

GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JANUARY 19, 2011
6:30 P.M.

AGENDA

Call to Order:

Pledge of Allegiance:

Introduction:

Approval of Agenda:

Call to the Public: *(Please Note: The Board will not begin any new business after 10:00 p.m.)*

1. 11-01...A request by BMH Realty, Sec. 9, 4525 E. Grand River, for a side yard variance and a size variance to install an additional propane tank.
2. 11-02...A request by Liberty Tax Service, Sec. 4, 4072 E. Grand River, for a sign variance to allow temporary displays for an extended period of time.

ADMINISTRATIVE BUSINESS:

- A. Approval of minutes for the December 14th, 2010 Zoning Board of Appeals meeting.**
- B. Correspondence**
- C. Member Discussion**
- D. Adjournment**

Charter Township of Genoa
ZONING BOARD OF APPEALS
JANUARY 19, 2011
CASE #11-01

PROPERTY LOCATION: 4525 E. Grand River

PETITIONER: BMH Realty, LLC.

ZONING: GCD (General Commercial District)

WELL AND SEPTIC INFO: Water and Sewer

PETITIONERS REQUEST: Requesting a side yard variance and a size variance to install an additional propane tank.

CODE REFERENCE: Section 13.07.01 – Hazardous Materials and Fuel Storage

STAFF COMMENTS: Staff recommends that any approval be conditioned upon the petitioner implementing a screening plan for the storage tank that is approved by the Township Planning Director.

Aboveground Hazardous Materials Storage Tank	Principal building setback	Lot line setback	Occupied Building Setback	Size
Setbacks of Zoning		75	75	300
Setbacks Requested		20		500
Variance Amount		55		200

GENOA TOWNSHIP APPLICATION FOR VARIANCE

2911 DORR RD. BRIGHTON, MI 48116

(810) 227-5225 FAX (810) 227-3420

Case # 11-01 Meeting Date: 1/19/11

- PAID Variance Application Fee 6:30 pm
- \$125.00 for residential - \$300.00 for commercial/industrial
- Copy of paperwork to Assessing Department

- **Article 23** of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals. (Please see attached)

Applicant/Owner: BMH REALTY LLC

Property Address: 4525 E. GRAND RIVER Phone: 810.229.6323

Present Zoning: COMMERCIAL Tax Code: 11-09-200-010

The applicant respectfully requests that an adjustment of the terms of the Zoning Ordinance be made in the case of their property because the following peculiar or unusual conditions are present which justify variance.

1. Variance Requested: 300 GL TANK W/2nd ROW AREA,
75' LDT LINE.

2. Intended property modifications: AGT, 2000 GL.

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) SECURITY, LINE OF SITE FROM CASHIER

b. Other (explain) _____

Variance Application Requires the Following:

- **Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. Note: Will need 8 copies of any drawings larger than 8 1/2 and 14 in size.**
- **Waterfront properties must indicate setback from water for adjacent homes**
- **Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting**
- **Petitioner (or a Representative) must be present at the meeting**

Date: 12/15/10

Signature: 

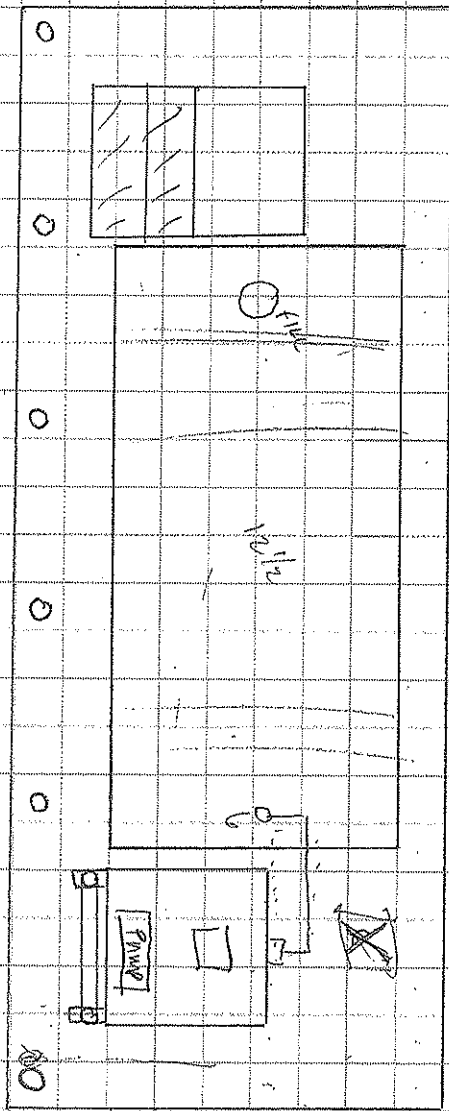
Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.

After the decision is made regarding your variance approval contact Adam or Amy at the township office to discuss what your next step is.



THE OSCAR W. LARSON COMPANY
Electrical Contractors - Service & Installation

Job Site: _____



New fire-rated Fireguard:TM Lightweight, double-wall steel aboveground tank.

For aboveground fuel storage, concrete vault-type tanks are good... and heavy! They're also expensive to transport and install, and almost impossible to move once they're in place.

**Fireguard offers the safety of UL2085 steel secondary containment
...plus lightweight convenience.**

Fireguard features a super-lightweight insulation (UL 2085* 2-hour fire rated) within the interstice, reducing total tank weight by more than half—so it can be easily relocated! The porous insulation material allows migration of any liquid through the interstice to the monitoring point. Unlike plastic liners, the steel double-wall design provides 110% UL-listed secondary containment. And Fireguard comes delivered as a complete unit—with Steel Tank Institute Quality Assurance built in. Isn't this the kind of performance you're looking for?

Fireguard's features take a load off your mind, too.

Monitoring tube for interstitial leak detection...2-hour fire rating... UL-listed supports...emergency vent fittings for inner and outer tank...optional compartments...plus more. With Fireguard you get the complete package in a capacity range from 500 to 50,000 gallons.

**Fireguard is the aboveground tank
that meets everyone's approval.**

- UL 2085 listed for "Insulated Secondary Containment" ASTs
- Meets 1991 Uniform Fire Code
- Meets NFPA 30/30A codes (reduces separation distance)
- Inner and outer tanks built to UL 142
- STI licensed and manufactured to STI quality standards
- No exposed concrete—no spalling or cracking
- Available rectangular or cylindrical
- 30-year warranty on all tanks.

Weigh the advantages...then call the Steel Tank Association for literature, technical information, and your local Fireguard manufacturer.

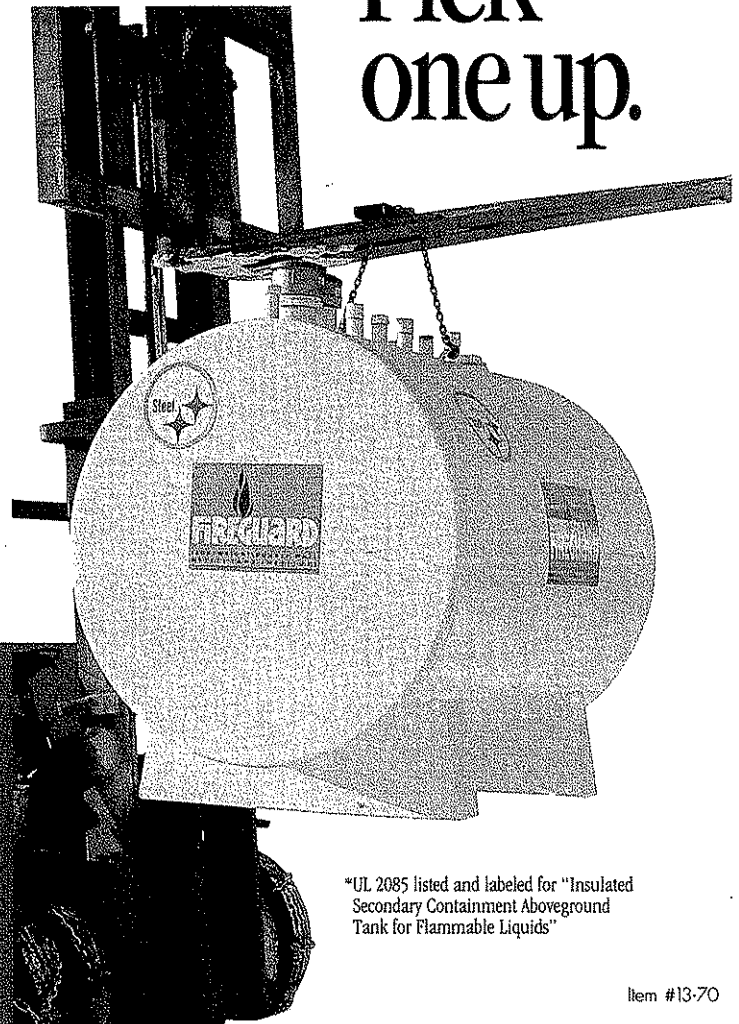
UL 142 steel
outer tank
for secondary
containment

6 inches of
lightweight
thermal insu-
lation for fire
protection

UL 142 steel
inner primary
tank

*Innovative design
features efficient,
lightweight
insulation and
steel secondary
containment—
no plastic liners!*

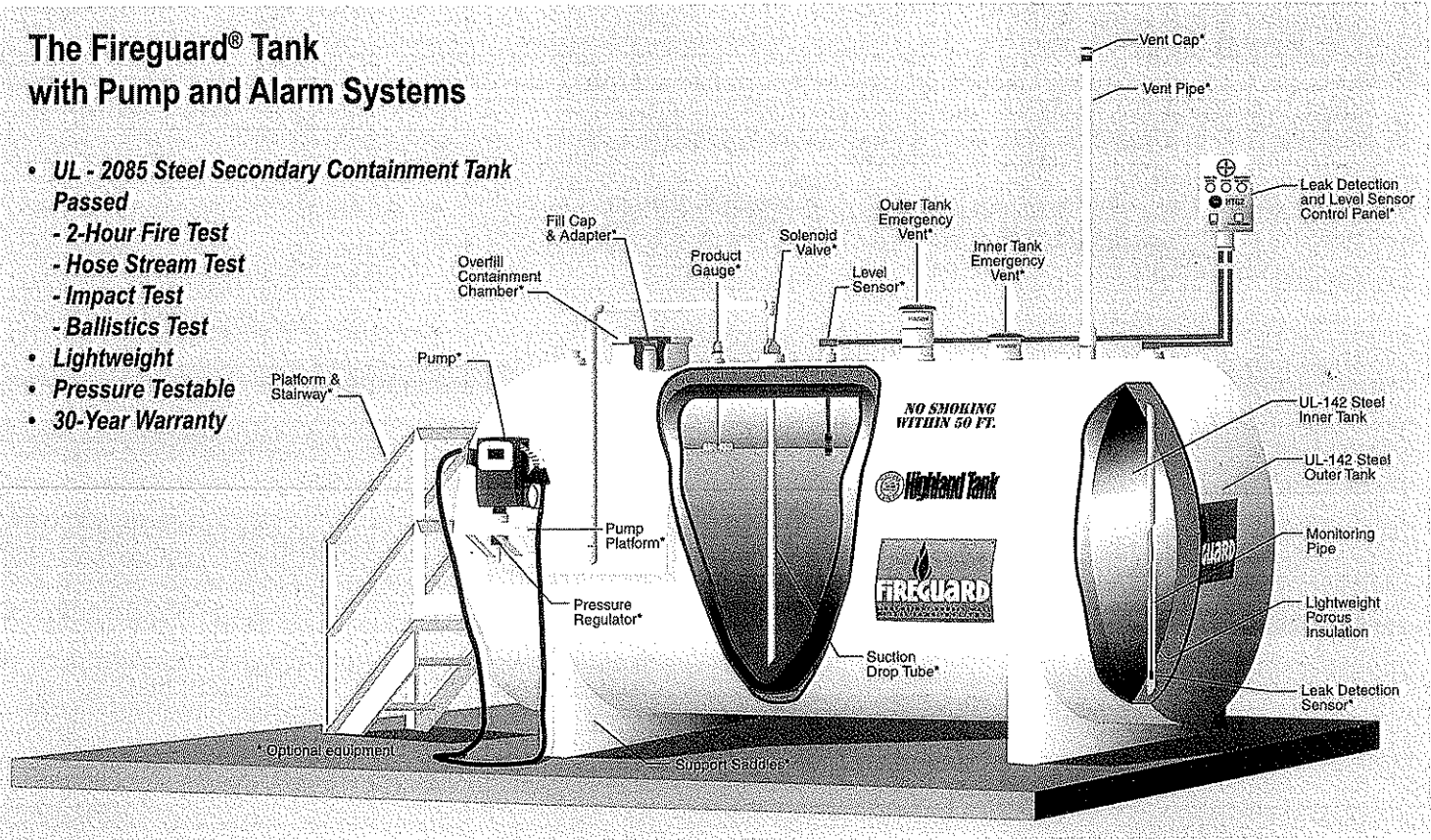
Pick one up.



*UL 2085 listed and labeled for "Insulated Secondary Containment Aboveground Tank for Flammable Liquids"

The Fireguard® Tank with Pump and Alarm Systems

- **UL - 2085 Steel Secondary Containment Tank Passed**
- 2-Hour Fire Test
- Hose Stream Test
- Impact Test
- Ballistics Test
- **Lightweight**
- **Pressure Testable**
- **30-Year Warranty**



The Fireguard® is an attractive alternative for complying with the stringent underground tank regulations.

Fireguard® tanks are thermally protected, double-wall steel cylindrical or rectangular aboveground tanks. Fireguards® offer a smart alternative to the problem of safely storing motor fuels and other dangerous liquids aboveground. They are used where a fire-protected tank is needed because of setback limitations and/or regulatory insistence for storage of flammable and combustible liquids. These tanks are Underwriters' Laboratories UL-2085 labeled for Fire Protection, Impact Resistance, Ballistics Resistance and Secondary Containment.

Fireguard® tanks have been proven to meet the requirements outlined in UL-2085 including:

- Two-hour Full Scale fire Test
- Ballistics / Projectile Test
- Vehicle Impact test
- Hose Stream test
- 2-hour Pool Fire Test
- Interstitial Communication Test

Each tank is constructed with a minimum 3" interstice around the inner tank. The interstice is completely filled with a lightweight, monolithic material. This highly efficient insulation protects the inner tank in the unlikely event of a fire or extreme heat. The porous material allows fluid migration through the interstice to the monitoring point.

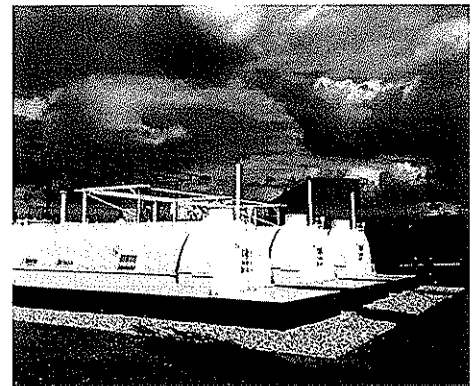
The thermal insulation material is a composition of perlite, cement, water and special ingredients carefully mixed to standardized proportions. The light weight of the completed tank unit eases relocation on projects that demand additional fire protection.

Unlike outdated concrete encased tanks, Fireguard's® steel outer wall protects the insulation, eliminating the problem of cracking and spalling concrete. And because of its unique construction, each Fireguard® is pressure-testable in the factory and at the site!

Fireguard® Meets or Exceeds These Requirements:

- UL-2085 Standard for Insulated Secondary Containment Aboveground Tanks
- Steel Tank Institute F941 Standard for Thermally Insulated Aboveground Storage Tanks
- UL-142
- 2000 International Fire Code
- NFPA 30 & 30A Codes
- CARB #G-70-162 (California Air Resources Board)
- 1993 Building Officials and Code Administrators (BOCA)
- National Fire Prevention Code
- Southern Building Code Congress International (SBCCI)
- Standard Fire Prevention Code

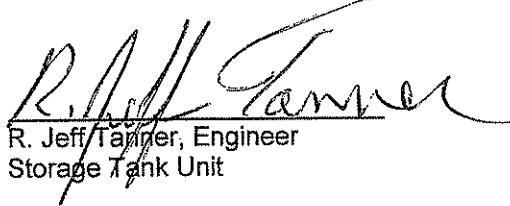
Fireguard® is a licensed technology of the Steel Tank Institute under US Patent #s 5,695,089 & 5,809,650; Canadian Patent #s 2,141,357 & 2,263,657





PLAN REVIEW REPORT

This information is required under Act 207 of the Public Acts of 1941, as amended, being Section 29.5c of the Michigan Compiled Laws Annotated. Any owner who knowingly fails to notify or submits false information shall be subject to a misdemeanor and/or civil penalties not to exceed \$5000 per day for each tank for which notification is not given or for which false information is submitted.

<input type="checkbox"/> PRELIMINARY	<input checked="" type="checkbox"/> FINAL	DATE December 01, 2010	FACILITY NUMBER 91085034	REFERENCE # PR-0369-10
<input checked="" type="checkbox"/> STORAGE AND HANDLING OF FLAMMABLE AND COMBUSTIBLE LIQUIDS		TANK NUMBER(S) 1		
<input type="checkbox"/> INSTALLATION OF LIQUEFIED PETROLEUM GAS FACILITY				
<input type="checkbox"/> INSTALLATION OF COMPRESSES NATURAL GAS FUELING FACILITY				
<input type="checkbox"/> INSTALLATION OF HYDROGEN FACILITY				
ARCHITECT/ENGINEER/INSTALLER Oscar W. Larson Co.-Clarkston 10100 Dixie Highway Clarkston , MI 48348		PROJECT: Sunoco ADDRESS: 4525 East Grand River Howell , MI 48843 COUNTY: Livingston		
The plans and specifications for the above project have been reviewed for compliance with applicable rules. Field inspection approval will be required before placing the system into operation.				
<input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> APPROVED CONTINGENT UPON COMPLIANCE WITH THE FOLLOWING <input type="checkbox"/> NOT APPROVED FOR THE FOLLOWING REASONS				
<p>Hazardous Materials Storage Inspector Linda McPherson of the Department of Environmental Quality office in Lansing District Office, telephone number (517) 335-6184, may be contacted to schedule a site inspection. This installation may not be placed into service until Department of Environmental Quality personnel have conducted a final inspection. Preliminary inspections can be valuable in identifying and addressing site constraints and considerations prior to installation of the storage tank system.</p> <p>Provide certification of compliance with the National Electrical Code at final inspection.</p> <p>If this system is not installed within one year, please contact this office for possible resubmittal of plans.</p> <p>This review is based upon submitted information, and is not considered a permit. Approval of a tank installation plan by the department of Environment Quality, does not relieve an owner or installer from having to meet the requirements of other state and local goverment laws, including zoning laws. The Hazardous Materials Storage Inspector may find additional deficiencies during site inspections.</p> <p>If you have questions concerning this matter, please contact the Storage Tank Unit at (517) 335-2690 between the hours of 10:00 a.m. - 12:00 p.m. and 1:00 p.m. - 3:00 p.m.</p> <div style="text-align: right; margin-top: 20px;">  R. Jeff Tanner, Engineer Storage Tank Unit </div> <p>cc: Linda McPherson, DEQ</p>				

THE OSCAR W. LARSON COMPANY

Corporate Office: 10100 Dixie Highway, Clarkston, MI 48348

Ph: (248) 620-0070 – (248) 549-3610 * Fx: (248) 620-0071 – (248) 620-0072

6568 Clay Avenue SW, Grand Rapids, MI 49548

Ph: (616) 698-0001 – Fx: (616) 698-2265

1360 Pineview, Gaylord, MI 49735

Ph: (989) 732-4190 – Fx: (989) 732-3377

1816 N. Telegraph Road, Dearborn, MI 48124

Ph: (810) 217-6534 – Fx: (313) 278-6030

26670 Glenwood, Suite B, Perrysburg, OH 43551

Ph: (419) 873-0555 – Fx: (419) 873-0559

2246 Research Drive, Fort Wayne, IN 46808

Ph: (260) 496-9870 – Fx: (260) 496-9480

6462 Oaklondon Road, Indianapolis, IN 46236

Ph: (317) 337-9473 – Fx: (317) 337-9474

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Page 1 of 1

To: Corrigan Oil
775 N. Second Street
Brighton, MI 48116

Date: October 14, 2010

Phone: 810-229-9822

Fax: 810-229-4970

Attention: Mike Adams

Email: mikea@corriganoil.com

- Conditions:**
- 1) This proposal is open for 30 days from the date stated above. However, prices of components, equipment and raw materials may increase before the date such items are ordered. If so, such increases will be added to the quoted cost. THE OSCAR W. LARSON COMPANY will itemize such costs upon receipt of a signed Proposal. If such cost increases are unacceptable to Customer, Customer may elect to cancel order under the terms of the Master Environmental Services Agreement.
 - 2) This Proposal and the Master Environmental Services Agreement constitute the full and complete agreement of the parties, and any inconsistent terms stated in any acceptance, invoice, purchase order, or any other document whatsoever are ineffective. This provision conforms to the requirements of RC 1302.10 (B) (1).
 - 3) Contract documents incorporated by reference as though fully stated herein:
 - 1) The Master Environmental Services Agreement
 - 2) This Proposal

Special Terms: 25% upon acceptance of proposal, 25% on commencement, balance prior to start-up (or) upon completion of proposal (Based on Approved Credit).

**SUBJECT: 4525 Grand River
Aboveground Kerosene Tank**

We are pleased to quote the following scope of work for the sum of [REDACTED]

SCOPE OF WORK

1. ~~Remove fuel from underground tank and clean tank before E85 is dropped into tank.~~
2. ~~Upgrade UST for E-85 fuel with new drop tube, probe, sub pump and vent.~~
3. ~~Install owner supplied E-85 dispenser, put on line with Ruby and startup.~~
4. Set forms and pour concrete pad with guard posts for one (1) 1,000 gallon aboveground Fireguard Tank for kerosene fuel. (Owner supplied)
5. Deliver tank to site and set in place.
6. Supply and install:
 - a. Necessary fittings on top of aboveground tank (vent, fill, and manual fill gauge).
 - b. One (1) new Wayne G2201 suction pump (no card reader).
 - c. Wire to hook up pump to Ruby, pump power, and intercom.
 - d. New pump platform and short product piping to platform.
7. Pull necessary permit.

ACCEPTANCE: This Proposal, when accepted by the purchaser, and approved by a Corporate Officer of the Oscar W. Larson Company, will constitute a contract between us, subject to all terms and conditions contained in the Master Environmental Services Agreement. It is expressly agreed that there are no promises, agreements, or understanding, oral or written, not specified in this proposal and the Master Environmental Services Agreement.

Company Name _____

By: _____

Its: _____

NEWCONTR 4.30.98 (REVISED 06.04.09.SR)

David J. DeCoster

David J. DeCoster, General Sales Mgr. 10/14/10

The Oscar W. Larson Company

By: _____

Its: Bruce F. Larson, President

Date: _____



Charter Township of Genoa
ZONING BOARD OF APPEALS
JANUARY 19, 2011
CASE #11-02

PROPERTY LOCATION: 4072 E. Grand River Ave.

PETITIONER: Liberty Tax Service

ZONING: GCD (General Commercial District)

WELL AND SEPTIC INFO: Water and Sewer

PETITIONERS REQUEST: Requesting a sign variance to allow temporary displays for an extended period of time.

CODE REFERENCE: 7.02.02 (v) (3) – Temporary event signs limited to a maximum of twice during a calendar year for a maximum of 14 days total.

STAFF COMMENTS: Petitioner is seeking a variance to allow temporary event signage at their location beyond the mandated 14 days. Petitioner's business is seasonal and the petitioner feels they are not able to advertise at the same advantage as year round businesses.

GENOA TOWNSHIP APPLICATION FOR VARIANCE

2911 DORR RD. BRIGHTON, MI 48116

(810) 227-5225 FAX (810) 227-3420

Case # 11-02

Meeting Date: 1/19/11



PAID Variance Application Fee (\$125.00 for residential - \$300.00 for commercial/industrial)

Copy of Paperwork to Assessing Department

- **Article 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals. (Please see attached)**

Applicant/Owner: STEVE SCHENCK / OWNER LIBERTY TAX SERVICE OF HOWELL

Property Address: 4072 E GRAND RIVER AVE Phone: 517-540-1040

Present Zoning: ECD GENERAL COMMERCIAL Tax Code: 4711-04-300-010

The applicant respectfully requests that an adjustment of the terms of the Zoning Ordinance be made in the case of their property because the following peculiar or unusual conditions are present which justify variance.

1. Variance Requested: THREE ADDITIONAL WEEKS OF TEMPORARY SIGNAGE (FOR A TOTAL OF 5 WEEKS: 3^w/VARIANCE + 2^w/PERMIT) FOR NEXT 3 YEARS

2. Intended property modifications: 2 SMALL BANNERS + 2 WINDFEATHERS + TYPICAL BALLOONS (OCCASIONALLY) - PICTURES INCLUDED

This variance is requested because of the following reasons:

- Unusual topography/shape of land (explain) POOR VISIBILITY OF STORE FROM ROAD + VISIBILITY IS VERY IMPORTANT IN EARLY SEASON
- Other (explain) INDIVIDUAL/INCOME TAX PREPARATION IS VERY SEASONAL, LIMITED TIME WINDOW TO RAISE CUSTOMER AWARENESS

Variance Application Requires the Following:

- Plot Plan Drawings showing setbacks and elevations of proposed buildings showing all other pertinent information. Note: Will need 8 copies of any drawings larger than 8½ and 14 in size.
- Waterfront properties must indicate setback from water for adjacent homes
- Property must be staked showing all proposed improvements 5 days before the meeting and remain in place until after the meeting
- Petitioner (or a Representative) must be present at the meeting

Date: 12/17/10 Signature: Steve Schenck

Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the ZBA.

After the decision is made regarding your variance approval contact Adam or Amy at the township office to discuss what your next step is.





**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
DECEMBER 14TH, 2010
6:30 P.M.**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Jeff Dhaenens, Barbara Figurski, Marianne McCreary, Steve Wildman and Chris Grajek. Also present was Township staff member Adam VanTassell and 10 persons in the audience.

Moved by Figurski, supported by McCreary, to approve the agenda as submitted. **Motion carried unanimously.**

10-25...A request by Dolores Malysz, Section 12, 1300 Clark Lake Road, for a front yard variance to construct an addition.

A call to the public was made with the following response: Mr. Kenneth Frasheski, 1348 Clark Lake Road, stated that he is to the immediate neighbor to the east and would like to know when the next meeting is and if comment will be made available.

Moved by Grajek, supported by Figurski to table petitioner requests until the next meeting to give petitioner time to get clarification on the engineering letter submitted by Civil Design Services. **Motion carried unanimously.**

10-27...A request by John Sherston, Section 10, 1706, 1462 S. Hughes Road, for a front variance to extend existing gables.

A call to the public was made with no response.

Moved by Figurski, supported by Grajek, to grant case#10-27 for a 42 foot variance with a 28 foot setback to allow extension of the roof to accommodate pedestrian ingress and egress. The finding of the fact is the size of the lot facing onto to Hughes Road and the topography of the lot. Motion carried unanimously.

10-28...A request by Eileen Klein, Section 12, 1706 High Haven, for a side detached and rear yard variance to allow for an addition to a non-conforming detached accessory structure.

Chairman Dhaehens made a call to the public. Mr. Saunders of 6945 Wide Valley Drive, spoke on behalf of Ms. Bhasvar. Mr. Sanders stated that Ms. Bhasvar has submitted to packets of information to the Zoning Board of Appeals to review. He went over some points in the letters to the board.

Moved by Figurski, supported by McCreary to deny case #10-28 for a side yard variance to allow for an addition to a non-conforming structure. The denial is due to no practical difficulty. The petitioner has until June 14th, 2011 to remove the portion of the building that was before the ZBA. **Motion carried unanimously.**

Moved by Figurski, supported by Grajek to approve the November 16th, 2010 Zoning Board of Appeals meeting minutes as submitted. **Motion carried unanimously.**

The meeting adjourned at 7:58 p.m.