AGENDA

Regular Meeting  Green Oak Charter Township Hall
Tuesday, July 18, 2017  10001 Silver Lake Road
7:00 p.m.  Brighton, MI 48116

1. Call to Order

2. The Pledge to the Flag

3. Roll Call of the Board

4. Approval of the Agenda

5. ZBA Case 04-2017, Parcel # 4716-04-203-250, Located at 6490 Academy Dr., Brighton MI 48116 a (vacant lot.) Request a variance from Sec. 38-445 Private Driveways to allow additional access on a private driveway for a new single home.
   a. Applicant’s Presentation of the Case – maximum of ten minutes
   b. Board members may question the Applicant
   c. Open Public Hearing – a maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative
   d. Close Public Hearing
   e. Rebuttal by Applicant – a maximum of two minutes allotted
   f. Decision of the ZBA

6. ZBA Case 05-2017, Parcel # 4716-12-301-009, Located at 7987 Lochlin Dr. Brighton MI 48116. Request a variance from 38-362(G) (5) to allow for a Floodplain setback of 0 instead of the required 25 feet.

7. ZBA Case 06-2017, Parcel # 4716-04-203-088, A vacant lot located on Sporny Dr., Brighton MI 48116. Request two variances from Sec. 38-136 for setbacks and height and the second variance under 38-171 is to allow a detached accessory structure to be built on a contiguous vacant property without a primary residence.

8. New Business

9. Old Business

10. Approval of May 16, 2017 Meeting Minutes

11. Correspondence

12. Call to the Public – maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative

13. Adjournment
Roll Call: Wendy Hoover
Adele Niendorf, alternate
Sarah Pearsall
Jim Tuthill
Joe Weinburger

Guests: 38

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDZA

Motion by Tuthill, second by Pearsall
To approve the agenda as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

1. ZBA Case 04-2017, Parcel #4716-04-203-250, Located at 6490 Academy Dr., Brighton MI 48116 a (vacant lot). Request a variance from Section 38-445 Private Driveways to allow additional access on a private driveway for a new single home.

   a. Applicant’s Presentation of the Case – maximum of ten minutes
   b. Board members may question the Applicant
   c. Open Public Hearing – a maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative.
   d. Close Public Hearing
   e. Rebuttal by Applicant – a maximum of two minutes allotted.
   f. Decision of the ZBA

Joe Tizedes, 1526 Somerville Lane, Howell, Mi. Mr. Tizedes explained that he is seeking a variance from Section 38-444 and 38-455 to allow additional access on a private drive to build a new family home to be used as a cottage. There are four parcels that currently have access to this private drive, and theirs is the only one that is vacant. He provided a brief layout of the area. Each of the 4 lots has its own primary footage on Academy Drive. The driveway itself has been in place since 1950. Also, lot 38 is also part of the sewer assessment district which they have been paying for one residential equivalent unit since the first rolls of the sewer district in 2002.
There is no way for them to have the same property rights or the same level of enjoyment on a lake front property without the ability to construct a dwelling for use as a single-family cottage. A dwelling is needed for shelter, to recreate, bath facilities and overnight stays. The request would not be materially determinantal to the public welfare. The proposed house on lot 38 will meet all the setbacks and is set back far enough off the driveway area so that it is clear and free. They are committed to making sure there are no encumbrances on the driveway path. There are no other provisions in the driveway maintenance agreement that relinquishes any property rights. There is nothing in the driveway agreement that it in any way agrees to deed restrict the ability to build on that lot, there is nothing in the agreement that states those rights are relinquished by the way of that agreement. In the legal description of the properties in that agreement, Lot 38 is listed in equal footing as the other 3 parcels.

Regarding the uniqueness of this situation, he mentioned they have been paying for sewer taps since the very first rolls and he is unaware of any other parcel that has been paying for sewer taps for 15 years and hasn’t had the right to build on the property.

This is in line with the Master Plan, assuring the same property rights, enjoyment of ownership and the idea of having a burdensome restriction on this lot, to not build a dwelling on it, this is residential zoning, especially considering the way they have gone through the process to mitigate any hardships, and come into compliance as much as possible. He did not think it was in spirit of the Master Plan to deny them their property rights, substantially the same property right as other similar properties.

The circumstances that make this unique are the restrictions of a private driveway ordinance when all four of the properties have their own frontage. This is not a back-lot situation. There is a 3rd driveway at 6500 Academy. To be held to the restrictions is not reasonable. The township turned down a transfer until they provided a copy of the driveway maintenance agreement in September 2001. That was provided and after the Township read the provisions and found that lot 38 was on equal footing the land transfer was approved. The ordinance referred to the number of parcels that can be on a private drive and lot 38 has been a parcel serviced by that driveway. The structure itself is the exactly the average on the houses on either side of it. The practical difficulty is that they have a driveway that runs through their property for which they need to apply to gain access to their property through it.

Mr. Tuthill stated by doing a land transfer the applicant took it from 3 lots to 4 lots on the same driveway. Mr. Tizedes stated the driveway itself does not have to be expanded, moved or altered, it is in the same place since 1950, nothing is being adjusted. The only thing that changed is the moving of the parcel lines, lots 39 and 40 became a single parcel and 37 and 38 became single. Ms. Pearsall stated she had safety concerns, they can only have 2 driveways coming out onto a road.

Mr. Weinburger opened the public hearing at 7:25 p.m.
Barbara Bankau 6510 Academy Dr. – She commented she lives 2 lots south of the proposed building site for almost 39 years. She is in the middle of the shared driveway. This is the 4th time she has come before the ZBA to contest a new house on this lot. She explained the applicant has been denied by this board 3 previous times to build a house and then the applicant sued the Township and was also denied. The applicant owned the four lots, rented the cottage on lot 37 and lived in the house on lot 39. He was advised since lot 38 was a non-conforming lot he could build on either side but could not build on that lot. The applicant was denied because of the driveway situation. The applicant has created this situation by ignoring the ZBA and court findings and has now sold and moved away from Academy Drive. She explained the photos don’t show the incline on both ends of the driveway to get up to Academy Drive and a garage was built on lot 37 which causes more hazard and congestion in the driveway. They have to try to avoid the house and the garage. Most times they slide into the vacant lot and with the position of the proposed well there is no way that won’t be hit. She is also concerned about the distance from the proposed garage to the edge of the driveway. There is no way something wouldn’t be hit in that driveway during the winter months. Her concern is the safety of the driveway, there are always children playing there. She explained the applicant already owned two cottages on this lake and moved away, she didn’t think they had any intention of living in the proposed home. She questioned why anyone would continue paying for a sewer tap when they were told they couldn’t build on that lot. She felt the ordinance is there for a reason and their main concern is the safety of having another house and vehicles on the driveway. The bottom line is the applicant created this and the driveway situation has not changed since the denials. Therefore, the variance must be denied for the safety of their children and grandchildren.

Michael Carroll, Senior 6520 Academy Dr., Brighton – He commented that the photos are intentionally deceptive and do not represent the actual conditions on a daily basis. Where are the vehicles that occupy the homes plus any vehicles of family and friends? Where are all the bikes and the skateboards that are present on this private drive at any given time, it looks like a ghost town. He is concerned with the authenticity and it’s inaccurate. By adding another house, you significantly increase the traffic by 35% to 45% to the driveway increasing safety concerns. If you come out the front door of the two middle houses in one or two steps you could get whacked by a car going by, it’s 3 or 4 feet. Tell that to an 8-year-old boy going out the door. The applicant states he wants to build a cottage. These aren’t cottages, they are full size 2,000-3,000 sq. ft. homes. The applicant’s real intent is to build the biggest square foot structure he can get away with and on completion sell it to the highest bidder. The applicant does not want to live there, he has lived on both sides. He noted the north and south ingress and egress are not safe to exit due to the excess slope angle and is an accident concern. The danger of the ice is compounded during the winter. He has been there for 7 years and he hoped the application was denied.

John Mogelnicki 10882 Valleyview Dr., - He stated he used to live 4 to 5 houses south and is very familiar with the property. He would agree that the existence of a driveway agreement exists and he thought on page 1 of that agreement it requires 2 accesses and if that is the case then the applicant’s argument regarding the property being split in half and each half serve only 2 properties is a moot point. He would also
raise the issue regarding setbacks. He would think that the normal setback from the property line would have to be applied to the setback from the driveway because that is now a joint use property under the driveway agreement. In the description, it shows 19' which is 11' short of the required 30'. He agreed with Mr. Carroll that the pictures do not show how steep the access egress on both ends are. While the applicant stated he has been paying for the sewer, he sees no document stating that. If it is not outright denied he felt that should be checked before he is granted anything.

Margaret Mogelnicki 10882 Valleyview Dr. – She has driven that driveway, when it wasn’t raining or snowing and it’s not easy. You must drive very slowly because people can open their door and be on the driveway. Having owned both properties on either side and coming to the ZBA before he knew the lot was buildable because of the road. The lot is the same as before. There is no real road, it’s a driveway. She would like it to be turned down because it’s still a driveway.

Michael Carroll 6500 Academy Dr., - He stated if the ordinance in 2001 required a Class B road for four houses then the owner of lot 38 created the non-conformity of the road when he did the land transfer. Also, the owner of lot 38 was turned down 3 times previously with the request for a variance but then they still decided to pay for a sewer and just because they decided to take that risk doesn’t mean it should support their request for a variance. The ordinance for the driveway states it must be 18' with 2' shoulders which is a total of 22'. The existing driveway is actually 10’ in some sections so this is less than half of what the ordinance requires. The driveway at 6500 is only 14’ across but the drawing makes it look much bigger. It also shows additional space between the driveway and the garage which further mis-represents the actual condition. The applicant submitted a lot of detail on his plans however, the driveway is what the variance is needed for and there is no dimension showed on the road. The driveway agreement is 2 pages in length but only 1 page was submitted so they only have half the data. The owners of lot 38 have not maintained the driveway for the past 10 years. The existing grade is double for the maximum standard. The existing grade is 16% which is a huge safety concern. There are times when two cars are facing each other and one needs to back out onto Academy and trying to back out with a grade that is 16% is very dangerous. The increase in traffic would be about 33% which is not a marginal increase. This increase would create a more dangerous condition. The children play in the driveway all the time and their doorway is 2 feet from the driveway. The unclear and insufficient road data and the safety aspect are reasons why this should be rejected.

6480 Academy Dr., She is the purchaser of the house that was sold last year. Her home sits on a corner and they cannot see any traffic coming or going around that turn. Cars come flying around that corner all the time and it’s even hard for them to pull out. Having the driveway there and the kids out there all the time is a safety hazard.

Danielle Carroll 6500 Academy Dr. – She commented she reiterated the same concerns with the safety of the kids. It worries her greatly that there could be more traffic with a new house. In the winter time to get up that hill she always slides into that lot. They all must use the two driveways, she cannot get into her garage without using
it. The applicant also uses it to go out that side as well, it’s an impossible thing to think they would only use one side of it.

Pamela, - On May 7, 2016 she arrived at 6500 Academy Drive to pick up her son. She stopped her vehicle and as she exited the car a man who was later identified as Mr. Tizedes came running up the hill screaming at her telling her she couldn’t park there and had to move. She was later informed that he did not own that driveway and it is a shared common driveway. She was very uncomfortable to be confronted like that. Having his driveway coming off the shared driveway would be more strife for the existing homeowners as well as those visiting them.

Todd Sensoli 6600 Academy Dr. – He stated just from living down the street he sees how fast the cars come around that corner and when you’re banking around that corner you can’t see anything. To think one of those kids could be in the wrong spot at the wrong time is horrifying to him. He saw some pictures and there is no way that a car could do what was pictured, you must peer over the top of the car to even see because the grade is so high. He wished they wouldn’t do anything on that lot it really frightens him. It just doesn’t make any sense.

Mr. Weinburger closed the public hearing at 7:46 p.m. due to no one wishing to make comment.

Mr. Tizedes stated since he went through this 15 years ago and significant differences have occurred in the Zoning Ordinance with the creation of the LA zone and it went from 15’ setbacks to 7’ setbacks. After the land transfer, he applied for a building permit and it was denied solely on the 15’ setbacks, it didn’t state anything about a driveway. Everyone is concerned with the safety of the children. The agreement requires that the space be unencumbered and provide clear passage through it, it should not place an extra burden on him for people having the kids playing in the driveway. People can watch for kids and the easiest slope is on their lot. The requirements of a private road would be 60’ and that is the practical difficulty because it’s a 40’ lot and they can’t put a 60’ road on it. He would be willing to have a core sample done if needed. The land transfer was approved. As far as maintaining the driveway, he had it plowed twice only to have it covered up with snow blower snow. Regarding the fact that he came out yelling is a bold face lie. The pictures were taken with his phone it is not trick photography. As far as the driveway agreement he is unaware of any 2nd page he only has ever seen 1 page and it’s a full complete document.

Motion by Pearsall, second by Tuthill
To deny case ZBA 04-2017, Parcel # 4716-04-203-250, also known as 6490 Academy Dr., Brighton MI 48116 a (vacant lot.) The request for the variance for use from Sec. 38-445 Private Driveways is not necessary. Without the variance, the property does not have applicable access to the property.

The Request for a variance from Sec. 38-445 Private Driveways has not satisfied the requirements for variances for the following reasons:
There are no exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone. Location of driveway

Such variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity.

The granting of such variance or modification will be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

The granting of such variance does adversely affect the purpose or objectives of the Master Plan of the Township.

The condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is not of so a general or recurrent a nature.

The practical difficulty causing the need for the variance request has been self-created by the applicant.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED TO DENY

1. ZBA Case 05-2017, Parcel #4716-12-301-009, Located at 7987 Lochlin Dr.
Brighton, MI 48116. Request a variance from Section 38-361(G) (5) to allow for a floodplain setback of 0 instead of the required 25 feet.

David LeClaire from Livingston Engineering explained he is representing the owners of the parcel. This is a lot in Kensington Pines and this building was originally about 16,000 square feet and additions have been added. The owner is looking for more storage for his business and the PUD Agreement does allow for a separate building on the property as long as it is architecturally compatible with the existing building. It is the owners desire to build another 4,000-square foot building on the west end of the property. This parcel is the only parcel that backs up to the Davis Creek that is in the floodplain. They are asking for a variance so they do not have to get a permit to fill the floodplain. They do have to get a permit from the DEQ because they will still have to fill in some of the floodplain. This permit will not have any hardship on any of the neighbors or the public in general. It is a minor variance.

Mr. LeClair explained the practical difficulty is in obtaining a permit from a jurisdictional agency that does not require that setback. The DEQ does not like giving permits for something that they don’t require. This is a floodplain which is different from a floodway, technically they can build a building in a floodplain.
Mr. Weinburger opened the public hearing at 7:54 p.m. and closed the public hearing due to no comments.

Motion by Tuthill, second by Pearsall
To deny ZBA Case 05-2017, Parcel #4716-12-301-009, Located at 7987 Lochlin Dr. Brighton, MI 48116.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED TO DENY

2. ZBA Case 06-2017, Parcel #4716-04-203-088, a vacant lot located on Sporny Dr., Brighton, MI 48116. Request two variances from Section 38-136 for setbacks and height and the second variance under Section 38-171 is to allow a detached accessory structure to be built on a contiguous vacant property without a primary residence.

Michael Sedlak, 6355 Maple Hill Dr, Brighton. Mr. Sedlak explained he is requesting two variances. This would allow him to build an accessory building on a vacant lot that he owns. The practical difficulty is that the properties cannot be contiguous because of Sporny Road separating the lots. There is also a topographical practical difficulty on the existing property.

Mr. Sedlak explained from the south side of the property to the north side of the property in less than 100 feet is an over 30’ topographical rise. Ms. Hoover asked what the need is for the height variance. Mr. Sedlak responding it’s just for the size so that he can put vehicles that he has inside the building.

Ms. McKenzie clarified that the property is contiguous it just can’t be combined and be considered a single property. The road cannot be vacated.

Mr. Sedlak explained he misstated, the practical difficulty is the owner’s property is contiguous but the applicant is unable to combine property under the Land Division Act. The owner wishes to utilize the same property rights as surrounding property owners as they have attached and detached structures. The structure will not impede the view of the lake by surrounding neighbors. The structure will not adversely affect adjacent property values. The property and structure will be harmonious with the surrounding properties in the design. The granting of the variance will not affect the Township’s Master Plan as the property is currently zoned Lakes Area and will continue to meet that zoning. The existing house/property does not have an adequate area to place a structure due to topographical and well head area. The conditions are not recurrent in nature as not everyone has a road prohibiting the joining of the property.

Mr. Weinburger stated he would feel more comfortable if a deed restriction stating that he can’t sell one piece without the other. Mr. Sedlak agreed.

Mr. Weinburger opened the public hearing at 8:05 p.m.
**Gale Olson, 6384 Maple Hill** – She commented she is the other person who has a similar situation. She has a house on Maple Hill and on the other side she has a garage. Her two properties cannot be linked because of the road and yet they are linked because of the drain field. She was permitted to build a garage and the setbacks were allowed. She believed Mr. Sedlak should be allowed the same.

**Ian Carmichael, 6376 Maple Hill** – He commented when Mr. Sedlak bought the house, he bought a building that had been lived in with renters. He has cleaned up not only the house and property but also the lots that he bought. The road on Sporny is never going to be used as a road. It’s been filled in with chunks of concrete and it is basically not a road. Mr. Sedlak has cleaned up his lots and where he is proposing to build will not affect anyone and he is in support of the variance.

**John Wenderlich, 6307 Baldwin Circle** – He commented that this property backs up to his and his concern is regarding soil erosion. It will be within a few feet of his fence and he is worried about soil erosion. He is also concerned with the height and questioned what will be parked in there and if it will affect his view.

**Diane Zielinski 6262 Briggs Lake** - She questioned the height of the structure. Mr. Sedlak stated it will not exceed 19’. She has two parcels that are contiguous to this parcel. She is not opposed to a structure going on there but she would like to have mandated screening to screen off the two contiguous parcels.

**John Zielinski, 6320 Baldwin Circle** – He also did not oppose the structure but felt there should be some screening involved.

Mr. Weinburger closed the public hearing at 8:17 p.m. due to no more comments. Mr. Sedlak stated as far as the soil erosion concern he will address any soil erosion because he also does not want that to happen, there will have to be some land balancing done and the dead trees will either need to be removed or trimmed back and he has already gotten estimates for that. As far as the screening, the limit for screening is 6’. Although it is something he would consider in the future right now both lots are heavily wooded and overgrown and there hasn’t been anything done to them in years. It would be something he could consider in the future but not something he would consider right now.

Motion by Pearsall, second by Niendorf
To approve ZBA Case 06-2017, Parcel #4716-04-203-088, a vacant lot located on Sporny Dr., Brighton, MI 48116.

The variance is necessary for the contiguous vacant property without a primary residence. The request for a variance from Section 38-136 and Section 38-171 has satisfied the requirements for a variance for the following reasons: There are exceptional or extraordinary circumstances that are applicable to the property, noting the topographical issues on the
The property cannot be combined because the road has not been vacated. Such a variance is necessary for the preservation and enjoyment of a substantial property right by other property in the same zone or vicinity based on the location of the road.

The granting of such a variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such a zone or district which the property is located.

The granting of the variance does not adversely affect the proposed or objectives of the Master Plan of the Township. The condition or situations of the specific piece of property or the intended use of the property for which the variance is sought is not of a general or reoccurrence in nature.

The majority of the property located in Green Oak Charter Township do not have roads between them. The practical difficulty causing the need for the variance request has not been self-created by the applicant.

The applicant shall obtain a deed restriction so that the properties cannot be sold separately.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

NEW BUSINESS – None

OLD BUSINESS - None

APPROVAL OF THE Meeting Minutes

Motion by Pearsall, second by Tuthill
To approve the minutes of May 16, 2017 as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

CORRESPONDENCE - None

CALL TO THE PUBLIC - None

ADJOURNMENT
The Zoning Board of Appeals meeting was adjourned at 8:26 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary
AGENDA

Green Oak Charter Township Hall
10001 Silver Lake Road
Brighton, MI 48116

Regular Meeting
Tuesday, July 18, 2017
7:00 p.m.

1. Call to Order

2. The Pledge to the Flag

3. Roll Call of the Board

4. Approval of the Agenda

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8. New Business

9. Old Business

10. Approval of May 16, 2017 Meeting Minutes

11. Correspondence

12. Call to the Public – maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative

13. Adjournment

July 11, 2017

Joe Weinburger, Chairperson
Sarah Pearsall, Vice Chairperson
Wendy Hoover, Secretary

Deborah Yu, Member

10001 Silver Lake Road, Brighton, Michigan 48116-8361 (810) 231-1333 Fax (810) 231-5080
Case Number: ZBA-04-2017
Date of Application: June 15, 2017
Hearing Date: July 18, 2017
Applicant: Joseph & Tamara Tizedes
Property ID: 4716-014-203-250
Property Address: Vacant Land Island Lake Colony lot 250 also known as 6490 Academy Dr., Brighton MI 48116

Zoning District: LA, Lakes Area .149 acres

Applicable Provisions of the Zoning Ordinance:

Request a variance from,

Sec. 38-445. Private driveways.
Private driveways may serve up to two (2) parcels and shall not be considered a private road; provided, however, both parcels meet the applicable requirements for road frontage. If, at any time, more than two (2) parcels are to have access using the existing private driveway, such private driveway shall be brought into compliance with the standards contained in this article.

Sec. 38-444. Private roads serving more than two lots or resulting parcels.

(a) All private roads serving more than two (2) lots or resulting parcels shall be constructed in accordance with the standards and specifications set forth in Section 38-449.

(b) Private roads serving seven (7) or more lots shall require a class A road.
(c) Private roads serving not less than four (4), nor more than six (6) lots shall require a class B road.

(d) Private roads serving three (3) or less lots shall require a class C road.

Notices: Notice of public hearing sent to the applicant, June 27, 2017
Notice of public hearing published in the Livingston County Press and Argus, July 2, 2017

Report Prepared By: Debra McKenzie

CASE FILE DOCUMENTS:

1.1 Site Plan
1.2 Aerial

Written Correspondence and Documentation
2.0 Completed application form
2.1 Letter of application with attachments
2.2 Proof of ownership
TO: Green Oak Township - Zoning Board of Appeals

FROM: Tamara and Joseph Tizedes

SUBJECT: ZBA Application Regarding 6490 Academy Dr. Build Permit

DATE: 15-June-2017

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GREEN OAK CHARTER TOWNSHIP
PLANNING AND ZONING DEPARTMENT
10001 Silver Lake Road, Brighton, MI 48116
Phone: 810-231-1333 ext.104  Fax: 810-231-5080

ZONING BOARD OF APPEALS
APPLICATION

DATE:    15-June-2017
CASE NUMBER:       Office will fill in

INSTRUCTIONS:

Prior to any appeal being filed with the Green Oak Charter Township Zoning Board of Appeals (ZBA), an applicant must have first applied for a building permit from the Green Oak Charter Township Building Department. The building permit must have had an administrative review conducted by a designated Building and Zoning Official and subsequently be denied if it is to be later considered by the Zoning Board of Appeals. This denial must be obtained in writing and copies submitted with the appeal application form, in no event should the denial letter be older than 30 days after the date of the decision from which the appeal is taken. The ZBA appeal application costs are not refundable.

If an appeal is filed with the ZBA, the following application form and a site layout must be completed. ELEVEN COPIES of the application, site layout and any additional pages or documents that the applicant desires the ZBA to consider must be provided prior to the application form being accepted by the Zoning Administrator. All appeals must be filed by noon the third Wednesday (one month prior) to the scheduled meeting date, in order to be considered for that month’s meeting. There is a limit of five cases per monthly agenda, and applications are taken in order of submission. If more than five applications are received, the additional applications will be scheduled for the following meeting. The applicant or authorized representative must appear in person on their scheduled date. If an authorized representative is designated, the applicant must designate their authority in writing prior to the ZBA hearing being conducted. All costs exceeding the application fee are the responsibility of the applicant and must be paid in full prior to any building permits being issued.

All property owners and occupants within 300 feet of the petitioner’s property will be notified by first class mail not less than 15 days prior to the public hearing.

While there is not a prescribed method to a presentation to the ZBA, the applicant should be prepared to provide all available proofs, documents, evidence, etcetera to support their request for a variance at the time of the
hearing. Witnesses and/or any other tangible evidence to support the validity of
the request for variance will be accepted and considered by the ZBA.

Applicant Information
Name: Tamara and Joseph Tizedes
Address: 1526 Summerfield Lane
City/State/Zip: Howell, MI 48843
Phone: (810) 360-3761 Fax: N/A
E-Mail: joe.tizedes@gmail.com

Property Owner Information
Name: Tamara and Joseph Tizedes
Address: 1526 Summerfield Lane
City/State/Zip: Howell, MI 48843
Phone: (810) 360-3761 Fax: N/A
E-Mail: joe.tizedes@gmail.com

Location of Property for which the variance requested
Address: 6490 Academy Drive, Brighton, MI 48843
Cross Streets: Grand River (north), Island Lake State Park (south)
Tax Identification #: 4716-04-203-250
Zoning District: LA
Lot Size/Acreage: .149 acres
Current Use: vacant, zoned residential

Variance Request: In accordance with Zoning Compliance letter of May 18, 2017,
we are requesting relief from the requirements of Sec 38-444 and 38-445, to allow
additional access on a private driveway to build a new single family home for use
as a family cottage.

Total Number of Variances Requested: (2) 38-444 and 38-445

List the applicable Code Section Name, Section Number, and Subsection to
be considered by the ZBA. Article X, Private Roads Sec 38-444, and 38-
445
This information is contained in the Green Oak Charter Township Zoning Code Book
38-444 Private roads serving more than two lots or resulting parcels.
38-445 Private driveways.

Describe Request: To obtain a single family residential building permit for a family
cottage on our vacant lot at 6490 Academy Drive. There are 4 parcels that use
the driveway. Our parcel is the only vacant one, and we would like to build a
cottage since we have a sewer tap.
Criteria for a Dimensional Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance. 38-95 (8)

What are the exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone?

1. These circumstances are exceptional in that the private driveway for which we are requesting a variance to get additional access is already on our property. No expansion or extension of any kind is needed in order to service our parcel. The driveway in question has 2 separate driveway approaches (ingresses/egresses) to Academy Drive. One of those 2 approaches is directly and completely on our parcel (4716-04-203-250, Lot 38). This driveway has served lot 38 since at least 1950 (see attached aerial photos from Livingston County GIS Dept. EXHIBIT B).

2. The exceptional circumstances of this parcel that do not typically apply to other parcels requesting similar access to a private drive is that, in most situations, access is being requested to a driveway running adjacent to a parcel or that needs to be extended to that parcel. This pre-existing driveway is actually already on, and running through, our parcel.

3. The vacant parcel we seek to build on is part of a sewer SAD, and we have been allocated and paying for 1 REU on this parcel.

Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

This is a lake front parcel, and to be able to benefit in substantially the same way as other property owners, we need to be able to build a cottage for shelter, to recreate, enjoy the natural benefits of the waterfront, and inhabit a safe structure for personal enjoyment, bath facilities, overnight stays etc. There’s no means of experiencing property rights in anyway near the same scale as other property owners on similar parcels without being able to build a cottage.

There are 4 parcels on this driveway. The other 3 parcels have structures and we would like to build a cottage and access it using the driveway that crosses our land.

The granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

1) The proposed cottage, and our use of it, will fully and consistently respect the terms of the Driveway Maintenance Agreement shared with all four parcels involved (aka lots 35-38).

2) Great care was taken when developing the site plan to:
   • Maximized distance from the structure to the shared drive to ensure there are no questions about our ability to keep the driveway path clear.
   • Meet or beat all setbacks.
• Keep the footprint of the proposed structure similar to the neighbors to be consistent in character. In fact, the cottage is roughly the average size and footprint of the two immediate neighbors (6480 & 6500 Academy Drive - house, garage, and deck).

3) The Driveway Maintenance Agreement itself does not restrict, in any way whatsoever, the ability of Lot 38 to have a residence. The only obligation is to provide access. Lot 38 is listed in the legal description of the document on equal footing as the other 3 lots. It is simply an agreement to maintain and provide access through the private drive shared by these four parcels. Because we are obligated to the same burden, we simply seek to enjoy the same benefits and property rights of use as the other parties involved. Our family is committed to ensuring that use of the driveway as prescribed in the agreement is unencumbered for all parties. The substructure and size of the driveway is more than adequate to support the marginal increased use by our proposed cottage. We have had a visual inspection of the driveway by a well-respected local soil testing professional. Additionally, we would be willing to have core samples taken to ensure the substructure is appropriate and/or make adjustments as needed.

4) There is no provision whatsoever in the maintenance agreement relinquishing the right to build on Lot 38.

5) We have paid for a sewer tap for that property.

6) The cottage itself would have appropriate setbacks from the driveway.

7) It is reasonable to note that if (hypothetically) a barrier were placed in the middle of this shared driveway, the result would be 2 parcels serviced by each of the 2 driveway approaches to Academy Dr. Then, it would comply with Sec 38-444 and 38-445. As a practical matter, however, having the same 4 parcels use the full driveway without a barrier provides better access than with the hypothetical even though using a barrier would make it technically compliant. This fact makes it difficult to argue that our request would harm public welfare.

The granting of such variance will not adversely affect the purpose or objectives of the master plan of the township.

1) We believe that the use of this property for a cottage is consistent with the vision of the master plan.

2) Specific to Section 38-444 & 38-345, we do not believe it would be the intent of the Master Plan to have an unnecessarily burdensome restriction for a permitted use such as considering this private drive has been in the same location since at least 1950, and has served the same 4 platted lots. These 4 lots have been separate properties for 77 of the 97 years since the plat in 1920, including the last 16 years. This driveway need not be changed, extended, moved, etc. in order to serve the parcel on lot 38, it's already there. We do not believe it is in the spirit of the Master Plan to block building in situations like this where only by having a structure built can we enjoy substantially the same benefits as other very similar parcels.

The condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is not of so general or recurrent a nature.

Zoning Board of Appeals Application

4 revised 01-19-2011
The circumstances are very unique in several ways:

1. The 4 parcels (all single lots) which share this private driveway each have their own direct road frontage on Academy Drive. That is, this is not a back-lot situation.

2. The shared driveway is "U" shaped and has two separate ingress/egress approaches to Academy Drive, both of which are shared by all 4 lots. The Livingston County Road Commission would consider this 2 separate driveways for permitting purposes.

3. One of the four parcels at 6500 Academy Drive has an additional private driveway (ingress/egress) directly to Academy Drive.

4. We expect it is very unusual to have 4 parcels subject to the restrictions of shared private drive provisions while at the same time there are 3 separate ingresses/egresses to the main road amongst the 4 parcels. In short, this is a driveway of convenience and practicality, but is not the sole possibility for access to Academy Drive.

5. The creation of parcel 4716-04-203-250 (on Lot 38) was unique in the way the parcel was legally created via land transfer and not a lot split (see attached illustration in EXHIBIT A for a thorough explanation). We simply shifted 3 parcel lines to group the same 4 platted lots differently. Two of the 4 lots involved in the Land Transfer are part of the shared driveway (Lots 37 & 38), the other two are adjacent parcels we had owned separately (Lots 39 & 40). Specifically, granting this variance would not open like-kind comparisons for other property owners seeking a lot split resulting in a greater number of non-conforming parcels because no lot split (or land division) occurred in our case, and the number of parcels stayed the same. It is very unlikely that other owners of multiple adjacent properties would reap any benefit by simply shifting parcel lines as we did because it does not create additional properties.

6. In summary regarding the Land Transfer, we had 3 parcels before and 3 parcels after involving the same 4 lots, therefore no increase/decrease in non-conformance was recognized by Green Oak Township at the time. Such is the nature of a land transfer as opposed to a land division. The driveway agreement was well vetted prior to the approval of the Land Transfer (as noted in EXHIBIT A).

7. We have been paying for a sewer tap since the original sewer assessment was established. We are not aware of other parcels paying for a sewer tap without the right to build.
You must provide the following information as part of your application:

1) Site Plan layout drawn to scale, which details the following:
   - Show all adjoining property setbacks and structures
   - Show existing and proposed setbacks from road right-of-ways
   - Show existing and proposed structures
   - Show required and existing setbacks by noting it on the site plan
   - Show NORTH arrow

2) Photographs of property in relation to roads and existing structures, when appropriate, to properly depict the reason for the appeal.

3) Written denial from the Planning and Zoning Administrator denying a building permit for this original request. *38-94 Appeal shall be taken within such time as prescribed by the ZBA by general rule, but in no event later than 30 days after the date of the decision from which the appeal is taken.*

4) Eleven copies of the application, site layout and any additional pages or documents.

5) A completed application. Incomplete applications with missing information will be returned and not placed on the ZBA agenda until complete.

I hereby affirm that the above information is correct to the best of my knowledge and grant permission for Township officials, employees, consultants and members of the Zoning Board of Appeals to conduct an on-site inspection.

[Signature of Applicant]

Date: 15-JUNE-2019

[Signature of Owner, if different]

Date: (SAME)
ZONING COMPLIANCE

Applicant: Joseph Tizedes
Date: May 18, 2017 Revised: June 8, 2017
Address: 6490 Academy Dr. Brighton, MI 48116
Property ID: 4716-04-203-250
Permit Request: New Single Family

PROJECT DESCRIPTION:
The applicant is requesting a permit to build an 1899.48 SF 2 story new single family with 2 car attached garage; unfinished walkout basement with 3 piece rough-in plumbing; 264 SF covered deck; 264 SF covered lower level porch; The subject site is 0.149 acres in size, located south of Grand River and east of Whitmore Lake Road, zoned LA, Lakes Area.

The proposed application must conform to the schedule of regulations for the LA, Lakes Area. Zoning district, summarized as follows:

<table>
<thead>
<tr>
<th>38-136, Schedule of Regulations</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District</td>
<td>LA, Lakes Area.</td>
<td>LA, Lakes Area.</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waterfront</td>
<td>30 ft.</td>
<td>30 feet</td>
</tr>
<tr>
<td>Rear</td>
<td>30 ft.</td>
<td>40 feet</td>
</tr>
<tr>
<td>Front</td>
<td>30 ft.</td>
<td>Not applicable (home is on the lake)</td>
</tr>
<tr>
<td>Rear</td>
<td>30 ft.</td>
<td>Northeast side – existing 7 feet Southwest side – 7 feet</td>
</tr>
<tr>
<td>Sides</td>
<td>7 ft. both sides from home</td>
<td>Approximately 27%</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>Approximately 27%</td>
</tr>
<tr>
<td>Building Height</td>
<td>28 ft (two stories)</td>
<td>27 feet</td>
</tr>
<tr>
<td>Lot Area</td>
<td>7,200 sq. ft.</td>
<td>6490 sq. ft.</td>
</tr>
<tr>
<td>Lot Width</td>
<td>60 ft</td>
<td>40 feet per plat</td>
</tr>
</tbody>
</table>

*****Sec. 38-445. Private driveways.

Private driveways may serve up to two (2) parcels and shall not be considered a private road; provided, however, both parcels meet the applicable requirements for road frontage. If, at any time, more than two (2) parcels are to have access using the existing private driveway, such private driveway shall be brought into compliance with the standards contained in this article.
Sec. 38-444. Private roads serving more than two lots or resulting parcels.

(a) All private roads serving more than two (2) lots or resulting parcels shall be constructed in accordance with the standards and specifications set forth in Section 38-449.

(b) Private roads serving seven (7) or more lots shall require a class A road.

(c) Private roads serving not less than four (4), nor more than six (6) lots shall require a class B road.

(d) Private roads serving three (3) or less lots shall require a class C road.

Connecting to Green Oak Charter Township sewer system is required in Lake Area Zoning Districts. Please contact the Township Supervisor Office for additional information on procedures and cost associated with connecting into sewer system.

Zoning Compliance for a New Single Family Home will require a variance from the Zoning Board of Appeals (Sec 38-444 and Sec 38-445), to allow additional access on a private driveway.

Debra McKenzie,
Zoning Administrator,
810 231-1333 ext. 104
Sec. 38-444. Private roads serving more than two lots or resulting parcels.

(a) All private roads serving more than two (2) lots or resulting parcels shall be constructed in accordance with the standards and specifications set forth in Section 38-449.

(b) Private roads serving seven (7) or more lots shall require a class A road.

(c) Private roads serving not less than four (4), nor more than six (6) lots shall require a class B road.

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Connecting to Green Oak Charter Township sewer system is required in Lake Area Zoning Districts. Please contact the Township Supervisor Office for additional information on procedures and cost associated with connecting into sewer system.

Zoning Compliance for a New Single Family Home will require a variance from the Zoning Board of Appeals (Sec 38-444 and Sec 38-445), to allow additional access on a private driveway.

Debra McKenzie,
Zoning Administrator,
810 231-1333 ext. 104

Oak Charter Township
10001 Silver Lake Road
ighton, Michigan 48116-8361

JOSEPH & TAMARA TIZEDES
1526 Summerfield Lane
HOWELL MI 48843
1st Driveway Approach to Academy Dr. is on Lot 38.

2nd Driveway Approach to Academy Dr. is on Lot 35.
EXHIBIT A

Land Transfer
Illustration & Timeline

2001
**NOT a Lot Split, but a LAND TRANSFER was Approved in 2001 which defined Lot 38 as a separate Parcel**

**Before Land Transfer**
- 3 Parcels
- 4 Platted Lots
- Tizedes owned color shaded Lots (37-38-39-40)

**After Land Transfer**
- Still 3 Parcels
- Same 4 Platted Lots
- Tizedes still owned color shaded Lots (37-38-39-40)

After Land Transfer, Vacant Lot is nearly 2 TIMES LARGER which REDUCED overall Non-Conformance & Hardship

---

**July 20 – Aug 13 2001**
Tizedes applied for, and were denied, a Land Division of Parcel 4716-04-203-034 (which involved lots 37 & 38)

**Sep 19 – Nov 2 2001**

**Nov 26 2001**
Tizedes provides Driveway Maintenance Agreement to Green Oak

**Dec 12 2001**
After review of Driveway Maintenance Agreement, **Green Oak Approves Land Transfer**

**Feb 27 2002**
Tizedes Applied for and was denied a build permit for Lot 38 solely due to side yard setbacks – not driveway ordinance
Township Assessor  
Green Oak Township

To Whom It May Concern:

I am applying for a Preliminary Lot Split Determination to separate lot 38 in the East Half of Island Lake Colony Subdivision as a separate parcel.

I respectfully anticipate the lot width of 40 feet to be the predominant concern of Green Oak Township. Because of this issue, I am requesting in advance permission to appeal to the Zoning Board based on a preliminary decision. Please consider the following:

- The lot width of 40 feet is consistent with the vast majority of parcels on my street, which are almost all lakefront homes.
- I own the houses on both sides of lot 38 (lot 39 holds my primary residence and lot 37 is a rental). Therefore, there will not be an issue with neighbors.
- Any future ability to build will rely on sewers being installed. There is currently a petition in favor of sewers with an approval ratio approaching 70%.
- The lot is wide enough to provide spacing, consistent with the neighborhood, between the two neighboring houses and any future home on this parcel.
- I understand that any decision made in my favor by the Zoning Board will likely require an updating of my engineered survey from 1981.
- My intention is to eventually build an appropriately sized quality home which will enhance the look of the neighborhood.

I am available at (810) 229-9139 or (248) 368-2152 if there is a need to contact me with questions.

Thank you,

Joe Tizedes  
6480 Academy  
Brighton, MI 48116
August 13, 2001

Joseph & Tamara Tizedes
6500 Academy Drive
Brighton, Michigan 48114

RE: Parcel Identification Number 4716-04-203-034 - PRELIMINARY

Dear Mr. and Mrs. Tizedes:

After the preliminary review of the land division application for the above-mentioned parcel(s), it has been determined that this division could not be approved as submitted. Listed below are the reasons for this denial:

1) The parcel(s) as proposed lack sufficient road frontage and building set-backs.

Preliminary land division denials cannot be appealed. If you wish to pursue an appeal, the land division must be considered final, which requires submittal of a Final Land Division application, certified surveys of the old and new parcels with legal descriptions and payment of land division fees in the amount of $100.00. Once these conditions are met, you are entitled to appeal a denial to the Board of Trustees.

Please feel free to contact me if you have further questions.

Sincerely,

Cathy E. Groce
Assessor

Concur: Mark St. Charles, Supervisor
Green Oak Township  
Assessor's Office

To Whom It May Concern,

The attached illustration explains my request to reposition parcel lines. I own 4 lots that comprise 3 parcels. I am **not** trying to add a fourth parcel. I am requesting that the parcel lines be shifted as shown on the next page.

Currently, the parcels are divided as follows:
- 16-04-203-034 has lots 37 & 38. The address is 6500 Academy.
- 16-04-203-035 is lot 39. The address is 6480 Academy.
- 16-04-203-036 is lot 40. The address is 6480 Academy.

I am proposing the following changes:
- 16-04-203-034 will be lot 37. The address will remain 6500 Academy.
- 16-04-203-035 will be lot 38.
- 16-04-203-036 will be lots 39 & 40. The address will remain 6480 Academy.

Regards,

Joe Tizedes  
September 18, 2001

(810) 229-9139  
6480 ACADEMY  
BRIGHTON, MI 48116
Current Parcel Lines
(4 lots / 3 parcels)

16-04-205-034
Lots 37 & 38
6500 Academy

16-04-205-085
Lot 39
6480 Academy

16-04-205-086
Lot 40
6480 Academy

Proposed Parcel Lines
(Still 4 lot / Still 3 parcels)

16-04-205-084
Lot 37
6500 Academy

16-04-205-085
Lot 39
6480 Academy

16-04-205-086
Lots 39 & 40
6480 Academy
November 2, 2001

Joe Tizedes  
6480 Academy Road  
Brighton, Michigan 48116

RE: Land Transfer  
Parcel Numbers 4716-04-203-034, 4716-04-203-035 & 4716-04-203-036

Dear Mr. Tizedes:

The review of your proposed Land Transfer has been completed. The proposed land transfer is being denied for the following reason(s):

1) The lot sizes and road frontage does not comply with current zoning restrictions (R-2).
2) Additional information about the item described as a “Common Drive” is necessary.

If you have any further questions, please feel free to contact me.

Sincerely,

Cathy E. Groce 
Assessor

Concur: Mark St. Charles, Township Supervisor
We, the undersigned, hereby agree to guarantee continued, year-round access to and joint use of the private driveway for (lots 35, 36, 37, 38 of Island Lake Colony Subdivision) more commonly known as 6500 Academy, 6510 Academy, and 6520 Academy. Further, we agree to contribute to an equitable portion of the costs required to maintain the above mentioned driveway.

This agreement is to apply to present and future owners of the affected property.

Township of Green Oak, Livingston County, Michigan described as follows:

Lott's 35, 36, 37 and 38, Island Lake Colony Subdivision, according to plat recorded in Lib 1 of plats, pages 56, 57 and 58, Livingston County Records.

Tax Item No. 16-04-203-034-401-47010

Witness:

[Signatures]

[Names]

[ Addresses]

[Notary Public]

[Signature]

[Date]

[Notary Seal]

[State of Michigan]

[County of Livingston]

[Notary/Public]

[Signature]

[Date]

[Notary Seal]

[Return to: Draftor]
December 12, 2001

Joseph & Tamara Tizedes
6480 Academy Road
Brighton, Michigan 48116

RE: Land Transfer
Parcel Numbers 4716-04-203-034, 4716-04-203-035 & 4716-04-203-036

Dear Mr. & Mrs. Tizedes:

The review of your proposed Land Transfer has been completed. The proposed land transfer has been approved.

In order to complete the land transfer, please submit the following:
   1) A certified survey if the proposed parcels that shows the location of buildings and the setbacks from the proposed property lines, and
   2) New legal descriptions for the new parcels.

If you have any further questions, please feel free to contact me.

Sincerely,

Cathy E. Groce
Assessor

Concur: Mark St. Charles, Township Supervisor
February 21, 2002

Cathy E. Groce
Assessor
Green Oak Township
10001 Silver Lake Road
Brighton, MI 48116

Dear Cathy,

Attached is the certified survey, and new legal descriptions for the properties resulting from my land transfer. I have also attached a copy of your letter approving the transfer for reference.

Please feel free to contact me if you have any questions.

Regards,

[Signature]

Joe Tizedes

6480 Academy
Brighton, MI 48116

(248) 368-2152 days
(810) 229-9139 home
February 27, 2002

Joseph Tizedes
6480 Academy
Brighton, MI 48116

Dear Mr. Tizedes:

Your request for a Building Permit at lot 38 Island Lake is hereby denied for lack of the side yards on both sides. R-2 zoning requires 15 feet on both sides and you are applying for 5 feet on one side and 9 feet on the other.

You must go to the ZBA if you wish to continue with your project.

Sincerely,

M.S. Kruszewski,
Building & Zoning Administrator

MSK/er
March 28, 2002

Joseph & Tamara Tizedes
6480 Academy Road
Brighton, Michigan 48116

RE: Land Transfer
Parcel Numbers 4716-04-203-034, 4716-04-203-035 & 4716-04-203-036

Dear Mr. & Mrs. Tizedes:

The review of your proposed Land Transfer has been completed. The proposed land transfer has been approved. Below are the new parcel numbers.

<table>
<thead>
<tr>
<th>Lot</th>
<th>Parcel Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>4716-04-203-249</td>
</tr>
<tr>
<td>38</td>
<td>4716-04-203-250</td>
</tr>
<tr>
<td>39 &amp; 40</td>
<td>4716-04-203-251</td>
</tr>
</tbody>
</table>

This action does not imply that the new parcel(s) are buildable. All applicable Township ordinances must be met to obtain a building permit.

If you have any further questions, please feel free to contact our office.

Sincerely,

Cathy E. Groce  
Assessor

Mark St. Charles  
Supervisor

Michael Kruszewski  
Building/Zoning Administrator
EXHIBIT B

Aerial Photos of Driveway

1950 - 2015
GREEN OAK CHARTER TOWNSHIP
PLANNING AND ZONING DEPARTMENT
10001 Silver Lake Road, Brighton, MI 48116
Phone: 810-231-1333 ext.104  Fax: 810-231-5080

LAND USE REVIEW

Property Owner: Joseph & Tamara Tizedes
Contractor: Joseph & Tamara Tizedes
Date: January 20, 2017
Address: Academy Drive, Brighton MI 48116
Property ID: 4716-04-203-250

PROJECT DESCRIPTION:
The applicant is requesting a land use to allow the County to release the property address. The subject site is 0.149 acres in size, zoned LA Lakes area Single Family.

MINIMUM SETBACKS
Front – 30 feet
Rear – 30 feet
Sides – 7 feet

Sec. 38-43. Land use permit.
Required two copies of a drawing, drawn to scale, showing the following:

| Location, shape, area and dimensions for the lot or acreage. | Shown on plan |
| Location of the proposed construction, alteration or repair upon the lot or acreage affected, along with existing structures, wells and disposal systems. | Shown on plan |
| Dimensions, height, bulk of structures and setback lines. | Shown on plan |
| Nature of the proposed construction, alteration or repair and the intended uses. | Address for new home |
| Present use being made of any existing structure affected and any proposed change in the use thereof. | Vacant land |
| Evidence of ownership of all property affected by the permit, | Computer verified |

Land Use Approved

Note: Building Construction Permit must be obtained from the Green Oak Township Building Department prior to construction.

Debra McKenzie,
Zoning Administrator,
810 231-1333 ext. 104

Land Use
Page 1
I. PROJECT INFORMATION

PROPERTY OWNER: Joseph & Tamara Tizedes
ADDRESS: 1526 Summerfield Lane
CITY/STATE: Howell, MI
ZIP CODE: 48843
PHONE NUMBER: (810) 360-3761

CONTRACTOR (owner or contractor lbd)
ADDRESS: 
CITY/STATE: 
ZIP CODE: 
PHONE NUMBER: 

JOB ADDRESS: Academy Drive (vacant)
LOT NUMBER: Lot 38
SUBDIVISION: Island Lake Colony
DATE: 10-January-2017

TAX ID: 4716-04-203-250

II. TYPE OF IMPROVEMENT

<table>
<thead>
<tr>
<th></th>
<th>ADDRESS</th>
<th>SHED &lt; 200 SF</th>
<th>TREE REMOVAL</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FENCE</td>
<td>RE-CONTOURING OF LAND</td>
<td>GRADING</td>
<td></td>
</tr>
</tbody>
</table>

III. INFORMATION REQUIRED

Two copies of a drawing, drawn to scale, showing the following:

1. Location, shape, area and dimensions for the lot or acreage.
2. Location of the proposed construction, alteration or repair upon the lot or acreage affected, along with existing structures, wells and disposal systems.
3. Dimensions, height, bulk of structures and setback lines.
4. Nature of the proposed construction, alteration or repair and the intended uses.
5. Present use being made of any existing structure affected and any proposed change in the use thereof.
6. Show ownership of property affected by the permit.

IV. INSPECTION REQUIRED

Inspection to be scheduled by:

1. Date which job will be completed: 18-Jan-'18 (or within 1 yr.)
2. Schedule final inspection for: 25-Jan-'18

ZONING ADMINISTRATOR APPROVAL:

LAND USE: FEMA: "AE" & "100-1000" 26093.03 x 03-03-03 D
Zoning: "LA" 0.199 acre
Sec. 38-43. Building and land use permits.

(a) **Required.** Excavation for, erection of, addition to, alteration, or moving of any building or structure, or the grading, leveling, or re-contouring of land of more than twenty-five (25) cubic yards, or the removal of trees in connection with such activities, shall not be undertaken, nor shall any activity or change of use be commenced until the proper permit has been issued by the Zoning Administrator. Except upon a written order of the Zoning Board of Appeals, no such building and land use permit or certificate of use and occupancy shall be issued for any building or structure where the construction, addition, alteration, or use thereof would be in violation of any of the provisions of this chapter. A summary of requirements for land use permits and building permits is provided on the following chart:

<table>
<thead>
<tr>
<th>One (1) story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed one hundred and twenty (120) square feet</th>
<th>Any two (2) story structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground-mounted air conditioning units/icompressors</td>
<td>Structures or buildings larger than one hundred and twenty (120) square feet in area</td>
</tr>
<tr>
<td>Fences</td>
<td>In-ground or above-ground swimming pools with a water capacity of over twenty-four (24) inches deep</td>
</tr>
<tr>
<td>Gazebos</td>
<td>Decks</td>
</tr>
<tr>
<td>Hot tubs/jacuzzis</td>
<td>Retaining walls over four (4) feet in height</td>
</tr>
<tr>
<td>Play structures</td>
<td>Fences over six (6) feet in height</td>
</tr>
</tbody>
</table>

(b) **Exception.** Permits shall not be required for vacancies in structures or buildings less than one hundred and twenty (120) square feet, or for minor alterations or repairs costing five hundred dollars ($500.00) or less which are made to existing structures, or the wrecking of buildings and structures of less than one thousand (1,000) cubic feet capacity |

(c) **Applications.** Application for a building permit or land use permit shall be made to the Zoning Administrator, signed by the person requesting the permit or the duly authorized agent of such person. For uses requiring a site plan, the Zoning Administrator shall not issue a building permit or land use permit until the provisions of Chapter 38, Division 2, Site Plans of this article, pertaining to site plan review, have been satisfied. For uses not requiring a site plan, there shall be submitted with all applications for building permit or land use permits, two (2) copies of a drawing, drawn to scale, showing the following:

(d) **Location, shape, area, and dimensions for the lot or acreage.**

(1) Location of the proposed construction, alteration or repair upon the lot or acreage affected, along with existing structures, wells, disposal systems, and setback lines.

(2) Dimensions, height, and bulk of structures.

(3) Nature of the proposed construction, alteration, or repair and the intended uses.

(4) Present use being made of any existing structure affected and any proposed change in the use thereof.

(5) Any other information deemed necessary by the Zoning Administrator to determine compliance with this chapter and to provide for the enforcement thereof.

(e) **Evidence of ownership.** All applicants for building or land use permits shall have available for the Zoning Administrator's inspection, evidence of ownership of all property affected by the permit, and shall submit the evidence upon the request of the Zoning Administrator. If the permit requires an application conforms to the requirements of this section and other laws, codes, and ordinances pertaining to use and occupancy, he or she shall mark, over his or her signature, all copies of the application as "approved" and one (1) copy of the application shall be retained by the Zoning Administrator and another copy shall be returned to the applicant, stating the extent of the work authorized. The application and the issuance of the permit shall not be binding upon the Township Board or the Zoning Board of Appeals, in case it is subsequently discovered that the plans or the complete building do not conform to the requirements of this chapter.

(f) **Voiding section.** Any building permit granted under this section shall be null and void unless the development proposed shall have its first zoning site inspection within six (6) months of the date of granting the permit. The Zoning Administrator shall give notice by certified mail to the holder of a permit that is liable for voiding action before evidence is actually declared. Such notice shall be mailed to the permit holder at the address indicated on the permit application. The Zoning Administrator may suspend or revoke a permit issued under the provisions of this section whenever the permit is issued erroneously on the basis of incorrect information supplied by the applicant or his or her agent, or is in violation of any of the provisions of this chapter or of any other laws, codes, or ordinances pertaining to use or occupancy.

(g) **Inspections.** The construction or use covered by any building permit shall be subject to the following inspections:

(1) At the time of staking out of lot corners and building in foundations at all building corners.

(2) At the time land use activity is commenced.

(3) All normal inspections required by the current building codes in effect in the Township.

(4) Upon completion of the work authorized by the permit, it shall be the duty of the permit holder(s) to notify the Zoning Administrator when the construction is ready for final inspection. Failure to make proper notification of the time for inspection shall automatically cancel the land use permit, and require issuance of a new permit before construction may proceed or occupancy may be permitted. In the case of a building permit, failure to make proper notification will require the work to cease until the required inspection can be performed (which may necessitate the removal of completed work to expose portions for inspection) before construction may proceed or occupancy be permitted.
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1. Location, shape, area and dimensions for the lot or acreage. | 173 x 152 x 40 x 16 x 24  
Primarily rectangular with one small 5th side (16').  
.149 acres, or 6490 ft². |
| 2. Location of the proposed construction, alteration or repair upon the lot or acreage affected, along with existing structures, wells and disposal systems. | New structure(s) shown in **BLUE**.  
New Sewer pump and line in **GREEN**.  
New Well in **PURPLE**. |
| 3. Dimensions, height, bulk of structures and setback lines. | House: 23'W x 42'L(ave.) x 24'H, (966 ft² footprint)  
Attached Garage: 23'W x 25'L(ave.) x 18'H, (575 ft² footprint)  
Deck with Roof: 12'W x 23'L x 9'H, (276 ft² footprint)  
Total footprint of House & Attached Garage = 1541 (24% of lot area)  
Total footprint including deck = 1817 (28% of lot area)  
**Setbacks (zoned LA):**  
North Side Setback: ≥ 7'  
South Side Setback ≥ 7'  
West Lake- Side Setback ≥ 32'  
Road-Side Setback ≥ 38' |
| 4. Nature of the proposed construction, alteration or repair and the intended uses. | Construction of Tizedes Family Lake Cottage.  
2 Story Wood Framed single family house on poured cement basement, 2 car attached garage, and lake-side elevated roofed deck from main floor. |
| 5. Present use being made of any existing structure affected and any proposed change in the use thereof. | No structures currently on property. |
| 6. Show ownership of property affected by the permit | (attached) |
Livingston County Building Department  
2300 East Grand River 
Howell, Michigan 48843 

Green Oak Township  
Land Permits  
10001 Silver Lake Road  
Brighton, Michigan 48116 

Re: WAIVER LETTER – JOINT DRIVEWAY 

Road Name: ACADEMY DR 
Township: GREEN OAK 
Section: 4 
Location: LOT 38 OF "ISLAND LAKE COLONY" SUB, 16-04-203-250; EXISTING JOINT DRIVEWAY 

The applicant has applied for a permit to build at the above location. A Livingston County Road Commission Residential Driveway Approach Permit was issued for a joint driveway approach at this location. 

No driveway permit will be required by this department for driveways entering onto this road. 

Sincerely, 

[Signature] 

Engineering Department 

Applicant: JOSEPH & TAMARA TIZEDES  
1526 SUMMERFIELD LN  
HOWELL, MI 48843  
(810) 360-3761
Parcel Number: 4716-04-203-250  Jurisdiction: GREEN OAK TOWNSHIP  County: LIVINGSTON  Printed on 07/11/2017

Grantor  Grantee  Sale Price  Sale Date  Inst. Type  Terms of Sale  Liber & Page  Verified By  Prctnt. Trans.

Property Address

Class: RESIDENTIAL-VACAN  Zoning: LA  Building Permit(s)

Owner's Name/Address

TIZEDES, JOSEPH & TAMARA  1526 SUMMERFIELD LN  HOWELL MI 48843

DBA:

Tax Description

SEC 4 TIN R6E ISLAND LAKE COLONY SUB LOTS 38  LAND TRANSFER FROM -04-203-034 (9/02)

Comments/Influences

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

2018 Est TCV Tentative

Land Value Estimates for Land Table 004IL.004IL.ISLAND LAKE LAND

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Topography of Site

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<th>Low</th>
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<th>Wooded</th>
<th>Pond</th>
<th>Waterfront</th>
<th>Ravine</th>
<th>Wetland</th>
<th>Flood Plain</th>
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Year  Land Value  Building Value  Assessed Value  Board of Review  Tribunal/Other  Taxable Value

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</table>

*** Information herein deemed reliable but not guaranteed ***
GREEN OAK CHARTER TOWNSHIP
PLANNING AND ZONING DEPARTMENT
10001 Silver Lake Road, Brighton, MI 48116
Phone: 810-231-1333 ext.104  Fax: 810-231-5080

Zoning Board of Appeals Report

Case Number: ZBA-05-2017
Date of Application: June 15, 2017
Hearing Date: July 18, 2017
Applicant: Welker Properties Brighton LLC
Baruzzini Construction Co.
1280 S. Old US-23
Brighton, Michigan 48114

Property ID: 4716-12-301-009
Property Address: 7978 Lochlin Dr., Brighton MI

Applicable Provisions of the Zoning Ordinance:

The applicant is requesting a variance from section 38-136 for a front yard setback of 32 feet instead of the required 40 feet, and the second variance 38-362(5) is for the flood plain setback of 0 feet when the required is 25 feet. This project has not been before the planning commission. The applicant is seeking the variance first. The project would require site plan approval to allow the expansion of an existing industrial building located at 7987 Lochlin Drive, which is located on Lot 9 of the Kensington Pines Industrial Park. A previous site plan for the expansion of the building was approved by the Planning Commission in 2014.

The subject site is zoned PUD/LI, Planned Unit Development/Limited Industrial, and is approximately 4.2 acres in size. A summary of the surrounding zoning districts and land uses is provided in the table below.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
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<tr>
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<td>PUD/LI</td>
<td>GI</td>
<td>PUD/LI</td>
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<tr>
<td>Land Use</td>
<td>Light Industrial</td>
<td>General Industrial</td>
<td>Light Industrial</td>
<td>General Industrial</td>
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</table>
AREA, WIDTH, HEIGHT, SETBACKS

The proposed addition must conform to the standards for Building Setbacks set forth in the deed restrictions for the Kensington Pines Industrial Park (PUD Agreement) found in Liber 1543, Page 0729. The lot area, lot width, lot coverage/impervious surface area, and building height must conform to the standards for the LI Zoning District set forth in Section 38-136, Schedule of, Area, Height, and Setback Regulations. A summary of the dimensional standards are detailed in the table below.

<table>
<thead>
<tr>
<th>Dimensional Standards</th>
<th>Required</th>
<th>Provided</th>
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<tbody>
<tr>
<td>Lot Area</td>
<td>1 Acre</td>
<td>4.2 Acres</td>
</tr>
<tr>
<td>Lot Width</td>
<td>150 Feet</td>
<td>282 Feet</td>
</tr>
<tr>
<td>Double Front Yard Setback</td>
<td>40 Feet</td>
<td>32 Feet</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>100 Feet</td>
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<tr>
<td>Lot/Impervious Surface</td>
<td>55%</td>
<td>27%</td>
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<tr>
<td>Coverage</td>
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<td></td>
</tr>
<tr>
<td>Building Height</td>
<td>50 Feet</td>
<td>20.75 Feet</td>
</tr>
</tbody>
</table>

**Wetlands:** A wetland is located on the southeastern portion of the site, adjacent to Davis Creek.

**Tributary:** Davis Creek, which is the southeastern boundary of the site, is a designated tributary and within the Tributary Overlay Zone as defined on the Green Oak Township Zoning Map and in Section 38-362 of the Zoning Ordinance. The purpose of the Tributary Overlay Zone is to enhance the environmental, ecological, and aesthetic values of the streams and creeks within the Township.

1. **Requirement:** Section 38-362.G, Natural Vegetation Strip, sets forth standards for zones that aim to minimize erosion, stabilize the creek bank, protect water quality, minimize nutrient loading, maintain water temperature at natural levels, preserve fish and wildlife habitat, screen manmade structures, and preserve aesthetic values of tributaries covered by the Tributary Overlay Zone. The Natural Vegetation Strip is measured one-hundred (100) feet horizontal from and perpendicular to the water’s edge on either side of Davis Creek. **Section 38-362.G.5, states, in the case of the presence of a floodplain, or regulated wetland wholly or within the natural vegetation strip, an additional twenty-five (25) feet will be added to floodplain or regulated wetland boundary.**

**Floodplain:** Liber 1543, Page 0278, F.1 of the deed restrictions for lots 9 and 10 of the Kensington Pines Industrial Park, states, no filling or occupation of the floodplain above elevation 908.4 N.G.V. shall take place without the prior approval of the Michigan Department of Natural Resources (MDNR).
Soils: The majority of the soils found on-site are Boyer-Oshtemo loamy sands and Fox-Boyer complex. Soils within the wetland limits and Davis Creek area are composed of alluvial land.


Report Prepared By: Debra McKenzie

CASE FILE DOCUMENTS:

1.1 Site Plan
1.2 Aerial

Written Correspondence and Documentation
2.0 Completed application form
2.1 Letter of application with attachments
INSTRUCTIONS:

Prior to any appeal being filed with the Green Oak Charter Township Zoning Board of Appeals (ZBA), an applicant must have first applied for a building permit from the Green Oak Charter Township Building Department. The building permit must have had an administrative review conducted by a designated Building and Zoning Official and subsequently be denied if it is to be later considered by the Zoning Board of Appeals. This denial must be obtained in writing and copies submitted with the appeal application form, in no event should the denial letter be older than 30 days after the date of the decision from which the appeal is taken. The ZBA appeal application costs are not refundable.

If an appeal is filed with the ZBA, the following application form and a site layout must be completed. ELEVEN COPIES of the application, site layout and any additional pages or documents that the applicant desires the ZBA to consider must be provided prior to the application form being accepted by the Zoning Administrator. All appeals must be filed by noon the third Wednesday (one month prior) to the scheduled meeting date, in order to be considered for that month’s meeting. There is a limit of five cases per monthly agenda, and applications are taken in order of submission. If more than five applications are received, the additional applications will be scheduled for the following meeting. The applicant or authorized representative must appear in person on their scheduled date. If an authorized representative is designated, the applicant must designate their authority in writing prior to the ZBA hearing being conducted. All costs exceeding the application fee are the responsibility of the applicant and must be paid in full prior to any building permits being issued.

All property owners and occupants within 300 feet of the petitioner’s property will be notified by first class mail not less than 15 days prior to the public hearing.

While there is not a prescribed method to a presentation to the ZBA, the applicant should be prepared to provide all available proofs, documents, evidence, etcetera to support their request for a variance at the time of the
hearing. Witnesses and/or any other tangible evidence to support the validity of
the request for variance will be accepted and considered by the ZBA.

Applicant Information
Name: Breuzzini Construction Co.
Address: 1281 S. Old US Hwy 23
City/State/Zip: BRIGHTON, MICHIGAN 48114
Phone: 810-229-8996 Fax: 810-229-1874
E-Mail: DHK1410@gmail.com

Property Owner Information
Name: Welker Properties, Brighton LLC
Address: 7987 Lochlin Dr.
City/State/Zip: BRIGHTON, MICHIGAN 48116
Phone: 313-505-2095 Fax:
E-Mail: EternalTattoos@AOL.com

Location of Property for which the variance requested
Address: 7987 Lochlin Dr, BRIGHTON, MICHIGAN 48116
Cross Streets: East of Kensington Rd/ South of Silver Lake Rd
Tax Identification #: 16-12-301-3009
Information available from the Green Oak Charter Township Assessing Dept.
Zoning District: LI (Limited Industrial) PUD
Lot Size/Acreage: 1.3
Current Use: Residential

Variance Request
Request Front Yard setback variance from 40ft to 32ft and a variance from the floodplain
setback from 25ft to 0ft.

Total Number of Variances Requested: 2

List the applicable Code Section Name, Section Number, and Subsection to be
considered by the ZBA. Section 38-136 (Schedule of regulations)
This information is contained in the Green Oak Charter Township Zoning Code Book

Describe Request
Reduce Front yard setback on Kensington Court from 40ft to 32ft and Flood Plain setback
from 25ft to 0ft

Zoning Board of Appeals Application
Chairman P.E.
revised 01-19-2011
Criteria for a Dimensional Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance. 38-95 (8)

What are the exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone

The subject parcel is a corner lot with a unordinary 100ft wide right of way for Kensington Court (100ft). The Lochlin Drive Right of Way is a normal 60ft wide. The floodplain setback would require additional fill in the flood plain to meet the setback requirement.

Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

Most of the other properties in the immediate vicinity are not subject to double frontage restrictions nor do they have a floodplain on their parcels.

The granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

Neither of the requested variances will be detrimental to the public welfare.

The granting of such variance will not adversely affect the purpose or objectives of the master plan of the township.

The variance requests will not adversely affect the objectives of the master plan

The condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is not of so general or recurrent a nature

The variance requests are unique to this parcel and not recurrent.
You must provide the following information as part of your application:

1) Site Plan layout drawn to scale, which details the following:
   - Show all adjoining property setbacks and structures
   - Show existing and proposed setbacks from road right-of-ways
   - Show existing and proposed structures
   - Show required and existing setbacks by noting it on the site plan
   - Show NORTH arrow

2) Photographs of property in relation to roads and existing structures, when appropriate, to properly depict the reason for the appeal.

3) Written denial from the Planning and Zoning Administrator denying a building permit for this original request. **38-94 Appeal shall be taken within such time as prescribed by the ZBA by general rule, but in no event later than 30 days after the date of the decision from which the appeal is taken.**

4) Eleven copies of the application, site layout and any additional pages or documents.

5) A completed application. Incomplete applications with missing information will be returned and not placed on the ZBA agenda until complete.

I hereby affirm that the above information is correct to the best of my knowledge and grant permission for Township officials, employees, consultants and members of the Zoning Board of Appeals to conduct an on-site inspection.

---

Signature of Applicant
Date: 6-6-17

Signature of Owner, if different
Date: T. Weller
Parcel Number: 4716-12-301-009  Jurisdiction: GREEN OAK TOWNSHIP  County: LIVINGSTON  Printed on 07/11/2017

Grantor  Grantee  Sale Price  Sale Date  Inst. Type  Terms of Sale  Liber & Page  Verified By  Prctn. Trans.
---  ---  ---  ---  ---  ---  ---  ---  ---
TB HOLDINGS LLC  WELKER PROPERTIES - BRIGH  1,025,000  02/11/2009  WD  ARMS LENGTH  ---  ---  ---
HORIZON INDUSTRIAL CENTER  TB HOLDINGS LLC  1,050,000  01/30/2006  WD  ARMS LENGTH  5041/041  NOT VERIFIED  100.0
LOCHLAND PROPERTIES  HORIZON INDUSTRIAL CENTER  68,000  09/28/1995  WD  DNU-NOT AUDITED  1965/0697  NOT VERIFIED  0.0

Property Address
7987 LOCHLIN DR

Class: COMMERCIAL-IMPROV  Zoning: LI PU  Building Permit(s)  Date  Number  Status
---  ---  ---  ---  ---  ---
School: BRIGHTON  INDUSTRIAL ADDITION  06/25/2014  PB14-0147  ISSUED
P.R.E. 0%  INTERIOR BUILD-OUT  09/11/2012  PB12-0187  ISSUED
DBA: ETERNAL INK  INDUSTRIAL ADDITION  06/20/2012  PB12-0140  ISSUED

Owner's Name/Address
WELKER PROPERTIES - BRIGHTON LLC
7987 LOCHLIN DR
BRIGHTON MI 48116

2016 Est TCV Tentative Signs
11/06/2007  PB07-0285  ISSUED

Tax Description
SEC 12 TIN R56 KENSINGTON PINES
INDUSTRIAL PARK LOT 9

Comments/Influences

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

Topography of Site
Level
Rolling
Low
High
Landscaped
Swamp
Wooded
Pond
Waterfront
Ravine
Wetland
Flood Plain

Who  When  What
---  ---  ---
RCB  10/10/2012  INSPECTED

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---

Land Value Estimates for Land Table 3000.3000 INDUSTRIAL

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Land Improvement Cost Estimates

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<td>1.0</td>
<td>59</td>
<td>100</td>
<td>4,130</td>
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Total Estimated Land Improvements True Cash Value = 45,763

---

Year | Land Value | Building Value | Assessed Value | Board of Review | Tribunal/ Other | Taxable Value |
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>2018</td>
<td>Tentative</td>
<td>Tentative</td>
<td>Tentative</td>
<td>Tentative</td>
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<tr>
<td>2017</td>
<td>203,900</td>
<td>338,300</td>
<td>542,200</td>
<td></td>
<td></td>
<td>426,872C</td>
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<tr>
<td>2016</td>
<td>203,900</td>
<td>325,400</td>
<td>529,300</td>
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<td>423,065C</td>
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<tr>
<td>2015</td>
<td>113,300</td>
<td>308,500</td>
<td>421,800</td>
<td></td>
<td></td>
<td>421,800S</td>
</tr>
</tbody>
</table>

*** Information herein deemed reliable but not guaranteed***
Desc. of Bldg/Section: Office Building

Class: C
Floor Area: 1,468
Gross Bldg Area: 28,078
Stories Above Grd: 1
Average Stg Hght: 14
Bsmnt Wall Hght: 

<table>
<thead>
<tr>
<th>Construction Cost</th>
<th>High</th>
<th>Above Ave.</th>
<th>Ave.</th>
<th>X</th>
<th>Low</th>
</tr>
</thead>
<tbody>
<tr>
<td>** ** Calculator Cost Data ** **</td>
<td></td>
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</tr>
<tr>
<td>Quality: Average Adj: +0 $/SqFt: 0.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heat#1: Package Heating &amp; Cooling 100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heat#2: Zoned A.C. Warm &amp; Cooled Air 0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ave. SqFt/Story: 1468</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Ave. Perimeter: 130</td>
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</tr>
<tr>
<td>Has Elevators:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*** Basement Info ***</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perimeter:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type: Finished/Office (No Rates)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heat: No Heating or Cooling</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Mezzanine Info *</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area #1:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type #1: Office</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area #2:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type #2: Office</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Sprinkler Info *</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type: Low</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) Excavation/Site Prep: |
(7) Interior: |
(8) Plumbing: |
(11) Electric and Lighting: |
(39) Miscellaneous: |

| Cutouts: |
| Fixtures: |
| X | Few |
| X | Average |
| X | Unfinished |
| X | Typical |
| X | Unfinished |
| X | Typical |
| X | Incandescent |
| X | Fluorescent |
| X | Mercury |
| X | Sodium Vapor |
| X | Transformer |

(2) Foundation: |
(3) Frame: |
(4) Floor Structure: |
(5) Floor Cover: |
(10) Heating and Cooling: |
(13) Roof Structure: |
(14) Roof Cover: |

| X | poured Conc |
| X | Brick/Stone |
| X | Block |
| X | Poured Conc |
| X | Brick/Stone |
| X | Block |
| X | Gas |
| X | Coal |
| X | Stoker |
| X | Hand Fired |
| X | Boiler |
| X | Gas |
| X | Coal |
| X | Stoker |
| X | Hand Fired |
| X | Boiler |

| Outlets: |
| Fixtures: |
| X | Few |
| X | Average |
| X | Unfinished |
| X | Typical |
| X | Unfinished |
| X | Typical |
| X | Incandescent |
| X | Fluorescent |
| X | Mercury |
| X | Sodium Vapor |
| X | Transformer |

** Information herein deemed reliable but not guaranteed**
Sketch by Apex Sketch

*** Information herein deemed reliable but not guaranteed***
### Construction Cost

<table>
<thead>
<tr>
<th>Class:</th>
<th>S</th>
<th>Quality:</th>
<th>Average</th>
<th>Percent Adj: +0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate for Upper Floors = 26.00</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Adjusted Square Foot Cost for Upper Floors = 26.30</td>
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<td></td>
<td></td>
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</tbody>
</table>

#### Class: 5

<table>
<thead>
<tr>
<th>** ** Calculator Cost Data ** **</th>
<th>** **</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality: Average Adj: +0 $/SqFt: 0.00</td>
<td>Heat: Space Heaters, Radiant 100</td>
</tr>
<tr>
<td>Heat: Package Heating &amp; Cooling 0%</td>
<td>Ave. SqFt/Story: 14075</td>
</tr>
<tr>
<td>Ave. Perimeter: 467</td>
<td>Has Elevators:</td>
</tr>
</tbody>
</table>

### Basement Info

<table>
<thead>
<tr>
<th>Area:</th>
<th>Perimeter:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>Finished/Office (No Rates)</td>
</tr>
<tr>
<td>Heat:</td>
<td>No Heating or Cooling</td>
</tr>
<tr>
<td>** Mezzanine Info **</td>
<td></td>
</tr>
</tbody>
</table>

| Area #1: | | Area #2: |
|---------| |---------|
| Type #1: Office (No Rates) | | Type #2: Office (No Rates) |

<table>
<thead>
<tr>
<th>* Sprinkler Info *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area:</td>
</tr>
<tr>
<td>Type: Low</td>
</tr>
</tbody>
</table>

---

### Miscellaneous

#### Electric and Lighting:

<table>
<thead>
<tr>
<th>Outlets:</th>
<th>Fixtures:</th>
</tr>
</thead>
<tbody>
<tr>
<td>X: Few</td>
<td>X: Few</td>
</tr>
<tr>
<td>Average</td>
<td>Average</td>
</tr>
<tr>
<td>Many</td>
<td>Many</td>
</tr>
<tr>
<td>Unfinished Typical</td>
<td>Unfinished Typical</td>
</tr>
<tr>
<td>Flex Conduit</td>
<td>Incandescent</td>
</tr>
<tr>
<td>Rigid Conduit</td>
<td>Fluorescent</td>
</tr>
<tr>
<td>Armored Cable</td>
<td>Mercury</td>
</tr>
<tr>
<td>Non-Metalic</td>
<td>Sodium Vapor</td>
</tr>
<tr>
<td>Bus Duct</td>
<td>Transformer</td>
</tr>
<tr>
<td>(40) Exterior Wall:</td>
<td></td>
</tr>
<tr>
<td>Thickness</td>
<td>Bsmt Insul.</td>
</tr>
</tbody>
</table>

#### Roof Structure:

<table>
<thead>
<tr>
<th>Slope=0</th>
</tr>
</thead>
</table>

#### Roof Cover:

| (14) | |
|------||

---

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

---

** Commercial/Industrial Building/Section 2 of 4 **

** Parcel Number: 4716-12-301-009 **

** Printed on 07/11/2017 **

** Class: S **

** Floor Area: 14,075 **

** Gross Bldg Area: 28,078 **

** Stories Above Grd: 2 **

** Average Story Height: 22 **

** Basement Wall Height **

** Depr. Table: % 2% **

** Effective Age: 16 **

** Physical % Good: 72 **

** Func. % Good: 100 **

** Economic % Good: 100 **

** 1995 Year Built Remodeled **

** Overall Bldg Height **

** Comments: **

---

** County Multiplier: 1.48, Final Square Foot Cost for Upper Floors = 44.369 **

** Total Floor Area: 14,075 **

** Base Cost New of Upper Floors = 624,489 **

** Reproduction/Replacement Cost = 624,489 **

** Total Depreciated Cost = 449,632 **

** Local Cost Items **

** Rate | Quantity/Area | %Good | Depr./Cost | LOAD LEVELER | 6450.00 | 2 | 72 | 9,288 **

** ECF (INDUSTRIAL 20-50X) | 0.485 => TCV of Bldg: 2 | = | 222,576 **

** Est. TCV/Floor Area= 15.81 **

---

** (1) Excavation/Site Prep: **

** (2) Foundation: | Footings **

| X | Foured Conc | Brick/Stone | Block | |

** (3) Frame: **

** (4) Floor Structure: **

** (5) Floor Cover: **

** (6) Ceiling: **

** (7) Interior: **

** (8) Plumbing: **

| Many | Above Ave. | Average Typical | Few None | |

** (9) Sprinklers: **

---

** (10) Heating and Cooling: **

| X | Gas | Coal | Stoker | Hand Fired Boiler | |

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*** Information herein deemed reliable but not guaranteed***
Desc. of Bldg/Section: 2012 ADDITION
Calculator Occupancy: Warehouse, Storage

<table>
<thead>
<tr>
<th>Construction Cost</th>
<th>High</th>
<th>Above Ave.</th>
<th>Ave.</th>
<th>X</th>
<th>Low</th>
</tr>
</thead>
<tbody>
<tr>
<td>** ** Calculator Cost Data ** **</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quality: Average</td>
<td>Adj: 4.0</td>
<td>$/SqFt: 0.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heat#1: Space Heaters, Radiant</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heat#2: Space Heaters, Gas with Fan</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ave. SqFt/Story: 4875</td>
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</tr>
<tr>
<td>Has Elevators:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*** Basement Info ***

Area: |
Perimeter: |
Type: Heat: Hot Water, Radiant Floor |
* Mezzanine Info *
Area #1: 1293 |
Type #1: Average Storage |
Area #2: |
Type #2: |
* Sprinkler Info *
Area: |
Type: Average |

(1) Excavation/Site Prep:

(2) Foundation:

(3) Frame:

(4) Floor Structure:

(5) Floor Cover:

(6) Ceiling:

(7) Interior:

(8) Plumbing:

(9) Sprinklers:

(10) Heating and Cooling:

(11) Electric and Lighting:

(12) Miscellaneous:

*** Information herein deemed reliable but not guaranteed***
<table>
<thead>
<tr>
<th>Class: C</th>
<th>Quality: Average</th>
<th>Percent Adj: +0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate for Upper Floors = 29.80</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(10) Heating system: Space Heaters, Radiant  
Cost/SqFt: 0.30  
Adjusted Square Foot Cost for Upper Floors = 30.10

1 Stories  
Number of Stories Multiplier: 1.000  
Average Height per Story: 20  
Height per Story Multiplier: 1.130  
Ave. Floor Area: 7,660  
Perimeter: 378  
Perim. Multiplier: 1.035  
Refined Square Foot Cost for Upper Floors: 35.20

County Multiplier: 1.54, Final Square Foot Cost for Upper Floors = 54.213

Total Floor Area: 7,660  
Base Cost New of Upper Floors = 415,274  
Reproduction/Replacement Cost = 415,274  
Total Depreciated Cost = 382,052

ECF (INDUSTRIAL 20-50K)  
0.485 => TCV of Bldg: 4 = 135,295  
Replacement Cost/Floor Area = 54.21  
Est. TCV/Floor Area = 24.19

---

### Construction Cost

<table>
<thead>
<tr>
<th>Quality: Average</th>
<th>Adj: %+0</th>
<th>$/Sqrt: 0.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heat: Space Heaters, Radiant</td>
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<td></td>
</tr>
</tbody>
</table>

Ave. Sqr/Ft: 7660  
Perimeter: 378  

Has Elevators: Yes  
** Basement Info **

Area: Type:  
16 Overall Bldg Height

---

### Comments:

- * Mezzanine Info *
- * Sprinkler Info *

### Electric and Lighting:

<table>
<thead>
<tr>
<th>Outlets</th>
<th>Fixtures</th>
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</thead>
<tbody>
<tr>
<td>Few</td>
<td>Few</td>
</tr>
<tr>
<td>Average</td>
<td>Average</td>
</tr>
<tr>
<td>Many</td>
<td>Many</td>
</tr>
<tr>
<td>Unfinished</td>
<td>Unfinished</td>
</tr>
<tr>
<td>Typical</td>
<td>Typical</td>
</tr>
</tbody>
</table>

### Miscellaneous:

0.485 => TCV of Bldg: 4 = 135,295  
Replacement Cost/Floor Area = 54.21  
Est. TCV/Floor Area = 24.19

---

*** Information herein deemed reliable but not guaranteed ***
Such structure shall be designed and constructed in such a manner as to further the purpose of this overlay zone.

(i) **Archaeological sites.** The identification, preservation, and interpretation of archaeological sites along the designated portions of the overlay zone, both by public agencies and local societies, is strongly encouraged.

(j) **Compliance with stormwater management standards.** All activity within the natural river overlay zone shall be in compliance with all County and Township stormwater management standards.

(k) **Stream/river crossings.** New stream/river crossings of the Huron River and the south branch of the Huron River are prohibited.

(l) **Violations.** In the event of violation of this article, the Township Code Enforcement Official shall notify the owner of record and shall specify the violation and corrective action including the replacement, restoration or remediation of removed vegetation. Violations shall also be subject to Section 38-46 and Township penalties as municipal civil infraction.

**Sec. 38-362. Tributary overlay zone.**

(a) **Purpose.** The purpose of the Tributary overlay zone is to preserve and enhance the environmental, ecological, and aesthetic values of the streams and creeks within the Township. These water resources are unique features within Green Oak Charter Township. In order to protect said resources, overlay zones are hereby established. The zones overlay existing zoning for an area one hundred and twenty-five (125) feet from the ordinary high-water mark on each side of and parallel to the designated tributaries, as denoted on the Green Oak Charter Township zoning map.

(b) **Building setbacks.** New buildings on all reaches of the overlay zones shall be set back a minimum of one hundred and twenty-five (125) feet from the water’s edge.

(c) **Accessory uses.** All accessory uses, including storage buildings, garages, parking lots, detention ponds, retention ponds, gravel parking lots, or outdoor industrial storage areas shall be set back a minimum of one hundred and twenty-five (125) feet from the water’s edge.

(d) **Excavation.** All excavation, including dredging, cutting, filling, and grading within the overlay zone shall be done in accordance with the requirements of the Livingston County Drain Commissioner for soil erosion/sedimentation control pursuant to the Soil Erosion and Sedimentation Control Act, part 91 of Act No. 451 of the Public Acts of 1994, as amended (MCL 324.9101 et seq.) and other applicable state and local laws. In addition, commercial mining, extraction of soil materials, sand, or gravel is prohibited within the overlay zone. Activities within four hundred (400) feet of Davis Creek or Spring Mill Creek are subject to additional regulations and permitting as stated in Public Act 451 of 1994, as amended and as regulated by the MDEQ.

(e) **Use of pesticides, herbicides, and fertilizers.** Because of the effects on vegetation, fish, wildlife, and water quality from improper use of even small amounts of synthetic pesticides, herbicides, and fertilizers, the use of such on lands within the overlay zone is prohibited. Note that this prohibition does not apply for the limited use of synthetic herbicides for the control of invasive or noxious plant species, as described in Section 38-361(f)(3). (Contact the Township for more information on the environmentally-responsible use of herbicides for invasive/noxious plant control.) Use of pesticides, herbicides, and fertilizers that are approved for organic production (Organic Materials Review Institute — or OMRI — approved) are allowed.

(f) **Required minimum distance from tributary.** All septic system drainfields shall be set back from the rivers edge at least one hundred (100) feet, or outside the required natural vegetation strip, if further.
(g) **Natural vegetation strip.** To minimize erosion, stabilize the creek bank, protect water quality, minimize nutrient loading, maintain water temperature at natural levels, preserve fish and wildlife habitat, screen manmade structures, and preserve aesthetic values of the tributaries covered by the Tributary overlay zone, a natural vegetation strip shall be maintained on each parcel or lot between the water’s edge and a line, each point of which is one hundred (100) feet horizontal from and perpendicular to the water’s edge. Clear cutting within this vegetation strip is strictly prohibited. This restricted vegetation strip shall apply to each side of the tributary. The natural vegetation strip shall have three (3) distinct zones, requiring the following minimum widths and vegetative targets:

1. **Zone 1: Water Side Zone.**
   a. Undisturbed vegetated area aims to protect the physical and ecological integrity of the river/stream ecosystem.
   b. Begins at the edge of the creek bank of the active channel and extends a minimum distance of twenty-five (25) feet, measured horizontally on a line perpendicular to the water course.
   c. The vegetative target for the water side zone is undisturbed native woody species with native plants forming canopy, understory, and duff (or ground) layer; where such forest does not grow naturally, then native vegetative cover appropriate for the area (such as grasses, forbs, and shrubs) is the vegetative target. This vegetative target specifically excludes non-native turf grass. It also excludes maintaining native grasses or other vegetation as a mowed lawn.

2. **Zone 2: Middle Zone.**
   a. This managed area of native vegetation protects key components of the stream ecosystem and provides distance between upland development and the water side zone.
   b. Extends immediately from the outer edge of Zone 1 for a minimum distance of fifty (50) feet.
   c. The vegetative target for the middle zone is either undisturbed or managed native woody species or, in its absence, native vegetative cover of shrubs, grasses, and forbs. This vegetative target specifically excludes non-native turf grass. It also excludes maintaining native grasses or other native vegetation as a mown lawn. Undisturbed forest, as in Zone 1, is strongly encouraged to further protect water quality and the river/stream ecosystem.

3. **Zone 3: Outer Zone.**
   a. This zone prevents encroachment into the riparian buffer, filters runoff from adjacent land, and encourages sheet flow of runoff into the natural vegetation strip.
   b. Extends a minimum of twenty-five (25) feet, measured immediately from the outer edge of Zone 2.
   c. The vegetative target for the outer zone is native woody and herbaceous vegetation to increase the total width of the vegetation strip. Native grasses and forbs are acceptable.
(4) The natural vegetation strip width shall be modified if there are steep slopes and/or bluffs which are within two hundred (200) feet of the creek. In those cases, the Zone 3 of the vegetation strip shall be adjusted as given in the following table. In any event, Zone 3 shall vegetate the top of a steep slope/bluff for a minimum width of ten (10) feet measured parallel to the edge of the steep slope/bluff.

<table>
<thead>
<tr>
<th>% Slope</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 8</td>
<td>25 feet</td>
</tr>
<tr>
<td>9 - 15</td>
<td>35 feet</td>
</tr>
<tr>
<td>&gt; 15</td>
<td>45 feet</td>
</tr>
</tbody>
</table>

(5) In the case of the presence of a floodplain, or regulated wetland wholly or partially within the natural vegetation strip, an additional twenty-five (25) feet will be added to floodplain or regulated wetland boundary.

(6) Within the natural vegetation strip, trees and shrubs may be selectively pruned or removed for harvest of merchantable timber to achieve a filtered view of the river from the main dwelling, and for reasonable private access to the river. Said pruning and removal activities:
   a. Shall ensure that a live root system stays intact to provide for creek bank stabilization and soil erosion control.
   b. Shall ensure that any path to the tributary is no greater than four (4) feet in width, shall meander down to the tributary’s edge in a manner which protects the soil and vegetation from erosion while also screening the principal structure and vehicles from a direct tributary view.
   c. Dead, diseased, unsafe, or fallen trees, invasive vegetation including buckthorn, honeysuckle, and multiflora rose, and noxious plants and shrubs, including poison ivy, poison sumac, and other plants regarded as common nuisances in Section 2, Act 359 of the Public Acts of 1941, as amended, may be removed.
   d. Planting of perennial native species on the natural vegetation strip is encouraged, especially where exposed soil or steep slopes exist or where reforestation is necessary.
   e. Pathways or boardwalks running along or parallel to the tributary within the required natural vegetation strip shall be prohibited.
   f. Shall be accompanied by a permit from the Planning and Zoning Administrator, as outlined in Section 38-50.
   g. The construction, maintenance, repair, or operation of gas or oil pipelines, electric transmission and distribution power lines, and municipal water and sewer lines shall be exempt from this requirement as long as the pipelines, power lines, or other utility lines are constructed, maintained, or repaired in a manner to assure that any adverse effect on the natural vegetation strip will be otherwise minimized.

(7) All nonconforming uses, vegetation or plantings, and structures existing in the natural vegetation strip at the effective date of this regulation may be continued but shall not be changed or enlarged in a manner that increases the degree of nonconformity.

(8) Development projects including site condominiums, subdivisions, and Planned Unit Developments (PUDs), or projects that require site plan review or special land use approval that are subject to Section 38-362 and required to provide a natural vegetation strip, shall also:
   a. Designate how the natural vegetation strip will be preserved. The strips shall be preserved through:
      EITHER
      A declaration of protective covenant, approved by the Township body responsible for approving the development project.
The covenant shall be recorded in the land records and shall run with the land and continue in perpetuity.

OR

A conservation easement to a local land conservancy acceptable to the Township body responsible for approving the development project. The easement shall be recorded in the land records and shall run with the land and continue in perpetuity. Terms of such an easement shall be at least as restrictive as those included in this ordinance. The easement shall be submitted to the Township body responsible for approving the development project for their review, or review by their designee, prior to execution.

1. All lease and sales agreements must contain a notation regarding the presence and location of protective covenants for natural vegetation strips, and which shall contain information on the management and maintenance requirements for the natural vegetation strips for the new property owner.

2. An offer of dedication of a natural vegetation strip by conservation easement shall not be interpreted to mean that this offer automatically conveys to the general public the right of access to this area.

3. If a conservation easement is dedicated, the land conservancy shall inspect the buffer annually and immediately following severe storms for evidence of sediment deposition, erosion, or concentrated flow channels and identify corrective action to be taken to ensure the integrity and functions of the vegetation strip.

b. Install permanent boundary markers every two hundred (200) feet prior to final approval of the required clearing and grading plan. Boundary markers shall be placed at the transitional edge of Zone 2 and Zone 3 (See Illustration in Section 38-362(g)13).

c. Submit a natural vegetation strip maintenance plan at the same time as the Tributary overlay zone permit application, which shall contain the following information:

1. Field-delineated and surveyed natural vegetation strip by outside professional consultants.

2. Steep slopes, regulated wetlands and floodplains for areas adjacent to and within two hundred (200) feet of the creek.

3. A narrative describing the species and distribution of existing vegetation within the buffer.

4. A narrative describing the restrictions to uses and vegetation cutting and removal within the natural vegetation strip.

5. A note on the survey stating the following: “There shall be no clearing, grading, construction, storage of construction materials, equipment and the like, or disturbance of vegetation within the natural vegetation strip except as permitted by Green Oak Charter Township.”

6. A note on the survey stating the following: “Any natural vegetation strip shown hereon is subject to protective covenants that may be found in the land records and restrict disturbance and use of these areas.”

(9) Inspections of construction or use covered by any building or land use permit that requires preservation of a natural vegetation strip shall be conducted as described in Section 38-50 of this ordinance.

(h) Permits. In order to ensure that developments within the Tributary overlay zone, including dwellings, structures, and land alterations, including but not limited to dredging, cutting, filling, and timber cutting and/or removal, are done so as to further the intent and objectives of the Tributary overlay zone, approval of a permit by the Zoning Administrator or designee, pursuant to Section 38-50, shall be required prior to any work taking place in the Tributary Overlay Zone. The Zoning Administrator or designee may submit the permit application and required plot plan to the Planning Commission for approval or disapproval of the requested permit in those cases where compliance with this chapter and its requirements is in question due to the presence of unique or unusual natural features, potential impacts on natural features, existing nonconformities, or other factors as determined by the Zoning Administrator or designee.

(i) Application of standards. In cases where nonconforming uses or nonconforming structures exist at the time of adoption
of these standards, the Planning Commission may determine that compliance with all of the overlay standards of this section is unreasonable. In these cases, the standards shall be applied to the maximum extent possible. In such situation, suitable alternatives that substantially achieve the purpose of this section may be accepted by the Planning Commission, provided that the applicant demonstrate that one or more of the following conditions apply:
(1) Size of the parcel is insufficient to meet dimensional standards.
(2) A site plan, plat, or special use permit was previously approved by the Planning Commission, or building permits were previously issued by the building department.

(j) **Compliance with stormwater management standards.** All activity within the Tributary overlay zone shall be in compliance with all County and Township stormwater management standards.

(k) **Violations.** In the event of violation of this article, the Township Code Enforcement Officer shall notify the owner of record and shall specify the violation and corrective action including the replacement, restoration or remediation of removed vegetation. Violations shall also be subject to Section 38-46 and Township penalties as a municipal civil infraction.

Sec. 38-363. Woodlands protection and preservation.

(a) **Purpose.** It is the purpose of this section to protect woodlands within Township and preserve the economic, health, aesthetic and environmental values associated with woodlands. Regulation of the removal of tree resources will help protect and preserve an important natural feature of the Township for the benefit of present and future generations, and for the future well-being of the public health, Township character, and the natural environment. The provisions of this section are also intended to prohibit clear-cutting of woodland areas within the Township.

(b) **Applicability.** This section shall apply to land for which a site plan, plat or site condominium plan has been submitted for approval to the Planning Commission on or after the effective date of the Ordinance from which this chapter is derived. The provisions of this section shall also apply to simple land divisions under Chapter 18, pertaining to land divisions and subdivisions, and the land division act, Public Act No. 288 of 1967 (MCL 560.101 et seq.).

(c) **Exemptions.** The following activities or conditions are permitted under this section unless otherwise prohibited by statute or other ordinances:

1. **Residential parcels of five acres or less.** Notwithstanding the provisions of this chapter, removal or transplantation of trees is permitted on residential parcels of five (5) acres or less, provided, the parcel supports only one (1) dwelling and permitted residential accessory uses, and provided that the parcel is not part of a site plan, plat, or site condominium being reviewed or anticipated for review under subsection (b) of this section. Such exemption shall not apply to landmark trees located on such parcels.

2. **Emergencies.** This section shall not bar tree removal, transplantation, or other prohibited activities where such actions were made necessary by a genuine emergency, such as a tornado, windstorm, flood, freeze, dangerous and infectious insect infestation or disease, or other natural or manmade disaster, in order to prevent injury or damage to persons or property, or to restore order.

3. **Dead or damaged trees.** This section shall not bar removal, transplantation, or trimming of dead, diseased, infested, or damaged trees, where the damage resulted from an accident or natural cause, and, provided that the removal or trimming is accomplished through the use of accepted standard forestry practices and techniques.

4. **Public utilities.** This section shall not bar repair or maintenance work performed by public utilities, which would necessarily require the trimming or cutting of trees; however, it is intended to encourage the preservation of trees by public utilities, wherever possible.
### ARTICLE III

**Sec. 38:136. Schedule of area, height, and setback regulations.**

The following regulations regarding lot sizes, yards, setbacks, lot coverage, building size, and densities apply within the zoning districts as indicated. No building shall be erected nor shall an existing building be altered, enlarged, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations established in this section for the district in which such building is located. No portion of a lot used in complying with the provisions of this section for yards, courts, or lot area occupancy in connection with an existing or projected building or structure shall again be used to qualify or justify any other building or structure existing or intended to be erected at the same time.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Tage (acres)</th>
<th>Maximum Building Height</th>
<th>Maximum Yard Setback Required</th>
<th>Minimum Lot Coverage Required</th>
<th>Maximum Area Covered by All Buildings—Lot Coverage</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Lands, PL</td>
<td>5 acres</td>
<td>300 feet</td>
<td>2 stories</td>
<td>20'</td>
<td>30%</td>
<td>(see Section 38:137(O))</td>
</tr>
<tr>
<td>Residential Farming, RE</td>
<td>2 acres</td>
<td>2 stories</td>
<td>300 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Section 38:137(G))</td>
</tr>
<tr>
<td>Residential Single-Family, R-1</td>
<td>2 acres</td>
<td>1 story</td>
<td>250 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Section 38:137(D))</td>
</tr>
<tr>
<td>Residential Single-Family, R-2</td>
<td>3 acres</td>
<td>3 stories</td>
<td>220 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Section 38:137(A))</td>
</tr>
<tr>
<td>Residential Single-Family, R-3</td>
<td>2 acres</td>
<td>2 stories</td>
<td>150 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Section 38:137(B))</td>
</tr>
<tr>
<td>Residential Multi-Family, RMH</td>
<td>3 acres</td>
<td>1 story</td>
<td>220 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Section 38:137(F))</td>
</tr>
<tr>
<td>Local Business, LB</td>
<td>20,000 sq ft</td>
<td>100 feet</td>
<td>2 stories</td>
<td>25'</td>
<td>35%</td>
<td>(see Table 38:1)</td>
</tr>
<tr>
<td>General Business, GB</td>
<td>20,000 sq ft</td>
<td>100 feet</td>
<td>2 stories</td>
<td>25'</td>
<td>35%</td>
<td>(see Table 38:1)</td>
</tr>
<tr>
<td>Highway Commercial, HC</td>
<td>20,000 sq ft</td>
<td>100 feet</td>
<td>2 stories</td>
<td>25'</td>
<td>35%</td>
<td>(see Table 38:1)</td>
</tr>
<tr>
<td>Limited Industrial, LI</td>
<td>1 acre</td>
<td>3 stories</td>
<td>150 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Table 38:1)</td>
</tr>
<tr>
<td>General Industrial, GI</td>
<td>2 acres</td>
<td>1 story</td>
<td>200 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Table 38:1)</td>
</tr>
<tr>
<td>Research Office, RO</td>
<td>1 acre</td>
<td>3 stories</td>
<td>150 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Table 38:1)</td>
</tr>
<tr>
<td>Village Mixed Use, VMU</td>
<td>1 acre</td>
<td>3 stories</td>
<td>150 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Table 38:1)</td>
</tr>
<tr>
<td>Village Mixed Use, VMU-2</td>
<td>1 acre</td>
<td>3 stories</td>
<td>150 feet</td>
<td>10'</td>
<td>30%</td>
<td>(see Table 38:1)</td>
</tr>
</tbody>
</table>

* Affording a name/figure, these methods will not apply.

* Refer to Section 38:137(A) for additional standards.
Zoning Board of Appeals Report

Case Number: ZBA-06-2017
Date of Application: June 18, 2017
Hearing Date: July 18, 2017
Applicant: Michael Sedlak
Property ID: 4716-014-203-088
Property Address: Vacant Land Island Lake Colony lot 91

Applicable Provisions of the Zoning Ordinance:

Request a variance from 38-1 to allow an accessory building on a parcel without a principal building on the same lot. 38-1, *Accessory building or structure* means a supplementary building or structure on the same lot or parcel of land as, and detached from, the principal building or part thereof occupied by or devoted exclusively to any accessory use and to allow the square footage to exceed 50% of current structure that is located on parcel 6355 Maplehill Dr.

Request a variance from Section 38-136, the ordinance states that the required front yard setback be 30 feet side yard setbacks be 7 feet and rear yard setbacks be 30 feet for a residential. The applicant is requesting a detached accessory building to have a 5 foot setback on both side yards and the rear yard to have a five foot setback variance.

Zoning District: LA, Lakes Area

38-171 (5)
(5) On lots or parcels with a net lot area of one (1) acre or greater no detached accessory building in an LA, R-1, R-2, R-2A, R-3, RE, NR, or RM district shall exceed one and a half (1 ½) stories or twenty-two (22) feet in height. For lots or parcels with a net lot area less than one (1) acre, accessory buildings shall not exceed fourteen (14) feet in height.
Notices: Notice of public hearing sent to the applicant, June 27, 2017
Notice of public hearing published in the Livingston County Press and Argus, July 2, 2017

Report Prepared By: Debra McKenzie

CASE FILE DOCUMENTS:

1.1 Site Plan
1.2 Aerial

Written Correspondence and Documentation
2.0 Completed application form
2.1 Letter of application with attachments
2.2 Proof of ownership
Zoning Compliance

Review Date: June 18, 2017
Name: Michael Sedlak
Owners Address: 6355 Maplehill Dr., Brighton, MI 48116
Application Location: 4716-04-203-088 vacant parcel
Permit Request: 1392 sq ft. detached accessory building

PROJECT DESCRIPTION:
The applicant requests a building permit to construct a 1392 square foot detached accessory building across the street from the principal building. The subject site is approximately .084 acres in size, and is zoned LA, Lakes Area. This parcel is in section 4, Island Lake Colony lot 091. The proposed application must conform to the regulations for the Accessory Building, Structure and Uses summarized as follows:

Ordinance Number: 38-171 Accessory Building, Structure and Uses

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Building</td>
<td>No closer than 10 feet to the principal building</td>
<td>Building not on same parcel as principal building</td>
</tr>
<tr>
<td>Setbacks - Waterfront</td>
<td>Shall not encroach upon waterfront yard setback</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Front</td>
<td>Not allowed except on water.</td>
<td>Building not on same parcel as principal building</td>
</tr>
<tr>
<td>Rear Sides</td>
<td>5 feet</td>
<td>5’ feet</td>
</tr>
<tr>
<td>Off site building</td>
<td>No closer than 20 feet to an off site building</td>
<td>No off site buildings within 20’ shown on plan</td>
</tr>
<tr>
<td>Building Height</td>
<td>For lots or parcels with a net lot area less than one acre, accessory buildings shall not exceed 14 feet in height.</td>
<td>Asking for 19 feet In height</td>
</tr>
<tr>
<td>Easements</td>
<td>Shall not be located in or on any utility or private road easement.</td>
<td>No easements shown on the plan</td>
</tr>
<tr>
<td>Building size</td>
<td>On parcels up to and including two acres the accessory building shall not exceed 50 percent of the gross floor area of the principal building. The principal building is across street is 1904 s.f.</td>
<td>1392 s. f.</td>
</tr>
<tr>
<td>Maximum lot</td>
<td>30%</td>
<td>26%</td>
</tr>
<tr>
<td>coverage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Number of Buildings</strong></td>
<td>No more than one detached accessory building shall be permitted on residential lots of less than five acres</td>
<td>Accessory building is the only building on parcel.</td>
</tr>
<tr>
<td><strong>Required Yard Coverage</strong></td>
<td>A detached accessory building to a residential building may occupy not more than 25 percent of a required rear yard and/or 20 percent of any non-required rear yard.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

**SUMMARY:**

Your application has been reviewed and **denied**; the following concerns have been outlined below;

1. 38-1 *Accessory building structure* means a supplementary building or structure on the same lot or parcel of land as, and detached from, the principal building or part thereof occupied by or devoted exclusively to any accessory use.

38-171 Height  For lots or parcels with a net lot area less than one acre, accessory buildings shall not exceed 14 feet in height.

**Sec. 38-94. Appeals.**
(a) An appeal may be taken to the ZBA by any person, firm or corporation, or any officer, department, board or bureau affected by a decision of any body charged with enforcement of this chapter or of an administrative official of the department of building and zoning concerning the administering and enforcing of the provisions of this chapter. Such appeal shall be taken within such time as prescribed by the ZBA by general rule, but in no event later than 30 days after the date of the decision from which the appeal is taken, by filing with the building administrator and the ZBA a notice of appeal, specifying the grounds thereof. The building administrator shall forthwith transmit to the ZBA all of the papers constituting the record upon which the action appealed from was taken.
(b) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the building administrator certifies to the ZBA after the notice of appeal has been filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case, the proceedings shall not be stayed other than by a restraining order which may be granted by the ZBA or the circuit court, on application and due cause shown.
(c) The ZBA shall select a reasonable time and place for the hearing of the appeal and give notice thereof to the parties, and shall render a decision on the appeal without unreasonable delay. The ZBA shall state the grounds of each determination. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney.
(Ord. eff. 1-31-1993, § 11.4; Ord. eff. 7-18-1998)
**State law references:**  Appeals, MCL 125.290.

Do not hesitate to call if you have any questions.

Debra McKenzie,
Zoning Administrator,
810 231-1333 ext. 104
GREEN OAK CHARTER TOWNSHIP ZONING BOARD OF APPEALS
APPLICATION

DATE:June 27, 2017

INSTRUCTIONS:

Prior to any appeal being filed with the Green Oak Charter Township Zoning Board of Appeals (ZBA), an applicant must have first applied for a building permit from the Green Oak Charter Township Building Department. The building permit must have had an administrative review conducted by a designated Building and Zoning Official and subsequently be denied if it is to be later considered by the Zoning Board of Appeals. This denial must be obtained in writing and copies submitted with the appeal application form, in no event should the denial letter be older than 30 days after the date of the decision from which the appeal is taken. The ZBA appeal application costs are not refundable.

If an appeal is filed with the ZBA, the following application form and a site layout must be completed. ELEVEN COPIES of the application, site layout and any additional pages or documents that the applicant desires the ZBA to consider must be provided prior to the application form being accepted by the Zoning Administrator. All appeals must be filed by noon the third Wednesday (one month prior) to the scheduled meeting date, in order to be considered for that month’s meeting. There is a limit of five cases per monthly agenda, and applications are taken in order of submission. If more than five applications are received, the additional applications will be scheduled for the following meeting. The applicant or authorized representative must appear in person on their scheduled date. If an authorized representative is designated, the applicant must designate their authority in writing prior to the ZBA hearing being conducted. All costs exceeding the application fee are the responsibility of the applicant and must be paid in full prior to any building permits being issued.

All property owners and occupants within 300 feet of the petitioner’s property will be notified by first class mail not less than 15 days prior to the public hearing.

While there is not a prescribed method to a presentation to the ZBA, the applicant should be prepared to provide all available proofs, documents, evidence, etcetera to support their request for a variance at the time of the hearing. Witnesses and/or any other tangible evidence to support the validity of the request for variance will be accepted and considered by the ZBA.
### Applicant Information
- **Name:** Michael Sedlak
- **Address:** 6355 Maplehill Drive
- **City/State/Zip:** Brighton, Michigan 48116-9556
- **Phone:** 810-602-0771  Fax:________________________
- **E-Mail:** Sedco8@gmail.com

### Property Owner Information
- **Name:** Michael Sedlak
- **Address:** 6355 Maplehill Drive
- **City/State/Zip:** Brighton, Michigan 48116-9556
- **Phone:** 810-602-0771  Fax:________________________
- **E-Mail:** Sedco8@gmail.com

### Location of Property for which the variance requested
- **Address:** Vacant Sporny Drive
- **Cross Streets:** Maplehill Drive & Sporny Drive
- **Tax Identification #** 4716-04-203-088
  - Information available from the Green Oak Charter Township Assessing Dept.
- **Zoning District:** Lakes Area
- **Lot Size/Acreage:** .084 Acre
- **Current Use:** Vacant

### Variance Request: Section 38-136, Set Backs, 38-171, Detached Accessory Structure

### Total Number of Variances Requested: Two

### List the applicable Code Section Name, Section Number, and Subsection to be considered by the ZBA. Section 38-136, Set Backs, 38-171, Detached Accessory Structure
   - This information is contained in the Green Oak Charter Township Zoning Code Book

### Describe Request: Applicant is requesting variance to allow accessory structure on contiguous lot separated by Sporny Drive with five foot side and rear setbacks and overall height of nineteen feet
Criteria for a Dimensional Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance. 38-95 (8)

What are the exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone

The practical difficulty is the owners property is contiguous but separated by Sporny Drive. Applicant is unable to combine property under the Land Division Act.

Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

The owner wishes to utilize the same property rights as surrounding property owners as they have attached and detached structures

The granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

The structure will not impede the view of the lake by surrounding neighbors. The structure will not adversely affect adjacent property values. Property and structure will be harmonious with surrounding properties.

The granting of such variance will not adversely affect the purpose or objectives of the master plan of the township.

Granting of variance will not affect Township Master Plan. Property is currently zoned “Lakes Area” and will continue to meet the zoning requirements.

The condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is not of so general or recurrent a nature

The existing house property does not have adequate area to place structure because of topography and well head area. The conditions are not reoccurrent in nature as not everyone has a road prohibiting joining of property.
You must provide the following information as part of your application:

1) Site Plan layout drawn to scale, which details the following:
   - Show all adjoining property setbacks and structures
   - Show existing and proposed setbacks from road right-of-ways
   - Show existing and proposed structures
   - Show required and existing setbacks by noting it on the site plan
   - Show NORTH arrow

2) Photographs of property in relation to roads and existing structures, when appropriate, to properly depict the reason for the appeal.

3) Written denial from the Planning and Zoning Administrator denying a building permit for this original request. **38-94 Appeal shall be taken within such time as prescribed by the ZBA by general rule, but in no event later than 30 days after the date of the decision from which the appeal is taken.**

4) Eleven copies of the application, site layout and any additional pages or documents.

5) A completed application. Incomplete applications with missing information will be returned and not placed on the ZBA agenda until complete.

I hereby affirm that the above information is correct to the best of my knowledge and grant permission for Township officials, employees, consultants and members of the Zoning Board of Appeals to conduct an on-site inspection.

Signature of Applicant

Signature of Owner, if different

Date: 01/30/17

Date:
ARTICLE IV. SUPPLEMENTARY REGULATIONS

Sec. 38-171. Accessory buildings, structures, and uses.

Except as otherwise permitted in this chapter, accessory buildings, structures, and uses shall be subject to the following regulations:

1. Where the accessory building is attached to a principal building, it shall be subject and must conform, to all area, height and setback regulations of this chapter which apply to principal main buildings. For an accessory building to be considered “attached” to a principal building, it must share a common wall and foundation of sufficient size to accommodate an access door. Accessory buildings attached to a principal building by way of a breezeway or similar overhead attachment, without the presence of a common foundation, shall be considered detached accessory structures for the purposes of this chapter.

2. Detached accessory buildings shall not be allowed in the front yard except for lots bordering on water, pursuant to subsection (4), below. No accessory building shall be located in or on any utility or private road easement.

3. A detached accessory building to a residential building may occupy not more than twenty-five (25%) percent of a required rear yard and/or twenty (20%) percent of any non-required rear yard. On parcels up to and including two (2) acres, the accessory building shall not exceed fifty (50%) percent of the gross floor area of the principal building. On parcels between two (2) and five (5) acres, the accessory building floor area shall not exceed one hundred (100%) percent of the living area of the principal building. In the RE or RF zoning districts and on lots greater than five (5) acres, the total gross floor area of all buildings shall not exceed five (5%) percent of the net lot area. A detached accessory building on a waterfront lot of any size shall not exceed twenty-five (25%) percent of a required front yard and/or twenty (20%) of any non-required front yard.

4. A detached accessory building or structure to a residential building shall be located no closer than ten (10) feet to any principal building. This shall exclude air conditioning units and electrical generators. Any accessory building or structure shall not be located closer than five (5) feet to any side or rear lot line or as specified within this section. Detached accessory buildings and structures shall not encroach upon required waterfront yard setbacks on waterfront lots, except in the following circumstances:
   a. Boat lifts/hoists may be located anywhere within a required waterfront yard setback.
   b. No greater than one utility shed or similar structure, not to exceed one hundred (100) square feet in area, may encroach up to twenty (20) feet into the required waterfront yard setback.
   c. In-ground or above-ground swimming pools, per subsection (9) below.

5. On lots or parcels with a net lot area of one (1) acre or greater no detached accessory building in an LA, R-1, R-2, R-2A, R-3, RE, NR, or RM district shall exceed one and a half (1 ½) stories or twenty-two (22) feet in height. For lots or parcels with a net lot area less than one (1) acre, accessory buildings shall not exceed fourteen (14) feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts. No more than one (1) detached accessory building shall be permitted on residential lots of less than five (5) acres. For residential lots greater than five (5) acres, one (1) accessory building shall be permitted, plus one (1) for each whole five (5) acres of lot area (see Table 171-1 below).

<table>
<thead>
<tr>
<th>Acreage</th>
<th>Number of Accessory Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10 acres</td>
<td>One (1) accessory building</td>
</tr>
<tr>
<td>10 to 14.9 acres</td>
<td>Two (2) accessory buildings</td>
</tr>
<tr>
<td>15 to 19.9 acres</td>
<td>Three (3) accessory buildings</td>
</tr>
<tr>
<td>20 to 24.9 acres</td>
<td>Four (4) accessory buildings</td>
</tr>
<tr>
<td>25 to 29.9 acres</td>
<td>Five (5) accessory buildings</td>
</tr>
</tbody>
</table>

Note: An additional accessory building would be allowed for each whole five (5) acres of lot area.
2. Pool fencing on waterfront lots shall adhere to the requirements of Section 38-176(d).
3. Perimeter fencing for aboveground hot tubs or spas shall not be required if fitted with locking safety covers.
4. All openings in any such fence or building shall be equipped with a self-closing, self-latching gate or door which shall be securely locked with a tamper-proof lock when the pool is not in use.
5. In the event that the entire premises are enclosed by fence or wall, then said fence requirement may be waived by the building official, after due inspection and approval.
Parcel Number: 4716-04-203-253  Jurisdiction: GREEN OAK TOWNSHIP  County: LIVINGSTON  Printed on 07/11/2017

Grantor | Grantee | Sale Price | Sale Date | Inst. Type | Terms of Sale | Liber & Page | Verified By | Prctn. Trans.
--- | --- | --- | --- | --- | --- | --- | --- | ---
US BANK NA. | SEDLAK, MICHAEL | 100,000 | 01/05/2015 | CD | NOT USED | 2015R-000781 | PTA | 100.0
WICKHAM, ARNOLD & JESSIE | US BANK, NA | 279,006 | 10/30/2013 | SHD | NOT USED | 2013R-0041986 | NOT VERIFIED | 0.0
WICKHAM, ARNOLD & JESSIE | US BANK, NA | 279,006 | 10/30/2013 | SHD | NOT USED | 2013R-0041986 | NOT VERIFIED | 0.0

Property Address

6355 MAPLEHILL DR

Class: RESIDENTIAL-IMPRO
Zoning: LA
Building Permit(s): ADDITION/ALTERATION
Date: 01/29/2015
Number: PB15-0017
Status: FINALE

Owner's Name/Address

SEDLAK, MICHAEL
6355 MAPLEHILL DR
BRIGHTON MI 48116

DBA:

2018 Est TCV Tentative

X

Land Value Estimates for Land Table 003NL.003NL.3 LAKES-OFF LAKE LAND

Public

X

Improve

Vacant

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

Topography of Site

Level
Rolling
Low
High
Landscaped
Swamp
Wooded
Pond
Waterfront
Ravine
Wetland
Flood Plain

Who When What
SG 04/03/2017 APEX/PRC M

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*** Information herein deemed reliable but not guaranteed***
<table>
<thead>
<tr>
<th>Building Type</th>
<th>(3) Roof (cont.)</th>
<th>(11) Heating/Cooling</th>
<th>(15) Built-ins</th>
<th>(15) Fireplaces</th>
<th>(16) Porches/Decks</th>
<th>(17) Garage</th>
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<tbody>
<tr>
<td>X Single Family Mobile Home</td>
<td>X Eavestrough Insulation</td>
<td>X Gas Wood</td>
<td>Appliance Allow. Cook Top</td>
<td>Interior 1 Story</td>
<td>Area Type</td>
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<tr>
<td>Town Home Duplex A-Frame</td>
<td>0 Front Overhang</td>
<td>Oil Coal</td>
<td>Dishwasher</td>
<td>Interior 2 Story</td>
<td>WPP</td>
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<tr>
<td>X Wood Frame</td>
<td>0 Other Overhang</td>
<td>Elec. Steam</td>
<td>Garbage Disposal</td>
<td>2nd/Game Stack</td>
<td>224</td>
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<td>Building Style: 2 STORY</td>
<td>(4) Interior</td>
<td>Forced Air w/o Ducts</td>
<td>Bath Heater</td>
<td>Exterior 1 Story</td>
<td>WPP</td>
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<tr>
<td>Yr Built Remodeled 1966</td>
<td>X Drywall Plaster</td>
<td>Forced Air w/ Ducts</td>
<td>Vent Fan</td>
<td>Exterior 2 Story</td>
<td>160</td>
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<tr>
<td>0</td>
<td>Paneled Wood T&amp;G</td>
<td>Forced Hot Water</td>
<td>Hot Tub</td>
<td>Prefab 1 Story</td>
<td>WPP</td>
<td></td>
</tr>
<tr>
<td>Size of Closets</td>
<td>Trim &amp; Decoration</td>
<td>Electric Baseboard</td>
<td>Unvented Hood</td>
<td>Prefab 2 Story</td>
<td>80</td>
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<tr>
<td></td>
<td>Rx X Ord</td>
<td>Elec. CEI. Radiant</td>
<td>Vented Hood</td>
<td>Heat Circulator</td>
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<tr>
<td>Condition: Average</td>
<td>Min</td>
<td>Radiant (in-floor)</td>
<td>Intercom</td>
<td>Raised Heaith</td>
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<tr>
<td>Room List</td>
<td>Central Air</td>
<td>Electric Wall Heat</td>
<td>Jacuzzi Tub</td>
<td>Wood Stove</td>
<td></td>
<td></td>
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<tr>
<td>Basement</td>
<td>Space Heater</td>
<td>Wall/Floor Furnace</td>
<td>Jacuzzi repl.Tub</td>
<td>Direct-Vented Ga</td>
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<tr>
<td>1st Floor</td>
<td>Heat Pump</td>
<td>Forced Heat &amp; Cool</td>
<td>Oven</td>
<td></td>
<td></td>
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<tr>
<td>2nd Floor</td>
<td>Heat Pump</td>
<td>No Heating/Cooling</td>
<td>Microwave</td>
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<td>4 Bedrooms</td>
<td>Central Air</td>
<td>Wood Furnace</td>
<td>Standard Range</td>
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<tr>
<td>(5) Floors</td>
<td>Wood Furnace</td>
<td>Self Clean Range</td>
<td>Sauna</td>
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<td>(6) Ceilings</td>
<td>Trash Compactor</td>
<td>Central Vacuum</td>
<td>Security System</td>
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<td></td>
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<tr>
<td>Kitchen:</td>
<td>100Amps Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Other:</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>(7) Excavation</td>
<td>No./Qual. of Fixtures</td>
<td></td>
<td>Basement Foundation</td>
<td>Rate</td>
<td>Bsmt-Adj</td>
<td>Heat-Adj</td>
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<td>Many X Ave.</td>
<td>Ex. X Ord</td>
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<td>107.27</td>
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<td>Few</td>
<td>Min</td>
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<td>(8) Basement</td>
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<tr>
<td></td>
<td>Few</td>
<td></td>
<td></td>
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<tr>
<td>Conc. Block</td>
<td>3 Fixture Bath</td>
<td></td>
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<tr>
<td>Poured Conc.</td>
<td>2 Fixture Bath</td>
<td></td>
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<tr>
<td>Stone</td>
<td>Softener, Auto</td>
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<td>Treated Wood</td>
<td>Solar Water Heat</td>
<td></td>
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<td>Concrete Floor</td>
<td>No Plumbing</td>
<td></td>
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<td>(9) Basement Finish</td>
<td>Extra Toilet</td>
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<tr>
<td>Recreation SF</td>
<td>Extra Sink</td>
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<tr>
<td>Living SF</td>
<td>Separate Shower</td>
<td></td>
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<tr>
<td>1 Walkout Doors</td>
<td>Ceramic Tile Floor</td>
<td></td>
<td></td>
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<tr>
<td>No Floor SF</td>
<td>Ceramic Tile Wains</td>
<td></td>
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<tr>
<td></td>
<td>Ceramic Tub Alcove</td>
<td></td>
<td></td>
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<tr>
<td>(10) Floor Support</td>
<td>Vent Fan</td>
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<tr>
<td>Joists:</td>
<td></td>
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<td>Unsupported Len:</td>
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<td>Cntr.Sup:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>(11) Exterior</td>
<td>X Wood/Shingle Aluminum/Vinyl Brick Insulation</td>
<td>(12) Electric</td>
<td>(13) Plumbing</td>
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<td>X X X X</td>
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<td></td>
<td>2400.00</td>
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<td>2,400</td>
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<td>(13) Windows</td>
<td>(14) Water/Sewer</td>
<td>(14) Water/Sewer</td>
<td>Public Sewer</td>
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<td>Many Avg.</td>
<td>(15) Fireplaces</td>
<td>(15) Fireplaces</td>
<td>Public Sewer</td>
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<tr>
<td>X Avg.</td>
<td>(16) Porches/Decks</td>
<td>(16) Porches/Decks</td>
<td>Well, 100 Feet</td>
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<td>Small</td>
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<td>2,700</td>
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<td>(14) Water/Sewer</td>
<td>(15) Fireplaces</td>
<td>(15) Fireplaces</td>
<td>Well, 100 Feet</td>
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<td>X</td>
<td>(16) Porches/Decks</td>
<td>(16) Porches/Decks</td>
<td>WPP, Standard</td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>WPP, Standard</td>
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<tr>
<td>(16) Porches</td>
<td>(17) Garage</td>
<td>(17) Garage</td>
<td>WPP, Standard</td>
<td></td>
<td></td>
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<td>(17) Garage</td>
<td>(18) Notes</td>
<td>(18) Notes</td>
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<td></td>
<td>2 UNIT APARTMENT</td>
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<tr>
<td></td>
<td>Phy/Ab/Phy/Func/En/Comp.&amp;Good= 72/100/100/100/72.0, Depr.Cost = 124,593</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>ECP (003NL:3 LAKES OFF LAKE ECP) = TCV of Bldg: 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1 = 136,305</td>
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</tbody>
</table>

*** Information herein deemed reliable but not guaranteed***
Parcel Number: 4716-04-203-253, Residential Building 1

WPP-1st Floor
28.0 x 8.0
224.0 sf

WPP-2nd Floor
20.0 x 8.0
160.0 sf

2 Sty/Bsmt
1904.0 sf

8.0'
20.0'
34.0'
28.0'

6.0

8.0'

*** Information herein deemed reliable but not guaranteed***
<table>
<thead>
<tr>
<th>Grantor</th>
<th>Grantee</th>
<th>Sale Price</th>
<th>Sale Date</th>
<th>Inst. Type</th>
<th>Terms of Sale</th>
<th>Liber &amp; Page</th>
<th>Verified By</th>
<th>Prctn. Trans.</th>
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<tbody>
<tr>
<td>BANK OF AMERICA, NA</td>
<td>SEDLAK, MICHAEL</td>
<td>100,000</td>
<td>01/05/2015</td>
<td>PTA</td>
<td>MPS SALE RBF</td>
<td>2015R-000781</td>
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<td>WICKHAM, ARNOLD JAMES</td>
<td>US BANK, NA</td>
<td>279,006</td>
<td>10/30/2013</td>
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<td>2013R-041986</td>
<td>NOT VERIFIED</td>
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<td>WICKHAM, ARNOLD &amp; JESSIE</td>
<td>WICKHAM, ARNOLD JAMES</td>
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<td>KLIX, PHILIP</td>
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<th>Property Address</th>
<th>Class: RESIDENTIAL-VACANT</th>
<th>Zoning: LA</th>
<th>Building Permit(s)</th>
<th>Date</th>
<th>Number</th>
<th>Status</th>
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<tr>
<td>SPORNY</td>
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<td>Owner's Name/Address</td>
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<td>SEDLAK, MICHAEL</td>
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<tr>
<td>6355 MAPLEHILL DR</td>
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<tr>
<td>BRIGHTON MI 48116</td>
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<thead>
<tr>
<th>2016 Est TCV Tentative</th>
<th>Land Value Estimates for Land Table 003NL.003NL. 3 LAKES-OFF LAKE LAND</th>
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<tbody>
<tr>
<td>Public Improvements</td>
<td>* Factors *</td>
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<tr>
<td>X</td>
<td>Description</td>
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<tr>
<td>X</td>
<td>Dirt Road</td>
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<tr>
<td>X</td>
<td>Gravel Road</td>
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<tr>
<td>X</td>
<td>Paved Road</td>
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<td>X</td>
<td>Storm Sewer</td>
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<tr>
<td>X</td>
<td>Sewer</td>
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<td>X</td>
<td>Sidewalk</td>
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<td>Water</td>
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<td>Electric</td>
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<td>X</td>
<td>Gas</td>
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<td>X</td>
<td>Curb</td>
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<td>X</td>
<td>Street Lights</td>
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<tr>
<td>X</td>
<td>Standard Utilities</td>
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<tr>
<td>X</td>
<td>Underground Utilities</td>
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<table>
<thead>
<tr>
<th>Topography of Site</th>
<th>Year</th>
<th>Land Value</th>
<th>Building Value</th>
<th>Assessed Value</th>
<th>Board of Review</th>
<th>Tribunal/ Other</th>
<th>Taxable Value</th>
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<td>3,800D</td>
<td>3,800S</td>
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*** Information herein deemed reliable but not guaranteed ***
Green Oak Charter Township
Zoning Board of Appeals
Regular Meeting Minutes
May 16, 2017

Roll Call: Wendy Hoover
Sarah Pearsall
Jim Tuthill
Deborah Yu
Joe Weinburger

Guests: 2

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDA

Motion by Tuthill, second by Pearsall
To approve the agenda as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

1. ZBA Case 03-2017, Parcel #4716-32-203-010, Located at 11403 North Shore Drive, Whitmore Lake, MI 48189. Request a waterfront setback variance from Section 38-136 and Section 38-184 Yard encroachments.

a. Applicant’s Presentation of the Case – maximum of ten minutes
b. Board members may question the Applicant
c. Open Public Hearing – a maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative.
d. Close Public Hearing
e. Rebuttal by Applicant – a maximum of two minutes allotted.
f. Decision of the ZBA

Ms. McKenzie explained she was speaking on behalf of 11403 North Shore Drive and is requesting an interpretation of their property. The setback to their property line says the water edge but there is land between the home and the water’s edge so she needs the interpretation of would that be the water’s edge or to the property line.

Mr. Weinburger opened and closed the public hearing due to no comments at 7:02 p.m. He also noted there was no rebuttal by the applicant.
Motion by Pearsall, second by Tuthill
The interpretation is that the lot is the setback to the waters edge.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

NEW BUSINESS - None

OLD BUSINESS - None

APPROVAL OF THE Meeting Minutes

Motion by Hoover, second by Pearsall
To approve the minutes of March 21, 2017 as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

CORRESPONDENCE - None

CALL TO THE PUBLIC - None

ADJOURNMENT

The Zoning Board of Appeals meeting was adjourned at 7:04 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary