

GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
July 21, 2015, 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. 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.
2. 15-13 ... A request by Jess Peak, 3828 Highcrest, for a variance in order to construct a detached accessory building in the front yard.
3. 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.
4. 15-16 ... A request by Rickey F. Novak, 140 S. Hughes Road, for a variance to construct a detached accessory building in the front yard.
5. 15-17 ... A request by Jeffrey and Susan Wood, 2166 Webster Park Drive, for a variance to make repairs, improvements and modernization to a non-conforming structure which exceeds one-half (1/2) of the value of the structure during a period of twelve (12) consecutive months.
6. 15-18 ... A request by David Gruber, 4066 Highcrest, for shoreline setback variance, a rear yard setback variance, and a front yard setback variance in order to construct a new single family home.
7. 15-19 ... A request by Mark W. Cameron, 6258 Cunningham Lake Road, for a variance to construct a detached accessory building in the front yard.
8. 15-20 ... A request by Mark S. Cummer, 4811 Pine Eagles Driver, for a variance from the setback requirements between condominium units in order to remove and replace an existing deck.

Administrative Business:

1. Approval of minutes for the June 16, 2015 Zoning Board of Appeals meeting.
2. Review of Rules of Procedure
3. Correspondence
4. Township Board Representative Report
5. Planning Commission Representative Report
6. Zoning Official Report
7. Member Discussion
8. Adjournment

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
July 21, 2015
6:30 P.M.**

The Genoa Township Zoning Board of Appeals will hold a public hearing at Genoa Township Hall, 2911 Dorr Road, Brighton, MI, 48116 for the following variance requests at the July 21, 2015 regular meeting:

1. 15-16 ... A request by Rickey F. Novak, 140 S. Hughes Road, for a variance to construct a detached accessory building in the front yard.
2. 15-17 ... A request by Jeffrey and Susan Wood, 2166 Webster Park Drive, for a variance to make repairs, improvements and modernization to a non-conforming structure which exceeds one-half (1/2) of the value of the structure during a period of twelve (12) consecutive months.
3. 15-18 ... A request by David Gruber, 4066 Highcrest, for shoreline setback variance, a rear yard setback variance, and a front yard setback variance in order to construct a new single family home.
4. 15-19 ... A request by Mark W. Cameron, 6258 Cunningham Lake Road, for a variance to construct a detached accessory building in the front yard.
5. 15-20 ... A request by Mark S. Cummer, 4811 Pine Eagles Driver, for a variance from the setback requirements between condominium units in order to remove and replace an existing deck.

Please address any written comments to the Genoa Township Zoning Board of Appeals at, 2911 Dorr Rd, Brighton, MI 48116 or via email at ron@genoa.org. All materials relating to this request are available for public inspection at the Genoa Township Hall prior to the hearing.

Genoa Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact the Genoa Township Hall at (810) 227-5225 at least seven (7) days in advance of the meeting if you need assistance.

Published: BA-LCP 7-5-15

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-12 Meeting Date: 6-16-15

- 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: James & Connie DeBrincat

Property Address: 2608 Spring Grove Phone: 810-908-4856

Present Zoning: LDR Tax Code: 4711-24-200-026

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: A sideyard setback variance in order to construct a garage

2. Intended property modifications: Construct a detached garage on the south side of the property

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) The topography of the property prevents construction elsewhere based on the downhill slope, marsh, and pond in the back, and the septic field in the front

b. Other (explain) The side setback for one acre or less is 10.0'. Excluding the pond, the property is 1.02 acres which requires a 30' setback.

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: One paper copy of all drawings is required.**
- **Waterfront properties must indicate setback from water from adjacent homes.**
- **Petitioner (or a Representative) must be present at the meeting**

Date: 05/22/2015

Signature: James DeBrincat

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.



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 16, 2015
RE: ZBA 15-12 - Update

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

At the June 16, 2015 Zoning Board of Appeals meeting the ZBA reviewed case 15-12 for a side yard setback variance to construct a detached accessory building. The Board questioned the location of the driveway which was intended to access the accessory building due to the potential for the driveway to be constructed over an existing septic field. The ZBA postponed decision on the request instructing the applicant to provide additional information regarding the location of the septic field and the reserve field.

After this meeting the applicant determined that the proposed driveway would in fact be constructed over the septic field. In response to this the applicant has indicated to me that he would maintain the building in the same location, but would not construct the driveway.

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

Revised Plans for Outbuilding on 2608 Spring Grove

Will cancel plans for installing a driveway based on the septic field location and allowing additional space for a reserve field.

Defined location of septic field by uncovering septic tank covers to determine location of exit pipe to septic field. Dug various holes to locate the south and west side of the drain field. The stone and schedule 40 pvc is about 24" deep.

The outbuilding concrete slab will be about 8.0'-10.0' away from the western edge of the field.

The outbuilding will be 10' from the south side of the house and 23.9' from the south side of the property line. (requesting about 7.0' side setback variance)

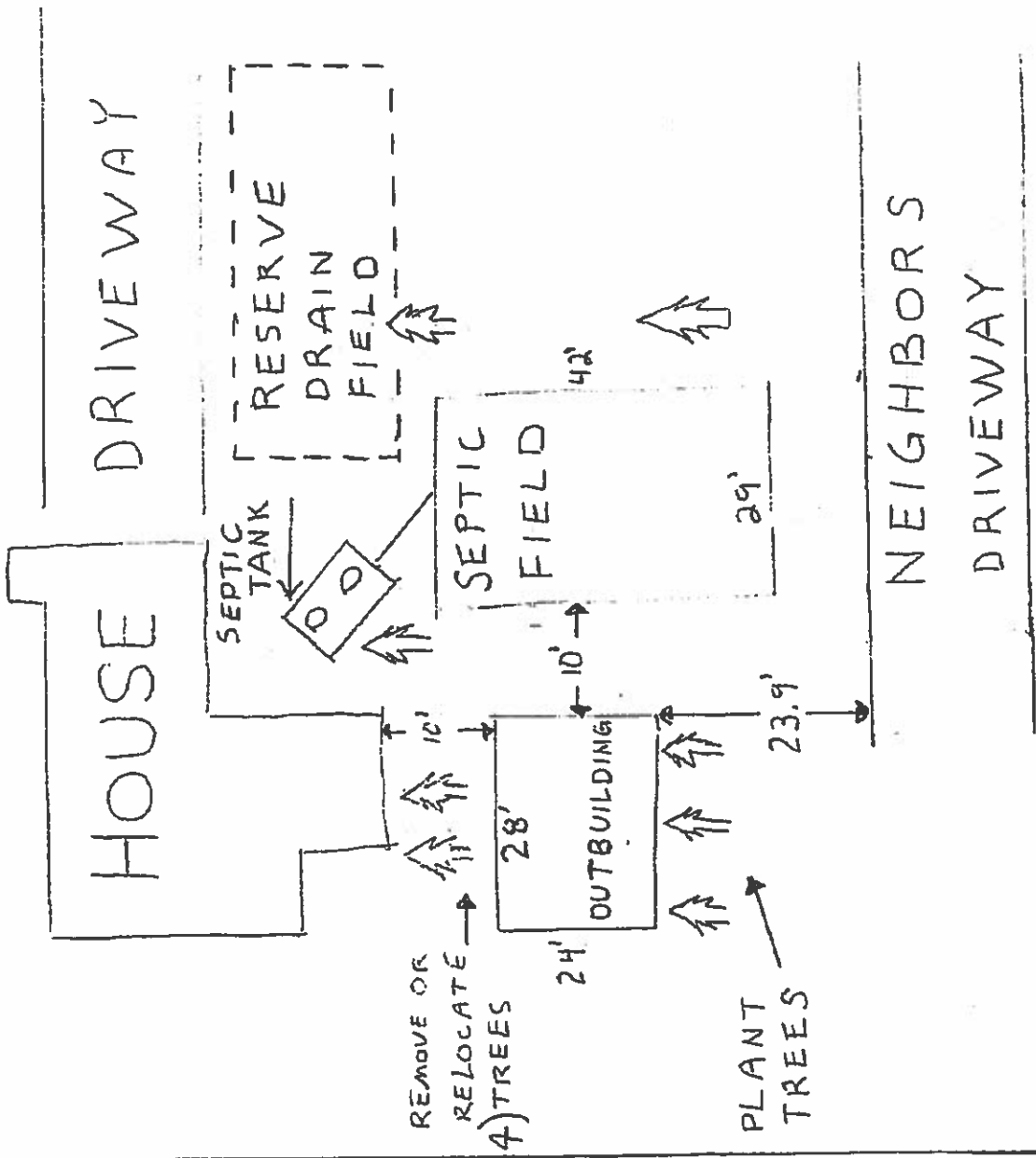
4) trees/bushes at the south side of the house (at the 10.0' location)will be removed or relocated. 1) tree next to the south side of the planned outbuilding will be relocated as well.

Upon completion of the outbuilding, pine & spruce trees will be planted between the new building and the south side property line.

The sand, block, and building materials will be delivered either at the driveway or near the road to avoid the drain field. The area will be leveled using a Bobcat to avoid heavy equipment on the field and the concrete footings and slab will be poured using a motorized cart.

2608 SPRING GROVE

N ↑







Charter Township of Genoa
ZONING BOARD OF APPEALS
June 16, 2015
CASE #15-12

PROPERTY LOCATION: 2608 Spring Grove

PETITIONER: James & Connie DeBrincat

ZONING: LDR (Low Density Residential)

WELL AND SEPTIC INFO: Septic, Well

PETITIONERS REQUEST: A side yard setback variance in order to construct a detached accessory building.

CODE REFERENCE: Section 3.04.01

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Rear	Height	-
Required Setbacks	50'	30'	30'	N/A	14'	-
Setbacks Requested	70'	24'	+50'	N/A	12'	-
Variance Amount	N/A	6'	N/A	N/A	N/A	-



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: June 11, 2015
RE: ZBA 15-12

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

STAFF REPORT

File Number: ZBA#15-12

Site Address: 2608 Spring Grove

Parcel Number: 4711-24-200-006

Parcel Size: 1.58 Acres (1.02 acres usable)

Applicant: James & Connie DeBrincat, 2608 Spring Grove, Brighton, MI 48114

Property Owner: Same as Applicant

Information Submitted: Application, site plan, building plans

Request: Dimensional Variances

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

Zoning and Existing Use: LDR (Low Density Residential), Single Family Residential

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday May 31, 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 (1,284 square feet) built in 1950 and an attached garage (560 square feet).
- The property has a septic system and well.
- 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 28' x 24' detached accessory building on the southern side of the house. In order to do this the applicant will need a side yard setback variance. The threshold for requiring a detached accessory building to meet the same setback requirements for principal buildings is the parcel having a lot size of greater than one (1) acre. This property has, according to a recent survey, just over one (1) acre of usable property (1.02, exclusive of submerged lands) which would require any detached accessory building to meet the 30' side yard setback rather than the 10' side yard setback.



Variance Requests

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

Table 3.04.01: LDR Require Side Yard Setback: 30' Proposed Side Yard Setback: 24'

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 side yard setback would prevent the applicant from constructing a garage-sized detached accessory building on the property. The rear yard of the property slopes toward the small lake behind the property which makes the construction of a detached accessory building difficult in this area. The owner may be able to construct the accessory building in the front yard of the property while meeting the setbacks, but this would require a different variance (to place detached accessory building in front yard). The existing location of the house on the property and narrow lot width prevent the applicant from placing a garage-sized detached accessory building on the property.

Extraordinary Circumstances: The extraordinary circumstances applicable to this property are the slope in the rear yard, the existing location of the house, and the narrow lot width, which combine to create a situation where it is difficult to construct a garage-sized detached accessory building compliant with the Zoning Ordinance.

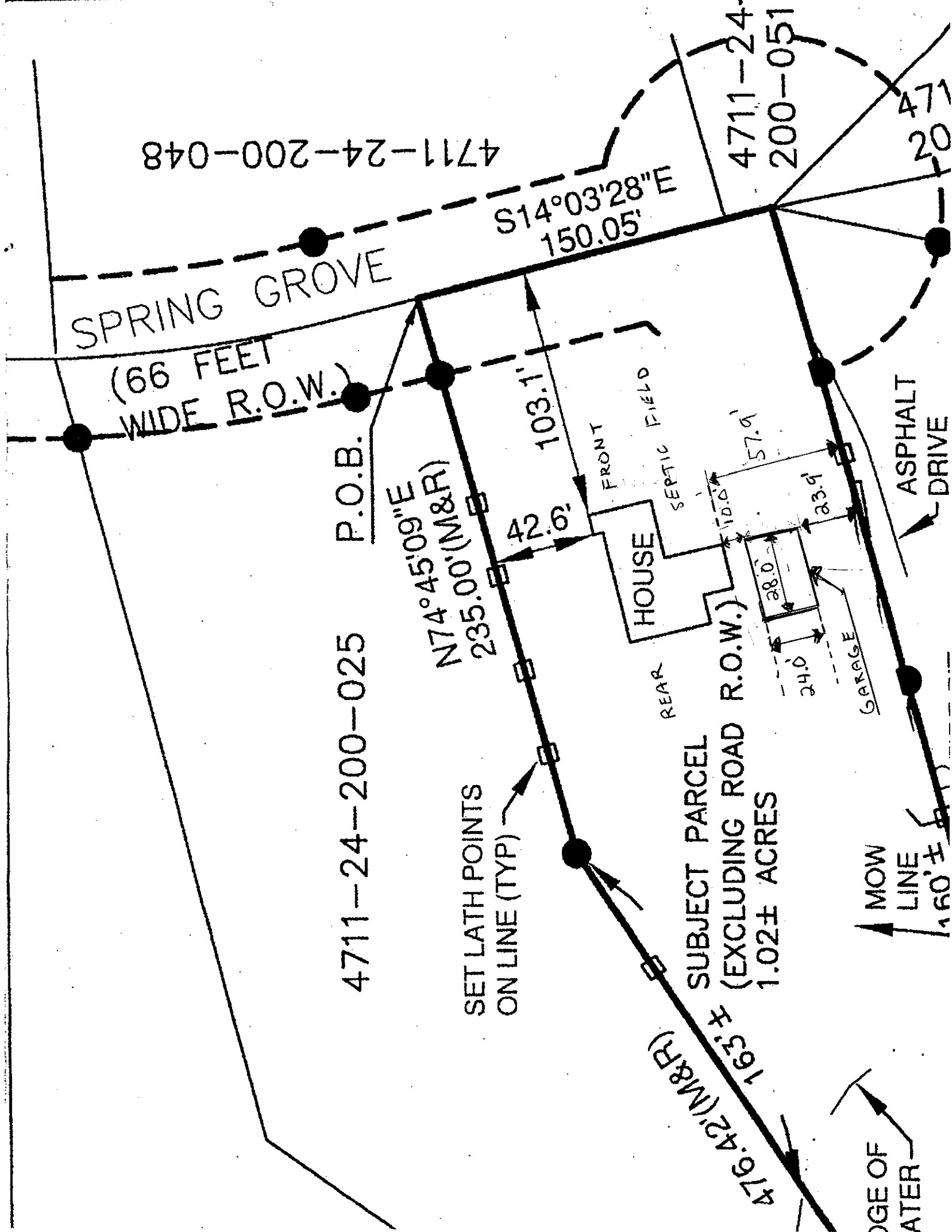
Public Safety and Welfare – The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa. There will be sufficient separation between the proposed building and adjacent properties to not cause any concern with regard to fire risk.

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. While the owner of the adjacent property will view a detached accessory building closer to the property line, the building should be of a sufficient distance to limit any impact it may have on adjacent property.

Staff Findings of Fact

1. Strict application of the side yard setback variance would prevent the applicant from constructing a garage-sized detached accessory building on the property.

2. The extraordinary or exceptional circumstances applicable to this property are the slope of the rear yard towards the small lake on the property, the location of the existing home, and narrow lot width.
3. The need for the variance is due to the narrow lot width, the location of the existing home, the zoning requirement which prohibits detached accessory buildings in the front yard, and the slope in the rear yard.
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 variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The detached accessory building is of a sufficient distance to where it should have a limited impact on the adjacent property.



4711-24-200-048

4711-24-200-051

SPRING GROVE

(66 FEET WIDE R.O.W.)

P.O.B.

4711-24-200-025

N74°45'09"E
235.00'(M&R)

103.1'

42.6'

FRONT

HOUSE

REAR

SUBJECT PARCEL
(EXCLUDING ROAD R.O.W.)
1.02± ACRES

SET LATH POINTS
ON LINE (TYP)

57.0'

10.0'

163.7±

476.42'(M&R)

MOW LINE

160'±

EDGE OF WATER

ASPHALT DRIVE

ASPHALT DRIVE

GARAGE

SEPTIC FIELD

471

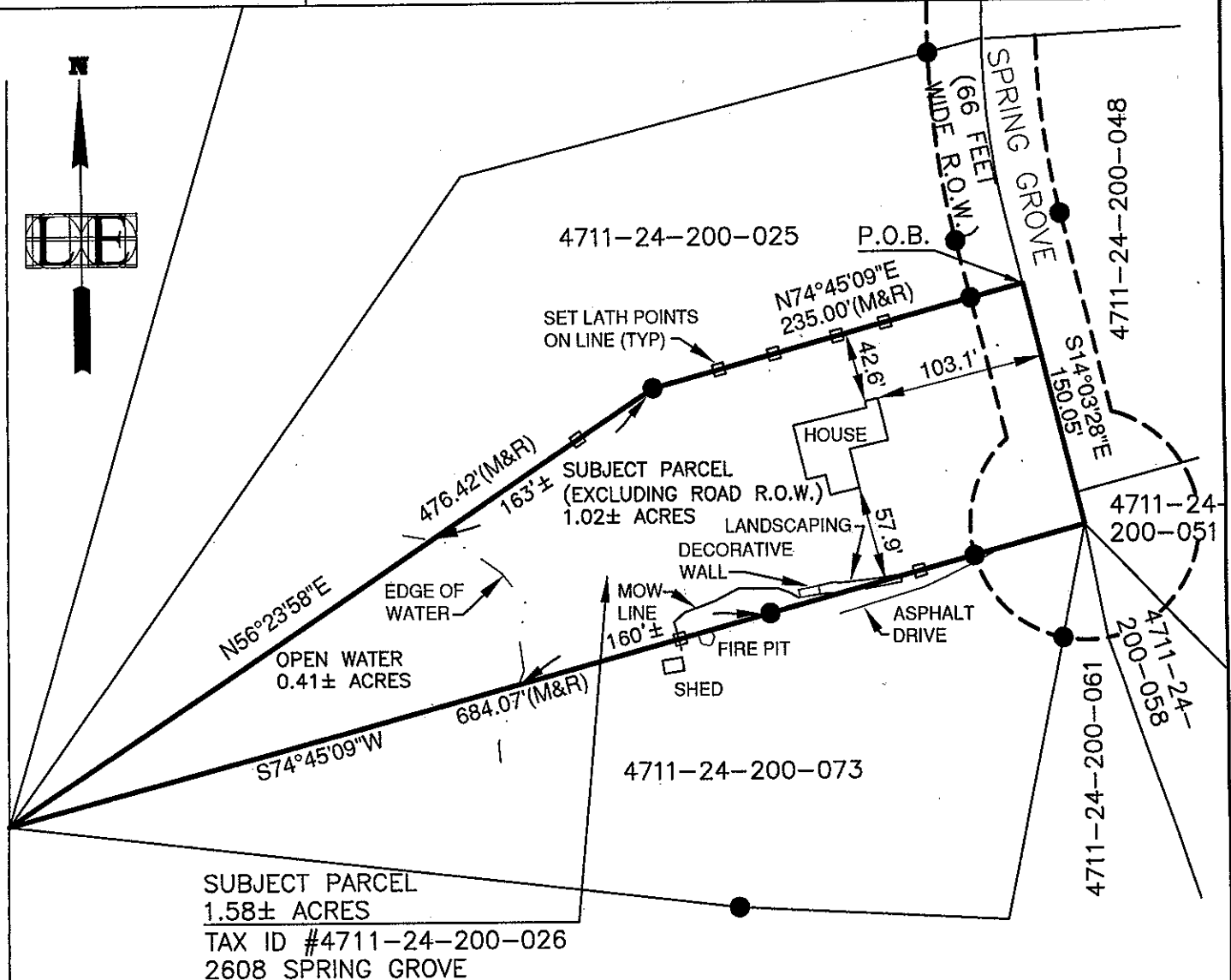
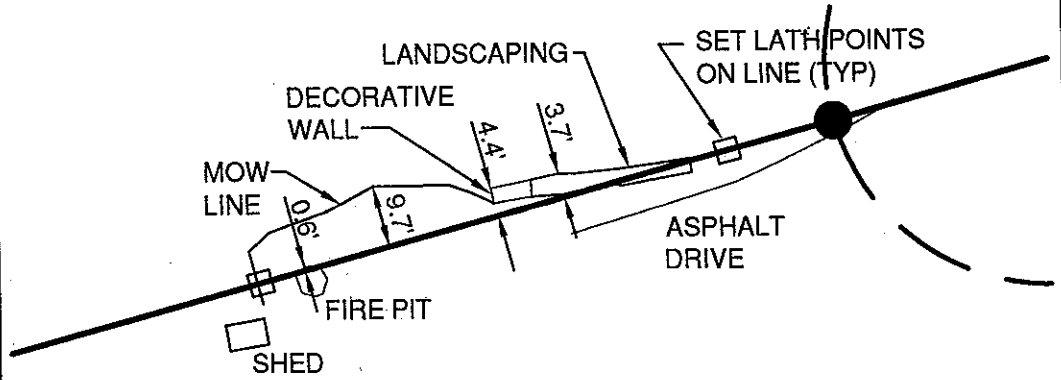
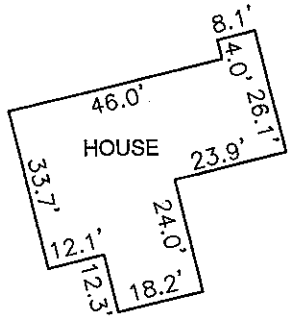
20



GENOA

24' x 28' GARAGE
10.0' FROM HOUSE
23.9' FROM SIDE LOT

SKETCH OF SURVEY

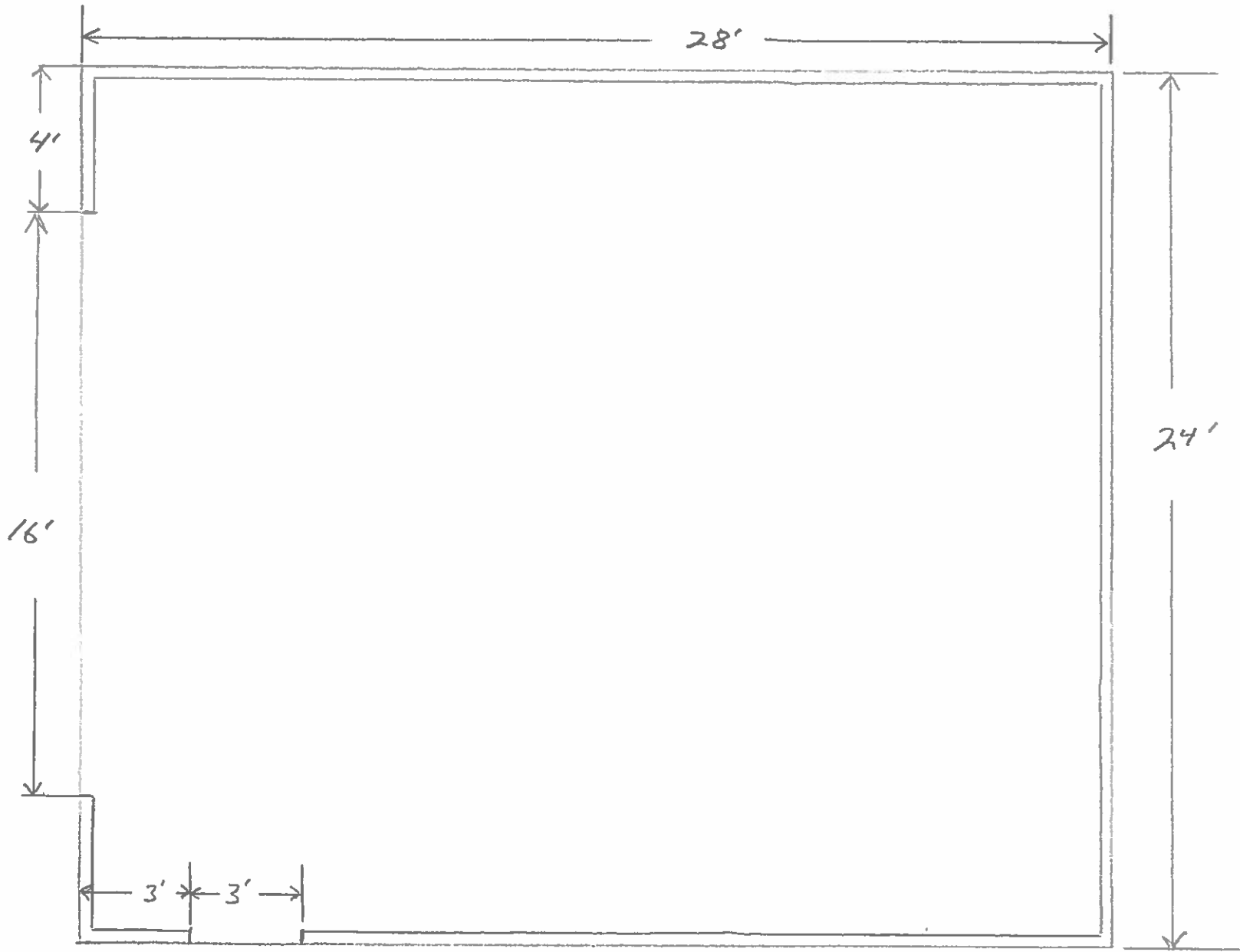


LEGAL DESCRIPTION SUBJECT PARCEL (as supplied)

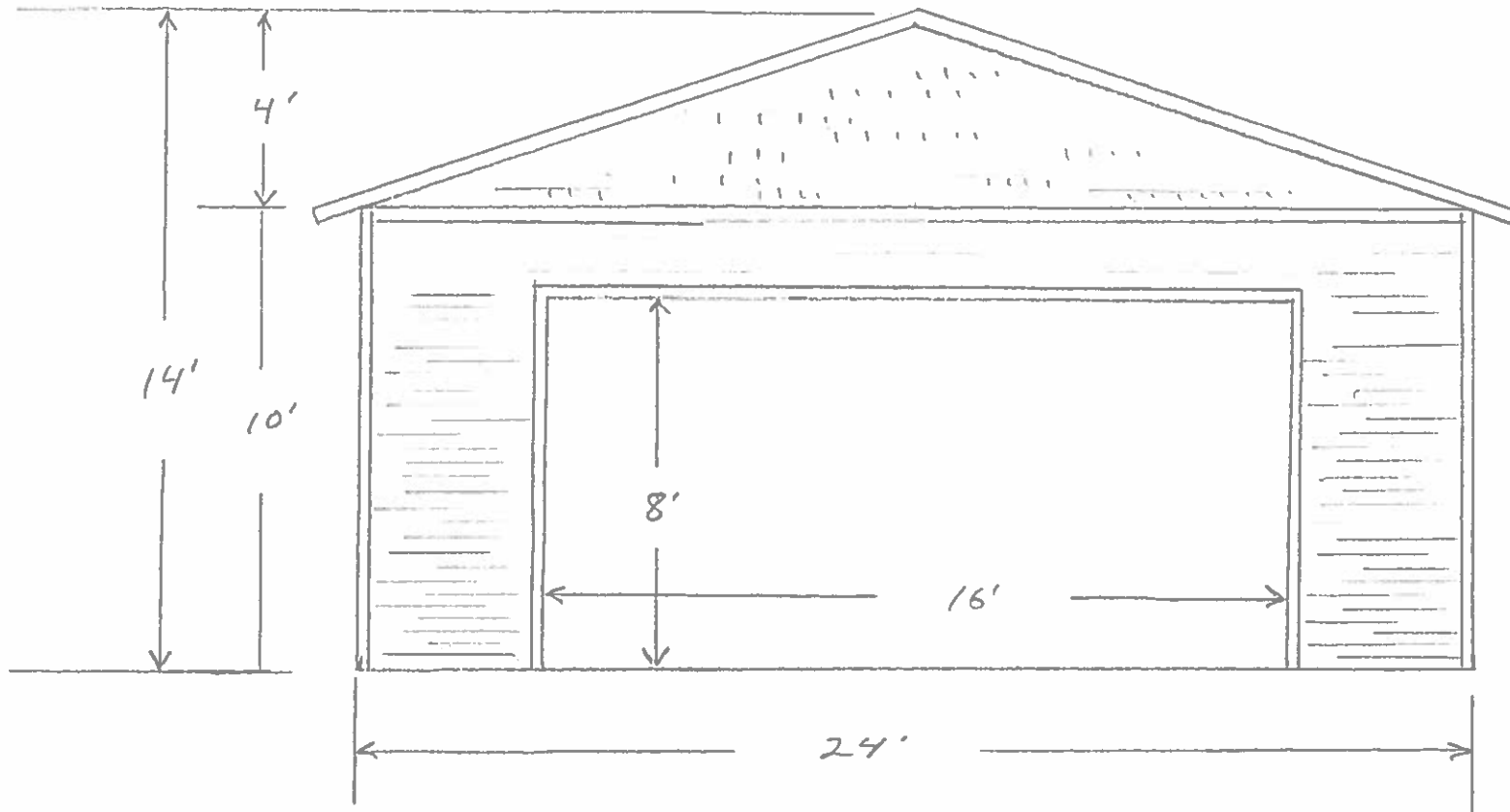
Part of the West 1/2 of the Northeast 1/4 of Section 24, T2N-R5E, Genoa Township, Livingston County, Michigan, described as follows: beginning at a point which bears S 64°15'00" E, 746.34 feet and S 00°00'44" W, 36.63 feet and S 64°15'00" E, 62.30 feet and S 12°52'52" W, 103.79 feet and S 00°00'44" W, 185.14 feet and S 09°13'39" W, 157.25 feet and S 18°26'34" W, 211.46 feet and S 02°11'34" W, 279.83 feet and S 14°03'26" E, 34.95 feet from the North 1/4 Corner of Section 24, thence S 14°03'26" E, 150.05 feet, thence S 74°45'09" W, 684.07 feet to the North-South 1/4 line of said Section 24, thence N 56°23'58" E, 476.42 feet, thence N 74°45'09" E, 235.00 feet to the point of beginning. Containing 1.58 Acres and subject to Easements of record. Also subject to a 66 ft wide Ingress, Egress and Public Utility Easement.



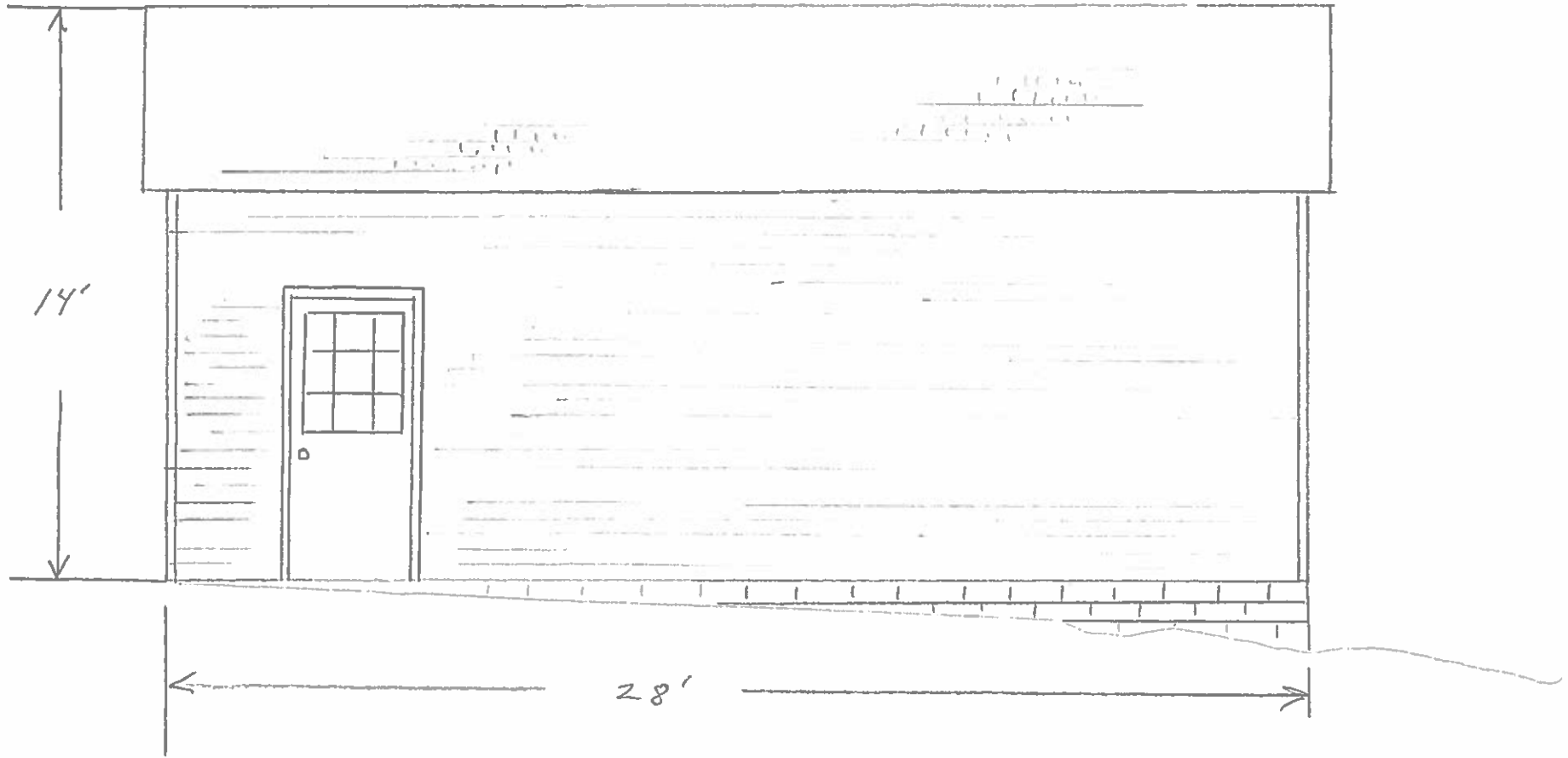
FLOOR PLAN



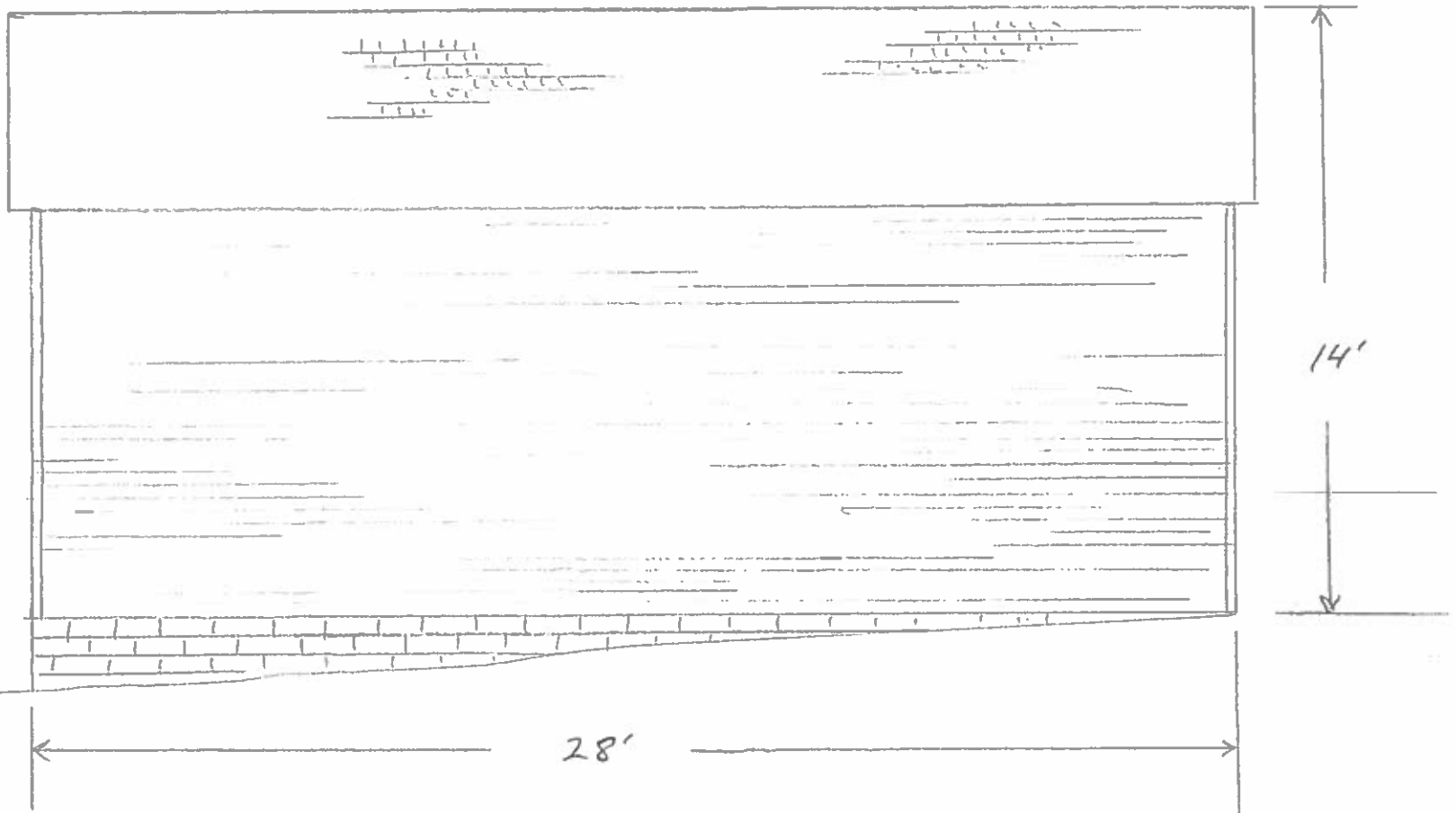
NORTH SIDE



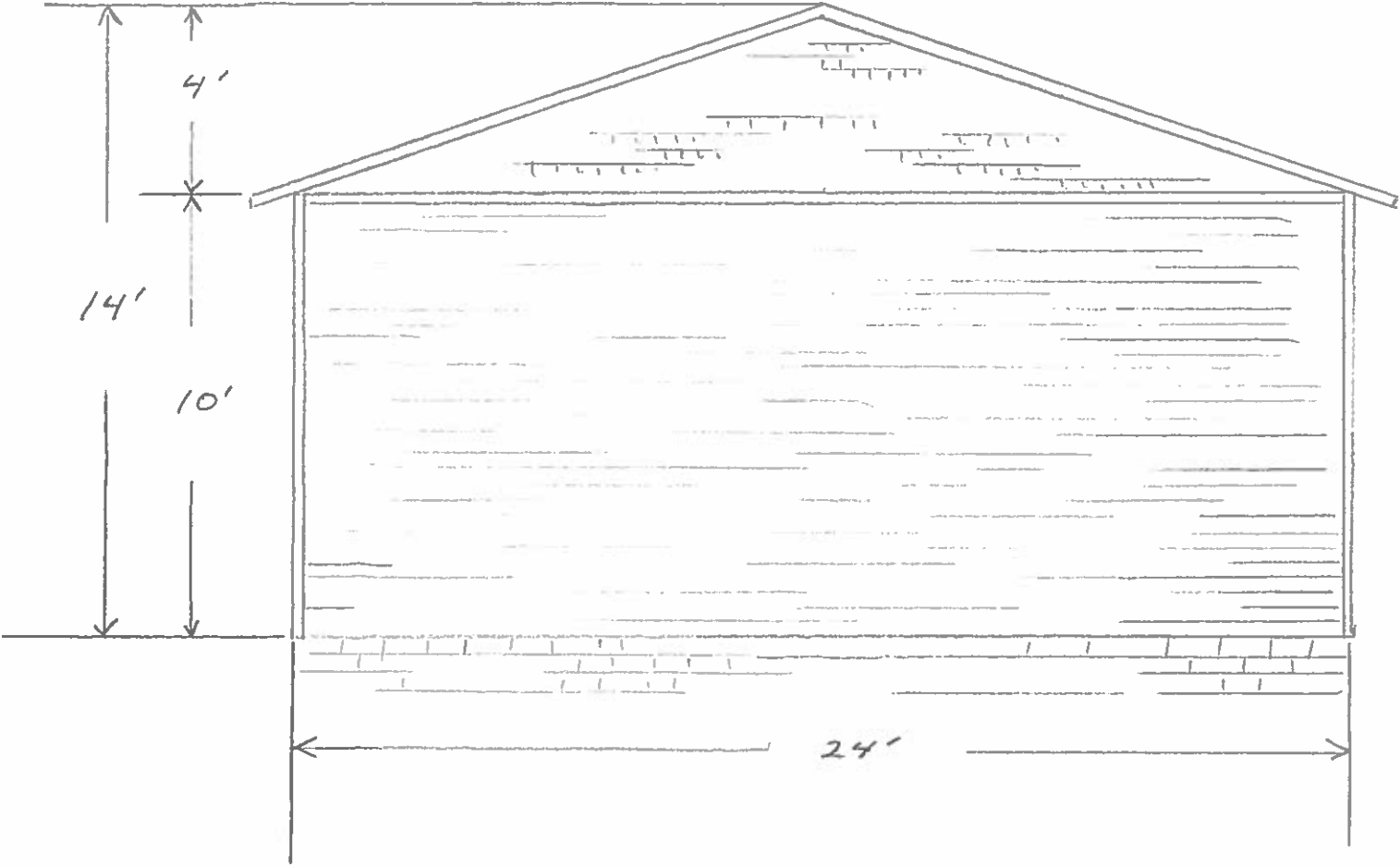
WEST SIDE



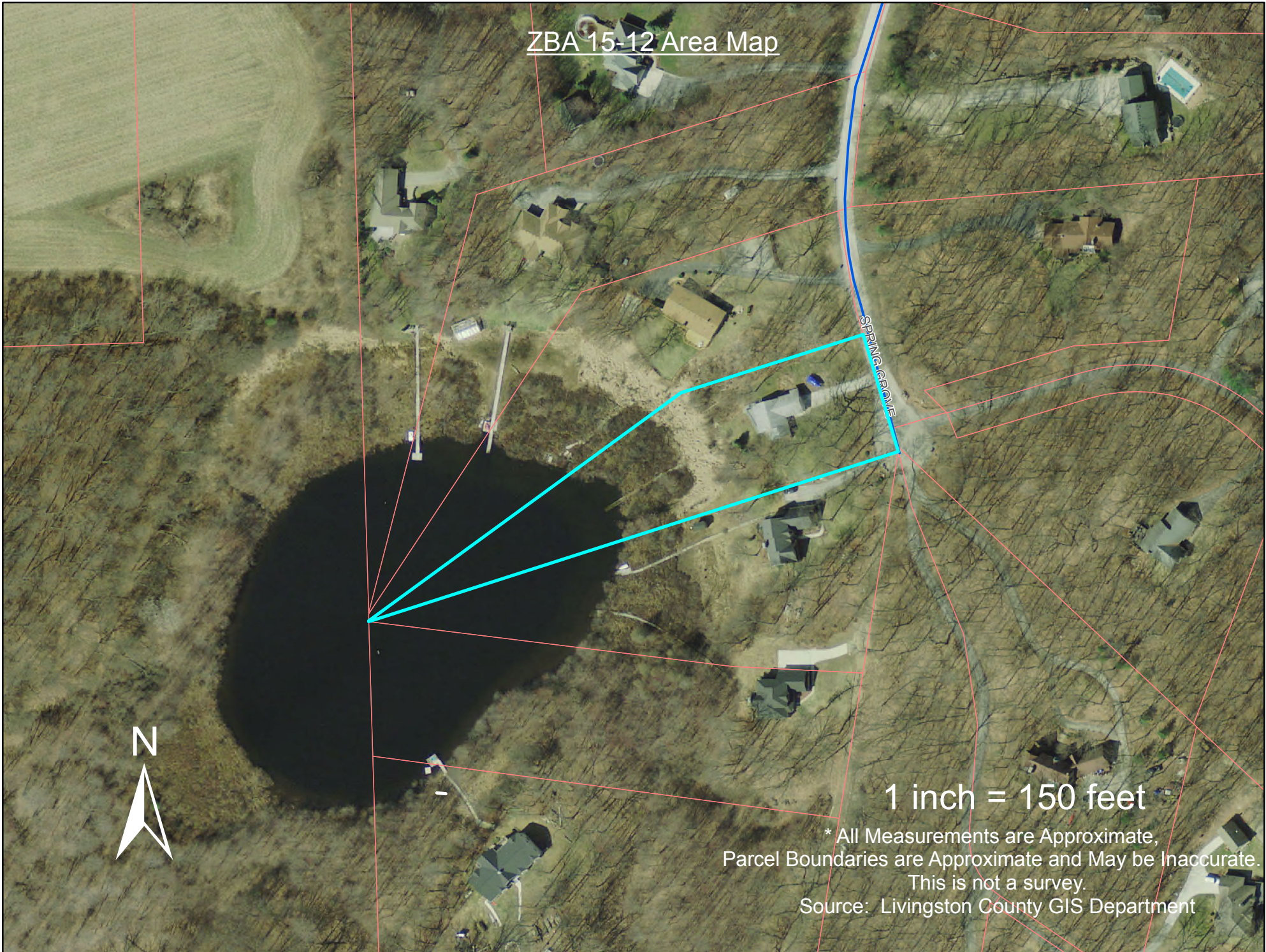
EAST SIDE



SOUTH SIDE



ZBA 15-12 Area Map



1 inch = 150 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

06/10/2015 12:08 PM

Parcel:	4711-24-200-026	Current Class:	401.401 RESIDENTIAL-IMPROVED
Owner's Name:	DE BRINCAT CONSTANCE	Previous Class:	401.401 RESIDENTIAL-IMPROVED
Property Address:	2608 SPRING GROVE BRIGHTON, MI 48114	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V15-12
		School:	47010 BRIGHTON
		Neighborhood:	47010 47010 BRIGHTON M & B
Liber/Page:	2013R-034287	Created:	//
Split:	//	Active:	Active
Public Impr.:	None		
Topography:	REFUSE		

Mailing Address:

DE BRINCAT CONSTANCE
2608 SPRING GROVE
BRIGHTON MI 48114

Most Recent Sale Information

Sold on 07/26/2013 for 216,000 by GEORGES III JAMES A.

Terms of Sale: ARMS-LENGTH

Liber/Page: 2013R-034287

Most Recent Permit Information

Permit W15-091 on 06/05/2015 for \$15,001 category WINDOW/DOOR REPLACEMENT.

Physical Property Characteristics


2016 S.E.V.:	Tentative	2016 Taxable:	Tentative	Lot Dimensions:	
2015 S.E.V.:	98,000	2015 Taxable:	95,300	Acres:	1.58
Zoning:	LDR	Land Value:	58,190	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	533	Average Depth:	0.0

Improvement Data

of Residential Buildings: 1
Year Built: 1988
Occupancy: Single Family
Class: C
Style: C
Exterior: Wood Siding
% Good (Physical): 76
Heating System: Forced Heat & Cool
Electric - Amps Service: 0
of Bedrooms: 3
Full Baths: 2 Half Baths: 1
Floor Area: 1,284
Ground Area: 1,270
Garage Area: 560
Basement Area: 1,270
Basement Walls:
Estimated TCV: 135,522

Image

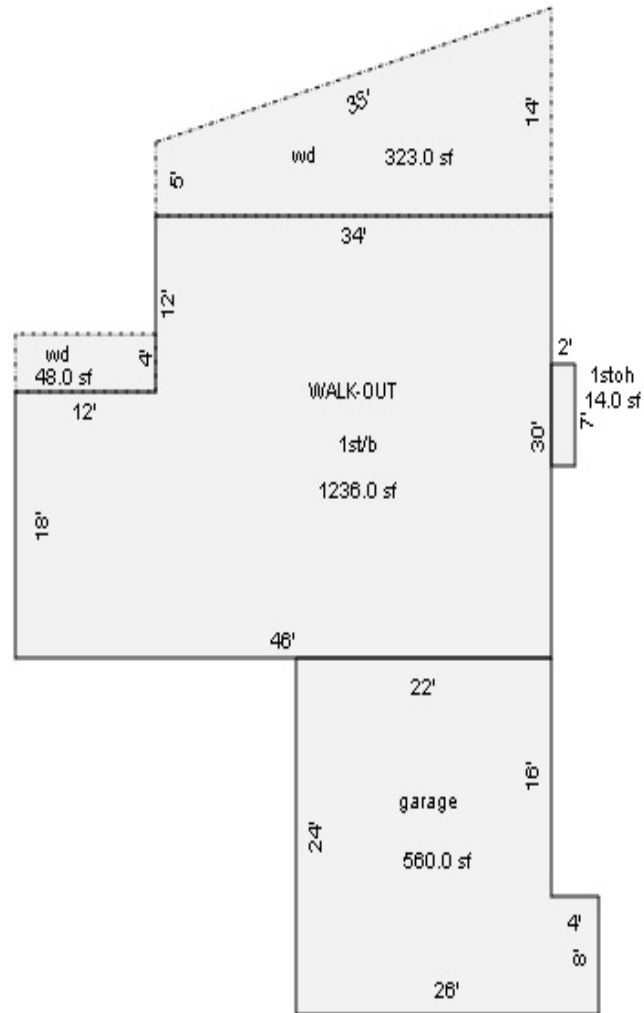


Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
GEORGES III JAMES A	DE BRINCAT CONSTANCE	216,000	07/26/2013	WD	ARMS-LENGTH	2013R-034287	BUYER	100.0		
FEDERAL NATIONAL MORTGAGE	GEORGES III JAMES A	0	03/24/2006	WD	INVALID SALE	2006R/0831	BUYER	100.0		
MORTGAGE ELECTRONIC REG. S	FEDERAL NATIONAL MORTGAGE	0	09/28/2005	WD	ARMS-LENGTH	4942/0422	BUYER	0.0		
PAULITANIS, PAUL W.	MORTGAGE ELECTRONIC REG. S	267,607	09/08/2005	TA	INVALID SALE		BUYER	0.0		
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LDR		Building Permit(s)		Date	Number	Status
2608 SPRING GROVE		School: BRIGHTON		WINDOW/DOOR REPLACEMENT		06/05/2015		W15-091	NO START	
Owner's Name/Address		P.R.E. 100% 07/27/2013		MAP #: V15-12		2016 Est TCV Tentative				
DE BRINCAT CONSTANCE 2608 SPRING GROVE BRIGHTON MI 48114		X Improved		Vacant		Land Value Estimates for Land Table 122.BRIGHTON M & B				
Tax Description		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason Value				
SEC 24 T2N R5E BEG S64*15'00"E 746.34 FT TH S0*00'44"W 36.63 FT TH S64*15'00"E 62.30 FT TH S12*52'52"W 103.79 FT TH S0*00'44"W 185.14 FT TH S9*13'39"W 157.25 FT TH S18*26'34"W 211.46 FT TH S2*11'34"W 279.83 FT AND S14*03'26"E 34.90 FT FROM N 1/4 TH S14*03'26"E 150.05 FT, TH S74*45'09"W 684.07 FT, TH N 56*23'58" E 476.42 FT, TH N 74*45'09"E 235 FT TO POB 1.58AC M/L SPLIT FR 020 CORR LEGAL 6/13 PARCEL 4		Dirt Road		TABLE A		1.580 Acres		33481 110 POND		58,190
Comments/Influences		Topography of Site		Land Improvement Cost Estimates		Description Rate CountyMult. Size %Good Cash Value				
		Level		D/W/P: 3.5 Concrete		3.44 1.00		323 48		533
		Rolling		Total Estimated Land Improvements True Cash Value =		533				
		Low		Year		Land Value		Building Value		Assessed Value
		High		X		REFUSE		Who		When
		Landscaped		2016		Tentative		Tentative		Tentative
		Swamp		2015		29,100		68,900		98,000
		Wooded		2014		29,100		64,700		93,800
		Pond		2013		26,500		49,000		75,500
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
		X REFUSE								
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan										

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks			(17) Garage									
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type			Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Yes Auto. Doors: 0 Mech. Doors: 0 Area: 560 % Good: 0 Storage Area: 0 No Conc. Floor: 0									
X	Wood Frame		Drywall Paneled		Plaster Wood T&G							35 408 48	CPP Pine Pine												
Building Style: C		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling			Class: C Effec. Age: 24 Floor Area: 1284 Total Base Cost: 131,568 Total Base New : 193,404 Total Depr Cost: 146,987 Estimated T.C.V: 135,522			CnlyMult X 1.470 E.C.F. X 0.922			Bsmnt Garage: Carport Area: Roof:												
Yr Built 1988	Remodeled 0	Size of Closets		Central Air Wood Furnace			(12) Electric			Total Base Cost: 131,568 Total Base New : 193,404 Total Depr Cost: 146,987 Estimated T.C.V: 135,522			CnlyMult X 1.470 E.C.F. X 0.922		Bsmnt Garage: Carport Area: Roof:										
Condition for Age: Good		Lg	X	Ord		Small	No./Qual. of Fixtures			Foundation			Rate		Bsmnt-Adj		Heat-Adj		Size		Cost				
Room List		(5) Floors		Kitchen: Other: Other:			Ex. X Ord. Min			Exterior			Rate			Bsmnt-Adj		Heat-Adj		Size		Cost			
	Basement 1st Floor 2nd Floor 3 Bedrooms	Kitchen: Other: Other:		(12) Electric			1 Story Siding			Basement			64.44			0.00		1.92		1270		84,277			
(1) Exterior		(6) Ceilings		0 Amps Service			1 Story Siding			Overhang			37.43			0.00		0.00		14		524			
X	Wood/Shingle Aluminum/Vinyl Brick	No. of Elec. Outlets		(13) Plumbing			Other Additions/Adjustments			Rate			Rate		Rate		Rate		Size		Cost				
	Insulation	Many X Ave. Few		Average Fixture(s)			(9) Basement Finish			Basement Living Finish			17.25			1104		19,044							
(2) Windows		Basement: 1270 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		2 3 Fixture Bath 1 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			(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			3 Fixture Bath 2 Fixture Bath (14) Water/Sewer Well, 200 Feet 1000 Gal Septic			2400.00 1600.00 4975.00 3085.00			1 1		2,400 1,600							
	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		Average Fixture(s)			(16) Porches			CPP, Standard			24.54			35		859							
(3) Roof		(9) Basement Finish		Average Fixture(s)			(16) Deck/Balcony			Pine, Standard Pine, Standard			5.13 8.34			408 48		2,093 400							
X	Gable Hip Flat		Gambrel Mansard Shed	Recreation SF Living SF 1 Walkout Doors No Floor SF			(14) Water/Sewer			Class:C Exterior: Siding Foundation: 42 Inch (Finished) Base Cost Common Wall: 1 Wall Phy/Ab.Phy/Func/Econ/Comb.%Good= 76/100/100/100/76.0, ECF (47010 BRIGHTON M & B)			22.92 -1300.00 0.922 => TCV of Bldg: 1 =			560 1		12,835 -1,300		146,987 135,522					
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Lump Sum Items:																		
Chimney: Brick																									

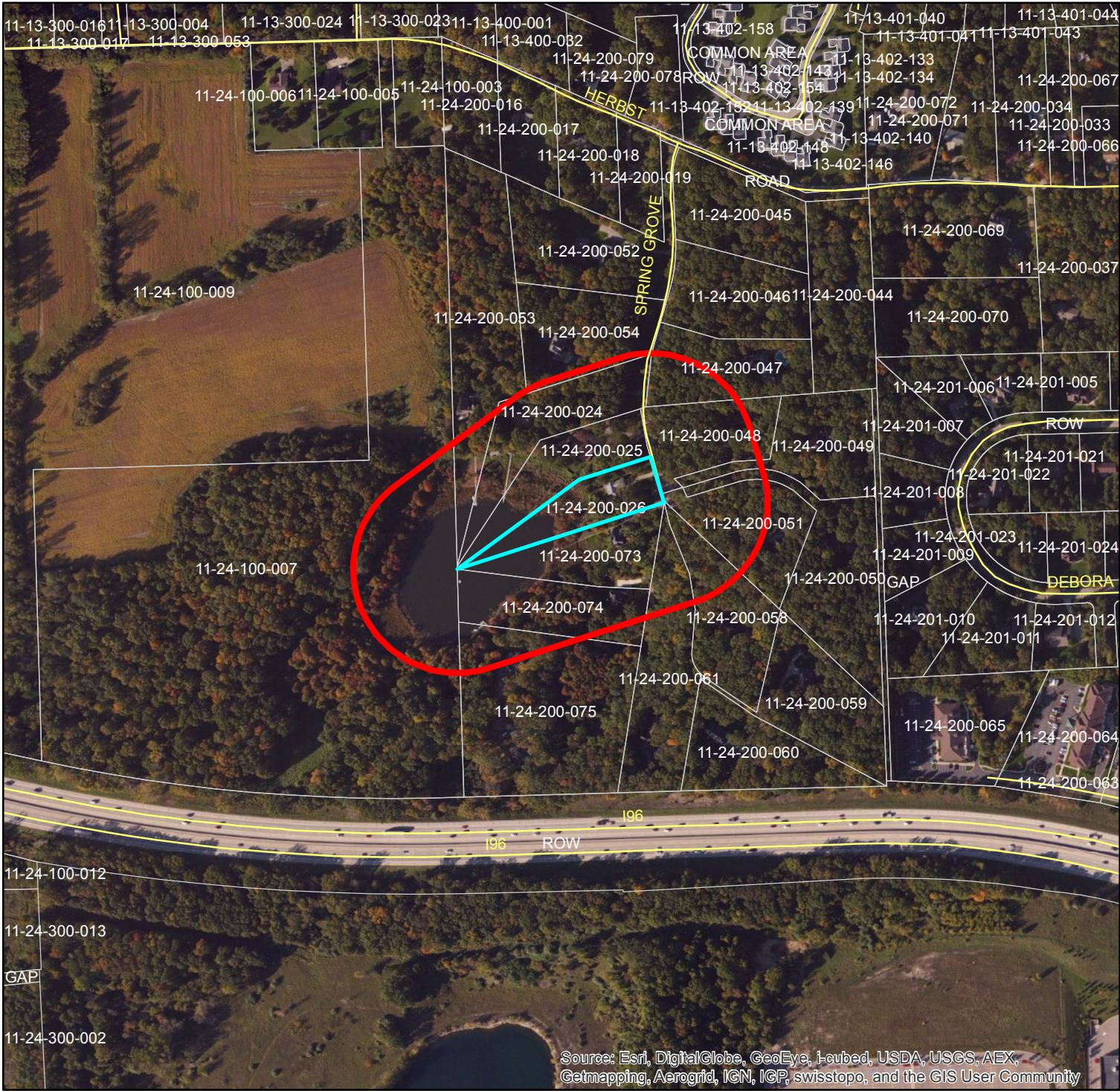
*** Information herein deemed reliable but not guaranteed***



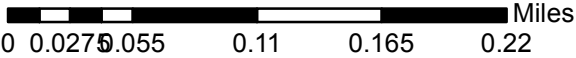
Sketch by Apex Medina™

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

300 Foot Buffer for Noticing



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

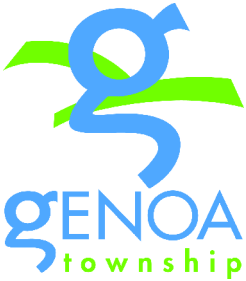


Variance Case #15-12

Applicant: James and Connie DeBrincat

Parcel: 4711-24-200-026

Meeting Date: June 16, 2015



May 26, 2015

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-13 Meeting Date: 6-16-15

- 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: Jess Peak

Property Address: 3828 Highest Dr. Phone: 810-444-7015

Present Zoning: LRR - Tax Code: 4711 - 22-302-200

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: Garage requested in front of house, Hill in back and on side w/out allow building.
2. Intended property modifications: Detached Garage in front yard.

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) Topography of lot doesn't allow garage on side or in back of house.
- 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: One paper copy of all drawings is required.**
- Waterfront properties must indicate setback from water from adjacent homes.
- Petitioner (or a Representative) must be present at the meeting

Date: 5/22/15

Signature: Jess Peak

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.



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 16, 2015
RE: ZBA 15-13

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

At the June 16, 2015 Zoning Board of Appeals meeting, the Board voted to postpone decision on this request based upon a question regarding the location of a sewer main leading to the homes grinder pump. After the meeting staff has reviewed and determined that the sewer main is located where the proposed accessory building is to be located.

The utility department allows for individuals to relocate these sewer mains. In order to proceed with constructing the detached accessory building in this location the applicant has elected to relocate the main. (see attached e-mail)

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

Ron Akers

From: Jess Peak <peakjr@gmail.com>
Sent: Monday, July 13, 2015 5:31 PM
To: Ron Akers
Subject: Garage/Sewer Line

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ron,

Based on our conversations with the utility representative, they are allowing us to move the sewer line out of the way of the new garage. This being the case, we plan on proceeding with the project as we first presented it. Prior to construction we will have the line moved and inspected.

Can you please provide the contact information of the woman we spoke to last month regarding the line?

Thanks

Jess

Charter Township of Genoa
ZONING BOARD OF APPEALS
June 16, 2015
CASE #15-13

PROPERTY LOCATION: 3828 Highcrest Dr.

PETITIONER: Jess Peak

ZONING: LRR (Lake Resort Residential District)

WELL AND SEPTIC INFO: Sewer, Well

PETITIONERS REQUEST: A variance in order 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	Rear Yard	Height	Setback from House
Required Setbacks	35'	5'	10'	N/A	14'	10'
Setbacks Requested	+50'	5'	+50'	N/A	12'	26'
Variance Amount	N/A	N/A	N/A	N/A	N/A	N/A



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: June 11, 2015
RE: ZBA 15-13

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

STAFF REPORT

File Number: ZBA#15-13

Site Address: 3828 Highcrest Dr.

Parcel Number: 4711-22-302-200

Parcel Size: 0.23 Acres

Applicant: Jess Peak, 3828 Highcrest Dr. Brighton, MI 48116

Property Owner: Same as Applicant

Information Submitted: Application, site plan, building plans

Request: Dimensional Variances

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

Zoning and Existing Use: LRR (Lake Resort Residential), Single Family Residential

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday May 31, 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 (1,590 square feet) built in 1979.
- The single family dwelling is connected to public sewer and has an existing well.
- 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 construct a 22' X 32' (704 square feet) detached accessory building on the property. Due to the location of the house on the property the applicant is requesting a variance to construct the garage in the front yard.



Variance Requests

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

Section 11.04.02(c): Restrictions in the 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 application of the provision which prohibits the construction of a detached accessory building in the front yard would limit the ability of the applicant to construct a garage-sized detached accessory building on the property. The existing house on the property is located in the northeast corner of the property and there is a driveway easement which is located along the southern property boundary. Due to these, the size of the rear and side yards, and the prohibition of placing detached accessory buildings in the front yard, the applicant's ability to place a detached accessory building on the property is limited.

Extraordinary Circumstances: The extraordinary circumstances applicable to the property are the existing location of the house on the property and that the property is not a waterfront lot. There is an exception in the Zoning Ordinance which allows detached accessory buildings to be constructed in the front yard on waterfront lots in the LRR district. This property is within the LRR district, but is not a water front lot, which is unusual for parcels zoned LRR.

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

Impact on Surrounding Neighborhood – The proposed variance would have little impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. It is setback a sufficient distance from the road and adjacent properties and should have a limited impact on values.

Staff Findings of Fact

1. Strict application of the regulation which prohibits the construction of detached accessory buildings in the front yard would limit the applicant's ability to construct a garage-sized detached accessory building on the property.
2. The extraordinary or exceptional circumstances applicable to this property are the existing location of the house on the lot and that the parcel is not a waterfront lot.
3. The need for the variances is due to the existing location of the house on the property which limits the building envelope for a detached accessory building.
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.

MORTGAGE SURVEY

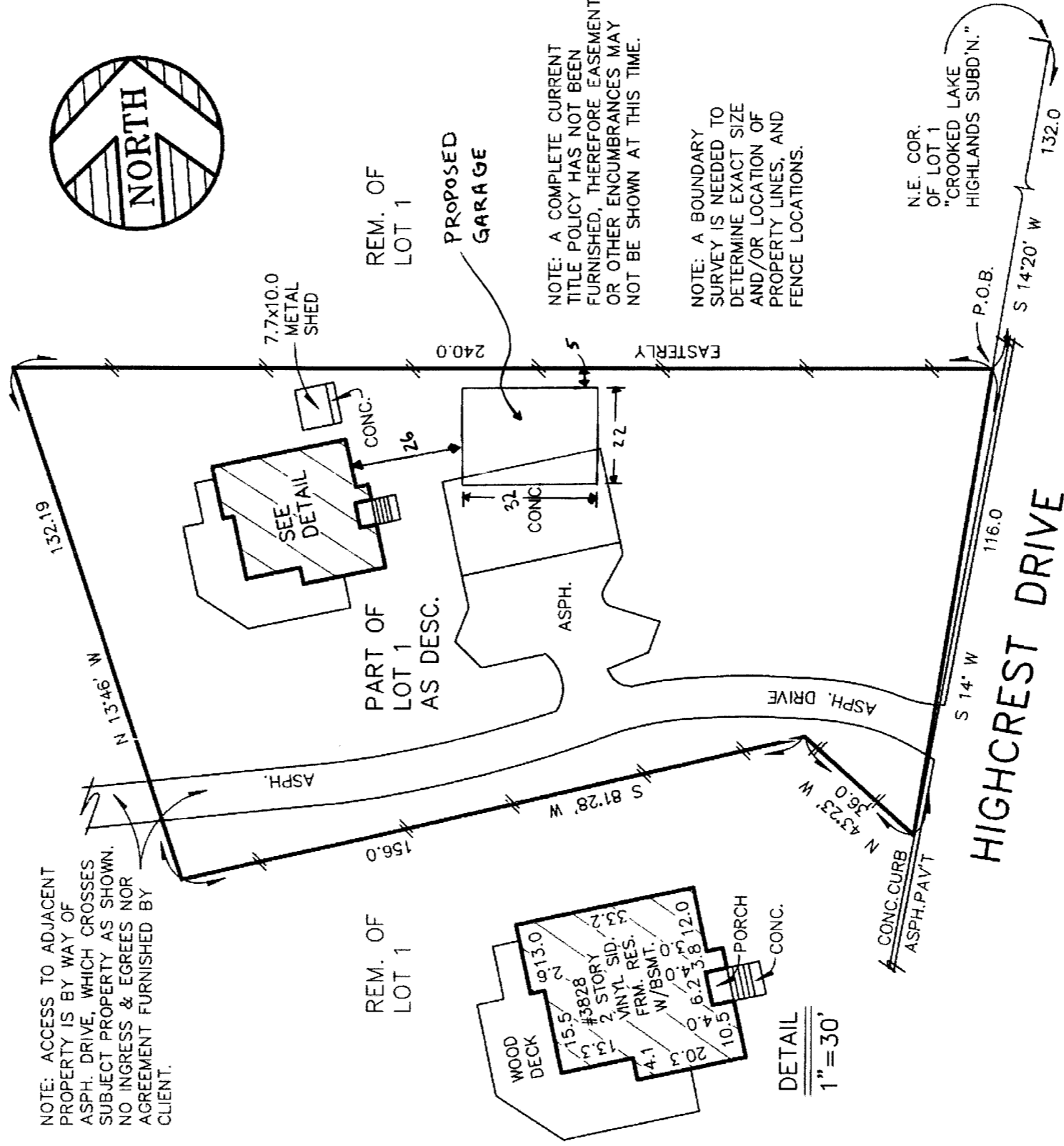
Certified to: ADVANCE BUILDING

Applicant: JESS PEAK

Property Description:

Land in the Township of Genca, Livingston County, Michigan, described as: Beginning at the Northeast corner of Lot 1; CROOKED LAKE HIGHLANDS SUBDIVISION, as recorded in Liber 1 of Plats, Pages 39 and 40, Livingston County Records; thence South 14 degrees 20 minutes West 132 feet for a point of beginning; thence continuing South 14 degrees 20 minutes West 116 feet; thence North 43 degrees 23 minutes West 36 feet; thence South 81 degrees 28 minutes West 156 feet; thence North 13 degrees 46 minutes West 132.19 feet; thence Easterly 240 feet to the point of beginning.

Note: The property description is as taken from Livingston County Tax Rolls.



NOTE: ACCESS TO ADJACENT PROPERTY IS BY WAY OF ASPH. DRIVE, WHICH CROSSES SUBJECT PROPERTY AS SHOWN. NO INGRESS & EGRESSES NOR AGREEMENT FURNISHED BY CLIENT.

NOTE: A COMPLETE CURRENT TITLE POLICY HAS NOT BEEN FURNISHED, THEREFORE EASEMENTS OR OTHER ENCUMBRANCES MAY NOT BE SHOWN AT THIS TIME.

NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.

N.E. COR. OF LOT 1 "CROOKED LAKE HIGHLANDS SUBD'N."

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

L. St. Augustin Jr.

JOB NO: 15-01336 SCALE: 1"=40'
DATE: 04/24/15 DR BY: LAO

THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.



KEM-TEC
A GROUP OF COMPANIES

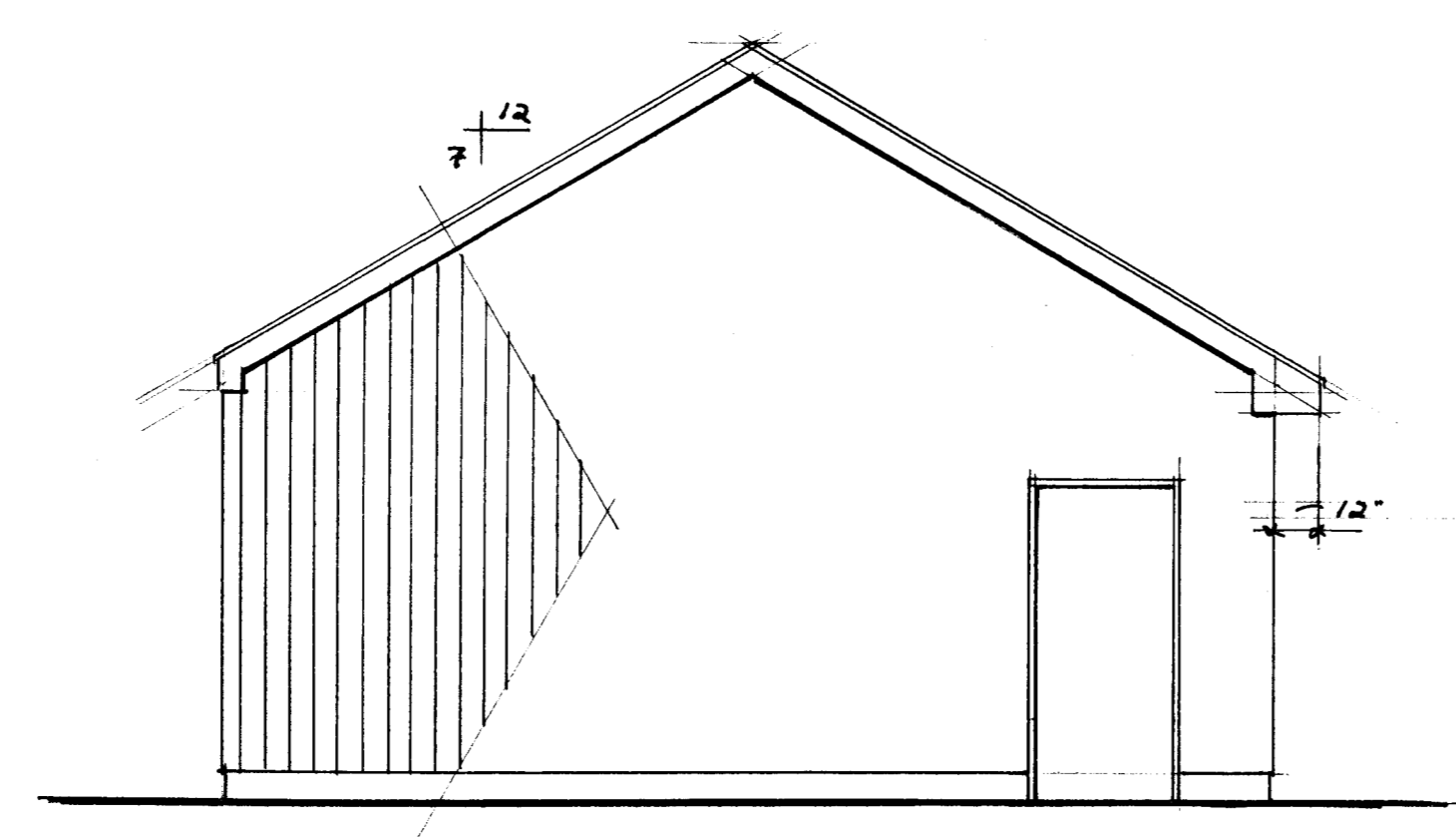
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SURVEYING & ENVIRONMENTAL
SERVICES

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Detroit (313) 758.0677
Ann Arbor (734) 994.0888
Grand Blanc (888) 694.0001
FAX: (586) 772.4048 FAX: (586) 772.4048 FAX: (734) 994.0667 FAX: (810) 694.9955

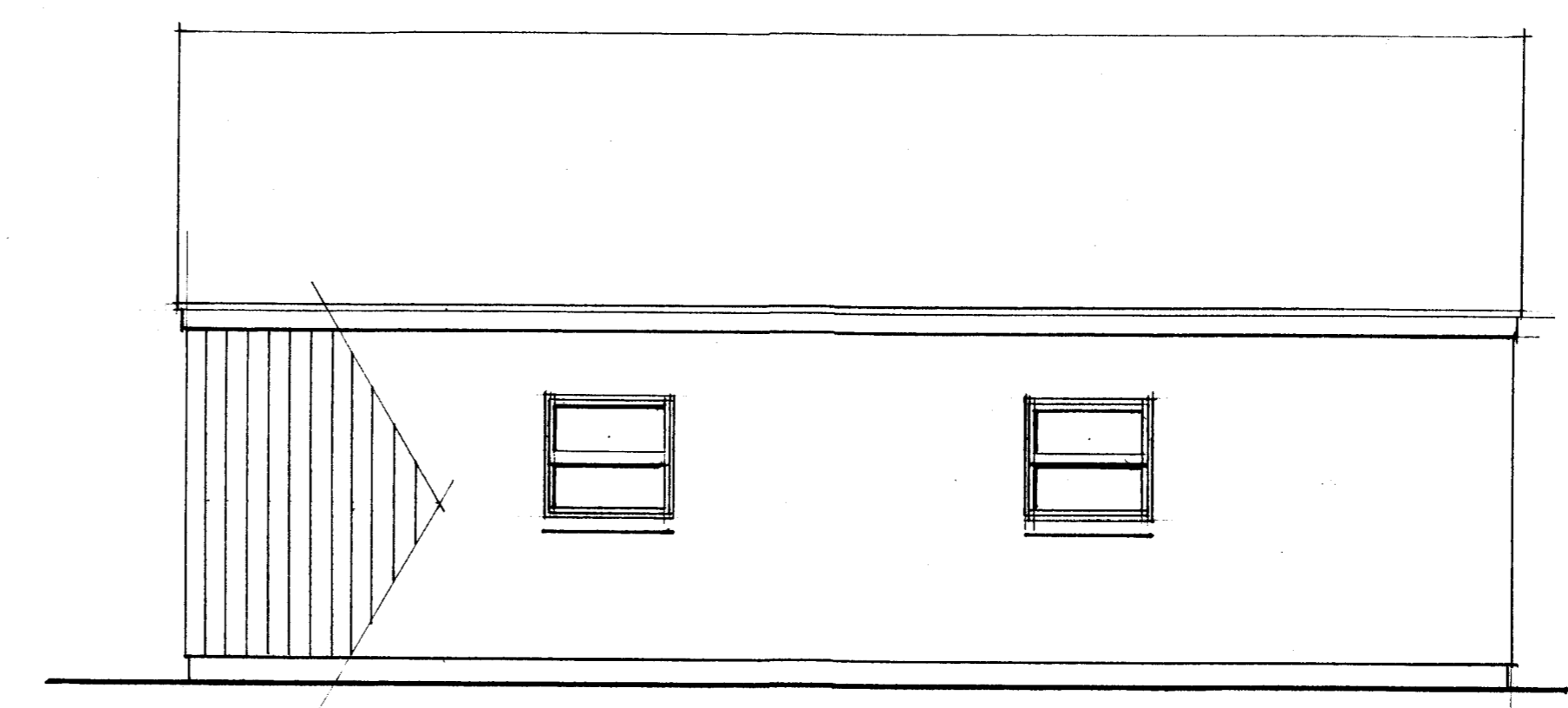
www.kemtecgroupofcompanies.com

date 4.30.15
 rev. _____
 rev. _____
 rev. _____

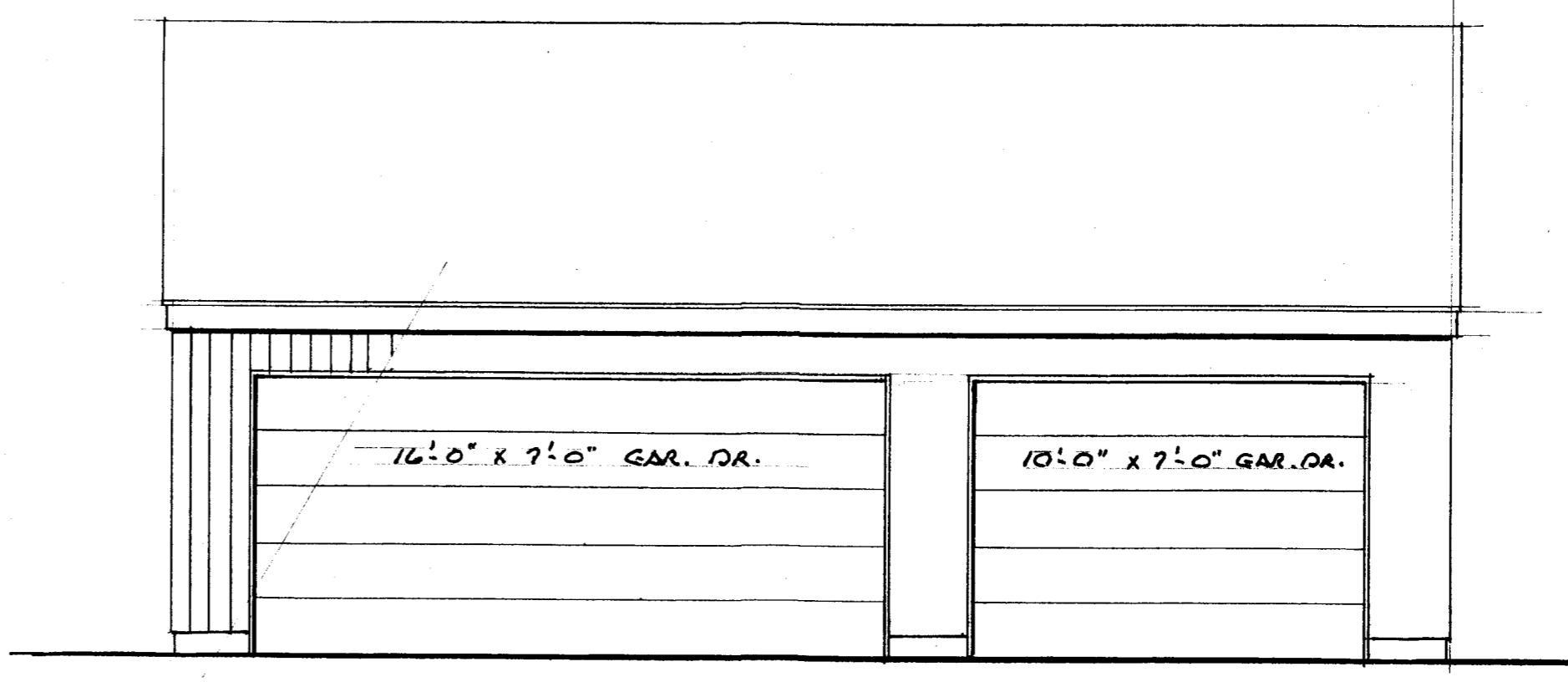
ARCHITECTURALLY SPEAKING
 1981 FARRINGTON ROAD
 LIVONIA, MICHIGAN 48154
 PHONE 248.215.9386
 120 anthur street
 charlevoix michigan
 49720 616-547-4040



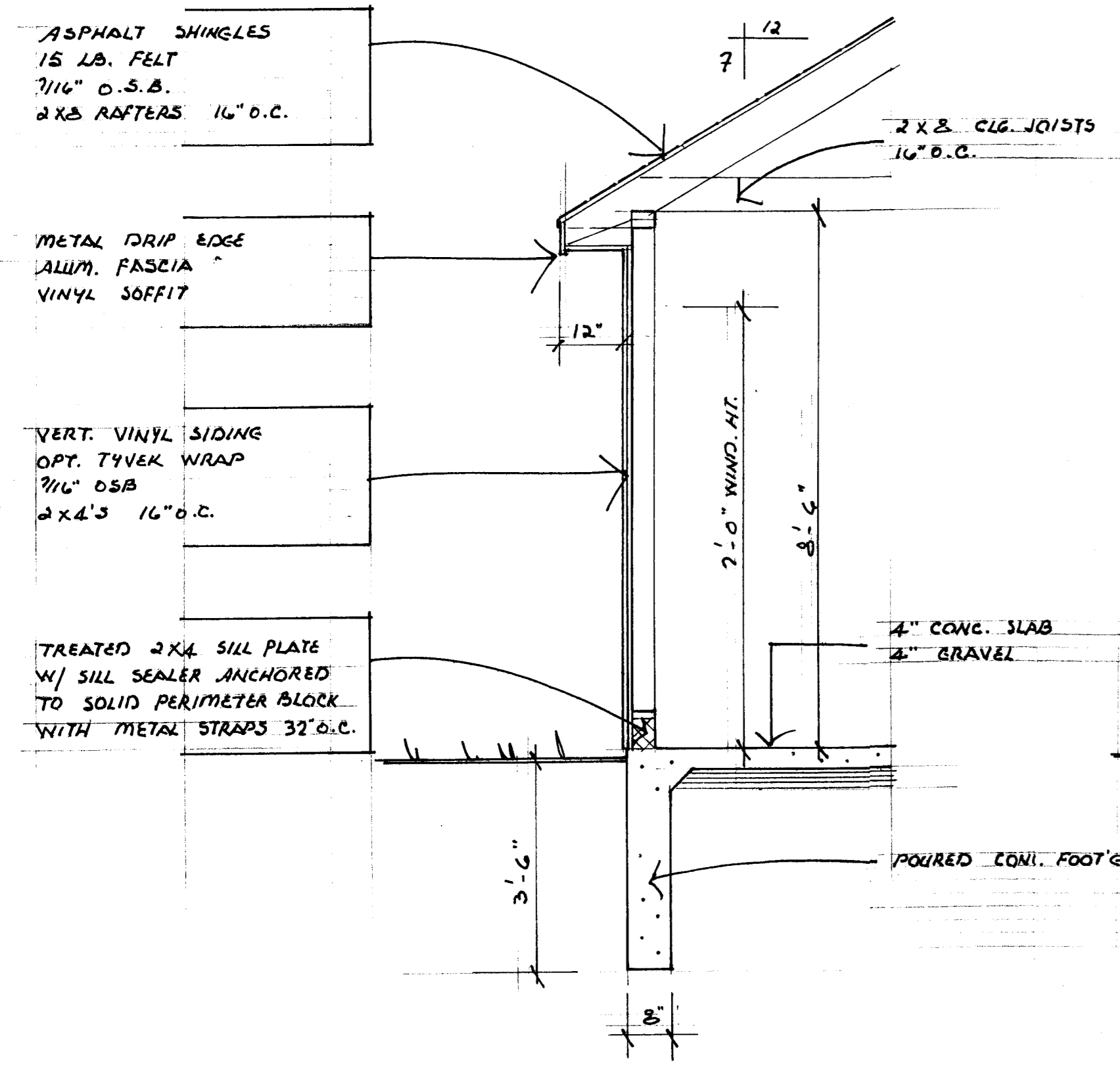
WEST SIDE VIEW



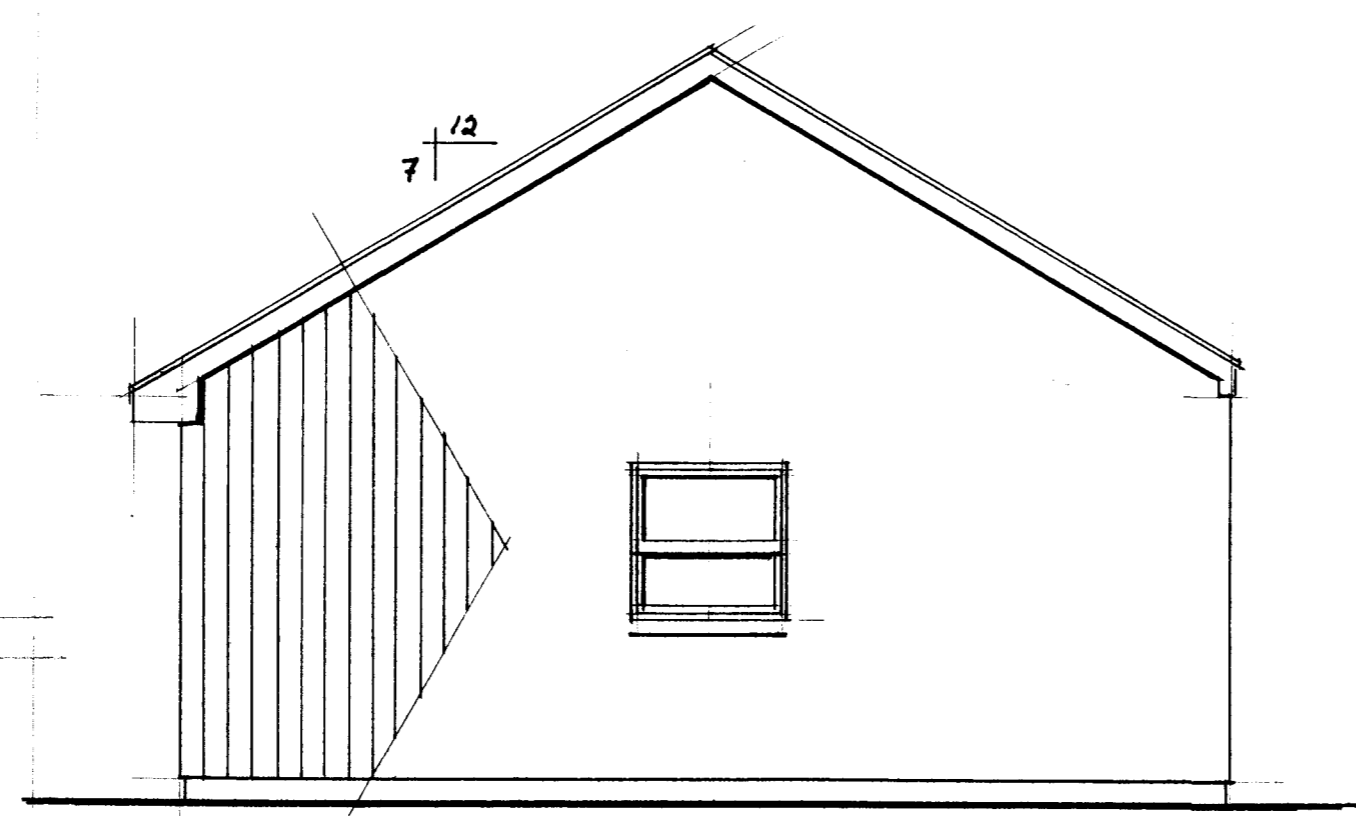
NORTH ELEV. 1/4"=1'-0"



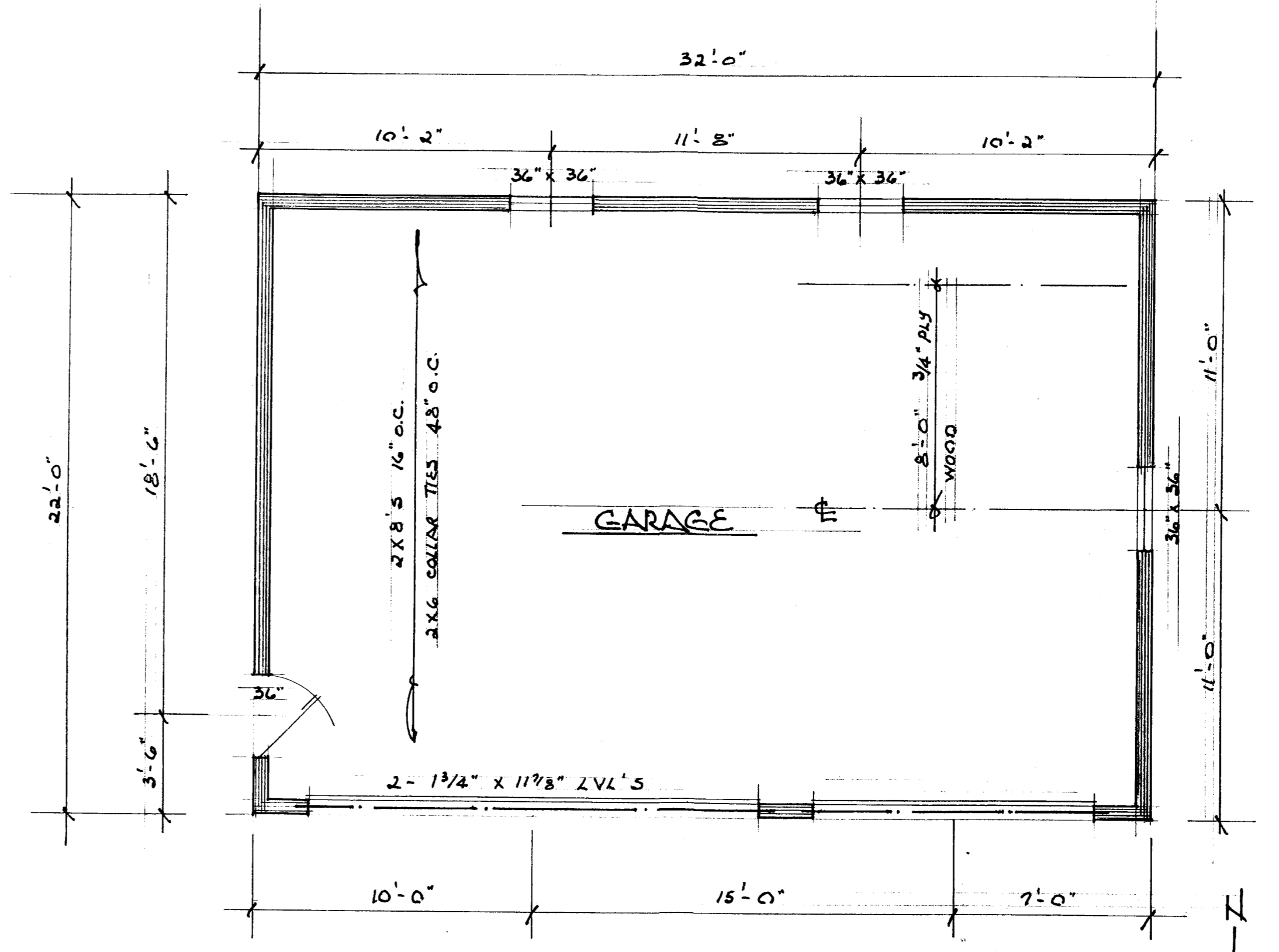
SOUTH ELEVATION 1/4"=1'-0"



WALL SECTION 1/2"=1'-0"



EAST SIDE VIEW



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

project: PROPOSED GARAGE :
 PEAK RESIDENCE
 3828 HIGHCREST
 BRIGHTON MICHIGAN

job no.
 2015-47
 sheet no.
 1 of 1

ZBA 15-13 Area Map

GROVER

NOBLE

HIGHCREST



1 inch = 150 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

06/10/2015 12:10 PM

Parcel:	4711-22-302-200	Current Class:	401.401 RESIDENTIAL-IMPROVED
Owner's Name:	PEAK JESS & CHERIE	Previous Class:	401.401 RESIDENTIAL-IMPROVED
Property Address:	3828 HIGHCREST BRIGHTON, MI 48116	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V15-13
		School:	47010 BRIGHTON
		Neighborhood:	4303 4303 TRI LAKES NON LAKEFRONT
Liber/Page:	2010R-001889	Created:	//
Split:	//	Active:	Active
Public Impr.:	None		
Topography:	REFUSE		
Mailing Address:	PEAK JESS & CHERIE 3828 HIGHCREST BRIGHTON MI 48116		

Most Recent Sale Information

Sold on 12/30/2009 for 196,000 by NOVAK JEFFREY A.

Terms of Sale: ARMS-LENGTH

Liber/Page: 2010R-001889

Most Recent Permit Information

None Found

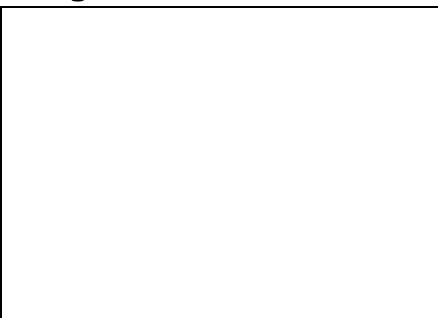
Physical Property Characteristics

2016 S.E.V.:	Tentative	2016 Taxable:	Tentative	Lot Dimensions:	
2015 S.E.V.:	109,100	2015 Taxable:	104,648	Acres:	0.23
Zoning:	LRR	Land Value:	65,738	Frontage:	50.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	200.0

Improvement Data

of Residential Buildings: 1
Year Built: 1979
Occupancy: Single Family
Class: C+15
Style: C
Exterior: Wood Siding
% Good (Physical): 86
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: 3
Full Baths: 2 Half Baths: 0
Floor Area: 1,590
Ground Area: 1,064
Garage Area: 0
Basement Area: 1,064
Basement Walls:
Estimated TCV: 150,632

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
NOVAK JEFFREY A	PEAK JESS & CHERIE	196,000	12/30/2009	WD	ARMS-LENGTH	2010R-001889	BUYER	100.0			
OSTERMAN, DAVID J. AND	NOVAK JEFFREY A	229,000	03/17/2004	WD	ARMS-LENGTH	4395/0514	BUYER	100.0			
OSTERMAN, CHARLES M. & LIN	OSTERMAN, DAVID J. & DAGGE	215,000	03/07/2002	WD	ARMS-LENGTH	3362-0024	BUYER	100.0			
POPE, LAURA LEE	OSTERMAN	170,000	07/18/1997	WD	ARMS-LENGTH	2209-0895	BUYER	100.0			
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)		Date	Number	Status		
3828 HIGHCREST		School: BRIGHTON									
		P.R.E. 100% 01/08/2010									
Owner's Name/Address		MAP #: V15-13									
PEAK JESS & CHERIE 3828 HIGHCREST BRIGHTON MI 48116		2016 Est TCV Tentative									
		X	Improved	Vacant	Land Value Estimates for Land Table 00028.TRI LAKES						
		Public Improvements		* Factors *							
		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Gravel Road		0	50.00	200.00	1.0000	1.1952	1100	100	65,738
		Paved Road		50 Actual Front Feet, 0.23 Total Acres Total Est. Land Value = 65,738							
		Storm Sewer									
		Sidewalk									
		Water									
		Sewer									
		Electric									
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
		X	REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
		Who	When	What	2016	Tentative	Tentative	Tentative		Tentative	
						32,900	76,200	109,100		104,648C	
						41,800	61,200	103,000		103,000S	
						41,800	59,600	101,400		101,400S	

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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 1 Wood Stove 1 Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:							
X	Wood Frame			X	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling									500 50 50	Pine Wood Balcony Wood Balcony								
Building Style: C		Trim & Decoration		Central Air Wood Furnace			Stories Exterior			Foundation			Rate			Bsmnt-Adj		Heat-Adj		Size		Cost	
Yr Built 1979	Remodeled 0	Ex	X	Ord		Min	No. of Elec. Outlets			Rate			Bsmnt-Adj			Heat-Adj		Size		Cost			
Condition for Age: Good		Lg	X	Ord		Small	Many			Rate			Bsmnt-Adj			Heat-Adj		Size		Cost			
Room List		Doors:		Solid	X	H.C.	Average Fixture(s)			Rate			Bsmnt-Adj			Heat-Adj		Size		Cost			
Basement 1st Floor 2nd Floor 3 Bedrooms							2 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			172.80 87.89 76.44			0.00 0.00 0.00			0.00 0.00 0.00		432 376 256		52,186 33,047 19,569			
(1) Exterior							Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Phy/Ab.Phy/Func/Econ/Comb.%Good= 86/100/100/100/86.0, ECF (4303 TRI LAKES NON LAKEFRONT)			0.920 =>			TCV of Bldg: 1 =							
X	Wood/Shingle Aluminum/Vinyl Brick						Lump Sum Items:																
	Insulation																						
(2) Windows																							
X	Many Avg. Few	X																					
	Large Avg. Small																						
	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																				
(3) Roof																							
X	Gable Hip Flat																						
	Gambrel Mansard Shed																						
X	Asphalt Shingle																						
	Chimney: Brick																						

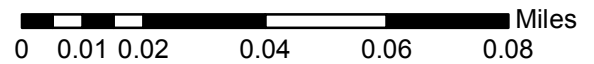
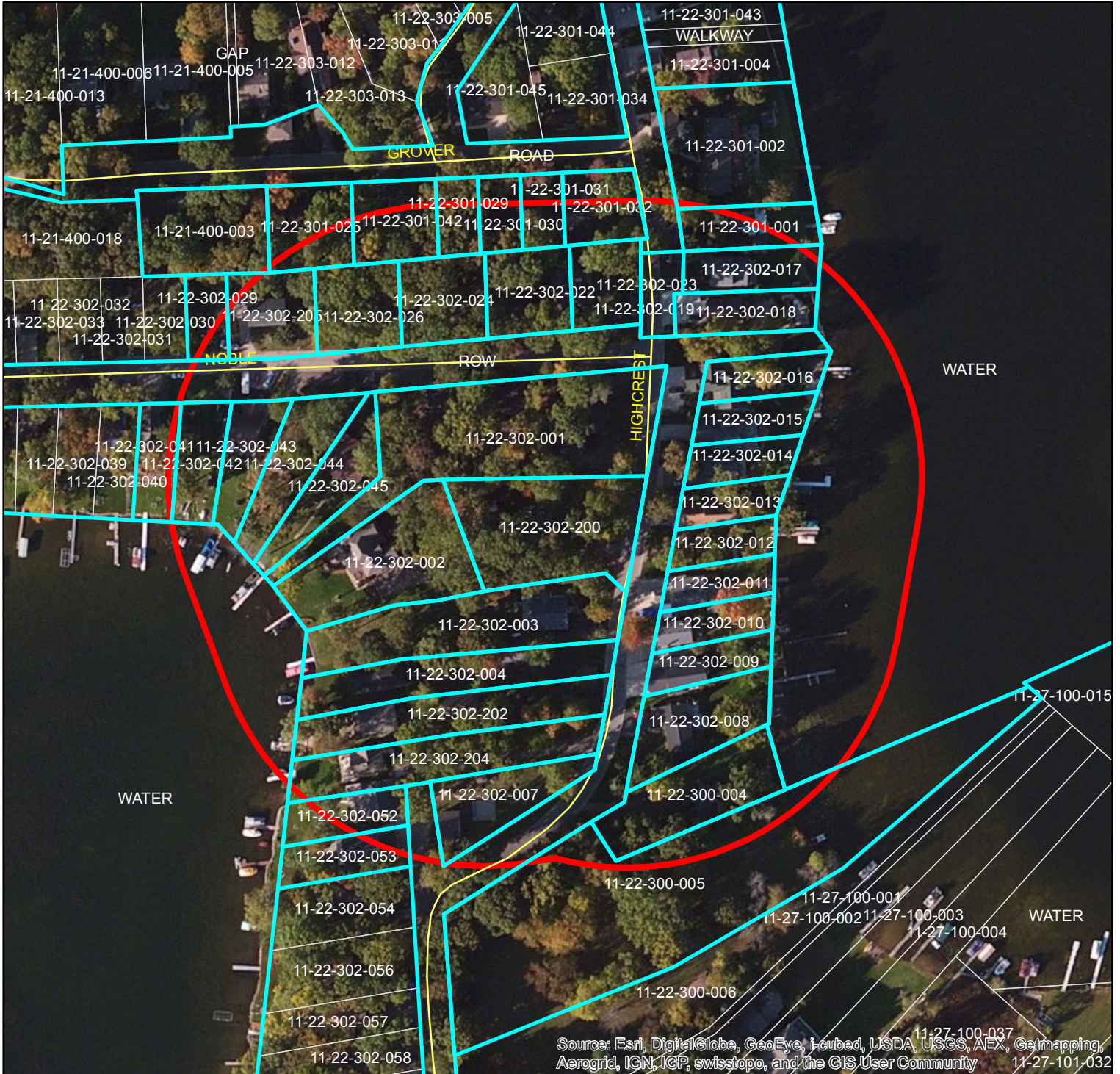
*** Information herein deemed reliable but not guaranteed***



Sketch by Apex Medina™

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

300 Foot Buffer for Noticing



Variance Case #15-13

Applicant: Jess Peak

Parcel: 4711-22-302-200

Meeting Date: June 16, 2015



May 26, 2015

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-14 Meeting Date: 6-16-15

- 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: TIM C HOWARD
Property Address: 1185 SUNRISE PARK Phone: 517-404-6527
Present Zoning: LRR Tax Code: 4711-09-201-014

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: 7' SIDE SETBACK

2. Intended property modifications: ADD GARAGE 24X24 AND SECOND STORY

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) THE LOT IS 32' WIDE AT THE ROAD SIDE
47' WIDE AT THE LAKE SIDE AND 91 FEET LONG
b. Other (explain) LEAVING A UNUSUAL SMALL BUILDING ENVELOPE

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

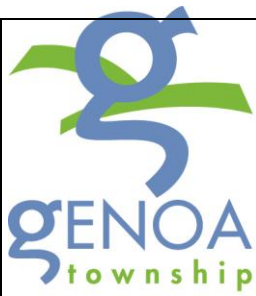
- **PROPERTY MUST BE STAKED SHOWING ALL** proposed improvements 5 days before the meeting and remain in place until after the meeting
- **Plot Plan drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. NOTE: One paper copy of all drawings is required.**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

Date: 5-22-15

Signature: [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.



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: July 16, 2015
RE: ZBA 15-14

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

At the June 16, 2015 Zoning Board of Appeals meeting the Board reviewed case 15-14 and elected to postpone decision on the application per the applicant's requests. This case has been brought before the Zoning Board of Appeals again for their review.

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

Charter Township of Genoa
ZONING BOARD OF APPEALS
June 16, 2015
CASE #15-14

PROPERTY LOCATION: 1185 Sunrise Park Dr.

PETITIONER: Tim Chouinard

ZONING: LRR (Lake Resort Residential District)

WELL AND SEPTIC INFO: Sewer, Well

PETITIONERS REQUEST: A side yard setback variance and a front yard setback variance to construct an attached garage and second story addition to an existing house.

CODE REFERENCE: Section 3.04.01

STAFF COMMENTS: See Attached Staff Report

	Front	One Side	Other Side	Shoreline	Height	-
Required Setbacks	35'	10'	10'	N/A	N/A	-
Setbacks Requested	24'	7.6'	3'	N/A	N/A	-
Variance Amount	11'	2.4'	7'	N/A	N/A	-



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Ron Akers, Zoning Official
DATE: June 12, 2015
RE: ZBA 15-14

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

STAFF REPORT

File Number: ZBA#15-14

Site Address: 1185 Sunrise Park Dr.

Parcel Number: 4711-09-201-014

Parcel Size: 0.103 Acres

Applicant: Tim Chouinard, Builder

Property Owner: Gary & Janice Letkemann, 1185 Sunrise Park Dr. Howell, MI 48843

Information Submitted: Application, site plan, building plans

Request: Dimensional Variances

Project Description: Applicant is requesting a side yard setback variance and a front yard setback variance to construct an attached garage and second story addition to the existing house.

Zoning and Existing Use: LRR (Lake Resort Residential), Single Family Residential

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday May 31, 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 (979 square feet) built in 1940.
- The property utilizes public sewer and has an existing well.
- 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 24' attached garage with a second story addition on the existing house. In order to do this the applicant will need a front yard setback variance and a side yard setback variance.



Variance Requests

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

Table 3.04.01: Required Front Yard Setback:	35'	Proposed Front Yard Setback:	24'	
	Required Side Yard Setback:	10'	Proposed Side Yard Setback:	7.6'
	Required Side Yard Setback:	10'	Proposed Side Yard Setback:	3'

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 front and side yard setbacks would prohibit the applicant from construction an attached garage onto the existing structure. The lot sizes around Sunrise Park are small and narrow. Additionally the orientation and location of the house on the lot makes meeting the side yard setbacks difficult.

Extraordinary Circumstances: The extraordinary circumstances are the small, narrow lot size, and the orientation of the house on the lot. Granting this variance would also make the property consistent with several other properties in the vicinity as many do not meeting the required front or side yard setbacks. The need for the variance is created due to the small, narrow lot size and orientation of the house on the lot.

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 24' front yard setback will allow for sufficient off street parking, and distance to allow motorists backing out of the garage enough room to view oncoming traffic.

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.

Staff Findings of Fact

1. Strict application of the front yard setback and side yard setback would prevent the applicant from constructing an addition on the front of the house.
2. The extraordinary or exceptional circumstances applicable to this property are the small, narrow lot size, the existing orientation of the house on the parcel and the existing location of the house on the parcel.
3. There are several homes in the vicinity which do not comply with the front and side yard setback requirements.
4. The need for the variances is due to the small narrow lot size, the existing orientation of the house on the parcel and the existing location of the house on the parcel.
5. 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.
6. The proposed front yard setback will allow sufficient room for additional off-street parking.
7. Granting the requested variances will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.



- ⊕ STORM CATCH BASIN (BEEHIVE)
- ⊞ STORM CATCH BASIN (SQUARE)
- ⊙ G GAS METER
- ⊞ GP GRINDER PUMP
- OH — OVERHEAD WIRES
- G — U.G. GAS LINES

Township Zoning Ordinance states that in the LXR Zoning of the side yards may be reduced to a minimum of five feet where all of the following are met: (1) The other side of the building is at least ten (10) feet. (2) The distance between the building on the adjacent lot shall be no less than ten feet. The roof shall have gutters. (as amended 3/5/10))
 - REAR = 40 FEET
 *SHORELINE SETBACK FOR SITES CONNECTED TO PUBLIC LAKESHORE RESORT RESIDENTIAL IS A MINIMUM OF 40 FEET CONSISTENT WITH THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS WHICHEVER IS GREATER AS DETERMINED BY THE ZONING

SURVEY NOTES:

BOUNDARIES WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PAGE 23, LIVINGSTON COUNTY RECORDS. SURFACE UTILITIES NOT LOCATED FOR THIS LOT MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO LOCATE SUCH UTILITIES. EASEMENTS OR RESTRICTIONS OF RECORD NOT SHOWN ON THIS DRAWING MAY EXIST.

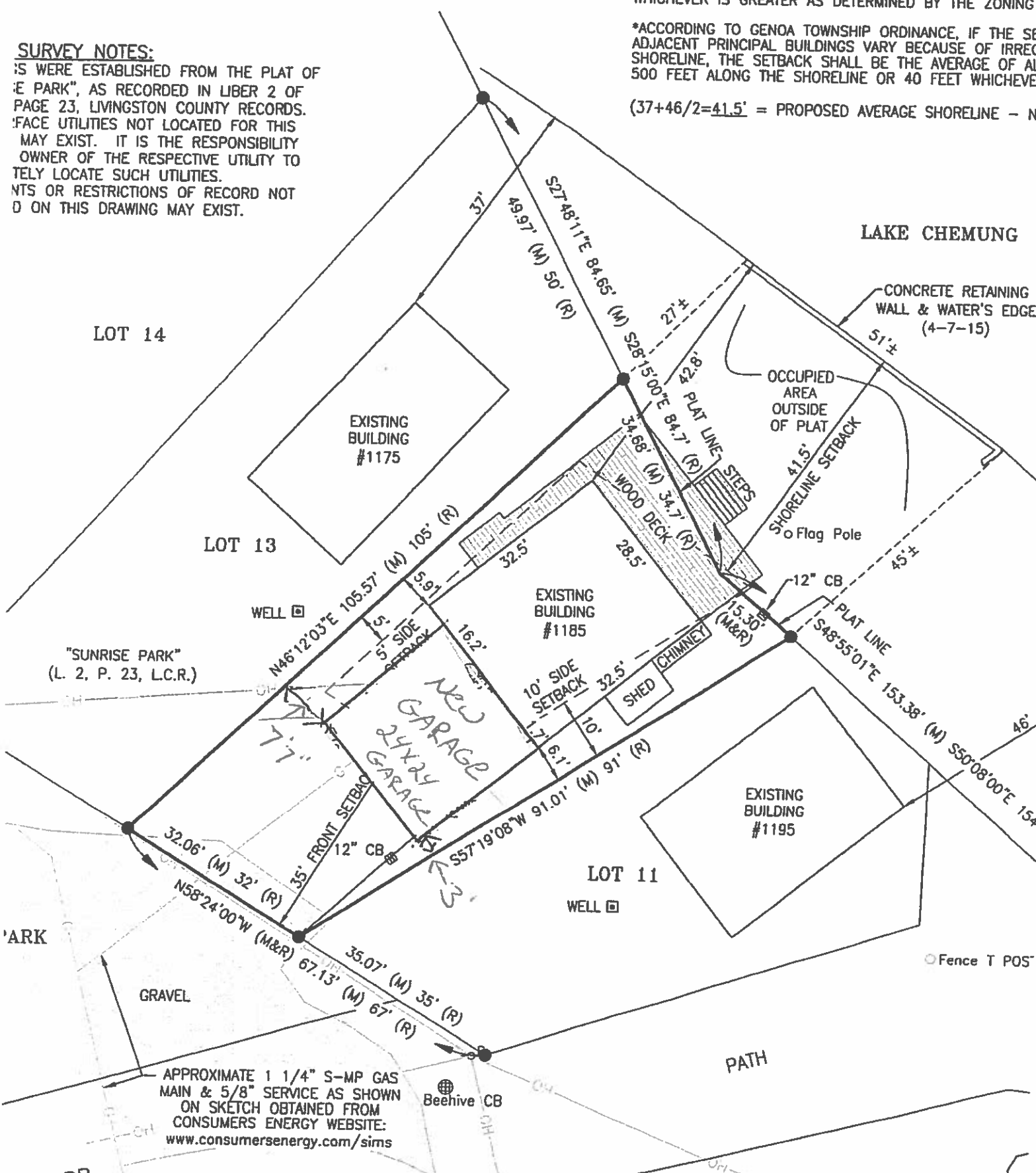
*ACCORDING TO GENOA TOWNSHIP ORDINANCE, IF THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS VARY BECAUSE OF IRREGULAR SHORELINE, THE SETBACK SHALL BE THE AVERAGE OF ALL 500 FEET ALONG THE SHORELINE OR 40 FEET WHICHEVER IS GREATER.
 $(37+46/2=41.5' = \text{PROPOSED AVERAGE SHORELINE} - \text{N}$

LOT 14







LOT 13

LOT 11

LAKE CHEMUNG



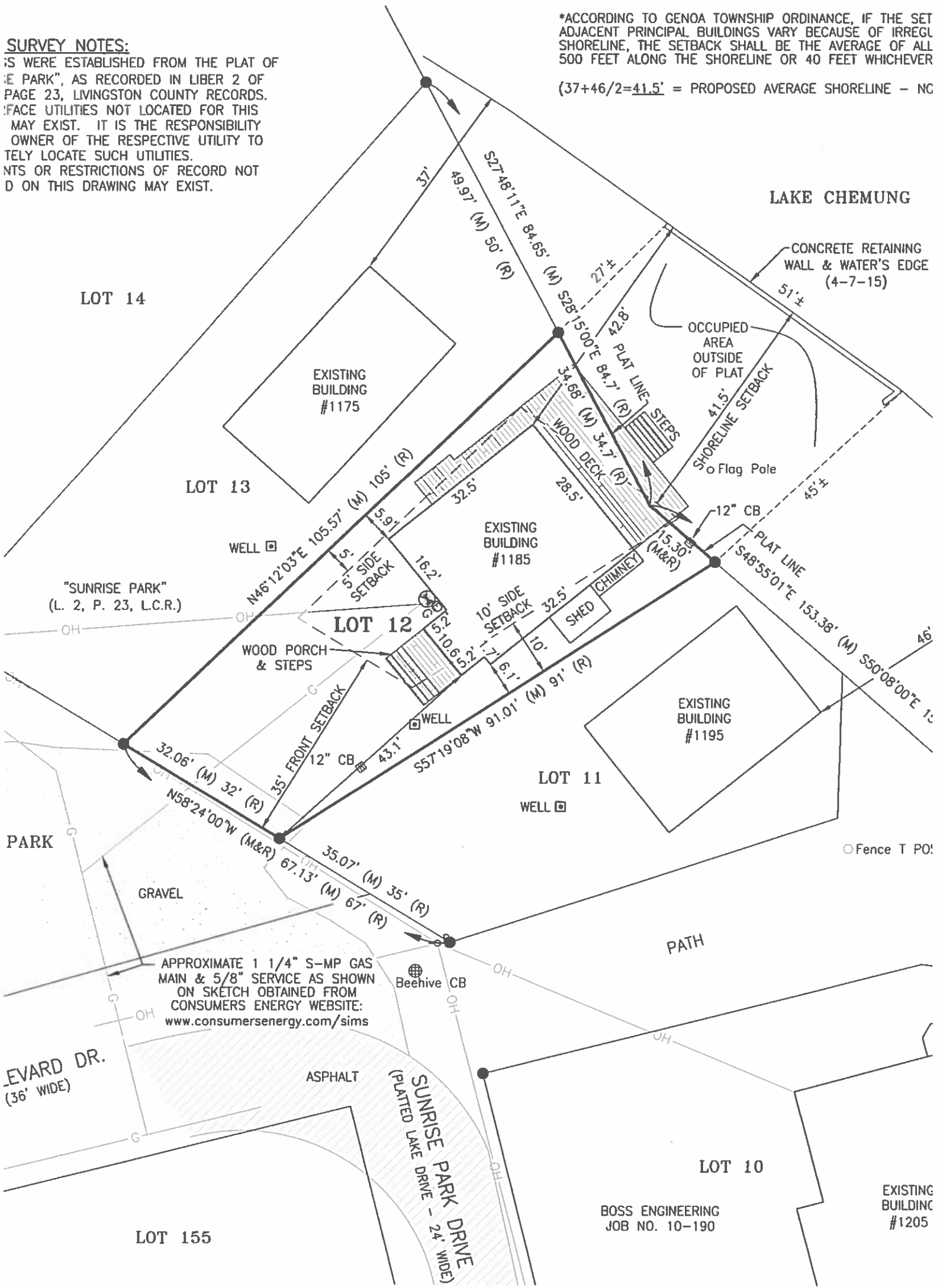
APPROXIMATE 1 1/4" S-MP GAS MAIN & 5/8" SERVICE AS SHOWN ON SKETCH OBTAINED FROM CONSUMERS ENERGY WEBSITE: www.consumersenergy.com/sims

-  STORM CATCH BASIN (BEEHIVE)
-  STORM CATCH BASIN (SQUARE)
-  GAS METER
-  GRINDER PUMP
-  OVERHEAD WIRES
-  U.G. GAS LINES

Township Zoning Ordinance states that in the LRR Zoning of the side yards may be reduced to a minimum of five where all of the following are met: (1) The other side yard shall be at least ten (10) feet. (2) The distance between the building on the adjacent lot shall be no less than ten (10) feet. The roof shall have gutters. (as amended 3/5/10))
 -REAR = 40 FEET
 *SHORELINE SETBACK FOR SITES CONNECTED TO PUBLIC SEWER IS A MINIMUM OF 40 FEET. LAKESHORE RESORT RESIDENTIAL IS A MINIMUM OF 40 FEET. CONSISTENT WITH THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS WHICHEVER IS GREATER AS DETERMINED BY THE ZONING ORDINANCE.

SURVEY NOTES:
 THE CORNERS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PAGE 23, LIVINGSTON COUNTY RECORDS. SURFACE UTILITIES NOT LOCATED FOR THIS PROJECT MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES. ERECTIONS OR RESTRICTIONS OF RECORD NOT SHOWN ON THIS DRAWING MAY EXIST.

*ACCORDING TO GENOA TOWNSHIP ORDINANCE, IF THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS VARY BECAUSE OF IRREGULAR SHORELINE, THE SETBACK SHALL BE THE AVERAGE OF ALL SETBACKS ALONG THE SHORELINE OR 40 FEET WHICHEVER IS GREATER.
 $(37+46/2=41.5' = \text{PROPOSED AVERAGE SHORELINE SETBACK})$



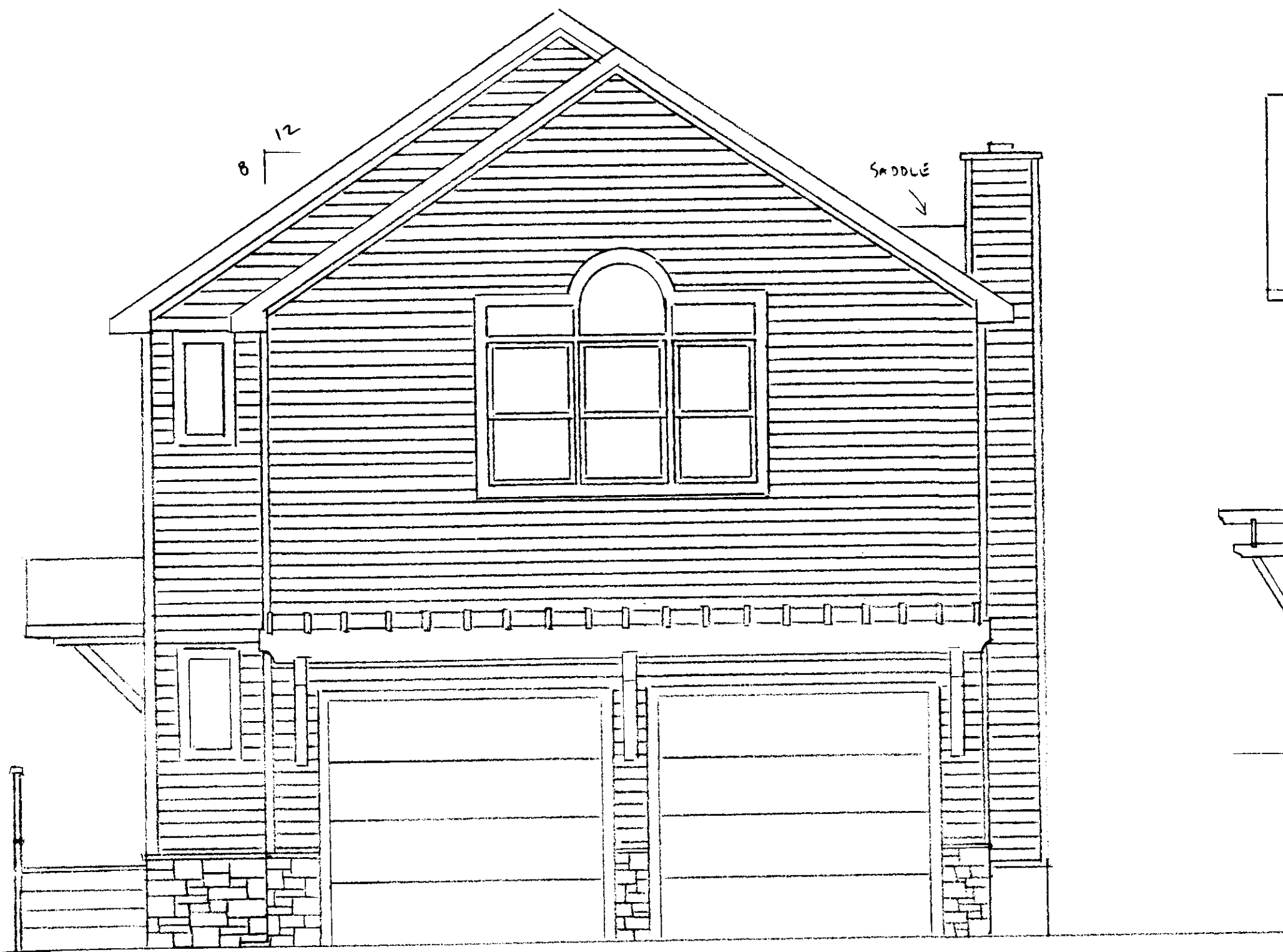
"SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS, BEING THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 36N, RANGE 5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.

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

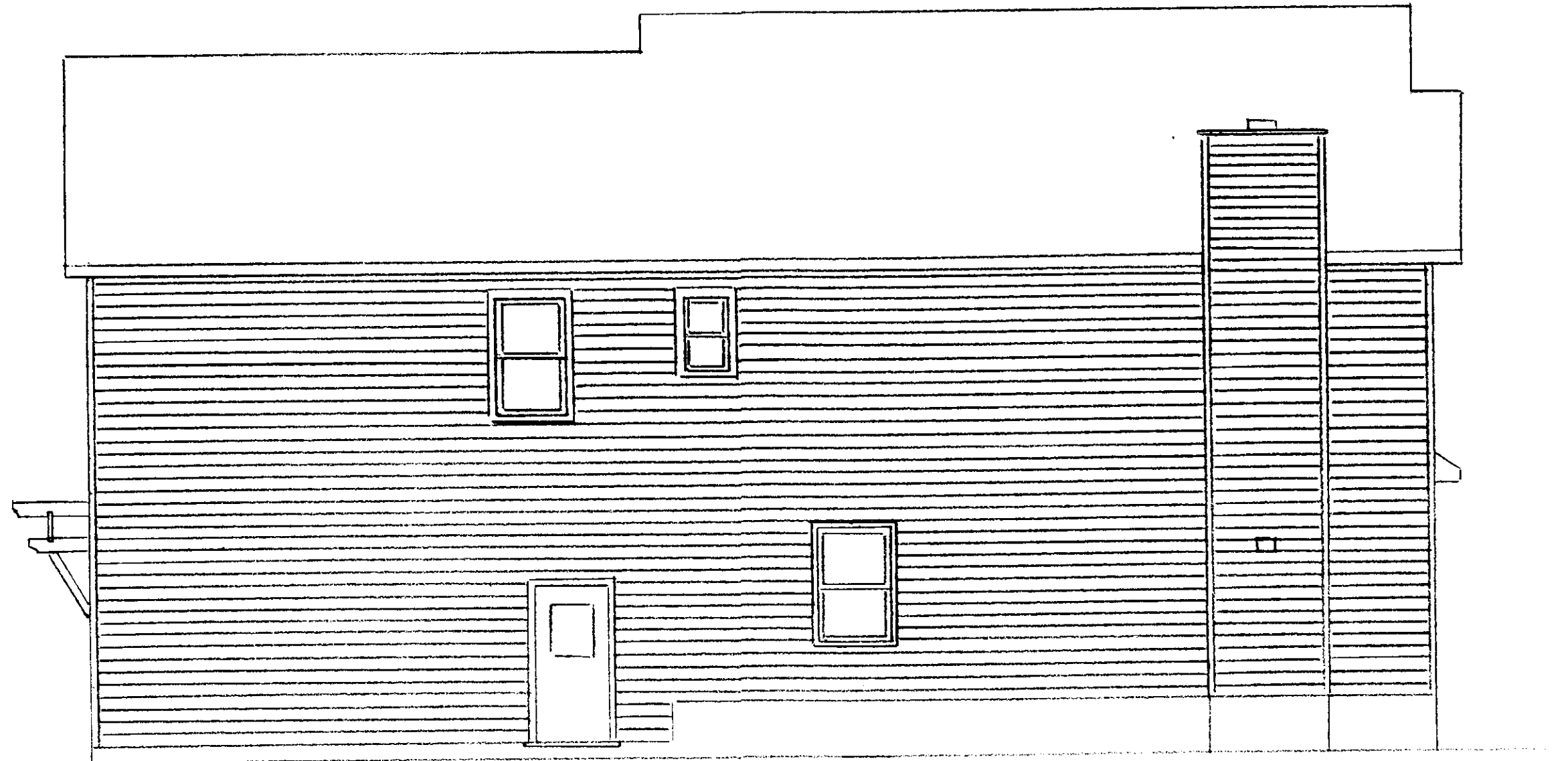
THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE

BOSS ENGINEERING
 JOB NO. 10-190

EXISTING BUILDING #1205

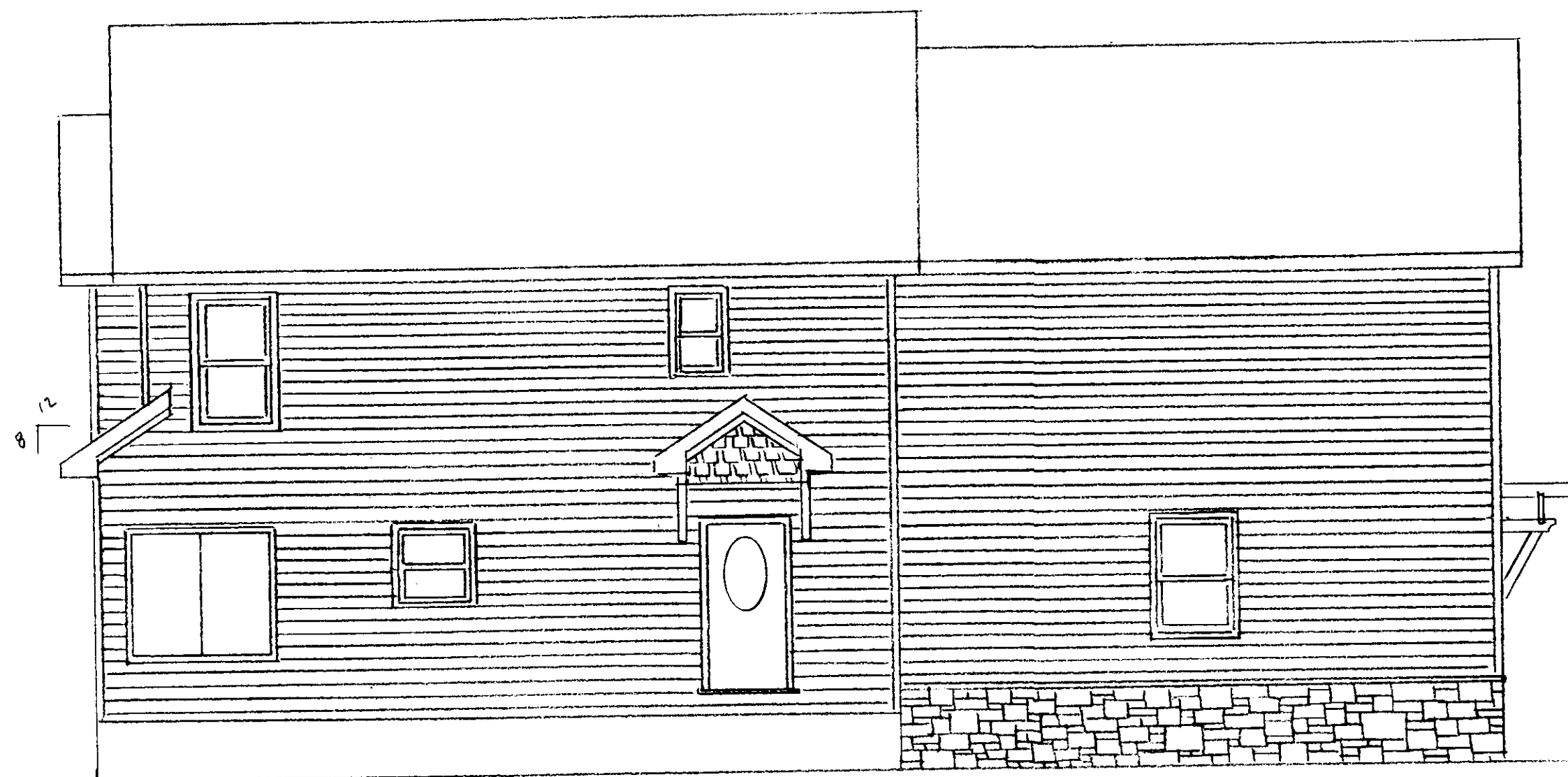


FRONT (STREET) ELEVATION
SCALE: 1/4" = 1'0"



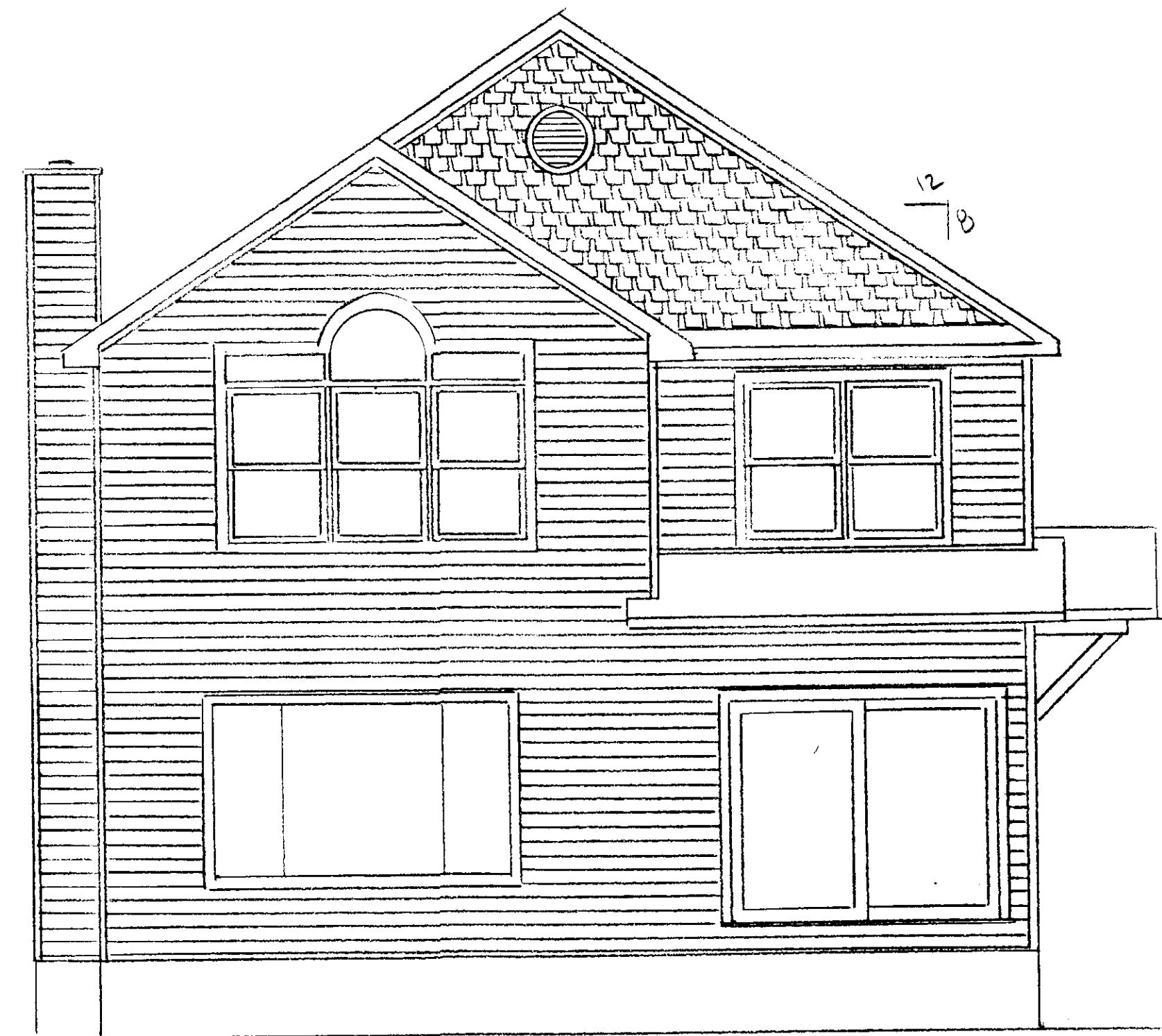
LEFT ELEVATION
SCALE: 3/16" = 1'0"

NOTE: EXISTING DECK NOT SHOWN

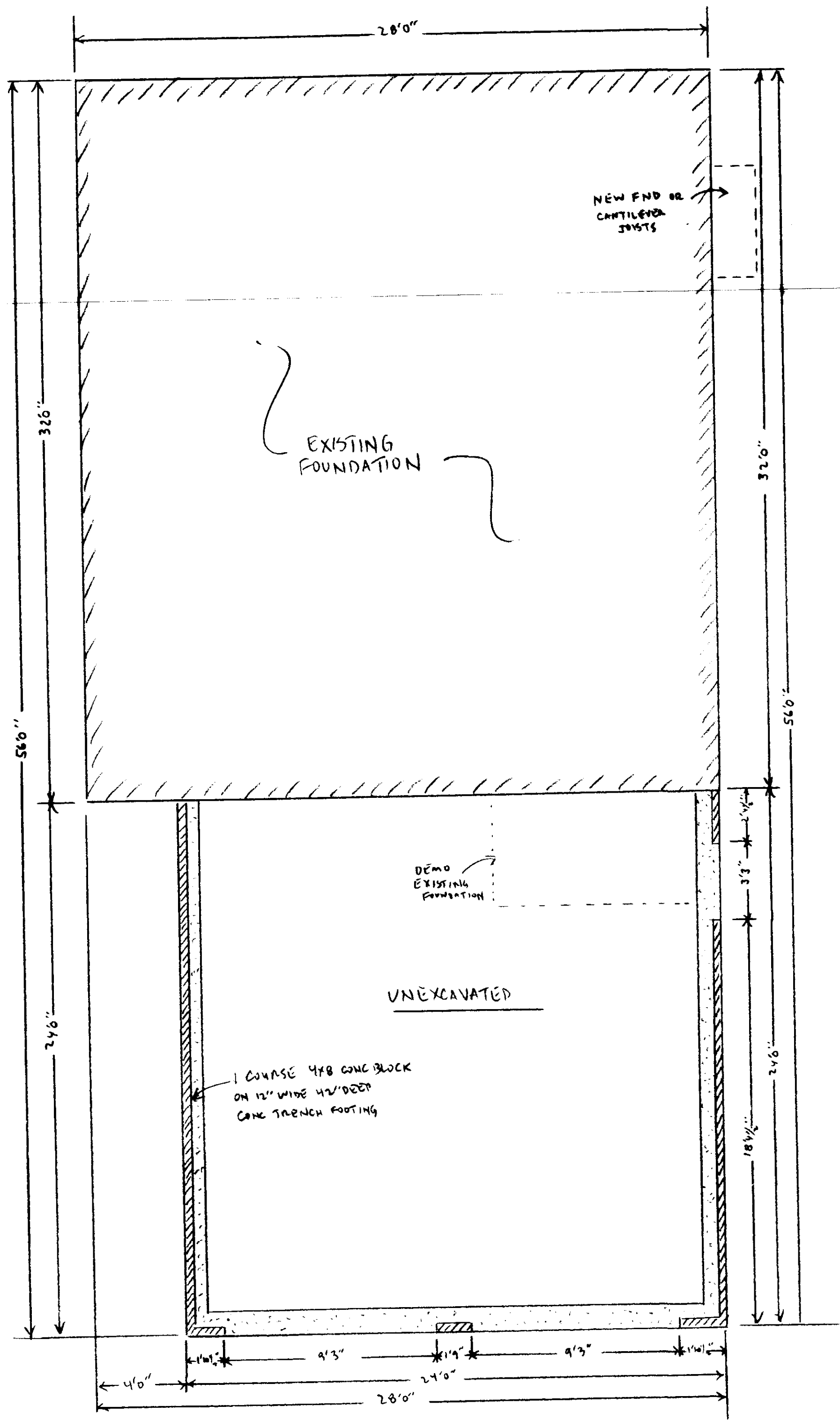


RIGHT ELEVATION
SCALE: 3/16" = 1'0"

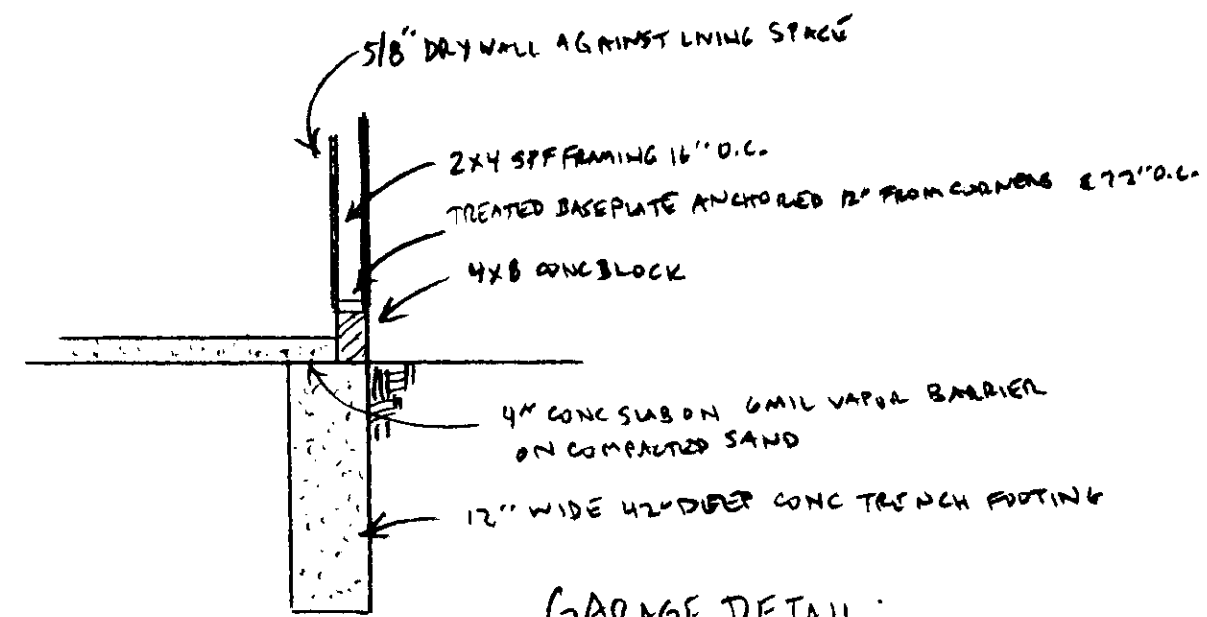
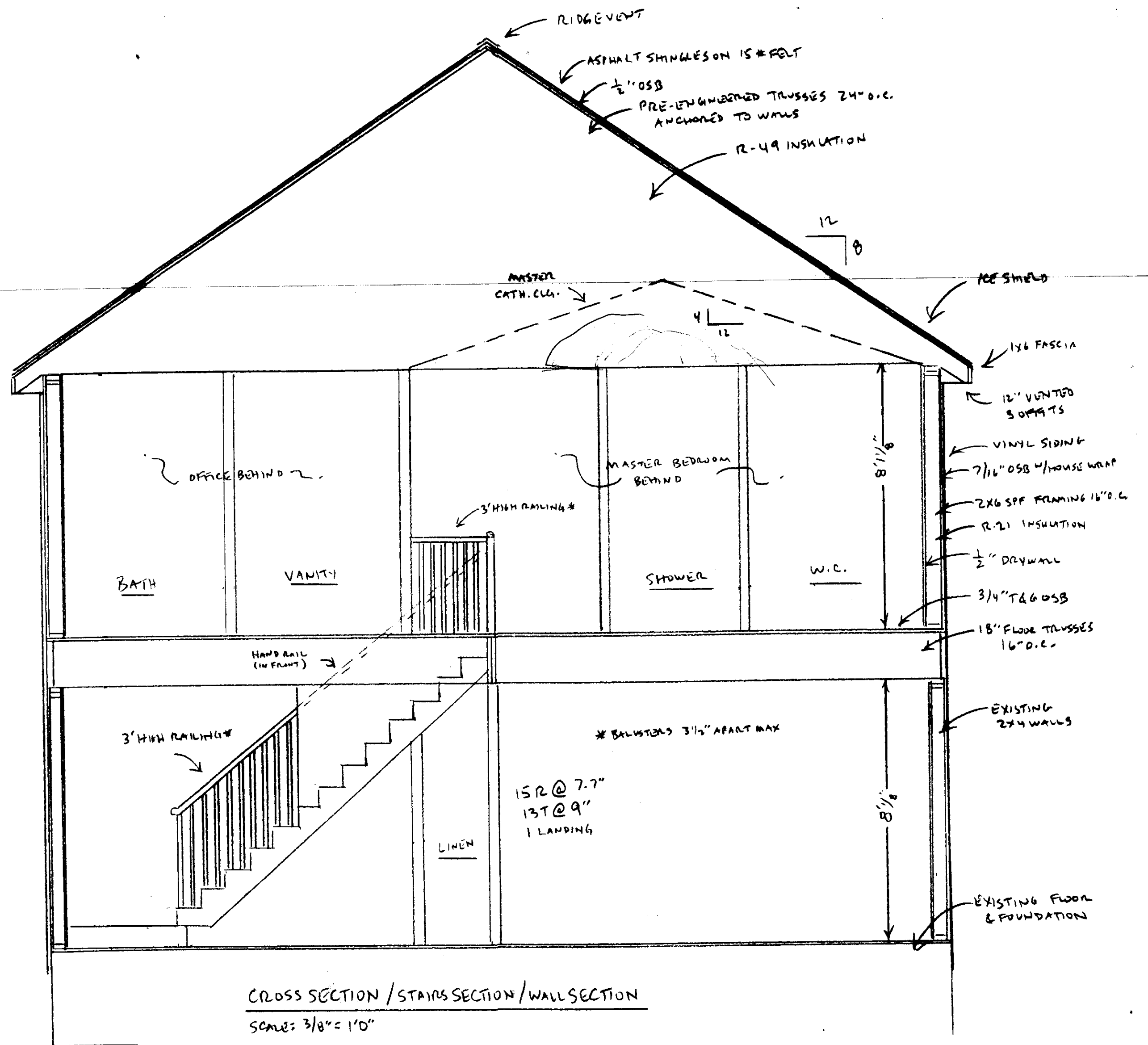
NOTE: EXISTING DECK NOT SHOWN



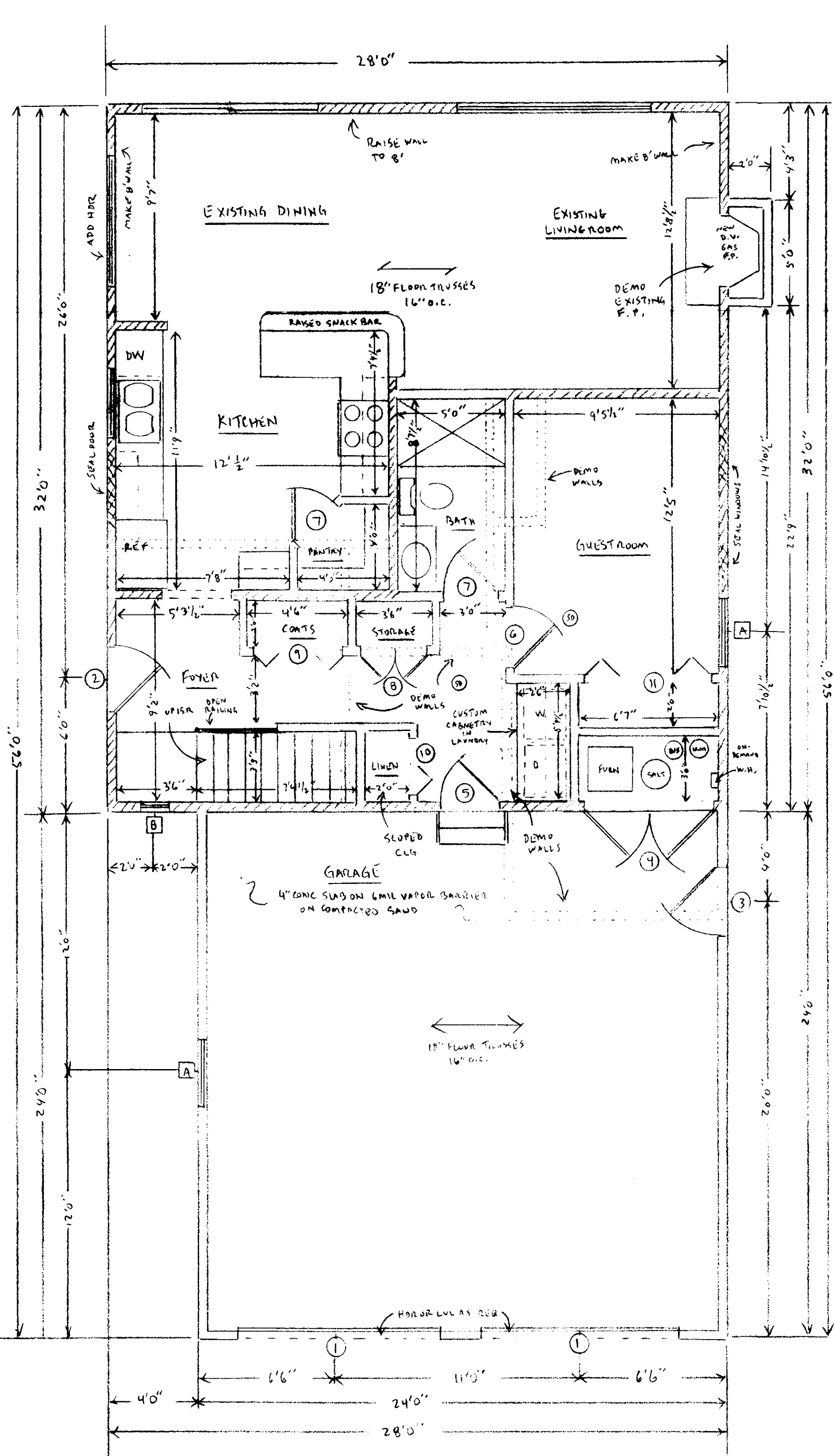
REAR (LAKE) ELEVATION
SCALE: 1/4" = 1'0"



FOUNDATION PLAN
SCALE: 1/4" = 1'0"



GARAGE DETAIL
SCALE: 3/8" = 1'0"



FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0" B96 P
 NOTE: ALL WALLS DRAWN 1/4" THICK
 NOTE: 2X12 HANG OVER EXT. DOORS & WINDOWS
 NOTE: SMOKE DETECTORS WIRED IN SERIES WITH BATTERY BACKUP
 NOTE: BLUM TO DETERMINE FURN. LOCATION

LEGEND
 [Hatched] = EXISTING WALL
 [Dashed] = SEALED WALL
 [Dotted] = DEMO WALL
 [Thin Line] = FALSE HOOR
 [Thick Line] = HORNWALL

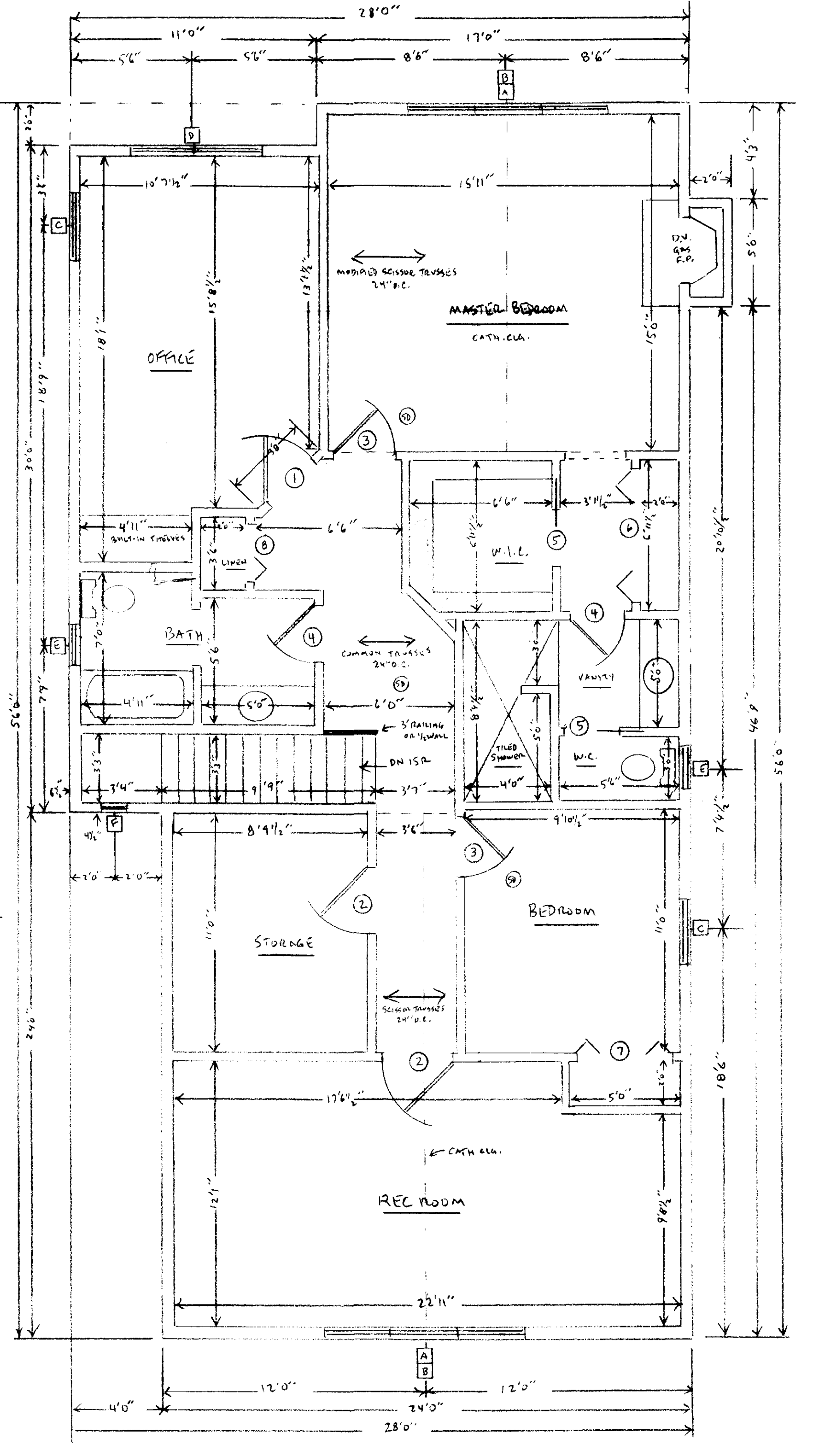
1ST FLOOR DOOR SCHEDULE

KEY	SIZE	QTY	DESC
1	9'8"	2	OVERHEAD GARAGE
2	3'6"	1	REMOVE EXISTING EXT.
3	3'6"	1	1/2 GLASS EXT.
4	6'6"	1	DOUBLE, FIRE-RATED
5	2'6"	1	FIRE-RATED
6	2'6"	1	INT. SWING
7	2'6"	2	INT. SWING
8	3'6"	1	DOUBLE INT.
9	4'0"	1	BIFOLD
10	2'6"	1	BIFOLD
11	6'6"	1	BIFOLD

1ST FLOOR WINDOW SCHEDULE

KEY	SIZE	QTY	DESC
A	3'4"	2	D.H.
B	1'3"	1	FIXED TEMPERED

NOTE: SIZES VARY BY MAN



SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0" 1450 P
 NOTE: EXT. WALLS DRAWN 6 1/4" THICK UNLESS NOTED
 INT. WALLS DRAWN 1/4" THICK
 NOTE: 2X12 HANG OVER WINDOWS
 NOTE: SMOKE DETECTORS WIRED IN SERIES WITH BATTERY BACKUP

2ND FLOOR DOOR SCHEDULE

KEY	SIZE	QTY	DESC
1	3'6"	1	FULL GLASS INT.
2	3'6"	2	INT. SWING
3	2'6"	2	INT. SWING
4	2'6"	2	INT. SWING
5	2'6"	2	POCKET
6	6'6"	1	BIFOLD
7	4'0"	1	BIFOLD
8	3'6"	1	BIFOLD

2ND FLOOR WINDOW SCHEDULE

KEY	SIZE	QTY	DESC
A	9'0"	2	(1) 3'4" D.H. MULLED
B	9'0"	2	3'0"/3'2" MCH/3'0" MULLED
C	3'4"	2	D.H.
D	6'4"	1	(2) 3'4" D.H. MULLED
E	2'3"	2	D.H.
F	1'3"	1	FIXED TEMPERED

ZBA 15-14 Area Map



1 inch = 150 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

06/10/2015 12:12 PM

Parcel:	4711-09-201-014	Current Class:	401.401 RESIDENTIAL-IMPROVED
Owner's Name:	LETKEMANN GARY & JANICE	Previous Class:	401.401 RESIDENTIAL-IMPROVED
Property Address:	1185 SUNRISE PARK HOWELL, MI 48843	Gov. Unit:	4711 GENOA CHARTER TOWNSHIP
		MAP #	V15-14
		School:	47070 HOWELL
		Neighborhood:	4302 4302 SUNRISE PARK LAKEFRONT

Liber/Page:	2013R-033844	Created:	//
Split:	//	Active:	Active

Public Impr.:	None
Topography:	REFUSE

Mailing Address:
LETKEMANN GARY & JANICE
1185 SUNRISE PARK
HOWELL MI 48843

Most Recent Sale Information

Sold on 08/23/2013 for 0 by LETKEMANN GARY.

Terms of Sale: INVALID SALE

Liber/Page: 2013R-033844

Most Recent Permit Information

None Found

Physical Property Characteristics

2016 S.E.V.:	Tentative	2016 Taxable:	Tentative	Lot Dimensions:	
2015 S.E.V.:	117,300	2015 Taxable:	110,642	Acreage:	0.10
Zoning:	LRR	Land Value:	105,800	Frontage:	46.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	98.0

Improvement Data

of Residential Buildings: 1
Year Built: 1940
Occupancy: Single Family
Class: C
Style: C
Exterior: Wood Siding
% Good (Physical): 60
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: 2
Full Baths: 1 Half Baths: 1
Floor Area: 979
Ground Area: 979
Garage Area: 0
Basement Area: 0
Basement Walls:
Estimated TCV: 126,808

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.					
LETKEMANN GARY	LETKEMANN GARY & JANICE	0	08/23/2013	QC	INVALID SALE	2013R-033844	BUYER	0.0					
ALLISON KARRY & ALI	LETKEMANN GARY	225,000	07/26/2013	WD	ARMS-LENGTH	2013R-032288	BUYER	100.0					
ALLISON KARRY	ALLISON KARRY & ALI	0	07/20/2010	QC	INVALID SALE	2010R-021414	BUYER	0.0					
GRATZ DOUGLAS & CLIFFORD	ALLISON KARRY	137,500	07/20/2010	WD	ARMS-LENGTH	2010R-021413	BUYER	100.0					
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR		Building Permit(s)		Date	Number	Status			
1185 SUNRISE PARK		School: HOWELL											
		P.R.E. 100% 07/26/2013											
Owner's Name/Address		MAP #: V15-14											
LETKEMANN GARY & JANICE 1185 SUNRISE PARK HOWELL MI 48843		2016 Est TCV Tentative											
		X	Improved		Vacant	Land Value Estimates for Land Table 00006.SUNRISE PARK							
		Public Improvements			* Factors *								
					Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
					'A' FRONTAGE	46.00	98.00	1.0000	1.0000	2300	100		105,800
					46 Actual Front Feet, 0.10 Total Acres Total Est. Land Value = 105,800								
Tax Description		Dirt Road											
SEC. 9 T2N, R5E, SUNRISE PARK LOT 12		Gravel Road											
Comments/Influences		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											
		X	REFUSE										
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value					
		2016	Tentative	Tentative	Tentative			Tentative					
LM 10/04/2013 REVIEWED R		2015	52,900	64,400	117,300			110,642C					
		2014	52,900	58,300	111,200			111,200S					
		2013	32,200	48,500	80,700			80,700S					



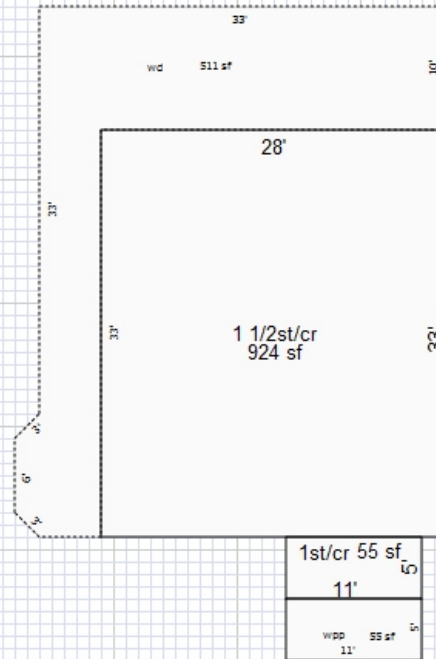
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage							
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 55 511	Type WPP Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:						
X	Wood Frame		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:							
Yr Built 1940	Remodeled 2010	Ex	X	Ord		Min	0 Amps Service			Total Base Cost: 80,913			X	1.470								
Condition for Age: Good		Lg	X	Ord		Small	No Heating/Cooling			Total Base New : 118,942				E.C.F.								
Room List		Doors:		Solid	X	H.C.	No Heating/Cooling			Total Depr Cost: 73,469			X	1.726	Carport Area: Roof:							
Basement 1st Floor 2nd Floor 2 Bedrooms		Kitchen: Other: Other:		(6) Ceilings			No./Qual. of Fixtures			Rate			Bsmnt-Adj		Heat-Adj		Size Cost					
(1) Exterior				Ex.			X	Ord.		Min	1+ Story Siding			Crawl Space	70.97	-9.83	0.00	924	56,493			
X	Wood/Shingle Aluminum/Vinyl Brick			No. of Elec. Outlets			Many			X	Ave.		Few	1 Story Siding			Crawl Space	67.50	-9.83	0.00	55	3,172
Insulation		(7) Excavation		(13) Plumbing			Average Fixture(s)			Other Additions/Adjustments			Rate			Size Cost						
(2) Windows		Basement: 0 S.F. Crawl: 979 S.F. Slab: 0 S.F. Height to Joists: 0.0		1 3 Fixture Bath 1 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			2 Fixture Bath			1600.00			1		1,600							
X	Many Avg. Few	X	Large Avg. Small	(8) Basement			Average Fixture(s)			Rate			Bsmnt-Adj		Heat-Adj		Size Cost					
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 1 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			2 Fixture Bath			1162.00			1		1,162							
(3) Roof		(9) Basement Finish		Average Fixture(s)			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
X	Gable Hip Flat		Gambrel Mansard Shed	1 3 Fixture Bath 1 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			2 Fixture Bath			4975.00			1		4,975							
X	Asphalt Shingle	Recreation SF Living SF Walkout Doors No Floor SF		Average Fixture(s)			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
Chimney: Brick		(10) Floor Support		Average Fixture(s)			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
		Joists: Unsupported Len: Cntr.Sup:		1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			4650.00			2		9,300							
		Lump Sum Items:		Average Fixture(s)			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			60/100/100/100/60.0,			Depr.Cost =		67,651							
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			18.30			55		1,007							
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			County Multiplier = 1.47 =>			Cost New =		1,480							
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			Phy/Ab.Phy/Func/Econ/Comb.%Good= 94/100/100/100/94.0,			Depr.Cost =		1,391							
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			6.27			511		3,204							
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			County Multiplier = 1.47 =>			Cost New =		4,710							
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			Phy/Ab.Phy/Func/Econ/Comb.%Good= 94/100/100/100/94.0,			Depr.Cost =		4,427							
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			Total Depreciated Cost =			73,469									
				Lump Sum Items:			Rate			Bsmnt-Adj			Heat-Adj		Size Cost							
				1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			2 Fixture Bath			ECF (4302 SUNRISE PARK LAKEFRONT)			1.726 => TCV of Bldg: 1 =		126,808							

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

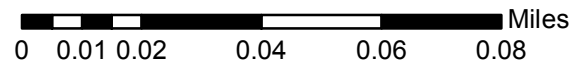
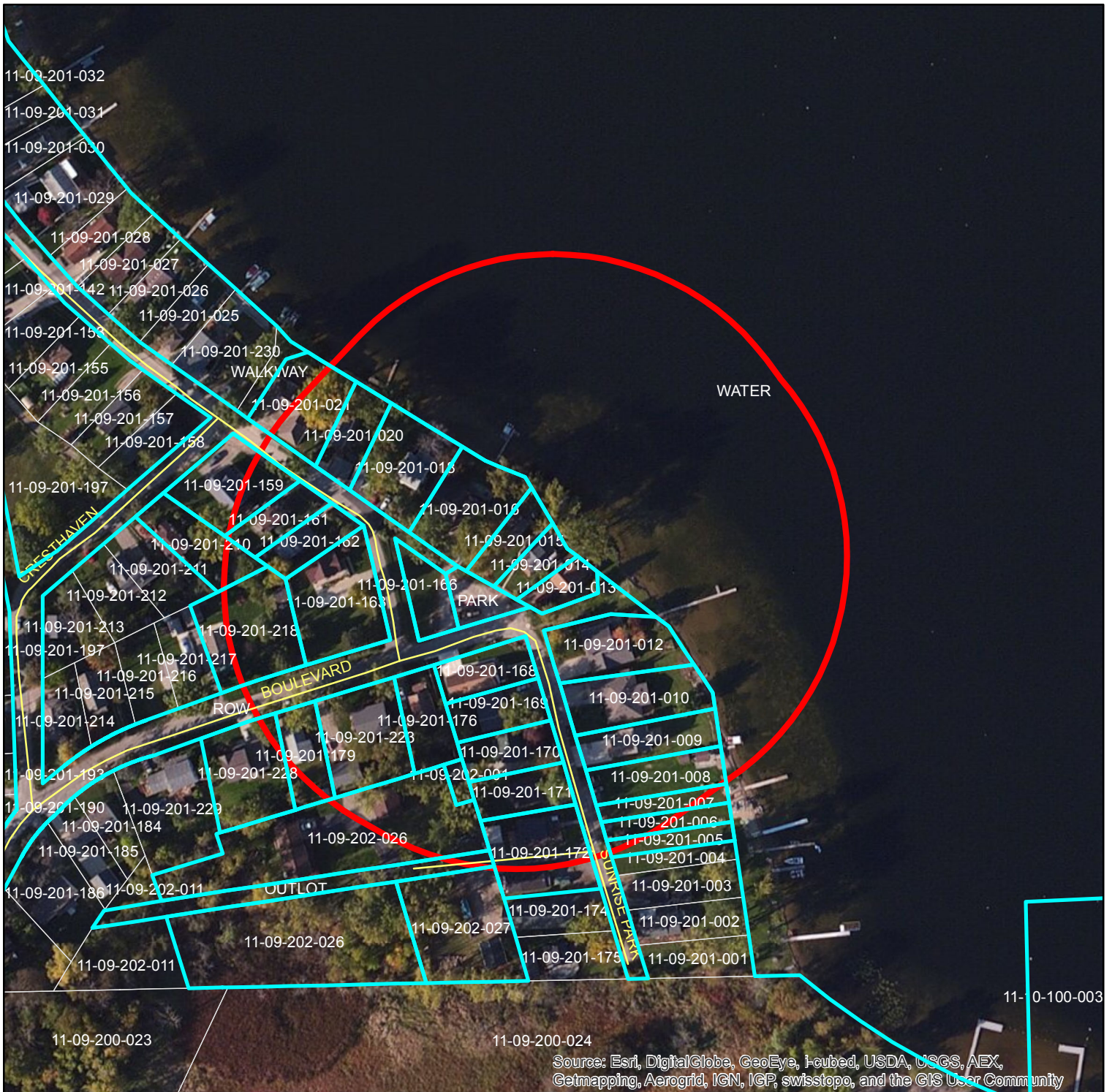
1 half bath
1 Full Bath
1 Fireplace
2 Bedrooms



Sketch by Apex Sketch

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

300 Foot Notice for Buffering



Variance Case #15-14

Applicant: Tim Chouinard

Parcel: 4711-09-201-014

Meeting Date: June 16, 2015



May 26, 2015

GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 15-16 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: Rickey F. Novak
Property Address: 140 S. Hughes Phone: 517-548-2876
Present Zoning: RR Tax Code: 11-04-200-015

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: CONSTRUCT ACCESSORY BUILDING IN FRONT YARD
2. Intended property modifications: POLE BARN

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) REAR OF HOUSE IN FLOOD ZONE, LOCATION OF SEPTIC SYSTEM
- b. Other (explain) WOULD HAVE TO REMOVE A GREAT DEAL OF HABITAT

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: One paper copy of all drawings is required.**
- Waterfront properties must indicate setback from water from adjacent homes.
- Petitioner (or a Representative) must be present at the meeting

Date: 6/19/2015
Signature: Rickey F. Novak

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 #15-16

PROPERTY LOCATION: 140 S. Hughes

PETITIONER: Rickey F. Novak

ZONING: RR (Rural Residential District)

WELL AND SEPTIC INFO: Sewer, 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#15-16

Site Address: 140 S. Hughes

Parcel Number: 4711-04-200-015

Parcel Size: 2.07 Acres

Applicant: Rickey F. Novak

Property Owner: Rickey F. Novak, 610 S. Hughes Rd, Howell, MI 48843

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: RR (Rural Residential), 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 (1944 square feet) built in 1977.
- The property has an existing well and septic system.
- According to the FEMA Flood Insurance Rate Map for that area there is the presence of a high flood risk area on the southern portion of the property.
- 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 30' x 40' detached accessory building on the property. Due to the presence of the high flood hazard area on the southern portion of the property and the existing location of the house, 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 area in the rear and the side yard within the flood risk areas. While it is legal to construct buildings within flood risk areas, it is preferable that this be avoided if all possible. Due to the location of the existing home on the property and the large areas in the rear and side yards included in the flood hazard area, it would be extremely difficult to construct an accessory building which is able to be accessed via the existing driveway. This variance would provide substantial justice to the property owner as well as the adjacent property owners who may be impacted should the accessory structure be damaged in a flood.

Extraordinary Circumstances: The extraordinary circumstances are applicable to this property are the large areas of the rear and side yards included in the flood hazard area. The need for the variance is due to this and thus not self created.

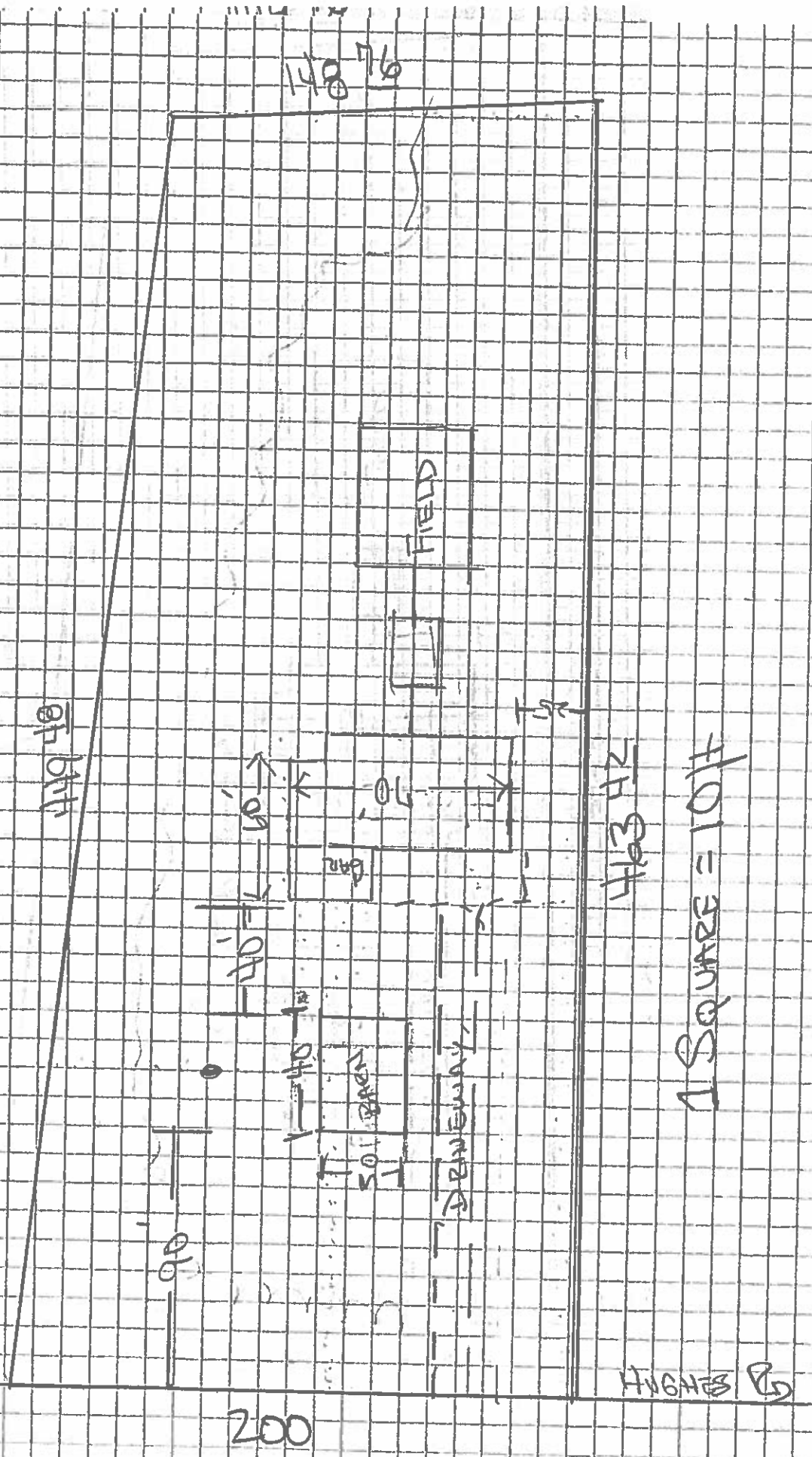
Public Safety and Welfare – The granting of these variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of 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 a detached accessory building in the front yard.

Staff Findings of Fact

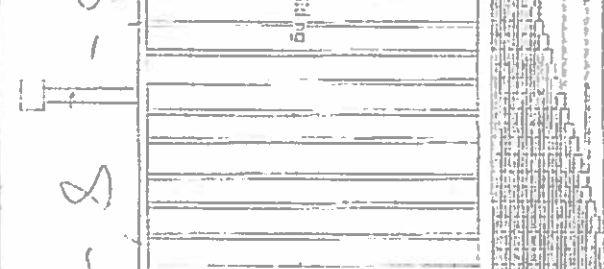
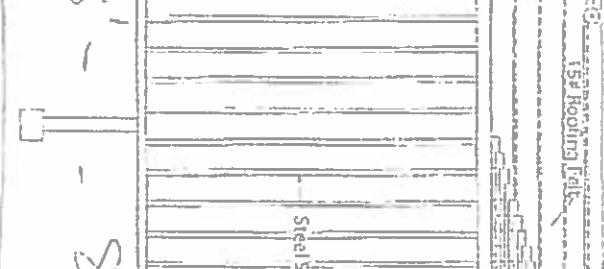
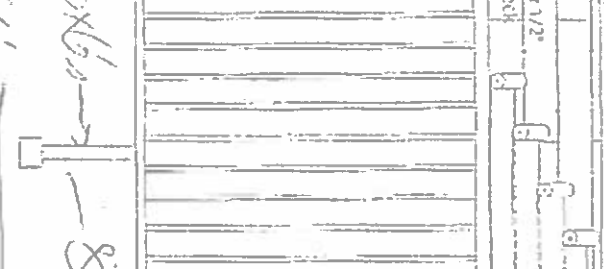
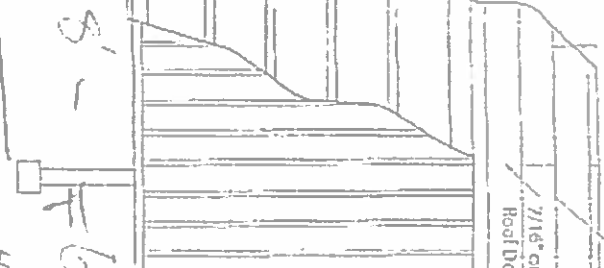
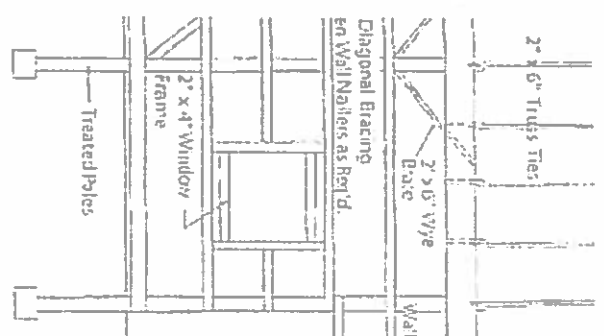
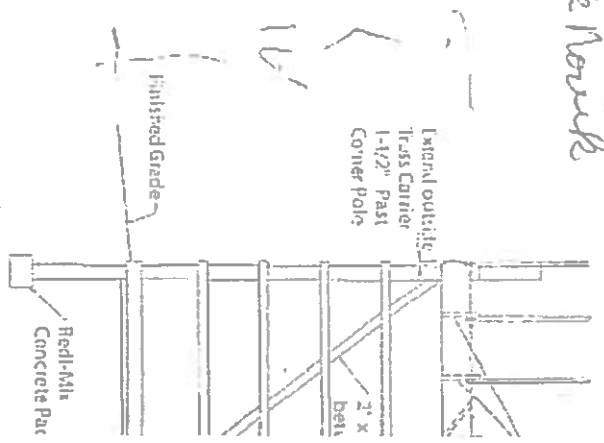
1. Strict application of the requirement regarding the placement of a detached accessory building in a rear or side yard would prevent the applicant from constructing a detached accessory building which complies with the required setbacks, outside of the flood hazard area.
2. The extraordinary or exceptional circumstances applicable to this property are the presence of the flood hazard area in the rear and side yards.
3. The need for the variance is due to the presence of the flood hazard area in the rear and side yards.
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.



TUBARK Howell

@ H&M MIL, Cam

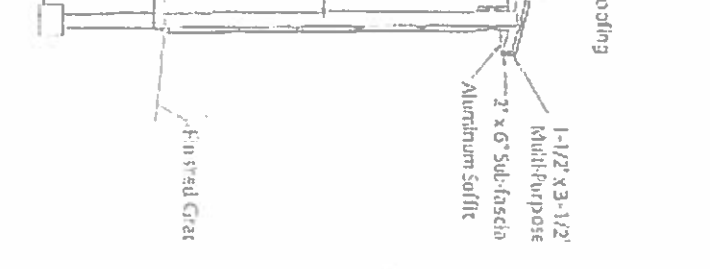
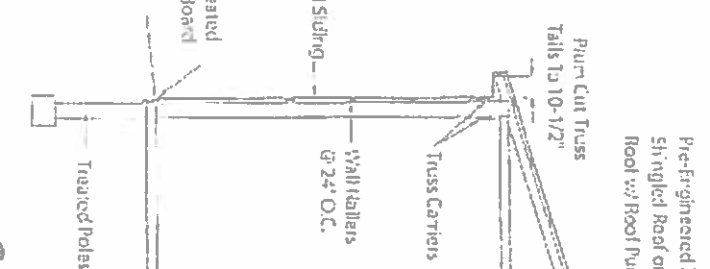
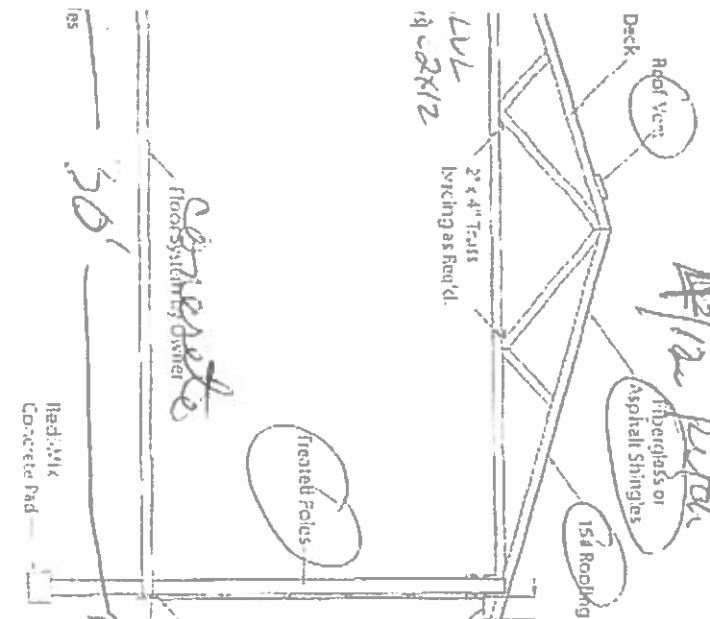
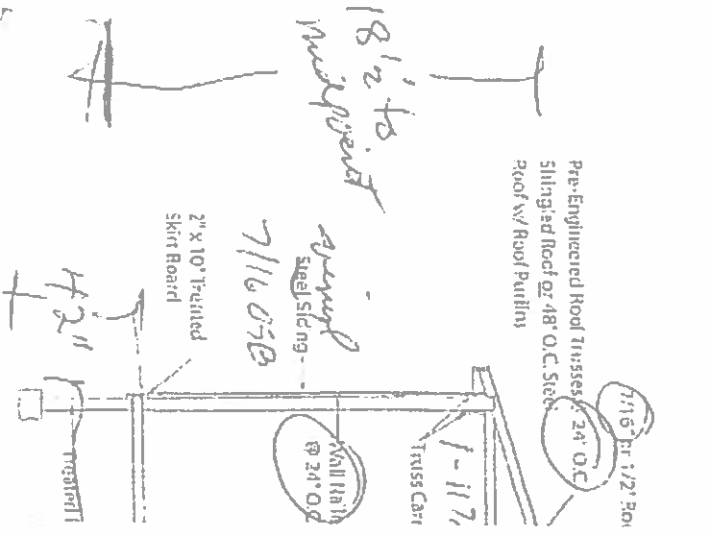
Ride Neck



2 - 16 x 14 overhead cross on 40'
2 - 14" LVL heading over cross

Typical Elevation

No Scale



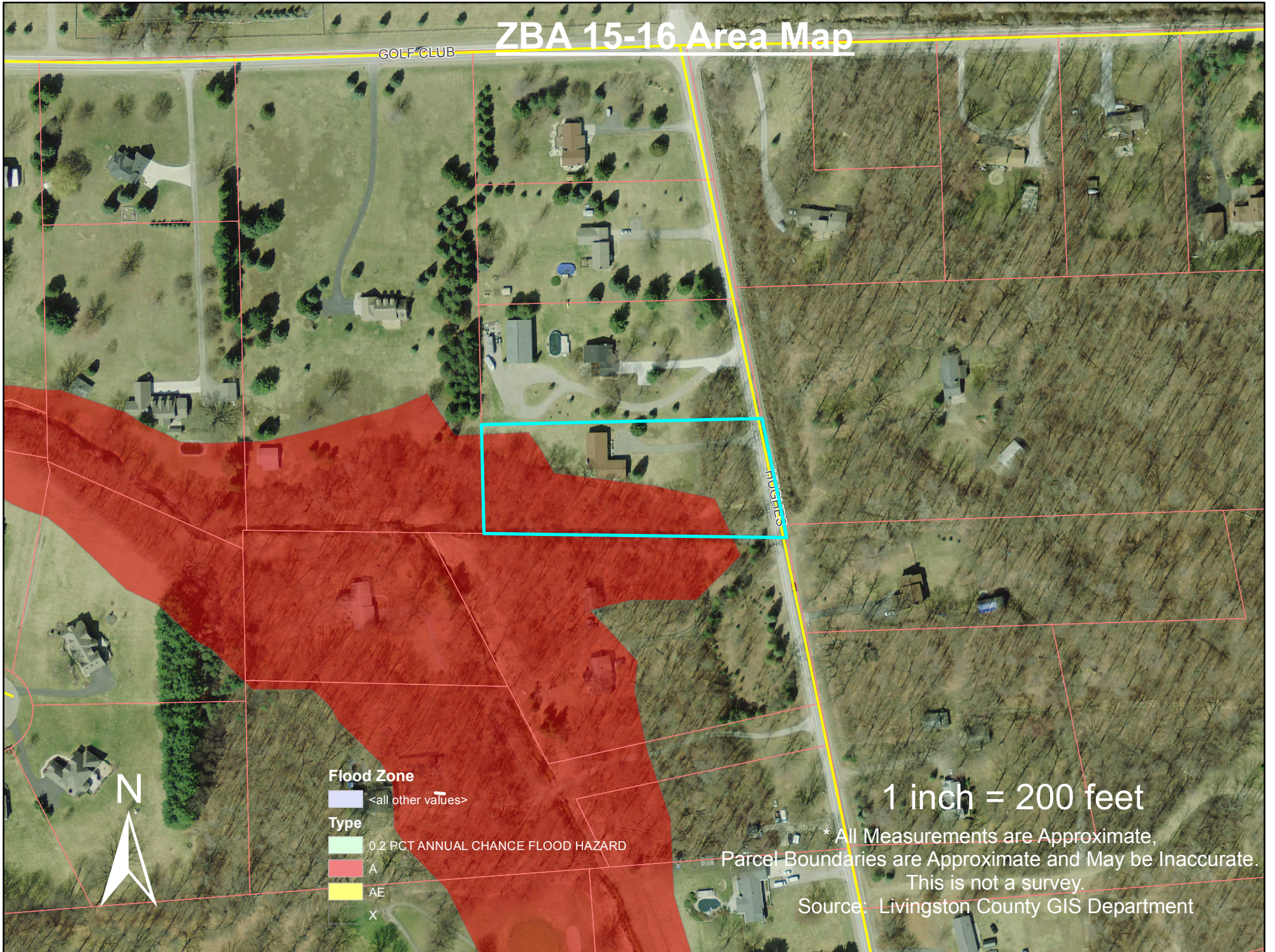
Malaya Parkane

Standard Package No Scale

ZBA 15-16 Area Map

GOLF CLUB

HUGHES



Flood Zone

<all other values>

Type

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

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

07/16/2015 11:01 PM

Parcel: 4711-04-200-015
Owner's Name: NOVAK RICKEY F SR. & MARY M
Property Address: 140 S HUGHES RD
HOWELL, MI 48843

Current Class: 401.401 RESIDENTIAL-IMPROVED
Previous Class: 401.401 RESIDENTIAL-IMPROVED
Gov. Unit: 4711 GENOA CHARTER TOWNSHIP
MAP # V15-16
School: 47070 HOWELL
Neighborhood: 47070 47070 HOWELL M & B

Liber/Page: 2014R-032250 **Created:** / /
Split: / / **Active:** Active

Public Impr.: None
Topography: REFUSE

Mailing Address:

NOVAK RICKEY F SR. & MARY M
510 S. HUGHES ROAD
HOWELL MI 48843

Most Recent Sale Information

Sold on 10/24/2014 for 215,000 by SCHNEEMAN DORIS TRUST.

Terms of Sale: ARMS-LENGTH

Liber/Page: 2014R-032250

Most Recent Permit Information

None Found

Physical Property Characteristics

2016 S.E.V.: Tentative	2016 Taxable: Tentative	Lot Dimensions:
2015 S.E.V.: 105,700	2015 Taxable: 105,700	Acres: 2.07
Zoning: RR	Land Value: 56,400	Frontage: 0.0
PRE: 0.000	Land Impr. Value: 0	Average Depth: 0.0


Improvement Data

of Residential Buildings: 1
Year Built: 1977
Occupancy: Single Family
Class: C
Style: B
Exterior: Wood Siding
% Good (Physical): 73
Heating System: Forced Heat & Cool
Electric - Amps Service: 0
of Bedrooms: 3
Full Baths: 2 Half Baths: 1
Floor Area: 1,944
Ground Area: 1,944
Garage Area: 506
Basement Area: 1,944
Basement Walls:
Estimated TCV: 156,712

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
SCHNEEMAN DORIS TRUST	NOVAK RICKEY F SR. & MARY	215,000	10/24/2014	LC	ARMS-LENGTH	2014R-032250	BUYER	100.0
SCHNEEMAN DORIS	SCHNEEMAN DORIS TRUST	0	04/14/2011	QC	INVALID SALE	2011R-012657	BUYER	0.0
		142,000	05/27/1993	WD	ARMS-LENGTH	16980449	BUYER	0.0

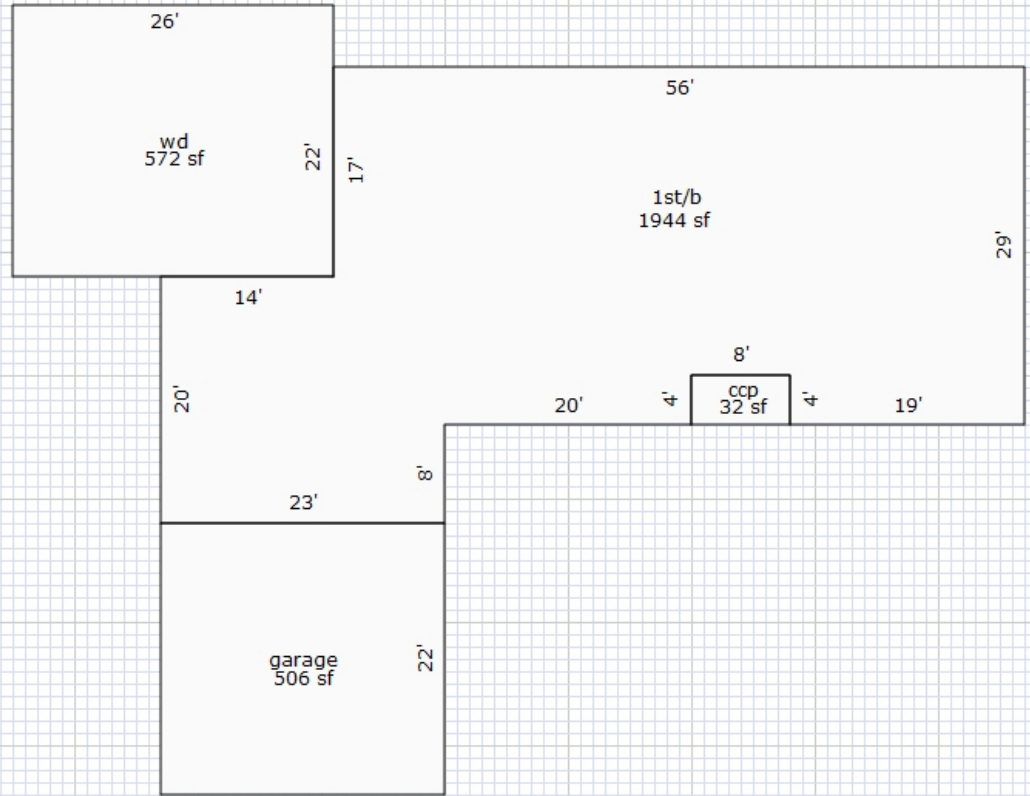
Property Address	Class: 401 RESIDENTIAL-IM	Zoning: RR	Building Permit(s)	Date	Number	Status			
140 S HUGHES RD	School: HOWELL								
	P.R.E. 0%								
Owner's Name/Address	MAP #: V15-16								
NOVAK RICKEY F SR. & MARY M 510 S. HUGHES ROAD HOWELL MI 48843	2016 Est TCV Tentative								
	X Improved	Vacant	Land Value Estimates for Land Table 124.HOWELL M& B						
	Public Improvements		* Factors *						
			Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value
			LAND TABLE A			2.070 Acres	27,246	100	56,400
						2.07 Total Acres		Total Est. Land Value =	56,400
Tax Description	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.								
SEC 4 T2N R5E PART OF NW 1/4 SEC 3 & NE 1/4 OF SEC 4, COMM AT NE COR OF SEC 4, TH ALONG GENOA-OCEOLA TWP LINE & C.L. OF GOLF CLUB RD, N 89*46'50"E 106.35 FT TO SE COR SEC 33, OCEOLA TWP, TH ALONG C.L. OF HUGHES RD, S 10*34'20"E 624 FT TO POB OF LAND TO BE DESC, TH CONT ALONG LINE, S 10*34'20"E 200 FT, TH N 88* 09'20"W 499.48 FT ALONG C.L. OF COUNTY DRAIN, TH N 00*17'10"W 178.76 FT, TH N 89*46'50"E 463.42 FT TO POB, 2.07AC M/L, PARCEL D									
Comments/Influences	Topography of Site								
	X	Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain REFUSE	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
			2016	Tentative	Tentative	Tentative			Tentative
	LM	04/24/2015 REVIEWED R	2015	28,200	77,500	105,700			105,700S
			2014	28,200	72,700	100,900			95,605C
			2013	28,200	65,900	94,100			94,100S

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 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 32 572	Type CCP (1 Story) Treated Wood	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 506 % Good: 0 Storage Area: 0 No Conc. Floor: 0							
X	Wood Frame		Drywall Paneled		Plaster Wood T&G																
Building Style: B		Trim & Decoration		X Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace			Class: C Effec. Age: 27 Floor Area: 1944 Total Base Cost: 158,391 Total Base New : 232,835 Total Depr Cost: 169,970 Estimated T.C.V: 156,712			CntyMult X 1.470 E.C.F. X 0.922			Bsmnt Garage: Carport Area: Roof:					
Yr Built 1977	Remodeled 0	Size of Closets		Lg X Ord Small			Ex X Ord Min			Doors: Solid X H.C.											
Condition for Age: Good		(5) Floors		Kitchen: Other: Other:			(12) Electric 0 Amps Service			Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj 1 Story Siding Basement 60.56 0.00 1.92			Size Cost 1944 121,461								
Room List		Basement 1st Floor 2nd Floor 3 Bedrooms		(6) Ceilings			No./Qual. of Fixtures Ex. X Ord. Min			Other Additions/Adjustments (1) Exterior Brick Veneer			Rate 8.25			Size Cost 834 6,881					
(1) Exterior		Wood/Shingle Aluminum/Vinyl Brick		(7) Excavation			No. of Elec. Outlets Many X Ave. Few			(13) Plumbing			Average Fixture(s) 2 3 Fixture Bath 2 Fixture Bath			Rate 2400.00 1600.00			Size Cost 1 2,400 1 1,600		
(2) Windows		Insulation		Basement: 1944 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			(8) Basement			(14) Water/Sewer			Average Fixture(s) 1 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			Rate 4975.00 3085.00			Size Cost 1 4,975 1 3,085		
X	Many Avg. Few	X	Large Avg. Small	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			(9) Basement Finish			(15) Built-Ins & Fireplaces			Fireplace: Exterior 1 Story			Rate 3875.00			Size Cost 1 3,875		
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens				Recreation SF Living SF Walkout Doors No Floor SF			(10) Floor Support			(16) Porches			CCP (1 Story), Standard			Rate 49.04			Size Cost 32 1,569		
(3) Roof		Gable Hip Flat		Gambrel Mansard Shed			Joists: Unsupported Len: Cntr.Sup:			(16) Deck/Balcony			Treated Wood,Standard			Rate 6.15			Size Cost 572 3,518		
X Asphalt Shingle										(17) Garages			Class:C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1 Wall			Rate 20.41 -1300.00			Size Cost 506 10,327 1 -1,300		
Chimney: Brick										Phy/Ab.Phy/Func/Econ/Comb.%Good= 73/100/100/100/73.0, ECF (47070 HOWELL M & B)			Depr.Cost = 0.922 => TCV of Bldg: 1 =			169,970 156,712					

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

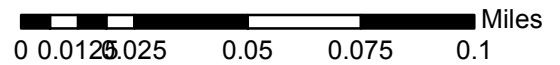
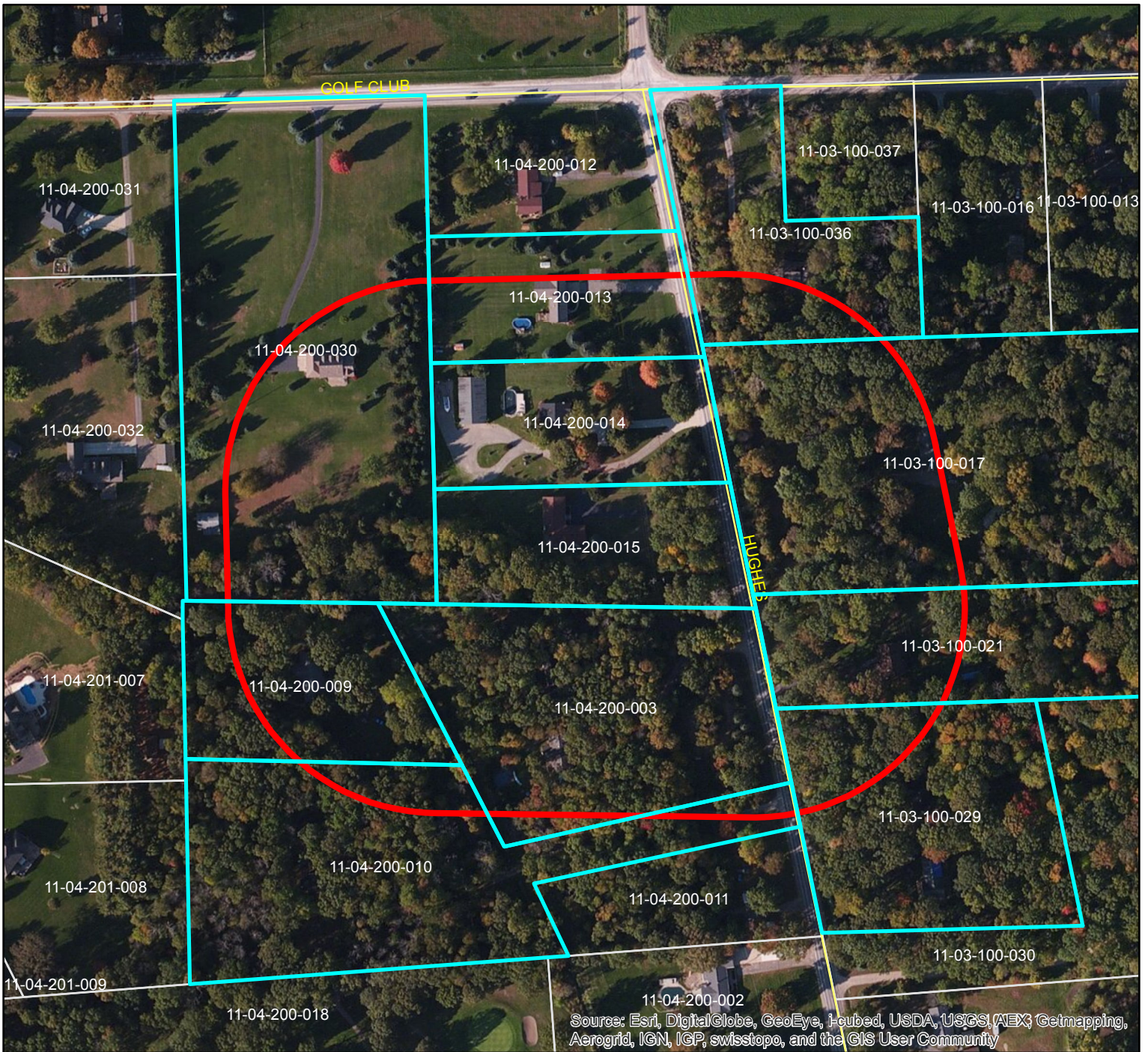
- 3 Bedrooms
- 2 Full Baths
- 1 - 1/2 Bath
- 1 Fireplace
- Central Air
- Asphalt Driveway



Sketch by Apex Sketch

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

300 ft Buffer for Noticing



Variance Case #15-16

Applicant: Rickey F. Novak

Parcel: 4711-04-200-015

Meeting Date: July 21, 2015



June 22, 2015



GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

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

Case # 13-17 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: Jeffrey and Susan Wood
Property Address: 2166 Webster Park Dr, Howell 48843 Phone: 248-568-6973; 248-568-7085
Present Zoning: LRR Tax Code: 1130101026

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: Approval to spend more than 50% of the cash value to repair/update the cottage. Section 24.04.06
2. Intended property modifications: See attachment

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) _____
- b. Other (explain) Repair/update the cottage in keeping with its original character and that of the neighborhood.

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: One paper copy of all drawings is required.**
- **Waterfront properties must indicate setback from water from adjacent homes.**
- **Petitioner (or a Representative) must be present at the meeting**

Date: 6/25/2015

Signature: Jeffrey Wood Susan Wood

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 #15-17

PROPERTY LOCATION: 2166 Webster Park Dr.

PETITIONER: Jeffery and Susan Wood

ZONING: LRR (Lake Resort Residential District)

WELL AND SEPTIC INFO: Sewer, Well

PETITIONERS REQUEST: A variance to make repairs, improvements and modernizations to a non-conforming structure which exceeds one-half (1/2) of the value of the structure during a period of twelve (12) consecutive months.

CODE REFERENCE: Section 24.04.06

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 15-17

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

STAFF REPORT

File Number: ZBA#15-17

Site Address: 2166 Webster Park Dr.

Parcel Number: 4711-30-101-026

Parcel Size: 0.813 Acres

Applicant: Jeffery and Susan Wood

Property Owner: Richard Bandli, 2166 Webster Park Dr. Howell, MI 48843

Information Submitted: Application, site plan, improvement information

Request: Dimensional Variance

Project Description: Applicant is requesting a variance in order to make repairs, improvements and modernizations to a non-conforming structure which exceeds one-half (1/2) of the value of the structure during a period of twelve (12) consecutive months.

Zoning and Existing Use: LRR (Lake Resort Residential), 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) and the date the home was built is uncertain.
- The property has an existing well and septic system.
- Due to the building not complying with the front yard setback, the structure is considered legal non-conforming.
- The estimated true cash value of the building itself is \$26,573, thus our Zoning Ordinance limits the annual cost of improvement to \$13,286.50.
- 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 current structure at 2166 Webster Park Dr. is in a dilapidated condition. The applicants are interested in purchasing the property and would like to repair the existing structure rather than tear the property down and build a new structure. In order to make the repairs necessary to bring the home to a livable condition, the applicants will need to obtain a variance from section 24.04.06 which limits the amount of money which is able to be invested in a legal non-conforming structure during any 12 month period.



Variance Requests

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

Section 24.04.06: Repairs, Improvements and Modernization: Repairs, improvements, or modernization of non-conforming buildings or structures shall be permitted provided such repairs or improvements do not exceed one-half (1/2) of the value of the building or structure during any period of twelve (12) consecutive months. This cost/value calculation shall not include any costs associated with modernization of electrical, plumbing, heating or cooling systems to meet Building Code requirements. However, if a non-conforming structure or a structure containing a non-conforming use becomes physically unsafe or unlawful due to lack of maintenance and repairs and is declared as such by the Building and Fire Departments, it shall not thereafter be restored, repaired, or rebuilt except in full conformity with the regulations in the district in which it is located.

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 requirements which govern the amount of investment that can be made in a legal non-conforming property would unreasonably prevent the use of the property. In the event that a new home were to be constructed on this property, it is likely due to the large shoreline setback and proximity of other adjacent homes to the road, that the new home would require a front yard setback variance similar to what the current home sits at. As an alternative to this making an investment in an existing structure should follow a similar logic when applying this provision of the ordinance. The investment made in a new home would be larger than what is proposed and would likely still be within the front yard setback.

Extraordinary Circumstances: The large shoreline setback and majority of other homes in the adjacent area which have houses within the shoreline setback fulfill the requirements of extraordinary or exceptional circumstances. The need for the variance is due to the lot size and the zoning restrictions.

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. Improving this structure will create a safer neighborhood.

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. Improving this vacant dilapidated structure will improve conditions in the neighborhood.

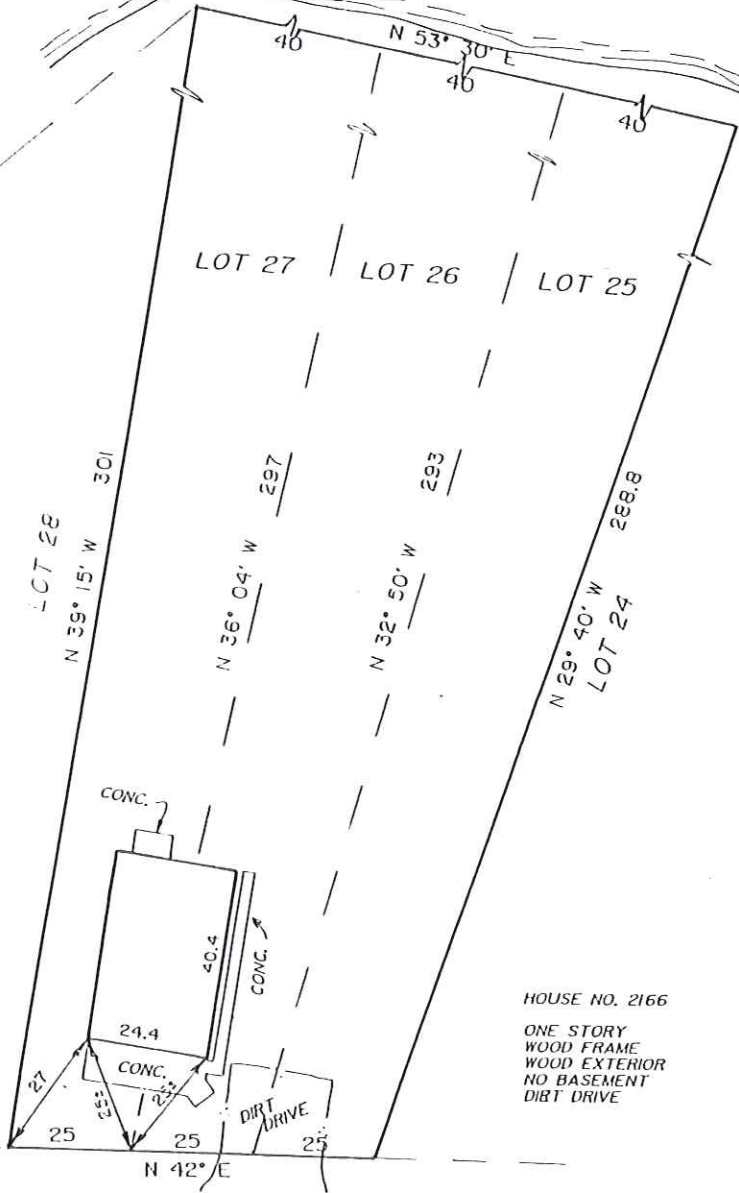
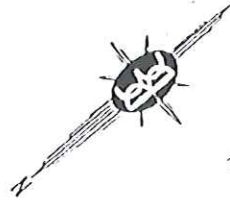
Staff Findings of Fact

1. Strict application of the requirement which limits repairs, improvements and modernizations of non-conforming structures to one-half of the replacement value of the structure would unreasonably prevent the use of the property.
2. The extraordinary circumstances applicable to the property is the lot size and larger shoreline setback requirements.
3. Having a single family dwelling which is within the front yard setback makes this property consistent with the majority of other properties in the vicinity.
4. The need for the variance is due to the lot size and large shoreline setback requirement.
5. 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.
6. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Scan

MORTGAGE REPORT

PARDEE LAKE



WEBSTER PARK DRIVE
(20 FT. WIDE R.O.W.) (GRAVEL)



BOSS ENGINEERING COMPANY
CIVIL ENGINEERS & LAND SURVEYORS

Scale: 1" = 30'

Job No.: M- 23072

MAIN OFFICE: 3121 E. GRAND RIVER • HOWELL, MICHIGAN 48843 • (517) 546-4836 • BRIGHTON (313) 229-4773
CHARLEVOIX OFFICE: BOX 28A • PORTAIR PLAZA • CHARLEVOIX, MICHIGAN 49720 • (616) 547-2872





Livingston County Public Records - Full Detail Report

Location & Ownership

Property Address: City/State/Zip:	2166 Webster Park Drive Howell, Michigan, 48843-9472	Property ID:	1130101026
Owner Name: Taxpayer Address: City/State/Zip:	Richard Bandli 2166 Webster Park Drive Howell, Michigan, 48843-9472	Latitude: Longitude: Census Tract: Block Group:	42.534815 -83.909662 7425 2
City/Village/Town: Subdivision: MLS Area: Legal Description:	Genoa Twp WEBSTER PARK 01111 - Genoa Twp SEC. 30 T2N, R5E, WEBSTER PARK LOTS 25, 26, AND 27	School District: Property Category: Land Use:	Howell Residential 401 - RESIDENTIAL

Photos

Taxes

<u>Year</u>	<u>Season</u>	<u>Total Ad Val</u>	<u>Admin Fee</u>	<u>Asmnt</u>	<u>CVT</u>	<u>Ttl Seasonal</u>
2014	W	\$295.02	\$9.79	\$684.73	\$0.00	\$989.54
2014	S	\$1,353.18	\$13.53	\$0.00	\$0.00	\$1,366.71
2013	W	\$311.21	\$9.93	\$682.73	\$0.00	\$1,003.87
2013	S	\$1,336.71	\$13.36	\$0.00	\$0.00	\$1,350.07
2012	W	\$274.40	\$9.57	\$682.73	\$0.00	\$966.70
2012	S	\$1,307.17	\$13.07	\$0.00	\$0.00	\$1,320.24
2011	W	\$289.84	\$9.72	\$682.73	\$0.00	\$982.29
2011	S	\$1,257.01	\$12.57	\$0.00	\$0.00	\$1,269.58
2010	W	\$246.97	\$8.17	\$570.11	\$0.00	\$825.25
2010	S	\$1,236.02	\$12.36	\$0.00	\$0.00	\$1,248.38

Assessments

<u>Year</u>	<u>Taxable Val</u>	<u>State Eq Val</u>	<u>Hmstd %</u>	<u>Ttl Taxes</u>
2014	\$40,691	\$70,600	0	\$2,356.25
2013	\$40,051	\$70,500	0	\$2,353.94
2012	\$39,113	\$71,000	0	\$2,286.94
2011	\$38,085	\$77,600	0	\$2,251.87
2010	\$37,449	\$77,900	0	\$2,073.63

Transfer Information

<u>Grantor</u>	<u>Grantee</u>	<u>Sale Date</u>	<u>Deed Date</u>	<u>Sale Price</u>	<u>Deed Type</u>	<u>Liber/Page</u>
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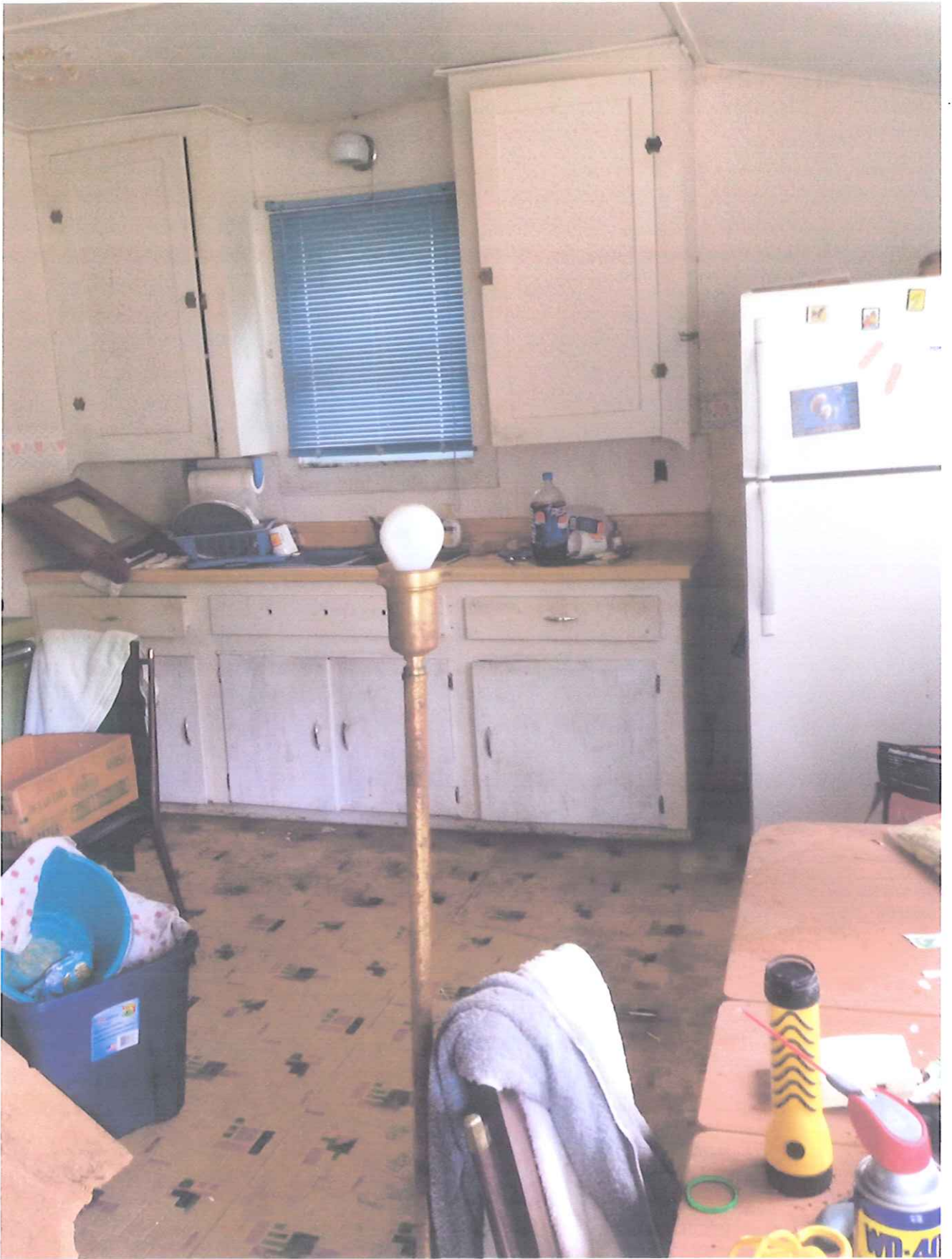
Other Recordings

<u>Obligee</u>	<u>Obligor</u>	<u>Record Date</u>	<u>Doc Date</u>	<u>Amount</u>	<u>Doc Type</u>	<u>Liber/Page</u>
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Characteristics

Living Area SF:	960	Bedrooms:	2
Basement Sqft:		Bathrooms:	1.0
Year Remodeled:		Fireplace:	No
Exterior:	WOOD	Garage Type:	NONE
Stories:	1	Garage Year Built:	
Roof Type/Cover:	GABLE/ ASPHALT SHINGLE	Garage Length:	
Basement Type:	CRAWL SPACE	Garage Width:	
Heat Type:	FORCED AIR	Gas Service:	
Heat Fuel:	GAS	Well:	
#1 Porch/Breezeway:	CONCRETE PLATFORM	Septic:	
#2 Porch/Breezeway:	CONCRETE PLATFORM	Through Street:	
Land Dimension:	40.00X295.00	Irregular:	NO
Acres:	0.81		









Property location: 2166 Webster Park Drive, Howell, MI 48843

Petitioner: Jeffrey and Susan Wood

Zoning: LRR (Lakeshore Resort Residential)

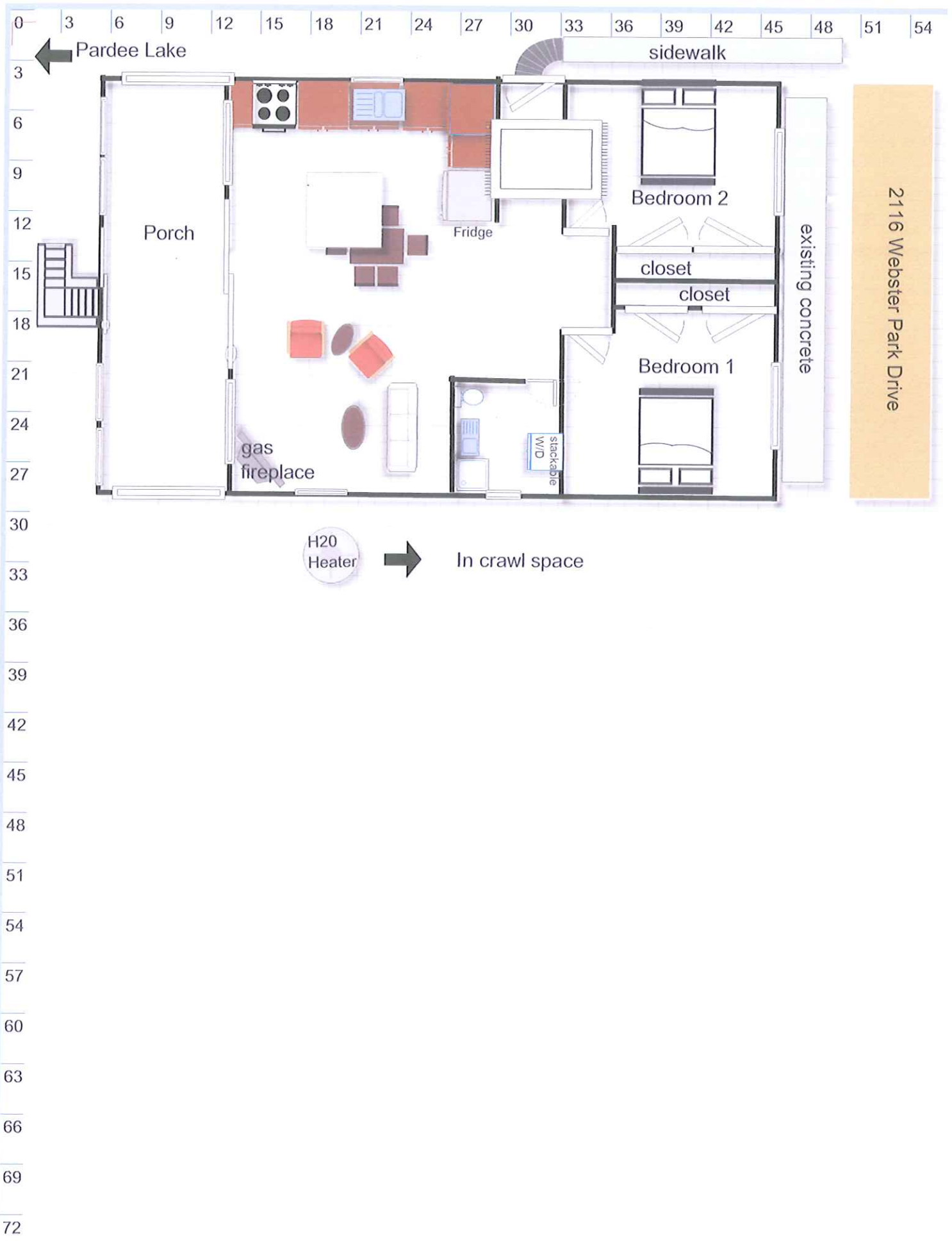
Petitioners request: Request for a variance to repair the existing cottage keeping the same foundation and as much of the existing structure as is feasible to restore the dwelling into a safe, solid, pleasant cottage.

Variance Request

Despite the extensive disrepair of the cottage, the foundation and roof, as well as a number of interior fixtures appear to be sound. After careful research and consultation with licensed contractors and with township and county officials, the petitioners concluded that the structure could be transformed into the charming, well-built lakefront cottage they are seeking. Estimates of the costs are listed below and total over 50% of the cash value of the cottage, which is currently \$30,000. The petitioners are asking for a variance removing the restriction to expenditures of just \$15,000 per year.

Cottage Repairs, Improvements, Modernization

Item	Estimated Cost	Item	Estimated Cost
Flooring	\$3,000.00	Electrical	\$7,000.00
Carpentry	\$5,000.00	Plumbing	\$3,000.00
Siding	\$7,000.00	Furnace	\$5,000.00
Insulation	\$2,000.00	Total	\$15,000.00
Drywall	\$4,000.00		
Windows	\$5,000.00		
Doors	\$600.00		
Kitchen	\$10,000.00		
Bathroom/Laundry room	\$3,000.00		
Total	\$39,600.00		



0 3 6 9 12 15 18 21 24 27 30 33 36 39 42 45 48 51 54

← Pardee Lake

sidewalk

Porch

Fridge

Bedroom 2

closet

closet

Bedroom 1

gas
fireplace

stackable
W/D

existing concrete

2116 Webster Park Drive

H2O
Heater →

In crawl space

30
33
36
39
42
45
48
51
54
57
60
63
66
69
72

ZBA 15-17 Area Map



1 inch = 150 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 1:32 AM

Parcel: 4711-30-101-026
Owner's Name: BANDLI, RICHARD
Property Address: 2166 WEBSTER PARK DR.
HOWELL, MI 48843

Current Class: 401.401 RESIDENTIAL-IMPROVED
Previous Class: 401.401 RESIDENTIAL-IMPROVED
Gov. Unit: 4711 GENOA CHARTER TOWNSHIP
MAP # V15-17
School: 47070 HOWELL
Neighborhood: 4043 4043 WEBSTER PARK

Liber/Page: / / **Created:** / /
Split: / / **Active:** Active
Public Impr.: None
Topography: REFUSE

Mailing Address:

BANDLI, RICHARD
2166 WEBSTER PARK DR.
HOWELL MI 48843

Most Recent Sale Information

None Found

Most Recent Permit Information

None Found

Physical Property Characteristics

2016 S.E.V.: Tentative	2016 Taxable: Tentative	Lot Dimensions:
2015 S.E.V.: 69,400	2015 Taxable: 41,342	Acres: 0.81
Zoning: LRR	Land Value: 108,000	Frontage: 120.0
PRE: 0.000	Land Impr. Value: 0	Average Depth: 295.0

Improvement Data

of Residential Buildings: 1
Year Built: 0
Occupancy: Single Family
Class: D
Style: D
Exterior: Wood Siding
% Good (Physical): 45
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: 2
Full Baths: 1 Half Baths: 0
Floor Area: 960
Ground Area: 960
Garage Area: 0
Basement Area: 0
Basement Walls:
Estimated TCV: 26,573

Image



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status		
2166 WEBSTER PARK DR.		School: HOWELL								
Owner's Name/Address		P.R.E. 0%								
BANDLI, RICHARD 2166 WEBSTER PARK DR. HOWELL MI 48843		MAP #: V15-17		2016 Est TCV Tentative						
Tax Description		X Improved		Vacant	Land Value Estimates for Land Table 119.PARDEE LK FRT					
SEC. 30 T2N, R5E, WEBSTER PARK LOTS 25, 26, AND 27		Public Improvements		* Factors *				Value		
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value
		Gravel Road		PARDEE LK FRT	120.00	295.00	1.0000	1.0000	900 100	108,000
		Paved Road		<Site Value B>					0 100	0
		Storm Sewer		120 Actual Front Feet, 0.81 Total Acres				Total Est. Land Value =		108,000
		Sidewalk								
		Water								
		Sewer								
		Electric								
		Gas								
		Curb								
		Street Lights								
		Standard Utilities								
		Underground Utils.								
		Topography of Site								
		Level								
		Rolling								
		Low								
		High								
		Landscaped								
		Swamp								
		Wooded								
		Pond								
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
		X REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
		Who	When	What	2016	Tentative	Tentative	Tentative		Tentative
					2015	54,000	15,400	69,400		41,342C
					2014	54,000	16,600	70,600		40,691C
					2013	54,000	16,500	70,500		40,051C

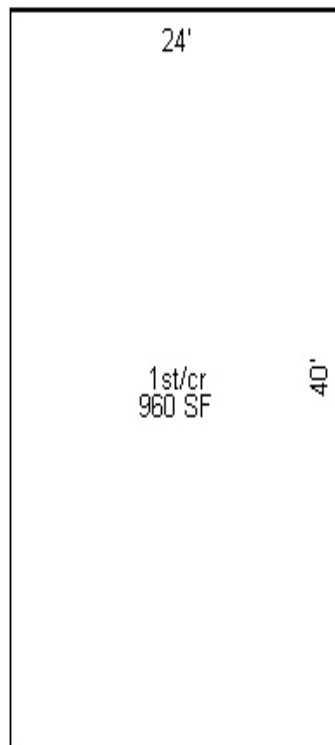


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*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G	X	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling										
Building Style: D		Trim & Decoration															
Yr Built 0	Remodeled 0	Ex	X	Ord		Min											
Condition for Age: Good		Size of Closets															
		Lg	X	Ord		Small											
Room List		Doors:		Solid	X	H.C.											
Basement 1st Floor 2nd Floor 2 Bedrooms		Kitchen: Other: Other:															
(1) Exterior		(5) Floors															
X Wood/Shingle Aluminum/Vinyl Brick		Kitchen: Other: Other:															
Insulation		(6) Ceilings															
(2) Windows		No./Qual. of Fixtures															
Many Avg. Few	X	Large Avg. Small															
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Basement: 0 S.F. Crawl: 960 S.F. Slab: 0 S.F. Height to Joists: 0.0															
(3) Roof		(7) Excavation															
X	Gable Hip Flat		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
Asphalt Shingle		Recreation SF Living SF Walkout Doors No Floor SF															
Chimney: Brick		(9) Basement Finish															
		Public Water Public Sewer															
		1 Water Well 1 1000 Gal Septic 2000 Gal Septic															
		Lump Sum Items:															
		Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj Size Cost															
		1 Story Siding Crawl Space 48.93 -8.52 0.66 960 39,427															
		Other Additions/Adjustments Rate Size Cost															
		(14) Water/Sewer Well, 200 Feet 4400.00 1 4,400															
		1000 Gal Septic 2720.00 1 2,720															
		Phy/Ab.Phy/Func/Econ/Comb.%Good= 45/100/100/100/45.0, Depr.Cost = 30,791															
		ECF (4043 WEBSTER PARK) 0.863 => TCV of Bldg: 1 = 26,573															

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



2 BEDROOMS
1 FULL BATH

Sketch by Apex IV™

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