

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MAY 16, 2023  
6:30 P.M.  
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

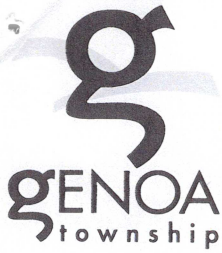
Approval of Agenda:

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

1. 23-15 & 16...A request by Justin Tobey, 3823 E. Coon Lake Road, for front, side and a natural features setback variance and any other variance deemed necessary by the Zoning Board of Appeals to construct a new home.
2. 23-17...A request by Janet Exline, 4437 Filbert Drive, for a variance and any other variance deemed necessary by the Zoning Board of Appeals to repair and construct an addition onto a non-conforming deck.
3. 23-18... A request by Robert Kuikahi, 6035 E. Grand River Avenue, for waterfront setback variance and any other variance deemed necessary by the Zoning Board of Appeals to demolish existing home and construct a new home.
4. 23-19...A request by Tim Chouinard and Mike Tiano, 576 and 572 Black Oaks Trail, for front yard setback variance and any other variance deemed necessary by the Zoning Board of Appeals to construct a new home.

Administrative Business:

1. Approval of minutes for the April 18, 2023 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 # 23-15

Meeting Date: May 16, 2023  
@ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Justin Tobey Email: JTobey@PTS-MI.COM

Property Address: 3824 E. Cook Lake Rd Phone: 248 450 8825

Present Zoning: "CE" Tax Code: #11-29-200-021

**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: Request is for a "Front Setback Variance" from 75' to 53'+/- Variable Depth, measured from RLW to a line between the front faces of the two adjacent houses. Request is for a 30' variance in East "Side Yard Setback" to allow for construction of a house similar in size to adjacent houses. The "Rear Yard Setback" is based upon the 25' "wetland setback." Due to a large area of wetland in the rear yard that poses an additional hardship for the parcel.

**Please note that the packet and staff report for your scheduled Zoning Board of Appeals meeting will be available to review at <https://www.genoa.org/government/boards/zoningboard> five days prior to the meeting.**

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

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

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

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

*granting of a variance*  
The front & side yard setbacks will result in a minimal buildable area on the front and east side yard, but will result in a similar size house as the neighborhood. The required "CE" setbacks will impose a hardship resulting in 307 sq. ft. buildable area.

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

This parcel is 0.342 acres in size but is zoned "CE" which requires 5 acres minimum area. The strict application of the "CE" setbacks imposes an unrealistic hardship on this smaller sized parcel.

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 two adjacent houses are also built on substandard sized parcels based upon the standards of the "CE" district. The existing homes, & this proposed residence, will have adequate open space largely due to the substantial wetland area South & East of the 3 parcels.

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 two adjacent homesites are on very similar sized parcels, have about the same sized residences as we will be allowed to construct if granted these 2 variances from the hardship imposed on us by the "CE"

Attendance by the applicant is required at the Zoning Board of Appeals meeting. *zoning*

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 plans and construction plans.

Date: 3/28/23

Signature: 



May 8, 2023

Zoning Board of Appeals  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Amy Ruthig, Planning Director
<b>Subject:</b>	E. Coon Lake Road – Dimensional Variance Review
<b>Location:</b>	E. Coon Lake Road – southeast side of E. Coon Lake Road, southwest of Chilson Road
<b>Zoning:</b>	CE Country Estate District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking dimensional variance for the construction of a new residence on the vacant subject site.

The property is nonconforming due to its deficient lot width (128’ provided; 220’ minimum required) and area (0.68 acres provided; 5 acre minimum required).

The proposal entails construction of a 1,064 square foot (ground floor area) residence with a 440 square foot (ground floor area) attached garage.

Per Section 3.04, the following variances are needed from the dimensional requirements of the CE District:

- A front yard setback of 53’ (where a minimum of 75’ is required);
- A side yard setback of 10’ (where a minimum of 40’ is required); and
- A floor area of 1,064 square feet (where a minimum of 1,500 square feet is required).

## SUMMARY

1. Strict compliance with CE setback requirements will preclude residential construction on the site (practical difficulty).
2. More compliant alternatives would only include a smaller residence, which is not reasonable/functional, and would exacerbate the already deficient residential floor area (substantial justice).
3. The property is relatively small (lot area) and narrow (lot width) in comparison to a conventional CE property, and has sharply angled side lot lines and a wetland area at the rear, all of which impact the site’s buildability (extraordinary circumstance).
4. Given the nature of the project and property, we do not anticipate issues with the supply of light and air or to traffic and public safety (public safety and welfare).
5. The proposed residence is similarly sized and situated to the 2 adjacent residences, and is not expected to adversely impact the neighborhood (impact on surrounding neighborhood).



*Aerial view of site and surroundings (looking north)*

## **VARIANCE REVIEW**

We have reviewed the request in accordance with the dimensional variance review criteria of Section 23.05.03, as follows:

- 1. Practical Difficulty/Substantial Justice.** Strict compliance with CE District standards precludes construction of a single-family dwelling. More specifically, application of required setbacks (including the Township's wetland setback) results in a building envelope that is approximately 35' wide by approximately 5' deep.

The proposed dwelling is relatively modest in size (less than conventional CE floor area), so any alternative to improve upon the setback variances would result in an even smaller dwelling.

In our opinion, the variances sought are fair to both the owner and other owners in the district given the presence of a relatively clear practical difficulty.

- 2. Extraordinary Circumstances.** The deficient lot width and area, as well as sharply angled side lot lines, combine to greatly limit the buildable area of the property.

The site also contains a wetland area in the rear yard, which further restricts the owners' ability to construct a dwelling.

The circumstances driving the need for variances were not created by the owner.

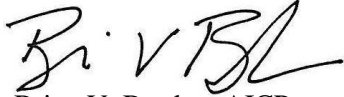
- 3. Public Safety and Welfare.** Given the nature of the proposal, granting of the variances will not impair the supply of light and air to adjacent properties, nor will it unreasonably impact traffic or public safety.
- 4. Impact on Surrounding Neighborhood.** Based on review of the submittal materials, the 2 adjacent properties (northeast and southwest) share similar conditions (relatively small and narrow, angled side lot lines, wetland area at the rear) and contain residences that encroach into required CE setbacks.

The proposed residence appears to be similarly sized and situated to the 2 adjacent residences, and is not expected to adversely impact the neighborhood.

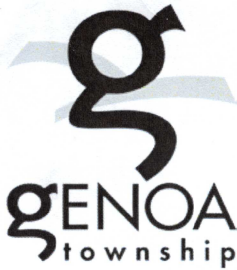
Genoa Township ZBA  
**E. Coon Lake Road**  
Dimensional Variance Review  
Page 3

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,  
**SAFE BUILT**

A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and cursive.

Brian V. Borden, AICP  
Michigan Planning Manager



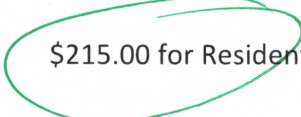
**GENOA CHARTER TOWNSHIP**  
**WETLAND VARIANCE APPLICATION**

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116  
(810) 227-5225 | FAX (810) 227-3420

Case # 23-16

Meeting Date: May 16, 2023  
6:30pm

PAID Variance Application Fee



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

Applicant/Owner: Justin Tobey Email: JTobey@PTS-MI.COM

Property Address: 3824 E. Coon Lake Rd Phone: 248 450 8825

Present Zoning: "CE" Tax Code: 11-29-200-021

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

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

Please explain the proposed variance below:

1. Variance requested/intended property modifications: Requesting a 10' reduction in the 25' natural features setback to allow construction equipment & use of area within 10' of S.W. corner of house or it will be a substantial hardship for residential use.

The following is per Article 13.02.05 of the Genoa Township Ordinance:

**Criteria Applicable to Wetland Setback 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.

**13.02.05 Variances from the Wetland Setback Requirements**

The setback is not necessary to preserve the wetland's ecological and aesthetic value;

In my opinion the wetland will retain its ecological & aesthetic value even if we are granted this minimal 10' variance.

The natural drainage pattern to the wetland will not be significantly affected;

The drainage pattern will remain the same. Flow will be from the rear of the proposed residence, southerly to the wetland, just as it currently does.

The variance will not increase the potential for erosion, either during or after construction;

During construction a <sup>fence</sup> will be staked in place at the granted setback line and a vegetated buffer zone will be established as early as possible on the property.

No feasible or prudent alternative exists and the variance distance is the minimum necessary to allow the project to proceed;

The building area is very restricted in size and we will need a minimum of 10' to access the rear of the yard in order to build a residence within this very limited building area.

MDEQ permit requirements have been met and all possible avoidable impacts to wetlands have been addressed.

Yes.

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: 3/28/23 Signature: [Signature]





May 8, 2023

Zoning Board of Appeals  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Amy Ruthig, Planning Director
<b>Subject:</b>	E. Coon Lake Road – Wetland Setback Variance Review
<b>Location:</b>	E. Coon Lake Road – southeast side of E. Coon Lake Road, southwest of Chilson Road
<b>Zoning:</b>	CE Country Estate District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking a wetland setback variance related to the construction a new single-family dwelling on the vacant subject site.

(The owners are also seeking dimensional variances from the ZBA for the residential construction, which has been reviewed in a separate letter.)

The property is nonconforming due to its deficient lot width (128’ provided; 220’ minimum required) and area (0.68 acres provided; 5 acre minimum required) and contains a regulated wetland area in the rear yard.

The request entails a 10’ encroachment into the required 25’ setback around a regulated wetland for use during construction of the dwelling and for additional rear yard space.

Per Section 13.02, the following variance is needed from the Township’s Wetland Protection Standards:

- A wetland setback of 15’ (where a minimum of 25’ is required).

**WETLAND SETBACK VARIANCE REVIEW**

We have reviewed the request in accordance with the wetland setback variance review criteria of Section 13.02.05, as follows:

***1. The setback is not necessary to preserve the wetland's ecological and aesthetic value.***

Since the request is for a 10’ encroachment into the 25’ required setback, the majority of the wetland setback will remain in place and undisturbed. No disturbance is proposed to the wetland itself.

The 10’ encroachment is intended for long-term use as additional rear yard space for the dwelling and there is no mention of any future structures within this area.

As such, the proposal is not expected to alter the wetland’s ecological and aesthetic value.

***2. The natural drainage pattern to the wetland will not be significantly affected.***

Similar to the comments above, as rear yard space with no structures, the proposal will not alter the natural drainage pattern to the wetland.



*Aerial view of site and surroundings (looking north)*

**3. *The variance will not increase the potential for erosion, either during or after construction.***

Similar to the comments above, given the nature of the request, which is for additional rear yard space with no structures, granting of the variance will not increase the potential for erosion.

With that being said, since the area is also intended to accommodate construction equipment, necessary soil erosion measures must be put in place during construction of the dwelling and any disturbance caused must be repaired to a lawn/yard-like condition.

**4. *No feasible or prudent alternative exists and the variance distance is the minimum necessary to allow the project to proceed.***

As noted in our variance review for the proposed dwelling, the site's building envelope precludes residential construction, and the 10' of additional yard space will provide a more functional property for the owners.

Similar to comments above, the applicant requests only a 10' encroachment, which creates a minimally functional rear yard space for the owners.

**5. *MDEQ permit requirements have been met and all possible avoidable impacts to wetlands have been addressed.***

The project does not entail any encroachment into or impacts upon the wetland itself, so no permit is required from the State.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,

**SAFE BUILT**

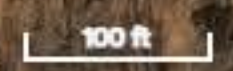
A handwritten signature in black ink, appearing to read 'B. V. Borden'.

Brian V. Borden, AICP  
Michigan Planning Manager



Sun Mar 26 2023

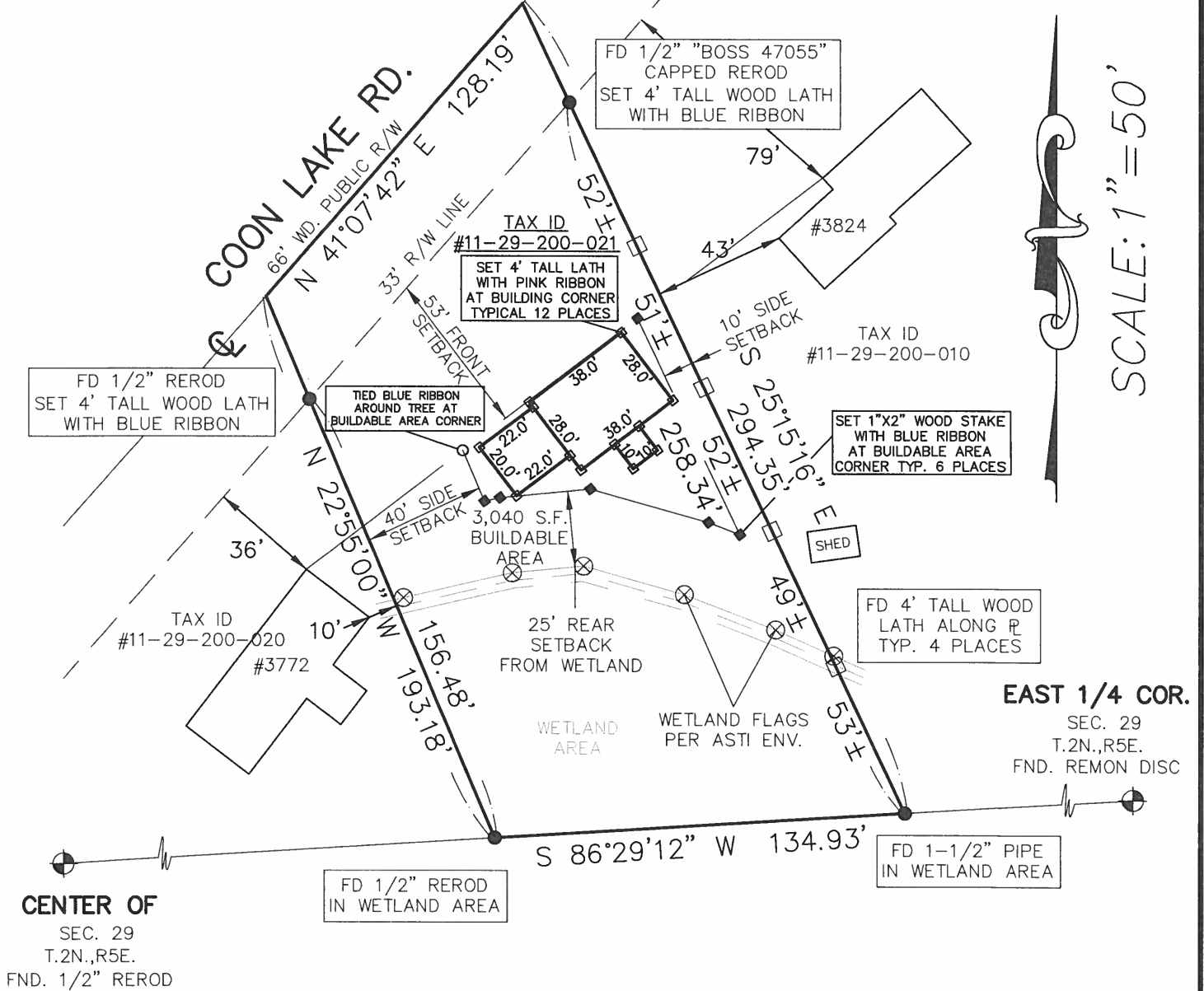
Imagery © 2023 Nearmap, HERE



# SKETCH OF PARCEL ID #11-29-200-021

USING NORTH FACE OF EXISTING HOUSES  
ON ADJACENT PARCELS FOR FRONT  
SETBACK.

10' & 40' SIDE YARD SETBACK AND 25'  
REAR SETBACK FROM NATURAL  
FEATURES.



SCALE: 1" = 50'

CENTER OF  
SEC. 29  
T.2N.,R5E.  
FND. 1/2" REROD

SH. 1 of 1 REV. 5/5/23: AS STAKED SKETCH

*Brad F. Thompson*  
Brad F. Thompson, P.E., P.S.#23828

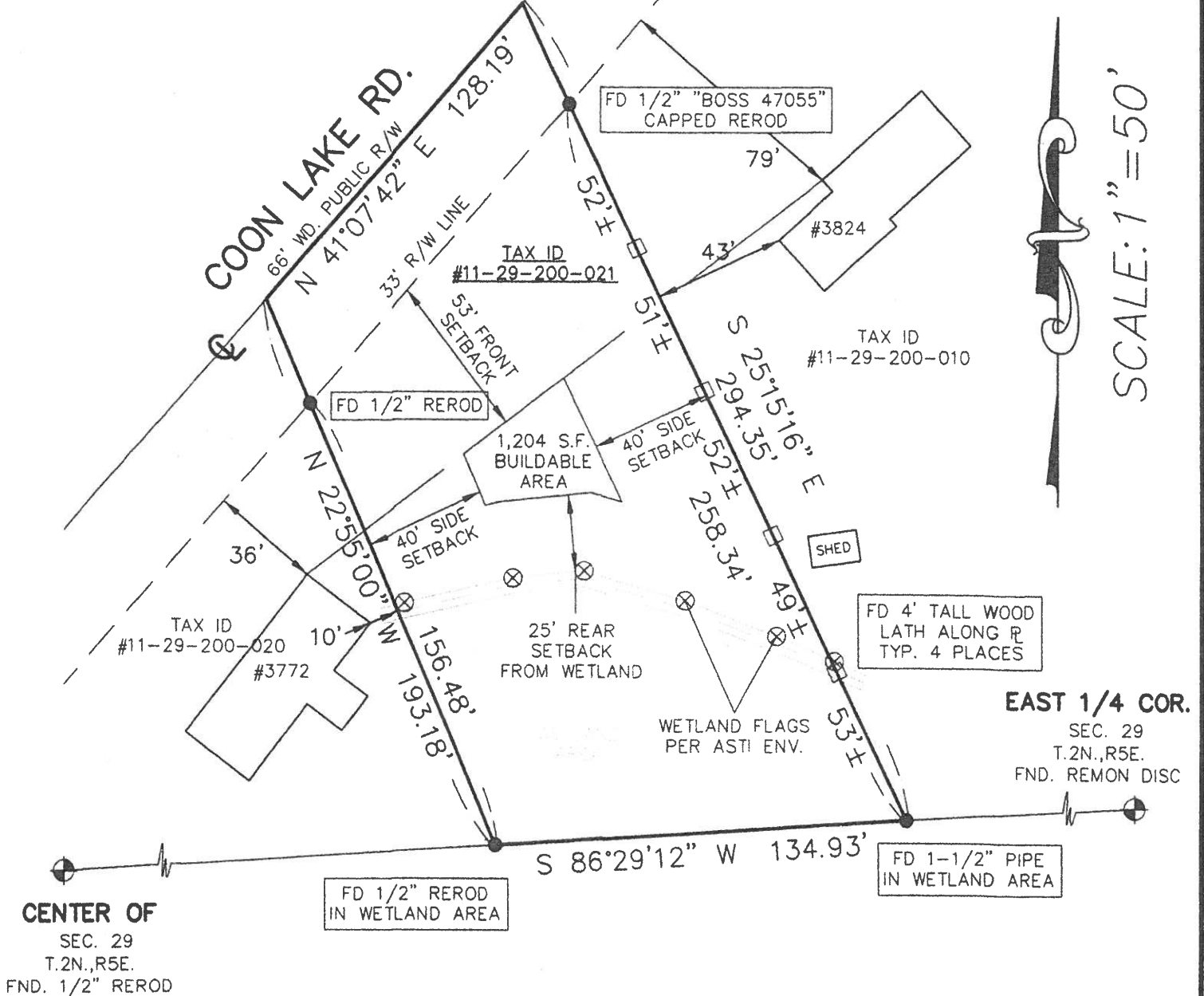
DATE: 3-22-23 B.F. THOMPSON, P.C.  
JOB# 10-3771 517/ 548-3142  
FAX 517/ 548-0049

Registered Professional Engineer & Land Surveyor  
1520 Gully Road, Howell, Michigan 48843

# SKETCH OF PARCEL ID #11-29-200-021

USING NORTH FACE OF EXISTING HOUSES  
ON ADJACENT PARCELS FOR FRONT  
SETBACK.

40' SIDE YARD SETBACK AND 25' REAR  
SETBACK FROM NATURAL FEATURES.



CENTER OF  
SEC. 29  
T.2N.,R5E.  
FND. 1/2" REROD

SH. 1 of 1

*Brad F. Thompson*  
Brad F. Thompson, P.E., R.S.#23828

DATE: 3-22-23

B.F. THOMPSON, P.C.

Registered Professional Engineer & Land Surveyor  
1520 Gulley Road, Howell, Michigan 48843

517/ 548-3142

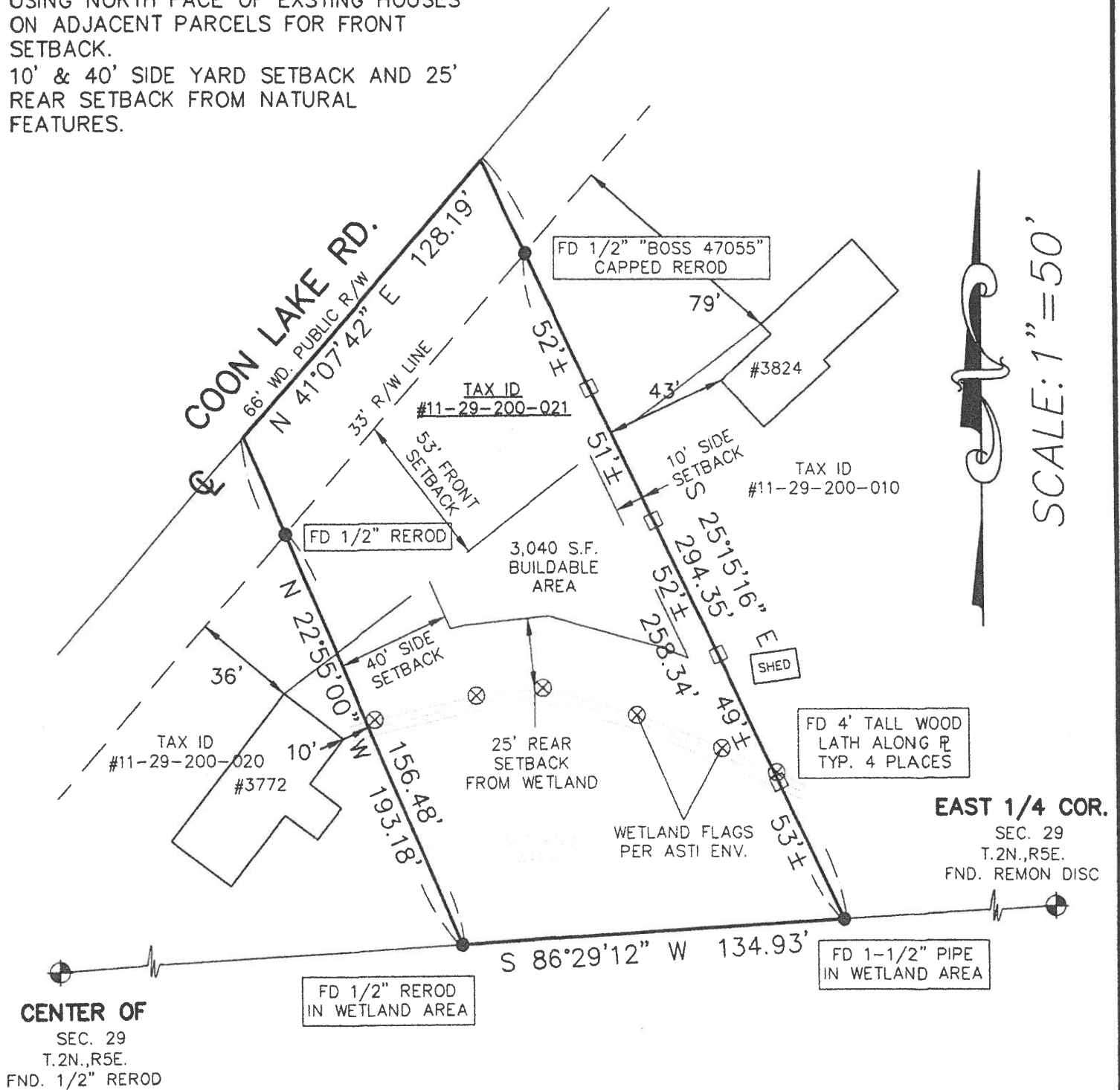
FAX 517/ 548-0049

JOB# 10-3771

# SKETCH OF PARCEL ID #11-29-200-021

USING NORTH FACE OF EXISTING HOUSES  
ON ADJACENT PARCELS FOR FRONT  
SETBACK.

10' & 40' SIDE YARD SETBACK AND 25'  
REAR SETBACK FROM NATURAL  
FEATURES.



CENTER OF  
SEC. 29  
T.2N.,R5E.  
FND. 1/2" REROD

SH. 1 of 1

*Brad F. Thompson*  
Brad F. Thompson, P.E., P.S.#23828

DATE: 3-22-23  
JOB# 10-3771

B.F. THOMPSON, P.C.  
517/ 548-3142  
FAX 517/ 548-0049

Registered Professional Engineer & Land Surveyor  
1520 Gully Road, Howell, Michigan 48843

# SKETCH OF PARCEL ID #11-29-200-021

CURRENT ZONING: COUNTRY ESTATE "CE"

MIN. LOT AREA: 5 AC. REQ./0.342 AC. CURRENT

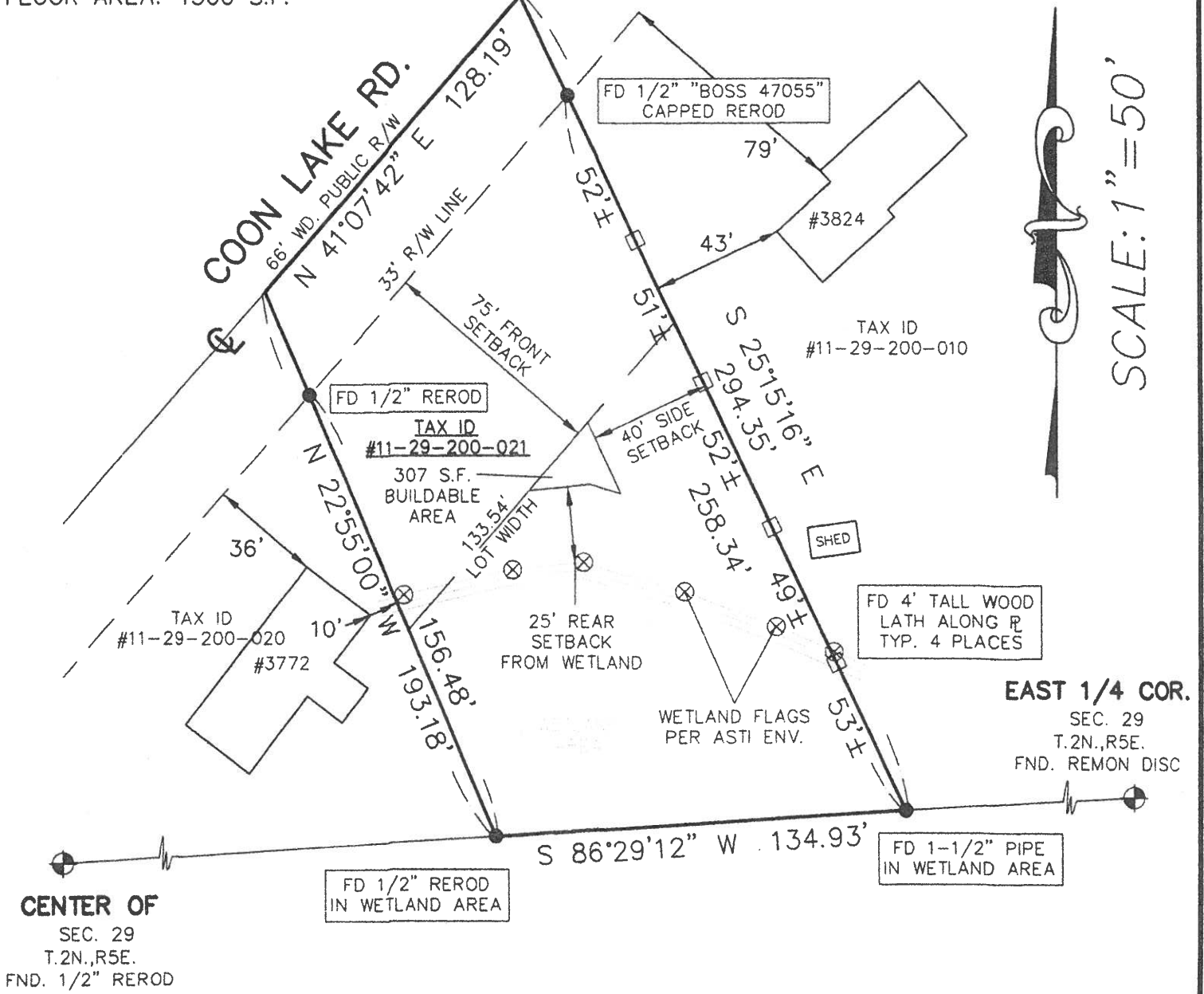
MIN. LOT WIDTH: 220 FT./133.54' CURRENT

FRONT SETBACK: 75 FT.

SIDE SETBACK: 40FT MIN./80FT TOTAL

REAR: 60 FT./25FT NAT. FEAT. SETBACK

FLOOR AREA: 1500 S.F.



SCALE: 1" = 50'

CENTER OF  
SEC. 29  
T.2N.,R5E.  
FND. 1/2" REROD

*Brad F. Thompson*  
Brad F. Thompson, P.E., P.S.#23828



Assessment • Remediation • Compliance  
Restoration • Incentives

10448 Citation Drive, Suite 100  
Brighton, MI 48116

800 395-ASTI  
Fax: 810.225.3800

[www.asti-env.com](http://www.asti-env.com)

**Sent Via Email Only**

February 15, 2023

Justin Tobey  
**Power Tools & Supply, Inc.**  
8551 Boulder Court  
Walled Lake, MI 48390

*RE: Wetland Delineation and Jurisdictional Assessment with GPS Survey  
3824 East Coon Lake Road (Parcel ID 4711-29-200-021)  
Genoa Township, Livingston County, Michigan  
ASTI File No. 12686*

Justin Tobey:

On February 10, 2023, ASTI Environmental (ASTI) conducted a site investigation to delineate wetland boundaries on approximately 0.7 acres of land at the above-referenced property in Genoa Township, Livingston County, Michigan ("Subject Property"). One wetland likely regulated by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), as well as Genoa Township was found on the Subject Property (Figure 1 – *GPS-Surveyed Wetland Boundaries*). Wetland boundaries, as depicted on Figure 1, were located using a professional grade, hand-held Global Positioning System unit (GPS).

#### **SUPPORTING DATA AND MAPPING**

The USDA Web Soil Survey (WSS), the National Wetland Inventory Map (NWI), EGLE Wetlands Map Viewer web site, and digital aerial photographs were all used to support the wetland delineation and subsequent regulatory status determination. The NWI and EGLE maps indicated the presence of wetland in the southwest portions of the Subject Property.

In addition, the WSS indicated the Subject Property is comprised of the soils Boyer-Oshtemo loamy sands (2-6% slopes), Carlisle muck (0-2% slopes), Fox-Boyer complex (18-25% slopes). The soil complex of Carlisle muck is listed as hydric by the WSS.



## **FINDINGS**

ASTI investigated the Subject Property for the presence of any lakes, ponds, wetlands, and watercourses. This work is based on *MCL 324 Part 301 (Inland Lakes and Streams)* and *Part 303 (Wetland Protection)*, as well as the Genoa Township Zone Ordinance, Article 13 – Environmental Protection Regulation. Genoa Township requires a 25-foot setback from EGLE-regulated wetlands. The Township also requires that judicious effort be made to preserve non-EGLE regulated wetlands greater than two acres in size. In some circumstances the US Army Corps of Engineers (ACOE) may also have jurisdiction of wetlands or watercourses on the Subject Property; this is not the case for the Subject Property.

The delineation protocol used by ASTI for this delineation is based on the US Army Corps of Engineers' *Wetland Delineation Manual*, 1987, the *Regional Supplement to the Corps of Engineer Wetland Delineation Manual: Northcentral and Northeast Region*, and related guidance/documents, as appropriate. Wetland vegetation, hydrology, and soils were used to locate the wetland boundaries.

One wetland was found on the Subject Property, as discussed below.

### Wetland A

Wetland A is a scrub/shrub wetland located in the eastern portion of the Subject Property (Figure 1). Wetland A is 0.29 acres on-site and continues off-site to the south. Dominant vegetation found within Wetland A included tamarack (*Larix laricina*) silky dogwood (*Cornus amomum*), red osier dogwood (*C. alba*), buttonbush (*Cephalanthus occidentalis*), rough-leaf goldenrod (*Solidago patula*), and stinging nettle (*Urtica dioica*). Soils within Wetland A were a mucky loam to mucky sand and are considered hydric because the criteria for a loamy muck and a redox dark surface were met. Indicators of wetland hydrology observed within Wetland A included a high-water table, saturation, and thin muck surface.

Dominant vegetation observed within the upland adjacent to Wetland A included black walnut (*Juglans nigra*), black raspberry (*Rubus occidentalis*), Kentucky blue grass (*Poa pratensis*), and river grape (*Vitis riparia*). Upland soils were sandy loam, and no evidence of wetland hydrology was observed.

It is ASTI's opinion that Wetland A is regulated by EGLE under Part 303, because it is contiguous with a larger off-site wetland complex greater than 5 acres in size and contiguous with Chilson Creek, and by Genoa Township per Section 13.02 Wetland Protection Standards. In addition, Genoa Township requires a 25-foot natural features setback from regulated wetland.

### Wetland Flagging



Wetland boundaries were marked in the field with day-glow pink and black striped flagging with the following flagging numbers:

Wetland A: A-1 through A-6

**SUMMARY**

Based upon the data, criteria, and evidence noted above, it is ASTI's professional opinion that the Subject Property includes one wetland (Wetland A) regulated by EGLE under the Natural Resources and Environmental Protection Act (1994 P.A. 451), 303 Wetland Protection, and by Genoa Township under Section 13.02, respectively. However, please note that EGLE has the final authority on the extent of regulated wetlands, lakes, and streams in the State of Michigan. Any proposed impact to the areas that ASTI has identified as regulated will require an EGLE permit. Additionally, Genoa Township requires a 25-foot setback from EGLE-regulated wetlands.

Attached are Figure 1, which shows the GPS-surveyed locations of wetland flagging on the Subject Property and completed (ACOE) Wetland Data Forms. Please note that the data sheet numbers match the data collection sampling points shown on Figure 1.

Thank you for the opportunity to assist you with this project. Please let us know if we can be of any further assistance in moving your project forward.  
Sincerely yours,

ASTI ENVIRONMENTAL

Jeremiah Roth  
Wetland Ecologist  
Professional Wetland Scientist #3291

Dianne C. Martin  
Vice President  
Professional Wetland Scientist #1313

Attachments: Figure 1 – GPS-Surveyed Wetland Boundaries  
Completed ACOE Wetland Data Forms

\* It is ASTI's opinion that this wetland is likely to be regulated by EGLE and Genoa Township. This map does not imply an official opinion by EGLE or Genoa Township nor is it legally binding.

Genoa Township requires a 25' foot setback from regulated wetlands.

Wetland Delineation Completed February 10, 2023

- Legend**
- Wetland Flagging Location
  - Data Point
  - Reference Point
  - - - Approximate Off-Site Wetland
  - Scrub Shrub Wetland
  - Approximate Property Boundary



Tobey Property

3824 E Coon Lake Rd, Brighton,  
Genoa Twp., Livingston Co., MI



Client: Justin Tobey  
Created by: RMH, February 13, 2023, ASTI Project 12686  
Imagery: Google Earth March 2021

Figure 1 - GPS-Surveyed Wetland Boundaries

Project/Site: East Coon Lake Road (Parcel ID # 4711-29-200-021) City/County: Genoa Twp, Livingston Co Sampling Date: 2-10-23  
 Applicant/Owner: Justin Tobey (Power Tool & Supply, Inc.) State: MI Sampling Point: WT1  
 Investigator(s): ASTI - JWR Section, Township, Range: Sec. 29, T02N, R05E  
 Landform (hillside, terrace, etc.): Depression Local relief (concave, convex, none): concave Slope %: 0-1  
 Subregion (LRR or MLRA): LRR L Lat: 42.534174 Long: -83.87533 Datum: NAD 83  
 Soil Map Unit Name: Carlisle muck (0-2% slopes) NWI classification: PSS1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation     , Soil     , or Hydrology      significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation     , Soil     , or Hydrology      naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes <u>X</u> No <u>    </u> Hydric Soil Present? Yes <u>X</u> No <u>    </u> Wetland Hydrology Present? Yes <u>X</u> No <u>    </u>	<b>Is the Sampled Area within a Wetland?</b> Yes <u>X</u> No <u>    </u> If yes, optional Wetland Site ID: <u>Wetland A</u>
Remarks: (Explain alternative procedures here or in a separate report.) Wetland A - scrub-shrub wetland.	

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b> <u>Primary Indicators (minimum of one is required; check all that apply)</u> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Water-Stained Leaves (B9) <input checked="" type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Aquatic Fauna (B13) <input checked="" type="checkbox"/> Saturation (A3) <input type="checkbox"/> Marl Deposits (B15) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Iron Deposits (B5) <input checked="" type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<u>Secondary Indicators (minimum of two required)</u> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> Microtopographic Relief (D4) <input checked="" type="checkbox"/> FAC-Neutral Test (D5)
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<b>Field Observations:</b> Surface Water Present? Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u> Water Table Present? Yes <u>X</u> No <u>    </u> Depth (inches): <u>12</u> Saturation Present? Yes <u>X</u> No <u>    </u> Depth (inches): <u>1</u> (includes capillary fringe)	<b>Wetland Hydrology Present?</b> Yes <u>X</u> No <u>    </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**VEGETATION – Use scientific names of plants.**

Sampling Point: WT1

<u>Tree Stratum</u> (Plot size: <u>30ft</u> )	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Larix laricina</u>	10	Yes	FACW	<b>Dominance Test worksheet:</b>  Number of Dominant Species That Are OBL, FACW, or FAC: <u>6</u> (A)  Total Number of Dominant Species Across All Strata: <u>6</u> (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)  <b>Prevalence Index worksheet:</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:50%;">Total % Cover of:</th> <th style="width:50%;">Multiply by:</th> </tr> </thead> <tbody> <tr> <td>OBL species <u>30</u></td> <td>x 1 = <u>30</u></td> </tr> <tr> <td>FACW species <u>80</u></td> <td>x 2 = <u>160</u></td> </tr> <tr> <td>FAC species <u>10</u></td> <td>x 3 = <u>30</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>120</u> (A)</td> <td><u>220</u> (B)</td> </tr> <tr> <td colspan="2" style="text-align:center;">Prevalence Index = B/A = <u>1.83</u></td> </tr> </tbody> </table>	Total % Cover of:	Multiply by:	OBL species <u>30</u>	x 1 = <u>30</u>	FACW species <u>80</u>	x 2 = <u>160</u>	FAC species <u>10</u>	x 3 = <u>30</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>120</u> (A)	<u>220</u> (B)	Prevalence Index = B/A = <u>1.83</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>30</u>	x 1 = <u>30</u>																			
FACW species <u>80</u>	x 2 = <u>160</u>																			
FAC species <u>10</u>	x 3 = <u>30</u>																			
FACU species <u>0</u>	x 4 = <u>0</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>120</u> (A)	<u>220</u> (B)																			
Prevalence Index = B/A = <u>1.83</u>																				
2. _____																				
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
	10	=Total Cover																		
<u>Sapling/Shrub Stratum</u> (Plot size: <u>15ft</u> )																				
1. <u>Cephalanthus occidentalis</u>	20	Yes	OBL	<b>Hydrophytic Vegetation Indicators:</b> <u>  </u> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <u>  </u> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)  <u>  </u> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)  <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
2. <u>Cornus alba</u>	35	Yes	FACW																	
3. <u>Cornus amomum</u>	35	Yes	FACW																	
4. _____																				
5. _____																				
6. _____																				
7. _____																				
	90	=Total Cover																		
<u>Herb Stratum</u> (Plot size: <u>5ft</u> )																				
1. <u>Solidago patula</u>	10	Yes	OBL	<b>Definitions of Vegetation Strata:</b>  <b>Tree</b> – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.  <b>Sapling/shrub</b> – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.  <b>Herb</b> – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.  <b>Woody vines</b> – All woody vines greater than 3.28 ft in height.  <b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>																
2. <u>Urtica dioica</u>	10	Yes	FAC																	
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
8. _____																				
9. _____																				
10. _____																				
11. _____																				
12. _____																				
	20	=Total Cover																		
<u>Woody Vine Stratum</u> (Plot size: <u>30ft</u> )																				
1. <u>None</u>																				
2. _____																				
3. _____																				
4. _____																				
		=Total Cover																		

Remarks: (Include photo numbers here or on a separate sheet.)

**SOIL**

Sampling Point WT1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-18	10YR 2/1	95	2.5YR 3/3	5	C	M	Mucky Loam/Clay	Prominent red ox concentrations mucky loam
18-24	10YR 3/1	90	2.5YR 3/3	10	C	M	Mucky Sand	Prominent red ox concentrations mucky sand

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils <sup>3</sup> :
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> 2 cm Muck (A10) (LRR K, L, MLRA 149B)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR K, L, R)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Polyvalue Below Surface (S8) (LRR K, L)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Thin Dark Surface (S9) (LRR K, L)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Piedmont Floodplain Soils (F19) (MLRA 149B)
<input type="checkbox"/> Mesic Spodic (A17)	<input type="checkbox"/> Red Parent Material (F21) (outside MLRA 145)
<input type="checkbox"/> (MLRA 144A, 145, 149B)	<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	
<input type="checkbox"/> Sandy Redox (S5)	
<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Dark Surface (S7)	
<input type="checkbox"/> Polyvalue Below Surface (S8) (LRR R, MLRA 149B)	
<input type="checkbox"/> Thin Dark Surface (S9) (LRR R, MLRA 149B)	
<input type="checkbox"/> High Chroma Sands (S11) (LRR K, L)	
<input checked="" type="checkbox"/> Loamy Mucky Mineral (F1) (LRR K, L)	
<input type="checkbox"/> Loamy Gleyed Matrix (F2)	
<input type="checkbox"/> Depleted Matrix (F3)	
<input checked="" type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Redox Depressions (F8)	
<input type="checkbox"/> Marl (F10) (LRR K, L)	
<input type="checkbox"/> Red Parent Material (F21) (MLRA 145)	

<b>Restrictive Layer (if observed):</b> Type: _____ None _____ Depth (inches): _____	<b>Hydric Soil Present?</b> Yes <input checked="" type="checkbox"/> No _____
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Remarks:

**U.S. Army Corps of Engineers**  
**WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region**  
 See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

**OMB Control #: 0710-0024, Exp: 11/30/2024**  
**Requirement Control Symbol EXEMPT:**  
**(Authority: AR 335-15, paragraph 5-2a)**

Project/Site: East Coon Lake Road (Parcel ID # 4711-29-200-021) City/County: Genoa Twp, Livingston Co Sampling Date: 2-10-23  
 Applicant/Owner: Justin Tobey (Power Tool & Supply, Inc.) State: MI Sampling Point: UP1  
 Investigator(s): ASTI - JWR Section, Township, Range: Sec. 29, T02N, R05E  
 Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): convex Slope %: 0-1  
 Subregion (LRR or MLRA): LRR L Lat: 42.534239 Long: -83.875382 Datum: NAD 83  
 Soil Map Unit Name: Fox-Boyer complex (18-25% slopes) NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation     , Soil     , or Hydrology      significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation     , Soil     , or Hydrology      naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <u>    </u> No <u>X</u>	<b>Is the Sampled Area within a Wetland?</b> Yes <u>    </u> No <u>X</u> If yes, optional Wetland Site ID: <u>    </u>
Hydric Soil Present?	Yes <u>    </u> No <u>X</u>	
Wetland Hydrology Present?	Yes <u>    </u> No <u>X</u>	

Remarks: (Explain alternative procedures here or in a separate report.)  
 Upland adjacent to Wetland A.

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b>	<b>Secondary Indicators (minimum of two required)</b>
Primary Indicators (minimum of one is required; check all that apply) <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Water-Stained Leaves (B9) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Marl Deposits (B15) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> Microtopographic Relief (D4) <input type="checkbox"/> FAC-Neutral Test (D5)

<b>Field Observations:</b>	<b>Wetland Hydrology Present?</b> Yes <u>    </u> No <u>X</u>
Surface Water Present? Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u>	
Water Table Present? Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u>	
Saturation Present? Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u> (includes capillary fringe)	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
 No wetland hydrology observed.

**VEGETATION – Use scientific names of plants.**

Sampling Point: UP1

<u>Tree Stratum</u> (Plot size: <u>30ft</u> )	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Juglans nigra</u>	10	Yes	FACU	<b>Dominance Test worksheet:</b> Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)  Total Number of Dominant Species Across All Strata: <u>5</u> (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: <u>20.0%</u> (A/B)																
2. _____																				
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
	10	=Total Cover		<b>Prevalence Index worksheet:</b> <table style="width:100%; border:none;"> <tr> <td style="width:50%; text-align:center;">Total % Cover of:</td> <td style="width:50%; text-align:center;">Multiply by:</td> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>5</u></td> <td>x 3 = <u>15</u></td> </tr> <tr> <td>FACU species <u>45</u></td> <td>x 4 = <u>180</u></td> </tr> <tr> <td>UPL species <u>15</u></td> <td>x 5 = <u>75</u></td> </tr> <tr> <td>Column Totals: <u>65</u> (A)</td> <td><u>270</u> (B)</td> </tr> <tr> <td colspan="2" style="text-align:center;">Prevalence Index = B/A = <u>4.15</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>5</u>	x 3 = <u>15</u>	FACU species <u>45</u>	x 4 = <u>180</u>	UPL species <u>15</u>	x 5 = <u>75</u>	Column Totals: <u>65</u> (A)	<u>270</u> (B)	Prevalence Index = B/A = <u>4.15</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>0</u>	x 2 = <u>0</u>																			
FAC species <u>5</u>	x 3 = <u>15</u>																			
FACU species <u>45</u>	x 4 = <u>180</u>																			
UPL species <u>15</u>	x 5 = <u>75</u>																			
Column Totals: <u>65</u> (A)	<u>270</u> (B)																			
Prevalence Index = B/A = <u>4.15</u>																				
<u>Sapling/Shrub Stratum</u> (Plot size: <u>15ft</u> )				<b>Hydrophytic Vegetation Indicators:</b> <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 <sup>1</sup> <u>4</u> - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <u>    </u> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)																
1. <u>Juglans nigra</u>	5	Yes	FACU																	
2. <u>Rubus occidentalis</u>	5	Yes	UPL																	
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
	10	=Total Cover																		
<u>Herb Stratum</u> (Plot size: <u>5ft</u> )				<b>Definitions of Vegetation Strata:</b>  <b>Tree</b> – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.  <b>Sapling/shrub</b> – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.  <b>Herb</b> – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.  <b>Woody vines</b> – All woody vines greater than 3.28 ft in height.  <b>Hydrophytic Vegetation Present?</b> Yes <u>    </u> No <u>  X  </u>																
1. <u>Hackelia deflexa</u>	5	No	UPL																	
2. <u>Circaea canadensis</u>	5	No	FACU																	
3. <u>Poa pratensis</u>	25	Yes	FACU																	
4. <u>Rubus occidentalis</u>	5	No	UPL																	
5. _____																				
6. _____																				
7. _____																				
8. _____																				
9. _____																				
10. _____																				
11. _____																				
12. _____																				
	40	=Total Cover																		
<u>Woody Vine Stratum</u> (Plot size: <u>30ft</u> )																				
1. <u>Vitis riparia</u>	5	Yes	FAC																	
2. _____																				
3. _____																				
4. _____																				
	5	=Total Cover																		

Remarks: (Include photo numbers here or on a separate sheet.)



**SOIL**

Sampling Point UP1

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-12	10YR 3/2	100					Sandy	sandy loam fill material and aggregate

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

<sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Mesic Spodic (A17)  
**(MLRA 144A, 145, 149B)**
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)

- Dark Surface (S7)
- Polyvalue Below Surface (S8) **(LRR R, MLRA 149B)**
- Thin Dark Surface (S9) **(LRR R, MLRA 149B)**
- High Chroma Sands (S11) **(LRR K, L)**
- Loamy Mucky Mineral (F1) **(LRR K, L)**
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- Marl (F10) **(LRR K, L)**
- Red Parent Material (F21) **(MLRA 145)**

**Indicators for Problematic Hydric Soils<sup>3</sup>:**

- 2 cm Muck (A10) **(LRR K, L, MLRA 149B)**
- Coast Prairie Redox (A16) **(LRR K, L, R)**
- 5 cm Mucky Peat or Peat (S3) **(LRR K, L, R)**
- Polyvalue Below Surface (S8) **(LRR K, L)**
- Thin Dark Surface (S9) **(LRR K, L)**
- Iron-Manganese Masses (F12) **(LRR K, L, R)**
- Piedmont Floodplain Soils (F19) **(MLRA 149B)**
- Red Parent Material (F21) **(outside MLRA 145)**
- Very Shallow Dark Surface (F22)
- Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if observed):**

Type: \_\_\_\_\_ 12 \_\_\_\_\_  
 Depth (inches): \_\_\_\_\_

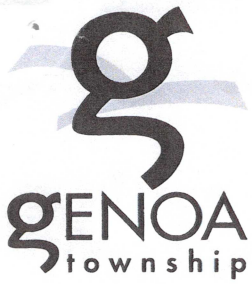
Hydric Soil Present? Yes \_\_\_\_\_ No X

Remarks:

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
Property Address	Class: RESIDENTIAL-VACANT		Zoning: CE		Building Permit(s)		Date	Number	Status		
VACANT	School: HOWELL PUBLIC SCHOOLS										
	P.R.E. 100% / /										
Owner's Name/Address	MAP #: V23-15,16										
BALL, EMERSON & MARGARET 3824 E COON LAKE RD HOWELL MI 48843-9431	2024 Est TCV Tentative										
	Improved	X	Vacant	Land Value Estimates for Land Table 4500.HOWELL M& B							
	Public Improvements			* Factors *							
				Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
				LAND TABLE A			0.682	Acres	57,000	100	38,874
						0.68		Total Acres	Total Est. Land Value =		38,874
Tax Description	Dirt Road			Land Improvement Cost Estimates							
SEC. 29 T2N R5E COM SW COR OF SE 1/2 OF NE 1/4 TH E 158.9 FT TH N44*12'E 257 FT TO BEG TH N44*12'E 128 FT S20*58'E 297 FT N89*43'W 135 FT NWLY TO BEG.	Gravel Road			Description							
	Paved Road			Rate							
	Storm Sewer			Size % Good							
	Sidewalk			Cash Value							
	Water			22.91							
	Sewer			160 50							
	Electric			Total Estimated Land Improvements True Cash Value =							
	Gas			1,833							
	Curb			1,833							
	Street Lights										
	Standard Utilities										
	Underground Utils.										
	Topography of Site										
	Level										
	Rolling										
	Low										
	High										
	Landscaped										
	Swamp										
	Wooded										
	Pond										
	Waterfront										
	Ravine										
	Wetland										
	Flood Plain										
	Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value	
				2024	Tentative	Tentative	Tentative			Tentative	
				2023	19,400	1,000	20,400			12,364C	
				2022	14,500	0	14,500			11,776C	
				2021	11,400	0	11,400			11,400S	

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

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



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

Case # 23-17 Meeting Date: 5-17-23 @ 6:30 p.m.

PAID Variance Application Fee

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

Applicant/Owner: JANINE EXLINE Email: j9xline@sbcglobal.net  
 Property Address: 4437 FILBERT DR Phone: (248) 797-0437  
 Present Zoning: LRP Tax Code: 11-27-105-021

**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: SLIGHTLY MODIFY  
EXISTING NON-CONFORMING DECK TO INCLUDE  
14'x19' PLATFORM DECK.

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.

SIMPLY REQUESTING MINOR MODIFICATIONS DURING REPAIR OF EXISTING, NON CONFORMING DECK. ALSO ADDING ADDITIONAL DECK BELOW EXISTING.

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.

MINOR MODIFICATIONS TO EXISTING DECK CONSISTENT WITH ADJOINING PROPERTY STRUCTURES & OTHER RESIDENCES ON LAKE. SITE TOPOGRAPHY REQUIRES ADDITIONAL DECK TO ACCESS LAKEFRONT.

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.

PROPOSED MODIFICATION WILL NOT IMPAIR LIGHT, AIR, CONGESTION OR INCREASE DANGER TO PUBLIC SAFETY.

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.

MODIFICATION WILL NOT INTERFERE WITH USE OR VALUE OF ADJOINING OR ADJACENT PROPERTIES

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

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

Date: 3/27/23 Signature: [Handwritten Signature]



May 9, 2023

Zoning Board of Appeals  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Amy Ruthig, Planning Director
<b>Subject:</b>	4437 Filbert Drive – Dimensional Variance Review
<b>Location:</b>	4437 Filbert Drive – waterfront lot on the north side of Filbert Drive
<b>Zoning:</b>	LRR Lakeshore Resort Residential District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking a dimensional variance for the construction of a new deck for the existing residence at 4437 Filbert Drive.

The proposal entails a 14’ x 19’ deck that encroaches by approximately 36’ into the required waterfront setback.

Per Section 11.04.03(a)2d, the following variance is needed from the accessory structure regulations of the Zoning Ordinance:

- An uncovered deck that encroaches approximately 36’ into the required waterfront yard (where a maximum encroachment of 15’ is allowed).

## SUMMARY

1. Strict compliance does not prevent the owner from maintaining the existing residence and attached deck (practical difficulty).
2. The regulations do not appear to be burdensome to the owner (practical difficulty).
3. In the absence of a practical difficulty, granting of the variance would not be fair to other owners in the district (substantial justice).
4. There are no obvious extraordinary circumstances of the property, though the application form references site topography (extraordinary circumstance).
5. If the applicant can demonstrate how topography supports the variance to the Board’s satisfaction, the applicant must also explain why the area cannot simply be graded in lieu of a new structure and further encroachment into the required setback (extraordinary circumstance/substantial justice).
6. Given the nature of the project, granting of the variance will not impair the supply of light and air to adjacent properties, nor will it unreasonably impact traffic or public safety (public safety and welfare).
7. In order to demonstrate compliance with standard #4, the applicant must provide evidence supporting the claim that the resulting deck will be consistent with others in the neighborhood (impact on surrounding neighborhood).



*Aerial view of site and surroundings (looking north)*

## **VARIANCE REVIEW**

We have reviewed the request in accordance with the dimensional variance review criteria of Section 23.05.03, as follows:

- 1. Practical Difficulty/Substantial Justice.** A variance is not necessary to maintain the existing residence. Furthermore, the residence has an existing attached deck that encroaches 16' into the waterfront setback.

The submittal does not identify a difficulty/burden to the owner that necessitates a 2<sup>nd</sup> deck with an even greater encroachment.

Based on our review of the submittal materials, there are no apparent difficulties in support of the variance sought, nor do the regulations appear to be burdensome to the owner.

In the absence of a practical difficulty, granting of a variance is not fair to other owners in the district.

As such, we are of the opinion that the proposal does not meet the substantial justice test.

- 2. Extraordinary Circumstances.** Based on the submittal materials, there are no obvious extraordinary circumstances. The application form notes that site topography necessitates a deck for access to the waterfront yard; however, there is no supporting evidence provided.

If the applicant can demonstrate this to the Board's satisfaction, the applicant must also explain why the area cannot simply be graded in lieu of a new structure and further encroachment.

- 3. Public Safety and Welfare.** Given the nature of the project, granting of the variance will not impair the supply of light and air to adjacent properties, nor will it unreasonably impact traffic or public safety.

- 4. Impact on Surrounding Neighborhood.** The application form notes that the proposed deck will be consistent with structures on other residences in the neighborhood.

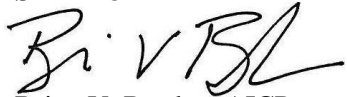
The drawings provided do not confirm that this is the case, nor are we able to verify via aerial photos.

In order to demonstrate compliance with this standard, the applicant must provide supporting evidence to the Board's satisfaction.

Genoa Township ZBA  
**4437 Filbert Drive**  
Dimensional Variance Review  
Page 3

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,  
**SAFEBUILT**

A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and cursive.

Brian V. Borden, AICP  
Michigan Planning Manager



11-27-105-020  
4410 FILBERT DR

11-27-105-025  
4411 FILBERT DR

11-27-105-024  
4419 FILBERT DR

11-27-105-023  
4425 FILBERT DR

11-27-105-022  
4431 FILBERT DR

11-27-105-021  
4437 FILBERT DR

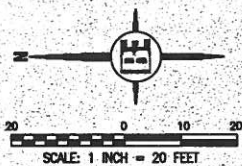
11-27-105-020  
4443 FILBERT DR

11-27-105-019  
4449 FILBERT DR

11-27-105-018  
4455 FILBERT DR

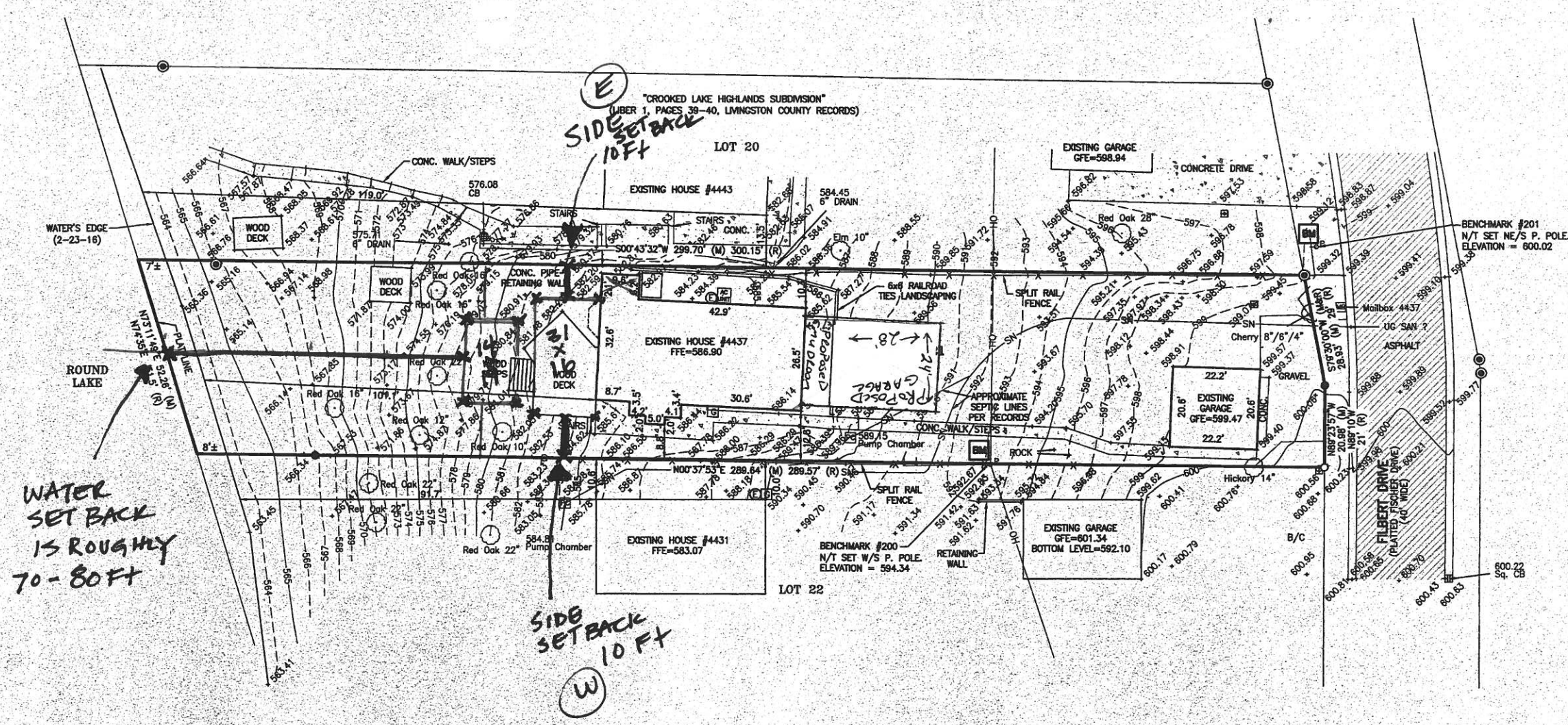


# BOUNDARY/TOPOGRAPHICAL SURVEY



**CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)**  
**MINIMUM BUILDING SETBACK REQUIREMENTS:**  
**FRONT = 35 FEET**  
**SIDES = 10 FEET; NOTE: In the LRR Zoning District one of the side yards may be reduced to a minimum of five (5) feet where all of the following are met:**  
 (1) The other side yard must be at least ten (10) feet.  
 (2) The distance between the building and any building on the adjacent lot shall be no less than ten (10) feet.  
 (3) The roof shall have gutters. (as amended 3/5/10)  
**REAR = 40 FEET**  
**SHORELINE =** 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 shorelines, the setback shall be the average of all lots within 500 feet along the shoreline or 40 feet whichever is the greater

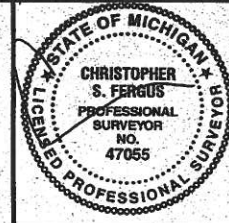
LEGEND			
--- 600 ---	EXISTING CONTOUR	○	STEEL ROD SET (UNLESS OTHERWISE NOTED)
• 600.00	EXISTING SPOT ELEVATION	●	STEEL ROD OR PIPE FOUND
⊠	GRINDER PUMP	⊙	MONUMENT
⊕	POWER POLE	—OH—	OVERHEAD WIRES
⊖	ELECTRICAL METER	-X-	FENCE
⊗	STORM CATCH BASIN	L	LIBER
⊘	GAS METER	P.	PAGE
○	DECIDUOUS TREE	L.C.R.	LIVINGSTON COUNTY RECORDS
●	CONIFEROUS TREE	(R&M)	RECORD AND MEASURED



- GENERAL SURVEY NOTES:**
1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "CROOKED LAKE HIGHLANDS SUBDIVISION", AS RECORDED IN: LIBER 1, PAGES 39-40, 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.
  4. ELEVATIONS WERE ESTABLISHED BY ASSUMING ELEVATION ON BENCHMARK #200.
  5. CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
  6. ALL ELEVATIONS ARE SHOWN TO THE NEAREST 0.01 FOOT; HOWEVER SOFT-SURFACE ELEVATIONS CAN ONLY BE PRESUMED ACCURATE TO THE NEAREST 0.1 FOOT.

DESCRIPTION:  
 SEC. 22 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 21.

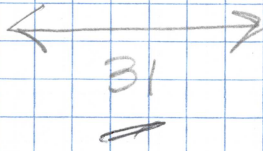
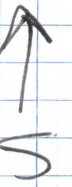
THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO WARRANTY IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING 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.



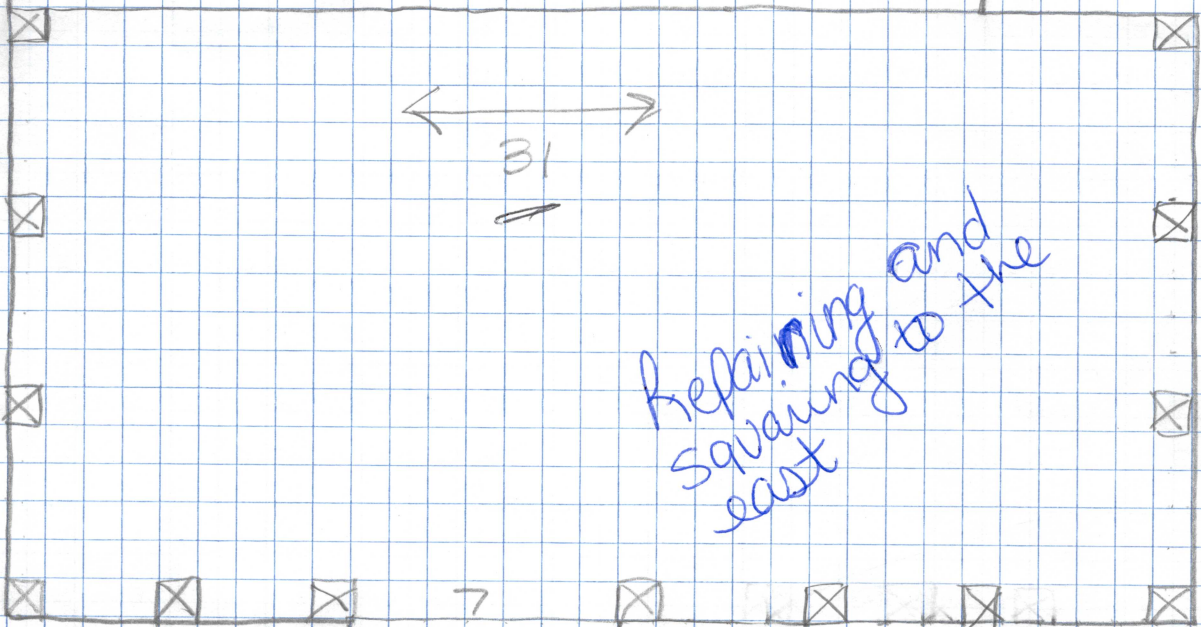
PROJECT		4437 FILBERT	
PREPARED FOR		CHEUNARD CUSTOM HOMES	
TITLE		BOUNDARY/TOPOGRAPHICAL SURVEY	
NO. BY	REVISION PER	DATE	
DESIGNED BY:	DRAWN BY: AEB		
CHECKED BY:	SCALE: 1" = 20'		
JOB NO.	16-051		
DATE	3-3-16		
SHEET NO.	1 OF 1		

**BEBOSS**  
**Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 800.246.6735 FAX 517.548.1670

# House 26.5

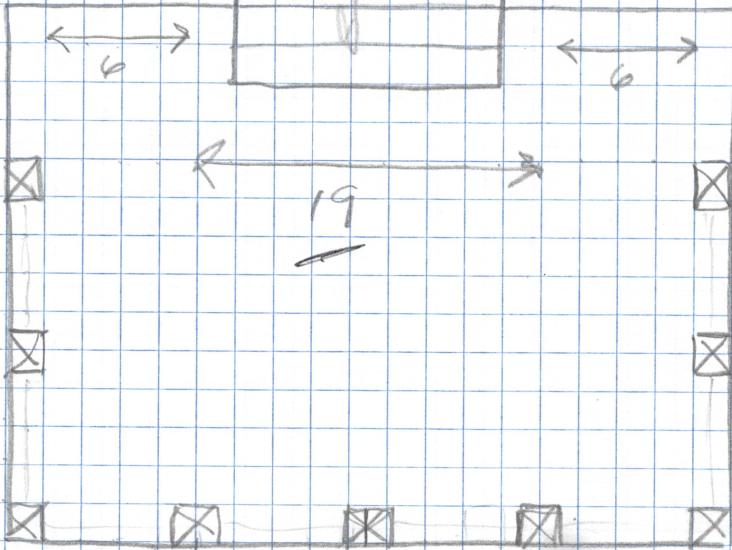


Refining and  
saving to the  
east



Landscaping  
9

Landscaping  
15



(not sure how many posts  
per foot)

Board Member McCreary would like to see documentation showing where the ROW is located. The only plans presented are a sketch and mortgage survey. After the documents were reviewed further, the Board was comfortable with what was presented and they can discern the location of the home in relation to the ROW.

The call to the public was made at 7:07 p.m. with no response.

**Moved** by Poissant, seconded by Ledford, to approve Case #16-08 from Mike Page, 3793 Highcrest, for a 16 foot front yard variance from the required 35 feet to 19 feet to construct an addition to an existing single-family home, based on the following findings of fact:

- Strict compliant with the setback would prevent the applicant from erecting a garage and second story addition.
- The location of the existing home, built in 1984, prevents the erection of a garage in any other location.
- This variance is consistent with similar variances in the area.
- Granting the variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase congestion in public streets or increase the danger of fire or endanger public safety, comfort, morals or welfare of the neighborhood.
- Granting the variance will have limited impact on the appropriate development, continued use, or value of adjacent properties in the surrounding area.

Granting of this variance is conditioned upon

- The home being guttered with downspouts and runoff draining toward the lake.
- All parking required at the residence will be accommodated on site.
- The elevated parking area will have a side and front railing where there is over a 30-inch drop, which will withstand the bumper of a vehicle.

**The motion carried unanimously.**

**4. 16-09... A request by Janine Exline, 4437 Filbert Road, for a waterfront variance to construct an addition to an existing single-family home.**

Mr. Tim Chouinard, the architect, was present to represent the applicant. He gave a description of the project. They would like to make improvements to the home and the lot. They will be making storm water improvements to the site and all water draining into the lake.

The call to the public was made at 7:18 p.m.

Mr. Walt Joslin of 4431 Filbert is concerned about the water damage on the site. Also, he has seen the building elevation drawings and questioned if there will be living space above the garage. Mr. Chouinard stated it will be a "bonus room".

Ms. Doreen Walsh of 4443 Filbert stated that there will be a steep driveway from the road to the garage. The neighbor on the other side of them graded their property. That was not what was planned in the beginning, changes were made, and now there are two decks on the home. Mr. Chouinard stated they will not be filling and leveling the property. The owner is aware that she will have to drive up and down the steep driveway.

Mr. Jim Walsh showed pictures of the unauthorized addition that was put on this home. It is two feet from the property line. There was a discussion about this addition and Chairman Dhaenens stated that issue is not able to be addressed by the ZBA this evening; however, it was suggested that the applicant discuss removing this portion of the home with his client.

Ms. Walsh wants to ensure that no one will be on her property during construction and that all debris will be picked up at the end of each day. She also asked that if any changes are made to the plans, she be notified.

Mr. Walsh feels that allowing the home to be built out toward the lake will block his sun.

The call to the public was closed at 7:56 p.m.

**Moved** by Poissant, seconded by Ledford, to approve Case #16-09 by Janine Exline, 4437 Filbert Road for a waterfront variance of 4.25 feet from the required 105.35 feet to 101.1 feet, which is the current setback, to construct an addition to an existing single-family home, based on the following findings of fact:

- The second story will be added on the existing home.
- The dwelling was built in 1930 and does not conform to the current zoning.
- Strict compliant with the setback would prevent the applicant from construction of the addition that would otherwise be possible.
- Granting the variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase congestion in public streets or increase the danger of fire or endanger public safety, comfort, morals or welfare of the neighborhood.
- Granting the variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties in the surrounding neighborhood.

This approval is contingent upon:

- The addition shall be guttered with downspouts directing toward the lake
- The applicant shall work with the neighbor to ensure that there is no runoff onto their property.
- The existing garage shall be removed
- The applicant will consider the removal of the existing bump out on the northeast corner of the home.

**The motion carried unanimously.**



Residential Land Use Permit

Genoa Charter Township • 2911 Dorr Rd. • Brighton, MI 48116  
Phone (810) 227-5225 • Fax (810) 227-3420 • www.genoa.org

GENOA TOWNSHIP

PERMIT NO. A 16-203

revised 10/09/14

RECEIVED

OCT 13 2016

PROJECT INFORMATION

Site Address: 4437 Filbert Brighton, MI Acreage:

2. OWNER/CONTRACTOR INFORMATION

Owner Name: Janine Exline Phone No.: 248-797-0437

Owner Address: 4009 Highcrest City: Brighton State: MI Zip: 48116

Contractor name: Tim Chouinard Phone No.: 517-546-6587 called 10-13-16

Contractor Address: 932 Sunrise Park St City: Howell State: MI Zip: 48843

3. TYPE OF IMPROVEMENT

A. Principal Structure  
 New Single Family  New Multiple Family  Addition to Existing Building  Grading/Site Work

Other:

B. Accessory Structure  
 Fence  Deck  Detached Accessory (garage, shed, pole barn)  Pool/Hot Tub

Other: append 12-20-16 to include retaining walls on property

4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION

A. Proposed Principal Structure Setbacks (in feet)

Front: 101.5' (measured from front property line, right-of-way line or private road easement, whichever is less)

Rear: 85' Least Side: 2.1' Side: 8.8' Water/Wetland: 85

B. Proposed Accessory Structure Setbacks (in feet)

Front: 25' Least Side: 5' Side: 15.5' Rear: 232' Water/Wetland: 232' Distance from Principle Structure: 44'

C. Proposed Building/Improvement Dimensions

Size of Building/Improvement: 1370 square feet Height: 22 feet

6. SIGNATURE OF APPLICANT

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent. The owner and applicant agree to conform to all applicable ordinances of Genoa Township. Any modification to location, size or dimensions must be approved by Genoa Township. A Land Use Permit is valid for a period of 12 months from the date of issue. In signing of this application, I am permitting an official representative of Genoa Charter Township to do on-site inspections. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

Applicant is:  Owner  Contractor  Lessee/Renter  Architect/Engineer  Other:

Signature of Applicant: [Signature] Printed Applicant name: Tim Chouinard Date: 10-12-16

FOR OFFICE USE ONLY

FLOODPLAIN

Floodplain: N/A Panel #: Zone #:

ASSESSING APPROVAL

Approved  Disapproved Approved by: [Signature] Date: 10/12/16

ZONING APPROVAL Parcel I.D. No.: 11-27-105-021 Zoning: LBR

Approved  Disapproved Approved by: [Signature] Date: 10-13-16

Comments/Conditions:

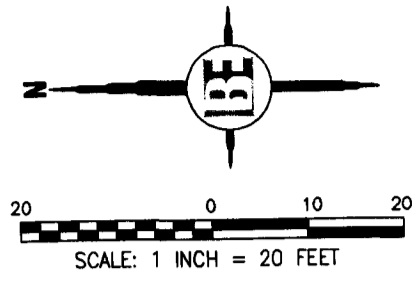
applicant applied for a variance that was approved, however due to change in plans submitted, applicant should consider to correct drainage issues on the property. Date picked up: 10-14-16

ZBA Case #/Approval date: Conditions:

3. FEES

Land Use: \$ 75- Water/Sewer: \$ / Meter: \$

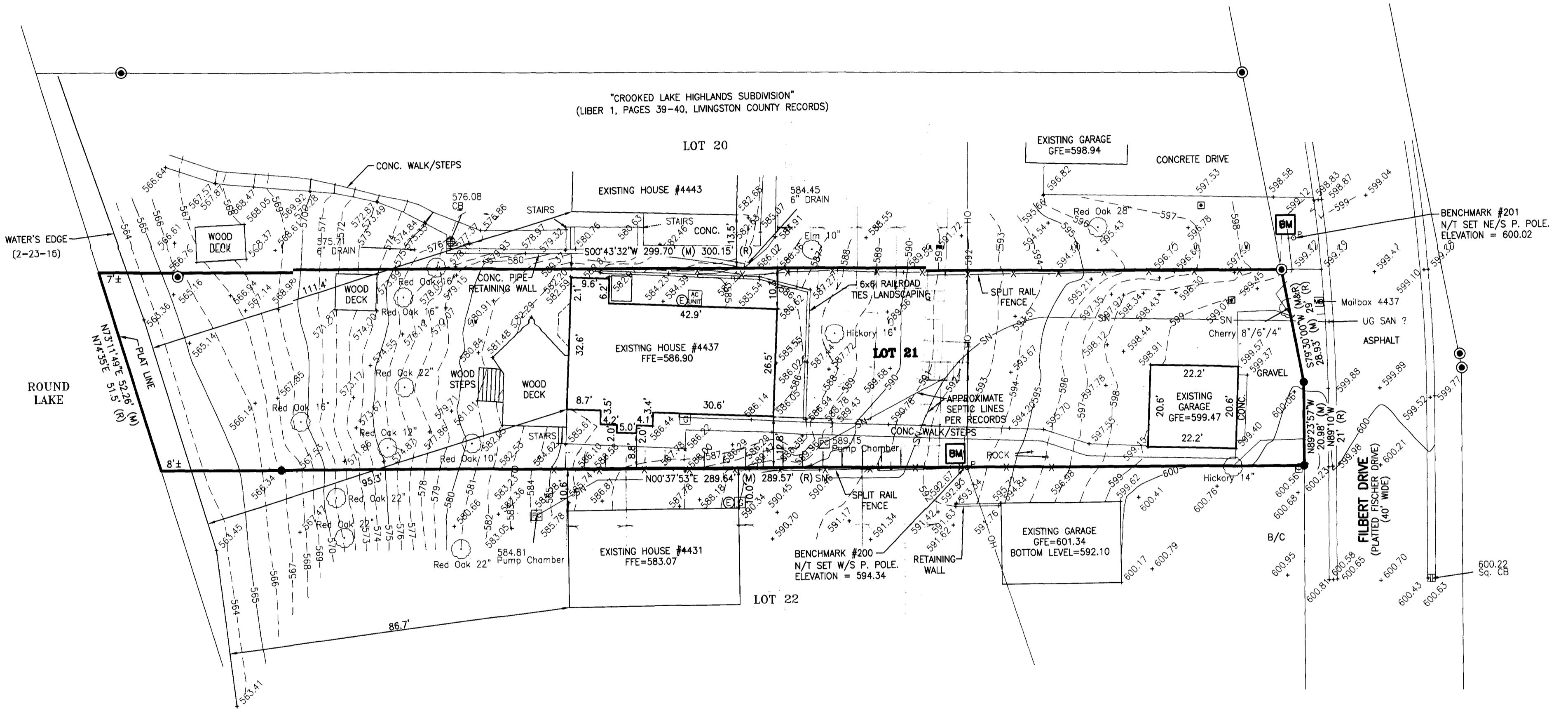
# BOUNDARY/TOPOGRAPHICAL SURVEY



CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)  
 MINIMUM BUILDING SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET; NOTE: In the LRR Zoning District one of the side yards may be reduced to a minimum of five (5) feet where all of the following are met:  
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 (3) The roof shall have gutters. (as amended 3/5/10)

REAR = 40 FEET  
 SHORELINE = 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

LEGEND			
	EXISTING CONTOUR		STEEL ROD SET (UNLESS OTHERWISE NOTED)
	EXISTING SPOT ELEVATION		STEEL ROD OR PIPE FOUND
	GRINDER PUMP		MONUMENT
	POWER POLE		OVERHEAD WIRES
	ELECTRICAL METER		FENCE
	STORM CATCH BASIN		LIBER
	GAS METER		PAGE
	DECIDUOUS TREE		LIVINGSTON COUNTY RECORDS
	CONIFEROUS TREE		RECORD AND MEASURED



### GENERAL SURVEY NOTES:

1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "CROOKED LAKE HIGHLANDS SUBDIVISION", AS RECORDED IN LIBER 1, PAGES 39-40, 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.
4. ELEVATIONS WERE ESTABLISHED BY ASSUMING ELEVATION ON BENCHMARK #200.
5. CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
6. ALL ELEVATIONS ARE SHOWN TO THE NEAREST 0.01 FOOT; HOWEVER SOFT-SURFACE ELEVATIONS CAN ONLY BE PRESUMED ACCURATE TO THE NEAREST 0.1 FOOT.

DESCRIPTION:  
 SEC. 22 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 21.

GENOA TOWNSHIP  
 PERMIT ACQUIRED

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.



PROJECT  
**4437 FILBERT CHOUINAUD CUSTOM HOMES**  
 PREPARED FOR  
 422 E. GRAND RIVER HOWELL, MI 48843  
 517-404-6527  
 TITLE  
**BOUNDARY/TOPOGRAPHICAL SURVEY**

NO	BY	REVISION	PER	DATE

DESIGNED BY:  
 DRAWN BY: AEB  
 CHECKED BY:  
 SCALE 1" = 20'  
 JOB NO. 16-051  
 DATE 3-3-16  
 SHEET NO. **1 OF 1**



**BOSS Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 800.246.6735 FAX 517.548.1670



**Residential Land Use Permit**  
 Genoa Charter Township • 2911 Dorr Rd. • Brighton, MI 48116  
 Phone (810) 227-5225 • Fax (810) 227-3420 • www.genoa.org

PERMIT NO. 17043

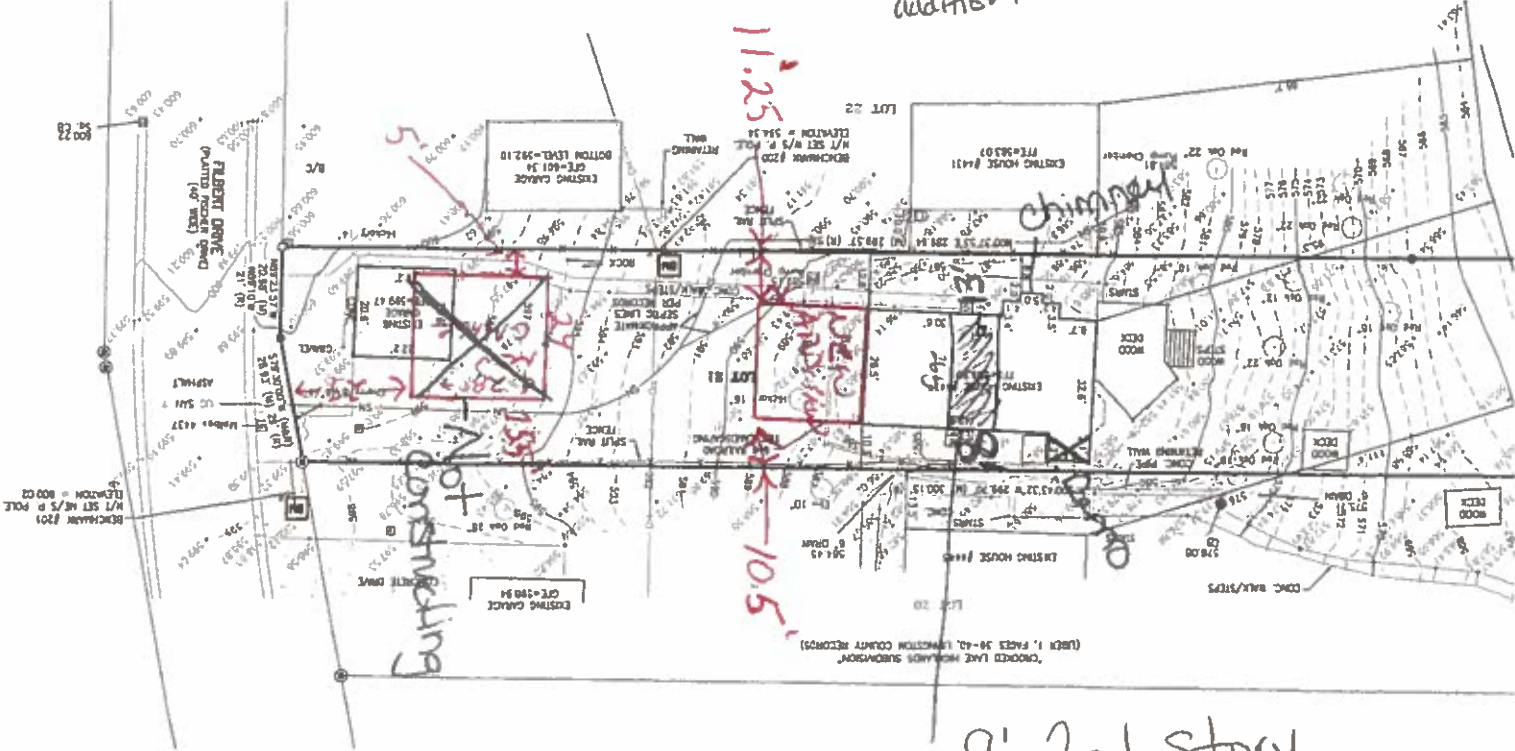
revised 10/09/14

<b>1. PROJECT INFORMATION</b>					
Site Address: <u>4437 FILBERT, BRIGHTON MI 48116</u>				Acreage: <u>0.34</u>	
<b>2. OWNER/CONTRACTOR INFORMATION</b>					
Owner Name: <u>JANINE EXLINE</u>			Phone No.: <u>(248) 797-0437</u> <input checked="" type="checkbox"/>		
Owner Address: <u>4009 HIGUCREST</u>		City: <u>BRIGHTON</u>	State: <u>MI</u>	Zip: <u>48116</u>	
Contractor name:			Phone No.: <u>810-599-4081</u> <input type="checkbox"/>		
Contractor Address:		City:	State:	Zip: <u>Matt</u>	
<b>3. TYPE OF IMPROVEMENT</b>					
<b>A. Principal Structure</b>					
<input type="checkbox"/> New Single Family <input type="checkbox"/> New Multiple Family <input type="checkbox"/> Addition to Existing Building <input type="checkbox"/> Grading/Site Work					
<input checked="" type="checkbox"/> Other: <u>REMODEL EXISTING HOUSE - interior, trusses - addition</u>					
<b>B. Accessory Structure</b>					
<input type="checkbox"/> Fence <input type="checkbox"/> Deck <input type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Pool/Hot Tub					
<input type="checkbox"/> Other: _____					
<b>4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION</b>					
<b>A. Proposed Principal Structure Setbacks (in feet)</b> <u>NEW 2nd story is 123' from water</u>					
Front: <u>106.5'</u> (measured from front property line, right-of-way line or private road easement, whichever is less)					
Rear: <u>85'</u>	Least Side: <u>5'</u>	Side: <u>15.5'</u>	Water/Wetland: <u>232'</u>		
<b>B. Proposed Accessory Structure Setbacks (in feet)</b>					
Front:	Least Side:	Side:	Rear:	Water/Wetland:	Distance from Principle Structure:
<b>C. Proposed Building/Improvement Dimensions</b>					
Size of Building/Improvement: <u>2,089</u> square feet			Height: <u>22</u> feet		
<b>6. SIGNATURE OF APPLICANT</b>					
I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent. The owner and applicant agree to conform to all applicable ordinances of Genoa Township. Any modification to location, size or dimensions must be approved by Genoa Township. A Land Use Permit is valid for a period of 12 months from the date of issue. In signing of this application, I am permitting an official representative of Genoa Charter Township to do on-site inspections. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.					
Applicant is: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Lessee/Renter <input type="checkbox"/> Architect/Engineer <input type="checkbox"/> Other:					
Signature of Applicant: <u>JANINE EXLINE</u>			Printed Applicant name: <u>JANINE EXLINE</u>		Date: <u>3/24/17</u>
▽ FOR OFFICE USE ONLY ▽					
<b>FLOODPLAIN</b>					
Floodplain: <u>N/A</u>		Panel #:		Zone #:	
<b>ASSESSING APPROVAL</b>					
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: <u>House Mrough</u>		Date: <u>3/28/17</u>	
<b>ZONING APPROVAL</b>					
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Parcel I.D. No.: <u>4711-27-105-021</u>		Zoning: <u>LR</u>	
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: <u>Amlykuro</u>		Date: <u>3-28-17</u>	
Comments/Conditions: <u>This permit includes remodel of existing home w/ 2nd story master addition. Other work is under permit 16-203</u>					
Date picked up: <u>3-29-17</u>					
ZBA	Case #/Approval date:		Conditions:		
<b>3. FEES</b> <u>75-</u>					

20' FROM THE PLAT OF "DROCKED LAKE HOWLAND SUBDIVISION", AS LOCATED FOR THIS COUNTY RECORDS, IS THE RESPONSIBILITY OF THE SURVEY TO ACCURATELY LOCATE SUCH UTILITIES.  
 4-D BY ASSUMING ELEVATION ON BENCHMARK 2200.  
 1 FOOT INTERVALS.  
 4 TO THE HIGHEST 0.1 FOOT, HOWEVER NOT-SURFACE ELEVATIONS CAN BE TO THE HIGHEST 0.1 FOOT.

**GENOA TOWNSHIP**  
**MAR 29 2017**  
**PERMIT APPROVED**

Includes remodel of existing home & 2nd Floor master addition



9' 2nd story addition

CURRENT ZONING LAW (UNLESS OTHERWISE NOTED)  
 MINIMUM BUILDING SETBACK REQUIREMENTS  
 FRONT = 35 FEET  
 SIDES = 10 FEET. NOTE: IN THE URBAN ZONING DISTRICT ONE IF THE SIDE YIELD MAY BE REDUCED TO A MINIMUM OF FIVE (5) FEET.  
 REAR = 40 FEET.  
 SHORELINE = 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 that the average of all lots within 500 feet along the shoreline or 40 feet whichever is the greater.  
 REAR = 40 FEET.  
 (1) The corner 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 rear yard shall have gutters. (as amended 3/3/10)

**LEGEND**

●	CONTIGUOUS TREE	○	EXISTING SPOT ELEVATION
○	DECIDUOUS TREE	○	CONCRETE PUMP
□	GAS WATER	○	MONUMENT
○	STONE CATCH BASIN	○	STEEL ROD ON PIPE FOUND
○	ELECTRICAL WATER	○	STEEL ROD SET (UNLESS OTHERWISE NOTED)
○	POWER POLE	○	
○	FENCE	○	
○	OVERHEAD WIRES	○	
○	MONUMENT	○	
○	STEEL ROD ON PIPE FOUND	○	
○	STEEL ROD SET (UNLESS OTHERWISE NOTED)	○	

**BOUNDARY/TOPOGRAPHICAL SURVEY**

BOSS 1 OF 1 DATE 3-3-16 JOB NO. 16-051 SCALE 1" = 20' CHECKED BY: DRAWN BY: AEB DESIGNED BY:	PROJECT: 4437 FILBERT PREPARED FOR: CHOURNARD CUSTOM HOMES 422 E. GRAND RIVER HOWELL, MI 48843 317-404-5527	TITLE: BOUNDARY/TOPOGRAPHICAL SURVEY	BOSS Engineering Engineers Surveyors Planners Landscape Architects 3121 E. GRAND RIVER AVE. HOWELL, MI, 48843 800.246.6735 FAX: 517.548.1670
---	---	--------------------------------------	--

**BEFORE YOU DRILL**  
 CALL MISS BOSS  
 317-404-5527  
 A 24-hour service  
 to help you avoid  
 damage to your  
 property from the  
 utility lines.  
 MISS BOSS  
 317-404-5527  
 MISS BOSS  
 317-404-5527



Neighbor at 4443 Filbert, who is adjacent to the applicant, submitted the photos below. The neighbor is concerned about the view of the lake being obstructed if the addition to the deck is approved.



View from inside 4443 Filbert.



View from deck at 4443 Filbert.

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
NYSTROM, DONALD D. & TRACY	EXLINE JANINE	275,000	01/26/2016	WD	03-ARM'S LENGTH	2016R-003458	BUYER/SELLER	100.0
MERCER, MICHAEL M.	NYSTROM, DONALD D. & TRACY	260,000	06/15/2001	WD	03-ARM'S LENGTH	3023-0454	BUYER/SELLER	100.0
MERCER, MICHAEL M.	MERCER	0	08/29/1997	QC	21-NOT USED/OTHER	2217-0362	BUYER/SELLER	0.0
DRUSKINIS		220,000	05/19/1995	WD	03-ARM'S LENGTH	1929-0753	BUYER/SELLER	100.0

Property Address	Class: RESIDENTIAL-IMPROV	Zoning: LRR	Building Permit(s)	Date	Number	Status
4437 FILBERT DR	School: BRIGHTON AREA SCHOOLS		Deck	01/31/2020	P19-100	
	P.R.E. 100% 10/23/2018		REMODEL	03/29/2017	P17-043	7 FINAL BL
Owner's Name/Address	MAP #: V23-17		ADDITION	10/14/2016	P16-203	7 FINAL BL
EXLINE JANINE 4437 FILBERT DR BRIGHTON MI 48116-7704	2024 Est TCV Tentative		FENCE	10/14/2016	A16-203	NO START

X Improved		Vacant	Land Value Estimates for Land Table 4310. ROUND LAKE					
Public Improvements			* Factors *					
Dirt Road			Description	Frontage	Depth	Front Depth	Rate %Adj. Reason	Value
Gravel Road			A ROUND LAKE LF	46.00	302.00	1.0000 1.0000	2700 100	124,200
Paved Road			46 Actual Front Feet, 0.32 Total Acres				Total Est. Land Value =	124,200

Tax Description		Land Improvement Cost Estimates			
SEC. 27 T2N, R5E, ROUND LAKE SUB. LOT 21		Description	Rate	Size % Good	Cash Value
Comments/Influences		Hot Tub	15,042.00	1 45	6,769
		Total Estimated Land Improvements True Cash Value =			6,769

Topography of Site		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level		2024	Tentative	Tentative	Tentative			Tentative
Rolling								
Low								
High								
Landscaped								
Swamp								
Wooded								
Pond								
Waterfront								
Ravine								
Wetland								
Flood Plain								
X REFUSE								

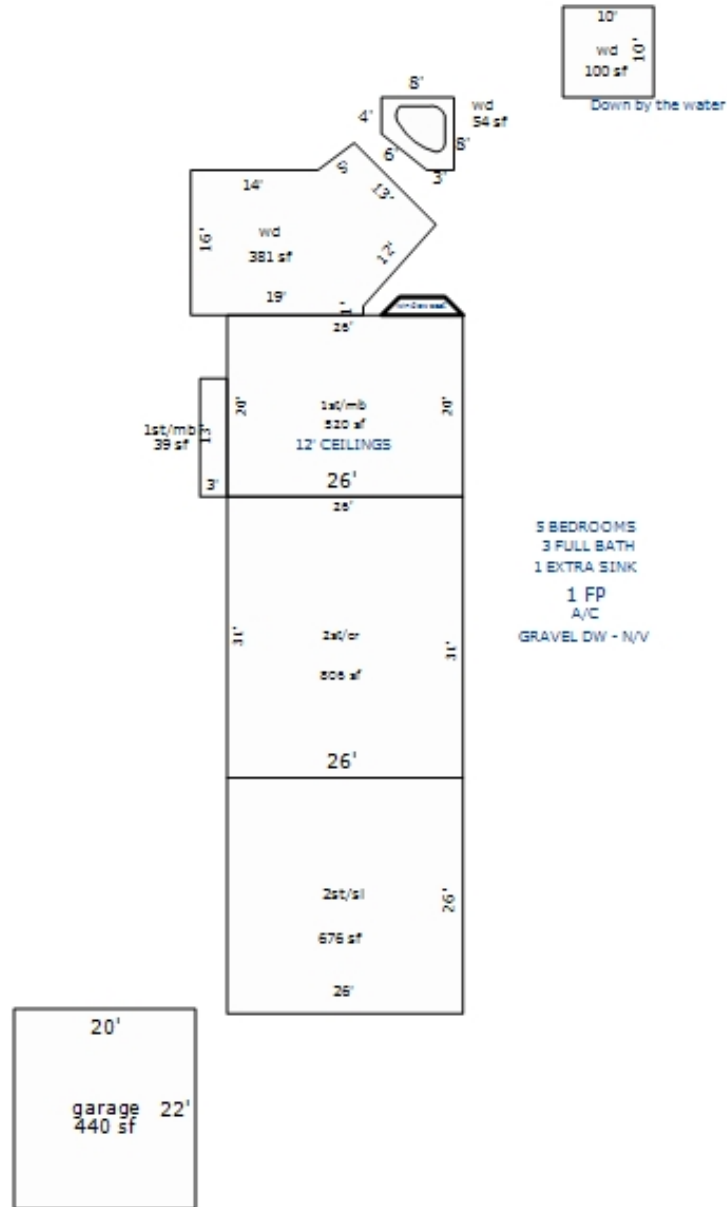


Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
4711-27-105-021	07/23/2019	JB 11/18/2019 INSPECTED	2023	62,100	298,200	360,300			264,891C
The Equalizer. Copyright (c) 1999 - 2009.			2022	62,100	267,900	330,000			252,278C
Licensed To: Township of Genoa, County of Livingston, Michigan			2021	69,000	260,500	329,500			244,219C

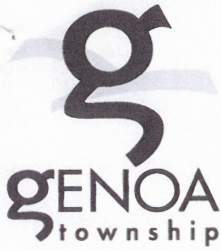
\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

Building Type		(3) Roof (cont.)			(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage															
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation		X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	1	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: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 440 % Good: 0 Storage Area: 0 No Conc. Floor: 0															
X	Wood Frame	(4) Interior			Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling			X			Class: BC Effec. Age: 10 Floor Area: 3,523 Total Base New : 572,019 Total Depr Cost: 535,972 Estimated T.C.V: 589,569			E.C.F. X 1.100			Bsmnt Garage: Carport Area: Roof:															
Building Style: BC		Drywall Paneled	Plaster Wood T&G	Trim & Decoration			Central Air Wood Furnace			No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family BC			Cls BC			Blt 1930													
Yr Built 1930	Remodeled 2017	Ex	X	Ord		Min	X			Ex. X Ord. Min			Ground Area = 2041 SF Floor Area = 3523 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=90/100/100/100/90																			
Condition: Good		Size of Closets			No. of Elec. Outlets			(13) Plumbing			Building Areas			Stories			Size			Cost New			Depr. Cost									
Room List		Doors:		Solid	X	H.C.	(12) Electric			Average Fixture(s)			Plumbing			1 Story			Siding			Mich Bsmnt.			520							
	Basement 1st Floor 2nd Floor 5 Bedrooms	(5) Floors			0 Amps Service			3			2 Fixture Bath			2 Story			Siding			Crawl Space			806									
(1) Exterior		Kitchen: Other: Other:			No. of Elec. Outlets			2			2 Fixture Bath			2 Story			Siding			Slab			676									
X	Wood/Shingle Aluminum/Vinyl Brick	(6) Ceilings			Many X Ave. Few			1			1 Extra Sink			1 Story			Siding			Mich Bsmnt.			39									
	Insulation	(7) Excavation			Basement: 559 S.F. Crawl: 806 S.F. Slab: 676 S.F. Height to Joists: 0.0			2			Softener, Auto			2 Story			Siding			Slab			676									
(2) Windows		(8) Basement			Softener, Manual			3			Solar Water Heat			1 Story			Siding			Mich Bsmnt.			Total: 499,925 470,933									
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish			No Plumbing			Other Additions/Adjustments			Plumbing			3 Fixture Bath			2			13,373			13,106							
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(10) Floor Support			Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			1			Extra Toilet			Deck			Treated Wood			381			6,557			6,426						
(3) Roof		(14) Water/Sewer			Separate Shower			Ceramic Tile Floor			Ceramic Tile Wains			Ceramic Tub Alcove			Vent Fan			Garages			Class: BC Exterior: Siding Foundation: 42 Inch (Unfinished)			Base Cost			440 26,114 25,592			
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors (B) No Floor SF Walkout Doors (A)			1			Public Water			Public Sewer			Water Well, 200 Feet			Fireplaces			Interior 1 Story			1			6,769			6,634		
X	Asphalt Shingle	(15) Fireplaces			1000 Gal Septic 2000 Gal Septic			Lump Sum Items:			Notes:			ECF (4310 ROUND LAKE) 1.100 => TC			589,569															
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:																														

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



\*\*\* 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 # 23-18 Meeting Date: May 16, 2023 @ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Robert Kuikahi Email: KuikahiRobert1@gmail.com  
 Property Address: 6035 E GRAND RIVER Phone: 517-798-9378  
 Present Zoning: LRR Tax Code: 11-11-305-017

**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: Demo Existing property and construct New Home in need of a water front variance

**Please note that the packet and staff report for your scheduled Zoning Board of Appeals meeting will be available to review at <https://www.genoa.org/government/boards/zoningboard> five days prior to the meeting.**

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.

Requesting variance for attached garage allowing a side entry to safely enter onto Grand River.

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.

Due to the topography of the lot with steep grade to the water and closeness to Grand River pushes house closer to water

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.

will enhance public safety due to pushing house further from Grand River

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 on surrounding area

**Attendance by the applicant is required at the Zoning Board of Appeals meeting.**

**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 plans and construction plans.**

Date: 4-11-2023

Signature: 



May 9, 2023

Zoning Board of Appeals  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Amy Ruthig, Planning Director
<b>Subject:</b>	6035 E. Grand River Avenue – Dimensional Variance Review
<b>Location:</b>	6035 E. Grand River Avenue – north side of E. Grand River, east of Glen Echo Drive
<b>Zoning:</b>	LRR Lakeshore Resort Residential District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking dimensional variance for the construction of a new residence on the subject site.

The property is nonconforming due to its deficient lot width (75’ provided; 80’ minimum required) and area (approximately 11,800 square feet provided; 12,800 square feet minimum required).

The proposal entails construction of a 2,115 square foot (ground floor area) residence with a 662 square foot (ground floor area) attached garage.

Per Section 3.04, the following variance is needed from the dimensional requirements of the LRR District:

- A waterfront yard setback of 84.5’ (where a minimum of 110’ is required).

**SUMMARY**

1. Strict compliance with LRR setback requirements restricts the buildable area for a new dwelling (practical difficulty).
2. The subject property is smaller and narrower than the 2 abutting properties, which does not provide the owner with as much area from side to side, and thus an increased waterfront setback, which the Board may view as unnecessarily burdensome to the owner (practical difficulty).
3. More compliant alternatives would include a smaller residence; though the proposal appears comparable to other newer LRR homes (substantial justice).
4. The property is relatively small (lot area) and narrow (lot width) in comparison to a conventional LRR property (extraordinary circumstance).
5. Given the nature of the project and property, we do not anticipate issues with the supply of light and air or to traffic and public safety (public safety and welfare).
6. The proposed dwelling appears to be similar in size to other newer homes in the neighborhood and its placement with a compliant street front setback will provide a safer environment for vehicular ingress/egress (impact on surrounding neighborhood).



*Aerial view of site and surroundings (looking north)*

## **VARIANCE REVIEW**

We have reviewed the request in accordance with the dimensional variance review criteria of Section 23.05.03, as follows:

- 1. Practical Difficulty/Substantial Justice.** Strict compliance with LRR District standards will not preclude residential construction of a single-family dwelling.

However, the size of a residence is somewhat limited by the waterfront setback requirement, which entails an averaging of the abutting homes. More specifically, the 2 abutting properties are larger and wider, which allows for a modern-sized residence, while providing a deeper waterfront setback.

In comparison, the subject property is smaller and narrower, which does not provide the owner with as much area from side to side (and thus an increased waterfront setback).

The Board may view this situation as unnecessarily burdensome to the owners.

The primary alternative to the variance sought is simply a reduction in the depth of the proposed dwelling, which would result in a smaller home.

The proposed dwelling appears to be similarly sized to others in the neighborhood and a typical LRR property. As such, we are of the opinion that the variance sought is fair to both the owner and other owners.

- 2. Extraordinary Circumstances.** The deficient lot width and area combine to limit the buildable area of the property. When compared with the 2 abutting properties, these conditions are exacerbated by the increased waterfront setbacks used to determine the requirement for the subject site.

These circumstances were not created by the owner.

- 3. Public Safety and Welfare.** Given the nature of the proposal and property, granting of the variance will not impair the supply of light and air to adjacent properties, nor will it unreasonably impact traffic or public safety.



- 4. Impact on Surrounding Neighborhood.** Based on review of the submittal materials, aerial photos and Township files, the proposed dwelling appears to be similar in size to other newer LRR homes.

The proposed placement will also maintain the minimum street front setback from Grand River, which is consistent with other homes and provides a safer environment for vehicular traffic.

Specifically, the layout will allow the owners to safely exit the garage with room to enter traffic on Grand River head first (as opposed to having to back into traffic).

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,  
**SAFE BUILT**

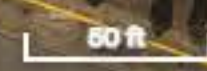
A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and written in a cursive-like font.

Brian V. Borden, AICP  
Michigan Planning Manager



Sun Mar 26 2023

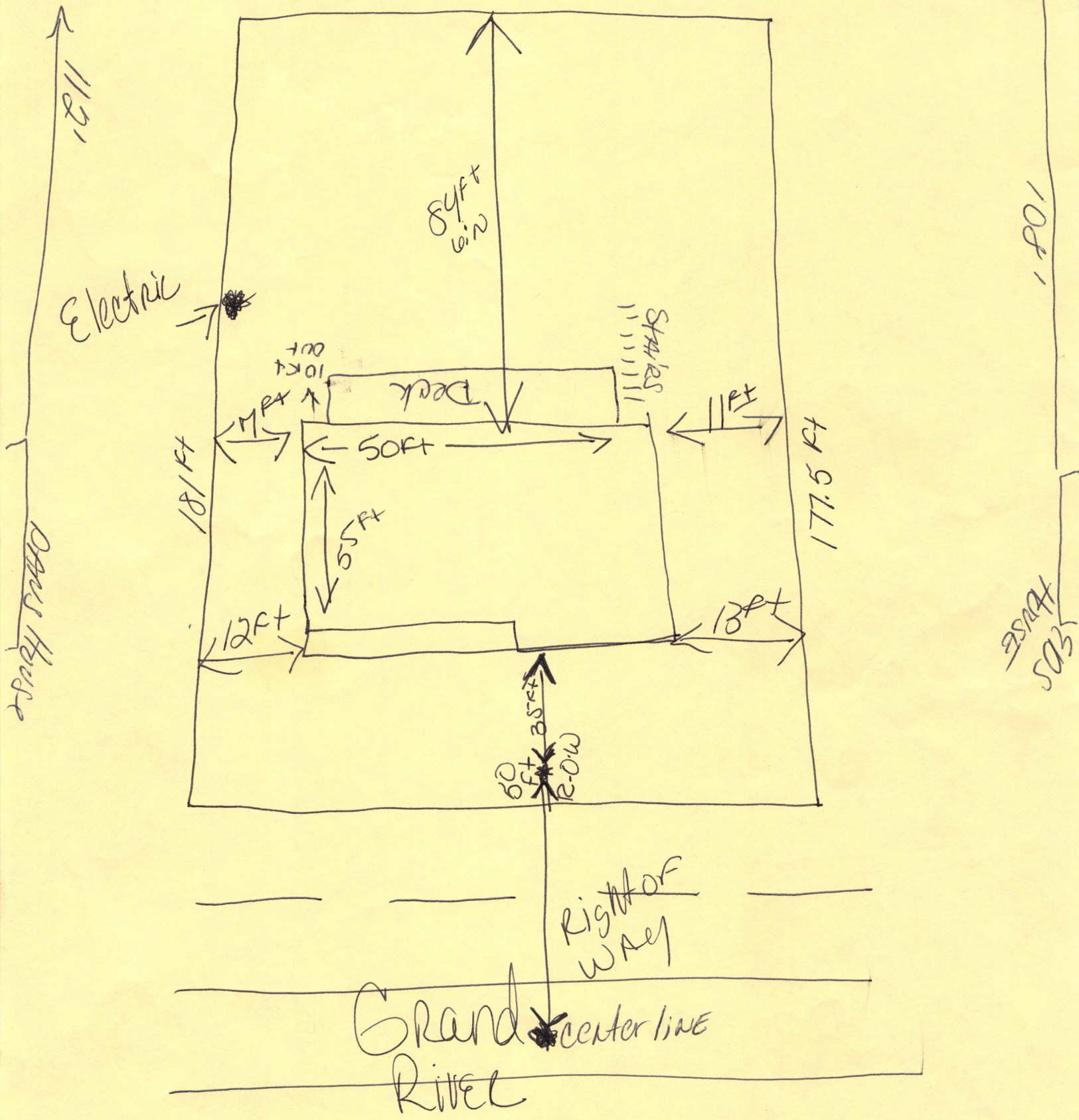
Imagery © 2023 Nearmap, HERE



nearmap

\* Proposed Building

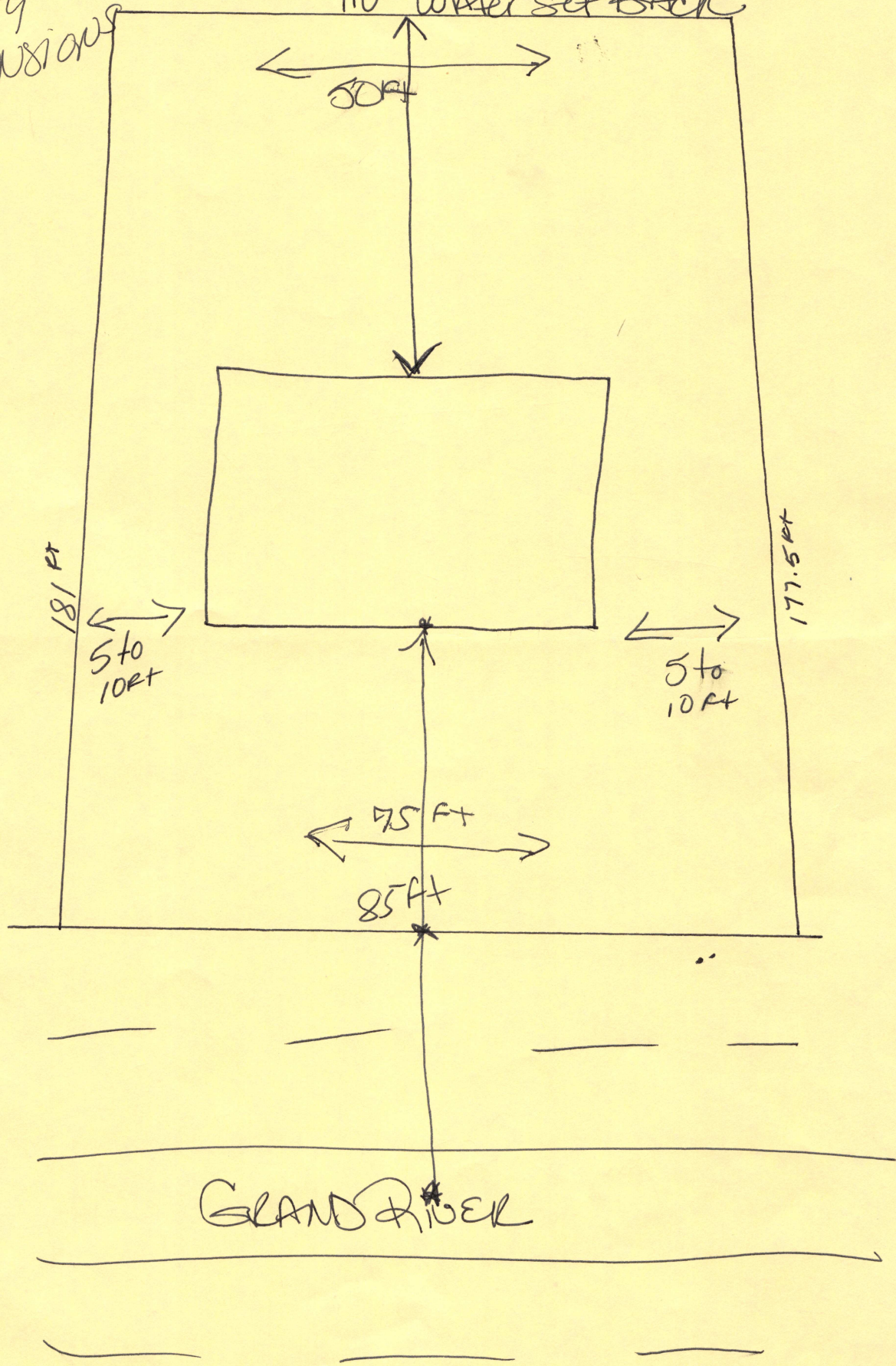
Water - LK Chemung



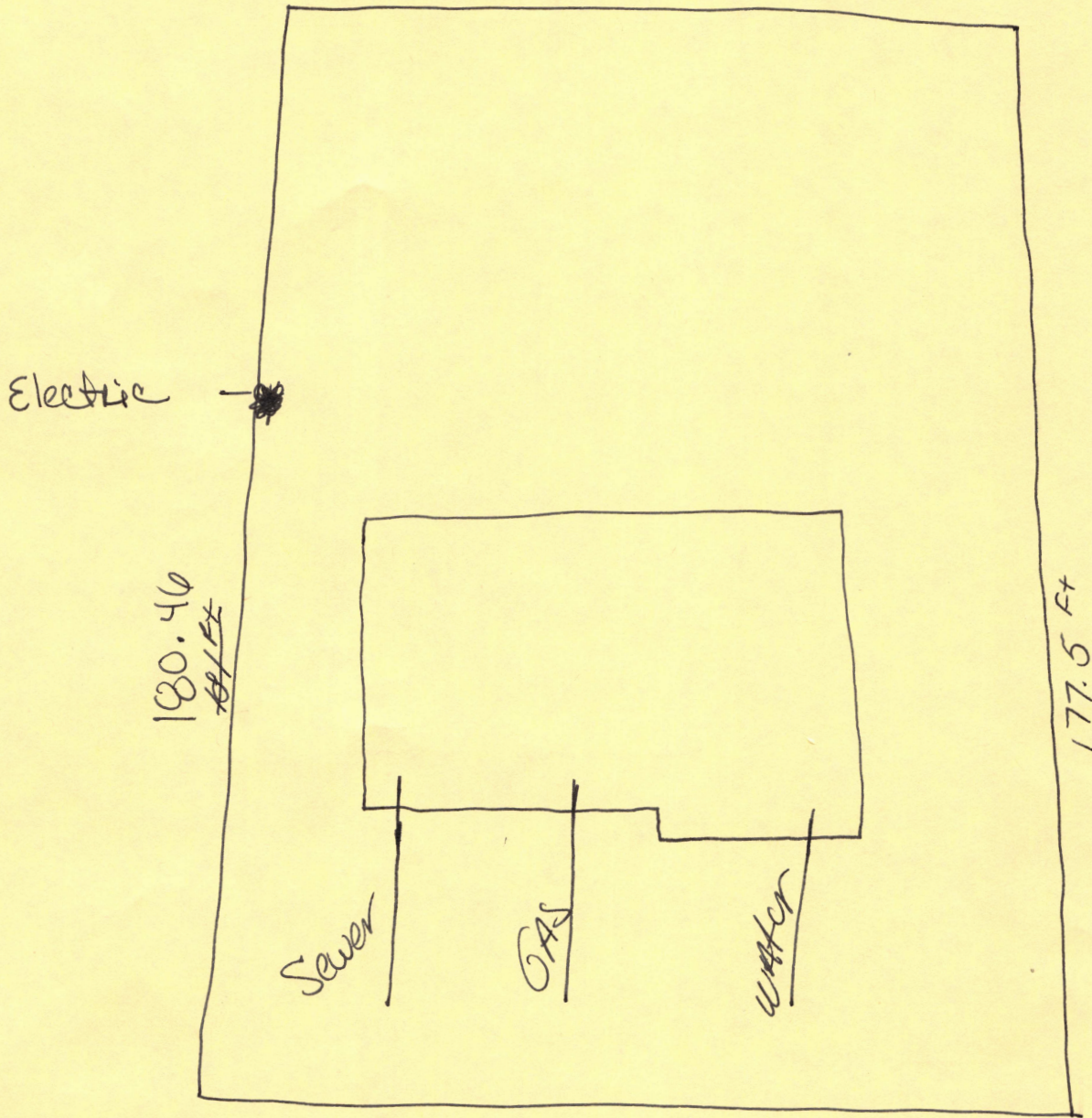
\* Dimensions of proposed Building

Building Envelope  
Property Dimensions

Water - Lake Chemong (WETLAND)  
110 ft water set Back

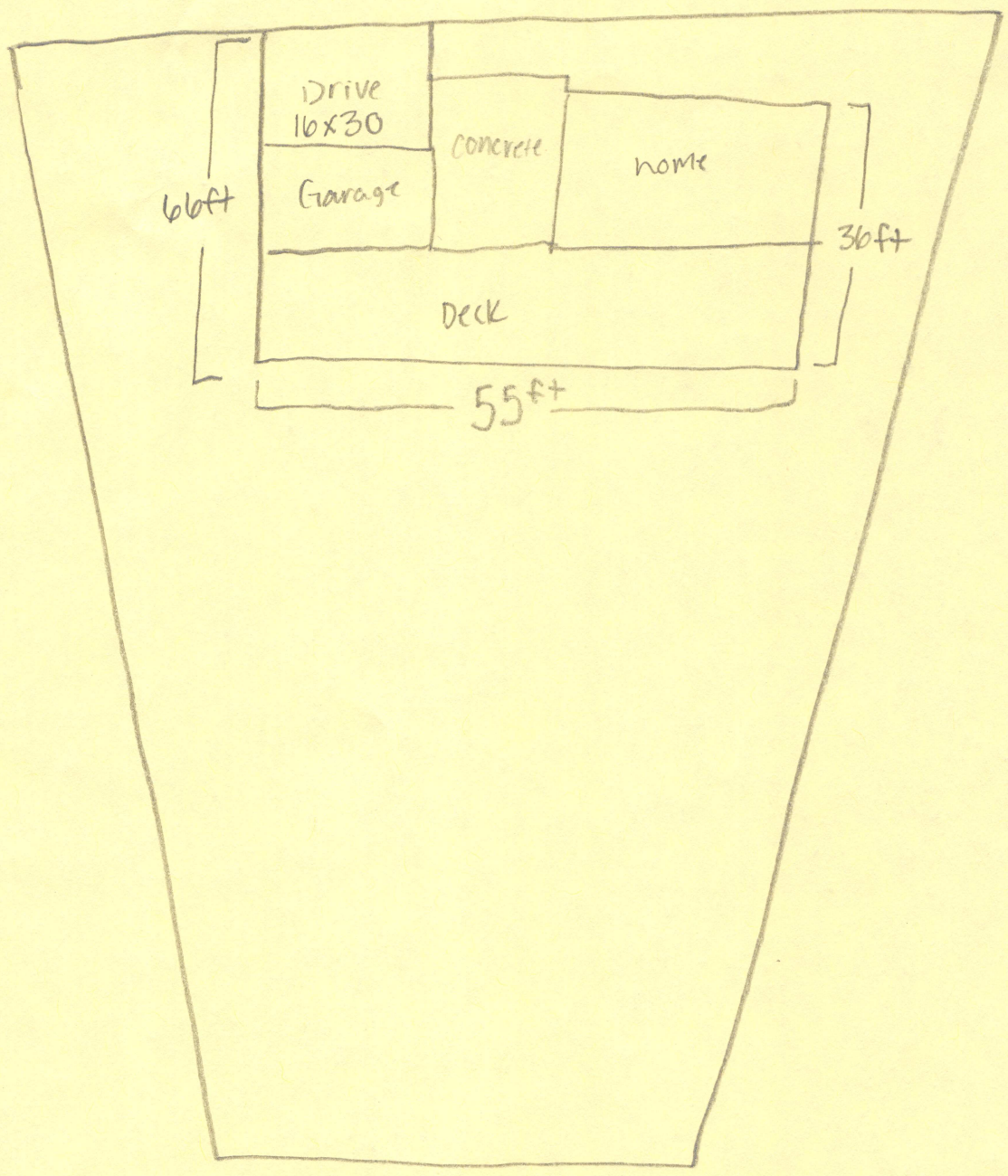


water & chemistry



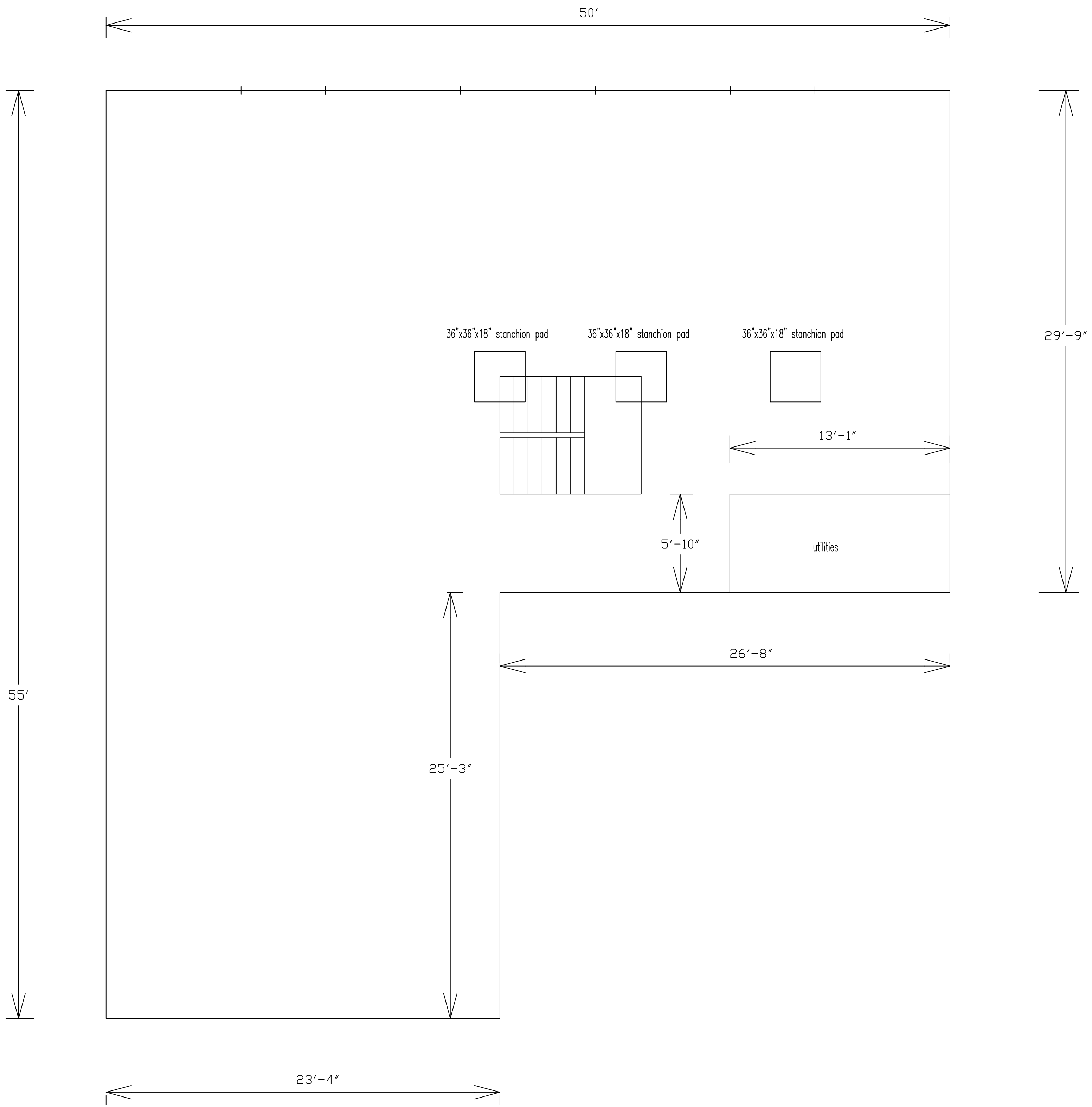
Grand River

Existing Home 6035 e Grand river  
 \* Lot coverage amounts



est property Area -	Lot remaining -
11,125 sq ft	8,665 sq ft

Total Sq ft of Driveway, Garage, home, Deck -
2,460 sq ft



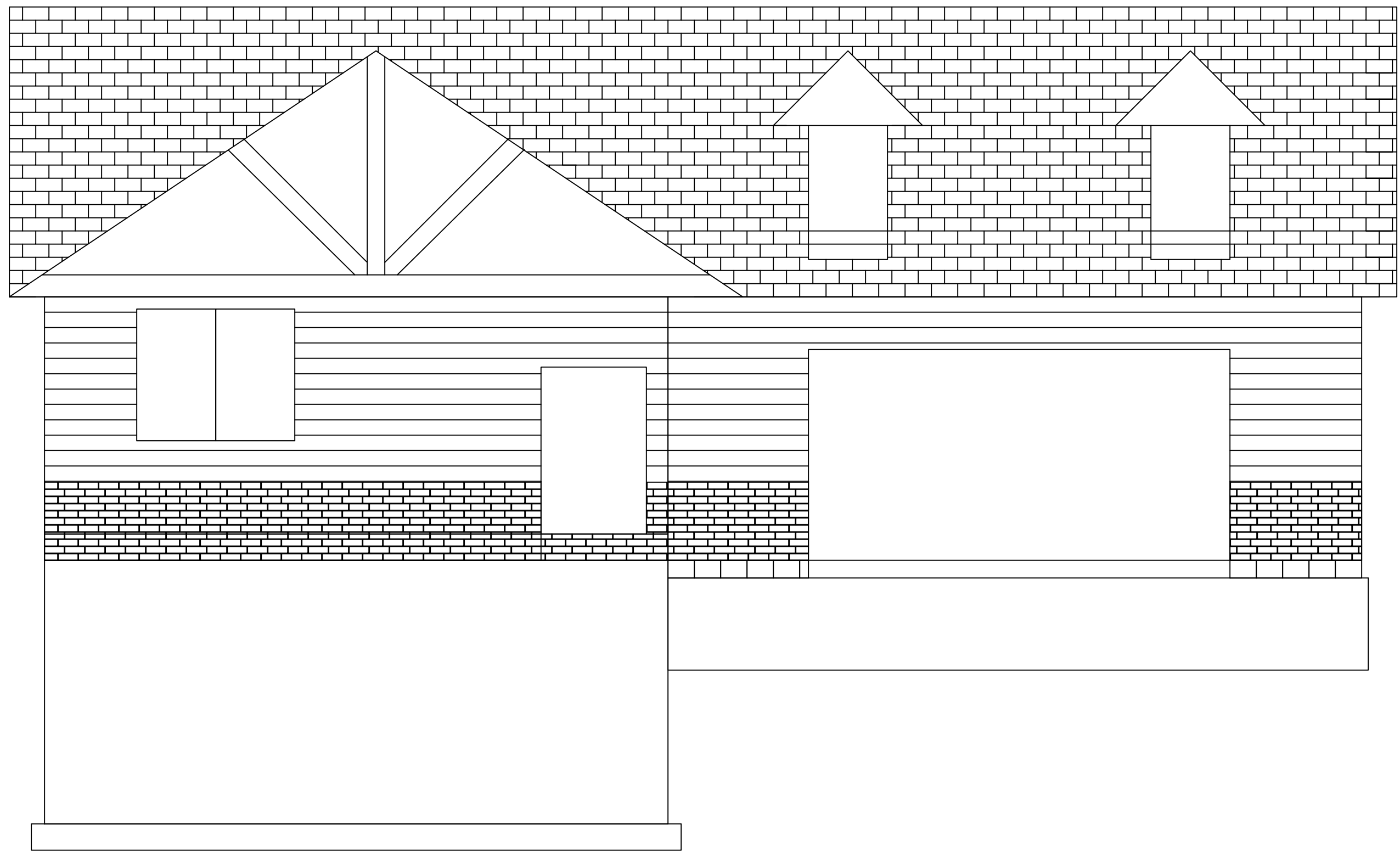
Basement Floor Plan  
Scale 1/4" = 1'

COVERS	JOB NAME	DATE	NAME	REVISION
	Kaikahi Residence	4-11-23	Sp	rsk
	6035 E. Grand River Howell			
	CONTRACTOR			
	ARCHITECT			
	DRAWN BY			
	DRAWING NO.			1



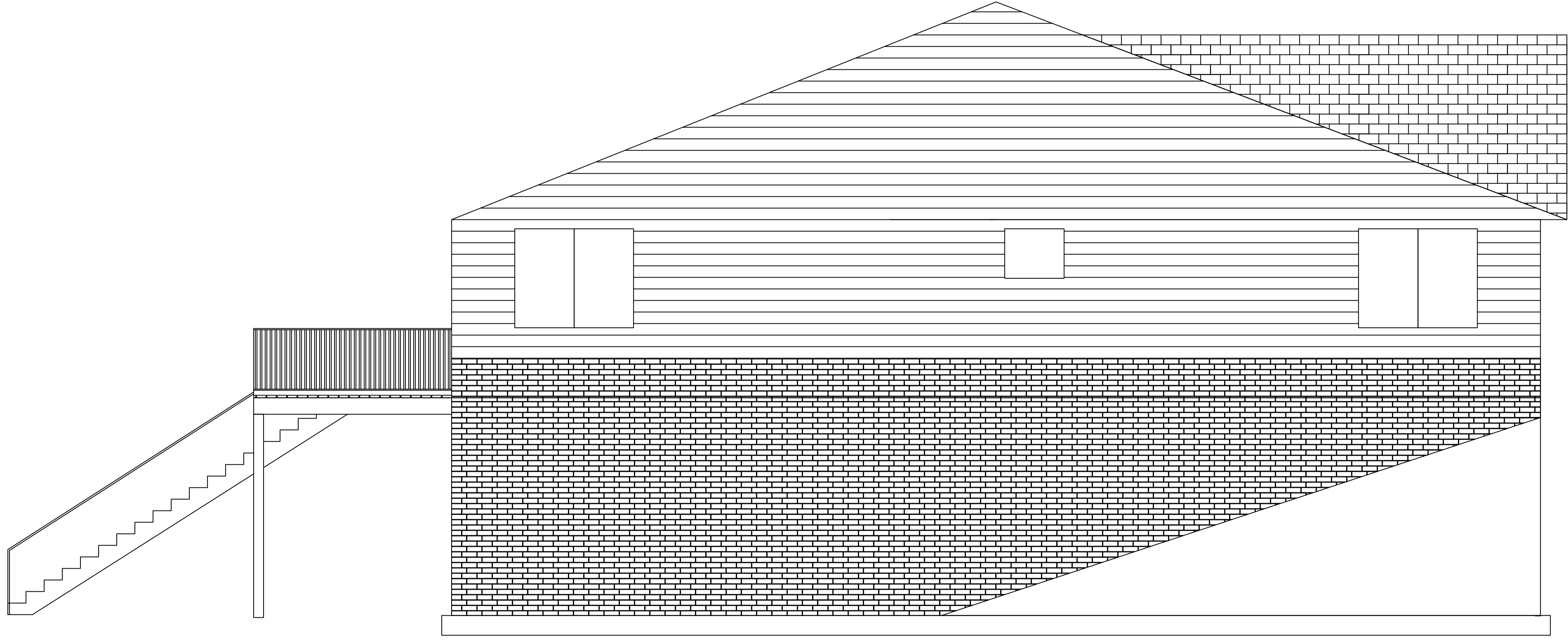






South Elevation  
 Scale 1/4" = 1'

COVERS	JOB NAME	Spikes House		
	LOCATION			
	CONTRACTOR			
	ARCHITECT			
	DRAWN BY			
	DRAWING NO.	4		
ISSUE	DATE	NAME	REVISION	
1	4-11-23	rk	original	

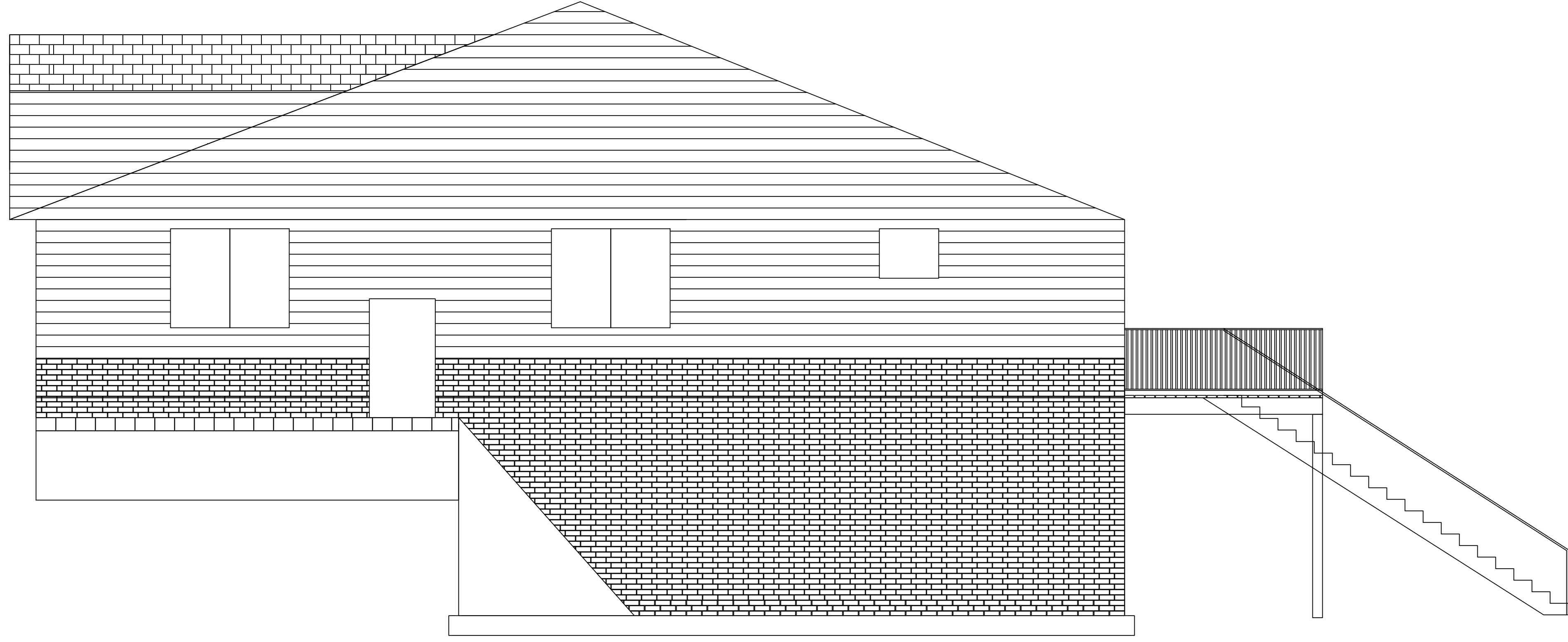


COVERS

JOB NAME	DATE	NAME	REVISION
Spikes House	4-11-23	rk	original
LOCATION			
CONTRACTOR			
ARCHITECT			
DRAWN BY			

DRAWING NO.  
5





COVERS

JOB NAME	DATE	NAME	REVISION
Spikes House	4-11-23	rk	original
LOCATION			
CONTRACTOR			
ARCHITECT			
DRAWN BY			

DRAWING NO. 7



May 1-1922  
Geo. L. Sturmer

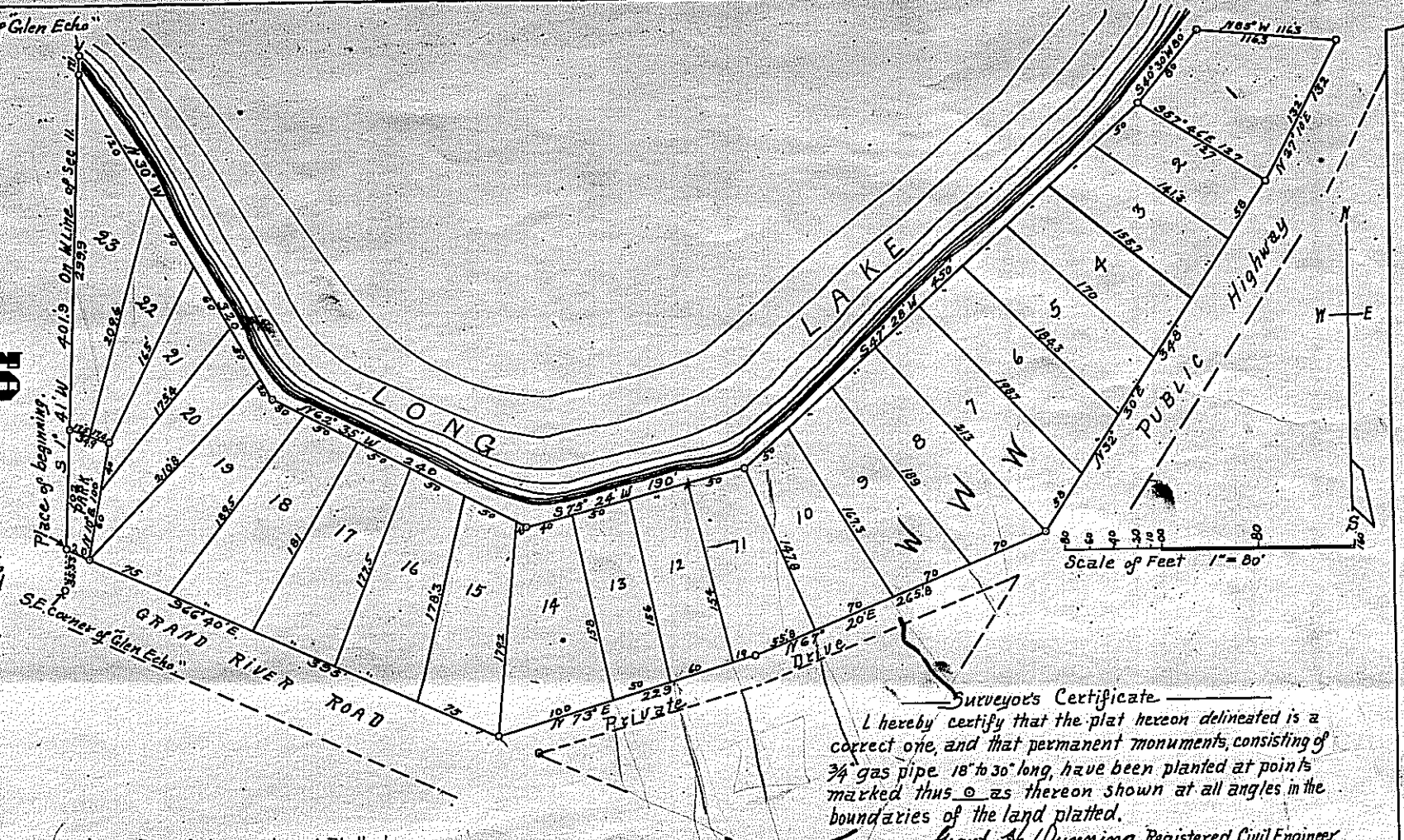
# LONG LAKE SHORES

GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.  
A Subdivision of a part of the S.W. 1/4 of S.W. 1/4 Sec. 11, T2N R5E.

**Dedication**  
Know ALL MEN BY THESE PRESENTS, That we, John M. Weimeister, as proprietor, and Mildred C. Weimeister, his wife, have caused the land embraced in the annexed plat to be surveyed, laid out and platted, to be known as "LONG LAKE SHORES," GENOA TOWNSHIP, LIVINGSTON COUNTY, Michigan, and that the PARK as shown on said plat is hereby dedicated to the use of the owners of Lots 20, 21, 22, and 23.  
All lots extend to the water's edge.

Signed and Sealed in Presence of  
F. W. Munnell     John M. Weimeister (U.S.)  
G. H. Dunning     Mildred C. Weimeister (U.S.)

STATE of Michigan, ss.  
 County of Livingston }  
 On this 25th day of April, 1922, before me, a Notary Public, in and for said County, personally came the above named, John M. Weimeister and Mildred C. Weimeister, his wife, known to me to be the persons who executed the above dedication and acknowledged the same to be their free act and deed.  
F. W. Munnell  
 My commission expires Dec. 25-1924     Notary Public, Liv Co. Mich.



**Description of Land Platted**  
 Beginning at a point on the W. line of Sec. 11, T2N R5E Mich., 35.53 feet N 91° E of the S.E. corner of Glen Echo, Genoa Township, Livingston County, Mich., thence 362° 40' E 395; N 75° E 229; N 67° 20' E 265.8; N 32° 30' E 348; N 17° 06' E 132; N 85° 10' E 3; S 40° 30' W 80; S 77° 28' W 950; S 76° 24' W 190; N 62° 35' W 240; N 30° W 320; to a point on the W. line of said Sec. 11, 171 51° 41' W of the N.E. corner of Glen Echo; thence S 1° 41' W 401.9 to the place of beginning. All on the S.W. 1/4 of the S.W. 1/4 of Sec. 11, T2N R5E Mich. Surveyed March 28th, 1922, by G. H. Dunning

Office of Livingston County Treasurer.  
 I here by certify that there are no tax liens or titles held by the State on the lands described above, and that there are no tax liens or titles held by individuals on said lands for the five years preceding the 26 day of APRIL 1922, and that the taxes for said period of five years are all paid, as shown by the records of this office.  
Harry M. Jones  
 County Treasurer.

**Surveyor's Certificate**  
 I hereby certify that the plat hereon delineated is a correct one, and that permanent monuments, consisting of 3/4 gas pipe 18" to 30" long, have been planted at points marked thus O as thereon shown at all angles in the boundaries of the land platted.  
Grant A. Dunning Registered Civil Engineer.

This plat was approved by the Genoa Township Board at a meeting held on the 7th day of APRIL 1922.  
Leslie L. Stanton  
 Twp. Clerk.

This plat was approved by the County Board at a meeting held on the 26th day of April 1922.  
Willie L. Lyons Judge of Probate  
John B. Johnson County Clerk  
Harry M. Jones County Treasurer

Livingston County, Mich.  
 Received for record the 2nd day of May, A. D. 1922 at 9:30 o'clock A.M. and recorded in Liber 2 of Plate 7 on Page 7  
F. W. Munnell  
 Registrar

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
HODGE CLINTON	KUIKAHI ROBERT	177,965	03/06/2020	WD	03-ARM'S LENGTH	2020R-007799	BUYER/SELLER	100.0
FEDERAL NATIONAL MORTGAGE	HODGE CLINTON	83,000	11/07/2014	WD	10-FORECLOSURE	2014R-032692	BUYER/SELLER	100.0
KLOTKOWSKI KIMBERLY JOY	FEDERAL NATIONAL MORTGAGE	122,242	12/18/2013	SD	10-FORECLOSURE	2013R-046821	BUYER/SELLER	0.0
WOYCHOWSKI REV. TRUST	KLOTKOWSKI KIMBERLY JOY	0	04/26/2010	QC	21-NOT USED/OTHER	2010R-012512	BUYER/SELLER	100.0

Property Address	Class: RESIDENTIAL-IMPROV	Zoning: LRR (*	Building Permit(s)	Date	Number	Status
6035 E GRAND RIVER AVE	School: HOWELL PUBLIC SCHOOLS					
	P.R.E. 100% 04/14/2020					
Owner's Name/Address	MAP #: V23-18					
KUIKAHI ROBERT 6035 E GRAND RIVER AVE HOWELL MI 48843-9141	2024 Est TCV Tentative					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 4300.LAKE CHEMUNG								
				Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value	
SEC. 11 T2N, R5E, LONG LAKE SHORES LOT 17				B LAKE FRONT	40.00	180.00	1.0000	1.0000	3000	85	UNDER GR TRAFFIC LIGHT	10
Comments/Influences				G SURPLUS LF	10.00	180.00	1.0000	1.0000	1500	100		15,000
				50 Actual Front Feet, 0.21 Total Acres			Total Est. Land Value =					117,000

Public Improvements	Topography of Site
Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.	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
		2024	Tentative	Tentative	Tentative			Tentative
		2023	58,500	57,500	116,000			85,488C
		2022	34,000	47,800	81,800			76,751C
		2021	42,500	31,800	74,300			74,300S



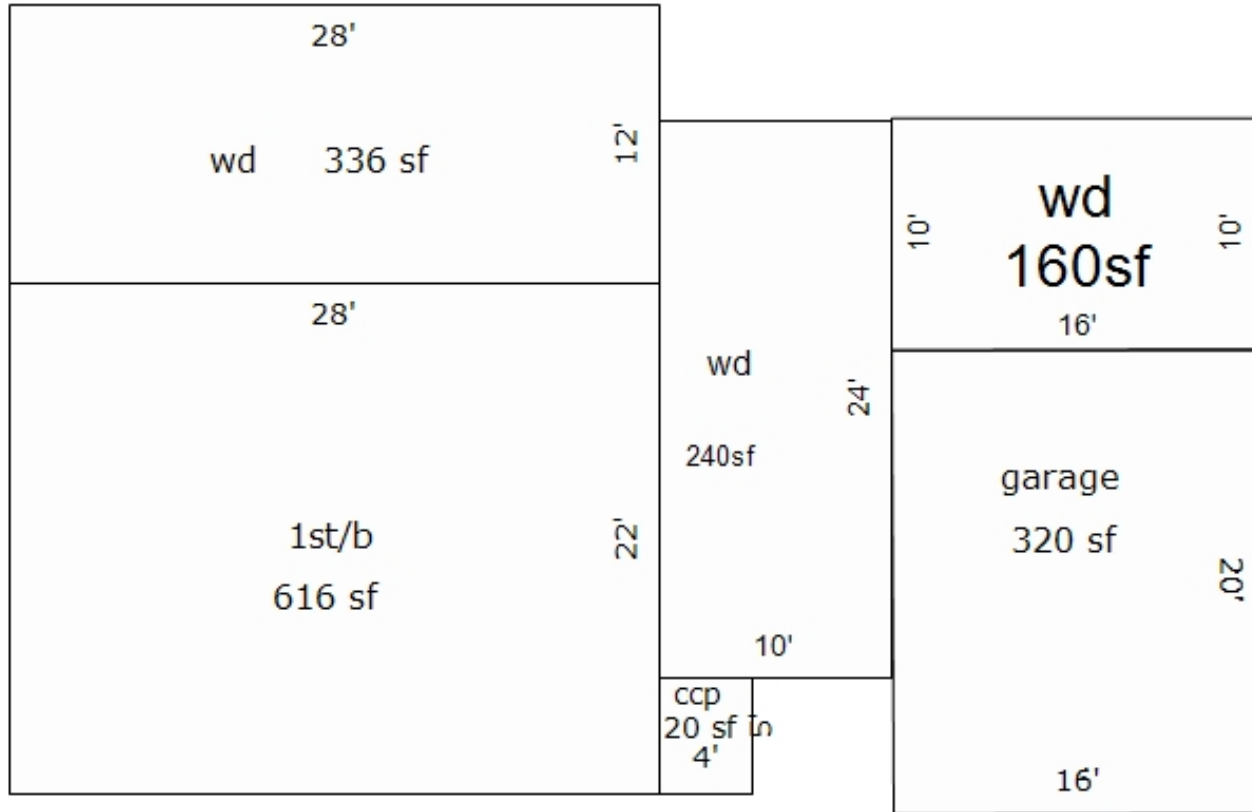
4711-11-305-017 08/09/2022  
 The Equalizer. Copyright (c) 1999 - 2009.  
 Licensed To: Township of Genoa, County of Livingston, Michigan

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

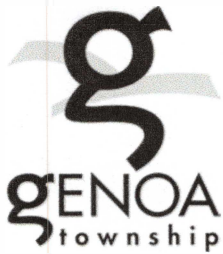


Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher 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	Type	Year Built: Car Capacity: Class: D Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 320 % Good: 0 Storage Area: 0 No Conc. Floor: 0			
X	Wood Frame	(4) Interior			Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling							20 336 160 240	CCP (1 Story) Pine Treated Wood Treated Wood				
Building Style: D		Drywall Paneled	Plaster Wood T&G	Central Air Wood Furnace													
Yr Built 1930		Remodeled 2021		Trim & Decoration													
Condition: Good		Ex	X Ord	Min	No./Qual. of Fixtures												
Room List		Lg	X Ord	Small	(12) Electric												
Basement 1st Floor 2nd Floor 2 Bedrooms		(5) Floors		0 Amps Service													
(1) Exterior		Kitchen: Other: Other:		No. of Elec. Outlets													
X	Wood/Shingle Aluminum/Vinyl Brick	(6) Ceilings		Ex. X Ord. Min													
Insulation				Many X Ave. Few													
(2) Windows		(7) Excavation		(13) Plumbing													
X	Many Avg. Few	X	Large Avg. Small	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													
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Basement: 616 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(8) Basement													
(3) Roof		(9) Basement Finish		(14) Water/Sewer													
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors (B) No Floor SF Walkout Doors (A)	Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic													
X	Asphalt Shingle	(10) Floor Support		Lump Sum Items:													
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:															
Cost Est. for Res. Bldg: 1 Single Family D										Cls D		Blt 1930					
(11) Heating System: Forced Heat & Cool																	
Ground Area = 616 SF Floor Area = 616 SF.																	
Phy/Ab.Phy/Func/Econ/Comb. % Good=65/100/100/100/65																	
Building Areas																	
Stories Exterior Foundation										Size		Cost New		Depr. Cost			
1 Story Siding Basement										616							
Other Additions/Adjustments										Total:		83,755		54,441			
Deck										Pine 336		4,338		2,820			
										Treated Wood 160		3,349		3,282		*9	
										Treated Wood 240		4,368		4,281		*9	
Garages																	
Class: D Exterior: Siding Foundation: 42 Inch (Unfinished)																	
Base Cost										320		12,979		8,436			
Water/Sewer																	
Public Sewer										1		1,150		747			
Water Well, 200 Feet										1		9,791		6,364			
Porches																	
CCP (1 Story)										20		864		562			
Totals:												120,594		80,933			
Notes:																	
										ECF (4309 LK CHEMUNG LAKEFRONT) 1.420 =>		TCV:		114,925			

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



2 BEDROOMS  
1 FULL BATH  
ASPHALT DW - NV



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

Case # 23-19

Meeting Date: May 16, 2023 @ 6:30pm

PAID Variance Application Fee

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

Applicant Tim Chouinard /

Applicant/Owner: owner Mike Tiano Email: timchouinard@sbcglobal.net

Property Address: 576 / 572 Black Oaks Trail Phone: 517-404-6527

Present Zoning: LRR Tax Code: 4711-03-30~~0~~-006 / 4711-03-30~~0~~-007

**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' front yard variance to go from 35' front yard setback to a 5' front yard setback

**Please note that the packet and staff report for your scheduled Zoning Board of Appeals meeting will be available to review at <https://www.genoa.org/government/boards/zoningboard> five days prior to the meeting.**

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 that compliance with the current setbacks allows less than 10' in depth to for the structure, granting this variance will allow for a home to be constructed that will fit in with the surrounding neighborhood.

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 the current structures are unsafe and in need of removal the proposed structure will be in compliance with todays codes and will be closer to compliance than the existing structures and will be consistent with the surrounding structures.

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 this variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets and will decrease the danger of fire as well as decreasing the danger to public safety, comfort, morals or welfare to the inhabitants of Genoa Township

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

Replacing the current structures with a new home that is compliant with todays codes and standards will greatly increase the development, continued use and value of adjacent properties and the surrounding neighborhood.

**Attendance by the applicant is required at the Zoning Board of Appeals meeting.**

**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 plans and construction plans.**

**A signed copy of the application is on file at the township.**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_



May 9, 2023

Zoning Board of Appeals  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Amy Ruthig, Planning Director
<b>Subject:</b>	572/576 Black Oaks Trail – Dimensional Variance Review
<b>Location:</b>	572/576 Black Oaks Trail – waterfront lot on the west side of Black Oaks Trail
<b>Zoning:</b>	LRR Lakeshore Resort Residential District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking dimensional variance for the construction of a new single-family on the subject site.

The property is a conforming LRR lot with approximately 141’ of lot width and a lot area of 14,208 square feet. (There is a discrepancy between the lot area noted on the site plan and that in the Township’s records. Specifically, the site plan notes 14,208 square feet, while the Township indicates 9,583 square feet. The latter would make this a nonconforming lot, which would be an additional burden/extraordinary circumstance.)

As a side note, the subject site is comprised of 2 parcels that will need to be combined (which the owner has acknowledged).

The proposal entails construction of a 3,236 square foot residence (ground floor area including attached garage).

Per Section 3.04, the following variance is needed from the dimensional requirements of the LRR District:

- A street front yard setback of 5’ (where a minimum of 35’ is required).

**SUMMARY**

1. Strict compliance with LRR setback requirements will preclude residential construction on the site (practical difficulty).
2. We suggest the applicant evaluate shifting the residence by 5’ towards the shoreline as an alternative that would ensure there is no disruption to the Black Oaks Trail right-of-way (substantial justice).
3. Given the presence of a clear practical difficulty, the variance sought is fair to both the owner and other owners in the district (substantial justice).
4. The property is relatively shallow in relation to its width, and has an inward angles along both the street front and waterfront, all of which impact the site’s buildability (extraordinary circumstance).
5. Given the nature of the project and property, we do not anticipate issues with the supply of light and air (public safety and welfare).
6. We suggest the alternative described in #2 above be discussed as an effort to better protect traffic and public safety within the right-of-way (public safety and welfare).
7. The proposed residence appears to be similarly sized and situated to other residences, and is not expected to adversely impact the neighborhood. (impact on surrounding neighborhood).



*Aerial view of site and surroundings (looking north)*

## VARIANCE REVIEW

We have reviewed the request in accordance with the dimensional variance review criteria of Section 23.05.03, as follows:

- 1. Practical Difficulty/Substantial Justice.** Strict compliance with LRR standards precludes construction of a single-family dwelling. More specifically, application of required setbacks (including the Township's wetland setback) results in a building envelope that ranges in depth from approximately 6' to 20'.

In our opinion, the variance requested is fair to both the owner and other owners in the district given the presence of a relatively clear practical difficulty.

However, as an alternative, we suggest the applicant evaluate and the Board discuss the option of shifting the dwelling slightly towards the shoreline.

This would necessitate a 2<sup>nd</sup> variance to encroach into the waterfront yard setback; however, roughly 5' along the street front is needed to safely park vehicles in the driveway without the potential to overhang into the right-of-way.

- 2. Extraordinary Circumstances.** Though the site meets LRR dimensional requirements, the property is relatively shallow in relation to its width. As noted above, application of street front and waterfront setbacks essentially results in an unbuildable lot.

The site also has inward angled street front and waterfront lot lines, which further reduces the depth of the building envelope.

While it is already covered by the required waterfront setback, approximately one-third of the property is covered by the 100-year floodplain.

The circumstances driving the need for variance were not created by the owner.

- 3. Public Safety and Welfare.** Given the nature of the project and property, granting of the variance will not impair the supply of light and air to adjacent properties.

As noted under standard #1 above, we suggest the applicant evaluate the option of shifting the dwelling approximately 5' towards the shoreline to ensure that parked vehicles do not disrupt the right-of-way.

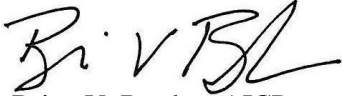
- 4. Impact on Surrounding Neighborhood.** Based on review of the submittal materials and aerial photos, the neighborhood includes several homes that encroach into the street front setback.

Accordingly, the proposed residence appears to be similarly sized and situated to other residences, and is not expected to adversely impact the neighborhood.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,

**SAFE BUILT**

A handwritten signature in black ink, appearing to read "Bri V Borden". The signature is stylized and written in a cursive-like font.

Brian V. Borden, AICP  
Michigan Planning Manager



Sun Mar 26 2023

Imagery © 2023 Nearmap, HERE

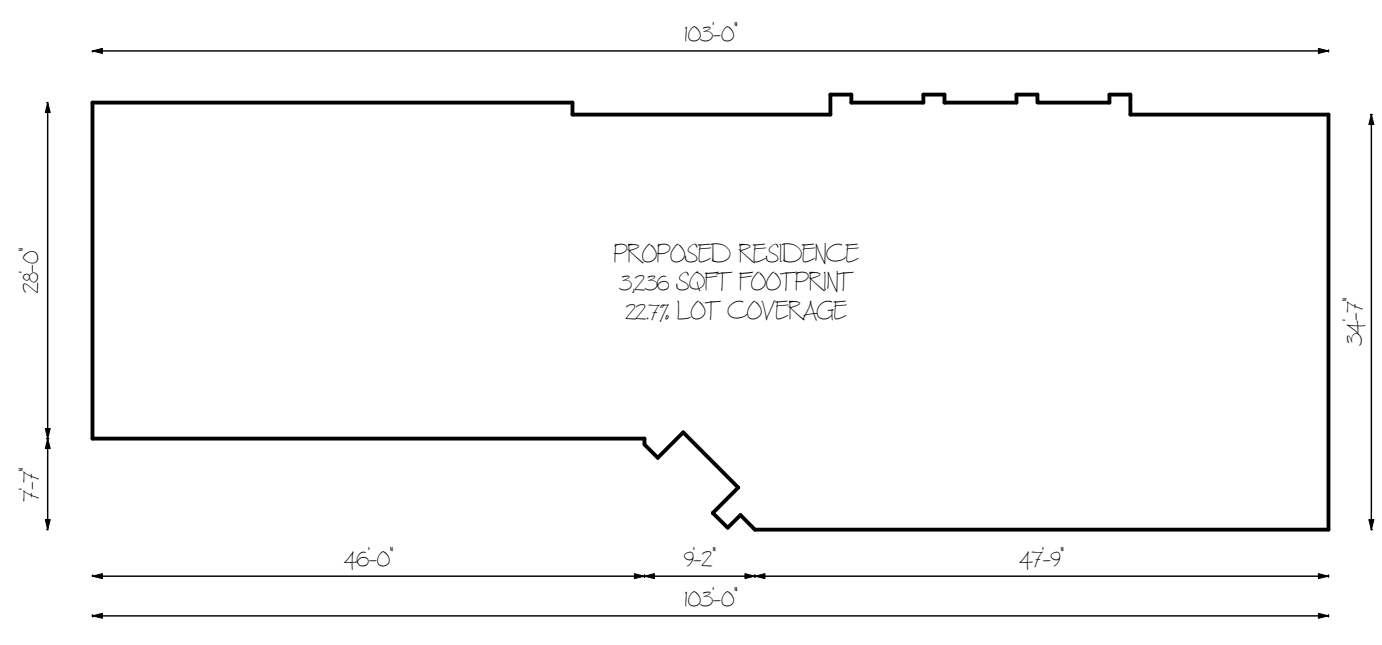
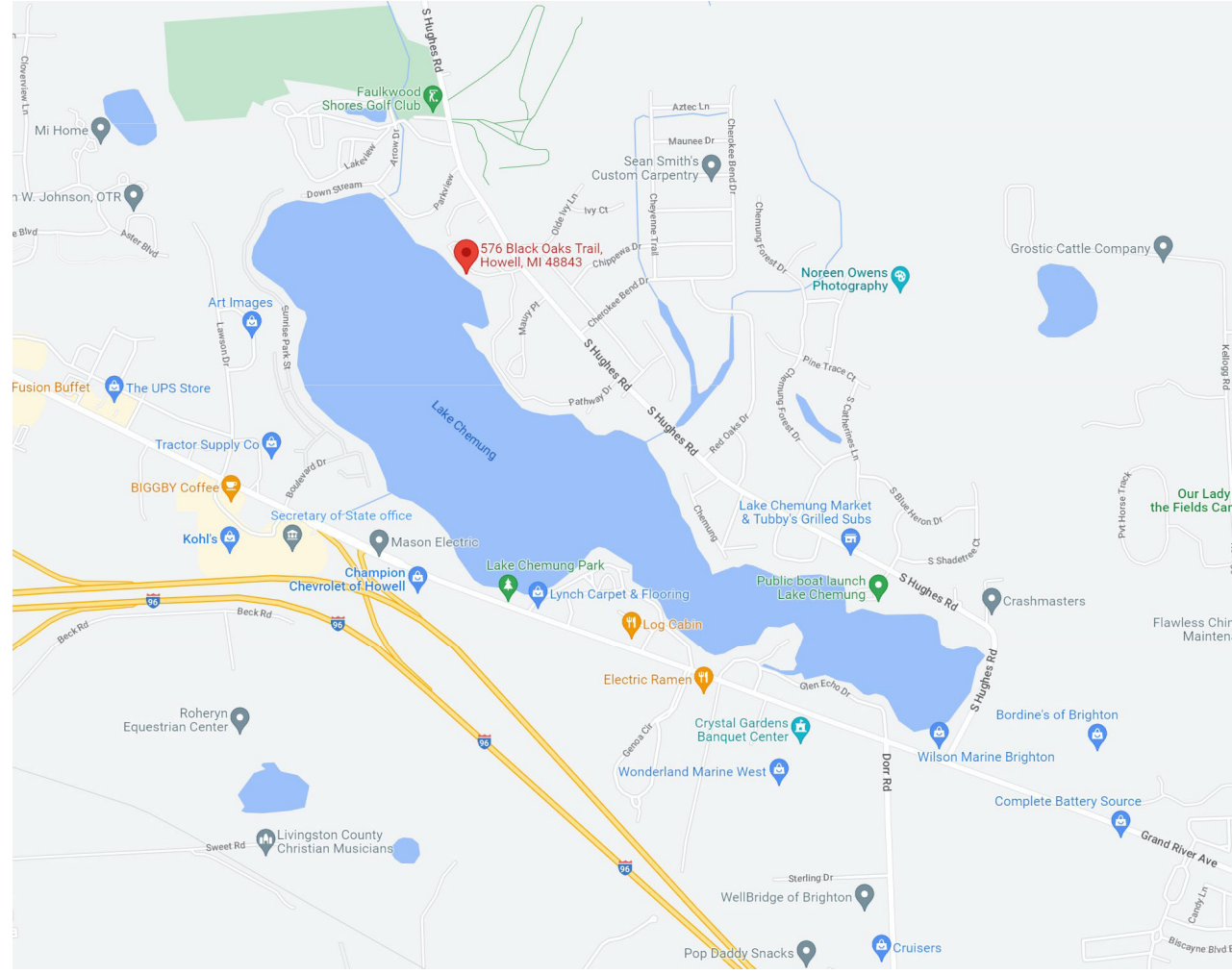




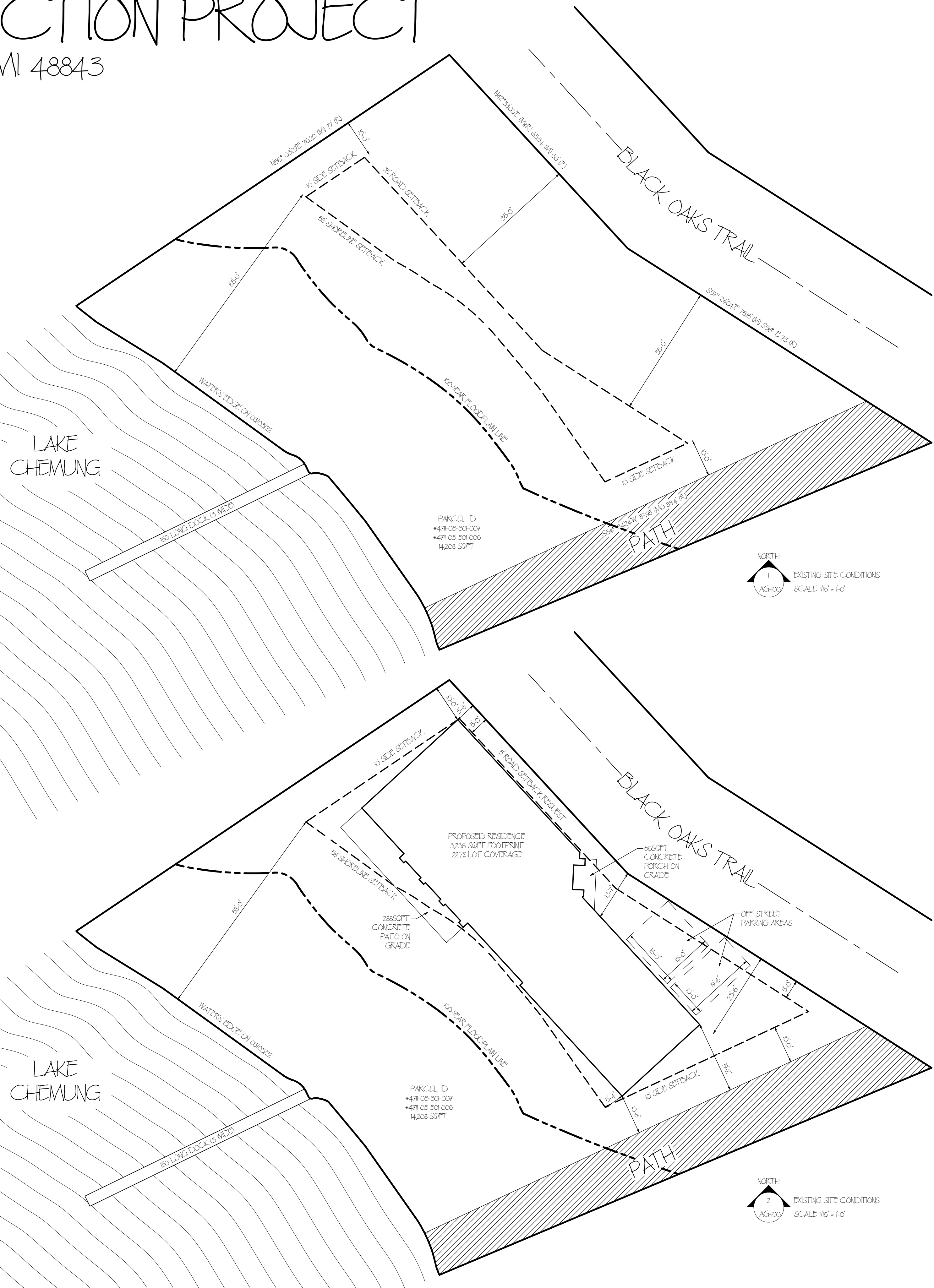


# ZBA NEW CONSTRUCTION PROJECT

576 & 572 BLACK OAKS TRAIL HOWELL, MI 48843



3 PROPOSED FOOTPRINT  
SCALE 1/16" = 1'-0"



1 EXISTING SITE CONDITIONS  
SCALE 1/16" = 1'-0"

2 EXISTING SITE CONDITIONS  
SCALE 1/16" = 1'-0"

**SHEET INDEX:**

AG-100	TITLE	STAMPED SURVEY
AA-100	PROPOSED MAIN LEVEL PLAN & 3D VIEWS	
AA-110	PROPOSED ELEVATIONS	

**GENOA TOWNSHIP**

PARCEL NUMBERS 4478-05-30-007  
4478-05-30-006  
4208 SQFT TOTAL

ZONING DISTRICT LRR

FRONT SETBACK 25

SHORELINE SETBACK PUBLIC SEWER OR AVERAGE OF ADJACENT PRINCIPAL BUILDINGS WITHIN 500 40

56

SIDE SETBACK 10

TOTAL OF TWO SIDE SETBACK 20

REAR YARD SETBACK 40

MAXIMUM LOT COVERAGE BUILDING 30%

MAXIMUM IMPERVIOUS SURFACES 50%

**APPLICABLE CODES:**

205 MICHIGAN RESIDENTIAL BUILDING CODE

MICHIGAN ENERGY CODE

INSULATION REQUIREMENTS BASED ON TABLE

N1021 (R4021) ZONE 5A

PENETRATION U-FACTOR	0.32
SLOUGHT U-FACTOR	0.55
CEILING R-VALUE	38
WOOD FRAMED WALL R-VALUE	20 OR 15-6
FLOOR R-VALUE	30
BASEMENT WALL R-VALUE	10-5
SLAB R-VALUE + DEPTH	10-2
CRAWL SPACE WALL R-VALUE	8-9

**ABBREVIATIONS**

APT	ABOVE FINISH FLOOR
B.O.	BOTTOM OF
BSMT	BASEMENT
CLG	CEILING
CMU	CONCRETE MASONRY UNIT
CONC	CONCRETE
ELEV	ELEVATION
EXT	EXISTING
EXT	EXTERIOR
FD	FACE OF
FLR	FLOOR
GP. BD.	Gypsum BOARD
HW	HARDWOOD
INSUL	INSULATION
INT	INTERIOR
MANUF.	MANUFACTURER
MIN	MINIMUM
MO	MASONRY OPENING
OC	ON CENTER
PWD	POWDER
REQD	REQUIRED
SF	SQUARE FEET
TSD	TO BE DETERMINED
TIME	TO MATCH EXISTING
TYP	TYPICAL
T.O.W.	TOP OF WALL
UNO	UNLESS NOTED OTHERWISE
VF	VERIFY IN FIELD
W	WITH
WO	WOOD

- GENERAL BUILDING REQUIREMENTS:**
- CONTRACTOR TO PROVIDE AND INSTALL ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, PERMITS, ETC. TO PROVIDE A COMPLETE AND FINISHED PROJECT. PROJECT CONSTRUCTION DOCUMENTS AND WHERE SOMETHING IS NOT SPECIFIED PER THE MOST STRINGENT INDUSTRY STANDARD AND/OR CODE REQUIREMENTS.
  - ALL WORK SHALL BE PERFORMED BY QUALIFIED AND SKILLED WORKERS IN A NEAT AND WORKMANLIKE MANNER, AND IN ACCORDANCE WITH INDUSTRY STANDARDS AND PRACTICES.
  - ALL WORK INCLUDING MATERIALS, METHODS, ASSEMBLIES, ETC., MUST COMPLY WITH THE MINIMUM REQUIREMENTS OF ALL FEDERAL, STATE, AND LOCAL AUTHORITIES HAVING JURISDICTION OVER THE PROJECT. NO PART OF THE CONSTRUCTION DOCUMENTS MAY BE CONSTRUED TO REQUIRE OR PERMIT WORK CONTRARY TO A GOVERNING REGULATION. WHERE THERE IS A DISCREPANCY BETWEEN THE GOVERNING CODE AND THE CONSTRUCTION DRAWINGS, THE MOST RESTRICTIVE CASE SHALL GOVERN.
  - CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND INSPECTIONS RELATING TO THE WORK OUTLINED IN CONSTRUCTION DOCUMENTS AND SHALL OBTAIN ALL FIELD APPROVALS ON THEIR WORK FROM REGULATING AGENCIES WHERE/WHEN REQUIRED.
  - PROVIDE SHORING, BRACING, UNDERPINNING AND ANY OTHER MEANS REQUIRED TO PROTECT THE SAFETY, INTEGRITY, AND STABILITY OF ALL NEW AND EXISTING CONSTRUCTION.
  - IF DURING THE COURSE OF CONSTRUCTION IT IS REVEALED THAT THE EXISTING STRUCTURE IS NOT UP TO CURRENT BUILDING CODE, THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE COST OF EXTRA WORK NEEDED TO BRING THE STRUCTURE UP TO CURRENT BUILDING CODE.
  - CONTRACTOR TO VERIFY ALL SIZES, LOCATIONS, ELEVATIONS AND DETAILS OF EXISTING CONDITIONS THAT AFFECT THE WORK. NOTIFY DESIGNER OF ANY DISCREPANCIES IN PRIOR TO PROCEEDING WITH WORK.
  - JOB SITE IS TO BE LEFT BROOM CLEAN AT THE END OF EACH DAY AND PROVIDE A THOROUGH CLEANUP OF ENTIRE SCOPE OF WORK AND ANY SURROUNDING AREAS AFFECTED BY THE CONSTRUCTION OPERATIONS AT THE COMPLETION OF THE OUTLINED SCOPE OF WORK.
  - DO NOT SCALE DRAWINGS; REFER TO DIMENSIONS PROVIDED. DIMENSIONS OF NEW CONSTRUCTION ARE FROM FACE OF SHEATHING EXTERIOR TO FACE OF STUD INTERIOR. DIMENSIONS OF EXISTING CONDITIONS ARE FROM FACE OF FINISH SURFACE.
- GENERAL ELECTRICAL REQUIREMENTS:**
- ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR ALL DESIGN ENGINEERING AND DOCUMENTATION. THESE DRAWINGS ARE INTENDED FOR LAYOUT PURPOSES ONLY. CONTRACTOR SHALL FIELD VERIFY ALL CONDITIONS AND DOCUMENT ALL DIMENSIONS IN THEIR DESIGN DOCUMENTATION.
  - ALL WORK AND MATERIALS SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL AUTHORITIES HAVING JURISDICTION. ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND FIELD INSPECTIONS RELATING TO THEIR WORK AND SHALL OBTAIN ALL FIELD APPROVALS FROM REGULATING AGENCIES AS REQUIRED.
  - ELECTRICAL CONTRACTOR SHALL WARRANT AND GUARANTEE THAT ALL WORK WILL BE FREE FROM DEFECTS IN WORKMANSHIP AND MATERIALS. THE ELECTRICAL CONTRACTOR SHALL PROVIDE A 10 YEAR WARRANTY ON ALL LABOR AND MATERIALS FROM DATE OF FINAL INSPECTION.
  - ELECTRICAL CONTRACTOR SHALL RECORD AN AS BUILT DRAWING OF ALL SIZES, MATERIALS, ELEVATIONS, AND LOCATIONS OF ALL EQUIPMENT AND PROVIDE COPY TO DESIGNER ONCE COMPLETED.
  - PRIOR TO FINAL ACCEPTANCE PROVIDE OWNER WITH ALL NECESSARY INFORMATION FOR PROPER OPERATION AND MAINTENANCE OF THE SYSTEMS AND EQUIPMENT INSTALLED IN THE PROJECT.
  - UNLESS OTHERWISE NOTED ALL WORK SHOWN ON ELECTRICAL DRAWINGS IS NEW WORK ONLY.
- GENERAL HVAC AND PLUMBING REQUIREMENTS:**
- HVAC AND PLUMBING CONTRACTORS ARE RESPONSIBLE FOR ALL DESIGN ENGINEERING AND DOCUMENTATION. IF DRAWINGS ARE PROVIDED IN THE CONSTRUCTION DOCUMENTS THEY ARE INTENDED FOR LAYOUT PURPOSES ONLY. CONTRACTOR SHALL FIELD VERIFY ALL CONDITIONS AND DOCUMENT ALL DIMENSIONS IN THEIR DESIGN DOCUMENTATION.
  - ALL WORK AND MATERIALS SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL AUTHORITIES HAVING JURISDICTION. MECHANICAL AND PLUMBING CONTRACTORS SHALL BE RESPONSIBLE FOR ALL PERMITS AND FIELD INSPECTIONS RELATING TO THEIR WORK AND SHALL OBTAIN APPROVALS FROM REGULATING AGENCIES WHERE REQUIRED.
  - ALL NEW HVAC SYSTEMS ARE TO BE DESIGNED WITH COOLING AND HEATING CAPACITY AND AIR VOLUMES PER THE MOST STRINGENT COMFORT STANDARD RECOMMENDATIONS FOR THE OCCUPANCY AND BUILDING TYPE.
  - MECHANICAL AND PLUMBING CONTRACTORS ARE RESPONSIBLE FOR ALL WORK DIRECTLY IMPACTED BY THE HVAC AND PLUMBING SCOPE INCLUDING ANY CUTTING / PATCHING, ELECTRICAL REQUIREMENTS FOR EQUIPMENT ETC.
  - MECHANICAL AND PLUMBING CONTRACTOR SHALL WARRANT AND GUARANTEE THAT ALL WORK WILL BE FREE FROM DEFECTS IN WORKMANSHIP AND MATERIALS AND THAT ALL EQUIPMENT WILL COMPLY WITH REQUIRED PERFORMANCE STANDARDS. CONTRACTORS SHALL PROVIDE A 10 YEAR WARRANTY FROM DATE OF FINAL INSPECTION.
  - MECHANICAL AND PLUMBING CONTRACTORS SHALL RECORD AN AS BUILT DRAWING OF ALL SIZES, MATERIALS, ELEVATIONS, AND LOCATIONS FOR ALL EQUIPMENT, PIPING AND DUCTWORK.
  - PRIOR TO FINAL ACCEPTANCE PROVIDE OWNER WITH ALL NECESSARY INFORMATION FOR PROPER OPERATION AND MAINTENANCE OF THE SYSTEMS AND EQUIPMENT INSTALLED IN THE PROJECT.

**RFD**

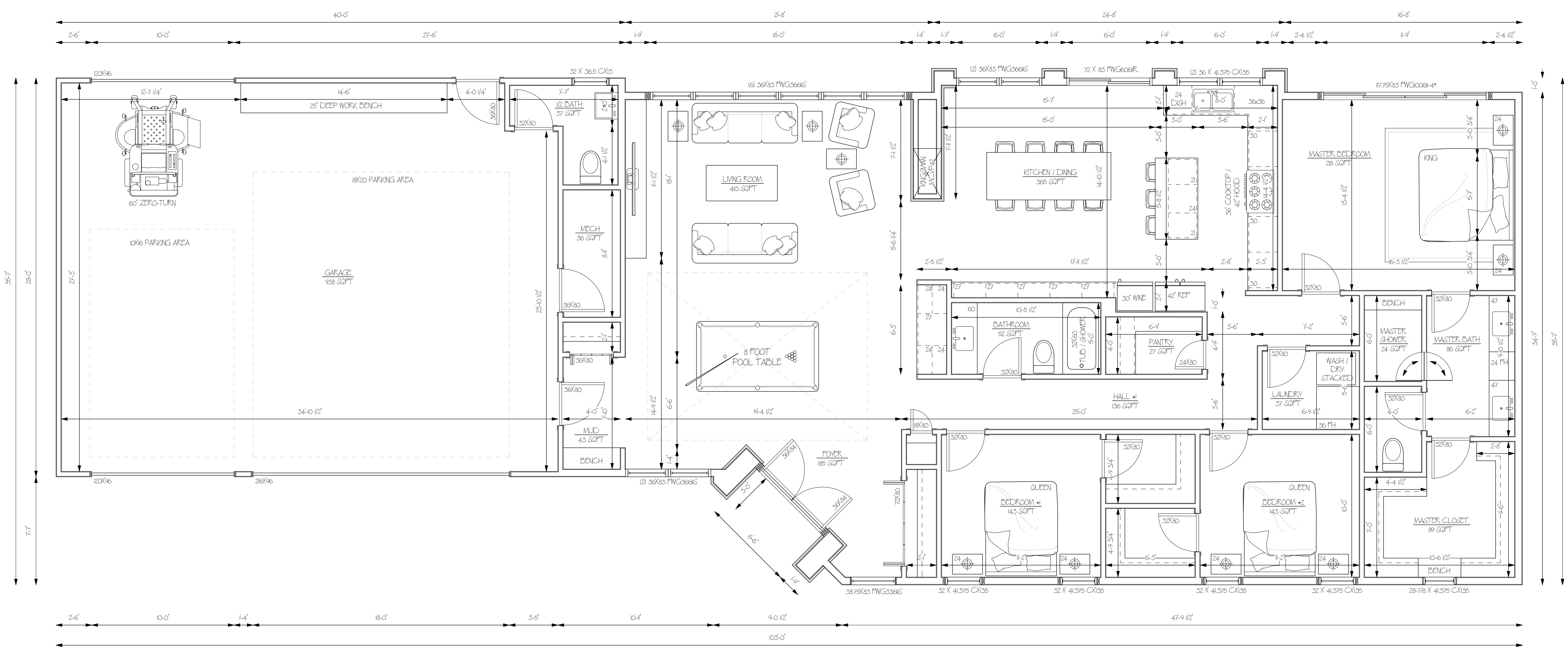
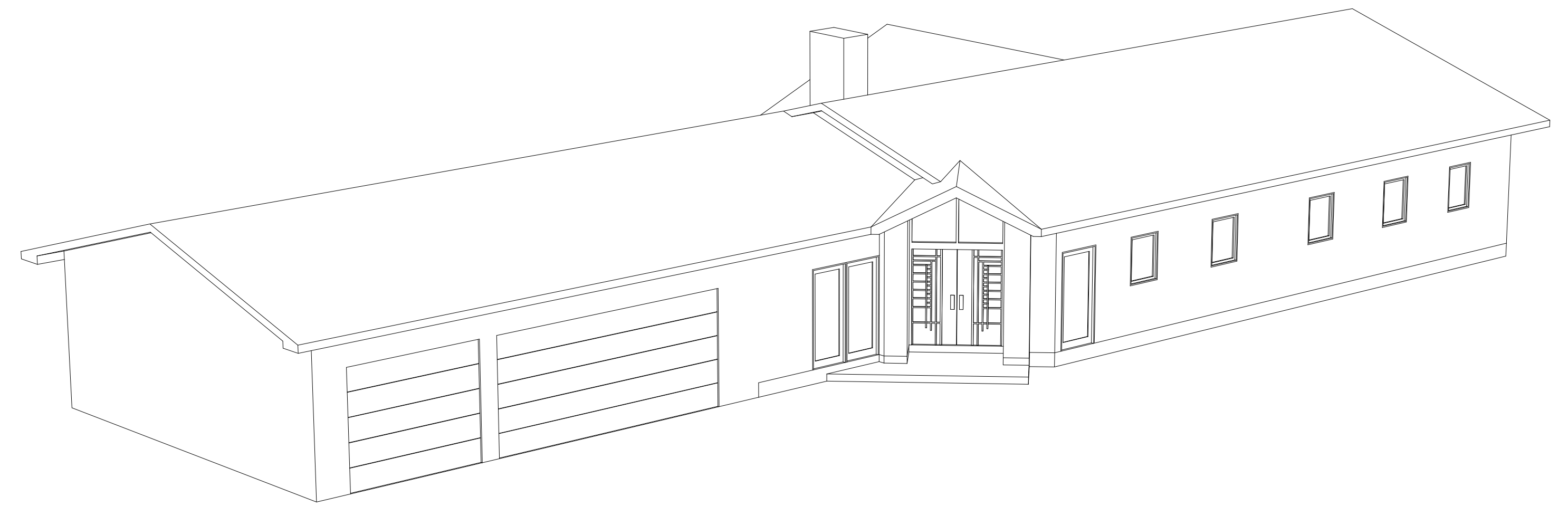
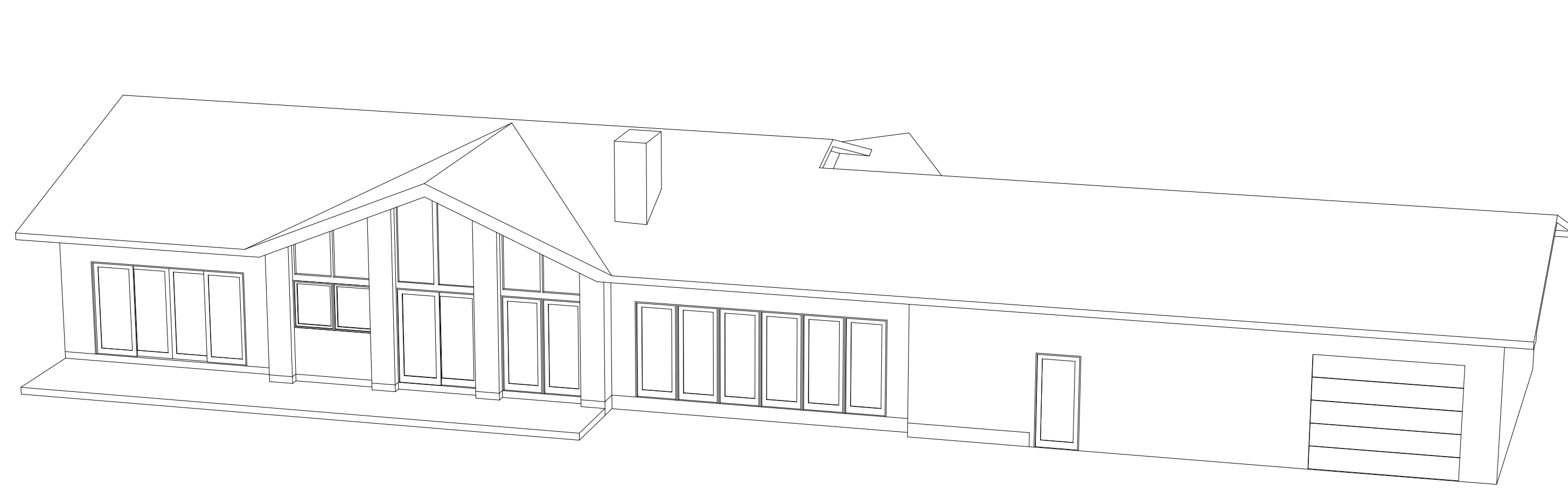
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DEARBORN MI 48108  
PH 734-854-7758

PLOT DATE 04/12/2025

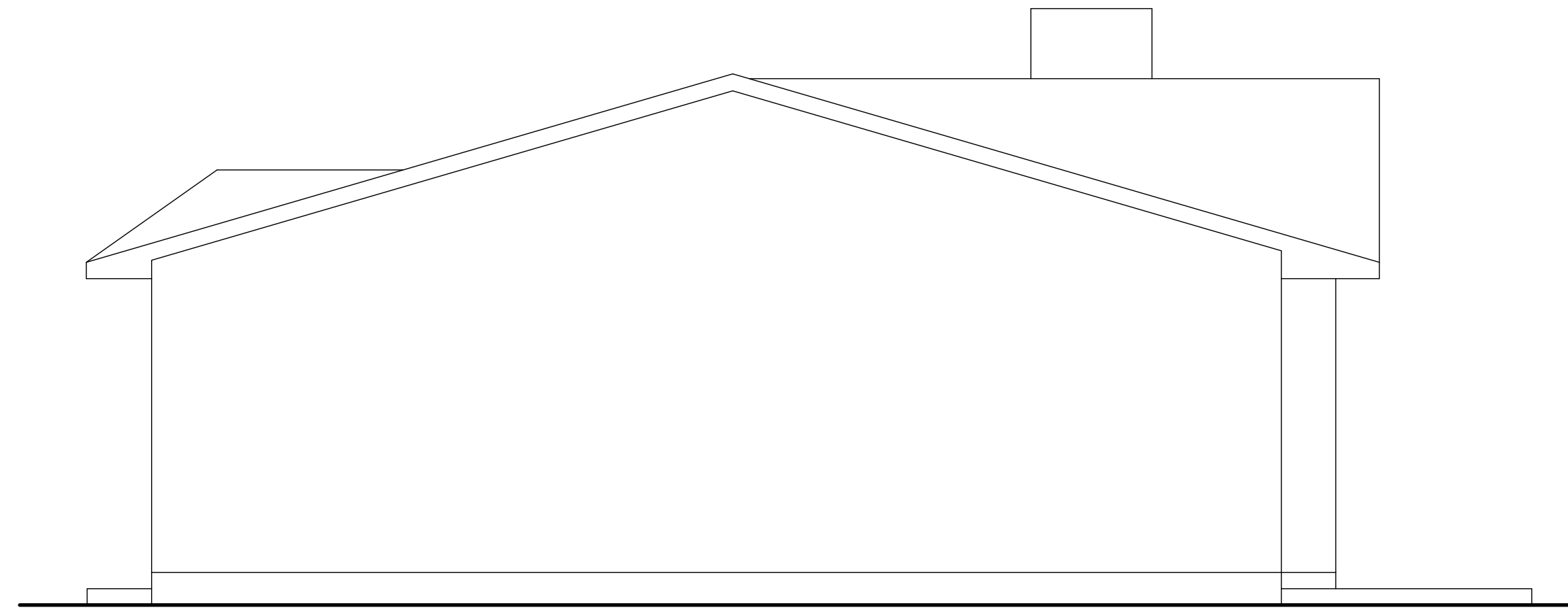
MICHAEL TIANO  
576 & 572 BLACK OAKS TRAIL HOWELL, MI 48843  
202502

CLIENT NAME  
PROJECT ADDRESS  
PROJECT NUMBER

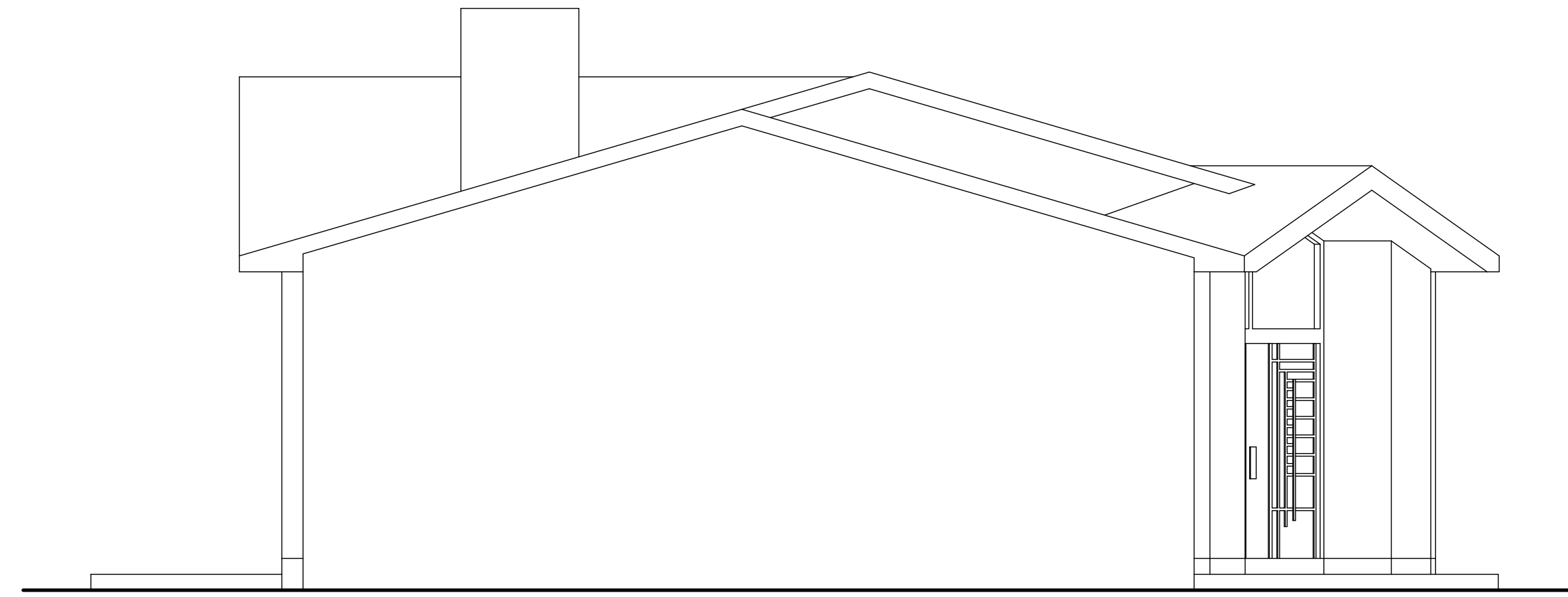
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**AG-100**



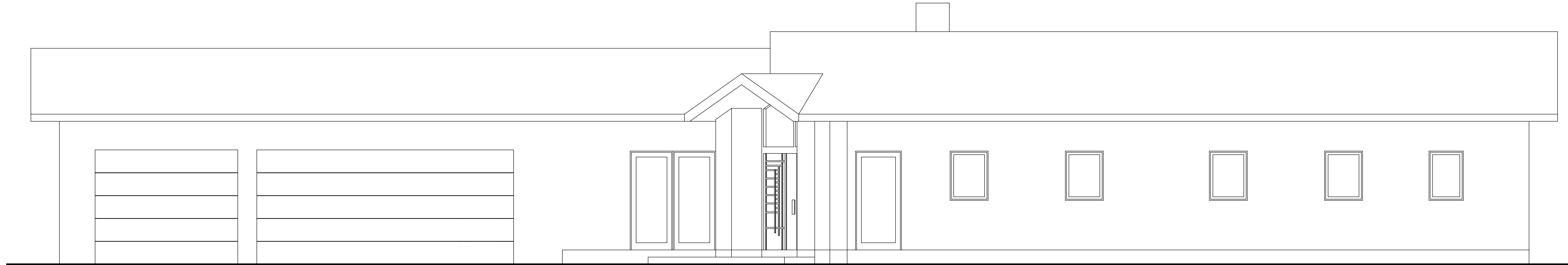
1 PROPOSED MAIN LEVEL PLAN  
 SCALE 1/4" = 1'-0"



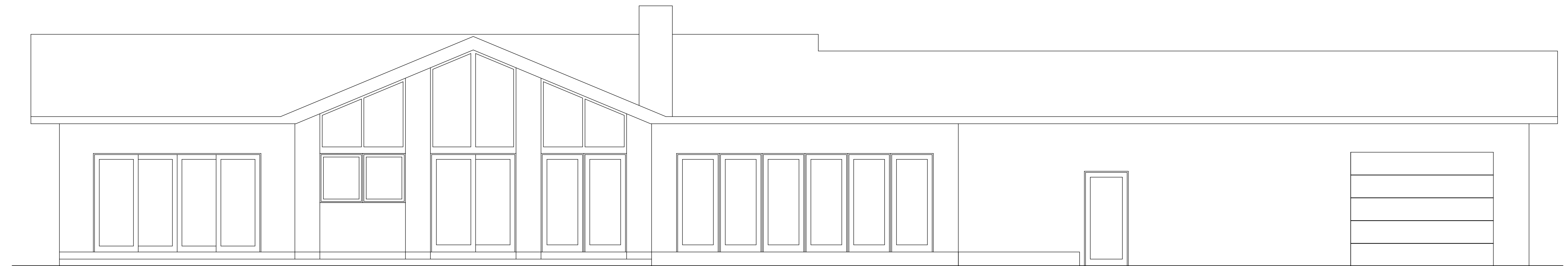
1 PROPOSED NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



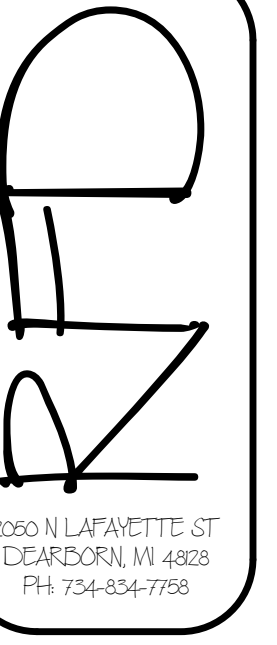
2 PROPOSED SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



3 PROPOSED EAST ELEVATION  
SCALE: 1/4" = 1'-0"



4 PROPOSED WEST ELEVATION  
SCALE: 1/4" = 1'-0"



CLIENT NAME MICHAEL TIANO  
PROJECT ADDRESS 576 & 572 BLACK OAKS TRAIL HOWELL, MI 48843  
PROJECT NUMBER 202302  
PLOT DATE 04/12/2023

PROPOSED WEST ELEVATION  
PROPOSED SOUTH ELEVATION  
PROPOSED EAST ELEVATION  
PROPOSED NORTH ELEVATION  
SHEET CONTENTS

SHEET NUMBER  
AA-101

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.					
SREDZINSKI, LEON & IRENE	TIANO MICHAEL	280,000	04/13/2022	WD	03-ARM'S LENGTH	2022R-012188	BUYER/SELLER	100.0					
SREDZINSKI, LEON & IRENE		0	10/22/1998	QC	21-NOT USED/OTHER	26560510	BUYER/SELLER	0.0					
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR	Building Permit(s)	Date	Number	Status					
572 BLACK OAKS TRL		School: HOWELL PUBLIC SCHOOLS											
Owner's Name/Address		P.R.E. 0%											
TIANO MICHAEL 1098 ANN ARBOR RD W #396 PLYMOUTH MI 48170		MAP #: V23-19											
Tax Description		2024 Est TCV Tentative											
SEC. 3 T2N, R5E, BLACK OAKS LOT 6		X	Improved	Vacant	Land Value Estimates for Land Table 4300.LAKE CHEMUNG								
Comments/Influences		Public Improvements		* Factors *									
		X	Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
			Gravel Road		B LAKE FRONT	40.00	70.00	1.0000	1.0000	3000	100		120,000
			Paved Road		G SURPLUS LF	25.00	70.00	1.0000	1.0000	1500	100		37,500
			Storm Sewer		65 Actual Front Feet, 0.10 Total Acres				Total Est. Land Value =	157,500			
			Sidewalk										
			Water										
			Sewer										
			Electric										
			Gas										
			Curb										
			Street Lights										
			Standard Utilities										
			Underground Utils.										
		Topography of Site											
		X	Level										
			Rolling										
			Low										
			High										
			Landscaped										
			Swamp										
			Wooded										
			Pond										
			Waterfront										
			Ravine										
			Wetland										
			Flood Plain										
			REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
		Who	When	What	2024	Tentative	Tentative	Tentative			Tentative		
		JB	10/18/2021	REVIEWED R	2023	78,800	59,700	138,500			138,500S		
					2022	83,400	37,500	120,900			50,271C		
					2021	82,500	36,600	119,100			48,666C		



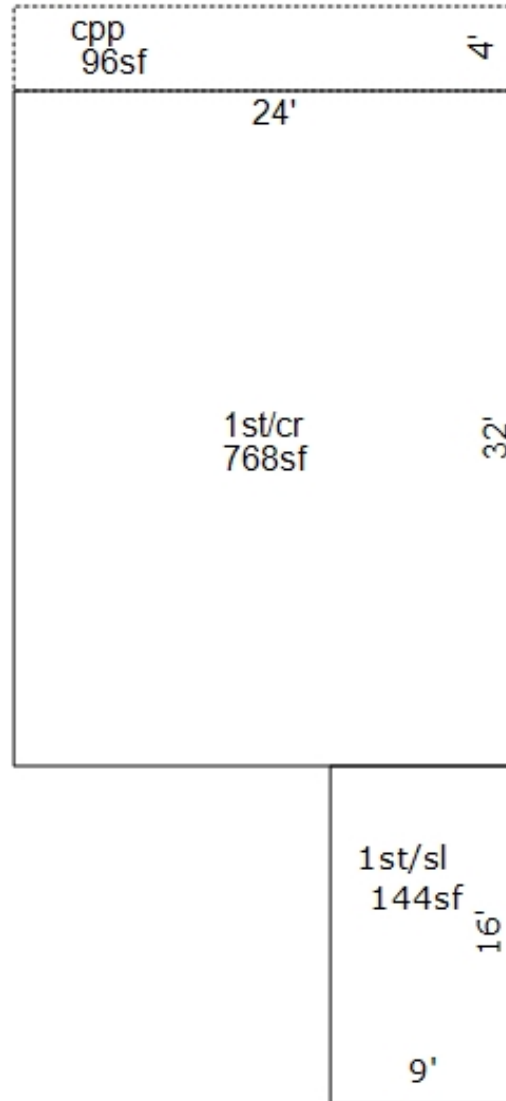
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\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																							
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 96	Type CPP	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			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																																	
Building Style: C		Drywall Paneled	Plaster Wood T&G	Trim & Decoration																																		
Yr Built 0	Remodeled 0	Ex	X	Ord		Min																																
Condition: Good		Size of Closets		Lg	X	Ord		Small																														
Room List		Doors:		Solid	X	H.C.	Central Air Wood Furnace																															
	Basement 1st Floor 2nd Floor 2 Bedrooms	(5) Floors		(12) Electric																																		
(1) Exterior		Kitchen: Other: Other:		0 Amps Service																																		
X Wood/Shingle Aluminum/Vinyl Brick		(6) Ceilings		No./Qual. of Fixtures																																		
Insulation		Ex.	X	Ord.		Min																																
(2) Windows		No. of Elec. Outlets		Many	X	Ave.		Few																														
X Many Avg. Few		X Large Avg. Small		(13) Plumbing																																		
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(7) Excavation		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																																		
X Many Avg. Few		X Large Avg. Small		Basement: 0 S.F. Crawl: 768 S.F. Slab: 143 S.F. Height to Joists: 0.0																																		
(3) Roof		(8) Basement																																				
X Gable Hip Flat		Gambrel Mansard Shed		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																		
X Asphalt Shingle		(9) Basement Finish																																				
Chimney: Brick		(10) Floor Support																																				
		Joists: Unsupported Len: Cntr.Sup:																																				
Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Air w/ Ducts Ground Area = 911 SF Floor Area = 911 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=63/100/100/100/63 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>768</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding</td> <td>Slab</td> <td>143</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>119,645</td> <td>75,376</td> </tr> </tbody> </table> Other Additions/Adjustments Porches CPP 96 1,928 1,215 Water/Sewer Public Sewer 1 1,462 921 Water Well, 200 Feet 1 10,514 6,624 Totals: 133,549 84,136 Notes: ECF (4309 LK CHEMUNG LAKEFRONT) 1.420 => TCV: 119,473															Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	768			1 Story	Siding	Slab	143			Total:				119,645	75,376
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																																	
1 Story	Siding	Crawl Space	768																																			
1 Story	Siding	Slab	143																																			
Total:				119,645	75,376																																	

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

2 BEDROOMS  
1 FULL BATH  
CNC DW - N/V



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
ADAMS ARA	TIANO MICHAEL	250,000	06/09/2022	WD	03-ARM'S LENGTH	2022R-017649	BUYER/SELLER	100.0
WILLIAMS FAMILY REV LIVING	ADAMS ARA	215,000	09/02/2021	WD	03-ARM'S LENGTH	2021R-039136	BUYER/SELLER	100.0
WILLIAMS, WARREN & MARJORI	WILLIAMS FAMILY REV LIVING	0	07/04/2020	QC	14-INTO/OUT OF TRUST	2020R-027080	BUYER/SELLER	0.0
WILLIAMS		71,250	09/01/1990	WD	03-ARM'S LENGTH	13300801	BUYER/SELLER	0.0

Property Address	Class: RESIDENTIAL-IMPROV	Zoning: LRR	Building Permit(s)	Date	Number	Status
576 BLACK OAKS TRL	School: HOWELL PUBLIC SCHOOLS		Interior Work/Repairs	03/28/2022	PW22-035	
Owner's Name/Address	P.R.E. 0%					
TIANO MICHAEL 1098 AAN ARBOR RD W #396 PLYMOUTH MI 48170	MAP #: V23-19					
	2024 Est TCV Tentative					

Tax Description	Improved	Vacant	Land Value Estimates for Land Table 4300.LAKE CHEMUNG								
SEC. 3 T2N, R5E, BLACK OAKS LOT 7 AND S 20 FEET OF LOT 13	X		* Factors *								
			Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
			B LAKE FRONT	40.00	81.00	1.0000	1.0000	3000	100		120,000
			G SURPLUS LF	24.00	81.00	1.0000	1.0000	1500	100		36,000
			64 Actual Front Feet, 0.12 Total Acres							Total Est. Land Value =	156,000

Comments/Influences	Public Improvements	Topography of Site	Level	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain	2024	Tentative	Tentative	Tentative			Tentative



Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
4711-03-301-007	10/25/2022	INSPECTED	2023	78,000	49,800	127,800			127,800S
The Equalizer. Copyright (c) 1999 - 2009.	05/06/2020	INSPECTED	2022	82,800	32,000	114,800			114,800S
Licensed To: Township of Genoa, County of Livingston, Michigan			2021	82,000	31,200	113,200			48,176C

\*\*\* 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 192	Type CPP	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																											
Building Style: CD		Drywall Paneled	Plaster Wood T&G	Trim & Decoration																												
Yr Built 0	Remodeled 0	Ex	X	Ord		Min																										
Condition: Good		Size of Closets			Lg	X	Ord		Small																							
Room List		Doors:		Solid	X	H.C.	Central Air Wood Furnace																									
	Basement 1st Floor 2nd Floor 4 Bedrooms	(5) Floors			(12) Electric																											
(1) Exterior		Kitchen: Other: Other:			0 Amps Service																											
X	Wood/Shingle Aluminum/Vinyl Brick  Insulation	(6) Ceilings			No./Qual. of Fixtures																											
		Ex.	X	Ord.		Min																										
		No. of Elec. Outlets			Many	X	Ave.		Few																							
(2) Windows		(7) Excavation			(13) Plumbing																											
X	Many Avg. Few	X	Large Avg. Small	Basement: 0 S.F. Crawl: 872 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																									
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(8) Basement																														
		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																														
(3) Roof		(9) Basement Finish			(14) Water/Sewer																											
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors (B) No Floor SF Walkout Doors (A)			1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic																										
X	Asphalt Shingle	(10) Floor Support			Lump Sum Items:																											
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:																														
Cost Est. for Res. Bldg: 1 Single Family CD (11) Heating System: Forced Air w/ Ducts Ground Area = 872 SF Floor Area = 872 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=60/100/100/100/60 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>872</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>102,480</td> <td>61,487</td> </tr> </tbody> </table> Other Additions/Adjustments Porches CPP 192 3,068 1,841 Water/Sewer Public Sewer 1 1,298 779 Water Well, 200 Feet 1 10,153 6,092 Totals: 116,999 70,199 Notes: ECF (4309 LK CHEMUNG LAKEFRONT) 1.420 => TCv: 99,683															Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	872			Total:				102,480	61,487
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																											
1 Story	Siding	Crawl Space	872																													
Total:				102,480	61,487																											

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



4 Bedrooms  
1 Bathroom

**NEW 2023 TAX YEAR DEMO INTERIOR  
TEAR DOWN TO STUDS**

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
March 18, 2023 - 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, Michelle Kreutzberg, Marianne McCreary, Jean Ledford, Bill Rockwell Craig Fons, and Amy Ruthig, Planning Director.

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

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

**Conflict of Interest:** None

**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 opened at 6:32 pm with no response.

1. 23-12... A request by Mark Morra, 5610 Mountain Road, for a side yard setback variance and any other variance deemed necessary by the Zoning Board of Appeals to construct a detached accessory structure.

Mr. Morra stated he would like to build a detached garage to house two antique cars that he will be purchasing. The topography prevents him from moving it further to the rear of the lot. Also, if he were to meet the setback, the location of the drywell septic will limit the size of the garage, and the angle of the building would make it difficult to use as a garage as well as cause the need to remove the walkway and part of their garden.

Board Member Kreutzberg questioned if additional soil would need to be brought onto the property or if a retaining wall would need to be built due to the hill. Mr. Morra has not done all the engineering; however, he does not believe he will need a retaining wall. Board Member McCreary advised the applicant that if this is approved and the engineering is complete and it is determined that a retaining wall is needed, he may need to return to the Zoning Board of Appeals.

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

**Move** by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case # 23-12 for a side yard setback variance of 19.5 feet from the required 30 feet for a side yard setback of 10.5 feet for Mark Morra of 5610 Mountain Road to construct a 22 x 28 single-story detached garage, based on the following findings of fact:

- The practical difficulty is the steep topography of the land from the front to the rear, thereby impacting the applicant's ability to locate the detached accessory building and alternative locations are not functional. The variance provides the minimum needed to grant relief.
- Granting this variance will not impair light or air to the adjacent properties, would not increase congestion or increase danger of fire or threaten public safety or welfare to the inhabitants of Genoa Township.
- Granting this variance will have little or no impact on the appropriate development, continued use or value of adjacent properties or the surrounding neighborhood.

This approval is conditioned upon the petitioner maintaining the existing vegetation on the westerly side, or supplementing it, if deemed necessary to mitigate the potential impact of the reduced setback of the adjacent residence.

**The motion carried unanimously.**

2. 23-13...A request by Johnathon Wyatt, 4158 Highcrest Drive, for front and side yard setback variances and any other variance deemed necessary by the Zoning Board of Appeals to construct an addition to an existing home.

Mr. Wyatt stated he had a survey done since he submitted his original application and the side setback variance needed is .3 inches. He would like to add an addition to his existing home. The need for the variance to the north is to keep the same building line and the one on the front is to have a garage of sufficient depth to park a car.

Board Member McCreary asked if the survey was done by an engineer. She would like to ensure that the existing boathouse is on the applicant's property and not the neighbor's. Mr. Wyatt stated the survey was done by Desine, Inc. Ms. Ruthig stated the survey was not sealed. Mr. Wyatt will have that sent to the township.

Ms. Ruthig questioned the deck that is being proposed at the top of the home. Mr. Wyatt stated the area of the home adjacent to that deck is not living space; it is a way to access that deck. She will need to contact the township planner to verify that this is within the ordinance.

Ms. Ruthig advised Mr. Wyatt that the proposed second dock is not allowed. He is only permitted to have one dock.

Ms. Ruthig stated the revised drawing shows the location of the neighbor's shed, which is now requiring the applicant to request a five foot variance. A 10-foot separation between two buildings is required. The existing shed was not on the original drawing.

The call to the public was opened at 7:04 pm.

Mr. Alan Szydowski of 4150 Highcrest Drive stated he will be working with Mr. Wyatt and his contractors to remove the shed and then have it put back when the work is complete. Ms. Ruthig stated that if the shed is removed, it would not be able to be put back because it is currently non-conforming.

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

**Move** by Board Member McCreary, seconded by Board Member Rockwell, to approve Case # 23-13 for a front yard setback variance of 18.5 feet from the require 35 for a front yard setback of 16.5 feet and a side-yard setback variance of 5 feet from the required 10 feet for a side yard setback of 5 feet for Johnathon Wyatt of 4158 Highcrest Drive to construct an addition to an existing home, based on the following findings of fact:

- The limited building envelope and the location of the existing home which is being requested to be expanded. By allowing the front and side yard setbacks, substantial justice will be granted as other homes in the surrounding areas have similar front and side yard setbacks. The variances appear to be the least amount necessary, and they are not self-created.
- The building envelope is somewhat restrictive based on the severe slope of the lot, the existing retaining walls and the placement of the existing structure. These factors impact the owner's ability to construct a compliant addition.
- The proposal is not expected to impact traffic, public safety or welfare of the residents of the township, nor will it be expected to increase the danger of fire, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- Review of aerial photo identifies several properties with deficient street front setbacks, and the proposal is generally consistent with the two abutting residences. Granting of the variances will not impair the supply of light and air to adjacent properties or have an impact on the value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. The home should be guttered with downspouts
2. Any additional retaining walls will need approval if they do not comply with the ordinance.
3. The township will require the document from Desine, Inc. to concur with the site plan submitted dated 4/17/23 showing the setback requirements that will equal the noted received document.
4. The second dock shall be removed.
5. The final architectural design shall not exceed the 25-foot maximum height requirement.
6. The applicant shall remove one of the two docks.

**The motion carried unanimously.**

3. 23-14...A request by Bradley Holmes, 4095 Rose Creek Lane, for a height and waterfront setback variance and any other variance deemed necessary by the Zoning Board of Appeals to construct a retaining wall.

Mr. Holmes stated he needs to install a retaining wall of this height to alleviate the runoff issue he is having with his neighbor.

Ms. McCreary questioned the two different engineering documents. They both have the same note from Redi-Rock stating that the final design must be determined by an engineer; however, it is the same plan for the wall, but the engineering drawings are three years apart. She understands the need for the retaining wall; however, she wants to ensure that it, at this size, is necessary and that the grading work will not cause additional problems on both the applicant's and the neighbor's property. Mr. Holmes reiterated the need for the wall to be that height. The property drops severely between his and his neighbor's property.

The Board discussed the need for an engineer to provide documentation stating what exactly is needed and not relying on the information from the company who is selling the material for the retaining wall. Board Member McCreary would like to have an engineer review what Redi Rock has provided and determine if what is being requested is what is the least necessary and will provide the relief that is needed. Board Member Ledford agrees.

Ms. Ruthig stated she has met with the applicant and his engineer and asked the same question. The engineer advised her that this wall height is necessary.

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

**Move** by Board Member Kreutzberg, seconded by Board Member McCreary, to approve Case #23-14 for a 6 foot, 6 inch height variance from the maximum allowable height of 6 feet for a total height of 12 feet, 6 inches to construct a retaining wall, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict the intended use of the property. The variance will provide substantial justice and is the least necessary.
- The severe topographic changes render the rear yard inaccessible. The project will provide necessary access for grinder pump maintenance as evaluated by MHOG Utility Department.
- Granting this variance would not impair adequate light or air to adjacent properties, would not increase congestion or increase danger or fire or threaten public safety or welfare.
- The variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood.

This approval is conditioned upon the applicant producing an engineering report from Hastings to confirm the height is sufficient or least necessary to retain erosion and drainage on the property.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the March 21, 2023 Zoning Board of Appeals meeting.

Needed changes were noted.

**Moved** by Board Member McCreary, seconded by Board Member Ledford, to approve the minutes of the March 21, 2023 Zoning Board of Appeals meeting as corrected. **The motion carried unanimously.**

2. Correspondence

Ms. Ruthig stated there are three applications for the May meeting.

3. Member Discussion

Board Member McCreary reiterated what she said in the meeting; she wants to ensure that any grading and retaining walls that are built do not negatively affect the neighboring properties.

4. Adjournment

**Moved** by Board Member McCreary, seconded by Board Member Ledford, to adjourn the meeting at 7:55 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary