

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
November 19, 2024
6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

Conflict of Interest:

Approval of Agenda:

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

OLD BUSINESS:

NEW BUSINESS:

1. 24-28 A request is being made, by Jeffrey A. Adams of 5239 Wildwood for a rear(waterfront), road, and side yard setback variances and any other variances deemed necessary by the Zoning Board of Appeals, to construct an accessory structure.

Administrative Business:

1. Approval of minutes for the October 22nd Zoning Board of Appeals meeting.
2. Correspondence
3. Member Discussion
4. Adjournment

*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented. Anyone speaking on an agenda item will be limited to 2 minutes.



GENOA CHARTER TOWNSHIP
USE VARIANCE APPLICATION

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

Case # 24-28

Meeting Date: Nov 19, 2024 @ 6:30pm
in Boardroom

PAID Variance Application Fee

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

Applicant/Owner: Jeffrey A. Adams

Email: gurski777@gmail.com

Property Address: 5239 Wildwood

Phone: 586-215-6835

Present Zoning: _____

Tax Code: 4711-10-102-070

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 may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested/intended property modifications: Request for lake road and side yard variances to build 14'X30', 1 car 2 story garage 20' in height, 28' from the lake 11' from the road and 2'-3'6" from side yard lot line of adjacent neighboring home

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 proposed structure would have no effect on the neighborhood or the adjacent home. The proposed garage would certainly be a visual improvement over the existing shed.

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.

Of the 17 homes on the Southeast portion of Wildwood. Seven have existing garages. My extraordinary circumstances is the close proximity of the adjacent home at 5245 Wildwood to the property line 2'-2'8".

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.

Enclosed is a letter of approval from my neighbor at 5245, A.J. Mitten to build such a structure. The side of the garage facing Mr.Mitten would be 5/8 fire board requested by BOCA building code.

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 purposed structure would in no way effect the neighborhood as far as function of vehicle or foot traffic. Elevation of the garage would mimic my home.

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: Oct 18, 2024 Signature: Jeffrey A. Alan



5285

5275

5265

5259

5255

5251

5245

5239

5227

5221

5215

Wildwood Dr W

Wildwood Dr W

Dickson St

5282

5315

5272

5303

1541

1558

1544

Sat Apr 6 2024

Imagery © 2024 Nearmap, HERE

20 ft

Nearmap

LAKE CHEMUNG

WATERS EDGE

EDGE OF WATER

WOOD DECK

28'

35'

LOT 69

KENNEL ON CONCRETE SLAB

HSE # 8245

20.00'

WOOD DECK

LOT 70

6'

30'

47.30'

4" WOOD FENCE

EDGE OF GRAVEL

10'

BRICK PAVING

HSE # 8238

PATH

CATCH BASIN

PROPOSED GARAGE
IN RED

WELL

4" WOOD PRIVACY FENCE

EDGE OF GRAVEL

5239 WILDWOOD DR



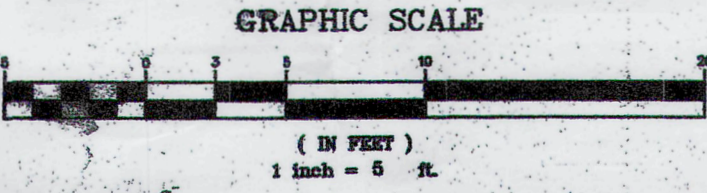
Jeffrey A. Adams
5239 Wildwood
Howell, Michigan 48843-9146

DESCRIPTION
Lot 70 of "KIRK'S LANDING LONG LAKE NO.1", a subdivision as recorded in Liber 2, of Plats, Page 20, Livingston County Records.

Kevin Cleary
5227 Wildwood
Howell, Michigan 48843

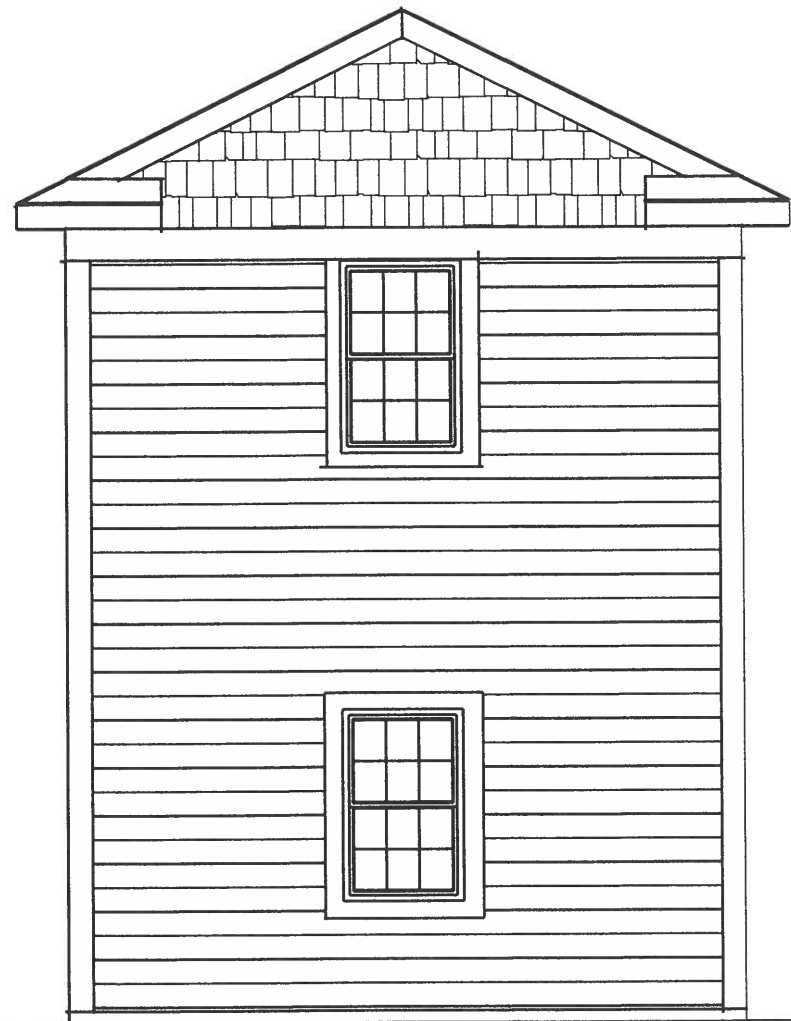
DESCRIPTION
Lot 71 of "KIRK'S LANDING LONG LAKE NO.1", a subdivision as recorded in Liber 2, of Plats, Page 20, Livingston County Records.

WILDWOOD DRIVE WEST



SCALE: 1" = 5'
DATE: 07-28-04
JOB No./CLIENT:
24880/ADAMS
24801/CLEARY
DWG. FILE: 24880_24X36.dwg

PREPARED BY:
HUGHES
LAND SURVEYORS
DARRELL HUGHES, R.L.S. No. 19834
838 SOUTH GRAND AVENUE P.O. BOX 1039
FOWLERVILLE, MICHIGAN 48836
E-MAIL: surveyorh@aol.com
OFC: (517) 223-3512
FAX: (517) 223-9987



LAKE SIDE

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



NEIGHBOR SIDE

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

Rick Lindbeck Design

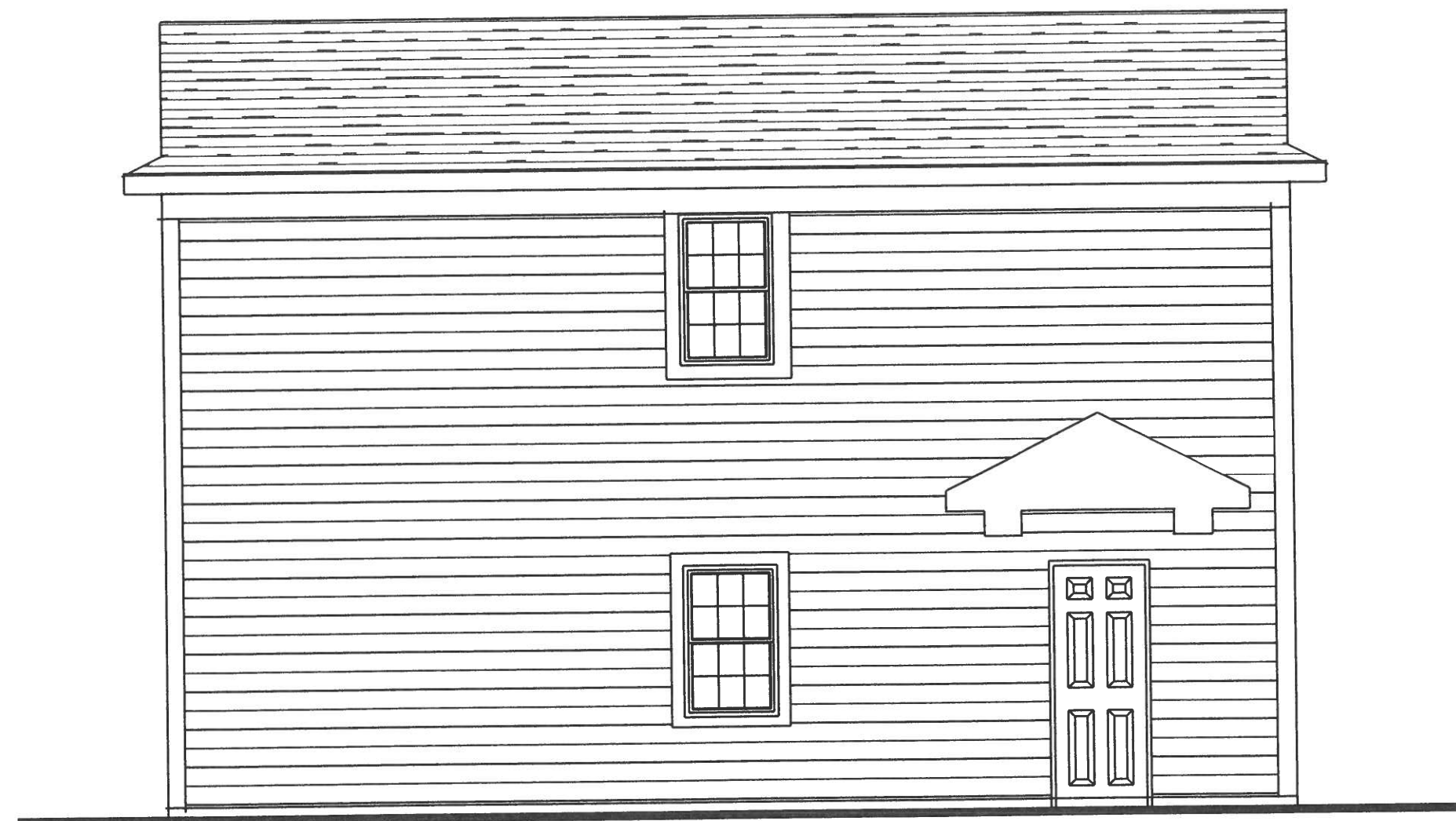


RESIDENTIAL DESIGN
rick@ricklindbeckdesign.com
248.310.4500

BLDR:

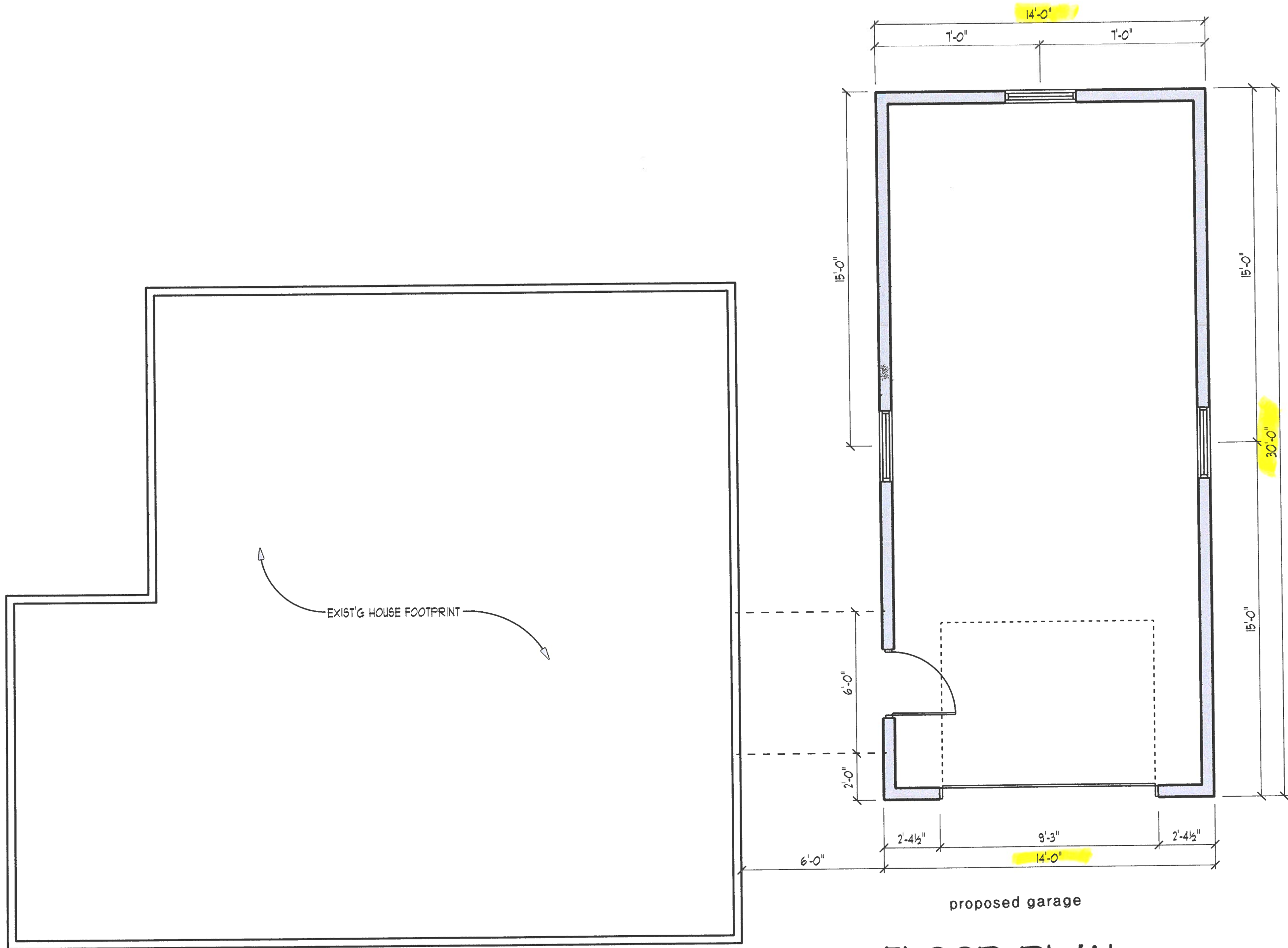
DATE:
REVISIONS:

OWNER:
JEFF ADAMS
5239 WILDWOOD DR
HOWELL, MI



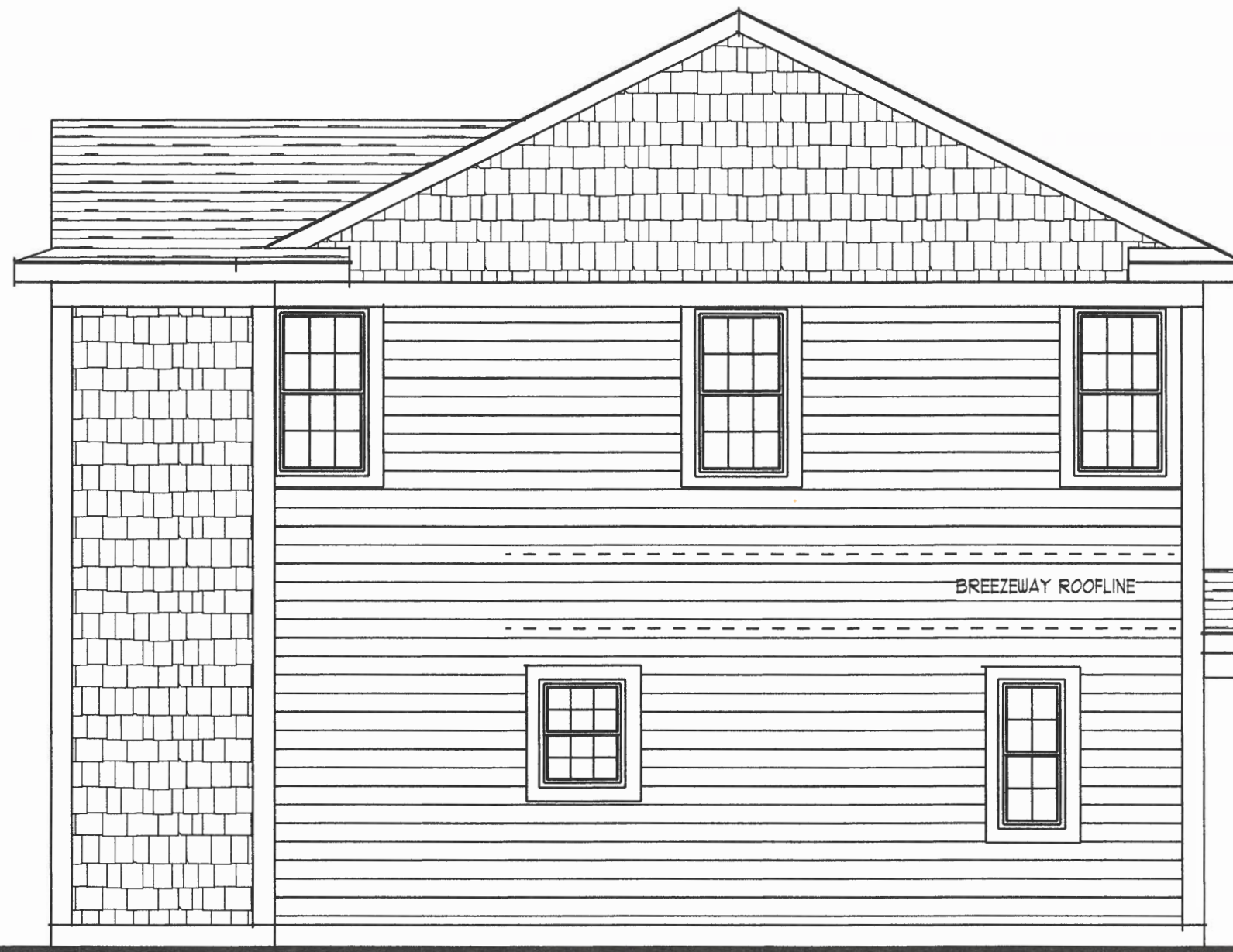
HOUSE SIDE

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



FLOOR PLAN

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



ROAD SIDE ELEVATION - EX HSE

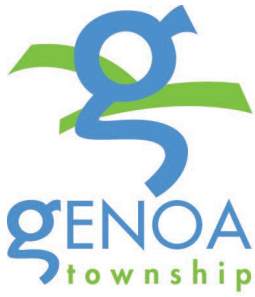
SCALE: 1/4" = 1'-0"



ROAD SIDE GARAGE

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

proposed garage



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Carrie Aulette, Zoning Official
DATE: November 6, 2024

RE: ZBA 24-28

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

STAFF REPORT

File Number: ZBA#24-28
Site Address: 5239 Wildwood Dr., Howell
Parcel Number: 4711-10-102-070
Parcel Size: .050 Acres
Applicant: Jeffrey Adams
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variances
Project Description: Applicant is requesting a front yard, side yard, and a waterfront setback variance to construct a garage that is attached by roof structure.
Zoning and Existing Use: LRR (Lakeshore Resort Residential), Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday November 3, 2024 and 300-foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

Background

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

- Per assessing records, the home was built in 1930.
- Parcel is serviced by public sewer and private well.
- In 2008, the current owner requested a variance for an addition that was approved. Minutes in packet.
- See Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

The proposed project is to construct a 14' x 30' garage attached by a covered roof. In order to construct the proposed garage, the applicant would be required to obtain a front yard, side yard, waterfront yard setback and lot coverage variance. The proposed garage meets the height requirement for the LRR zoning.

Variance Requests

SINGLE FAMILY STRUCTURE	Side Setback	Waterfront Setback	Front Setback
Required Setbacks	10'	40'	35'
Setback Amount Requested	2'	28'	11'
Variance Amount	8'	12'	24'

Lot Coverage	
Required	35%
Requested	44%
Variance Amount	9%

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

Table 3.04.01 (LRR District):

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

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

Table 3.04.02 Shoreline Setback	
Condition	Required Setback from Shoreline or Ordinary High-Water Mark of a Lake*
	Principal Building
Sites connected to public sewer in Lakeshore Resort Residential Dist.	Minimum 40 feet or consistent with the setbacks of adjacent principal buildings, whichever is greater as determined by the Zoning Administrator. If the setbacks of adjacent principal buildings vary because of irregular shoreline, the setback shall be the average of all lots within 500 feet along the shoreline or 40 feet whichever is the greater.

11.04.01 (c) Required Setbacks (Attached): Where the accessory building, structure or use is structurally attached to a principal building, structure or use, it shall be subject to all the regulations applicable to principal buildings, structures and uses, except for decks as noted in Section 11.04.03(a) and fences and walls as noted under section 11.04.03(b). An accessory building, structure or use shall be considered part of the principal building if it is structurally and architecturally integrated into the principal building, and/or is attached by a covered or enclosed breezeway or similar architectural feature with a roof style consistent with the principal building by a distance not greater than twenty (20) feet in length.

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the front yard, side yard, waterfront yard setback, and lot coverage requirement would prevent the applicant from constructing the proposed garage. There are multiple homes in immediate vicinity that do not meet the LRR setbacks or lot coverage requirements. Granting of the requested variance is not necessary for the preservation and enjoyment of the property.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrowness of the lot and the location of the existing home. Most lots in this area are small and non-conforming. The side yard and waterfront setback variance would make the property consistent with other properties in the vicinity, the need for the variance is not self-created. The neighboring property to the NE has a reduced side yard setback seen on an old survey of 2’ making it difficult to adhere to the side yard setbacks.
- (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** – Staff does have concerns regarding the parking on the property. It appears that they maybe using the 20’ dedicated ‘walk’ (shown on plat map) as parking. Staff is not aware if any other parking is available on site

Recommended Conditions

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

1. Structure must be guttered with downspouts.
2. Building height must not exceed 18 feet.
3. Owner must remove all other existing accessory buildings on property

Original

KIRK'S LANDING LONG LAKE No. 1

GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

A SUBDIVISION OF A PART OF THE N.E. 1/4 OF THE SW 1/4 OF SEC 10. AND SE 1/4 OF NW 1/4 OF SEC 10.

Examined and Approved
July 27 1923
J. L. Hunter
Deputy County Treasurer

Description of Land Platted
Beginning at the N.W. corner of the NE 1/4 of the SW 1/4 of Sec 10 T 2 N R 5 E Michigan, thence S 3° W on 1/8 line 170 feet; thence S 69° 30' E 33.5 feet; thence N 3° E 67.4 feet; thence N 64° 45' E 260 feet to E & W 1/2 line of Sec 10, 260 feet east of place of beginning; thence N 12° 15' W 20.7 feet; thence N 64° 30' E 2 feet to the SW corner of Lot 2 Kirk's Landing Long Lake; thence N 25° W 46.3 feet to the NW corner of said Lot 2; thence S 62° 30' W 92 feet; S 85° W 157.8 feet to place of beginning.

Office of the Livingston County Treasurer
I hereby certify that there are no tax liens or titles held by the State on the lands described above and that there are no tax liens or titles held by individuals on said lands for the five years preceding the 16th day of Feb 1925, and that the taxes for said period of five years are paid, as shown by the records of this office.

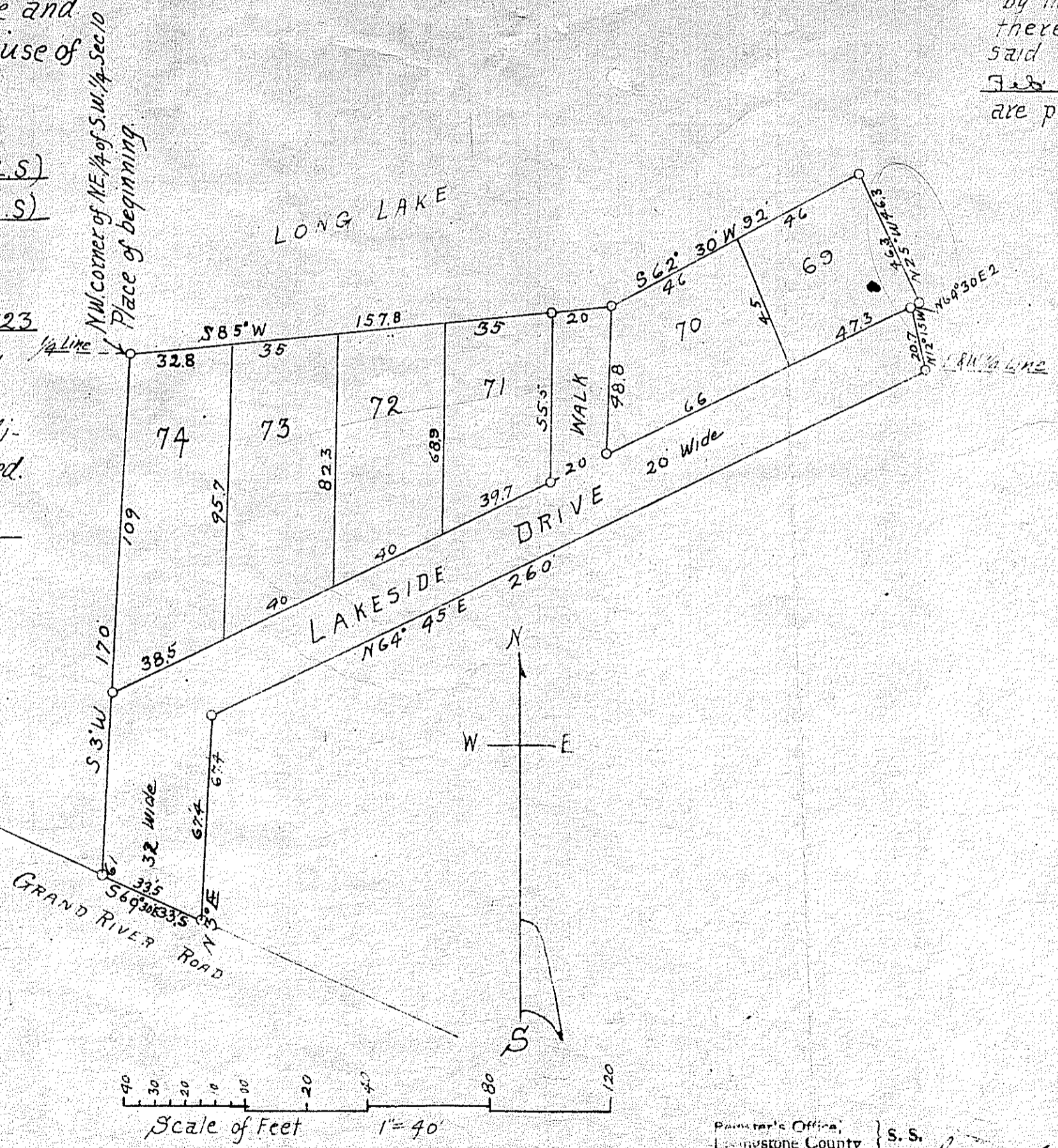
Pearl M. Ranken
County Treasurer

Dedication
Know ALL MEN BY THESE PRESENTS, that we, John Kirk, as Proprietor, and Eva B. Kirk, his wife, have caused the land embraced in the annexed plat, to be surveyed, laid out and platted, to be known as "Kirk's Landing Long Lake No. 1" Genoa Township, Livingston County, Michigan, and that the Drive and Walk as shown on said plat are hereby dedicated to the use of the public.

Signed and Sealed in Presence of
Notary M. Boyer } John E. Kirk (LS)
Elice Annell } Eva B. Kirk (LS)

STATE of Florida }
County of Pinellas } ss. On this 26th day of Jan 1923
before me, a Notary Public in and for said county, personally came the above named John Kirk and Eva B. Kirk, his wife, known to me to be the persons who executed the above dedication, and acknowledged the same to be their free act and deed.

My commission expires Jul 7 1922
Notary Public



Surveyor's Certificate
I hereby certify that the plat hereon delineated is a correct one and permanent monuments consisting of 3/4 gas pipe 18" long have been planted at points marked thus o as thereon shown at all angles in the boundaries of the land platted and at all angles in and intersections of the Walk and Drive.

Grant H. Dunning Registered Civil Engineer

This plat was approved by the Genoa Township Board at a meeting held Feb 5 1923

Leslie Larson Twp Clerk

This plat was approved by the County Board at a meeting held on the 16th day of February 1923

William H. Loomis Judge of Probate
John H. ... County Clerk
Pearl M. Ranken County Treasurer

Recorder's Office, Livingston County } S. S.
Received for record the Second
day of March A. D. 1923 at 9
o'clock A. M. and recorded in Liber
... of Plate
on Page 20
67 Dunning
Register

October 2, 2024

ZBA

I recently spoke with my neighbor Jeff Adams at 5239 Wildwood Dr. about his desire to build a one car garage adjacent to my property at 5245 Wildwood Dr.

He asked if I would have any concerns or reservations about this project.

I cannot think of any issues I would have. In fact, I believe it would certainly be an improvement over his existing shed that is there now.

Austin Mitter


GENOA TOWNSHIP APPLICATION FOR VARIANCE

2911 DORR RD. BRIGHTON, MI 48116
(810) 227-5225 FAX (810) 227-3420

Case # 04-11 Meeting Date: APRIL 20, 2004

- ⑨ PAID Variance Application Fee
\$105.00 for residential - \$250.00 for commercial/industrial
- ⑨ Copy of paperwork to Assessing Department

§ Article 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals. (Please see attached)

Applicant/Owner: JEFFREY A. ADAMS

Property Address: 5239 WILDWOOD Phone: 517-546-5941

Property is located on the N/W side of WILDWOOD DR.

Between GRAND RIVER and HIXON

Present Zoning: RESIDENTIAL Tax Code: 11-10-102-070

The applicant respectfully requests that an adjustment of the terms of the Zoning Ordinance be made in the case of their property because the following peculiar or unusual conditions are present which justify variance.

1. Variance Requested: WAIVE NON CONFORMING SETBACK

2. Intended property modifications: 2ND STORY ADDITION

3. Intended use: RESIDENCE

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) _____
- b. Other (explain) _____

Variance Application Requires the Following:

- § Completed Variance Application
- § Application Fee
- § **8 copies of Plot Plan Drawings showing setbacks and elevations showing all other pertinent information**
- § **Waterfront properties must indicate setback from water for adjacent homes**
- § Property must be staked showing all proposed improvements until after the meeting
- § Petitioner (or a Representative) must be present at the meeting

Date: 3/19/04

Signature: Jeffrey A. Adams

§ **Any Variance not acted upon within 6 months from the date of approval is invalid and must receive a renewal from the ZBA.**

DRAFT

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
AUGUST 17, 2004**

MINUTES

Chairman Doug Brown called the regular meeting of the Zoning Board of Appeals to order at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Barbara Figurski, Jean Ledford, Kevin Brady, Joe Perry and Doug Brown. Also present was Township Staff member Adam Van Tassel and approximately 20 persons in the audience.

Moved by Figurski, supported by Ledford to approve the Agenda. Motion carried unanimously.

A call to the public was made with no response.

04-11...A request by Jeffrey Adams, Section 10, 5239 Wildwood, for a front yard, rear yard and side yard variance to construct a 2nd story addition. (tabled 4-20-04)

A call to the public was made with no response.

Moved by Ledford, supported by Brady, to grant petitioners request for a 2nd story addition in keeping within the present building envelope structure known as 5239 Wildwood, with requested setbacks of 3 feet at front, 10 foot rear yard variance, a 35 foot waterfront variance and 2 foot west side variance. The practical difficulty is due to the narrowness and odd shape of the lot as per survey prepared by Hughes Land Surveyors dated July 28, 2004. Conditioned upon the structure being guttered with water runoff to be directed toward the lake or supply a catch basin. Motion carried unanimously.

04-38...A request by Randy Van Heemst, Section 9, 1047 Sunrise Park, for a front yard and side yard variance to construct a detached accessory structure.

A call to the public was made with no response.

Moved by Figurski, supported by Ledford, to grant approval for a variance for a 20 X 20 detached accessory structure for an 8 foot variance in the front and a 2 foot variance on the side. The practical difficulty is the small size of the lot. This approval is conditioned upon the structure being guttered, no living space in the accessory structure and no water or heat supplied to the accessory structure. Motion carried as follows: Ayes- Ledford, Brown, Perri, Figurski; Nays- Brady.

04-39...A request by Lorrie Beno, Section 3, 610 Pathway, for a front yard variance to construct an addition.

04-09...A request by Champion Chevrolet, Section 10, 5000 Grand River, for a height variance to install an 80 foot flag pole.

A call to the public was made with the following responses- Michael Suciu- 1071 Sunrise Park, I am in favor of the flagpole and I have no problem with the light. Tom Kinczkowski- how big is the flag. I do know that when flags that size are flown at half mast they are low.

Moved by Ledford, supported by Figurski, to deny petitioner's request for an 80' flag pole with spot light. It serves no practical purpose and is not conducive to the safety and welfare of the township and its citizens and would create additional light pollution to the area that already has an abundance of illumination. Motion carried as follows: Ayes- Figurski, Ledford, Brown. Nay- Tengel.

04-10...A request by Patrick Michael, Section 26, 6517 Forest Beach, for two side yard variances to construct a 2nd story addition.

A call to the public was made with no response.

Moved by Ledford, supported by Figurski, move for approval of the petitioner's request for two side yard variances with one side of 6 foot and one side of seven foot. The practical difficulty is the narrowness of the lot. Motion carried unanimously.

04-11...A request by Jeffrey Adams, Section 10, 5239 Wildwood, for a front yard, rear yard and side yard variance to construct a 2nd story addition.

A call to the public was made with no response.

Moved by Figurski, supported by Ledford, to table 5239 Wildwood at petitioner's request up to 3 months to obtain a staked survey. Motion carried unanimously.

04-12...A request by Robert Schroder, Section 18, Vacant Fisk Ct., for a front yard variance to construct a new home.

A call to the public was made with the following responses:

Barry Pullman- owns 4 parcels to the south-east. This is a county grade private road. The homes on the north side drops into the wetland area about 100 feet. I protested the splits originally because there is no buildable site on these lots. Tom Parker- this is an unbuildable site. I saw where they did the testing on the site and in my opinion the septic will be leaking into the wetlands.

Moved by Tengel, supported by Ledford, moved to support petition 04-12 with a 33 foot front yard variance based on a practical difficulty with the severe slope of the land. Motion carried as follows: Ayes- Brown, Ledford, Tengel. Nay- Figurski.

Genoa Township
ZONING BOARD OF APPEALS
AUGUST 17, 2004
CASE #04-11

PROPERTY LOCATION: 5239 Wildwood

PETITIONER: Jeffrey Adams

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and sewer

PETITIONERS REQUEST: Requesting a front yard, side yard and rear yard variance to construct a 2nd story addition.

CODE REFERENCE: Table 4.3 Dimensional Standards – LRR (Lakeshore Resort Residential)

STAFF COMMENTS: This matter was tabled at the April 2004 meeting to allow the petitioner time to obtain a stake survey to address issues raised regarding the placement of the structure on the lot. The petitioner was delayed but diligent in keeping staff informed of his progress. With the submittal of the survey, please find the revised variance figures below. The petition is for a 2nd story addition to an existing nonconforming structure. LRR requires a minimum of 40 foot for waterfront setbacks if adjacent setbacks are less, so there is an additional waterfront variance.

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40	25	40
Setbacks Requested	3	2		10		35
Variance Amount	32	8		30		5

Genoa Township
ZONING BOARD OF APPEALS
APRIL 20, 2004
CASE #04-11

PROPERTY LOCATION: 5239 Wildwood

PETITIONER: Jeffrey Adams

ZONING: LRR (Lakeshore Resort Residential)

WELL AND SEPTIC INFO: Well and sewer

PETITIONERS REQUEST: Requesting a front yard, side yard and rear yard variance to construct a 2nd story addition.

CODE REFERENCE: Table 4.3 Dimensional Standards – LRR (Lakeshore Resort Residential)

STAFF COMMENTS: Petitioner is asking for a variance to add a second story to an existing nonconforming residential structure. During Staff review it was noted that the Assessing department had different information regarding the legal description and placement of the lot lines. The plat and GIS show the lot line on the west side yard actually runs through the house, which would change the setbacks as calculated from the petitioner's submitted materials. Petitioner states he will bring in information supporting his depiction of his lot lines but this information has not been received at the time of this writing (April 14, 2004).

Petitioner's interpretation

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40	25	29
Setbacks Requested	5	5.5		34		34
Variance Amount	30	4.5		6		

Staff interpretation based on GIS

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40	25	29
Setbacks Requested	unknown	0		0		34
Variance Amount	unknown	10		40		

John Kirk, et al
 and the land
 laid out and
 e No. 1 Genoa
 Drive and
 to the use of

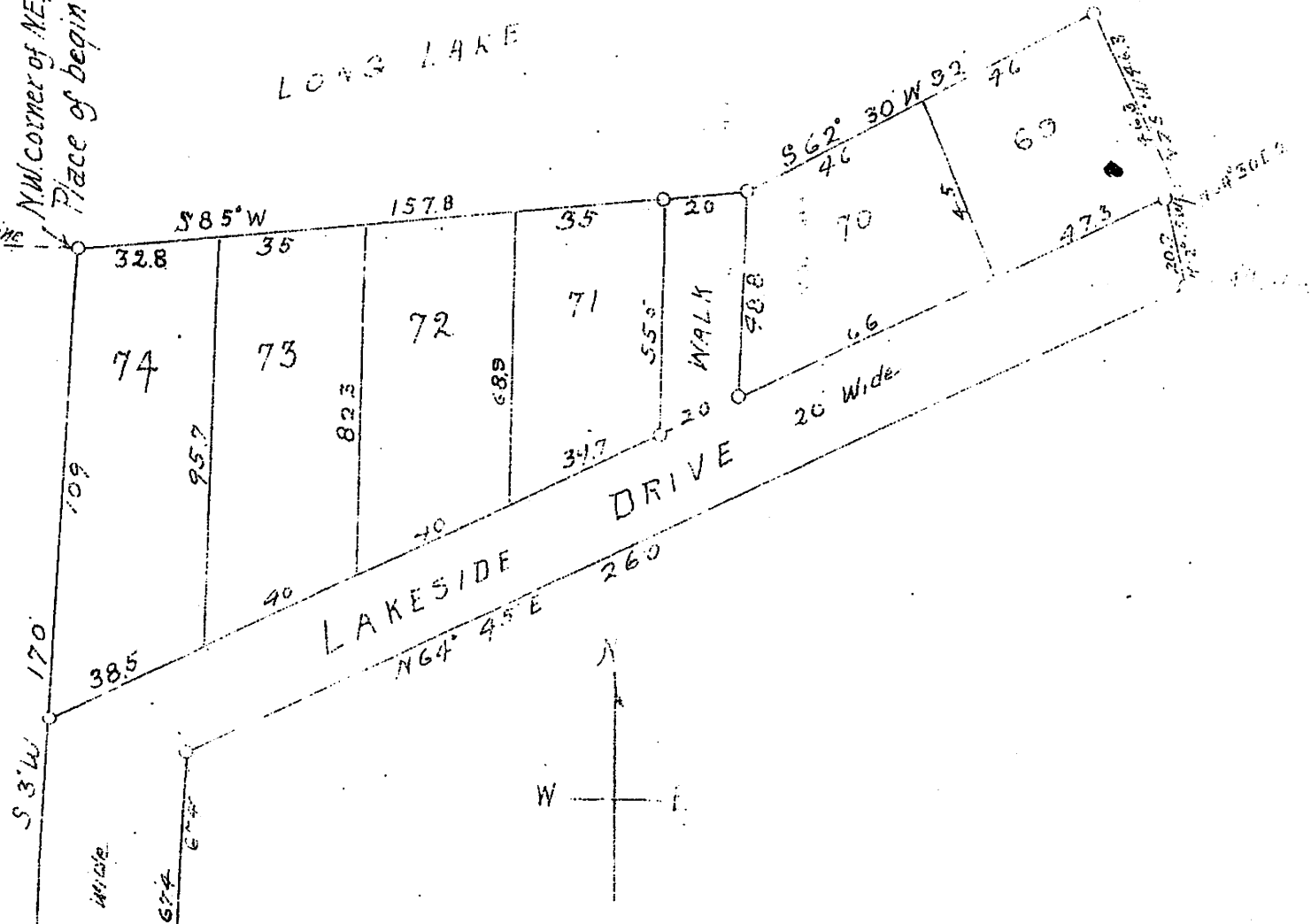
All corner of said Lot is
 place of beginning.

Office of the
 I hereby certify
 by the State on the
 there are no tax li
 said lands for the fi
 1925, and tra
 are paid as shown b

(L.S.)
 (L.S.)

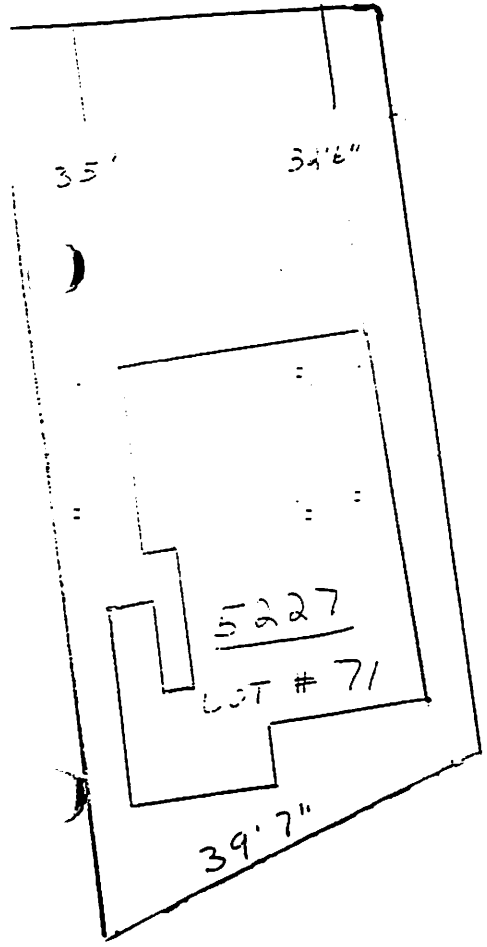
in 1923
 personally
 wife
 de dedi-
 and deed.

N.W. corner of NE 1/4 of S.W. 1/4 Sec. 10
 Place of beginning.

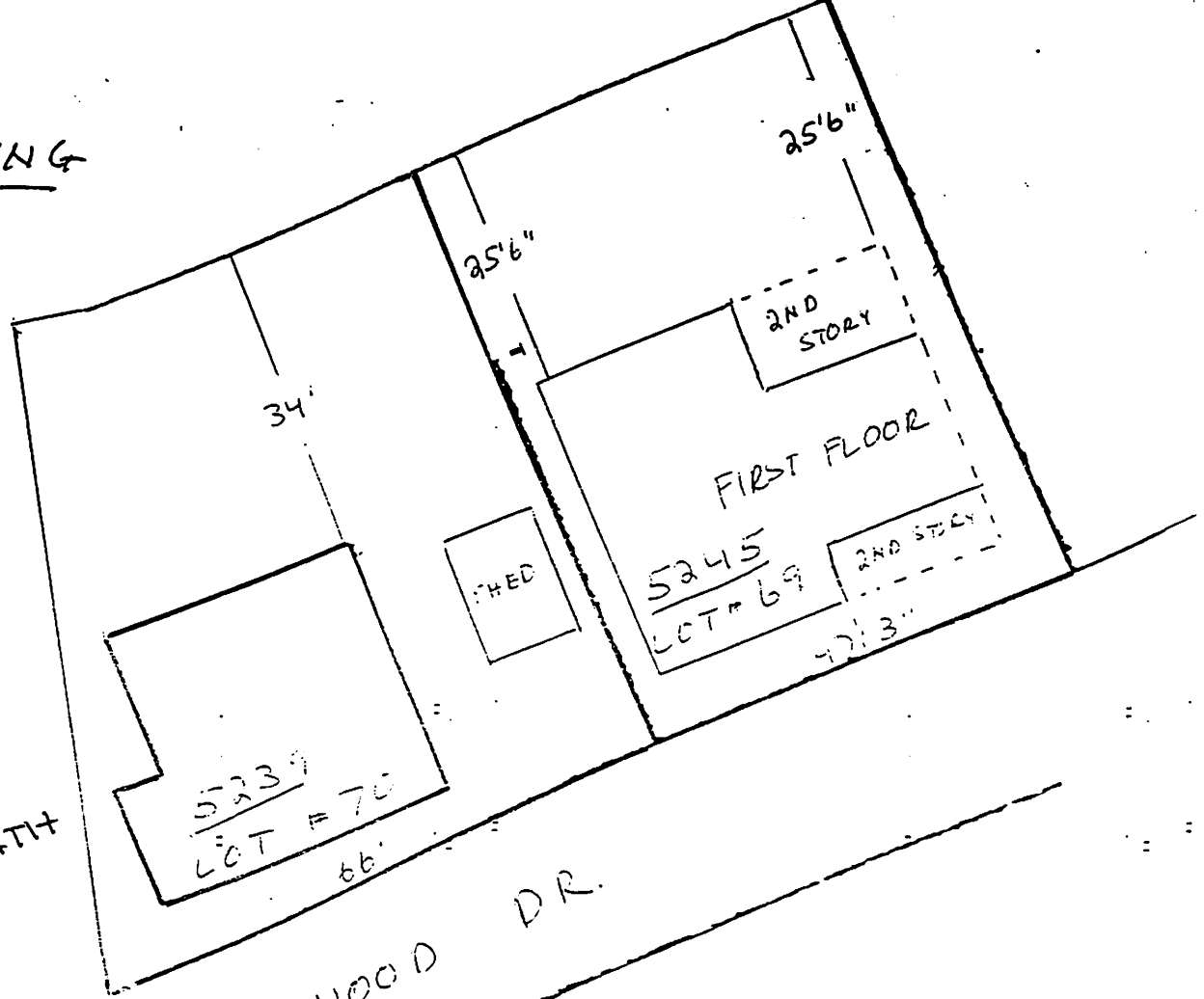


This plat
 Township 30

LAKE CHEMUNG



20' PATH

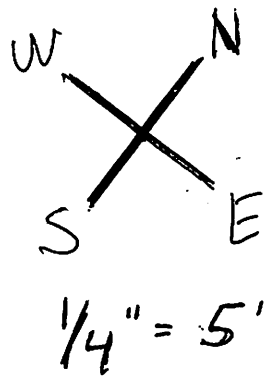
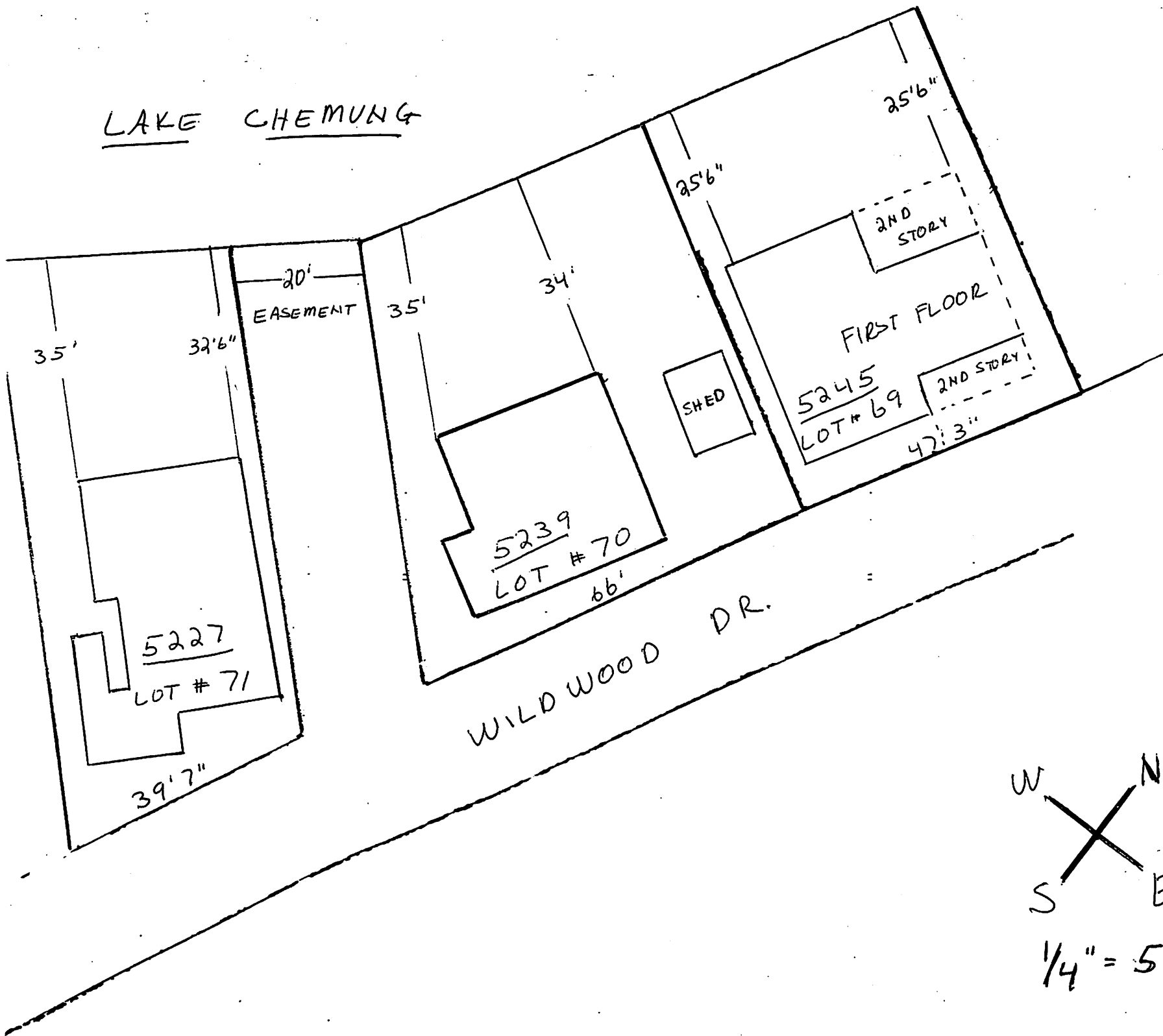


WILDWOOD DR.



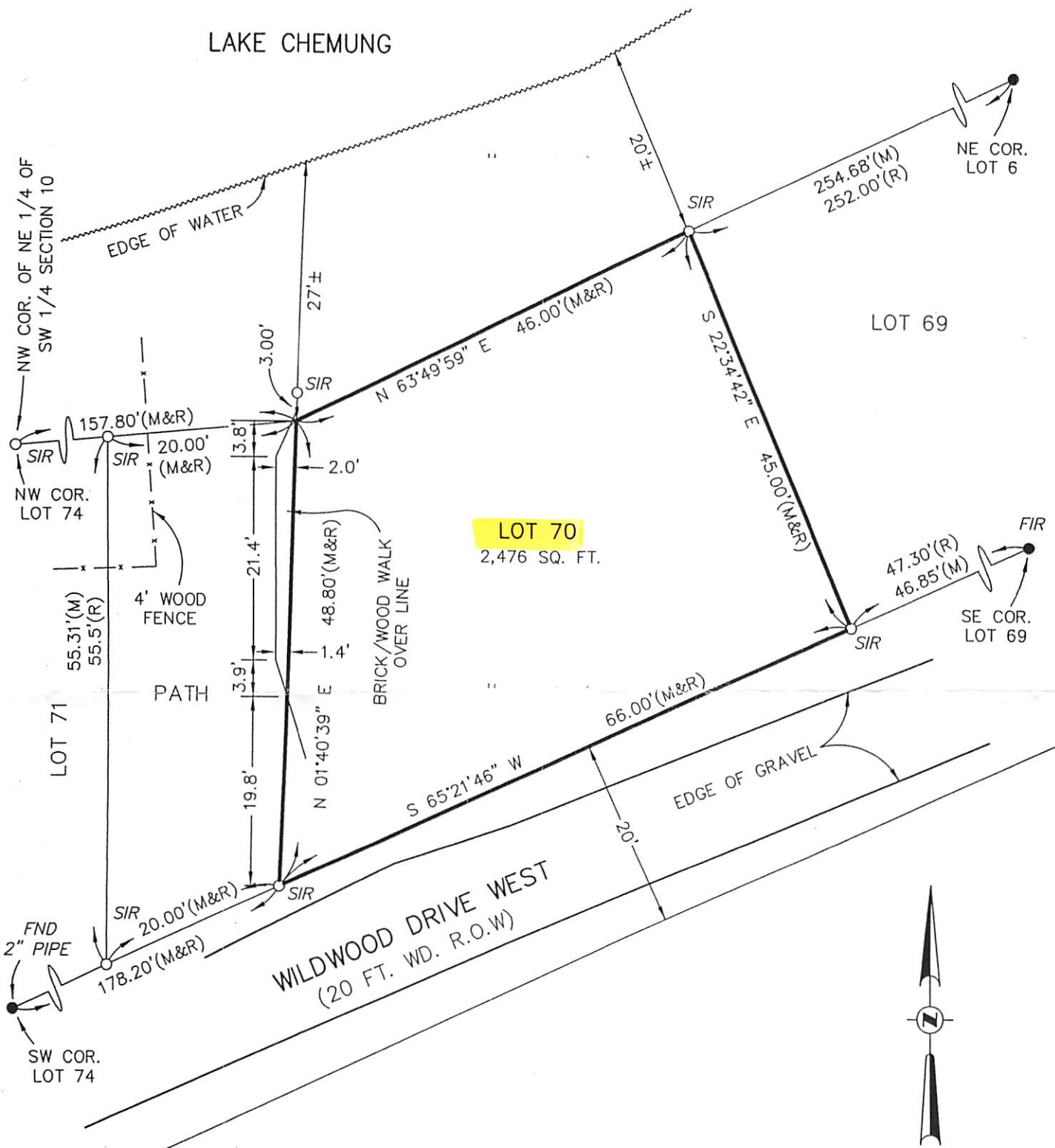
1/4" = 5'

LAKE CHEMUNG



DESCRIPTION

Lot 70 of "KIRK'S LANDING LONG LAKE NO.1", a subdivision as recorded in Liber 2, of Plats, Page 20, Livingston County Records.



Darrell Hughes

REGISTERED LAND SURVEYOR No. 19834

I HEREBY CERTIFY that I have surveyed and mapped the land above plated and/or described on 07-15-04, and that all of the requirements of P.A. 132, 1970, as amended, have been complied with, and that the ratio of closure on the unadjusted field observations of such survey was no greater than 1 in 10,000.

Copyright, © D.HUGHES & ASSOCIATES, Inc.

 <p>HUGHES LAND SURVEYORS</p> <p>DARRELL HUGHES & ASSOCIATES, Inc. P.O. BOX 1039 - 638 SOUTH GRAND AVE. FOWLERVILLE, MICHIGAN 48836 (OFC) 517 223-3512 (FAX) 517 223-9987</p>	CLIENT:
	<p>ADAMS</p> <p>LOT 70-KIRKS LANDING LONG LAKE NO 1</p> <p>(M) - Measured Dist. (R) - Recorded Dist.</p> <p>● MON - Found Concrete Monument</p> <p>● FIR/P - Found Iron Rod/Pipe</p> <p>○ SIR - Set Iron Rod</p> <p>○ SPK - Set "PK" Nail</p> <p>P.O.B./E. - Point of Beginning/Ending</p> <p>⊙ - Soil Evaluation Dig</p> <p>-x-x-x- Fence</p>
<p>DATE: 07-23-04</p> <p>SCALE: 1" = 15'</p> <p>SHEET: 1 of 1</p> <p>FILE: 24860_SV</p>	<p>DR. BY: MA</p> <p>CHK: DDH</p> <p>JOB No. 24860</p>



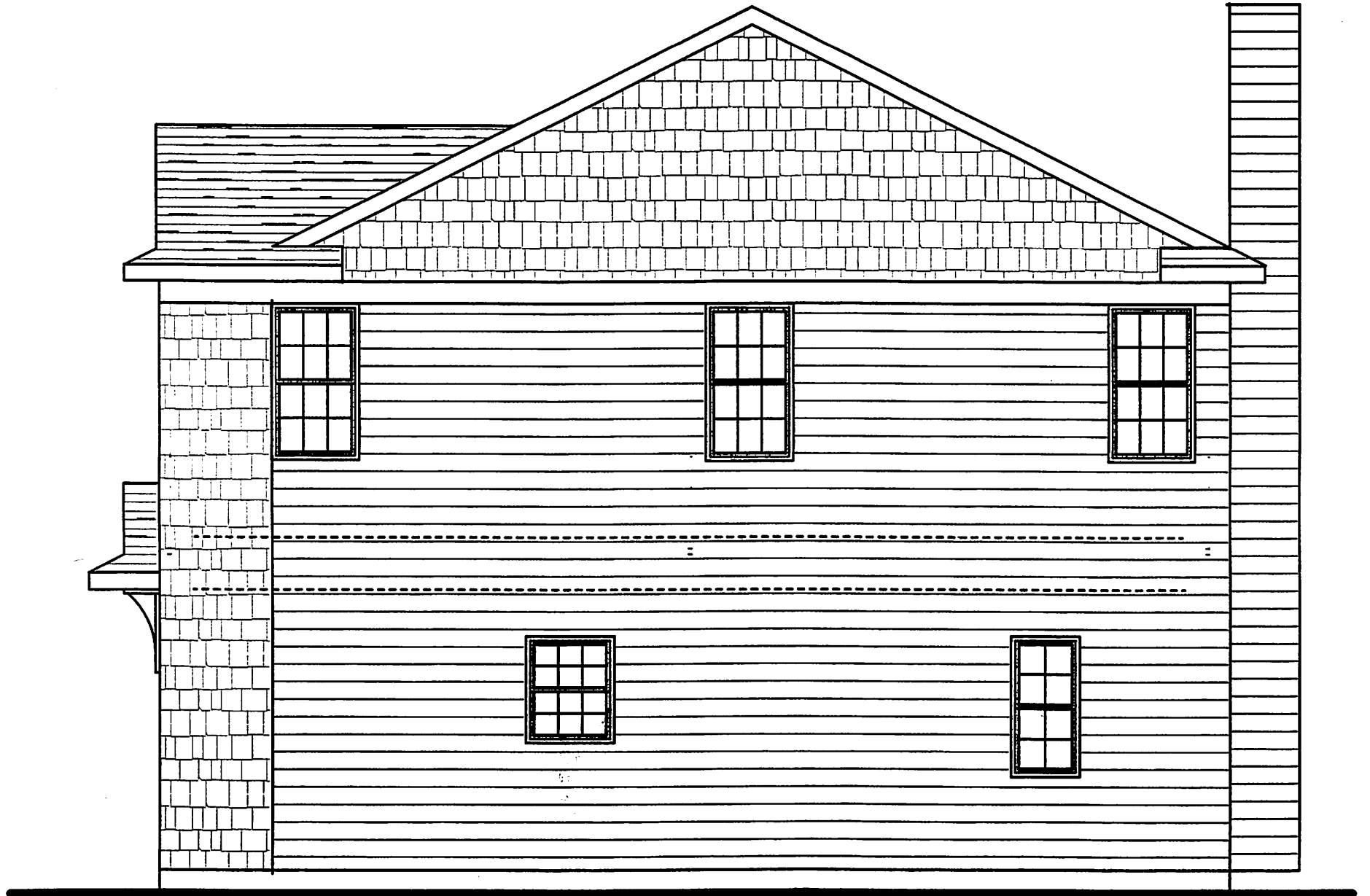
SIDE ELEVATION

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



LAKE ELEVATION

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



ROAD SIDE ELEVATION

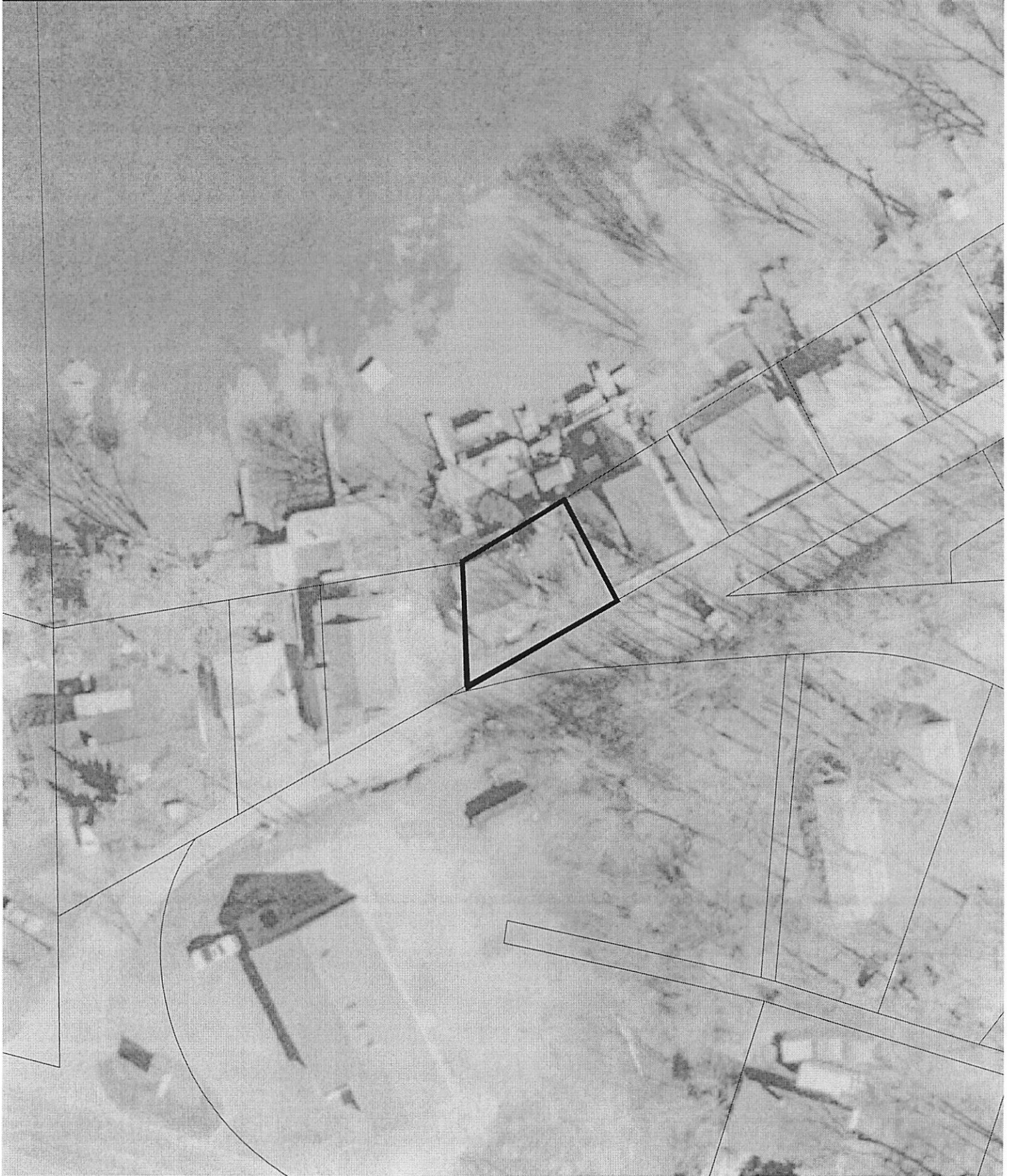
SCALE: 1/4" = 1'-0"



SIDE ELEVATION

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

04-11 - 5239 Wildwood



LOT #71

LAKE CITEMUNG

20' EASEMENT

43'

DECK

12'4"

3'

GARDEN

18'

17'

WOOD WALK

DECK

7'

65'6"

STEP DOWN

70'

PAVER WALKWAY

24'10"

21'5"

13'6"

9'5"

10'

5239 WILDWOOD
1 STORY
WOOD SIDING
1 BED ROOM
1 BATH

28'6"

14'6" 2

SHED

15'

10'

4'2"

10'

3'0'10"

22'8"

EXISTING WELL

SEWER LEAD

PROPOSED WELL

7'

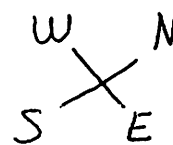
5'

66'

5239

WILDWOOD DR
(COUNTY RD)

LOT 70





Fax

To: Genoa Township Amy **From:** Dennis H. Pisching

Fax: 810 227-3420 **Pages:**

Phone: **Date:** 6/24/04

Re: Board of Appeals **CC:**

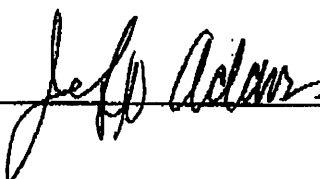
Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

I wish to withdraw from the June 29 th agenda. The plot survey has yet to be completed.

Please reschedule me for the July agenda.

Thank you,
Jeff Adams



I would like to request that
the L.B. table may July 29, 2004
bearing, and I would ask to
be rescheduled for a August bearing.

I signed a contract with Hughes
Survey Assoc. in early June.
The Hughes has not yet completed
the requested boundary survey.
I am actively pursuing this
document and its completion so
I can move ahead with my
bearing.

Your approval of this request
would be greatly appreciated
and I thank you for patience
in this case.

Thank you

Jeffrey A. Hamer
15239 Willwood
Howell Mich

Case # 04-11

43843

Case # 04-11

Genoa Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • Email: www.genoa.org

April 2, 2004

TO WHOM IT MAY CONCERN:

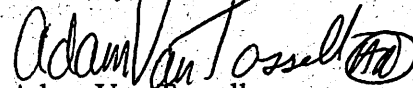
The following is a proposed variance in your general vicinity that is on the agenda for the Genoa Township Zoning Board of Appeals meeting, Tuesday April 20, 2004, at 7:00 p.m. at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI.

- 1. The property in question is in Section 10, 5239 Wildwood, requested by Jeffrey Adams, for a rear yard, front yard and side yard variance to construct a 2nd story addition.

If you have any questions in this regard, please be present at the public hearing noted above.

Please address any written comments to the Genoa Township Zoning Board of Appeals either at the Genoa Township mailing address listing above or via email at adam@genoa.org. All materials relating to this request are available for public inspection at the Genoa Township Hall prior to the hearing.

Sincerely,



Adam Van Tassel

Genoa Township Ordinance Officer

AVT/ar

Supervisor
Gary T. McCririe

Clerk
Paulette A. Skolarus

Treasurer
Robin L. Hunt

Manager
Michael C. Archinal

Trustees
H. James Mortensen • Anthony W. Combs • Jean W. Ledford • Todd W. Smith



Genoa Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • Email: www.genoa.org

August 10, 2004

TO WHOM IT MAY CONCERN:

The following is a proposed variance in your general vicinity that is on the agenda for the Genoa Township Zoning Board of Appeals meeting, Tuesday August 17, 2004 at 7:00 p.m. at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI.

- ◆ The property in question is in Section 10, 5239 Wildwood, requested by Jeffrey Adams, for a rear yard, front yard and side yard variance to construct a 2nd story addition.

If you have any questions in this regard, please be present at the public hearing noted above.

Please address any written comments to the Genoa Township Zoning Board of Appeals either at the Genoa Township mailing address listing above or via email at adam@genoa.org. All materials relating to this request are available for public inspection at the Genoa Township Hall prior to the hearing.

Sincerely,

Adam Van Tassell

Genoa Township Ordinance Officer

AVT/ar

Supervisor
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Treasurer
Robin L. Hunt

Manager
Michael C. Archinal

Trustees

H. James Mortensen • Anthony W. Combs • Jean W. Ledford • Todd W. Smith

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
ADAMS, JEFFREY ALAN	ADAMS JEFFREY REV LVIVING	0	09/15/2016	QC	14-INTO/OUT OF TRUST	2020R-027082	BUYER/SELLER	0.0				
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR	Building Permit(s)	Date	Number	Status				
5239 WILDWOOD DR		School: HOWELL PUBLIC SCHOOLS			ADDITION	05/12/2008	08-059	NO START				
Owner's Name/Address		P.R.E. 100% / /			ADDITION	02/22/2005	05-042	NO START				
ADAMS JEFFREY REV LVIVING TRUST 5239 WILDWOOD DR HOWELL MI 48843-9146		MAP #: V24-281										
		2025 Est TCV 428,723 TCV/TFA: 275.88										
Tax Description		X Improved	Vacant	Land Value Estimates for Land Table 4300.4300 LAKE CHEMUNG LAKE FRONT								
SEC. 10 T2N, R5E, KIRK'S LANDING LONG LAKE NO. 1 LOT 70		Public Improvements		* Factors *								
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Gravel Road		A LAKEFRONT	40.00	47.00	1.0000	1.0000	3400	100		136,000
		Paved Road		B SURPLUS LF	6.00	47.00	1.0000	1.0000	2300	100		13,800
		Storm Sewer		46 Actual Front Feet, 0.05 Total Acres				Total Est. Land Value =		149,800		
		Sidewalk		Land Improvement Cost Estimates								
		Water		Description	Rate			Size % Good		Cash Value		
		Sewer		D/W/P: Brick on Sand	17.13			182 88		2,744		
		Electric		Total Estimated Land Improvements True Cash Value =				2,744				
		Gas										
		Curb										
		Street Lights										
		Standard Utilities										
		Underground Utils.										
		Topography of Site										
		Level										
		Rolling										
		Low										
		High										
		Landscaped										
		Swamp										
		Wooded										
		Pond										
		X	Waterfront									
		Ravine										
		Wetland										
		Flood Plain										
		X	REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
		Who	When	What	2025	74,900	139,500	214,400			120,241C	
		LM	10/15/2014	REVIEWED R	2024	62,700	139,900	202,600			120,241C	
		LM	10/31/2013	INSPECTED	2023	63,400	130,400	193,800			114,516C	
		LM	10/25/2012	INSPECTED	2022	69,000	108,700	177,700			109,063C	



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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 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 144 36	Type Treated Wood Wood Balcony	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 X Forced Heat & Cool Heat Pump No Heating/Cooling														
Building Style: CD		Drywall Paneled	Plaster Wood T&G	Trim & Decoration															
Yr Built 1930	Remodeled 2008	Ex	X Ord	Min	Size of Closets														
Condition: Good		Lg	X Ord	Small	Central Air Wood Furnace														
Room List		Doors:	Solid X	H.C.	(5) Floors														
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:			(12) Electric														
(1) Exterior		0 Amps Service			No./Qual. of Fixtures														
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	Ex.	X Ord.	Min	No. of Elec. Outlets														
(2) Windows		Many Avg. Few	X Avg.	Large Small	Many	X Ave.	Few	(13) Plumbing											
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Basement: 0 S.F. Crawl: 764 S.F. Slab: 0 S.F. Height to Joists: 0.0			Average Fixture(s) 2 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 1 Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan														
(3) Roof		(8) Basement			(14) Water/Sewer														
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors (B) No Floor SF 1 Walkout Doors (A)			1	Public Water Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic												
X	Asphalt Shingle	(9) Basement Finish			Lump Sum Items:														
Chimney: Brick		(10) Floor Support			Notes:														
		Joists: Unsupported Len: Cntr.Sup:			Public Water Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic														
Cost Est. for Res. Bldg: 1 Single Family CD										E.C.F. X 1.435		Cls CD		Blt 1930					
(11) Heating System: Forced Heat & Cool										Total Base New : 199,825		Total Depr Cost: 192,459		Estimated T.C.V: 276,179					
Ground Area = 764 SF Floor Area = 1554 SF.										Phy/Ab.Phy/Func/Econ/Comb. % Good=65/100/100/100/65		Building Areas							
Stories										Exterior		Foundation		Size		Cost New		Depr. Cost	
2 Story										Siding		Crawl Space		738					
1 Story										Siding		Crawl Space		18					
1 Story										Siding		Crawl Space		8					
1 Story										Siding		Overhang		42					
1 Story										Siding		Overhang		10					
										Total:				174,164		167,580			
Other Additions/Adjustments										Basement, Outside Entrance, Above Grade		1		1,714		1,663			
Plumbing										3 Fixture Bath		1		3,997		3,877			
Deck										Extra Sink		1		806		782			
Balcony										Treated Wood		144		3,381		3,280			
Wood Balcony										36		1,383		1,328					
Water/Sewer										Public Sewer		1		1,373		1,332			
										Water Well, 200 Feet		1		10,741		10,419			
Fireplaces										Prefab 1 Story		1		2,266		2,198			
										Totals:				199,825		192,459			
										ECF (4307 W. LK CHEMUNG LK FRONT) 1.435 =>		TCV:		276,179					

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
October 22, 2024 - 6:30 PM**

MINUTES

Call to Order: Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:33 pm. The members and staff of the Zoning Board of Appeals were present as follows: Bill Rockwell, Marianne McCreary, Jean Ledford, Michele Kreutzberg, Matt Hurley and Carrie Aulette, Zoning Official.

Pledge of Allegiance: The Pledge of Allegiance was recited.

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

Approval of the Agenda:

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

Conflict of Interest: None

Call to the Public:

The call to the public was made at 6:35 pm with no response.

Chairperson McCreary reviewed the criteria necessary for a variance to be approved.

OLD BUSINESS

1. 24-08 A request by Robert Dow, 5425 Wildwood, for a waterfront and side yard setback variance and any other variances deemed necessary by the Zoning Board of Appeals, to allow an existing roof structure to remain over a patio.

Mr. Dow stated he is only requesting a waterfront setback variance, and not a side yard setback. He has already installed the covering on the patio and the solar panels. He cannot put the panels on the roof of the house because there are a lot of trees that cover it.

Chairperson McCreary noted that the covered porch was installed without a permit. She asked if the solar panels have been effective. Mr. Dow stated that he does have DTE power connected to his home; however, the solar panels allow him to be mostly off grid.

Board Member Kreutzberg asked when the cover was put on the patio. Mr. Dow stated in approximately 2016.

There was a discussion regarding the required waterfront setback. Mr. Dow noted that his patio is five feet further from the lake than both of the neighbors.

Board Member Rockwell questioned why the side-yard setback variance is no longer needed because the patio is three feet from the neighbor's house. A 10 foot setback is required. The board members and Ms. Aulette agree.

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

Ms. Karen Buckley and Mr. John Benson of 5440 Wildwood sent an email on March 12, 2024 stating they are willing to allow the existing covered patio on the single family home of Robert Dow but are opposed to any further additions to the patio or any further structures. They sent a letter on April 16, 2024 stating they are opposed to both of the requested variances. They have safety concerns and it would block their view of the lake. They are in favor of the existing patio in its current location.

Ms. Heather Mayor, the owner of 5345 Wildwood, sent an email stating that allowing the side variance would exacerbate the current condition of the homes in the area already being very close together. This will affect the curb appeal and property values. The waterfront setback variance avoids the overcrowding stated above. If this is approved, she would want to make sure that all improvements have been inspected and comply with the township's ordinance.

Board Member Hurley asked if additional improvements will be done to the home. Mr. Dow stated his plan is to have the home remain as it is currently.

Mr. Dow stated his hardship is that he had a flood in his home due to a power outage, which caused significant damage. The solar panels allow him peace of mind that if the power goes out, he will have backup power to avoid another flood. A generator would not be helpful because he does not live there full time.

Moved by Board Member Kreuzberg, supported by Board Member Hurley, to approve Case #24-08 for Robert and Renee Dow, 5425 Wildwood, for a waterfront variance of 13 feet from the required 76 feet for a waterfront setback of 63 feet and a side yard setback variance of 7 feet from the required 10 yard, for a side yard setback of 3 and a to allow an existing roof structure to remain over a patio, based on the following findings of fact:

- Strict compliance with setbacks would unreasonably restrict the intended use of property. The variances will provide substantial justice, are the least necessary, and would make the property consistent with other properties and homes in the area.
- The variances are necessary due to the extraordinary circumstances, such as the non-conforming lot, extremely small and narrow footprint, along with the angle of property lines and irregular shoreline. H indeed for the variances is not self-created.

Genoa Township Zoning Board of Appeals Meeting

October 22, 2024

Unapproved Minutes

- The granting of the variances will not impair an adequate light and air to adjacent properties, would not increase the congestion or increase the danger of fire or endanger the public safety, comfort, morals or welfare.
- The proposed variances will not have little or no impact on the appropriate development continued use or value of adjacent properties and surrounding neighborhood.

This approval is conditioned upon the following:

1. A land use waiver shall be applied for within seven business days of survey submittal for the roof and solar panels.
2. A Livingston County Building Permit shall be applied for within five business days of land use permit approval.
3. Structure must be guttered with proper drainage as approved by township staff.

The motion carried unanimously

Administrative Business:

1. Approval of minutes for the September 17, 2024 Zoning Board of Appeals meeting.

Moved by Board Member Ledford, supported by Board Member Rockwell, to approve the minutes of the September 17, 2024 Zoning Board of Appeals meeting as presented. **The motion carried unanimously.**

2. Correspondence

Ms. Aulette stated there will be one case on the November agenda for two variances to install a detached garage.

3. Member Discussion

There was nothing to discuss this evening.

4. Adjournment

Moved by Board Member Kreutzberg, supported by Board Member Hurley, to adjourn the meeting at 7:18 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary