

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 20, 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. 23-20...A request by Dave McManus, 4143 Highcrest Drive, for front, side, building lot coverage, impervious surface lot coverage and waterfront setback variances and any other variance deemed necessary by the Zoning Board of Appeals to construct a new home.
2. 23-21...A request by Tiffany and Chris Trotter, 2621 Spring Grove Drive, for front yard setback variance and any other variance deemed necessary by the Zoning Board of Appeals to be allowed to move an already-constructed pole barn to the lot line.
3. 23-22... A request by the Chaldean Catholic Church of the United States, 7000 McClements Road, for a height variance and any other variance deemed necessary by the Zoning Board of Appeals to allow a ropes course.

Administrative Business:

1. Approval of minutes for the May 16, 2023 Zoning Board of Appeals meeting.
2. Correspondence
3. Member Discussion
4. Adjournment

received 5-8-23



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

Case # 23-20 Meeting Date: June 20, 2023
@ 6:30 pm
 PAID Variance Application Fee

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

Applicant/Owner: DAVID McMANUS Email: DAVEMCMANUS66@GMAIL.COM

Property Address: 4143 HIGHCREST DR. Phone: 734-347-9521

Present Zoning: LAKESHORE RESORT RESIDENT Tax Code: 4711-22-302-139

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: SEE ATTACHED
-
-
-

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.

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.

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.

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.

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: _____

5/7/23

Signature: _____



Genoa Charter Township Variance Application

Applicant/Owner: David McManus Email: davemcmanus66@gmail.com
Property Address: 4143 Highcrest Dr. Phone: 734-347-9521
Present Zoning: Lakeshore Resort Resident Tax Code: 4711-22-302-139

- 1.) Variance requested/intended property modifications - This application is for front, rear and side yard setback variances for the desired home build and assumes no other property modifications. Front request is for 7'0" vs. 35'0" (same exact as adjacent neighbor to the south). Side yard (south) setback request is for "2'3" vs. 10'0" (side yard setback on opposite side is 10'0"). Total of both sides request is 12'3" vs. 20'0". Rear setback request is for 43' vs. 47'.

In addition to the above setback variances, this application requests a total building lot coverage variance of 42% vs. 35% and a total lot coverage including impervious surfaces of 55% vs. 50%.

- 2.) Practical Difficulty/Substantial Justice – Due to the unusually narrow lot size and trapezium shape, it presents unreasonable challenges to construct an even modest size home with an attached garage within the setback ordinance. Also, due to the nearly 20' elevation drop from roadside to shoreline, it creates the opportunity for a walk-out basement, but in turn lessens the desire (at our age) to have a 3rd story requiring 3 flights of stairs. This then requires a larger footprint to build a standard 3 bedroom, 2-1/2 bath home. Furthermore, the proposed building structure was designed with the least amount of irregular shapes and protrusions in order to fit within the lot lines. This practical difficulty was not self-created.
- 3.) Extraordinary Circumstances – Due to the lot size and common-cause variation in waterfront erosion, the proposed building footprint will not comply within all of the setback variances. However, by allowing the requested variances, it would be very consistent with several other properties on Highcrest Drive. For example:

From twenty (20) homes/structures measured on Highcrest Drive, the average distance from the closest corner to the street curb measured 16.3 feet. Of those 20 structures, two (2) were as close as 3.5 feet to the street curb.

The 4136 Highcrest residence almost directly across the street from our proposed residence had their foundation wall directly on their lot line and a total of 6.5 feet between the 2 residences.

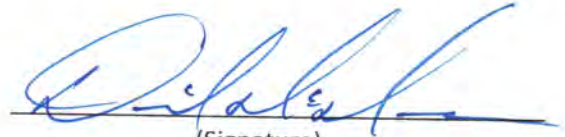
The residences at 4091 Highcrest and 4105 Highcrest have a total building/garage lot coverage of 57% and 42% respectively.

- 4.) Public Safety and Welfare – There is no perceived public safety and welfare conditions within the request.
- 5.) Impact on Surrounding Neighborhood - By granting the requested variances, it would accomplish two (2) favorable conditions. One, it would create an aesthetically pleasing residence to the area and help increase surrounding property values. Two, it would allow for ample guest parking on the property driveway and prevent street parking. Of which, several of our proposed neighbors asked if we could provide due to the street congestion already.

Furthermore, six (6) of the neighboring residents that were home when we visited the area on Saturday May 6th have reviewed our site plan and building elevations and signed the attached statement indicating they had no issues or objections with our requested setback and lot coverage variances.

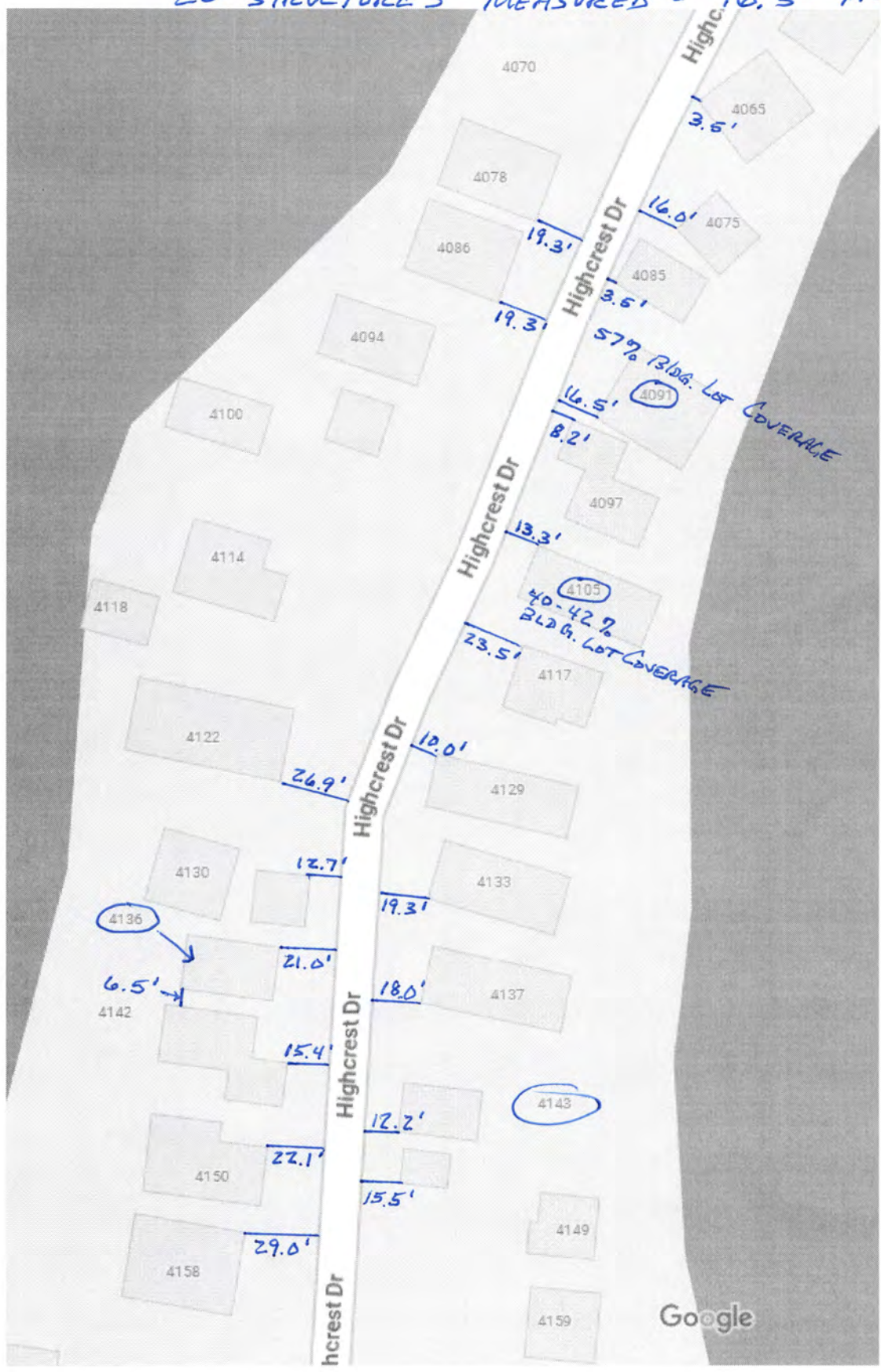
5/31/23

(Date)



(Signature)

STRUCTURE TO STREET CURB DISTANCE
20 STRUCTURES MEASURED = 16.3' AVG.



.017" = 1 FOOT



4036 Clifford Ra. 4030







2.07M (6'9")
4030 CLIFFORD RA. 4036

4057 HIGHCREST

BUILT: 2000



.113 ACRES = 4922 FT² = 40% BLDG. LOT COVERAGE

LOT 50' x 93' = 4650 FT²

BLDG 1,511 + 440 (GARAGE) = 1951 FT² } 42% BLDG. LOT COVERAGE



4054

CLIFFORD RD.

4044





1.27 M (4'2")
4044 CLIFFORD RD. 4054

4143 Highcrest Dr. – Brighton, MI

I, the undersigned, have discussed and reviewed the proposed home construction and site plan at 4143 Highcrest Dr. with Mr. & Mrs. David McManus. Based on the Genoa Township ordinances, I realize they are needing the required setback and lot coverage variances requested and have no objection or concerns to their requests.

Allen Szydlowski

(Name/Resident - Print)

4150 HIGHCREST DR

(Street Address)

ROBERT = NANCY SCHMITT

(Name/Resident - Print)

4142 HIGHCREST

(Street Address)

Cody Gorham

(Name/Resident - Print)

4129 HIGHCREST

(Street Address)

STEVEN STONE

(Name/Resident - Print)

Margaret Anderson

(Street Address)

4117 Highcrest

(Name/Resident - Print)

THOMAS O'KELLEY

(Street Address)

4237 HIGHCREST DR

(Name/Resident - Print)

(Street Address)



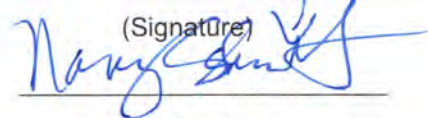
(Signature)

5/6/23

(Date)

5/6/23

(Signature)



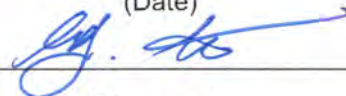
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5/6/23

(Date)



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5.6.23

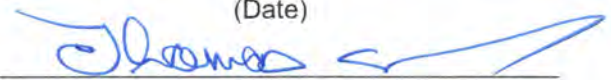
(Date)



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5/6/23

(Date)



(Signature)

(Date)



June 12, 2023

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

Attention:	Amy Ruthig, Planning Director
Subject:	4143 Highcrest Drive – Dimensional Variance Review
Location:	4143 Highcrest Drive – waterfront lot on the east side of Highcrest Drive
Zoning:	LRR Lakeshore Resort Residential District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking dimensional variances for construction of a new residence at 4143 Highcrest Drive.

The subject property is nonconforming due to deficient lot area and width. The site previously contained a nonconforming residence that was demolished to accommodate the proposal.

The proposed residence is a ranch with a walkout to the waterfront yard. In total (residence plus garage), the ground floor area is 2,851 square feet.

Per LRR requirements (Section 3.04.01), the applicant seeks 5 variances as outlined in the table below:

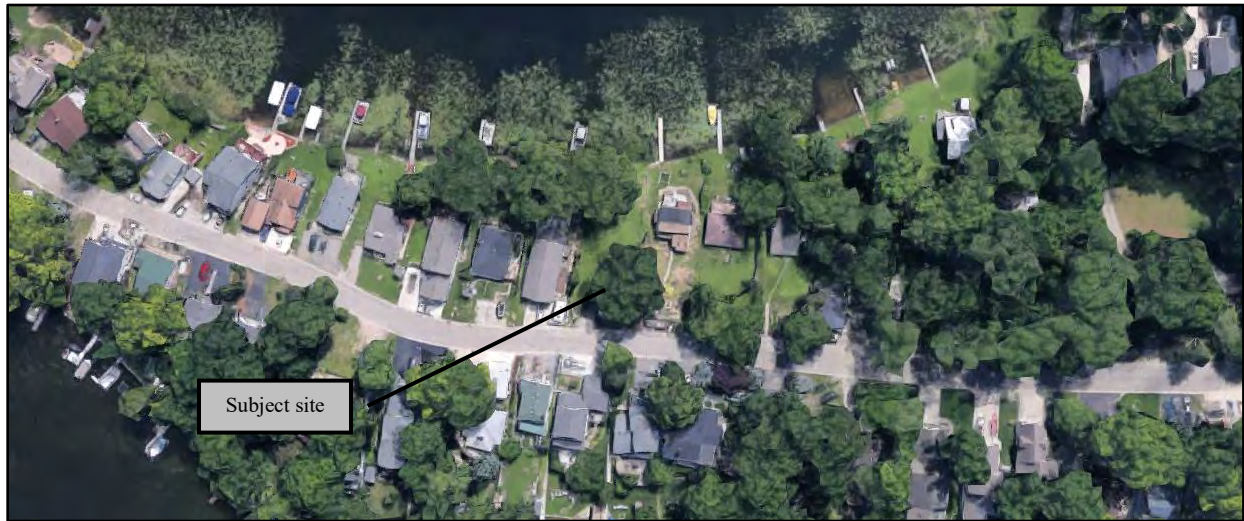
	Lot Area	Lot Width	Front setback	Waterfront setback	Side setbacks	Lot Coverage
LRR	12,800 SF	80’	35’	47’	10’ (N) 10’ (S)	35% building 50% impervious
Proposal	6,830 SF	52’	7’	43’	10’ (N) 2.25’ (S)	41.7% building 55.2% impervious

For the Board’s information, the site plan notes a 3.6’ southerly side yard setback; however, there is a 1.3’ cantilevered element that reduces the setback to 2.25’.

Additionally, we request the applicant provide a breakdown of the impervious surface calculation. More specifically, a table should be added to the site plan identifying the location and square footage of each impervious surface area proposed.

SUMMARY

- Practical Difficulty:* Strict compliance restricts the building envelope to an area smaller than most of the surrounding residences. As such, the Board may find strict compliance to be unnecessarily burdensome to the applicant.
- Substantial Justice:* The request for 5 variances is rather excessive. The applicant should consider modifications to reduce the number/extent of variances sought. Variances for lot coverage increases are typically an indication that the property is being over-built.
- Extraordinary Circumstance:* The property is a nonconforming LRR lot with deficient lot area and width that result in a relatively small building envelope.
- Public Safety and Welfare:* The reduced street front setback and front-loaded garage will require vehicles to back into the garage or the roadway, which may disrupt traffic. The spacing between the proposed residence and detached garage on the property to the south is narrower than is typical. The Board may wish to seek input from the Brighton Area Fire Authority related to this criterion.
- Impact on Surrounding Neighborhood:* There appear to be several existing residences that encroach into require setbacks. The proposed residence has the 2nd largest ground floor area of the surrounding properties, which may be viewed as further indication that the site is being over-built.



Aerial view of site and surroundings (looking east)

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.** Variances are not necessary to use the property for a permitted purpose (presumably as a single-family residence). However, strict compliance with setback requirements restricts the potential building envelope.

Based on our calculations, strict compliance results in a 1,431 square foot building envelope, which is relatively small in comparison to other residences (plus garages) in this neighborhood.

As such, the Board may find strict compliance to be unnecessarily burdensome to the owner.

With that being said, the request for 5 variances is rather excessive. The idea of substantial justice is to minimize the number and extent of variances to the minimum necessary for fairness.

The applicant should consider modifications to reduce the number/extent of variances sought. Of primary concern are the building and impervious surface coverage increases requested. Variances for such are typically an indication that the property is being over-built.

As such, while we feel some amount of variance is supported by a practical difficulty/burden, this request is generally excessive and fails to meet the substantial justice test.

- 2. Extraordinary Circumstances.** As previously noted, the property is a nonconforming LRR lot with deficient lot area and width that result in a relatively small building envelope.

These factors impact the owners' ability to construct a fully compliant residence.

- 3. Public Safety and Welfare.** Our primary concern under this criterion is related to potential traffic impacts given the reduced street front yard setback. More specifically, the proposed garage is front-loaded with only a 7' setback. This will require that vehicles either back into the garage or the roadway with limited area to do so without potentially disrupting traffic.

Additionally, with the reduced south side yard setback, the spacing between the proposed residence and the detached garage on the property to the south will be less than 8'. This is narrower than is typical and may be cause for public safety concern.

The Board may wish to seek input from the Brighton Area Fire Authority to ensure compliance with this criterion.

- 4. Impact on Surrounding Neighborhood.** Review of aerial photos identifies several residences that appear to encroach into required setback areas.

However, based on Township records, the proposed residence has the 2nd largest ground floor area of the surrounding properties. This may be viewed as further indication that the site is being over-built.

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

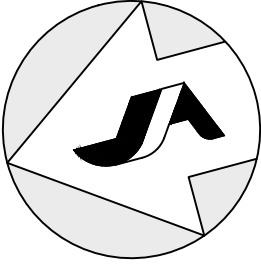
Respectfully,
SAFE BUILT

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

LEGAL DESCRIPTION

LOT 127 OF "CROOKED LAKE HIGHLANDS SUBDIVISION", PART OF SECTIONS 21, 22, 27, AND 28, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 178 OF PLATS ON PAGE 585, LIVINGSTON COUNTY RECORDS. LOT CONTAINS 6,704 SQUARE FEET. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

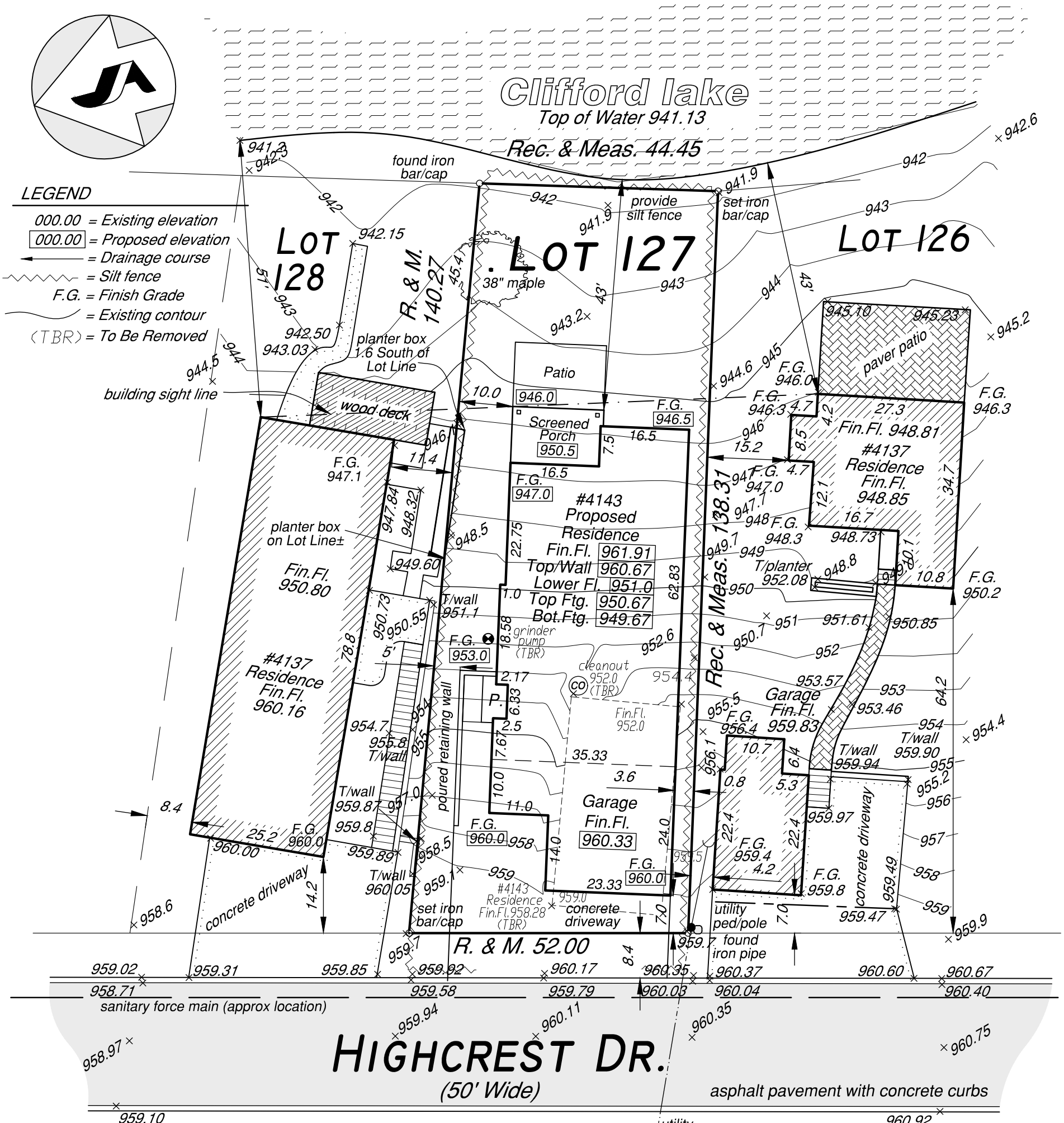


Clifford lake
Top of Water 941.13

Rec. & Meas. 44.45

LEGEND

- 000.00 = Existing elevation
- 000.00 = Proposed elevation
- = Drainage course
- ~ = Silt fence
- F.G. = Finish Grade
- = Existing contour
- (TBR) = To Be Removed



HIGHCREST DR.
(50' Wide)

asphalt pavement with concrete curbs

Note: The setbacks require a variance confirm minimum setbacks with municipality

Lot Coverage
Proposed House - 2,851 Sq. Ft.
Lot Area - 6,830 Sq. Ft.
Lot Coverage - 41.7%

Lot Coverage
Impervious Surface - 3,772 Sq. Ft.
Lot Area - 6,830 Sq. Ft.
Lot Coverage - 55.2%

NAVD88 Benchmark
"MAG" nail in North face of utility pole
Elevation = 860.65

Zoning:
LRR - Lakeshore Resort Residential

Setbacks:
Front - 35'
Side - 5'
Side total - 15'
Rear - 40'

Check title policy for subdivision deed restrictions that may affect setback requirements.



PLOT PLAN

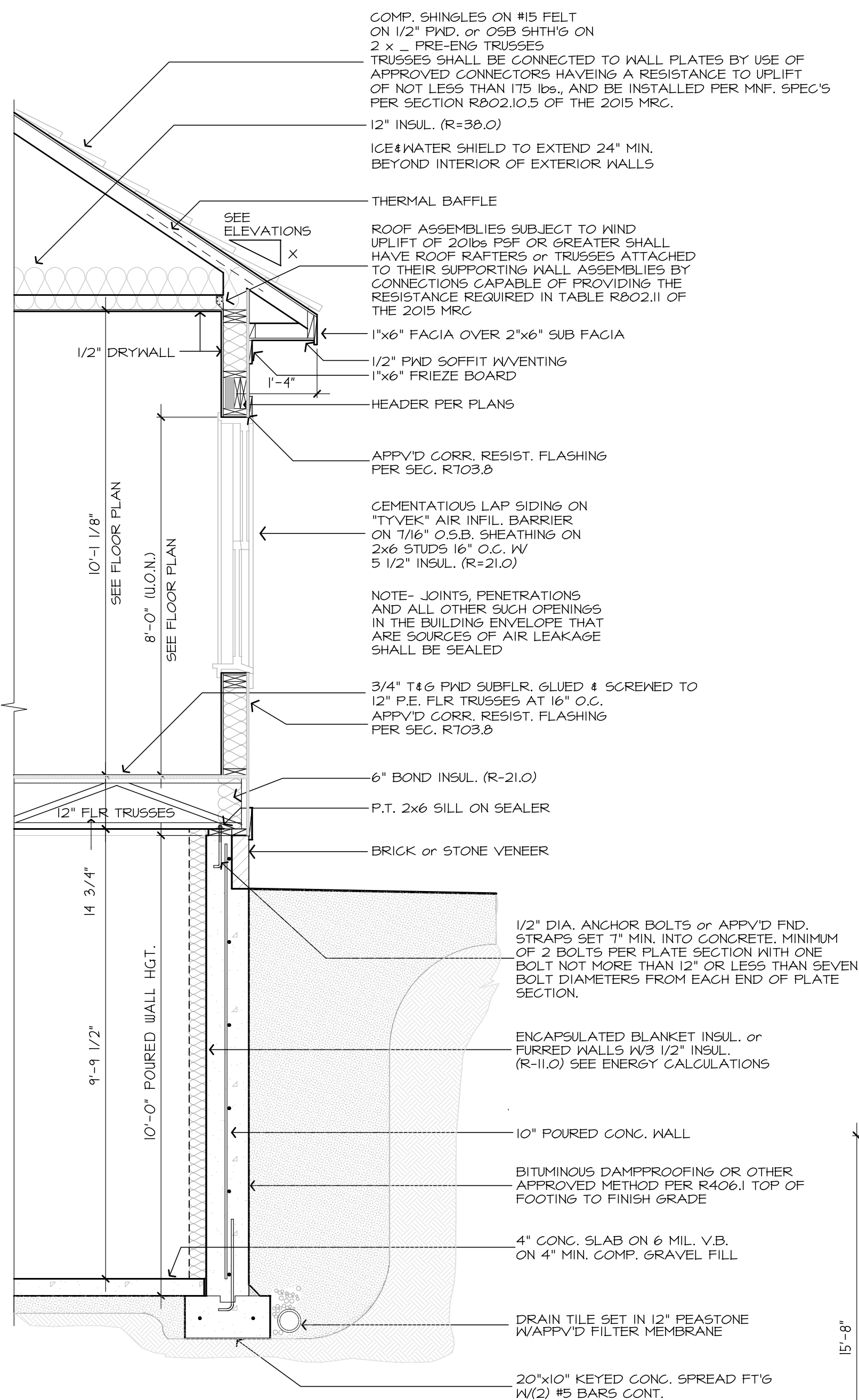
Prepared For: Dave McManus
22297 Hazelton Ct.
Novi, MI 48374
(734) 347-9521

Jekabson & Associates, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 414-7200 (734) 414-7272 fax

by: *[Signature]*

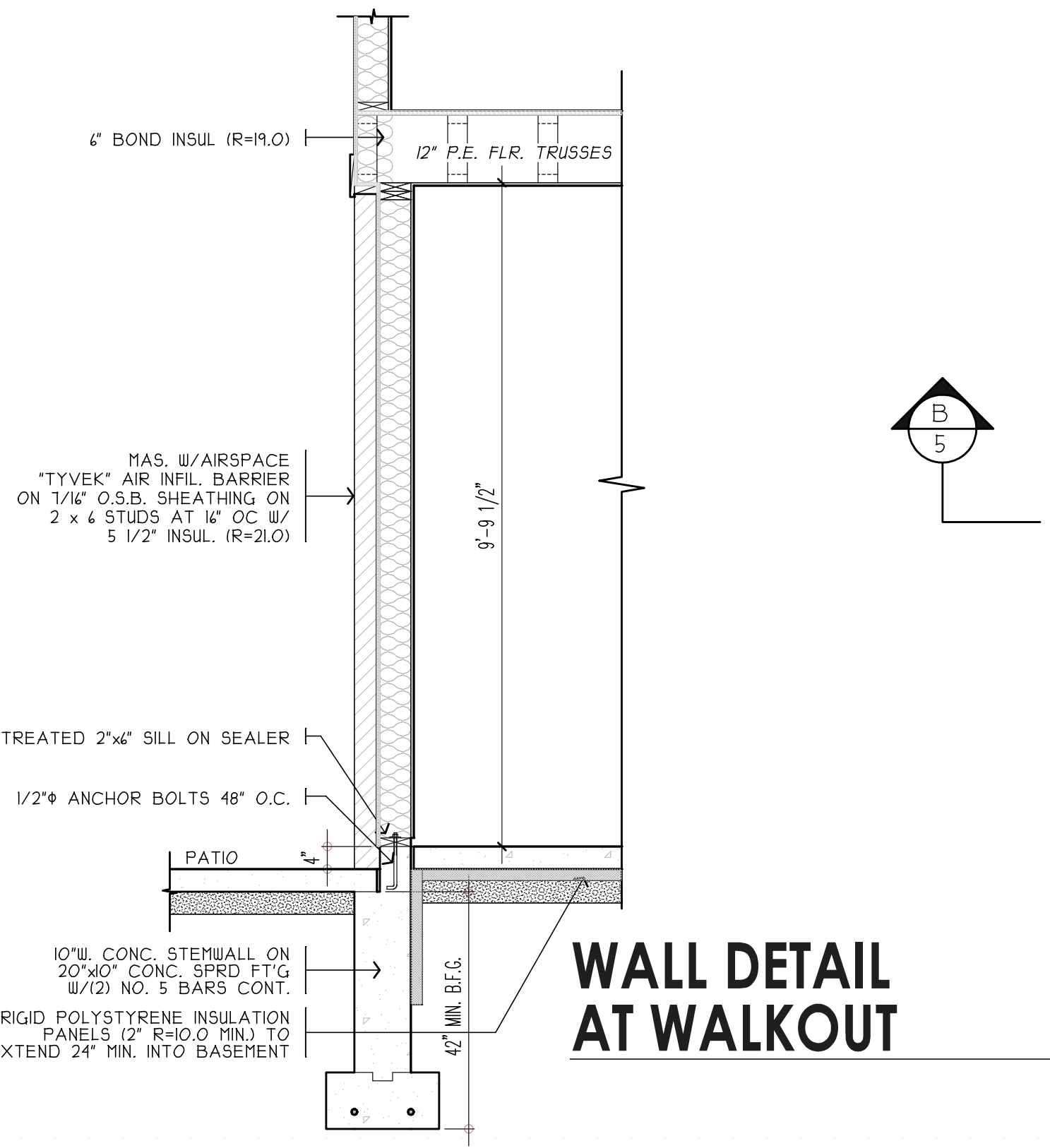


Date	31 May 23
Job No.	21-08-007
Scale	1" = 20'
Drawn	AAH
Checked	JGE
Sheet	1 OF 1



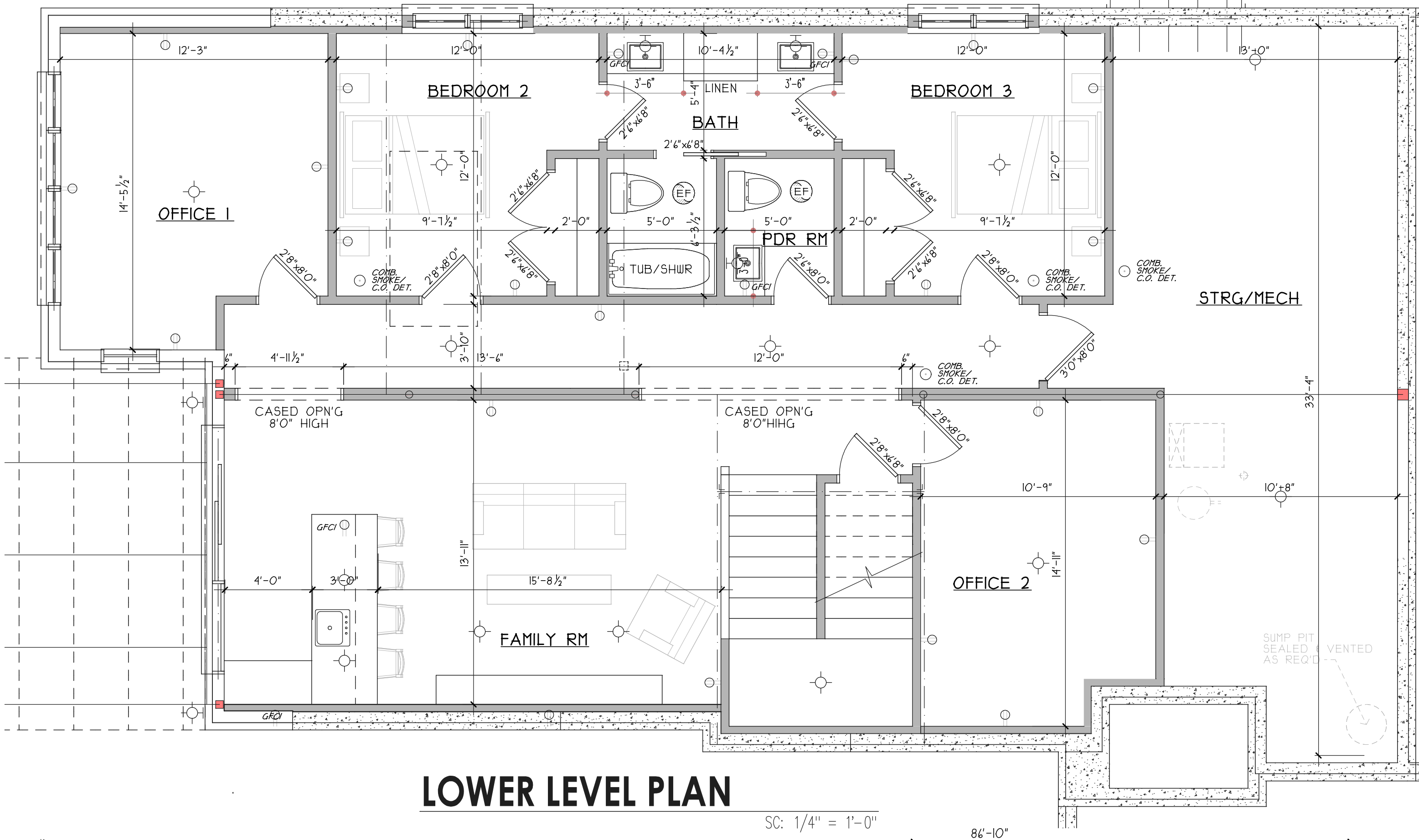
WALL DETAIL

SC: 1/2" = 1'-0"



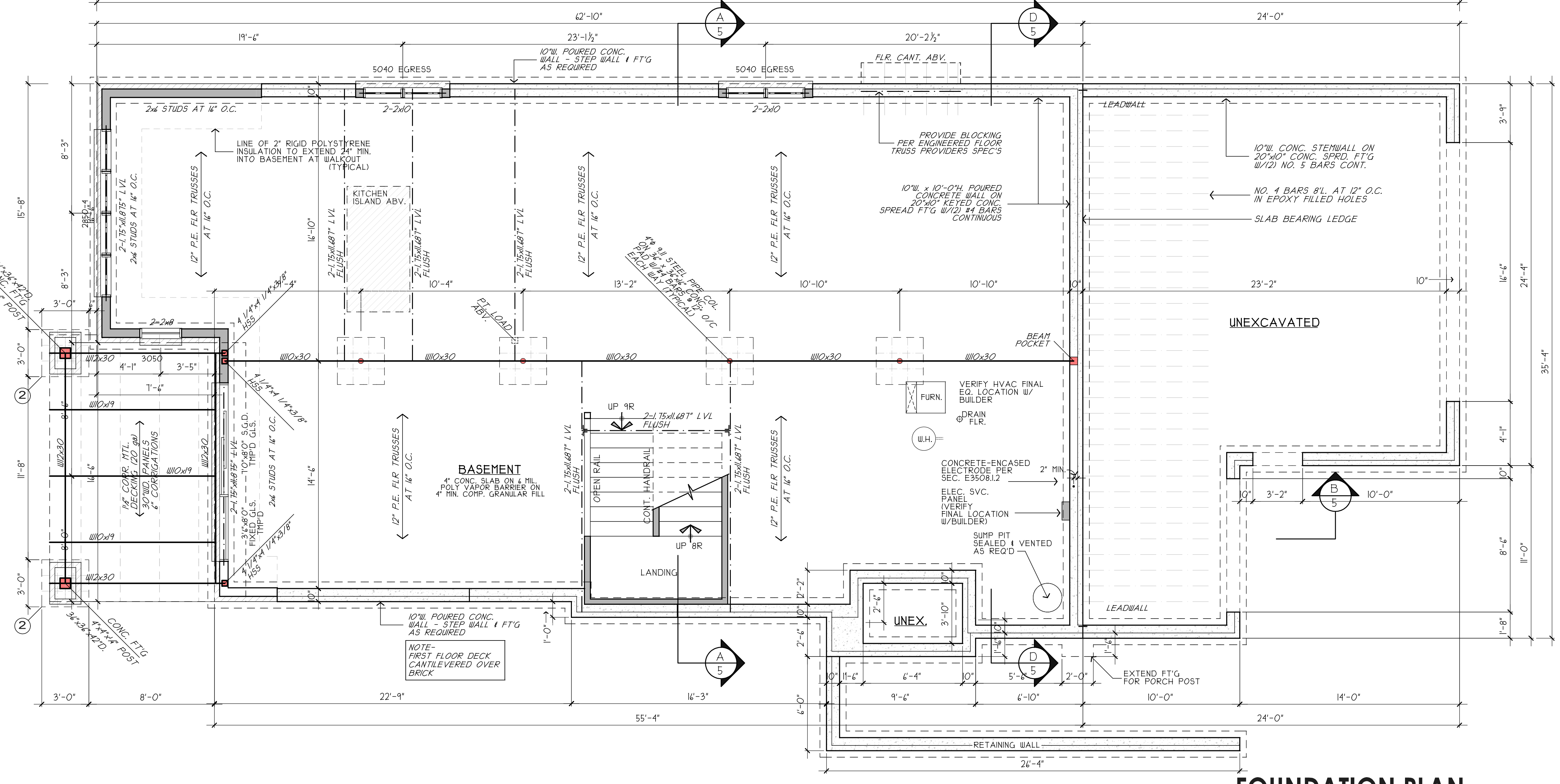
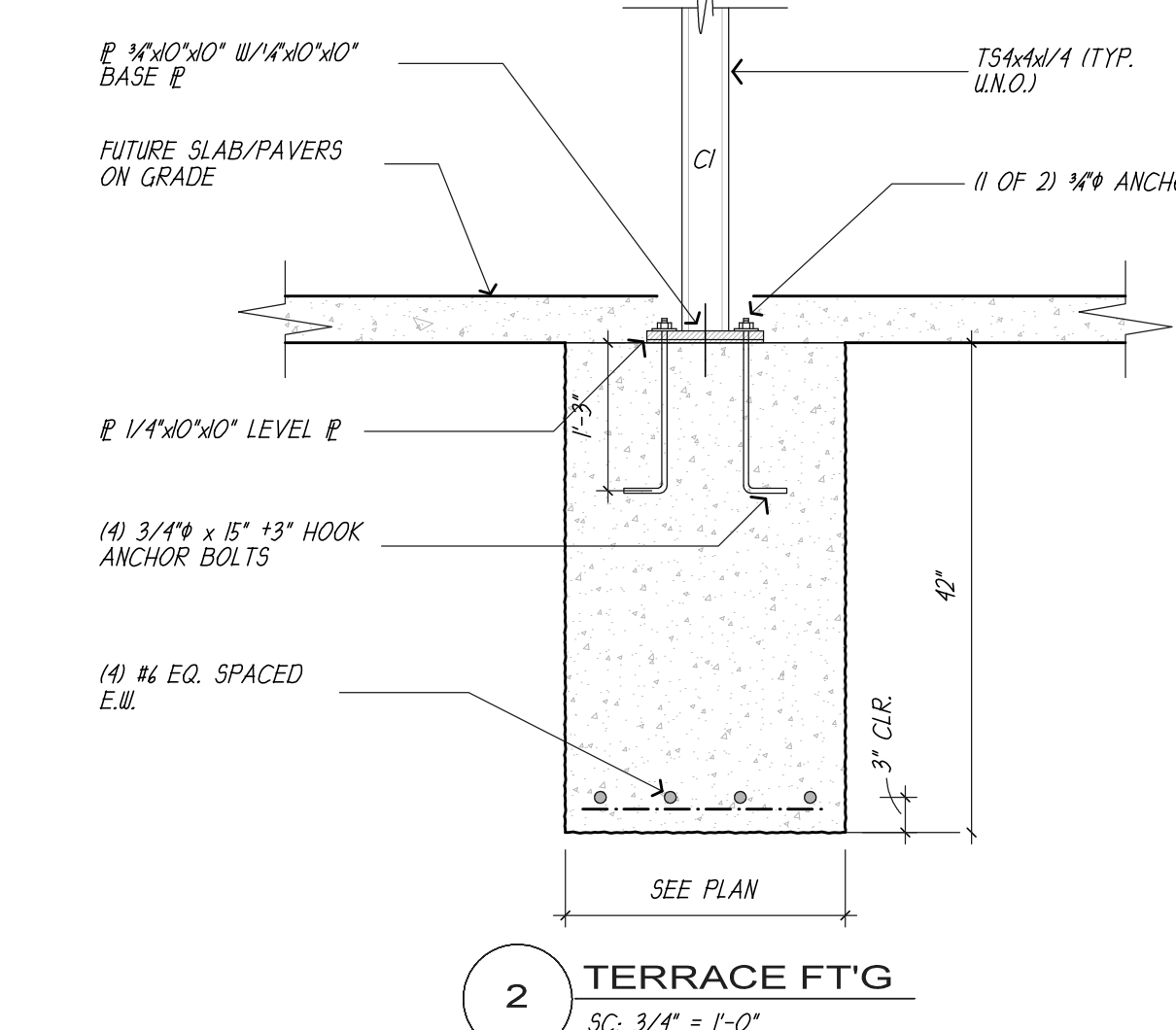
WALL DETAIL AT WALKOUT

SC: 1/2" = 1'-0"



FOUNDATION NOTES

- FOUNDATIONS AND FOOTINGS HAVE BEEN DESIGNED BASED ON A ASSUMED MINIMUM SOIL BEARING CAPACITY OF 1500 P.S.I.
- CONCRETE STRENGTH SHALL BE 3000 P.S.I. @ 28 DAYS FOR ALL FOOTINGS, THICKENED SLABS, AND CONCRETE SLABS NOT EXPOSED TO WEATHER. ALL CONCRETE EXPOSED TO WEATHER SHALL BE 3500 P.S.I. COMPRESSIVE STRENGTH WITH 6% +/- 1% ENTRAINED AIR. CONCRETE AND PLACEMENT SHALL CONFORM TO THE LATEST SPECIFICATIONS OF C.R.S.I. AND A.C.I.
- MINIMUM FOOTING DEPTH SHALL BE 3'-6" BELOW FINISH GRADE ON UNDISTURBED, NON-ORGANIC SOIL.
- REMOVE ALL FILL AND ORGANIC MATERIALS FROM AREAS TO RECEIVE FLOOR SLABS. PREPARE AREAS PER SOILS ENGINEER'S RECOMMENDATION.
- PROVIDE TEMPORARY BRACING AS REQUIRED TO INSURE THE STABILITY OF THE STRUCTURE UNTIL PERMANENT FRAMING IS IN PLACE.
- PROVIDE SILL ANCHOR BOLTS OR APPROVED FOUNDATION STRAPS @ 72" O/C MAXIMUM SPACING, 12" MAXIMUM SPACING FROM END OF SILL CORNERS. MINIMUM ANCHOR BOLT DIAMETER SHALL BE 1/2", AND SHALL EXTEND 15" MINIMUM INTO GROUTED CONCRETE BLOCK OR 8" MINIMUM INTO GROUTED CONCRETE BLOCK, PLUS 7" INTO POURED IN PLACE CONCRETE FOOTING U.O.N. ON PLANS.
- PROVIDE RIGID POLYSTYRENE INSULATION (R=5.0 MIN.) AT ALL PERIMETER SLAB ON GRADE CONDITIONS.
- PROVIDE 6 MIL. POLY VAPOR BARRIER BELOW ALL CONCRETE SLABS.
- FIELD VERIFY ALL CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK PERTAINING TO THESE PLANS.



FOUNDATION PLAN

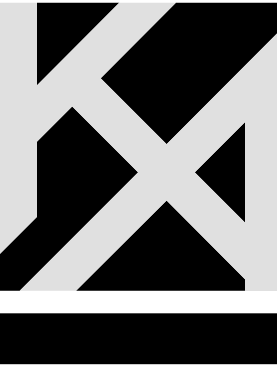
SC: 1/4" = 1'-0"
PLANS SUBJECT TO CHANGE

PROJECT:
McManus Residence

ADDRESS:
4143 Highcrest Dr.
Brighton, MI

KNAUSS ASSOCIATES, LLC
RESIDENTIAL DESIGN

HOWELL, MI
810-844-1851



BUILDER:
VISTAL HOMES
46870 Seven Mile Rd
Northville, MI
48176



DRAWING:
FOUNDATION PLAN

REVISIONS:

DATE:
4/27/2023

ISSUED FOR:
FINAL REVIEW

SHEET:

1 OF 5

GENERAL NOTES

- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REVIEWING THE CONSTRUCTION DOCUMENTS PRIOR TO CONSTRUCTION AND SHALL FIELD VERIFY ALL ASPECTS OF THE DOCUMENTS DURING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY AND USE FIGURED DIMENSIONS ONLY - DO NOT SCALE DRAWINGS FOR CONSTRUCTION. ANY CONFLICTS OR QUESTIONS THAT ARISE DUE TO THESE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER PRIOR TO CONSTRUCTION.
- UNLESS NOTED OTHERWISE, DIMENSIONS ARE FROM FINISHED WALL TO FINISHED WALL. NOMINAL DIMENSIONS ARE USED FOR MASONRY.
- SMOKE DETECTORS SHALL BE INSTALLED AS FOLLOWS:
 - IN ALL BEDROOMS AND VICINITIES OF BEDROOMS.
 - AT EACH STORY, INCLUDING BASEMENTS.
 - ALL SMOKE DETECTORS SHALL BE INTERCONNECTED, WITH BATTERY BACK-UP.
- ALL HAND RAILS SHALL HAVE MINIMUM AND MAXIMUM HEIGHTS OF 34" AND 38" RESPECTIVELY, AS MEASURED VERTICALLY FROM THE NOSING OF THE TREAD. HAND RAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF STAIRWAYS OR THREE (3) OR MORE RISERS AS PER SECTION R316.1
- PORCHES, BALCONIES, OR RAISED FLOOR SURFACES LOCATED MORE THAN 30" ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDRAILS NOT LESS THAN 36" IN HEIGHT. OPEN SIDES OF STAIRS WITH A TOTAL RISE OF MORE THAN 30" ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDRAILS NOT LESS THAN 34" IN HEIGHT MEASURED VERTICALLY FROM THE NOSING OF THE TREAD. ALL GUARDS SHALL BE IN STRICT ACCORDANCE WITH SECTION R316.1
- ALL STAIRWAYS SHALL BE IN STRICT ACCORDANCE WITH SECTION R314
- ALL STAIRWAY RISER HEIGHTS AND TREAD DEPTHS SHALL MEET SECTION R314 OF THE 2015 MRC. RISER HEIGHTS NOT TO EXCEED 8 1/4", AND MINIMUM TREAD DEPTH SHALL BE 9". ALL STAIR TREADS SHALL HAVE 1" NOSING.
- ALL EMERGENCY EGRESS BEDROOM WINDOWS SHALL HAVE A MINIMUM CLEAR SPAN OPENING OF 5.7 SF AND SHALL HAVE A MINIMUM SILL HEIGHT OF NOT MORE THAN 44" ABOVE FINISHED FLOOR. THE NET CLEAR OPENING SHALL BE 20" MINIMUM, AND HEIGHT NOT TO BE LESS THAN 24".

FIREBLOCKING & DRAFTSTOPPING

R302.11 FIREBLOCKING, IN COMBUSTIBLE CONSTRUCTION, SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND TO FORM AN EFFECTIVE FIRE BARRIER BETWEEN STORIES, AND BETWEEN A TOP STORY AND THE ROOF SPACE.

FIREBLOCKING SHALL BE PROVIDED IN WOOD-FRAME CONSTRUCTION IN THE FOLLOWING LOCATIONS:

- IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES AND PARALLEL ROWS OF STUDS OR STAGGERED STUDS, AS FOLLOWS:
 - VERTICALLY AT THE CEILING AND FLOOR LEVELS.
 - HORIZONTALLY AT INTERVALS NOT EXCEEDING 10 FEET (3048 MM).
- AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILING AND COVE CEILING.
- IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN, ENCLOSED SPACES UNDER STAIRS SHALL COMPLY WITH SECTION R302.7.
- AT OPENINGS AROUND VENTS, PIPES, DUCTS, CABLES AND WIRES AT CEILING AND FLOOR LEVEL, WITH AN APPROVED MATERIAL TO RESIST THE FREE PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION. THE MATERIAL FILLING THIS ANNULAR SPACE SHALL NOT BE REQUIRED TO MEET THE ASTM E 136 REQUIREMENTS.
- FOR THE FIREBLOCKING OF CHIMNEYS AND FIREPLACES, SEE SECTION R1003.19.

R302.12 DRAFTSTOPPING IN COMBUSTIBLE CONSTRUCTION WHERE THERE IS USABLE SPACE BOTH ABOVE AND BELOW THE CONCEALED SPACE OF A FLOOR/CEILING ASSEMBLY, DRAFTSTOPS SHALL BE INSTALLED SO THAT THE AREA OF THE CONCEALED SPACE DOES NOT EXCEED 1,000 SQUARE FEET (92.9 M²). DRAFTSTOPPING SHALL DIVIDE THE CONCEALED SPACE INTO APPROXIMATELY EQUAL AREAS. WHERE THE ASSEMBLY IS ENCLOSED BY A FLOOR MEMBRANE ABOVE AND A CEILING MEMBRANE BELOW, DRAFTSTOPPING SHALL BE PROVIDED IN FLOOR/CEILING ASSEMBLIES UNDER THE FOLLOWING CIRCUMSTANCES:

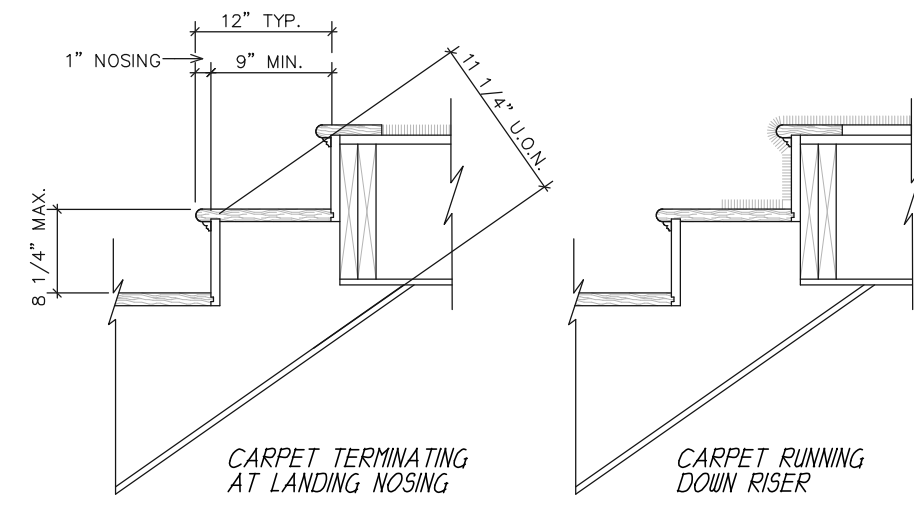
- CEILING IS SUSPENDED UNDER THE FLOOR FRAMING.
- FLOOR FRAMING IS CONSTRUCTED OF TRUSS-TYPE OPEN-WEB OR PERFORATED MEMBERS.

SQUARE FOOTAGE CALCULATIONS

First floor = 1962 sq ft
Screened Porch = 174 sq ft
Lower Level Finished = sq ft
Lower Level Unfinished = ... sq ft

CODES TO FOLLOW:

RESIDENTIAL: MICHIGAN RESIDENTIAL CODE 2015
 PLUMBING: MICHIGAN RESIDENTIAL CODE 2015
 MECHANICAL: MICHIGAN RESIDENTIAL CODE 2015
 ELECTRICAL: MICHIGAN RESIDENTIAL CODE 2015
 ENERGY: MICHIGAN ENERGY CODE



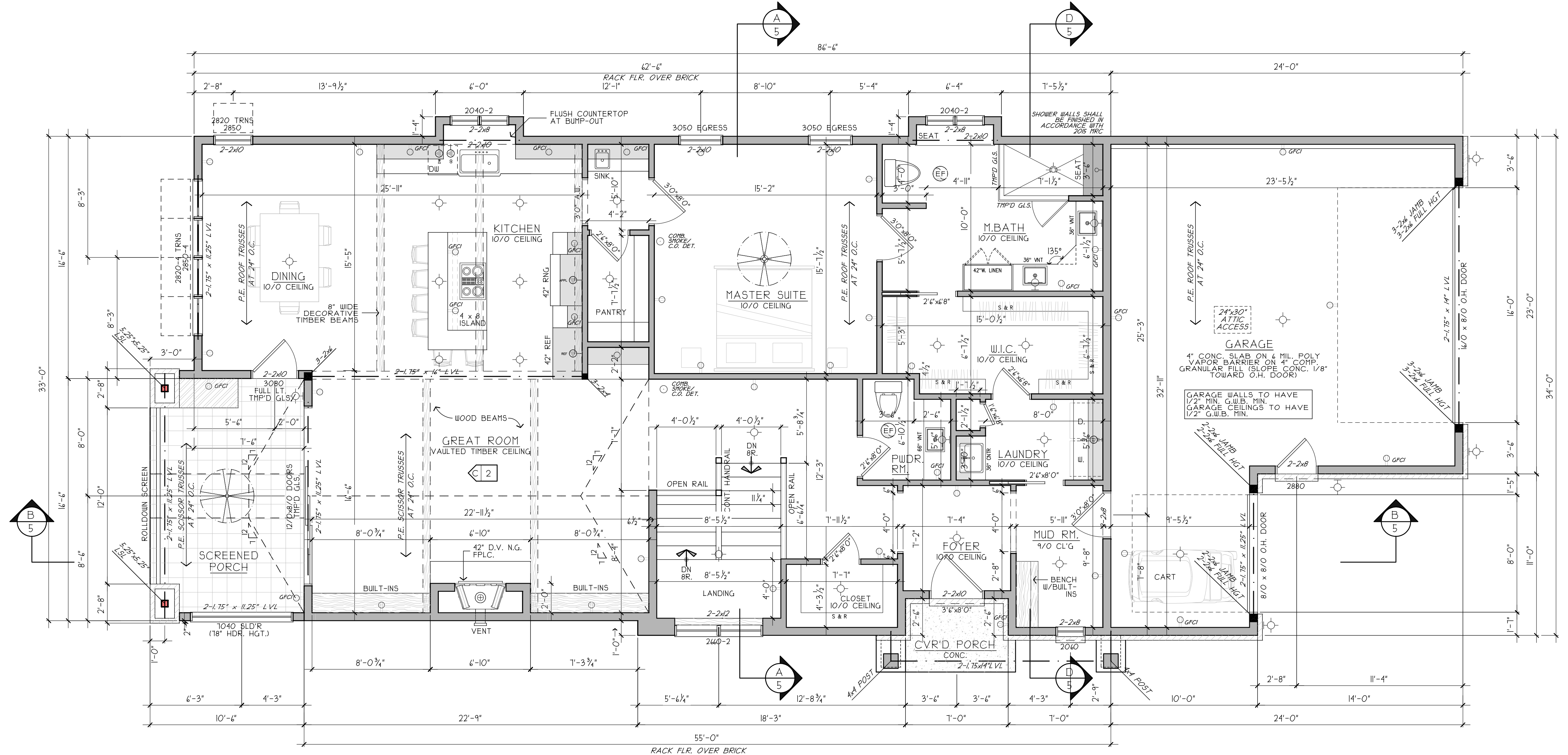
VERIFY ALL FLOOR MATERIALS AT STAIR & LANDINGS W/BUILDER PRIOR TO STAIR CONSTRUCTION

4 TYPICAL STAIR DETAIL

- SC: 3/4" = 1'-0" NOTE:
- 6'-8" MINIMUM HEADROOM FROM LEADING EDGE OF TREAD
 - HANDRAIL HGT. 34" - 38" (CONTINUOUS)
 - STAIRS AND HAND/GUARDRAILS TO MEET MRC R31 AND 32
 - PROVIDE FIREBLOCKING AT CONCEALED SPACES PER MRC R302.8

STRUCTURAL NOTES

- WOOD CONSTRUCTION SHALL BE PER THE AMERICAN INSTITUTE OF TIMBER CONSTRUCTION (A.I.T.C.) AND THE NATIONAL FOREST PRODUCTS ASSOCIATION (N.F.P.A.) STANDARDS AND SPECIFICATIONS.
- THE CUTTING AND NOTCHING OF RAFTERS AND STRUCTURAL ROOFING MEMBERS SHALL NOT EXCEED THE LIMITATIONS SPECIFIED IN SECTIONS R602.7.1 AND R602.7.2
- THE CUTTING AND NOTCHING ALL ALL STRUCTURAL FLOOR MEMBERS SHALL NOT EXCEED THE LIMITATIONS SPECIFIED IN SECTION R602.8.1 AND 502.8.2
- THE CUTTING AND NOTCHING OF EXTERIOR WALLS AND BEARING PARTITIONS MAY NOT EXCEED A DEPTH 25% OF ITS WIDTH. STUDS IN NON-BEARING PARTITIONS MAY BE NOTCHED TO A DEPTH NOT TO EXCEED 40% OF A SINGLE STUD WIDTH. ALL NOTCHING AND DRILLING SHALL BE DONE IN STRICT ACCORDANCE WITH SECTION R602.6 AND SECTION R602.1
- BASIC WIND SPEED = 90 M.P.H., II = 1.0 EXPOSURE B
- TYPICAL WIND DESIGN PRESSURE = 12 P.S.F.
- ENGINEERED WOOD PRODUCT SUPPLIER TO INCLUDE ALL NECESSARY FASTENERS, HANGERS AND CONNECTORS REQUIRED FOR FLOOR SYSTEM.
- ALL MICROLAM TO HAVE A MODULUS OF ELASTICITY OF 1.9 (1.9e) UNLESS NOTED OTHERWISE. DRAFTSTOPPING SHALL BE REQUIRED WHEN THERE IS USABLE SPACE BOTH ABOVE AND BELOW THE CONCEALED SPACE OF A FLOOR/CEILING ASSEMBLY AND AS PER SECTION R502.12
- DIMENSIONAL FRAMING LUMBER SHALL BE ANY OF THE FOLLOWING:
 - DOUGLAS FIR-LARCH NO.2 (Fb = 1,105) (E = 1,600,000)
 - HEM-FIR NO.2 (Fb = 1,075) (E = 1,300,000)
 - SPRUCE-PINE-FIR (S.P.F.) (Fb = 1,105) (E = 1,400,000)
 AS DESCRIBED BY THE AMERICAN FOREST AND PAPER ASSOCIATION (FORMERLY THE NATIONAL FOREST PRODUCTS ASSOCIATION).
- ALL WALLS OF 10'-0" AND GREATER UNBRACED (LATERAL SUPPORT) HEIGHT SHALL BE CONTINUOUS 2"x6" STUDS WITH BALLOON FRAME BRACING (MINIMUM 2"x6" AT 8'-0" O/C.
- PROVIDE CONTINUOUS ROWS OF BRIDGING AT FLOOR JOISTS AT 8'-0" MAX. SPACING.
- PROVIDE BLOCKING AT ALL AREAS WHERE FLOOR JOISTS REST ON SUPPORTS.



FIRST FLOOR PLAN

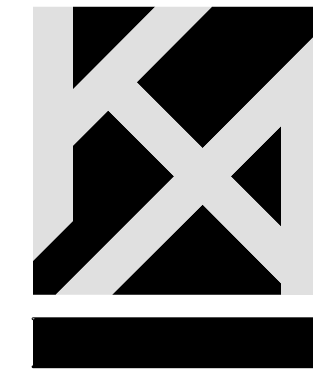
NOTE - ALL CEILINGS 10TH. UNO SC: 1/4" = 1'-0"

PROJECT:
McManus Residence

ADDRESS:
4143 Highcrest Dr.
Brighton, MI

KNAUSS
ASSOCIATES, LLC
RESIDENTIAL DESIGN

HOWELL, MI
810-844-1851



BUILDER:
VISTAL HOMES
46870 Seven Mile Rd
Northville, MI
48176



DRAWING:
FIRST FLOOR
PLAN

REVISIONS:

DATE:
4/27/2023
ISSUED FOR:
FINAL
REVIEW

SHEET:

2 OF 5

© 2021

PLANS SUBJECT TO CHANGE

PROPOSED VENT AREA:

VENT AREA RATIO 1:150
 ATTIC AREA = 4227 SQ.FT. (1/150)
 VENT AREA = 28 SQ.FT. x 144 = 4032 SQ.IN.
 50% SOFFIT AND 50% RIDGE = 2016 SQ.IN. EACH

VENT AREA PROVIDED @ RIDGE

CONTINUOUS RIDGE TYPE = 18 SQ.IN. PER FT. = 112 LIN. FT.
 LOUVER @ RIDGE TYPE = SQ.IN. EA. = UNITS
 GABLE END TYPE (TOTAL) SQ.IN.
 HOODED ROOF SURFACE VENTS = 144 SQ.IN. PER UNIT = X UNITS
 TOTAL VENTING AT RIDGE = 2016 SQ.IN.

VENT AREA PROVIDED @ SOFFIT

CONTINUOUS SOFFIT TYPE = 9 SQ.IN. PER FT. = 224 LIN. FT.
 LOUVER TYPE = SQ.IN. EA. = UNITS
 TOTAL VENTING AT SOFFIT = 2016 SQ.IN.

ALL 2 AND 3 PLY CRIDER TRUSSES MUST BE NAILED TOGETHER ACCORDING TO TRUSS SPECIFICATIONS.

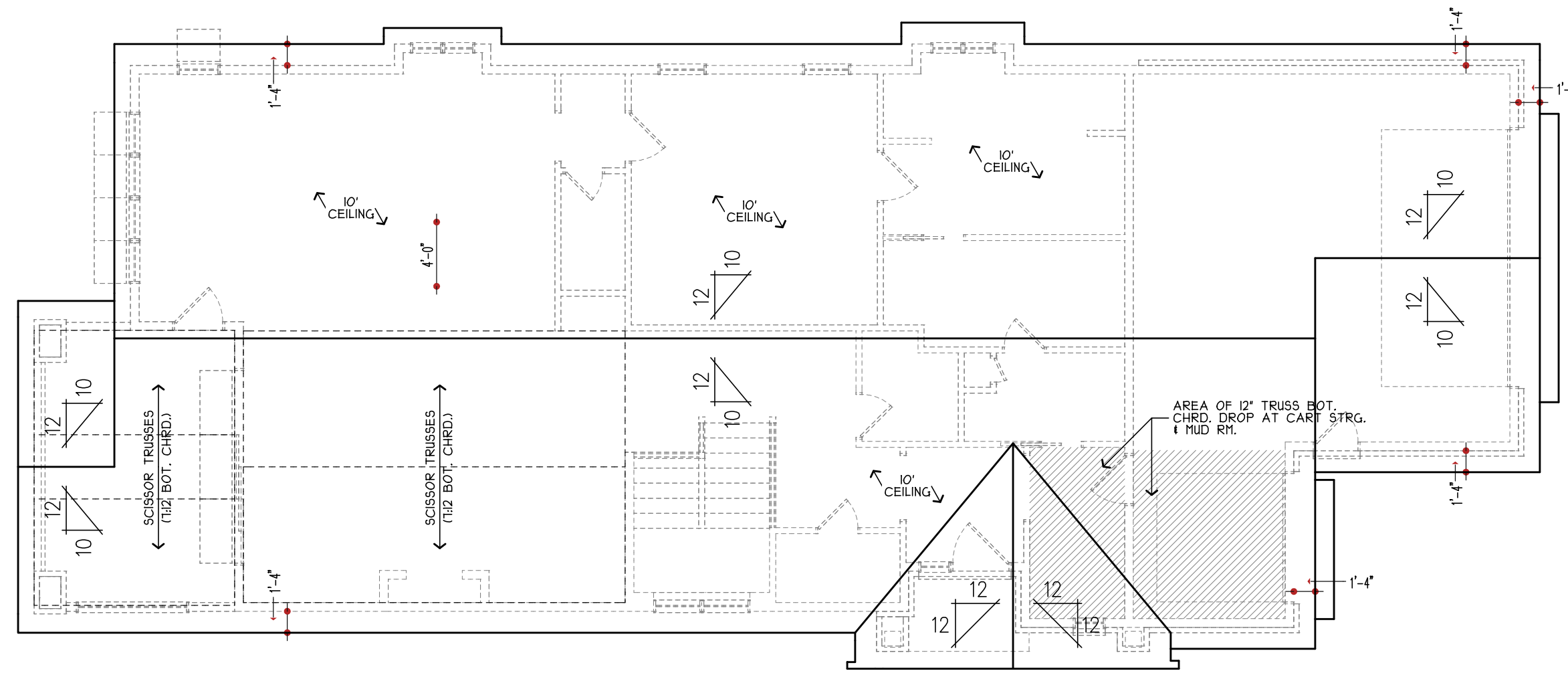
WEATHER-RESISTIVE SHEATHING PAPER, A MINIMUM OF ONE LAYER OF NO. 15 ASPHALT FELT COMPLYING WITH ASTM D 226, AS LISTED IN CHAPTER 43, FOR TYPE 1 FELT OR OTHER APPROVED WEATHER RESISTIVE MATERIAL SHALL BE APPLIED OVER SHEATHING OF ALL EXTERIOR WALLS.

TRUSS TO WALL CONNECTION, TRUSSES SHALL BE CONNECTED TO WALL PLATES BY THE USE OF APPROVED CONNECTORS HAVING A RESISTANCE TO UPLIFT OF NOT LESS THAN 175 POUNDS AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATIONS.
 ROOF COVERINGS

ICE PROTECTION REQUIRED 24" PAST INSIDE THE EXTERIOR WALL LINE OF BUILDING. 1 LAYER OF SELF-ADHERING POLYMER MODIFIED BITUMEN SHEET OR 2 LAYERS OF UNDERLAYMENT CEMENTED TOGETHER.

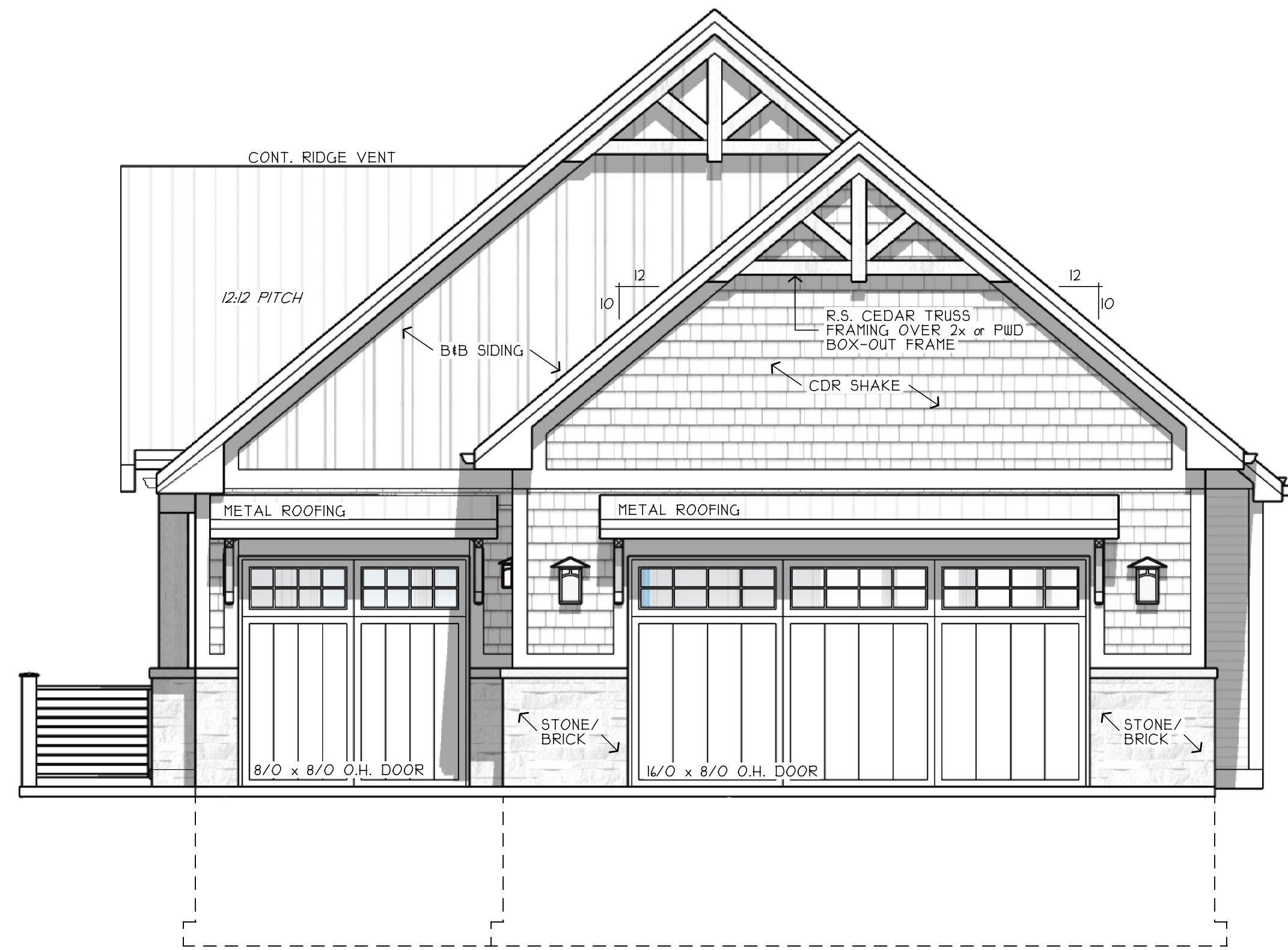
TRUSS & FRAMING SHOWN FOR REFERENCE ONLY

ROOF FRAMING CONTRACTOR IS SOLELY RESPONSIBLE FOR THE DESIGN, ENGINEERING, MANUFACTURING, AND SAFE CONSTRUCTION OF ROOF FRAMING MATERIALS TO ENSURE COMPLIANCE WITH ANY APPLICABLE CODE REQUIREMENTS REGARDING ALLOWABLE SPANS, ACCEPTABLE MATERIALS, AND BUILDING SAFETY.



ROOF PLAN

SC: 1/8" = 1'-0"



WEST ELEVATION

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

R312.2.1 - WINDOW SILLS, IN DWELLING UNITS, WHERE THE TOP OF THE SILL OF AN OPERABLE WINDOW OPENING IS LOCATED LESS THAN 24 INCHES (609 MM) ABOVE THE FINISHED FLOOR AND GREATER THAN 12 INCHES (305 MM) ABOVE THE FINISHED GRADE OR OTHER SURFACE BELOW ON THE EXTERIOR OF THE BUILDING, THE OPERABLE WINDOW SHALL COMPLY WITH ONE OF THE FOLLOWING: 1. OPERABLE WINDOWS WITH OPENINGS THAT WILL NOT ALLOW A 4-INCH DIAMETER (102 MM) SPHERE TO PASS THROUGH THE OPENING WHERE THE OPENING IS IN ITS LARGEST OPENED POSITION. 2. OPERABLE WINDOWS THAT ARE PROVIDED WITH WINDOW FALL PREVENTION DEVICES THAT COMPLY WITH ASTM F2090. 3. OPERABLE WINDOWS THAT ARE PROVIDED WITH WINDOW OPENING CONTROL DEVICES THAT COMPLY WITH SECTION R312.2.2.



NORTH ELEVATION

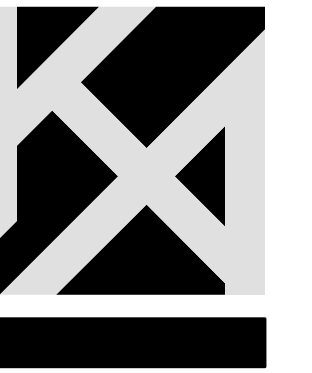
SC: 1/4" = 1'-0"

PROJECT:
McManus Residence

ADDRESS:
4143 Highcrest Dr.
Brighton, MI

KNAUSS ASSOCIATES, LLC
RESIDENTIAL DESIGN

HOWELL, MI
810-844-1851



BUILDER:
VISTAL HOMES
46870 Seven Mile Rd
Northville, MI
48176



DRAWING:
ELEVATIONS

REVISIONS:

DATE:
10/17/2022
ISSUED FOR:
FINAL REVIEW

SHEET:

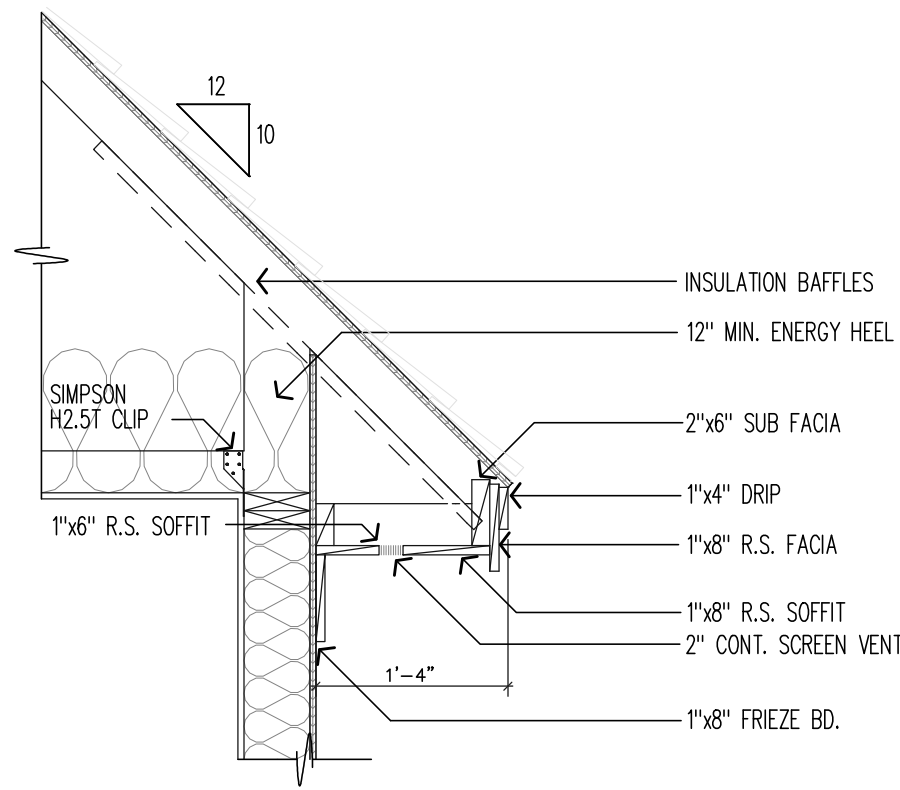
3 OF 5

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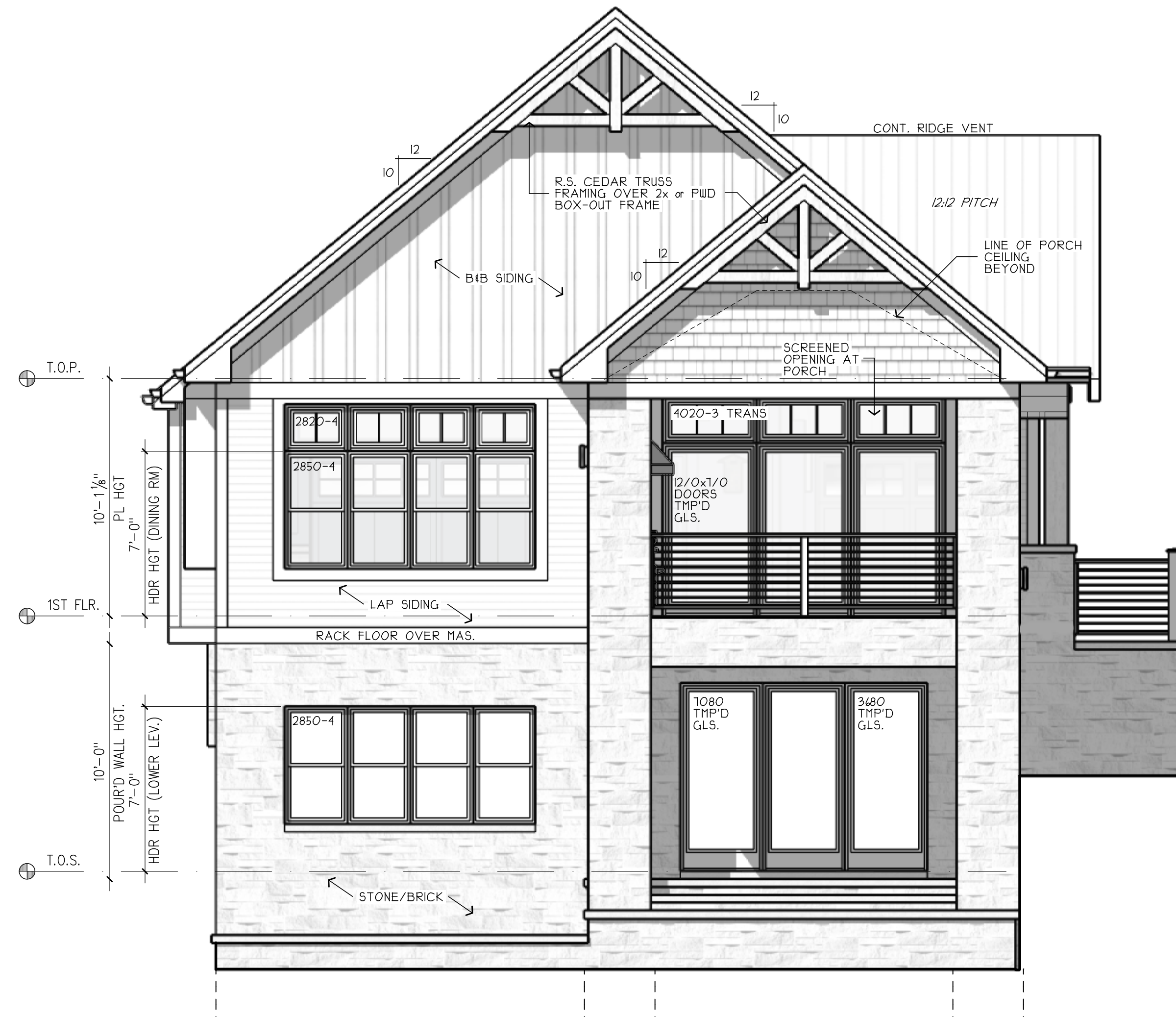
PLANS SUBJECT TO CHANGE

C:\Users\j00h\OneDrive\2021 drawings\McManus\10-11-22

R312.2.1 - WINDOW SILLS, IN DWELLING UNITS, WHERE THE TOP OF THE SILL OF AN OPERABLE WINDOW OPENING IS LOCATED LESS THAN 24 INCHES (60 MM) ABOVE THE FINISHED FLOOR AND GREATER THAN 12 INCHES (305 MM) ABOVE THE FINISHED GRADE OR OTHER SURFACE BELOW ON THE EXTERIOR OF THE BUILDING, THE OPERABLE WINDOW SHALL COMPLY WITH ONE OF THE FOLLOWING: 1. OPERABLE WINDOWS WITH OPENINGS THAT WILL NOT ALLOW A 4-INCH DIAMETER (102 MM) SPHERE TO PASS THROUGH THE OPENING WHERE THE OPENING IS IN ITS LARGEST OPENED POSITION. 2. OPERABLE WINDOWS THAT ARE PROVIDED WITH WINDOW FALL PREVENTION DEVICES THAT COMPLY WITH ASTM F2090. 3. OPERABLE WINDOWS THAT ARE PROVIDED WITH WINDOW OPENING CONTROL DEVICES THAT COMPLY WITH SECTION R312.2.2.



A TYPICAL EAVE DETAIL
SC: 3/4" = 1'-0"



EAST ELEVATION

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



SOUTH ELEVATION

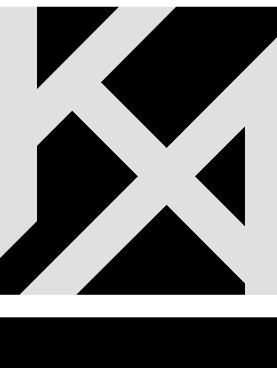
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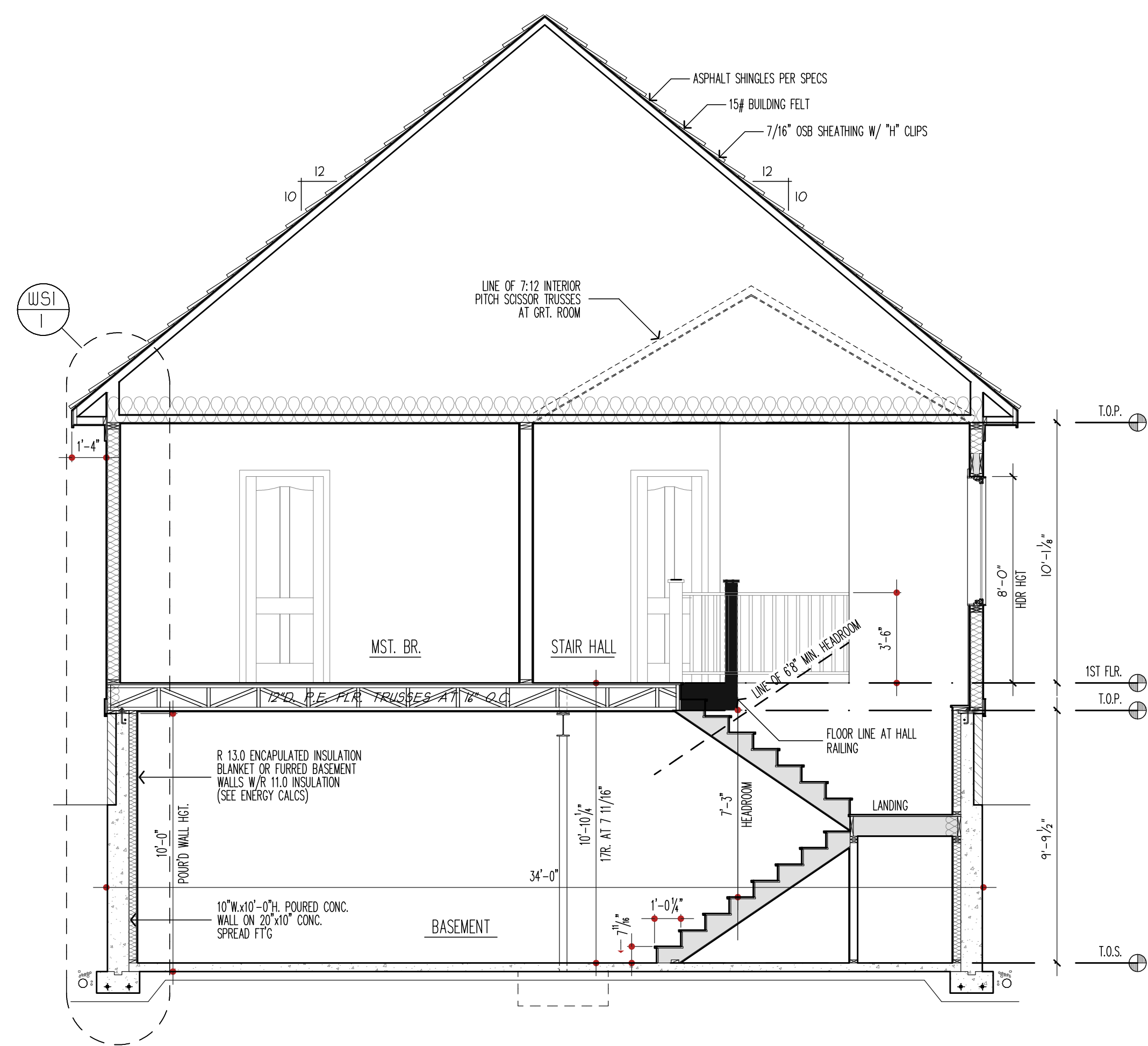
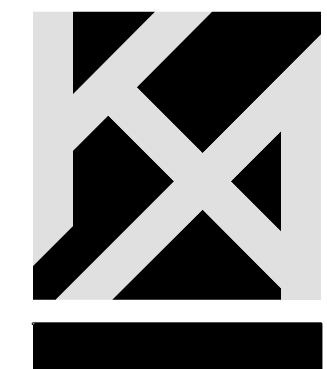
DRAWING:
ELEVATIONS

REVISIONS:

DATE:
10/17/2022
ISSUED FOR:
FINAL REVIEW

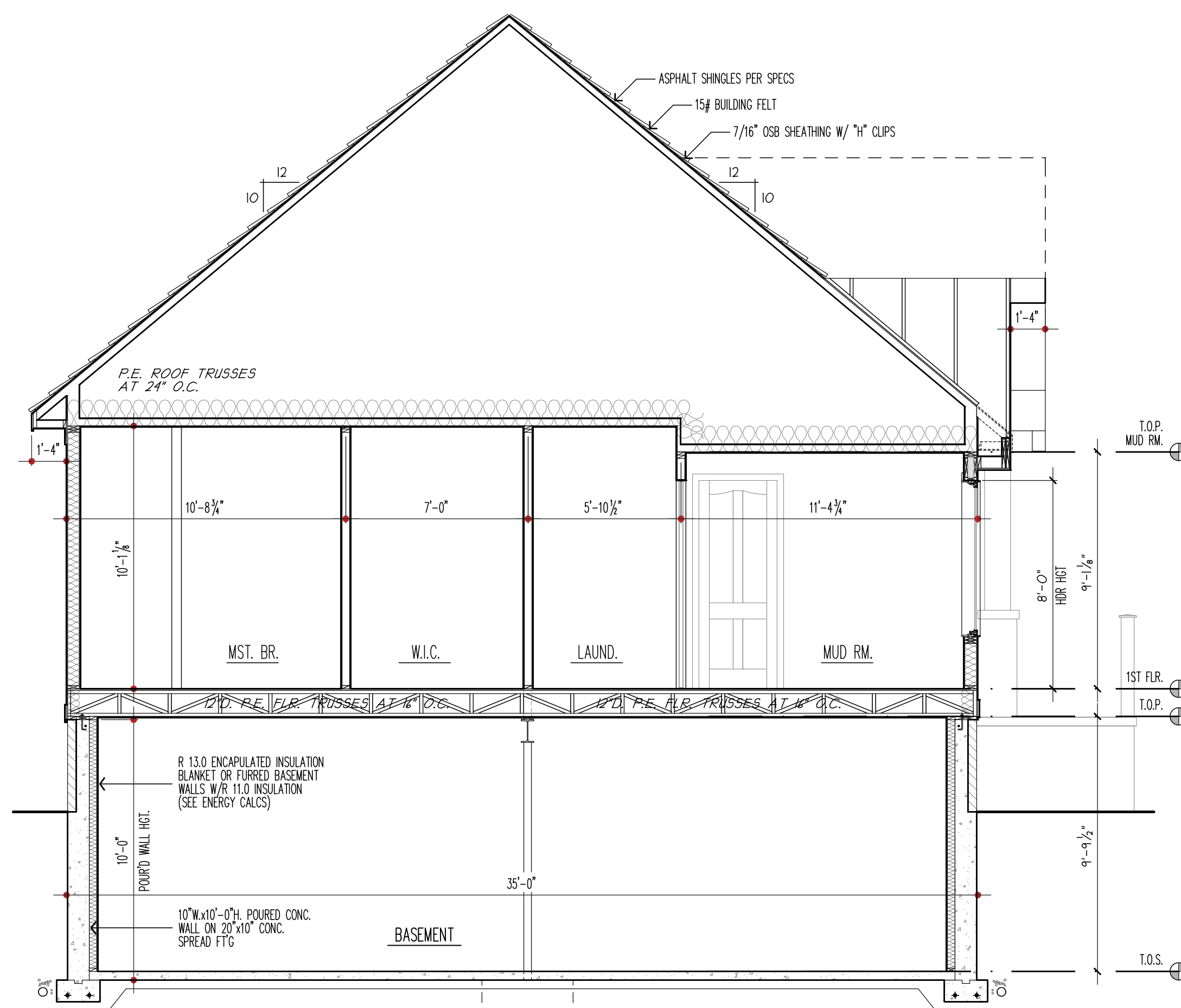
SHEET:

4 OF 5



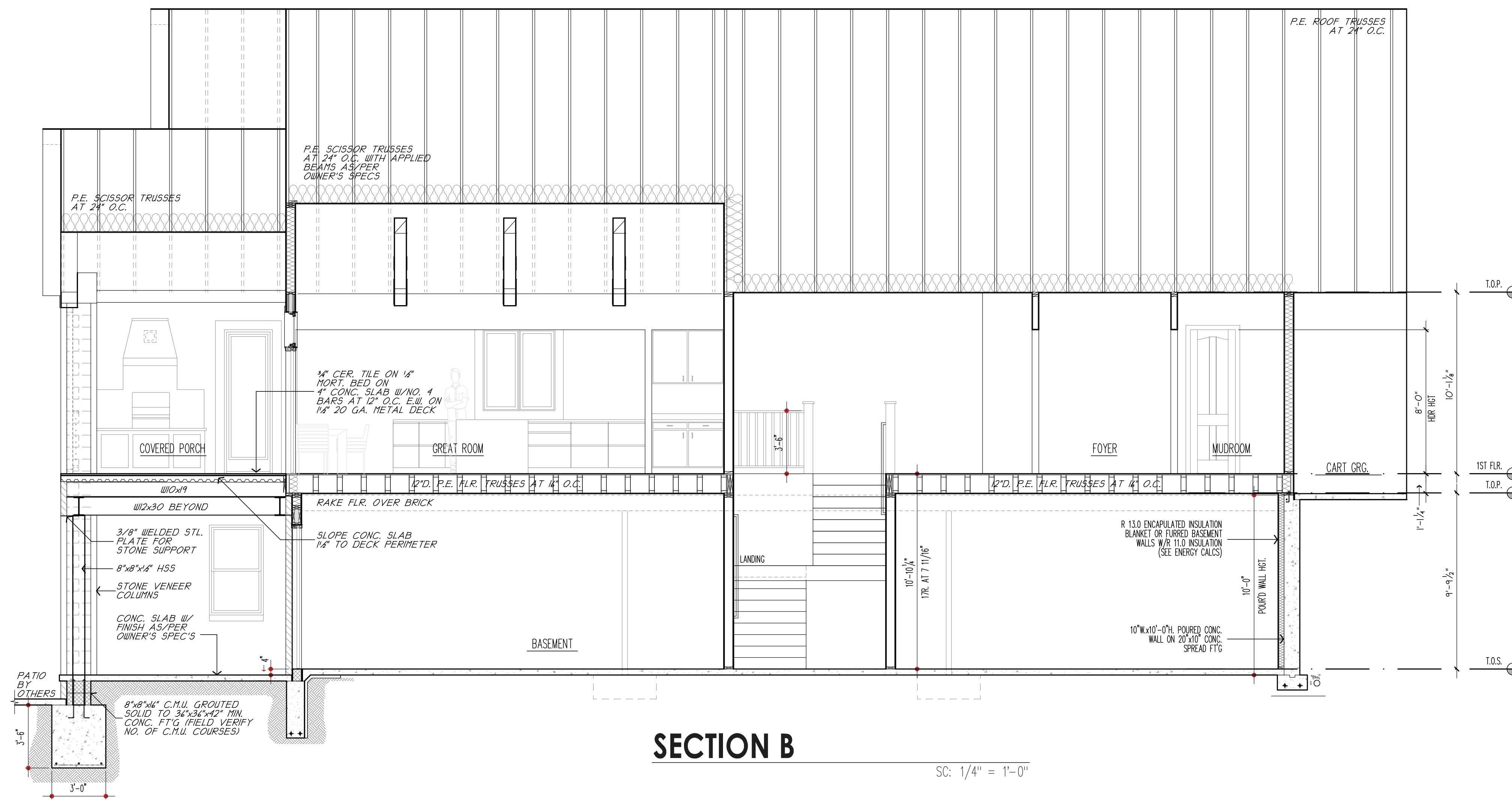
SECTION A

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



SECTION D

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



SECTION B

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

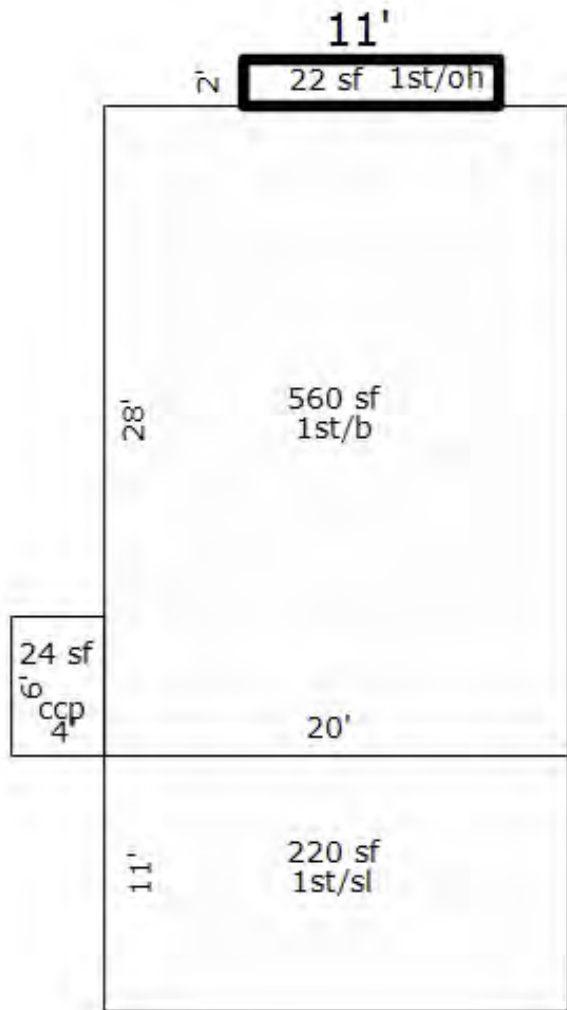
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.															
FURLAGE DOROTHY, BAUMGARTNER	MCMANUS DAVID & SIBREY	177,500	12/04/2020	WD	03-ARM'S LENGTH	2020R-045637	BUYER/SELLER	100.0															
BAUMGARTNER ELINOR LIFE ES	FURLAGE DOROTHY, BAUMGARTNER	0	03/24/2010	OTH	21-NOT USED/OTHER		BUYER/SELLER	100.0															
BAUMGARTNER, ELINOR	BAUMGARTNER ELINOR LIFE ES	0	03/26/2009	QC	21-NOT USED/OTHER	2009R-016025	BUYER/SELLER	0.0															
BAUMGARTNER, DONALD T		0	03/18/1994	OTH	21-NOT USED/OTHER	18210594	BUYER/SELLER	0.0															
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status													
4143 HIGHCREST DR		School: BRIGHTON AREA SCHOOLS		Demolition		05/04/2022		PW22-060															
Owner's Name/Address		P.R.E. 0%		MAP #: V23-20		2024 Est TCV Tentative																	
MCMANUS DAVID & SIBREY 22297 HAZELTON CT NOVI MI 48374-3880		X Improved		Vacant		Land Value Estimates for Land Table 4310. ROUND LAKE																	
Tax Description		Public Improvements		* Factors *																			
SEC. 27 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 127		X		Dirt Road		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value			
Comments/Influences		X		Gravel Road		A ROUND LAKE LF		45.00		157.00		1.0000		1.0000		2700		100		121,500			
		X		Paved Road		45 Actual Front Feet,		0.16 Total Acres		Total Est. Land Value =										121,500			
		X		Storm Sewer																			
		X		Sidewalk																			
		X		Water Sewer																			
		X		Electric																			
		X		Gas																			
		X		Curb																			
		X		Street Lights																			
		X		Standard Utilities																			
		X		Underground Utils.																			
		X		Topography of Site																			
		X		Level																			
		X		Rolling																			
		X		Low																			
		X		High																			
		X		Landscaped																			
		X		Swamp																			
		X		Wooded																			
		X		Pond																			
		X		Waterfront																			
		X		Ravine																			
		X		Wetland																			
		X		Flood Plain																			
		X		REFUSE																			
4711-22-302-139		10/24/2022		Who		When		What		2024		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
The Equalizer. Copyright (c) 1999 - 2009.		JB		10/24/2022		INSPECTED		2023		60,800		47,200		108,000								108,000S	
Licensed To: Township of Genoa, County of Livingston, Michigan		JB		12/08/2020		SALES REVI		2022		60,800		42,400		103,200								103,200S	
		CG		07/28/2016		REVIEWED R		2021		67,500		38,100		105,600								105,600S	



*** 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	24	CCP (1 Story)	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
X	Wood Frame	(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 1945	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														
		No./Qual. of Fixtures			Ex.	X	Ord.		Min										
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	(6) Ceilings			No. of Elec. Outlets			Many	X	Ave.		Few							
(2) Windows		(7) Excavation			(13) Plumbing														
		Basement: 560 S.F. Crawl: 0 S.F. Slab: 220 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														
X	Many Avg. Few	X	Large Avg. Small	(8) Basement			(14) Water/Sewer												
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic														
(3) Roof		(9) Basement Finish			Lump Sum Items:														
X	Gable Hip Flat		Gambrel Mansard Shed	1 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			Joists: Unsupported Len: Cntr.Sup:														
Chimney: Brick																			

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



2 BEDROOMS
1 FULL BATH
GRAVEL DW - N/V

New 2023 Tax Roll
Demo



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

Case # 23-21 Meeting Date: 6-20-23

PAID Variance Application Fee

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

Applicant/Owner: Tiffany & Chris Trotter Email: Teamtrotter@yahoo.com

Property Address: 2621 Spring Grove Dr. Phone: 248 755-1564

Present Zoning: _____ Tax Code: 4711-24-200-049

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: (please refer to attached letter)

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.


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.

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.

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.

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: 5-16-2013 Signature: 

To Whom It May Concern:

May 16, 2023

Greetings ZBA members, my name is Tiffany Trotter. I am requesting a zero variance for a construction project that took place at 2621 Spring Grove Drive. Unfortunately, my husband and I had a pandemic builder that took advantage of us during a vulnerable time in our country. He led us to believe he had a good work ethic and integrity. When the pole barn was constructed, we were under the impression that everything was in order. We were unaware he had not filed the proper paperwork. Once built, we were contacted by Genoa Township. They informed us that the appropriate paperwork had not been filed. We spoke with our builder and he provided us with the information to put on the paperwork submitted. We had no idea that he misrepresented the information he gave us. The property line dispute was brought to our attention once our new neighbors made us aware. After this, we contacted our builder and told him about the situation. We questioned how he could have made that mistake since we had Boss Engineering come out and mark the boundary lines. Following that conversation, we have not been able to reach him. Sharon has been helping my husband figure out the next steps. We realize that we hired an unfit person to do the job. We currently hired Harris Brothers Building Company. Sharon has been in communication with Harris Brothers Building Company, and they are dedicated, to helping us resolve this issue. We are requesting a zero variance so that Harris Brothers can modify the pole barn. The topography on the property line is forestry with a drop-off. We are asking for compassion as neighbors within this community. We have never avoided conversations with the township or our surrounding neighbors. Our neighbors know us to be mannerable, respectful, and helpful. The granting of this variance will not infringe on our neighbors. Due to the topography and extraordinary circumstance surrounding this issue, we hope to resolve this.

Sincerely,

The Trotter's



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 15, 2023

RE: ZBA 23-21

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

STAFF REPORT

File Number: ZBA# 23-21
Site Address: 2621 Spring Grove, Brighton 48114
Parcel Number: 4711-24-200-049
Parcel Size: 2.410 Acres
Applicant: Trotter, Christopher and Tiffany
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a front yard setback variance to allow an existing detached accessory to be moved to the correct property line.

Zoning and Existing Use: LDR (Low Density Residential) Single Family Dwelling is located on the property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday June 4th, 2023 and 300-foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

Background

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

- Per assessing records the existing home on the parcel was constructed in 1991.
- In 1996, a land use permit was issued for an addition to the existing home.
- In 2010, a land use waiver was issued for a new roof on the home.
- In 2021, a variance was granted for the detached accessory structure to remain in the front yard 10 feet from the property line. (See attached)
- In 2021, a land use permit was issued for the detached accessory per ZBA approval.
- The parcel is serviced by private water and private sewer
- See Assessing Record Card

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Kelly VanMarter

Summary

In 2021, staff discovered that the existing detached accessory structure was constructed without a land use permit or a building permit. Applicant was granted a variance to allow the structure to remain in the front yard and be located 10 feet from the property line with a condition that the existing shed be removed. Applicant received a land use permit and building permit. To this day, the shed remains.

Applicant was notified in early April of 2022 that the detached accessory structure, fence and shed was on the neighbor's property and not 10 feet from the front property line as the applicant stated when applying for his variance and land use permit. Instead of moving the structure from the neighbor's property, the applicant is now seeking a variance to move the structure to a zero-lot line setback.

Please see attached code enforcement correspondence attached. The property owner appears to be disingenuous with their reasonings for requiring either variance. Please see the attached 2021 variance application and minutes from the October 19, 2021 ZBA meeting.

Variance Requests

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

11.04.02 Accessory Buildings

(a) Restrictions in Front Yard: Detached accessory buildings shall not be erected in any front yard, except as follows:

(1) Waterfront lots in the Lakeshore Resort Residential District, provided the front setback is not less than ten (10) feet.

(2) Lots of at least five (5) acres in the AG or CE District when the front setback is equal to or greater than the average setback of established buildings on adjoining lots or seventy-five (75) feet, whichever is greater, as determined by the Zoning Administrator. If both of the adjacent lots are undeveloped, then front yard accessory buildings are permitted with a minimum front yard setback of two hundred (200) feet.

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

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

(a) Practical Difficulty/Substantial Justice –Strict compliance with the zoning ordinance would prevent the applicant from keeping the detached accessory structure since the structure is not located in the previously approved location of 10 feet from the property line. Detached accessory structures are common in this area and the granting the previously approved variance of 10 feet did provide substantial justice and was necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district. However, staff finds that the request for a zero-lot line setback is not necessary to provide substantial justice and is not necessary for the preservation and enjoyment of a property right to that processed by other properties in the same zoning district.

(b) Extraordinary Circumstances – The extraordinary or exceptional conditions of the property is the location of the existing single-family home, the irregular shape of the lot, location of well and septic field and topography of the lot. Unlike the previous variance request, staff finds that the need for the variance is self-created due to the property owner not properly identifying the correct location of the front property line.

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

(d) Impact on Surrounding Neighborhood – The proposed variance could have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood due to the location of the structure located on the property line in an area of larger lots.

If recommended for Denial, staff offers the following:

1. Detached accessory structures must be removed or moved to the previously approved location within 60 days.
2. Shed and fence (if fence has not been removed already) must be removed within 10 days of denial. No exceptions due to the property owner has been given ample time to remove the structure.
3. A land use permit must be applied for within 5 days of denial for the relocation or removal of the detached accessory structure and the removal of the shed.
4. If the detached accessory structure is relocated to the previously approved location, applicant must obtain a sealed as-built by a certified engineer and submit to the Township prior to Certificate of Occupancy.
5. If the following conditions are not adhered to then enforcement will commence with the issuance of civil fines.

If recommended for Approval, staff offers the following:

1. Detached accessory structures must be removed or moved to the previously approved location within 60 days from approval.
2. Shed and fence (if fence has not been removed already) must be removed within 10 days of approval. No exceptions due to the property owner has been given ample time to remove the structure.
3. A land use permit must be applied for within 5 days of approval for the relocation or removal of the detached accessory structure and the removal of the shed.
4. If the detached accessory structure is relocated to the previously approved location, applicant must obtain a sealed as-built by a certified engineer and submit to the Township prior to Certificate of Occupancy.
5. If the following conditions are not adhered to then enforcement will commence with the issuance of civil fines.



Genoa Township

2911 Dorr Road, Brighton, Michigan 48116
 Phone: 810.227.5225 Fax: 810.227.3420 www.genoa.org

Planning & Zoning

P21-216

Issued: 10/25/2021
 Expires: 10/25/2022

Residential Land Use

Detached Accessory

LOCATION	OWNER	APPLICANT
2621 SPRING GROVE DR 4711-24-200-049 Zoning: LDR	TROTTER CHRISTOPHER & TIFFANY 2621 SPRING GROVE DR BRIGHTON MI 48114-9448 Phone: E-mail:	TROTTER CHRISTOPHER & TIFFANY 2621 SPRING GROVE DR BRIGHTON MI 48114-9448 Phone: E-mail:

Work Description: Obtain a land use permit for a 960 sq. ft. pole barn that was constructed without permits.
 ZBA Case #21-21

10/31/22
 Letters from Trotter and neighbors attorney are attached to this record.
 Letter of intent from contractor for spring of 2023 is also attached.

PROJECT INFORMATION:

Front Setback: 50 Side Setback: 180 Water/Wetland:
 Least Side Setback: 30 Rear Setback: 160 Distance from Principal Structure:
 Construction Value: \$12,000.00 Height: Total Square Feet: 01
 ZBA Approval: 10/19/2021

Comments/Conditions:	Flood Plain: N/A
Per ZBA approval from the 10-19-21 Meeting:	
1. The structure must be guttered with downspouts.	
2. Section 03.03.02 Home Occupations of the Zoning Ordinance must be followed.	
3. Must obtain a land use permit and a building permit from the Livingston County Building Department within 10 days.	
4. The second detached accessory on the property in the front yard also, must be removed within 30 days.(shed)	
5. The detached accessory structure or roof (lean to) cannot be enlarged.	
6. If any business equipment or personal equipment (trucks, trailers, etc.) are stored on the lot, they must be brought into conformance with the Township ordinance prior to land use permit issuance.	
7. The paved area that is located in the easement shall not contain any vehicles or equipment that would cause the adjacent property owner to not be able to access their property.	

Permit Item	Permit Fee	Fee Basis	Item Total
Accessory Building	Permit Fee	1.00	50.00
		Fee Total:	\$50.00
		Amount Paid:	\$50.00
		Balance Due:	\$0.00

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
October 19, 2021 - 6:30 PM**

MINUTES

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

Pledge of Allegiance: The Pledge of Allegiance was recited.

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

Approval of the Agenda:

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

Call to the Public:

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

1. 21-21...A request by Christopher Trotter, 2621 Spring Grove, for a variance to allow an existing detached accessory structure in the front yard.

Mr. Trotter stated he is requesting a variance for a pole barn that he has already erected. He was not aware that he needed a permit for the pole barn. It has been up for approximately three months. There is no flat land on his property. He noted that two of his neighbors submitted letters stating they do not have any objection to the pole barn. It is not an eyesore. It is brown so he believes it blends in with the woods. There are only three houses surrounding him.

Board Member McCreary questioned who maintains the roadway for the three homes. He stated he maintains it. There is a maintenance agreement between the homeowners on the road. She asked if the neighbor has experienced any runoff since the barn has been built. Mr. Trotter stated the neighbor has not any issues.

Board Member Kreutzberg asked if any dirt had to be brought in. Mr. Trotter stated they brought in a little bit of dirt.

Genoa Township Zoning Board of Appeals Meeting
October 19, 2021
Approved Minutes

Chairman Rassel asked if there have been other variances for front yard structures in this area. Ms. Ruthig stated one of the residents on Spring Grove was granted a variance last year for the same request.

The call to the public was made at 6:42 pm.

Mr. Robert Legowsky of 2627 Spring Grove stated that Mr. Trotter put in an asphalt pad inside the easement and sometimes his vehicles are parked on this pad that blocks his driveway so he cannot get access.

The call to the public was closed at 6:44 pm.

Ms. Ruthig advised the applicant that his vehicles cannot be parked on the easement portion of the cul-de-sac. After a brief discussion between the Board, the applicant, and Mr. Legowsky, Mr. Trotter agreed to no longer park his vehicles on the pad. Both the applicant and Mr. Legowsky agreed that the asphalt pad was placed inside the easement.

Chairman Rassel stated that two letters of support were received from the neighbors.

Ms. Ruthig stated there is also a second 8 x 8 accessory structure that is not allowed in the front yard. The variance is not being requested for this item so it must be removed.

Moved by Board Member McCreary, seconded by Board Member Kreutzberg, to approve Case #21-21 for the property located at 2621 Spring Grove, Brighton to construct a detached accessory structure in the front yard, based on the following findings of fact:

- Strict application of Ordinance Section 11.04.04(c) would prevent the applicant from erecting an accessory structure in the front yard. The applicant has constructed the existing pole barn without permits and is requesting a variance that is required procedurally through the ZBA. Granting a variance would provide substantial justice and is necessary for the preservation and enjoyment of substantial rights possessed by other property owners in the same zoning district and location of the subject property. Detached accessories are common in this area.
- The property presents a challenge based on the shape of the lot, the extreme variation of topography, and the location of well and septic. There is no other location for an outbuilding, other than where the structure sits currently. The need for this variance is not self-created in regard to the placement. The request for the variance is not self-created given the limited space available for an outbuilding. Township Staff does not consider the need for the variance to be self-created despite the fact that the structure was built without permits.
- The granting of the variance will not impair an adequate supply of light and air to the adjacent properties or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

- The proposed variance would have limited impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This request is conditioned upon the following:

1. The structure must be guttered with downspouts.
2. Section 03.03.02 Home Occupations of the Zoning Ordinance must be followed.
3. Must obtain a land use permit and a building permit from the Livingston County Building Department within 10 days.
4. The second detached accessory on the property in the front yard also, must be removed within 30 days.
5. The detached accessory structure or roof (lean to) cannot be enlarged.
6. If any business equipment or personal equipment (trucks, trailers, etc.) are stored on the lot, they must be brought into conformance with the Township ordinance prior to land use permit issuance.
7. The paved area that is located in the easement shall not contain any vehicles or equipment that would cause the adjacent property owner to not be able to access their property.

The motion carried unanimously.

2. 21-22...A request by Gary and Jan Letkemann, 1146 Sunrise Park, for a variance to split property into two non-conforming lots.

Mr. and Mrs. Letkemann were present. Mr. Letkemann stated they have a home at 1185 Sunrise Park. They purchased 1146 Sunrise Park and currently his son and granddaughter live there. They would like to split the property to build a house for their other son and his family to live. They will build this home in compliance with the setbacks and will not be seeking any other variances. He does not believe it would adversely affect the neighbors or the roadway.

Board Member McCreary noted there is a sharp curve to the north of the existing home's driveway. Mr. Letkemann stated the new home's driveway would come off of Boulevard Drive and not Sunrise Park.

The call to the public was made at 7:18 pm with no response.

Moved by Board Member Ledford, seconded by Board Member Rockwell, to approve Case #21-22 for 1146 Sunrise Park Drive for petitioners Gary and Jan Letkemann for a variance to split Parcel #4711-09-201-163 into two non-conforming parcels; namely Lot #151 and part of Lot #152 and Lot #153 and Part of Lot #152, being requested from Genoa Township Zoning Ordinance Section 3.04.01, based on the following findings of fact:

- Strict compliance with the ordinance would prevent the applicants from splitting the parcel. The variance requested appears to be the least necessary to provide substantial justice and granting of the variance is necessary for the preservation and enjoyment of the property. There are multiple properties in the immediate vicinity that are non-conforming parcels.



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

Case # 21-21 Meeting Date: 10-19-21 @ 6:30

PAID Variance Application Fee

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

Applicant/Owner: Christopher Trotter Email: Teamtrotter@yahoo.com
Property Address: 2621 Spring Grove Phone: 248 755-6390
Present Zoning: LDR Tax Code: 11-24-200-049

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

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

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

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

Please explain the proposed variance below:

1. Variance requested/intended property modifications: I humbly request board approval to be granted for a detached accessory pde barn. I did not realize I needed a permit for this type of structure. My learning disability affects my understanding of what some people may find common sense. I am prepared to work diligently with the board to resolve this.

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 property sets at high elevation surrounded by drop-offs and uneven land. There is limited flat land.

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 drop-offs and uneven grounds the site for the pole barn was chosen on the only available flat land on the property.

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

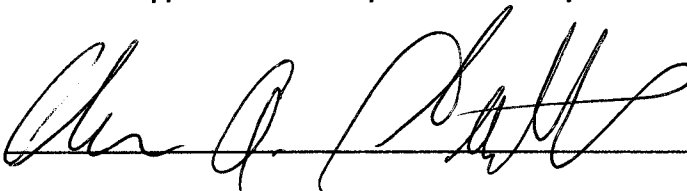
No impact

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

No impact

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

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

Date: 9-3-2021 Signature: 

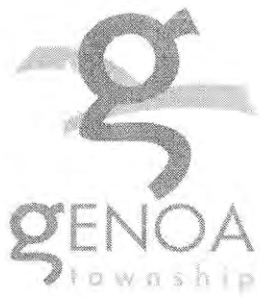
2621 Spring Grove	yes	Chris Trotter	called Chris 8/19 248-755-6390 about not getting shed down per ZBA requirement. He wants to keep it and go back to ZBA said he had till 9/20 to submit or I would start issuing tickets. Have letter from Harris building that shed would be moved in spring 2023. Chris Trotter <cttreeservice01@gmail.com>
2621 Spring Grove	yes	Chris Trotter	wrote letter 8/31 to have ZBA approved shed moved off neighbor's property along with fence and another shed removed. Gave till 9/9 to have timeline. Cannot work out split with neighbor so gave till 9/30 to have timeline in place to get barn moved. Left voicemail 9/10. Mr. Trotter needed more time to get a contractor in place gave till 10/31 to have in place. Received letter from Harris building that they will move shed in early spring 2023. Letter is attached to permit p21-216. Chris Trotter <cttreeservice01@gmail.com>

From: [Thomas Dougan](#)
To: [Amy Ruthig](#)
Subject: 2601 spring survey
Date: Monday, August 22, 2022 5:10:40 PM
Attachments: [22065_SV1-2022-03-22 \(1\).pdf](#)

Hello Amy,

Thank you for the chat now, attached is the survey of my property that shows the shed and the pole barn are over my property line. You have my email and my phone number is 734 718 3451. Please let me know what the township says, but given all the information I have I will be requesting all the stuff the Trotters have over my property line to be removed.

Regards,
Tom Dougan



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

August 31, 2022

Mr. & Mrs. Trotter
2621 Spring Grove Dr
Brighton, MI 48114

Mr. & Mrs. Trotter

It has been brought to Genoa Townships attention by the neighbor's survey that the new accessory structure that was granted a ZBA Variance was not built 30 feet from the property line as indicated in the ZBA approval and is on the neighbor's property.

Also, as you can see by the survey your fence is also on the neighbor's property.

At this time Genoa Township will require you to remove the accessory structure and fence from the neighbor's property and place it according to the ZBA approved distance. Also, the second accessory structure will need to be removed in accordance with the ZBA approval.

Please contact Genoa Township by September 9, 2022 with a timeline to make the following corrections.

Sincerely,
Sharon Stone
Code Compliance
Genoa Township

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

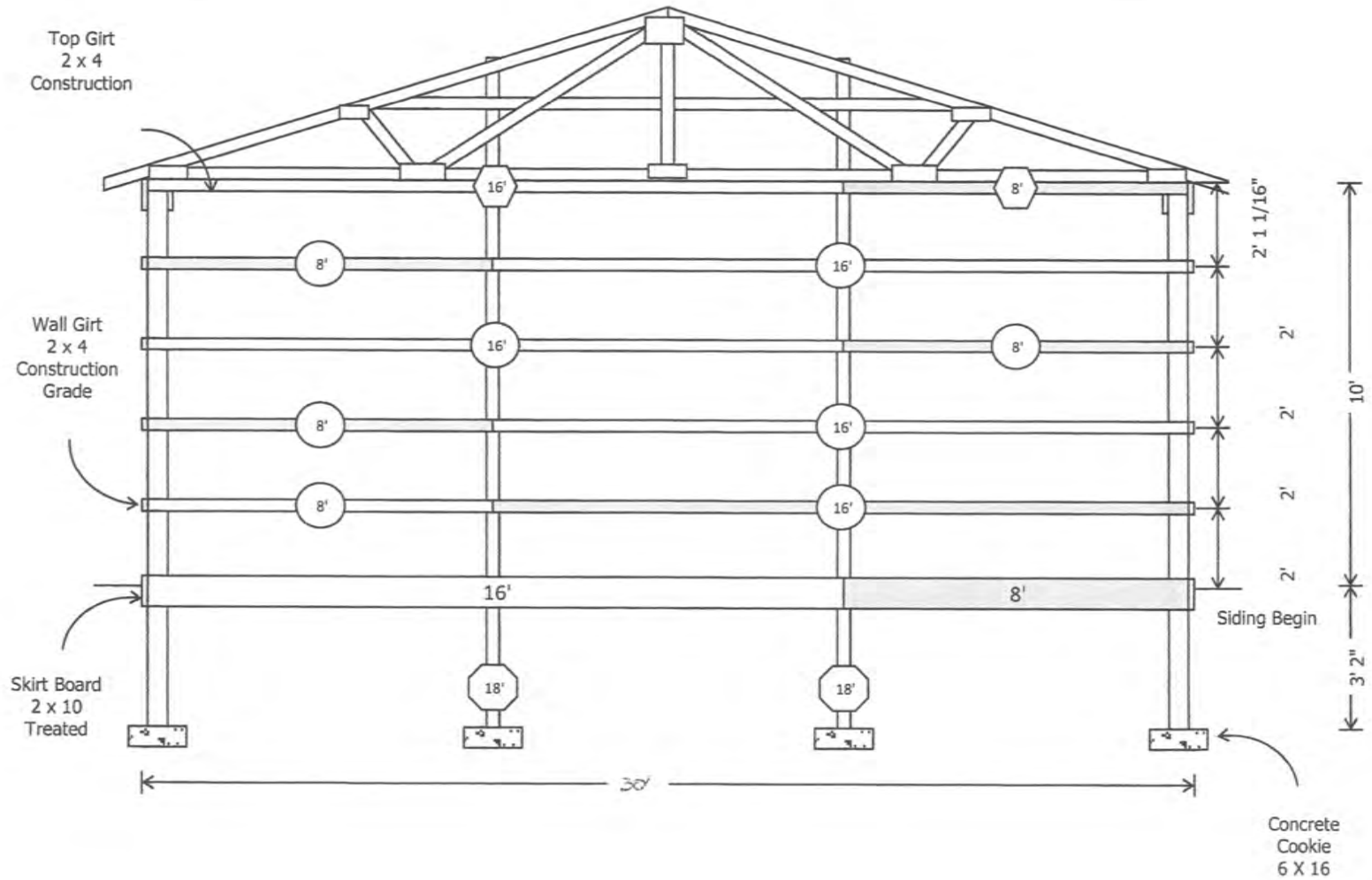
Diana Lowe

MANAGER

Michael C. Archinal



Forestry
Drop off along boundary line



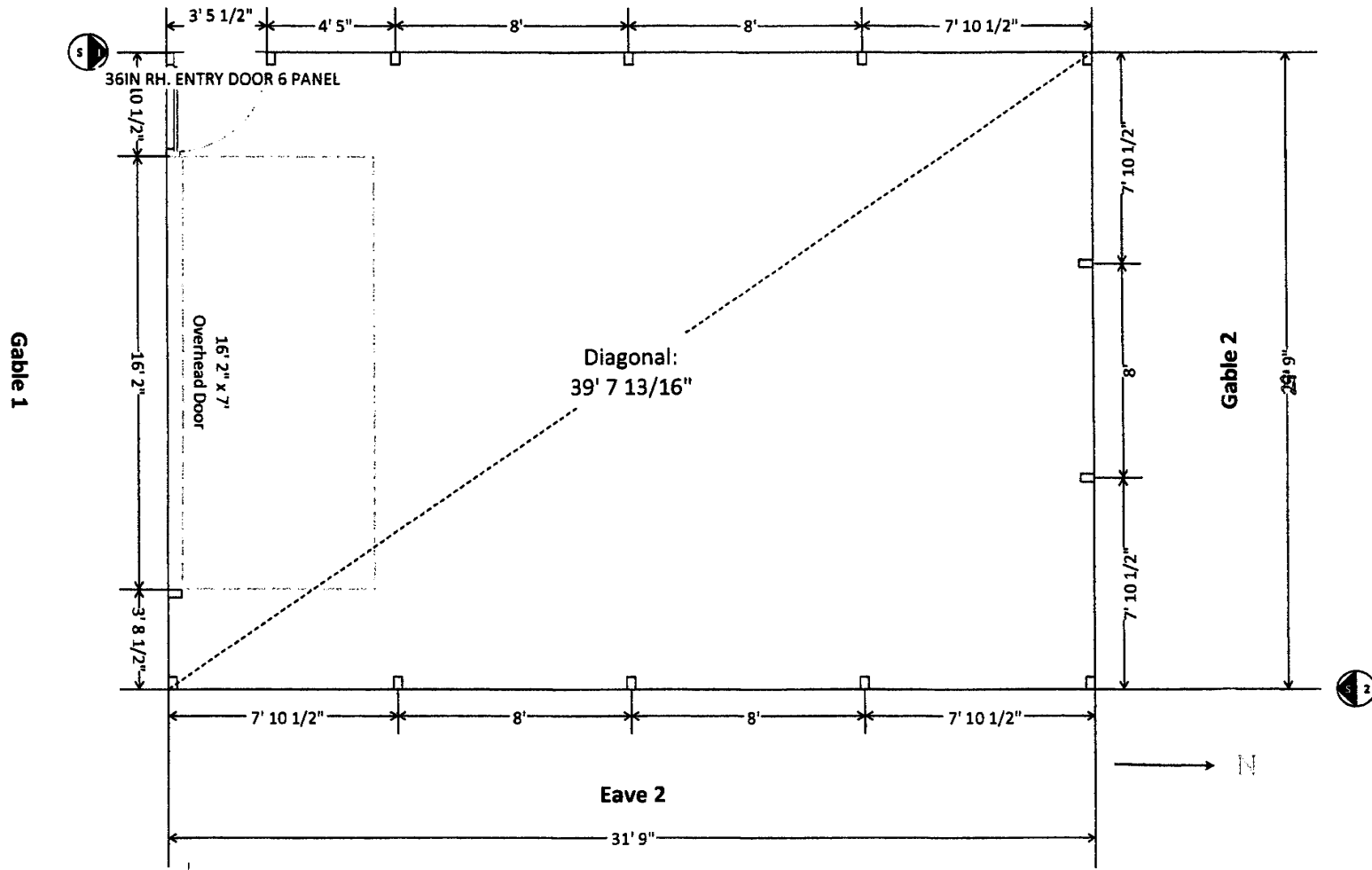


POLE LAYOUT

960 sq. ft.



Eave 1



HARRIS BROS BUILDING
6175 Kevin Drive
Brighton, MI 48116

810-459-3630

10-25-22

To Whom it May Concern:

Re: Moving of Out Building

We have been contracted by Chris Trotter, 2621 Spring Grove Drive, Brighton, MI 48114, to move his existing out building off the property line.

However, with the inclement conditions in the near future and our current work schedule, we are unable to do the work until early next spring.

Nicholis Harris
Harris Bros. Building

Genoa Township Zoning Board

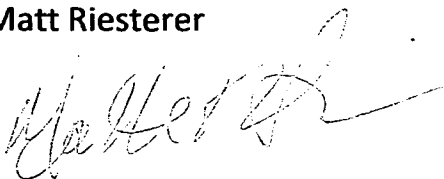
10/18/2021

Ladies and Gentlemen,

I have lived next to Chris Trotter at 2621 Spring Grove for years and know him to be a very good neighbor. I have no issues with his pole barn/accessory building that is now erected on his property. Please feel free to contact me directly.

Thank you,

Matt Riesterer

A handwritten signature in black ink, appearing to read "Matt Riesterer", written in a cursive style.

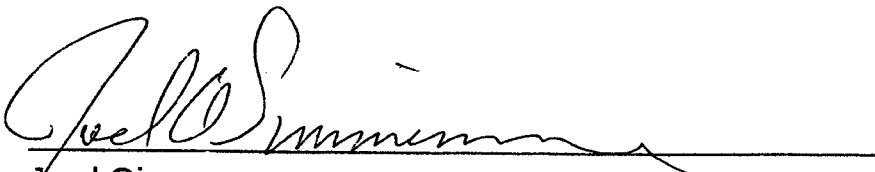
2533 Spring Grove Dr.

Brighton, 48114

810-923-1968

To Whom It May Concern:

I am writing in regards to the accessory building at 2621 Spring Grove
[redacted]. I have no issues with the pole barn that my neighbor Christopher
[redacted] er has constructed.

A handwritten signature in black ink, appearing to read "Joel Simmermon", written over a horizontal line.

Joel Simmermon
2649 Spring Grove Drive
Brighton, MI 48114

MATECUN, THOMAS & OLSON

Professional Limited Liability Company

GLENN R. MATECUN
MICHAEL S. THOMAS
MICHAEL J. OLSON
MONIKA BURRELL

ATTORNEYS & COUNSELORS AT LAW

915 N. MICHIGAN AVE., SUITE 6
HOWELL, MICHIGAN 48843

Macomb County Office:

43570 Garfield, Suite 101
Clinton Township, Michigan 48038
Ph. (586) 948-9318
Fx. (586) 948-9314

Of Counsel

PAIGE M. FAVIO
DANIEL W. MABIS
MARK T. BUTLER

Phone: (517) 548-7400 ♦ Fax: (517) 548-7410

Website: www.MTOlaw.com

WRITER'S E-MAIL: dmabis@mtolaw.com

Via regular and certified mail

September 29, 2022

Thomas Dougan
Kathryn Dobbins
2601 Spring Grove Drive
Brighton, MI

RE: Christopher and Tiffany Trotter
2621 Spring Grove Drive
Brighton, MI 48114

Dear Mr. Dougan and Ms. Dobbins,

I have been contacted by your nextdoor neighbors, Christopher and Tiffany Trotter, who live at 2621 Spring Grove Drive regarding an encroachment issue.

I know that you have met Christopher and Tiffany but probably don't know them very well. They are really good people. They believe in family, community, and God. They also have been taught to live in harmony with others and respect their neighbors. They hope that they can appeal to these values in you with an eye toward getting this issue resolved so that you all can remain great neighbors.

It is my understanding that you have always had friendly exchanges. The Trotters have told me that they believe that you are a beautiful couple and they certainly appreciate you stopping by and introducing yourselves. They are not looking for something for nothing. And they certainly do not want to offend you. Nothing in this correspondence is intended to offend you and, if it does, then I apologize in advance.

The Trotters would like you to know that the encroachment was not intentional. The Trotters were hoping to resolve this matter pursuant to your original conversation about a land swap involving the easement and even went to the Township with the proposal; however, the Township has informed the Trotters that the easement property can be used as it is a 66' roadway.

It is the Trotters understanding that the garage encroaches approximately 2.8 feet onto your property on the other side of a culvert on your property, so the Township suggested that you grant the Trotters that property and the Trotters grant you a similar size piece of property. This seems to be a fair resolution. Is this proposal acceptable to you or is there some other land swap that you would be willing to do? We do understand if the Township's suggestion wasn't exactly what you wanted, but we were hoping that we could come up with another alternative. It does not appear that a land swap of the 2.8 feet would change either of our property values.

If a land swap is completely out of the question, the Trotters would be willing to pay you \$3,500 to compensate you for the 2.8 feet.

Thank you for your time and attention to this matter. Please let me know as soon as possible if we can resolve this matter. You can reach me at the above number.

This correspondence is sent under MRE 408 and is intended for settlement purposes only, and, therefore, cannot be used for any other purpose.

Sincerely,

Daniel W. Mabis

MITZEL LAW GROUP PLC

Dennis M. Mitzel
Teresa V. Fleming
Richard R. Zmijewski
Paul C. Schultz
Theresa M. Urbanic
Robert F. Cella*
(* also admitted in Alabama)

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Ann Arbor, Michigan 48108
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pschultz@mitzellaw.com
www.MitzelLaw.com

Louise L. Labadie (of counsel)
Peter A. Long (of counsel)

October 31, 2022

SENT VIA EMAIL: dmabis@mtolaw.com

Daniel W. Mabis
Matecun, Thomas, & Olson
915 N. Michigan Avenue, Suite 6
Howell, MI 48843

Re: Christopher and Tiffany Trotter
2621 Spring Grove Drive
Brighton, MI 48114

Dear Mr. Mabis:

I write to you on behalf of my clients, Thomas and Kathryn Dougan, in response to your letter of October 24, 2022: My clients just reject the offer of \$10,000 for a rectangular carve out.

Thank you for your time and attention to this matter. Responsive to your previous letter, this correspondence is sent under MRE 408 and cannot be used for any other purpose.

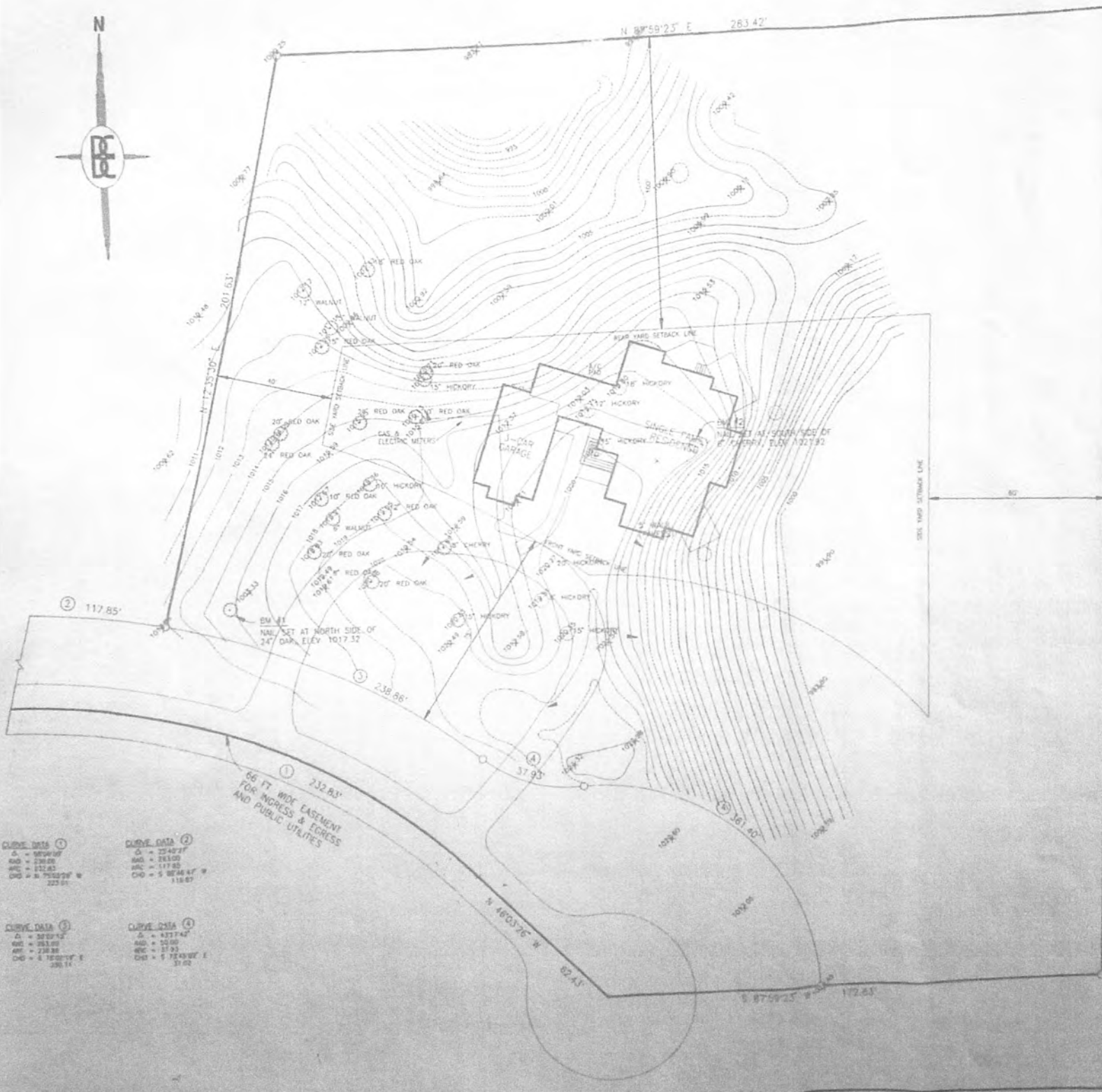
Very truly yours,


Paul C. Schultz

PCS

Cc: Thomas & Kathryn Dougan
Sharon Stone-Francis, Enforcement Officer

PARCEL NO. 6



CURVE DATA ①
 Δ = 59°49'7"
 R = 238.66
 ARC = 117.85
 CH = 87.52228' W
 122.91

CURVE DATA ②
 Δ = 254°27'
 R = 283.00
 ARC = 117.85
 CH = 98.4647' W
 118.87

CURVE DATA ③
 Δ = 30°12'
 R = 253.00
 ARC = 138.38
 CH = 4.78211' E
 126.11

CURVE DATA ④
 Δ = 427°42'
 R = 153.00
 ARC = 17.93
 CH = 1.72432' E
 31.02

① 232.83'
 66 FT WIDE EASEMENT
 FOR WGRESS & EGRESS
 AND PUBLIC UTILITIES

N 46°03'26" W
 82.43'

S 87°59'25" W
 172.83'

SEE YARD SETBACK LINE

N 89°58'25" E
 283.42'

N 17°25'30" E
 201.63'

N 17°25'30" E
 201.63'

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To whom it may Concern:

My name is Thomas Dougan and I am writing about the zero variance permit up for the Genoa Township board meeting on 6/20/2023 presented by the Trotter Family. I write as the homeowner of 2601 Spring Grove Drive, the neighbor to the west of the Trotter family regarding the property line being discussed. The Trotters have had structures, equipment, and paths on our property since we have purchased the property. My wife and I have repeatedly asked Chis Trotter to move his things off our property. We are frustrated that as of this letter most of these items are still on our property.

My wife and I purchased our home at 2601 Spring Grove Drive on 12/28/2021. We first became aware of the property dispute on 3/21/2022 when we had a survey performed by Midwestern Consulting. A picture of the relevant survey is show in Figure 1, and the full document is found in appendix 2.

After the survey was completed, Midwestern Consulting let us know that Chris had several items on our property. This includes the NW corner of the pole barn being 2ft 8inches on our property, and a fence that was 7ft 8in on our property. Just inside of the fence is a small shed and playset that is also on our property, as seen in Figure 3.

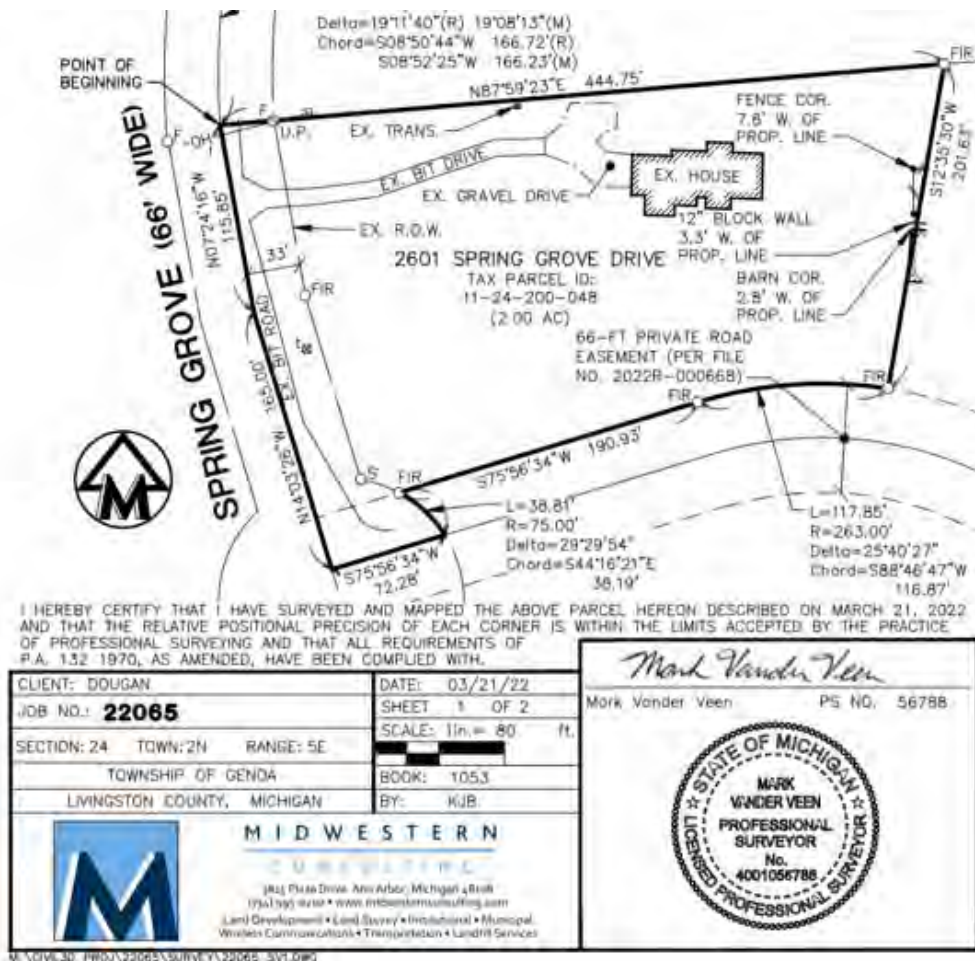


Figure 1. Survey

Sometime in early April 2022 I had my first discussion with Chris while I was outside in my yard. Chris came down the hill from his property and asked why I had a survey performed. He stated that he could have shown me the property line and then I wouldn't have needed to get a survey. I kindly brought up that the survey showed he had several items on my property. Chris responded that he knew that, and the previous owner of 2601 Spring Grove Drive had given him permission to use that land. During this conversation, we discussed swapping property, where we would get the property listed in Figure 2 as Area 1 and the Trotters would get the land his pole barn is on. I told Chris that I would talk with a lawyer friend of mine after my wedding to investigate what could be done. Chris replied that we did not need to speak to a lawyer, and that his wife could make the documents for a swap. This seemed highly odd, but I ended the conversation there.



Figure 2

A few months later with legal help I found the original application for Chris Trotter to get a variance to keep the pole barn. In that application he stated the pole barn is 10 feet from our property line, completely going against what Chris had told me earlier regarding getting permission from the previous owner of my house. The property line in question is up the hill from my house, and in August 2022 I went up to take some pictures of the situation. The attached photos in Figures 3, 4 and 5 show the details of what the survey found.

Figure 3 shows the fence mentioned in the survey, with the NW corner being 7ft 8in over the property line. Just inches behind the fence is a small shed, so the corner of the shed is at least 7 feet over the line. In addition, there is a swing set that is up against the fence that is over the property line as well.



Figure 3. Picture of Property Line taken 8/20/2022

Figure 4 and 5 show the area marked as Area 2 and Area 3 in Figure 2. This is the NW corner of Chris Trotter's property and is on the way to 2533 Spring Grove Drive. As you can see in the picture there is a path going between the houses over a piece of my property just inside the property corner stake.

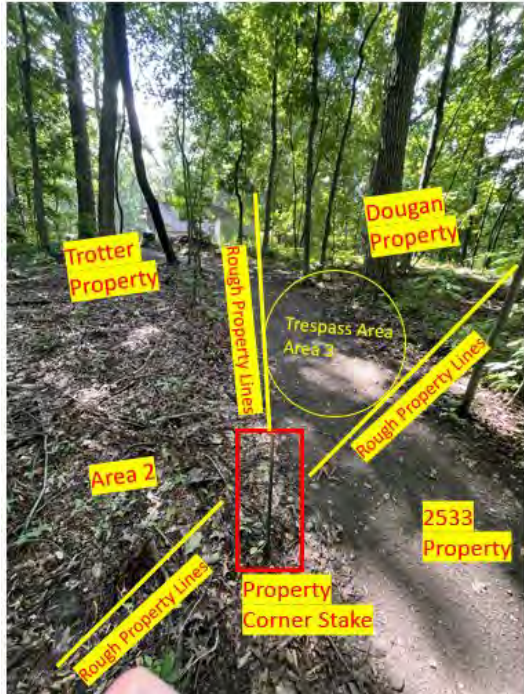


Figure 4. Area 2 and Area 3 Picture with path going over my property line, taken 8/21/2022



Figure 5. Area 2 and Area 3 Picture with path going over my property line taken 8/21/2022

After this I went to the township and talked to the zoning official Amy. She mentioned that Chris did not obtain permission for the pole barn to be on my property from the previous owner of 2601 Spring Grove Drive. Also, I asked about a property swap where we would get the land listed as Area 1 in Figure 2. I would be interested in obtaining this land as it is closer to my house and more useful. Amy said it would not be possible as Chris needs a certain amount of property frontage on the public road to have a valid lot, and that tendril was at the minimum already. Based on the Pole Barn being on my property and the original permit being incorrect the township started action to have it moved back. At this time Chris wanted to negotiate to swap property where he would get the land under the pole barn and give up land in Area 2 of Figure 2. He also mentioned buying the land as an option.

My wife and I let Chris know in multiple discussions in person and through lawyers that we have no desire to gain land in Area 2. The land in Area 2 would be hard for us to check and would be a weird property border. I also do not want that land as our corner of property listed as Area 3 in Figure 2 is being trespassed on. We also let Chris know that we did not want to sell land as we would need to modify our mortgage, which could be a lot of time, paperwork, and potentially money.

In these discussions with Chris the primary focus was the pole barn as that is the largest structure on our property and would require a contractor to move. We also let Chris know that all the other items on our property need to be removed.

These discussions bring us up to current day, almost a year later. Chris is now wanting to move the pole barn right up to the property line and has yet to move most of the items off our property. I have attached photos in Appendix 1 showing the situation as of 5/18/2023. The fence has been removed, but the swing set and the shed remain. In addition, there are ladders, hoses, and other equipment on our property. It also looks like some of the gravel that Chris uses for parking is on our property. I have also attached all the lawyer letters between the Trotter and Dougan families for reference in Appendix 3. Given the history of the events here, I ask the committee to request Chris to move all items off our property and that all structures be placed at an appropriate setback from our property. Thank you for your time and consideration.

Regards,

Thomas Dougan

Appendix 1: Photos of the situation as of 5/18/2023





Gravel on our property

Ladders and Equipment on Our Property

CERTIFIED SURVEY

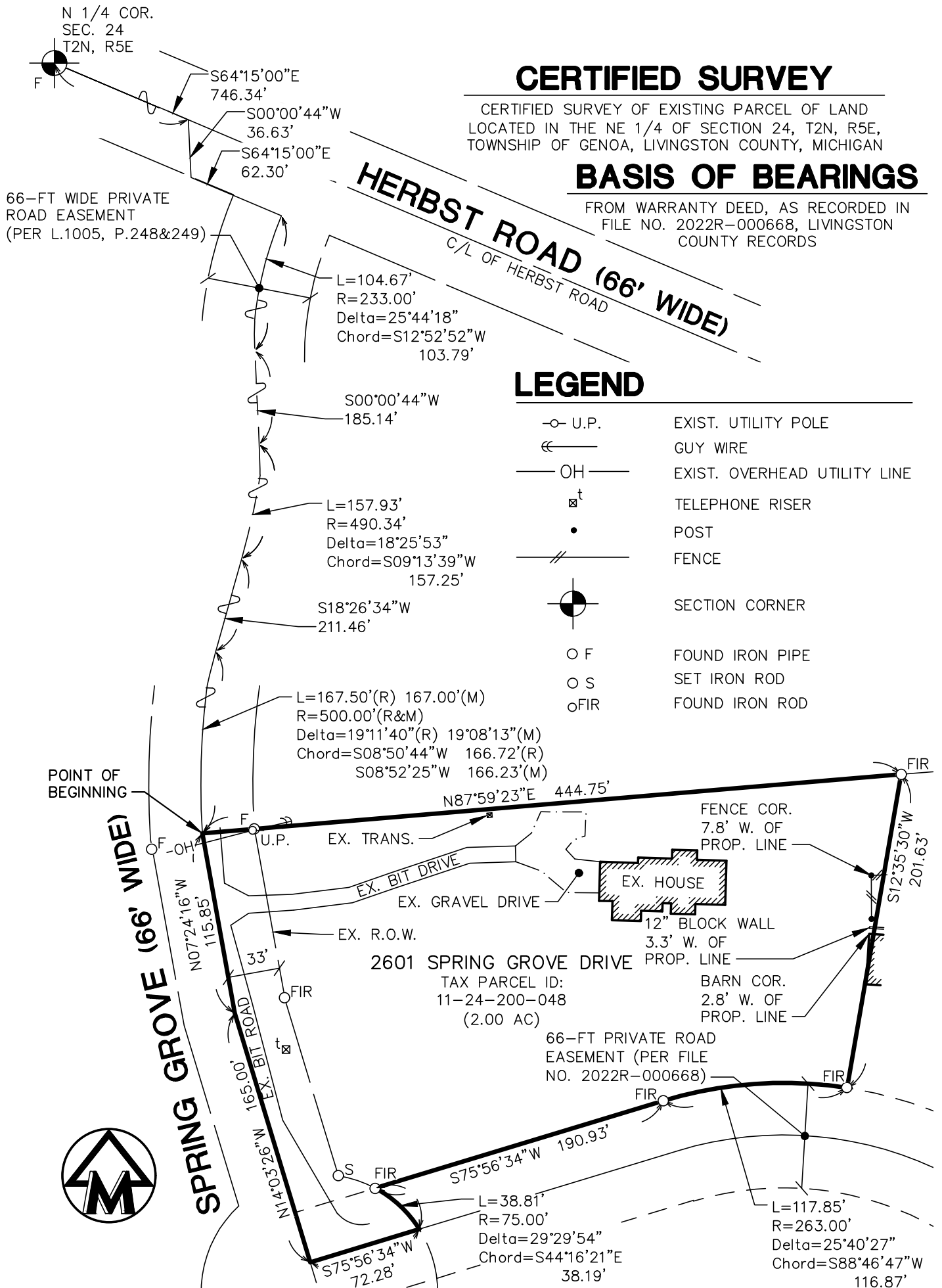
CERTIFIED SURVEY OF EXISTING PARCEL OF LAND
 LOCATED IN THE NE 1/4 OF SECTION 24, T2N, R5E,
 TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN

BASIS OF BEARINGS

FROM WARRANTY DEED, AS RECORDED IN
 FILE NO. 2022R-000668, LIVINGSTON
 COUNTY RECORDS

LEGEND

- U.P. EXIST. UTILITY POLE
- GUY WIRE
- OH EXIST. OVERHEAD UTILITY LINE
- TELEPHONE RISER
- POST
- FENCE
- SECTION CORNER
- F FOUND IRON PIPE
- S SET IRON ROD
- FIR FOUND IRON ROD



I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL HEREON DESCRIBED ON MARCH 21, 2022 AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING AND THAT ALL REQUIREMENTS OF P.A. 132 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

CLIENT: DOUGAN	DATE: 03/21/22
JOB NO.: 22065	SHEET 1 OF 2
SECTION: 24 TOWN: 2N RANGE: 5E	SCALE: 1in. = 80 ft.
TOWNSHIP OF GENOA	BOOK: 1053
LIVINGSTON COUNTY, MICHIGAN	BY: KJB

Mark Vander Veen
 Mark Vander Veen PS NO. 56788



MIDWESTERN CONSULTING
 3815 Plaza Drive Ann Arbor, Michigan 48108
 (734) 995-0200 • www.midwesternconsulting.com
 Land Development • Land Survey • Institutional • Municipal
 Wireless Communications • Transportation • Landfill Services

LEGAL DESCRIPTION

(from Warranty Deed, as recorded in File No. 2022R-000668, Livingston County Records)

Part of the West 1/2 of the Northeast 1/4 of Section 24, Town 2 North, Range 5 East, Township of Genoa, Livingston County, Michigan, more particularly described as follows: Commencing at the North 1/4 corner of said Section; thence along the centerline of Herbst Road (66 foot wide Right of Way) South 64 degrees 15' 00" East, 746.34 feet; thence South 00 degrees 00' 44" West 36.63 feet; thence along the Southerly line of said Herbst Road South 64 degrees 15' 00" East, 62.30 feet; thence along the centerline of "Spring Grove", a 66 foot wide Private Road Easement as recorded in Liber 1005, pages 248 and 249 of the Livingston County Records, Southwesterly along the arc of a curve to the left, a distance of 104.67 feet, said curve having a radius at 233.00 feet, a central angle of 25 degrees 44' 18", and a long chord bearing South 12 degrees 52' 52" West, 103.79 feet; thence continuing along the centerline of said "Spring Grove", South 00 degrees 00' 44" West, 185.14 feet; thence continuing along the centerline of said "Spring Grove", Southerly along the arc of a curve to the right, a distance of 157.93 feet, said curve having a radius of 490.34 feet, a central angle of 18 degrees 25' 53", and a long chord bearing South 09 degrees 13' 39" West, 157.25 feet; thence continuing along the centerline of said "Spring Grove" South 18 degrees 26' 34" West, 211.46 feet; thence continuing along the center of said "Spring Grove" Southerly along the arc of a curve to the left, a distance of 167.50 feet, a radius of 500.00 feet, a central angle of 19 degrees 11' 40", and a long chord bearing South 08 degrees 50' 44" West, 166.72 feet to the point of beginning of the Parcel to be described; thence North 87 degrees 59' 23" East, 444.75 feet; thence South 12 degrees 35' 30" West, 201.63 feet; thence along a 66 foot wide Private Road Easement Westerly along the arc of a curve to the left, a distance of 117.85 feet, said curve having a radius of 263.00 feet, a central angle of 25 degrees 40' 27", and a long chord that bears South 88 degrees 46' 47" West, 116.87 feet; thence continuing along said Private Road Easement South 75 degrees 56' 34" West, 190.93 feet; thence along the arc of a curve to the right, a distance of 38.81 feet, said curve having a radius of 75.00 feet, a central angle of 29 degrees 29' 54", and a long chord which bears South 44 degrees 16' 21" East, 38.19 feet; thence along the centerline of said Private Road Easement South 75 degrees 56' 34" West, 72.28 feet to said centerline of "Spring Grove"; thence along the centerline of said "Spring Grove" North 14 degrees 03' 26" West, 165.00 feet; thence continuing along the centerline of said "Spring Grove" North 07 degrees 24' 16" West, 115.85 feet to the point of beginning. Subject to and including the use of "Spring Grove", a 66 foot wide Private Road Easement as described in Liber 1005, pages 248 and 249 of the Livingston County Records; also subject to and including the use of a 66 foot wide Private Road Easement for ingress, Egress and Public Utilities as described below.

66 FOOT WIDE PRIVATE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES:

Part of the W 1/2 of the Northeast 1/4 of Section 24, Town 2 North, Range 5 East, Township of Genoa, Livingston County, Michigan, more particularly described as follows: Commencing at the North 1/4 corner of said Section; thence along the centerline of Herbst Road (66 foot wide right of way) South 64 degrees 15' 00" East, 746.34 feet; thence South 00 degrees 00' 44" West, 36.63 feet; thence along the Southerly line of said Herbst Road South 64 degrees 15' 00" East, 62.30 feet; thence along the centerline of "Spring Grove" a 66 foot wide Private Road Easement as recorded in Liber 1005, pages 248 and 249 of the Livingston County Records, Southwesterly along the arc of a curve to the left, a distance of 104.67 feet; said curve having a radius of 233.00 feet, a central angle of 25 degrees 44' 18", and a long chord bearing South 12 degrees 52' 52" West, 103.79 feet; thence continuing along the centerline of said "Spring Grove" South 00 degrees 00' 44" West, 185.14 feet; thence continuing along the centerline of said "Spring Grove" Southerly along the arc of a curve to the right, a distance of 157.93 feet, said curve having a radius of 490.94 feet, a central angle of 18 degrees 25' 53", and a long chord bearing South 09 degrees 13' 39" West, 157.25 feet; thence continuing along the centerline of said "Spring Grove" South 18 degrees 26' 34" West, 211.46 feet; thence continuing along the centerline of said "Spring Grove" Southerly along the arc of a curve to the left, a distance of 167.50 feet, a radius of 500.00 feet, a central angle of 19 degrees 11' 40", a long chord bearing South 08 degrees 50' 44" West, 166.72 feet; thence continuing along the centerline of said "Spring Grove" South 07 degrees 24' 16" East, 115.85 feet; thence continuing along the centerline of said "Spring Grove" South 14 degrees 03' 26" East, 132.00 feet to the point of beginning of the easement to be described; thence North 75 degrees 56' 34" East 244.00 feet; thence Southeasterly along the arc of a curve to the right, a distance of 238.86 feet, said curve having a radius of 263.00 feet, a central angle of 52 degrees 02' 15", and a long chord that bears South 78 degrees 02' 19" East, 230.74 feet; thence Easterly along the arc of a curve to the left, a distance of 37.93 feet, said curve having a radius of 50.00 feet, a central angle of 43 degrees 27' 42", and a long chord that bears South 73 degrees 45' 02" East, 37.02 feet; thence Southwesterly along the arc of a curve to the right, a distance of 361.40 feet, said curve having a radius of 75.00 feet, a central angle of 276 degrees 05' 13", and a long chord that bears South 42 degrees 33' 43" West, 100.29 feet; thence Northwesterly along the arc of a curve to the left, a distance of 50.47 feet, said curve having a radius of 50.00 feet, a central angle of 57 degrees 50' 11", and a long chord that bears North 28 degrees 18' 46" West, 48.36 feet; thence Northwesterly along the arc of a curve to the left, a distance of 161.00 feet, said curve having a radius of 197.00 feet, a central angle of 46 degrees 49' 34", and a long chord that bears North 80 degrees 38' 39" West, 156.56 feet; thence South 75 degrees 56' 34" West, 236.44 feet; thence North 44 degrees 13' 56" West, 15.04 feet to the center of a 75 foot radius cul-de-sac; thence along the centerline of said "Spring Grove" North 14 degrees 03' 26" West, 53.00 feet to the point of beginning.

WITNESSES

N 1/4 Cor. Sec. 24, T2N, R5E
(found Remon Cap)

fd. 10" Cherry, nail W. side	N10°W	9.18'
fd. 36" Oak, nail W. side	S70°W	92.81'
fd. 16" Oak, nail E. side	South	51.56'
fd. 26" Oak, nail S. side	S80°E	98.45'

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL HEREON DESCRIBED ON MARCH 21, 2022 AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING AND THAT ALL REQUIREMENTS OF P.A. 132 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

CLIENT: DOUGAN	DATE: 03/21/22
JOB NO.: 22065	SHEET 2 OF 2
SECTION: 24 TOWN: 2N RANGE: 5E	SCALE: 1in. = N/A ft.
TOWNSHIP OF GENOA	BOOK: 1053
LIVINGSTON COUNTY, MICHIGAN	BY: KJB

Mark Vander Veen

Mark Vander Veen PS NO. 56788





M I D W E S T E R N

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MATECUN, THOMAS & OLSON

Professional Limited Liability Company

ATTORNEYS & COUNSELORS AT LAW

915 N. MICHIGAN AVE., SUITE 6
HOWELL, MICHIGAN 48843

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WRITER'S E-MAIL: dmabis@mtolaw.com

Macomb County Office:

43570 Garfield, Suite 101
Clinton Township, Michigan 48038
Ph. (586) 948-9318
Fx. (586) 948-9314

GLENN R. MATECUN
MICHAEL S. THOMAS
MICHAEL J. OLSON
MONIKA BURRELL

Of Counsel

PAIGE M. FAVIO
DANIEL W. MABIS
MARK T. BUTLER

September 29, 2022

Thomas Dougan
Kathryn Dobbins
2601 Spring Grove Drive
Brighton, MI

RE: Christopher and Tiffany Trotter
2621 Spring Grove Drive
Brighton, MI 48114

Dear Mr. Dougan and Ms. Dobbins,

I have been contacted by your nextdoor neighbors, Christopher and Tiffany Trotter, who live at 2621 Spring Grove Drive regarding an encroachment issue.

I know that you have met Christopher and Tiffany but probably don't know them very well. They are really good people. They believe in family, community, and God. They also have been taught to live in harmony with others and respect their neighbors. They hope that they can appeal to these values in you with an eye toward getting this issue resolved so that you all can remain great neighbors.

It is my understanding that you have always had friendly exchanges. The Trotters have told me that they believe that you are a beautiful couple and they certainly appreciate you stopping by and introducing yourselves. They are not looking for something for nothing. And they certainly do not want to offend you. Nothing in this correspondence is intended to offend you and, if it does, then I apologize in advance.

The Trotters would like you to know that the encroachment was not intentional. The Trotters were hoping to resolve this matter pursuant to your original conversation about a land swap involving the easement and even went to the Township with the proposal; however, the

Township has informed the Trotters that the easement property can be used as it is a 66' roadway.

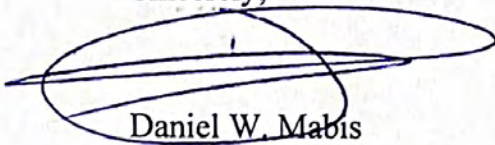
It is the Trotters understanding that the garage encroaches approximately 2.8 feet onto your property on the other side of a culvert on your property, so the Township suggested that you grant the Trotters that property and the Trotters grant you a similar size piece of property. This seems to be a fair resolution. Is this proposal acceptable to you or is there some other land swap that you would be willing to do? We do understand if the Township's suggestion wasn't exactly what you wanted, but we were hoping that we could come up with another alternative. It does not appear that a land swap of the 2.8 feet would change either of our property values.

If a land swap is completely out of the question, the Trotters would be willing to pay you \$3,500 to compensate you for the 2.8 feet.

Thank you for your time and attention to this matter. Please let me know as soon as possible if we can resolve this matter. You can reach me at the above number.

This correspondence is sent under MRE 408 and is intended for settlement purposes only, and, therefore, cannot be used for any other purpose.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel W. Mabis", is written over a circular stamp. The signature is somewhat stylized and overlaps the stamp.

Daniel W. Mabis

MITZEL LAW GROUP PLC

Dennis M. Mitzel
Teresa V. Fleming
Richard R. Zmijewski
Paul C. Schultz
Theresa M. Urbanic
Robert F. Cella*

(* also admitted in Alabama)

1590 Eisenhower Place
Ann Arbor, Michigan 48108
(734) 668-4109 | Fax: (734) 668-4101

pschultz@mitzellaw.com
www.MitzellLaw.com

Louise L. Labadie (of counsel)
Peter A. Long (of counsel)

October 10, 2022

SENT VIA EMAIL: dmabis@mtolaw.com

Daniel W. Mabis
Matecun, Thomas, & Olson
915 N. Michigan Avenue, Suite 6
Howell, MI 48843

Re: Christopher and Tiffany Trotter
2621 Spring Grove Drive
Brighton, MI 48114

Dear Mr. Mabis:

I write to you on behalf of my clients, Thomas and Kathryn Dougan. My clients do not want to enter into any land exchange of any kind with Christopher Trotter.

Having purchased their home last December, the Dougans are in the first year of paying their mortgage and have no interest in any transaction that might jeopardize the favorable interest rate that they locked in at purchase last year. In addition, their present 2.000 acre lot affords them automatic rights under township ordinances that might go away if their lot were any smaller than 2 acres.

My clients only initially entertained Mr. Trotter's discussion of a land swap because he neglected to tell them about the township's enforcement activities. While my clients hope to remain friendly neighbors with everyone on Spring Grove Drive, my counsel to them would be to avoid any transactions with Mr. Trotter even if there were no concerns such as those already identified.

Whatever Mr. Trotter's feelings about family, community, and God, my review of the documents and circumstances of the Zoning Variance that he sought in September 2021 have led me to the conclusion that he is untrustworthy in real property matters.

The clearest example of his dishonesty may be discerned from the continuing presence of the second shed in Mr. Trotter's front yard. The land use permit granted in October 2021 – which, for a time, permitted the use of the 960 sq. ft. pole barn – was clearly conditioned on the

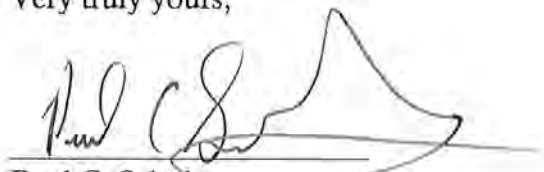
removal of the secondary shed from his property. I am writing to you a year after that permit was authorized and the secondary shed is still there. Mr. Trotter makes agreements without intending to honor them.

Additionally, the two boundary maps that Mr. Trotter submitted with his variance application last year testify either to further dishonesty or to incompetence – the pole barn now admitted to be 2.8 feet onto my clients' property was then described as at least 10 feet set back from the boundary. We do not want the pole barn on our property. We do not want the pole barn moved 2.8 feet. We want it moved to whatever setback line the township approved.

While it may be somewhat frustrating in the short term, Mr. Trotter's best next step toward living in harmony and being a good neighbor is to act upon the enforcement instructions that the township is delivering to him.

Thank you for your time and attention to this matter. Responsive to your previous letter, this correspondence is sent under MRE 408 and cannot be used for any other purpose.

Very truly yours,



Paul C. Schultz

PCS

Cc: Thomas & Kathryn Dougan
Sharon Stone-Francis, Enforcement Officer

MATECUN, THOMAS & OLSON

Professional Limited Liability Company

ATTORNEYS & COUNSELORS AT LAW

915 N. MICHIGAN AVE., SUITE 6
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WRITER'S E-MAIL: dmabis@mtolaw.com

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43570 Garfield, Suite 101
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Ph. (586) 948-9318
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GLENN R. MATECUN
MICHAEL S. THOMAS
MICHAEL J. OLSON
MONIKA BURRELL

Of Counsel

PAIGE M. FAVIO
DANIEL W. MABIS
MARK T. BUTLER

October 24, 2022

Paul Schultz
Mitzel Law Group, PLC
1590 Eisenhower Place
Ann Arbor, MI 48108

RE: My clients: Christopher and Tiffany Trotter
2621 Spring Grove Drive
Brighton, MI 48114

Your clients: Thomas and Kathryn Dougan
2601 Spring Grove Drive
Brighton, MI 48114

Dear Mr. Schultz,

Thank you for your correspondence of October 10, 2022. However, your attacks on my clients' character are unwarranted, unnecessary, and offensive. We sent the enclosed September 29, 2022, letter in a good faith in an attempt to reach an amicable, reasonable resolution of this matter, and, instead of just rejecting the offer, you personally attack my clients. We are just trying to solve a problem here among neighbors, not make personal attacks.

Having said that, my clients are willing to resolve this matter by payment to your clients in the amount of \$10,000 in exchange for a rectangular carve out (to be determined) of the encroached upon property.

This correspondence is sent under MRE 408 and is intended for settlement purposes only, and, therefore, cannot be used for any other purpose.

Sincerely,



Daniel W. Mabis

Cc: Christopher and Tiffany Trotter
Sharon Stone-Francis, Genoa Township Enforcement Officer

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Louise L. Labadie (*of counsel*)
Peter A. Long (*of counsel*)

October 31, 2022

SENT VIA EMAIL: dmabis@mtolaw.com

Daniel W. Mabis
Matecun, Thomas, & Olson
915 N. Michigan Avenue, Suite 6
Howell, MI 48843

Re: Christopher and Tiffany Trotter
2621 Spring Grove Drive
Brighton, MI 48114

Dear Mr. Mabis:

I write to you on behalf of my clients, Thomas and Kathryn Dougan, in response to your letter of October 24, 2022: My clients just reject the offer of \$10,000 for a rectangular carve out.

Thank you for your time and attention to this matter. Responsive to your previous letter, this correspondence is sent under MRE 408 and cannot be used for any other purpose.

Very truly yours,


Paul C. Schultz

PCS

Cc: Thomas & Kathryn Dougan
Sharon Stone-Francis, Enforcement Officer

From: [Eric Graetzel](#)
To: [Amy Ruthig](#)
Subject: Variance for 2621 Spring Grove Drive request from Tiffany and Chris Trotter
Date: Friday, June 9, 2023 2:35:25 PM

Hi Amy. I have been living at 7895 Debora Drive since 1997, and I am one of the two neighbors immediately behind the Trotters at the subject address. I have not had much interaction with the Trotters, but am very happy having them as neighbors as they do a great job keeping up their property and home, and are respectful of other neighbors.

Upon receiving the variance request, I paid a visit to the Trotters to review what they were planning to do. The proposed location is not objectionable to me, nor should be objectionable to any other neighbor as it is a natural location off the main driveway and the pole barn color and construction blends in perfectly with their home.

I fully support approval of this variance.

Eric Graetzel
7895 Debora Drive
734-634-6795

Sent from [Mail](#) for Windows

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.					
CAMPBELL, LINN A M.D.	TROTTER CHRISTOPHER & TIFE	470,000	07/18/2016	WD	03-ARM'S LENGTH	2016R-021817	BUYER/SELLER	100.0					
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LDR		Building Permit(s)		Date	Number	Status			
2621 SPRING GROVE DR		School: BRIGHTON AREA SCHOOLS		Detached Accessory		10/25/2021		P21-216	7 FINAL BL				
Owner's Name/Address		P.R.E. 100% 07/18/2016		REROOF		07/26/2010		W10-071	NO START				
TROTTER CHRISTOPHER & TIFFANY 2621 SPRING GROVE DR BRIGHTON MI 48114-9448		MAP #: V23-21		ADDITION		11/12/1996		96-583	NO START				
Tax Description		2024 Est TCV Tentative											
		X	Improved	Vacant	Land Value Estimates for Land Table 4501.BRIGHTON M & B								
		Public Improvements			* Factors *								
		Dirt Road			Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Gravel Road			TABLE A			2.410	Acres	32,822	100		79,100
		Paved Road			2.41 Total Acres Total Est. Land Value = 79,100								
		Storm Sewer											
		Sidewalk											
		Water											
		Sewer											
		Electric											
		Gas											
		Curb											
		Street Lights											
		Standard Utilities											
		Underground Utils.											
		Topography of Site											
		Level											
		Rolling											
		Low											
		High											
		Landscaped											
		Swamp											
		Wooded											
		Pond											
		Waterfront											
		Ravine											
		Wetland											
		Flood Plain											
		X	REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
		Who	When	What	2024	Tentative	Tentative	Tentative		Tentative			
		JB	12/13/2021	INSPECTED	2023	32,700	299,200	331,900		292,255C			
		LLG	05/14/2020	REVIEWED R	2022	32,700	250,300	283,000		278,339C			
		JB	09/13/2017	INSPECTED	2021	32,700	231,500	264,200		262,187C			

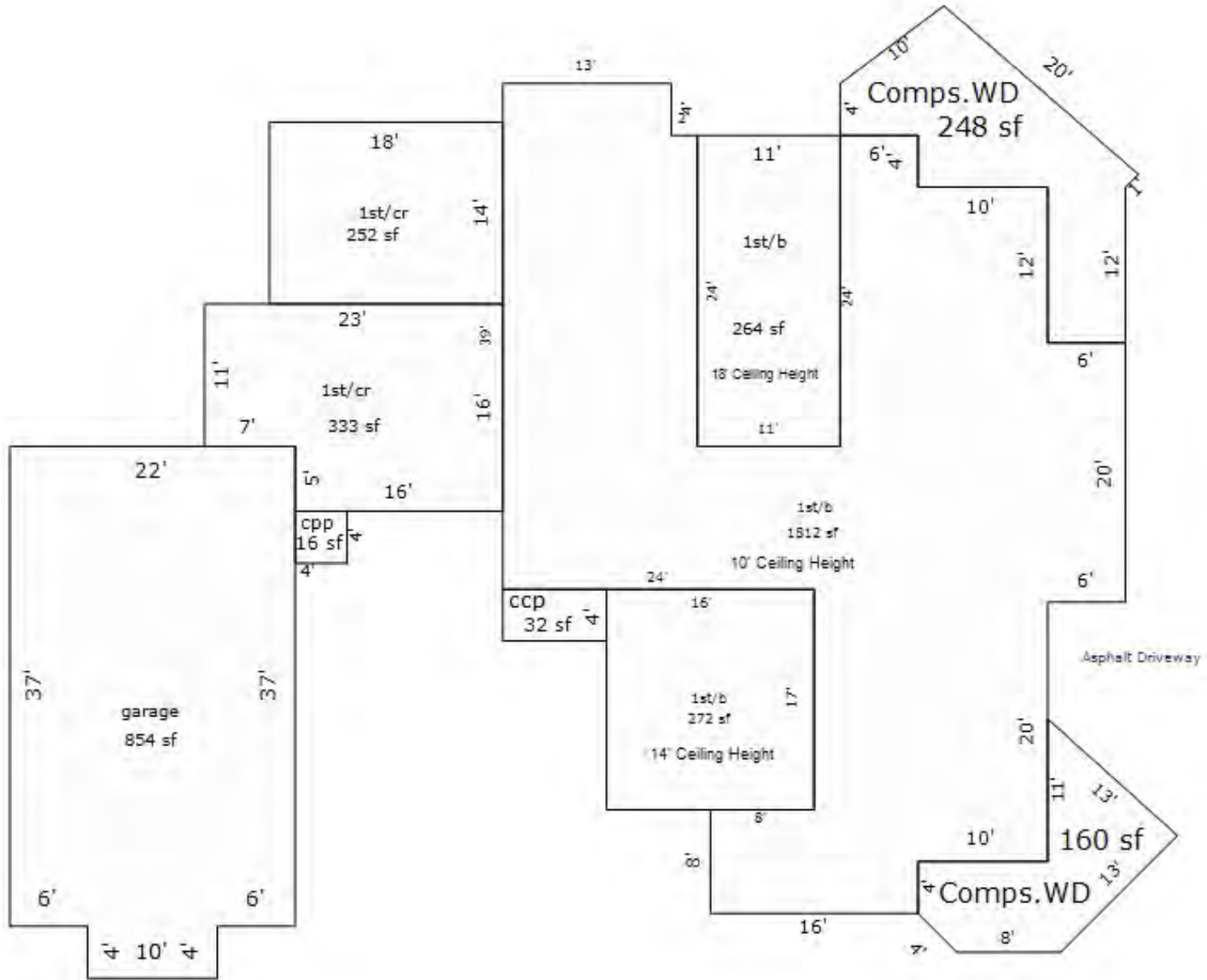


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*** Information herein deemed reliable but not guaranteed***

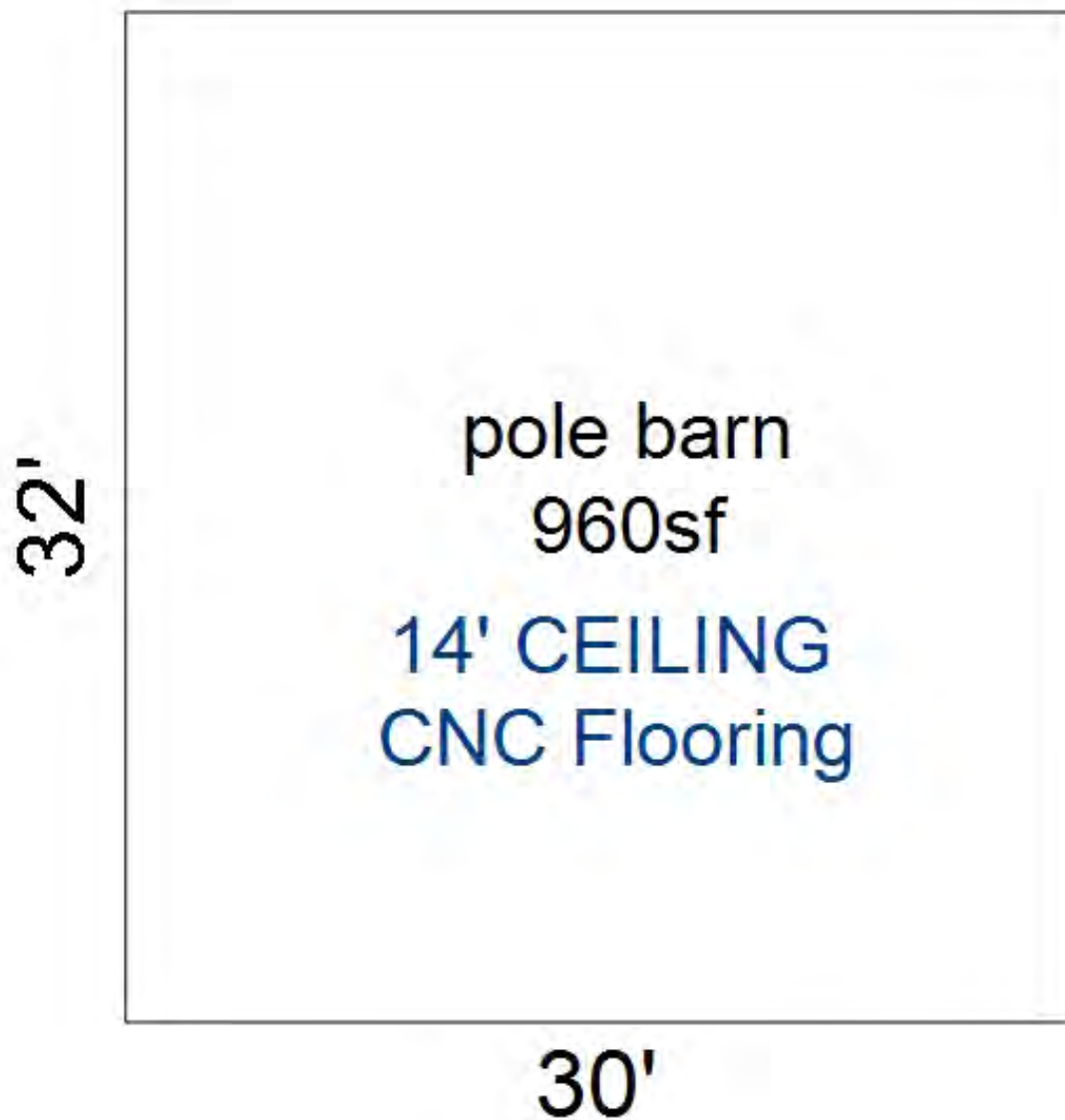
Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher 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 1 Two Sided Exterior 1 Story Exterior 2 Story 3 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 32 16 160 248	Type CCP (1 Story) CPP Composite Composite	Year Built: Car Capacity: Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1/2 Wal Foundation: 42 Inch Finished?: Yes Auto. Doors: 0 Mech. Doors: 0 Area: 854 % 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												
Building Style: BC		Drywall Paneled	Plaster Wood T&G	Trim & Decoration													
Yr Built 1991	Remodeled 0	Ex	X Ord	Min	Size of Closets												
Condition: Good		Lg	X Ord	Small	Central Air Wood Furnace												
Room List		Doors:	Solid X	H.C.	(12) Electric												
	Basement 1st Floor 2nd Floor 4 Bedrooms	(5) Floors			0 Amps Service												
		Kitchen: Other: Other:			No./Qual. of Fixtures												
(1) Exterior		X Ex.	Ord.	Min	No. of Elec. Outlets												
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	(6) Ceilings			Many	X Ave.	Few										
		(13) Plumbing			Average Fixture(s)												
(2) Windows		(7) Excavation			2 3 Fixture Bath 2 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 2 Extra Sink 1 Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan												
X	Many Avg. Few	X	Large Avg. Small	Basement: 2348 S.F. Crawl: 585 S.F. Slab: 0 S.F. Height to Joists: 0.0			Other Additions/Adjustments										
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(8) Basement			Basement Living Area Basement, Outside Entrance, Below Grade												
(3) Roof		(9) Basement Finish			Plumbing												
X	Gable Hip Flat	Gambrel Mansard Shed	1700 Recreation SF Living SF 1 Walkout Doors (B) No Floor SF Walkout Doors (A)			3 Fixture Bath 2 Fixture Bath Extra Sink Separate Shower Water/Sewer											
X	Asphalt Shingle	(10) Floor Support			1000 Gal Septic Water Well, 200 Feet												
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic												
		Lump Sum Items:			Garages												
					Class: BC Exterior: Siding Foundation: 42 Inch (Finished)												
					Base Cost												
					Common Wall: 1/2 Wall												
					<<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>												

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



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

Building Type	Farm Utility Buildings			
Year Built	2021			
Class/Construction	D,Pole			
Quality/Exterior	Average			
# of Walls, Perimeter	4 Wall, 124			
Height	14			
Heating System	No Heating/Cooling			
Length/Width/Area	32 x 30 = 960			
Cost New	\$ 18,124			
Phy./Func./Econ. %Good	100/100/100 100.0			
Depreciated Cost	\$ 18,124			
+ Unit-In-Place Items	\$ 0			
Description, Size X Rate X %Good = Cost Itemized -> Unit-In-Place -> Items ->				
E.C.F.	X 1.091			
% Good	100			
Est. True Cash Value	\$ 19,773			
Comments:				
Total Estimated True Cash Value of Agricultural Improvements / This Card: 19773 / All Cards: 19773				



*** 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 # 23-22 Meeting Date: June 30, 2023
6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Chaldean Catholic Church of the United States Email: jberigan@gmail.com
Property Address: 7000 McClements Road, Brighton, MI 48114 Phone: 248 379-0943
Present Zoning: PRF Public and Recreational Facilities Tax Code: 11-11-200-001; 11-12-100-002

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: Height of the high ropes course poles are 48 feet above grade. Accessory structure height allowed in the PRF district is 18 feet. A 30 foot variance is requested to provide adequate height for the high ropes course support poles.

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.

As a part of its non-profit, religious ministry, Our Lady of the Fields camp would like to create additional activities for youth campers to participate in during their stay at the camp. The high ropes course provides a unique activity in which campers may participate.

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.

A high ropes course requires tall pole heights to provide an authentic experience along with providing adequate height to support necessary safety equipment and allow adequate ground clearance during operation of the high ropes course.

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 proposed location of the high ropes course does not create an impact to light, air and/or adjacent properties, and does not increase congestion on public streets, or endanger public safety. The high ropes course does not negatively impact the residents of Genoa Township. Tall poles are necessary to support the high ropes course.

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 high ropes course is located near the North end of the property, adjacent to McClements Road, surrounded by mature trees with heights in excess of the proposed 48 foot pole height.

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: 05/15/2023 Signature: James Behigan



June 12, 2023

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

Attention:	Amy Ruthig, Planning Director
Subject:	Our Lady of the Fields Camp – Dimensional Variance Review
Location:	South side of McClements Road, between Kellogg and Euler Roads
Zoning:	PRF Public and Recreational Facilities District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking a dimensional variance for a recreational structure. More specifically, the project entails a “high ropes course” in the northwest portion of the property.

For the Board’s information, the Planning Commission approved the sketch plan for the high ropes course at their May 8, 2023 meeting with a condition that the applicant obtain a height variance.

In accordance with accessory structure requirements (Section 11.04) of the Zoning Ordinance, the applicant seeks the following dimensional variance:

- A high ropes course with a maximum pole height of 48’ (where a maximum of 18’ is allowed).

SUMMARY

1. Given the height limitations for accessory structures, the Board could view strict compliance as unnecessarily burdensome (practical difficulty).
2. In this instance, the extraordinary circumstance is tied to the nature of accessory recreational structures, and the need for increased height (extraordinary circumstance).
3. Given the nature of the project, granting of the variance will not impair the supply of light and air, nor will it unreasonably impact traffic or public safety (public safety and welfare).
4. The proposed recreational structure will be buffered from off-site properties via ample setbacks and mature vegetation (impact on surrounding neighborhood).
5. If favorable action is considered, we suggest two conditions: that the existing vegetation be preserved and maintained between the “high ropes course” and McClements Road; and that illumination of the structure be prohibited (impact on surrounding neighborhood).

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.** Variances are not necessary to maintain the existing private campground or erect new accessory structures.

However, the Zoning Ordinance does not provide specific regulations for recreational structures. Such structures are governed by accessory building/structure regulations, which do not allow the heights necessary for this type of structure.

The Board may view strict compliance, which limits heights to 18’, as unnecessarily burdensome to the applicant.



Aerial view of site and surroundings (looking north)

- 2. Extraordinary Circumstances.** The property itself relatively large and regular in shape with no obvious extraordinary circumstances.

In this instance, the extraordinary circumstance is tied to the need for increased height due to the nature of accessory recreational structures.

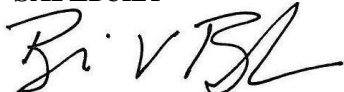
- 3. Public Safety and Welfare.** Given the nature of the project, granting of the variance will not impair the supply of light and air, nor will it unreasonably impact traffic or public safety.
- 4. Impact on Surrounding Neighborhood.** Though the structure is relatively tall in relation to a conventional accessory structure, it is located such that there is ample setback and screening by mature trees.

Given the proposed location, we suggest the Board include a condition that the applicant must preserve and maintain the existing vegetation between the structure and McClements Road (if favorable action is considered).

Additionally, we suggest a condition that illumination of the proposed structure be prohibited (if favorable action is considered). This will limit use to reasonable hours and help to mitigate any potential off-site impacts.

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

Respectfully,
SAFE BUILT


Brian V. Borden, AICP
Michigan Planning Manager

and 12 attached condominiums.to reduce the project from 140 attached condominiums to 102 single family detached homes and 12 attached condominiums for Healy Homes of Summerfield, LLC, with the following conditions:

- Language shall be added to include the proposed gate and Knox Box to block the cross access, but allow emergency access. The language and gate shall be approved by the Brighton Area Fire Authority.
- Traffic from construction for the site development and the homes will not use that cross access
- Language shall be added to include that snow does not block the cross-access gate in the wintertime
- The petitioner shall receive a letter from the Board of Hampton Ridge showing their support of the gate

The motion carried unanimously.

Moved by Commissioner Rauch, supported by Commissioner Lowe, to recommend to the Township Board approval of the Preliminary Site Condominium Plan dated September 26, 2022 to reduce the project from 140 attached condominiums to 102 single family detached homes and 12 attached condominiums.to reduce the project from 140 attached condominiums to 102 single family detached homes and 12 attached condominiums for Healy Homes of Summerfield, LLC, with the following conditions:

- Final Site Plan shall depict the proposed gate and Knox Box to block the cross access, but allow emergency access.
- Language shall be added to include that snow does not block the cross-access gate in the wintertime
- The petitioner shall receive a letter from the Board of Hampton Ridge showing their support of the gate
- The petitioner shall address all comments in the planners, engineers, and Brighton Area Fire Authority's letters

The motion carried unanimously.

OPEN PUBLIC HEARING #2...Consideration of a sketch plan for a proposed camp “giant swing” and a high ropes course for the Our Lady of the Fields located at 7000 McClements Road, south side of McClements Road, between Kellogg and Euler Roads. The request is petitioned by Chaldean Catholic Church of the United States.

A. Disposition of Sketch Plan (4-10-23)

Mr. Wayne Perry of Desine, Inc., Mr. Jim Berigan of Our Lady of the Fields Campground, and Ms. Kimberly Hamman, the attorney for Our Lady of the Fields Campground, were present. Mr. Berigan stated they are requesting to build a giant swing with 36 foot high poles. They have received approval from the ZBA for the height and they are requesting sketch plan approval this evening.

Mr. Borden reviewed his letter dated May 2, 2023.

1. The giant swing and high ropes course exceed the maximum height allowed by Ordinance.
2. The ZBA granted a variance for the height of the giant swing; however, the applicant must submit a new application regarding the height of the high ropes course.

He noted that the Township may wish to consider amending the Zoning Ordinance to better address accessory recreational structures. What is currently being used is the accessory structure section of the ordinance.

Ms. Byrne reviewed her letter dated May 3, 2023.

1. The cover sheet is dated April 10, 2022. This should be fixed to avoid confusion.
2. While not an engineering issue, she noted that The Brighton Area Fire Authority Fire Marshal expressed concern for safety in their email. The Petitioner should provide more detail on any safety measures or plan that will be implemented for the giant swing for the Planning Commission's consideration

The Fire Marshal's email dated April 28, 2023 stated, "I have no fire code comments on the giant swing. I do have safety questions; how do they get on it? The climbing tower detail goes to the zip line and the swing shows it is 10' above the ground, and also how are [they] secured or restrained from falling off it?"

Commissioner McCreary asked how safety will be ensured. Commissioner Rauch stated that this structure and activity is overseen by the State of Michigan. Mr. Berigan agreed and stated this is a very safe activity. She requested that all this information and inspections be submitted to the Township and the Brighton Area Fire Authority.

Commissioner McCreary asked if the site plan that is being shown this evening contains all aspects, buildings, etc. that are on the property. She noted that the ropes course has been on the site since 2019 and it is just now being requested to be approved. Mr. Perry stated he has not walked every part of the property; however, he has been on the developed portions and everything in those areas is shown on the plan. She stressed that whenever a new element is being built on this site, Township approval must be obtained.

Ms. Hamman stated the applicant is preparing a Master Plan, which will include any future plans, and they have been researching ordinances in other areas in the state that have day camps.

The call to the public was opened at 7:24 pm.

Mr. Mike Berean of 1273 Euler stated that his wife, Dory Berean, was not able to attend; however, she is requesting this be denied due to the increased traffic, dust, noise and increase in attendance. He stated the Township should have known that the high ropes course was there. The camp should have known that they needed approval. This is proof of their intent to

mislead. They have been adding elements and not getting approval. There will be four new outdoor attractions on this property. Their website says they are planning to install additional aspects and are actively fundraising for them. These additional activities will increase the participants. He questioned what that increase will be. This will increase traffic. They have purchased 80 acres across the street and put a bid on another 50 acres. He questioned why they haven't spoken to the Township to ensure that they will be able to use that property the way they would like. He is requesting this giant swing due to the increase in noise, traffic, dust, and attendance. He would like a special use permit to be requested.

Mr. Charles Saliba of 1829 Kellogg Road agrees that a Master Plan should be provided showing their future plans. Their property values are dropping. He is concerned with the noise that these new elements will bring.

Ms. Patty Kopicko of 6843 Felice Drive agrees with what Mr. Berean said. This should be denied due to the increase in traffic, dust, and noise. She walks on Kellogg and there is a lot of traffic. Their website advertises a larger camp than they own.

Mr. Robert Kopicko of 6843 Felice Drive is concerned with traffic. The Road Commission has told him that the roads in this area are under constructed and worn out. The residents' peace and quiet is gone and it is only going to get worse.

Mr. James Drouillard of 6781 Felice agrees with the neighbors. This should be denied. He noted the Master Plan is on the website but has not been provided to the Township.

The call to the public was closed at 7:34 pm.

Commissioner Rauch noted that one issue is what is being requested this evening. In looking at this issue, the evidence shown allows it to be approved.

The second issue is their vision and the reason for their fundraising. He agrees that would need a comprehensive conversation with the Township to ensure that plan aligns with the goals and objectives of the Township. Mr. Berigan stated they have started this conversation as they have met with township staff.

Commissioner Dhaenens agrees with the increase in traffic, noting there is a county park at the end of McClements. When he was little he went to this camp three times a year in the fall, winter and spring and there were hundreds of kids there each time. This was before the homes were built in the area. He agrees that rope climbing courses are great team building exercises.

Commissioner McBain stated that people are allowed to develop their property and profit from it. She would prefer there be a camp there instead of as many homes as can be built.

Moved by Commissioner Rauch, supported by Commissioner Dhaenens, to approve the sketch plan dated April 10, 2023 for a proposed camp “giant swing” and a high ropes course for the Our Lady of the Fields located at 7000 McClements Road, south side of McClements Road, between Kellogg and Euler Road for the Catholic Church of the United States, with the following conditions:

- Approval of a variance from the Zoning Board of Appeals for the high ropes course.
- The petitioner’s activity designer shall submit pertinent information to the Township and Brighton Area Fire Authority.

The motion carried unanimously.

OPEN PUBLIC HEARING #3...Discussion regarding proposed solar ordinance.

Ms. Ruthig stated staff is requesting feedback regarding developing a solar ordinance and they would like direction from the Planning Commission. The main concern is the solar farms. Brian Borden stated he and staff will be working on altering the existing ordinance language for residential, smaller, solar appliance uses. Regarding the large, utility sized solar farms, they are suggesting that these be considered industrial uses.

Commissioner Dhaenens agrees that it should be allowed, but it must be put in the right place.

Commissioner Chouinard would like to be provided with detailed information, such as what noise they generate, what are the different types and sizes, etc. Commissioner Rauch referenced the chart in the information provided in tonight’s package showing the different types and scales of solar systems included in the ordinance.

The Commissioners agreed to follow the Master Plan and requested that Mr. Borden and Ms. Ruthig provide a draft ordinance for review and approval.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated there will be one item on the agenda next month, as well as the draft solar ordinance agenda.

Approval of the April 10, 2023 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the April 10, 2023 Planning Commission Meeting as presented. **The motion carried unanimously.**

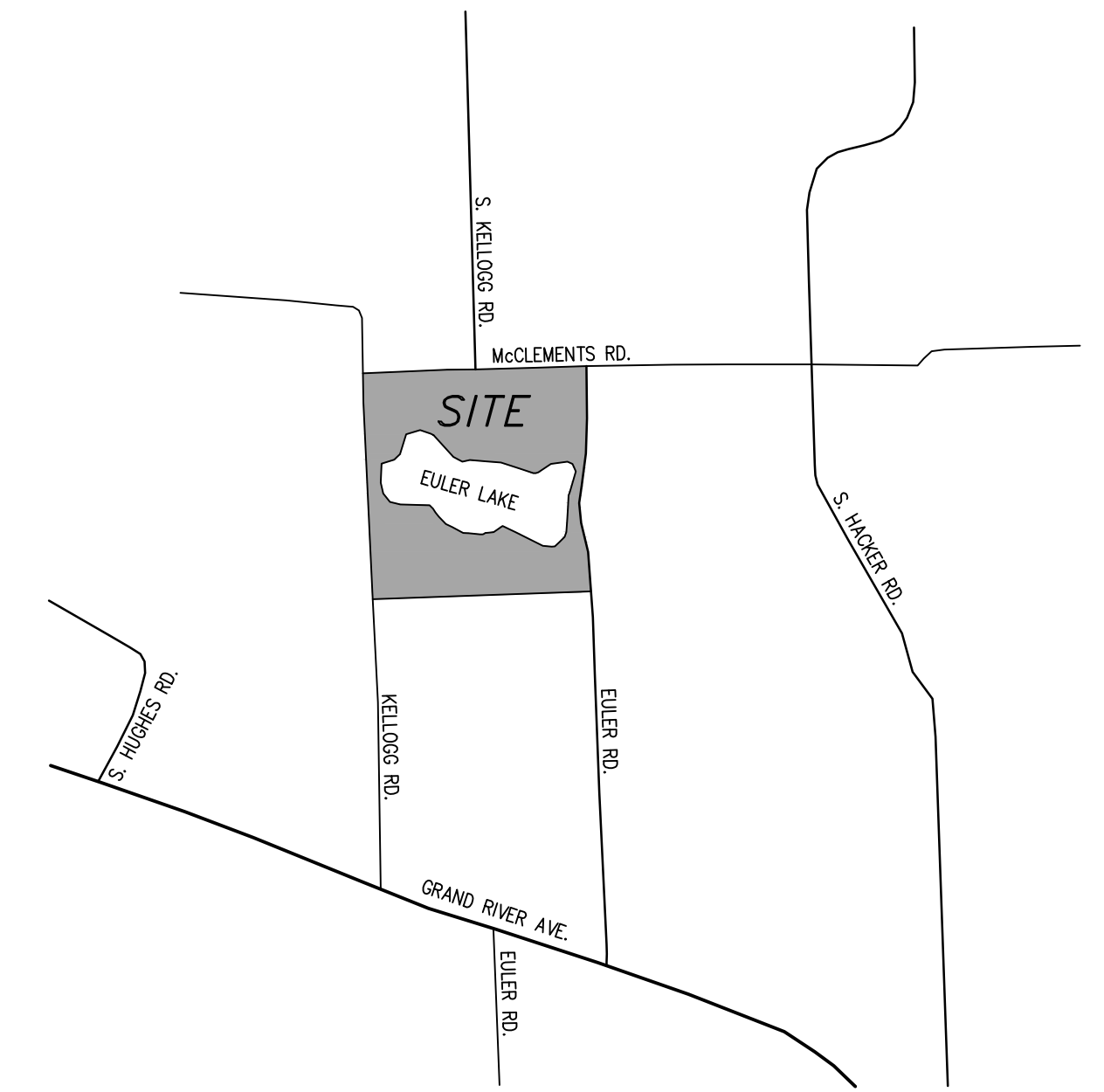
Member Discussion

There were no items to discuss this evening.

PROPOSED IMPROVEMENTS TO
CHALDEAN CATHOLIC CHURCH of the UNITED STATES of AMERICA
OUR LADY of the FIELDS CAMPGROUND
 SKETCH PLAN



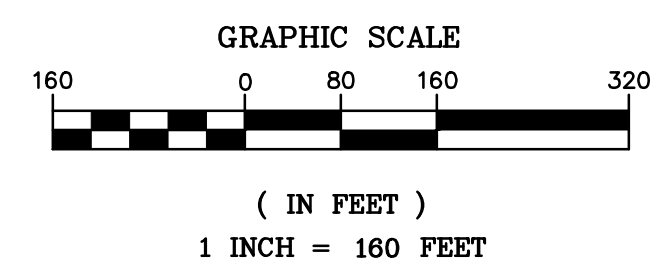
LEGAL DESCRIPTIONS
 11-11-200-001
 THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 11
 T2N, R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.
 11-12-100-002
 THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 12
 T2N, R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



LOCATION MAP
 SCALE: 1in. = 2000ft.

NOTES:
 NO CHANGES ARE PROPOSED TO EXISTING SITE UTILITIES
 NO CHANGES ARE PROPOSED TO EXISTING GRADING, LIGHTING
 DUMPSTERS, PROTECTED OR LANDMARK TREES.
 NO CHANGES ARE PROPOSED TO EXISTING BUILDINGS.

- SHEET INDEX**
- EX EXISTING CONDITIONS PLAN
 - C1.0 NORTH CAMP GROUND IMPROVEMENT SKETCH PLAN
 - C1.1 NORTH CAMP GROUND RECREATION STRUCTURES SKETCH PLAN



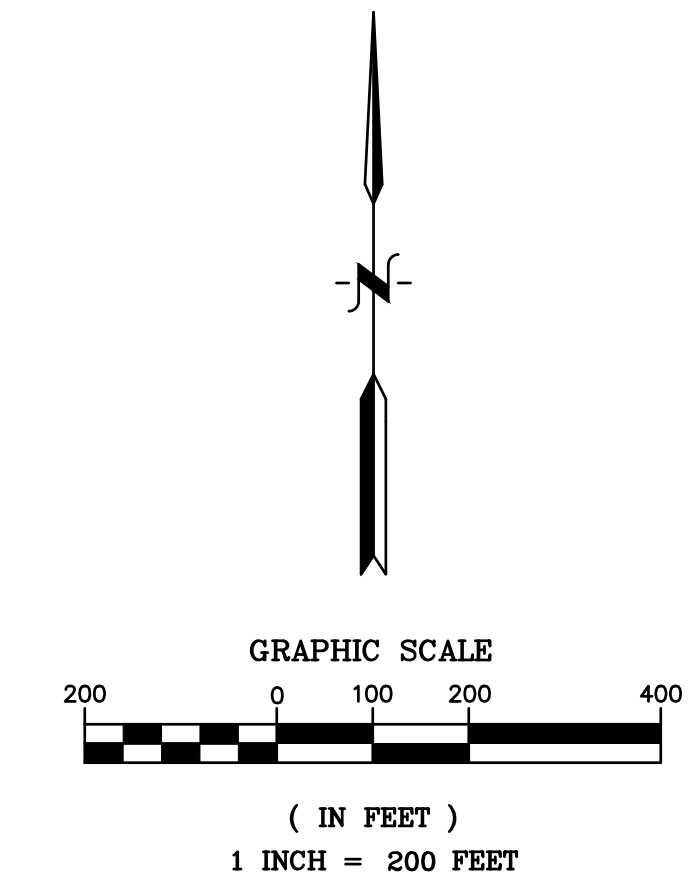
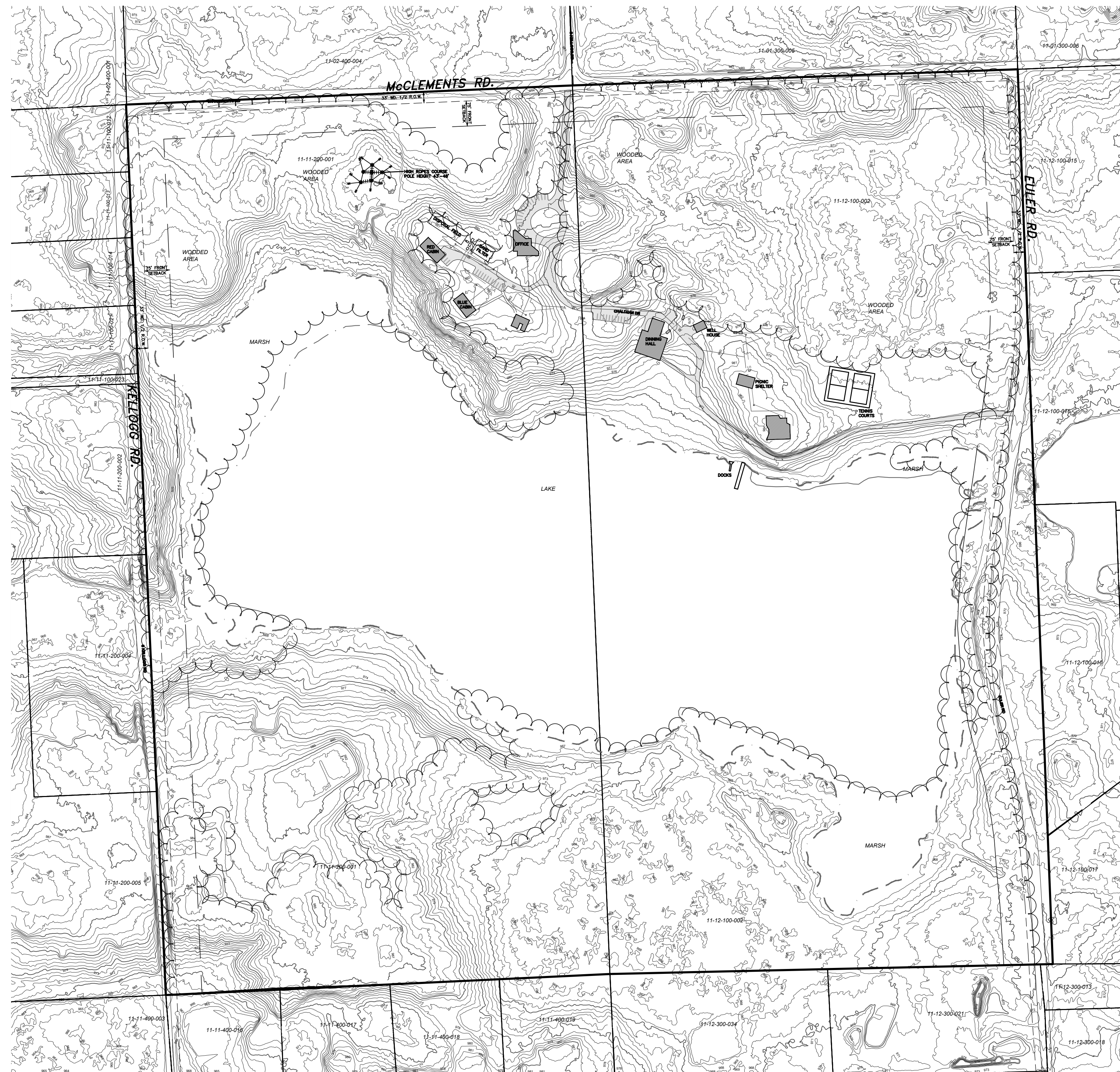
OWNER / APPLICANT
 CHALDEAN CATHOLIC CHURCH OF
 THE UNITED STATES OF AMERICA
 25603 BERG ROAD
 SOUTHFIELD, MICHIGAN 48033

ENGINEER / SURVEYOR
 DESINE, INC.
 2183 PLESS DR.
 BRIGHTON, MICHIGAN 48114

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 OR VISIT CALL811.COM

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 (810) 227-9533
 CIVIL ENGINEERS
 LAND SURVEYORS
 2183 PLESS DRIVE
 BRIGHTON, MICHIGAN 48114

ISSUED	SCALE: 1in. = 200ft.
	PROJECT No.: 224345
	DWG NAME: 4345 COV
	PRINT: APRIL 10, 2022



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LAND SURVEYORS
2183 PLESS DRIVE
BRIGHTON, MICHIGAN 48114

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: JHG						
CHECK: WMP						

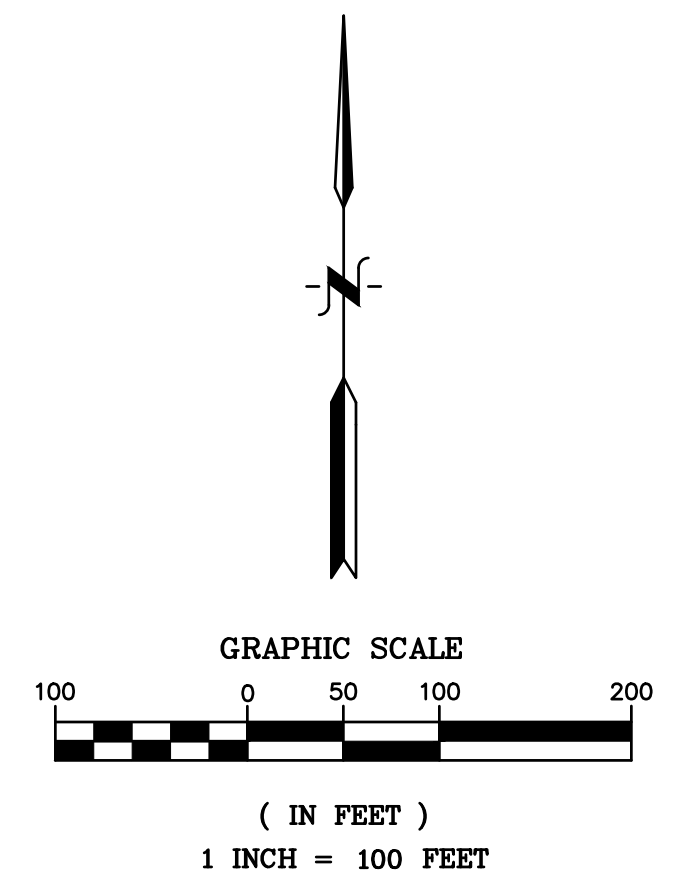
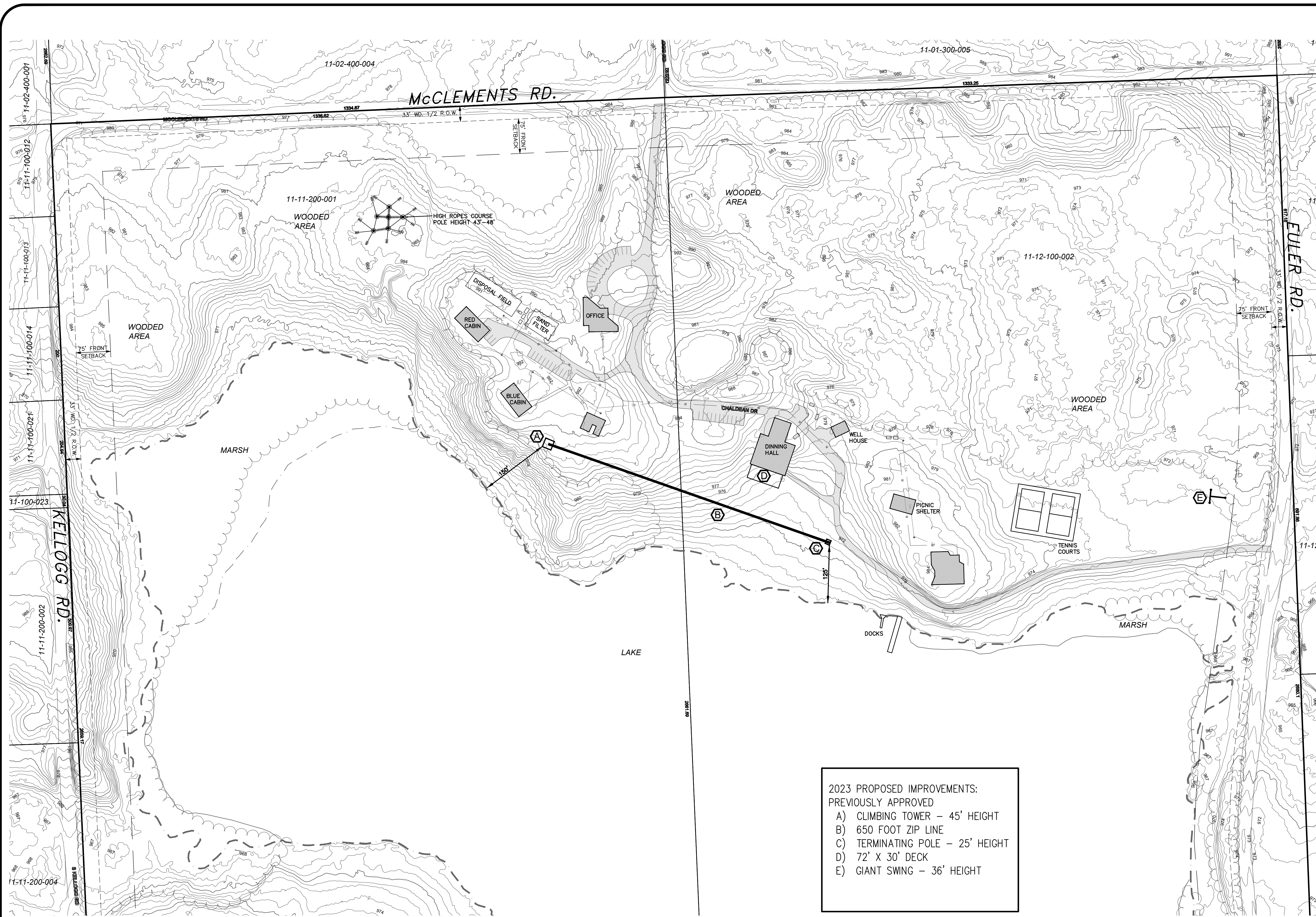
Our Lady of the
Fields

EXISTING CONDITIONS PLAN

CLIENT:
CHALDEAN CATHOLIC CHURCH OF
THE UNITED STATES OF AMERICA
25603 BERG ROAD
SOUTHFIELD, MICHIGAN 48033

SCALE: 1in. = 200ft.
PROJECT No.: 224345
DWG NAME: 4345 EX
ISSUED: **APRIL 10, 2023**

EX



- LEGEND**
- PARCEL BOUNDARY
 - - - PUBLIC ROAD R.O.W.
 - BUILDING SETBACK LINE
 - - - EX. EDGE OF GRAVEL
 - - - EX. EDGE OF PAVEMENT
 - - - EX. WATER LINE
 - - - EX. SANITARY SEWER
 - - - EX. SANITARY TANK
 - - - APPROX. EDGE OF WATER
 - - - APPROX. WETLAND LINE
 - EX. BUILDING
 - EX. PAVEMENT AREA
 - EX. 1' CONTOUR
 - EX. 5' CONTOUR

PARKING CALCULATION
PROVIDED: 39 SPACES

2023 PROPOSED IMPROVEMENTS:
PREVIOUSLY APPROVED

- A) CLIMBING TOWER - 45' HEIGHT
- B) 650 FOOT ZIP LINE
- C) TERMINATING POLE - 25' HEIGHT
- D) 72' X 30' DECK
- E) GIANT SWING - 36' HEIGHT

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(810) 227-9533
CIVIL ENGINEERS
LAND SURVEYORS
2183 PLESS DRIVE
BRIGHTON, MICHIGAN 48114

DESIGN:	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT:						
CHECK:						

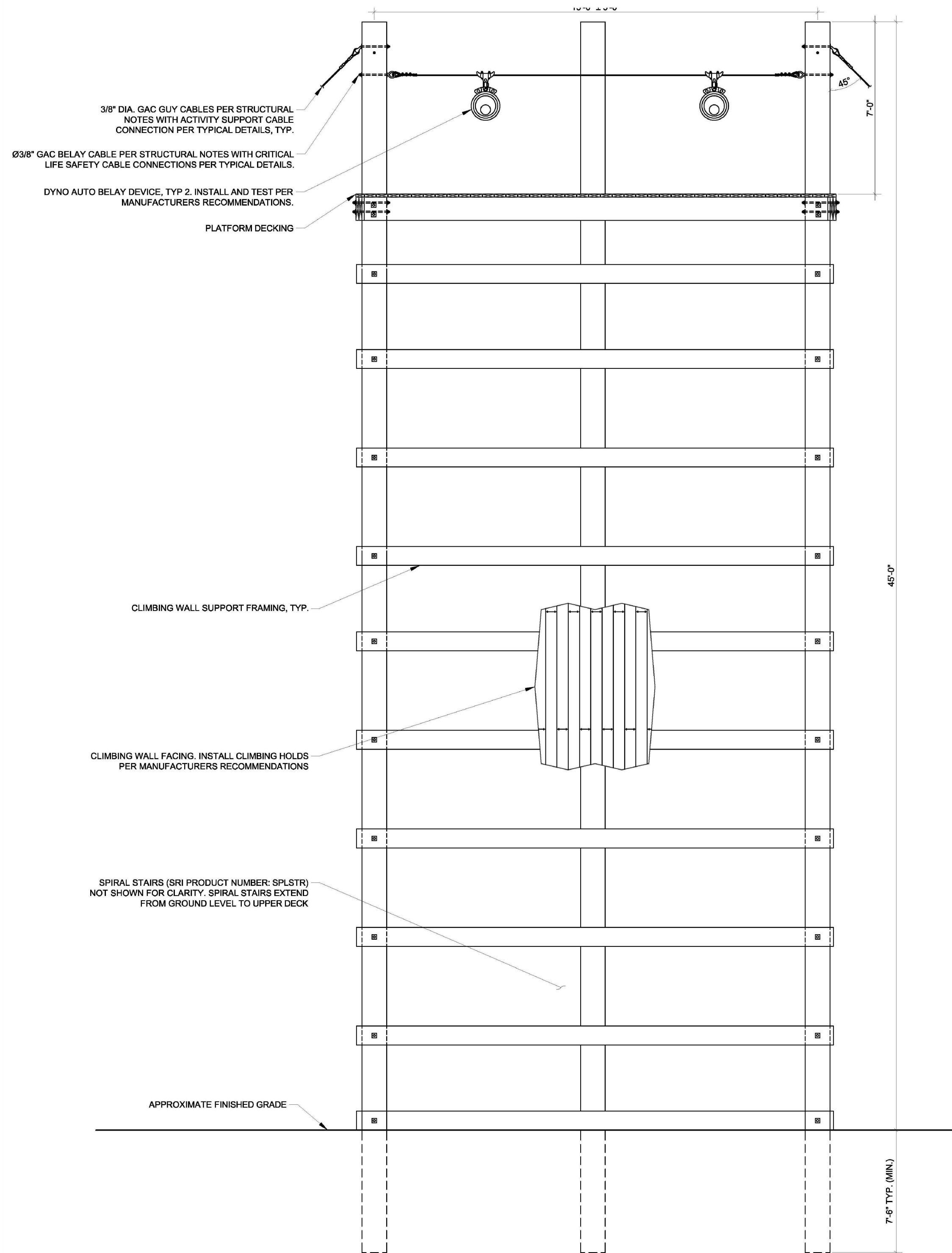
OUR LADY OF THE
FIELDS

Camp Improvement
Sketch
Plan

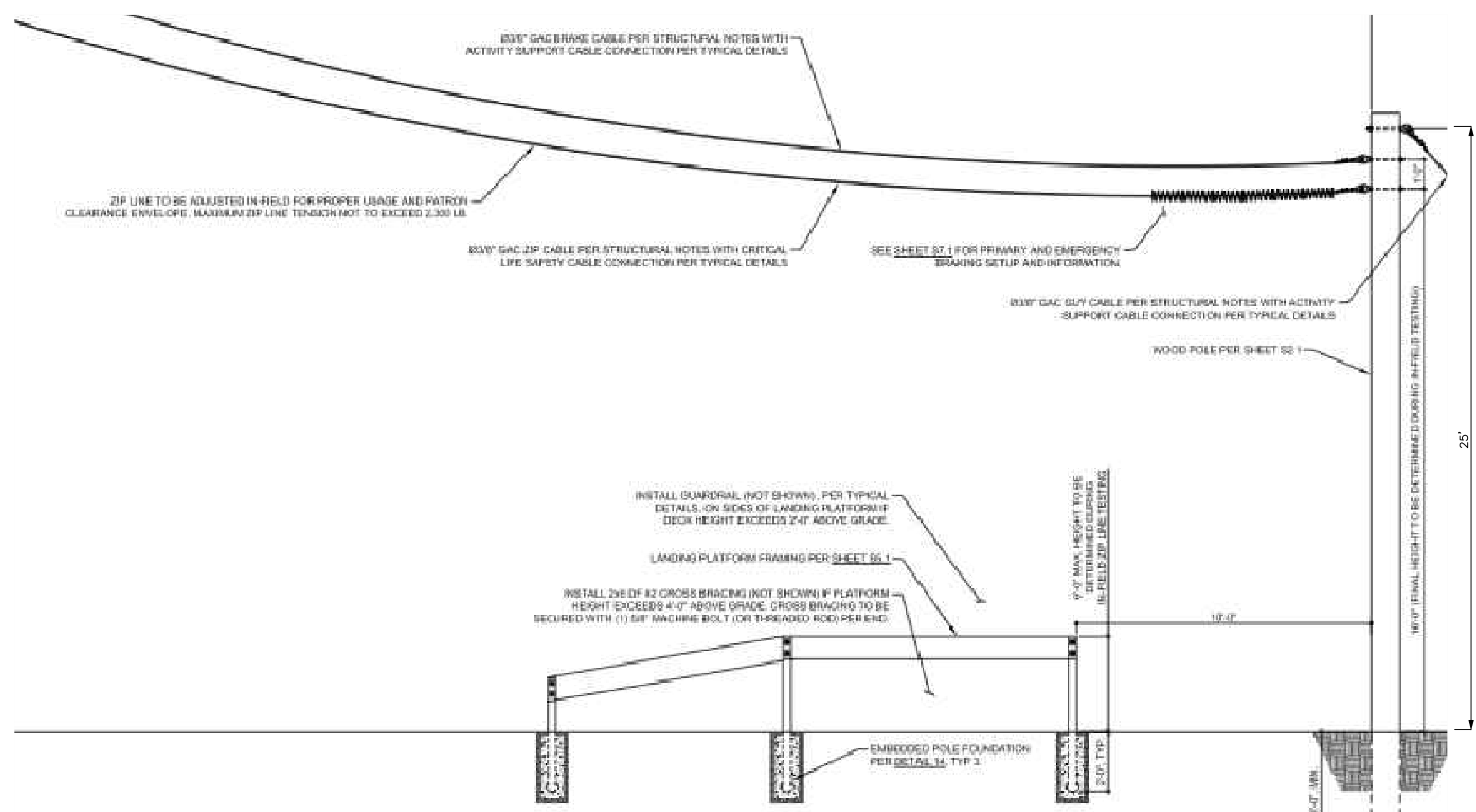
CLIENT:
Chaldean Catholic Church of
the United States of America
25603 Berg Road
Southfield, Michigan 48033

SCALE: 1"=100'
PROJECT No.: 224345
DWG NAME: 4345 CP
ISSUED: APRIL 10, 2023

C1.0

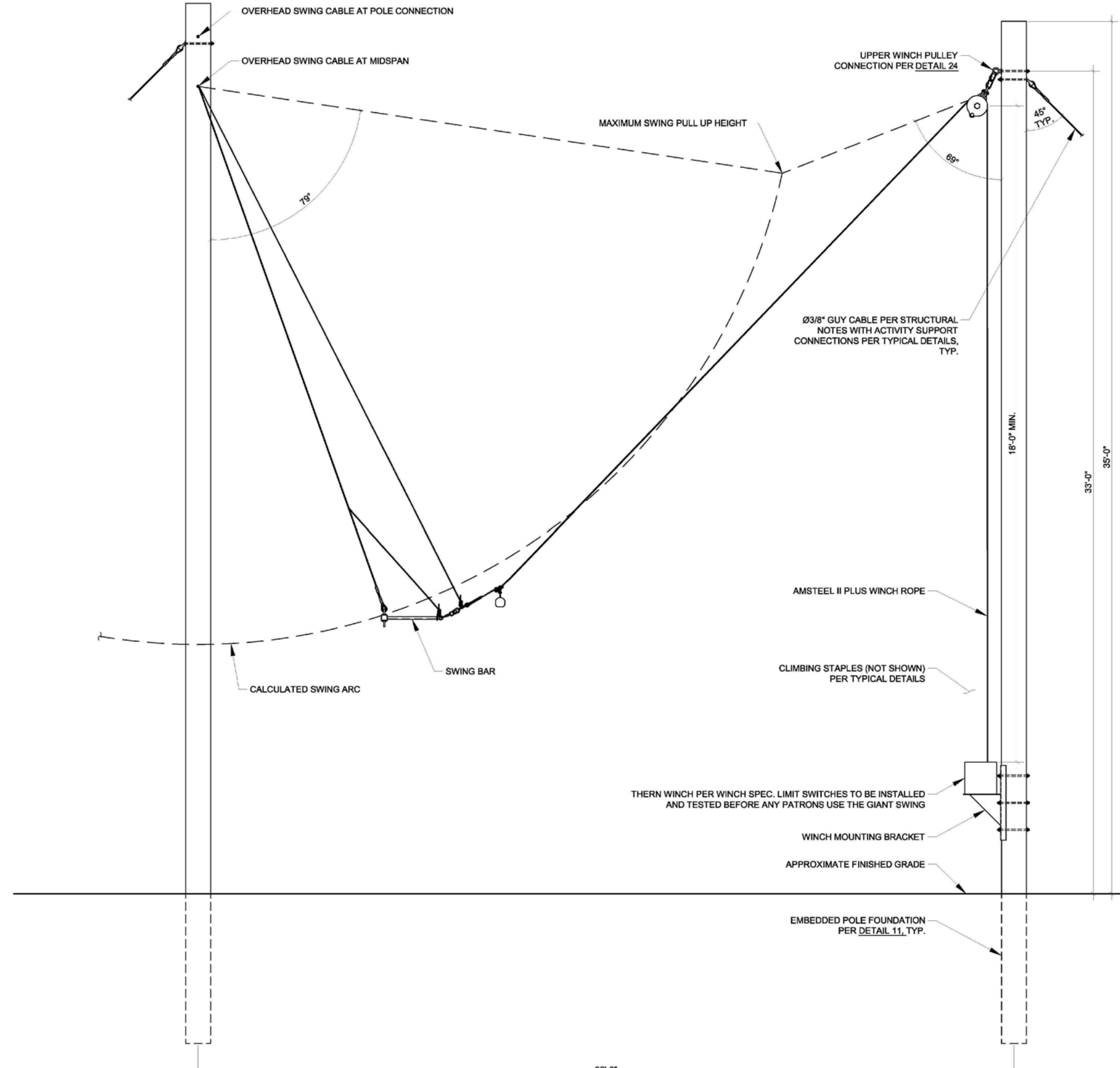
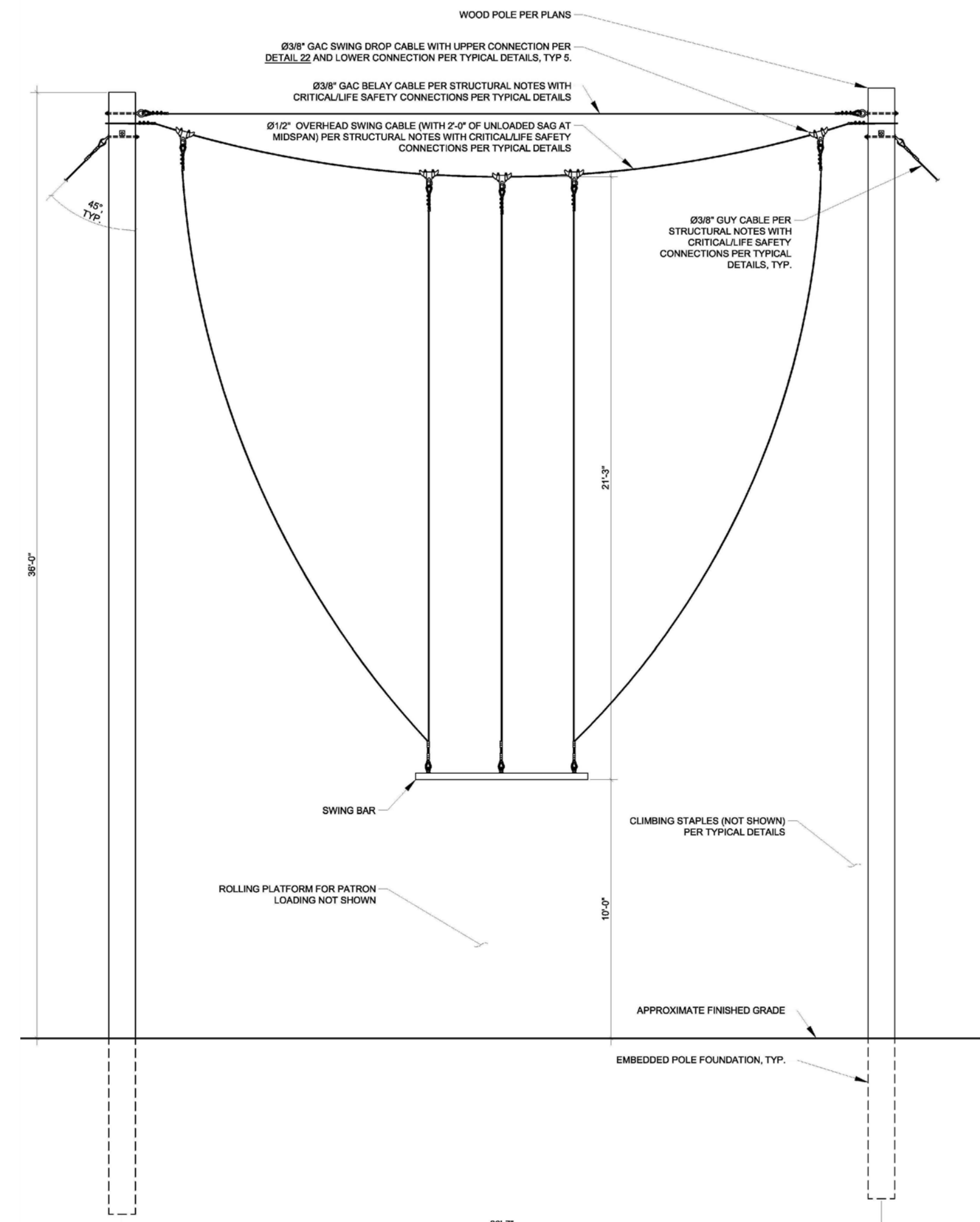


ELEVATION
CLIMBING TOWER
NOT TO SCALE



ELEVATION A-A
SCALE: 3/8" = 1'-0"

TERMINATING POLE
NOT TO SCALE



SWING ELEVATIONS
NOT TO SCALE

DESIGN:	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT:						
CHECK:						

**OUR LADY OF THE
FIELDS**

**North Campground
Recreation Structures
Sketch Plan**

CLIENT:
Chaldean Catholic Church of
the United States of America
25603 Berg Road
Southfield, Michigan 48033

SCALE: NONE
PROJECT No.: 224345
DWG NAME: 4345 CP
ISSUED: **APRIL 10, 2023**

C1.1



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
CITY OF DETROIT	CHALDEAN CATHOLIC CHURCH	3,500,000	07/09/2007	QC	21-NOT USED/OTHER	2007R-030588	BUYER/SELLER	100.0			
Property Address		Class: COMMERCIAL-IMPROVE		Zoning: PRF	Building Permit(s)		Date	Number	Status		
1391 S KELLOGG RD		School: HOWELL PUBLIC SCHOOLS			EXEMPT		04/12/2013	P13-021	NO START		
Owner's Name/Address		P.R.E. 0%			EXEMPT		02/16/2011	11-014	NO START		
CHALDEAN CATHOLIC CHURCH OF THE USA 25603 BERG RD SOUTHFIELD MI 48033-2556		MAP #: V23-03			MISC EXEMPT		01/21/2011	W11-005	NO START		
		2023 Est TCV Tentative			ADDITION		06/09/2010	10-065	NO START		
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 4502.HARTLAND M & B						
SEC. 11 T2N, R5E, E 1/2 OF NE 1/4 80A SOUTH CAMP		Public Improvements		* Factors *							
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
CHALDEAN CHURCH		Gravel Road		TABLE A			80.000	Acres	10,500	100	840,000
		Paved Road		80.00 Total Acres Total Est. Land Value = 840,000							
		Storm Sewer									
		Sidewalk									
		Water Sewer									
		Electric									
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
Who		When	What	2023	EXEMPT	EXEMPT	EXEMPT	EXEMPT			
				2022	EXEMPT	EXEMPT	EXEMPT	EXEMPT			
				2021	0	0	0	0			
				2020	0	0	0	0			

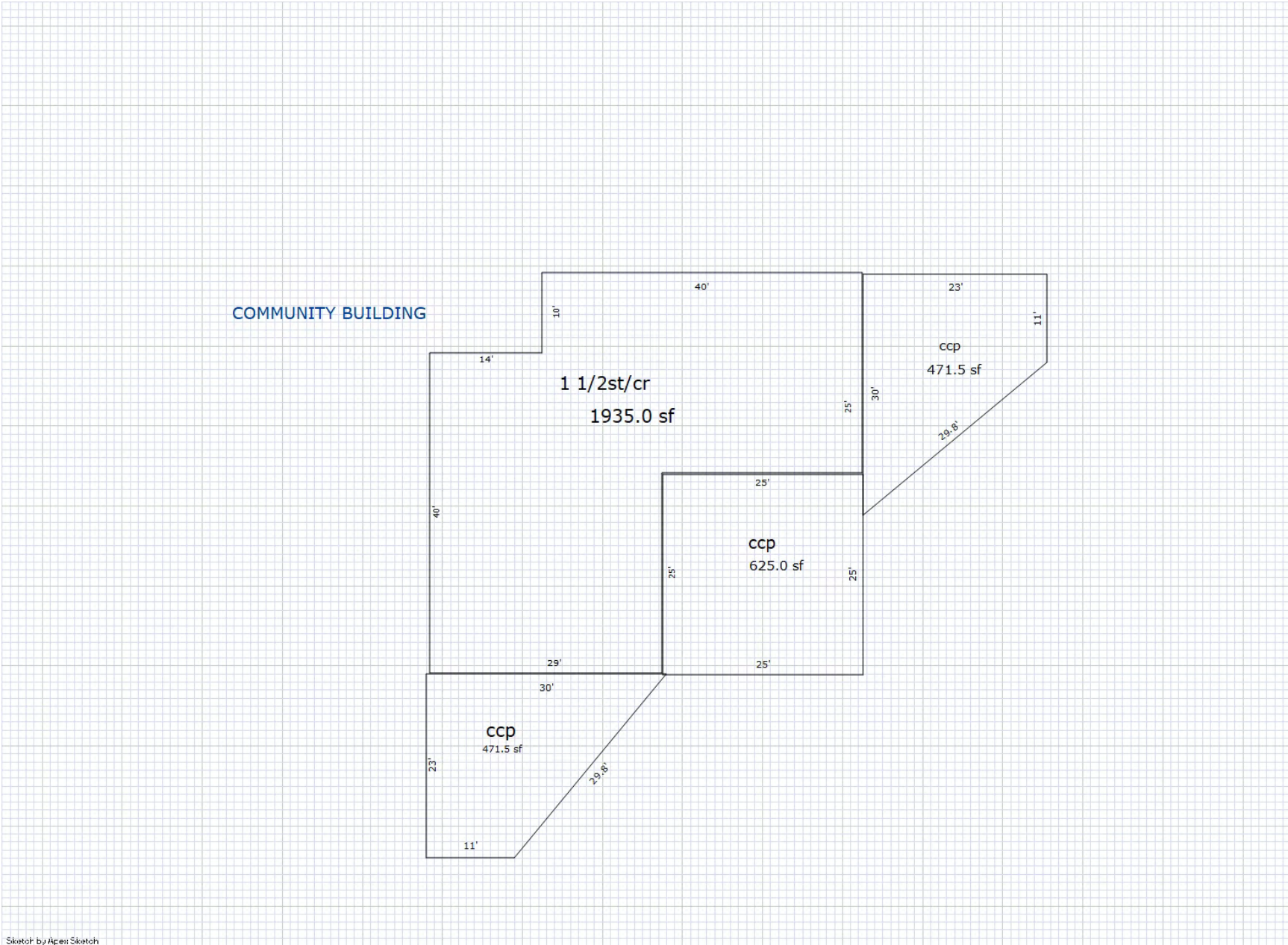


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*** Information herein deemed reliable but not guaranteed***

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 970 55	Type Treated Wood Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
X	Wood Frame		(4) Interior Drywall Paneled Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling											
Building Style: C		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			Class: C Effec. Age: 9 Floor Area: 2,800 Total Base New : 377,467 Total Depr Cost: 343,495 Estimated T.C.V: 360,670			E.C.F. X 1.050		Bsmnt Garage: 2 Car Carport Area: Roof:				
Yr Built 0	Remodeled 0	Size of Closets Lg X Ord Small		(12) Electric 0 Amps Service			Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 1778 SF Floor Area = 2800 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=91/100/100/100/91 Building Areas			Cls C Blt 0						
Condition: Good		Doors: Solid X H.C.		No./Qual. of Fixtures Ex. X Ord. Min			No. of Elec. Outlets Many X Ave. Few			Stories Exterior Foundation Size Cost New Depr. Cost						
Room List		(5) Floors Kitchen: Other: Other:		(13) Plumbing Average Fixture(s) 3 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			1 Story Siding Basement 1,778 1 Story Siding Overhang 1022 Total: 337,719 307,324									
(1) Exterior		(6) Ceilings		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:			Other Additions/Adjustments Basement, Outside Entrance, Below Grade 1 2,505 2,280 Plumbing 3 Fixture Bath 2 9,093 8,275 Water/Sewer 1000 Gal Septic 1 4,761 4,333 Water Well, 100 Feet 1 5,684 5,172 Deck Treated Wood 55 1,822 1,658 Treated Wood 970 12,329 11,219 Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Basement Garage: 2 Car 1 3,554 3,234 Totals: 377,467 343,495									
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation Basement: 1778 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0					Notes: ECF (4502 (47060) HARTLAND M & B) 1.050 => TCV: 360,670									
(2) Windows		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish Recreation SF Living SF 1 Walkout Doors No Floor SF												
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens																
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:														
X	Gable Hip Flat	Gambrel Mansard Shed														
X	Asphalt Shingle															
Chimney: Brick																

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



Sketch by Apen Sketch

*** 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	X	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:																														
X	Wood Frame	X	Drywall Paneled		Plaster Wood T&G										Class:	Exterior:																													
Building Style: CD		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling											Brick Ven.:	Stone Ven.:																													
Yr Built	Remodeled	Ex	X	Ord		Min									Common Wall:	Foundation:																													
2008	CLER0	Size of Closets		X											Finished ?:	Auto. Doors:																													
Condition: Good		Lg	X	Ord		Small									Mech. Doors:	Area:																													
Room List		Doors:		Solid	X	H.C.									% Good:	Storage Area:																													
	Basement 1st Floor 2nd Floor Bedrooms	(5) Floors		Kitchen: Other: Other:			(12) Electric								No Conc. Floor:	Bsmnt Garage:																													
		(6) Ceilings		No./Qual. of Fixtures			0 Amps Service																																						
(1) Exterior				Ex. X Ord. Min																																									
	Wood/Shingle Aluminum/Vinyl Brick			No. of Elec. Outlets																																									
X	Vinyl	(7) Excavation		Many X Ave. Few																																									
X	Insulation	Basement: 0 S.F. Crawl: 1572 S.F. Slab: 0 S.F. Height to Joists: 0.0		(13) Plumbing																																									
(2) Windows		(8) Basement		Average Fixture(s)																																									
X	Many Avg. Few	X	Large Avg. Small	2 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	(9) Basement Finish		Recreation SF Living SF Walkout Doors No Floor SF																																									
(3) Roof		(10) Floor Support		(14) Water/Sewer																																									
X	Gable Hip Flat	Gambrel Mansard Shed		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic																																									
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		Lump Sum Items:																																									
Chimney:																																													
Cost Est. for Res. Bldg: 2 Single Family CD Cls CD Blt 2008 (11) Heating System: Forced Heat & Cool Ground Area = 1572 SF Floor Area = 1572 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=91/100/100/100/91 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>1,572</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>175,554</td> <td>159,754</td> </tr> </tbody> </table> Other Additions/Adjustments Plumbing <table border="1"> <thead> <tr> <th></th> <th>1</th> <th>3,778</th> <th>3,438</th> </tr> </thead> <tbody> <tr> <td>3 Fixture Bath</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals:</td> <td>179,332</td> <td>163,192</td> <td></td> </tr> </tbody> </table> Notes: ECF (4502 (47060) HARTLAND M & B) 1.050 => TCV: 171,352																Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	1,572			Total:				175,554	159,754		1	3,778	3,438	3 Fixture Bath				Totals:	179,332	163,192	
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																																								
1 Story	Siding	Crawl Space	1,572																																										
Total:				175,554	159,754																																								
	1	3,778	3,438																																										
3 Fixture Bath																																													
Totals:	179,332	163,192																																											

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Desc. of Bldg/Section: Calculator Occupancy: Religious Buildings - Church Sanctuaries		<<<<<< Calculator Cost Computations >>>>>>	
Class: B		Class: B Quality: Good	
Floor Area: 6,953		Stories: 1 Story Height: 32 Perimeter: 518	
Gross Bldg Area: 6,953		Base Rate for Upper Floors = 461.55	
Stories Above Grd: 1		(10) Heating system: Package Heating & Cooling Cost/SqFt: 40.84 100%	
Average Sty Hght : 32		Adjusted Square Foot Cost for Upper Floors = 502.39	
Bsmnt Wall Hght		Total Floor Area: 6,953 Base Cost New of Upper Floors = 3,493,118	
Depr. Table : 2%		6,953 Sq.Ft. of Sprinklers @ 7.06, Cost New = 49,088	
Effective Age : 7		Reproduction/Replacement Cost = 3,542,206	
Physical %Good: 87		Eff.Age:7 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 87 /100/100/100/87.0	
Func. %Good : 100		Total Depreciated Cost = 3,081,719	
Economic %Good: 100		Local Cost Items Rate Quantity/Area %Good Depr.Cost	
Year Built Remodeled		GOOD ENTRY 25.00 1873 100 46,825	
Overall Bldg Height		ECF (4502 (47060) HARTLAND M & B) 1.000 => TCV of Bldg: 1 = 3,128,544	
Comments:		Replacement Cost/Floor Area= 516.18 Est. TCV/Floor Area= 449.96	

(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets:		Fixtures:	
X Poured Conc.	Brick/Stone	Block	Footings	Many Above Ave.	Average Typical	Few None	
(3) Frame:		Total Fixtures		Urinals		Flex Conduit	
		3-Piece Baths		Wash Bowls		Rigid Conduit	
		2-Piece Baths		Water Heaters		Armored Cable	
		Shower Stalls		Wash Fountains		Non-Metalic	
		Toilets		Water Softeners		Bus Duct	
(4) Floor Structure:		(9) Sprinklers:		(13) Roof Structure:		(40) Exterior Wall:	
				Slope=0		Thickness	
(5) Floor Cover:		(10) Heating and Cooling:		(14) Roof Cover:		Bsmnt Insul.	
		Gas Oil					
(6) Ceiling:		Coal Stoker		Hand Fired Boiler			

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

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
CITY OF DETROIT	CHALDEAN CATHOLIC CHURCH	3,500,000	07/09/2007	QC	21-NOT USED/OTHER	2007R-030588	BUYER/SELLER	100.0			
Property Address		Class: COMMERCIAL-IMPROVE		Zoning: PRF	Building Permit(s)		Date	Number	Status		
7000 MC CLEMENTS		School: HOWELL PUBLIC SCHOOLS		Other		01/06/2023	P23-001				
Owner's Name/Address		P.R.E. 0%		COMMERCIAL BLDG		05/05/2016	P16-069	NO START			
CHALDEAN CATHOLIC CHURCH OF THE USA 25603 BERG RD SOUTHFIELD MI 48033-2556		MAP #: V23-03		COMM MISCEL		12/16/2008	W08-125	NO START			
		2023 Est TCV Tentative		COMM MISCEL		12/16/2008	08-149	NO START			
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 4500.HOWELL M& B						
SEC. 12 T2N, R5E, W 1/2 OF NW 1/4 80A NORTH CAMP AREA & WELCOME CENTER		Public Improvements		* Factors *							
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Gravel Road		LAND TABLE A			80.000	Acres	10,500	100	840,000
		Paved Road				80.00	Total Acres	Total Est. Land Value =	840,000		
		Storm Sewer									
		Sidewalk									
		Water									
		Sewer									
		Electric									
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value			
Who		When	What	2023	EXEMPT	EXEMPT	EXEMPT	EXEMPT			
				2022	EXEMPT	EXEMPT	EXEMPT	EXEMPT			
				2021	0	0	0	0			
				2020	0	0	0	0			

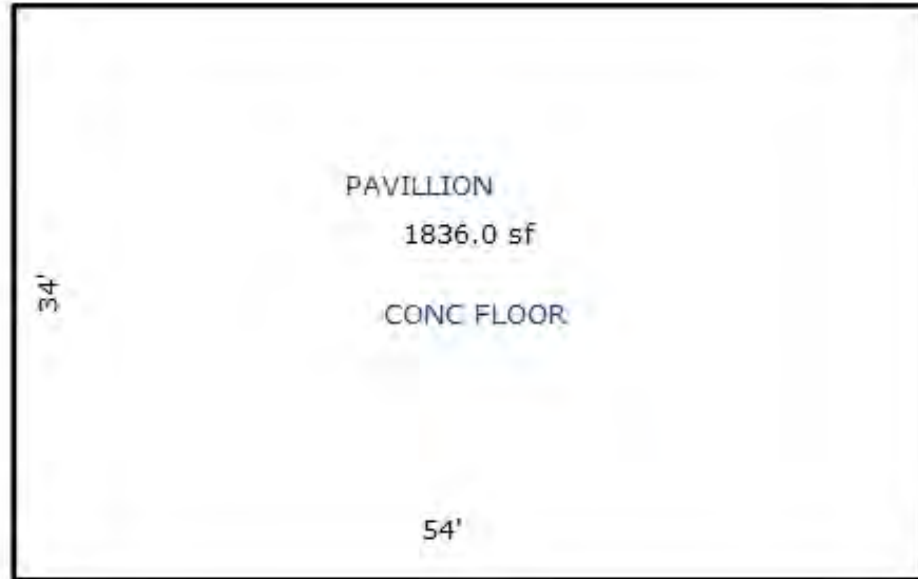
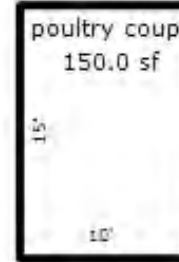
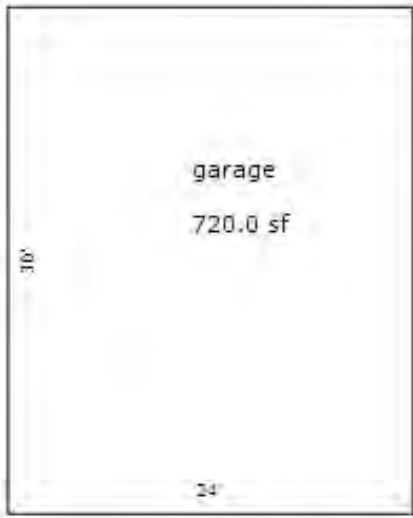


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*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: Calculator Occupancy: Clubhouses				<<<<<< Calculator Cost Computations >>>>>>															
Class: C Floor Area: 6,417 Gross Bldg Area: 6,417 Stories Above Grd: 1 Average Sty Hght : 12 Bsmnt Wall Hght				Construction Cost High Above Ave. Ave. X Low				Class: C Quality: Average Stories: 1 Story Height: 12 Perimeter: 0				Base Rate for Upper Floors = 128.86							
Depr. Table : 2.5% Effective Age : 30 Physical %Good: 47 Func. %Good : 100 Economic %Good: 100				** ** Calculator Cost Data ** ** Quality: Average Heat#1: Package Heating & Cooling 100% Heat#2: Space Heaters, Gas with Fan 0% Ave. SqFt/Story: 6417 Ave. Perimeter Has Elevators:				(10) Heating system: Package Heating & Cooling Cost/SqFt: 21.07 100% Adjusted Square Foot Cost for Upper Floors = 149.93				Total Floor Area: 6,417 Base Cost New of Upper Floors = 962,101							
Year Built Remodeled				Area: Perimeter: Type: Heat: Hot Water, Radiant Floor				ECF (1000 EXEMPT) 1.000 => TCV of Bldg: 1 = 452,187 Replacement Cost/Floor Area= 149.93 Est. TCV/Floor Area= 70.47				Reproduction/Replacement Cost = 962,101 Eff.Age:30 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 47 /100/100/100/47.0 Total Depreciated Cost = 452,187							
Overall Bldg Height				* Mezzanine Info * Area #1: Type #1: Area #2: Type #2:															
Comments:				* Sprinkler Info * Area: Type: Average															
(1) Excavation/Site Prep:				(7) Interior:				(11) Electric and Lighting:				(39) Miscellaneous:							
(2) Foundation:				(8) Plumbing:				Outlets:				Fixtures:							
X	Poured Conc.	Brick/Stone	Block	Many Above Ave.	Average Typical	Few None	Few Average Many Unfinished Typical	Few Average Many Unfinished Typical											
(3) Frame:				Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets				Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners				Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct				Incandescent Fluorescent Mercury Sodium Vapor Transformer			
(4) Floor Structure:				(9) Sprinklers:				(13) Roof Structure: Slope=0				(40) Exterior Wall:							
(5) Floor Cover:				(10) Heating and Cooling:				(14) Roof Cover:				Thickness Bsmnt Insul.							
(6) Ceiling:				Gas Oil Coal Stoker Hand Fired Boiler															

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



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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
May 16, 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, 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 6:31 pm with no response.

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 variances deemed necessary by the Zoning Board of Appeals to construct a new home.

Mr. Tobey stated the property is vacant and the hardship is that this property is .63 acres and is located in a five-acre minimum zoning, so the setbacks are not able to be met. The proposed front yard setback and size of the home are consistent with his neighbors. He showed the survey indicating the proposed building envelope and location of the home.

Board Member McCreary requested a letter be provided to the Township from the owner that gives permission for Mr. Tobey to request these variances as he is not the current owner of the property.

The call to the public was opened at 6:43 pm with no response.

Moved by Board Member Kreutzberg, seconded by Board Member McCreary, to approve Case #23-15 for a front yard setback variance of 22 feet from the required 75 feet for a front yard setback of 53 feet, a side yard setback variance of 30 feet from the required 40 feet for a side yard setback of 10 feet, and a wetland setback variance of 10 feet from the required 25 feet for

a wetland setback of 15 feet for Justin Tobey, 3823 E. Coon Lake Road, to construct a new home, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably prevent intended use of the property. The variance will provide substantial justice, is the last necessary, is not self-created and would make the property consistent with other properties and homes in the area. The wetland variance is necessary as it is intended for long-term usage of the rear yard with no disturbance to wetland.
- The building variance is necessary due to the extraordinary circumstances, such as the unconventional size of the property, narrow lot size, and location of wetland. The building envelope as it exists is unreasonably small without providing above variances.
- The need for the variances is necessary and not self-created
- Granting these variances would not impair adequate light or air to adjacent properties, would not increase congestion or increase danger or fire or threaten public safety.
- The variances would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood.

The approval is conditioned upon the following:

- No additional structures are permitted on the property.
- Silt fence shall be installed during construction to prevent run off to the wetland
- An authorization letter from the property owner shall be submitted to the Township
- Permanent demarcation signs shall be installed along the wetland setbacks.
- Post construction, permanent lawn and landscaping must be installed to maintain soil erosion and wetland condition.

The motion carried unanimously.

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.

Ms. Janet Exline stated they would like to square off their oddly-shaped deck and add a second tier.

Chairman Rassel questioned if the applicant received the review letter from the Township. Ms. Exline stated she had not and requested time to review the letter.

Moved by Board Member McCreary, seconded by Board Member Kreutzberg, to table Case #23-17 until the end of the meeting to allow the applicant to review the letter provided by the Township Planner that was included in tonight's packet. **The motion carried unanimously.**

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.

Mr. Kuikahi stated they would like to move the home closer to the water. He showed elevations and a floor plan of the proposed home, but he did the site plan drawing himself. He is confident that his measurements are accurate. He noted that his neighbors are here tonight to support him. He will not be blocking the view of the lake for either of his neighbors.

Board Member McCreary stated she only saw two stakes at the back of the property. There were no other stakes. Mr. Kuikahi stated he has stakes showing the side setbacks. They are very close to where the existing home is located. Mr. Rockwell noted one was close to the recycling bin.

Board Member McCreary questioned why the home is so large. Mr. Kuikahi stated he has a very large family and he would like a garage for his boat.

The call to the public was opened at 7:03 pm with no response.

Moved by Board Member Kreutzberg, seconded by Board Member Ledford, to approve Case #23-18 for a waterfront yard setback variance of 25 feet 7 inches from the minimum required 110 feet for a waterfront yard setback of 84 feet 5 inches for Robert Kuikahi of 6035 E Grand River to demolish an existing home and construct a new home, 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 would make the property consistent with other properties and homes in the LRR zoning district. The need for the variance is not self-created.
- The variance is necessary due to the extraordinary circumstances, such as the steep topography and the deficient lot width and area combined limit available building space on the property. These conditions are not self-created and are exacerbated by the size of neighboring lots used to determine waterfront setbacks.
- 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.
- The variances would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood and will, in fact, maintain minimum street front setback from Grand River, specifically allowing safe entrance to traffic.

The motion carried unanimously.

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.

Mr. Chouinard stated the two existing structures are non-conforming. He would like to remove them and build one large home. He has placed the house as far off of the road to avoid the need for a waterfront setback variance. The practical difficulty is the size of the building envelope and neither of the existing homes are able to be salvaged.

There was a discussion regarding the discrepancy between the lot area noted on the site plan and what is in the Township's records in the Planner's review letter. The site plan notes 14,208 square feet, while the Township indicates 9,583 square feet. The letter notes that the latter would make this a nonconforming lot, which would be an additional burden or extraordinary circumstance.

The call to the public was opened at 7:19 pm with no response.

Moved by Board Member Rockwell, seconded by Board Member Kreutzberg, to approve Case #23-19 for a front yard setback variance of 30 feet from the required 35 feet for a front yard setback of 5 feet for Tim Chouinard and Mike Tiano of 576 and 572 Black Oaks Trail to construct a new home, based on the following findings of fact:

- Strict compliance with the ordinance would prevent the construction of a new home. The variance would support substantial justice and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity.
- The exceptional or extraordinary condition of the property is the lot's irregular shape in being wider from the merger of two lots relative to its depth.
- The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have a limited impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon only one dock being allowed on the combined lots.

The motion carried unanimously.

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.

Mr. Matt Richey and Ms. Janet Exline were present. Mr. Richey stated the project as it is proposed, is the first part would be the 14 x 19 addition to the existing structure to reconfigure the oddly shaped existing deck and square it off to the existing house. They would also like to repair the existing stairs. After reading the review letter, it appears they do not meet the criteria for the addition of the second tier. It already exceeds 16 feet and the maximum allowed is 15 feet. Ms. Exline noted that the home across the lake from them at 4030 Clifford has four tiers of decking. She showed a sketch of their proposal.

Board Member McCreary asked the applicant to provide the hardship for the need for the variance. Mr. Exline stated the existing deck is already non-conforming, so they required a variance to repair it so while they were asking for the one variance, they wanted to add the addition at the same time.

Board Member Rockwell agrees with the request to square off the existing deck but is not in favor of approving the additional tier to the deck. Board Member Kreutzberg advised the applicant that if a brick or concert area at the bottom of the stairs is less than six inches high, it would be allowed and would not require a variance.

The call to the public was opened at 7:38 pm.

Mr. James Walsh of 4443 Filbert submitted a FOIA request that he made to the Livingston County Building Department for a deck permit for 4337 Filbert and they did not have any

records for that permit. There are no other decks that stick out that far in their neighborhood. It substantially blocks his view of the lake. This would be an addition to an unpermitted and non-conforming deck.

The call to the public was closed at 7:40 pm.

Ms. Exline noted that on the survey she submitted, which has both her and her neighbor's properties, it shows a 12-foot shed on the neighbor's property. There is also another shed that is not shown on the survey.

Board Member McCreary stated that this deck protrudes further than both of the houses on either side. She is not in favor of adding on to the existing deck. This Board cannot address the issue of the existing deck being non-conforming.

Mr. Richey showed the floor plan of the home and deck and noted that the "triangle" portion toward the lake is being removed. That point extends 19 feet so they will be bringing that part back to 16 feet and then expanding it to the east and squaring it off to the side of the home.

Ms. Ruthig stated the applicant could add to the existing deck if the addition is only 15 feet from the house, not 16 which is the current size. They would still need a variance to make a repair that exceeds more than half the value of the existing deck according to Section 24.04.06 of the Zoning Ordinance. The applicant can extend the deck the length of the house as long as it is 15 feet from the rear of the home.

Moved by Board Member McCreary, seconded by Board Member Kreutzberg, to approve Case #23-17 for Janet Exline of 4437 Filbert Drive for a variance to repair a non-conforming deck in the same footprint, or less, per Article 24.04.06 of the Zoning Ordinance, referring to allowing the applicant to make repairs that exceed 50 percent of the value of the conforming deck, based on the findings of fact:

- The existing deck will be repaired for safety purposes as it is the access from the home to the rear yard.
- Granting this variance would support substantial justice and property rights similar to those possessed by other properties in the same zoning district and vicinity.
- Strict compliance with the ordinance would prevent the existing deck from being repaired.
- The need for the variance is not self-created.
- The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have a limited impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the April 18, 2023 Zoning Board of Appeals meeting.

Needed changes were noted.

Moved by Board Member Rockwell, seconded by Board Member Kreutzberg, to approve the minutes of the April 18, 2023 Zoning Board of Appeals meeting as corrected. **The motion carried unanimously.**

2. Correspondence

Ms. Ruthig stated there are two cases scheduled for next month's meeting.

3. Member Discussion

There were no items to discuss this evening.

4. Adjournment

Moved by Board Member Ledford, seconded by Board Member McCreary, to adjourn the meeting at 8:09 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary