

**MARION TOWNSHIP
ZONING BOARD OF APPEALS**

Monday, June 6, 2016
7:30 p.m.

AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIENCE:

APPROVAL OF AGENDA: *June 6, 2016*

INTRODUCTION OF MEMBERS:

CALL TO PUBLIC:

APPROVAL OF MINUTES FOR: *May 2, 2016 Regular Meeting*

OLD BUSINESS:

No Old Business

NEW BUSINESS:

*1) ZBA Case # 03-16 – Gerald & Bridgitte Rutkowski – 1172 Peavy Road
Tax ID# 4710-02-401-002*

*2) ZBA Case # 02-16 – Michael & Evelyn Markarian – 4121 Cedar Lake Road
Tax ID# 4710-29-200-027 & 4710-29-200-024*

CALL TO PUBLIC:

ADJOURNMENT:

APPLICATION TO ZONING BOARD OF APPEALS

ZBA Case # 03.16
Tax Code 4710.02.401.002
Current Zoning Existing Residential Subdivision #1
Fee Paid 400 -
Date Received 5.11.16
Received by AKH

Applicant Gerald & Bridgitte Rutkowski
Address 1172 Peavy Rd Howell MI. 48843
Telephone 517-376-9013 810-220-9047
(Home) (Work)

Applicant is (check one): Owner Purchaser Representative

Purchaser or Representative needs a letter of permission from owner

Nature of Request (check applicable one)

- Administrative Review (per Section 5.05 A)
 Interpretation of Ordinance (per Section 5.05 B 1, 2, 3 or 4)
 Variance Request (see below)

1. Zoning Ordinance Section 8.04 E 3 a 3 rear yard setback
2. Letter stating reason request should be granted (per Section 5.05 C)
3. Requirement per Section 4.03 D
4. Required Livingston County Health Department evaluation

Office Use Only	
Meeting Date <u>June 6 2016</u>	Action Taken _____
Conditions (if applicable) _____ _____	
Signed _____	

MARION TOWNSHIP LAND USE PERMIT APPLICATION
2877 W. COON LAKE ROAD, HOWELL, MI 48843
 Phone: (517) 546-1588 Fax: (517) 546-6622

TOWNSHIP OF MARION, COUNTY OF LIVINGSTON

PERMIT NO. _____

Tax Code No.: 4710-02-401-002
 Land Division Date: _____
 Water District: _____
 Sewer District: _____
 Individual Septic: NO
 Individual Well: YES
 Available REUs: _____

DATE: _____
 FEE: _____
 REINSPECT FEE: _____
 (if applicable)

The undersigned makes application for a land use permit to construct:

OUT BUILDING GARAGE OR POLE BARN 30' x 40' 1200 sq ft
DETACHED FROM HOME.

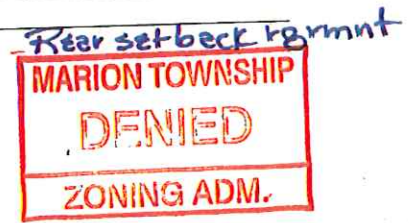
Address: 1172 PEAVY Lot No. 2 Subdivision Peavy Rd Estates #1
 Lot Size: 1.771 Parcel in flood zone 1 No

Roof Pitch: 4:12 + Min. 6" overhang on gable ends of roof? Yes No
 Ground Floor Living Space: n/e Second Floor Living Space: _____
 Tri/Quad Level Sq. Ft. of two lowest levels: n/e

Structure Dimension: 30' x 40' 1200 sq ft Structure Height: 18' + -
 Current Zoning Classification: ERS #1

Location: On the West side of Peavy Street/Road
 Between _____ and _____

Plot Plan Attached? Yes No (see attached requirements)



CONSTRUCTION MUST BE STARTED WITHIN SIX (6) MONTHS OR PERMIT IS VOID.
OUTSIDE CONSTRUCTION MUST BE COMPLETED WITHIN TWO (2) YEARS OF ISSUE
DATE OF THIS PERMIT. (Sec. 4.03, C-2)

I hereby certify that all use for which this application is made will conform with ordinances affecting Marion Township, Livingston County and the State of Michigan.

GERALD T. RUTKOWSKI
 Applicant Name (print)

[Signature]
 Signature

1172 PEAVY RD. 48843
 Address

4-517-376-9013 C-810-220-9647
 Phone

INSPECTIONS:
 1. Zoning Inspection Approved: _____ Date: _____
 2. Foundation Inspection by: _____ Date: _____
 ** 3. Certification of Zoning Compliance Issued, Date: _____

**** THIS IS A LAND USE PERMIT ONLY. BUILDING PERMITS AND OTHER NECESSARY PERMITS MUST BE OBTAINED FROM LIVINGSTON COUNTY**

Date: May 11, 2016

**Marion Township
Zoning Board Of Appeals**

**Owners: Gerald & Bridgitte Rutkowski
1172 Peavy Rd.
Howell, Mi. 48843**

Request:

To have a reduction of the 25' set back from back property line reduced to 10' to make use of the area for a outdoor structure of either a garage or pole barn. The area outlined is the only spot on the property that makes it possible to still have adequate enjoyable use of the back yard. The original home builders decided to build the home right in the middle of the property with a in ground pool allowing no use of the front and side yard for any type of allowable storage facilities. The variance needed would provide enough space to build a allowable size structure.

Section 5.05 – C variances – Answers

1. It would be unreasonable not to allow to have a 10' set back from back property line to build a permitted use out building.
2. To not allow the variance would unusually impede the use of the property that has many existing circumstances.
3. The conditions and circumstances are unique because of where the home and pool were placed at time of construction. The property, home and pool layout does not permit any other area's of use for the proposed structure. The back yard is very limited to recreational use as is. There are other properties around and adjacent that have out buildings well within the 25' set back.
4. The situation was not created by current home owner. It was created by the original builder.
5. The difficulty is not economically based.



Gerald Rutkowski / Owner

5/11/16

Google Maps 1172 Peavy Rd



Imagery ©2016 Google, Map data ©2016 Google 20 ft

Google Maps

Proposed Site of Structure

NEED BACK LINE SET BACK REDUCED FROM 25' to 10' to MAKE AREA USABLE

UNPLATTED

CENTER SECTION 2
T2N-R4E

NORTH

1" = 100'

S10°22'E
130.00

S88°45'W
290.00

240

1

S88°38'W
240

240

House
2

240

8' W

100'

240

S88°38'W
240

140.47

140.37

140.37

2493.44

N 85°14' LINE

15

54

0

MONUMENT OFFSET
S88°49'W 5.00 FT.
E 8W 1/4 LINE

S88°49'W
290.00

240

17

S88°49'W
240

120

150

140.47

S88°38'W
210

210

OUTLOT C
FUTURE ROAD.(Public)

S88°38'W
210

210

S88°38'W
240

120

140.37

FOR PUBLIC UTILITIES

S88°38'W
240

19

54

15

2493.44

PUBLIC UTILITIES

140.37

140.37

2493.27

Building
Envelope

Rutkowski

150
150
150
150
IC UTILITIES

93.27

5

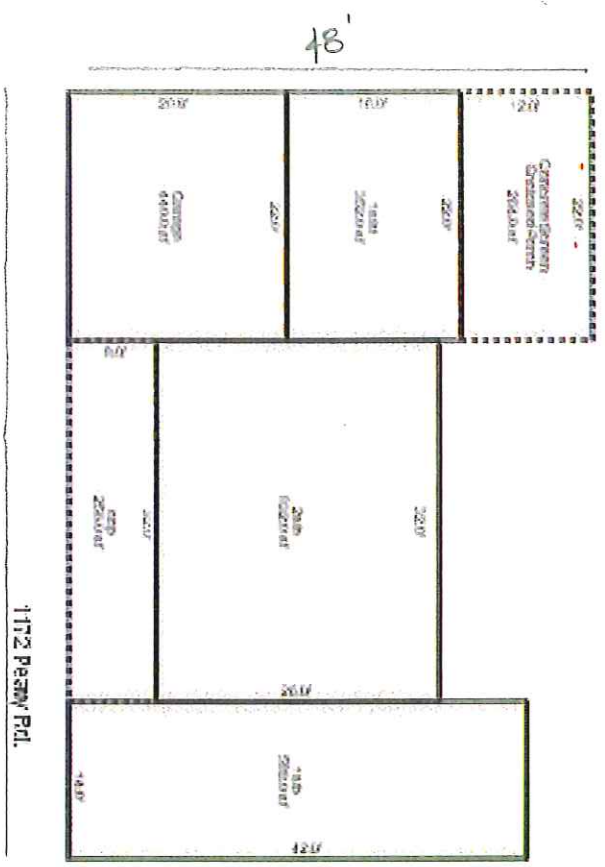
12.87



— Already removed

— will be removed

Forward Parcel Area



Sketch by Apex Sketch

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

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Pront. Trans.
CREDIT SUISSE FIRST BOSTO	FREEMAN, BRIDGETTE	129,000	03/23/2009	WD	FORECLOSURE	2009R-013689	PTA	100.0
WOFFORD LAURA	CREDIT SUISSE FIRST BOSTO	190,000	05/14/2008	SD	FORECLOSURE	2008R-016886	PTA	0.0
BOMBRISK, LORI	WOFFORD, LAURA	275,000	12/04/2003	WD	FAMILY SALE	4265/0630	PTA	100.0
BLANKS, CHERYL	BOMBRISK, LORI	0	03/12/2003	QC	OTHER	3804/0338	REG OF DEEDS	100.0

Property Address: 1172 PEAVY RD
 Class: RESIDENTIAL - IMP Zoning: ERS-1 Building Permit(s)
 School: HOWELL
 P.R.E. 100% 04/30/2009
 MAP #:

2017 Est TCV 281,319 TCV/TFA: 108.03
 X Improved Vacant

Taxpayer's Name/Address	Improvements	Front	Depth	Rate	Depth	Rate	Adj.	Reason	Value
FREEMAN, BRIDGETTE 1172 PEAVY RD HOWELL MI 48843	Public Improvements								
	Dirt Road								
	Gravel Road								
	Paved Road								
	Storm Sewer								
	Sidewalk								
	Water								
	Sewer								
	Electric								
	Gas								
	Curb								
	Street Lights								
	Standard Utilities								
	Underground Utils.								

SEC. 2, T2N, R4E PEAVY ROAD ESTATES NO. 1
 LOT 2

Comments/Influences: INSPECTIONS OF NEIGHBORHOOD FOR THE PURPOSE OF UPDATING RECORDS. UPDATED PHOTOS HAD BEEN DONE PRIOR. CHANGES WERE



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Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2017	17,500	123,200	140,700			117,375C
2016	17,500	124,800	142,300			117,375C
2015	17,500	123,100	140,600			117,024C
2014	17,500	106,900	124,400			115,182C

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces		(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang		X Gas Wood	Oil Coal	Elec. Steam	1 Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System			Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area Type 256 CCP (1 Story) 264 CSEP (1 Story)	Year Built: 1970 Car Capacity: Class: BC Exterior: Brick Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished ? Auto. Doors: 1 Mech. Doors: 0 Area: 440 % Good: 0 Storage Area: 0 No Conc. Floor: 0			
X	Wood Frame	(4) Interior X Drywall Plaster Paneled Wood T&G Trim & Decoration Ex X Ord Min Size of Closets Lg X Ord Small Doors Solid X H.C.		X Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling Central Air Wood Furnace			1			Class: BC Effec. Age: 26 Floor Area: 2604 Total Base Cost: 218,648 Total Base New: 325,785 Total Depr Cost: 241,081 Estimated T.C.V: 227,822					
Building Style: 2 STORY				(12) Electric 100 Amps Service			Stories Exterior 2 Story Siding 1 Story Siding 1 Story Siding Other Additions/Adjustments (1) Exterior (13) Plumbing (13) Plumber 3 Fixture Bath 2 Fixture Bath Vent Fan (14) Water/Sewer Public Sewer Well, 200 Feet (15) Built-Ins & Fireplaces Appliance Allowance Fireplace: Exterior 2 Story (16) Porches CCP (1 Story), Standard CSEP (1 Story), Standard (17) Garages Class:BC Exterior: Brick Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1 Wall Automatic Doors Phy/Ab.Phy/Func/Econ/Comb.%Good= 74/100/100/100/74.0, Depr.Cost = ECF (PEAVY ROAD DEVELOPMENTS) 0.945 => TCV of Bldg: 1 =								
Yr Built Remodeled 1970 1979															
Condition for Age: Average															
Room List															
Basement 1st Floor 2nd Floor Bedrooms															
(1) Exterior															
X Wood/Shingle															
X Aluminum/Vinyl															
Brick															
(7) Excavation															
Basement: 1420 S.F. Crawl: 0 S.F. Slab: 352 S.F. Height to Joists: 0.0															
(8) Basement															
Conc. Block Poured Conc. Stone Treated Wood Concrete Floor															
(9) Basement Finish															
Recreation SF Living SF Walkout Doors															
(10) Floor Support															
Joists: Unsupported Len: Cntr.Sup:															
X Asphalt Shingle															
Chimney: Brick															
(3) Roof															
X Gable Hip Flat Shed															
Gambrel Mansard Shed															
X Asphalt Shingle															
Chimney: Brick															
Lump Sum Items:															
Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic															
Average Fixture (s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove 3 Vent Fan															
(14) Water/Sewer															
Rate 114.21 74.10 74.10 -12.31 8.80															
Bsmnt-Adj 0.00 0.00 1.85 1.85															
Heat-Adj 3.70 1.85 1.85															
Size 832 588 352 800															
Cost 98,101 44,659 22,401 7,040															
Many Avg. X Small															
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement															
Double Glass Patio Doors Storms & Screens															
22.67 26.46															
256 264															
5,804 6,985															
440 1 1 1															
13,596 -2,450 425 241,081 227,822															

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