AGENDA

1. Call to Order
2. The Pledge to the Flag
3. Roll Call of the Board
4. Approval of the Agenda
5. ZBA Case 03-2018, Parcel # 4716-24-403-001, Located at 13781 Monarch Dr., South Lyon MI 48178. Request a variance from Section 38-136 rear yard setback to reduce the minimum required 45 feet rear yard setback to 35 feet, to install a sunroom on the rear of the property.
   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 04-2018, Parcel # 4716-27-400-026, Located at 11425 Nine Mile Road, South Lyon MI 48178. Request a variance from Section 38-136 side yard setback. The applicant is requesting to reduce the minimum required 15 feet side yard setback to 9 feet, to add an addition to the property.
   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

7. ZBA Case 05-2018, Parcel # 4716-04-202-032, Located at 10840 Grand River Ave., Brighton MI 48116. Request a variance from Section 38-136 rear yard setback. The applicant is requesting to reduce the minimum required 40 feet rear yard setback to 27.5 feet, the variance is for the building location and parking spaces to remain within the rear yard setback.
   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

8. New Business
9. Old Business
10. Approval of May 15, 2018 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

June 30, 2018
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-03-2018
Date of Application: May 25, 2018
Hearing Date: July 17, 2018
Applicant: Mark Wolfe
Property ID: 4716-24-403-001
Property Address: 13781 Monarch Dr., South Lyon MI 48178

Action Requested: Variance from 38-136 Rear Yard Setback
Nature of Application: Request a variance from Section 38-136
Zoning District: R-2 Single Family Residential

PROJECT AND SITE DESCRIPTION

On May 25, 2018 the applicant applied for a building permit to construct an addition one story 12' x 20' (240 SF) three season patio enclosure on the rear of the existing single family residential unit. The property was developed as R-2 Single family residential in 1996. The subject property is approximately 21,750 square feet in size with 149.11 feet of frontage along Monarch Dr, South Lyon, MI 48178. The property meets the minimum requirements for the development. The applicant is requesting a rear yard setback variance to allow the construction of the 12' x 20' (240 SF) three season 35' feet from the rear property line; a minimum rear yard setback of 45' feet is required for residential structures in the R-2, Single-Family Residential District.

Aerial Image of Subject Site and Vicinity
The applicant is requesting one variance from Section 38-136 a rear yard setback of 35' feet instead of the required 45' feet.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The surrounding properties are predominately single-family dwellings.

The subject property, Lot 1, was created as part of the fourteen lots within Floros Farms subdivision in 1996. As shown on the site plan, Lot 1 is approximately 21,750 square feet in size, and the maximum buildable area permitted under R-2 zoning is 30% of the site. The dwelling is currently considered to be a legal-conforming building. The intent of the rear yard setback requirements is to allow adequate space between structures on
neighboring properties. The reduction in setbacks would not impact site coverage. Without the approval of the requested setback variance, construction of the new three season room as designed will not be possible.

**VARIANCE CONSIDERATIONS**

The Zoning Board of Appeals shall have the authority to authorize site variation or modification of the provisions of the Zoning Ordinance, with such conditions and safeguards as it may determine, as may be in harmony with the spirit of this Zoning Ordinance, and so that public safety and welfare will be secured and substantial justice done, where, owing to special conditions, a literal enforcement of the provisions of the Zoning Ordinance would involve practical difficulties or unnecessary hardship.

According to the Zoning Ordinance, no such variance or modification of the provisions of the Zoning Ordinance shall be granted unless it appears that, at a minimum, all the facts and conditions listed in Section 38-95. of the Zoning Ordinance exist.

a. Are there 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. (including the land or a structure or building thereon) rather than the individual situation or desire of the applicant or property owner. In other words, the problem or exception or extraordinary circumstances or conditions must be inherent in the land, structure, or building involved.

The property is zoned R2 – Single Family Residential and is of sufficient size for residential development. The subject site is not uniform in shape. The parcel has a narrow depth. Many of the other parcels of the Floros Farms Subdivision that was created in 1996 have much deeper lots. Other properties in the district have been developed for single family residential uses.

B. The variance must be necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other properties in the same zoning district and vicinity. (NOTE— a possible increased financial return shall not, of itself, be deemed sufficient to warrant a variance.)

As stated in the applicant’s application and site plan, the site is constrained by the irregular shape.

C. Would granting of such variance or modification 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 setback requirements for residential land was established to protect those residential uses. The proposed sunroom addition would be located 35 feet from the property line. The adjacent property is owned by the Windcrest Homeowners Association open space. Staff defines the public interest to be the welfare or well-being of the public. Staff finds no evidence that the placement of the structure 35 feet from the property line would create conditions that conflict with the welfare or well-being of the public. The variance does not appear to create material injury or unsafe conditions to adjacent property owners or deprive them from the use of their property.

D. Does the granting of the variances adversely impact the objectives of the Master Plan.

The variance does not adversely impact the objective of the Master Plan.

E. Is the condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is of so a general or recurrent a nature.

The conditions are related to the placement of the existing structure on the lot. The use is currently single family residential the proposed project will not change the use of the property.

F. The ZBA must also find that the applicant has practical difficulty complying with the Ordinance provision or provisions at issue.

The applicant is unable to place the attached sunroom structure elsewhere on the property because of existing conditions. The shape of the lot interferes with the placement of the sunroom.

RECOMMENDATIONS

Staff recommends the ZBA open the public hearing, take testimony, close the public hearing, evaluate the proposal for conformance with the applicable regulations, and deny or approve the application or table the application. In the motion to deny or approve the project the ZBA should incorporate the ZBA’s discussion and analysis of the project and the findings in the staff report.

Staff recommends that the Zoning Board evaluate the applicant’s requests based on the considerations in Section 38-95. of the Zoning Ordinance, listed above.

If the Zoning Board cannot find in favor of the applicant for each of the consideration listed in the Zoning Ordinance the Board should deny the request.

If the Zoning Board of Appeals determines the requested variance is not justified, the following facts and conclusions can be used as a basis of that decision.
There are no exceptional or extraordinary circumstances or conditions applicable to the applicants site that does not apply generally to sites in the same zoning district. The minimum lot size for property located in the R-2 (Residential, Single-Family,) zoning district is 21,750 square feet. The subject site's lot size is approximately 21,750 square feet. The minimum lot width for R-2 zone lot is 125 feet. The subject lot width is 149 feet. The subject property is very irregular in shape and complies with minimum lot size and lot width requirements.

Granting the application is not necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship. There are design alternatives that would afford the property owner an addition. The fact that a sunroom could not be physically located on the property does not deprive the property owner the right to develop the land as permitted.

The granting of the variance would be detrimental to the public welfare and injurious to other properties in the area. The setbacks were established to protect those in residential uses. The site is in the R-2 Zoning District Master Plan area. Parcels in this area are primarily residential and regulated under the intent of the Single Family Residential Zoning District requirements. The proposed project would not adversely affect the purpose or objectives of the Master Plan.

The condition or the intended use is of a general or recurrent nature. Because of the lot depth and the location of the existing home on the lot, it appears that the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought, is not of so general or recurrent a nature.

The practical difficulty is due to the irregular shaped lot. And was not self-created.

If the Zoning Board of Appeals determines the requested variance is justified, the following facts and conclusions can be used as a basis of that decision:

There are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same district. The area is predominately residential in nature. Physical conditions and circumstances exist that now limit the options on where an addition can be placed. The position of the existing home on the property limits possible locations of any additional structure. The lot lacks depth which restricts the placement of the proposed sunroom.

The variance is necessary for the preservation or enjoyment of a substantial right possessed by other property owners in the same district. Sunrooms are permitted in the R-2 single family residential zoning district. The location of the
existing house interferes with the ability to add the sunroom within the area on property appropriately.

The granting of the variance would not be detrimental to the public welfare and injurious to the other properties in the area. Reducing the rear yard setback to allow for a sunroom should not affect neighboring properties values.

The granting of the variances would not adversely impact the objectives of the Master Plan. The location is on property zoned and planned for residential use. The purpose and intent of requiring setbacks for accessory structures is primarily to maintain uniform lot development, as well as maintaining similar architectural appearance on each lot. If granted, reducing the rear setback to allow placement of the sunroom should not impair the purpose and intent of the Master Plan.

The condition or the intended use is of a general or recurrent nature. The 14 parcels in the Floros Farms subdivision range in size from 21,750 sq. to 43,750 sq. ft. (approx.) with an average lot width of 125 feet. The variance request is not so recurrent in nature as to require an amendment to the Zoning Ordinance. The request is specific to the needs of the applicant, site conditions and shape of the subject parcel.

The practical difficulty is not self-created. The problem was not created by the applicant but was created by the platting of the land.

Notices: Notice of public hearing sent to the applicant, June 30, 2018
Notice of public hearing published in the Livingston County Press and Argus, June 30, 2018

Report Prepared By: Debra McKenzie

CASE FILE DOCUMENTS:
1.0 Zoning Board of Appeals Report
11 Zoning Map
1.2 GIS Map
1.3 Aerial

Written Correspondence and Documentation
2.0 Completed application form
2.1 Letter of application with attachments
2.2 Proof of ownership
2.3 Notice of Public Hearing
2.4 Certificate of publication
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Jurisdiction</th>
<th>County</th>
<th>Parcel Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>FLOROS FARMS INC</td>
<td></td>
<td>GREEN OAK</td>
<td>LIVINGSTON</td>
<td>4716-24-403-001</td>
</tr>
</tbody>
</table>

<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>Pront. Trans.</th>
</tr>
</thead>
<tbody>
<tr>
<td>WOLFE, MARK &amp; KELLY</td>
<td></td>
<td>212,000</td>
<td>11/15/1996</td>
<td>WD</td>
<td>DNU-NOT AUDITED</td>
<td>2113/0480</td>
<td>NOT VERIFIED</td>
<td>100.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Class</th>
<th>Zoning</th>
<th>Building Permit(s)</th>
<th>Date</th>
<th>Number</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>13781 MONARCH DR</td>
<td>RESIDENTIAL-IMPRO</td>
<td>R2</td>
<td>DECK</td>
<td>07/17/1998</td>
<td>PB98-0222</td>
<td>ISSUED</td>
</tr>
<tr>
<td>P.R.E. 100% 12/09/1996</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Owner's Name/Address</th>
<th>DBA</th>
</tr>
</thead>
<tbody>
<tr>
<td>WOLFE, MARK &amp; KELLY</td>
<td></td>
</tr>
<tr>
<td>13781 MONARCH DR</td>
<td></td>
</tr>
<tr>
<td>SOUTH LYON MI 48178</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tax Description</th>
<th>2019 Est TCV Tentative</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEC 24 T1N, R6E, FLOROS FARMS LOT 1</td>
<td>Land Value Estimates for Land Table 2443. FLOROS FARMS</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Improvements</th>
<th>Vacant</th>
<th>Land Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td>Frontage Depth</td>
<td>Front Depth</td>
</tr>
<tr>
<td>&lt;Site Value A&gt;</td>
<td>SITE VALUE</td>
<td>55000</td>
</tr>
<tr>
<td>0.50 Total Acres</td>
<td>Total Est. Land Value =</td>
<td>60,500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topography of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level</td>
</tr>
<tr>
<td>Rolling</td>
</tr>
<tr>
<td>Low</td>
</tr>
<tr>
<td>High</td>
</tr>
<tr>
<td>Landscaped</td>
</tr>
<tr>
<td>Swamp</td>
</tr>
<tr>
<td>Wooded</td>
</tr>
<tr>
<td>Pond</td>
</tr>
<tr>
<td>Waterfront</td>
</tr>
<tr>
<td>Ravine</td>
</tr>
<tr>
<td>Wetland</td>
</tr>
<tr>
<td>Flood Plain</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<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>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>Tentative</td>
<td>Tentative</td>
<td>Tentative</td>
<td>Tentative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>30,300</td>
<td>97,500</td>
<td>127,800</td>
<td></td>
<td></td>
<td>113,288C</td>
</tr>
<tr>
<td>2017</td>
<td>30,300</td>
<td>96,700</td>
<td>127,000</td>
<td></td>
<td></td>
<td>110,958C</td>
</tr>
<tr>
<td>2016</td>
<td>30,300</td>
<td>97,600</td>
<td>127,900</td>
<td></td>
<td></td>
<td>109,969C</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Who</th>
<th>When</th>
<th>What</th>
</tr>
</thead>
<tbody>
<tr>
<td>SG</td>
<td>04/07/2016 APEX/FRC M</td>
<td>09/15/2008</td>
</tr>
</tbody>
</table>

*** Information herein deemed reliable but not guaranteed ***
### Building Type
- Single Family
  - Mobile Home
  - Town Home
  - Duplex
  - A-Frame
- Wood Frame

### Roof (cont.)
- Eavestrough
  - Insulation
    - Front Overhang 0
    - Other Overhang 0
- Interior
  - Drywall
    - Pasted
    - Wood T&G

### Building Style
- 2 STORY

### Yr Built
- 1996
- Remodeled: 1990

### Condition: Average
- Lg X Ord Small
- Doors: Solid X H.C.

### Room List
- Basement
  - First Floor
  - 2nd Floor
  - Bedrooms

### Exterior
- Wood/Shingle
  - Aluminum/Vinyl
  - Brick/Siding
  - Insulation

### Windows
- Many
  - Avg.
  - X
  - Large
  - Avg.
  - Small

### Walls
- Wood Sash
  - Metal Sash
  - Vinyl Sash
  - Double Hung
  - Horiz. Slide
  - Casement
  - Double Glass

### Floor Plan
- 2nd Floor
  - Storms & Screens
- 3rd Roof
  - Gambrel
  - Mansard
  - Shed
  - Hip
  - Flat
  - Asphalt Shingle

### Chimney:

### Heating/Cooling
- Gas
  - Wood
  - Oil
  - Coal
  - Steam
  - Forced Air w/o Ducts
  - Forced Air w/ Ducts
  - Forced Hot Water
  - Electric Baseboard
  - Elec. Cell. Radiant
  - Radiant (in-floor)
  - Electric Wall Heat
  - Space Heater
  - Wall/Floor Furnace
  - Forced Heat & Cool
  - Heat Pump
  - No Heating/Cooling

### Central Air
- Wood Furnace

### Electric
- 0 Amp Service

### Excavation
- Basement: 1114 S.F.
  - Crawli: 0 S.F.
  - Slab: 0 S.F.
  - Height to Joists: 0.0

### Basement Finish
- Conc. Block
  - Poured Conc.
  - Stone
  - Treated Wood
  - Concrete Floor

### Floor Support
- Joists:
  - Unsupported Len: Cntr.Sup.

### Area Type
- 66 CCP

### Year Built:
- 1996

### Total Base New:
- $287,040

### E.C.F.:
- 0.901

### Estimated T.C.V.:
- $214,655

---

### Summary Table

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Heating/Cooling</th>
<th>Built-ins</th>
<th>Fireplaces</th>
<th>Porches/Decks</th>
<th>Garage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Building 1 of 1</td>
<td>Gas</td>
<td>Wood</td>
<td>Oil</td>
<td>Coal</td>
<td>Steam</td>
</tr>
<tr>
<td>Printed on 07/09/2018</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

---

### Additional Information
- Year Built: 1996
- Building Style: 2 STORY
- Total Area: 1450 SF
- Foundation: $663 WPP
- Estimated Total Cost: $214,655

---

### Calculation Note
- **Calculations too long. See Valuation printout for complete pricing.**
STATE OF MICHIGAN

Ss

COUNTY OF LIVINGSTON

REASON FOR PUBLIC HEARING: ZBA Variance Request
NAME OF APPLICANT: Mark Wolfe
ADDRESS OF APPLICATION: 13781 Monarch Dr., South Lyon MI 48178
DATE OF PUBLIC HEARING: July 17, 2018
BOARD HOLDING PUBLIC HEARING: ZBA

Type of Hearing:
(x) Zoning Board of Appeals
( ) Special Use Permit
( ) Rezoning
( ) Other

I Debra McKenzie being first duly sworn, do hereby depose and say that I caused to be prepared for mailing, and mailed by First Class mail, on June 30, 2018, a Notice of Public Hearing, a true copy of which is attached hereto and made a part hereof, to each owner of or party in interest in property located within three hundred (300) feet or five hundred (500) feet whichever is appropriate and/or abutting the subject’s property line described in the subject’s property description, as such name and address of owner is described in the attached Notice, and as such name and address appears in the computerized property tax assessment roll records of the Assessing Department of Green Oak Charter Township as of the date of the computer printout; and printed out mailing labels from that computerized database for said parcels affected; that each such envelope had contained therein the appropriate Notice of the aforesaid hearing, was securely sealed with postage fully prepaid thereon for First Class Mail delivery; and that all of said envelopes were placed on the outgoing mail receptacle at Green Oak Charter Township Hall in Brighton, Michigan on the said date for the above referenced hearing meeting.

Debra McKenzie,
Zoning Administrator
Applicant: Wayne Craft Inc
Property Owner: Mark Wolfe
Date: May 25, 2018
Address: 13781 Monarch Dr., South Lyon, MI 48178
Property ID: 4716-24-403-001
Permit Request: Sunroom Addition

PROJECT DESCRIPTION:
The applicant is requesting a Building permit for: for: 12' x 20' (240 SF) three season patio enclosure on existing deck. The subject site is .50 acres in size, and is zoned R2, Single Family. This parcel is in section 24, lot 01 of the Floros Farms Subdivision, north of Ten Mile Road and west of Dixboro Road.

Setbacks for R-2 zoning
Front – 40 feet
Rear – 45 feet
Waterfront - 45 feet
Sides –15 feet

The proposed application must conform to the zoning regulations summarized below:

<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>R2, Single Family</td>
<td>R2, Single Family</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>45 ft</td>
<td>35 feet based on GIS</td>
</tr>
<tr>
<td>Waterfront</td>
<td>40 ft</td>
<td>NA</td>
</tr>
<tr>
<td>Front</td>
<td>40 ft</td>
<td>NA</td>
</tr>
<tr>
<td>Sides</td>
<td>15 ft</td>
<td>75 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>44 feet from house</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>Approximately 16%</td>
</tr>
<tr>
<td>Building Height</td>
<td>32 ft (two stories)</td>
<td>Under 32 feet in height</td>
</tr>
<tr>
<td>Lot Area</td>
<td>21,750 sq. ft.</td>
<td>21,750 sq. ft.</td>
</tr>
<tr>
<td>Lot Width</td>
<td>125 ft.</td>
<td>125 ft.</td>
</tr>
</tbody>
</table>

Sec. 38-184. Yard encroachments. (d) Chimneys, flues, belt courses, leaders, sills, pilasters cornices, eaves, gutters, and similar features may project into any required yard a maximum of twenty-four (24) inches.

Application does not meet zoning compliance

Debra McKenzie,
Zoning Administrator,
810 231-1333 ext. 104
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: WAYNE CRAFT, Inc
Address: 13528 WAYNE Rd
City/State/Zip: LIVONIA MI 48150
Phone: 734-421-8800 Fax: 734-421-8828
E-Mail: contact@WayneCraft.com

Property Owner Information
Name: Mark Wolfe
Address: 13781 Monarch
City/State/Zip: South Lyon MI 48178
Phone: 734-265-2650 Fax:
E-Mail

Location of Property for which the variance requested
Address 13781 Monarch Dr
Cross Streets
Tax Identification # 4716-24-403-001
Information available from the Green Oak Charter Township Assessing Dept.
Zoning District R-2
Lot Size/Acreage 2.750 ft²
Current Use Residential

Variance Request 10 ft short of 45 ft on rear yard setback.
Requesting 35 ft rear yard setback.

Total Number of Variances Requested 1

List the applicable Code Section Name, Section Number, and Subsection to be
considered by the ZBA. 38-136 Rear Yard Setback.
This information is contained in the Green Oak Charter Township Zoning Code Book

Describe Request Rear yard setback of Sunroom be
allowed to 35 ft instead of 45. Due to the highly irregular
lot, numerous examples of similar structures on some streets
and no other reasonable location on lot, I request that this variance
be allowed to let homeowners enjoy the sunroom, so they can enjoy back yard
like other neighbors.

Zoning Board of Appeals Application
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:

Lot #001 is very irregular in shape compared to other lots in same subdivision. There are similar sunrooms on neighbors rear decks.

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 neighbors to the East have similar style sunrooms on their decks facing the park. This lot is very irregular and due to the shape does not allow the needed rear yard setback. There are other similar examples on same street.

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. Many other houses have sunrooms. It is only due to the very irregular lot that the house doesn't meet the rear yard setback. The deck is already existing and is one of many raised decks in neighborhood.

The granting of such variance will not adversely affect the purpose or objectives of the master plan of the township. The sunroom will use existing deck and allow homeowner to enjoy more of the natural surroundings without bugs or bad weather. Other homeowners on same street enjoy same privilege.

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 there is no other place on lot of house which will conform with setbacks. The lot is very irregular in shape.
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: 6-10-18

Signature of Owner, if different: _______________________
Date: 6-10-18
Avery Remove 'Em Laser Labels #6460

4716-04-202-026
RHONDA'S REALTY, LLC
MELODY DR
BRIGHTON MI 48116

4716-04-202-027
RHONDA'S REALTY, LLC
MELODY DR
BRIGHTON MI 48116

4716-04-202-028
RHONDA'S REALTY, LLC
MELODY DR
BRIGHTON MI 48116

4716-04-202-029
RHONDA'S REALTY, LLC
MELODY DR
BRIGHTON MI 48116

4716-04-202-032
VICTORIA PARK PROPERTIES, LLC
10840 GRAND RIVER AVE
BRIGHTON MI 48116

4716-24-400-008
RICH, JOHN KENNETH
13873 TEN MILE RD
SOUTH LYON MI 48178

4716-24-400-009
WICKERSHAM, GARI & CONNIE
13775 WINDMOOR DR
SOUTH LYON MI 48178

4716-24-401-001
BROWNE, DOUGLAS & LINDA
13732 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-002
WICKERSHAM, GARI & CONNIE
13775 WINDMOOR DR
SOUTH LYON MI 48178

4716-24-401-006
YARDE, JAMES & JOSEPHINE
13728 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-007
WICKERSHAM, GARI & CONNIE
13775 WINDMOOR DR
SOUTH LYON MI 48178

4716-24-401-008
RICH, JOHN KENNETH
13873 TEN MILE RD
SOUTH LYON MI 48178

4716-24-401-009
WICKERSHAM, GARI & CONNIE
13775 WINDMOOR DR
SOUTH LYON MI 48178

4716-24-401-011
KETRON, PHILLIP & LAURIE
9917 PRISTINE DR
SOUTH LYON MI 48178

4716-24-401-012
KETRON, PHILLIP & LAURIE
9917 PRISTINE DR
SOUTH LYON MI 48178

4716-24-401-013
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-014
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-015
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-016
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-017
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-018
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-019
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-020
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-021
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-022
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-023
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-024
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-025
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-026
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-027
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-028
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-029
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-030
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-031
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-032
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-033
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-034
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-035
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-036
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-037
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-038
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-039
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-040
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-041
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-042
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-043
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-044
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-045
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-046
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-047
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-048
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-049
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-050
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-051
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-052
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-053
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-054
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-055
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-056
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-057
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-058
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-059
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178

4716-24-401-060
WAGNER, HIDEO
13727 MONARCH DR
SOUTH LYON MI 48178
<table>
<thead>
<tr>
<th>Address</th>
<th>Address</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>4716-04-202-026&lt;br&gt;RHONDA'S REALTY, LLC&lt;br&gt;8251 MONTGOMERY RIDGE RD&lt;br&gt;BELEWS CREEK NC 27009</td>
<td>4716-04-202-027&lt;br&gt;RHONDA'S REALTY, LLC&lt;br&gt;8251 MONTGOMERY RIDGE RD&lt;br&gt;BELEWS CREEK NC 27009</td>
<td>4716-04-202-028&lt;br&gt;RHONDA'S REALTY, LLC&lt;br&gt;8251 MONTGOMERY RIDGE RD&lt;br&gt;BELEWS CREEK NC 27009</td>
</tr>
<tr>
<td>4716-04-202-029&lt;br&gt;RHONDA'S REALTY, LLC&lt;br&gt;8251 MONTGOMERY RIDGE RD&lt;br&gt;BELEWS CREEK NC 27009</td>
<td>4716-04-202-032&lt;br&gt;VICTORIA PARK PROPERTIES, LLC&lt;br&gt;10840 GRAND RIVER AVE&lt;br&gt;BRIGHTON MI 48116</td>
<td>4716-24-400-008&lt;br&gt;RICH, JOHN KENNETH&lt;br&gt;13873 TEN MILE RD&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-24-400-020&lt;br&gt;KLUBA, BRANDON&lt;br&gt;9944 FLOROS LN&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-401-001&lt;br&gt;BROWNE, DOUGLAS &amp; LINDA&lt;br&gt;13732 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-401-002&lt;br&gt;WICKERSHAM, GARY &amp; CONNIE&lt;br&gt;13775 WINDMOOR DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-24-401-006&lt;br&gt;YARDE, JAMIS &amp; JOSEPHINE&lt;br&gt;13724 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-401-012&lt;br&gt;KEETON, PHILLIP &amp; LAURIE&lt;br&gt;9917 PRISTINE DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-401-064&lt;br&gt;COLTEN FAMILY TRUST&lt;br&gt;13719 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-24-401-065&lt;br&gt;WAGNER, HIDEKO&lt;br&gt;13727 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-401-066&lt;br&gt;BALCAN, EMANUEL&lt;br&gt;13735 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-401-067&lt;br&gt;FINK, JUSTIN &amp; CHRISTINA M.&lt;br&gt;13743 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-24-403-001&lt;br&gt;WOLFE, MARK &amp; KELLY&lt;br&gt;13781 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-403-002&lt;br&gt;ELLISON, BRUCE E&lt;br&gt;13823 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-403-003&lt;br&gt;CORNEILLIER, JASON&lt;br&gt;13845 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-24-403-004&lt;br&gt;CALLUS, KENNETH &amp; JANET&lt;br&gt;13891 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-403-011&lt;br&gt;BRUCKI, KATHLEEN REVOCABLE TRUST&lt;br&gt;13880 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-403-012&lt;br&gt;DEBRUIJNE, ROBERT &amp; SANDI&lt;br&gt;13836 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-24-403-013&lt;br&gt;KELOOS, FRANK &amp; MARSHA&lt;br&gt;13812 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-24-403-014&lt;br&gt;LUNDQUIST, CHARLIE &amp; DANIEL&lt;br&gt;13778 MONARCH DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-27-400-025&lt;br&gt;LYNCH, JAMES&lt;br&gt;10940 GREEN OAKS DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-27-400-027&lt;br&gt;BUDDENBORG, GREG &amp; CORINNE&lt;br&gt;10930 GREEN OAKS DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-27-400-035&lt;br&gt;SEXTON, RONALD&lt;br&gt;P.O. BOX 499&lt;br&gt;10869 NATURELLE DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-27-400-053&lt;br&gt;WEBER, DAVID &amp; REBECCA&lt;br&gt;10932 GREEN OAKS DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
<tr>
<td>4716-27-400-054&lt;br&gt;MARTIN FAMILY TRUST&lt;br&gt;10900 NATURELLE DR&lt;br&gt;SOUTH LYON MI 48178</td>
<td>4716-27-400-057&lt;br&gt;ZANDER, NICHOLAS &amp; MARY ANN&lt;br&gt;7879 WINANS LAKE ROAD&lt;br&gt;BRIGHTON MI 48116</td>
<td>4716-27-400-060&lt;br&gt;ANTHONY, SHELBY E.&lt;br&gt;10947 NATURELLE DR&lt;br&gt;SOUTH LYON MI 48178</td>
</tr>
</tbody>
</table>
4716-27-400-061
KAMENEC, VICTOR HENRY
10999 NATURELLE DR
SOUTH LYON MI 48178

4716-34-200-003
GREEN OAK CHARTER TOWNSHIP
SOUTH LYON MI 48178

4716-34-200-004
STRICKER, JONATHAN M
SOUTH LYON MI 48178
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-04-2018
Date of Application: 06-19-2018
Hearing Date: July 17, 2018
Applicant: Matt Gedda
Property ID: 4716-27-400-026
Property Address: 11425 Nine Mile Road, South Lyon MI 48178
Action Requested: Variance from 38-136 Side Yard Setback
Nature of Application: Request a variance from Section 38-136
Zoning District: R-2 Single Family Residential

PROJECT AND SITE DESCRIPTION

On October 11, 2018 the applicant applied for a building permit to renovate the existing structure and construct a second story addition to the existing single family residential unit. The property was developed as R-2 Single family residential in 1978. The subject property is approximately 2 acres in size with 313.06 feet of frontage along Nine Mile Road, South Lyon, MI 48178. The property meets the minimum requirements for development. The applicant is requesting a side yard setback variance to allow the construction of addition 9’ feet from the west side property line; a minimum side yard setback of 15’ feet is required for residential structures in the R-2, Single-Family Residential District.

Aerial Image of Subject Site and Vicinity
The applicant is requesting one variance from Section 38-136 a side yard setback of 9' feet instead of the required 15' feet.

The surrounding properties are predominately single-family dwellings.

The subject property is located in section 27. The original home was in 1978 approximately 97 feet from Nine Mile Road. As shown on the site plan, the site is approximately 2.52 Acres in size, and the maximum buildable area permitted under R-2 zoning is 30% of the site. The dwelling is currently considered to be a legal non-conforming building. The intent of the side yard setback requirements is to allow adequate space between structures on neighboring properties. The reduction in setbacks would not impact site coverage. Without the approval of the requested setback variance, construction of the new addition as designed will not be possible.
The Zoning Board of Appeals shall have the authority to authorize site variation or modification of the provisions of the Zoning Ordinance, with such conditions and safeguards as it may determine, as may be in harmony with the spirit of this Zoning Ordinance, and so that public safety and welfare will be secured and substantial justice done, where, owing to special conditions, a literal enforcement of the provisions of the Zoning Ordinance would involve practical difficulties or unnecessary hardship.

According to the Zoning Ordinance, no such variance or modification of the provisions of the Zoning Ordinance shall be granted unless it appears that, at a minimum, all the facts and conditions listed in Section 38-95. of the Zoning Ordinance exist.

a. Are there 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. (including the land or a structure or building thereon) rather than the individual situation or desire of the applicant or property owner. In other words, the problem or exception or extraordinary circumstances or conditions must be inherent in the land, structure, or building involved.

The property is zoned R2 – Single Family Residential and is of sufficient size for residential development. The subject site is uniform in shape with many of the other parcels in section 27. Other properties in the district have been developed for single family residential uses.

B. The variance must be necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other properties in the same zoning district and vicinity. (NOTE— a possible increased financial return shall not, of itself, be deemed sufficient to warrant a variance.)

As stated in the applicant's letter and site plan, the site has unusual topography. The home sits on top of a hill. The slopes on the west side of the home does not allow for the expansion.

C. Would granting of such variance or modification 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 setback requirements for residential land was established to protect those residential uses. The proposed addition would be located 9 feet from the property line. The adjacent property owner home is located 90 feet from the existing home. Staff defines the public interest to be the welfare or well-being of the public. Staff finds no evidence that the placement of the structure 9 feet from the property line would create conditions that conflict with the welfare or well-being of the public. The variance does not appear to create
material injury or unsafe conditions to adjacent property owners or deprive them from the use of their property.

D. Does the granting of the variances adversely impact the objectives of the Master Plan.

The variance does not adversely impact the objective of the Master Plan.

E. Is the condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is of so a general or recurrent a nature.

The conditions are related to the placement of the existing structure on the lot. The use is currently single family residential the proposed project will not change the use of the property.

F. The ZBA must also find that the applicant has practical difficulty complying with the Ordinance provision or provisions at issue.

The applicant is unable to place the attached addition structure elsewhere on the property because of existing conditions. The topography interferes with the located of the addition.

Staff recommends the ZBA open the public hearing, take testimony, close the public hearing, evaluate the proposal for conformance with the applicable regulations, and deny or approve the application. In the motion to deny or approve the project the ZBA should incorporate the ZBA’s discussion and analysis of the project and the findings in the staff report.

Staff recommends that the Zoning Board evaluate the applicant’s requests based on the considerations in Section 38-95. of the Zoning Ordinance, listed above.

If the Zoning Board cannot find in favor of the applicant for each of the consideration listed in the Zoning Ordinance the Board should deny the request.

If the Zoning Board of Appeals determines the requested variance is not justified, the following facts and conclusions can be used as a basis of that decision.

There are no exceptional or extraordinary circumstances or conditions applicable to the applicants site that does not apply generally to sites in the same zoning district. The minimum lot size for property located in the R-2 (Residential, Single-Family,) zoning district is 21,750 square feet. The subject site’s lot size is approximately 2.52 acres. The minimum lot width for R-2 zone lot is 125 feet. The
subject lot width is 313.06 feet. The subject property is rectangular and complies with minimum lot size and lot width requirements.

Granting the application is not necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship. There are design alternatives that would afford the property owner the addition. The fact that you cannot add an addition to the home does not deprive the property owner the right to develop the land as permitted.

The granting of the variance would be detrimental to the public welfare and injurious to other properties in the area. The setbacks were established to protect those in residential uses. The site is in the R-2 Zoning District Master Plan area. Parcels in this area are primarily residential and regulated under the intent of the Single Family Residential Zoning District requirements. The proposed project would not adversely affect the purpose or objectives of the Master Plan.

The condition or the intended use is of a general or recurrent nature. Because of the topography and the location of the existing home on the lot, it appears that the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought, is not of so general or recurrent a nature.

The practical difficulty is due to the topography and placement of the existing home location. And was not self-created.

If the Zoning Board of Appeals determines the requested variance is justified, the following facts and conclusions can be used as a basis of that decision:

There are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same district. The area is predominately residential in nature. Physical conditions and circumstances exist that now limit the options on where an addition can be placed. The position of the existing home on the property limits possible locations of any additional structure. The lot topography restricts the placement of the proposed addition. The topography of the site interferes with the placement of the addition.

The variance is necessary for the preservation or enjoyment of a substantial right possessed by other property owners in the same district. Additions are permitted in the R-2 single family residential zoning district. The location of the existing slopes interferes with the ability to erect the addition within the area on property appropriately.
The granting of the variance would not be detrimental to the public welfare and injurious to the other properties in the area. Reducing the side setback to allow for the addition should not affect neighboring properties values.

The granting of the variances would not adversely impact the objectives of the Master Plan. The location is on property zoned and planned for residential use. The purpose and intent of requiring setbacks for accessory structures is primarily to maintain uniform lot development, as well as maintaining similar architectural appearance on each lot. If granted, reducing the side setback to allow placement of the garage should not impair the purpose and intent of the Master Plan.

The condition or the intended use is of a general or recurrent nature. The parcels in section 27 range in size. The variance request is not so recurrent in nature as to require an amendment to the Zoning Ordinance. The request is specific to the needs of the applicant, site conditions and shape of the subject parcel.

The practical difficulty is not self-created. The problem was not created by the applicant but was created by the topography of the land.

Notices: Notice of public hearing sent to the applicant, June 30, 2018
Notice of public hearing published in the Livingston County Press and Argus, June 28, 2018

Report Prepared By: Debra McKenzie

CASE FILE DOCUMENTS:
1.0 Zoning Board of Appeals Report
11 Zoning Map
1.2 Minutes
1.3 GIS Map
1.4 Aerial

Written Correspondence and Documentation
2.0 Completed application form
2.1 Letter of application with attachments
2.2 Proof of ownership
2.3 Notice of Public Hearing
2.4 Certificate of publication
90 ft.
Zoning Compliance

Applicant: Matt Gedda
Contractor: Matt Gedda
Date: October 11, 2016
Address: 11425 Nine Mile Rd., South Lyon, MI 48178
Property ID: 4716-27-400-026
Permit Request: Addition

PROJECT DESCRIPTION:
The applicant is requesting a Building permit for: 2224 SF 2 story addition to existing 1540 SF single family residence; renovate exist; add 2nd story loft; built-in 2 car garage; 1 pre-fab fireplace; 808 SF wrap-around porch. The subject site is 2.0 acres in size, and is zoned R2, Single Family. This parcel is in section 27.

Setbacks for R-2 zoning
   Front – 40 feet
   Rear – 45 feet
   Waterfront - 45 feet
   Sides –15 feet

The proposed application must conform to the zoning regulations summarized below:

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District</td>
<td>R2, Single Family</td>
<td>R2, Single Family</td>
</tr>
<tr>
<td>Setbacks Rear</td>
<td>45 ft.</td>
<td>More than 45 feet.</td>
</tr>
<tr>
<td>Waterfront Front</td>
<td>40 ft.</td>
<td>NA</td>
</tr>
<tr>
<td>Sides</td>
<td>15 ft.</td>
<td>9 feet from addition</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>Approximately 16%</td>
</tr>
<tr>
<td>Building Height</td>
<td>28 ft (two stories)</td>
<td>Under 28 feet in height</td>
</tr>
<tr>
<td>Lot Area</td>
<td>21,750 sq. ft.</td>
<td>81,730 sq. ft.</td>
</tr>
<tr>
<td>Lot Width</td>
<td>125 ft.</td>
<td>313.03 ft.</td>
</tr>
</tbody>
</table>

Sec. 38-184. Yard encroachments. (d) Chimneys, flues, belt courses, leaders, sills, pilasters cornices, eaves, gutters, and similar features may project into any required yard a maximum of twenty-four (24) inches.

Application Does not meet zoning compliance

Debra McKenzie,
Zoning Administrator,
810 231-1333 ext. 104
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: Matthew Gedda
Address: 11425 Nine Mile
City/State/Zip: South Lyon MI 48178
Phone: 248.470.5215 Fax:
E-Mail matthewgedda@hotmail.com

Property Owner Information
Name: Matthew Gedda
Address: 11425 Nine Mile
City/State/Zip: South Lyon MI 48178
Phone: 248.470.5215 Fax:

Location of Property for which the variance requested
Address 11425 Nine Mile
Cross Streets Nine Mile and Ashton
Tax Identification # Information available from the Green Oak Charter Township Assessing Dept.
Zoning District
Lot Size/Acreage 2.52
Current Use Residential

Variance Request

Total Number of Variances Requested 1

List the applicable Code Section Name, Section Number, and Subsection to be considered by the ZBA. Section 38-1360 B2
This information is contained in the Green Oak Charter Township Zoning Code Book

Describe Request

Zoning Board of Appeals
Application
revised 01-19-2011
1. Requesting that strict compliance for section 38-136, setback regulations, specifically, R2 side yard setback requirement of 15 ft.

2. Existing home is 9 ft from the side yard property line and the condition existed prior to the adoption of the ordinance and was not created by the owner.

3. The property has unusual topography in that the home sits on a hill and the lot drops significantly and abruptly of the west side driveway which makes expansion in this direction impossible. The existing non-compliant property line runs along the east property line, this condition pre-dates the ordinance and is beyond the control of the applicant.

4. Approval of the request would permit me to construct an addition on the property reasonably consistent in size and character with other homes in the vicinity and same zone.

5. The property is zoned residential (R-2). The proposed addition is the most appropriate for the property. If the request is approved my addition would be 9ft from the property line (same as the existing home)

6. I have consulted with neighboring property owners regarding my request and have included a letter signed by neighbors in the vicinity stating no opposition to my proposal.

7. The variance requested is the minimum necessary that would alleviate the hardship.
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: 6/19/18

Signature of Owner, if different
Date:
<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>Pront. Trans.</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEDERAL NATIONAL MORTGAGE</td>
<td>GEDDA, MATT &amp; TRICIA</td>
<td>151,000</td>
<td>01/15/2008</td>
<td>WD</td>
<td>FINANCIAL NOT EXPOSE</td>
<td>NOT VERIFIED</td>
<td>NOT VERIFIED</td>
<td>100.0</td>
</tr>
<tr>
<td>INDIYMAC BANK FSB</td>
<td>FEDERAL NATIONAL MORTGAGE</td>
<td>198,127</td>
<td>01/18/2007</td>
<td>QC</td>
<td>NOT USED</td>
<td>NOT VERIFIED</td>
<td>NOT VERIFIED</td>
<td>100.0</td>
</tr>
<tr>
<td>SHERIFFS DEED</td>
<td>INDIYMAC</td>
<td>0</td>
<td>12/04/2006</td>
<td>TXD</td>
<td>NOT USED</td>
<td>NOT VERIFIED</td>
<td>NOT VERIFIED</td>
<td>0.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>102,000</td>
<td>05/01/1987</td>
<td>WD</td>
<td>ARMS LENGTH</td>
<td></td>
<td></td>
<td>0.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Class: RESIDENTIAL-IMPRO</th>
<th>Zoning: R2</th>
<th>Building Permit(s)</th>
<th>Date</th>
<th>Number</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>11425 NINE MILE RD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Owner's Name/Address</th>
<th>DBA:</th>
</tr>
</thead>
<tbody>
<tr>
<td>GEDDA, MATT &amp; TRICIA</td>
<td></td>
</tr>
<tr>
<td>11425 NINE MILE RD</td>
<td></td>
</tr>
<tr>
<td>SOUTH LYON MI 48178</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2019 Est TCV Tentative</th>
<th>Land Value Estimates for Land Table 6399.6399 SL METES &amp; BOUNDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>X Improved</td>
<td>Vacant</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tax Description</th>
<th>Comments/Influences</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEC 27 T1N R6E W 1/2 OF SE 1/4 OF SE 1/4 OF SEC, BEG N 89<em>50'45&quot;W 1029.27 FT FROM SE COR, TH N 89</em>50'45&quot;W 313.06 FT, TH NO<em>16'07&quot;W 350.94 FT, TH S 89</em>50'45&quot;E 313.06 FT, TH S 0*16'07&quot;E 350.94 FT TO POB. 2.53 AC</td>
<td></td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<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>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>Tentative</td>
<td>Tentative</td>
<td>Tentative</td>
<td></td>
<td></td>
<td>Tentative</td>
</tr>
<tr>
<td>2016</td>
<td>35,800</td>
<td>65,300</td>
<td>101,100</td>
<td></td>
<td></td>
<td>83,349C</td>
</tr>
<tr>
<td>2017</td>
<td>35,800</td>
<td>76,700</td>
<td>112,500</td>
<td></td>
<td></td>
<td>84,099C</td>
</tr>
<tr>
<td>2018</td>
<td>35,800</td>
<td>82,700</td>
<td>118,500</td>
<td></td>
<td></td>
<td>85,865C</td>
</tr>
</tbody>
</table>

*** 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>(16) Porches/Decks</th>
<th>(17) Garage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>X</td>
<td>X</td>
<td>Gas Wood</td>
<td>Interior 1 Story</td>
<td></td>
</tr>
<tr>
<td>Mobile Home</td>
<td>X</td>
<td>X</td>
<td>Oil Coal</td>
<td>Interior 2 Story</td>
<td></td>
</tr>
<tr>
<td>Town Home</td>
<td>0</td>
<td>X</td>
<td>Elec. Steam</td>
<td>2nd/Same Stack</td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td>0</td>
<td>X</td>
<td>Forced Air w/o Ducts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-Frame</td>
<td>0</td>
<td>X</td>
<td>Forced Air w/ Ducts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Wood Frame</td>
<td>0</td>
<td>X</td>
<td>Forced Hot Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Style:</td>
<td>Drywall</td>
<td>Plaster</td>
<td>Electric Baseboard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ONE STORY</td>
<td>Paneled</td>
<td>Wood T&amp;G</td>
<td>Elec. Cell. Radiant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yr Built Remodeled</td>
<td>Trim &amp; Decoration</td>
<td></td>
<td>Radiant (in-floor)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1978 1970</td>
<td>Ex X Ord</td>
<td>Min</td>
<td>Electric Wall Heat</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condition: Average</td>
<td>Space Heater</td>
<td></td>
<td>Space Heater</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Room List</td>
<td>Size of Closets</td>
<td>Wall/Floor Furnace</td>
<td>Wall/Floor Furnace</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basement</td>
<td>Ex X Ord</td>
<td>Min</td>
<td>Forced Heat &amp; Cool</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2st Floor</td>
<td>Lg</td>
<td>X Ord</td>
<td>Heat Pump</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd Floor</td>
<td>Small</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4Bedrooms</td>
<td>Doors</td>
<td>Solid</td>
<td>No Heating/Cooling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kitchen:</td>
<td>(5) Floors</td>
<td></td>
<td>Central Air</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
<td></td>
<td>Wood Furnace</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6) Ceilings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Drywall</td>
<td>X</td>
<td>X</td>
<td>100 Amps Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7) Excavation</td>
<td></td>
<td></td>
<td>No./Qual. of Fixtures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basement: 1540 S.F.</td>
<td></td>
<td></td>
<td>Ex. X Ord.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crawl: 0 S.F.</td>
<td>X</td>
<td></td>
<td>Min</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slab: 0 S.F.</td>
<td>Many</td>
<td>X Ave.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height to Joists: 0.0</td>
<td>Few</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Basement</td>
<td></td>
<td></td>
<td>(13) Plumbing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Wood Sash</td>
<td></td>
<td></td>
<td>Average Fixture(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metal Sash</td>
<td></td>
<td></td>
<td>3 Fixture Bath</td>
<td>219,795</td>
<td>136,644</td>
</tr>
<tr>
<td>Vinyl Sash</td>
<td></td>
<td></td>
<td>2 Fixture Bath</td>
<td>3,589</td>
<td>2,728</td>
</tr>
<tr>
<td>Double Hung</td>
<td></td>
<td></td>
<td>Softener, Auto</td>
<td>3,799</td>
<td>2,970</td>
</tr>
<tr>
<td>Horizon Slide Casement</td>
<td></td>
<td></td>
<td>Softener, Manual</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Double Glass</td>
<td></td>
<td></td>
<td>Solar Water Heat</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Patio Doors</td>
<td></td>
<td></td>
<td>No Plumbing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storms &amp; Screens</td>
<td>896</td>
<td></td>
<td>Extra Toilet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Roof</td>
<td></td>
<td></td>
<td>Extra Sink</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Gambrel Hip Flat</td>
<td></td>
<td></td>
<td>Separate Shower</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mansard Shed</td>
<td></td>
<td></td>
<td>Ceramic Tile Floor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Asphalt Shingle</td>
<td></td>
<td></td>
<td>Ceramic Tub Alcove</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chimney: Metal</td>
<td></td>
<td></td>
<td>Vent Fan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(10) Floor Support Joists: Unsupported Len:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1000 Gal Septic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000 Gal Septic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lump Sum Items:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Information herein deemed reliable but not guaranteed*
Parcel Number: 4716-27-400-026, Residential Building 1

1 STY BRICK FRONT

1 Sty/BsmtGar
644.0 sf

1 Sty/Bsmt
896.0 sf

WPP
653.0 sf

CPP
6.0'

*** Information herein deemed reliable but not guaranteed***
STATE OF MICHIGAN
Ss

COUNTY OF LIVINGSTON

REASON FOR PUBLIC HEARING: ZBA Variance Request
NAME OF APPLICANT: Matt Gedda
ADDRESS OF APPLICATION: 11425 Nine MI, South Lyon MI 48178
DATE OF PUBLIC HEARING: July 17, 2018
BOARD HOLDING PUBLIC HEARING: ZBA

Type of Hearing:
(x) Zoning Board of Appeals
( ) Special Use Permit
( ) Rezoning
( ) Other

I Debra McKenzie being first duly sworn, do hereby depose and say that I caused to be prepared for mailing, and mailed by First Class mail, on June 30, a Notice of Public Hearing, a true copy of which is attached hereto and made a part hereof, to each owner of or party in interest in property located within three hundred (300) feet or five hundred (500) feet whichever is appropriate and/or abutting the subject's property line described in the subject's property description, as such name and address of owner is described in the attached Notice, and as such name and address appears in the computerized property tax assessment roll records of the Assessing Department of Green Oak Charter Township as of the date of the computer printout; and printed out mailing labels from that computerized database for said parcels affected; that each such envelope had contained therein the appropriate Notice of the aforesaid hearing, was securely sealed with postage fully prepaid thereon for First Class Mail delivery; and that all of said envelopes were placed on the outgoing mail receptacle at Green Oak Charter Township Hall in Brighton, Michigan on the said date for the above referenced hearing meeting.

[Signature]
Debra McKenzie,
Zoning Administrator
Avery Remove 'Em Laser Labels #6460

4716-27-400-061
KAMENEC, VICTOR HENRY
10999 NATURELLE DR
SOUTH LYON MI 48178

4716-34-200-003
GREEN OAK CHARTER TOWNSHIP
SOUTH LYON MI 48178

4716-34-200-004
STRICKER, JONATHAN M
SOUTH LYON MI 48178
<table>
<thead>
<tr>
<th>Address</th>
<th>Address</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>4716-27-400-061 KAMENEC, VICTOR HENRY</td>
<td>4716-34-200-003 GREEN OAK CHARTER TOWNSHIP</td>
<td>4716-34-200-004 STRICKER, JONATHAN M</td>
</tr>
<tr>
<td>10999 NATURELLE DR SOUTH LYON MI 48178</td>
<td>10001 SILVER LAKE RD. BRIGHTON MI 48116</td>
<td>666 KNIGHT STREET MILFORD MI 48381-3</td>
</tr>
</tbody>
</table>
Zoning Board of Appeals Report

Case Number: ZBA-05-2018
Date of Application: June 14, 2018
Hearing Date: July 17, 2018
Applicant: VICTORIA PARK PROPERTIES, LLC

Property Address: 10840 Grand River Ave., Brighton MI 48116
Action Requested: Variance from 38-136 Rear Yard Setback
Nature of Application: Request a variance from Section 38-136
Zoning District: HC, Highway Commercial District

PROJECT AND SITE DESCRIPTION

The applicant is requesting a variance to allow for site plan approval to construct a new 9,399 square foot retail building and the demolition of an existing retail building located at 10840 E. Grand River Avenue, between Pleasant Valley Road and US-23. The site will expand to the east where there is currently a gravel lot that is used for the display of used cars for the neighboring dealership. The property is developed as HC. The property meets the minimum requirements for development. The applicant is requesting a rear yard setback variance to allow the construction of the new retail building. The minimum required 40 feet rear yard setback to 27.5', the variance is for the building location and to allow parking spaces to remain within the rear yard setback.

Aerial Image of Subject Site and Vicinity
The applicant is requesting variances from Section 38-136 a rear yard setback of 27.5' feet instead of the required 40' feet and to allow for parking to remain within the rear yard setback.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The surrounding properties are listed below

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Office Service</strong></td>
<td>Office Service (Brighton TWP)</td>
<td>Lake Area Residential</td>
<td>Highway Commercial</td>
<td>Highway Commercial</td>
</tr>
<tr>
<td><strong>Land Use</strong></td>
<td>Vacant</td>
<td>Residential</td>
<td>Used Car Lot</td>
<td>Pool Hall</td>
</tr>
</tbody>
</table>

The subject property, lots 30, 31, 32 AND 33, was created as part of the thirty seven lots within VICTORIA PARK SUB subdivision in 1947. As shown on the site plan, lots 30, 31, 32 and 33 are approximately 1.14 Acres in size and the maximum buildable area permitted under HC zoning is 35% of the site. The structure is currently considered to be a legal-conforming building. The intent of the rear yard setback requirements is to allow adequate space between structures on neighboring properties. The reduction in setbacks would not impact site coverage. Without the approval of the requested setback variance, construction of the new store as designed will not be possible.
<table>
<thead>
<tr>
<th>Dimensional Standards</th>
<th>Required (minimum)</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>20,000 sq/ft</td>
<td>1.14 Acres</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100 Feet</td>
<td>388 Feet (Frontage)</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>50 Feet</td>
<td>52 feet (building)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Feet (Parking Lot)</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>15 Feet</td>
<td>28 Feet (east) 150 (west)</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>40 Feet</td>
<td>27.5 Feet</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>35%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Impervious Surface</td>
<td>90%</td>
<td>55.8%</td>
</tr>
<tr>
<td>Building Height</td>
<td>2 Stories/35 Feet</td>
<td>1 Story/27 Feet 4 Inches</td>
</tr>
</tbody>
</table>

**VARIANCE CONSIDERATIONS**

The Zoning Board of Appeals shall have the authority to authorize site variation or modification of the provisions of the Zoning Ordinance, with such conditions and safeguards as it may determine, as may be in harmony with the spirit of this Zoning Ordinance, and so that public safety and welfare will be secured and substantial justice done, where, owing to special conditions, a literal enforcement of the provisions of the Zoning Ordinance would involve practical difficulties or unnecessary hardship.

According to the Zoning Ordinance, no such variance or modification of the provisions of the Zoning Ordinance shall be granted unless it appears that, at a minimum, all the facts and conditions listed in Section 38-95. of the Zoning Ordinance exist.

- **a.** Are there 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. (including the land or a structure or building thereon) rather than the individual situation or desire of the applicant or property owner. In other words, the problem or exception or extraordinary circumstances or conditions must be inherent in the land, structure, or building involved.

The property is zoned HC highway Commerical and is of sufficient size for HC development. The subject site is uniform in shape with many of the other parcels in the area. Other properties in the district have been developed for various uses.

- **B.** The variance must be necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other properties in the same zoning district and vicinity. (NOTE—a possible increased financial return shall not, of itself, be deemed sufficient to warrant a variance.)
As stated in the applicant’s letter and site plan, the site is constrained by the shallow depth of the lot.

C. Would granting of such variance or modification 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 setback requirements for HC was established to protect those in residential uses. The proposed new store would be located 27.5 feet from the property line. The closest residential property is located 122 feet from the edge of property line. Staff defines the public interest to be the welfare or well-being of the public. Staff finds no evidence that the placement of the structure 27.5 feet from the property line would create conditions that conflict with the welfare or well-being of the public. The variance does not appear to create material injury or unsafe conditions to adjacent property owners or deprive them from the use of their property.

D. Does the granting of the variances adversely impact the objectives of the Master Plan.

The variance does not adversely impact the objective of the Master Plan.

E. Is the condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is of so a general or recurrent a nature.

The conditions are related to the shallow depth of the lot and the topography. The use is currently HC highway commercial and the proposed project will not change the use of the property.

F. The ZBA must also find that the applicant has practical difficulty complying with the Ordinance provision or provisions at issue.

The applicant is unable to place the new structure elsewhere on the property because of existing conditions.

**RECOMMENDATIONS**

Staff recommends the ZBA open the public hearing, take testimony, close the public hearing, evaluate the proposal for conformance with the applicable regulations, and deny or approve the application. In the motion to deny or approve the project the ZBA should incorporate the ZBA’s discussion and analysis of the project and the findings in the staff report.

Staff recommends that the Zoning Board evaluate the applicant’s requests based on the considerations in Section 38-95. of the Zoning Ordinance, listed above.
If the Zoning Board cannot find in favor of the applicant for each of the consideration listed in the Zoning Ordinance the Board should deny the request.

If the Zoning Board of Appeals determines the requested variance is not justified, the following facts and conclusions can be used as a basis of that decision.

There are no exceptional or extraordinary circumstances or conditions applicable to the applicants site that does not apply generally to sites in the same zoning district. The minimum lot size for property located in the HC, zoning district is 20,000 sq/ft. The subject site’s lot size is approximately 49,658 square feet. The minimum lot width for HC is 100 feet. The subject lot width is 388 feet. The subject property is irrectangular in shape and complies with minimum lot size and lot width requirements.

Granting the application is not necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship. There are design alternatives that would afford the property owner a new store. The fact that a new store could not be physically located on the property does not deprive the property owner the right to develop the land as permitted.

The granting of the variance would be detrimental to the public welfare and injurious to other properties in the area. The setbacks were established to protect those in residential uses. The site is in the HC Zoning District Master Plan area. Parcels in this area are primarily HC highway commercial district. The intent of the HC district is to provide a district for commercial and business uses which primarily serve the motoring public. When located in the HC district, such uses are prevented from encroaching into other districts where they would be deemed incompatible. The proper development of the uses permitted in the HC district under special approval are subject to conditions which are designed to promote homogenous and desirable patterns of usage. The proposed project would not adversely affect the purpose or objectives of the Master Plan.

The condition or the intended use is of a general or recurrent nature. Because of the lot depth, it appears that the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought, is not of so general or recurrent a nature.

The practical difficulty is due to the shallow depth of the lot. And was not self-created.
If the Zoning Board of Appeals determines the requested variance is justified, the following facts and conclusions can be used as a basis of that decision:

There are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same district. The area is predominately highway commercial in nature. Physical conditions and circumstances exist that now limit the options on where a new store and parking can be placed. The lot is narrow which restricts the placement of the proposed parking and new store front.

The variance is necessary for the preservation or enjoyment of a substantial right possessed by other property owners in the same district. Stores are permitted in the HC highway commercial zoning district. The depth of the property interferes with the ability to erect the new store within the area on property appropriately.

The granting of the variance would not be detrimental to the public welfare and injurious to the other properties in the area. Reducing the rear yard setback to allow for a new store and allowing parking in the rear yard setback should not affect neighboring properties values.

The granting of the variances would not adversely impact the objectives of the Master Plan. The location is on property zoned and planned for HC. The purpose and intent of requiring setbacks for structures is primarily to maintain uniform lot development, as well as maintaining similar architectural appearance on each lot. If granted, reducing the side setback to allow placement of the new store should not impair the purpose and intent of the Master Plan.

The condition or the intended use is of a general or recurrent nature. The 37 parcels in the Victoria Park subdivision range in size. The variance request is not so recurrent in nature as to require an amendment to the Zoning Ordinance. The request is specific to the needs of the applicant, site conditions and shape of the subject parcel.

The practical difficulty is not self-created. The problem was not created by the applicant but was created by the platting of shallow lots.

Notices: Notice of public hearing sent to the applicant, June 30, 2018
Notice of public hearing published in the Livingston County Press and Argus, June 28, 2018

Report Prepared By: Debra McKenzie

CASE FILE DOCUMENTS:
1.0 Zoning Board of Appeals Report
1.1 Zoning Map
1.2 GIS Map
1.3 Aerial

**Written Correspondence and Documentation**
2.0 Completed application form
2.1 Letter of application with attachments
2.2 Proof of ownership
2.3 Notice of Public Hearing
2.4 Certificate of publication
Site Plan/Special Approval Use Review
For
Green Oak Township, Michigan

Applicant: John Gumma
31000 Northwestern Highway, Suite L-100
Farmington Hills, MI 48334

Project Name: Brighton Market (SP 12-2017)

Plan Date: 7-29-09

Revisions: 4/5/18

Location: 10840 E. Grand River Avenue

Zoning: HC, Highway Commercial District

Action Requested: Site Plan Approval

Required Information: Noted below.

PROJECT AND SITE DESCRIPTION

The applicant is requesting site plan approval for the construction of a new 9,399 square foot retail building and the demolition of an existing retail building located at 10840 E. Grand River Avenue, between Pleasant Valley Road and US-23. The site will expand to the east where there is currently a gravel lot that is used for the display of used cars for the neighboring dealership; the site plan appears to propose three (3) phases of development. The first includes the general site development, and the construction of the retail building. The second phase is indicated to be the demolition of the existing building. It is unclear why this is labeled as a second phase. This should take place during phase I as part
of the site development. The third phase includes the construction of a 434 square foot addition for seating.

The subject site is zoned HC (Highway Commercial). A summary of the surrounding zoning districts and land uses is provided in the table below.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District</td>
<td>Office Service (Brighton TWP)</td>
<td>Lake Area Residential</td>
<td>Highway Commercial</td>
<td>Highway Commercial</td>
</tr>
<tr>
<td>Land Use</td>
<td>Vacant</td>
<td>Residential</td>
<td>Used Car Lot</td>
<td>Pool Hall</td>
</tr>
</tbody>
</table>

*Items to be Addressed:* Demolition of the existing building should be part of phase 1.
**AREA, WIDTH, HEIGHT, SETBACKS**

The proposal must conform to the standards for area, building setbacks, lot width, lot coverage/impervious surface area, and building height set forth in Section 38-136, Schedule of Area, Height, and Setback Regulations in the Zoning Ordinance. A summary of the dimensional standards are detailed in the table below.

<table>
<thead>
<tr>
<th>Dimensional Standards</th>
<th>Required (minimum)</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>20,000 sq/ft</td>
<td>1.14 Acres</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100 Feet</td>
<td>388 Feet (Frontage)</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>50 Feet</td>
<td>52 feet (building)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Feet (Parking Lot)</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>15 Feet</td>
<td>28 Feet (east) 150 (west)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>27.5 Feet</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>40 Feet</td>
<td>27.5 Feet</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>35%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Impervious Surface</td>
<td>90%</td>
<td>55.8%</td>
</tr>
<tr>
<td>Building Height</td>
<td>2 Stories/35 Feet</td>
<td>1 Story/27 Feet 4 Inches</td>
</tr>
</tbody>
</table>

The proposed building meets the front yard setback requirement from Grand River, but does not meet the rear setback requirements. There are drives and/or parking spaces within the northwest (front) and southwest (rear) required yard; an access drive is permitted within the front yard setback, parking is not. The applicant has indicated that they will need variances for the setbacks. Previously there were two (2) proposed parking spaces located in the northeast corner and northwest corner of the parcel. The tow (2) on the west side were eliminated per our previous direct to prevent potential conflicts with other vehicles utilizing the ingress/egress points. The remaining two (2) spaces on the east side are indicated to be employee parking only.

The applicant must update the site plan to observe the respective setback lines for both the building and the parking spaces or seek a variance from the ZBA.

**Items to be Addressed**: 1) Remove two (2) parking stalls from east side of the site nearest Grand River Avenue and extend curb. 2) Update the site plan to observe the respective setback lines for both the building and parking spaces or seek a variance from the ZBA for the building location and the spaces to remain within the setback.

**NATURAL RESOURCES**

**Topography**: The site is basically flat as it is already developed. There is a slight change in grade, about 2%, to the south east corner where the current site is undeveloped.

**Woodlands**: There is a small wooded area located in the southeast corner of the site. The trees in this area are proposed to be removed. The applicant has indicated eleven (11) trees that are six (6) inches or larger which must be mitigated. Though the specific types of trees are not indicated, it is likely that only the thirty (30) inch deciduous tree would be a landmark tree. Mitigation calculations must be provided per Section 38-363(i). It appears the applicant must provide 12 2.5 inch trees as replacement for the 30 inch tree being removed per the replaced rate of one (1) inch of replacement tree for each dbh inch of
landmark tree removed. And 10 2.5 inch trees for those others being removed that are six (6) inches or larger. A total of 22 replacement trees must be provided in addition to those required by other landscaping requirements. The applicant may elect to donate the cost of mitigation trees to the township environmental found for any mitigation trees that cannot be planted on sight.

**Wetlands:** None

**Soils:** The site plan indicates that there are two (2) types of soils found on-site which are Boyer-Oshtemo loamy sands and Fox-Boyer complex.

**Items to be Addressed:** Update landscaping calculations to reflect mitigation trees and other landscaping requirements separately.

### SITE ACCESS AND CIRCULATION

There are three (3) existing access points along the frontage of the proposed development. The site plan depicts a reconfiguration of access points that removes the center access and maintains two (2) others at slightly different locations than their current locations. The curb cut reconfiguration must be approved by the Livingston County Road Commission.

Site circulation is facilitated by a twenty-four (24) foot, two-way drive between the parking spaces near the front of the building and the landscaped area delineating the access aisle and the side walk; this width continues around the sides of the building. In the rear of the building, the access aisle is reduced to fifteen (15) feet and will provide one-way circulation. Directional arrows are depicted on the site.

There is one proposed five (5) foot wide sidewalk along Grand River. Connections have been provided between the Grand River sidewalk and the front of the building. There is a proposed seven (7) foot wide walkway along the front side of the building to accommodate a two (2) foot vehicle overhang. There is a five (5) foot sidewalk along the east and rear sides building. The west side has a larger walkway/seating area with planters and tables.

**Items to be Addressed:** Provide approvals from the Livingston County Road Commission for new access points.

### PARKING AND LOADING

The applicant has proposed 50 new parking spaces for the site. The site plan includes parking calculations based on Gross Floor Area (GFA). The table below summarizes the required parking calculations set forth in Section 38-312, Off-Street Parking Space Requirements, and proposed parking for the site.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>No. of Spaces Required</th>
<th>No. Spaces Provided</th>
</tr>
</thead>
</table>

4
Brighton Market SPR  
June 14, 2018

<table>
<thead>
<tr>
<th>Off-Street</th>
<th>One (1) space per every 200 square feet of gross floor area</th>
<th>Phase I + Phase II = 9,312 / 200 = 47</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrier Free</td>
<td>One (1) space per every three (3) employees</td>
<td>Six (4) Employees = 2 spaces</td>
</tr>
<tr>
<td></td>
<td>Two (2) spaces per every 26-50 total spaces</td>
<td>50 = 2</td>
</tr>
</tbody>
</table>

The total number of proposed parking spaces appears to be correct based on the area of the building. However, due to the location of two (2) of the proposed spaces and their proximity to the Grand River access points, they should be removed or a variance must be sought. Additionally, the central bay of parking previously had islands on each end to separate parking from drive isle. These have been removed to accommodate the two (2) spaces that were removed near Grand River. We would suggest these be replaced.

**Items to be Addressed:** 1) The applicant should find another area for the two (2) spaces in the setback, reduce the parking need, or seek a variance for the number of required parking spaces. 2) The parking lot islands should be replaced on the central parking bay.

---

**ESSENTIAL SERVICES**

We defer review of essential services to the Township Engineer, Township Fire Marshal, and any interested outside agencies, such as the Livingston County Drain Commissioner and Livingston County Health Department.

**Items to be Addressed:** Final site plan approval is subject to the review of essential services by the Township Engineer, Township Fire Marshal, and any interested outside agencies, such as the Livingston County Drain Commissioner and Livingston County Health Department.

---

**LANDSCAPING**

A landscape plan has been submitted. The plan indicates the number, type, and location of plant material being proposed. The applicant has provided calculations that show how the proposed landscaping plan meets the requirements of Section 38-177 of the Zoning Ordinance.

**Roadway** – Per Section 38-177(c)(2), landscaping adjacent to roadways must contain: one (1) deciduous or evergreen tree per thirty (30) lineal feet of road frontage, one (1) ornamental tree per 100 lineal feet of road frontage, and five (5) shrubs per thirty (30) lineal feet of road frontage.

At 390 feet of frontage, minus 60 feet of driveway, the site would require: 11 deciduous trees – 0 are provided. 4 ornamental trees – 0 provided. 55 shrubs – 91 provided.
Greenbelts – Per Section 38-177(c)(4), a 20-foot-wide greenbelt with plantings is required along the side and rear property lines of all nonresidential uses. Required greenbelts shall be located between the property line and any developed or paved area, including parking areas, access drives, and buildings. One (1) deciduous/evergreen tree is required for every thirty (30) lineal feet.

The applicant has provided additional trees on the east side of the site, however they are located on the inside of the drive. The green belt has been provided along most of the western property line but it is not twenty (20) feet wide. Green belts must be provided along the east and west property lines in accordance with Section 38-177(c)(4), or the Planning Commission must grant a waiver of this requirement.

Screening – Per Section 38-177(c)(4), where a nonresidential use is adjacent to a residential use the greenbelt area shall be used for screening. Screening shall consist of closely spaced evergreen plantings (i.e., no farther than fifteen (15) feet apart), which can be reasonably expected to form an eighty percent (80%) visual barrier in summer and a sixty percent (60%) visual barrier in winter, and that will be at least six (6) feet above the ground level within three (3) years of planting.

The rear property line is 339 feet wide and abuts a residential district. The applicant is proposing a five (5) foot wide planting area that consist of 55 arborvitaes in a straight row along with a newly proposed decorative fence and block posts. The Planning Commission should evaluate this proposal to determine if the treatments is appropriate.

Parking Lot – Twenty (20) square feet of interior landscape area is required per parking space (Section 38-177(c)(6)a.) for parking areas containing at least twenty (20) spaces. A minimum of one (1) tree shall be planted per three hundred (300) square feet of interior landscaped area.

There are 1,380 square feet of interior landscape area requiring 5 trees, the applicant indicates that they are providing 18 trees.

According to Section 38-177(g) the Planning Commission can accept modifications to the landscaping requirements. In consideration of the overall design and impact of a specific landscape plan and in consideration of the amount of existing plant material to be retained on the site, the Planning Commission may modify the specific requirements outlined in the section, provided that any such adjustment is in keeping with the intent of this section and this chapter in general. In determining whether a modification is appropriate, the Planning Commission shall consider whether the following conditions exist:

1) Topographic features or other unique features of the site create conditions such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.
2) Parking, vehicular circulation or land use are such that required landscaping would not enhance the site or result in the desired screening effect.
3) The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of this section. In consideration of a reduction in landscaping, the Planning Commission may seek a donation to the Township’s tree fund

Tree Mitigation – The applicant has provided calculations for tree mitigation; indicating that 10 trees are required and 22 trees have been provided. However, as indicated above trees required for other landscaping requirements cannot counts as mitigation trees. In addition the applicant indicates that
they are planting five (5) - 2.5 inch pear trees to mitigate the heritage 30 inch tree being removed. As indicated previously 12 – 2.5 inch trees must be provided.

**Items to be Addressed:** 1) The Planning Commission must consider a waiver of the road side landscaping requirements and greenbelt requirements 2) The Planning Commission should evaluate the screening along the rear property line. 3) The applicant must update calculations to separate mitigation requirements from other landscaping requirements. 4) Mitigation trees that cannot be accommodated on site may be addressed through a donation to the Environmental fund.

**TRASH RECEPTACLES**

A dumpster enclosure is proposed at the southwestern corner of the site. The enclosure is proposed to be made of split faced block with a cedar gate. Details of the enclosure have been provided.

**Items to be Addressed:** None.

**LIGHTING**

A lighting/photometric plan has been submitted on Sheet A-2. There are seven (7) pole mounted lights, and eleven (11) wall mounted lights. All pole and wall mounted lights are fully shielded and down directed. Additionally, there is a note that indicates the pole mounted light along the south side of the site sill have “house side” shields.

The photometric overlay on the plan does not go all the way to the property line. Levels at the edges of the grid shows light levels that exceed the maximum allowable, one (1) foot candle, along nonresidential property lines and levels that exceed the maximum allowable, .3 foot candles, along the property line adjacent to residential.

**Items to be Addressed:** Revise the lighting plan to demonstrate that light levels do not exceed the maximum allowable levels along property lines.

**FLOOR PLAN AND ELEVATIONS**

The applicant has submitted floor plans and elevations for review. The interior appears to be typical of a convenience store. This proposal includes a food counter and kitchen.

The Planning Commission should review elevations and provide comments as necessary.

**Items to be Addressed:** None

**SUMMARY / RECOMMENDATION**

A number of concerns regarding the proposed plans have been identified in this review, which have been summarized below. These items must be addressed prior to the Planning Commission taking any action on this proposal.

1. Demolition of the existing building should be part of phase 1.
2. Remove two (2) parking stalls from east side of the site nearest Grand River Avenue and extend curb.

3. Update the site plan to observe the respective setback lines for both the building and parking spaces or seek a variance from the ZBA for the building location and the spaces to remain within the setback.

4. Update landscaping calculations to reflect mitigation trees and other landscaping requirements separately.

5. Provide approvals from the Livingston County Road Commission for new access points.

6. The applicant should find another area for the two (2) spaces in the setback, reduce the parking need, or seek a variance for the number of required parking spaces.

7. The parking lot islands should be replaced on the central parking bay.

8. Final site plan approval is subject to the review of essential services by the Township Engineer, Township Fire Marshal, and any interested outside agencies, such as the Livingston County Drain Commissioner and Livingston County Health Department.

9. The Planning Commission must consider a waiver of the road side landscaping requirements and greenbelt requirements.

10. The Planning Commission should evaluate the screening along the rear property line.

11. The applicant must update calculations to separate mitigation requirements from other landscaping requirements.

12. Mitigation trees that cannot be accommodated on site may be addressed through a donation to the Environmental fund.

13. Revise the lighting plan to demonstrate that light levels do not exceed the maximum allowable levels along property lines.

cc. Mark St. Charles, Township Supervisor
    Debra McKenzie, Planning & Zoning Administrator
    Leslie Zawada, Township Engineer
    Tim Kedzierski, Township Fire Marshal
    Wayne Jewell, Township Building Official
    John Enos, Principle, CWA
    John Gumma, Applicant (john@gummagroup.net)
May 16, 2018

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

ATTN: Ms. Debra McKenzie

RE: Brighton Market – 2nd Site Plan Review of Revised Site Layout - CES # 2017-0071
   Approved as Noted

Dear Ms. McKenzie,

Civil Engineering Solutions, Inc. has completed the 2nd Site Plan Review of Revised Site Layout for the
above referenced project. The plans are dated April 4, 2018 and are stamped “Approved as Noted.” The
following is a list of our comments/concerns:

Drainage/Utility Plan C-3

1. CES has reviewed the percolation/infiltration rates as provided in the geotechnical report. We
   recommend that the underground system be constructed with a perforated system but will
   review in detail during the detailed engineering review.

2. The 100 year overland flood route is currently directed towards the south, which is towards
   residential homes. The site shall be re-graded so that the 100 year overland route is towards
   Grand River, which will be reviewed in detail during the detailed engineering review.

Site Plan/Landscape Plan A-1

1. Variance for the required 40-foot rear setback shown on the plan may/will be required for the
   proposed 25-foot rear setback.

If the project receives Site Plan and Zoning Board of Appeals approval a detailed engineering review will
be required meeting the Township’s engineering design standards as well as the following items:

1. Storm sewer spreadsheet design calculations will be reviewed in more detail with the detail
   engineering construction plan review.

2. The sanitary sewer and water service lines shall have a minimum of 10’ horizontal separation.

3. Approval will be required from the Fonda Island Briggs Water Authority.

4. Structural calculations will be required for all retaining walls greater than 4.0 feet by the
   Building Official.

Please contact me with any questions/concerns at (248) 264-6906.

Sincerely,

CIVIL ENGINEERING SOLUTIONS, INC.

[Signature]

Leslie Zawada, P.E.
President

Enclosures

cc: Paul Montagno, Carlisle-Wortman via e-mail
    Wayne Jewell, Green Oak Building Official via e-mail
    John Gumma via john@gummagroup.net
    Mark Mahajan, P.E., markm@fairwayeng.com

1150 Corporate Office Drive, Suite 210, Milford, MI 48381    o: 248-264-6906    f: 810-448-5903
GREEN OAK TOWNSHIP FIRE DEPARTMENT

9384 Whitmore Lake Road
Brighton, Michigan 48116-8325

Phone 810-231-3663
Fax 810-231-4488

Kevin Gentry, Fire Chief

To: GREEN OAK TOWNSHIP PLANNING AND ZONING
   Attention: Debra McKenzie

From: Tim Kedzierski, Fire Marshal

Date: January 4, 2018

Re: Site Plan Review, (Brighton Market SP12-2017)

A review of this site plan has been performed and at this time the Fire Department concerns are noted below.

Please clarify and identify what Phase I, II and III are?
TO BE COMPLETED BY APPLICANT

1. Applicant Name: JOHN GUMMA GUMMA GROUP
   Address: 31000 NORTHWESTERN HAVY., SUITE 100
   City/State/Zip: FARMINGTON HILLS, MI 48334
   Phone: 248-865-5555  FAX: 248-865-5015
   E-Mail  JOHN @ GUMMA GROUP.COM

2. Engineer Name: MARK MAHajan
   Phone: 248-214-5913  FAX: 
   E-Mail  MARK M @ FAIRWAYENG.COM

3. Current Property Owner Name: ERIC FARIDA
   Address: 10840 E. GRAND RIVER RD.
   City/State/Zip: BRIGHTON, MI 48116
   Phone: 248-933-5290  FAX: 810-229-4724
   Length of Ownership 160 YEARS

4. Type and Description of Development: PROPOSED NEW GOURMET STORE INCLUDING ALCOHOL & FINE WINE/HOT FOODS

   PUD __, Subdivision __, Site Condo __, New Site Plan X, Additional Phase ___.
5. Name of Development (if any): **BRIGHTON MARKET**

6. Location of Development: 

7. Address: **10840 E. GRAND RIVER, BRIGHTON**

8. Tax Identification Number: 

8. Property Information
   Zoning District: **HC**  
   Current Use: **RETAIL**
   Acreage of Property: **1 ACRE**
   Width: **339'**  
   Depth: **150'**

I, **ERIC FARIA** (property owner), hereby give permission for the Green Oak Charter Township employees, consultants and members of the Planning Commission to enter on the property to for which the above referenced petition is proposed for purposes of verifying information provided on the submitted application,

I, **JOHN GUMMA** (applicant), I hereby affirm that the above information is correct to the best of my knowledge.

NOTE: IF COST OF REVIEW EXCEEDS STATED AMOUNT THE APPLICANT WILL BE BILLED FOR THE ADDITIONAL AMOUNT.

Applicant Name: **JOHN GUMMA**

Signature: 

Date: **30 NOV 2017**

**TO BE COMPLETED BY TOWNSHIP**

1. Date filed with Township: 

2. Date submitted to Planning Commission: 

3. Action of the Planning Commission:
   a. Approval: 
   b. Disapproval: 
   c. Conditional Approval:
SITE PLAN SUBMITTAL CHECK LIST
Reference Section 38-71

PLEASE REVIEW AND COMPLY WITH SECTION 38-71 OF THE GREEN OAK TOWNSHIP ZONING CODE BEFORE COMPLETING THIS CHECK LIST.

YES NO The site plan is to contain the following information:

A. GENERAL INFORMATION

✓  1. Proprietor's name, address, telephone, e-mail and fax numbers
✓  2. Date (month, day, year), including revisions
✓  3. Title block
✓  4. Scale
✓  5. North point
✓  6. Location map drawn at a scale of 1"-2000' with northpoint Indicated
✓  7. Architect, engineer, surveyor, landscape architect, or planner's seal
✓  8. Existing lot line, building lines, structures, parking areas, etc. on the parcel, and within one hundred (100) feet of the site
✓  9. Proposed lot lines, property lines and all structures, parking areas, etc., within the site, and within one hundred (100) feet of the site
✓  10. Centerline and existing and proposed right-of-way lines
✓  11. Zoning classification of petitioner's parcel and all abutting parcels
✓  12. Gross acreage figure
✓  13. Proximity to major thoroughfare and/or section corners
B. PHYSICAL FEATURES:

1. Proposed locations of access drives, street intersections, driveway locations, sidewalks, signs curbing, and acceleration, deceleration, and passing lanes

2. Location of existing and proposed service

3. All buildings with dimensioned floor plans, setback and yard dimensions, and typical elevation views of proposed structures

4. Dimensioned parking spaces and calculations, drives and method of surfacing

5. Exterior lighting locations, complete fixture cut sheets and illumination patterns

6. Location and description of all existing and proposed landscaping, berms, fencing and walls

7. Sidewalks and bike paths

8. Trash receptacle pad location and method of screening

9. Transformer pad location and method of screening

10. Dedicated road or service drive locations

11. Entrance details including sign locations and size

12. Design of fire lanes

13. Any other pertinent physical features

C. NATURAL FEATURES:

1. A statement of soil characteristics of the parcel to at least the detail provided by the US Soil Conservation Service “Soil Survey of Livingston County, Michigan

2. Existing topography with a maximum contour interval of two (2) feet indicted. Topography on the site for a distance of one hundred (100) feet in all directions shall be indicted

3. On parcels more than one (1) acre, a grading plan showing finished contours at a maximum interval of two (2) feet, correlated with existing contours so as to clearly indicate required cutting, filling and grading.

4. Location of existing drainage courses, lakes, ponds, rivers and streams, including their water surface elevation, flood plain elevation, and ordinary high water mark

5. Location of existing wetlands

6. Location of natural resource features, including woodlands

D. Additional Requirements for Multiple-Family, Cluster, PUD Developments, Commercial and Industrial Developments
HAZARDOUS SUBSTANCES REPORTING FORM
FOR SITE PLAN REVIEW

Note: This form should be completed and submitted as part of the site plan for facilities which may use, store, or generate hazardous substances or polluting materials (including petroleum-based products)

Name of Business: BRIGHTON MARKET
Name of Business Owner: ERIC FARI DA
Street and Mailing Address: 10840 E, GRAND RIVER
Telephone Number: 248-933-5290

Part I: MANAGEMENT OF HAZARDOUS SUBSTANCES AND POLLUTING MATERIALS

1. Y N Will the proposed facility store, use or generate hazardous substances or polluting materials (including petroleum-based products) now or in the future? If yes, please complete this form and submit with your site plan.

2. Y N Will hazardous substances or polluting materials be reused or recycled on-site?

3. Y N Will any hazardous substances or polluting materials be stored on-site? If yes, identify the storage location on the site plan. Describe the size and type of secondary containment structure here or on an attached page.

4. Y N Will new underground storage tanks be located less than 2000 feet from drinking water wells serving two or more establishments, or less than 300 feet from a single family drinking water well?
5. **Y** Are existing underground storage tanks on-site less than 200 feet from a drinking water well serving more than a single household?

If the answers to #4 and #5 are yes, you may be in violation of State of Michigan underground storage tank regulations. Contact the State Police Fire Marshall Division, Lansing Central Office for specific requirements: 517 322-5463 or 1 800 MICH UST.

6. **Y** Will the interior of the facility have general purpose floor drains?* If yes, will the floor drain connect to: (circle one)

   a. Sanitary sewer system
   b. On-site holding tank
   c. On-site system approved by the Michigan Department of Natural Resources in accordance with groundwater discharge permit requirements (Waste Management Division S.E. Michigan office, at 734 953-8905)

   *Note: General purpose floor drains should not be connected to a storm water drainage system, dry well, or septic system.

7. **Y** Will hazardous substances or polluting materials be stored, used, or handled out-of-doors near storm drains which discharge to lakes, streams, or wetlands? If yes, describe the type of catch basin or spill containment facilities which will be used (use an attached sheet with diagram, if appropriate):

   __________________________________________________________

   __________________________________________________________

   __________________________________________________________

   Additional information may be requested from the Township to assure that site plans comply with local, county and state environmental protection requirements.
To: Paul Montagno, Township Planner
Leslie Zawada, Township Engineer
Tim Kedzierski, Township Fire Marshal

From: Debra McKenzie

Subject: Brighton Market, SP12-2017

Plan Dated: 11/29/2017

Submitted Plan: December 7, 2017

Project Step: 1st Site Plan Approval

Due Back by Jan 4, 2018

Enclosed are the application and plans for the above-mentioned project. Please review and comment for placement on the Planning Commission agenda.

38-71 (4) b. 3 Receive reviews from the township planner and engineer within 21 days of receipt of plans (14 days for the subsequent reviews). A determination shall be made in such reviews as to whether the criteria outlined in subsection (2) of this section has been satisfied. The building Department shall send copies of the planner’s and engineer’s comments for response by the applicant.

Thank you,

Debra McKenzie
February 12, 2018

Madhukar Mahajan, P.E.
Fairway Engineering LLC
28525 Beck Road, Suite 124
Wixom, MI 48393

Re: Brighton Market, Green Oak Township, Section 4
    LCRC# C-17-11

Dear Mr. Mahajan:

I have completed the review of the plans, dated January 8, 2018, for the above-referenced project and offer the following comments.

1. The LCRC will not permit the open cutting of Grand River Avenue for the tap for the hydrant. An alternative will need to be proposed.

2. The west approach will need to be graded so there is a minimum of a 2% slope into the site, away from the road.

3. The construction tracking mat is proposed to be located east of the east approach, please provide restoration details on the plans for this area including curb replacement details. As an alternative, one of the existing driveways could be used as the construction approach.

4. Please include a copy of the landscape and signage plan with the next submittal. Plantings should not be located within the Grand River Avenue right-of-way as they will become clear vision obstructions.

Please submit two (2) copies of revised plans for review. If you have any questions, please do not hesitate to contact me.

Sincerely,

Kim Hiller
Kim Hiller, P.E.
Utilities and Permits Engineer

Cc: File
    Debra McKenzie, Green Oak Charter Township (via email)
    Leslie Zawada, CES (via email)
    Paul Montagno, Carlisle Wortman (via email)
    Ken Recker, Livingston County Drain Commissioner’s Office (via email)
20 April 2018

Green Oak Township Planning Commission
Building Department

Subject: Brighton Market
        10840 E. Grand River Road
        Brighton Market

This is in response to the Green Oak Charter Township Planning and Zoning Department comment letter dated January 10, 2018.

1. For phasing clarification see revision No. 1 sheet A-1.
2. For parking stalls nearest Grand River see revision No 2 sheet A-1.
3. For setbacks and parking see revision No 3 and 13 sheet A-1. Variances required.
4. For lot coverage and impervious surface calculation see sheet A-1.
5. Inconsistences corrected and coordinated with Civil Engineer.
6. For tree inventory see attached letter.
7. See letter attached letter from County Road Commission.
9. Parking provided.
10. Inconsistences corrected and coordinated with Civil Engineer.
11. Will provide at construction document phase.
12. Road commission will not allow trees in R.O.W. see attached letter from Livingston county number 4.
13. For greenbelt in sides see item no 13 sheet A-1
14. For screen wall along rear property line see revision item no. 14 sheets A-1. and A-1A.
15. Owner wishes to mitigate tree deficiency with donation to city tree fund.
16. For revised lighting plan see sheet A-2 and A-2A.
Should you have any questions please do not hesitate to call our office.

Sincerely,

Etchen Gumma Limited

John Gumma
February 12, 2018

Madhukar Mahajan, P.E.
Fairway Engineering LLC
28525 Beck Road, Suite 124
Wixom, MI 48393

Re: Brighton Market, Green Oak Township, Section 4
LCRC# C-17-11

Dear Mr. Mahajan:

I have completed the review of the plans, dated January 8, 2018, for the above-referenced project and offer the following comments.

1. The LCRC will not permit the open cutting of Grand River Avenue for the tap for the hydrant. An alternative will need to be proposed.
2. The west approach will need to be graded so there is a minimum of a 2% slope into the site, away from the road.
3. The construction tracking mat is proposed to be located east of the east approach, please provide restoration details on the plans for this area including curb replacement details. As an alternative, one of the existing driveways could be used as the construction approach.
4. Please include a copy of the landscape and signage plan with the next submittal. Plantings should not be located within the Grand River Avenue right-of-way as they will become clear vision obstructions.

Please submit two (2) copies of revised plans for review. If you have any questions, please do not hesitate to contact me.

Sincerely,

Kim Hiller
Kim Hiller, P.E.
Utilities and Permits Engineer

Cc: File
Debra McKenzie, Green Oak Charter Township (via email)
Leslie Zawada, CES (via email)
Paul Montagno, Carlisle Wortman (via email)
Ken Recker, Livingston County Drain Commissioner's Office (via email)
Infinity Tree Services
Family Owned and Operated Services
for all of Southeast Michigan.

Quotation

To: Brighton Market

Quotation #: 4/23/18

<table>
<thead>
<tr>
<th>Description</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PROPERTY CONSISTS OF</td>
<td></td>
</tr>
<tr>
<td>90% COTTONWOODS</td>
<td></td>
</tr>
<tr>
<td>10% ELMS AND BUCKTHORNE</td>
<td></td>
</tr>
<tr>
<td>THERE IS ALSO A GOOD AMOUNT OF SCRUB AND SEEDER GROWTH</td>
<td></td>
</tr>
</tbody>
</table>

Subtotal: 
Tax: 
Miscellaneous: 
Balance Due: 

*Not responsible for stump debris*

Quotation valid for 15 days.

Quotation prepared by: Catherine L Succarde

This is a quotation on the services named, subject to the conditions noted below:
We propose, to furnish labor and materials in complete accordance with the above specifications
which includes the use of heavy duty equipment.
Acceptance of Proposal: The above prices and specifications are satisfactory and are hereby
accepted,

Please sign and return: [Signature]

Please remove all garden decorations, patio furniture and any other outdoor item that might come
in contact with falling debris,

THANK YOU FOR YOUR BUSINESS!
BRIGHTON MARKET
10840 E. GRAND RIVER AVE.
BRIGHTON TWP., LIVINGSTON COUNTY, MICHIGAN

STORMWATER INFILTRATION BASIN
EXPLORATION REPORT

JANUARY 30, 2017

PREPARED FOR:

Mr. JEFF FARIDA
BRIGHTON MARKET
10840 E. GRAND RIVER AVENUE
BRIGHTON TWP., MICHIGAN 48116

FAIRWAY ENGINEERING LLC
28525 BECK ROAD, SUITE 124
WIXOM, MI 48393
(248) 214-5913
January 30, 2017

Mr. Jeff Farida
Brighton Market
10840 E. Grand River Avenue
Brighton Twp., Michigan, 48116

Re: Geotechnical Exploration & Engineering Report
   Brighton Market Stormwater Infiltration Basin Exploration
   10840 E. Grand River Avenue
   Brighton Township, Livingston County, MI 48116
   FE Project No. FE14193

In accordance with your request, Fairway Engineering, LLC (FE) has completed a Stormwater Infiltration Basin Exploration for the existing Brighton Market. This letter presents a summary of the field and laboratory exploration and the results of our engineering analysis and evaluation.

PROJECT BACKGROUND INFORMATION & PURPOSE OF STUDY

Based on our conversations with your office, we understand improvements and additions to the existing Brighton Market located at 10840 Grand River Avenue in Brighton Township, Livingston County, Michigan are planned. As part of the proposed improvements, stormwater infiltration basins will reportedly be constructed along the west side of the existing Brighton Market building.

The Stormwater Infiltration Basin Exploration was performed to provide a basis for assessing the suitability of the subsurface conditions for infiltration basins and for the design of the infiltration basin depth and dimensions.

FIELD EXPLORATION PROCEDURES

Three (3) soil borings were performed as part of our field exploration for the pond water level evaluation. The borings have been designated as Borings 1 through 3 and were performed at the approximate locations shown on the Schematic Soil Boring Location Plan appended to this letter report. The borings were extended to a depth of 30 feet below the existing ground surface. The borings were drilled by Strata Drilling, Inc. of White Lake, Michigan using a CME 55 all-terrain vehicle(ATV)-mounted rotary type drill rig and were advanced to the sampling depths using continuous flight, hollow-stem and solid-stem augers. The samples were recovered in general accordance with ASTM Standard D-1586 using split barrel sampling procedures. The number of blows required to drive the sampler 12 inches, after an initial seating of 6 inches with a 140-pound
hammer falling 30 inches is termed the Standard Penetration Resistance, N-value. A graphical representation of the N-values is given on the boring logs. The ground surface elevation at the boring locations was estimated based on the ground surface elevation contour lines shown on the Livingston County GIS website for the subject site. The borings were performed within the existing asphalt parking and drive areas. The paved parking and drive areas were relatively flat. South of the pavement areas, the site sloped downwards towards the south.

During the field operations, the drill crew maintained the log of the subsurface conditions, including changes in stratigraphy and observed groundwater levels. The thickness of the bituminous concrete pavement and aggregate base material was carefully measured and recorded. After completion of the drilling operations, the boreholes were backfilled with auger cuttings and the pavement patched with bituminous cold patch.

LABORATORY TESTING

The soil samples were placed in sealed containers in the field and transported to the FE laboratory for testing and classification. A geotechnical engineer classified the samples in general conformance with the Unified Soil Classification System. Laboratory testing included performing sieve analyses (grain size distribution testing) on two composite soil samples from the borings in general accordance with ASTM Standard D422. The results of the sieve analysis tests are appended to this letter report.

SOIL AND GROUNDWATER CONDITIONS

Approximately 2½ to 3 inches of bituminous concrete pavement (asphalt) was encountered at the boring locations. Below the pavement, clayey fine to coarse sand fill or sandy clay to clayey fine to medium sands were encountered to approximate depths of 2 to 3½ feet below the existing ground surface. At the location of Boring 1, the clayey sand fill was underlain by clayey fine to medium sands that extended to an approximate depth of 8½ feet. The clay sands and sandy clays were underlain by fine to coarse and fine to medium sands with trace silt that extended to the maximum 30-foot explored depth of the borings.

The clayey sand fill was loose with an N-value of 5 blows per foot. The native clayey sands were very loose to loose with N-values of 3 to 7 blows per foot. The fine to coarse and fine to medium sands were generally loose to medium dense with N-values typically ranging from 7 to 26 blows per foot.

The driller looked for indications of groundwater seepage in the boreholes both during drilling and upon completion. The borings were reported as dry both during drilling and upon completion of the borings.
ANALYSES & EVALUATION

FE performed infiltration testing on the fine to coarse sands at a depth of approximately 10 feet below the existing ground surface in rough accordance with the Double-Ring Infiltrometer method as presented in Part D, Section V of the Washtenaw County Water Resources Commissioner Rules & Guidelines – Procedures & Design Criteria for Stormwater Management Systems document issued August 6, 2014 and revised on October 17, 2016. The testing was performed at the locations of Borings 1 and 2.

The tests were performed by advancing the 4½-inch inner diameter (ID) hollow stem augers to the 10-foot depth. A 2-inch diameter, schedule 40 PVC pipe was then placed within the hollow stem auger and seated approximately 2 inches into the fine to coarse sands. A hose was used to fill the 2-inch PVC pipe and annular space between the PVC pipe and the hollow stem auger with water. In accordance with the Double-Ring Infiltrometer method, FE attempted to “pre-soak” the sands prior to the start of testing by filling the inner pipe and the annular space between the inner and outer pipes with potable water to the top of the pipe/augers. FE attempted to record the drop in water level after 30 minutes and immediately refill the pipe/augers to the top of the pipe/augers for a second 30 minute interval. Following the pre-soak periods, FE planned to perform infiltration testing at 10 minute intervals. At the end of each 10 minute interval, FE planned to obtain the drop in the water level using a tape measure and then refill PVC pipe and annular space between the pipe and the augers before starting the next 10 minute test interval. However, due to the apparent high permeability of the fine to coarse sands, the water level in both the PVC pipe and hollow stem augers completely drained in less than 5 minutes.

FE refilled the pipe and augers several times in an attempt to take measurements of the drop in the water level within the PVC pipe several times. However, on each occasion, the water level completely drained in less than 5 minutes.

As part of our evaluation, FE estimated the hydraulic conductivity (coefficient of permeability) of the fine to coarse sands based on well established empirical relationships with grain size distribution of sands. Based on these relationships, we estimate the fine to coarse sands at the location of Borings 1 and 2 have a coefficient of permeability values of approximately 5 to 15 inches per hour and 40 to 55 inches per hour, respectively.

EVALUATION

We judge the fine to coarse sands encountered below the clayey fine to medium sands and sandy clays at the locations of Borings 1 and 2 are suitable for stormwater infiltration basins. We estimate the unfactored infiltration rate for the fine to coarse
FAIRWAY ENGINEERING, LLC
Land Development ◆ Geotechnical ◆ Structural

Geotechnical Exploration & Engineering Report
Brighton Market Stormwater Infiltration Basin Exploration
Brighton Twp., Livingston County, MI 48116
Project No. FE14193
Page 4

sands at the location of Boring 1 is at least 10 inches per hour. We estimate the
unfactored infiltration rate of the fine to coarse sands at the location of Boring 2 is at
least 45 inches per hour.

We hope this information is sufficient for your present needs. If there are any questions
regarding this letter, please contact us.

Respectfully,

FAIRWAY ENGINEERING, LLC

Jeffrey T. Anagnostou, P.E., C.P.G.
Geotechnical Consultant

Mark M. Mahajan, P.E.
President

Encl: Schematic Boring Location Plan, General Notes, Boring Logs B-1 through B-3, Unified Soil
Classification System, Grain Size Distribution Test Results, Photographic Documentation

2 pc: encl.
GENERAL NOTES

Drilling & Sampling Symbols

SS – Split Spoon (1\(\frac{3}{4}\)" I.D., 2" O.D., except where noted)
ST – Shelby Tube (3" O.D., except where noted)
PA – Power Auger
PS – Piston Sample (3" diameter)
WB – Wash Boring
WS – Wash Sample
HA – Hand Auger Boring
BS – Bag Sample
RC – Rock Core with diamond bit,
      NX size, except where noted
RB – Roller Bit
N/A – Not applicable or available

Standard Penetration Test “N” Value – Blows per foot after an initial 6-inch seating of a 140-pound hammer falling 30 inches on a 2-inch O.D. split spoon, except where noted.

Water Level Measurement Notation

First—When noted during drilling or sampling process.
Completion—After all drilling tools are removed from borehole.
HR—Number of hours after completion.
N/R—Not recorded.
Dry—No measurable water level found in borehole.

Particle Sizes

Boulders—Greater than 6" (152 mm)
Cobbles—3" to 6", 76 to 152 mm
Gravel—Coarse: \(\frac{1}{2}\) to 3" (19 to 76 mm)
      Fine: Nc4 to \(\frac{1}{2}\)" (4.75 to 19 mm)
Sand—Coarse: No.10 to No.4 (2 to 4.75 mm)
      Medium: No.40 to No.10 (.425 to 2 mm)
      Fine: Nc.200 to No.40 (.074 mm to .425 mm)
Silt—Minus No.200 (.005 mm to .074 mm)
Clay—Less than .005 mm

Water levels indicated on the boring logs are the levels measured in the boring at the time indicated. The accurate determination of groundwater levels may not be possible with short term observations, especially in impervious soils. The level shown may fluctuate throughout the year with variations in precipitation, evaporation, runoff, and other hydrogeologic features.

CLASSIFICATION

Cohesionless Soil

<table>
<thead>
<tr>
<th>Relative Density</th>
<th>“N” Value (Blows/ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Loose</td>
<td>0 to 4</td>
</tr>
<tr>
<td>Loose</td>
<td>5 to 9</td>
</tr>
<tr>
<td>Medium Dense</td>
<td>10 to 29</td>
</tr>
<tr>
<td>Dense</td>
<td>30 to 49</td>
</tr>
<tr>
<td>Very Dense</td>
<td>50 to 79</td>
</tr>
<tr>
<td>Extremely Dense</td>
<td>Over 80</td>
</tr>
</tbody>
</table>

Soil Constituents

- “Trace” Less than 10%
- “Trace to Some” 10% to 19%
- “Some” 20% to 34%
- “And” 35% to 50%

Cohesive Soil

Unconfined Compressive Strength (tons per ft²)

<table>
<thead>
<tr>
<th>Consistency</th>
<th>Strength (tons per ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Soft</td>
<td>Less than 0.25</td>
</tr>
<tr>
<td>Soft</td>
<td>0.25 to 0.49</td>
</tr>
<tr>
<td>Medium</td>
<td>0.50 to 0.99</td>
</tr>
<tr>
<td>Stiff</td>
<td>1.00 to 1.99</td>
</tr>
<tr>
<td>Very Stiff</td>
<td>2.00 to 3.99</td>
</tr>
<tr>
<td>Hard</td>
<td>Greater than 4.00</td>
</tr>
</tbody>
</table>

If clay content is sufficient so that clay dominates soil properties, then clay becomes the primary noun with other major soil constituent as modifier, i.e. silty clay. Other minor soil constituents may be added according to estimates of soil constituents present, i.e. silty clay, trace to some sand, trace gravel.
### Description of Material

**Ground Surface Elevation = ± 921'**

Driller Reported ± 2¾" Asphalt

**CLAYEY FINE TO COARSE SAND FILL** - trace gravel - loose - moist - brown (SC-FILL)

**CLAYEY FINE TO MEDIUM SAND** - trace gravel - very loose to loose - moist - brown (SC)

**FINE TO COARSE SAND** - trace silt - trace to some gravel - occasional gravel seams - loose to medium dense - moist - brown (SP-SM)

---

### Water Level Observations:

- **While Drilling:** Dry
- **At Completion:** Dry
- **Cave-In At:**

---

### Boring Information:

- **Boring Started:** 1/23/17
- **Rig:** CME 55 ATV
- **Driller:** Strata Drilling, Inc.

---

### Remarks:

- **Drawn By:** JTA

---

### Fairway Engineering, LLC

28525 Beck Road, Suite 124
Wixom, Michigan 48393
Tel: 248-214-5913
### Description of Material

**Sample No./Type:** SS-8  
**Recovery (ft.):** 18

- **Fine to Coarse Sand:** trace silt - trace to some gravel - occasional gravel seams - loose to medium dense - moist - brown (SP-SM)

### Moisture Content (%): circles

<table>
<thead>
<tr>
<th>Depth (ft.)</th>
<th>0</th>
<th>10</th>
<th>20</th>
<th>30</th>
<th>40</th>
<th>50</th>
<th>60</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>23</td>
</tr>
<tr>
<td>30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>□</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Unconfined Compressive Strength (t/ft): triangles

End of Boring (ft.): 30

---

### Water Level Observations:
- **While Drilling:** Dry  
- **At Completion:** Dry

### Boring Information:
- **Boring Started:** 1/23/17  
- **Boring Completed:** 1/23/17  
- **Rig:** CME 55 ATV  
- **Driller:** Strata Drilling, Inc.

### Remarks:
- **Approved:**
- **Drawn By:** JTA
### Description of Material

**Ground Surface Elevation = ± 921'**

- Driller Reported ± 3" Asphalt
- Driller Reported Brown Sandy Clay

#### Unconfined Compressive Strength (tsf) - triangles

<table>
<thead>
<tr>
<th>Moisture Content (%) - circles</th>
<th>N-Value (blows/ft) - squares</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>1.0</td>
<td>1.0</td>
</tr>
<tr>
<td>2.0</td>
<td>2.0</td>
</tr>
<tr>
<td>3.0</td>
<td>3.0</td>
</tr>
<tr>
<td>4.0</td>
<td>4.0</td>
</tr>
<tr>
<td>5.0</td>
<td>5.0</td>
</tr>
<tr>
<td>6.0</td>
<td>6.0</td>
</tr>
<tr>
<td>7.0</td>
<td>7.0</td>
</tr>
<tr>
<td>8.0</td>
<td>8.0</td>
</tr>
<tr>
<td>9.0</td>
<td>9.0</td>
</tr>
<tr>
<td>10.0</td>
<td>10.0</td>
</tr>
<tr>
<td>11.0</td>
<td>11.0</td>
</tr>
<tr>
<td>12.0</td>
<td>12.0</td>
</tr>
<tr>
<td>13.0</td>
<td>13.0</td>
</tr>
<tr>
<td>14.0</td>
<td>14.0</td>
</tr>
<tr>
<td>15.0</td>
<td>15.0</td>
</tr>
<tr>
<td>16.0</td>
<td>16.0</td>
</tr>
<tr>
<td>17.0</td>
<td>17.0</td>
</tr>
<tr>
<td>18.0</td>
<td>18.0</td>
</tr>
<tr>
<td>19.0</td>
<td>19.0</td>
</tr>
<tr>
<td>20.0</td>
<td>20.0</td>
</tr>
<tr>
<td>21.0</td>
<td>21.0</td>
</tr>
<tr>
<td>22.0</td>
<td>22.0</td>
</tr>
<tr>
<td>23.0</td>
<td>23.0</td>
</tr>
<tr>
<td>24.0</td>
<td>24.0</td>
</tr>
<tr>
<td>25.0</td>
<td>25.0</td>
</tr>
</tbody>
</table>

#### FINE TO COARSE SAND - trace silt - trace to some gravel - medium dense - moist - brown (SW-SM)

#### FINE TO MEDIUM SAND - trace silt & gravel - medium dense to loose - moist - brown (SP-SM)

---

**Water Level Observations:**

- While Drilling: Dry
- At Completion: Dry
- Cave-In At: 

**Boring Started:** 1/23/17
**Boring Completed:** 1/23/17
**Rig:** CME 55 ATV
**Driller:** Strata Drilling, Inc.

**Remarks:**

**Approved:**

**Drawn By:** JTA
<table>
<thead>
<tr>
<th>Sample No.</th>
<th>Recovery (in.)</th>
<th>Depth (ft.)</th>
<th>Description of Material</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS-8</td>
<td>18</td>
<td></td>
<td><strong>FINE TO MEDIUM SAND</strong> - trace silt &amp; gravel - medium dense to loose - moist - brown (SP-SM)</td>
</tr>
</tbody>
</table>

**End of Boring (ft.):** 30

**Water Level Observations:**
- While Drilling: Dry
- At Completion: Dry

**Boring Details:**
- **Boring Started:** 1/23/17
- **Boring Completed:** 1/23/17
- **Rig:** CME 55 ATV
- **Driller:** Strata Drilling, Inc.

**Remarks:** Drawn By: JTA
## Description of Material

**Ground Surface Elevation = ± 921’**

Driller Reported ± 3” Asphalt

<table>
<thead>
<tr>
<th>Sample No.</th>
<th>Recovery (in.)</th>
<th>Depth (ft.)</th>
<th>Moisture Content (%) - circles</th>
<th>N-Value (blows/ft) - squares</th>
<th>Unconfined Compressive Strength (tsf) - triangles</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS-1</td>
<td>18</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>12</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>18</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>19</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>21</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>22</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>25</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CONTINUED ON NEXT PAGE**

### Water Level Observations:
- While Drilling: Dry
- At Completion: Dry

### Borehole Details:
- Boring Started: 1/23/17
- Boring Completed: 1/23/17
- Rig: CME 55 ATV
- Driller: Strata Drilling, Inc.

### Approved:
- Drawn By: JTA
<table>
<thead>
<tr>
<th>Sample No./Type</th>
<th>Recovery (in.)</th>
<th>Description of Material</th>
<th>Moisture Content (%)</th>
<th>N-Value (blows/ft)</th>
<th>Unconfined Compressive Strength (tsf)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS-8</td>
<td>18</td>
<td><strong>FINE TO MEDIUM SAND</strong> - trace silt &amp; gravel - medium dense - moist - brown (SP-SM)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Unified Soil Classification

<table>
<thead>
<tr>
<th>Major Divisions</th>
<th>Symbol</th>
<th>Typical Names</th>
<th>Laboratory Classification Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coarse Grained Soils (More than half of material &gt; No. 200 sieve)</td>
<td>GW</td>
<td>Well graded gravels, gravel-sand mixtures, little or no fines</td>
<td>$C_u = D_{50}/D_{10}$ greater than 4; $C_c = (D_{50})^2 / (D_{10} \times D_{30})$ between 1 and 3</td>
</tr>
<tr>
<td>Gravels (More than half of coarse fraction is larger than No. 4 sieve)</td>
<td>GP</td>
<td>Poorly graded gravels, gravel-sand mixtures, little or no fines</td>
<td>Not meeting all gradation requirements for GW</td>
</tr>
<tr>
<td>Gravels with appreciable amount of fines</td>
<td>GM</td>
<td>Silty gravels, gravel-sand-silt mixtures</td>
<td>Above “A” line with PI between 4 and 7 are borderline cases requiring dual symbols</td>
</tr>
<tr>
<td>Clean Gravels (little or no fines)</td>
<td>GC</td>
<td>Clayey gravels, gravel-sand-clay mixtures</td>
<td>Atterberg Limits below “A” line or PI less than 4</td>
</tr>
<tr>
<td>Sands (More than half of coarse fraction is smaller than No. 4 sieve)</td>
<td>SW</td>
<td>Well graded sands, gravelly sands, little or no fines</td>
<td>Atterberg Limits above “A” line with PI greater than 7</td>
</tr>
<tr>
<td>Sands with appreciable amount of fines</td>
<td>SP</td>
<td>Poorly graded sands, little or no fines</td>
<td>Liquid Limits plotting between 10 and 30 with PI between 4 and 7 is a borderline case requiring dual symbols (CL-ML)</td>
</tr>
<tr>
<td>Clean Sands (little or no fines)</td>
<td>SM</td>
<td>Silty sands, sand-silt mixtures</td>
<td>Atterberg Limits below “A” line or PI less than 4</td>
</tr>
<tr>
<td>Sandey sands, clays, silts with slight plasticity</td>
<td>SC</td>
<td>Clayey sands, sand-clay mixtures</td>
<td>Atterberg Limits above “A” line with PI greater than 7</td>
</tr>
<tr>
<td>Fine Grained Soils (more than half of material &lt; No. 200 sieve)</td>
<td>ML</td>
<td>Inorganic silts, very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity</td>
<td></td>
</tr>
<tr>
<td>Silts and Clays (Liquid Limit &lt; 50)</td>
<td>CL</td>
<td>Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, and lean clays</td>
<td></td>
</tr>
<tr>
<td>Organic silts and silty clays of low plasticity</td>
<td>OL</td>
<td>Inorganic clays of high plasticity, fat clays</td>
<td></td>
</tr>
<tr>
<td>Silts and Clays (Liquid Limit &gt; 50)</td>
<td>MH</td>
<td>Inorganic silts, micaceous or diatomaceous fine sandy or silty clays, elastic silts</td>
<td></td>
</tr>
<tr>
<td>CL</td>
<td>Inorganic clays of high plasticity, fat clays</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OH</td>
<td>Organic clays of medium to high plasticity, organic silts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highly Organic Soils</td>
<td>Pt</td>
<td>Peat and other highly organic soils</td>
<td></td>
</tr>
</tbody>
</table>

### PLASTICITY CHART

\[
PI = 0.73(LL-20)
\]

- **CL**
- **OH**
- **MH**
- **CH**
- **OL**
- **ML**
- **OH and MH**
- **CL**

---

**Fairway Engineering, LLC**
28525 Beck Rd., Suite 124, Wixom, MI 48393
Tel: (248) 214-5913.
# Sieve Analysis

**Washed Gradation**

<table>
<thead>
<tr>
<th>Sieve size (in. or #)</th>
<th>Sieve size (mm)</th>
<th>Weight Retained (g)</th>
<th>Percent (%)</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Retained</td>
<td>Passing</td>
</tr>
<tr>
<td>1.5&quot;</td>
<td>37.5</td>
<td>0.0</td>
<td>0.0</td>
<td>100.0</td>
</tr>
<tr>
<td>1&quot;</td>
<td>25.4</td>
<td>0.0</td>
<td>0.0</td>
<td>100.0</td>
</tr>
<tr>
<td>.75&quot;</td>
<td>19.1</td>
<td>20.9</td>
<td>4.4</td>
<td>95.6</td>
</tr>
<tr>
<td>.5&quot;</td>
<td>12.5</td>
<td>37.1</td>
<td>7.8</td>
<td>92.2</td>
</tr>
<tr>
<td>.375&quot;</td>
<td>9.5</td>
<td>40.1</td>
<td>8.5</td>
<td>91.5</td>
</tr>
<tr>
<td>#4</td>
<td>4.75</td>
<td>81.5</td>
<td>17.2</td>
<td>82.8</td>
</tr>
<tr>
<td>#8</td>
<td>2.36</td>
<td>131.9</td>
<td>27.9</td>
<td>72.1</td>
</tr>
<tr>
<td>#10</td>
<td>2.00</td>
<td>143.9</td>
<td>30.4</td>
<td>69.6</td>
</tr>
<tr>
<td>#16</td>
<td>1.18</td>
<td>175.7</td>
<td>37.1</td>
<td>62.9</td>
</tr>
<tr>
<td>#30</td>
<td>0.600</td>
<td>227.3</td>
<td>48.1</td>
<td>51.9</td>
</tr>
<tr>
<td>#40</td>
<td>0.425</td>
<td>268.9</td>
<td>56.8</td>
<td>43.2</td>
</tr>
<tr>
<td>#50</td>
<td>0.300</td>
<td>320.8</td>
<td>67.8</td>
<td>32.2</td>
</tr>
<tr>
<td>#100</td>
<td>0.150</td>
<td>403.6</td>
<td>85.3</td>
<td>14.7</td>
</tr>
<tr>
<td>#200</td>
<td>0.075</td>
<td>422.1</td>
<td>89.2</td>
<td>10.8</td>
</tr>
<tr>
<td>Pan</td>
<td>0</td>
<td>422.3</td>
<td>89.3</td>
<td></td>
</tr>
</tbody>
</table>

**Total Dry Weight:** 473.0  **Loss by Wash:** 10.8
Project: BRIGHTON MARKET
Date Sampled: 01/23/17
Sampled by: Fairway Engineering, LLC
Location: Brighton, MI
Intended Use: Storm Water Infiltration

Project #: FE14193
Date Tested: 01/25/17
Source: B-1/ Sample S-1
Specification: 

Soil Information:

| % >1.5 in. | 0.0 |
| % Gravel | 17.2 |
| % Sand | 72.0 |

| Coarse | 13.2% |
| Medium | 26.4% |
| Fine | 32.4% |
| % Fines | 10.8 |

Pl = n/a
LL = n/a

| D_10 | 0.075 |
| D_30 | 0.28 |
| D_60 | 1 |
| Cu | 13.3 |
| Cc | 1.0 |

USCS: SP-SM
AASHTO: n/a

Grain Size Distribution

Fine to coarse sand, trace silt, trace to some gravel, brown (SP-SM)
Sieve Analysis
(Washed Gradation)

<table>
<thead>
<tr>
<th>Sieve size (in. or #)</th>
<th>Sieve size (mm)</th>
<th>Weight Retained (g)</th>
<th>Percent (%)</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Retained</td>
<td>Passing</td>
</tr>
<tr>
<td>1.5&quot;</td>
<td>37.5</td>
<td>0.0</td>
<td>0.0</td>
<td>100.0</td>
</tr>
<tr>
<td>1&quot;</td>
<td>25.4</td>
<td>0.0</td>
<td>0.0</td>
<td>100.0</td>
</tr>
<tr>
<td>.75&quot;</td>
<td>19.1</td>
<td>0.0</td>
<td>0.0</td>
<td>100.0</td>
</tr>
<tr>
<td>.5&quot;</td>
<td>12.5</td>
<td>32.5</td>
<td>8.2</td>
<td>91.8</td>
</tr>
<tr>
<td>.375&quot;</td>
<td>9.5</td>
<td>47.0</td>
<td>11.9</td>
<td>88.1</td>
</tr>
<tr>
<td>#4</td>
<td>4.75</td>
<td>83.6</td>
<td>21.2</td>
<td>.78.8</td>
</tr>
<tr>
<td>#8</td>
<td>2.36</td>
<td>124.3</td>
<td>31.5</td>
<td>68.5</td>
</tr>
<tr>
<td>#10</td>
<td>2.00</td>
<td>134.4</td>
<td>34.1</td>
<td>65.9</td>
</tr>
<tr>
<td>#16</td>
<td>1.18</td>
<td>164.1</td>
<td>41.6</td>
<td>58.4</td>
</tr>
<tr>
<td>#30</td>
<td>0.600</td>
<td>207.2</td>
<td>52.5</td>
<td>47.5</td>
</tr>
<tr>
<td>#40</td>
<td>0.425</td>
<td>242.2</td>
<td>61.4</td>
<td>38.6</td>
</tr>
<tr>
<td>#50</td>
<td>0.300</td>
<td>292.2</td>
<td>74.0</td>
<td>26.0</td>
</tr>
<tr>
<td>#100</td>
<td>0.150</td>
<td>362.5</td>
<td>91.8</td>
<td>8.2</td>
</tr>
<tr>
<td>#200</td>
<td>0.075</td>
<td>372.5</td>
<td>94.4</td>
<td>5.6</td>
</tr>
<tr>
<td>Pan</td>
<td>0</td>
<td>372.8</td>
<td>94.5</td>
<td></td>
</tr>
</tbody>
</table>

Total Dry Weight: 394.7
Loss by Wash: 5.6
**Project:** BRIGHTON MARKET

**Date Sampled:** 01/23/17

**Sampled by:** Fairway Engineering, LLC

**Location:** Brighton, MI

**Intended Use:** Storm Water Infiltration

**Project #:** FE14193

**Date Tested:** 01/25/17

**Source:** B-2/ Sample S-2

**Specification:**

### Soil Information:

<table>
<thead>
<tr>
<th>% &gt;1.5 in.</th>
<th>0.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Gravel</td>
<td>21.2</td>
</tr>
<tr>
<td>% Sand</td>
<td>73.2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Coarse</th>
<th>12.9%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medium</td>
<td>27.3%</td>
</tr>
<tr>
<td>Fine</td>
<td>33.0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>% Fines</th>
<th>5.6</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>% Silt</th>
<th>n/a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clay</td>
<td>n/a</td>
</tr>
</tbody>
</table>

- **USCS:** SW-SM
- **AASHTO:** n/a

**Grain Size Distribution**

**Fine to coarse sand, trace silt, trace to some gravel, brown (SW-SM**
BRIGHTON MARKET
10840 E. GRAND RIVER AVE., BRIGHTON, MICHIGAN 48116

GEOTECHNICAL EXPLORATION
BRIGHTON MARKET

10840 E. GRAND RIVER AVE., BRIGHTON, MICHIGAN 48116

GEOTECHNICAL EXPLORATION
BRIGHTON MARKET
10840 E. GRAND RIVER AVE., BRIGHTON, MICHIGAN 48116
GEOTECHNICAL EXPLORATION
BRIGHTON MARKET
10840 E. GRAND RIVER AVE., BRIGHTON, MICHIGAN 48116
GEOTECHNICAL EXPLORATION
BRIGHTON MARKET
10840 E. GRAND RIVER AVE., BRIGHTON, MICHIGAN 48116
GEOTECHNICAL EXPLORATION
<table>
<thead>
<tr>
<th>BRIGHTON MARKET</th>
</tr>
</thead>
<tbody>
<tr>
<td>10840 E. GRAND RIVER AVE., BRIGHTON, MICHIGAN 48116</td>
</tr>
<tr>
<td>GEOTECHNICAL EXPLORATION</td>
</tr>
</tbody>
</table>
BRIGHTON MARKET
10840 E. GRAND RIVER AVE., BRIGHTON, MICHIGAN 48116

GEOTECHNICAL EXPLORATION
# Plant List

<table>
<thead>
<tr>
<th>Code</th>
<th>Quantity</th>
<th>Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>WM1</td>
<td>4</td>
<td>Sycamore</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM1</td>
<td>4</td>
<td>2' Oak</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM2</td>
<td>4</td>
<td>3' Oak</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM3</td>
<td>4</td>
<td>4' Oak</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM4</td>
<td>4</td>
<td>5' Oak</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM5</td>
<td>4</td>
<td>6' Oak</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM6</td>
<td>4</td>
<td>7' Oak</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM7</td>
<td>4</td>
<td>8' Oak</td>
<td>Standard with\n</td>
</tr>
<tr>
<td>SM8</td>
<td>4</td>
<td>9' Oak</td>
<td>Standard with\n</td>
</tr>
</tbody>
</table>

---

# Site Plan Details

- **Project:** BRIGHTON MARKET
- **Designer:** J.A. Eigen
- **Drawn:** A. Eigen
- **Sheet:** A-1A
- **Scale:** 1/8" = 1'-0"
### LUMINAIRE SCHEDULE

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Label</th>
<th>Qty</th>
<th>File</th>
<th>Lumens</th>
<th>LLF</th>
<th>Watts</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>“OB”</td>
<td></td>
<td>11</td>
<td>WST_LED_1_1</td>
<td>10A700/40K SR4</td>
<td>Absolute</td>
<td>0.95</td>
<td>24.2</td>
</tr>
<tr>
<td>“OA”</td>
<td></td>
<td>7</td>
<td>DSX2_LED_80</td>
<td>700mA_DMX</td>
<td>Absolute</td>
<td>0.95</td>
<td>188</td>
</tr>
</tbody>
</table>

**Outdoor Wall Pack**

Luminaire to IES LM-79-08. LUMINAIRE OUTPUT: 1933 Lms.

**DSX2 LED 80C 700 40K T4M MVOLT HS**

DSX2 LED W/2 LARGE & 2 SMALL LIGHT ENGINES, (2) 700mA DRIVERS, 4000K LED, TYPE T4M OPTICS, WITH HOUSE SIDE SHIELD

### STATISTICS

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Avg</th>
<th>Max</th>
<th>Min</th>
<th>Max/Min</th>
<th>Avg/Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>“OB”</td>
<td>2.7fc</td>
<td>7.0fc</td>
<td>0.2fc</td>
<td>33.0:1</td>
<td>130:1</td>
</tr>
<tr>
<td>“OA”</td>
<td>0.7fc</td>
<td>2.0fc</td>
<td>0.0fc</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Notes

1. **ALL LUMINAIRES DESIGNATED** for use with the **80C LED LUMINAIRE** are subject to the **LM-79-08** performance validation. See full PAR document for details.

2. **TRIM LIGHTS ARE THE EXTERIOR** of the **WHITE COMMERCIAL GRADE** LUMINAIRE as per the PAR document.

3. **THE ENTRANCE** at the **SOUTH SIDE** of this area contains **3** **60W LAMPS** for the **80C LED LUMINAIRE** in a **T4M OPTICS** configuration as noted above.

Point by point calculations are performed at 3'-0" above finished grade to comply with city of Brighton ordinances.
Proposed Replacement
Building for

BRIGHTON MARKET

10840 E. Grand River Road
Brighton, MI 48116
Green Oak Charter Township
Zoning Board of Appeals
Regular Meeting Minutes
May 15, 2018

Roll Call: Sarah Pearsall
Dan Rainko
Steven Showerman
Joe Weinburger
Jim Yuill

Absent: Dan Rainko
Joe Weinburger

Guests: 4

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDA

Motion by Showerman, second by Yuill
To approve the agenda as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

1. ZBA Case 02-2018, Parcel #4716-21-403-009, Located at 9901 Sunflower Lane, South Lyon, MI 48178. Request a variance from Section 38-136 side yard setback. The applicant is requesting an 8 foot variance from the required 15 foot setback leaving the side yard at 7 feet.

Representing ZBA Case 02-2018: Shawn Tyrrell and TJ Tyrell
Contractor

Mr. Tyrell explained they are on a lot where there is limited area where they can add an additional building. There is a septic tank behind the house that restricts moving it to the south and a reserve field to the east and next to that is a significant slope. There is a severe slope on the south and east of the parcel which prevents them from doing any building there, it is part of the drain that was built into the subdivision. The drain commission did look at the plan and they were ok with the plan. The well head is located to the west. The north is the only spot where they can add an additional building.

Mr. Tyrell explained they are looking to add the garage, so they have room to store their assets and he is part of the Mountain Biking Team and they often have a number of
bicycles that need storage. The cycling team started out with 6 kids and this year they hope to have around 60.

The applicant would like to construct a one story 27’ by 27’ attached garage to the existing single family residential unit. The applicant is requesting a side yard setback variance to allow the construction of a 27’ x 27’ attached garage 7’ feet from the north side property line.

Ms. Pearsall confirmed the practical difficulty is the slope, the location of the septic field and the well. Mr. Tyrrell stated there is not room behind the house because the slope drops away right there.

Mr. Yuill confirmed the applicant has an active and reserve septic field and there is room to service it if needed.

Mr. Showerman asked if there was a reason they have to have an attached garage? Mr. Tyrrell explained the subdivision by-laws to not allow a detached garage. Mr. Showerman questioned if they looked at expanding the garage to make it a front entry instead of a side entry. Mr. Tyrrell stated they would be asking for the same setback to make a front entry.

Mr. Tyrell confirmed that his neighbor did not mind the plan as long as they didn’t block their view of the wetlands from their deck they didn’t care if they went to the property line. He also explained there is an architectural committee in the subdivision and they did approve the attached garage.

Ms. Pearsall opened the call to the public at 7:21 p.m.

Todd Krebs – He did look at the property and there are other options that exist. His overall impression is that this is not optimal, and he felt it could be reviewed further.

Ms. Pearsall closed the public hearing at 7:23 p.m. due to no further comments.

Mr. Tyrrell explained arguably they are looking at more of the use of garage vs. the cost of it. It may be able to be produced at a lower cost, but they were looking at in terms of utility.

Mr. Showerman asked if there is a variance available within the subdivisions rules to have it detached. Mr. Tyrrell stated the subdivision by laws said it had to be attached so they didn’t pursue it. They would also be on the septic field if that was done.

Ms. McKenzie explained they can table until the next meeting if there was further information needed. The contractor explained there isn’t another area to place the structure. Mr. Tyrrell also explained if it was detached it would block the neighbors view.

Motion by Showerman, second by Yuill
To approve ZBA Case 02-2018, Parcel #4716-21-403-009, Located at 9901 Sunflower Lane, South Lyon, MI 48178. There are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same district. The area is predominately residential in nature. Physical conditions and circumstances exist that now limit the options on where an attached garage addition can be placed. The position of the existing home on the property limits possible locations of any additional structure. The lot is narrow which restricts the placement of the proposed garage. The septic field interferes with the placement of the garage.

The variance is necessary for the preservation or enjoyment of a substantial right possessed by other property owners in the same district. Attached garages are permitted in the R-2 single family residential zoning district. The location of the existing septic field interferes with the ability to erect the garage within the area on property appropriately.

The granting of the variance would not be detrimental to the public welfare and injurious to the other properties in the area. Reducing the side setback to allow for a garage should not affect neighboring properties values.

The granting of the variances would not adversely impact the objectives of the Master Plan. The location is on property zoned and planned for residential use.

The purpose and intent of requiring setbacks for accessory structures is primarily to maintain uniform lot development, as well as maintaining similar architectural appearance on each lot. If granted, reducing the side setback to allow placement of the garage should not impair the purpose and intent of the Master Plan.

The condition or the intended use is of a general or recurrent nature. The 17 parcels in the Mystic View subdivision range in size from 21,750 sq. ft. to 43,750 sq. ft. (approx.) with an average lot width of 125 feet. The variance request is not so recurrent in nature as to require an amendment to the Zoning Ordinance. The request is specific to the needs of the applicant, site conditions and shape of the subject parcel.

The practical difficulty is not self-created. The problem was not created by the applicant but was created by the placement of the house.

Roll Call Vote: Ayes: Showerman, Yuill
               Nays: Pearsall

MOTION APPROVED

NEW BUSINESS – Ms. McKenzie reported the billboard case did file and they are proceeding forward with their case.
OLD BUSINESS - None

APPROVAL OF THE Meeting Minutes

Motion by Showerman, second by Yuill
To approve the minutes of March 20, 2018 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 7:32 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto

Recording Secretary
AGENDA

Regular Meeting
Tuesday, July 17, 2018
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

5. ZBA Case 03-2018, Parcel # 4716-24-403-001, Located at 13781 Monarch Dr., South Lyon MI 48178.
   Request a variance from Section 38-136 rear yard setback to reduce the minimum required 45 feet rear yard setback to 35 feet, to install a sunroom on the rear of the property.
   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 04-2018, Parcel # 4716-27-400-026, Located at 11425 Nine Mile Road, South Lyon MI 48178.
   Request a variance from Section 38-136 side yard setback. The applicant is requesting to reduce the minimum required 15 feet side yard setback to 9 feet, to add an addition to the property.
   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

   Request a variance from Section 38-136 rear yard setback. The applicant is requesting to reduce the minimum required 40 feet rear yard setback to 27.5 feet, the variance is for the building location and parking spaces to remain within the rear yard setback.
   a. Applicant's Presentation of the Case – maximum of ten minutes
   b. Board members may question the Applicant

ZONING BOARD OF APPEALS

Joe Weinberger, Chairperson
Sarah Pearsall, Vice Chairperson
James Yuill

Dan Rainko, Twp. Board Rep.
Steven Showerman, Member

10001 Silver Lake Road, Brighton, Michigan 48116-8361 (810) 231-1333 Fax (810) 231-5080
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

8. New Business

9. Old Business

10. Approval of May 15, 2018 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

June 30, 2018
Roll Call:  Sarah Pearsall
Dan Rainko
Steven Showerman
Joe Weinburger
Jim Yuill

Absent:  Jim Yuill

Guests:

Also Present:  Debra McKenzie, Zoning Administrator
Todd Krebs, Alternate

APPROVAL OF AGENDA

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

Voice Vote:  Ayes: Unanimous
Nays: None

MOTION APPROVED

1.  ZBA Case 03-2018, Parcel #4716-24-403-001, Located at 13781 Monarch Dr., South Lyon, MI 48178. Request a variance from Section 38-136 rear yard setback to reduce the minimum required 45 feet rear yard setback to 35 feet, to install a sunroom on the rear of the property.

The applicant was not present.  Mr. Weinburger suggested moving the applicant to the end of the agenda in the event they were just stuck in traffic.

Motion by Pearsall, second by Showerman
To amend the agenda to move ZBA Case 03-2018 to the last business item on the agenda to give the applicant time to arrive.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED
2. ZBA Case 04-2018, Parcel #4716-27-400-026, Located at 11425 Nine Mile Road, South Lyon, MI 48178. Request a variance from Section 38-136 side yard setback. The applicant is requesting to reduce the minimum required 15 feet side yard setback to 9 feet, to add an addition to the property.

Representing ZBA Case 04-2018: Matt & Trisha Gredda

Mr. Gredda explained he is not requesting the setback be reduced, this is an existing non-compliant, it's already 9 ft. They have explored trying to do this on the other end but it's not feasible due to the topography sloping towards the driveway which is the only access. Due to the topography and the fact that it's pre-existing he doesn't have any way around it. The practical difficulty is that it is pre-existing and the topography.

Mr. Weinburger asked if there is anyway they can do this in the back. Mr. Gredda stated no, he is very limited in the back due to the septic location and he must maintain clearance to that.

Mr. Rainko asked if the house was compliant when it was built in 1978 with the requirement. Ms. McKenzie stated she wasn't sure. Mr. Gredda stated from conversations he has had with the previous owner’s daughters, it was compliant at the time and then it fell out of compliance when things were changed.

Mr. Krebs stated when he checked out the property it appears to him that they are not moving any closer. Ms. Pearsall confirmed that the backyard is sloping.

Mr. Weinburger opened the public hearing and closed it due to no one wishing to make comment.

Ms. McKenzie noted a letter that was received from a neighbor regarding tree removal. Mr. Grebba explained he will not be removing any trees because of the addition.

Motion by Rainko, second by Pearsall
To approve ZBA Case #04-2018 Parcel #4716-27-400-026, Located at 11425 Nine Mile Road, South Lyon, MI 48178. Request a variance from Section 38-136 side yard setback. The applicant is requesting to reduce the minimum required 15 feet side yard setback to 9 feet, to add an addition to the property.

Roll Call Vote:  Ayes: Unanimous  
Nays: None

MOTION APPROVED

Motion by Weinburger, second by Rainko
To add an addendum to the motion that the addition is built to the prints that were submitted.

Roll Call Vote:  Ayes: Unanimous
Nays: None

MOTION APPROVED

3. ZBA Case 05-2018, Parcel #4716-04-202-032, Located at 10840 Grand River Ave., Brighton, MI 48116. Request a variance from Section 38-136 rear yard setback. The applicant is requesting to reduce the minimum required 40 feet rear yard setback to 27.5 feet, the variance is for the building location and parking spaces to remain within the rear yard setback.

Representing ZBA Case 05-2018: John Gumma
Eric Baritta
Mark Mizer

Mr. Gumma explained the applicant has owned the store for over 17 years. They are seeking a rear yard variance to accommodate their building. Ms. Pearsall commented that the lot is very shallow. Mr. Weinburger commented that they would becoming more compliant.

Mr. Rainko commented that the applicant is 122 feet away in the rear to the nearest resident. This area is highly wooded as well. Mr. Rainko commented that this is a great idea.

Mr. Weinburger opened the public hearing.

Robin, 6108 Vicky Jean – She commented that she is behind this property and she wondered where the storm water drain will be located. Mr. Mizer explained they have been working on this issue for the last 3 years and there is no property allowing them to discharge water beyond their property so they came up with the solution to have underground detention/retention and the water will be slowly released into the soil. The soils are all sandy soils, so they are in good condition. The Drain Commissioner has also already approved the underground retention.

Mr. Weinburger closed the public hearing due to no further comments.

Motion by Rainko, second by Pearsall
To approve ZBA Case 05-2018 Parcel #4716-04-202-032, Located at 10840 Grand River Ave., Brighton, MI 48116. Request a variance from Section 38-136 rear yard setback. The applicant is requesting to reduce the minimum required 40 feet rear yard setback to 27.5 feet, the variance is for the building location and parking spaces to remain within the rear yard setback. All fees owed to the Township including the outstanding sewer fee of $1119.73 be paid.

Ms. Pearsall added the following to the motion:
There are exceptional or extraordinary circumstances or conditions applicable to the applicants site since the property is very shallow. The
area is predominantly highway commercial in nature. The lot is narrow which restricts parking in the back.

The variance is necessary for the preservation and enjoyment of a substantial property right possessed by the property owner in the same district, stores are permitted on the highway, HC Highway Commercial Zoning District.

The depth of the property interferes with the ability to erect the store within the area appropriately. The granting of the variance will not be detrimental to the public welfare or injurious to the properties in the area. Reducing the rear yard setback to allow for a new store and allowing parking in the rear setback should not affect neighboring property values.

The granting of the variance will not adversely affect the objectives of the Master Plan. The location is on property rezoned and planned for highway commercial. The purpose and intent of requiring setbacks for structures is primarily to maintain uniform lot development, as well as maintaining similar architectural appearance in each lot. Reducing the rear yard setback allows for the new store and should not impair the purpose of the Master Plan and should help with regards to safety of the community.

The 37 parcels in Victoria Park Subdivision range in size and the variance request is not so recurrent in nature as to require an amendment to the Zoning Ordinance. The request is of specific needs to the applicant. The practical difficulty is not self-created and the problem was not created by the applicant but was created by the platting of the shallow lot.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

1. ZBA Case 03-2018, Parcel #4716-24-403-001, Located at 13781 Monarch Dr., South Lyon, MI 48178. Request a variance from Section 38-136 rear yard setback to reduce the minimum required 45 feet rear yard setback to 35 feet, to install a sunroom on the rear of the property.

Ms. McKenzie noted she contacted the applicant and has not had a response.

Motion by Pearsall, second by Rainko
To table ZBA Case 03-2018, Parcel #4716-24-403-001, Located at 13781 Monarch Dr., South Lyon, MI 48178 until the next ZBA meeting.

Voice Vote: Ayes: Unanimous
Nays: None
MOTION APPROVED

NEW BUSINESS – None

OLD BUSINESS - None

APPROVAL OF THE Meeting Minutes

Motion by Pearsall, second by Showerman
To approve the minutes of May 15, 2018 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 7:33 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto
Kellie Angelosanto
Recording Secretary