

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JULY 21, 2020
7:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

Approval of Agenda:

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

1. 20-07 ... A request by Nicole Bartolomucci, 3968 Highcrest, for front, side and waterfront setback variances to construct a new home.
2. 20-11...A request by Bible Baptist Church, 3850 Golf Club Road, for a variance to allow a detached accessory structure in the front yard.
3. 20-12...A request by Brett and Jennifer Landacre, 528 S. Hacker, for a rear yard variance to construct a detached accessory structure or a variance to construct a detached accessory structure in the front yard

Administrative Business:

1. Approval of minutes for the June 16, 2020 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 # 20-07 Meeting Date: 6-16-2020

PAID Variance Application Fee

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

Applicant/Owner: Nicole Bartolomucci Email: nicole_bartolomucci@yahoo.com

Property Address: 3968 Highcrest Dr. Phone: 517-404-9181

Present Zoning: Single Family Residential Tax Code: 4711-27-302-073

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, township officials and township staff 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:** front yard setback encroachment, waterfront setback encroachment, side yard setback encroachment for chimney. Modification to include demolishing existing residence to rebuild a new residence.

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. Complying with current setbacks would make the new house uncharacteristically smaller than all surrounding properties causing property value losses. Meeting all setbacks would disqualify any common privileges afforded to other neighbors with larger homes.

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.

Current adjacent homes already have reduced front yard setbacks, including the current home on this property. Adhering to current setbacks would be highly inconsistent with surrounding properties.

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.

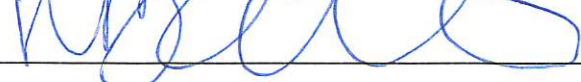
The proposed home will actually improve the supply of light and air as well as lesson congestion by being more in conformance to the current setbacks.

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 current home is actually reducing the value of surrounding homes by its size, age and aesthetics. The new home will be more in harmony with current home sizes and values.

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: 5-21-2020 Signature: 



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 10, 2020

RE: ZBA 20-06

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

STAFF REPORT

File Number: ZBA#20-06
Site Address: 3968 Highcrest
Parcel Number: 4711-22-302-073
Parcel Size: .176 Acres
Applicant: Nicole Bartolomucci
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variances

Project Description: Applicant is requesting a side, front and waterfront yard setback variances to demolish and 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 May 31, 2020 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 was constructed in 1920.
- The parcel is serviced by a well and public sewer.
- See Assessing Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

The 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 side, front and waterfront yard setback variances.

Variance Requests

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

Table 3.04.01 (LRR District): *Waterfront setback amounts were converted to decimals*

Table 3.04.01 LRR District	Front Yard Setback	Side Yard Setback	Waterfront Yard Setback
Requirement	35'	10'	74.22
Request	7'11" 12'5"	9'	65.17 60.13
Variance Amount	27'1" 22'7"	1'	9.05 14.09

Note: Revised Setbacks from 07/14/20 Site Plan

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, side and waterfront yard setbacks would prevent the applicant from constructing the proposed new single family home. There are other homes in the vicinity with reduced front and side 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. The applicant is increasing the front yard setback with the proposed location of the new home. Staff cannot confirm granting of the waterfront yard would be necessary to provide substantial justice.
- (b) **Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography and narrowness of the lot. The need for the front and side yard setback variances is not self-created however the applicant should demonstrate that the waterfront variance requested is the least amount necessary.
- (c) **Public Safety and Welfare** – The granting of the 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 applicant should demonstrate that the waterfront variance request will not have an impact on the adjacent properties.

Recommended Conditions

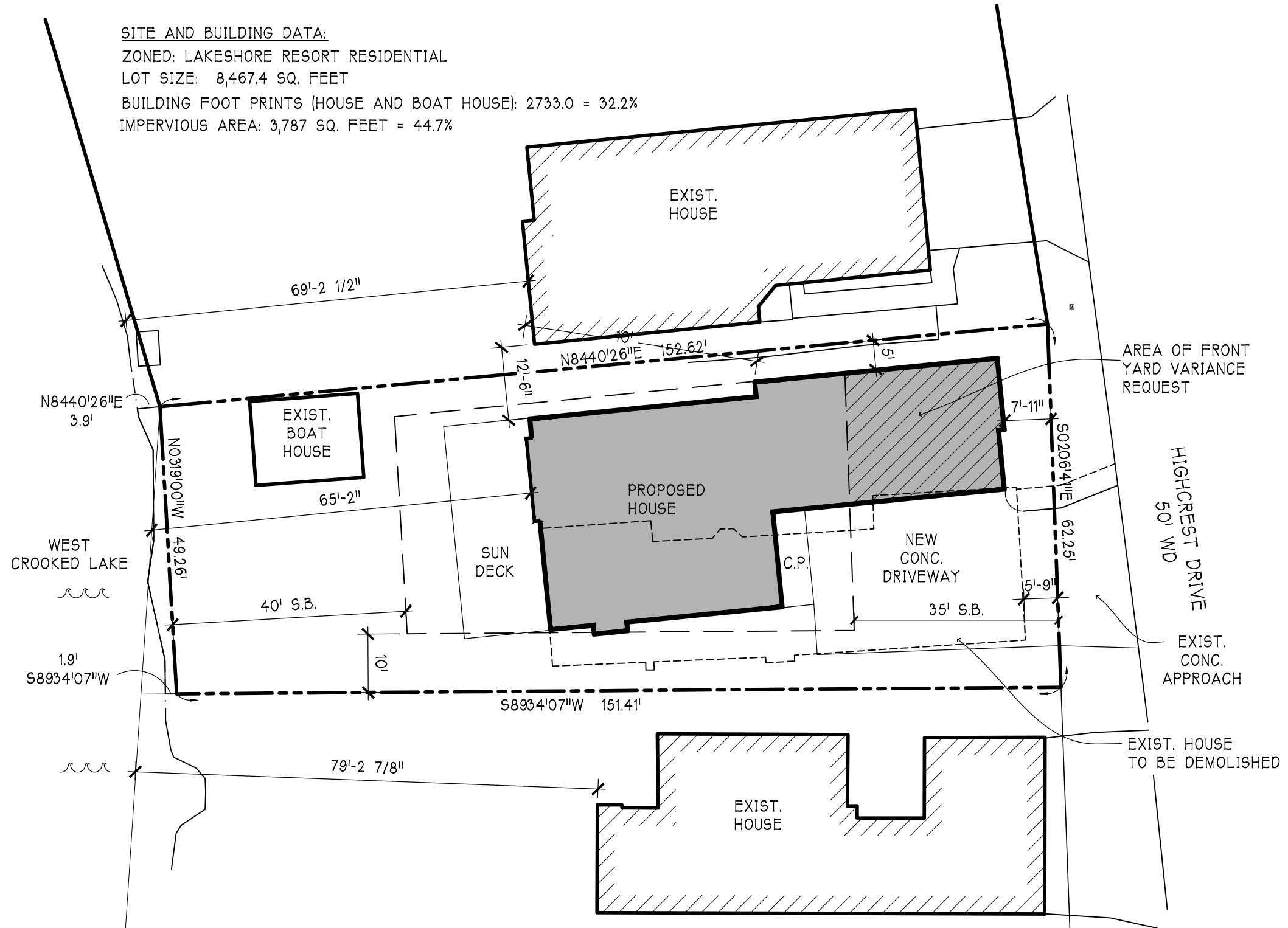
If the Zoning Board of Appeals grants the variance requests staff recommends the following conditions be placed on the approval.

1. Structure must be guttered with downspouts.
2. If improvements are requested for the expansion or improvements of the current accessory building, they shall comply with Section 24.04.06 of the zoning ordinance.
3. The applicant must contact the MHOG Utility Dept. in regards to the sewer disconnect and if relocating the grinder, must receive MHOG Utility Dept. approval for new location prior to land use permit issuance.

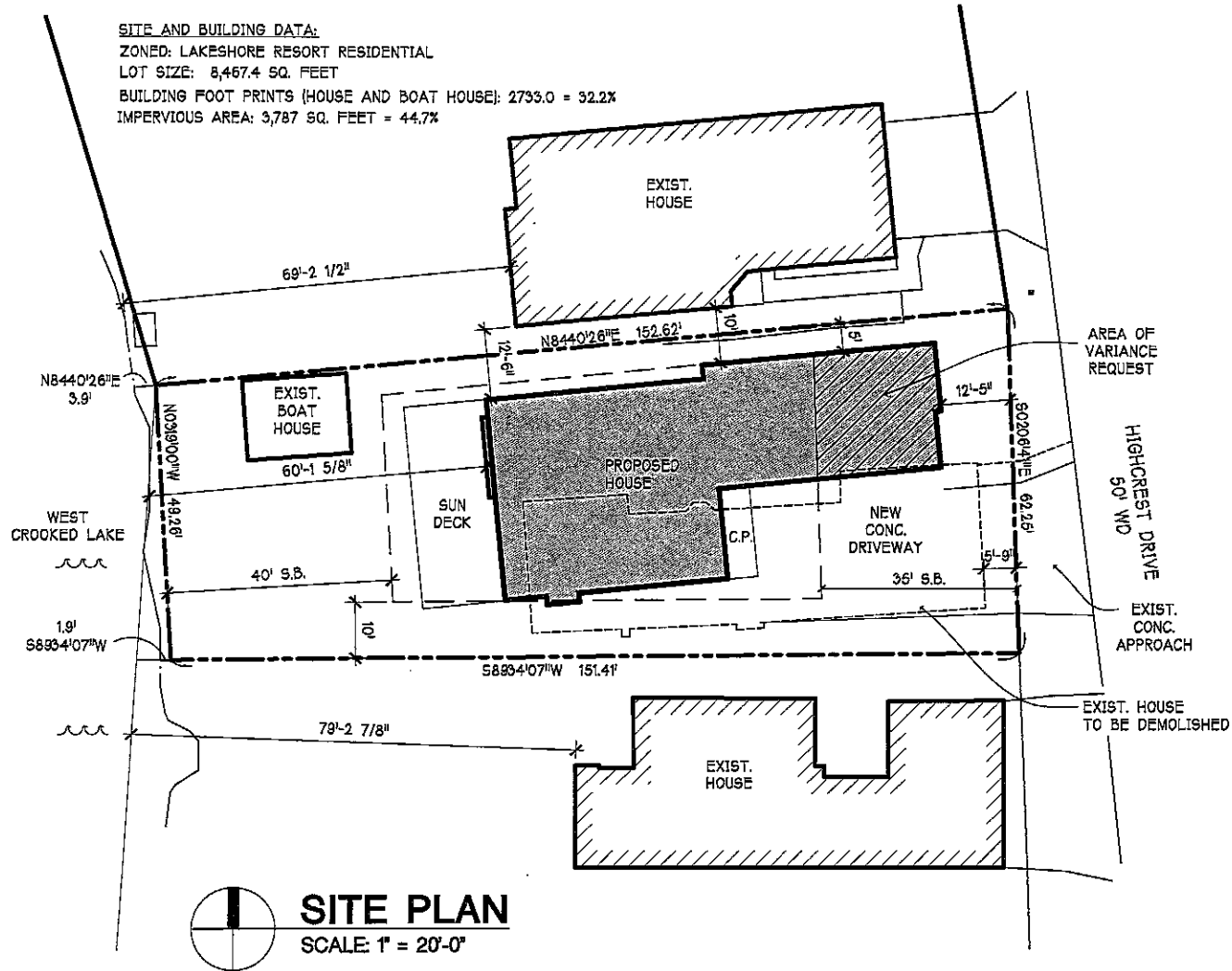
GENOA TOWNSHIP



SITE AND BUILDING DATA:
ZONED: LAKESHORE RESORT RESIDENTIAL
LOT SIZE: 8,467.4 SQ. FEET
BUILDING FOOT PRINTS (HOUSE AND BOAT HOUSE): 2733.0 = 32.2%
IMPERVIOUS AREA: 3,787 SQ. FEET = 44.7%



 **SITE PLAN**
SCALE: 1" = 20'-0"



SHA

ARCHITECTS

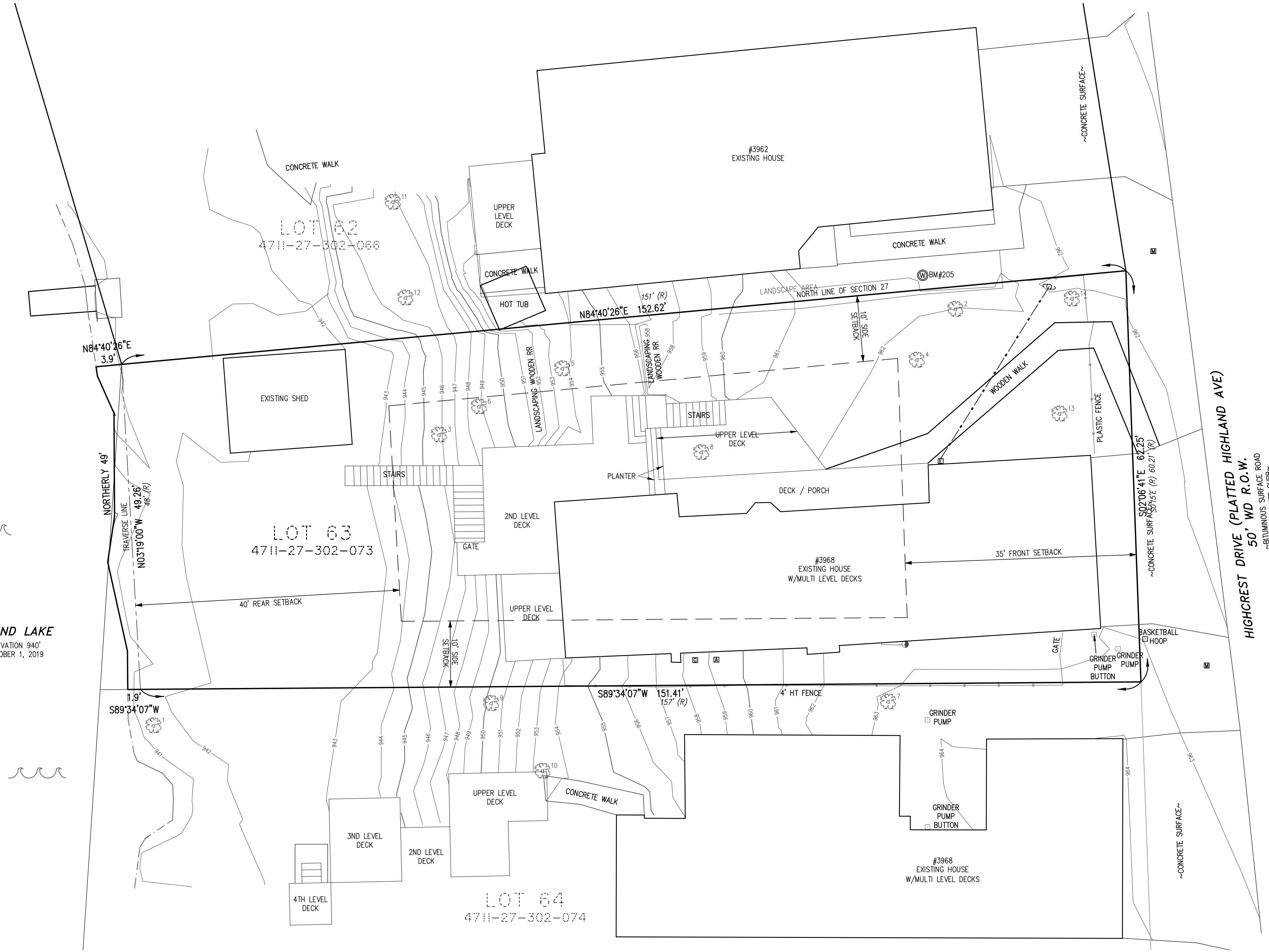
22870 BENTLEY DR.
 NORTHVILLE, MI
 248-464-5005

PROJECT:

BERG & BARTOLOMUCCI RESIDENCE

3968 HIGHCREST DR.
 GENOA TOWNSHIP
 MICHIGAN

ROUND LAKE
ELEVATION 940'
OCTOBER 1, 2019



HIGHCREST DRIVE (PLATTED HIGHLAND AVE)
50' WD R.O.W.
~BITUMINOUS SURFACE ROAD
W/CONCRETE CURB~

~CONCRETE SURFACE~

~CONCRETE SURFACE~

#3968
EXISTING HOUSE
W/MULTI LEVEL DECKS

#3962
EXISTING HOUSE

LOT 62
4711-27-302-066

LOT 63
4711-27-302-073

LOT 64
4711-27-302-074

PROJECT:

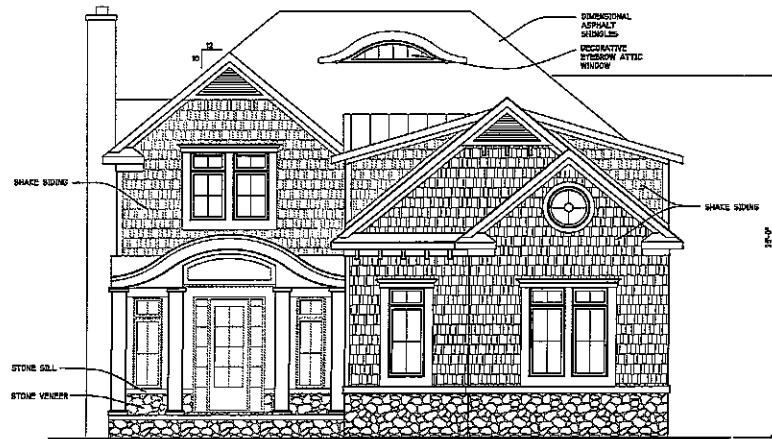
**BERG &
BARTOLOMUCCI
RESIDENCE**

3968 HIGHCREST DR.
GENOA TOWNSHIP
MICHIGAN



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

SHEET TITLE:
ELEVATIONS



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

ISSUED FOR:
ZBA
05-20-2020
05-27-2020

DO NOT SCALE PRINTS
USE FIGURED
DIMENSIONS ONLY

JOB NO.

19028

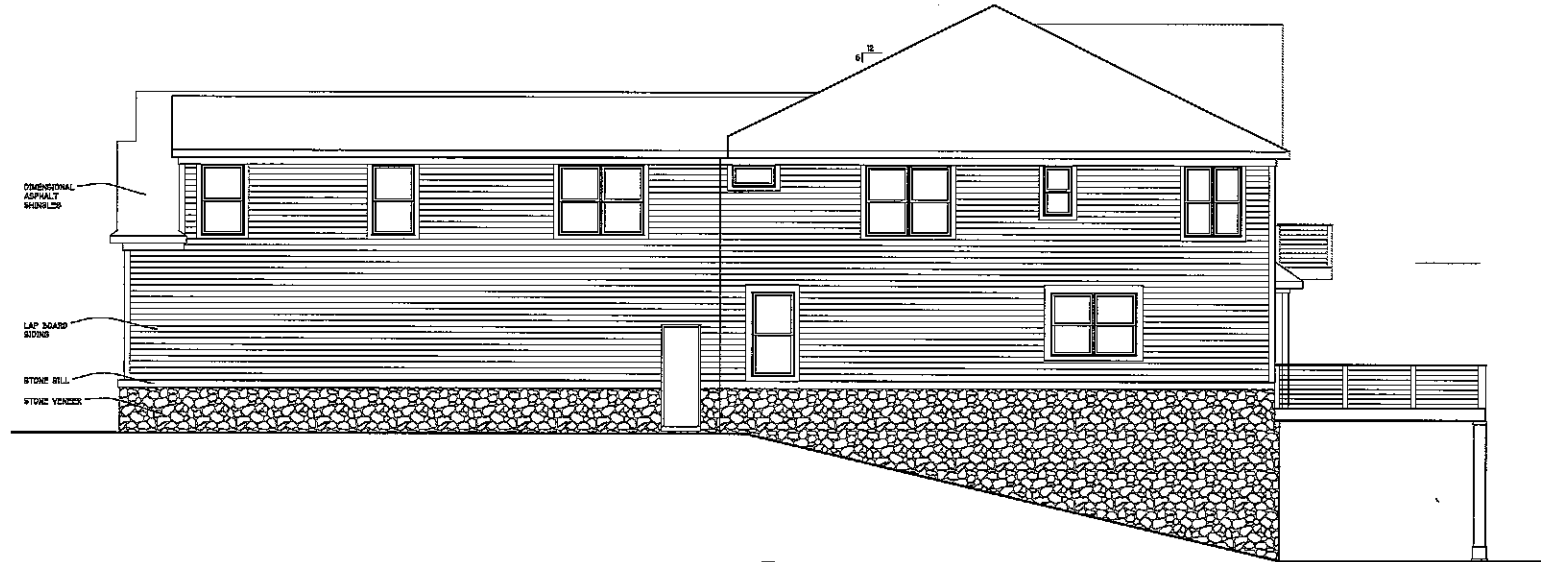
SHEET NO.

A.200

PROJECT:

**BERG &
BARTOLOMUCCI
RESIDENCE**

3888 HIGHCREST DR.
GENOA TOWNSHIP
MICHIGAN



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



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

SHEET TITLE:
ELEVATIONS

ISSUED FOR:

ZBA
05-20-2020
05-27-2020

DO NOT SCALE PRINTS
USE FIGURED
DIMENSIONS ONLY

JOB NO.

19028

SHEET NO.

A.210

Tedd Handelsman
3962 Highcrest Dr.
Brighton, MI 48116
6/10/2020

Genoa Township
Zoning Board
2911 Dorr Rd
Brighton, MI 48116

Dear Genoa Township:

Reference: #20-07 Nicole Bartolomucci Variance Application

I'm objecting to the variance asked for in the application because it would cause great financial harm to my property value. I bought my home expecting the variances in either homes beside me to remain in compliance to ensure the integrity of my lake views.

These plans show a home that over-powers the space of property. It greatly restricts my existing views as a lake front home as seen in pictures below. It also restricts fresh incoming air through the windows and blocks natural light from filtering in.

Last, the big foot design with a three-car garage including a courtyard in this space does not flow in harmony or with the integrity or continuity of our street.

Exhibit #1 View from my living room. Windows on both sides of the fireplace have views currently of the lake. Proposed variance would restrict or eliminate the view.

Exhibit #2 View from my kitchen table have views currently of the lake. Proposed variance would restrict or eliminate the view.

Sincerely

Tedd Handelsman

Genoa Township

6/10/2020

Page 2

Exhibit #1 View from my living room



Genoa Township

6/10/2020

Page 3

Exhibit #2 View from my kitchen table



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.																	
J DAN NIC LLC	BARTOLOMUCCI NICOLE	0	01/01/2009	QC	INVALID SALE	2009R-005538	BUYER	100.0																	
O'BRIEN, MICHAEL J.	J DAN NIC LLC	300,750	09/16/2005	WD	ARMS-LENGTH	4928/0876	BUYER	100.0																	
O'BRIEN, MICHAEL J.		0	12/23/1998	QC	QUIT CLAIM	25210153	BUYER	0.0																	
O'BRIEN, MICHAEL J. & PATR		0	02/16/1994	QC	QUIT CLAIM	1892-0933	BUYER	0.0																	
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status															
3968 HIGHCREST		School: BRIGHTON AREA SCHOOLS																							
Owner's Name/Address		P.R.E. 100% 05/21/2009																							
BARTOLOMUCCI NICOLE 3968 HIGHCREST BRIGHTON MI 48116		MAP #: V20-07		2021 Est TCV Tentative																					
Tax Description		X Improved		Vacant		Land Value Estimates for Land Table 4306.TRI LAKES LAKE FRONT																			
SEC. 22 T2N, R5E, CROOKED LAKE HIGHLANDS SUB. LOT 63		X		Public Improvements		* Factors *																			
Comments/Influences		Dirt Road		Gravel Road		Description		Frontage		Depth	Front	Depth	Rate	%Adj.	Reason	Value									
		Water		Sewer		A LAKE FRONT		48.00		160.00	1.0000	1.0000	4000	100		192,000									
		Electric		Gas		48 Actual Front Feet, 0.18 Total Acres		Total Est. Land Value =								192,000									
		Curb		Street Lights		Land Improvement Cost Estimates		Description		Rate		Size		% Good	Cash Value										
		Standard Utilities		Underground Utils.		Wood Frame		17.80		252		49		2,198											
		Topography of Site		Level		Residential Local Cost Land Improvements		Description		Rate		Size		% Good	Cash Value										
		X REFUSE		Rolling		LANDSCAPING		1.00		756		91		688											
				Low		Total Estimated Land Improvements True Cash Value =		2,886																	
				High		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other	Taxable Value								
				Landscaped		2021		Tentative		Tentative		Tentative				Tentative									
				Swamp		Who		When		What		2020		96,000		70,700		166,700						128,321C	
				Wooded		CG		07/20/2016		REVIEWED R		2019		91,200		68,600		159,800						125,929C	
				Pond								2018		72,000		67,400		139,400						122,978C	
				Waterfront																					
				Ravine																					
				Wetland																					
				Flood Plain																					

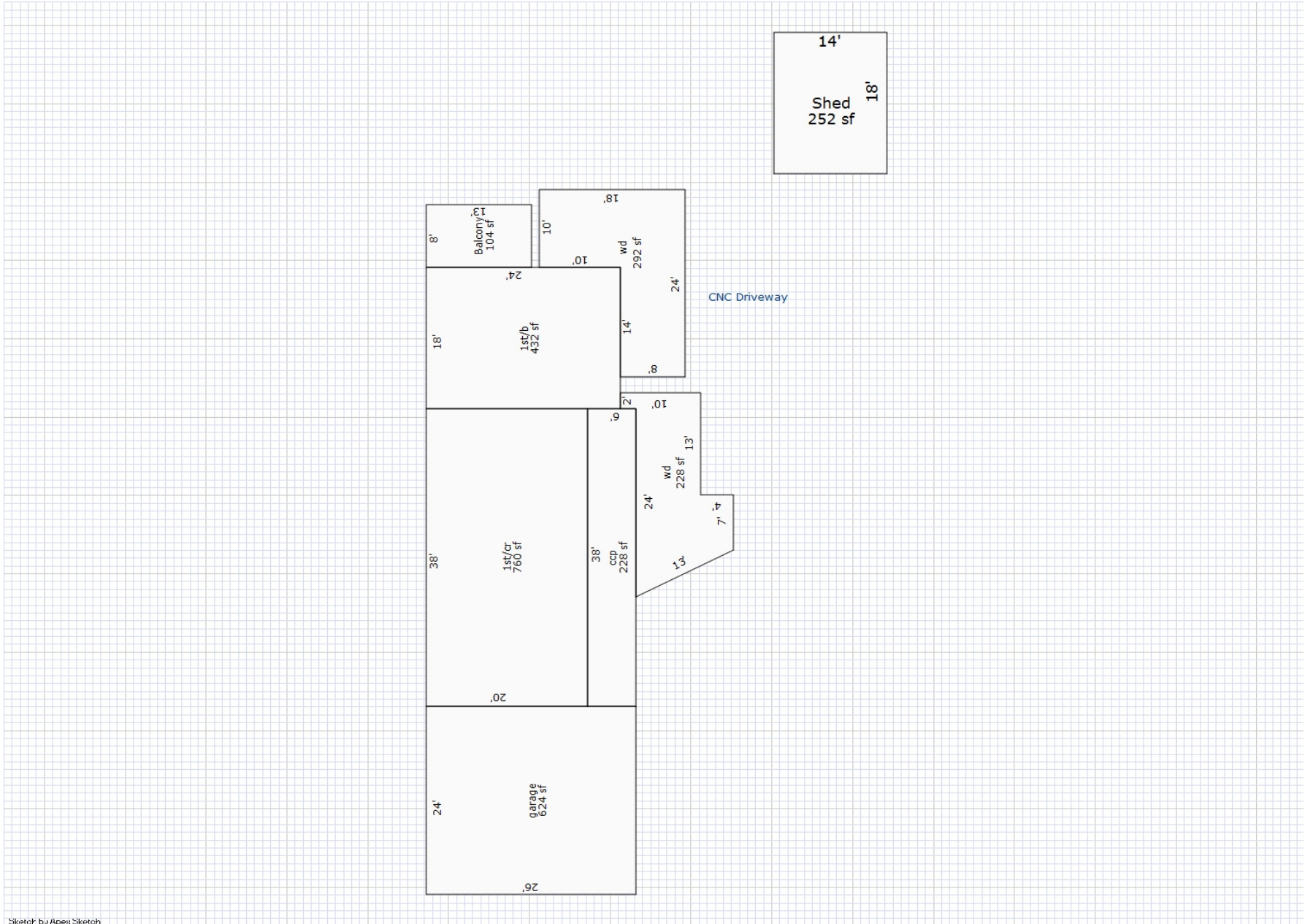


The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan

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

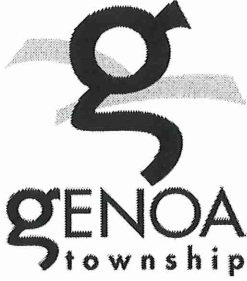
Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher 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 1 Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: CD Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall 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	X	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling							228 228 228 104	CCP (1 Story) Treated Wood Treated Wood Wood Balcony			
Building Style: CD		Trim & Decoration		Central Air Wood Furnace			Cost Est. for Res. Bldg: 1 Single Family CD			Class: CD Effec. Age: 43 Floor Area: 1,192 Total Base New : 171,169 Total Depr Cost: 97,566 Estimated T.C.V: 138,544			E.C.F. X 1.420		Bsmnt Garage: Carport Area: Roof:	
Yr Built 1920	Remodeled 0	Size of Closets		(12) Electric			Ground Area = 1192 SF Floor Area = 1192 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=57/100/100/100/57			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			Basement, Outside Entrance, Below Grade			1		1,793 1,022	
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:		(13) Plumbing			Porches			CCP (1 Story)			228		4,451 2,537	
(1) Exterior		(6) Ceilings		Average Fixture(s)			Deck			Treated Wood			228		3,664 2,088	
X	Wood/Shingle Aluminum/Vinyl Brick			1 3 Fixture Bath			Balcony			Wood Balcony			104		3,202 1,825	
	Insulation			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			Garages			Class: CD Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1 Wall			624 1		19,488 -2,084	
(2) Windows		Basement: 432 S.F. Crawl: 760 S.F. Slab: 0 S.F. Height to Joists: 0.0		Public Water			Water/Sewer			Public Sewer			1		1,100 627	
X	Many Avg. Few	X	Large Avg. Small	1 Public Sewer			Water Well, 200 Feet			Fireplaces			1		4,736 2,700	
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(8) Basement		1000 Gal Septic 2000 Gal Septic			Notes:			Exterior 1 Story			1		4,736 2,700	
(3) Roof		(9) Basement Finish		Lump Sum Items:			ECF (4306 TRI LAKES LAKE FRONT) 1.420 => TCV:						171,169		97,566	
X	Gable Hip Flat	Gambrel Mansard Shed	(10) Floor Support										Totals:		171,169 97,566	
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 # 20-11 Meeting Date: 7-21-2020

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

Applicant/Owner: Bible Baptist Church, 2258 Highland Rd., Howell, Michigan, 48843

Email: Tim.Christoson@howellchurch.org Tim Christoson, Pastor 

Property Address: 3850 Golf Club Road, Howell, Michigan Phone: 517-715-9233

Present Zoning: **RR**-rural residential to **LDR** (Planning Comm. Approved, County Planning Approved, pending Board Approval)

Tax Code: 11-05-200-002

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, township officials and township staff 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:

HISTORICAL

The Gary R. Boss Trust (Trust) Property (46.5 Acres) is being purchased by Bible Baptist Church (BBC) for a future Church Campus. There is currently only One Approved vehicular Private Road/Commercial Drive Access, to the Property by the Livingston County Road Commission.

The intent of BBC and Trust was to access the Property along the 1650 ft. of frontage on Latson Road, however the current alignment and design of Latson Road does not allow access.

The approved location and corresponding design, of the Proposed Access Road follows the existing topography of the land, from Golf Club Road, and transitions southerly across the Dam, between the Pond and the wetlands to the southerly portion of the property and the proposed Church Site. Again, this is the only Access location possible for the 46.5 Acre Property.

VARIANCE—Setback to existing Barn from New Access Road

The existing Barn will not meet required setbacks from the New Access Road. The requested Variance is for One Setback (Front) from the New Proposed Access. A variance of 41.8 feet is sought along the New Proposed Access adjacent to the existing barn. The requested variance is the minimum necessary to do to the following:

The Location and Design of the New Road Access has several “fixed” points that determine the alignment and location.

- 1) Intersection at Golf Club Road*
- 2) Avoiding several “Landmark” Trees*
- 3) Transitioning to lower area to cross existing Dam*

Note: The existing Barn is a very substantial Structure. It is a 4-season heated Structure with substantial storage for maintenance equipment, additional lofted storage, and a sizable Workshop. This type of Structure is a necessity for the upkeep of the existing Estate Home and grounds, and also for the maintenance and upkeep for the proposed Church Site and other proposed amenities.

The Genoa Township Staff was consulted in January, 2020 about the location of Barn and the general consensus was that it could remain without compromising the Access to the southerly portion of the 46.5 Acre Property. The Planning Commission discussed the location of the Barn at the June 2020 meeting, appeared to reach the same general consensus, then approved the preliminary development. Both Staff and PC recognize that the ZBA is the only Body that can approve the Setback Variance, thus allowing the Barn to remain.

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.

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 above explanation for the unique circumstances that are created for the location of the Proposed Access Road.) The New Access Road is a "fixed" location. The existing Barn Structure meets all Genoa Township Setback requirements and Codes with the exception of the New Front yard when the New Access Road is added.

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.

As mentioned above, the Barn is a Substantial Structure. The current Estate Home and the proposed Church Site and other amenities will require a Structure to house and maintain equipment. Removing this Structure will not change the need for the Owner.

No "Property Owners in the District" will be affected by the Variance, if approved, and they will continue with "preservation and enjoyment" of their same "right".

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 not impair adjacent property". Public Safety and Welfare of Genoa Township residents will not be affected.

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 granting of this Variance will not affect "adjacent properties and the surrounding neighborhood." The Barn is well screened and several hundred feet from any neighboring properties.

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: 6/24/2020 Signature: 
Tim Christoson, for Bible Baptist Church

July 15, 2020

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

Attention:	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
Subject:	Bible Baptist Church – Variance regarding yard placement of a detached accessory building
Location:	3850 Golf Club Road – southwest corner of the Golf Club and Latson Road intersection
Zoning:	RR Rural Residential District

Dear Board Members:

As requested, we have reviewed the variance request from Bible Baptist Church to retain an existing detached accessory building that would be within the front yard of a corner lot via approval/construction of a new private road.

Background

For the Board’s information, this request is part of a larger potential project that includes rezoning to LDR, a 10-unit site condominium plan with a private road, and a future church campus.

In June, the Planning Commission reviewed and recommended approval for rezoning of the 46.5-acre subject site from RR Rural Residential to LDR Low Density Residential. The County recently recommended approval, as well; however, the Township Board has yet to render a final decision.

Board approval of the rezoning request would make the existing detached accessory building nonconforming due to its size (approximately 2,200 square feet, where the maximum is 900 square feet on a lot with less than 2 acres, and 1,200 square feet on a lot with at least 2 acres).

The building’s height may also become nonconforming, though the existing height has not been identified by the applicant (14’ is the maximum allowed in the LDR District). Regardless, this is an existing condition that is allowed to remain.

Subsequent to the Commission’s recommendation on the rezoning, they reviewed and recommended conditional approval of a preliminary site condominium plan with a private road.

The private road would connect to Golf Club Road and would extend southward to the east of the existing residence and detached accessory building.

Construction of the private road in this location creates a new condition where the existing detached accessory building would be within the front yard (nearer the private road easement than the residence), which is not permitted in this instance.

One of the conditions attached to the Commission’s recommendation was that the front yard location had to be mitigated by the applicant either by its removal, relocation, or granting of a variance.



Aerial view of site and surroundings (looking north)

PROPOSAL/PROCESS

As described above, the applicant seeks one variance from the standards of Section 12.04 to allow an existing detached accessory building to be located within a newly created front yard.

In accordance with Article 23 of the Township Zoning Ordinance, the ZBA has review and approval authority over dimensional/non-use variances.

The Board also has the ability to attach conditions to a favorable action in order to uphold the variance criteria.

ADDITIONAL CONSIDERATIONS

The submittal includes conceptual renderings for “renovation” of the detached accessory building. Additional information is needed to determine whether such renovation is allowable by Ordinance.

More specifically, the building’s nonconforming status restricts opportunities for renovation/alteration. Per Article 24, neither its height nor its size can be increased without additional variance(s).

Furthermore, the extent of improvements allowed to a nonconforming building is limited to 50% of the building’s value (Section 24.04.06).

Since additional information was not provided and the application only requests retention of the existing detached accessory building, our review is only tied to the request for front yard placement.

If the variance is granted, the applicant may retain the building as-is.

However, future renovation/alteration will be limited by the Township’s nonconforming regulations in Article 24, as described above.

VARIANCE REVIEW

We have reviewed the request in accordance with the dimensional variance review standards of Section 23.05.03, as follows:

1. ***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.*

In this instance, strict compliance would require removal or relocation of the existing detached accessory building, or retention of a 5-acre lot with a 200' setback from the private road easement.

As described by the applicant, the existing building is a “substantial structure” with 4-season usage for storage and a workshop.

In our opinion, the Board could find the alternatives of removal and shifting of the roadway farther east (which would place it within the northeasterly wetland/pond area) to be unreasonable.

Furthermore, because of the building’s nonconforming status, its relocation is not permitted without a variance. As such, this option does not improve upon the variance currently requested.

It is our understanding that the detached accessory building was built several years ago and remains in good condition. As such, its retention, as opposed to the alternatives noted above, also appear to be consistent with the substantial justice (fairness) test.

2. ***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.*

In this instance, we view the unique property condition to be the presence of significant environmental features. More specifically, the site contains a substantial amount of submerged land and wetlands (both regulated and unregulated).

These conditions, along with the inability to construct a private road connection to Latson Road, have restricted road construction to the location proposed.

While the case could be made that construction of the private road is a “self-created” situation, we are of the opinion that it is relatively unlikely that a 46.5-acre site with frontage on two roadways would remain developed only as an individual single-family residence.

As such, the property conditions dictate the placement of the private road; thus, creating the need for a variance, which we do not believe to be “self-created.”

3. ***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.*

Retention of the existing detached accessory building is not expected to adversely impact public safety and welfare, or create the nuisance-like conditions described under this criterion.

4. ***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.*

Similar to the closing comment under criterion #1 above, it is our understanding that the detached accessory building was constructed several years ago and remains in good condition.

As such, it could generally be viewed as part of the established character of this property/area; whereby, its retention would not adversely impact the surrounding neighborhood.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,
SAFEBUILT STUDIO

A handwritten signature in black ink, appearing to read "Bri. V. Borden". The signature is stylized and cursive.

Brian V. Borden, AICP
Planning Manager

Genoa Township Planning Commission

June 3, 2020

Unapproved Minutes

This Meeting was conducted via Zoom Meeting

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JUNE 3, 2020
6:30 P.M.
MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:35 p.m. Present were Marianne McCreary, Chris Grajek, Eric Rauch, Jim Mortensen, Jeff Dhaenens, Jill Rickard and Glynis McBain. Also present was Kelly VanMarter, Community Development Director/Assistant Township Manager, Shelby Scherdt of Tetra Tech, and Brian Borden of Safebuilt Studio. There were 42 audience members present.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

Chairman Grajek reviewed the process for this evening's Planning Commission meeting and how public comment can be given via Zoom Meeting.

APPROVAL OF AGENDA:

Moved by Commissioner Dhaenens, seconded by Commissioner Mortensen, to approve the agenda as presented. **The motion carried unanimously with a roll call vote.**

CALL TO THE PUBLIC: The call to the public was made at 6:40 pm.

Mr. Don Farr of 170 Lane Drive is objecting to these proceedings because the public has not been afforded ample time to meet to prepare and formulate their response due to the Governor's stay-at-home order. They request that the Planning Commission delay making any decision this evening to allow them time to meet.

Ms. VanMarter stated the applicant submitted their application and paid their fees back in February. They were delayed twice due to the pandemic. Other communities have held Planning Commission meetings virtually. Unfortunately this is the reality now and the applicant must be afforded due process to have their application heard. She sympathizes with the residents.

The call to the public was closed at 6:45 pm.

DECLARATION OF CONFLICT OF INTEREST: Commissioner McBain stated her personal residence is within 300 feet of the Boss property. She must be excluded from this item on the agenda. All Commissioners voted unanimously via a roll call vote to excuse Commissioner McBain due to a conflict of interest.

PUBLIC HEARING

OPEN PUBLIC HEARING # 1... Review of a rezoning application and impact assessment to rezone approximately 46.5 acres from Rural Residential (RR) to Low Density Residential (LDR) for parcel# 11-05-200- 002. The parcel is located at 3850 Golf Club Road on the southwest corner of Golf Club Road and Latson Road. This request is petitioned by Bible Baptist Church.

- A. Recommendation of Rezoning Application.
- B. Recommendation of Environmental Impact Assessment. (2-24-2020)

Mr. Brent LaVanway of Boss Engineering, Pastor Tim Christoson, the applicant, and Mr. Gary Boss, the property owner, were present.

Mr. LaVanway provided a review of the property and the applicant's request to rezone the property from Rural Residential (RR) to Low-Density Residential (LDR)

Pastor Christoson thanked the Township for allowing the Planning Commission meeting to be held virtually this evening. They believe that the presence of a church in a community is a great source of love, hope, and compassion. A core principle of being a Christian is to love your neighbor. The rezoning request complies with the Master Plan and it creates a situation for the church to seek a development partner who will assist with the cost of much of the infrastructure, such as the roadway and utilities. They are committed to a plan that preserves a high amount of the natural beauty of the property. They have met with the neighbors and appreciate their feedback.

Mr. Borden stated this first item is strictly the rezoning of the property. He reviewed his letter of March 17, 2020.

- LDR zoning is generally consistent with the rezoning criteria of Section 22.04 of the zoning ordinance.
- The request is consistent with the Township Master Plan.
- The request is anticipated to be compatible with the surrounding area.
- The host of uses permitted in LDR is compatible with existing and planned uses in the surrounding area.
- Consideration must be given to any technical comments provided by the Township Engineer, Utilities Director and/or Fire Authority with respect to infrastructure compatibility or capacity, and environmental impacts.

Ms. Shelby Scherdt reviewed her letter of March 3, 2020.

- The lot sizes shown on the LDR rezoning plan are all over 1 acre, which matches the LDR zoning requirement of 1 unit per acre. The general layout presented on the rezoning plan is acceptable.
- The LDR zoning does not require public water and sewer utilities, but Marion, Howell, Oceola, and Howell Sewer and Water Authority (MHOG) water is available on the west side of Latson Road and sewer in the Rolling Ridge Condominiums to the south of the

Genoa Township Planning Commission

June 3, 2020

Unapproved Minutes

subject site. The impact assessment states that the petitioner anticipates connecting to water for the proposed residential homes but does not plan on a sanitary sewer connection at this time. If this is the proposal for sanitary sewage disposal, perk tests should be presented showing that the soils are suitable for septic fields as part of the site condominium plan submittal.

Commission Rickard is glad the applicant changed their rezoning request to comply with the Master Plan.

Commission Mortensen confirmed that the rezoning will not guarantee a church will be developed on this site as it is a special use in this zoning. Ms. VanMarter stated, "Yes. A church is a Special Land Use in both the existing and the proposed zoning."

Commissioner Mortensen also noted that the Impact Assessment says "It MAY be serviced by water and sewer". He asked the petitioner for clarification. Mr. LaVanway stated on-site well and septic are permitted in this zoning. However they are proposing to use the MHOG water system for fire hydrants for fire protection and on-site septic systems.

Commissioner Dhaenens agrees with Commissioner Mortensen. He also questioned why public sanitary sewer is not going to be used if it is available. Mr. LaVanway stated they are not sure if it is economically feasible to extend the public sewer into the site. They are aware it is available and are pursuing it further.

Commissioner McCreary questioned the franchise utility easement shown on the plan. Mr. LaVanway stated this is for the extension of public utilities of water, gas, and underground electricity.

Chairman Grajek asked if Mr. LaVanway was aware of the comments from the BAFA letter dated March 18, 2020 and he answered, "Yes".

Commissioner Mortensen asked for confirmation that conditions cannot be put on a rezoning. Mr. Borden stated that conditions cannot be put on rezoning approvals. He also asked if there were any engineering issues that could prohibit this rezoning. Ms. Scherdt stated this property can be developed with well and septic; however, if the property is rezoned and it is determined that there is not adequate capacity for well and septic, the developer would be required to connect to municipal water and sewer.

The call to the public was made at 7:12 pm

Ms. VanMarter stated that 19 letters and emails were received by the Township from residents and all were not in support of the project. She reviewed the names and addresses (if provided). The concerns were storm water runoff, tree removal, traffic, etc.

Genoa Township Planning Commission

June 3, 2020

Unapproved Minutes

Ms. Dawn Izurieta of 3922 Sugarbush Drive is opposed to this rezoning. She does not want the traffic through their subdivision. She is not opposed to churches, but she knows there will be a lot of traffic, and not just on Sundays.

Mr. Don Farr of 170 Lane Drive would like to respond to his general comment previously. He reiterated his opposition to the format this evening. He would like to know why the petitioner is afforded due process but the public is not. It is biased and concerning. There has been poor audio. This is not how this process is supposed to work to give the residents adequate representation. There is a significant delay between what is being heard on the call and what is being broadcast on YouTube. He thinks everyone should be on the same format, and not the members on Zoom and the public on a call-in feature. He is concerned with the additional traffic. This corner is congested and dangerous already. He wants to know what the Township plans to manage the increased traffic. He would like the Township to have the petitioner upgrade the intersections to acceptable standards and those plans be presented before this is approved. They have existing drainage problems on their properties and this development will exacerbate this situation. What will the Township do to address this? He wants the Planning Commission to tell them how the development of this corner will be consistent with the Master Plan. This is a rural atmosphere. This would not be preserving the natural quality of life in the Township, such as slopes, mature trees and natural ecosystems.

Mr. Paul Rottach of 3897 Sugarbush. His home is directly behind the proposed church. He agrees with Mr. Farr's comments regarding due process. Everyone is afforded due process. He objects to the traffic study done in 2012, prior to I-96 and most Latson Road development so it does not take into account any of the existing traffic. Everyone is aware of the traffic and speeding on Latson Road. He is also concerned with privacy regarding the lighting and parking lot directly behind his house. He has flood insurance because his house is low level and the lot next to his house floods. When all of the trees are removed, it will cause more water to flow toward his house and into his lot. He would like clarification as to what can be put on each one-acre lot. He also asked if the emergency access area will be paved.

Mr. James Miller echoed the due process comment made by Mr. Farr as well as the technical difficulties that residents are having to make sure they are heard. His main concern is traffic and safety and how the emergency access will open up their neighborhood to traffic. This area is not adequate to support this type of development. He questioned if this development will have access through Sugarbush Drive.

Chairman Grajek advised that many of these items will be addressed during the next item on the agenda, the Site Plan review.

Ms. Tammy Celmo of 3910 Sugarbush Drive. Her concerns echo the other residents'. She is also concerned about the DEQ wetlands that surround their neighborhood. The road can barely handle the existing traffic. It is a safety concern. Their property values can go down if the trees

Genoa Township Planning Commission

June 3, 2020

Unapproved Minutes

are removed from behind their homes. A road does not belong in a subdivision and a subdivision does not belong on that property. There are other properties in Howell.

Mr. Bruce Macey of 3878 Sugarbush Drive lives directly across from the development. They have had discussion with the applicant and he has been reasonable. He advised his co-owners residents that they need not worry about a roadway through Sugarbush. There is no public land or ROW's or easements here. The lot is owned by the association. The Board will not allow that to happen. He does not believe the pastor is looking at that as an option. He has the same concerns as his neighbors; but he wants to assure the pastor that they will welcome them to the neighborhood. They want the two communities to work together. They do prefer that the development be done within the constraints of the current zoning. They do not see the need for the rezoning.

Mr. Tom Lemkau of 47 Lane Drive. His property is the catch-all for any runoff coming from the surrounding area. He wants to be assured that he is not going to feel the effects of the runoff from this development onto his property. He is also concerned about the traffic flow on Golf Club. It is a downhill in that area and vehicles speed.

Ms. Nichole Zajac of 3274 Snowden Lane stated she has the same concerns as everyone else, with regard to traffic. Her road is already deteriorating and will deteriorate more if there is more traffic and they would. It is currently difficult to exit left out of their neighborhood. She is concerned that if it is rezoned and then the church does not develop it and questions what would be developed on that site.

Mr. Farr reiterated his due process concerns. He noted that there is a resident who is unable to connect to voice his concerns. Ms. VanMarter stated she is following the comments on the YouTube video and our technician is trying to get him connected.

Mr. Rottach of 3897 Sugarbush Drive stated he did not receive clarification on the definition of LDR. How many units are allowed for each acre? He reiterated the other caller's concerns that if the church does not develop the site, what can be built there.

Mr. Borden stated Low density Residential allows for minimum one-acre lots for single-family residences. There are only two differences between the site as it is currently zoned and what is being proposed; one is the density. RR requires two acres and the only use difference is that if there is a large RR lot, they have the option to keep livestock. All of the other uses are exactly the same.

Mr. Michael Siterlet of 3780 Golf Club stated he has the same concerns as the other members of the public, especially with the amount of traffic and the speeding. He is concerned because the pond on his property is fed by the water to the south and he wants to ensure that this development will not stop that flow of water.

The call to the public was closed at 8:01 pm.

Genoa Township Planning Commission

June 3, 2020

Unapproved Minutes

Ms. VanMarter stated that the applicant has changed the zoning from their first request. They had originally asked for UR, which allowed additional units per acre and allowed duplexes. This is a completely different rezoning request than what was requested before. What is allowed with this request is one detached single-family home per acre.

Commissioner Rickard questioned the existing traffic study. Are the trip generations based on what is being proposed or the maximum allowable build out? This should be required as part of the rezoning.

Commissioner McCreary has the same concerns as Commissioner Rickard. The last traffic study was done eight years ago and there has been development since then.

Ms. VanMarter reviewed the zoning ordinance and what is needed to require an updated traffic study. Mr. LaVanway stated the traffic data they used for the Impact Assessment was for 23 homes, which is the maximum build out, so their request does not meet the criteria. The current zoning has 189 trips in a 24 hour period and the proposed zoning has 227 trips. So the difference between RR and the traffic generated by the proposed LDR is relatively minimum.

Commissioner Dhaenens noted that this item is about the rezoning and not the proposed development. The difference in the two zonings is 13 houses.

Moved by Commissioner Mortensen, seconded by Commissioner Rickard, to recommend to the Township Board approval of the rezoning the property at the southwest corner of Golf Club and Latson Roads from Rural Residential to Low Density Residential. This request is made because the PC finds that the proposal is consistent with the Township Master Plan, compatible with the existing building out in the surrounding area, and meets the rezoning criteria of Section 22.04 of the Township Ordinance. **The motion carried unanimously with a roll call vote**

Commissioner McCreary has concerns with the Environmental Impact Assessment. She asked if a wetland survey has ever been done on this property. Mr. LaVanway stated it is in the Natural Features Plan as part of the rezoning packet. She asked if this property is in a floodplain. Mr. LaVanway stated there is not a FEMA-regulated floodplain in this area; however, there is a pond shared by the two properties.

She questioned the access through Sugarbush. Was there a legal opinion from the Rolling Ridge subdivision opinion that the developer does not have the right to access that area? Ms. VanMarter stated they received a legal opinion from the subdivision's attorney indicating the applicant does not have a right to access that area. The applicant is allowed to submit a different opinion.

Genoa Township Planning Commission

June 3, 2020

Unapproved Minutes

Commissioner McCreary feels there should be consistency with regard to sanitary sewer and septic as both are mentioned in the Impact Assessment. Mr. LaVanway said they are both mentioned because it is available but they are opting for septic systems.

Moved by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Environmental Impact Assessment for residential rezoning of the property at the corner of Golf Club and Latson Road dated February 24, 2020.

The motion carried unanimously with a roll call vote.

Chairman Grajek called for a 10-minute break at 8:21 pm

The meeting resumed at 8:31 pm.

OPEN PUBLIC HEARING #2...Review of a request of a preliminary site plan and impact assessment requesting preliminary site condominium approval for a proposed 10-unit site condominium. The property in question is located at 3850 Golf Club Road on approximately 46.5 acres on the southwest corner of Golf Club Road and Latson Road. The request is petitioned by Bible Baptist Church.

- A. Recommendation of Environmental Impact Assessment (3-30-2020)
- B. Recommendation of Preliminary Site Plan

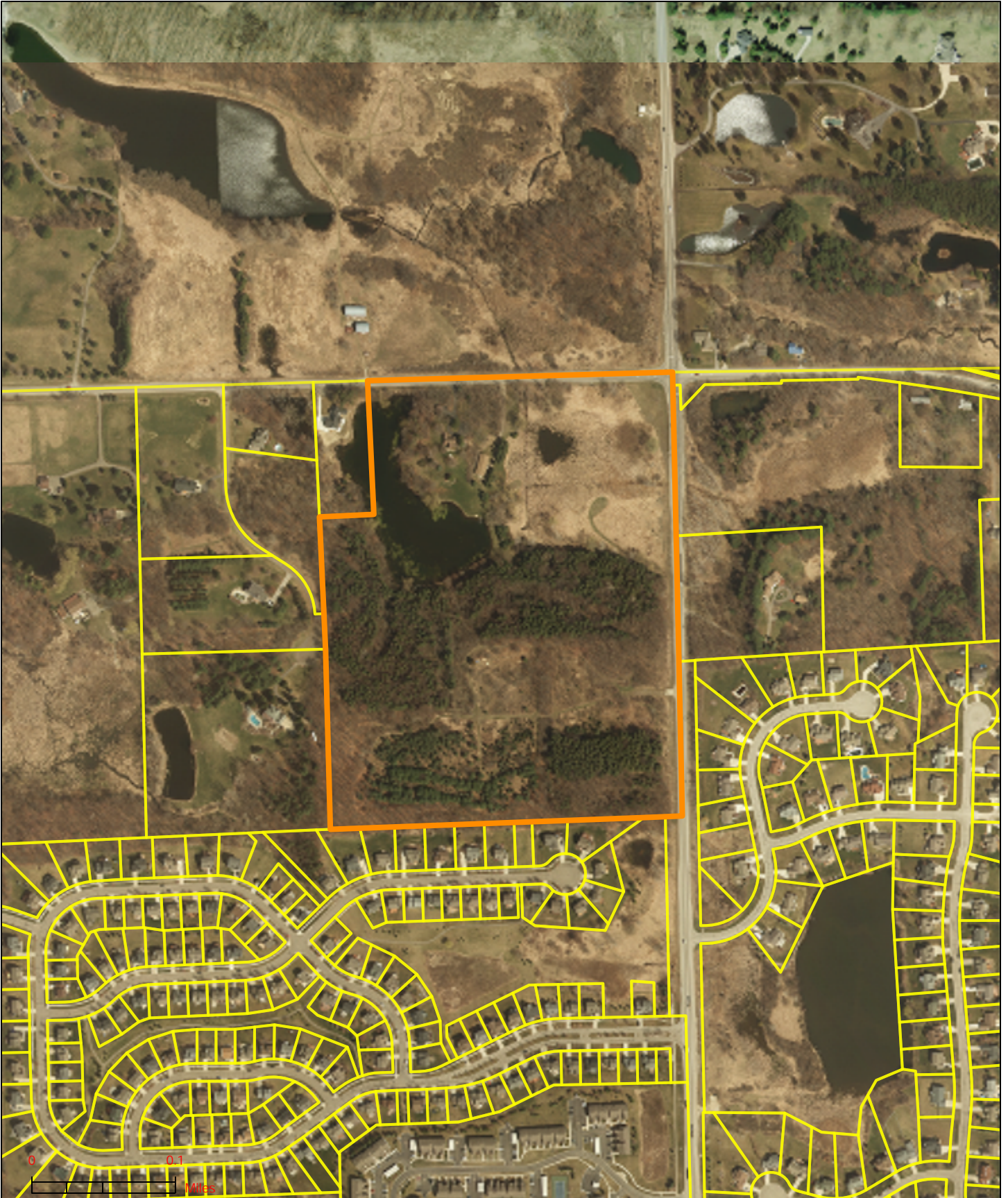
Mr. Brent LaVanway of Boss Engineering, Pastor Tim Christoson, the applicant, and Mr. Gary Boss, the property owner, were present.

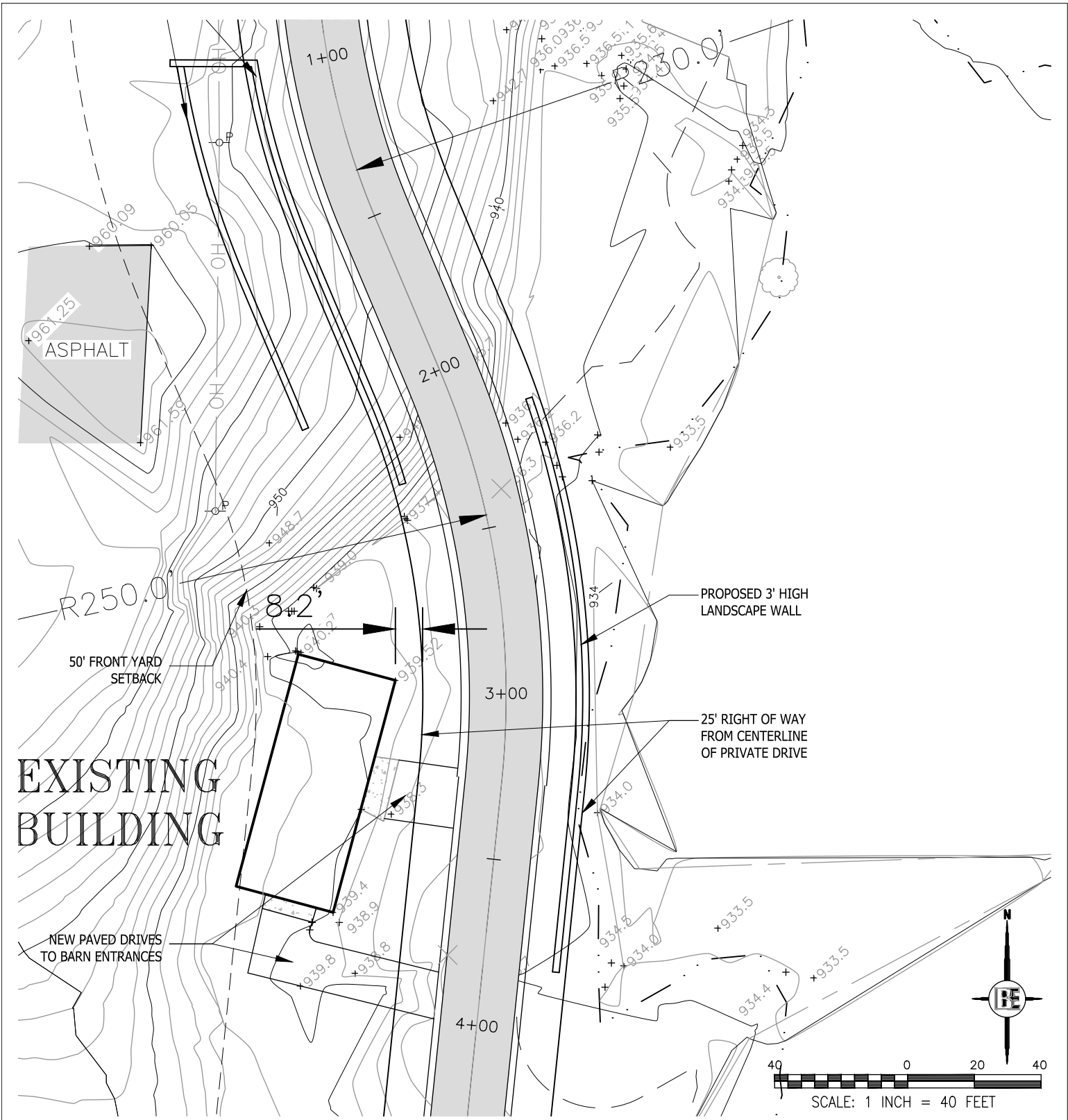
Mr. LaVanway reviewed the project. They are proposing 10 single-family residential site condominium units, which will be on the west side of the property and south of the pond. The access point to the residential lots is from Golf Club Road and has been approved by the Livingston County Road Commission. They propose utilities to include on-site septic systems for each lot and a combination of public water and wells. The Fire Marshall expressed concerns with fire suppression since there is only one access point so they are using the public water and increasing the number of hydrants.

Mr. LaVanway addressed the comments made during the rezoning.

- The storm drainage for the site is to encompass the road network and will utilize storm drainage structures and Lots 8 and 9. Based on the topography, they currently drain toward the subdivision to the south so they will be capturing that drainage and sending it to the north via storm sewer and the use of three fore bays, which will be utilized to pretreat the storm water prior to it discharging into the shared pond and the wetland, which is a regulated wetland. They will need approval from EGLE. After the preliminary site plan review, the Livingston County Drain Commissioner, the Livingston County Road Commission, and the Township Engineer will review and approve the plans. It will also be directed away from Lane Drive toward the east.

GENOA TOWNSHIP





PROJECT

BIBLE BAPTIST CHURCH

PREPARED FOR

BIBLE BAPTIST CHURCH

2258 EAST HIGHLAND ROAD
 HOWELL, MI 48843
 517-715-9223



Engineers Surveyors Planners Landscape Architects
 3121 E. GRAND RIVER AVE.
 HOWELL, MI. 48843
 517.546.4836 FAX 517.548.1670

DESIGNED BY: JH

DRAWN BY: JH

CHECKED BY: JH

SCALE 1" = 40'

JOB NO. 19-353

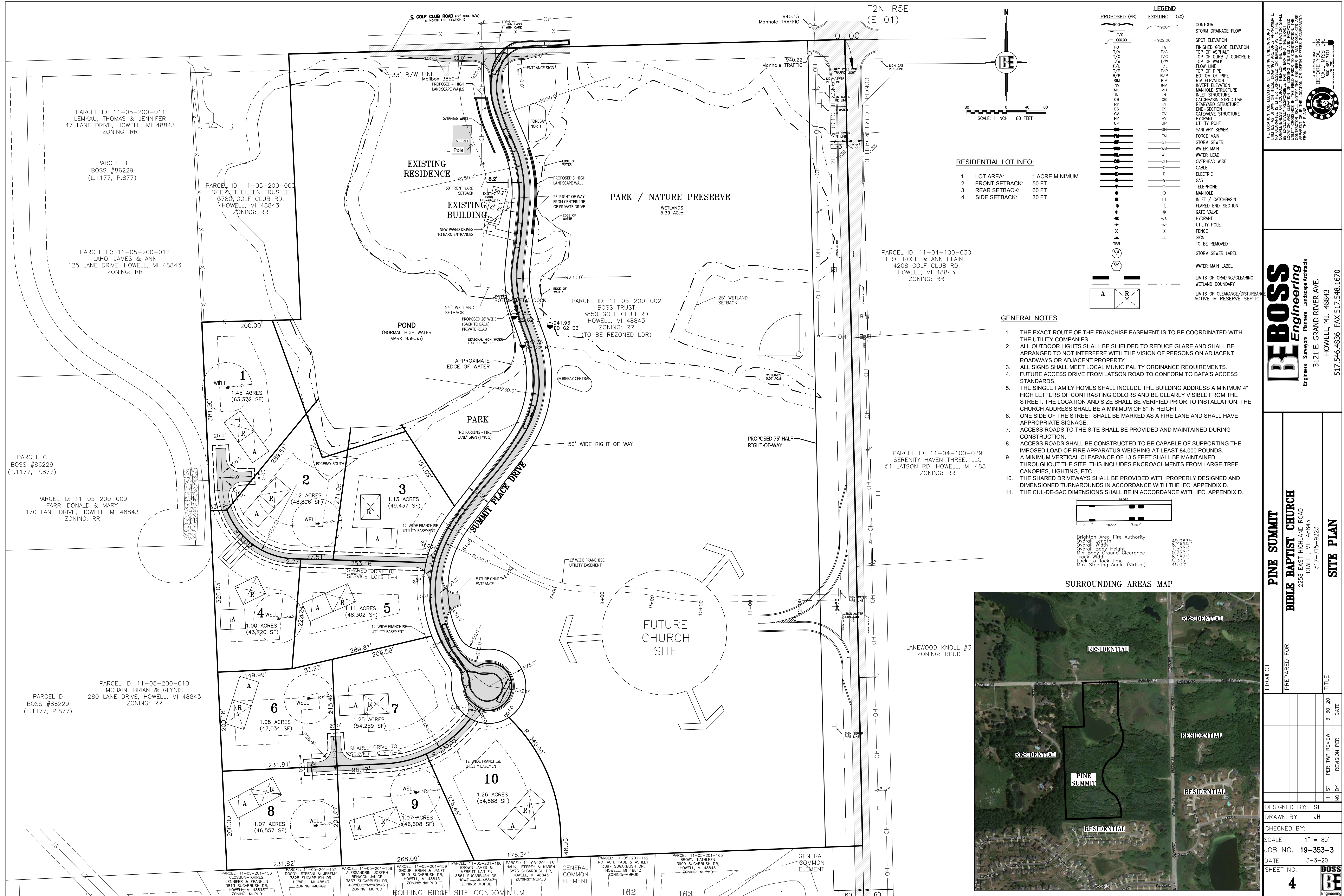
DATE 6/18/2020

SHEET NO.

TITLE

EXISTING BARN SETBACK VARIANCE

1



LEGEND

PROPOSED (PR)	EXISTING (EX)	DESCRIPTION
---	---	CONTOUR
---	---	STORM DRAINAGE FLOW
---	---	SPOT ELEVATION
---	---	FINISHED GRADE ELEVATION
---	---	TOP OF ASPHALT
---	---	TOP OF CURB / CONCRETE
---	---	TOP OF WALK
---	---	FLOW LINE
---	---	TOP OF PIPE
---	---	BOTTOM OF PIPE
---	---	RM ELEVATION
---	---	INVERT ELEVATION
---	---	MANHOLE STRUCTURE
---	---	INLET STRUCTURE
---	---	CATCHBASIN STRUCTURE
---	---	REAR YARD STRUCTURE
---	---	END-SECTION
---	---	GATEWAY STRUCTURE
---	---	HYDRANT
---	---	UTILITY POLE
---	---	SANITARY SEWER
---	---	FORCE MAIN
---	---	STORM SEWER
---	---	WATER MAIN
---	---	WATER LEAD
---	---	OVERHEAD WIRE
---	---	CABLE
---	---	ELECTRIC
---	---	GAS
---	---	TELEPHONE
---	---	MANHOLE
---	---	INLET / CATCHBASIN
---	---	FLARED END-SECTION
---	---	GATE VALVE
---	---	HYDRANT
---	---	UTILITY POLE
---	---	FENCE
---	---	SIGN
---	---	TO BE REMOVED
---	---	STORM SEWER LABEL
---	---	WATER MAIN LABEL
---	---	LIMITS OF GRADING/CLEARING
---	---	WETLAND BOUNDARY
---	---	LIMITS OF CLEARANCE/DISTURBANCE
---	---	ACTIVE & RESERVE SEPTIC

RESIDENTIAL LOT INFO:

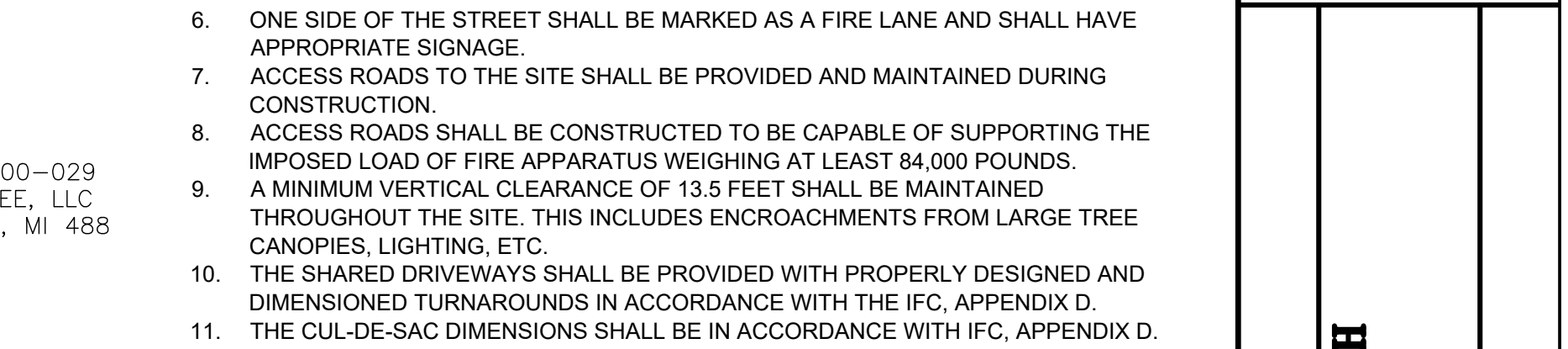
- LOT AREA: 1 ACRE MINIMUM
- FRONT SETBACK: 50 FT
- REAR SETBACK: 60 FT
- SIDE SETBACK: 30 FT

GENERAL NOTES

- THE EXACT ROUTE OF THE FRANCHISE EASEMENT IS TO BE COORDINATED WITH THE UTILITY COMPANIES.
- ALL OUTDOOR LIGHTS SHALL BE SHIELDED TO REDUCE GLARE AND SHALL BE ARRANGED TO NOT INTERFERE WITH THE VISION OF PERSONS ON ADJACENT ROADWAYS OR ADJACENT PROPERTY.
- ALL SIGNS SHALL MEET LOCAL MUNICIPALITY ORDINANCE REQUIREMENTS.
- FUTURE ACCESS DRIVE FROM LATSON ROAD TO CONFORM TO BAFAS ACCESS STANDARDS.
- THE SINGLE FAMILY HOMES SHALL INCLUDE THE BUILDING ADDRESS A MINIMUM 4" HIGH LETTERS OF CONTRASTING COLORS AND BE CLEARLY VISIBLE FROM THE STREET. THE LOCATION AND SIZE SHALL BE VERIFIED PRIOR TO INSTALLATION. THE CHURCH ADDRESS SHALL BE A MINIMUM OF 6" IN HEIGHT.
- ONE SIDE OF THE STREET SHALL BE MARKED AS A FIRE LANE AND SHALL HAVE APPROPRIATE SIGNAGE.
- ACCESS ROADS TO THE SITE SHALL BE PROVIDED AND MAINTAINED DURING CONSTRUCTION.
- ACCESS ROADS SHALL BE CONSTRUCTED TO BE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF FIRE APPARATUS WEIGHING AT LEAST 84,000 POUNDS.
- A MINIMUM VERTICAL CLEARANCE OF 13.5 FEET SHALL BE MAINTAINED THROUGHOUT THE SITE. THIS INCLUDES ENCROACHMENTS FROM LARGE TREE CANOPIES, LIGHTING, ETC.
- THE SHARED DRIVEWAYS SHALL BE PROVIDED WITH PROPERLY DESIGNED AND DIMENSIONED TURNAROUNDS IN ACCORDANCE WITH THE IFC, APPENDIX D.
- THE CUL-DE-SAC DIMENSIONS SHALL BE IN ACCORDANCE WITH IFC, APPENDIX D.

Brighton Area Fire Authority

Overall Length	49.08 ft
Overall Width	8.16 ft
Overall Body Height	7.50 ft
Min Body Ground Clearance	6.00 ft
Track Width	49.16 ft
Lock-to-lock time	1.00 sec
Max Steering Angle (Virtual)	45.00°

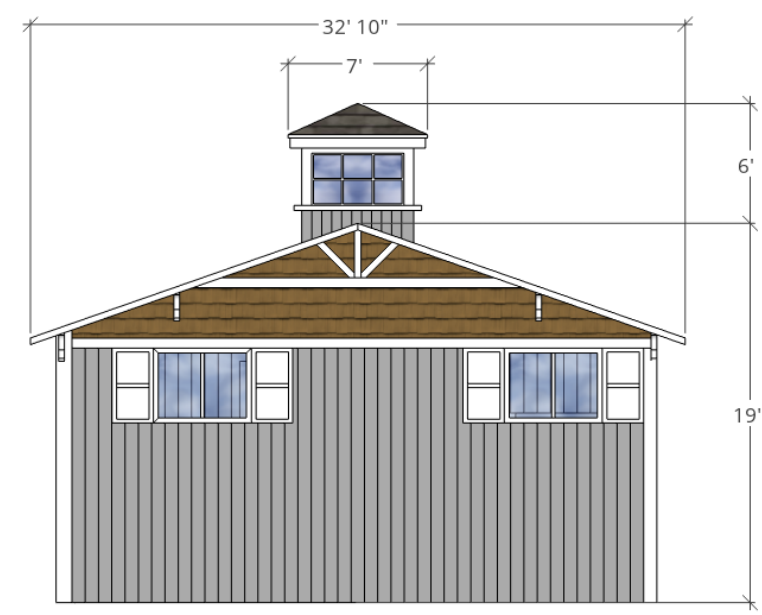


BEBOSS Engineering
 Engineers Surveyors Planners Landscape Architects
 3121 E. GRAND RIVER AVE.
 HOWELL, MI. 48843
 517.546.4836 FAX 517.548.1670

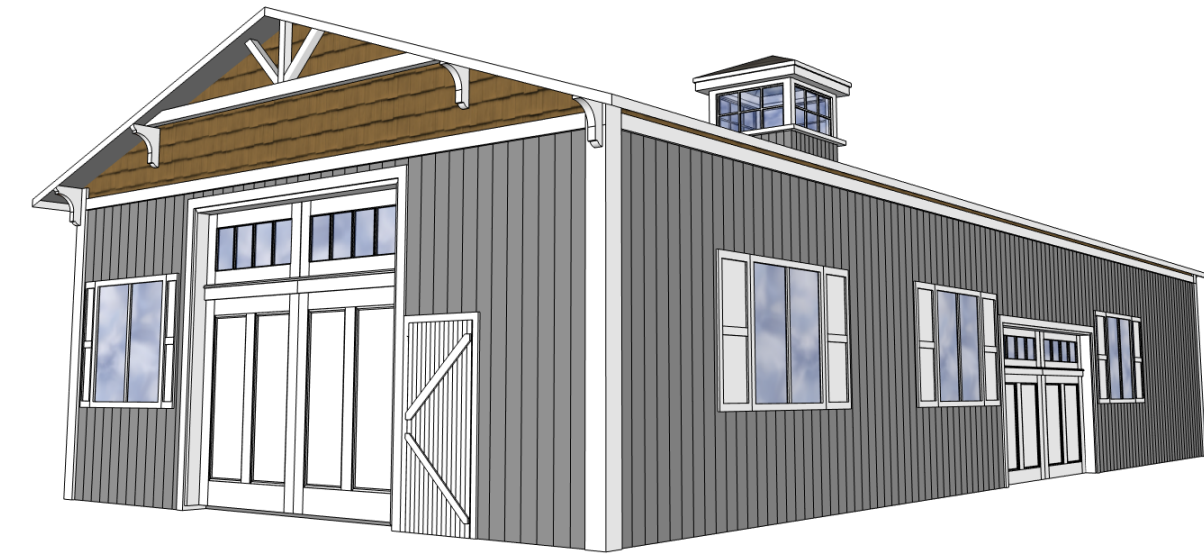
PINE SUMMIT
BIBLE BAPTIST CHURCH
 2258 EAST HIGHLAND ROAD
 HOWELL, MI 48843
 517-715-9223

SITE PLAN

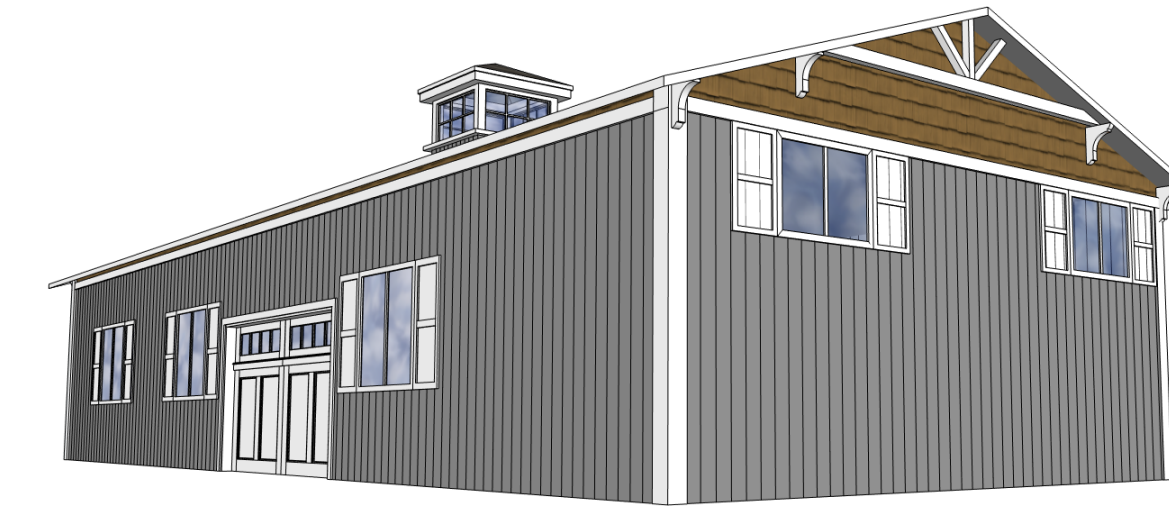
PROJECT	PINE SUMMIT
PREPARED FOR	BIBLE BAPTIST CHURCH
DATE	3-30-20
TITLE	SITE PLAN
DESIGNED BY:	ST
DRAWN BY:	JH
CHECKED BY:	
SCALE	1" = 80'
JOB NO.	19-353-3
DATE	3-3-20
SHEET NO.	4



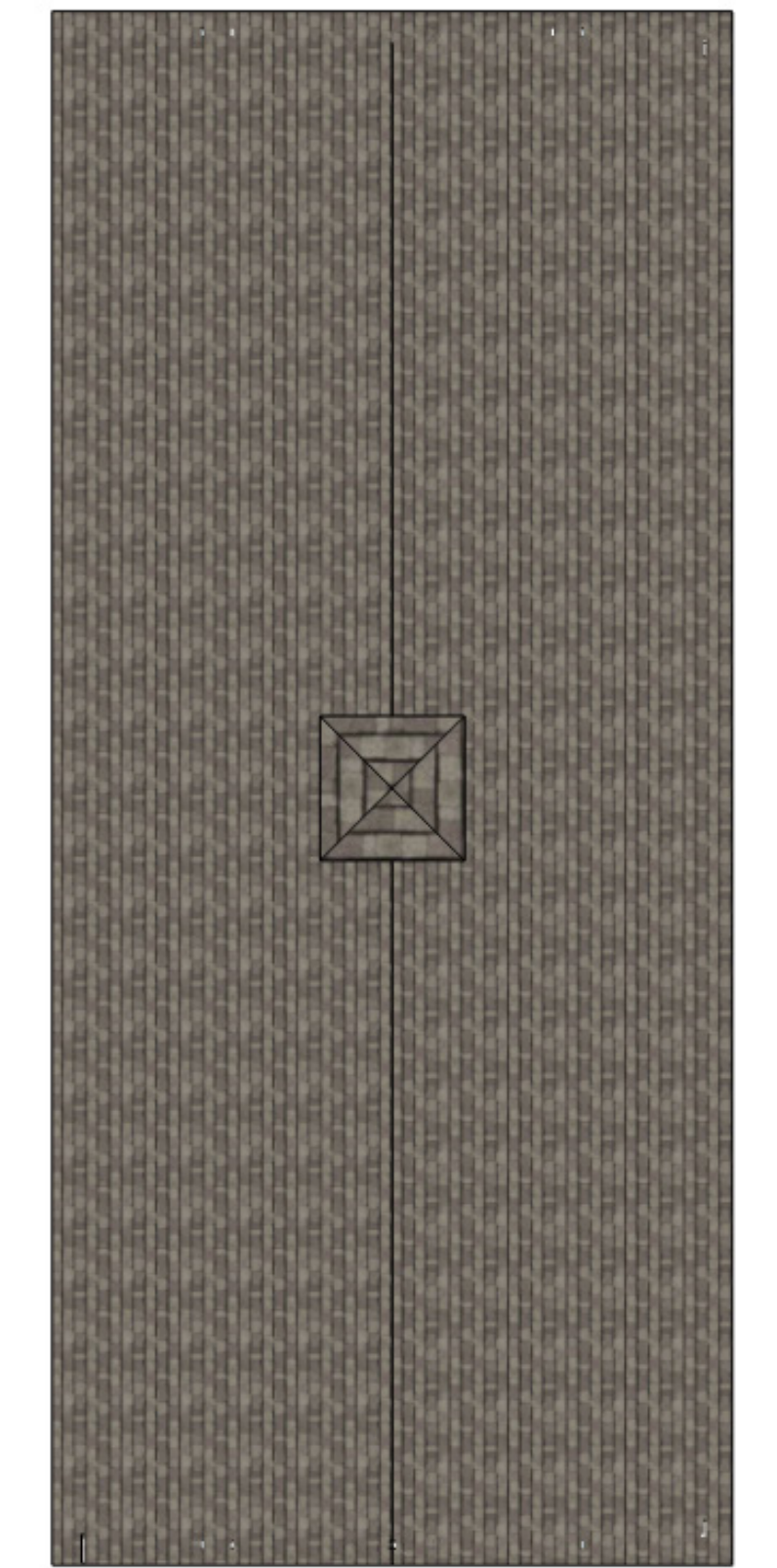
SOUTH ELEVATION



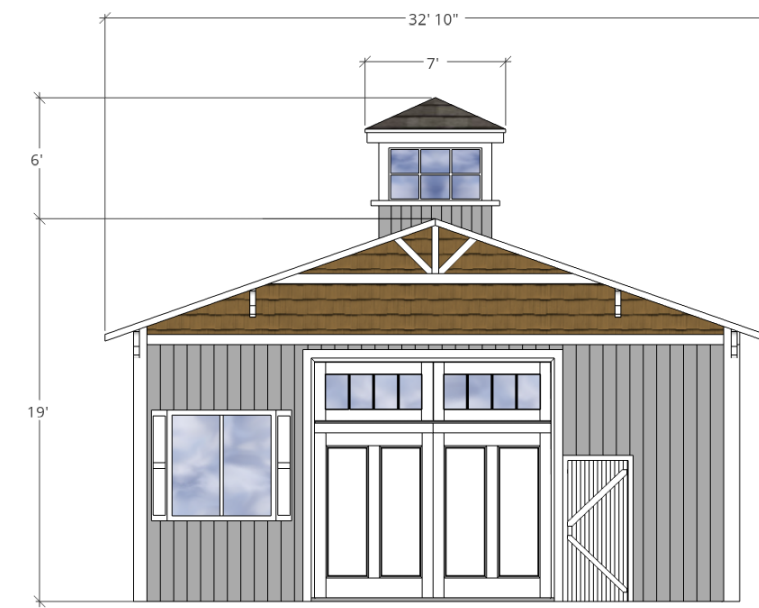
NORTHWEST WORM PERSPECTIVE



SOUTHWEST WORM PERSPECTIVE



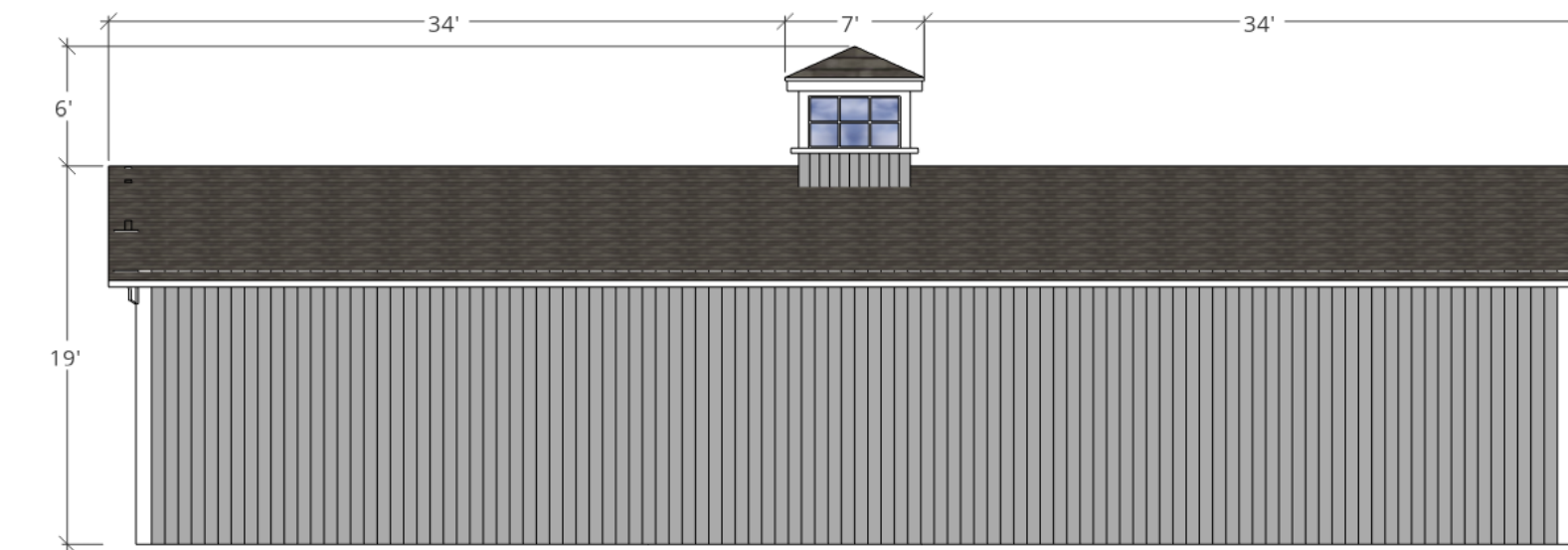
TOP VIEW



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



SOUTH PERSPECTIVE



SOUTHWEST PERSPECTIVE



NORTH PERSPECTIVE


Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
BOSS, GARY & KATHERINE	BOSS TRUST	0	07/12/2005	TA	INVALID SALE		BUYER	0.0

Property Address	Class: RESIDENTIAL-IMPROV	Zoning: RR	Building Permit(s)	Date	Number	Status
3850 GOLF CLUB RD	School: HOWELL PUBLIC SCHOOLS		ADDITION	04/02/2003	03-100	NO START
	P.R.E. 100% / /					
Owner's Name/Address	MAP #: GOLF					
BOSS TRUST 3850 GOLF CLUB RD HOWELL MI 48843	2021 Est TCV Tentative					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 4500.HOWELL M& B							
				Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value	
SEC. 5 T2N, R5E, NE 1/4 OF NE FRL 1/4 EXC. A PARCEL OF LAND 200 FT. E & W BY 500 FT. N & S IN NW COR.				LAND TABLE A			46.50	Acres	10,538	100	490,000
				46.50 Total Acres Total Est. Land Value = 490,000							

Comments/Influences	Public Improvements	Land Improvement Cost Estimates					
		Description	Rate	Size	% Good	Cash Value	
	Dirt Road						
	Gravel Road						
	Paved Road						
	Storm Sewer						
	Sidewalk						
	Water						
	Sewer						
	Electric						
	Gas						
	Curb						
	Street Lights						
	Standard Utilities						
	Underground Utils.						
	D/W/P: Brick on Sand	20.43	523	41	4,381		
	Total Estimated Land Improvements True Cash Value =					4,381	

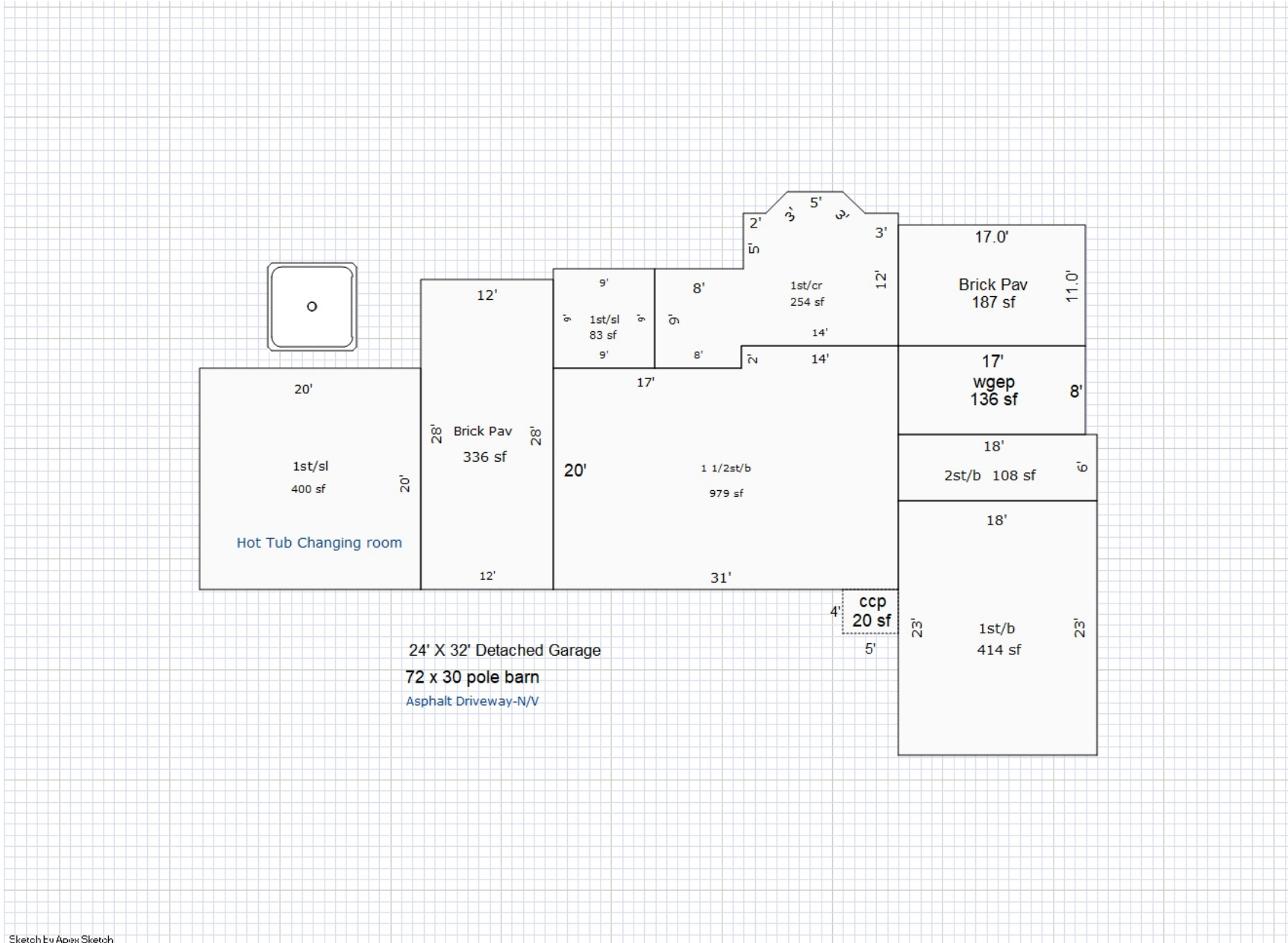
Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level							
Rolling							
Low							
High							
Landscaped							
Swamp							
Wooded							
Pond							
Waterfront							
Ravine							
Wetland							
Flood Plain							
X REFUSE							

	Who	When	What	2021	Tentative	Tentative	Tentative			Tentative
	LLG	05/15/2019	INSPECTED	2020	245,000	142,100	387,100			176,894C
				2019	244,100	134,100	378,200	378,200J		173,596C
				2018	244,100	82,600	326,700			160,836C
	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 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 20 136	Type CCP (1 Story) WGEP (1 Story)			Year Built: Car Capacity: Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 768 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
X	Wood Frame		Drywall Paneled		Plaster Wood T&G													
Building Style: BC		Trim & Decoration		X Forced Heat & Cool Heat Pump No Heating/Cooling			Central Air Wood Furnace			Class: BC Effec. Age: 45 Floor Area: 2,836 Total Base New : 547,849 Total Depr Cost: 301,318 Estimated T.C.V: 283,239			E.C.F. X 0.940			Bsmnt Garage: Carport Area: Roof:		
Yr Built 1937	Remodeled 0	Size of Closets		Lg X Ord Small			Ex X Ord Min			Doors: Solid X H.C.								
Condition: Good		(5) Floors		Kitchen: Other: Other:			(12) Electric 0 Amps Service			Cost Est. for Res. Bldg: 1 Single Family BC (11) Heating System: Forced Heat & Cool Ground Area = 2238 SF Floor Area = 2836 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=55/100/100/100/55			Cls BC Blt 1937					
Room List		Basement 3 1st Floor 2nd Floor 4 Bedrooms		(6) Ceilings			No./Qual. of Fixtures Ex. X Ord. Min			Building Areas			Stories Exterior Foundation Size Cost New Depr. Cost					
(1) Exterior		Wood/Shingle Aluminum/Vinyl Brick		(7) Excavation			No. of Elec. Outlets Many X Ave. Few			Stories Exterior Foundation Size Cost New Depr. Cost								
Insulation		Basement: 1501 S.F. Crawl: 254 S.F. Slab: 483 S.F. Height to Joists: 0.0		(13) Plumbing			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			1.5 Story Siding/Brick Basement 979 1 Story Siding/Brick Basement 414 1 Story Siding/Brick Crawl Space 254 1 Story Siding/Brick Slab 83 1 Story Siding/Brick Slab 400 2 Story Siding Basement 108			Total: 423,657 233,012					
(2) Windows		Many Avg. Few X Large Avg. Small		(8) Basement			(14) Water/Sewer			Other Additions/Adjustments Recreation Room 388 10,003 5,502 Exterior Brick Veneer 1320 25,516 14,034 Plumbing 3 Fixture Bath 1 6,444 3,544 2 Fixture Bath 1 4,318 2,375 Water/Sewer 1000 Gal Septic 1 5,316 2,924 Water Well, 200 Feet 1 11,052 6,079								
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		(9) Basement Finish			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Porches WGEP (1 Story) 136 13,726 7,549 CCP (1 Story) 20 1,139 626 Garages Class: BC Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 768 36,925 20,309 Fireplaces								
(3) Roof		Gable Hip Flat		Gambrel Mansard Shed			Lump Sum Items:			<<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>								
X Asphalt Shingle		Chimney: Brick		(10) Floor Support														

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



Sketch by Apex Sketch

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

Building Type	Farm Utility Buildings			
Year Built				
Class/Construction	D,Frame			
Quality/Exterior	Average			
# of Walls, Perimeter	4 Wall, 204			
Height	12			
Heating System	No Heating/Cooling			
Length/Width/Area	72 x 30 = 2160			
Cost New	\$ 39,960			
Phy./Func./Econ. %Good	82/100/100 82.0			
Depreciated Cost	\$ 32,767			
+ Unit-In-Place Items	\$ 0			
Description, Size X Rate X %Good = Cost				
Itemized ->				
Unit-In-Place ->				
Items ->				
E.C.F.	X 0.940			
% Good	82			
Est. True Cash Value	\$ 30,801			
Comments:				
Total Estimated True Cash Value of Agricultural Improvements / This Card: 30801 / All Cards: 30801				



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

Case # 20-12 Meeting Date: 7/21/2020

PAID Variance Application Fee

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

Applicant/Owner: Brett and Jennifer Landacre Email: landacre@me.com

Property Address: 528 S. Hacker Phone: 248-255-8033

Present Zoning: 401- Residential RR Tax Code: 4711-01-200-052

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, township officials and township staff 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: See attached item #1

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.

Please see attached item #2

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 #3

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 #4

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 #5

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: 6/26/20 Signature: Gennifer Landace

1. We are requesting a variance to the rear setback, we need the rear setback reduced to 1'. We would like to build a 40X24 detached accessory structure on the existing asphalt pad. We need this rear setback to avoid being under the overhead power lines and also to prevent being in front of the primary residence.
2. The restrictions and setbacks are preventing a detached accessory building from being constructed anywhere on the property. I have included multiple examples of other homes in the area with detached accessory buildings that do not meet the restrictions and/or setbacks. Granting this rear setback variance would do substantial justice to us as homeowners by allowing us to construct this secondary accessory building that we desperately need for our family. There are many other properties within the same zoning district that have these detached accessory buildings.
3. The existing use of the land is asphalt driveway / parking. Therefore, building this structure will only serve to increase the usability of this space for concealed storage.
4. Granting the variance will NOT impair adequate supply of light or air to adjacent property nor will it increase congestion in public streets.
5. Granting this variance will NOT interfere with the continued use for the adjacent property. The property directly adjacent will remain asphalt parking / Driveway material as it is currently. It will not negatively impact value either as it will serve to provide concealed storage that will allow us to clean up items that are currently outside in plain view. It will also allow the removal of a shed that is in very rough condition.



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: July 7, 2020

RE: ZBA 20-12

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

STAFF REPORT

File Number: ZBA#20-12
Site Address: 528 S. Hacker Road
Parcel Number: 4711-01-200-052
Parcel Size: 2 Acres
Applicant: Brett and Jennifer Landacre
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a side yard setback variance to construct a detached accessory structure.
Zoning and Existing Use: RR (Rural Residential) Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday July 5, 2020 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 1979
- The parcel is serviced by well and septic.
- See Assessing Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

The proposed project is to construct a detached accessory structure. At time of publication, staff was unsure if a variance to construct a structure in the front yard was going to be requested. The applicant stated that they require a rear yard variance however after review they are in need a side yard variance. Staff supplied an aerial demonstrating property lines with setbacks. (See Attached) There does appear to be a 33 foot easement on the east side property line. (See attached survey)

Variance Requests

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

11.04.01 Accessory Buildings, Structures and Uses in General

(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.

Table 3.04.01 (RR District):

Required Side Yard Setback:	30'
Proposed Side Yard Setback:	1'
Proposed Variance Amount:	29'

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 zoning requirements would prevent the applicant from constructing the proposed accessory structure. Granting the variance to construct the proposed structure on the lot would not give the applicant substantial justice only due to proposed setback from the side property line. There appear to be other detached accessory structures that do not meet the zoning ordinance however they do not appear to be placed so close to the property line. The applicant should demonstrate that the variance requested is the least amount necessary.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the configuration of the lot, location of septic field and power lines. The need for the variance is not self-created however it does not appear to be the least necessary.
- (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 could have an impact on the adjacent neighbor due to how close the applicant is proposing to place the structure to the lot line.

Recommended Conditions

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

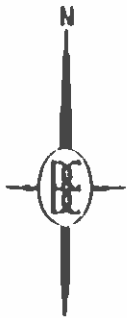
1. All existing detached accessory will be removed prior to Certificate of Occupancy issuance.



1 inch = 60 feet



Parcel lines are approximate.



NE COR.
SEC. 1
T21N-R5E

NW COR.
SE 1/4, NE 1/4
SEC. 1, T2N-R5E

FIR 1.22' SOUTH
& 3.22' WEST OF
SET CORNER

CURVE DATA (1)

△ = 08°13'30"
RADIUS = 696.60
ARC = 100.00
CHORD = S 69°17'19" W
99.91

FENCE CORNER IS
0.34' SOUTH &
0.10' WEST OF
PROPERTY CORNER

FIR 0.56' SOUTH
& 0.31' EAST OF
PROPERTY CORNER

FIR 1.04' WEST
OF LINE

EASEMENT "A"
33' WIDE PRIVATE EASEMENT
FOR INGRESS, EGRESS AND
PUBLIC UTILITIES (SEE PAGE 2)

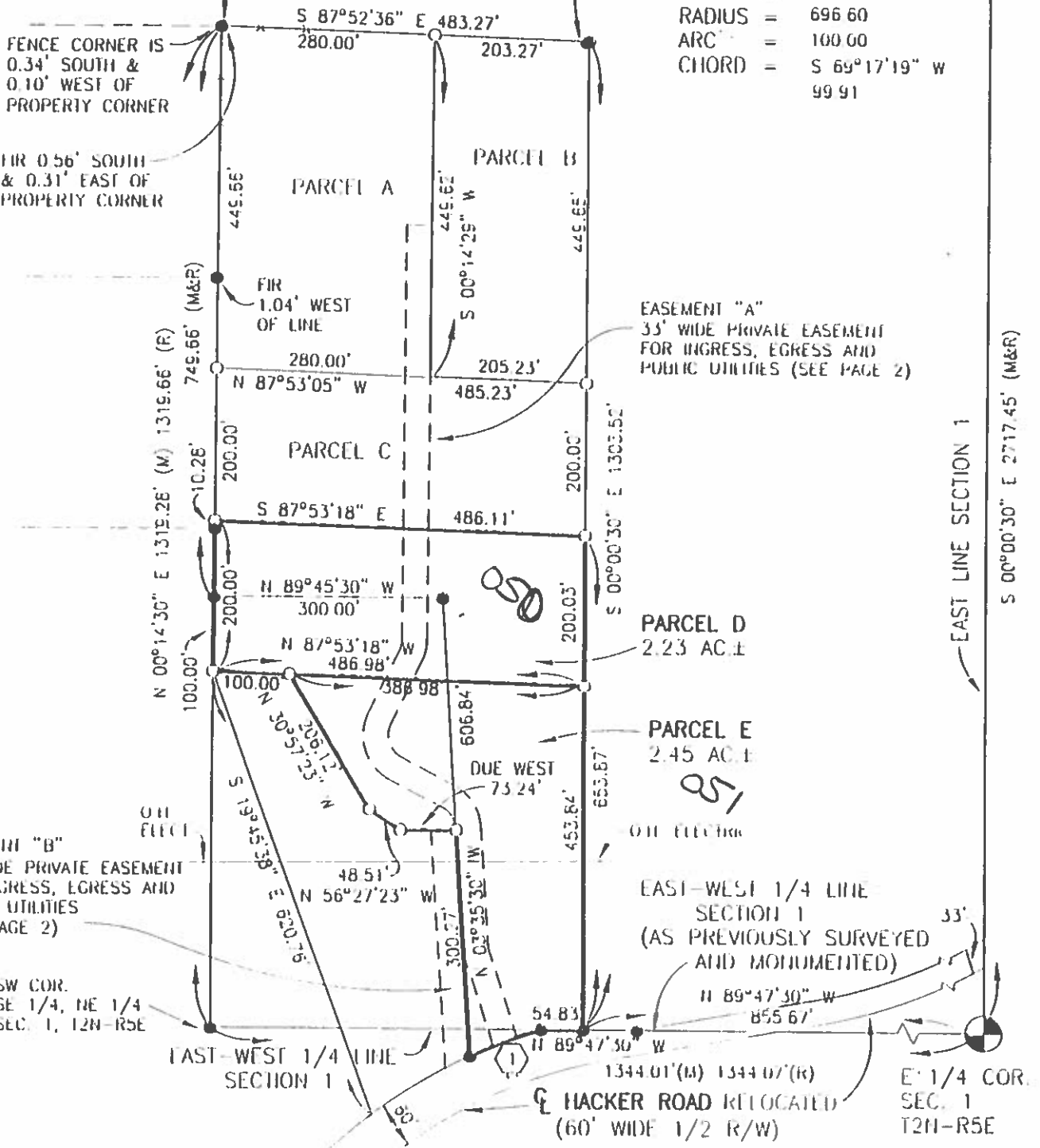
EASEMENT "B"
33' WIDE PRIVATE EASEMENT
FOR INGRESS, EGRESS AND
PUBLIC UTILITIES
(SEE PAGE 2)

SW COR.
SE 1/4, NE 1/4
SEC. 1, T2N-R5E

EAST-WEST 1/4 LINE
SECTION 1

HACKER ROAD RELOCATED
(60' WIDE 1/2 R/W)

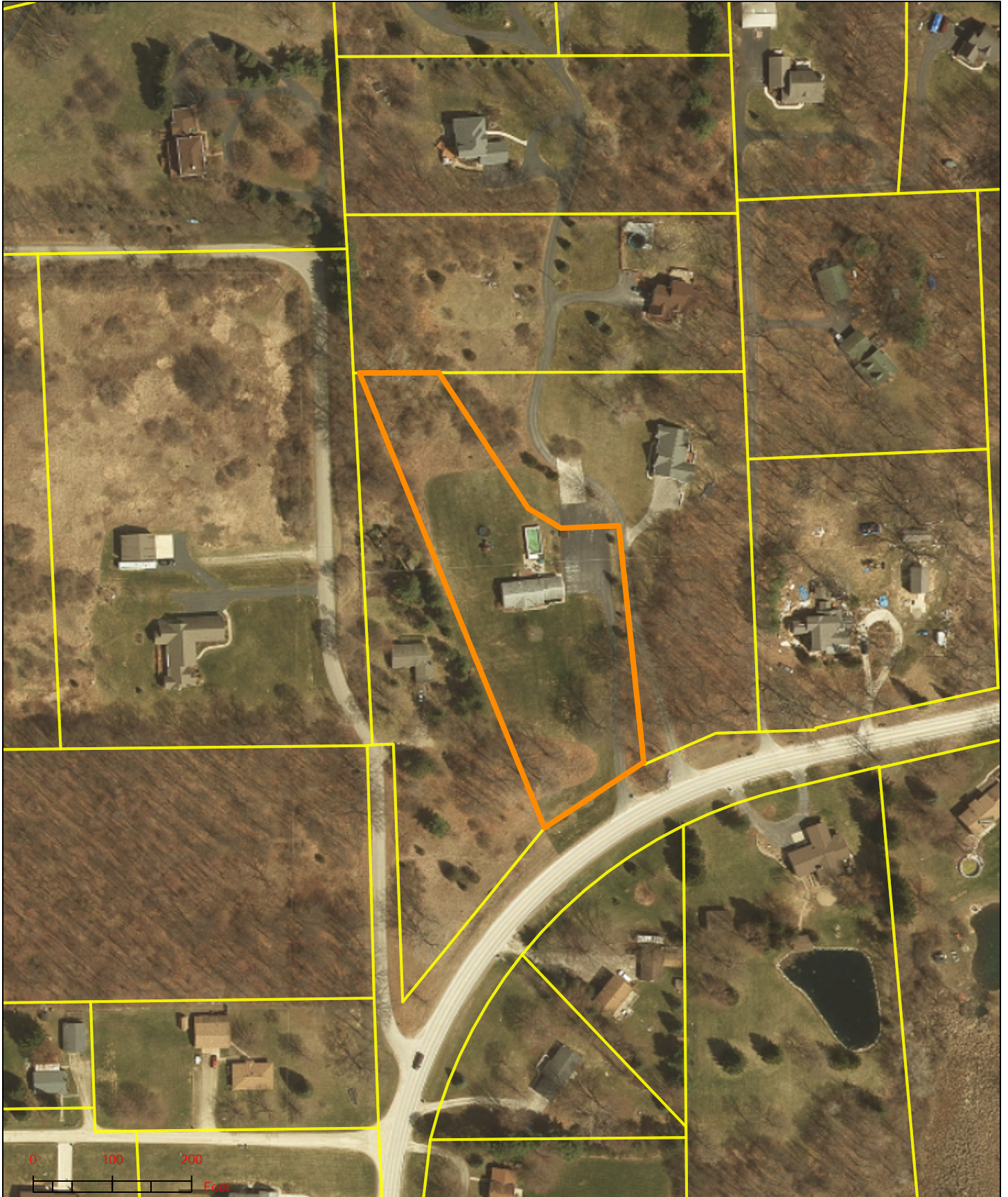
E 1/4 COR.
SEC. 1
T2N-R5E

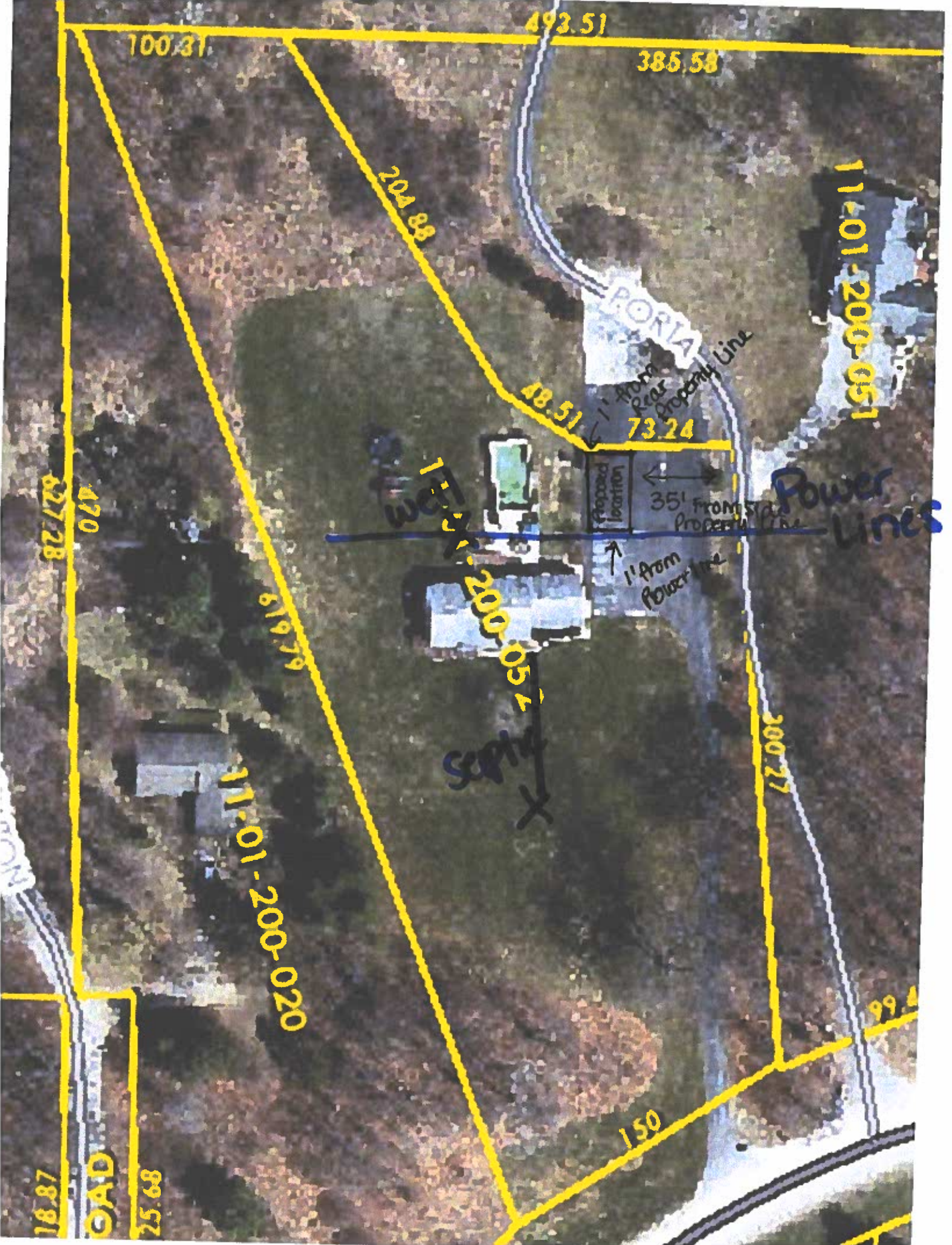


EAST LINE SECTION 1

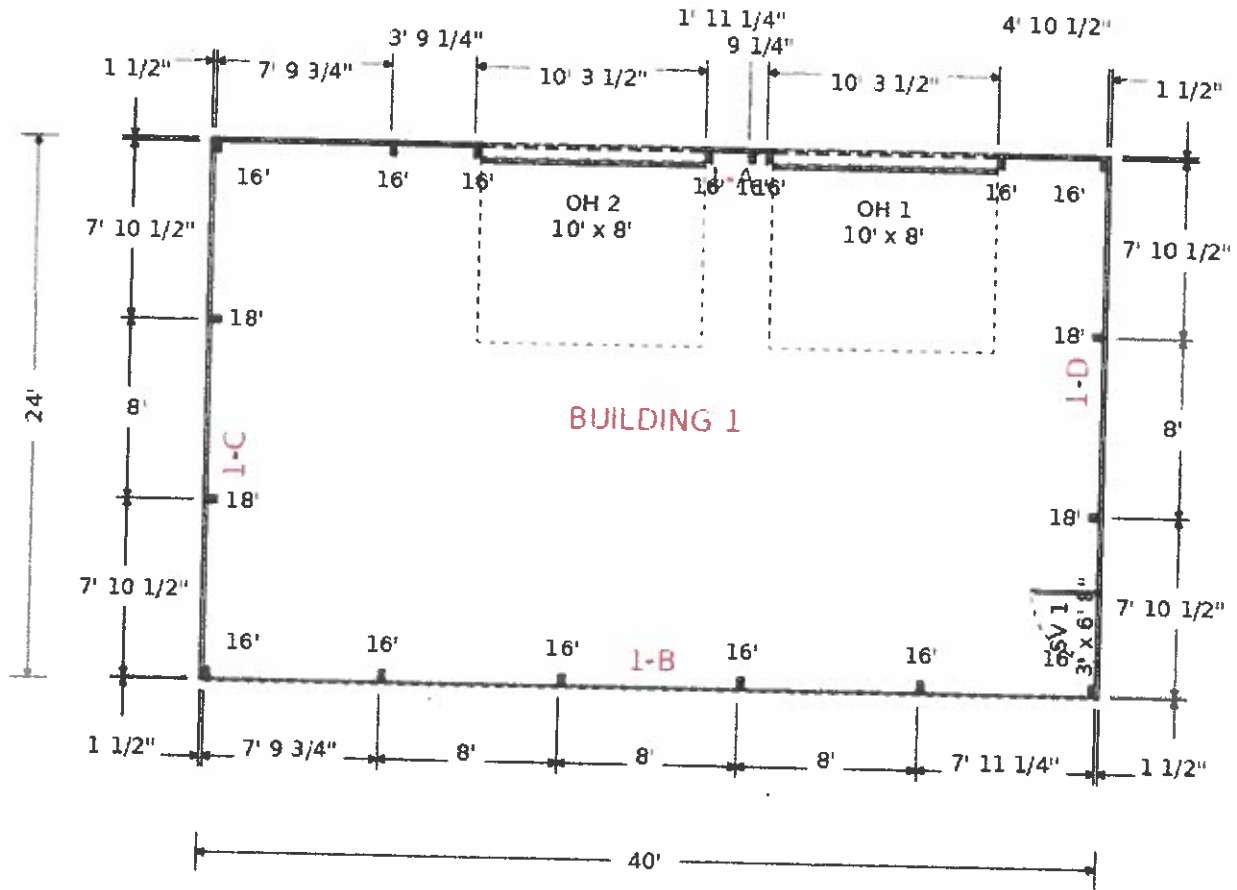
S 00°00'30" E 2717.45' (M&R)

GENOA TOWNSHIP



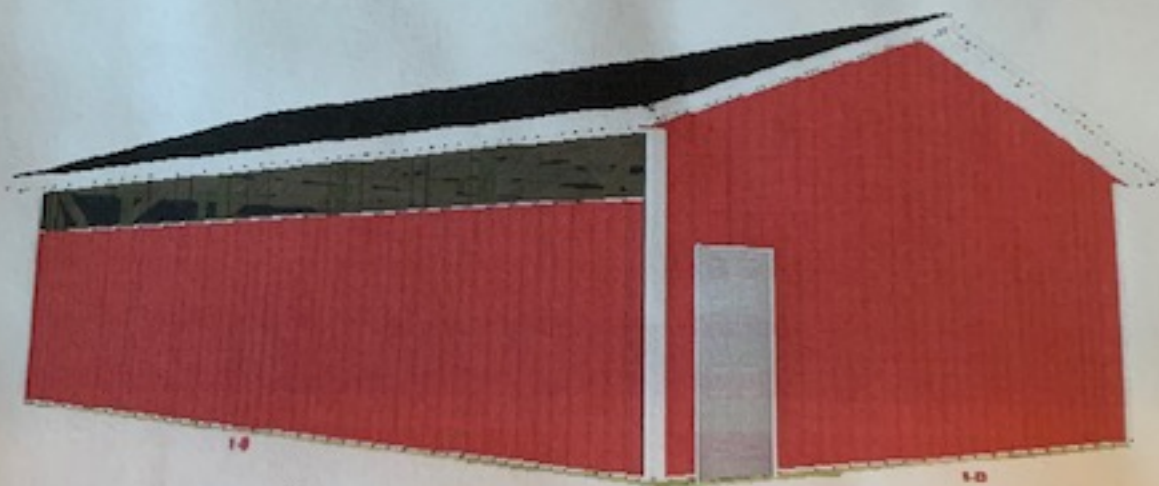


FLOOR PLAN



40' x 24' x 10' (ceiling height)
 Structure will be 14' at Peak

Elevation Views

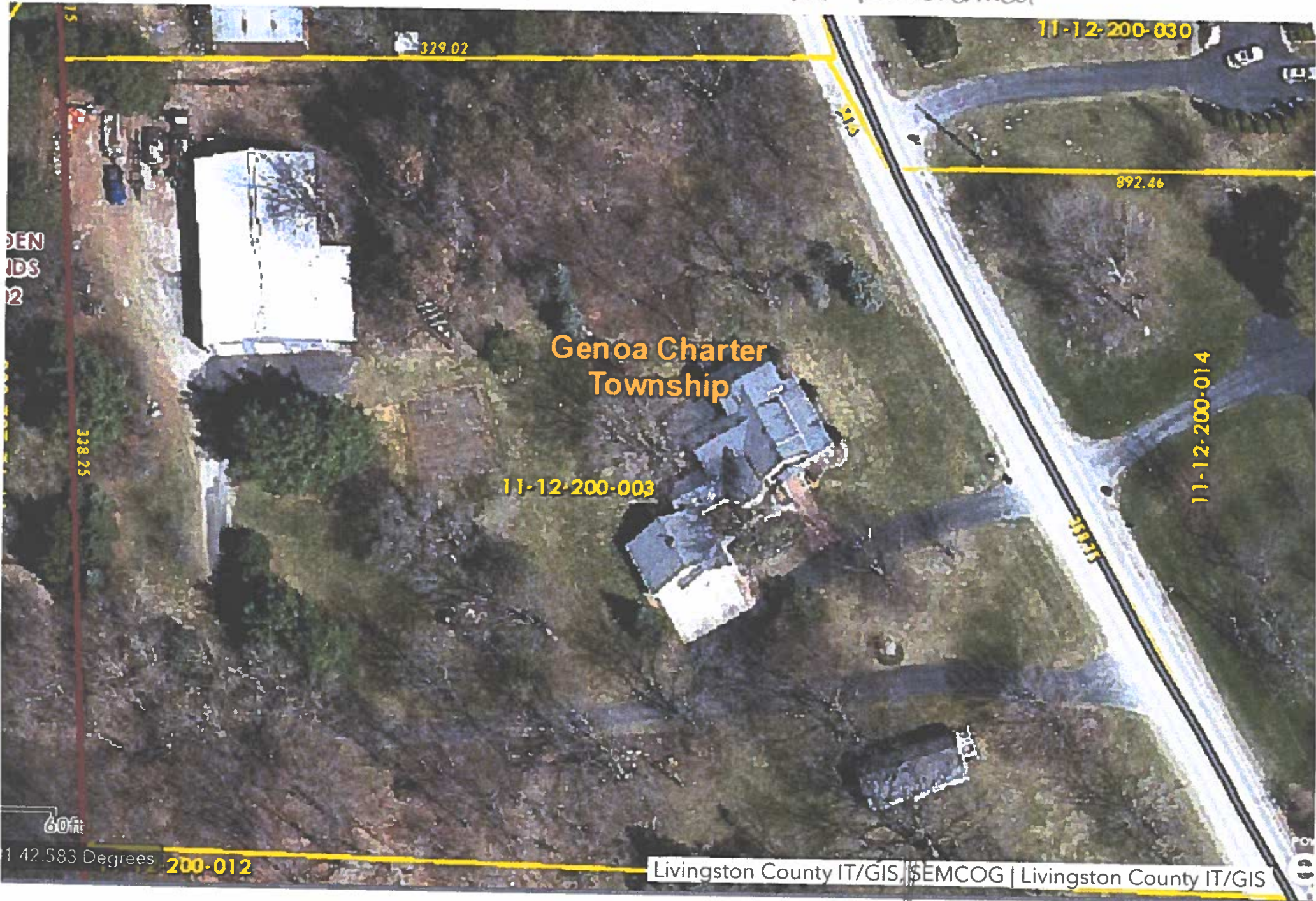


40 x 24 x 10 ← ceiling height

Overall height at
Peak 14'

1122 Hacker Rd.

401-Residential



Genoa Charter Township

① multiple Accessory Bldg's

② Accessory Building in front of house

accessory Bldg

Price Drive

Lot Line
Setback
25' From Rear

Lot
Line
Setback
21.6' From
Rear



1076 S. Hacker Rd.
401- Residential

≈ 151 From line
↓

≈ 91
From line
←



541 S. Haller

401- Residential



Accessory
Bldg
in front
of home
and too
close to
property
setbacks

Examples of other homes
with detached accessory
buildings that do not
meet restrictions.




316 Hacker
- Accessory Structure
in front of home

230 Hacker Rd.

401- Residential

Accessory Building in front of home



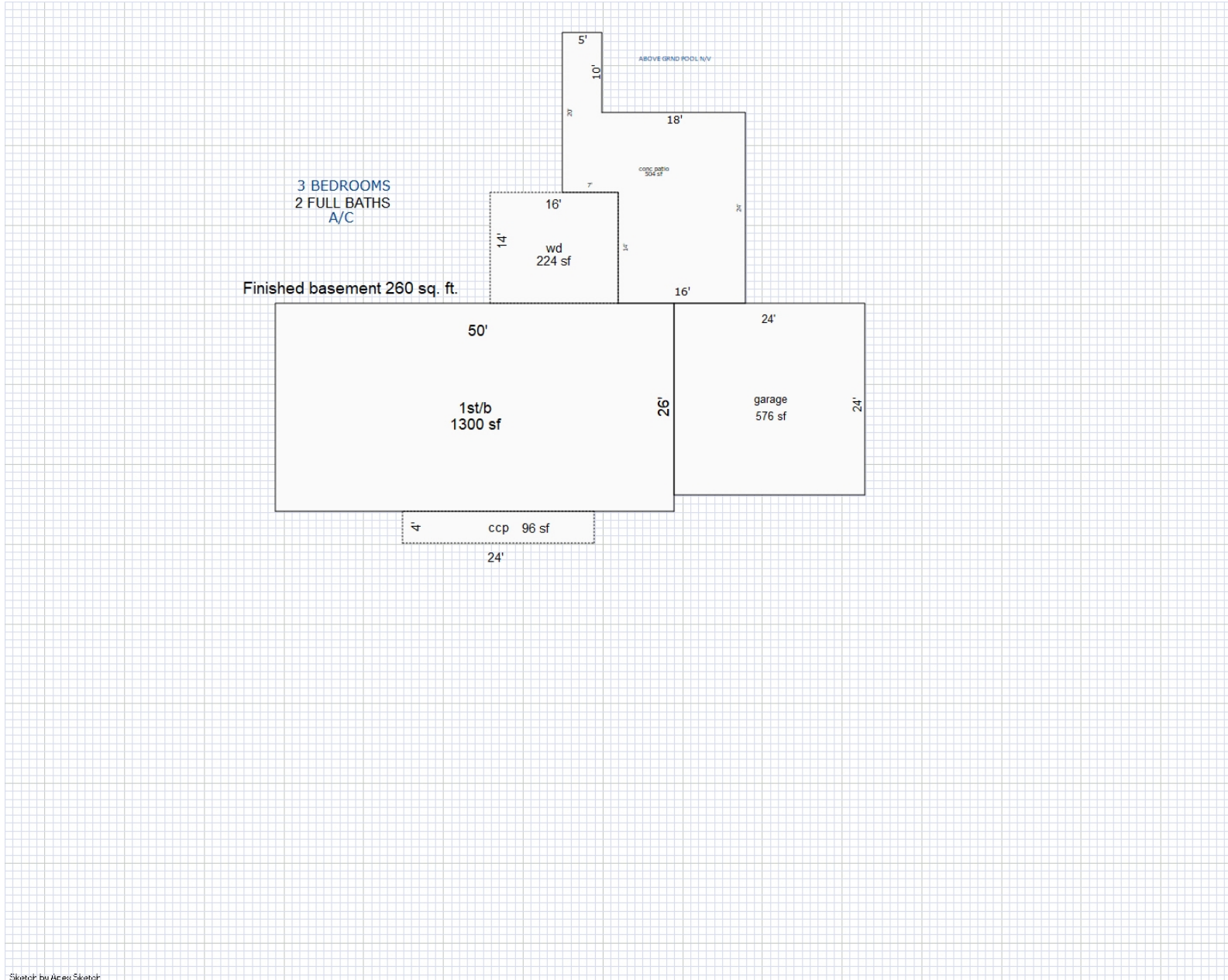
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
ROSE, CHERYL A.	LANDACRE JENNIFER & BRETT	0	12/20/2018	WD	FAMILY SALE	2019R-003335	BUYER	0.0		
ROSE, ROBERT T. & CHERYL A	ROSE, CHERYL A.	0	07/09/2002	QC	QUIT CLAIM	3456-0644	BUYER	0.0		
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: RR		Building Permit(s)		Date	Number	Status
528 S HACKER RD		School: HARTLAND CONSOLIDATED SCHS		P.R.E. 100% 01/16/2019		MAP #: SURVEY		2021 Est TCV Tentative		
Owner's Name/Address		X Improved		Vacant		Land Value Estimates for Land Table 4502.HARTLAND M & B				
LANDACRE JENNIFER & BRETT 528 S HACKER RD BRIGHTON MI 48114		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason Value				
Tax Description		Dirt Road		TABLE A		2.000 Acres 31,500 100 63,000				
SEC 1 T2N R5E COMM E 1/4 COR TH N89*W 910.50 FT TH S69*W 99.91 FT TO POB TH S58*59'30"W 150 FT TH N19*45'38"W 620.76 FT TH S87*53'18"E 100 FT TH S30*57'23"E 206.12 FT TH S56*27'23"E 48.51 FT TH DUE EAST 73.24 FT TH S03*35'30"E 300.27 FT TO POB CONT 2.1 AC M/L SPLIT FR 022 4/98 CORR 5/2002 PARCEL F		X Gravel Road		Land Improvement Cost Estimates		Description Rate Size % Good Cash Value				
Comments/Influences		Storm Sewer		D/W/P: 3.5 Concrete		6.21 504 50 1,565				
		Sidewalk		Total Estimated Land Improvements True Cash Value =		1,565				
		Water		Topography of Site		Year Land Building Assessed Board of Tribunal/ Taxable				
		Sewer		Level		2021 Tentative Tentative Tentative				
		Electric		Rolling		2020 31,500 76,900 108,400 90,395C				
		Gas		Low		2019 30,000 69,000 99,000 88,710C				
		Curb		High		2018 27,500 61,100 88,600 85,327C				
		Street Lights		Landscaped						
		Standard Utilities		Swamp						
		Underground Utils.		Wooded						
		X REFUSE		Pond						
		LLG 04/16/2020 REVIEWED R		Waterfront						
		JB 01/16/2019 REVIEWED R		Ravine						
		LM 09/03/2015 REVIEWED R		Wetland						
				Flood Plain						
				X REFUSE						

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

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																																																																																					
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 96 224	Type CCP (1 Story) Pine	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 576 % 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: C		Trim & Decoration Ex X Ord Min																																																																																																		
Yr Built 1979	Remodeled 0	Size of Closets Lg X Ord Small																																																																																																		
Condition: Good		Doors: Solid X H.C.																																																																																																		
Room List		(5) Floors Kitchen: Other: Other:		Central Air Wood Furnace																																																																																																
	Basement 1st Floor 2nd Floor 3 Bedrooms			(12) Electric 0 Amps Service																																																																																																
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures Ex. X Ord. Min																																																																																																
X	Wood/Shingle Aluminum/Vinyl Brick Insulation			No. of Elec. Outlets Many X Ave. Few																																																																																																
(2) Windows		(7) Excavation Basement: 1300 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		(13) Plumbing 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 Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																																																																																
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish 260 Recreation SF Living SF Walkout Doors No Floor SF		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:																																																																																																
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:																																																																																																		
X	Gable Hip Flat		Gambrel Mansard Shed																																																																																																	
X	Asphalt Shingle																																																																																																			
Chimney: Brick																																																																																																				
Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 1300 SF Floor Area = 1300 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=70/100/100/100/70 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>Basement</td> <td>1,300</td> <td></td> <td></td> </tr> <tr> <td colspan="4">Total:</td> <td>184,630</td> <td>129,240</td> </tr> </tbody> </table> Other Additions/Adjustments <table border="1"> <thead> <tr> <th>Item</th> <th>Area</th> <th>Cost</th> <th>Depr.</th> </tr> </thead> <tbody> <tr> <td>Basement Living Area</td> <td>260</td> <td>8,793</td> <td>6,155</td> </tr> <tr> <td>Plumbing</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3 Fixture Bath</td> <td>1</td> <td>4,382</td> <td>3,067</td> </tr> <tr> <td>2 Fixture Bath</td> <td>1</td> <td>2,932</td> <td>2,052</td> </tr> <tr> <td>Water/Sewer</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1000 Gal Septic</td> <td>1</td> <td>4,588</td> <td>3,212</td> </tr> <tr> <td>Water Well, 200 Feet</td> <td>1</td> <td>10,133</td> <td>7,093</td> </tr> <tr> <td>Porches</td> <td></td> <td></td> <td></td> </tr> <tr> <td>CCP (1 Story)</td> <td>96</td> <td>2,555</td> <td>1,788</td> </tr> <tr> <td>Deck</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Pine</td> <td>224</td> <td>3,369</td> <td>2,358</td> </tr> <tr> <td>Garages</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="4">Class: C Exterior: Siding Foundation: 42 Inch (Unfinished)</td> </tr> <tr> <td>Base Cost</td> <td>576</td> <td>23,397</td> <td>16,378</td> </tr> <tr> <td>Common Wall: 1 Wall</td> <td>1</td> <td>-2,533</td> <td>-1,773</td> </tr> <tr> <td>Totals:</td> <td></td> <td>242,246</td> <td>169,570</td> </tr> </tbody> </table> Notes: ECF (4502 (47060) HARTLAND M & B) 1.020 => TCV: 172,961															Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Basement	1,300			Total:				184,630	129,240	Item	Area	Cost	Depr.	Basement Living Area	260	8,793	6,155	Plumbing				3 Fixture Bath	1	4,382	3,067	2 Fixture Bath	1	2,932	2,052	Water/Sewer				1000 Gal Septic	1	4,588	3,212	Water Well, 200 Feet	1	10,133	7,093	Porches				CCP (1 Story)	96	2,555	1,788	Deck				Pine	224	3,369	2,358	Garages				Class: C Exterior: Siding Foundation: 42 Inch (Unfinished)				Base Cost	576	23,397	16,378	Common Wall: 1 Wall	1	-2,533	-1,773	Totals:		242,246	169,570
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																																																																																															
1 Story	Siding	Basement	1,300																																																																																																	
Total:				184,630	129,240																																																																																															
Item	Area	Cost	Depr.																																																																																																	
Basement Living Area	260	8,793	6,155																																																																																																	
Plumbing																																																																																																				
3 Fixture Bath	1	4,382	3,067																																																																																																	
2 Fixture Bath	1	2,932	2,052																																																																																																	
Water/Sewer																																																																																																				
1000 Gal Septic	1	4,588	3,212																																																																																																	
Water Well, 200 Feet	1	10,133	7,093																																																																																																	
Porches																																																																																																				
CCP (1 Story)	96	2,555	1,788																																																																																																	
Deck																																																																																																				
Pine	224	3,369	2,358																																																																																																	
Garages																																																																																																				
Class: C Exterior: Siding Foundation: 42 Inch (Unfinished)																																																																																																				
Base Cost	576	23,397	16,378																																																																																																	
Common Wall: 1 Wall	1	-2,533	-1,773																																																																																																	
Totals:		242,246	169,570																																																																																																	

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



Sketch by Apex Sketch

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

This Meeting was Conducted via Zoom Meeting

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
June 16, 2020 - 6:30 PM**

MINUTES

Call to Order: Vice-Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:36 pm via Zoom Meeting. The members and staff of the Zoning Board of Appeals were present as follows: Michelle Kreutzberg, Jean Ledford, Bill Rockwell, Marianne McCreary, Craig Fons, and Amy Ruthig, Zoning Official. Absent was Greg Rassel.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda:

Moved by Board Member Ledford, 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 6:40 pm. Vice-Chairman McCreary provided the phone number for the public to call in to participate in the meeting. There were no members of the public who wished to speak.

New Business

1. 20-05 ... A request by Ron Abner, 2805 Acorn Lane, for a side setback variance to construct a detached accessory structure.

Mr. Ron and Jennifer Abner were present. Mr. Abner stated they made this same request in 2016 and it was approved; however, they never completed the project. The reason they want to place the accessory building in this location is due to the topography of their property. There is a steep hill in their backyard. Placing it closer to the property line also allows access for maintenance to their well. There is a slight change to the request. They have lengthened the driveway, but they have not moved it any closer to the property line than their previous request. The size of the structure is 18 x 24.

Board Member Ledford asked for confirmation that there have been no changes to the request. Mr. Abner stated the size of the building and the side setback is the same; however, the building

Zoning Board Of Appeals Minutes

June 16, 2020

Unapproved

is being proposed to be 10 feet further back than what was originally approved. Ms. Ruthig confirmed that everything Mr. Abner is requesting this evening is the same as 2016.

Board Member Fons questioned the grade between the building and the property line. Mr. Abner stated they will have to bury some of the foundation on that side of the building. The drainage will be toward the front of the property.

The call to the public was made at 6:52 pm.

Mr. Steve Bibbee of 2777 Acorn Lane asked what the required setback is and what setback is being requested. Chairman McCreary stated the side-yard setback requirement is 30 feet and they are asking for a 20-foot variance.

The call to the public was closed at 6:57 pm.

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case #20-05 for 2805 Acorn Lane to Ronald Abner for a 20-foot side yard setback variance from the required 30 feet to 10 feet in order to build an 18 x 24 detached accessory structure. The same request was approved by the Zoning Board of Appeals in June of 2016 as Case #16-25. Since there have been no new changes made or new information submitted, the original petition is being renewed verbatim. **The motion carried unanimously with a roll call vote.**

2. 20-06 ... A request by Joel Johnson, 3406 Pineridge Lane, for a side setback variance to construct a detached accessory structure.

Mr. Johnson was present and stated he would like to build a 10x18 accessory structure. There is a very steep decline from the home to the lake. This is the only location where the structure could be placed. In order to avoid obstructing their neighbors' views, he would be placing it directly next to their neighbor's accessory structure. He showed the survey noting the neighbor's shed and the proposed location for his shed. It will be 2 ½ feet from the property line, which is three feet from the closest portion of their neighbor's shed. He has worked with this neighbor, Doug Brown. Mr. Brown submitted a letter to the Township and he is in favor of the variance request.

Vice-Chairman McCreary asked how the lawn in between the two sheds will be maintained. Mr. Johnson stated he will be placing geotextile material and crushed limestone between the two sheds.

Board Member Fons visited the site today and noted there is an eight- inch diameter drainage pipe in that area that drains to the other side of the road and if that needed maintenance, the shed would have to be moved. Mr. Johnson is aware of this structure.

Zoning Board Of Appeals Minutes

June 16, 2020

Unapproved

The call to the public was made at 7:09 pm.

Mr. Doug Brown of 3420 Pineridge Lane, who lives to the south of Mr. Johnson, stated that due to the location of the home on the property and the topography of the site, this is the only location where the shed can be placed.

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

Moved by Board Member Rockwell, seconded by Board Member Ledford, to approve Case #20-05 for Joel Johnson at 3406 Pineridge Lane for a 7.5 foot variance from the required setback of 10 feet for a 1.5 foot setback for a detached accessory structure, based on the following findings of fact:

- Strict compliance with the side yard setback would prevent the applicant from constructing the proposed detached accessory structure. The proposed placement of the structure is in the same location as the previously approved structure. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property.
- The exceptional or extraordinary condition of the property is the topography and location of the existing home and the unusual configuration of the home on the lot. The variance would make the property consistent with other properties in the vicinity.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. Structure must be guttered with downspouts.

The motion carried unanimously with a roll call vote.

3. 20-07 ... A request by Nicole Bartolomucci, 3968 Highcrest, for front, side and waterfront setback variances to construct a new home. (Requested to be tabled)

Vice-Chairperson McCreary noted that the applicant has requested this item to be tabled.

Moved by Board Member Ledford, seconded by Board Member Kreuzberg, to table Case #20-07 until the July 21, 2020 Zoning Board of Appeals Meeting. **The motion carried unanimously with a roll call vote.**

Administrative Business:

Zoning Board Of Appeals Minutes

June 16, 2020

Unapproved

1. Approval of the minutes for the May 19, 2020 Zoning Board of Appeals Meeting.

Moved by Board Member Kreutzberg, seconded by Board Member Rockwell, to approve the minutes from the May 19, 2020 Zoning Board of Appeals Meeting with the changes noted. **The motion carried with Board Member Fons abstaining.**

3. Correspondence – Ms. Ruthig stated there are items scheduled for the July meeting.
4. Township Board Representative Report - Board Member Ledford provided a review of the June 15, 2020 Board Meeting.
5. Planning Commission Representative Report – Board Member McCreary provided a review of the June 3 and June 11 Planning Commission Meetings.
6. Zoning Official Report – Ms. Ruthig had nothing to report.
7. Member Discussion - Vice-Chairperson McCreary welcomed Craig Fons to the Board.
8. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member Fons, to adjourn the meeting at 7:32 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary