

GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
SEPTEMBER 13th, 2011  
6:30 P.M.

AGENDA

Call to Order:

Pledge of Allegiance:

Introduction:

Approval of Agenda:

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

1. 11-13...A request by William McCririe, Sec. 22, 4430 Clifford, for a side yard variance to construct a new detached accessory structure.
2. 11-14...A request by James Jelnicki, Sec. 28, 4077 Homestead, for a side and front yard variance and a variance from the adjacent structure to construct a garage, porch and second story addition.

ADMINISTRATIVE BUSINESS:

- A. *Approval of minutes for the August 16th, 2011 Zoning Board of Appeals meeting.*
- B. *Correspondence*
- C. *Member Discussion*
- D. *Adjournment*

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**SEPTEMBER 13<sup>th</sup>, 2011**  
**CASE #11-13**

**PROPERTY LOCATION:** 4430 Clifford

**PETITIONER:** William McCririe

**ZONING:** LRR (Lakeshore Resort Residential)

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a side and front yard variance to construct a detached accessory structure.

**CODE REFERENCE:** Section 11.04.01 (e) - Detached Accessory Structure setbacks on lots less than 1 acre.

**STAFF COMMENTS:** Petitioner was tabled at the August 16, 2011 meeting to allow time to stake the property.

Please also see attached comments from Rick Little at the Livingston County Road Commission. There was initially some concern that this structure and the proposed structure would be in the right of way but that has since been determined to be false.

DETACHED ACCESSORY STRUCTURE	Principal building setback	One Side	Other Side	Rear	Size	Height
Setbacks of Zoning	10	10	10	10	900	
Setbacks Requested		0				
Variance Amount		10				

# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-13 Meeting Date: 8-16-11

- 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: William McCreary

Property Address: 4430 Clifford Phone: 586-914-8577

Present Zoning: LRR Tax Code: 11-22-302-025

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: side setbacks, road setback, etc

2. Intended property modifications: take down old garage build new

This variance is requested because of the following reasons:


a. Unusual topography/shape of land (explain) narrow lot, drainage, other garages in area with 10' of back of curb.

b. Other (explain) turn garage on lot, need room to get into garage, need to avoid well, very large oak tree.

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

- 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 8 1/2 and 14 in size.*
- **Waterfront properties must indicate setback from water for adjacent homes**
- Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

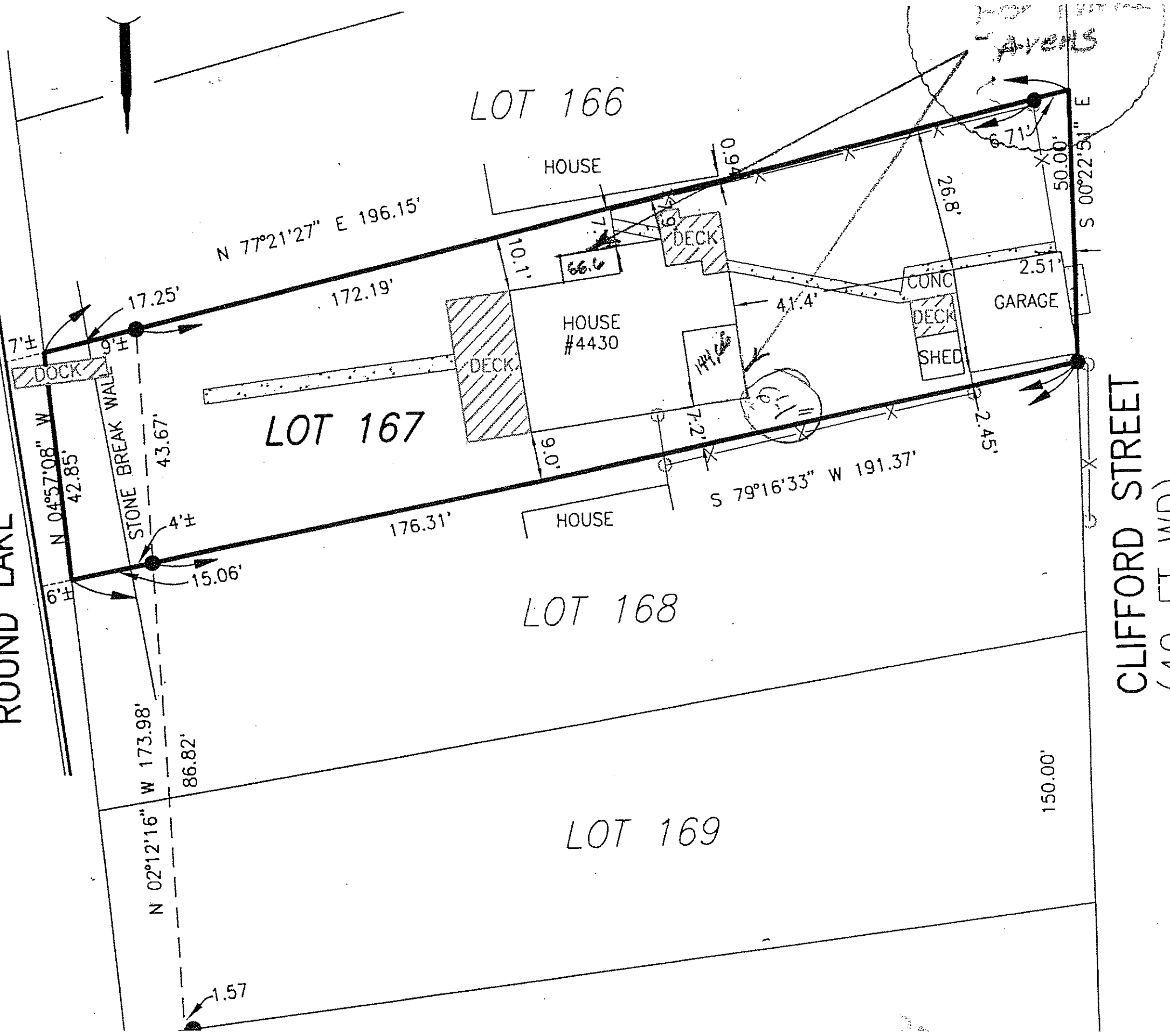
Date: 7/20/11

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 Adam or Amy at the township office to discuss what your next step is.**

ROUND LAKE



LOT 166

N 77°21'27" E 196.15'

LOT 167

LOT 168

LOT 169

CLIFFORD STREET  
(40 FT WD)

N 04°57'08" W 42.85'

STONE BREAK WALL 9'±

N 02°12'16" W 173.98'

86.82'

176.31'

172.19'

S 79°16'33" W 191.37'

150.00'

S 00°22'51" E 50.00'

DOCK

STONE BREAK WALL 9'±

DECK

HOUSE #4430

HOUSE

HOUSE

DECK

CONC DECK  
SHED

GARAGE

Driveway

7'±

17.25'

15.06'

43.67'

4'±

10.1'

9.0'

7.2'

41.4'

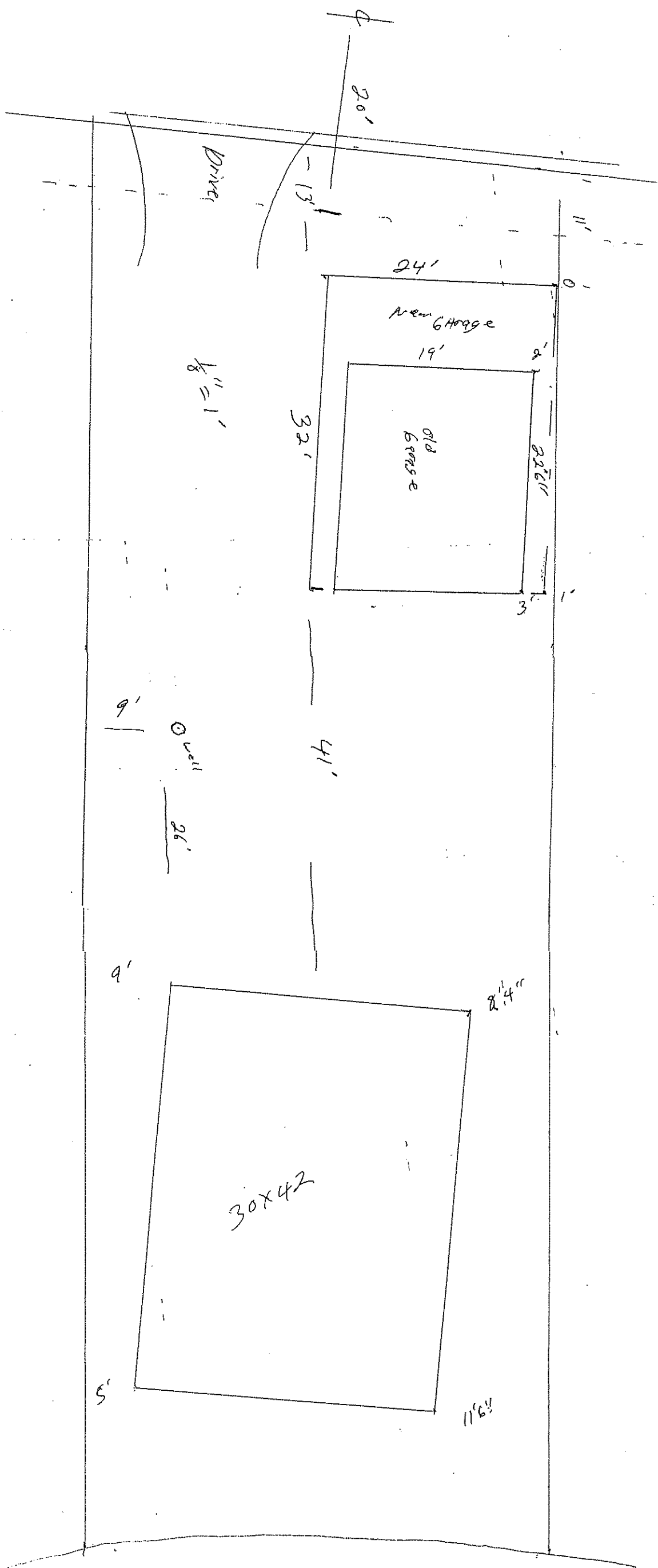
26.8'

2.45'

6.71'

0.94'

4430 Clifford Rd Lot 117

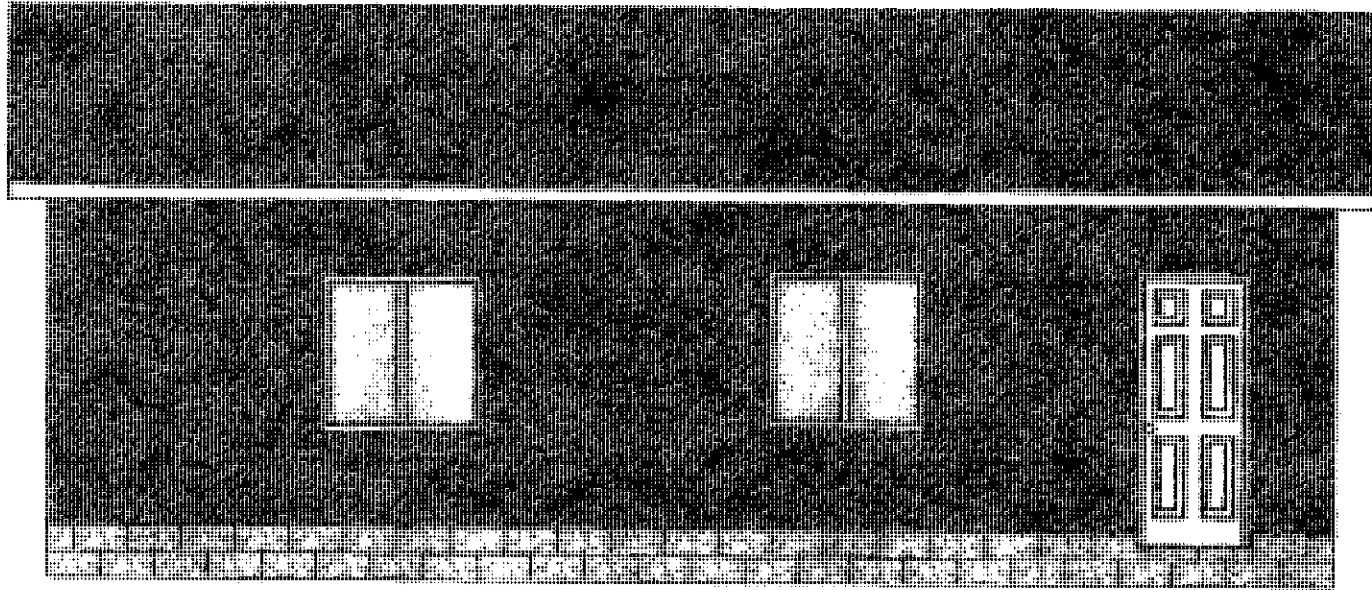


**CARTER**  
*Lumber*

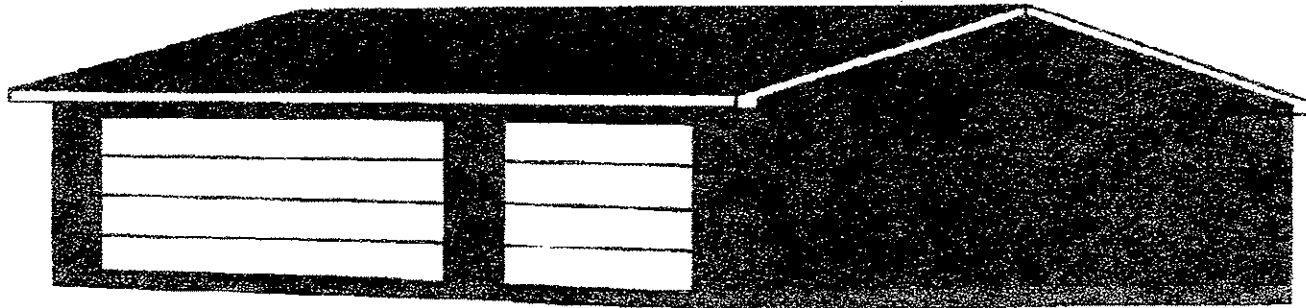
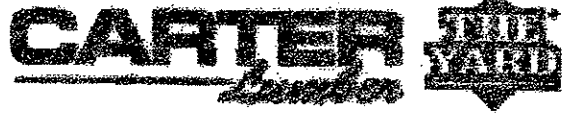


**NORTH SIDE-EAVE SIDE 2 ELEVATION**

Construction  
**Maestro**  
Estimating Software  
Only Home, Garage & Deck

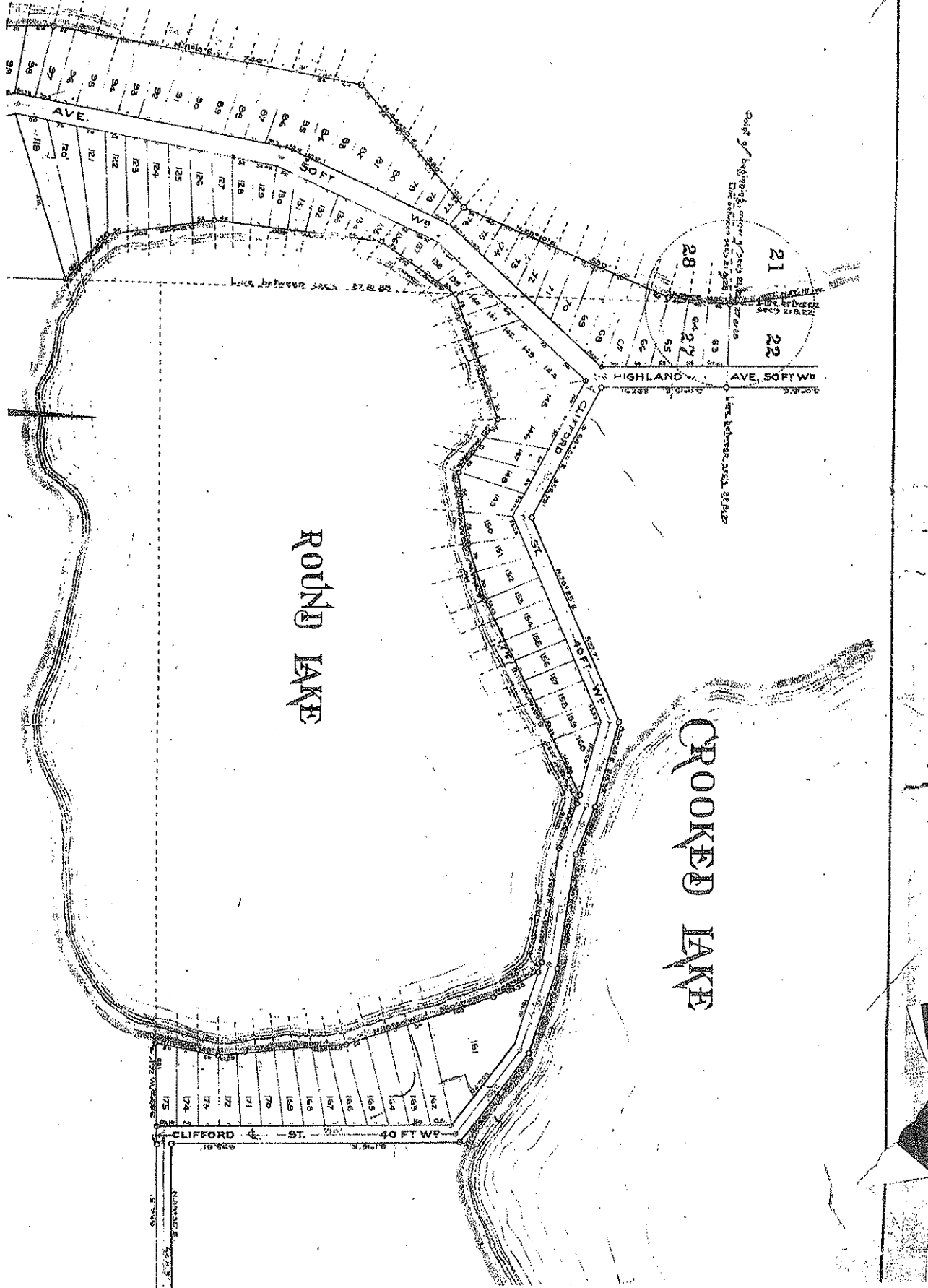


Mark Lacy  
Estimate Number: 1941  
7/19/2011



Mark Lacy  
Estimate Number: 1941  
7/18/2011

# CROOKED LAKE





## Livingston County Road Commission

3535 Grand Oaks Drive • Howell, Michigan 48843-8575  
Telephone: (517) 546-4250 • Facsimile: (517) 546-9628  
URL - [www.livingstonroads.org](http://www.livingstonroads.org)

August 5, 2011

Mr. William D. McCririe  
4430 Clifford Road  
Brighton MI, 48116

Re: Proposed Drive Approach and Garage Reconstruction on Clifford Road

Dear Mr. McCririe;

Having reviewed your proposed construction at the above address the Road Commission would not pose any objections to the work provided that the conditions presented by you on site and in the attached copy of your drawing can be maintained.

The essence of your request is that you propose to build a new three car side loading garage and rebuild the existing drive approach. In your proposal there would be no portion of your structure within the right of way and that the overall width of the existing approach would be reduced from the existing 50'± to a standard 20'± drive approach apron. For the purposes of this review and no other purpose, the right of way is interpreted as 20' from the travelled center of the road. The actual distance may differ but this is consistent with this type use in the area.

The work of rebuilding the approach will require a permit to work within the right of way. We will require that sight distance be preserved and that sediments from stormwater runoff be contained on site.

If you need any more assistance feel free to contact us.

Sincerely,



Rick Little  
Technical Services Supervisor

Copy:

Kim Hiller, John Shelton – LCRC  
Adam Van Tassell – Genoa Township  
file

David R. Peckens • Chairman  
Michael Craine • Managing  
Director

Stephen F. Crane • Vice Chairman  
Jodie M. Tedesco • County Highway  
Engineer

John T. Dunleavy • Member  
Steven J. Wasyik • Director of  
Operations



**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**SEPTEMBER 13<sup>th</sup>, 2011**  
**CASE #11-14**

**PROPERTY LOCATION:** 4077 Homestead

**PETITIONER:** James Jelnicki

**ZONING:** LRR (Lakeshore Resort Residential)

**WELL AND SEPTIC INFO:** Well and sewer

**PETITIONERS REQUEST:** Requesting a side, front and height variance and a variance to the adjacent structure to construct an addition.

**CODE REFERENCE:** Table 3.04 – Dimensional Standards - LRR (Lakeshore Resort Residential)

**STAFF COMMENTS:** Petitioner was tabled at the August 16, 2011 meeting to allow time to stake the property and obtain a letter regarding the moving of the grinder pump. Please see the attached letter from MHOG Director Greg Tatara.

Petitioner is seeking to construct front and rear additions as well as a second story to the existing structure. Petitioner’s home currently encroaches on neighboring lot. Petitioner states that the encroachment is legally resolved between the neighbors.

	Front	One Side	Other Side	Rear	Height	Waterfront
Setbacks of Zoning	35	10	10	40		-
Setbacks Requested	22	0				
Variance Amount	13	10				

# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 11-14 Meeting Date: 8-16-11

- 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: MR. & MRS. JAMES SELNICKI (DENNIS DINSER, DESIGNER)  
Property Address: 4077 HOMESTEAD Phone: 248-925-7165 or 248-362-1192  
Present Zoning: LRR Tax Code: 11-28-201-018 (517-540-9960)

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: RELIEF FROM 5' SIDEYARD SETBACK, 10' MIN. TO ADJACENT STRUCTURE, & 35' FRONTYARD SETBACK
2. Intended property modifications: ADDING GARAGE, PORCHES, & 2ND FLOOR

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) NA
- b. Other (explain) NON-CONFORMING LOT WITH HOUSE BUILT OVER THE SIDEYARD LOT LINE

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

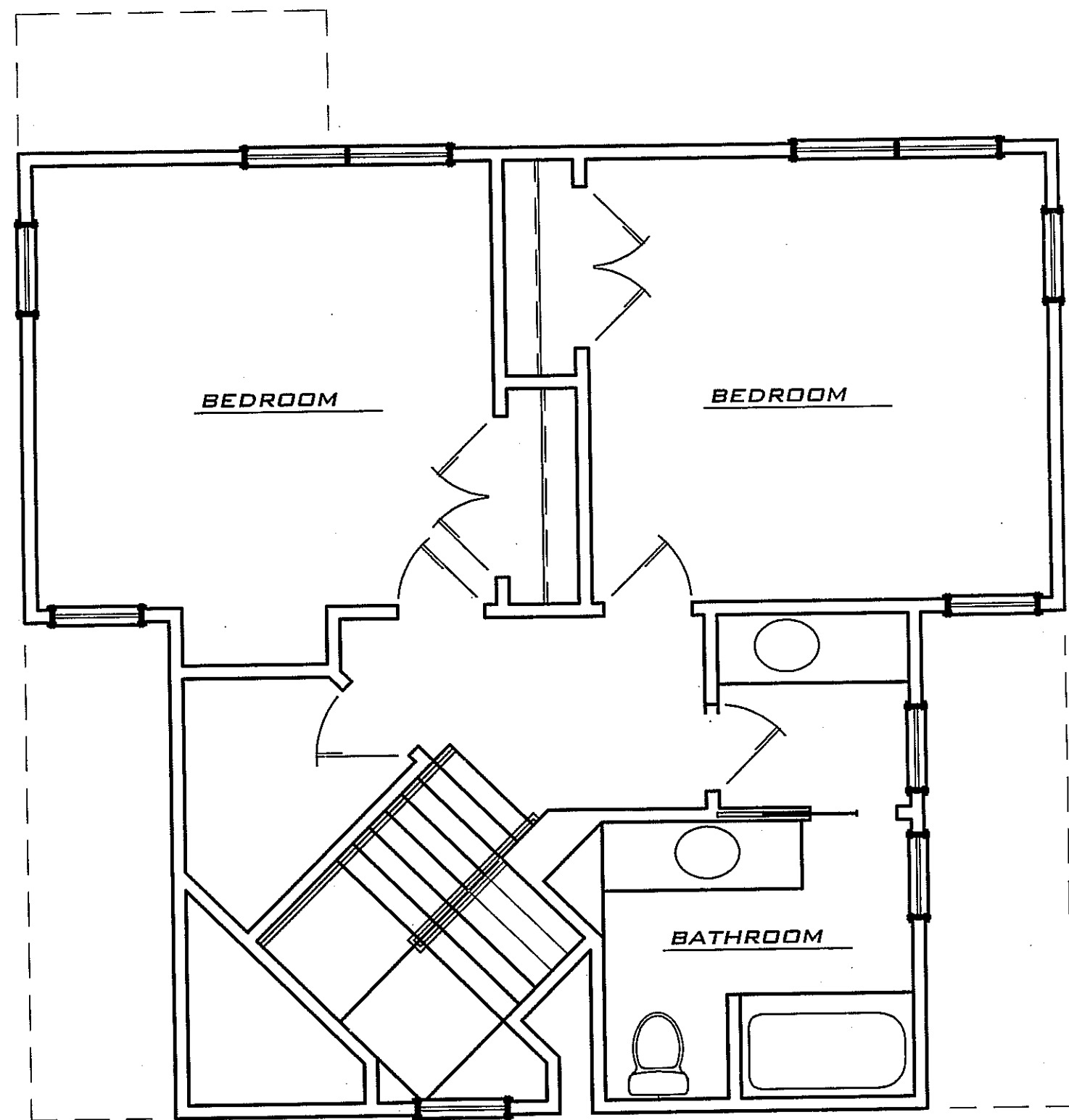
- Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. *Note: Will need 8 copies of any drawings larger than 8 1/2 and 14 in size.*
- **Waterfront properties must indicate setback from water for adjacent homes**
- Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 7-22-11

Signature: Dennis Dinser

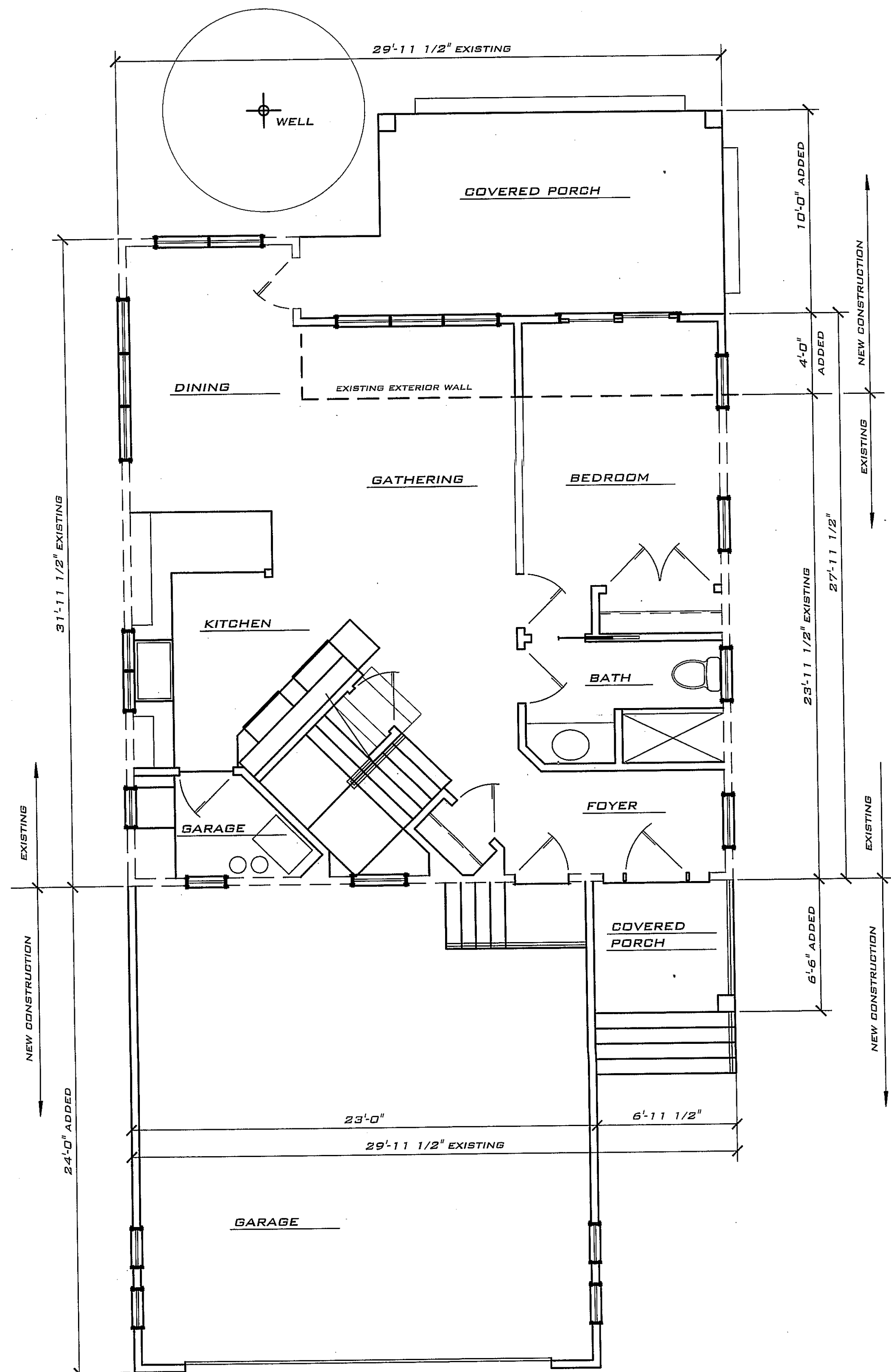
**Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.**

**After the decision is made regarding your variance approval contact Adam or Amy at the township office to discuss what your next step is.**



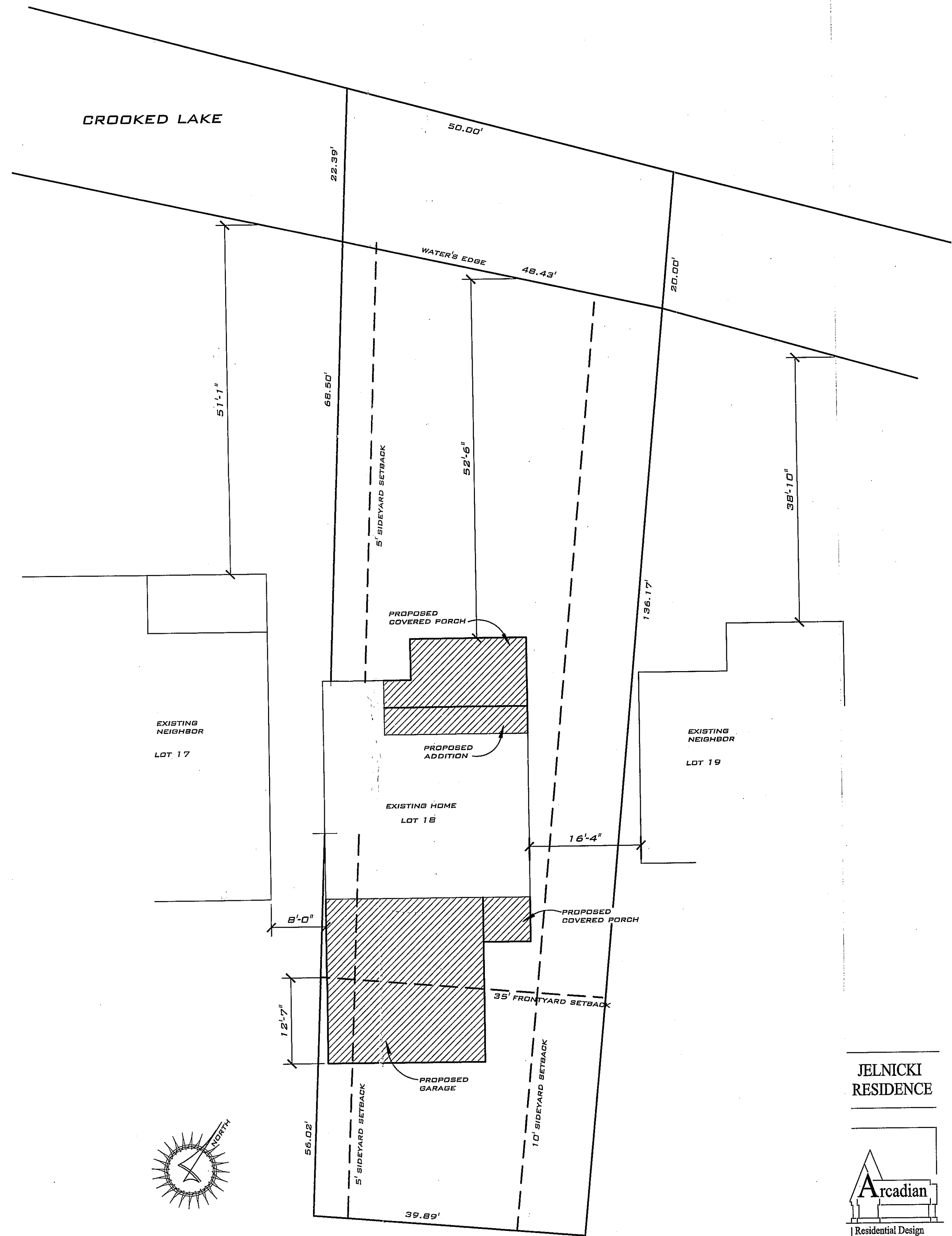
**SECOND FLOOR PLAN**

SCALE 1/4" = 1'-0"



**FIRST FLOOR PLAN**

SCALE 1/4" = 1'-0"  
4077 HOMESTEAD, HOWELL



**SITE PLAN**

SCALE 1" = 10'-0"  
4077 HOMESTEAD, HOWELL  
6067 SQ. FT. SITE AREA ABOVE WATER  
1656 SQ. FT. TOTAL HOUSE, GARAGE, & PORCHES  
27.3% LOT COVERAGE OF AREA ABOVE WATER  
1013 SQ. FT. ADDITIONAL  
SITE AREA UNDERWATER

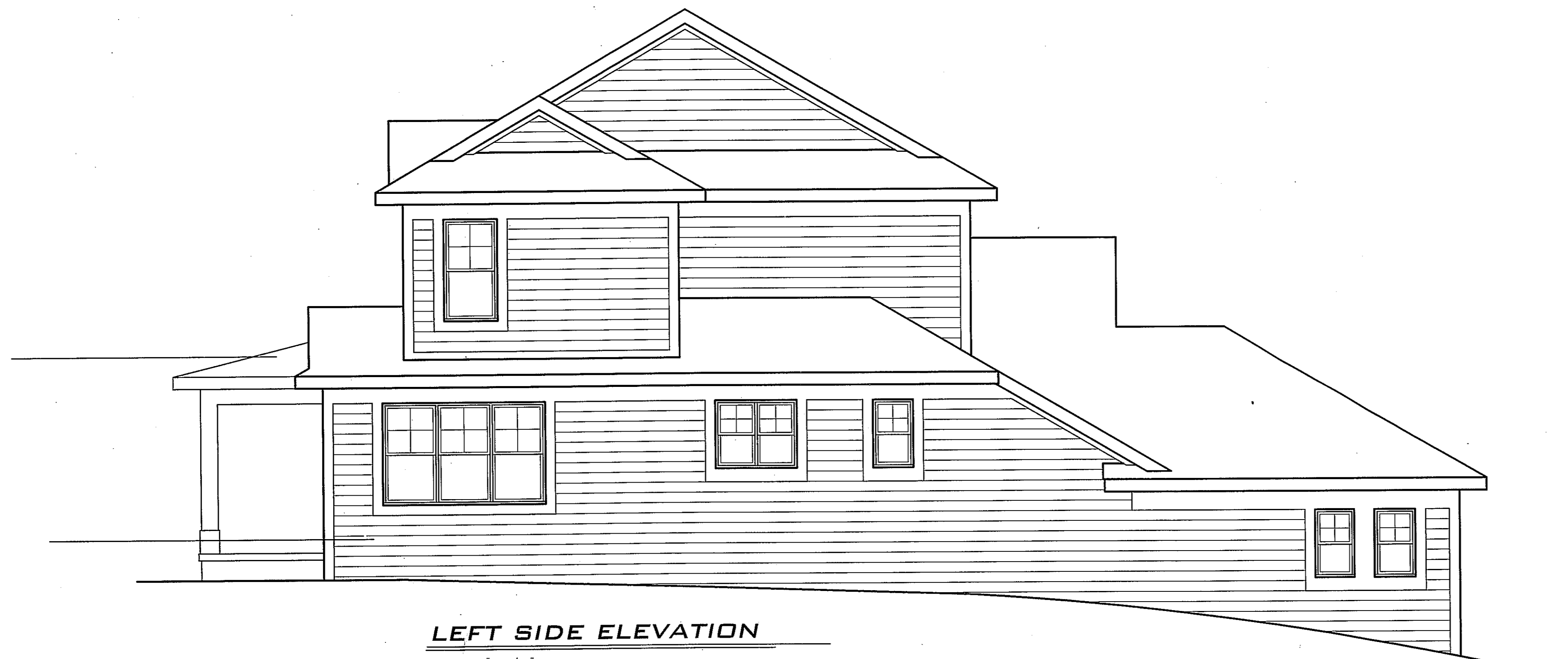
JELNICKI  
RESIDENCE



Residential Design  
DENNIS DINSER  
7891 Augustine Ct.  
Preston, MD 48430  
517-540-9960  
www.arcadiandesign.net

DRAWN DD  
CHECKED DD  
DATE 7-21-11  
SHEET NUMBER  
1 of 2  
PROJECT NUMBER  
000000





**LEFT SIDE ELEVATION**

SCALE 1/4" = 1'-0"



**FRONT ELEVATION**

SCALE 1/4" = 1'-0"



**RIGHT SIDE ELEVATION**

SCALE 1/4" = 1'-0"

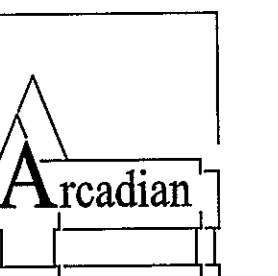
PRELIMINARY



**REAR ELEVATION**

SCALE 1/4" = 1'-0"

JELNICKI  
RESIDENCE



Residential Design  
DENNIS DINSER  
7091 Augustus Ct.  
Fenton, MI 48430  
517-540-9960  
www.arcadiandesign.net

DRAWN DD  
CHECKED DD  
DATE 7-21-11  
SHEET NUMBER  
2 of 2  
PROJECT NUMBER  
000000

August 4, 2011

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

Re: case #11-14

Dear Board Members,

I'm Dennis Dinser, my design firm is Arcadian Residential Design, and I've been retained by Jim & Kitty Jelnicki to develop a plan for the addition and remodeling of their home located at 4077 Homestead Drive.

The following narrative is intended to explain the criteria and process by which we have worked and now arrive before you requesting our exceptions.

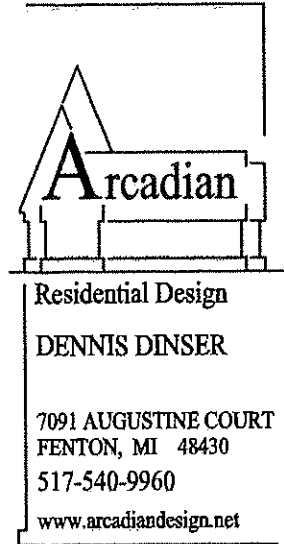
The current structure is a cottage built beyond the original boundaries of the site, that portion of which was later deeded to the Jelnickis. The Jelnicki's have had the property for many years and need to make it a more livable home.

Our plan is to gently add only a 4' x 21' section to the rear of the home with a 10' x 17' covered porch. Our 4 x 21 addition will actually sit behind the current rear wall of the existing dining room, resulting in a very subtle first floor addition. This alteration will require no variance and will sit well behind the neighboring homes. This serves the Jelnicki's goal of being respectful of their neighbors in the execution of this work.

Our home's front, however, cannot be done quite so delicately. In order to achieve a garage and an entry point to the home from the front, we've explored several options, and we believe that the request before you is our most subtle solution.

A garage addition that aligns itself along the existing wall of the home neighboring lot 17 will allow almost 7' of width for our entry point. Absolutely any garage addition would force us to request a frontyard setback variance, but the attached garage option allows us to request the minimum exception. More importantly, it allows us to conform to the pattern of development established by previous additions on Homestead Drive.

Any detached garage option would stand much further forward, have a much greater impact on neighboring properties, and force us to request a much larger frontyard variance. From a design point of view, we fear the resulting structure has the potential to damage our property value as well as our neighbor's. For these reasons, we've pursued the attached garage option.



For our proposed second floor, we're asking for the same exception from the sideyard setback. Built directly over the first floor, it will also sit on the lot line bordering lot 17. We believe, however, that the addition of the second floor is necessary to achieve our goal of a full time livable home.

There is another factor I'd like to point out, and it's a more subtle point. Walking the property, and studying the position of our home relative to the neighboring homes, you'd never realize that the property lines were so skewed. The structures align themselves with each other, not the lot lines, and the resulting relationship seems natural. Since our home's position is parallel to it's neighbors, simply extending the current side walls seems to be the most natural and comfortable response to this design problem. This is especially true given the additions to other properties on Homestead, our alterations would be quite similar to the improvements executed in the past.

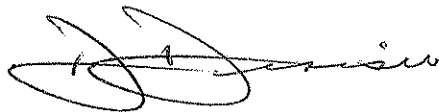
We are confident that we've explored our options well, we're confident that the request before you represents the best design solution for us and for the properties that neighbor ours.

We ask your consideration additionally because our lot is out of conformance with the zoning ordinance. We are under the minimum lot size by 45%, under the minimum lot width by 50% at the front, 38% at the rear, and our structure is built over the current lot line. Despite our undersized condition, our proposal does not violate the current ordinance's lot coverage restriction.

I regret that I will be unable to attend the ZBA meeting on August 16, but I ask that you please contact me if I've left you with any questions regarding our intent, process, or proposal. My office number is 517-540-9960 and my cell is 810-333-0935.

Thank you for your time and effort in studying our situation.

Respectfully,

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





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

September 7, 2011

Adam VanTassell  
Zoning Administrator  
Genoa Charter Township  
2911 Dorr Road  
Brighton, MI 481156

**Subject: Grinder Pump Relocation at 4077 Homestead Drive**

Dear Mr. VanTassell

Please find attached a site plan showing the existing location of the grinder sewage discharge pump for 4077 Homestead Drive. As part of the zoning appeal, it is possible to relocate this pump to accommodate the requested addition. From my conversations with the builder, the pump will be moved toward the road to make room for an addition. As our office is in the process of upgrading and improving the pumping systems, we will provide a new pump, can, and control panel which will be installed, including wiring installation by the property owner at their expense. Staff from the utility department will inspect the installation and perform the proper start-up of the new pump system in the relocated position.

Please let me know if you have any questions or require additional information.

Sincerely,



Greg Tatara  
Utility Director

**SUPERVISOR**

Gary T. McCririe

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Steven Wildman

**MANAGER**

Michael C. Archinal



**4077 Homestead**







**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
AUGUST 16<sup>th</sup>, 2011  
6:30 P.M.**

**MINUTES**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. The board members in attendance were as follows: Jeff Dhaenens, Marianne McCreary, Chris Grajek, Barbara Figurski and Steve Wildman. The Pledge of Allegiance was then said. Chairman Dhaenens then gave a brief introduction to the ZBA. There were seven people in the audience.

**Moved** by Figurski, support by Wildman, to approve the agenda as submitted. **Motion carried unanimously.**

**11-13...A request by William McCrie, Sec. 22, 4430 Clifford, for a side yard variance to construct a new detached accessory structure.**

A call to the public was made with no response.

**Moved** by Wildman, supported by Figurski, to table case#11-13 located at 4430 Clifford Road, to give the petitioner time to properly locate the property line. **Motion carried unanimously.**

**11-14...A request by James Jelnicki, Sec. 28, 4077 Homestead, for a side and front yard variance, height variance and a variance from the adjacent structure to construct a garage, porch and second story addition.**

A call to the public was made with no response.

**Moved** by Figurski, supported by Wildman, to table case# 11-14 located at 4077 Homestead, until the next meeting due to the petitioner not having the property staked. **Motion carried unanimously.**

**11-15...A request by John and Jayne Berkaw, Sec. 27, 4560 Villa France, for a rear yard variance to construct an addition.**

A call to the public was made with no response.

**Moved** by Wildman, supported by Figurski, to approve case# 11-15 for a 10 foot rear yard variance with a 20 foot setback to construct a four season room. The finding of fact is the current location of the home on the lot. **Motion carried unanimously.**

**Moved** by Figurski, supported by McCreary, to approve the July 19<sup>th</sup>, 2011 Zoning Board of Appeals minutes. **Motion carried unanimously.**

**Moved** by Figurski, supported by Grajek, to adjourn the Zoning Board of Appeals meeting at 7:50 p.m. **Motion carried unanimously.**