

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 22, 2022  
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. 22-06...A request by Kevin Kline, 2157 Webster Park Drive, parcel # 4711-30-101-110, for a variance to construct a detached accessory structure on a vacant parcel.
2. 22-07...A request by Gary LaCrosse, 1235 Boulevard Drive, for side and rear setback variances to construct a new detached accessory structure.

Administrative Business:

1. Approval of minutes for the February 15, 2022 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

Case # 22-06 Meeting Date: Feb 15, 2022  
6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Kevin Kline Email: c/o Attorney, Alex Reuter: areuter@myers2law.com  
Property Address: 2157 Webster Park Drive Phone: c/o Attorney, Alex Reuter: 517-376-4913  
Present Zoning: Lakeshore Resort Residential (LRR) Tax Code: 11-30-101-110

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

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

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

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

Please explain the proposed variance below:

**1. Variance requested/intended property modifications:** \_\_\_\_\_

Seeking a variance from Section 11.04.01(a) of the Genoa Twp Zoning Ordinance, and specifically the provision that states that accessory buildings, structures, and uses are permitted only in the same lot with a principal building.

In further support of this Variance, see the Attachments hereto. Applicant to seek an accessory structure/garage to serve property directly across the street at 2166 Webster Park Drive. Applicant will first demolish existing abandoned house on 2157, and the two properties will not be sold separately.

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.

See attached. The Livingston County Health Department previously denied a request to rebuild a residential dwelling due to unsuitable soil, among other things. A variance would do substantial justice in permitting the property to be used in the only manner suitable, among other things, by allowing an accessory structure to replace it.

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

See attached. The property also cannot be used for any permitted residential primary structure due to the LCHD action and the conditions of the property, which are outside the control of the applicant/property owner. The unsuitable soil conditions are extraordinary to this property.

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

See attached. This variance will also benefit the public safety and welfare by allowing the abandoned dwelling to be replaced with an accessory structure to serve the property directly across the street. It will not be sold separately, or used for any other purpose. Nor will it increase traffic as it is accessory to a principal use already existing directly adjacent at 2166 Webster Park Dr.

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

See attached. This variance will benefit the surrounding properties and community by allowing the abandoned dwelling to be replaced with an accessory structure. Such a result would remove an eyesore, a potential hazard, and a detriment to surrounding property values and their owners' enjoyment of the 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: 1/20/22

Signature: Ken Flund



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

## REVISED MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** **March 17, 2022**

**RE:** ZBA 22-06

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### STAFF REPORT

**File Number:** ZBA#22-06  
**Site Address:** 2157 Webster Park Drive  
**Parcel Number:** 4711-30-101-110  
**Parcel Size:** .077 Acres  
**Applicant:** Kevin Kline, 30067 Mirage Ct. Warren, MI  
**Property Owner:** Same as Applicant

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

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a variance to construct a detached accessory structure on a proposed vacant lot.

**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 January 30, 2022 and 300-foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

**Background**

The following is a brief summary of the background information we have on file:

- Per assessing records the parcel is vacant.
- In 2021, a land use waiver was issued for the demolition of the single-family home. (See attached)
- In 2019, a variance was approved for the construction of a new home. (See attached)
- The parcel cannot be serviced by a well or septic system.
- See Assessing Record Card.

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal



**Summary:** The proposed project is to construct a detached accessory structure on a proposed vacant lot. The proposal is to construct the structure in the same foot print as the existing home. The applicant has been issued a land use waiver to demo the existing home.

**Applicant was postponed at the February 15, 2022 ZBA meeting. See attached minutes. Applicant submitted a revised site plan. The request was postponed to give the applicant time to determine if retaining walls would be required. Applicant revised the site plan moving the structure further back on the property which will require less back-fill and negate the need for retaining walls.**

### **Variance Requests**

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

#### **11.04.01 Accessory Buildings, Structures and Uses in General**

**(a) Relation to Principal Building: Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building, that is occupied by a use permitted in the particular zoning district. No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.**

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

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

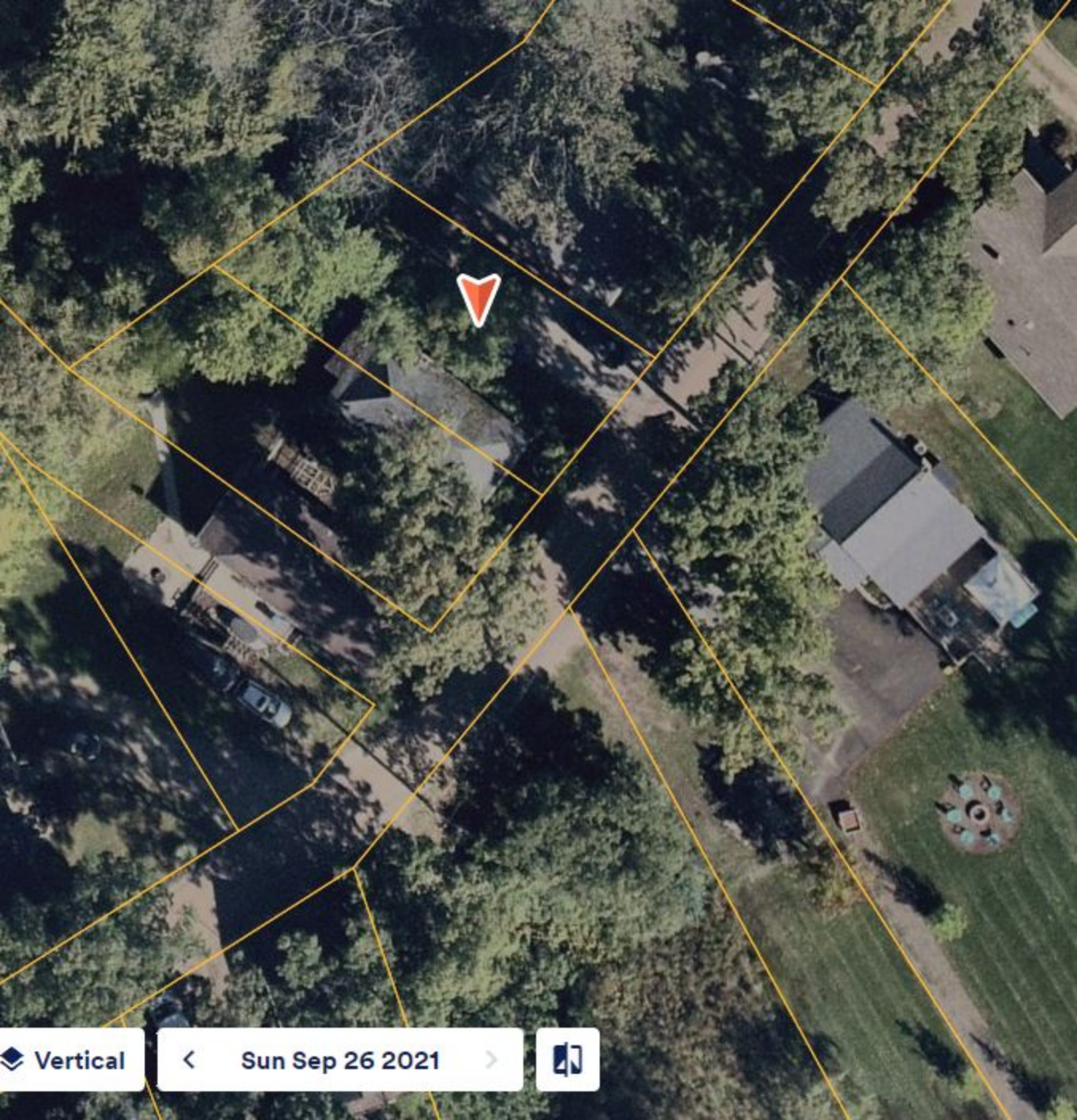
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the ordinance would prevent the construction of the proposed structure on the proposed vacant lot. The applicant is proposing to keep the same footprint as the previous home. The variance would support substantial justice and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity due to the property is unbuildable for a home.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the lot is not able to obtain a septic system permit from the Livingston County Environmental Health Department which would prohibit the construction of a single-family home due to the soil conditions. 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 would have a limited 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. Structure cannot be used for living purposes.

3. No outside storage of any kind is allowed on the property.
4. A deed restriction must be approved by Township Staff and recorded with the Livingston County Register of Deeds stating that parcel #4711-30-101-110 cannot be sold separately from parcel# 4711-30-101-132 prior to land use permit issuance.





# Genoa Township

2911 Dorr Rd. Brighton, MI 48116

Phone: 810.227.5225 Fax: 810.227.3420 www.genoa.org

## Planning & Zoning

**Land Use Waiver**

**Demolition**

**PW21-086**

Issued: 08/27/2021

Expires: 08/27/2022

LOCATION	OWNER	APPLICANT
2157 WEBSTER PARK DR 4711-30-101-110 <b>Zoning: LRR</b>	KLINE KEVIN 30067 MIRAGE CT WARREN MI 48093-6500 <b>Phone:</b> <b>E-mail:</b>	KLINE KEVIN 30067 MIRAGE CT WARREN MI 48093-6500 <b>Phone:</b> <b>E-mail:</b>

**Work Description:** Demolition of all structures on site

**Construction Value:** \$8,000.00

**Total Square Feet:**

**Comments/  
Conditions:**

**Flood Plain: N/A**

**All Livingston County Building Department requirements must be followed.**

**Once building is removed, no outdoor storage or accessory structures are allowed on the parcel.**

Permit Item	Permit Fee	Fee Basis	Item Total
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Fee Total:	\$0.00
Amount Paid:	\$0.00
<b>Balance Due:</b>	<b>\$0.00</b>

Issuance of this waiver confirms the applicants certification that all information and data attached to and made part of this waiver 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 waiver 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 waiver authorizes on-site inspections by an official representative of Genoa Charter Township. This waiver 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.



**Moved** by Board Member McCreary, seconded by Board Member Ledford, to approve Case #22-04 for a rear yard setback variance of 7 feet, 4 inches, from the required 40 feet, for a rear yard setback of 32 feet, 8 inches to construct a covered deck on the rear of the home, based on the following findings of fact:

- Strict compliance with the rear yard setback would not allow the applicant to keep the existing covered deck. The variance would provide substantial justice to the property.
- The exceptional or extraordinary condition of the property is it is a narrow lot and the location of the existing home. The home is located further back on the lot compared to the adjacent neighbors and does not protrude into sight line from the adjacent neighbor to the east.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. A land use permit must be applied for the covered side porch, covered rear deck and hot tub installation within ten days of variance approval.
2. The applicant must apply for a permit from the Livingston County Building Department for the hot tub installation, covered side porch, and covered rear deck within ten days of approval.
3. The applicant must ensure that the property is in compliance with the lot coverage ordinance prior to applying for a land use permit.

**The motion carried unanimously.**

4. 22-06...A request by Kevin Kline, 2157 Webster Park Drive, parcel # 4711-30-101-110, for a variance to construct a detached accessory structure on a vacant parcel.

Mr. Kline stated this property had an abandoned 1920's cottage that is beyond repair and needs to be torn down. He purchased the property across the street as well. He would like to put a garage here as he cannot put a garage on his property. The footprint of the garage will be in the same location as the existing cottage. His plans would significantly increase the condition of this property.

Board Member Kreutzberg questioned the slope of the property and asked how the applicant will build the garage. Mr. Kline stated he will grade the property and will install retaining walls.

Ms. Ruthig stated the Township has an ordinance that addresses retaining walls. Her concern is that a retaining wall is considered a structure so a variance would be needed for that as well as the proposed garage. She suggested that Mr. Kline revise the plans showing the grading, the foundation, and the retaining wall and return to a future ZBA meeting for approval.

The call to the public was made at 7:33 pm with no response.

**Moved** by Board Member Rockwell, seconded by Board Member Kreutzberg, to table Case #22-06 for Kevin Kline at 2157 Webster Park Drive, Parcel #4711-30-101-110, until the March 22, 2022 ZBA meeting to allow him to provide detailed plans for the accessory structure, grading, and retaining wall. **The motion carried unanimously.**

5. 22-05...A request by Jere Palazzolo, 3280 Chilson Road, parcel# 4711-20-100-020, for an appeal of the Planning Commission per Section 23.02.01 determining re-application validity.

Board Member McCreary asked to be excused from this case's discussion and vote as she is a member of the Planning Commission. **Moved** by Board Member Ledford, seconded by Board Member Rockwell, to excused Board Member McCreary from the discussion and vote on Case #22-05. **The motion carried unanimously.**

Chairman Rassel stated that the Zoning Board of Appeals must decide whether or not the Planning Commission's decision was correct to not hear CHI's case in December. Did they apply the ordinance correctly? The ZBA is not determining any aspects of the proposed project.

Mr. Scott Tousignant of Boss Engineering, Mr. Robert Muise of American Freedom Law Center, and Mr. Jere Palazzolo, the applicant, were present.

Mr. Tousignant stated they are appealing the most recent decision by the Planning Commission to not hear the revised submittal package from CHI in December. They did not believe there was a significant change to the plan to allow it to be heard. Mr. Tousignant reviewed how their proposed changes do qualify for a significant change in the plan.

Mr. Seward stated that in December of 2021, the Planning Commission used Section 19.07 of the Zoning Ordinance and determined that the presentation that evening by the applicant did not meet the requirements of that section to allow them to review the changes before the expiration of the one-year denial. The requirements for a case to be heard prior to one year after denial is there must be new grounds or substantial new evidence to support changed intent of the application or proof of any changed conditions based on the reasons in the Township Board's original denial. The Zoning Board of Appeals must determine if the new submission meets these requirements and should the Planning Commission hear their case before the one-year time frame expires.

Chairman Rassel asked the applicant to review what they have changed in the latest submission.

Mr. Tousignant stated they removed the 6,000-square-foot chapel, which is a significant change in the use of the site. The site will not be used as much because all services will be outside. They will only have the prayer trails, landscape statues and stations of the cross. He noted that the reasons for the denial of the original plan was that the Planning Commission felt the proposed use with the chapel was not consistent or harmonious with the Country Estates Zoning or Master Plan and the impact that this site would have on the surrounding areas with respect to traffic, noise, and lighting. However, without the physical building, these impacts will not be an issue.

Additionally, there are two annual planned events here, and they described how they would mitigate any traffic or parking concerns for those events.

The photometric plan that was presented meets the Township Ordinance.

The only noise is for vehicles entering the site or if a mass is being held on site. The reason for this site is for peace and reflection so noise is against that purpose.

While this use is not a residential use, an outdoor prayer campus is harmonious with the current zoning. Parks, essential public services, utilities, etc. are uses allowed by right or special use in the Country Estates Zoning District. A church is a use allowed by a special land use in this zoning.

Mr. Muise provided a review of the outstanding federal court case.

Mr. Seward suggested the Board not consider the ongoing litigation and determine if the Planning Commission complied with the ordinance correctly.

The call to the public was made at 7:51 pm

Ms. Melanie Johnson of 3990 Chilson Road does not believe that the Zoning Board of Appeals should grant this request. The applicant will be able to go before the Township in May, which will be a year after their request was denied. There is information on the applicant's website outlining what they are requesting for this site. They would want lower density but not lower intensity.

Ms. Lexi Jones of 3553 Westphal Road stated this project should not be allowed. The proposed building is an accessory building and is not allowed without a primary structure.

Mr. Shawn Nester of 3360 Chilson Road, which is directly south of this site, is in opposition of this project as well as them being granted an appeal for their denial. He reviewed the four reasons why the Planning Commission denied the request and explained why he agrees with all of them. This is not consistent with the Master Plan. He asked the ZBA to deny this appeal.

Ms. Debra Beatty of 3809 Chilson Road stated the Planning Commission made the correct decision in December. The applicant did not make any significant changes to the plan. She agrees with Mr. Nester's comments.

Mr. Guy Genzel of 1526 Bailey, Taylor, MI owns property across the road from this site. This is a quiet community to raise a family. He suggested the church build this on commercial property.

Ms. Ruthig stated she received an email today in support of the appeal. She did not have the sender's name or address, but noted they were not a Genoa Township resident. She will enter it into the record. (Email received from Ron Warnat in support of appeal)

The call to the public was closed at 8:04 pm.

**Moved** by Board Member Ledford, seconded by Board Member Rockwell, to deny Case #22-05 for Parcel #4711-20-100-020, 3280 Chilson Road as no evidence of additional changes or information was presented to the Zoning Board of Appeals that warrants an appeal to the Planning commission to determine rep-application validity. Therefore, Section 19.07 of the Zoning Ordinance will remain in full force and effect for one year from the date of denial, which is May 3, 2021. **The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the January 18, 2022 Zoning Board of Appeals meeting.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to approve the minutes of the January 18, 2022 meeting as presented. **The motion carried unanimously.**

2. Correspondence - Ms. Ruthig stated there will be two cases on the March meeting agenda.

3. Member Discussion  
There were no items to discuss this evening.

4. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member Rockwell, to adjourn the meeting at 8:16 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary



Mr. and Mrs. Brady were present. Mr. Brady stated the placement of the existing well does not allow them to meet the front yard setback. The proposed home will be within the same footprint of where the existing home currently sits.

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

**Moved** by Board Member Rockwell , seconded by Board Member Kreutzberg to approved Case #19-20 for 1076 Sunrise Park Drive for Danny and Vicki Brady for a front yard variance of five feet from the required front yard setback of 35 feet for a front yard setback of 30 feet to demolish an existing home and construct a new home, based on the following findings of fact:

- Strict compliance with the front 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 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.
- The exceptional or extraordinary condition of the property is the Livingston County Environmental health department's setback from the existing well. The need for the variance is not self-created and would make it consistent with other properties in the vicinity.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. The structure must be guttered with downspouts.
2. Dust control measures shall be taken during the demolition of the existing home.

**The motion carried unanimously.**

3. 19-21... A request by Lawrence and Lorraine Persh, 2157 Webster Park Drive, for a front yard variance to demolish an existing home and construct a new home.

Mr. and Mrs. Persh were present. They are requesting a front yard variance of 20 feet. They will be building the home within the footprint of the existing home, but it will actually be smaller. The front yard setback will be the same as the current home. Board Member McCreary noted that a sketch drawing was presented and not an engineer's survey. Ms. Persh stated a survey has been requested, but has not been completed. Mr. Persh reiterated that the new home will be within the footprint of the existing home.

The call to the public was made at 7:01 pm with no response.

**Moved** by Board Member McCreary, seconded by Board Member Rockwell, to approve Case #19-21 for 2157 Webster Park Drive for Lawrence and Lorraine Persh for a 20 foot front-yard variance from the required 35 foot setback for a setback of 15 feet to demolish an existing home and build a new one. It should be noted that the application presented at tonight's meeting says the setback will be 20 feet, but it should say 15 feet. The application in the file is correct, showing 15 feet. This approval is based on the following findings of fact:

- The variance request meets all standards of Section 25.05.03 of the Zoning Ordinance.
- Strict compliance with the front yard setback would unreasonably prevent the use of the property without the requested variance. It would provide substantial justice to the applicant that is necessary and similar to other properties in the same zoning district and vicinity.
- The extraordinary circumstances are the location of the new proposed septic and well, the shallow and narrow dimensions of the property and the setback requirements necessary to comply with health department requirements for the construction of the new home.
- The need for the variance is not self created.
- Granting this variance will make it consistent with many of the homes in the vicinity.
- Granting the variance will not impair an adequate supply of light and air to adjacent property, will not unreasonably increase the congestion in public streets, will not endanger the public safety in the event of fire, nor endanger the comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have any impact on the appropriate development, continued use, or value of adjacent properties and the surrounding
- Neighborhood.

This approval is conditioned upon the following:

1. Structure must be guttered with downspouts.

2. Review and approval by the Genoa Charter Township staff of a submitted site plan approval showing the civil engineer's survey of the property denoting the requested setbacks in relationship to the proposed new home and lot setbacks and corners.
3. Dust control measures shall be taken during the demolition of the existing home.  
**The motion carried unanimously.**

6. 19-22... A request by John and Wendy Myers, 6505 Forest Beach Drive, for a variance to construct a detached accessory structure in the front yard.

Mr. and Mrs. Myers were present. They apologized for the area not being staked. They had a family emergency and were out of town for nine days. They are requesting to build a 12x16 shed in their front yard. They live on a lake and are zoned low density residential. They want to place the structure in the front yard so that it does not obstruct the neighbors view of the lake, it would be easier to use, would have the least impact on the surrounding neighbors and general public and will not negatively affect neighbors. They added that most neighbors have detached structures in the front yard in their neighborhood.

Board Member McCreary questioned the proposed location of the shed and how it is close to the slope toward the neighbor's property. Mr. Myers noted that the shed would be placed further away from the property line than what is shown on the plan. There was a brief discussion regarding postponing this item so the property can be staked and viewed by the Board Members.

The call to the public was made at 7:16 pm.

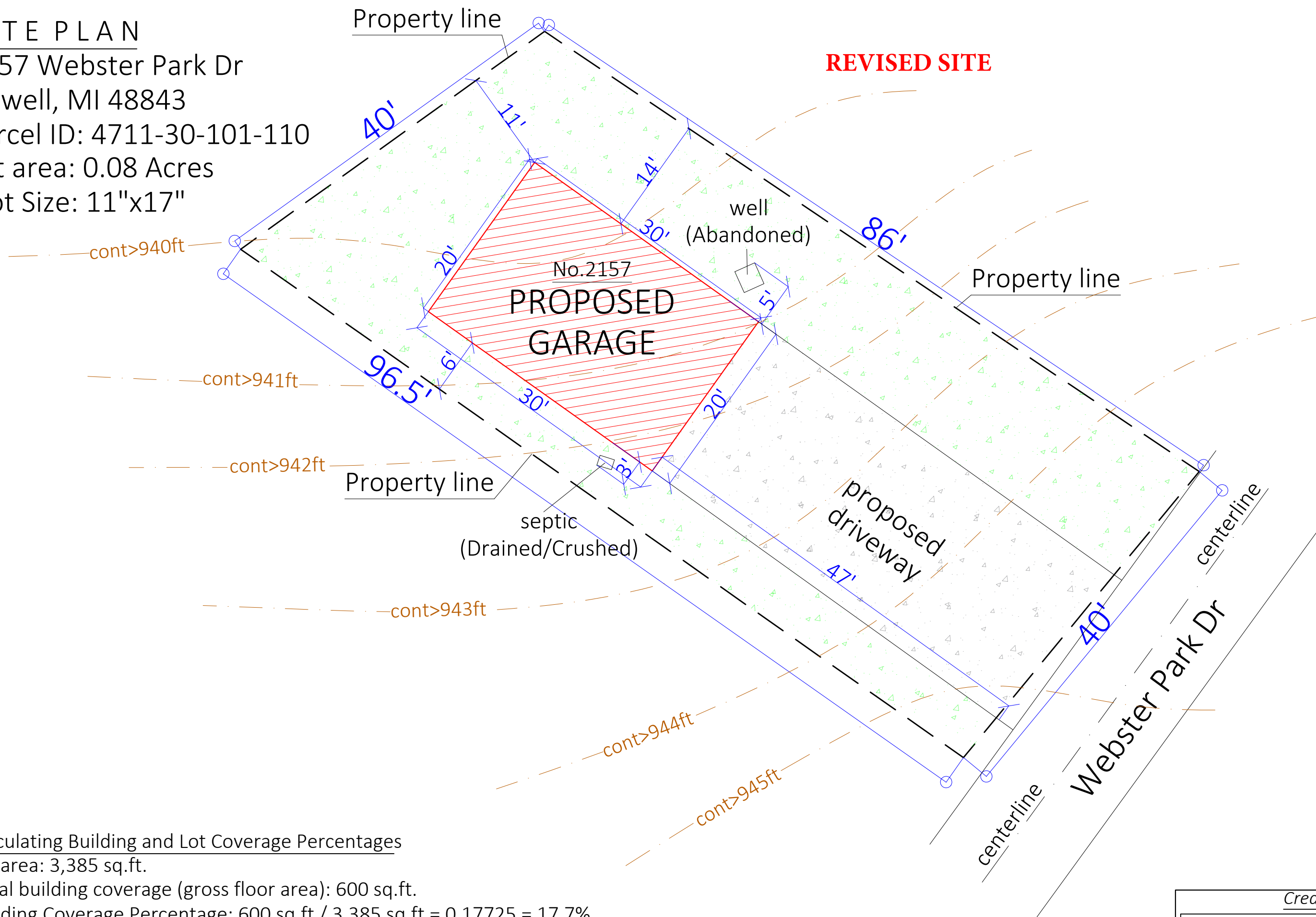
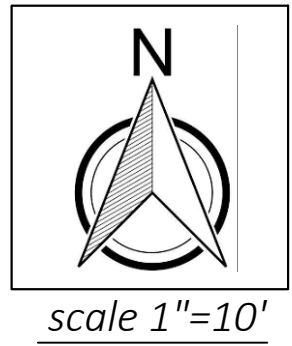
Mr. Doug Milne of 6501 Forest Beach Drive lives next door to the applicant. He is not concerned about the shed being too close to his property. He noted that the plans say "Living Area" and he wants to ensure that the building will not be used as living space and will only be used as storage.

The call to the public was closed at 7:17 pm.

Board Member Kreutzberg also questioned the "Living Area" note on the plans. The applicant confirmed that it will be used for storage. They will make the change on the drawing.

# SITE PLAN

2157 Webster Park Dr  
Howell, MI 48843  
Parcel ID: 4711-30-101-110  
Lot area: 0.08 Acres  
Plot Size: 11"x17"



## Calculating Building and Lot Coverage Percentages

Lot area: 3,385 sq.ft.

Total building coverage (gross floor area): 600 sq.ft.

Building Coverage Percentage:  $600 \text{ sq.ft} / 3,385 \text{ sq.ft} = 0.17725 = 17.7\%$

Total Lot Coverage: 1,544 sq.ft.

Lot Coverage Percentage:  $1,544 \text{ sq.ft} / 3,385 \text{ sq.ft} = 0.45613 = 45.6\%$

Created by:





January 18, 2022

Genoa Charter Township  
Zoning Board of Appeals  
c/o Kelly VanMarter, Assistant Twp Manager  
c/o Amy Ruthig, Zoning Official  
2911 Dorr Road, Brighton, MI 48116  
[kelly@genoa.org](mailto:kelly@genoa.org)  
[amy@genoa.org](mailto:amy@genoa.org)

*Via E-mail and US Mail*

**Re: Genoa Township Variance Application for 2157 Webster Park Drive**

Dear Members of the Zoning Board of Appeals:

This firm represents the applicant, Kevin Kline, with respect to his Application for a Variance for property he owns at 2157 Webster Park Drive (the "Property"). The purpose of this letter is to supplement my client's Application for a variance ("Variance") with respect to Section 11.04.01(a) of the Genoa Township Zoning Ordinance. In particular, Mr. Kline's Application seeks a Variance from the provision in Section 11.04.01(a) requiring all accessory buildings, structures, and uses to be built on the same lot as a principal building. A copy of the Application is attached to this letter.

Mr. Kline intends to demolish the existing, abandoned dwelling on the Property and replace it with an accessory structure (a two-car garage). The accessory structure would serve the property directly across the street and would not be sold separately. The Variance, if granted, would permit him to construct this accessory structure despite not being located on the same lot as the principal dwelling. The Application complies with the Township's Zoning Ordinance, and the request meets all of the standards established for a variance.

For starters, requests for variances, such as the present, are governed by both local and state law. In terms of state-level legislation, the Michigan Zoning Enabling Act, codified at MCL 125.3101, *et seq* (the "ZEA"), sets forth the standard for granting a variance, which states, in pertinent part:

If there are practical difficulties for nonuse variances...or unnecessary hardship for use variances...in the way of carrying out the strict letter of the zoning ordinance, the zoning board of appeals may grant a variance in accordance with this section, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done. (MCL 125.3604(7))

In other words, the Township's ZBA has the power to grant a variance to an ordinance where "literal enforcement of the provision in question would result in unnecessary hardship or involves practical difficulties." See *Tireman-Joy-Chicago Improvement Ass'n v Chernick*, 361 Mich 211, 216, 105 NW2d 57 (1960).

This power of the ZBA to grant a variance has been described as a "safety valve" when such circumstances of unnecessary hardship or practical difficulties exist, as they do here. *Id.* To that end, Section 23.05.03 of the Township's Zoning Ordinance provides the criteria applicable to

this Application. Specifically, 23.05.03 states that all of the conditions in the following categories must exist: (a) practical difficulties/substantial justice; (b) extraordinary circumstances; (c) public safety and welfare; (d) impact on surrounding neighborhoods. As set forth below, Mr. Kline's requested Variance and Application satisfy the criteria of both state and local law.

### **Practical Difficulty/Substantial Justice**

The Township's Zoning Ordinance provides that a variance may be granted where "[c]ompliance 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." See Section 23.05.03(a). In that regard, if Section 11.04.01(a) is strictly applied to the Property, it will prevent any permitted use thereof. More to the point, the only permitted principal structures that can be built on the Property are residential dwellings and care homes.

However, in 2019, the Livingston County Health Department expressly denied a request for a variance in order to demolish the existing residential dwelling on the Property and replace it with a new home due to the failure of the Property's conditions to satisfy the requirements of the Livingston County Sanitary Code. In particular, during its evaluation of the Property the LCHD determined, among other things, the following:

- The septic tank is inadequately sized, inaccessible for cleaning, inaccessible for inspection;
- The disposal system is inadequately sized for the structure;
- The disposal system located within the required isolation distance to water well supplies;
- The disposal system will encroach on isolation distances to property lines, building, roadways, storm drains, etc.;
- The soil structure and/or soil conditions on the site are not suitable for the use of onsite wastewater disposal;
- A high water table or zone of saturation exists on the site, resulting in the lack of proper treatment of the sewage effluent before discharging to the groundwater;
- An area for a replacement onsite system does not exist. (See **Exhibit A**, LCHD Documents)

After the evaluation, the LCHD informed the Property owner that the demolition and rebuild of the home would not be approved given the poor soils. The demolition and rebuild was formally Disapproved on November 26, 2019, because the "Proposal does not meet the requirements of the Livingston County Sanitary Code or the Minimum Requirements for Alternative On-Site Sewage Treatment Systems." See Exhibit A. An appeal for a variance followed that decision. That too was denied, however, in light of the fact that the Property's soil had "been evaluated and determined to be unsuitable due to soil type (organic and fill soils) and isolation to seasonal water table... [and] isolation distances between drinking water wells and septic systems cannot be met given the constraints of the size of the lot." See Exhibit A.

Due to the decision of the LCHD, and the inherent conditions of the Property, no principal residential dwelling can be rebuilt on the Property after the demolition. This in turn renders the Property only suitable for an accessory structure, such as the garage to be proposed by the applicant. See **Exhibit B**, Proposed Garage Examples.

Section 23.05.03(a) of the Zoning Ordinance further requires that the "[g]ranting 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.” Here, Mr. Kline has no control over the soil or other inherent conditions of the Property that prevent, under the Sanitary Code, a home from being rebuilt once the existing structure is demolished. This Variance is, thus, necessary for Mr. Kline to enjoy the same substantial property rights of the other property owners in this LRR district of not only having the ability to build accessory structures, but also to make use of their lots in general.

There is also no lesser avenue than the present variance that Mr. Kline can pursue to enable him to utilize the Property to the benefit of himself and the community. Indeed, Michigan courts have examined the notion of “substantial justice” in terms of “whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.” See *National Boatland, Inc v Farmington Hills Zoning Bd of Appeals*, 146 Mich App 380, 380 NW2d 472 (1985). Under these circumstances, there is no lesser relaxation available to permit the Property to be utilized consistent with the characteristics of this LRR zoning district and features of this neighborhood.

### **Extraordinary Circumstances**

Section 23.05.03(b) of the Zoning Ordinance calls for “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.” As previously mentioned, this Property is zoned LRR, and it consists of unique soil conditions that, along with its size and location, prevent a principal residential dwelling from being built. This is exactly the type of exceptional and extraordinary circumstances contemplated by the Ordinance.

The Ordinance further requires that “[t]he need for the variance was not self-created by the applicant.” Michigan cases dealing with the question of self-created hardships or practical difficulties have described the question in terms of whether the need for a variance is the result of a property owner’s own decisions or actions, as opposed to involuntary changes in the legal status of the property, amended zoning ordinances, or other things outside the control of the owner. See *Wolverine Commerce, LLC v Pittsfield Charter Twp*, 483 Mich 1023, 1024; 765 NW2d 343 (2009). Here, it is without question that need for the Variance is not self-created. As stated above, Mr. Kline has no control over the inherent soil conditions, the decision of the LCHD, or the unique size and location of the Property. He is only requesting this Variance because there are no alternatives available to him at this time.

### **Public Safety and Welfare**

The Zoning Ordinance additionally requests that a variance “not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.” See Section 23.05.03(c). None of those concerns are at issue here. The proposed accessory structure is solely connected to and for the purpose of the principal residential dwelling directly across the street at 2166 Webster Park Drive. There will be no impact to traffic as it merely serves that neighboring property, which is also owned by Mr. Kline.



As depicted in the attached Exhibit B, the proposed accessory structure (a two-car garage) is also no greater in scope or dimension than what would otherwise be permitted along with a principal structure. In addition, its footprint is not anticipated to exceed that of the current abandoned dwelling on the Property. Furthermore, the garage will be built after the demolition of that existing dwelling, which is not only an eyesore, but also a potentially unsafe building. Ultimately, if this Variance is granted, it will have a direct benefit to the public safety and welfare.

### **Impact on the Surrounding Neighborhood**

Finally, Section 23.05.03(d) states that a variance must “not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.” As outline above, before building the proposed garage on the Property for which the Variance would permit, Mr. Kline will have the abandoned home currently on the Property demolished. Indeed, Mr. Kline has already secured the requisite approval from the Township and the State-level agencies to commence the demolition. See **Exhibit C**, Demolition Approval. It is firmly believed that the demolition of the existing dwelling on the Property, and the construction of the proposed accessory structure in its place, will have a direct benefit to the surrounding properties’ values by removing a factor known to contribute to decreasing value and replacing it with something that is consistent the features of both the neighborhood and zoning district.

In addition, there is at least one other property in the direct vicinity (2075 Webster Park Drive, for example) that ostensibly consists of only an accessory structure. In other words, allowing the Property to also consist of an accessory structure would not be inconsistent with the characteristics of the area.

### **Conclusion**

For all of the reasons set forth above, my client respectfully request that the Township approve and/or recommend approval of his Application for a Variance. Thank you for your attention to this matter. Should you have any questions or need any additional informational please feel free to contact me directly.

Very truly yours,

MYERS & MYERS, PLLC



Alexander R. Reuter, Esq.  
Direct Dial: 517-376-4913  
E-mail: [areuter@myers2law.com](mailto:areuter@myers2law.com)



**EXHIBIT A**



## LIVINGSTON COUNTY HEALTH DEPARTMENT

2300 East Grand River Avenue, Suite 102

Howell, Michigan 48843-7578

[www.lchd.org](http://www.lchd.org)

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**PERSONAL/PREVENTIVE HEALTH SERVICES**

P: (517) 546-9850

F: (517) 546-6995

**ENVIRONMENTAL HEALTH SERVICES**

P: (517) 546-9858

F: (517) 546-9853

November 27, 2019

To: Sanitary Code Board of Appeals

From: Matt Bolang, Deputy Health Officer/Director of Environmental Health  
Livingston County Health Department  
Environmental Health Division

Re: Public Hearing regarding the proposed demolition and rebuild of a home located at 2157 Webster Park,  
Genoa Township, Section 30; Parcel ID# 4711-30-101-110.

Board Members:

Enclosed are the supporting documents related to our upcoming appeal hearing on December 13<sup>th</sup>. It is my understanding that the owner purchased this property as a potential recreational lakefront home for his family in 2014. In March of 2014, at the request of the owner, LCHD performed a soil evaluation. The owner's intention was to demolish and rebuild the house with a new septic system. As you can see, the soils were unsuitable and Aaron informally told the owner during the evaluation that we would not approve a demo/rebuild given the poor soils.

As of today, it is our understanding that the house is in disrepair and has not been occupied in the last few years. This is further evidenced by the enclosed inspection report performed by a third party home inspector.

The owner is requesting a variance to various subsections of Section 301.15 of the Livingston County Sanitary Code as detailed below:

- 301.15 (d) – unable to meet isolation distances between drinking water wells and septic systems
- 301.15 (e) – seasonal water table was recorded at less than 24 inches below the original ground surface, in this case the water table was encountered within the fill material or at original ground surface.
- 301.15 (f) – soils encountered are considered unsuitable (organic)
- 301.15 (g) – given the deficiencies listed it is our opinion that installing a septic system in this location may endanger the public health or environment
- 301.15 (i) – there is less than 24 inches of suitable naturally occurring soil
- 301.15 (j) – there is less than 12 inches of suitable naturally occurring soil without mottling below the topsoil

If you should have questions or concerns prior to the hearing date, please feel free to contact me. I would also encourage a visit to the site to witness the conditions/limitations.

RECEIPT NO: 32306

DATE: 10-25-19

APPEAL NO: PEHA2019-00066



**LIVINGSTON COUNTY HEALTH DEPARTMENT**  
2033 E Grand River, Suite 102, Howell, Michigan 48843-7578  
(517) 546-9858 \* (517) 546-9853

www.lchd.org

**APPLICATION FOR APPEALING PROVISIONS  
OF THE LIVINGSTON COUNTY SANITARY CODE**

APPLICANT: Nalepka Sean (Boss Engineering)  
(Last) (First) (Middle Initial)

ADDRESS: 3121 E. Grand River Howell MI 48843 517-546-4836  
(Street) (City) (State) (Zip) (Phone)

OWNERS NAME: Persh Lorraine  
(Last) (First) (Middle Initial)

ADDRESS: 1801 Brighton Road Howell MI 48843 810-923-7914  
(Street) (City) (State) (Zip) (Phone)

PROPERTY IN QUESTION: 11-30-101-110 Webster Park Lot 106  
(Tax ID #) (Subdivision Lot or amount of Acreage)  
2157 Webster Genoa  
(Street) (Township)

NATURE OF APPEAL AND WHAT YOU PROPOSE: Utilizing an Advantex treatment unit to a raised pressure dosed mound to overcome the soils and size deficiencies of the lot. The wells on the subject property and the neighboring are being relocated lot maximize isolation distances from the septic system.

**I HAVE ENCLOSED THE FOLLOWING DATA TO SUPPORT MY APPEAL:**

- Scaled Plot Plan of Subject Property and Affected Neighboring Property
- Soil Evaluation Reports
- Water Sample Results
- Other
- Well Records
- Engineered Plans
- List of Neighbors within 100 ft. With complete addresses

SIGNATURE: Sean J. Nalepka R.S.  
(Applicant)

10-25-19  
(Date)



**LIVINGSTON COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH DIVISION**

2300 E. Grand River, Suite 102 \* Howell, Michigan 48843-7578  
(517) 546-9858 \* (517) 546-9853

www.lchd.org

**Application for EH Review of Property Additions and Modifications**

Residential  Commercial

Review Permit # PREV 2019-00753

LOCATION OF PROPERTY <i>Please Print or Type</i>		
Address 2157 Webster Park	City/Village Howell	Zip 48843
Township Genoa	Tax Code# 4711-30-101-110	Section 30

A. OWNER	
Name Lorraine Persh	Phone 810-923-7914
Address 1801 Brighton Road	
City/State/Zip Howell, MI 48843	E-Mail lorrainepersh@gmail.com

CONTRACTOR (if applicable)	
Name	Phone
Address	
City/State/Zip	E-Mail

**Please answer the following questions that apply to your project:**

Sanitary service: municipal (city sewer)  private septic system

If septic: distance from project to septic 48&35 ft. Accessible for maintenance after project? yes  no

Water supply: municipal (city water)  private well  If well: casing (pipe) diameter: 4"  5"  Other

If private well: distance from project to well \_\_\_\_\_ ft. Accessible for maintenance after project? yes  no

Proposed demolition? yes  no  Rebuilding after demolition: yes  no

Constructing an accessory structure? (garage, pole barn, pool, deck, etc.) yes  no  Plumbing installed? yes  no

Increasing living space in home? yes  no  If yes: original ft<sup>2</sup> \_\_\_\_\_ proposed ft<sup>2</sup> \_\_\_\_\_

Adding additional bedrooms? yes  no  If yes: original bedrooms \_\_\_\_\_ proposed bedrooms \_\_\_\_\_

**PROJECT DESCRIPTION: (Include as applicable: type of living space, type of structure, increase in living space, alteration to structure, roof changes, etc.) Let us know, in as much detail as possible, your proposal**

The current home's foundation has been determined to be unfit to make structural modifications.

The proposed home will have a reduced footprint with a area of 455 sft. from 680 sft.

Total prosed house square footage is 910 sft. The current home has two bedrooms and the proposed home will have 2 Bedrooms.

All proposals must include a complete and accurate site plan (with dimensions), and include all existing and proposed structures, location of roads, easements, steep slopes, surface water, wetlands, well and septic systems. Include project plans and/or existing and proposed floor plans and elevations if an increase in living space or a complete interior remodeling is proposed.

The undersigned, property owner or representative, certifies the accuracy of the completed application and attached documents. The undersigned acknowledges any deviation from the submitted application will void LCHD approval.

[Signature] Applicant's Signature      Sean White Printed Name      11-26-19 Date

\*\*\*\*\* For Office Use Only \*\*\*\*\*

Receipt # \_\_\_\_\_ Amount \$ NR Check/Appy # \_\_\_\_\_ Payer \_\_\_\_\_

SR



Environmental Health Division

2300 E. Grand River, Ste. 102  
Howell, MI 48843-7580  
517-546-9858 Fax 517-546-9853  
www.lchd.org

PREV2019-00753

Applied: 11/26/2019  
Issued: 11/26/2019

SITE ADDRESS: 2157 WEBSTER PARK DR

PARCEL NO: 11-30-101-110

TOWNSHIP: Genoa Township

SUBDIVISION: WEBSTER PARK

LOT:

Review - Additions/Modifications

OWNER	CONTRACTOR
PERSH LAWRENCE 1801 BRIGHTON RD. HOWELL MI 48843  Phone:	HOMEOWNER   Phone:

Environmental Sanitarian: Aaron Aumock

Work Description: DEMO AND REBUILD

Type of Use	Residential	Structure Type	Living Space
Water Supply	Residential	Sewage Disposal	Onsite

Conditions:

STATUS: Completed - Disapproved

11/26/2019 **REVIEW RESULT: Disapproved**  
Review Concerns/Comments:

Not Approved. Proposal does not meet the requirements of the "Livingston County Sanitary Code" or the "Minimum Requirements for Alternative On-Site Sewage Treatment Systems".

Aaron Aumock  
Environmental Sanitarian

Date Finaled: 11/26/2019



## LIVINGSTON COUNTY HEALTH DEPARTMENT

2300 East Grand River Avenue, Suite 102  
Howell, Michigan 48843-7578

[www.lchd.org](http://www.lchd.org)

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F: (517) 546-9853

### Public Hearing Notice

November 27, 2019

To: Neighboring Property Owners  
Bill Rogers, Genoa Township Supervisor

From: Livingston County Health Department  
Environmental Health Division

Re: Notice of Public Hearing regarding the proposed demolition and rebuild of a home located at 2157 Webster Park, Genoa Township, Section 30; Parcel ID# 4711-30-101-110.

To Whom It May Concern:

On behalf of the owner, Ms. Lorraine Persh, Boss Engineering is requesting a variance to Section 301.15 of the Livingston County Sanitary Code. The owner is proposing to demolish the existing house, which is in disrepair and rebuild a new house. The proposal includes constructing a new engineered septic system and drinking water well. The soils have been evaluated and determined to be unsuitable due to soil type (organic and fill soils) and isolation to seasonal water table. Additionally, isolation distances between drinking water wells and septic systems cannot be met given the constraints of the size of the lot.

#### **Appeal Hearing**

**Date/Time:** Friday, December 13, 2019 @ 8:30am

**Location:** Livingston County Health Department  
Conference Room B  
2300 E. Grand River Ave.  
Howell, MI 48843

Public written or verbal comments are welcome. Contact Aaron Aumock, Field Program Coordinator at (517) 552-6873 or [aaumock@livgov.com](mailto:aaumock@livgov.com) should you have any questions or comments.



## BOARD OF APPEAL HEARING SIGN IN SHEET

Date: December 13, 2019  
 Appeal #: PEHA2019-00006  
 Appellant: Lorraine Persh  
 Parcel/Address: 4711-30-101-110 / 2157 Webster Park  
 City/Village/Twp: Genoa Twp  
 Section #: 30

Livingston County Health Department  
Environmental Health Division

Board of Appeal Members

Matt Bolang  
 Aaron Aumock  
 Beau Forgette  
 John Wilson

Carol Griffith - Chair  
 Don Tinson - Vice Chair  
 Marshall Bowman  
 Pat McMacken  
 Rob Roberts

### Please Print Clearly

Name	Address	Phone #
Steve Persh	1801 Brighton rd. Howell	248 444 2046
Lorraine Persh	1801 Brighton Rd. Howell	810-923-7914
Sean Nalepa	Buss Engineering	517-516 7836
Pat McMacken	6475 Sycamore Rd	517 304 5245
Carol Griffith	8178 Bluebird Dr.	810-360-5260
Deborah Hall	2165 Webster Plk	810599 7654



## Livingston County Sanitary Code Board of Appeals

Draft Meeting Minutes  
(December 23, 2019)



Date: December 13, 2019

Time: 8:30am

Place: Livingston County Health Department  
Environmental Health Division  
Conference Room B  
2300 E. Grand River Ave, Suite 102  
Howell, MI 48843

Appeal: Proposed demolition and rebuild of a home located at 2157 Webster Park, Genoa Township, Section 30; Parcel ID# 4711-30-101-110  
Appeal# PEHA2019-00006

### Attendees:

Carol Griffith, Board Chair  
Don Tinson, Board Vice-Chair  
Pat McMacken, Board Member  
Rob Roberts, Board Member  
Aaron Aumock, LCHD  
Matt Bolang, LCHD  
Lorraine Persh, Appellant/Owner  
Steve Persh  
Sean Nalepka, Boss Engineering  
Deborah Hall, 2165 Webster Park

### Minutes

Board of Appeals Chair, Carol Griffith, called the meeting to order at 8:30am. Introductions of attendees ensued. Ms. Griffith opened the meeting by explaining the appeal process including the sections of the code being appealed and the five criteria that the Board must consider in making a decision.

Sean Nalepka, Boss Engineering, provided an overview of the proposed septic system design and site and soil limitations. The lot size does not allow for isolation to neighboring wells from proposed septic system.



Other \_\_\_\_\_

More specifically: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Therefore, due to the above, proper operation of an onsite sewage system may be difficult. Every attempt should be made to keep the sewage subsurface by way of drastically reducing the wastewater flows can be accomplished in many ways, such as: the installation of low water fixture devices e.g. one gallon or less flush toilets, reduced flow shower fixtures, the elimination of laundry facilities, garbage disposals and water softener backwash from entering the system. In addition, the septic tank should be pumped out more frequently to prevent solids from being carried over to the disposal area. It should be noted that following these recommendations to significantly reduce the daily wastewater flows could possibly increase the life of the existing system, eliminating the need to install a replacement system. Irregardless, if the homeowner chooses to replace the existing system, because of the site conditions, these recommendations to reduce the daily flows should be implemented.

A) (construction design requirements) \_\_\_\_\_  
\_\_\_\_\_

A permit must be obtained prior to construction beginning. **Please be advised that the owner has the right to consult with a professional engineer for alternative design considerations.** However, engineering plans must be approved by the Livingston County Department of Public Health prior to construction permits being obtained.

A permit to construct an onsite sewage disposal system is in no way a guarantee that this system will provide indefinite trouble-free service. Since many inter-relating factors contribute to a failure of a sewage disposal system, approval can not be considered as a guarantee by the Health Department that successful operation is assured. Even with proper installation, as outlined for proposed construction, there remains many uncertainties and difficulties that can still arise in the operation of an onsite sewage disposal system.

**Prior to construction permits being issued, the owners signature is required. This signifies that he/she has read this document and acknowledges that the site conditions are not favorable for the use of an onsite sewage disposal system; the onsite sewage disposal system is being installed entirely at the applicants risk; and that the Livingston County Department of Public Health is not responsible for the successful operation of the sewage disposal system.**

  
\_\_\_\_\_  
Owner Signature

3-18-14  
\_\_\_\_\_  
Date

5. the decision is not in significant conflict with the intent and purpose of the Livingston County Sanitary Code.

Carol Griffith agreed with Don Tinson. Rob Roberts explained the possibility of drilling the wells to a deeper depth that would allow for vertical isolation as a way of protection of the drinking water, however agreed with other board members regarding the suitability of the proposal.

**Motion by Don Tinson :**

**After reviewing the information provided and hearing the testimony of all present, the Livingston County Sanitary Code Board of Appeals has determined that the requirements to grant a variance per Section 201.03 of the Livingston County Sanitary Code have not been met, and therefore the variance request is denied.**

**Motion seconded by Pat McMacken.**

**Motion passed unanimously, variance request is DENIED.**

The meeting minutes from the June 13, 2019 appeal hearing were presented (Brighton Road Parcels, ID# 4711-25-300-010 and 4711-25-300-019).

Don Tinson made a motion to accept the minutes as written

Pat McMacken seconded

Motion passed unanimously

There was some discussion about the suitability of drywells per the Sanitary Code. Aaron and Matt stated that they are allowed in some unique replacement situations when failures are remedied, however are not used for new construction. Matt stated that the Health Department is proposing to open up the Sanitary Code for revisions, starting in the process late in 2020. He asked the Board to consider any changes they would like to entertain and that they would be included in the revision process.

Motion by Pat McMacken to adjourn

Second by Don Tinson

Motion passed unanimously

Meeting adjourned 9:05am

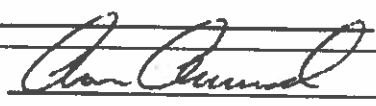
### Administrative/Board of Appeal Checklist

To be completed by Area Sanitarian within 3 days of receipt.

Date Appeal Received: 10/25/19 Date Appeal Reviewed: 11/5/19 Appeal #: PEHA2019-00006

Address/location: 2157 Webster Park Township: Genoa

NOTE: Site visits may be necessary to confirm accuracy of packet.

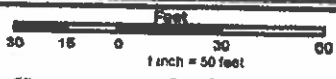
YES	NO	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Scaled plot plan included showing ALL applicable information including neighboring information & appears to be accurate.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Soil evaluation report included.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Well records attached (must be submitted for all appeals).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	List of property owners within 100 ft. included.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineer plans reviewed and are complete and consistent with LCHD requirements.
			COMMENTS: _____ _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site visit made by Sanitarian within one year. Date of last visit: <u>7/1/19</u> Sanitarian Name: <u>Aaron Aumock</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any features on the property that should be noted which <u>may</u> create a possible concern (wetlands, surface water, steep slopes, storm drains, surface water drainage patterns across property if filling is being proposed, 307 sites in near proximity, etc.)
			COMMENTS: _____ _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing septic approved: If NO Why? <u>No record, unsuitable soils</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Septic reserve area available? _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing well approved: If NO Why? <u>Buried well, no record.</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any reason that this appeal should not be considered: If YES, Why? _____
List ALL sections of the Code that the Appellant is appealing. <u>Section 301.15 (D,E,F,G,I,J)</u>			
Date submitted to Supervisor: <u>11/5/19</u>		Sanitarian's Signature: 	
To be completed by Supervisor: Date reviewed by Supervisor: _____ Date of site visit, if applicable: _____		Date of Notice mailed: _____ Date of Appeal: _____ Date of Minutes: _____ Sanitarian's Signature: _____	

Long_PID	GIS_Acres	O_NAME1	O_STREET
11-30-100-007	2.34	DASZKIEWICZ, HELEN BELL	5436 ORCHARD
11-30-101-022	0.53	NOWAK, MARY E.	29076 MARQUETTE
11-30-101-025	0.21	PERSH LAWRENCE	1801 BRIGHTON RD.
11-30-101-026	0.66	MULLANEY JOHN	2166 WEBSTER PARK DR.
11-30-101-029	0.77	MCGOWAN LESLIE	2172 WEBSTER PARK DR.
11-30-101-103	0.16	POMROY, LEROY & BETTY	2137 WEBSTER PARK DR.
11-30-101-105	0.14	HEIKKILA CHRISTOPHER	2728 W. AMBERLY BLVD.
11-30-101-110	0.08	<del>PERSH LAWRENCE</del>	1801 BRIGHTON RD
11-30-101-111	0.13	HALL DEBORAH	2165 WEBSTER PARK DR.
11-30-101-113	0.13	GIRAUD GEORGE, LOIS & JACK	2175 WEBSTER PARK DR.
11-30-101-127	0.27	HEUWAGEN DENNIS & KAREN	2142 WEBSTER PARK DR.
ROW	1.65		
11-30-101-131	0.72	POMROY BETTY & LEROY URECHE RAC	2137 WEBSTER PK (duplicate)

O_CITY	O_STA	O_ZIP	P_ADDR_F	P_ADDR	P_ROAD
DEARBORN	MI	48126	4270 PARDEE LAKE RD.	4270	PARDEE LAKE RD.
GARDEN CITY	MI	48135	2146 WEBSTER PARK DR.	2146	WEBSTER PARK DR.
HOWELL	MI	48843	0 VACANT	0	VACANT
HOWELL	MI	48843	2166 WEBSTER PARK DR.	2166	WEBSTER PARK DR.
HOWELL	MI	48843	2172 WEBSTER PARK DR.	2172	WEBSTER PARK DR.
HOWELL	MI	48843	2137 WEBSTER PARK DR.	2137	WEBSTER PARK DR.
HOWELL	MI	48843	2151 WEBSTER PARK DR.	2151	WEBSTER PARK DR.
HOWELL	MI	48843	<del>2157 WEBSTER PARK DR.</del>	2157	WEBSTER PARK DR.
HOWELL	MI	48843	2165 WEBSTER PARK DR.	2165	WEBSTER PARK DR.
HOWELL	MI	48843	2175 WEBSTER PARK DR.	2175	WEBSTER PARK DR.
HOWELL	MI	48843	2142 WEBSTER PARK DR.	2142	WEBSTER PARK DR.
HOWELL	MI	48843	2129 WEBSTER PARK	2129	WEBSTER PARK



Livingston County, Michigan  
 Information Technology Department  
 G.I.S. Division  
 304 E. Grand River Ave. Howell, MI 48841  
 517 543 3230  
 www.livingstonmi.gov

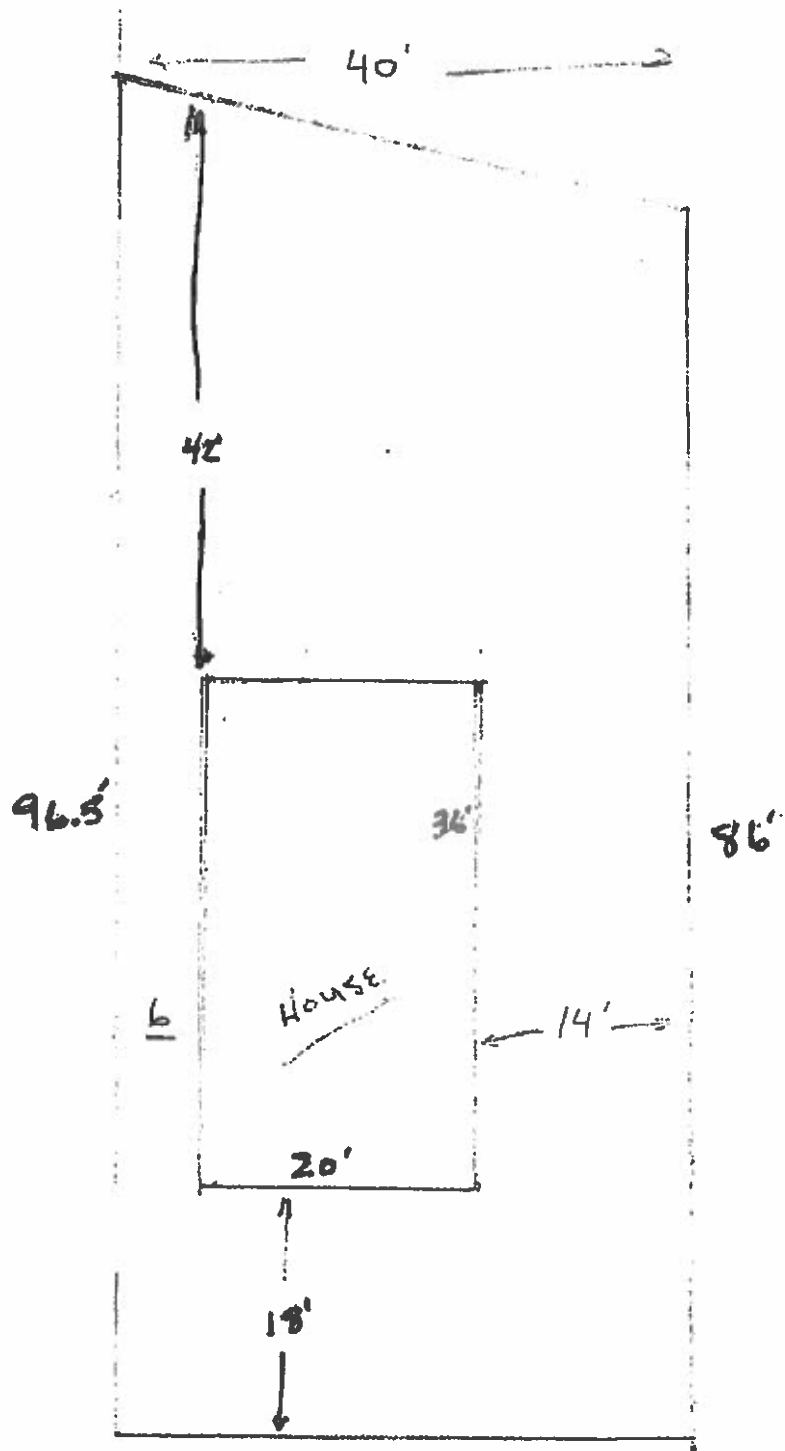


**County of Livingston**

Printed: 3/17/2014  
 Aerial Year: 2010

**MAP INFORMATION DISCLAIMER**  
 Map information depicted is not intended to replace or substitute for  
 any other or previous source. This map was extracted to meet  
 National Map Accuracy Standards and use the most recent  
 accurate source available to the people of Livingston County.  
 Boundary measurements and area calculations are approximate  
 and should not be construed as survey measurements.





2157 WEBSTER PARK DR.

EXISTING

# Livingston County Health Department

204 SOUTH HIGHLANDER WAY • HOWELL MICHIGAN 48843 • (517) 546-9850

Administrative Appeal #29-1085

Appellant: Glenn E. King

Location. Lots #107 & 108, 2165 Webster Park, Section 30, Genoa Township

Variances Requested: Section 301.21

Date of Appeal: January 10, 1986 at 9:00 A.M.

Present: Robert Scranton, Health Officer  
Ted Westmeier, LCHD  
Chuck Cousino, LCHD  
Claudia King

*Neighbor*

## Conditions.

The appellant proposes to construct a 1276 sq. ft. drainfield to serve the existing dwelling and proposed addition at the above-subject property.

## Findings:

WHEREAS, an administrative appeal was heard in the offices of the Livingston County Health Department on January 10, 1986,

THEREFORE BE IT RESOLVED that the appeal can be granted as long as the following stipulations are met

1. The proposed drainfield of 1276 sq. ft. must be moved as close to the property line as practical
2. An appeal concerning the distance to the property line is hereby granted.
3. Septic tank and drainfield shall be maintained approximately 50 ft. from all existing wells.
4. It was found that the 100 ft. well on the site is properly protected by going through a clay layer.
5. An onsite boring shall be completed by the appellant to demonstrate the existing soils at that site to allow adequate filling of the drainfield to maintain adequate isolation distances from tile field to water table.

BE IT FURTHER RESOLVED, upon approval of the field sanitarian of the above-named stipulations, the appeal is hereby granted.

Respectfully submitted,

  
Robert K. Scranton, R.S., M.P.H.

Health Officer

ROBERT K. SCRANTON, R.S., MPH  
Director—Health Officer

GEORGE P. GRILLO, M.D., MPH  
Medical Director

RKS/al

TED R. WESTMEIER, R.S., MPH  
Director—Environmental Health

MARLYN J. LEE, R.N., M.S., M.P.A.  
Director—Personal and Preventive Health Services

BONNIE A. DETWELER  
Business Manager



Livingston County Health Department—Environmental Health Division  
 204 S Highlander Way, Howell, Michigan 48843  
 (517) 546-9850

**HOMEOWNER INFORMATION SHEET FOR WATER SUPPLY  
 AND/OR SEWAGE DISPOSAL FACILITIES**

The following sketch represents the location of the on-site sewage disposal system and/or water well supply for the dwelling located at  
2166 Webster Park Genoa 30

Septic Tank Size _____	Dimensions of System _____
Absorption Bed/Trench _____	No of Lines _____

Well Driller _____	Sewage Disposal Contractor _____
Water Supply Approved _____ <small style="display: block; text-align: right;">Date</small>	Sewage Disposal Facilities Approved _____ <small style="display: block; text-align: right;">Date</small>

Please read the attached information regarding maintenance and care of the on-site sewage disposal facilities. The on-site sewage disposal system was inspected and approved in accordance with the Livingston County Sanitary Code. The water supply system was approved after reviewing the well log submitted by the well driller and receiving acceptable water quality analysis. If you did not receive a copy of your well log from the driller, please contact the Environmental Health Division of the Livingston County Health Department.

Since many interrelating factors contribute to the failure of a sewage disposal system and/or changes in water quality, approval cannot be considered as a guarantee by the Environmental Health Division that successful operation or quality of drinking water is assured. On-site sewage disposal systems under the best of installation conditions and practices are in no way the equivalent of municipal sewer collection and treatment facilities.

Livingston County Department of Public Health-Environmental Health Services  
 2300 E. Grand River, Suite 102, Howell, Michigan 48843-7578  
 Fax (517) 546-9853 • Phone (517) 546-9858

### HOMEOWNER INFORMATION SHEET FOR WATER SUPPLY AND/OR SEWAGE DISPOSAL FACILITIES

The following sketch represents the location of the on-site sewage disposal system and/or water well supply for the dwelling located at

Address \_\_\_\_\_ Township \_\_\_\_\_ Section No. \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Septic Tank Size _____	Dimensions of System _____
Absorption Bed/Trench _____	No. of Lines _____

Livingston  
 Name \_\_\_\_\_  
 Date \_\_\_\_\_

**APPROVED**  
 Livingston County Department  
 of Public Health

Name \_\_\_\_\_  
 Date \_\_\_\_\_

Well Driller _____	Sewage Disposal Contractor _____
Water Supply Approved _____	Sewage Disposal Facilities Approved _____
Inspecting Sanitarian _____	Date _____

Please read the attached information regarding maintenance and care of the on-site sewage disposal facilities. The on-site sewage disposal system was inspected and approved in accordance with the Livingston County Sanitary Code. The water supply system was approved after reviewing the well log submitted by the well driller and receiving acceptable water quality analysis. If you did not receive a copy of your well log from the driller, please contact Environmental Health Services of the Livingston County Department of Public Health.

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Receipt Number

Livingston County Department of Public Health  
Environmental Health Division  
2300 E. Grand River \* Suite 102 \* Howell, MI 48843  
Fax (517) 546.9853 \* Phone (517) 546.9858  
<http://co.livingston.mi.us/health>

**SEV2014-00021**  
Case No.  
**11-30-101-110**  
Current Desc. #

**SOILS EVALUATION FOR SUB-SURFACE SEWAGE DISPOSAL SYSTEMS**

<u>Conditions</u>	<u>Met?</u>	<u>Date</u>
Locate the system in the area of soil boring # 1.	N	3/18/14
Strip vegetation, backfill with a clean sharp sand to 6 inches above the highest original grade. Provide a 5' basal area around the perimeter of the system prior to beginning a 4:1 slope back to the original grade. 12" min. cover. Install as much system as possible (+/- 500 sq. ft.)	N	3/18/14
Verify existing septic tank size and condition in writing (Min. 1000 Gal. required) otherwise install a new 1500 gal. septic tank.	N	3/18/14
Due to the elevation differences between the existing house and septic location, pumping will most likely be needed and therefore pressure distribution will be required. Install a 500 gal. min pump chamber and contact LCDPH for pressure specs.	N	3/18/14
Seal Pump chamber shall be watertight inside and out.	N	3/18/14
Pump is to be installed with an easy access quick release union for ease of replacement. Pump chamber must be installed under a removable but sealed manhole cover.	N	3/18/14
Install a septic tank filter on the outlet end of the septic tank.	N	3/18/14
Existing well must be properly abandoned and new well drilled (permit required).	N	3/18/14

2157 WEBSTER PARK DR. HOWELL 48 Genoa 30 WEBSTER PARK / 106  
Location Township Section No. Subdivision/Acreage Lot, Parcel Page 3 of 3

**CONDITIONAL  
APPROVAL  
REFER TO PERMIT APPENDIX**

Receipt Number

Livingston County Department of Public Health  
Environmental Health Division  
2300 E. Grand River \* Suite 102 \* Howell, MI 48843  
Fax (517) 546.9853 \* Phone (517) 546.9858  
http://co.livingston.mi.us/health

**SEV2014-00021**  
Case No.

11-30-101-110  
Current Desc. #

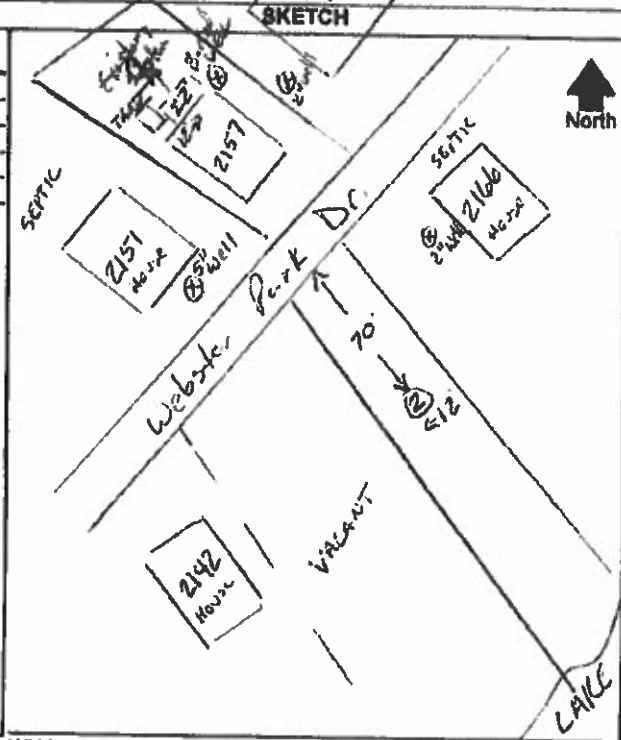
**SOILS EVALUATION FOR SUB-SURFACE SEWAGE DISPOSAL SYSTEMS**

2157 WEBSTER PARK DR. HOWELL 48 Genoa 30 WEBSTER PARK / 106  
Township Section No. Subdivision/Parcels Lot, Parcel Page 2 of 3

**Location and Directions:** 2157 WEBSTER PARK DR. HOWELL 48843  
COON LAKE AND PARDEE LAKE RD  
**Applicant**

**Owner**  
LAWRENCE PERSH  
1801 BRIGHTON RD  
HOWELL MI 48843  
PH1 810-923-8413

SOIL DESCRIPTION						
Boring #	Soil Type	Desc	Beg Depth	End Depth	swt Depth	wr Depth
3/18/14	1 Sandy Loam	FIL	0.00	1.00		
	1 Organic Sol./Fill Sol	TS	1.00	2.00	1.00	
	1 Fine Sand/Loamy Sr	SAT	2.00	5.00		2.00
3/18/14	2 Organic Sol./Fill Sol	TS	0.00	1.00	0.50	
	2 Sandy Loam	MOT	1.00	3.00		1.50



**CONDITIONAL APPROVAL**  
REFER TO PERMIT APPENDIX

**Unsuitable**

Oversize:  
Comments:

Within 800 feet of a potential or known source of contamination **No**  
Alternative Review: **No**

ASA

**Aaron S. Aumock**  
Environmental Health Representative

**March 18, 2014**  
Date

Soils evaluation based on criteria stated in Livingston County Sanitary Code, effective January 4, 1993.

This is NOT a permit. A suitable soils rating is NOT a guarantee that a permit to construct an on-site subsurface sewage disposal system will be granted. Changing conditions that might result in permit denial are explained in more detail on the reverse side.

LIVINGSTON COUNTY DEPARTMENT OF PUBLIC HEALTH  
ENVIRONMENTAL HEALTH DIVISION  
2300 E. GRAND RIVER, SUITE 102, HOWELL, MICHIGAN 48843-7578  
(517) 546-9858

Repair

REQUEST FOR SOILS EVALUATION -  
SUBSURFACE SEWAGE DISPOSAL SYSTEMS

Please print or type-See reverse side for directions and explanations.

**Applicant**

Name Lawrence Persh  
Address 1801 Brighton Rd  
City Howell State Mi Zip 48843  
Telephone No. 810-923-6413

**Property Owner**

Name Lawrence Persh  
Address 2157 Webster Park Dr  
City Howell State Mi Zip 48843  
Telephone No. 810-923-6413

**Location of Property**

Road Webster Park Dr Township Genoa Sect. No. 30  
Directions Coon Lake + Pardee Lake Rd

Subdivision/Acreage Webster Park

Parcel No. \_\_\_\_\_ Lot No. 106 Tax ID# 4711-30-101-110

**Nature of Intended Use**

- Single Family  Multi-Family Residence  Commercial  
 Two-Family Dwelling  Other (Specify) \_\_\_\_\_

Person or Firm conducting excavation \_\_\_\_\_  
Telephone No. \_\_\_\_\_

- Available Water Supply  Private (Individual Wells)  Public (Municipal Water)  
Utilities County Drains  Yes  No

**Attachments**

Certificate of Survey \_\_\_\_\_ or Legal Description and Preliminary Sketch \_\_\_\_\_

The undersigned being duly authorized certifies the statements herein contained are true and correct and further acknowledges he/she is the property owner or is acting as an authorized representative on behalf of the property owner.

Signature [Signature] Date 3-10-14

If mailing, allow adequate time before calling for an appointment.

<b>FOR LIVINGSTON COUNTY DEPARTMENT OF PUBLIC HEALTH USE ONLY</b>	
Appointment (date & time) <u>Tues, March 18 @ 1:30 w/ Aaron</u>	
Soil Evaluation I.D. No. <u>SEV2014-00021</u>	Receipt No. <u>N/A</u>
Comments _____	
<b>NOTE: APPLICANT SUBJECT TO ADDITIONAL FEE FOR FAILING TO KEEP APPOINTMENT</b>	

GR

CONDITIONAL PERMIT APPENDIX

Request to install a replacement sewage disposal system

OWNER Lawrence Persh  
ADDRESS 1801 Brighton Rd.  
CITY Howell ZIP 48843  
PROPERTY ADDRESS 2157 Webster Park  
TOWNSHIP Genoa SECTION # 30  
PHONE NO. BETWEEN 8 AM - 5 PM 810-923-6413

A request was made to conduct a site investigation for the purpose of determining conditions and requirements for a replacement sewage system at the above referenced address.

The Environmental Health Division of the Livingston County Department of Public Health has the authority to grant construction permits for the installation of onsite sewage disposal systems. In cases where the permit application is for a replacement system designed to serve an existing structure, more allowance is granted to approve systems under marginal site conditions. Section 301.22 of the Livingston County Sanitary Code states: "At the discretion of the Health Officer, modifications of the required distances, materials or size as stated in this Code may be applied if local conditions warrant and in cases where dimensions or features of the premises create a physical impossibility for compliance. In such event, if the Health Officer finds that public health would not be jeopardized, he may approve a modified sewage disposal system if, in his opinion, it would provide equal or better treatment than the existing system."

A site investigation conducted on 3/18/14 by Aaron Auerbach, Sanitarian revealed the following:

- The septic tank is one or all of the following: A) is inadequately sized; B) inaccessible for cleaning; C) inaccessible for inspection.
- The disposal system may be and/or is inadequately sized for the structure(s) served.
- The disposal system will be located within the required isolation distance to water well supplies (50 feet).
- The disposal system will be encroaching on required isolation distances to property lines, building, roadways, storm drains, etc.
- The soil structure and/or soil conditions on the site are not suitable for the use of onsite wastewater disposal.
- A high water table or zone of saturation exists on the site, resulting in lack of proper treatment of the sewage effluent before discharging to the groundwater.
- An area for a replacement onsite system does not exist.



Livingston County Department of Public Health

Environmental Health Division  
2900 E. Grand River Ave.  
Howell, MI 48843  
517.548.8858 • 517.548.9853 FAX  
co.livingston.mi.us/health

PERMIT #: **WEL2005-00293**  
APPLIED: 4/8/2005  
ISSUED: 4/12/2005  
EXPIRES:

*Neighbor*

**Well Permit**

SITE ADDRESS: **2151 WEBSTER PARK DR. HOWELL 48843**  
PARCEL NO.: **4711-30-101-105**  
TOWNSHIP: **Genoa Township**  
SUBDIVISION: **WEBSTER PARK**  
LOT/PARCEL:  
DIRECTIONS:



**OWNER**

PAULA N. WILKINSON  
2151 WEBSTER PARK DR.  
HOWELL MI 48843  
PH1 517-548-4968

**BUILDER**



**CONTRACTOR**

J & M WELL DRILLING  
7589 W LANSING RD  
PERRY MI 48872  
PH1 517-875-5956

Environmental Sanitarian:

John A. Wilson

Issued Date: April 12, 2005

**Project Description:**

**Information:**

Type of Work: **Replacement**  
Type of Water: **Residential**  
Sewer Type: **On-Site**  
Well First: **N**

Livingston County Department  
of Public Health

Name: \_\_\_\_\_  
Date: \_\_\_\_\_

**Special Requirements:**

ALL WELLS MUST BE GROUTED ENTIRE LENGTH OF CASING AS PER RULE 134A AND 138 OF PART 127 AS AMENDED. FINAL WATER SUPPLY APPROVAL CONTINGENT UPON SUBMITTAL OF ACCEPTABLE: 1. BACT. ANALYSIS, 2. PARTIAL CHEMNITRATE ANALYSIS, 3. WELL LOG, AND 4. WELL DRILLING NOTIFICATION.

THE WELL SHALL BE DRILLED TO A DEPTH THAT WILL PENETRATE AT LEAST A 10' LAYER OF PROTECTIVE CLAY, IF ADEQUATE CLAY IS NOT ENCOUNTERED, BE DRILLED TO A MINIMUM DEPTH OF 100'

EXISTING WELL MUST BE PROPERLY ABANDONED ACCORDING TO R325.1662 -1665 OF GROUNDWATER QUALITY CONTROL, PART 127, ACT 368, P.A. 1978. INDICATE ON WELL LOG AS TO ABANDONMENT OF OLD WELL.

*[Faint handwritten notes]*

Environmental Sanitarian:

John A. Wilson

Date Finaled

4/12/05

GENOA 30 2151 WEBSTER PARK WEL2005-00293

Well ID  
TAX NO:

**WATER WELL AND PUMP RECORD**

Completion is required under authority of Part 127 Act 368 PA 1978  
Failure to comply is a misdemeanor

**1. LOCATION OF WELL**

Livingston County Genoa Twp Fraction: NW 1/4 NW 1/4 NE 1/ Section: 30 Town Range: 02N 05E Latitude Longitude:

2151 WEBSTER PARK DR.  
HOWELL, MI

**3. OWNER OF WELL**

Address = Well Location

Paula Wilkinson  
2151 Webster Park Dr.  
Howell, MI 48843

4. Depth: 70 Date Completed: 4/16/2005 Well Type: Replacement

**2. FORMATION DESCRIPTION**

Formation Description	Thickness of Stratum	Depth to Bottom of Stratum
Brown Sand	16	16
Gray Clay	6	22
Gravel	7	29
Gray Clay	29	58
Sand	12	70

5. Drilling Method: Rotary

6. Use: Household

7. CASING PVC plastic  
Diameter (in): 6 to 64 Ft Height: Above Surface 1 Ft in Weight: 21  
BORE HOLE  
Diameter (in): 8.5 to 70 Ft Casing Fitting K-packer

8. SCREEN Type: PVC-slotted  
Set between 64 to 70 Ft. Diameter 4 in Slot: 10 Length 6 Ft  
Fitting: Blank Blank above screen 2 Ft

9. STATIC WATER LEVEL:  
7 ft Below Land Surface  Flowing

10. PUMPING LEVEL: Below land surface  
80 ft after 1 hrs. pumping at 50 G.P.M. Test Method: Air

11. WELL HEAD COMPLETION:  
Pitless Adapter

12. WELL GROUTED?   
Material Dry granular bentonite From: 0 to 64 ft.  
# Bags 6 Additives: Other

13. NEAREST SOURCE OF POSSIBLE CONTAMINATION:  
Type: Septic Tank Distance 100 Feet Direction: N  
Distance Feet Direction

14. PUMP  
Manufacturer: Other HP: 0.5 Volts: 115  
Model #: 10R05112 FM 12G Capacity 12 GPM  
Drop Pipe Lgth: 60 Ft  
Pump Type: Submersible  
Pressure Tank:  
Manufacturer Well-Mate  
Tank Model: WM6 Capacity 20 Gallons: 8

18. WATER WELL CONTRACTOR'S CERTIFICATION  
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

J&M WELL DRILLING INC.  
7589 LANSING ROAD PERRY MI  
Michigan License: 78-2272

Signed: *[Signature]*  
Registered Representative

Date: 4-20-05

**RECEIVED**  
**APR 25 2005**  
**LIV. CTY. HEALTH DEPT.**

15. Abandoned Well Plugged? YES  
Casing Diameter: 2 in. Depth 40 Feet  
Plugging Material: Bentonite Slurry # Bags: 0.7  
Casing Status: Buried

16. Remarks BENTONITE AND EZ MUD FOR GROUT  
SUBSTANCE ABANDON 2 EXIST WELLS. ONE 1.25"  
STAB WELL W/ 7 BAGS SLURRY AND 2" REFER TO  
ABAND

17. DRILLING MACHINE OPERATOR DENNIS CRUM Employee

**IMPORTANT: File with deed**





Deborah Hall  
2165 Webster Park Dr.  
Howell, MI 48843

December 11, 2019

Livingston County Health Department  
Attn: Aaron Aumock  
2300 E. Grand River Ave., Ste 102  
Howell, MI 48843

REFERENCE: Public Hearing regarding 2157 Webster Park Dr, Genoa Twp., Sec 30; Parcel ID# 4711-30-101-110

Dear Aaron;

I have reviewed Section 301.15 of the Livingston County Sanitary Code and have some concerns regarding the application for constructing a new engineered septic system and drinking water well at the location referenced above.

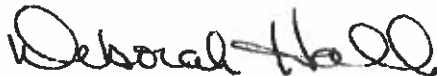
I own and live next door to the above referenced property. Currently, my drinking water well sits approximately nine foot from the referenced property. Section 302.09 states that a septic system must be a minimum of 50' from a drinking well. I am not certain that is it possible, even if my existing well is relocated, it would be in compliance with existing Sanitary Codes due to the location of existing neighboring wells and septic systems.

I am interested in listening to any proposed solutions for installing the engineered septic system and well for the neighboring property. However, I am concerned that any alteration in soil grade may create more water saturation to permeate onto my property. The property already has significantly high groundwater elevation and tends to be saturated 9 months out of the year.

Another concern is the size of the referenced property to accommodate a new septic system and well. The neighboring properties, including mine, are in very close proximity to existing septic systems and wells.

Please take these concerns into consideration when making the decision to grant the requested variance for a new engineered septic system and drinking water well.

Sincerely,



Deborah Hall

Deborah Hall  
2165 Webster Park Dr.  
Howell, MI 48843

December 11, 2019

Livingston County Health Department  
Attn: Aaron Aumock  
2300 E. Grand River Ave., Ste 102  
Howell, MI 48843

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Sincerely,

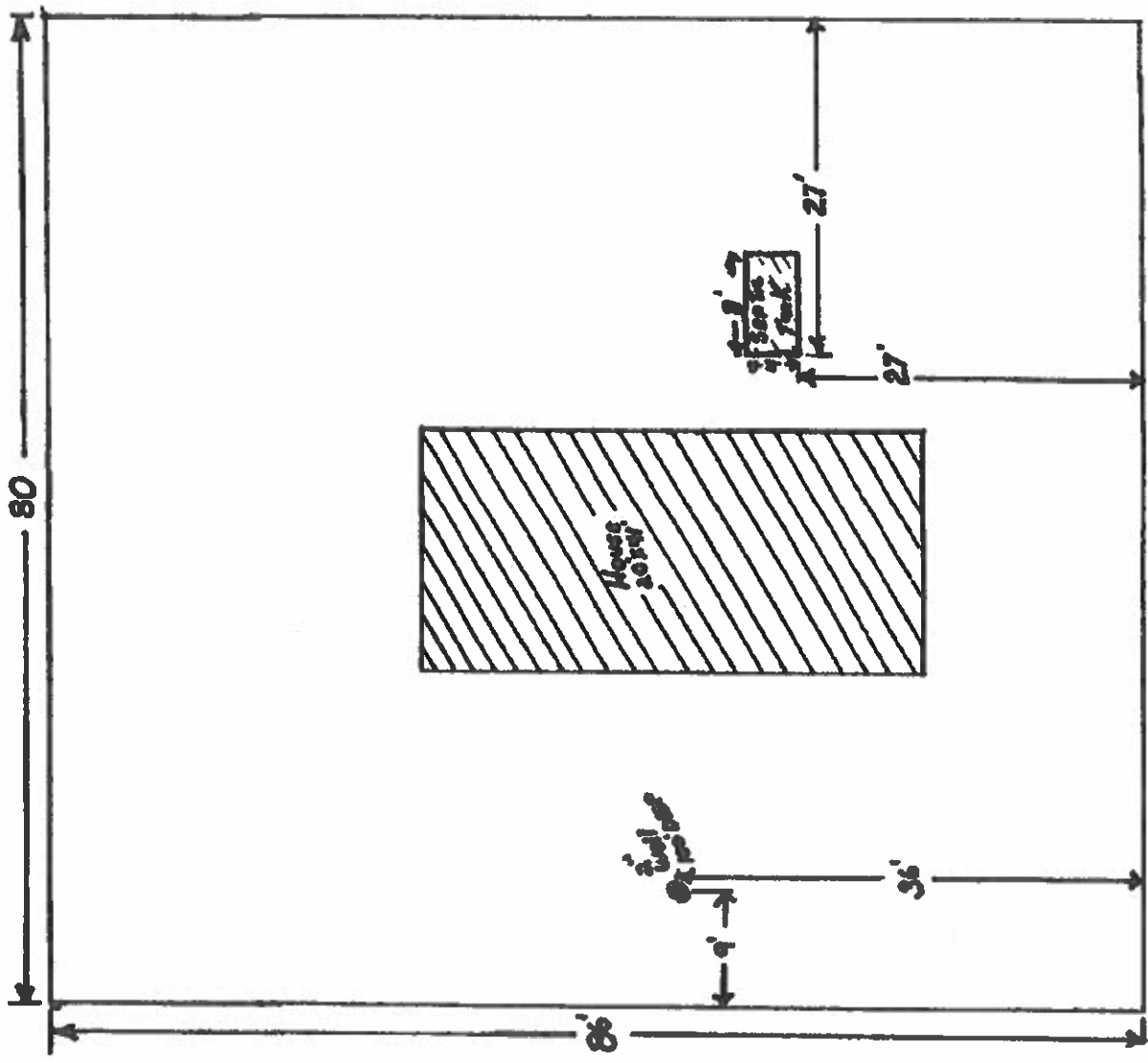


Deborah Hall

SCALE.  
1/8" = 1'

LOTS NO.  
107 + 108  
2165 Webster  
Livingston 40803

ordinance



reduced



## Inspections On Demand

---

2613 Rubbins Rd, Howell, MI 48843  
☎ 517-540-0800

[dominic@inspectionsondemand.com](mailto:dominic@inspectionsondemand.com)

Steve Persh; pershs@brightonk12.com

7/20/2019

**Subject: 2157 Webster Park Dr, Howell, MI 48843**

To Whom It May Concern,

On July 20<sup>th</sup>, 2019 I performed an inspection on the property mentioned above. The purpose of this inspection was to determine the condition of the home and its structural integrity along with its suitability for remodel.

The home was not built with any proper structure beneath or to any current standards. No footings or foundation walls are present. The original wood posts/piers have mostly rotted. Additional steel posts have been placed at various locations but are not installed on footings, are not the proper post type for permanent load, and were attached to deteriorated wood joists and beams.

The roof has deteriorated to the point of leakage into the home. Wall, roof, and floor framing materials have all been affected with wood rot and insect activity.

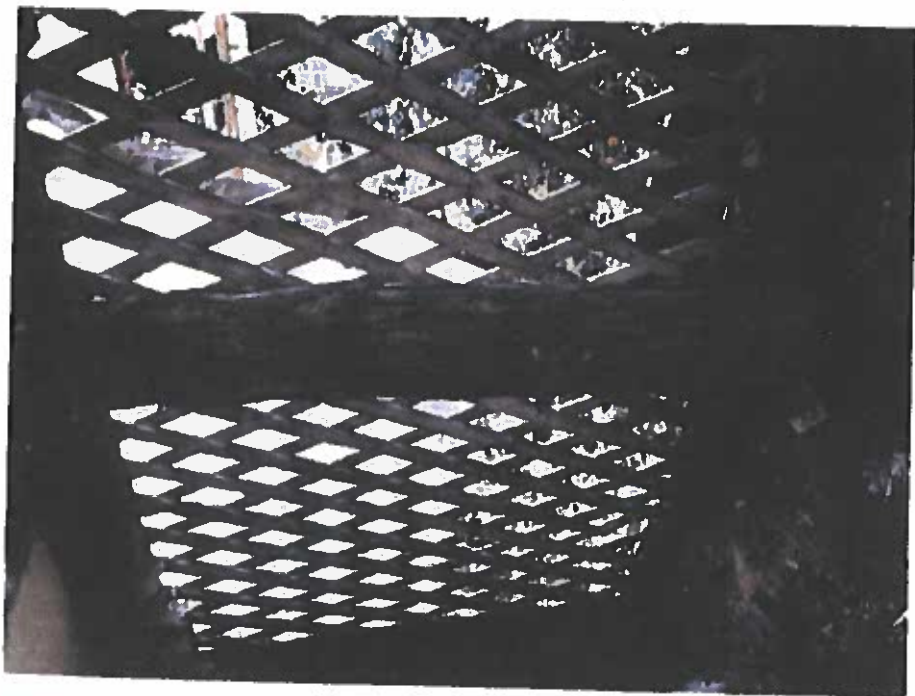
There is no salvageable portion of this house or structure. Repairs to this home would be a higher financial cost than re-building. The home is currently unsafe for occupancy.

Please feel free to contact me with any questions,

A handwritten signature in black ink, appearing to read 'Dominic Vagnetti', written over a horizontal line.

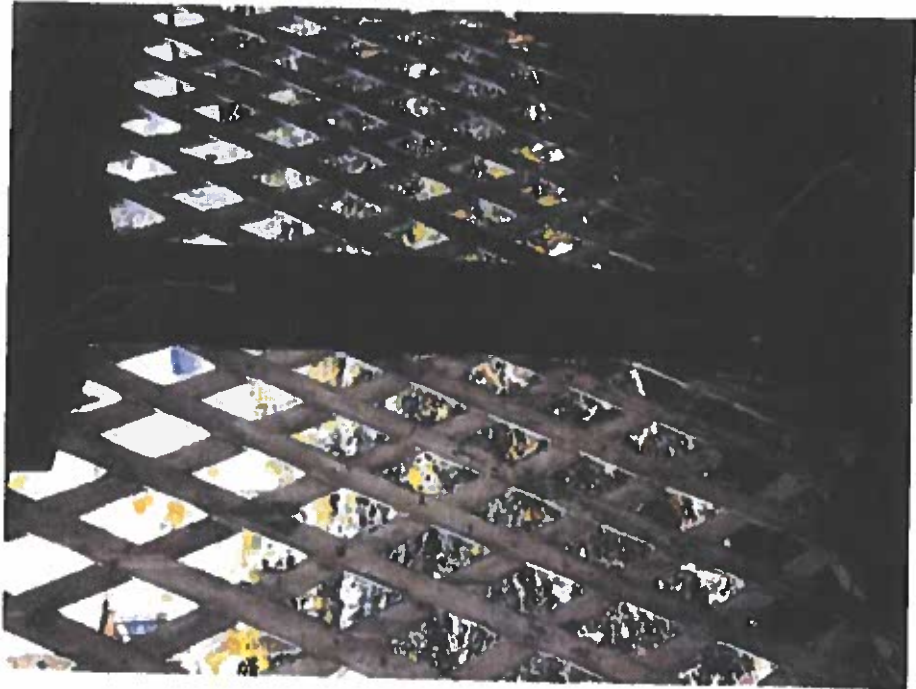
Dominic Vagnetti

Owner, Inspections on Demand









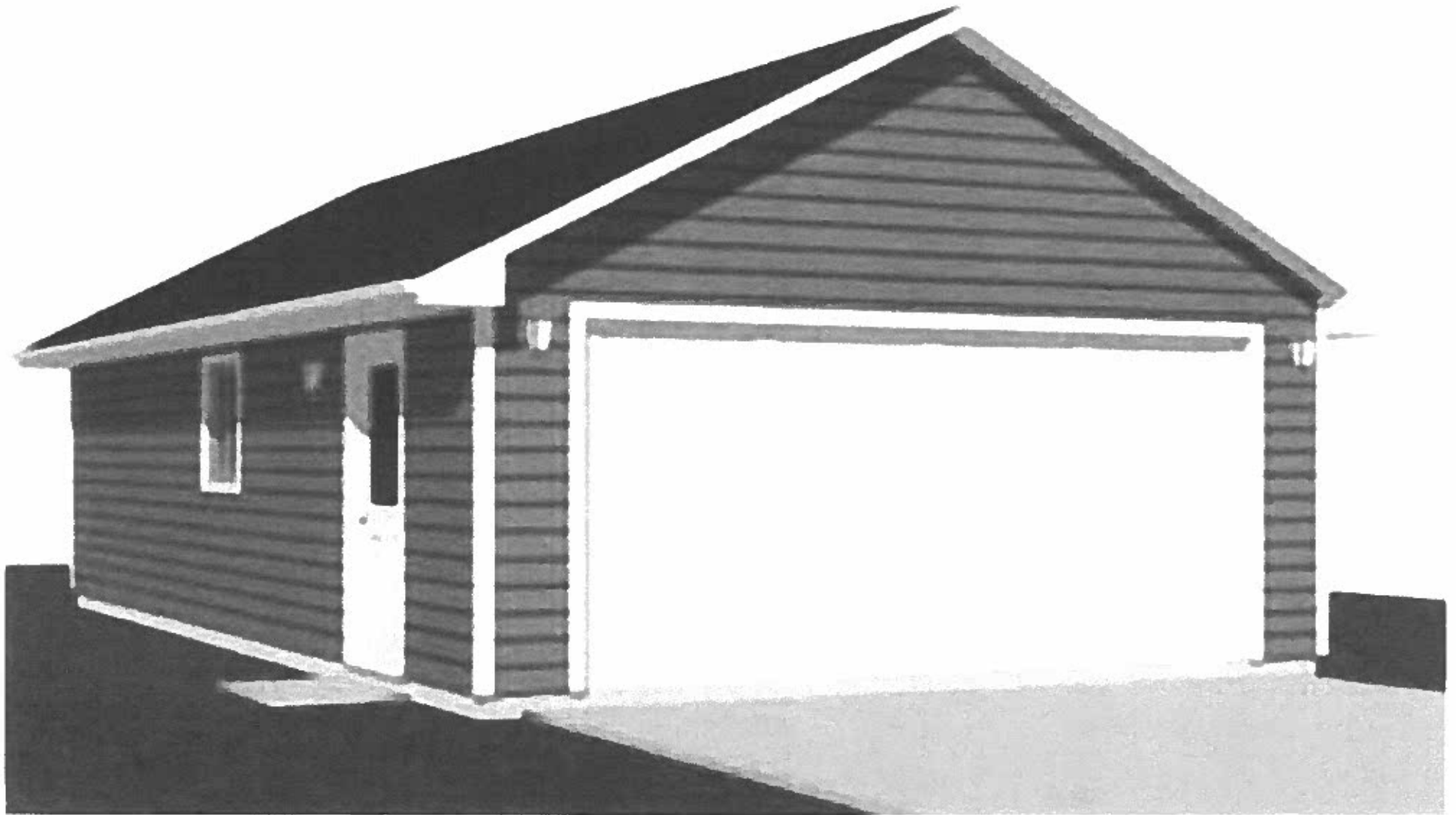




**EXHIBIT B**

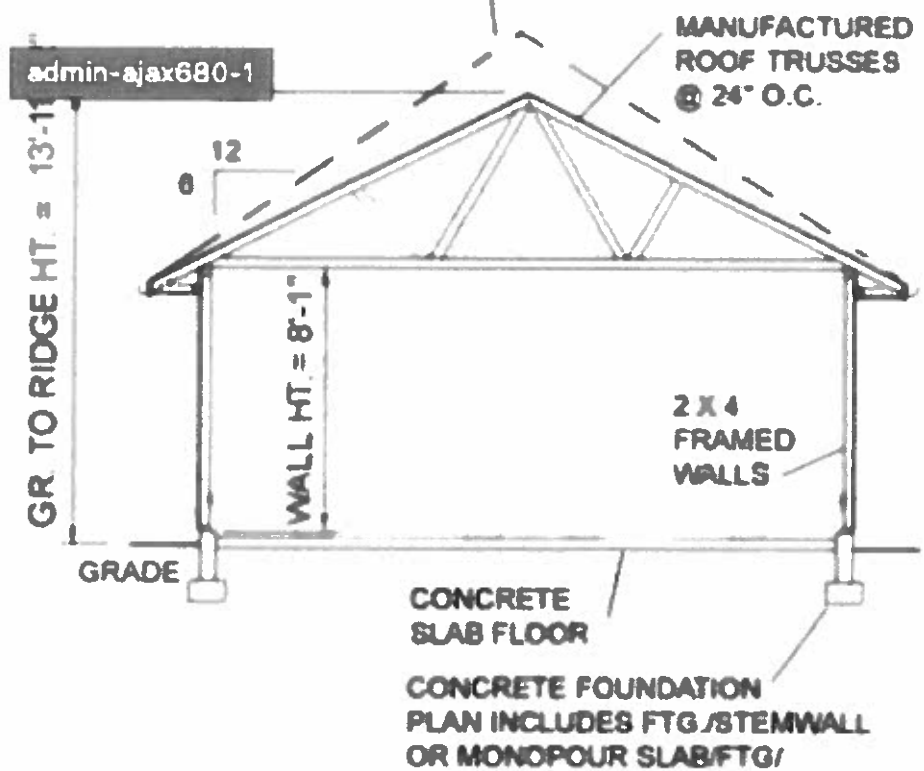
20' x 34' - TO SIT IN THE SAME  
FOOTPRINT COTTAGE IS IN NOW -

EXAMPLE 1053



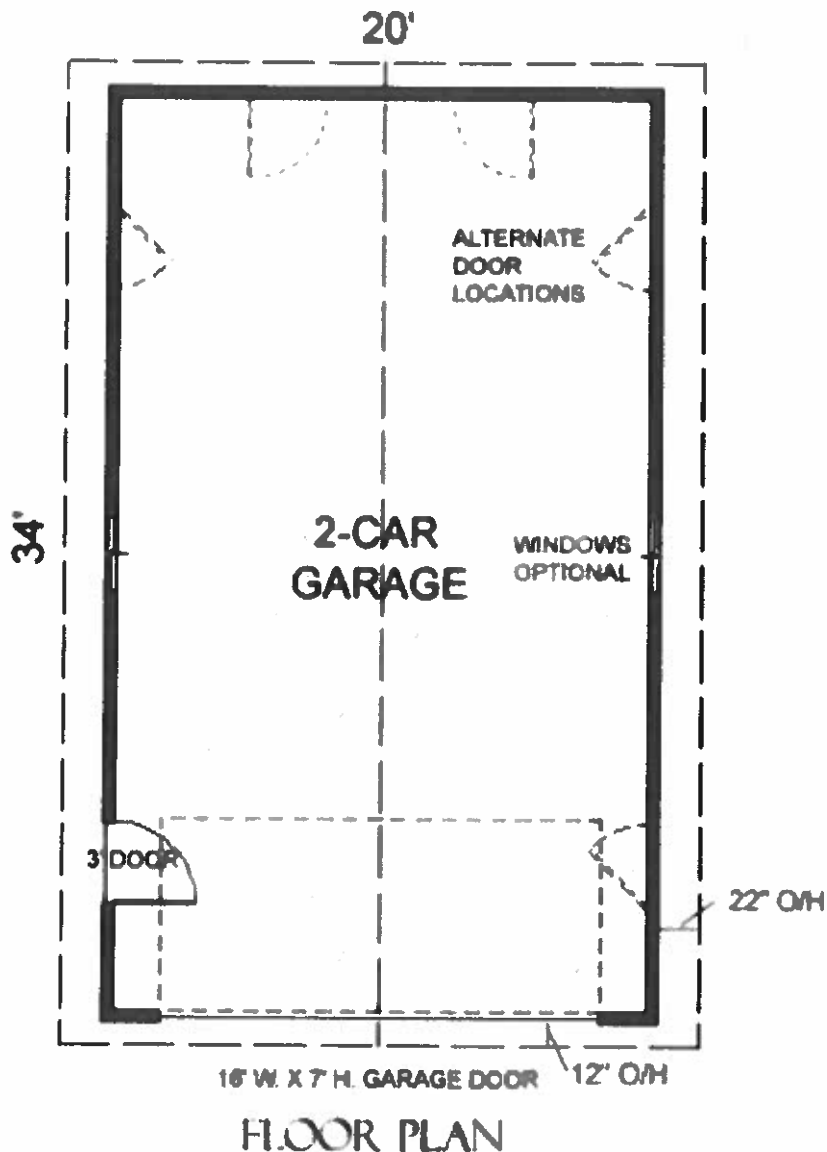
Example 2 of 3

TO SPECIFY AN ALTERNATE ROOF SLOPE AS MAY BE REQUIRED FOR YOUR PROJECT.



EXAMPLE 30F3

680-1





**EXHIBIT C**



**Genoa Township**

2911 Dorr Rd. Brighton, MI 48116  
 Phone: 810.227.5225 Fax: 810.227.3420 www.genoa.org

**Planning & Zoning**

**Land Use Waiver**  
**Demolition**

**PW21-086**  
 Issued: 08/27/2021  
 Expires: 08/27/2022

LOCATION	OWNER	APPLICANT
2157 WEBSTER PARK DR 4711-30-101-110 Zoning: LRR	KLINE KEVIN 30067 MIRAGE CT WARREN MI 48093-6500 Phone: E-mail:	KLINE KEVIN 30067 MIRAGE CT WARREN MI 48093-6500 Phone: E-mail:

**Work Description:** Demolition of all structures on site

**Construction Value:** \$8,000.00

**Total Square Feet:**

**Comments/ Flood Plain:** N/A

**Conditions:**

**All Livingston County Building Department requirements must be followed.**

**Once building is removed, no outdoor storage or accessory structures are allowed on the parcel.**

Permit Item	Permit Fee	Fee Basis	Item Total
-------------	------------	-----------	------------

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

Issuance of this waiver confirms the applicants certification that all information and data attached to and made part of this waiver 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 waiver 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 waiver authorizes on-site inspections by an official representative of Genoa Charter Township. This waiver 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.

# Proposal

May 17, 2021

To: Kevin Kline  
586-243-3764  
kkline300@gmail.com  
2157 Webster Park Dr.  
Howell, MI 48843

**Line Items:**

1. Demolish and haul away of 608 SF house @ \$7/SF (\$4256) including permits (\$1000), 212 SF porch (\$500) crawl (\$1000), silt fence (\$500), backfill, topsoil, seed and straw (\$1000)

**Total Due: \$8,256.00**

\*\*\* Credit card payments will incur a 4% processing fee \*\*\*

This agreement does not include and is the responsibility of Owner where applicable:

1. Environmental or Abatement work.

Other Terms:

1. Triple D will not be held liable for any damages upon entering and exiting said property due to trafficking (i.e, but not limited to: curbs, gutters, spoils, concrete or asphalt driveways, sidewalks, grass, sprinklers, underground utilities, etc). This includes interior entry to and from work area(s) and associated traffic patterns. Shared interior walls can sustain damage due to pounding and we will not be liable for stress cracks. Settling of soil is also not covered.
2. Triple D shall maintain all necessary insurances.
3. Triple D will complete the project within the project requirements.
4. Disconnects are the responsibility of owner.
5. Unknown conditions (including any bonding) will be the responsibility of the Owner.
6. Pulling of permits IS included in this quote.
7. Landscaping including shrubs, trees, pavers, and the like are not included.
8. Triple D will dispose of ONLY the tires that come with a mobile home. We will not dispose of any additional tires.
9. All materials on site and salvage rights to the property belong to Triple D once agreement is signed.
10. Quote is good for 30 days.

Payment Terms:

**50% non-refundable deposit required upon signing.  
Final payment due before open hole inspection.**

Thank you,  
Madelyne McBride  
Field Administrator  
517-375-3378

Please sign and return.

X \_\_\_\_\_

Owner or Representative

\_\_\_\_\_

Date

X \_\_\_\_\_

Triple D Representative

Date



This is your bill. Please pay from this form.  
**HOWELL SANITARY COMPANY II**

P.O. Box 2428 • Howell, Michigan 48844  
(517) 546-2978 • Fax (517) 548-1504

LAST DRAIN OF  
ABANDONED SEPTIC  
TANK



Purchase Order No. 29340

Date 9.28.21

Order By Kevin Kline

Work Phone No. ( ) \_\_\_\_\_

Cell Phone No. (586) 243 2764

Bill To \_\_\_\_\_

Pump Location 2157 W. 5th St

Pump pool Cottage  
Septic tank for DEMO.  
Steel Drum Tank

Tank Qty.	Size	Total
<u>1</u>	<u>400 gals</u>	<u>250.00</u>

Check No. \_\_\_\_\_  Cash  Charge

Sold By Geo. Bentley

Howell Sanitary Co. It will not be held liable for hitting any sprinkler lines if hired to find the septic tank or damage to any driveways while on site.

Rec'd by (signature) \_\_\_\_\_

Please print name \_\_\_\_\_

A service charge of 1-1/2% per month (18% per year) will be added to balances after 30 days.

WELLS ABANDONMENT



Established 1927



7215 Highland Road (M-59)  
Howell, Michigan 48843  
(517) 546-0600  
FAX (517) 546-3974

# INVOICE

KEVIN KLINE  
2166 WEBSTER PARK  
HOWELL, MI 48843

Invoice Number: 31179  
Invoice Date: Jun 28, 2021  
Page:

Customer ID	Customer ID	Invoice Date
KLINE, K		C.O.D.
		8/28/21

QUANTITY	Description	Unit Price	Amount
JOB ADDRESS: 2167 WEBSTER PARK HOWELL, MI-ABANDON (2) WELLS ON PROPERTY. CURT & JOLLY			
1.00	SERVICE CALL	96.00	96.00
2.50	LABOR	92.00	230.00
2.00	ADDITIONAL LABORER	75.00	150.00
1.00	NEAT CEMENT	35.00	35.00
1.00	WELL ABANDONMENT LOG	75.00	75.00
1.00	FUEL SURCHARGE	12.00	12.00

BROWN WELL DRILLING  
7215 HIGHLAND RD  
HOWELL, MI 48843  
517-546-0600

Merchant ID: 28001587  
Term ID: 0023

Sale

VISA

XXXXXXXXXXXX197

Entry Method: Manual

Approved: Online

06/28/21

AVS Code: Z

Inv#: 00069821

Total:

Batch#: 000097

14:43:24

Appr Code: 961655

\$ 598.00

Subtotal	598.00
Sales Tax	
Total Invoice Amount	598.00
Payment/Credit Applied	598.00
TOTAL	0.00

Customer Fees  
THANK YOU!  
PLEASE CON. #00111

Overdue invoices are subject to service charges.







Northwest Regional Planning and Design  
1970 Orchard Lake Road  
Sylvan Lake, MI 48320  
Tel: 248 427-2200 Fax: 248 427-2390

A DTE Energy Company

Date: May 26<sup>th</sup>, 2021

To: 2157 Webster Park Dr.  
c/o kkline300@gmail.com

Phone: 586-243-3764

Customer and Marketing Services  
Customer Services Division

## **Wrecking Clearance**

---

Concerning building to be wrecked at (2157 WEBSTER PARK DR, GENOA, MI 48843).  
Electric meters and service connections were disconnected and removed from the building on  
(5/26/2021).

X No hazardous conditions existed by reason of proximity of Detroit Edison installations.

*Jarret Johnson*

---

Planner, Jarret Johnson

**Consumers Energy**

*Count on Us*

---

**Support Specialist Mailing Center**

530 W Willow Street, PO Box 30162 Lansing, MI 48909

September 27, 2021

ATTN: KEVIN KLINE  
30067 MIRAGE CT  
48093, Michigan

**RE: CONSUMERS ENERGY GAS RETIREMENT**

This is to notify you that Consumers Energy Company has made a physical inspection of the building at 2157 WEBSTER PARK DR, in HOWELL, Michigan. We do not show any evidence of Consumers Energy Company gas facilities at this building upon this inspection nor do we show any facilities according to our records.

**While we believe we currently have no gas facilities at this location, please use caution in the unlikely event we are in error.**

We have advised the customer to cut and cap the remaining fuel line to the living quarter which will be demolished.

If you do locate any unknown piping in the ground, please call Consumers Energy at 1 800 477 5050 and we will send out an emergency crew for you.

Thank you for your assistance.

Alexandra Heinrich  
Retirement/No Facilities  
Livonia Customer Service Center

**REMEMBER: Please contact MISS DIG at 1-800-482-7171, 72 hours prior to digging.**



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
PERSH LAWRENCE	KLINE KEVIN	59,000	12/11/2020	WD	19-MULTI PARCEL ARM'S LEN	2020R-046790	BUYER/SELLER	100.0				
GEER TIMOTHY	PERSH LAWRENCE	45,000	08/21/2013	WD	03-ARM'S LENGTH	2013R-036490	BUYER/SELLER	100.0				
BLAINE, ROBERT & GEER, TIM	GEER TIMOTHY	0	08/01/2013	WD	21-NOT USED	2013R-036489	BUYER/SELLER	0.0				
BLAINE, ROBERT	BLAINE, ROBERT & GEER, TIM	0	08/07/2001	QC	21-NOT USED	3080-0541	BUYER/SELLER	100.0				
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status		
2157 WEBSTER PARK DR.		School: HOWELL PUBLIC SCHOOLS		Demolition		08/27/2021		PW21-086				
Owner's Name/Address		P.R.E. 0%		MAP #: V22-06		2022 Est TCV Tentative						
KLINE KEVIN 30067 MIRAGE CT WARREN MI 48093-6500		X Improved		Vacant		Land Value Estimates for Land Table 4043.PARDEE LK FRT/GALE LAKE/WEBSTER PAR						
Tax Description		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason		Value				
SEC. 30 T2N, R5E, WEBSTER PARK LOT 106		Dirt Road		<Site Value E> E SITE VALUE		30000 100		30,000				
Comments/Influences		Gravel Road		0.00 Total Acres		Total Est. Land Value =		30,000				
		Paved Road										
		Storm Sewer										
		Sidewalk										
		Water										
		Sewer										
		Electric										
		Gas										
		Curb										
		Street Lights										
		Standard Utilities										
		Underground Utils.										
		Topography of Site										
		Level										
		Rolling										
		Low										
		High										
		Landscaped										
		Swamp										
		Wooded										
		Pond										
		Waterfront										
		Ravine										
		Wetland										
		Flood Plain										
		X REFUSE										
		Year		Land Value		Building Value		Assessed Value		Board of Review	Tribunal/Other	Taxable Value
		2022		Tentative		Tentative		Tentative				Tentative
4711-30-101-110		10/28/2021		JB 10/28/2021 INSPECTED		15,000		12,300		27,300		27,300S
The Equalizer. Copyright (c) 1999 - 2009.		12/18/2020		JB 12/18/2020 SALES REVI		15,000		12,000		27,000		27,000S
Licensed To: Township of Genoa, County of Livingston, Michigan						15,000		11,800		26,800		26,800S

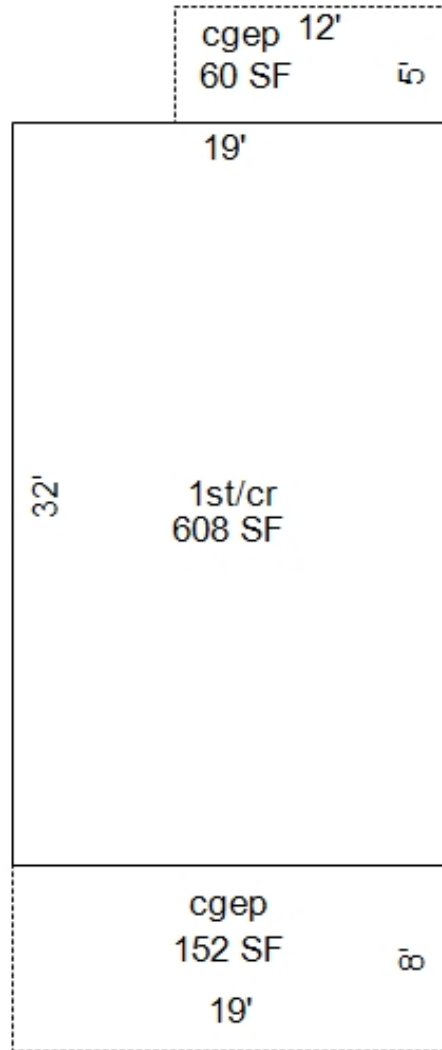


Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins		(15) Fireplaces		(16) Porches/Decks		(17) Garage																					
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 212	Type CGEP (1 Story)	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	X	Plaster Wood T&G																													
Building Style: D		Trim & Decoration																																
Yr Built 1920	Remodeled 0	Ex	X	Ord		Min																												
Condition: Good		Lg	X	Ord		Small																												
Room List		(5) Floors																																
	Basement 1st Floor 2nd Floor 1 Bedrooms	Kitchen: Other: Other:					(12) Electric 0 Amps Service																											
(1) Exterior		(6) Ceilings																																
X	Wood/Shingle Aluminum/Vinyl Brick																																	
	Insulation																																	
(2) Windows		(7) Excavation																																
X	Many Avg. Few	X	Large Avg. Small																															
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Basement: 0 S.F. Crawl: 608 S.F. Slab: 0 S.F. Height to Joists: 0.0																																
(3) Roof		(8) Basement																																
X	Gable Hip Flat	X	Gambrel Mansard Shed																															
X	Asphalt Shingle	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																
Chimney: Brick		(9) Basement Finish																																
		Recreation SF Living SF Walkout Doors No Floor SF																																
(10) Floor Support		(14) Water/Sewer																																
		Public Water Public Sewer																																
		1 Water Well 1 1000 Gal Septic 2000 Gal Septic																																
		Lump Sum Items:																																
Cost Est. for Res. Bldg: 1 Single Family D (11) Heating System: Forced Air w/ Ducts Ground Area = 608 SF Floor Area = 608 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=45/100/80/100/36 Functional Depreciation because of: 1 BEDROOM Building Areas <table border="1"> <thead> <tr> <th>Stories</th> <th>Exterior</th> <th>Foundation</th> <th>Size</th> <th>Cost New</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>1 Story</td> <td>Siding</td> <td>Crawl Space</td> <td>608</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>57,179</td> <td>20,586</td> </tr> </tbody> </table> Other Additions/Adjustments Water/Sewer 1000 Gal Septic 1 3,749 1,350 Water Well, 200 Feet 1 8,798 3,167 Porches CGEP (1 Story) 212 9,018 3,246 <b>Totals: 78,744 28,349</b>  Notes: ECF (4043 WEBSTER PARK) 0.960 => TCV: 27,215													Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	608			Total:				57,179	20,586	Class: D -10 Effec. Age: 80 Floor Area: 608 Total Base New : 78,744 Total Depr Cost: 28,349 Estimated T.C.V: 27,215  E.C.F. X 0.960		Bsmnt Garage:  Carport Area: Roof:	
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																													
1 Story	Siding	Crawl Space	608																															
Total:				57,179	20,586																													

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



BUILT IN 1920  
1 BEDROOM  
1 FULL BATH



New 2022 Tax Roll  
Demolition on all structures



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

Case # 22-01 Meeting Date: March 22, 2022  
 @ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Gary LaCrosse Email: ~~Bob~~ DonnaBell12@gmail.com  
 Property Address: 1235 Boulevard DR Phone: 1-517-798-9779  
Howell MI 48843  
 Present Zoning: \_\_\_\_\_ Tax Code: 11-09-201-179

**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: I would like to get  
variance 3' from back property calling back of property  
South and 5' variance on WEST side of property

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.

I would like variance so that I could turn off driveway in to garage, and to be able to back out of garage so I could drive out forward on to street, and to enjoy what other neighbors have

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

There is a well Head in the way making it difficult, I do not want garage close to well Head, And I need room between House and garage for the natural drainage my property has, narrowness of lot and location of existing home

**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.

There are no houses close to garage area, But there is a garage on East Side of Property 7'9" From property Line Larger and taller than the garage I'm proposing. Hopefully, I don't have to back out on to street

**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.

I don't think what I'm proposing will Interfer or discourage any Development, or lessen value of adjacent properties. I have lived hear approx 35 years. Runoff from structure will not change From natural pattern

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: Gary Saloner



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** March 17, 2022

**RE:** ZBA 22-07

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

---

## STAFF REPORT

**File Number:** ZBA#22-07  
**Site Address:** 1235 Boulevard Drive, Howell  
**Parcel Number:** 4711-09-201-179  
**Parcel Size:** .138 Acres  
**Applicant:** Gary LaCrosse  
**Property Owner:** Same as Applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variance  
**Project Description:** Applicant is requesting a rear yard setback variance to construct a detached accessory structure.  
**Zoning and Existing Use:** LRR (Lakeshore Resort Residential) Single Family Dwelling located on property.  
**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday March 6, 2022 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.
- The property is serviced by a private well and public sewer.
- See Assessing Record Card.

#### **SUPERVISOR**

Bill Rogers

#### **CLERK**

Paulette A. Skolarus

#### **TREASURER**

Robin L. Hunt

#### **TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

#### **MANAGER**

Michael C. Archinal

The proposed project is to construct a 24 X 32 detached accessory structure. In order to construct the detached accessory structure as proposed, the applicant is in need of a rear yard variance. The existing shed in the rear of the property is being removed. Since time of publication it has been determined that the applicant does not need a side yard setback. The proposed structure will keep the lot in compliance with lot coverage.

### **Variance Requests**

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

#### **Sec. 11.04 (f):**

**Required Rear Yard Setback: 10'**

**Proposed Rear Yard Setback: 3'**

**Proposed Variance Amount: 7'**

### **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 rear yard setback would not allow the applicant to construct the detached accessory structure in the desired location. There are other detached accessory structures in the vicinity that have reduced setbacks. The variance would support substantial justice and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home and the lot being small and narrow. The need for the variance is not self-created. The applicant should demonstrate that the variance is request is the least amount necessary.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

### **Recommended Conditions**

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

1. Drainage from the detached structure must be maintained on the lot.
2. Structure must be guttered with downspouts.
3. No other structures or impervious surfaces are allowed on the lot.





11-09-201-218

36

11-09-2

11-09-201-223

11-09-201-179

11-09-201-228

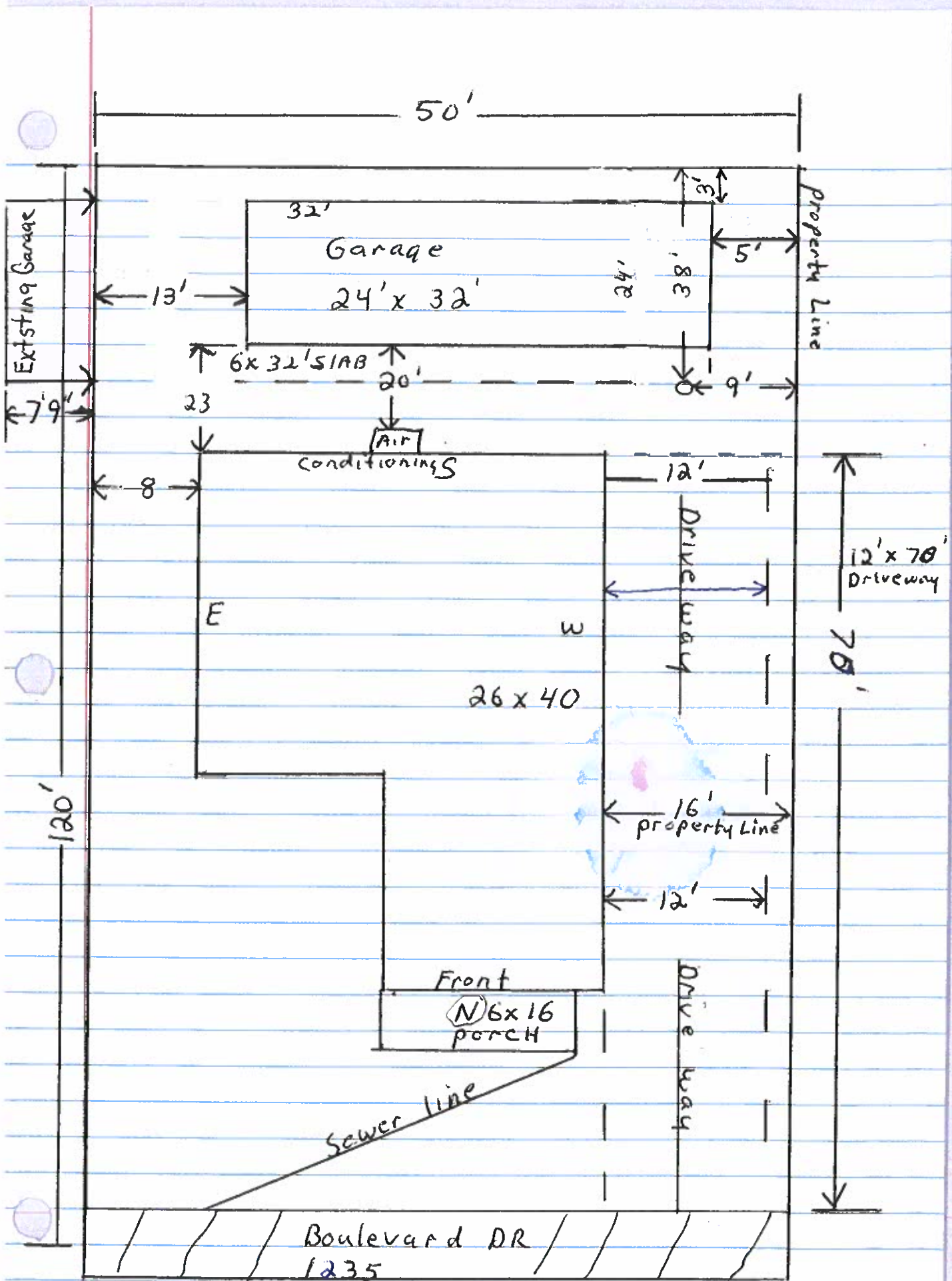
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11-09-202-026

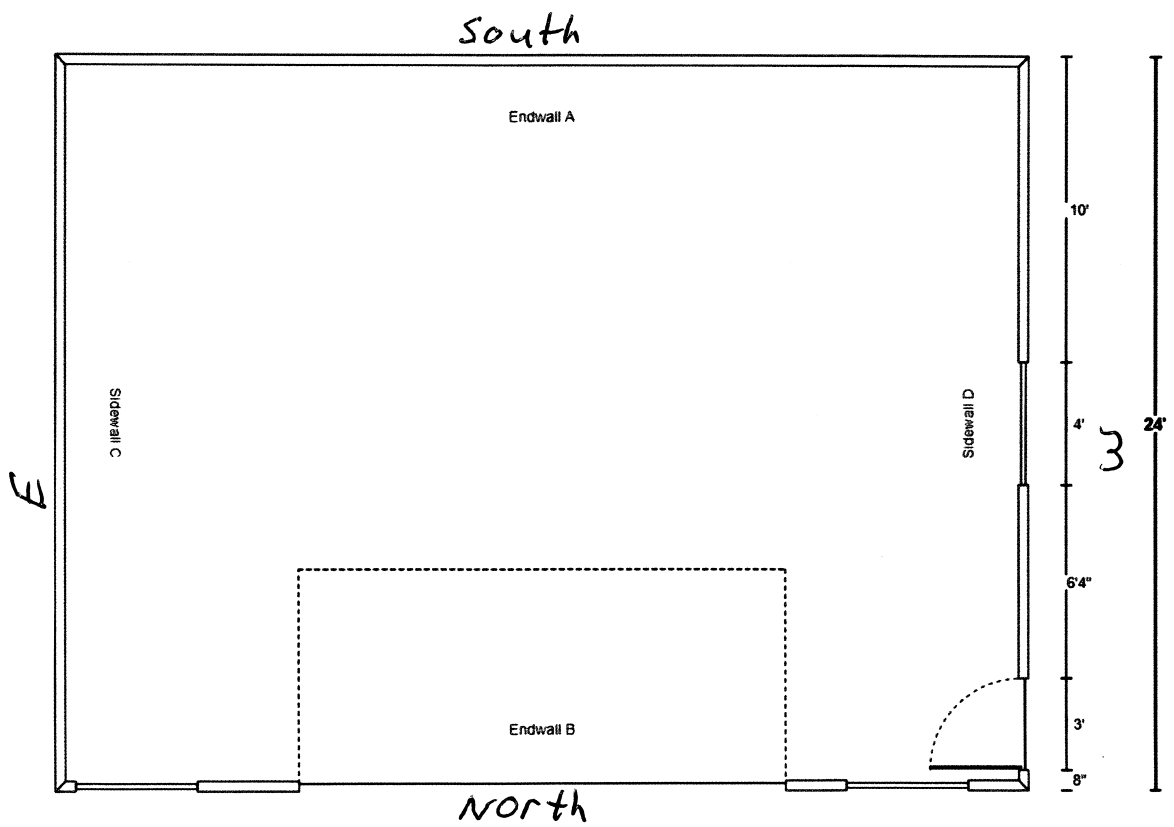
OUTLOT







Design ID: 332052366858  
Estimate ID: 37940

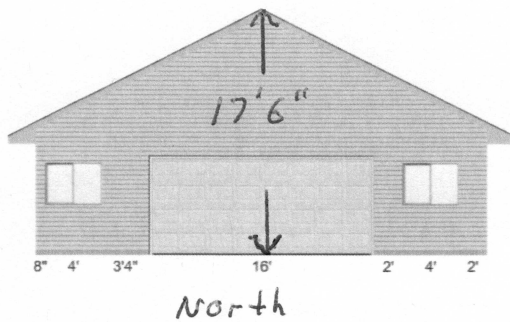




**Dimensions**

**Wall Configurations**

\*Illustration may not depict all options selected.

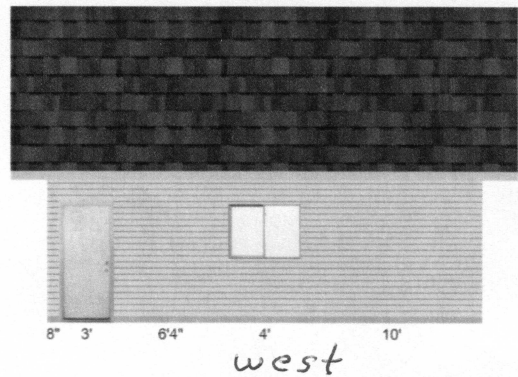


**ENDWALL B**

Ideal Door®; 4-Star 16' x 7' White Select Value Insulated

48"W x 36"H JELD-WEN Vinyl Slider

48"W x 36"H JELD-WEN Vinyl Slider

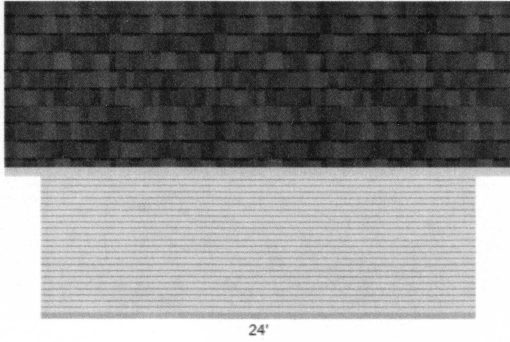


**SIDEWALL D**

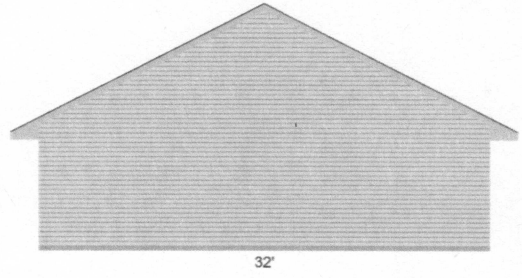
Mastercraft®; 36"W x 80"H Primed Steel 6-Panel

48"W x 36"H JELD-WEN Vinyl Slider

Design ID: 332052366858  
Estimate ID: 37940



**SIDEWALL C**



**ENDWALL A**

\*Some items like wainscot, gutter, gable accents, are not displayed if selected.

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
LACROSSE, GARY J. TRUSTEE	LACROSSE, GARY J.	0	01/22/1998	QC	21-NOT USED	2288-0526	BUYER/SELLER	0.0
LACROSSE, GARY J.	LACROSSE TRUST	1	07/09/1997	WD	21-NOT USED	2203-0064	BUYER/SELLER	0.0
		33,900	06/03/1993	WD	16-LC PAYOFF	17120273	BUYER/SELLER	0.0

Property Address	Class: RESIDENTIAL-IMPROV	Zoning: LRR	Building Permit(s)	Date	Number	Status
1235 BOULEVARD DR	School: HOWELL PUBLIC SCHOOLS					
	P.R.E. 100% / /					
Owner's Name/Address	MAP #: V22-07					
LACROSSE, GARY J. 1235 BOULEVARD DR HOWELL MI 48843-8518	2022 Est TCV Tentative					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 4302.SUNRISE PARK						Value	
				Description	Frontage	Depth	Front	Depth	Rate %Adj.		Reason
SEC. 9 T2N, R5E, SUNRISE PARK LOT 166				C NON LF	50.00	120.00	1.0000	1.0000	950	100	47,500
Comments/Influences				50 Actual Front Feet, 0.14 Total Acres Total Est. Land Value =						47,500	

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



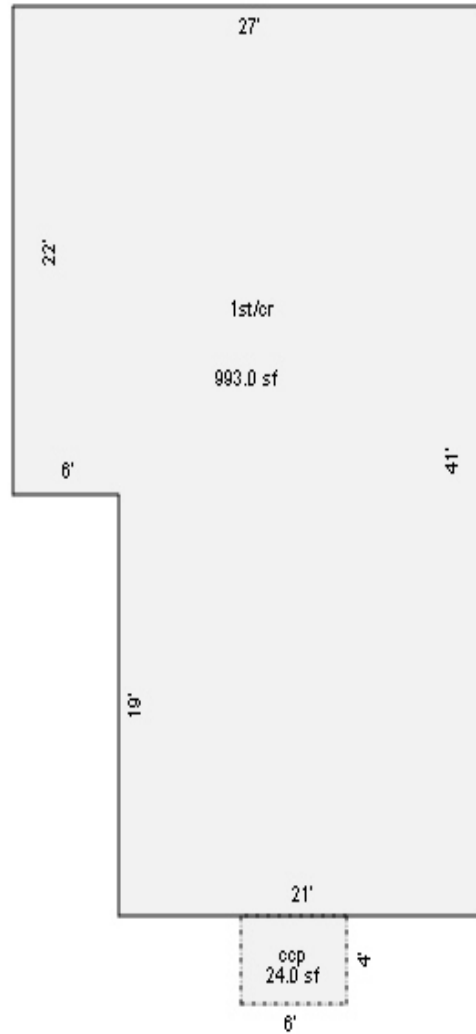
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Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level							
Rolling							
Low							
High							
Landscaped							
Swamp							
Wooded							
Pond							
Waterfront							
Ravine							
Wetland							
Flood Plain							
X REFUSE	2022	Tentative	Tentative	Tentative			Tentative
	2021	23,800	30,400	54,200			40,236C
	2020	23,800	30,100	53,900			39,681C
	2019	23,800	29,600	53,400			38,942C

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type		Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
X	Wood Frame		(4) Interior	X	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling								48	CCP (1 Story)				
Building Style: D		Trim & Decoration		Central Air Wood Furnace														
Yr Built 1945	Remodeled 0	Ex	X Ord	Min	(12) Electric													
Condition: Good		Size of Closets		0 Amps Service														
Room List		(5) Floors		No./Qual. of Fixtures														
Basement	1st Floor	2nd Floor	2 Bedrooms	Kitchen: Other: Other:		(13) Plumbing												
(1) Exterior		(6) Ceilings		Average Fixture(s)														
X	Wood/Shingle Aluminum/Vinyl Brick			1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan														
(2) Windows		(7) Excavation		(14) Water/Sewer														
Many Avg. Few	X Large Avg. Small	Basement: 993 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic														
(3) Roof		(8) Basement		Lump Sum Items:														
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																
(3) Roof		(9) Basement Finish																
X	Gable Hip Flat	Gambrel Mansard Shed	(10) Floor Support															
X	Asphalt Shingle	Recreation SF Living SF Walkout Doors No Floor SF																
Chimney: Brick																		

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



Sketch by Apex Medina™

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

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
FEBRUARY 15, 2022 - 6:30 PM**

**MINUTES**

**Call to Order:** Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 6:31 pm. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Marianne McCreary, Bill Rockwell, Michelle Kreutzberg, Jean Ledford, and Amy Ruthig, Zoning Official. Also present was Joseph Seward, Township Attorney. 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 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. 22-02...A request by Robert J. Brantley, 7595 Brookview Drive, for a wetland variance to allow a detached accessory structure and landscaping wall to remain in the 25-foot undisturbed natural features setback buffer.

Mr. Brantley stated he is requesting a variance for a shed to be put within the wetland setback buffer. The home is a new construction. The stakes were taken down after the home was built and he put the shed in its current location. After the final grading on the property was done, the builder put the wetland buffer zone boundary stakes back in and it showed that 18" of the shed as well as half of the retaining wall are within the wetland buffer zone. None of his neighbors have complained about the shed's location.

He has a permit to perform the wetland buffer restoration and has provided a performance guarantee to ensure completion of the requirements.

Board Member McCreary asked how the shed was able to be put in this location. Mr. Brantley stated he wanted to pour the concrete and install the shed prior to the winter weather starting.

Board Member Rockwell noted that Mr. Brandley's neighbor is working on a new septic field and asked if this will alter the wetland boundary. Ms. Ruthig stated the Township does not issue septic permits.

The call to the public was made at 6:44 pm with no response.

Board Member McCreary believes that because this was a vacant property, it should be very easy to comply with all of the requirements. The applicant removed a lot of vegetation that was supposed to remain. She is not in favor of approving this variance.

Chairman Rassel agrees. He is not in favor of approving the variance.

Mr. Brandley requested a 90-day compliance time frame due to the weather.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to deny Case #22-02 for 7595 Brookview Drive for a wetland variance to allow a detached accessory structure and landscaping wall to remain in the 25-foot undisturbed natural features setback buffer, based on the following findings of fact:

- The applicant and builder were apprised of the conditions required by Genoa Township in both pre-development interactions and the permit process regarding the existence and importance of maintaining the required natural features setback and buffer as evidence by the land use permit issued and engineering survey from Engineering Group Associates, both dated Decembers 11, 2020.
- As outlined in the staff notes in the summary of findings of fact, due to the intrusion of the wetlands and grade changes, there is no substantial justice for allowing this variance.
- The reason for the variance is self-created.
- Granting of the variance will not impair the adequate supply of light and air to adjacent property 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.
- Granting this variance could have a limited impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhoods.

Based on this denial, the applicant must do the following:

1. The applicant must apply for a land use waiver to relocate the detached accessory structure in a conforming location within 30 days of denial.
2. The landscape wall and concrete pad must be removed within 90 days of denial.
3. Prior to the required removal of the detached structure, concrete pad and landscape wall, the applicant must provide staff with a detailed restoration plan on how the area will be restored and the structures will be removed without further damage to the natural feature's buffer.

**The motion carried unanimously.**



2. 22-03...A request by Robert Lay, 1824 S. Hughes Road, for a front, waterfront and side yard variance to construct a 2-story addition on an existing single-family home.

Mr. Robert Lay stated he would like to add a laundry room, additional storage, and another bedroom to his house. He reviewed the plans with the Board. The home is too small for his family. He has removed the existing shed.

Board Member McCreary asked how the construction will be done without encroaching onto the neighbor's property. Mr. Lay stated there will be enough room on his property to store the equipment and materials during the construction.

Board Member Kreutzberg stated a letter was received from a neighbor. She is concerned with how the demolished material will be handled. Mr. Lay stated he will have a Dumpster.

Board Member Rockwell asked if plans will be drawn up by an architect. Mr. Lay stated he will be doing the work. The plans will need to be engineer stamped and will have to be approved by the building department.

The call to the public was made at 7:01 pm with no response.

**Moved** by Board Member Kreutzberg, seconded by Board Member Ledford, to approve Case #22-03 for Robert Lay at 1824 S. Hughes Road for a front yard setback variance of 1 foot from the required 35 feet, for a 34-foot setback, a north side setback variance of 7 feet from the required 10 feet, for a 3-foot setback, and a waterfront setback variance of 13 feet from the required 78 feet, for a setback of 65 feet for an addition to an existing home, based on the following findings of fact:

- Strict compliance with setbacks would unreasonably prevent or restrict the use of the property.
- The variances will provide substantial justice in granting the application the same rights as similar properties in the neighborhood as there are several similar two-story homes in the immediate vicinity.
- The need for the variances is not self-created.
- The extraordinary circumstances are the non-conforming location of the existing home and the smaller lot size.
- These variances are the least necessary and would make the property consistent with other properties and homes in the area.
- Granting the variances would not impair adequate light or air to adjacent properties, would not increase congestion or increase danger of fire or threaten public safety or welfare.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The approval is conditioned upon the following:

1. The final architectural design shall not exceed the 25-foot height requirement.
2. The applicant must demonstrate that the proposed addition does not exceed the maximum lot coverage requirements prior to applying for a land use permit.
3. The structure must be guttered with downspouts and drainage must be maintained on the lot.
4. The applicant must ensure the property is in compliance with the litter ordinance and Section 11.02.06 Open Storage and Repair of Vehicles of the Zoning Ordinance prior to applying land use permit.
5. Construction materials or vehicles cannot be stored on adjacent vacant lots.
6. The applicant must make every effort to complete the proposed project within one-year of land use permit issuance. If the project is not completed within the expiration of the land use permit, then a new permit will be required.
7. The applicant shall ensure that there is adequate parking on the lot.
8. All demolition and construction refuse shall be properly stored in a Dumpster and disposed of offsite as needed.

**The motion carried unanimously.**

3. 22-04...A request by Jon McLachlan, 1193 Chemung Drive, for a rear yard variance to allow an existing covered deck to remain on an existing single-family home.

Mr. McLachlan stated he previously received a variance to build a garage. He did this work himself and adhered to all requirements. He hired a contractor to build this deck and advised them they needed to obtain all of the proper permits. He learned that they did not obtain the permits and the deck is 32 feet, 8 inches from the rear property line so he is requesting an eight-foot variance.

Ms. Ruthig stated the site plan that was submitted states that the deck is 36 feet from the property line, requiring a four-foot variance.

Mr. McLachlan stated his builder submitted the site plan, which Ms. Ruthig used for her calculations; however, he measured it himself using the property markers and determined the 32 feet, 8-inch measurement.

The call to the public was made at 7:16 pm.

Mr. Chris Grajek of 1190 Chemung Drive lives across the road from Mr. McLachlan. He confirmed that the builder was responsible for the work and the permits. The hardship in this subdivision is that it was platted for cottages so the lots are small. As soon as the applicant found out there was an error, he went to the Township. They are great neighbors and he is in support of the variance being granted.

The call to the public was closed at 7:18 pm.

**Moved** by Board Member McCreary, seconded by Board Member Ledford, to approve Case #22-04 for a rear yard setback variance of 7 feet, 4 inches, from the required 40 feet, for a rear yard setback of 32 feet, 8 inches to construct a covered deck on the rear of the home, based on the following findings of fact:

- Strict compliance with the rear yard setback would not allow the applicant to keep the existing covered deck. The variance would provide substantial justice to the property.
- The exceptional or extraordinary condition of the property is it is a narrow lot and the location of the existing home. The home is located further back on the lot compared to the adjacent neighbors and does not protrude into sight line from the adjacent neighbor to the east.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. A land use permit must be applied for the covered side porch, covered rear deck and hot tub installation within ten days of variance approval.
2. The applicant must apply for a permit from the Livingston County Building Department for the hot tub installation, covered side porch, and covered rear deck within ten days of approval.
3. The applicant must ensure that the property is in compliance with the lot coverage ordinance prior to applying for a land use permit.

**The motion carried unanimously.**

4. 22-06...A request by Kevin Kline, 2157 Webster Park Drive, parcel # 4711-30-101-110, for a variance to construct a detached accessory structure on a vacant parcel.

Mr. Kline stated this property had an abandoned 1920's cottage that is beyond repair and needs to be torn down. He purchased the property across the street as well. He would like to put a garage here as he cannot put a garage on his property. The footprint of the garage will be in the same location as the existing cottage. His plans would significantly increase the condition of this property.

Board Member Kreutzberg questioned the slope of the property and asked how the applicant will build the garage. Mr. Kline stated he will grade the property and will install retaining walls.

Ms. Ruthig stated the Township has an ordinance that addresses retaining walls. Her concern is that a retaining wall is considered a structure so a variance would be needed for that as well as the proposed garage. She suggested that Mr. Kline revise the plans showing the grading, the foundation, and the retaining wall and return to a future ZBA meeting for approval.

The call to the public was made at 7:33 pm with no response.

**Moved** by Board Member Rockwell, seconded by Board Member Kreutzberg, to table Case #22-06 for Kevin Kline at 2157 Webster Park Drive, Parcel #4711-30-101-110, until the March 22, 2022 ZBA meeting to allow him to provide detailed plans for the accessory structure, grading, and retaining wall. **The motion carried unanimously.**

5. 22-05...A request by Jere Palazzolo, 3280 Chilson Road, parcel# 4711-20-100-020, for an appeal of the Planning Commission per Section 23.02.01 determining re-application validity.

Board Member McCreary asked to be excused from this case's discussion and vote as she is a member of the Planning Commission. **Moved** by Board Member Ledford, seconded by Board Member Rockwell, to excused Board Member McCreary from the discussion and vote on Case #22-05. **The motion carried unanimously.**

Chairman Rassel stated that the Zoning Board of Appeals must decide whether or not the Planning Commission's decision was correct to not hear CHI's case in December. Did they apply the ordinance correctly? The ZBA is not determining any aspects of the proposed project.

Mr. Scott Tousignant of Boss Engineering, Mr. Robert Muise of American Freedom Law Center, and Mr. Jere Palazzolo, the applicant, were present.

Mr. Tousignant stated they are appealing the most recent decision by the Planning Commission to not hear the revised submittal package from CHI in December. They did not believe there was a significant change to the plan to allow it to be heard. Mr. Tousignant reviewed how their proposed changes do qualify for a significant change in the plan.

Mr. Seward stated that in December of 2021, the Planning Commission used Section 19.07 of the Zoning Ordinance and determined that the presentation that evening by the applicant did not meet the requirements of that section to allow them to review the changes before the expiration of the one-year denial. The requirements for a case to be heard prior to one year after denial is there must be new grounds or substantial new evidence to support changed intent of the application or proof of any changed conditions based on the reasons in the Township Board's original denial. The Zoning Board of Appeals must determine if the new submission meets these requirements and should the Planning Commission hear their case before the one-year time frame expires.

Chairman Rassel asked the applicant to review what they have changed in the latest submission.

Mr. Tousignant stated they removed the 6,000-square-foot chapel, which is a significant change in the use of the site. The site will not be used as much because all services will be outside. They will only have the prayer trails, landscape statues and stations of the cross. He noted that the reasons for the denial of the original plan was that the Planning Commission felt the proposed use with the chapel was not consistent or harmonious with the Country Estates Zoning or Master Plan and the impact that this site would have on the surrounding areas with respect to traffic, noise, and lighting. However, without the physical building, these impacts will not be an issue.

Additionally, there are two annual planned events here, and they described how they would mitigate any traffic or parking concerns for those events.

The photometric plan that was presented meets the Township Ordinance.

The only noise is for vehicles entering the site or if a mass is being held on site. The reason for this site is for peace and reflection so noise is against that purpose.

While this use is not a residential use, an outdoor prayer campus is harmonious with the current zoning. Parks, essential public services, utilities, etc. are uses allowed by right or special use in the Country Estates Zoning District. A church is a use allowed by a special land use in this zoning.

Mr. Muise provided a review of the outstanding federal court case.

Mr. Seward suggested the Board not consider the ongoing litigation and determine if the Planning Commission complied with the ordinance correctly.

The call to the public was made at 7:51 pm

Ms. Melanie Johnson of 3990 Chilson Road does not believe that the Zoning Board of Appeals should grant this request. The applicant will be able to go before the Township in May, which will be a year after their request was denied. There is information on the applicant's website outlining what they are requesting for this site. They would want lower density but not lower intensity.

Ms. Lexi Jones of 3553 Westphal Road stated this project should not be allowed. The proposed building is an accessory building and is not allowed without a primary structure.

Mr. Shawn Nester of 3360 Chilson Road, which is directly south of this site, is in opposition of this project as well as them being granted an appeal for their denial. He reviewed the four reasons why the Planning Commission denied the request and explained why he agrees with all of them. This is not consistent with the Master Plan. He asked the ZBA to deny this appeal.

Ms. Debra Beatty of 3809 Chilson Road stated the Planning Commission made the correct decision in December. The applicant did not make any significant changes to the plan. She agrees with Mr. Nester's comments.

Mr. Guy Genzel of 1526 Bailey, Taylor, MI owns property across the road from this site. This is a quiet community to raise a family. He suggested the church build this on commercial property.

Ms. Ruthig stated she received an email today in support of the appeal. She did not have the sender's name or address, but noted they were not a Genoa Township resident. She will enter it into the record. (Email received from Ron Warnat in support of appeal)

The call to the public was closed at 8:04 pm.

**Moved** by Board Member Ledford, seconded by Board Member Rockwell, to deny Case #22-05 for Parcel #4711-20-100-020, 3280 Chilson Road as no evidence of additional changes or information was presented to the Zoning Board of Appeals that warrants an appeal to the Planning commission to determine rep-application validity. Therefore, Section 19.07 of the Zoning Ordinance will remain in full force and effect for one year from the date of denial, which is May 3, 2021. **The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the January 18, 2022 Zoning Board of Appeals meeting.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to approve the minutes of the January 18, 2022 meeting as presented. **The motion carried unanimously.**

2. Correspondence - Ms. Ruthig stated there will be two cases on the March meeting agenda.

3. Member Discussion  
There were no items to discuss this evening.

4. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member Rockwell, to adjourn the meeting at 8:16 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary