

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
APRIL 16, 2019  
6:30 P.M.  
AGENDA**

Call to Order:

Pledge of Allegiance:

Elections of Officers:

Introductions:

Approval of Agenda:

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

1. 19-10 ... A request by Chad Newton, 5536 Wildwood Drive, for a variance to construct decks in the front yard, building height variance and a rear and front yard variance to construct an addition.
2. 19-11 ... A request by Aaron and Lauren Richards, Parcel 3B Brighton Road, vacant property just east of Bauer Road for parcel 4711-25-300-058, for a variance to encroach into the 25 foot natural undisturbed features wetland setback to enhance the natural drainage in order to construct a new home.
3. 19-12 ... A request by Phil and Heather Sutherland, 5111 Forest View Court, for a side yard variance to construct a detached accessory structure.
4. 19-13 ... A request by Jon and Bonnie Unruh, 4220 Highcrest Drive, for a front yard variance to demolish existing home and construct a new home.
5. 19-14...A request by Patrick and Robin Fischer, 5766 Long Pointe Drive, for a front and waterfront yard variance to demolish existing home and construct a new home.
6. 19-15 ... A request by Melissa Koryabina, 4784 Nature View Court, for a side and front yard variance to construct an addition.
7. 19-16 ... A request by Joseph and Maria Perri, 3994 Highcrest, for a front yard and height variance to construct a new home.
8. 19-17...A request by Tim Chouinard, 1253 Sunrise Park Drive, for a waterfront and side yard variance to demolish existing home and construct a new home.

Administrative Business:

1. Approval of minutes for the March 19, 2019 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



**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**  
2911 DORR ROAD | BRIGHTON, MICHIGAN 48116  
(810) 227-5225 | FAX (810) 227-3420

Case # 19-10 Meeting Date: April 16, 2019

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

Applicant/Owner: Chad Newton Email: chadanewton1@gmail.com

Property Address: 5536 Wildwood Dr. Phone: 734-699-6999

Present Zoning: LRR zoning. Tax Code: 4711-10-301-132

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

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested: \_\_\_\_\_

Variances are being requested from the following sections of the zoning ordinance:

- Dimensional Standards in section 3.04.01 for rear yard
- Dimensional Standards in section 3.04.01 for building height
- Permitted Projections into yards 11.01.04: Overhangs shall project into the front yard maximum of 3 ft.
- Decks 11.04.02: Decks on the principal building shall be in the rear yard.

2. Intended property modifications: \_\_\_\_\_

The proposed project will provide a second floor addition to the existing non-conforming building on a corner lot, with a new deck being added on each level in the front yard as well as a small overhang over the front door on the adjacent front yard. The applicant is proposing to locate the new second floor directly above the existing first floor footprint. To gain access to the new second floor a new stair within a small 3 ft addition will be built on side of the house. The new addition will encroach into the rear yard open space by 7'-6".

The following is per Article 23.05.03:

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

**Under each please indicate how the proposed project meets each criteria.**

Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

The current house sits on a 5401 s.f. lot. This is well below the required lot area for the LRR zoning district and leaves a buildable footprint of only 45 s.f. The applicant owns the adjacent lot but can't combine the lots, because the lots are divided by the permanent walking easement that was plotted by Lake Chemung neighborhood. The overhead power line also follows the easement, further restricting any improvement to the rear of lot.

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.

The lot is a corner lot with steep slopes and many large trees. The current house is 770 s.f. which is quite small and encroaches on three of the zoning setbacks. The only option to improve the property is to build directly above the current structure as neighboring properties have done. The height of the house exceeds the zoning height on the side that faces the street because of the walkout basement. On the other three sides of the house this not an issue for the zoning height.

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.

Granting the variances will not impair the light and air to adjacent properties. Building above the existing footprint will maintain safe distances from neighboring properties. Vehicular traffic will remain the same.

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.

Adding a second floor will keep the majority of the improvements within the current footprint. The small 3'x13' addition for the stair is located where buildable area is allowed by zoning and will maintain a 13.8' setback from the neighbor. The lakefront decks are located over the existing ground patio, this matches the three houses to the west of property and will be in keeping with similar homes on Wildwood Dr. The small 3' overhang on the east side over the front door meets the permitted requirements for projections into required yards per 11.01.04 of the zoning ordinance and is smaller than the existing deck on that side of the house.

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

**After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.**

Date: 3-20-19 Signature: 



## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 9, 2019  
**RE:** ZBA 19-10

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### STAFF REPORT

**File Number:** ZBA#19-10  
**Site Address:** 5536 Wildwood Drive, Howell  
**Parcel Number:** 4711-10-301-132  
**Parcel Size:** .121 Acres  
**Applicant:** Chad and Rhonda Newton, 5536 Wildwood Drive, Howell  
**Property Owner:** Same as Applicant

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

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a rear and front yard variance, a height variance and a variance to allow two decks in the front yard to construct an addition.

**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 March 31, 2019 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, year built is 1950.
- In 2018, a waiver was issued for the parcel with the home to hook to the municipal water. The water line is located in the lot to the north with the detached garage.
- A variance for an addition was tabled in 2018. (See attached minutes)
- 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 an addition. In order to construct the addition, the applicant is in need of rear yard setback and front yard setback, height variance and a front yard deck variances. The applicant owns the lot to the south of the parcel (11-10-301-033) that is occupied by a detached accessory structure which is the existing access point from Grand River Avenue for the home. The two properties are divided by a 6 foot platted walkway for the subdivision which prevents them from being combined into a single tax parcel.

**Variance Requests**

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

**Sec. 3.04      DIMENSIONAL STANDARDS**

<b>Table 3.04.01 LRR District</b>	<b>Front Setback</b>	<b>Rear Setback</b>	<b>Building Height</b>
Requirement	35'	40'	25'
Request	18'	10'	28'10"
Variance Amount	17'	30'	3'2"

**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 setbacks would unreasonably prevent the use of the property since it would cause the lot to be unbuildable as shown on the submitted site plan. Granting of the variances would offer similar property rights as the properties in the immediate vicinity and would offer substantial justice.

**(b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the small lot size, irregular shape, typography and corner lot. In addition, this area and lot is unique because the waterfront side of the lot is also considered the front yard due the platted roadway that separates the lot from the lake which makes the walkout basement portion of the home in the front yard. The need for the variances is not self-created and is least necessary.

**(c) Public Safety and Welfare** – The granting of these variances would not impair an adequate supply of light and air to adjacent property. Granting of these variances would not increase the congestion in public streets and increase the danger of fire and endanger the public safety.

**(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.

recently had a survey done. Both of these reference points were used to determine his setbacks.

**Motion** by Board Member Ledford, seconded by Board Member Rockwell, to approved Case #18-29 for 1195 Sunrise Park for Robert Savage for a rear yard setback variance of 25 feet from the required rear yard setback of 40 feet to 15 foot setback to construct a second story addition to a single-family home on the existing footprint, based on the following findings of fact:

- Strict compliance with the setbacks would cause the applicant to be unable to construct proposed addition. There are other homes in the vicinity that do not meet the rear yard setback; therefore the variance would provide substantial justice to the property.
- The exceptional or extraordinary condition of the property is the location of the existing home and the shape of the lot. The need for the variance to construct the addition is not self-created.
- 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 the public safety, comfort, morals or welfare of the residents of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

The approval of this variance is conditioned upon the following:

1. Gutters and downspouts are to be installed.
2. Drainage from the structure must be maintained on the lot.
3. Building height cannot exceed the 25-foot height requirement.
4. The existing decks on the front and rear of the property will remain on the same configuration.

**The motion carried unanimously.**

2. 18-30... A request by Rhonda Newton, 5536 Wildwood Drive, for front, side, and rear yard variances to construct an attached garage.

Mr. Chris Bonk, the developer for the applicant, was present. The homeowner wishes to add an attached garage and a driveway onto Wildwood. He stated the lot is odd shaped. The applicant owns this property and the property to the north. There is an existing public walking path between these two properties. Because of the path, the two properties are not able to be combined, unless this portion of the path was vacated. He stated that many of the homes in the area have attached garages in the front yard that do not meet the setback. Additionally, there is a very steep embankment and a large

tree so someone driving on the roadway would not be able to drive off the road onto the property and into the home.

Chairman Tengel asked the applicant if they have received approval from the Livingston County Road Commission for the driveway. Mr. Bonk stated he will request that if he receives approval of the variances from the Township.

Board Member McCreary stated there was a previous applicant requesting a driveway onto Wildwood and the Road Commission stated they would not allow a driveway access in this area because of the lack of site distance. She feels that imposing any further on that corner is putting the public at risk, especially it being a dirt road and in the winter weather. Mr. Bonk suggested placing the driveway access on Grand River, instead of onto Wildwood.

Mr. Chad Newton, the homeowner, was present. He stated they would be willing to just add an addition to the home, and not a garage, and they would not need to install the new driveway. They purchased the home last year and have done a lot of work on the home; however, it is very small.

Board Member McCreary suggested that the applicant pursue the vacation of the walking path, combine the two properties, and build the garage and/or addition in that area.

The call to public was made at 7:03 pm with no response.

There were three letters of support received. Mr. Richard Corruner, Jennifer and Joe Tiano, and Matt Ikle of 5555 E. Grand River are in support of granting the variances.

The applicant requested to have their request tabled this evening.

**Moved** by Board Member Rockwell, seconded by Board Member Rassel, to table Case #18-30 for 5536 Wildwood Drive by Rhonda Newton, per the applicant's request, until the May 2019 Zoning Board of Appeals Meeting or sooner. **The motion carried unanimously.**

**Administrative Business:**

1. Approval of the minutes for the September 18, 2018 Zoning Board of Appeals Meeting.

# GENOA TOWNSHIP



# GENOA TOWNSHIP ZONE BOARD OF APPEALS

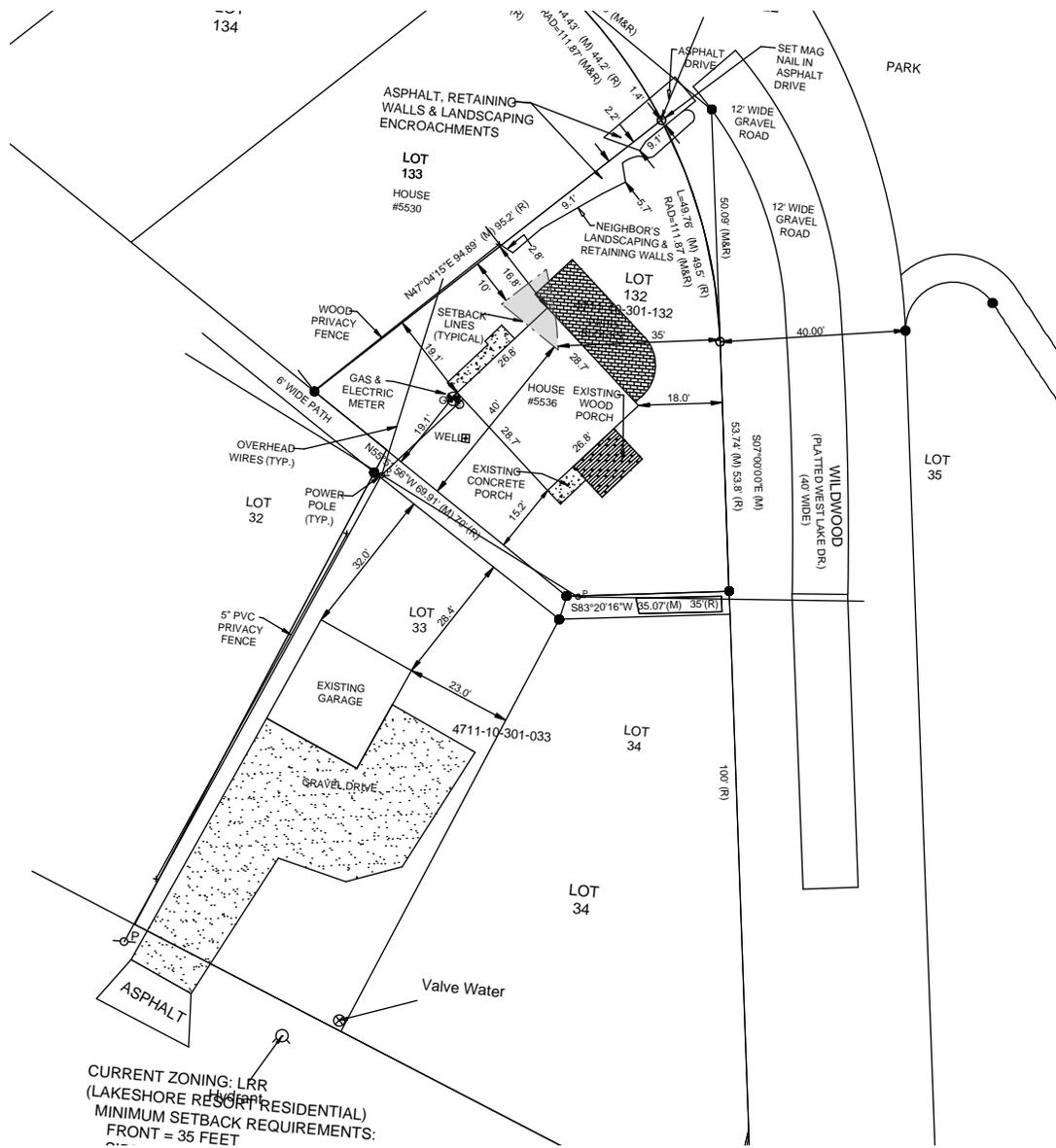
APPLICATION TO THE BOARD OF APPEALS  
FOR THE ADDITION TO  
CHAD AND RHONDA NEWTON, 5536 WILDWOOD DR., HOWELL MI., 48843

## LIST OF DRAWINGS

- T1 TITLE SHEET
- A1 SITE PLAN - (EXISTING)
- A2 BASEMENT PLAN - (EXISTING)
- A3 FIRST FLOOR PLAN - (EXISTING)
- A4 SOUTH SITE ELEVATION - (EXISTING)
- A5 WEST ELEVATION - (EXISTING)
- A6 NORTH ELEVATION - (EXISTING)
- A7 EAST ELEVATION - (EXISTING)
- A8 SITE PLAN - (PROPOSED)
- A9 BASEMENT PLAN - (PROPOSED)
- A10 FIRST FLOOR PLAN - (PROPOSED)
- A11 SECOND FLOOR PLAN - (PROPOSED)
- A12 ROOF PLAN- (PROPOSED)
- A13 WEST ELEVATION - (PROPOSED)
- A14 SOUTH ELEVATION - (PROPOSED)
- A15 EAST ELEVATION - (PROPOSED)
- A16 NORTH ELEVATION - (PROPOSED)

SITE DATA			
	EXISTING CONDITIONS	PROPOSED	REQUIRED
Zoning	(LRR)	(LRR)	Lakeshore Resort Residential (LRR)
Use	Single Family	Single Family	Residential
Required Setback			
Front	18 ft	18 ft	35 ft
Rear	19.1 ft	19.1 ft	40 ft
Side	16.8 ft	13.8 ft	minimum 10ft, total of 20ft.
Building Height	14'-6" , 1 story	24'-11" ft mid point of roof mean grade 2 stories	25' ft , 2 stories
Max Lot Coverage	7.0% bldg, 18.6 % imp. sur.	7.2% bldg, 18.8 % imp. sur.	35% bldg, 50% imp. sur.
Mean grade	35" below first floor	35" below first floor	35" below first floor

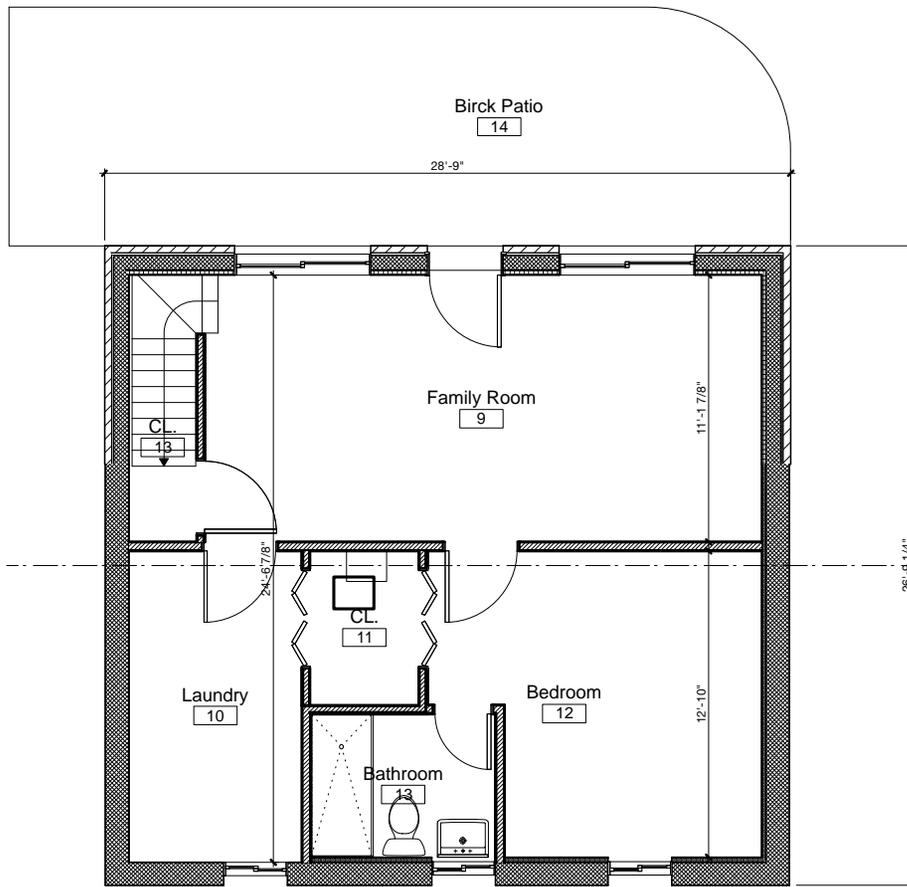
ZBA SUBMISSION 04.16.19



CURRENT ZONING: LRR  
 (LAKESHORE RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35 FEET

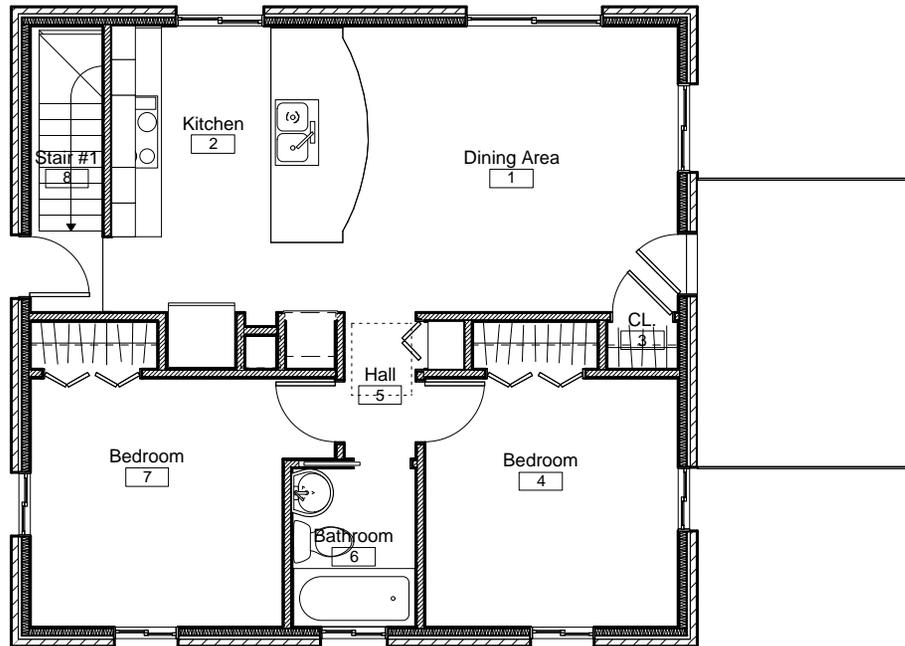
A2 Existing Site Plan  
 Scale: 1" = 40 ft

ZBA SUBMISSION 04.16.19



**A2** Basement Plan  
 Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



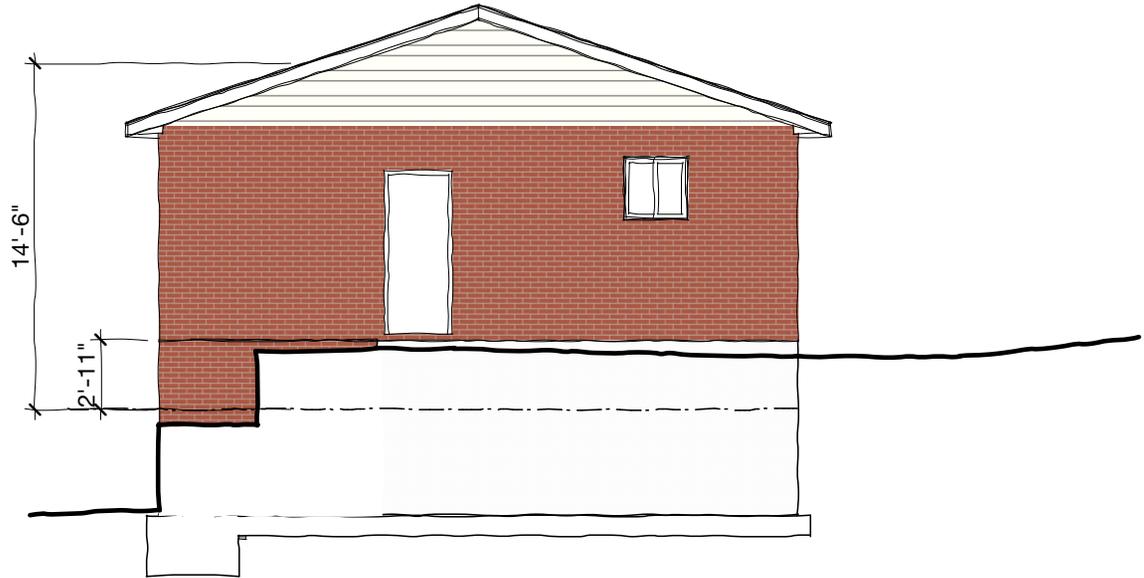
A3 First Floor Plan  
 Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



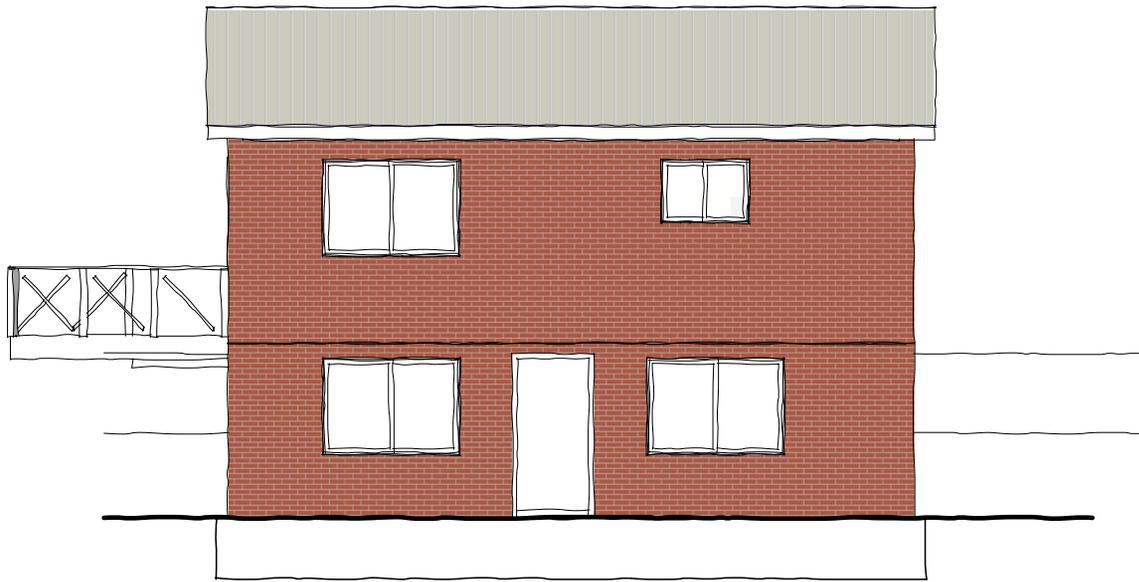
A4 South Elevation  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



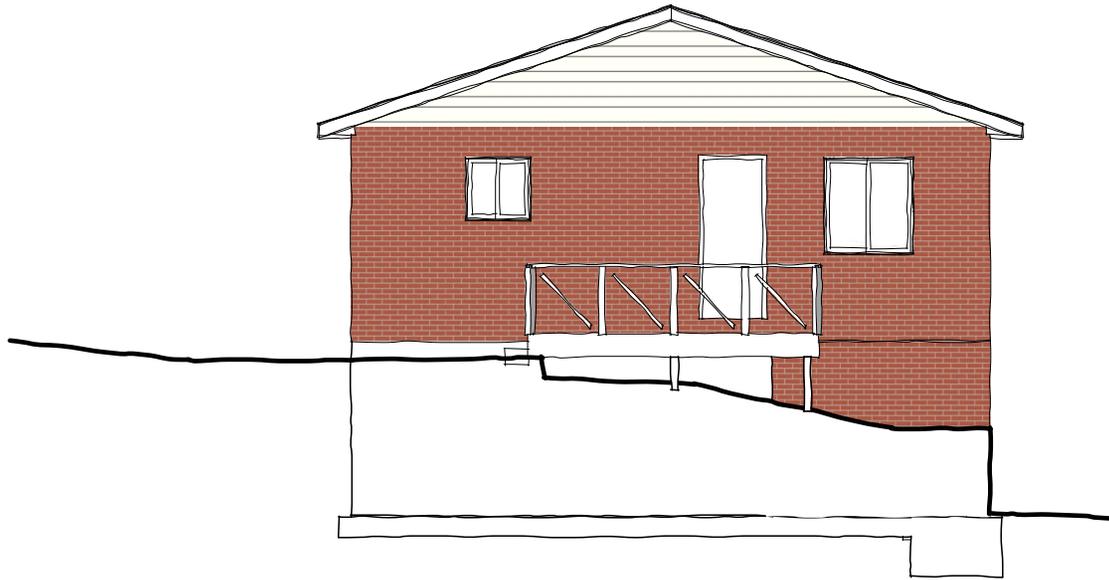
A5 West Elevation  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



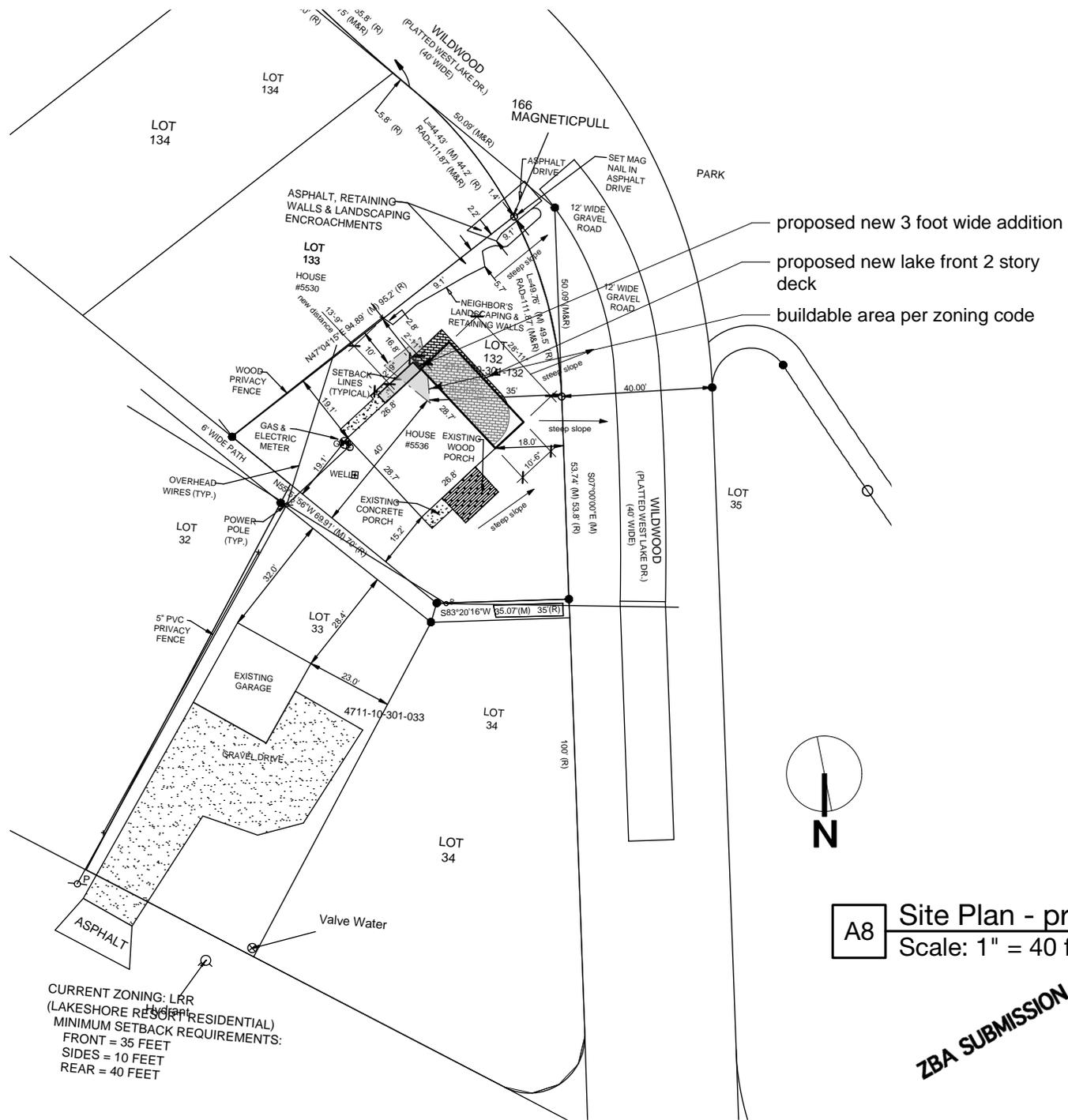
A6 North Elevation  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



A7 East Elevation  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19

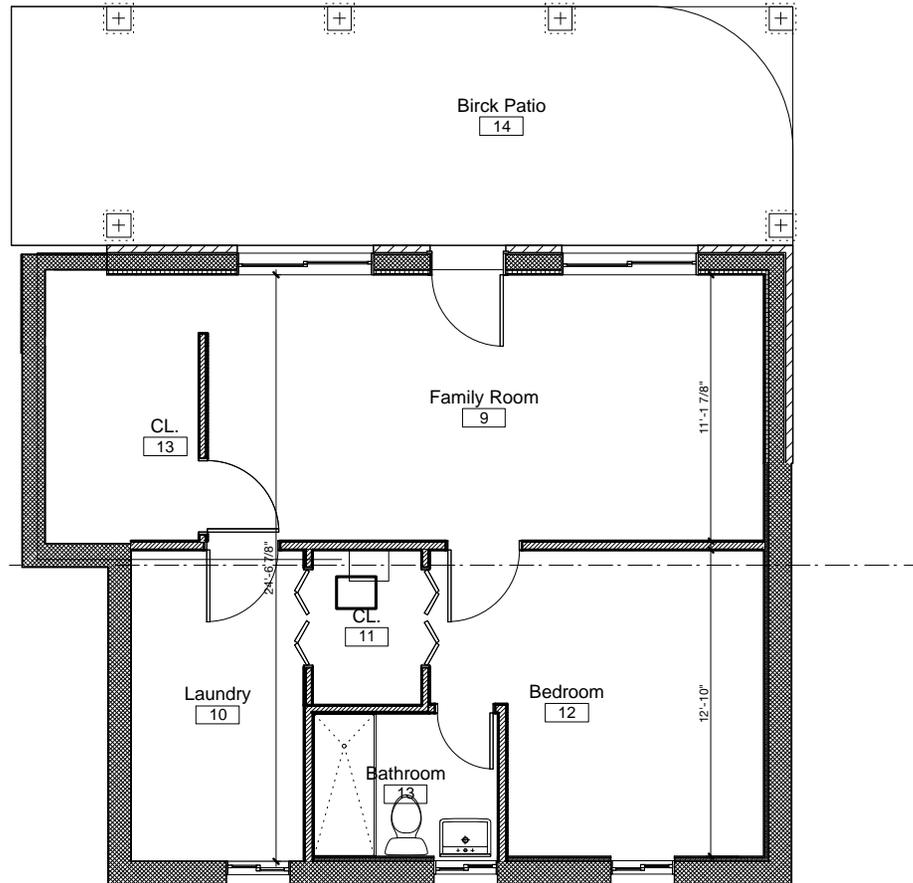


- proposed new 3 foot wide addition
- proposed new lake front 2 story deck
- buildable area per zoning code

CURRENT ZONING: LRR  
 (LAKESHORE RESORT RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET  
 REAR = 40 FEET

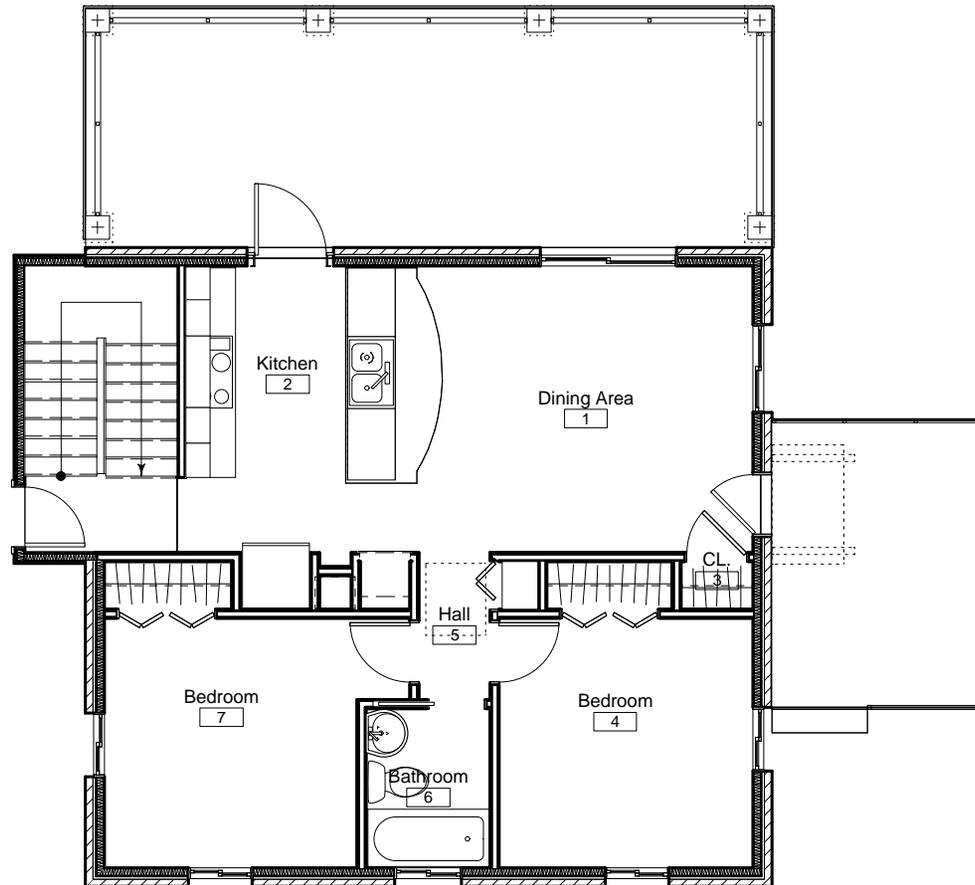
A8 Site Plan - proposed  
 Scale: 1" = 40 ft

ZBA SUBMISSION 04.16.19



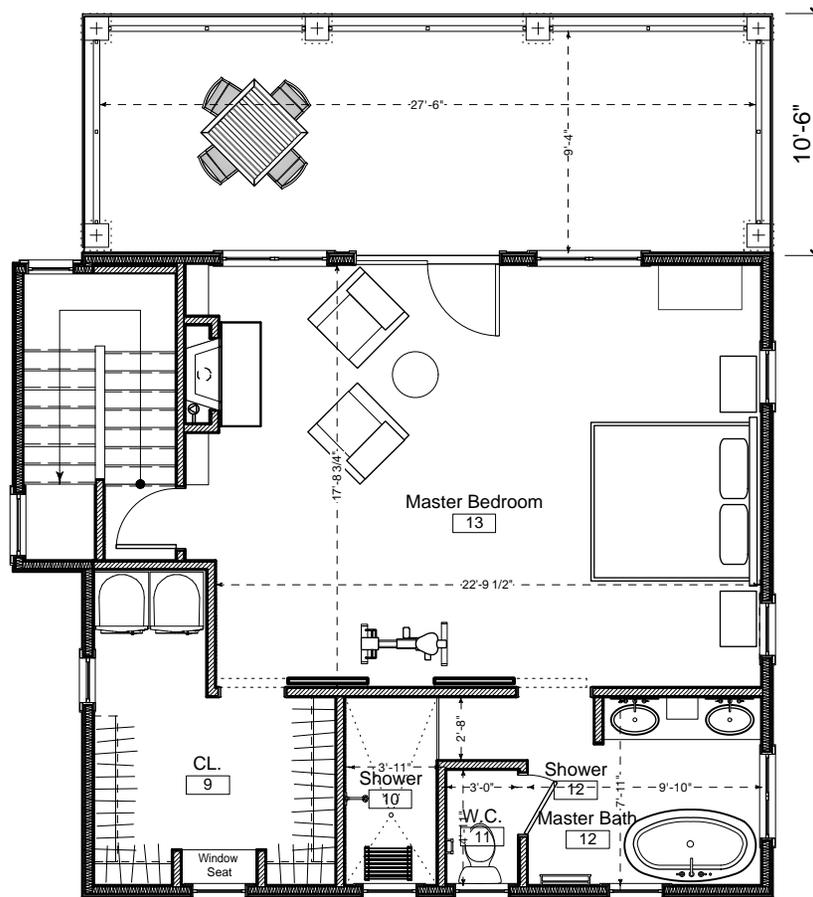
**A9** Basement Plan  
 Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



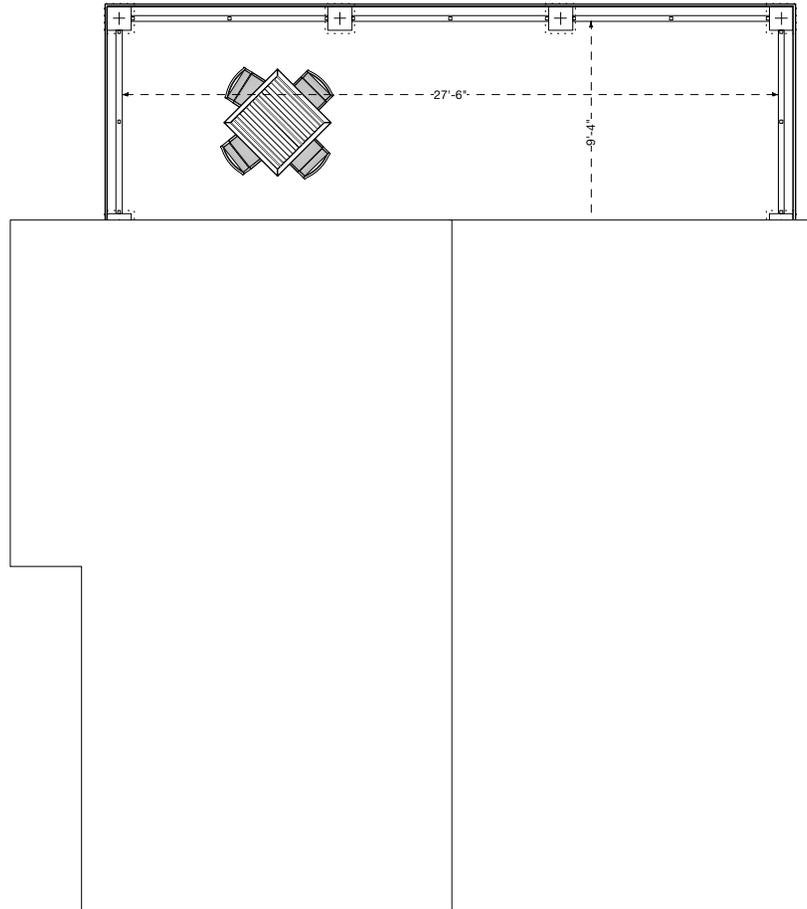
**A10** First Floor Plan  
 Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



**A11** Second Floor Plan  
 Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



A12 Roof Plan  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



A13 West Elevation  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



**A14** South Elevation  
 Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



A15 East Elevation  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19



A16 North Elevation  
Scale: 1/8" = 1'-0"

ZBA SUBMISSION 04.16.19

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
FONS CRAIG	NEWTON CHAD & RHONDA	300,000	09/27/2017	WD	OTHER	2017R-029030	BUYER	100.0
4K CHEMUNG INVESTMENTS LLC	FONS CRAIG	0	07/22/2016	QC	QUIT CLAIM	2016R-022441	BUYER	100.0
JONES, PERRY & CONSTANCE	NOWKA ALBERT	150,000	08/06/2014	TA	ARMS-LENGTH	2014R-022901	BUYER	100.0
JONES, PERRY & CONSTANCE	NOWKA ALBERT	150,000	08/06/2014	WD	L.C.P.O.	2016R-022434	BUYER	0.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LRR	Building Permit(s)	Date	Number	Status
5536 WILDWOOD	School: HOWELL		Water Connection	09/17/2018	PW18-135	
	P.R.E. 100% 09/29/2017					
Owner's Name/Address	MAP #: V19-10					
NEWTON CHAD & RHONDA 5536 WILDWOOD HOWELL MI 48843	2019 Est TCV 203,973 TCV/TFA: 265.59					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 00005.WEST LAKE CHEMUNG								
				Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value	
SEC. 10 T2N, R5E, GLEN ECHO LOT 132				A LV WEST	70.00	0.00	1.0000	1.0000	2000	100		140,000
Comments/Influences				70 Actual Front Feet, 0.00 Total Acres Total Est. Land Value = 140,000								

Comments/Influences

Dirt Road  
Gravel Road  
Paved Road  
Storm Sewer  
Sidewalk  
Water  
Sewer  
Electric  
Gas  
Curb  
Street Lights  
Standard Utilities  
Underground Utils.



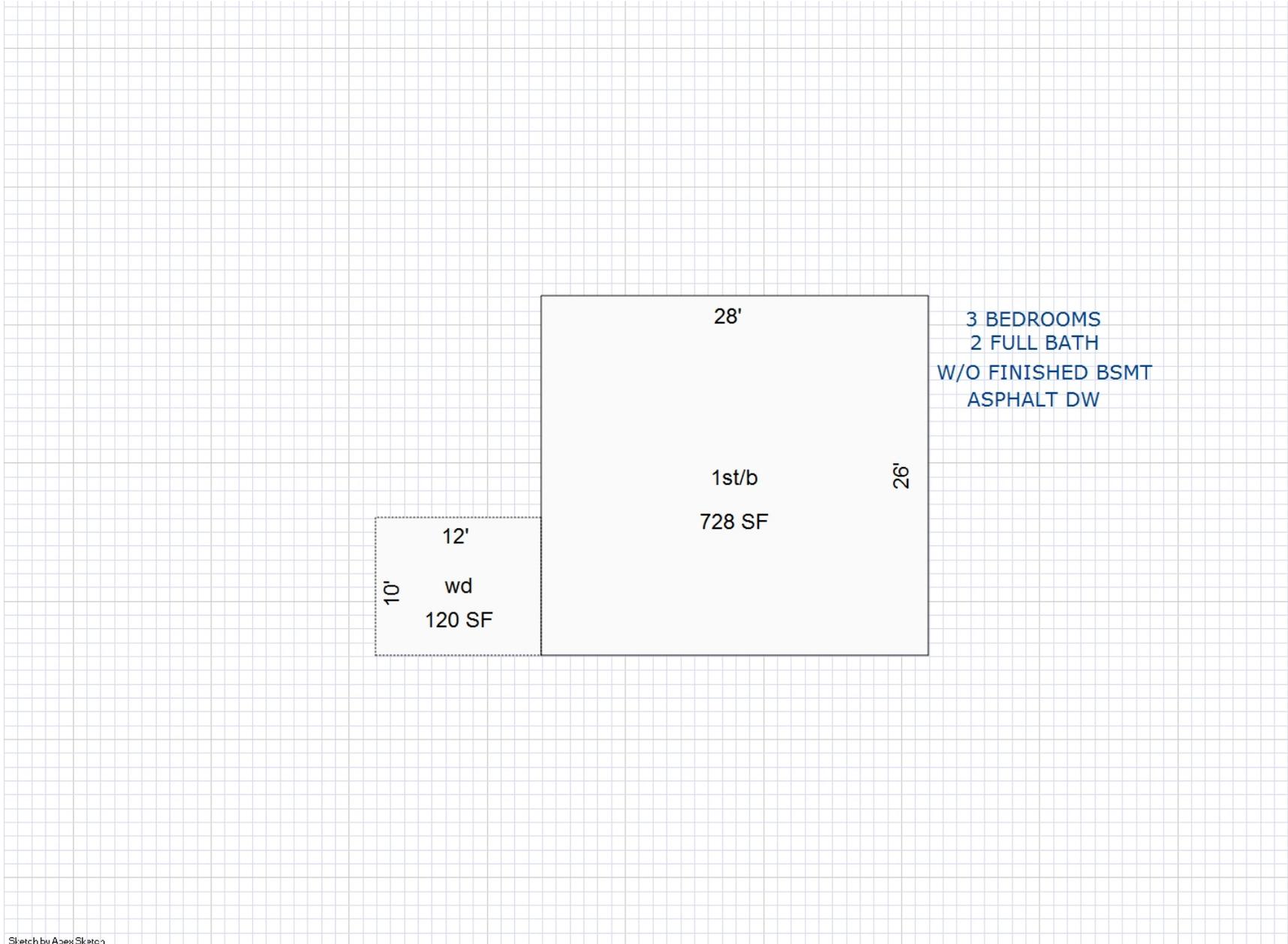
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

Public Improvements				* Factors *						
Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value				
2019	70,000	32,000	102,000			102,000S				
2018	70,000	33,300	103,300			103,300S				
2017	66,500	32,300	98,800			98,800S				
2016	63,000	29,100	92,100			88,464C				

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 120	Type Pine	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
X	Wood Frame		Drywall Paneled		Plaster Wood T&G											
Building Style: C		Trim & Decoration		Central Air Wood Furnace			(12) Electric			Class: C Effec. Age: 50 Floor Area: 768 Total Base New : 127,954 Total Depr Cost: 63,973 Estimated T.C.V: 63,973			E.C.F. X 1.000		Bsmnt Garage:	
Yr Built 1950	Remodeled 2016	Size of Closets		No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family C			Cls C			Blt 1950			
Condition: Good		Doors: Lg X Ord Small		Ex. X Ord Min			No. of Elec. Outlets			Ground Area = 768 SF Floor Area = 768 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=50/100/100/100/50						
Room List		(5) Floors		Kitchen: Other: Other:			(13) Plumbing			Building Areas						
	Basement 1st Floor 2nd Floor 3 Bedrooms			(6) Ceilings			Average Fixture(s)			Stories Exterior Foundation			Size Cost New Depr. Cost			
(1) Exterior				Basement: 768 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			2 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			1 Story Brick Basement			768 Total: 104,242 52,118			
X	Wood/Shingle Aluminum/Vinyl Brick			(7) Excavation			(14) Water/Sewer			Other Additions/Adjustments						
	Insulation			(8) Basement			1 Public Water 1 Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Basement, Outside Entrance, Below Grade			1 2,088 1,044			
(2) Windows		Many Avg. X Large Avg. Small		(9) Basement Finish			Lump Sum Items:			3 Fixture Bath			1 3,789 1,894			
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor								Deck Pine			120 1,919 959			
(3) Roof										Water/Sewer						
X	Gable Hip Flat	Gambrel Mansard Shed		(10) Floor Support						Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic						
X	Asphalt Shingle									Basement Living Area			461 13,480 6,740			
Chimney: Brick										Totals:			127,954 63,973			
Notes: ECF (4301 W. LK CHEMUNG NON LK FRONT) 1.000 => TCV: 63,973																

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



3 BEDROOMS  
2 FULL BATH  
W/O FINISHED BSMT  
ASPHALT DW

28'

1st/b

728 SF

26'

12'

wd  
120 SF

10'

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 # 19-11 Meeting Date: April 16, 2019  
 @ 6:30 pm

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

Applicant/Owner: AARON + LAUREN RICHARDS Email: aaron.richards.1900@StateFarm.com

Property Address: PARCEL 38 LIME LAKE Phone: 734 358 0811

Present Zoning: \_\_\_\_\_ Tax Code: 1125300058

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

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested: SEE ATTACHED

2. Intended property modifications: SEE ATTACHED

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

SEE ATTACHED

**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.

SEE ATTACHED

**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.

SEE ATTACHED

**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.

SEE ATTACHED

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

After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.

Date: 3/15/2019 Signature:  Sam A Richards

## Genoa Charter Township Variance Application

Applicant/Owner: Aaron & Lauren Richards  
Property Address: Parcel 3B Lime Lake  
Email: [aaron.richards.d900@statefarm.com](mailto:aaron.richards.d900@statefarm.com)  
Phone: 734-358-0811  
Tax ID: 1125300058

Please explain the proposed variance below:

- 1. Variance requested:**  
We are requesting a 15 foot rear variance to the 25 foot required wetland setback, for a 10 foot setback. At the wetland delineation line there is the old Brighton Road asphalt, as well as fill material and other debris brought in from previous construction with grass growing on top. Approval of the request will allow us to enhance the natural drainage pattern to the wetland by removing the old road and this fill material, and it will preserve the wetland's ecological and aesthetic value.
- 2. Intended Property Modifications:**  
The intention is to remove the old road and fill material to enhance the natural drainage pattern to the wetland.

How the proposed project meets each criteria:

- 1. Practical Difficulty/Substantial Justice:**  
The restrictions derived by the "old Brighton Road" and the fill material, prohibit proper drainage to the wetlands. Potential home to the East of this property also has the "old Brighton Road" passing through their property and potential building envelope. The approval would allow the removal of the "old Brighton Road" and the fill material to improve the drainage to the wetlands.
- 2. Extraordinary Circumstances:**  
The property is currently undeveloped. The need for the variance is not self-created by the applicant due to irregularly shaped property and the wetlands, creating a small building envelope. The size of the home approved is consistent with the surrounding homes in the vicinity, at 2200 sq ft. Homes to the east and west of this property sit closer to the wetland than the requested 15 foot variance, thereby making the request for the variance inconsequential to the neighboring homes. The need for the variance is not self-created by the applicant.
- 3. Public Safety and Welfare:**  
Approval of the 15 foot variance to the wetlands does not impede the neighboring views. This variance would 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.
- 4. Impact on Surrounding Neighborhood:**  
This request will not have a negative effect on continued use or value of the adjacent properties in the neighborhood. The variance will allow for removal of the "old Brighton Road" for our

house to be built along with the potential for one other adjacent undeveloped lot. The request will increase the revenue for the township along with creating increased values to houses and properties in the area.



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:** April 10, 2019  
**RE:** ZBA 19-11

---

**File Number:** ZBA#19-11

**Site Address:** Vacant parcel, located on Brighton Road, east of Bauer Road.

**Parcel Number:** 4711-25-300-058

**Parcel Size:** 2.950 Acres

**Applicant:** Aaron and Lauren Richards

**Property Owner:** Same as applicant

**Information Submitted:** Application, site plan, elevations

**Request:** Wetland Setback Variance

**Project Description:** Applicant is requesting a wetland setback variance from the required 25 foot undisturbed natural features setback.

**Zoning and Existing Use:** LDR (Low Density Residential)

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday March 31, 2019 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:

- The property is vacant.
- The property will be serviced by a well and a septic system.
- See Record Card.

### **SUPERVISOR**

Bill Rogers

### **CLERK**

Paulette A. Skolarus

### **TREASURER**

Robin L. Hunt

### **TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

### **MANAGER**

Michael C. Archinal

## Summary

The applicant is requesting a variance from the required 25 foot undisturbed natural features setback to allow for the removal of the old Brighton Road asphalt and for the removal of fill dirt located within the setback.

The applicant should clarify if the proposed 15' encroachment in the wetland setback is a temporary or permanent encroachment. The way the application is worded it sounds like the intent might be temporary to allow some grading in which case the appropriate review would be for a special land use permit from the Planning Commission. If the intent of this request is to maintain a permanent encroachment into the wetland setback to maintain a manicured area as close as 10 feet from the wetland than the variance is the appropriate request. The following review assumes the variance request is for a permanent encroachment.

The same variance request for the neighbor next door was heard at the July 2018 Zoning Board of Appeals meeting. (See attached minutes)

## Variance Requests

The following is the section of the zoning ordinance that the variance is being requested from as well the criteria applicable to your review of variances in this regard.

### *13.02.04 Genoa Township Wetland Protection Standards*

*(d) Required 25-foot setback: An undisturbed natural setback shall be maintained twenty-five (25) feet from a MDEQ determined/regulated wetland. Trails and recreational areas may be allowed in the wetland setback. Any site grading or storage within the wetland protection setback area shall require a Special Land Use Permit according to Article 19; provided that no such activity shall be allowed within ten (10) feet of a regulated wetland unless specifically approved by the Planning Commission.*

### *13.02.05 Variances from the Wetland Setback Requirement*

*In considering a variance for the wetland setback, the applicant must demonstrate to the Board of Appeals:*

- (a) the setback is not necessary to preserve the wetland's ecological and aesthetic value.*
- (b) the natural drainage pattern to the wetland will not be significantly affected;*
- (c) the variance will not increase the potential for erosion, either during or after construction;*
- (d) no feasible or prudent alternative exists and the variance distance is the minimum necessary to allow the project to proceed; or*
- (e) MDEQ permit requirements have been met and all possible avoidable impacts to wetlands have been addressed.*

**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 13.02.05.

- (a)** Given the proximity of the home to the wetland, the wetland setback may be necessary to preserve the wetland's ecological and aesthetic value. The potential impacts from normal residential use including but not limited to fertilizer or pesticide use so close to the sensitive area have the ability to

further impact the wetland. Reducing the setback also provides less protection from possible future encroachment into the wetland area. The applicant should provide evidence as to how the reduced setback would preserve the wetlands ecological and aesthetic value at the same level as the required 25 setback.

- (b) The natural drainage pattern is not significantly affected. The grading plan shows off-site grading. Approval shall be submitted for the proposed off-site work for the adjacent owner. The proposed 905 contour line shall be revised to end at the existing line.
- (c) Having a decreased buffer area will increase the potential for erosion. If the area is to be established as lawn or patio area, the additional compacted land surface could contribute to increased volumes and higher velocities by lessening the degree of stormwater infiltration and increasing the rate of runoff.
- (d) This is a vacant lot and the applicant had full knowledge of the required natural features setback prior to purchase of the home. Due to this prior knowledge, this request for variance is self-created and there are other feasible and prudent alternatives. The proposed home footprint utilizes the entire depth of the building envelope which puts the home within 2.27 feet of the required natural undisturbed wetland setback. A home design with an alternative building footprint should be considered which would eliminate or lessen the need for the variance. Alternatively the applicant could seek a special land use permit from the Planning Commission to allow temporary grading within the natural features setback to establish the proposed drainage and thereafter allow the natural features setback to remain natural and undisturbed as required by the Zoning Ordinance.
- (e) A MDEQ permit is not needed for a work inside in the 25 foot natural features setback from the wetland.

### **Recommended Conditions**

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

1. The applicant shall permanently demarcate and install educational signage to indicate the edge of the undisturbed natural area. This shall remain in perpetuity to ensure future owners do not further encroach.
2. The entire remaining 10' setback buffer area shall remain in a natural and undisturbed state and is not eligible for trail or recreational area exemptions.
3. The applicant shall submit for Township approval a landscaping enhancement plan for the remaining 10' buffer zone area. Native wetland friendly vegetation shall be provided to help reduce erosion and maintain water quality.
4. Down spouts shall be directed into drywells or rain gardens containing native plants to help slow the flow of water to the wetlands.
5. If used, the applicant shall utilize slow release and low phosphorus fertilizers.
6. Silt fencing must be utilized during the construction phase, and the applicant must obtain all necessary approvals from the Livingston County Drain Commissioner.

Bob Murray, the father of Meghan Murray and their next door neighbor, lives at 6022 Challis Road. He stated that the front of the home faces Challis Road, the address is Challis Road, and they use the part of their property where they want to put the pool as their backyard.

The call to the public was closed at 7:12 pm.

**Moved** by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case #18-21 for 6060 Challis Road for petitioners Anthony and Meghan Combs for a variance to install an in-ground swimming pool in the front yard and a fence height variance to enclose the pool with a 48 foot fence as required per Ordinance #11.04.03 based on the following findings of fact:

- Strict compliance with the ordinance would prevent the applicant from installing the proposed in-ground pool and fence south of the existing home.
- The home next door has three front yards, both a corner lot and a through lot, and has a pool located in the front yard. Many other homes have pools located in the rear of the home; therefore granting the request will provide substantial justice to the petitioner.
- The exceptional or extraordinary condition of the property is the through-lot with two front yards created by the private road along the south property line.
- The need for the variance is not self-created by the applicant.
- 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 residents of the Township of Genoa.
- The proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

**The motion carried unanimously.**

5. 18-22 ... A request by Todd and Tracie Richards, 7114 Brighton Road, for a variance to encroach into the 25 foot natural undisturbed features wetland setback to enhance the natural drainage in order to construct a new home.

Mr. and Mrs. Richards were present. Ms. Richards stated that grading the area in question will enhance natural drainage when they build their new home. The natural drainage of the wetlands has been disturbed because of fill that has been brought in due to the abandonment of the old Brighton Road behind their property. They would be removing this fill and making the area lawn for their backyard. Niswander Environmental performed a wetland delineation and they noted that the wetland is low quality and consists of invasive herbaceous plants. They found that the grading is

necessary to allow the the natural flow of drainage from Brighton Road to the wetland and will not negatively impact the existing wetlands.

The call to the public was made at 7:26 pm.

Aaron Road, of 10498 Skeman Road, Brighton, owns the property next to the applicant. He is in favor of the applicants receiving this variance. He agrees it is important that the property drains properly.

The call to the public was closed at 7:27 pm.

**Moved** by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case #18-22 for vacant land at 7114 Brighton Road for Todd and Tracie Richards, Nonni Enterprises for a 15 foot rear setback variance from the required 25 foot wetland setback to a 10 foot setback based on the following findings of fact:

- The Zoning Board of Appeals finds that the conditions in Items (a) through (e) of section 13.02.05 are met.
- An MDEQ permit is not required for work inside the 25 foot setback from wetlands.
- The practical difficulty is old Brighton Road debris and fill material prohibit proper drainage to the wetland from this property as well as others in the area.
- Approval of the variance will improve drainage.
- The extraordinary conditions are the irregular shaped lot and the wetland creates a small building envelope
- The property is currently undeveloped
- The need for the variance is not self created by the applicant.
- 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 residents of the Township of Genoa.
- The granting of this variance will not have a negative impact on continued use or value of adjacent properties in the neighborhood.

This approval is based on the following conditions:

1. The applicant shall permanently demarcate and install educational signage to indicate the edge of the undisturbed natural area. This shall remain in perpetuity to ensure future owners do not further encroach.
2. The entire remaining 10' setback buffer area shall remain in a natural and undisturbed state and is not eligible for trail or recreational area exemptions.

3. The applicant shall submit for Township approval a landscaping enhancement plan for the remaining 10' buffer zone area. Native wetland friendly vegetation shall be provided to help reduce erosion and maintain water quality.
4. Downspouts shall be directed into dry wells or rain gardens containing native plants to help slow the flow of water to the wetlands.
5. If used, the applicant shall utilize slow release and low phosphorus fertilizers.
6. Silt fencing must be utilized during the construction phase, and the applicant must obtain all necessary approvals from the Livingston County Drain Commissioner.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of the minutes for the June 19, 2018 Zoning Board of Appeals Meeting.

There were some typographical changes that needed to be made.

**Moved** by Board Member Ledford, seconded by Board Member Kreutzberg, to approve the June 19, 2018 Zoning Board of Appeals Meeting minutes with the changes noted.

**The motion carried unanimously.**

2. Correspondence – There were no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford provided a review of the Township Board meeting held on July 16, 2018.
4. Planning Commission Representative Report – Board Member McCreary was not present this evening.
5. Zoning Official Report – Ms. VanMarter had nothing to report.
6. Member Discussion - There were no items discussed this evening.
7. Adjournment

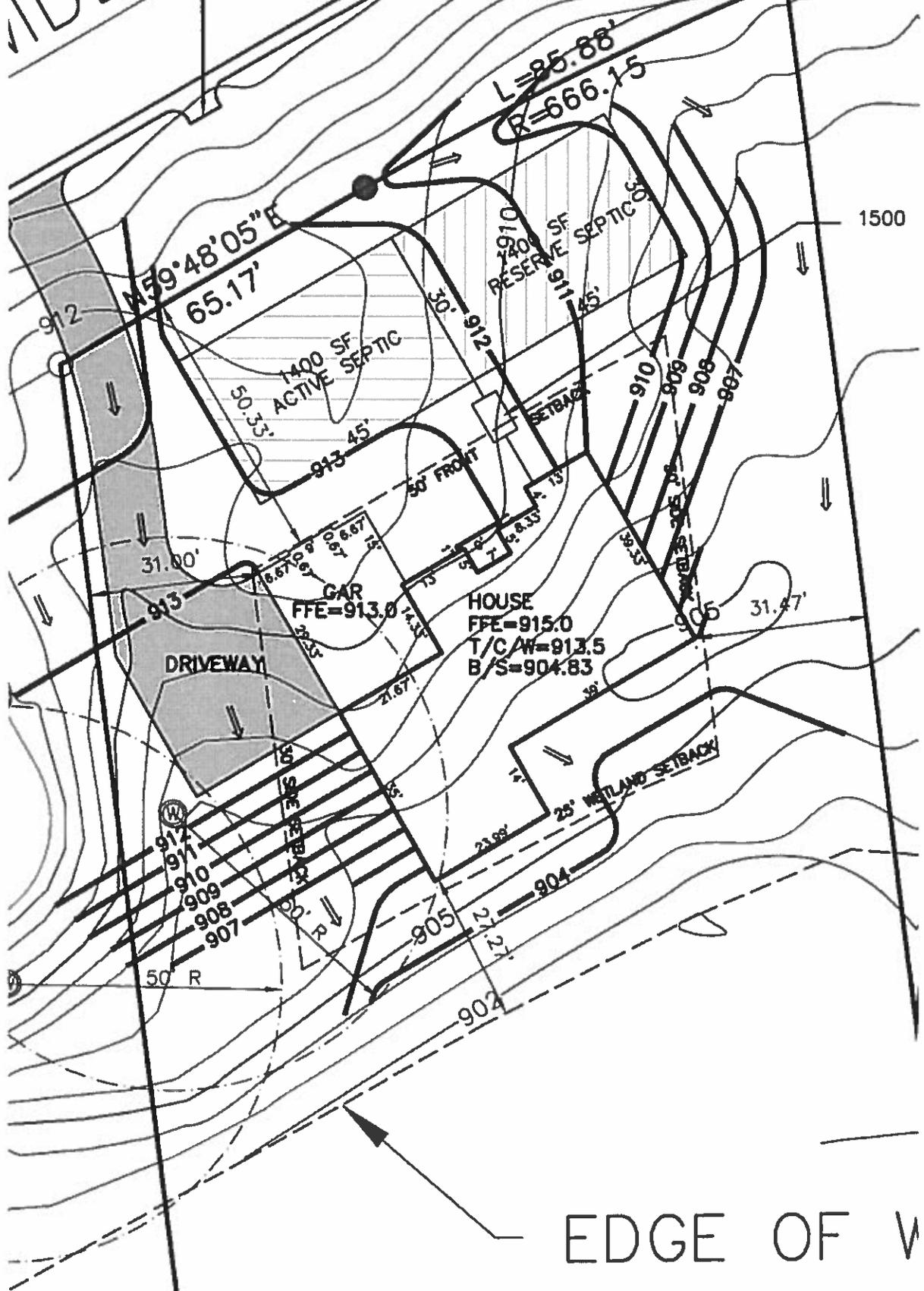
**Moved** by Board Member Kreutzberg, seconded by Board Member Ledford, to adjourn the meeting at 7:46 pm. **The motion carried unanimously.**

Respectfully submitted:

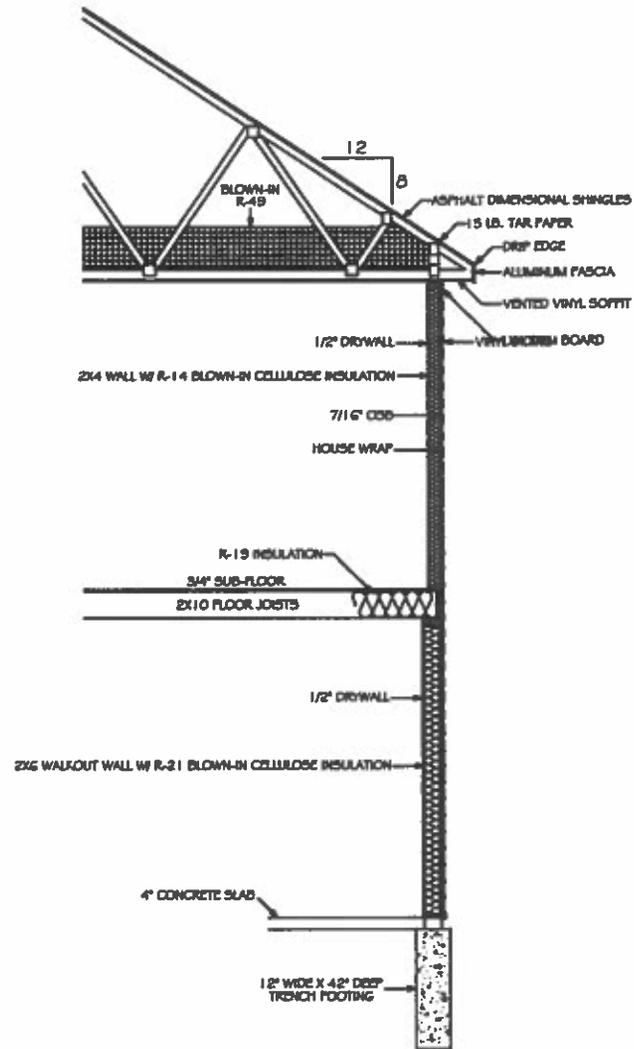
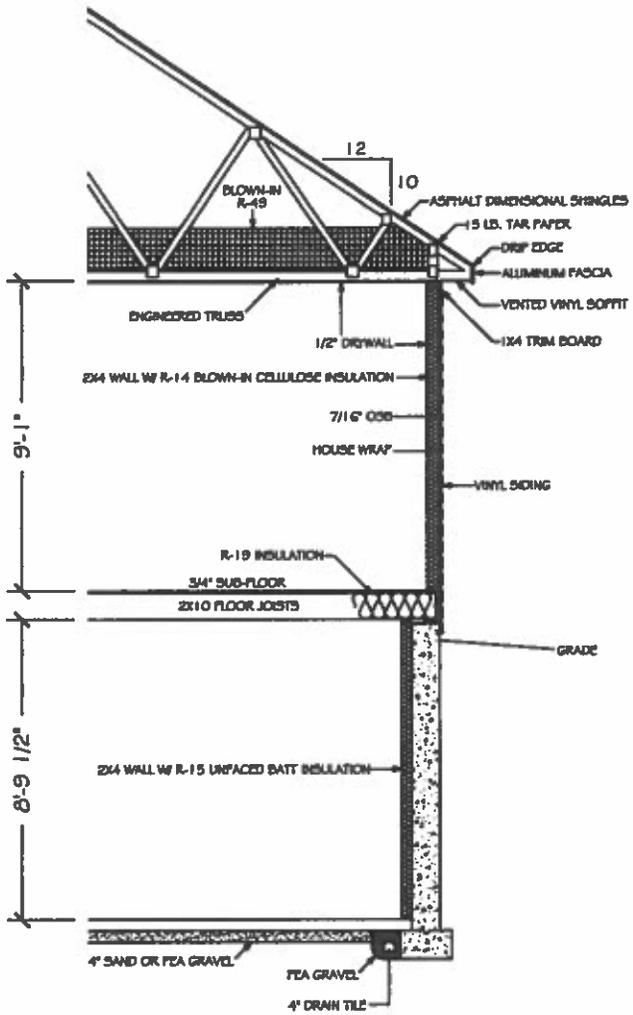
# GENOA TOWNSHIP



(WIDE)



EDGE OF V



**CROSS SECTION**  
SCALE: 3/16" = 1'-0"

DATE	REVISION	BY

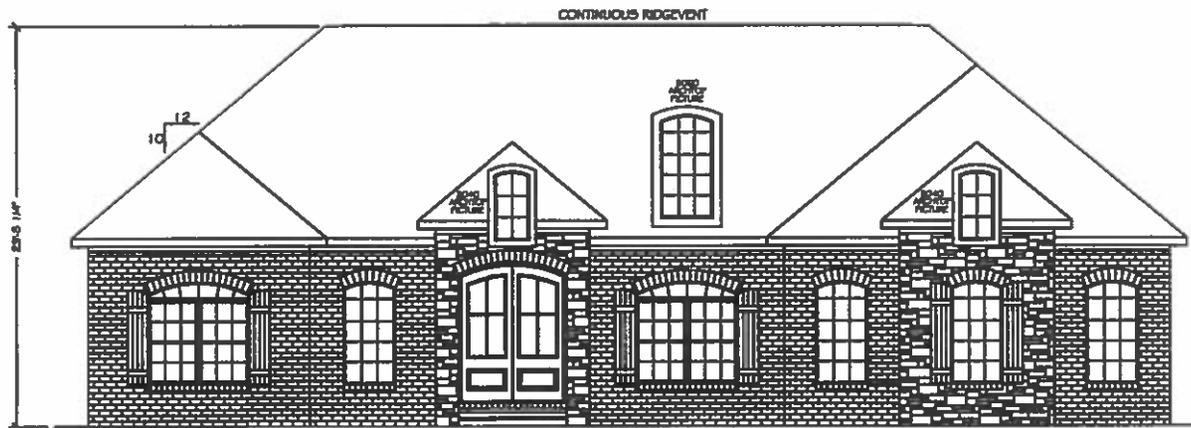
HOUSE PLAN

# A&L RICHARDS

ENCORE BUILDERS

9664 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116  
PHONE: (248) 878-6104

PROJECT NAME	
A&L RICHARDS	
HOMEOWNER	
AARON+LAUREN RICHARDS PARCEL 3-B, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY	SHEET
EB	CS
DATE	
01/22/19	
CHECKED BY	



**FRONT ELEVATION**  
SCALE: 3/32" = 1'-0"

DATE	REVISION	BY

HOUSE PLAN

# A&L RICHARDS

ENCORE BUILDERS  
9064 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116  
PHONE: (248) 870-6104

PROJECT NAME  
**A&L RICHARDS**

HOMEOWNER  
AARON+LAUREN RICHARDS  
PARCEL 3-B, BRIGHTON RD  
BRIGHTON, MI 48116

DRAWN BY  
EB

SHEET

DATE  
01/22/19

CHECKED BY

3a



**REAR ELEVATION**  
SCALE: 3/32" = 1'-0"

DATE	REVISION	BY

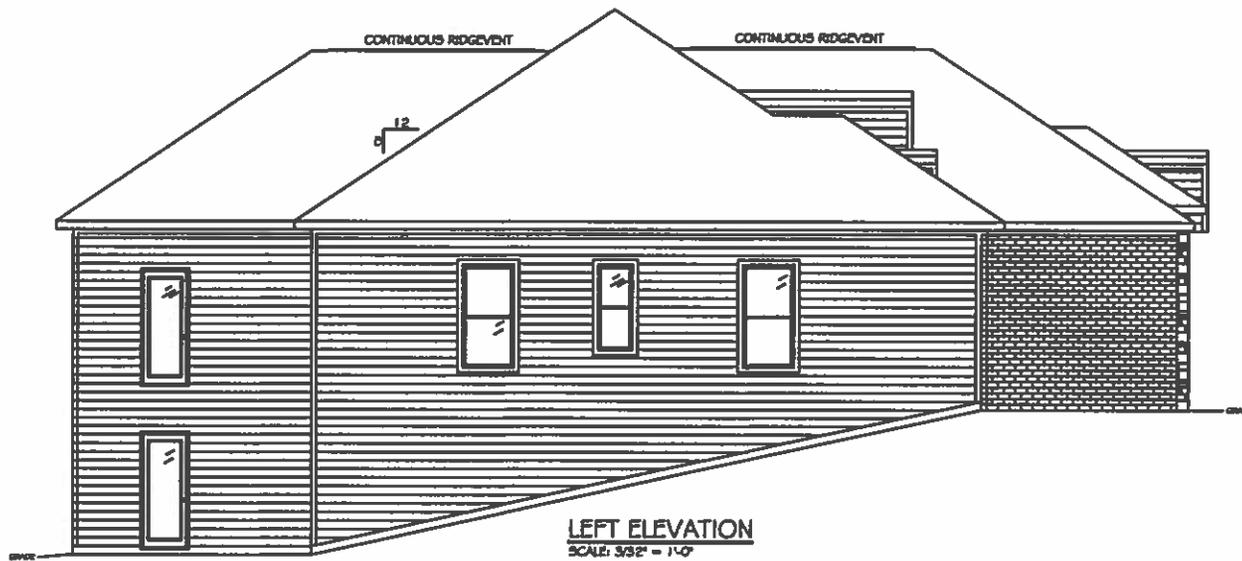
HOUSE PLAN

# A&L RICHARDS

ENCORE BUILDERS

5064 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116  
PHONE: (248) 878-5104

PROJECT NAME	
A&L RICHARDS	
HOMEOWNER	
AARON&LAUREN RICHARDS PARCEL 3-B, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY	SHEET
EB	4a
DATE	
01/22/19	
CHECKED BY	



DATE	REVISION	BY

HOUSE PLAN

# A&L RICHARDS

ENCORE BUILDERS

9664 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116  
PHONE: (248) 878-6104

PROJECT NAME  
**A&L RICHARDS**

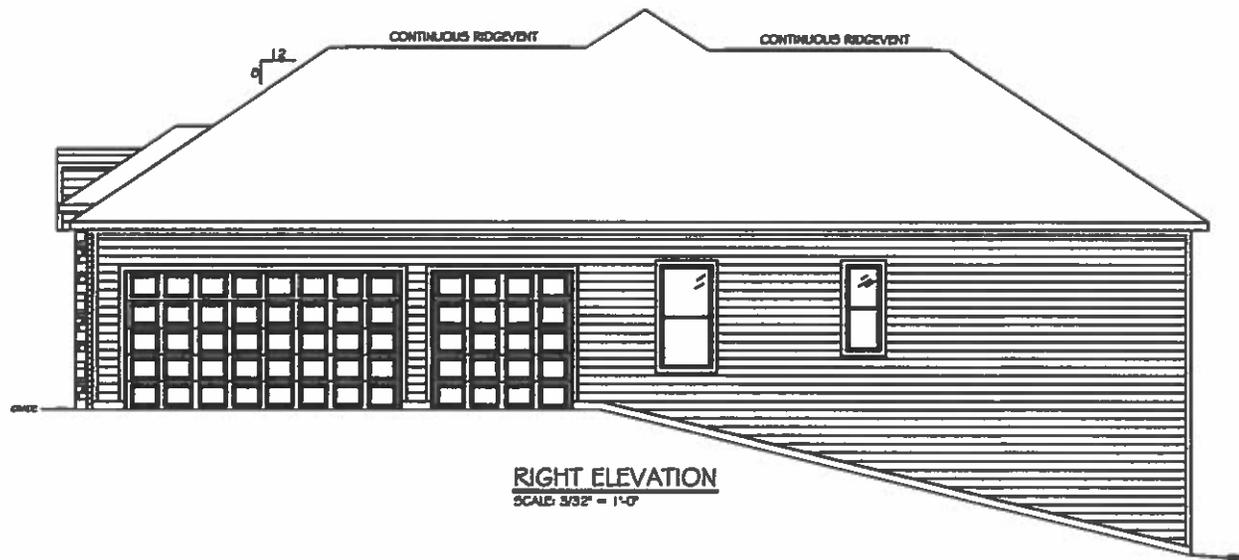
HOMEOWNER  
AARON#LAUREN RICHARDS  
PARCEL 3-B, BRIGHTON RD  
BRIGHTON, MI 48116

DRAWN BY  
EB

DATE  
01/22/19

CHECKED BY

SHEET  
**5a**



**RIGHT ELEVATION**  
SCALE: 3/32" = 1'-0"

DATE	REVISION	BY

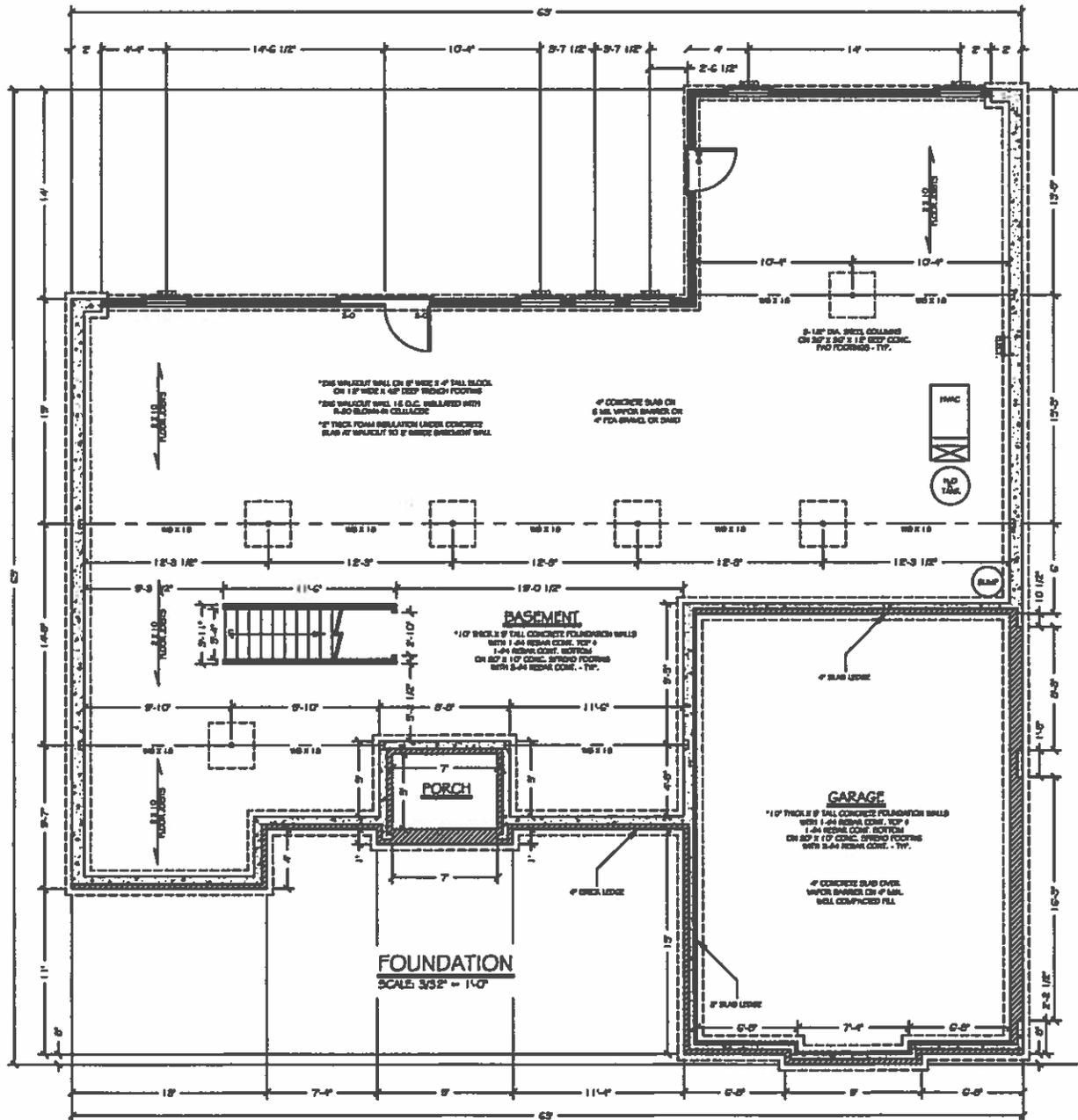
HOUSE PLAN

# A&L RICHARDS

**ENCORE BUILDERS**

9864 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116  
PHONE: (248) 670-6104

PROJECT NAME <b>A&amp;L RICHARDS</b>	
HOMEOWNER AARON & LAUREN RICHARDS PARCEL 3-B, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY EB	SHEET
DATE 01/22/19	6a
CHECKED BY	



DATE	REVISION	BY

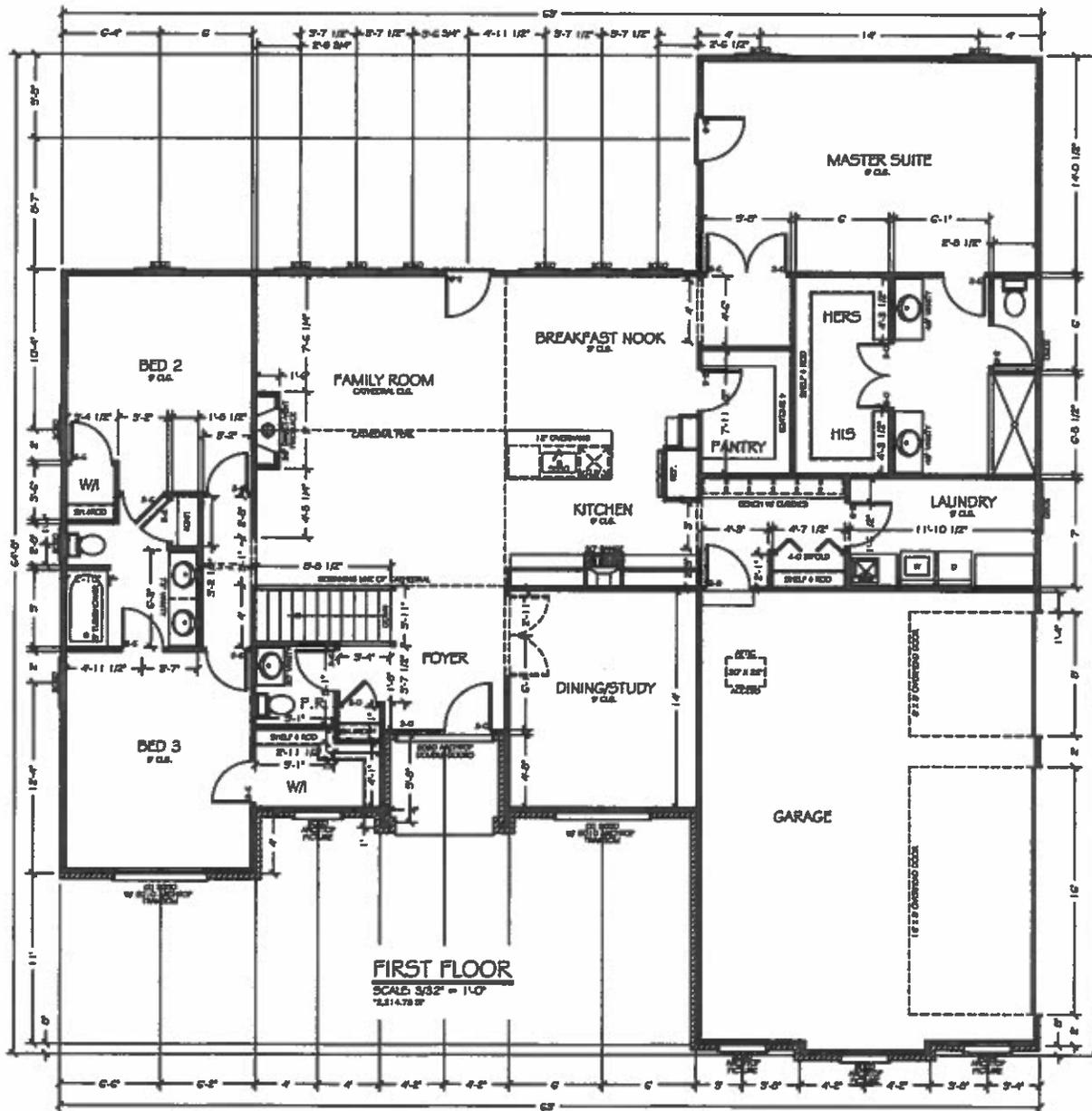
HOUSE PLAN

# A&L RICHARDS

ENCORE BUILDERS

9064 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116  
 PHONE: (248) 870-5104

PROJECT NAME	
A&L RICHARDS	
HOMEOWNER	
AARON & LAUREN RICHARDS PARCEL 3-B, BRIGHTON RD BRIGHTON, MI 48116	
DRAWN BY	SHEET
EB	1a
DATE	CHECKED BY
01/22/19	



**FIRST FLOOR**  
 SCALE: 3/32" = 1'-0"  
 2.514.75 27"

DATE	REVISION	BY

HOUSE PLAN

# A&L RICHARDS

ENCORE BUILDERS

9064 E. GRAND RIVER AVE., STE. 110-277 • BRIGHTON, MI • 48116  
 PHONE: (248) 670-5104

PROJECT NAME	
<b>A&amp;L RICHARDS</b>	
HOMEOWNER	
AARON & LAUREN RICHARDS	
PARCEL 3-B, BRIGHTON RD	
BRIGHTON, MI 48116	
DRAWN BY	SHEET
EB	2a
DATE	
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01/22/19	

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
TOTH, WILLIAM & COLEY, LAR	RICHARDS AARON & LAUREN	70,000	04/23/2018	WD	ARMS-LENGTH	2018R-011182	BUYER	100.0		
MOON, DONALD	TOTH, WILLIAM & COLEY, LAR	0	10/05/1999	WD	ARMS-LENGTH	27750879	BUYER	0.0		
Property Address		Class: 402 RESIDENTIAL-VA		Zoning: LDR	Building Permit(s)	Date	Number	Status		
BRIGHTON RD		School: BRIGHTON								
Owner's Name/Address		P.R.E. 0%								
RICHARDS AARON & LAUREN 10498 SKEMAN RD BRIGHTON MI 48114		MAP #: V19-11		2019 Est TCV 70,000						
Tax Description		Improved	X	Vacant	Land Value Estimates for Land Table 122.BRIGHTON M & B					
SEC 25 T2N R5E COMM AT SW COR TH N01*W 492.69 FT TH N59*E 686.91 FT TO POB TH N59*E 64.12 FT TH 85.88 FT ALNG CURVE TO THE RIGHT CHORD BEARING N63*E 85.82 FT TH S07*E 433.51 FT TH S31*E 547.16 FT TH S89*W 153.92 FT TH N31*W 515.81 FT TH N07*W 391.04 FT TO POB CONT. 2.95 AC M/L SPLIT FR 052 5/99 PARCEL 3-B		Public Improvements		* Factors *				Value		
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value
		Gravel Road		<Site Value A>	LIME LAKE				70000 100	70,000
		Paved Road				2.950 Acres			0 100	0
		Storm Sewer				2.95 Total Acres			Total Est. Land Value =	70,000
		Sidewalk								
		Water								
		Sewer								
		Electric								
		Gas								
		Curb								
		Street Lights								
		Standard Utilities								
		Underground Utils.								
		Topography of Site								
		Level								
		Rolling								
		Low								
		High								
		Landscaped								
		Swamp								
		Wooded								
		Pond								
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
Who	When	What	2019	35,000	0	35,000		35,000S		
			2018	50,000	0	50,000		17,541C		
			2017	50,000	0	50,000		17,181C		
			2016	75,000	0	75,000		17,028C		

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

\*\*\* 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 # 19-12 Meeting Date: 4-16-19

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

Applicant/Owner: Phil & Heather Sutherland Email: hsutherland52@gmail.com

Property Address: 5111 Forest View Ct, Brighton, 48116 Phone: (248) 767-7404

Present Zoning: LDR Tax Code: 4711-35-101-006

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

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

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**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested: We are requesting a variance in side lot setback for Side Lot A bordering Lot 24 as depicted on the site plan drawing. We are requesting a reduction in setback from 30ft to 10ft, thereby matching the setback requirement of the neighboring lots.

2. Intended property modifications: \_\_\_\_\_  
We would like to construct an accessory building.

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

*Please see attached document.*

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**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.

*Please see attached document.*

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**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.

*Please see attached document.*

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**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.

*Please see attached document.*

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

**After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.**

Date: 3-19-19 Signature: *Shatter Sutherland*

**VARIANCE APPLICATION FOR SUTHERLAND RESIDENCE  
5111 FOREST VIEW CT  
Parcel #: 4711-35-101-006**

**Practical Difficulty/Substantial Justice:**

We are fortunate to have a parcel that contains many mature trees that provide beauty, shade, and history to our lot, as well as contributing positively to our property value. Among these trees are 6 huge apple trees that we've been told pre-existed the house as part of an old orchard, all of which still annually flower and produce fruit that our family uses to make applesauce and pies. We also have mature pines, oaks, maples, wild cherry, and sassafras trees in our yard among other species. We believe these trees to be an asset to our property and to the neighborhood, and would like to avoid destroying them.

In roughly the center of our back yard just behind the concrete pad that leads to the entrance to our garage is where our two septic tanks and the septic drain field are located. Other than the area where the drain field sits, the only area of our back yard where there is open space to build an accessory structure is along our side lot line that borders Lot 24.

We are asking for a variance of the side yard setback from 30 feet to 10 feet. This would mirror the setback requirement and property right that is already afforded to all of our neighbors. Due to the unusual kite shape of our lot, we are the only parcel on our entire street with just over an acre (1.17 acre). All of our adjacent neighbors, as well as every other house on our street, have parcels under an acre and therefore have the right to build accessory buildings with only a 10' setback requirement. We are the only lot that is subjected to a 30' setback requirement, though the wooded features of our lot prevent us from truly having more open space to build than our neighbors. We believe it would do substantial justice to us, as well as to our neighbors, to afford us the same rights that our neighbors possess, thereby protecting the beauty, value, and historical integrity provided by the wooded features of our lot.

**Extraordinary Circumstances:**

As mentioned above, it is due to the unusual shape of our lot that we have slightly more land than our adjacent neighbors, which has pushed us into having different setback ordinances than the rest of the homes in our area. We believe the granting of this variance will make our property consistent with all other nearby properties in our zoning district.

**Public Safety and Welfare:**

The granting of the variance requested will in no way impact the safety or welfare of our neighbors or the Township of Genoa.

**Impact on Surrounding Neighborhood:**

The granting of the variance requested will not interfere with the development, use, or value of the adjacent properties or the surrounding neighborhood. On the contrary, an outbuilding such as the building we would like to construct is considered a real estate asset that provides attractive additional storage. The accessory building we are proposing would increase our property value, and as such, benefit the rest of the neighborhood as well.



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 9, 2019  
**RE:** ZBA 19-12

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## STAFF REPORT

**File Number:** ZBA#19-12  
**Site Address:** 5111 Forest View Court  
**Parcel Number:** 4711-35-101-006  
**Parcel Size:** 1.17 Acres  
**Applicant:** Phil and Heather Sutherland, 5111 Forest View Court, Brighton  
**Property Owner:** Same as Applicant

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

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a side yard variance to construct a detached accessory structure.

**Zoning and Existing Use:** LDR (Low Density Residential) Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday March 31, 2019 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 1973.
- The parcel is serviced by well and septic.
- 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 detached accessory structure. A side yard variance is necessary to construct the structure in the applicant's proposed location.

## Variance Requests

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

**Sec. 11.04.01(f): (f) Required Setbacks (Detached, over one hundred twenty (120) square feet total floor area): Detached accessory buildings and structures over one hundred twenty (120) square feet of total floor area shall be at least ten (10) feet from any principal building, and at least ten (10) feet from any side or rear lot line; except as follows:**

**(1) On lots greater than one (1) acre detached accessory buildings and structures over one hundred twenty (120) square feet of total floor area shall meet the setback requirements for principal structures.**

**Required Side Yard Setback: 30'**

**Proposed Side Yard Setback: 10'**

**Proposed Variance Amount: 20'**

**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 side yard setback would not unreasonably prevent the use of the property however granting of the variance would provide substantial justice and is necessary to preserve or enjoy a property right similar to properties in the immediate vicinity due to the fact that this lot is larger than the majority of the lots in the vicinity at just over one acre which is the set point to require principal structure setbacks. The vast majority of other lots in the vicinity are allowed 10 foot setbacks since they are less than 1 acre. See attached aerial demonstrating lot size for properties in the immediate area.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition is the pie shape lot, location of the septic field behind the home, large lot size and the mature trees. Unless tree removal would allow compliance with setbacks, the need for the variance is not self-created.
- (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 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. Structure must be guttered with downspouts.
2. Shall comply with the accessory structure requirements.

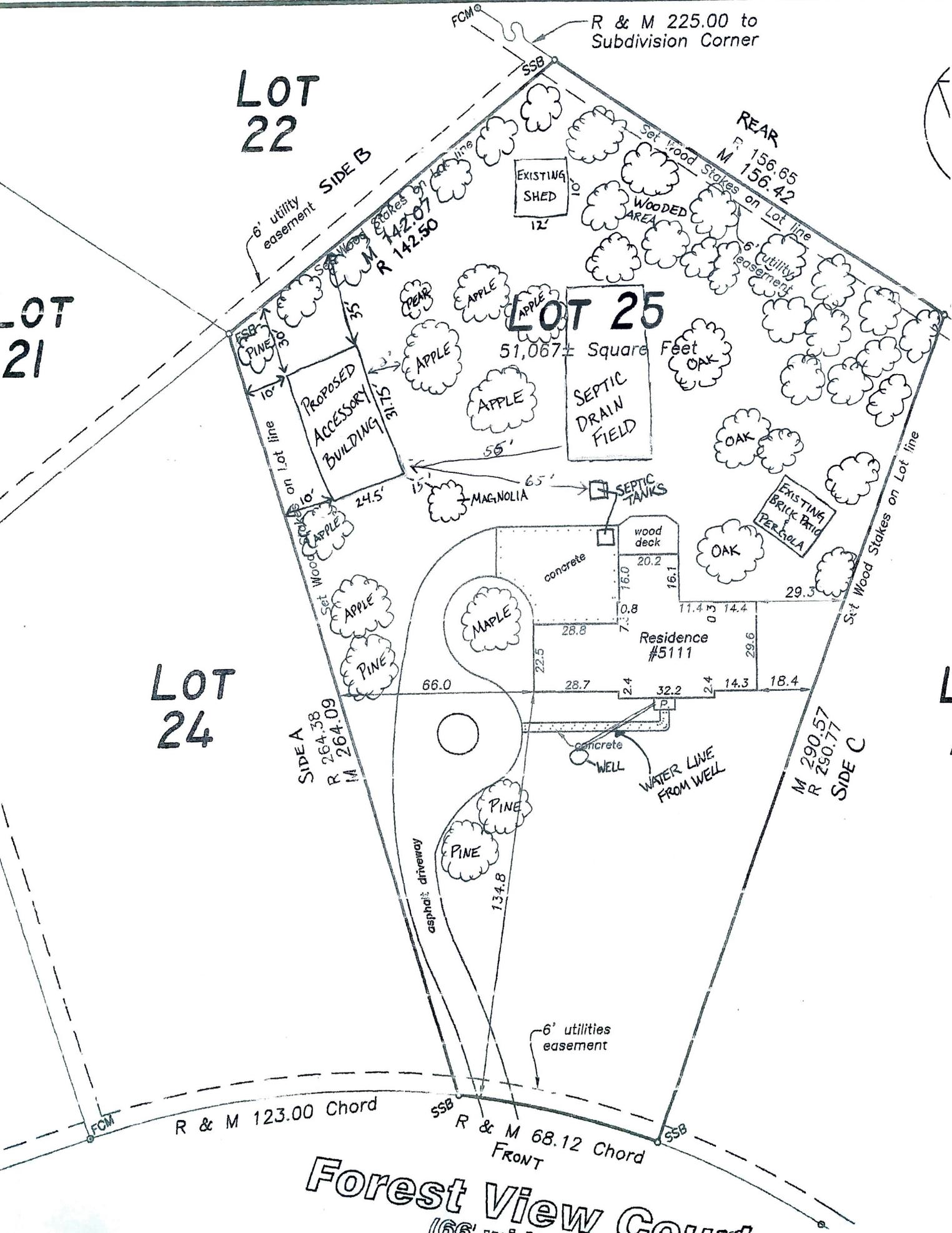


Orthophotos Flown Spring 2015  
 Parcel lines are a representation only;  
 Not intended for survey purposes.

# GENOA TOWNSHIP



SUTHERLAND RESIDENCE SITE PLAN



LOT 22

LOT 21

LOT 24

LOT 25

51,067± Square Feet

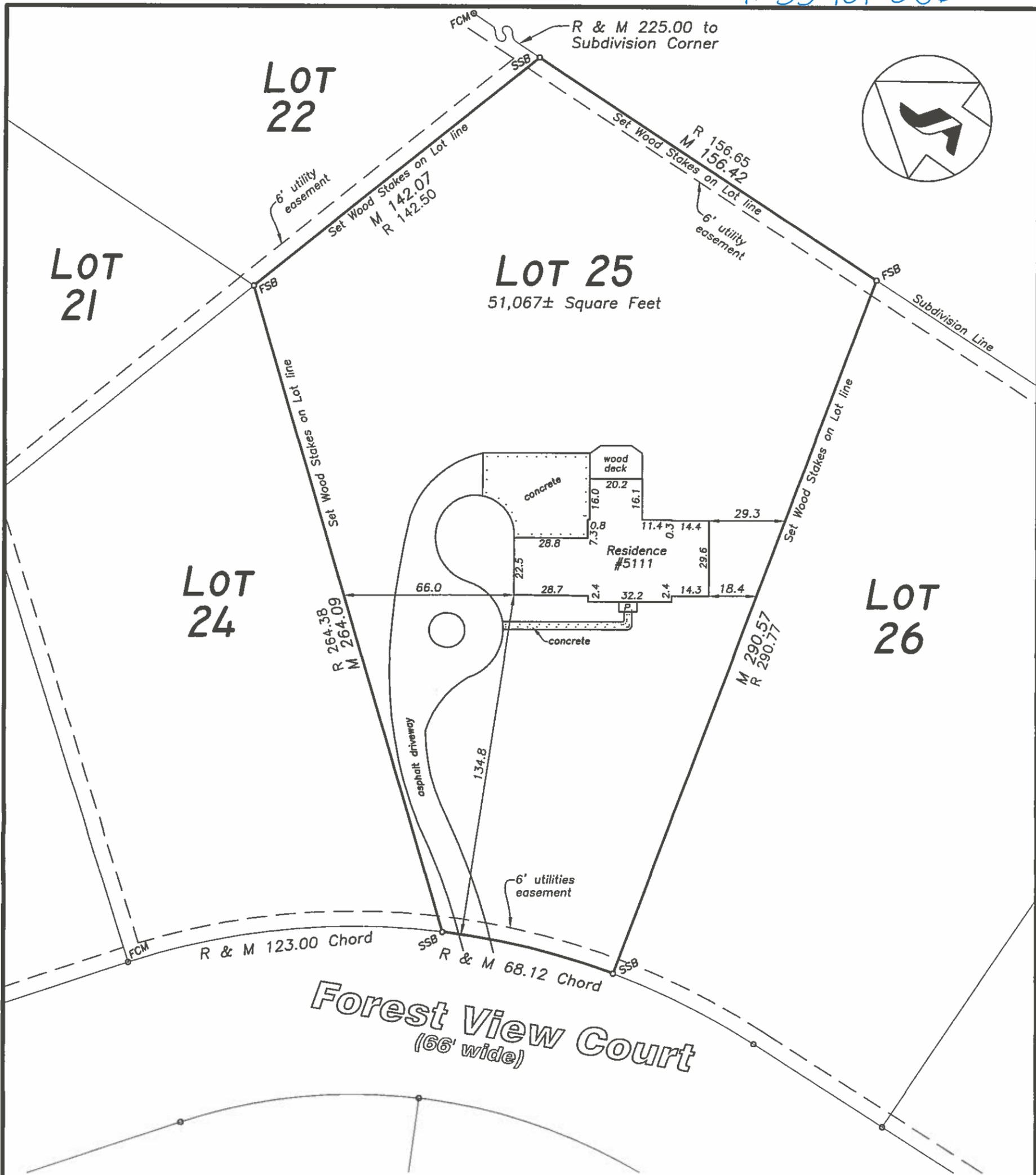
SEPTIC DRAIN FIELD

SEPTIC TANKS

Residence #5111

WATER LINE FROM WELL

Forest View Court  
(66' width)



**LEGAL DESCRIPTION**

LOT 25 OF, "FOREST VIEW ESTATES NO. 1", PART OF THE NORTHEAST 1/4 OF SECTION 34 & PART OF THE NORTHWEST 1/4 OF SECTION 35, T.2N., R.5E4., GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

LEGEND	
R	= Recorded
M	= Measured
CONC.	= Concrete
MON.	= Monument
SSB	= Set Steel Bar
SMAG	= Set Mag Nail
FCM	= Found Conc. Mon.
FSB	= Found Steel Bar
FIP	= Found Iron Pipe
	= Line Break

**CERTIFICATE OF SURVEY**

PART OF THE NORTHEAST 1/4 OF SECTION 34 & PART OF THE NORTHWEST 1/4 OF SECTION 35, T.2N., R.5E4., GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.

PREPARED FOR: PHIL SUTHERLAND

**JEKABSON & ASSOCIATES, P.C.**  
 Professional Land Surveyors  
 1320 Goldsmith, Plymouth, MI 48170  
 (734) 414-7200 (734) 414-7272 fax  
 by *[Signature]*

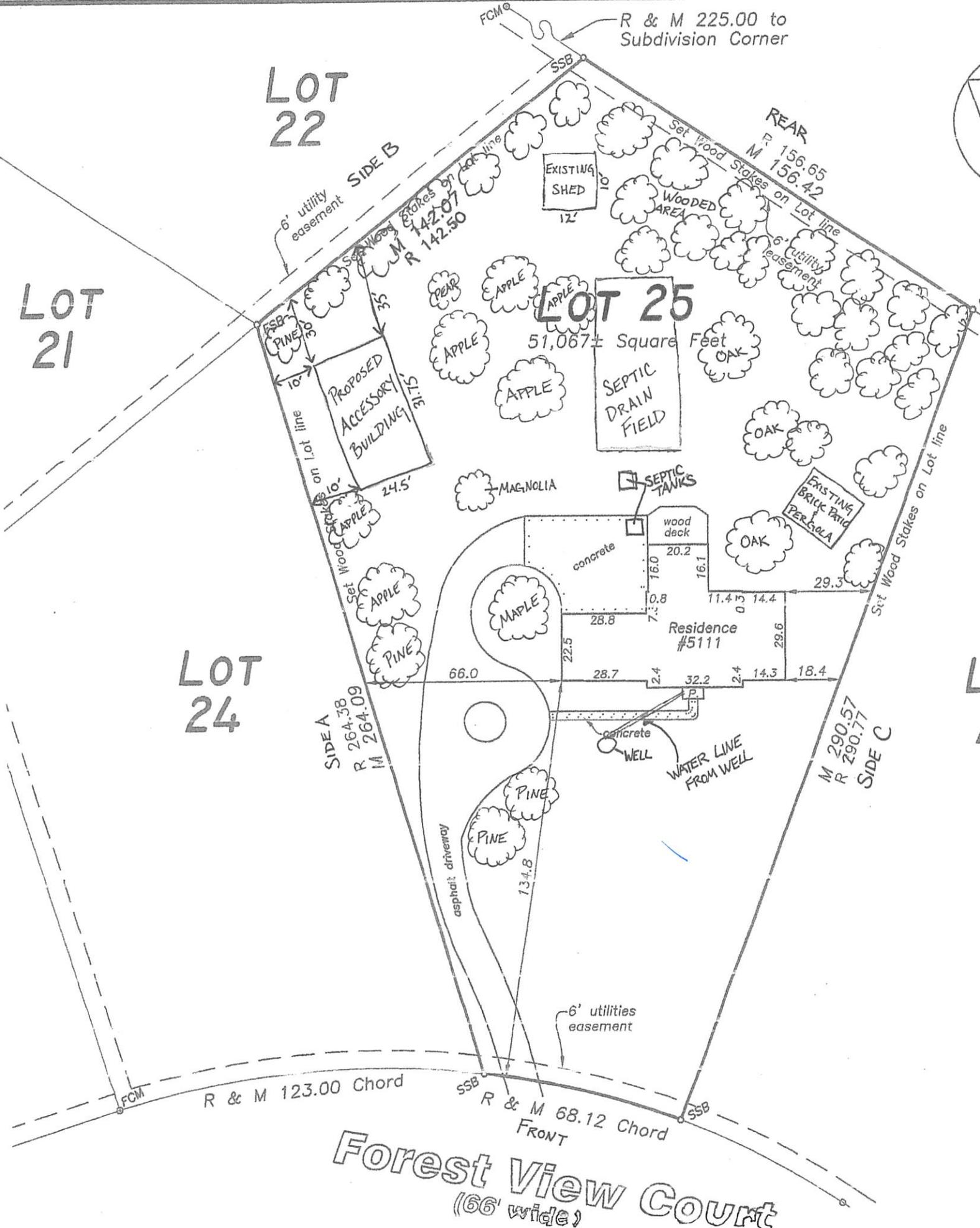


DATE	17 JULY 2012
JOB NO.	12-07-001
SCALE	1" = 40'
DRAWN	JRN
CHECKED	IJJ
SHEET	1 OF 1

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



SUTHERLAND RESIDENCE SITE PLAN



LOT 21

LOT 22

LOT 25

LOT 24

51,067± Square Feet

Forest View Court  
(66' wide)

R & M 225.00 to Subdivision Corner

REAR  
R 156.65  
M 156.42

SIDE A  
R 264.38  
M 264.09

SIDE C  
M 290.57  
R 290.77

Stakes by Lot line  
M 142.07  
R 142.50

Set Wood Stakes on Lot line  
6' utility easement

6' utility easement

6' utilities easement

FCM

R & M 123.00 Chord

SSB  
R & M 68.12 Chord  
FRONT

asphalt driveway

WATER LINE FROM WELL

Residence #5111

concrete

wood deck

SEPTIC TANKS

SEPTIC DRAIN FIELD

EXISTING SHED

EXISTING BRICK PATIO PERGOLA

MAGNOLIA

MAPLE

APPLE

PINE

PINE

PINE

OAK

OAK

OAK

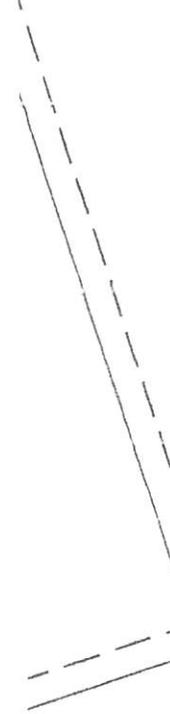
APPLE

APPLE

PEAR

WOODED AREA

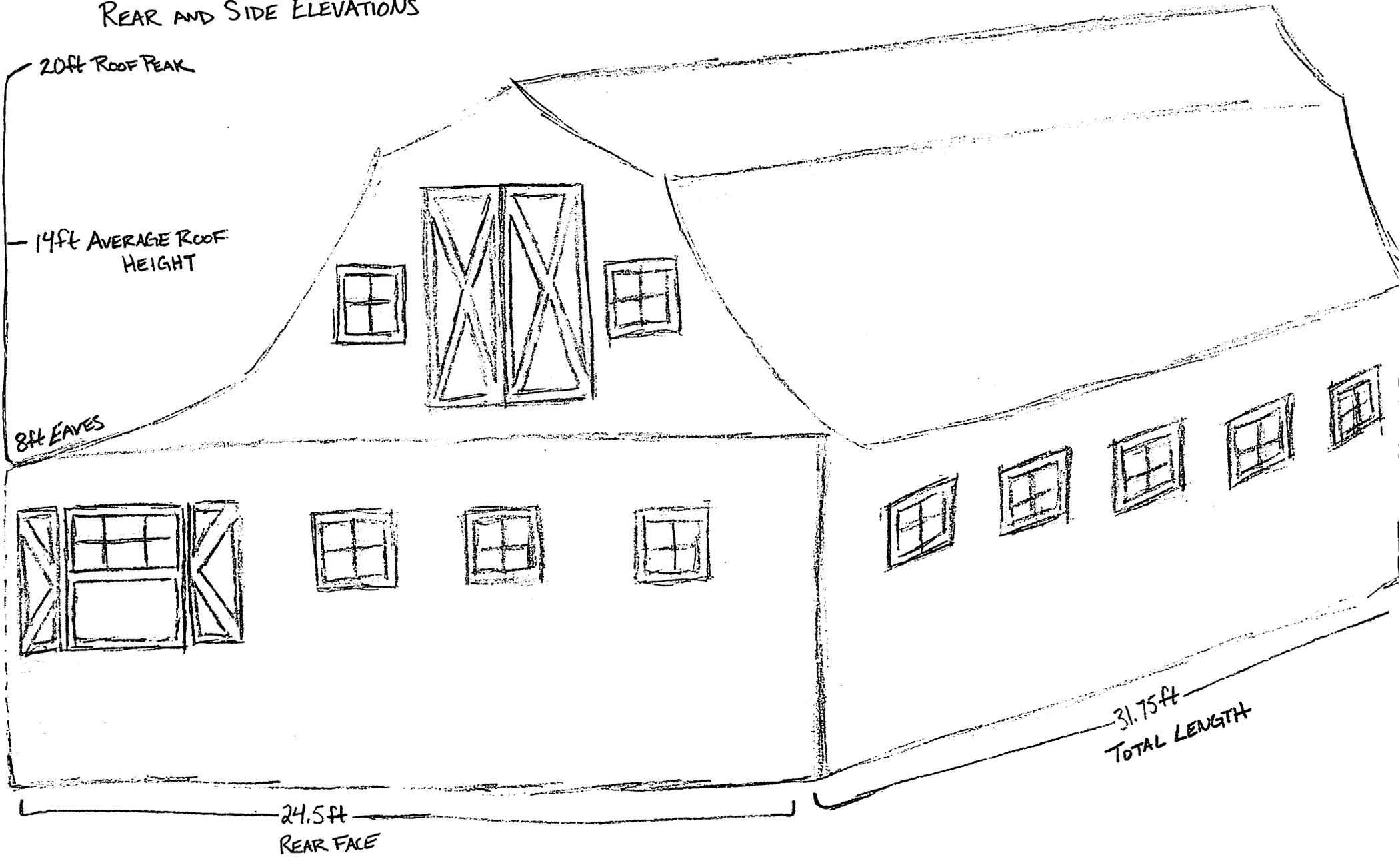
SIDE B



SUTHERLAND  
PROPOSED ACCESSORY BUILDING  
FRONT AND SIDE ELEVATIONS



SUTHERLAND  
PROPOSED ACCESSORY BUILDING  
REAR AND SIDE ELEVATIONS



**From:** [Frank Serbus](#)  
**To:** [Amy Ruthig](#)  
**Date:** Monday, April 08, 2019 10:35:38 AM

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My name is Frank Serbus and I live at 5011 Old Hickory. My back yard looks at the proposed detached building of Phil and Heather Sutherland. I have two concerns, the roof at 20' and the size of the building seem out of character for our neighborhood. Possibly a smaller structure could be considered.

Joel and Linda Lee Rolley  
5117 Forest View Court  
Brighton MI 48116

April 4, 2019

Genoa Township  
Attn: Amy Ruthig, Zoning Official  
2911 Dorr Road  
Brighton MI 48116

**GENOA TOWNSHIP**

APR - 5 2019

**RECEIVED**

**Subject: Variance - 5111 Forest View Court**

Have a lot to say about this matter, we live next door, south of 5111 and have lived in our home since 1979 when it was completed and approved for residency. Our neighborhood prior to the current resident at 5111 was a neat quiet place where everyone was respectful of the neighbors.

The resident that submitted this exception request for 5111 have out right lied to this Government Authority the same way they lied to us the south neighbor since they moved in. The site plan submitted is not accurate as to what they have already constructed on their LOT with no concern for set backs required, for some unearthy reason they think that they are entitled.

5111 received a Variance when our home was built and the 2<sup>nd</sup> owner of 5111 wanted to add a formal dining room to the south side of the home and our builder wanted to place our home 5 feet closer to the property line. This was a Variance that was agreed to by both parties and Genoa Township.

5111 has a 2.5 car garage to the north of the home and a second garage NOT a shed was constructed on the north property line butting up to Brighton Road and Washkie properties. There is no need for a residential property in our neighborhood to have a pole barn.

This is not a neighborhood where homes have filled up their yards with structures and it would not be the same if this is approved. It is obviously time for these folks to move onto a parcel of land and not be on a LOT in a small neighborhood. If this is approved I know the value of our home and the home to the north of 5111 will have our property values lowered because it would look like a Commercial property between us. They already have outdoor lighting on all sides of their home that they keep on 24/7 which disturbs neighbors in all directions during the night when everyone else has their outdoor lights off,

Could continue with other issues that have been created, the current issue is NO to a pole barn, don't care how much lipstick they try to cover it with.

Respectfully submitted,

*Joel Rolley*  
*Linda Lee Rolley*

April 5, 2019

Genoa Township Zoning Board of Appeals  
2911 Dorr Road  
Brighton, MI 48116  
Attn. Amy Ruthig

Re. Case #19-12 (5111 Forest View Court, Brighton, MI 48116)

Dear Amy,

We have recently received notification from the Township regarding a variance for an accessory structure in our neighborhood.

Although we are not in favor of a pole barn in our neighborhood, we have familiarized ourselves with the Township Zoning Ordinance. We have learned that property owners on less than 2 acres are allowed up to two accessory structures, totaling up to 900 square feet. (Section 11.04.01 h)

We believe, as homeowners, it is important to safeguard the aesthetic integrity of our neighborhood while maintaining our rights as property owners. (Article 3 Forest View Estates Civic Association Bylaws). We would like to share our concerns regarding the planned accessory structure in our neighborhood:

1. Location on the site- The planned structure, which we would describe as a pole barn, is approximately 775 square feet. The proposed site is in an open area on the property which makes the structure very visible to the neighboring homes, thus diminishing the open-site space of the adjoining lots.
2. Design- The farmhouse-style structure would blend into the neighborhood more easily if it conformed with the colonial-style of the residence.  
(Section 14.03.01 i6)

Thank you for affording us the opportunity to express our concerns. We hope that you will take them into consideration.

Respectfully,

Property Owners Notified:

*Cathie Cottel*  
*Suzanne Bejack*  
*Hailey Comiskey*

Property Owners Not Notified:

*J. M. D...* 5188 Forest View  
*Marcie Seis*, 5135 Forest View

Property Owners Notified:

Property Owners Not Notified

Robert E. Lihay  
Doretta Gilmore  
Linda Lee Rolley  
Joel Rolley  
Claudia Serbus  
Doris Lorgelev

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
SCHOPP, LINTON	SUTHERLAND PHILIP & HEATHER	235,000	07/01/2008	WD	ARMS-LENGTH	2008R-021181	BUYER	100.0

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LDR	Building Permit(s)	Date	Number	Status
5111 FOREST VIEW CT	School: BRIGHTON					
Owner's Name/Address	P.R.E. 100% 07/01/2008					
SUTHERLAND PHILIP & HEATHER 5111 FOREST VIEW CT BRIGHTON MI 48116	MAP #: V19-12					
	2019 Est TCV 264,685 TCV/TFA: 110.75					

Tax Description	Improved	Vacant	Land Value Estimates for Land Table 00038.FORESTVIEW							
SEC. 35, T2N R5E, FOREST VIEW ESTATES #1, LOT 25	X		* Factors *							
Comments/Influences			Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
			<Site Value A>	A	STANDARD			75000	100	75,000
						0.00	Total Acres		Total Est. Land Value =	75,000

Comments/Influences



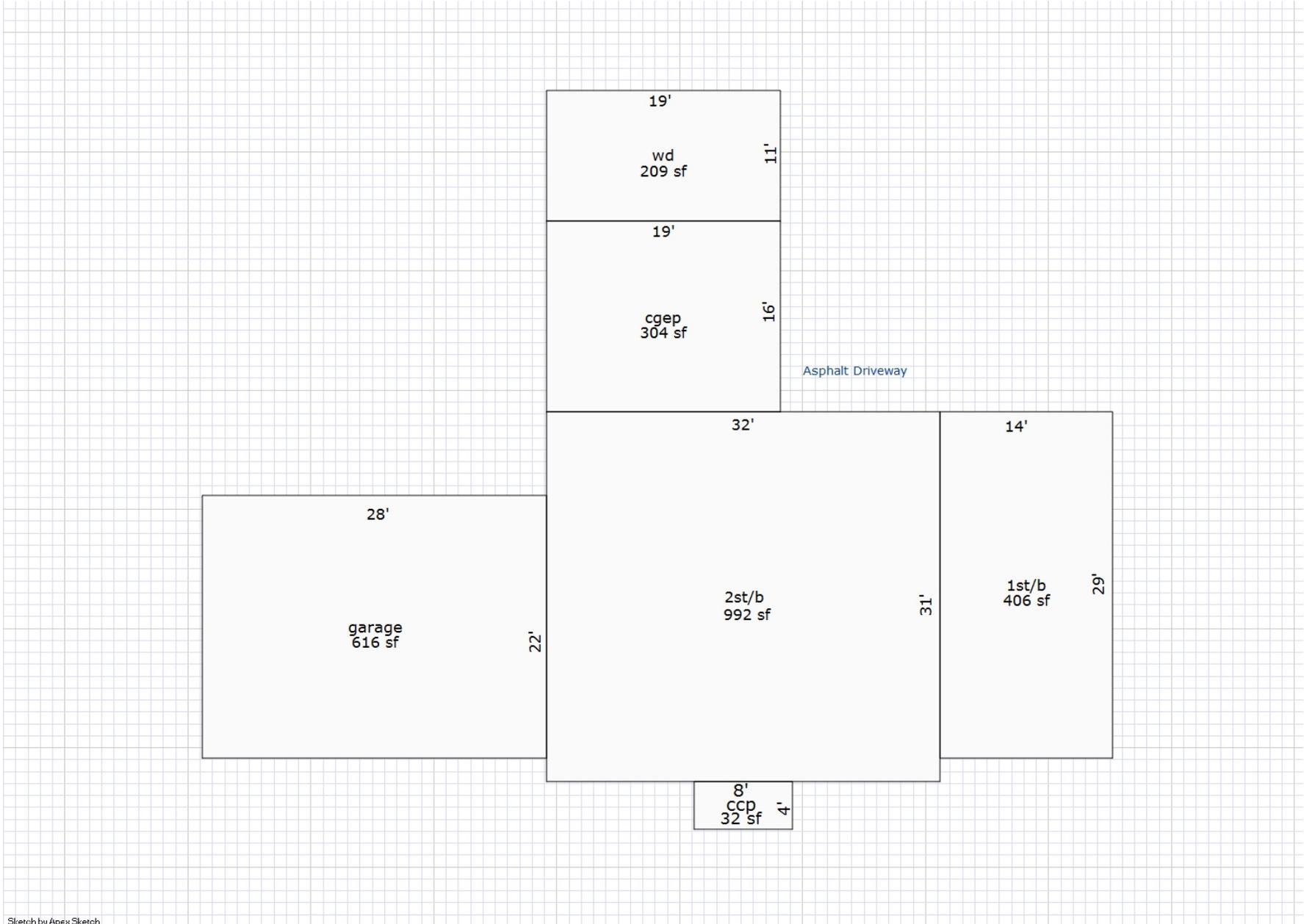
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

Public Improvements	Topography of Site	Level	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain REFUSE	2019	37,500	94,800	132,300			98,405C
			2018	35,000	90,700	125,700			96,099C
			2017	35,000	89,900	124,900			94,123C
			2016	32,500	80,600	113,100			93,284C

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 304 32 209	Type CGEP (1 Story) CCP (1 Story) Pine	Year Built: Car Capacity: Class: B Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 616 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		(4) Interior Drywall Paneled						Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling						
Building Style: B		Trim & Decoration															
Yr Built 1973	Remodeled 0	Ex	X	Ord		Min	Size of Closets										
Condition: Good		Lg	X	Ord		Small	Doors: Solid X H.C.										
Room List		(5) Floors		Kitchen: Other: Other:			(12) Electric 0 Amps Service			Central Air Wood Furnace							
	Basement 1st Floor 2nd Floor 4 Bedrooms																
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures			Ex. X Ord. Min			No. of Elec. Outlets							
X	Wood/Shingle Aluminum/Vinyl Brick									Many X Ave. Few							
	Insulation			(7) Excavation			(13) Plumbing										
(2) Windows				Basement: 1398 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan										
X	Many Avg. Few	X	Large Avg. Small	(8) Basement													
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens			Conc. Block Poured Conc. Stone Treated Wood Concrete Floor													
(3) Roof		(9) Basement Finish		Recreation SF Living SF Walkout Doors No Floor SF			(14) Water/Sewer										
X	Gable Hip Flat		Gambrel Mansard Shed	(10) Floor Support			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic										
X	Asphalt Shingle			Joists: Unsupported Len: Cntr.Sup:			Lump Sum Items:										
Chimney: Brick																	
Cost Est. for Res. Bldg: 1 Single Family B										Cls B		Blt 1973					
(11) Heating System: Forced Air w/ Ducts																	
Ground Area = 1398 SF Floor Area = 2390 SF.																	
Phy/Ab.Phy/Func/Econ/Comb. % Good=57/100/100/100/57																	
Building Areas																	
Stories Exterior Foundation										Size		Cost New		Depr. Cost			
1 Story Siding Basement										406							
2 Story Siding Basement										992							
Total:										356,008		202,927					
Other Additions/Adjustments																	
Plumbing																	
3 Fixture Bath										1		8,525		4,859			
2 Fixture Bath										1		5,683		3,239			
Water/Sewer																	
1000 Gal Septic										1		4,987		2,843			
Water Well, 200 Feet										1		10,076		5,743			
Porches																	
CGEP (1 Story)										304		20,623		11,755			
CCP (1 Story)										32		1,179		672			
Deck																	
Pine										209		3,087		1,760			
Garages																	
Class: B Exterior: Siding Foundation: 42 Inch (Unfinished)																	
Base Cost										616		32,894		18,750			
Common Wall: 1 Wall										1		-2,973		-1,695			
Fireplaces																	
Exterior 2 Story										1		9,611		5,478			
Totals:										449,700		256,331					
Notes:																	
ECF (4019 FORESTVIEW) 0.740 => TCV:												189,685					

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



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 # 19-103 Meeting Date: April 16, 2019  
 PAID Variance Application Fee @ 6:30 pm  
\$125.00 for Residential | \$300.00 for Commercial/Industrial

Applicant/Owner: Jon + Bonnie Uhrh Email: unruh@comcast.net  
Property Address: 4220 Highcrest Dr Phone: 810-220-0220  
Present Zoning: LRR Tax Code: 4711-22-302-178

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

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested: Modification ~~from~~ to front yard set back  
from 35 feet to 26 feet.

2. Intended property modifications: Construction of new single family home.

**Practical Difficulty/Substantial Justice**

Strict compliance with the front yard setback would prevent the construction of a reasonably sized 2-car garage. There are other homes in the vicinity with reduced front yard setbacks that would support substantial justice.

**Extraordinary Circumstances**

The location and width of the house footprint is extremely limited, due to the narrow lot, combined with the 86 foot lake side setback and the extreme topography change and grade drop off on the lake side. Granting this variance would make the home consistent with many homes in the vicinity. The need for the variance is not self-created.

**Public Safety and Welfare**

Granting this variance will not impair an adequate supply of light or air to adjacent properties, since its proximity to the street will be consistent with neighboring properties, and there will be more parking than currently exists.

**Impact on Surrounding Neighborhood**

There would be limited or no impact on the neighborhood, as the home will be consistent with others in the neighborhood in size, appearance, and proximity to the street. We were previously granted a variance of 15 feet for a front yard setback of 20 feet, for a previous plan of constructing an addition. This proposed new home would require 6 feet less of a variance, for much less of an impact on the neighborhood.

Date: 3/20/12 Signature: 

Jon & Bonnie Unruh  
4220 Highcrest

Lot coverage calculations

Lot size = 11,730 SF

New house footprint = 1,715 SF

New Deck = 340 SF

Existing Shed = 136 SF

Concrete Porch, Walk and Driveway areas = 866 SF

Building Coverage =  $11,730 / (1715+340+136) = 18.7\%$  (GOOD)

Impervious Coverage =  $11,730 / (1715+340+136+866) = 26.1\%$  (GOOD)



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 10, 2019

**RE:** ZBA 19-13

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

---

## STAFF REPORT

**File Number:** ZBA#19-13  
**Site Address:** 4220 Highcrest Drive  
**Parcel Number:** 4711-22-302-178  
**Parcel Size:** .247 Acres  
**Applicant:** Jon and Bonnie Unruh, 4220 Highcrest Brighton 48116  
**Property Owner:** Same as Applicant

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

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard variance to demolish existing home and construct a new home.

**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 March 31, 2019 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 1930 and a land use permit was issued in 1997 for an addition.
- In 2017 a variance was obtained for a front yard variance to construct an addition. The addition was never constructed. (see attached minutes)
- 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 demolish the existing home and construct a new single family home. In order to construct the new home as proposed, the applicant is required to obtain a front yard variance. The location of the front (road side) property line on the drawing varies considerably from the parcel aerial overlay on the GIS map however a survey has been provided to show the accurate front line location.

## 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 Front Yard Setback:</b>	<b>35'</b>
	<b>Proposed Front Yard Setback:</b>	<b>26'</b>
	<b>Proposed Variance Amount:</b>	<b>9'</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 front yard setback would prevent the applicant from constructing the new single family home to the existing single family home as proposed. There are other homes in the vicinity with reduced front yard setbacks that would support substantial justice and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same vicinity of the subject parcel.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrow lot. Granting of the variance would make it consistent with many homes in the vicinity. The need for the variance is not self-created and is the least necessary.
- (c) Public Safety and Welfare** – The granting of this variance will not impair an adequate supply of light and air to adjacent property. It might cause an increase in congestion to the public streets with parking and the backing of the vehicle into the street. The applicant should demonstrate there will be sufficient on-site parking.
- (d) Impact on Surrounding Neighborhood** – Providing the parking concerns are addressed, 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. Sufficient on-site parking shall be maintained at all times.
2. Structure must be guttered with downspouts.

danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of Genoa Township.

- The proposed variances would have a limited impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of this variance is conditioned upon the following:

- The structure must be guttered with downspouts.
- The building height will be limited to 25 feet.

**The motion carried unanimously.**

17-16... A request by Jonathan Bowling, 4800 Dillon Street, for a front-yard setback variance to construct a covered front porch.

Mr. Jonathan Bowling was present. They would like a covered porch to use for additional living space. The practical difficulty is the location of the existing home on the lot. It would increase the value of their home and increase the curb appeal which would indirectly increase the values of other homes. Their home is one of the lower valued homes in the neighborhood and the addition of this covered porch will bring their values closer to their neighbors'. It does not protrude far from their home that would negatively affect their neighbors.

Vice-Chairperson McCreary noted that some homes in the area are closer to the road than what Mr. Bowling is proposing.

The call to the public was made at 8:30 pm with no response.

**Moved** by Ledford, seconded by Figurski, to approve Case #17-16 for 4800 Dillon, petitioned by Jonathan Bowling, for a front-yard setback variance of three feet from the required 40 feet for front-yard setback of thirty-seven feet to construct a covered front porch, based on the following findings of fact:

- Strict compliance with the front-yard setback would prevent the applicant from constructing the covered porch to the existing single-family home.
- Granting this variance would offer substantial justice to the applicant.
- The exceptional or extraordinary condition of the property is the non-conforming shallow lot and the location of the existing home on the property.
- The need for the variance is not self-created.
- Granting the variance will not impair an adequate supply of light or air to adjacent properties or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the residents of Genoa Township.
- The proposed variances would have a limited impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of this variance is conditioned upon the following:

- Drainage from the home must be maintained on the lot.
- The structure must be guttered with downspouts.

**The motion carried unanimously.**

17-17... A request by Jon and Bonnie Unruh, 4220 Highcrest Drive, for a front-yard variance to construct a two-story addition.

Jon Unruh, the property owner, and Kelly House-Seaman, the architect, were present. Mr. Unruh stated they would like to construct an attached garage with a bonus room on the second floor. The location of the existing home on the lot is already non-conforming. The current setbacks were not in place when the home was built. They attempted to design their home to be consistent with their neighbor to the north at 4212 Highcrest. The garage will allow for parking further from the road than the current cement pad. This project will not impede the flow of traffic and will improve the neighborhood.

The call to the public was made at 8:46 pm

Mr. David Mancini of 4212 Highcrest lives next door to Mr. Unruh. The fence between their homes belongs to him and they just learned that it is actually on the property line. The fence will be removed.

The call to the public was closed at 8:47.

**Moved** by Tengel, seconded by Ledford, to approve Case #17-17 for 4220 Highcrest Drive, petitioned by Jon and Bonnie Unruh, for a front-yard setback variance of 15 feet from the required 35 feet for a front-yard setback of 20 feet to construct an attached garage and bonus room to an existing single-family home, based on the following findings of fact:

- Strict compliance with the front-yard setback would prevent the applicant from constructing the addition to the existing single-family home as proposed.
- There are other homes in the vicinity with reduced front-yard setbacks that would support substantial justice to the applicant.
- The exceptional or extraordinary conditions of the property are the non-conforming location of the existing home and the narrow lot.
- Granting the variance would make it consistent with many homes in the vicinity.
- The need for the variance is not self-created.
- Granting the variance will not impair an adequate supply of light or air to adjacent properties. It may cause an increase in congestion to the public streets with parking and the backing of vehicles into the street. The applicant should demonstrate there will be sufficient on-site parking; however, there will be more space than the current cement pad.
- Providing the parking concerns are addressed, the proposed variance would have a limited or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

Approval of this variance is conditioned upon the following:

- Drainage from the home must be maintained on the lot.
- The structure must be guttered with downspouts.
- Sufficient on-site parking shall be maintained at all times.
- The neighbor's fence shall be removed.
- Highland Avenue being vacated as noted on the engineer's drawing.

**The motion carried unanimously.**

17-18... A request by Tim Chouinard, 1253 Sunrise Park, for front, side, waterfront, and rear-yard variances and a lot coverage variance to demolish the existing home and construct a new home.

# GENOA TOWNSHIP





HOUSE-SEAMAN  
ARCHITECTS, P.L.L.C.  
Architecture | Planning | Interior Design

5777 Falls Dr  
Brighton, VA 22814  
PH: 540.337.1102

HOUSE-SEAMAN-ARCHITECTS.COM

project title  
**PROPOSED GARAGE ADDITION  
JON & BONNIE UNRUH  
4220 HIGHCREST**  
BRIGHTON, VA

Consultant:

NOTICE

THIS DOCUMENT IS A PROFESSIONAL ARCHITECTURAL DRAWING. IT IS THE PROPERTY OF HOUSE-SEAMAN ARCHITECTS, P.L.L.C. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE, REPRODUCTION, OR DISTRIBUTION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF HOUSE-SEAMAN ARCHITECTS, P.L.L.C. IS STRICTLY PROHIBITED.

sheet title

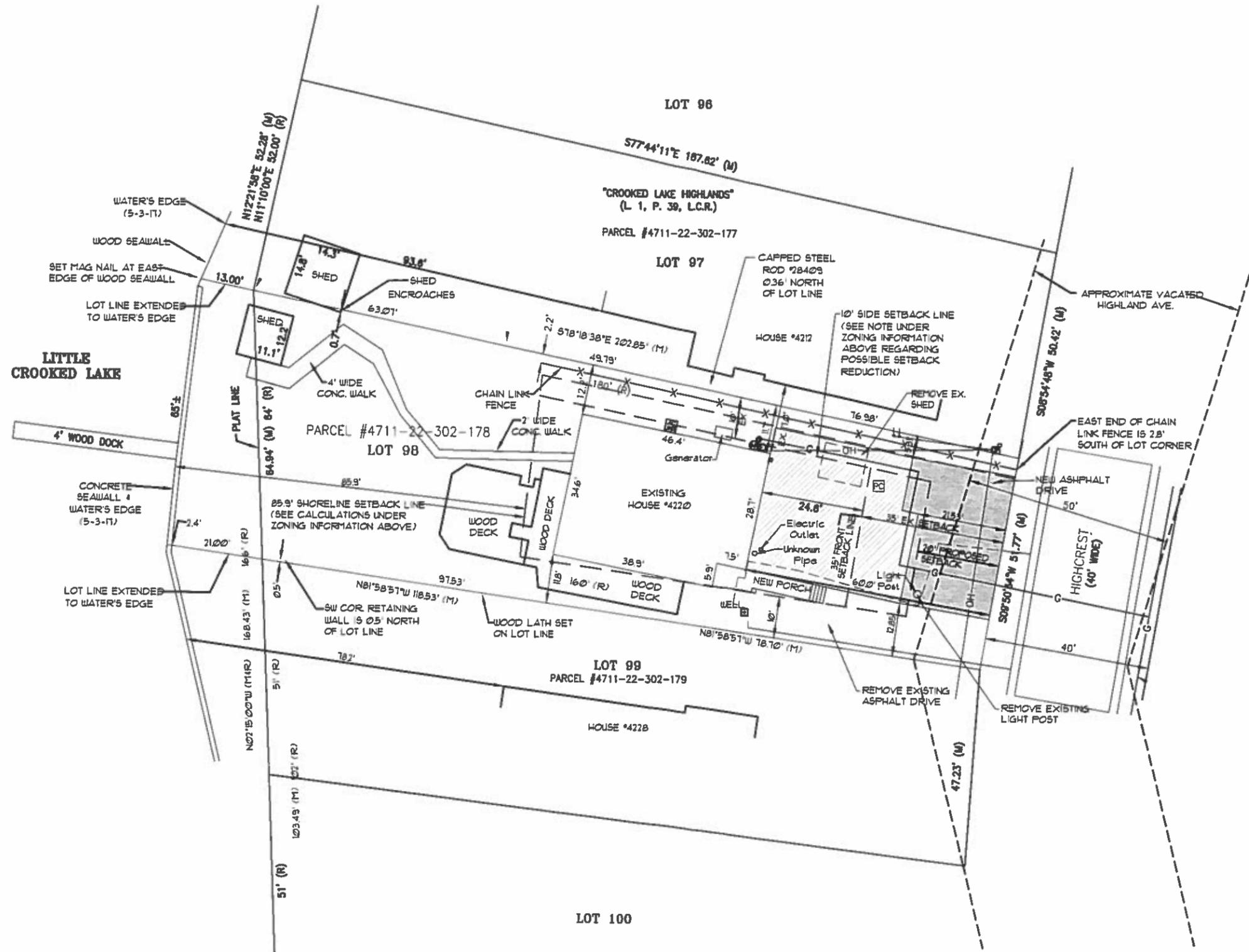
**SITE PLAN**

DO NOT SCALE DRAWING  
USE DIMENSIONS ONLY

issued for	date
ZBA	6/23/2017

DATE: 6/23/2017  
DRAWN:  
CHECKED:  
SCALE: AS SHOWN  
JOB NO: 2017-004  
sheet

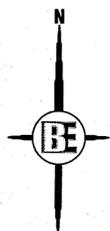
**S-100**



PROPOSED SITE PLAN  
SCALE: 1" = 20'

SEA

# SURVEY/PLOT PLAN



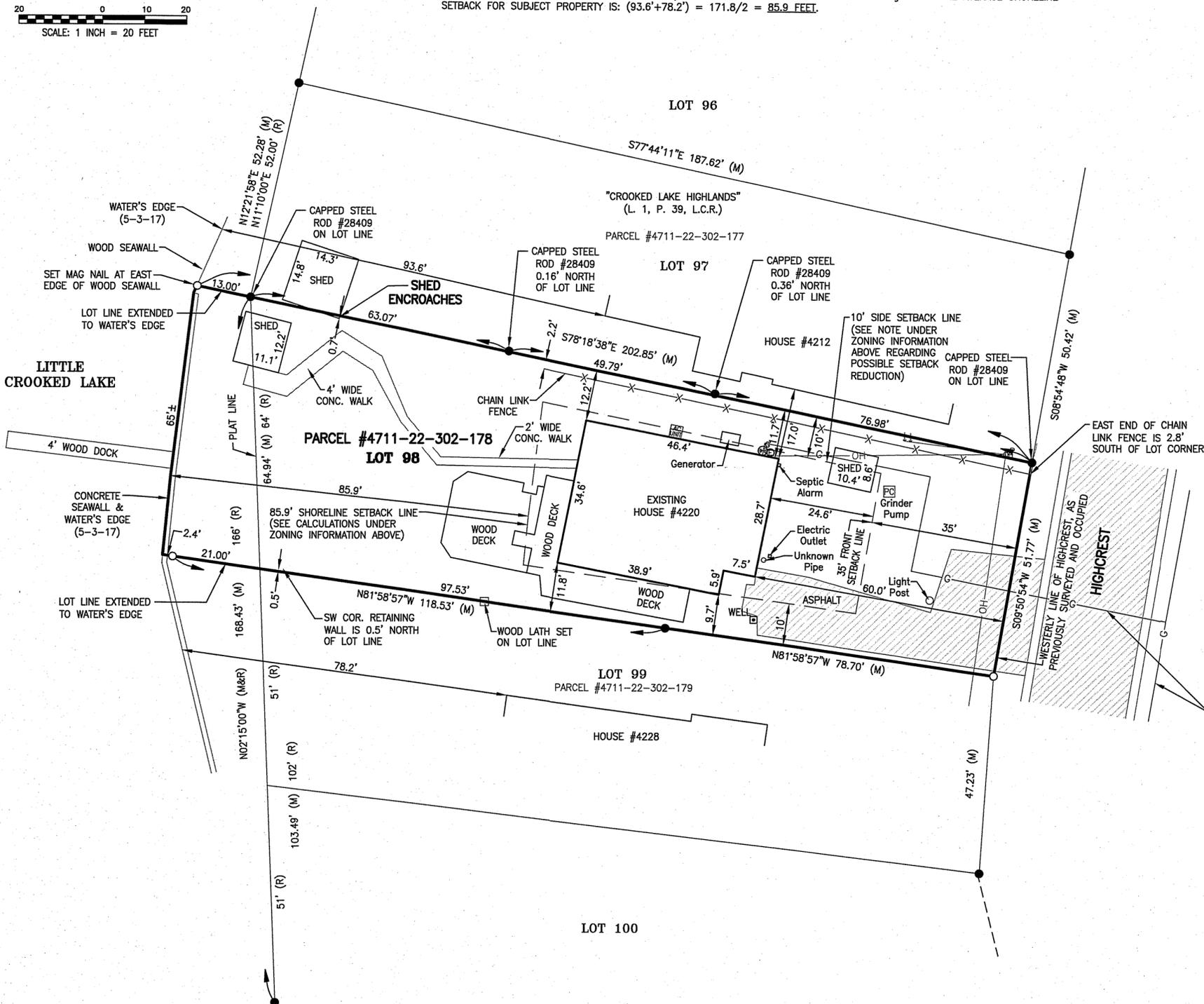
0 10 20  
SCALE: 1 INCH = 20 FEET

CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)  
 MINIMUM BUILDING SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET; NOTE: 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 LRR DISTRICT:  
 = Minimum 40 feet or consistent with the setbacks of adjacent principal buildings, whichever is greater as determined by the Zoning Administrator. If the setbacks of adjacent principal buildings vary because of irregular shoreline, the setback shall be the average of all lots within 500 feet along the shoreline or 40 feet whichever is the greater. THE AVERAGE SHORELINE SETBACK FOR SUBJECT PROPERTY IS:  $(93.6' + 78.2') = 171.8' / 2 = 85.9$  FEET.

### GENERAL SURVEY NOTES:

1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "CROOKED LAKE HIGHLANDS SUBDIVISION", AS RECORDED IN LIBER 1 OF PLATS, PAGES 39 AND 40, 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.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
5. ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.



### LEGEND

- o-P POWER POLE
- I- GUY WIRE
- ⊙ ELECTRICAL METER
- ⊠ AIR CONDITIONING UNIT
- ⊡ WELL
- ⊞ TELEPHONE RISER
- ⊗ GAS METER
- CAPPED 1/2" STEEL ROD SET
- STEEL ROD OR PIPE FOUND
- ⊙ MONUMENT
- ⊞ PUMP CHAMBER
- ⊡ WOOD LATH SET ON LOT LINE
- X- FENCE
- OH- OVERHEAD WIRES
- G- GAS MAIN
- CONC- CONCRETE
- L LIBER
- P PAGE
- L.C.R. LIVINGSTON COUNTY RECORDS
- (R&M) RECORD AND MEASURED

PROPERTY DESCRIPTION PER WARRANTY DEED, AS RECORDED IN LIBER 1716, PAGE 385, LIVINGSTON COUNTY RECORDS:

LOT 98 OF CROOKED LAKE HIGHLANDS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 1 OF PLATS, PAGES 39 AND 40, LIVINGSTON COUNTY RECORDS.

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.



PROJECT 4220 HIGHCREST, BRIGHTON, MI

PREPARED FOR  
**JON UNRUH**  
 4220 HIGHCREST  
 BRIGHTON, MI 48116  
 248-866-4895

TITLE  
**SURVEY/PLOT PLAN**

NO.	BY	REVISION PER	DATE
1	AEB	REMOVE VACATED HIGHLAND RD.	9-20-17

DESIGNED BY:

DRAWN BY: AEB

CHECKED BY: *[Signature]*

SCALE 1" = 20'

JOB NO. 17-148

DATE 5-20-17

SHEET NO.

1 OF 1



**BOSS**  
 Engineering  
 Engineers Surveyors Planners Landscape Architects

3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843

800.246.6735 FAX 517.548.1670

# UNRUH RESIDENCE

4220 HIGHREST DRIVE . BRIGHTON, MICHIGAN 48116

## SHEET INDEX

A1	SITE PLAN
A2	FOUNDATION PLAN & FINISHED BASEMENT PLAN
A3	1ST FLOOR PLAN & 2ND FLOOR FRAMING PLAN
A4	2ND FLOOR PLAN & ROOF PLAN
A5	SOUTH & EAST ELEVATIONS
A6	NORTH & WEST ELEVATIONS
A7	BUILDING SECTION & WALL SECTIONS

## GENERAL NOTES

ALL BUILDING CODE DATA FOR THIS PROJECT IS BASED UPON THE 2015 MICHIGAN RESIDENTIAL CODE AND ON THE 2015 MICHIGAN BUILDING CODE

ALL MECHANICAL WORK SHALL COMPLY WITH THE 2012 MICHIGAN MECHANICAL CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

ALL ELECTRICAL WORK SHALL COMPLY WITH THE 2011 MICHIGAN ELECTRICAL CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

ALL PLUMBING WORK SHALL COMPLY WITH THE 2012 MICHIGAN PLUMBING CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

ALL ENERGY REQUIREMENTS SHALL COMPLY WITH THE 2015 MICHIGAN UNIFORM ENERGY CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, AND FOR ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK AND THE CONSTRUCTION SITE.

ARK ARCHITECTS, PLC SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO PERFORM THE WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THESE CONSTRUCTION DOCUMENTS.

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## BUILDING CODE DATA

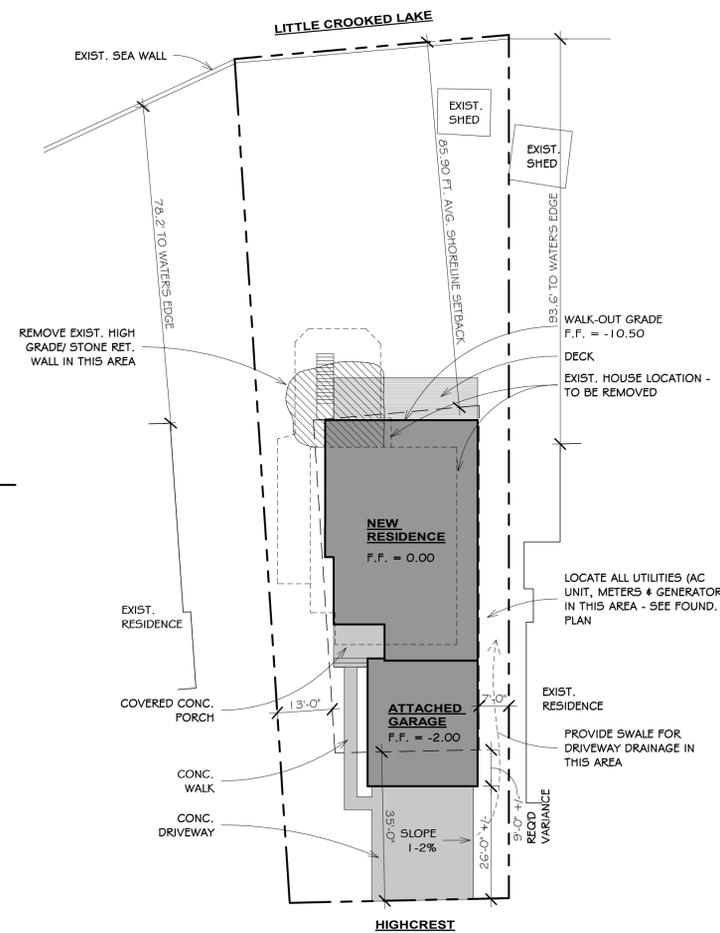
USE GROUP:	SINGLE-FAMILY RESIDENTIAL (R-3)
TYPE OF CONSTRUCTION:	TYPE V
ALLOWABLE BUILDING HT.:	3 STORIES
ACTUAL BUILDING HT.	2 STORIES
ALLOWABLE BUILDING AREA:	UNLIMITED
ACTUAL BUILDING AREA:	
1ST FLOOR	= 1,715 SF
2ND FLOOR	= 1,576 SF
TOTAL LIVING AREA	= 3,291 SF
ATTACHED GARAGE	= 780 SF
FINISHED BASEMENT AREA	= 1,300 SF
DESIGN LOADS:	
FLOOR LIVE LOAD	40 PSF
SNOW LOAD	25 PSF
BASIC WIND SPEED	90 MPH
WIND EXPOSURE	EXPOSURE B

## ZONING DATA

ZONING DISTRICT:	LRR - LAKESHORE RESORT RESIDENTIAL GENOA TOWNSHIP, MI
MAX. LOT COVERAGE:	35% (BUILDING)
ACTUAL LOT COVERAGE:	21.3%
SETBACKS:	
LAKE =	85.90 FT. (AVERAGE SHORELINE)
SIDE =	5 FT. MIN./ 20'-0" MAX.
FRONT =	35 FT
MAX. BUILDING HEIGHT:	25 FT. FRONT AVG. ROOF HT.
ACTUAL BUILDING HEIGHT:	25 FT. +/-

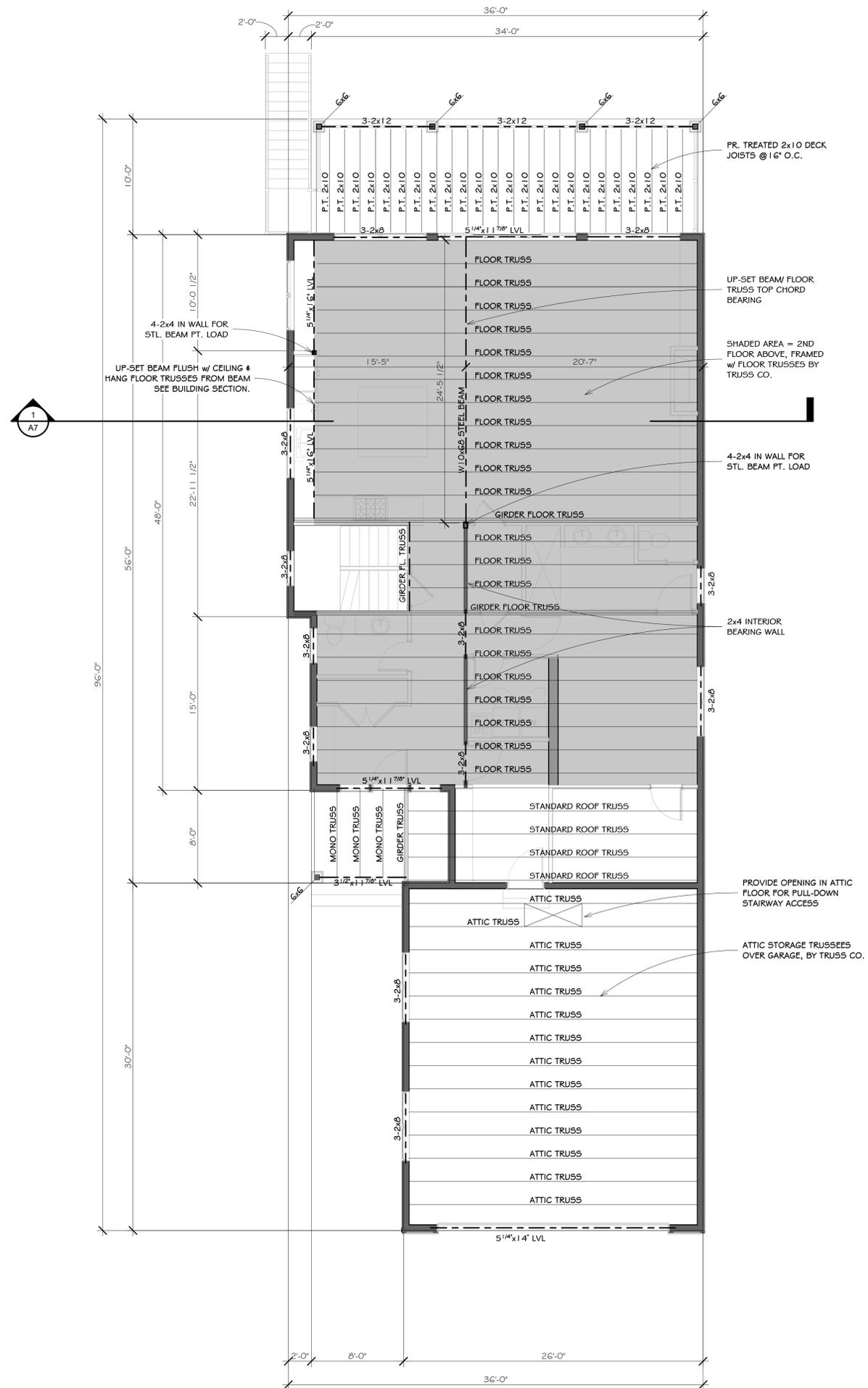
## SITE NOTES

- THIS SITE PLAN IS BASED UPON THE SURVEY CONDUCTED BY BOSS ENGINEERING, DATED 05.20.17.
- PROVIDE GUTTERS & DOWNSPOUTS ON ENTIRE HOUSE AS REQD. GUTTER & DOWNSPOUT SYSTEM SHALL BE DESIGNED & INSTALLED BY OTHERS. DOWNSPOUTS SHALL DIRECT ALL WATER TO FOUNDATION DRAINAGE.
- ALL GROUND WATER DRAINAGE SHALL BE CONTAINED WITHIN THE PROPERTY BOUNDARY. PROVIDE SWALES OR OTHER METHODS AS REQD TO DIRECT GROUND WATER AND ACHIEVE PROPER DRAINAGE. ALL SITE DRAINAGE AND FINAL GRADE BY EXCAVATION CO. & G.C.
- NEW 1ST FINISHED FLOOR LEVEL SHALL BE APPROXIMATELY EQUAL TO EXISTING HOUSE 1ST FLOOR LEVEL. GRADE AT NEW WALK-OUT LEVEL WILL BE APPROXIMATELY 1'-6" TO 2'-0" LOWER THAN EXISTING WALK-OUT LEVEL. REMOVE HIGH SPOTS AND STONE IN AREAS AS NECESSARY.
- EXISTING HOUSE ON SITE SHALL BE REMOVED. COORDINATE WITH ALL UTILITY COMPANIES AS REQD TO SHUT DOWN AND DISCONNECT ALL UTILITIES PRIOR TO DEMOLITION.

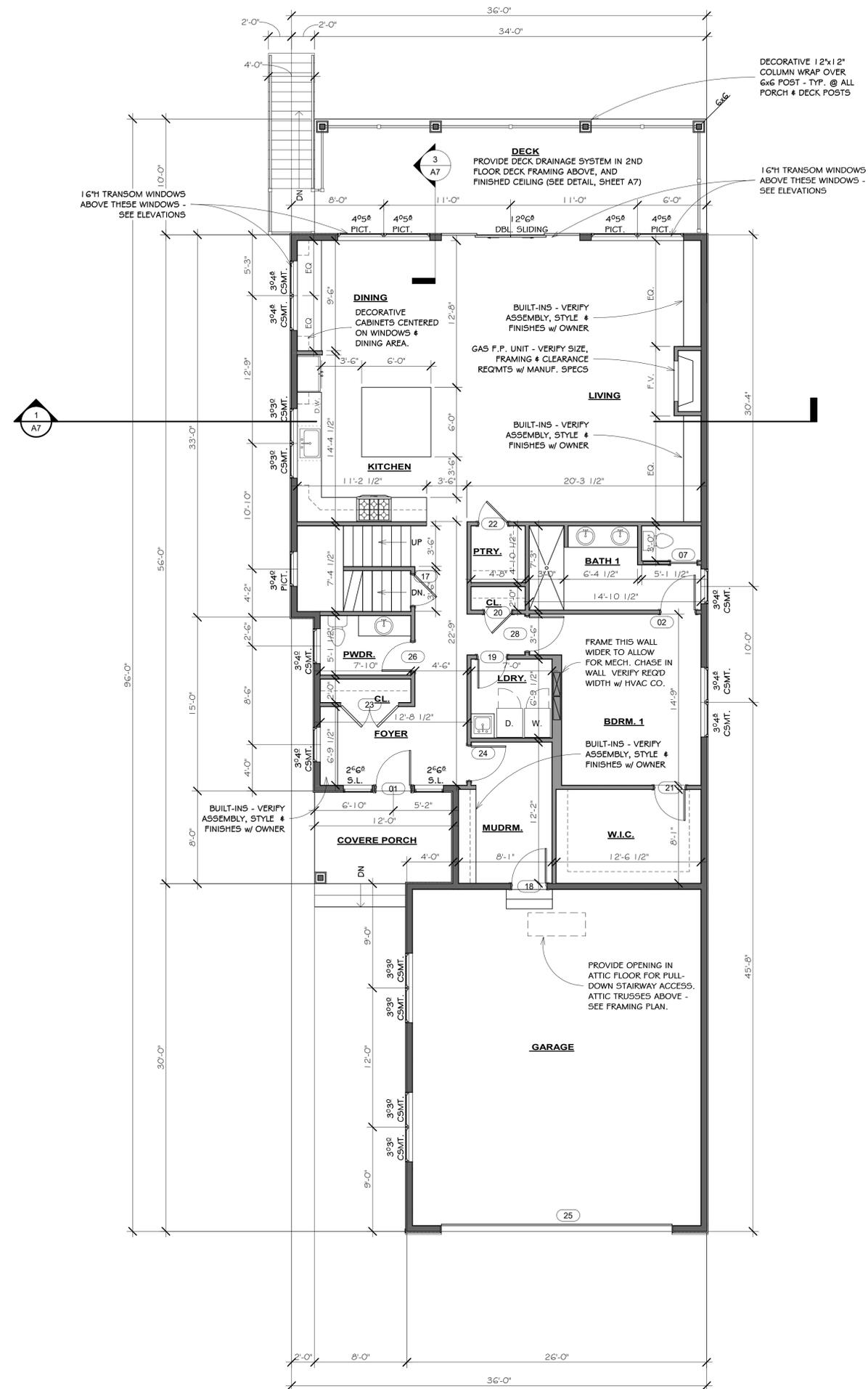


SITE PLAN  
1" = 20'-0"





2ND FLOOR FRAMING PLAN  
3/16" = 1'-0"



1ST FLOOR PLAN  
3/16" = 1'-0"

**PROJECT**

UNRUH RESIDENCE  
4220 HIGHEST DRIVE  
BRIGHTON, MICHIGAN 48116

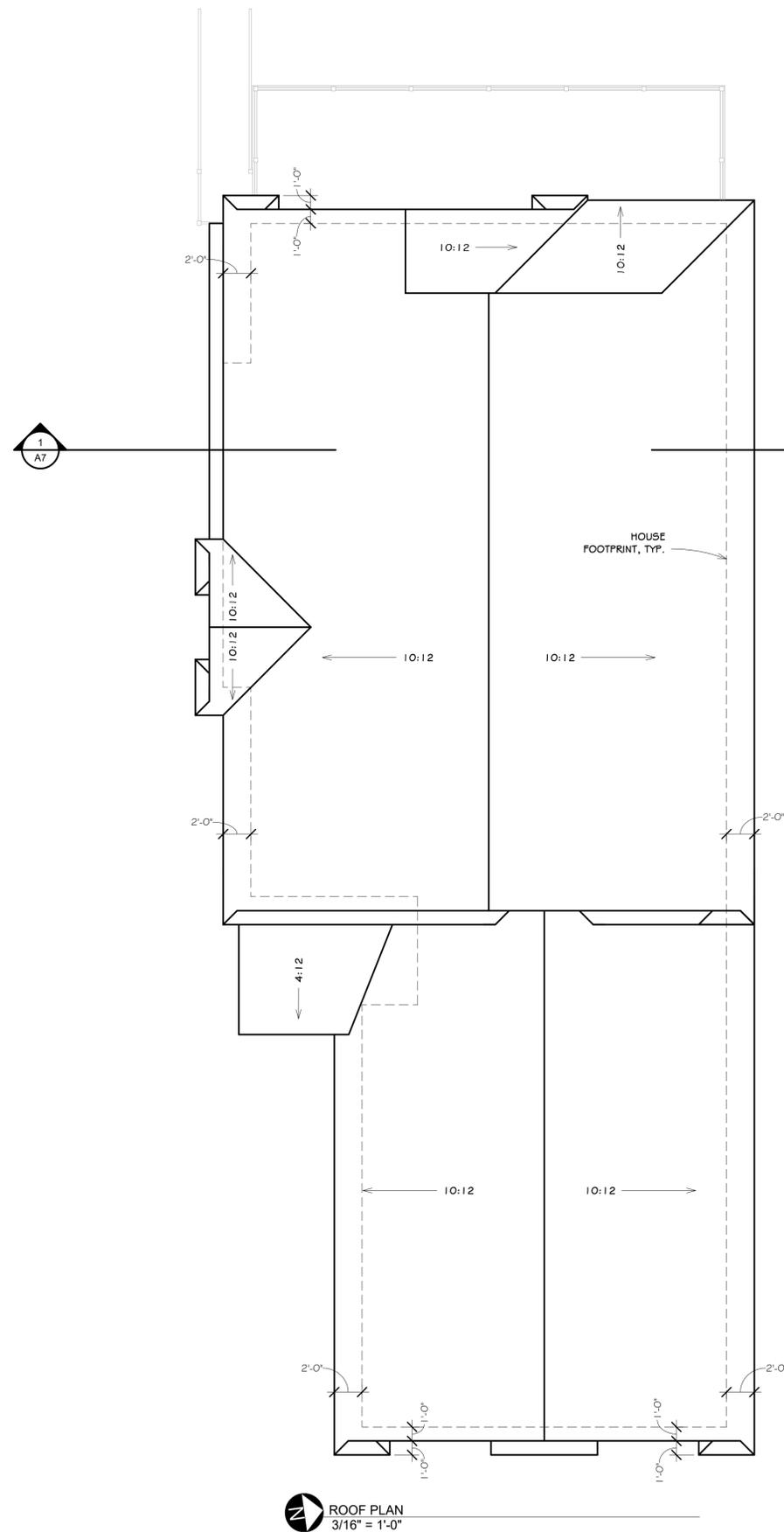
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**DATE**  
10.23.18

**FILE#**  
1819

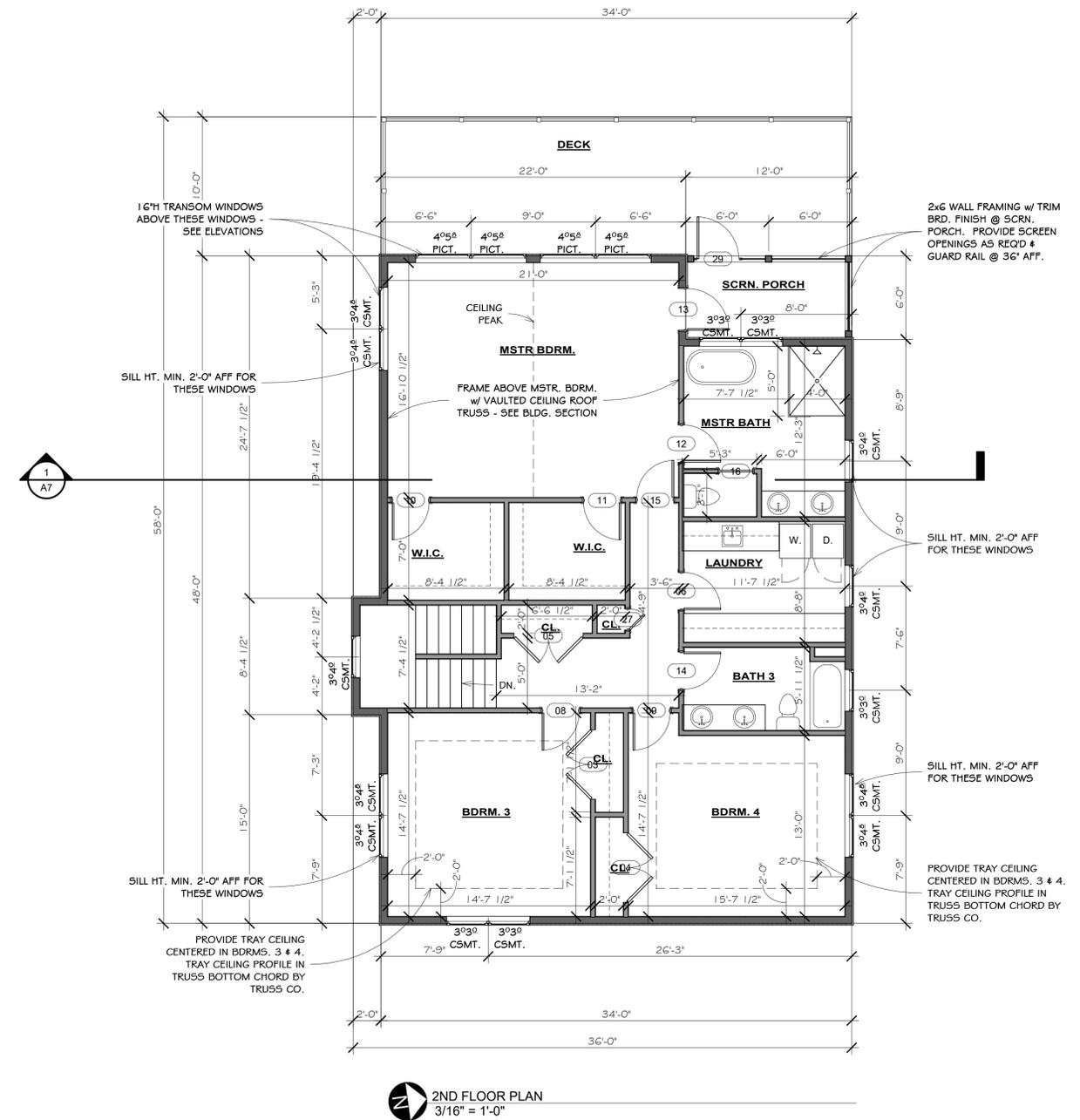
**SHEET**

**A3**



**ROOF PLAN**  
3/16" = 1'-0"

Door Schedule		
Mark	Width	Height
01	3'-0"	6'-8"
02	3'-0"	6'-8"
03	5'-0"	6'-8"
04	5'-0"	6'-8"
05	5'-0"	6'-8"
06	2'-8"	6'-8"
07	2'-4"	6'-8"
08	2'-8"	6'-8"
09	2'-8"	6'-8"
10	2'-8"	6'-8"
11	2'-8"	6'-8"
12	2'-8"	6'-8"
13	3'-0"	6'-8"
14	2'-8"	6'-8"
15	2'-8"	6'-8"
16	2'-6"	6'-8"
17	2'-8"	6'-8"
18	3'-0"	6'-8"
19	2'-6"	6'-8"
20	2'-4"	6'-8"
21	2'-8"	6'-8"
22	2'-6"	6'-8"
23	5'-0"	6'-8"
24	3'-0"	6'-8"
25	20'-0"	8'-0"
26	2'-6"	6'-8"
27	1'-6"	6'-8"
28	3'-0"	6'-8"
29	3'-0"	6'-8"
30	2'-8"	6'-8"
31	3'-0"	6'-8"
32	5'-0"	6'-8"
33	2'-8"	6'-8"



**2ND FLOOR PLAN**  
3/16" = 1'-0"

**WINDOW & DOOR NOTES**

- ALL WINDOWS SHALL HAVE INSULATED LOW-E GLASS, WITH SIZES AND TYPES AS LABELED ON PLAN AND ELEVATIONS.
- VERIFY ALL MODEL #s, STYLES, GRILLE PATTERNS, AND COLORS WITH OWNER.
- VERIFY ALL DOOR HARDWARE TYPE, COLOR AND STYLE w/ OWNER.
- VERIFY EXACT UNIT SIZES AND ROUGH OPENING SIZES WITH WINDOW AND DOOR MANUFACTURER
- PROVIDE TEMPERED GLASS FOR ALL DOORS, WINDOWS WITH SILLS 1'8" OR LESS FROM FLOOR, OR MEETING CONDITIONS OF MBC 2406.4
- HEADERS OVER ALL DOOR & WINDOW OPENINGS IN EXTERIOR WALLS SHALL BE 3-2x10 UNLESS NOTED OTHERWISE ON PLAN WINDOW MANUFACTURER SHALL PROVIDE SHOP DRAWINGS FOR ALL UNITS SHOWING COMPLIANCE WITH THE FOLLOWING CODES FOR APPLICABLE UNITS: EMERGENCY ESCAPE ACCESS (R310.1), FALL PREVENTION DEVICES (R312.2) AND PRODUCT RATING (N102.1.1)

**ROOF FRAMING NOTES**

- UNLESS NOTED OTHERWISE ON PLAN, HEADERS OVER ALL EXTERIOR DOOR & WINDOW OPENINGS SHALL BE 3-2x6
- UNLESS NOTED OTHERWISE, ALL ROOF FRAMING SHALL BE TRUSSES DESIGNED & MANUFACTURED BY TRUSS CO. TRUSS CO. SHALL PROVIDE SHOP DRAWINGS & SUBMIT TO THE G.C. FOR REVIEW PRIOR TO FABRICATION OF TRUSSES.

**WALL LEGEND**

- INTERIOR PARTITION WALL
- EXTERIOR 2x6 WALL (SEE WALL SECTION)

**PROJECT**

UNRUH RESIDENCE  
 4220 HIGHCREST DRIVE  
 BRIGHTON, MICHIGAN 48116

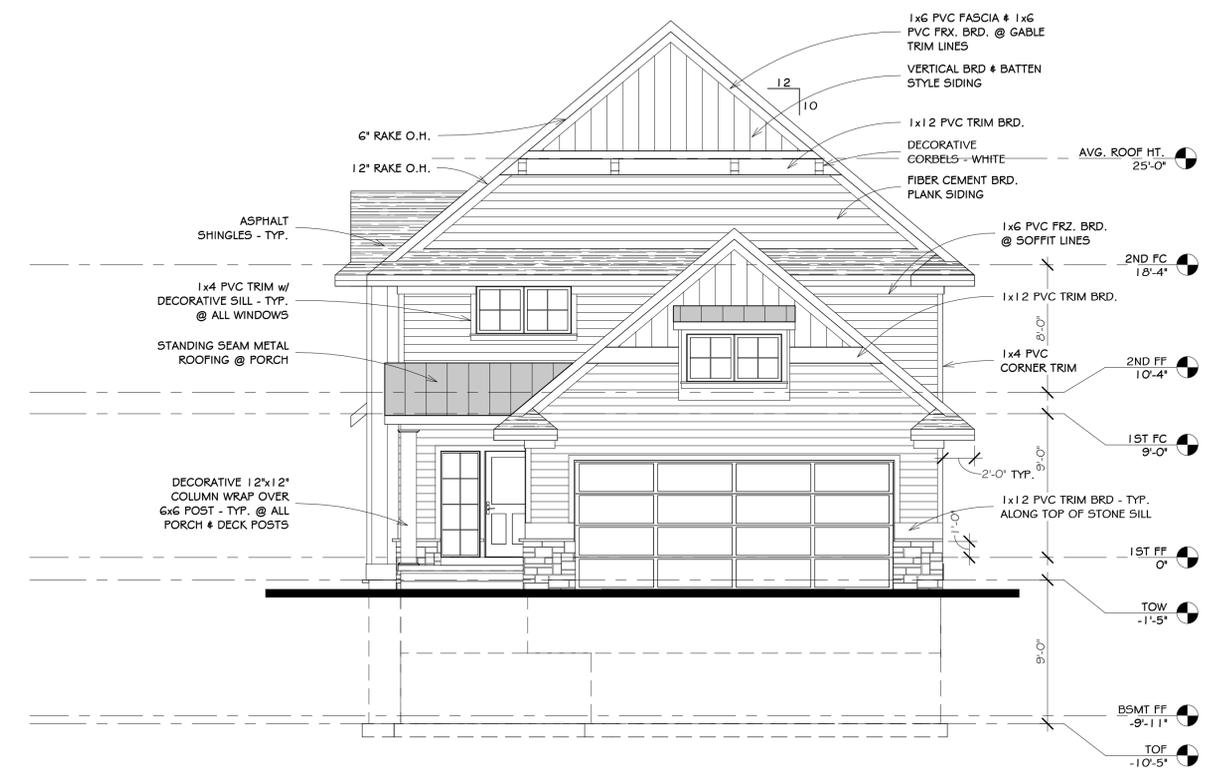
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 03.25.19

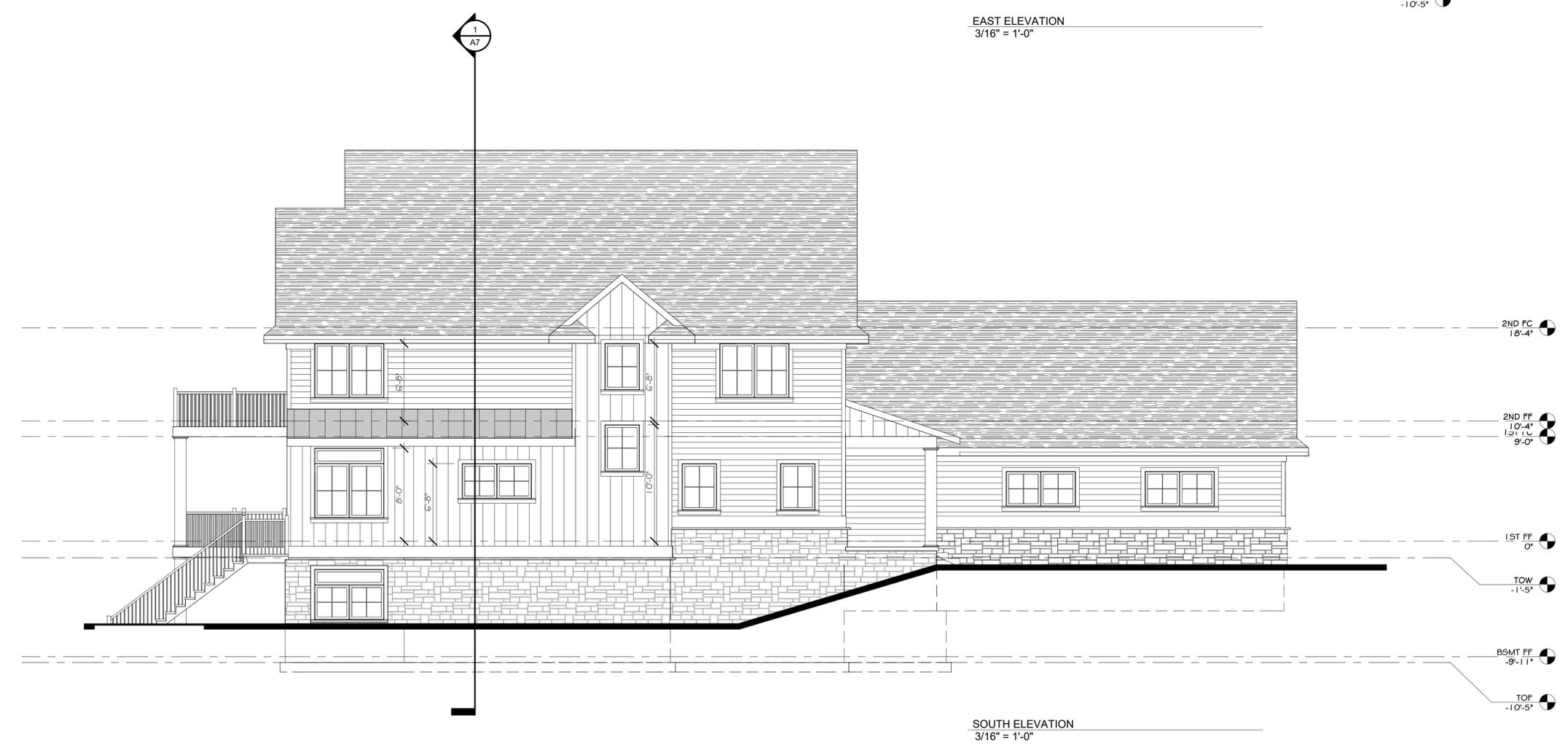
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**SHEET**

**A5**

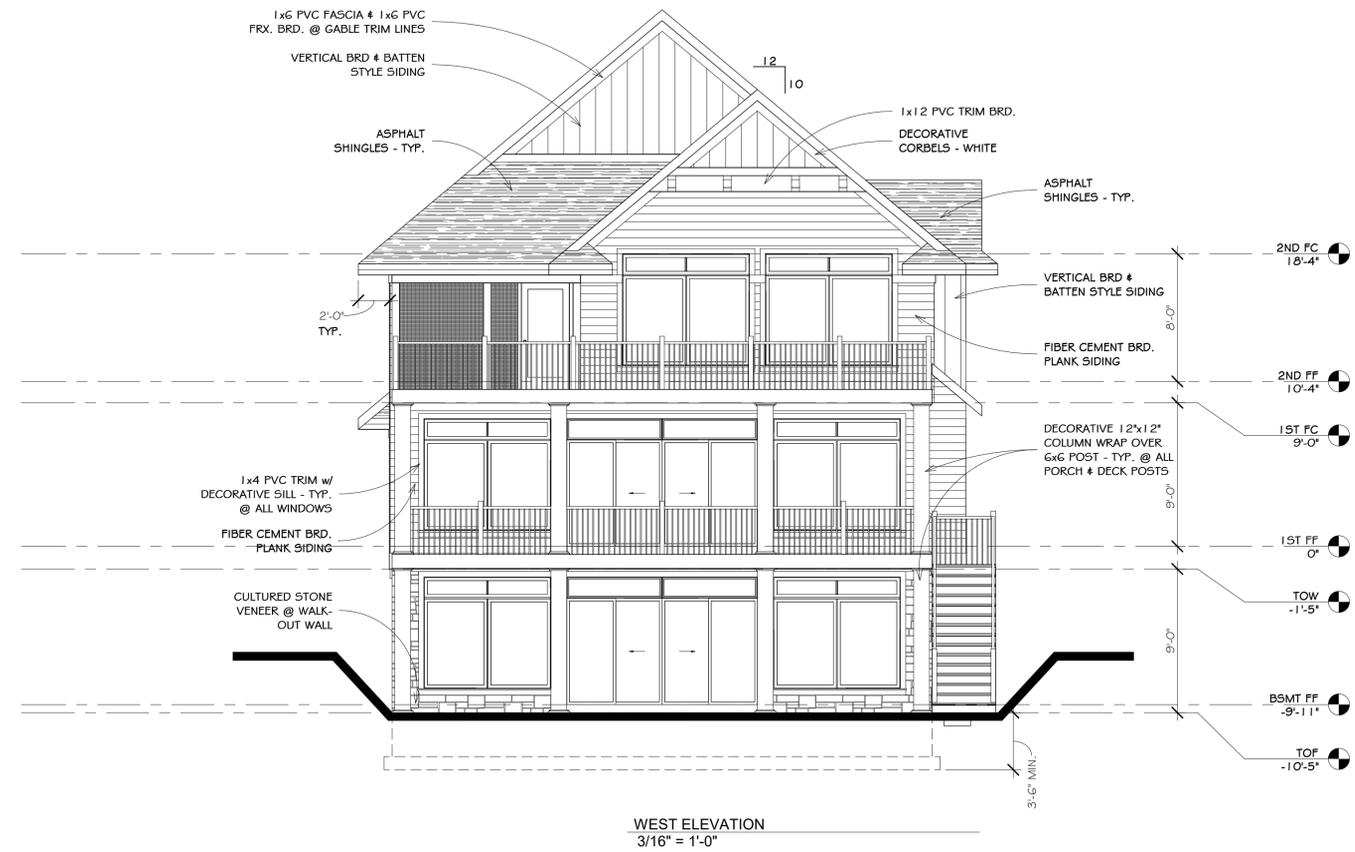


EAST ELEVATION  
 3/16" = 1'-0"

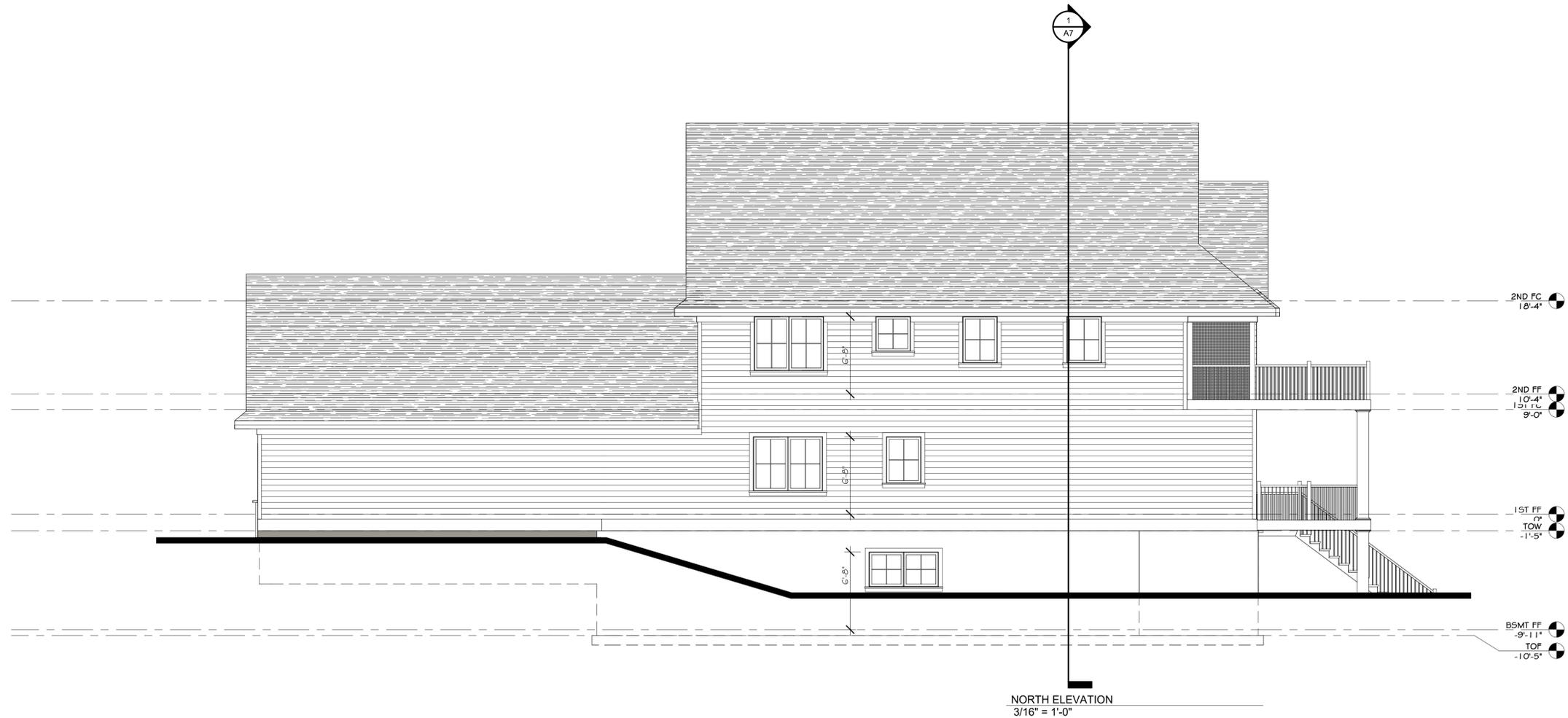


SOUTH ELEVATION  
 3/16" = 1'-0"

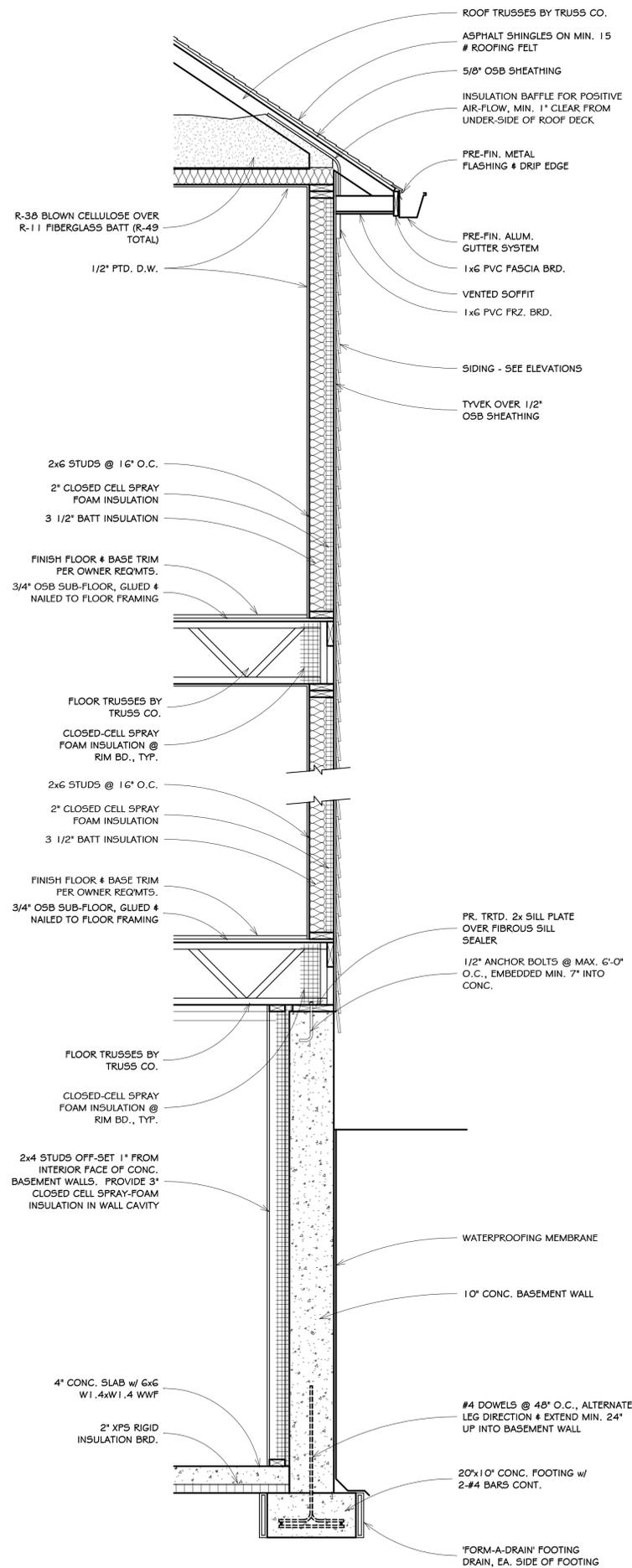
1  
 A7



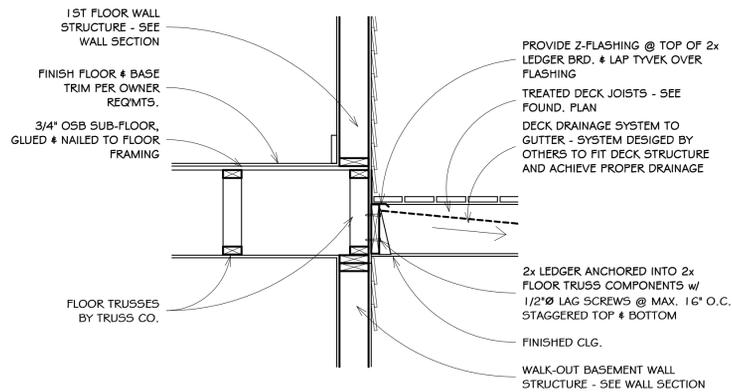
WEST ELEVATION  
3/16" = 1'-0"



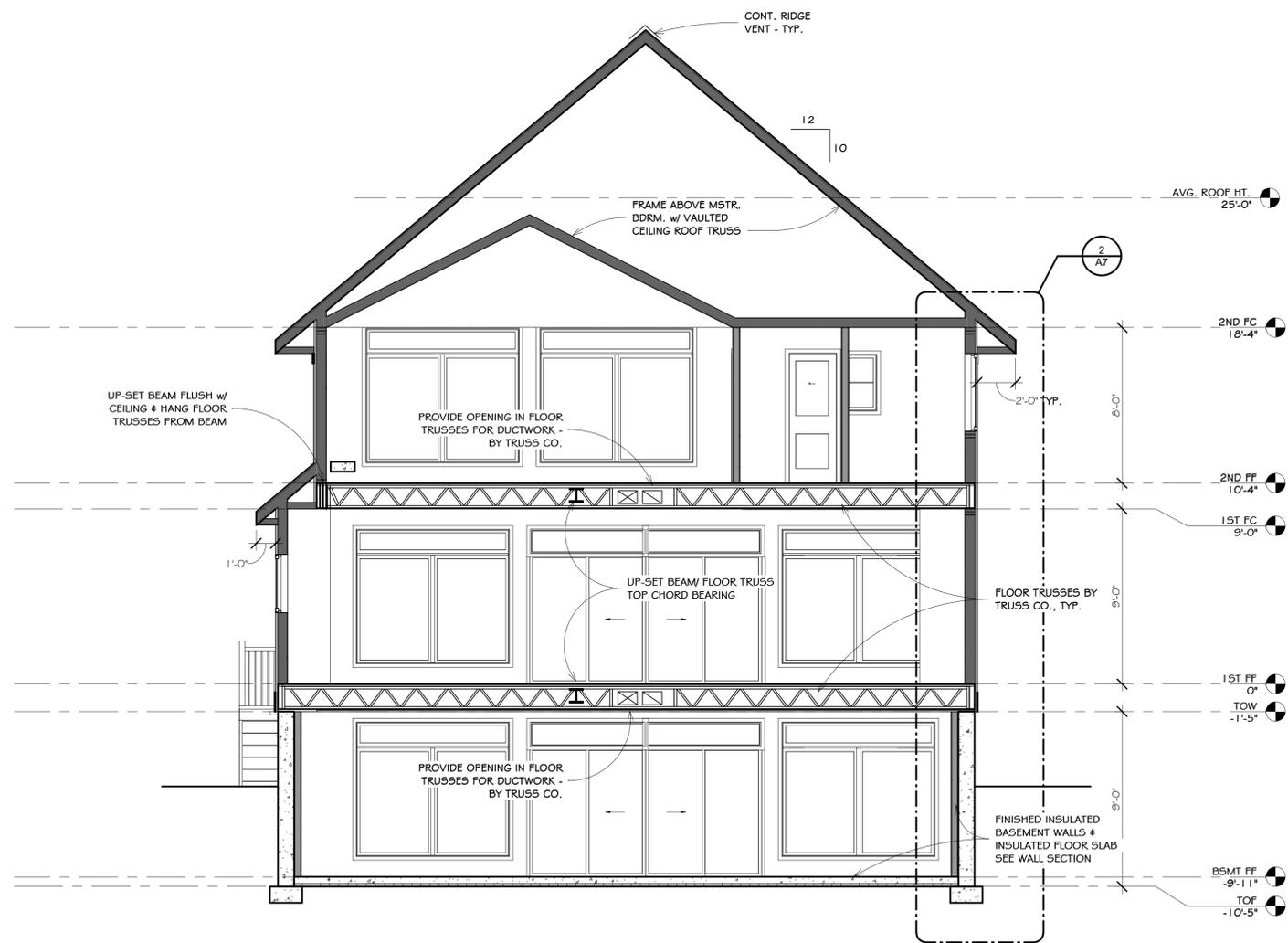
NORTH ELEVATION  
3/16" = 1'-0"



2 WALL SECTION  
3/4" = 1'-0"



3 DECK CONNECTION DETAIL  
3/4" = 1'-0"



1 BUILDING SECTION  
1/4" = 1'-0"

WOOD FRAMING NOTES

1. PROVIDE FRAMING MEMBERS OF SIZES AND SHAPES SHOWN, OR IF NOT SHOWN, COMPLY WITH THE 2015 MICHIGAN BUILDING CODE REQUIREMENTS FOR TIMBER CONSTRUCTION.
2. WHERE ROUGH CARPENTRY WORK IS EXPOSED TO WEATHER, IN GROUND CONTACT OR IN HIGH HUMIDITY, PROVIDE FASTENERS AND ANCHORAGES WITH HOT-DIP ZINC COATING.
3. CONSTRUCTION GRADE FOR LUMBER SHALL BE SPF #2 OR BETTER.
4. FASTENING SIZE AND SPACING SHALL BE PER SECTION 2300 OF THE 2015 MICHIGAN BUILDING CODE.

WOOD TRUSS NOTES

1. TRUSSES TO BE DESIGNED BY MANUFACTURER TO SUPPORT ALL SUPERIMPOSED DEAD AND LIVE LOADS INDICATED. DESIGN TO COMPLY WITH APPLICABLE REQUIREMENTS OF "NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION" PUBLISHED BY N.F.P.A.
2. CONTRACTOR TO COORDINATE WITH TRUSS MANUFACTURER TO ASCERTAIN CORRECT SPAN LENGTHS AND BEARING REQUIREMENTS.
3. ALL DESIGN LOADS FOR TRUSS TOP & BOTTOM CHORDS SHALL BE DETERMINED BY TRUSS CO. AND SPECIFIED BY TRUSS CO. IN SHOP DRAWINGS.
4. ERECT AND BRACE TRUSSES IN STRICT ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS. MANUFACTURER TO DESIGN TEMPORARY AND PERMANENT BRACING. DO NOT OVERLOAD TRUSSES WITH CONSTRUCTION MATERIALS.
5. TRUSS MANUFACTURER TO PROVIDE DESIGN AND DETAILS FOR CONNECTIONS OF TRUSSES AT BEARING POINTS. CONNECTIONS TO INCLUDE PROVISIONS FOR WIND UPLIFT.

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
		220,000	07/02/1993	WD	INVALID SALE	17160385	BUYER	0.0			
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status			
4220 HIGHCREST		School: BRIGHTON			ADDITION	07/01/1997	97-259	NO START			
Owner's Name/Address		P.R.E. 100% / /									
UNRUH, JON & BONNIE 4220 HIGHCREST BRIGHTON MI 48116		MAP #: V19-13									
Tax Description		2019 Est TCV 424,758 TCV/TFA: 146.67									
SEC. 22 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 98		X	Improved	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT						
Comments/Influences		Public Improvements		* Factors *							
		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Gravel Road		A LAKE FRONT	50.00	163.00	1.0000	1.0000	3800	100	190,000
		Paved Road		B EXC W CR LK	16.00	163.00	1.0000	1.0000	1500	100	24,000
		Storm Sewer		66 Actual Front Feet, 0.25 Total Acres				Total Est. Land Value =		214,000	
		Sidewalk		Land Improvement Cost Estimates							
		Water		Description	Rate		Size % Good		Cash Value		
		Sewer		Wood Frame	22.84		120 49		1,343		
		Electric		Total Estimated Land Improvements True Cash Value = 1,343							
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
		REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
		X	When	What	2019	107,000	105,400	212,400		106,398C	
		CG	07/28/2016	REVIEWED R	2018	87,000	108,600	195,600		103,905C	
					2017	83,800	106,800	190,600		101,768C	
					2016	64,700	104,000	168,700		100,861C	

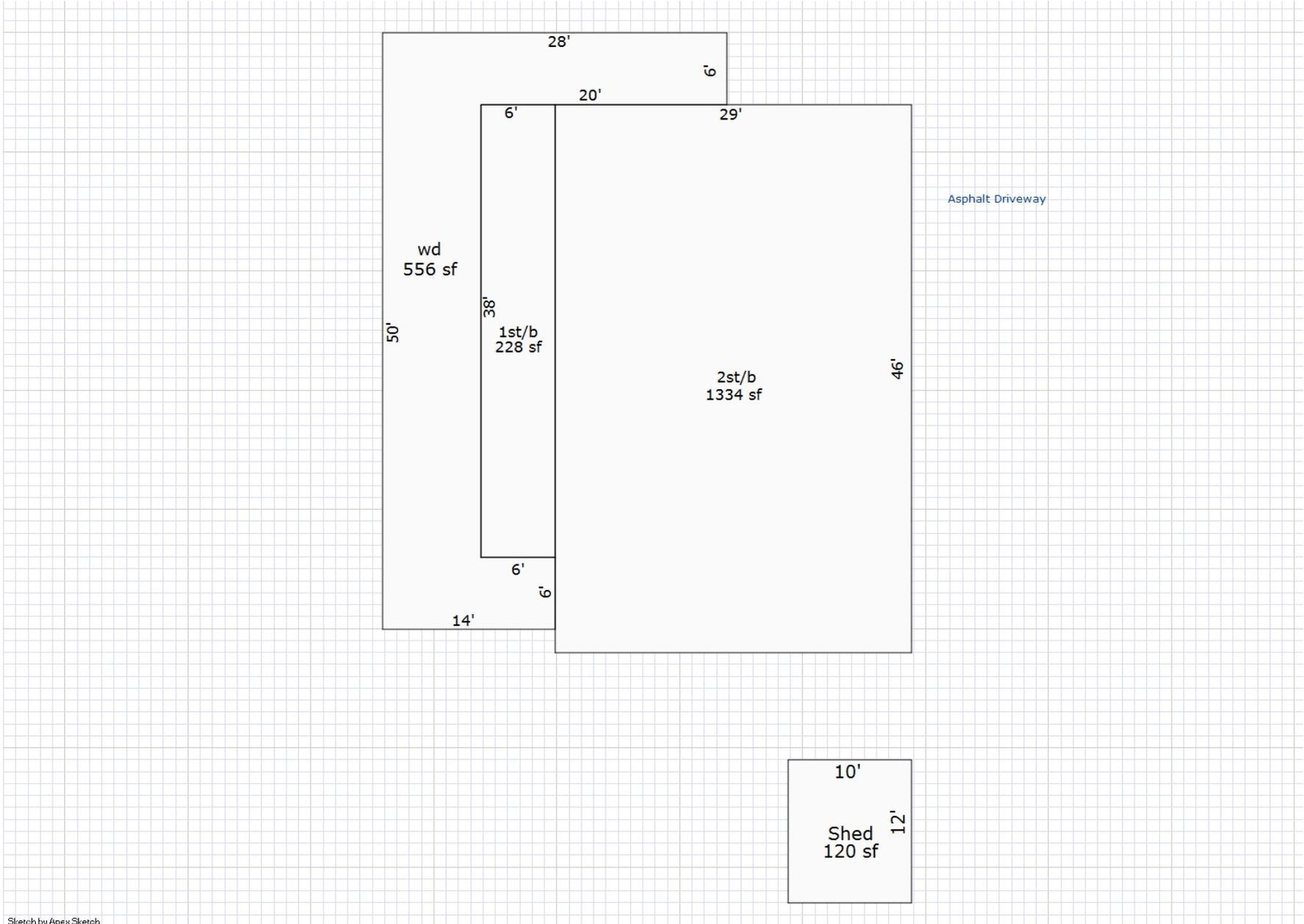


The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins		(15) Fireplaces		(16) Porches/Decks		(17) Garage			
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan 1 Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 556	Type Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:
X	Wood Frame		Drywall Paneled		Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling									
Building Style: C		Trim & Decoration														
Yr Built 1930	Remodeled 0	Ex	X	Ord		Min										
Condition: Good		Size of Closets														
	Lg	X	Ord		Small											
Room List		Doors:		Solid	X	H.C.										
Basement 1st Floor 2nd Floor 2 Bedrooms		Kitchen: Other: Other:														
(1) Exterior		(5) Floors														
X	Wood/Shingle Aluminum/Vinyl Brick	(6) Ceilings														
	Insulation															
(2) Windows																
X	Many Avg. Few	X	Large Avg. Small													
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
(3) Roof		(9) Basement Finish														
X	Gable Hip Flat	1562 Recreation SF Living SF Walkout Doors No Floor SF														
X	Asphalt Shingle	(10) Floor Support														
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:														
		1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic														
		Lump Sum Items:														
Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Air w/ Ducts Ground Area = 1562 SF Floor Area = 2896 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=45/100/100/100/45 Building Areas											Class: C +5 Effec. Age: 70 Floor Area: 2,896 Total Base New : 332,427 Total Depr Cost: 149,582 Estimated T.C.V: 209,415		E.C.F. X 1.400		Cls C 5 Blt 1930	
Stories Exterior Foundation 1 Story Siding Basement 228 2 Story Siding Basement 1,334 Total: 281,391 126,616											Total: 281,391 126,616					
Other Additions/Adjustments Plumbing 3 Fixture Bath 1 3,789 1,705 Deck Treated Wood 556 6,605 2,972 Water/Sewer Public Sewer 1 1,218 548 Water Well, 200 Feet 1 8,762 3,943 Built-Ins Hot Tub 1 6,029 2,713 Recreation Room 1562 24,633 11,085 Totals: 332,427 149,582											Notes:		ECF (4306 TRI LAKES LAKE FRONT) 1.400 => TCV: 209,415			

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



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 # 19-14 Meeting Date: April 16, 2019  
@ 6:30 pm  
 PAID Variance Application Fee  
\$125.00 for Residential | \$300.00 for Commercial/Industrial

Applicant/Owner: Patrick & Robin Fischer Email: ROBBERD99@AOL.COM  
Property Address: 5766 Long Pointe Drive Phone: 810-623-2899  
Present Zoning: LRR Tax Code: 4711-10-301-220

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

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: 35 foot front yard setback variance to allow for the construction of new single family home at the same setback as the existing structures

2. Intended property modifications: removal of the existing house and garage and construction of a new single family home with an attached garage

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

Please see attached

**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.

Please see attached

**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.

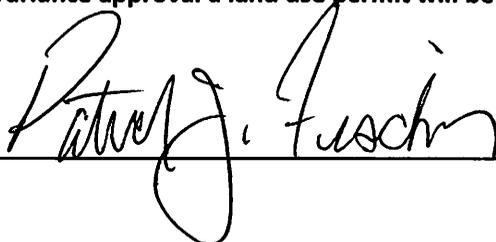
Please see attached

**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.

Please see attached

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

**After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.**

Date: 3/21/19 Signature: 

**5766 Long Pointe Drive, Howell, MI**  
**Zoning Board of Appeals Variance Application**

Under each please indicate how the proposed project meets each criteria.

Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

*Strict compliance with the front yard setback creates a hardship due to the unusual shaped building envelope created by the parcel shape and right-of-way. Pushing the building footprint back to try to comply with the front yard setback would result in the request for a rear yard setback, as well. The applicant is proposing to not encroach any further into the front yard setback as the current house location. There are other homes in the vicinity with reduced front yard setbacks that would support substantial justice.*



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.

*The property owner's parcel is located at the point of a narrow peninsula. The majority of the other parcels on this peninsula have deeper parcels with reduced front yard setbacks that would support substantial justice. The parcel is an unusual shape in comparison with other parcels located on Lake Chemung. Strict compliance with the front yard setback would result in an unusually shaped building envelope and building which is not a self-created hardship. The applicant is proposing to remove the right-of-way building encroachment and to not encroach any further into the front yard setback as the current garage and house location.*



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.

*The granting of the front yard setback variance similar to the existing front yard setback would not impair the adequate supply of light and air to adjacent properties or increase the congestion on Long Pointe Drive or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa. The garage currently maintain a 0' front yard setback similar to the variance being requested.*

Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

*The removal of the existing home and garage and replacement with a new, tastefully designed single family home will increase the value of the property and will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.*



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

## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 9, 2019  
  
**RE:** ZBA 19-14

---

### STAFF REPORT

**File Number:** ZBA#19-14  
**Site Address:** 5766 Long Pointe Drive  
**Parcel Number:** 4711-10-301-220  
**Parcel Size:** .630 Acres  
**Applicant:** Patrick and Robin Fischer, 5766 Long Pointe Drive Howell  
**Property Owner:** Same as applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variances  
**Project Description:** Applicant is requesting a front and waterfront variance in order to demolish existing home and a construct a new single family home.  
**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 March 31, 2019 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:

- No year built per assessing records.
- See Record Card.

The proposed project is to demolish existing home and construct a new single family home. In order to construct the proposed home, the applicant would be required to obtain front and waterfront yard variances. In constructing the new single family home, the applicant would not be increasing the 0' front yard setback. The waterfront setback was determined by calculating properties within 500 feet due to the irregular shoreline per the Zoning Ordinance.

**Variance Requests**

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

**Table 3.04.01 (LRR District):**

SINGLE FAMILY STRUCTURE	Front	Waterfront
Setbacks of Zoning	35	99.25
Setbacks Requested	0	40
Variance Amount	35	49.25

**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.

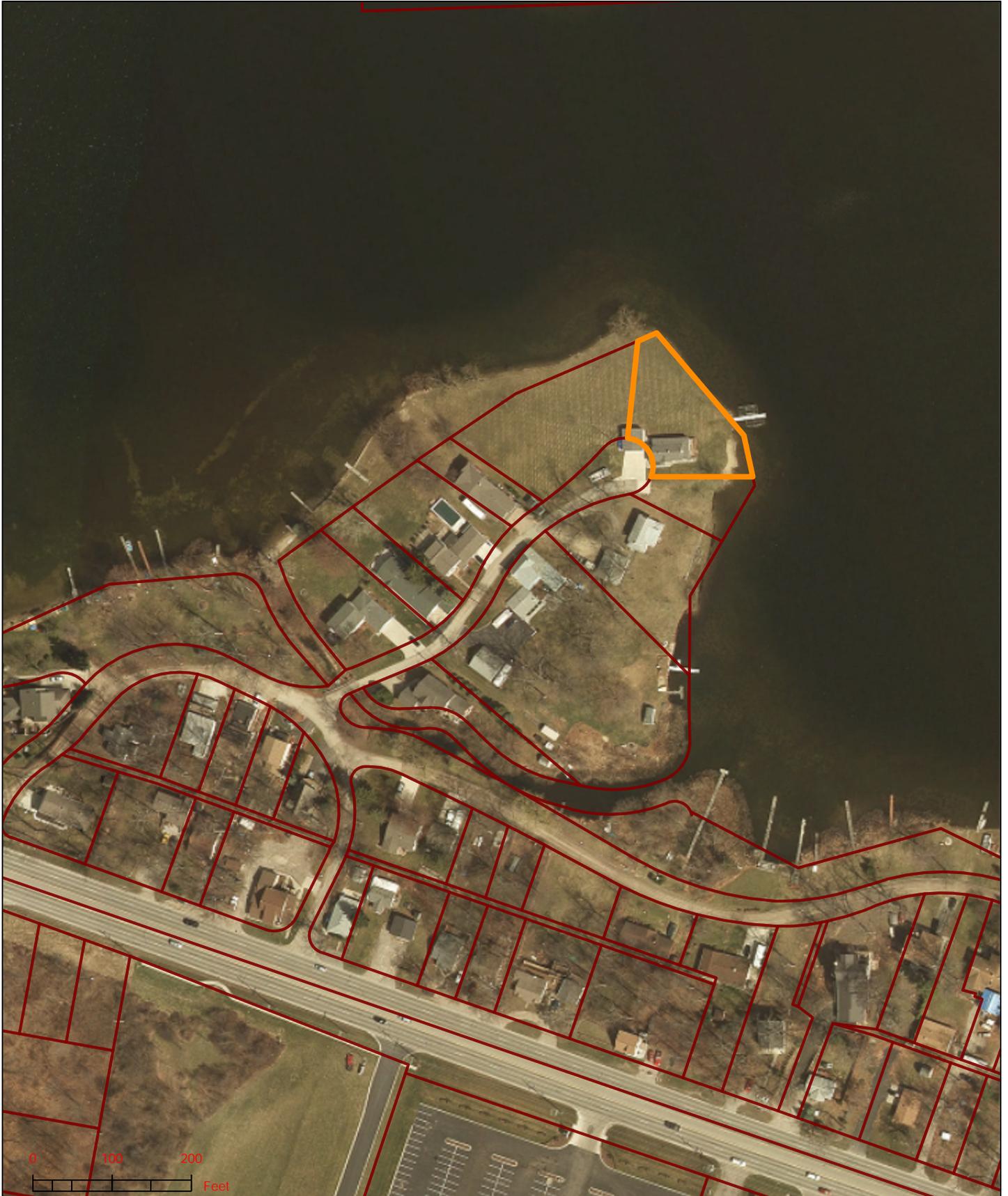
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the waterfront and front yard setback would unreasonably prevent use of the property. The applicant could reduce the size of the proposed new home to lessen the variances being requested. Since the variances are greater than the setbacks in the vicinity, granting of the requested variances would not provide substantial justice. The property variance amounts should be reduced to the least amount necessary to ensure the property right preserved and enjoyed is similar to that possessed by other properties in the same district and the vicinity.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the irregular shorelines as it pertains to this parcel. The need for the variances is not self-created however the request is not the least amount necessary.
- (c) Public Safety and Welfare** – The granting of this variance will not impair an adequate supply of light and air to adjacent property. It might cause an increase in congestion to the public streets with parking and the backing of the vehicle into the street. The applicant should demonstrate there will be sufficient on-site parking.
- (d) Impact on Surrounding Neighborhood** – Providing the parking concerns are addressed, 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. Structure must be guttered with downspouts.
2. Guard rail or bollards to protect corner of home.
3. Livingston County Road Commission approval for work in the road right of way.

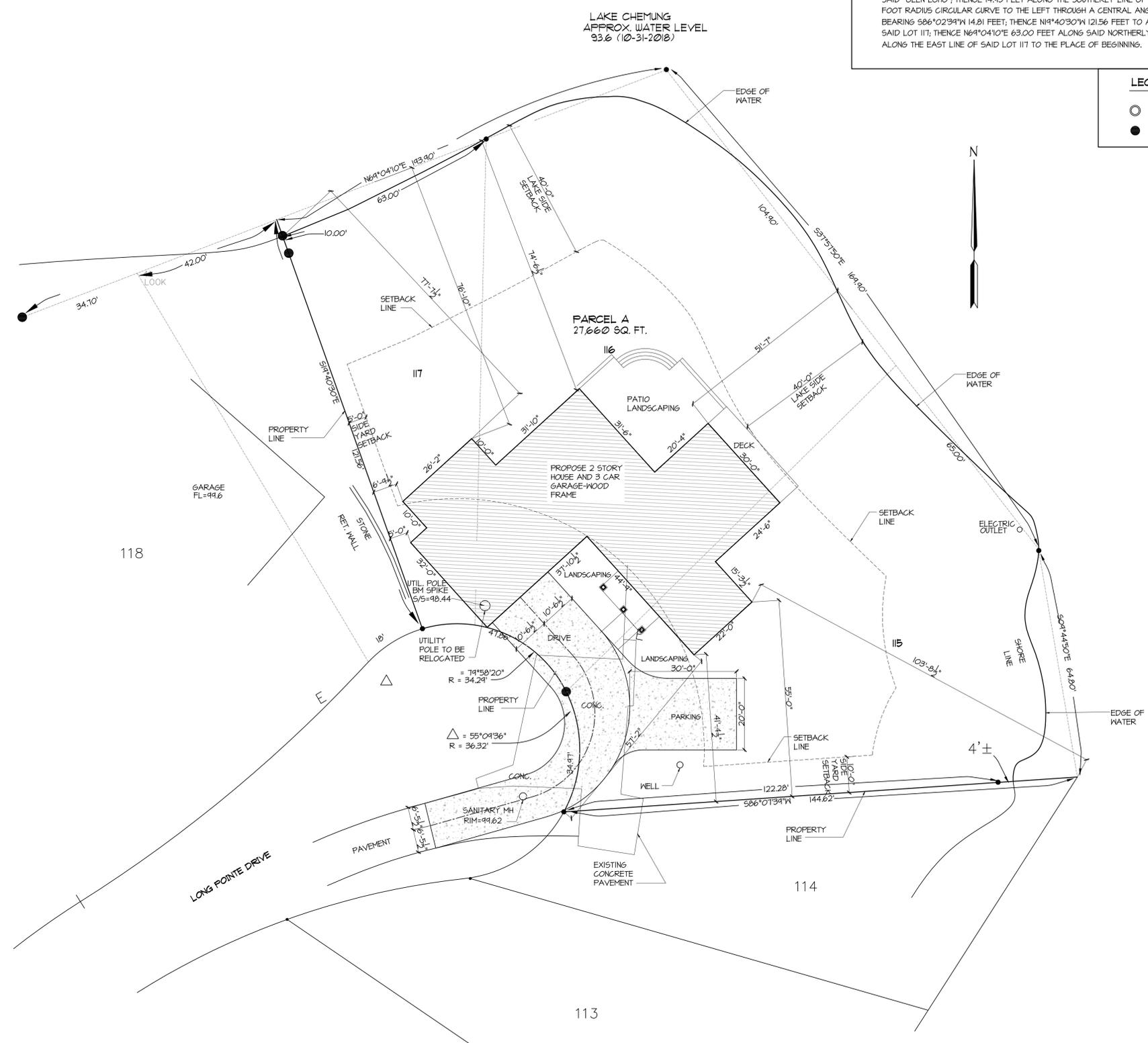
# GENOA TOWNSHIP



LOT COVERAGE CALCULATIONS	
LOT AREA =	27660 SQ.FT.
HOUSE AND GARAGE FOOT PRINT AREA =	4027 SQ.FT.
DECK AREA =	7' X 30' = 210 SQ.FT.
FRONT COVERED PORCH AREA =	7' X 17'-3" = 120 SQ.FT.
CONCRETE WALK =	69 SQ.FT.
DRIVE =	1646 SQ.FT.
PATIO =	825 SQ.FT.
<b>TOTAL COVERED AREA =</b>	<b>6897 SQ.FT.</b>
HOUSE AND GARAGE FOOT PRINT AREA = 4027 SQ.FT.	
PERCENTAGE OF HOUSE = 4027 SQ.FT./27660 SQ.FT.=0.1456= 14.56% LESS THAN 25% MEET THE TOWNSHIP REQUIREMENTS	
IMPERVIOUS AREAS = 7189 SQ.FT.	
PERCENTAGE OF IMPERVIOUS AREA = 6897 SQ.FT./27660 SQ.FT.=0.2493= 24.93% LESS THAN 50% MEET THE TOWNSHIP REQUIREMENTS	

**LEGAL DESCRIPTIONS:**  
**PARCEL A (LOT 115, 116 AND 117) 27,660 SQ. FT.**  
 LOTS 115 AND 116 OF "GLEN ECHO", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1 OF PLATS ON PAGE 15 IN THE OFFICE OF THE REGISTER OF DEEDS FOR LIVINGSTON COUNTY, MICHIGAN ALSO A PORTION OF LOT 117 OF SAID SUBDIVISION DESCRIBED AS FOLLOWS, BEGINNING AT THE SOUTHEAST CORNER OF LOT 117 OF SAID "GLEN ECHO"; THENCE 14.93 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 117 AND THE ARC OF A 34.24 FOOT RADIUS CIRCULAR CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 24°56'52" AND HAVING A CHORD BEARING S86°02'34"W 14.81 FEET; THENCE N4°40'30"W 121.56 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 117; THENCE N64°04'10"E 63.00 FEET ALONG SAID NORTHERLY LINE; THENCE S01°11'17"W 135.94 FEET ALONG THE EAST LINE OF SAID LOT 117 TO THE PLACE OF BEGINNING.

- LEGEND**
- = SET 1/2" STEEL REROD WITH CAP : JKS 35444
  - = FOUND CORNER MARKER



**PROPOSED SITE PLAN-**  
 SCALE: 1/16" = 1'-0"

DO NOT SCALE THIS PRINT. USE FIGURED DIMENSIONS ONLY

**GINO CASSIA**  
 CUSTOM RESIDENTIAL PLANNING AND DESIGN  
 17971 UNIVERSITY PARK DR. LIVONIA, MI 48153  
 Phone: (810) 360 3613 EMAIL: g\_p\_cassia@msn.com

PROJECT: **REDUNE-FISHER RESIDENCE.**  
**LONG POINT DRIVE**  
**GENOA TWP. MI**

SHEET TITLE: **PROPOSED SITE PLAN**

NO.	REVISIONS

CHECKED BY	DATE
GC	09-21-2013
DRAWN BY	FILE NO

SHEET No  
**AS-1**

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17871 UNIVERSITY PARK DR. LIVONIA, MI, 48153  
Phone: (810) 360 3613 EMAIL: g\_p\_cassia@msn.com

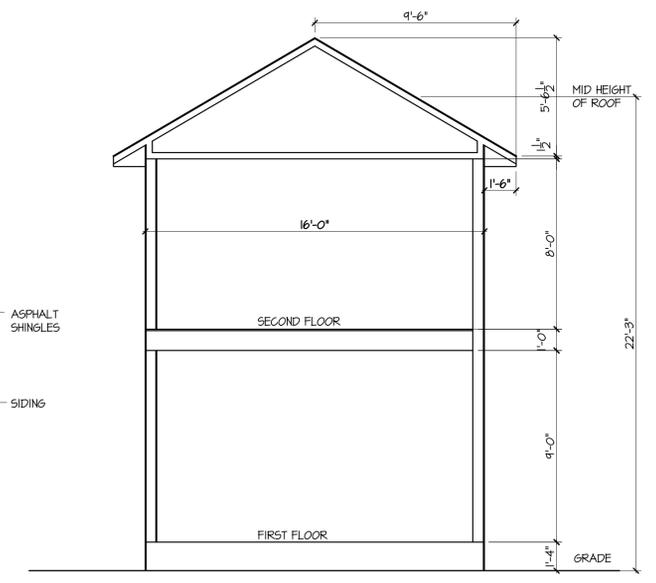
PROJECT: **REDUNE-FISHER RESIDENCE.**  
LONG POINT DRIVE  
GENOA TWP, MI

SHEET TITLE: **PROPOSED EAST AND WEST ELEVATIONS**



**PROPOSED WEST ELEVATION**

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



**PROPOSED EAST ELEVATION**

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

REVISIONS	

CHECKED BY	
DATE	09-21-2013

DRAWN BY	GC
FILE No	

SHEET No	
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**A-3**

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**GINO CASSIA**  
CUSTOM RESIDENTIAL PLANNING AND DESIGN  
17971 UNIVERSITY PARK DR. LIVONIA, MI, 48153  
Phone: (810) 360 3613 EMAIL: g\_p\_cassia@msn.com

PROJECT: **REDWINE-FISHER RESIDENCE.**  
LONG POINT DRIVE  
GENOA TWP., MI  
SHEET TITLE: **PROPOSED NORTH AND SOUTH  
ELEVATIONS**



**PROPOSED SOUTH ELEVATION**

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



**PROPOSED NORTH ELEVATION**

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

NO.	REVISIONS

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GC	09-21-2019

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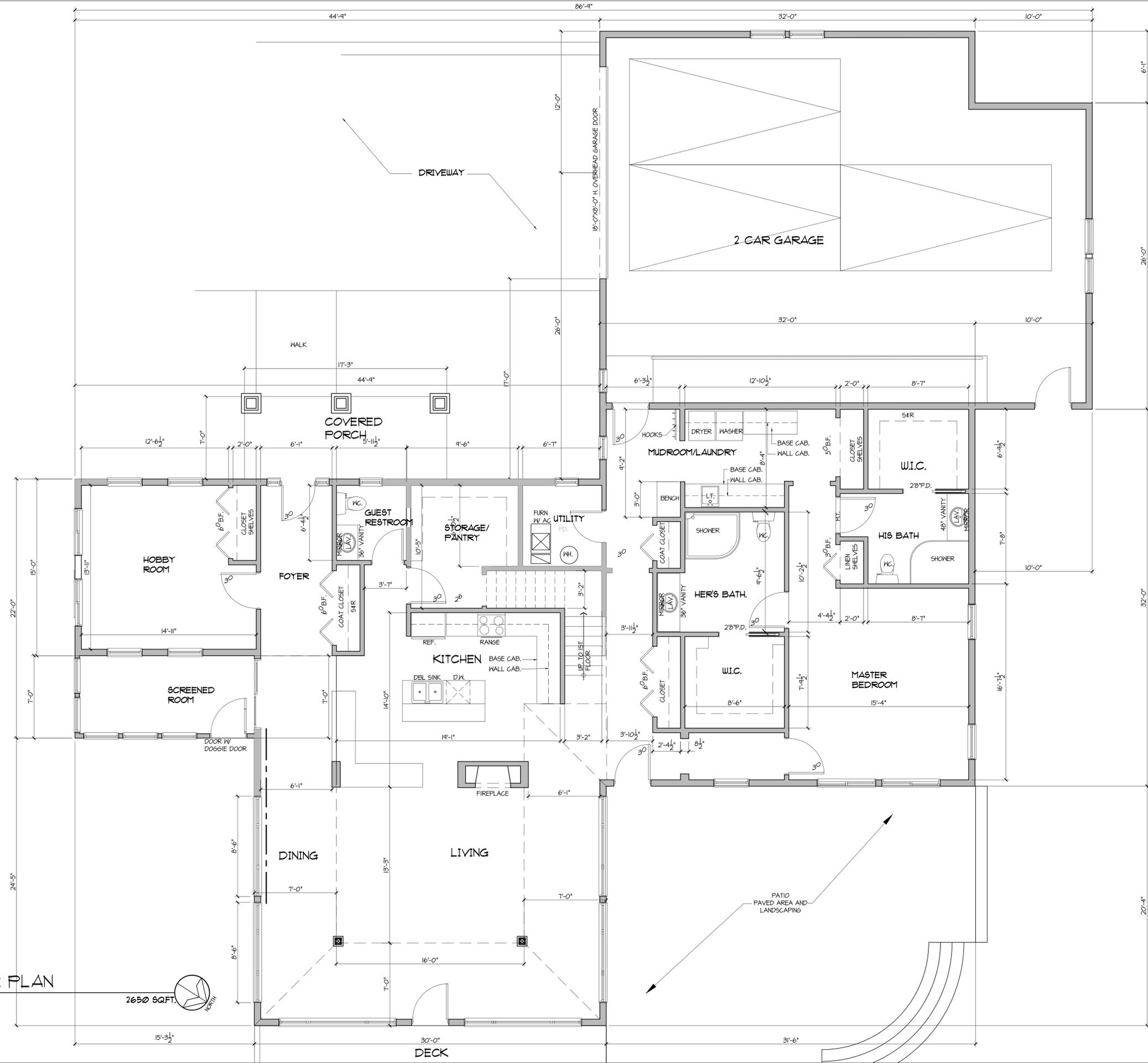
SHEET No

**A-4**

**PROPOSED FIRST FLOOR PLAN**

NO SCALE

2650 SQ.FT.



**AREA CALCULATIONS**

FIRST FLOOR	2647 SQ.FT.
SECOND FLOOR	904 SQ.FT.
<b>TOTAL</b>	<b>3551 SQ.FT.</b>

DO NOT SCALE THIS PRINT. USE FIGURED DIMENSIONS ONLY

**GINO CASSIA**  
 CUSTOM RESIDENTIAL PLANNING AND DESIGN  
 17871 UNIVERSITY PARK DR. LIVONIA, MI, 48153  
 Phone: (810) 360 3643 EMAIL: g\_p\_cassia@msn.com

PROJECT: **REDUNE-FISHER RESIDENCE.**  
 LONG POINT DRIVE  
 GENOA TWP., MI  
 SHEET TITLE: **PROPOSED FIRST FLOOR PLAN**

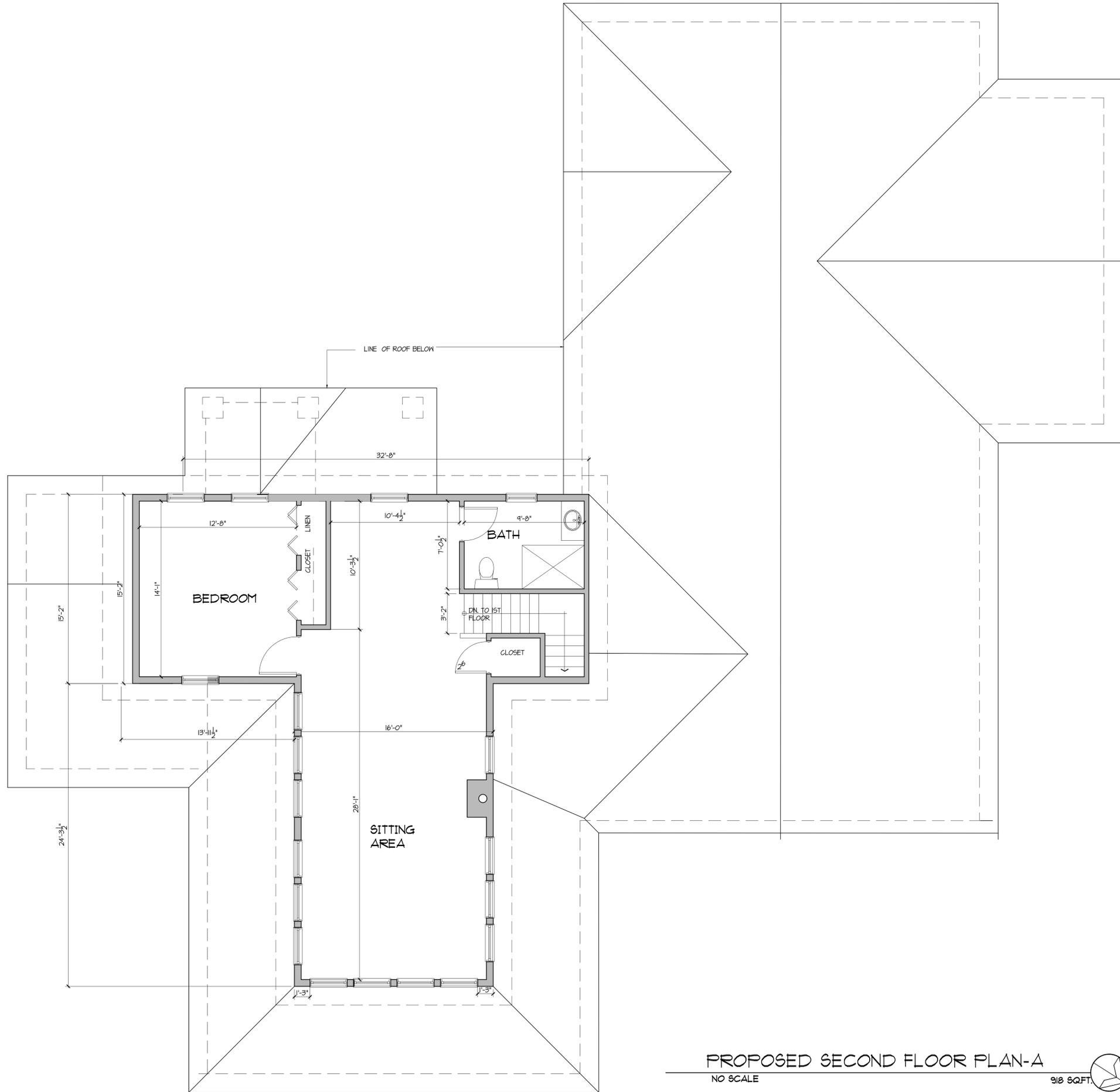
NO SCALE REVISIONS

NO.	DESCRIPTION

CHECKED BY	GC
DATE	09-21-2019

DRAWN BY	GC
FILE NO	

SHEET No  
**A-1**



PROPOSED SECOND FLOOR PLAN-A  
NO SCALE



918 SQFT

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DIMENSIONS ONLY

**GINO CASSIA**  
CUSTOM RESIDENTIAL PLANNING AND DESIGN  
37871 UNIVERSITY PARK DR. LIVONIA, MI, 48153  
Phone: (810) 360 3613 EMAIL: g\_p\_cassia@msn.com

PROJECT: **REDWINE-FISHER RESIDENCE.**  
LONG POINT DRIVE  
GENOA TWP, MI  
SHEET TITLE: **PROPOSED SECOND AND OBSERVATION  
DECK FLOOR PLANS-ALL A**

NO.	REVISIONS

CHECKED BY	GC
DATE	09-21-2019
FILE NO	

SHEET No  
**A-2**

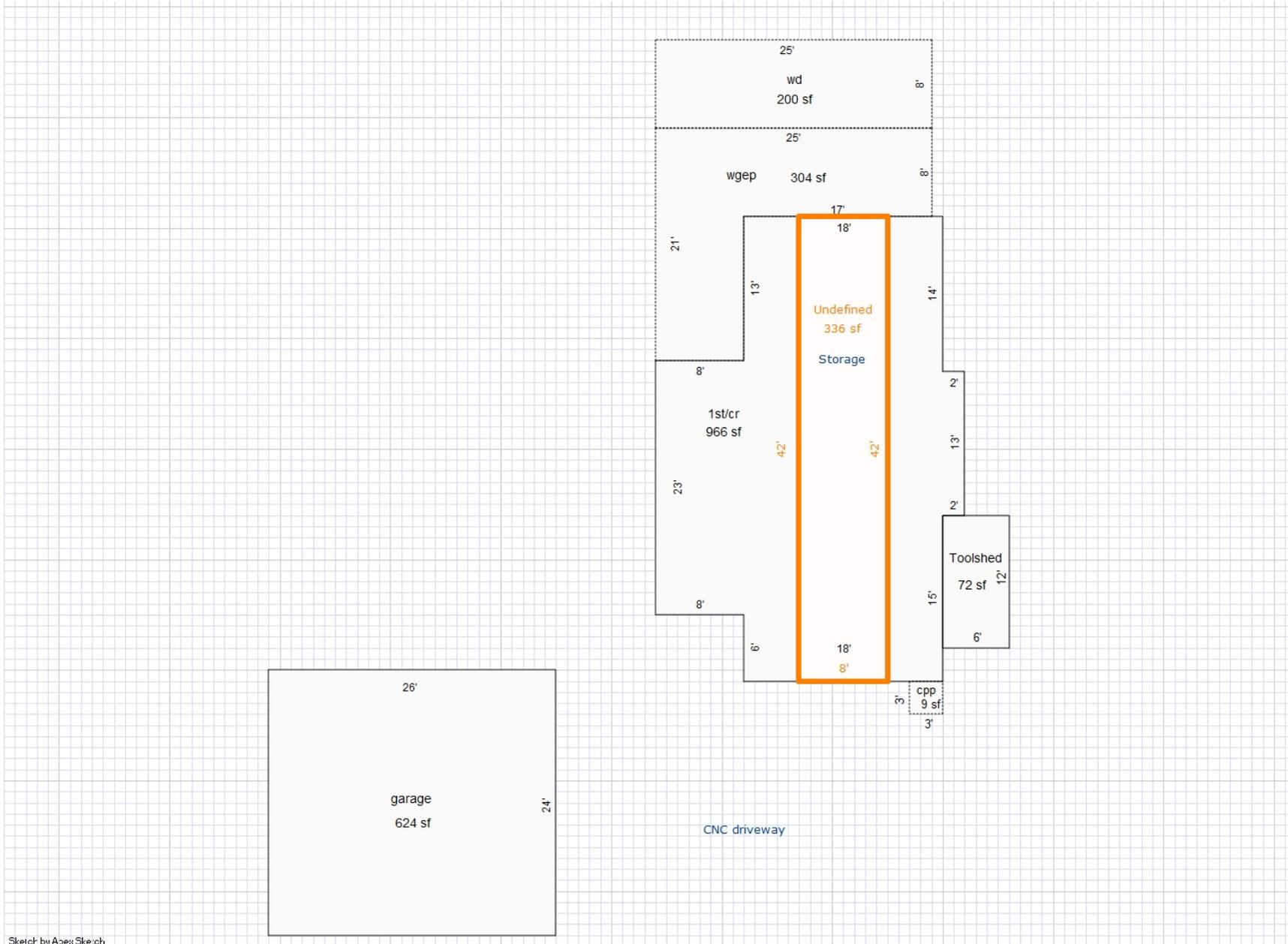
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
SOUBLIERE RICK J & KATHLEE	FISCHER PATRICK J & ROBIN	328,000	04/15/2016	WD	ARMS-LENGTH	2016R-011834	BUYER	100.0				
AMOS WILLIAM E	SOUBLIERE RICK J & KATHLEE	399,900	12/09/2013	WD	ARMS-LENGTH	2013R-046402	BUYER	100.0				
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status				
5766 LONG POINTE DR		School: HOWELL			WOOD DECK	08/11/2006	06-173	NO START				
		P.R.E. 100% 11/22/2016										
Owner's Name/Address		MAP #: V19-14		2020 Est TCV Tentative								
FISCHER PATRICK J & ROBIN L 5766 LONG POINTE DR 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 LOTS 115 & 116 GLEN ECHO AND ALSO PART OF LOT 117 DESC AS BEG AT SW COR OF LOT 117 TH 14.93 FT ALONG THE SOUTHERLY LINE OF SAID LOT 117TH N19*40'30"W 121.56 FT TO A POINT ON THE NORTHERLY LINE OF SAID LOT 117 TH N69*04'10"E 63 FT ALONG SAID NORTHERLY LINE TH S01*19'17"W 135.99 FT ALONG EAST LONE OF SAID LOT 177 TO POB. PARCEL A SPLIT/COMBINED ON 01/28/2014 FROM 4711-10-301-207 INTO 10-301-220 & 10-301-221 CORRECTED		X	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.	Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
				D LAKE FRONT	50.00	120.00	1.0000	1.0000	2700	100		135,000
				E LKVIEW EX W	173.00	124.00	1.0000	1.0000	900	100		155,700
				223 Actual Front Feet, 0.63 Total Acres		Total Est. Land Value =					290,700	
		Topography of Site		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
		Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain		2020	Tentative	Tentative	Tentative			Tentative		
		Who	When	What	2019	145,400	61,300	206,700		197,913C		
		JB	03/13/2017	INSPECTED	2018	145,400	53,300	198,700		193,275C		
		LM	05/13/2014	REVIEWED R	2017	135,400	65,100	200,500	189,300M	189,300S		

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

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 9 304 200	Type CPP WGEP (1 Story) Treated Wood	Year Built: Car Capacity: Class: D Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 624 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
X	Wood Frame		(4) Interior Drywall Paneled		Plaster Wood T&G				Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling							
Building Style: D		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			(12) Electric 0 Amps Service			Class: D Effec. Age: 41 Floor Area: 966 Total Base New : 135,760 Total Depr Cost: 81,097 Estimated T.C.V: 122,619			E.C.F. X 1.512		Bsmnt Garage: Carport Area: Roof:	
Yr Built 0	Remodeled 2010	Size of Closets Lg X Ord Small		No./Qual. of Fixtures Ex. X Ord. Min			Cost Est. for Res. Bldg: 1 Single Family D (11) Heating System: Forced Heat & Cool Ground Area = 966 SF Floor Area = 966 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=59/100/100/100/59			Cls D Blt 0						
Condition: Good		Doors: Solid X H.C.		No. of Elec. Outlets Many X Ave. Few			Building Areas Stories Exterior Foundation 1 Story Siding Crawl Space			Size 966			Cost New 91,149		Depr. Cost 53,778	
Room List		(5) Floors Kitchen: Other: Other:		(13) Plumbing Average Fixture(s) 1 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Other Additions/Adjustments Plumbing 2 Fixture Bath Porches WGEP (1 Story) CPP Deck Treated Wood Garages Class: D Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Water/Sewer Public Sewer Water Well, 200 Feet			Total: 1 304 9 200 624 1 1			1,755 13,583 183 3,224 16,748 958 8,160		1,035 8,014 108 2,902 9,881 565 4,814	
(1) Exterior		(6) Ceilings		(14) Water/Sewer Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Notes: ECF (4307 W. LK CHEMUNG LK FRONT) 1.512 => TCV: 122,619									
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation Basement: 0 S.F. Crawl: 966 S.F. Slab: 0 S.F. Height to Joists: 0.0		Lump Sum Items:												
Insulation		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
(2) Windows		(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF														
X	Many Avg. Few	X	Large Avg. Small													
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens																
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:														
X	Gable Hip Flat	Gambrel Mansard Shed														
X	Asphalt Shingle															
Chimney: Brick																

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



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 # 19-15 Meeting Date: 4-16-19

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

Applicant/Owner: Melissa Korvabine Email: mnkorvabine@gmail.com  
Property Address: 4784 Nature View Ct. Phone: 317-256-8658  
Howell, MI 48843  
Present Zoning: Residential Tax Code: \_\_\_\_\_

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

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested: Please see attached explanation.

2. Intended property modifications: Please see attached explanation.

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

*Please see attached explanation.*

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**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.

*Please see attached explanation.*

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**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.

*Please see attached explanation.*

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**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.

*Please see attached explanation.*

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

After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.

Date: 3/21/2019 Signature: Melissa Korybina

Genoa Charter Township Variance Application  
March 21, 2019

Melissa Koryabina & Nick Koryabin  
4784 Nature View Court  
Howell, MI 48843

Explanation to the proposed variance below:

1. Variance requested:

***We are requesting a side and front yard setback variance. The garage sits 45'-7" from the front lot line and will be repurposed into living space while we hope to add a new garage to the side which will be 51' from the front lot line and 25'2" from the side lot line.***

2. Intended property modifications:

***Our property modifications would include remodeling our current kitchen into a family room, and repurposing our current garage into a kitchen and playroom, We would then add a garage onto the side of where the current garage sits. The new garage will be no closer to the front lot line than the current .***

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.

***Our 10-acre property is pied shaped and our home was built towards the narrowest part of the pie and already sits within the setback. Our inground pool prohibits us to expand off the back of our current kitchen and therefore permitting us a variance to expand into the setback off current garage is the only way for us to accomplish our goals of expanding our kitchen and building a family room and playroom.***

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.

***The footprint of our home was built within the now setback lines in 1989 and the inground pool was added prior to us purchasing the home in 2008. Even though we have 10 acres due to the pie shape of the property and the position of our home there are no other options to expand the footprint and accomplish our goals if not within the setback whereas others with this much acreage may not have such limitations.***

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.

***Our neighbor's home to the west is approximately 150 feet from the property line and would be approximately 175 feet from our proposed addition. We have spoken with our neighbors and they are in full support of our proposed addition and we submit the attached letter indicating their support.***

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.

***Our neighborhood is very developed, homes have been established for 25 plus years and there is no vacant property of development. No, the variance will not interfere or the value of our neighbor's property as any neighbor's property is 200 plus feet from the proposed addition to our home.***



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 9, 2019

**RE:** ZBA 19-15

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## STAFF REPORT

**File Number:** ZBA#19-15

**Site Address:** 4784 Nature View Court

**Parcel Number:** 4711-30-300-016

**Parcel Size:** 10.00 Acres

**Applicant:** Melissa Koryabina, 4784 Nature View Court, Howell

**Property Owner:** Melissa and Nikolas Koryabina

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

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front and side yard variance to construct an addition to an existing single family home.

**Zoning and Existing Use:** CE (Country Estates) Single Family Dwelling located on property.

**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday March 31, 2019 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 1989.
- The parcel is serviced by well and septic.
- 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 an addition to an existing single family home. In order to construct the addition, the applicant is requesting a front and side yard variance. The existing home was constructed within the front yard setback in 1989.

**Variance Requests**

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

**Table 3.04.01 (CE District):**

<b>Required Front Yard Setback:</b>	<b>75'</b>	<b>Required Side Yard Setback:</b>	<b>40'</b>
<b>Proposed Front Yard Setback:</b>	<b>51'</b>	<b>Proposed Side Yard Setback:</b>	<b>25'2"</b>
<b>Proposed Variance Amount:</b>	<b>24'</b>	<b>Proposed Variance Amount:</b>	<b>14'10"</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 front and side yard setback would prevent the applicant from constructing the addition however does not unreasonably prevent use of the property. The side yard variance does not provide substantial justice since it would greatly reduce the side yard setback and would not make the home consistent with properties in the same zoning or vicinity. The addition is proposed to be located a few feet from the current non-conforming front setback however it would still not meet setback requirement. There are homes in the immediate area that appear to have non-conforming front yard setbacks.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the location of the existing home. The applicant shall provide evidence why the property prevents an addition to the existing home to the north and west or behind the current garage. The required setback from a pool is 10 feet. There is an ample building envelope on this lot and the variance request must be the least necessary. If other options exist than the need for the variance is self-created.
- (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.

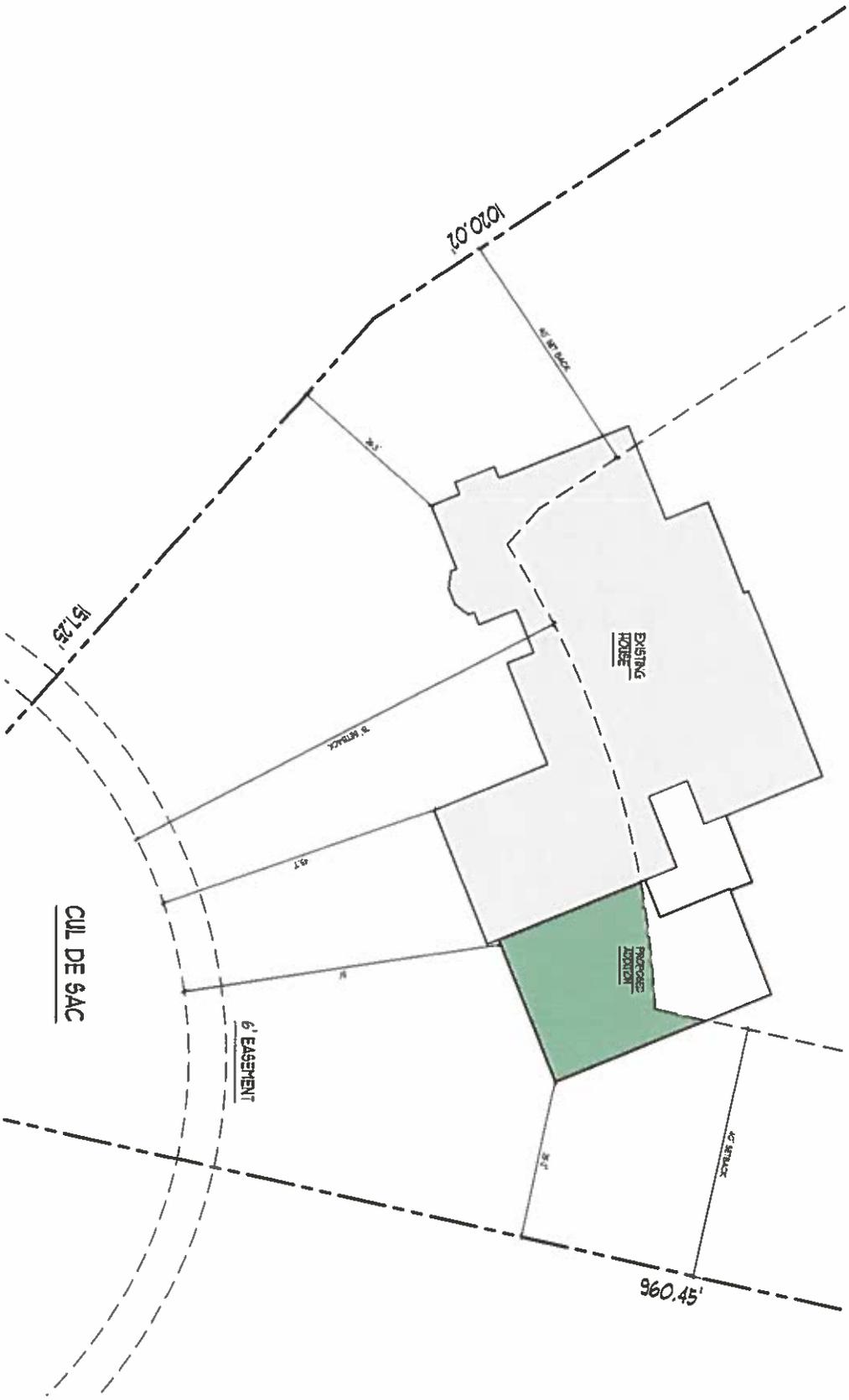
**Recommended Conditions**

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

N/A

# GENOA TOWNSHIP

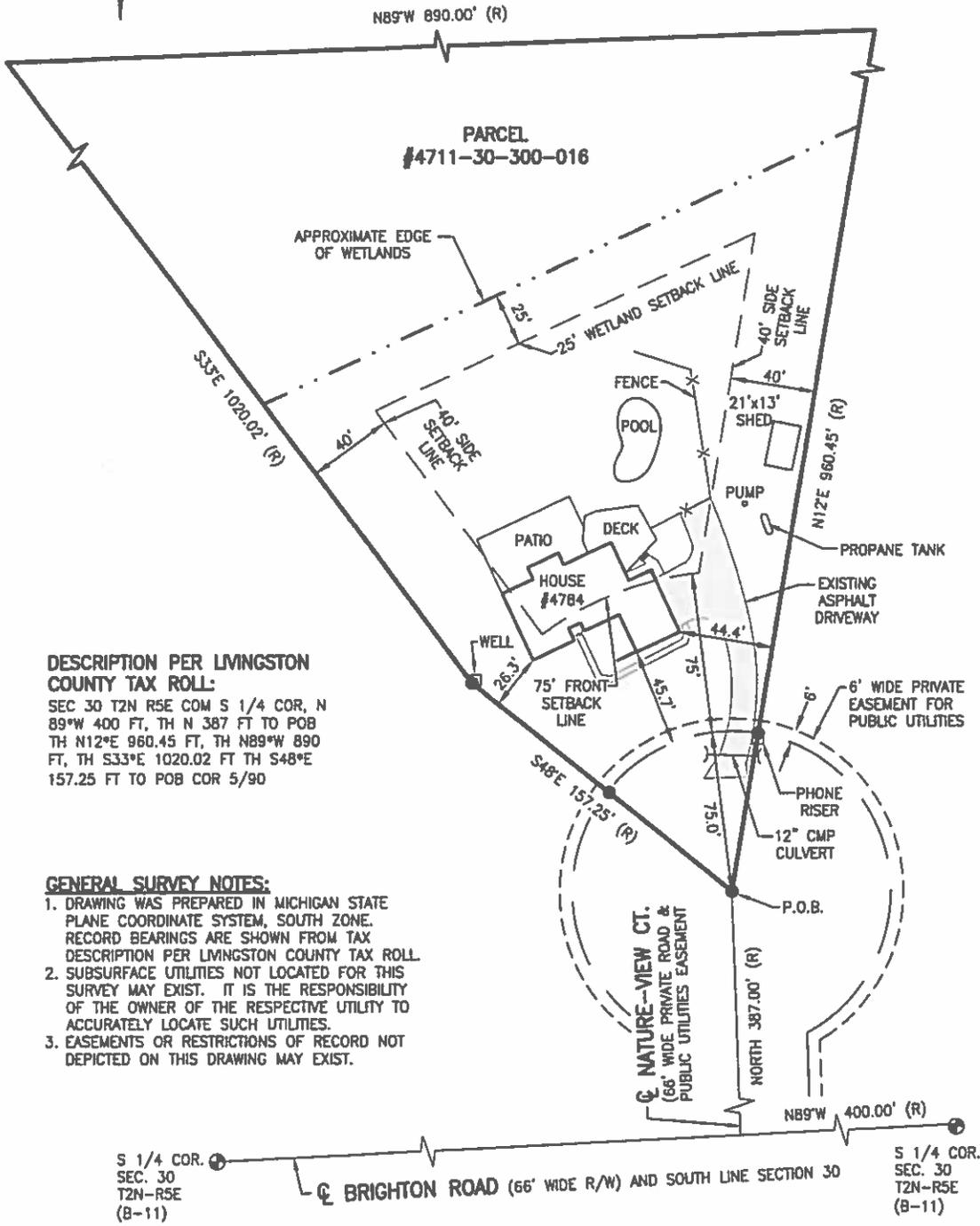




# PLOT PLAN



CURRENT ZONING: CE (COUNTRY ESTATE)  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 75 FEET  
 SIDES = 40 FEET  
 REAR = 60 FEET  
 NATURAL FEATURES/WETLANDS = 25 FEET



**DESCRIPTION PER LIVINGSTON COUNTY TAX ROLL:**  
 SEC 30 T2N R5E COM S 1/4 COR, N 89°W 400 FT, TH N 387 FT TO POB TH N12°E 960.45 FT, TH N89°W 890 FT, TH S33°E 1020.02 FT TH S48°E 157.25 FT TO POB COR 5/90

- GENERAL SURVEY NOTES:**
1. DRAWING WAS PREPARED IN MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. RECORD BEARINGS ARE SHOWN FROM TAX DESCRIPTION PER LIVINGSTON COUNTY TAX ROLL.
  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:  PART OF THE SOUTHWEST 1/4 OF SECTION 30, 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		
CLIENT: KORYABINA	 SCALE: 1 INCH = 60 FEET		LEGEND ○ = IRON SET ● = IRON FOUND ⊙ = MONUMENT FOUND - - - = FENCE (R) = RECORDED (M) = MEASURED	
JOB NO. 18-355 SHEET 1 OF 1	DATE 10-9-18 FB 590	CREW CE/KC	DR. AEB CK. JJ	

G:\18-355\dwg\18-355\_S.dwg, 10/12/2018 9:47:40 AM, andy



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



**REAR ELEVATION**  
SCALE: 1/8" = 1'-0"



**RIGHT ELEVATION**  
1/24/17

**FOUNDATION NOTES**

**NOTE:**  
HOUSE FOOTINGS ARE DESIGNED FOR 3000 P.S.F. SOIL BRG. CAPACITY.  
GARAGE FOOTINGS ARE DESIGNED FOR 3000 P.S.F. SOIL BRG. CAPACITY.

1. ALL COLUMNS SHOWN SHALL BE 3" DIA. SCHEDULE 40 STANDARD STEEL PIPE COLUMN ON 30" X 30" X 18" DEEP CONC. FTG. TOP OF CONCRETE FTG. TO BE 4" BELOW FINISH BASEMENT SLAB. (TYPICAL UNLESS NOTED OTHERWISE)
2. WHERE STEEL BEAMS REST ON FOUNDATION WALLS, SIZE BEAM POCKET APPROPRIATELY AND SHIM AS REQUIRED.
3. AS REQUIRED DROP FOYER FLOOR SHEATHING 3/4" FOR MUDSET TILE INSTALLATION
4. VERIFY ALL UTILITY LOCATIONS W/ BUILDER.
5. PROVIDE GUARDRAIL AT STAIRS DURING CONSTRUCTION.
6. PROVIDE LADDERING UNDER ANY WALL RUNNING PARALLEL W/ JOIST THAT DOES NOT LAND DIRECTLY ON A JOIST
7. PROVIDE SQUASH BLOCKS UNDER ALL BEARING CONDITIONS.
8. GROUT SOLID \* BEARING CONDITIONS WHERE BLOCK IS USED.
9. PROVIDE 2" X 24" (MIN. R-10) RIGID PERIMETER INSULATION AT ALL BASEMENT SLABS THAT ARE LESS THAN 42" BELOW EXTERIOR FINISHED GRADE

**NOTE:**  
PROVIDE MIN. (2) 2 X 4 HEADER AT ALL INTERIOR & EXTERIOR DOOR & WINDOW OPENINGS (UNLESS NOTED OTHERWISE).

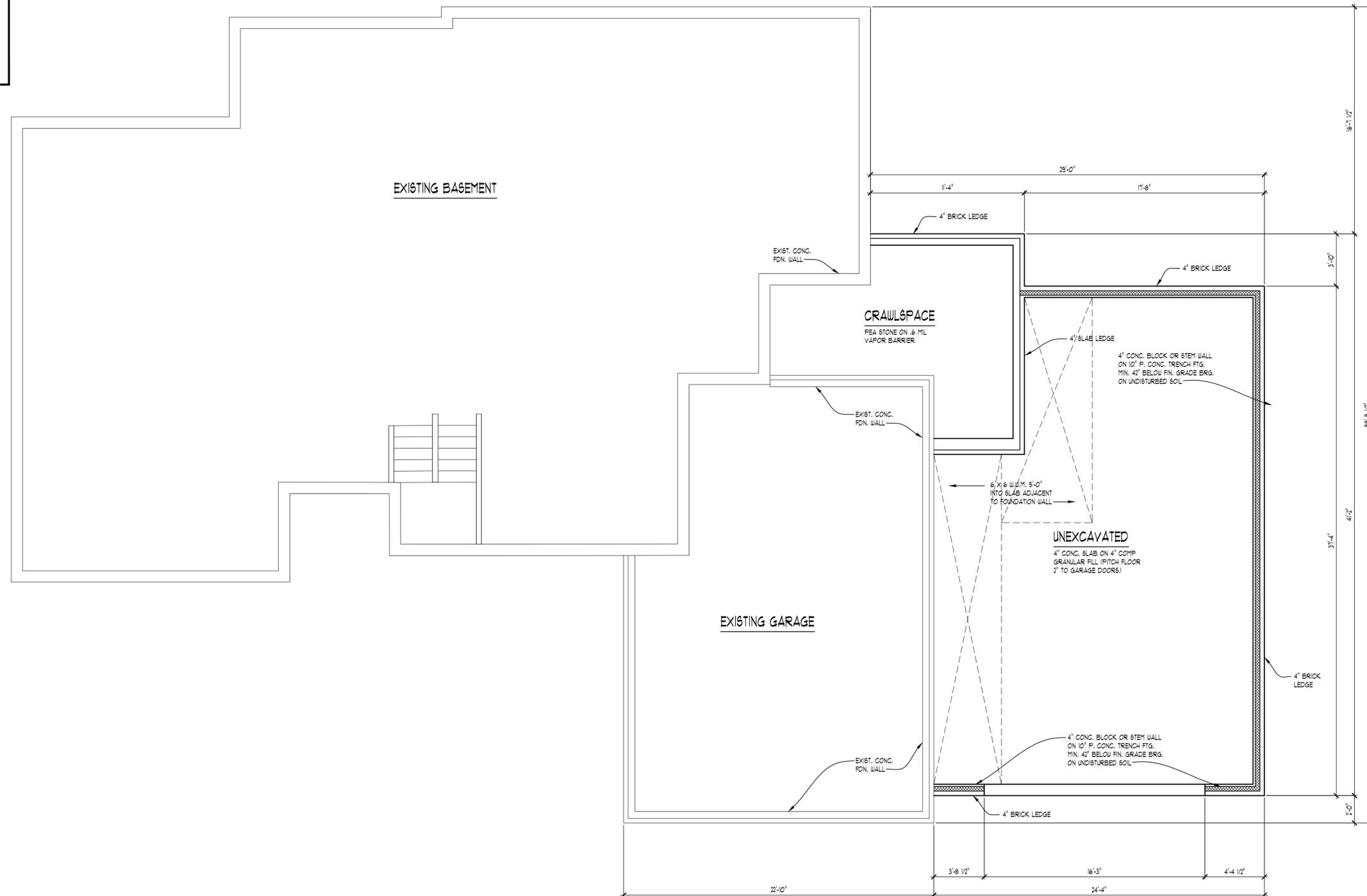
**NOTE:**  
PROVIDE MIN. (1) JACK STUD & (1) KING STUD AT EACH END OF ALL HEADERS (UNLESS NOTED OTHERWISE).

**NOTE:**  
PROVIDE MIN. (1) JOIST OR LADDER FRAMING UNDER ALL UPPER FLOOR PARALLEL PARTITIONS

**NOTE:**  
GROUT ALL CONCRETE BLOCK CORES SOLID THAT SUPPORT POINT LOADS FROM ABOVE (TYPICAL)

**NOTE:**  
— WOOD BEAM  
— STEEL BEAM  
▨ BRG. WALL  
▨ BRG. WALL ABOVE  
▨ BRG. WALL & BRG. WALL ABOVE  
■ POINT LOAD  
□ POINT LOAD FROM ABOVE

# Item #6 FOREST VIEW Floor Plans and Additional Elevations



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



**TK DESIGN & ASSOCIATES**

WWW.TKHOMEDSIGN.COM  
26030 PONTIAC TRAIL, SOUTH LYON, MI 48178  
PHONE: (248)-446-1960  
FAX: (248)-446-1961

COPYRIGHT 2014 TK DESIGN AND ASSOCIATES  
DO NOT SCALE DRAWINGS. USE CALCULATED DIMENSIONS ONLY.  
CONTRACTOR TO FIELD VERIFY ALL DRAWING APPLICABLE CONSTRUCTION. DISCREPANCIES AND DESIGN CHANGES SHALL BE REPORTED TO THE DESIGNER IMMEDIATELY.  
CALL METRO D&A 480-487-7273 3 DAYS PRIOR TO ANY EXCAVATION. CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE PERMITS HOLDER.

**CLIENT / PROJECT**  
KORYABINA RENOVATION  
NATURE VIEW CT.  
HOWELL, MI  
GENOA TOWNSHIP

**JOB No.** 18-132  
**DRAWN:** -  
**CHECKED:** -  
**REVIEW:** -  
**FINAL:** -  
**REVISION:** -

**SCALE:**  
PER PLAN

**SHEET #**  
**A-1**

**NOTE:**  
 PROVIDE MIN. (2) 2 X 4 HEADER AT ALL INTERIOR & EXTERIOR DOOR & WINDOW OPENINGS (UNLESS NOTED OTHERWISE).

**NOTE:**  
 PROVIDE MIN. (1) JACK STUD & (1) KING STUD AT EACH END OF ALL HEADERS (UNLESS NOTED OTHERWISE).

**NOTE:**  
 PROVIDE MIN. (1) JOIST OR LADDER FRAMING UNDER ALL UPPER FLOOR PARALLEL PARTITIONS

**PLAN NOTES**

**INTERIOR WALLS:**  
 1/2" GYPSUM WALL BOARD ON EACH SIDE OF 2x4 WOOD STUDS @ 16" O.C. 3 1/2" THICK TYPICAL (UNLESS NOTED OTHERWISE).

**EXTERIOR WALLS:**  
 SIDING AND/OR MASONRY WITH AIRSPACE, MOISTURE BARRIER PAPER (HOUSE WRAP) ON 1x6" O.S.B. SHEATHING ON 2x4 WOOD STUDS @ 16" O.C. OR AS NOTED. MIN. R-20 WALL CONSTRUCTION. 1/2" GYPSUM WALL BOARD (GLUE & SCREW). WALL TO BE 4" THICK WITH SIDING AND 8" THICK WITH MASONRY (TYPICAL UNLESS NOTED OTHERWISE).

- TRUSSES TO BEAR ON EXTERIOR WALLS ONLY UNLESS NOTED OTHERWISE.
- OPENINGS BETWEEN THE GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH 20-MINUTE FIRE RATED DOORS (OR EQUIVALENT PER 2019 IRC SECTION R302.5.1).
- VENT ALL EXHAUST FANS TO EXTERIOR.
- WHEN POSSIBLE DIRECT ALL FLUES AND VENTS THAT PENETRATE ROOF BEHIND MAIN RIDGE.
- INSTALL WATER SUPPLY AND DRAIN BOX (GREY BOX) AT WASHING MACHINE LOCATION.
- USE MOISTURE RESISTANT DRYWALL AT ALL AREAS SUSCEPTIBLE TO MOISTURE.
- ALL FIRST FLOOR INTERIOR DOORS TO BE FRAMED 6'-8" TALL, ALL SECOND FLOOR INTERIOR DOORS TO BE FRAMED 6'-8" UNLESS NOTED OTHERWISE. VERIFY W/ BUILDER.
- PROVIDE GUARDRAIL AT STAIRS DURING CONSTRUCTION.
- PROVIDE SQUASH BLOCKS UNDER ALL BEARING CONDITIONS.
- GARAGE WALLS TO BE 2x6 STUDS IF OVER 10'-0" TALL.

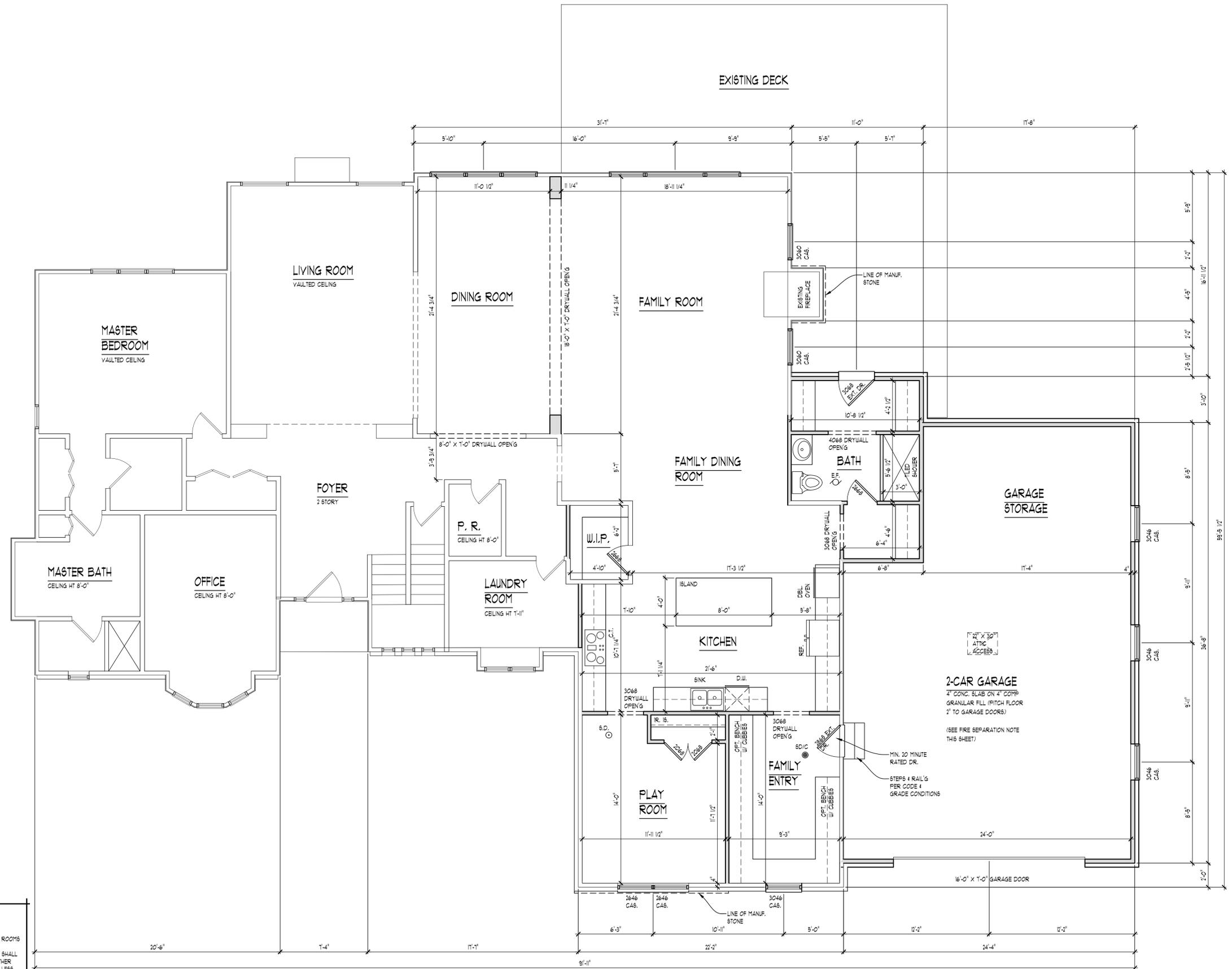
**NOTE:**  
 ALL SMOKE & CARBON MONOXIDE DETECTORS INTERCONNECTED W/ BATTERY BACK-UP PER CODE.

**NOTE:**  
 DOOR & WINDOW LOCATIONS:  
 ALL DOORS & WINDOWS ARE ASSUMED TO BE EITHER IN THE CENTER OF THE WALL MASS OR MIN. 4 INCHES FROM PERPENDICULAR WALL FOR CASING UNLESS NOTED OTHERWISE

**NOTE:**  
 VERIFY DROPPED FLOOR AREAS FOR TILE WITH BUILDER

**FIREPLACE NOTE**  
 ALL FIREPLACE DIMENSIONS & ROUGH OPENINGS TO BE VERIFIED W/ MANUFACTURER SPECS INCLUDING BUT NOT LIMITED TO WIDTH, DEPTH, HEIGHT, CHIMNEY CLEARANCES, ETC. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL SPECS TO CARPENTER PRIOR TO FRAMING

**FIRE SEPARATION NOTE**  
 FIRE SEPARATION (R302.6)  
 GARAGE SPACE BETWEEN HABITABLE ROOMS SHALL BE SEPARATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN 5/8-INCH TYPE X GYPSUM BOARD OR EQUIVALENT. WHERE THE SEPARATION IS A FLOOR-CEILING ASSEMBLY, THE STRUCTURE SUPPORTING THE SEPARATION SHALL ALSO BE PROTECTED BY NOT LESS THAN 1/2-INCH GYPSUM BOARD OR EQUIVALENT. ALL OTHER GARAGE SPACE SHALL BE SEPARATED FROM THE RESIDENCE AND ITS ATTIC AREA BY NOT LESS THAN 1/2-INCH GYPSUM BOARD APPLIED TO THE GARAGE SIDE. DROP CLG. UNDER FLR. ABV. (ENCLOSE MECHANICAL AND STRUCTURAL ELEMENTS) VERIFY W/ BLDG.



**TK DESIGN & ASSOCIATES**

WWW.TKHOMEDESIGN.COM  
 26030 PONTIAC TRAIL,  
 SOUTH LYON, MI 48178  
 PHONE: (248)-446-1960  
 FAX: (248)-446-1961

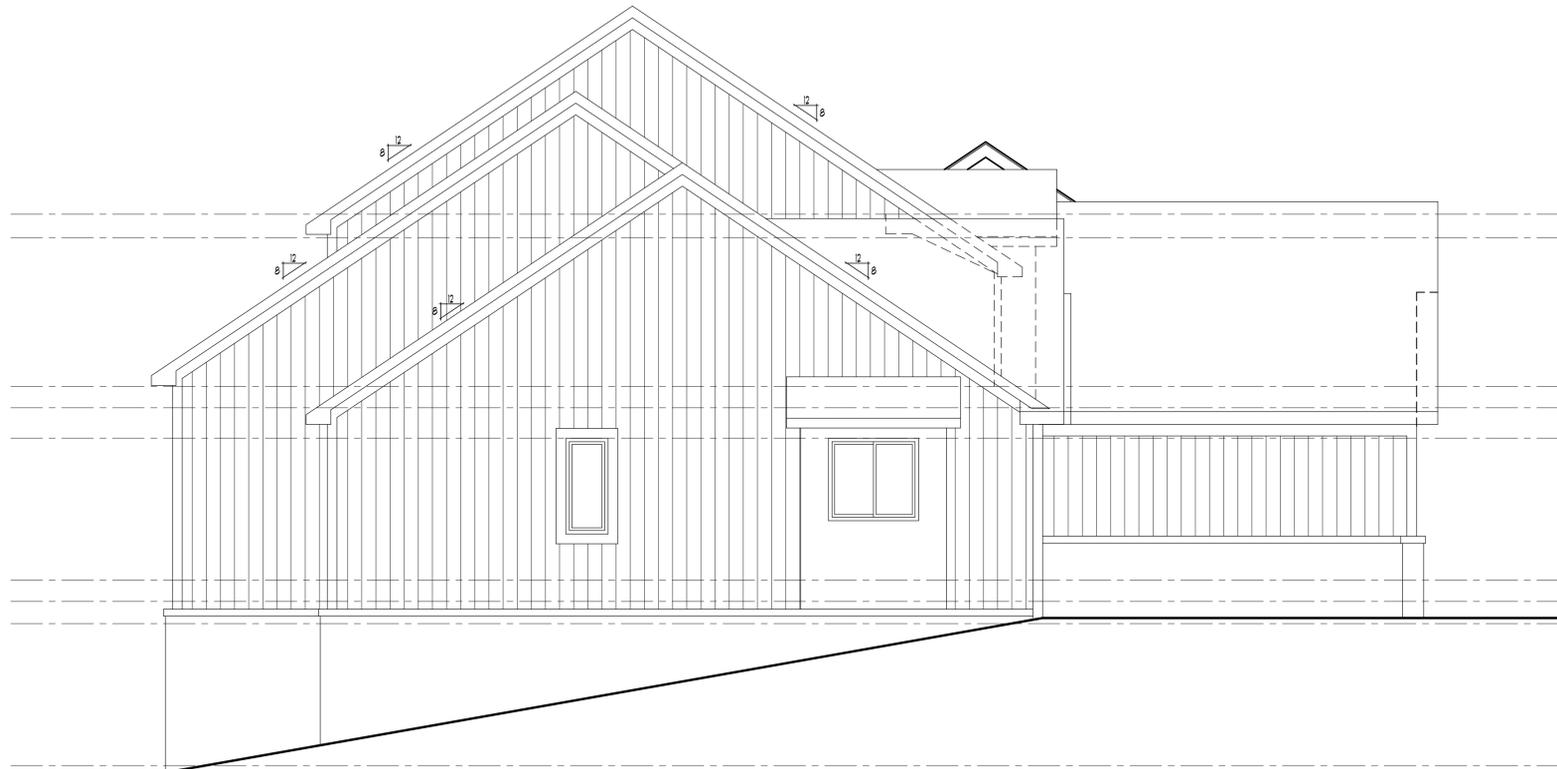
COPYRIGHT 2014 TK DESIGN AND ASSOCIATES  
 DO NOT SCALE DRAWINGS. USE CALCULATED DIMENSIONS ONLY.  
 CONTRACTOR TO FIELD VERIFY ALL DRAWING APPLICABLE  
 CONSTRUCTION, DISCREPANCIES AND DESIGN CHANGES SHALL BE  
 REPORTED TO THE DESIGNER IN WRITING IMMEDIATELY.  
 CALL MET/DIG AT 800-485-7273 3 DAYS PRIOR TO ANY EXCAVATION  
 CONSTRUCTION & BE THE SOLE RESPONSIBILITY OF THE FORMAL HOLDER

**CLIENT / PROJECT**  
 KORYABINA  
 RENOVATION VIEW CT.  
 HOWELL, MI  
 GENOA TOWNSHIP

**JOB No.** 18-132  
**DRAWN:** -  
**CHECKED:** -  
**REVIEW:** -  
**FINAL:** -  
**REVISION:** -

**SCALE:**  
 PER PLAN

**SHEET #**  
 A-2



**LEFT ELEVATION**

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

**ELEVATION NOTES**

1. ALL ROOF SADDLES TO BE PLYWOOD SHEATHED WITH ICE & WATER SHIELD AND SHINGLES.
2. PROVIDE ICE & WATER SHIELD MIN. 6'-0" COVERAGE AT ALL VALLEYS
3. FIREPLACE FLUE TO BE DETERMINED PER MANUFACTURER'S SPECIFICATION
4. METAL FLASHING AS REQUIRED BY CODE.
5. ROOF & SOFFIT VENTS AS REQUIRED BY CODE.
6. PROVIDE GUTTERS & DOWNSPOUTS FOR DRAINAGE OF ROOF WATER. DOWNSPOUTS ARE TO BE LOCATED SO THAT THE DISCHARGE WILL NOT SPILL ON OR FLOW ACROSS ANY PORCHES, WALKS OR DRIVES.
7. CARPENTER TO VERIFY THICKNESS OF MASONRY PRIOR TO BUILDING BRICK RACK

**NOTE:**  
OVERHANG DIMENSIONS (O.H.) ARE FROM SHEATHING U.L.C.

**TYPICAL WINDOW DESIGNATION**

NOTE:  
GENERAL REFERENCE FOR ROUGH OPENING SIZES ONLY. CONSULT WITH WINDOW MANUFACTURER FOR EXACT WINDOW SIZES & REQUIREMENTS.

NOTE:  
ALL CASEMENT VENTING TO BE VERIFIED W/ BUILDER/ HOMEOWNER PRIOR TO ORDERING WINDOWS

NOTE:  
WINDOW MANUFACTURER TO VERIFY ALL WINDOW GRID PATTERNS WITH HOME OWNER.

**NOTE:**  
ALL WINDOW SILLS OVER 6'-0" ABOVE EXTERIOR GRADE OR SURFACE BELOW TO BE MINIMUM 2" ABOVE FINISHED FLOOR OR HAVE SASH LIMITERS PER CODE REQUIREMENTS



**FRONT ELEVATION**

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



**TK DESIGN & ASSOCIATES**

WWW.TKHOMEDSIGN.COM  
26030 PONTIAC TRAIL, SOUTH LYON, MI 48178  
PHONE: (248)-446-1960  
FAX: (248)-446-1961

COPYRIGHT 2014 TK DESIGN AND ASSOCIATES  
DO NOT SCALE DRAWINGS. USE CALCULATED DIMENSIONS ONLY.  
CONTRACTOR TO FIELD VERIFY ALL DRAWING APPLICABLE CONSTRUCTION. DISCREPANCIES AND DESIGN CHANGES SHALL BE REPORTED TO THE DESIGNER IMMEDIATELY.  
CALL MET/DO AT 800-485-7273 3 DAYS PRIOR TO ANY EXCAVATION. CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE PERMITS HOLDER.

**CLIENT / PROJECT**  
KORYABINA RENOVATION  
NATURE VIEW CT.  
HOWELL, MI  
GENOA TOWNSHIP

JOB No. 18-132  
DRAWN: -  
CHECKED: -  
REVIEW: -  
FINAL: -  
REVISION: -

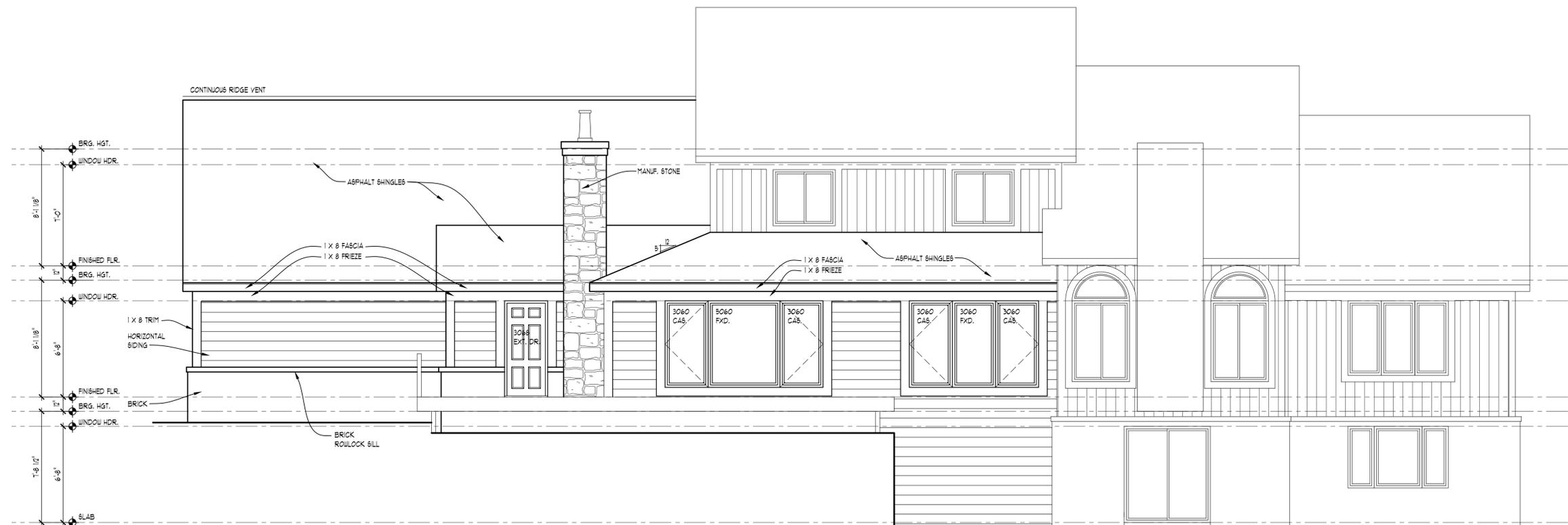
SCALE:  
PER PLAN

SHEET #  
**A-4**



**RIGHT ELEVATION**

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



**REAR ELEVATION**

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

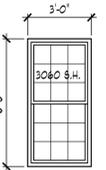
**ELEVATION NOTES**

1. ALL ROOF SADDLES TO BE PLYWOOD SHEATHED WITH ICE & WATER SHIELD AND SHINGLES.
2. PROVIDE ICE & WATER SHIELD MIN. 6'-0" COVERAGE AT ALL VALLEYS
3. FIREPLACE FLUE TO BE DETERMINED PER MANUFACTURER'S SPECIFICATION
4. METAL FLASHING AS REQUIRED BY CODE.
5. ROOF & SOFFIT VENTS AS REQUIRED BY CODE.
6. PROVIDE GUTTERS & DOWNSPOUTS FOR DRAINAGE OF ROOF WATER. DOWNSPOUTS ARE TO BE LOCATED SO THAT THE DISCHARGE WILL NOT SPILL ON OR FLOW ACROSS ANY PORCHES, WALKS OR DRIVES.
7. CARPENTER TO VERIFY THICKNESS OF MASONRY PRIOR TO BUILDING BRICK RACK

**NOTE:**  
OVERHANG DIMENSIONS (O.H.) ARE FROM SHEATHING U.L.C.

**TYPICAL WINDOW DESIGNATION**

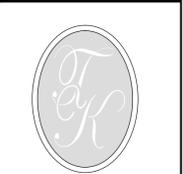
**NOTE:**  
GENERAL REFERENCE FOR ROUGH OPENING SIZES ONLY. CONSULT WITH WINDOW MANUFACTURER FOR EXACT WINDOW SIZES & REQUIREMENTS.



**NOTE:**  
ALL CASEMENT VENTING TO BE VERIFIED W/ BUILDER/ HOMEOWNER PRIOR TO ORDERING WINDOWS

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**JOB No.** 18-132  
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**CHECKED:** -  
**REVIEW:** -  
**FINAL:** -  
**REVISION:** -

**SCALE:**  
PER PLAN

**SHEET #**  
A-5

Donald Gaines  
4871 Nature View Court  
Howell, MI 48843

March 19, 2019

Genoa Charter Township  
2911 Dorr Road  
Brighton, MI 48116

RE: Koryabin Request for ZBA Variance Approval

To Whom It May Concern:

Our neighbors, Nick Koryabin and Melissa Koryabina, at 4784 Nature View Court, have shared with us their desire to expand the footprint of their home and that they are seeking the township's approval for a variance to remodel their current garage into a kitchen and playroom and then build a garage that would be within the 40 foot set back off the property line. We would like to confirm that we see no issues with our neighbors doing this on their property that would have any impact on our property and hope you will approve this request.

Sincerely,

  
Donald Gaines

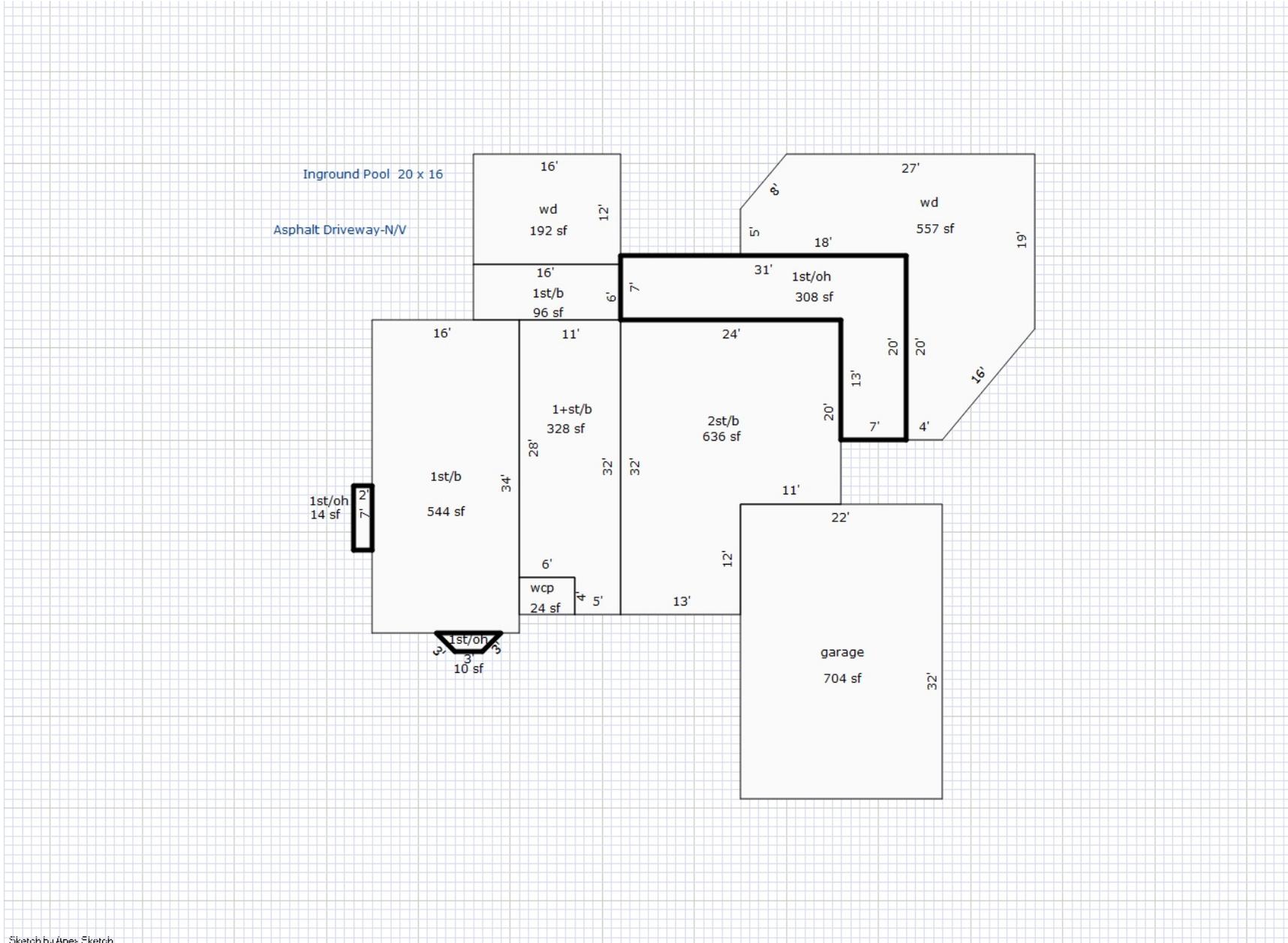
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.																																																																																																																																																																																																																																																																																																																																																																								
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DOWN, WILLIAM G.	SKLARCZYK	550,000	08/17/1999	WD	ARMS-LENGTH	26420394	BUYER	100.0																																																																																																																																																																																																																																																																																																																																																																								
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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 Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type		Year Built: Car Capacity: Class: B Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Auto. Doors: 0 Mech. Doors: 0 Area: 704 % Good: 0 Storage Area: 0 No Conc. Floor: 0	
X	Wood Frame		(4) Interior		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling				Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		24 557 192	WCP (1 Story) Treated Wood Treated Wood				
Building Style: B		Trim & Decoration		Central Air Wood Furnace			Cost Est. for Res. Bldg: 1 Single Family B			Class: B Effec. Age: 22 Floor Area: 2,572 Total Base New : 559,469 Total Depr Cost: 436,385 Estimated T.C.V: 405,838			E.C.F. X 0.930		Cls B Blt 1989	
Yr Built 1989	Remodeled 0	Size of Closets		(12) Electric			Ground Area = 1604 SF Floor Area = 2572 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=78/100/100/100/78			Building Areas						
Condition: Good		Doors: Lg X Ord Small		0 Amps Service			Building Areas			Stories Exterior Foundation			Size		Cost New Depr. Cost	
Room List		(5) Floors		No./Qual. of Fixtures			Other Additions/Adjustments			2 Story Siding Basement			636			
	Basement 1st Floor 2nd Floor 4 Bedrooms	Kitchen: Other: Other:		Ex. X Ord. Min			Exterior Siding Basement			1+ Story Siding Basement			328			
(1) Exterior		(6) Ceilings		No. of Elec. Outlets			Plumbing			1 Story Siding Basement			544			
X	Wood/Shingle Aluminum/Vinyl Brick	Basement: 1604 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		Many X Ave. Few			Average Fixture(s) 3 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			1 Story Siding Overhang			96			
	Insulation	(8) Basement		(13) Plumbing			Other Additions/Adjustments			1 Story Siding Overhang			308			
(2) Windows		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(14) Water/Sewer			Exterior			1 Story Siding Overhang			14			
X	Many Avg. Few X Large Avg. Small	(9) Basement Finish		Public Water Public Sewer			Brick Veneer			1 Story Siding Overhang			10			
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Recreation SF Living SF 1 Walkout Doors No Floor SF		1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Basement, Outside Entrance, Below Grade			1 Story Siding Overhang			398,655		310,951	
(3) Roof		(10) Floor Support		Lump Sum Items:			Plumbing			1 Story Siding Overhang			17,050		13,299	
X	Gable Hip Flat	Joists: Unsupported Len: Cntr.Sup:		1 1000 Gal Septic 2000 Gal Septic			Water/Sewer			1 Story Siding Overhang			5,683		4,433	
	Asphalt Shingle						1000 Gal Septic Water Well, 200 Feet			1 Story Siding Overhang			4,987		3,890	
Chimney: Brick							Deck			1 Story Siding Overhang			10,076		7,859	
							Treated Wood Treated Wood			1 Story Siding Overhang			557		7,313	
							Garages			1 Story Siding Overhang			192		3,644	
							Class: B Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost			1 Story Siding Overhang			704		36,200	
							<<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>			1 Story Siding Overhang			28,236			

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



\*\*\* 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 # 19-16 Meeting Date: \_\_\_\_\_

PAID Variance Application Fee

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

Applicant/Owner: Joe Perri Email: joeperri@comcast.net

Property Address: 3994 Highcrest 48116 Phone: (517) 404-8404

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

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

Each application for Variance is considered individually by the ZBA. The ZBA is a board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested/intended property modifications: New Home
- 
- 
-

The following is per Article 23.05.03:

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

Under each please indicate how the proposed project meets each criteria.

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

New House garage in same place as old garage road is paved further out than property

**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.

When the road was paved it was moved further out

**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.

N/A

**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.

N/A

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

After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.

Date: 3/20/19 Signature: Joseph [Signature]



# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Kelly VanMarter, Assistant Manager  
**DATE:** April 10, 2019

**RE:** ZBA 19-16

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

---

## STAFF REPORT

**File Number:** ZBA#19-16  
**Site Address:** 3994 Highcrest Drive  
**Parcel Number:** 4711-22-302-077  
**Parcel Size:** .447 Acres  
**Applicant:** Joseph and Maria Perri, 4666 Brighton Road, Brighton 48116  
**Property Owner:** Same as Applicant

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

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard variance and a height variance to construct a new home.

**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 March 31, 2019 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, an accessory structure is located on the parcel.
- In 2018, a land use waiver was issued for the demolition of a single family home on the parcel with the condition that the detached accessory structure be removed if permit was not issued for new home within 3 months.
- In 2018, a land use permit was issued to construct a new home.
- 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 a new single family home. In order to construct the new home as proposed, the applicant is requesting a front yard variance and a height variance. The roadway was not placed within the platted road therefore the front property line is setback considerably from the location of the road.

It should be noted that the applicant currently has an approved land use permit to build a home on this lot in conformance with all setback requirements. The proposed drawings appear to show a possible retaining wall extension east of the proposed garage. The applicant should be aware that the ordinance does not permit walls in the front yard. In addition, the applicant should confirm the required 10' separation is provided from the existing detached accessory structure. Lastly, the drawings submitted are difficult to read and staff requests legible and scalable drawings to ensure accuracy of setback dimensions.

## 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 Front Yard Setback:</b>	<b>35'</b>	<b>Required Height:</b>	<b>25'</b>
	<b>Proposed Front Yard Setback:</b>	<b>1'7"</b>	<b>Proposed Height:</b>	<b>28'3"</b>
	<b>Proposed Variance Amount:</b>	<b>33'5"</b>	<b>Proposed Variance Amount:</b>	<b>3'3"</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** –As demonstrated by the existing approved land use permit for a new home on this lot, compliance with the strict letter of the restrictions governing setbacks and height do not unreasonably prevent the use of the property. There are other homes in the vicinity with reduced front yard setbacks that would support substantial justice although this parcel consists of 2 lots of record which results in a larger building envelope than those adjacent. Strict compliance with the height requirement does not unreasonably prevent use of the property and granting of the height variance would not offer substantial justice.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition related to the setback variance of the property is the location of the road. Granting of the front yard variance would make the setback consistent with many homes in the vicinity however the size of the proposed home which creates the need for the amount of variance is not consistent therefore the setback requested may not be the least necessary. The need for the front yard setback variance is not self-created, however the amount requested is. The applicant has not indicated any extraordinary circumstances related to the request for a height variance. The need for the height variance is self-created.
- (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 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.

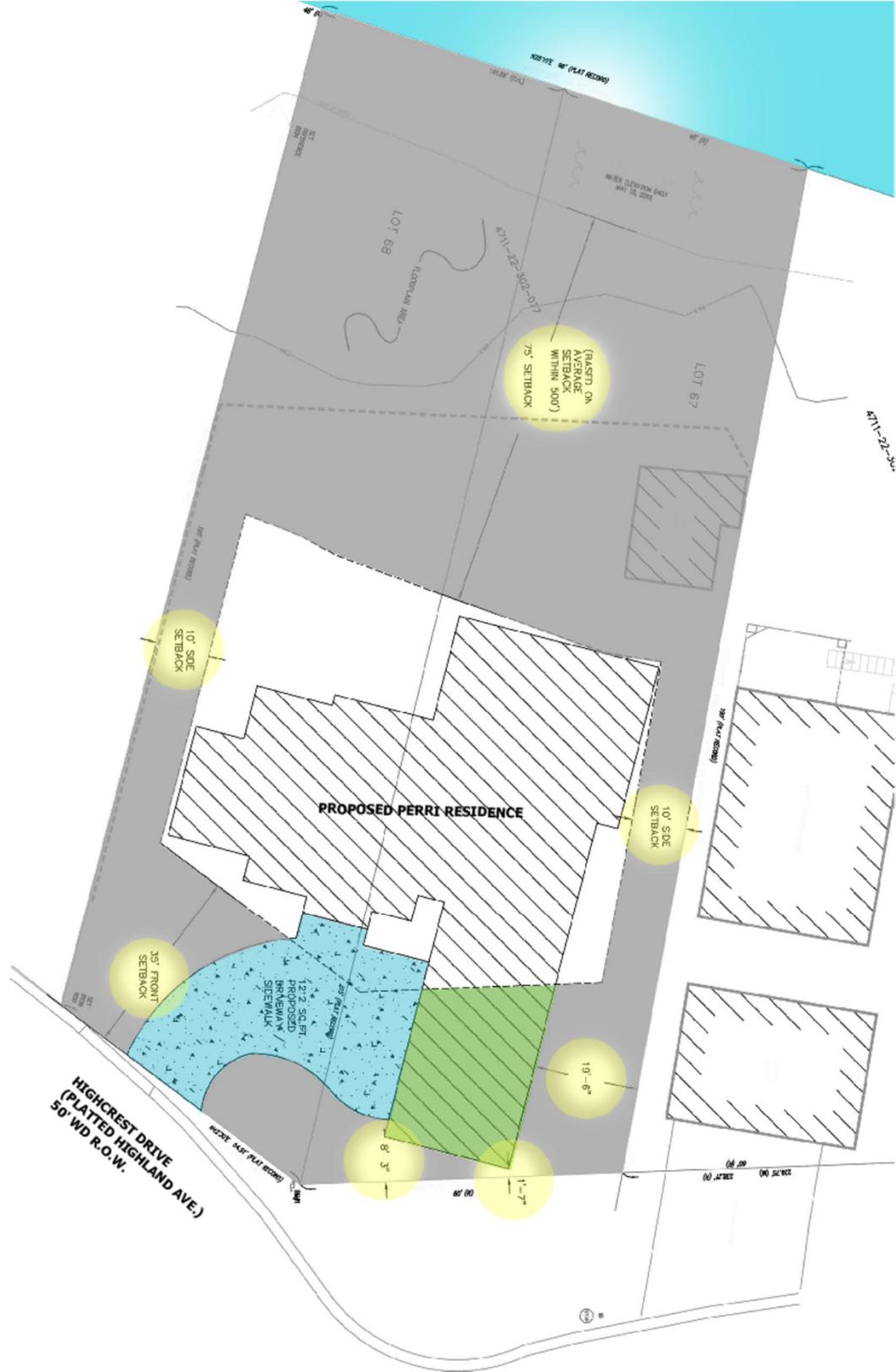
1. A scalable site/plot plan drawing shall be provided to verify setbacks prior to issuance of a land use permit.
2. The setbacks showing the distance from the proposed home to the existing detached accessory structure shall be shown on the drawing.

# GENOA TOWNSHIP



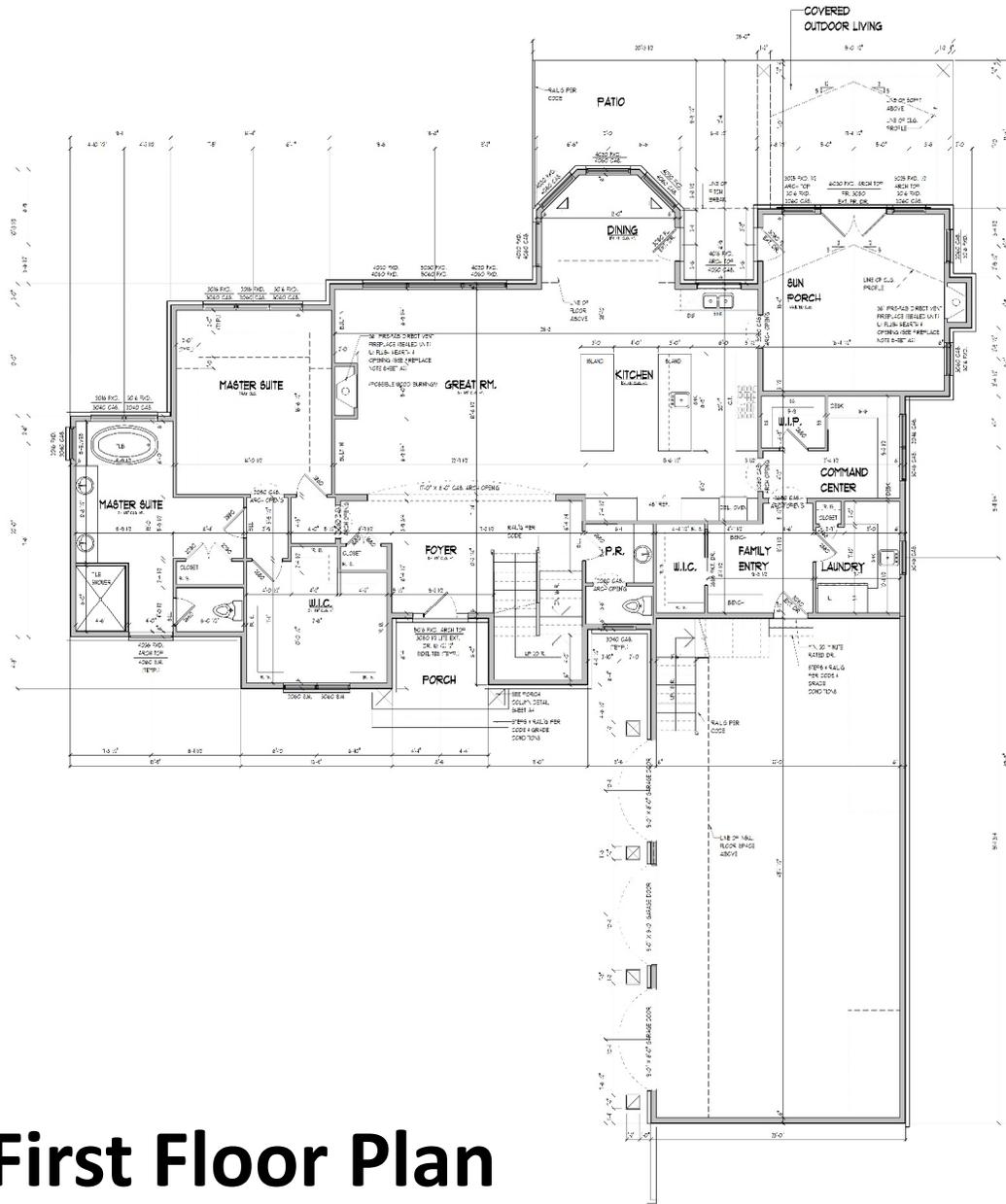


**PERRI RESIDENCE**  
**3994 Highcrest Drive**

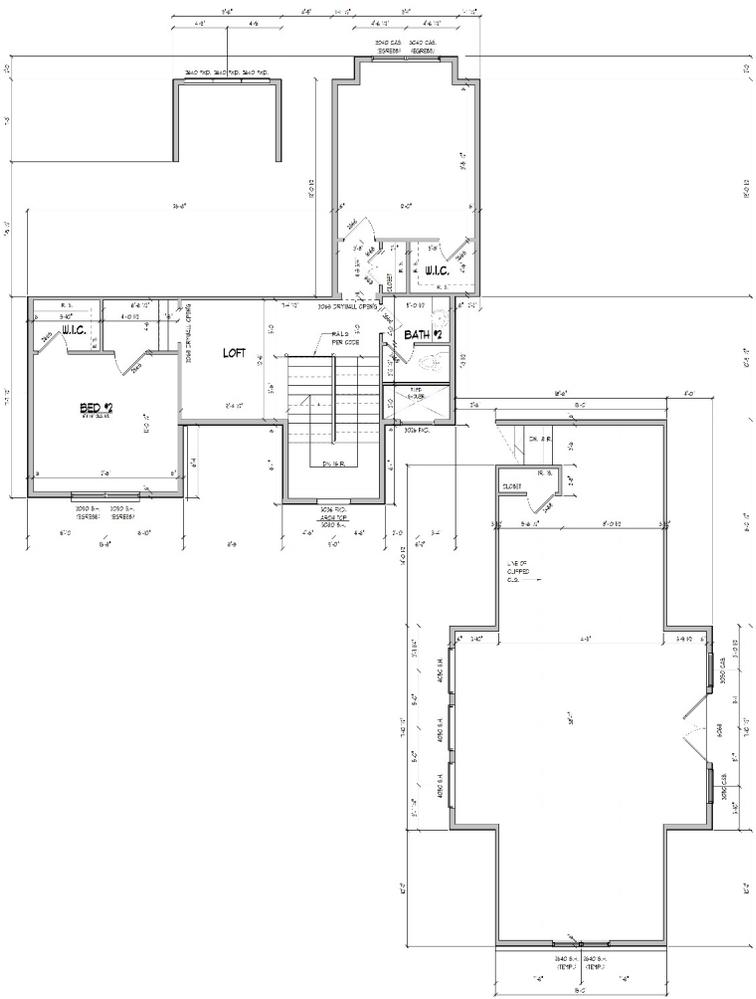


Requesting rear yard (street) set back of 1'-7" in place of 35'





**First Floor Plan**



**Second Floor Plan**



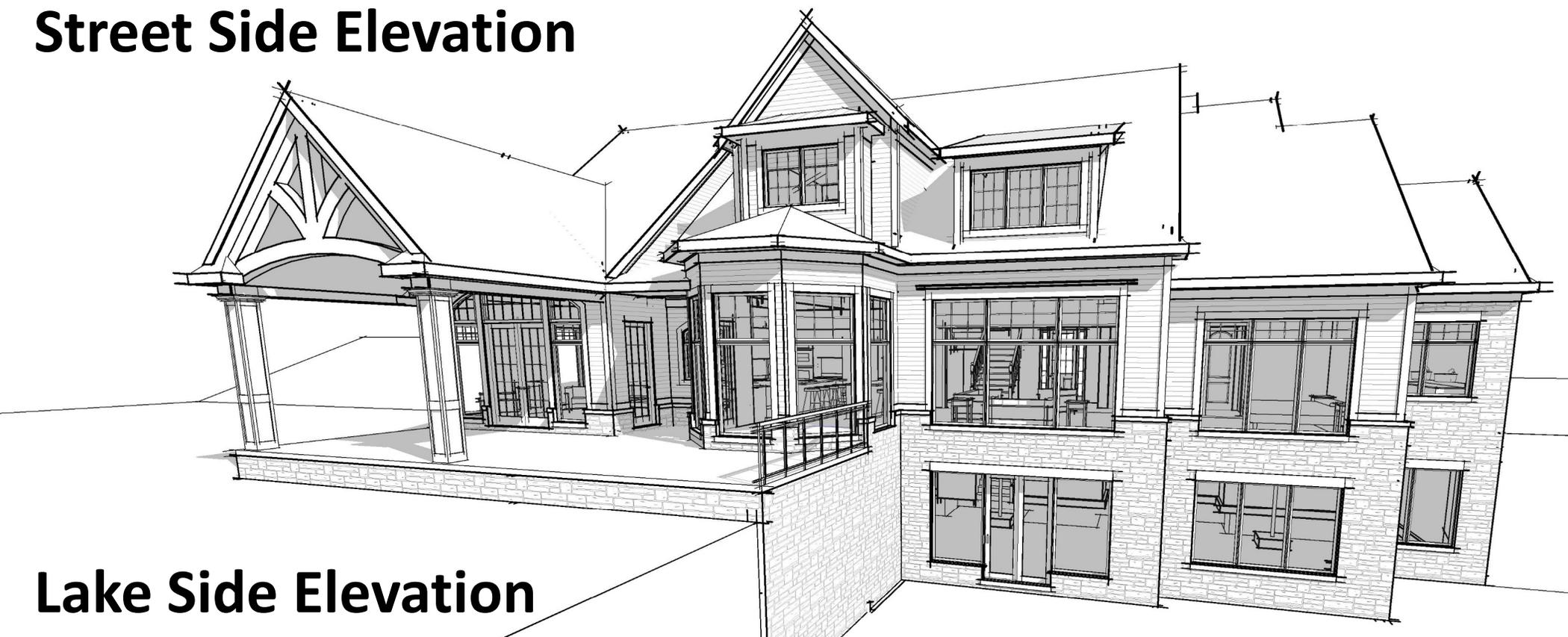
**Front Elevation**







**Street Side Elevation**



**Lake Side Elevation**

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
RICE REGINA & DEBRA	PERRI JOSEPH	375,000	03/26/2018	WD	ARMS-LENGTH	2018R-007837	BUYER	100.0
RICE LIFE ESTATE	RICE REGINA & DEBRA	0	01/19/2012	WD	INVALID SALE	2012R-002538	BUYER	0.0
RICE, BILL	RICE LIFE ESTATE	0	04/25/2008	QC	INVALID SALE	2008R-014870	BUYER	0.0

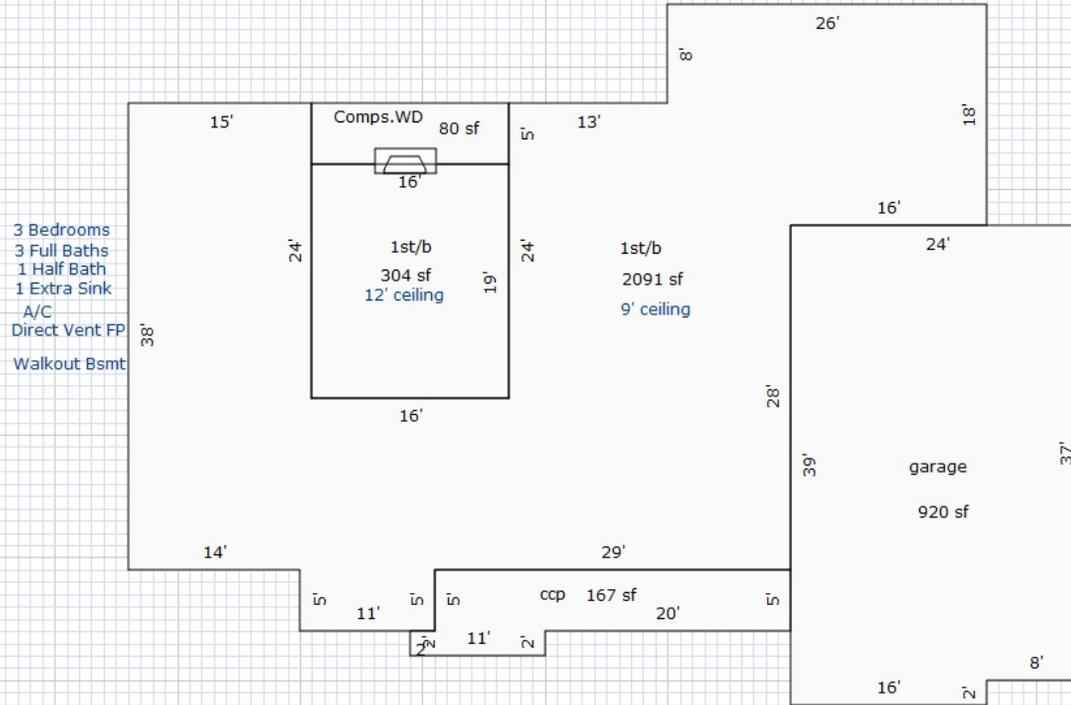
  

Property Address	Class: 401 RESIDENTIAL-IM	Zoning: LRR	Building Permit(s)	Date	Number	Status			
3994 HIGHCREST	School: BRIGHTON		Residential New Constructi	11/14/2018	P18-202				
	P.R.E. 0%		DEMO	04/04/2018	W18-037	NO START			
Owner's Name/Address	MAP #: V19-16		REROOF	08/11/2009	W09-078	NO START			
PERRI JOSEPH 4666 BRIGHTON RD BRIGHTON MI 48116	2019 Est TCV 257,500 TCV/TFA: 0.00								
	X Improved	Vacant	Land Value Estimates for Land Table 00083.TRI LAKES LAKE FRONT						
	Public Improvements		* Factors *						
			Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value
			A LAKE FRONT	50.00	205.00	1.0000 1.0000	3800 100		190,000
			B EXC W CR LK	45.00	205.00	1.0000 1.0000	1500 100		67,500
			95 Actual Front Feet, 0.45 Total Acres			Total Est. Land Value =			257,500
Tax Description	Dirt Road								
SEC. 22 T2N, R5E, CROOKED LAKE HIGHLANDS	Gravel Road								
SUB. LOTS 67 AND 68	Paved Road								
Comments/Influences	Storm Sewer								
	Sidewalk								
	Water								
	Sewer								
	Electric								
	Gas								
	Curb								
	Street Lights								
	Standard Utilities								
	Underground Utils.								
	Topography of Site								
	Level								
	Rolling								
	Low								
	High								
	Landscaped								
	Swamp								
	Wooded								
	Pond								
	Waterfront								
	Ravine								
	Wetland								
	Flood Plain								
	X REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
	Who	When	What	2019	128,800	0	128,800		128,800S
	LM	10/04/2018	INSPECTED	2018	108,800	48,500	157,300		86,249C
				2017	99,800	47,600	147,400		84,476C
				2016	66,300	50,900	117,200		83,723C

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame	X	Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built:	Car Capacity:		
X	Wood Frame	X	Drywall Paneled		Plaster Wood T&G										Class:	Exterior:	
Building Style: BC		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Heat Pump No Heating/Cooling											Brick Ven.:	Stone Ven.:	
Yr Built	Remodeled	Ex	X	Ord		Min									Common Wall:	Foundation:	
2019	0	Size of Closets		X											Finished ?:	Auto. Doors:	
Condition: Good		Lg	X	Ord		Small									Mech. Doors:	Area:	
Room List		Doors:		Solid	X	H.C.									% Good:	Storage Area:	
	Basement 1st Floor 2nd Floor 3 Bedrooms	(5) Floors		Kitchen: Other: Other:											No Conc. Floor:		
(1) Exterior		(6) Ceilings		(12) Electric											Bsmnt Garage:		
	Wood/Shingle Aluminum/Vinyl Brick X Vinyl X Insulation			No./Qual. of Fixtures											Carport Area:	Roof:	
				Ex.	X	Ord.		Min									
				No. of Elec. Outlets													
				Many	X	Ave.		Few									
(2) Windows		(7) Excavation		(13) Plumbing													
X	Many Avg. Few	X	Large Avg. Small	Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan													
				Basement: 0 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0													
				(8) Basement													
				Conc. Block Poured Conc. Stone Treated Wood Concrete Floor													
				(9) Basement Finish													
				Recreation SF Living SF Walkout Doors No Floor SF													
(3) Roof		(10) Floor Support		(14) Water/Sewer													
X	Gable Hip Flat		Gambrel Mansard Shed	Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic													
X	Asphalt Shingle			Joists: Unsupported Len: Cntr.Sup:													
Chimney:				Lump Sum Items:													
<p>Cost Est. for Res. Bldg: 1 Single Family BC Cls BC Blt 2019</p> <p>(11) Heating System: Forced Heat &amp; Cool</p> <p>Ground Area = 0 SF Floor Area = 0 SF.</p> <p>Phy/Ab.Phy/Func/Econ/Comb. % Good=100/100/100/100/100</p> <p>Building Areas</p> <p>Stories Exterior Foundation Size Cost New Depr. Cost</p> <p>Other Additions/Adjustments</p> <p>Totals: 0 0</p> <p>Notes: ECF (4306 TRI LAKES LAKE FRONT) 1.400 =&gt; TCV: 0</p>																	



- 3 Bedrooms
- 3 Full Baths
- 1 Half Bath
- 1 Extra Sink
- A/C
- Direct Vent FP
- Walkout Bsmt

Sketch by Apex Eketech

\*\*\* 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 # 19-17 Meeting Date: 4-18-19

PAID Variance Application Fee

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

Applicant/Owner: Tim Chouinard Email: timchouinard@sbcglobal.net  
Property Address: 1253 Sunrise Park St Phone: 517-546-6587  
Present Zoning: LRR Tax Code: \_\_\_\_\_

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

Each application for Variance is considered individually by the ZBA. The ZBA is a board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested/intended property modifications: The variance requested is 18.9' front yard variance from the required 35' to 16.1 feet, a 2' rear yard variance from the required 40' to 38', a 37.1' variance from the required 128.3' to 91.2'

The following is per Article 23.05.03 of the Genoa Township Ordinance:

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

Under each please indicate how the proposed project meets each criteria.

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

By granting the requested variance, the current cottage would be removed allowing a new home that would be safer, more appealing and beneficial to the surrounding neighborhood.

**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.

The size of the building envelope is small because of the large waterfront setback of adjacent home.

**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.

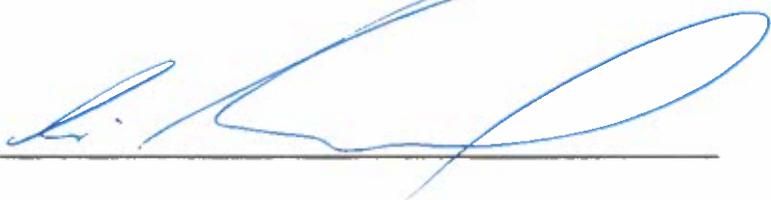
The granting of the variance will have no negative impacts on public safety and welfare.

**Impact on Surrounding Neighborhood.** The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

The variance will have no negative impacts on the surrounding neighborhood.

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

**After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.**

Date: 3-20-19 Signature: 



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

## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** April 9, 2019  
**RE:** ZBA 19-17

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### STAFF REPORT

**File Number:** ZBA#19-17  
**Site Address:** 1253 Sunrise Park Drive  
**Parcel Number:** 4711-09-201-239  
**Parcel Size:** .291 Acres  
**Applicant:** Tim Chouinard, Chouinard Building  
**Property Owner:** Glen and Sally Hope, 1253 Sunrise Park Drive Howell  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variances  
**Project Description:** Applicant is requesting a front, side and waterfront variance in order to demolish existing home and a construct a new single family home.  
**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 March 31, 2019 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 1955.
- Property was combined with lot 1 in 2018.
- In 2012, a permit was issued to construct a deck.
- Property received approval for front and waterfront yard variances in 2016, those approvals have since expired. (see attached minutes)
- See Record Card.

The proposed project is to demolish existing home and construct a new single family home. In order to construct the proposed home, the applicant would be required to obtain front, side and waterfront yard variances. In constructing the new single family home, the applicant would be increasing the waterfront and side yard setbacks while keeping the front yard setback the same as the existing home. According to the Township Assessing office, the rear lot line extends to the waters' edge. In 2018, lots 1 and 2 were combined.

**Variance Requests**

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

**Table 3.04.01 (LRR District):**

SINGLE FAMILY STRUCTURE	Front	One Side	Water front
Setbacks of Zoning	35	10	128.3
Setbacks Requested	15.6	4.6	95.7
Variance Amount	19.6	5.6	32.5

**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 front, side and waterfront yard setbacks would prevent the applicant from constructing the addition to the existing single family home. The applicant could alter the design of the proposed home to lessen the variances being requested. The side yard variance would be eliminated if the proposed structure was moved further to the east since the lots have been combined. Since lots 1 and 2 have been combined, the applicant has a wider lot than others in the vicinity which should make the need variances less necessary. The variances requested may not be the least restrictive necessary to provide substantial justice.
  
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the large waterfront setback of the adjacent home. The front yard variance would make the property consistent with other properties in the vicinity. The need for the side and amount of waterfront variances is due to the applicant not fully utilizing the building envelope. Therefore, the need for the waterfront and side yard variances is self-created.
  
- (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 a limited impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The neighbor adjacent to the north has the potential to be impacted by a diminished view of the lake due to the depth of the proposed home.

**Recommended Conditions**

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

1. Structure must be guttered with downspouts.

- The existing shed is to be removed.

**The motion carried unanimously.**

**2. 16-23... A request by Jeffrey and Mary Christina Beyers, 5373 Wildwood Drive, a variance to install a fence in the required waterfront.**

Mr. and Mrs. Beyers were present. Mr. Beyers stated they have a small, 15-pound dog and want to put up a fence to allow the dog to be in the yard without a leash. They are proposing to put it 30-35 feet from the water's edge. It will be 18 inches from the existing stone wall. It will be three-feet high and made of black aluminum. He noted that the fence will not be as close to the water as decks are in the area.

Board Member McCreary questioned if the Beyers considered an electric fence. Mr. Beyers stated they have tried that, but the dog is terrified of it. Also, there are other dogs in the area that wander and this would deter them from coming into their yard. If he put the fence where it is allowed by ordinance, it would be very close to his house.

Mrs. Beyers stated that both of her neighbors are in support of this. She reiterated that it will not be as close to the water as decks in the area.

The call to the public was made at 7:04 pm.

Mr. Eric Moore of 5377 Wildwood, who lives next to the Beyers, stated they have made many improvements to the home and property since purchasing it a year ago. He is in support of the fence in the proposed location.

The call to the public was closed at 7:05 pm.

**Moved** by McCreary, seconded by Figurski, to deny Case #16-23 at 5373 Wildwood Drive by Jeffrey and Mary Christina Beyers to install a fence in the required waterfront setback based on the fact that the need for the variance is self-created and there is no hardship. **The motion carried (Ledford – yes; Dhaenens – no; Figurski – yes; McCreary – yes; Tengel – yes)**

**3. 16-27...A request by Tim Chouinard, 1253 Sunrise Park, for front, side, rear, and waterfront variances to construct an addition to an existing home.**

Mr. Chouinard was present. He has relocated the home forward to match the existing home and moved it further from the waterfront so his variance requests have changed. He also narrowed the home by 6 inches.

The call to the public was made at 7:24 pm with no response.

**Moved** by Ledford, seconded by Figurski, to approve Case #16-27 at 1253 Sunrise Park by Tim Chouinard, builder, and Glen and Sally Hope, owners, for an 18.9' front yard variance from the required 35 feet to 16.1 feet; a 5 foot side variance from the required 10 feet to 5 feet; a 2 foot rear yard variance from the required 40 feet to 38 feet; a 37.1 foot variance from the required 128.3 feet to 91.2 feet; and a 1% lot coverage variance from the maximum 35% to 36% to demolish part of and add an addition to a single-family home based on the following findings of fact:

- The extraordinary circumstances are the small lot size and the large waterfront setback of the adjacent home.
- The need for the variances is not self-created.
- Granting these variances will make this home consistent with other waterfront properties in the vicinity.
- The granting of these variances will not impair an adequate supply of light and air to adjacent properties 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 residents of the Township of Genoa.
- The proposed variances would have a limited impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood. The neighbor adjacent to the north has the potential to be impacted by a diminished view of the lake due to the depth of the proposed home.

This approval is conditioned on the following:

- Drainage from the home must be maintained on the lot.
- The structure must be guttered with downspouts.
- The existing shed is to be removed.
- Due to the lot coverage, no other structure or building is allowed.

**Administrative Business:**

1. Approval of minutes for the July 19, 2016 Zoning Board of Appeals Meeting

Board Member McCreary asked that a statement regarding the underground storage tank be added to the discussion regarding Case #16-22.

**Moved** by Figurski, seconded by Ledford, to approve the July 19, 2016 Zoning Board of Appeals Meeting minutes with the following statement added under the discussion of Case #16-22 – "Board Member McCreary questioned if the underground storage tank is going to be removed. Mr. McCotter stated there is no tank underground; it is simply a lid on a drain. "

**The motion carried with Board Member Tengal abstaining.**

2. Correspondence - There was no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board Meetings of August 1<sup>st</sup> and August 15, 2016.

# GENOA TOWNSHIP



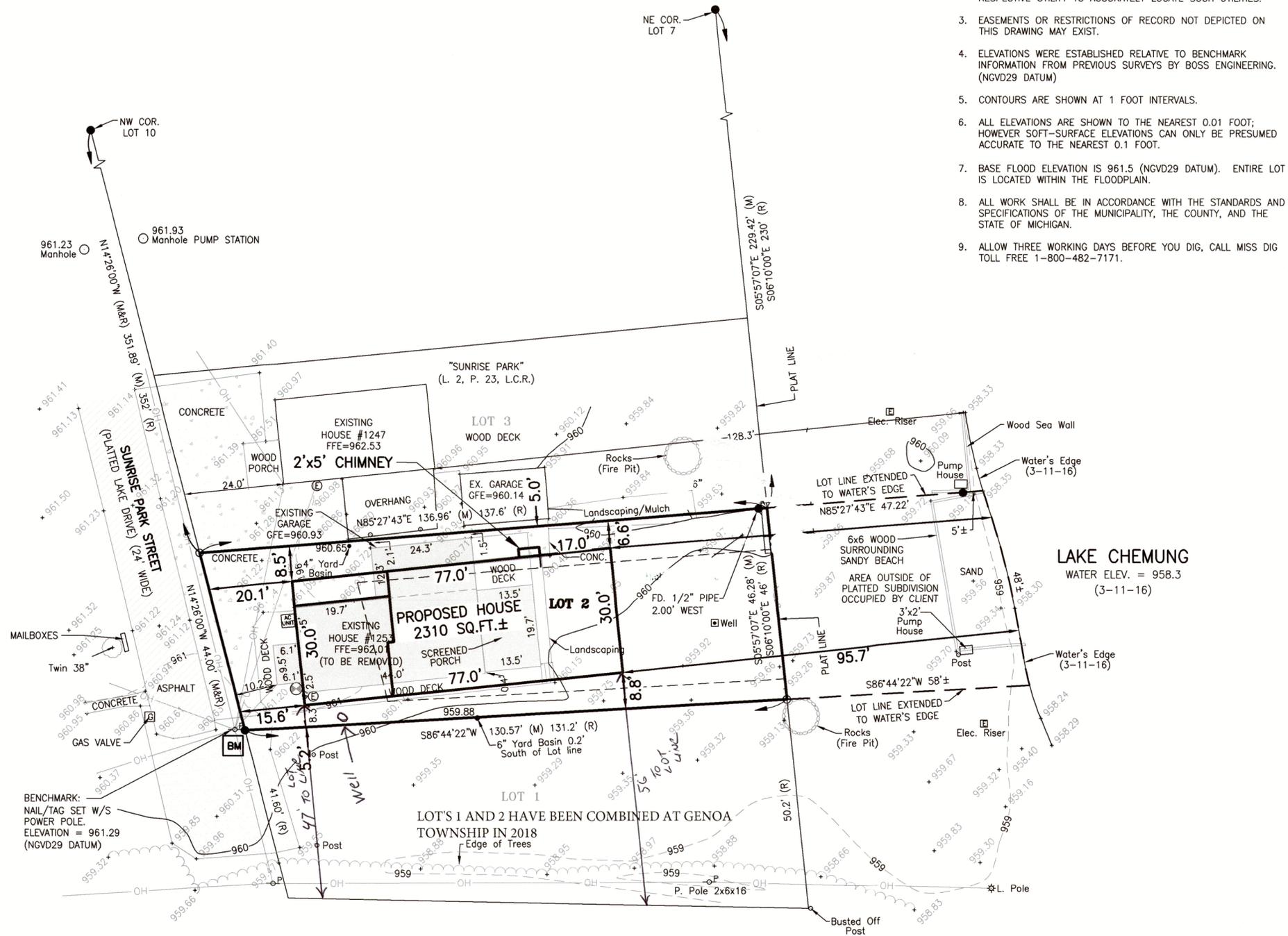
# BOUNDARY/TOPOGRAPHICAL SURVEY/PLOT PLAN



20 0 10 20  
SCALE: 1 INCH = 20 FEET

### LEGEND

- 900 - EXISTING CONTOUR
- 922.00 - EXISTING SPOT ELEVATION
- P- POWER POLE
- ⊕ ELECTRICAL RISER
- ⊖ ELECTRICAL METER
- ⊠ AIR CONDITIONING UNIT
- \* LIGHT POLE
- ⊞ WELL
- MANHOLE
- ⊙ GAS METER
- ⊞ GAS VALVE
- DECIDUOUS TREE
- CAPPED 1/2" STEEL ROD SET
- STEEL ROD/PIPE FOUND
- MONUMENT FOUND
- OH- OVERHEAD WIRES
- L LIBER
- P PAGE
- L.C.R. LIVINGSTON COUNTY RECORDS
- (R&M) RECORD AND MEASURED



### GENERAL SURVEY NOTES:

1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 22, 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.
4. ELEVATIONS WERE ESTABLISHED RELATIVE TO BENCHMARK INFORMATION FROM PREVIOUS SURVEYS BY BOSS ENGINEERING. (NGVD29 DATUM)
5. CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
6. ALL ELEVATIONS ARE SHOWN TO THE NEAREST 0.01 FOOT; HOWEVER SOFT-SURFACE ELEVATIONS CAN ONLY BE PRESUMED ACCURATE TO THE NEAREST 0.1 FOOT.
7. BASE FLOOD ELEVATION IS 961.5 (NGVD29 DATUM). ENTIRE LOT IS LOCATED WITHIN THE FLOODPLAIN.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
9. ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.

### DESCRIPTION OF PROPERTY:

Lot 2 of "Sunrise Park, a subdivision of part of the Northeast 1/4 of Section 9 and a part of the Southeast 1/4 of Section 4, T2N-R5E, Genoa Township, Livingston County, Michigan, as recorded in Liber 2 of Plats, Page 23, Livingston County Records.

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.



BOSS

Engineering

Engineers Surveyors Planners Landscape Architects

3121 E. GRAND RIVER AVE.  
HOWELL, MI. 48843  
800.246.6735 FAX 517.548.1670

LOT 2 OF "SUNRISE PARK"

CHOUINARD CUSTOM HOMES

422 E. GRAND RIVER  
HOWELL, MI 48843  
517-404-6527

BOUNDARY/TOPOGRAPHICAL SURVEY/PLOT PLAN

PROJECT	PREPARED FOR	TITLE
LOT 2 OF "SUNRISE PARK"	CHOUINARD CUSTOM HOMES	BOUNDARY/TOPOGRAPHICAL SURVEY/PLOT PLAN

NO	BY	REVISION PER	DATE
2	AEB	NEW HOUSE PLANS	4-4-19
1	AEB	CLIENT COMMENTS	6-30-17
NO			

DESIGNED BY: \_\_\_\_\_

DRAWN BY: AEB

CHECKED BY: \_\_\_\_\_

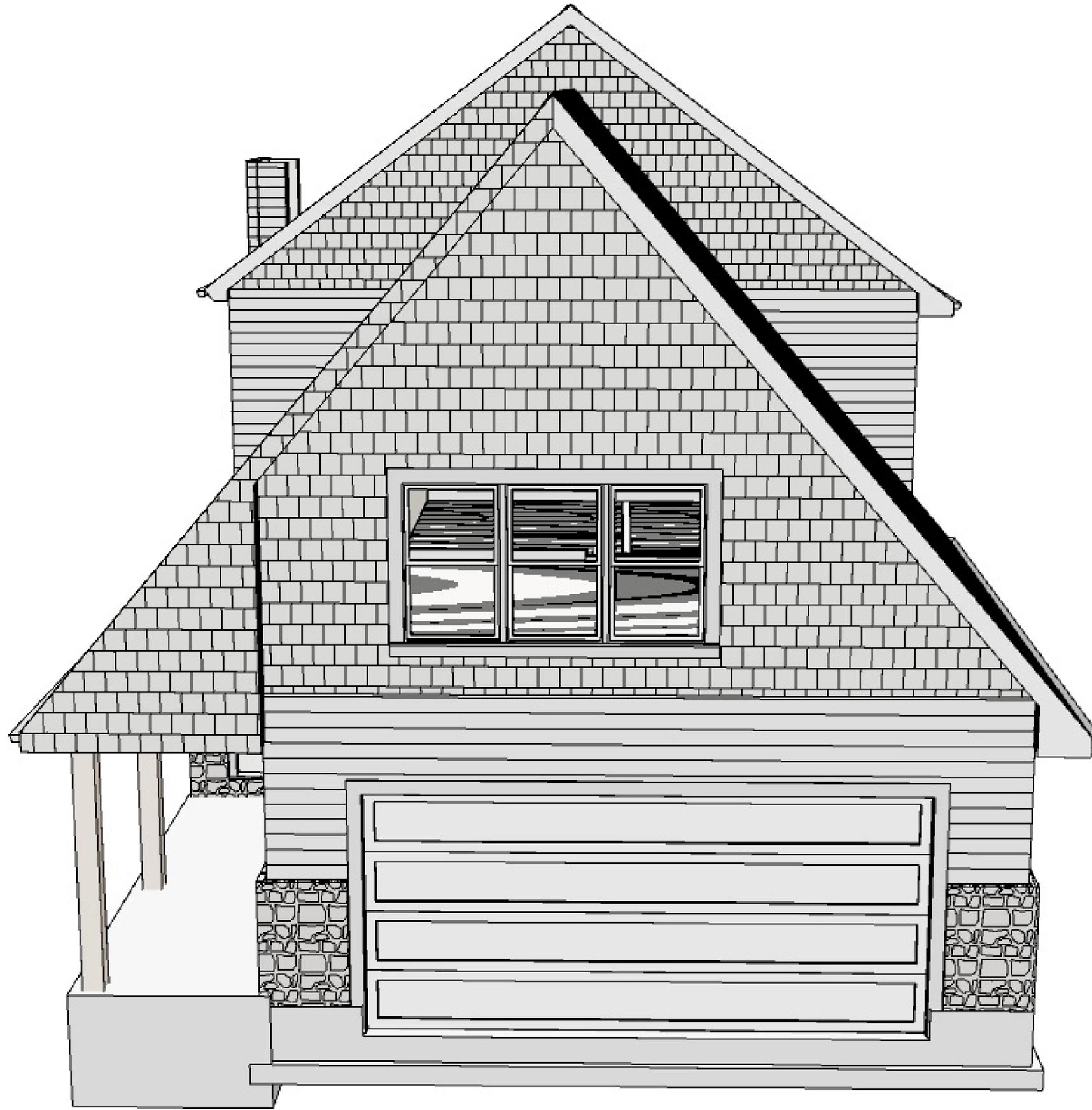
SCALE 1" = 20'

JOB NO. 16-065

DATE 3-16-16

SHEET NO. 1 OF 1

BOSS  
Engineering



NO. DESCRIPTION BY DATE

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**FRONT ELEVATION**

PROJECT DESCRIPTION:  
**HOPE RESIDENCE  
1253 SUNRISE PARK ST  
HOWELL, MI 48843**

DRAWINGS PROVIDED BY:  
**CHOINARD CUSTOM HOMES  
932 SUNRISE PARK ST  
HOWELL, MI 48843**

DATE:  
3/15/2019

SCALE:

SHEET:  
**A-1**



--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**REAR ELEVATION**

PROJECT DESCRIPTION:  
**HOPE RESIDENCE  
 1253 SUNRISE PARK ST  
 HOWELL, MI 48843**

DRAWINGS PROVIDED BY:  
**CHOUINARD CUSTOM HOMES  
 932 SUNRISE PARK ST  
 HOWELL, MI 48843**

DATE:  
 3/15/2019

SCALE:

SHEET:  
**A-2**



--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**SIDE ELEVATION**

PROJECT DESCRIPTION:  
**HOPE RESIDENCE  
 1253 SUNRISE PARK ST  
 HOWELL, MI 48843**

DRAWINGS PROVIDED BY:  
**CHOUINARD CUSTOM HOMES  
 932 SUNRISE PARK ST  
 HOWELL, MI 48843**

DATE:  
 3/15/2019

SCALE:

SHEET:  
**A-3**



--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**SIDE ELEVATION**

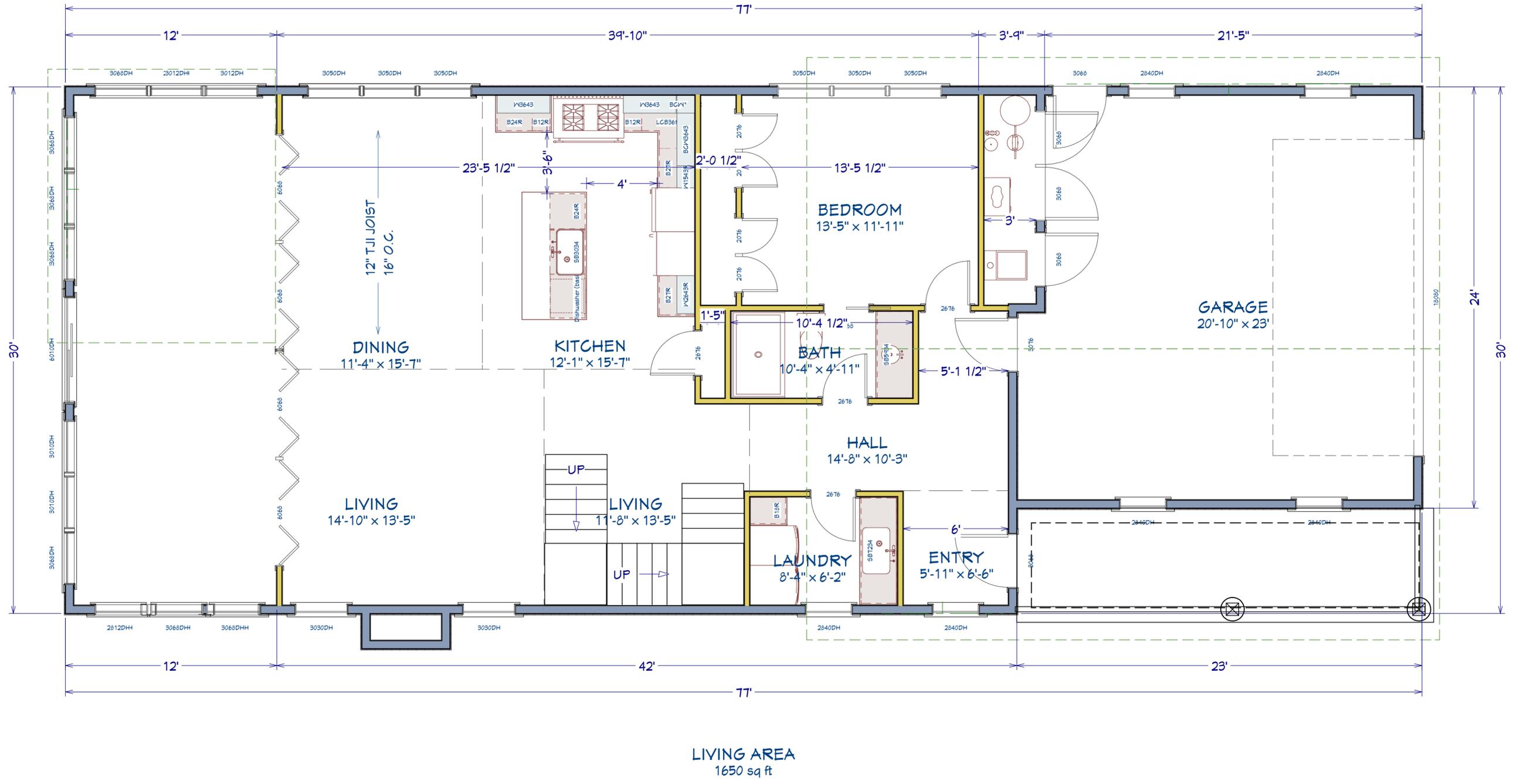
PROJECT DESCRIPTION:  
**HOPE RESIDENCE  
 1253 SUNRISE PARK ST  
 HOWELL, MI 48843**

DRAWINGS PROVIDED BY:  
**CHOINARD CUSTOM HOMES  
 932 SUNRISE PARK ST  
 HOWELL, MI 48843**

DATE:  
 3/15/2019

SCALE:

SHEET:  
**A-4**



LIVING AREA  
1650 sq ft

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:			
FIRST FLOOR			

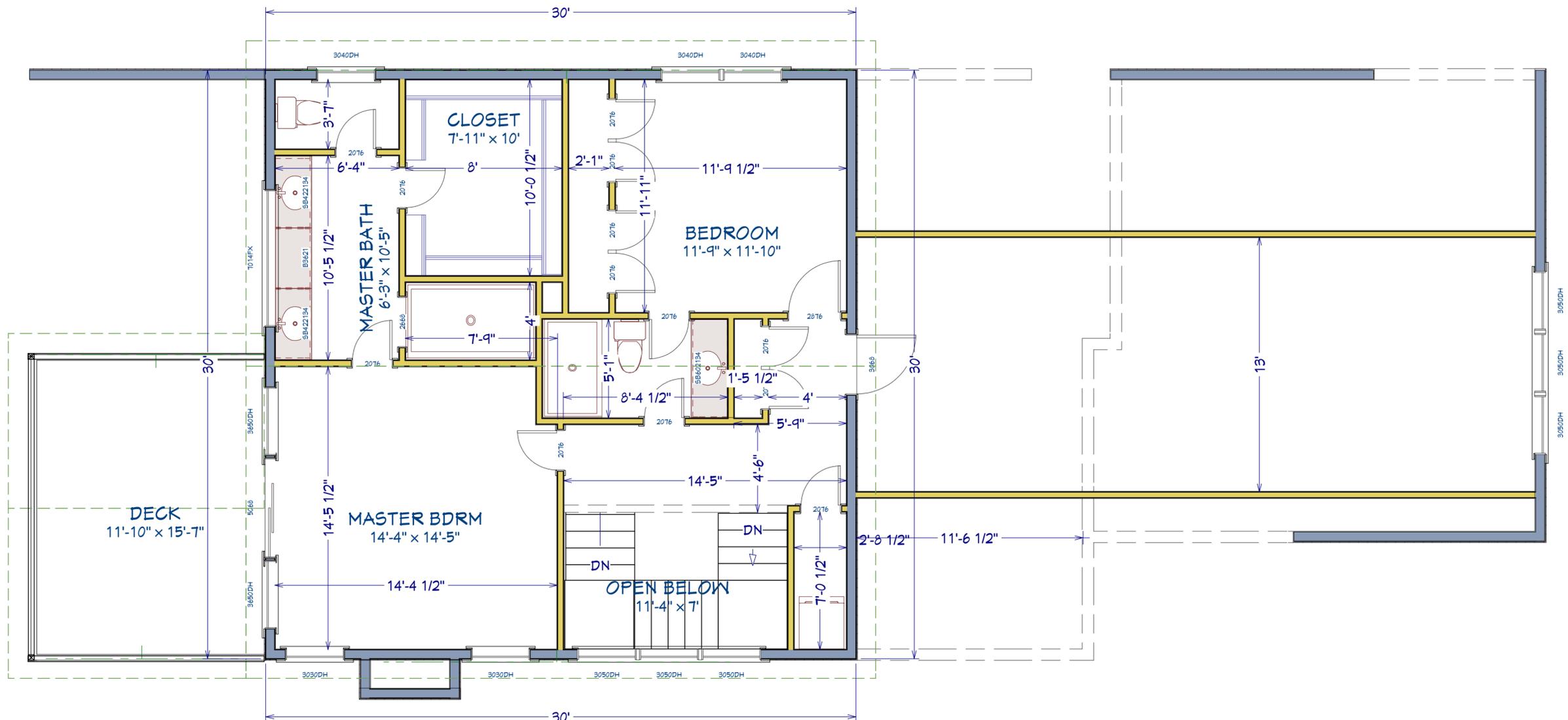
PROJECT DESCRIPTION:  
HOPE RESIDENCE  
1253 SUNRISE PARK ST  
HOWELL, MI 48843

DRAWINGS PROVIDED BY:  
CHOINARD CUSTOM HOMES  
932 SUNRISE PARK ST  
HOWELL, MI 48843

DATE:  
3/15/2019

SCALE: 1/4

SHEET:  
**A-5**



NO.	DESCRIPTION	BY	DATE

PROJECT DESCRIPTION:  
**HOPE RESIDENCE**  
 1253 SUNRISE PARK ST  
 HOWELL, MI 48843

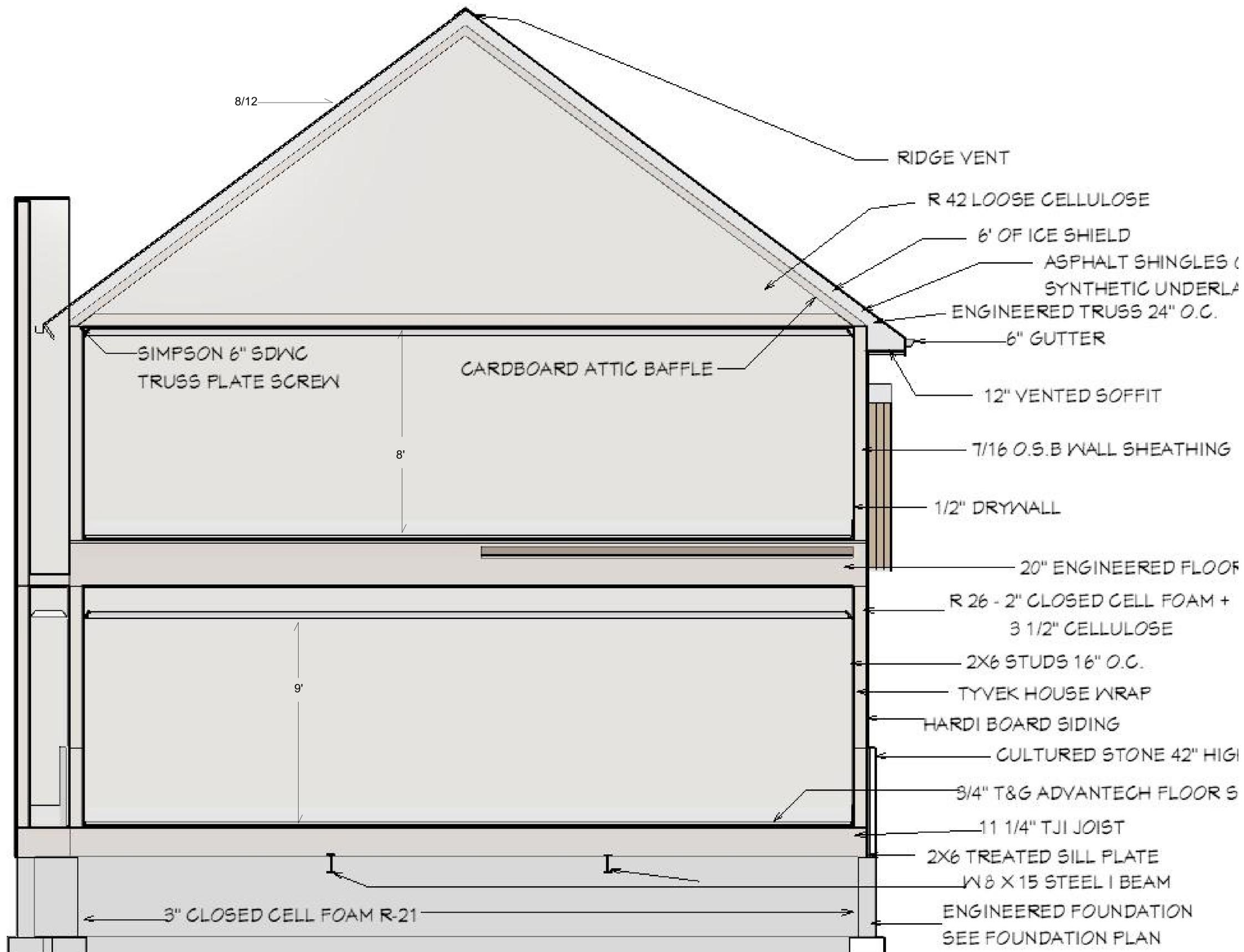
SHEET TITLE:  
**SECOND FLOOR**

DRAWINGS PROVIDED BY:  
**CHOUINARD CUSTOM HOMES**  
 932 SUNRISE PARK ST  
 HOWELL, MI 48843

DATE:  
 3/15/2019

SCALE: 1/4

SHEET:  
**A-6**



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**CROSS SECTION**

PROJECT DESCRIPTION:  
HOPE RESIDENCE  
1253 SUNRISE PARK ST  
HOWELL, MI 48843

DRAWINGS PROVIDED BY:  
CHOINARD CUSTOM HOMES  
932 SUNRISE PARK ST  
HOWELL, MI 48843

DATE:

3/21/2019

SCALE:

SHEET:

**A-7**

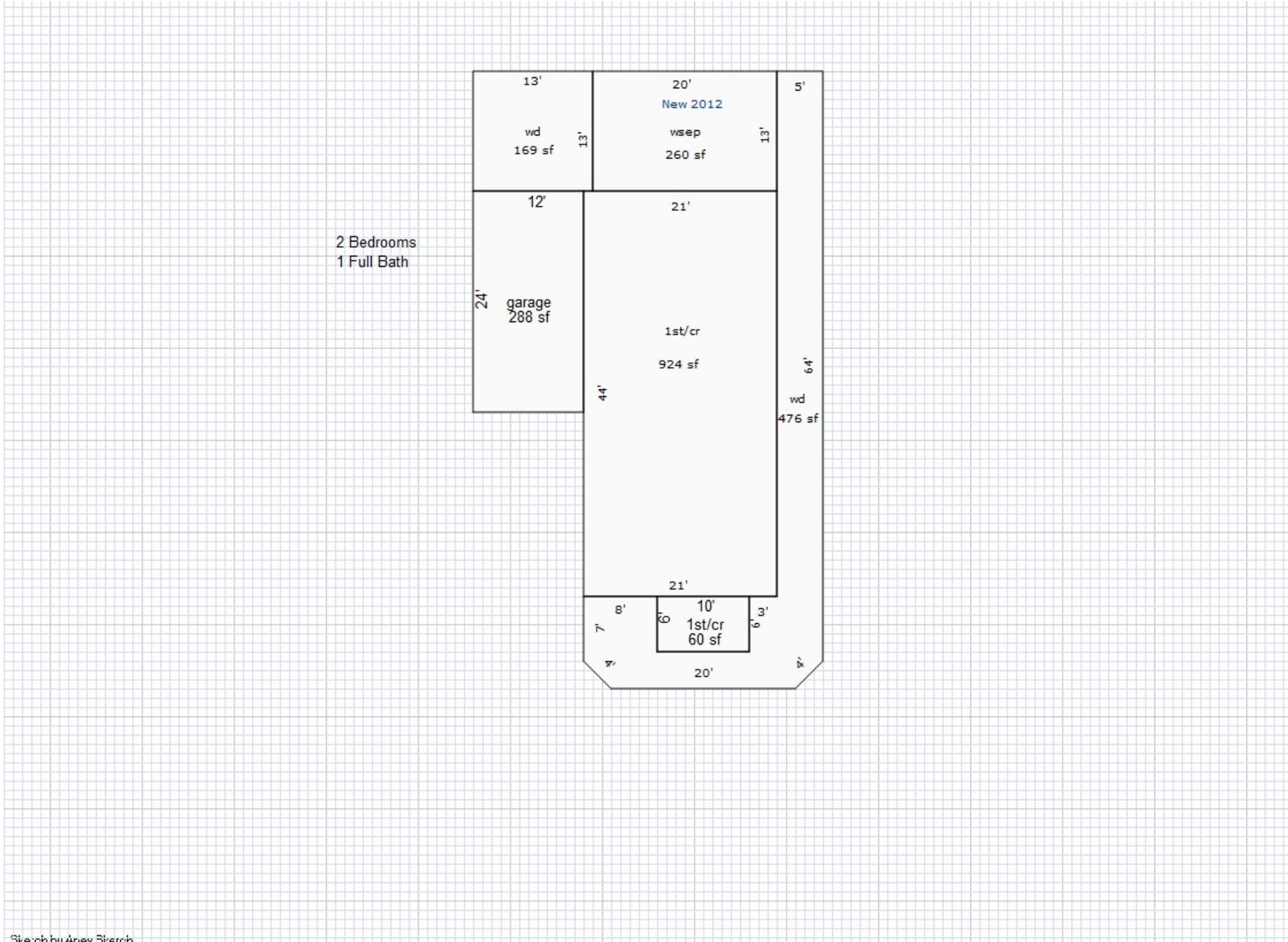
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status				
1253 SUNRISE PARK		School: HOWELL										
		P.R.E. 100% 11/18/2016										
Owner's Name/Address		MAP #: V19-17										
HOPE FAMILY TRUST 1253 SUNRISE PARK HOWELL MI 48843		2020 Est TCV Tentative										
		X	Improved	Vacant	Land Value Estimates for Land Table 4302.SUNRISE PARK							
Tax Description		Public Improvements		* Factors *								
SEC. 9 T2N, R5E, SUNRISE PARK LOT 2 Split/Combined on 06/13/2018 from 4711-09-201-002, 4711-09-201-001; Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
Split/Comb. on 06/13/2018 completed 06/13/2018 Duffy ; Parent Parcel(s): 4711-09-201-002, 4711-09-201-001; Child Parcel(s): 4711-09-201-239; -----		Gravel Road		A LAKE FRONT	50.00	135.00	1.0000	1.0000	2700	100		135,000
		Paved Road		B LAKEVIEW FRT	44.00	135.00	1.0000	1.0000	1600	100		70,400
		Storm Sewer		94 Actual Front Feet, 0.29 Total Acres				Total Est. Land Value =		205,400		
		Sidewalk										
		Water										
		Sewer										
		Electric										
		Gas										
		Curb										
		Street Lights										
		Standard Utilities										
		Underground Utils.										
		Topography of Site										
		Level										
		Rolling										
		Low										
		High										
		Landscaped										
		Swamp										
		Wooded										
		Pond										
		Waterfront										
		Ravine										
		Wetland										
		Flood Plain										
		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value				
Who	When	What	2020	Tentative	Tentative	Tentative		Tentative				
			2019	102,700	66,700	169,400		146,275C				
			2018	0	0	0		0				
			2017	0	0	0		0				



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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																											
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 260 476 169	Type WSEP (1 Story) Treated Wood Treated Wood	Year Built: Car Capacity: Class: D Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 288 % Good: 0 Storage Area: 0 No Conc. Floor: 0																												
X	Wood Frame		(4) Interior		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling																																					
Building Style: D		Trim & Decoration																																								
Yr Built 1955	Remodeled 2012	Ex	X	Ord		Min																																				
Condition: Good		Size of Closets																																								
		Lg	X	Ord		Small																																				
Room List		Doors:		Solid	X	H.C.																																				
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:																																								
(1) Exterior		(5) Floors																																								
X	Wood/Shingle Aluminum/Vinyl Brick  Insulation	Kitchen: Other: Other:																																								
(2) Windows		(6) Ceilings																																								
Many Avg. Few	X Large Avg. Small	Basement: 0 S.F. Crawl: 984 S.F. Slab: 0 S.F. Height to Joists: 0.0																																								
(3) Roof		(7) Excavation																																								
X	Gable Hip Flat	Basement: Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																								
X	Asphalt Shingle	Recreation SF Living SF Walkout Doors No Floor SF																																								
Chimney: Brick		(9) Basement Finish																																								
X	Gambrel Mansard Shed	Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan																																								
		(10) Floor Support																																								
		Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic																																								
		Lump Sum Items:																																								
Cost Est. for Res. Bldg: 1 Single Family D (11) Heating System: Forced Heat & Cool Ground Area = 984 SF Floor Area = 984 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=66/100/100/100/66 Building Areas <table border="1"> <thead> <tr> <th>Stories</th> <th>Exterior</th> <th>Foundation</th> <th>Size</th> <th>Cost New</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>1 Story</td> <td>Siding</td> <td>Crawl Space</td> <td>924</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding</td> <td>Crawl Space</td> <td>60</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>92,554</td> <td>61,085</td> </tr> </tbody> </table>															Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	924			1 Story	Siding	Crawl Space	60			Total:				92,554	61,085	E.C.F. X 1.512		Bsmnt Garage: Carport Area: Roof:	
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																																					
1 Story	Siding	Crawl Space	924																																							
1 Story	Siding	Crawl Space	60																																							
Total:				92,554	61,085																																					
Notes: ECF (4302 SUNRISE PARK LAKEFRONT) 1.512 => TCV: 133,452																																										

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



Sketch by Apex Sketch

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

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 19, 2019 - 6:30 PM**

**MINUTES**

**Call to Order:** Vice-Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:31 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Marianne McCreary, Jean Ledford, Bill Rockwell, Greg Rassel, Michelle Kreutzberg, and Amy Ruthig, Zoning Official. Absent was Dean Tengel.

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

**Election of Officers:**

Ms. Ruthig suggested that the Election of Officers item be tabled until a full Board is present. **Moved** by Board Member Rassel, seconded by Board Member Rockwell, to table the Election of Officers until the next Zoning Board of Appeals meeting. **The motion carried unanimously.**

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

**Approval of the Agenda:**

**Moved** by Board Member Rassel, seconded by Board Member Rockwell, to approve the agenda as presented. **The motion carried unanimously.**

**Call to the Public:**

The call to the public was made at 6:33 pm with no response.

1. 19-08... A request by Enterprise Leasing Company of Detroit, LLC, 7184 Grand River, for a side yard variance to enlarge an existing garage.

Mr. Scott Inman of Enterprise Leasing Company of Detroit, and Mr. Scott Underwood, the property owner, were present.

Mr. Inman stated they would like to expand the garage at their business to provide better customer service and gain operational efficiencies. They were previously granted a side yard variance of five feet so they would like the expansion to stay in line with the existing building footprint. The work that would be done in the addition will be the same as what is being done currently.

Vice-Chairperson McCreary advised the applicant that if this variance is approved, the project will need to go before the Planning Commission and Township Board for review and approval. Mr. Inman is aware of these next steps.

Board Member Rassel noted that the same variance was granted in 2004.

The call to the public was made at 6:45 pm with no response.

**Moved** by Board Member Rassel, seconded by Board Member Rockwell, to approve Case #19-08 for Enterprise Leasing Company of Detroit, LLC, 7184 Grand River, property owner Matthew Underwood, for a side yard variance to enlarge an existing garage, based on the following findings of fact:

- There are existing non-compliant side-yard setbacks within the vicinity; therefore, granting the variance would provide substantial justice.
- The exceptional or extraordinary conditions of the property are the narrowness of the lot and location of the existing non-conforming structure.
- The granting of the variance would 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 proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. The applicant must obtain Planning Commission approval.
2. The site must be brought into conformance prior to land use permit issuance.
3. The applicant shall demonstrate that the site is in conformance with Genoa Township Ordinances and Site Plan and Special Use previous approval conditions prior to land use permit issuance.
4. The applicant shall be made aware that additional REU fees may be applicable.

**The motion carried unanimously.**

2. 19-09... A request by Matt and Kim McCord, 40675 Homestead Drive, for a waterfront variance in order to remove an existing home and construct a new home.

Mr. Dennis Dinser of Arcadian Design, the architect, was present. The applicant is proposing to remove the existing home and build a new one. The home is currently 61 feet from the waterfront. The requirement is 67 feet from the water's edge. They would like to build the new home with the existing setbacks. They will put it in compliance on the south, moving it further from the neighbor, which will improve their range of view of the lake and not impact the range of view for the neighbors to the north.

The McCord's understand the intent of the ordinance, which is not to impede the lake views for the neighbors. The applicant's home will be 17 feet, 2 inches behind the corner that is nearest the lake of their neighbor's home to the north. If the applicants were to follow the ordinance, then their views could be impaired. He believes the hardship is the location of the neighbor's home.

The call to the public was made at 7:00 pm.

Ms. Nancy Dykema of 4053 Homestead questioned if the 61 foot proposed setback is where the house ends or where the deck ends. Mr. Dinser stated it is the end of the covered porch, which is what the Township considers part of the structure.

Mr. Larry White of 4489 Oak Point Drive lives on the lake and also has property that runs along Homestead. He wanted to make sure the home isn't moving any further toward the lake and that the neighbors' views are protected.

Mr. Mike McClean of 3919 Homestead Drive agrees with Mr. White. Mr. Dinser built his home and he knows that he is very concerned with ensuring that the ordinance is complied with and also that lake views are preserved. The McCord's are nice people and will be a nice addition to the community. He is in favor of the request.

Mr. Mark St. Germain of 4027 Homestead Drive owns the home immediately to the west of the applicants' property. He submitted a letter saying he is in support of the variance as the proposed new home will not be any closer to the water's edge than the existing home.

Leo and Karen Mancini of 4057 Homestead Drive submitted a letter in favor of the requested variance.

The call to the public was closed at 7:07 pm.

**Moved** by Board Member Rassel, seconded by Board Member Kreutzberg, to approve Case #19-09 for Homestead for Matt and Kim McCord for a waterfront variance to remove an existing home and construct a new home, based on the following findings of fact:

- The applicant is proposing to not encroach any further into the waterfront yard setback as the current house location. There are other homes in the vicinity with reduced waterfront yard setbacks.
- The exceptional or extraordinary condition of the property is the irregular shoreline north of the adjoining property. Granting of the variance would make it consistent with homes in the vicinity.
- 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.
- The granting of the variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. The structure must be guttered with downspouts.
2. Dust control measures will be taken during demolition.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of the minutes for the February 19, 2019 Zoning Board of Appeals Meeting.

**Moved** by Board Member Rassel, seconded by Board Member Rockwell, to approve the February 19, 2019 Zoning Board of Appeals Meeting minutes as presented. **The motion carried unanimously.**

2. Correspondence – There were no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford provided a review of the Township Board meetings held on March 4 and March 18, 2019.

Zoning Board of Appeals  
March 19, 2019 Unapproved Minutes

4. Planning Commission Representative Report – Vice-Chairperson McCreary provided a review of the Planning Commission meeting held on March 11, 2019.
5. Zoning Official Report – Ms. Ruthig stated that the Township Board approved raising the application fees for the Zoning Board of Appeals.
6. Member Discussion - There were no items discussed this evening.
7. Adjournment

**Moved** by Board Member Rassel, seconded by Board Member Ledford, to adjourn the meeting at 7:26 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary