

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
APRIL 19, 2022  
6:30 P.M.  
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

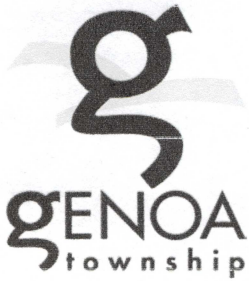
Approval of Agenda:

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

1. 22-08...A request by Tracy Feliks, 5530 Wildwood, for a front yard setback variance to allow for the reconstruction of a non-conforming deck.
2. 22-09...A request by Evan A. Baker, 3937 Highcrest Drive, for side yard variance setback to construct single-story addition to an existing home.
3. 22-10...A request by Tim Chouinard and Nadar Abouzenni, 564 Black Oaks Trail, for a front yard setback variance to demolish existing home and to construct a new home.

Administrative Business:

1. Approval of minutes for the March 22, 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 # 22-08 Meeting Date: April 19, 2022  
 @ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Tracy Feliks Email: tracy.feliks13@gmail.com  
 Property Address: 5530 Wildwood, Howell Phone: (734) 756-0763  
 Present Zoning: \_\_\_\_\_ Tax Code: 4711-10-301-133

**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: Front deck facing Lake Chemung was deemed structurally unsafe by home inspector and 3 contractors. Seeking variance to tear down and build to code with the same current footprint/measurements.

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.

*Seeking approval for deck replacement to the same footprint to make safe and structurally to building standards and code.*

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.

*I purchased the home Feb 23<sup>rd</sup>, 2022. I'm seeking to rebuild the deck for safety.*

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

*The deck will be rebuilt to the same footprint and measurements improving structure. The current deck size and layout will be the same.*

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.

*There will be no impact as the deck will be the same measurement and footprint.*

**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: 3/4/2022 Signature: *Leay Feld*



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

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

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

**MANAGER**

Michael C. Archinal

## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 14, 2022  
**RE:** ZBA 22-08

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### STAFF REPORT

**File Number:** ZBA#22-08  
**Site Address:** 5530 Wildwood Drive  
**Parcel Number:** 4711-10-301-133  
**Parcel Size:** 0.115 Acres  
**Applicant:** Tracy Feliks, 5530 Wildwood Drive  
**Property Owner:** Same as applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variance  
**Project Description:** Applicant is requesting a front yard setback variance to demolish and reconstruct a deck.  
**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 April, 3, 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, remodeled 1990.
- Parcel is serviced by public sewer and private well.
- In 2015, a land use waiver was issued for reroof of the existing home.
- See Record Card.

The proposed project is to demolish the existing deck and reconstruct in the same location. In order to reconstruct the deck, the applicant would be required to obtain a front yard variance. The applicant is proposing to maintain the same setbacks as the existing deck.

Staff did not find any permits for the existing deck.

**Variance Requests**

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

**11.04.03 Accessory Structures**

**a) Decks, Balconies, Porches, and Similar Structures. Decks, balconies, porches or similar structures are permitted only when they are attached to or abutting buildings that are occupied by a use permitted in the particular zoning district. Table 3.04.01 (LRR District):**

**(2) Required Setbacks: When attached or abutting the building uncovered decks and similar structures without a roof, walls or other form of enclosure shall be permitted within all principal structure non-required yards. Within the principal structure required yard, attached or abutting uncovered decks, balconies and similar structures without a roof, walls of other form of enclosure shall be permitted as follows:**

**a. Front Yard: Attached or abutting uncovered decks, balconies and similar structures without a roof, walls or other form of enclosure may extend twelve (12) feet from the front building line provided they shall be at least twenty (20) feet from the front lot line.**

DECK	Front Setback
Required Setback	20'
Setback Amount Requested	2'
Variance Amount	18'

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the front yard setback would prevent the applicant from reconstructing the deck. The proposed placement of the deck will maintain the same setbacks as the existing structure. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property. There are multiple homes in immediate vicinity that do not meet the front yard setback.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home, location of the road located between the house and the lake and irregular shaped lot. The need for the variance is not self-created.

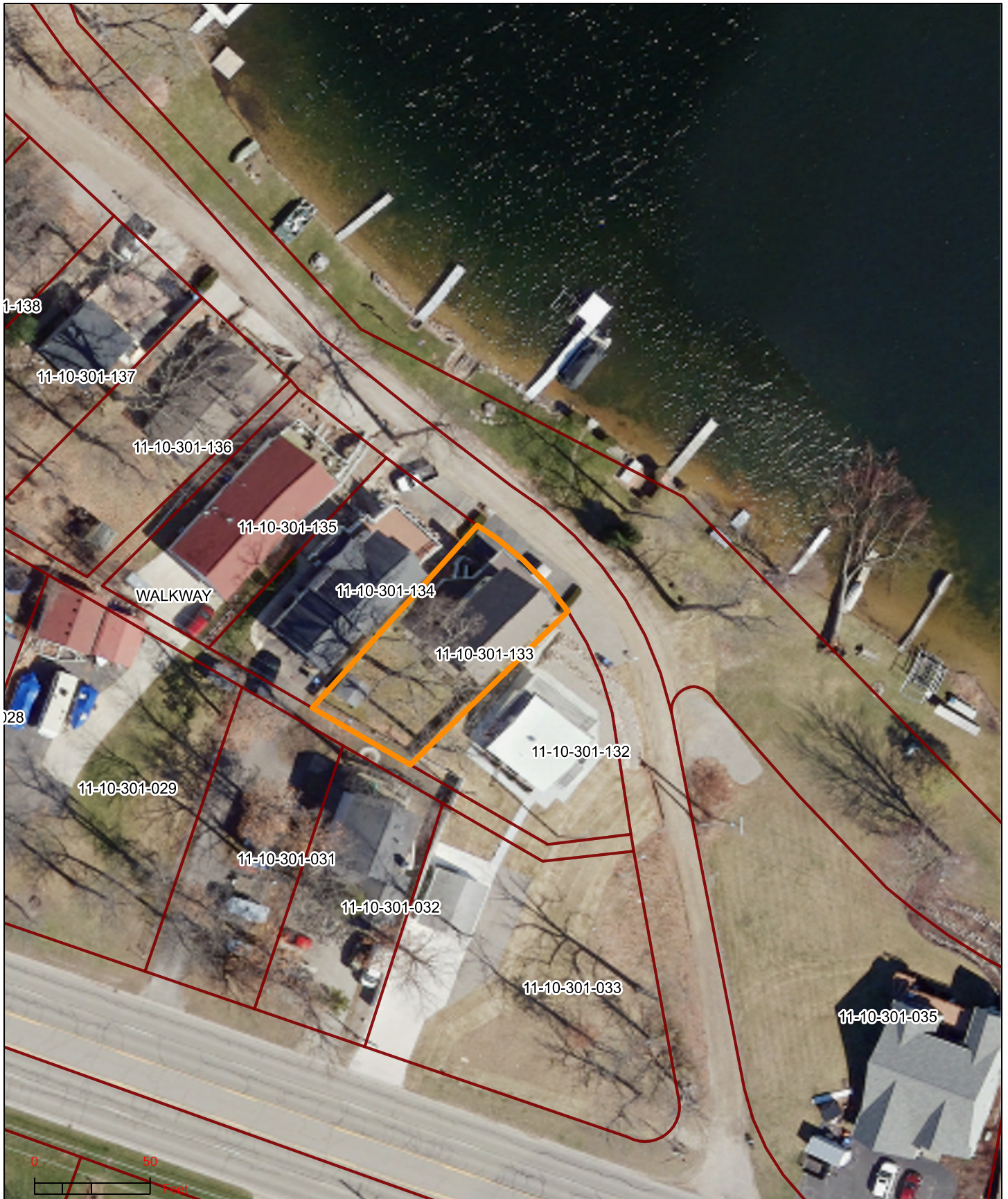
**(c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants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

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

**Recommended Conditions**

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

1. Parking must be maintained on the lot. No parking is allowed in the street.









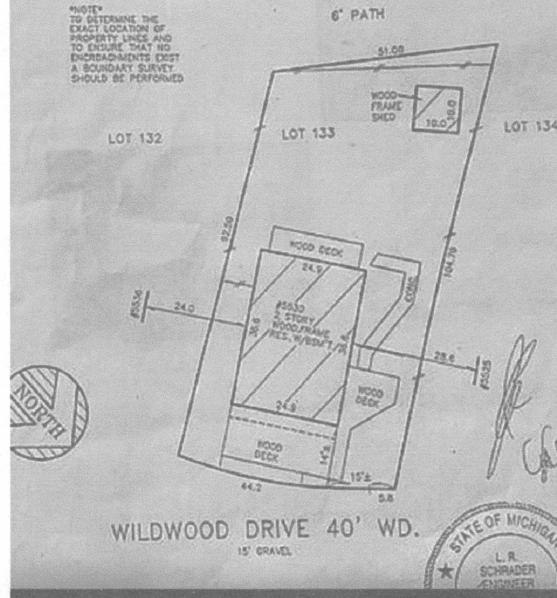
ertified to: PREMIERE MORTGAGE CORPORATION

pplicant: JAMES AND JILL JARRET

roperty Description

133, GLEN-ECHO, a subdivision of part of the Southeast 1/4 and part of the East 1/2 of the Southwest 1/4 of Section 10, Township 10 North, Range 5 East, Township of Genoa, Livingston County, Michigan, as recorded in Liber 1 of Plats, page 75, Livingston County Records.

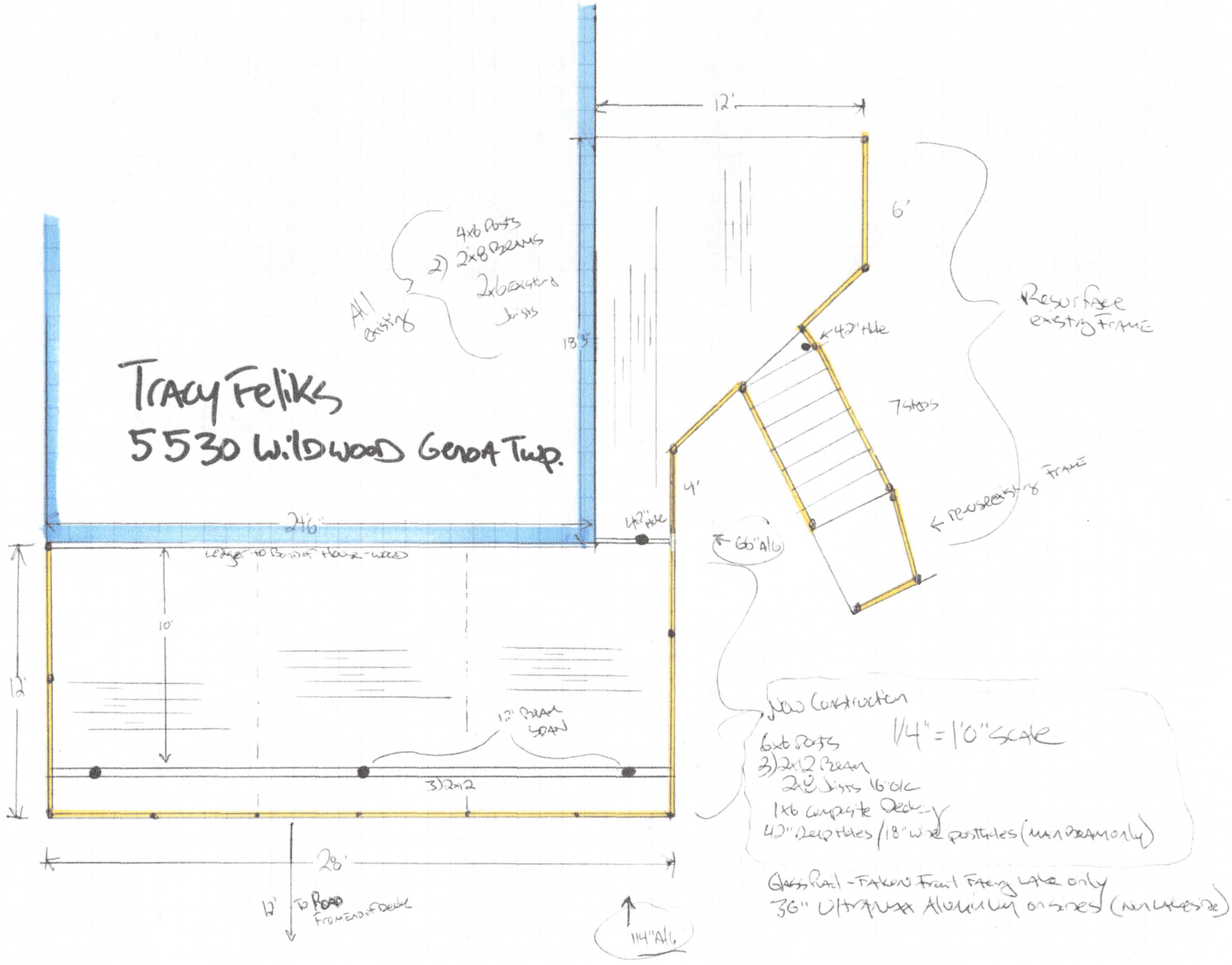
FLOOD PLAIN: We have no flood data available for the Township of Genoa in our office at this time.



JOB: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_



29500 6 Mile Road  
 Livonia, MI 48152  
 (313) 242-1000







**BPG Inspection Services**



**5530 Wildwood Drive  
Howell MI 48843**

Client(s): Feliks  
Inspection Date: 1/20/2022  
Inspector: Bob Bowling , ASHI 203686

Thank you for choosing BPG for your property inspection. We value your business and are available should you have any follow-up questions regarding your report.

This report represents our professional opinion regarding conditions of the property as they existed on the day of our inspection. We adhere to the Standards of Practices as outlined in our Inspection Agreement.

Your **INSPECTION REPORT** includes three sections: **1) Key Findings, 2) Property Information, and 3) Inspection Agreement**. It is important to evaluate all three sections in order to fully understand the property and general conditions. The following definitions may be helpful in reviewing your reports.

Action Items may include:

- Items that are no longer functioning as intended
- Conditions that present safety issues
- Items or conditions that may require repair, replacement, or further evaluation by a specialist
- Items that were inaccessible

Consideration Items may include:

- Conditions that may require repair due to normal wear and the passage of time.
- Conditions that have not significantly affected usability or function- but may if left unattended.

### SECTION I. KEY FINDINGS

This section is designed to summarize the findings and conditions that may require your immediate attention. Typically, the Key Findings Summary is used to help prioritize issues with other parties involved in the real estate transaction. *It is important to review carefully all sections of your report and not rely solely on the Key Findings summary.*

### SECTION II. PROPERTY INFORMATION

This section contains our detailed findings on all items inspected. Component locations, system types and details, maintenance tips, and other general information about the property will be included as appropriate.

### SECTION III. INSPECTION AGREEMENT

This section details the scope of the inspection. **BY ACCEPTANCE OF OUR INSPECTION REPORT, YOU ARE AGREEING TO THE TERMS OF OUR INSPECTION AGREEMENT.** A copy of this agreement was made available immediately after scheduling your inspection and prior to the beginning of your inspection. In addition, a copy is included on our website with your final inspection report.

**To retrieve your full PROPERTY INSPECTION REPORT (all 3 sections) from our Web site:**

- Point your web browser to <http://www.bpginspections.com>
- Click on **View Your Inspection Report**
- Enter the **Report Id** and **Client Last Name** (shown below)
  - Report Id: 929359
  - Client's Last Name: Feliks
- Follow the instructions to either view the report online or download it to your computer.

Again, thank you for selecting us as your inspection company. Please contact our Customer Service Center at 800-285-3001 should you have any questions about your reports or desire additional assistance.

**Action Items****Exterior****SIDING/WALL COVERING**

- ☒ 1. Siding/trim is in covered by soil at the right and right rear. Adequate clearance should be provided to reduce chances of water and pest intrusion.

Spot decay/deterioration and some gaps were noted. We suggest having repaired and refinished as needed and keeping well sealed against pests and the weather.



Item 1 - Picture 1



Item 1 - Picture 2



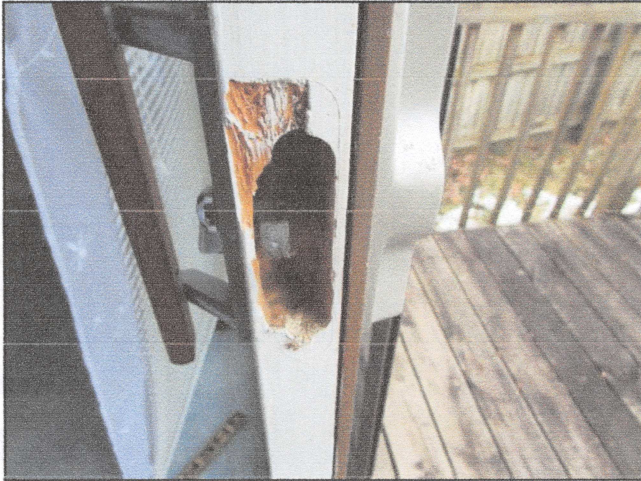
Item 1 - Picture 3



Item 1 - Picture 4

**DOORS (Exterior)**

- ☒ 2. One of the rear sliding doors has a damaged/inoperable latch. Repair suggested. Condensation was noted between the door glass panes (broken thermal pane seal) at the rear sliding glass doors and the fixed panels at the basement doors. In order to correct, replacement of the glass or door is needed. This is an expensive repair.

**Action Items****Exterior**

Item 2 - Picture 1

**GRADING, DRAINAGE, AND RETAINING WALLS (With respect to their effect on the condition of the building)**

- ☒ 3. Areas drain towards the foundation We advise regrading and providing necessary drainage to assure all water drains away from the foundation without covering siding. Controlling water around the foundation is the single biggest factor in reducing the chances for water infiltration into the structure. Nearly every structure we inspect has room for improvement.

**DRIVEWAYS/WALKS/PATIOS LEADING TO ENTRANCE(S)**

- ☒ 4. The slope of the walkway will direct water towards the foundation. We suggest taking steps to assure all water drains away from the home.

**DECKS, BALCONIES, STOOPS, STEPS, AREAWAYS, PORCHES, PATIO/ COVER AND APPLICABLE RAILINGS**

- ☒ 5. Multiple issues with the decks/steps include: Sagging sections, poor attachment to the home, a beam is improperly notched, there are poor post to beam connections, the deck is very bouncy, rail spacing is excessive, some areas are missing railings, some stairs have open risers and the railings are not graspable. A qualified deck contractor should evaluate the decks and stairs and provide estimates to correct. Replacement is likely needed and will be expensive.

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.											
CORRUNKER LORETTA LTS 9.3	FELIKS TRACY	475,000	02/24/2022	WD	08-ESTATE	2022R-008543	BUYER/SELLER	100.0											
CORRUNKER, RICHARD A. & LO	CORRUNKER LORETTA LTS 9.3	100	07/22/2021	WD	15-LADY BIRD	2021R-031939	BUYER/SELLER	0.0											
JARRETT	CORRUNKER, RICHARD A. & LO	320,000	07/30/2002	WD	03-ARM'S LENGTH	3504-0681	BUYER/SELLER	100.0											
TAMER, CHRISTOPHER	JARRETT	287,000	08/31/2000	WD	03-ARM'S LENGTH	28290477	BUYER/SELLER	100.0											
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status									
5530 WILDWOOD DR		School: HOWELL PUBLIC SCHOOLS		REROOF		06/02/2015		W15-084	NO START										
Owner's Name/Address		P.R.E. 0%		MAP #: V22-08		2023 Est TCV Tentative													
FELIKS TRACY 5530 WILDWOOD DR HOWELL MI 48843-9185		X Improved		Vacant		Land Value Estimates for Land Table 4301.WEST LAKE CHEMUNG													
Tax Description		Public Improvements		* Factors *															
SEC. 10 T2N, R5E, GLEN ECHO LOT 133 ALSO EXTENDING THE LOT LINES TO THE WATERS EDGE PER CIRCUIT COURT CASE #18-29855-CZ CORRECTED 8/21		Dirt Road		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value	
Comments/Influences		Gravel Road		D LAKE FRONT		50.00		100.00		1.0000		1.0000		3000		100		150,000	
		Paved Road		50 Actual Front Feet, 0.12 Total Acres														Total Est. Land Value = 150,000	
		Storm Sewer																	
		Sidewalk																	
		Water																	
		Sewer																	
		Electric																	
		Gas																	
		Curb																	
		Street Lights																	
		Standard Utilities																	
		Underground Utils.																	
		Topography of Site																	
		Level																	
		Rolling																	
		Low																	
		High																	
		Landscaped																	
		Swamp																	
		Wooded																	
		Pond																	
		Waterfront																	
		Ravine																	
		Wetland																	
		Flood Plain																	
		X REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value									
		Who	When	What	2023	Tentative	Tentative	Tentative											
		LM	06/17/2015	REVIEWED R	2022	75,000	104,500	179,500		93,969C									
					2021	50,000	101,100	151,100		90,968C									
					2020	50,000	84,500	134,500		89,713C									



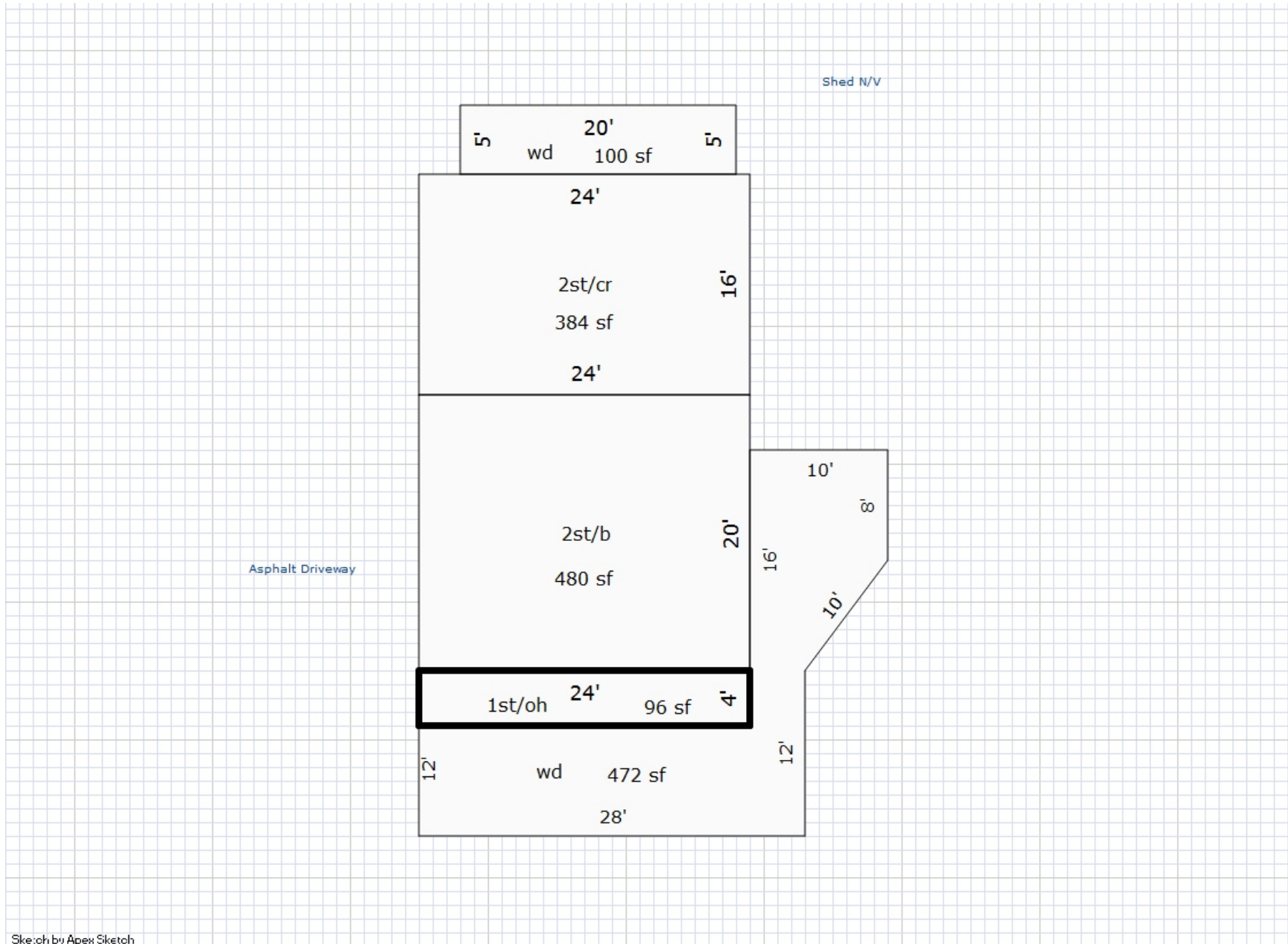
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

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



Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 472 100	Type Treated Wood Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
X	Wood Frame		(4) Interior Drywall Paneled Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling											
Building Style: C		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			(12) Electric 0 Amps Service			Class: C Effec. Age: 26 Floor Area: 1,824 Total Base New : 234,447 Total Depr Cost: 173,490 Estimated T.C.V: 209,055			E.C.F. X 1.205		Bsmnt Garage: Carport Area: Roof:	
Yr Built 1945	Remodeled 1990	Size of Closets Lg X Ord Small		No./Qual. of Fixtures Ex. X Ord. Min			Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 864 SF Floor Area = 1824 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=74/100/100/100/74			Cls C Blt 1945						
Condition: Good		Doors: Solid X H.C.		No. of Elec. Outlets Many X Ave. Few			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 480 2 Story Siding Crawl Space 384 1 Story Siding Overhang 96 Total: 196,934 145,730									
Room List		(5) Floors Kitchen: Other: Other:		(13) Plumbing Average Fixture(s) 2 3 Fixture Bath 2 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			Other Additions/Adjustments Basement Living Area 200 6,306 4,666 Basement, Outside Entrance, Below Grade 1 2,251 1,666 Plumbing 3 Fixture Bath 1 4,085 3,023 2 Fixture Bath 2 5,467 4,046 Deck Treated Wood 472 6,396 4,733 Treated Wood 100 2,246 1,662 Water/Sewer Public Sewer 1 1,314 972 Water Well, 200 Feet 1 9,448 6,992 Totals: 234,447 173,490									
(1) Exterior		(6) Ceilings		(14) Water/Sewer Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic Lump Sum Items:			Notes: ECF (4301 W. LK CHEMUNG NON LK FRONT) 1.205 => TCV: 209,055									
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	(7) Excavation Basement: 480 S.F. Crawl: 384 S.F. Slab: 0 S.F. Height to Joists: 0.0														
(2) Windows		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish 200 Recreation SF Living SF 1 Walkout Doors No Floor SF												
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens																
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:														
X	Gable Hip Flat		Gambrel Mansard Shed													
X	Asphalt Shingle															
Chimney: Brick																

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



Sketch by Apex Sketch

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



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

Case # 22-09

Meeting Date: April 19, 2022  
@ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Erin A. Baken Email: eandrewb@hotmail.com

Property Address: 3931 HIGNESTON DR. Phone: 248.912.7038

Present Zoning: LRR (LAKESHORE RESORT RESIDENTIAL) Tax Code: ~~#8116~~ 11-27-100-001

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:

- Variance requested/intended property modifications: Proposed single story home addition. New rooms are a MASTER BEDROOM (16' x 13.25'), an office (16' x 13.25') and a four season sunroom (22' x 16').

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.

Variance request on driveway is 5.6' from 16' off back, and 6.4' of the second 16' feet off the back.

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.

Property is consistent with surrounding properties

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


Does not impair adjacent property. Other property structures are over 100 feet from my property.

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

Does not interfere.

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: 14 MAR 22 Signature: 



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 14, 2022  
**RE:** ZBA 22-09

---

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

### STAFF REPORT

**File Number:** ZBA#22-09  
**Site Address:** 3937 Highcrest Dr.  
**Parcel Number:** 4711-27-100-001  
**Parcel Size:** 0.399 Acres  
**Applicant:** Evan Baker, 3937 Highcrest Dr. Brighton  
**Property Owner:** Same as Applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variance  
**Project Description:** Applicant is requesting a side yard setback variance to construct an addition to an existing home.  
**Zoning and Existing Use:** LRR (Lakeshore Resort Residential), Single Family Dwelling located on property.  
**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday April, 3, 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 1952, remodeled 2017
- Parcel is serviced by public sewer and private well.
- In 2009 and 2013, a land use waiver was issued for interior work.
- In 2017, a land use waiver was issued for a new roof.
- See Record Card.

#### **SUPERVISOR**

Bill Rogers

#### **CLERK**

Paulette A. Skolarus

#### **TREASURER**

Robin L. Hunt

#### **TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

#### **MANAGER**

Michael C. Archinal

The proposed project is to construct a single-story addition to an existing home. In order to construct the proposed addition, the applicant would be required to obtain a side yard variance.

The submitted site plan shows 2<sup>nd</sup> detached accessory structure on the lot, however applicant has decided not to build the structure. The structure is shown with an “X” through it.

**Variance Requests**

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

**Table 3.04.01 (LRR District):**

SINGLE FAMILY STRUCTURE	Side Yard Setback
Required Setbacks	10’
Setback Amount Requested	5.6’
Variance Amount	4.4’

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the side yard setback would prevent the applicant from constructing the proposed addition. The applicant is proposing the construct the addition with the keeping the same side line as the existing home. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property. There are multiple homes in immediate vicinity that do not meet the side yard setback.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the irregular shape of the lot and the location of the existing home. The need for the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

**Recommended Conditions**

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

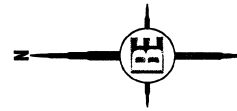
1. Structure must be guttered with downspouts.





# PLOT PLAN

## FOR HOUSE ADDITION



### LEGEND

- ⊙ POWER POLE
- ⊕ ELECTRICAL METER
- ⊠ WELL
- ⊗ GAS METER
- ⊕ GRINDER PUMP CHAMBER
- OH — OVERHEAD WIRES
- X — FENCE
- SN — U.G. SANITARY LEAD
- G — U.G. GAS LEAD
- ⊕ STORM CATCH BASIN

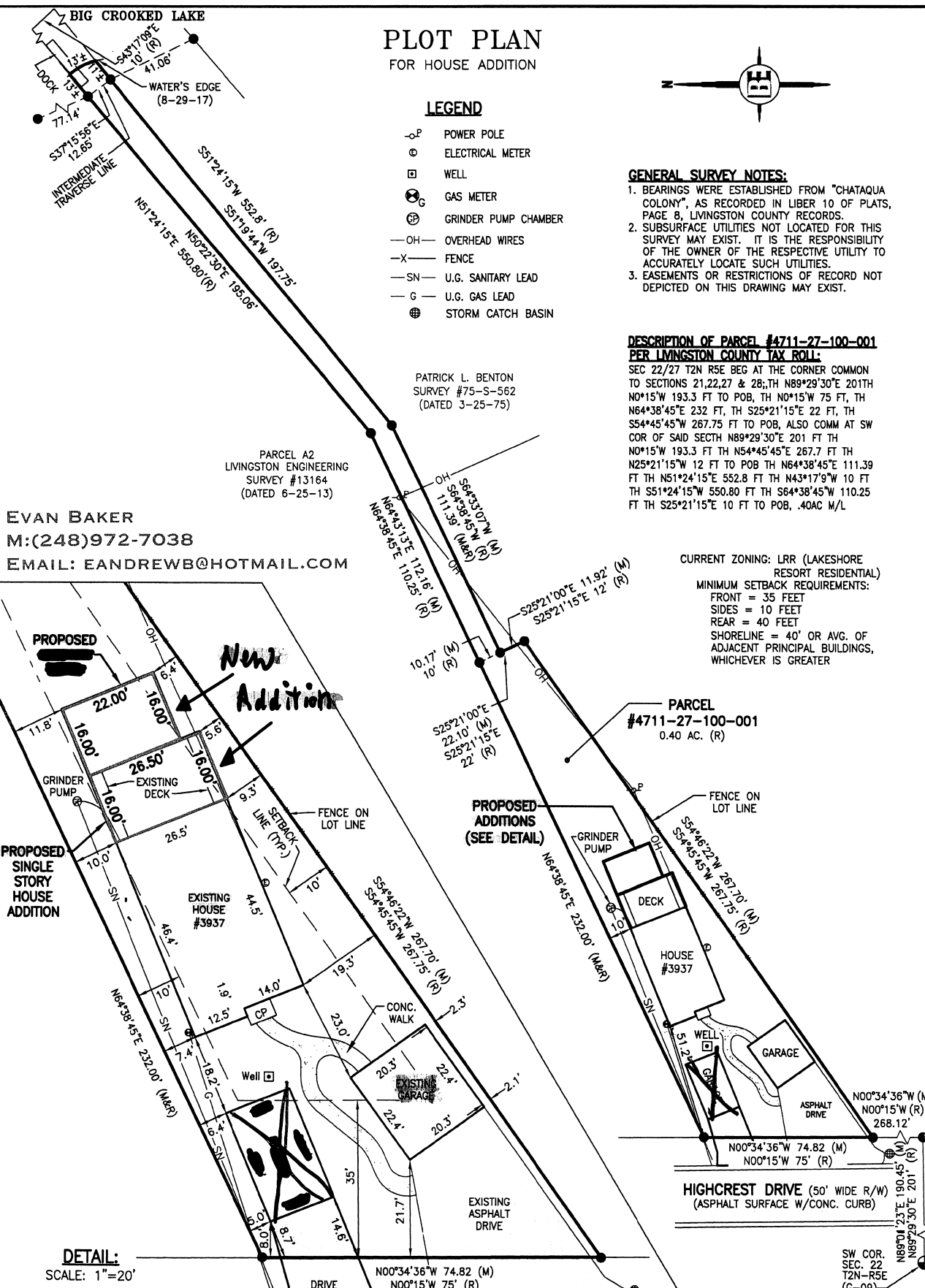
### GENERAL SURVEY NOTES:

1. BEARINGS WERE ESTABLISHED FROM "CHATAQUA COLONY", AS RECORDED IN LIBER 10 OF PLATS, PAGE 8, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

### DESCRIPTION OF PARCEL #4711-27-100-001 PER LIVINGSTON COUNTY TAX ROLL:

SEC 22/27 T2N R5E BEG AT THE CORNER COMMON TO SECTIONS 21, 22, 27 & 28; TH N89°29'30"E 201TH N0°15'W 193.3 FT TO POB, TH N0°15'W 75 FT, TH N64°38'45"E 232 FT, TH S25°21'15"E 22 FT, TH S54°45'45"W 267.75 FT TO POB, ALSO COMM AT SW COR OF SAID SECTH N89°29'30"E 201 FT TH N0°15'W 193.3 FT TH N54°45'45"E 267.7 FT TH N25°21'15"W 12 FT TO POB TH N64°38'45"E 111.39 FT TH N51°24'15"E 552.8 FT TH N43°17'9"W 10 FT TH S51°24'15"W 550.80 FT TH S64°38'45"W 110.25 FT TH S25°21'15"E 10 FT TO POB, .40AC M/L

CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET  
 REAR = 40 FEET  
 SHORELINE = 40' OR AVG. OF ADJACENT PRINCIPAL BUILDINGS, WHICHEVER IS GREATER



EVAN BAKER  
 M:(248)972-7038  
 EMAIL: EANDREWBAKER@HOTMAIL.COM

DETAIL:  
 SCALE: 1"=20'

DESCRIPTION:  
 PART OF THE SOUTHWEST 1/4 OF SECTION 22, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

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

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

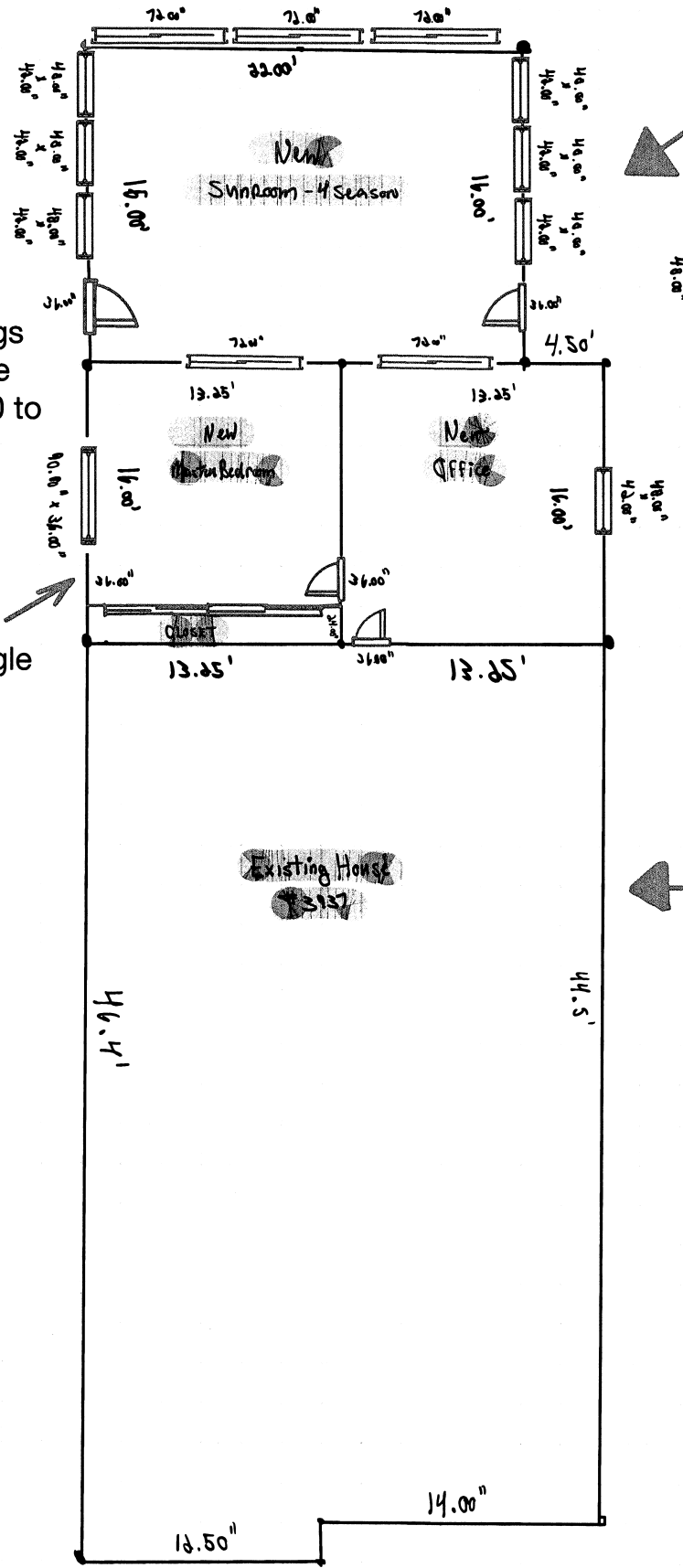


CLIENT: BAKER	SCALE: 1 INCH = 40 FEET	LEGEND
JOB NO. 20-535	DATE 1-18-21	○ = STEEL ROD SET
SHEET 1 OF 1	FB CREW	⊙ = STEEL ROD/PIPE FD
G:\20-535\SURVEY\DWG\20-535.dwg, 1/18/2021 9:33:55 AM, william	DR. WRW/CHKD.	* = MONUMENT FOUND
		(R) = RECORDED
		(M) = MEASURED

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

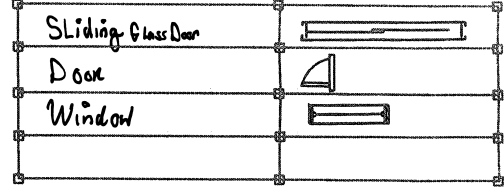
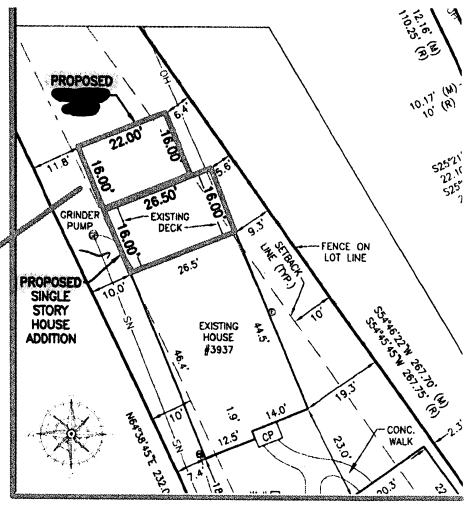
# 3937 Highest Dr.  
 Floor Plan: HOME Addition

EVAN BAKER  
 M:(248)972-7038  
 EMAIL: EANDREWB@HOTMAIL.COM

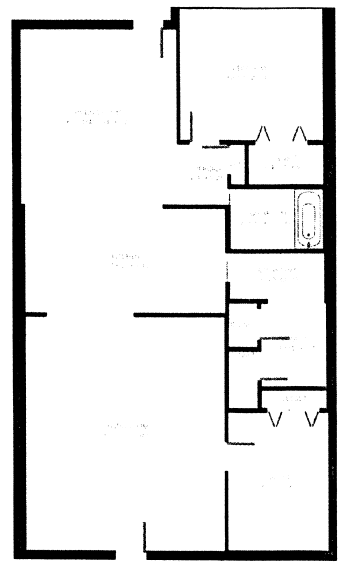


Cement Footings  
 will be 48' in the  
 ground and 10 to  
 12' wide.

Proposed single  
 story home  
 addition



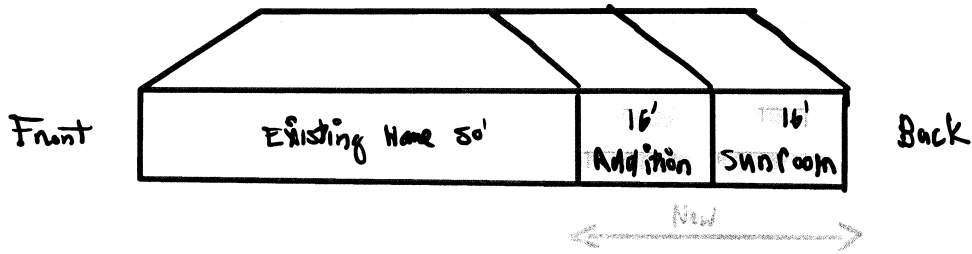
Current Floor Plan



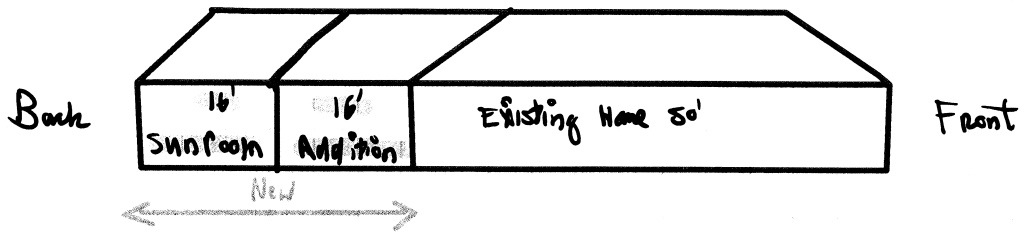
#3937 Highest Dr.  
Side Views and Back view

EVAN BAKER  
M:(248)972-7038  
EMAIL: EANDREWB@HOTMAIL.COM

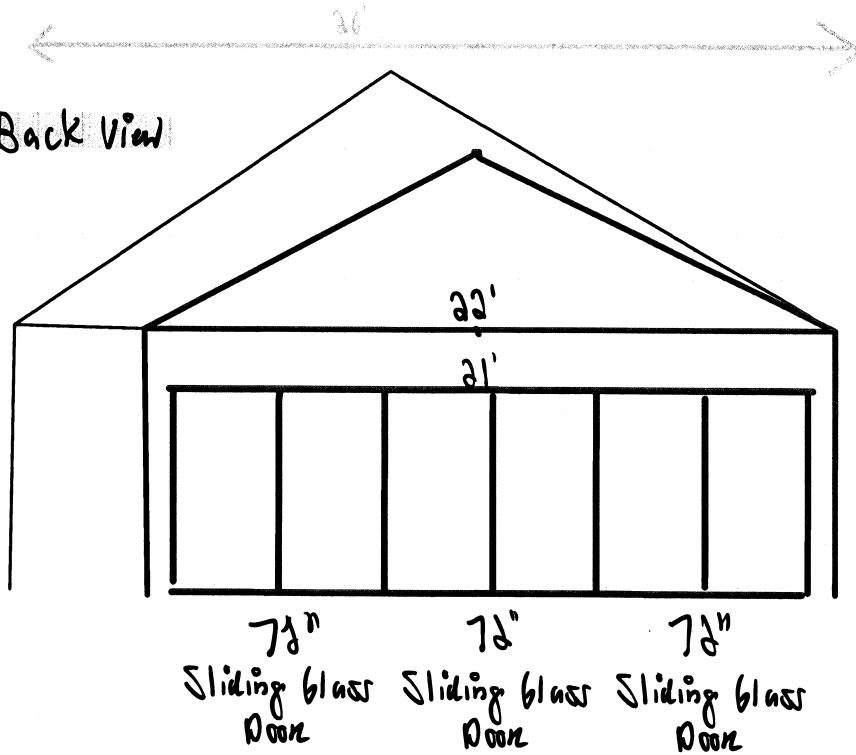
South Side View



North Side View



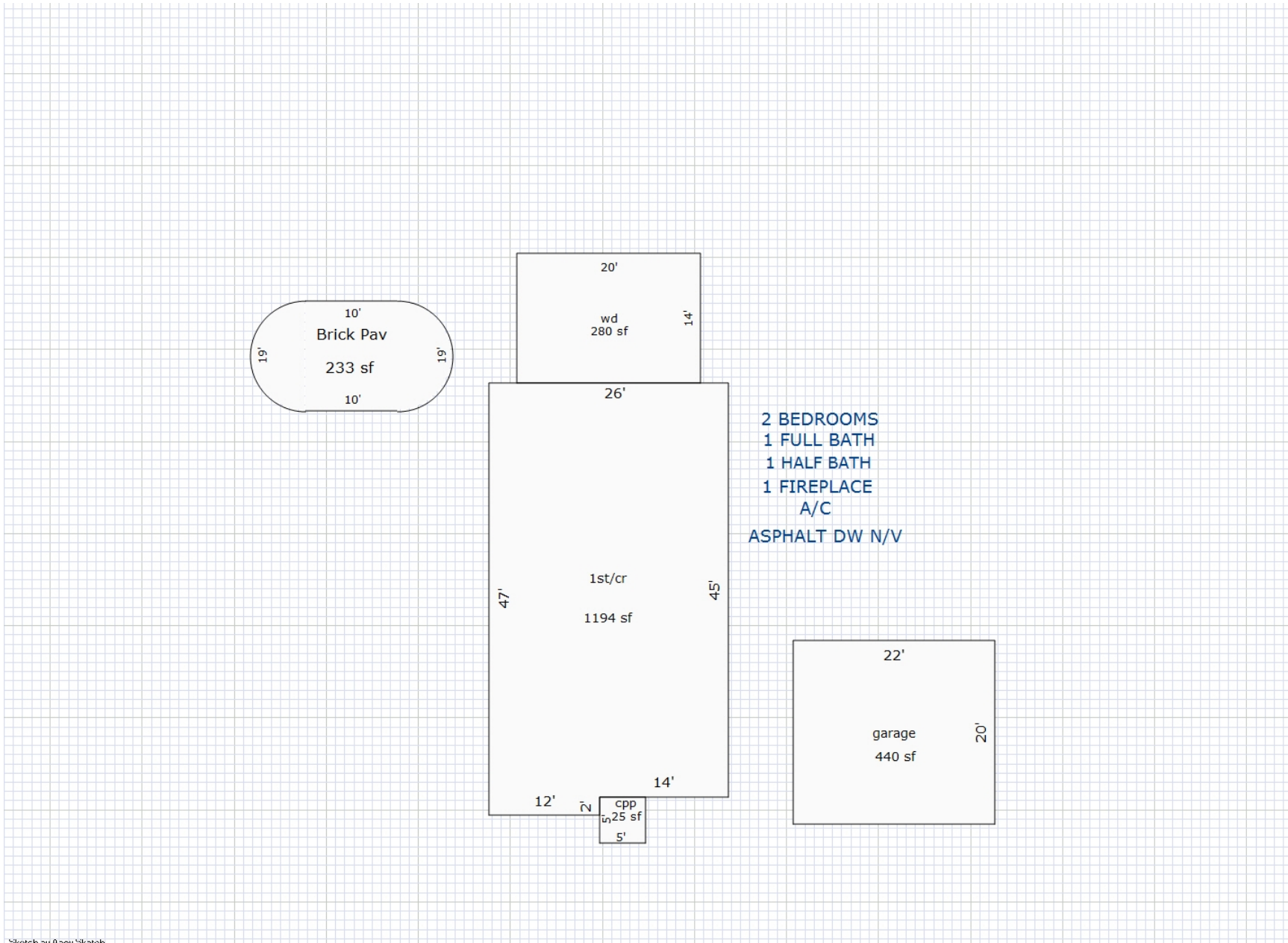
Back View



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
BAKER EVAN REVOCABLE LIVIN	BAKER EVAN	0	12/09/2020	QC	21-NOT USED/OTHER	2021R-002739	BUYER/SELLER	0.0				
BAKER EVAN	BAKER EVAN REVOCABLE LIVIN	0	05/17/2019	QC	14-INTO/OUT OF TRUST	2019R-012474	BUYER/SELLER	0.0				
WIENCEK INVESTMENT TRUST	BAKER EVAN	305,000	09/06/2017	WD	03-ARM'S LENGTH	2017R-026921	BUYER/SELLER	100.0				
WIENCEK ROBERT & LISA	WIENCEK INVESTMENT TRUST	0	10/12/2012	QC	21-NOT USED/OTHER	2012R-036206	BUYER/SELLER	0.0				
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status		
3937 HIGHCREST DR		School: BRIGHTON AREA SCHOOLS		REROOF		05/05/2014		W14-074	NO START			
Owner's Name/Address		P.R.E. 100% 09/08/2017		RES MISCEL		01/23/2013		W13-005	NO START			
BAKER EVAN 3937 HIGHCREST DR BRIGHTON MI 48116-7706		MAP #: V22-09		REROOF		04/20/2009		W09-027	NO START			
Tax Description		2023 Est TCV Tentative		Land Value Estimates for Land Table 4306.TRI LAKES LAKE FRONT								
SEC 22/27 T2N R5E BEG AT THE CORNER COMMON TO SECTIONS 21,22,27 & 28;;TH N89*29'30"E 201TH N0*15'W 193.3 FT TO POB TH N0*15'W 75 FT, TH N64*38'45"E 232 FT, TH S25*21'15"E 22 FT, TH S54*45'45"W 267.75 FT TO POB, ALSO COMM AT SW COR OF SAID SECTH N89*29'30"E 201 FT TH N0*15'W 193.3 FT TH N54*45'45"E 267.7 FT TH N25*21'15"W 12 FT TO POB TH N64*38'45"E 111.39 FT TH N51*24'15"E 552.8 FT TH N43*17'9"W 10 FT TH S51*24'15"W 550.80 FT TH S64*38'45"W 110.25 FT TH S25*21'15"E 10 FT TO POB. 40AC M/L CORR LEGAL 4/09		X	Improved	Vacant	* Factors *							
Dirt Road		Public Improvements		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
Gravel Road				A LAKE FRONT	10.00	330.00	1.0000	1.0000	4300	100		43,000
Paved Road				B SURPLUS LF	50.00	282.00	1.0000	1.0000	1600	100		80,000
Storm Sewer				60 Actual Front Feet, 0.40 Total Acres				Total Est. Land Value =		123,000		
Sidewalk				Land Improvement Cost Estimates								
Water				Description	Rate		Size % Good		Cash Value			
Sewer				D/W/P: Brick on Sand	15.85		233 50		1,846			
Electric				Total Estimated Land Improvements True Cash Value =				1,846				
Gas				Topography of Site								
Curb				Level								
Street Lights				Rolling								
Standard Utilities				Low								
Underground Utils.				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		
				2023	Tentative	Tentative	Tentative			Tentative		
				2022	61,500	111,200	172,700			142,414C		
				2021	61,500	104,400	165,900			137,865C		
				2020	57,500	101,200	158,700			135,962C		
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan		Who		When	What							
		JB		10/12/2017	REVIEWED R							
		LM		05/22/2014	REVIEWED R							
		LM		09/26/2012	DATA ENTER							

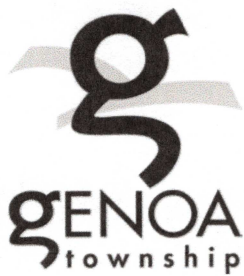
\*\*\* Information herein deemed reliable but not guaranteed\*\*\*





Sketch by Apex Sketch

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



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

Case # 22-10 Meeting Date: 4/19/22

PAID Variance Application Fee

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

Applicant/Owner: Tim Chouinard/Nadar Abouzenni Email: timchouinard@sbcglobal.net

Property Address: 564 Black Oak Trail Howell Phone: 517-404-6527

Present Zoning: LRR Tax Code: 4711-03-301-004

**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: We are requesting a 30 foot front yard setback

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

**Criteria Applicable to Dimensional Variances.** No variance in the provisions or requirements of the Ordinance shall be authorized by the Board of Appeals unless it is found from the evidence that all of the following conditions exist:

**Under each please indicate how the proposed project meets each criteria.**

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

The practical difficulty is the size and shape of the lot does not leave a building envelope that would meet LRR building requirements of 900 square feet per floor.

---

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

The extraordinary circumstances are that the size of the lot and the location of the road create conditions where the lot is not a buildable lake lot like it was intended to be.

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

Granting of the variance will help the public safety and welfare- The existing home was built past the lot line and 2 feet from the road, the proposed structure will not impair an adequate supply of light and air to the adjacent properties it will help with congestion in the street and a new code compliant home will exponentially decrease the danger of fire or endanger the public safety, comfort, morals or welfare to the inhabitants of the Township of Genoa.

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

The impact on the surrounding neighborhood will be positive it will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

---

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

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

Date: 3-22-22 Signature: 





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

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

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

**MANAGER**

Michael C. Archinal

## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 14, 2022  
**RE:** ZBA 22-10

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### STAFF REPORT

**File Number:** ZBA#22-10  
**Site Address:** 564 Black Oaks Trail  
**Parcel Number:** 4711-03-301-004  
**Parcel Size:** 0.103 Acre  
**Applicant:** Tim Chouinard, Nadar Abouzenni  
**Property Owner:** Sredzinski, Leon & Irene Trust, 222 N. State Street Apt. 16, Howell

Included in packet is a letter of authorization from the Co-trustee/Power of Attorney giving the applicants permission to seek the variance.

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

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard setback variance to demolish the existing home and construct a new home.

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

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday April, 3, 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:

- According to Assessing Records, there is no record of a year built for the home.
- Parcel is serviced by public sewer and private well.
- See Record Card.

The proposed project is to demolish the existing home and construct a new home. In order to construct a new home, the applicant would be required to obtain a front yard variance. The applicant is proposing to bring the new home closer into compliance by moving the home further from the front property line.

**Variance Requests**

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

**Table 3.04.01 (LRR District):**

SINGLE FAMILY STRUCTURE	Front Setback
Required Setbacks	35'
Setback Amount Requested	5.4'
Variance Amount	29.8'

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the front yard setback would prevent the applicant from reconstructing the home. The proposed placement of the new home will locate the home further from the front property line than the existing home. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property. There are multiple homes in immediate vicinity that do not meet the front yard setback.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the small size of the lot. The need for the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

### **Recommended Conditions**

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

1. Parking must be maintained on the lot.
2. Structure must be guttered with downspouts.
3. Any additional structures or impervious surfaces will require a land use waiver for lot coverage conformance.
4. The building height cannot exceed 25 feet per the Zoning Ordinance.
5. Any additional retaining walls will require a land use permit.

**From:** [Chouinard Custom Homes](#)  
**To:** [Amy Ruthig](#)  
**Subject:** Fw: Seller's Authorization for Buyer's pursuit of Bldg Variance-Black Oaks Trail  
**Date:** Thursday, March 31, 2022 4:10:48 PM

---

Hi Amy

This is the letter for 564 Black Oak Trail.

Thank you  
Tim Chouinard  
Chouinard Custom Homes LLC  
517-546-6587

----- Forwarded Message -----

**From:** Sandy Radtke <sandyrg1962@gmail.com>  
**To:** Scott Bohlen <scott@scottbohlen.com>; Joan Hauber <joan@joanhauber.com>;  
"timchouinard@sbcglobal.net" <timchouinard@sbcglobal.net>  
**Sent:** Thursday, March 31, 2022, 12:10:37 PM EDT  
**Subject:** Seller's Authorization for Buyer's pursuit of Bldg Variance-Black Oaks Trail

Good Day All,

I am writing this note as authorization for the proposed buyers of 564 Black Oak Trail, Howell MI, per the pending purchase agreement guided by Preview Properties, Scott Bohlen and JoAn Hauber Co-Agents.

As seller, we agree to allow the buyer to request a variance for proposed future building activity on lot 4 of Black Oaks Subdivision Platt, from Genoa Township.

I am authorizing this action as Co-Trustee of The Sredzinski Trust (dated June 22, 2012), acting alongside Irene A. Sredzinski, grantor and Trustee, as owner of this trust held property. I am also Power of Attorney for Irene Sredzinski,

Please also advise if you require any further authority for the buyers' builder, Tim Chouinard, whom I am also coincidentally acquainted with, to have proposed variance discussion with Genoa Township.

Thank you in advance.

Sandra T. Radtke  
Cell # 586 942 1626



11-03-301-002

11-03-301-018

11-03-301-003

11-03-301-017

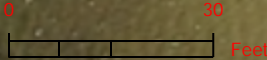
11-03-301-004

11-03-

11-03-3

11-03-301-005

11-03-301-006



# PLOT PLAN

CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)

MINIMUM SETBACK REQUIREMENTS:

FRONT = 35 FEET  
SIDES = 10 FEET

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

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

REAR = 40 FEET

SHORELINE = 40 FEET (Minimum 40 feet or consistent with the setbacks of adjacent principal buildings, whichever is greater as determined by the Zoning Administrator. If the setbacks of adjacent principal buildings vary because of irregular shoreline, the setback shall be the average of all lots within 500 feet along the shoreline or 40 feet whichever is the greater.)

SHORELINE SETBACK CALCULATIONS:

The average setback used the 50.4 feet from address 560 and 40.8 feet from address #568 adding them together then dividing by 2 equals 45.6 feet setback for #564.

MAXIMUM LOT COVERAGE = 35% BLDG., 50% IMP. SUR.

MAXIMUM BUILDING HT. = 25 FEET OR (2) STORIES

PROPOSED LOT COVERAGE CALCULATIONS:

TOTAL LOT AREA = 6142 SQ.FT.±

BUILDING AREA = 1665 SQ.FT.±

PROPOSED DRIVE AREA = 664 SQ.FT.±

BUILDING COVERAGE = (1665/6142) = 27%

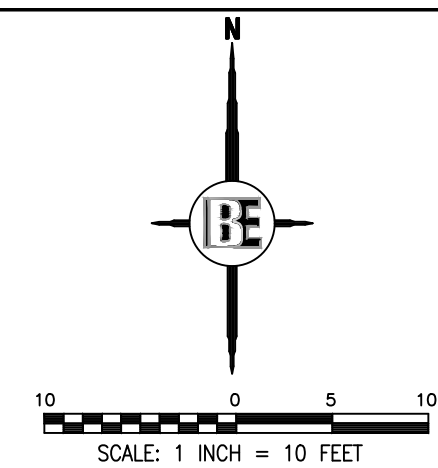
IMPERVIOUS SURFACE COVERAGE = (1665+664/6142) = 38%

## PROPERTY DESCRIPTION TAX PARCELS #4711-03-300-004 & #4711-03-300-017 PER LIVINGSTON COUNTY TAX ROLL:

Land situated in the Township of Genoa, County of Livingston, State of Michigan, described as follows:

4711-03-301-004  
SEC. 3 T2N, R5E, BLACK OAKS LOT 4

4711-03-301-017  
SEC. 3 T2N, R5E, BLACK OAKS LOT 16



### LEGEND

- 900 EXISTING CONTOUR
- 922.00 EXISTING SPOT ELEVATION
- P POWER POLE
- ⊙ ELECTRICAL METER
- WELL
- MANHOLE
- GAS METER
- DECIDUOUS TREE
- CONIFEROUS TREE
- STEEL ROD SET
- STEEL ROD OR PIPE FOUND
- G GAS MAIN
- OH OVERHEAD WIRES
- X FENCE
- SAN MH SANITARY MANHOLE
- (M&R) MEASURED AND RECORD
- TBR TO BE REMOVED
- ASPHALT
- CONCRETE

### GENERAL SURVEY NOTES:

- BEARINGS WERE ESTABLISHED FROM THE PLAT OF "BLACK OAKS", AS RECORDED IN LIBER 2, PAGE 31, LIVINGSTON COUNTY RECORDS.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
- ELEVATIONS WERE ESTABLISHED WITH GPS USING OPUS GPS POST-PROCESSING. (NAVD88 DATUM)
- CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
- PART OF SUBJECT PROPERTY IS DESIGNATED AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN (ZONE X) AND PART OF SUBJECT PROPERTY IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN (100 YEAR FLOOD) DESIGNATED AS (ZONE A) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, MAP NUMBER 26093C0330D, PANEL 330 OF 495, WITH AN EFFECTIVE DATE OF SEPTEMBER 17, 2008. MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) DETERMINED THE BASE FLOOD ELEVATION OF LAKE CHEMUNG TO BE 961.5 (NGVD29 DATUM)(PER LETTER DATED AUGUST 24, 2009). THE CONVERSION FROM NGVD29 TO NAVD88 DATUM RESULTS IN A BASE FLOOD ELEVATION OF 961.1 (NAVD88 DATUM). THE LOCATION OF THE 100-YEAR BASE FLOODPLAIN LINE IS SHOWN ON THIS DRAWING.
- THE LOCATIONS OF STORM SEWER, SANITARY SEWER & WATERMAIN, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES ALONG WITH DRAWINGS SUPPLIED BY LINDSAY BUGEJA OF M.H.O.G. SEWER AND WATER UTILITIES.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
- ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.

LAKE CHEMUNG

WATER'S EDGE (03-18-22)

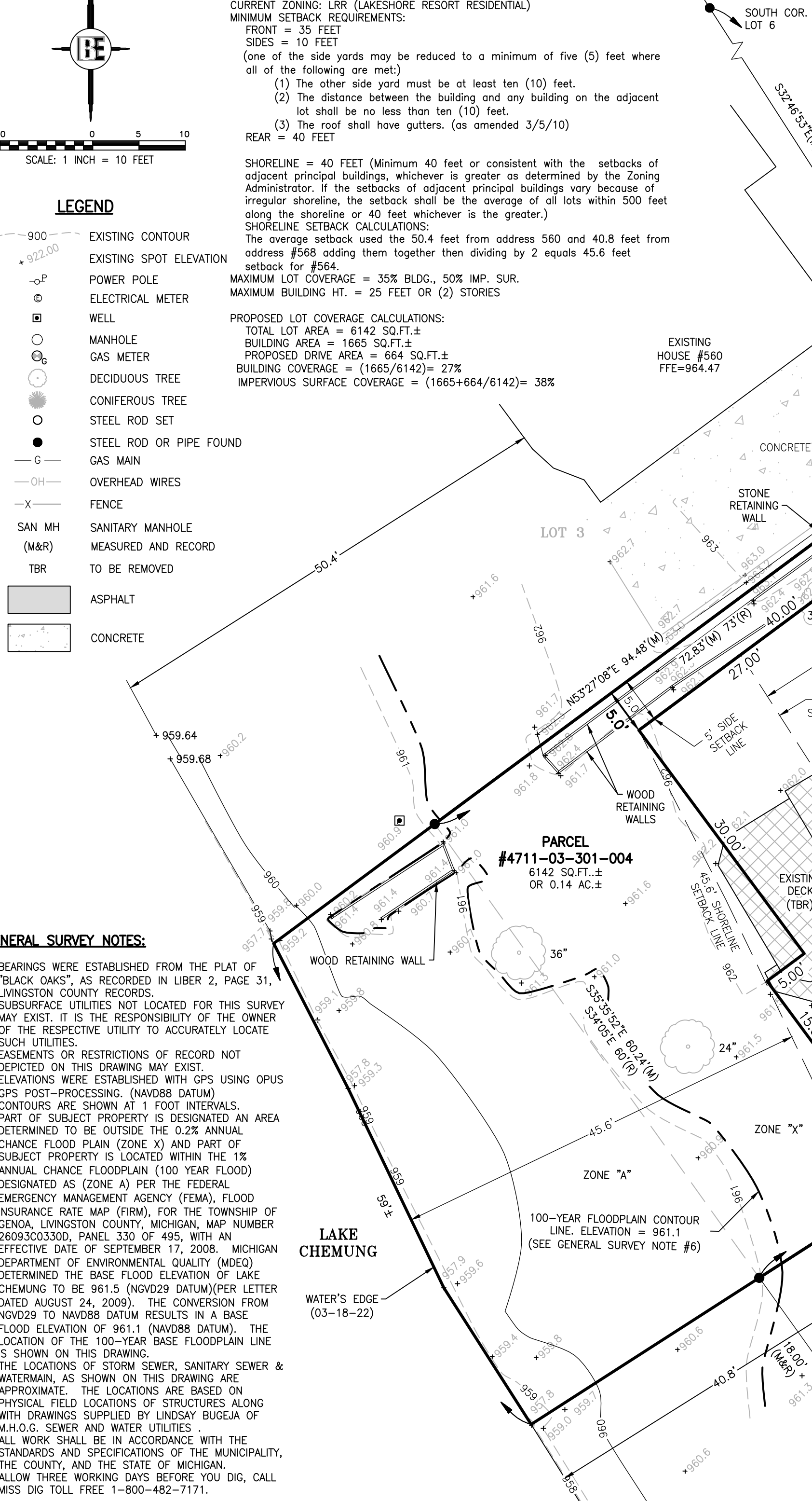
ZONE "A"

100-YEAR FLOODPLAIN CONTOUR LINE. ELEVATION = 961.1 (SEE GENERAL SURVEY NOTE #6)

ZONE "X"

SOUTH COR. LOT 6

NORTH COR. LOT 18



SITE BENCHMARKS (NAVD88 DATUM):  
-BM #201 = NAIL/TAG W/S 30" OAK, 30' W'LY OF EASTERLY CORNER OF LOT 4 ELEV.=962.88  
-BM #202 = NAIL/TAG W/S P/POLE, 10' S'LY OF EASTERLY CORNER OF LOT 16 ELEV.=976.84

**HOUSE AND FLOOR TO FLOOR DIMENSIONS ARE TO BE VERIFIED WITH DETAILED ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION.**

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



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

**PROJECT** 564 BLACK OAKS TRAIL, HOWELL  
**PREPARED FOR** CHOUINARD CUSTOM HOMES  
932 SUNRISE PARK  
HOWELL, MI 48390  
517-546-6587  
**TITLE** PLOT PLAN

NO	BY	REVISION PER	DATE
1	AEB	ADD LOT COVERAGE	3-22-22
1	AEB	ADD PROPOSED HOUSE	3-21-22

DRAWN BY: TCG  
FIELD CREW: TCG  
CHECKED BY:  
SCALE 1" = 10'  
JOB NO. 22-070  
DATE 03-19-22  
SHEET NO. 1 OF 1



ROADSIDE ELEVATION



LAKESIDE ELEVATION



NORTH WEST ELEVATION



SOUTH EAST ELEVATION

564 BLACK OAK TRAIL  
HOWELL, MI 48843

CHOUINARD CUSTOM HOMES LLC  
932 SUNRISE PARK ST  
HOWELL, MI 48843

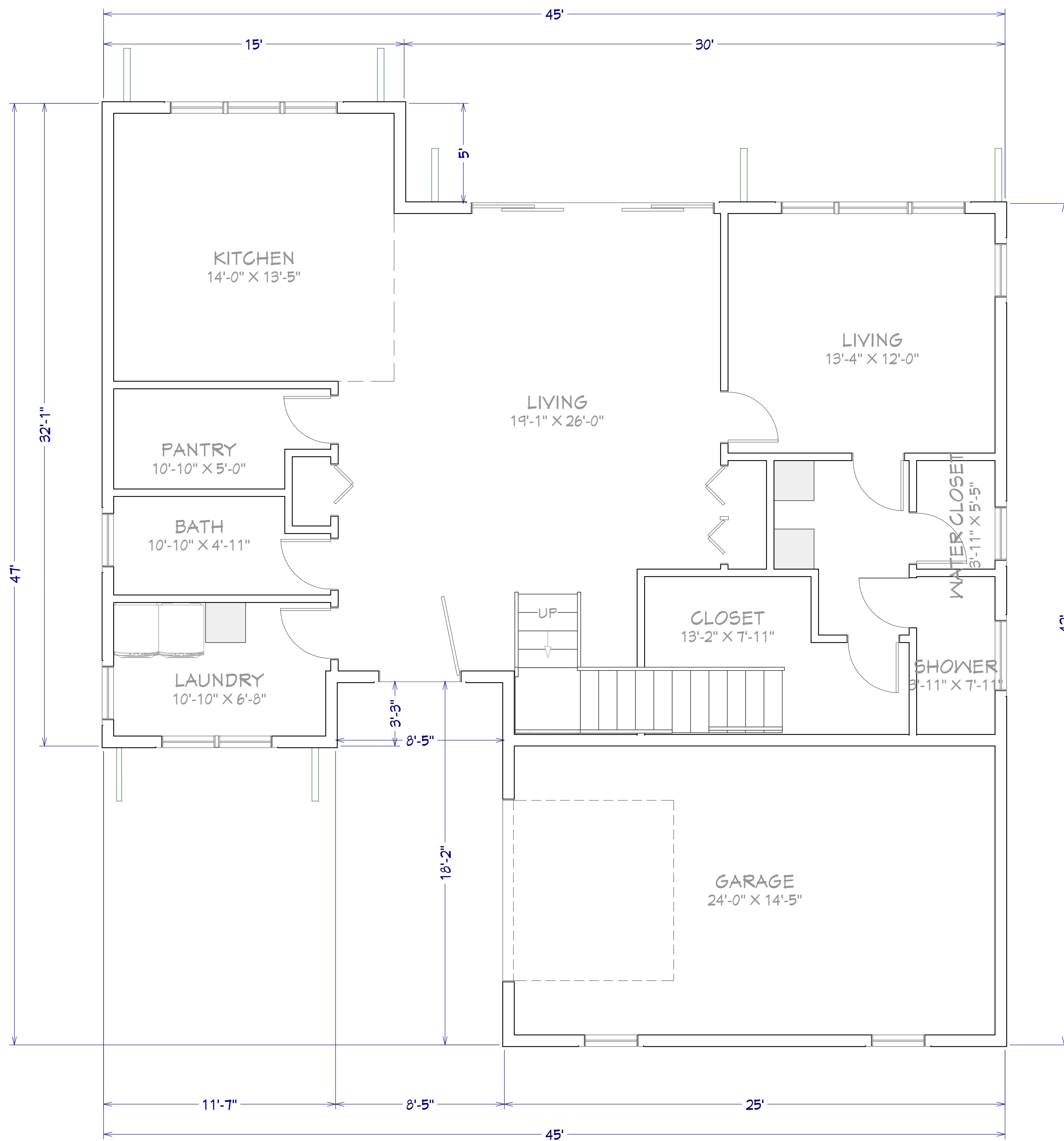
DRAWINGS PROVIDED BY:

DATE:  
3-20-2022

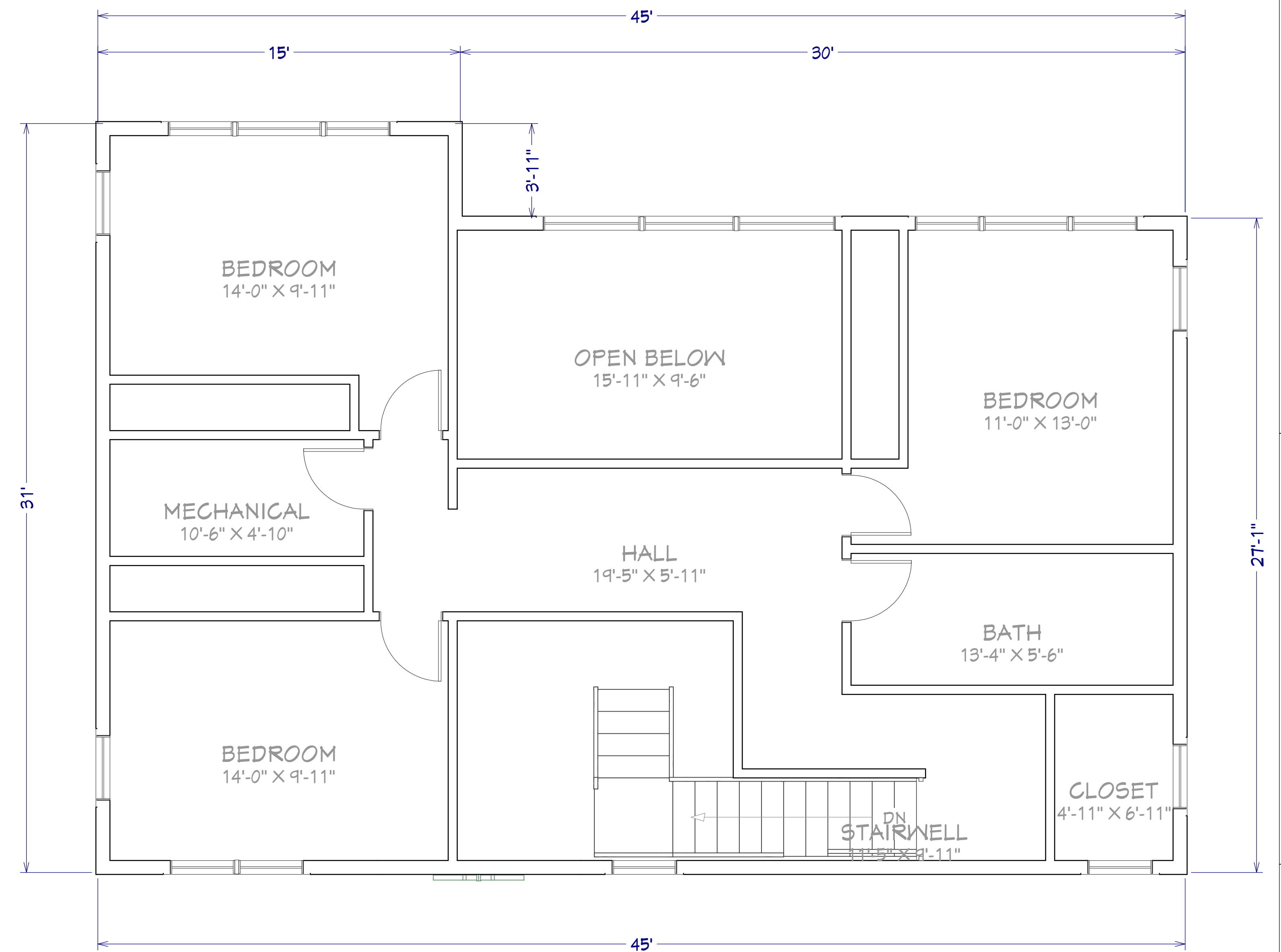
SCALE:  
5/16=1'

SHEET:

A-1



**FIRST FLOOR PLAN**



**SECOND FLOOR PLAN**

564 BLACK OAK TRAIL  
HOWELL, MI 48843

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

DATE:  
3-20-2022

SCALE:  
5/16=1'

SHEET:

**A-2**



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
SREDZINSKI, LEON & IRENE	SREDZINSKI, LEON & IRENE	1	10/04/2001	QC	21-NOT USED/OTHER	3142-0866	BUYER/SELLER	0.0

Property Address	Class: RESIDENTIAL-IMPROV	Zoning: LRR	Building Permit(s)	Date	Number	Status
564 BLACK OAKS TRL	School: HOWELL PUBLIC SCHOOLS					
Owner's Name/Address	P.R.E. 0%					
SREDZINSKI, LEON & IRENE TRUST TRUSTEES	MAP #: V22-10*					
222 N STATE ST APT 16	2023 Est TCV Tentative					
HOWELL MI 48843-2277	X Improved	Vacant	Land Value Estimates for Land Table 4300.LAKE CHEMUNG			

Tax Description	Public Improvements	Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
SEC. 3 T2N, R5E, BLACK OAKS LOT 4	X	Dirt Road	50.00	75.00	1.0000	1.0000	3000	100		150,000
Comments/Influences		Gravel Road	10.00	75.00	1.0000	1.0000	1120	100		11,200
		Paved Road	60 Actual Front Feet, 0.10 Total Acres				Total Est. Land Value =			161,200

Comments/Influences



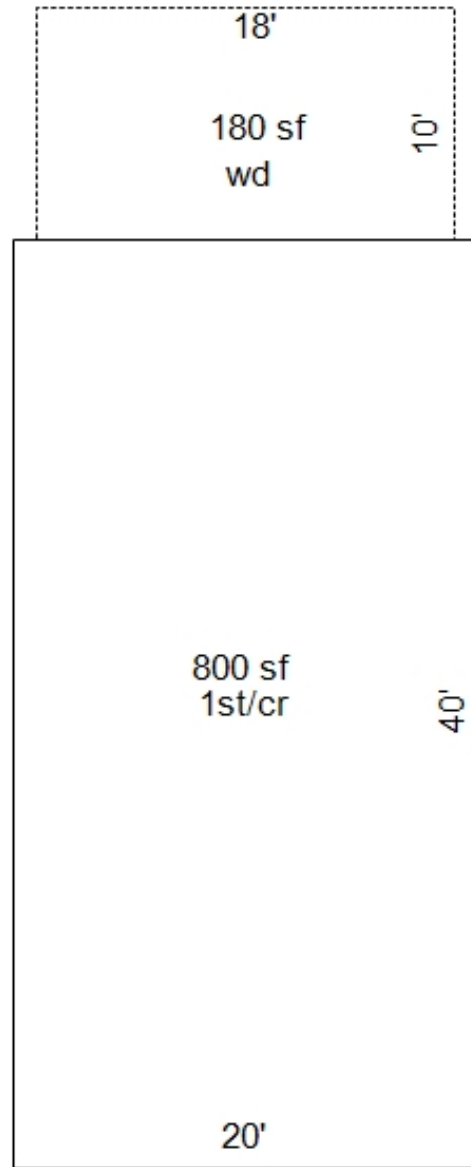
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level	2023	Tentative	Tentative	Tentative			Tentative
Rolling	2022	80,600	32,900	113,500			50,106C
Low	2021	80,000	32,100	112,100			48,506C
High	2020	75,000	32,100	107,100			47,837C
Landscaped							
Swamp							
Wooded							
Pond							
Waterfront							
Ravine							
Wetland							
Flood Plain							
X REFUSE							

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 180	Type Pine	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
X	Wood Frame		Drywall Paneled		Plaster Wood T&G											
Building Style: D		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace			Class: D Effec. Age: 53 Floor Area: 800 Total Base New : 96,499 Total Depr Cost: 45,356 Estimated T.C.V: 65,766			E.C.F. X 1.450		Bsmnt Garage:	
Yr Built 0	Remodeled 0	Size of Closets		(12) Electric			0 Amps Service								Carport Area: Roof:	
Condition: Good		Lg X Ord Small		No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family D						Cls D		Blt 0	
Room List		(5) Floors		Ex. X Ord Min			No. of Elec. Outlets			Ground Area = 800 SF Floor Area = 800 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=47/100/100/100/47						
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:		Many X Ave. Few			Building Areas			Stories Exterior Foundation 1 Story Siding Crawl Space			Size 800		Cost New Depr. Cost	
(1) Exterior		(6) Ceilings		(13) Plumbing			Other Additions/Adjustments			Deck Pine			180		2,592 1,218	
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 0 S.F. Crawl: 800 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Water/Sewer			Public Sewer Water Well, 200 Feet Fireplaces Exterior 1 Story			1 1		1,033 486 8,798 4,135	
(2) Windows		(8) Basement		(14) Water/Sewer			Notes:			ECF (4309 LK CHEMUNG LAKEFRONT) 1.450 => TCV:					65,766	
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish			Lump Sum Items:									
	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		Recreation SF Living SF Walkout Doors No Floor SF			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic									
(3) Roof		(10) Floor Support														
X	Gable Hip Flat	Gambrel Mansard Shed		Joists: Unsupported Len: Cntr.Sup:												
X	Asphalt Shingle															
Chimney: Brick																

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



2 Bedrooms  
1 Full Bath

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 22, 2022 - 6:30 PM**

**MINUTES**

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

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

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

**Approval of the Agenda:**

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

**Call to the Public:**

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

1. 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 was present. He reviewed his request and the changes he has made since last month's meeting. He is now proposing to place the building to the back of the property, off the slope, which negates the need for the retaining wall. This also keeps with the neighborhood as many properties have homes below grade with sloped driveways.

The call to the public was made at 6:34 pm with no response.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to approve Case #22-06 for 2157 Webster Park Drive for a dimensional variance to build a detached accessory structure on a proposed vacant lot, based on the following findings of fact:

- Ordinance Section 11.04.01 reads, "No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized."
- A variance was granted through Genoa Township to demolish an existing home and rebuild a new home in May of 2019 (Case # 19-21). The Livingston County Health Department determined afterwards the property was unsuitable for rebuilding.

- This building does not meet the requirements for sanity code and sewage disposal system, does not maintain proper site isolation and the soils are not permeable to allow for a sanitary disposal system (See exhibit A) in tonight's ZBA packet.
- 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
- The exceptional or extraordinary condition of the property is the lot is not able to obtain a septic system permit from the Livingston County 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.
- The granting of the variance will not impair the adequate supply of light and air to adjacent properties or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have a limited 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. The 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 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.

**The motion carried unanimously.**

2. 22-07...A request by Gary LaCrosse, 1235 Boulevard Drive, for a rear setback variance to construct a new detached accessory structure.

Mr. LaCrosse stated he is asking for a variance to build his garage three feet from the rear-yard property line.

Board Member McCreary asked if there would be ample room to get around the wellhead. Mr. LaCrosse said there are 13 feet available between the garage and the well. She asked why the garage needs to be placed in this location. He stated that due to the way the stormwater flows on his property, this is the ideal location for the garage. She is not sure if this is the least amount necessary. The proposed garage is very close to the existing fence.

The call to the public was made at 6:46 pm with no response.

Board Member McCreary is not in favor of this request. While the proposed garage meets the ordinance for maximum impervious surface, she feels it is too large for the property. It could be a safety issue for the neighborhood if it goes on fire. She is also concerned with there being enough space to drive a car to the back of the lot to the new proposed garage.

Board Member Rockwell asked if the Township has jurisdiction over allowing vehicles to drive over the well. Ms. Ruthig stated the applicant will have to obtain permits from the Livingston County Health Department and Drain Commissioner.

There was a discussion regarding this neighborhood, the small lots and the large homes and buildings using most of the available property. Ms. Ruthig added that many times buildings in these types of neighborhoods will be required to have fireproof walls on the ones that are close to other structures.

**Moved** by Board Member Rockwell, seconded by Board Member Ledford, to approve Case #22-07 for 1235 Boulevard Drive, Howell, MI for Gary Lacrosse for a rear-yard variance of 7 feet, from the required 10 feet, for a rear-yard setback of 3 feet to construct a detached accessory structure, based on the following findings of fact:

- 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 substantial property rights similar to those possessed by other properties in the same zoning district and vicinity.
- 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 granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. Drainage from the detached structure must be maintained on the lot.
2. The structure must be guttered with downspouts.
3. No other structures or impervious surfaces are allowed on the lot.
4. An engineering company shall confirm the property lines to ensure the setbacks are met.

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

**Administrative Business:**

1. Approval of minutes for the February 15, 2022 Zoning Board of Appeals meeting.

Needed changes were noted.

**Moved** by Board Member Ledford, seconded by Board Member McCreary, to approve the minutes of the February 15, 2022 meeting as corrected. **The motion carried unanimously.**

2. Correspondence - Ms. Ruthig stated there will be four cases on the March agenda.
3. Member Discussion - There were no items to discuss this evening.
4. Adjournment - **Moved** by Board Member McCreary, seconded by Board Member Ledford, to adjourn the meeting at 7:10 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary

DRAFT