

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 19, 2019  
6:30 P.M.  
AGENDA**

Call to Order:

Pledge of Allegiance:

Elections of Officers:

Introductions:

Approval of Agenda:

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

1. 19-08 ... A request by Enterprise Leasing Co. of Detroit, LLC, 7184 Grand River, for side yard variance to enlarge an existing garage.
2. 19-09 ... A request by Matt and Kim McCord, 4065 Homestead Drive, for a waterfront variance in order to remove an existing home and construct a new home.

Administrative Business:

1. Approval of minutes for the February 19, 2019 Zoning Board of Appeals meeting.
2. Correspondence
3. Township Board Representative Report
4. Planning Commission Representative Report
5. Zoning Official Report
6. Member Discussion
7. Adjournment



**GENOA CHARTER TOWNSHIP VARIANCE APPLICATION**  
 2911 DORR ROAD | BRIGHTON, MICHIGAN 48116  
 (810) 227-5225 | FAX (810) 227-3420

Case # 19-08 Meeting Date: March 19, 2019  
@ 6:30 pm

PAID Variance Application Fee  
 \$125.00 for Residential | \$300.00 for Commercial/Industrial

Applicant/Owner: Enterprise Leasing Company of Detroit, LLC. Email: Scott.j.inman@ehi.com  
 Property Address: 7184 Grand River Ave, Brighton, MI 48114 Phone: (517) 202-8238  
 Present Zoning: GCD Tax Code: 4711-13-100-024

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

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

**Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. **Variance requested:** Variance requested to enlarge current garage approximately 396 square ft. This addition would be along the existing building line. A previous side yard variance of five(5) was granted. We are looking to build along the same template. It would not be as visually appealing to the surrounding business.

2. **Intended property modifications:** We are proposing to build an approximately 396 ft addition to the existing garage. We have attached our plans.

The following is per Article 23.05.03:

**Criteria Applicable to Dimensional Variances.** No variance in the provisions or requirements of the Ordinance shall be authorized by the Board of Appeals unless it is found from the evidence that all of the following conditions exist:

**Under each please indicate how the proposed project meets each criteria.**

**Practical Difficulty/Substantial Justice.** Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

Granting us the variance request would do us and the surrounding property owners a substantial justice. It would allow us to clean and prepare vehicles more efficiently and timely for the residence of Genoa Township. This will aid us in providing the best customer service possible. The neighboring business will have a uniform building next door that does not look like it has been pieced together.

**Extraordinary Circumstances.** There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance was not self-created by the applicant.

The extraordinary circumstance are that the building has already been granted a variance in the past. Therefore, any addition that is not granted the same variance will not share a building line. This is not as aesthetically pleasing as one uniform structure.

**Public Safety and Welfare.** The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

The granting of this variance will not have any negative impact on public safety or public welfare. It is a small expansion many feet off Grand River Ave. The approximately 8 ft extension will not interfere with any light supply or air to the adjacent property.

**Impact on Surrounding Neighborhood.** The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

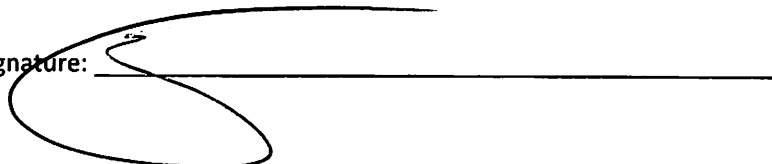
The addition of approximately 396 square feet will not cause any harm to the development, use, or value of adjacent properties as it would share the same building lines.

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

**After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.**

Date: 2-7-19

Signature: \_\_\_\_\_





## MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** March 13, 2019

**RE:** ZBA 19-08

2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
genoa.org

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### STAFF REPORT

**File Number:** ZBA#19-08  
**Site Address:** 7184 Grand River Avenue, Brighton  
**Parcel Number:** 4711-13-100-024  
**Parcel Size:** 1.258 Acres  
**Applicant:** Enterprise Leasing Company of Detroit, LLC.  
**Property Owner:** Matthew Underwood, 2588 E. Jones Road Howell  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variance  
**Project Description:** Applicant is requesting a side yard variance.  
**Zoning and Existing Use:** GCD (General Commercial District) car leasing business is located on the property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday March 3, 2019 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

**Background**

The following is a brief summary of the background information we have on file:

- Per Assessing records, the year built is 1987.
- Special use approval to allow leasing operation was obtained in 1995. (See attached minutes)
- Approval of addition was obtained in 2004. (See attached minutes)
- See Assessing Record Card.

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford  
H. James Mortensen  
Terry Croft  
Diana Lowe

**MANAGER**

Michael C. Archinal



**Summary**

The applicant is requesting to construct an addition to the existing garage that would be used for vehicle preparation. In 2004, Applicant received a 5 foot side yard variance for the construction of a previous addition. (See attached minutes).

**Variance Requests**

The following is the section of the Zoning Ordinance that the variance is being requested from:

**7.03.01 Commercial Schedule of Area and Bulk Requirements.** All lots, buildings, structures and parking areas shall comply with the area height and bulk requirements in Table 7.03.01

<b>TABLE 7.03.01</b>	
<b>District</b>	<b>Side Yard <sup>(1)</sup></b>
General Commercial District (GCD)	15 ft. each side

**Required Side Yard Setback: 15'**  
**Proposed Side Yard Setback: 10'**  
**Proposed Variance Amount: 5'**

**Summary of Findings of Fact- After reviewing the application and materials provided, I offer the possible findings of fact for your consideration:**

Please note that in order for a variance to be approved it has to meet all of the standards in 23.05.03.

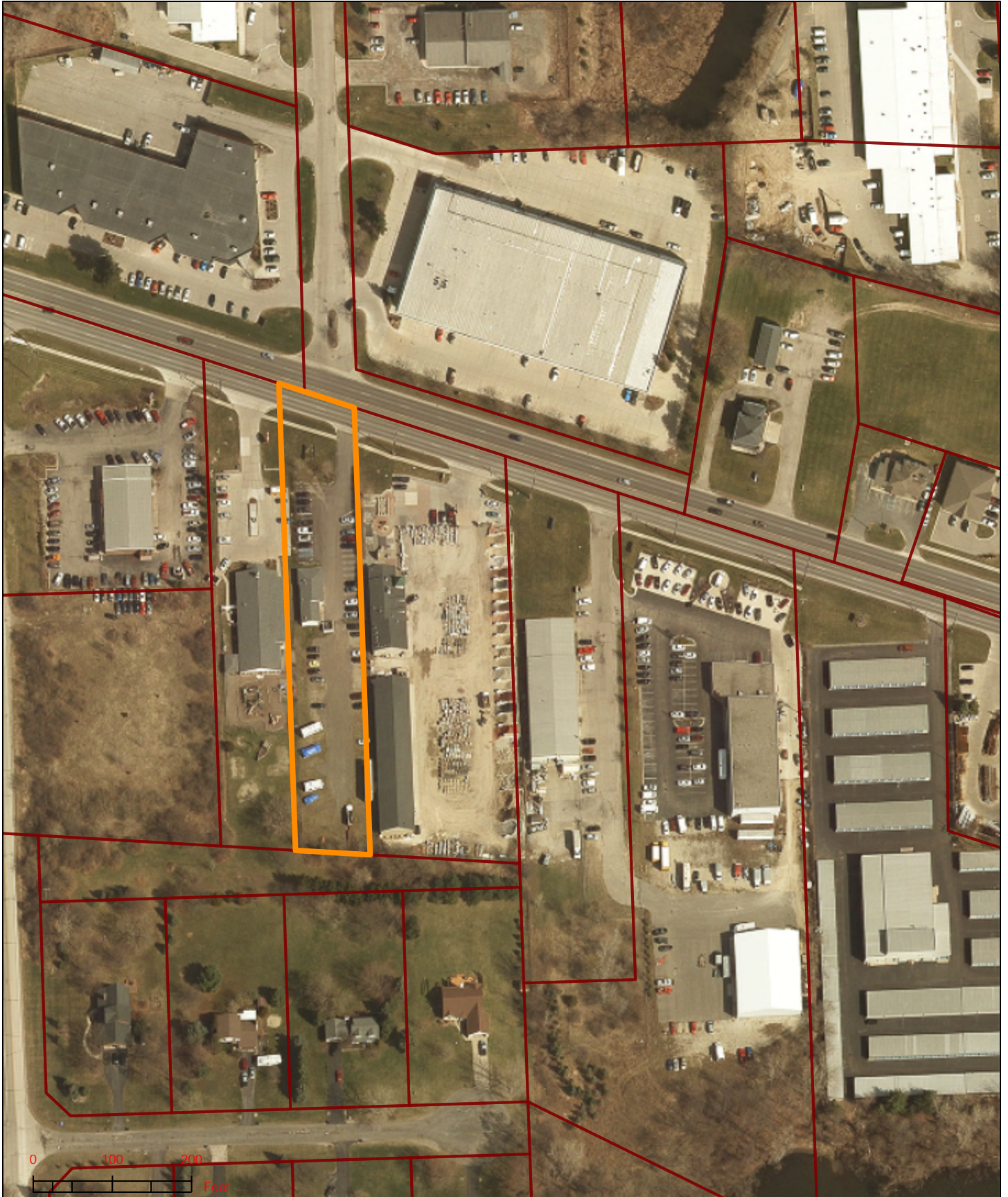
- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the ordinance would not unreasonably prevent use of the property. There are existing non-compliant side yard setbacks within the vicinity therefore granting the variance would provide substantial justice however the variance is not necessary to add on to the building.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary conditions of the property are the narrowness of the lot and location of the existing non-conforming structure. The need for the variance is self-created since the applicant is not prevented from adding on to the building in conformance with the ordinance. If granted, the variance would make the property consistent with other properties in the vicinity.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

### **Recommended Conditions**

If the Zoning Board of Appeals grants the variance requests, staff recommends the following conditions be placed on the approval.

1. Must obtain Planning Commission approval.
2. Site must be brought into conformance prior to land use permit issuance.
3. Applicant shall demonstrate that the site is in conformance with Genoa Township Ordinances and Site plan and Special Use previous approval conditions prior to land use permit issuance.
4. Applicant shall be made aware that additional REU fees might be applicable.

# GENOA TOWNSHIP





A call to public was made with no response..

Moved by Figurski, supported by Perri, to grant approval of case # 04-21 for a deck of 800 sq. ft. with a rear yard variance of 10 feet. The hardship is the slope and terrain of the lot and also the deck would serve as a fire escape in the rear of the home. Motion carried unanimously.

**04-22...A request by Robert and Diana Murdock, Section 15, 5818 Sterling Drive, for a variance to allow a split with non conforming lot widths.**

A call to the public was made with no response.

Mr. Thomas O'Connell and Mr. Murdock were present to represent to the petitioner.

Moved by Figurski, supported by Ledford, to deny case # 04-22 on Sterling Drive for Mr. Murdock due to no practical difficulty or hardship exists with the land. Motion carried unanimously.

**04-23...A request by Enterprise Rent-A-Car, Section 13, 7184 w. Grand River, for a side yard variance to construct an addition.**

A call to the public was made with no response.

Mr. Jason Spong and Mr. Dave Smith with Enterprise were present for the petitioner.

Moved by Ledford, supported by Figurski to grant petitioner's request for a 5 foot variance along the west side yard to construct a 505 sq. ft. addition to Enterprise Rent-A-Car's existing nonconforming structure. The variance would make the property consistent with the other properties in the vicinity. Motion carried unanimously.

Moved by Figurski, supported by Ledford, to approve the Zoning Board of Appeals, May 18<sup>th</sup>, 2004 minutes with grammatical corrections. Motion carried as follows: Ayes- Perri, Brown, Figurski, Ledford with Brady abstaining.

The meeting was adjourned at 9:05 p.m.

Respectfully submitted:

Amy Ruthig

GENOA TOWNSHIP BOARD – Regular Meeting – July 19, 2004

7. All conditions of the Fire Department letter dated June 22, 2004 shall be complied with.

The motion carried unanimously.

**8. Request for approval of the environmental impact assessment, corresponding to site plan for a proposed 505 sq. ft. addition to the existing building (Enterprise Rent A Car) located on the south side of Grand River Ave. between Hubert and Euler Rd., Section 13, petitioned by Enterprise Rent A Car, as discussed by the Planning Commission May 10, 2004 and the Zoning Board of Appeals June 22, 2004.**

Moved by Smith, supported by Hunt, to approve the impact assessment dated April 21, 2004 with the following conditions:


1. The petitioner and/or the property owners will meet Township Ordinance and past special use permits granted with regard to outdoor storage, car sales, etc.
2. Drain water containing salt cannot be accepted at the sanitary sewer system. The petitioner shall not discharge fluids from the wash bay to the sewer system and shall get approval from the township engineers to make sure that the process is correct with a redesign of the effluent coming from the wash bay.
3. Fifteen trees or 60 shrubs native to the region will be added to the east lot line, an additional 15 trees or 60 shrubs will be added to the west property line, and three canopy trees will be added to the front property line.
4. All landscaping will be irrigated.
5. The waste receptacle enclosure will be constructed of brick to match the building and shall have a 12-foot-wide opening.
6. All wall-mounted lighting shall be shoebox style and downward directed.
7. A five-foot-wide concrete sidewalk will be constructed along Grand River.
8. The requirements of the Brighton Area Fire Department's letter dated May 6, 2004 shall be met.
9. Residue from the car wash will be handled in accordance with Federal, State, County, and local ordinances and/or rules and regulations of the Township Engineer.
10. One REU will be assigned to this property.
11. The water service lateral should be relocated so it is not under the existing building.
12. A detail for the sanitary sewer lead, including the proposed slope, the proposed size, and the proposed invert of the lead should be added to the plans.
13. Detail for the sanitary lead cleanouts should be provided.
14. The material of the proposed water lateral should be specified on the plans.
15. Detail for the water service lateral should be shown on the plans.
16. Trench details should be added to the plans.
17. An underground pipe large enough to store additional runoff from the addition shall be installed and meet all requirements of the Livingston County Drain Commission.
18. Dust control measures shall be added.
19. Hours of operation shall be included.
20. Number of employees shall be included.
21. Item F should be changed to note sewer and water connection.

The motion carried unanimously.

**GENOA TOWNSHIP BOARD – Regular Meeting – July 19, 2004**

McCrie advised the board that the Oak Pointe and MHOG water towers would be repainted. The contract went to the low bidder (V.T. Painting) at a cost of \$80,075.00.

The regular meeting of the Township Board was adjourned at 9:10 p.m.

  
Paulette A. Skolarus  
Genoa Township Clerk

The call to the public was made at 9:23 p.m. with no response.

**Moved** by Figurski, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment dated April 20, 2004 for a 2,076 sq. ft. addition to the existing childcare facility (School Bell Childcare Center) located on the south side of Grand River between Hubert and Euler Rd., Section 13, petitioned by In The Pines Inc. **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Figurski, to approve the Site Plan for a 2,076 sq. ft. addition to the existing childcare facility (School Bell Childcare Center) located on the south side of Grand River between Hubert and Euler Rd., Section 13, petitioned by In The Pines Inc with the following conditions:

1. Petitioner will comply with the Brighton Area Fire Department's requirements spelled out in their May 5, 2004 letter
2. ZBA approval shall be obtained for the east side yard setback.
3. The building height will conform to the Township Ordinance, and the approval of which will be handled administratively by Township Staff.
4. The site lighting will meet Township Ordinance.
5. Five trees of at least 2.5 caliper or 20 shrubs will be added to the east side of the site.
6. Four trees or 12 shrubs will be added to the south side of the site.
7. The dumpster enclosure will be made of brick and materials shall match the existing and expanded building.
8. The materials of the expansion shall match the current building's materials.
9. The user fees regarding the sewer connection will be determined by Township Staff.
10. Trench detail for the sanitary sewer lead under the proposed roadway shall be added to the plans.
11. No potassium-based reagent shall be used in any water softeners and water softener backwash shall not be connected to the sanitary sewer system.
12. The petitioner will ensure that the construction of the sidewalk along Grand River avoids utility structures.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING # 4...Review of site plan application, site plan, and environmental impact assessment for proposed 482 sq. ft. addition to the existing building (Enterprise Rent A Car) located on the south side of Grand River Ave. between Hubert and Euler Rd., Section 13, petitioned by Enterprise Rent A Car. (PC 04-06)**

- **Planning Commission disposition of petition**
  - A. Recommendation regarding impact assessment.
  - B. Disposition regarding site plan.



Mr. Jason Spong of Enterprise Rent A Car, and David Smith, Operation Coordinator for Enterprise Rent A Car, were present to represent the petitioner.

Mr. Spong advised their business has been in Brighton for eight years at a different location. They would like to add a small prep area to the building in the rear. It will not be as wide as the current building so the addition will not be seen from Grand River.

Commissioner Brown questioned what will be done in this area. Mr. Spong stated it is a car wash area. All mechanical services will be done at local establishments. He added that it is not a car wash; it is a "bucket" wash. They will still be under 1 REU for the business.

Commissioner Litogot questioned what the back parking lot will be used for. Mr. Spong stated they will use that for overflow of cars. He advised that Mr. Scott Underwood still owns the property and he wants to use it for his use also.

Commissioner Litogot asked how many vehicles will be on the site. Mr. Spong stated there will be a maximum of 15 cars. When the cars are done being rented, they go to an off site location to be sold. They will be no car sales at this site.

Commissioner Figurski stated there is a bulletin at the center that says "Cars for Sale". Mr. Spong advised they refer customers to the off site location in Farmington Hills where they can purchase the used rental cars.

Mr. Purdy reviewed his letter of April 28, 2004.

1. The current structure is non conforming so a variance from the ZBA would be required.
2. A landscape plan is required. Mr. Spong stated their parking lot is 230 feet from Grand River and the building is even further back. Commissioner Mortensen questioned if the property owner is aware that these improvements need to be done. Mr. Spong stated they have his approval in writing. Commissioner Mortensen feels there is a lot of landscaping being required for the addition of a garage. He would like to see some relief to this, especially on the west side. Mr. Purdy suggested 50 percent of the original requirements be required for the side yard and he would like to see three canopy trees along Grand River. Ms. Huntley advised not to plant the trees where the sanitary sewer main will be run along Grand River. Commissioner Litogot would like to ensure all landscaping is irrigated. The petitioner will comply with all of these requirements.
3. The dumpster enclosure is being proposed to be constructed of wood and they would recommend it be constructed of brick or block to match the building. The petitioner will comply.

4. Wall pack lighting fixtures must be full cut-off in design. The petitioner will comply.
5. A five-foot wide concrete sidewalk is required along Grand River.

Ms. Humphriss reviewed her letter of May 5, 2004.

1. A 10-foot opening for the dumpster is being proposed. A minimum of 12-feet is required. The petitioner will comply.
2. The water service lateral should be relocated so it is not under the existing building. The petitioner will comply.
3. A detail for the sanitary sewer lead, including the proposed slope, the proposed size, and the proposed invert of the lead should be added to the plans. The petitioner will comply.
4. Detail for the sanitary lead cleanouts should be provided. The petitioner will comply.
5. The material of the proposed water lateral should be specified on the plans. The petitioner will comply.
6. Detail for the water service lateral should be shown on the plans.
7. Trench details should be added to the plans. The petitioner will comply.
8. The petitioner should provide adequate storage for the increased runoff due to the added impervious area. Ms. Huntley suggested the petitioner put in a storage pipe for the runoff similar to what was proposed for the previous petitioner, School Bell.

Chairman Pobuda asked if any chemicals will be used on the site. Mr. Spong stated there will be no hazardous materials used. All products will be drained and put in a containment drum with separation ability where all sediment will fall to the bottom and it will be cleaned out and removed to an off side location.

Chairman Pobuda questioned if there will be any damaged cars on the site. Mr. Spong stated that if a car is damaged while rented, it will be sent to the collision shop.

The call to the public was made at 10:00 p.m.

**Moved** by Figurski, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment dated April 21, 2004 for a proposed 482 sq. ft. addition to the existing building (Enterprise Rent A Car) located on the south side of Grand River Ave. between Hubert and Euler Rd., Section 13, petitioned by Enterprise Rent A Car with the following conditions:

1. Hours of operation shall be included.
2. Number of employees shall be included.
3. Dust control measures shall be added.
4. Item F should be changed to note sewer and water connection.

**The motion carried unanimously.**

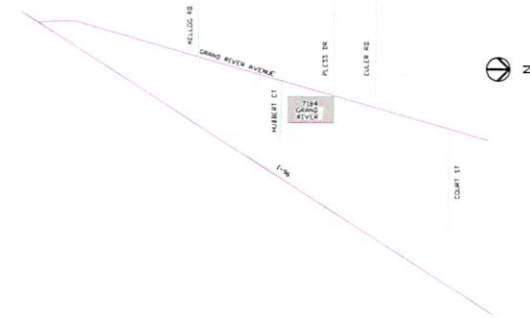
**Moved** by Mortensen, seconded by Brown, to approve the Site Plan for a proposed 482 sq. ft. addition to the existing building (Enterprise Rent A Car) located on the south side of Grand River Ave. between Hubert and Euler Rd., Section 13, petitioned by Enterprise Rent A Car with the following conditions:

1. The petitioner and/or the property owners will meet Township Ordinance and past special use permits granted with regard to outdoor storage, car sales, etc.
2. Approval from the ZBA for a side yard setback variance and expansion of a non-conforming building.
3. Fifteen trees or 60 shrubs native to the region will be added to the east lot line. an additional 15 trees or 60 shrubs will be added to the west property line, and three canopy trees will be added to the front property line.
4. All landscaping will be irrigated.
5. The waste receptacle enclosure will be constructed of brick to match the building and shall have a 12-foot-wide opening.
6. All wall-mounted lighting shall be shoebox style and downward directed.
7. A five-foot-wide concrete sidewalk will be constructed along Grand River.
8. The requirements of the Brighton Area Fire Department's letter dated May 6, 2004 shall be met.
9. Residue from the car wash will be handled in accordance with Federal, State, County, and local ordinances and/or rules and regulations of the Township Engineer.
10. One REU will be assigned to this property.
11. The water service lateral should be relocated so it is not under the existing building.
12. A detail for the sanitary sewer lead, including the proposed slope, the proposed size, and the proposed invert of the lead should be added to the plans.
13. Detail for the sanitary lead cleanouts should be provided.
14. The material of the proposed water lateral should be specified on the plans.
15. Detail for the water service lateral should be shown on the plans.
16. Trench details should be added to the plans.
17. An underground pipe large enough to store additional runoff from the addition shall be installed and meet all requirements of the Livingston County Drain Commission.
18. Dust control measures shall be added.

**The motion carried unanimously.**

**Moved** by Figurski, seconded by Mortensen, to approve the minutes of April 12, 2004. **The motion carried unanimously.**

# ENTERPRISE RENTAL CAR GARAGE EXPANSION



LOCATION PLAN

**BUILDING CODES**

2015 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS

**LEGAL DESCRIPTION**

7184 GRAND RIVER, BRIGHTON, MI 48116

SEC 13 T2N R5E BEG AT A POINT DISTANT, N 89°41'40"E 659.19 FT, N 1°01'10"W 594.36 FT & N 89°39'15"W 188.90 FT FROM W 1/4 COR OF SEC 13, TH N 1°01'10"W 564.74 FT, TH N 71°08'30"W ALONG THE C.L. OF GRAND RIVER, 100 FT, TH S 1°01'10"E 589.91 FT, TH S 85°39'15"E 94.45 FT TO POB, SPLIT FR 019, 1.24AC M/L

OWNER: ENTERPRISE RENTAL CAR

PARCEL NO.: 4711-99-000-713



EXISTING SITE PLAN

SCALE: NTS

PROJECT INFORMATION	
LOCATION	7184 Grand River, Brighton, MI 48116
CURRENT BUILDING USE	Rental Car Company
PROPOSED BUILDING USE	Rental Car Company
ZONING CLASSIFICATION	GC: General Commercial
ADJACENT SITE ZONING	GC
BUILDING CODE	2015 Michigan Building Code
ADA COMPLIANCE	ANSI-117.1 Accessibility Standard
USE GROUPS	B: Rental Car Company
FIRE RATING	Not Sprinklered
LEASED SPACE AREA	1,898 sq. ft.
PAVED AREA	10,070 sq. ft. Existing paved Lot
SITE LIGHTING	Light fixtures on Building
OCCUPANT LOAD	5
NO. OF EXITS REQUIRED	1 Required ( 3 Provided)
CONSTRUCTION CLASSIFICATION	Type IIB
FRONT YARD	48.00 ft.
REAR YARD	6.00 ft.
SIDE YARD	448.00 ft.
# OF OCCUPANTS	5
BUILDING AREA	1.9 GSF
BUILDING HEIGHT	15'
OFF-STREET PARKING	20 Spaces
TRASH REMOVAL	Dumpster, private
PROJECT COMPLETION	N/A



440 BURBODUGHS ST.  
SUITE 605  
DETROIT, MI 48202  
Phone: (313) 961-5170  
Fax: (800) 451-2163

OWNER  
ENTERPRISE  
RENTAL CAR

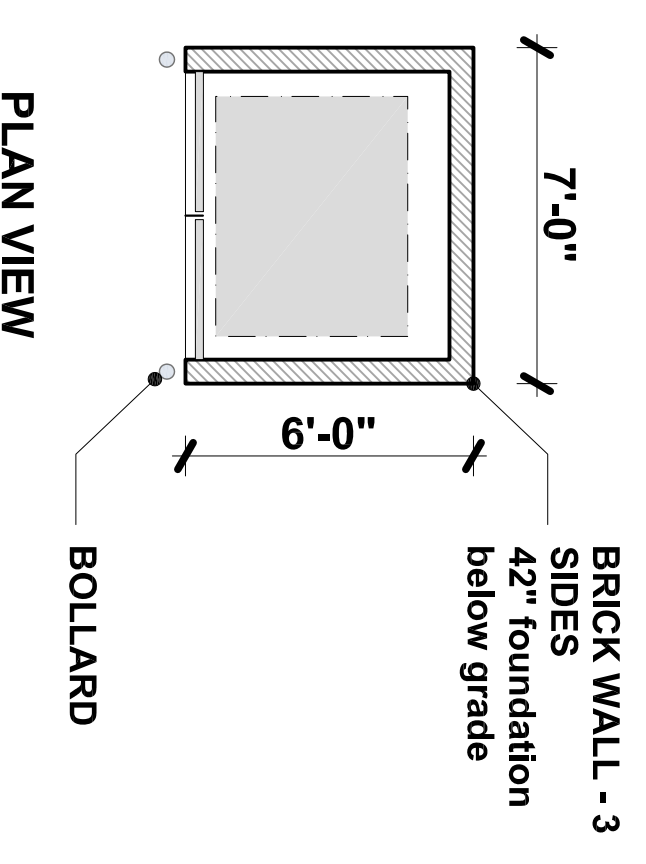
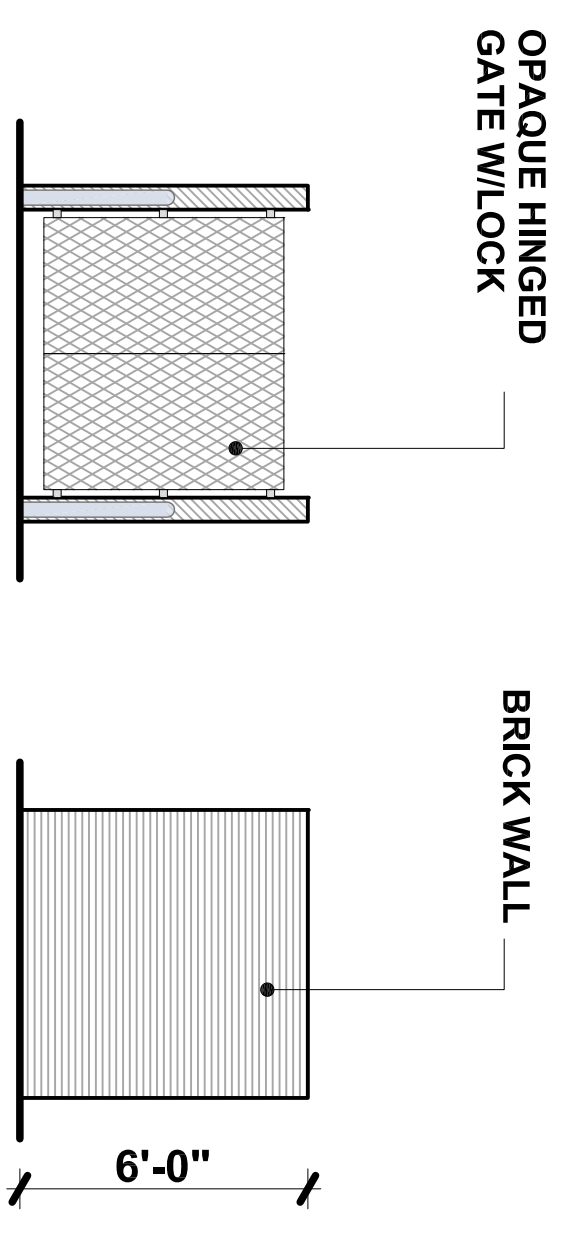
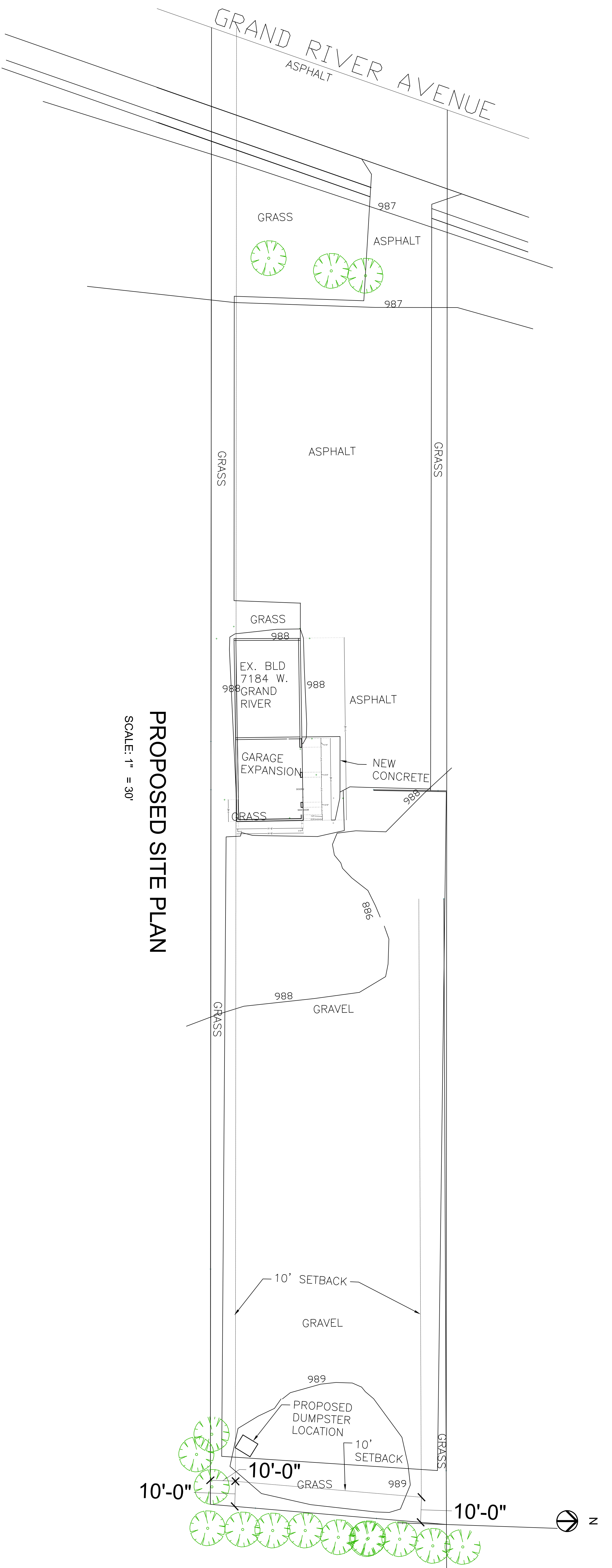
PROJECT  
GARAGE  
EXPANSION  
7184 GRAND RIVER  
BRIGHTON, MI  
48116

BY	REVISIONS	DATE

Review comments	11/16/18
Date:	AS NOTED
Scale:	AS NOTED
Drawn:	ABE
Job:	2018111
Sheet:	

SHEET TITLE  
COVER SHEET

CS-1



**DUMPSTER ENCLOSURE**  
SCALE: N.T.S.



ABE ASSOCIATES, INC.  
440 BURROUGHS STREET  
STE. 605  
DETROIT, MI 48202  
PH: 313.961.5170  
FX: 313.961.5172

OWNER  
**ENTERPRISE RENTAL CAR**

PROJECT  
**GARAGE EXPANSION  
7184 GRAND RIVER  
BRIGHTON, MI  
48116**

BY	REVISIONS	DATE

Review Comments

Date: 3/14/19  
Scale: AS NOTED  
Drawn: ARB  
Job: 2018121  
Sheet

SHEET TITLE  
**PROPOSED PLAN**

**C2.0**







ABE ASSOCIATES, INC.  
 440 BURROUGHS STREET  
 STE. 605  
 DETROIT, MI 48202  
 PH: 313.961.5170  
 FX: 313.961.5172

OWNER  
**ENTERPRISE RENTAL CAR**

PROJECT  
**GARAGE EXPANSION  
 7184 GRAND RIVER  
 BRIGHTON, MI 48116**

BY	REVISIONS	DATE

Review comments

Date:	11/12/18
Scale:	AS NOTED
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Sheet:	

SHEET TITLE  
**EXISTING SITE PLAN / SURVEY**

**C1.0**

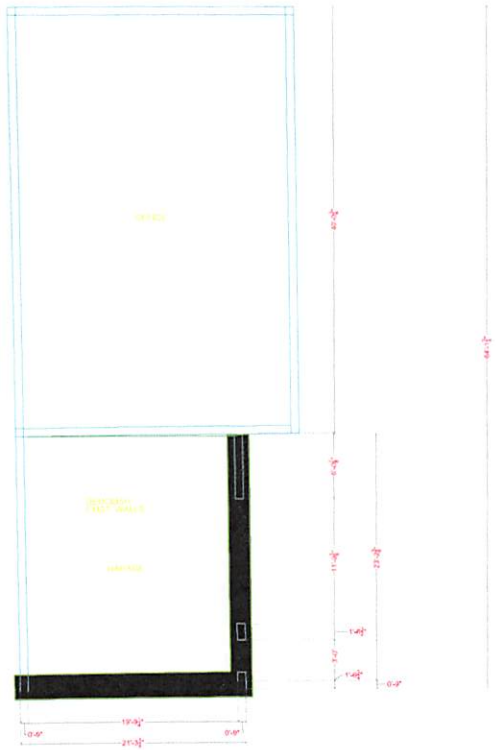


**EXISTING SITE PLAN / SURVEY**

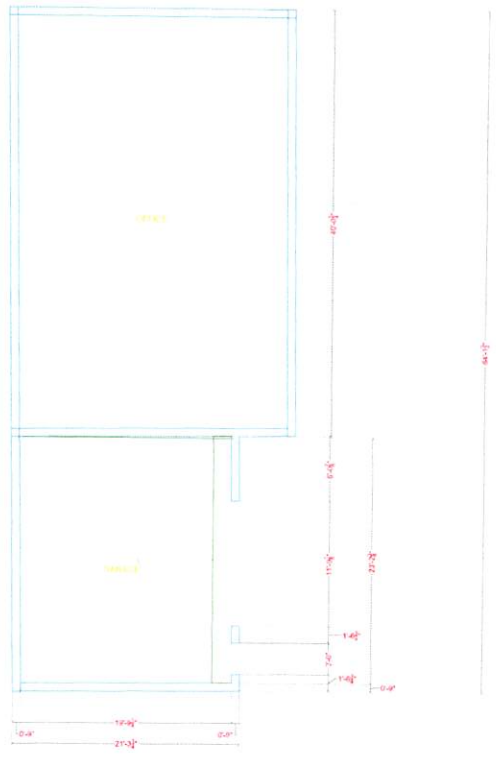
SCALE: 1" = 30'







DEMOLITION PLAN  
SCALE: 3/16" = 1'-0"



EXISTING FLOOR PLAN  
SCALE: 3/16" = 1'-0"



440 BURROUGHS ST.  
SUITE 202  
DETROIT, MI 48202  
Phone: (313) 961-5170  
Fax: (800) 451-2165

OWNER  
ENTERPRISE  
RENTAL CAR

PROJECT  
GARAGE  
EXPANSION  
7184 GRAND RIVER  
BRIGHTON, MI  
48234

BY	REVISIONS	DATE

Review comments:

Date:	11/12/18
Scale:	AS NOTED
Drawn:	ARB
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Sheet:	

SHEET TITLE  
FLOOR PLANS

A1.0



440 BURROUGHS ST.  
SUITE 205  
DETROIT, MI 48202  
Phone: (313) 961-5170  
Fax: (800) 451-2185

OWNER  
ENTERPRISE  
RENTAL CAR

PROJECT  
GARAGE  
EXPANSION  
7184 GRAND RIVER  
BRIGHTON, MI  
48234

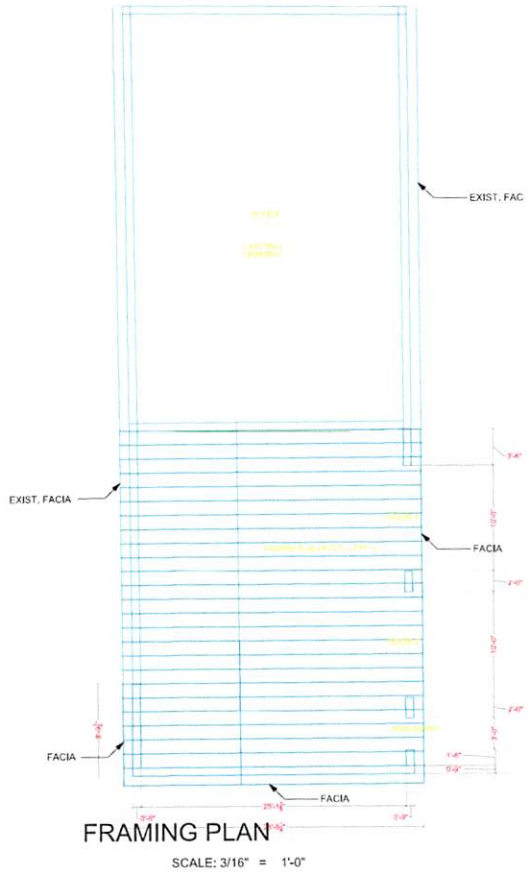
BY	REVISIONS	DATE

Review comments:

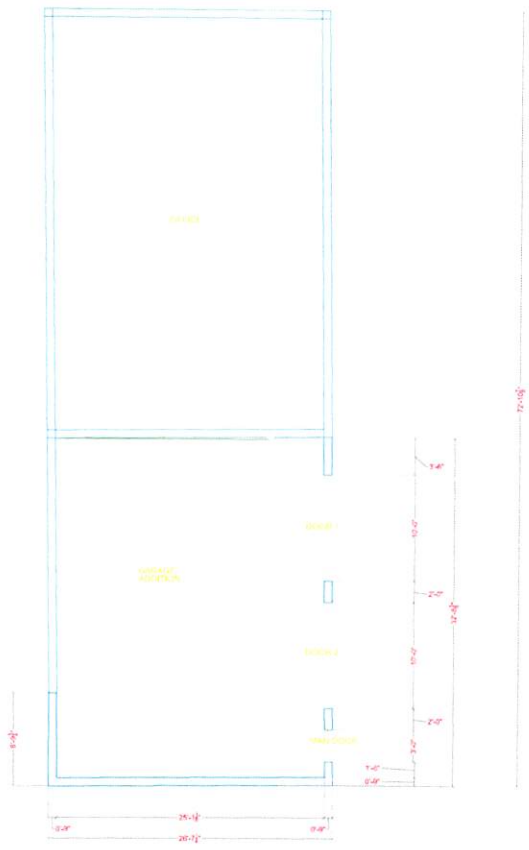
Date:	11/2/18
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Drawn:	ARS
CHK:	
Sheet:	

SHEET TITLE  
FLOOR PLANS

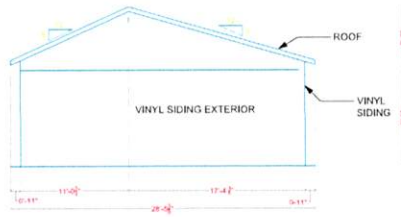
A2.0



FRAMING PLAN  
SCALE: 3/16" = 1'-0"

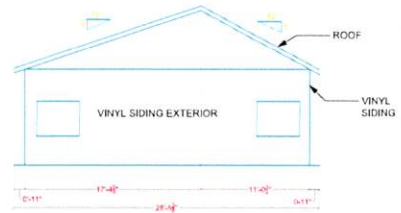


PROPOSED FLOOR PLAN  
SCALE: 3/16" = 1'-0"



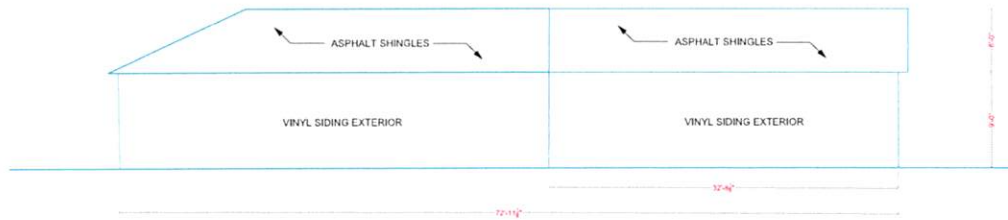
**NORTH ELEVATION**

SCALE: 3/16" = 1'-0"



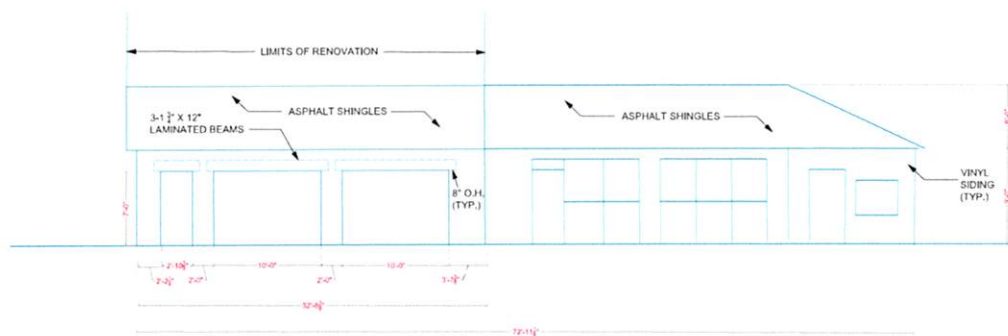
**SOUTH ELEVATION**

SCALE: 3/16" = 1'-0"



**EAST ELEVATION**

SCALE: 3/16" = 1'-0"



**WEST ELEVATION**

SCALE: 3/16" = 1'-0"



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OWNER  
 ENTERPRISE  
 RENTAL CAR

PROJECT

GARAGE  
 EXPANSION  
 7184 GRAND RIVER  
 BRIGHTON, MI  
 48234

BY	REVISIONS	DATE

Review comments  
 Date: 11/12/18  
 Scale: AS NOTED  
 Drawn: ARB  
 Job:  
 Sheet

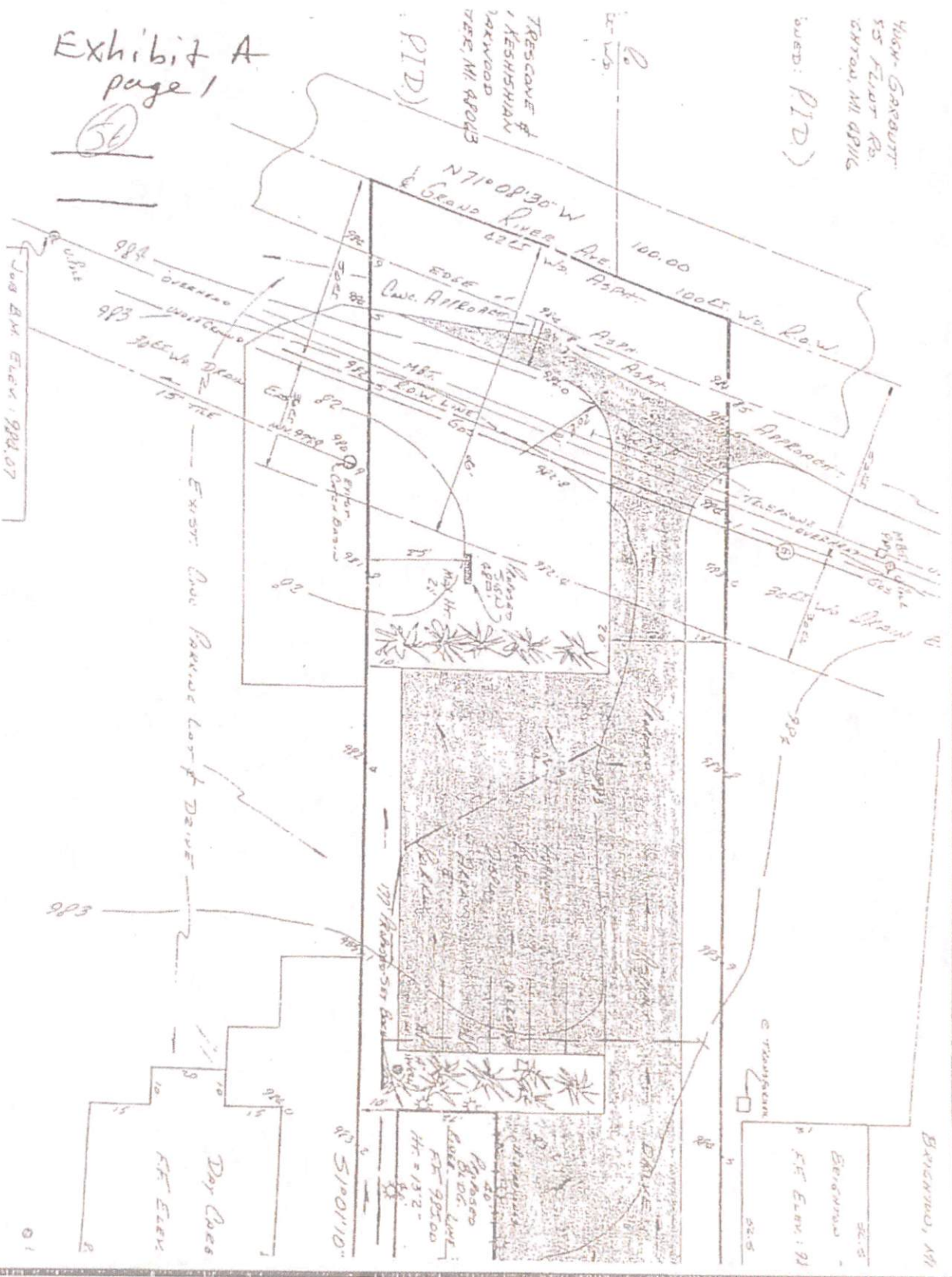
SHEET TITLE  
 ELEVATIONS

A3.0

Exhibit A  
page 1

(56)

HOW GAROUTT  
55 FLOYD RD.  
CHRYSLER, MI 48116  
SUED: (PID)



Job BK Elev: 994.07

EXISTING CURB PARALLEL DRIVE




FINISHED  
LEVEL B.O.G. LVL  
FM 985.00  
HC = 13'2"

FINISHED  
LEVEL B.O.G. LVL  
FM 985.00  
HC = 13'2"

FINISHED  
LEVEL B.O.G. LVL  
FM 985.00  
HC = 13'2"





Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
UNDERWOOD, MATTHEW & JEANN	UNDERWOOD MATTHEW	0	04/08/2015	QC	INVALID SALE	2015R-013323	BUYER	0.0			
HARRIS, WM. & SHIRLEY	UNDERWOOD	240,000	10/31/1997	WD	ARMS-LENGTH	2252-0210	BUYER	100.0			
Property Address		Class: 201 COMMERCIAL-IM		Zoning: GCD		Building Permit(s)		Date	Number	Status	
7184 W GRAND RIVER		School: HOWELL		SIGN		05/15/2012		S12-053	NO START		
Owner's Name/Address		P.R.E. 0%		ADDITION		09/03/2004		04-387A	NO START		
UNDERWOOD MATTHEW 2588 E JONES RD HOWELL MI 48855		MAP #: V19-08		SEWER CONNECTION		05/20/2004		P04W-048	NO START		
		2019 Est TCV Tentative		TENANT BUILD-OUT		02/04/2004		04-37	NO START		
Tax Description		X Improved		Vacant		Land Value Estimates for Land Table GRIVE.GRAND RIVER FRONTAGE					
SEC 13 T2N R5E BEG AT A POINT DISTANT, N 89*41'40"E 659.19 FT, N 1*01'10"W 594.36 FT & N 89*39'15"W 188.90 FT FROM W 1/4 COR OF SEC 13, TH N 1*01'10"W 564.74 FT, TH N 71*08'30"W ALONG THE C.L. OF GRAND RIVER, 100 FT, TH S 1*01'10"E 589.91 FT, TH S 85*39'15"E 94.45 FT TO POB, SPLIT FR 019, 1.24AC M/L		Public Improvements		* Factors *		Description Frontage Depth Front Depth Rate %Adj. Reason Value					
Comments/Influences		Dirt Road		GRDRIVER 1200		95.00 577.00		1.0000 1.6985		1200 100	193,632
		Gravel Road		95 Actual Front Feet, 1.26 Total Acres		Total Est. Land Value =		193,632			
		Paved Road		Land Improvement Cost Estimates		Description Rate Size % Good Cash Value					
		Storm Sewer		Commercial Local Cost Land Improvements		Description Rate Size % Good Arch Mult Cash Value					
		Sidewalk		PAVING LC		1.50		10340 31		100	4,808
		Water		6'TO 8' CHAIN LINK		15.00		890 31		100	4,138
		Sewer		WELL/WATER		4,475.00		1 65		100	2,909
		Electric		SEPTIC/SEWER		4,400.00		1 65		100	2,860
		Gas		Total Estimated Land Improvements True Cash Value =		14,715					
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
Topography of Site		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
Flood Plain											
Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other	Taxable Value
Who		When		What		Tentative		Tentative		Tentative	Tentative
		2019		Tentative		Tentative		Tentative		Tentative	Tentative
		2018		80,700		60,000		140,700			109,647C
		2017		80,700		52,700		133,400			107,392C
		2016		80,700		51,800		132,500			106,435C

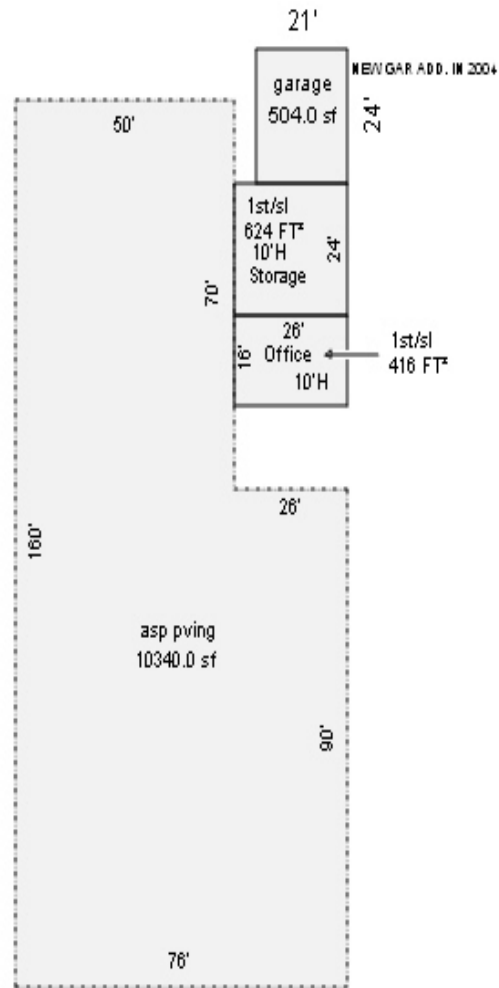
\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan



Desc. of Bldg/Section: Calculator Occupancy: Office Buildings				<<<<<< Calculator Cost Computations >>>>>>			
Class: D Floor Area: 416 Gross Bldg Area: 1,544 Stories Above Grd: 1 Average Sty Hght : 10 Bsmnt Wall Hght				Class: D Quality: Average Stories: 1 Story Height: 10 Perimeter: 71			
Depr. Table : 1.5% Effective Age : 28 Physical %Good: 65 Func. %Good : 100 Economic %Good: 100		Construction Cost High Above Ave. Ave. X Low		Base Rate for Upper Floors = 130.60			
1987 Year Built Remodeled		** ** Calculator Cost Data ** ** Quality: Average Heat#1: Package Heating & Cooling 100% Heat#2: Package Heating & Cooling 0% Ave. SqFt/Story: 416 Ave. Perimeter: 71 Has Elevators:		(10) Heating system: Package Heating & Cooling Cost/SqFt: 26.12 100% Adjusted Square Foot Cost for Upper Floors = 156.72			
Overall Bldg Height		*** Basement Info *** Area: Perimeter: Type: Heat: Hot Water, Radiant Floor		Total Floor Area: 416 Base Cost New of Upper Floors = 65,196 Reproduction/Replacement Cost = 65,196 Eff.Age:28 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 65 /100/100/100/65.0 Total Depreciated Cost = 42,377			
Comments:		* Mezzanine Info * Area #1: Type #1: Area #2: Type #2: * Sprinkler Info * Area: Type: Average		ECF (2014 MAIN COMMERCIAL) 0.850 => TCV of Bldg: 1 = 36,021 Replacement Cost/Floor Area= 156.72 Est. TCV/Floor Area= 86.59			
(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets:		Fixtures:	
X Poured Conc.	Brick/Stone	Block	Footings	Many Above Ave.	Average Typical	Few None	
(3) Frame:		Total Fixtures		Urinals		Flex Conduit	
		3-Piece Baths		Wash Bowls		Rigid Conduit	
		2-Piece Baths		Water Heaters		Armored Cable	
		Shower Stalls		Wash Fountains		Non-Metalic	
		Toilets		Water Softeners		Bus Duct	
(4) Floor Structure:		(9) Sprinklers:		Incandescent		(40) Exterior Wall:	
				Fluorescent		Thickness	
(5) Floor Cover:		(10) Heating and Cooling:		Mercury		Bsmnt Insul.	
		Gas		Sodium Vapor			
		Oil		Transformer			
		Coal Stoker					
		Hand Fired Boiler					
(6) Ceiling:				(13) Roof Structure: Slope=0			
				(14) Roof Cover:			

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



Sketch by Apex Medina™

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

Desc. of Bldg/Section: Calculator Occupancy: Garages - Service/Fleet Facilities Repair		<<<<<< Calculator Cost Computations >>>>>>	
Class: D Floor Area: 624 Gross Bldg Area: 1,544 Stories Above Grd: 1 Average Sty Hght : 10 Bsmnt Wall Hght		Class: D Quality: Average Stories: 1 Story Height: 10 Perimeter: 87	
Depr. Table : 1.5% Effective Age : 28 Physical %Good: 65 Func. %Good : 100 Economic %Good: 100		Base Rate for Upper Floors = 68.69  (10) Heating system: Forced Air Furnace Cost/SqFt: 10.09 100% Adjusted Square Foot Cost for Upper Floors = 78.78	
Year Built Remodeled Overall Bldg Height		Total Floor Area: 624 Base Cost New of Upper Floors = 49,159  Reproduction/Replacement Cost = 49,159 Eff.Age:28 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 65 /100/100/100/65.0 Total Depreciated Cost = 31,953	
Comments:		ECF (2014 MAIN COMMERCIAL) 0.850 => TCV of Bldg: 2 = 27,160 Replacement Cost/Floor Area= 78.78 Est. TCV/Floor Area= 43.53	
(1) Excavation/Site Prep:		(7) Interior:	
(2) Foundation:		(8) Plumbing:	
X Poured Conc. Brick/Stone Block		Many Above Ave. Average Typical Few None	
(3) Frame:		Total Fixtures 3-Piece Baths Urinals 2-Piece Baths Wash Bowls Shower Stalls Water Heaters Toilets Wash Fountains Water Softeners	
(4) Floor Structure:		(9) Sprinklers:	
(5) Floor Cover:		(10) Heating and Cooling:	
(6) Ceiling:		Gas Oil Coal Stoker Hand Fired Boiler	
		(11) Electric and Lighting:	
		(13) Roof Structure: Slope=0	
		(14) Roof Cover:	
		(39) Miscellaneous:	
		Outlets: Fixtures:	
		Few Average Many Unfinished Typical Few Average Many Unfinished Typical	
		Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct Incandescent Fluorescent Mercury Sodium Vapor Transformer	
		(40) Exterior Wall:	
		Thickness Bsmnt Insul.	

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

Desc. of Bldg/Section: Calculator Occupancy: Garages - Service/Fleet Facilities Repair		<<<<< Calculator Cost Computations >>>>>	
Class: D Floor Area: 504 Gross Bldg Area: 1,544 Stories Above Grd: 1 Average Sty Hght : 10 Bsmnt Wall Hght		Class: D Quality: Average Stories: 1 Story Height: 10 Perimeter: 90 Base Rate for Upper Floors = 75.80	
Depr. Table : 1.5% Effective Age : 10 Physical %Good: 86 Func. %Good : 100 Economic %Good: 100		(10) Heating system: Space Heaters, Gas with Fan Cost/SqFt: 5.62 100% Adjusted Square Foot Cost for Upper Floors = 81.42	
Year Built Remodeled		Total Floor Area: 504 Base Cost New of Upper Floors = 41,035 Reproduction/Replacement Cost = 41,035 Eff.Age:10 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 86 /100/100/100/86.0 Total Depreciated Cost = 35,290	
Overall Bldg Height		ECF (2014 MAIN COMMERCIAL) 0.850 => TCV of Bldg: 3 = 29,997 Replacement Cost/Floor Area= 81.42 Est. TCV/Floor Area= 59.52	
Comments:		*** Basement Info *** Area: Perimeter: Type: Heat: Hot Water, Radiant Floor * Mezzanine Info * Area #1: Type #1: Area #2: Type #2: * Sprinkler Info * Area: Type: Average	
(1) Excavation/Site Prep:		(7) Interior:	
(2) Foundation:		(8) Plumbing:	
X Poured Conc.	Brick/Stone	Block	Footings
(3) Frame:		Many Above Ave.	Average Typical
(4) Floor Structure:		Few None	Total Fixtures
(5) Floor Cover:		Urinals	3-Piece Baths
(6) Ceiling:		Wash Bowls	2-Piece Baths
		Water Heaters	Shower Stalls
		Wash Fountains	Toilets
		Water Softeners	
		(9) Sprinklers:	
		(10) Heating and Cooling:	
		Gas Oil	Coal Stoker
		Hand Fired Boiler	
		(11) Electric and Lighting:	(13) Roof Structure: Slope=0
		Outlets:	(14) Roof Cover:
		Fixtures:	
		Few Average Unfinished Typical	Few Average Unfinished Typical
		Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct	Incandescent Fluorescent Mercury Sodium Vapor Transformer
		(39) Miscellaneous:	(40) Exterior Wall:
		Thickness	Bsmnt Insul.

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



PROPERTY MUST BE STAKED SHOWING REQUESTED SETBACKS 7 DAYS PRIOR TO MEETING DATE. FAILURE TO STAKE COULD RESULT IN POSTPONEMENT OR DENIAL OF PETITION.

GENOA CHARTER TOWNSHIP VARIANCE APPLICATION
2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 19-09 Meeting Date: March 19, 2019 @ 6:30pm

[X] PAID Variance Application Fee
\$125.00 for Residential | \$300.00 for Commercial/Industrial

Applicant/Owner: MATT & KIM McCORD Email: MATTMCCORD@COMCAST.NET
Property Address: 4065 HOMESTEAD Phone: 810-623-4703 810-599-7645
Present Zoning: LRR Tax Code: 11-28-201-055

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals (see attached).

Each application for Variance is considered individually by the ZBA. The ZBA is board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed applicant, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested: 6' WATERFRONT SETBACK. REQUESTING TO REBUILD IN THE SAME POSITION AS EXISTING HOUSE.

2. Intended property modifications: REMOVE EXISTING HOUSE AND BUILD A NEW RESIDENCE

Dennis Desjardis 2-21-19

## McCord variance explanation

### ~ Practical difficulty / substantial justice

~ Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the parcel.

The waterfront setback of 67' has been established by the zoning administrator of Genoa Township. We fully understand and respect the need for an average setback of waterfront properties relative to neighboring homes. Our circumstance is dictated by the shape of the water's edge and the position of the neighboring homes, particularly our neighbor to the north. This circumstance is not of our making.

The existing home, with its shallow but covered porch, has a waterfront setback of 60'. It is very nearly flush with the neighboring home to the south, but significantly behind the neighbor to the north. The sight line from the existing home is already incumbered by this condition.

We are asking to build a new home with the same waterfront setback as the existing condition. In so doing, we will be relieving an out-of-compliance condition to our southern neighbor by observing the sideyard setback and building further away from their home. Their sightline actually improves for the sake of our proposed location.

If the variance is granted, we will still be well behind our neighbor to the north and they enjoy the tremendous range of view they have always had.

The spirit of the ordinance is proper; nobody should impede a neighbor's view of the lake. Our case is quite the opposite. If the variance is denied, our neighbors experience no change in their condition. If the variance is approved our neighbor to the north is unaffected and our neighbor to the south enjoys an improved condition. Our variance request does substantial justice to all.

### ~ Extraordinary circumstances

~ There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance was not self-created by the applicant.

Indeed, the placement of the neighboring homes were not within the McCord's control. The circumstance of the shape taken by the water's edge and the position of our neighbor to the north create a very unusual situation and prevents us from using the property as others in our zoning district do. We are simply asking for the same benefit of the ordinance as others enjoy. Even granted, this variance will not allow us to fully realize the purpose of the ordinance, as our range of view will still be less than that of our neighbors.

The condition is truly exceptional in this respect: honoring the spirit of the ordinance benefits us and a neighbor and harms no one, while adhering to the letter of the ordinance does a substantial injustice to us. Observing the

letter of the ordinance does not benefit us or our neighbors, but observing the purpose of the ordinance benefits all. That's uncommon enough to qualify as irony.

~ Public safety and welfare

~ The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

The existing house, not built by the McCords, violates the southern sideyard setback. New construction will rectify that condition. This will allow more space between the homes, decreasing the possibility of fire transfer. The separation will provide better emergency access from the street to the lake, and better accommodate the property use and enjoyment for both neighbors. The increased distance between homes decreases congestion and benefits both.

~ Impact on surrounding neighborhood

~ The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

We are delighted to propose this new home. We have worked hard to create an absolute gem, and further propose to eliminate an aging cottage. Our project will certainly encourage development and elevate the values of neighboring properties.





# MEMORANDUM

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** February 12, 2019

**RE:** ZBA 19-09

2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
genoa.org

---

## STAFF REPORT

**File Number:** ZBA#19-09  
**Site Address:** 4065 Homestead Drive  
**Parcel Number:** 4711-28-201-055  
**Parcel Size:** 0.480  
**Applicant:** McCord, Matthew and Kimberly 4065 Homestead Drive Howell  
**Property Owner:** Same as Applicant  
**Information Submitted:** Application, site plan, conceptual drawings  
**Request:** Dimensional Variance  
**Project Description:** Applicant is requesting a waterfront yard variance to construct a new home.  
**Zoning and Existing Use:** LRR (Lakeshore Resort Residential) Single Family Dwelling located on property.  
**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday March 3, 2019 and 300 foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

### Background

The following is a brief summary of the background information we have on file:

- Per assessing records the existing home on the parcel was constructed in 1968.
- The parcel is serviced by well and public sewer.
- See Assessing Record Card.

### **SUPERVISOR**

Bill Rogers

### **CLERK**

Paulette A. Skolarus

### **TREASURER**

Robin L. Hunt

### **TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

### **MANAGER**

Michael C. Archinal

The proposed project is to demolish existing single family home and construct a new home. In order to construct the new home as proposed, the applicant is required to obtain a waterfront yard variance. The applicant is proposing to not encroach any closer into the waterfront yard setback than the current home location.

### **Variance Requests**

The following is the section of the Zoning Ordinance that the variance is being requested from:

#### **Table 3.04.01 (LRR District):**

<b>Required Waterfront Yard Setback:</b>	<b>67'</b>
<b>Proposed Waterfront Yard Setback:</b>	<b>61'</b>
<b>Proposed Variance Amount:</b>	<b>6'</b>

#### **Summary of Findings of Fact- After reviewing the application and materials provided, I offer the possible findings of fact for your consideration:**

Please note that in order for a variance to be approved it has to meet all of the standards in 23.05.03.

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the waterfront yard setback would not prevent the applicant from constructing the new home and does not unreasonable prevent use of the property. The applicant is proposing to not encroach any further into the waterfront yard setback as the current house location however this is a double lot which provides a larger building envelope. There are other homes in the vicinity with reduced waterfront yard setbacks. The applicant is claiming the reduced setback provides substantial justice in regard to view of the lake.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the irregular shoreline north of the adjoining property. Granting of the variance would make it consistent with homes in the vicinity. The irregular shoreline was not created by the applicant however the home fits within the building envelope therefore the request for the variance is self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** - The granting of the variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

### **Recommended Conditions**

If the Zoning Board of Appeals grants the variance requests staff recommends the following conditions be placed on the approval.

1. Structure must be guttered with downspouts.

# GENOA TOWNSHIP





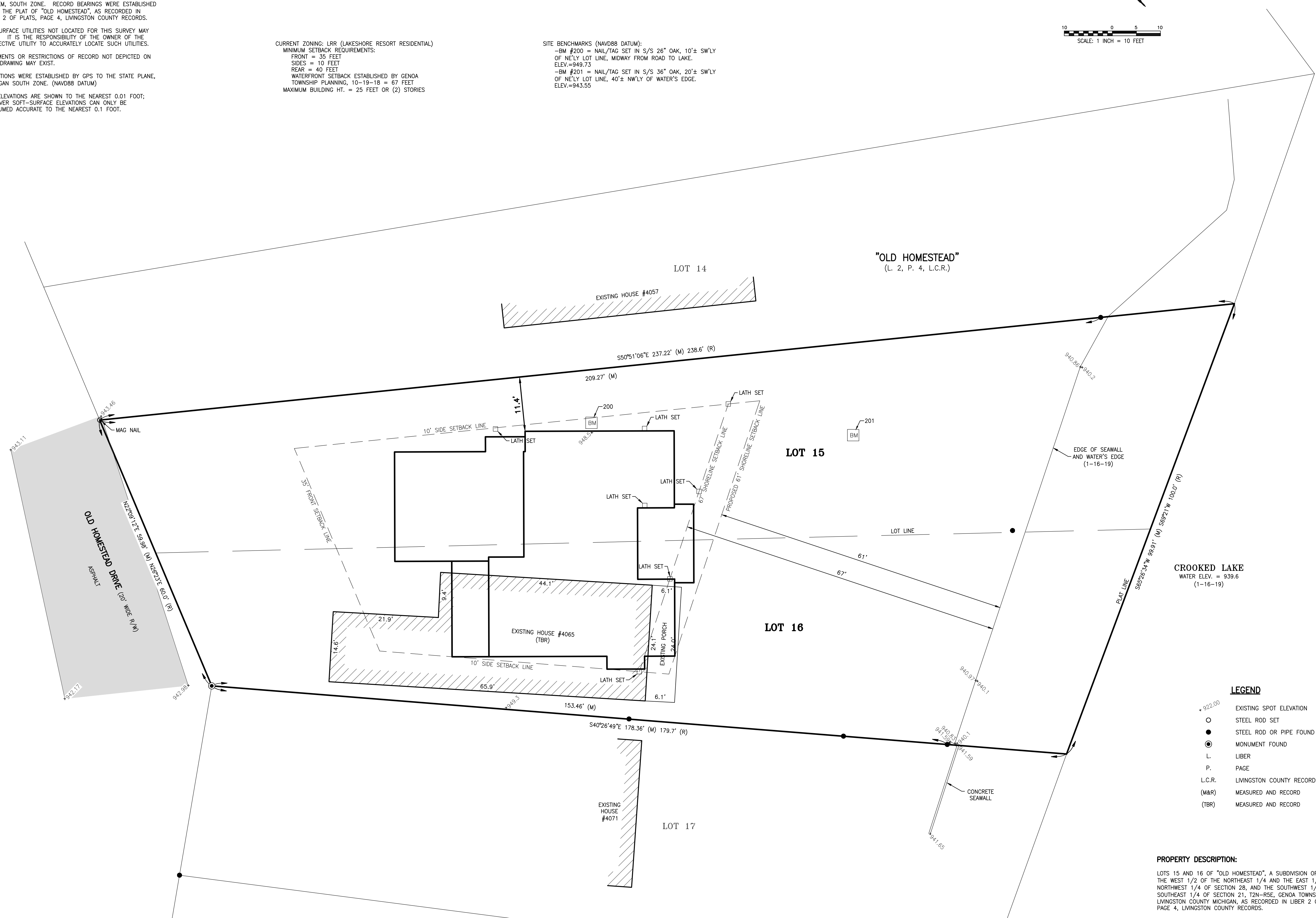
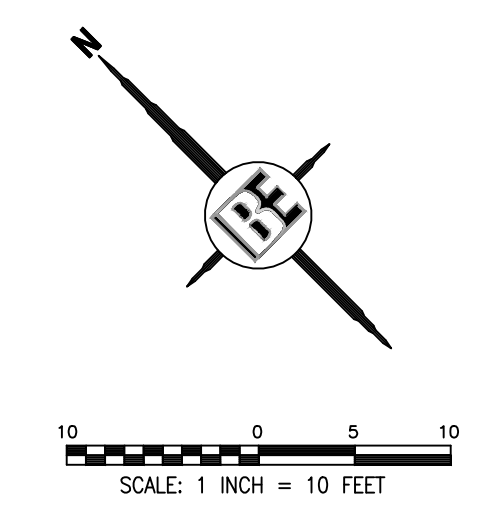
# SURVEY SKETCH

### GENERAL SURVEY NOTES:

- BEARINGS ARE BASED ON MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. RECORD BEARINGS WERE ESTABLISHED FROM THE PLAT OF "OLD HOMESTEAD", AS RECORDED IN LIBER 2 OF PLATS, PAGE 4, LIVINGSTON COUNTY RECORDS.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
- ELEVATIONS WERE ESTABLISHED BY GPS TO THE STATE PLANE, MICHIGAN SOUTH ZONE. (NAVDB DATUM)
- ALL ELEVATIONS ARE SHOWN TO THE NEAREST 0.01 FOOT; HOWEVER SOFT-SURFACE ELEVATIONS CAN ONLY BE PRESUMED ACCURATE TO THE NEAREST 0.1 FOOT.

CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET  
 REAR = 40 FEET  
 WATERFRONT SETBACK ESTABLISHED BY GENOA TOWNSHIP PLANNING, 10-19-18 = 67 FEET  
 MAXIMUM BUILDING HT. = 25 FEET OR (2) STORIES

SITE BENCHMARKS (NAVDB DATUM):  
 -BM #200 = NAIL/TAG SET IN S/S 26" OAK, 10'± SW'LY OF NE'LY LOT LINE, MIDWAY FROM ROAD TO LAKE. ELEV.=949.73  
 -BM #201 = NAIL/TAG SET IN S/S 36" OAK, 20'± SW'LY OF NE'LY LOT LINE, 40'± NW'LY OF WATER'S EDGE. ELEV.=943.55



THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE BASED ON RECORD PLANS AND FIELD SURVEY.

**BEBOSS**  
**Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 517.546.4836 FAX 517.548.1670

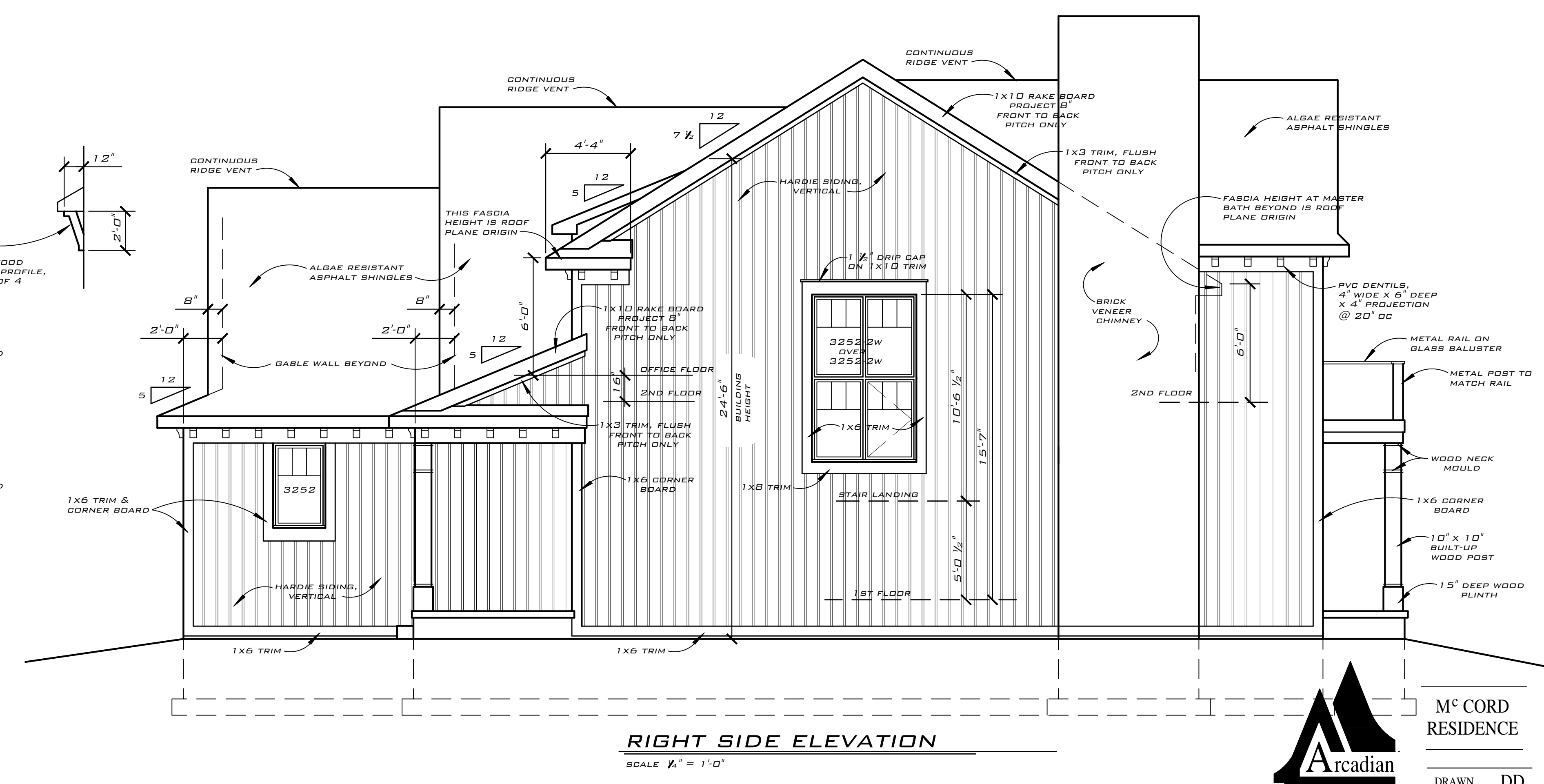
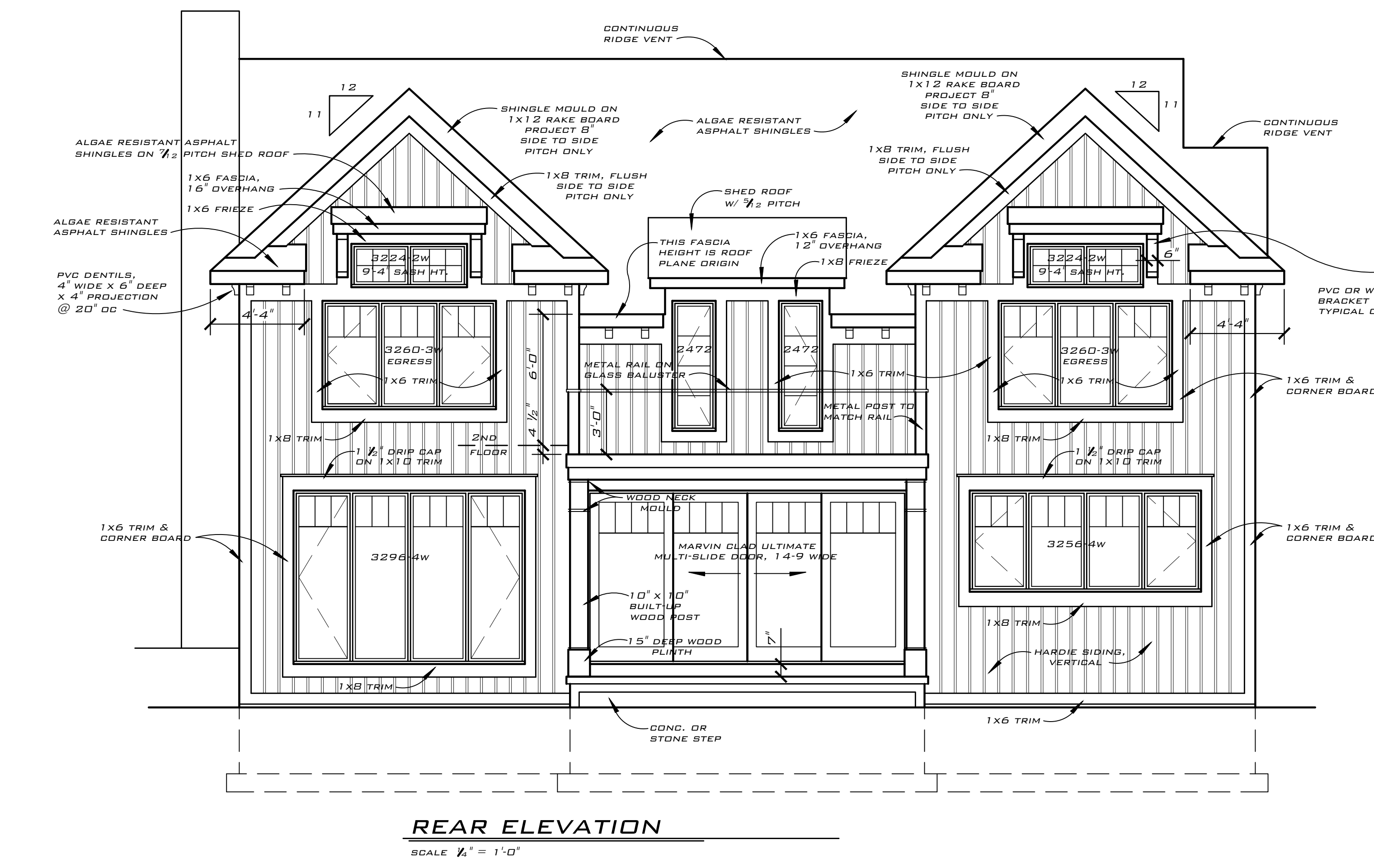
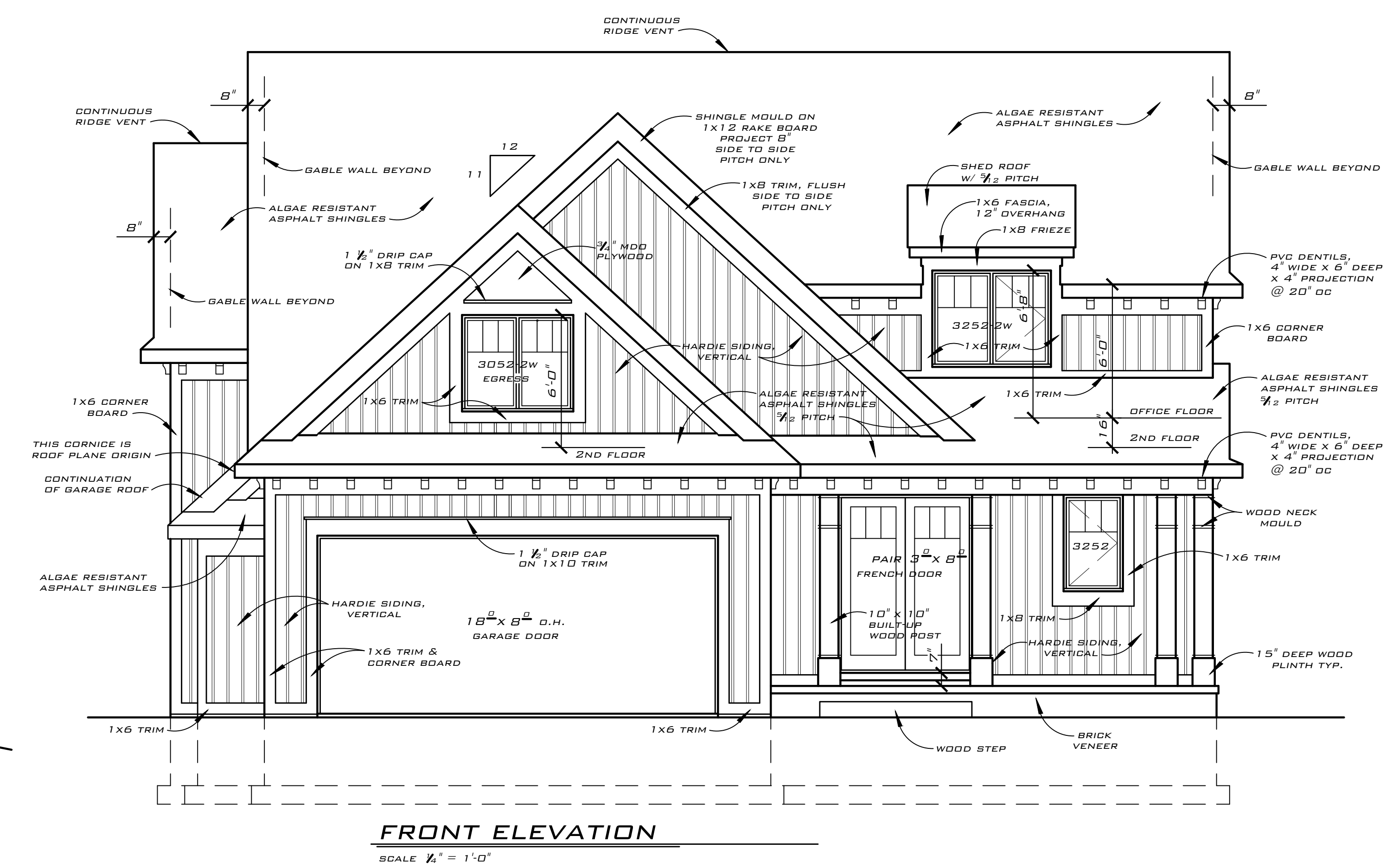
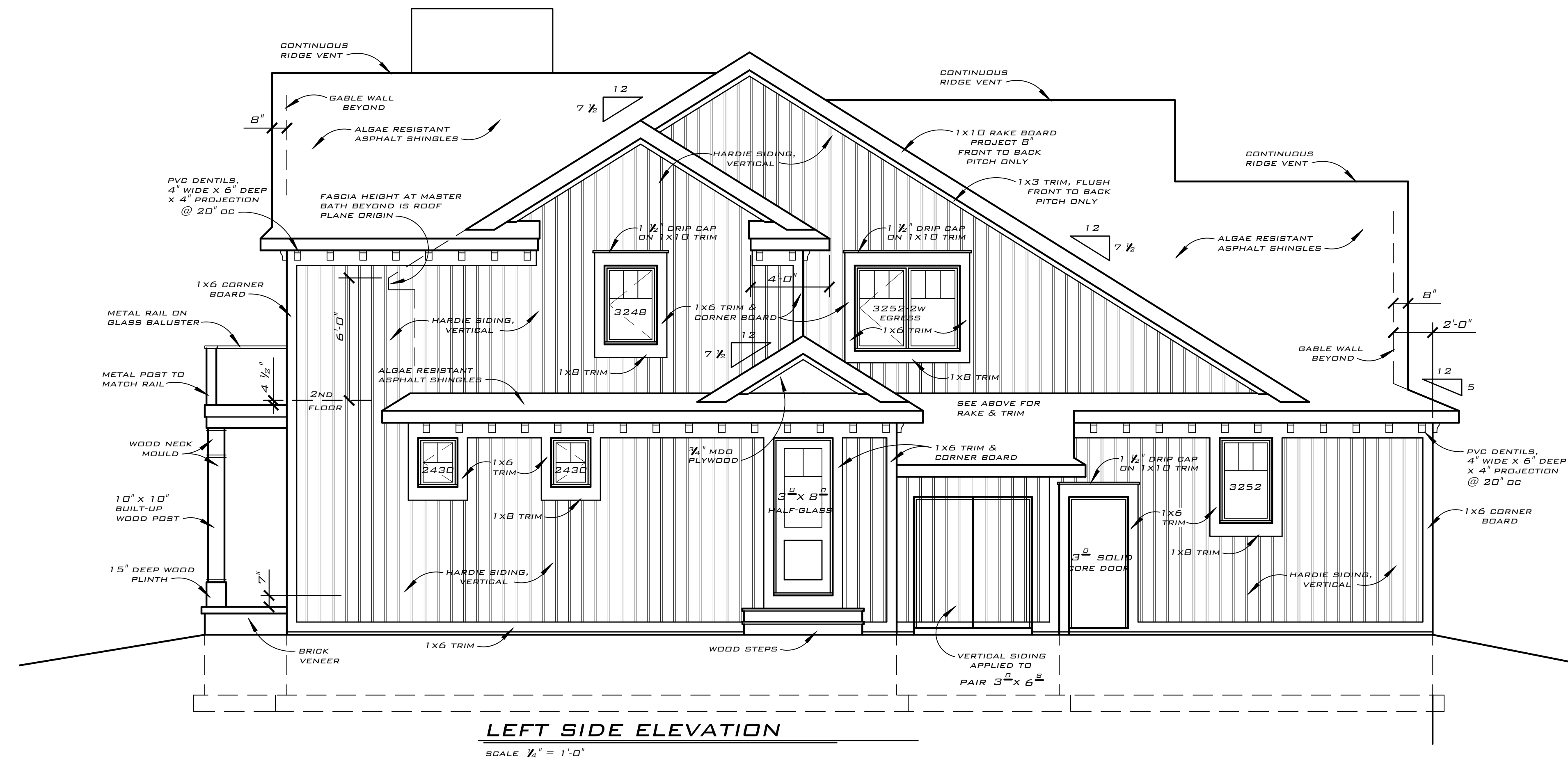
PROJECT: **4065 HOMESTEAD DRIVE**  
 PREPARED FOR: **CONSTRUCTION UNLIMITED, INC.**  
 6707 TELSKE DRIVE  
 BRIGHTON, MICHIGAN 48116  
 810-229-3323

NO	BY	SHORELINE SETBACK	DATE
1	WRW	NO BY	2-25-19

DESIGNED BY:  
 DRAWN BY: WRW  
 CHECKED BY:  
 SCALE: 1" = 10'  
 JOB NO. 19-005  
 DATE: 1/25/19  
 SHEET NO. **1**

- LEGEND**
- 922.00 EXISTING SPOT ELEVATION
  - STEEL ROD SET
  - STEEL ROD OR PIPE FOUND
  - ⊙ MONUMENT FOUND
  - L. LIBER
  - P. PAGE
  - L.C.R. LIVINGSTON COUNTY RECORDS
  - (M&R) MEASURED AND RECORD
  - (TBR) MEASURED AND RECORD

**PROPERTY DESCRIPTION:**  
 LOTS 15 AND 16 OF "OLD HOMESTEAD", A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 28, AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 4, LIVINGSTON COUNTY RECORDS.



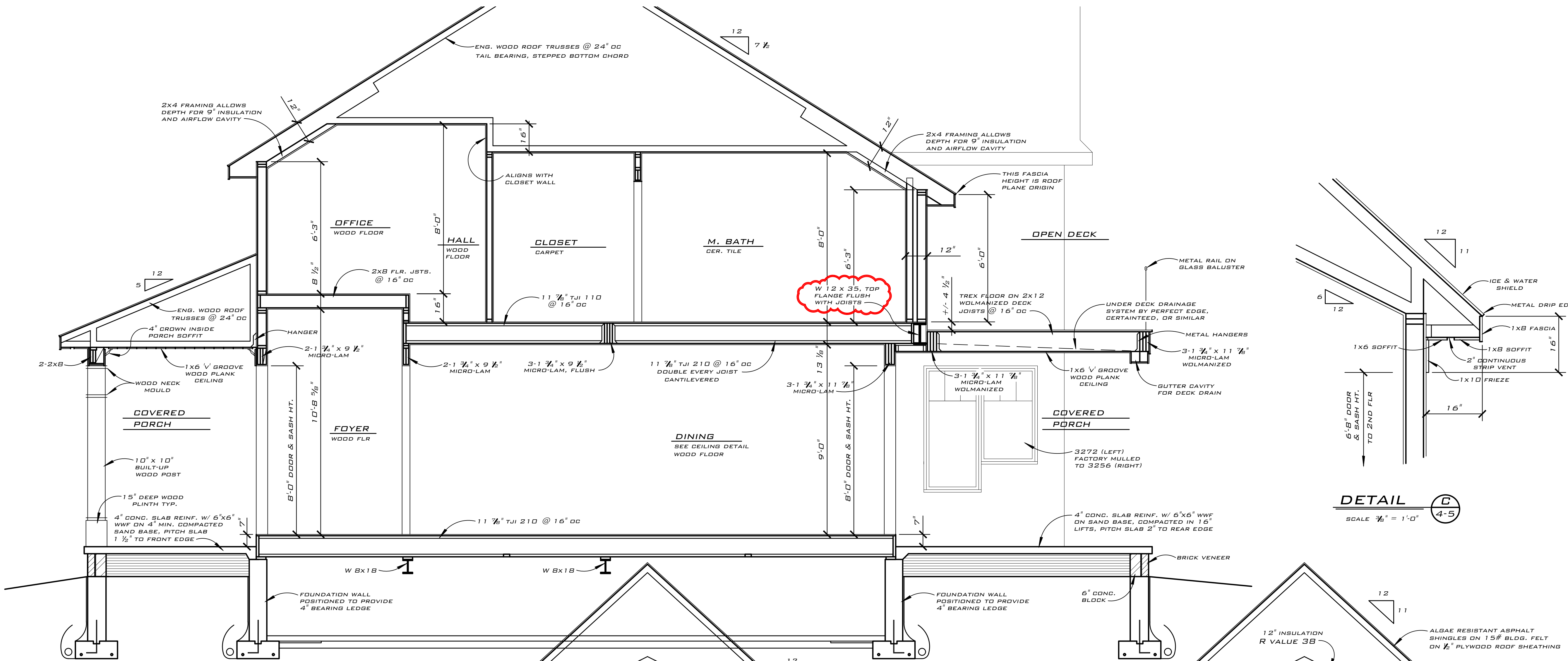
**Mc CORD RESIDENCE**

**Arcadian**  
Residential Design

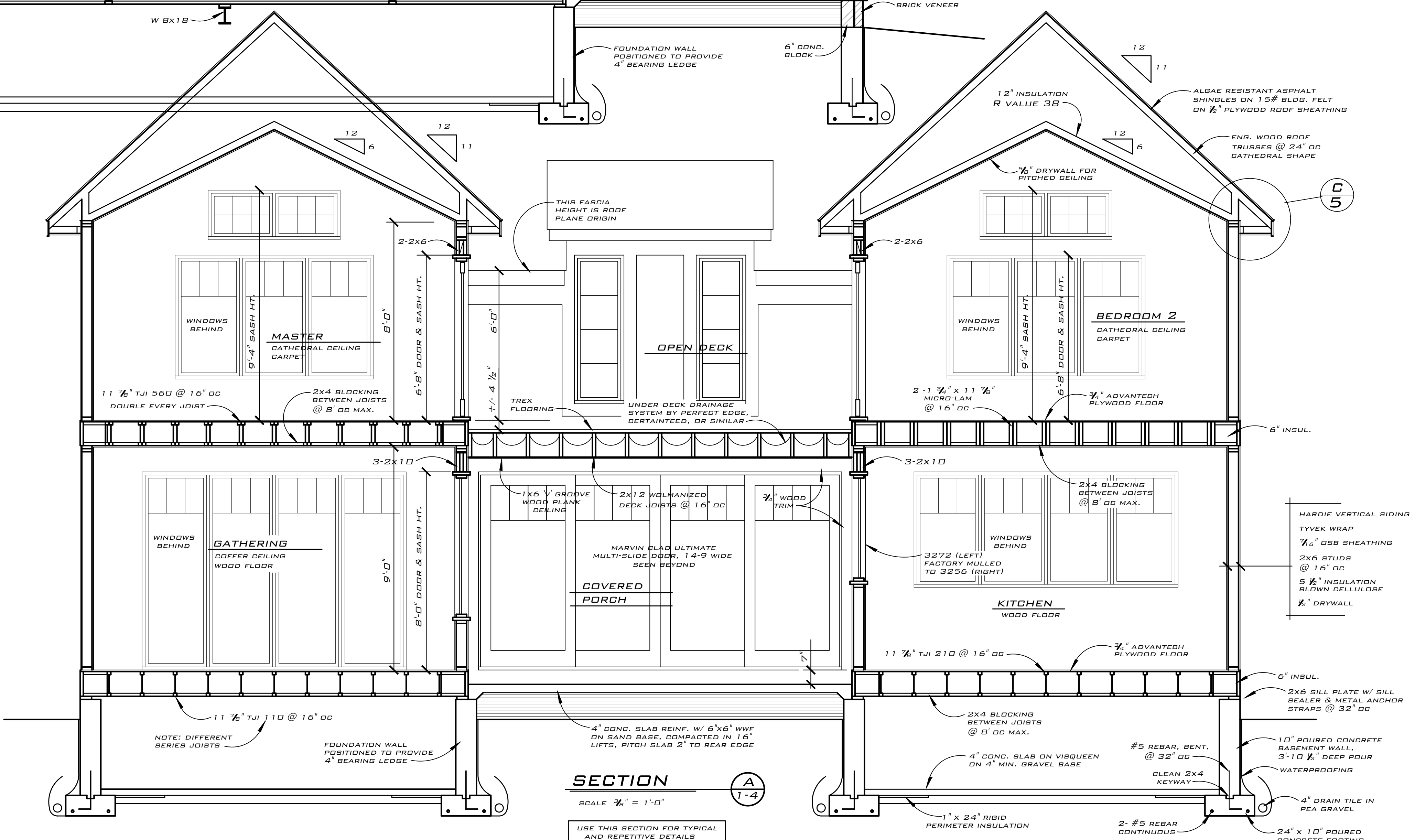
DENNIS DINSER  
7091 Augustine Court  
Fenton, MI 48430  
517-540-9960  
www.arcadiandesign.net

since 1993

DRAWN DD  
CHECKED DD  
DATE 10-24-18  
SHEET NUMBER 4 of 5  
PROJECT NUMBER 180920



**SECTION B**  
 SCALE 3/8" = 1'-0"  
 SEE SECTION A FOR TYPICAL AND REPETITIVE DETAILS



**SECTION A**  
 SCALE 3/8" = 1'-0"  
 USE THIS SECTION FOR TYPICAL AND REPETITIVE DETAILS

M° CORD RESIDENCE

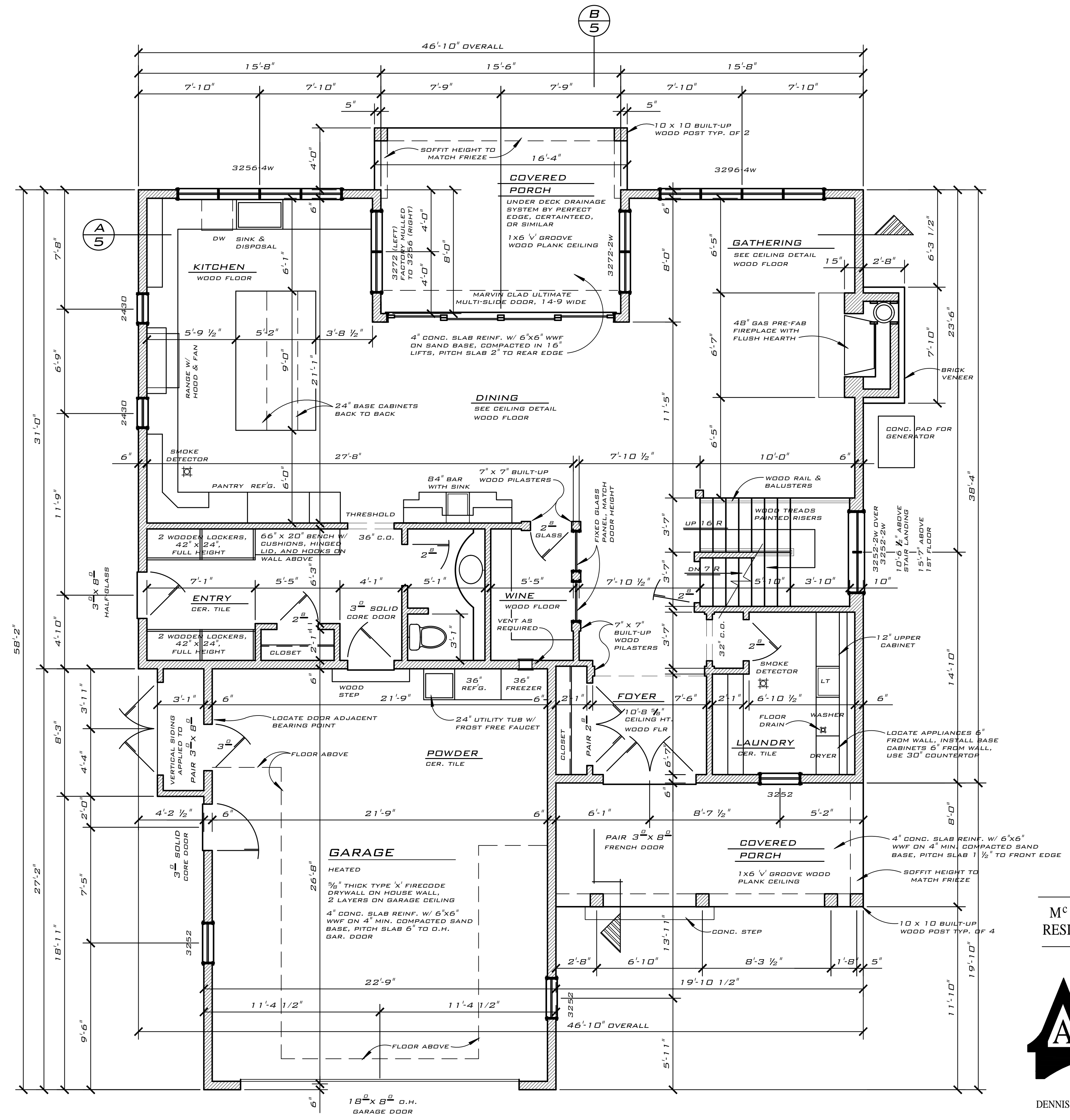
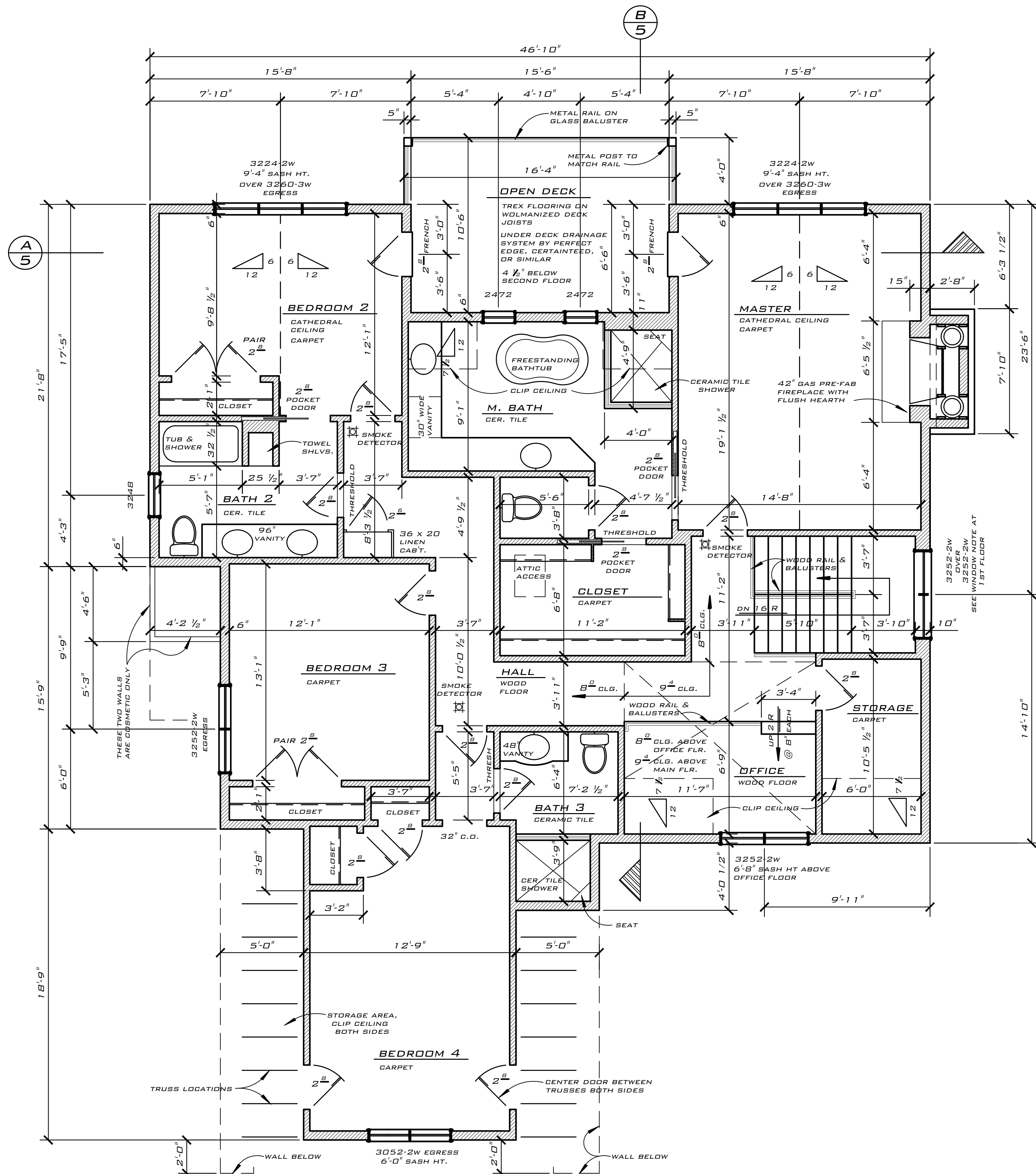


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 Fenton, MI 48430  
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 DATE 10-24-18  
 SHEET NUMBER 5 of 5  
 PROJECT NUMBER 180920

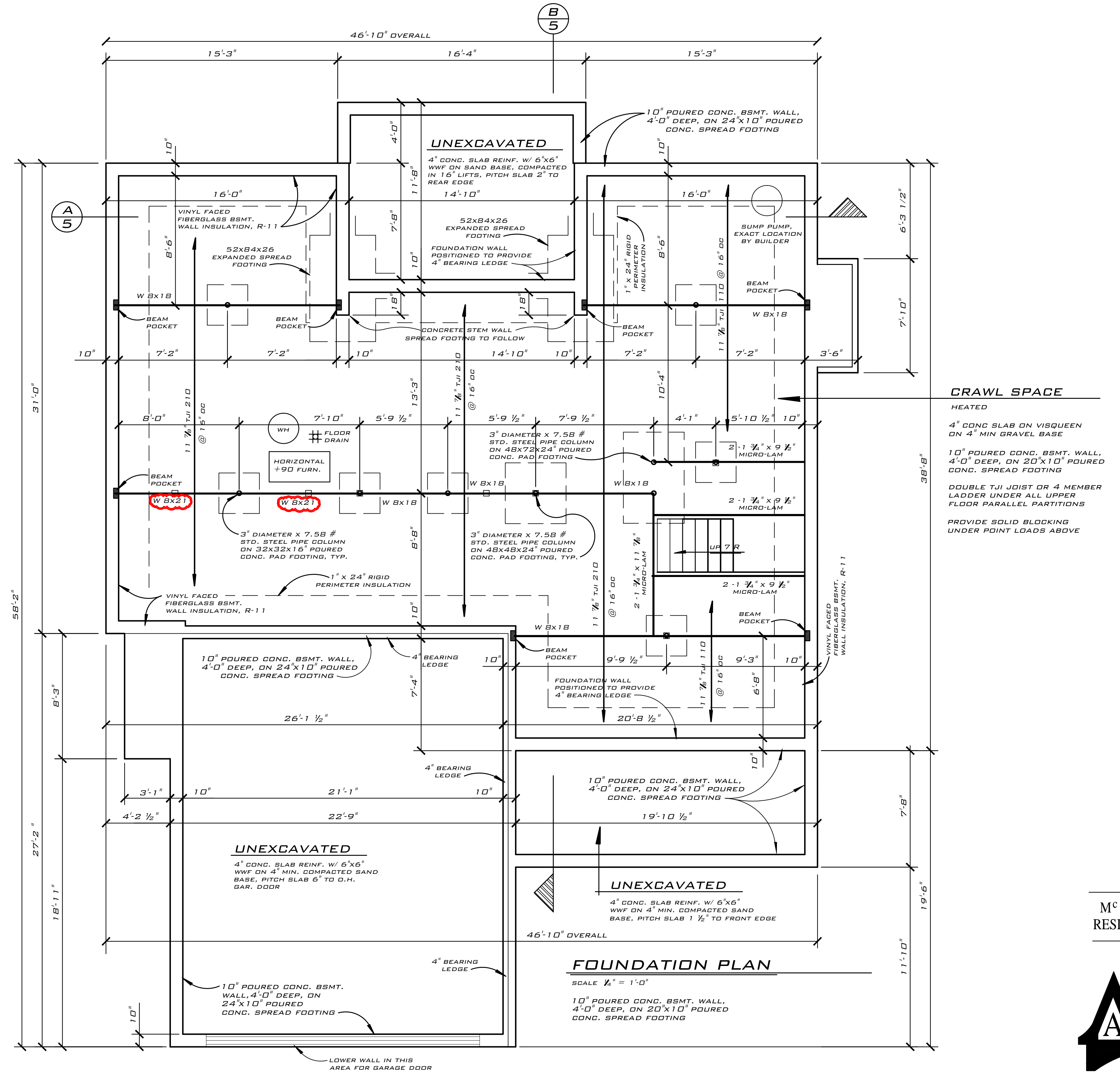
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 Fenton, MI 48430  
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DRAWN DD  
 CHECKED DD  
 DATE 10-24-18  
 SHEET NUMBER  
 2 of 5  
 PROJECT NUMBER  
 180920



**GENERAL NOTES**

DO NOT SCALE DRAWINGS. USE PRINTED DIMENSIONS ONLY. IF ANY DISCREPANCY OCCURS NOTIFY ARCADIAN IMMEDIATELY FOR DIRECTION.

ALL POURED CONCRETE FOOTINGS TO BE A MINIMUM OF 3'-6" BELOW PROPOSED FINISH GRADE, AND SHALL BE ON VIRGIN, UNDISTURBED SOIL. ADDITIONAL DEPTH MAY BE REQUIRED BY SOIL CONDITIONS. ALLOWABLE SOIL BEARING PRESSURE OF 3000 PSF IS THE RESPONSIBILITY OF THE CONTRACTOR. QUESTIONABLE SOIL CONDITIONS TO BE INVESTIGATED BY A QUALIFIED SOIL ENGINEER.

ALL CONCRETE TO ACHIEVE 3500 PSI COMPRESSIVE STRENGTH @ 28 DAY TEST. EXTERIOR CONCRETE SHALL BE AIR-ENTRAINED 5%, +/- 1%.

CONCRETE WORK AND PLACEMENT SHALL CONFORM TO THE LATEST SPECIFICATION OF THE AMERICAN CONCRETE INSTITUTE. PLACE ALL CONCRETE WITHOUT ADDING WATER TO THE TRAMM MIN. SLUMP = 3-4"

WELDED WIRE FABRIC SHALL BE FURNISHED IN FLAT SHEETS AND SHALL CONFORM TO ASTM A-185 AND HAVE A MINIMUM END LAP OF 6"

ALL POURED CONCRETE WALLS TO BE BACKFILLED WITH SANDY TYPE SOIL OR OTHER SUITABLE BACKFILL MATERIAL THAT IS NOT WET CLAY, OR IN FROZEN CHUNKS. WALLS TO BE WELL BRACED UNTIL CONCRETE IS THOROUGHLY CURED AND ADDITIONAL WEIGHT OF BUILDING IS IN PLACE.

REINFORCEMENT STEEL SHALL BE FREE OF MUD, DIRT, AND ALL FOREIGN MATERIAL WHEN CONCRETE IS POURED.

ALL STEEL TO BE A-36 OR BETTER.

ROUGH CARPENTRY CONTRACTOR SHALL VERIFY FIELD CONDITIONS AND FOUNDATION DIMENSIONS PRIOR TO START OF ANY CONSTRUCTION AND NOTIFY ARCADIAN OF ANY DISCREPANCIES.

ALL RAFTERS, STUDS, CEILING JOISTS, AND BLOCKING TO BE #1/2" OR BETTER SOUTHERN PINE FIR WITH BENDING STRESS OF 1450 PSI.

ALL MICRO-LAM BEAMS ARE BY TRUS-JOIST AND ARE TO BE JOINED TOGETHER PER MANUFACTURER'S SPECIFICATIONS.

TWO STUD MINIMUM BEARINGS UNDER ALL DOUBLE FLOOR JOISTS, MICRO-LAM BEAMS, AND GIRDER TRUSSES. GREATER BEARING CAPACITIES NOTED IN PLAN.

DOUBLE FLOOR JOISTS UNDER ALL UPPER FLOOR PARALLEL PARTITIONS.

BUILDER TO PROVIDE METAL DIAGONAL CORNER AND WIND BRACING AT CORNERS PER CODE. 'X' AND 'K' SHAPE BRACING IS ACCEPTABLE.

ALL FLUSH BEAM-JOIST CONNECTIONS SHALL BE FASTENED WITH AN APPROPRIATE GAUGED METAL JOIST HANGER OR STRAP (NO JOIST ANGLE) OR EQUIVALENT METAL PRODUCT AS APPROVED BY ARCADIAN AND ONE (1) 10E NAIL (16D) FOR EACH 1000# AXIAL LOAD OR EACH SUPPORT STUD.

DO NOT INSTALL WINDOWS BEFORE ROOF SHEATING.

ALL MASONRY VENEER WALLS TO BE PROVIDED WITH WALL TIES AND WEEPHOLES PER CURRENT CODE.

ALL STAIRWAYS, STAIRWAY GUARDS, HANDRAILS, BALUSTERS, HEADROOM, RISERS AND TREADS TO CONFORM WITH CURRENT CODE REQUIREMENTS.

ROOF TRUSS MANUFACTURER TO SUPPLY THE ARCHITECT WITH TRUSS SHOP DRAWINGS FOR APPROVAL PRIOR TO FABRICATION.

ROOF TRUSS FRAMING INDICATED ON DRAWINGS IS THE ASSUMED LAYOUT. TRUSS MANUFACTURER SHALL REVIEW THE DRAWINGS AND INDICATE TO THE ARCHITECT, PRIOR TO FABRICATION, ANY CHANGE IN BEARING CONDITIONS THAT WOULD REQUIRE RE-FRAMING THE STRUCTURE TO ACCOMMODATE TRUSSES.

ROOF TRUSS DESIGN BY TRUSS MANUFACTURER TO CONFORM TO DESIGN LOAD REQUIREMENTS LISTED BELOW. BRACE ROOF TRUSSES PER MANUFACTURER'S SPECIFICATIONS.

ROOF TRUSSES:

TOP CHORD	LIVE LOAD	30 PSF
	DEAD LOAD	7 PSF
BOTTOM CHORD	LIVE LOAD	0 PSF
	DEAD LOAD	10 PSF
TOTAL		47 PSF

M<sup>c</sup> CORD RESIDENCE



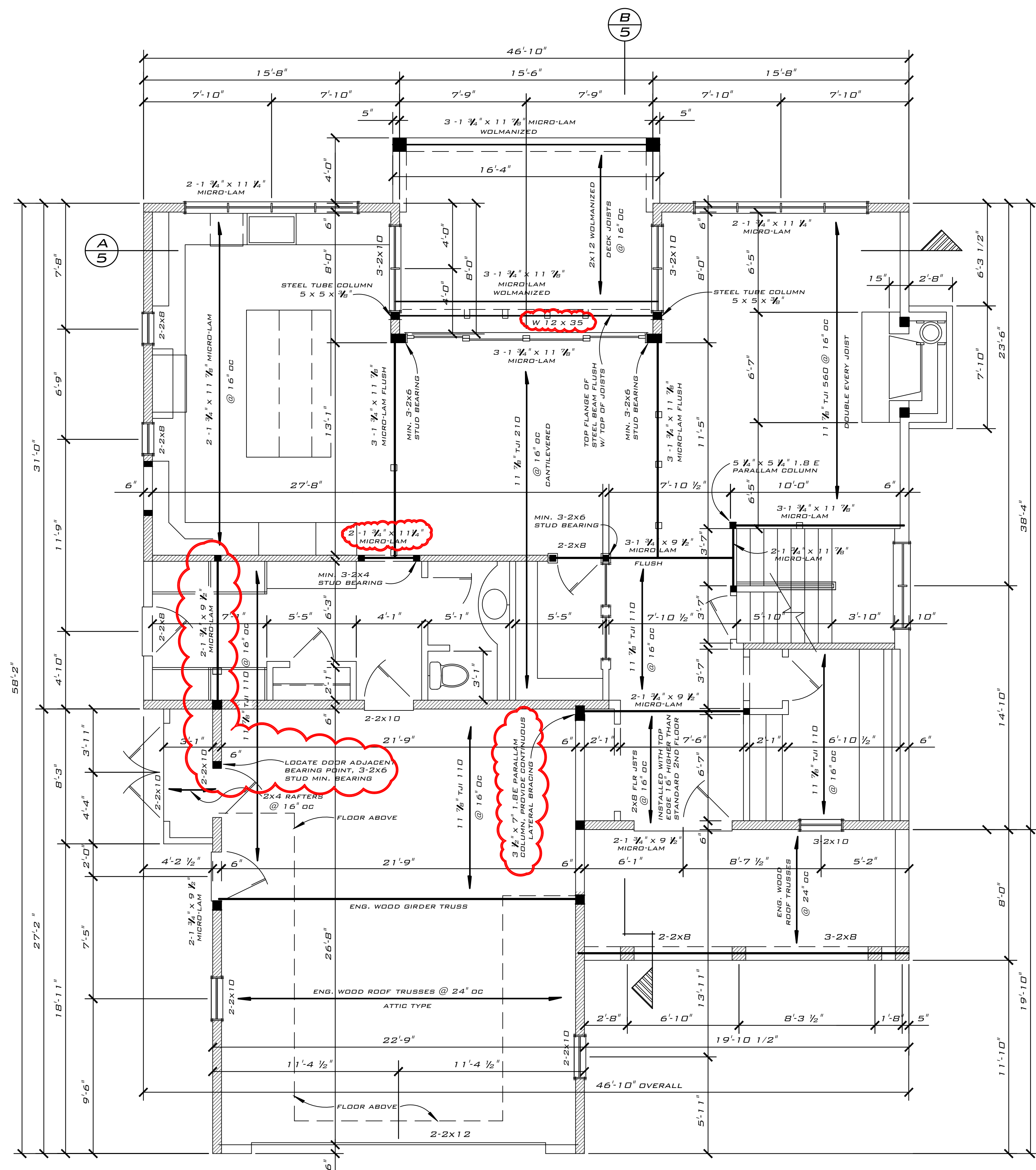
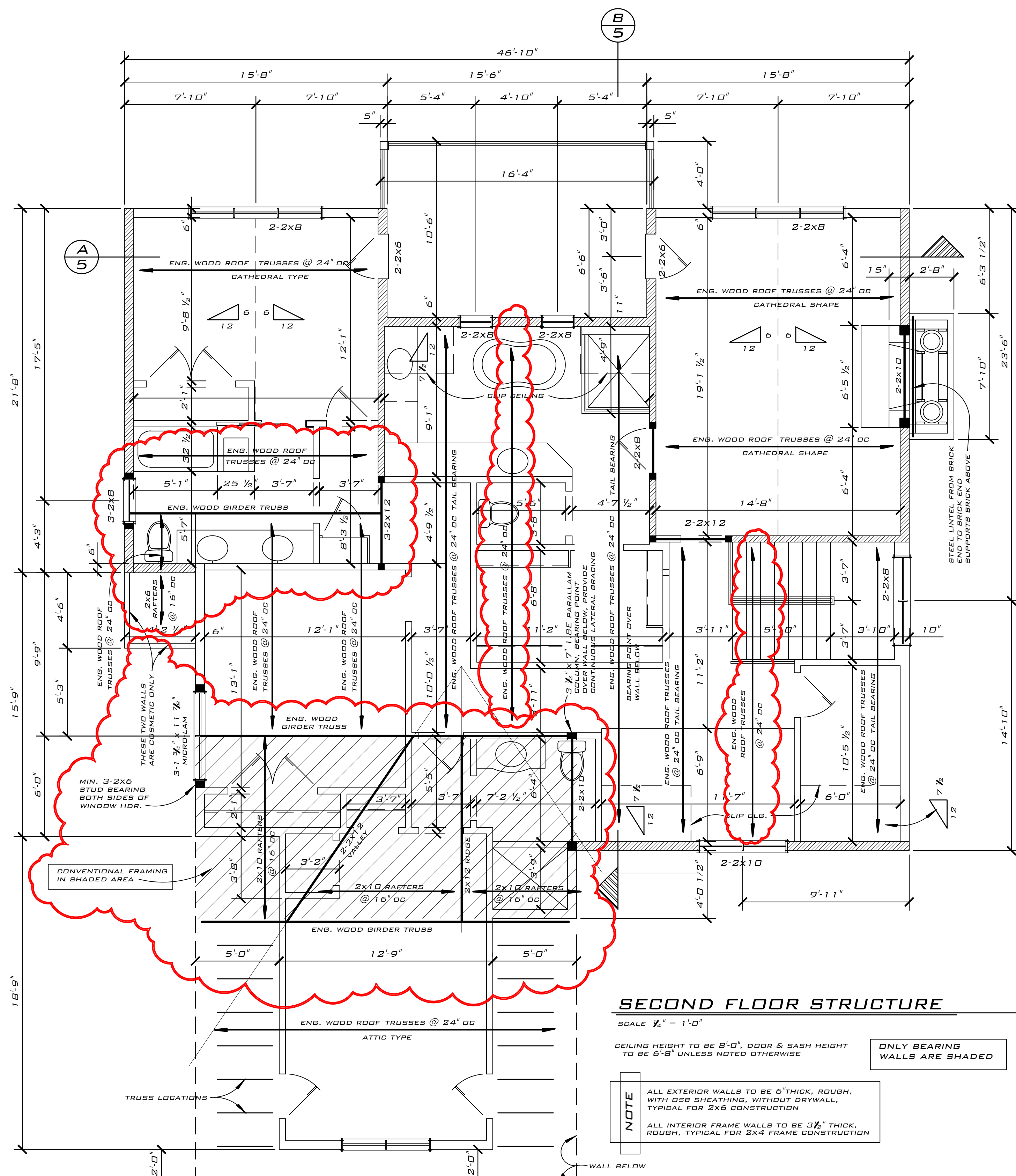
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SHEET NUMBER  
1 of 5  
PROJECT NUMBER  
180920

revised 10-24-18

since 1993





M<sup>c</sup> CORD RESIDENCE



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 Fenton, MI 48430  
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DRAWN DD  
 CHECKED DD  
 DATE 10-24-18  
 SHEET NUMBER 3 of 5  
 PROJECT NUMBER 180920

revised 10-24-18

# MARK ST. GERMAIN

4027 Homestead Drive, Howell, MI 48843 | (810)499-2014 | msg91255@gmail.com

**February 10, 2019**

Mrs. Amy Ruthig  
Genoa Township Hall  
2911 Dorr Road  
Brighton, MI 48116

Dear Mrs. Amy Ruthig:

I am the homeowner and neighbor immediately to the west of Matt and Kim McCord. The property address is 4071 Homestead.

Matt Mc Cord and I have reviewed their site plans in detail, walked the subject properties and I fully support their variance request to move their setback off the lake to that of their existing cottage. While this may be a few feet closer to the lake than the calculated average it does not appear to be any closer than what currently exists on the property and it will, in fact, improve our sight lines to the lake compared to the cottage that currently exists on the property. Our improved lake view is accomplished by their intention to move the new home 10 feet from our common property line. This will also afford us more privacy.

While I fully support their request, I also appreciate your attention to the detail that brought the issue to my attention. Thank You!

My contact information is above. Feel free to call me anytime.

Sincerely,

A handwritten signature in blue ink that reads "Mark St. Germain". The signature is written in a cursive style with a large initial 'M'.

**Mark St. Germain**

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
MCCORD MATTHEW M & KIMBERLY	MCCORD MATTHEW & KIMBERLY	100	08/16/2018	QC	LTS 9.3	2018R-022979	BUYER	0.0		
WEINRAUCH, PETER & MARY ANN	MCCORD MATTHEW M & KIMBERLY	450,000	09/17/2015	WD	ARMS-LENGTH	2015R-031004	BUYER	100.0		
Property Address		Class: 401 RESIDENTIAL-IM		Zoning: LRR	Building Permit(s)	Date	Number	Status		
4065 HOMESTEAD		School: BRIGHTON		Residential New Constructi		10/31/2018	P18-198			
Owner's Name/Address		P.R.E. 100% 05/25/2017		MAP #: V19-09						
MCCORD MATTHEW & KIMBERLY LTS 4065 HOMESTEAD HOWELL MI 48843		2019 Est TCV Tentative		Land Value Estimates for Land Table 00029.OLD HOMESTEAD						
Tax Description		X	Improved	Vacant	* Factors *					
SEC 28 T2N R5E OLD HOMESTEAD LOTS 15 & 16 COMB 5-88 FR 015 & 016		Public Improvements		Description Frontage Depth Front Depth Rate %Adj. Reason Value						
Comments/Influences		Dirt Road		A LAKE FRONT 100.00 209.00 1.0000 1.0000 3800 100				380,000		
		Gravel Road		100 Actual Front Feet, 0.48 Total Acres				Total Est. Land Value = 380,000		
		Paved Road								
		Storm Sewer								
		Sidewalk								
		Water								
		Sewer								
		Electric								
		Gas								
		Curb								
		Street Lights								
		Standard Utilities								
		Underground Utils.								
		Topography of Site								
		Level								
		Rolling								
		Low								
		High								
		Landscaped								
		Swamp								
		Wooded								
		Pond								
		Waterfront								
		Ravine								
		Wetland								
		Flood Plain								
		REFUSE		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan		X	When	What	2019	Tentative	Tentative	Tentative		Tentative
		JB	11/08/2018	INSPECTED	2018	150,000	75,500	225,500		219,224C
					2017	150,000	77,300	227,300		214,715C
					2016	135,000	77,800	212,800		212,800S

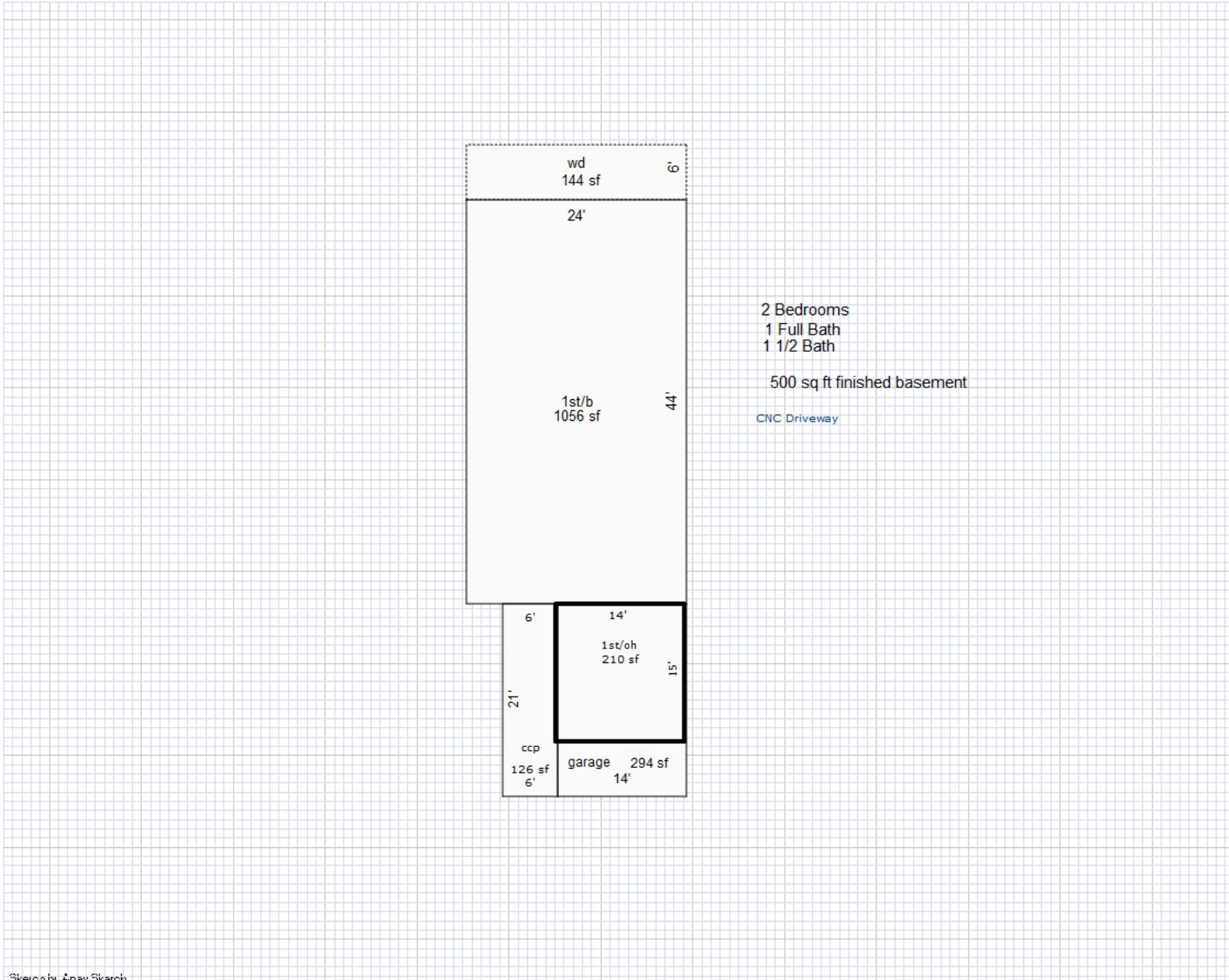


\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

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		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 Gas	Area	Type	Year Built: Car Capacity: Class: CD Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 2 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 294 % Good: 0 Storage Area: 0 No Conc. Floor: 0		
X	Wood Frame		(4) Interior Drywall Paneled										126 144	CCP (1 Story) Treated Wood		
Building Style: CD		Trim & Decoration Ex X Ord Min		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 X Forced Heat & Cool Heat Pump No Heating/Cooling			Class: CD Effec. Age: 43 Floor Area: 1,266 Total Base New : 166,616 Total Depr Cost: 94,971 Estimated T.C.V: 132,959			E.C.F. X 1.400		Bsmnt Garage: Carport Area: Roof:				
Yr Built 1968	Remodeled 0	Size of Closets Lg X Ord Small		Central Air Wood Furnace												
Condition: Good		Doors: Solid X H.C.		(5) Floors Kitchen: Other: Other:			(12) Electric 0 Amps Service									
Room List Basement 1st Floor 2nd Floor 2 Bedrooms		(6) Ceilings		No./Qual. of Fixtures Ex. X Ord. Min			Cost Est. for Res. Bldg: 1 Single Family CD (11) Heating System: Forced Heat & Cool Ground Area = 1056 SF Floor Area = 1266 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=57/100/100/100/57			Cls CD		Blt 1968				
(1) Exterior Wood/Shingle Aluminum/Vinyl Brick Insulation		(7) Excavation Basement: 1056 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0		No. of Elec. Outlets Many X Ave. Few			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 1 Story Siding Basement 1,056 1 Story Siding Overhang 210 Total: 131,837 75,147									
(2) Windows Many Avg. Few Large Avg. Small		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(13) Plumbing Average Fixture(s) 1 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 Vent Fan			Other Additions/Adjustments Plumbing 2 Fixture Bath 1 2,117 1,207 Water/Sewer 1000 Gal Septic 1 3,711 2,115 Water Well, 200 Feet 1 8,461 4,823 Porches CCP (1 Story) 126 2,594 1,479 Deck Treated Wood 144 2,663 1,518 Garages Class: CD Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost 294 11,769 6,708 Common Wall: 2 Wall 1 -4,091 -2,332 Recreation Room 500 7,555 4,306 Totals: 166,616 94,971									
(3) Roof Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		(9) Basement Finish 500 Recreation SF Living SF Walkout Doors No Floor SF		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic			Notes: ECF (4304 OLD HOMESTEAD) 1.400 => TCV: 132,959									
X Gable Hip Flat		X Gambrel Mansard Shed		Lump Sum Items:												
X Asphalt Shingle																
Chimney: Brick																

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





Sketch by Apex Sketch

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

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
FEBRUARY 19, 2019 - 6:30 PM**

**MINUTES**

**Call to Order:** Chairman Tengel called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Dean Tengel, Jean Ledford, Bill Rockwell, Greg Rassel, Michele Kreutzberg, and Amy Ruthig, Zoning Official. Absent was Marianne McCreary.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

**Election of Officers:**

Ms. Ruthig suggested that the Election of Officers item be tabled until a full Board is present. **Moved** by Board Member Rassel, seconded by Board Member Ledford, to table the Election of Officers until the next Zoning Board of Appeals meeting. **The motion carried unanimously.**

**Introduction:** The members of the Board introduced themselves.

**Approval of the Agenda:**

**Moved** by Board Member Rassel, seconded by Board Member Rockwell, to approve the agenda as presented. **The motion carried unanimously.**

**Call to the Public:**

The call to the public was made at 6:33 pm with no response.

1. 19-04... A request by Matt Wilson, 4761 Bauer Road, for a size variance to construct a detached accessory structure.

Mr. Matt Wilson, the property owner, and Mr. Ryan Kratz, the architect, were present. Mr. Wilson stated he is requesting a size variance of 150 square feet to build a detached garage for storing his lawn equipment, which are currently stored under a tarp in his yard.

He believes that he has met all of the criteria for granting a variance. If he were to attach the structure to the home, he would not need a variance however, there is a 109" elevation difference from the home to the barn, along with large existing trees, so there is nowhere to attach the garage.

Chairman Tengel questioned the hardship or practical difficulty associated with the property that requires the additional 150 square feet.

Mr. Wilson stated that his home is very old and was built without a garage. His neighbor's homes are more modern and were built with garages. They are then allowed an additional outbuilding. He is not afforded the same use of his property as his neighbors. Additionally, due to the age of his home, he has less storage in his home than his neighbors' modern homes. Mr. Kratz noted that if the garage was able to be attached to the home, the size would not be limited; however, due to the property grade changes as noted by Mr. Wilson, it is not able to be attached. He showed a drawing showing the change in grade of the property.

The call to the public was made at 6:38 pm with no response.

Board Member Rockwell finds this similar to a variance that was granted with the same type of hardship, which was the topography of the lot. Board Member Ledford stated the property on Hughes Road was much smaller than this property and this property could support the detached garage.

Mr. Wilson stated there is no other location on his property where the garage can be placed because of the location of the well and septic.

Chairman Tengel advised Mr. Wilson that there is no practical difficulty to grant the requested additional square footage above the maximum size allowed by ordinance.

**Moved** by Ledford, seconded by Rassel, by to deny Case #19-04 for Matt Wilson for 4761 Bauer Road for to 1053 square foot detached accessory structure based on the following findings of fact:

- The combined total of all accessory buildings in any residential district shall be a maximum of 900 square feet for lots less than two acres.
- Granting the variance would not offer substantial justice and is not necessary for the preservation and enjoyment of substantial property rights similar to that of other properties in the same zoning district and vicinity.
- There is nothing unique to this lot that would support or justify extraordinary circumstances and would make the lot inconsistent with other lots in the vicinity

since most of the structures in the immediate vicinity are less than 900 square feet.

**The motion carried (Rassel - yes; Kreutzberg - no; Rockwell - no; Tengel - yes; Ledford - yes).**

2. 19-05... A request by Brad and Amber Busch, Pathway Drive, Parcel #11-10-101-044, for variances to construct an accessory structure on a lot without a principal use and side yard variance for the proposed accessory structure.

Mr. Jeff Doyle of Doyle Homes and Brad Busch, the homeowner, were present. Mr. Doyle stated that at last month's meeting, they requested to withdraw their request and have returned with a different one. They have returned to request a variance to construct an accessory structure on a lot without a principal use and a side-yard variance for the proposed accessory structure. He added that Mr. and Mrs. Busch wanted to combine this lot with the lot they also own where their home is located; however, there is a road right-of-way that runs between the two so they cannot be combined. They are proposing to move the structure back approximately 11 feet from the property line where the existing structure is located.

The call to the public was made at 7:00 pm.

Mr. Rick Rodriguez, representing James Barton, stated he is a licensed builder and Mr. Barton's son-in-law. Mr. Barton's concern is the size of the building. The applicant is requesting side yard setbacks of five feet and five feet and the ordinance requires 5 feet and 10 feet. He is not concerned with having the structure there, but he is concerned with the setback variance. He believes the variance request is a want and not a need. It is self-created. There will be no way of accessing the property behind the structure with a vehicle without entering onto the neighbors' properties. The other accessory structures on Pathway Drive meet the side yard setbacks. He noted that the applicant is proposing to build the garage into the hill on the property. There are no plans submitted how soil stabilization will be done. He would like a detailed civil engineering plan to be submitted by the applicant.

Mr. Doyle stated they hill is only nine or ten feet high and they will only be going seven feet into the hill.

Mr. Mark Trump owns the property next to the applicant. He is concerned that if the side setbacks are allowed at five feet and five feet, 1 inch, how will this affect him if he wants to build a home or a structure on his property. Ms. Ruthig stated there must be

10 foot separation from the two structures, so Mr. Bush's home can be five feet from the property line.

Chairman Tengal noted that the Building Department and the Drain Commissioner's Office will address the issue of the soil erosion concerns. That is an issue that is beyond the scope of the Zoning Board of Appeals.

The call to the public was closed at 7:10 p.m.

Board Member Rassel stated last month the concern was with the height variance request and the applicant has addressed that concern.

**Moved** by Rassel, seconded by Ledford, to approve Case #19-05 for Brad and Amber Busch at 792 Pathway Drive for a side variance of 4' 11" and to build an accessory structure without a principle structure, based on the following findings of fact:

- Strict compliance with the zoning requirements would prevent the applicant from constructing the proposed accessory structure. Granting the variance to construct the proposed structure on the lot would give the applicant substantial justice due to other accessory structures in the area on lots without principal dwellings.
- The exceptional or extraordinary condition of the property is the narrow lot size and that the parcel with house cannot be combined to this parcel. Granting of the variance for the structure on a lot without a principle structure would make it consistent with other properties in the vicinity.
- The need for the variance is not self-created.
- The granting of the variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township.
- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

**The motion carried unanimously.**

3. 19-06... A request by Ralph and Mary Slider, 3470 Pineridge Lane, for a waterfront variance to construct a new single-family home.

Mr. and Mrs. Slider were present. They are requesting a 6.5 foot waterfront yard setback variance. This building will not be further toward the lake than the existing home.

Mr. Slider stated the challenge with the property is that it narrows toward the road so it would be difficult to get a boat from the road into the garage. Because of the curve of the properties, both of the homes on either side of them actually face away from him so their house would not impede their lake view.

Chairman Tengal does not believe there is a hardship or practical difficulty with the property that would justify granting this variance. Board Member Ledford agrees. Mr. Slider noted that the covered patio can be shorted by nine feet and then an uncovered deck could be built fifteen feet further out from that instead of the size of the covered patio that is being proposed.

Mr. Slider noted that his neighbor was granted a 102 foot variance in 2002, which allows them to place their home 63 feet from the water's edge.

The call to the public was made at 7:26 pm with no response.

Board Member Rassel agrees that there is no practical difficulty with the property. Board Member Kreutzberg agrees.

**Moved** by Board Member Rassel, seconded by Board Member Kreutzberg to deny Case #19-06 for Ralph and Mary Slider of 3470 Pineridge Lane for a waterfront yard setback variance of 6.5 feet, due to the following findings of fact:

- Strict compliance with the waterfront yard setback would prevent the applicant from constructing the new home with the same setback as the existing home. While the adjacent homes have reduced waterfront setbacks the majority of the homes in the vicinity are setback further from the water than what is proposed. Granting the variance would provide substantial justice to the applicant in consideration of the adjacent homes however this is not supported by review of properties in the district or vicinity. Granting of the variance request is not necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.
- There are not exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district. The variance would not make the property consistent with the majority of other properties in the vicinity.
- The need for the variance is self-created by the applicant.
- The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or



increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

**The motion carried unanimously.**

4. 19-07... A request by Lynda and Jackie Williams, 4219 Homestead Drive, for a waterfront variance to construct a sunroom to an existing home.

Ms. Lynda Williams and Ms. Jackie Williams stated they are requesting to add an all-seasons sunroom to their home. They are requesting an 11 foot, 7 inch waterfront setback variance. The hardship is that this is the only location on their home where they can put this addition because of the type of roofline of the home.

Board Member Kreutzberg's concern is the sight line of the lake for the neighbor to the left. This would block their view.

The call to the public was made at 7:37 pm.

Mr. Mark O'Brien at 4225 Homestead Drive, which is directly to the south of the Williams' property is concerned with his sight line of the lake being blocked. It will cause the value of his property to decrease.

The call to the public was closed at 7:38 pm.

Board Member Rockwell feels the requested variance is self-created.

**Motion** by Board Member Ledford, seconded by Board Member Rassel, to deny Case # 19-07 for 4219 Homestead Drive for the applicants and property owners, Lynda & Jackie Williams, for waterfront setback variance of 11.7 feet from the required 40 feet to 28.5 feet, due to the following findings of fact:

- There are no exceptional or extraordinary circumstances or conditions of the property. The variance would not make the property consistent with the surrounding properties.
- The need for the variance to construct the sunroom is self-created.
- Strict compliance with the setbacks would cause the applicant to be unable to construct the sunroom but does not unreasonably prevent the use of the property. There are other homes in the vicinity that do not meet the waterfront

setback however the proposed setback is considerably less and would not be consistent with the homes in the vicinity.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of the minutes for the January 15, 2019 Zoning Board of Appeals Meeting.

Board Member Ledford noted some changes needed.

**Moved** by Board Member Rassel, seconded by Board Member Ledford, to approve the January 15, 2019 Zoning Board of Appeals Meeting minutes as appended. **The motion carried unanimously.**

2. Correspondence – There were no correspondence this evening.
3. Township Board Representative Report - Board Member Ledford provided a review of the Township Board meetings held on February 4 and February 18, 2019.
4. Planning Commission Representative Report – Ms. Ruthig provided a review of the Planning Commission meeting held on February 11, 2019.
5. Zoning Official Report – Ms. Ruthig had nothing to report.
6. Member Discussion - There were no items discussed this evening.
7. Adjournment

**Moved** by Board Member Rassel, seconded by Board Member Rockwell, to adjourn the meeting at 7:58 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary