

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JULY 21, 2020 - 7:30 PM**

MINUTES

Call to Order: Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 7:31 pm. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Michele Kreutzberg, Jean Ledford, Bill Rockwell, Marianne McCreary, and Amy Ruthig, Zoning Official.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda:

Chairman Rassel stated the applicant for Case #20-07 has requested to have their item tabled this evening.

Moved by Board Member McCreary, seconded by Board Member Ledford, to table Case #20-07 until the August 18, 2020 Zoning Board of Appeals meeting at the applicant's request. **The motion carried unanimously.**

Moved by Board Member McCreary, seconded by Board Member Ledford, to approve the agenda as amended. **The motion carried unanimously.**

Call to the Public:

The call to the public was made at 6:35 pm with no response.

New Business

1. 20-11...A request by Bible Baptist Church, 3850 Golf Club Road, for a variance to allow a detached accessory structure in the front yard.

Mr. Brent LaVanway of Boss Engineering and Tim Christoson, Pastor for Bible Baptist Church, were present. Mr. LaVanway provided a review of the property and the proposed project and showed the preliminary site plan. There are a number of restraints that limit where the private road can be placed off of Golf Club Road, such as natural features and site distance. This proposed roadway off of Golf Club Road will cause the existing accessory structure to be in the front yard of the existing home.

The barn and home are both existing and the roadway is necessary to be able to access the entire property. The Livingston County Road Commission has not approved any access road off of Latson Road.

The structure sits several hundred feet of Golf Club and is bordered by the creek and the wetlands so it is not in any immediate proximity to any neighbors. The closest neighbor is west of the lake.

It will not negatively affect the adjacent properties or to public safety and welfare of any residents within the Township.

Board Member Kreutzberg asked if the existing gravel road that is on the site is what is going to be used for the access drive. Mr. LaVanway stated it will be between the existing gravel drive and the residential property. He showed a drawing of the location of the roadway. It will be just to the east of the barn.

Board Member McCreary asked Pastor Tim about his letter stating that the barn will be “necessary for the upkeep of the current home and proposed church site and other amenities”. She questioned if the barn will be a community barn. He stated the church will own the barn and it will be used to store tools and equipment that will be used to maintain the property, including the property where the existing home is located.

Board Member McCreary noted that this variance request is self-created, and she was concerned about that; however, she agrees with Mr. Borden’s comment in his review letter that this is a hardship because the entrance road is only allowed in this location. There are no alternatives.

The call to the public was made at 7:54 pm with no response.

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case #20-11 for 3850 Golf Club Road by Bible Baptist Church, Tim Christoson, Pastor, for 41.8 foot front-yard setback variance along the new proposed access road adjacent to an existing barn, based upon the following findings of fact:

- This is the only access location possible for the 46.5 acre property
- Current alignment and design of Latson Road does not allow access and the new road is a fixed location.
- The approved location and corresponding design of the proposed access follows the existing topography of the land from Golf Club Road and transitions southerly across the dam between the pond and the wetlands to the southern portion of the property and the proposed church site.
- The existing barn meets all Genoa Township setbacks, requirements, and codes with the exception of the new front yard when the new access road is added.

- The barn is a substantial structure needed to house and maintain equipment for the proposed church site and proposed amenities.
- It will not change the need for the owner.
- The barn is well screened and several hundred feet from adjacent properties.
- Property owners in the district will not be affected by this variance nor will it interfere or discourage appropriate development, continued use or value of the adjacent properties and surrounding neighbors and will not impact an adequate supply of light and air to adjacent properties.
- Public safety and welfare of Genoa Township residents will not be affected.
- Property owners in the district will continue with the preservation and enjoyment of their same right.

The motion carried unanimously.

2. 20-12...A request by Brett and Jennifer Landacre, 528 S. Hacker, for a rear yard variance to construct a detached accessory structure or a variance to construct a detached accessory structure in the front yard

Ms. Jennifer Landacre was present. She is requesting a rear yard setback of one foot to construct a 40 x 24 detached structure. They will be removing the existing accessory structure on her property. This location avoids them being under the power lines. The structure will be placed on the existing asphalt pad. A variance would have been needed to put this building anywhere on their property. There are other homes in the area that do not meet the required setbacks, and she has provided examples in her request. This variance will not negatively impact the neighborhood and it will only be seen by her closest neighbor when he is driving into his garage.

Board Member McCreary agrees that the location is appropriate because there is already asphalt there; however, there was no official, detailed survey submitted with the request. She is concerned because the request is for only one foot off of the property line. Ms. Landacre stated she has located the marker and is confident where the property line is. Board Member McCreary is not comfortable with approving this variance request without an official survey. Board Member Kreutzberg agrees.

Ms. Landacre requested to have her item tabled this evening to allow her to obtain an official survey to show the property lines in relation to the proposed accessory structure.

The call to the public was made at 8:14 pm.

Mr. John Klayvon of 411 Porta Drive was present to support this request.

The call to the public was closed at 8:16 pm.

Zoning Board of Appeals
July 21, 2020 7:30 pm
Approved Minutes

Moved by Board Member Ledford, seconded by Board Member McCreary, to table Case #20-08 until the August 18 Zoning Board of Appeals meeting,

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the June 16, 2020 Zoning Board of Appeals meeting.

Needed changes were noted. **Moved** by Board Member McCreary, seconded by Board Member Rockwell, to approve the minutes of the June 16, 2020 ZBA meeting as corrected. **Motion carried unanimously.**
2. Correspondence - Ms. Ruthig had no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford provided a review of the July 6 and July 20, 2020 Board Meetings.
4. Planning Commission Representative Report - A Planning Commission meeting was not held in July.
5. Zoning Official Report - Ms. Ruthig had nothing to report. The next meeting may be a Zoom meeting or two separate meetings like was done this evening.
6. Member Discussion - There were no items to discuss this evening.
7. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member McCreary, to adjourn the meeting at 8:31 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary