

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
SEPTEMBER 20, 2022
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)*

Old Business:

1. 22-17...A request by Brody and Ara Adams, 600 Black Oaks Trail, for a fence variance to allow an existing 6-8-foot-tall fence to remain. (Request to withdraw application)

New Business:

2. 22-20...A request by Joseph Anzalone, 5964 Glen Echo, for variances to allow a detached accessory building (gazebo) to remain within the required waterfront yard and for a shoreline setback variance. (Request to be postponed until October 18, 2022 ZBA Meeting)
3. 22-21...A request by Chris Stone (Log Cabin Restaurant), 5393 Grand River Avenue, for a rear yard setback variance and a variance to allow an additional detached accessory building for placement of a commercial smoker.

Administrative Business:

1. Approval of minutes for the August 16, 2022 Zoning Board of Appeals meeting.
2. Correspondence
3. Member Discussion
4. Adjournment

From: [Roger Myers](#)
To: [Amy Ruthig](#)
Subject: Anzalone ZBA application
Date: Wednesday, September 14, 2022 4:11:33 PM

Hi Amy-

As you know, I represent the Anzalones regarding their variance application that was submitted last month. I am writing to request that the hearing on their application be postponed until the October meeting (October 18, I believe) because Mr. Anzalone was just informed that he has to travel out of state next week for work and will be unable to attend a hearing on September 20.

I spoke briefly with Mike Archinal about this request this afternoon, and he indicated I should submit this request in writing to you.

I appreciate your consideration.

Thanks, Roger.



Roger L. Myers

rmyers@myers2law.com

915 N. Michigan Ave.
Howell, Michigan 48843

517.376.3727 Direct

517.540.1700 Main

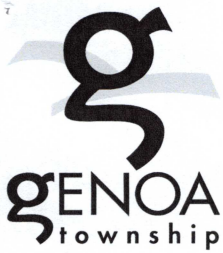
517.540.1701 Fax

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

Case # 22-21 Meeting Date: 9/20/22

PAID Variance Application Fee

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

Applicant/Owner: Chris Stone Email: _____
 Property Address: 5393 Grand River Phone: 248-282-4044
 Present Zoning: Commercial Tax Code: 11-10-301-017

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: Back lot 1.162 Per
does not meet Code for placement of smoker

Please note that the packet and staff report for your scheduled Zoning Board of Appeals meeting will be available to review at <https://www.genoa.org/government/boards/zoningboard> five days prior to the meeting.

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.

Compliance presents accessory structures
Other Comm. Res have. depth of lot prevents this

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 SMOKE IS ESSENTIAL FOR OUR BUSINESS
BECAUSE ARE MOUND BUILT AROUND IT.

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.

THERE WILL BE NO IMPACT

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.

THERE WILL BE NO IMPACT. SMOKE IS
ONLY EXPECTED FOR ABOUT 1/2 HRS. AND EXTENDS
TO ROOF HEIGHT.

Attendance by the applicant is required at the Zoning Board of Appeals meeting.

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 plans and construction plans.

Date: 8/22/22 Signature: Chris Stone



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

MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: September 15, 2022
RE: ZBA 22-21

File Number: ZBA#22-21

Site Address: 5393 Grand River Avenue

Parcel Number: 4711-10-301-017

Parcel Size: 1.234 Acres

Applicant: Chris Stone

Property Owner: WD Log Cabin Realty, LLC. 39533 Woodward Ave. Ste 200, Bloomfield Hills

Information Submitted: Application, site plan, building plans

Request: Dimensional Variances

Project Description: Applicant is requesting a rear yard setback variance and a variance to allow an additional detached accessory building for placement of a commercial smoker.

Zoning and Existing Use: GCD (General Commercial District), occupied by a restaurant building and a single-family residential building.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday August 28, 2022 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 commercial building was built in 2009.
- In September of 2022, the applicant received Planning Commission approval for the installation of a smoker pending ZBA decision. (See attached minutes)
- In 2022, a land use waiver was issued for the exterior painting of the building.
- In 2022, a land use waiver was issued for interior work of the building to reestablish a restaurant.
- In 2019, a land use waiver was issued for interior work due to water damage.
- In 2009, a land use waiver was issued for construction an open pavilion.
- In 2002, a land use permit was permitted for the reconstruction of the building.

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

- In 2002, front and rear yard setback variances were approved by the Zoning Board of Appeals. (See attached attached)
- In 1999, the building was destroyed by a fire.
- See Record Cards.
- The properties are serviced by public sewer and water.

Since the date of application submittal, it has been determined that the applicant is in need of an additional variance to exceed the number of detached accessory structures allowed.

Summary

The applicant is proposing to install a 6 x 5 smoker for the use as part of the existing restaurant. In order to proceed with the proposed location of the smoker, the applicant is requesting a rear yard setback variance and a variance to exceed the number of the detached accessory structures allowed.

Variance Requests

The following are the various sections of the zoning ordinance that variances are being requested from:

Sec. 7.03 DIMENSIONAL STANDARDS

7.03.01 Commercial Schedule of Area and Bulk Requirements.

Required Rear Yard Setback: 50'

Proposed Rear Yard Setback: 18'

Proposed Variance Amount: 32'

11.04.02 Accessory Buildings

(3) In non-residential districts, all detached accessory buildings shall meet the setback requirements for principal structures unless otherwise provided herein.

(f) Maximum Number: No more than two (2) detached accessory buildings shall be permitted on any lot in any district except conforming lots in the Agricultural and Country Estate District.

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 zoning ordinance would prevent the applicant from installing the proposed structure. Granting of the requested variances would do substantial justice to the applicant 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. There are several conforming General Commercial District zoned properties in the area that would be able to accommodate the proposed structure without the need for a variance.

(b) Extraordinary Circumstances – The exceptional or extraordinary condition of the property is the narrowness of the lot which creates a narrow building envelope, the lot fronting on two public roads which gives the lot two front yards and the location of the existing building which received variances for the non-conforming rear yard setback. The need for the variances is not self-created.

(c) Public Safety and Welfare – 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 of Genoa.

(d) Impact on Surrounding Neighborhood – The proposed variances would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood due to the Planning Commissions conditions placed on the approval granted at the September 12, 2022 Planning Commission meeting. (See attached minutes) The applicant is also required to adhere to Section 13.05 – Performance Standards of the Zoning Ordinance.

Recommended Conditions

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

1. All requirements of Planning Commission's approval at the September 12, 2022 Planning Commission meeting shall be met.
2. No other detached accessory structures are allowed.



Sat Jul 23 2022

Imagery © 2022 Nearmap, HERE



- The applicant will need to receive approval from the Zoning Board of Appeals for the 55-foot setback
- The applicant shall provide to the Township with the number of boats that are currently allowed to be moored.

The motion carried unanimously.

OPEN PUBLIC HEARING #3...Consideration of a sketch plan for a proposed outdoor commercial smoker for use as part of the Log Cabin Restaurant located at 5393 Grand River Avenue, north side of Grand River, Between Eckles Drive and Westwood Drive. The request is petitioned by Chris Stone.

A. Disposition of Sketch Plan (file date 8-22-22)

Mr. Chris Stone stated they would like to place a 5 foot x 6 foot smoker on their property. It is six feet away from the building. They cannot meet the required setback because of the shape of the lot. They have already applied for the variance from the ZBA.

Mr. Borden reviewed his letter dated August 31, 2022.

1. The required rear yard setback requirement of 50 feet is not met. They are proposing an 18 foot setback. A variance from the ZBA will be required.
2. The maximum number of accessory buildings allowed of two is exceeded as this proposal would result in at least three. A variance from the ZBA will be required.
3. He suggested additional rear yard screening/buffering be provided as this property abuts residential properties. This would be a Buffer Zone B; however, he does not believe a full requirement of that buffer zone would be needed. Mr. Stone stated they have spoken to the neighbors and they requested to have a wall or a fence installed and he is agreeable to that. Mr. Borden agrees. He suggested that the applicant keep as much of the existing landscaping as possible.
4. Any existing landscaping in poor condition should be replaced as part of this project.

Ms. Byrne stated there are no engineering concerns with the project.

The letter from the Brighton Area Fire Authority Fire Marshal, Rick Boisvert, dated September 7, 2022 states the following:

1. The smoker shall be installed a minimum of 24" away from the combustible building surface.
2. Firewood shall not be stored against the combustible wood building.
3. The smoker must be installed in a surround that maintains the proper safety and maintenance clearances in accordance with the manufacturers specifications. A non-combustible surround and covering is highly recommended.

4. If the exhaust duct penetrates a combustible shelter roof or the back wall of the surround it shall be done so in accordance with the manufacturer's instructions and NFPA 96.

The call to the public was opened at 8:38 pm with no response.

Moved by Commissioner Lowe, seconded by Commissioner Rauch, to approve the sketch plan dated August 22, 2022 for an outdoor commercial smoker for use as part of the Log Cabin Restaurant located at 5393 Grand River Avenue, north side of Grand River, Between Eckles Drive and Westwood Drive for requested by Chris Stone, conditioned upon the following:

- Any variances required shall be approved by the Zoning Board of Appeals.
- All requirements of the planner's letter dated August 31, 2022 shall be met.
- All requirements of the Brighton Area Fire Authority Fire Marshal's letter dated September 7, 2022 shall be met.
- A six-foot fence shall be installed along the rear property line and approved by Township Staff.

OPEN PUBLIC HEARING #4...Consideration of an amendment to a previously approved site plan for a climate-controlled indoor commercial storage business located at 2630 E. Grand River Avenue, south side of Grand River, east of Chilson Road. The request is petitioned by Schafer Construction, Inc.

A. Recommendation of Site Plan Amendment (8-22-22)

Mr. Stan Schafer of Schafer Construction and Mr. Dan LeClair of Greentech Engineering were present. They are proposing to decrease the amount of the parking lot that was approved to be pulverized and repaved. The owners are preparing to develop the front portion of the site and the other area of the lot is in good condition. They are proposing to repair and seal coat these areas instead.

Mr. Borden reviewed his letter dated September 6, 2022.

1. The applicant seeks authorization to not improve the front parking lot, which was a condition of site plan approval.
2. In order to remove a condition of approval, the request must follow the same review process, which is a Planning Commission recommendation to the Township Board.
3. There is no indication of the anticipated timeline to create/develop the frontage site.
4. If the request is granted, the front parking lot could remain in poor condition until the frontage site is developed.
5. As an alternative to leaving the front parking lot as-is, the applicant should consider having it removed and sodded with grass/landscaping until a future development occurs.

**GENOA TOWNSHIP
Zoning Board of Appeals
January 8, 2002**

MINUTES

A regular meeting of the Zoning Board of Appeals was called to order by Chairman Staley at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following Board members were present constituting a quorum for the transaction of business: Rick Staley, Polly Skolarus, Barbara Figurski, Chris Hensick and Jean Ledford. Also present were Township Zoning Administrator Adam Van Tassell and approximately 15 persons in the audience.

Moved by Hensick, supported by Ledford, to approve the Agenda as presented. The motion carried unanimously.

1. 01-48 A request by Brian Lynn, Section 10, 733 Pathway, for a 27-foot rear yard and a 6-foot side yard variance to construct an attached garage.

Moved by Hensick, supported by Skolarus, to table at the petitioner's request until the next regular meeting of the board. The motion carried unanimously.

2. 02-01 A request by R.T.B. Construction, Section 27, 5245 Moret Court, for a 12-foot side yard variance for an 18-foot setback to construct an addition.

A Call to the Public was made with no response. Moved by Skolarus, supported by Staley, to approve the request for an 8' side yard variance for construction of a 12' wide addition to the garage. The hardship is the unusual configuration of the lot and the location of the golf course. The motion failed as follows: Ayes - Hensick and Skolarus. Nay - Figurski, Staley and Ledford.

3. 02-02 A request by Robert and Amber Cresmen, Section 9, 1255 Boulevard Drive, for a lot size variance to allow for a split and a 5-foot front yard variance for a 30-foot setback to construct a new home.

A Call to the Public was made with no response. Moved by Hensick, supported by Ledford, to approve a 5' front yard variance for construction of a new home and to allow the joining of lots 170, 169, 168, 167, 8, 9 and 10. Further, to allow the split of those parcels into two lots measuring 11,432-sq. ft. and 10,348-sq. ft. respectively. The lot division conforms to the rest of the neighborhood. The practical difficulty is the unusual terrain with a steep drop-off to the rear. This action is contingent upon the removal of the shed from lot 168. The motion carried unanimously.

4. 02-03 A request by Nick Kovanis, Section 10, 5393 Grand River, for front and rear yard variances, parking and greenbelt variances and a dumpster setback variance to construct a new restaurant.

A call to the public was made with the following response: Bill Litogot - I am in favor of the variance being granted. Dick Rooney - I am glad to see this project and the landscaping. Moved by Ledford, supported by Figurski, to approve the following variances: 15' front yard, 20' green-belt, 14 parking spaces, 19.32 rear yard, 20' parking lot and 11' dumpster. The practical difficulty would allow a business that was burned to re-build and to allow that construction regardless of the narrow depth of the lot that was drastically reduced when Grand River was widened. The motion carried unanimously.

5. 02-04 A request by Edward Luff, Section 9, 1267 Boulevard Drive, for a 7-foot side yard variance for a 3-foot side yard setback and a 7-foot rear yard variance for a 3-foot rear yard setback to construct a new garage.

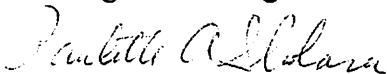
A Call to the Public was made with no response. Moved by Hensick, supported by Skolarus, to grant a 7' side yard and a 7' rear yard variance for construction of a detached garage. This action is contingent upon eaves troughs and gutters being used to maintain all water runoff on the petitioner's property. The motion carried unanimously.

6. 02-05 A request by Todd Spitler, Section 222, 5630 Griffith, for an 18-foot rear yard variance for a 22-foot rear yard setback to construct an attached garage and a 10-foot front yard variance for a 25-foot front yard setback to enclose a front porch.

A Call to the Public was made with no response. Moved by Skolarus, supported by Hensick, to approve a 10' front yard variance and an 18' rear yard variance as requested. The practical difficulty is the unusual configuration of the lot that creates a safety issue since there are no places for persons visiting this residence to park. The motion carried unanimously.

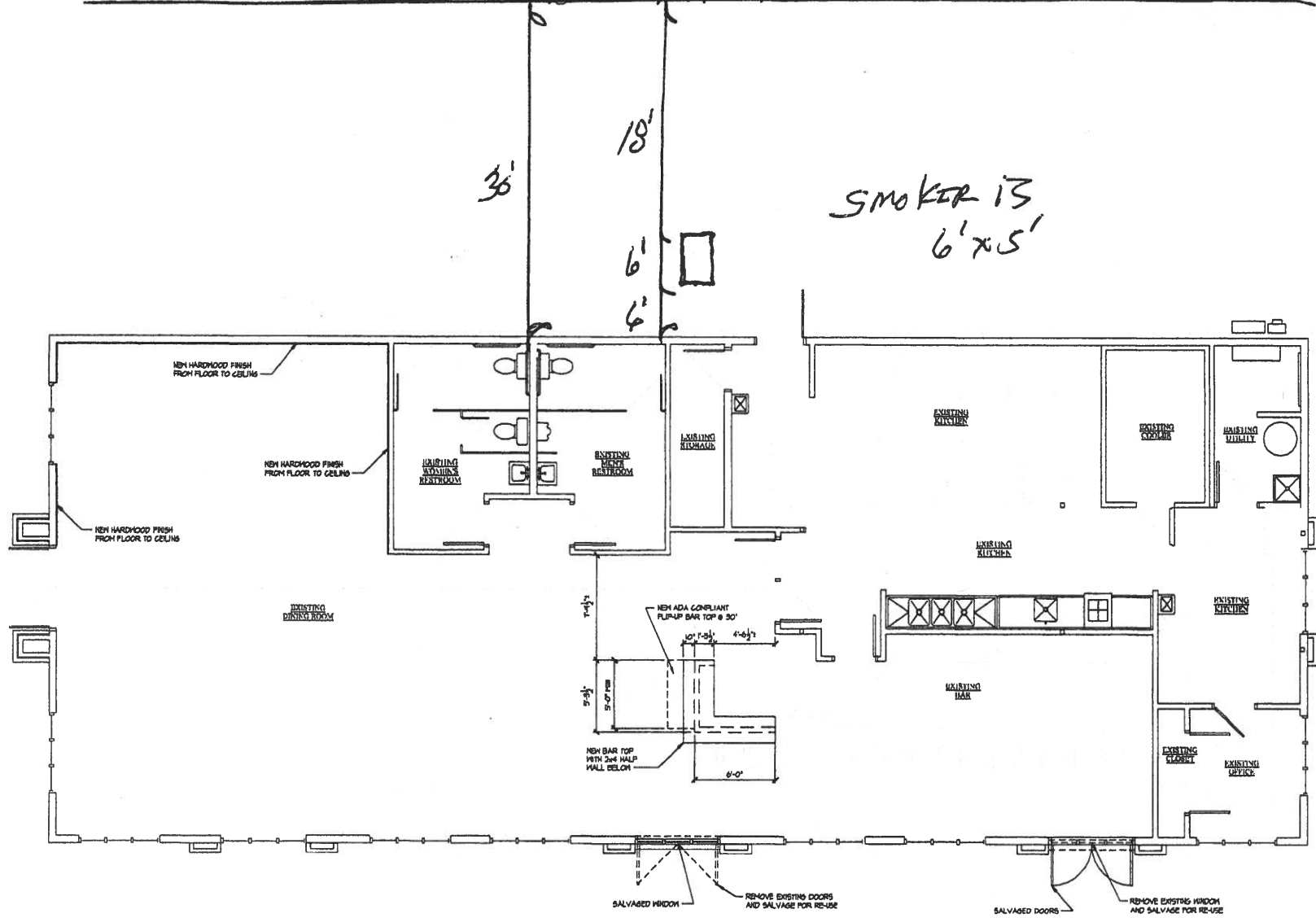
Moved by Hensick, supported by Figurski, to approve the 12/11/01 regular meeting of the Board, correcting pg. 3, para 1 to read - facility "and its proximity to the expressway" and... The corrected minutes were voted and approved.

The regular meeting of the Zoning Board of Appeals was adjourned at 8:30 p.m.



Paulette A. Skolarus
Genoa Township Clerk

Back hot line



SMOKER IS
6' x 5'

FLOOR PLAN
SCALE: 1/4" = 1'-0"

**PV
A**

**PUCCI + VOLLMAR
ARCHITECTS, PC**
ARCHITECTURE + DESIGN + PLANNING
300 E. GRAND RIVER AVENUE, SUITE 1000, BENTONVILLE, AR 72716-1466
PHONE (479) 224-0000

FOR
FULTON
ARCHITECTS

ADDRESS
CITY, ST. ZIP
PHONE: 248-302-1151

**PRELIMINARY
NOT FOR
CONSTRUCTION**

PROJECT	SHEET
LO6 CABIN RESTAURANT RENOVEL	TITLE
5945 GRAND RIVER AVENUE GENOA TOWNSHIP, MICHIGAN	
FLOOR PLAN	

DATE	DESIGNED BY	DRAWN BY	CHECKED BY

DO NOT SCALE THIS PRINT.
USE DIMENSIONS SHOWN ONLY


DRAWN BY: KV
APPROVED BY: KV

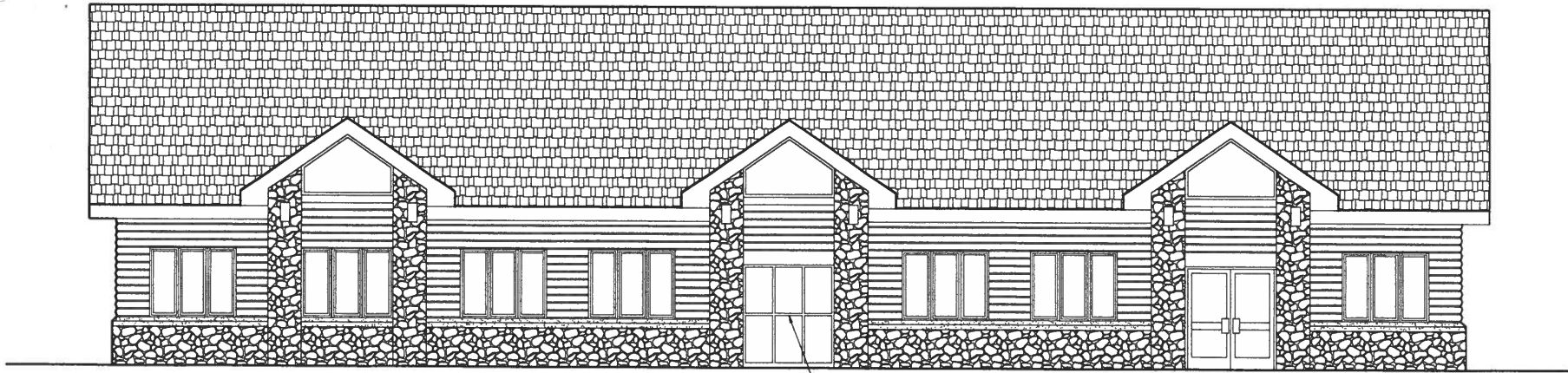
PROJECT: 2206



Parcel lines are approximate.
Not intended for survey purposes.

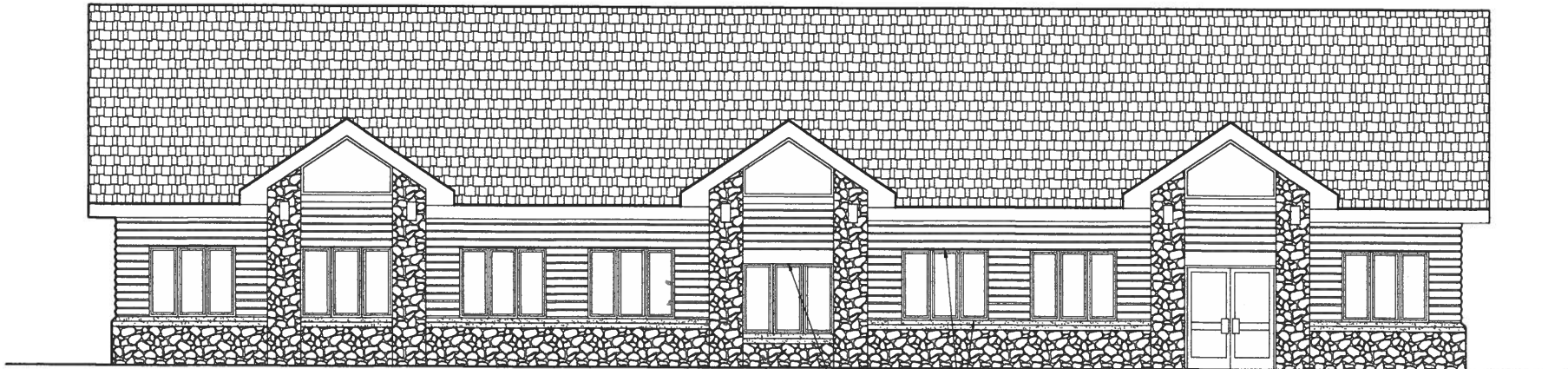
14
1 inch = 50 feet





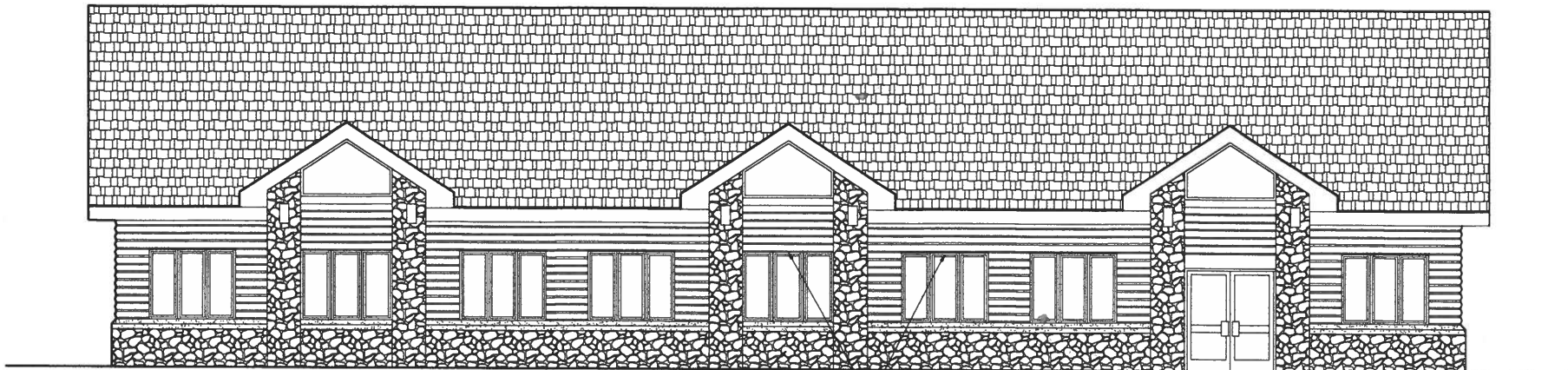
3 FRONT ELEVATION ~ OPTION 3
A2 SCALE: 1/4" = 1'-0"

NEW FULL HEIGHT GLASS WINDOW IN EXISTING DOOR OPENING.
ELIMINATES THE NEED FOR A NEW MALL BELOW THE WINDOW.
NOTE: ON THIS SKETCH THE WINDOW HEADS STILL DO NOT LINE UP.



2 FRONT ELEVATION ~ OPTION 2
A2 SCALE: 1/4" = 1'-0"

NEW MALL BELOW WINDOW
LEAVE EXISTING LOWER DOOR HEADER IN PLACE
NOTE: NEW WINDOW HEAD AND SILL DO NOT LINE UP.



1 FRONT ELEVATION ~ OPTION 1
A2 SCALE: 1/4" = 1'-0"

NEW MALL BELOW WINDOW
ALIGN WINDOW HEADS (AND SILLS)
NOTE: THIS REQUIRES A NEW HEADER AT A HIGHER HEIGHT.



PUCCI + VOLLMAR ARCHITECTS, PC
ARCHITECTURE + DESIGN + PLANNING
508 E. GRAND RIVER AVE., SUITE 1000, BELLVILLE, MI 48116-1566
PHONE (419) 225-2970
www.pvuarchitects.com



FOR: **FULTON CONSULTANTS**
ADDRESS: CITY: MI: 48
PHONE: 248-3025-1151

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT: **LOG CABIN RESTAURANT REMODEL**
SHEET TITLE: **FRONT ELEVATION OPTIONS**

5949 GRAND RIVER AVENUE
GENOA TOWNSHIP, MICHIGAN

DO NOT SCALE THIS SHEET. USE DIMENSIONS SHOWN ONLY.
DRAWN BY: KV
APPROVED BY: KV
PROJECT: 2206
SHEET: A2



August 31, 2022

Planning Commission
 Genoa Township
 2911 Dorr Road
 Brighton, Michigan 48116

Attention:	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
Subject:	Log Cabin Restaurant – Sketch Plan Review #1
Location:	5393 Grand River Avenue – north side of Grand River, between Eckles Drive and Westwood Drive
Zoning:	GCD General Commercial District

Dear Commissioners:

At the Township’s request, we have reviewed the submittal from the Log Cabin Restaurant for a new smoker (plan date is illegible).

A. Summary

1. The required rear yard setback is not met (50’ required; 18’ proposed).
2. The maximum number of accessory buildings allowed (2) is exceeded (the proposal will result in at least 3).
3. We suggest additional rear yard screening/buffering be provided.
4. Any existing landscaping in poor condition should be replaced as part of this project.

B. Proposal/Process

The proposal entails installation of a 6’ x 5’ smoker for use as part of the restaurant. By definition, this constitutes an accessory building. Such buildings are allowed as accessory to the principal use, provided the provisions of Article 6 and Section 11.04 are met.

Procedurally, Section 18.02 requires sketch plan review/approval by the Planning Commission for non-residential accessory buildings and structures.

C. Sketch Plan Review

1. **Relationship.** Accessory buildings/structures must be affiliated with a principal use/building on the same property.

The principal use of the property is a restaurant, which is permitted in the GCD.

2. **Setbacks.** The GCD requires a 50-foot rear yard setback. The proposal results in a rear yard setback of 18 feet.

The principal building obtained a variance for its current encroachment into the required rear yard (30-foot setback provided); however, since this is a new building/structure, an alternate location or variance will be necessary. (The applicant currently has an application in for ZBA consideration.)

3. **Height.** Section 11.04.02 establishes a maximum height of 18 feet. The exact height of the proposed smoker is not identified, though it is significantly less than the 18 feet allowed.



Aerial view of site and surroundings (looking north)

- 4. Number.** Section 11.04.02 allows no more than 2 detached accessory buildings on a lot. Based on the plan provided and review of aerial photos, there are at least 2 existing such buildings.

As such, the applicant must either remove one of the existing buildings or seek a variance from ZBA. (As noted above, the applicant currently has an application in for ZBA consideration.)

- 5. Additional Considerations.** Given the site's proximity to single-family residential, we suggest the applicant improve rear yard screening as part of this project to mitigate any potential impacts.

For the applicant's reference, Section 12.02.03 requires a Buffer Zone "B," which entails a 20-foot wide buffer with plantings and a berm or wall. As such, additional landscaping and/or a screen wall/fence should be provided.

Lastly, as a previously developed site, the applicant must replace any landscaping that is in poor (dead, diseased, etc.) condition.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,
SAFE BUILT

A handwritten signature in black ink, appearing to read "Brian V. Borden".

Brian V. Borden, AICP
Michigan Planning Manager



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.
Brighton, MI 48116
o: 810-229-6640 f: 810-229-1619

September 7, 2022

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Log Cabin "Smoker"
5393 E. Grand River
Genoa Twp., MI

Dear Kelly:

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on August 29, 2022 and the drawings are dated February 28, 2022. The project is for the proposed installation of an outdoor smoker behind the existing restaurant. The plan review is based on the requirements of the International Fire Code (IFC) 2021 edition and the manufacturer's specifications.

1. The smoker shall be installed a minimum of 24" away from the combustible building surface.
2. Firewood shall not be stored against the combustible wood building.
3. The smoker must be installed surround that maintains the proper safety and maintenance clearances in accordance with the manufacturer's specifications. A non-combustible surround and covering is highly recommended.
4. If the exhaust duct penetrates a combustible shelter roof or the backwall of the surround it shall be done so in accordance with the manufacturer's instructions and NFPA 96.

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department.

If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "R. Boisvert".

Rick Boisvert, CFPS
Fire Marshal

cc: Amy Ruthig amy@genoa.org

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.														
KOVANIS, NAKOS	WD LOG CABIN REALTY LLC	365,000	01/07/2022	WD	08-ESTATE	2022R-001532	BUYER/SELLER	100.0														
Property Address		Class: COMMERCIAL-IMPROVE		Zoning: GCD		Building Permit(s)		Date	Number	Status												
5393 E GRAND RIVER		School: HOWELL PUBLIC SCHOOLS		Other: See Work Descriptio		03/14/2022		PW22-026														
Owner's Name/Address		P.R.E. 0%		Interior Work/Repairs		02/14/2022		PW22-020														
WD LOG CABIN REALTY LLC DAWDA MANN COUNSELORS AT LAW 39533 WOODWARD AVE STE 200 BLOOMFIELD HILLS MI 48304		MAP #: V22-21		Interior Work/Repairs		06/14/2019		PW19-087														
Tax Description		2023 Est TCV Tentative		COMM MISCEL		04/06/2009		W09-020		NO START												
SEC. 10 T2N, R5E, GLEN ECHO LOTS 16 THRU 24 INCL.		X Improved		Vacant		Land Value Estimates for Land Table 2003.GRAND RIVER FRONTAGE																
Comments/Influences		Public Improvements		* Factors *																		
		Dirt Road		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value				
		Gravel Road		G R 1000		448.00		120.00		1.0000		0.7746		1000 100				347,019				
		Paved Road		448 Actual Front Feet, 1.23 Total Acres										Total Est. Land Value =				347,019				
		Storm Sewer		Land Improvement Cost Estimates																		
		Sidewalk		Description																		
		Water		D/W/P: 3.5 Concrete		6.72		400		73								1,962				
		Sewer		D/W/P: 3.5 Concrete		6.72		168		50								564				
		Electric		Commercial Local Cost Land Improvements																		
		Gas		Description		Rate		Size % Good		Arch		Mult						Cash Value				
		Curb		PAVING LC		1.50		26049		63		100						24,617				
		Street Lights		WELL/WATER		4,475.00		1		85		100						3,804				
		Standard Utilities		SEPTIC/SEWER		4,400.00		1		85		100						3,740				
		Underground Utils.		Total Estimated Land Improvements True Cash Value =														34,687				
		Topography of Site		Year							Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
		Level		2023		Tentative		Tentative		Tentative										Tentative		
		Rolling		Who		When		What		2022		173,500		231,100		404,600				399,891C		
		Low		JB 10/27/2021 INSPECTED						2021		173,500		216,900		390,400				386,536C		
		High		DLR 11/18/2016 INSPECTED						2020		173,500		207,700		381,200				381,200S		
		Landscaped		The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan																		
		Swamp																				
		Wooded																				
		Pond																				
		Waterfront																				
		Ravine																				
		Wetland																				
		Flood Plain																				

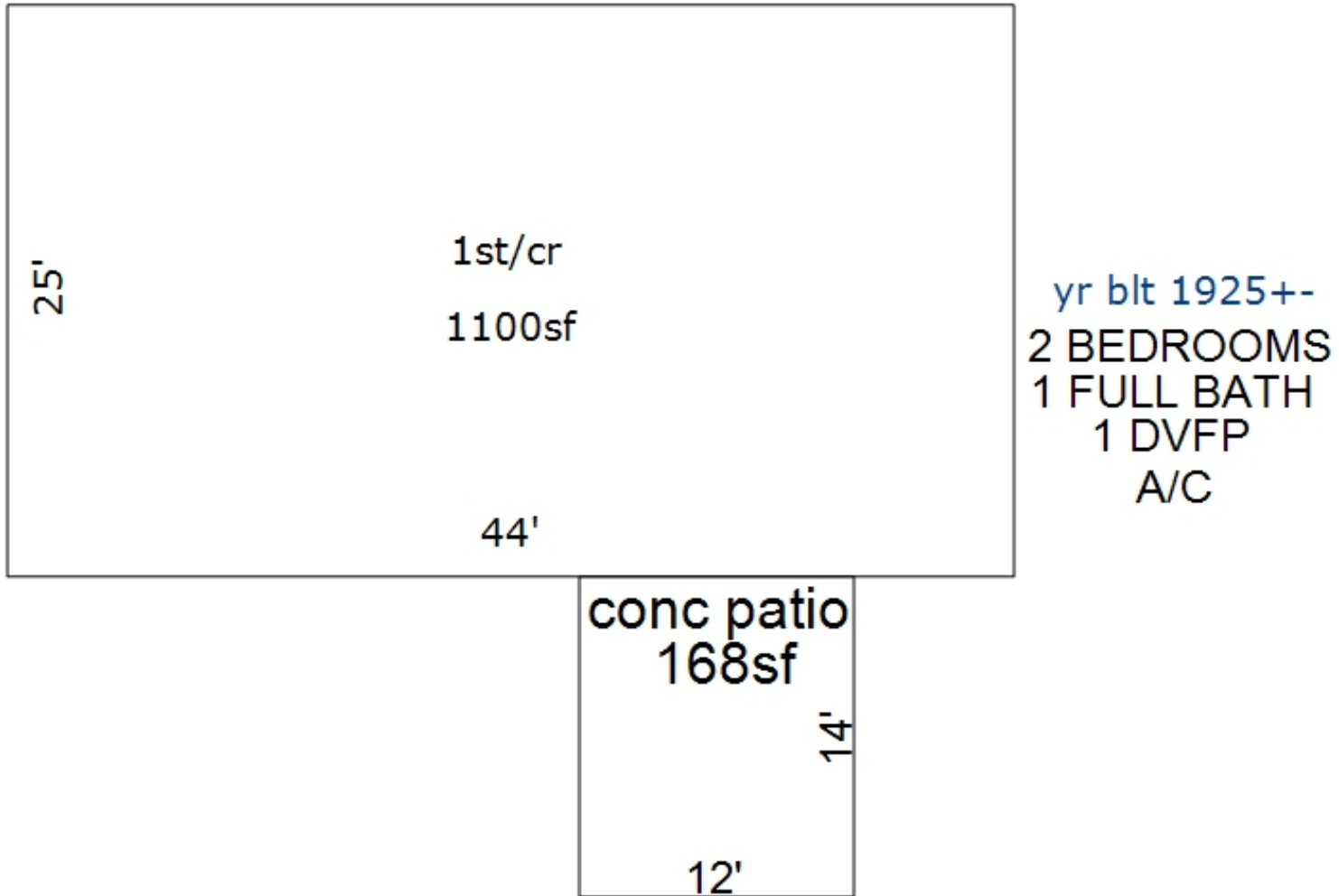


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*** Information herein deemed reliable but not guaranteed***

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	X	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	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
X	Wood Frame	X	Drywall Paneled			Plaster Wood T&G										
Building Style: D		Trim & Decoration		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												
Yr Built 1925	Remodeled 2021	Ex	X	Ord		Min	Size of Closets			Class: D Effec. Age: 40 Floor Area: 1,100 Total Base New : 122,833 Total Depr Cost: 73,700 Estimated T.C.V: 73,700			E.C.F. X 1.000		Bsmnt Garage: Carport Area: Roof:	
Condition: Fair		Lg	X	Ord		Small	Doors: Solid X H.C.			Total Depr Cost: 73,700						
Room List		(5) Floors		Central Air Wood Furnace			(12) Electric			Total Base New : 122,833						
	Basement 1st Floor 2nd Floor 2 Bedrooms	Kitchen: Other: Other:		(12) Electric			0 Amps Service			Total Depr Cost: 73,700						
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family D			Cls D			Blt 1925			
	Wood/Shingle Aluminum/Vinyl Brick X Vinyl X Insulation			Ex. X Ord. Min			(11) Heating System: Forced Heat & Cool Ground Area = 1100 SF Floor Area = 1100 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=60/100/100/100/60 Building Areas			Stories Exterior Foundation Size Cost New Depr. Cost						
(2) Windows		(7) Excavation		(13) Plumbing			Phy/Ab.Phy/Func/Econ/Comb. % Good=60/100/100/100/60			1 Story Siding Crawl Space 1,100						
X	Many Avg. Few	X	Large Avg. Small	Basement: 0 S.F. Crawl: 1100 S.F. Slab: 0 S.F. Height to Joists: 0.0			Average Fixture(s) 1 3 Fixture Bath 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 Water/Sewer Public Water 1 1,150 690 Public Sewer 1 1,150 690 Fireplaces Direct-Vented Gas 1 2,044 1,226			Totals: 122,833 73,700			
(3) Roof		(8) Basement		(14) Water/Sewer			Notes:			ECF (2013 RESTAURANTS) 1.000 => TCV: 73,700						
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		1 Public Water 1 Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic												
(3) Roof		(9) Basement Finish		Lump Sum Items:												
X	Gable Hip Flat		Gambrel Mansard Shed	(10) Floor Support												
X	Asphalt Shingle	Recreation SF Living SF Walkout Doors No Floor SF		Joists: Unsupported Len: Cntr.Sup:												
Chimney:																

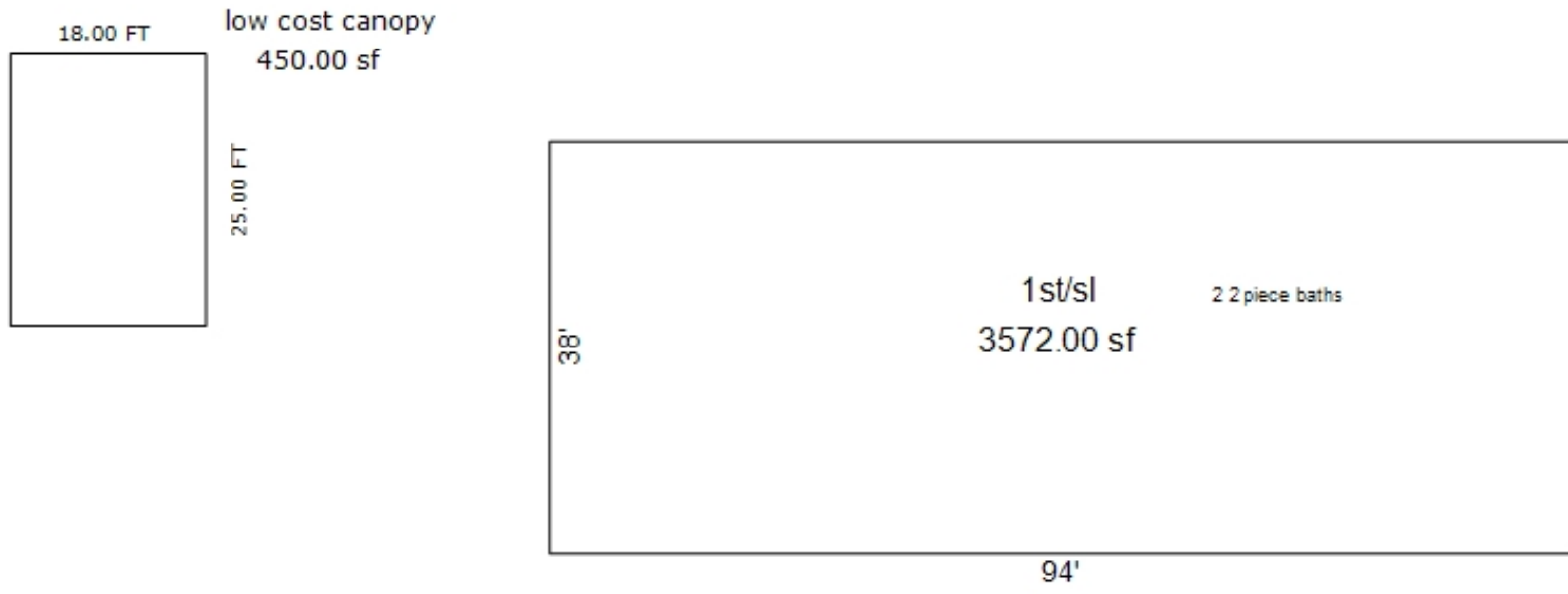
*** Information herein deemed reliable but not guaranteed***



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Desc. of Bldg/Section: Calculator Occupancy: Restaurants				<<<<<< Calculator Cost Computations >>>>>>			
Class: D Floor Area: 3,572 Gross Bldg Area: 3,572 Stories Above Grd: 1 Average Sty Hght : 18 Bsmnt Wall Hght				Class: D Quality: Low Cost Stories: 1 Story Height: 18 Perimeter: 264 Base Rate for Upper Floors = 127.18			
Depr. Table : 1.5% Effective Age : 12 Physical %Good: 83 Func. %Good : 100 Economic %Good: 100		Construction Cost High Above Ave. Ave. X Low		(10) Heating system: Complete H.V.A.C. Cost/SqFt: 27.61 100% Adjusted Square Foot Cost for Upper Floors = 154.79			
2009 Year Built Remodeled		*** Calculator Cost Data *** Quality: Low Cost Heat#1: Complete H.V.A.C. 100% Heat#2: Complete H.V.A.C. 0% Ave. SqFt/Story: 3572 Ave. Perimeter: 264 Has Elevators:		Total Floor Area: 3,572 Base Cost New of Upper Floors = 552,910 Reproduction/Replacement Cost = 552,910 Eff.Age:12 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 83 /100/100/100/83.0 Total Depreciated Cost = 458,915			
Overall Bldg Height		*** Basement Info *** Area: Perimeter: Type: Heat: Hot Water, Radiant Floor		Local Cost Items Rate Quantity/Area %Good Depr.Cost LC CANOPY 12.75 450 61 3,500 ECF (2013 RESTAURANTS) 0.900 => TCV of Bldg: 1 = 416,174 Replacement Cost/Floor Area= 155.77 Est. TCV/Floor Area= 116.51			
Comments:		* Mezzanine Info * Area #1: Type #1: Area #2: Type #2:		* Sprinkler Info * Area: Type: Low			
(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets:		Fixtures:	
X	Poured Conc.	Brick/Stone	Block	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	
				Mercury		Bsmnt Insul.	
				Sodium Vapor			
				Transformer			
(5) Floor Cover:		(10) Heating and Cooling:		(13) Roof Structure: Slope=0			
		Gas		(14) Roof Cover:			
		Oil					
		Coal Stoker					
		Hand Fired Boiler					
(6) Ceiling:							

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**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
August 16, 2022 - 6:30 PM**

MINUTES

Call to Order: Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Marianne McCreary, Jean Ledford, Michelle Kreutzberg, Craig Fons, and Amy Ruthig, Zoning Official.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board and staff 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 6:32 pm with no response.

Old Business:

1. 22-16...A request by Jeremy Clarke, 3742 Westphal, for a side yard and rear yard setback variance to construct a detached accessory structure.

Chairman Rassel noted that there was an email received from Mr. Robert Lagana of 3710 Westphal who is opposed to this request. Ms. Clarke also sent an email to the Township today.

Mr. and Mrs. Clarke were present. Mr. Clarke stated he has spoken to all of his neighbors and they are not in opposition to this request. The one neighbor, Mr. Lagana, is not willing to speak to them.

They have made the barn smaller so the only variance being requested is a rear-yard setback variance of 30 feet. He had previously requested a variance of 40 feet. Ms. Clarke stated they have spoken to the new homeowners at 2823 Westphal and they are not against the variance. They have items that they want to store in the barn. There are wetlands that occupy the rear of their property by the pond, there is a 75-foot setback off of Westphal they are required to meet, and there are underground lines on their property. She showed the location of the septic field. She noted that they have no intention of housing their business at their home.

Mr. Clarke stated that the original barn requested was 50x80. He then decreased the size to 40x50; however, he learned that a 40x60 barn is the same price as the 40x50 so they would like to build the larger size.

Board Member McCreary stated that any size accessory structure is allowed in the applicant's zoning district; however, the setbacks need to be met. She questioned why the larger size is being proposed. One of the criteria for requesting a variance is that it should be the least necessary. Ms. Clarke stated the portion of the building that is being increased does not require a variance.

Board Member Fons visited the property today and there were no markings as to where the structure will be put or the location of the septic field. The applicant apologized. He asked if the wetlands are regulated and Ms. Clarke stated yes.

Mr. Fons agrees that is the best area on the property for the pole barn; however, he is not able to tell where the septic field is located to determine if the barn can be moved further to the east. Mr. Clarke stated a septic company came out and marked the location of their septic field.

Mr. Clarke stated he is the only home on the road that does not have a pole barn and he has decreased the size of it as requested. Board Member McCreary thanked the applicant for decreasing the size of the barn and meeting one of the setbacks. She explained that the need for a variance is based on issues with the property that does not allow the setbacks to be met, not because of the amount of storage that is needed. Mr. Clarke stated the wetlands and the layout of the property are the reasons for the need for the variance.

The call to the public was made at 7:03 pm with no response.

Moved by Board Member McCreary, seconded by Board Member Kreutzberg, to approve Case #22-16 for Jeremy Clarke, 3742 Westphal, for a rear yard setback variance of 30 feet, from the required 60 feet, for a setback of 30 feet to construct a 40x60 detached accessory structure, based on the following findings of fact:

- Strict compliance with the rear yard setback would prevent the construction of the proposed structure, but would not unreasonably prevent the use of the property. There are multiple detached accessory structures in the vicinity that would support justice and be necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the vicinity.
- The extraordinary and exceptional condition of the property are the narrow shape of the lot, location of septic field, pond and wetlands on the property. The applicant has stated that this is the least amount necessary, even with reducing the size of the pole barn for the purposes of requesting this variance.
- 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.

- The proposed variance should not have an impact on the development, use or value of adjacent properties and the surrounding neighborhood. This approval is conditioned upon the following:
 1. No outdoor storage is allowed of any home occupation vehicles or equipment. Section 3.03.02 of the Zoning Ordinance must be followed.
 2. Section 11.02.06 Open Storage of Vehicles of the Zoning Ordinance must be followed.

The motion carried (Ledford - yes; Rassel - yes; McCreary - yes; Kreutzberg - yes; Fons - no).

2. 22-17...A request by Brody and Ara Adams, 600 Black Oaks Trail, for a fence variance to allow an existing 6-8-foot-tall fence to remain.

Mr. and Mrs. Adams were present. Mr. Adams stated they had arborvitae that screened him from his neighbors. Their roots were undermining the patio so they removed the patio and the arborvitae. The new patio was put in and instead of the arborvitae, they installed a privacy fence. Their patio is raised so if they install a six-foot-high fence, it will not provide much screening. Their neighbor is not opposed to allowing the fence to remain.

Mr. Adams stated that he learned that the fence company did not pull a permit for the fence.

Board Member Kreutzberg states that the fence does not impede the neighbor's view of the lake. Mr. Adams agrees. The screening is mainly for when they are on their patio or when the neighbor is in their yard.

The call to the public was made at 7:22 pm with no response.

Chairman Rassel believes that if the applicant knew the height limit was six feet, then he would have not made it seven and eight feet high. Also, if this is approved, then it sets a precedent and other neighbors may request the same. Board Member Ledford agrees; she would vote no.

Board Member McCreary understands that the homes are close together and residents want their privacy. It is a beautiful fence; however, she agrees with Chairman Rassel that it sets a precedent.

Mr. Adams asked to have his request tabled this evening to revise his plan.

Moved by Board Member Fons, seconded by Board Member Kreutzberg, to table Case #22-17 for Brody and Ara Adams, 600 Black Oaks Trail, for a fence variance to allow an existing 6-8-foot-tall fence to remain until the September 20, 2022 Zoning Board of Appeals meeting. **The motion carried (Ledford - yes; Rassel - no; McCreary - yes; Kreutzberg - yes; Fons - yes).**

Administrative Business:

1. Approval of minutes for the July 19, 2022 Zoning Board of Appeals meeting.

Moved by Board Member McCreary, seconded by Board Member Ledford, to approve the minutes of the July 19, 2022 meeting as presented. **The motion carried unanimously.**

2. Correspondence - There were no correspondence this evening.

3. Member Discussion

Board Member McCreary stated there are many requests to the ZBA and on-site plans for the Planning Commission that request to encroach into the 25-foot-wetland buffer. She would like a discussion and a decision made on how the Township will address this ordinance requirement.

4. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member Fons, to adjourn the meeting at 7:58 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary