

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
FEBRUARY 21, 2017  
6:30 P.M.  
AGENDA**

Call to Order:

Pledge of Allegiance:

Introduction:

Approval of Agenda:

Election of Officers:

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

1. 17-01 ... A request by Tim Chouinard, 1185 Sunrise Park, for a side yard variance, rear yard variance and a lot coverage variance to construct an addition to an existing home.
2. 17-03 .... A request by Jerry Sprague, 2696 Little Sunset Trail, for a side and rear yard variance to construct a detached accessory structure.
3. 17-04 ... A request by Kevin and Nancy Sarpolis, 2055 Webster Park, for a waterfront variance to construct an addition to an existing single family home.
4. 17-05 ... A request by John J. Jones, 5525 E. Grand River, for a side yard variance, lot coverage variance and a setback variance from the principal structure to allow for a 10 x 16 detached accessory structure.
5. Request to enter into closed session to discuss pending litigation pursuant to MCL 15.268 § 8 (e).

Administrative Business:

1. Approval of minutes for the January 17, 2017 Zoning Board of Appeals meeting.
2. Correspondence
3. Township Board Representative Report
4. Planning Commission Representative Report
5. Zoning Official Report
6. Member Discussion
7. Adjournment



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

## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** February 16, 2017  
**RE:** ZBA 17-01

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**File Number:** ZBA#17-01

**Site Address:** 1185 Sunrise Park Dr.

**Parcel Number:** 4711-09-201-014

**Parcel Size:** 0.103 Acres

**Applicant:** Tim Chouinard, Chouinard Home Builders

**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 and rear yard variance and a building lot coverage variance to construct a second story addition and a small addition to the front of 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 February 5, 2017 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 built in 1940.
- The property utilizes public sewer and has an existing well.
- See Real Estate Summary and Record Card.

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

## **History**

**June 2015:** Mr. Chouinard's variance was heard before the June 16, 2015 Zoning Board of Appeals meeting. The case was tabled until the August 2015 ZBA meeting. (Minutes and packet are attachment #1)

**August 2015:** Mr. Chouinard's variance was heard at the August 18, 2015 ZBA meeting in which the variance was approved. (Minutes and packet are attachment #2)

**January 2017:** Mr. Chouinard applied for a new variance since the previous variance expired. It was discovered that the rear property does not extend to the water's edge. The variance requests needed to be republished.

**February 2017:** Packet and letters from neighbors is attachment #3.

## **Summary**

The proposed project is to construct a second story addition and a small addition to the front of the existing house. In order to do this the applicant will need side and rear yard variances and a building lot coverage variance. The scope of the project as was approved in 2015 has not changed. The home size and location is exactly the same. The only difference is that staff in 2015 did not catch that there is a rear property line because the plat does not extend the lot to the water's edge. This situation occurs elsewhere for a number of waterfront lots in the Sunrise Park neighborhood. Recognition of this situation creates additional variance requests for lot coverage and the required rear yard setback. The home meets the waterfront setback. The staff comments from the 2015 project case report are included for your reference rather than issue a new report from staff.

## **Variance Requests**

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

### **Table 3.04.01: LRR District**

**Required Side Yard Setback: 10'   Proposed Side Yard Setback: 6   Proposed Variance Amount: 4**

**Required Rear Yard Setback: 40'   Proposed Rear Yard Setback: 6   Proposed Variance Amount: 34**

|   |            |
|---|------------|
| <b>Minimum Building Lot Coverage:</b>           | <b>35%</b> |
| <b>Existing Building Lot Coverage:</b>          | <b>40%</b> |
| <b>Proposed Building Lot Coverage:</b>          | <b>41%</b> |
| <b>Proposed Building Lot Coverage Variance:</b> | <b>1%</b>  |

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

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

A call the public was made with no response.

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

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

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

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

A call the public was made with no response.

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

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

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

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



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

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

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

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

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

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

Administrative Business:

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

# 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 CHOUINARD  
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.**

**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

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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:

|  |                                    |                                     |                                    |             |
|--|------------------------------------|-------------------------------------|------------------------------------|-------------|
| <b>Table 3.04.01: Required Front Yard Setback:</b> | <b>35'</b>                         | <b>Proposed Front Yard Setback:</b> | <b>24'</b>                         |             |
|  | <b>Required Side Yard Setback:</b> | <b>10'</b>                          | <b>Proposed Side Yard Setback:</b> | <b>7.6'</b> |
|  | <b>Required Side Yard Setback:</b> | <b>10'</b>                          | <b>Proposed Side Yard Setback:</b> | <b>3'</b>   |

### **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)
- GAS METER
- GRINDER PUMP
- OVERHEAD WIRES
- 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 on the adjacent lot shall be no less than ten 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 PROJECT MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES. EASEMENTS OR RESTRICTIONS OF RECORD NOT SHOWN ON THIS DRAWING MAY EXIST.

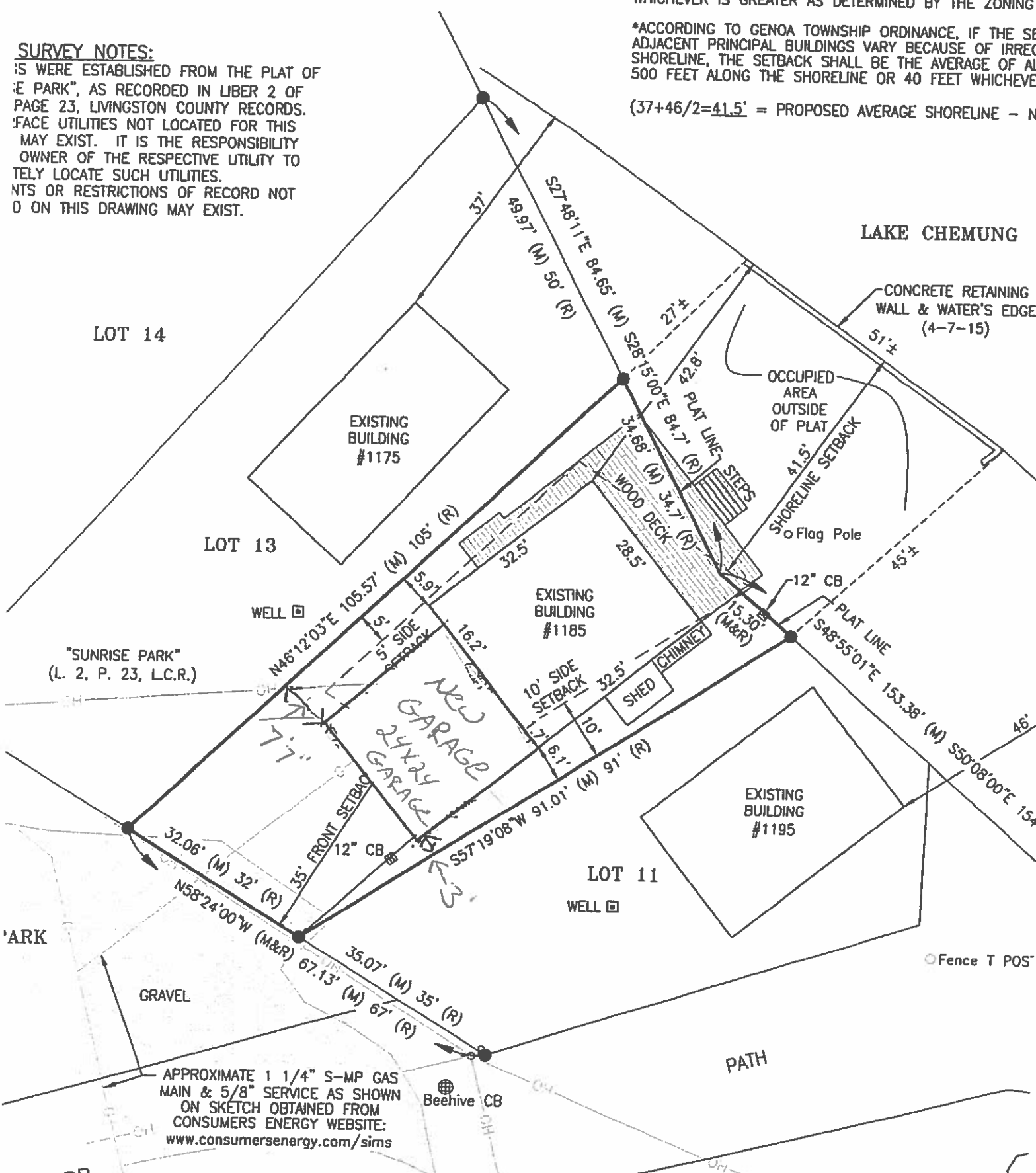
\*ACCORDING TO GENOA TOWNSHIP ORDINANCE, IF THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS VARY BECAUSE OF IRREGULAR SHORELINE, THE SETBACK SHALL BE THE AVERAGE OF ALL SETBACKS ALONG THE SHORELINE OR 40 FEET WHICHEVER IS GREATER.  
 $(37+46/2=41.5' = \text{PROPOSED AVERAGE SHORELINE} - \text{N}$

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](http://www.consumersenergy.com/sims)

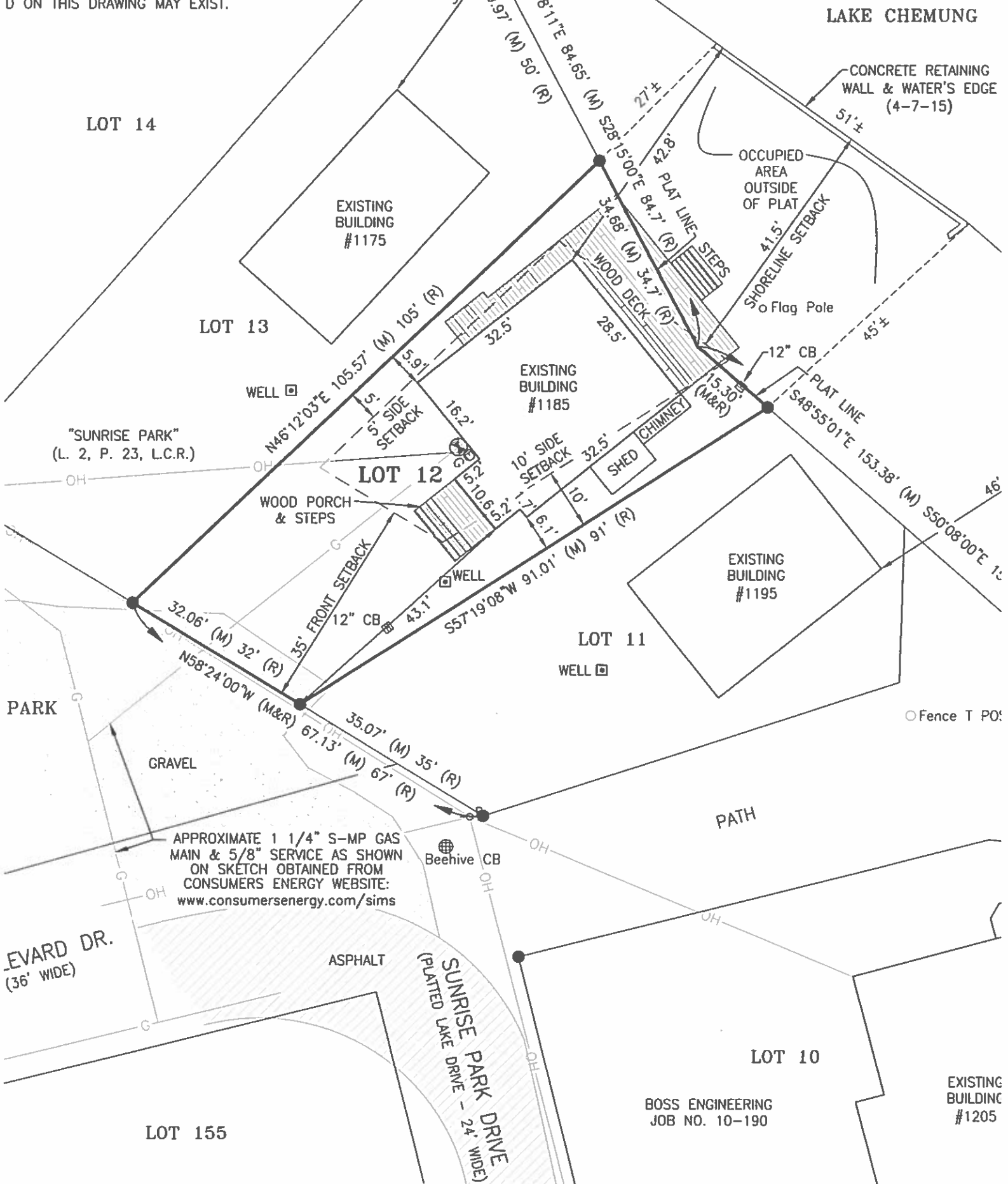


- ⊕ STORM CATCH BASIN (BEEHIVE)
- ▢ STORM CATCH BASIN (SQUARE)
- ⊗<sub>G</sub> GAS METER
- ⊠<sub>GF</sub> GRINDER PUMP
- OH— OVERHEAD WIRES
- G— U.G. GAS LINES

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.

\*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.  
 $(37+46/2=41.5' = \text{PROPOSED AVERAGE SHORELINE SETBACK})$

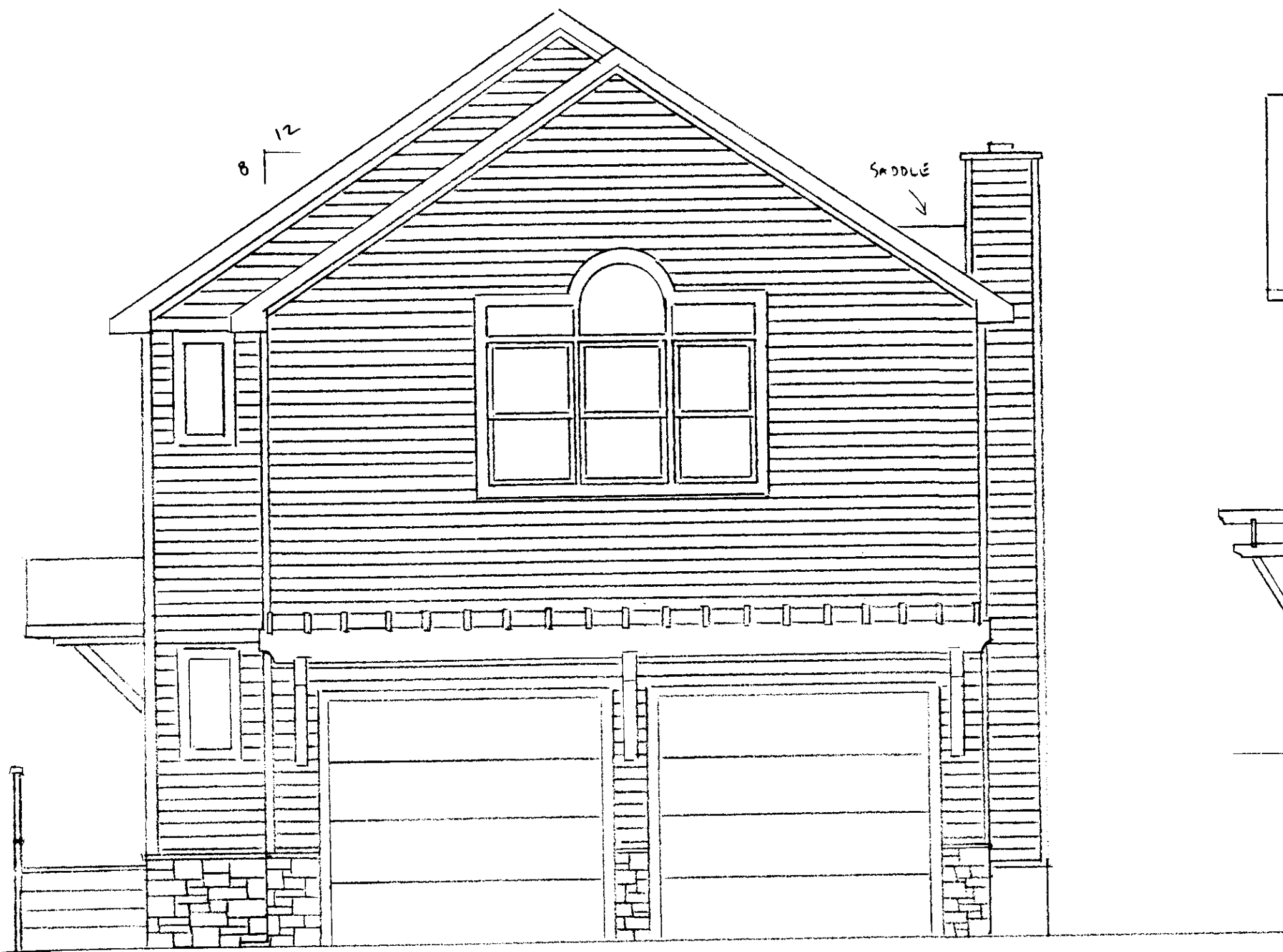
**SURVEY NOTES:**  
 THE CORNER POINTS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS. THE LOCATION OF FACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO LOCATE SUCH UTILITIES. EASEMENTS OR RESTRICTIONS OF RECORD NOT SHOWN ON THIS DRAWING MAY EXIST.



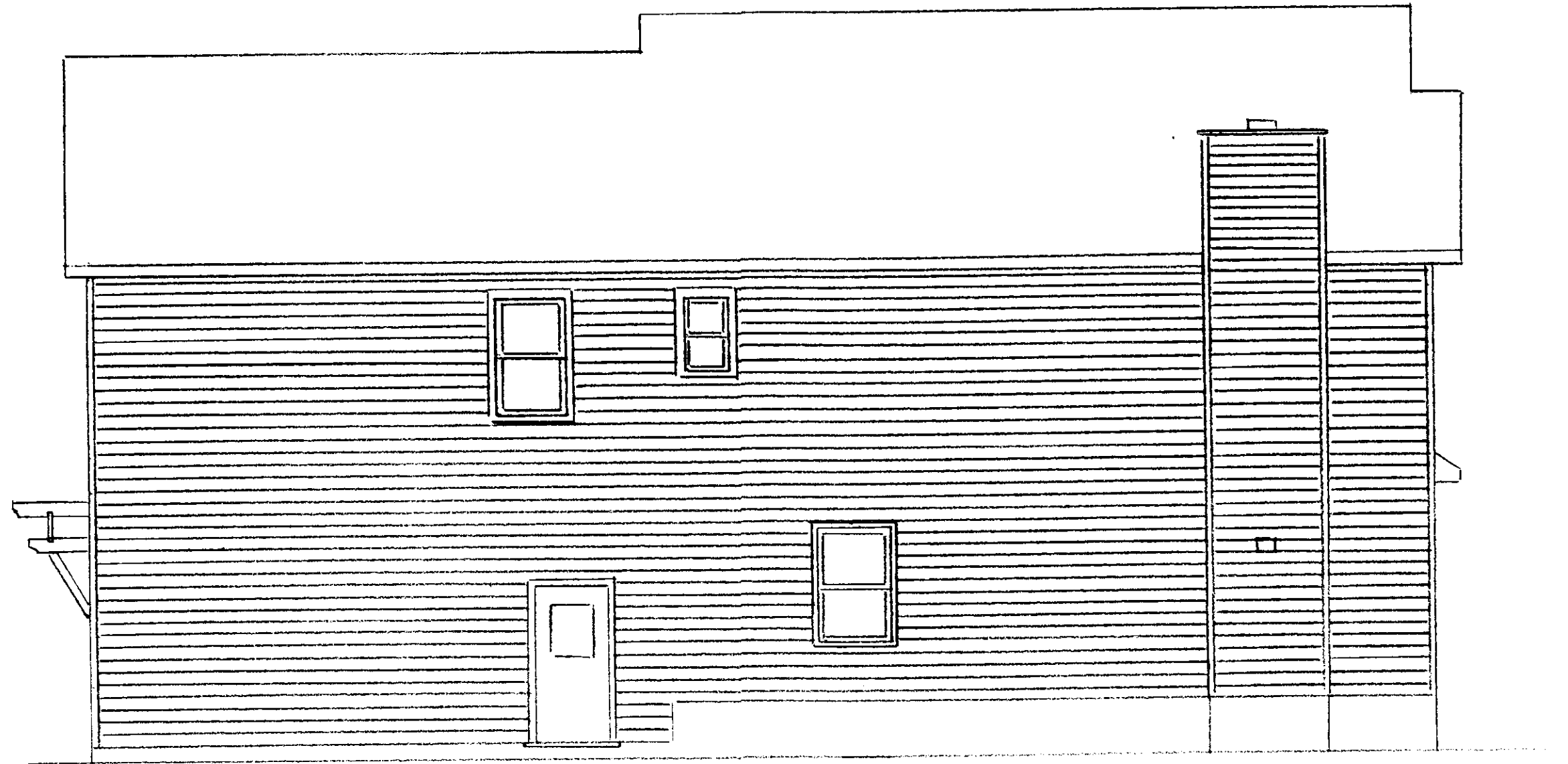
"SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS, BEING THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 36N, RANGE 5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.

**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

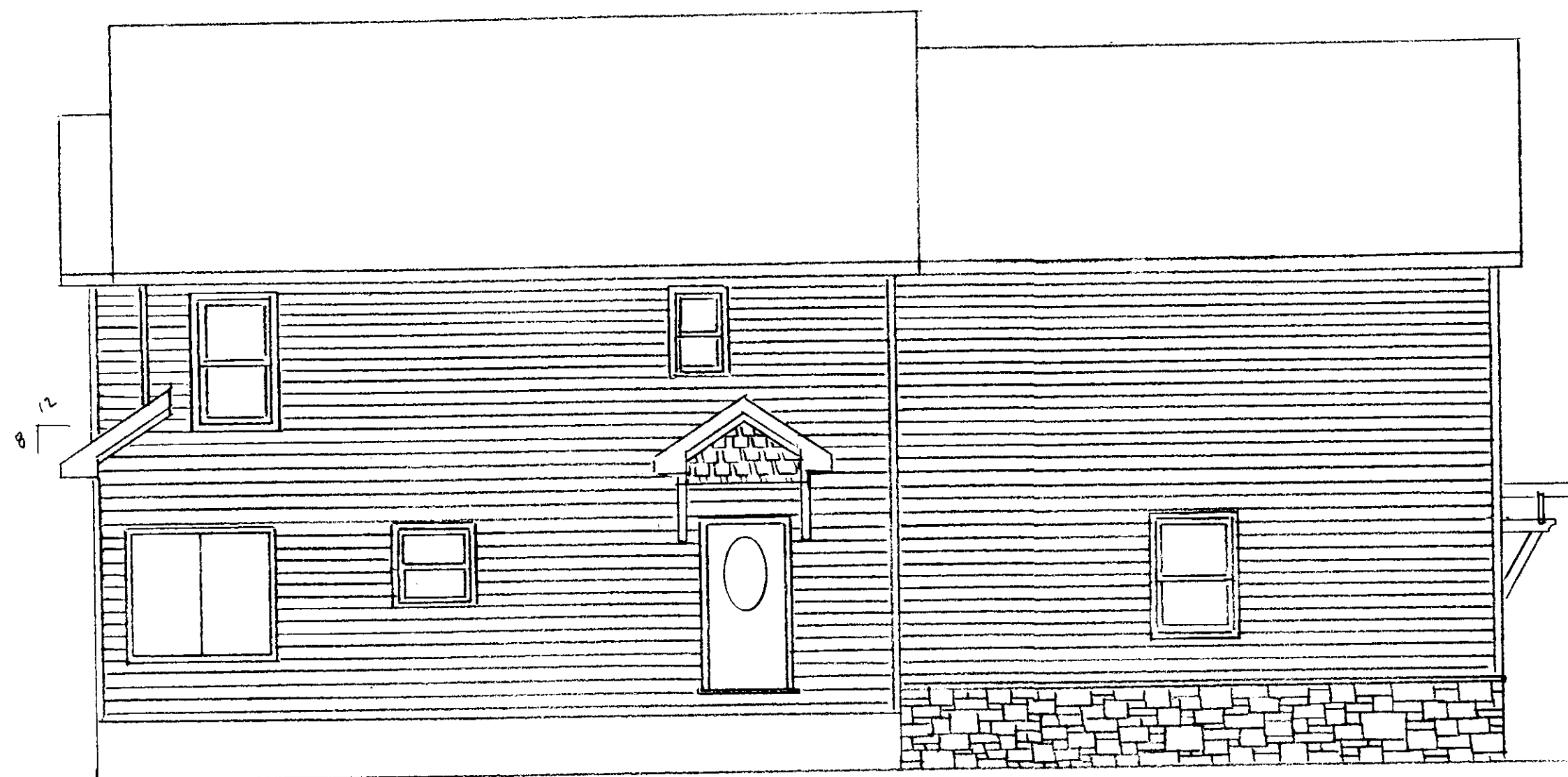


FRONT (STREET) ELEVATION  
SCALE: 1/4" = 1'0"



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

NOTE: EXISTING DECK NOT SHOWN



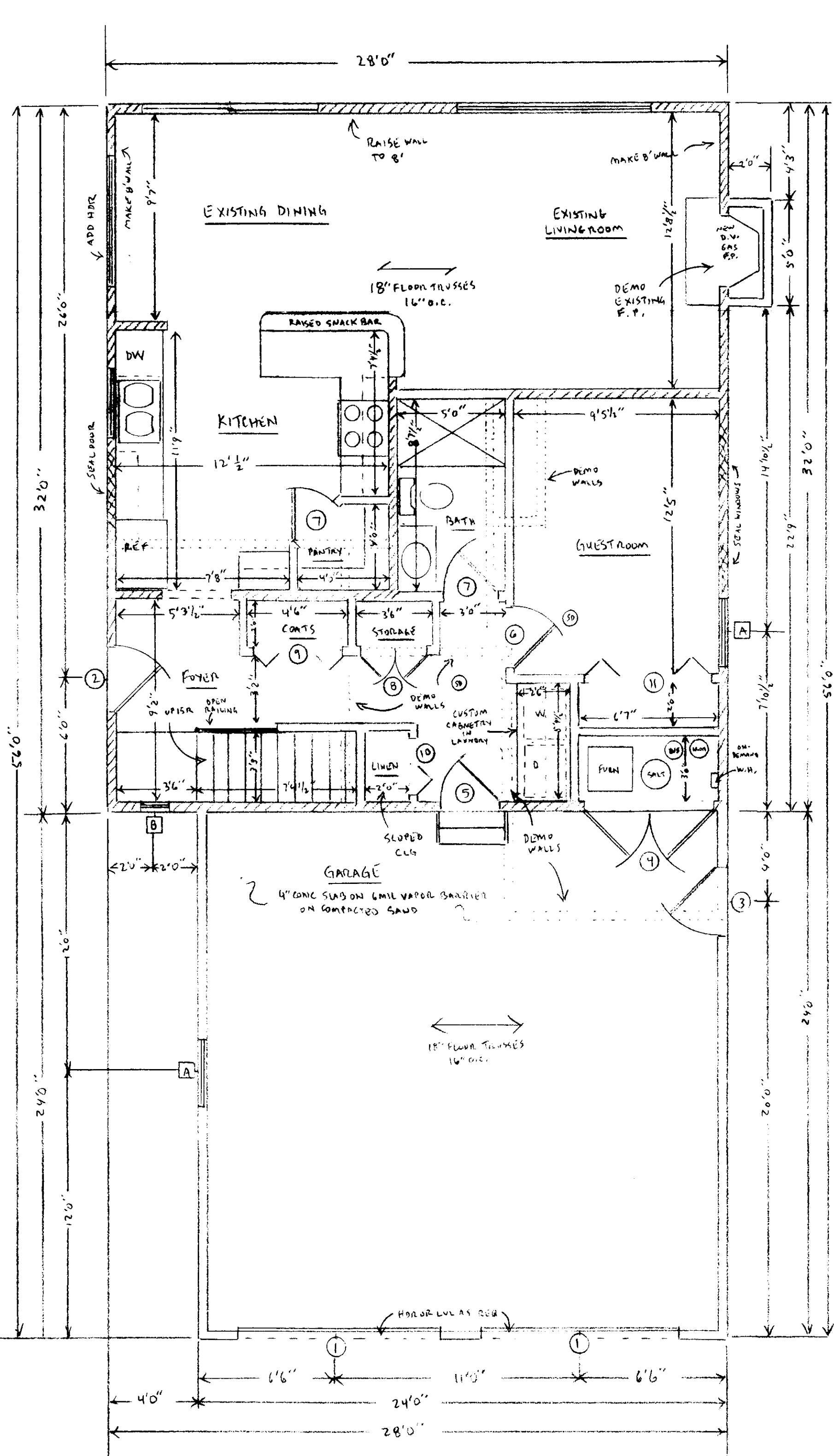
RIGHT ELEVATION  
SCALE: 3/16" = 1'0"

NOTE: EXISTING DECK NOT SHOWN



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





**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 HALL  
 [Thick Line] = HALL WALL

**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" x 8" | 2   | D.H.           |
| B   | 1'3" x 3" | 1   | FIXED TEMPERED |

NOTE: SIZES VARY BY MAN

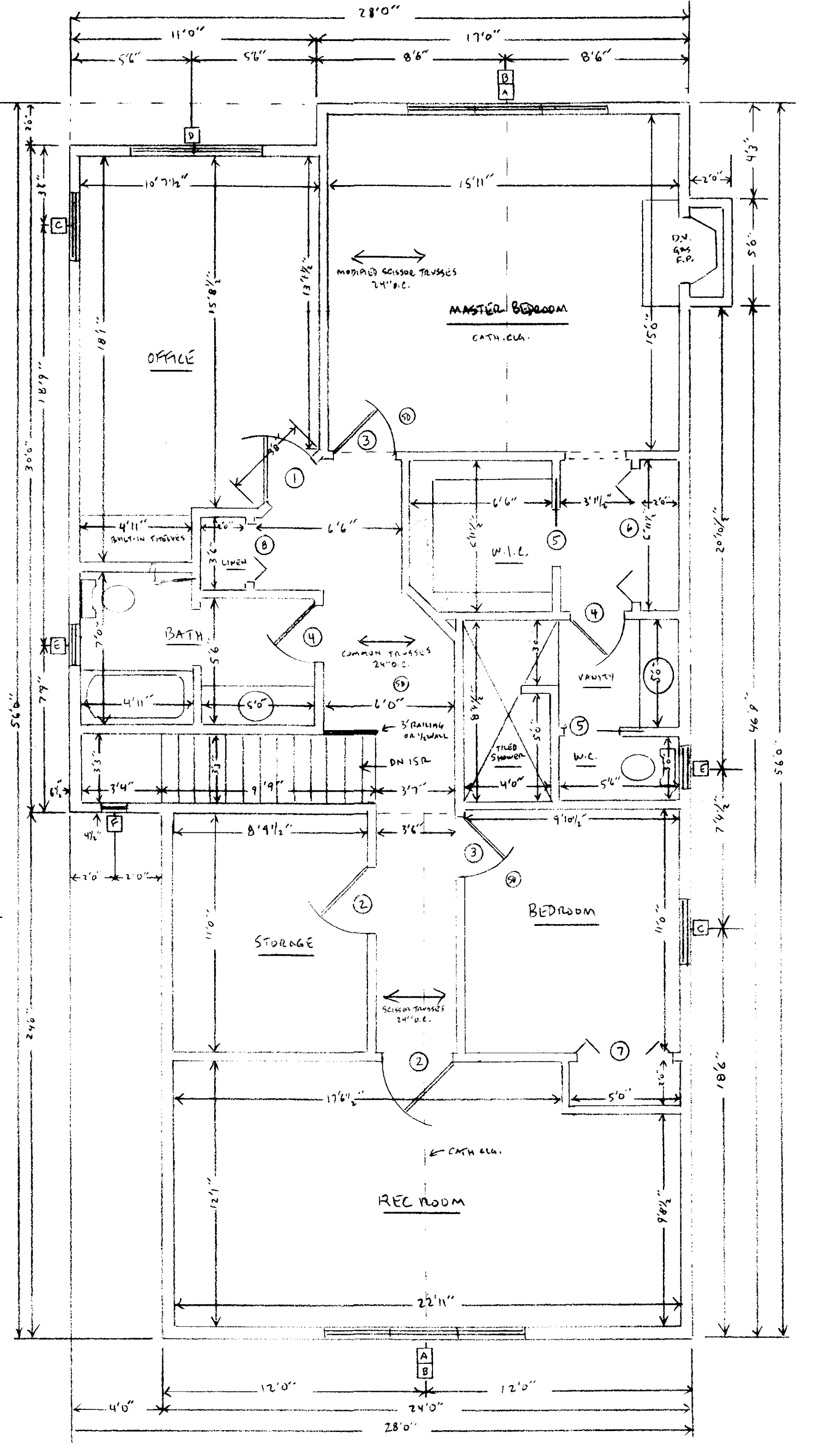
**SECOND FLOOR PLAN**  
 SCALE: 1/4" = 1'-0" 1450 P  
 NOTE: EXT. WALLS DRAWN 6 1/4" THICK UNLESS NOTED  
 INT. WALLS DRAWN 1/4" THICK  
 NOTE: 2X12 HANG OVER WINDOWS  
 NOTE: SMOKE DETECTORS WIRED IN SERIES WITH BATTERY BACKUP

**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" x 8" | 2   | (1) 3'4" D.H. MULLED            |
| B   | 9'0" x 6" | 2   | 3'10" / 3'2" ARCH / 3'1" MULLED |
| C   | 3'4" x 8" | 2   | D.H.                            |
| D   | 6'4" x 8" | 1   | (2) 3'4" D.H. MULLED            |
| E   | 2'0" x 3" | 2   | D.H.                            |
| F   | 1'3" x 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

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

|                    |              |                 |        |
|--------------------|--------------|-----------------|--------|
| <b>Liber/Page:</b> | 2013R-033844 | <b>Created:</b> | //     |
| <b>Split:</b>      | //           | <b>Active:</b>  | Active |

|                      |        |
|----------------------|--------|
| <b>Public Impr.:</b> | None   |
| <b>Topography:</b>   | 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

|                     |           |                          |           |                        |      |
|---------------------|-----------|--------------------------|-----------|------------------------|------|
| <b>2016 S.E.V.:</b> | Tentative | <b>2016 Taxable:</b>     | Tentative | <b>Lot Dimensions:</b> |      |
| <b>2015 S.E.V.:</b> | 117,300   | <b>2015 Taxable:</b>     | 110,642   | <b>Acres:</b>          | 0.10 |
| <b>Zoning:</b>      | LRR       | <b>Land Value:</b>       | 105,800   | <b>Frontage:</b>       | 46.0 |
| <b>PRE:</b>         | 100.000   | <b>Land Impr. Value:</b> | 0         | <b>Average Depth:</b>  | 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<br>1185 SUNRISE PARK<br>HOWELL MI 48843 |                         | 2016 Est TCV Tentative    |            |  |  |                |                |                 |                |               |         |
|   |                         | X                         | Improved   | Vacant   | Land Value Estimates for Land Table 00006.SUNRISE PARK |                |                |                 |                |               |         |
|   |                         | Public Improvements       |            | * Factors *  |  |                |                |                 |                |               |         |
|   |                         | Dirt Road                 |            | Description  | Frontage   | Depth          | Front          | Depth           | Rate %Adj.     | Reason        | Value   |
|   |                         | Gravel Road               |            | 'A' FRONTAGE   | 46.00  | 98.00          | 1.0000         | 1.0000          | 2300           | 100           | 105,800 |
|   |                         | Paved Road                |            | 46 Actual Front Feet, 0.10 Total Acres Total Est. Land Value = 105,800 |  |                |                |                 |                |               |         |
|   |                         | Storm Sewer               |            |  |  |                |                |                 |                |               |         |
|   |                         | Sidewalk                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Water                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Sewer                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Electric                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Gas                       |            |  |  |                |                |                 |                |               |         |
|   |                         | Curb                      |            |  |  |                |                |                 |                |               |         |
|   |                         | Street Lights             |            |  |  |                |                |                 |                |               |         |
|   |                         | Standard Utilities        |            |  |  |                |                |                 |                |               |         |
|   |                         | Underground Utils.        |            |  |  |                |                |                 |                |               |         |
| Tax Description   |                         | Topography of Site        |            |  |  |                |                |                 |                |               |         |
| SEC. 9 T2N, R5E, SUNRISE PARK LOT 12                            |                         | Level                     |            |  |  |                |                |                 |                |               |         |
| Comments/Influences   |                         | 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     |         |
|   |                         | 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       |         |



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





7-21-15 Approved ZBA Minutes

the requested variance would not interfere with the appropriate development or continued use of adjacent properties in the surrounding areas.

**Motion carried unanimously.**

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

Jess Peak was present for the petitioner.

Peak addressed the location of the sewer lines. He indicated that an MHOG representative came out and provided options to relocate the sewer line. He also indicated that there will be the same siding and finishes on the new building as the home on the property.

Dhaenens asked about the concrete pad on the property. Peak said they would break it apart to get it to the required level and rebuild it.

A call to the public was made with no response.

**Moved by Ledford, supported by Figurski**, to approve Case 15-13, 3828 Highcrest, Petitioner Jeff Peak, to build a 22-foot by 32-foot detached accessory building in the front yard.

Practical difficulty is due to the location of the house being on the northeast corner of the property and a driveway easement along the southern boundary and size of the rear and side yard makes the placement of a detached accessory bldg. limited. Variance will have little impact on appropriate development, continued use or value of adjacent properties and surrounding areas. There is sufficient distance from the road and adjacent properties and should have a limited impact on values. Will not impair adequate supply of light and air to adjacent properties, will not increase congestion in public streets or increase the danger of fire, safety, comfort, morals or welfare of neighbors. Approval is contingent upon petitioner relocating the sewer line out of the way of the new garage and installing gutters and downspouts on the garage.

**Motion carried unanimously.**

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

Tim Chouinard was present for the petitioner.

Chouinard said it is a very small lot that he and the owners are trying to turn it into a home the owners can use in retirement. The front yard setback variance needs to be 24 feet for the garage, which would be located behind the house. Chouinard said he did try to make it smaller and Figurski questioned the size. Poissant asked about property and plat and questioned whether the property lines extended to the water's edge. Akers said Sunrise Park was platted in 1930s or 1940s, and it is unclear where the property lines go to. Poissant said he thinks the building exceeds the 35% lot coverage rule. Dhaenens questioned the 3-foot setback on the one side.

Akers said at the previous meeting there was a letter received from a neighbor in opposition to the project. He also received a call from an anonymous resident saying the land was actually park land; and that person wanted that brought to the Board's attention.

Call to the public was made with no response.

Dhaenens suggested tabling the case due to the percentage of structure occupancy on the land in order to find out if this meets the 35% requirement.

Moved by Ledford, supported by Poissant, move to table Case 15-14 to the next regularly scheduled meeting on August 18, 2015 and to be able to add a calculation of the 35% structure occupancy on the land in order to find out if it meets the 35% requirement.

**Motion carried unanimously.**

**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.**

Rickey F. Novak was present for the petitioner.

Novak said the side yard of his home is a flood zone, the septic field is located in the rear yard and he would have to remove a great deal of habitat to put the detached accessory building there. He said in the front it would basically be hidden. Figurski said it is hard to see the house from the road. Dhaenens commented that the back and side of the home was tight. He said he understands why Novak is not requesting to place it in the back yard.

Call to the public:

Brenda Klemmer, 100 S. Hughes Road, wants to know why the proposed building is not attached to home and what the material used would be. Novak said it would be vinyl sided and match the existing home. It is possible for him to attach it to house but would have many additional costs. That is a primary reason for not attaching.

**Moved by Ledford, supported by Figurski,** to approved Case 15-16, 140 S. Hughes Road, Richard Novak, Petitioner, for a variance to construct a 30x40 detached accessory bldg. in the front yard.

Extraordinary circumstances due to the presence of a flood plain area in the rear and side yard and the location of the septic system. Granting the variance will not impair an adequate supply of light and air to adjacent properties or increase congestion on public streets or endanger public safety, comfort, or welfare to the township and will not diminish the value of adjacent properties in the neighborhood. Approval is conditioned upon the building having gutters and downspouts.

**Motion carried unanimously.**

**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.**

The petitioners, Jeff and Susan Wood, were present.

# 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.)

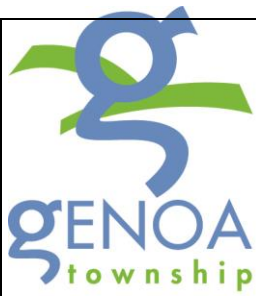
- **PROPERTY MUST BE STAKED SHOWING ALL** proposed improvements 5 days before the meeting and remain in place until after the meeting
- **Plot Plan drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. NOTE: One paper copy of all drawings is required.**
- 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

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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

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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:

|  |                                    |                                     |                                    |             |
|--|------------------------------------|-------------------------------------|------------------------------------|-------------|
| <b>Table 3.04.01: Required Front Yard Setback:</b> | <b>35'</b>                         | <b>Proposed Front Yard Setback:</b> | <b>24'</b>                         |             |
|  | <b>Required Side Yard Setback:</b> | <b>10'</b>                          | <b>Proposed Side Yard Setback:</b> | <b>7.6'</b> |
|  | <b>Required Side Yard Setback:</b> | <b>10'</b>                          | <b>Proposed Side Yard Setback:</b> | <b>3'</b>   |

### **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 lot 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 PROJECT MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES. EASEMENTS OR RESTRICTIONS OF RECORD NOT SHOWN ON THIS DRAWING MAY EXIST.

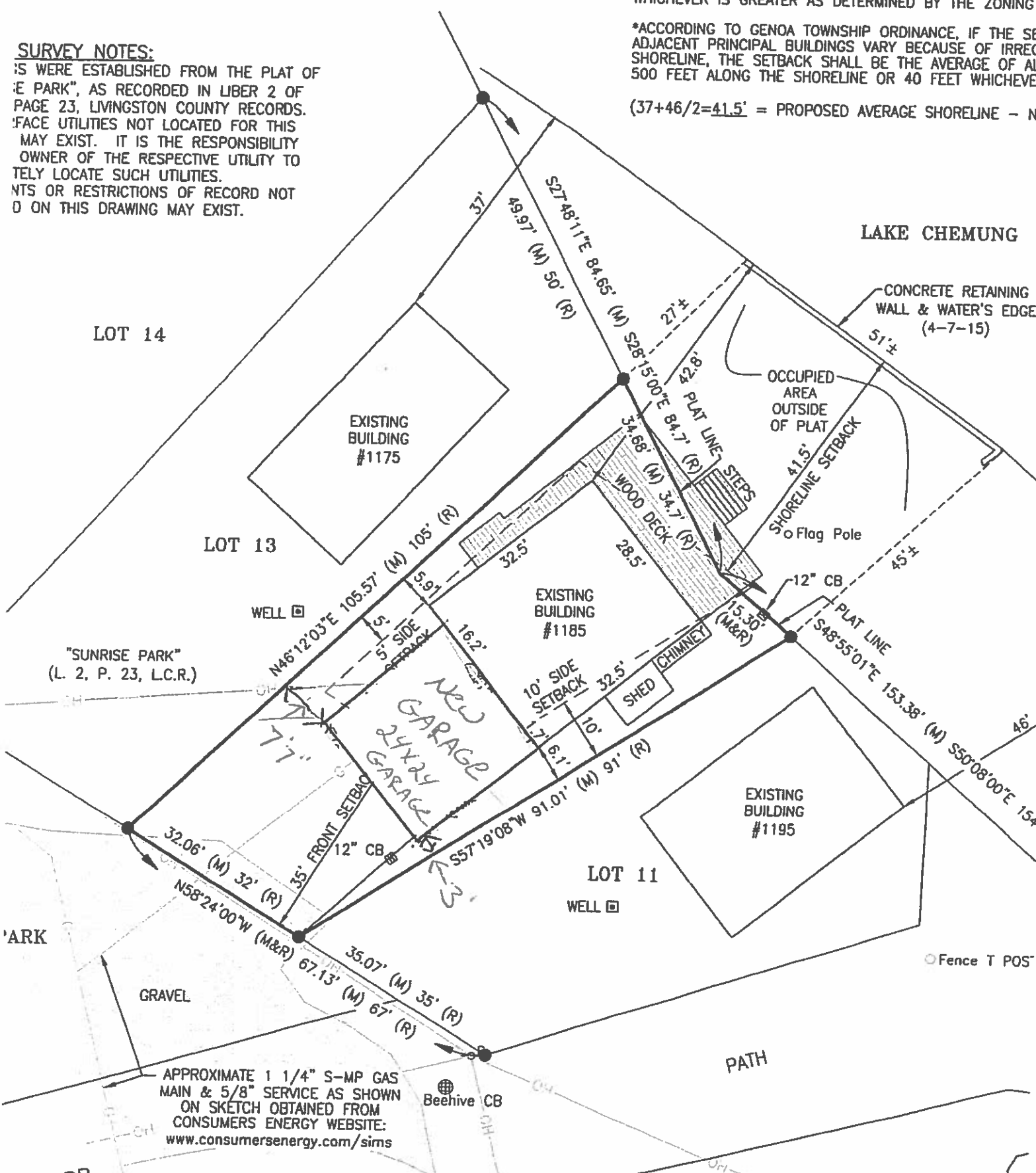
\*ACCORDING TO GENOA TOWNSHIP ORDINANCE, IF THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS VARY BECAUSE OF IRREGULAR SHORELINE, THE SETBACK SHALL BE THE AVERAGE OF ALL SETBACKS ALONG THE SHORELINE OR 40 FEET WHICHEVER IS GREATER.  
 $(37+46/2=41.5' = \text{PROPOSED AVERAGE SHORELINE} - \text{N}$

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](http://www.consumersenergy.com/sims)

CONCRETE RETAINING WALL & WATER'S EDGE (4-7-15)

OCCUPIED AREA OUTSIDE OF PLAT

SHORELINE SETBACK

PLAT LINE: STEPS

WOOD DECK (R)

CHIMNEY

SHED

10' SIDE SETBACK

35' FRONT SETBACK

5' SIDE SETBACK

12" CB

12" CB

15.33' (M&R)

32.5'

32.5'

32.5'

32.5'

32.5'

32.5'

32.5'

32.5'

32.5'

32.5'

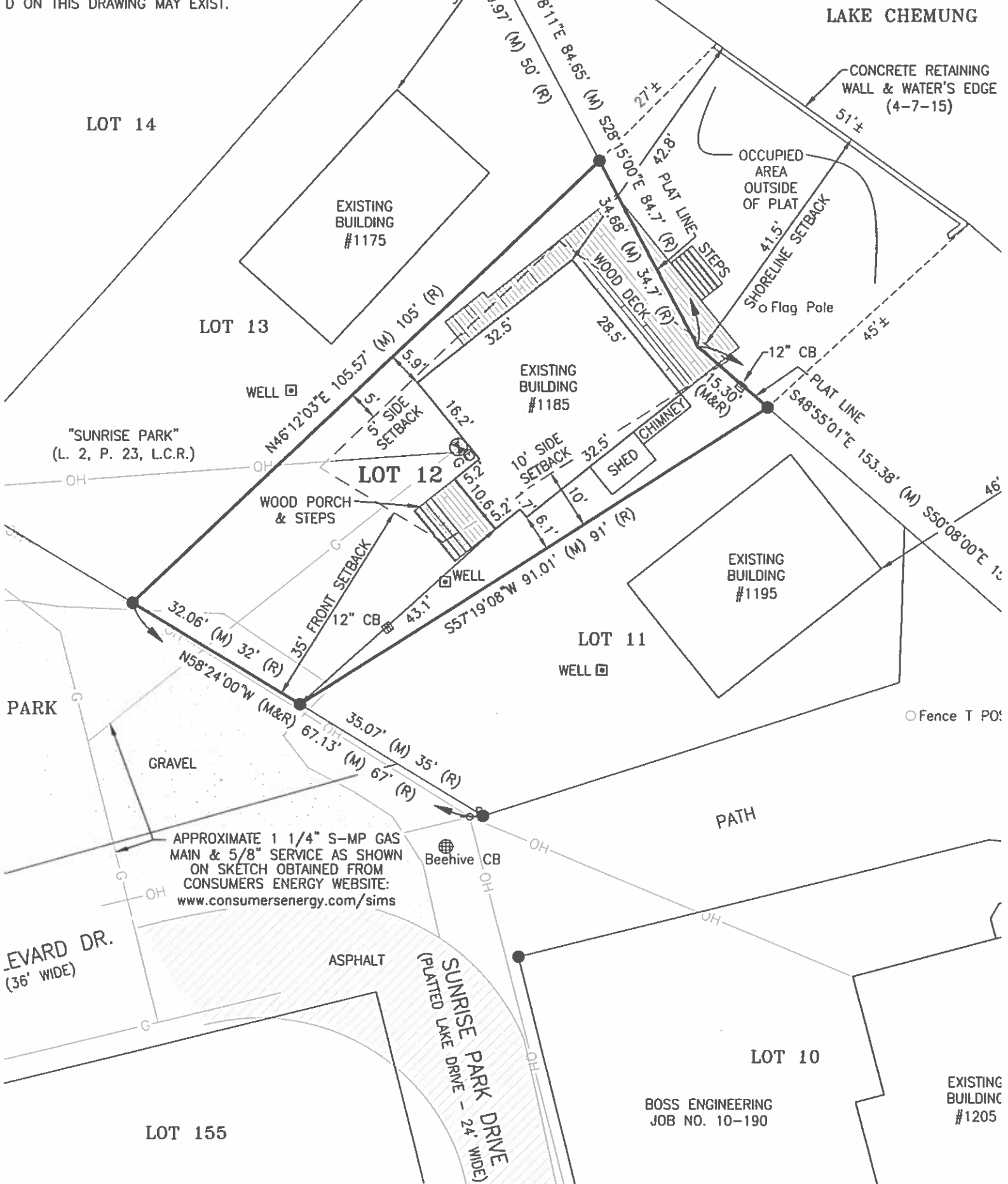
32.5'

- ⊕ STORM CATCH BASIN (BEEHIVE)
- ☐ STORM CATCH BASIN (SQUARE)
- ⊗<sub>G</sub> GAS METER
- ⊠<sub>GF</sub> GRINDER PUMP
- OH— OVERHEAD WIRES
- G— 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 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 SHORELINE 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

\*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 MEASUREMENTS ALONG THE SHORELINE OR 40 FEET WHICHEVER IS GREATER.  
 $(37+46)/2=41.5'$  = PROPOSED AVERAGE SHORELINE - NO

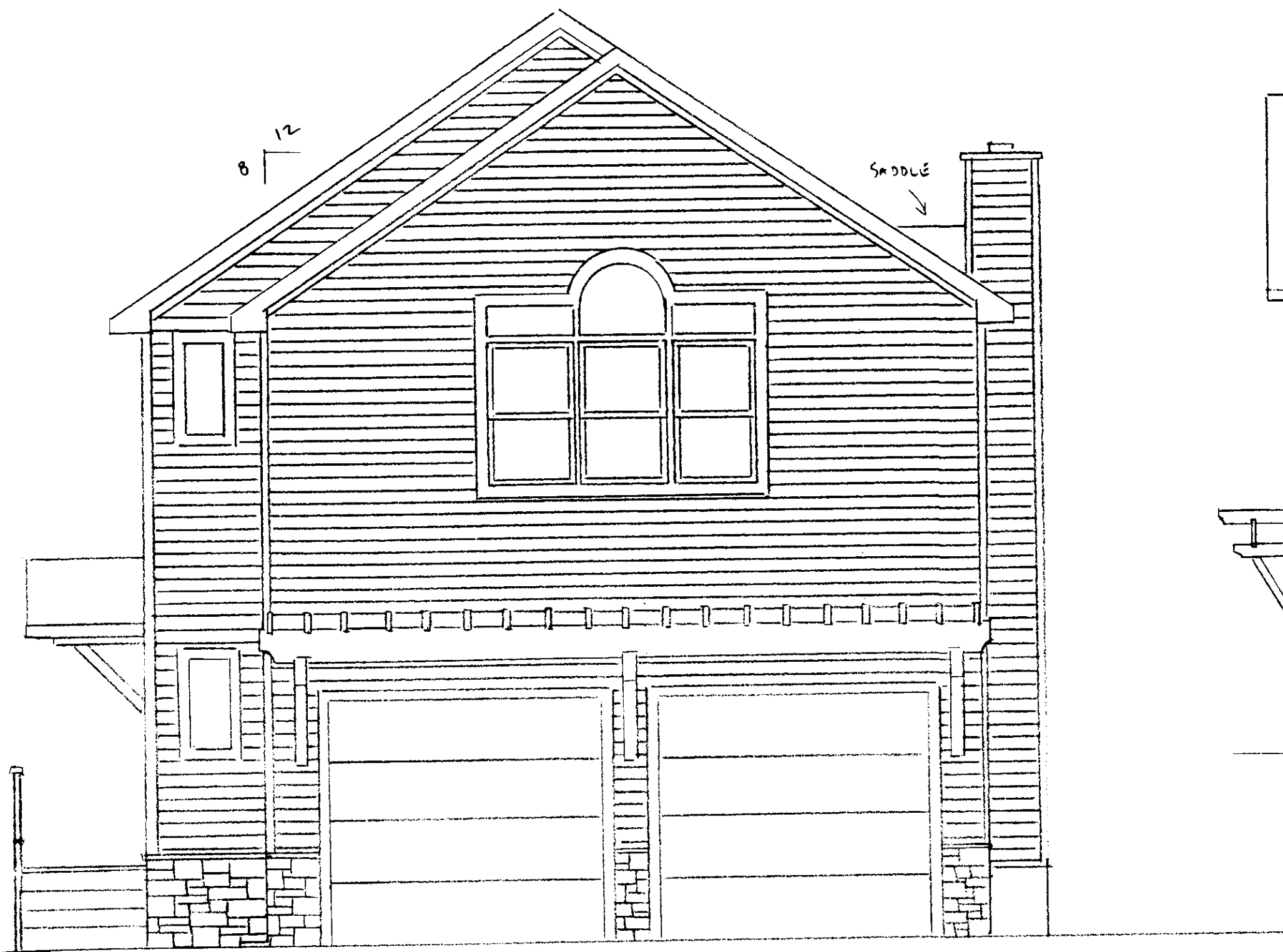
**SURVEY NOTES:**  
 SETBACKS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS. SURFACE UTILITIES NOT LOCATED FOR THIS PROJECT MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.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



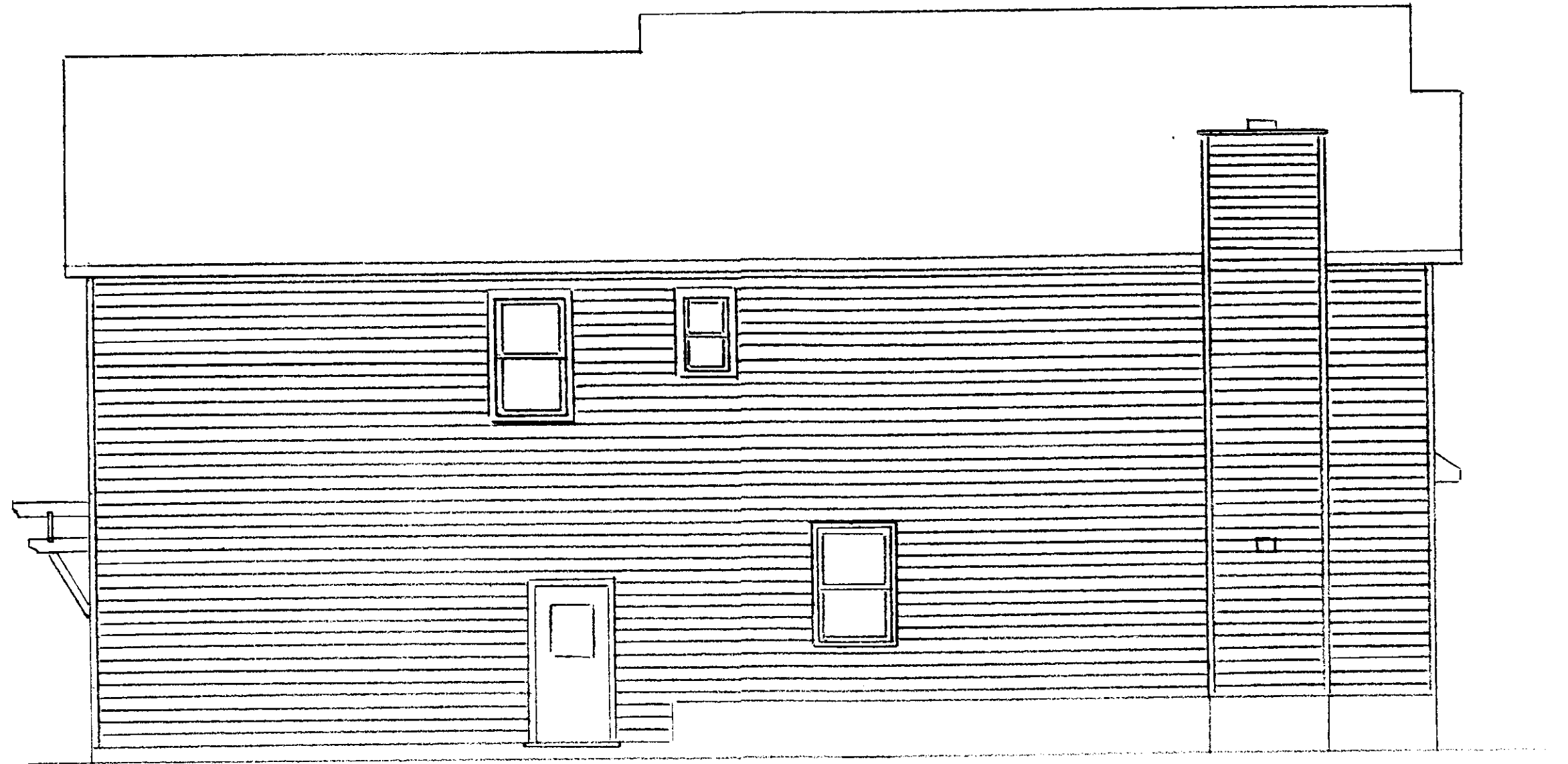
"SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS, BEING THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 35N, RANGE 5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.

**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

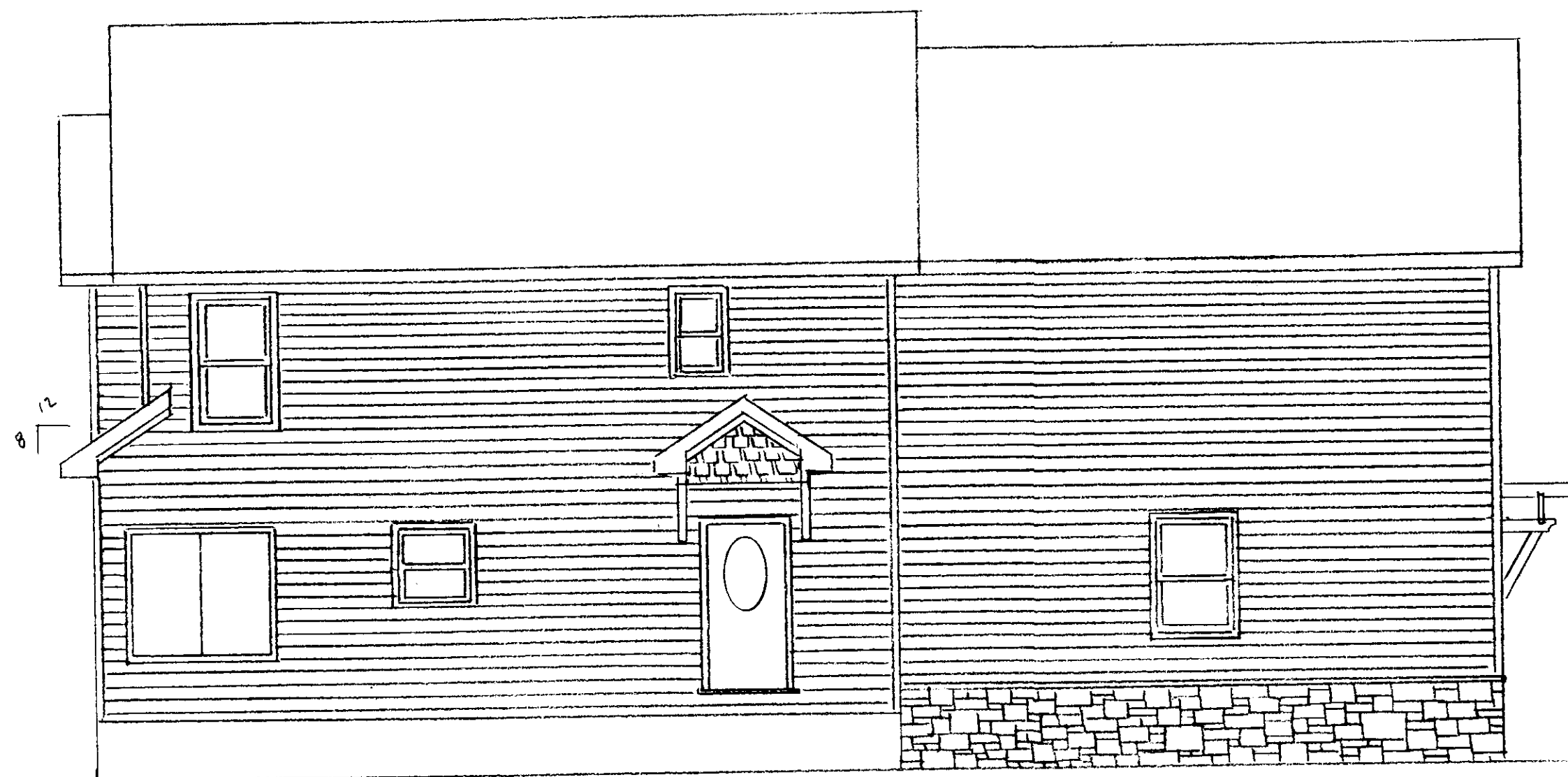


FRONT (STREET) ELEVATION  
SCALE: 1/4" = 1'0"



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

NOTE: EXISTING DECK NOT SHOWN

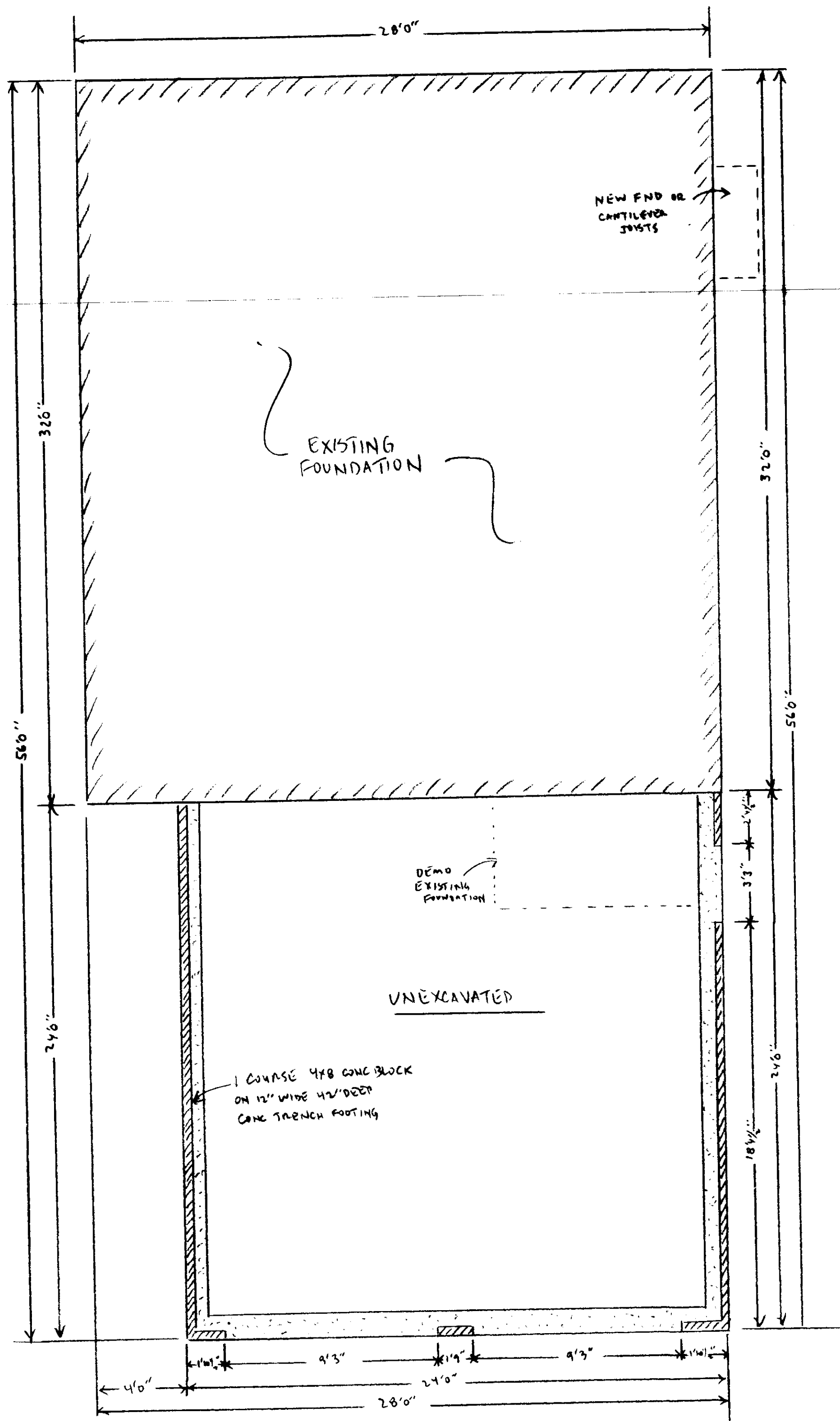


RIGHT ELEVATION  
SCALE: 3/16" = 1'0"

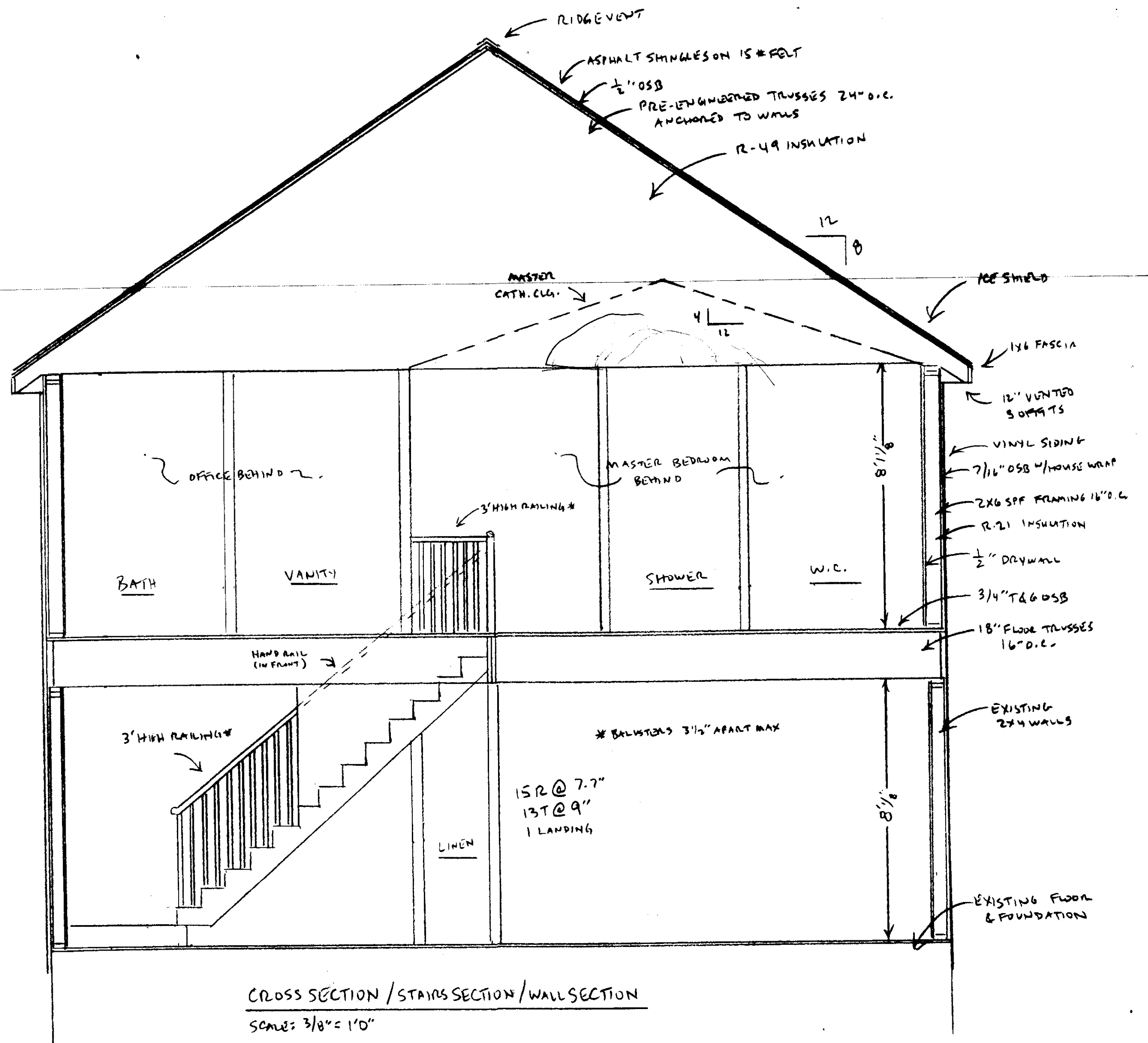
NOTE: EXISTING DECK NOT SHOWN



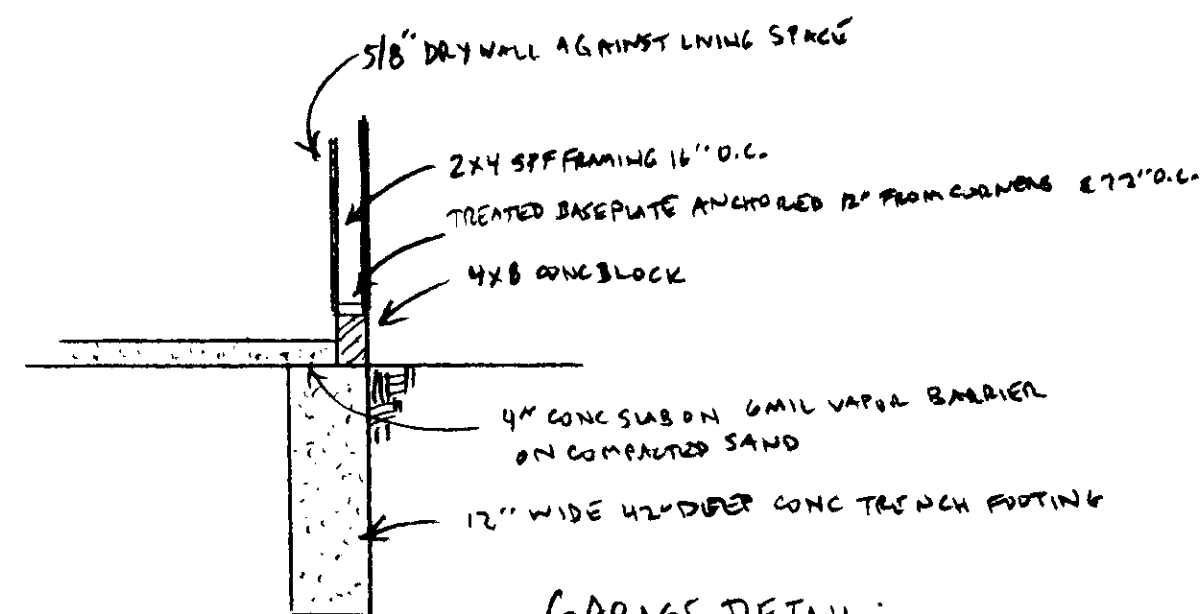
REAR (LAKE) ELEVATION  
SCALE: 1/4" = 1'0"



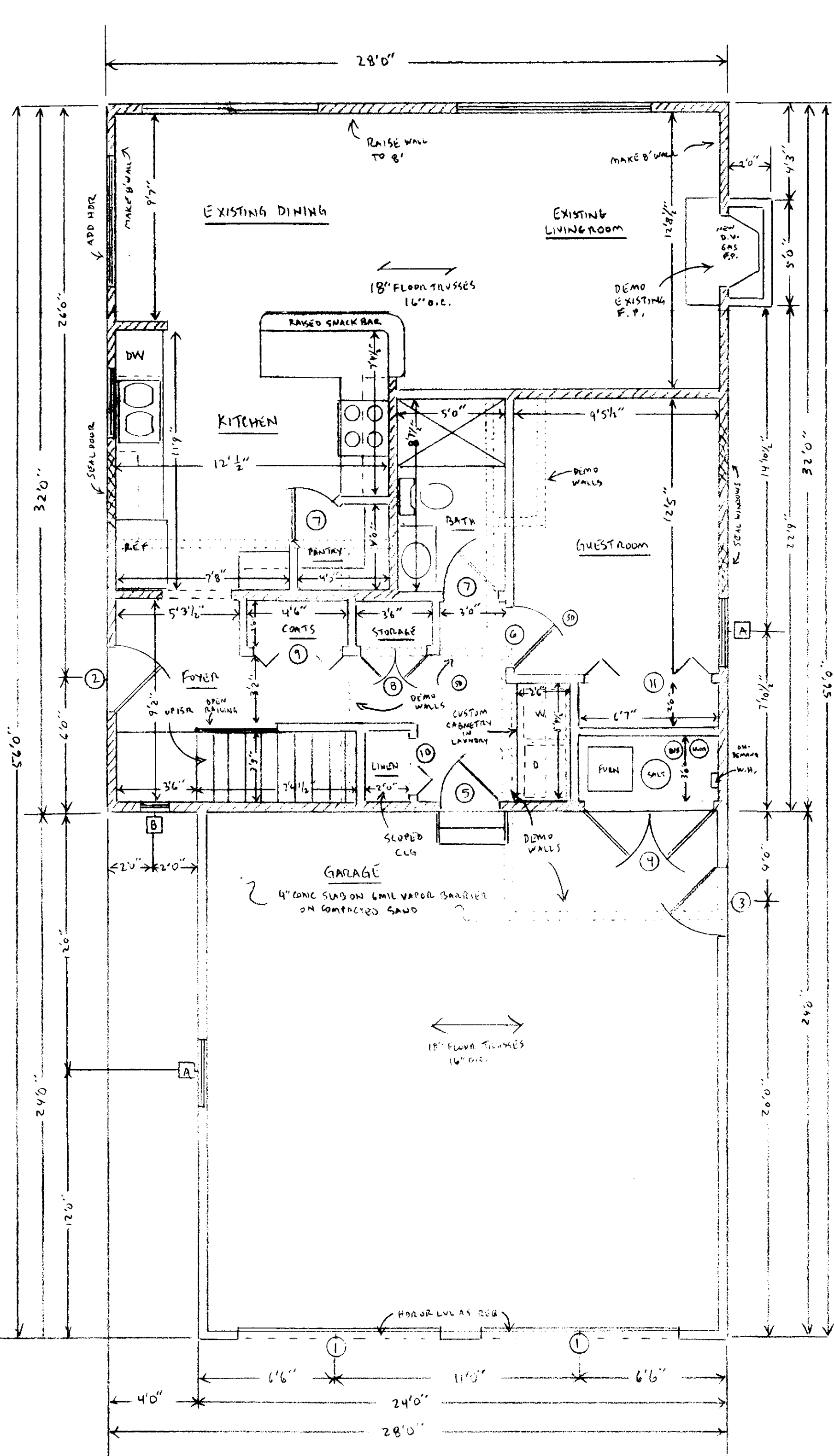
FOUNDATION PLAN  
SCALE: 1/4" = 1'0"



CROSS SECTION / STAIRS SECTION / WALL SECTION  
SCALE: 3/8" = 1'0"



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



**FIRST FLOOR PLAN**  
 SCALE: 1/4"=1'-0" 896 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" x 8' | 2   | D.H.           |
| B   | 1'3" x 3' | 1   | FIXED TEMPERED |

NOTE: SIZES VARY BY MAN

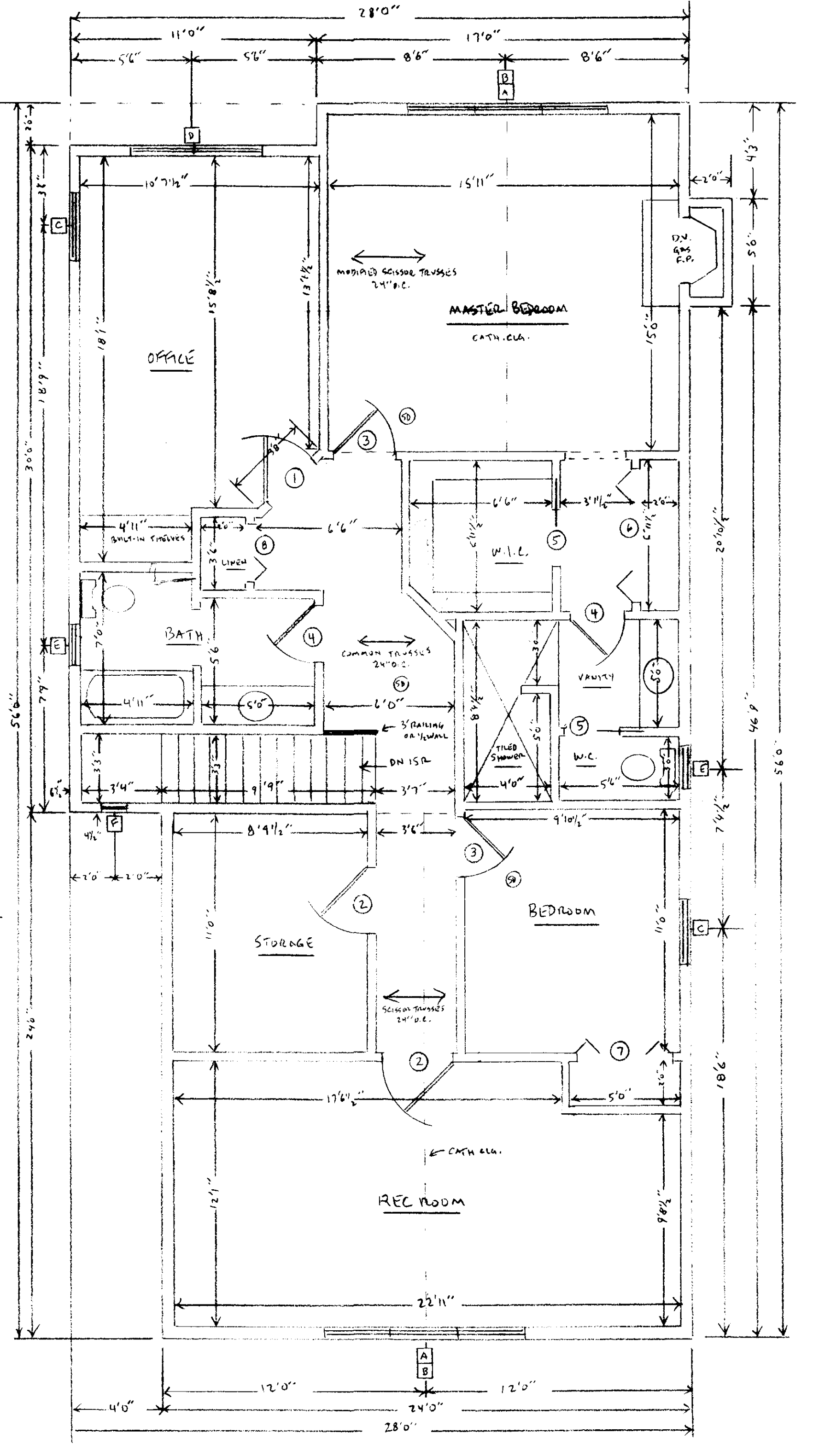
**SECOND FLOOR PLAN**  
 SCALE: 1/4"=1'-0" 1450 P  
 NOTE: EXT. WALLS DRAWN 6 1/4" THICK UNLESS NOTED  
 INT. WALLS DRAWN 1/4" THICK  
 NOTE: 2X12 HANG OVER WINDOWS  
 NOTE: SMOKE DETECTORS WIRED IN SERIES WITH BATTERY BACKUP

**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" x 8' | 2   | (1) 3'4" D.H. MULLED            |
| B   | 9'0" x 6' | 2   | 3'10" / 3'2" ARCH / 3'1" MULLED |
| C   | 3'4" x 8' | 2   | D.H.                            |
| D   | 6'4" x 8' | 1   | (2) 3'4" D.H. MULLED            |
| E   | 2'0" x 3' | 2   | D.H.                            |
| F   | 1'3" x 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  
**Owner's Name:** LETKEMANN GARY & JANICE  
**Property Address:** 1185 SUNRISE PARK  
HOWELL, MI 48843  
**Liber/Page:** 2013R-033844  
**Split:** / /  
**Public Impr.:** None  
**Topography:** REFUSE

**Current Class:** 401.401 RESIDENTIAL-IMPROVED  
**Previous Class:** 401.401 RESIDENTIAL-IMPROVED  
**Gov. Unit:** 4711 GENOA CHARTER TOWNSHIP  
**MAP #** V15-14  
**School:** 47070 HOWELL  
**Neighborhood:** 4302 4302 SUNRISE PARK LAKEFRONT

**Created:** / /  
**Active:** Active

## 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

|                               |                                |                            |
|-------------------------------|--------------------------------|----------------------------|
| <b>2016 S.E.V.:</b> Tentative | <b>2016 Taxable:</b> Tentative | <b>Lot Dimensions:</b>     |
| <b>2015 S.E.V.:</b> 117,300   | <b>2015 Taxable:</b> 110,642   | <b>Acres:</b> 0.10         |
| <b>Zoning:</b> LRR            | <b>Land Value:</b> 105,800     | <b>Frontage:</b> 46.0      |
| <b>PRE:</b> 100.000           | <b>Land Impr. Value:</b> 0     | <b>Average Depth:</b> 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<br>1185 SUNRISE PARK<br>HOWELL MI 48843 |                         | 2016 Est TCV Tentative    |            |  |  |                |                |                 |                |               |         |
|   |                         | X                         | Improved   | Vacant   | Land Value Estimates for Land Table 00006.SUNRISE PARK |                |                |                 |                |               |         |
|   |                         | Public Improvements       |            | * Factors *  |  |                |                |                 |                |               |         |
|   |                         | Dirt Road                 |            | Description  | Frontage   | Depth          | Front          | Depth           | Rate %Adj.     | Reason        | Value   |
|   |                         | Gravel Road               |            | 'A' FRONTAGE   | 46.00  | 98.00          | 1.0000         | 1.0000          | 2300           | 100           | 105,800 |
|   |                         | Paved Road                |            | 46 Actual Front Feet, 0.10 Total Acres Total Est. Land Value = 105,800 |  |                |                |                 |                |               |         |
|   |                         | Storm Sewer               |            |  |  |                |                |                 |                |               |         |
|   |                         | Sidewalk                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Water                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Sewer                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Electric                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Gas                       |            |  |  |                |                |                 |                |               |         |
|   |                         | Curb                      |            |  |  |                |                |                 |                |               |         |
|   |                         | Street Lights             |            |  |  |                |                |                 |                |               |         |
|   |                         | Standard Utilities        |            |  |  |                |                |                 |                |               |         |
|   |                         | Underground Utils.        |            |  |  |                |                |                 |                |               |         |
| Tax Description   |                         | Topography of Site        |            |  |  |                |                |                 |                |               |         |
| SEC. 9 T2N, R5E, SUNRISE PARK LOT 12                            |                         | Level                     |            |  |  |                |                |                 |                |               |         |
| Comments/Influences   |                         | 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     |         |
|   |                         | 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       |         |



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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<br>Mobile Home<br>Town Home<br>Duplex<br>A-Frame |                     | Eavestrough<br>Insulation<br>0 Front Overhang<br>0 Other Overhang | X  | Gas<br>Wood         |     | Oil<br>Coal  |  | Elec.<br>Steam |   | Appliance Allow.<br>Cook Top<br>Dishwasher<br>Garbage Disposal<br>Bath Heater<br>Vent Fan<br>Hot Tub<br>Unvented Hood<br>Vented Hood<br>Intercom<br>Jacuzzi Tub<br>Jacuzzi repl.Tub<br>Oven<br>Microwave<br>Standard Range<br>Self Clean Range<br>Sauna<br>Trash Compactor<br>Central Vacuum<br>Security System |  | Interior 1 Story<br>Interior 2 Story<br>2nd/Same Stack<br>Two Sided<br>Exterior 1 Story<br>Exterior 2 Story<br>Prefab 1 Story<br>Prefab 2 Story<br>Heat Circulator<br>Raised Hearth<br>Wood Stove<br>Direct-Vented Gas | Area<br>55<br>511 | Type<br>WPP<br>Treated Wood | Year Built:<br>Car Capacity:<br>Class:<br>Exterior:<br>Brick Ven.:<br>Stone Ven.:<br>Common Wall:<br>Foundation:<br>Finished ?:<br>Auto. Doors:<br>Mech. Doors:<br>Area:<br>% Good:<br>Storage Area:<br>No Conc. Floor: |  |  |                    |  |  |  |  |
| X   | Wood Frame   |                     | Drywall<br>Paneled  |  | Plaster<br>Wood T&G |     |  |  |                |   |   |  |  |                   |                             |   |  |  |                    |  |  |  |  |
| Building Style:<br>C  |  | Trim & Decoration   |   | Central Air<br>Wood Furnace  |                     |     | (12) Electric  |  |                | Class: C<br>Effec. Age: 40<br>Floor Area: 979<br>Total Base Cost: 80,913<br>Total Base New : 118,942<br>Total Depr Cost: 73,469<br>Estimated T.C.V: 126,808 |   |  | CntyMult<br>X 1.470<br>E.C.F.<br>X 1.726   |                   |                             | Bsmnt Garage:<br>Carport Area:<br>Roof:   |  |  |                    |  |  |  |  |
| Yr Built<br>1940  | Remodeled<br>2010  | Size of Closets     |   | 0 Amps Service   |                     |     | No./Qual. of Fixtures  |  |                | Stories Exterior  |   |  | Foundation Rate  |                   |                             | Bsmnt-Adj Heat-Adj  |  |  | Size Cost          |  |  |  |  |
| Condition for Age:<br>Good  |  | Lg                  | X   | Ord  |                     | Min | Ex. X Ord. Min   |  |                | 1+ Story Siding   |   |  | Crawl Space  |                   |                             | 70.97 -9.83 0.00  |  |  | 924 56,493         |  |  |  |  |
| Room List   |  | (5) Floors          |   | Kitchen:<br>Other:<br>Other:   |                     |     | No. of Elec. Outlets   |  |                | 1 Story Siding  |   |  | Crawl Space  |                   |                             | 67.50 -9.83 0.00  |  |  | 55 3,172           |  |  |  |  |
| Basement<br>1st Floor<br>2nd Floor<br>2 Bedrooms  |  | (6) Ceilings        |   | Average Fixture(s)   |                     |     | Many X Ave. Few  |  |                | Other Additions/Adjustments   |   |  | Rate   |                   |                             | Size Cost   |  |  |                    |  |  |  |  |
| (1) Exterior  |  | (7) Excavation      |   | Basement: 0 S.F.<br>Crawl: 979 S.F.<br>Slab: 0 S.F.<br>Height to Joists: 0.0     |                     |     | (13) Plumbing  |  |                | 2 Fixture Bath  |   |  | 1600.00  |                   |                             | 1 1,600   |  |  |                    |  |  |  |  |
| X   | Wood/Shingle<br>Aluminum/Vinyl<br>Brick<br><br>Insulation      | (8) Basement        |   | Conc. Block<br>Poured Conc.<br>Stone<br>Treated Wood<br>Concrete Floor           |                     |     | 1 3 Fixture Bath<br>1 2 Fixture Bath<br>Softener, Auto<br>Softener, Manual<br>Solar Water Heat<br>No Plumbing<br>Extra Toilet<br>Extra Sink<br>Separate Shower<br>Ceramic Tile Floor<br>Ceramic Tile Wains<br>Ceramic Tub Alcove<br>Vent Fan |  |                | (14) Water/Sewer  |   |  | Public Sewer<br>Well, 200 Feet   |                   |                             | 1162.00<br>4975.00  |  |  | 1 1,162<br>1 4,975 |  |  |  |  |
| (2) Windows   |  | (9) Basement Finish |   | Recreation SF<br>Living SF<br>Walkout Doors<br>No Floor SF                       |                     |     | (14) Water/Sewer   |  |                | (15) Built-Ins & Fireplaces   |   |  | Fireplace: Exterior 2 Story  |                   |                             | 4650.00   |  |  | 2 9,300            |  |  |  |  |
| X   | Many<br>Avg.<br>Few  | X                   | Large<br>Avg.<br>Small  | (10) Floor Support   |                     |     | Public Water<br>Public Sewer<br>Water Well<br>1000 Gal Septic<br>2000 Gal Septic   |  |                | Phy/Ab.Phy/Func/Econ/Comb.%Good= 60/100/100/100/60.0,   |   |  | Depr.Cost =  |                   |                             | 67,651  |  |  |                    |  |  |  |  |
| Wood Sash<br>Metal Sash<br>Vinyl Sash<br>Double Hung<br>Horiz. Slide<br>Casement<br>Double Glass<br>Patio Doors<br>Storms & Screens |  | (10) Floor Support  |   | Lump Sum Items:  |                     |     | ECF (4302 SUNRISE PARK LAKEFRONT)  |  |                | (16) Porches  |   |  | WPP, Standard  |                   |                             | 18.30   |  |  | 55 1,007           |  |  |  |  |
| (3) Roof  |  | (10) Floor Support  |   | Public Water<br>Public Sewer<br>Water Well<br>1000 Gal Septic<br>2000 Gal Septic |                     |     | County Multiplier = 1.47 =>  |  |                | Phy/Ab.Phy/Func/Econ/Comb.%Good= 94/100/100/100/94.0,   |   |  | Depr.Cost =  |                   |                             | 1,391   |  |  |                    |  |  |  |  |
| X   | Gable<br>Hip<br>Flat   |                     | Gambrel<br>Mansard<br>Shed  | Lump Sum Items:  |                     |     | County Multiplier = 1.47 =>  |  |                | (16) Deck/Balcony   |   |  | Treated Wood,Standard  |                   |                             | 6.27  |  |  | 511 3,204          |  |  |  |  |
| X   | Asphalt Shingle  | (10) Floor Support  |   | Lump Sum Items:  |                     |     | Phy/Ab.Phy/Func/Econ/Comb.%Good= 94/100/100/100/94.0,  |  |                | Total Depreciated Cost =  |   |  | 73,469   |                   |                             |   |  |  |                    |  |  |  |  |
| Chimney: Brick  |  | (10) Floor Support  |   | Lump Sum Items:  |                     |     | Total Depreciated Cost =   |  |                | 126,808   |   |  | 1.726 => TCV of Bldg: 1 =  |                   |                             |   |  |  |                    |  |  |  |  |

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

8-18-15 Approved ZBA Minutes

GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
August 18, 2015, 6:30 P.M.  
Minutes

Chairperson Jeff Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were as follows: Jean Ledford, Jerry Poissant, Marianne McCreary, and Barb Figurski. Also present were Township staff member Mike Archinal and Recording Secretary Kathryn Poppy. There were 22 people in the audience.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

**Introduction:** The members of the Board introduced themselves.

**Approval of Agenda:** Moved by Ledford, seconded by Poissant to approve the agenda as amended, tabling case 15-18. **Motion carried unanimously.**

**Call to the Public:** A call to the public was made with no response.

**15-14 ... A request by Tim Chouinard at 1185 Sunrise Park, for a side-yard setback variance, a front yard setback variance, and a variance from the maximum lot coverage to construct an attached garage and second story addition on an existing single family home.**

Tim Chouinard was present as the petitioner. Due to the lot size and a small corner space available on the lot, the request is for a 6 ft. side-yard setback. Easement status is unknown after investigation. The request is to add a second floor on an existing variance. The property is non-conforming. The east side is currently built over the setback line. The requested setback is for 4.3 ft. variance on the west side and a 5.4 ft. variance on the east.

Ledford confirmed that a statement had been provided by John Dickson and asked whether or not there had been conversation between Mr. Chouinard and Mr. Dickson. Mr. Chouinard indicated they had talked. Mr. Dickson is a renter.

A call to the public was made with no response.

**Moved** by Poissant to approve case #15-14 at 1185 Sunrise Park for side-yard setback variances to construct a two-story addition to an existing house. A side-yard setback of 5.4 ft. next to Lot 13 and a side yard setback of 4.3 ft. next to Lot 11 are requested. These are variances of 4.6 ft. and 5.7 ft. respectively from the required setback of 10 ft., based on the following findings of fact:

1. Strict application of the side-yard setback requirements would prevent the applicant from constructing an addition to the existing house.

2. The applicant has significantly reduced the scope of the addition originally requested in order to comply with the maximum coverage limitation of the code.
3. The variances requested are not materially different from existing variances.
4. The small, narrow lot coupled with the location and orientation of the house on the lot creates an extraordinary set of circumstances prohibiting the use of the property in a compliant manner to construct improvements similar to other properties in the area.
5. There are several homes in the vicinity which do not comply with the side yard setback requirements.
6. Granting of the requested 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.
7. Granting of the requested variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Support by Ledford. **Motion carried unanimously.**

**15-18 ... A request by David Gruber at 4066 Highercrest, for shoreline setback variance, a rear yard setback variance, a front yard setback variance, and a variance from the maximum lot coverage in order to construct a new single family home.**

The petitioner, David Gruber was not present; however, he provided a request in writing, asking that the project be tabled.

**Moved** by Figurski to table the request to the September 15 meeting. Support by Ledford. **Motion carried unanimously.**

**15-15... A request by James Richard Ireton at 6221 Wagon Drive, for a rear yard setback variance in order to construct a detached accessory building.**

James Ireton Jr. was present as the petitioner. He would like to construct a 24 x 37.5 ft. building. The house is positioned far back on the property. There is not a 60 ft. clearance available. He is looking for a variance for a 21'9" setback rather than a 60 ft. setback. Neighbors will not be affected as the accessory structure will not be visible. The house is on a hill. The 10 ft. minimum distance will be present between the building and the house. There is no plan to add to the driveway at this time. The building is 14 ft. tall from grade to mid-point of roof. There would be a walk-out basement type access at the bottom of the hill. It is a difficult site because of the hill and it is built in the middle of a swamp-like area. Their goal is to keep the building behind the house with easy access from the house. They are seeking storage on grade level. Materials are brick and vinyl, matching the house.

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

# 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:** August 13, 2015  
**RE:** ZBA 15-14

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

At the June 16, 2015 and the July 21, 2015 Zoning Board of Appeals meetings, the Board reviewed case 15-14 and elected to postpone decision on the application. At the July 21, 2015 meeting the postponement was in order to determine what the lot coverage calculations were for the property. Due to the applicant making changes to the plans to reduce the size of the structure, the need for the front yard setback variance was eliminated. After review of the lot coverage calculations and new plans, we determined that the reductions in size put the lot coverage at 35%, which is the maximum allowable by the Zoning Ordinance in this district. The new plans are compliant with the Zoning Ordinance in this regard and a lot coverage variance will not be required. The summary and staff report has been revised to reflect these changes.

### **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**  
**August 18, 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 | Lot Coverage |
|--------------------|-------|----------|------------|-----------|--------|--------------|
| Required Setbacks  | 35'   | 10'      | 10'        | N/A       | N/A    | 35%          |
| Setbacks Requested | 39.1' | 5.9'     | 4.6'       | N/A       | N/A    | 35%          |
| Variance Amount    | N/A   | 4.3'     | 5.4'       | N/A       | 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

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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 5' x 19' addition and a second story addition on the existing house. In order to do this the applicant will need side yard setback variances.



**Variance Requests**

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

|   |                                    |                                    |             |
|---|------------------------------------|------------------------------------|-------------|
| <b>Table 3.04.01: Required Side Yard Setback:</b> | <b>10'</b>                         | <b>Proposed Side Yard Setback:</b> | <b>5.4'</b> |
|   | <b>Required Side Yard Setback:</b> | <b>Proposed Side Yard Setback:</b> | <b>4.3'</b> |

### **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 setbacks would prohibit the applicant from construction a second story 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 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.

**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**

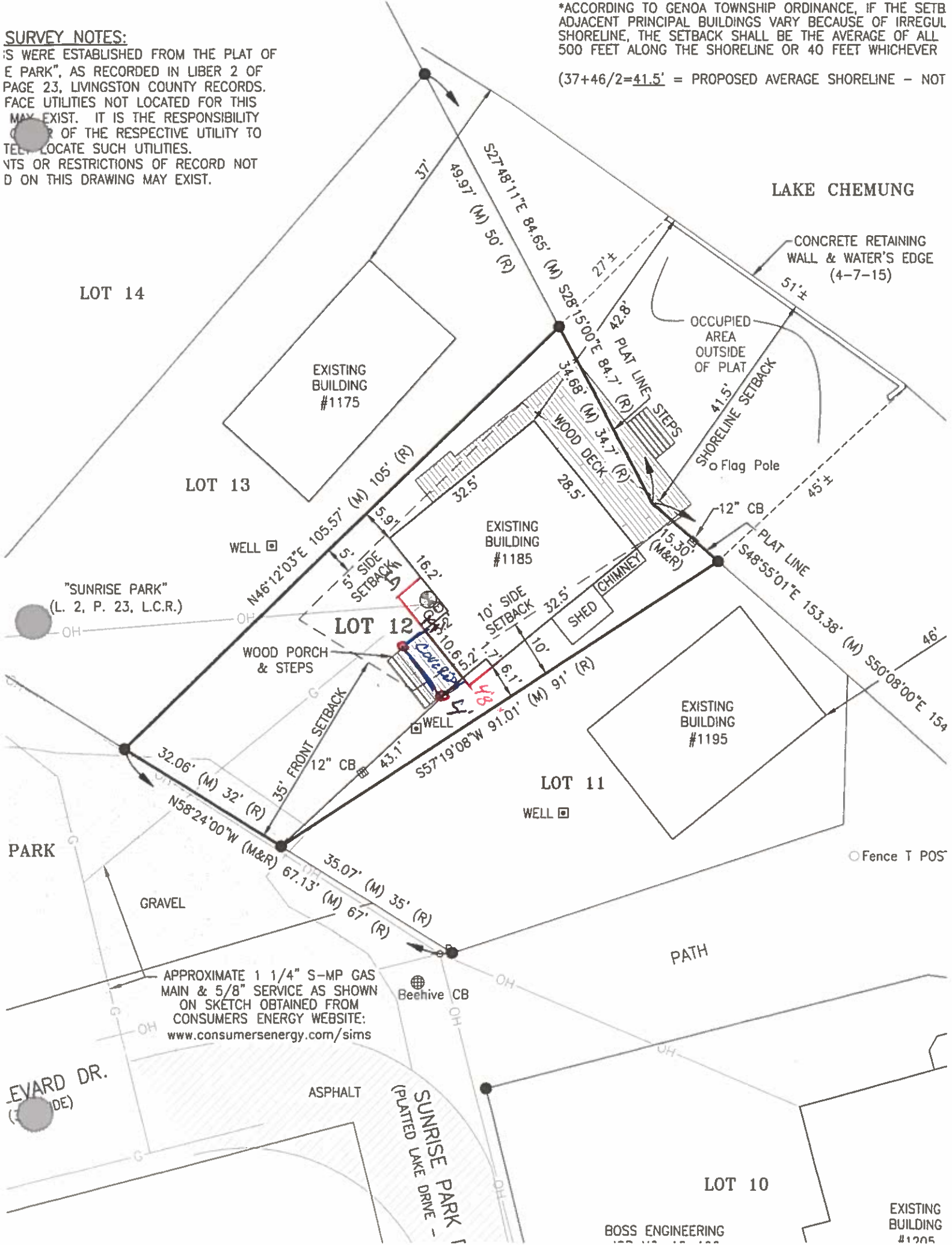
1. Strict application of the side yard setbacks would prevent the applicant from constructing an addition on the front of the house and a second story on the existing structure.
2. The extraordinary or exceptional circumstances applicable to this property are the small, narrow lot size, the existing 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 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. Granting the requested variances will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

**SURVEY NOTES:**

SETBACKS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PAGE 23, LIVINGSTON COUNTY RECORDS. UTILITY LOCATIONS NOT LOCATED FOR THIS SURVEY. IT IS THE RESPONSIBILITY 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 SETBACKS ALONG THE SHORELINE OR 40 FEET WHICHEVER IS LESS.

$(37+46)/2=41.5'$  = PROPOSED AVERAGE SHORELINE - NOT TO SCALE



LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

LAKE CHEMUNG

PARK

EVARD DR. (SIDE)

SUNRISE PARK I (PLATTED LAKE DRIVE)

BOSS ENGINEERING

EXISTING BUILDING #1205

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





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

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

|                    |              |                 |        |
|--------------------|--------------|-----------------|--------|
| <b>Liber/Page:</b> | 2013R-033844 | <b>Created:</b> | //     |
| <b>Split:</b>      | //           | <b>Active:</b>  | Active |

|                      |        |
|----------------------|--------|
| <b>Public Impr.:</b> | None   |
| <b>Topography:</b>   | REFUSE |

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

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## Most Recent Sale Information

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

**Terms of Sale:** INVALID SALE

**Liber/Page:** 2013R-033844

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## Most Recent Permit Information

None Found

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## Physical Property Characteristics

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

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## 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

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## 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<br>1185 SUNRISE PARK<br>HOWELL MI 48843 |                         | 2016 Est TCV Tentative    |            |  |  |                |                |                 |                |               |         |
|   |                         | X                         | Improved   | Vacant   | Land Value Estimates for Land Table 00006.SUNRISE PARK |                |                |                 |                |               |         |
|   |                         | Public Improvements       |            | * Factors *  |  |                |                |                 |                |               |         |
|   |                         | Dirt Road                 |            | Description  | Frontage   | Depth          | Front          | Depth           | Rate %Adj.     | Reason        | Value   |
|   |                         | Gravel Road               |            | 'A' FRONTAGE   | 46.00  | 98.00          | 1.0000         | 1.0000          | 2300           | 100           | 105,800 |
|   |                         | Paved Road                |            | 46 Actual Front Feet, 0.10 Total Acres Total Est. Land Value = 105,800 |  |                |                |                 |                |               |         |
|   |                         | Storm Sewer               |            |  |  |                |                |                 |                |               |         |
|   |                         | Sidewalk                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Water                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Sewer                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Electric                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Gas                       |            |  |  |                |                |                 |                |               |         |
|   |                         | Curb                      |            |  |  |                |                |                 |                |               |         |
|   |                         | Street Lights             |            |  |  |                |                |                 |                |               |         |
|   |                         | Standard Utilities        |            |  |  |                |                |                 |                |               |         |
|   |                         | Underground Utils.        |            |  |  |                |                |                 |                |               |         |
| Tax Description   |                         | Topography of Site        |            |  |  |                |                |                 |                |               |         |
| SEC. 9 T2N, R5E, SUNRISE PARK LOT 12                            |                         | Level                     |            |  |  |                |                |                 |                |               |         |
| Comments/Influences   |                         | 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     |         |
|   |                         | 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       |         |



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| Building Type              |   | (3) Roof (cont.)             |   | (11) Heating/Cooling   |                     |  | (15) Built-ins  |  |                             | (15) Fireplaces  |   |  | (16) Porches/Decks   |                   |  | (17) Garage   |  |  |   |  |  |   |  |
|----------------------------|---|------------------------------|---|--|---------------------|--|---|--|-----------------------------|--|---|--|--|-------------------|--|---|--|--|---|--|--|---|--|
| X                          | Single Family<br>Mobile Home<br>Town Home<br>Duplex<br>A-Frame  |                              | Eavestrough<br>Insulation<br>0 Front Overhang<br>0 Other Overhang | X  | Gas<br>Wood         |  | Oil<br>Coal   |  | Elec.<br>Steam              |  | Appliance Allow.<br>Cook Top<br>Dishwasher<br>Garbage Disposal<br>Bath Heater<br>Vent Fan<br>Hot Tub<br>Unvented Hood<br>Vented Hood<br>Intercom<br>Jacuzzi Tub<br>Jacuzzi repl.Tub<br>Oven<br>Microwave<br>Standard Range<br>Self Clean Range<br>Sauna<br>Trash Compactor<br>Central Vacuum<br>Security System |  | Interior 1 Story<br>Interior 2 Story<br>2nd/Same Stack<br>Two Sided<br>Exterior 1 Story<br>Exterior 2 Story<br>2 Prefab 1 Story<br>2 Prefab 2 Story<br>Heat Circulator<br>Raised Hearth<br>Wood Stove<br>Direct-Vented Gas   | Area<br>55<br>511 | Type<br>WPP<br>Treated Wood              | Year Built:<br>Car Capacity:<br>Class:<br>Exterior:<br>Brick Ven.:<br>Stone Ven.:<br>Common Wall:<br>Foundation:<br>Finished ?:<br>Auto. Doors:<br>Mech. Doors:<br>Area:<br>% Good:<br>Storage Area:<br>No Conc. Floor: |  |  |   |  |  |   |  |
| X                          | Wood Frame  |                              | Drywall<br>Paneled  |  | Plaster<br>Wood T&G |  | Forced Air w/o Ducts<br>Forced Air w/ Ducts<br>Forced Hot Water<br>Electric Baseboard<br>Elec. Ceil. Radiant<br>Radiant (in-floor)<br>Electric Wall Heat<br>Space Heater<br>Wall/Floor Furnace<br>Forced Heat & Cool<br>Heat Pump<br>No Heating/Cooling |  | Central Air<br>Wood Furnace |  | (12) Electric<br>0 Amps Service   |  | Class: C<br>Effec. Age: 40<br>Floor Area: 979<br>Total Base Cost: 80,913<br>Total Base New : 118,942<br>Total Depr Cost: 73,469<br>Estimated T.C.V: 126,808  |                   | CntyMult<br>X 1.470<br>E.C.F.<br>X 1.726 | Bsmnt Garage:<br>Carport Area:<br>Roof:   |  |  |   |  |  |   |  |
| Building Style:<br>C       |   | Trim & Decoration            |   | Ex X Ord Min   |                     |  | Size of Closets   |  |                             | Lg X Ord Small   |   |  | Doors: Solid X H.C.  |                   |  |   |  |  |   |  |  |   |  |
| Yr Built<br>1940           | Remodeled<br>2010   |                              |   |  |                     |  |   |  |                             |  |   |  |  |                   |  |   |  |  |   |  |  |   |  |
| Condition for Age:<br>Good |   |                              |   |  |                     |  |   |  |                             |  |   |  |  |                   |  |   |  |  |   |  |  |   |  |
| Room List                  |   | (5) Floors                   |   | Kitchen:<br>Other:<br>Other:   |                     |  | (6) Ceilings  |  |                             | No./Qual. of Fixtures                                      |   |  | Stories Exterior   |                   |  | Foundation Rate Bsmnt-Adj Heat-Adj  |  |  | Size Cost   |  |  |   |  |
|                            | Basement<br>1st Floor<br>2nd Floor<br>2 Bedrooms  |                              |   |  |                     |  |   |  |                             | Ex. X Ord. Min   |   |  | 1+ Story Siding<br>1 Story Siding  |                   |  | Crawl Space<br>Crawl Space  |  |  | 924 56,493<br>55 3,172  |  |  |   |  |
| (1) Exterior               |   |                              |   |  |                     |  |   |  |                             | No. of Elec. Outlets                                       |   |  | Other Additions/Adjustments  |                   |  | Rate  |  |  | Size Cost   |  |  |   |  |
| X                          | Wood/Shingle<br>Aluminum/Vinyl<br>Brick   |                              |   |  |                     |  |   |  |                             | Many X Ave. Few  |   |  | (13) Plumbing  |                   |  | 2 Fixture Bath<br>(14) Water/Sewer<br>Public Sewer<br>Well, 200 Feet  |  |  | 1600.00<br>1162.00<br>4975.00   |  |  | 1 1,600<br>1 1,162<br>1 4,975             |  |
|                            | Insulation  |                              |   |  |                     |  |   |  |                             |  |   |  | Average Fixture(s)<br>1 3 Fixture Bath<br>1 2 Fixture Bath<br>Softener, Auto<br>Softener, Manual<br>Solar Water Heat<br>No Plumbing<br>Extra Toilet<br>Extra Sink<br>Separate Shower<br>Ceramic Tile Floor<br>Ceramic Tile Wains<br>Ceramic Tub Alcove<br>Vent Fan |                   |  | (15) Built-Ins & Fireplaces<br>Fireplace: Exterior 2 Story<br>Phy/Ab.Phy/Func/Econ/Comb.%Good= 60/100/100/100/60.0,<br>Separately Depreciated Items:  |  |  | 4650.00<br>60/100/100/100/60.0,<br>18.30  |  |  | 2 9,300<br>Depr.Cost = 67,651<br>55 1,007 |  |
| (2) Windows                |   | Many Avg. X Large Avg. Small |   | Conc. Block<br>Poured Conc.<br>Stone<br>Treated Wood<br>Concrete Floor       |                     |  | (9) Basement Finish   |  |                             | Recreation SF<br>Living SF<br>Walkout Doors<br>No Floor SF |   |  | (14) Water/Sewer   |                   |  | (16) Porches<br>WPP, Standard<br>County Multiplier = 1.47 =>  |  |  | 6.27  |  |  | 511 3,204                                 |  |
| X                          | Wood Sash<br>Metal Sash<br>Vinyl Sash<br>Double Hung<br>Horiz. Slide<br>Casement<br>Double Glass<br>Patio Doors<br>Storms & Screens |                              |   | Basement: 0 S.F.<br>Crawl: 979 S.F.<br>Slab: 0 S.F.<br>Height to Joists: 0.0 |                     |  |   |  |                             |  |   |  | Phy/Ab.Phy/Func/Econ/Comb.%Good= 94/100/100/100/94.0,<br>(16) Deck/Balcony<br>Treated Wood,Standard<br>County Multiplier = 1.47 =>   |                   |  | 94/100/100/100/94.0,<br>6.27  |  |  | Depr.Cost = 1,391<br>Cost New = 4,710<br>Depr.Cost = 4,427<br>Total Depreciated Cost = 73,469 |  |  |   |  |
| (3) Roof                   |   |                              |   |  |                     |  |   |  |                             |  |   |  | ECF (4302 SUNRISE PARK LAKEFRONT)  |                   |  | 73,469<br>1.726 => TCV of Bldg: 1 =   |  |  | 126,808   |  |  |   |  |
| X                          | Gable<br>Hip<br>Flat  | Gambrel<br>Mansard<br>Shed   |   | (10) Floor Support   |                     |  | 1 Public Water<br>1 Public Sewer<br>1 Water Well<br>1000 Gal Septic<br>2000 Gal Septic  |  |                             | Lump Sum Items:  |   |  |  |                   |  |   |  |  |   |  |  |   |  |
| X                          | Asphalt Shingle   |                              |   | Joists:<br>Unsupported Len:<br>Cntr.Sup:                                     |                     |  |   |  |                             |  |   |  |  |                   |  |   |  |  |   |  |  |   |  |
| Chimney: Brick             |   |                              |   |  |                     |  |   |  |                             |  |   |  |  |                   |  |   |  |  |   |  |  |   |  |

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



# GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

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

Case # 17-01

Meeting Date: 1-17-16

PAID Variance Application Fee  
\$125.00 for Residential | \$300.00 for Commercial/Industrial

**ARTICLE 23** of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Applicant/Owner: Tim Chouinard

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

a. Unusual topography/shape of land (explain): The lot is 32' wide at Road side 47' wide at the lake side and 91' long Leaving an unusually small Building envelope

b. Other (explain): \_\_\_\_\_

**The following is required.** Failure to meet this requirement may result in postponement or denial of this petition.

**Property must be staked showing all proposed improvements seven (7) days before the meeting and remain in place until after the meeting.**

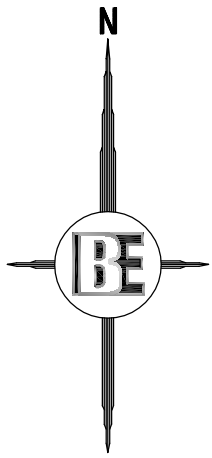
Date: 12-8-16 Signature:

**Application must be completely filled out before submittal to Township and all submittal requirements must accompany application.**

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

**After the decision is made regarding your Variance approval a land use permit will be required.**

# SURVEY LOT 12



## LEGEND

- P POWER POLE
- ⊙ ELECTRICAL METER
- WELL
- ⊕ STORM CATCH BASIN (BEEHIVE)
- ⊞ STORM CATCH BASIN (SQUARE)
- ⊗-G GAS METER
- ⊞-G GRINDER PUMP
- OH— OVERHEAD WIRES
- G— U.G. GAS LINES

CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)

MINIMUM SETBACK REQUIREMENTS:

—FRONT = 35 FEET

—SIDES = 10 FEET (NOTE: Footnote (k) to Table 3.04.01 of Genoa Township Zoning Ordinance states that in the LRR Zoning District one of the side yards may be reduced to a minimum of five (5) feet where all of the following are met: (1) The other side yard must be at least ten (10) feet. (2) The distance between the building and any building on the adjacent lot shall be no less than ten (10) feet. (3) The roof shall have gutters. (as amended 3/5/10))

—REAR = 40 FEET

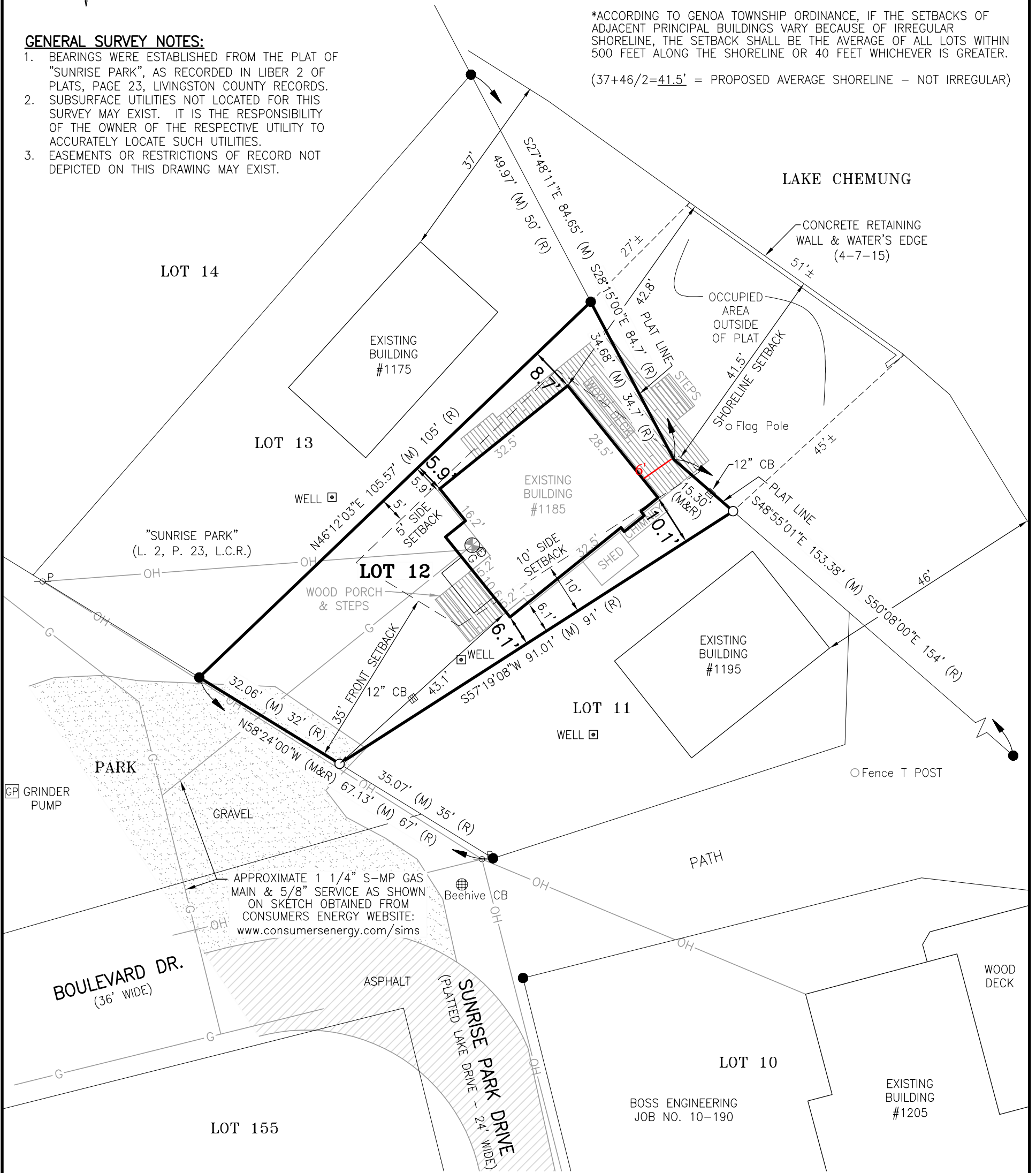
\*SHORELINE SETBACK FOR SITES CONNECTED TO PUBLIC SEWER IN LAKESHORE RESORT RESIDENTIAL IS A MINIMUM OF 40 FEET OR CONSISTENT WITH THE SETBACKS OF ADJACENT PRINCIPAL BUILDINGS, WHICHEVER IS GREATER AS DETERMINED BY THE ZONING ADMINISTRATOR.

\*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 LOTS WITHIN 500 FEET ALONG THE SHORELINE OR 40 FEET WHICHEVER IS GREATER.

(37+46/2=41.5' = PROPOSED AVERAGE SHORELINE - NOT IRREGULAR)

### GENERAL SURVEY NOTES:

1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.



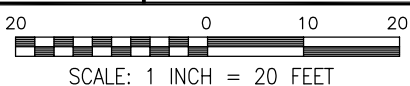
DESCRIPTION:  
LOT 12 OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS, BEING PART OF THE NORTHEAST 1/4 OF SECTION 9, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



Engineers Surveyors Planners Landscape Architects  
3121 E. GRAND RIVER AVE.  
HOWELL, MI. 48843  
800.246.6735 FAX 517.548.1670

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 ENGINEER IF ANY CONFLICTS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.

CLIENT: CHOUINARD  
CUSTOM HOMES



|                |              |          |               |
|----------------|--------------|----------|---------------|
| JOB NO. 15-093 | DATE 4-16-15 |          |               |
| SHEET 1 OF 1   | FB 547       | CREW GFD | DR. AEB CHKD. |

G:\15-093\dwg\15-093\_PlotPlan.dwg, 1/25/2017 9:34:56 AM, andy

- ### LEGEND
- = IRON SET
  - = IRON FOUND
  - ⊙ = MONUMENT FOUND
  - ✱ = FENCE
  - (R) = RECORDED
  - (M) = MEASURED



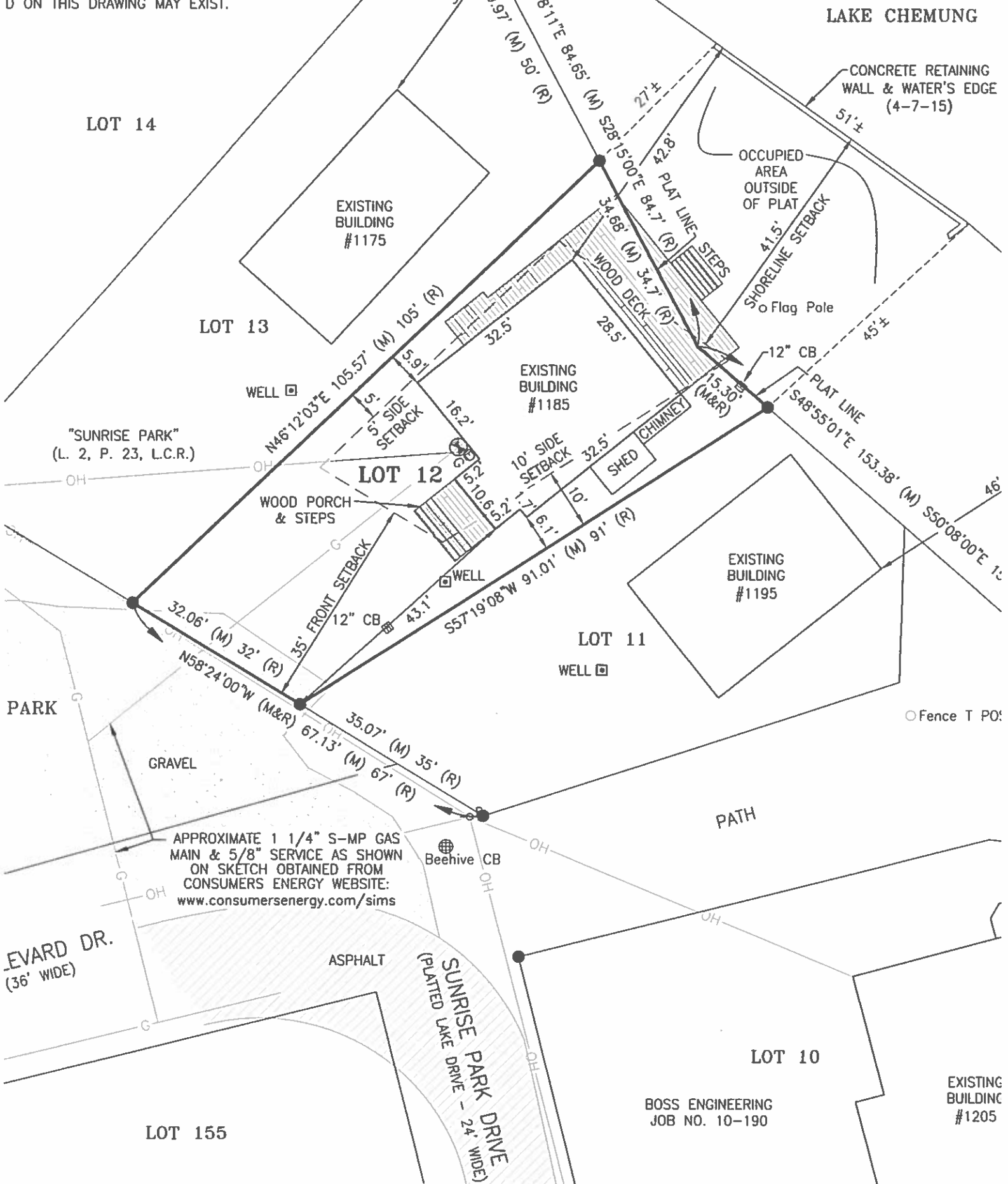
3 WORKING DAYS  
BEFORE YOU  
CALL MISS DIG  
1-800-482-7171  
(TOLL FREE)

- ⊕ STORM CATCH BASIN (BEEHIVE)
- ☐ STORM CATCH BASIN (SQUARE)
- ⊗<sub>G</sub> GAS METER
- ⊠<sub>GF</sub> GRINDER PUMP
- OH— OVERHEAD WIRES
- G— 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.

\*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.  
 $(37+46/2=41.5'$  = PROPOSED AVERAGE SHORELINE - NO

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



"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.

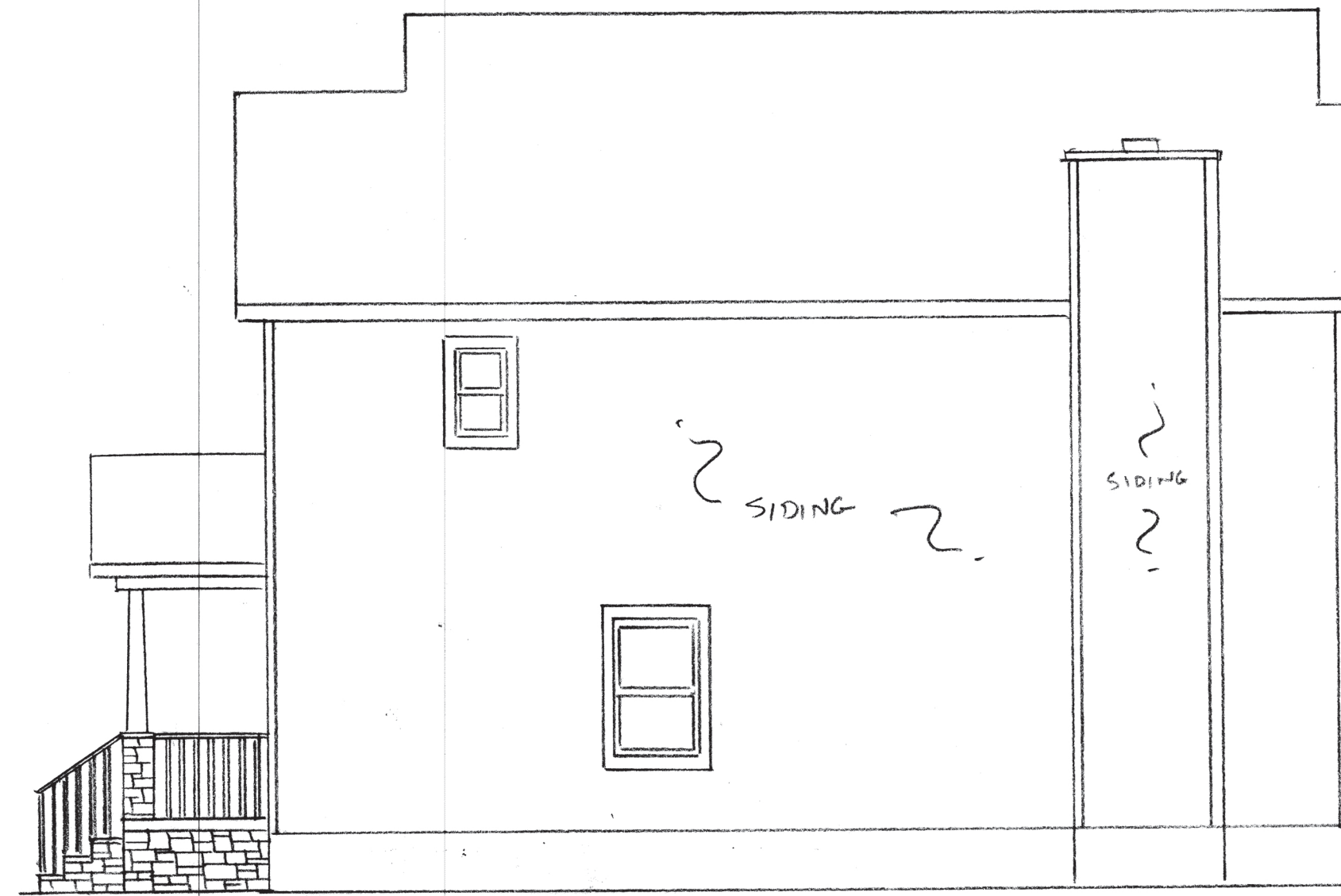
**BEBOSS**  
**Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843

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

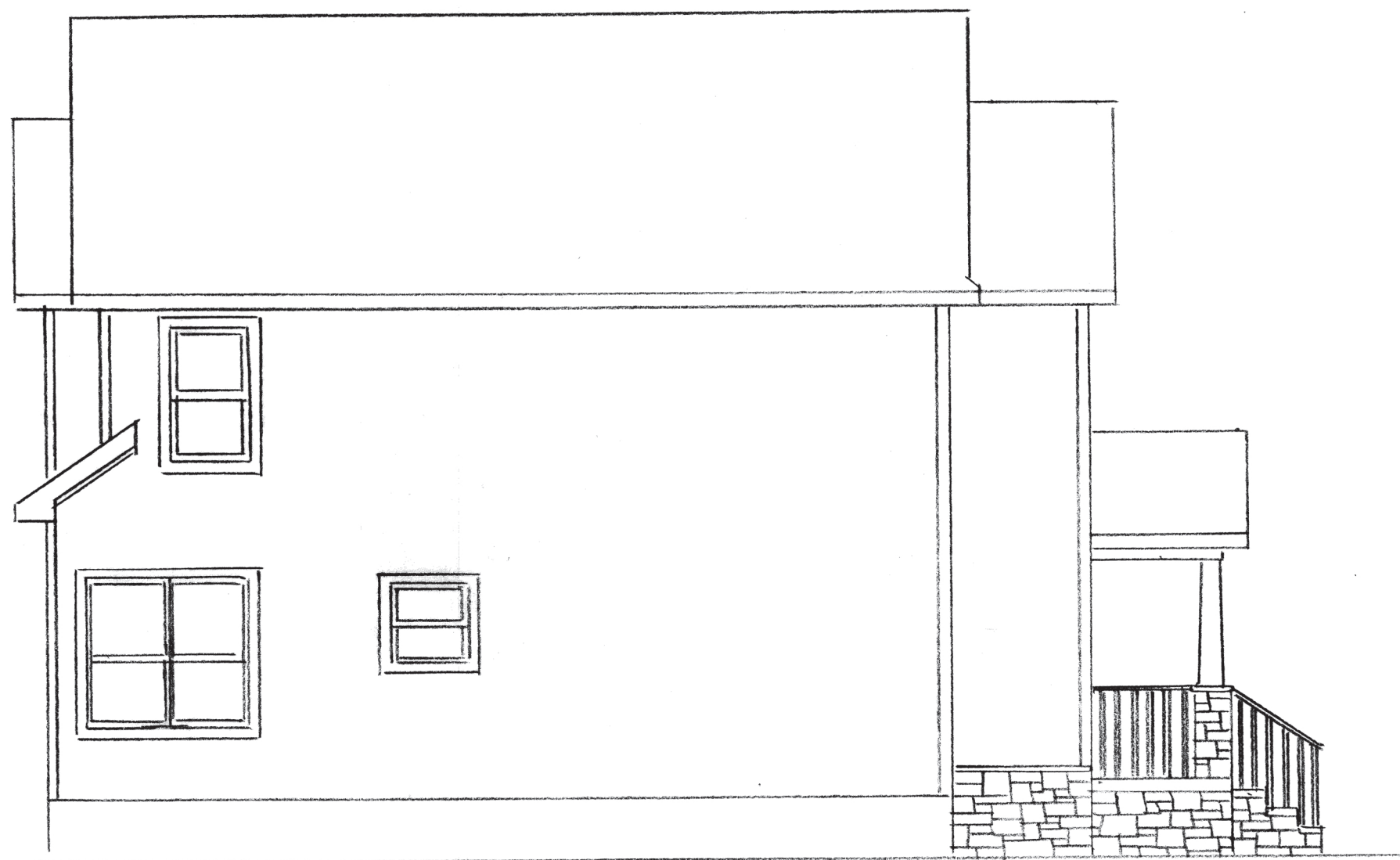




FRONT (STREET) ELEVATION  
SCALE: 1/4" = 1'0"



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

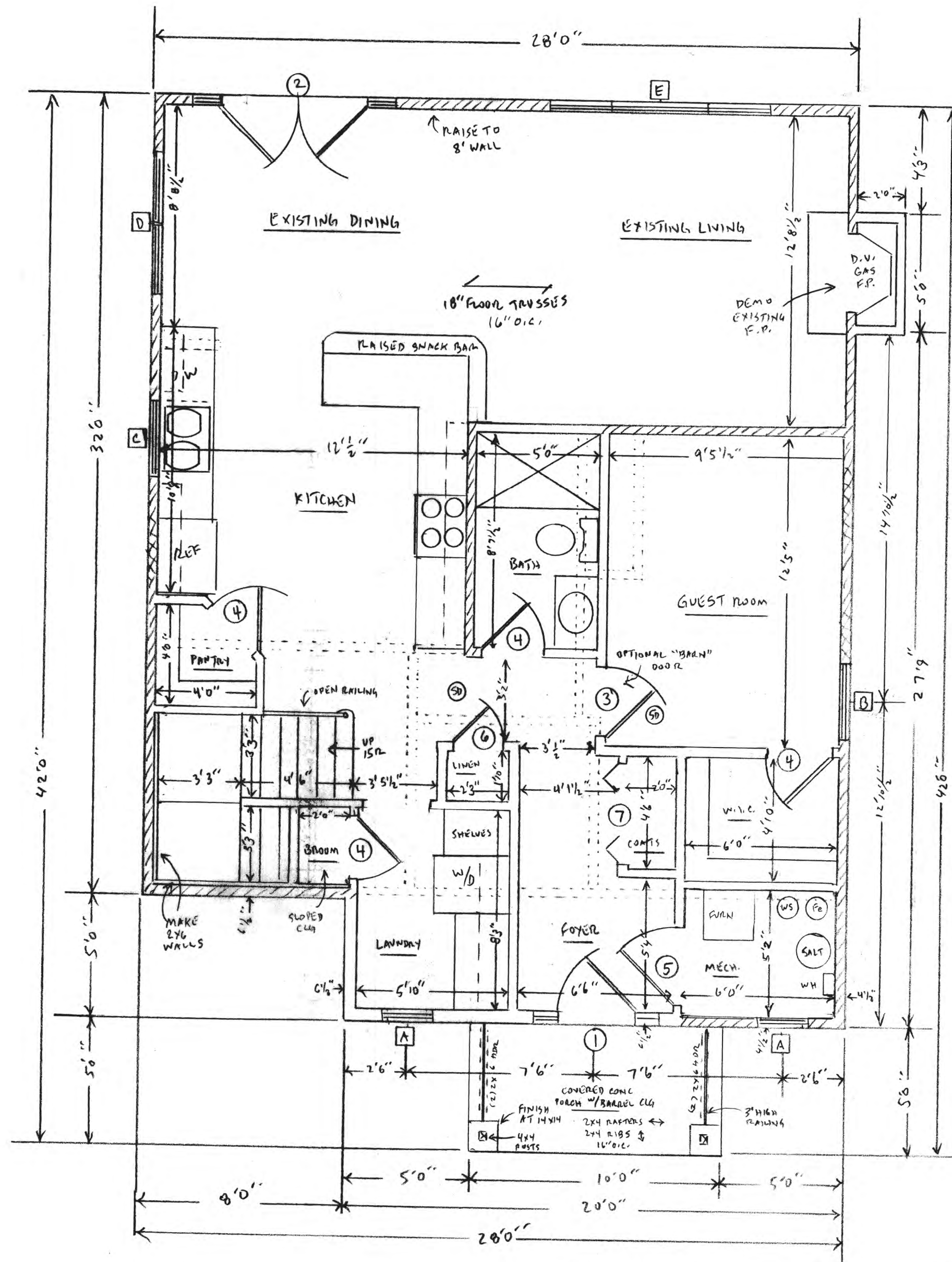


LEFT ELEVATION  
SCALE: 3/16" = 1'0"

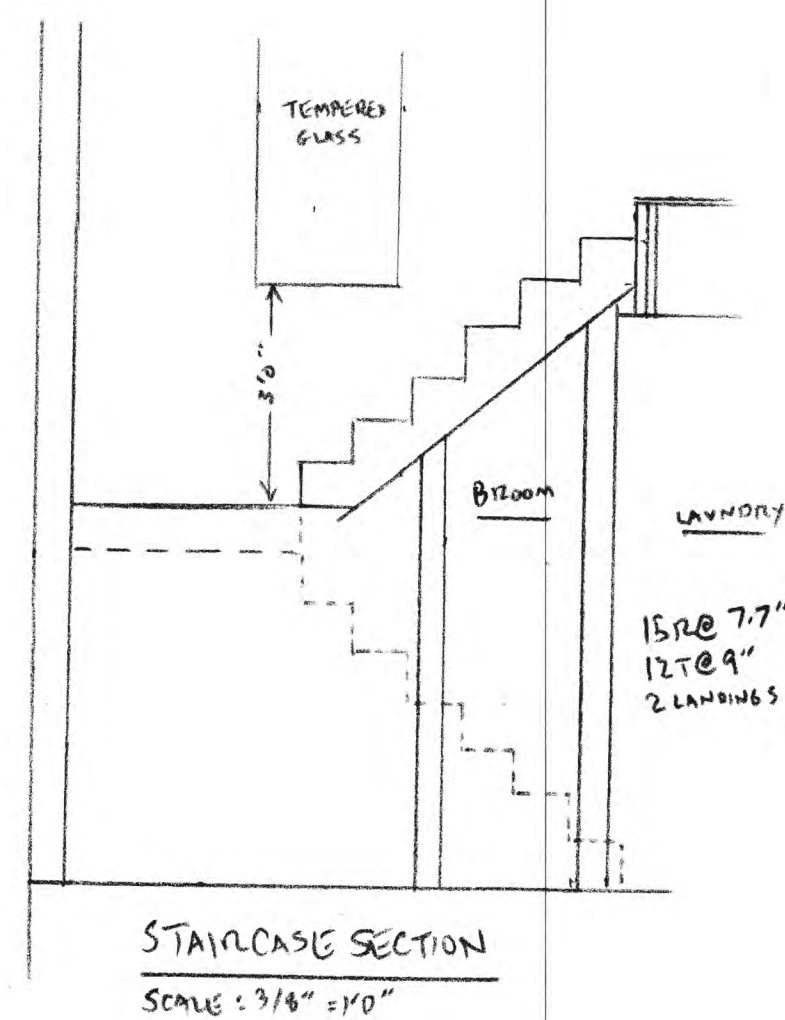
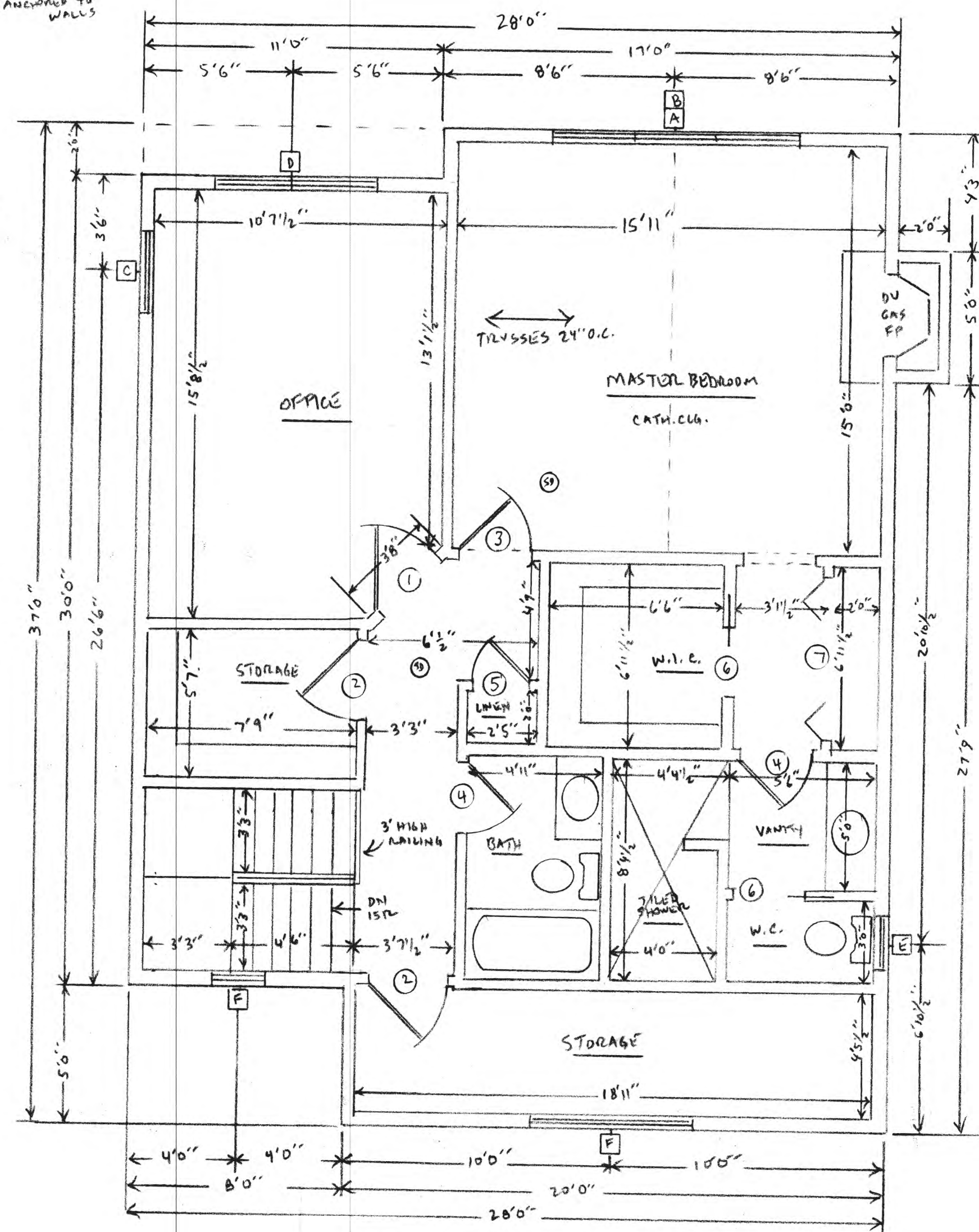
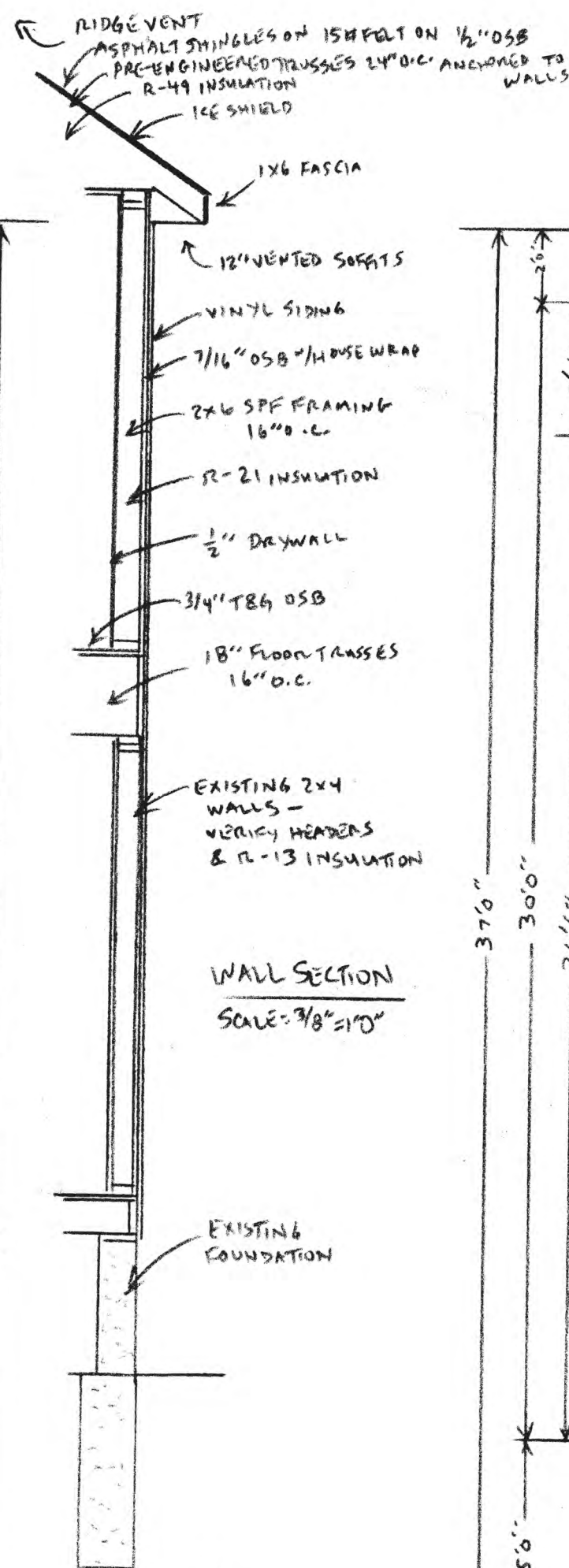


REAR (LAKE) ELEVATION  
SCALE: 1/4" = 1'0"





| KEY                    | SIZE | ACT | DESC   |
|------------------------|------|-----|--|
| <b>DOOR SCHEDULE</b>   |      |     |  |
| 1                      | 5'6" | 1   | 3" EXT w/12" SIDELITES                                 |
| 2                      | 8'6" | 1   | 6" EXT FRENCH w/12" SIDELITES                          |
| 3                      | 2'6" | 1   | INT. SWING   |
| 4                      | 2'6" | 4   | INT. SWING   |
| 5                      | 3'6" | 1   | INT. SWING   |
| 6                      | 1'6" | 1   | INT. SWING   |
| 7                      | 4'6" | 1   | BIFOLD   |
| <b>WINDOW SCHEDULE</b> |      |     |  |
| A                      | 1'4" | 2   | D.H.   |
| B                      | 3'5" | 1   | D.H. EGRESS  |
| C                      | 3'3" | 1   | REPLACE EXISTING (VERIFY SIZE)                         |
| D                      | 5'3" | 1   | REPLACE EXISTING w/ (C) 2" @ 3" DH (VERIFY SIZE)       |
| E                      | 8'4" | 1   | REPLACE EXISTING w/ 2" DH / 3" F / 2" DH (VERIFY SIZE) |



**SECOND FLOOR PLAN**

SCALE: 1/4" = 1'0" 943 P

NOTE: EXT 2X6 WALLS DRAWN 6 1/2" THICK  
NOTE: 2X12 HORS OVER WINDOWS  
NOTE: SMOKE DETECTORS WIRED IN SERIES w/ BATTERY BACK UP  
NOTE: VERIFY DIMENSIONS WITH FIELD MEASUREMENTS

| KEY                    | SIZE | ACT | DESC                          |
|------------------------|------|-----|-------------------------------|
| <b>DOOR SCHEDULE</b>   |      |     |                               |
| 1                      | 3'6" | 1   | FULL GLASS INT                |
| 2                      | 3'6" | 2   | INT. SWING                    |
| 3                      | 2'6" | 1   | INT. SWING                    |
| 4                      | 2'6" | 2   | INT. SWING                    |
| 5                      | 2'6" | 1   | INT. SWING                    |
| 6                      | 2'6" | 2   | POCKET                        |
| 7                      | 6'6" | 1   | BIFOLD                        |
| <b>WINDOW SCHEDULE</b> |      |     |                               |
| A                      | 9'5" | 1   | (3) 3" @ 5" DH MULLED         |
| B                      | 9'2" | 1   | 3" @ 6" / 3" @ 2" FRENCH / 3" |
| C                      | 3'5" | 1   | D.H.                          |
| D                      | 6'5" | 1   | (2) 3" @ 5" DH MULLED         |
| E                      | 2'3" | 1   | D.H.                          |
| F                      | 6'2" | 2   | HOR & VERT FIXED              |

## Amy Ruthig

---

**From:** John Dickson <jfd11355@gmail.com>  
**Sent:** Sunday, January 22, 2017 7:23 PM  
**To:** Amy Ruthig  
**Subject:** Land Variance - Brighton

As fully made clear in my previous letter to the zoning board last year, I am adamantly opposed to both the side and rear yard set back variances. The lots in this area are extremely small and forcing a huge home onto them will block out light and reduce view. We will be so close to the home that any privacy we now have will be reduced to next to nothing. A rear variance will further reduce light and view. I can't understand why this could be considered in regards to the negative effect it has on us. If ever there was a situation where a setback and rear variances should not be applied it is this one. The lots are so small that it has a huge affect on the neighbor's properties. I guarantee if any of the board members owned this property they would have the same negative feelings that I do. Please put yourselves in my position for a moment and try to visualize the huge two story house and garage within 10 feet of my house. I have already incurred negative financial losses if this happens the renter I have had in there for four years who is excellent would not stay to live through the construction and feels like I do that it would have a huge negative impact on the privacy of our home. I request that the board have Amy Ruthig zoning official, contact me at [517-798-7911](tel:517-798-7911) if any of this is approved and construction will be enabled. I will take whatever further steps I can to block the construction of this.

Sincerely,

John F. Dickson  
John Dickson  
Keller Williams  
517-798-7911  
[jfd11355@gmail.com](mailto:jfd11355@gmail.com)



## Amy Ruthig

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**From:** gletkemann <gary@feldmanauto.com>  
**Sent:** Monday, February 06, 2017 4:20 PM  
**To:** Amy Ruthig  
**Subject:** FW: Proposed Variance  
**Attachments:** IMG\_0907.JPG; IMG\_0911.JPG; IMG\_0910.JPG

**Subject:** Proposed Variance

Genoa Township Board  
RE- 1185 Sunrise Park Variance for 2/21/2017

Dear Amy,

I am writing to place my opinion on record for the next variance meeting scheduled for February 21<sup>st</sup>, 2017. My wife and I are the homeowners at 1185 Sunrise Park St. We have been owners since June of 2013. It was brought to my attention that the absentee owner of the rental property (Mr. Dickson) has filed an email complaint against our proposed addition which will allow us the needed living space. Our original intent was to add a garage and that was met with resistance by Mr. Dickson whom I have never met. Although we were not formally denied that permit, we decided to table that plan and simply add additional living space above to avoid a fight with the planning board on behalf of Mr. Dickson. That new variance was approved last year but expired prior to our opportunity to break ground. Now I understand that Mr. Dickson claims that he would fight any improvement on our property because it would:

- Negatively affect his property value.
- He would lose his current long time renters. (Who happen to be friends of ours)
- The new project would block sunlight to his rental property.

I want to assure the board that everything we do is done 1<sup>st</sup> class. We have made significant landscape improvements and we keep our property at a high level of curb appeal. The addition would simply enlarge our attic space and have a minor bump out in front. It would allow us to upgrade our outside to Hardy Plank siding instead of the dented aluminum we currently have. As far as the renters, they claim they have not had contact with Mr. Dickson, they just pay their rent. Terry (the renter) said he has no intention of leaving as long as he is able to rent the property. I have attached a picture of our house next to his in full sunlight. It clearly shows that the path of the sun does not cast a shadow from our property to his. In fact the tall bushes between our property belong to him. As far as Mr. Dickson's concern about his property value, I have attached a couple of pictures of what we see through our bedroom window, his beat up sheds that require cinder blocks to keep the doors shut. I don't think that my significant investment in improving my property will negatively affect his property value. My experience would show that it would actually improve his value. I walk up and down our development and see massive additions going in with no resistance. I ask that we be allowed our modest variance to be approved once again so that we can move forward.

Thank you in advance for your consideration!

*Gary C Letkemann*  
*Vice President- Fixed Operations*  
*Feldman Automotive*  
919-923-2493  
[www.feldmanauto.com](http://www.feldmanauto.com)











## Amy Ruthig

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**From:** s. hope <sallyhope@hotmail.com>  
**Sent:** Monday, February 13, 2017 11:47 AM  
**To:** Amy Ruthig  
**Subject:** 1185 sunrise park

Dear Amy,

We are the homeowner at 1253 sunrise park Street. It has come to our attention that the owners of 1185 would like to renovate their home. We wanted to send a letter stating we think if they were able to improve their property, it would benefit the neighborhood. We hope they are able to move forward with the renovation.

Thank you,  
Glen and Sally Hope

## Amy Ruthig

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**From:** Gary Letkemann <gary.letkemann@yahoo.com>  
**Sent:** Friday, February 10, 2017 3:44 PM  
**To:** Amy Ruthig  
**Subject:** Re- 1185 Sunrise Park Variance Request 2/21/2017

To; Genoa Township Zoning Board,

We are the homeowners of 1146 Sunrise Park which is directly across the street from 1185 Sunrise Park. We welcome the proposed improvement to 1186 Sunrise Park. Ever since they moved in, the property owners have made improvements to their landscape and are very good at keeping their property standing tall. We welcome the improvement they are proposing to their house. It will help improve the property values of all the homeowners in the area.

Sincerely, Gary and Jan



| 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<br>1185 SUNRISE PARK<br>HOWELL MI 48843 |                         | 2016 Est TCV Tentative    |            |  |  |                |                |                 |                |               |         |
|   |                         | X                         | Improved   | Vacant   | Land Value Estimates for Land Table 00006.SUNRISE PARK |                |                |                 |                |               |         |
|   |                         | Public Improvements       |            | * Factors *  |  |                |                |                 |                |               |         |
|   |                         | Dirt Road                 |            | Description  | Frontage   | Depth          | Front          | Depth           | Rate %Adj.     | Reason        | Value   |
|   |                         | Gravel Road               |            | 'A' FRONTAGE   | 46.00  | 98.00          | 1.0000         | 1.0000          | 2300           | 100           | 105,800 |
|   |                         | Paved Road                |            | 46 Actual Front Feet, 0.10 Total Acres Total Est. Land Value = 105,800 |  |                |                |                 |                |               |         |
|   |                         | Storm Sewer               |            |  |  |                |                |                 |                |               |         |
|   |                         | Sidewalk                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Water                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Sewer                     |            |  |  |                |                |                 |                |               |         |
|   |                         | Electric                  |            |  |  |                |                |                 |                |               |         |
|   |                         | Gas                       |            |  |  |                |                |                 |                |               |         |
|   |                         | Curb                      |            |  |  |                |                |                 |                |               |         |
|   |                         | Street Lights             |            |  |  |                |                |                 |                |               |         |
|   |                         | Standard Utilities        |            |  |  |                |                |                 |                |               |         |
|   |                         | Underground Utils.        |            |  |  |                |                |                 |                |               |         |
| Tax Description   |                         | Topography of Site        |            |  |  |                |                |                 |                |               |         |
| SEC. 9 T2N, R5E, SUNRISE PARK LOT 12                            |                         | Level                     |            |  |  |                |                |                 |                |               |         |
| Comments/Influences   |                         | 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     |         |
|   |                         | 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

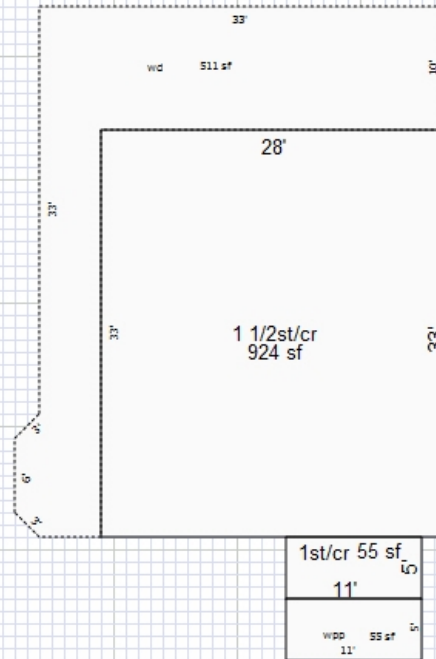
\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

| Building Type                                    |   | (3) Roof (cont.)   |   | (11) Heating/Cooling   |                     |      | (15) Built-ins  |  |                | (15) Fireplaces   |   |  | (16) Porches/Decks   |                   |                             | (17) Garage   |  |
|--|---|--|---|--|---------------------|------|---|--|----------------|---|---|--|--|-------------------|-----------------------------|---|--|
| X  | Single Family<br>Mobile Home<br>Town Home<br>Duplex<br>A-Frame  |  | Eavestrough<br>Insulation<br>0 Front Overhang<br>0 Other Overhang | X  | Gas<br>Wood         |      | Oil<br>Coal   |  | Elec.<br>Steam |   | Appliance Allow.<br>Cook Top<br>Dishwasher<br>Garbage Disposal<br>Bath Heater<br>Vent Fan<br>Hot Tub<br>Unvented Hood<br>Vented Hood<br>Intercom<br>Jacuzzi Tub<br>Jacuzzi repl.Tub<br>Oven<br>Microwave<br>Standard Range<br>Self Clean Range<br>Sauna<br>Trash Compactor<br>Central Vacuum<br>Security System |  | Interior 1 Story<br>Interior 2 Story<br>2nd/Same Stack<br>Two Sided<br>Exterior 1 Story<br>Exterior 2 Story<br>Prefab 1 Story<br>Prefab 2 Story<br>Heat Circulator<br>Raised Hearth<br>Wood Stove<br>Direct-Vented Gas | Area<br>55<br>511 | Type<br>WPP<br>Treated Wood | Year Built:<br>Car Capacity:<br>Class:<br>Exterior:<br>Brick Ven.:<br>Stone Ven.:<br>Common Wall:<br>Foundation:<br>Finished ?:<br>Auto. Doors:<br>Mech. Doors:<br>Area:<br>% Good:<br>Storage Area:<br>No Conc. Floor: |  |
| X  | Wood Frame  |  | Drywall<br>Paneled  |  | Plaster<br>Wood T&G |      |   |  |                |   |   |  |  |                   |                             |   |  |
| Building Style:<br>C                             |   | Trim & Decoration  |   | Central Air<br>Wood Furnace  |                     |      | (12) Electric   |  |                | Class: C<br>Effec. Age: 40<br>Floor Area: 979<br>Total Base Cost: 80,913<br>Total Base New : 118,942<br>Total Depr Cost: 73,469<br>Estimated T.C.V: 126,808 |   |  | CntyMult<br>X 1.470<br>E.C.F.<br>X 1.726   |                   |                             | Bsmnt Garage:<br>Carport Area:<br>Roof:   |  |
| Yr Built<br>1940                                 | Remodeled<br>2010   | Size of Closets  |   | No./Qual. of Fixtures  |                     |      | Stories Exterior  |  |                | Foundation Rate   |   |  | Bsmnt-Adj Heat-Adj   |                   |                             | Size Cost   |  |
| Condition for Age:<br>Good                       |   | Lg   | X   | Ord  |                     | Min  | No. of Elec. Outlets  |  |                | Other Additions/Adjustments   |   |  | Rate   |                   |                             | Size Cost   |  |
| Room List  |   | Doors:   |   | Solid  | X                   | H.C. | (13) Plumbing   |  |                | (15) Built-Ins & Fireplaces   |   |  | Rate   |                   |                             | Size Cost   |  |
| Basement<br>1st Floor<br>2nd Floor<br>2 Bedrooms |   | Kitchen:<br>Other:<br>Other:   |   | (12) Electric  |                     |      | Average Fixture(s)  |  |                | Fireplace: Exterior 2 Story   |   |  | Rate   |                   |                             | Size Cost   |  |
| (1) Exterior                                     |   | (6) Ceilings   |   | Ex. X Ord. Min   |                     |      | 1 3 Fixture Bath  |  |                | Phy/Ab.Phy/Func/Econ/Comb.%Good= 60/100/100/100/60.0,   |   |  | Depr.Cost =  |                   |                             | Size Cost   |  |
| X  | Wood/Shingle<br>Aluminum/Vinyl<br>Brick   | (7) Excavation   |   | Many X Ave. Few  |                     |      | 1 2 Fixture Bath  |  |                | Separately Depreciated Items:   |   |  | Rate   |                   |                             | Size Cost   |  |
|  | Insulation  | Basement: 0 S.F.<br>Crawl: 979 S.F.<br>Slab: 0 S.F.<br>Height to Joists: 0.0 |   | (13) Plumbing  |                     |      | Softener, Auto  |  |                | WPP, Standard   |   |  | Rate   |                   |                             | Size Cost   |  |
| (2) Windows                                      |   | (8) Basement   |   | Conc. Block<br>Poured Conc.<br>Stone<br>Treated Wood<br>Concrete Floor           |                     |      | Softener, Manual  |  |                | County Multiplier = 1.47 =>   |   |  | Rate   |                   |                             | Size Cost   |  |
| X  | Many<br>Avg.<br>Few   | X  | Large<br>Avg.<br>Small  | (9) Basement Finish  |                     |      | Solar Water Heat  |  |                | Phy/Ab.Phy/Func/Econ/Comb.%Good= 94/100/100/100/94.0,   |   |  | Depr.Cost =  |                   |                             | Size Cost   |  |
|  | Wood Sash<br>Metal Sash<br>Vinyl Sash<br>Double Hung<br>Horiz. Slide<br>Casement<br>Double Glass<br>Patio Doors<br>Storms & Screens | Recreation SF<br>Living SF<br>Walkout Doors<br>No Floor SF                   |   | (14) Water/Sewer   |                     |      | No Plumbing   |  |                | Total Depreciated Cost =  |   |  | Rate   |                   |                             | Size Cost   |  |
| (3) Roof   |   | (10) Floor Support   |   | Public Water<br>Public Sewer<br>Water Well<br>1000 Gal Septic<br>2000 Gal Septic |                     |      | Extra Toilet<br>Extra Sink<br>Separate Shower<br>Ceramic Tile Floor<br>Ceramic Tile Wains<br>Ceramic Tub Alcove<br>Vent Fan |  |                | ECF (4302 SUNRISE PARK LAKEFRONT)   |   |  | Rate   |                   |                             | Size Cost   |  |
| X  | Gable<br>Hip<br>Flat  |  | Gambrel<br>Mansard<br>Shed  | Lump Sum Items:  |                     |      | Well, 200 Feet  |  |                | County Multiplier = 1.47 =>   |   |  | Rate   |                   |                             | Size Cost   |  |
| X  | Asphalt Shingle   | Joists:<br>Unsupported Len:<br>Cntr.Sup:                                     |   |  |                     |      | Public Sewer  |  |                | Total Depreciated Cost =  |   |  | Rate   |                   |                             | Size Cost   |  |
| Chimney: Brick                                   |   |  |   |  |                     |      |   |  |                | Total Depreciated Cost =  |   |  | Rate   |                   |                             | Size Cost   |  |

\*\*\* 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\*\*\*



**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

(810) 227-5225 | FAX (810) 227-3420

Case # 17-03

Meeting Date: Feb. 21, 2017

PAID Variance Application Fee  
\$125.00 for Residential | \$300.00 for Commercial/Industrial

**ARTICLE 23** of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Applicant/Owner: Jerry Sprague

Property Address: 2696 Little Sunset Tr. Phone: 810-599-4681

Present Zoning: RR Tax Code: 4711-14-300-015

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: Side and Rear yard variance

2. Intended property modifications: Construct a 24 x 32 Pole Barn

a. Unusual topography/shape of land (explain): Current location of Pod topography of land

b. Other (explain): \_\_\_\_\_

**The following is required.** Failure to meet this requirement may result in postponement or denial of this petition.

**Property must be staked showing all proposed improvements seven (7) days before the meeting and remain in place until after the meeting.**

Date: 1-24-2017 Signature: [Signature]

**Application must be completely filled out before submittal to Township and all submittal requirements must accompany application.**

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

**After the decision is made regarding your Variance approval a land use permit will be required**



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** February 13, 2017

**RE:** ZBA 17-03

---

## STAFF REPORT

**File Number:** ZBA#17-03  
**Site Address:** 2696 Little Sunset Trail  
**Parcel Number:** 4711-14-300-025  
**Parcel Size:** 1.15 Acres  
**Applicant:** Jerry Sprague  
**Property Owner:** Same as Applicant

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a rear and side yard variance to construct a 24 x 32 sq.ft. detached accessory structure.

**Zoning and Existing Use:** RR (Rural Residential) Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday February 5, 2017 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

**Background**

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

- Per assessing records the existing home on the parcel was constructed in 1990.
- In 2017, the parcel was combined with .17 acres from the adjacent property. (Survey attached)
- See Assessing Record Card.

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

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

### Summary

The proposed project is to construct a 24 X 32 sq. ft. detached accessory structure. In order to construct the detached accessory structure, the applicant is in need of a rear yard and side yard variance. The additional .17 acres the owner recently acquired causes the detached accessory structure to comply with the principal structure setbacks.

### Variance Requests

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

#### **Table 3.04.01 (RR District):**

**Required Rear Yard Setback: 60'      Required Side Yard Setback: 30'**

**Proposed Rear Yard Setback: 25'      Proposed Side Yard Setback: 15'**

**Proposed Variance Amount: 35'      Proposed Variance Amount: 15'**

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the rear and side yard setback would not allow the applicant to construct the detached accessory structure in the desired location. Based on the information provided it is unclear if there are other suitable locations.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is it is a non-conforming lot in the Rural Residential zoning district and the additional land creates larger setbacks. The need for the variance is self-created by the acquisition of the additional land.
- (c) 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.
- (d) Impact on Surrounding Neighborhood** – The proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

### **Recommended Conditions**

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

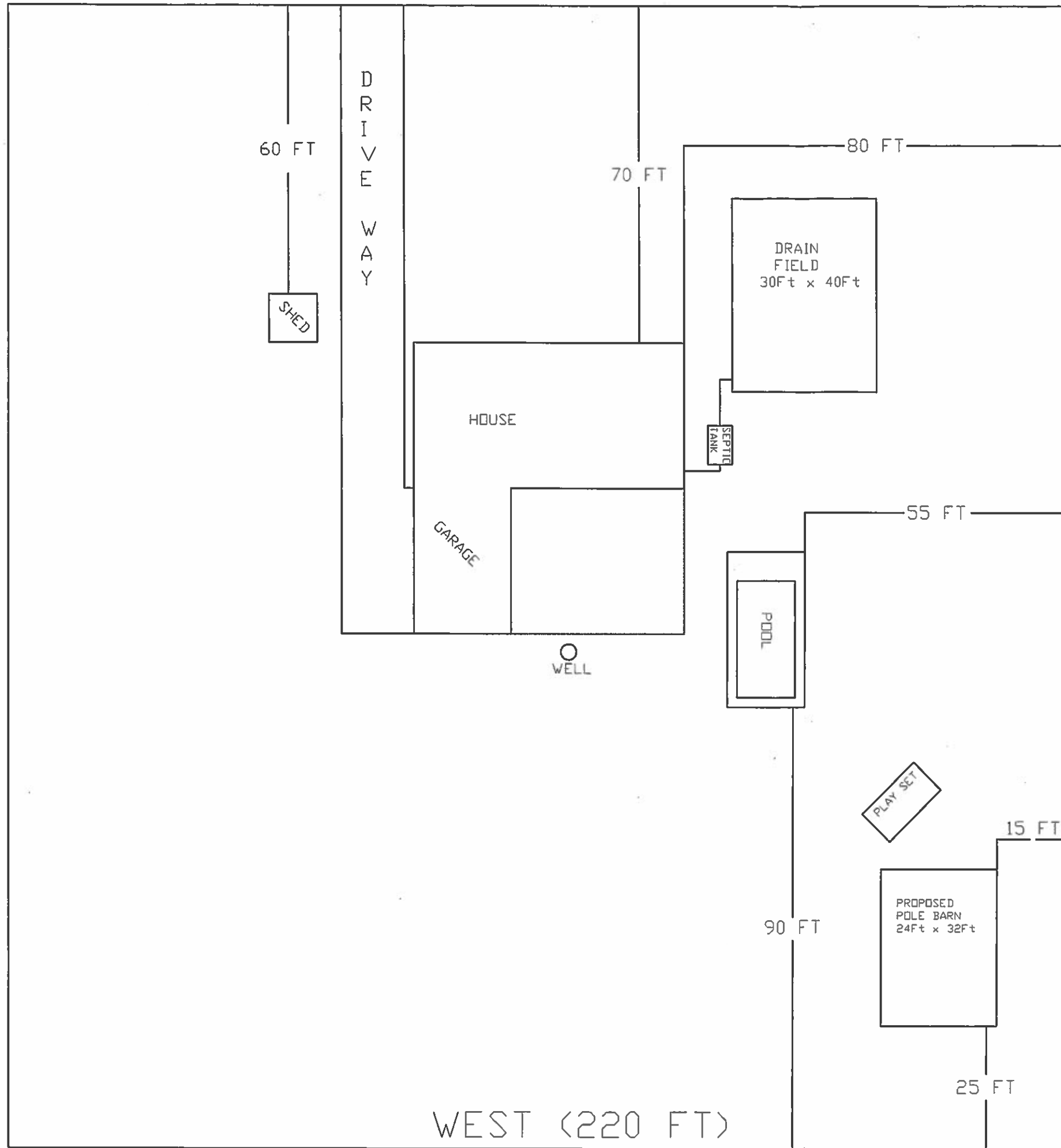
1. Drainage from the detached structure must be maintained on the lot.
2. Structure must be guttered with downspouts.





Orthophotos Flown Spring 2015  
Parcel lines are a representation only;  
Not intended for survey purposes.

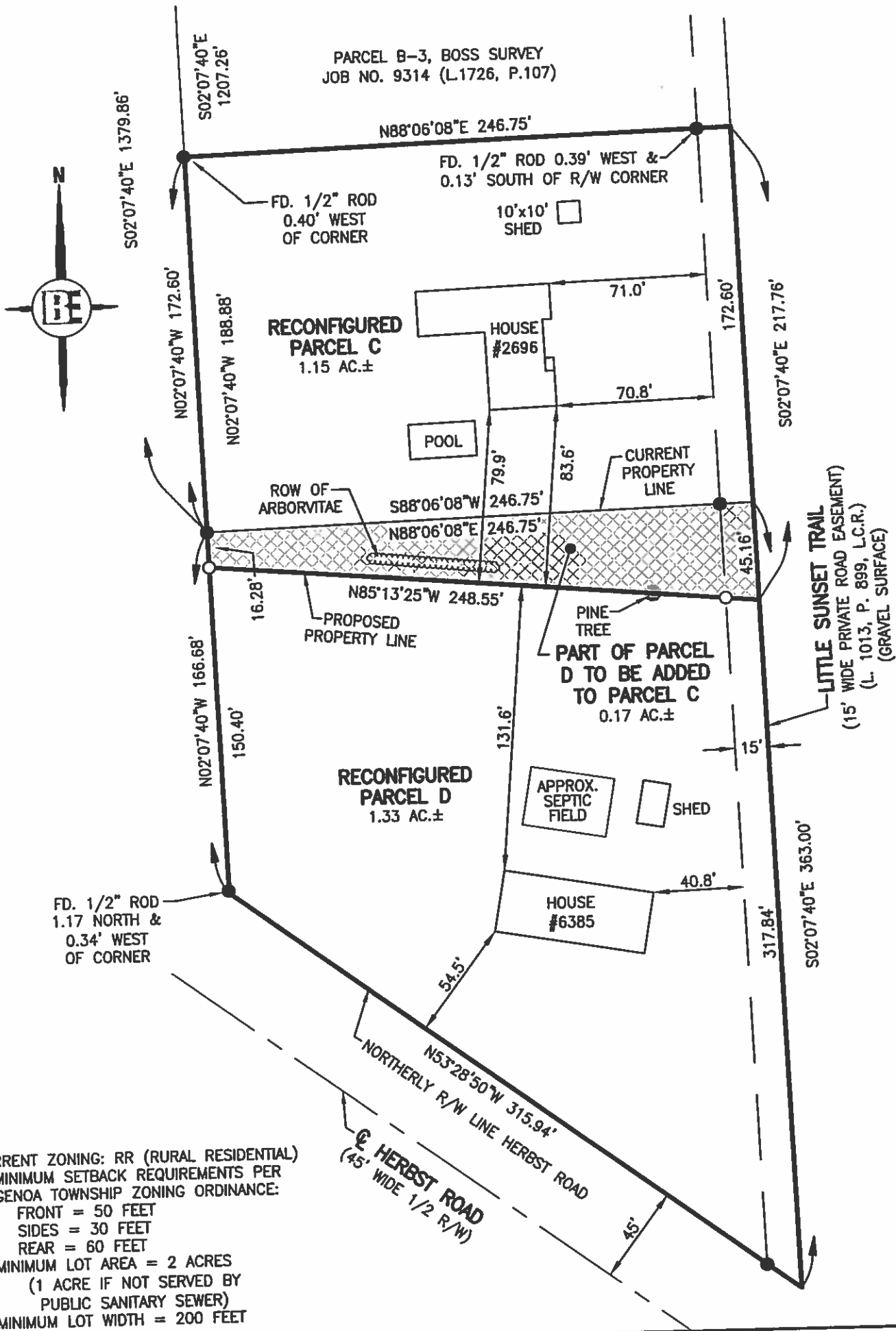
NORTH (235 FT)



SOUTH (235 FT)

WEST (220 FT)

# RECONFIGURATION DETAIL



CURRENT ZONING: RR (RURAL RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS PER  
 GENOA TOWNSHIP ZONING ORDINANCE:  
 FRONT = 50 FEET  
 SIDES = 30 FEET  
 REAR = 60 FEET  
 MINIMUM LOT AREA = 2 ACRES  
 (1 ACRE IF NOT SERVED BY  
 PUBLIC SANITARY SEWER)  
 MINIMUM LOT WIDTH = 200 FEET

DESCRIPTION:  
 PART OF THE SOUTHWEST 1/4 OF  
 SECTION 14, T2N-R5E, GENOA  
 TOWNSHIP, LIVINGSTON COUNTY,  
 MICHIGAN

**BEBOSS**  
**Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 800.246.6735 FAX 517.548.1670

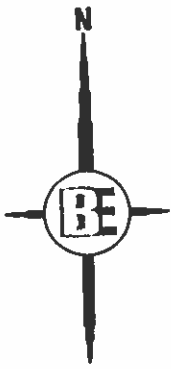


|                           |                             |  |
|---------------------------|-----------------------------|--|
| CLIENT:<br><b>SPRAGUE</b> | <br>SCALE: 1 INCH = 60 FEET | <b>LEGEND</b><br>● = IRON SET<br>○ = IRON FOUND<br>⊙ = MONUMENT FOUND<br>* = FENCE<br>(R) = RECORDED<br>(M) = MEASURED |
| JOB NO. 16-437            | DATE 1-27-17                |  |
| SHEET 2 OF 5              | FB 574 CREW GFD             | DR. AEB CHKD.  |

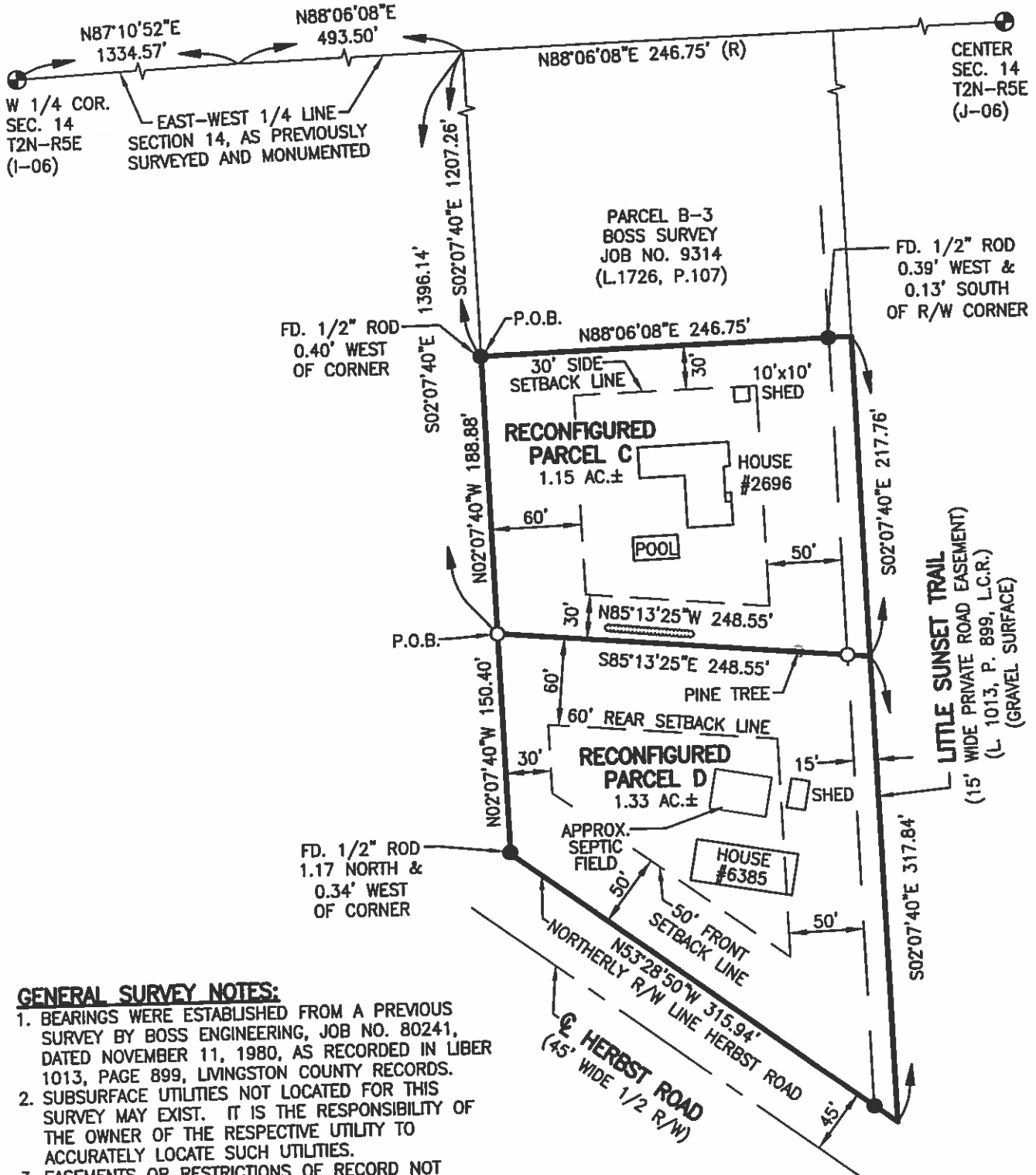
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# PROPOSED PARCEL RECONFIGURATION



CURRENT ZONING: RR (RURAL RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS PER  
 GENOA TOWNSHIP ZONING ORDINANCE:  
 FRONT = 50 FEET  
 SIDES = 30 FEET  
 REAR = 60 FEET  
 MINIMUM LOT AREA = 2 ACRES  
 (1 ACRE IF NOT SERVED BY  
 PUBLIC SANITARY SEWER)  
 MINIMUM LOT WIDTH = 200 FEET



**GENERAL SURVEY NOTES:**

- BEARINGS WERE ESTABLISHED FROM A PREVIOUS SURVEY BY BOSS ENGINEERING, JOB NO. 80241, DATED NOVEMBER 11, 1980, AS RECORDED IN LIBER 1013, PAGE 899, LIVINGSTON COUNTY RECORDS.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

|   |  |   |   |         |       |
|---|--|---|---|---------|-------|
| DESCRIPTION:<br>PART OF THE SOUTHWEST 1/4 OF SECTION 14, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN |  | <br>Engineers Surveyors Planners Landscape Architects<br>3121 E. GRAND RIVER AVE.<br>HOWELL, MI. 48843<br>800.246.6735 FAX 517.548.1670 |   |         |       |
| CLIENT:<br>SPRAGUE  | <br>SCALE: 1 INCH = 100 FEET   |   | LEGEND<br>● = IRON SET<br>⊙ = IRON FOUND<br>⊛ = MONUMENT FOUND<br>* = FENCE<br>(R) = RECORDED<br>(M) = MEASURED |         |       |
| JOB NO. 16-437  | DATE 1-27-17   | FB 574  | CREW GFD  | DR. AEB | CHKD. |
| SHEET 3 OF 5  | G:\16-437\dwg\16-437_RECON.dwg, 1/27/2017 11:29:54 AM, andy <i>CSP</i> |   |   |         |       |

**DESCRIPTION OF PARCEL C (#4711-14-300-015) PER SURVEY BY BOSS ENGINEERING, JOB NO. 80241, AS RECORDED IN LIBER 1013, PAGE 899, LIVINGSTON COUNTY RECORDS:**

A part of the Southwest 1/4 of Section 14, T2N-R5E, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the West 1/4 corner of said Section 14; thence N 87°10'52" E along the East-West 1/4 line (as monumented), 1334.57 feet; thence N 88°06'08" E along the East-West 1/4 line (as monumented), 493.50 feet; thence S 02°07'40" E, 1207.26 feet to the Point of Beginning of the Parcel to be described; thence N 88°06'08" E 246.75 feet; thence S 02°07'40" E 172.60 feet; thence S 88°06'08" W 246.75 feet; thence N 02°07'40" W 172.60 feet to the Point of Beginning, containing 0.98 acres more or less and subject to and including the use of Little Sunset Trail (a 15 foot wide private road easement for ingress and egress and public utilities, as recorded in Liber 1013, Page 899, Livingston County Records).

**DESCRIPTION OF PARCEL D (#4711-14-300-016) PER SURVEY BY BOSS ENGINEERING, JOB NO. 80241, AS RECORDED IN LIBER 1013, PAGE 899, LIVINGSTON COUNTY RECORDS:**

A part of the Southwest 1/4 of Section 14, T2N-R5E, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the West 1/4 corner of said Section 14; thence N 87°10'52" E along the East-West 1/4 line (as monumented), 1334.57 feet; thence N 88°06'08" E along the East-West 1/4 line (as monumented), 493.50 feet; thence S 02°07'40" E, 1379.86 feet to the Point of Beginning of the Parcel to be described; thence N 88°06'08" E 246.75 feet; thence S 02°07'40" E 363.00 feet; thence N 53°28'50" W 315.94 feet; thence N 02°07'40" W 166.68 feet to the Point of Beginning, containing 1.50 acres more or less and subject to and including the use of Little Sunset Trail (a 15 foot wide private road easement for ingress and egress and public utilities, as recorded in Liber 1013, Page 899, Livingston County Records).

**PART OF PARCEL D TO BE ADDED TO PARCEL C:**

Part of the Southwest 1/4 of Section 14, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West 1/4 corner of Section 14; thence along the East-West 1/4 line, as previously surveyed and monumented, the following two (2) courses: 1) N 87°10'52" E, 1334.57 feet; 2) N 88°06'08" E, 493.50 feet; thence S 02°07'40" E, 1379.86 feet, to the POINT OF BEGINNING of the Parcel to be described; thence N 88°06'08" E, 246.75 feet; thence along the east line of a 15 foot wide private road easement (aka Little Sunset Trail), as recorded in Liber 1013, Page 899, Livingston County Records), S 02°07'40" E 45.16 feet; thence N 85°13'25" W, 248.55 feet; thence N 02°07'40" W, 16.28 feet, to the POINT OF BEGINNING, containing 0.17 acres, more or less and subject to and including the use of Little Sunset Trail (a 15 foot wide private road easement for ingress and egress and public utilities, as recorded in Liber 1013, Page 899, Livingston County Records). Also subject to any other easements or restrictions of record.

**RECONFIGURED PARCEL C:**

Part of the Southwest 1/4 of Section 14, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West 1/4 corner of Section 14; thence along the East-West 1/4 line, as previously surveyed and monumented, the following two (2) courses: 1) N 87°10'52" E, 1334.57 feet; 2) N 88°06'08" E, 493.50 feet; thence S 02°07'40" E, 1207.26 feet, to the POINT OF BEGINNING of the Parcel to be described; thence N 88°06'08" E, 246.75 feet; thence along the east line of a 15 foot wide private road easement (aka Little Sunset Trail), as recorded in Liber 1013, Page 899, Livingston County Records), S 02°07'40" E, 217.76 feet; thence N 85°13'25" W, 248.55 feet; thence N 02°07'40" W, 188.88 feet, to the POINT OF BEGINNING, containing 1.15 acres, more or less and subject to and including the use of Little Sunset Trail (a 15 foot wide private road easement for ingress and egress and public utilities, as recorded in Liber 1013, Page 899, Livingston County Records). Also subject to any other easements or restrictions of record.

**RECONFIGURED PARCEL D:**

Part of the Southwest 1/4 of Section 14, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West 1/4 corner of Section 14; thence along the East-West 1/4 line, as previously surveyed and monumented, the following two (2) courses: 1) N 87°10'52" E, 1334.57 feet; 2) N 88°06'08" E, 493.50 feet; thence S 02°07'40" E, 1396.14 feet, to the POINT OF BEGINNING of the Parcel to be described; thence S 85°13'25" E, 248.55 feet; thence along the east line of a 15 foot wide private road easement (aka Little Sunset Trail), as recorded in Liber 1013, Page 899, Livingston County Records), S 02°07'40" E, 317.84 feet; thence along the Northerly Right of Way line of Herbst Road (45 foot wide 1/2 Right of Way), N 53°28'50" W, 315.94 feet; thence N 02°07'40" W, 150.40 feet, to the POINT OF BEGINNING, containing 1.33 acres, more or less and subject to and including the use of Little Sunset Trail (a 15 foot wide private road easement for ingress and egress and public utilities, as recorded in Liber 1013, Page 899, Livingston County Records). Also including the use of Herbst Road (45 foot wide 1/2 Right of Way). Also subject to any other easements or restrictions of record.

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January 27, 2017

Job Number: 16-437  
Sheet: 4 of 5



3121 E. GRAND RIVER  
HOWELL, MICHIGAN  
517-546-4836  
www.bossgeng.com



CHRISTOPHER S. FERGUS, P.S.



Bearings were established from a Previous survey by Boss Engineering, Job Number 80241, dated November 11, 1980, as recorded in Liber 1013, Page 899, Livingston County Records.

**REFERENCES:**

1. Previous survey by Boss Engineering, Job Number 80241, dated November 11, 1980, as recorded in Liber 1013, Page 899, Livingston County Records.
2. Previous survey by Boss Engineering, Job No. 93144, as recorded in Liber 1726, Page 107, Livingston County Records.
3. Previous survey by Boss Engineering, Job No. 98730, as recorded in Liber 2643, Page 713, Livingston County Records.
4. Affidavit, dated January 10, 1989, as recorded in Liber 1323, Page 256, Livingston County Records.

**WITNESSES:**

West 1/4 Corner, Section 14, T2N-R5E (I-06) LSC#480m  
Livingston County Remon Brass Cap  
N 10° W 191.12' N/T E/S P. Pole  
S 10° W 145.83' N/T E/S P. Pole  
S 55° E 19.68' N/T top center guard rail post  
N 40° E 26.68' N/T top center guard rail post

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January 27, 2017

Job Number: 16-437  
Sheet: 5 of 5

*CSF*



3121 E. GRAND RIVER  
HOWELL, MICHIGAN  
517-546-4836  
www.bosseng.com



CHRISTOPHER S. FERGUS, P.S.

**Hansen Buildings Quote~Home Depot (Kellie)**

Rachel Piechowski [rachel@hansenpolebuildings.com]

Sent: Monday, January 16, 2017 4:46 PM  
To: jrrysprague@yahoo.com  
Cc: 2724, Prodesk  
Attachments: SpragueJerry 24x32x11 Quote.pdf (657 KB)

Hello Jerry,

Thank you for taking the time to speak with me!

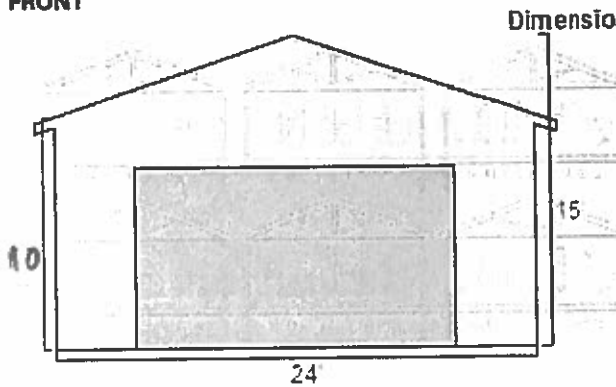
Attached is the quote we had discussed for your 24x32 building.

The quote will have trusses 4' on center which is the most typical in Michigan with a steel roof.

Although we do not employ any builders, we do have builders we can refer. I will get with the builders in your area and see if they are available.

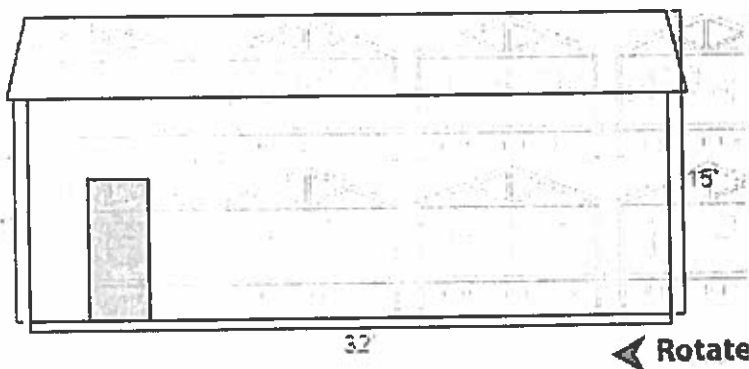
Below are views of your building and how I currently have the doors placed.

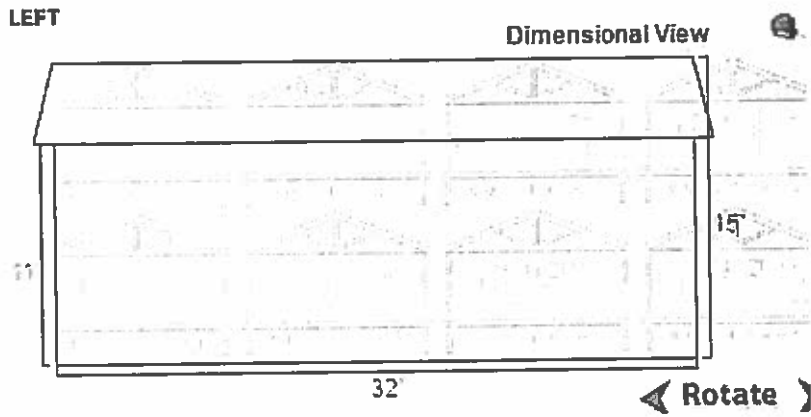
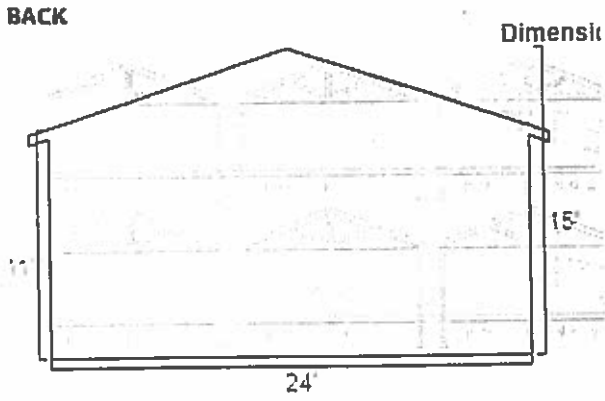
**FRONT**



**RIGHT**

**Dimensional View**





Let me know of any questions or changes.

Thank you,

**Rachel Piechowski**

Hansen Buildings  
 Toll Free (866) 200-9657  
 Direct (605) 432-8971  
 Fax (866) 200-9658

**There will be a 7% steel increase after January 31<sup>st</sup>, 2017.**

| Grantor  | Grantee | Sale Price                | Sale Date | Inst. Type | Terms of Sale   | Liber & Page | Verified By    | Prcnt. Trans.    |                 |                         |               |
|--|---------|---------------------------|-----------|------------|---|--------------|----------------|------------------|-----------------|-------------------------|---------------|
|  |         |                           |           |            |   |              |                |                  |                 |                         |               |
|  |         |                           |           |            |   |              |                |                  |                 |                         |               |
|  |         |                           |           |            |   |              |                |                  |                 |                         |               |
| Property Address   |         | Class: 401 RESIDENTIAL-IM |           | Zoning: RR | Building Permit(s)  | Date         | Number         | Status           |                 |                         |               |
| 2696 LITTLE SUNSET TRL   |         | School: HOWELL            |           |            |   |              |                |                  |                 |                         |               |
|  |         | P.R.E. 100% / /           |           |            |   |              |                |                  |                 |                         |               |
| Owner's Name/Address   |         | MAP #: V17-03             |           |            |   |              |                |                  |                 |                         |               |
| SPRAGUE JERRY & VICKI<br>2696 LITTLE SUNSET TRL<br>BRIGHTON MI 48114   |         | 2017 Est TCV Tentative    |           |            |   |              |                |                  |                 |                         |               |
| Tax Description  |         | 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  |              |                | 1.150 Acres      | 44,130          | 100                     | 50,750        |
|  |         |                           |           |            |   |              |                | 1.15 Total Acres |                 | Total Est. Land Value = | 50,750        |
| SEC 14 T2N R5E COMM AT THE W 1/4 COR TH N87*10'52"E 1334.57 FT TH N88*06'08"E 493.50 FT TH S02*07'40"E 1207.26 FT TO POB TH N88*06'08"E 246.75 FT TH S02*07'40"E 217.76 FT TH N85*13'25"W 248.55 FT TH N02*07'40"W 188.88 FT TO POB CONT 1.15 AC<br>PARCEL C<br>SPLIT/COMBINED ON 02/01/2017 FROM 4711-14-300-015, 4711-14-300-016;<br>Comments/Influences |         |                           |           |            | Dirt Road<br>Gravel Road<br>Paved Road<br>Storm Sewer<br>Sidewalk<br>Water<br>Sewer<br>Electric<br>Gas<br>Curb<br>Street Lights<br>Standard Utilities<br>Underground Utils. |              |                |                  |                 |                         |               |
| Split/Comb. on 02/01/2017 completed 02/01/2017 Duffy ;<br>Parent Parcel(s): 4711-14-300-015, 4711-14-300-016;<br>Child Parcel(s): 4711-14-300-026, 4711-14-300-027;  |         | Topography of Site        |           |            | Level<br>Rolling<br>Low<br>High<br>Landscaped<br>Swamp<br>Wooded<br>Pond<br>Waterfront<br>Ravine<br>Wetland<br>Flood Plain  |              |                |                  |                 |                         |               |
|  |         |                           |           |            | Year  | Land Value   | Building Value | Assessed Value   | Board of Review | Tribunal/Other          | Taxable Value |
|  |         | Who                       | When      | What       | 2017  | Tentative    | Tentative      | Tentative        |                 |                         | Tentative     |
|  |         |                           |           |            | 2016  | 0            | 0              | 0                |                 |                         | 0             |
|  |         |                           |           |            | 2015  | 0            | 0              | 0                |                 |                         | 0             |
|  |         |                           |           |            | 2014  | 0            | 0              | 0                |                 |                         | 0             |

| Building Type                                      |   | (3) Roof (cont.)    |   | (11) Heating/Cooling  |                     |             | (15) Built-ins   |  |   | (15) Fireplaces   |  |                  | (16) Porches/Decks                       |  |     | (17) Garage   |  |
|--|---|---------------------|---|---|---------------------|-------------|--|--|---|---|--|------------------|--|--|-----|---|--|
| X  | Single Family<br>Mobile Home<br>Town Home<br>Duplex<br>A-Frame  |                     | Eavestrough<br>Insulation<br>0 Front Overhang<br>0 Other Overhang | X   | Gas<br>Wood         | Oil<br>Coal | Elec.<br>Steam   |  | Appliance Allow.<br>Cook Top<br>Dishwasher<br>Garbage Disposal<br>Bath Heater<br>Vent Fan<br>Hot Tub<br>Unvented Hood<br>Vented Hood<br>Intercom<br>Jacuzzi Tub<br>Jacuzzi repl.Tub<br>Oven<br>Microwave<br>Standard Range<br>Self Clean Range<br>Sauna<br>Trash Compactor<br>Central Vacuum<br>Security System |   | Interior 1 Story<br>Interior 2 Story<br>2nd/Same Stack<br>Two Sided<br>Exterior 1 Story<br>Exterior 2 Story<br>Prefab 1 Story<br>Prefab 2 Story<br>Heat Circulator<br>Raised Hearth<br>Wood Stove<br>Direct-Vented Gas | Area<br>24<br>63 | Type<br>CCP (1 Story)<br>Treated Wood    |  |     | Year Built:<br>Car Capacity:<br>Class: C<br>Exterior: Siding<br>Brick Ven.: 0<br>Stone Ven.: 0<br>Common Wall: 1 Wall<br>Foundation: 42 Inch<br>Finished ?:<br>Auto. Doors: 0<br>Mech. Doors: 0<br>Area: 630<br>% Good: 0<br>Storage Area: 0<br>No Conc. Floor: 0 |  |
| X  | Wood Frame  |                     | Drywall<br>Paneled  |   | Plaster<br>Wood T&G |             |  |  |   |   |  |                  |  |  |     |   |  |
| Building Style:<br>C                               |   | Trim & Decoration   |   | Forced Air w/o Ducts<br>Forced Air w/ Ducts<br>Forced Hot Water<br>Electric Baseboard<br>Elec. Ceil. Radiant<br>Radiant (in-floor)<br>Electric Wall Heat<br>Space Heater<br>Wall/Floor Furnace<br>X Forced Heat & Cool<br>Heat Pump<br>No Heating/Cooling |                     |             | Central Air<br>Wood Furnace  |  |   | Class: C -5<br>Effec. Age: 19<br>Floor Area: 1584<br>Total Base Cost: 119,207<br>Total Base New : 181,195<br>Total Depr Cost: 146,768<br>Estimated T.C.V: 161,444 |  |                  | CntyMult<br>X 1.520<br>E.C.F.<br>X 1.100 |  |     | Bsmnt Garage:   |  |
| Yr Built<br>1990                                   | Remodeled<br>0  | Size of Closets     |   | No./Qual. of Fixtures   |                     |             | (12) Electric  |  |   | Stories Exterior Foundation Rate Bsmnt-Adj Heat-Adj   |  |                  | Size Cost                                |  |     |   |  |
| Condition for Age:<br>Good                         |   | Ex                  | X   | Ord   |                     | Min         | 0 Amps Service   |  |   | Other Additions/Adjustments Rate  |  |                  | Size Cost                                |  |     |   |  |
| Room List  |   | Lg                  | X   | Ord   |                     | Small       | Average Fixture(s)<br>2 3 Fixture Bath<br>2 Fixture Bath<br>Softener, Auto<br>Softener, Manual<br>Solar Water Heat<br>No Plumbing<br>Extra Toilet<br>Extra Sink<br>Separate Shower<br>Ceramic Tile Floor<br>Ceramic Tile Wains<br>Ceramic Tub Alcove<br>Vent Fan |  |   | (13) Plumbing   |  |                  | 2400.00                                  |  | 1   | 2,400   |  |
| Basement<br>5 1st Floor<br>2nd Floor<br>3 Bedrooms |   | Doors:              |   | Solid   | X                   | H.C.        | No. of Elec. Outlets   |  |   | (14) Water/Sewer  |  |                  | 4975.00                                  |  | 1   | 4,975   |  |
|  |   |                     |   |   |                     |             | Many   |  |   | X Ave.  |  |                  | 3085.00                                  |  | 1   | 3,085   |  |
|  |   |                     |   |   |                     |             | Basement: 1584 S.F.<br>Crawl: 0 S.F.<br>Slab: 0 S.F.<br>Height to Joists: 0.0  |  |   | (16) Porches  |  |                  | 54.99                                    |  | 24  | 1,320   |  |
| (1) Exterior                                       |   |                     |   |   |                     |             | Basement   |  |   | (16) Deck/Balcony   |  |                  | 9.57                                     |  | 63  | 603   |  |
| X  | Wood/Shingle<br>Aluminum/Vinyl<br>Brick   |                     |   |   |                     |             | Conc. Block<br>Poured Conc.<br>Stone<br>Treated Wood<br>Concrete Floor   |  |   | (17) Garages  |  |                  | 18.33                                    |  | 630 | 11,548  |  |
|  | Insulation  |                     |   |   |                     |             | (9) Basement Finish  |  |   | Class:C Exterior: Siding Foundation: 42 Inch (Unfinished)<br>Base Cost  |  |                  | -1300.00                                 |  | 1   | -1,300  |  |
| (2) Windows  |   | Many<br>Avg.<br>Few | X   | Large<br>Avg.<br>Small  |                     |             | Recreation SF<br>Living SF<br>Walkout Doors<br>No Floor SF   |  |   | Phy/Ab.Phy/Func/Econ/Comb.%Good= 81/100/100/100/81.0,<br>ECF (47070 HOWELL M & B)   |  |                  | 1.100 => TCV of Bldg: 1 =                |  |     | 146,768   |  |
| X  | Wood Sash<br>Metal Sash<br>Vinyl Sash<br>Double Hung<br>Horiz. Slide<br>Casement<br>Double Glass<br>Patio Doors<br>Storms & Screens |                     |   |   |                     |             | (10) Floor Support   |  |   | Common Wall: 1 Wall   |  |                  |  |  |     | 161,444   |  |
|  |   |                     |   |   |                     |             | Joists:<br>Unsupported Len:<br>Cntr.Sup:   |  |   | 1000 Gal Septic<br>2000 Gal Septic  |  |                  |  |  |     |   |  |
| (3) Roof   |   |                     |   |   |                     |             | Public Water<br>Public Sewer<br>1 Water Well<br>1 1000 Gal Septic<br>2000 Gal Septic   |  |   | Lump Sum Items:   |  |                  |  |  |     |   |  |
| X  | Gable<br>Hip<br>Flat  |                     |   |   |                     |             | Asphalt Shingle  |  |   |   |  |                  |  |  |     |   |  |
|  |   |                     |   |   |                     |             | Chimney: Brick   |  |   |   |  |                  |  |  |     |   |  |

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





**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**

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

Case # 17-04 Meeting Date: Feb. 21, 2017

- 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 (see attached).

Applicant/Owner: Kevin and Nancy Sarpolis (Owner) - Timothy McCotter (Architect - Applicant)

Property Address: 2055 Webster Park Phone: 248.219.5651

Present Zoning: LRR Tax Code: 4711-30-300-001

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: 29.0' variance to 100.0' required lakefront setback

2. Intended property modifications: Addition to an existing single family home

a. Unusual topography/shape of land (explain): This unique parcel has some extreme topography changes as well as a small bay at the waterfront, which reduces the available area for expansion

b. Other (explain): The existing home is non-conforming, as well, due to the bay mentioned above

**The following is required.** Failure to meet these requirements may result in tabling of this petition:

1. Property must be staked showing **all** proposed improvements five (5) days before the meeting and remain in place until after the meeting;
2. Plot Plan drawings must be submitted, showing setbacks and elevations of proposed buildings and all other pertinent information. **One paper copy of all drawings is required.**
3. Waterfront properties must indicate setback from water for adjacent homes.
4. Petitioner (or a Representative) must be present at the meeting.

Date: 2/25/2017 Signature: Timothy McCotter

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

**After the decision is made regarding your Variance approval:  
Contact the Genoa Township Zoning office to discuss your next step.**



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** February 13, 2017

**RE:** ZBA 17-04

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

---

### STAFF REPORT

**File Number:** ZBA#17-04  
**Site Address:** 2055 Webster Park Drive  
**Parcel Number:** 4711-30-300-001  
**Parcel Size:** 1.78 Acres  
**Applicant:** Kevin and Nancy Sarpolis, 27980 Trailwood Ct. Farmington, MI  
**Property Owner:** Same as Applicant

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a waterfront variance to construct an addition to an existing single family home.

**Zoning and Existing Use:** LRR (Suburban Residential) Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday October 30, 2016 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

**Background**

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

- Per assessing records the existing home on the parcel was constructed in 1971.
- See Assessing Record Card.

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

## Summary

The proposed project is to construct an addition to an existing single family home. In order to construct the addition, the applicant would be required to obtain a waterfront variance. The property is on a septic system which requires a 100 foot setback from the waterfront.

## Variance Requests

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

|                                      |                                     |             |
|--------------------------------------|-------------------------------------|-------------|
| <b>Table 3.04.01 (LRR District):</b> | <b>Required Waterfront Setback:</b> | <b>100</b>  |
|                                      | <b>Proposed Waterfront Setback:</b> | <b>85.4</b> |
|                                      | <b>Proposed Variance Amount:</b>    | <b>14.6</b> |

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the waterfront setback would prevent the applicant from constructing the addition to the existing single family home. Granting of the variances would offer substantial justice.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the non-conforming location of the existing home and the topography of the lot and the recessed shoreline. The need for the variance is not self-created.
- (c) 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.
- (d) Impact on Surrounding Neighborhood** – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

## Recommended Conditions

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

1. Drainage from the home must be maintained on the lot.
2. Structure must be guttered with downspouts.





Orthophotos Flown Spring 2015  
Parcel lines are a representation only;  
Not intended for survey purposes.





**EAST ELEVATION**



**SOUTH ELEVATION**

**LEGAL DESCRIPTION**

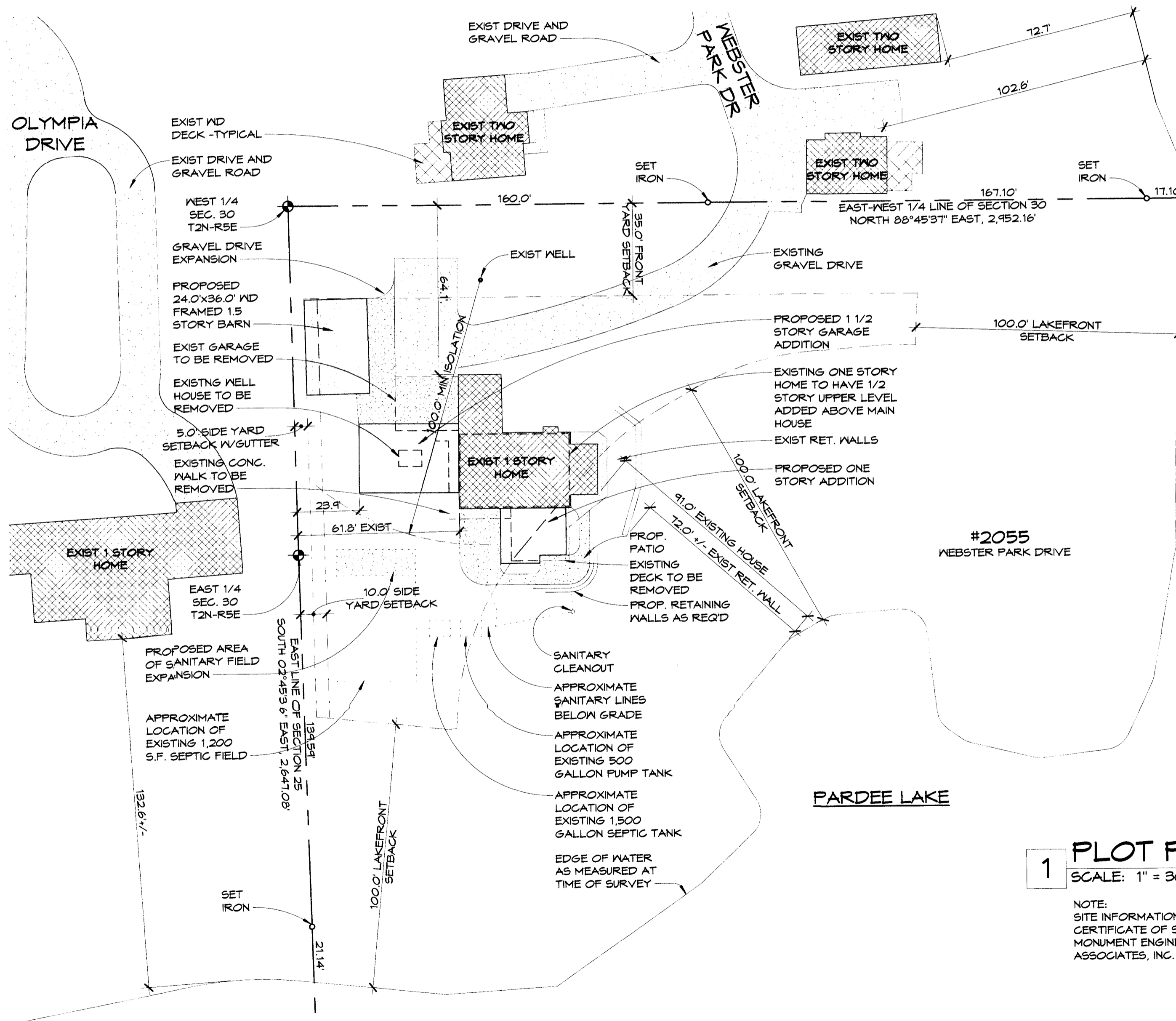
ALL THAT PART OF THE WEST 1/2 OF THE FRACTIONAL SOUTHWEST 1/4 LYING NORTH OF THE LAKE, SECTION 30 TOWN 2 NORTH RANGE 5 EAST

TAX ID: 4711-30-300-001  
ALSO KNOWN AS 2055 WEBSTER PARK DRIVE, HOWELL, MICHIGAN

**ZONING RESTRICTIONS**

ZONING JURISDICTION: GENOA CHARTER TOWNSHIP  
ZONING CLASSIFICATION: LRR - LAKEFRONT RESIDENTIAL  
EXISTING LOT SIZE: 78,327 S.F. (1.78 ACRES)

| REGULATION               | PERMITTED                           | PROPOSED                  |
|--------------------------|-------------------------------------|---------------------------|
| FRONT YARD SETBACK       | 35.0'                               | 64.1' HOUSE<br>35.0' BARN |
| SIDE YARD SETBACK        | 10.0' MIN ONE SIDE<br>5.0' W/GUTTER | 23.9' HOUSE<br>5.0' BARN  |
| WATER SETBACK            | 100.0'                              | 71.0'                     |
| MAXIMUM BLDG HT          | 2-STORIES/35.0'                     | 1.5-STORIES/20.0'         |
| LOT COVERAGE             |                                     |                           |
| BUILDING IMPERVIOUS AREA | 35%                                 | 5.3%                      |
|                          | 50%                                 | 11.8%                     |



**McCOTTER**  
Architecture  
and Design

2060 ORE CREEK LANE  
BRIGHTON, MI 48114  
PHONE: 734.216.7168  
www.mccotterarchitecture.com

**Project:**

SARPOLIS  
RESIDENCE ADDITION  
2055 WEBSTER PARK  
HOWELL, MI

**Owner:**

KEVIN AND NANCY  
SARPOLIS  
2055 WEBSTER PARK  
HOWELL, MICHIGAN

**Issue/Revision:**

ZBA APPLICATION 1/26/17

**Sheet Title:**

PLOT PLAN

**P-1**

COPYRIGHT 2017

NOT FOR CONSTRUCTION

**1 PLOT PLAN**  
SCALE: 1" = 30'-0"



NOTE:  
SITE INFORMATION OBTAINED FROM  
CERTIFICATE OF SURVEY PREPARED BY  
MONUMENT ENGINEERING GROUP  
ASSOCIATES, INC. DATED 6/29/16

8ft wall



| Grantor                    | Grantee                    | Sale Price | Sale Date  | Inst. Type | Terms of Sale | Liber & Page | Verified By | Prcnt. Trans. |
|----------------------------|----------------------------|------------|------------|------------|---------------|--------------|-------------|---------------|
| SCHAFFER CYNTHIA S         | SARPOLIS KEVIN M & NANCY A | 195,000    | 10/14/2011 | WD         | ARMS-LENGTH   | 2011R-029875 | BUYER       | 100.0         |
| DEUTSCHE BANK NATIONAL TRU | SCHAFFER CYNTHIA S         | 110,500    | 01/23/2009 | WD         | FORECLOSURE   | 2009R-004064 | BUYER       | 100.0         |
| WRIGHT HEATHER M           | DEUTSCHE BANK NATIONAL TRU | 305,628    | 07/30/2008 | IV         | FORECLOSURE   | 2008R-003724 | BUYER       | 0.0           |
| THOMAS TRUST               | WRIGHT HEATHER M           | 255,000    | 03/31/2006 | WD         | ARMS-LENGTH   | 5079/0575    | BUYER       | 100.0         |

| Property Address  | Class: 401 RESIDENTIAL-IM | Zoning: LRR | Building Permit(s) | Date | Number | Status |
|---|---------------------------|-------------|--------------------|------|--------|--------|
| 2055 WEBSTER PARK DR.   | School: HOWELL            |             |                    |      |        |        |
|   | P.R.E. 0%                 |             |                    |      |        |        |
| Owner's Name/Address  | MAP #: V17-04             |             |                    |      |        |        |
| SARPOLIS KEVIN M & NANCY A<br>27980 TRAILWOOD CT<br>FARMINGTON MI 48331 | 2017 Est TCV Tentative    |             |                    |      |        |        |

| Tax Description   | X Improved          |  | Vacant | Land Value Estimates for Land Table 119.PARDEE LK FRT/GALE LAKE         |          |       |        |        |        |       |        |        |
|---|---------------------|--|--------|---|----------|-------|--------|--------|--------|-------|--------|--------|
|   | Public Improvements |  |        | Description   | Frontage | Depth | Front  | Depth  | Rate   | %Adj. | Reason | Value  |
| SEC. 30 T2N, R5E, ALL THAT PART OF W 1/2 OF SW FRL 1/4 LYING N OF LAKE 2A | Dirt Road           |  |        | PARDEE LK FRT   | 100.00   | 0.00  | 1.0000 | 1.0000 | 900    | 100   |        | 90,000 |
|   | Gravel Road         |  |        | HOWELL METE/BNDS/WET  |          |       | 1.650  | Acres  | 19,636 | 100   |        | 32,400 |
|   | Paved Road          |  |        | 100 Actual Front Feet, 1.65 Total Acres Total Est. Land Value = 122,400 |          |       |        |        |        |       |        |        |
|   | Storm Sewer         |  |        |   |          |       |        |        |        |       |        |        |
|   | Sidewalk            |  |        |   |          |       |        |        |        |       |        |        |
|   | Water               |  |        |   |          |       |        |        |        |       |        |        |
|   | Sewer               |  |        |   |          |       |        |        |        |       |        |        |
|   | Electric            |  |        |   |          |       |        |        |        |       |        |        |
|   | Gas                 |  |        |   |          |       |        |        |        |       |        |        |
|   | Curb                |  |        |   |          |       |        |        |        |       |        |        |
|   | Street Lights       |  |        |   |          |       |        |        |        |       |        |        |
|   | Standard Utilities  |  |        |   |          |       |        |        |        |       |        |        |
|   | Underground Utils.  |  |        |   |          |       |        |        |        |       |        |        |

Comments/Influences



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

| Topography of Site |  |  | Year | Land Value | Building Value | Assessed Value | Board of Review | Tribunal/Other | Taxable Value |
|--------------------|--|--|------|------------|----------------|----------------|-----------------|----------------|---------------|
| Level              |  |  | 2017 | Tentative  | Tentative      | Tentative      |                 |                | Tentative     |
| Rolling            |  |  | 2016 | 61,200     | 70,000         | 131,200        |                 |                | 104,777C      |
| Low                |  |  | 2015 | 45,000     | 65,700         | 110,700        |                 |                | 104,464C      |
| High               |  |  | 2014 | 45,000     | 61,900         | 106,900        |                 |                | 102,819C      |
| Landscaped         |  |  |      |            |                |                |                 |                |               |
| Swamp              |  |  |      |            |                |                |                 |                |               |
| Wooded             |  |  |      |            |                |                |                 |                |               |
| Pond               |  |  |      |            |                |                |                 |                |               |
| Waterfront         |  |  |      |            |                |                |                 |                |               |
| Ravine             |  |  |      |            |                |                |                 |                |               |
| Wetland            |  |  |      |            |                |                |                 |                |               |
| Flood Plain        |  |  |      |            |                |                |                 |                |               |
| REFUSE             |  |  |      |            |                |                |                 |                |               |

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



# GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

(810) 227-5225 | FAX (810) 227-3420

Case # 17-05

Meeting Date: 2-21-17

PAID Variance Application Fee

\$125.00 for Residential | \$300.00 for Commercial/Industrial

**ARTICLE 23** of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Applicant/Owner: John J Jones

Property Address: 5525 E Grand River Phone: 810 602 0041

Present Zoning: LRR Tax Code: \_\_\_\_\_

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

1. Variance requested: 40% of shed space

2. Intended property modifications: 10x16 shed

a. Unusual topography/shape of land (explain): Inside property lines

b. Other (explain): \_\_\_\_\_

**The following is required.** Failure to meet this requirement may result in postponement or denial of this petition.

**Property must be staked showing all proposed improvements seven (7) days before the meeting and remain in place until after the meeting.**

Date: 1-27-17 Signature: John Jones

**Application must be completely filled out before submittal to Township and all submittal requirements must accompany application.**

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

**After the decision is made regarding your Variance approval a land use permit will be required.**



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** February 14, 2017  
**RE:** ZBA 17-05

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

## STAFF REPORT

**File Number:** ZBA#17-05  
**Site Address:** 5525 E. Grand River  
**Parcel Number:** 4711-10-301-032  
**Parcel Size:** .132 Acre  
**Applicant:** John Jones, 5525 E. Grand River Howell, MI  
**Property Owner:** Same as Applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variance  
**Project Description:** Applicant is requesting a lot coverage variance and a side yard setback and a setback from the principal structure to allow a 16 x 10 detached accessory structure.  
**Zoning and Existing Use:** LRR (Lakeshore Resort Residential) Single Family Dwelling located on property.  
**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday February 5, 2017 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

### Background

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

- Per assessing records the existing home on the parcel was constructed in 1950.
- In 2001, a land use permit was issued for an addition and garage.
- See Assessing Record Card.

### **SUPERVISOR**

Bill Rogers

### **CLERK**

Paulette A. Skolarus

### **TREASURER**

Robin L. Hunt

### **TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

### **MANAGER**

Michael C. Archinal

The applicant is seeking a lot coverage variance, side yard variance and a variance from the principal structure to allow a 16 X 10 detached accessory structure to remain. Applicant was contacted by the Township when the structure was brought to the Township’s attention. The structure was constructed without a land use permit. Based on the drawings, staff was unable to do an accurate lot coverage analysis. The numbers included below are estimates.

**Variance Requests**

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

**Sec. 11.04 (f)**

|                                    |           |   |             |
|------------------------------------|-----------|---|-------------|
| <b>Required Side Yard Setback:</b> | <b>10</b> | <b>Required Setback from Principal Structure:</b> | <b>10</b>   |
| <b>Proposed Side Yard Setback:</b> | <b>2</b>  | <b>Proposed Setback from Principal Structure:</b> | <b>3.75</b> |
| <b>Proposed Variance Request:</b>  | <b>8</b>  | <b>Proposed Variance Request:</b>                 | <b>6.25</b> |

**Table 3.04.01 LRR (Lakeshore Resort Residential)**

|   |                 |
|---|-----------------|
| <b>Minimum Impervious Lot Coverage Allowed:</b> | <b>50%</b>      |
| <b>Proposed Impervious Lot Coverage:</b>        | <b>63% est.</b> |
| <b>Proposed Lot Coverage Variance:</b>          | <b>13% est.</b> |

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the ordinance would prevent the existing 16 x 10 detached accessory structure to remain. The applicant constructed the detached structure without a land use permit. Granting the variance may not give substantial justice.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrowness of the lot, the abundance of paved area and the location of the existing home. The need for these variances is self-created. The variance will not make the property consistent with the surrounding area.
- (c) Public Safety and Welfare** – The granting of these variances could have an impact on 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. Granting these variances could have an impact on the applicant and the neighbors with the structure being too close to the house and making emergency vehicles and access to the property difficult.



**(d) Impact on Surrounding Neighborhood** – The proposed variance may have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. This is due to the structure being currently 2 feet from the neighbor’s property line and would be 4 feet from the adjacent building.

**Recommended Conditions**

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

1. Drainage from the detached structure must be maintained on the lot.
2. Structure must be guttered with downspouts.
3. Consult with Brighton Area Fire Department and Livingston County Building Department for safety requirements.

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

1. Structure shall be removed within 60 days.

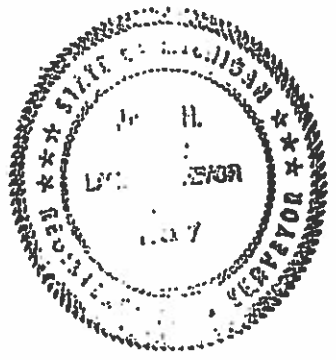
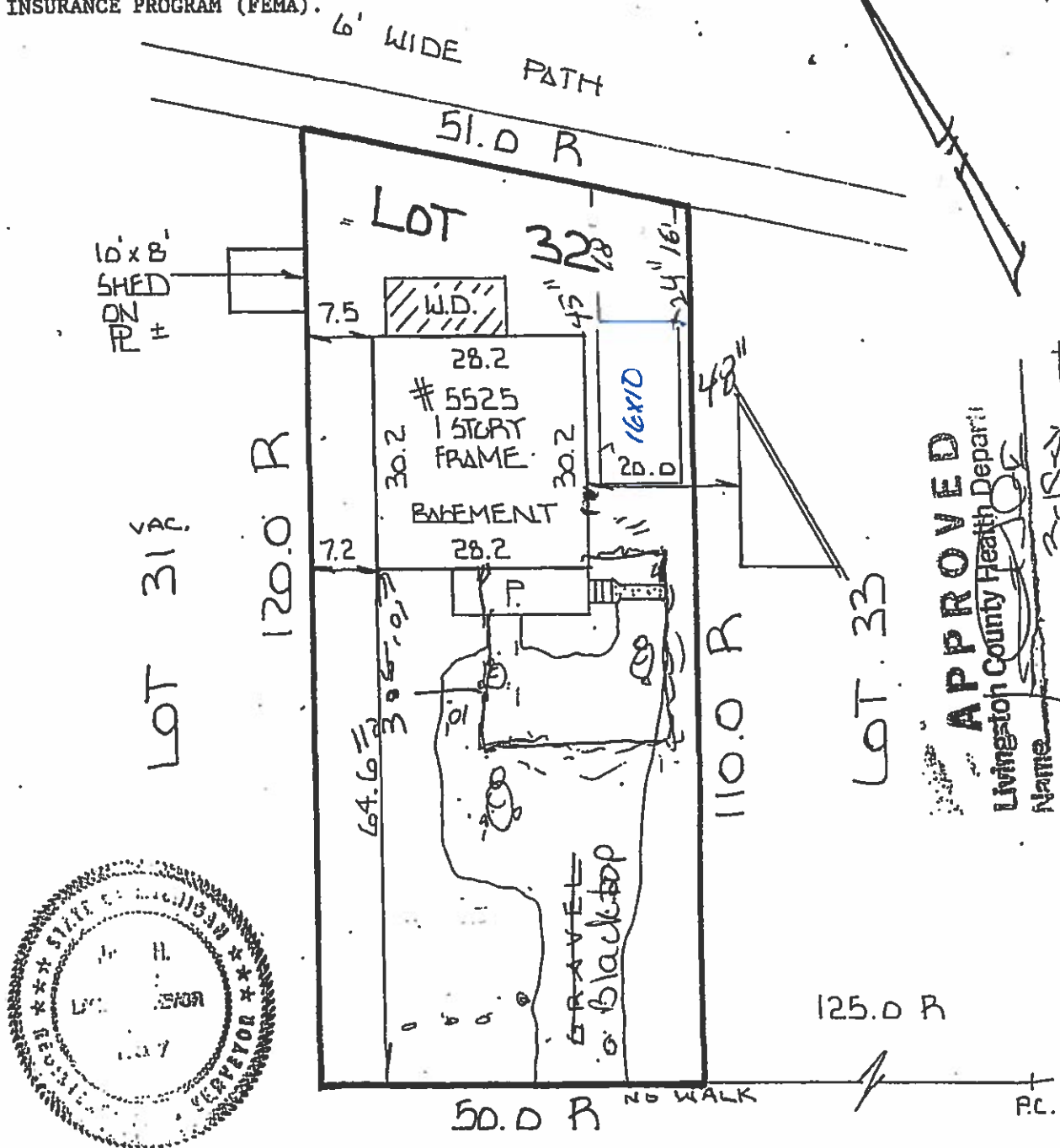


Orthophotos Flown Spring 2015  
Parcel lines are a representation only;  
Not intended for survey purposes.

Y & LINCOLN ASSOCIATES, INC. 37741 Pembroke, Livonia, MI 48152 (313)431-9777 Fax(734)432-9786

Description Lot 32, Glen Echo subdivision of part of the Southeast 1/4 and part of the East 1/2 of the South 1/4 of Section 10, Town 2 North, Range 5 East, Township of Genoa, Livingston County, Michigan. Recorded in Liber 1 Pages 75 and 76 Plats L.C.R.

WE ARE UNABLE TO ISSUE A FLOOD HAZARD STATEMENT FOR THE SUBJECT PARCEL.  
Township of Genoa DOES NOT PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM (FEMA).



**APPROVED**  
Livingston County Health Department  
Name: \_\_\_\_\_  
Date: 2-18-21

GRAND RIVER RD. 66' WD. ASPHALT

MORTGAGE CERTIFICATE

We hereby certify to First Chicago NBD Mortgage Company as mortgage lender, and certify to all Title Insurance Companies for the purpose of a mortgage loan to be made by said

| Grantor | Grantee | Sale Price | Sale Date  | Inst. Type | Terms of Sale | Liber & Page | Verified By | Prcnt. Trans. |
|---------|---------|------------|------------|------------|---------------|--------------|-------------|---------------|
| MITTER  | MITTER  | 0          | 09/04/1998 | WD         | INVALID SALE  | 2429-0871    | BUYER       | 0.0           |
| MITTER  | JONES   | 90,000     | 09/04/1998 | WD         | ARMS-LENGTH   | 2429-0876    | BUYER       | 100.0         |
|         |         | 0          | 11/09/1993 | IV         | INVALID SALE  | 17630620     | BUYER       | 0.0           |

|   |                           |             |   |   |                         |                |                 |                |               |
|---|---------------------------|-------------|---|---|-------------------------|----------------|-----------------|----------------|---------------|
| Property Address  | Class: 401 RESIDENTIAL-IM | Zoning: LRR | Building Permit(s)                                  | Date  | Number                  | Status         |                 |                |               |
| 5525 E GRAND RIVER                                      | School: HOWELL            |             | RES MISCEL  | 05/18/2004  | P04W-046                | NO START       |                 |                |               |
|   | P.R.E. 100% 09/16/1998    |             | ADDITION  | 03/19/2001  | 01-085                  | NO START       |                 |                |               |
| Owner's Name/Address                                    | MAP #: V17-05             |             | 2017 Est TCV Tentative                              |   |                         |                |                 |                |               |
| JONES, JOHN S.<br>5525 E GRAND RIVER<br>HOWELL MI 48843 | X                         | Improved    | Vacant  | Land Value Estimates for Land Table 00005.WEST LAKE CHEMUNG |                         |                |                 |                |               |
| Tax Description   | Public Improvements       |             | * Factors *   |   |                         |                |                 |                |               |
| SEC. 10 T2N, R5E, GLEN ECHO LOT 32                      | Dirt Road                 |             | Description   | Frontage  | Depth                   | Front Depth    | Rate %Adj.      | Reason         | Value         |
| Comments/Influences                                     | Gravel Road               |             | NON LAKE FRONT                                      | 50.00   | 115.00                  | 1.0000         | 1.0000          | 800 100        | 40,000        |
|   | Paved Road                |             | 50 Actual Front Feet, 0.13 Total Acres              |   | Total Est. Land Value = |                | 40,000          |                |               |
|   | Storm Sewer               |             | Land Improvement Cost Estimates                     |   |                         |                |                 |                |               |
|   | Sidewalk                  |             | Description   | Rate  | CountyMult.             | Size           | %Good           | Cash Value     |               |
|   | Water                     |             | D/W/P: 3.5 Concrete                                 | 2.98  | 1.00                    | 120            | 42              | 150            |               |
|   | Sewer                     |             | Total Estimated Land Improvements True Cash Value = |   | 150                     |                |                 |                |               |
|   | 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  | 2017  | Tentative               | Tentative      | Tentative       |                | Tentative     |
|   |                           |             |   | 2016  | 20,000                  | 50,900         | 70,900          |                | 61,809C       |
|   |                           |             |   | 2015  | 20,000                  | 43,800         | 63,800          |                | 61,625C       |
|   |                           |             |   | 2014  | 27,500                  | 41,600         | 69,100          |                | 60,655C       |



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**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
January 17, 6:30 PM**

**MINUTES**

**Call to Order:** Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:32 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Jeff Dhaenens, Marianne McCreary, Jean Ledford, Barb Figurski, Dean Tengal, Amy Ruthig, Zoning Administrator; Kelly VanMarter, Community Development Director/Assistant Township Manager; and Joe Seward, Township Attorney.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

**Introduction:** The members of the Board introduced themselves.

**Approval of the Agenda:**

**Moved** by Figurski, seconded by Tengal, to approve the agenda as presented. **The motion carried unanimously.**

**Election of Officers:**

**Moved** by Ledford, seconded by Tengal, to nominate Jeff Dhaenens for Chairman. Board Member Dhaenens accepted the nomination. **The motion carried unanimously.**

**Moved** by Figurski, seconded by Tengal, to nominate Marianne McCreary for Vice Chairperson. Board Member McCreary accepted the nomination. **The motion carried unanimously.**

**Call to the Public:** The call to the public was made at 6:34 pm with no response.

1. **16-07...A request by Tim Chouinard, 1185 Sunrise Park, for two side-yard variances to construct a second story to an existing home.**

It was noted that this item has to be re-advertised as an additional variance is needed.

**Moved** by McCreary, seconded by Ledford, to move Case #16-07 to the next regularly-scheduled Zoning Board of Appeals meeting of February 21, 2017. **The motion carried unanimously.**

2. **As ordered by the Circuit Court of Livingston County, the variance request for the property located at 5555 E. Grand River and requested by Matt Ikle for a variance to construct a detached accessory structure in the front yard.**

Mr. Matt Ikle, the property owner, and Mr. Roger Myers of Myers & Myers Law Firm were present. Mr. Myers stated that this case is back before the ZBA pursuant to Judge Hatty. He has submitted three documents; an opinion letter from Joel Schmidt, a broker with Reality

Concierge Group, a letter from Jeremy Huntoon, Mr. Ikle's builder, and a new topographic survey prepared by Mr. Ikle's engineer.

Mr. Myer stated that the detailed topographical survey shows that there would not be an issue with the view for the neighboring properties due to the elevation of the Ikle's property and the adjacent ones. The elevation of the northern corner of Mr. Ikle's proposed building is 963.5 feet, which is the same as the road that it abuts. The roof peak will be 14 feet so the elevation would be 977-978 feet at the top of the building. The elevation of Lot #34 is above 977 feet. Also, a walkout basement would not be able to be built on Lot #34 due to the elevation of the existing walking path, which is required to remain intact and maintained. The base elevation of the home built on Lot #34 would be from 980-985 feet and that is five feet higher than Mr. Ikle's proposed garage. He believes this will dispel the information that was provided previously stating that this structure will block the view of lake for the home built on Lot #34. He noted that the materials for the structure will match the home, which are brick and high-end siding. Granting the variance will not have an adverse impact on the value of the adjacent properties and disagrees with the letter submitted by Mr. Gerkin, who is the broker for the owner of Lot #34. The elevation contours provided for Mr. Ikle's property confirm that it is not possible to place the structure in another location on the lot.

Chairman Dhaenens reiterated his concerns stated in the previous meetings, specifically that the southwest corner of the building is only five feet from the road. With all of the grading that was done on this property, he believes it could have created a place to put the garage to meet the ordinance. The property was a "blank sheet of paper". The need for the proposed location of the building is self-created.

Mr. Myers stated that the grading was dependent on the elevations of Wildwood Drive. Also, it has been noted by the Board that the garage could be built into the hill; however, according to Mr. Myers the engineer stated this cannot be done due to the topography and drainage on the site.

Mr. Ikle stated he did not build the home into the hill. That area was already flat. He had to build up the property. He brought in 1,600 yards of dirt.

Board Member McCreary asked Mr. Ikle if there were other options considered when planning the location and design of the home so the accessory building could be built with the original building plans. Mr. Ikle stated he was aware that he would need a variance for this so he removed it from the original plan. At the time the home was designed and built, he was not aware that he would need this much storage.

Board Member Figurski asked Mr. Ikle if he has considered adding onto the existing garage. Mr. Ikle stated the Road Commission did not want a driveway on Wildwood that close to Grand River.

Board Member Tengel noted that the person who builds on Lot #34 may not want to see the lake as much as they would like to see the greenspace of the park. Mr. Myers stated he was addressing the concerns raised by the owner of Lot #34 at the previous meeting.

Mr. Ikle stated he did not create the topography of the site.

Board Member Ledford stated the Planning Commission and Township Board work hard to develop the zoning ordinance and it should be upheld. The neighbors have the right to have it respected. Mr. Ikle should have known what the criteria were when designing and developing the site.

Mr. Ikle stated that the Township Staff Report stated that he has met all of the requirements of granting a variance. Ms. VanMarter stated that when staff writes the reports, they do not have all of the information, specifically the neighbors' opinions. Additionally, they do not always go visit the site. Staff has part of the information and not all of it. They are simply providing their opinion. Mr. Myers believes that they have addressed the neighbors' concerns.

The call to the public was made at 7:15 pm.

Mr. Craig Fons of 4650 Edenburg owns Lots 33, 34 and 132. He reiterated his concerns addressed in his letter and at the last meeting. He disagrees that he would not be able to build a walkout basement on his site. The walkway that was mentioned has not been maintained, no one really uses it, and has been built on with sheds, play structures, etc. He has even spoken to Township staff about vacating it. He does not see the hardship. There is a lot of room within the building envelope and it can be done. He also disagrees that the garage would not impede the site lines of his property.

Mr. Kevin Gerkin of 5268 Edgewood Shores Drive believes in granting variances; however, he disagrees with the applicant's request, and it would be setting a precedent. It would hinder the view of the lake for Lot #34. Mr. Ikle's drainage issues can be addressed with excavation. He concurs with Mr. Fons that the walking trail has not been used in many years. He also agrees that a walkout could be built on Lot #34. He does not see a hardship. There is plenty of area in the building envelope to build the garage. He is working with Mr. Fons to list his property; however, they are waiting on this issue to be resolved.

The call to the public was closed at 7:25 pm.

Board Member Figurski is concerned about maintenance that may need to be done on the sewer line that is very close to the proposed garage.

Board Member McCreary believes the hardship is self-created. She would like to make this work for Mr. Ikle; however, there are safety concerns. Wildwood is a hill, with a curve, and there is a beach and park in this area. She has spoken to the Road Commission and they stated that the criteria for granting the permit for the driveway was not met, but it was granted due to the fact that there was previously a driveway to this site, further up Wildwood, which has since been vacated. Board Member Tengel and Chairman Dhaenens agree that there are safety issues, especially in icy weather.

All Board Members stated that they have visited this site on multiple occasions.

Mr. Myers stated that even if the building was placed inside the building envelope, the driveway would still be in the same location.

Board Member McCreary does not agree with the opinion letter from Joel Schmidt of Realty Concierge Group that this garage will not affect the surrounding properties. All lake properties are entitled to enjoy the view of the lake. Mr. Ikle stated he could put a two-story home within the building envelope and that could block Lot #34's view of the lake. He could also plant large trees in the area that could block the view. Board Member Tengal stated that would be out of the control of the Township if it was inside the building envelope. He does not believe there is a legal reason for the Board to grant this variance. It does not meet all four of the requirements.

Mr. Ikle disagrees that Lot #34 is a lake view lot. It is fronted on Grand River.

**Moved** by McCreary, seconded by Figurski, to deny the variance request for Case #16-07 at 5555 E. Grand River by Mr. Matt Ikle based on the following findings of fact:

- The applicant has failed to provide the required four standards of approval for granting a variance based on the following findings of fact:
  - There is no hardship. The applicant has self-created this situation as he had a blank canvas in which to review the entire building envelope for improving his property prior to the construction process and before permits were issued and resolved to build his home in the location it now sits and stated, "We didn't know we would need this much storage". This is a want and not a need.
  - The applicant was aware he would be required to have a variance approved should he want an accessory building in the location he is apply for today and has made no efforts to modify any options prior to construction or during the variance process.
  - The impact on the surrounding neighborhood would have a negative effect due to the character of the lakefront community surrounding this property. There are no other homes immediately in the vicinity that have a large outbuilding on the water side between the home and the lake. There is an expectation that the unobstructed view around the water be upheld in lakefront communities. The outbuilding will obstruct a visual site line of the homes to the immediate west as referenced by the letter submitted to the Board and as witnessed by members who have visited the site.
  - Public safety and welfare of the residents, visitors, and neighbors of Genoa Township will be extremely challenged as the site line distance is not a clear line of vision from the base of the proposed drive on Wildwood to Grand River. This does not meet the minimum of the County Road Commission requirements despite the approval letter that has been obtained from the Road Commission. The following conditions of concern for public safety that rule out allowing this structure are:
    - No room for error if the road conditions are such that skidding down this 1 ½ track roadway due to ice, snow or dirt that cause a car to be out of control by its driver. A 24 x 36 pole barn will be sitting five feet from a utility pole and be unavoidable. This is not only a detriment to drivers, but also to the applicant should they hit his accessory structure.
    - The accessory building will be blocking the clear site line to a park that residents access for boats and docks and returning to their homes. The length of the building will take up 36 feet of frontage prior to getting to



the roadway for pedestrians using this park area that front where the proposed structure will sit.

- The location of a 24 x 36 pole barn five feet off the road poses a danger to drivers needing to yield in the case of eastbound Wildwood traffic to Grand River or the applicant exiting the building.
- At the base of where the outbuilding sits just 20 feet away is a 90-degree turn for the road, which again, is a concern for safety and clear vision.

Chairman Dhaenens agrees with the motion. The need for the variance is self-created and the public safety is the biggest issue. He wishes Mr. Ikle had attempted to move the building as was requested previously. There were no changes to the original plan. Board Member Ledford agrees.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the December 13, 2016 Zoning Board of Appeals Meeting

**Moved** by Figurski, seconded by Ledford, to approve the December 13, 2016 Zoning Board of Appeals Meeting minutes as presented. **The motion carried unanimously.**

2. Correspondence – Ms. Ruthig had no correspondence.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board Meetings of January 3, 2017.
4. Planning Commission Representative Report – Board Member Figurski advised there was no Planning Commission meeting in January.
5. Zoning Official Report  
Ms. Ruthig stated there will be a joint meeting between the Township Board, ZBA, and Planning Commission on Monday, January 30, 2017 to discuss the upcoming changes to the zoning ordinance.
6. Member Discussion  
There were no member discussion items.
7. Adjournment

**Moved** by Figurski, seconded by Ledford, to adjourn the meeting at 8:11 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary