

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-18 Meeting Date: 7-21-15

- PAID Variance Application Fee
\$125.00 for residential - \$300.00 for commercial/industrial
 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: David Gruber

Property Address: 4066 Highest St Phone: 231-920-6112

Present Zoning: LRR Tax Code: _____

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: yard setbacks Shore line +
Front yard setback
2. Intended property modifications: Home site

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) size & shape of land

- b. Other (explain) _____

Variance Application Requires the Following: (failure to meet these requirements may result in tabling of this petition.)

- **PROPERTY MUST BE STAKED SHOWING ALL** proposed improvements 5 days before the meeting and remain in place until after the meeting
- **Plot Plan drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. Note: will need 8 copies of any drawings larger than 11 x 17.**
- Waterfront properties must indicate setback from water from adjacent homes.
- Petitioner (or a Representative) must be present at the meeting

Date: 6-26-15

Signature: David M. Gruber

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

After the decision is made regarding your variance approval contact Ron Akers at the township office to discuss what your next step is.

Charter Township of Genoa
ZONING BOARD OF APPEALS
July 21, 2015
CASE #15-18

PROPERTY LOCATION: 4066 Highcrest

PETITIONER: David Gruber

ZONING: LRR (Lake Resort Residential District)

WELL AND SEPTIC INFO: Sewer, Well

PETITIONERS REQUEST: A front yard setback variance, a rear yard setback variance and a shoreline setback variance to construct a new single family dwelling.

CODE REFERENCE: Section 3.04.01 & 3.04.02

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Shoreline	Rear	Lot Coverage*
Required Setbacks	35'	10'	5'	40'	40'	35%
Setbacks Requested	6'	10'	7'	28'	1'	52%
Variance Amount	29'	N/A	N/A	12'	39'	17%

***It was discovered after publication notices were sent out that the applicant will need a variance from the maximum lot coverage requirements as well. This was not included in the publication and mailing notices and new notices will need to be issued to move forward with this project.**



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 16, 2015
RE: ZBA 15-18

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

STAFF REPORT

File Number: ZBA#15-18

Site Address: 4066 Highcrest

Parcel Number: 4711-22-302-156

Parcel Size: 0.085 Acres

Applicant: David Gruber

Property Owner: Edna Nagy & David Gruber, 4136 Highcrest, Brighton, MI 48116

Information Submitted: Application, site plan

Request: Dimensional Variance

Project Description: Applicant is requesting a front yard setback variance, a rear yard setback variance and a shoreline setback variance to construct a new single family dwelling.

Zoning and Existing Use: LRR (Lake Resort Residential), Vacant Parcel

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday July 5, 2015 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

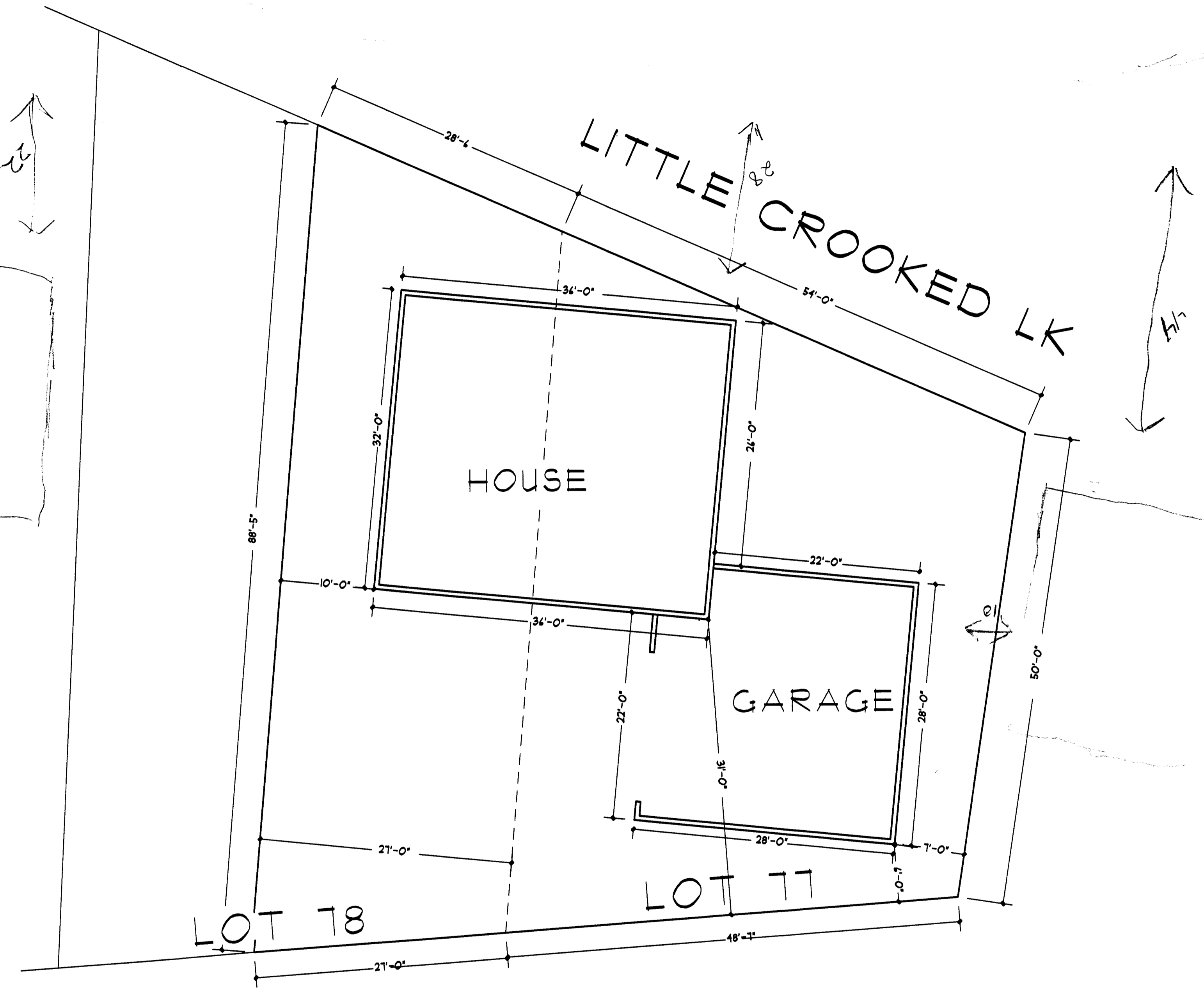
Linda Rowell

Summary

The proposed project is to construct a new single family home on the property. The unusually small lot size requires that the applicant seek a front yard setback, a rear yard setback and a shoreline setback variance. Additionally the applicant will need a variance from the maximum lot coverage requirements, but this was discovered after the publication notices were mailed. Due to this notices will need to be republished and mailed out. The project will come back before the Zoning Board of Appeals at their August 18, 2015 meeting. Meanwhile the applicant has requested that the Zoning Board of Appeals review the project in order to obtain feedback from them regarding the proposal.



2407
Lake



— C/L OF HIGHCREST —

SCALE 1/8" = 1-0"

ZBA 15-18 Area Map



CLIFFORD

HIGHCREST

1 inch = 100 feet

* All Measurements are Approximate,
Parcel Boundaries are Approximate and May be Inaccurate.
This is not a survey.

Source: Livingston County GIS Department

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

07/17/2015 10:02 AM

Parcel: 4711-22-302-156
Owner's Name: NAGY EDNA & GRUBER DAVID
Property Address: 4066 HIGHCREST
BRIGHTON, MI 48116

Current Class: 402.402 RESIDENTIAL-VACANT
Previous Class: 402.402 RESIDENTIAL-VACANT
Gov. Unit: 4711 GENOA CHARTER TOWNSHIP
MAP # V15-18
School: 47010 BRIGHTON
Neighborhood: 4306 4306 TRI LAKES LAKE FRONT

Liber/Page: 4288-0134 **Created:** / /
Split: / / **Active:** Active

Public Impr.: None
Topography: None

Mailing Address:

NAGY EDNA & GRUBER DAVID
4136 HIGHCREST
BRIGHTON MI 48116

Most Recent Sale Information

Sold on 12/27/2002 for 0 by NAGY, EDNA.

Terms of Sale: INVALID SALE

Liber/Page: 4288-0134

Most Recent Permit Information

None Found

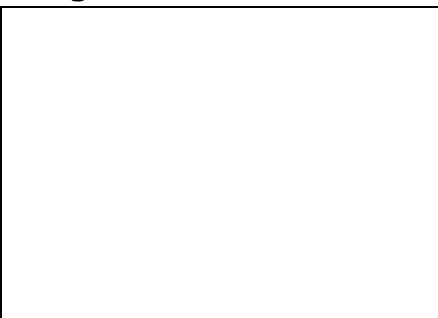
Physical Property Characteristics

2016 S.E.V.: Tentative	2016 Taxable: Tentative	Lot Dimensions:
2015 S.E.V.: 41,800	2015 Taxable: 18,428	Acreage: 0.09
Zoning: LRR	Land Value: 83,608	Frontage: 50.0
PRE: 0.000	Land Impr. Value: 0	Average Depth: 74.0

Improvement Data

None

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
NAGY, EDNA	NAGY EDNA & GRUBER DAVID	0	12/27/2002	QC	INVALID SALE	4288-0134	BUYER	0.0		
Property Address		Class: 402 RESIDENTIAL-VA		Zoning: LRR	Building Permit(s)	Date	Number	Status		
4066 HIGHCREST		School: BRIGHTON								
Owner's Name/Address		P.R.E. 0%								
NAGY EDNA & GRUBER DAVID 4136 HIGHCREST BRIGHTON MI 48116		MAP #: V15-18								
Tax Description		2016 Est TCV Tentative		Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT						
SEC 22 T2N, R5E CROOKED LAKE HIGHLANDS SUBDVN. LOT 77 & N 27' OF LOT 78		Improved	X	Vacant	* Factors *					
Comments/Influences		Public Improvements		Description	Frontage	Depth	Front Depth	Rate %Adj. Reason	Value	
		Dirt Road		LAKE FRONT	50.00	74.00	1.0000 0.7270	2300 100	83,608	
		Gravel Road		50 Actual Front Feet, 0.09 Total Acres					Total Est. Land Value =	83,608
		Paved Road								
		Storm Sewer								
		Sidewalk								
		Water								
		Sewer								
		Electric								
		Gas								
		Curb								
		Street Lights								
		Standard Utilities								
		Underground Utils.								
		Topography of Site								
		Level								
		Rolling								
		Low								
		High								
		Landscaped								
		Swamp								
		Wooded								
		Pond								
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
Who		When	What	2016	Tentative	Tentative	Tentative	Tentative		
				2015	41,800	0	41,800	18,428C		
				2014	40,000	0	40,000	18,138C		
				2013	36,400	0	36,400	17,853C		

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Licensed To: Township of Genoa, County of Livingston, Michigan

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

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-19 Meeting Date: 7-21-15

- PAID Variance Application Fee
(\$125.00 for residential) - \$300.00 for commercial/industrial
- Copy of paperwork to Assessing Department

- o **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: MARK W. CAMERON
Property Address: 6258 CUNNINGHAM LK RD., BRIGHTON, MI Phone: (810) 923-5934
Present Zoning: _____ Tax Code: 4711-35-400-006

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.

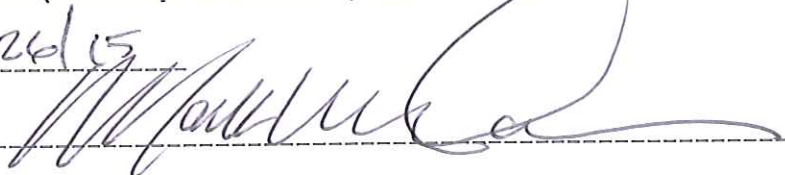
1. Variance Requested: TO PLACE DETACHED ACCESSORY BUILDING INTO FRONT YARD
2. Intended property modifications: CONSTRUCTION OF GARAGE

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) ONLY FLAT SURFACE NEAR DRIVEWAY IS FRONT/SIDE YARD
- b. Other (explain) _____

Variance Application Requires the Following: (failure to meet these requirements may result in tabling of this petition.)

- o **PROPERTY MUST BE STAKED SHOWING ALL** proposed improvements 5 days before the meeting and remain in place until after the meeting
- o **Plot Plan drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. NOTE: One paper copy of all drawings is required.**
- o Waterfront properties must indicate setback from water from adjacent homes.
- o Petitioner (or a Representative) must be present at the meeting

Date: 6/26/15
Signature: 

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

After the decision is made regarding your variance approval contact Ron Akers at the township office to discuss what your next step is.

**MARK CAMERON
6258 CUNNINGHAM LAKE RD.
BRIGHTON, MI 48116
GENOA TOWNSHIP PROPERTY #4711-35-400-006**

7-11-15

CRITERIA APPLICABLE FOR DIMENSIONAL VARIANCE

Ref: **ZBA Case # 15-19**

Mark Cameron is asking for zoning dimensional variance for the above property do to difficulties in complying because of elevation variances (topography). No acceptable building site for detached garage from line of front face of house to back of property. Only building site is front side of property.

A) Practical Difficulty/Substantial Justice: (23.05.03)

a1) Dimensional provisions of garage located in back of house is not possible because of substantial slope downward of land surface from front face of house to back of property. Substantial foundation work would be required to build on steep slope next to house. Not practical to build behind house because of great elevation difference.

a2) Justice to applicant with granting variance will be done by allowing enhancing of property to equal status of other homes in area with garages.

B) Extraordinary Circumstances: (23.05.03)

b1) Extraordinary different to other properties in this area because my home & property is located in area of steep ridgeway & ravines.

b2) Circumstance was not self-created, home was purchased on already existing location & property.

C) Public Safety & Welfare: (23.05.03)

c) Building of garage @ proposed location does not affect public safety or welfare on adjacent properties in any way listed.

D) Impact on Surrounding Neighborhood: (23.05.03)

d1) Granting of variance will not impact or interfere with the future development, use or value of adjacent properties & neighborhood.

d2) I have reviewed my plans with surrounding neighbors, with all finding them acceptable. Garage construction will conform to my existing house style & appearance.

d3) Neighbor has existing accessory building set in front of house towards road with precedent already established.

Attached:

Plot drawings showing set-backs & elevations.

Foundation drawings

Garage Building Elevation & view drawings

Charter Township of Genoa
ZONING BOARD OF APPEALS
July 21, 2015
CASE #15-19

PROPERTY LOCATION: 6258 Cunningham Lake Road

PETITIONER: Mark W. Cameron

ZONING: CE (Country Estate District)

WELL AND SEPTIC INFO: Septic, Well

PETITIONERS REQUEST: A variance to construct a detached accessory building in the front yard.

CODE REFERENCE: Section 11.04.01(c)

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Shoreline	Height	-
Required Setbacks	N/A	N/A	N/A	N/A	N/A	-
Setbacks Requested	N/A	N/A	N/A	N/A	N/A	-
Variance Amount	N/A	N/A	N/A	N/A	N/A	-



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 16, 2015
RE: ZBA 15-16

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

STAFF REPORT

File Number: ZBA#15-19

Site Address: 6258 Cunningham Lake Road

Parcel Number: 4711-35-400-006

Parcel Size: 2.83 Acres

Applicant: Mark Cameron

Property Owner: Cameron Trust, 6258 Cunningham Lake Road, Brighton, MI 48116

Information Submitted: Application, site plan, building plans

Request: Dimensional Variance

Project Description: Applicant is requesting a variance in order to construct a detached accessory building in the front yard.

Zoning and Existing Use: CE (Country Estate), Single Family Residential

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday July 5, 2015 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

Background

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

- Per assessing records the parcel has an existing single family dwelling (960 square feet) built in 1977.
- The property has an existing well and septic system.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The proposed project is to construct a 24' x 28' detached accessory building on the property. Due to the difference in topography between the front yard and the rear and side yards the applicant is requesting to construct the detached accessory building in the front yard.



Variance Requests

The following are the various sections of the zoning ordinance that variances are being requested from:

Section 11.04.01(c): Restrictions in Front Yard: Detached accessory buildings shall not be erected in any front yard...

Standards for Approval

The following are the standards of approval that are listed in the Zoning Ordinance for Dimensional Variances:

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

(a) **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.

(b) **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.

(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 variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Summary of Findings

Please note that in order for a variance to be approved it has to meet all of the standards in 25.05.03.

The following are findings based upon the presented materials.

Practical Difficulty/Substantial Justice: Strict compliance with the requirement that a detached building be placed in a rear or side yard would be difficult due to the large grade change in the rear and side yards. Detached accessory buildings are a permitted use in this district and the owner would have difficulty placing the accessory building in the side or rear yard.

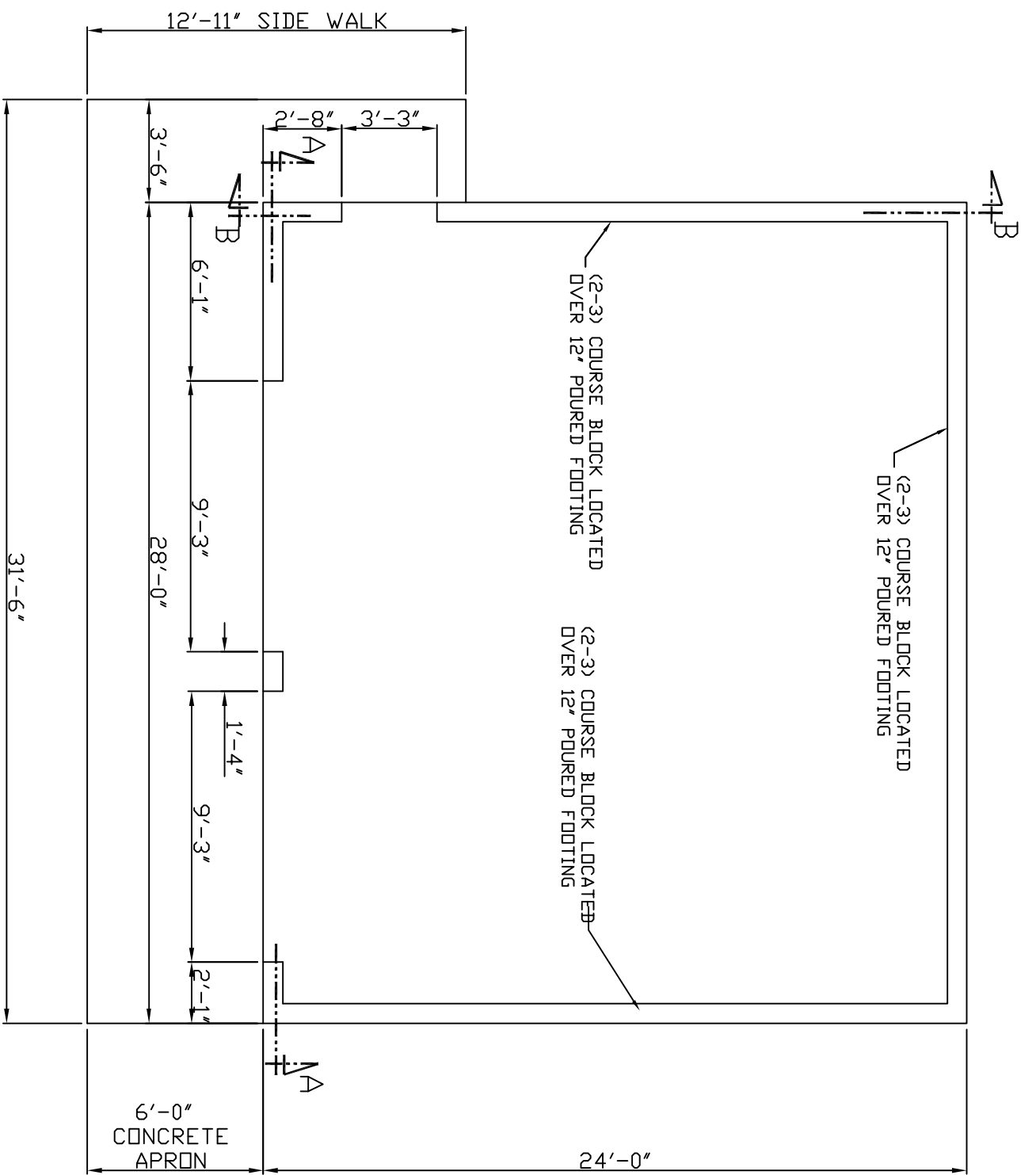
Extraordinary Circumstances: The extraordinary circumstances are applicable to this property is the substantial grade change in the side and rear yard. The need for the variance is created by this change in grade.

Public Safety and Welfare – The granting of these variances 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 detached accessory building will meet the required setbacks for a principal structure and maintain adequate distance from the adjacent neighbors.

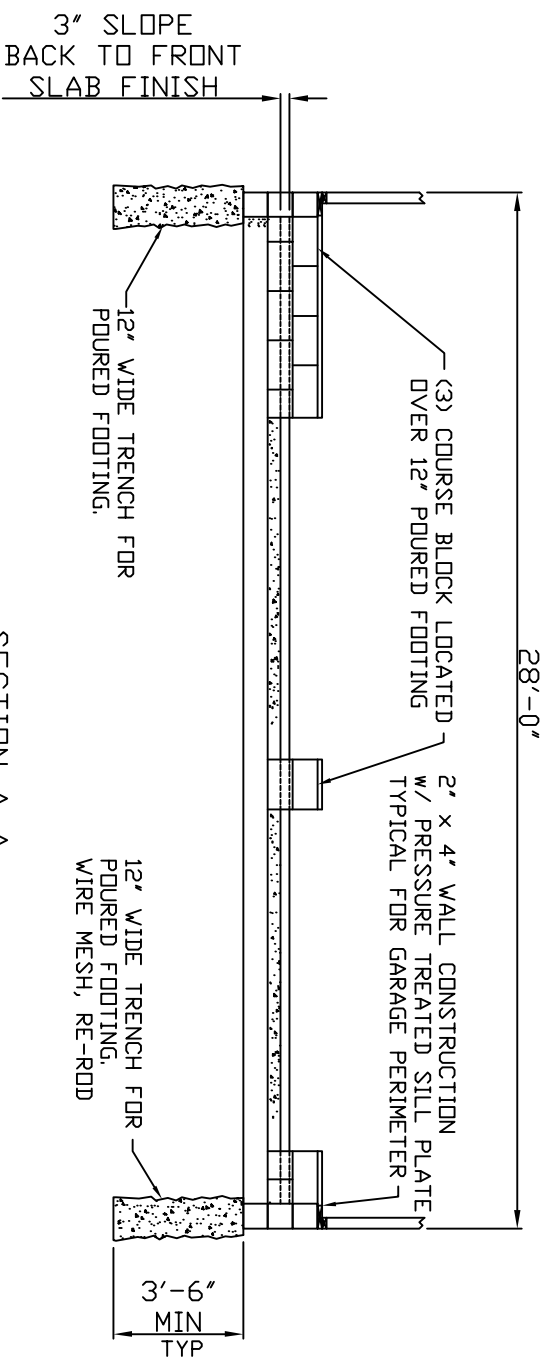
Impact on Surrounding Neighborhood – The proposed variance would have little impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The existing vegetation should limit visibility of the proposed detached accessory building from adjacent properties.

Staff Findings of Fact

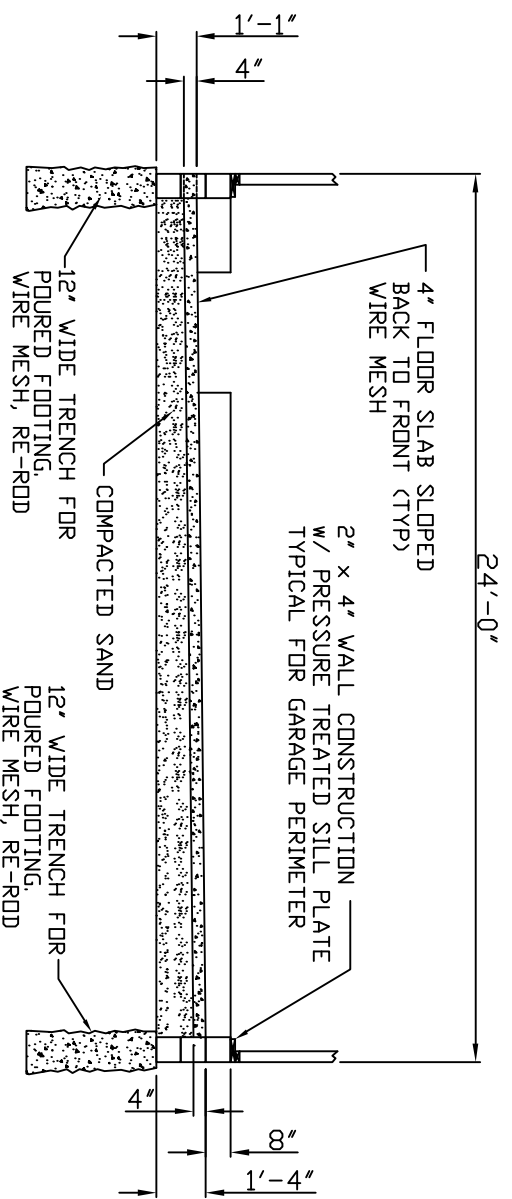
1. Strict application of the requirement regarding the placement of a detached accessory building in a rear or side yard would prevent the applicant from constructing a flood detached accessory building due to the large difference in grade between the front yard and the rear and side yards.
2. The extraordinary or exceptional circumstance applicable to this property is the substantial grade change in the rear yard.
3. The need for the variance is due to the topography of the parcel.
4. Granting of the requested variances 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.
5. Granting the requested variances will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.



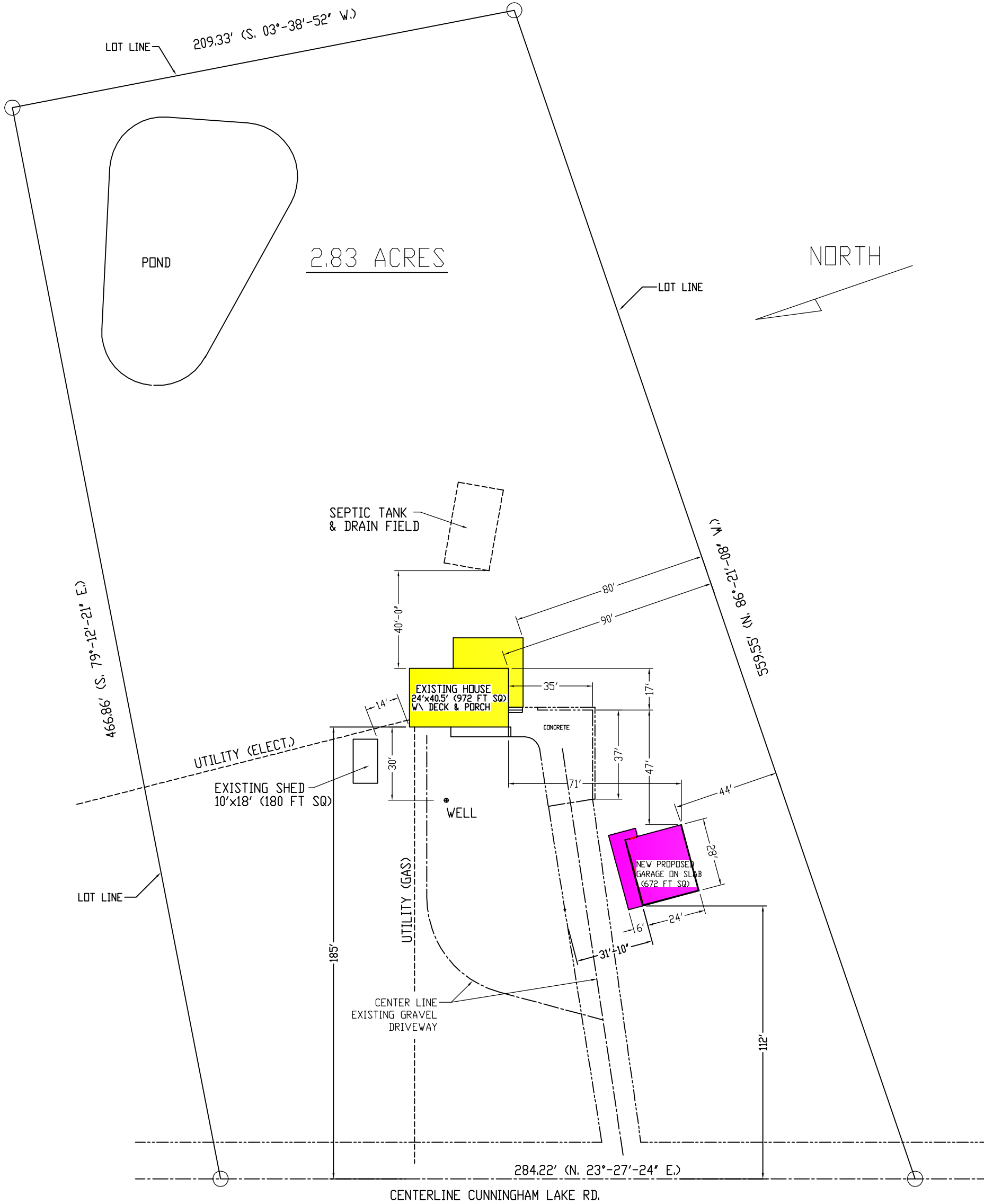
PLAN VIEW



SECTION A-A



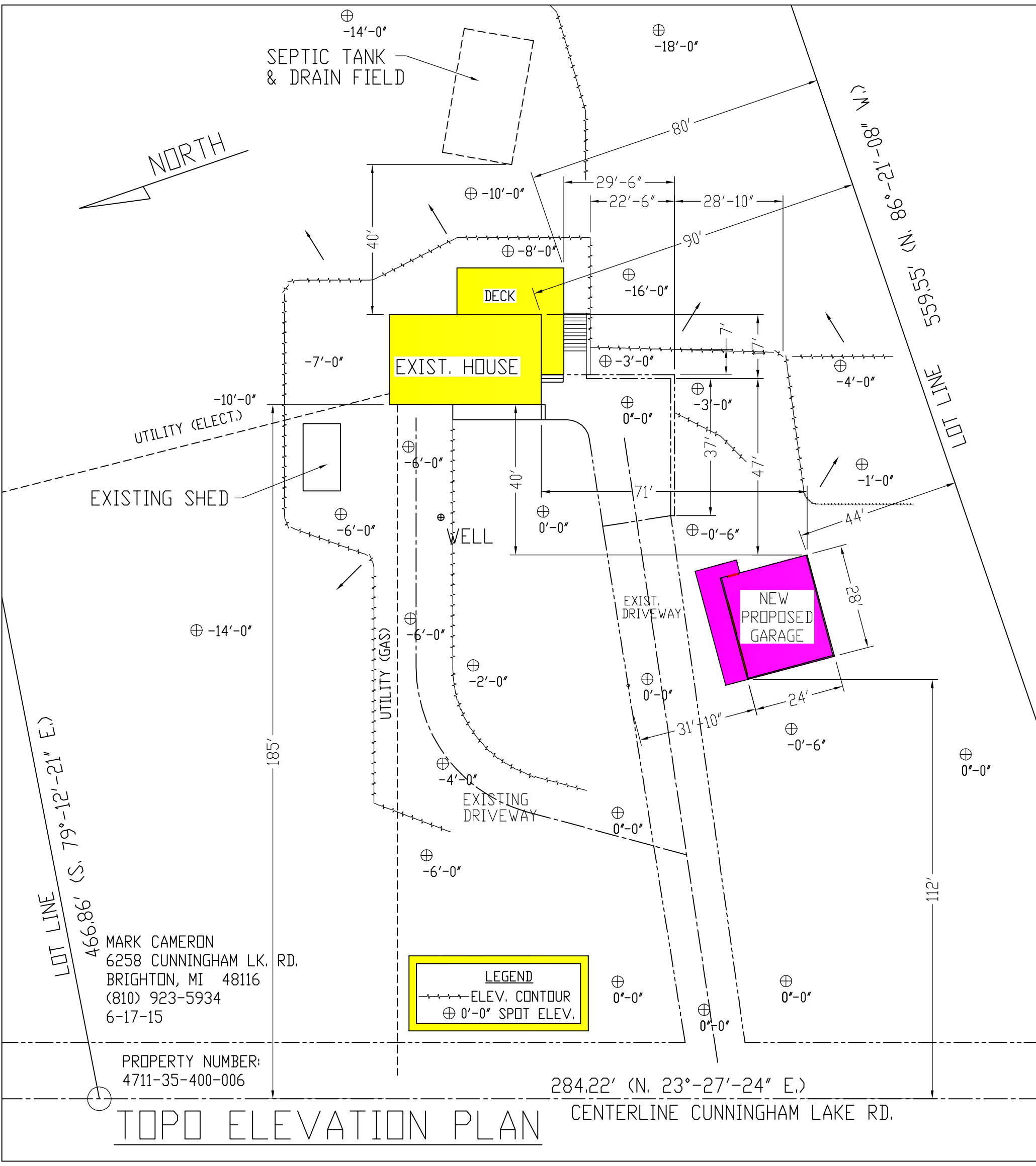
SECTION B-B



NEW GARAGE PLOT PLAN

PROPERTY NUMBER:
4711-35-400-006

MARK CAMERON
6258 CUNNINGHAM LK. RD.
BRIGHTON, MI 48116
(810) 923-5934
6-30-15



MARK CAMERON
 6258 CUNNINGHAM LK. RD.
 BRIGHTON, MI 48116
 (810) 923-5934
 6-17-15

LEGEND
 - - - - - ELEV. CONTOUR
 ⊕ 0'-0" SPOT ELEV.

PROPERTY NUMBER:
 4711-35-400-006

284.22' (N. 23°-27'-24" E.)
 CENTERLINE CUNNINGHAM LAKE RD.

TOPO ELEVATION PLAN

CONSTRUCTION NOTES:

ALL WORK ON THIS PROJECT IS TO MEET OR EXCEED LOCAL, STATE, AND NATIONAL BUILDING CODES, ORDINANCES, AND SAFETY REGULATIONS.

CONTRACTORS AND THEIR SUBCONTRACTORS ARE RESPONSIBLE TO CHECK DESIGN AND ARE TO NOTIFY DESIGNER AND, OR, OWNER OF ANY ERRORS OR OMISSIONS PRIOR TO CONSTRUCTION.

FOOTINGS ARE TO BEAR ON UNDISTURBED LEVEL SOIL VOID OF ANY ORGANIC MATERIAL AND STEPPED TO MAINTAIN THE REQUIRED MINIMUM DEPTH BELOW FINAL GRADE.

CHELSEA LUMBER CO.

DESCRIPTION: FULL SET	SHEET 1 OF 1	
DATE: 5/22/00-DCW	SCALE: SEE NOTES	DRAWN BY: BHB

THE REGAL GARAGE 24'X28'

ALUM. D-EDGE
2X6 SUBFASCIA

6" ALUMINUM FASCIA
ALUMINUM SOFFIT
WITH FASCIA RUNNER

OR
1X8 R.S. PINE
3/8" SMART SOFFIT
WITH SOFFIT NAILER

4
12

MANUFACTURED ROOF TRUSSES
@24" O.C.
DESIGN BY TRUSS COMPANY

DOUBLE TOP PLATE CONTINUOUS
(OVERLAP TOP PLATE AT CORNERS)

1'-0"

2X4 EXT. STUDS 16" O.C.

SIDING OPTIONS
VINYL SIDING & TRIM
OVER 7/16" SHEATHING
OR
T111 SMARTPANEL SIDING

FINAL GRADE IS TO BE DETERMINED

(2) COURSES
6X8X16 CONCRETE BLOCK
ON TRENCH FOOTER

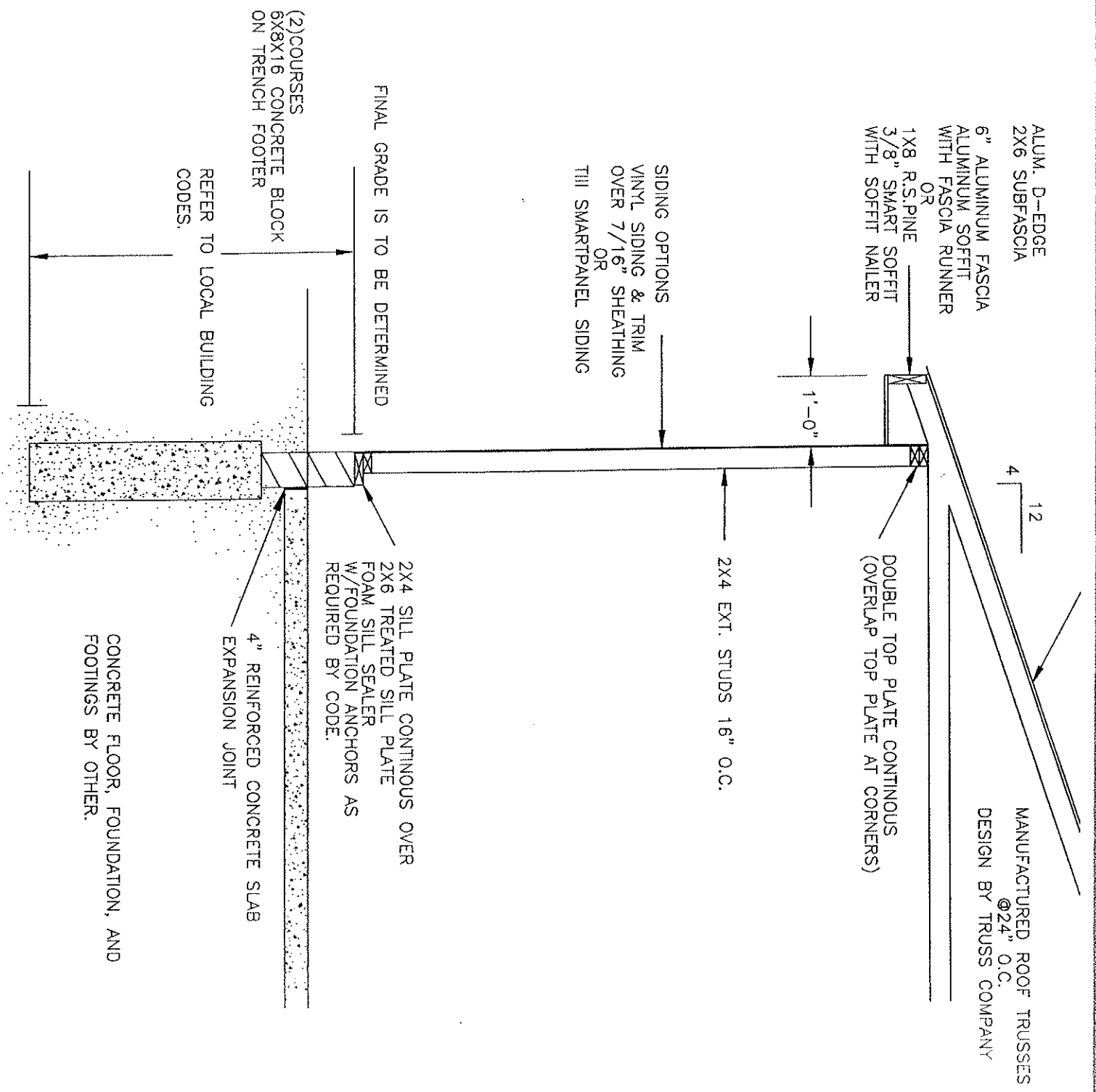
REFER TO LOCAL BUILDING
CODES.

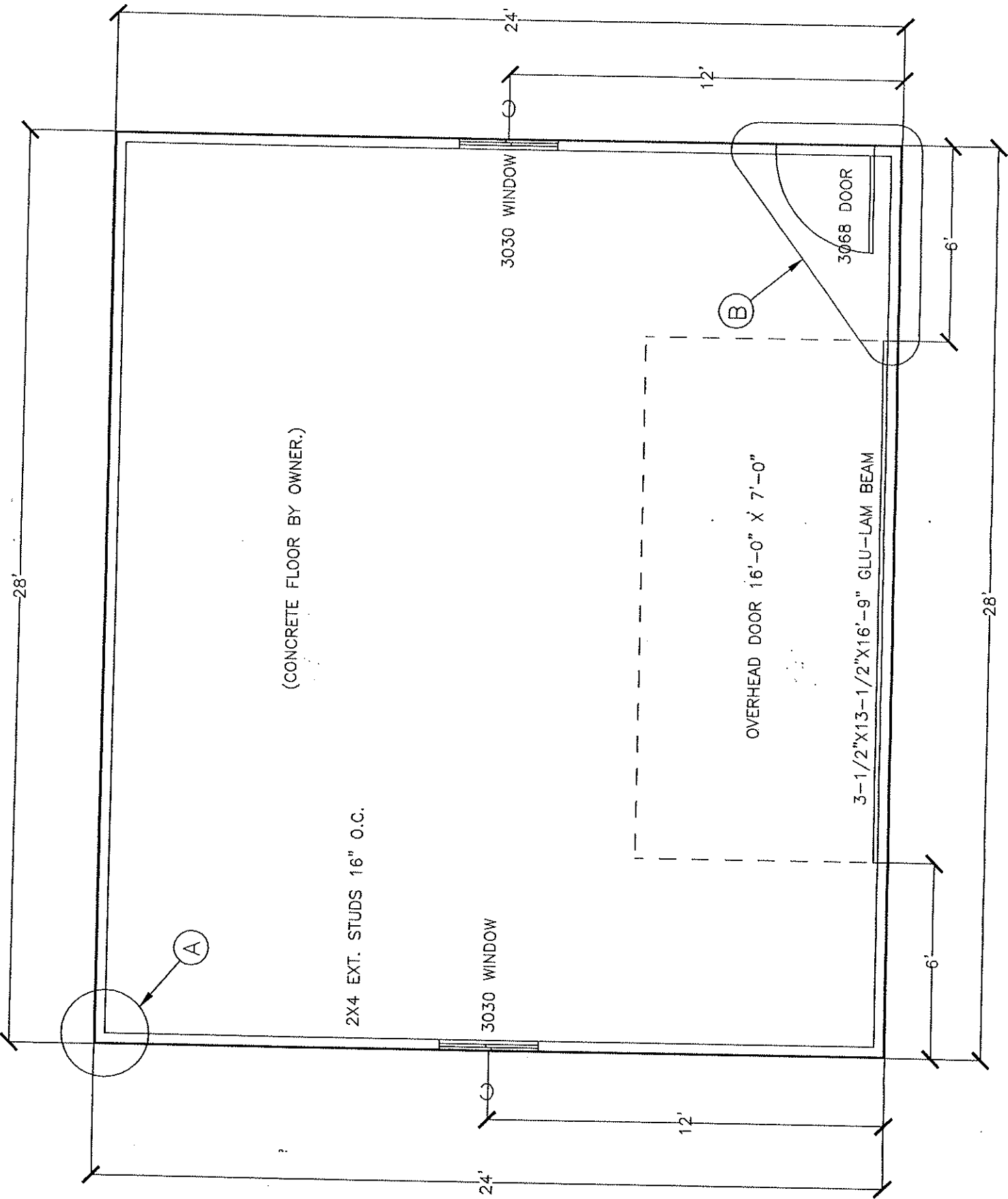
2X4 SILL PLATE CONTINUOUS OVER
2X6 TREATED SILL PLATE
FOAM SILL SEALER
W/ FOUNDATION ANCHORS AS
REQUIRED BY CODE.

4" REINFORCED CONCRETE SLAB
EXPANSION JOINT

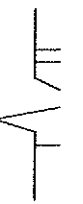
CONCRETE FLOOR, FOUNDATION, AND
FOOTINGS BY OTHER.

TYP. WALL SECTION



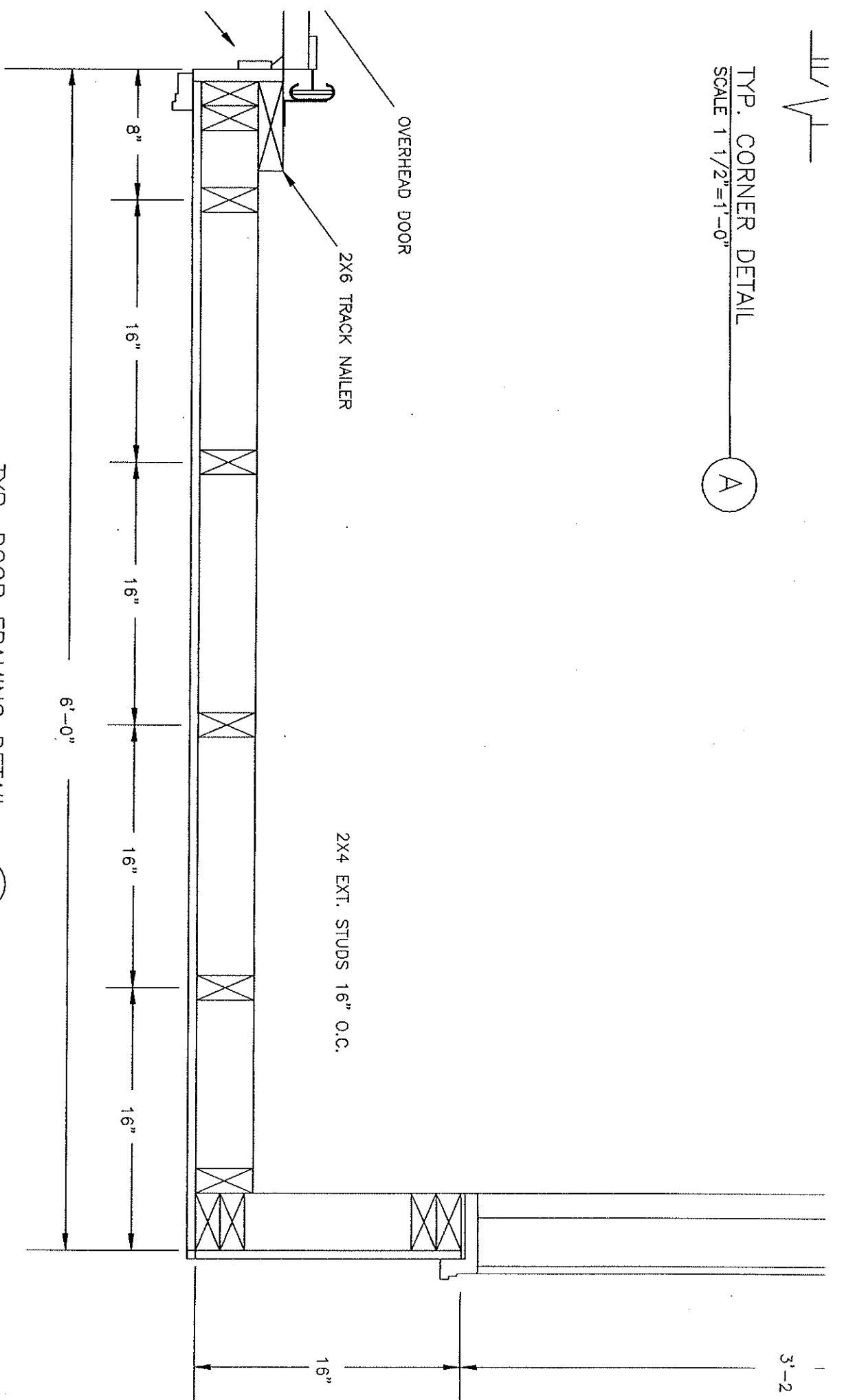


FLOOR PLAN
 SCALE 1/4" = 1'-0"



TYP. CORNER DETAIL
SCALE 1 1/2" = 1'-0"

A



OVERHEAD DOOR

2X6 TRACK NAILER

2X4 EXT. STUDS 16" O.C.

6'-0"

8"

16"

16"

16"

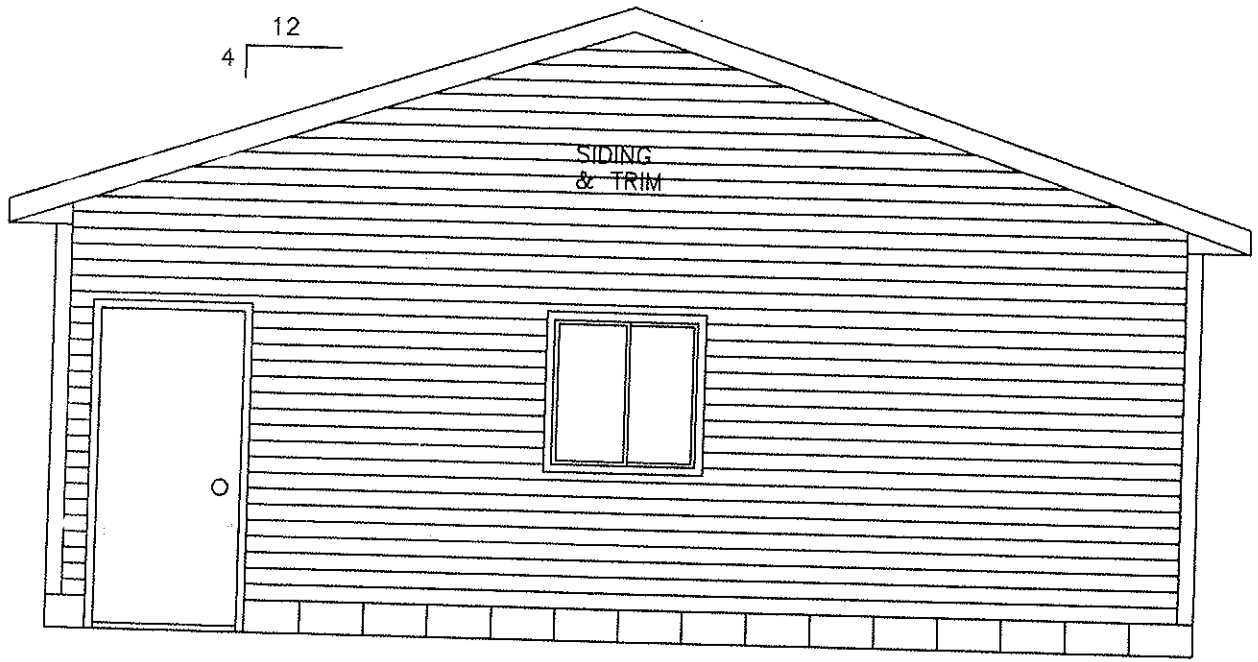
16"

16"

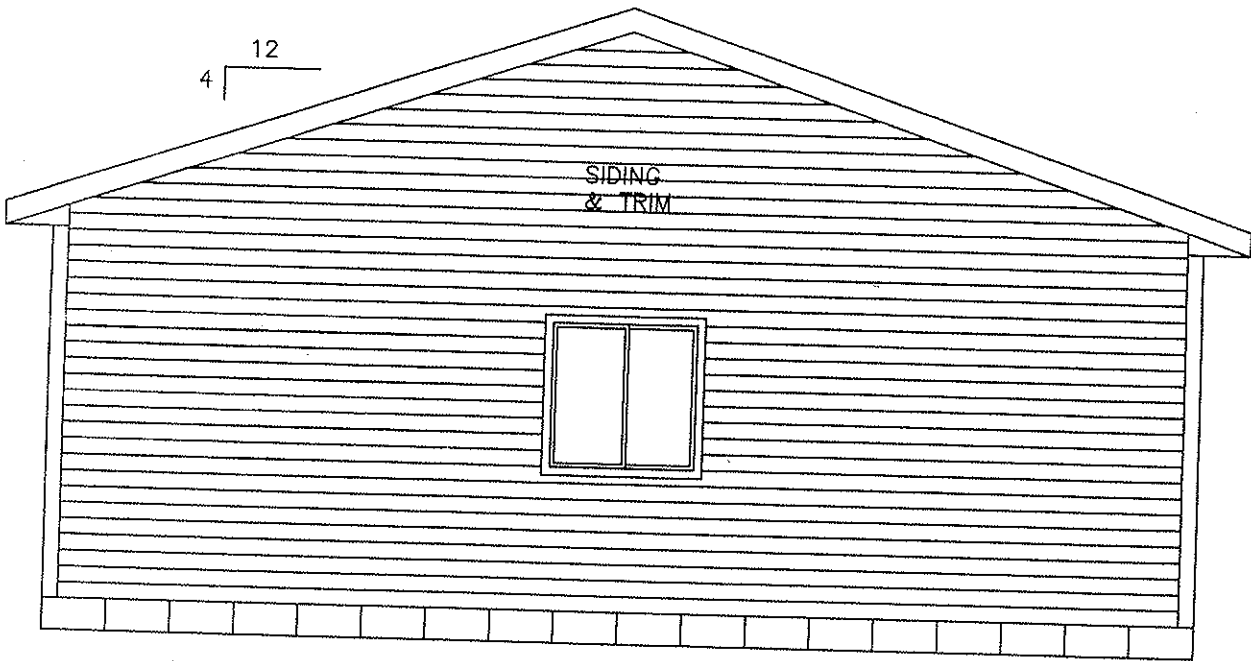
3'-2 1/2"

TYP. DOOR FRAMING DETAIL
SCALE 1 1/2" = 1'-0"

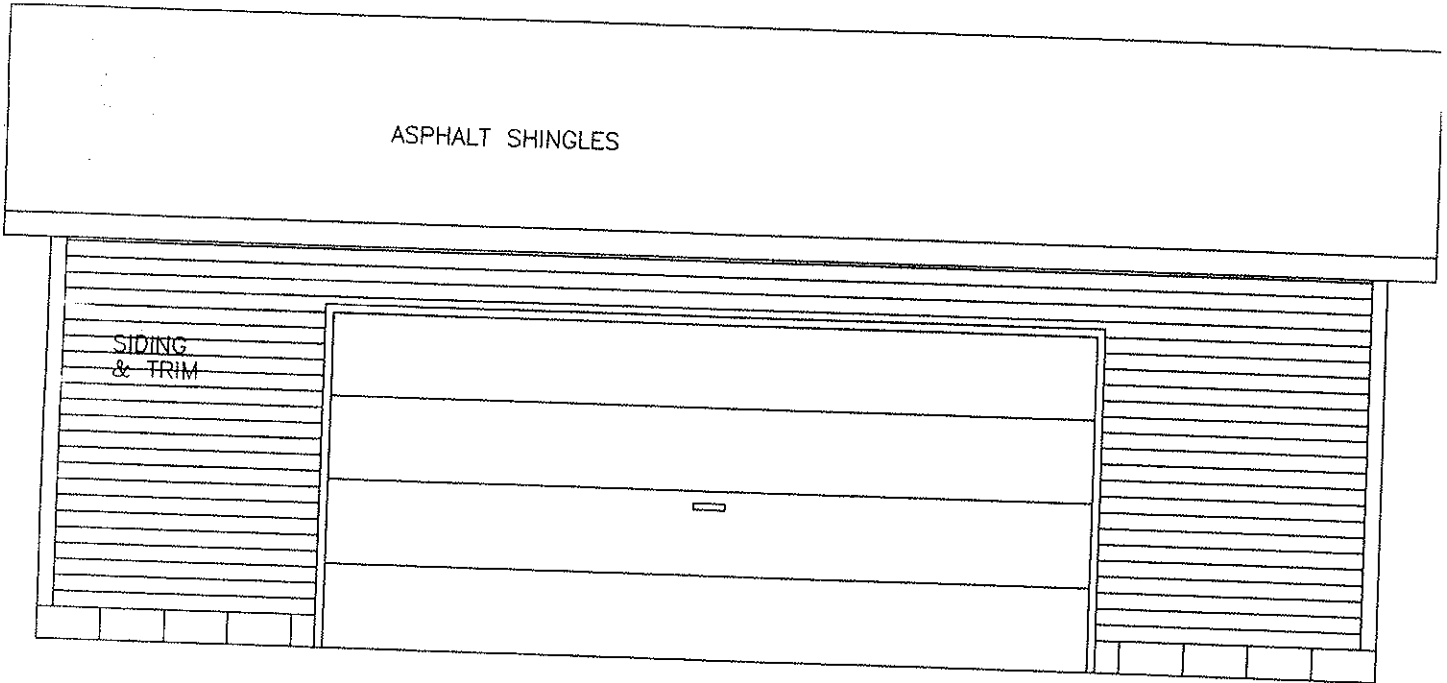
B



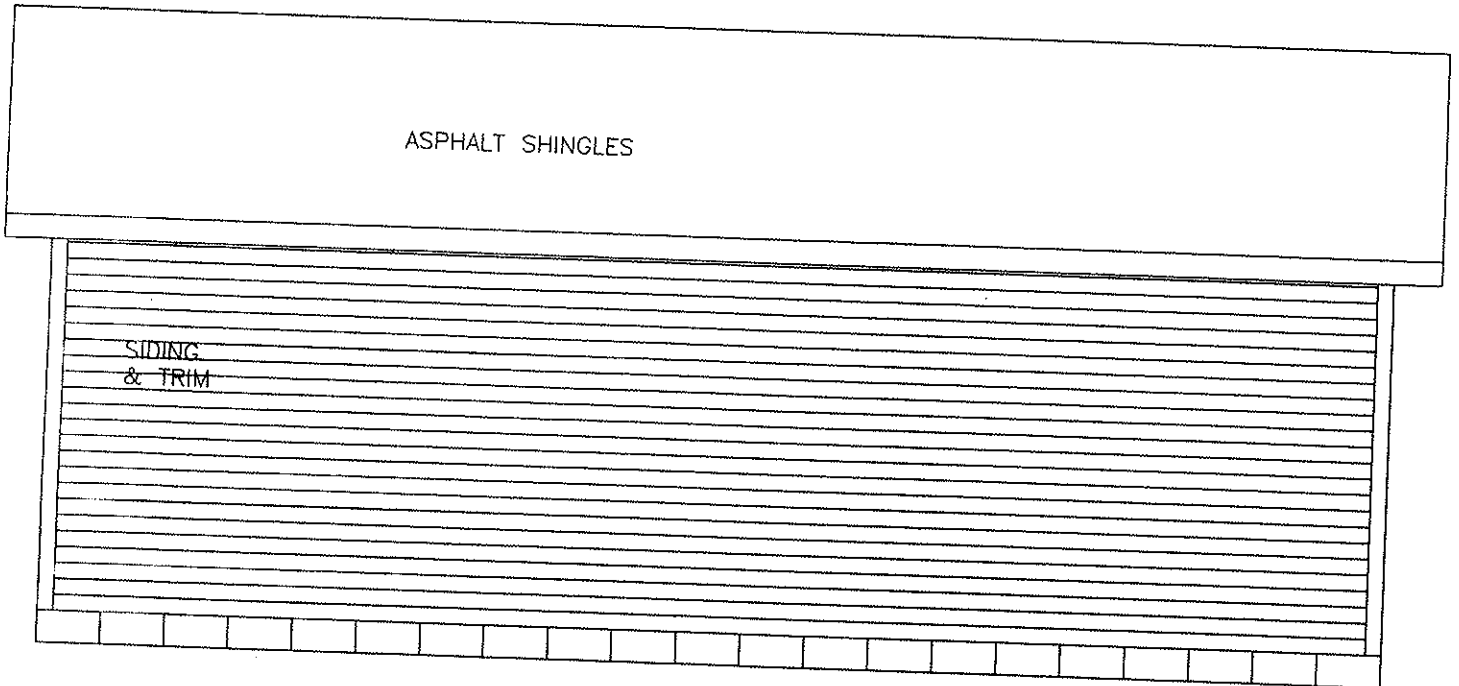
RIGHT ELEVATION
SCALE 1/4"=1'-0"



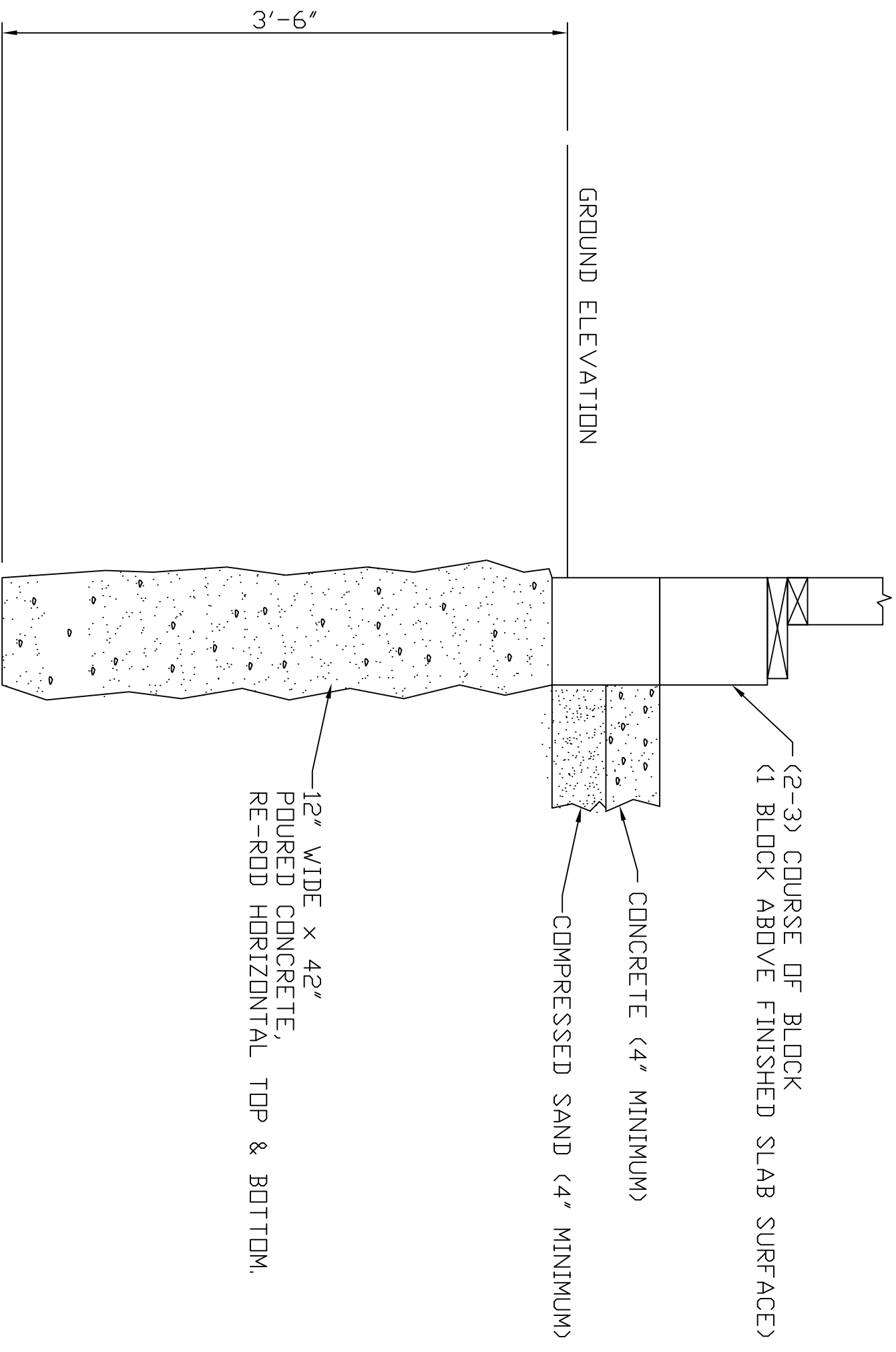
LEFT ELEVATION
SCALE 1/4"=1'-0"



FRONT ELEVATION
SCALE 1/4"=1'-0"



BACK ELEVATION
SCALE 1/4"=1'-0"



TYPICAL FOOTING DETAIL

6-17-15 MWC
 MARK CAMERON
 6258 CUNNINGHAM LK. RD.
 BRIGHTON, MI 48116



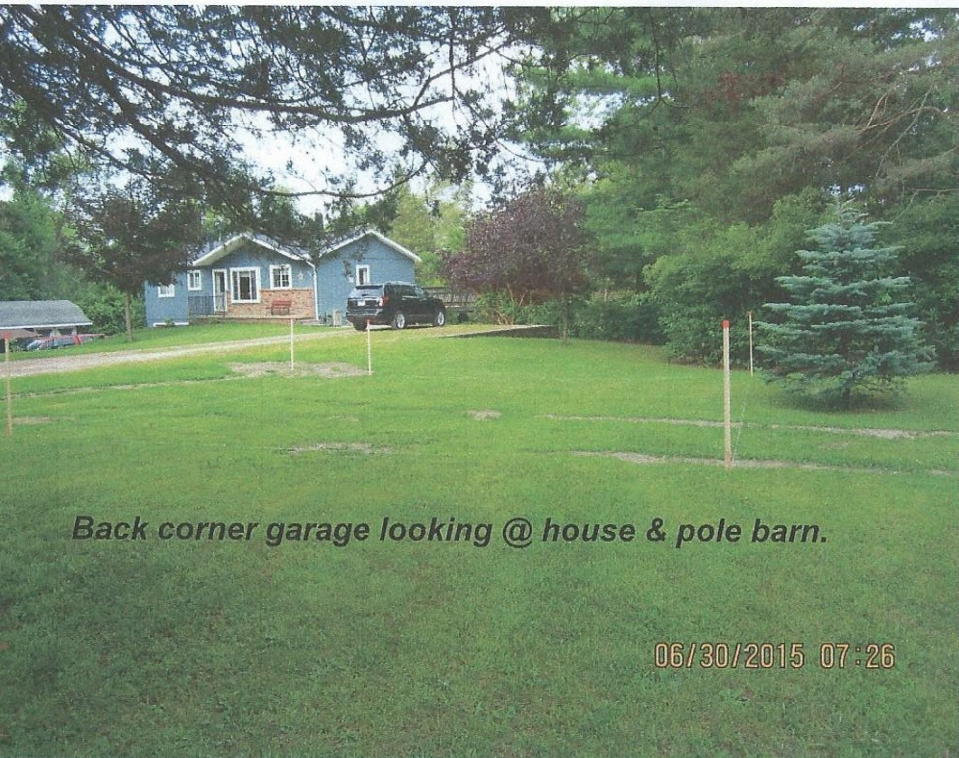
Front view garage

06/30/2015 07:20



Corner view garage

06/30/2015 07:21



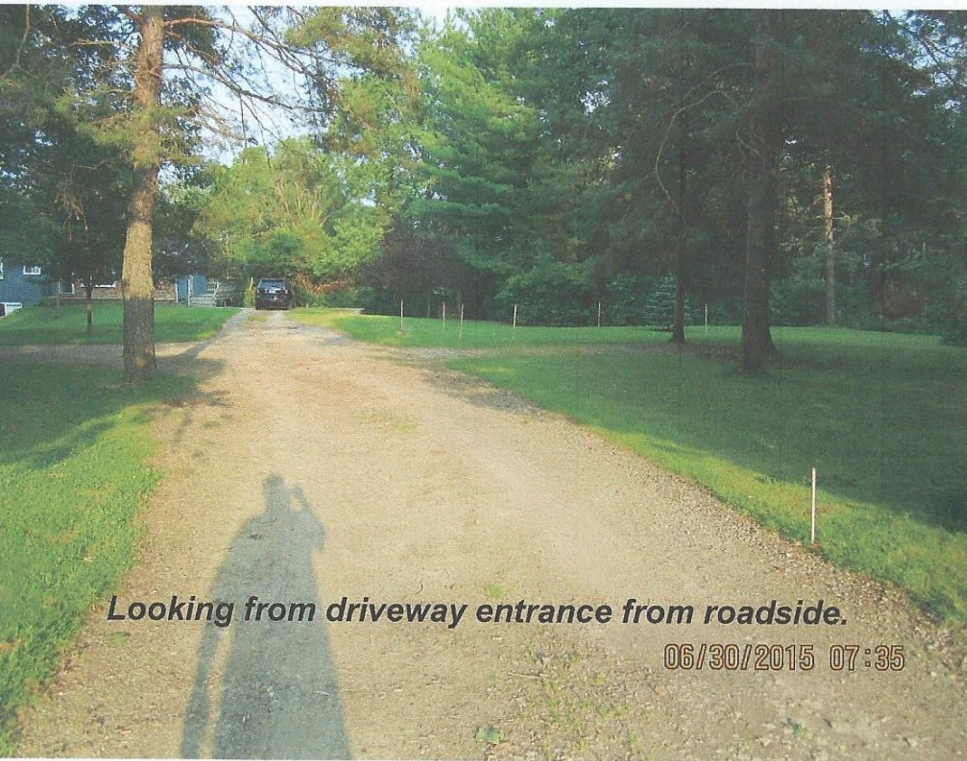
Back corner garage looking @ house & pole barn.

06/30/2015 07:26



Side view garage looking @ road.

06/30/2015 07:23



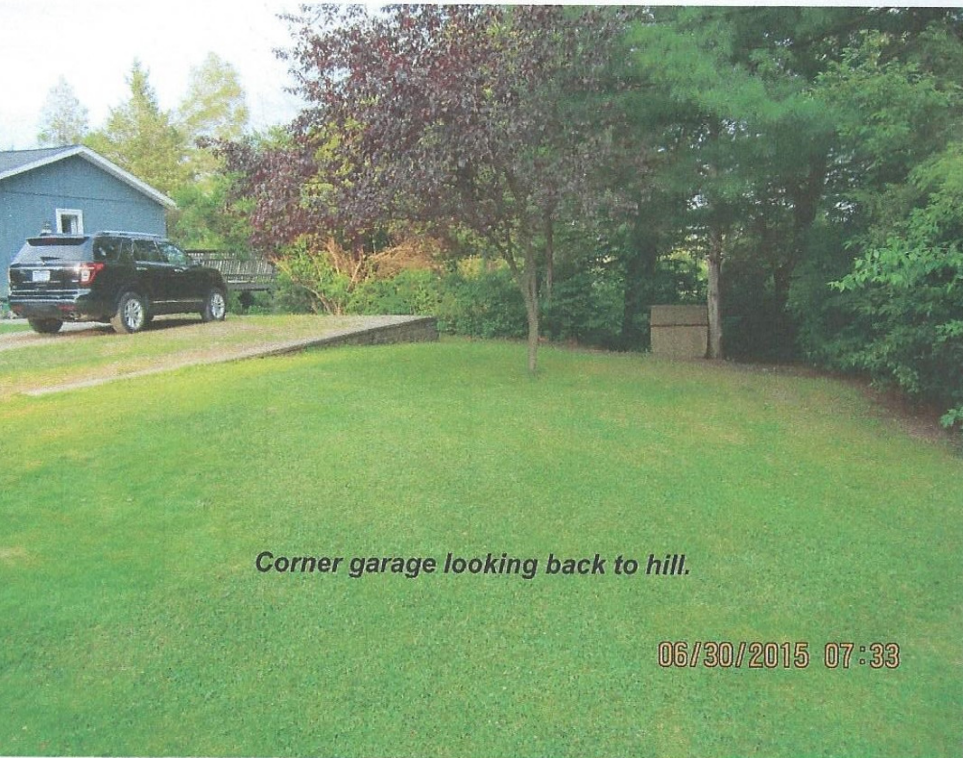
Looking from driveway entrance from roadside.

06/30/2015 07:35



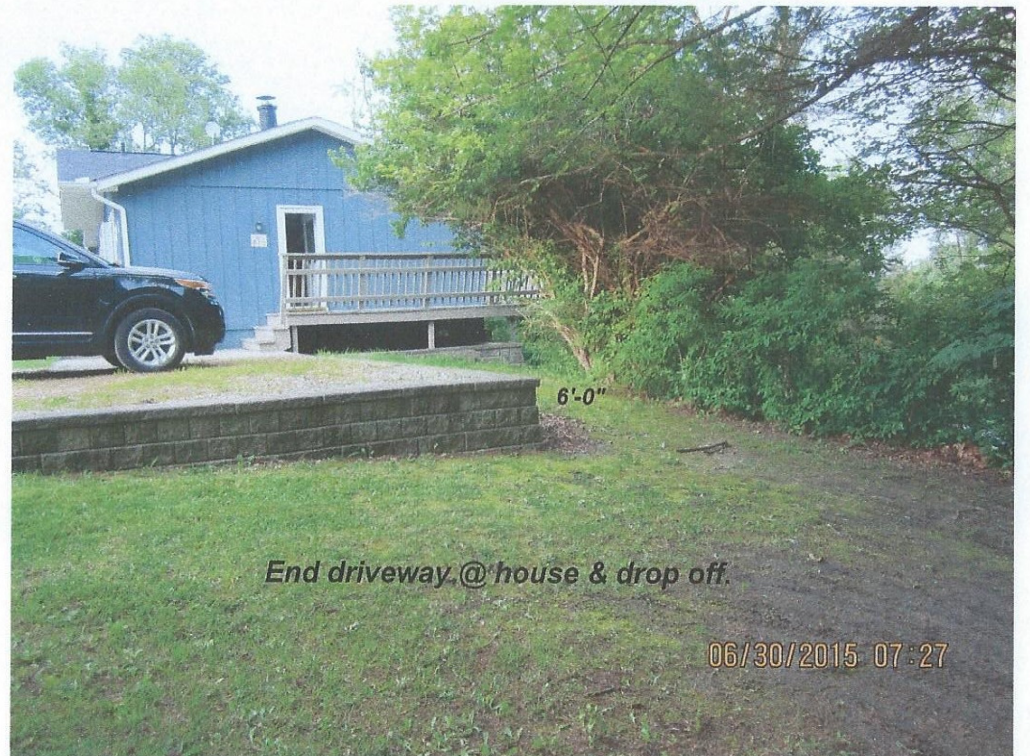
End of drive looking off hill.

06/30/2015 07:32



Corner garage looking back to hill.

06/30/2015 07:33



End driveway @ house & drop off.

06/30/2015 07:27



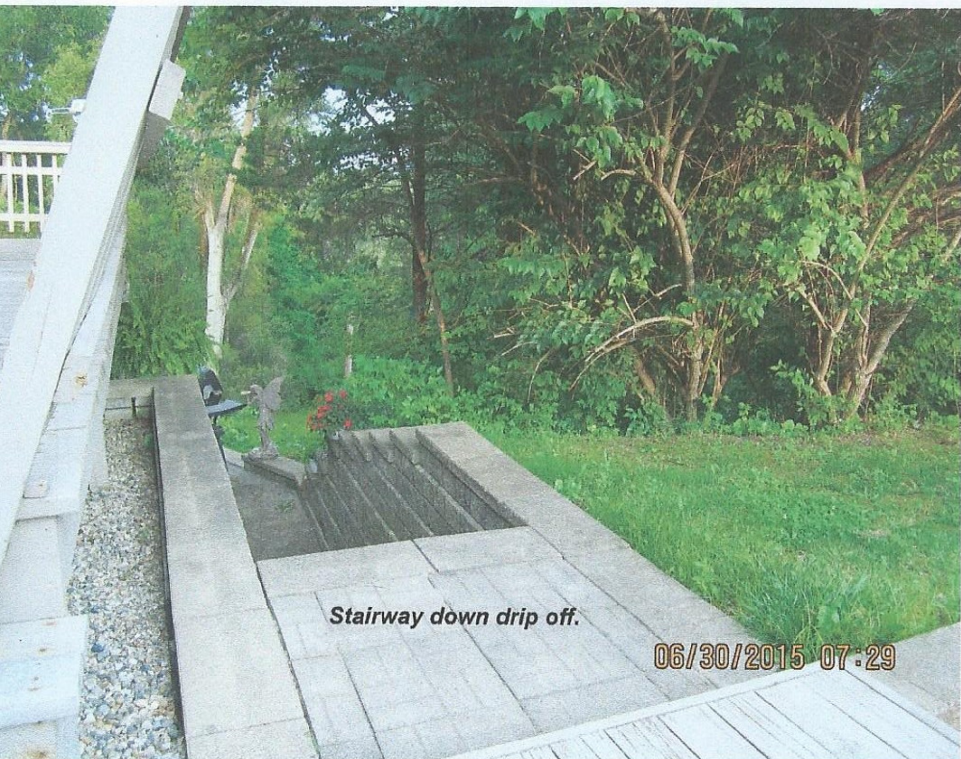
Corner end driveway to hill drop off.

06/30/2015 07:32



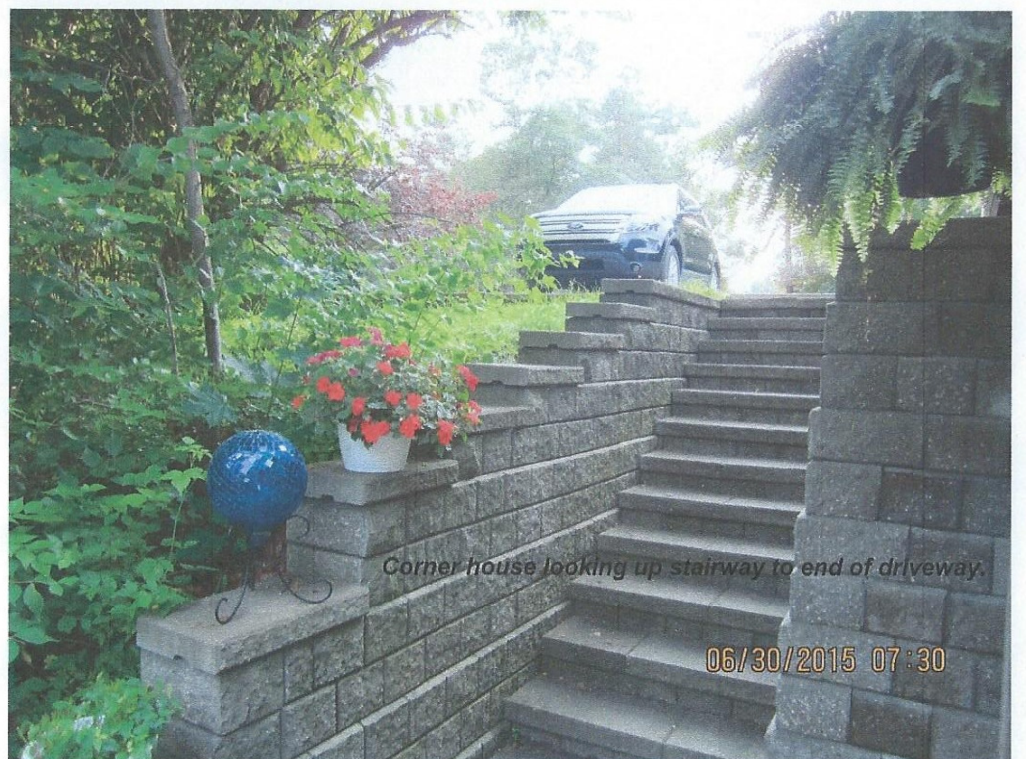
End driveway, stairway down to lower level

06/30/2015 07:29



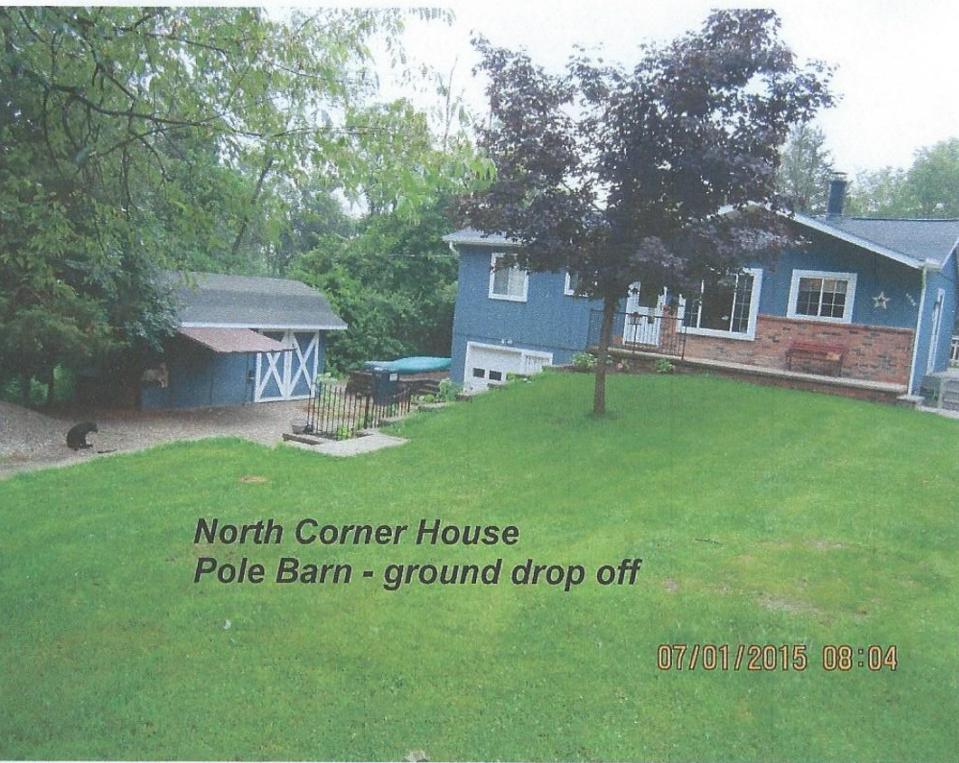
Stairway down drip off.

06/30/2015 07:29



Corner house looking up stairway to end of driveway.

06/30/2015 07:30



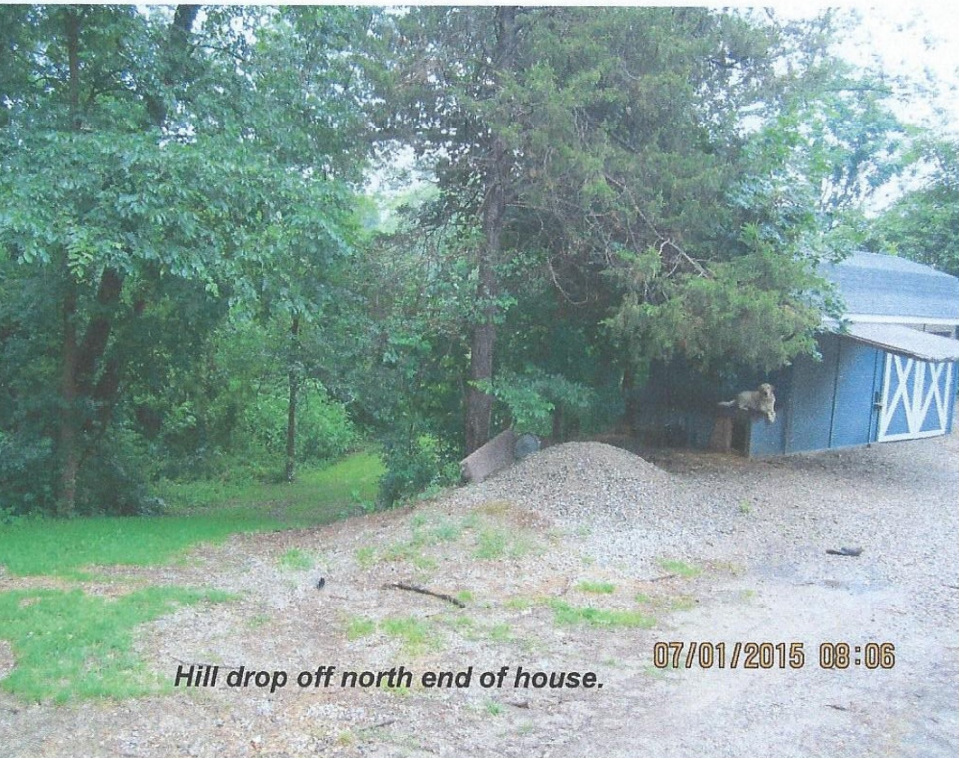
**North Corner House
Pole Barn - ground drop off**

07/01/2015 08:04



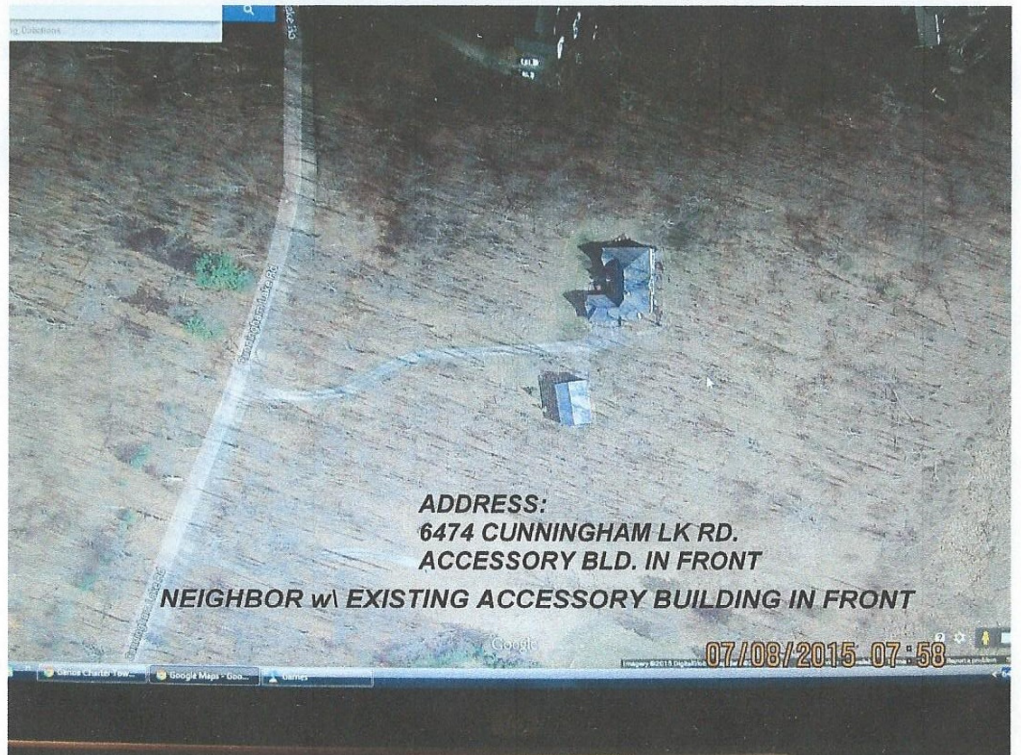
House-Barn - front set off

07/01/2015 08:05



Hill drop off north end of house.

07/01/2015 08:06



**ADDRESS:
6474 CUNNINGHAM LK RD.
ACCESSORY BLD. IN FRONT**

NEIGHBOR w/ EXISTING ACCESSORY BUILDING IN FRONT

07/08/2015 07:58

ZBA 15-19 Area Map



CUNNINGHAM LAKE



1 inch = 200 feet

* All Measurements are Approximate,
Parcel Boundaries are Approximate and May be Inaccurate.
This is not a survey.

Source: Livingston County GIS Department

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

07/17/2015 9:31 AM

Parcel: 4711-35-400-006
Owner's Name: CAMERON TRUST
Property Address: 6258 CUNNINGHAM LAKE RD
BRIGHTON, MI 48116
Liber/Page: 2011R-021670
Split: / /
Public Impr.: Gravel Road
Topography: REFUSE

Current Class: 401.401 RESIDENTIAL-IMPROVED
Previous Class: 401.401 RESIDENTIAL-IMPROVED
Gov. Unit: 4711 GENOA CHARTER TOWNSHIP
MAP # V15-19
School: 47010 BRIGHTON
Neighborhood: 47010 47010 BRIGHTON M & B

Created: / /
Active: Active

Mailing Address:

CAMERON TRUST
6258 CUNNINGHAM LAKE RD
BRIGHTON MI 48116

Most Recent Sale Information

Sold on 07/05/2011 for 0 by CAMERON, MARK & ANN.

Terms of Sale: INVALID SALE

Liber/Page: 2011R-021670

Most Recent Permit Information

None Found

Physical Property Characteristics


2016 S.E.V.: Tentative	2016 Taxable: Tentative	Lot Dimensions:
2015 S.E.V.: 64,100	2015 Taxable: 61,419	Acres: 2.83
Zoning: CE	Land Value: 65,000	Frontage: 0.0
PRE: 100.000	Land Impr. Value: 1,123	Average Depth: 0.0

Improvement Data

of Residential Buildings: 1
Year Built: 1977
Occupancy: Single Family
Class: C
Style: C
Exterior: Wood Siding
% Good (Physical): 62
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: -15
Full Baths: 1 Half Baths: 0
Floor Area: 960
Ground Area: 528
Garage Area: 289
Basement Area: 528
Basement Walls:
Estimated TCV: 62,809

Image



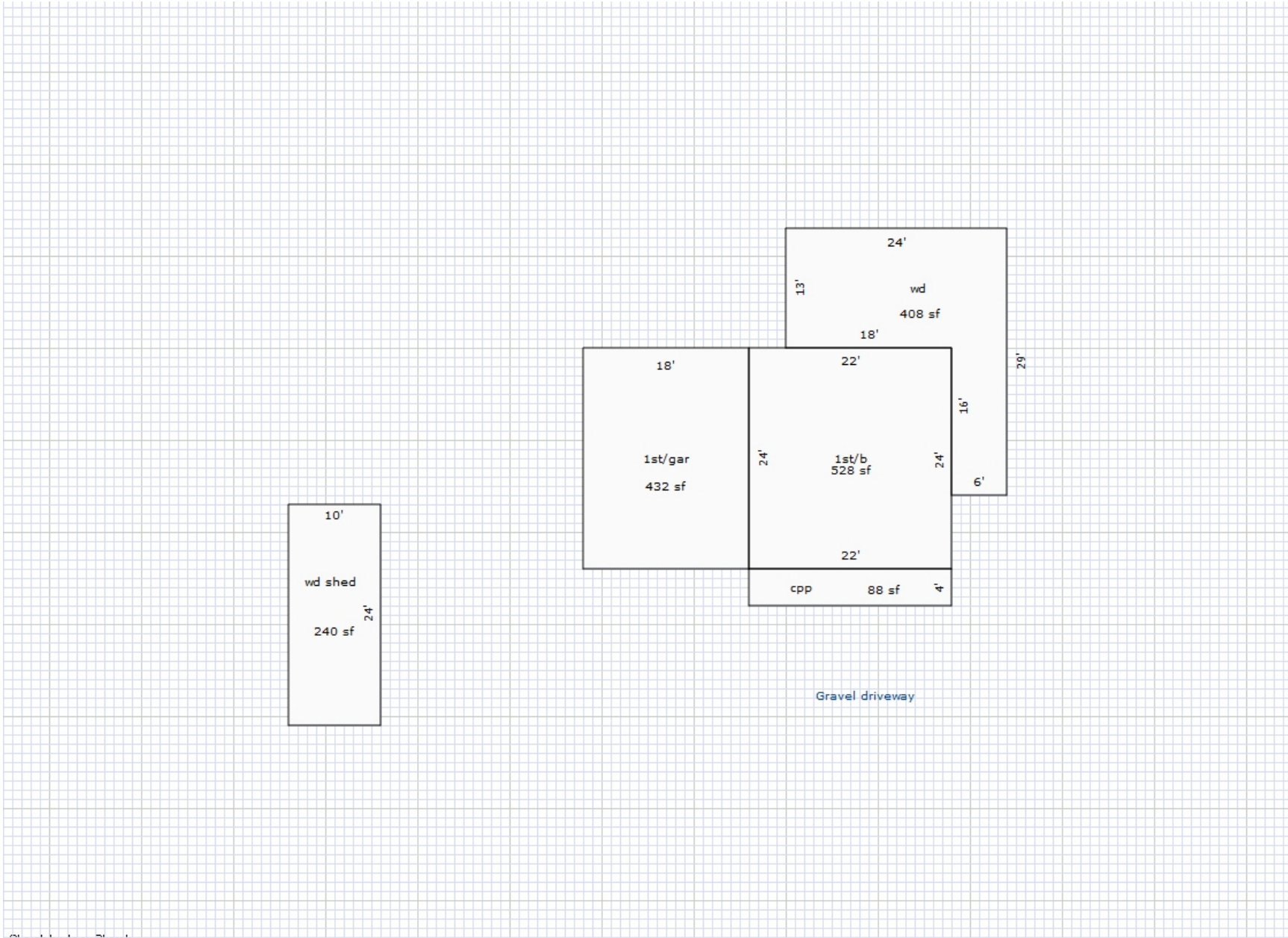
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
CAMERON, MARK & ANN	CAMERON TRUST	0	07/05/2011	QC	INVALID SALE	2011R-021670	BUYER	0.0			
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: CE	Building Permit(s)	Date	Number	Status			
6258 CUNNINGHAM LAKE RD		School: BRIGHTON									
Owner's Name/Address		P.R.E. 100% / /									
CAMERON TRUST 6258 CUNNINGHAM LAKE RD BRIGHTON MI 48116		MAP #: V15-19		2016 Est TCV Tentative							
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 122.BRIGHTON M & B						
SEC 35 T2N R5E FROM SW COR, E 1770.47 FT & N 23*27'24"E 659.22 FT ALONG C.L. CUNNINGHAM LAKE RD FOR POB, TH CONT N 23*27'24"E 284.22 FT, TH S 79*12'21"E 466.85 FT, TH S 3*38'W 209.33 FT, TH N 86*21'08"W 559.55 FT TO POB, 2.83AC M/L, PARCEL A		X	Public Improvements		* Factors *						
Comments/Influences			Dirt Road		Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value
			Gravel Road		TABLE A			2.830 Acres	22,968	100	65,000
			Paved Road		Land Improvement Cost Estimates						
			Storm Sewer		Description	Rate	CountyMult.	Size	%Good	Cash Value	
			Sidewalk		Shed: Wood Frame	9.36	1.00	240	50		1,123
			Water		Total Estimated Land Improvements True Cash Value = 1,123						
			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
		LM	07/08/2015	REVIEWED R	2016	Tentative	Tentative	Tentative			Tentative
					2015	32,500	31,600	64,100			61,419C
					2014	32,500	29,700	62,200			60,452C
					2013	32,500	27,000	59,500			59,500S

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

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

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 88 408	Type CPP Pine	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 1 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G												
Building Style: C		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj			CnlyMult		Bsmnt Garage: 1 Car		
Yr Built 1977	Remodeled 0	Ex	X	Ord		Min	0 Amps Service			Total Base Cost: 74,745			X	1.470			
Condition for Age: Good		Lg	X	Ord		Small	No Heating/Cooling			Total Base New : 109,875				E.C.F.			
Room List		(5) Floors		Kitchen: Other: Other:			No./Qual. of Fixtures			Total Depr Cost: 68,123			X	0.922	Carport Area: Roof:		
	Basement 1st Floor 2nd Floor -16 Bedrooms	Kitchen: Other: Other:		(6) Ceilings			No./Qual. of Fixtures			Estimated T.C.V: 62,809							
(1) Exterior				Ex. X Ord. Min			1 Story Siding			Basement			78.16	0.00	0.00	528	41,268
X	Wood/Shingle Aluminum/Vinyl Brick			No. of Elec. Outlets			1 Story Siding			Overhang			45.24	0.00	0.00	432	19,544
	Insulation	(7) Excavation		Many X Ave. Few			Other Additions/Adjustments			Rate			Size		Cost		
(2) Windows		Basement: 528 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(13) Plumbing			Walk out Basement Door(s)			775.00			1		775		
X	Many Avg. Few	X	Large Avg. Small	Average Fixture(s)			(14) Water/Sewer			Well, 200 Feet			4975.00		1		4,975
	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		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			(16) Porches			CPP, Standard			16.20		88		1,426
(3) Roof		(8) Basement		(14) Water/Sewer			(16) Deck/Balcony			Pine, Standard			5.13		408		2,093
X	Gable Hip Flat	Gambrel Mansard Shed		(9) Basement Finish			(17) Garages			Class:C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost			29.25		1		29
X	Asphalt Shingle	Recreation SF Living SF 1 Walkout Doors No Floor SF		(14) Water/Sewer			(17) Basement Garages			Basement Garage: 1 Car			1550.00		1		1,550
Chimney: Brick		(10) Floor Support		Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Phy/Ab.Phy/Func/Econ/Comb.%Good= 62/100/100/100/62.0, ECF (47010 BRIGHTON M & B)			0.922 => TCV of Bldg: 1 =					68,123 62,809		

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



Sketch by Apex Sketch

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

Ron Akers

From: Ann Wholihan <annwholih@sbcglobal.net>
Sent: Tuesday, July 07, 2015 3:27 PM
To: Ron Akers
Subject: case 15-19

Follow Up Flag: FollowUp
Flag Status: Flagged

To whom it may concern,

This is in regard to the request being made by Mark Cameron at 6258 Cunningham Lake Road to construct a building in his front yard. My husband and I live at 6259 Cunningham Lake Road and have absolutely no problem with this request.

Ann Wholihan

Ron Akers

From: Shelagh Davis <hedgehoggrbrit@yahoo.com>
Sent: Thursday, July 16, 2015 1:01 PM
To: Ron Akers
Subject: 6258 Cunningham Lake Road variance

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

We are Richard and Shelagh Davis and live at 6264 Cunningham Lake Road, next door to Mark Cameron. We have no objection to Mr. Cameron constructing a detached accessory building in his front yard.

Because of all the plantings between the two properties we cannot see Mr. Cameron's front yard anyway. He keeps his property in good shape and we have no reason to think the new building will be a problem.

We plan on attending the public hearing if you have any questions of us.

Thank you.

Richard and Shelagh Davis
810-841-0995

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-20 Meeting Date: 7-21-15

- PAID Variance Application Fee
\$125.00 for residential - \$300.00 for commercial/industrial
- Copy of paperwork to Assessing Department

o 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: MARK S. CUMMER
Property Address: 4811 PINE EAGLES DR. Phone: (734)-260-5747
Present Zoning: MAPUD Tax Code: _____

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: DECK SETBACK FROM COMMON WALL
2. Intended property modifications: REMOVE EXISTING DECK/REPLACE W/NEW

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) _____
- b. Other (explain) TO FINISH NEW CONSISTENT WITH EXISTING DECK & NEIGHBORING PROPERTIES

Variance Application Requires the Following: (failure to meet these requirements may result in tabling of this petition.)

- o **PROPERTY MUST BE STAKED SHOWING ALL** proposed improvements 5 days before the meeting and remain in place until after the meeting
- o **Plot Plan drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. NOTE: One paper copy of all drawings is required.**
- o Waterfront properties must indicate setback from water from adjacent homes.
- o Petitioner (or a Representative) must be present at the meeting

Date: 6/26/15
Signature: Mark S. Cummer

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

After the decision is made regarding your variance approval contact Ron Akers at the township office to discuss what your next step is.

Charter Township of Genoa
ZONING BOARD OF APPEALS
July 21, 2015
CASE #15-20

PROPERTY LOCATION: 4811 Pine Eagles Dr.

PETITIONER: Mark S. Cummer

ZONING: MUPUD (Mixed Use Planned Unit Development)

WELL AND SEPTIC INFO: Sewer, Public Water

PETITIONERS REQUEST: 4' variance from the required setback of a deck between condominium units

CODE REFERENCE: 11.04.02(b)

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Shoreline	Height	-
Required Setbacks	N/A	4'	N/A	N/A	N/A	-
Setbacks Requested	N/A	0'	N/A	N/A	N/A	-
Variance Amount	N/A	4'	N/A	N/A	N/A	-



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 16, 2015
RE: ZBA 15-20

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

STAFF REPORT

File Number: ZBA#15-20

Site Address: 4811 Pine Eagles Dr.

Parcel Number: 4711-28-402-030

Parcel Size: 0.0 Acres

Applicant: Mark S. Cummer

Property Owner: James Merritt & M. Sauerbrey, 4811 Pine Eagles Dr., Brighton, MI 48116

Information Submitted: Application, site plan

Request: Dimensional Variance

Project Description: Applicant is requesting a variance **from the required setback of a deck between condominium units**

Zoning and Existing Use: MUPUD (Mixed Use Planned Unit Development), Condominium

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday July 5, 2015 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:

- Condo was built with existing deck in 1988.
- See Real Estate Summary and Record Card.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Summary

The applicant is proposing to remove and reconstruct a deck across the entire width of the condo unit. The project requires a variance because there is a provision in the Zoning Ordinance that requires a four (4) foot separation from the halfway point between condominium units.



Variance Requests

The following are the various sections of the zoning ordinance that variances are being requested from:

11.04.02(b) Decks

For condominiums, the placement of decks shall be stipulated in the Condominium Master Deed and Exhibit B Site Plan, in conformance with the regulations of this section. Where there are no property (site condominium) lines between the two condominium units, decks shall be setback a minimum of four (4) feet from the halfway point between the two units, provided the decks are separated a minimum of eight (8) feet (combined four (4) foot setback of both decks

Standards for Approval

The following are the standards of approval that are listed in the Zoning Ordinance for Dimensional Variances:

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

(a) **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.

(b) **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.

(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 variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Summary of Findings

Please note that in order for a variance to be approved it has to meet all of the standards in 25.05.03.

The following are findings based upon the presented materials.

Practical Difficulty/Substantial Justice: The practical difficulty associated with this particular property is the design of the condominium buildings. The cutouts on the building provided for a specific size deck which connected to the wall that separates the two units.

Extraordinary Circumstances: The need for the variance was not self-created by the applicant. The layout of the existing deck and design of the building created the need for the variance.

Public Safety and Welfare – The granting of these variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa. There should be a limited if any impact on public safety or welfare.

Impact on Surrounding Neighborhood – The proposed variance would have little impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The deck is an uncovered deck which would extend past the building line. The design of

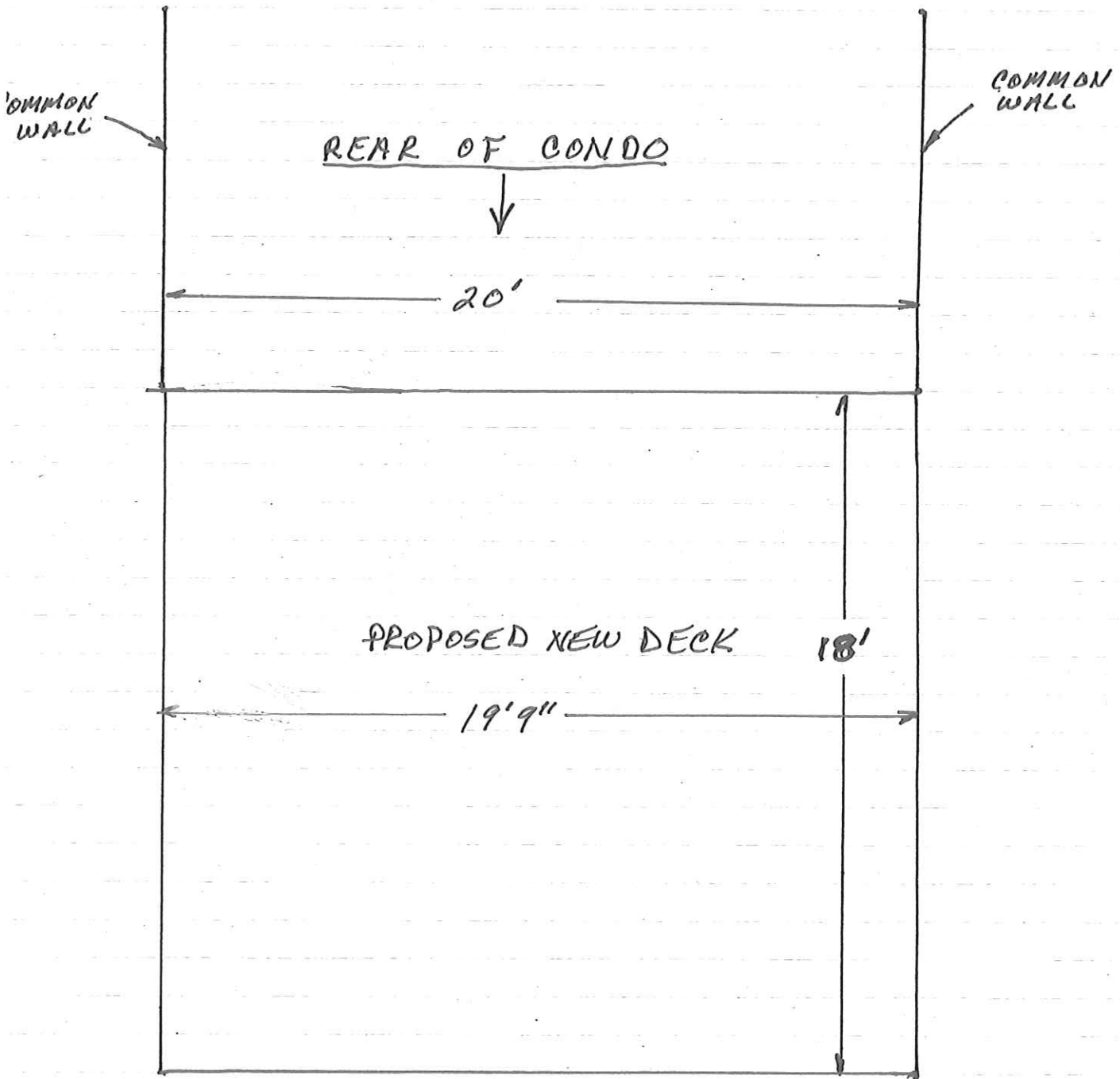
the building would make this deck visible to one neighbor, but should have little if any negative impact on the surrounding properties.

Staff Findings of Fact

1. The design of the condominium allows the decks to connect to the wall that separates the two units. Complying with the setbacks would create a deck that is architecturally inconsistent with the design of the condominium.
2. The need for the variance is not self-created.
3. The proposed variance would make the property more consistent with other properties in the vicinity.
4. 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.
5. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

LOCATION

4811 PINE EAGLES DR.



PROPOSED DECK TO REPLACE EXISTING 19'9" WIDE X 15' DEEP DECK.

PHOENIX REMODELING
24444 COLGATE
DEARBORN HTS, MI. 48125
(734)-260-5747

Contractors Invoice

WORK PERFORMED AT:

TO:
MICHELLE SAUERBREY
4811 PINE EAGLES DR.
BRIGHTON, MI. 48116

SAME.

DATE
6/19/15

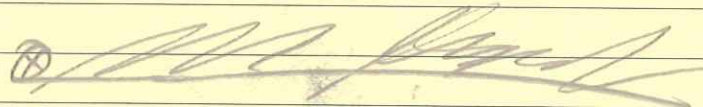
YOUR WORK ORDER NO.
2015-23

OUR BID NO.

DESCRIPTION OF WORK PERFORMED

- 1) DEMO + REMOVAL OF EXISTING WOODEN DECKING.
- 2) CONSTRUCT OF (1) 20'X18' DECK.
- 3) ALL SUPPORT POST, BEAMS + FRAMING CONSTRUCTED OF PRESSURE TREATED WOOD.
- 4) ALL FINISHED PORTIONS OF DECK TO CONSIST OF TREX MATERIAL. (STYLE + COLORS TO BE SELECTED BY HOMEOWNER.)
- 5) DISPOSAL OF ALL WASTE MATERIAL.
- 6) PERMITS INCLUDED.

LABOR + MATERIALS - \$13,200-



All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of _____

Dollars (\$ _____).

This is a Partial Full invoice due and payable by: _____
Month Day Year

in accordance with our Agreement Proposal No. _____ Dated _____
Month Day Year

ZBA 15-20 Area Map

ROUNDTREE

HUNTINGTON

ROUNDTREE

OAK-POINTE

PINE EAGLES

PINE EAGLES



1 inch = 100 feet

* All Measurements are Approximate,
Parcel Boundaries are Approximate and May be Inaccurate.
This is not a survey.

Source: Livingston County GIS Department



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

07/17/2015 2:19 AM

Parcel:	4711-28-402-030	Current Class:	407.407 RESIDENTIAL-CONDOMINI
Owner's Name:	MERRITT, JAMES & SAUERBREY, M.	Previous Class:	407.407 RESIDENTIAL-CONDOMINI
Property Address:	4811 PINE EAGLES DR BRIGHTON, MI 48116	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V15-20
		School:	47010 BRIGHTON
		Neighborhood:	4211 4211 BROADMOOR/ O.P. CONDOS
Liber/Page:	28120598	Created:	//
Split:	//	Active:	Active
Public Impr.:	None		
Topography:	REFUSE		
Mailing Address:			
MERRITT, JAMES & SAUERBREY, M. 4811 PINE EAGLES DR BRIGHTON MI 48116			

Most Recent Sale Information

Sold on 07/31/2000 for 228,000 by HUGHES, GARY & FRANCES.

Terms of Sale: ARMS-LENGTH **Liber/Page:** 28120598

Most Recent Permit Information

None Found

Physical Property Characteristics

2016 S.E.V.:	Tentative	2016 Taxable:	Tentative	Lot Dimensions:	
2015 S.E.V.:	109,100	2015 Taxable:	101,469	Acres:	0.00
Zoning:	MUPUD	Land Value:	60,000	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

of Residential Buildings: 1
Year Built: 1988
Occupancy: Town Home
Class: B+20
Style: B
Exterior: Wood Siding
% Good (Physical): 73
Heating System: Forced Heat & Cool
Electric - Amps Service: 0
of Bedrooms: 2
Full Baths: 2 Half Baths: 1
Floor Area: 1,848
Ground Area: 959
Garage Area: 528
Basement Area: 889
Basement Walls:
Estimated TCV: 156,007

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
HUGHES, GARY & FRANCES	MERRITT/SAUERBREY	228,000	07/31/2000	WD	ARMS-LENGTH	28120598	BUYER	100.0
CONKLIN		187,000	05/18/1995	WD	ARMS-LENGTH	1929-0744	BUYER	100.0

Property Address	Class: 407 RESIDENTIAL-CO	Zoning: MUPUD	Building Permit(s)	Date	Number	Status
4811 PINE EAGLES DR	School: BRIGHTON					
	P.R.E. 100% 08/02/2000					
Owner's Name/Address	MAP #: V15-20					
MERRITT, JAMES & SAUERBREY, M. 4811 PINE EAGLES DR BRIGHTON MI 48116	2016 Est TCV Tentative					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 00046.PINE EAGLES							
				Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value	
SEC 28 T2N R5E PINE EAGLES CONDOMINIUMS, UNIT 30				<Site Value D>	BASE L.V.			60000	100		60,000
Comments/Influences				0.00 Total Acres Total Est. Land Value = 60,000							

Comments/Influences



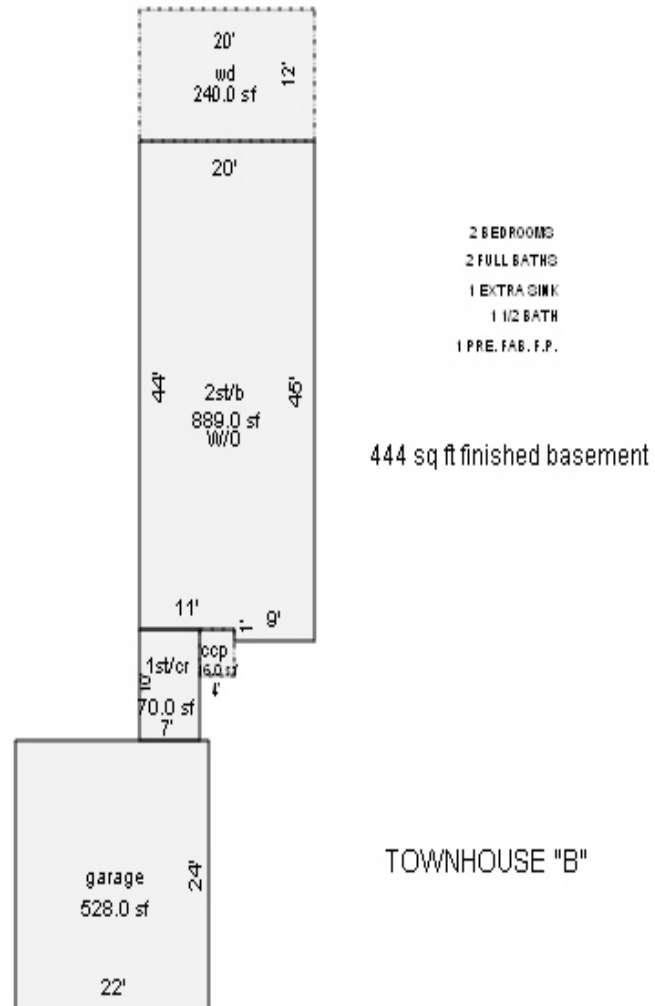
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

Public Improvements	Topography of Site	Level	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain	2016	Tentative	Tentative	Tentative			Tentative
X REFUSE			2015	30,000	79,100	109,100			101,469C
			2014	27,500	74,000	101,500			99,872C
			2013	27,500	70,800	98,300			98,300S

*** 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	0	Eavestrough Insulation	X	Gas	Oil	Elec.	1	Appliance Allow.	1	Interior 1 Story	Area	Type	16	CCP (1 Story)	Year Built:				
	Town Home Duplex A-Frame		0		Front Overhang	Wood	Coal		Steam		Cook Top						Interior 2 Story	240	Treated Wood	Car Capacity:
	0		Other Overhang		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water				Dishwasher		2nd/Same Stack								Class: B	
X	Wood Frame		(4) Interior		Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater			Garbage Disposal	Exterior 1 Story							Exterior: Siding				
Building Style: B		Trim & Decoration			Wall/Floor Furnace			Bath Heater	Exterior 2 Story								Brick Ven.: 0			
Yr Built 1988	Remodeled 0	Ex	X	Ord				Hot Tub	1	Exterior 2 Story							Stone Ven.: 0			
Condition for Age: Good		Size of Closets			X			Unvented Hood		Prefab 1 Story							Common Wall: 1/2 Wal			
		Lg	X	Ord				Vented Hood		Prefab 2 Story							Foundation: 42 Inch			
Room List		Doors:			H.C.			Intercom		Heat Circulator							Finished?: Yes			
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:						Jacuzzi Tub		Raised Hearth							Auto. Doors: 0			
(1) Exterior		(6) Ceilings						Jacuzzi repl.Tub		Wood Stove							Mech. Doors: 0			
X	Wood/Shingle Aluminum/Vinyl Brick	No./Qual. of Fixtures						Oven		Direct-Vented Gas							Area: 528			
	Insulation	Ex.		X	Ord.			Microwave									% Good: 0			
(2) Windows		No. of Elec. Outlets			Min			Standard Range									Storage Area: 0			
X	Many Avg. Few	X	Avg. Small		Many			Self Clean Range									No Conc. Floor: 0			
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(7) Excavation			X			Sauna									Bsmnt Garage:			
(3) Roof		Basement: 889 S.F. Crawl: 70 S.F. Slab: 0 S.F. Height to Joists: 0.0			Ave.			Trash Compactor									Carport Area:			
X	Gable Hip Flat	Recreation SF Living SF 1 Walkout Doors No Floor SF			Few			Central Vacuum									Roof:			
	Gambrel Mansard Shed	(9) Basement Finish						Security System												
X	Asphalt Shingle	Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan						Exterior Units: 0												
Chimney: Brick		Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink 1 Separate Shower						Interior Units: 1												
		Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan						Roof: Asph.Shingle												
		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic						Foundation												
		Lump Sum Items:						Rate												
								Basement Living Finish												
								Walk out Basement Door(s)												
								(13) Plumbing												
								Basement Finish												
								3 Fixture Bath												
								2 Fixture Bath												
								Separate Shower												
								Public Water												
								Public Sewer												
								(15) Built-Ins & Fireplaces												
								Appliance Allowance												
								Fireplace: Exterior 2 Story												
								(16) Porches												
								CCP (1 Story), Standard												
								(16) Deck/Balcony												
								Treated Wood,Standard												
								(17) Garages												
								Class:B Exterior: Siding Foundation: 42 Inch (Finished)												
								Base Cost												
								Common Wall: 1/2 Wall												
								Phy/Ab.Phy/Func/Econ/Comb.%Good= 73/100/100/73.0,												
								ECF (4211 BROADMOOR/ O.P. CONDOS)												
								0.711 => TCV of Bldg: 1 =												

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



Sketch by Apex Medina™

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

JUNE 16, 2015

6:30 P.M.

MINUTES

Vice Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were as follows: Jean Ledford, Jerry Poissant and Marianne McCreary. Absent were Figurski and Dhaenens. Also present was Township staff member Ron Akers. There were 16 people in the audience.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of Agenda: **Moved** by Ledford, seconded by Poissant to approve the agenda as submitted. **Motion carried unanimously.**

Call to the Public: was made with no response. *(Please Note: The Board will not begin any new business after 10:00 p.m.)*

15-08 ... A request by Sonia Wallace, 3040 Brighton Road, for a variance to construct a detached accessory building in the front yard.

Sonia Wallace was present for the petitioner. Ms. Wallace stated that she has staked the easements, utilities and well and septic. They spoke with their neighbors and their neighbors were fine with the variance. If approved they are still going to try and shield the barn with trees.

McCreary questioned why the petitioner did not want to move the structure closer to the house. Petitioner stated that they need to stay 30 feet from the pipeline that crosses their property so they cannot build towards the house.

A call to the public was made with no response.

Moved by Ledford, supported Poissant to approve case# 15-08, 3040 Brighton Road for Sonia Wallace for the construction of a 32 X 48 detached accessory structure in the front yard up to 16 feet high.

The practical difficulty and extraordinary circumstances is the difference of the topography of the property and the location of the septic system behind the house, the existing location of the house and the location of the gas pipeline easement which runs across the front yard of the property requiring the proposed location of the accessory building to be constructed closer to the road. The building in the front yard will have no

adverse risk which could impact public safety and welfare and will not interfere with or discourage the appropriate development, continue use or value of adjacent properties and surrounding neighborhood. The building would be visible from Brighton Road during the winter months and be closer than other structures in the immediate vicinity, approval of this variance is conditioned upon petitioner planning one (1) 2.5” caliper evergreen trees shall be planted for each 15 feet of building along Brighton Road and the color of the building being compatible with the surrounding area. **Motion carried unanimously.**

15-09 ... A request by Carol and Jack Gatewood, 1022 S. Hughes Road, for a variance from the maximum allowable building height in order to demolish an existing home and construct a new single family home.

Todd Smith with Laurex Real Estate was present for the petitioner. Mr. Smith stated they are asking for a variance from the height of the building. Mr. Smith gave a brief history on the flood zone enforced by FEMA which put the entire Lake Chemung area in a flood zone. Mr. Smith stated that due to the water table being high they cannot construct the home on a slab or piers.

McCreary questioned if the house would be demolished. The petitioner stated that it would be along with the existing garage.

A call to the public was made with no response.

Moved by Poissant, supported by Ledford, to approve case 15-09 for Carol and Jack Gatewood located at 1022 S. Hughes Road for a height variance of 3.5 feet above the 25 feet that is allowed per the ordinance.

Based on the finding of fact and extraordinary circumstances a crawl space cannot be constructed due to the water table being too high. The finish floor elevation will be 4.2 feet above the allowed 25 feet so that it is above the water table. The requirement to construct a crawlspace above grade does not allow enough room for the height to remain within the 25 feet. The unusually high water table would cause the applicant to require a variance. Granting of the variance would not diminish the light supply and air or would unreasonably increase the construction of the street or increase the fire and public safety and welfare for the inhabitants of the township. Granting the variance would not interfere with the value of the properties in the surrounding neighborhood. Conditioned upon the home being guttered. **Motion carried unanimously.**

15-10 ... A request by Joseph Andrews, 1115 Norfolk, for a front yard setback variance, a rear yard setback variance and a side yard setback variance to remove the existing structure and construct a new single family home.

Joseph Andrews was present for the petitioner. Mr. Andrews stated that the rear variance that they are requesting is due to after doing some repairs they realized that it would be easier to tear it down.

Call to the public was made with the following response: Ty Cole, 1120 Chemung Drive, stated that if the owner wanted to build something new that would be great. Maybe have it torn down and set a time for when the project would need to be completed by. The structure is unsafe.

Mr. Akers read the following letter into the record from Debra Buchte, 1131 Chemung Drive,: “I am corresponding in regards to case #15-10 variance for property 1115 Norfolk, Howell, MI. I am against granting this variance. My property 1131 Chemung Drive is roughly 8 feet from the property line now. Why would this be needed as there is plenty of room on property to move home closer to Chemung Drive. The rear variance and front setback would necessarily move home closer to my garage which sits behind this home. A modular home could be set on existing home site without all these variances needed. Also with a modular home there would not be the problems that home been incurred with the rebuilding of current home. This home has sat in unsafe and dilapidated condition since purchased. I fear if a build is going to happen it will be conducted the way it has been for the last year. I also think for a build to happen correctly, the structure would have to be demolished and completely rebuilt”

Poissant asked if the house is already condemned. Mr. Akers responded that the building permits have either expired or been revoked. Mr. Akers gave an overview of the Abandoned and Dangerous Structure ordinance.

Moved by Ledford, supported by Poissant, to approve case#15-10, 1115 Norfolk, for a 24 foot front yard setback with a variance to 11 feet and a rear yard setback of 5 feet with a variance of 35 feet to demolish the existing structure and construct a new single family home on the same footprint.

The need for this variance is due to the small narrow lot size and it is not self-created by the petitioner. Granting this variance would replace an unsafe dilapidated structure with a new dwelling of consistent size and in line with adjacent houses resulting in a positive impact on values of adjacent properties. Granting of the variance would do substantial justice to the applicant and other property owners in the area for the preservation and enjoyment of their property rights. The approval of this variance is conditioned upon the removal of the existing unsafe dilapidated structure by August 31, 2015. If not removed the Township will initiate the removal process as outlined in the Abandoned and Dangerous Buildings Ordinance and petitioner will be required to reimburse the Township for all costs incurred. **Motion carried unanimously.**

15-11 ... A request by Christopher J. Chalka, 4405 Filbert Road, for a shoreline setback variance in order to construct a detached accessory building.

Mr. Chis Chalka was present for the petitioner. He stated that he is asking for a variance due to the irregularity of the lot. He is trying to locate within the shed in line with other sheds in the area. He is looking at locating the shed 5 feet from the property line.

A call to the public was made with the following response: : Jeff Gontarski, 4401 Filbert stated that he is the owner west of the petitioner's property and he supports what the petitioner is doing and the location of the shed is the best location. The shed that is on his property has been there along time. The difficulties that the petitioner has is the steep topography of the lot and that it is a non-conforming lot.

Mr. Akers read into the record a letter received from Jeffrey T. Smith, 4389 Filbert Drive, "I am writing in response to the notice for Case15-11-variance for a shoreline setback to construct a detached accessory building at 4405 Filbert Drive. I reside at 4389 Filbert Drive, which is two doors west of the subject residence. I'm very familiar with their property and support the variance for the reason that they are faced with a hardship due to topography. All of the lots along this corner of the lake have very steep slopes in the mid yard areas. The only flat grades on these lots are along the lake shore. It is not feasible to build a shed in the middle of the lot where the setback currently dictates. The location where the resident is proposing their shed will be consistent with five neighboring lots that all have sheds in similar locations. I would go a step further with their variance and request that they construct their shed immediately adjacent to or within 5 feet of the east neighbors shed that currently encroaches on their side lot line so their new shed does not occupy the center of their yard. The properties look best when the lake side sheds are placed closest to the side lot lines and don't monopolize the open views of the lake."

McCreary questioned if petitioner is going to use a mortgage survey or if he has located the survey irons to determine setbacks. A survey was included in the packet.

Moved by Poissant, supported by Ledford, to approve case #15-11 for Mr. Christopher Chalka at 4405 Filbert Drive for construction of a detached accessory structure with a shoreline setback of 25 feet with a 122 foot shoreline variance to meet the shoreline setback requirement of 147 feet.

Finding of fact and extraordinary circumstances are due to the change in topography of the lot and there are several properties in the area that have small accessory buildings. Granting of the requested variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township. Granting of requested variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. Conditioned upon the structure being at least 5 feet from the existing structure that encroaches on the petitioner's property. **Motion carried unanimously.**

15-12 ... A request by James and Connie DeBrincat, 2608 Spring Grove, for a side yard setback variance in order to construct a detached accessory building.

Mr. DeBrincat was present for the petitioner. He would like to construct a 24 x28 garage on the south side of the property due to the terrain and the location of the septic field.

A call the public was made with no response.

McCreary questioned how the petitioner was going to access his garage and where the location of the reserve septic field is in case the existing one fails. The petitioner was not sure where the reserve field was located. The board members advised the petitioner to go to the Livingston County Health Department to locate the well and the reserve field. The petitioner should also demonstrate where the driveway would be located to access the garage.

Moved by Ledford, supported by Poissant to postpone case #15-12 to allow the petitioner time to locate a reserve septic field and a drawing showing access to the garage and to submit that information at the next scheduled meeting on July 21, 2015. **Motion carried unanimously.**

15-13 ... A request by Jess Peak, 3828 Highcrest, for a variance in order to construct a detached accessory building in the front yard.

Mr. Jess Peak was present for the petitioner. Mr. Peak stated due to the topography of the backyard and on the south side and the west side is a walkout basement that splits the hill into two sides it is difficult to meet the setbacks.

A call the public was made with no response.

Poissant stated that he would like to see it location where the current parking pad is now. McCreary questioned if the petitioner is keeping the existing parking pad and asphalt that is there now. The petitioner responded that he is.

Akers stated that the sewer line that runs from the main to the grinder pump is in the area where the petitioner would like to construct his structure. There are setbacks that have to be met from the line. The location of the line would need to be located which the Utility Department could help with. This could be handled at the permitting process.

Moved by Poissant, supported by Ledford to table case# 15-13, Jess Peak located at 3828 Highcrest, for a front yard variance until the July 21, 2015 Zoning Board of Appeals meeting to allow the petitioner time to locate utility lines. **Motion carried unanimously.**

15-14 ... A request by Tim Chouinard, 1185 Sunrise Park, for a side yard setback variance and a front yard setback variance to construct an attached garage and second story addition on an existing home.

Tim Chouinard of Chouinard Building, 932 Sunrise Park, was present for the petitioner. The owner purchased this property as a cottage and would like to make it a year round home. Mr. Chouinard stated that they have looked at every this project every way to try to construct the new home without variances.

A call to the public was made with the following response: Mr. Akers read a letter into the record from Mr. John Dixon, 1195 Sunrise Park, “My name is John Dickson one of four listed on title and the neighbor living at 1195 Sunrise Park next to the project being proposed. The other three owners are my wife, daughter, and son in law. We have all viewed the proposed project and are strongly opposed to the 7 foot variance for the garage and upper story living quarters. The homes have only 20 feet separating them and this construction project would have the effect of placing a large wall that would block out our view and light in the back of our home. I would immediately take legal action to stop it if the variance is approved. I am more than certain that if the situation was reversed the applicants would do the same. I don’t know what else to say other than we are shocked that such a large scale, view and lighting blocking project would be considered in such a tight and small area. It would decrease the value of our home and the enjoyment of living there. We sincerely hope the Board realizes this and have taken the steps of viewing that area to understand it.”

Poissant feels that the neighbors do have an argument. Poissant stated that he could envision the other neighbors coming before the board and requesting the same thing.

McCreary questioned where the parking is for the homes in that area. Mr. Chouinard stated that there is a parking problem and would like to define where the parking is located on that lot.

McCreary stated that the area is open and would not be blocking their waterfront view. The petitioner stated that they are going to have to move the well. The owner stated that the shed and chimney is going to be removed.

Moved by Ledford, supported by Poissant, to table case #15-14, Tim Chouinard, located at 1185 Sunrise Park until the next July 21st, 2015 Zoning Board of Appeals meeting per petitioner’s request. **Motion carried unanimously.**

Administrative Business:

1. **Approval of minutes: Moved** by Ledford, supported by Poissant to approve the May 19, 2015 Zoning Board of Appeals meeting minutes with corrections. **Motion carried unanimously.**
2. **Review of Rules of Procedure:** Akers drafted a proposed amendment to the ZBA procedures located in section 11 in regards to how many times a petitioner can request to be tabled. McCreary stated that if a new fee is required then it should be added into the amendment. Akers stated that part of the reason for the amendment is to be fair to the residents that come out for the hearing. Due to the

- other members missing this month that board decided to wait until the next Zoning Board of Appeal meeting to decide on the amendment.
3. **Correspondence:** Akers included emails from Mr. Schinlinger in regards to land use, Right to Farm Act and summary of court cases and also a summary of bills regarding land use, the approval of keeping of pigeons and proposed legislature to make schools and charter schools work with local governments. McCreary asked Akers his opinion on public and charter schools not answering to the local governments. Akers stated that he feels that the schools are integral to community development and that having the ability for the local government to look at where a new school location is proposed and to for the local government to have input would be great for the communities. There are many cities that make it a point to have schools part of a neighborhood and the reason why is for children to be able to walk to school not on main corridors.
 4. **Township Board Representative Report:** Ledford stated at the June 15, 2015 Township Board meeting they approved firework display permits and approved the Howell Area Parks and Recreation budget and approved the purchases of laptops and tablets to replace the older ones which the purchases will be staggered.
 5. **Planning Commission Representative Report:** Figurski was not present.
 6. **Zoning Official Report:** Akers stated that the office has been busy with permits and complaints. Also they have been working on the Capital Improvement Plan and code enforcement.
 7. **Member Discussion:** Ledford stated that at a previous meeting she inquired about the recording secretary to sign the minutes when completed.
 8. **Adjournment: Moved** by Poissant, supported by Ledford, to adjourn the meeting at 8:32 p.m. **Motion carried unanimously.**



MEMORANDUM

TO: Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: 6/10/15

RE: Rules of Procedure Review

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

In response to the direction provided by the Zoning Board of Appeals at the last meeting I have prepared an amendment to the Rules of Procedure to address the number of times a decision on an application can be postponed. The change is in Article 4 where section 11 has been added to address this. The changes are in ***Bold/Italic***. I look forward to the board's discussion on this matter.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS RULES OF PROCEDURE**

Effective January 14, 2014

Amended TBD

ARTICLE 1: AUTHORITY

These rules of procedure are adopted by the Genoa Charter Township Zoning Board of Appeals (hereinafter referred to as the “ZBA”), to facilitate the duties of the ZBA as outlined in Public Act 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et. seq.) and the Genoa Charter Township Zoning Ordinance.

ARTICLE 2: MEMBERSHIP

Section 1. The ZBA shall consist of five (5) members as follows:

- A. Planning Commission Member.** The first member shall be a member of the Township Planning Commission.
- B. Other Members.** The remaining members shall be selected and appointed by the Township Board from among electors residing in the unincorporated area of the Township.
- C. Township Trustee.** Only one member may be from the Township Board and their membership term shall be limited to the time they are a member of the Township Board.
- D. Alternates.** The Township Board may appoint not more than two (2) alternate members for the same term as regular members to the ZBA.
- E. Terms.** Terms shall be for three (3) years, except for members serving because of their membership on the Planning Commission or Township Board, whose terms shall be limited to the time they are members of those respective boards. Any vacancies shall be filled within one (1) month after the vacancy occurs. Vacancies for unexpired terms shall be filled by the Township Board for the remainder of the unexpired term.
- F. Removal.** Members of the ZBA shall be removable by the Township Board for misfeasance, malfeasance or nonfeasance, upon filing of written charges and after a public hearing before the Township Board.
- G. Resignation.** A member may resign from the ZBA by sending a letter of resignation to the Township Supervisor or the Township Board.

Section 2. Members of the ZBA shall be subject to the following membership requirements.

- A. Attendance.** If any member of the ZBA is absent from three (3) consecutive meetings then that member shall be considered delinquent. Delinquency can be grounds for the

Township Board to remove a member of the ZBA for nonperformance of duty or misconduct after holding a public hearing on the matter.

- B. Training.** Members of the ZBA should participate in training opportunities when they are available. Participating in training is not mandatory for membership, but it is strongly encouraged.
- C. Staff Support.** Township staff will have the ability to participate in discussion with the ZBA and nothing else. Township staff cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum or be expected to comply with attendance requirements in these rules of procedure. Township staff includes employees, agents and consultants of Genoa Charter Township. Other individuals may be allowed to participate in discussion at the discretion of the chairperson.

ARTICLE 3: OFFICERS

Section 1. The Officers of the ZBA shall be a chairperson and a vice-chairperson. The Township Board representative shall not serve as an officer.

- A. Duties of the Chairperson.** The chairperson shall preside at all meetings and hearings of the ZBA, shall have the duties normally conferred by parliamentary usage on such officers and shall serve as the liaison between the ZBA and Township Staff.
- B. Duties of the Vice-Chairperson.** The vice-chairperson shall preside and exercise all of the duties of the chairperson in his/her absence. Should neither the chairperson nor the vice-chairperson be present at a meeting, a temporary chairperson shall be elected by a majority vote of the members present.

Section 2. The duties of the Planning Commission representative and Township Board representative shall be as follows:

- A. Duties of the Township Board Representative.** The Township Board representative shall report the actions of the ZBA to the Township Board and shall update the ZBA on the actions of the Township Board.
- B. Duties of the Planning Commission Representative.** The Planning Commission representative shall report the actions of the ZBA to the Planning Commission and shall update the ZBA on the actions of the Planning Commission.

Section 3. The election of officers shall be carried out in the following manner.

- A. Elections.** At the first meeting of the calendar year, the ZBA shall select from its membership a chairperson and a vice-chairperson who shall serve for a twelve-month period and who shall be eligible for re-election. A candidate receiving a majority vote of the membership present shall be declared elected. Newly elected officers will assume their office at the next meeting.

B. Vacancies. Vacancies in office shall be filled by regular election procedure and shall only serve the remainder of the term.

ARTICLE 4: ADMINISTRATIVE DUTIES

Section 1. Duties of Township Staff. Township Staff is responsible for the execution of documents in the name of the ZBA and shall perform the duties hereinafter listed below, and other such duties as the ZBA may determine.

- A. Minutes.** ZBA minutes shall be prepared by Township Staff. The minutes shall contain a brief synopsis of the meeting, complete statement of the conditions or recommendations made on any action; and recording of attendance.
- B. Correspondence.** Township Staff shall be responsible for the issuance of formal written correspondence with other groups or persons, as directed by the ZBA.
- C. Attendance.** Township Staff shall be responsible for maintaining an attendance record for each member of the ZBA.
- D. Notices/Agenda.** Township Staff shall issue such notices and prepare the agendas for all meetings.

ARTICLE 5: MEETINGS

Section 1. Regular Meetings. Regular meetings of the ZBA shall be held the third Tuesday of every month. The dates and times shall be posted at the Township Hall in accordance with the Open Meetings Act. Any changes in the date or time of the regular meetings shall be posted in the same manner as originally established. When a regular meeting falls on or near a legal holiday, suitable alternate dates in the same month shall be selected in accordance with the Open Meetings Act.

Section 2. Meeting Notices. All meetings shall be posted at the Township Hall according to the Open Meetings Act. The notice shall include the date, time and place of the meeting.

Section 3. Special Meetings. A special meeting may be called by three members of the ZBA upon written request to the chairperson or by the chairperson himself/herself. The business which the ZBA may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. Public notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meetings Act, and Township Staff shall send notice of a special meeting to ZBA members.

Section 4. Open Meetings. All meetings of the ZBA shall be opened to the public and held in a place available to the general public. A person shall be permitted to address the ZBA during call to the public. A person shall not be excluded from a meeting of the ZBA except for breach of the peace, committed at the meeting.

Section 5. Public Record. All meetings, minutes, records, documents, correspondence, and other materials of the ZBA shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

Section 6. Quorum. In order for the ZBA to conduct business or take any official action, a quorum consisting of the majority of the voting members of the ZBA shall be present. When a quorum is not present, no official action, except for closing of the meeting shall occur. The members of the ZBA may discuss matters of interest, but can take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next regular or special meeting.

Section 7. Voting. Any decision made by the ZBA shall require a majority vote of the membership of the Zoning ZBA with the exception of a use variance, which will require a 2/3 vote of the membership. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any ZBA member or directed by the chairperson. All ZBA members shall vote on every motion placed on the floor unless there is an impermissible conflict of interest, as established in ARTICLE 6 or is otherwise prohibited.

Any member of the ZBA shall avoid situations where they are sitting in judgement and voting on a decision, which they had a part in making. As used here, sitting in judgement and voting on a decision which they had a part in making at a minimum shall include, but not necessarily be limited to, the following:

- A. When the appeal is of an administrative or other decision by the Planning Commission, and the member of the ZBA sits both on the Planning Commission and ZBA.
- B. When the appeal is of an administrative or other decision by the Township Board, and the member of the ZBA sits both on the Township Board and ZBA.
- C. When the appeal is of an administrative or other decision by any committee of the Planning Commission, Township Board, other committee, and the member of the ZBA sits both on that committee and the ZBA.

Any member abstaining from a vote shall indicate their intention to abstain prior to any discussion on that item and shall not participate in the discussion of that item.

Section 8. Agenda. A written agenda for all regular meetings shall be prepared as follows:

The required agenda items for all regular meetings shall be:

- A. Call to order
- B. Pledge of Allegiance
- C. Introduction
- D. Approval of Agenda
- E. Call to the Public
- F. Administrative Business
- G. Adjournment

Section 9. Rules of Order. All meetings of the ZBA shall be conducted in accordance with generally accepted parliamentary procedure, as governed by “Robert’s Rules of Order”.

Section 10. Public Hearings. Hearings shall be scheduled and due notice given in accordance with the Genoa Township Zoning Ordinance and the Michigan Zoning Enabling Act. Public hearings conducted by the ZBA shall be run in an orderly and timely fashion. This shall be accomplished by the established hearing procedures as follows.

- A. Prior to holding a public hearing for any variance request, interpretation or appeal of administrative decision, the chairperson shall explain to the public the criteria in the zoning ordinance for how that decision is made.
- B. Announce Subject. The chairperson announces each agenda item and describes the subject to be considered.
- C. Open Public Hearing. The chairperson summarizes the hearing rules and then opens the hearing to the floor.
- D. Close Public Hearing. The chairperson should give ample opportunity for comment, including a “last call” for comments. The chairperson will then close the hearing.
- E. Deliberation. Any action of the ZBA must be supported by reasonable findings and conclusions, which will become part of the record through minutes, resolutions, staff reports, etc. All motions shall summarize these findings, or provide reasons for the suggested action. If a matter is tabled to a specific meeting date, it is not necessary to re-advertise the hearing so long as the public hearing was opened and closed and proper notice as specified in the zoning ordinance and Zoning Enabling Act was given.
- F. Action. After deliberation, the ZBA may take any of the following actions:
 - 1. In the event of a variance request, the ZBA may table the request, approve the request, deny the request or approve the request with conditions.
 - 2. In the event of an administrative appeal, the ZBA may decide in favor of the Zoning Administrator or may reverse any order, requirements, decision, or determination of the Zoning Administrator.
 - 3. In the event of a request to make an interpretation of the zoning ordinance, the ZBA may take action explaining the interpretation.

Section 11. Postponement of a Decision on a Variance Request. The ZBA may postpone a decision on a variance request until the next regular meeting provided that the date and time of the meeting is provided in the motion. The ZBA shall not authorize more than two (2) requests to postpone a variance decision. If additional time is needed by the applicant that would require a decision to be postponed more than twice, the ZBA may, after written request from the applicant, remove the item from the agenda and allow the applicant to reapply at a later date. If the applicant reapplies then the variance request shall be treated as a new request with a new case number, a new public hearing notice as required by the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et. seq.), and a new application fee shall be paid.

ARTICLE 6: CONFLICT OF INTEREST

Section 1. Declaration of Conflict. No ZBA member shall participate in any matter where they have an impermissible conflict of interest. ZBA members shall declare a conflict of interest when any one (1) or more of the following occur:

- A.** A relative or other family member of a ZBA member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency, or association.
- B.** The ZBA member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency, or association.
- C.** The ZBA member or a relative or other family member of a ZBA member owns or has a financial interest in neighboring property. For purposes of this Section, a neighboring property shall include any property falling within the notification radius for the request, as required by the Zoning Ordinance and Michigan Zoning Enabling Act.
- D.** There is a reasonable appearance of a conflict of interest, as determined by the ZBA member declaring such conflict.

Section 2. Requirements. Prior to discussion on a request, the ZBA member shall do all of the following to declare a conflict:

- A.** Announce a conflict of interest and state its general nature.
- B.** Abstain from any discussion or votes relative to the matter which is the subject of an impermissible conflict.
- C.** Absent himself/herself from the room in which the discussion and voting take place.

ARTICLE 7: POWERS OF THE ZBA

Section 1. The ZBA shall have the following powers/duties as granted by the Michigan Zoning Enabling Act and the Genoa Township Zoning Ordinance:

- A. Appeal of Administrative Decisions.** To hear and decide appeals where it is alleged by an appellant that there is an error in any order, requirement, permit, decision, or refusal made by the Planning Commission or any administrative official charged with administration or enforcement of the zoning ordinance.
- B. Variances (Dimensional and Use).** To authorize, upon a variance from the strict application of the provisions of the zoning ordinance, where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the zoning ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted

would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinance.

- C. Interpretation.** Upon request of the Planning Commission or any administrative or enforcement officer charged with administration or enforcement of the zoning ordinance, the ZBA may interpret and clarify the meaning of zoning ordinance text. The ZBA may also be requested to interpret boundaries of zoning districts where the zoning district classification cannot be clearly discerned on the Official Zoning Map.

ARTICLE 8: OTHER DUTIES

Section 1. Duties. The following are duties which are expected of the individual members of the ZBA.

- A. Ex Parte Contact.** Members shall avoid Ex Parte contact with the Zoning Administrator in cases where an administrative decision is before the ZBA, whenever possible. Sometimes it is not possible to avoid Ex Parte contact. When this occurs the member should take detailed notes about what was discussed and make every member or other interested parties aware of what was said.
- B. Site Inspections.** Members may perform site inspections, however, no more than two (2) members may perform site inspections at the same time. Members should avoid discussing the merits of the request with the applicant, family member of the applicant or agent of the applicant.
- C. Accepting Gifts.** Gifts shall not be accepted by a member of the ZBA or liaisons from anyone connected with an agenda item before the ZBA. As used here, gifts shall mean cash, any tangible item or service, regardless of value and food valued over \$10.
- D. Spokesperson for the ZBA.** The ZBA may appoint a spokesperson for the ZBA for all matters which occur outside of the meetings.

ARTICLE 9: AMENDMENTS

These rules may be amended by the ZBA by a concurring vote during any meeting, provided that all members have received an advance copy of the proposed amendments at least 3 days prior to the meeting at which such amendments are to be considered.

Ron Akers

From: Schindler, Kurt <schindl9@anr.msu.edu>
Sent: Friday, June 19, 2015 11:36 AM
To: Schindler, Kurt
Subject: SupremeCourt on Sign regulation, Fireworks, Due & Substantive process, Adverse Possession

Follow Up Flag: Follow up
Flag Status: Completed

Dear everyone:

There are four items in this (June 19, 2015) email:

1. Court: U.S. Supreme Court ruling on signs – **this case is important: needing attention by most, if not all, municipalities in Michigan.**
2. Legislation: Repeal Fireworks Safety Act which limited local regulation.
3. Court: Due process and substantive due process re. vacation rentals.
4. Legislation: Adverse possession of land against a local unit of government.

Follow this link for news articles on various land use/planning topics, with new postings every week:
<http://msue.anr.msu.edu/topic/info/planning>.

Vandals destroyed many road signs. They really pulled out all the stops.

-----kurt

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1. Case: *Reed et al v. Town of Gilbert, Arizona, et al*

Court: Supreme Court of the United States (No. 13-502, June 18, 2015)

The U. S. Supreme Court ruled that differentiating types of signs (based on subject matter, sign function, or purpose) for different regulations than other signs are content-based regulations of speech which is a regulation that is not allowed. In this case the types of signs were political signs for an election, ideological signs, and temporary directional signs. This court case means that many, if not all sign ordinances or the sign part of a zoning ordinance in Michigan needs, to be reviewed and likely changed.

THOMAS, J., delivered the opinion of the court, in which ROBERTS, C. J., and SCALIA, KENNEDY, ALITO, and SOTOMAYOR, JJ., joined.

ALITO, J., filed a concurring opinion, in which KENNEDY and SOTOMAYOR, JJ., joined.

BREYER, J., filed an opinion concurring in the judgment.

KAGAN, J., filed an opinion concurring in the judgment, in which GINSBURG and BREYER, JJ., joined.

Gilbert, Arizona (Town), has a comprehensive code (Sign Code) that prohibits the display of outdoor signs without a permit, but exempts 23 categories of signs, including three relevant here. “Ideological Signs,” defined as signs “communicating a message or ideas” that do not fit in any other Sign Code category may be up to 20 square feet and have no placement or time restrictions. “Political Signs,” defined as signs “designed to influence the outcome of an election,” may be up to 32 square feet and may only be displayed during an election season. “Temporary Directional Signs,” defined as signs directing the public to a church or other “qualifying event,” have even greater restrictions: No more than four of the signs, limited to six square feet, may be on a single property at any time, and signs may be displayed no more than 12 hours before the “qualifying event” and 1 hour after.

Petitioners, Good News Community Church (Church) and its pastor, Clyde Reed, whose Sunday church services are held at various temporary locations in and near the Town, posted signs early each Saturday bearing the Church name and the time and location of the next service and did not remove the signs until around midday Sunday. The Church was cited for exceeding the time limits for displaying temporary directional signs and for failing to include an event date on the signs. Unable to reach an accommodation with the Town, petitioners filed suit, claiming that the Sign Code abridged their freedom of speech. The U. S. District Court denied their motion for a preliminary injunction, and the Ninth U. S. Circuit affirmed, ultimately concluding that the Sign Code’s sign categories were content neutral, and that the Sign Code satisfied the intermediate scrutiny accorded to content-neutral regulations of speech.

The U.S. Supreme Court held the Sign Code’s provisions are content-based regulations of speech that do not survive strict scrutiny. (See pages 6–17 in the Supreme Court’s opinion.) The supreme court ruling included:

(a) Because content-based laws target speech based on its communicative content, they are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests. *E.g.*, *R. A. V. v. St. Paul*, 505 U. S. 377, 395. Speech regulation is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed. *E.g.*, *Sorrell v. IMS Health, Inc.*, 564 U. S. ___, ___–___. And courts are required to consider whether a regulation of speech “on its face” draws distinctions based on the message a speaker conveys. *Id.*, at ___. Whether laws define regulated speech by particular subject matter or by its function or purpose, they are subject to strict scrutiny. The same is true for laws that, though facially content neutral, cannot be “ ‘justified without reference to the content of the regulated speech,’ ” or were adopted by the government “because of disagreement with the message” conveyed. *Ward v. Rock Against Racism*, 491 U. S. 781, 791. See pages 6–7 in the Supreme Court’s opinion.

(b) The Sign Code is content based on its face. It defines the categories of temporary, political, and ideological signs on the basis of their messages and then subjects each category to different restrictions. The restrictions applied thus depend entirely on the sign’s communicative content. Because the Sign Code, on its face, is a content-based regulation of speech, there is no need to consider the government’s justifications or purposes for enacting the Sign Code to determine whether it is subject to strict scrutiny. See page 7 in the Supreme Court’s opinion.

(c) None of the Ninth Circuit’s theories for its contrary holding is persuasive. Its conclusion that the Town’s regulation was not based on a disagreement with the message conveyed skips the crucial first step in the content-neutrality analysis: determining whether the law is content neutral on its face. A law that is content based on its face is subject to strict scrutiny regardless of the government’s benign motive, content-neutral justification, or lack of “animus toward the ideas contained” in the regulated speech. *Cincinnati v. Discovery Network, Inc.*, 507 U. S. 410, 429. Thus, an innocuous justification cannot transform a facially content-based law into one that is content neutral. A court must evaluate each question—whether a law is content based on its face and whether the purpose and justification for the law are content based—before concluding that a law is content neutral. *Ward* does not require otherwise, for its framework applies only to a content-neutral statute.

The Ninth Circuit’s conclusion that the Sign Code does not single out any idea or viewpoint for discrimination conflates two distinct but related limitations that the First Amendment places on government regulation of speech. Government discrimination among viewpoints is a “more blatant” and “egregious form of content discrimination,” *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. 819, 829, but “[t]he First Amendment’s hostility to content-based regulation [also] extends . . . to prohibition of public discussion of an entire topic,” *Consolidated Edison Co. of N. Y. v. Public Serv. Comm’n of N. Y.*, 447 U. S. 530, 537. The Sign Code, a paradigmatic example of content-based discrimination, singles out specific subject matter for differential treatment, even if it does not target viewpoints within that subject matter.

The Ninth Circuit also erred in concluding that the Sign Code was not content based because it made only speaker-based and event-based distinctions. The Sign Code’s categories are not speaker-based—the restrictions for political, ideological, and temporary event signs apply equally no matter who sponsors them. And even if the sign categories were speaker based, that would not automatically render the law content neutral. Rather, “laws favoring some speakers over others demand strict scrutiny when the legislature’s speaker preference

reflects a content preference.” *Turner Broadcasting System, Inc. v. FCC*, 512 U. S. 622, 658. This same analysis applies to event-based distinctions. See pages 8–14 in the Supreme Court’s opinion.

(d) The Sign Code’s content-based restrictions do not survive strict scrutiny because the Town has not demonstrated that the Sign Code’s differentiation between temporary directional signs and other types of signs furthers a compelling governmental interest and is narrowly tailored to that end. See *Arizona Free Enterprise Club’s Freedom Club PAC v. Bennett*, 564 U. S. ___, ___. Assuming that the Town has a compelling interest in preserving its aesthetic appeal and traffic safety, the Sign Code’s distinctions are highly underinclusive. The Town cannot claim that placing strict limits on temporary directional signs is necessary to beautify the Town when other types of signs create the same problem. See *Discovery Network, supra*, at 425. Nor has it shown that temporary directional signs pose a greater threat to public safety than ideological or political signs. See pages 14–15 in the Supreme Court’s opinion.

(e) This decision will not prevent governments from enacting effective sign laws. The Town has ample content-neutral options available to resolve problems with safety and aesthetics, including regulating size, building materials, lighting, moving parts, and portability. And the Town may be able to forbid postings on public property, so long as it does so in an evenhanded, content-neutral manner. See *Members of City Council of Los Angeles v. Taxpayers for Vincent*, 466 U. S. 789, 817. An ordinance narrowly tailored to the challenges of protecting the safety of pedestrians, drivers, and passengers—e.g., warning signs marking hazards on private property or signs directing traffic—might also survive strict scrutiny. Pp. 16–17. 707 F. 3d 1057, reversed and remanded.

(Source U.S. Supreme Court Syllabus (headnote))

Full text opinion: http://www.supremecourt.gov/opinions/14pdf/13-502_90lb.pdf

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2. HB 4726 of 2015: A bill to repeal the act (Michigan Fireworks Safety Act) that allowed sale of larger fireworks and limit local regulation of the same. It also sets up new state regulations (size, use storage, etc.) The bill, if passed, would amend 1931 PA 328 (MCL 750.1 - 750.568) by adding secs. 243f, 243g, 243h, 243i & 243j & repeals 2011 PA 256 (MCL 28.451 - 28.471). The bill was referred to the House Committee on Regulatory Reform.

Copy of introduced bill: <http://www.legislature.mi.gov/documents/2015-2016/billintroduced/House/pdf/2015-HIB-4726.pdf>

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3. Case: *Mirabella v. Township of AuTrain*

Court: Michigan Court of Appeals (Unpublished No. 320191, June 9, 2015)

Holding that the plaintiffs-property owners failed to show any procedural or substantive due process violation, the Appeals Court affirmed the trial court’s order granting summary disposition to the township-defendants in this action to enjoin enforcement of amendments to the defendant-Township’s zoning ordinance, which permitted transient rentals as a conditional [special] use.

Plaintiffs, who are Florida residents, owned vacation property in the Township. They asserted that they relied on the prior zoning ordinance, which prohibited transient rentals.

In 2011, a master plan was adopted that recommended the zoning ordinance be amended to clarify regulations on transient rentals. The amendments at issue followed in 2012. The master plan “noted the contentious nature of the rentals” in the area “and included as a goal addressing the issue.”

Plaintiffs did not rebut these facts or show that they were “insufficient to guide zoning decisions” in the Township. Further, the Township’s actions “did not change the zoning district the property at question was located within, but only allowed a new conditional [special] use, which required its own permitting procedure.”

Plaintiffs admitted that they contested the changes at the public hearings. Thus, they “failed to show any violation of procedural due process.” Plaintiffs also argued that the Township’s action was “a violation of substantive due process because it destroyed a vested party interest.” However, they failed to show or cite any actual zoning ordinance “that was changed; the property remains under the same zoning classification.” The court rejected their reliance on *Lansing v. Dawley* .

The court also found plaintiffs' reliance on *Keating Int'l Corp. v. Orion Twp.* unpersuasive, concluding that it could not be said that the Township's "conduct demonstrated 'bad faith and unjustified delay'" because the Township began the master plan process on September 15, 2011, while plaintiffs' earlier mandamus action (which was pending when they filed this case) was not filed until October 11, 2011, and they did not file this case until October 10, 2012. The court noted that the mandamus action was dismissed as moot shortly after plaintiffs filed this case, and they did not appeal that decision. (Source: State Bar of Michigan *e-Journal* Number: 60143, June 18, 2015.)

Full Text Opinion: <http://www.michbar.org/file/opinions/appeals/2015/060915/60143.pdf>

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4. HB 4747 of 2015: A bill to prohibit adverse possession of land against a local unit of government. Amends sec. 5821 of 1961 PA 236 (MCL 600.5821). The bill was referred to the House Committee on Judiciary.

Copy of introduced bill: <http://www.legislature.mi.gov/documents/2015-2016/billintroduced/House/pdf/2015-HIB-4747.pdf>

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To search for and find land use (planning and zoning) training: Visit this [link](#), or build your own search parameters by bookmarking/favorites: <http://msue.anr.msu.edu/events> or an advanced search system at: http://msue.anr.msu.edu/events/advanced_search and then do anyone or combination of the following:

- Under *Topic Areas* expand "community" and check "planning for all planning and zoning related training.
- Under *Programs* check "Michigan Citizen Planner" to find the 7 core classes offered.
- Under *Certifications Available* check "Master Citizen Planner" for master citizen planner credit offerings.
- Under *Counties* select those counties you would be willing to travel to, for the class.

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MSUE Land Use <http://tinyurl.com/msuelanduse>

MSU Extension: <http://www.msue.msu.edu/>

eXtension (national web page): <http://www.extension.org/community%20planning%20and%20zoning>

Ron Akers

From: Schindler, Kurt <schindl9@anr.msu.edu>
Sent: Tuesday, July 14, 2015 2:58 PM
To: Schindler, Kurt
Subject: HighwaySigns, RTFA/GAAMPs, CitizenPlanner, SupremeCourtSignRuling

Follow Up Flag: Follow up
Flag Status: Flagged

Dear everyone:

There are three items in this (July 14, 2015) email:

1. Legislation: Highway signs for land uses allowed if in area of a special use permit
2. Court: Compliance with GAAMPs required for RTFA protection for a new farm in an area [now a published court case]
3. Training: Fall 2015 Citizen Planner

Follow this link for news articles on various land use/planning topics, with new postings every week:

<http://msue.anr.msu.edu/topic/info/planning>.

Supreme Court ruling on sign regulation has major implications for all local governments

The decision means many, if not all, sign regulations in Michigan will need be reviewed and likely changed if the municipality wants to reduce legal

risks. See: <http://msue.anr.msu.edu/news/supreme-court-ruling-on-sign-regulation-has-major-implications-for-all-local-governments>

A man was driving on an icy, abandoned road when he noticed a road sign with half of it torn clean off. 'That's a bad sign' he thought to himself.

-----kurt

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1. SB 0435 of 2015: A bill to change the Highway Advertising Act of 1972 concerning where billboards are allowed. Currently billboards along state highways are allowed in “business areas.” “Business areas” include those areas zoned business, commercial, industrial, manufacturing, and service and within one mile of a city, village, and charter township with permanent structure(s) devoted to industrial or commercial purposes. The amendment would add the following to the meaning of “business areas:”

“Business area includes an adjacent area that is not zoned by a state, county, township, or municipal zoning authority for industrial or commercial purposes if the adjacent area is subject to a special use permit issued by a state, county, township, or municipal zoning authority that allows commercial or industrial activities to be conducted within the adjacent area, if the state, county, township, or municipal zoning authority has approved the erection or maintenance of a sign or sign structure in that adjacent area.”

The bill amends section 2 and 13 of 1972 PA 106 (MCL 252.302 & 252.313). The bill was referred to the Senate Committee on Transportation.

Copy of introduced bill: <http://www.legislature.mi.gov/documents/2015-2016/billintroduced/Senate/pdf/2015-SIB-0435.pdf>

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2. Case: *Township of Williamstown v. Hudson*

Court: Michigan Court of Appeals (No. 321306, May 19, 2015)

[This Right to Farm Act court case was originally released as an unpublished opinion on May 19, 2015. The Appeals Court changed the case to a published case on July 2, 2015. This court case was previously summarized in this email newsletter, June 2, 2015 edition.] .” (Source: State Bar of Michigan *e-Journal* Number:60000, 60333; June 2, 2015, and July 7, 2015.)

Full Text Opinion: <http://www.michbar.org/file/opinions/appeals/2015/070215/60333.pdf>

Updated summary of all Right to Farm Act court cases:

<http://lu.msue.msu.edu/pamphlet/ZAgr/SelectedPlan&ZoneCourt%20RTFA%201964-2006.pdf>

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3. Michigan State University Extension is offering its premiere Michigan Citizen Planner program at several locations this fall: Charlevoix County beginning September 10 (Thursday evenings); Tuscola County beginning September 14 (Monday evenings); Isabella County beginning September 12 with two classes on the first and last Saturdays and the others on Monday evenings; and web series (synchronous) scheduled to begin September 29, 2015.

Participants in past Citizen Planner programs indicated: 91% rated the instructors as ‘very good’ or ‘excellent’ and 94% of participants rated the level of knowledge after attending the sessions as ‘good’ to ‘excellent’.

“Provides such high-quality, proactive information; I can’t imagine getting anything better from any other source” said one student about the course. “Presenter was very nice, genuine and authentic” and “good material – great innovative possibilities” are other typical comments from those who have taken Citizen Planner.

The course fee is \$295 per participant for the complete core program. Group discounts are available. Cost is \$275 per participant for groups of four or more from the same municipality. The fee covers registration, course materials and refreshments. Participants that complete all seven sessions will receive a certificate of completion and may continue on to become Master Citizen Planners.

Scholarships for attending Citizen Planner may be available from a government’s liability insurance provider, such as the Michigan Municipal Risk Management Authority, Michigan Township Participating Plan, and others. The scholarships are offered because this training is viewed as an important strategy to avoid liability risk and associated costs to local taxpayers. The training includes proper procedure for planning and zoning, and knowledge to avoid compromising people’s due process and private property rights, as well as much more.

Instructors for the training program include MSU Extension educators who specialize in land use planning, law and zoning; planning professionals; and attorneys. The course includes multiple instructors so participants receive different perspectives. The seven-class series includes:

1. Introduction to Planning and Zoning: Smart Growth and the New Economy, Conflict of Interest and Planning Resources
2. Legal Foundations of Planning and Zoning: Cases, Statutes and other Planning Authority
3. Roles and Responsibilities, Part I: Master Plan and Planning Process, Sub-Area Plans, and Working with the Public
4. Roles and Responsibilities, Part II: Zoning, Site Plans and Zoning Board of Appeals Process
5. Plan Implementation and Development Controls: Subdividing Land, Zoning Controls and Non-Regulatory Techniques
6. Best Practices for Innovative Planning and Zoning: Green Development, Form-Based Code, Traditional Neighborhood Design and Conservation Design
7. The Art of Community Planning: Participation, Effective Meetings and Managing Conflict

Citizen Planner is being offered at the following locations with links to registration for each. Anyone from anywhere can attend whichever class series they wish.

- **Charlevoix** – <http://events.anr.msu.edu/CPCharlevoix>; Begins September 10 (Thursday evenings)
- **Tuscola** – <http://events.anr.msu.edu/CPTuscola/>; Begins September 14 (Monday evenings)
- **Isabella** ---<http://events.anr.msu.edu/CPIsabella/>; Begins September 12 – with two classes on the first and last Saturdays and the others on Monday evenings

- **Web series** (synchronous) scheduled to begin September 29. If a community is interested in hosting a webinar site (minimum of five participants) they should contact Janean Danca (information below). Such a local host will need high quality Internet access, web-cam, and ability to project their computer screen so everyone in the room can see it. This is a new option to communities and groups not able to meet the minimum number of participants to hold a traditional classroom program.

If you need assistance registering contact Janean Danca at (269) 657-8213 cplanner@msu.edu or dancaj@anr.msu.edu

. Payment can be made by credit card, check, or invoiced for payment.

For information on Citizen Planner see: http://msue.anr.msu.edu/program/info/michigan_citizen_planner

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To search for and find land use (planning and zoning) training: Visit this [link](#), or build your own search parameters by bookmarking/favorites: <http://msue.anr.msu.edu/events> or an advanced search system at: http://msue.anr.msu.edu/events/advanced_search

and then do anyone or combination of the following:

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Under *Certifications Available* check “Master Citizen Planner” for master citizen planner credit offerings.

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Facebook page on Land Use:

<http://www.facebook.com/pages/Cadillac-MI/MSU-Extension-Schindlers-Land-Use-Networking-Page/462862190006>

MSUE Land Use <http://tinyurl.com/msuelanduse>

MSU Extension: <http://www.msue.msu.edu/>

eXtension (national web page): <http://www.extension.org/community%20planning%20and%20zoning>