

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
SEPTEMBER 21, 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. 21-18...A request by Chestnut Development LLC, Chilson Road Tax ID 4711-33-401-027, for a side yard setback variance and a height variance to allow an existing subdivision entrance sign to remain.
2. 21-20...A request by Tim Chouinard, 956 Sunrise Park Drive, for front and rear yard setback variances to increase building height associated with converting the roof from a flat to a reverse gable style on an existing home.

Administrative Business:

1. Approval of minutes for the August 17, 2021 Zoning Board of Appeals meeting.
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

RE: Chestnut Springs Subdivision Entrance Sign

Case # 21-18 Meeting Date: Aug 17, 2021 @ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Chestnut Development, LLC Email: Permits@chestnutdev.com

Property Address: Chilson Rd, Howell Phone: 734-679-4356

Present Zoning: LDR Tax Code: 11-33-401-027

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

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

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

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

Please explain the proposed variance below:

1. Variance requested/intended property modifications: Requesting approval of variance for Subdivision sign at Chestnut Springs. Sign was constructed slightly taller than originally permitted.
Please see plan for specifications noted by MEGA Engineering.

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.

The neighborhood needs a sign that is well constructed and easily seen from Chilson Rd. Denying the variance would require a great amount of work, disturbance to either sign itself or the grade which is difficult because it sits on a permanent concrete pad.

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

The entrance to the property is sometimes difficult for outside people, contractors, etc. to find due to it's location. The small height difference could potentially be beneficial to residents.

Because of the very beautiful natural features surrounding the front entrance, the sign can be easily missed from some distance and any slight variance in height could help with visability.

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.

A slight height increase in the sign could make the Chestnut Springs Subdivision easier to locate from Chilson road for EMS, Fire and Police responders should any instances occur. It does not in any way cause any additional restraints on public welfare.

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

The variance does not impact surrounding properties.

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

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

Date: 7/7/21 Signature: Kelly Ralke, Agent of Chestnut



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: September 13, 2021
RE: ZBA 21-18

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

STAFF REPORT

File Number: ZBA#21-18
Site Address: Vacant, Chilson Road, Howell
Parcel Number: 4711-33-401-027
Parcel Size: 2.12 Acres
Applicant: Chestnut Development, LLC.
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a side yard setback variance and sign height variance to allow an existing monument sign to remain.
Zoning and Existing Use: LDR (Low Density Residential) A new residential subdivision is under construction.
Other:

Public hearing was published in the Livingston County Press and Argus on Sunday September 5, 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 Township Records, the new subdivision was approved in 2020.
- In 2019, a sign permit was issued for the existing monument sign. (see attached permit)
- The parcel is serviced by private 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 applicant is requesting a side yard setback variance and sign height variance to allow for an existing sign to remain (See attached permit). The applicant originally was requesting a sign height variance however it has been determined by Township Staff that the sign was not constructed in the approved location.

Variance Requests

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

16.06.03 Sign setbacks: (a) All signs, unless otherwise provided for, shall be setback a minimum of ten (10) feet from any public street right-of-way or property line. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.

16.07.10 Residential community or development identification signs: One permanent sign per driveway which does not exceed thirty-six (36) square feet in area and a maximum height of six (6) feet identifying developments such as a college, a subdivision, an apartment complex, condominium communities, senior housing complexes, mobile home parks and similar uses. (as amended 11/02/20)

Residential Sign Requirements	Sign Height	Side Setback
Required	6'	10'
Amount Requested	7.04'	0'
Variance Amount	1.04'	10'

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the ordinance would prevent the applicant from maintaining the existing sign. Granting of the requested variance does not provide substantial justice or a substantial property right similar to that possessed by other subdivisions in the same zoning district. Relocating the sign to the original approved location would not place the sign further from Chilson Road.
- (b) Extraordinary Circumstances** – There are no exceptional or extraordinary conditions of the property. The applicant should demonstrate that the request is not self-created. Due to the sign not being constructed in the correct location is not an extraordinary circumstance. Relocating the sign to the original approved location would not place the sign further from Chilson Road.
- (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.

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

Recommended Conditions

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

1. No additional ground signage will be allowed.
2. Ground lighting source shall not be visible from the road.

If the Zoning Board of Appeals denies the variance request, staff recommends the following conditions to be placed on the denial:

1. Sign must be relocated within 60 days from denial.
2. Ground lighting source shall not be visible from the road.

GENOA TOWNSHIP





Genoa Township

2911 Dorr Road, Brighton, Michigan 48116
 Phone: 810-227-5225 Fax: 810.227.3420 www.genoa.org

Planning & Zoning

PS19-018

Issued: 08/29/2019
 Expires: 08/28/2020

Sign
Ground Sign

LOCATION	OWNER	APPLICANT
CHESTNUT SPRINGS 4711-33-401-026 Zoning: LDR	CHESTNUT DEVELOPMENT LLC 3800 CHILSON RD HOWELL MI 48843-9457 Phone: E-mail: permits@chestnutdev.com	CHESTNUT DEVELOPMENT LLC 3800 CHILSON RD HOWELL MI 48843-9457 Phone: E-mail: permits@chestnutdev.com

Work Description: Install monument sign for Chestnut Springs. Sign will not have any lighting.

Planning Commission Approval:

ZBA Approval:

Board Approval:

Comments/ Conditions: Sign height shall not exceed 6 feet from grade and sign shall be setback at least 10 feet from road right-of-way and property lines.

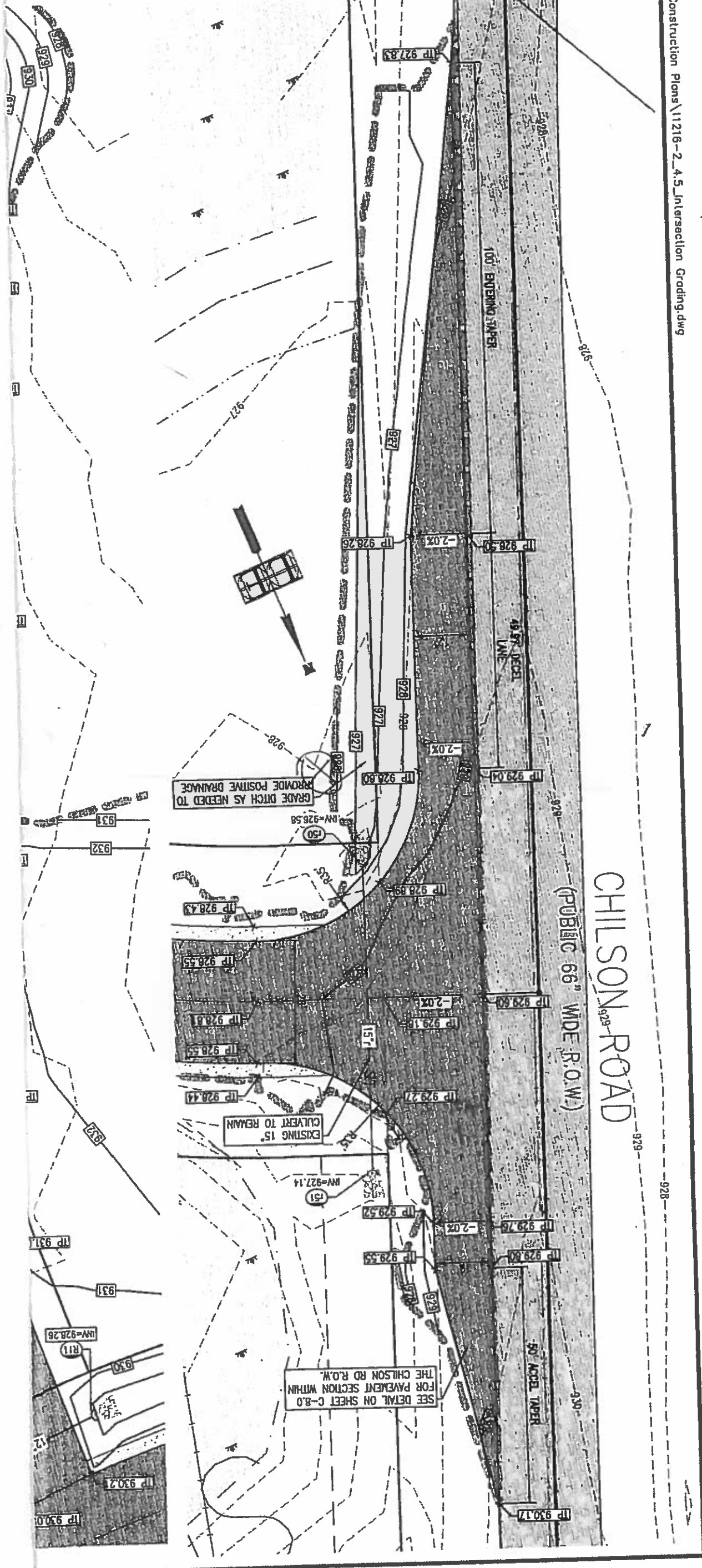
Permit Item	Permit Fee	Fee Basis	Item Total
Sign Application Fee	Permit Fee	1.00	75.00

Fee Total: \$75.00
 Amount Paid: \$75.00
Balance Due: \$0.00

Issuance of this permit confirms the applicants certification that all information and data attached to and made part of this permit are true and accurate and to the best of the applicants knowledge and belief. The applicant has certified that the proposed work has been authorized by the owner of record and that the applicant has been authorized by the owner to obtain this permit as the authorized agent. The applicant has agreed to conform to all applicable laws, codes and ordinances of the State of Michigan, Livingston County and Genoa Township. The applicant acknowledges that private covenants and restrictions are potentially enforceable by private parties. This permit authorizes on-site inspections by an official representative of Genoa Charter Township. This permit is valid for a period of 12 months from the date of issue and the applicant agrees that any modifications must be approved by Genoa Township.

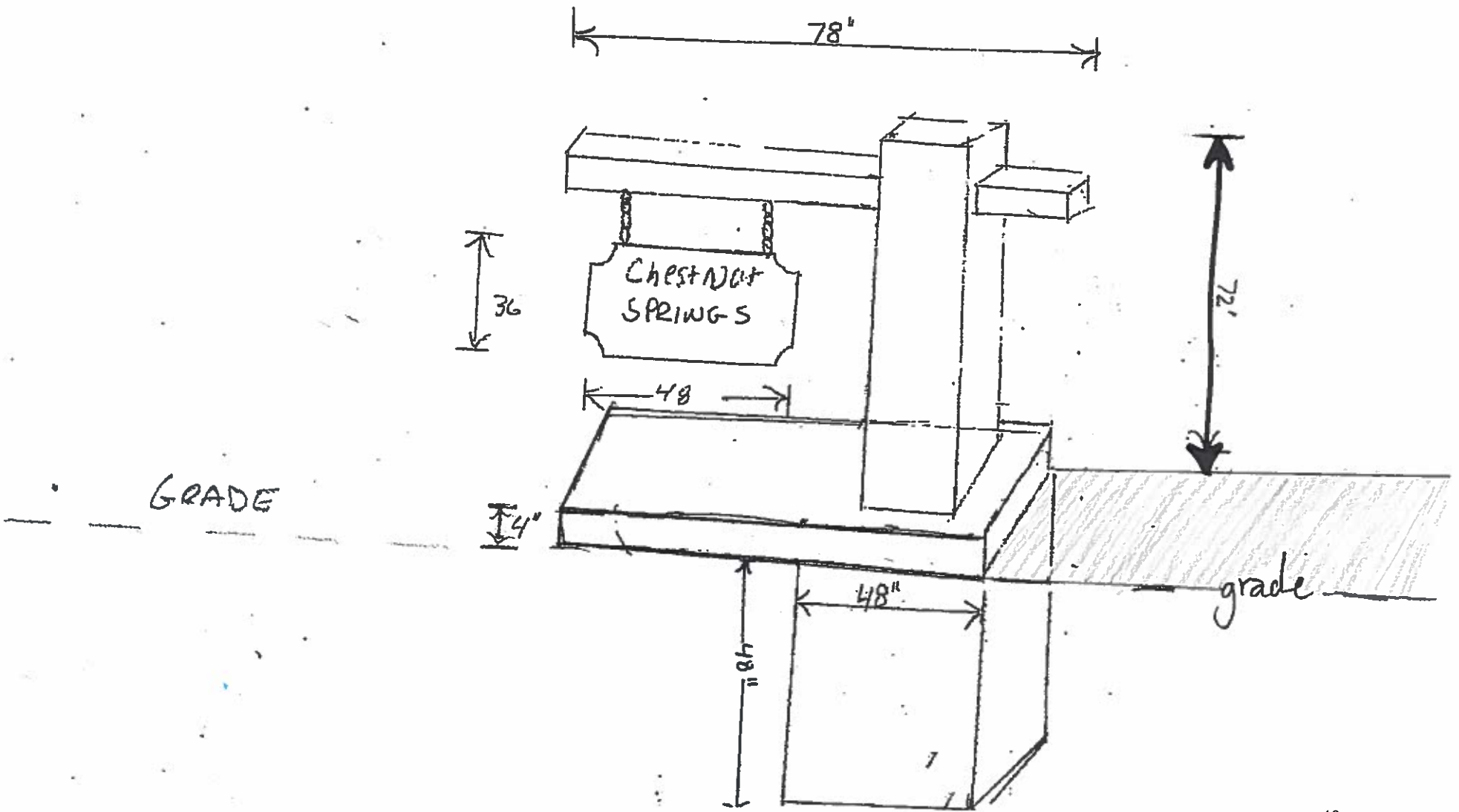
SCALE: 1" = 20'

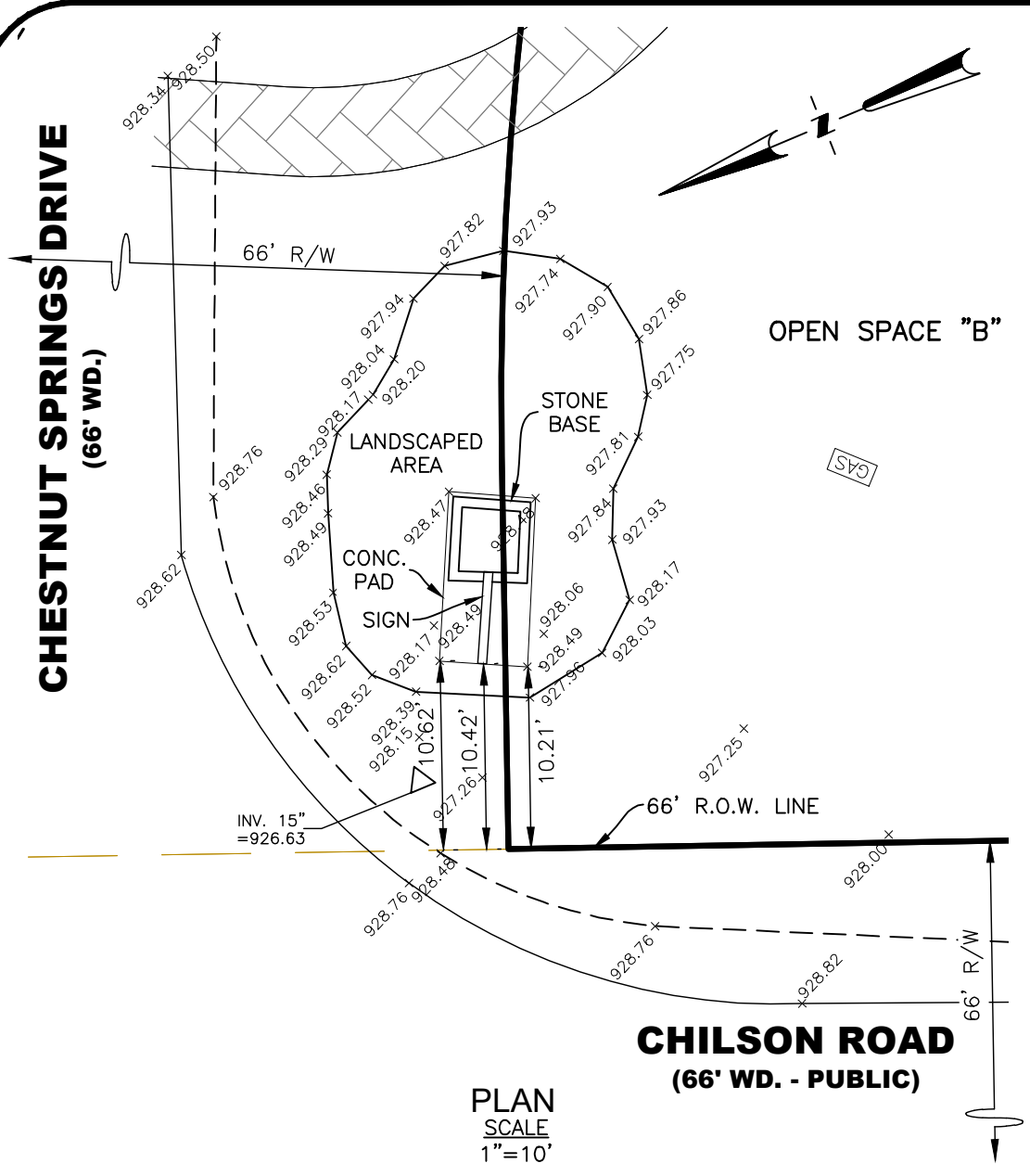
DETAIL A



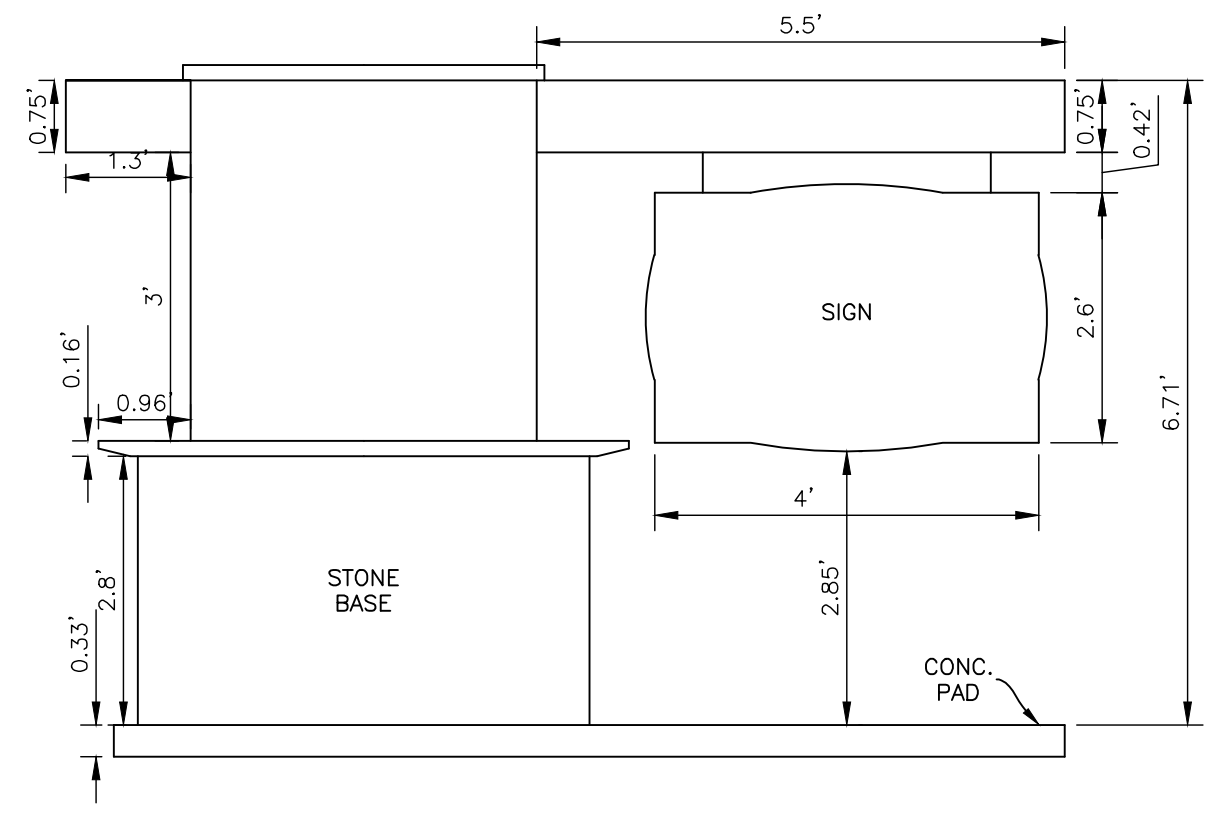
Sign will be 43 ft back from centerline, 10 ft from right away.

GENOA TOWNSHIP
AUG 29 2019
PERMIT APPROVED





PLAN
SCALE
1"=10'



ELEVATION
SCALE
1"=2'

LEGEND

PROPOSED	EXISTING	
UG-ELEC	UG TELE, MH, TELE PED, CABLE PED	
	UG FIBER, PED, LINE MARKER, VAULT	
	UG ELEC, MH, TRANSFORMER, AC UNIT, METER	
	OH ELEC, UTIL POLE, GUY WIRE	
	GROUND LIGHT, POLE, POLE W/ ARM LT	
	LIGHT MH, LT CTRL BOX, PH. BOOTH, PARK. METER	
	ELEC HAND HOLE, OUTLET, SIGNAL MH, SIGNAL BOX	
	UG GAS, MH, VALVE, LINE MARKER	
	GAS WELL, METER, VENT	
	WATER MAIN, MH, VALVE IN BOX, HYDRANT, FDC	
	WATER WELL, METER, STOP BOX, POST INDICATOR VALVE	
	STORM SEWER, MH, CB, INLET, YARD DRAIN	
	SANITARY SEWER, MH, CLEAN OUT	
	SIGN, FLAG POLE, GUARD POST, ROCK	
	SPOT ELEVATION	
	CONTOUR	
	FENCE	
	CONCRETE PAVEMENT	

SIGN EXHIBIT

<p>ENGINEERS · SURVEYORS · CONSULTANTS · LANDSCAPE ARCHITECTS · LAND PLANNERS</p>		<p>CLIENT: CHESTNUT DEVELOPMENT</p>
<p>298 VETERANS DRIVE FOWLerville, MICHIGAN 48836 (OFFICE) 517-223-3512</p>		<p>SE 1/4 SEC 33 & SW 1/4 SEC 34 T2N-R5E GENOA TWP</p> <p>(M) - Measured Dist. (R) - Recorded Dist.</p> <p>● MON - Found Concrete Monument</p> <p>● FIR/P - Found Iron Rod/Pipe</p> <p>○ SIR - Set Iron Rod</p> <p>▲ MAG - Set Magnetic Nail</p> <p>P.O.B./E. - Point of Beginning/Ending</p> <p>● - Soil Evaluation Dig</p> <p>* * * - Fence</p>
<p>SCALE: 1" = 10'</p>	<p>DATE: 8/13/2021</p> <p>SHEET: 1 of 1</p>	<p>DR. BY: MN</p> <p>CHK: AP</p> <p>JOB No. 20-152</p>

From: [Sco Renaud](#)
To: [Amy Ruthig](#)
Cc: [Chris Renaud](#); [Amy Havican](#)
Subject: Request by Chestnut Development for Chilson Rd Tax ID 4711-33-401-027
Date: Wednesday, September 8, 2021 11:48:09 AM


Hi Amy,

I just wanted to get in touch with you regarding the request made by Chestnut Development for Chilson Rd Tax ID 4711-33-401-027 entailing the height and setback variance of the subdivision entrance sign. My wife and I will be a resident in the Chestnut Springs neighborhood and we would like to voice out approval and support for keeping the existing sign in the current location.

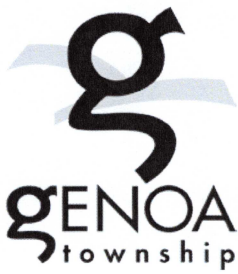
If you would like to contact us for any more information please feel free to reply to this email, or you call me at 313-805-6559.

Thank you,

Chris and Amy Renaud

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								
4710 CHESTNUT SPRINGS DR		School: PINCKNEY COMMUNITY SCHOOLS		Other		08/26/2019		P19-123										
Owner's Name/Address		P.R.E. 0%		MAP #: V21-18														
CHESTNUT DEVELOPMENT LLC 3800 CHILSON RD HOWELL MI 48843-9457		2022 Est TCV Tentative																
Tax Description		Improved	X	Vacant	Land Value Estimates for Land Table 4053.CHESTNUT SPRINGS													
SEC 33/34 T2N R5E CHESTNUT SPRINGS SITE CONDOMINIUM OPEN SPACE B SPLIT/COMBINED ON 04/05/2019 FROM 4711-33-400-003, 4711-34-300-005;		Public Improvements		* Factors *		OPEN SPACE LOT		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value			
Comments/Influences		Dirt Road		Gravel Road		Paved Road		Storm Sewer		Sidewalk		Water Sewer		Electric Gas				
CHESTNUT SPRINGS SITE CONDOMINIUM OPEN SPACE B SPLIT/COMB. ON 04/05/2019 COMPLETED 04/05/2019 DUFFY ; PARENT PARCEL(S): 4711-33-400-003, 4711-34-300-005; CHILD PARCEL(S): 4711-33-401-001, 4711-33-401-002, 4711-33-401-003, 4711-33-401-004, 4711-33-401-005, 4711-33-401-006, 4711-33-401-007		Curb		Street Lights		Standard Utilities		Underground Utils.		Topography of Site		Level		Rolling				
		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	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT
		4711-33-401-027		10/23/2020		JB 10/23/2020 INSPECTED		2021	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT	EXEMPT
		The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan						2020	0	0	0	0	0	0	0	0	0	0
						2019	0	0	0	0	0	0	0	0	0	0		

*** 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 # 21-20 Meeting Date: September 21, 2021
@ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: TIM CHOUINARD Email: TIMCHOUINARD@SBCGLOBAL.NET
Property Address: 956 SUNRISE PARK ST HOWELL Phone: 517-546-6587
Present Zoning: LRR Tax Code: 4711-09-201-135

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:** I am requesting a 11' 2" rear yard variance to
replace a failing flat roof and replace with a new reverse gable roof with new gutters and shingles.
I am also requesting a front yard variance of 8' 2" to construct a reverse gable over the front door on
the existing roof so a standard 6' 8" door will fit.

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.
Granting of the variances will improve the drainage, keep rain water out of the home and will improve the overall look of the home.

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

The extraordinary circumstances are that the existing building is non conforming with a poorly constructed roof that needs to be replaced with a code compliant structure.

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

The granting of the variance will not impair an adequate supply of light and air to adjacent property, will not affect traffic, will be less of a danger of fire and public safety and will not impair public morals, comfort or welfare of the inhabitants of Genoa Township.

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

The requested variance will help the looks of the existing structure and will keep the structure from failing completely therefore encouraging the surrounding neighbors to improve the development of the neighborhood.

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

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

Date: _____ Signature: _____



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: September 13, 2021

RE: ZBA 21-20

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

STAFF REPORT

File Number: ZBA#21-20
Site Address: 956 Sunrise Park Drive, Howell
Parcel Number: 4711-09-201-135
Parcel Size: .142 Acres
Applicant: Timothy Chouinard, 932 Sunrise Park Drive
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 increase building height associated with converting the roof from a flat to a reverse gable style on an existing home.

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

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday September 13, 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 home was built in 1945.
- Parcel is serviced by public sewer and private well.
- See Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

The proposed project is to convert an existing flat roof with a reverse gable style roof on an existing home. In order to construct the new roof design, the applicant would be required to obtain front and rear yard setback variances. The applicant is proposing to maintain the same setbacks as the existing home. No height variance is required.

Variance Requests

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

Table 3.04.01 (LRR District):

SINGLE FAMILY STRUCTURE	Front Setback	Rear Setback
Required Setbacks	35'	40'
Setback Amount Requested	26.9	28.9'
Variance Amount	8.3'	11.3'

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 front and rear yard setbacks would prevent the applicant from constructing the proposed new roof. The proposed placement of the new roof will maintain the same setbacks as the existing structure. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property. There are multiple homes in immediate vicinity that do not meet the front and rear yard setbacks.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrowness of the lot and the location of the existing home. The front and rear yard setback variances would make the property consistent with other properties in the vicinity and the need for the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

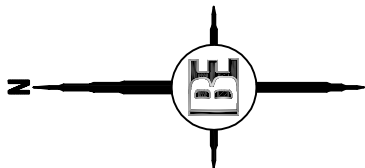
Recommended Conditions

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. Building height must not exceed 25 feet.
3. Any other improvements must meet the Zoning Ordinance.



SURVEY



LEGEND

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

CURRENT ZONING: LRR
 (LAKE SHORE RESORT RESIDENTIAL)
 MINIMUM SETBACK REQUIREMENTS:
 FRONT = 35 FEET
 SIDES = 10 FEET
 REAR = 40 FEET
 MINIMUM LOT AREA = 12,800 SQ. FT. ±
 MINIMUM LOT WIDTH = 80 FEET
 MAXIMUM LOT COVERAGE = 35%
 BLDG. 50% IMP. SUR.
 MAXIMUM BUILDING HT. = 25 FEET
 OR (2) STORIES

In the LRR Zoning District one of the side yards may be reduced to a minimum of five (5) feet where all of the following are met:

- (1) The other side yard must be at least ten (10) feet.
- (2) The distance between the building and any building on the adjacent lot shall be no less than ten (10) feet.
- (3) The roof shall have gutters. (as amended 3/5/10)

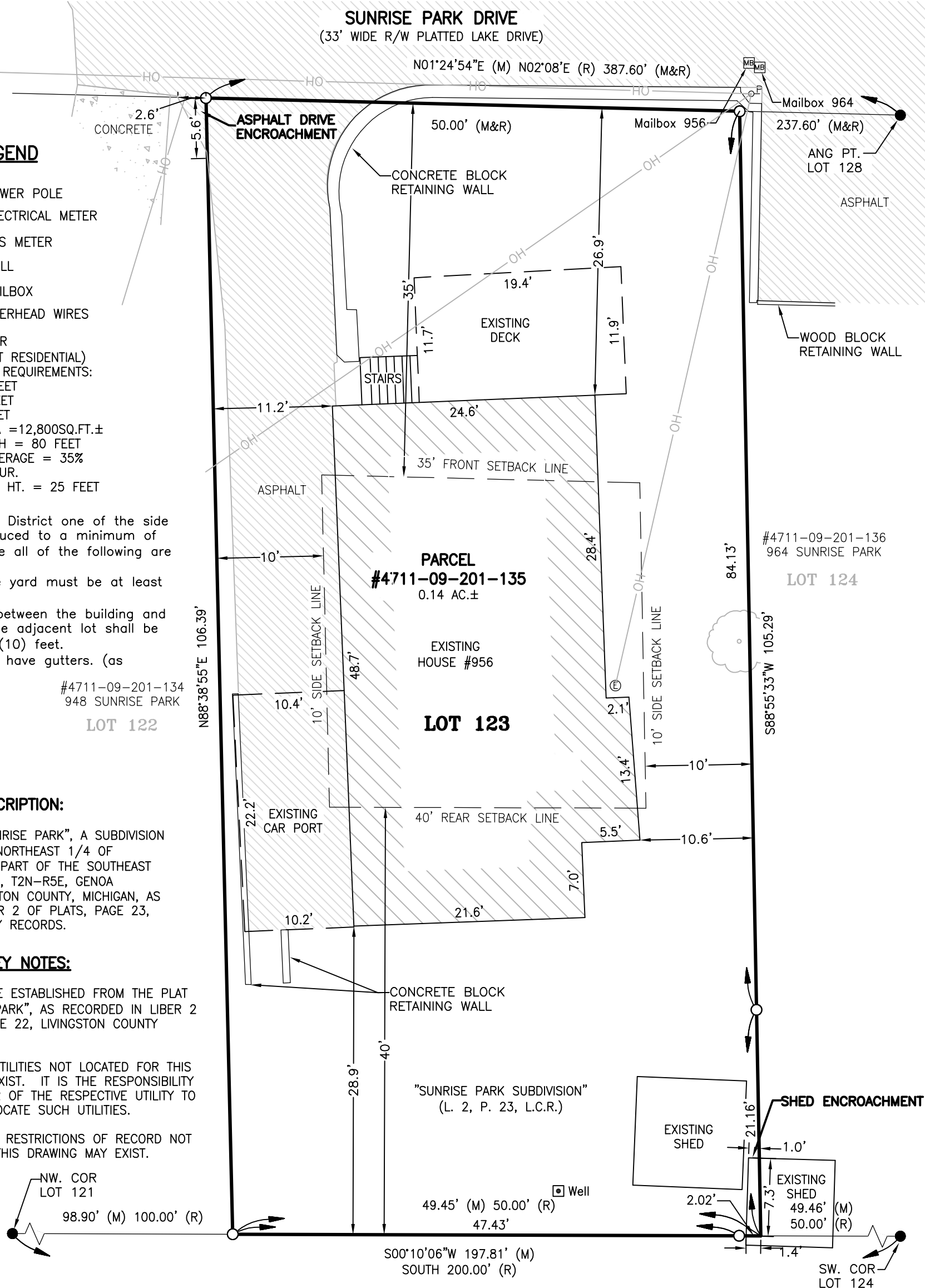
#4711-09-201-134
 948 SUNRISE PARK
LOT 122

PROPERTY DESCRIPTION:

LOTS 123 OF "SUNRISE PARK", A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 9 AND A PART OF THE SOUTHEAST 1/4 OF SECTION 4, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.

GENERAL SURVEY NOTES:

1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 22, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.



DESCRIPTION:

PART OF THE NE 1/4 OF SECTION 9 & SE 1/4 OF SECTION 4, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

BEBOSS
Engineering
 Engineers Surveyors Planners Landscape Architects
 3121 E. GRAND RIVER AVE.
 HOWELL, MI. 48843
 517.546.4836 FAX 517.548.1670

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY CONFLICTS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.

CLIENT:	CHOUINARD CUSTOM HOMES		
JOB NO.	20-424	DATE	10-19-20
SHEET	1 OF 1	FB 561	CREW GD/TG DR. KJ CHKD.

10 0 5 10
 SCALE: 1 INCH = 10 FEET

LEGEND
 ○ = STEEL ROD SET
 ● = STEEL ROD/PIPE FD
 ⊙ = MONUMENT FOUND
 * = FENCE
 (R) = RECORDED
 (M) = MEASURED



**3 WORKING DAYS
 BEFORE YOU
 CALL MISS DIG**
 1-800-482-7171
(TOLL FREE)
 FOR THE LOCATION OF UNDERGROUND FACILITIES



Elevation 4



Elevation 1



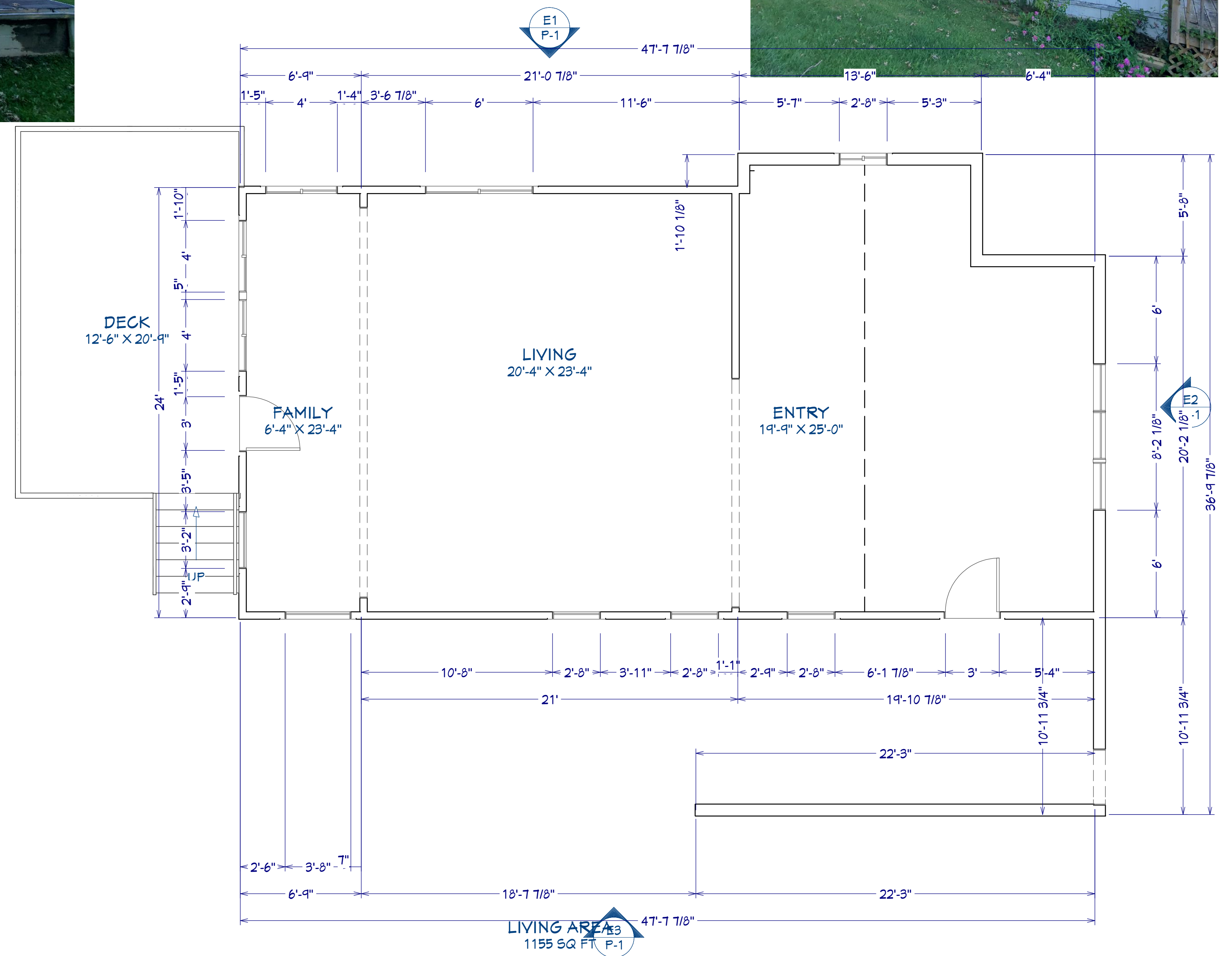
Elevation 2



E4
P-1



Elevation 3



Floor Plan View Dimensioned

EXISTING STRUCTURE

956 SUNRISE PARK ST
HOWELL, MI
GENOA TOWNSHIP

DRAWINGS PROVIDED BY:
CHOUINARD CUSTOM HOMES LLC
932 SUNRISE PARK ST
HOWELL, MI 48843

DATE:
8/20/2021

SCALE:
1/4" = 1'

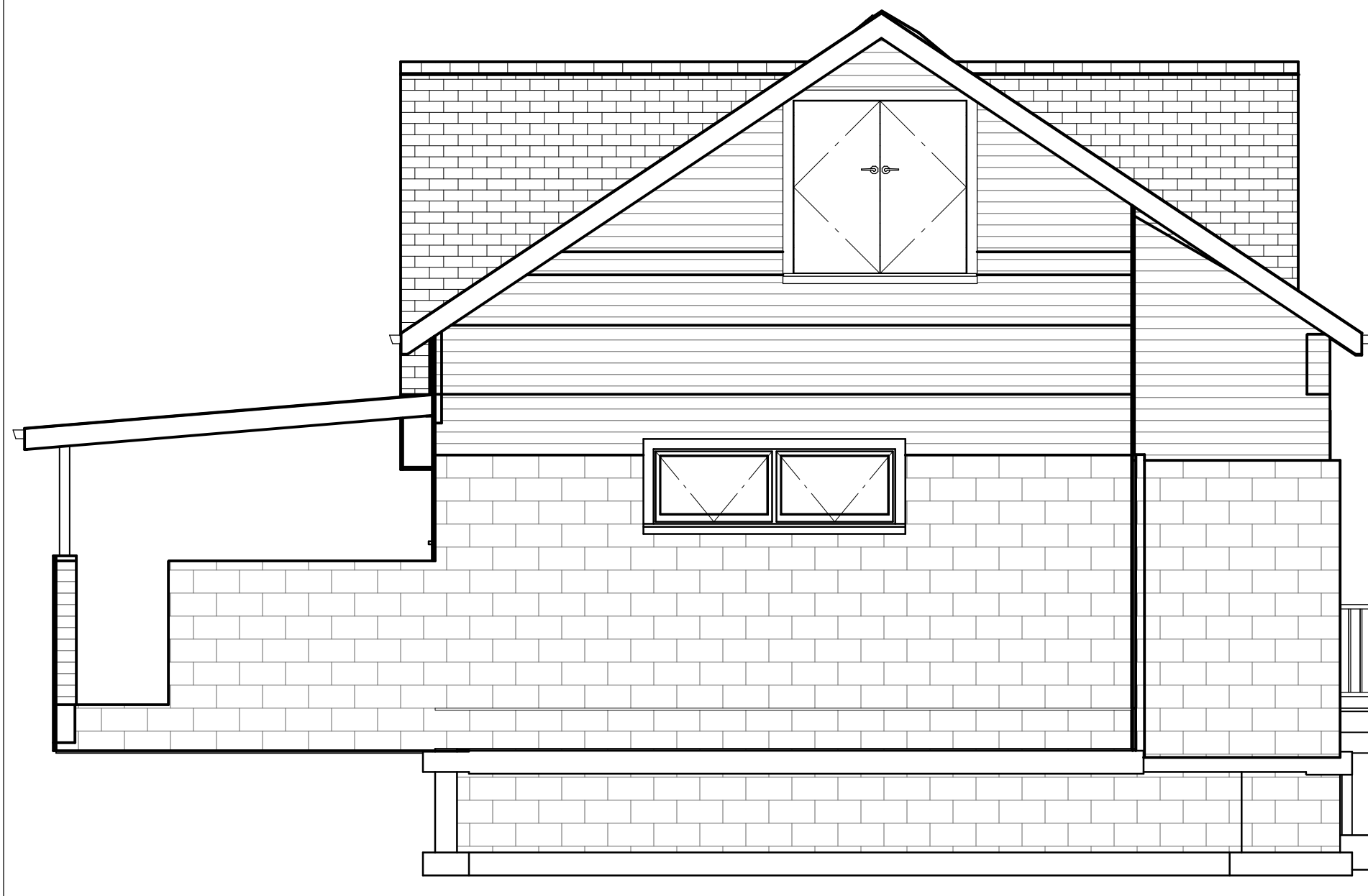
SHEET:
1



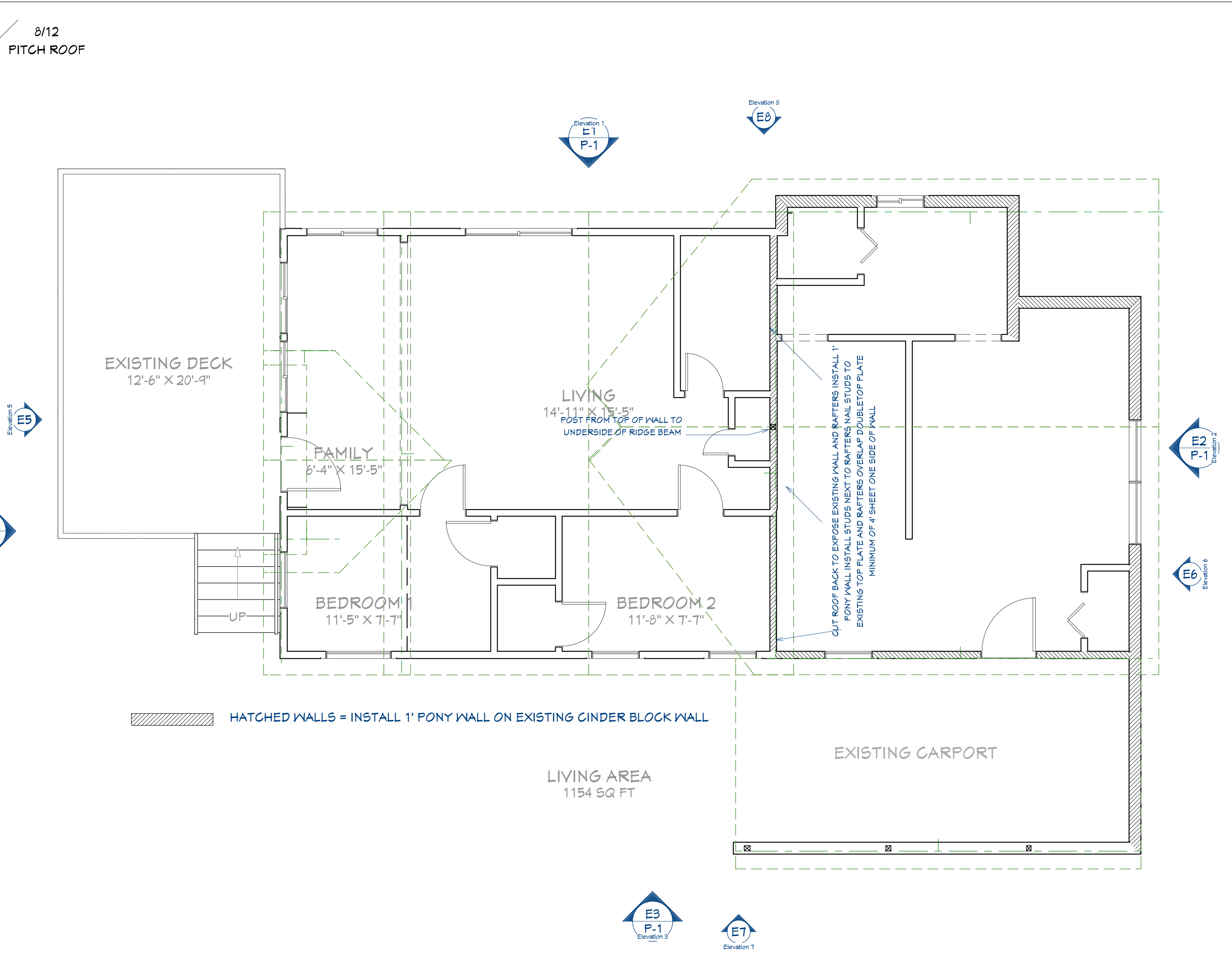
Elevation 7



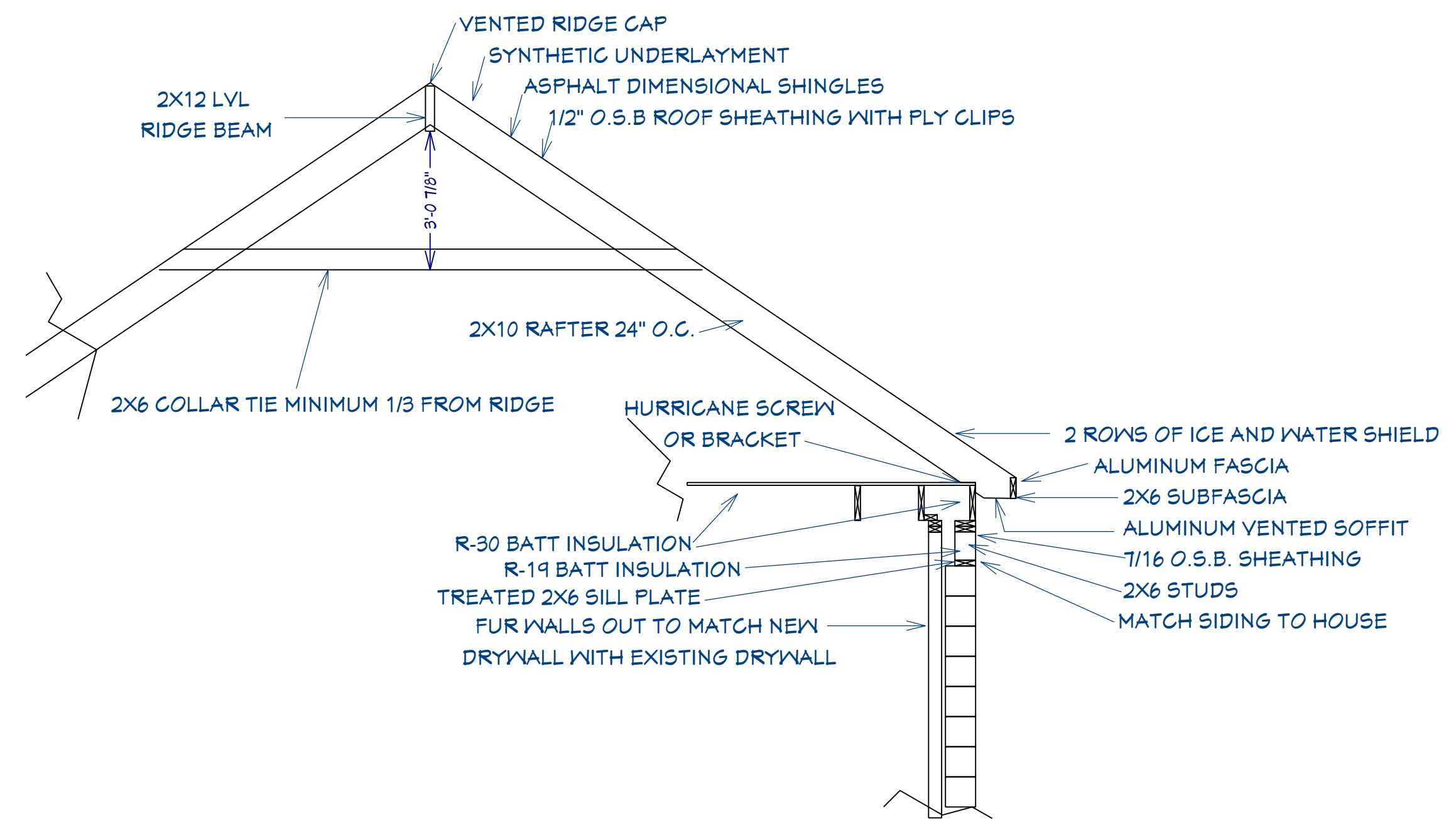
Elevation 8



Elevation 6



Floor Plan View Shell



ROOF BUILD



Elevation 5

PROPOSED ROOF REMODEL

956 SUNRISE PARK ST
HOWELL, MI
GENOA TOWNSHIP

DRAWINGS PROVIDED BY:
CHOUINARD CUSTOM HOMES LLC
932 SUNRISE PARK ST
HOWELL, MI 48843

DATE:
8/20/2021

SCALE:
1/4" = 1'

SHEET:
2

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
KNIVILA REVOCABLE TRUST	CHOUINARD TIMOTHY	110,000	12/18/2017	WD	03-ARM'S LENGTH	2017R-037663	BUYER/SELLER	100.0		
KNIIVILA TRUST	KNIVILA THOMAS M & JACQUEL	0	10/01/2010	WD	21-NOT USED	2010R-031284	BUYER/SELLER	0.0		
KNIVILA THOMAS M & JACQUEL	KNIVILA REVOCABLE TRUST	0	10/01/2010	WD	21-NOT USED	2011R-009011	BUYER/SELLER	0.0		
KNIIVILA THOMAS & JACQULIN	KNIIVILA TRUST	0	04/29/2005	PTA	21-NOT USED		BUYER/SELLER	0.0		
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR	Building Permit(s)		Date	Number	Status	
956 SUNRISE PARK		School: HOWELL PUBLIC SCHOOLS								
Owner's Name/Address		P.R.E. 0%								
CHOUINARD TIMOTHY 932 SUNRISE PARK ST HOWELL MI 48843-7501		MAP #: V21-20								
Tax Description		2022 Est TCV Tentative		Land Value Estimates for Land Table 4302.SUNRISE PARK						
SEC. 9 T2N, R5E, SUNRISE PARK LOT 123		X	Improved	Vacant	* Factors *					
Comments/Influences		Public Improvements		Description Frontage Depth Front Depth Rate %Adj. Reason Value						
		Dirt Road		C NON LF 50.00 124.00 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								
		X	REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
		Who	When	What	2022	Tentative	Tentative			Tentative
		JB	01/19/2018	INSPECTED	2021	23,800	32,300	56,100		51,315C
		CG	07/12/2016	REVIEWED R	2020	23,800	32,000	55,800		50,607C
					2019	23,800	31,400	55,200		49,664C

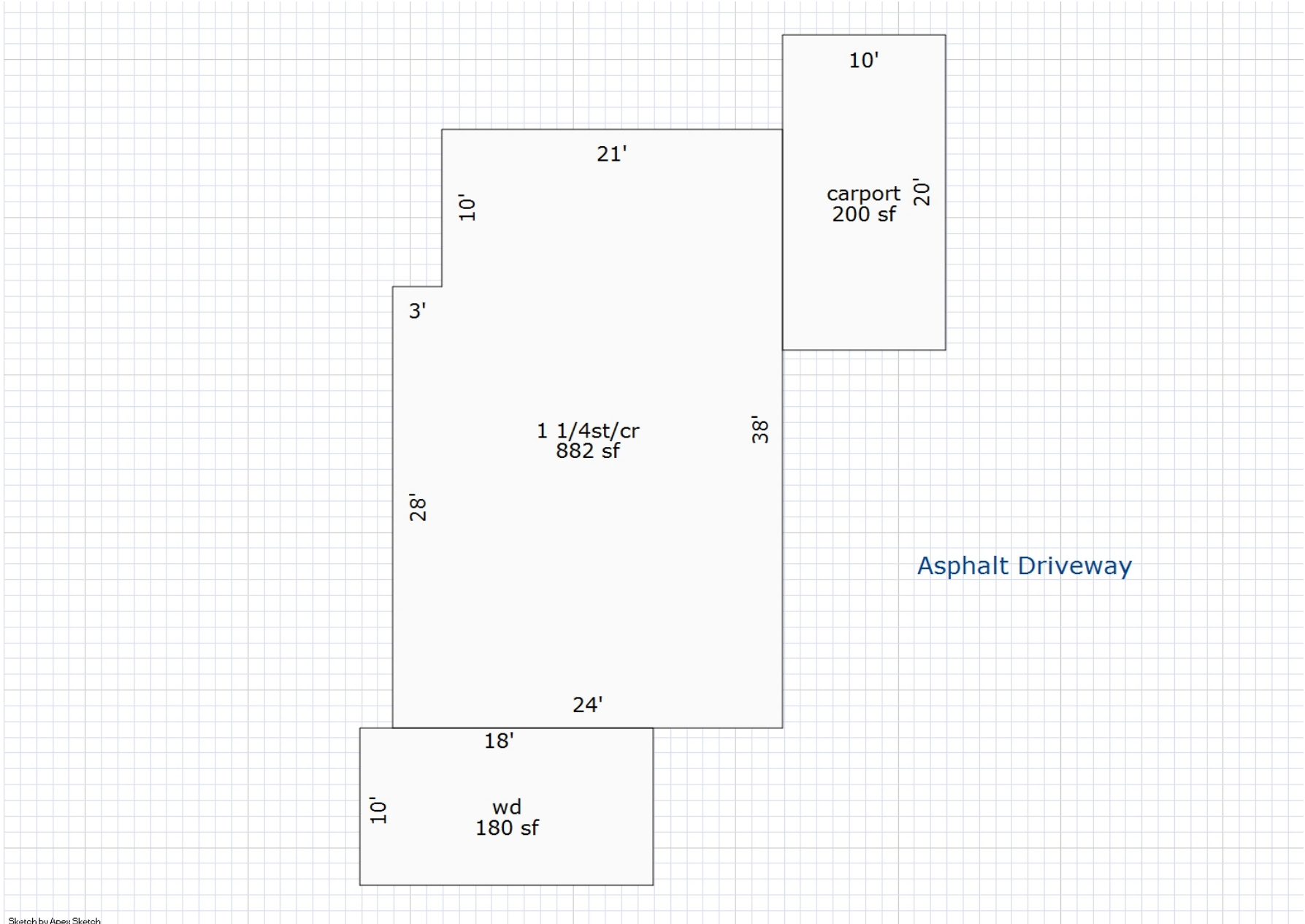


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*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 180	Type Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling		Central Air Wood Furnace								
Building Style: D		Trim & Decoration															
Yr Built 1945	Remodeled 0	Ex	X	Ord		Min											
Condition: Good		Size of Closets															
		Lg	X	Ord		Small											
Room List		Doors:		Solid	X	H.C.											
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:															
(1) Exterior		(5) Floors															
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	Kitchen: Other: Other:															
(2) Windows		(6) Ceilings															
X	Many Avg. Few	X	Avg. Small														
(3) Roof		(7) Excavation															
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Basement: 0 S.F. Crawl: 882 S.F. Slab: 0 S.F. Height to Joists: 0.0															
(4) Chimney: Brick		(8) Basement															
X	Gable Hip Flat	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor															
X	Gambrel Mansard Shed	(9) Basement Finish															
X	Asphalt Shingle	Recreation SF Living SF Walkout Doors No Floor SF															
(5) Roof		(10) Floor Support															
X	Chimney: Brick	Joists: Unsupported Len: Cntr.Sup:															
(6) Roof		(11) Heating/Cooling															
X	Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic Lump Sum Items:																
(7) Roof		(12) Electric															
(8) Roof		No./Qual. of Fixtures															
(9) Roof		Ex. X Ord. Min															
(10) Roof		No. of Elec. Outlets															
(11) Roof		Many X Ave. Few															
(12) Roof		(13) Plumbing															
(13) Roof		Average Fixture(s)															
(14) Roof		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															
(15) Roof		(14) Water/Sewer															
(16) Roof		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic Lump Sum Items:															
(17) Roof		Notes:															
(18) Roof		ECF (4305 SUNRISE PARK NON LAKEFRONT) 1.210 => TCV:															
(19) Roof		Cost Est. for Res. Bldg: 1 Single Family D															
(20) Roof		(11) Heating System: Forced Air w/ Ducts															
(21) Roof		Ground Area = 882 SF Floor Area = 1102 SF.															
(22) Roof		Phy/Ab.Phy/Func/Econ/Comb. % Good=47/100/100/100/47															
(23) Roof		Building Areas															
(24) Roof		Stories Exterior Foundation															
(25) Roof		1.25 Story Siding Crawl Space															
(26) Roof		Size															
(27) Roof		882															
(28) Roof		Total:															
(29) Roof		98,989															
(30) Roof		46,526															
(31) Roof		Other Additions/Adjustments															
(32) Roof		Plumbing															
(33) Roof		2 Fixture Bath															
(34) Roof		1															
(35) Roof		1,893															
(36) Roof		890															
(37) Roof		Deck															
(38) Roof		Treated Wood															
(39) Roof		180															
(40) Roof		3,249															
(41) Roof		1,527															
(42) Roof		Water/Sewer															
(43) Roof		Public Sewer															
(44) Roof		1															
(45) Roof		1,033															
(46) Roof		486															
(47) Roof		Water Well, 200 Feet															
(48) Roof		1															
(49) Roof		8,798															
(50) Roof		4,135															
(51) Roof		Fireplaces															
(52) Roof		Exterior 1 Story															
(53) Roof		1															
(54) Roof		4,370															
(55) Roof		2,054															
(56) Roof		Carports															
(57) Roof		Fiberglass															
(58) Roof		200															
(59) Roof		2,126															
(60) Roof		999															
(61) Roof		Totals:															
(62) Roof		120,458															
(63) Roof		56,617															
(64) Roof		68,507															

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



Sketch by Apex Sketch

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
August 17, 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, Jean Ledford, Bill Rockwell, Craig Fons, and Amy Ruthig, Zoning Official. Absent was Michelle Kreutzberg.

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 Rockwell, 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.

21-17...A request by Jeff and Mary Beyers, 5373 Wildwood Drive, for a front yard setback variance to construct an addition on an existing single-family home.

Mr. Beyers stated the reason to make these modifications to his home is to increase the living area. The home and the carport are extremely close to the road, and all but 3 of the 26 homes on the lake side of the road are in the same location. The existing home and carport already have non-conforming setbacks. The proposed additional falls within the footprint of the existing home. There are other homes that have the same setbacks and a second story.

Chairman Rassel noted that Staff's report stated there was a previous variance request for a fence, which was denied, but the fence was built anyway. Mr. Beyers stated the fence he has is temporary and he can take it down within an hour. Ms. Beyers stated the fence prevents people from falling off the stone wall. It is just a temporary garden fence.

Ms. Ruthig read the ordinance definition of a fence. Board Member McCreary asked the Beyers if they agree that what they have is a fence and Ms. Beyers stated, "yes".

The call to the public was made at 6:41 p.m.

Genoa Township Zoning Board of Appeals Meeting

August 17, 2021

Unapproved Minutes

Ms. Tanya Nicastrì of 5368 Wildwood Drive lives directly across the street from the Beyers. This addition will block her view of the lake and will require more parking. There is already limited parking in the neighborhood. She is also concerned with safety. The Beyers have to park right in front of their front door.

Mr. Gerald Matevia of 5309 Wildwood Drive stated he has lived here since 1952. This is a very narrow road, the homes are close to the road, and there is limited parking. The Beyers want to go straight up and will not go any closer to the road. He does not have an issue with this request or the fence that they have.

Mr. Mark West of 5365 Wildwood lives just west of the Beyers. The dimensions on the drawing are not accurate. The land should be surveyed to determine the property lines. Board Member McCreary stated the applicant is not asking to expand the boundaries of their home. Mr. West stated they currently park in the area between his home and their home.

Ms. Schandra Murray Moore of 5377 Wildwood Drive is concerned with the parking. Vehicles are constantly parking in her driveway and in front of it blocking her in. This addition would block the sunlight coming into her house and her view of the lake on this side. They do not have a view of the lake on the other side because that neighbor has a two-story home. The Beyers planted a tree on her property because they do not know where their property lines are.

Mr. Scott Powers, the Beyers' son-in-law and builder, does not agree that someone should not be able to improve their home because it blocks others' views. The neighbor who spoke parks their travel trailer and motorcycle in the driveway and they have a trampoline. The request is compliant with the ordinance.

Mr. Sullivan David of 5372 Wildwood, who lives across from the Beyers, stated that when he purchased his home he did so because of the view. The previous owner of this property requested a variance to add a second story and was denied. The Beyers have created this hardship. They use the easement next to their home as their own personal parking area. He will lose his view and there is very little parking in this area.

Ms. Mary Berenger of 5359 Wildwood stated she was before the ZBA when they were building their home. She is sympathetic to the Beyers as this is a tiny home. Living on a lake always has issues with views, the homes being close together, and parking. There is not a lot of trust from the neighbors that the applicant will adhere to the ordinance when they are building this addition due to the previous issues with the fence and the tree that was planted.

Ms. Nicastrì stated her view is very important to her and currently there is nothing blocking it. She had suggested to the Beyers that they build their addition closer to the lake. This is against the quality of life for her and her neighbors and will affect their property values. She suffers from PTSD and looking at the lake is helpful.

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

Board Member McCreary stated that having a survey is not a requirement of granting a variance; however, there are concerns from the neighbors so she asked if they would be willing to obtain a survey. Mr. Beyers stated, "yes". The home has been there for almost 100 years and is very small. She appreciates that the neighbors enjoy their view of the lake, but the applicant has the right to add the addition. The request is not for a height variance.

Board Member Rockwell asked if the applicant could have an architect draw the plans for the home. He wants to ensure that the specifications and the addition adhere to the ordinance. Mr. Beyers stated, "yes", noting the proposed height is 19 feet.

Moved by Board Member McCreary, seconded by Board Member Fons, to approve Case #21-17 for 5373 Wildwood Drive to construct a second-story addition on an existing single-story home for a front-yard setback variance of 9 feet, 4 inches from the required 35 feet for a setback of 25 feet, 8 inches, based on the following findings of fact:

- Strict compliance with the current setbacks would prevent the applicant from constructing the proposed addition. The home, as it currently is situated on the lot has a front yard and setback that is closer than the requested variance. The applicant is not requesting a side or rear yard variance. Granting this variance will provide substantial justice that others enjoy in the immediate area. There are a number of homes in the immediate area that do not meet the front yard setback.
- The extraordinary circumstances are the narrowness of the lot and location of the existing home. The applicant's request to build a second story addition with a setback less further from the road and less than it currently has demonstrates the request for the variance is the least amount necessary. Multiple homes in the area do not meet front yard setbacks, thereby making it consistent with surrounding properties. The need for the variance is not self-created.
- The granting of the variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. The structure must be guttered with downspouts.
2. The building height must not exceed 25 feet.
3. The applicant will engage with a civil engineer to obtain a survey to find the road stakes and determine the side lot lines.
4. Licensed architectural plans shall be submitted.
5. The applicant shall obtain a permit for the existing fence and covered structure on the patio. If a permit cannot be obtained, then the fence and covered structure must be removed.

6. All parking shall be on the applicants' own property.

The motion carried unanimously.

21-18...A request by Chestnut Development LLC, Chilson Road Tax ID 4711-33-401-027, for a height variance for a subdivision entrance sign. (REQUEST TO POSTPONE).

Moved by Board Member Ledford, seconded by Board Member Rockwell, to postpone Case #21-18 until the September 21, 2021 per staff's request. **The motion carried unanimously.**

21-19...A request by Peter Kula, 3796 Kipling Circle, for a size variance to construct a detached accessory structure.

Mr. Kula is requesting a size variance to build an outbuilding to store his RV. The maximum allowed is 900 square feet for a one-acre lot and 1,200 square feet for two acres. His property is 1.56 acres. Per his subdivision by-laws, he cannot park his RV outside, even on a paved surface.

He is requesting a variance to build the building in proportion with the size of his property. All of his setbacks are met and he has tried to put the building as close to the center of his property as possible. Other homes in his subdivision, specifically 3801 and 3717 Kipling Circle, have outbuildings that exceed the allowable size of 900 square feet. He has put in the smallest building possible in order to fit the RV. He wants to utilize his property the same way as his neighbors. His neighbor to the north contacted him and stated she does not have any objections to the proposal.

Board Member McCreary stated the need for this variance is self-created because of the size of the RV that the applicant purchased. The properties that have larger outbuildings are larger than the applicants.

Board Member Fons agrees. He suggested that this item be tabled until the October meeting which will be after the Township Board reviews the revised ordinance that could increase the allowable maximum size of outbuildings and a variance would no longer be needed.

Mr. Kula requested to have his case postponed until the October 2021 Zoning Board of Appeals meeting.

The call to the public was made at 7:39 p.m.

Mr. Dan Sypula of 3645 Kipling Circle stated that the buildings that were built at 1,200 square feet were done prior to the zoning change by the Township. Since that time, there have been seven outbuildings built in the subdivision that comply with the 900-square-foot requirement.

Genoa Township Zoning Board of Appeals Meeting
August 17, 2021
Unapproved Minutes

Mr. Bob Blair of 3810 Kipling lives next door to the applicant. When he put in his building, the requirement was 900 square feet and that is the size of the building he built. It is not a hardship because the applicant purchased a large RV.

The call to the public was closed at 7:44 p.m.

Moved by Board Member Ledford, seconded by Board Member McCreary, to postpone Case #21-19 for 3796 Kipling Circle until the October 19, 2021 Zoning Board of Appeals meeting. **The motion carried unanimously.**

Administrative Business:

1. Approval of minutes for the July 20, 2021 Zoning Board of Appeals meeting.

Needed changes were noted.

Moved by Board Member McCreary, seconded by Board Member Ledford, to approve the minutes of the July 20, 2021 meetings as corrected. **The motion carried unanimously.**

2. Correspondence - Ms. Ruthig stated that both Chairman Rassel and Board Member Fons will not be in attendance at the September meeting.
3. Member Discussion
The members discussed affordable housing in Genoa Township.
4. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member McCreary, to adjourn the meeting at 7:59 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary