

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JANUARY 17, 2023
6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Elections of Officers:

Introductions:

Approval of Agenda:

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

1. 23-02... A request by Tim McCotter, 4041 Homestead, for two waterfront variances and a front yard variance to demolish an existing home and construct a new home.
2. 23-03...A request by Chaldean Catholic Church of the United States, 7000 McClements Road, for a height variance to construct a zip line.
3. 23-04...A request by Peter Wood, 4021 Homestead, for a side, front and waterfront variance to construct an addition to an existing single-family home.

Administrative Business:

1. Approval of minutes for the December 13, 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 # 23-02 Meeting Date: 1-17-23

PAID Variance Application Fee

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

Applicant/Owner: Tim McCotter
McCotter Architecture and Design Email: tim@mccotterarchitecture.com

Property Address: 4041 Homestead, Howell Phone: 734.216.7768

Present Zoning: LRR - Lakeshore Resort Residential Tax Code: 4711-28-201-057, 4711-28-202-009, and 4711-28-202-010

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 requesting two shoreline setback variances and a front yard setback variance to remove an existing single story home and construction a new 1.5 story wood framed home. The proposed lake front variance is 29.1' and the canal side variance is 15.8'. While the proposed front yard variance being requested is 13.0'

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.

Even with two lots, the average setback for the water front and the minimum setback for the canal leave very little area to actually build on this parcel. While it might be just enough for a small house, it does not allow any area for a garage. Providing this variance allows for the construction of a reasonable sized home similar to others in the area on this difficult 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 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 presence of two shorelines and the sharp angle at which the lake shore cuts across the parcel creates a unique situation to this lot. In addition, this is a shallower lot in relation to adjacent lots to the south. To the north roadfront setbacks less than 10' and waterfront setbacks around 30' are not uncommon.

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 construction of this home will not negatively impact the supply of light or air to adjacent properties. Being a replacement for an existing home, it will not increase congestion. It will potentially reduce the danger of fire as the existing home is significantly outdated and located much closer to the neighboring home. A side entry garage protects against cars having to back into the road

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

This new home will not devalue, or discourage the appropriate use or development of the surrounding area as it is compatible with many of the new homes which have been previously built on this peninsula

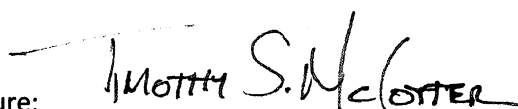
Attendance by the applicant is required at the Zoning Board of Appeals meeting.

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: 12-1-22

Signature: _____





January 9, 2023

Zoning Board of Appeals
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Amy Ruthig, Planning Director
Subject:	4041 Homestead Drive – Review of Dimensional Variances
Location:	4041 Homestead Drive – waterfront lot on the east side of Homestead Drive
Zoning:	LRR Lakeshore Resort Residential District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking dimensional variances for the construction of a new single-family residence at 4041 Homestead Drive.

The existing nonconforming residence will be removed to accommodate the proposal.

The subject site is a conforming LRR lot with water frontage on both a lake and canal.

In accordance with LRR requirements (Section 3.04.01), dimensional variances are needed for the following:

- A street front yard setback of 22’ (where a minimum of 35’ is required);
- A shoreline setback along the canal of 24.2’ (where a minimum of 40’ is required); and
- A shoreline setback of 34.9’ (where a minimum of 64’ is required due to averaging).

SUMMARY

1. Given the condition of the lot, the Board could view strict compliance as unnecessarily burdensome (practical difficulty).
2. Unless the Board deems a detached garage reasonable, the request generally minimizes the number/extent of variances in light of property conditions (substantial justice).
3. The site is relatively unusual given its 3 front yards (1 along the street and 2 along the water) and is somewhat irregular in shape along the lake’s shoreline (extraordinary circumstance).
4. Given the nature of the site and project, we do not foresee issues with the supply of light and air or to traffic and public safety (public safety and welfare).
5. The proposed street front setback is consistent with those found in the neighborhood (impact on surrounding neighborhood).
6. The shoreline setback along the lake is greater than that of the residence to the south, but less than that of the residence to the north (impact on surrounding neighborhood).
7. The shoreline setback along the canal is greater than that of the residence to the north (impact on surrounding neighborhood).



Aerial view of site and surroundings (looking north)

VARIANCE REVIEW

We have reviewed the request in accordance with the dimensional variance review criteria of Section 23.05.03, as follows:

- 1. Practical Difficulty/Substantial Justice.** Variances are not necessary to construct a new residence. However, given the condition of the lot with 3 front yards, strict compliance could be viewed as unnecessarily burdensome to the applicant.

The compliant building envelope is relatively unusual in shape and would greatly reduce the size of the proposed residence.

The applicant could pursue a detached garage (in lieu of attached) and eliminate one of the variances south (though this may not be a reasonable alternative for a modern residence).

- 2. Extraordinary Circumstances.** As previously noted, the lot contains 3 front yards, which is a relatively unusual condition.

The lot is also somewhat irregular in shape due to the angle of the lake's shoreline.

- 3. Public Safety and Welfare.** The proposed residence complies with requirements for the side yard setback and spacing between residences. As such, we do not believe that granting of the variances will impair the supply of light and air.

Given the nature of the project, approval is not expected to unreasonably impact traffic or public safety.

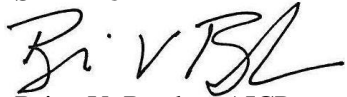
- 4. Impact on Surrounding Neighborhood.** The proposal would generally be consistent with the established street front yard setback of adjacent residences.

The shoreline setback along the lake would be greater than that of the residence to the south, but less than that of the residence to the north. The shoreline setback along the canal is larger than that provided by the residence to the north.

Genoa Township ZBA
4041 Homestead Drive
Dimensional Variance Review
Page 3

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

Respectfully,
SAFEBUILT

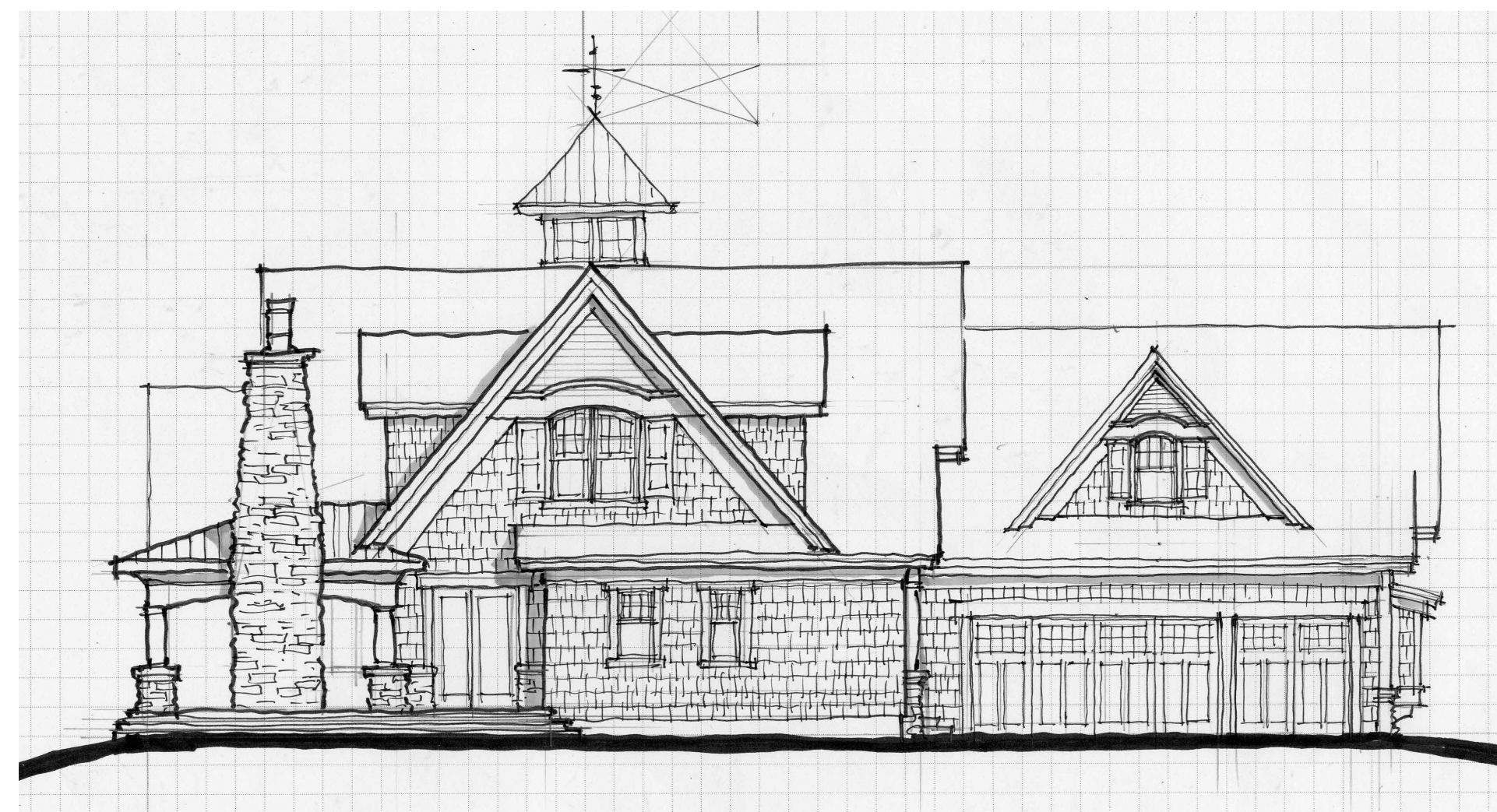
A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Brian V. Borden, AICP
Michigan Planning Manager

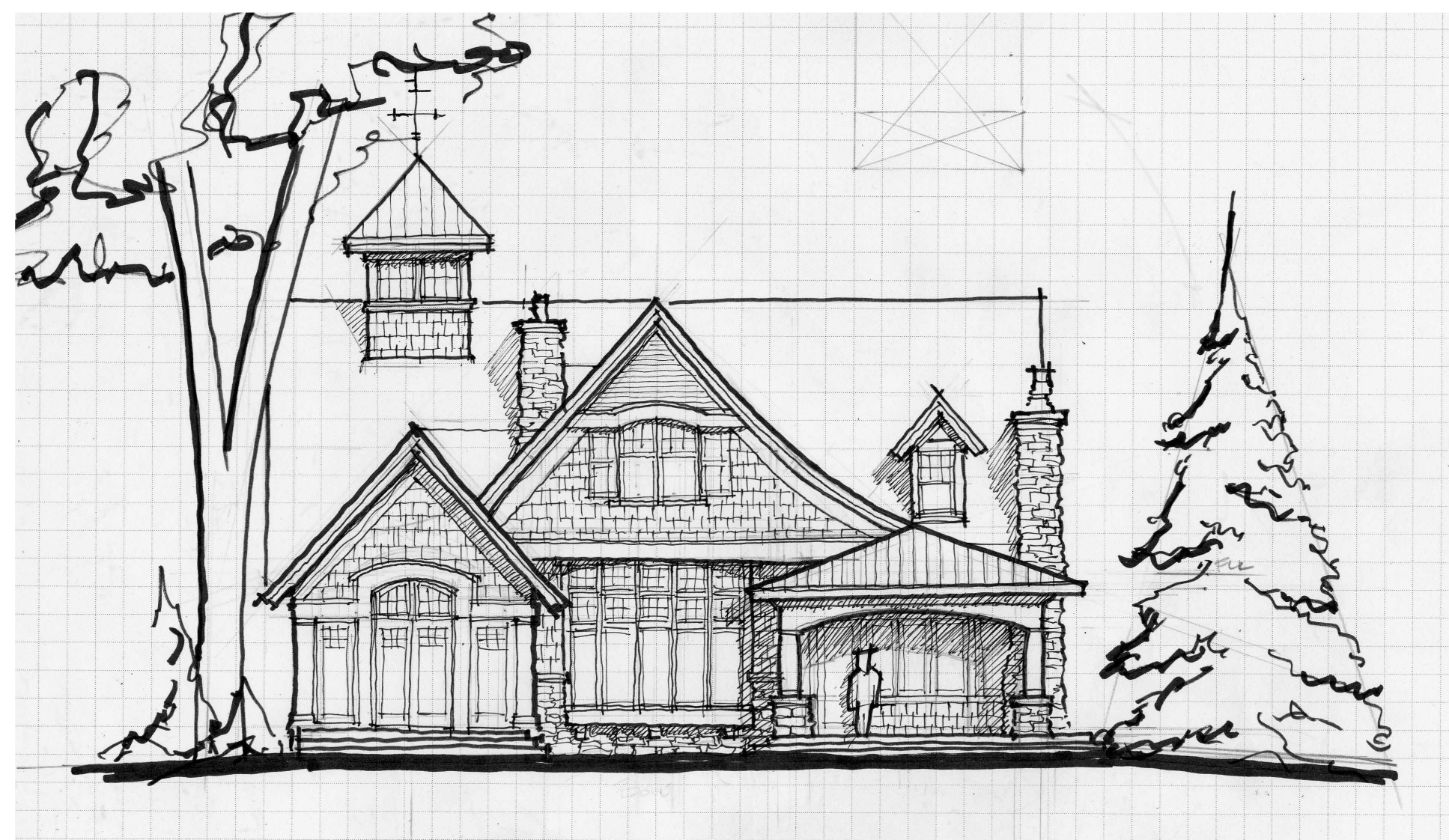
From: [John MEKJIAN](#)
To: [Amy Ruthig](#); [Carter Carpenter](#)
Subject: Variance requests for 4041 Homestead Dr
Date: Thursday, January 12, 2023 8:54:48 AM

Good morning Amy,
I have had an opportunity to review the site plans for 4041 Homestead Dr. and the ZBA variance requests. I feel as though the proposed site plan will significantly improve and beautify the existing lot and as such, I have no problem with the 3 variances that they are requesting.

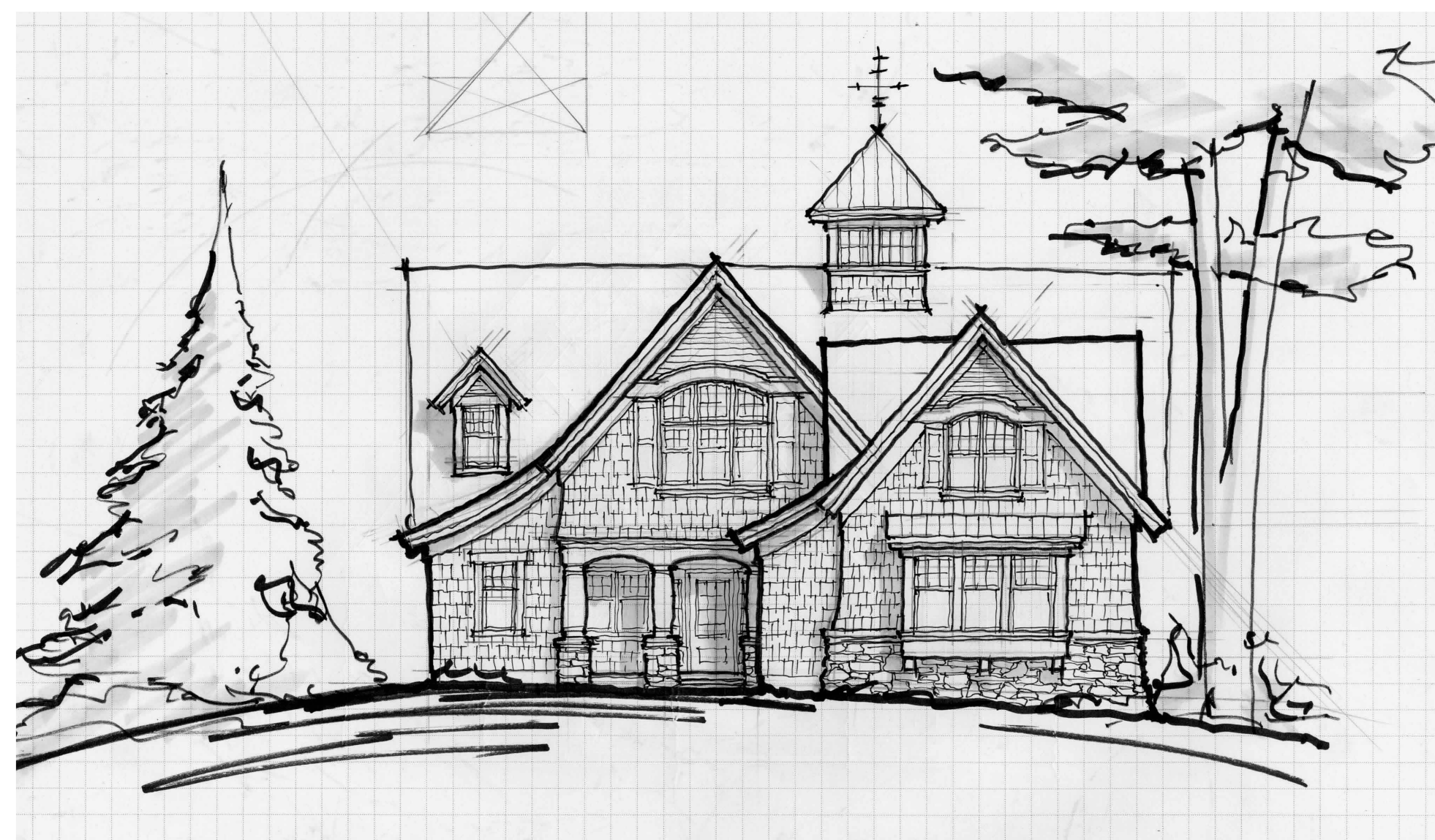
John Mekjian
4027 Homestead Dr



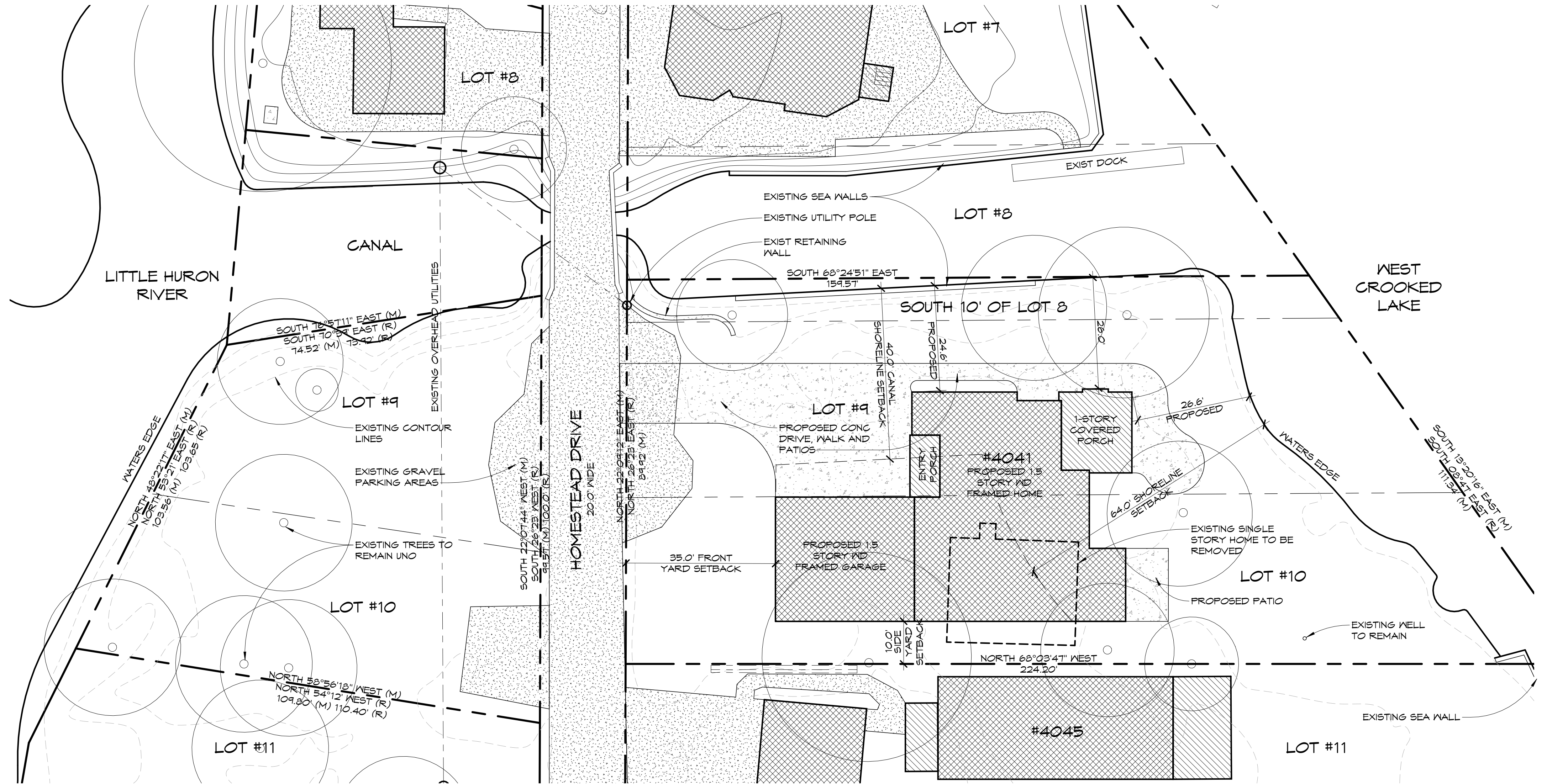
4 CANALSIDE VIEW
SCALE: 3/32" = 1'-0"



3 LAKESIDE VIEW
SCALE: 3/32" = 1'-0"



2 ROADSIDE VIEW
SCALE: 3/32" = 1'-0"



1 PROPOSED SITE PLAN
SCALE: 1/16" = 1'-0"
SITE AND AVERAGE SETBACK INFORMATION PROVIDED FROM SURVEY PREPARED BY BOSS ENGINEERING DATED 8/21/21

REQUIREMENTS	REQ'D	PROPOSED
FRONT SETBACK	35.0'	35.0'
SIDE SETBACK	10.0'	10.0'
CANAL SHORE SETBACK	40.0'	24.6'
15.4' VARIANCE REQ'D		
(MINIMUM 40 FEET OR CONSISTENT WITH THE SETBACK OF ADJACENT PRINCIPAL BUILDINGS, WHICHEVER IS GREATER)		
WATERFRONT SETBACK	60.5'	49.1'
31.4' VARIANCE REQ'D		
THE AVERAGE SETBACK 500 FEET IN BOTH DIRECTIONS ON THE SAME SIDE OF HOMESTEAD DRIVE AS HOUSE # 4041, STARTING AT HOUSE #3973 AND ENDING AT HOUSE # 4105 IS 64 FEET.		
MAX. BLDG HGT	25.0'/25T	21.3'/15.5T
MAX LOT COVERAGE	35% BLDG 50% IMP.	23.6% BLDG 39.5% TOTAL
BASED UPON PARCEL EAST OF HOMESTEAD ONLY		

LEGAL DESC:

PARCEL #4711-20-201-057:
SECTION 20 TOWN 2 NORTH RANGE 5 EAST, OLD HOMESTEAD SUBDIVISION, SOUTH 10 FEET OF LOT 8, 9, AND 10 COMBINED FROM 009 AND 010

PARCEL #4711-20-202-009:
SECTION 20 TOWN 2 NORTH RANGE 5 EAST, OLD HOMESTEAD SUBDIVISION NUMBER 2, LOT 9

PARCEL #4711-20-202-010:
SECTION 20 TOWN 2 NORTH RANGE 5 EAST, OLD HOMESTEAD SUBDIVISION NUMBER 2, LOT 10

ZONING REQ'TS

ZONING JURISDICTION: GENOA TOWNSHIP
ZONING DISTRICT: LRR LAKESHORE RESORT RESIDENTIAL

McCOTTER Architecture and Design
2060 ORE CREEK LANE
BRIGHTON, MI 48114
PHONE: 734.216.7168
www.mccotterarchitecture.com

Project: CARPENTER HOME
4041 HOMESTEAD HOWELL, MI

Owner: CARTER AND LISA CARPENTER
4130 ST ANDREWS ST HOWELL, MI

Issue/Revision:
VARIANCE 11-15-22

Sheet Title: PROPOSED SITE PLAN

A1

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PRELIMINARY - NOT AUTHORIZED FOR PERMIT OR CONSTRUCTION

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
VARNEY, BENJAMIN & KATHRYN	CARPENTER CARTER & LISA	825,000	08/19/2021	WD	19-MULTI PARCEL ARM'S LEN	2021R-035350	BUYER/SELLER	100.0			
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR	Building Permit(s)		Date	Number	Status		
4041 HOMESTEAD DR		School: BRIGHTON AREA SCHOOLS									
Owner's Name/Address		P.R.E. 0%									
CARPENTER CARTER & LISA 4138 ST ANDREWS HOWELL MI 48843		MAP #: V23-04		2023 Est TCV Tentative							
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 4304.OLD HOMESTEAD						
SEC 28 T2N R5E OLD HOMESTEAD S 10 FT OF LOT 8, 9 & 10 COMB 4/91 FROM 009 & 010		Public Improvements		* Factors *							
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Gravel Road		A LAKE FRONT	100.00	191.00	1.0000	1.0000	4300	100	430,000
		Paved Road		C SURPLUS LF	10.00	191.00	1.0000	1.0000	1600	100	16,000
		Storm Sewer		110 Actual Front Feet, 0.48 Total Acres				Total Est. Land Value =		446,000	
		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	
		Who	When	What	2023	Tentative	Tentative	Tentative		Tentative	
		JB	08/26/2021	SALES REVI	2022	219,500	41,700	261,200		261,200S	
					2021	219,500	39,300	258,800		75,953C	
					2020	204,500	36,700	241,200		74,905C	

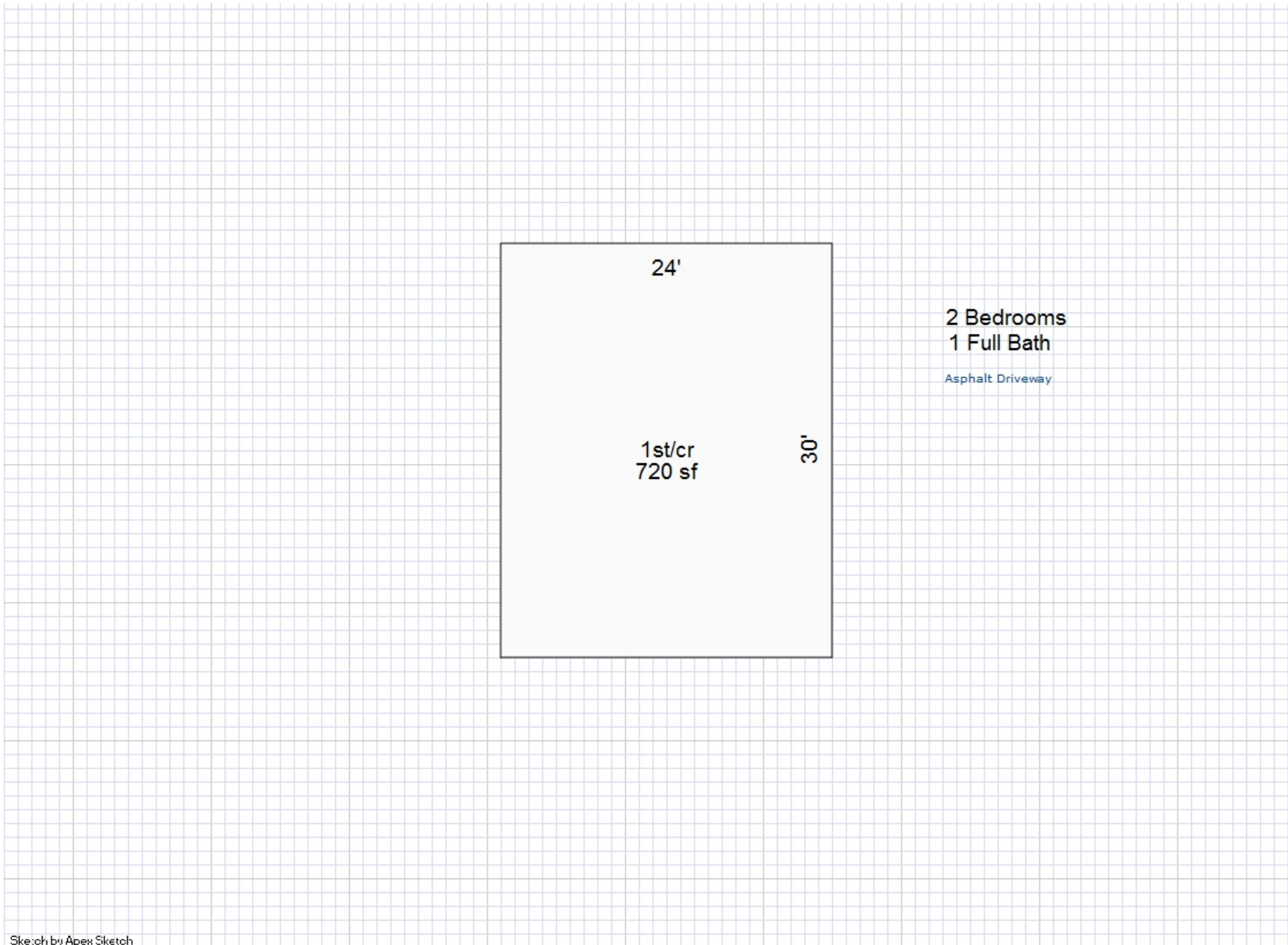


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*** Information herein deemed reliable but not guaranteed***

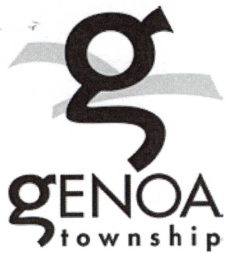
Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built:	Car Capacity:	
X	Wood Frame		Drywall Paneled		Plaster Wood T&G										Class:	Exterior:
Building Style: CD		Trim & Decoration		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling											Brick Ven.:	Stone Ven.:
Yr Built 1960	Remodeled 0	Ex	X	Ord		Min									Common Wall:	Foundation:
Condition: Good		Size of Closets		Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling											Finished ?:	Auto. Doors:
Room List		Lg	X	Ord		Small									Mech. Doors:	Area:
Basement 1st Floor 2nd Floor 2 Bedrooms		Doors:		Solid	X	H.C.									% Good:	Storage Area:
(1) Exterior		(5) Floors		Central Air Wood Furnace											No Conc. Floor:	Bsmnt Garage:
Wood/Shingle Aluminum/Vinyl Brick		Kitchen:		(12) Electric											Carport Area:	Roof:
Insulation		Other:		0 Amps Service												
(2) Windows		(6) Ceilings		No./Qual. of Fixtures												
Many Avg. Few		X		Ord.		Min										
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		No. of Elec. Outlets		Many			X	Ave.	Few							
(3) Roof		(7) Excavation		(13) Plumbing												
Gable Hip Flat		Basement: 0 S.F. Crawl: 720 S.F. Slab: 0 S.F. Height to Joists: 0.0		Average Fixture(s) 1 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan												
Asphalt Shingle		(8) Basement		(14) Water/Sewer												
Chimney: Brick		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic												
(10) Floor Support		(9) Basement Finish		Lump Sum Items:												
Gambrel Mansard Shed		Recreation SF Living SF Walkout Doors No Floor SF														
Notes:																
Cost Est. for Res. Bldg: 1 Single Family CD																
(11) Heating System: Forced Air w/ Ducts																
Ground Area = 720 SF Floor Area = 720 SF.																
Phy/Ab.Phy/Func/Econ/Comb. % Good=63/100/100/100/63																
Building Areas																
Stories																
Exterior																
Foundation																
Size																
720																
Total:																
86,674																
54,605																
Other Additions/Adjustments																
Water/Sewer																
Public Sewer																
1																
1,298																
818																
Water Well, 200 Feet																
1																
10,153																
6,396																
Totals:																
98,125																
61,819																
92,729																
ECF (4304 OLD HOMESTEAD) 1.500 => TCV:																
92,729																

*** 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 # 23-03 Meeting Date: Jan 17, 2023
 @ 6:30 pm

PAID Variance Application Fee

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

Applicant/Owner: Chaldean Catholic Church of the United States Email: jberigan@gmail.com
 Property Address: 7000 McClements Road, Brighton, MI 48114 Phone: 248 379-0943
 Present Zoning: PRF Public and Recreational Facilities Tax Code: 11-11-200-001; 11-12-100-002

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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:** Height of the proposed climbing tower is 45 feet above grade. Structure height allowed in the PRF district is 35 feet. A 10 foot variance is requested to provide a climbing tower and starting location for the zip line. Zip line terminating pole is 25' in height and giant swing support poles are 36' in height. A variance of of 7 feet and 18 feet, respectively, over the 18 foot height limit is requested.

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 a part of its non-profit, religious ministry, Our Lady of the Fields camp would like to create additional activities for youth campers to participate in during their stay at the camp. The proposed climbing tower, zip line and giant swing will provide unique activities in which campers may participate. Height of the climbing tower, zip line terminating pole and giant swing are required for the safe operation of the tower and zip line.

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

A climbing tower and giant swing require minimum heights to provide authentic experiences along with adequate structure above to support necessary safety equipment. The zip line terminating pole height is based on the minimum height required for safe operation of the zip line. A 45' tower is common in the camping world. By comparison, the Howell Nature Center in Marion Township has a 60' tall climbing tower.

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

The proposed location of the climbing tower will not create an impact to light, air and/or adjacent properties, and will not increase congestion on public streets, or endanger public safety. The proposed climbing tower will not negatively impact the residents of Genoa Township. Tall poles are necessary to support the giant swing and zip line. The proposed poles will not negatively impact the residents 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 proposed location of the climbing tower is located near the center of the property, on the North side of the lake, surrounded by mature trees with heights in excess of the proposed 45 foot high tower. The tower will not be visible from adjacent properties and the surrounding neighborhood. The climbing tower and zip line are over 2,260 feet from Filice Road.

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.

11/30/2022

Date: _____ Signature: James Berigan



January 11, 2023

Zoning Board of Appeals
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Amy Ruthig, Planning Director
Subject:	Our Lady of the Fields Camp – Review of Dimensional Variances
Location:	South side of McClements Road, between Kellogg and Euler Roads
Zoning:	PRF Public and Recreational Facilities District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking dimensional variances for the construction of recreational structures.

Specifically, the proposal entails a zip line and “giant swing” on the north side of the lake.

For the Board’s information, the Planning Commission approved the sketch plan for the zip line project at their November 14, 2022 meeting with a condition that the applicant obtain height variances.

It is important to note that the approved sketch plan did not include the “giant swing.” This structure has been added as part of the ZBA submittal.

Additionally, the terminating pole depicted on the approved sketch plan has a height of 20’, as opposed to the 25’ shown on the ZBA submittal.

Furthermore, the application form does not accurately represent the requirements of the Zoning Ordinance in relation to the extent of variances sought. Specifically, the reference to a 35’ height allowance is for principal buildings, which does not apply to the accessory structures proposed.

In accordance with accessory structure requirements (Section 11.04) of the Zoning Ordinance, the applicant seeks the following dimensional variances:

- A climbing tower with a height of 45’ (where a maximum of 18’ is allowed);
- A terminating pole with a height of 25’ (where a maximum of 18’ is allowed); and
- A “giant swing” with a height of 36’ (where a maximum of 18’ is allowed).

SUMMARY

1. Given the height limitations for accessory structures, the Board could view strict compliance as unnecessarily burdensome (practical difficulty).
2. We request the applicant provide the Board with information related to the height needed for the “giant swing,” and why it cannot function at the allowable height of 18’ (substantial justice).
3. In this instance, the extraordinary circumstance is tied to the intended use of accessory recreational structures, and the need for increased height (extraordinary circumstance).
4. Given the nature of the project, granting of the variances will not impair the supply of light and air, nor will it unreasonably impact traffic or public safety (public safety and welfare).
5. The proposed structures will be buffered from off-site properties via ample setbacks and/or mature vegetation (impact on surrounding neighborhood).
6. If favorable action is considered, we suggest two conditions: that the existing vegetation be preserved and maintained between the “giant swing” and Euler Road; and that illumination of the structures be prohibited (impact on surrounding neighborhood).



Aerial view of site and surroundings (looking north)

VARIANCE REVIEW

We have reviewed the request in accordance with the dimensional variance review criteria of Section 23.05.03, as follows:

- 1. Practical Difficulty/Substantial Justice.** Variances are not necessary to maintain or even expand the existing private campground.

However, the Zoning Ordinance does not provide regulations for recreational structures, such as those proposed.

As such, these structures are governed by accessory building/structure regulations, which do not allow the heights necessary for these types of structures.

The Board may view strict compliance, which limits heights to 18', as unnecessarily burdensome to the applicant.

We are somewhat familiar with zip lines through our work with other communities, and understand the need for a height increase to provide a functional structure; however, we request the applicant provide the Board with information supporting the need for a 36' tall "giant swing."

- 2. Extraordinary Circumstances.** The property is relatively large and regular in shape with no discernable extraordinary circumstances.

In this instance, the extraordinary circumstance is tied to the intended use of accessory recreational structures, and the need for increased height.

As noted above, the applicant should provide additional information related to the variance sought for the "giant swing."

- 3. Public Safety and Welfare.** Given the nature of the project, granting of the variances will not impair the supply of light and air, nor will it unreasonably impact traffic or public safety.

- 4. Impact on Surrounding Neighborhood.** Though the structures are tall in relation to a conventional accessory structure, they are generally located such that there is ample setback and/or screening by mature trees.

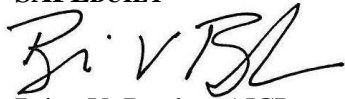
Given the proposed location of the “giant swing,” we suggest the Board include a condition that the applicant must preserve and maintain the existing vegetation between the structure and Euler Road (if favorable action is considered).

Additionally, we suggest a condition that illumination of the proposed structures be prohibited (if favorable action is considered). This will limit use to reasonable hours and help to mitigate any potential off-site impacts.

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

Respectfully,

SAFE BUILT

A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and cursive.

Brian V. Borden, AICP
Michigan Planning Manager

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to approve the Sketch Plan dated September 22, 2022 for a dumpster enclosure and gravel drive for Image Pros located at 1910 Dorr Road, based on the following conditions:

- The use of gravel is acceptable due to the use conditions discussed this evening
- The minimum width of the gravel drive will be increased to 15 feet wide
- The dumpster enclosure will be installed on the south side of the building. The location and design will be approved by Township Staff and shall meet ordinance requirements.
- The material of treated lumber or cedar is acceptable for the dumpster enclosure materials.
- An “Employees Only” sign will be placed in front of the dumpster enclosure.
- All conditions of the Brighton Area Fire Authority Fire Marshal’s letter dated October 20, 2022 shall be met.

The motion carried unanimously.

OPEN PUBLIC HEARING #4...Consideration of a sketch plan for proposed camp zip line structures including a climbing tower, terminating pole and a deck for the Our Lady of the Fields located at 7000 McClements Road, south side of McClements Road, between Kellogg and Euler Roads. The request is petitioned by Chaldean Catholic Church of the United States.

A. Disposition of Sketch Plan (10-26-22)

Mr. Wayne Perry of Desine, Inc. stated the applicant would like to add a deck to the rear of one of the buildings, as well as a tower, end pole, and a zip line for the camp participants.

Mr. Borden reviewed his letter dated November 8, 2022.

1. The “climbing tower” at 45 feet exceeds the maximum height requirement, which will require variances from the ZBA.
2. Pending the Township’s interpretation, the “terminating pole” may also need a variance for its height.
3. Note D on Sheet C1.0 needs to be revised to remove the phrase “at grade.”

Ms. Byrne stated she has no engineering related comments on this proposed sketch plan.

The Brighton Area Fire Authority Fire Marshal’s letter dated November 2, 2022 stated:

1. No details were provided regarding the specific construction of the deck. The applicant is advised that the existing building is a sprinklered wood frame structure. The sprinkler code requires combustible exterior projections greater than 4-feet be suppressed below when used for storage. Due to the height and area below this will require suppression.
2. The fire pump test connection is located below the proposed location of the deck. The test connection shall be relocated near the FDC or a minimum 44-inch wide 84-inch tall clear access space maintained clear along the building face for pump testing.

Mr. Perry stated he will work with the Fire Marshal regarding his concerns.

The call to the public was opened at 9:17 pm

Mr. James Drouillard of 6781 Felice questioned if this will bring excessive noise or more people.

Ms. Patty Kopicko of 6843 Felice read a letter from Mike and Dory Berean of 1237 Euler Road, who were not able to attend tonight's meeting. They continue to have concerns with the use of this property as well as the addition of this zip line. Ms. Kopicko agrees with Mr. and Mrs. Berean's letter. The camp was at full capacity last year so they do not need this to have to bring in more people. She is concerned with the additional noise this will bring.

Mr. Steve Olivieri of 1200 Kellogg Road questioned if the rope course was approved by the Township.

Ms. Lynn Drouillard of 6781 Felice questioned why a large building needs to be there for people to start the zip line. She is concerned with the users being able to look into her house as well as the noise. She is fine with the camp, but they keep adding elements. They have now purchased the property across the street.

Mr. David Shirk of 1160 Kellogg loves to hear the children in the camp having a good time. He does not care how tall the structure is. If it makes the kids happy, he is in favor of it. He prefers that instead of the gunshots that he hears behind him.

The call to the public was closed at 9:28 pm.

Commissioner Lowe asked about safety. She questioned if the zip line will be open to the public. Mr. James Berigan stated the zip line is only available when the camp is being used. When the camp is closed, it is locked and not accessible. There will also be certified personnel monitoring the people using the zipline.

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to approve the Sketch Plan dated October 26, 2022 for propose camp zip line structures including a climbing tower, terminating pole and a deck for the Our Lady of the Fields located at 7000 McClements Road, with the following conditions:

- The climbing tower and terminating pole will require a variance form the ZBA for the height.
- Note D on Sheet C1.0 shall be revised to remove the phrase "at grade."
- All conditions of the Brighton Area Fire Authority Fire Marshal's letter dated November 2, 2022 shall be met

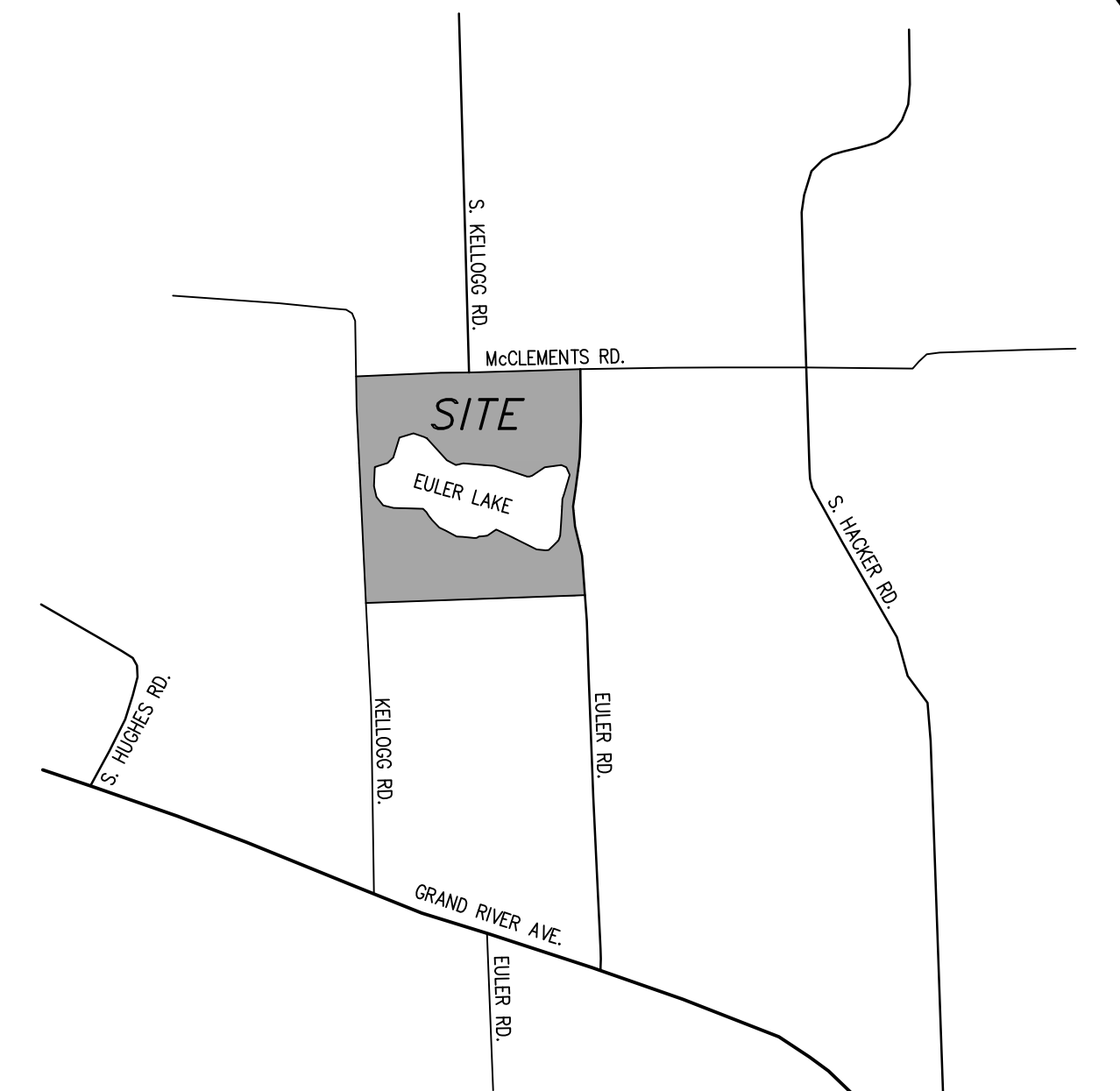
The motion carried unanimously.

OPEN PUBLIC HEARING #5...Public hearing for the proposed Genoa Charter Township Master Plan.

PROPOSED IMPROVEMENTS TO
 CHALDEAN CATHOLIC CHURCH of the UNITED STATES of AMERICA
 OUR LADY of the FIELDS CAMPGROUND
 SKETCH PLAN



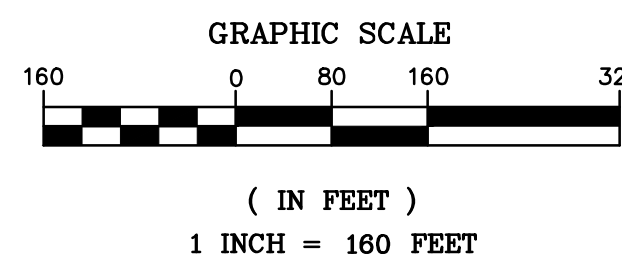
LEGAL DESCRIPTIONS
 11-11-200-001
 THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 11
 T2N, R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.
 11-12-100-002
 THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 12
 T2N, R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



LOCATION MAP
 SCALE: 1in. = 2000ft.

NOTES:
 NO CHANGES ARE PROPOSED TO EXISTING SITE UTILITIES
 NO CHANGES ARE PROPOSED TO EXISTING GRADING, LIGHTING
 DUMPSTERS, PROTECTED OR LANDMARK TREES.
 NO CHANGES ARE PROPOSED TO EXISTING BUILDINGS.

SHEET INDEX
 C1.0 NORTH CAMP GROUND IMPROVEMENT SKETCH PLAN
 C1.1 NORTH CAMP GROUND RECREATION STRUCTURES SKETCH PLAN



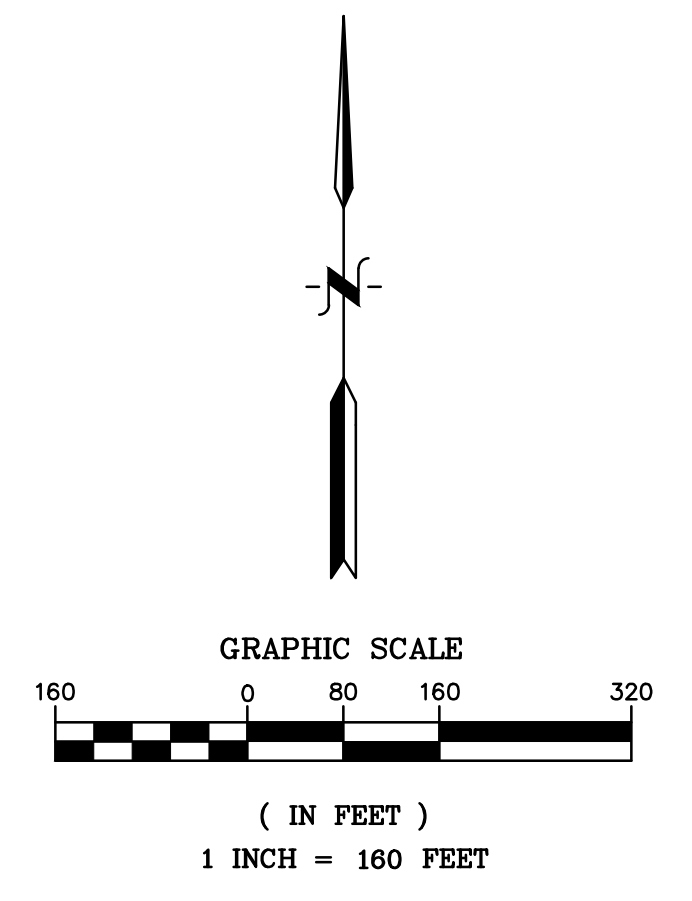
OWNER / APPLICANT
 CHALDEAN CATHOLIC CHURCH OF
 THE UNITED STATES OF AMERICA
 25603 BERG ROAD
 SOUTHFIELD, MICHIGAN 48033

ENGINEER / SURVEYOR
 DESINE, INC.
 2183 PLESS DR.
 BRIGHTON, MICHIGAN 48114

811
 Know what's below.
 Call before you dig.
 3 WORKING DAYS
 BEFORE YOU DIG
 CALL 811 OR 1-800-482-7171
 (TOLL FREE)
 OR VISIT CALL811.COM

DESINE INC
 (810) 227-9533
 CIVIL ENGINEERS
 LAND SURVEYORS
 2183 PLESS DRIVE
 BRIGHTON, MICHIGAN 48114

ISSUED	SCALE: 1in. = 200ft.
OCT. 26, 2022	PROJECT No.: 224345
	DWG NAME: 4345 COV
	PRINT: DEC. 7, 2022



- PROPOSED IMPROVEMENTS:
- A) CLIMBING TOWER – 45' HEIGHT
 - B) 650 FOOT ZIP LINE
 - C) TERMINATING POLE – 25' HEIGHT
 - D) 72' X 30' DECK
 - E) GIANT SWING – 36' HEIGHT

811
Know what's below.
Call before you dig.

3 WORKING DAYS
BEFORE YOU DIG
CALL 811 OR 1-800-482-7171
(TOLL FREE)
OR VISIT CALL811.COM

DESIGN INC

(810) 227-9533
CIVIL ENGINEERS
LAND SURVEYORS
2183 PLESS DRIVE
BRIGHTON, MICHIGAN 48114

DESIGN:	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT:						
CHECK:						

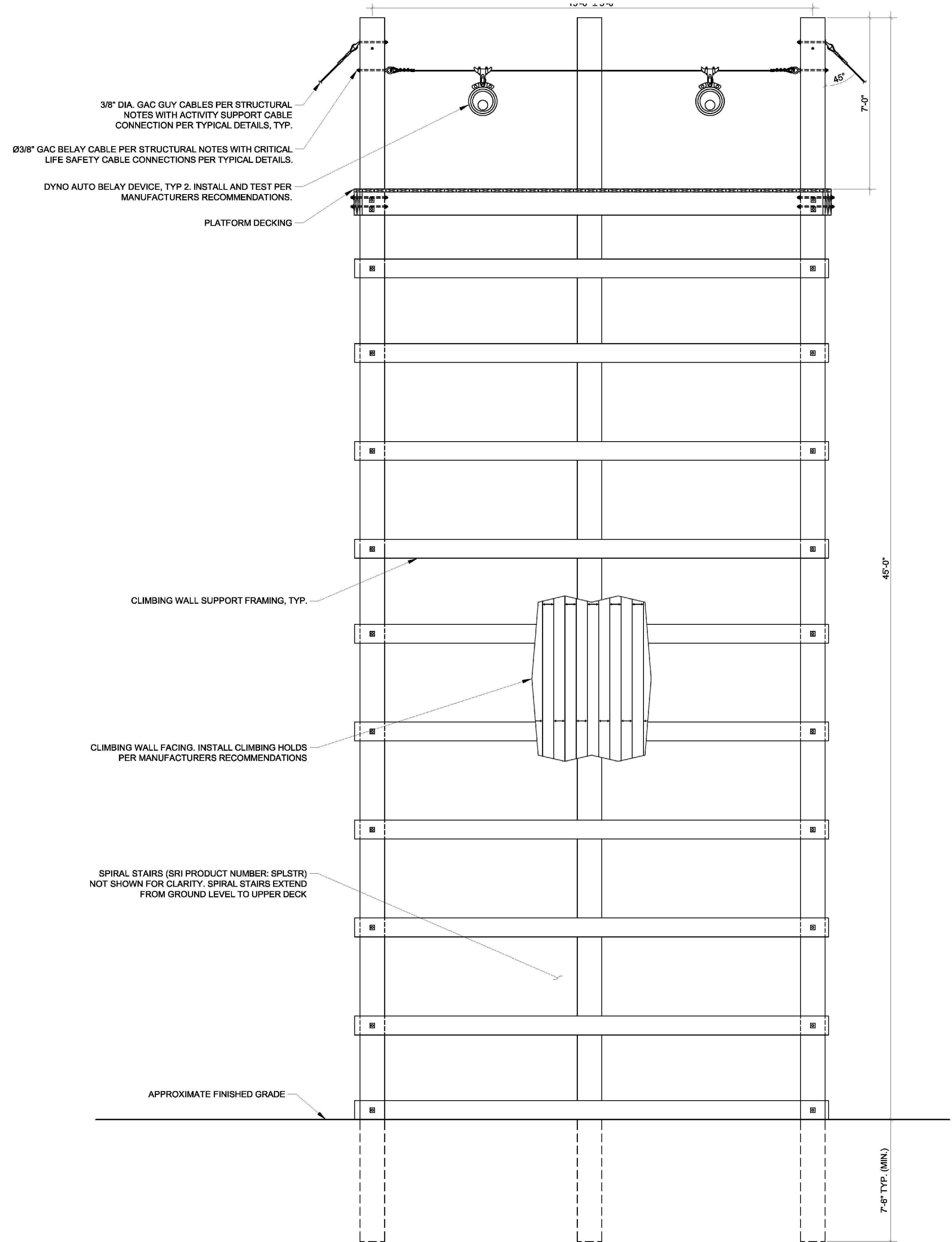
Our Lady of the
Fields

North Campground
Improvement
Sketch Plan

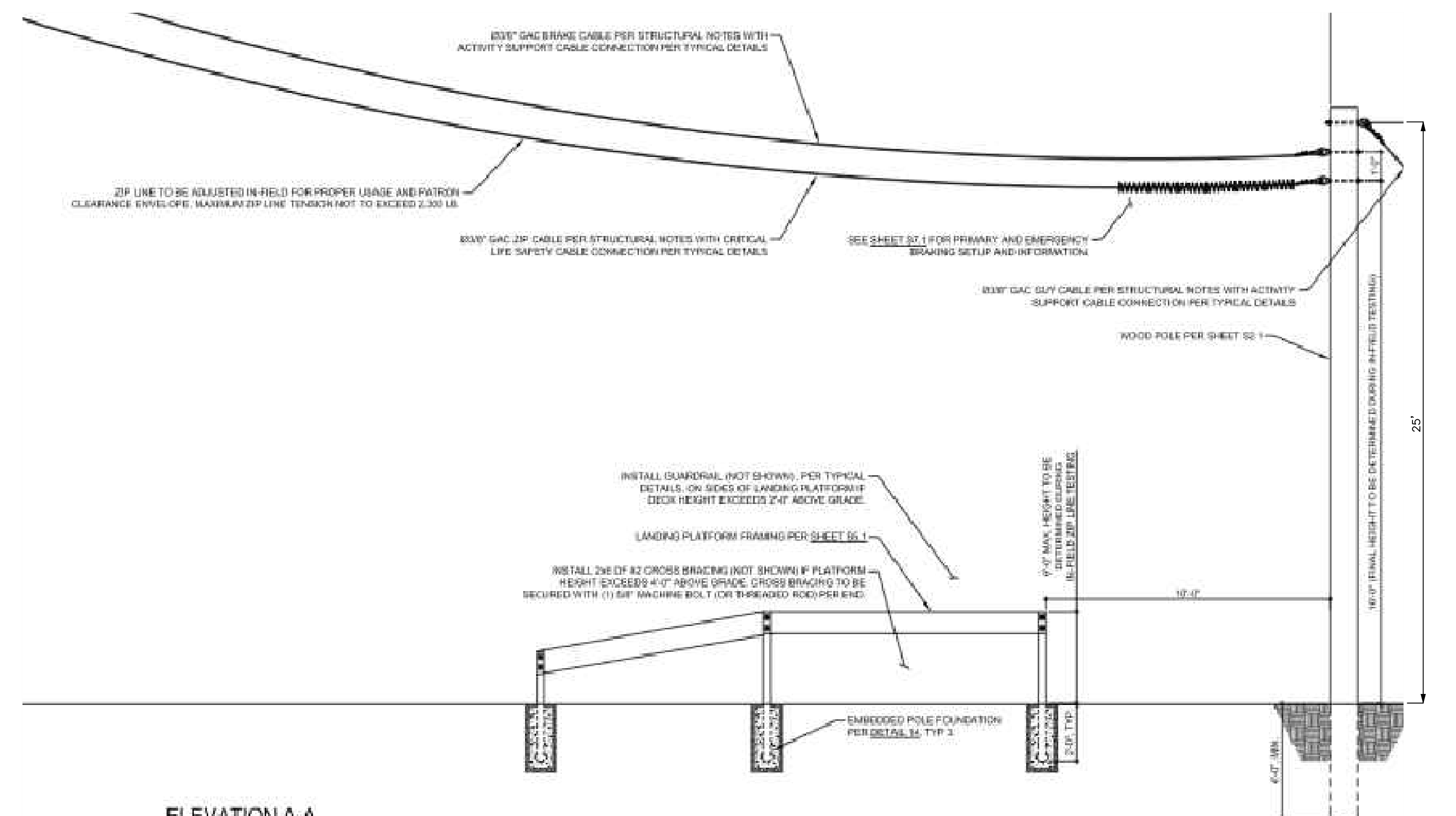
CLIENT:
Chaldean Catholic Church of
the United States of America
25603 Berg Road
Southfield, Michigan 48033

SCALE: 1"=100'
PROJECT No.: 224345
DWG NAME: 4345 CP
ISSUED: DEC, 7, 2022

C1.0

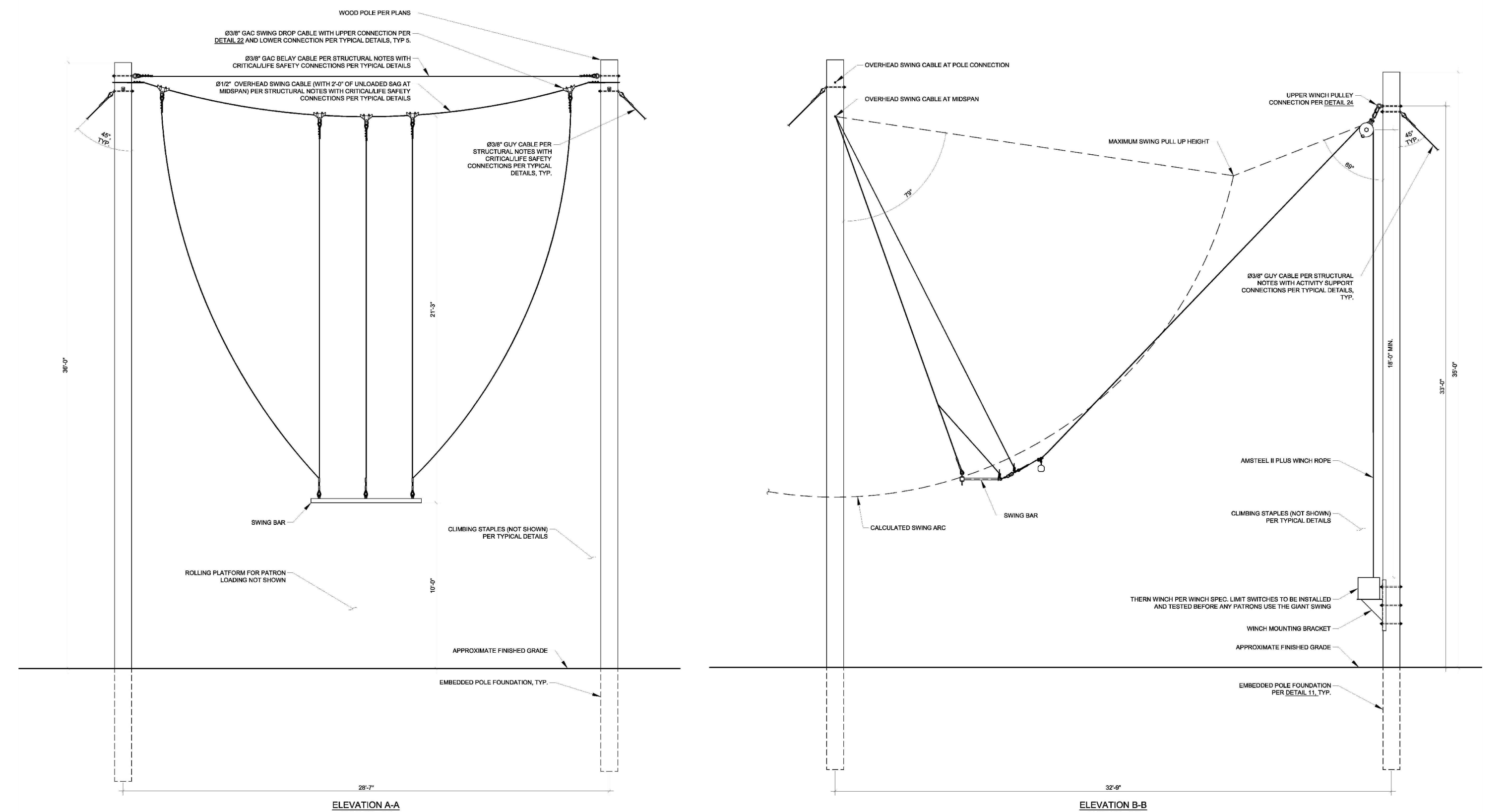


ELEVATION
CLIMBING TOWER
NOT TO SCALE



ELEVATION A-A
SCALE: 3/8" = 1'-0"

TERMINATING POLE
NOT TO SCALE



ELEVATION A.A
SCALE: 3/8" = 1'-0"

SWING ELEVATIONS
NOT TO SCALE

ELEVATION B.B
SCALE: 3/8" = 1'-0"

DESIGN:	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT:						
CHECK:						

Our Lady of the Fields

North Campground
Recreation Structures
Sketch Plan

CLIENT:
Chaldean Catholic Church of
the United States of America
25603 Berg Road
Southfield, Michigan 48033

SCALE: NONE
PROJECT No.: 224345
DWG NAME: 4345 CP
ISSUED: DEC. 7, 2022

C1.1



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
CITY OF DETROIT	CHALDEAN CATHOLIC CHURCH	3,500,000	07/09/2007	QC	21-NOT USED/OTHER	2007R-030588	BUYER/SELLER	100.0			
Property Address		Class: COMMERCIAL-IMPROVE		Zoning: PRF	Building Permit(s)		Date	Number	Status		
7000 MC CLEMENTS		School: HOWELL PUBLIC SCHOOLS		Other		01/06/2023	P23-001				
Owner's Name/Address		P.R.E. 0%		COMMERCIAL BLDG		05/05/2016	P16-069	NO START			
CHALDEAN CATHOLIC CHURCH OF THE USA 25603 BERG RD SOUTHFIELD MI 48033-2556		MAP #: V23-03		COMM MISCEL		12/16/2008	W08-125	NO START			
		2023 Est TCV Tentative		COMM MISCEL		12/16/2008	08-149	NO START			
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 4500.HOWELL M& B						
SEC. 12 T2N, R5E, W 1/2 OF NW 1/4 80A NORTH CAMP AREA & WELCOME CENTER		Public Improvements		* Factors *							
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
		Gravel Road		LAND TABLE A			80.000	Acres	10,500	100	840,000
		Paved Road				80.00	Total Acres	Total Est. Land Value =	840,000		
		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	EXEMPT	EXEMPT	EXEMPT	EXEMPT			
				2022	EXEMPT	EXEMPT	EXEMPT	EXEMPT			
				2021	0	0	0	0			
				2020	0	0	0	0			

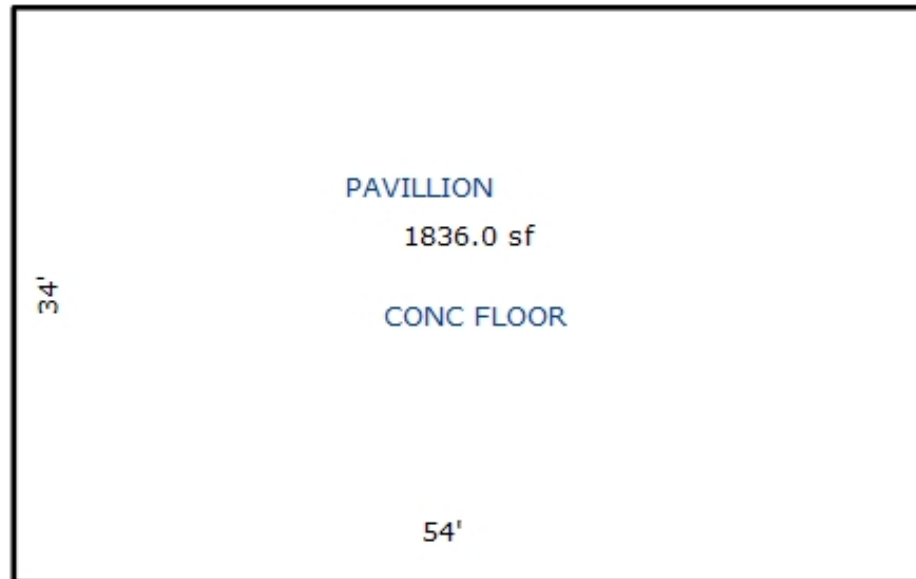
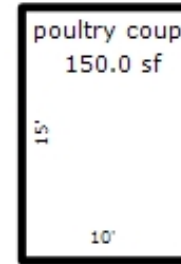
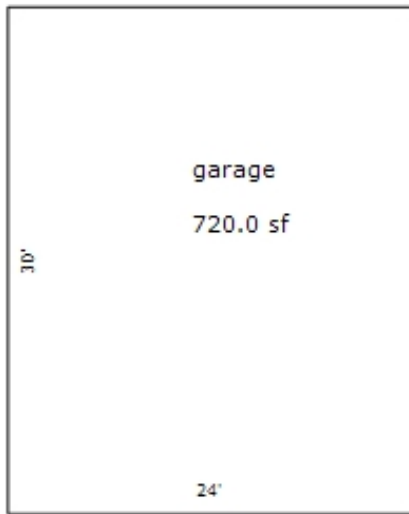


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*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: Calculator Occupancy: Clubhouses				<<<<<< Calculator Cost Computations >>>>>>			
Class: C Floor Area: 6,417 Gross Bldg Area: 6,417 Stories Above Grd: 1 Average Sty Hght : 12 Bsmnt Wall Hght				Class: C Quality: Average Stories: 1 Story Height: 12 Perimeter: 0			
Depr. Table : 2.5% Effective Age : 30 Physical %Good: 47 Func. %Good : 100 Economic %Good: 100				Base Rate for Upper Floors = 128.86 (10) Heating system: Package Heating & Cooling Cost/SqFt: 21.07 100% Adjusted Square Foot Cost for Upper Floors = 149.93			
Year Built Remodeled Overall Bldg Height				Total Floor Area: 6,417 Base Cost New of Upper Floors = 962,101 Reproduction/Replacement Cost = 962,101 Eff.Age:30 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 47 /100/100/100/47.0 Total Depreciated Cost = 452,187			
Comments:				ECF (1000 EXEMPT) 1.000 => TCV of Bldg: 1 = 452,187 Replacement Cost/Floor Area= 149.93 Est. TCV/Floor Area= 70.47			
(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets: Fixtures:			
X Poured Conc.	Brick/Stone	Block	Many Above Ave.	Average Typical	Few None	Few Average Many Unfinished Typical	Few Average Many Unfinished Typical
(3) Frame:		Total Fixtures		Urinals		Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct	
		3-Piece Baths		Wash Bowls		Incandescent Fluorescent Mercury Sodium Vapor Transformer	
		2-Piece Baths		Water Heaters		(40) Exterior Wall:	
		Shower Stalls		Wash Fountains		Thickness Bsmnt Insul.	
		Toilets		Water Softeners			
(4) Floor Structure:		(9) Sprinklers:		(13) Roof Structure: Slope=0			
(5) Floor Cover:		(10) Heating and Cooling:		(14) Roof Cover:			
		Gas Oil		Coal Stoker			
		Hand Fired Boiler					
(6) Ceiling:							

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



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

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.		
CITY OF DETROIT	CHALDEAN CATHOLIC CHURCH	3,500,000	07/09/2007	QC	21-NOT USED/OTHER	2007R-030588	BUYER/SELLER	100.0		
Property Address		Class: COMMERCIAL-IMPROVE		Zoning: PRF	Building Permit(s)		Date	Number	Status	
1391 S KELLOGG RD		School: HOWELL PUBLIC SCHOOLS			EXEMPT		04/12/2013	P13-021	NO START	
Owner's Name/Address		P.R.E. 0%			EXEMPT		02/16/2011	11-014	NO START	
CHALDEAN CATHOLIC CHURCH OF THE USA 25603 BERG RD SOUTHFIELD MI 48033-2556		MAP #: V23-03			MISC EXEMPT		01/21/2011	W11-005	NO START	
		2023 Est TCV Tentative			ADDITION		06/09/2010	10-065	NO START	
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 4502.HARTLAND M & B					
SEC. 11 T2N, R5E, E 1/2 OF NE 1/4 80A SOUTH CAMP		Public Improvements		* Factors *						
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value
CHALDEAN CHURCH		Gravel Road		TABLE A			80.000	Acres	10,500 100	840,000
		Paved Road		80.00 Total Acres Total Est. Land Value = 840,000						
		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	EXEMPT	EXEMPT	EXEMPT	EXEMPT		
				2022	EXEMPT	EXEMPT	EXEMPT	EXEMPT		
				2021	0	0	0	0		
				2020	0	0	0	0		

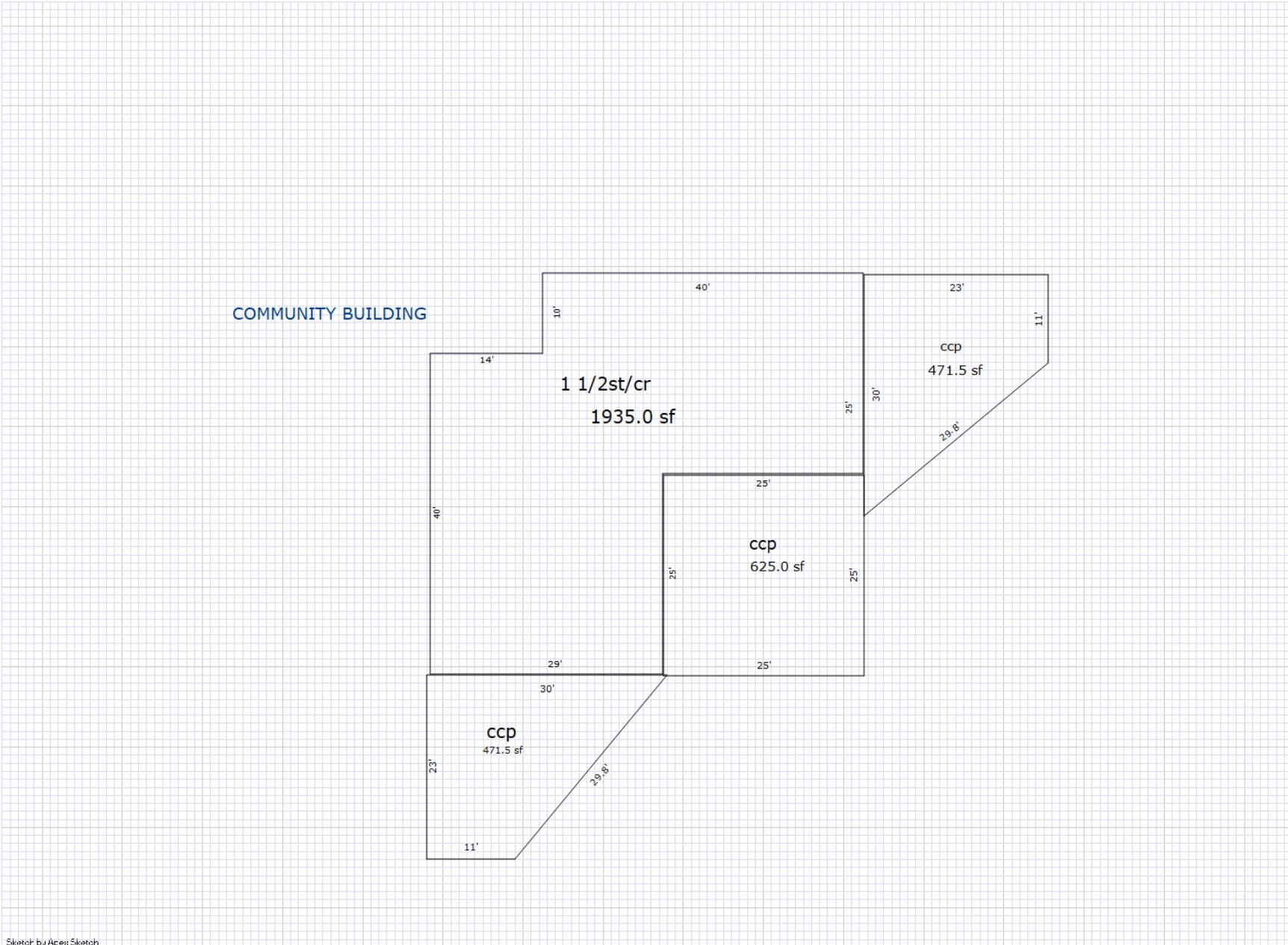


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*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 970 55	Type Treated Wood Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:		
X	Wood Frame		(4) Interior Drywall Paneled Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling											
Building Style: C		Trim & Decoration Ex X Ord Min		Central Air Wood Furnace			(12) Electric 0 Amps Service			Class: C Effec. Age: 9 Floor Area: 2,800 Total Base New : 377,467 Total Depr Cost: 343,495 Estimated T.C.V: 360,670			E.C.F. X 1.050		Bsmnt Garage: 2 Car Carport Area: Roof:	
Yr Built 0	Remodeled 0	Size of Closets Lg X Ord Small		No./Qual. of Fixtures Ex. X Ord. Min			Cost Est. for Res. Bldg: 1 Single Family C (11) Heating System: Forced Heat & Cool Ground Area = 1778 SF Floor Area = 2800 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=91/100/100/100/91			Cls C Blt 0						
Condition: Good		Doors: Solid X H.C.		No. of Elec. Outlets Many X Ave. Few			Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 1 Story Siding Basement 1,778 1 Story Siding Overhang 1022 Total: 337,719 307,324									
Room List		(5) Floors Kitchen: Other: Other:		(13) Plumbing Average Fixture(s) 3 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Other Additions/Adjustments Basement, Outside Entrance, Below Grade 1 2,505 2,280 Plumbing 3 Fixture Bath 2 9,093 8,275 Water/Sewer 1000 Gal Septic 1 4,761 4,333 Water Well, 100 Feet 1 5,684 5,172 Deck Treated Wood 55 1,822 1,658 Treated Wood 970 12,329 11,219 Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Basement Garage: 2 Car 1 3,554 3,234 Totals: 377,467 343,495									
(1) Exterior		(6) Ceilings		(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:			Notes: ECF (4502 (47060) HARTLAND M & B) 1.050 => TCV: 360,670									
X	Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation Basement: 1778 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0														
(2) Windows		(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor														
X	Many Avg. Few	X	Large Avg. Small	(9) Basement Finish Recreation SF Living SF 1 Walkout Doors No Floor SF												
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens																
(3) Roof		(10) Floor Support Joists: Unsupported Len: Cntr.Sup:														
X	Gable Hip Flat		Gambrel Mansard Shed													
X	Asphalt Shingle															
Chimney: Brick																

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



Sketch by Apex Sketch

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

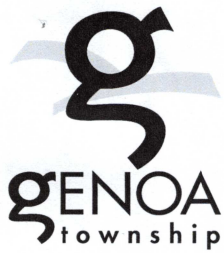
Building Type		(3) Roof (cont.)			(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																																			
X	Single Family Mobile Home Town Home Duplex A-Frame	X	Eavestrough Insulation	0	Front Overhang Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:																																		
X	Wood Frame	X	Drywall Paneled		Plaster Wood T&G		Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling																																												
Building Style: CD		Trim & Decoration																																																	
Yr Built Remodeled 2008 CLER0		Ex	X	Ord	Min																																														
Condition: Good		Lg	X	Ord	Small																																														
Room List		(5) Floors			Kitchen: Other: Other:			(12) Electric																																											
	Basement 1st Floor 2nd Floor Bedrooms							0 Amps Service																																											
(1) Exterior		(6) Ceilings			No./Qual. of Fixtures			Ex. X Ord. Min																																											
	Wood/Shingle Aluminum/Vinyl Brick							No. of Elec. Outlets			Many X Ave. Few																																								
X	Vinyl	(7) Excavation			(13) Plumbing																																														
X	Insulation	Basement: 0 S.F. Crawl: 1572 S.F. Slab: 0 S.F. Height to Joists: 0.0			Average Fixture(s) 2 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan																																														
(2) Windows		(8) Basement			(14) Water/Sewer																																														
X	Many Avg. Few	X	Large Avg. Small				Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic																																												
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor						Lump Sum Items:																																											
(3) Roof		(9) Basement Finish																																																	
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors No Floor SF																																																
X	Asphalt Shingle	(10) Floor Support																																																	
Chimney:		Joists: Unsupported Len: Cntr.Sup:																																																	
Cost Est. for Res. Bldg: 2 Single Family CD (11) Heating System: Forced Heat & Cool Ground Area = 1572 SF Floor Area = 1572 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=91/100/100/100/91 Building Areas <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 Story</td> <td>Siding</td> <td>Crawl Space</td> <td>1,572</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Other Additions/Adjustments</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3">Plumbing</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3">3 Fixture Bath</td> <td>1</td> <td>3,778</td> <td>3,438</td> </tr> <tr> <td colspan="3">Totals:</td> <td></td> <td>179,332</td> <td>163,192</td> </tr> </tbody> </table>																Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	1 Story	Siding	Crawl Space	1,572			Other Additions/Adjustments						Plumbing						3 Fixture Bath			1	3,778	3,438	Totals:				179,332	163,192
Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																																														
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Totals:				179,332	163,192																																														
Class: CD Effec. Age: 9 Floor Area: 1,572 Total Base New : 179,332 Total Depr Cost: 163,192 Estimated T.C.V: 171,352 E.C.F. X 1.050 Bsmnt Garage: Carport Area: Roof:																																																			
Notes: ECF (4502 (47060) HARTLAND M & B) 1.050 => TCV: 171,352																																																			

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

Desc. of Bldg/Section: Calculator Occupancy: Religious Buildings - Church Sanctuaries		<<<<<< Calculator Cost Computations >>>>>>	
Class: B Floor Area: 6,953 Gross Bldg Area: 6,953 Stories Above Grd: 1 Average Sty Hght : 32 Bsmnt Wall Hght		Class: B Quality: Good Stories: 1 Story Height: 32 Perimeter: 518 Base Rate for Upper Floors = 461.55	
Depr. Table : 2% Effective Age : 7 Physical %Good: 87 Func. %Good : 100 Economic %Good: 100		(10) Heating system: Package Heating & Cooling Cost/SqFt: 40.84 100% Adjusted Square Foot Cost for Upper Floors = 502.39	
Year Built Remodeled Overall Bldg Height		Total Floor Area: 6,953 Base Cost New of Upper Floors = 3,493,118 6,953 Sq.Ft. of Sprinklers @ 7.06, Cost New = 49,088	
Comments:		Reproduction/Replacement Cost = 3,542,206 Eff.Age:7 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 87 /100/100/100/87.0 Total Depreciated Cost = 3,081,719	
Area: Perimeter: Type: Heat: Hot Water, Radiant Floor		Local Cost Items Rate Quantity/Area %Good Depr.Cost GOOD ENTRY 25.00 1873 100 46,825	
Area #1: Type #1: Area #2: Type #2:		ECF (4502 (47060) HARTLAND M & B) 1.000 => TCV of Bldg: 1 = 3,128,544 Replacement Cost/Floor Area= 516.18 Est. TCV/Floor Area= 449.96	
Area: 6953 Type: Good			

(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets:		Fixtures:	
X Poured Conc.	Brick/Stone	Block	Footings	Many Above Ave.	Average Typical	Few None	
(3) Frame:		Total Fixtures		Urinals		Flex Conduit	
		3-Piece Baths		Wash Bowls		Rigid Conduit	
		2-Piece Baths		Water Heaters		Armored Cable	
		Shower Stalls		Wash Fountains		Non-Metalic	
		Toilets		Water Softeners		Bus Duct	
(4) Floor Structure:		(9) Sprinklers:		(13) Roof Structure:		(40) Exterior Wall:	
				Slope=0		Thickness	
(5) Floor Cover:		(10) Heating and Cooling:		(14) Roof Cover:		Bsmnt Insul.	
		Gas Oil					
(6) Ceiling:		Coal Stoker					
		Hand Fired Boiler					

*** 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 # 23-04 Meeting Date: Jan 17, 2023
@ 6:30 pm

PAID Variance Application Fee

\$215.00 for Residential

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

Applicant/Owner: Peter Wood Email: pete@ROOTERMd.com

Property Address: 4021 Homestead Phone: 248-207-1720

Present Zoning: LAKE SHORE RESORT LRR Tax Code: 4711-28-201-006

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: To remove existing shed
and add living room, new entry, and attached garage

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.

Property is a non-conforming lot allowing granting a variance would be consistent with homes in adjacent area and would allow addition for 1st floor master bedroom and an attached garage which would help facilitate aging in place.

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 non-conforming narrow lot necessitate variance to allow addition to fit while maintaining lot set back and also being consistent to existing properties adjacent to this lot

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.

Proposed additions would allow for more parking spaces on property keeping the streets clear during use of property

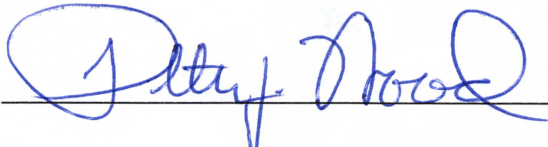
Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Proposed changes would enhance values and adjacent neighbors will support granting of variance

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: 12-12-22 Signature: 

January 6, 2023

Zoning Board of Appeals
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Amy Ruthig, Planning Director
Subject:	4021 Homestead Drive – Review of Dimensional Variances
Location:	4021 Homestead Drive – waterfront lot on the east side of Homestead Drive
Zoning:	LRR Lakeshore Resort Residential District

Dear Board Members:

At the Township’s request, we have reviewed the materials submitted seeking dimensional variances to expand the existing residence at 4021 Homestead Drive.

The existing residence is nonconforming due to its deficient northerly side yard setback (3.5’ provided; 10’ minimum required). The lot itself is also nonconforming due to deficient lot area (7,778 SF provided; 12,800 SF minimum required).

The proposal entails an attached garage in the street front yard, as well as expansion of the residence and a covered patio in the southerly side yard.

In accordance with LRR requirements (Section 3.04.01), dimensional variances are needed for the following:

- A street front yard setback of 10’ (where a minimum of 35’ is required);
- A southerly side yard setback of 8.5’ (where a minimum of 10’ is required); and
- A shoreline setback of 36.5’ (where a minimum of 57.25’ is required due to averaging).

SUMMARY

1. Given the conditions of the lot and residence, the Board could view strict compliance as unnecessarily burdensome (practical difficulty).
2. We are of the opinion that alternatives should be explored to reduce the somewhat excessive number of variances sought (substantial justice). The most reasonable approach appears to be modifications that result in a compliant southerly side yard setback.
3. The site is deficient in lot area and irregular in shape (extraordinary circumstance).
4. Given the nature of the site and project, we do not foresee issues with the supply of light and air or to traffic and public safety (public safety and welfare).
5. The proposed street front setback is consistent with those found in the neighborhood, while the proposed shoreline setback does not meet the average for the neighborhood, but is greater than that of the adjacent residence to the south (impact on surrounding neighborhood).
6. If the Board considers approval (of all or some) of the variances sought, we suggest a condition be included for removal of the concrete patio encroachment onto the adjacent property to the north (impact on surrounding neighborhood).



Aerial view of site and surroundings (looking north)

VARIANCE REVIEW

We have reviewed the request in accordance with the dimensional variance review criteria of Section 23.05.03, as follows:

- 1. Practical Difficulty/Substantial Justice.** Variances are not necessary to maintain or even expand the existing residence. However, given the presence of nonconformities (lot and residence), strict compliance could be viewed as unnecessarily burdensome to the applicant.

With that being said, if the size of the expansion were slightly reduced, the applicant could expand towards the southerly side lot line in accordance with required setbacks, which would minimize the number of variances sought.

Additionally, the applicant could pursue a detached garage (in lieu of attached) and match the 10' street front yard setback proposed (though this may not be a reasonable alternative).

In our opinion, modifications that result in a compliant southerly side yard setback seem most reasonable.

- 2. Extraordinary Circumstances.** As previously noted, the lot itself is deficient in area from a conventional LRR lot.

The lot is also irregular in shape with sharply angled side lot lines that reduce the buildable width from street to shore.

- 3. Public Safety and Welfare.** The proposed residence will provide the minimum spacing between residences (13.5' provided; 10' minimum required).

Accordingly, we do not believe that granting of the variances will impair the supply of light and air.

Furthermore, the nature of the project will not unreasonably impact traffic or public safety.

- 4. Impact on Surrounding Neighborhood.** The proposal would generally be consistent with the established street front yard setback of adjacent residences, while the shoreline setback would be greater than that of the residence to the south, but significantly less than that of the residence to the north.

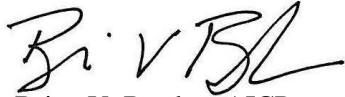
The plan provided depicts an existing concrete patio that slightly encroaches onto the adjacent property to the north.

If the Board considers approval (of all or some of the variances sought), we suggest it be conditioned upon removal of this encroachment across the property line.

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

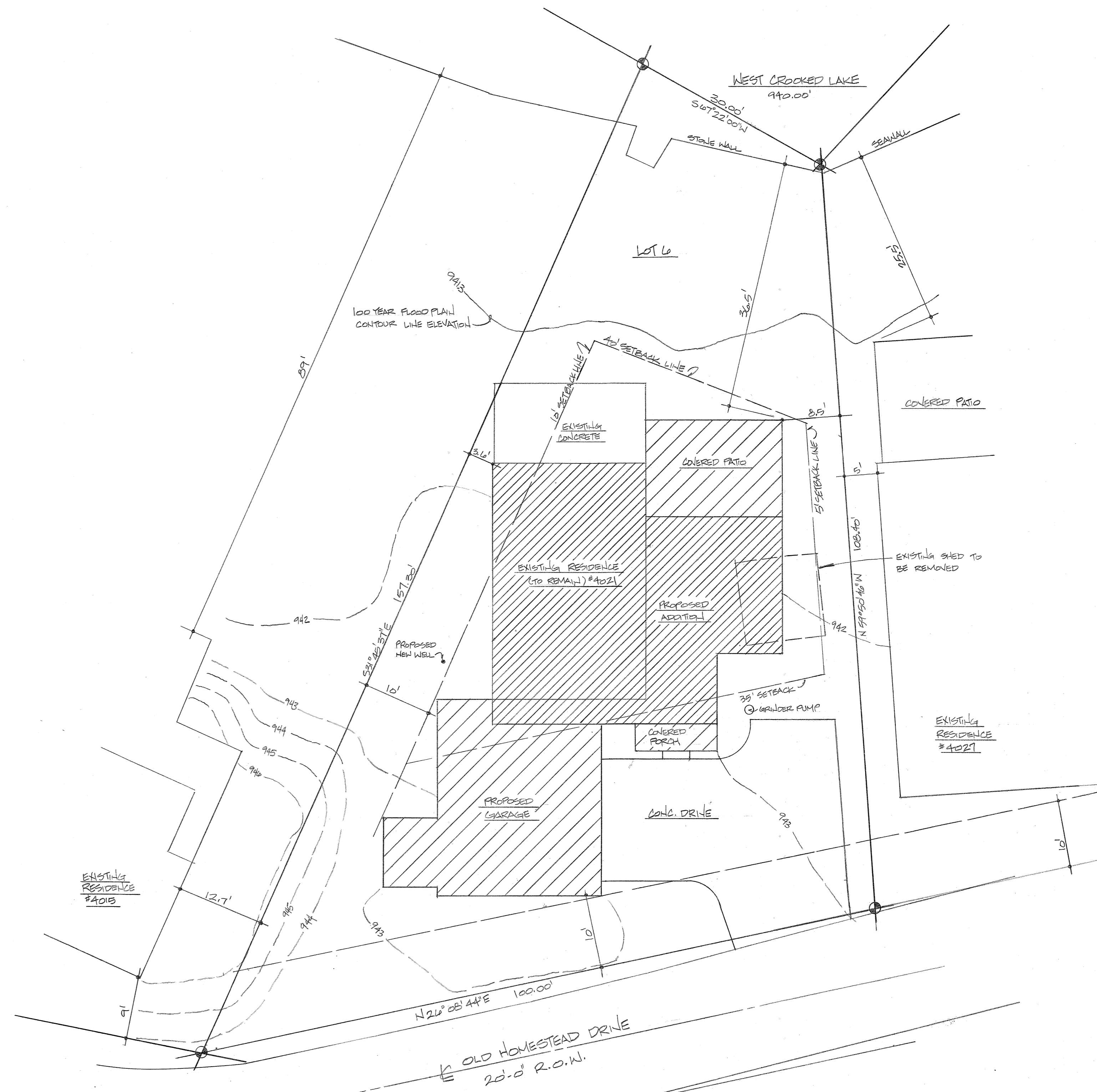
Respectfully,

SAFEBUILT

A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and cursive.

Brian V. Borden, AICP
Michigan Planning Manager

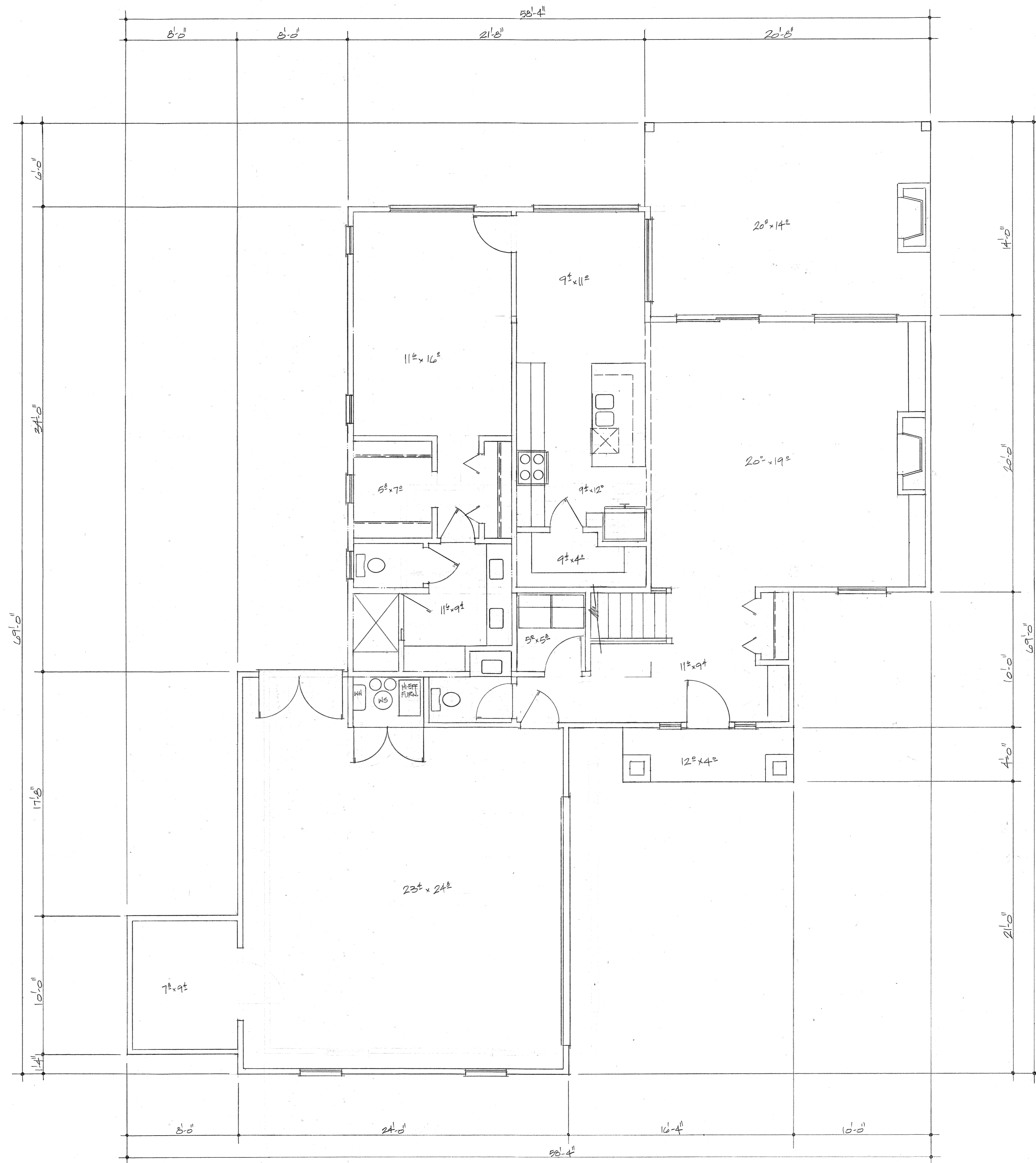
LOT SIZE 7776#
 UNDER ROOF 2354# 30.2% COVERAGE
 ADDL CONC. 1124# 44.7% COVERAGE



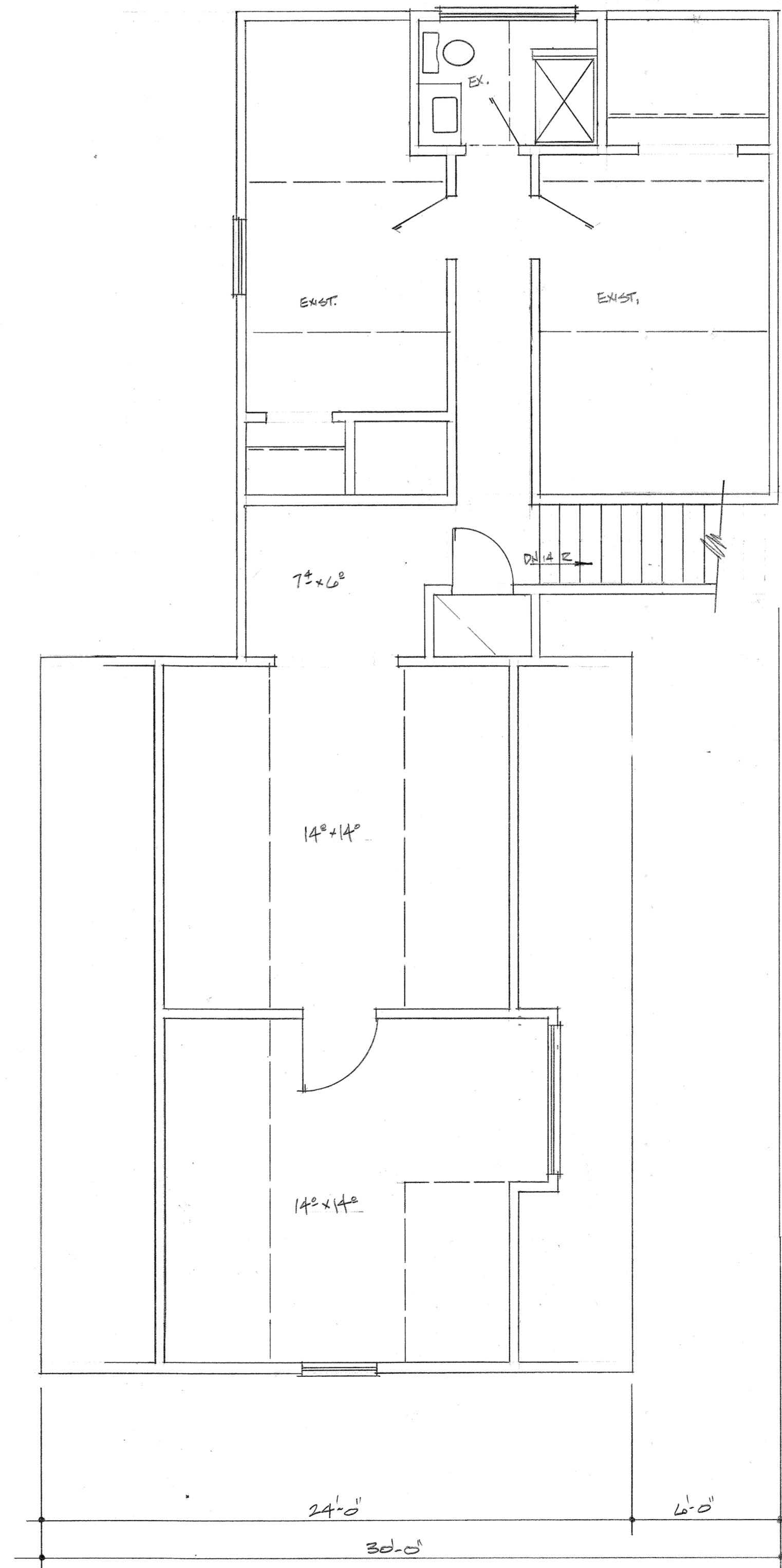
PROPERTY DESCRIPTION
 LOT 6 OF "OLD HOMESTEAD" SUBDIVISION, PART OF THE SW 1/4 OF THE SE 1/4 OF SEC 21, T24-N-R5E, AS RECORDED IN LIBER 2 OF PLATS, PAGE 4, LINCOLN COUNTY RECORDS, GENOA TOWNSHIP, MICHIGAN

SITE PLAN
 SCALE 1"=10'-0"

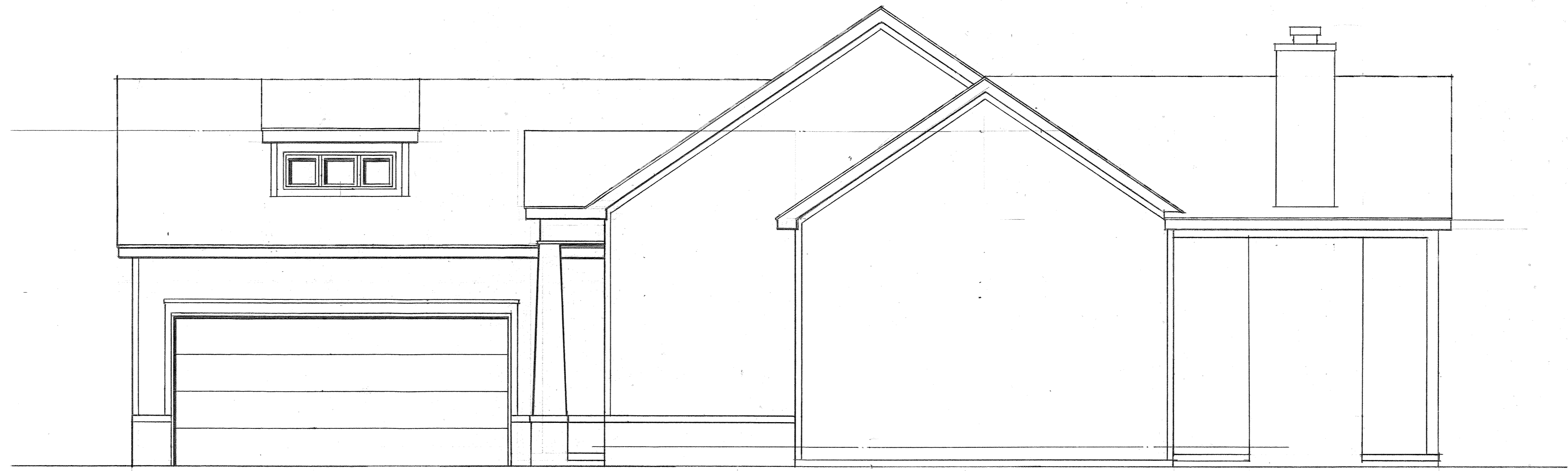
SIDWELL I.D.
 4711-25-201-006

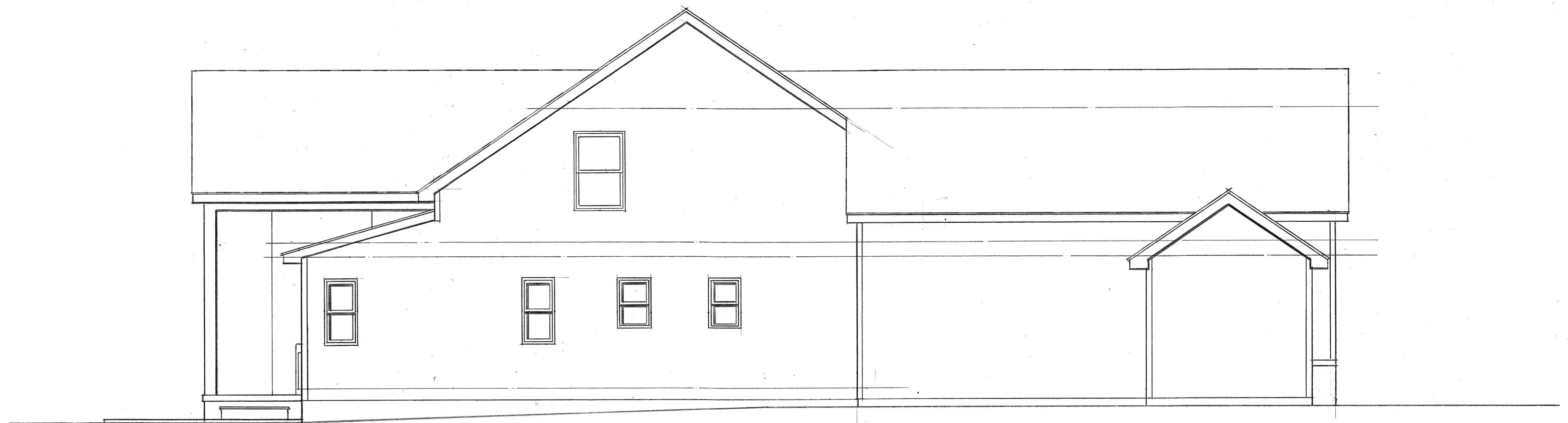


FIRST FLOOR PLAN
 SCALE 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE 1/4\" = 1'-0\"





Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
WOOD PETER DENISE & DANIEL	WOOD PETER & DENISE	1	12/09/2020	QC	21-NOT USED/OTHER	2020R-045756	BUYER/SELLER	0.0													
WALDO GEORGE E, ALICIA & D	WOOD PETER J & DENISE	299,900	11/19/2014	WD	03-ARM'S LENGTH	2014R-033148	BUYER/SELLER	100.0													
WOOD PETER J & DENISE	WOOD PETER DENISE & DANIEL	299,900	11/19/2014	QC	21-NOT USED/OTHER	2014R-034613	BUYER/SELLER	0.0													
WALDO GEORGE E & ALICIA	WALDO GEORGE E, ALICIA & I	0	06/13/2007	QC	21-NOT USED/OTHER	2007R-020888	BUYER/SELLER	0.0													
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status											
4021 HOMESTEAD DR		School: BRIGHTON AREA SCHOOLS		RES MISCEL		06/30/2005		P05W-080	NO START												
Owner's Name/Address		P.R.E. 0%		RES MISCEL		11/17/2003		P03W-122	NO START												
WOOD PETER & DENISE 220 N 5TH ST BRIGHTON MI 48116		MAP #: V23-04		2023 Est TCV Tentative																	
Tax Description		X Improved		Vacant		Land Value Estimates for Land Table 4304.OLD HOMESTEAD															
SEC. 28 T2N, R5E, OLD HOMESTEAD LOT 6		Dirt Road		Public Improvements		* Factors *															
Comments/Influences		Gravel Road		Description		Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value									
		Paved Road		A LAKE FRONT		30.00	133.00	1.0000	1.0000	4300	100	129,000									
		Storm Sewer		30 Actual Front Feet, 0.09 Total Acres						Total Est. Land Value =		129,000									
		Sidewalk		Land Improvement Cost Estimates																	
		Water		Description		Rate		Size % Good		Cash Value											
		Sewer		D/W/P: 3.5 Concrete		6.44		280 49		883											
		Electric		Wood Frame		26.42		144 91		3,462											
		Gas		Total Estimated Land Improvements True Cash Value =								4,345									
		Curb																			
		Street Lights																			
		Standard Utilities																			
		Underground Utils.																			
		Topography of Site																			
		Level																			
		Rolling																			
		Low																			
		High																			
		Landscaped																			
		Swamp																			
		Wooded																			
		Pond																			
		Waterfront																			
		Ravine																			
		Wetland																			
		Flood Plain																			
		X REFUSE																			
		Who		When		What		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/ Other		Taxable Value	
								2023		Tentative		Tentative		Tentative						Tentative	
								2022		64,500		92,200		156,700						125,351C	
								2021		64,500		87,000		151,500						121,347C	
								2020		60,000		76,800		136,800						119,672C	

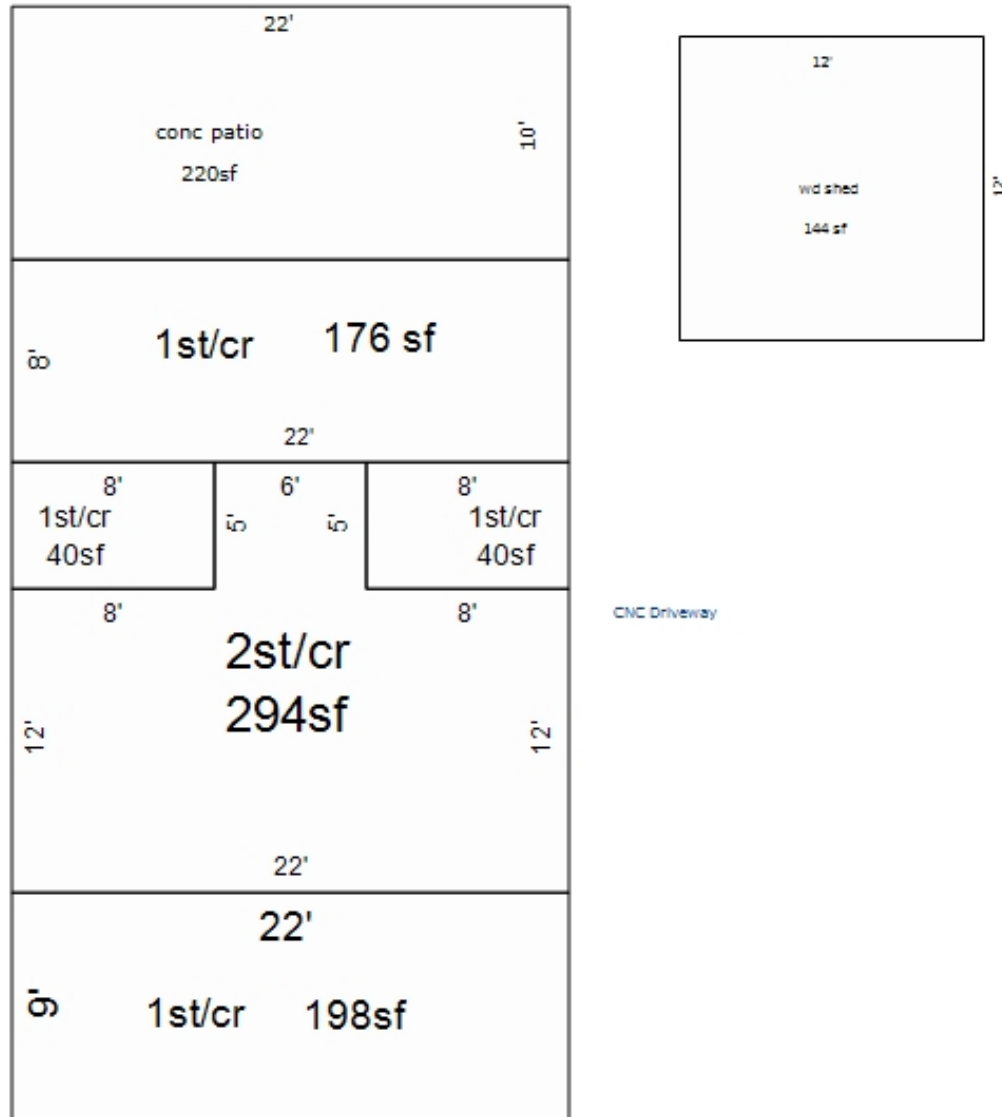


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*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage			
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built:	Car Capacity:			
X	Wood Frame		Drywall Paneled		Plaster Wood T&G				Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling					Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:				
Building Style: C		Trim & Decoration		Ex			X	Ord	Min	Central Air Wood Furnace								
Yr Built 1930	Remodeled 2004	Size of Closets		Lg			X	Ord	Small	X								
Condition: Good		Doors:		Solid			X	H.C.										
Room List		(5) Floors		Kitchen:			(12) Electric			Class: C								
	Basement 1st Floor 2nd Floor 3 Bedrooms	Other:		Other:			0 Amps Service			Effec. Age: 8 Floor Area: 998 Total Base New : 145,491 Total Depr Cost: 133,851 Estimated T.C.V: 200,777			E.C.F. X 1.500		Bsmnt Garage:			
(1) Exterior		(6) Ceilings		No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family C			Cls C			Blt 1930					
X	Wood/Shingle Aluminum/Vinyl Brick			Ex.			X	Ord.	Min	(11) Heating System: Forced Heat & Cool Ground Area = 704 SF Floor Area = 998 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=92/100/100/100/92 Building Areas								
	Insulation	(7) Excavation		No. of Elec. Outlets			Many			X	Ave.	Few	Stories			Size		
(2) Windows		Basement: 0 S.F. Crawl: 704 S.F. Slab: 0 S.F. Height to Joists: 0.0		(13) Plumbing			Average Fixture(s)			1 Story			Siding			Crawl Space		
X	Many Avg. Few	X	Large Avg. Small	2 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			1 Story			Siding			Crawl Space			132		
(3) Roof		(8) Basement		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor			2 1 Story			Siding			Crawl Space			40		
	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			1 1 Story			Siding			Crawl Space			40		
X	Gable Hip Flat	Gambrel Mansard Shed	(10) Floor Support		1 Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic			1 1 Story			Siding			Crawl Space			198	
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:		Lump Sum Items:			Other Additions/Adjustments			Plumbing			3 Fixture Bath			1 4,547 4,183		
Chimney: Brick							Water/Sewer			Public Sewer			1 1,462 1,345					
							Water Well, 200 Feet			1 10,514 9,673			Totals: 145,491 133,851					
							Notes:			ECF (4304 OLD HOMESTEAD) 1.500 => TCv:			200,777					

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



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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
December 13, 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, Marianne McCreary, Jean Ledford, Craig Fons, and Amy Ruthig, Planning Director. Absent was Bill Rockwell.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board and staff introduced themselves.

Approval of the Agenda:

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

Call to the Public:

The call to the public was opened at 6:31 pm with no response.

Old Business:

1. 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.

Mr. Ron Paglioni, the park manager for Lake Chemung Outdoor Resort, stated they are not able to meet the setback because there is a hill. There is also a tree where the structure would be if it were to meet the setback. The pavilion will be a shade structure. This would provide a safe area for people to have shade and shelter.

Board Member McCreary questioned if there were restrictions within the campground bylaws. Mr. Paglioni stated that everyone must be off the beach by 11:00 pm and there is nothing allowed to be left overnight, such as tables, chairs, floatation devices, etc. They do not allow fires at any time. Boats are not allowed to be brought up onto the shore.

Board Member Kreutzberg asked if a retaining wall will need to be installed because of the hill. Mr. Paglioni stated it is a very sturdy hill and he does not believe there is a need for a retaining wall.

Board Member Fons questioned if an additional structure variance is being requested. Ms. Ruthig answered yes. There are only two detached accessory structures allowed on the entire property and there are already many more than that. Mr. Paglioni explained the different accessory structures that are on their property.

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

Moved by Board Member McCreary, seconded by Board Member Kreutzberg, to approve Case #22-23 for Joseph Maezes at 320 S. Hughes Road for a waterfront yard setback variance of 70 feet, from the required 125 feet for a waterfront yard setback of 55 feet and a variance to exceed the allowable number of detached accessory structures on a lot for the construction of a new 20 x 30 pavilion, based on the following findings of fact:

- 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. The property zoning of Public and Recreational Facilities (PRF) having a campground use requires that no adverse effects for accessory buildings and structures shall affect neighboring properties. This Board finds the distance between neighboring properties to be substantial and satisfactory. The setback requested in relation to its proximity at the northernmost end of the lake does not protrude beyond the closest neighboring properties' views. Current accessory buildings observed are four bathhouses for over 300 plus residents, a storage garage for maintenance of grounds, and a hall for residents to gather that are well maintained and service a large camp facility. Based on the shoreline and boats along the beach area where this gazebo will be placed, it would provide a great shade area and benefit to the members for health and safety.
- The extraordinary circumstances are the topography of the land and the steep grade with a rising elevation to the north of the proposed placement of the gazebo. It is the least amount necessary and is not self-created.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- This proposed variance would not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. No other waterfront structures are allowed.
2. This must comply with the Planning Commission requirements.
3. This must follow the terms and conditions of previous use/zoning approvals.
4. The sketch dated July 29, 2022 from Pucci and Vollmer Architects shall be submitted to the Township.

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the November 15, 2022 Zoning Board of Appeals meeting.

Needed changes were noted.

Moved by Board Member Ledford, seconded by Board Member McCreary, to approve the minutes of the November 15, 2022 meeting as presented/amended. **The motion carried unanimously.**

2. Correspondence

Ms. Ruthig stated there will be a ZBA meeting in January.

3. Member Discussion

Chairman Rassel stated that he will not be at the February meeting and is not sure if he will attend the January meeting.

4. Adjournment

Moved by Board Member Fons, seconded by Board Member McCreary, to adjourn the meeting at 7:02 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary