

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
NOVEMBER 15, 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:

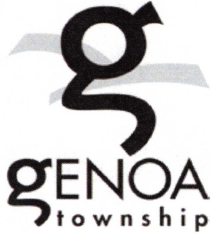
1. 22-20...A request by Joseph Anzalone, 5964 Glen Echo, for variances to allow a detached accessory building (gazebo) to remain within the required waterfront yard and for a shoreline setback variance.

New Business:

2. 22-23...A request by Joseph Maezes, 320 S. Hughes Road, for a waterfront setback variance and a variance to exceed the allowable number of detached accessory structures on a lot for the construction of a new pavilion.
3. 22-24... A request by Tim Chouinard and Nadar Abouzenni, 564 Black Oaks Trail, for a variance to allow a detached accessory structure on a vacant lot, retaining wall height and setback variance and a lot coverage variance to construct a new garage.

Administrative Business:

1. Approval of minutes for the October 18, 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:

1. **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.

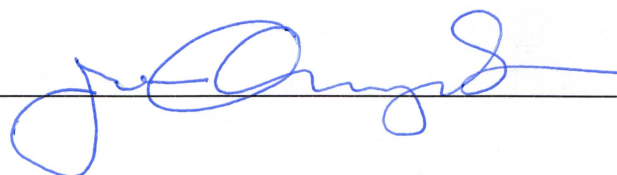
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**Attendance by the applicant is required at the Zoning Board of Appeals meeting.**

**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: \_\_\_\_\_





# MEMORANDUM

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

**RE:** ZBA 22-20

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

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## 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):**

<b>Required Waterfront Yard Setback:</b>	<b>131.5’</b>
<b>Proposed Waterfront Yard Setback:</b>	<b>10’</b>
<b>Proposed Variance Amount:</b>	<b>121.5’</b>

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

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

- (a) Practical Difficulty/Substantial Justice** –Strict compliance with the 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  
October 18, 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, Michelle Kreutzberg, Bill Rockwell, Marianne McCreary, Craig Fons, and Amy Ruthig, Planning Director. Absent was Jean Ledford.

**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 Rockwell, 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 opened at 6:32 pm with no response.

**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.

Mr. and Mrs. Anzalone, the applicants, and Mr. Roger Myers, the applicants' legal counsel, were present. Mr. Myers submitted three letters of support from neighbors for the variance requests. The variance is to allow an existing 144-square-foot gazebo to remain. The challenge was identifying if the waterfront variance is applicable due to the irregular shoreline. He cited other accessory structures next to and surrounding the applicant's home. The applicant's gazebo is consistent with other gazebos and accessory structures on other properties in the neighborhood as well as around all of Lake Chemung so this would provide substantial justice to the applicant. The practical difficulty and extraordinary circumstances are that this is a unique parcel due to its topography and the location of the road. If the gazebo was moved further from the shoreline, it would be very close to the existing road and that would pose a public safety issue and create a greater obstruction of the lake views than where it is currently located. This will not have a negative impact on the neighborhood due to the other existing accessory structures on other properties.

Mr. Anzalone did not know of the zoning requirement. He would have requested approval if he did. He saw his neighbors' structures so he thought it was allowed.



Genoa Township Zoning Board of Appeals Meeting

October 18, 2022

Unapproved Minutes

Chairman Rassel asked when the gazebo was built. Mr. Anzalone stated it was put up two years ago. The variance is being requested this evening because one of the neighbors complained. Mr. Myers added that there was civil litigation regarding riparian rights for property owners in this neighborhood. Now it has been settled, violations are being enforced. He added that that decision is being appealed at this time.

Ms. Anzalone believes that a neighbor in the other part of the neighborhood complained about their gazebo.

Ms. Ruthig stated that the location where the gazebo is located is in the "front lot's park" and no one is able to erect any structures. Ms. Anzalone stated the ruling said that the existing gazebo could remain.

Ms. Ruthig stated the structure was built in 2021. Township Staff needs more clarification from Judge Hatty's ruling as to what accessory structures are allowed and what ones are not. It is difficult to obtain this information at this time because the case is being appealed. They also do not have specific lot lines. Board Member Kreutzberg agrees that what variance is needed, if one is needed at all, is difficult to determine when the lot lines are unknown.

Board Member Rockwell does not want to make a decision on this without the lot line information.

Board Member McCreary stated the Glen Echo Plat, which is a legal document, states that the park belongs to all of the residents in the neighborhood. Mr. Myers stated that the appeal is not challenging that information, they are appealing the ruling that they are not allowed to put docks into the lake from this park.

Board Member Rockwell asked if other property owners are allowed to use the gazebo. Ms. Anzalone stated that many of the neighbors use the gazebo.

Board Member Fons questions if the ZBA or the Township Staff has the authority to allow the gazebo or require them to remove it. He does not feel comfortable making that decision.

The call to the public was opened at 7:04 pm.

Ms. Laura Wildman of 658 Pathway agrees that there are a lot of structures along the shoreline. This is a great addition and benefit to the lake.

Mrs. Beverly Leslie of 5955 Grand River owns four lots. All of the neighbors in the area spend time together at the gazebo.

Ms. Yvette Whiteside of 5780 Glen Echo does not know who filed the complaint against Mr. Anzalone. Where she and her neighbors live is separate from the area of the neighborhood where the original lawsuit was filed, but it is affecting them.

Mr. Steve Wildman of 658 Pathway agrees that there are a lot of worse zoning violations around the lake than the applicant's gazebo. Moving it 10-feet back would not make a difference. He uses the gazebo also.

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

Genoa Township Zoning Board of Appeals Meeting  
October 18, 2022  
Unapproved Minutes

Ms. Ruthig stated that Staff has determined that the accessory structures that are allowed to remain based on Judge Hatty's decision must meet the ordinance requirements. Mr. Anzalone needed to apply for a variance because a violation was reported.

Mr. Myers stated that due to the pending appeal, there are still decisions to be made that will determine how the Township's ordinance is to be enforced. He would like to table this request until after the appeal has been decided.

Board Member Rockwell stated that apart from the appeals case, there is no information to determine the applicant's property lines.

Ms. Ruthig suggested that the item be tabled until the next ZBA meeting to allow Staff to consult with the Township Attorney to determine if this can be tabled until the appeals case is decided and if the Board has the authority to vote on this request.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to table Case #22-20 until the November 15, 2022 ZBA meeting, pending review from the Township's legal counsel. **The motion carried unanimously.**

**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.

Mr. Brad Huard of Remodeling Star, who is the applicant's contractor, stated the proposed addition would be encroaching six feet into the setback. They are staying within the same building line.

He has a letter from who would be directly affected by the variance and they are in support of the variance. The homeowner's association has also submitted a letter providing their approval of the addition.

Board Member Fons asked why the addition could not be placed on the other side of the home. Mr. Huard stated this is the best location for this addition because of where the laundry room is currently and the reason for the addition. The well would also need to be located if it was built on that side.

Mr. Ruthig noted there are retaining walls on the site and if they are altered, they will need to meet the Township's ordinance.

The call to the public was opened at 7:34 pm with no response.

**Moved** by Board Member Kreutzberg, seconded by Board Member McCreary, to approve Case #22-22 for Steven Rochon of 1295 Pond Bluff Way for a side-yard variance of 9 feet, 6 inches from the required 30 feet for a setback of 20 feet, 6 inches to construct an 8 x 24 addition to the existing home, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict use of the property. This variance will provide substantial justice, is the last necessary and would make the property consistent with other properties and homes in the area that encroach on side yard setbacks.

**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.

Neighbor Deck

Fire Pit

105'

Tree

10.7'

10'

12.5'

10.5'

82'

Shrubs

Tree

Tree

Tree

Tree

Tree

20'

23'

Garage  
760 sf

Concrete Pad

Beach

42'

Hill

Hill

Hill

Hill

Hill

Deck  
1167 SF  
Deck  
422 SF

w/c  
520 sf  
Deck  
354 sf  
Deck  
120 sf  
Deck

1 1/2st/cr  
896 sf  
2st/mb  
231 sf  
1st/gar  
962 sf  
wcp  
132 sf  
Garden  
Well

5955 E GRAND RIVER

Yard

22'

carport  
440 sf

Driveway

5964 Glen Echo Drive

Brick Pav  
112 sf

36' w/c  
504 sf  
conic patio

36'

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

WCD  
32 sf

8'

conic patio  
243 sf

20'

garage  
720 sf

10'

Driveway

30'

4'

10'

4'

10'

4'

10'



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 3<sup>rd</sup> day of August, 2017.

Signed and Sealed:

STATE OF MICHIGAN  
Livingston County  
08/10/2017  
2017R-023425



REAL ESTATE TRANSFER TAX  
\$544.50 CO  
\$3712.50 ST  
TTX# 6187115

Sandra K. Daniels  
Sandra K. Daniels

James E. Daniels  
James E. Daniels

STATE OF MICHIGAN  
COUNTY OF Livingston SS.

On this 3<sup>rd</sup> 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

Instrument  
Drafted by Joseph C. DeKroub, Jr. My Commission Expires 05-18-2018  
Acting in County of Livingston Business

Address 6870 Grand River Ave, Suite 300, Brighton, MI 48114

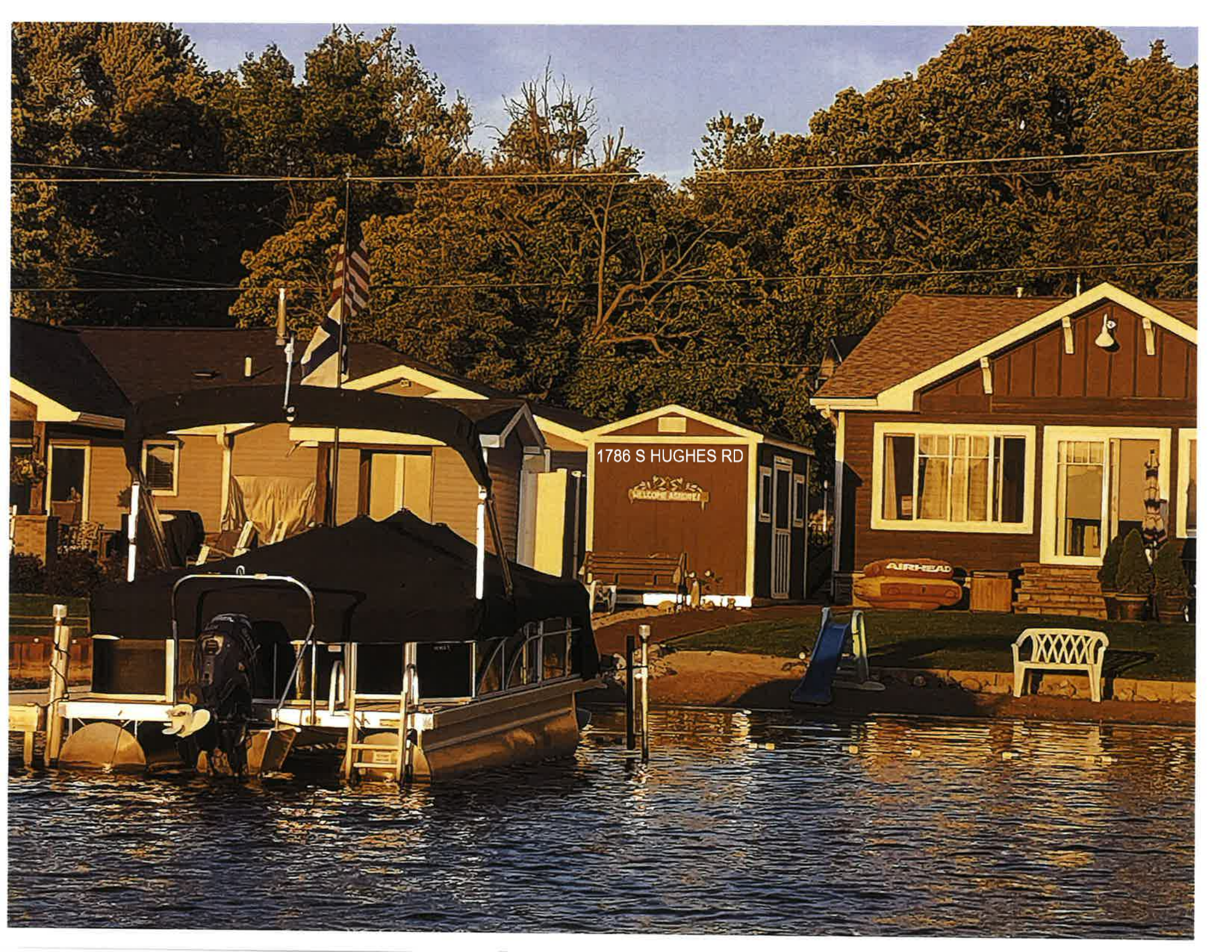
Recording Fee: \_\_\_\_\_  
State Transfer Tax: \_\_\_\_\_  
PNTI Ins. No.: 47-171997-B  
Tax Parcel No.: 11-10-301-203

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



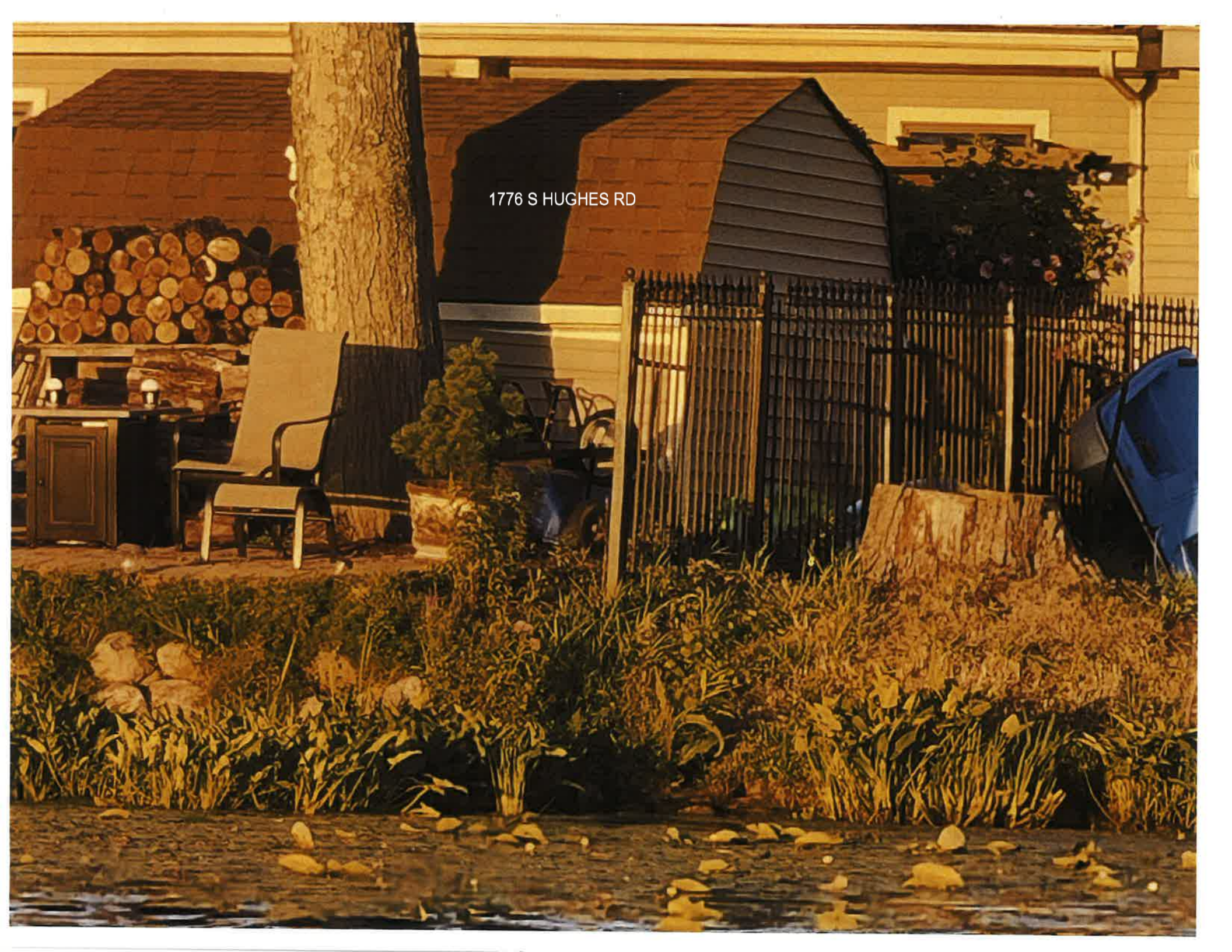


1824 S HUGHES RD

1828 S HUGHES RD



1776 S HUGHES RD





1716 S HUGHES RD







1716 S HUGHES RD

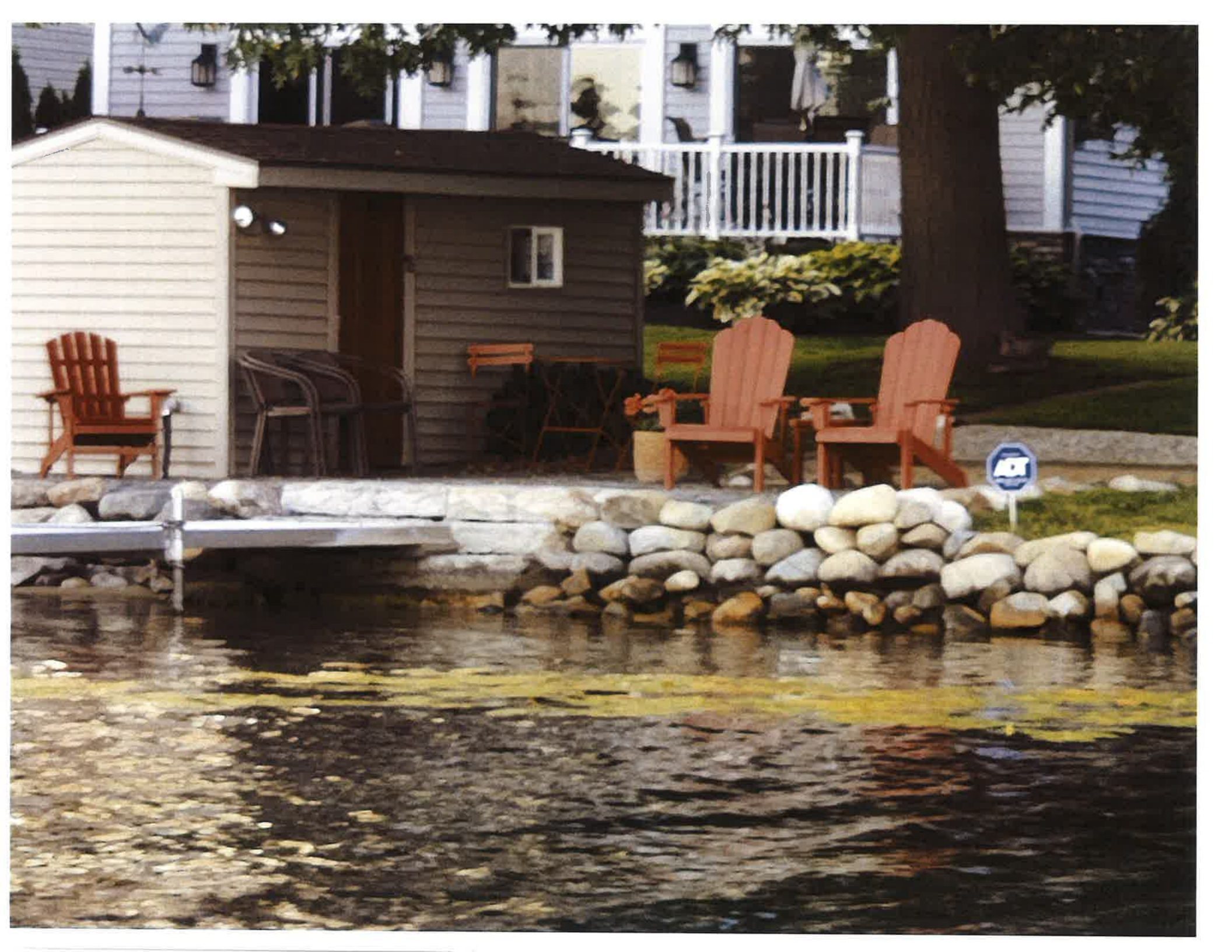






























777 PATHWAY DR











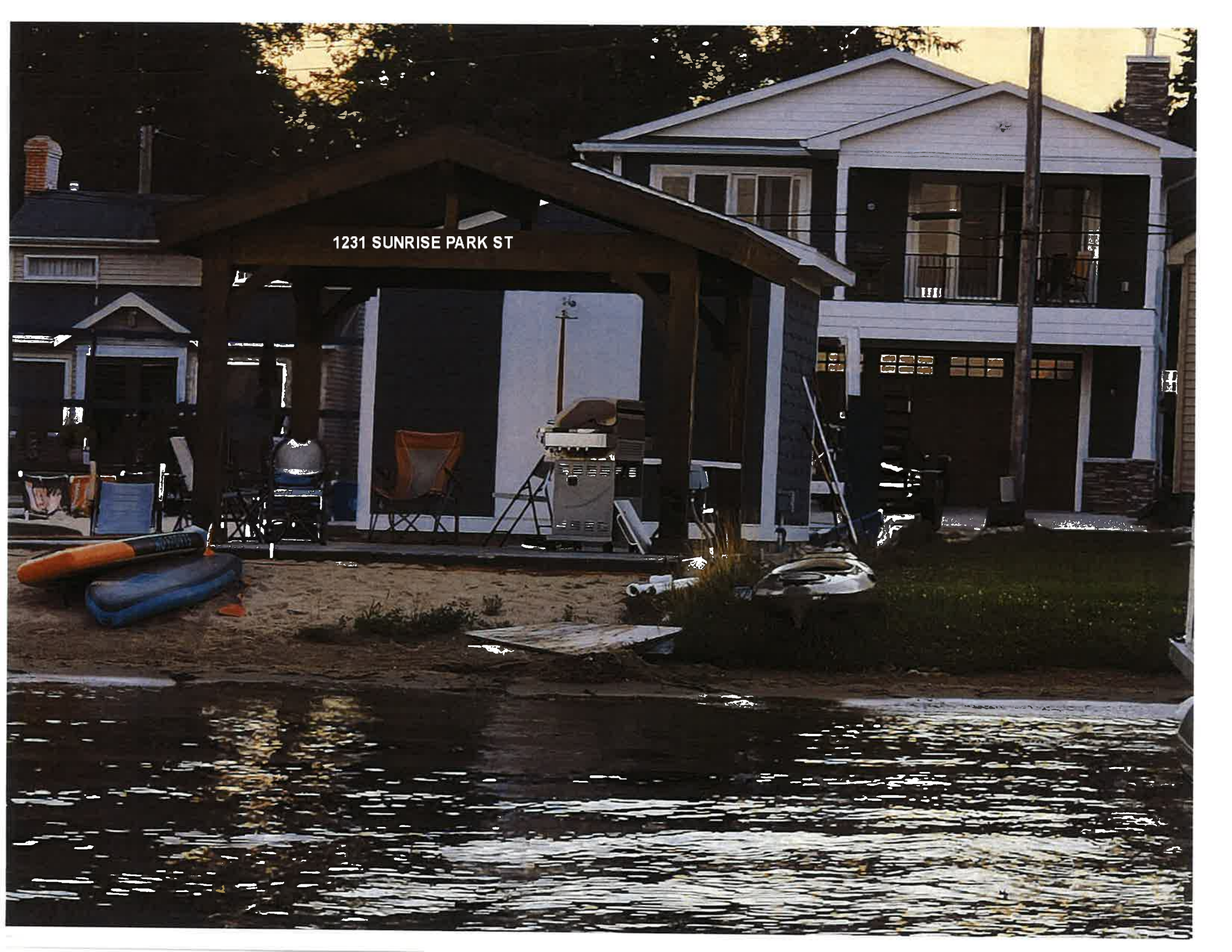


707 PATHWAY DR





1231 SUNRISE PARK ST

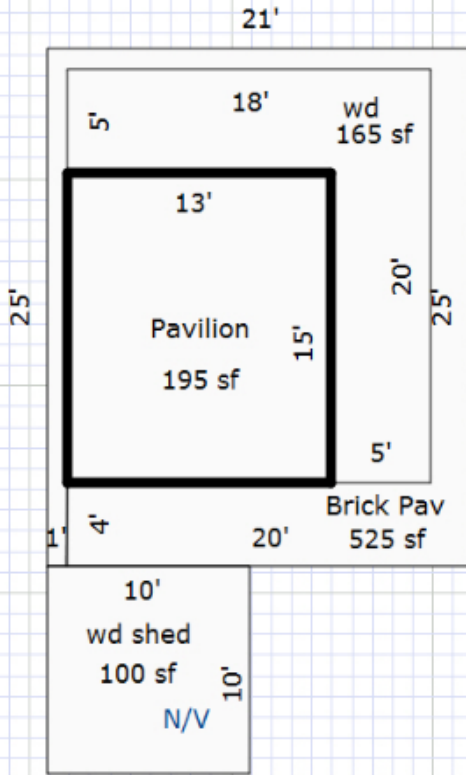




1231 SUNRISE PARK ST







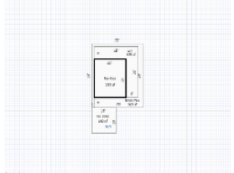


# Looks like no building permits

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

Parcel Number: 4711-09-201-008

Map It | Print



**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

Item 1 of 1 0 Images / 1 Sketch

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

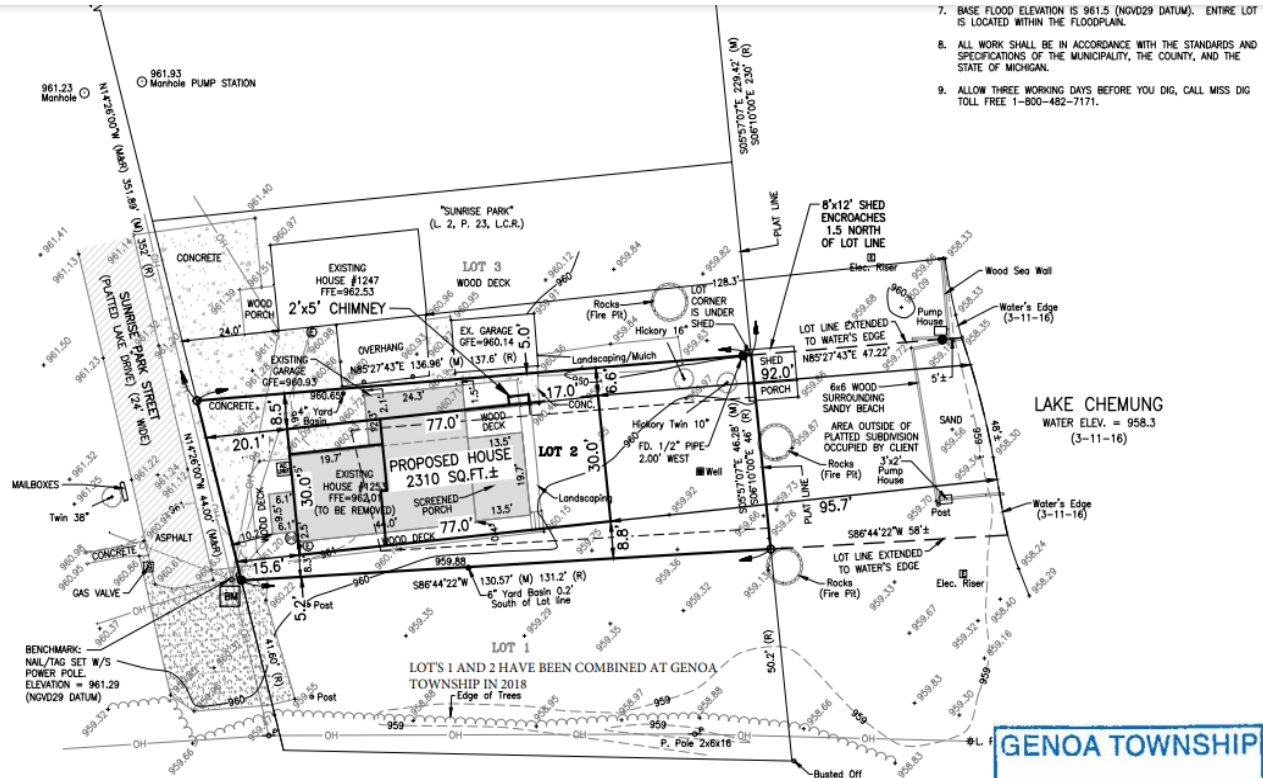


# No permit for building outdoor bar / shed / gazebo

7. BASE FLOOD ELEVATION IS 961.5 (NGVD29 DATUM). ENTIRE LOT IS LOCATED WITHIN THE FLOODPLAIN.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
9. ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.

## LEGEND

- 900 - EXISTING CONTOUR
- 922.00 - EXISTING SPOT ELEVATION
- P- POWER POLE
- ⊞ ELECTRICAL RISER
- ⊞ ELECTRICAL METER
- ⊞ AIR CONDITIONING UNIT
- ⊞ LIGHT POLE
- ⊞ WELL
- MANHOLE
- ⊞ GAS METER
- ⊞ GAS VALVE
- DECIDUOUS TREE
- CAPPED 1/2" STEEL ROD SET
- STEEL ROD/PIPE FOUND
- ⊞ MONUMENT FOUND
- OH- OVERHEAD WIRES
- L LIBER
- P PAGE
- L.C.R. LIVINGSTON COUNTY RECORDS
- (R&M) RECORD AND MEASURED



## DESCRIPTION OF PROPERTY:

Lot 2 of Sunrise Park, a subdivision of part of the Northeast 1/4 of Section 9 and a part of the Southeast 1/4 of Section 4, T2N-R5E, Genoa Township, Livingston County, Michigan, as recorded in Liber 2 of Plats, Page 23, Livingston County Records.

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



PROJECT		LOT 2 OF "SUNRISE PARK"	
PREPARED FOR		CHEQUINARD CUSTOM HOMES	
DATE		4-4-19	
NO. OF SHEETS		2	
NO. OF CLIENT COMMENTS		1	
NO. OF REVISIONS PER SHEET		6	
DATE		6-30-17	
DESIGNED BY:		AEB	
DRAWN BY:		AEB	
CHECKED BY:		AEB	
SCALE		1" = 20'	
JOB NO.		16-065	
DATE		3-16-16	
SHEET NO.		1 OF 1	
Engineering		Engineering	

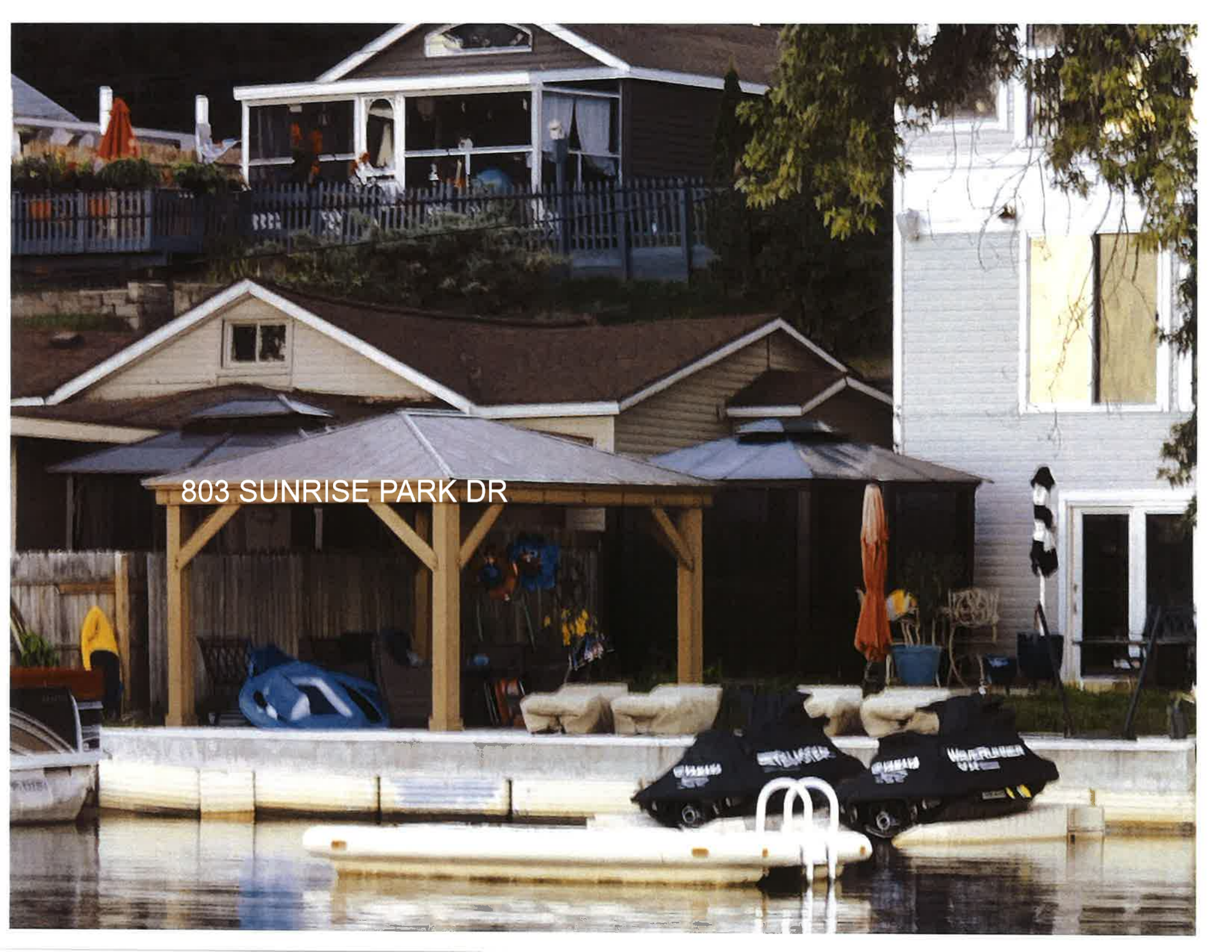


803 SUNRISE PARK DR





803 SUNRISE PARK DR





831 SUNRISE PARK DR





1253 SUNRISE PARK ST





5579 E GRAND RIVER





5297 WILDWOOD DR



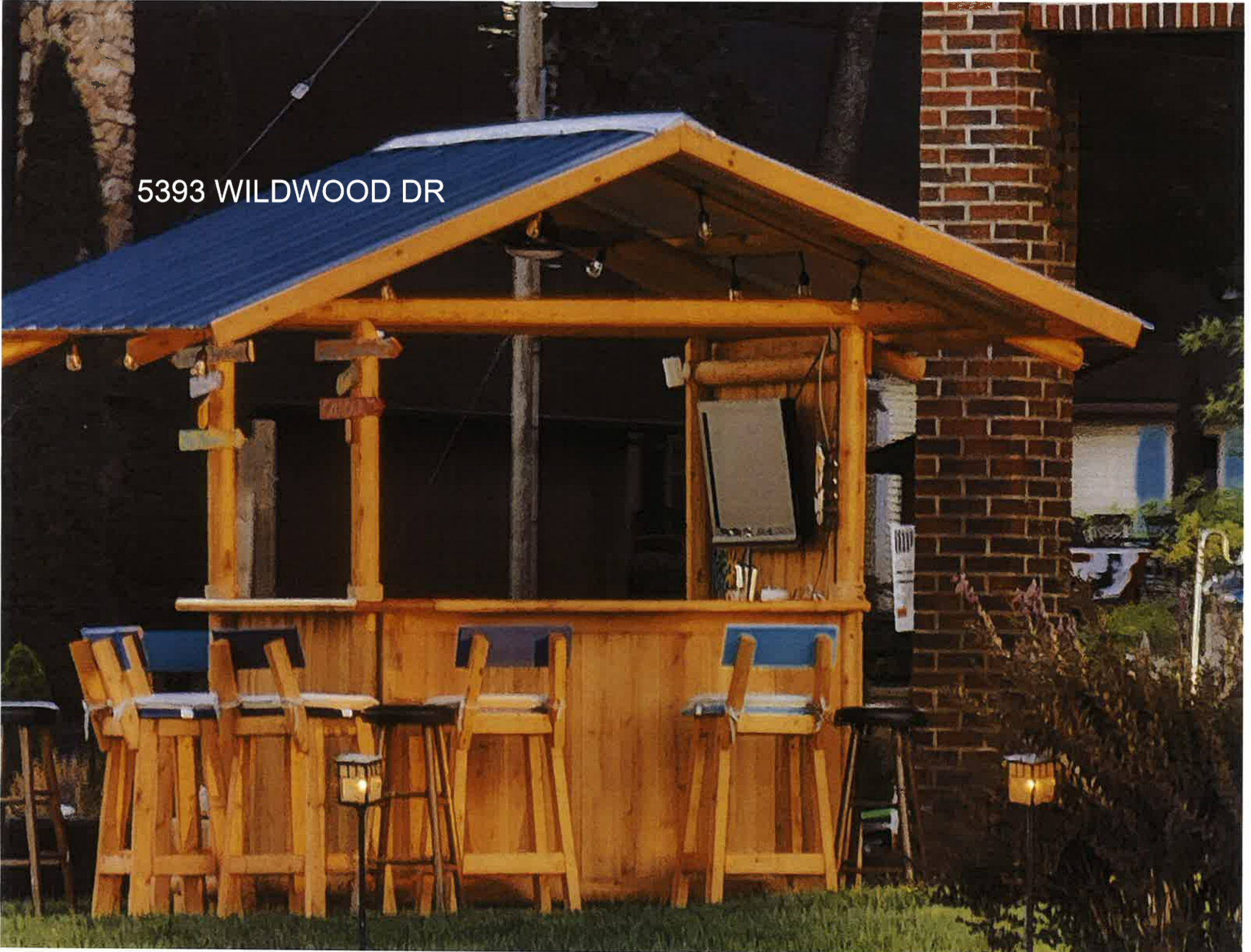


5595 GLEN ECHO



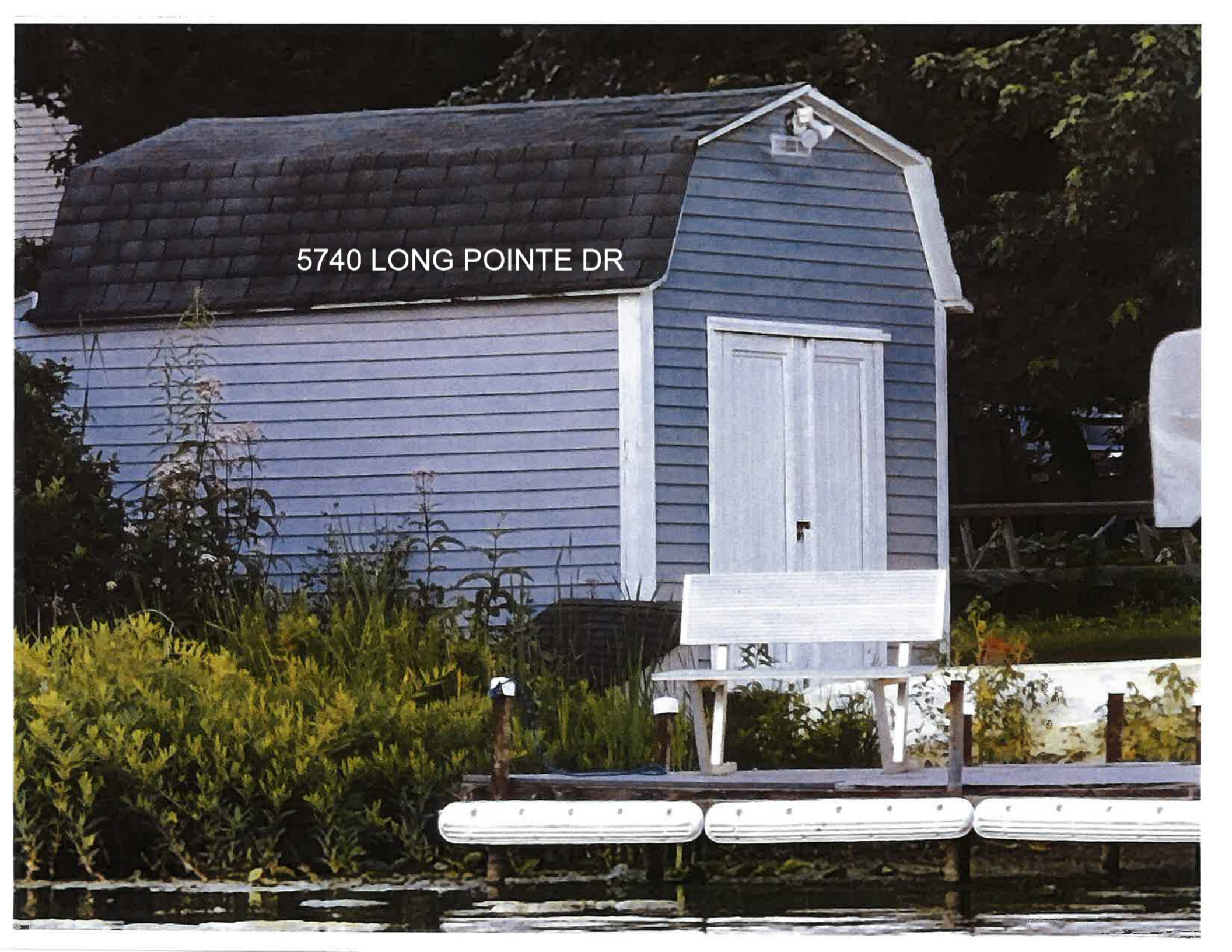


5393 WILDWOOD DR





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																	
		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value					
		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					
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan		Who		When		What		2023		2022		2021		2020					
		JB		09/17/2018		INSPECTED													



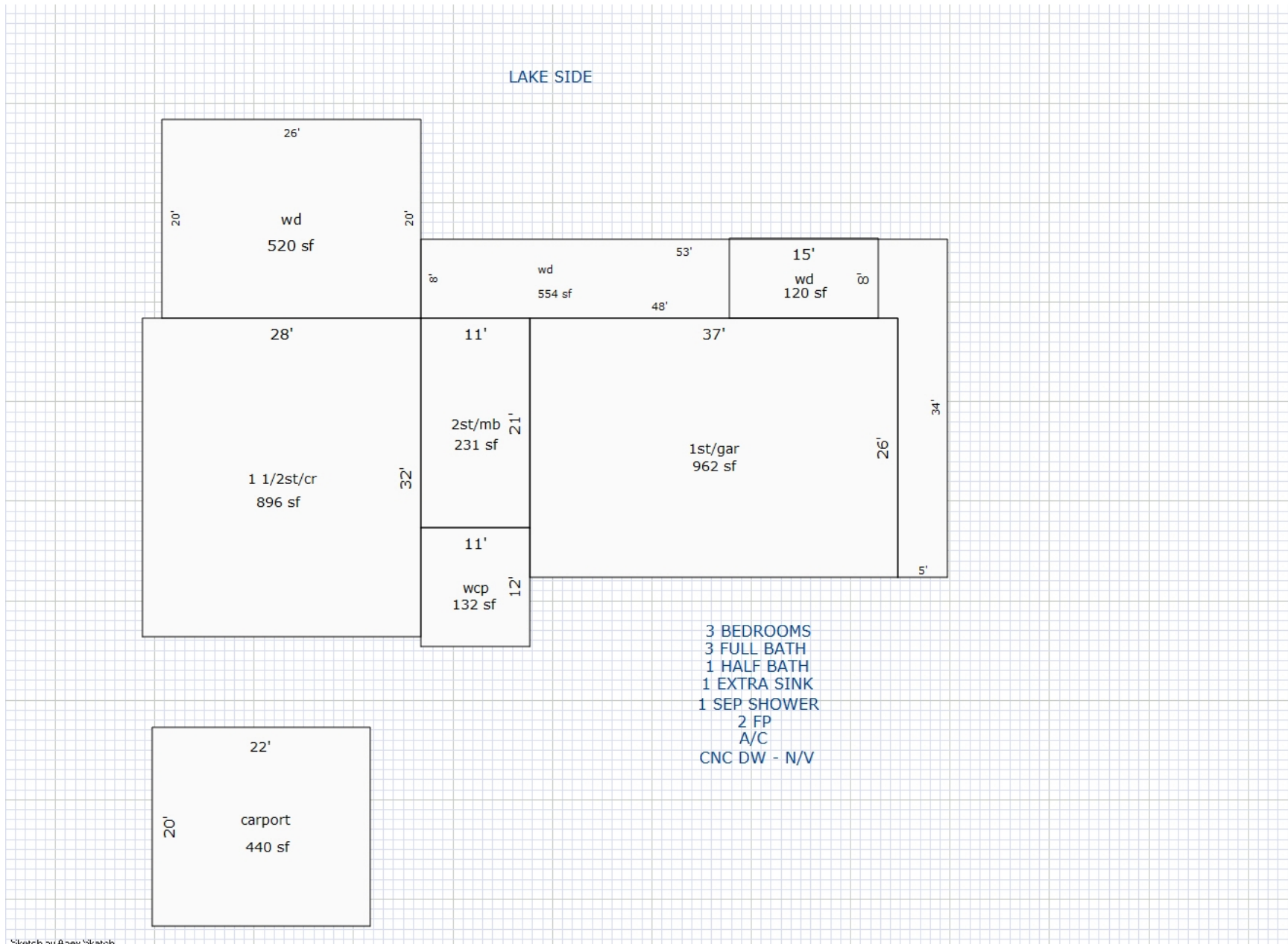
\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



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		(4) Interior Drywall Paneled		Plaster Wood T&G																																						
Building Style: C		Trim & Decoration		Ex			X	Ord	Min																																		
Yr Built 1989	Remodeled 0	Size of Closets		Lg			X	Ord	Small																																		
Condition: Good		Doors:		Solid			X	H.C.																																			
Room List		(5) Floors		Kitchen:			(12) Electric																																				
	Basement 1st Floor 2nd Floor 3 Bedrooms	Other:		Other:			0 Amps Service																																				
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures			Ex			X	Ord	Min																															
X	Wood/Shingle Aluminum/Vinyl Brick			No. of Elec. Outlets			Many			X	Ave.	Few																															
	Insulation			(13) Plumbing			Average Fixture(s)																																				
(2) Windows				Basement: 231 S.F. Crawl: 896 S.F. Slab: 0 S.F. Height to Joists: 0.0			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																																				
X	Many Avg. Few	X	Large Avg. Small	(8) Basement		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																					
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens			(9) Basement Finish		Recreation SF Living SF Walkout Doors No Floor SF																																					
(3) Roof				(10) Floor Support			1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic																																				
X	Gable Hip Flat		Gambrel Mansard Shed	Joists: Unsupported Len: Cntr.Sup:			Lump Sum Items:																																				
X	Asphalt Shingle																																										
Chimney: Brick																																											
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 Building Areas														Cls C		Blt 1989																											
<table border="1"> <thead> <tr> <th>Stories</th> <th>Exterior</th> <th>Foundation</th> <th>Size</th> <th>Cost New</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>1.5 Story</td> <td>Siding</td> <td>Crawl Space</td> <td>896</td> <td></td> <td></td> </tr> <tr> <td>2 Story</td> <td>Siding</td> <td>Mich Bsmnt.</td> <td>231</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding</td> <td>Overhang</td> <td>962</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total:</td> <td></td> <td>303,694</td> <td>237,831</td> </tr> </tbody> </table>														Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1.5 Story	Siding	Crawl Space	896			2 Story	Siding	Mich Bsmnt.	231			1 Story	Siding	Overhang	962			Total:				303,694	237,831
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Other Additions/Adjustments Plumbing 3 Fixture Bath 2 9,093 7,093 2 Fixture Bath 1 3,042 2,373 Extra Sink 1 929 725 Separate Shower 1 1,331 1,038 Porches WCP (1 Story) 132 5,830 4,547 Deck Pine 520 6,048 4,717 Pine 554 6,305 4,918 Treated Wood 120 2,884 2,250 Garages Class: C Exterior: Siding Foundation: 42 Inch (Finished) Base Cost 962 42,722 33,323 Common Wall: 1/2 Wall 1 -1,314 -1,025 Water/Sewer Public Sewer 1 1,462 1,140 Water Well, 200 Feet 1 10,514 8,201 Built-Ins <<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>																																											

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





Sketch by Apex Sketch

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





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

Case # 22-23

Meeting Date: November 15, 2022  
@ 6:30 pm

PAID Variance Application Fee

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

JOSEPH MAEZES

Applicant/Owner: LAKE CHEMUNG OUTDOOR RESORT Email: LCORI@COMCAST.NET

Property Address: 320 S HUGHES Phone: 517 546 6361

Present Zoning: PRF Tax Code: 11-04-400-008

**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: PROPOSED PAVILION DOES NOT MEET 175 FT SET BACK FROM WATER FRONT (SS') DUE TO GEOGRAPHICAL INCUMBERANCE (30' INCLINE DIRECTLY BEHIND).

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.

AS PER SATELITE PICTURS, THE PROPOSED OPEN SIDED PAVILION  
ABUTS NATURAL INCLINE MAKING IT IMPOSSIBLE TO COMPLY  
WITH THE 175FT SET BACK

**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.

THERE ARE MULTIPLE EXISTING BUILDINGS ON THE  
PROPERTY 1) MAIN LODGE 2) PAVILION (ENCLOSE)  
3) 4 BATH HOUSES

**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.

THIS PROPOSAL DOES NOT INCUMBER ANY ADJACENT  
PROPERTY

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

THE PROPOSED DOES NOT INTERFERE WITH  
ADJACENT PROPERTIES

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: 9/19/22 Signature:  J.A. MAEZES





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:** November 10, 2022  
**RE:** ZBA 22-23

---

### STAFF REPORT

**File Number:** ZBA# 22-23  
**Site Address:** 320 S. Hughes Road  
**Parcel Number:** 4711-04-400-008  
**Parcel Size:** 42.070 Acres  
**Applicant:** Lake Chemung Outdoor Resorts, Joseph Maezes  
**Property Owner:** Lake Chemung Outdoor Resorts, 320 S. Hughes Road

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a variance to construct a detached accessory building (gazebo) within the required waterfront yard, a shoreline setback variance and a variance for exceeding the number of detached accessory buildings.

**Zoning and Existing Use:** PRF (Public and Recreation Facilities) a campground is located on is located on the property.

#### **Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday October 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:

- In 2022, the applicant received approval for the non-residential accessory structure from the Planning Commission. (See minutes)
- In 2009, a land use permit was issued for the rebuild of an existing deck on the community building.
- In 2000, a land use permit was issued for an addition to the existing community building.
- See attached letter dated May 16, 2018 indicating the history of the property.
- The parcel is serviced by private water and private 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**

Kelly VanMarter



## Summary

The project is to construct a 20 x 30 detached accessory building (gazebo) in the required waterfront yard.

Staff cannot determine the number of accessory structures on the property by reviewing aerials. As stated in the Planner's letter dated August 22, 2022, the applicant should explain what other buildings/structures are existing on-site.

## Variance Requests

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

### **Table 6.03.03 (PRF District):**

**Required Waterfront Yard Setback:** 125'

**Proposed Waterfront Yard Setback:** 55'

**Proposed Variance Amount:** 70'

### **11.04.02 Accessory Buildings**

(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 detached accessory building to be constructed 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 vicinity. However, this property is zoned PRF with a campground use and is considered a predominant right for the zoning district.
- (b) Extraordinary Circumstances** – The extraordinary or exceptional conditions is the topography of the property. Applicant should demonstrate the variance request is the least amount necessary in regards to the number of accessory structures and that 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 would not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

## Recommended Conditions

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

1. No other waterfront structures are allowed.



2. Must comply with the Planning Commission requirements
3. Must follow the terms and conditions of previous use/zoning approvals.



NEW BUSINESS:

**OPEN PUBLIC HEARING #2...** Consideration of a sketch plan for a proposed pavilion located on the north side of Lake Chemung in the Lake Chemung Outdoor Resort campground located at 320 Hughes Road. The request is petitioned by Joseph Maezes, Lake Chemung Outdoor Resorts, Inc.

A. Disposition of Sketch Plan (7-13-22)

Mr. Joseph Maezes and Mr. Ron Paglioni were present. Mr. Maezes stated they would like to build an open-air pavilion to give relief for people from the sun or inclement weather. It will also be a place for people to hold special events.

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

1. They are proposing a 55 foot setback so it does not meet the required 125-foot setback from the shoreline. This would require a variance from the ZBA.
2. Additional information is needed with respect to other existing accessory buildings/structures on the property. No more than two are allowed, by Ordinance. A variance may be needed from the ZBA.
3. The applicant must abide by the terms and conditions of previous use/zoning approvals. There was a discussion regarding the number of boats that were approved, which is 32, and if more are there.
4. Any existing landscaping in poor condition should be replaced as part of this project.

Ms. Byrne stated she has no engineering-related concerns.

Fire Marshal Rick Boisvert's letter dated August 30, 2022 stated he has no objection to this project.

Matt Bolang of the Livingston County Health Department does not have any issues with this proposal.

The call to the public was opened at 8:27 pm with no response.

**Moved** by Commissioner Dhaenens, seconded by Commissioner Chouinard, to approve the sketch plan dated July 13, 2022 for a proposed pavilion located on the north side of Lake Chemung in the Lake Chemung Outdoor Resort campground located at 320 Hughes Road for Joseph Maezes, Lake Chemung Outdoor Resorts, Inc., conditioned upon the following:



- 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.





August 31, 2022

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
<b>Subject:</b>	Lake Chemung Outdoor Resorts – Sketch Plan Review #2
<b>Location:</b>	North side of Lake Chemung
<b>Zoning:</b>	PRF Public and Recreational Facilities District

Dear Commissioners:

At the Township’s request, we have reviewed the revised submittal from Lake Chemung Outdoor Resort for a new pavilion (plan dated 7/13/2022).

**A. Summary**

1. The proposed building does not meet the 125-foot setback required from the shoreline.
2. Additional information is needed with respect to other existing accessory buildings/structures on the property. (No more than 2 are allowed, by Ordinance.)
3. The applicant must abide by the terms and conditions of previous use/zoning approvals.
4. Any existing landscaping in poor condition should be replaced as part of this project.

**B. Proposal/Process**

The proposal entails a 20’ x 30’ pavilion for use as a shade structure at a beach within a campground. Such buildings are allowed as accessory to the principal use, provided the provisions of 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.

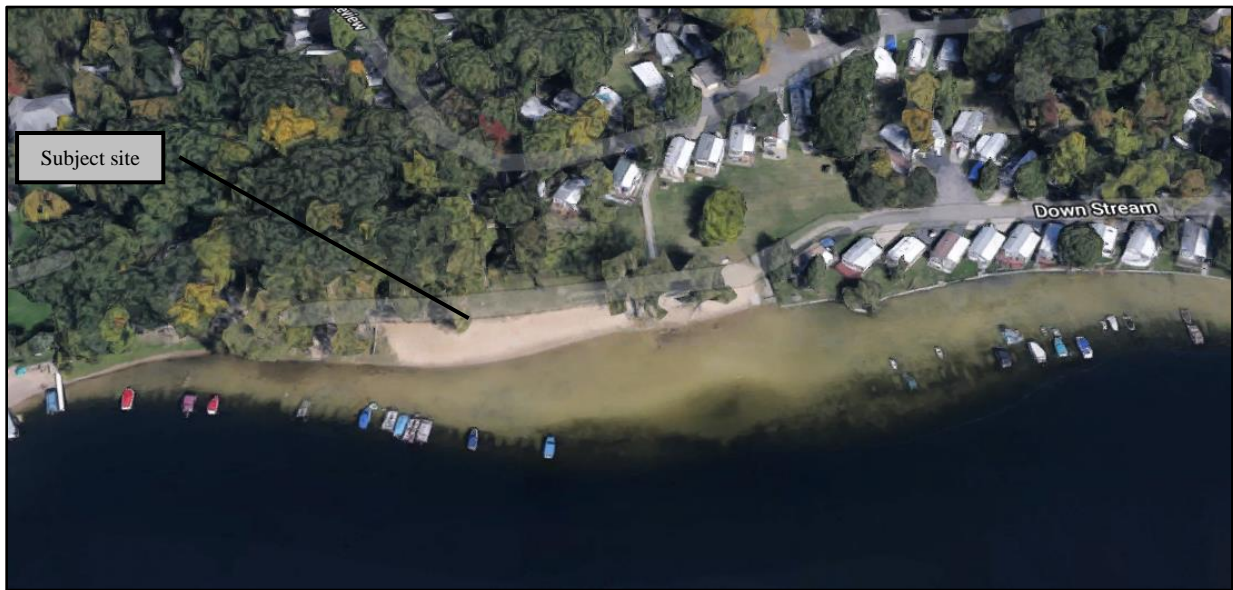
The principal use of the property is a campground, which is a special land use in the PRF District. As a side note, the scope of the project does not necessitate re-review of the special land use, per Section 19.06.

2. **Setbacks.** The PRF District requires a 75-foot side yard setback, which is met.

Additionally, Section 6.03.03 requires a 125-foot setback from the shoreline of a lake. This requirement is not met. The applicant must either relocate the proposed building or seek a variance from the ZBA.

3. **Height.** Section 11.04.02 establishes a maximum height of 18 feet. The proposed building has a height of 13’-10” to the peak.





*Aerial view of property (looking north)*

- 4. Number.** Section 11.04.02 allows no more than 2 detached accessory buildings on a lot. Based on the plans provided, there appear to be numerous other buildings/structures.

The applicant needs to explain what other buildings/structures exist on-site to determine compliance with this requirement.

If the proposal results in more than 2, the applicant must either remove other buildings or seek a variance from ZBA.

- 5. Additional Considerations.** The subject site has a lengthy history of zoning approvals (see staff memo and notes from 2018).

The applicant must abide by the terms and conditions of previous approvals, including a limit on the number of boats that can be moored (our understanding is that this has been an issue).

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**

Brian V. Borden, AICP  
Michigan Planning Manager





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

May 16, 2018

Linda Gallerani  
Lake Chemung Outdoor Resorts Inc.  
320 S. Hughes Road  
Howell, MI 48842

Sent via e-mail: galleral12@gmail.com

**Re: Lake Chemung Outdoor Resorts – Temporary Campground & Dock Clarification**

Dear Ms. Gallerani,

It is my understanding that members have recently inquired and asked for clarification on a number of Township regulations in regard to the campground. The purpose of this letter is to address the Township's interpretation of temporary use of campsites as well as the prohibition on docks and boat launching. In regard to the temporary campsite requirements for the Outdoor Resorts Campground I offer the following:

- The use of the property is considered a campground, not a permanent residence, mobile home community or manufactured home community etc. and the property is zoned Public and Recreational Facilities (PRF).
- In the current ordinance, campgrounds require a special land use permit (§6.02) and recreational vehicles and trailers are permitted to be used for temporary residence between May 1<sup>st</sup> and October 1<sup>st</sup> each year (§ 11.03.02b).
- The campground is currently operating as a nonconforming use because it does not have special land use approval.
- The ability to occupy the recreational vehicles and trailers in the campground between October 1 and May 1 is also a nonconforming use.
- The definition of a campsite as that which allows occupancy not to exceed a consecutive 6 months with a 30 day vacate period was established in 1988. To my knowledge, the campground has been operating under this provision since that time which vests the use as a nonconforming use and allows campers to stay between October 1 and May 1 although contrary to the ordinance. It is noted that this requirement applies to usage of each campsite irrespective of the occupant of said campsite. Any changes to this standard would require compliance with the ordinance and would eliminate the opportunity for occupancy of recreational vehicles and trailers between October 1 and May 1 or each year.
- As provided in the ordinance, any changes to nonconforming uses of land would require the site to be brought into compliance with the current ordinance requirements.

**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



May 16, 2018

**Lake Chemung Outdoor Resorts – Temporary Campground & Dock Clarification**

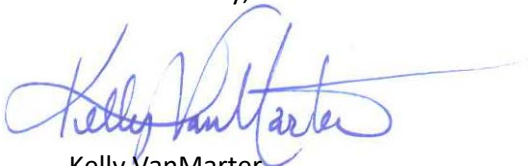
Page 2 of 2

In regard to the request to construct a dock facility I offer the following:

- The campground voluntarily restricted its use of the lake frontage as a condition of termination of the special land use permit in 1991. The campground is prohibited from expanding the mooring of boats, constructing a permanent or temporary dock, and from providing launching facilities. This condition remains in effect and will continue to be enforced by the Township.
- It should be noted that while the MDEQ may issue a permit for the construction of marina, dock or boat launching facility, it does not pre-empt the local prohibition. The installation of any docking or launching apparatus or appurtenances with or without DEQ approval would be deemed in violation of the use provisions of the Ordinance and would be subject to enforcement action of penalties appropriate for the violation.

In preparation of writing this letter, I reviewed extensively the Township records and historical information on the campground. Please find attached a copy of the history report I prepared for our records. It is important that your membership is aware of the history with the Township. As president of the Board, I greatly appreciate your willingness to be the liaison between the board, its' membership and Township staff. I also want to point out that Township jurisdiction over the campground is limited to that which is regulated by Ordinance or through conditions of Township approvals. Any covenants or private restrictions are not enforceable by the Township.

Most sincerely,



Kelly VanMarter

Assistant Township Manager/Community Development Director

Cc: Dean Helsom  
Mike Archinal, Township Manager

**SPECIAL LAND USE HISTORY**

Sept. 9, 1966 – Board approves conditional use permit to operate a Travel Trailer Coach Park and Recreation Area from May 1 to December 1 with the following conditions:

1. No trailer of any description shall be on the premises between Dec. 1 and May 1.
2. Police protection by facility management with support from Livingston County Sheriff
3. Fire protection by Facility management
4. No motor driven craft shall be launched or docked along the lake frontage
5. Underground wiring required and trailer and tent area shall be well lit
6. Rubbish and garbage shall be provided by management and shall keep the premises neat, clean and sanitary
7. No tent of trailer within 300' from the right of way of any public road and lake shoreline.
8. 6' cyclone fence shall delineate property lines
9. Greenbelt required as buffer to adjacent residential
10. No travel trailer over 26 feet long
11. No domestic animals or house pets on the loose or being a nuisance.
12. Max. 250 units.
13. Must provide plot plan with measurements for boundary of camp.
14. No firearms within park boundary during camping season
15. Conditions will be enforced.
16. Permit is not transferrable without Board approval.
17. Permit may be revoked for non-compliance after notice and hearing

August 22, 1967 – Civil Suit Agreement requires:

- No persons using the camping area will be permitted to launch or dock motor driven craft from upon or along any lake Chemung frontage
- Required 6' chain link fence along Sunrise Park.
- 300' buffer strip required which only allowed rental cottages.
- No sales of alcohol

August 26, 1970 – Township Board approves revision to the Special Land Use permit to allow year-round use and adds a condition that no snowmobiles shall be operated in the park.

September 26, 1970 – Special Land Use Permit Amended Item #1 to state: "Trailer Site Occupancy shall be limited to one hundred and fifty (150) sites during the period December 1<sup>st</sup> to May 1<sup>st</sup>."

June 1976 – Outdoor Resorts Development, Ltd. Seeks to acquire, improve and deed to membership association the campground. They request 340 campsites and plan construction of swimming pool, tennis courts, recreation lodge, landscaping and paved roads. They make application for Special Land Use Permit.



June 21, 1976 – Township Board approves special land use permit following tabled 6/7/76 Board and 6/2/76 Planning Commission meeting subject to the following conditions:

1. 30 year permit
2. Site plan review required for all improvements
3. No vehicle longer than 35 feet not wider than 8 feet
4. Park shall not exceed 340 units
5. Written notice of ownership changes
6. Written annual notice of officers and directors
7. No motor driven craft shall be launched or docked along the lake frontage
8. No snowmobile, trail bike or off road vehicles to be operated
9. Rubbish and garbage shall be provided by management and shall keep the premises neat, clean and sanitary
10. No firearms within park boundary during camping season
11. Permit not transferable without Township Board approval
12. Permit may be revoked for non-compliance after notice and hearing
13. No campsite to be used or occupied as a permanent residence.
14. Special Use Permit terminates upon determination that sewage treatment facility is municipal.
15. Permit is terminated if a.) Outdoor Resorts Development, Ltd ceases to be operating entity, or b.) If transfer to Outdoor Resorts on Lake Chemung Inc. does not transpire.

September 5, 1978 – Township Board tabled consideration of violations of special land use to October 2, 1978. 10/2/78 agenda includes this item but the minutes have nothing related.

June 18, 1979 – Township Manager Phillip Sitter provided the following points of clarification on the terms of the Special Use Permit:

- Tip-out and 5<sup>th</sup> wheel units are allowed provided they do not exceed the 35' length or 8' wide requirement when in "road-ready" condition.
- Off-road vehicles are further defined to include units which have their own motive power or are mounted on or drawn by another vehicle which is self-powered including but not limited to snowmobiles, motorcycles, trail bikes, mop-heads, all-terrain vehicles, dune buggies and similar.
- It was the intent that no water craft be launched or docked along or upon the lake frontage. This includes all types of water craft, boats, canoes, pontoons, etc.
- Structures and improvements refers to all buildings and uses for which building and land use permits are required having a permanent/ semi-permanent/seasonal nature and those structures and uses defined by outdoor Resorts in their written presentation of by-laws and regulations acted upon and approved as part of the Special Use Permit package. Such facilities may be erected only with the approval of the Township Board and Planning Commission following a complete site plan review defined by Township zoning Ordinance. This includes but is not limited to buildings, swimming pools, tennis

courts, recreational pavilions, enclosed patios and porches, docks, fences, underground utilities, roads, bridges, dikes, dams and like structures.

July 16, 1979 - Board discussed special use permit at call to public after letter was received in regard to docks for non-motor boats. Consensus was that docks not be constructed along the shoreline.

July 11, 1984 – Planning Commission denied request to amend special land use permit to allow a dock and boat launch.

July 15, 1988 – Township Manager Jim Stornant provides the following definition of temporary campsite: “Two seasons and or six months of consecutive use is considered the maximum time allowed. There must then be a thirty (30) day vacate period”.

July 20<sup>th</sup>, 1988 – Ronald Rymarz, President of LCORI requested clarification on the following:

- It is agreed that the resort is for camping and is to be used for temporary living. It is also agreed that permanent residency is not allowable. He requests a letter that defines permanent residency and sets a limitation on how long a member may stay without violating the permit.
- He requests approval to allow 12’ wide trailers without amending the special use permit.
- He requests approval for members to install aluminum awnings on their RV.

August 1, 1988 - Township Manager Jim Stornant responds to Mr. Rymarz as follows:

- Temporary camping is not more than three sessions and/or six consecutive months
- Attached non-permanent awnings are allowed.
- An amendment to the conditions of the Special Land Use must go through the Planning Commission and Township Board approval process.

**TERMINATION OF SPECIAL LAND USE PERMIT – the property was rezoned to PRF and a determination was made that the use did not require a special land use permit in the new zoning.**

July 19, 1989 – Planning Commission Tabled request to terminate Special Land Use asking for submittal of a site plan and impact assessment

January 3, 1990 – Planning Commission discussed with LCOR Attorney Kehoe the dispute over need for the site plan and impact assessment.

February 7, 1990 – Planning Commission removed from agenda request for termination of Special Land Use Permit due to failure to provide the required information.

May 1, 1991 – Planning Commission reviews request for recreational and maintenance building and termination of Special Use Permit

- PC recommends approval of the new recreation and maintenance facilities



- PC tables termination of Special Use Permit

June 5, 1991 – Planning Commission recommends termination of special use permit under the conditions outlined in the May 14, 1991 letter which required:

- The camp will not build a permanent or temporary dock.
- The camp will not expand the mooring of boats and will stay within state laws and maintain boats in an organized and safe manner.
- The camp will not provide launching facilities for motorized boats as long as the public launch is open.
- The camp will maintain present setbacks and greenbelts and will not expand beyond 340 sites without Township approval.

July 17, 1991 – Board affirms the recommendation by the Planning Commission and approves the request to terminate the special land use permit under the terms agreed to by Lake Chemung Outdoor Resorts.

#### **LAKE CHEMUNG USAGE HISTORY**

1966-1991 –Township Condition: No motor driven craft shall be launched or docked along the lake frontage. 1979 Clarifications - no water craft be launched or docked along or upon the lake frontage. This includes all types of water craft, boats, canoes, pontoons, etc. No docks shall be constructed along the shoreline.

1984 – Township Denied request to allow dock and Boat Launch

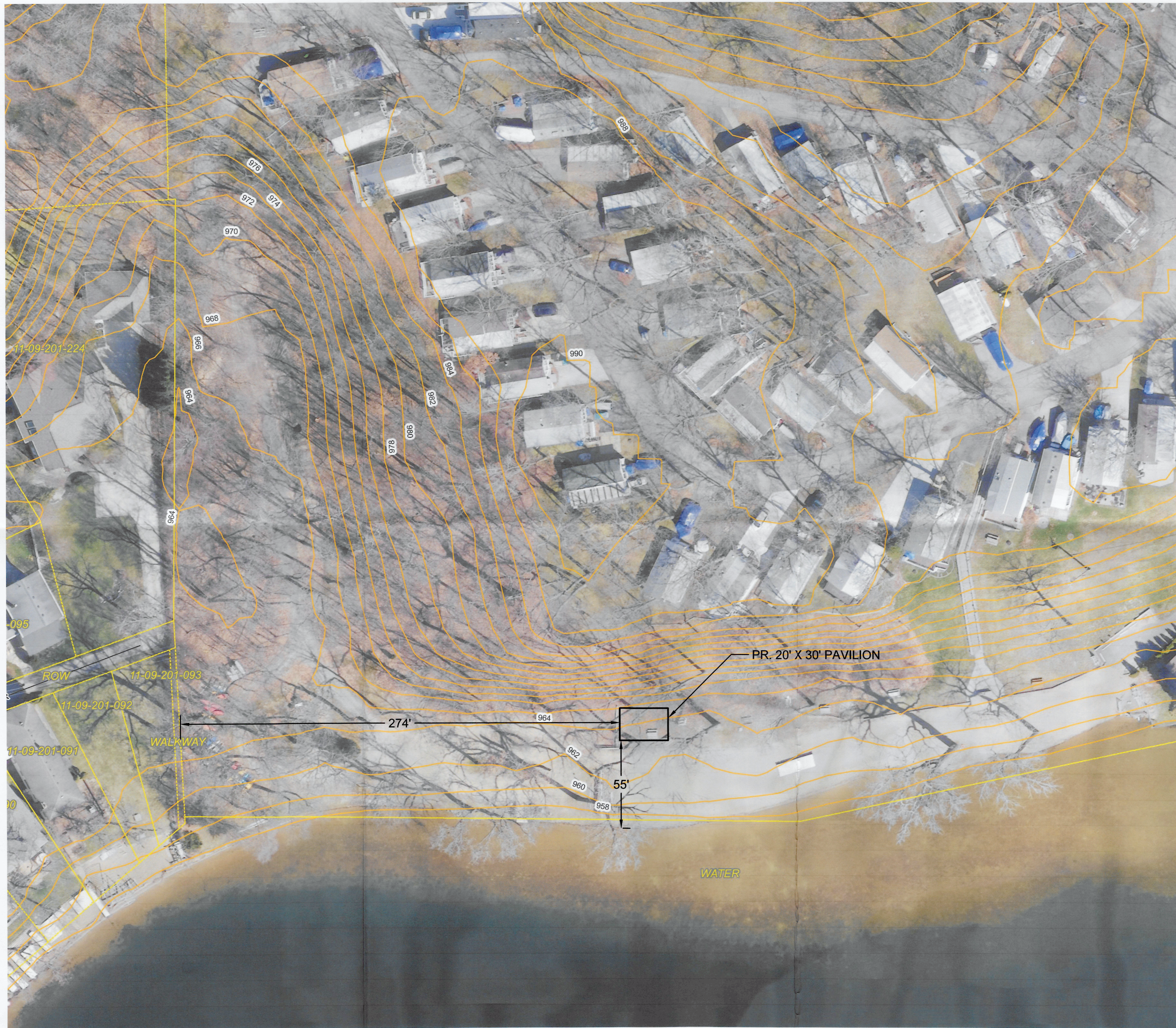
1989 – MDNR approves operating permit to moor a total of 32 Boats

1991 - Termination of Special Land Use on the following conditions:

- The camp will not build a permanent or temporary dock.
- The camp will not expand the mooring of boats and will stay within state laws and maintain boats in an organized and safe manner.
- The camp will not provide launching facilities for motorized boats as long as the public launch is open.

2007-2008 – There are multiple hearings on the status of the marina permit to moor 32 boats. There are complaints that there are over 100 boats moored while the marina permit only allowed 32. The state Attorney General was involved and the determination was made that the campground must obtain a marina permit to moor boats. The last correspondence in our file dated July 15, 2008 was that the DEQ was reviewing a request to operate a marina with 98 moorings.





SCALE: 1 INCH = 30 FEET

PROPOSED (PR)	EXISTING (EX)	LEGEND
FF	FF	CONTOUR
T/A	T/A	SPOT ELEVATION
T/C	T/C	FINISHED FLOOR ELEVATION
T/W	T/W	TOP OF ASPHALT
F/L	F/L	TOP OF CURB / CONCRETE
T/P	T/P	TOP OF WALK
B/P	B/P	FLOW LINE
RM	RM	TOP OF PIPE
RV	RV	BOTTOM OF PIPE
MH	MH	RIM ELEVATION
IN	IN	INVERT ELEVATION
CB	CB	MANHOLE STRUCTURE
RY	RY	INLET STRUCTURE
ES	ES	CATCHBASIN STRUCTURE
OV	OV	REARWARD STRUCTURE
HY	HY	END-SECTION
UP	UP	GATEVALVE STRUCTURE
SN	SN	HYDRANT
SL	SL	UTILITY POLE
FM	FM	SANITARY SEWER
PS	PS	SANITARY LEAD
ST	ST	FORCE MAIN
WM	WM	PRESSURE SEWER
WL	WL	STORM SEWER
FO	FO	WATER MAIN
CH	CH	WATER LEAD
C	C	FIBER OPTIC
E	E	OVERHEAD WIRE
T	T	CABLE
X	X	ELECTRIC
		GAS
		TELEPHONE
		FENCE
		SILT FENCE
		WETLAND BOUNDARY
		LIMITS OF GRADING/CLEARING
		MANHOLE
		INLET / CATCHBASIN
		FLARED END-SECTION
		GATE VALVE
		HYDRANT
		UTILITY POLE
		SIGN
		NOT FIELD VERIFIED TO BE REMOVED
		SANITARY SEWER LABEL
		STORM SEWER LABEL
		WATER MAIN LABEL
		SOIL EROSION CONTROL MEASURE (P=PERMANENT, T=TEMPORARY)
		CONCRETE
		ASPHALT
		MODIFIED CURB

THIS DRAWING IS THE PROPERTY OF BEBOSS ENGINEERING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BEBOSS ENGINEERING. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND DEPTH OF ALL UTILITIES AND PROPOSED STRUCTURES. CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY CONFLICTS ARE FOUND FROM THE PLANS.

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

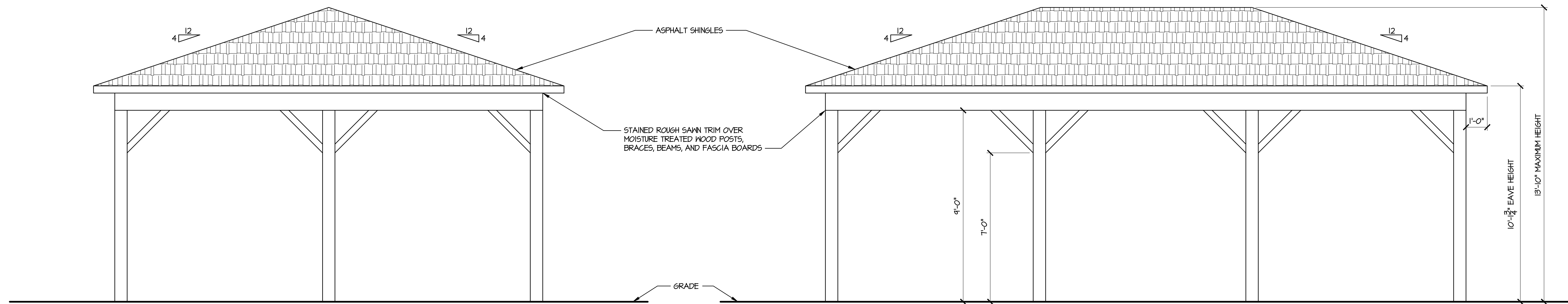
PROJECT	LAKE CHEMUNG OUTDOOR RESORT		
PREPARED FOR	LAKE CHEMUNG OUTDOOR RESORT, INC. 320 SOUTH HUGHES ROAD HOWELL, MI 48843 517.672.1431		
TITLE	SKETCH PLAN		
DESIGNED BY:	BL	DATE	
DRAWN BY:	NL	REVISION PER	
CHECKED BY:		NO	BY
SCALE:	1" = 30'		
JOB NO:	21-553		
DATE:	7/13/2022		
SHEET NO.	1		

**PAVILION NOTES:**

- THE PAVILION WILL ONLY BE USED FOR DAYTIME FUNCTIONS. THERE SHALL BE NO PROVISIONS FOR LIGHTING.

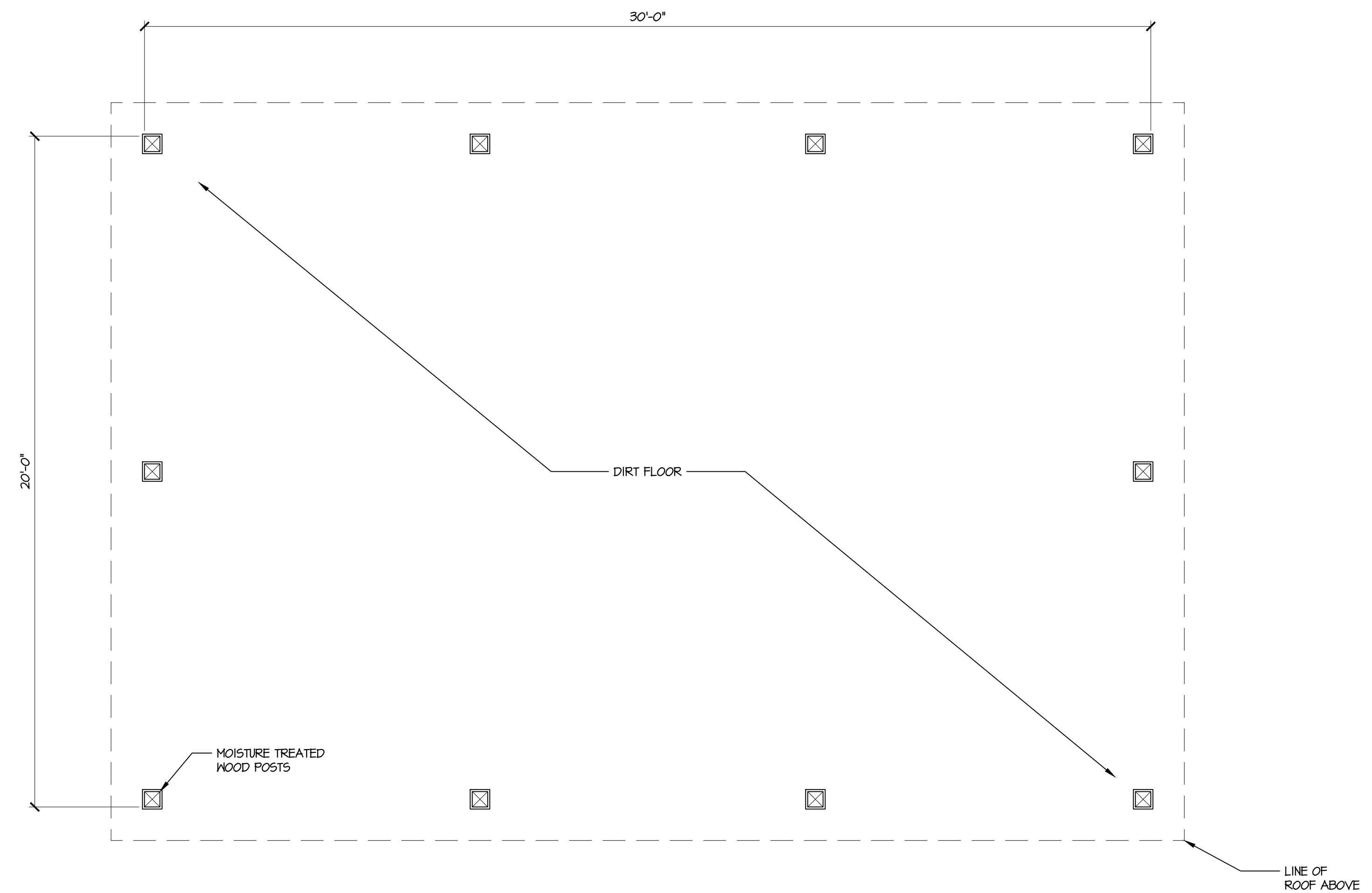
LAKE CHEMUNG OUTDOOR RESORT IS LOCATED IN GENOA TOWNSHIP, LIVINGSTON COUNTY, MI. THE SITE HAS A TOTAL AREA OF 42.29 ACRES AND IS ZONED PRF (PUBLIC AND RECREATIONAL FACILITIES). THE PRINCIPAL USE OF THIS PROPERTY IS RECREATIONAL.





**EAST AND WEST ELEVATIONS**  
SCALE: 3/8" = 1'-0"

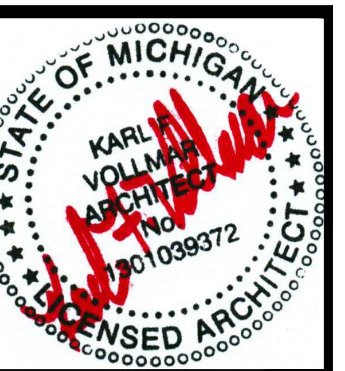
**NORTH AND SOUTH ELEVATIONS**  
SCALE: 3/8" = 1'-0"



**PAVILION PLAN**  
SCALE: 3/8" = 1'-0"



**PUCCI + VOLLMAR ARCHITECTS, PC**  
ARCHITECTURE + DESIGN + PLANNING  
508 E. GRAND RIVER AVE., SUITE 100B, BRIGHTON, MI 48116-1566  
PHONE: (810) 225-2930  
www.pv+a-architects.com



PROJECT: LAKE CHEMUNG OUTDOOR RESORTS  
SHEET TITLE: PAVILION PLAN AND ELEVATIONS  
320 SOUTH HUGHES  
GENOA TOWNSHIP, MICHIGAN

DATE	ISSUED FOR
T-24-2022	TOWNSHIP SUBMITTAL

DO NOT SCALE THIS PRINT, USE DIMENSIONS SHOWN ONLY  
DRAWN BY: KV  
APPROVED BY: KV  
PROJECT: 2210

SHEET: **A1**





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

Case # 22-24 Meeting Date: 11-15-22

PAID Variance Application Fee

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

Applicant/Owner: Tim Chouinard/Nadar Abouzenni Email: timchouinard@sbcglobal.net

Property Address: 564 Black Oak Trail Howell 48843 Phone: 517-404-6527

Present Zoning: LRR Tax Code: 4711-03-301-004

**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:** We are asking for a 30' front yard Variance and a 4' rear yard variance to construct a 24' x 24' garage reducing the front setback to 5' and the rear yard to 16' We are also asking for a 9' height variance for a retaining wall that will be 12' at the tallest point

**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 with the current setback does not leave a building envelope, preventing any structure besides a shed from being built. Granting this variance will allow the owner the ability to use the property year round by storing vehicles and other items inside and out of the elements, and will allow the owners the same privileges as the current neighbors. Granting this will also allow the vehicles to enter the garage from the side of the lot  
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 lot variance would make the property consistent with the majority of other properties in the vicinity. The need for for safety. the variance was not self-created by the applicant.

The extraordinary circumstances are the size and shape of the lot do not leave a building envelope and the circumstances are not self created and will be consistent with the neighboring properties.

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

The granting of the variance will not impair an adequate supply of light or air to adjacent properties and will not increase the congestion on the streets it will help with the congestion by adding parking off the street, it will not increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of Genoa Township.

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 variance will not interfere or discourage the appropriate development, continued use, or value of adjacent properties 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: \_\_\_\_\_ 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:** November 10, 2022  
**RE:** ZBA 22-24

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### STAFF REPORT

**File Number:** ZBA#22-24

**Site Address:** Vacant lot, Directly across from 564 Black Oaks Trail

**Parcel Number:** 4711-03-301-017

**Parcel Size:** .103 Acres

**Applicant:** Hajar Yasmeen, 1320 Kinmore St. Dearborn Heights

**Property Owner:** Same as Applicant

**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a retaining wall variance and a variance to construct a detached accessory structure on a lot without a principle residence.

Since time of publication it has been determined that a lot coverage variance is not required.

**Zoning and Existing Use:** LRR (Lakeshore Resort Residential) accessory structure located on property.

**Other:** Public hearing was published in the Livingston County Press and Argus on Sunday October 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 lot is vacant
- 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**

Kelly VanMarter



## Summary

The proposed project is to construct a new detached accessory structure. In order to construct the proposed structure, they are requesting a retaining wall variance and a variance to allow a detached accessory structure on a vacant lot. In regards to the side yard setback retaining wall variance, the applicant is proposing to replace an existing wood retaining wall with a 0' setback.

Applicant has met with staff to determine if the height of the retaining wall is the least amount necessary in regards to constructing a side entry garage. It has been determined that if the applicant constructed a front entry garage and not require a wall height variance it would create a public safety issue for car backing out into the narrow road.

## Variance Requests

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

### **Accessory Buildings, Structures and Uses in General**

**(a)** Relation to Principal Building: Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building, that is occupied by a use permitted in the particular zoning district. No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.

**(j) Retaining walls.** Retaining walls may be permitted subject to the following conditions:

1. Front Yard: Retaining walls within the required front yard shall not exceed three (3) feet in height and shall not be located within twenty (20) feet of the front lot line or be less than two (2) feet from the side lot line.
2. Side and Rear Yard: Retaining walls within the required side or rear yard shall not exceed a height of six (6) feet and shall not be located closer than two (2) feet to the side or rear lot line.

### **Retaining Wall Height Variance:**

**Required Height:** 6'  
**Proposed Height:** 12' at the tallest point  
**Variance Amount:** 6'

### **Retaining Wall Setback Variance:**

**Required Side Yard Setback:** 2'  
**Proposed Side Yard Setback:** 0'  
**Variance Amount:** 2'

**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 requirements would prevent the applicant from constructing the proposed accessory structure. Granting the variances would give the applicant substantial justice due to other accessory structures in the area on lots without principal dwellings.



- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the shallowness of the lot, topography of the lot and that the parcel the corresponding house is located on cannot be combined to this parcel. Granting of the variances would make it consistent with other properties in the vicinity and the need for the variance 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 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.

### **Recommended Conditions**

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

1. Applicant must demonstrate on site plan that the slope of the property meets Section 11.04.03 (j) Retaining Walls (1) of the Township Zoning Ordinance prior to land use permit issuance.
2. Structure must be guttered with downspouts.
3. Grading and soil erosion plan by civil engineer to ensure stabilization of slopes and avoid impacts on adjacent parcels.
4. Accessory structure cannot be used for living purposes.
5. If fence is required by Livingston County Building Department then applicant must follow Section 11.04.03 (j) Retaining Walls (6) of the Township Zoning Ordinance.
6. The retaining wall construction plans must be certified by a license engineer.
7. No outside storage is allowed on the lot.





11-03-301-053  
540 BLACK OAKS TRL

11-03-301-019  
555 BLACK OAKS TRL

11-03-301-022  
558 HILLTOP DR

11-03-301-002  
556 BLACK OAKS TRL

11-03-301-018  
0 BLACK OAKS TRL

11-03-301-003  
560 BLACK OAKS TRL

11-03-301-017

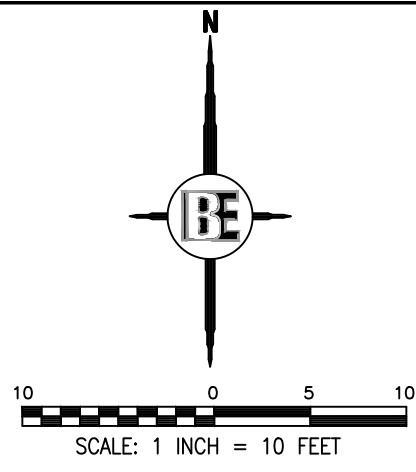
11-03-301-004  
564 BLACK OAKS TRL

11-03-301-016  
0 VACANT

11-03-301-015  
0 GARAGE ONLY

11-03-301-005  
568 BLACK OAKS TRL





CURRENT ZONING: LRR (LAKESHORE RESORT RESIDENTIAL)  
MINIMUM SETBACK REQUIREMENTS:  
FRONT = 35 FEET  
SIDES = 10 FEET  
(one of the side yards may be reduced to a minimum of five (5) feet where all of the following are met:  
(1) The other side yard must be at least ten (10) feet.  
(2) The distance between the building and any building on the adjacent lot shall be no less than ten (10) feet.  
(3) The roof shall have gutters. (as amended 3/5/10)  
REAR = 40 FEET  
  
SHORELINE = 40 FEET (Minimum 40 feet or consistent with the setbacks of adjacent principal buildings, whichever is greater as determined by the Zoning Administrator. If the setbacks of adjacent principal buildings vary because of irregular shoreline, the setback shall be the average of all lots within 500 feet along the shoreline or 40 feet whichever is the greater.)  
MAXIMUM LOT COVERAGE = 35% BLDG., 50% IMP. SUR.  
MAXIMUM BUILDING HT. = 25 FEET OR (2) STORIES

PROPOSED LOT COVERAGE CALCULATIONS FOR LOT 16:  
TOTAL LOT AREA = 2846 SQ.FT.±  
PROPOSED BUILDING AREA = 576 SQ.FT.±  
EXISTING & PROPOSED ASPHALT & RETAINING WALLS AREA = 847 SQ.FT.±  
BUILDING COVERAGE = (576/2846) = 20%  
IMPERVIOUS SURFACE COVERAGE = (576+847/2846) = 50%

# PLOT PLAN

PROPERTY DESCRIPTION TAX PARCELS  
**#4711-03-300-004 & #4711-03-300-017 PER LIVINGSTON COUNTY TAX ROLL:**

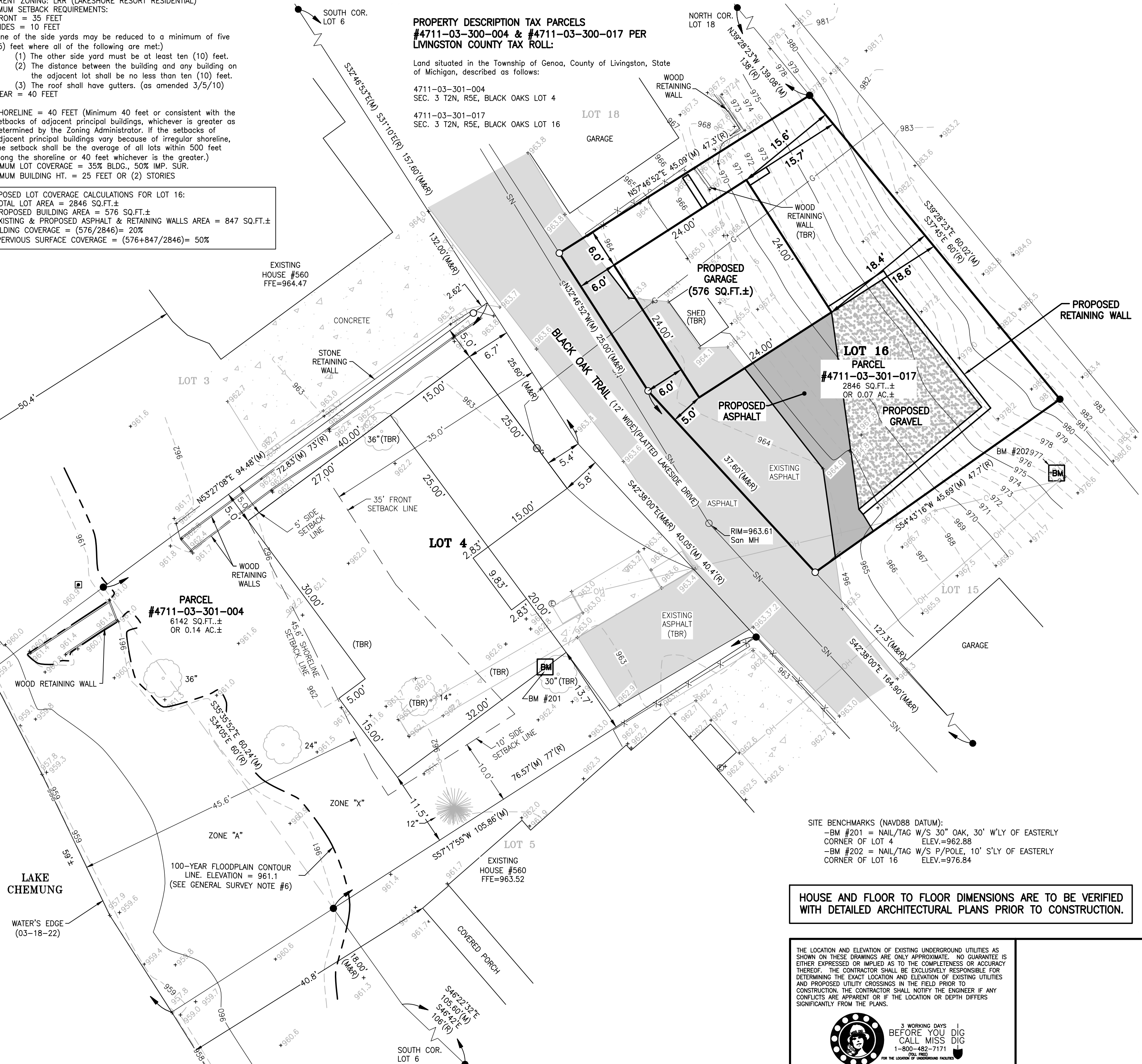
Land situated in the Township of Genoa, County of Livingston, State of Michigan, described as follows:

4711-03-301-004  
SEC. 3 T2N, R5E, BLACK OAKS LOT 4  
  
4711-03-301-017  
SEC. 3 T2N, R5E, BLACK OAKS LOT 16

- ### LEGEND
- 900 EXISTING CONTOUR
  - 922.00 EXISTING SPOT ELEVATION
  - P POWER POLE
  - ELECTRICAL METER
  - WELL
  - MANHOLE
  - GAS METER
  - DECIDUOUS TREE
  - CONIFEROUS TREE
  - STEEL ROD SET
  - STEEL ROD OR PIPE FOUND
  - G GAS MAIN
  - OH OVERHEAD WIRES
  - X FENCE
  - SAN MH SANITARY MANHOLE
  - (M&R) MEASURED AND RECORD
  - TBR TO BE REMOVED
  - ASPHALT
  - CONCRETE

### GENERAL SURVEY NOTES:

- BEARINGS WERE ESTABLISHED FROM THE PLAT OF "BLACK OAKS", AS RECORDED IN LIBER 2, PAGE 31, LIVINGSTON COUNTY RECORDS.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
- ELEVATIONS WERE ESTABLISHED WITH GPS USING OPUS GPS POST-PROCESSING. (NAVD88 DATUM)
- CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
- PART OF SUBJECT PROPERTY IS DESIGNATED AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN (ZONE X) AND PART OF SUBJECT PROPERTY IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN (100 YEAR FLOOD) DESIGNATED AS (ZONE A) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWNSHIP OF GENOA, LIVINGSTON COUNTY, MICHIGAN, MAP NUMBER 26093C0330D, PANEL 330 OF 495, WITH AN EFFECTIVE DATE OF SEPTEMBER 17, 2008. MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) DETERMINED THE BASE FLOOD ELEVATION OF LAKE CHEMUNG TO BE 961.5 (NGVD29 DATUM) (PER LETTER DATED AUGUST 24, 2009). THE CONVERSION FROM NGVD29 TO NAVD88 DATUM RESULTS IN A BASE FLOOD ELEVATION OF 961.1 (NAVD88 DATUM). THE LOCATION OF THE 100-YEAR BASE FLOODPLAIN LINE IS SHOWN ON THIS DRAWING.
- THE LOCATIONS OF STORM SEWER, SANITARY SEWER & WATERMAIN, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES ALONG WITH DRAWINGS SUPPLIED BY LINDSAY BUGEJA OF M.H.O.G. SEWER AND WATER UTILITIES.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
- ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.



**HOUSE AND FLOOR TO FLOOR DIMENSIONS ARE TO BE VERIFIED WITH DETAILED ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION.**

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

**3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171**

# BEBOSS

Engineering  
Engineers Planners Landscape Architects  
Surveyors

3121 E. GRAND RIVER AVE.  
HOWELL, MI. 48843  
517-546-4836 FAX 517-548-1670

**PROJECT** 564 BLACK OAKS TRAIL, HOWELL

**PREPARED FOR** CHOUNARD CUSTOM HOMES  
932 SUNRISE PARK  
HOWELL, MI 48390  
517-546-6587

**TITLE** PLOT PLAN

NO	BY	REVISION	PER	DATE

DRAWN BY: AEB  
FIELD CREW: TCG  
CHECKED BY:  
SCALE 1" = 10'  
JOB NO. 22-070-1  
DATE 11-14-22  
SHEET NO. 1 OF 1



the adjacent

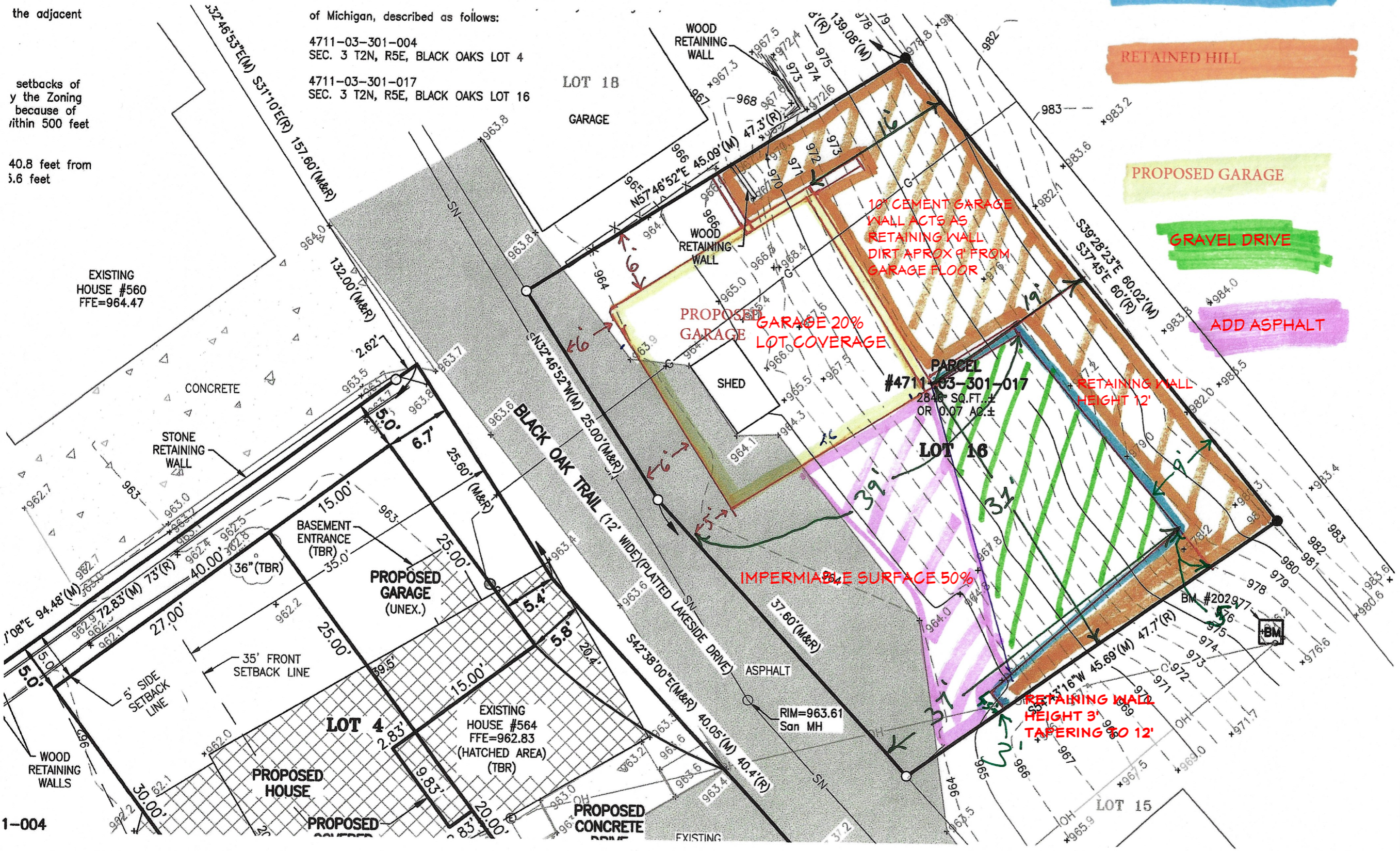
setbacks of  
y the Zoning  
because of  
within 500 feet

40.8 feet from  
3.6 feet

of Michigan, described as follows:

4711-03-301-004  
SEC. 3 T2N, R5E, BLACK OAKS LOT 4

4711-03-301-017  
SEC. 3 T2N, R5E, BLACK OAKS LOT 16



RETAINING WALL

RETAINED HILL

PROPOSED GARAGE

GRAVEL DRIVE

ADD ASPHALT

10' CEMENT GARAGE  
WALL ACTS AS  
RETAINING WALL  
DIRT APPROX 9' FROM  
GARAGE FLOOR

PROPOSED  
GARAGE 20%  
LOT COVERAGE

RETAINING WALL  
HEIGHT 12'

IMPERMEABLE SURFACE 50%

RETAINING WALL  
HEIGHT 3'  
TAPERING TO 12'

**BEBO!**  
Engine

Engineers Surveyors Planners Lan

3121 E. GRAND RIVER

HOWELL, MI. 483

517.546.4836 FAX 517.

**564 BLACK OAKS TRAIL, HOWELL**

**CHOUINARD CUSTOM HOMES**

932 SUNRISE PARK

HOWELL, MI 48390

517-546-6587

**PLOT PLAN**

1-004

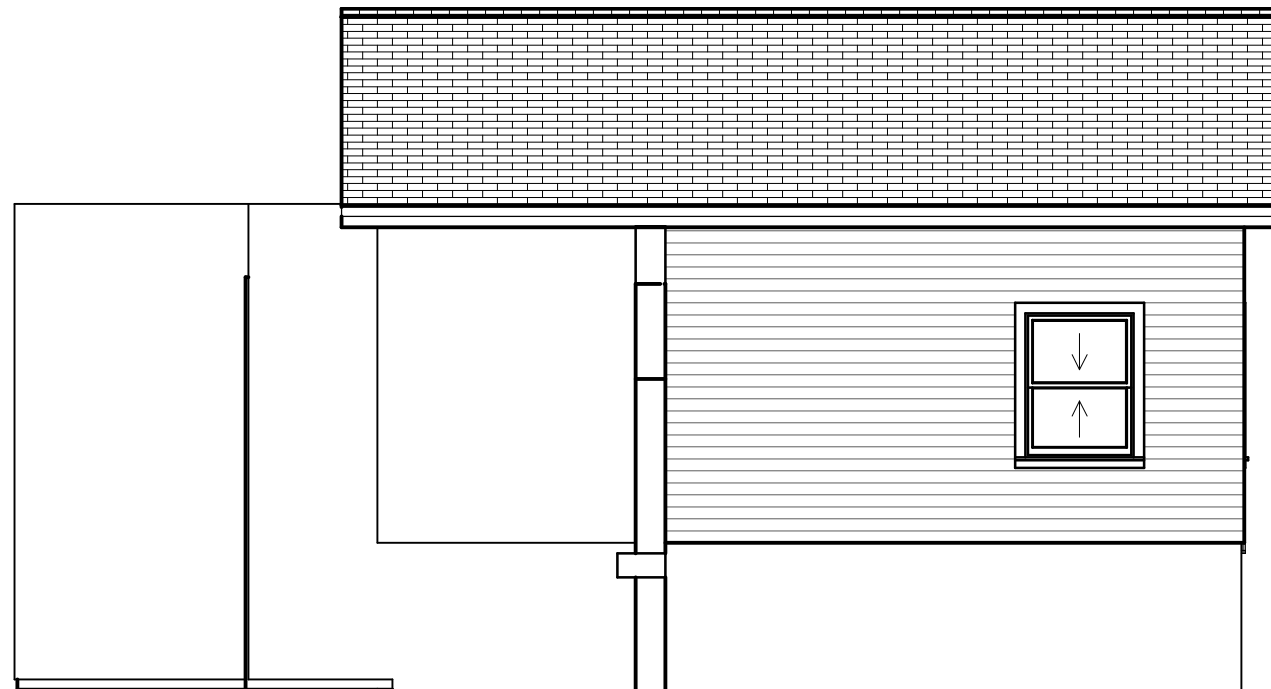




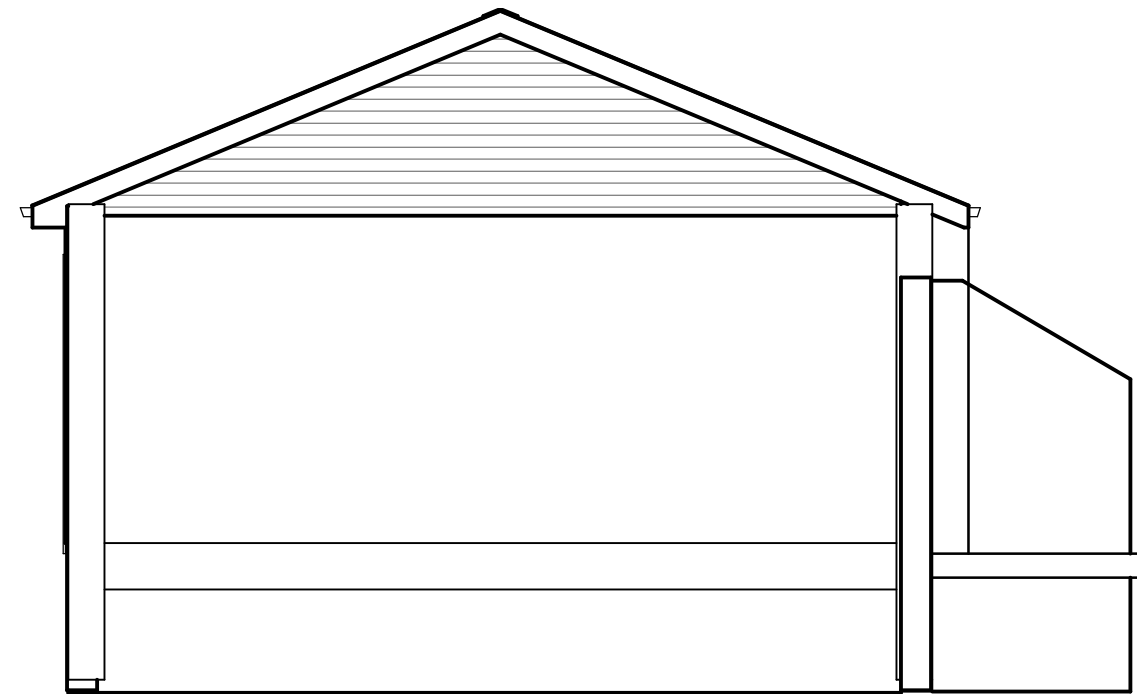
WEST ELEVATION  
3/16" = 1'



SOUTH ELEVATION  
3/16" = 1'



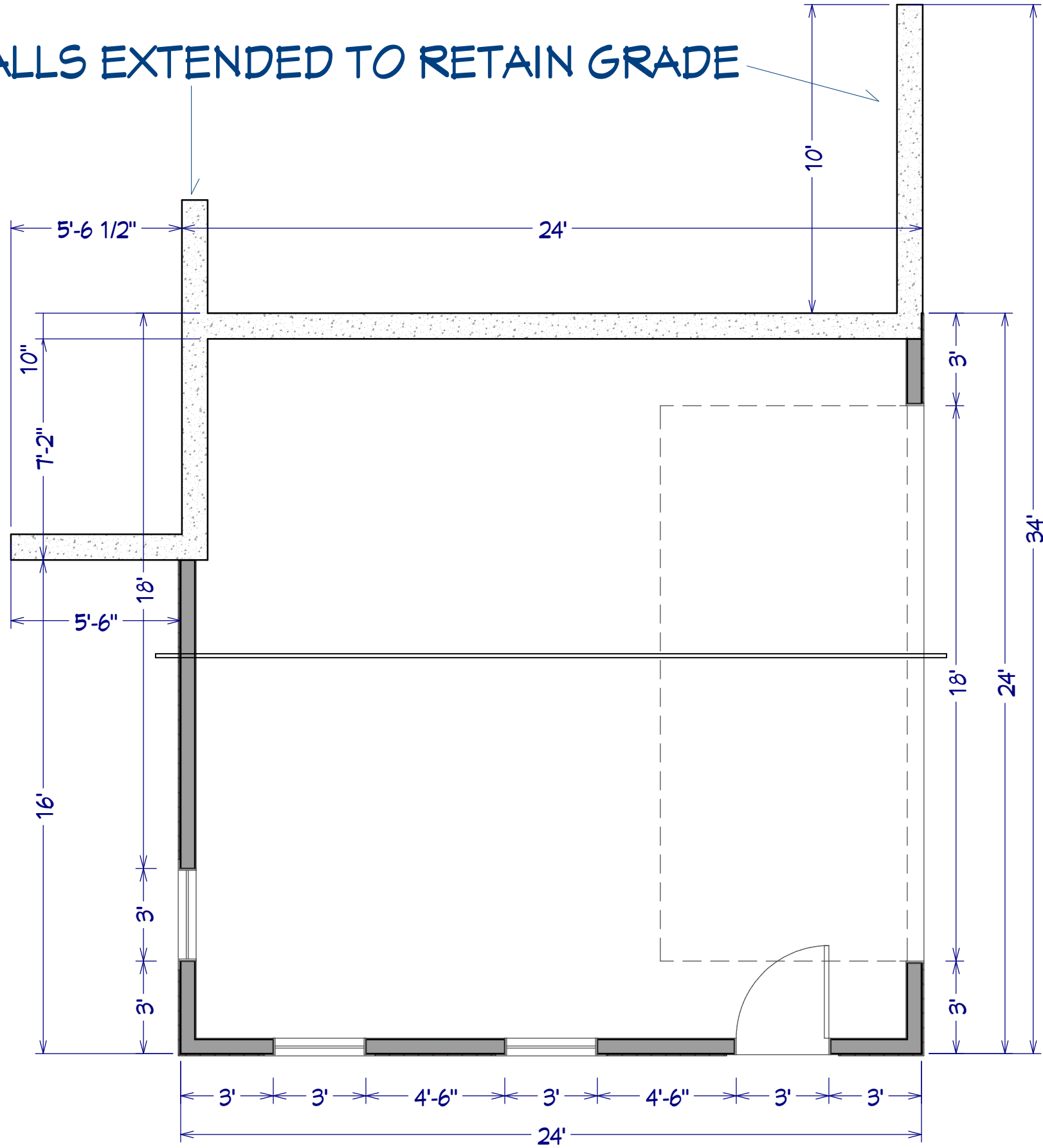
NORTH ELEVATION  
3/16" = 1'



EAST ELEVATION  
3/16" = 1'



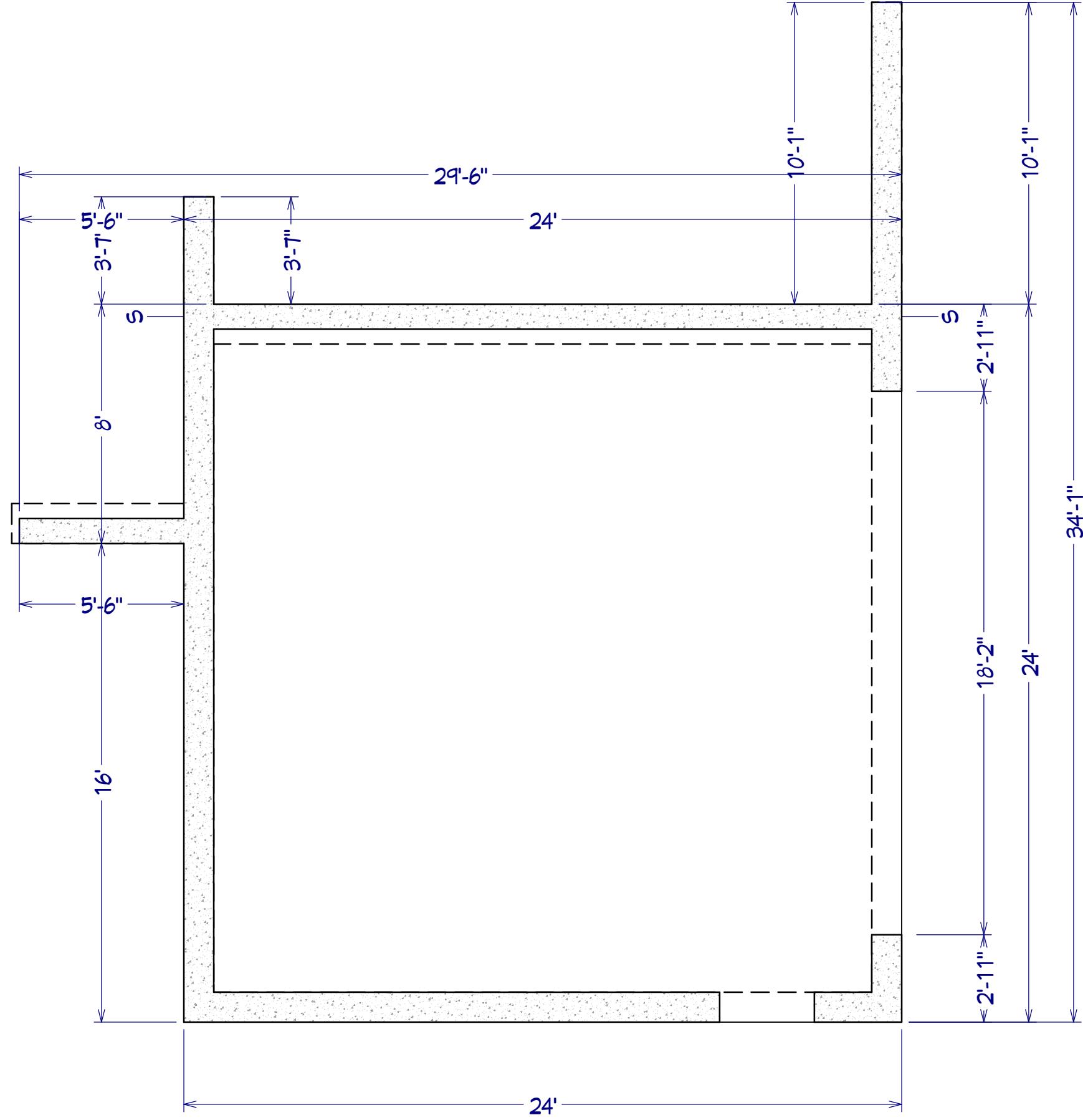
CONCRETE WALLS EXTENDED TO RETAIN GRADE



FLOOR PLAN  
1/4" = 1'

SHEET NUMBER	2	REVISION#:	
FLOOR PLAN		1/4" = 1'	
564 BLACK OAKS DRIVE		DATE:	
PROPOSED GARAGE			
CHOUINARD CUSTOM HOMES LLC	932 SUNRISE PARK ST		
	HONELL, MI 48843		
	PHONE: 517-404-6527 EMAIL		
	CHOUINARDCUSTOMHOMES@GMAIL.COM		





**FOUNDATION PLAN**  
1/4" = 1'

**CHOUNARD CUSTOM HOMES LLC**  
 932 SUNRISE PARK ST  
 HONELL, MI 48843  
 PHONE: 517-404-6527 EMAIL  
 CHOUNARDCUSTOMHOMES@GMAIL.COM

564 BLACK OAKS DRIVE  
 PROPOSED GARAGE

**FOUNDATION PLAN**  
1/4" = 1'  
 DATE:

SHEET NUMBER  
**3**  
 REVISION#:



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
SREDZINSKI, LEON & IRENE T	HAJAR YASMEEN	230,000	04/26/2022	WD	20-MULTI PARCEL SALE REF	2022R-013406	BUYER/SELLER	100.0			
SREDZINSKI, LEON & IRENE	SREDZINSKI TRUST	1	10/04/2001	QC	21-NOT USED/OTHER	3142-0866	BUYER/SELLER	0.0			
Property Address		Class: RESIDENTIAL-VACANT		Zoning: LRR	Building Permit(s)	Date	Number	Status			
VACANT		School: HOWELL PUBLIC SCHOOLS									
Owner's Name/Address		P.R.E. 0%									
HAJAR YASMEEN 1320 KINMORE ST DEARBORN HEIGHTS MI 48127		MAP #: V22-24		2023 Est TCV Tentative							
Tax Description		Improved	X	Vacant	Land Value Estimates for Land Table 4300.LAKE CHEMUNG						
SEC. 3 T2N, R5E, BLACK OAKS LOT 16		Public Improvements		* Factors *							
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Gravel Road		C NON LF	59.00	47.00	1.0000	1.0000	840	100	49,560
		Paved Road		59 Actual Front Feet, 0.06 Total Acres				Total Est. Land Value =		49,560	
		Storm Sewer									
		Sidewalk									
		Water									
		Sewer									
		Electric									
		Gas									
		Curb									
		Street Lights									
		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
		Who	When	What	2023	Tentative	Tentative	Tentative		Tentative	
				2022	17,300	0	17,300			3,573C	
				2021	16,500	0	16,500			3,459C	
				2020	14,800	0	14,800			3,412C	

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



**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
October 18, 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, Michelle Kreutzberg, Bill Rockwell, Marianne McCreary, Craig Fons, and Amy Ruthig, Planning Director. Absent was Jean Ledford.

**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 Rockwell, 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 opened at 6:32 pm with no response.

**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.

Mr. and Mrs. Anzalone, the applicants, and Mr. Roger Myers, the applicants' legal counsel, were present. Mr. Myers submitted three letters of support from neighbors for the variance requests. The variance is to allow an existing 144-square-foot gazebo to remain. The challenge was identifying if the waterfront variance is applicable due to the irregular shoreline. He cited other accessory structures next to and surrounding the applicant's home. The applicant's gazebo is consistent with other gazebos and accessory structures on other properties in the neighborhood as well as around all of Lake Chemung so this would provide substantial justice to the applicant. The practical difficulty and extraordinary circumstances are that this is a unique parcel due to its topography and the location of the road. If the gazebo was moved further from the shoreline, it would be very close to the existing road and that would pose a public safety issue and create a greater obstruction of the lake views than where it is currently located. This will not have a negative impact on the neighborhood due to the other existing accessory structures on other properties.

Mr. Anzalone did not know of the zoning requirement. He would have requested approval if he did. He saw his neighbors' structures so he thought it was allowed.



Genoa Township Zoning Board of Appeals Meeting  
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Chairman Rassel asked when the gazebo was built. Mr. Anzalone stated it was put up two years ago. The variance is being requested this evening because one of the neighbors complained. Mr. Myers added that there was civil litigation regarding riparian rights for property owners in this neighborhood. Now it has been settled, violations are being enforced. He added that that decision is being appealed at this time.

Ms. Anzalone believes that a neighbor in the other part of the neighborhood complained about their gazebo.

Ms. Ruthig stated that the location where the gazebo is located is in the "front lot's park" and no one is able to erect any structures. Ms. Anzalone stated the ruling said that the existing gazebo could remain.

Ms. Ruthig stated the structure was built in 2021. Township Staff needs more clarification from Judge Hatty's ruling as to what accessory structures are allowed and what ones are not. It is difficult to obtain this information at this time because the case is being appealed. They also do not have specific lot lines. Board Member Kreutzberg agrees that what variance is needed, if one is needed at all, is difficult to determine when the lot lines are unknown.

Board Member Rockwell does not want to make a decision on this without the lot line information.

Board Member McCreary stated the Glen Echo Plat, which is a legal document, states that the park belongs to all of the residents in the neighborhood. Mr. Myers stated that the appeal is not challenging that information, they are appealing the ruling that they are not allowed to put docks into the lake from this park.

Board Member Rockwell asked if other property owners are allowed to use the gazebo. Ms. Anzalone stated that many of the neighbors use the gazebo.

Board Member Fons questions if the ZBA or the Township Staff has the authority to allow the gazebo or require them to remove it. He does not feel comfortable making that decision.

The call to the public was opened at 7:04 pm.

Ms. Laura Wildman of 658 Pathway agrees that there are a lot of structures along the shoreline. This is a great addition and benefit to the lake.

Mrs. Beverly Leslie of 5955 Grand River owns four lots. All of the neighbors in the area spend time together at the gazebo.

Ms. Yvette Whiteside of 5780 Glen Echo does not know who filed the complaint against Mr. Anzalone. Where she and her neighbors live is separate from the area of the neighborhood where the original lawsuit was filed, but it is affecting them.

Mr. Steve Wildman of 658 Pathway agrees that there are a lot of worse zoning violations around the lake than the applicant's gazebo. Moving it 10-feet back would not make a difference. He uses the gazebo also.

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



Ms. Ruthig stated that Staff has determined that the accessory structures that are allowed to remain based on Judge Hatty's decision must meet the ordinance requirements. Mr. Anzalone needed to apply for a variance because a violation was reported.

Mr. Myers stated that due to the pending appeal, there are still decisions to be made that will determine how the Township's ordinance is to be enforced. He would like to table this request until after the appeal has been decided.

Board Member Rockwell stated that apart from the appeals case, there is no information to determine the applicant's property lines.

Ms. Ruthig suggested that the item be tabled until the next ZBA meeting to allow Staff to consult with the Township Attorney to determine if this can be tabled until the appeals case is decided and if the Board has the authority to vote on this request.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to table Case #22-20 until the November 15, 2022 ZBA meeting, pending review from the Township's legal counsel. **The motion carried unanimously.**

#### **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.

Mr. Brad Huard of Remodeling Star, who is the applicant's contractor, stated the proposed addition would be encroaching six feet into the setback. They are staying within the same building line.

He has a letter from who would be directly affected by the variance and they are in support of the variance. The homeowner's association has also submitted a letter providing their approval of the addition.

Board Member Fons asked why the addition could not be placed on the other side of the home. Mr. Huard stated this is the best location for this addition because of where the laundry room is currently and the reason for the addition. The well would also need to be located if it was built on that side.

Mr. Ruthig noted there are retaining walls on the site and if they are altered, they will need to meet the Township's ordinance.

The call to the public was opened at 7:34 pm with no response.

**Moved** by Board Member Kreutzberg, seconded by Board Member McCreary, to approve Case #22-22 for Steven Rochon of 1295 Pond Bluff Way for a side-yard variance of 9 feet, 6 inches from the required 30 feet for a setback of 20 feet, 6 inches to construct an 8 x 24 addition to the existing home, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict use of the property. This variance will provide substantial justice, is the last necessary and would make the property consistent with other properties and homes in the area that encroach on side yard setbacks.



Genoa Township Zoning Board of Appeals Meeting

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- The variance is necessary due to extraordinary circumstances, such as the location of the home on the west side of the property.
- The granting of the variance will not impair an adequate 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. Any new retaining walls would require a land use permit

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the September 20, 2022 Zoning Board of Appeals meeting.

Needed changes were noted.

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

2. Correspondence - Ms. Ruthig stated there will be three cases on next month's agenda.

3. Member Discussion

The Board discussed their voting on items that are pending litigation.

4. Adjournment

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to adjourn the meeting at 7:48 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary