GREEN OAK CHARTER TOWNSHIP
Planning and Zoning Department
Zoning Board of Appeals

AGENDA

Regular Meeting
Tuesday, September 17, 2019
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 03-2019, Parcel # 4716-32-302-014, Located at 11786 Kenton Drive, Whitmore Lake MI 48189. Request a variance from Section 38-136 side yard setback to allow a 4-foot front yard setback. The required front yard setback is 30 feet.
   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 ZEA

6. New Business
7. Old Business
8. Approval of May 24, 2019 Meeting Minutes
9. Correspondence
10. Call to the Public — maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative

Adjournment

Posted September 1, 2019

ZONING BOARD OF APPEALS
Steven Shoverman, Chairperson
Dan Rainko, Twp Board Rep.
Sarah Pearsall, Vice Chairperson
Bill Besso
Todd Krebb's Secretary
Christopher Loper
James Yuill
10001 Silver Lake Road, Brighton, Michigan 48116-8361 (810) 231-1333
www.greenoaktwp.com
Fax (810) 231-5080
Zoning Compliance

Date: August 20, 2019
Applicant: Funspace Direct LLC
Address: 11786 Kenton Drive, Whitmore Lake, MI 48189
Property ID: 4716-32-302-014
Permit Request: Addition Sunroom

PROJECT DESCRIPTION:
The applicant is requesting a permit for a 17 x 26 sunroom addition. The sunroom located on the front side of the property on Kenton Drive. The subject site is .145 acres in size, zoned R-1, Single Family and located east of Main Street north of Eight Mile Road in the Todd Point Subdivision.

Setbacks for R1 Zoning
Front – 30 feet
Rear – 40 feet Sides –10 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>R-1, Single Family</td>
<td>R-1, Single Family</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waterfront</td>
<td>30 ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Front</td>
<td>30 ft.</td>
<td>Double frontage 33 feet &amp; 4 feet</td>
</tr>
<tr>
<td>Rear</td>
<td>40 ft.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Sides</td>
<td>10 ft. both sides from home</td>
<td>N/A</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>Approximately 14%</td>
</tr>
<tr>
<td>Building Height</td>
<td>32 ft (two stories)</td>
<td>Under 32 feet</td>
</tr>
<tr>
<td>Lot Area</td>
<td>12,000 sq. ft.</td>
<td>6162 Sq. Feet</td>
</tr>
<tr>
<td>Lot Width</td>
<td>90 ft.</td>
<td>105.0 feet</td>
</tr>
</tbody>
</table>

Application does not meet zoning compliance
17 x 26 Sunroom will require a front yard setback from Zoning Board of Appeals Section 38-136 front yard setback to allow for a front yard setback of 4 feet instead of the required 30 feet in the front yard. The parcel has double frontage on Kenton Drive.

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

ZONING BOARD OF APPEALS
APPLICATION

DATE:  

CASE NUMBER:  
Office will fill in

INSTRUCTIONS:

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

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

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

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

Applicant Information
Name: FinSpace Direct, LLC (Jim Hall)
Address: 20400 Hall Road
City/State/Zip: Clinton Twp, MI 48038
Phone: (313) 412-6050 Fax:
E-Mail: jhall@temecsunrooms.com

Property Owner Information
Name: Michael & Cheryl Pasel
Address: 11786 Kenton Drive
City/State/Zip: Green Oak Twp, MI 48189
Phone: (734) 223-3912 Fax:
E-Mail:

Location of Property for which the variance requested
Address 11786 Kenton Drive
Cross Streets Green Oak Twp, MI 48189
Tax Identification # 4716-32-302-014 Information available from the Green Oak Charter Township Assessing Dept.
Zoning District R-1
Lot Size/Acreage 0.47 of Acre
Current Use Residential

Variance Request 26' Variance on Front Yard
Setback Requirement of 30' (Corner Lot)

Total Number of Variances Requested 1

List the applicable Code Section Name, Section Number, and Subsection to be considered by the ZBA.
Sec. 38-1360 R-1
This information is contained in the Green Oak Charter Township Zoning Code Book

Describe Request Homeowners would like to construct a 17' x 26' sunroom on the front of their home.
Home is non-conformity as existing this request would increase the non-conformity.
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

See attached statement

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.

See attached statement

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.

See attached statement

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

See attached statement

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

See attached statement
Statement of Practical Difficulty

1.) This residence sits on a corner lot and is non-conforming to the existing Township front yard setback rule of 30’ at this present time. The structure is located on the lot so that approximately one-half of the house sits in the front yard setback. Any new construction to the south side of the house would automatically trigger a variance situation. This situation existed when the current owners purchased to house and they have done nothing to add to the non-conformity.

2.) Other property owners in the vicinity have been afforded the opportunity to enclose their existing patios with a sunroom to allow them the enjoyment of extending the use of the patio while protecting them from outside elements such as weather and insects.

3.) The granting of this variance would in no way cause a detriment to any of the surrounding properties. It would improve the value of the existing residence and as such improve the overall value of the surrounding neighborhood. We cannot see any harm to the public welfare by granting this request.

4.) We cannot see where the granting of this variance would adversely affect the objectives of the Township’s master plan.

5.) This is not a recurrent event.
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
James Hall
Date: 8/19/2019

Signature of Owner, if different
Date:
Certified to: FUNSPACE DIRECT

Applicant: MICHAEL AND CHERYL PRASOL

Property Description:
Lots 13 and 14; TODD POINT SUBDIVISION NO. 1, of part of the Northeast 1/4 of the Southwest 1/4 of Section 32, T.1 N., R.6 E., Green Oak Township, Livingston County, Michigan, as recorded in Liber 2 of Plats, Page 8 of Livingston County Records.

NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE THE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, TO DETERMINE THE EXACT AMOUNT OF ENCROACHMENT AND/OR TO DETERMINE THE EXACT LOCATION OF FENCES.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for

KENTON DR. 30' WD.

NOTE: GRAVEL DR. APPEARS TO ENCR. FROM R.O.W. ONTO SUBJECT PROPERTY AS SHOWN.
SECTION 4.

PROPOSED PERIMETER FOOTING
EXISTING CONCRETE SLAB W/
EXISTING STRUCTURE
EXISTING STRUCTURE
INSULATED ROOF PANELS
TECHO ALUMINUM CLAD STRUCTURAL

SEE ATTACHMENT DETAIL 8.
OVERHANG REMOVAL

DETAIL B

- Attach new 2x4's between rafter tails.
- SNS at 6" O/C top and bottom to roof panel with #8 hanging channel mount.
- Snow & Ice Shield.
- Metal Flashing.
- Every 16" O/C w/(2) 1/4" x 3 1/2" lag screw.
- Attach new fascia board.
### Parcel Information
- **Parcel Number:** 4716-32-302-014
- **Jurisdiction:** GREEN OAK TOWNSHIP
- **County:** LIVINGSTON
- **Printed on:** 08/20/2019

### Grantor Grantee
<table>
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<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>Front. Trans.</th>
</tr>
</thead>
<tbody>
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<td>MCKEE, SHARON</td>
<td>PRASOL, MICHAEL &amp; CHERYL</td>
<td>225,000</td>
<td>07/14/2006</td>
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<td>MPS SALE REF</td>
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<td>MCKEE, MARK &amp; SHARON</td>
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<td>08/16/2001</td>
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<td>MCKEE, MARK &amp; SHARON</td>
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<td>10/30/2000</td>
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<td></td>
<td></td>
<td>57,000</td>
<td>08/01/1986</td>
<td>WD</td>
<td>DNU-NOT AUDITED</td>
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<td>NOT VERIFIED</td>
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</table>

### Property Address
- **Class:** RESIDENTIAL-IMPROVED
- **Zoning:** R1
- **Building Permit(s):** ADDITION/ALTERATION
- **Date:** 07/10/2013
- **Number:** PB13-0168
- **Status:** ISSUED
- **Owner's Name/Address:**
  - **P.R.E. 100% 07/19/2006**
  - **DBA:**

### Tax Description
- **SEC. 32 TIN, R6E, TODD POINT SUBDIVISION NO. 1 LOT 13**
- **Comments/Influences:**

### Land Value Estimates
<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>
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<tbody>
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<td>2020</td>
<td>Tentative</td>
<td>Tentative</td>
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<td>53,600</td>
<td>78,300</td>
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<td>52,566C</td>
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<td>2018</td>
<td>22,700</td>
<td>49,200</td>
<td>71,900</td>
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<td>51,334C</td>
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<td>2017</td>
<td>22,700</td>
<td>48,500</td>
<td>71,200</td>
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<td></td>
<td>50,279C</td>
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</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>(15) Fireplaces</th>
<th>(16) Porches/Decks</th>
<th>(17) Garage</th>
</tr>
</thead>
<tbody>
<tr>
<td>X Single Family</td>
<td>X Insulation</td>
<td>X Gas/Wood/Oil/Coal/Electric/Steam</td>
<td>X Appliance Allow.</td>
<td>X Interior 1 Story</td>
<td>50 CEP</td>
<td>Car Capacity:</td>
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<tr>
<td>Mobile Home</td>
<td>0 Front Overhang</td>
<td>Forced Air w/o Ducts</td>
<td>Cook Top</td>
<td>2nd/Stack</td>
<td>Class:</td>
<td></td>
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<tr>
<td>Town Home</td>
<td>0 Other Overhang</td>
<td>Forced Air w/ Ducts</td>
<td>Dishwasher</td>
<td>Two Sided</td>
<td>Exterior:</td>
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<tr>
<td>Duplex</td>
<td></td>
<td>Forced Hot Water</td>
<td>Bath Heater</td>
<td>Exterior 1 Story</td>
<td>Brick Ven.:</td>
<td></td>
</tr>
<tr>
<td>A-Frame</td>
<td></td>
<td>Electric Baseboard</td>
<td>Vent Fan</td>
<td>Exterior 2 Story</td>
<td>Stone Ven.:</td>
<td></td>
</tr>
<tr>
<td>X Wood Frame</td>
<td>X Drywall</td>
<td>Electric Cell. Radiant</td>
<td>Unvented Hood</td>
<td>Prefab 1 Story</td>
<td>Common Wall:</td>
<td></td>
</tr>
<tr>
<td>Building Style:</td>
<td>X Plaster</td>
<td>Radiant (in-floor)</td>
<td>Vented Hood</td>
<td>Prefab 2 Story</td>
<td>Foundation:</td>
<td></td>
</tr>
<tr>
<td>ONE STORY</td>
<td>X Pansied</td>
<td>Electric Wall Heat</td>
<td>Intercom</td>
<td>Heat Circulator</td>
<td>Finished ?:</td>
<td></td>
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<tr>
<td>Yr Built/Remodeled</td>
<td>Trim &amp; Decoration</td>
<td>Space Heater</td>
<td>Jacuzzi Tub</td>
<td>Raised Hearth</td>
<td>Auto. Doors:</td>
<td></td>
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<tr>
<td>1940</td>
<td>X Wood T&amp;G</td>
<td>Wall/Floor Furnace</td>
<td>Jacuzi repl.Tub</td>
<td>Wood Stove</td>
<td>Mech. Doors:</td>
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<tr>
<td></td>
<td></td>
<td>Forced Heat &amp; Cool</td>
<td>Oven</td>
<td>Direct-Vented Ga</td>
<td>Area:</td>
<td></td>
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<td></td>
<td></td>
<td>Heat Pump</td>
<td>Microwave</td>
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<td>% good:</td>
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<td>No Heating/Cooling</td>
<td>Standard Range</td>
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<td>Storage Area:</td>
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<td>Central Air</td>
<td>Self Clean Range</td>
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<td>No Conc. Floor:</td>
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<td>Wood Furnace</td>
<td>Sauna</td>
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<td>Bsmt Garage:</td>
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<td>(12) Electric</td>
<td>Trash Compactor</td>
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<td>Carport Area:</td>
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<td></td>
<td></td>
<td>0/Amps Service</td>
<td>Central Vacuum</td>
<td></td>
<td>Roof:</td>
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<tr>
<td>Condition:</td>
<td>(5) Floors</td>
<td>Security System</td>
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<td>Average</td>
<td>Kitchen: Linoleum</td>
<td>No./Qual. of Fixtures</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>High</td>
<td>Other: Carpeted</td>
<td>Ex. Ord. Min.</td>
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<td>Low</td>
<td>Other:</td>
<td>No. of Elec. Outlets</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Many Ave. Pew</td>
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<tr>
<td>Room List:</td>
<td>(7) Excavation</td>
<td>(13) Plumbing</td>
<td>Cost Est. for Res. Bldg: 1 Single Family ONE STORY</td>
<td>Cls C Bld 1940</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>2 Average Fixtures(s)</td>
<td>Exterior Foundation</td>
<td>Size Cost New Depr. Cost</td>
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<td></td>
<td></td>
<td>3 Fixtures Bath</td>
<td>1 Story</td>
<td>1,510</td>
<td>159,155</td>
<td>103,451</td>
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<td></td>
<td></td>
<td>2 Fixtures Bath</td>
<td>Siding</td>
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<td>104,493</td>
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<td></td>
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<td>Softener, Auto</td>
<td>Slab: 1,510</td>
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<td>1,483</td>
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<td></td>
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<td>Solar Water Heat</td>
<td>Ground Area = 1510 SF</td>
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<td>No Plumbing</td>
<td>Floor Area = 1510 SF</td>
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<tr>
<td></td>
<td></td>
<td>Extra Toilet</td>
<td>Phy/Ab/Phy/Func/Econ/Comb. &amp; Good=65/100/100/100/65</td>
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<td>1,483</td>
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<td>Extra Sink</td>
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<td>Separate Shower</td>
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<td>Ceramic Tile Floor</td>
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<td>Ceramic Tile Walls</td>
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<tr>
<td></td>
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<td>Ceramic Tub Alcove</td>
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<td></td>
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<td>Vent Fan</td>
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<td></td>
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<td>(14) Water/Sewer</td>
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<td>1,483</td>
<td>964</td>
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<tr>
<td></td>
<td></td>
<td>1 Public Sewer</td>
<td>Public Sewer</td>
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<td></td>
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<td>Water Well, 100 Feet</td>
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<td></td>
<td></td>
<td>Total:</td>
<td>Total:</td>
<td></td>
<td>1,483</td>
<td>964</td>
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<tr>
<td></td>
<td></td>
<td>171,552</td>
<td>111,599</td>
<td></td>
<td>1,483</td>
<td>964</td>
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<tr>
<td></td>
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<td>Notes:</td>
<td>ECF (032NL.WHITMORE NON LAKE ECF) 1.049 =&gt; TCV:</td>
<td></td>
<td>1,483</td>
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<tr>
<td></td>
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<td>116,973</td>
<td></td>
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</table>

*** Information herein deemed reliable but not guaranteed***
NOTICE OF POSTING

The Green Oak Charter Township Zoning Board of Appeals will hold a public hearing on Tuesday, September 17, 2019 the purpose of the hearing will be to receive public comments on the following: ZBA Case 03-2019, Parcel # 4716-32-302-014, Located at 11786 Kenton Dr. Whitmore Lake MI 48189. Request a variance from Section 38-136 front yard setback.

Information is posted at the following locations and on greenoaktwp.com:
9384 Whitmore Lake Road, Brighton, MI, 11411 Grand River, Brighton, MI, 9863 Rushton Road, South Lyon, MI, 8965 Fieldcrest, Brighton, MI, 10001 Silver Lake Road, Brighton, MI