

GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
DECEMBER 11, 2012  
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. 12-27...A request by Joe Aguis, Section 27, 5311 Brighton Road, for a sign variance.
2. 12-29...A request by Liberty Tax Service, Section 4, 4072 E. Grand River, for a sign variance.

**ADMINISTRATIVE BUSINESS:**

- A. ***Approval of minutes for the November 13<sup>th</sup>, 2012 Zoning Board of Appeals meeting.***
- B. ***Correspondence***
- C. ***Member Discussion***
- D. ***Adjournment***

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**DECEMBER 11, 2012**  
**CASE #12-27**

**PROPERTY LOCATION:** 5311 Brighton Road

**PETITIONER:** Burroughs Tavern (Joe Aguis)

**ZONING:** MUPUD (Mixed Use Planned Unit Development)

**WELL AND SEPTIC INFO:** Water and sewer

**PETITIONERS REQUEST:** Requesting a sign variance.

**CODE REFERENCE:** Table 16.1 – Sign dimensional standards - MUPUD (Mixed Use Planned Unit Development)

**STAFF COMMENTS:** Petitioner was tabled at the November 2012 ZBA meeting to allow for a full quorum of the Zoning Board of Appeals.

Petitioner is seeking a height variance to allow a ground sign with a height greater than 6 feet. Petitioner has been utilizing a prohibited messageboard sign in addition to the existing ground sign which resulted in code enforcement. Petitioner is seeking to merge the two signs to satisfy township ordinances as well to advertise the business.

	R.O.W setback	One Side	Other Side	Sign height	Sign area	Other
Setbacks of Zoning				6		
Setbacks Requested				7		
Variance Amount				1		

GENOA TOWNSHIP APPLICATION FOR VARIANCE

2911 DORR RD. BRIGHTON, MI 48116  
(810) 227-5225 FAX (810) 227-3420

Case # 12-27 Meeting Date: 10/16/12 @ 6:30

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

P.M.

• **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: Joseph Agius

Property Address: 5311 Brighton Phone: 810 229 9988 cell 313 600 9986

Present Zoning: MUPD Tax Code: 11-27-300-013

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: A sign variance

2. Intended property modifications: \_\_\_\_\_

This variance is requested because of the following reasons:

a. Unusual topography/shape of land (explain) \_\_\_\_\_

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: 9/25/12

Signature: Joseph R Agius

*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  
NOVEMBER 13, 2012  
6:30 p.m.**

**MINUTES**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30pm at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The members and staff of the Zoning Board of Appeals were then introduced. The board members in attendance were as follows: Chris Grajek, Marianne McCreary, Barbara Figurski, and Jeff Dhaenens. Member Steve Wildman was absent. Also present was Township staff member Adam VanTassell and 5 persons in the audience.

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

A call to the public was made with no response.

**12-27 A request by Joseph Agius, 5311 Brighton Road, sec. 27, for a sign variance.**

Joe Agius present for the petitioner.

A call to the public was made with no response.

**Moved** by Grajek, supported by Figurski to table the meeting until the next ZBA meeting due to the petitioner's request for a full quorum of the Zoning Board of Appeals. **Motion carried unanimously.**

**12-28 A request by Leo and Karen Mancini, 4057 Homestead Road, Sec. 28, for a waterfront and two side yard variances to construct a new home.**

Dennis Dinser from Acardia Design was present for the petitioner.

Leo Mancini stated that the footprint of the house is going to be the exact same and that is why the property was not staked.

A call to the public was made with no response.

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
OCTOBER 16, 2012  
6:30 p.m.**

**MINUTES**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The members and staff of the Zoning Board of Appeals were introduced. The Board members in attendance were as follows: Chris Grajek, Marianne McCreary, Barbara Figurski, and Jeff Dhaenens. Also present was Township staff member Adam Van Tassell and 7 persons in the audience.

**Moved** by Figurski, supported by McCreary, to approve the agenda with the tabling of case #12-20 for John and Carrie Mitter at 5287 Edgewood Shores Drive. **Motion carried unanimously.**

A call to the public was made with no response.

**12-23...A request by Transtar Autobody Technologies, 2040 Heiserman Drive, Sec. 13, for variances regarding size and setback for above ground storage tanks.**

Mike Westrick, Vice President along with Rick Coy and Barbara Kapusniak, Site Engineer was present to represent the petitioner. Mr. Westrick gave a project overview and advised the Zoning Board of Appeals on the safety protection for the tanks.

A call to the public was made with no response.

**Moved** by Grajek, supported by Figurski, to approve case #12-23, Transtar Autobody Technologies, 2040 Heiserman Drive for a variance of 75 feet with a setback of 0 feet from the building and a variance for tank size of (2) 5,000 gallons tanks and (4) 3,500 tanks.

The practical difficulty is the Zoning Ordinance is dated and does not parallel what the current demand would allow. **Motion carried unanimously.**

**12-26...A request by James Thornton, 2412 Prado Vista Lane, Sec. 19, for a side yard variance to construct a detached accessory structure.**

James and Denise Thornton were present for the petitioner.

A call to the public was made with no response.

**Moved** by Figurski, supported by McCreary to approve case #12-26, 2412 Prado Vista, James Thornton for a side yard variance of 8 feet with a 22 foot setback to construct a 26 x 32 detached garage.

The practical difficulty is the typography of the lot and the placement of the septic field. **Motion carried unanimously.**

**12-27...A request by Joseph Aguis, 5311 Brighton Road, Sec. 27, for a sign variance.**

Petitioner was not present.

10-16-12 Approved ZBA Minutes

**Moved** by Grajek, supported by McCreary to table case #12-27, 5311 Brighton Road, Joseph Aguis until the next scheduled Zoning Board of Appeals meeting. **Motion carried unanimously.**

**Moved** by McCreary, supported by Grajek to approve the September 21, 2012 Zoning Board of Appeals minutes with corrections. **Motion carried unanimously.**

**Moved** by Grajek, supported by McCreary, to adjourn the meeting of the Zoning Board of Appeals at 7:14 p.m. **Motion carried unanimously.**

Joe,

Here is the latest revision, looks a lot like what you have just considerably taller - 84" to be exact.

That is the 48" light box and the top panel is 30" all being 6" off the ground. They will need to know that 84" tall dimension.

Everything else is the same width.

Apparently, John (we) installed that original sign and the uprights are i beams with 2" square tubes across.

We will have to completely dismantle the sign and place some new cross members and fabricate a frame to hold the upper panel.

Then rebox the uprights with wood, cap them and reinstall the lights.

If you want to paint them, that would save you a few bucks. We will just supply the boards installed.

We really don't know exactly what we are getting into until we dismantle it so the price is still somewhere between \$2500 - \$3000.

This does not include any special lighting. I am looking into a solution for that, may take some time.

The upper panels will be the same type of material that you have now but the framing will have to change.

One of the main issues we have is the construction of the light box itself. If it is just an inexpensive metal box we may have to add support inside the cabinet to mount it.

Lots of variables but shouldn't be more than that.

Let me know if you have any questions,

Regards

Steve

Steve Kullman

SBT Brighton

810-225-7446 Office

734-634-1957 Cell

[steve.kullman@signsbytomorrow.com](mailto:steve.kullman@signsbytomorrow.com)

burroughs mailer

Hi Joe,

Here's a rough concept based on what we discussed today.

Note that I made the borders around the cabinets grey so they would be easier to see for purposes of this concept, actual cabinets will be black with black trim. Also, if you would like and the township will allow, we can extend the carriage lamps up so they extend above the top sign cabinet. We could do that by just using the same cap should work. I was also thinking, with the message center being white, we could make the background for the Burroughs cabinet black and use V at no greater cost. Otherwise it may be too much white. That detail shouldn't matter for your variance, but it is something we should consider when we move forward.

The total height of the message center and the Burroughs sign cabinet is 72". The bottom of the message center will be about 5-6" off the ground and the tips of the carriage lamps will be about 3-4" above the top sign cabinet. The total height of the existing sign, from the ground to the top of the carriage lights is approximately 80"

Let me know if this will be adequate for your meeting or if you need something further, and we'll work on putting something together. Time is tight though, so anything else.

Thank you for giving us this opportunity to work with you on this project.

Regards,

**Mike Favoretto**



5050 S. Old US Hwy. 23  
Brighton, MI 48114

Follow Us On Facebook and Twitter

e: [mikefav@signarama-brighton.com](mailto:mikefav@signarama-brighton.com)  
P: 810.494.7446  
F: 810.494.9023  
C: 248.421.8957

**PROMOTIONS**



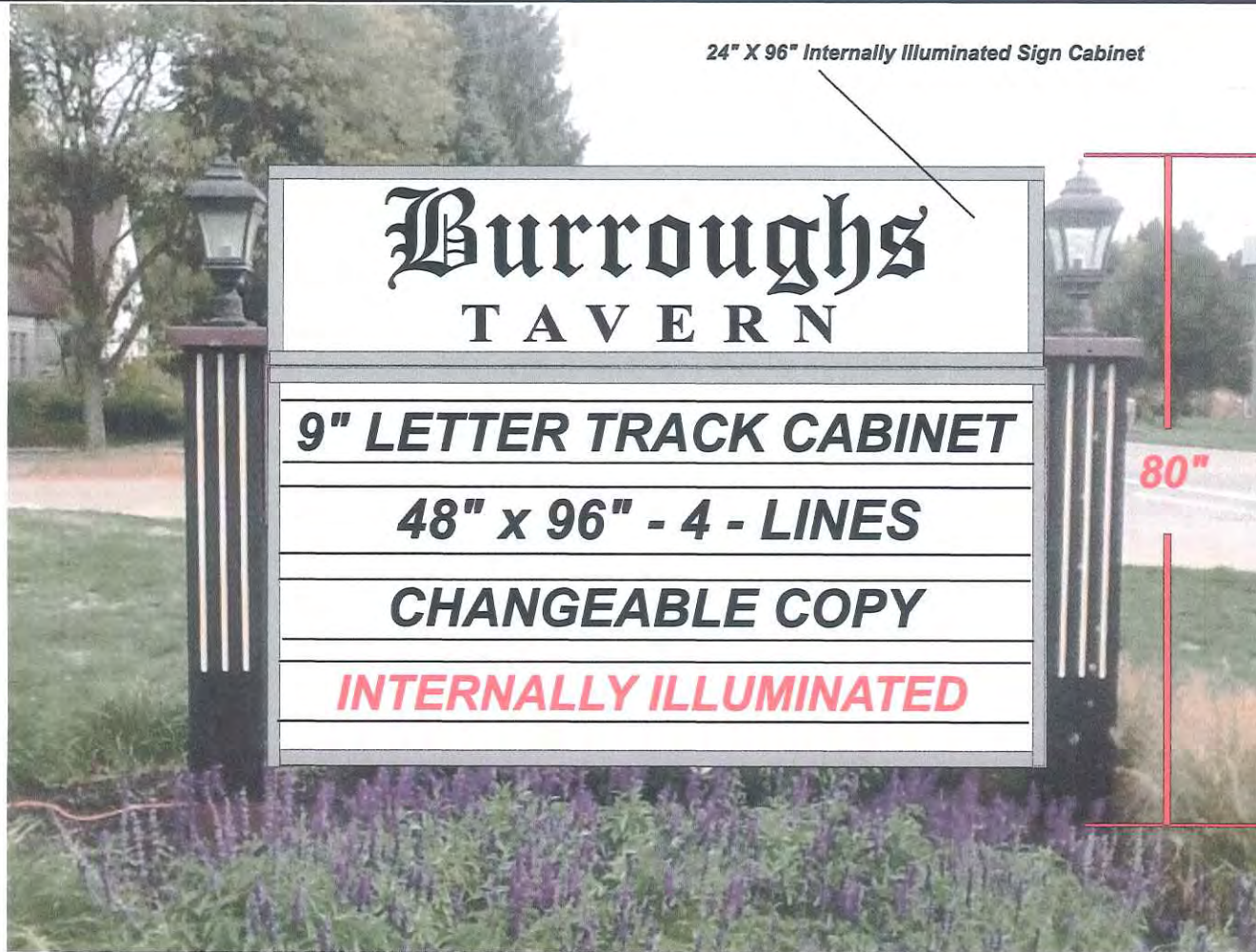
[View your 3 Bureau CREDIT REPORT](#)



[1 Weight Tip To Burn Belly Fat](#)



24" X 96" Internally Illuminated Sign Cabinet



**Burroughs**  
T A V E R N

**9" LETTER TRACK CABINET**

**48" x 96" - 4 - LINES**

**CHANGEABLE COPY**

**INTERNALLY ILLUMINATED**

80"



**810.494.7446**  
5050 Old US Highway 23  
Brighton MI 48114

PLEASE CALL AFTER SENDING US YOUR PROOF APPROVAL TO CONFIRM IT HAS BEEN RECEIVED

It is the responsibility of the customer to ensure accuracy of the image. Your email or faxed reply authorizes SARB to begin production. Indicate desired design in the reply if multiple options are provided. Call for turn-around time otherwise you will be notified when your project is finished or ready for scheduling. Proof modifications will incur art charges after 2nd revision. Job cannot be cancelled.

Revision #: 1  2  3  4  5  6  (\$25 charge per ea. additional revision)

Approved  Approved with Revisions  Not Approved

Signature:

Date:

Job No.:                      Date: 10/1/2012

Order                      Salesperson:  
Date:

Description (size, colors, material, # of sides, installer):

**Concept 1**



Existing Sign

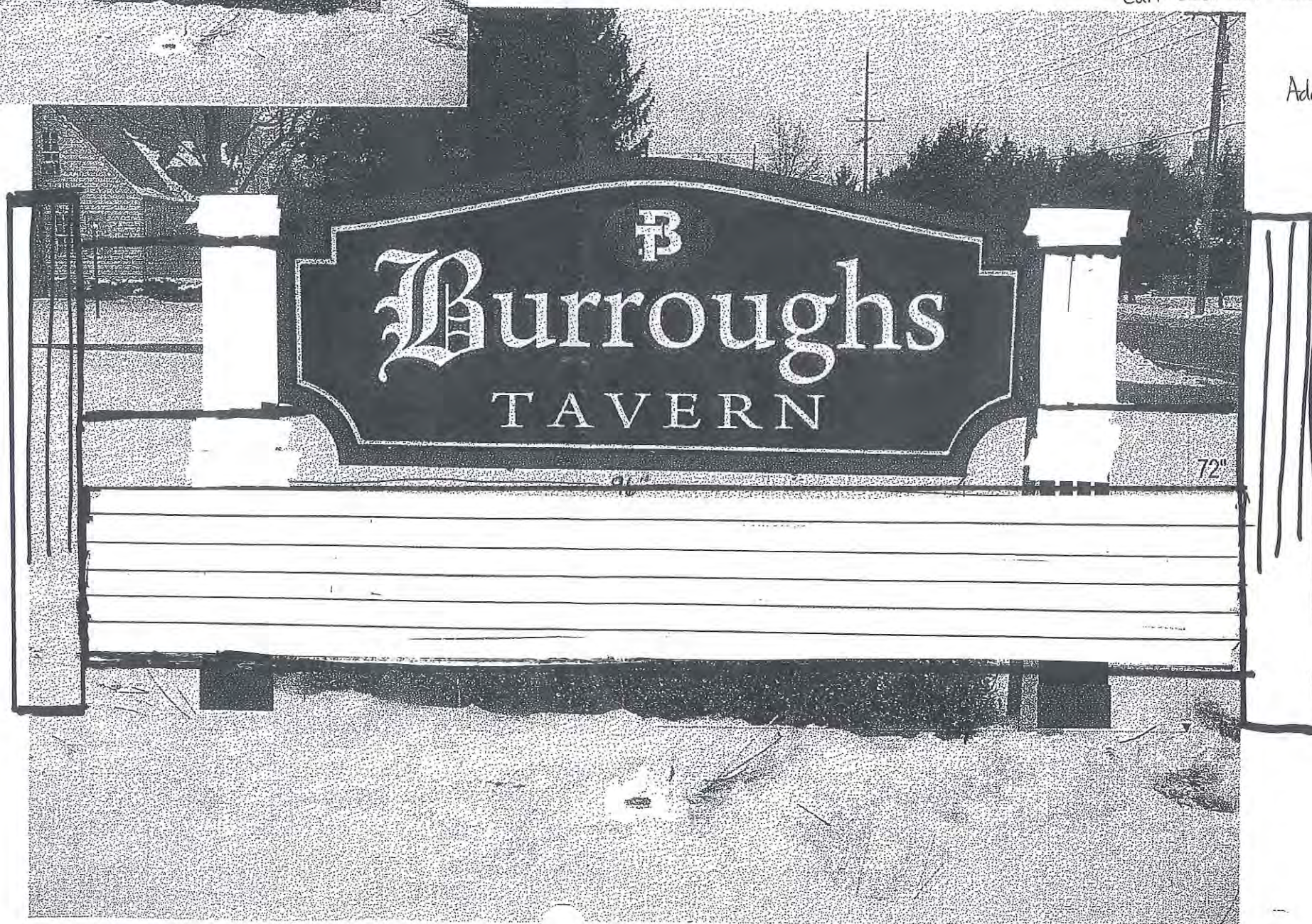


96" x 36" Aluminum DieBond Panels  
Mounted to Existing Sign (6" x 6" Posts)

GENOA TOWNSHIP  
MAR 9 4 2010  
PERMIT APPROVED

- 24 sq. ft. existing -  $\frac{1}{3}$  of what is allowed.  
- Can add an additional 48 sq. ft.

Add 3' x 15' readerboard  
= 45 sq. ft.



3' x 15'  
Readerboard

## Amy Ruthig

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**From:** Adam VanTassell  
**Sent:** Monday, October 01, 2012 10:52 AM  
**To:** Amy Ruthig  
**Subject:** FW: BurroughsTavern Zoning Variance Request 10/16/2012

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**From:** Fred Gnadt [<mailto:gnadt@sbcglobal.net>]  
**Sent:** Monday, October 01, 2012 10:51 AM  
**To:** Adam VanTassell  
**Subject:** Fw: BurroughsTavern Zoning Variance Request 10/16/2012

**Subject:** BurroughsTavern Zoning Variance Request 10/16/2012

Genoa Township Zoning Board of Appeals

Thank You for the notice regarding the requested variance. I have no issue either way. I would agree with Joe that the current sinage in question is on the small side, however if the variance is granted **will this bring to an end the 2 years of sound & sign violations**. Going into opening this business I understand that Joe Aguis knew what the Genoa Township ordinances were yet both have been ignored and continue to be ignored requiring action from Adam Van Tassell at the Genoa Township Ordinance Department. The business practices must be consistent with the neighborhood.

Fred & Yvonne Gnadt  
Ashton Ct



BRIGHTON

ASHTON

## Adam VanTassell

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**From:** Gary McCririe <garymccririe@gmail.com>  
**Sent:** Tuesday, October 16, 2012 6:04 PM  
**To:** Adam VanTassell  
**Subject:** Burroughs Tavern Sign Variance

Genoa Township ZBA Members:

Tonight you will be hearing an appeal for a sign variance from Burroughs Tavern owner Joe Agius. Mr. Agius, assistant township manager/planning director Kelly VanMarter, zoning administrator Adam VanTassell and I have been working together to try to find a reasonable way for him to properly advertise his business and comply with the township's sign ordinance. Throughout the process Mr. Agius has been receptive to coming up with a solution that was a win-win for the township and his business. Throughout our several meetings our main goal was to seek a way to keep his business successful and profitable while respecting the area where his restaurant is located.

You have copies of several photos and drawings in your packet tonight. The picture on page 40 of 45 in your package was an idea by Ms. VanMarter to increase the reader board and keep the height within the ordinance. We presented that to Mr. Agius and he took the concept to his sign companies for ideas. What you have before you is the result of that effort. I think you would agree that the rendering on page 39, which I believe Mr. Agius is prepared to erect, accomplishes the same thing and is quite attractive. The amount of signage in both is the same but the page 39 option is, in my opinion, much more professional.

Please consider granting the request for a 1 foot height variance tonight. I believe it is in the spirit of assisting one of the businesses in Genoa Township that we are all hopeful will continue to be successful and prosperous.

Gary McCririe  
Genoa Township Supervisor

**Charter Township of Genoa**  
**ZONING BOARD OF APPEALS**  
**DECEMBER 11, 2012**  
**CASE #12-29**

**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.

**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 was granted a variance to the above code on December 13, 2011. Petitioner has returned seeking the same variance to allow temporary event signage at their location beyond the mandated 14 days for an additional 21 days. Petitioner’s business is seasonal and the petitioner feels they are not able to advertise at the same advantage as year round businesses. Petitioner is additionally seeking this variance to be approved for a 3 year period.

# GENOA CHARTER TOWNSHIP APPLICATION FOR VARIANCE

2911 DORR RD. BRIGHTON, MI 48116  
(810) 227-5225 FAX (810) 227-3420

Case # 12-29 Meeting Date: 12/11/12 @ 6:30

- 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 - Howell

Property Address: 4072 E Grand River Ave Phone: 517-540-1040

Present Zoning: GCD Tax Code: 11-04-300-010

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 five weeks: 3 w/ this variance and 2 w/ a permit) for the next 3 years.  
(typical pictures from previous years attached)

This variance is requested because of the following reasons:

- a. Unusual topography/shape of land (explain) Poor visibility of office from road and visibility is very important in early part of tax season
- b. Other (explain) Individual income tax preparation is very seasonal; there is a 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 8 1/2 and 14 in size.
- Waterfront properties must indicate setback from water for adjacent homes
- A Land Use Permit Application to be submitted with ZBA Variance Application.
- 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: 11-14-2012

Signature: Patricia J Schenck

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

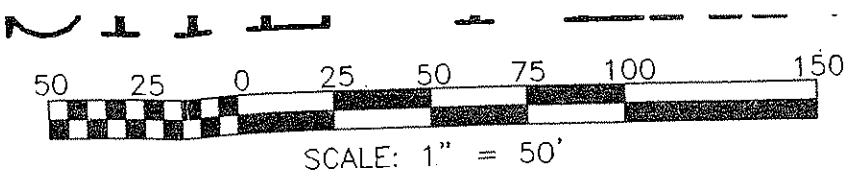
**After the decision is made regarding your variance approval contact Adam or Amy at the township office to discuss what your next step is.**



S\* - 28' from edge of shoulder

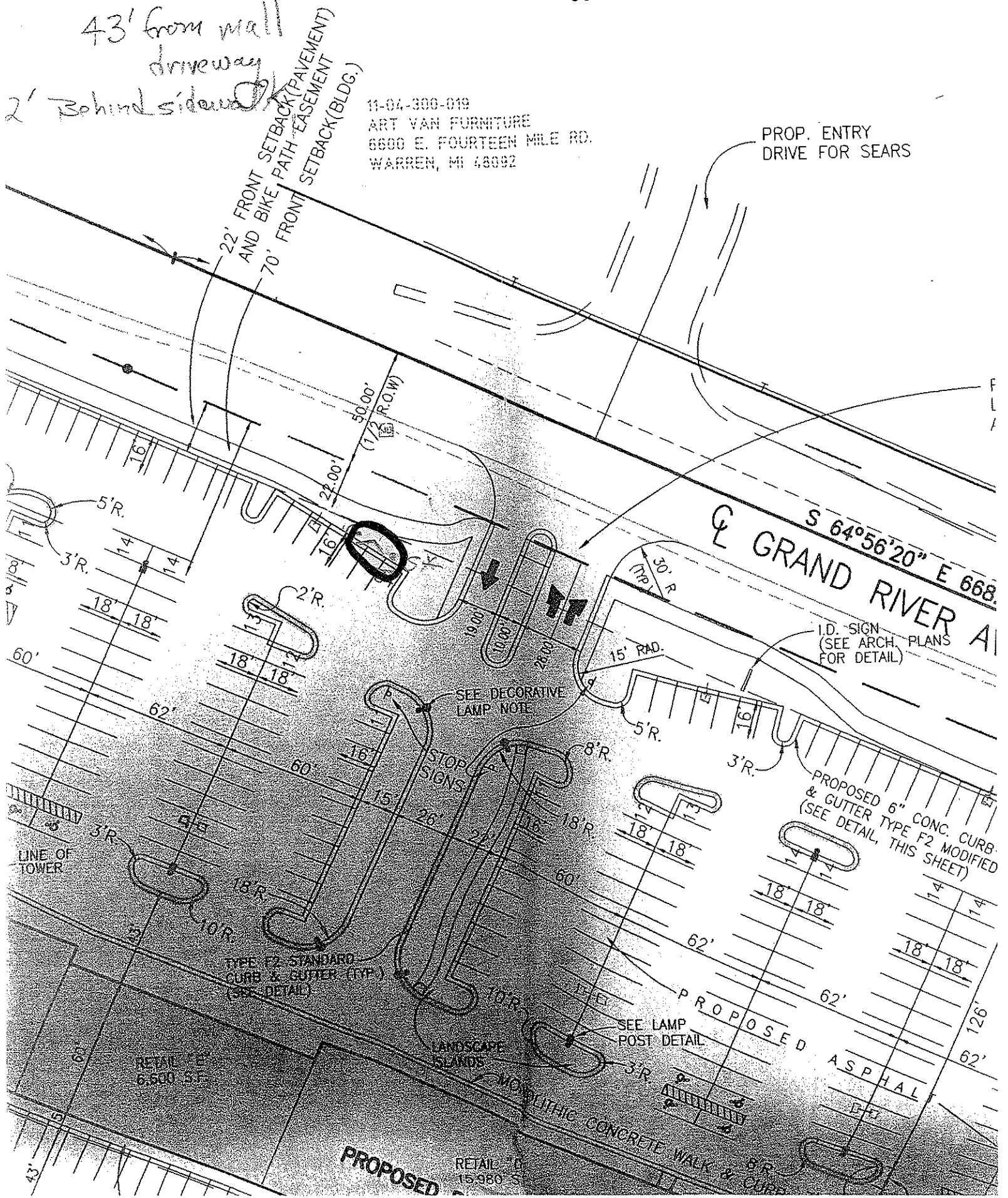
43' from wall driveway

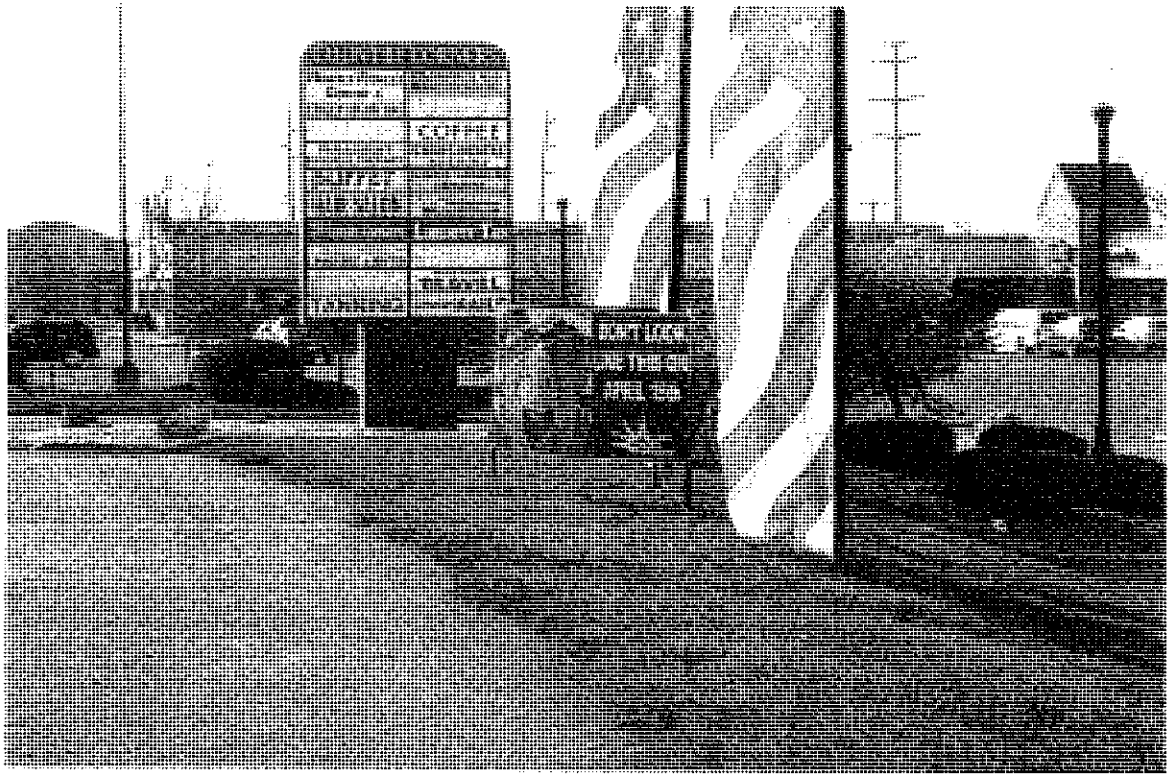
2' Behind sidewalk



11-04-300-019  
ART VAN FURNITURE  
6600 E. FOURTEEN MILE RD.  
WARREN, MI 48092

PROP. ENTRY  
DRIVE FOR SEARS





12-13-11 Unapproved Minutes

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
DECEMBER 13, 2011  
6:30 P.M.**

**MINUTES**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The board members in attendance were as follows: Marianne McCreary, Chris Grajek, Barbara Figurski, Steve Wildman and Jeff Dhaenens. Also present was Township staff member Adam VanTassell and 5 persons in the audience.

**Moved** by Figurski, supported by to approve the agenda with the following items to be tabled #1 and #3 also with item #2 to be deleted. **Motion carried unanimously.**

A call to the public was made with no response.

**11-23...A request by James Koerschen, Sec. 11, 1764 Hughes Road, for a front yard variance to construct an addition.**

Ken Sexton of Alpha Contracting and Bradley Alvord of Lindhout Associates Architects was present for the petitioner.

A call to the public was made with no response.

**Moved** by Wildman , Supported by Figurski to grant case#11-23 1764 Hughes Road for a front setback of 17 feet with a variance of 18 feet. The approval is conditioned upon the addition being guttered. The finding of fact is the placement of the existing home on the property and the topography of the land. **Motion carried unanimously.**

**11-25...A request by Steve Schenck (Liberty Tax Service), Sec. 4, 4072 E. Grand River, for a sign variance.**

A call to the public was made with no response.

**Moved** by Figurski, supported by Wildman to grant 11-25 petitioner's request for a (1) year period with 2 banners, 2 windfeathers and balloons for an additional 3 weeks from the allowed 2 weeks per the ordinance. The finding of fact is the temporary type of seasonal business and the hardship of the location off the road. **Motion carried unanimously.**

**Moved** by Figurski, supported McCreary to the approve the November 15, 2011 Zoning Board of Appeals minutes with the correction. **Motion carried unanimously.**

**Moved** by Figurski, supported by McCreary to adjourn the Zoning Board of Appeals meeting at . **Motion carried unanimously.**



**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
NOVEMBER 13, 2012  
6:30 p.m.**

**MINUTES**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30pm at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The members and staff of the Zoning Board of Appeals were then introduced. The board members in attendance were as follows: Chris Grajek, Marianne McCreary, Barbara Figurski, and Jeff Dhaenens. Member Steve Wildman was absent. Also present was Township staff member Adam VanTassell and 5 persons in the audience.

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

A call to the public was made with no response.

**12-27 A request by Joseph Agius, 5311 Brighton Road, sec. 27, for a sign variance.**

Joe Agius present for the petitioner.

A call to the public was made with no response.

**Moved** by Grajek, supported by Figurski to table the meeting until the next ZBA meeting due to the petitioner's request for a full quorum of the Zoning Board of Appeals. **Motion carried unanimously.**

**12-28 A request by Leo and Karen Mancini, 4057 Homestead Road, Sec. 28, for a waterfront and two side yard variances to construct a new home.**

Dennis Dinser from Acardia Design was present for the petitioner.

Leo Mancini stated that the footprint of the house is going to be the exact same and that is why the property was not staked.

A call to the public was made with no response.

**Moved** by Grajek, Supported by McCreary, to approve case #12-28, Leo and Karen Mancini, for a waterfront setback of 95.2 feet for a variance of 7.3 feet and two side yard setbacks of 5.5 feet for a variance of 4.5 feet on both sides to reconstruct a home. Conditioned upon the building to be guttered. The finding of fact is the practical difficulty of the narrowness of the lot. Motion carried unanimously.

**Moved** by Figurski, Supported by Grajek, to approve the October 16, 2012 Zoning Board of Appeals minutes as submitted. **Motion carried unanimously.**

Member discussion: McCreary asked that absent ZBA members be noted in the minutes.

**Moved** by Figurski, Supported by Grajek, to adjourn the Zoning Board of Appeals meeting at 7:10 p.m. **Motion carried unanimously.**