

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
ELECTRONIC MEETING NOTICE
JUNE 16, 2020
6:30 P.M.**

Reason: As a result of the Executive Order 2020-15 and the Covid-19 (Coronavirus) Pandemic, the regularly scheduled meeting of the Genoa Charter Township Zoning Board of Appeals on June 16, 2020 at 6:30 p.m. will be held electronically to avoid the spread and potential contact with the virus.

Public Participation: Public may participate in the call to public and hear the meeting live by going to <https://www.genoa.org/government/boards/board> and clicking on the Streaming Meeting Link that will be posted on that page.

Procedures: Public wishing to address the Zoning Board of Appeals to provide input or ask questions on any business on the agenda may participate in the call to the public by the calling 810-227-5225. We also encourage residents to participate by emailing questions to: info@genoa.org prior to the 6:30 PM meeting start.

Disabilities: Persons with a disability may participate with the use of an attendant or by requesting, in advance, accommodations to participate in the meeting.

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 16, 2020
6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

Approval of Agenda:

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

1. 20-05 ... A request by Ron Abner, 2805 Acorn Lane, for a side setback variance to construct a detached accessory structure.
2. 20-06 ... A request by Joel Johnson, 3406 Pineridge Lane, for a side setback variance to construct a detached accessory structure.
3. 20-07 ... A request by Nicole Bartolomucci, 3968 Highcrest, for front, side and waterfront setback variances to construct a new home. (Requested to be tabled)

Administrative Business:

1. Approval of minutes for the May 19, 2020 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 # 20-05 Meeting Date: June 16, 2020 @ 6:30pm

PAID Variance Application Fee

\$215.00 for Residential | \$300.00 for Sign Variance | \$395.00 for Commercial/Industrial

Applicant/Owner: Ron Abner Email: ron@abnerbrothers.com
Property Address: 2805 Acorn Lane Phone: 248-467-1994
Present Zoning: RR Tax Code: 11-18-400-009

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

Each application for Variance is considered individually by the ZBA. The ZBA is a 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 application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members, township officials and township staff 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/intended property modifications: Detached garage addition with a side setback of 10 feet on east side.

The following is per Article 23.05.03 of the Genoa Township Ordinance:

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.

Topography of land (steep hill) and placement of house prevent other placement. Access to well head is the primary concern.

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.

A large, steep hill runs through the center of our property.

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 proposed building is below our neighbors driveway and will not effect site lines.

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.

This building doesn't directly impact any surrounding properties and should increase the value of our property.

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: 5/13/20 Signature: Row T th



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 10, 2020
RE: ZBA 20-05

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

STAFF REPORT

File Number: ZBA#20-05
Site Address: 2805 Acorn Lane
Parcel Number: 4711-18-400-009
Parcel Size: 2.67
Applicant: Ronald Abner
Property Owner: Same as applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a side yard variance in order to construct a detached accessory structure.
Zoning and Existing Use: RR (Rural Residential), Single Family Dwelling located on property.
Other: Public hearing was published in the Livingston County Press and Argus on Sunday May 31, 2020 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 2003.
- In 2016, a variance was approved for side yard variance to construct a detached accessory structure however the variance approval has since expired. (See Minutes)
- In 2003 a permit was issued to construct a new home.
- In 2008 a permit was issued to construct a deck.
- See Real Estate Summary and 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 construct a detached accessory structure in the rear yard. In order to do this the applicant would be required to obtain a side yard variance.

Variance Requests

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

Table 3.04.01 (RR District):

DETACHED ACCESSORY STRUCTURE	One Side
Setbacks of Zoning	30
Setbacks Requested	10
Variance Amount	20

Summary of Findings of Fact After reviewing the application and materials provided, I offer the following possible finding of facts 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 side yard setback would prevent the applicant from constructing a detached accessory structure. Granting the variance would provide substantial justice because there are multiple detached accessory structures in the vicinity.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography in the rear of the lot. The need for the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of this 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 a limited 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 request staff recommends the following conditions be placed on the approval.

1. N/A

The motion carried (Ledford – yes; Dhaenens – yes; Poissant – yes; Figurski – no; McCreary – yes).

5. 16-25...A request by Ronald Abner, 2805 Acorn Lane, for a side yard variance to construct a detached garage.

Mr. Abner was present. He stated the practical difficulty is the topographical limitations at the rear of his property. He would like to place the garage in the proposed location to allow for access to the rear of the lot for maintenance of the well, etc.

The call to the public was made at 7:19 pm.

Moved by Ledford, seconded by McCreary, to approve Case #16-25 for 2805 Acorn Lane from Ronald Abner for a 20 foot side yard setback variance from the required 30 feet to 10 feet to build a 24 x 18 detached accessory structure due to the following findings of fact:

- The need for the variance is not self-created.
- The exceptional or extraordinary condition of the property is the severe topography at the rear of the lot.
- Granting the variance would provide substantial justice because there are other multiple detached accessory structures in the vicinity.
- The granting of this variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the residents of the Township of Genoa.
- The proposed variance would have a limited impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The motion carried unanimously.

6. 16-26...A request by Pet Supplies Plus, 2749 E. Grand River, for a variance to install a sign within the road right of way setback.

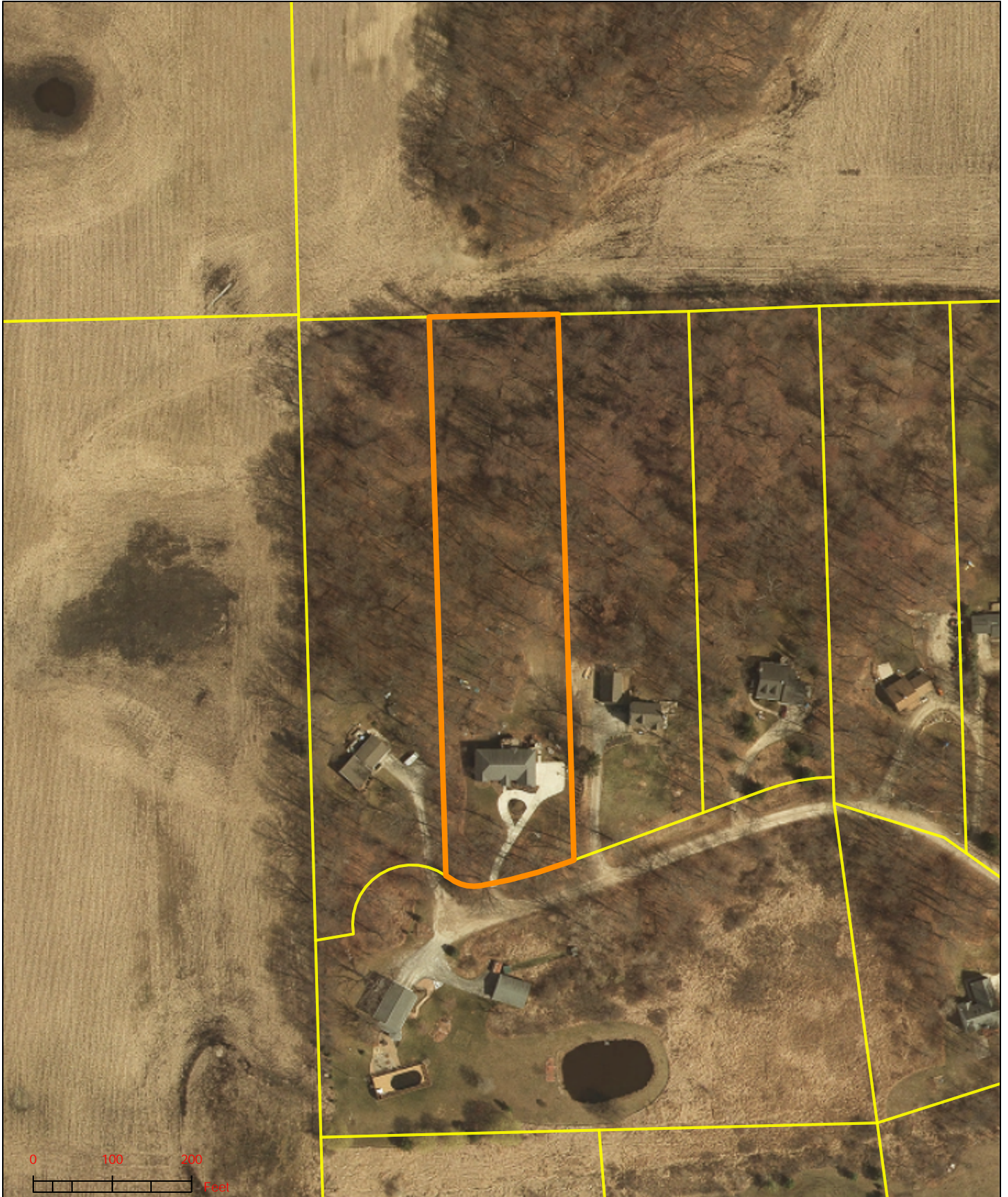
Mr. Kyle Johnson, one of the owners of Pet Supplies Plus, was present and stated they have occupied this building for 15 years and have never had a monument sign. Having a sign would help with the visibility for his customers looking for his store. The practical difficulty is his property line is 29 feet from the sidewalk, which equates to a 75-foot right of way. This is significantly wider than his neighbors' properties. If he was to comply with the ordinance, the sign would need to be placed in his parking lot.

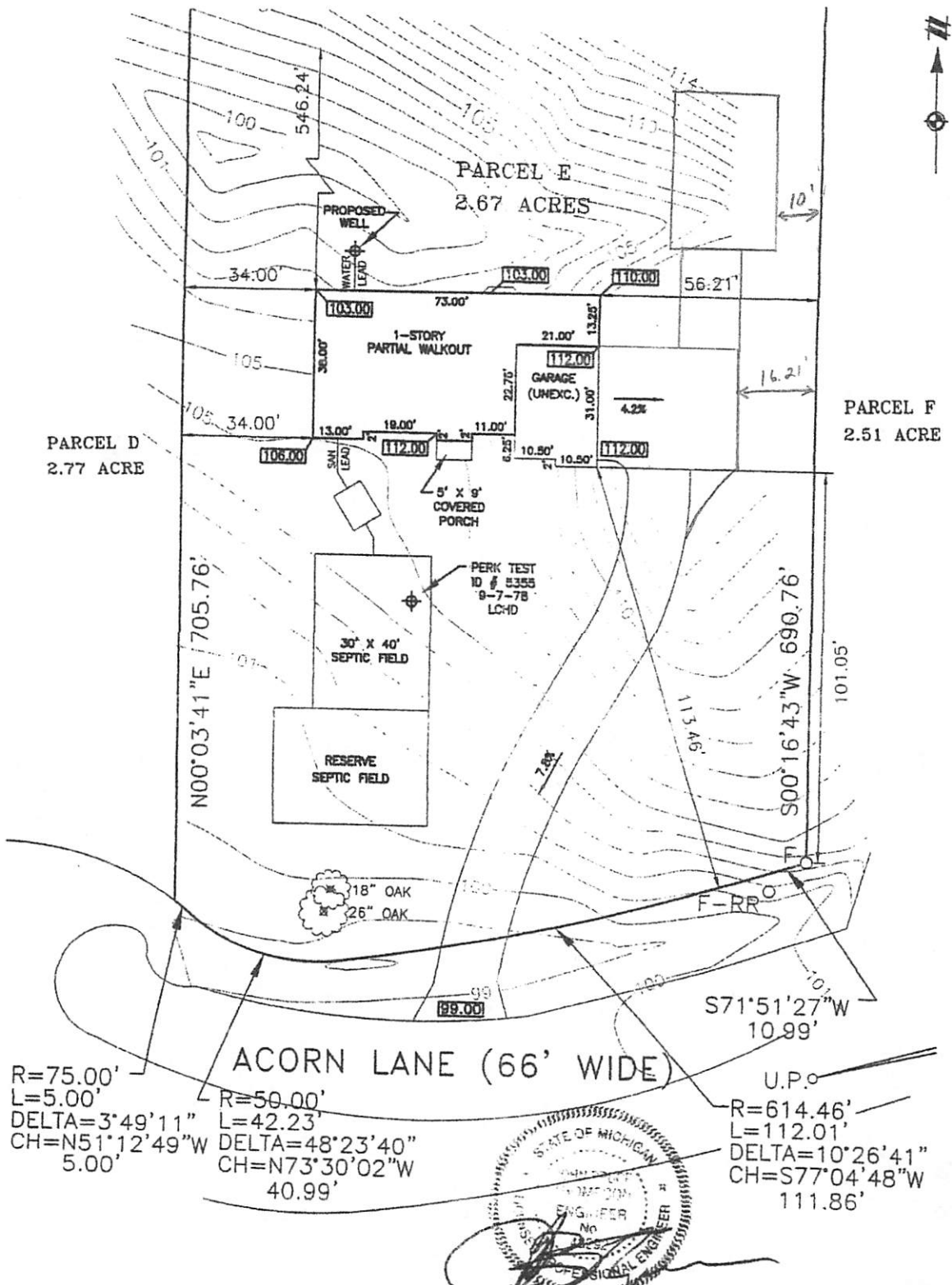
The call to the public was made at 7:25 pm with no response.

Moved by Figurski, seconded by Ledford, to approve Case #16-26 from Pet Supplies Plus at 2649 East Grand River for a 10-foot sign variance from the required 10 foot setback to a zero foot setback to erect a 6 x 12 monument sign due to the following findings of fact:

- The right of way at this property is larger than others in the area.

GENOA TOWNSHIP

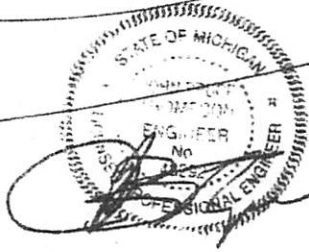




R=75.00'
L=5.00'
DELTA=3°49'11"
CH=N51°12'49"W
5.00'

R=50.00'
L=42.23'
DELTA=48°23'40"
CH=N73°30'02"W
40.99'

S71°51'27"W
10.99'
U.P.○
R=614.46'
L=112.01'
DELTA=10°26'41"
CH=S77°04'48"W
111.86'



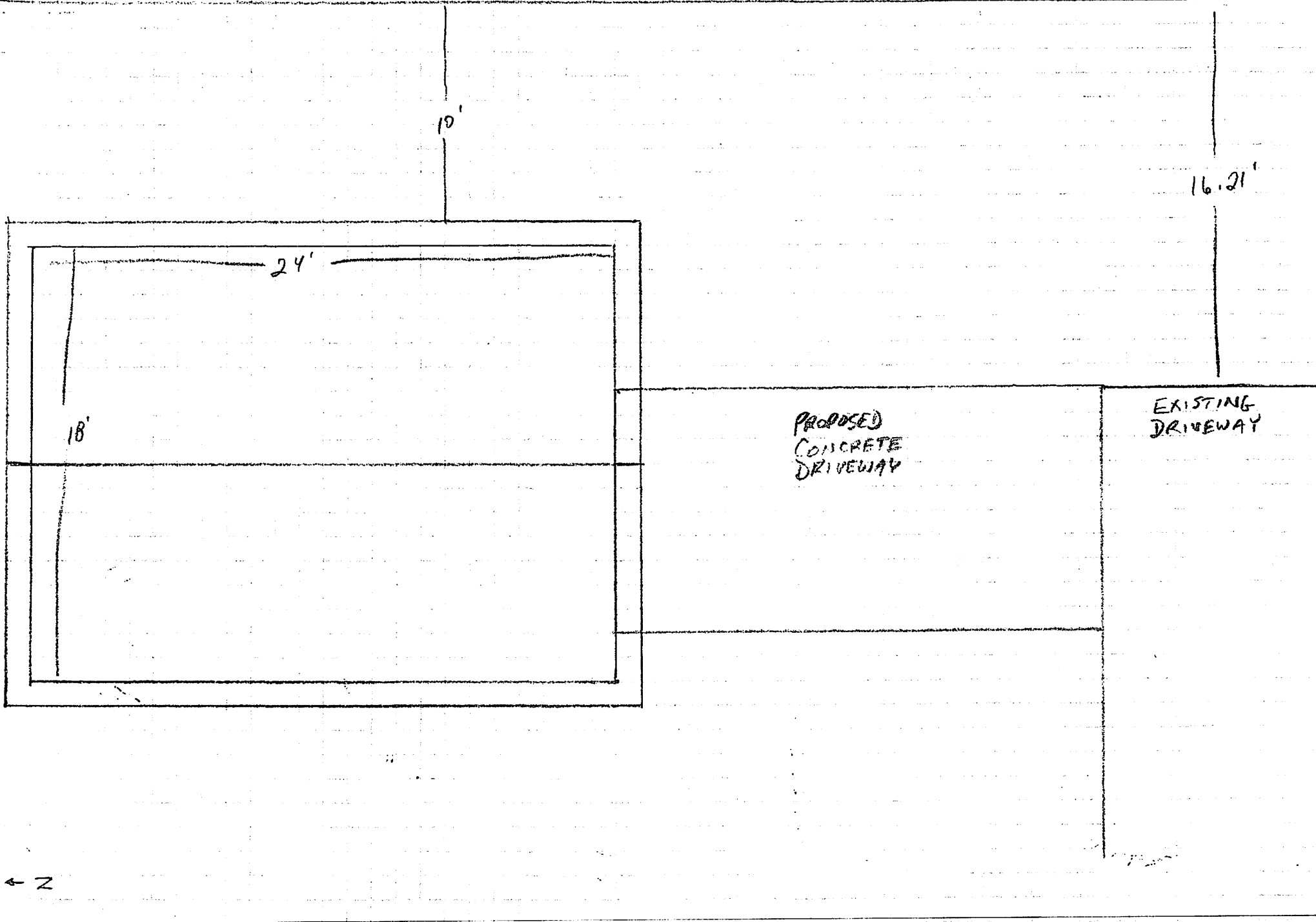
APPROVED
Livingston County Board of Health
Name
Date

CLIENT
MR. & MRS. ABNER
PLOT PLAN
2.67 ACRE PARCEL "E"
OF LAND
IN THE SOUTHEAST 1/4 OF
SECTION 18 TOWN 2 NORTH, RANGE 5 EAST
GENOA TOWNSHIP
LIVINGSTON COUNTY
SCALE:
1 INCH = 30 FEET

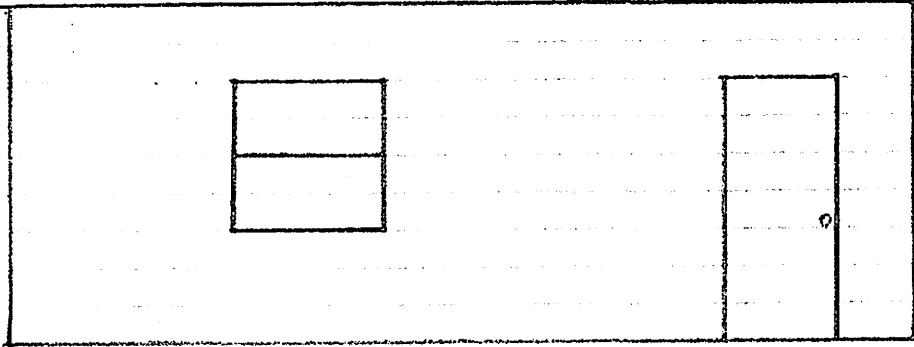
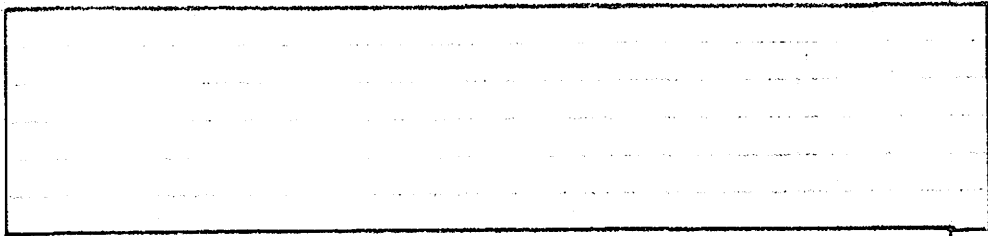
ATWELL-HICKS, INC.
Civil Engineering • Surveying
Planning • Environmental Services
Ann Arbor, MI 734 994 4000 Brighton, MI 810 225 8000 Westington Twp., MI 368 788 9800 Napanville, IL 630 577 0800

DATE: 04-19-03
JOB: 300502 CAD: 300502SU01
DR. JBT CH. JBT
BOOK -- PG. --
SHEET 02 OF 02
FILE NO. --

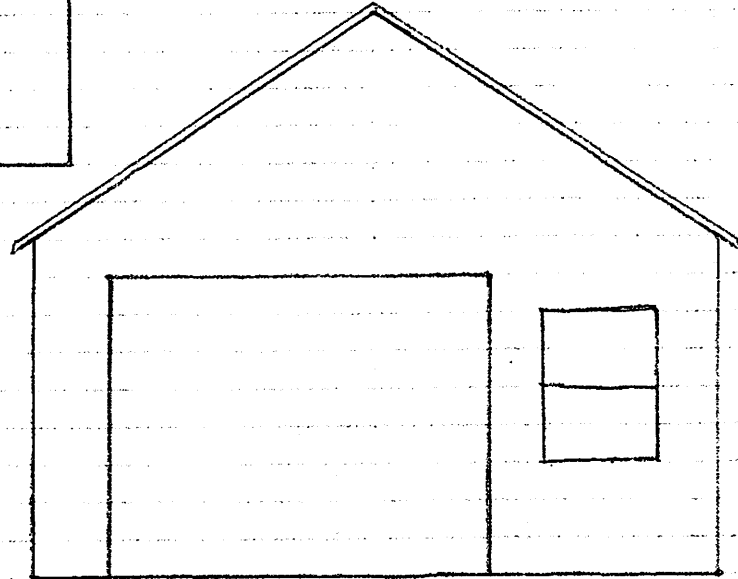
EAST PROPERTY LINE



← N



WEST ELEVATION



SOUTH ELEVATION

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
EALOVEGA, CHARLES & VERONI	ABNER, RONALD T. & JENNIFE	65,500	03/14/2003	WD	VACANT LAND	3864-0903	BUYER	100.0													
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: RR		Building Permit(s)		Date	Number	Status											
2805 ACORN LANE		School: HOWELL PUBLIC SCHOOLS		ACCESSORY BLDG		09/15/2016		P16-179	NO START												
Owner's Name/Address		P.R.E. 100% 12/26/2004		WOOD DECK		08/18/2008		08-108	NO START												
ABNER, RONALD T. & JENNIFER 2805 ACORN LANE Howell MI 48843		MAP #: V20-05		HOME		04/29/2003		03-175	100%												
Tax Description		2021 Est TCV Tentative		Land Value Estimates for Land Table 4500.HOWELL M& B																	
SEC 18 T2N R5E COMM N 1335.24 FT & S 89*32'04"E 165 FT FROM S 1/4 COR OF SEC, TH S 89*32'04"E 165.28 FT, TH S 690.76 FT TH S 71* 51'27"W 10.99 FT, TH ON AN ARC RIGHT, LONG CHORD BEARING S 77*04' 48"W 111.86 FT, LONG CHORD BEARING N 73*30'02"W 40.99 FT, TH ALONG AN ARC LEFT LONG CHORD BEARING N 51*12'49"W 5 FT TH N 705.76 FT TO POB, 2.672AC, PARCEL E		X Improved		Vacant		* Factors *															
Comments/Influences		Public Improvements		Description		Frontage		Depth		Front Depth		Rate %Adj. Reason		Value							
		X		Dirt Road		LAND TABLE A		2.670 Acres		25,101		100		67,020							
				Gravel Road		2.67 Total Acres		Total Est. Land Value =						67,020							
				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																	
				X REFUSE																	
		Who		When		What		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
		JB		11/09/2016		INSPECTED		2021		Tentative		Tentative		Tentative						Tentative	
								2020		33,500		134,500		168,000						134,330C	
								2019		32,500		130,800		163,300						131,826C	
								2018		32,500		125,000		157,500						128,737C	

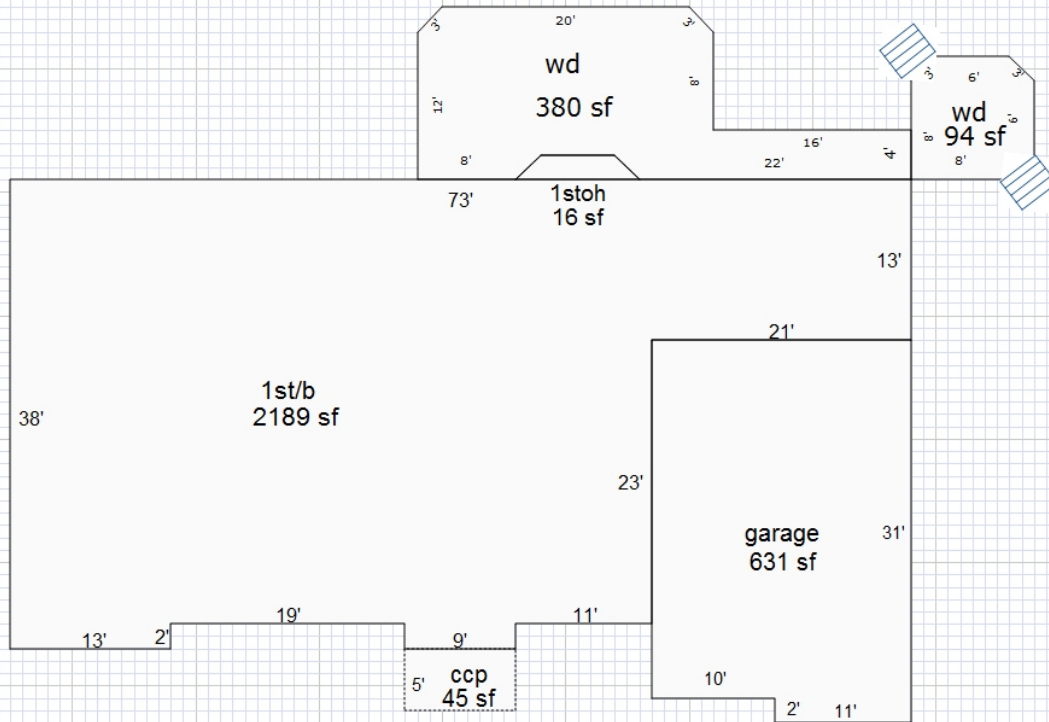


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Licensed To: Township of Genoa, County of Livingston, Michigan

*** 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 1 Direct-Vented Gas	Area Type	45 380 94	CCP (1 Story) Treated Wood Treated Wood	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1.5 Wal Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 631 % Good: 0 Storage Area: 0 No Conc. Floor: 0
X	Wood Frame		Drywall Paneled		Plaster Wood T&G		Trim & Decoration Ex X Ord Min		Size of Closets Lg X Ord Small		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: C Effec. Age: 9 Floor Area: 2,205 Total Base New : 308,459 Total Depr Cost: 280,698 Estimated T.C.V: 263,856		E.C.F. X 0.940	Bsmnt Garage: Carport Area: Roof:	
Building Style: C		Trim & Decoration		Central Air Wood Furnace			(12) Electric 0 Amps Service			Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 2189 SF Floor Area = 2205 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=91/100/100/100/91 Building Areas			Cls C Blt 2003				
Yr Built 2003	Remodeled 0	Size of Closets		No./Qual. of Fixtures Ex. X Ord. Min			No. of Elec. Outlets Many X Ave. Few			Stories Exterior Foundation 1 Story Siding Basement 1 Story Siding Overhang			Size 2,189 16 Total: 255,495		Depr. Cost 232,500		
Condition: Good		Doors: Solid X H.C.		(13) Plumbing Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 1 Extra Sink 1 Separate Shower			Other Additions/Adjustments Basement, Outside Entrance, Below Grade Plumbing 3 Fixture Bath 2 Fixture Bath Extra Sink Separate Shower Water/Sewer 1000 Gal Septic Water Well, 200 Feet Porches CCP (1 Story) Deck Treated Wood Treated Wood			1		2,124 1,933					
Room List		(5) Floors		Basement 1st Floor 2nd Floor 3 Bedrooms			Kitchen: Other: Other:			Other Additions/Adjustments Basement, Outside Entrance, Below Grade Plumbing 3 Fixture Bath 2 Fixture Bath Extra Sink Separate Shower Water/Sewer 1000 Gal Septic Water Well, 200 Feet Porches CCP (1 Story) Deck Treated Wood Treated Wood			1		2,124 1,933		
(1) Exterior		(6) Ceilings		Basement: 2189 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:			Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			631 1		21,934 -3,343 2,507		
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			45 380 94		1,149 1,046 5,236 4,765 2,057 1,872		
X	Insulation	(8) Basement		Recreation SF Living SF 1 Walkout Doors No Floor SF			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			45 380 94		1,149 1,046 5,236 4,765 2,057 1,872		
(2) Windows		(9) Basement Finish		Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			45 380 94		1,149 1,046 5,236 4,765 2,057 1,872		
X	Many Avg. Few	X	Large Avg. Small	Joists: Unsupported Len: Cntr.Sup:			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			45 380 94		1,149 1,046 5,236 4,765 2,057 1,872		
(3) Roof		(10) Floor Support		Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			45 380 94		1,149 1,046 5,236 4,765 2,057 1,872		
X	Gable Hip Flat		Gambrel Mansard Shed	Joists: Unsupported Len: Cntr.Sup:			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			45 380 94		1,149 1,046 5,236 4,765 2,057 1,872		
X	Asphalt Shingle			Chimney: Brick			Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1.5 Wall Fireplaces Direct-Vented Gas			45 380 94		1,149 1,046 5,236 4,765 2,057 1,872		
<p style="text-align: center;"><<<<< Calculations too long. See Valuation printout for complete pricing. >>>>></p>																	

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



3 Bedrooms
2 Full Baths
1 1/2 Bath
Sep. Shower
Extra Sink
Pre. Fab. F.P.

Sketch by Apex Sketch

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



GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116

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

Case # 20-06

Meeting Date: June 16, 2020 @ 10:30pm

PAID Variance Application Fee

\$215.00 for Residential

| \$300.00 for Sign Variance | \$395.00 for Commercial/Industrial

Applicant/Owner: Joel Johnson Email: joel_t_johnson@hotmail.com

Property Address: 3406 Pineridge Lane, Brighton, MI Phone: 248-408-1313

Present Zoning: _____ Tax Code: 11-22-202-020

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

Each application for Variance is considered individually by the ZBA. The ZBA is a 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 application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members, township officials and township staff 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:

- Variance requested/intended property modifications:** Respectfully requesting placement of shed along southern edge of property. Intention is to "mirror" neighbor's shed so as to minimize any visual obstructions for any neighbors and to avoid shed placement near waterfront. Shed wall will be 10 feet from my home, 3 feet from neighbor's shed, and roughly 2.5 feet from southern property line.
See survey plot plan with proposed new shed in red and neighbor's existing shed in blue.

The following is per Article 23.05.03 of the Genoa Township Ordinance:

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.

The only variance we're seeking is to place the shed roughly 2 feet from southern property line. All other setbacks, sizing, height, etc., will be met to the letter. Purpose of seeking variance is to minimize visual obstruction for owner and neighbors, by "mirroring" adjacent neighbor's shed. Proposed shed will be 10' x 18' with a height under 14', and will be an attractively built, high-quality shed with grey and white color scheme that matches our home. See photo attachments.

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.

Purpose of shed is storage of gardening tools, snow blower, lake toys, etc., completely consistent with residential use. We did not design or build this home. Existing two-car garage will not accommodate lawn/utility vehicle, snow blower, lake accessories, etc. Setbacks from lake and neighbor's house make other shed locations far more obstructive.

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.

No unusual light emissions or energy usage. Likely to contain basic electric service for standard interior light bulb and to charge electric devices (leaf blower, battery powered screwdriver, etc.)

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.

No negative impacts. Attractive shed will enhance value of current home. The purpose of this request is to place the shed in a location that AVOIDS visual obstruction of the lake for owner and neighbor which is an important factor for any homeowner on the lake. Finally, please note that a former owner of this property had a shed located in this same spot, which was approved by the Genoa Township zoning board (see approved variance request from Ms. Prakken in 1989).

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: _____ Signature: _____

Dear Zoning Board – please see footnoted responses to ordinance 23.05.03 in red font below.

23.05.03 **Criteria Applicable to Dimensional Variances.**

No variance in the provisions or requirements of this Ordinance shall be authorized by the Board of Appeals unless it is found from the evidence that all of the following conditions exist:

- (1) **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. ^A 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. ^B
- (2) **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. ^C The need for the variance was not self-created by the applicant. ^D
- (3) **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. ^E
- (4) **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. ^F

Footnoted responses:

^A Setbacks identified on plot plan rule out shed placement between house and lake. There is no possible shed placement on north or east property line, leaving only the south property line as a possibility.

^B Proposed placement does substantial justice to applicant and neighbor by “mirroring” neighbor’s shed along south property line. Placing shed anywhere closer to the lake creates visual obstruction for neighbor and potentially impedes on underground drainage pipes alongside neighbor’s home. Furthermore, neighbor on south side (Doug Brown) has attached a letter indicating his approval of proposed shed location (see attached letter).

^C Many houses throughout the neighborhood have a shed located on the property for the same reason (golf cart, lawnmower, snow blower, lake accessories, etc.). See attached photos of houses within a ten-house radius in either direction (see photos).

D We purchased this house in late 2019. We did not design or build it. Its placement on the property, dimensions, garage size, etc. were details under the control of the previous owner. The current two-car garage (see photo) cannot accommodate a riding lawn mower or utility vehicle.

E The proposed shed location optimizes use of current property for applicant and neighbors. Moving shed to any other location (e.g. closer to lake) creates visual obstruction for applicant and neighbor. Refer again to neighbor's letter approving of proposed shed location. There is nothing inherently dangerous about intended use of proposed shed. It will be used for storage of lawn care, snow removal equipment, and lake accessories. No unusual energy consumption or light pollution.

F Proposed shed will enhance the value of this property. It will be an attractive upscale shed with trim and color scheme to match the house (see attached photo of shed being considered).

Photo of two-car garage:



Photo of shed (shown in brown/white, however ours will be gray/white to match the house):



Shed dimensions: 10' x 18'. Wall height is 78" plus gable, well under the height restriction of 14 feet.

These photos are a sampling of neighbors on Pineridge Lane or Griffith having sheds. Rough estimate is that 50% of neighbors have a shed or other ancillary structure:







MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: June 10, 2020

RE: ZBA 20-06

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

STAFF REPORT

File Number: ZBA#20-06
Site Address: 3406 Pineridge Lane
Parcel Number: 4711-22-202-020
Parcel Size: 0.679 Acre
Applicant: Joel Johnson, 3406 Pineridge Lane, Brighton.
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variances

Project Description: Applicant is requesting a side yard variance to construct a detached accessory structure.

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, May 31, 2020 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 there is no constructed date of the home.
- In 2016, a variance was approved for an addition. (See Minutes)
- In 2016, a land use permit was issued for construction of an addition.
- In 1989, a variance was approved for a detached accessory structure. (See Minutes)
- Parcel is serviced by public sewer and private well.
- See 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 construct a detached accessory structure. In order to construct the proposed structure, the applicant would be required to obtain a side yard variance. The applicant is proposing to maintain the same side yard setback as the previously existing detached accessory structure which received ZBA approval in 1989.

Variance Requests

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

11.04.01 Accessory Buildings, Structures and Uses in General

(f) Required Setbacks (Detached, over one hundred twenty (120) square feet total floor area): Detached accessory buildings and structures over one hundred twenty (120) square feet of total floor area shall be at least ten (10) feet from any principal building, and at least ten (10) feet from any side or rear lot line; except as follows:

(2) On lots in the Lakeshore Resort Residential District a detached accessory building over one hundred twenty (120) square feet of total floor area shall be allowed to reduce one (1) side yard setback to at least five (5) feet as follows:

- a. The accessory building shall be setback at least ten (10) feet from the other side lot line.
- b. There shall be a minimum of ten (10) feet of separation from buildings on adjacent lots.

DETACHED ACCESSORY STRUCTURE	Side Yard Setback
Required Setbacks	10
Setback Amount Requested	2.5
Variance Amount	7.5

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 side yard setback would prevent the applicant from constructing the proposed detached accessory structure. The proposed placement of the structure is the same location as the previously approved structure. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property.

(b) Extraordinary Circumstances – The exceptional or extraordinary condition of the property is the topography and location of the existing home. The variance would make the property consistent with other properties in the vicinity.

(c) Public Safety and Welfare – The granting of this 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 not have an 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. Structure must be guttered with downspouts.

16-15...A request by Troy Locklear, 3406 Pineridge Lane, for a front yard variance to construct an addition onto an existing home.

Mr. Locklear and Mr. Mike Latimer, the architect, were present. Mr. Latimer stated they are requesting these variances due to the existing non-conforming and topography of the lot. Their proposal will not impair the view of the lake for the neighbors. He showed colored renderings of the front of the proposed home.

The call to the public was made at 7:46 p.m.

Mr. Doug Brown of 3420 Pineridge is Mr. Locklear's neighbor. He has spoken to him and has seen the plans and he feels this will be a fine addition to the neighborhood.

The call to the public was closed at 7:47 pm.

Moved by Ledford, seconded by Figurski, to approve Case #16-15 from Mr. Troy Locklear of 3406 Pineridge for an 8.2-foot front-yard variance from the required 35 feet to 26.8 feet to construct an addition onto an existing home due to the following findings of fact:

- Granting this variance will do substantial justice to the applicant and the neighbors.
- The variance is not self created.
- The need for this variance is due to the topography of the lot and the location of the existing home.
- Granting this variance would make the property consistent with the majority of other properties in the area.
- The granting of the variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of Township residents.
- Granting the variance will not interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The motion carried unanimously.

16-16...A request by Brian and Renee Mayday, 5400 Sharp Drive, for front and waterfront variances for demolition of an existing home and garage in order to construct a new home and garage.

Chairman Dhaenens stated that the applicant has requested to have their request withdrawn.

Moved by Figurski, seconded by Ledford, to withdraw Case #16-16 per the applicant's request. **The motion carried unanimously.**

suggested that he may ask for a section of the treed lot to be used as a buffer between the two parcels. However, the property was not surveyed. It was suggested that the petitioner might want to seek a re-zoning or have the matter informally discussed at the Planning Commission. Moved by Skolarus, supported by Swift, to table Piner's request until the next regular meeting of the board, and to consider the request based upon the manager's comments. The motion carried.

- 89-12 Ray Armstrong of Chataqua Colony-Anchor Lane requested a variance to the front and rear setback requirements for construction of a single family dwelling. L. Albrandt expressed concern for the front yard setback and asked that it remain similar to other homes in the area, which are set back 25 ft. Moved by Skolarus, supported by Hensick, to approve a front yard variance of 15' and a rear variance of 25' for the construction of a single family home, with the understanding that lots 11, 12, and 13 would be combined into one buildable unit. The motion carried.
- 89-13 Don Gonzales of 840 Sunrise Park addressed the board requesting a variance to add a second story to an existing, non-conforming house. Moved by Hensick, supported by Figurski, to table the petitioner's request for a period of 90 days to allow Gonzales time to obtain an evaluation from the health department and to present that application and evaluation to the ZBA. The motion carried.
- 89-14 James Rider of 846 Pathway spoke to the board concerning a request for variance for an addition to an existing, non-conforming house. Moved by Hensick, supported by Figurski, to approve an 80' variance to the waterfront on the south side of the property to continue a non-conforming use, further that the 45' distance from the water be measured to the enclosed house structure and that no expansion be made toward the water's edge. The motion carried.
- 89-15 Sybil Prakken of 3406 Pineridge addressed the board for a variance to the side-yard setback requirements for the construction of a 10' x 10' shed. Moved by Swift, supported by Skolarus, to approve an 18' variance to the side yard setback for a shed to be constructed of rough-sawn cedar with a cement floor. This action being taken because of the unusual configuration of the lot, noting that the shed would be a single story structure, used exclusively for storage. The motion carried.
- 89-16 Mary Elliot of 5359 Wildwood asked for a variance to existing setback requirements for an addition to an existing, non-conforming house. J. Kusiak had no objections to the expansion

of Dorr Road. Caroen indicated that he had no back ground in the operation of a flea market. Moved by Skolarus, supported by Hensick, to deny the petitioner's request to operate such a business because of the health and safety risks to the community, eg. parking, access, over-night lodging, etc. The motion carried.

During member discussion, it was requested that the manager review with the board the status of the two story framed building on Hughes Road across from Red Oaks. Also, to address the problem at 733 Pathway which appears to be a dumping ground for junk and abandoned cars.

The meeting was adjourned at 10:20 p.m.

Respectfully submitted,

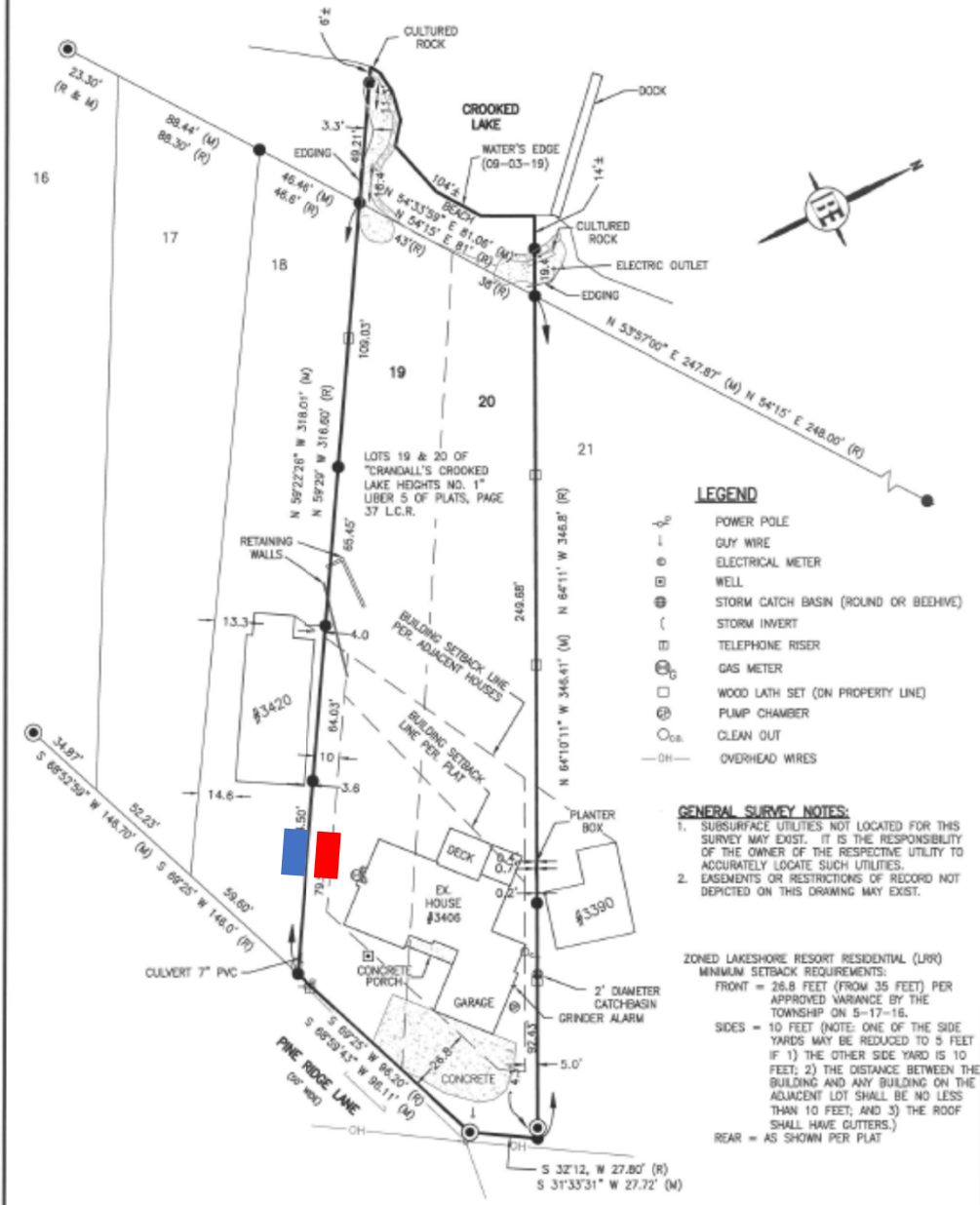
Paulette A. Skolarus
Paulette A. Skolarus,
Genoa Township Clerk

GENOA TOWNSHIP



0 50 100
Feet

SURVEY



- LEGEND**
- ⊙ POWER POLE
 - GUY WIRE
 - ⊕ ELECTRICAL METER
 - ⊕ WELL
 - ⊕ STORM CATCH BASIN (ROUND OR BEEHIVE)
 - () STORM INVERT
 - ⊕ TELEPHONE RISER
 - ⊕ GAS METER
 - ⊕ WOOD LATH SET (ON PROPERTY LINE)
 - ⊕ PUMP CHAMBER
 - ⊕ CLEAN OUT
 - OH— OVERHEAD WIRES

- GENERAL SURVEY NOTES:**
1. 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.
 2. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.

ZONED LAKESHORE RESORT RESIDENTIAL (LRR)
MINIMUM SETBACK REQUIREMENTS:
 FRONT = 26.8 FEET (FROM 35 FEET) PER APPROVED VARIANCE BY THE TOWNSHIP ON 5-17-16.
 SIDES = 10 FEET (NOTE: ONE OF THE SIDE YARDS MAY BE REDUCED TO 5 FEET IF 1) THE OTHER SIDE YARD IS 10 FEET; 2) THE DISTANCE BETWEEN THE BUILDING AND ANY BUILDING ON THE ADJACENT LOT SHALL BE NO LESS THAN 10 FEET; AND 3) THE ROOF SHALL HAVE CUTTERS.)
 REAR = AS SHOWN PER PLAT.

DESCRIPTION:
 LOTS 19 & 20 OF "GRANDALL'S CROOKED LAKE HEIGHTS NO.1", A SUBDIVISION OF PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 22, T2N-R5E, G2ND TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN AS RECORDED IN LIBER 5 OF PLATS, PAGE 37, L.C.R.

BEBOSS Engineering
 3121 E. GRAND RIVER AVE.
 HOWELL, MI 48843
 517.546.4836 FAX 517.546.5670

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY CONFLICTS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.



CLIENT: JOHNSON	SCALE: 1 INCH = 40 FEET	LEGEND
JOB NO. 19-300	DATE 09-03-19 09-10-19	○ = STEEL ROD SET
SHEET 1 OF 1	FB 462 CREW DFD DR. TG CHKD.	● = STEEL ROD/PIPE FD
		⊕ = MONUMENT FOUND
		— = FENCE
		(R) = RECORDED
		(M) = MEASURED

3 WORKING DAYS BEFORE YOU DIG
 CALL MISS DIG
 1-800-482-7171
 WE'RE ON THE LINE FOR YOU

G:\19-300\dwg\19-300_1.dwg, 9/10/2019 1:51:27 PM, 1img

Survey from October 2019. Neighbor's existing shed in blue. Proposed shed in red. Closest point of proposed shed is 10 feet from owner's house. Proposed shed is 3 feet from neighbor's shed, and roughly 2.5 feet from southern property line.

Staked area for proposed shed:









View of property from lake. Topography and lake setback prevent placement of shed in back yard:





Offering lots of storage room and natural light the "She" shed makes a great lady's workshop or gardener's haven. The higher roof pitch and dormer add elegance, and the additional single door provides convenience. Make it uniquely yours with color and style options that complement your home.

Shown Above:
12x16 She-Shed
Weathered Rock Shingle Roof,
Taupe Duratemp Siding,
Navajo White Miratec Trim



'She' Shed



Size:	Wooden Siding	RTO @ month	Paint Siding	RTO @ month	Metal Siding	RTO @ month	Vinyl Siding	RTO @ month
14x40	\$11,754	\$544.15	\$12,160	\$562.97	\$13,403	\$620.49	\$13,708	\$634.62
14x36	\$11,031	\$510.70	\$11,422	\$528.80	\$12,551	\$581.05	\$12,840	\$594.45
14x32	\$10,349	\$479.12	\$10,724	\$496.49	\$11,739	\$543.47	\$12,013	\$556.14
14x28	\$9,661	\$447.28	\$10,022	\$463.96	\$10,922	\$505.64	\$11,180	\$517.57
14x24	\$8,943	\$414.04	\$9,288	\$430.00	\$10,075	\$466.42	\$10,317	\$477.62
14x20	\$8,265	\$382.63	\$8,594	\$397.86	\$9,267	\$429.02	\$9,493	\$439.48
14x16	\$7,571	\$350.52	\$7,885	\$365.02	\$8,444	\$390.92	\$8,654	\$400.65
12x36	\$8,732	\$404.26	\$9,103	\$421.43	\$9,830	\$455.09	\$10,006	\$463.24
12x32	\$8,197	\$379.50	\$8,553	\$395.95	\$9,214	\$426.55	\$9,389	\$434.66
12x28	\$7,675	\$355.33	\$8,016	\$371.10	\$8,610	\$398.60	\$8,784	\$406.67
12x24	\$6,933	\$320.95	\$7,257	\$335.99	\$7,786	\$360.44	\$7,959	\$368.46
12x20	\$6,407	\$296.60	\$6,716	\$310.91	\$7,179	\$332.35	\$7,351	\$340.35
12x18	\$6,092	\$282.04	\$6,393	\$295.99	\$6,794	\$314.51	\$6,956	\$322.05
12x16	\$5,755	\$266.43	\$6,048	\$280.01	\$6,386	\$295.67	\$6,540	\$302.77
12x14	\$5,445	\$252.10	\$5,732	\$265.36	\$6,007	\$278.11	\$6,151	\$284.76
12x12	\$5,112	\$236.65	\$5,390	\$249.55	\$5,604	\$259.43	\$5,738	\$265.65
10x20	\$5,576	\$258.15	\$5,852	\$270.94	\$6,171	\$285.69	\$6,290	\$291.19
10x18	\$5,339	\$247.20	\$5,608	\$259.63	\$5,892	\$272.80	\$6,011	\$278.27
10x16	\$5,076	\$234.99	\$5,336	\$247.06	\$5,587	\$258.66	\$5,704	\$264.09
10x14	\$4,843	\$224.21	\$5,096	\$235.94	\$5,312	\$245.94	\$5,429	\$251.34
10x12	\$4,577	\$211.91	\$4,823	\$223.28	\$5,005	\$231.70	\$5,121	\$237.06
10x10	\$4,345	\$201.15	\$4,583	\$212.16	\$4,731	\$219.01	\$4,846	\$224.34
8x16	\$4,435	\$205.31	\$4,688	\$217.06	\$4,879	\$225.89	\$4,981	\$230.61
8x14	\$4,204	\$194.65	\$4,451	\$206.07	\$4,603	\$213.10	\$4,703	\$217.72
8x12	\$3,964	\$183.53	\$4,203	\$194.58	\$4,317	\$199.84	\$4,414	\$204.37
8x10	\$3,738	\$173.07	\$3,969	\$183.77	\$4,045	\$187.25	\$4,140	\$191.68
8x8	\$3,493	\$161.72	\$3,722	\$172.30	\$3,739	\$173.10	\$3,808	\$176.30

Standard Features

- 3/4" Performax Treated Floors
- Metal or Shingled Roof
- Treated, Painted, Metal, or Vinyl Siding
- 76.5" Side Walls
- Gable or Ridge Vents
- Double Doors, (Single Door on 8' Wide Buildings)
- Two 2"x3" Windows
- 6' Dormer
- 6" Overhangs
- Transom Windows in Doors

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
LOCKLEAR TROY & REGINA	JOHNSON JOEL & JANET	1,128,000	10/21/2019	WD	ARMS-LENGTH	2019R-029372	BUYER	100.0
PRAKKEN SYBIL REVOCABLE LI	LOCKLEAR TROY & REGINA	417,500	09/05/2014	WD	ARMS-LENGTH	2014R-026032	BUYER	100.0
PRAKKEN, SYBIL M.	PRAKKEN SYBIL REVOCABLE LI	0	12/18/2009	QC	INVALID SALE	2009R-034047	BUYER	0.0

Property Address	Class: RESIDENTIAL-IMPROV	Zoning: LRR	Building Permit(s)	Date	Number	Status
3406 PINERIDGE LANE	School: BRIGHTON AREA SCHOOLS		ADDITION	09/21/2016	P16-187	NO START
Owner's Name/Address	P.R.E. 0%					
JOHNSON JOEL & JANET 3406 PINERIDGE LANE BRIGHTON MI 48116	MAP #: V20-06					
2021 Est TCV Tentative						

Tax Description	X	Improved		Vacant	Land Value Estimates for Land Table 4306.TRI LAKES LAKE FRONT								
		Public	Improvements		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value	
SEC. 22 T2N, R5E CRANDALL'S CROOKED LAKE HEIGHTS NO. 1 LOT 20 AND LOT 19	X		Dirt Road		A LAKE FRONT	81.00	365.00	1.0000	1.0000	4000	100		324,000
Comments/Influences			Gravel Road		81 Actual Front Feet, 0.68 Total Acres					Total Est. Land Value =	324,000		

Comments/Influences	X	Land Improvement Cost Estimates		Description	Rate	Size	% Good	Cash Value
		D/W/P:	Material					
			Water	D/W/P: Brick on Sand	19.89	416	50	4,137
			Sewer	D/W/P: 3.5 Concrete	6.83	364	50	1,243
			Electric	D/W/P: 3.5 Concrete	6.83	175	50	597
			Gas	Total Estimated Land Improvements True Cash Value =				5,977

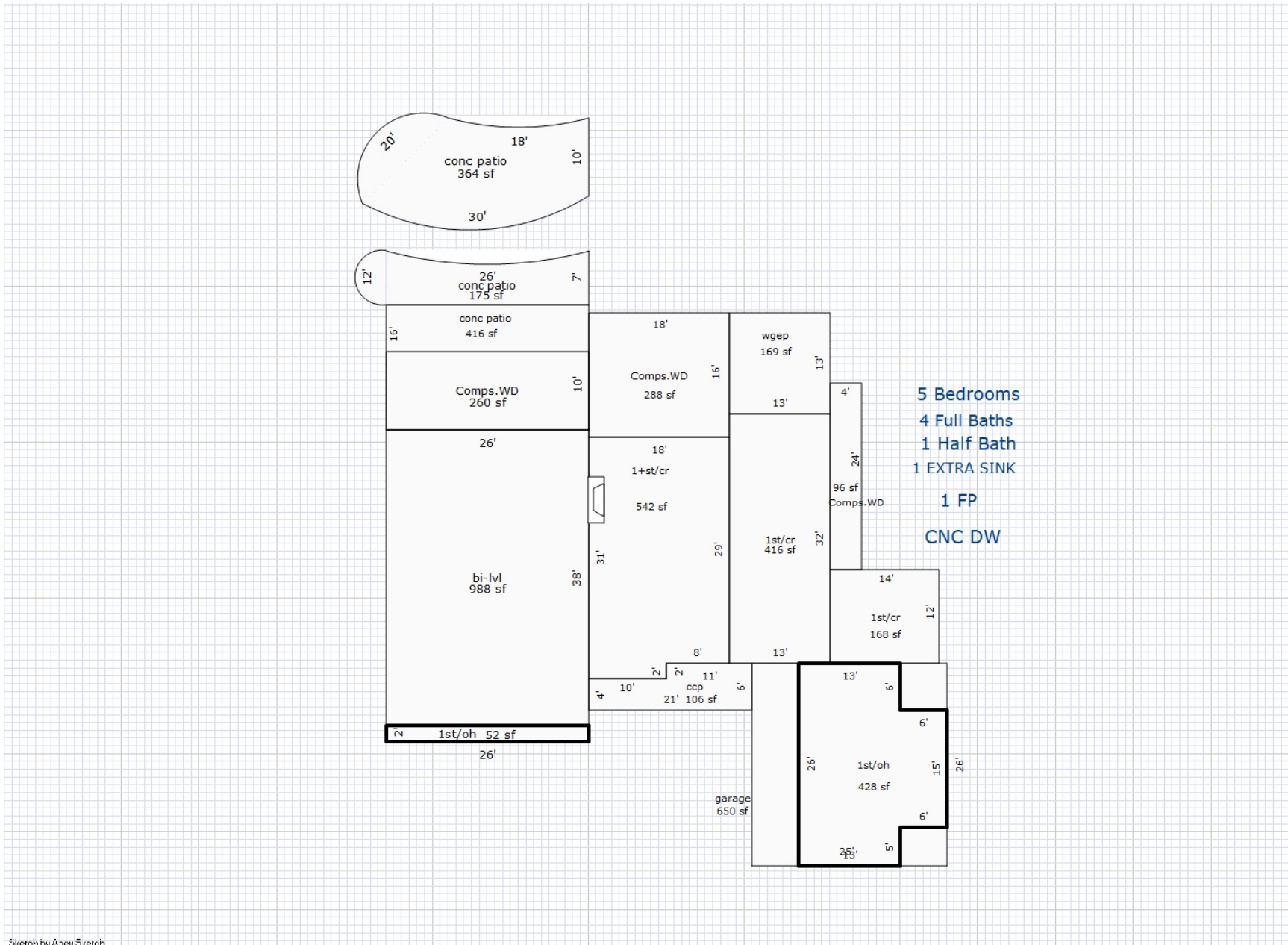
Topography of Site
Level
Rolling
Low
High
Landscaped
Swamp
Wooded
Pond
Waterfront
Ravine
Wetland
Flood Plain
X REFUSE

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2021	Tentative	Tentative	Tentative			Tentative
2020	162,000	370,300	532,300			532,300S
2019	118,300	314,700	433,000			334,390C
2018	98,300	282,400	380,700			326,553C



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

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



Sketch by Apex Sketch

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

From: [Nicole B. 517-404-9181](mailto:Nicole.B.517-404-9181)
To: [Amy Ruthig](mailto:Amy.Ruthig)
Subject: 3968 Highcrest Dr
Date: Thursday, June 11, 2020 4:52:42 PM

Hi Amy,
we are requesting to table our variance request until the scheduled July meeting.

Thank you,

Nicole Bartolomucci

Sales Manager
RE/MAX Platinum
6870 Grand River Ave
Brighton, MI 48114
Nicole.B@Remax.net

Direct 517.404.9181
Office 810.227.4600
Fax 810.227.4465

This Meeting was Conducted Via Zoom Meeting

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MAY 19, 2020 - 6:30 PM**

MINUTES

Call to Order: Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 6:31 pm via Zoom Meeting. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Michelle Kreutzberg, Jean Ledford, Bill Rockwell, Marianne McCreary, and Amy Ruth, Zoning Official.

Chairman Rassel advised the public to call 810.227.5225 or e-mail info@genoa.org if they wish to speak during the public hearings.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda:

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

Call to the Public:

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

New Business

1. 20-02 ... A request by Jim and Diana Grant, 5525 King Road, for a side setback variance to construct a detached accessory structure.

Mrs. Grant and her builder, Jason Foldenauer, were present. Mrs. Grant stated she would like to build a two-car garage. Their proposal requires a four-foot variance, with a setback of 36 feet.

Mr. Foldenauer stated the new garage will be on the same side setback as the existing garage. They will be making it larger and moving it closer to the house. The new garage is proposed to be 24 feet x 24 feet.

Board Member Rockwell noted that the paperwork states the variance requested is 10 feet; however, Ms. Grant stated the variance request is for four feet. Mr. Foldenauer stated the variance needed is ten feet.

Board Member Ledford questioned the location of the septic field. Ms. Grant stated it is on the side of the home and meets the requirements. Board Member McCreary wants to ensure that there is room for a reserve field should the existing field fail. Ms. Grant and Mr. Foldenauer confirmed there is room.

The call to the public was made at 6:47 pm with no response.

Mr. and Mrs. Chuck and Karen Nachtrab of 5601 King Road sent an email to the Township stating they do not see any problems with the variance in regards to the Grants' proposed garage. There would be virtually no difference in the placement of the garage from their point of view.

Moved by Board Member Kreutzberg, seconded by Board Member Ledford, to approve Case #20-02 for Jim and Diana Grant at 5525 King Road for a side-yard setback variance of 10 feet to construct a 24 x 24 garage, based on the following findings of fact:

- The variance does provide substantial justice as there are other detached accessory structures in the surrounding area with non-conforming side yard setbacks.
- The exceptional or extraordinary condition is the existing location of the home and existing accessory structures on the property, along with the topography and location of the septic field.
- 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.

This approval is conditioned upon the following:

1. The structure shall comply with the accessory structure requirements.

The motion carried unanimously with a roll call vote.

2. 20-03 ... A request by Chestnut Development LLC, 6255 Grand River, for a variance to allow for a second monument sign on a parcel.

Mr. Brad Opfer of Chestnut Development was present. They are building a 16,000 square foot building behind the existing one, which can house up to ten tenants. If they were to divide the existing sign for these tenants, there would not be enough signage for the tenants for both buildings. The new sign would be identical to the existing sign, with the exception that it will be 13 square feet smaller to meet the ordinance of 72 square feet.

Board Member Ledford disagrees with this request. Mr. Opfer reiterated that they have six tenants in the front building and the new building can house up to ten tenants. If they were to put all 16 of these tenants on one sign, they would each only have an approximate 6x8 inch sign to promote their businesses.

Board Member McCreary asked for the hardship. Mr. Opfer stated the tenants in the rear would have no sign exposure. She asked the applicant if it was anticipated that the new building would have ten more tenants and additional signage was needed when the project was approved in 2015, which included the sign. Mr. Opfer stated that these parcels were two separate parcels and have now been combined.

Board Member Kreuzberg asked if there are a certain number of tenants in a building or buildings, does that allow for an additional sign. She also questioned if the address for the rear building is different than the existing building and would that allow for a second sign.

Ms. Ruthig stated the existing sign is currently as large as it can be per the ordinance. She noted that other developments in the Township typically have a name, such as this, and the sign has the name of the development.

Chairman Rassel asked if any other variances for two signs have been granted. Ms. Ruthig answered no.

Board Member Rockwell asked if these were two separate properties, would they be allowed a second sign. Ms. Ruthig stated they combined the properties in order to receive their site plan approval. If they were to separate the properties, they would need setback variances.

Mr. Opfer questioned if they could change the size of the existing sign and allow two signs. Chairman Rassel stated what is not allowed is two signs on one property.

The call to the public was made at 7:09 pm with no response.

Mr. Jim Mitte, the President of Turtlehut Internet Marketing owns the building next door to Chestnut Development. He sent an email to show his support for the sign variance request. He believes it would be beneficial to the tenants of the new building and customers to have proper signage on Grand River to showcase the businesses that will be occupying the building.

Moved by Board Member McCreary, seconded by Board Member to deny Case #20-03 for 6255 Grand River, based on the following findings of fact:

- The applicant is requesting a variance to allow for an additional monument sign at an existing office center.
- There is no practical difficulty with respect to granting a second sign. The ordinance is clear that only one monument sign is allowed for each parcel and the current sign that is there has been approved.

- There are no extraordinary circumstances and the request for the applicant is self-created.
- There is no public safety and welfare issue with respect to granting this variance.
- By denying this request, it would be equal for all other properties that have monument signs and comply with the sign ordinances for Genoa Township.

The motion carried unanimously with a roll call vote.

3. 20-04 ... A request by Daniel and Christine Casoli, 4121 Homestead, for side and waterfront setback variances to construct an addition to an existing home.

Mr. and Mrs. Casoli were present. Ms. Casoli stated they would like to add a 12 x 14 addition to their home that will fill in the corner of the house. She showed a sketch plan of the property and addition. They are requesting a side variance and a lake side variance. The addition will not be any closer to the lake than the existing structure.

The call to the public was made at 7:17 pm with no response.

Moved by Board Member Ledford, seconded by Board Member McCreary, to approve Case #20-04 for 4121 Homestead Drive to Daniel and Christine Casoli for a waterfront setback of 17.25 feet from the required 57.25 feet for a waterfront setback of 40 feet and a side yard setback variance of .9 feet from the required 5 feet for a side yard setback of 4.1 feet in order to construct an addition on an existing home, based on the following findings of fact:

- The waterfront setback will be the same as the existing home.
- The side-yard setback variance will decrease from 4.7 feet to 4.1 feet.
- Strict compliance with the waterfront and side yard setbacks would prevent the applicant from constructing the proposed addition. The addition in the waterfront yard is not increasing the waterfront setback. The variances requested appear to be the least necessary to provide substantial justice and is necessary for the preservation and enjoyment of the property.
- The exceptional or extraordinary condition of the property is the narrowness of the lot and location of the existing home. The waterfront and side yard variances would make the property consistent with other properties in the area.
- Granting these 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 of Genoa.
- These proposed variances would not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. Structure must be guttered with downspouts.

The motion carried unanimously with a roll call vote.

Administrative Business:

1. Approval of the minutes for the January 20, 2020 Zoning Board of Appeals Meeting.

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to approve the minutes from the January 20, 2020 Zoning Board of Appeals Meeting as presented. **The motion carried unanimously.**

3. Correspondence – Ms. Ruthig stated there are two cases for the June meeting. She is not sure if it will be via Zoom Meeting or if it will be in person.
4. Township Board Representative Report - Board Member Ledford provided a review of the May 18, 2020 Board Meeting.
5. Planning Commission Representative Report – Board Member McCreary provided a review of the March 9, 2020 Planning Commission Meeting.
6. Zoning Official Report – Ms. Ruthig had nothing to report.
7. Member Discussion - There were no items to discuss this evening.
8. Adjournment - **Moved** by Board Member Rockwell, seconded by Board Member McCreary, to adjourn the meeting at 7:32 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary