the LDR district, which this is in, the limit for no pavement is five.

Commissioner McCririe asked if the neighbor would be willing to grant a conservation easement so that the trees could be preserved.

Ms. Paulette Skolarus, 6550 Challis Ct., stated a grove of mature blue spruce and white pine trees has already been preserved as a nature habitat and she would be happy to provide a conservation easement for the road.

Commissioner Litogot asked about access through parcel A-3 for parcels A-4 and E-2.

Mr. Bray answered a private driveway, which exists now, would serve E-2 and A-4.

**Moved** by Mortensen, supported by Figurski, to recommend to the Township Board approval of the Impact Assessment for Challis Court as presented to the Planning Commission on February 23, 1998. **Motion unanimously carried.**

**Moved** by McCririe, supported by Pobuda, to approve the site plan for Challis Court with the following conditions:

- Township Board approval of the Impact Assessment as presented.
- Petitioner will modify the plan to widen the middle section of the road bed to a minimum of 20' wide in the area that is currently depicted as 16-18'.
- Petitioner shall cause a conservation easement for the preservation of existing trees in the road bed, to be recorded in a form approved by and acceptable to the township planners and attorney.
- Township engineering review and approval of plans and specifications.
- Access permits shall be obtained from the Livingston County Road Commission.
- Petitioner is aware that they shall abide by the provisions for paving this road contained in the ordinance at the time any future splits are made to parcels served by the road.

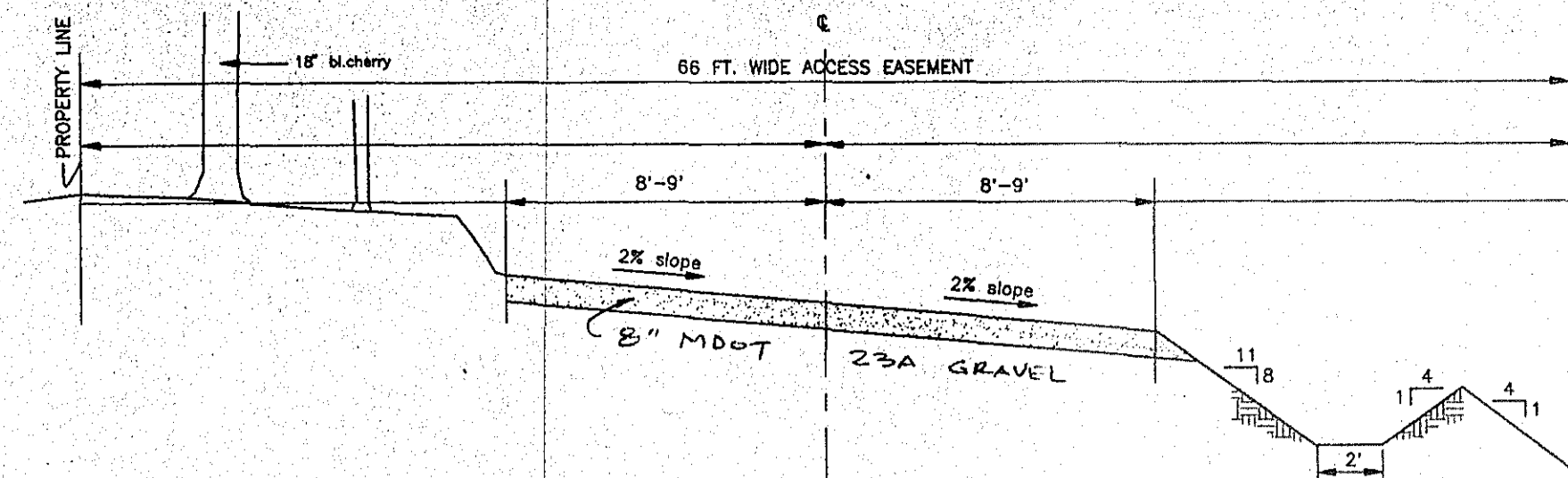
**Motion carried (5 yes, 1 no - Colley dissenting).**

**Moved** by Mortensen, supported by Litogot, to recommend to the Zoning Board of Appeals that a variance be approved as to the road width in order to preserve natural features and trees as conditioned in the Planning Commission motion. **Motion unanimously carried.**

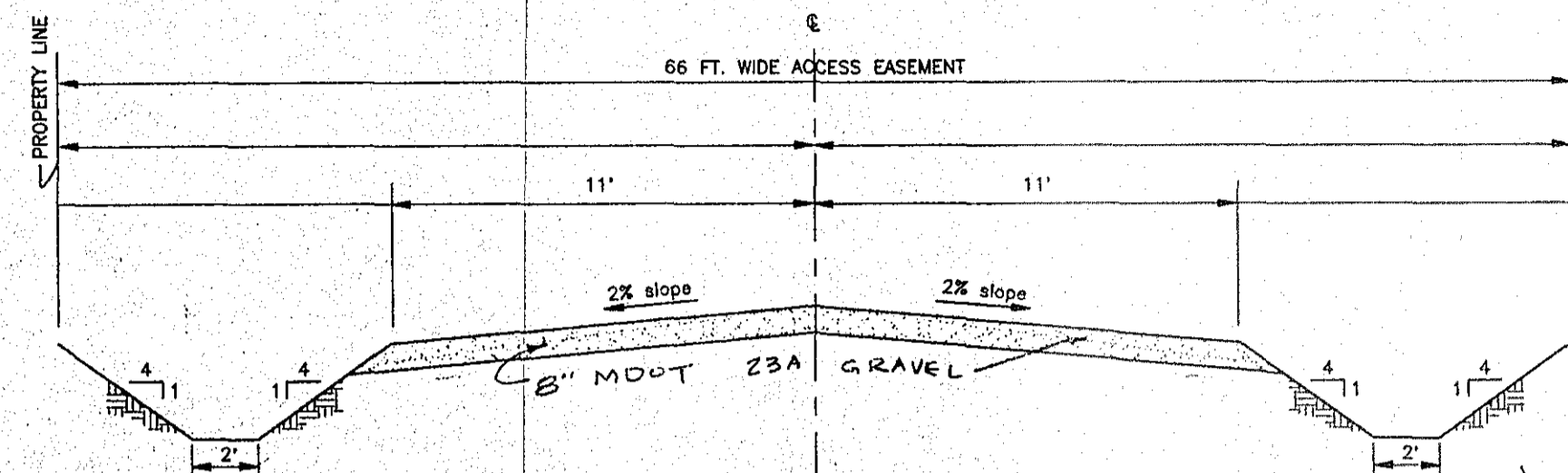
3) OPEN PUBLIC HEARING #3...REQUEST FOR RENEWAL OF SPECIAL LAND USE FOR THE TEMPORARY SITTING OF MANUFACTURED HOUSING. SECTION 11: DIANA GENTRY.

A. RECOMMENDATION REGARDING RENEWAL OF SPECIAL LAND USE

Ms. Diana Gentry Wyman, 187 S. Hughes Road, stated she owns, with her husband and business partner, approximately five acres of commercially zoned property on Grand River. She is a manufactured home dealer whose primary business is the sales, service and set up of manufactured and BOCCA homes in manufactured home communities and on private property. She is asking for an extension of a special use permit granted 11/22/93 which allowed her to set up a temporary model home on her property. The modification to the permit that she is requesting now is to allow parking of up to seven (7) manufactured and/or BOCCA homes on the property during the period of delivery to dealer and relocation to customer sites. All units will be available for inspection by



DETAIL B-B PROPOSED CHALLIS COURT CROSS SECTION  
NO SCALE



DETAIL A-A PROPOSED CHALLIS COURT CROSS SECTION  
NO SCALE

**STORM CALCULATIONS**

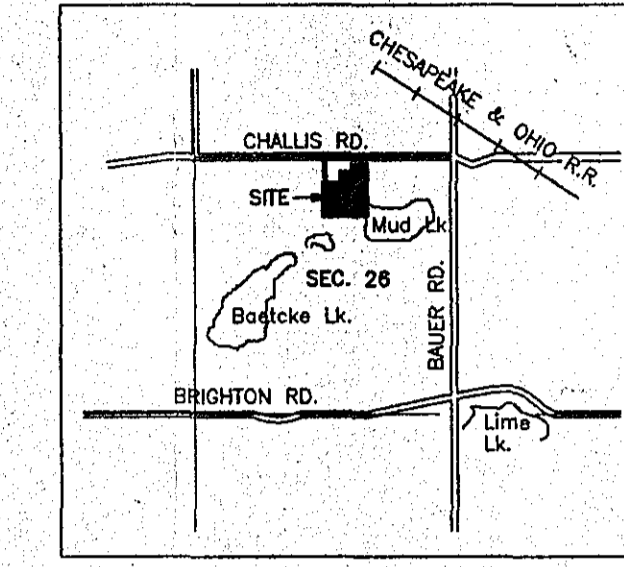
VOLUME REQUIRED:  
3.114 c.f. (See L.C.D.C. TABLE B APPENDIX B)  
VOLUME PROVIDED:  
Area top of pond (E. 954) = 2,399 s.f.  
Area bot. of pond (E. 952) = 224 s.f.  
TOTAL AREA = 2613 s.f.  
Average area = 1306.5 s.f.  
Depth of pond = 4 ft.  
Volume provided = 1306.5 x 4 = 5,226 s.f.

**SOIL EROSION & SEDIMENT CONTROL**

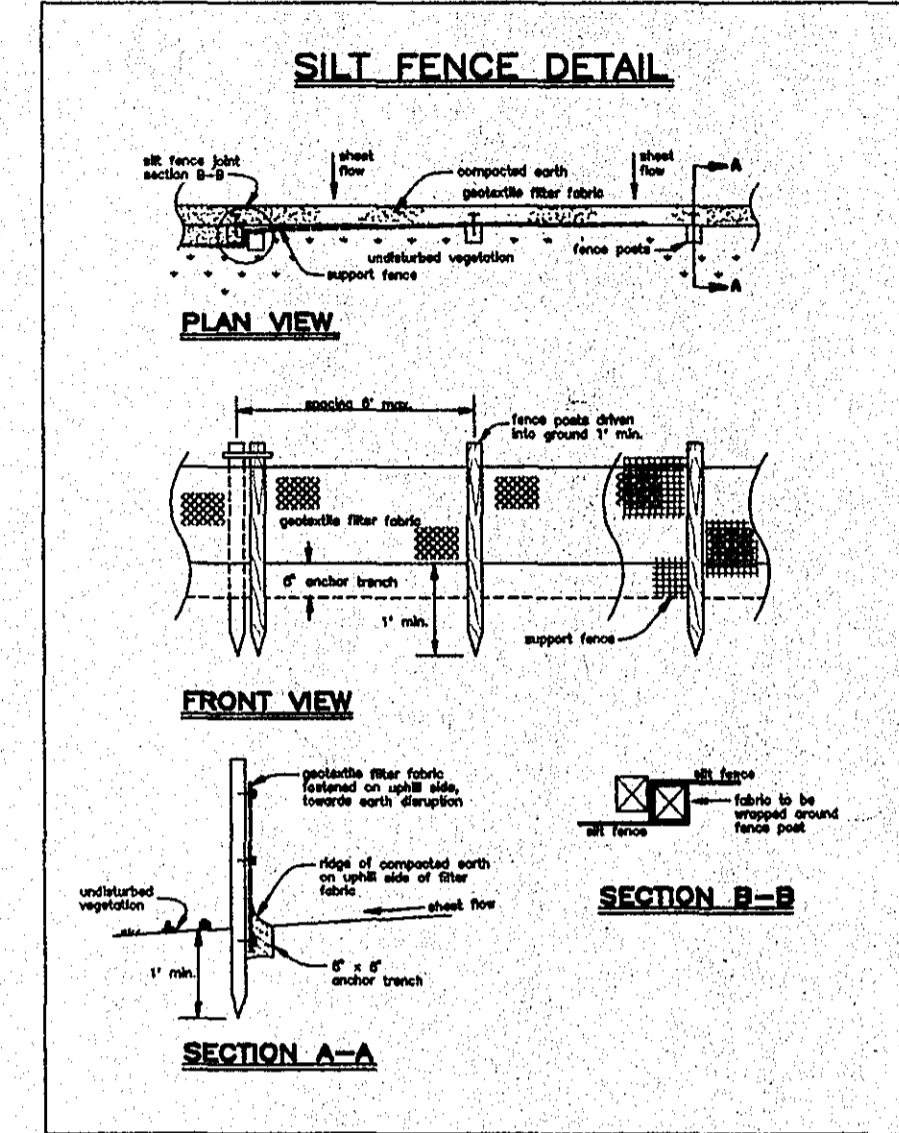
- 1) Total area proposed to be disturbed is 2.10 ac. including driveway, roadway and drainage requirements.
- 2) All disturbed areas will be stabilized with mulch immediately after disturbing.
- 3) Maintenance of all soil erosion provisions shall be the responsibility of the general contractor.
- 4) Place silt fence around site as indicated on drawing prior to construction.
- 5) Sequence of Construction:  
Erosion controls installed & maintained  
Site grading  
Road construction  
Landscape & cleanup  
Soil erosion controls to be maintained throughout entire construction period.

**REVISIONS**

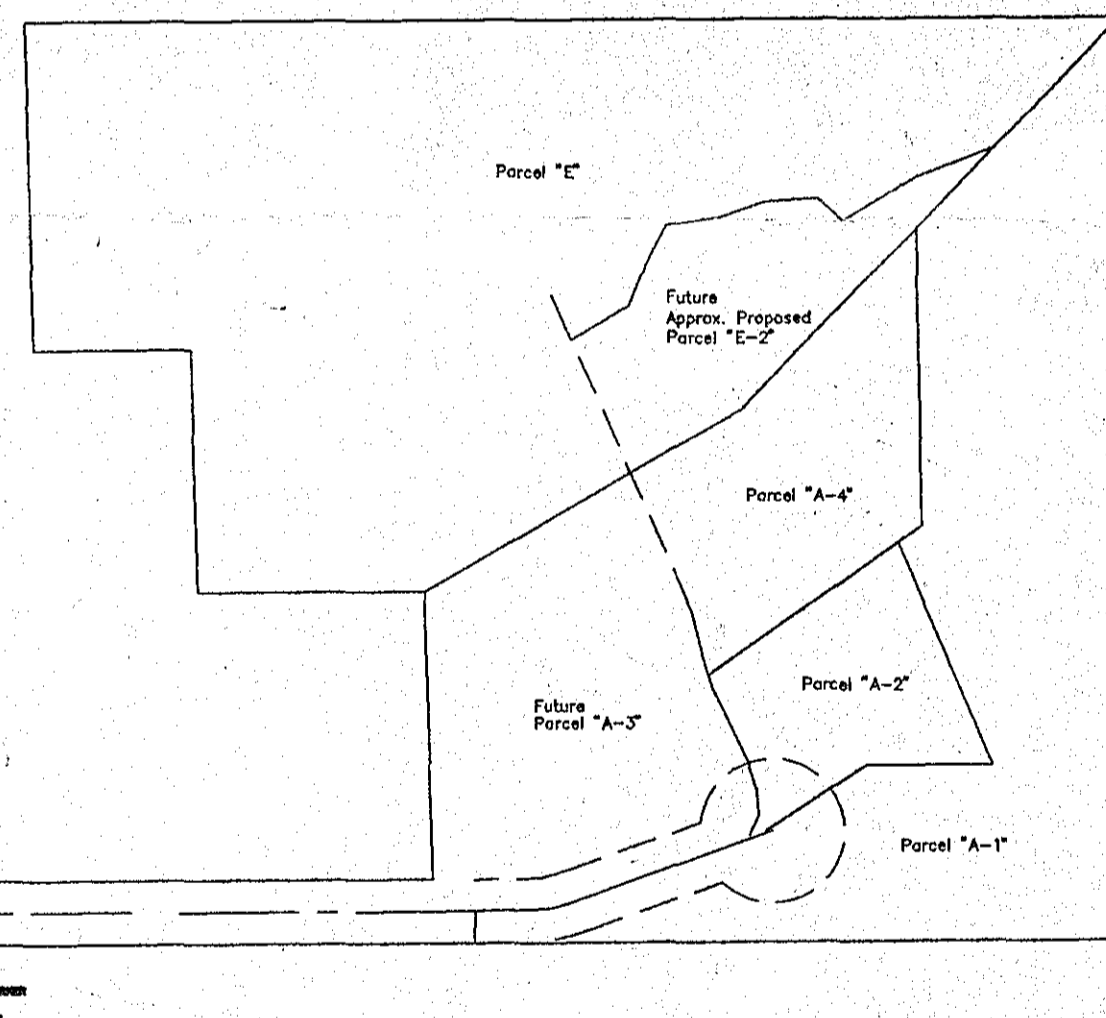
1/19/98 Add "8" MDOT 23A GRAVEL" to cross sections  
Add prop. topo lines at Wly end of 70' culvert  
Sedimentation basin emergency spillway @ 953.7



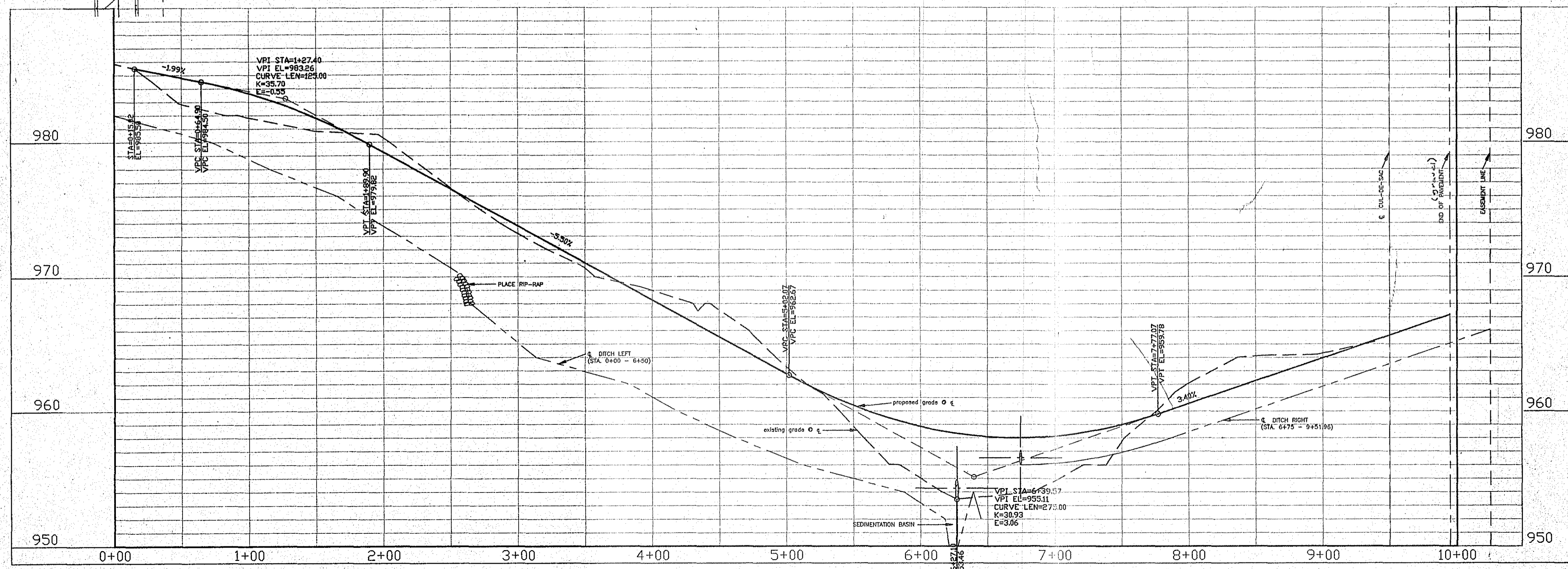
LOCATION MAP  
NO SCALE



- LEGEND**
- ACCESS EASEMENT LINE
  - 920 EXISTING CONTOUR LINE
  - 918 PROPOSED CONTOUR LINE
  - - - EXISTING FENCE
  - O L OVERHEAD UTILITY LINE
  - - - SILT FENCE
  - - - PROPERTY LINE
  - DITCH
  - C.P. CONSUMERS POWER LINE
  - EXISTING UTILITY POLE
  - RIIP-RAP
  - EXISTING WELL
  - EXISTING TREE
  - CEDAR
  - CEDAR
  - PROPOSED CULVERT



CHALLIS COURT ROAD PLAN  
SCALE: 1" = 50'

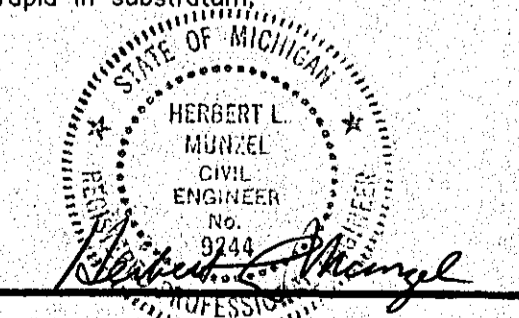


ROAD PROFILE  
HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'

**CENTERLINE DESCRIPTION OF A 66' WD. PRIVATE ROAD EASEMENT (CHALLIS COURT)**  
Part of the West 29 acres of the North 1/2 of the NE 1/4 of Sec. 26, T.2 N., R.5 E., Genoa Township, Livingston County, described as:  
Beginning at a point on the centerline of a private 66 ft. wide easement, distant N.88°32'30"E., along the north line of Sec. 26, which is also the centerline of Challis Rd. R/O/W, 33.00 ft.; thence S.00°26'38"E., 660.00 ft.; thence S.19°01'10"E., 132.76 ft.; thence S.11°11'50"E., 43.78 ft.; thence S.15°43'23"E., 23.65 ft.; thence S.25°12'57"E., 27.96 ft.; thence S.21°08'12"E., 39.18 ft. to the center of a 75 ft. radius cul-de-sac and point of ending.

- NOTES:**
- 1) Design of the road is based on utilizing the centerline of the existing gravel driveway in effort to save as many trees as possible.
  - 2) Proposed private road will serve three homesites with three additional homesites served from the continuation of the existing private drive which will enter the cul-de-sac from the NE.
  - 3) Utilities shown on the drawing are from field location and/or by direction from owners. Call MISS DIG 3 DAYS PRIOR TO ANY CONSTRUCTION 1-800-482-7171
  - 4) Fox-Boyer complex soils are found on this site according to the soil survey of Livingston County, Michigan as produced by the U.S. Dept. of Agriculture, Soil Conservation Service.
  - 5) Fox-Boyer soils are well drained; seepage rate medium in subsoil and rapid in substratum; permeability moderate in subsoil and rapid in substratum.

- LIST OF VARIANCES REQUESTED:**
- 1) Proposed road width for a portion of the road from 22' to 18' and 16'
  - 2) Ditch design to be on only the east side of the road, except for the 5'ly 260'



**PROPOSED PRIVATE ROAD - CHALLIS COURT**  
Improvement to 951 ft. of existing Challis Ct. - private drive  
SECTION 26, GENOA TWP., LIVINGSTON CO., MICH.

For: WADE BRAY, 6600 Challis Ct., and POLLY & ED SKOLARUS, 6550 Challis Ct.

<b>MUNZEL ENGINEERING</b>		drawn: Lou	date: 1/16/98	SH.
HERBERT L. MUNZEL REG. PROF. ENGINEER & LAND SURVEYOR		chkd:	job no.	OF
222 WEST GRAND RIVER AVENUE		scale: unless 1" = 50'	915 338	
BRIGHTON, MICHIGAN 48116 229 9588		rev. 1/19/98		

CALL MISS-DIG 3 DAYS PRIOR TO ANY CONSTRUCTION 1-800-482-7171

the lot that is at the rear of the property, making it difficult to site a barn behind the home. The motion carried unanimously.

**01-18... A request by Clyde Strayer, Section 19, 2100 Crooked Lake Road, is for a 4-foot height variance to construct a pole barn**

A Call to the Public was made with no response. Letters in favor of the petition were received from Annette Kidder and Mark Shultz, Gary and Ruth Bedard, Bill and Mickey Maniaci, Mr. and Mrs. Glenn Hanson, and Jeanne Myers. Moved by Figurski, supported by Stornant, to deny the request since no practical difficulty or hardship associated with the property was presented by the petitioner. Further, it was determined that no extraordinary circumstance was demonstrated to allow approval of this request. The motion carried unanimously.

**01-19...A request by Stefan Kril, Section 32, 5125 Richardson Road, is for a 30 foot variance from wetlands to construct a new home.**

A Call to the Public was made with no response. Moved by Figurski, supported by Skolarus, to grant a 30' variance to the wetland as depicted on the site plan. The practical difficulty is the unusual topography and the preservation of existing trees. The motion carried unanimously.

**01-10... A request by Edward Skolarus, Section 26, Vacant off Challis Road, is for a front and side yard variance to construct a new home.**

Skolarus advised the board that the minutes of this petition would be taken by VanTassell and that she would not vote on this personal request. A Call to the Public was made with no response. Moved by Figurski, supported by Stornant, to approve a 6' side yard variance for construction of a new home. The practical difficulty is the unusual topography of the site. The motion carried unanimously.

Moved by Figurski, supported by Staley, to approve the Minutes of the 04-10-01 regular meeting of the board as presented. The motion carried unanimously.



Paulette A. Skolarus  
Genoa Township Clerk

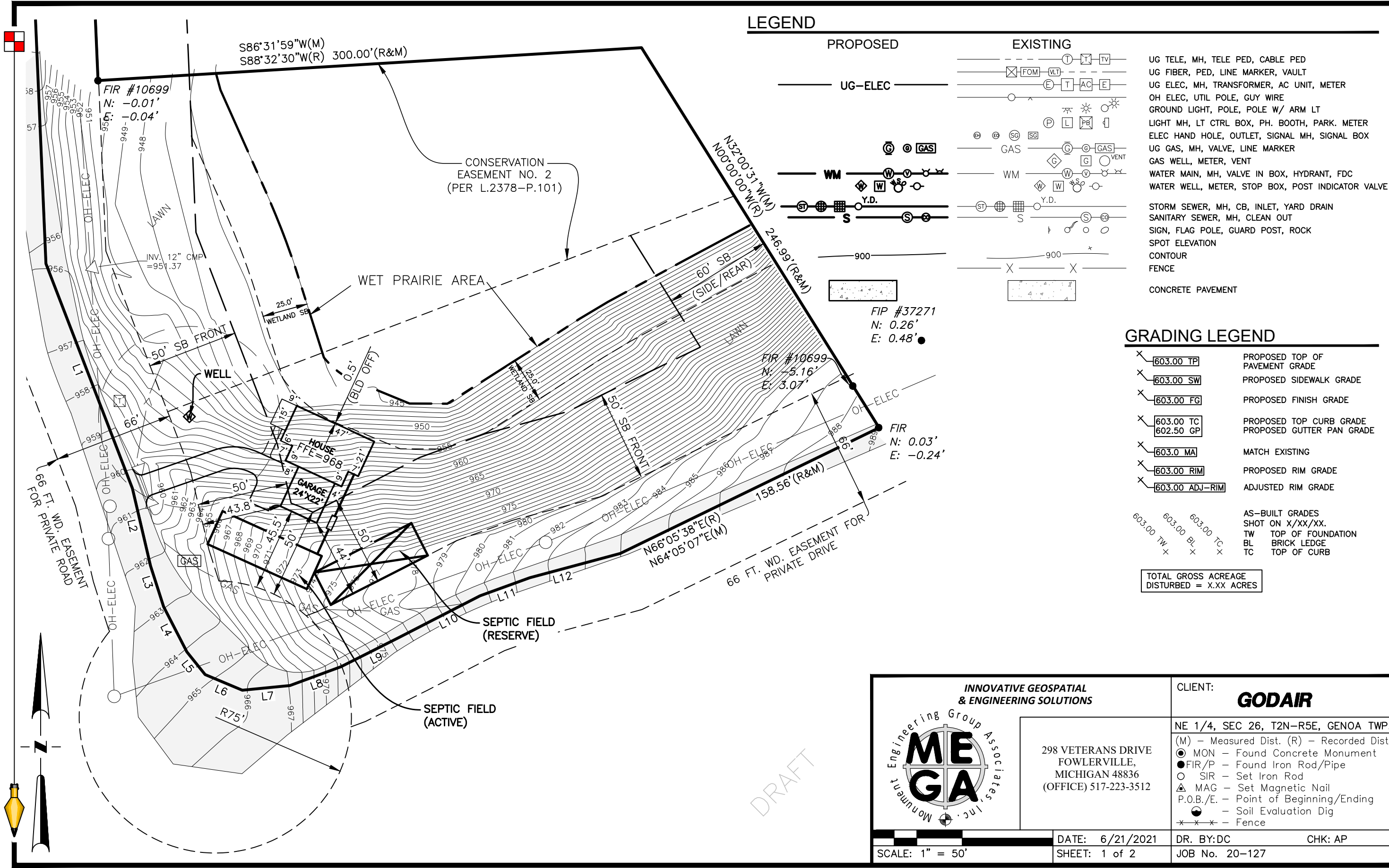


Adam VanTassell  
Ordinance Enforcement Officer

# GENOA TOWNSHIP







	<b>INNOVATIVE GEOSPATIAL &amp; ENGINEERING SOLUTIONS</b> 298 VETERANS DRIVE FOWLerville, MICHIGAN 48836 (OFFICE) 517-223-3512	CLIENT: <b>GODAIR</b> NE 1/4, SEC 26, T2N-R5E, GENOA TWP. (M) - Measured Dist. (R) - Recorded Dist. ● MON - Found Concrete Monument ● FIR/P - Found Iron Rod/Pipe ○ SIR - Set Iron Rod ▲ MAG - Set Magnetic Nail P.O.B./E. - Point of Beginning/Ending ● - Soil Evaluation Dig *-*-* - Fence
	DATE: 6/21/2021 SHEET: 1 of 2	DR. BY: DC JOB No. 20-127 CHK: AP

NOT FOR CONSTRUCTION

**LEGAL DESCRIPTION - PARCEL A-3**

(Per Survey by: Munzel Engineering & Land Surveying, Job No.: 97047 A-3, Dated: 6/5/98)

Part of the West 29 acres of the North 1/2 of the NE 1/4 of Sec. 26, T.2N., R.5E. Genoa Twp., Livingston Co., Michigan, described as:  
 Beginning at a point on the North line of said Sec 26, distant N88°32'30"E, 33.00 ft. from the North 1/4 corner of said Sec. 26; thence on the following five courses along the centerline of a 66 ft. wide non-exclusive private road and public utility easement; S00°26'38"E, 680.00 ft.; S19°01'10"E, 132.78 ft.; S11°11'50"E, 43.76 ft.; S15°43'23"E, 23.65 ft.; and S25°12'57"E, 27.96 ft. to a Traverse Point "E"; thence on the following nine courses a long a 66 ft. wide non-exclusive private drive and utility easement; S36°41'05"E, 16.08 ft.; S65°10'52"E, 22.25 ft.; N86°24'00"E, 26.39 ft.; N71°45'44"E, 29.95 ft.; N65°13'32"E, 36.04 ft.; N64°47'44"E, 50.00 ft.; N72°01'00"E, 29.17 ft.; N76°59'00"E, 51.60 ft., and N66°05'38"E, 158.56 ft.; thence N30°00'00"W, 246.99 ft.; thence S88°32'30"W, 300.00 ft.; thence N00°26'38"W along the East line of said 66 ft. wide private road and utility easement, 581.00 ft.; thence S88°32'30"W along said North line of Sec. 26, which is also the centerline of Challis Rd R/O/W, 33 ft. to the point of beginning, containing 3.02 acres of land, subject to the rights of the public over the N'y part as used for Challis Rd. R/O/W; subject to the rights of others for use for receiving storm drainage from the West, as well as for a conservation easement, over part of the N'y portion of said Parcel A-3, a CONSERVATION EASEMENT NO. 2, described as: Beginning at a point distant N88°32'30"E, along the North line of said Sec. 26, 66.00 ft., and S00°26'38"E, 581.00 ft. from the North 1/4 corner of said Sec. 26; thence on the following two courses along the E'ly line of a 66 ft. wide private road and utility easement: S00°26'38"E, 94.16 ft. and S19°01'10"E, 94.81 ft.; thence N71°10'24"E, 337.1 ft.; thence N30°00'00"W along the E'ly line of said Parcel A-3, 96.44 ft.; thence S88°32'30"W along the N'ly line of said Parcel A-3, 300.00 ft. to the point of beginning of said CONSERVATION EASEMENT NO. 2.

PARCEL A-3 LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S21°01'41"E(M) S19°01'10"E(R)	132.78'(R&M)
L2	S13°12'21"E(M) S11°11'50"E(R)	43.76'(R&M)
L3	S17°43'54"E(M) S15°43'23"E(R)	23.65'(R&M)
L4	S27°13'28"E(M) S25°12'57"E(R)	27.96'(R&M)
L5	S38°41'36"E(M) S36°41'05"E(R)	16.08'(R&M)
L6	S67°11'23"E(M) S65°10'52"E(R)	22.25'(R&M)
L7	N84°23'29"E(M) N86°24'00"E(R)	26.39'(R&M)
L8	N69°45'13"E(M) N71°45'44"E(R)	29.95'(R&M)
L9	N63°13'01"E(M) N65°13'32"E(R)	36.04'(R&M)
L10	N62°47'13"E(M) N64°47'44"E(R)	50.00'(R&M)
L11	N70°00'29"E(M) N72°01'00"E(R)	29.17'(R&M)
L12	N74°58'29"E(M) N76°59'00"E(R)	51.60'(R&M)

**66 FT. WD. PRIVATE ROAD EASEMENT (CHALLIS CT.)**


(Per Survey by: Munzel Engineering & Land Surveying, Job No.: 97531, Dated: 1/16/98)

Part of the West 29 acres of the North 1/2 of the NE 1/4 of Sec. 26, T.2N., R.5E. Genoa Twp., Livingston Co., Michigan, described as:  
 Beginning at a point on the centerline of a 66 ft. wide easement, distant N88°32'30"E, along the North line of Sec. 26, which is also the centerline of Challis Rd. R/O/W, 33.00 ft.; thence S00°26'38"E, 680.00 ft.; thence S19°01'10"E, 132.76 ft.; thence S11°11'50"E, 43.76 ft.; thence S15°43'23"E, 23.65 ft.; thence S25°12'57"E, 27.96 ft.; thence S21°06'12"E, 39.18 ft. to the center of a 75 ft. radius cul-de-sac and point of ending.

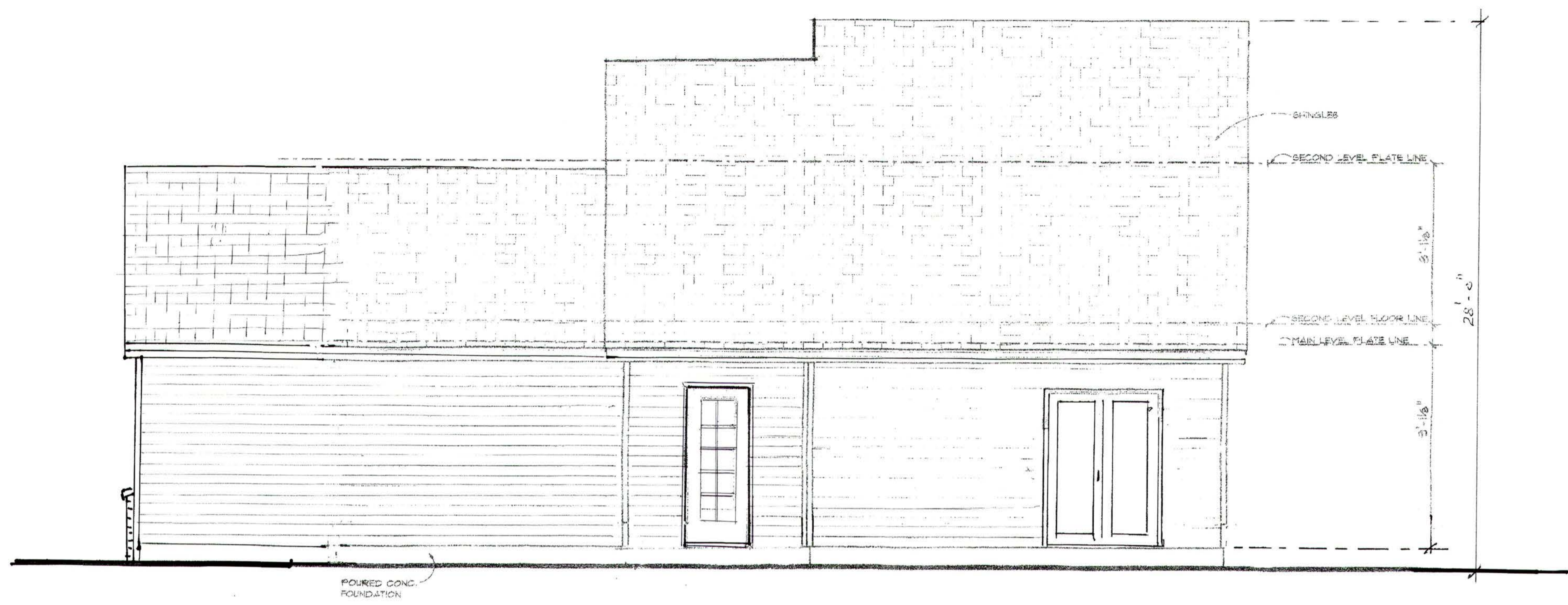
**GENERAL NOTES:**

- All interior grades (Architectural) shall be verified by the builder, architect and/or contractor prior to construction. All trades must use the architectural plans of record for construction.
- All proposed grades on this plan were obtained from the Approved Condominium Grading Plan. Grade changes are subject to field verifications and topographic surveys conducted at the time of the plot plan.
- Owner, builder and/or any contractors shall comply with all local codes and/or ordinances. Approval of this plan does not relieve any parties from those compliance's.
- Proposed utility locations as-shown were obtained from the Engineering Plans. Owner/Builder/Contractors must obtain and verify as-built locations from the Township prior to construction.
- Notify the Genoa Township Building Department and Water and Sewer Department (810-227-5225) a minimum of 48 hours prior to the start of construction.
- Call Miss Dig (1-800-482-7171) three working days prior to the start of construction.
- The contractor is responsible for all damage to existing utilities.
- All service lead sizes (Water Main and Sanitary Sewer) are to be obtained from the Charter Township of Clinton Water and Sewer Department
- The Charter Township of Genoa Fire Department (614-568-2040) shall be contacted so as to verify the flushing of underground mains and lead in connections to fire sprinkler system risers.
- Refer to Engineering Plans for "PLAN NAME" submitted to The Charter Township of TWP NAME by ENGINEERING COMPANY and approved by

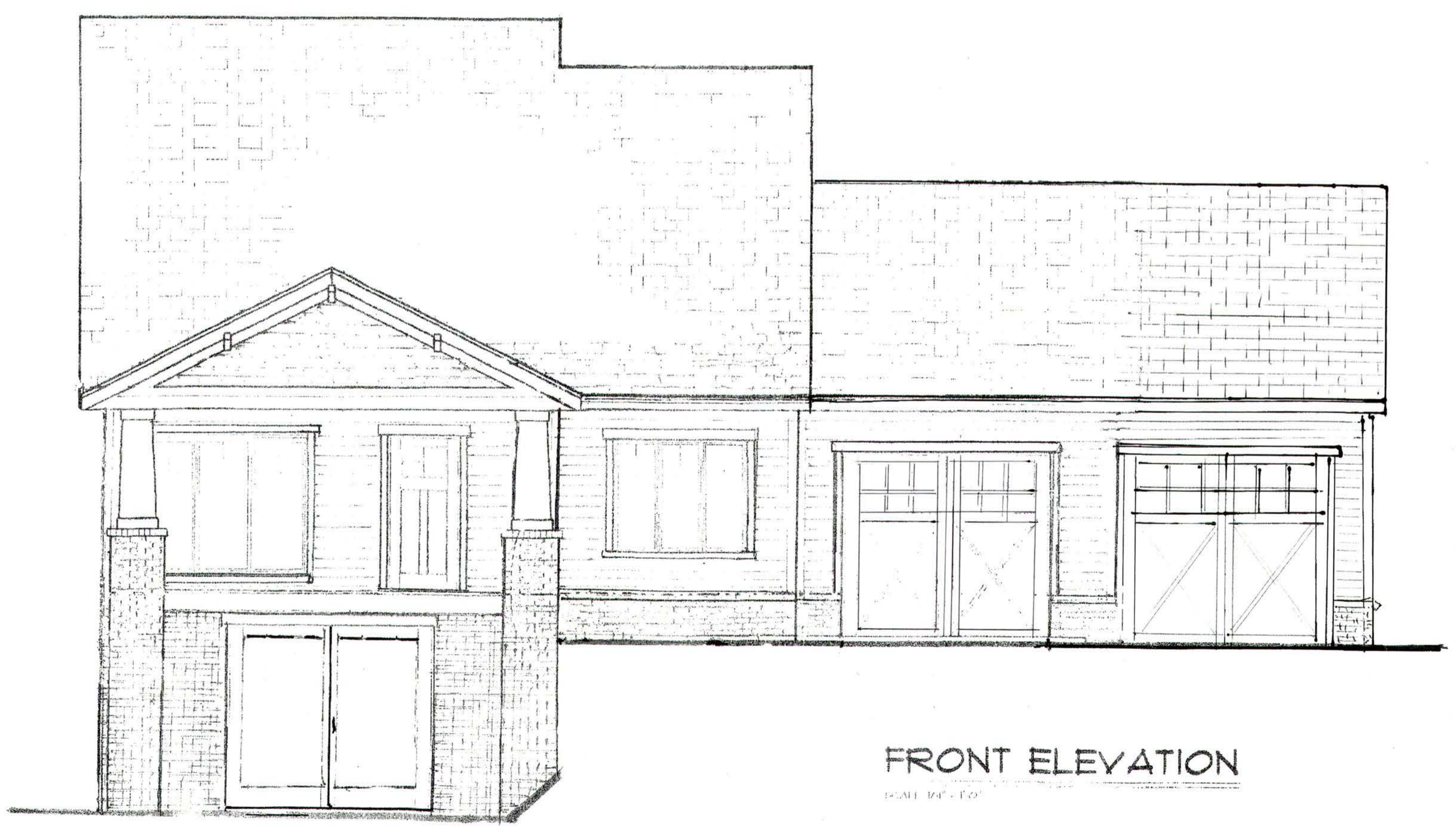
DRAFT

 <p><b>INNOVATIVE GEOSPATIAL &amp; ENGINEERING SOLUTIONS</b></p> <p>298 VETERANS DRIVE FOWLerville, MICHIGAN 48836 (OFFICE) 517-223-3512</p>	CLIENT: <b>GODAIR</b>
	NE 1/4, SEC 26, T2N-R5E, GENOA TWP. (M) - Measured Dist. (R) - Recorded Dist. ● MON - Found Concrete Monument ● FIR/P - Found Iron Rod/Pipe ○ SIR - Set Iron Rod ▲ MAG - Set Magnetic Nail P.O.B./E. - Point of Beginning/Ending ● - Soil Evaluation Dig *-*-* - Fence
SCALE: N/A	DATE: 6/21/2021 SHEET: 2 of 2
DR. BY: DC      CHK: AP JOB No. 20-127	

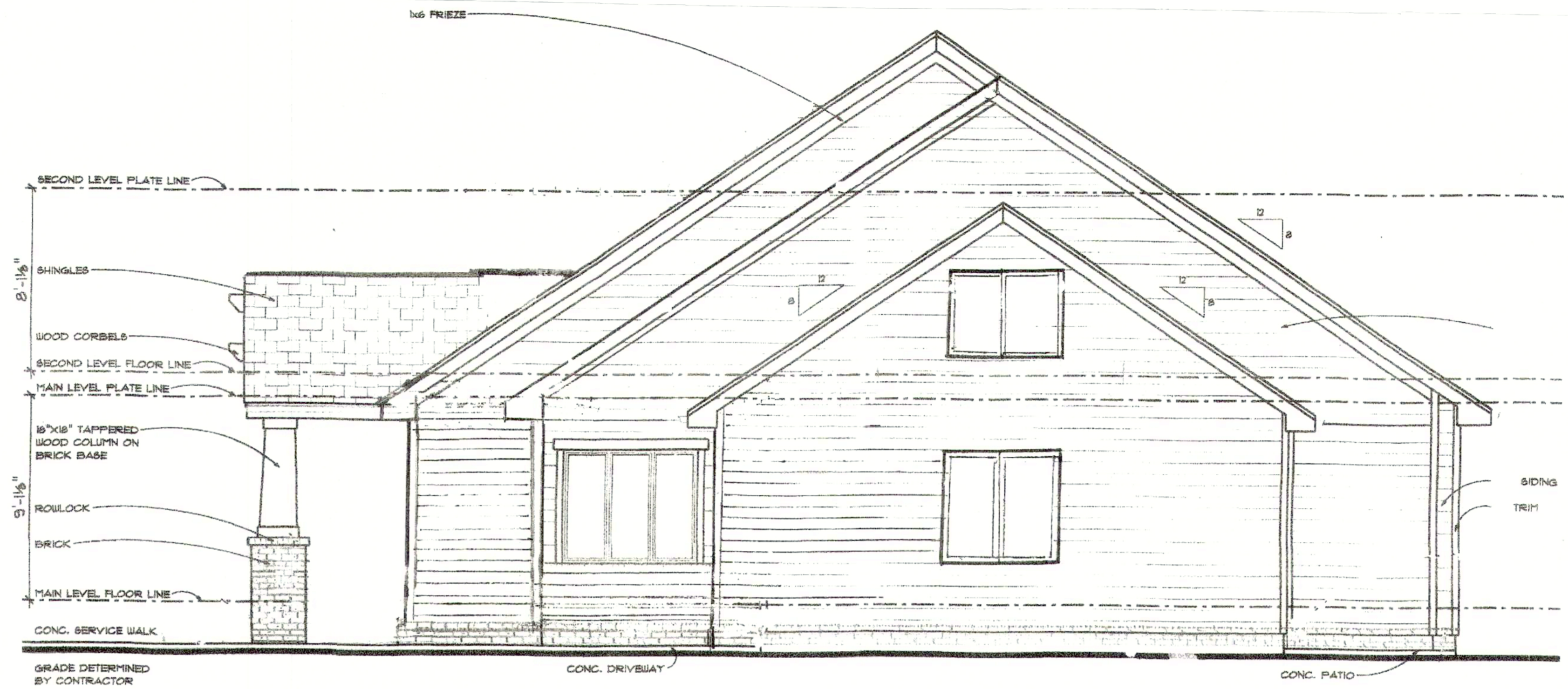
NOT FOR CONSTRUCTION



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

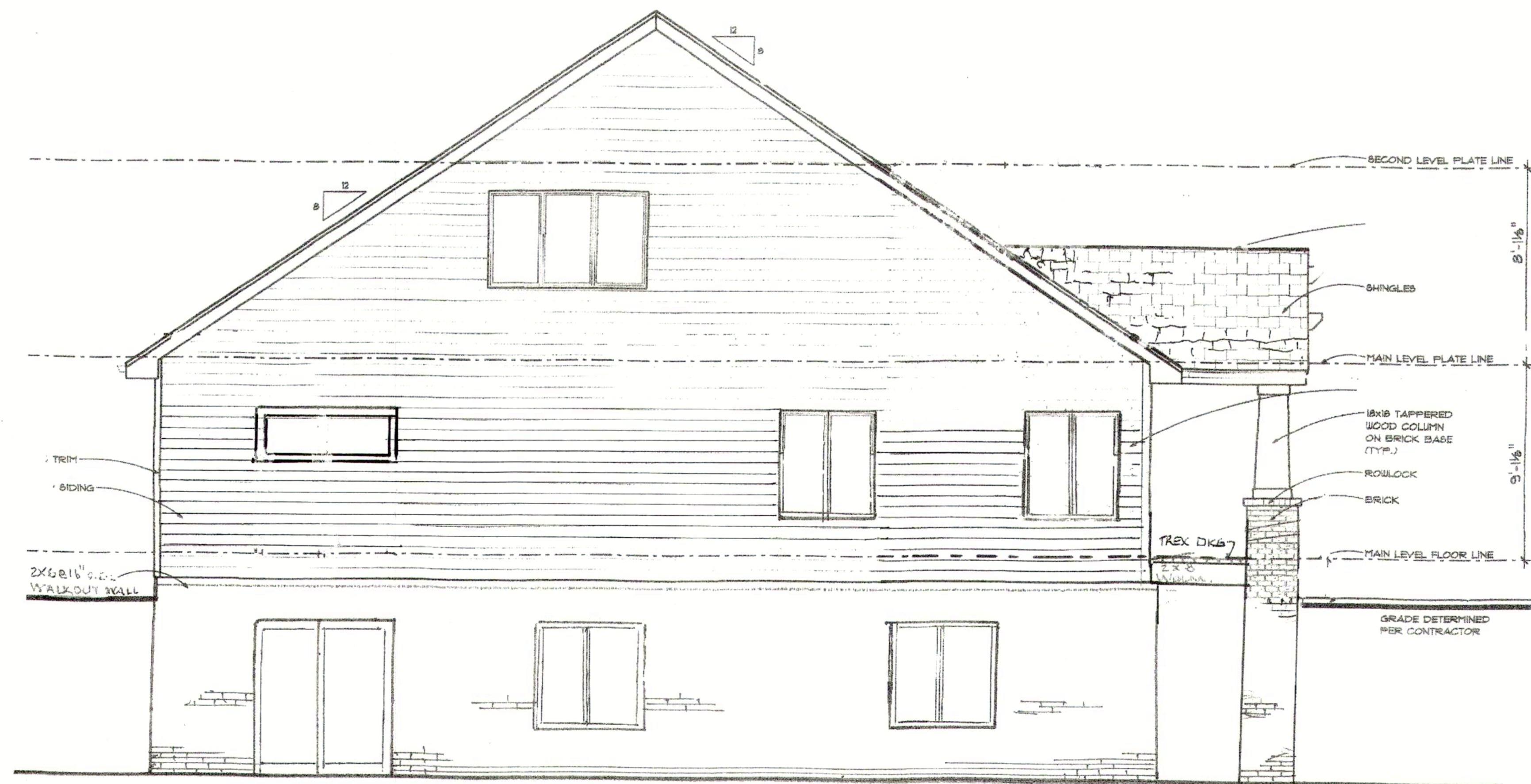


**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



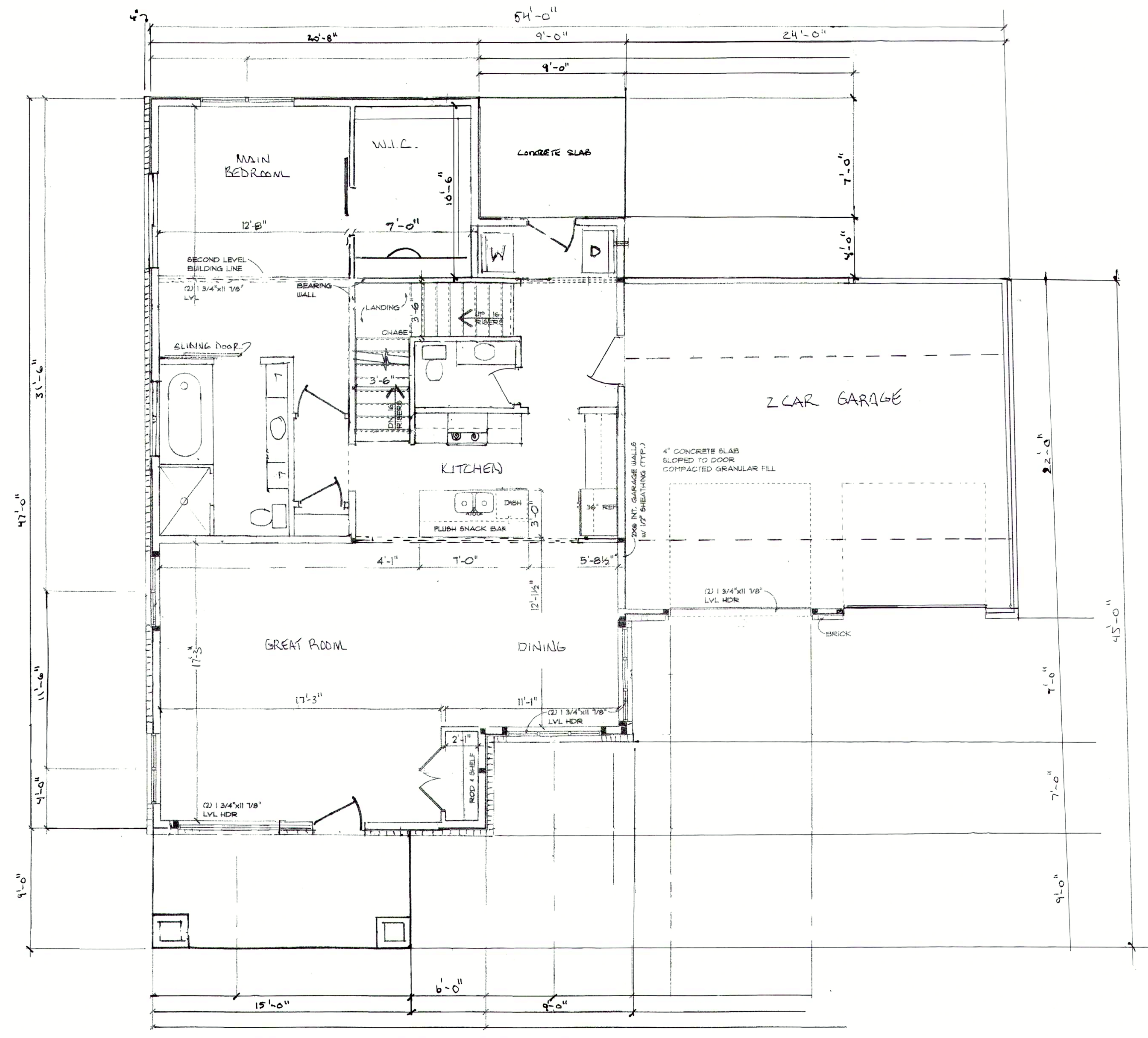
**RIGHT ELEVATION**

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



**LEFT ELEVATION**

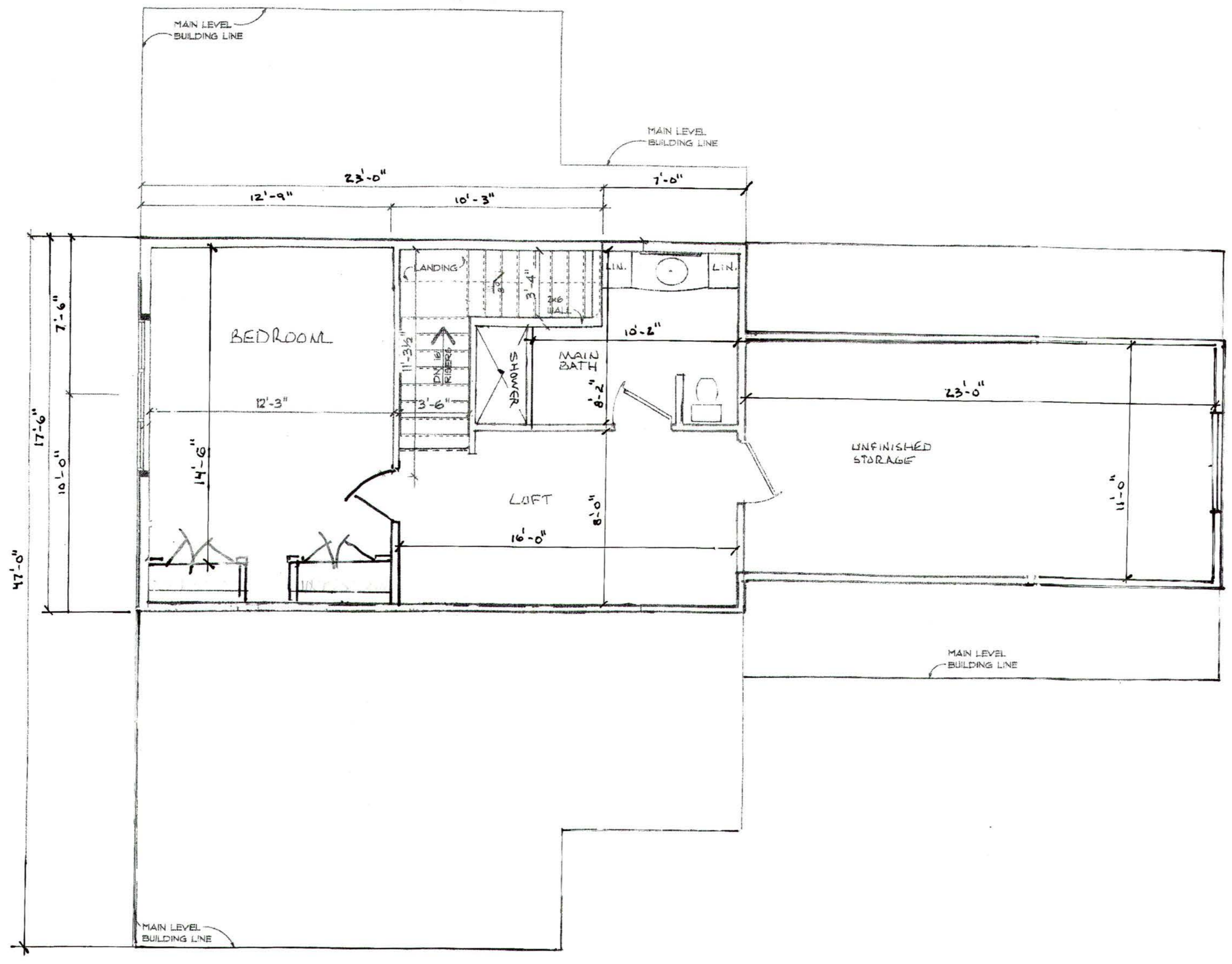
SCALE: 1/4" = 1'-0"



FIRST LEVEL 1300911

**MAIN LEVEL FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

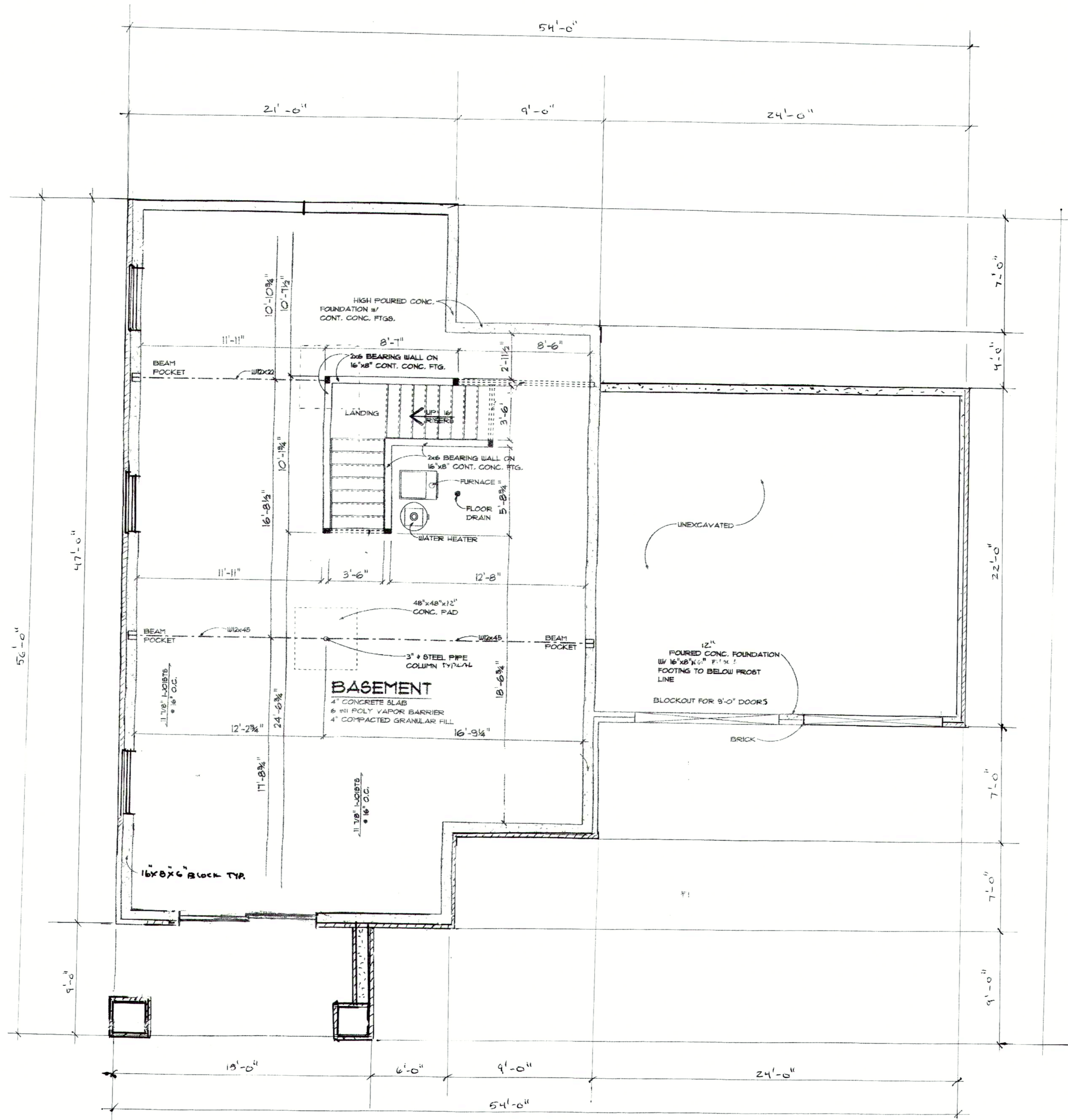
GENERAL NOTES:  
1. ALL SECOND LEVEL WALLS ARE 8'-1 1/8" HIGH UNLESS NOTED OTHERWISE  
2. ALL ANGLED WALLS ARE @ 45 DEG. UNLESS NOTED OTHERWISE  
3. ALL EXTERIOR WALLS ARE 6" (3 1/2" STUD/1/2" SHEATHING)  
4. ALL INTERIOR WALLS ARE 3 1/2" UNLESS NOTED OTHERWISE



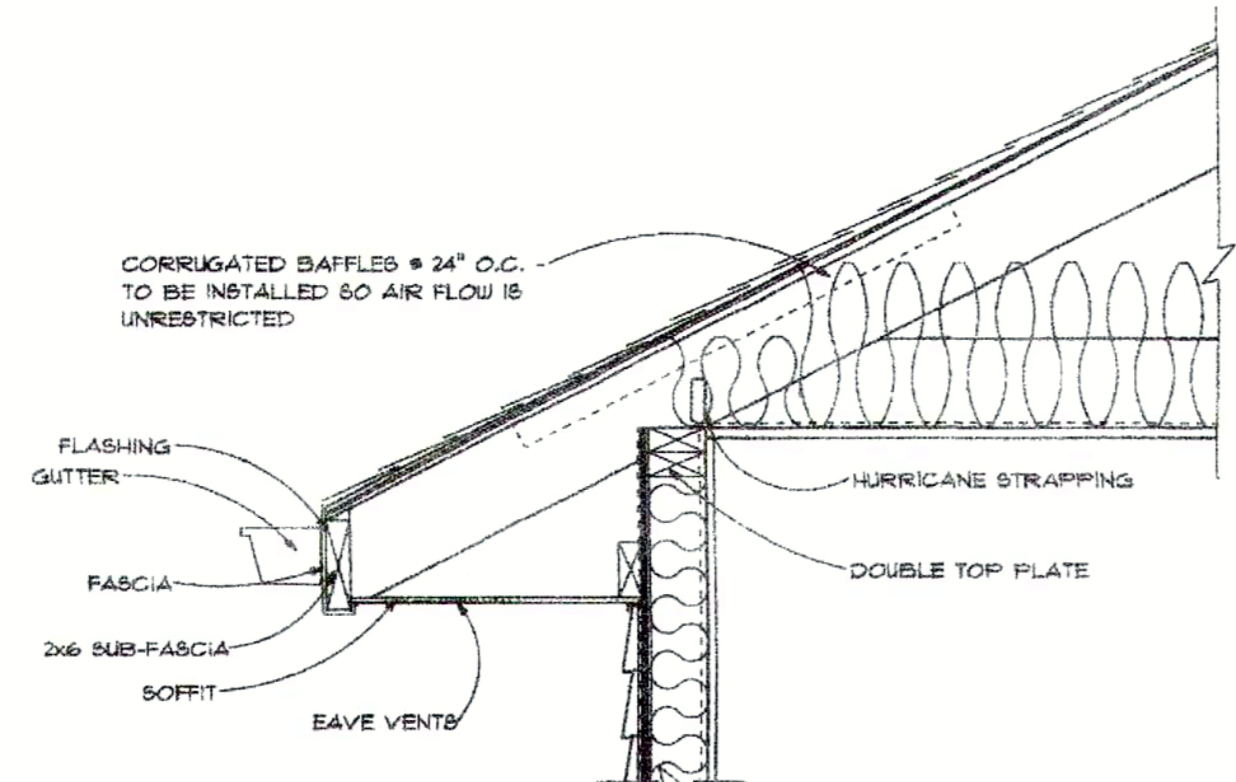
SECOND LEVEL 540 sq. ft.

### SECOND LEVEL FLOOR PLAN

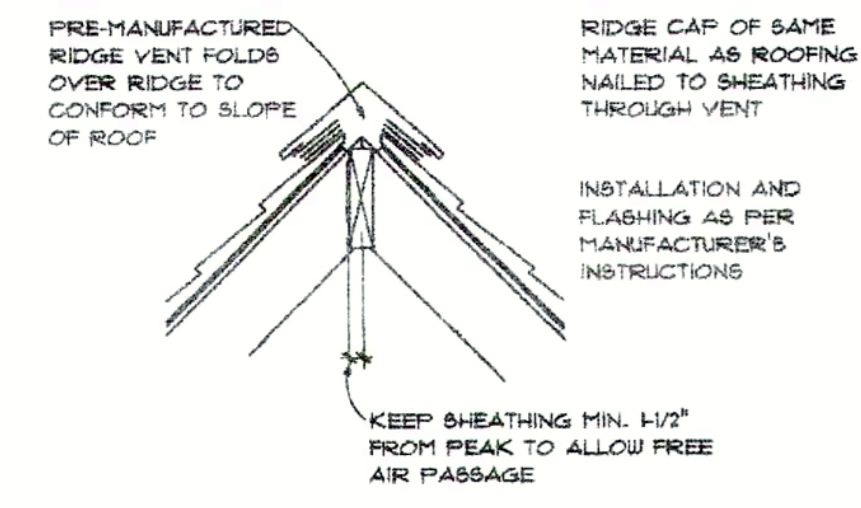
SCALE: 1/4" = 1'-0"



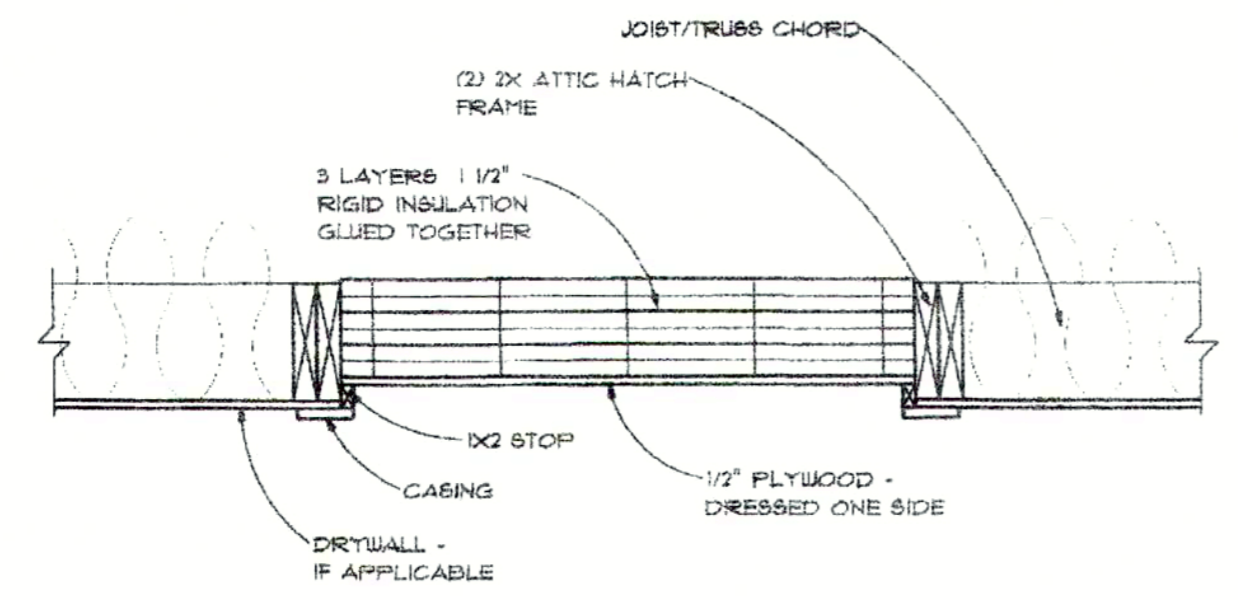
**FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"



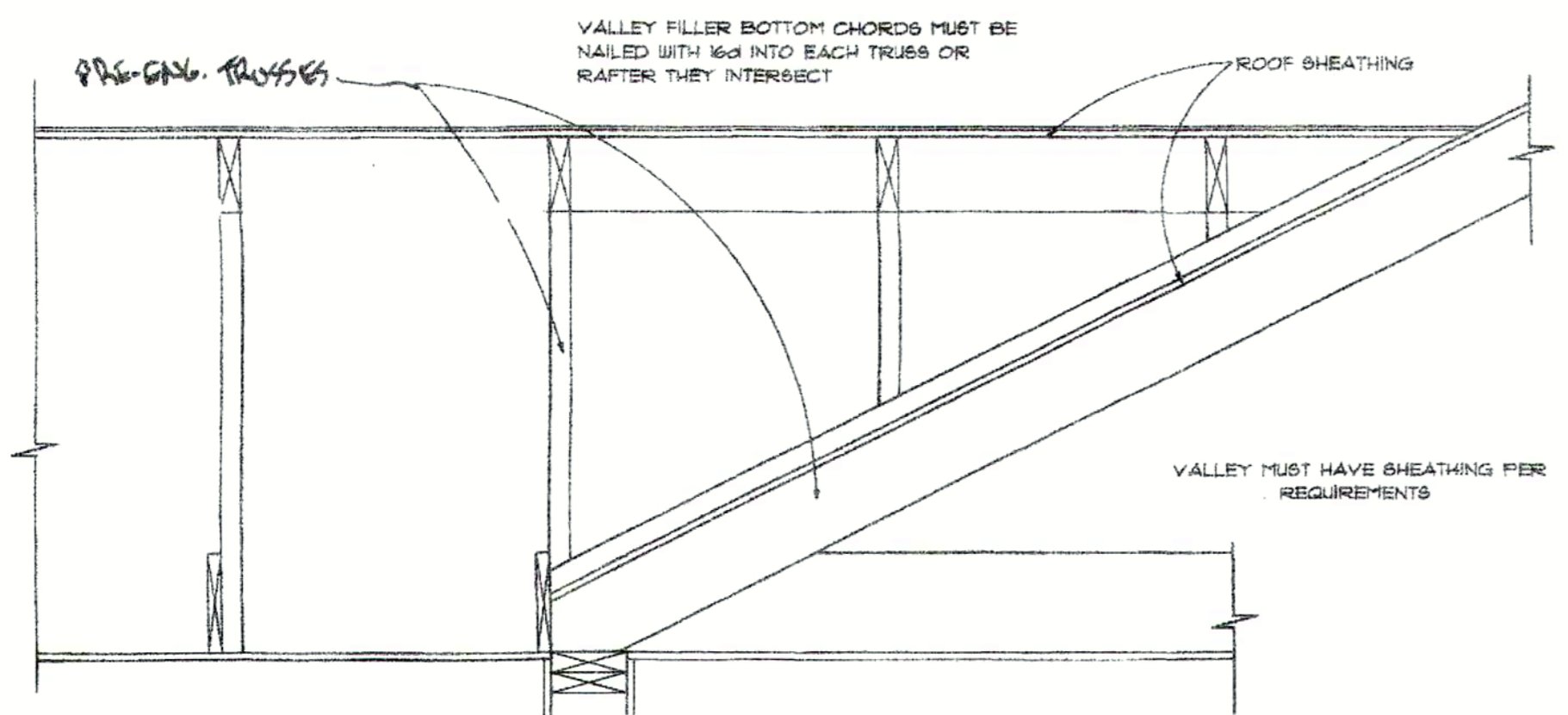
**EAVE VENT**  
SCALE: 1/4" = 1'-0"



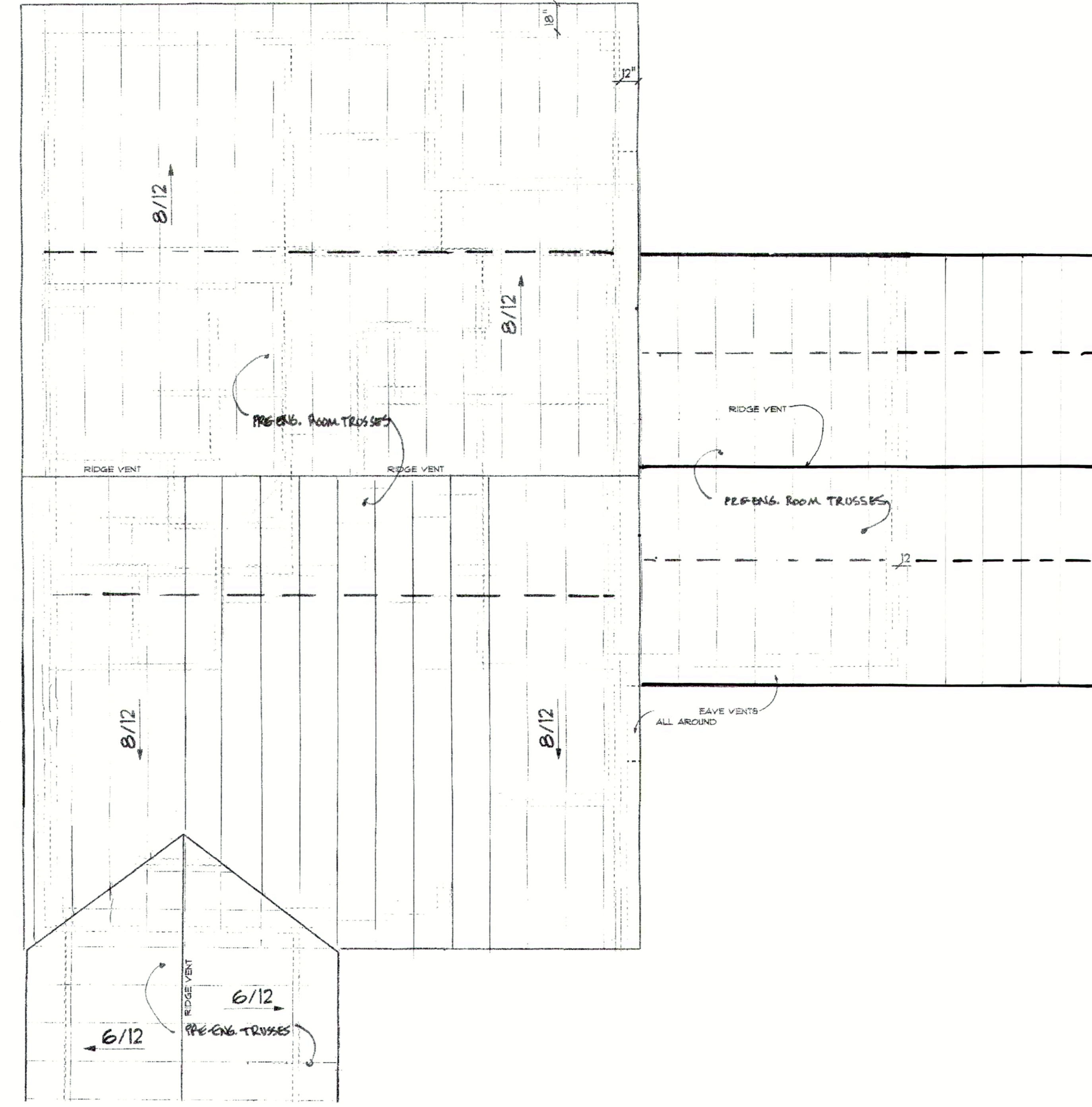
**RIDGE VENT**  
SCALE: 1/4" = 1'-0"



**ATTIC HATCH**  
SCALE: 1/4" = 1'-0"



**ROOF OVERFRAMING**  
SCALE: 1/4" = 1'-0"



**ROOF PLAN**  
SCALE: 1/4" = 1'-0"



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.	
Property Address		Class: RESIDENTIAL-VACANT		Zoning: LDR	Building Permit(s)	Date	Number	Status	
CHALLIS CT		School: BRIGHTON AREA SCHOOLS		P.R.E. 100% 04/24/1995					
Owner's Name/Address		MAP #: V21-04		2021 Est TCV 51,260					
SKOLARUS, PAULETTE & LOLLIO, KELLY LYNN 6520 CHALLIS RD BRIGHTON MI 48116		Improved	X	Vacant	Land Value Estimates for Land Table 4501.BRIGHTON M & B				
Tax Description		Public Improvements		* Factors *				Value	
SEC 26 T2N R5E COMM N 1/4 COR TH N88*E 33 FT TO POB TH N88*E 33 FT TH SOUTH 581 FT TH N88*E 300 FT TH S35*E 246.99 FT TO CENTERLINE OF A PRIVATE ROAD EASEMENT TH ALONG SAID CENTERLINE SW'LY 382.01 FT AND NW'LY 305.66 FT AND NORTH 680 FT TO THE N'LY END OF SAID EASEMENT AND THE POB CONT. 3.02 AC M/L CORR 6/99 OF SPLIT 020 (025) 10/97 TVF A-3		Dirt Road		Description	Frontage	Depth	Front Depth	Rate %Adj. Reason	Value
Comments/Influences		Gravel Road		WETLANDS		3.02	Total Acres	Total Est. Land Value =	51,260
		Paved Road							51,260
		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							
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
Who		When	What	2021	25,600	0	25,600	18,354C	
				2020	25,600	0	25,600	18,101C	
				2019	25,600	0	25,600	17,764C	
				2018	25,600	0	25,600	17,348C	

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

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
June 15, 2021 - 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, Marianne McCreary, Bill Rockwell, Jean Ledford, Michelle Kreutzberg, and Amy Ruthig, Zoning Official. Absent was Craig Fons.

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

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

**Approval of the Agenda:**

**Moved** by Board Member Ledford, seconded by Board Member McCreary, to approve the agenda as presented. **The motion carried unanimously.**

**Call to the Public:**

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

1. 21-12...A request by Chris Cetnor, 1825 Westgate Drive, for a size variance and side yard setback variance to allow for an existing addition to an existing detached accessory structure and an additional size variance for a proposed addition to an existing detached accessory structure and a proposed additional detached accessory structure.

Mr. Cetnor stated he was not aware that he needed a variance. He thought that since he had five acres he was able to build the accessory structure. He built the lean-to protect his camper. His builder determined where the house and barn would be placed. He knows he should have educated himself. He is also asking for another variance for another lean-to on the other side of the building to protect his trailer and another building that is a pool shed.

Board Member McCreary questioned when the lean-to was built. Mr. Cetnor stated that when he learned that the original size of the barn was too big, he decided to install the lean-to. He noted that the lean-to material matches the barn so it would look like his barn from his neighbor's property, and he cannot see the camper.

Mr. Cetnor stated there are two homes in his area that have more than one pole barn.

Chairman Rassel stated he noticed there are two homes that have very long breezeways connecting the homes to the outbuildings. Ms. Ruthig confirms this is done so that the residents can have a larger accessory structure.

Ms. Ruthig stated that with what is currently there and what the applicant is proposing, it would all be 1,296 square feet over what is allowed; however, he is allowed to have two structures as long as they meet the maximum square footage.

Board Member Rockwell asked if the property was zoned Country Estates, which is five acre lots, would he be able to have unlimited square footage. Ms. Ruthig stated, "yes". He also noted that if a breezeway was built, he could have a larger structure.

The call to the public was made at 6:50 pm.

Mr. Kerry Sincock who lives next to the applicant had also requested a variance for a barn and was denied. He then built a breezeway and attached it to the barn so a variance was not needed. There is a berm between their properties and he cannot see the house or the building. The building cannot be seen driving up the road. The pool house will not be able to be seen either because it is all surrounded by trees.

The call to the public was closed at 6:56 pm.

Mr. Cetnor stated he would modify his application to request only the existing lean-to and not the additional lean-to or the second accessory structure.

Ms. Ruthig stated there is a discrepancy in what was submitted on the application and what was on the land use permit so the side yard variance would be 14 feet and not 16 feet. If a variance is granted for only the existing lean-to, the size variance would be 725 square feet. She also suggested that a condition of any approval should be that the property is not able to be split unless the structure is removed.

**Moved** by Board Member Rockwell, seconded by Board Member to Ledford, to approve Case #21-12 for Mr. Chris Cetnor of 185 Westgate Drive, Howell, MI for two variance requests to keep an existing detached accessory structure. The first, is a variance of 720 square feet from the maximum allowable 1,200 square feet for a total square footage of 1,920 square feet. The second is a side yard variance of 14 feet from the required 30 feet for a side yard setback of 16 feet, based on the following findings of fact:

- Strict compliance with the side yard setback and square footage requirement would prevent the addition to the existing detached accessory structure to remain. The property is a conforming lot in the Rural Residential Zoning District with a 2 acre minimum, however, there are properties in the vicinity that are zoned Agricultural - at 10-acres - and Country Estates - at 5-acre minimum-, in which detached accessory structures are not limited by

size. This would support substantial justice and is necessary for a substantial property right similar to that possessed by other properties in the same vicinity of the subject parcel.

- The exceptional or extraordinary condition of the property is the location of the current home, pole barn and the unique size of the lot of five acres.
- The granting of these variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

The approval is conditioned upon:

1. The lot may not be subdivided unless the detached accessory structure is in compliance with current zoning rules.
2. The applicant shall apply for a land use permit and a building permit.

**The motion carried (Rockwell - yes; Kreutzberg - yes; McCreary - no; Rassel - yes; Ledford - yes).**

2. 21-13...A request by Adam Marchwinski, 1183 Fendt, for a variance to exceed the spacing between nearest parking space and building entrance requirement to allow a parking lot on a vacant lot.

Mr. Hugo Ceron, the project engineer, described the proposed project. The variance request is for the parking lot across the road from their building. They are maximizing the amount of parking spaces for the two-hour employee shift change. The improvements to the parking lot are paving, curb and gutter, drainage, and landscaping. They will also be installing an ADA-compliant sidewalk from this site to the site that has their building.

Board Member McCreary stated she reviewed this application when it was before the Planning Commission in the fall. This site is in the back of the industrial complex and she understands there is a need for the additional parking. The Township's engineer, planner, and attorney have all reviewed this.

The call to the public was made at 7:36 pm with no response.

**Moved** by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case #21-13 for 1183 Fendt Drive by Adam Marchwinski and the Planning Commission for a variance of ten feet to exceed the spacing between the nearest parking space and building entrance requirement to allow for a parking lot on a vacant lot. This approval is based on the following findings of fact and information referenced in Brian Borden's letter dated June 11, 2021 addressing this subject.

- Although variance is not necessary for development of any permitted industrial use, one is needed for the proposed employee parking lot. The proposed employee parking lot will mitigate the deficient amount of parking at the UPS facility, which is a nonconforming condition, yet is fully compliant with the zoning ordinance and is the minimum necessary. strict compliance may be viewed as unnecessarily burdensome to the applicant
- The subject site is somewhat irregular in shape with a curved front lot line and angled north side lot line.
- The approved site plan includes pedestrian connections between the proposed parking lot and the existing UPS facility for public safety and welfare.
- granting of the variance will not impair the supply of light and air, nor will it unreasonably impact traffic or public safety and will have no impact on the surrounding neighborhood since the neighborhood contains industrial land uses.
- Granting of the variance will not negatively impact development, continued use or value of surrounding properties.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the May 18, 2021 Zoning Board of Appeals meeting. Needed changes were noted.

**Moved** by Board Member Rockwell, seconded by Board Member Kreutzberg, to approve the minutes of the May 18, 2021 meetings as corrected. **The motion carried unanimously.**

2. Correspondence - Ms. Ruthig stated there are no cases scheduled for next month's meeting as of today.

3. Member Discussion

Ms. Ruthig stated that Ms. Skolarus would like to return to the ZBA with a different setback; however, the zoning ordinance states that an applicant cannot reapply for a variance within 12 months except on the grounds of new evidence or proof of a change in conditions for the original denial of the appeal. She has given Ms. Skolarus a copy of this ordinance.

After a brief discussion, the Board Members agreed that there has not been a change in conditions to the property.

4. Adjournment - **Moved** by Board Member Rockwell, seconded by Board Member Ledford, to adjourn the meeting at 7:59 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary