

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
OCTOBER 18, 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:

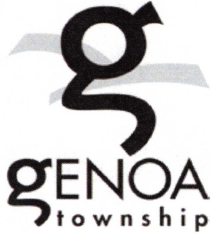
1. 22-20...A request by Joseph Anzalone, 5964 Glen Echo, for variances to allow a detached accessory building (gazebo) to remain within the required waterfront yard and for a shoreline setback variance.

New Business:

2. 22-22...A request by Steven Rochon, 1295 Pond Bluff Way, for a side yard setback variance to allow an addition to an existing home.

Administrative Business:

1. Approval of minutes for the September 20, 2022 Zoning Board of Appeals meeting.
2. Correspondence
3. Member Discussion
4. Adjournment



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

Case # 22-20 Meeting Date: Sept 20, 2022 @ 6:30 pm
 PAID Variance Application Fee

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

Applicant/Owner: Joseph Anzalone Email: janzalone@hotmail.com
 Property Address: 5964 Glen Echo Phone: 517-518-4040
 Present Zoning: LRR Tax Code: 4711-10-301-203

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:** Variance from Section 11.04.02(d) to allow gazebo approximately 144 square feet in size to remain as part of a shoreline dock.

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.

Applicant is seeking to permit the use of a small gazebo as part of his dock along the shoreline, similar to the right enjoyed by other properties near the subject property. Compliance with the setback requirement would necessitate the placement of the gazebo very close to the road that is between Applicant's home and the lake, which would also create a greater site line obstruction to the neighboring properties.

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 majority of the other properties in the vicinity have accessory structures (garages, gazebos, tiki bars, etc.) along or near the shoreline. Applicant's property has a unique feature (a road separating Applicant's home and the shoreline) so Applicant is seeking the variance to be consistent with those properties, rather than placing the gazebo near the road to meet a setback requirement.

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 on the supply of light and air to adjacent property and will not unreasonably increase congestion, increase the danger of fire or endanger the public safety, comfort, morals or welfare. In fact, the variance will increase the public safety because the gazebo would need to be placed near the road to meet the setback requirement.

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

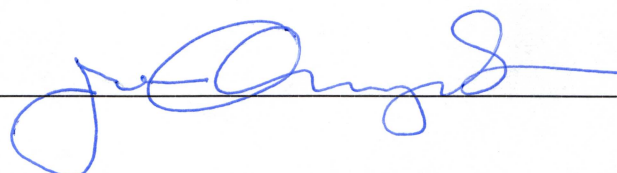
The neighboring property owners prefer the location of the gazebo closer to the water because it reduces the site line obstruction that would exist if the gazebo were placed near the road outside of the setback.

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: 8/23/2022 Signature: _____





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: October 12, 2022
RE: ZBA 22-20

STAFF REPORT

File Number: ZBA# 22-20
Site Address: 5964 Glen Echo Drive
Parcel Number: 4711-10-301-203
Parcel Size: .390 Acres
Applicant: Joseph Anzalone
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a variance to allow a detached accessory building (gazebo) to remain within the required waterfront yard and for a shoreline setback variance.

Zoning and Existing Use: LLR (Lakeshore Resort Residential) Single Family Dwelling is located on the property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday September 30, 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 existing home on the parcel was constructed in 1989.
- In 2011, a land use waiver was issued for a new roof on the home.
- In 2022, a judgement was issued in regards to riparian rights in regards to the Glen Echo Plat. (An appeal is pending)
- In 2022, the Township enter a Stipulation Resolving Township's Motion to Enforce Ordinance in regards to the construction of the gazebo.
- The parcel is serviced by private water and public sewer
- See Assessing Record Card

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

Summary

The project is to allow a detached accessory building (gazebo) to remain within the required waterfront yard and for a shoreline setback variance.

This property was involved in a Circuit Court lawsuit that determined that the “front-lotters” within the Glen-Echo Plat with an ownership interest in lot(s) that are separated from Lake Chemung by the platted park and a drive or path, are riparian owners. In regards to applying the ordinance, staff does not know the location of each front-lotter’s property lines as they extend into the platted park. Applicant has stated to staff that he does not know where the lot lines extend to. It is staff’s opinion that there is not enough information in regards to the location of the property lines to adequately consider the variance. Staff believes that a riparian survey should be submitted to determine the limits of ownership.

Photos with addresses of other detached accessory structures on Lake Chemung were submitted with the variance application as support for substantial justice. Staff has reviewed the materials and has started enforcement action on the appropriate parcels. Many of the structures have existed for over 10 years.

Variance Requests

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

Table 3.04.01 (LLR District):

Required Waterfront Yard Setback:	131.5’
Proposed Waterfront Yard Setback:	10’
Proposed Variance Amount:	121.5’

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 zoning ordinance would prevent the detached accessory building to remain however it does not prevent the use of the property. While there exist other waterfront structures around the lake, most of them have existed for many years and it is not a predominant right in the district or vicinity.
- (b) Extraordinary Circumstances** – The extraordinary or exceptional conditions of the property is the location of the platted road and the topography of the property. Applicant should demonstrate the variance request is the least amount necessary and that the need for the variance request is not self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.

(d) Impact on Surrounding Neighborhood – The proposed variance may set a precedence to allow waterfront structures on shoreline could impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

(e) Recommended Conditions

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

1. The two of the three docks that are shown on the site plan must be removed and not reestablished.
2. A riparian survey shall be submitted within 60 days to ensure the structure complies with the side yard setbacks.
3. No other waterfront structures are allowed.

If the Zoning Board denies the variance request staff recommends the following:

1. The gazebo must be removed or relocated to a location that meets the Township ordinance within 21 days.
2. The two of the three docks that are shown on the site plan must be removed and not reestablished.



**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
September 20, 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, Jean Ledford, Michelle Kreutzberg, Craig Fons, and Michael Archinal, Township Manager. Absent was Marianne McCreary.

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 Kreutzberg, to approve the agenda as presented. **The motion carried unanimously.**

Call to the Public:

The call to the public was opened at 6:32 pm with no response.

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).

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to withdraw Case #22-17 per the applicant's request. **The motion carried unanimously.**

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)

Moved by Board Member Kreutzberg, seconded by Board Member Rockwell, to postpone Case #22-20 until the October 18, 2022 ZBA Meeting per the applicant's request. **The motion carried unanimously.**



188' Setback provided by applicant

75' Setback provided by applicant.

Garage 760 sf
Concrete Pad

36' w/o 504 sf conc patio

5975 GLEN ECHO DR
1 1/2st/b 1620 sf W/O

30' garage 720 sf

5955 E GRAND RIVER

5964 Glen Echo Drive

Neighbor Deck

Fire Pit

Hill Hill Hill

Deck
1167 SF
422 SF

Deck
520 sf
Deck
231 sf
1st/gar 962 sf
wcp 132 sf

Garden

Well

Driveway

Driveway

Beach

Shrubs

Tree Tree Tree

Tree

Yard

LIVINGSTON COUNTY TREASURER'S CERTIFICATE

I hereby certify that there are no TAX LIENS OR TITLES held by the State or any Individual against the within description, and all TAXES on same are paid for five years previous to the date of this instrument or appear on the records in this office, except as stated.

Aug 10, 2017 Jennifer M. Nash, Treasurer by RH 25981 4711-10-301-203

2017R-023425
RECORDED ON
08/10/2017 9:21:04 AM
BRANDON DENBY
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI 48843
RECORDING: 26.00
REMON: 4.00
PAGES: 1

WARRANTY DEED-(Statutory Form)
C.L. 1948, 565.152 M.S.A 26.571

Received eRecord 8/10/2017 at 09:08 AM
LivCo, MI ROD by GG

Furnished by SELECT TITLE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That Sandra K. Daniels and James E. Daniels, wife and husband

Convey(s) and Warrant(s) to Joseph Anzalone and Serena Anzalone, husband and wife
whose address is 1442 Forest Ponds Dr Howell, mi. 48843

the following described premises

Situated in the Township of Genoa, County of Livingston, State of Michigan:

Lots 78 and 79 of GLEN-ECHO, according to the recorded plat thereof, as recorded in Liber 1 of Plats, page 75 and 76, Livingston County Records.

Commonly known as: 5964 Glen Echo
Tax No.: 11-10-301-203

For the full consideration of Four Hundred Ninety-Five Thousand and 00/100 Dollars (\$495,000.00)

subject to easements, restrictions or reservations of record and subject to the Lake Chemung weed assessment which the Grantee agrees to assume and pay.

Dated this 3rd day of August, 2017.

Signed and Sealed:

STATE OF MICHIGAN REAL ESTATE TRANSFER TAX
Livingston County 08/10/2017 2017R-023425
\$544.50 CO
\$3712.50 ST
TTX# 6187115

Sandra K. Daniels
James E. Daniels

STATE OF MICHIGAN
COUNTY OF Livingston SS.

On this 3rd day of August, 2017 before me personally appeared Sandra K. Daniels and James E. Daniels, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

My commission expires: 5/18/17

Elizabeth L. Kern
Notary Public

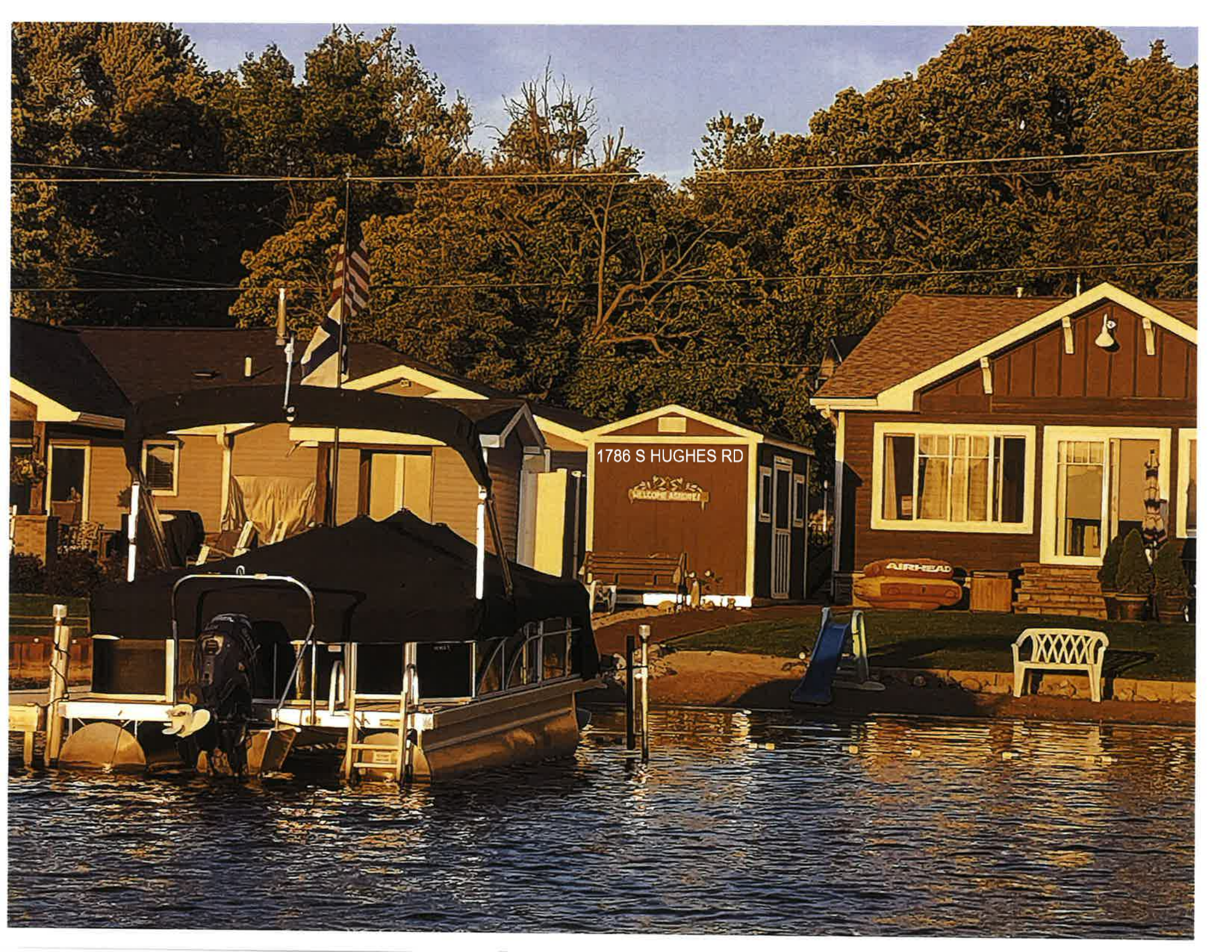
Elizabeth L. Kern
Notary Public, State of Michigan
County of Livingston
My Commission Expires 05-18-2018
Acting in County of Livingston

Instrument Drafted by Joseph C. DeKroub, Jr. Business Address 6870 Grand River Ave, Suite 300, Brighton, MI 48114

Recording Fee:
State Transfer Tax:
PNTI Ins. No.: 47-171997-B
Tax Parcel No.: 11-10-301-203
When recorded return to GRANTEE
1442 Forest Ponds Dr Howell, mi 48843
Send Subsequent tax bills to

782605

First American Title



1786 S HUGHES RD

1786 S HUGHES RD

WELCOME ASHORE!



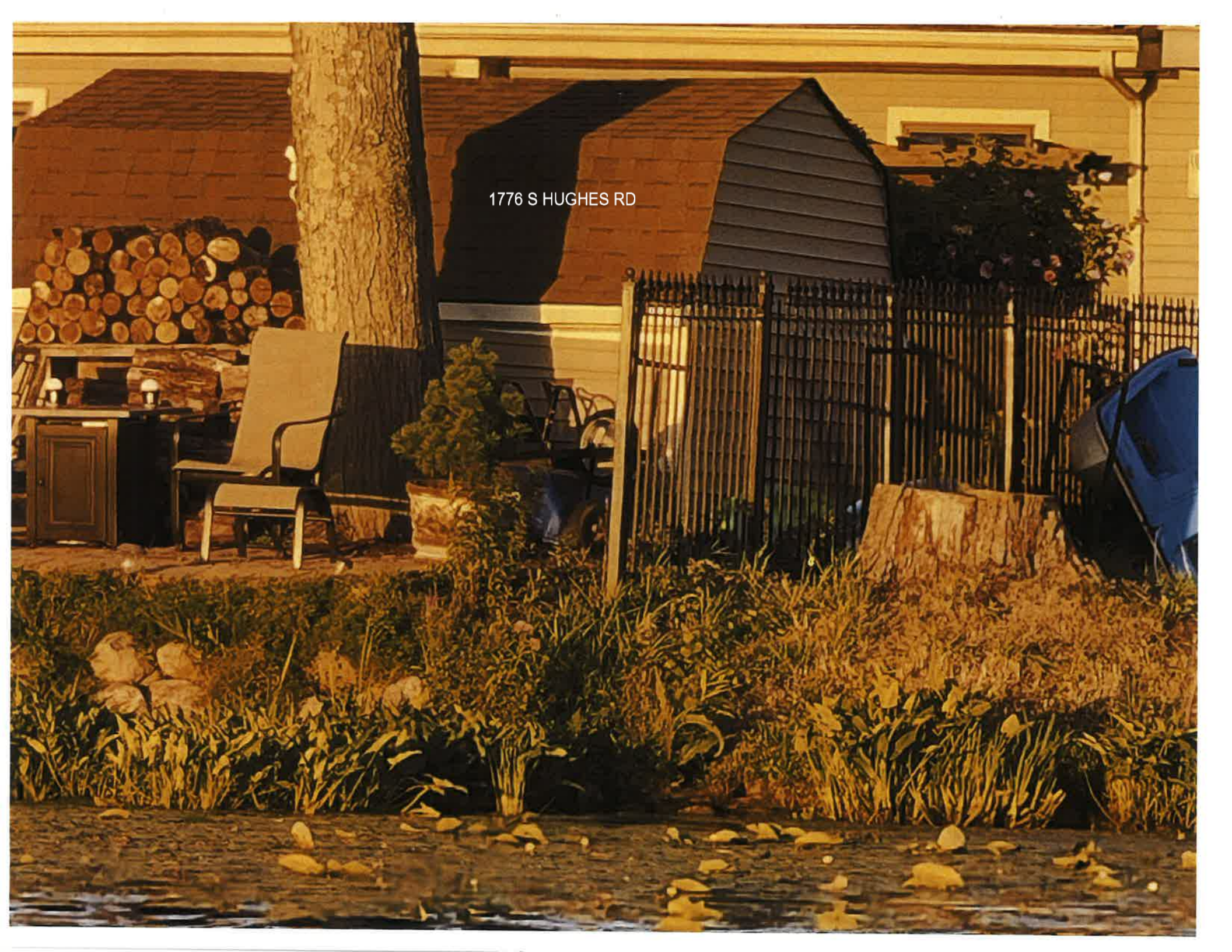


6055 E GRAND RIVER

1824 S HUGHES RD

1828 S HUGHES RD

1776 S HUGHES RD



1716 S HUGHES RD

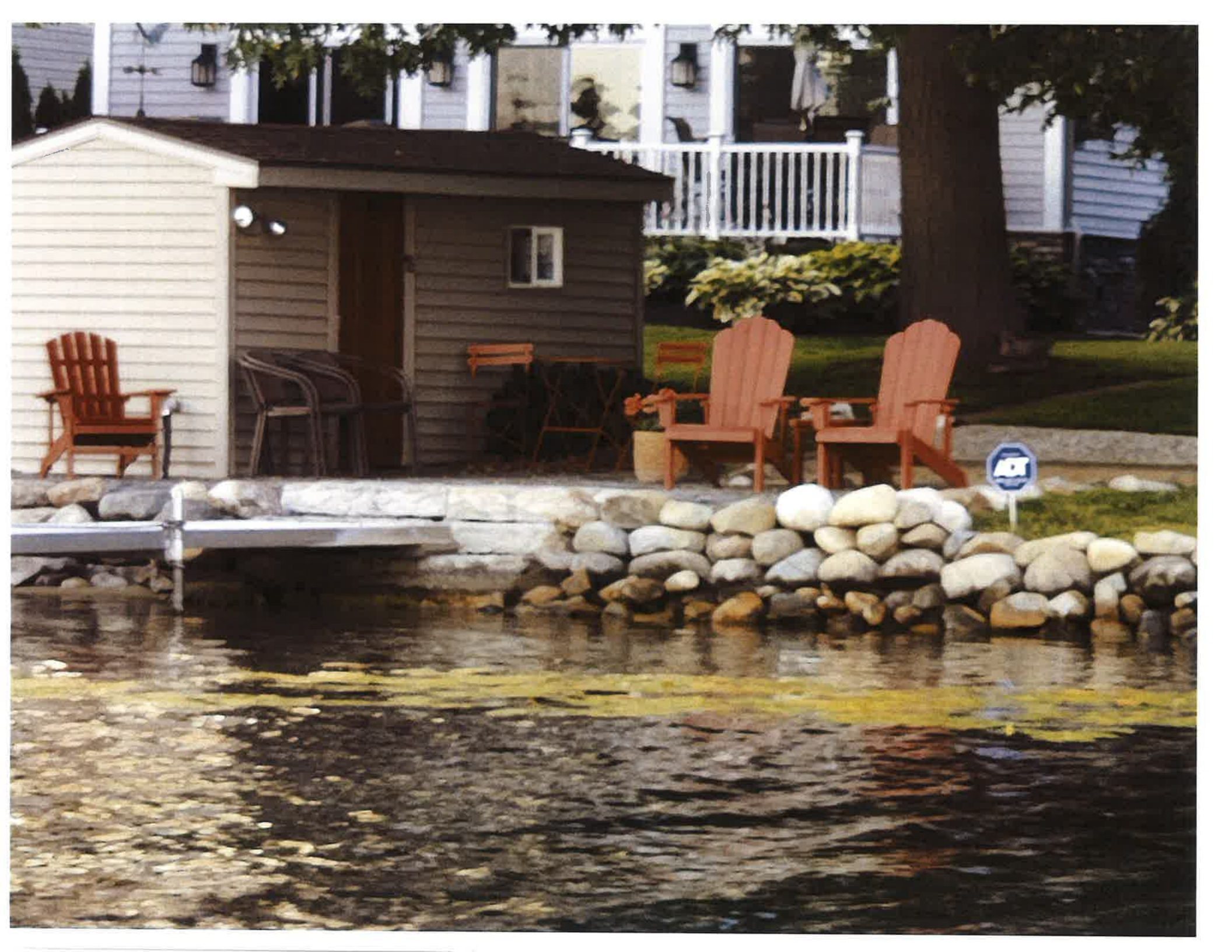




1716 S HUGHES RD















777 PATHWAY DR



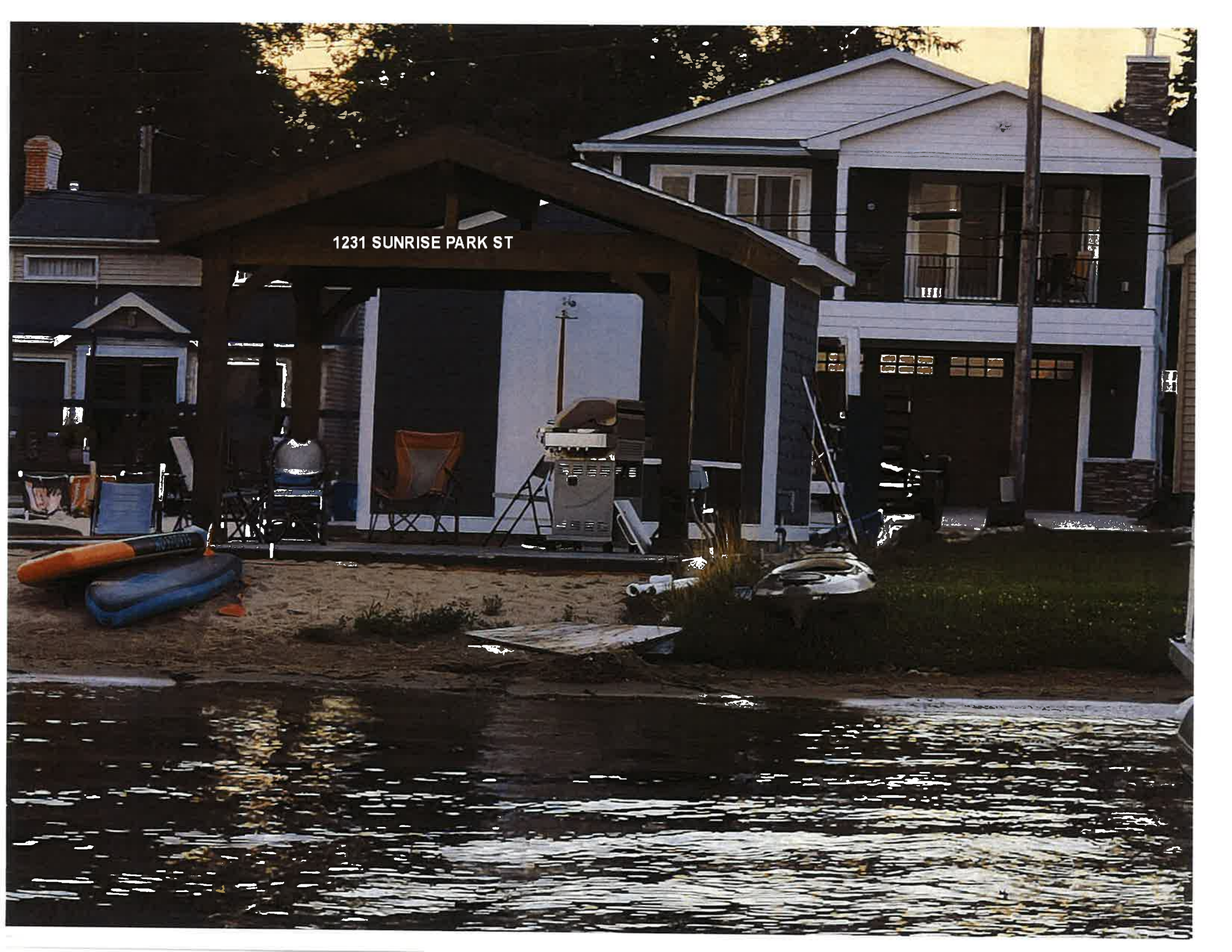




707 PATHWAY DR

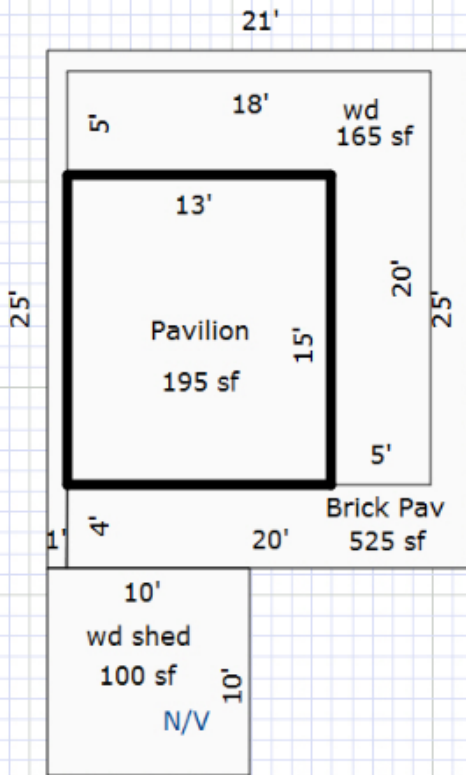


1231 SUNRISE PARK ST



1231 SUNRISE PARK ST



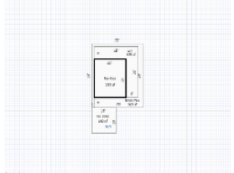


Looks like no building permits

1231 SUNRISE PARK ST HOWELL, MI 48843 (Property Address)

Parcel Number: 4711-09-201-008

Map It | Print



Item 1 of 1 0 Images / 1 Sketch

Property Owner: KREMERS MARC

Summary Information

- > Assessed Value: \$72,300 | Taxable Value: \$67,654
- > Property Tax information found

- > 2 Special Assessments found
- > Building Department information found

Property Information | Tax Information | Special Assessments Information | Building Department

Jump To: [Owner Information](#) | [Projects](#) | [Attachments](#)

Click here to add this property to your favorite records for easy access on your next visit...

Owner Information

Not Available

Back To Top

Amount Due
Property Total **\$0.00**

Projects

Back To Top

Project Number	Filed As	Status	Number of Items
No records to display.			

Displaying items 0 - 0 of 0

Attachments

Back To Top

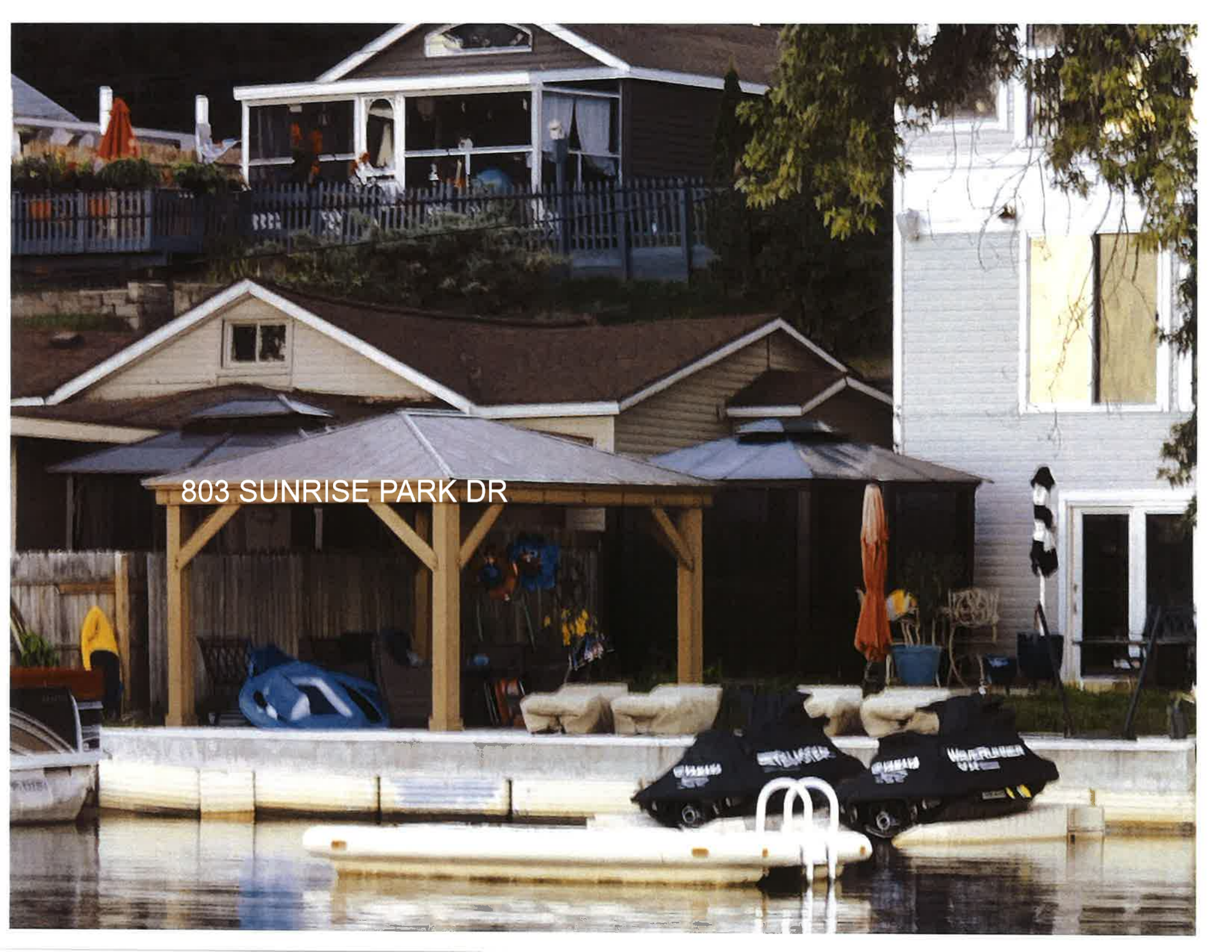
Date Created	Title	Record
No records to display.		

Displaying items 0 - 0 of 0

803 SUNRISE PARK DR



803 SUNRISE PARK DR



831 SUNRISE PARK DR



1253 SUNRISE PARK ST



5579 E GRAND RIVER



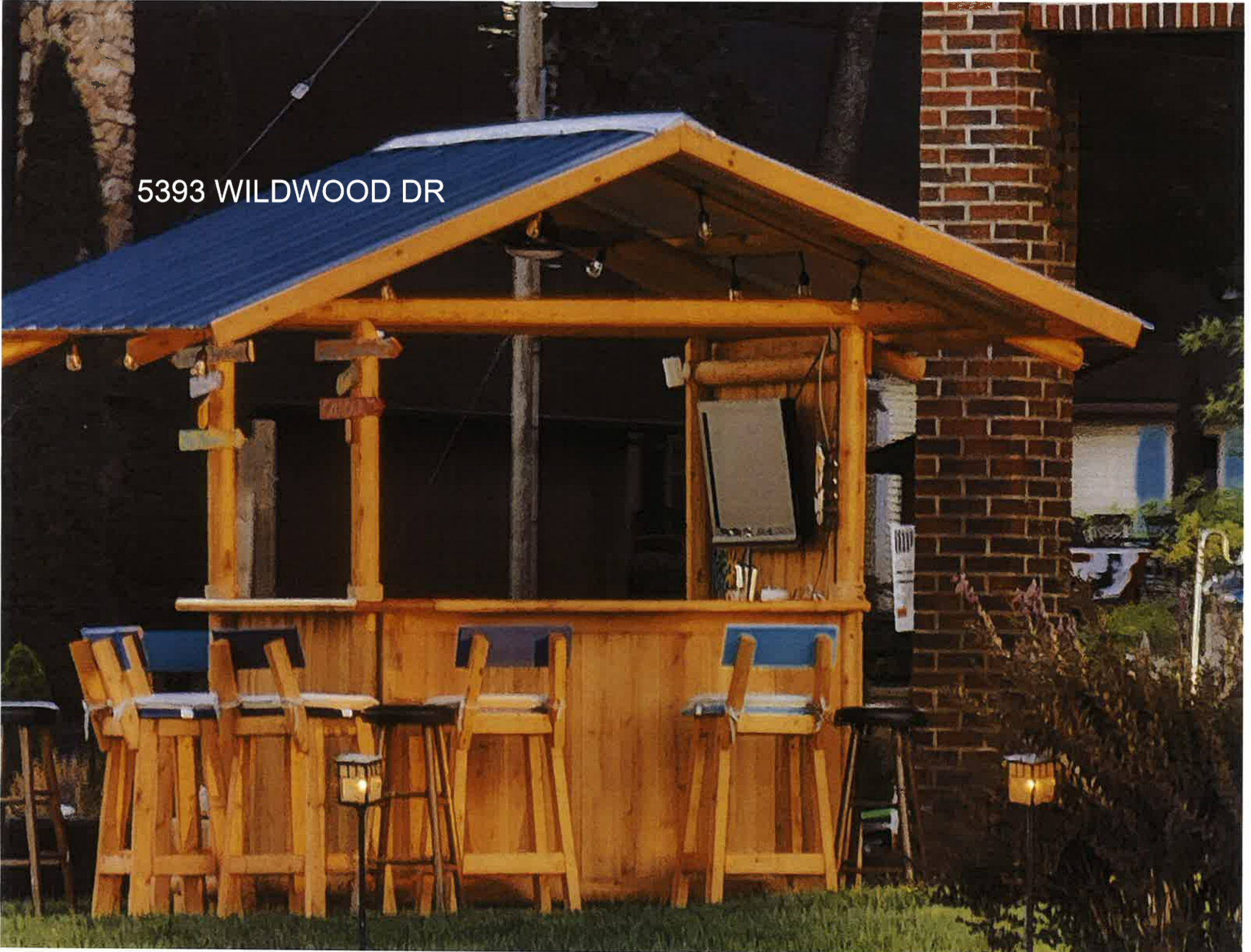
5297 WILDWOOD DR



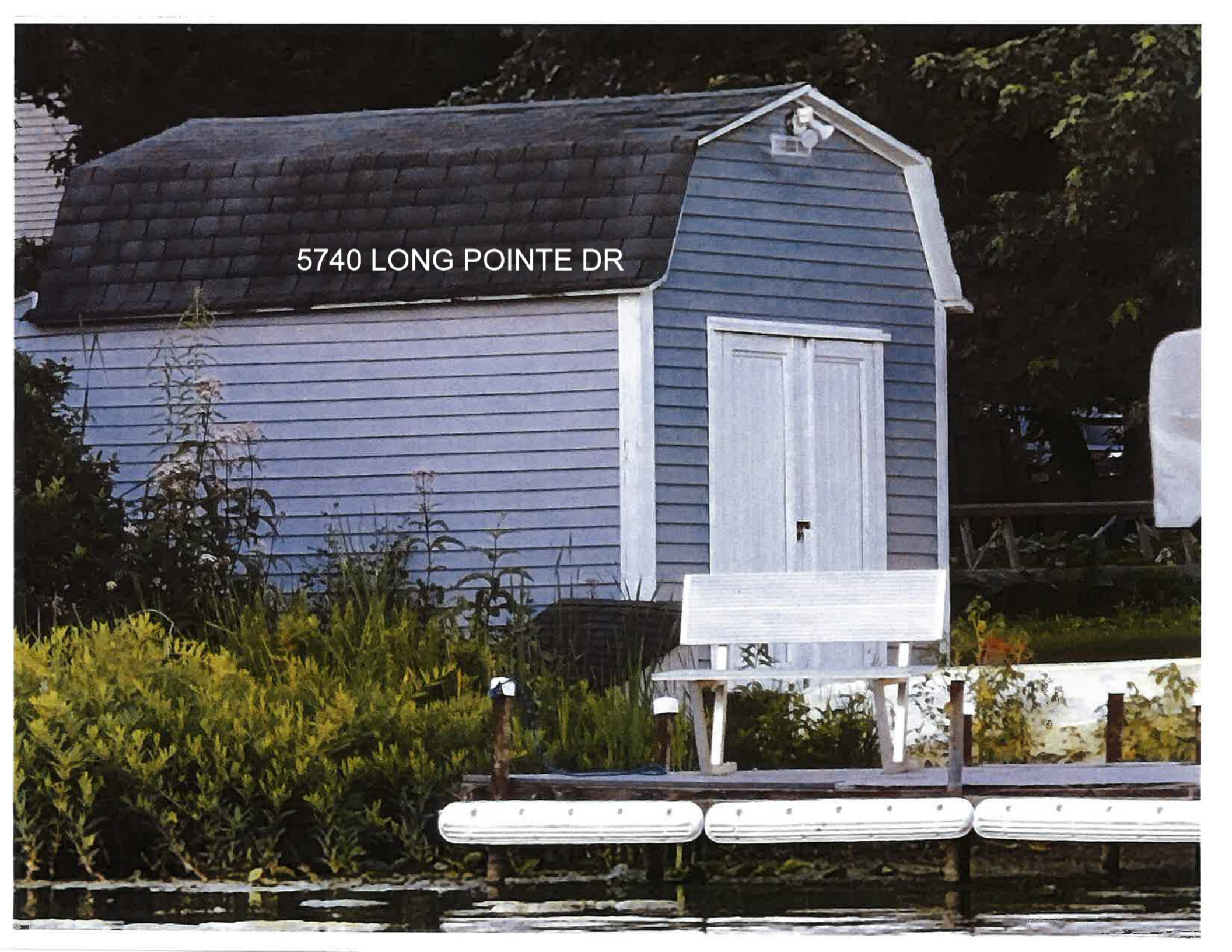
5595 GLEN ECHO



5393 WILDWOOD DR



5740 LONG POINTE DR



5900 GLEN ECHO DR

MC 3567 RC
crestii



5906 GLEN ECHO DR



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
DANIELS, SANDRA & JAMES E.	ANZALONE JOSEPH & SERENA	495,000	08/03/2017	WD	03-ARM'S LENGTH	2017R-023425	BUYER/SELLER	100.0													
DANIELS, SANDRA	DANIELS, SANDRA & JAMES E.	0	12/26/2002	QC	21-NOT USED/OTHER	3765-0609	BUYER/SELLER	0.0													
		175,000	09/01/1992	WD	03-ARM'S LENGTH	16070972	BUYER/SELLER	0.0													
RICHARDSON, WILLIAM		131,034	04/01/1992	WD	21-NOT USED/OTHER	15570683	BUYER/SELLER	0.0													
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status											
5964 GLEN ECHO DR		School: HOWELL PUBLIC SCHOOLS		REROOF		04/27/2011		W11-030	NO START												
Owner's Name/Address		P.R.E. 100% 08/04/2017		MAP #: V22-20		2023 Est TCV Tentative															
ANZALONE JOSEPH & SERENA 5964 GLEN ECHO DR HOWELL MI 48843-9149		X Improved		Vacant		Land Value Estimates for Land Table 4301.WEST LAKE CHEMUNG															
Tax Description		Public Improvements		* Factors *																	
SEC 10 T2N R5E GLEN ECHO, LOTS 78 & 79. COMB 10-90 FROM 078 & 079 ALSO EXTENDING THE LOT LINES TO THE WATERS EDGE PER CIRCUIT COURT CASE #18-29855-CZ RECORDED DEED # 2022R-008791 & 2022R-008792, CORRECTED 8/21		Dirt Road		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value			
Comments/Influences		Gravel Road		D LAKE FRONT		40.00		170.00		1.0000		1.0000		3000		100		120,000			
		Paved Road		J SURPLUS LF		60.00		170.00		1.0000		1.0000		1500		100		90,000			
		Storm Sewer		100 Actual Front Feet, 0.39 Total Acres										Total Est. Land Value =				210,000			
		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		09/17/2018		INSPECTED		2023		Tentative		Tentative		Tentative						Tentative	
								2022		103,000		188,500		291,500						264,692C	
								2021		85,000		196,100		281,100						256,237C	
								2020		90,000		162,700		252,700						252,700S	

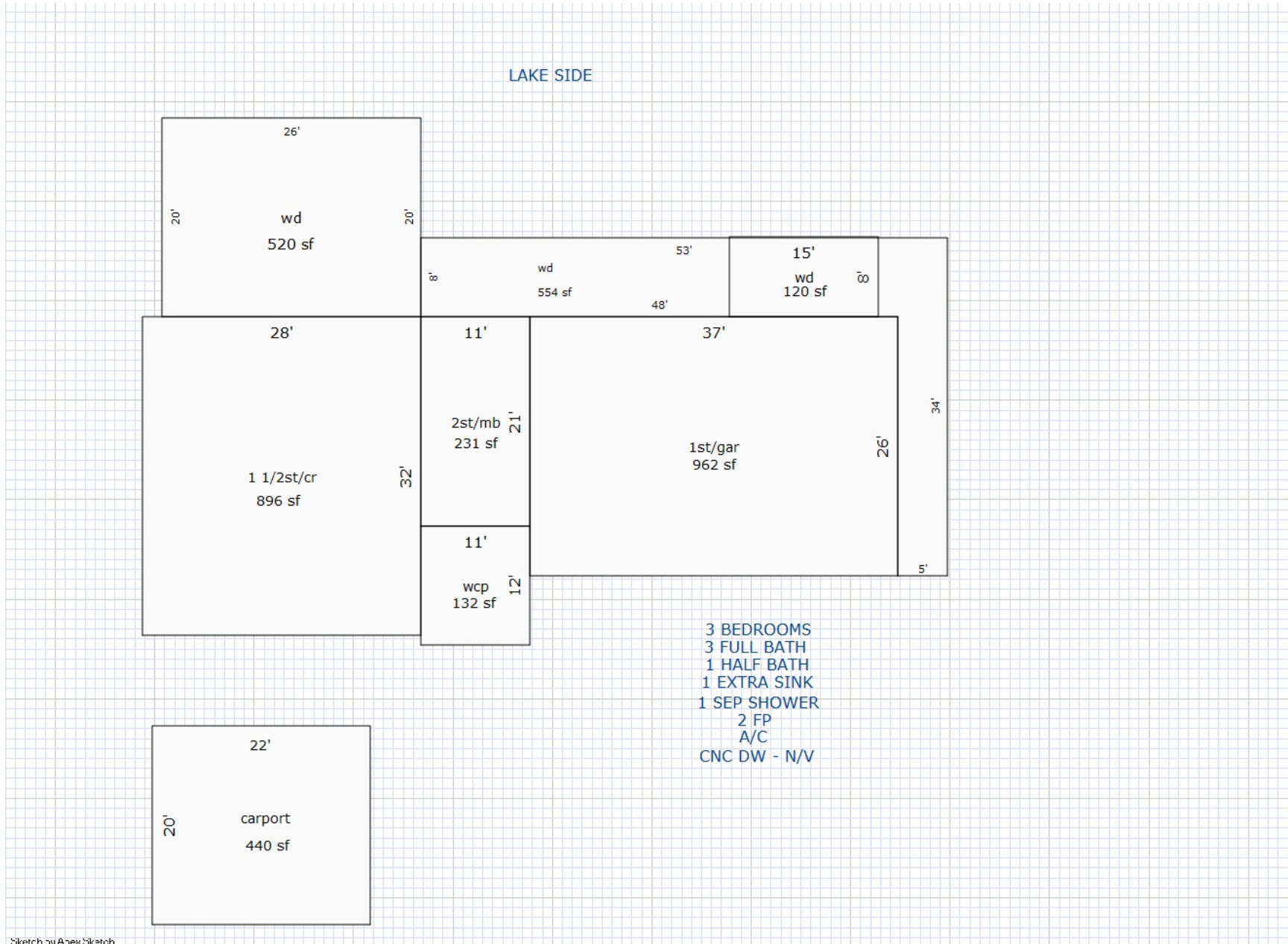


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Licensed To: Township of Genoa, County of Livingston, Michigan

*** 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 1 Central Vacuum Security System	1	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 132 520 554 120	Type WCP (1 Story) Pine Pine Treated Wood	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1/2 Wal Foundation: 42 Inch Finished?: Yes Auto. Doors: 0 Mech. Doors: 0 Area: 962 % Good: 0 Storage Area: 0 No Conc. Floor: 0			
X	Wood Frame		Drywall Paneled		Plaster Wood T&G												
Building Style: C		Trim & Decoration		X			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: 22 Floor Area: 2,768 Total Base New : 410,335 Total Depr Cost: 320,062 Estimated T.C.V: 454,488		E.C.F. X 1.420		Bsmnt Garage: Carport Area: 440 Roof: Comp.Shingle			
Yr Built 1989	Remodeled 0	Size of Closets		Lg X Ord			Small			Doors: Solid X H.C.							
Condition: Good		(5) Floors		Kitchen: Other: Other:			(12) Electric 0 Amps Service			Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 2089 SF Floor Area = 2768 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=78/100/100/100/78		Cls C		Blt 1989			
Room List		Basement 1st Floor 2nd Floor 3 Bedrooms		(6) Ceilings			No./Qual. of Fixtures Ex. X Ord. Min			Building Areas		Stories		Size			
(1) Exterior		X Wood/Shingle Aluminum/Vinyl Brick		No. of Elec. Outlets			Many X Ave. Few			Plumbing		1.5 Story		Siding			
Insulation		(7) Excavation		Basement: 231 S.F. Crawl: 896 S.F. Slab: 0 S.F. Height to Joists: 0.0			Average Fixture(s) 3 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 1 Extra Sink 1 Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			2 Story		Siding		Mich Bsmnt. 962			
(2) Windows		X Many Avg. Few		X Large Avg. Small		(8) Basement			Other Additions/Adjustments		Plumbing		3 Fixture Bath		2 9,093		
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		(9) Basement Finish			Recreation SF Living SF Walkout Doors No Floor SF			Porches		WCP (1 Story)		132		5,830	
(3) Roof		X Gable Hip Flat		Gambrel Mansard Shed		(10) Floor Support			Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic		Deck		Pine		520		
X Asphalt Shingle		Chimney: Brick		Lump Sum Items:			Public Sewer Water Well, 200 Feet			Garages		Class: C Exterior: Siding Foundation: 42 Inch (Finished) Base Cost		962		42,722	
										Water/Sewer		Public Sewer		1		1,462	
										Built-Ins		Water Well, 200 Feet		1		10,514	
										<<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>							

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



*** 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 # 22-22

Meeting Date: Oct. 18, 2022 @ 6:30 pm

PAID Variance Application Fee



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

Applicant/Owner: Steven Rochon Email: ridemtr@yahoo.com

Property Address: 1295 Pond Bluff Way Brighton Michigan, 48114

Phone: 734-377-5285 Tax Code: _____

Present Zoning: _____

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: would like to add a small addition to the laundry room and living room. aproxim atley 8'x 24'

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.

there is currently a 30' side set back of which only a portion of the addition will encroach the existing set back and will be aproximatley 20' to the property line. The neighbor closest to the encroachment has agreed to allow the addition and states it will not negatively effect there property

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 need for the variance was not self created by the applicant.

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 addition will not impair any adjacent properties in the area.

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 won't be any interference to the neighbors property and the surrounding neighborhood.

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: 6-9-22 Signature: Steven E. Rochon



MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Amy Ruthig, Zoning Official
DATE: October 12, 2022

RE: ZBA 22-22

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

STAFF REPORT

File Number: ZBA# 22-22
Site Address: 1295 Pond Bluff Way
Parcel Number: 4711-12-202-029
Parcel Size: 1.770 Acres
Applicant: Steven Rochon
Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a side yard setback variance to construct an addition to an existing home.

Zoning and Existing Use: LDR (Low Density Residential) Single Family Dwelling is located on the property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday September 30, 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 existing home on the parcel was constructed in 2001.
- In 1999, a land use permit was issued for a new construction home.
- In 2013, a land use waiver was issued for a new roof on the home.
- In 2017, a land use permit was issued for a new deck.
- The parcel is serviced by private water and public sewer
- See Assessing Record Card

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

Summary

The proposed project is to construct an 8 x 24 addition to the existing home. The proposed addition would require a side yard setback variance.

Applicant states in the application that the addition would be located approximately 20 feet from the side yard property line and the site plan shows 20'6" plus or minus setback. Applicant should verify what the correct side yard setback will be.

Variance Requests

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

Table 3.04.01 (LDR District):

Required Side Yard Setback: 30'

Proposed Side Yard Setback: 20'6"

Proposed Variance Amount: 9'6"

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

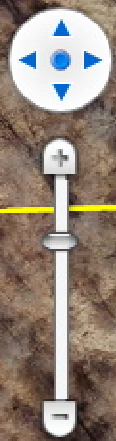
Please note that in order for a variance to be approved it has to meet all of the standards in 23.05.03.

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the zoning ordinance would prevent the construction of the proposed addition however it does not prevent the use of the property. The property is a conforming lot in the Low-Density Residential zoning. There appear to be homes in the vicinity that encroach into the side yard setback or are located on the side yard setback line.
- (b) Extraordinary Circumstances** – There is no extraordinary or exceptional conditions of the property except for the location of the existing home. Applicant should verify that the addition cannot be located in a different location on property to demonstrate that the variance is not self-created.
- (c) Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

(e) Recommended Conditions

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

1. Any new retaining walls would require a land use permit.



11-12-202-028
1269 POND BLUFF WAY

11-12-202-029
1295 POND BLUFF WAY

11-13-202-030
1317 POND BLUFF WAY



PROPOSED HOME ADDITION FOR
REMODELING STAR

888-983-1238

ABBREVIATIONS

ACS	ACOUSTICAL	MEMB	MEMBRANE
ADDL	ADDITIONAL	MEZZ	MEZZANINE
ADJ	ADJUSTABLE	MFR	MANUFACTURE (R)
AFF	ABOVE FINISH FLOOR	MIN	MINIMUM, MINUTE
ALT	ALTERNATE	MIRR	MIRROR
ALUM	ALUMINUM	MISC	MISCELLANEOUS
APPROX	APPROXIMATE	MO	MASONRY OPENING
ARCH	ARCHITECTURAL	MR	MOISTURE RESISTANT
BD	BOARD	MTL	METAL
BITUM	BITUMINOUS	MULL	MULLION
BLDG	BUILDING	MULT	MULTIPLE
BLKG	BLOCKING	NA	NOT APPLICABLE
BM	BEAM	NIC	NOT IN CONTRACT
BO	BOTTOM OF	NO	NUMBER
BOT	BOTTOM	NOM	NOMINAL
BR	BEDROOM	NR	NOT RATED
BSMT	BASEMENT	NTS	NOT TO SCALE
CAB	CABINET	OA	OVERALL
CF/OI	CONTRACTOR FURNISHED/OWNER INSTALL	OC	ON CENTER
CL	CENTERLINE	OD	OUTSIDE DIAMETER, DIMENSION
CLC	CEILING	OF	OUTSIDE FACE
CLR	CLEAR	OFCI	OWNER FURNISHED; CONTRACTOR INSTALLED
CMU	CONCRETE MASONRY UNIT	OFOI	OWNER FURNISHED; OWNER INSTALLED
COL	COLUMN	OH	OVER HANG
CONC	CONCRETE	OPH	OPPOSITE HAND
CONT	CONTINUOUS	OPNG	OPENING
CPT	CARPET (ED)	OPP	OPPOSITE
CSMT	CASEMENT	OVHD	OVERHEAD
CT	CERAMIC TILE	PAT	PATTERN
D	DRYER, DEEP	PED	PARTICLE BOARD
DEMO	DEMOLITION	PCP	PORTLAND CEMENT PLASTER
DEPT	DEPARTMENT	PED	PEDESTAL
DIA	DIAMETER	PERF	PERFORATED
DIM	DIMENSION	PERIM	PERIMETER
DN	DOWN	PERM	PERMANENT
DR	DINING ROOM, DOOR	PERP	PERPENDICULAR
DS	DOWNSPOUT	PH	PHASE
DW	DISHWASHER	PL	PROPERTY LINE
DWR	DRAWER	PLAM	PLASTIC LAMINATE
E	EAST	PLWD	PLYWOOD
EA	EACH	PR	PRECAST
ELEC	ELECTRIC (AL)	PRCST	PREFABRICATED
ELEV	ELEVATION, ELEVATOR	PREFAB	PREFABRICATED
EQ	EQUAL	PRELIM	PRELIMINARY
EQUIP	EQUIPMENT	PROJ	PROJECT
EST	ESTIMATE	PROP	PROPERTY
EXIST	EXISTING	PT	POST-TENSIONED, PRESSURE TREATED
EXP	EXPANSION	PTN	PARTITION
EXT	EXTERIOR	PVG	PAVING
FD	FLOOR DRAIN	R	RADIUS, RISER
FDN	FOUNDATION	RC	REINFORCED CONCRETE
FE	FIRE EXTINGUISHER	RCF	REFLECTED CEILING PLAN
FN	FINISHING	RD	ROOF DRAIN, ROAD
FLR	FLOOR	REC	RECESSED
FCC	FACE OF CONCRETE	REF	REFERENCE, REFRIGERATOR
FCF	FACE OF FINISH	REINF	REINFORCEMENT
FCM	FACE OF MASONRY	REQ	REQUIRED
FCS	FACE OF STUDS	RESID	RESIDENTIAL
FP	FIREPLACE	REV	REVISION, REVISED
FRMG	FRAMING	RFG	ROOFING
FT	FOOT, FEET	RH	ROOF HATCH, RIGHT HAND
FTG	FOOTING	RM	ROOM
FURN	FURNITURE	RO	ROUGH OPENING
FUT	FUTURE	ROW	RIGHT OF WAY
GA	GAGE	RT	RIGHT
GALV	GALVANIZED	S	SOUTH
GB	GRAB BAR	SCHED	SCHEDULE
GC	GENERAL CONTRACTOR	SD	STORM DRAIN
GEN	GENERAL	SF	SQUARE FOOT
GL	GLASS	SIM	SIMILAR
GLU LAM	GLUE LAMINATED WOOD	SOG	SLAB ON GRADE
GOVT	GOVERNMENT	SPEC	SPECIFICATION
GWB	GYP/SUM WALL BOARD	SPKLR	SPRINKLER
GYP	GYP/SUM	SQ	SQUARE
H	HIGH	SQ IN	SQUARE INCH
HC	HANDICAP	SS	SANITARY SEWER, STANDING SEAM
HDR	HEADER	SST	STAINLESS STEEL
HDW	HARDWARE	ST	STAIRS, STREET
HDWD	HARDWOOD	STG	SOUND TRANSMISSION GLASS
HM	HOLLOW METAL	STD	STANDARD
HORIZ	HORIZONTAL	STOR	STORAGE
HT	HEIGHTS	STRUCT	STRUCTURAL
HTR	HEATER	T	TREAD
HVAC	HEATING, VENT, & AIR COND	T&G	TONGUE AND GROOVE
IBC	INTERNATIONAL BUILDING CODE	TB	TOWEL BAR
ID	INSIDE DIAMETER	TEL	TELEPHONE
IIC	IMPACT ISOLATION GLASS	TEMP	TEMPORARY, TEMPERED
INCL	INCLUDING	TFF	TOP OF FINISH FLOOR
INFO	INFORMATION	THK	THICKNESS
INSUL	INSULATION	THRU	THROUGH
INT	INTERIOR	TOB	TOP OF BEAM
KIT	KITCHEN	TOC	TOP OF CURB
L	LONG	TOS	TOP OF SLAB
LAM	LAMINATED	TOW	TOP OF WALL
LAV	LAVATORY	TV	TELEVISION
LB	POUND	TYP	TYPICAL
LH	LEFT HAND	UNFIN	UNFINISHED
LNDSCL	LANDSCAPE	UNO	UNLESS NOTED OTHERWISE
LOC	LOCATION	UTIL	UTILITY
LR	LIVING ROOM	VCT	VINYL COMPOSITION TILE
MAS	MASONRY	VERT	VERTICAL
MATL	MATERIAL	VIF	VERIFY IN FIELD
MAX	MAXIMUM	VIN	VINYL
MBR	MASER BEDROOM	W	WEST, WIDE, WASHER
MC	MEDICINE CABINET, MINIMUM CLEAR	WI	WITH
MECH	MECHANICAL	W/D	WASHER/DRYER

Project Location

1295 POND BLUFF WAY
 BRIGHTON, MI 48114

Designer Information

DARIUSZ GABREL MCEM

DAREKGABREL@YAHOO.COM
 (586) 219-4480

Engineering Information

SIMPSON ENGINEERING LLC

MARK SIMPSON P.E.
 (810) 614-5696

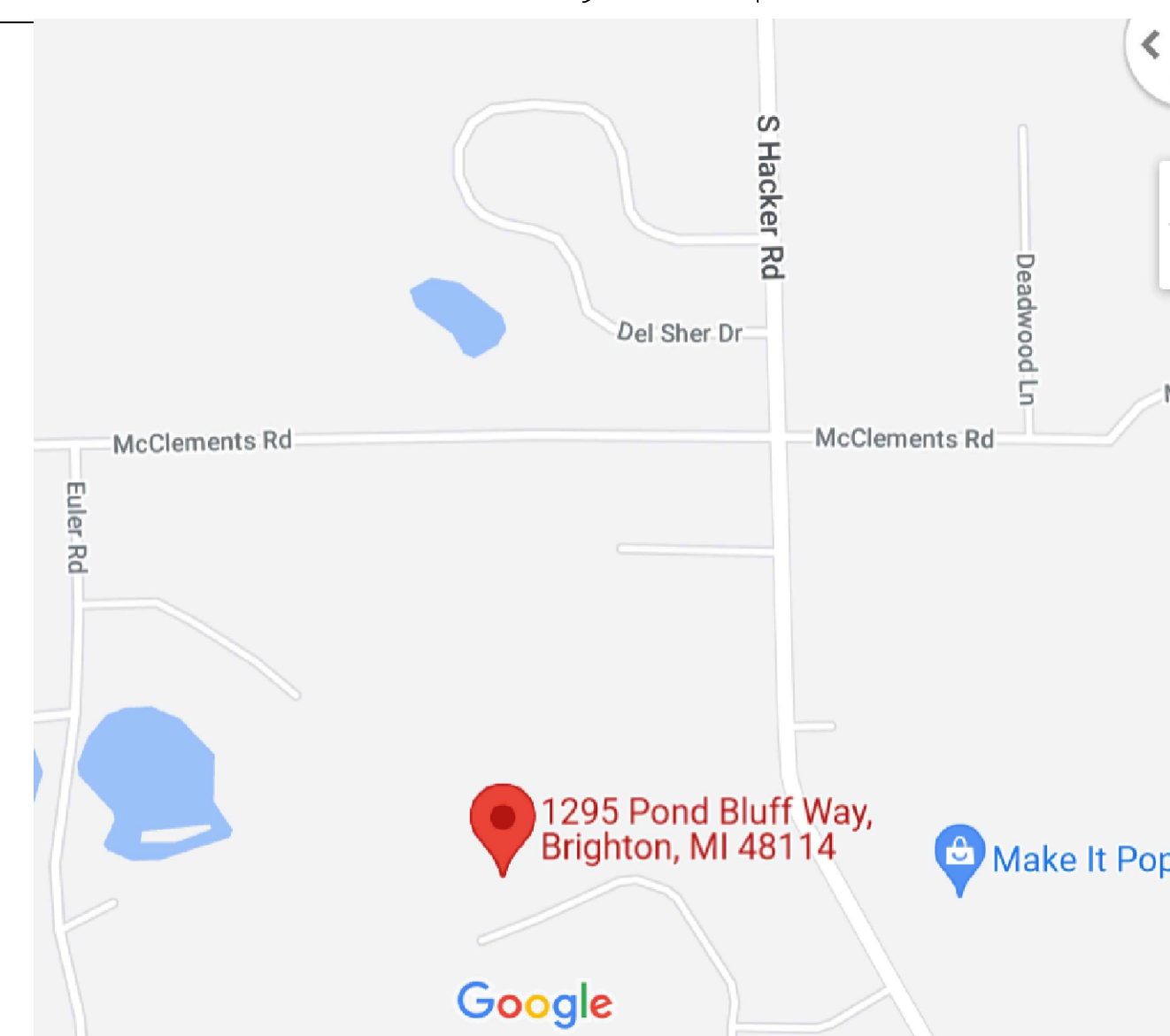
Building/Property Info

ZONING DISTRICT - LDR RESIDENTIAL
 PROPERTY SIZE - 1.77 AC 124'x500' +/-
 EXISTING HOUSE = 2829SF
 PROPOSED ADDITION = 1955SF
 TOTAL PROPOSED HOUSE - 3024
 PROPOSED PROPERTY COVERAGE - 840sf = 6%

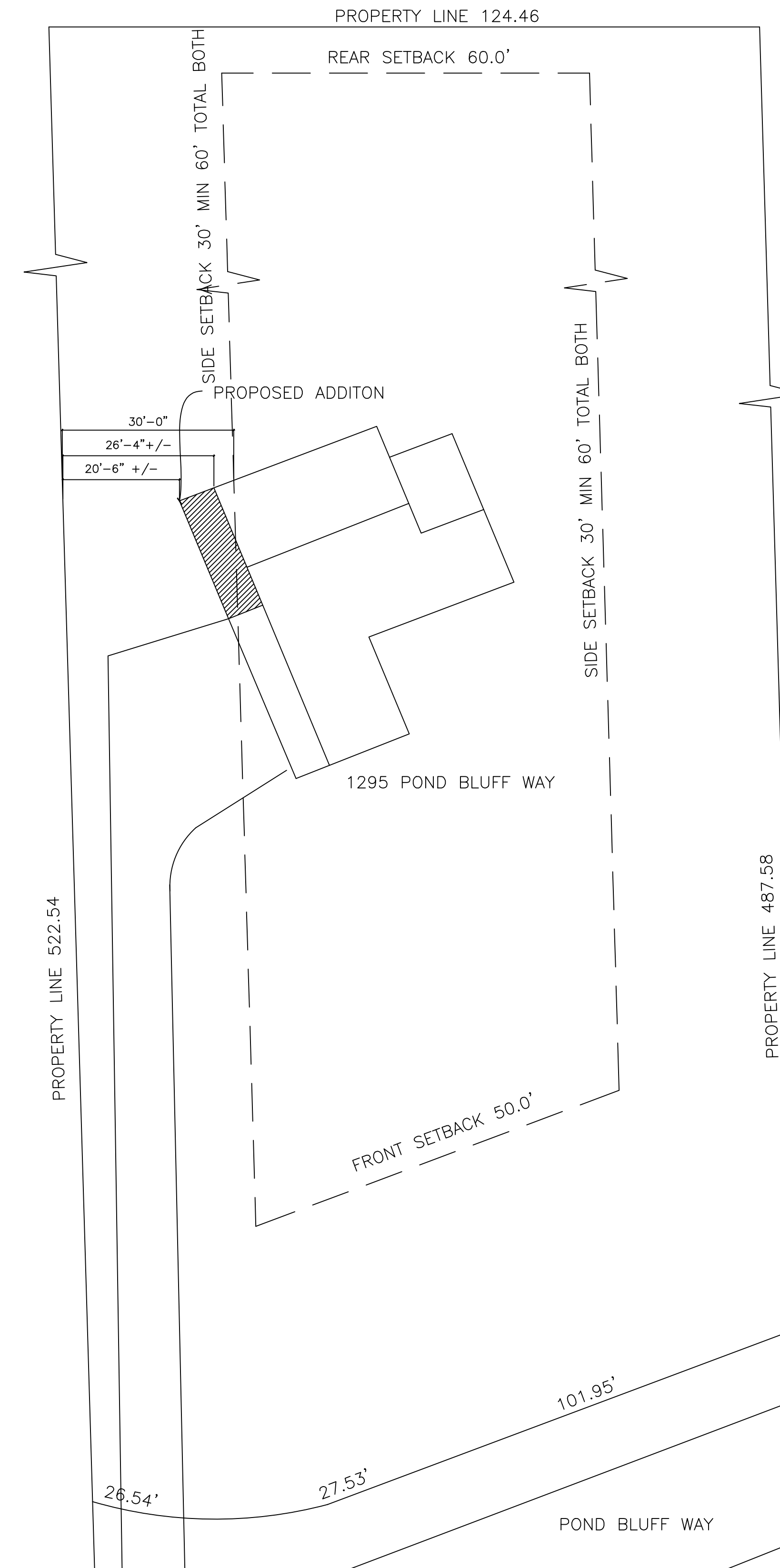
Drawing Index

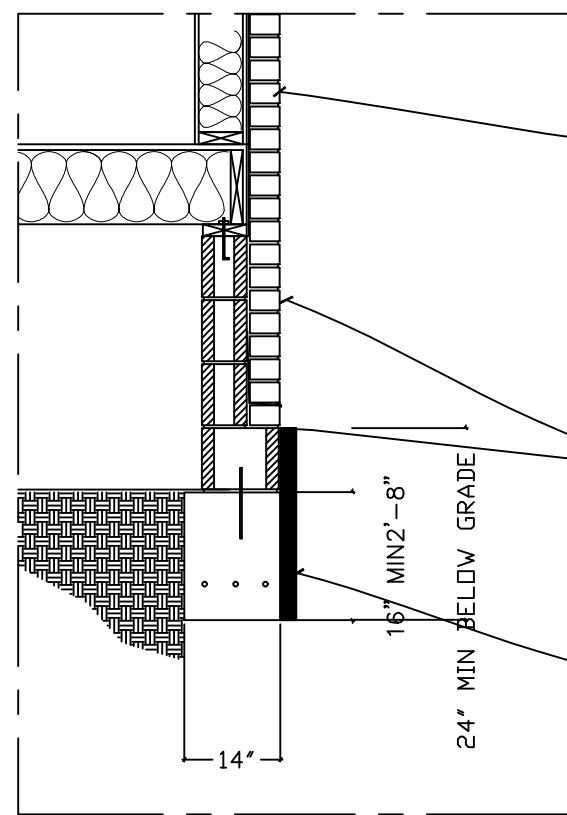
COVER SITE PLAN
 A-1 FOUNDATION & FRAMING PLAN
 A-2 EXISTING PLANS & DEMOLITION
 A-3 FLOOR PLAN, ELEVATIONS, SECTION

Vicinity Map



MRC 2015 CODE NOTES





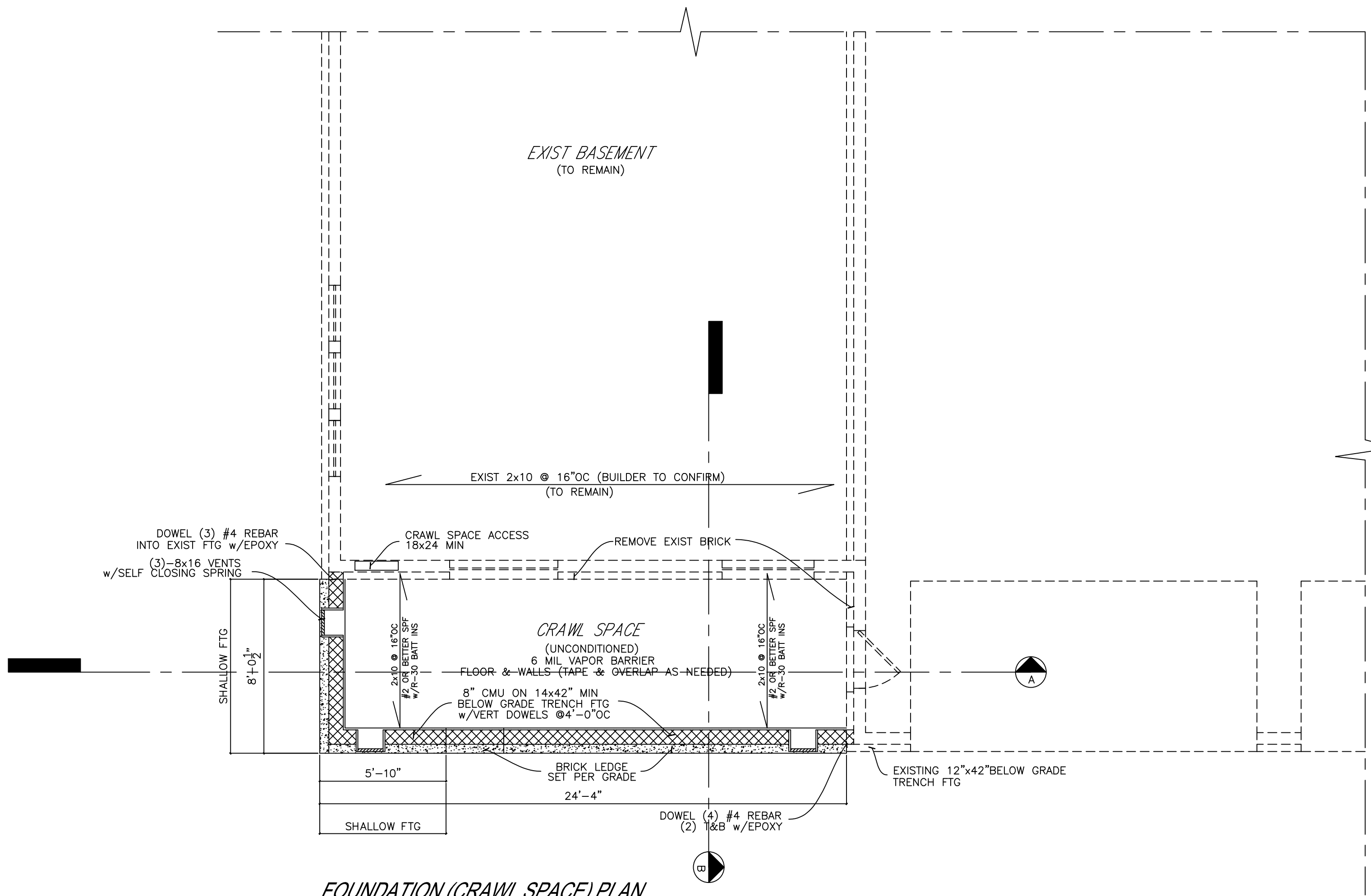
TYPICAL EXTERIOR WALL CONSTRUCTION
VINYL SIDING OVER
MOISTURE BARRIER PAPER (HOUSE WRAP)
ON 7/16" OSB SHEATHING ON 2x6 WOOD
STUDS @ 16" OC, 7/16" OSB WALL BOARD

TYPICAL SILL CONSTRUCTION
SILL ANCHORS @ 32" OC WITHIN 12"
OF ANY CORNER OR OPENING
2x6 TREATED SILL ON 6"x8"x16" CMU
DOWEL #4 REBAR @ 4" OC INTO FOOTING
& INTO BLOCK CAVITY FILLED SOLID

24" MIN BELOW GRADE 2"-R-10 RIGID INSULATION
POURED CONCRETE TRENCH FOOTING
w/3-#4 REBAR T&B

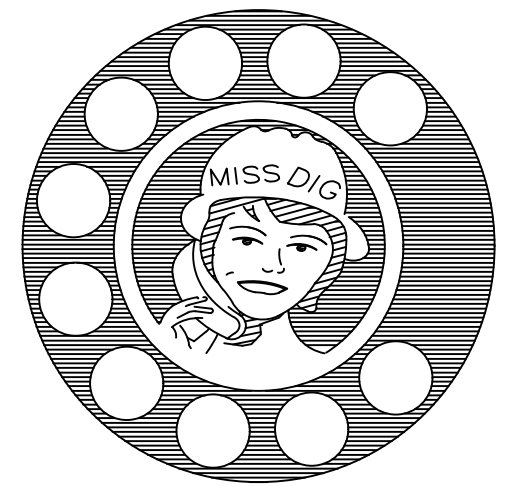
**FROST PROTECTED SHALLOW
FOOTING DETAIL**

SCALE: 1/2" = 1'-0"



FOUNDATION (CRAWL SPACE) PLAN

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



3 WORKING DAYS
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171
(TOLL FREE)

CODE COMPLIANCE & REQUIREMENTS

HOUSE TO MEET: 2015 Michigan Uniform Energy Code
HOUSE TO COMPLY WITH: Michigan Residential Code 2015 - MRC 2015

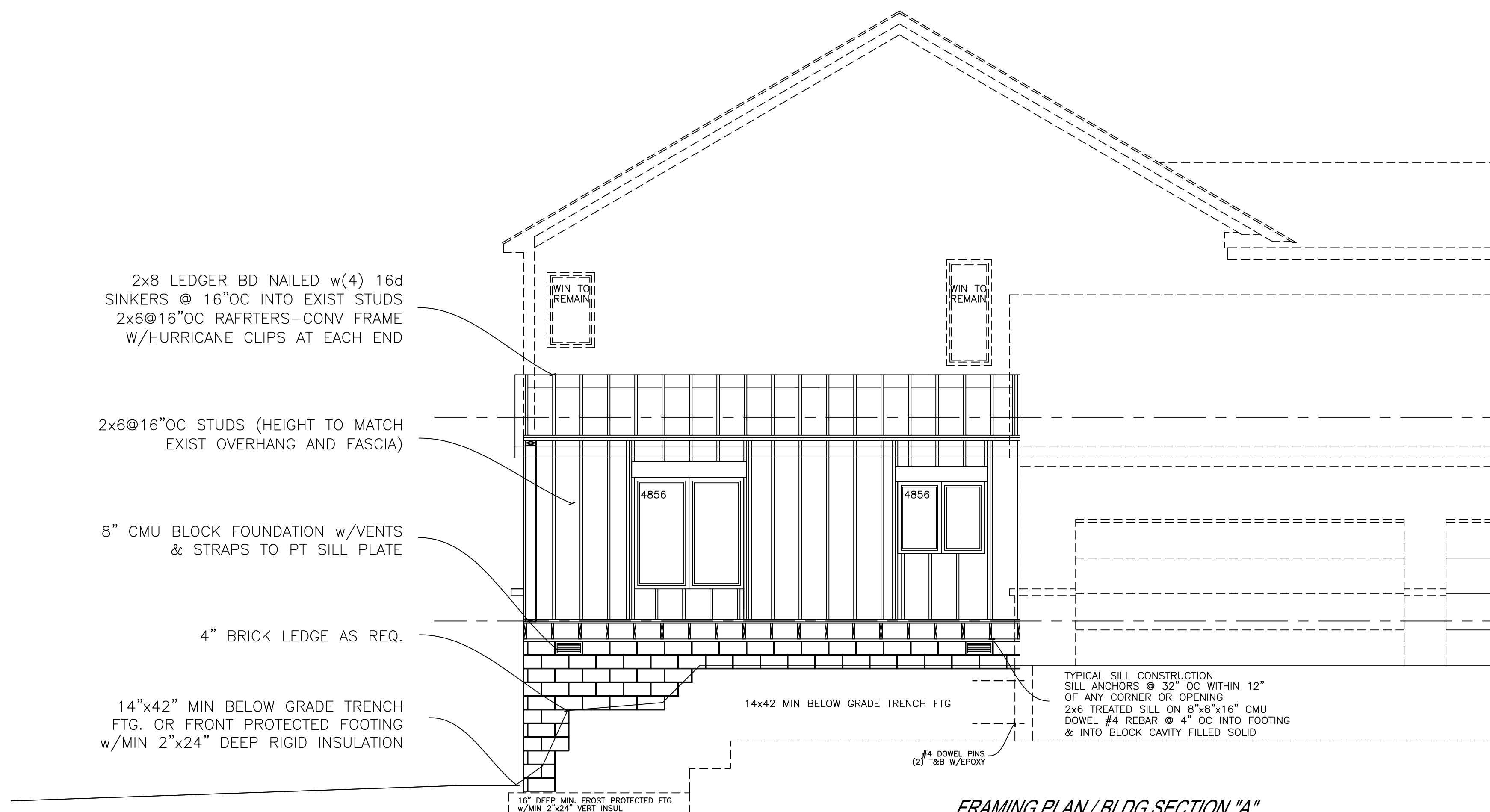
DESIGN CRITERIA

SEISMIC DESIGN CATEGORY: "A"
DESIGN WIND SPEED = 115 MPH
WIND EXPOSURE CATEGORY: "B"
GROUND SNOW LOAD = 25 PSF

GENERAL NOTES

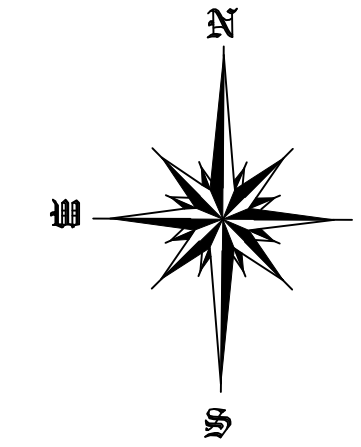
- CONCRETE TO MEET THE MINIMUM SPECIFIED REQUIREMENTS FOR COMPRESSIVE STRENGTH PER MRC 2015 TABLE R402.2

SOIL BEARING CAPACITY
PER MRC 2015 CHART R403.1
SOIL BEARING CAPACITY IS ASSUMED TO BE 1,500 PSF
(UNLESS SOIL TESTING IS PERFORMED)



FRAMING PLAN / BLDG SECTION "A"

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



PROPOSED GARAGE ADDITION & REMODELING FOR
REMODELING STAR
888-983-1238

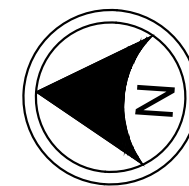
No.	Revision/Issue	Date
	Permit Review	9/06/22

Project Location
1295 POND BLUFF WAY
BRIGHTON, MI 48114



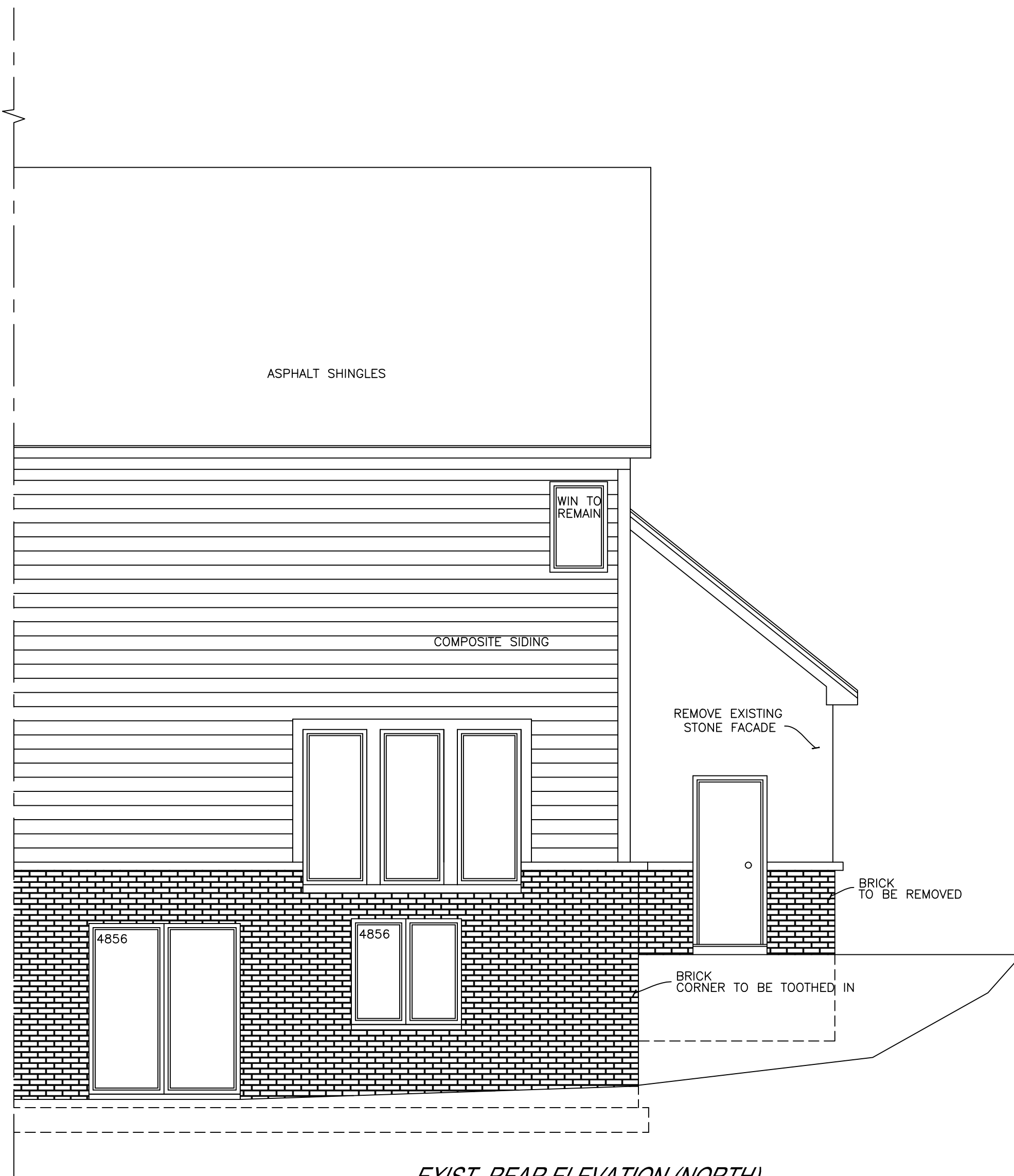
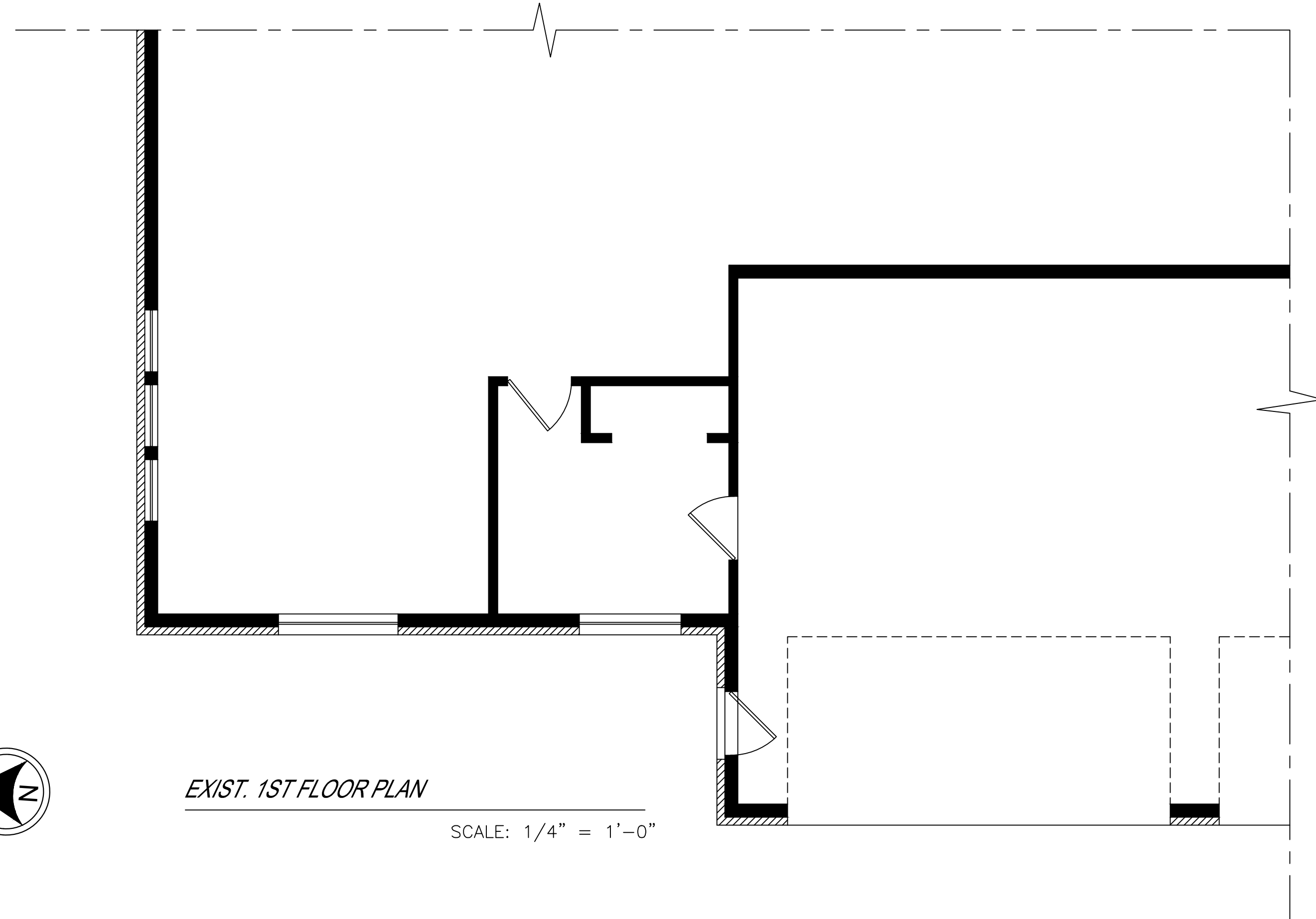
Firm Name and Address
DARIUSZ GABREL, MCEM
586-219-4480
ARCHITECTURAL CONSULTING
DAREKGABREL@YAHOO.COM

A-1



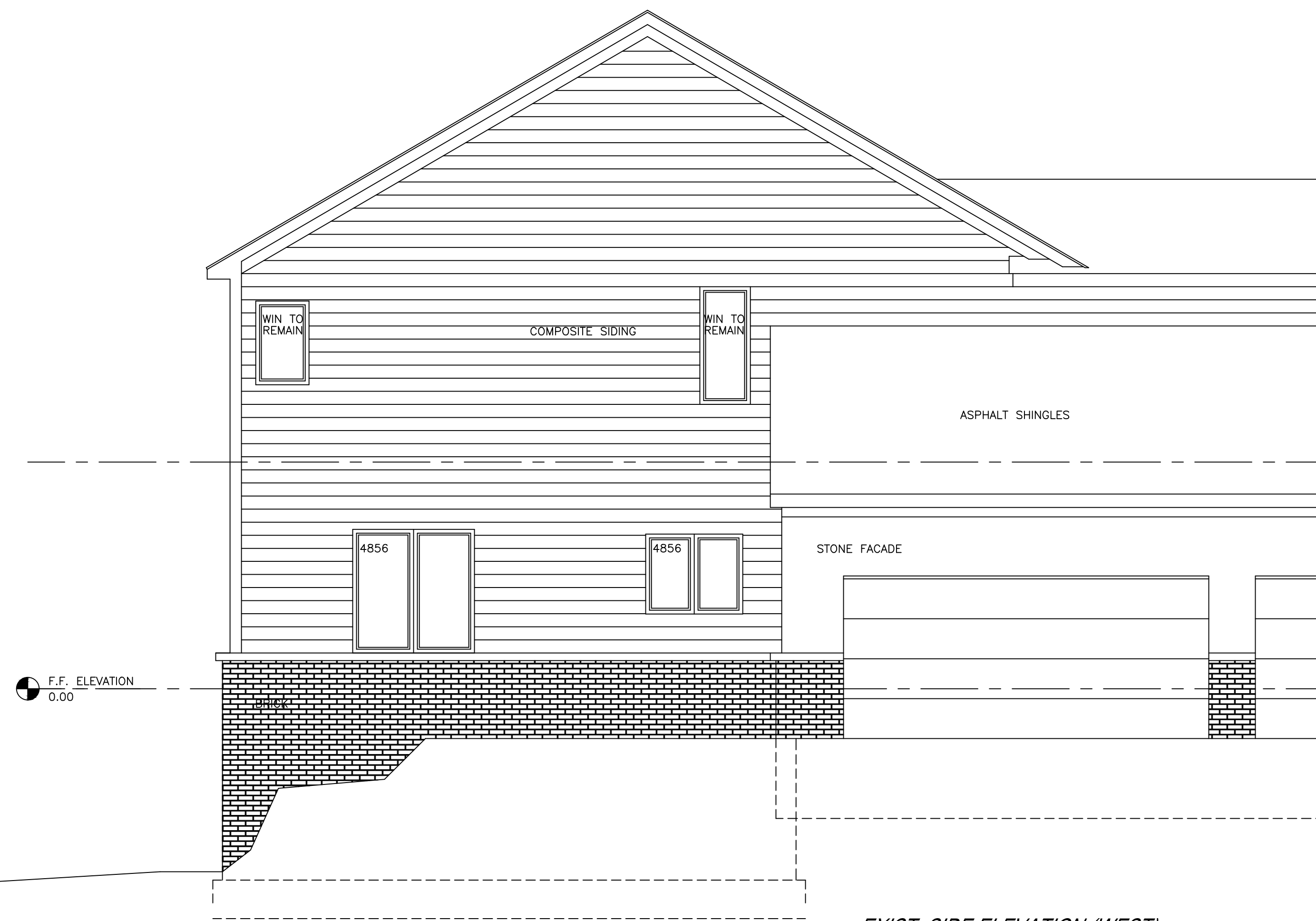
EXIST. 1ST FLOOR PLAN

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



EXIST. REAR ELEVATION (NORTH)

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



EXIST. SIDE ELEVATION (WEST)

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

PROPOSED GARAGE ADDITION & REMODELING FOR
REMODELING STAR
888-983-1238

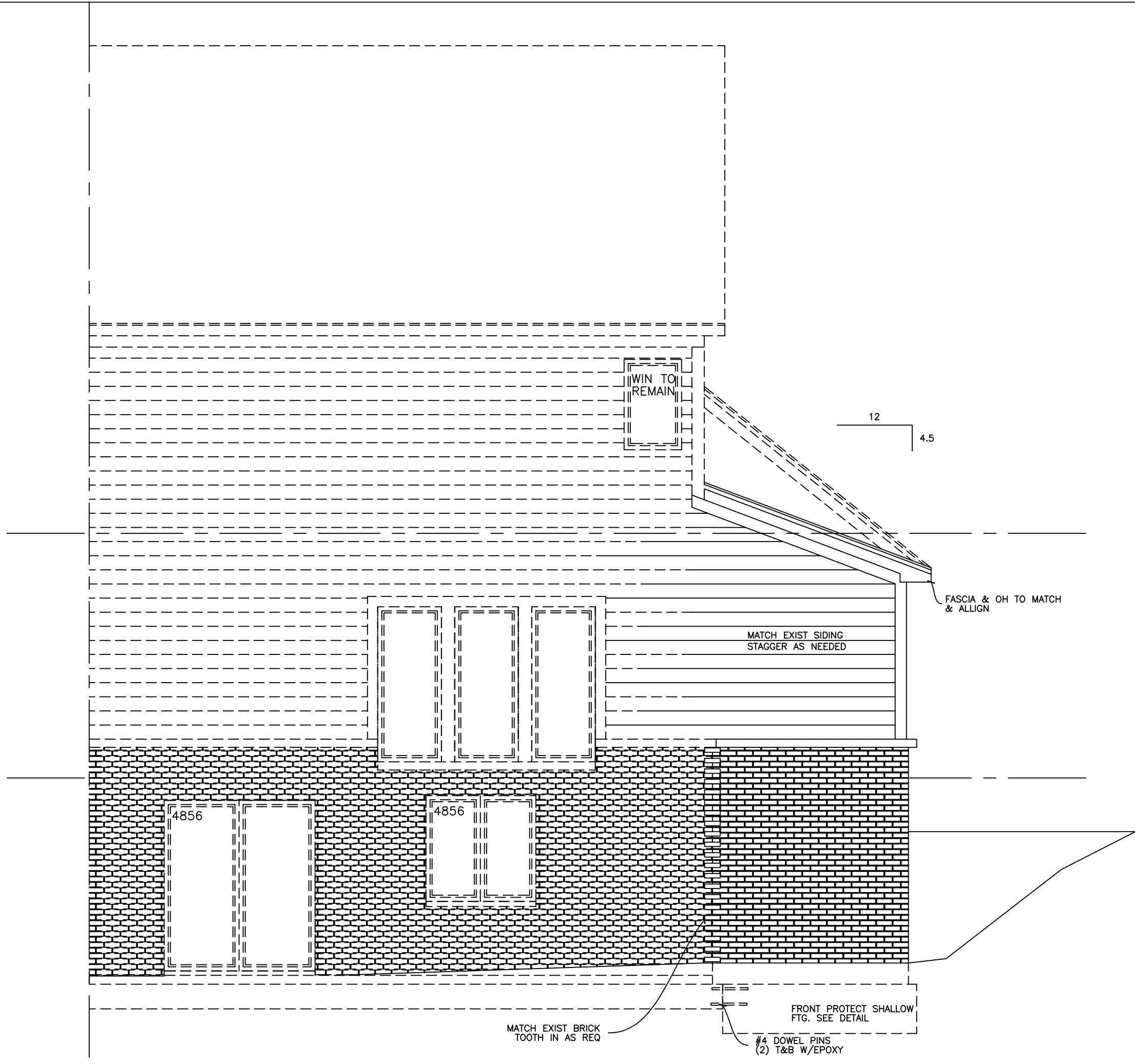
No.	Revision/Issue	Date
	Permit Review	9/06/22

Project Location
1295 POND BLUFF WAY
BRIGHTON, MI 48114



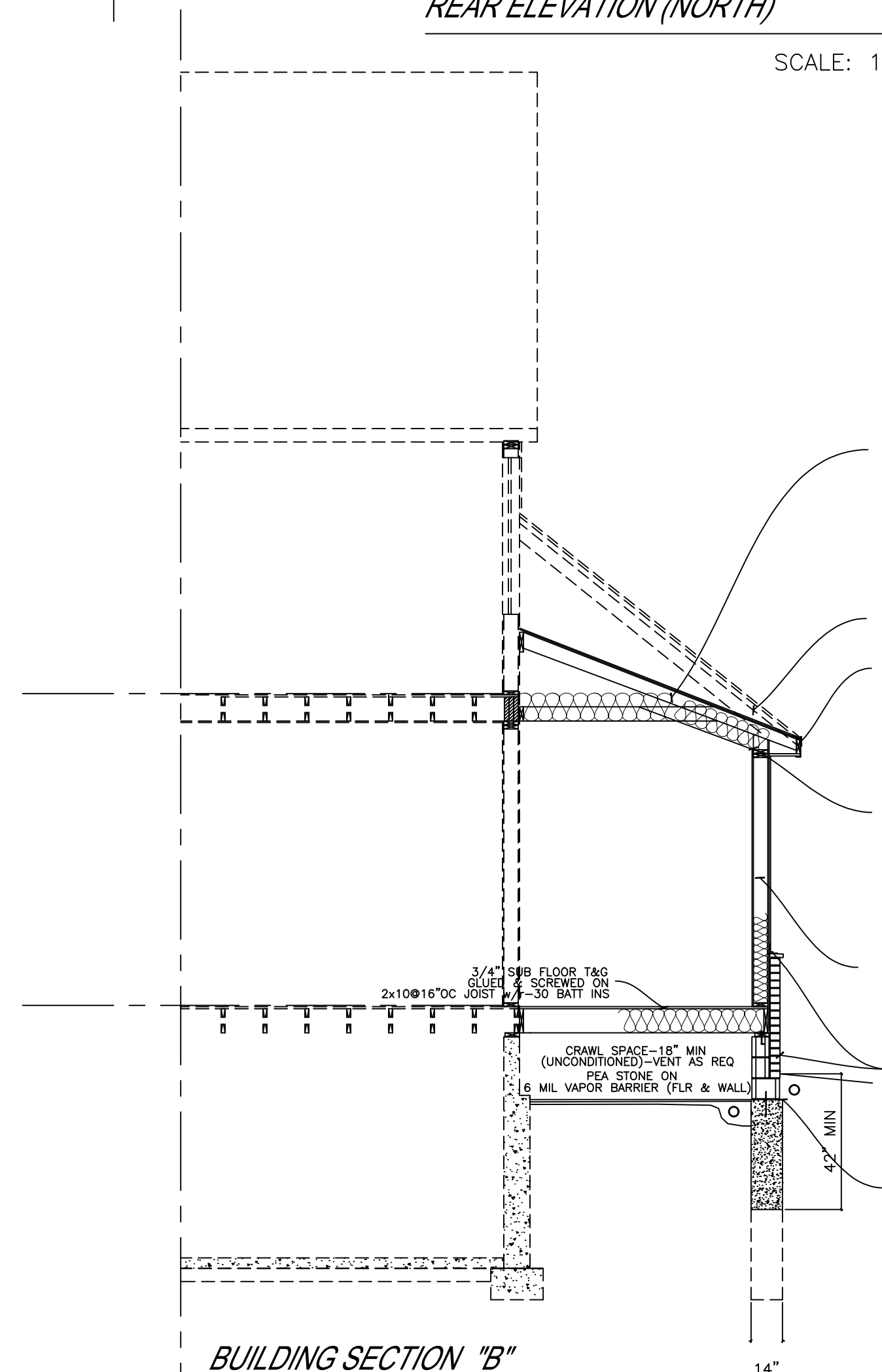
Firm Name and Address
DARIUSZ GABREL, MCEM
586-219-4480
ARCHITECTURAL CONSULTING
DAREKGABREL@YAHOO.COM

A-2



REAR ELEVATION (NORTH)

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



BUILDING SECTION "B"

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

ASPHALT SHINGLES ON 15# FELT OR ROOFING PAPER ON 7/8" OSB SHEATHING ON 2x6@16"OC RAFTERS W/12" HEEL HEIGHT R-38 BATT CEILING INS w/AIR BAFFELS AS REQ

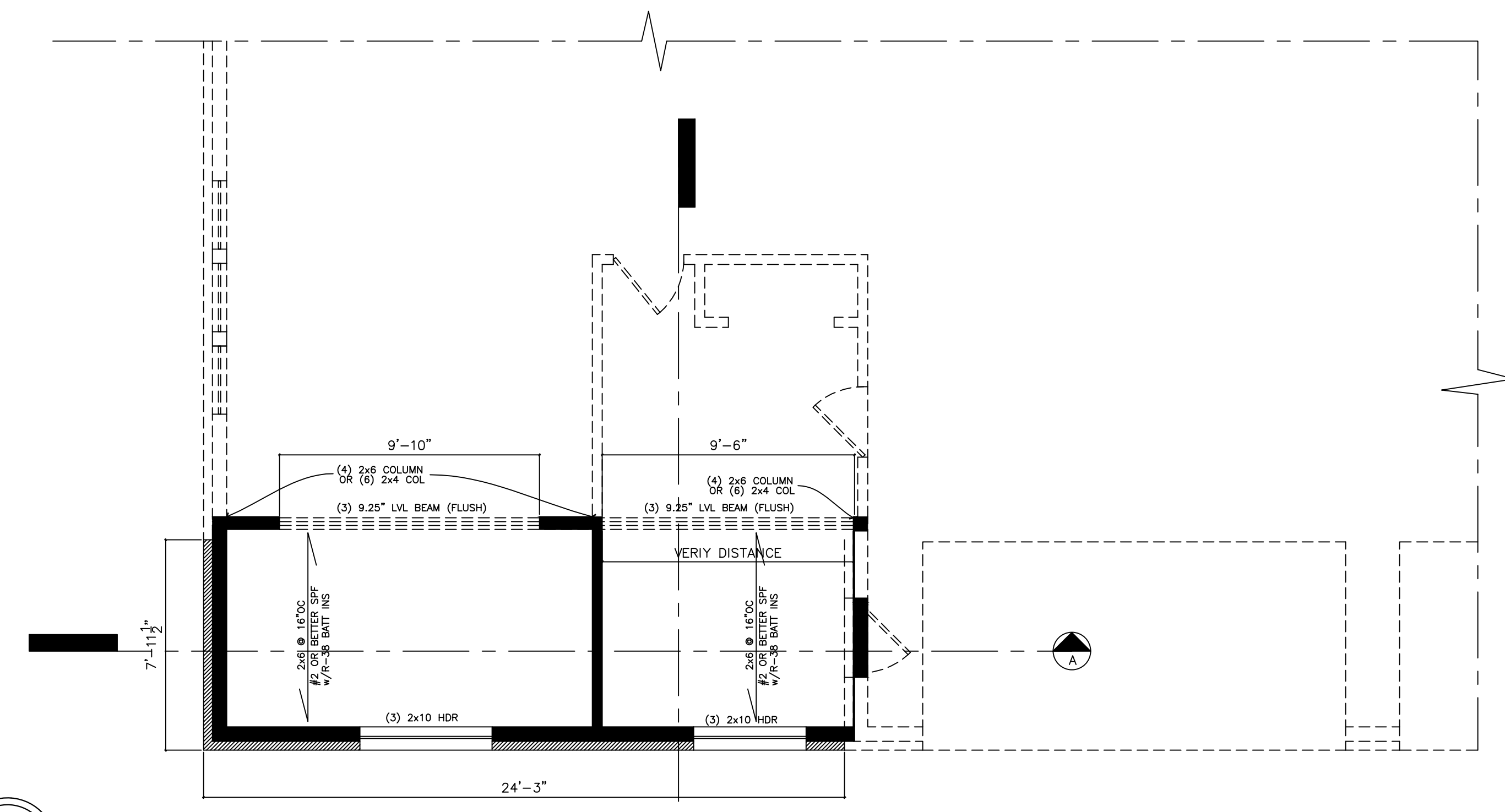
ICE & WATER SHIELD 24" BEYOND EXTERIOR WALL ALUM DRIP EDGE INTO ALUM GUTTER OVER ALUM CLAD 2x6 FASCIA VINYL SOFFIT (FULLY VENTED)

METAL HURRICANE CLIPS AT EACH RAFTER

COMPOSITE SIDING OVER HOUSE WRAP w/OVERLAPS AND /TAPE AS REQ. ON 7/8" OSB SHEATHING ON 2x6 STUDS @16"OC w/R-19 KRAFT FACED BATT INSULATION. 1/2" GYPSUM PRIMED & PAINTED

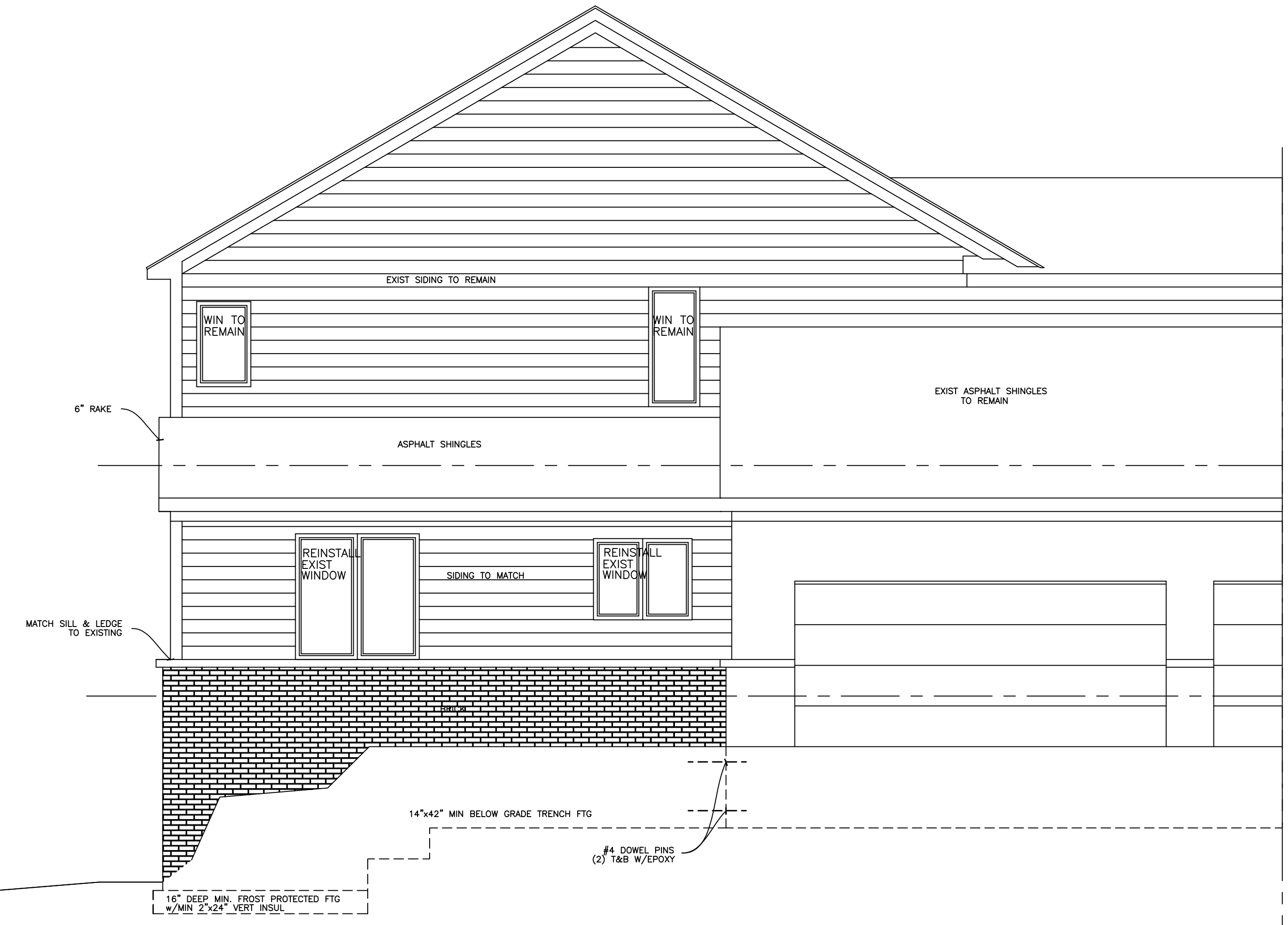
STONE LEDGE w/FLASHING AS REQ ON BRICK VANEER w/WEEP HOLES, FLASHING AND STRAPS AS REQUIRED

4" TYP BRICK LEDGE OVER (SET BRICK LEDGE TO ADJACENT GRADE) 14"x42" MIN BELOW GRADE TRENCH FTG. GROUT #4 DOWEL PIN VERTICALLY INTO FOUNDATION @ 4'-0"OC



1ST FLOOR PLAN

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



SIDE ELEVATION (WEST)

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

PROPOSED GARAGE ADDITION & REMODELING FOR
REMODELING STAR
 888-983-1238

No.	Revision/Issue	Date
	Permit Review	9/06/22

Project Location
 1295 POND BLUFF WAY
 BRIGHTON, MI 48114

Jerry & Sons Inc.
 CONSTRUCTION & DESIGN SVCS

Firm Name and Address
DARIUSZ GABREL, MCEM
 586-219-4480
 ARCHITECTURAL CONSULTING
 DAREKGABREL@YAHOO.COM

A-3

Re: Hidden Ponds HOA executive team

From: Jimeane Astley (jimeane1@gmail.com)

To: rochon_steven@yahoo.com

Cc: happleiness@outlook.com; michael.waisanen@gmail.com; morsefamily@comcast.net; dennis.birecki@yahoo.com

Date: Thursday, September 15, 2022 at 08:57 AM EDT

Yes, I approve

On Wed, Sep 14, 2022, 10:36 AM Steven Rochon <rochon_steven@yahoo.com> wrote:

Hello Jimeane, Butch, Michael, Bob and Dennis,

This is the Rochon family located at 1295 Pond Bluff Way (Lot 29). We are planning on adding an addition to our home to enlarge the Laundry room and the Family room. The added size is about 8' X 24', located in the NW corner of the home. In the attachment's cover sheet, the grey area is the proposed addition. The attachment also shows:

Sheet A-1: Construction information

Sheet A-2: Existing Elevation & floor plan

Sheet A-3: Proposed Elevation & floor plan

The color of the siding & trim of home will also be changed to a Gray Slate HardiePlank Siding with a Cobble Stone HardieTrim. This is all new siding around the house.

During our plot layout, we found the current home is in the Side Setback by about 4'. The Hidden Ponds defined setback is about 30' from the property line. This means the current house is about 26' from the property line. With the addition, the house would be 20' from the property line. This would require a zoning variance from the township/county. It also would require an approval from the HOA Board. The attachment coversheet shows the property lines, the setback lines and the dimensions related to the house location.

We are asking for your approval of this setback variance. If possible, could we have a reply by September 19.

Please feel free to walk down the drive to visually see the area in question. If you have any questions, feel free to contact us and we will do our best to provide the information.

Thank you,

Steven & Monica Rochon

(734) 377-5285

(734) 377-5286

RE: 1295 Pond Bluff Way Addition.

Hello John and Norma,


We are planning on an addition to our home. However, because of the placement of our home relative to the property line and the side setback distance, the addition would place the house within the setback by 10'. In other words, 20' from the property line.

Because we will need to seek a zoning variance with the township/county, we would like to have them know we have talked with you and explained the situation.

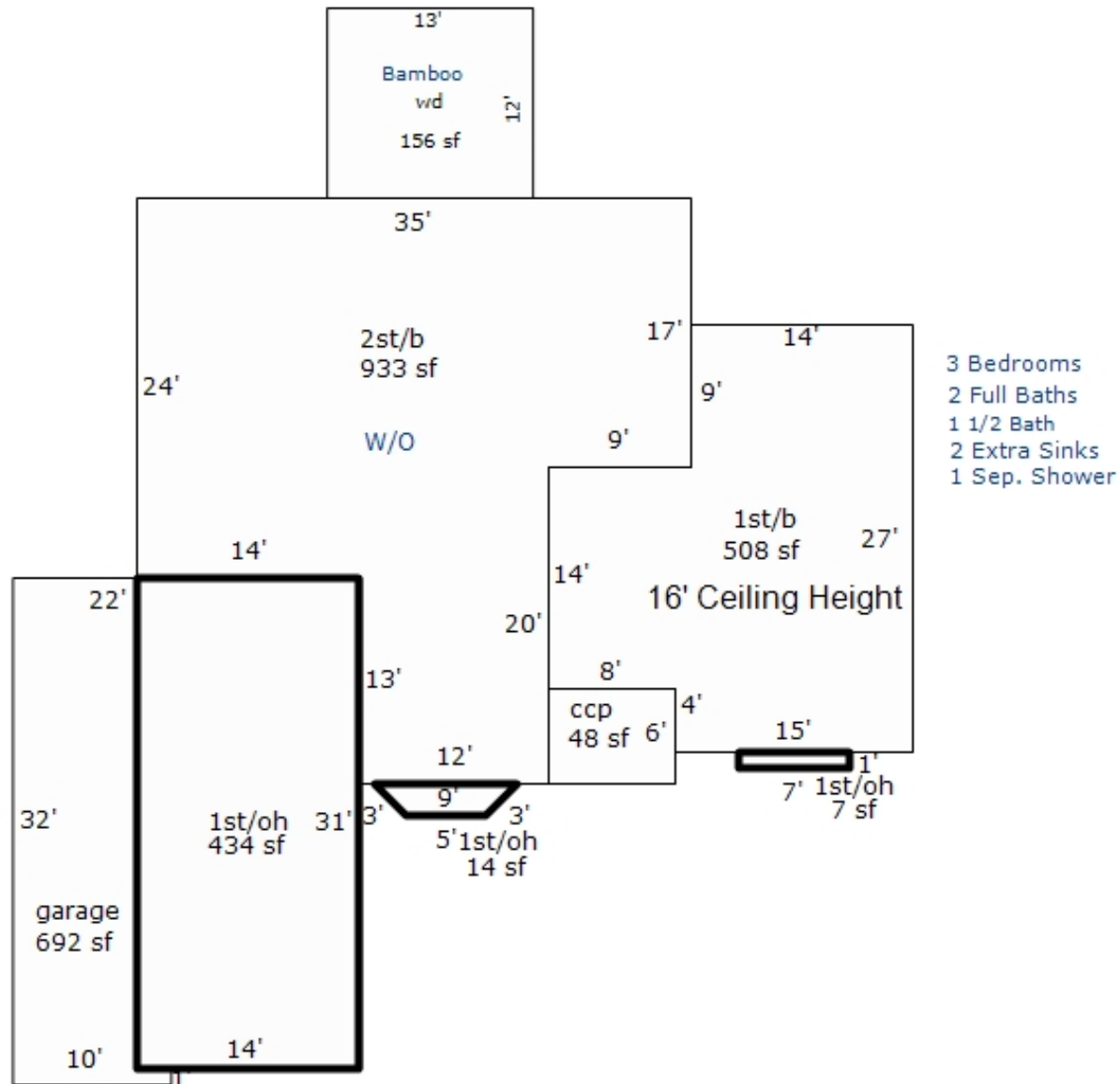
If you have no concerns about our house being 20' from the property line, please sign below.

Steven.

John W Morris
Norma M Morris

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
HIDDEN PONDS L.L.C.	ROCHON, STEVEN & MONICA	88,000	05/21/1999	WD	03-ARM'S LENGTH	26070624	BUYER/SELLER	100.0		
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LDR		Building Permit(s)		Date	Number	Status
1295 POND BLUFF WAY		School: HOWELL PUBLIC SCHOOLS		WOOD DECK		09/28/2017		P17-183	NO START	
Owner's Name/Address		P.R.E. 100% 03/28/2002		REROOF		08/26/2013		W13-190	NO START	
ROCHON, STEVEN & MONICA 1295 POND BLUFF WAY BRIGHTON MI 48114-4928		MAP #: V22-22		HOME		04/16/1999		99-153	NO START	
Tax Description		2023 Est TCX Tentative		Land Value Estimates for Land Table 4031.HIDDEN PONDS						
SEC 12 T2N R5E HIDDEN PONDS SITE CONDOMINIUM UNIT # 29		X Improved		Vacant		* Factors *				
Comments/Influences		Public Improvements		Description Frontage Depth Front Depth Rate %Adj. Reason Value						
		Dirt Road		<Site Value A> STANDARD SITE		75000		100	75,000	
		Gravel Road		ONLY SHOWING ACERAGE		1.770 Acres		0	100	0
		Paved Road		1.77 Total Acres		Total Est. Land Value =		75,000		
		Storm Sewer		Land Improvement Cost Estimates						
		Sidewalk		Description Rate Size % Good Cash Value						
		Water		Gazeboo(s): Standard		18,579.00		1	47	8,732
		Sewer		Total Estimated Land Improvements True Cash Value = 8,732						
		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		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan		Who	When	What	2023	Tentative	Tentative	Tentative		Tentative
		JB	10/25/2017	INSPECTED	2022	37,500	177,600	215,100		174,176C
		LM	09/06/2013	REVIEWED R	2021	40,000	173,300	213,300		168,612C
					2020	47,500	159,100	206,600		166,285C

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



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**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
September 20, 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, Jean Ledford, Michelle Kreutzberg, Craig Fons, and Michael Archinal, Township Manager. Absent was Marianne McCreary.

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 Kreutzberg, to approve the agenda as presented. **The motion carried unanimously.**

Call to the Public:

The call to the public was opened at 6:32 pm with no response.

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).

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to withdraw Case #22-17 per the applicant's request. **The motion carried unanimously.**

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)

Moved by Board Member Kreutzberg, seconded by Board Member Rockwell, to postpone Case #22-20 until the October 18, 2022 ZBA Meeting per the applicant's request. **The motion carried unanimously.**

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.

Mr. Bob Fulton, the contractor for the applicant, stated they would like to place a smoker at the rear of the Log Cabin restaurant. He showed the plans, noting where the smoker will be located. The smoker and location have been approved by the Fire Marshal.

Board Member Rockwell questioned why the smoker could not be placed on the east side of the building. Mr. Fulton stated that due to the narrowness of the lot, they cannot place the smoker anywhere on the site without requesting a variance. He added that a privacy fence and shrubs will be planted along the rear property line to screen it from the neighbors. Board Member Rockwell noted that there could be a lot of smoke that could affect the neighbors. Mr. Fulton stated the smoker is not very large and the smoke is routed through the building and will not be coming from the smoker.

Board Member Kreutzberg asked if the small shed will be removed. Mr. Fulton stated if that is required, then it will be taken down; however, they are requesting that all three accessory structures be approved.

The call to the public was opened at 6:40 pm.

Mr. David Sayers of 5410 Ridgemoor lives right behind the restaurant. This type of smoker is intended to be used inside a building so it is completely self contained and not like a traditional outside smoker. He is in support of allowing the variance and is not concerned about smoke.

Ms. Robin Frye is glad the applicant is putting up the fence and the shrubbery.

The call to the public was closed at 6:43 pm.

Moved by Board Member Kreutzberg, seconded by Board Member Ledford, to approve Case #22-21 for Chris Stone (Log Cabin Restaurant) at 5393 Grand River Avenue for a rear yard setback variance of 32 feet, from the required 50 feet, for a setback of 18 feet to house a commercial smoker, of based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably prevent or restrict the use of the property. Granting of the variance will provide substantial justice and is not self created. It is necessary to preserve substantial property rights similar to others in the same zoning district.
- The extraordinary circumstances are the narrowness of the lot and building envelope, the fronting on two public roads, and location of the existing building.

- The granting of the variance will not impair an adequate supply of light or air to adjacent properties, would not increase congestion or increase danger of fire or threaten public safety or welfare.
- 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. All requirements of Planning Commission's approval at the September 12, 2022 Planning Commission meeting shall be met.
2. No more than two accessory structures are allowed.

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the August 16, 2022 Zoning Board of Appeals meeting.

Moved by Board Member Kreutzberg, seconded by Board Member Ledford, to approve the minutes of the August 16, 2022 meeting as presented. **The motion carried unanimously.**

2. Correspondence - There were no correspondence this evening.

3. Member Discussion

Board Member Ledford presented Mr. Archinal with a card congratulating him on his retirement. They thanked him for his service to the Township.

4. Adjournment

Moved by Board Member Rockwell, seconded by Board Member Fons, to adjourn the meeting at 6:52 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary