

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
January 14, 2025
6:30 P.M.
AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

Conflict of Interest:

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. 24-28 A request is being made, by Jeffrey A. Adams of 5239 Wildwood for a rear(waterfront), road, and side yard setback variances and any other variances deemed necessary by the Zoning Board of Appeals, to construct an accessory structure.

NEW BUSINESS:

1. 25-01...A request by Paul Mitter of MITTS LLC, 5796 E. Grand River, for a front yard setback variance and any other variances deemed necessary by the Zoning Board of Appeals, to construct a monument sign

Administrative Business:

1. Approval of minutes for the December 17th Zoning Board of Appeals meeting.
2. Correspondence
3. Member Discussion
4. Adjournment

*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented. Anyone speaking on an agenda item will be limited to 2 minutes.



**GENOA CHARTER TOWNSHIP
USE VARIANCE APPLICATION**

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 24-28

Meeting Date: Nov 19, 2024 @ 6:30pm
in Boardroom

PAID Variance Application Fee

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

Applicant/Owner: Jeffrey A. Adams

Email: gurski777@gmail.com

Property Address: 5239 Wildwood

Phone: 586-215-6835

Present Zoning: _____

Tax Code: 4711-10-102-070

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 may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested/intended property modifications: Request for lake road and side yard variances to build 14'X30', 1 car 2 story garage 20' in height, 28' from the lake 11' from the road and 2'-3'6" from side yard lot line of adjacent neighboring home

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

Criteria Applicable to Dimensional Variances. No variance in the provisions or requirements of the Ordinance shall be authorized by the Board of Appeals unless it is found from the evidence that all of the following conditions exist:

Under each please indicate how the proposed project meets each criteria.

Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

The proposed structure would have no effect on the neighborhood or the adjacent home. The proposed garage would certainly be a visual improvement over the existing shed.

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.

Of the 17 homes on the Southeast portion of Wildwood. Seven have existing garages. My extraordinary circumstances is the close proximity of the adjacent home at 5245 Wildwood to the property line 2'-2'8".

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.

Enclosed is a letter of approval from my neighbor at 5245, A.J. Mitten to build such a structure. The side of the garage facing Mr.Mitten would be 5/8 fire board requested by BOCA building code.

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 purposed structure would in no way effect the neighborhood as far as function of vehicle or foot traffic. Elevation of the garage would mimic my home.

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: Oct 18, 2024 Signature: Jeffrey A. Alan

LAKE CHEMUNG

5245

5239

WILDWOOD

PROPOSED
GARAGE

Sat Jun 17 2023

Imagery © 2024 Nearmap, HERE

nearmap


October 2, 2024

ZBA

I recently spoke with my neighbor Jeff Adams at 5239 Wildwood Dr. about his desire to build a one car garage adjacent to my property at 5245 Wildwood Dr.

He asked if I would have any concerns or reservations about this project.

I cannot think of any issues I would have. In fact, I believe it would certainly be an improvement over his existing shed that is there now.

Austin Mitter




UPDATED

MEMORANDUM

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

TO: Genoa Township Zoning Board of Appeals
FROM: Carrie Aulette, Zoning Official
DATE: November 6, 2024
RE: ZBA 24-28

STAFF REPORT

File Number: ZBA#24-28
Site Address: 5239 Wildwood Dr., Howell
Parcel Number: 4711-10-102-070
Parcel Size: .050 Acres
Applicant: Jeffrey Adams
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variances
Project Description: Applicant is requesting a front yard, side yard, and a waterfront setback variance to construct a garage that is attached by roof structure.
Zoning and Existing Use: LRR (Lakeshore Resort Residential), Single Family Dwelling located on property.

Other:
Public hearing was published in the Livingston County Press and Argus on Sunday November 3, 2024 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 home was built in 1930.
- Parcel is serviced by public sewer and private well.
- In 2008, the current owner requested a variance for an addition that was approved. Minutes in packet.
- See Record Card.

SUPERVISOR

Kevin Spicher

CLERK

Janene Deaton

TREASURER

Robin L. Hunt

TRUSTEES

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

MANAGER

Kelly VanMarter

Summary

The proposed project is to construct a 14' x 30' garage attached by a roof. In order to construct the proposed garage, the applicant would be required to obtain a front yard, side yard, waterfront yard setback and lot coverage variance. The proposed garage meets the height requirement for the LRR zoning. ***Following his first meeting, Mr. Adams agreed to table this and return in January. He is now proposing to reduce the size of the garage to 12' x 24' (previously requested 14' x 30'). By reducing the size of the building, he is reducing the side yard requests, waterfront variance request by 10' and will also not be required to obtain a lot coverage variance.**

Variance Requests

Accessory Buildings Over 200 square feet	Side Setback	Waterfront Setback	Front Setback
Required Setbacks	10'	40'	10'
Setback Amount Requested **UPDATED**	4'4"	38'	9'
Variance Amount	5'8"	2'	1'

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

Table 3.04.01 (LRR District):

(k) **LRR Side Yards:** In the LRR Zoning District 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)

Table 3.04.02 Shoreline Setback	
Condition	Required Setback from Shoreline or Ordinary High-Water Mark of a Lake*
	Principal Building
Sites connected to public sewer in Lakeshore Resort Residential Dist.	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.

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 front yard, side yard, waterfront yard setback, and lot coverage requirement would prevent the applicant from constructing the proposed garage. There are multiple homes in immediate vicinity that do not meet the LRR setbacks or lot coverage requirements. Granting of the requested variance is not necessary for the preservation and enjoyment of the property.

- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the narrowness of the lot and the location of the existing home. Most lots in this area are small and non-conforming. The side yard and waterfront setback variance would make the property consistent with other properties in the vicinity, the need for the variance is not self-created. The neighboring property to the NE has a reduced side yard setback seen on an old survey of 2’ making it difficult to adhere to the side yard setbacks.

- (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** – Staff does have concerns regarding the parking on the property. It appears that they maybe using the 20’ dedicated ‘walk’ (shown on plat map) as parking. Staff is not aware if any other parking is available on site

Recommended Conditions

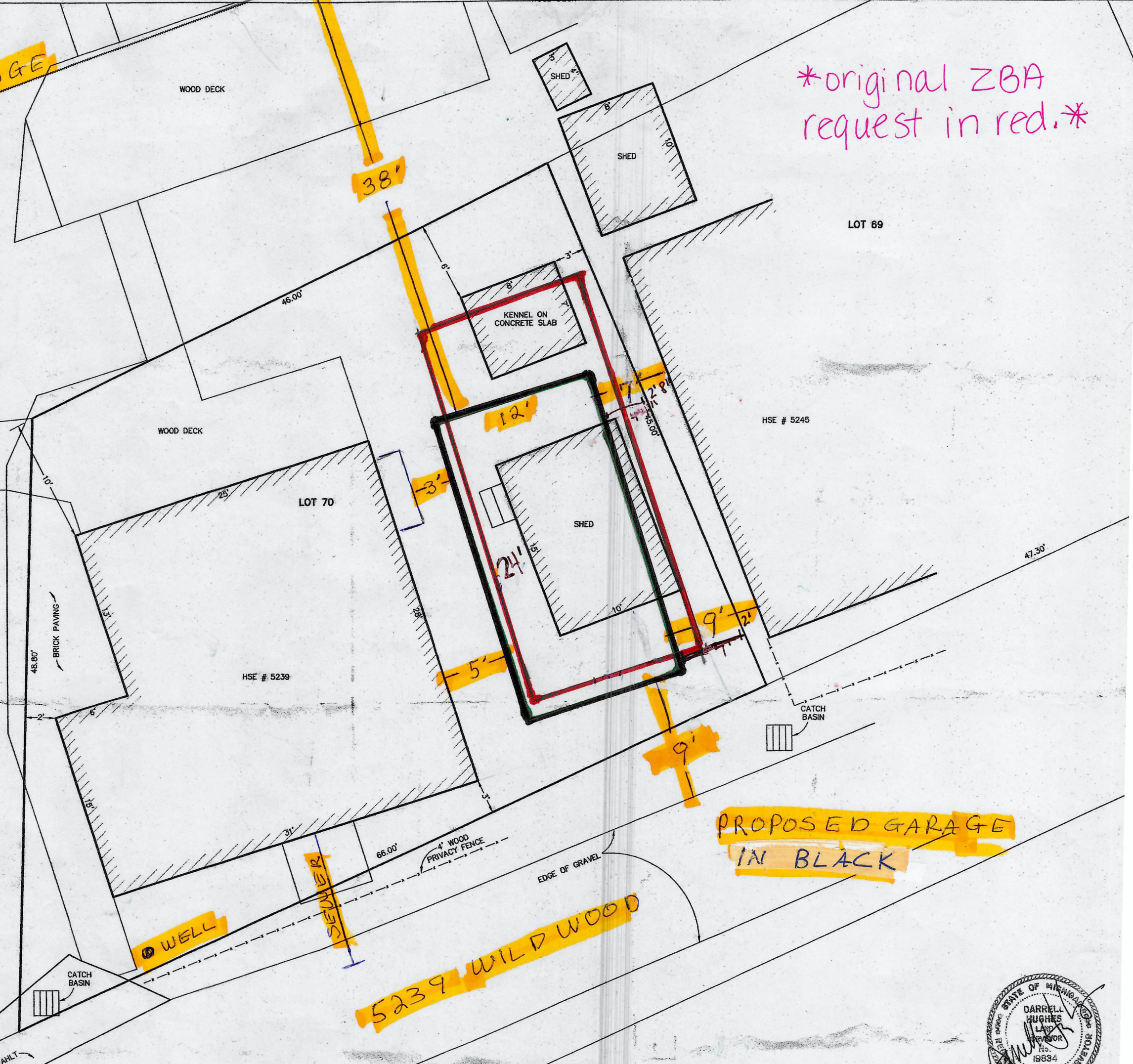
If the Zoning Board of Appeals grants the variance requests staff recommends the following conditions be placed on the approval.

1. Structure must be guttered with downspouts.
2. Building height must not exceed 18 feet.
3. Owner must remove all other existing accessory buildings on property

E CHEMUNG

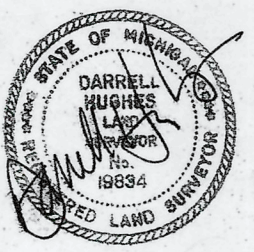
UPDATED

original ZBA request in red.



PROPOSED GARAGE IN BLACK

5239 WILDWOOD

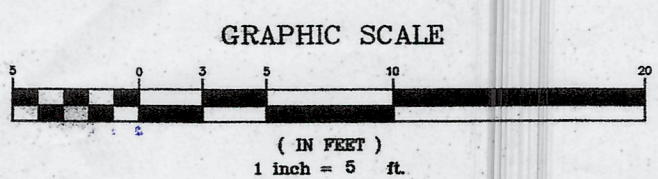


Jeffrey A. Adams
 5239 Wildwood
 Howell, Michigan 48843-9146

DESCRIPTION
 Lot 70 of "KIRK'S LANDING LONG LAKE NO.1", a subdivision as recorded in Liber 2, of Plats, Page 20, Livingston County Records.

Kevin Cleary
 5227 Wildwood
 Howell, Michigan 48843

DESCRIPTION
 Lot 71 of "KIRK'S LANDING LONG LAKE NO.1", a subdivision as recorded in Liber 2, of Plats, Page 20, Livingston County Records.

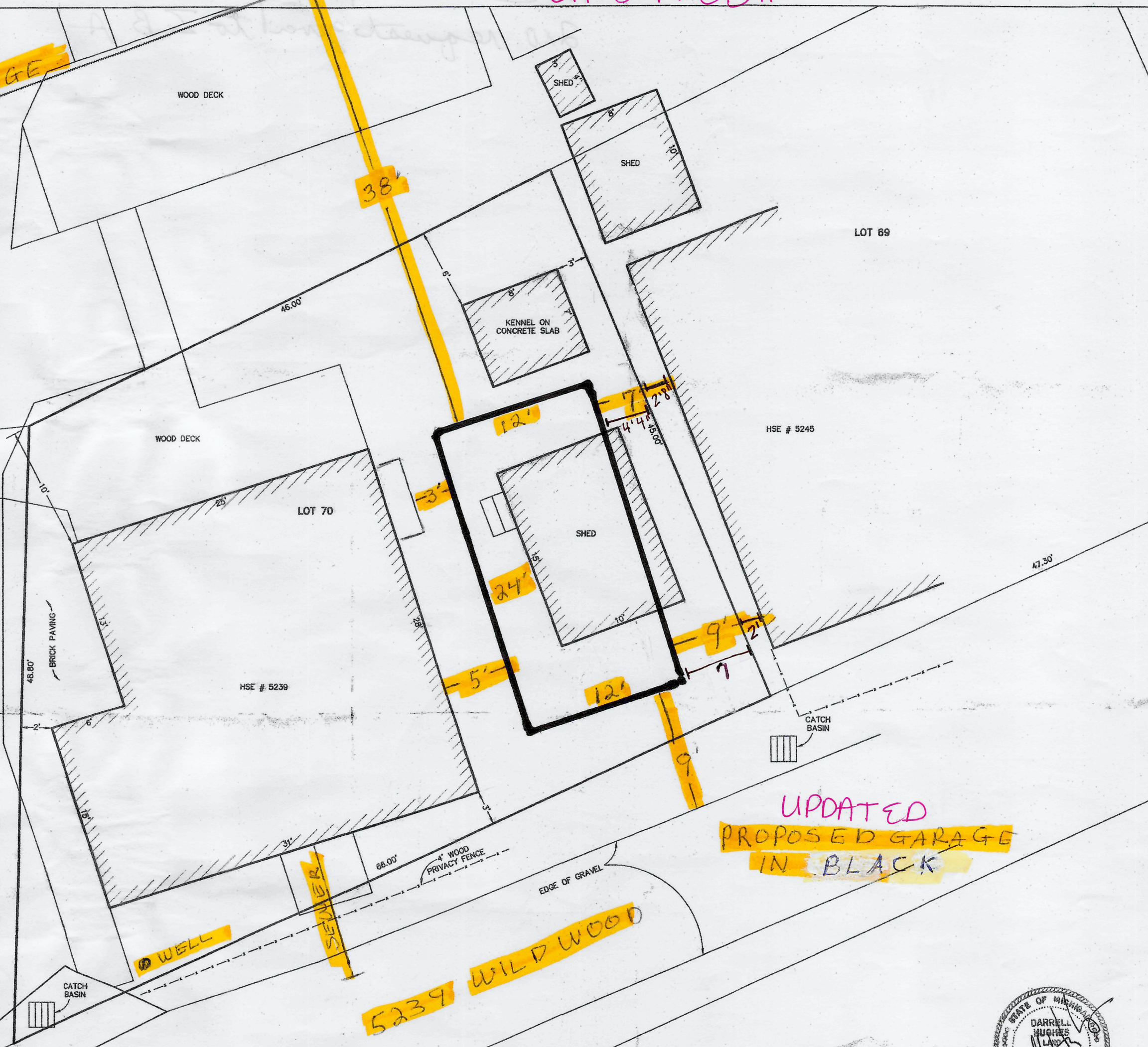


SCALE: 1" = 5'
 DATE: 07-28-04
 JOB No./CLIENT:
 24860/ADAMS
 24861/CLEARY
 DWG. FILE: 24860_24X36.dwg

PREPARED BY:
HUGHES LAND SURVEYORS
 DARRELL HUGHES, R.L.S. No. 198
 638 SOUTH GRAND AVENUE P.O. B.
 FOWLERVILLE, MICHIGAN 48836
 OFC: (517) 248-6000
 FAX: (517) 248-6001
 E-MAIL: surveys@hughesland.com

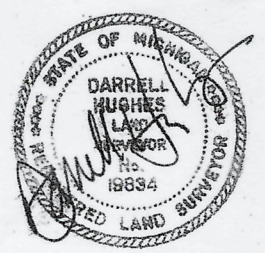
CHEMUNG

UPDATED



UPDATED
PROPOSED GARAGE
IN BLACK

5239 WILDWOOD

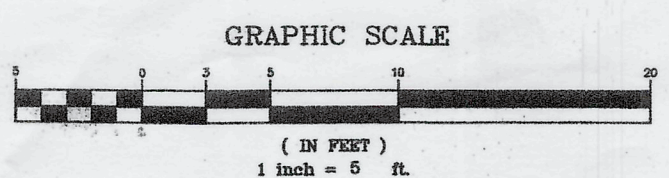


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SCALE: 1" = 5'
DATE: 07-28-04
JOB No./CLIENT:
24860/ADAMS
24861/CLEARY
DWG. FILE: 24860_24X36.dwg

PREPARED BY:

HUGHES
LAND SURVEYORS

OF: (517) 223-3
FAX: (517) 223-9
E-MAIL: surveyorh@aol.com

DARRELL HUGHES, R.L.S. No. 19834
638 SOUTH GRAND AVENUE P.O. BOX 10
FOWLerville, MICHIGAN 48836

LAKE CHEMUNG

WATERS EDGE

EDGE OF WATER

WOOD DECK

28'

35'

46.00'

LOT 89

KENNEL ON CONCRETE SLAB

HSE # 8245

20.00'

WOOD DECK

6'

LOT 70

4'

2'

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PROPOSED GARAGE
IN RED

PATH

EDGE OF GRAVEL

4' WOOD FENCE

48.00'

10'

10'

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10'

WELL

CATCH BASIN

20.00'

ASPHALT

WILDWOOD DRIVE WEST

5239 WILDWOOD DR

CATCH BASIN

Jeffrey A. Adams
5239 Wildwood
Howell, Michigan 48843-9146

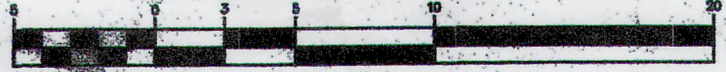
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GRAPHIC SCALE

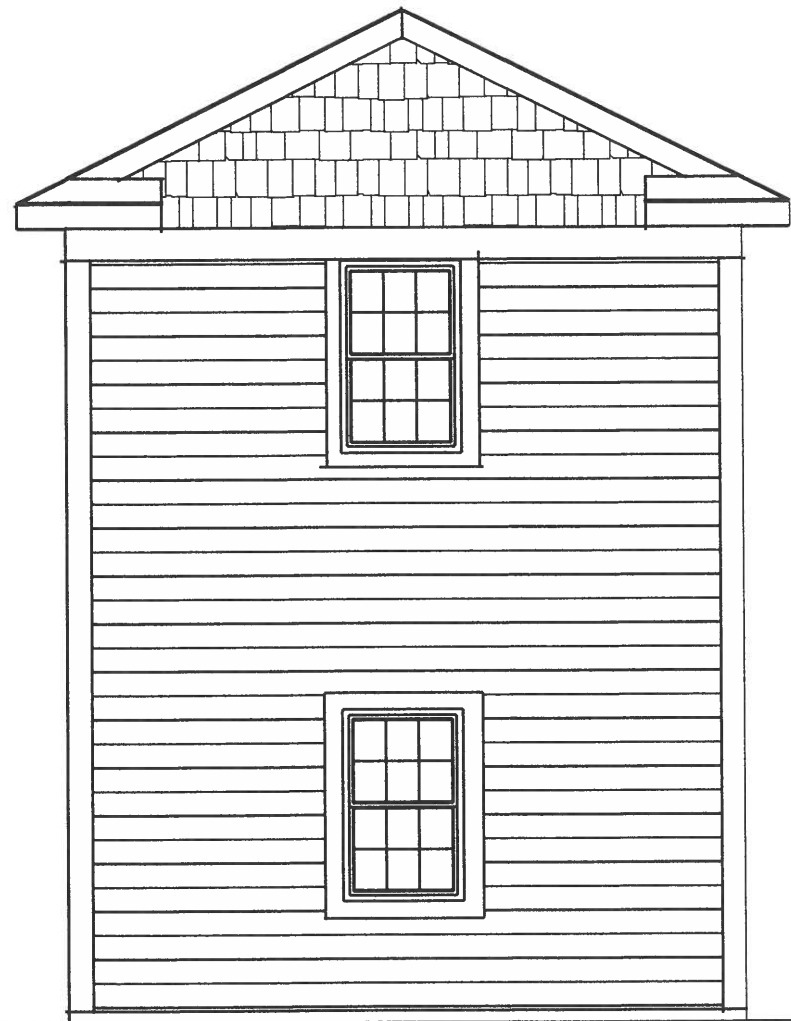


(IN FEET)

1 inch = 5 ft.

SCALE: 1" = 5'
DATE: 07-28-04
JOB No./CLIENT:
24860/ADAMS
24861/CLEARY
DWG. FILE: 24860_24X36.dwg

PREPARED BY:
HUGHES OFC: (517) 223-3512
LAND SURVEYORS FAX: (517) 223-9987
E-MAIL: surveyorh@aol.com
DARRELL HUGHES, R.L.S. No. 19834
638 SOUTH GRAND AVENUE P.O. BOX 1039
FOWLERVILLE, MICHIGAN 48836



LAKE SIDE

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



NEIGHBOR SIDE

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

Rick Lindbeck Design



RESIDENTIAL DESIGN
rick@ricklindbeckdesign.com
248.310.4500

BLDR:

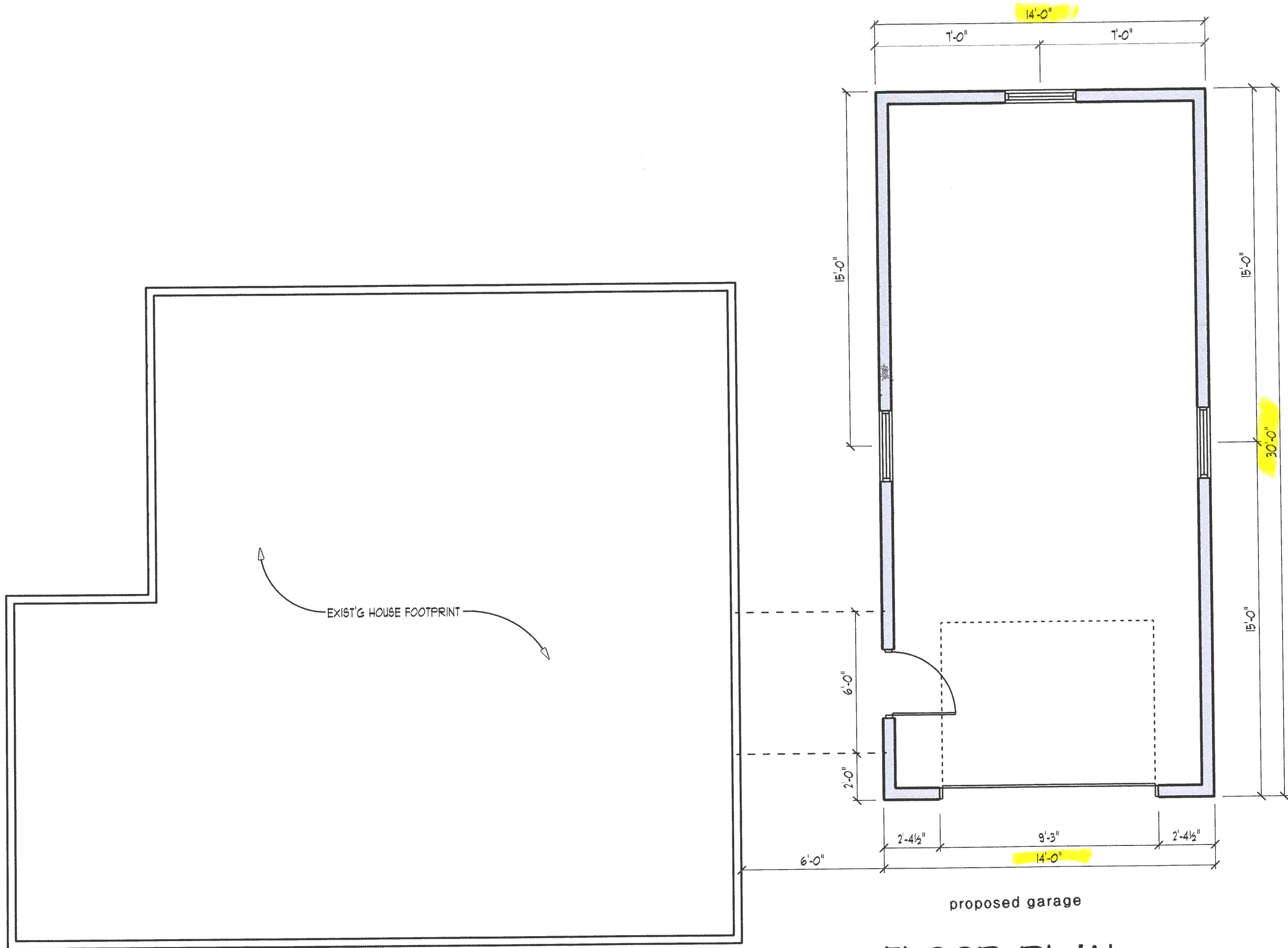
DATE:
REVISIONS:

OWNER:
JEFF ADAMS
5239 WILDWOOD DR
HOWELL, MI



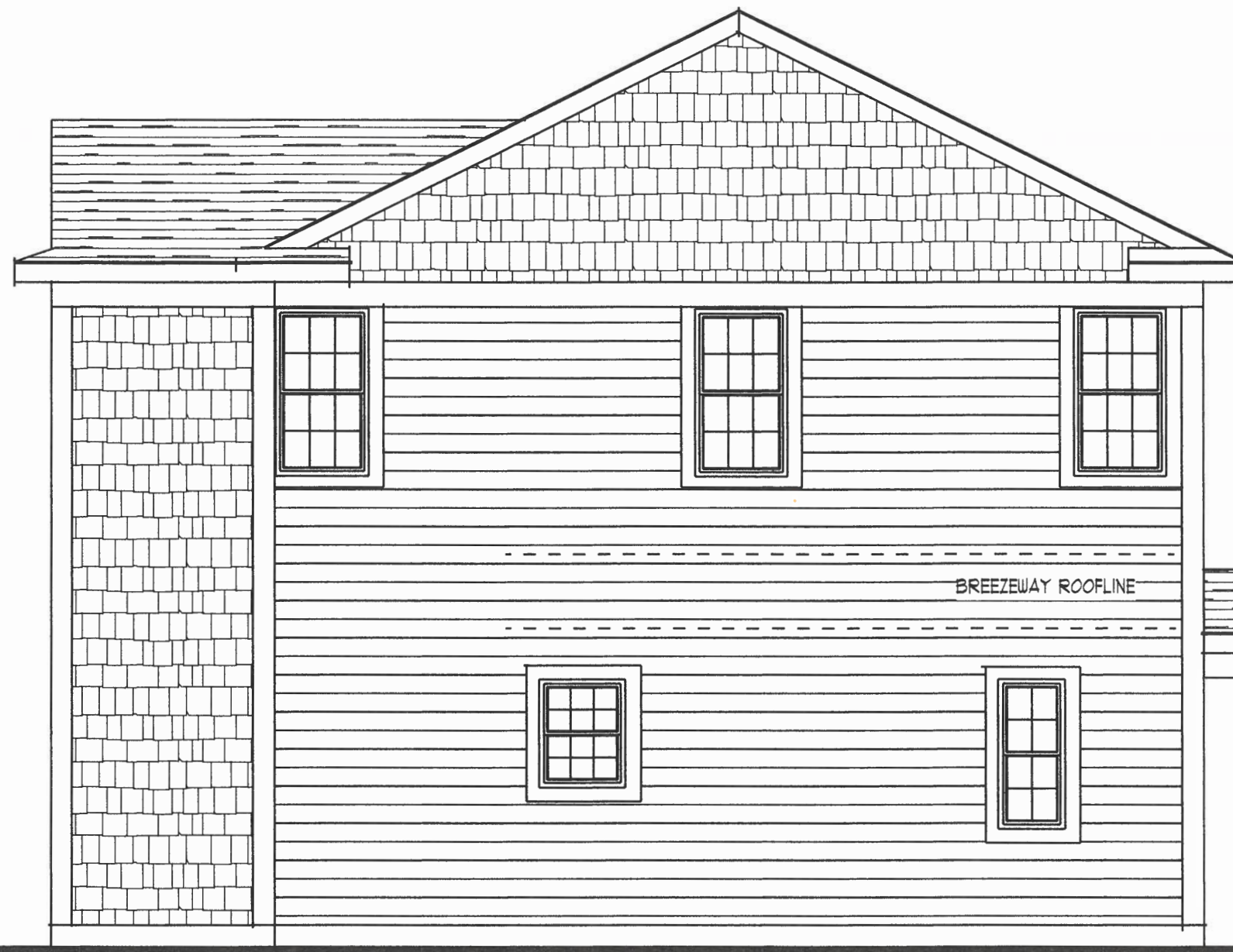
HOUSE SIDE

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



FLOOR PLAN

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



ROAD SIDE ELEVATION - EX HSE

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



ROAD SIDE GARAGE

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

proposed garage



5285

5275

5265

5259

5255

5251

5245

5239

5227

5221

5215

Wildwood Dr W

Wildwood Dr W

Dickson St

5282

5315

5272

5303

1541

1558

1544

Sat Apr 6 2024

Imagery © 2024 Nearmap, HERE



Nearmap

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.				
ADAMS, JEFFREY ALAN	ADAMS JEFFREY REV LVIVING	0	09/15/2016	QC	14-INTO/OUT OF TRUST	2020R-027082	BUYER/SELLER	0.0				
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR	Building Permit(s)	Date	Number	Status				
5239 WILDWOOD DR		School: HOWELL PUBLIC SCHOOLS			ADDITION	05/12/2008	08-059	NO START				
Owner's Name/Address		P.R.E. 100% / /			ADDITION	02/22/2005	05-042	NO START				
ADAMS JEFFREY REV LVIVING TRUST 5239 WILDWOOD DR HOWELL MI 48843-9146		MAP #: V24-281										
		2025 Est TCV 428,723 TCV/TFA: 275.88										
Tax Description		X Improved	Vacant	Land Value Estimates for Land Table 4300.4300 LAKE CHEMUNG LAKE FRONT								
SEC. 10 T2N, R5E, KIRK'S LANDING LONG LAKE NO. 1 LOT 70		Public Improvements		* Factors *								
Comments/Influences		Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Gravel Road		A LAKEFRONT	40.00	47.00	1.0000	1.0000	3400	100		136,000
		Paved Road		B SURPLUS LF	6.00	47.00	1.0000	1.0000	2300	100		13,800
		Storm Sewer		46 Actual Front Feet, 0.05 Total Acres				Total Est. Land Value =		149,800		
		Sidewalk		Land Improvement Cost Estimates								
		Water		Description				Rate	Size % Good		Cash Value	
		Sewer		D/W/P: Brick on Sand				17.13	182 88		2,744	
		Electric		Total Estimated Land Improvements True Cash Value =				2,744				
		Gas										
		Curb										
		Street Lights										
		Standard Utilities										
		Underground Utils.										
		Topography of Site										
		Level										
		Rolling										
		Low										
		High										
		Landscaped										
		Swamp										
		Wooded										
		Pond										
		X	Waterfront	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
			Ravine	2025	74,900	139,500	214,400			120,241C		
			Wetland	2024	62,700	139,900	202,600			120,241C		
			Flood Plain	2023	63,400	130,400	193,800			114,516C		
		X	REFUSE	2022	69,000	108,700	177,700			109,063C		
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan		LM	10/15/2014 REVIEWED R									
		LM	10/31/2013 INSPECTED									
		LM	10/25/2012 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 Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story 1 Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 144 36	Type Treated Wood Wood Balcony	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			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		Drywall Paneled	Plaster Wood T&G	Trim & Decoration													
Yr Built 1930	Remodeled 2008	Ex	X	Ord		Min											
Condition: Good		Size of Closets															
		Lg	X	Ord		Small											
Room List		Doors:		Solid	X	H.C.			Central Air Wood Furnace								
	Basement 1st Floor 2nd Floor 2 Bedrooms	(5) Floors			(12) Electric												
		Kitchen: Other: Other:			0 Amps Service												
(1) Exterior		No./Qual. of Fixtures			No. of Elec. Outlets												
		Ex.	X	Ord.		Min											
X	Wood/Shingle Aluminum/Vinyl Brick Insulation	(6) Ceilings			Many			X	Ave.		Few						
		(13) Plumbing			Average Fixture(s)												
		2 3 Fixture Bath			2 Fixture Bath												
		Softener, Auto			Softener, Manual												
		Solar Water Heat			No Plumbing												
		Extra Toilet			1 Extra Sink												
		Separate Shower			Ceramic Tile Floor												
		Ceramic Tile Wains			Ceramic Tub Alcove												
		Vent Fan			(14) Water/Sewer												
		Public Water			1 Public Sewer												
		1 Water Well			1000 Gal Septic												
		2000 Gal Septic			Lump Sum Items:												
		Notes:			ECF (4307 W. LK CHEMUNG LK FRONT) 1.435 => TCV:												
		Chimney: Brick			Joists: Unsupported Len: Cntr.Sup:												

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

Original

KIRK'S LANDING LONG LAKE No. 1

GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

A SUBDIVISION OF A PART OF THE N.E. 1/4 OF THE SW 1/4 OF SEC 10. AND SE 1/4 OF NW 1/4 OF SEC 10.

Examined and Approved
July 27 1923
H. L. Hunter
Deputy County Treasurer

Description of Land Platted
Beginning at the N.W. corner of the NE 1/4 of the SW 1/4 of Sec 10 T 2 N R 5 E Michigan, thence S 3° W on 1/8 line 170 feet; thence S 69° 30' E 33.5 feet; thence N 3° E 67.4 feet; thence N 64° 45' E 260 feet to E & W 1/2 line of Sec 10, 260 feet east of place of beginning; thence N 12° 15' W 20.7 feet; thence N 64° 30' E 2 feet to the SW corner of Lot 2 Kirk's Landing Long Lake; thence N 25° W 46.3 feet to the NW corner of said Lot 2; thence S 62° 30' W 92 feet; S 85° W 157.8 feet to place of beginning.

Office of the Livingston County Treasurer
I hereby certify that there are no tax liens or titles held by the State on the lands described above and that there are no tax liens or titles held by individuals on said lands for the five years preceding the 16th day of Feb 1925, and that the taxes for said period of five years are paid, as shown by the records of this office.

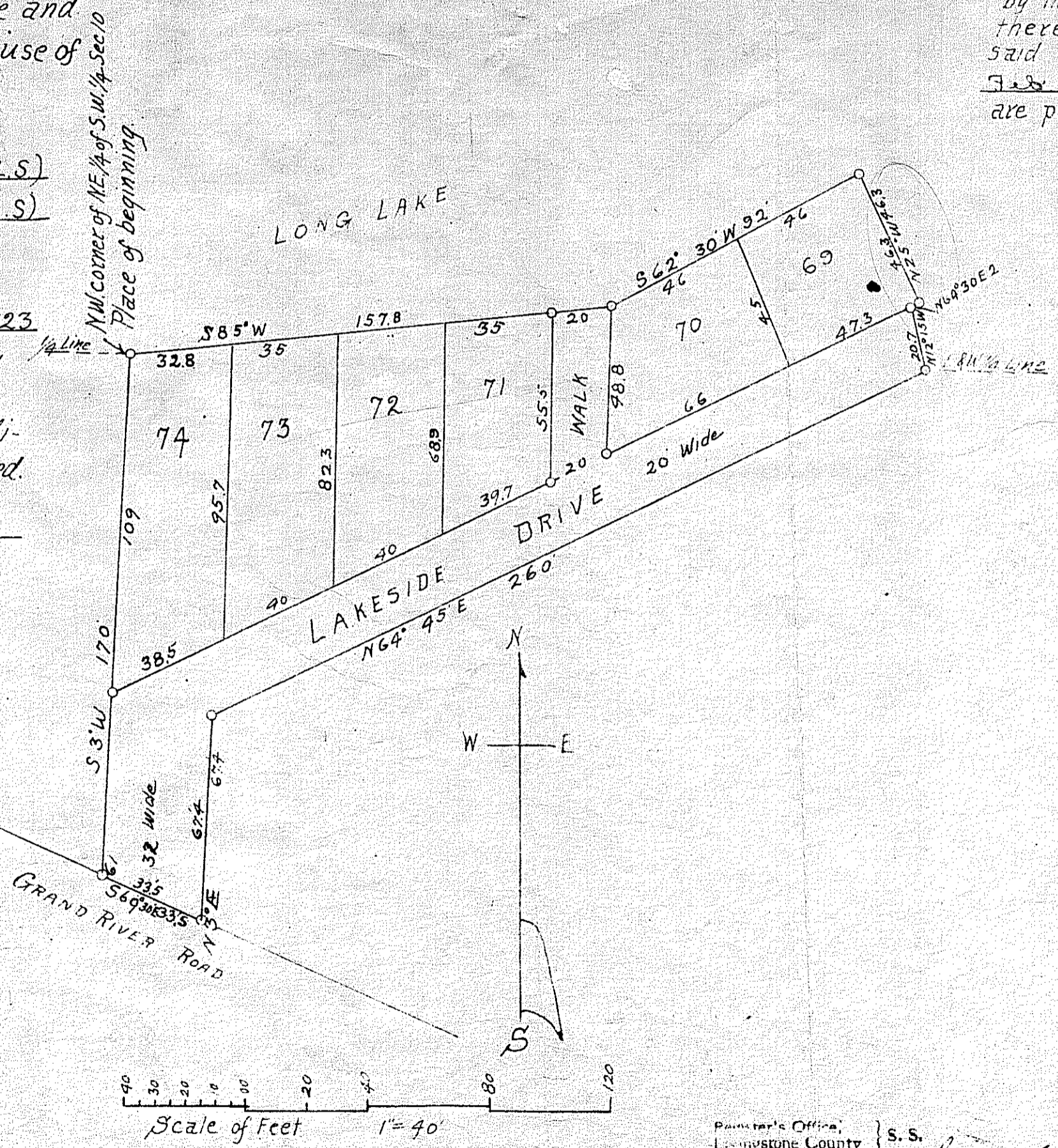
Edward M. Bunker
County Treasurer

Dedication
Know ALL MEN BY THESE PRESENTS, that we, John Kirk, as Proprietor, and Eva B. Kirk, his wife, have caused the land embraced in the annexed plat, to be surveyed, laid out and platted, to be known as "Kirk's Landing Long Lake No. 1" Genoa Township, Livingston County, Michigan, and that the Drive and Walk as shown on said plat are hereby dedicated to the use of the public.

Signed and Sealed in Presence of
Notary M. Boyer } John E. Kirk (LS)
Elice Annell } Eva B. Kirk (LS)

STATE of Florida }
County of Pinellas } ss. On this 26th day of Jan 1923
before me, a Notary Public in and for said county, personally came the above named John Kirk and Eva B. Kirk, his wife, known to me to be the persons who executed the above dedication, and acknowledged the same to be their free act and deed.

My commission expires Jul 7 1922
Notary Public



Surveyor's Certificate
I hereby certify that the plat hereon delineated is a correct one and permanent monuments consisting of 3/4 gas pipe 18" long have been planted at points marked thus o as thereon shown at all angles in the boundaries of the land platted and at all angles in and intersections of the Walk and Drive.

Grant H. Dunning Registered Civil Engineer

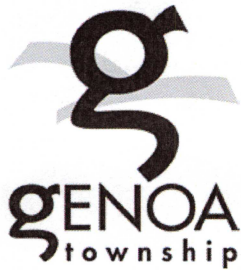
This plat was approved by the Genoa Township Board at a meeting held Feb 5 1923

Leslie Larson Twp Clerk

This plat was approved by the County Board at a meeting held on the 16th day of February 1923

William B. Loomis Judge of Probate
John H. ... County Clerk
Edward M. Bunker County Treasurer

Recorder's Office, Livingston County } S. S.
Received for record the Second
day of March A. D. 1923 at 9
o'clock A. M. and recorded in Liber
... of Plate
on Page 20
67 Dunning
Register



GENOA CHARTER TOWNSHIP
USE VARIANCE APPLICATION

2911 DORR ROAD | BRIGHTON, MICHIGAN 48116
(810) 227-5225 | FAX (810) 227-3420

Case # 25-01 Meeting Date: 1-14-25 @ 6:30pm

PAID Variance Application Fee

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

Applicant/Owner: Paul Mitter MITTS LLC Email: Paul@wonderlandmarinewest.com

Property Address: 5796 East Grand River Phone: 517-548-5122

Present Zoning: General Commercial District Tax Code: 11-10-400-019

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 may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested/intended property modifications

Article 16 Sign Standards -

Section 16.06.03 Sign Set Backs - The set back minimum is 10' from right - of - way or property line.

The request is to encroach into right-of - way 6 feet to install monument sign that meets the Township Ordinance.

Criteria Applicable to Use Variances. The Board of Appeals may grant a use variance only upon a finding that an unnecessary hardship exists. A use variance is approval to allow a use that is otherwise not permitted in a zoning district.

A finding of an unnecessary hardship shall require demonstration by the applicant of all of the following:

Under each please indicate how the proposed project meets each criteria.

Unreasonable Current Zoning Designation. Demonstrate that the site cannot reasonably be used for any of the uses allowed within the current zoning district designation. The Board of Appeals may require submission of documentation from professionals or certified experts to substantiate this finding.

The landscaped area available for monument sign that meets all township size and height restriction is not wide enough to accommodate sign. Changes in the sign ordinance restricting height and size has made it impossible to manufacture an effective monument sign.

Unique Circumstances. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. Must prove that there are certain features or conditions of the land that are not generally applicable throughout the zone and that these features make it impossible to earn a reasonable return without some adjustment.

Due to building construction set backs and parking restriction the landscaped area had to be reduced.

Not Self-Created. The problem and resulting need for the variance has not been self-created. The Board of Appeals shall consider changes made to the property by the applicant and near term predecessors.

Changes in building codes and sign ordinance has reduced amount of space to make it possible to construct the proper size monument sign.

Capacity of Roads, Infrastructure and Public Services. The capacity and operations of public roads, utilities, other facilities and services will not be significantly compromised.

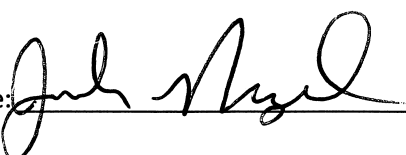
The requested sign location does not interfere with visibility of traffic on Grand River or vehicles entering or exiting the property.

Character of Neighborhood. The use variance will not alter the essential character of the neighborhood nor be a detriment to adjacent properties.

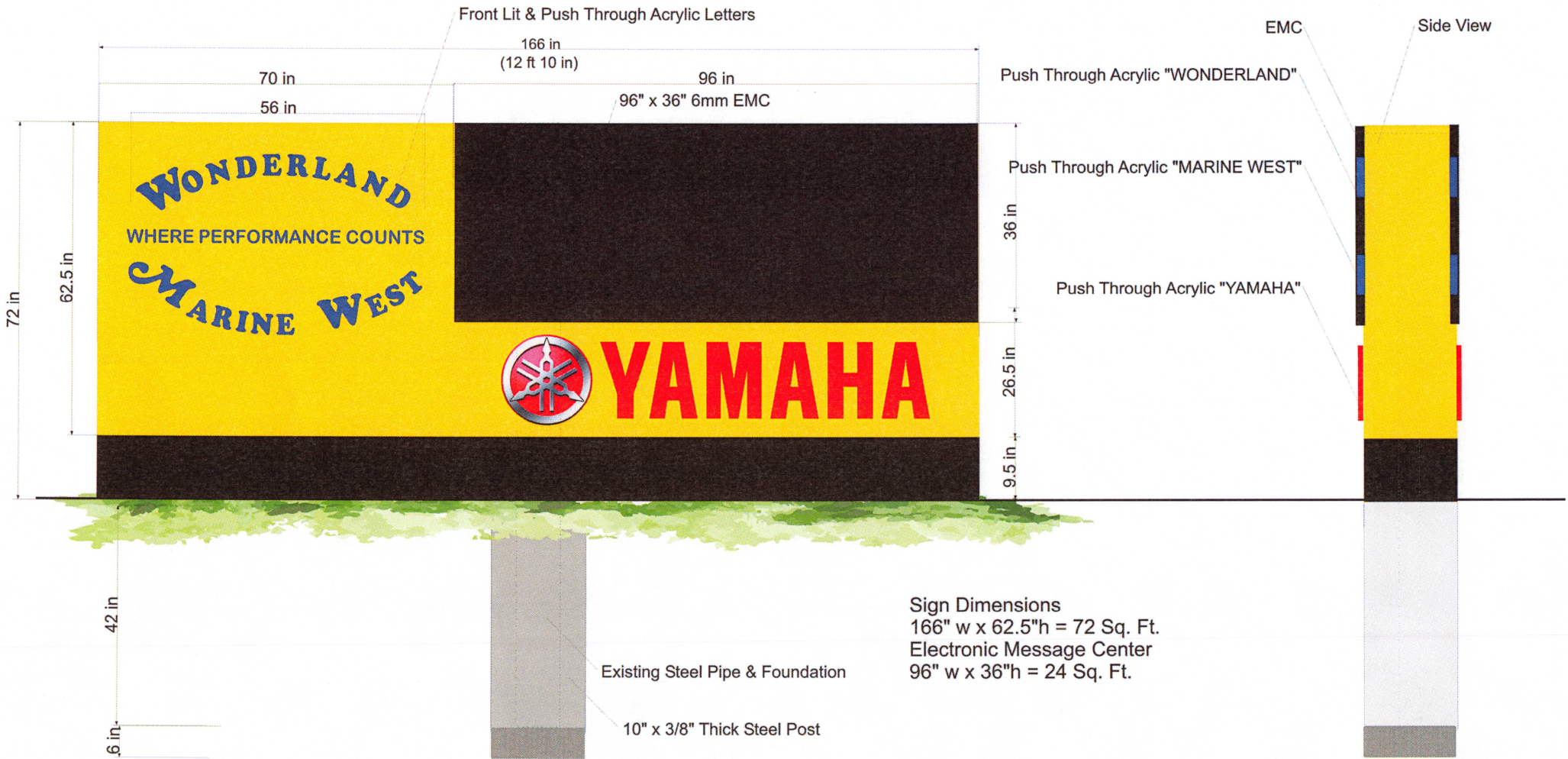
No. The new sign will meet the new sign ordinance and will be consistant to current characteristics of Genoa Township Standards. In fact the removal of the current Pole sign will enhance the overall appearance of the property.

Any Variance not acted upon within 12 months from the date of approval is invalid and must receive a renewal from the Zoning Board of Appeals (ZBA).

After the decision is made regarding your Variance approval a land use permit will be required with additional site plan and construction plans.

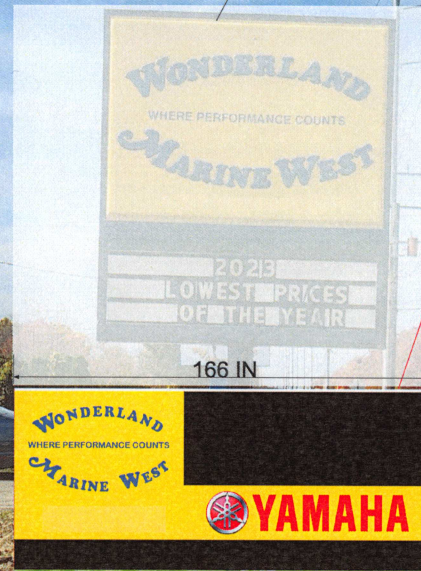
Date: 12/12 Signature: 

Double Sided Monument Sign



REMOVE EXISTING

PROPOSED MONUMENT SIGN



166 IN

21 FT From ROW to Curb

4 FT TO ROW

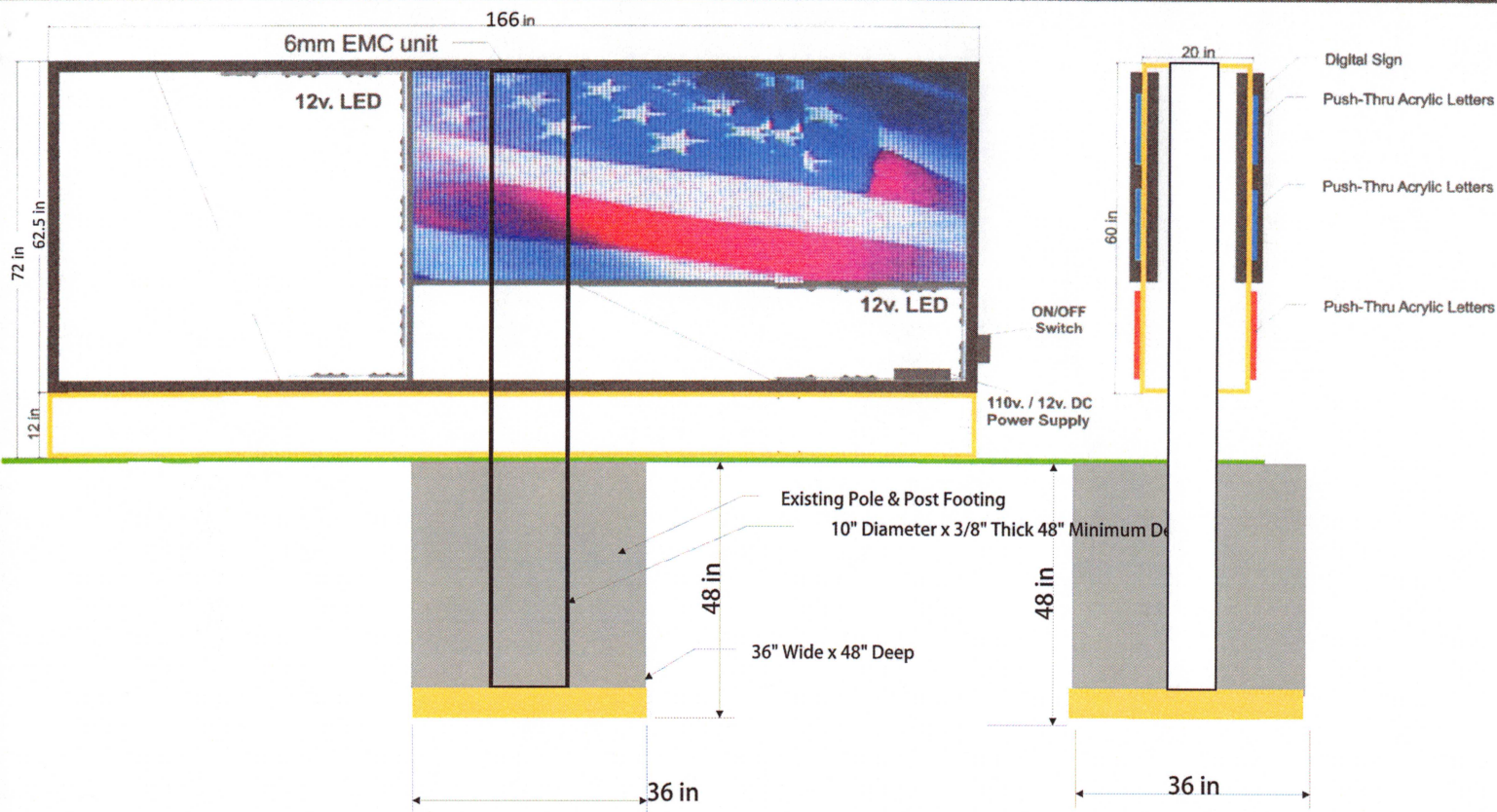
10 FT Set Back Line

ROW

17 IN

19 FT 3 IN





NOTES:
THE SIGN SUPPORTING STEEL AND CONCRETE FOOTINGS ARE DESIGNED FOR 115 MPH, 3 SEC. GUST ULTIMATE WIND SPEED FOR EXPOSURE B, RISK CATEGORY II AS PER 2015-MBC AND ASCE 7.

ALL MOUNTING HARDWARE TO BE NON-CORROSIVE.

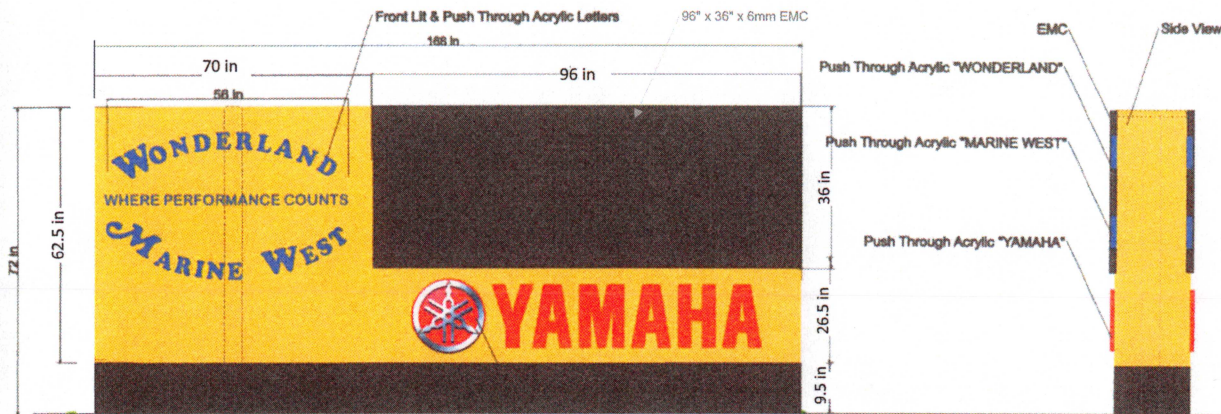
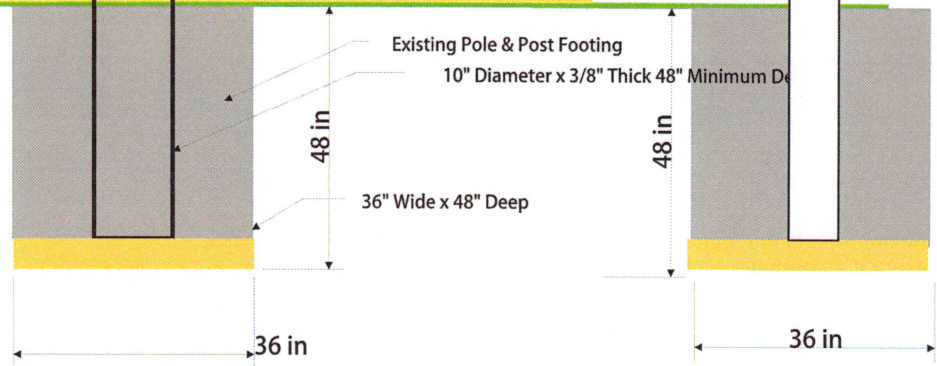
ALL STRUCTURAL STEEL POLES SHALL BE ASTM A53 GRADE B.

ALL WELDING SHALL BE DONE USING E70 ELECTRODES AS PER AWS D1.1 & D1.2.

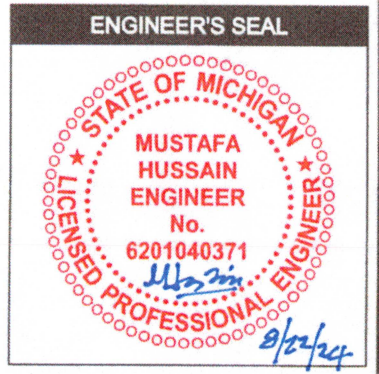
FOOTING CONCRETE SHALL BE: 3000 PSI AT 28 DAYS.

CONCRETE MUST BE POURED AGAINST UNDISTURBED EARTH OR COMPACTED FILL.

FOOTINGS ARE DESIGNED FOR: ALLOWABLE SOIL PRESSURE OF: BEARING = 2000 PSF LATERAL = 150 PSF/FT AS PER 2015-MBC, TABLE 1806.2



- Galvanized Steel Frame
- Aluminum Siding and retainers
- Aluminum Face w/ Push-Thru Letters
- Internally LIT using 12v.
- UL approved LED modules
- UL Approved Power Supply
- UL Approved ON/OFF Switch



File: **Wonderland Marine West**
Job Location: **5796 E Grand River Ave. Howell, MI 48843**

"This Sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign". SWITCH to be installed in HOT SIDE of line

PLEASE REVIEW THOROUGHLY: Your approval of this proof marks your acceptance that this art is correct and approval is given to send this art for production. The client is responsible for any changes, edits or corrections of this proof. Please double check spelling, grammar, content, and for any errors. Any changes made after the approval can be made at customer's cost. Take special note of names, phone numbers, and addresses to ensure their accuracy.

X





MEMORANDUM

TO: Genoa Township Zoning Board of Appeals
FROM: Carrie Aulette, Zoning Official
DATE: January 6, 2025

RE: ZBA 25-01

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

STAFF REPORT

File Number: ZBA#25-01
Site Address: 5796 East Grand River-Wonderland Marine
Parcel Number: 4711-10-400-019
Parcel Size: 2.002 Acres
Applicant: Paul Mitter-MITTS LLC.
Property Owner: Same as Applicant
Information Submitted: Application, site plan, conceptual drawings
Request: Dimensional Variance
Project Description: Applicant is requesting a front yard setback variance to allow for a new monument sign.
Zoning and Existing Use: GCD (General Commercial District), TC (Town Center)
Other:

Public hearing was published in the Livingston County Press and Argus on Sunday December 1, 2024 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 Township Records, the watercraft sales building was built in 2024, previous building was demolished in 2023.
- The parcel is serviced by municipal sewer & water
- See Assessing Record Card.

Summary: The applicant is requesting a front yard setback variance to allow for a new monument sign. The applicant will be removing the existing non-compliant pole sign. Due to the required parking and landscaped area for the new building the sign will need to encroach into the road ROW.

SUPERVISOR

Kevin Spicher

CLERK

Janene Deaton

TREASURER

Robin L. Hunt

TRUSTEES

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

MANAGER

Kelly VanMarter

Variance Requests

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

16.06.03 **Sign setbacks:**

(a) All signs, unless otherwise provided for, shall be setback a minimum of ten (10) feet from any public street right-of-way or property line. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.

Commercial Sign Requirements	ROW Setback
Required	10'
Amount Requested	4'
Variance Amount	6'

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

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

- (a) **Practical Difficulty/Substantial Justice** –Strict compliance with the ordinance would prevent the applicant from installing the new sign. Granting of the requested variance does provide substantial justice or a substantial property right similar to that possessed by other businesses with monument signs in the same zoning district.
- (b) **Extraordinary Circumstances** – Due to the new building construction setbacks, parking spaces required and landscaped areas-the amount of space available to install a proper monument sign was reduced.
- (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. The location of the sign will not interfere with traffic on Grand River or vehicles entering or existing the property.
- (d) **Impact on Surrounding Neighborhood** – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. Staff notes that the new sign will be more consistent with the current Township sign standards. If this is approved they will be removing the existing non-compliant pole sign, hence enhancing the overall appearance of the area.

Recommended Conditions

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

1. Any additional signage will require Township approval.



Sun Oct 6 2024

Imagery © 2025 Nearmap, HERE

100 ft

Nearmap

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
FEBRUARY 13, 2023
6:30 P.M.**

MINUTES

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Eric Rauch, Tim Chouinard, Diana Lowe, and Marianne McCreary. Absent was: Glynis McBain. Also present was Township Manager Kelly VanMarter, Planning Director Amy Ruthig, Brian Borden of SafeBuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner Lowe, seconded by Commissioner McCreary, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC:

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

OPEN PUBLIC HEARING # 1...Consideration of special land use application, environmental impact assessment and site plan for the construction of an 11,990 sq. ft. boat showroom and sales office building replacing the existing building for Wonderland Marine West located at 5796 Grand River Avenue. The request is petitioned by Mitts, LLC.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (dated 11-1-22)
- C. Recommendation of Site Plan (dated 2-9-23)

Mr. Wayne Perry of Desine, Inc. and Mr. Paul Mitter, the applicant, were present. Mr. Perry provided a review of the request. They would like to remove the existing showroom and, in its place, construct a new showroom and parking lot. The site currently sits forward on Grand River Avenue and the drive aisles are very tight to the road. The proposed plan would relocate the building and parking further back from Grand River Avenue.

Mr. Borden reviewed his letter dated February 8, 2023. He stated the plans that he reviewed are the same plans from the December Planning Commission meeting. The Township is in process of having the Town Center Overlay District removed from the zoning map. The plans were reviewed under the General Commercial District zoning for this meeting.

1. Special Land Use (Section 19.03):
 - a. The standards of Section 19.03 are generally met.

- b. In order to make favorable findings related to compatibility and impacts, the conditions of Section 7.02.02(c) which is the requirements for boat sales need to be met to the Planning Commission's satisfaction.
 - c. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
2. Use Conditions (Section 7.02.02 (c)):
- a. The vast majority of the use conditions are met.
 - b. The boat sales with outdoor storage requires a buffer zone B. Those are not fully met for either side or the rear of the site. The Planning Commission does have discretion in regards to landscaping requirements.
3. Site Plan Review:
- a. The front parking lot setback is deficient by 2 feet. The additional 2 feet needed for compliance can be gained by reducing either the drive aisle width (from 26 to 24 feet) or the parking space depth (from 18 to 16 feet).
 - b. Building materials and design are subject to review and approval by the Planning Commission. The front façade presented indicates there are two overhead doors. Overhead doors are typically located on the side or rear. In addition, the west and south elevations are metal sided, if deemed to visible from the road or parking lot, then the amount of metal siding exceeds Zoning Ordinance requirements in section 12.01.
 - c. We request the applicant evaluate alternatives to the use of parallel parking spaces.
 - d. The site plan is deficient by 1 barrier-free parking space.
 - e. One of the proposed light fixtures will cast light outwards instead of downwards similar to a flood light style.
 - f. The lighting plan did not include photometric readings. There are two types of fixtures shown on the plan including 1 flood light located at the back of the building. Due to the nature of the variance, we would like to see a detailed lighting plan with lighting levels.
 - g. The landscaping plan is deficient in terms of greenbelt and parking lot tree plantings.
 - h. The Planning Commission has the authority to waive or modify landscaping requirements.
 - i. We request the applicant describe the intended method of refuse removal.
 - j. We suggest the applicant remove the nonconforming pole sign as part of this project.

Mr. Perry stated that the applicant could reduce the parking spaces to 16 feet. Commissioner Rauch stated that the vehicles in the boat market are typically larger. He believes that the parking lot should maneuver well and would prefer to have more room in the parking lot since there is vehicles coming off of Grand River Avenue. Commissioner McCreary agreed since she has been to the site. Commissioners agreed the 18-foot greenbelt is sufficient.

Genoa Charter Township
Planning Commission
February 13, 2023
Approved Minutes

After discussion, Commissioners agreed with the location of the overhead doors on the front façade since they are all glass and the use of metal siding on the west and south elevations since the new building is located further back on the property.

Mr. Perry stated that the parallel parking is required to meet the parking standards and also gives the ability to park a vehicle trailering a boat while not obstructing the main driveway. Mr. Perry stated that the applicant will add one more barrier free parking space to meet ordinance.

Commissioner Rauch requested to see a more detailed landscape plan specially in the front of the parking area. It does not have to be high shrubs. Also, on the west side of the parking area could easily be doubled in that area. He would like to see fifty percent more landscaping material. Commissioner McCreary would also like to see additional landscaping due to the building and concrete, it would soften the look. Mr. Perry agreed that the applicant could plant more low-lying shrubs however, they cannot plant trees in the front area due to the utility lines.

Mr. Perry stated that the only location of the flood style light is located at the rear of the building which is used for safety purposes.

In regards to the ability to plant greenbelt trees there are overhead wires and poles in the greenbelt area. Mr. Mitter stated that the overhead lines are low hanging.

Chairman Grajek sees that the only place for landscaping is located in the front yard area. Commissioner Rauch asked about the location of the waste receptacle. Mr. Mitter stated that the waste receptacle was located in the rear of the property in an enclosure.

Commissioner Lowe questioned if they have discussed obtaining a new sign. Mr. Mitter stated that they have not even looked at the pole sign and is not sure what the ordinance requirements are. Commissioner Rauch agrees with Mr. Borden in regards to the removing the pole sign. He stated that he does not want to require a new monument sign and then the applicant can not meet the setback requirements. Mr. Perry stated that they could place a sign closer to the road right of way.

Ms. VanMarter agreed with Mr. Borden on replacing the nonconforming sign and the Commission could ask for the applicant to attempt to obtain a variance due to the setback requirements.

A call to the public was made at 7:10 p.m.: Jordan Mitter is an employee of the company. In asking for more greenery which there are a lot of semi-trucks coming in and out and a consumer with a boat trailer could damage the semi or their product could be damage with the addition of more greenery or shrubs.

The call to the public was closed at 7:11 p.m.

Ms. Byrne stated that all of her items have been addressed per the letter dated December 7, 2022.

The Brighton Area Fire Authority Fire Marshal had no outstanding issues noted in his letter dated December 5, 2022.

Commissioner McCreary asked if the applicant has thought of installing signs to help indicate direction for customers pulling in the parking lot or if they have considered an “exit” and “enter” only driveway. Mr. Perry stated that there are two entrances and the east entrance is both an enter and exit for anyone towing a boat or semi-trucks delivering boats which leads to the south end of the site. The other entrance is plenty wide enough for anyone towing a boat to the maneuver the lot. Commissioner McCreary asked if any signage could be added to show direction for anyone entering the property. She asked if a sign could be located on the fence. Commissioner Rauch would like to see a single sign on the east side would state “Delivery and service” would be helpful.

Commissioner Rauch stated that the turning radius on the east side turning out seems tighter than the west side entry. Mr. Mitter stated that it is currently wide enough right now. Mr. Perry stated that expanding the radius, due to the flare of the radius, could cross over the property line and the Livingston County Road Commission would not approve that. Mr. Perry stated he would approach the Livingston County Road Commission to seek approval.

Ms. VanMarter asked if there is a detail on what the new fence would look like. The Commission would like to see a more decorative fence than the original fence that is located on the property. Mr. Perry stated that they could do an architectural fence across the front. Ms. VanMarter would like to clarify that a single trailer with boat or jet ski will be on display in the front. Applicant agreed.

Moved by Commissioner Rauch, seconded by Commissioner McCreary, to recommend to the Township Board approval of the Special Use Application for Wonderland Marine West located at 5796 Grand River Avenue as this Commission finds that the conditions in Sections 19.03 are generally met and that there are favorable findings relating to the compatible impacts of 7.02.02 (C) and ~~12.02~~~~19.07~~ and specially find it consistent to the waive the buffer zone requirement of that section.

The motion carried unanimously.

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approve of the Environmental Impact Assessment dated November 1, 2022, for 5796 Grand River Avenue. **The motion carried unanimously.**

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approval of the Site Plan dated February 9, 2023 for 5796 Grand River Avenue, conditioned upon the following:

- The front greenbelt of 18 feet is satisfactory.
- An additional barrier free space with be added to make a total of 2 on the site.
- All site lighting and building mounting lighting with meet the requirements of the township ordinance and a photometric drawing with be submitted to the Township staff for review.
- Petitioner will review with the LCRC the east entry to seek to improve the drive radius.
- A single sign on the east entry indicating “Deliveries” be added.
- The security fencing will be an architectural fence to be approved by township staff.

- A landscape plan will be improved by adding an additional 50 percent of low-lying plant material.
- The petitioner will seek variance approval for a ground monument sign. The pole sign will only be allowed to remain if a variance is not approved.

The motion carried unanimously

OPEN PUBLIC HEARING # 2...Consideration of a sketch plan application and sketch plan to install an all-abilities playground "Senior Survivor Park" within the existing Genoa Charter Township park property. The park is located at 2911 Dorr Road, on the east side of Dorr Road, just north of Crooked Lake Road. The request is petitioned by Genoa Charter Township.

A. Disposition of Sketch Plan (10-31-22)

Ms. VanMarter stated that the request is to expand the existing park that is located at the Genoa Charter Township Hall property. The Township has partnered with Howell Public Schools for a project to construct an all-abilities playground. Participant seniors at Howell High School has raised funds over the last two years and the Township Board has offered to contribute funds, location and long-term maintenance for the park facility.

Ms. VanMarter stated that there were concerns about parking stated in engineer's letter. She provided a parking analysis that shows that there is suitable parking and as Township Manager she is keeping an eye on the parking and she does think that there could a real possibility that the Township could require additional parking. She has ideas on how and where to add additional parking.

Ms. VanMarter gave an overview on the all abilities components of the park. It is meant to have design features that are usable in some way shape or form by everyone.

Mr. Borden reviewed his letter dated February 89, 2023.

1. The accessory recreational structures are affiliated with a principal use, per Ordinance requirements.
2. The height of all structures proposed are within that allowed for conventional accessory structures.
3. Each structure is located well outside of required setbacks.
4. The Commission should consider any comments provided by the Township's Engineer.

Ms. Bryne reviewed her letter dated February 6, 2023.

1. The petitioner addressed the parking comment.

1. The proposed playground plan shows multiple small boulder retaining walls. Prior to construction the petitioner should provide more detail on the proposed grading and retaining walls around the picnic area for review.

The Brighton Area Fire Authority Fire Marshal requested that if a fence is required by the Livingston County Building Department that it should be installed on the proposed retaining walls.

A call to the public was made at 7:32 p.m. with no response.

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
MITTER, GARY & MARGARET	MITTS LLC	0	04/09/2004	QC	21-NOT USED/OTHER	4400/0169	BUYER/SELLER	0.0			
Property Address		Class: COMMERCIAL-IMPROVE		Zoning: GCD (*		Building Permit(s)		Date	Number	Status	
5796 E GRAND RIVER		School: HOWELL PUBLIC SCHOOLS		Other		10/21/2024		P24-199			
Owner's Name/Address		P.R.E. 0%		Wall Sign		10/16/2024		PS24-028	7 FINAL BL		
MITTS LLC 5796 E GRAND RIVER AVE HOWELL MI 48843-9106		MAP #: V25-01		Commercial		04/01/2024		P24-046			
		2025 Est TCV 353,694 TCV/TFA: 27.29		Commercial		09/05/2023		P23-156			
Tax Description		X Improved		Vacant		Land Value Estimates for Land Table 2003.2003 GRAND RIVER FRONTAGE					
SEC 10 T2N R5E COM AT SE COR SEC 10, TH N 2*08'E 800 FT, TH N 66*34'W 679 FT TO POB TH N 66*34"W 200 FT, TH S 23*26'W 435.6 FT, TH S66*34'E 200 FT, TH N23*26'E 435.6 FT TO POB, 2 AC M/L (1984 CORR 014)		Public Improvements				* Factors *					
Comments/Influences		Dirt Road		Gravel Road		Paved Road		Storm Sewer		Sidewalk	
		Water		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	
4711-10-400-019		12/20/2024		JB 12/20/2024 INSPECTED		2025		80,000		96,800	
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan				DLR 12/27/2023 INSPECTED		2024		118,100		233,000	
						2023		118,100		223,200	
						2022		118,100		189,500	
										351,100	
										341,300	
										307,600	
										175,254C	
										277,203C	
										264,003C	
										251,432C	



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

Desc. of Bldg/Section: Calculator Occupancy: Garages - Service/Fleet Facilities Repair		<<<<<< Calculator Cost Computations >>>>>>	
Class: S Floor Area: 4,160 Gross Bldg Area: 12,960 Stories Above Grd: 1 Average Sty Hght : 12 Bsmnt Wall Hght		Class: S Quality: Low Cost Stories: 1 Story Height: 12 Perimeter: 264	
Depr. Table : 4% Effective Age : 35 Physical %Good: 35 Func. %Good : 100 Economic %Good: 100		Base Rate for Upper Floors = 49.04 Adjusted Square Foot Cost for Upper Floors = 49.04	
Year Built Remodeled Overall Bldg Height		Total Floor Area: 4,160 Base Cost New of Upper Floors = 204,007 Reproduction/Replacement Cost = 204,007 Eff.Age:35 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 35 /100/100/100/35.0 Total Depreciated Cost = 71,402	
Comments:		ECF (2014 MAIN COMMERCIAL) 0.950 => TCV of Bldg: 1 = 67,832 Replacement Cost/Floor Area= 49.04 Est. TCV/Floor Area= 16.31	
(1) Excavation/Site Prep:		(7) Interior:	
(2) Foundation:		(8) Plumbing:	
X Poured Conc. Brick/Stone Block		Many Above Ave. Average Typical Few None	
(3) Frame:		Total Fixtures 3-Piece Baths Urinals 2-Piece Baths Wash Bowls Shower Stalls Water Heaters Toilets Wash Fountains Water Softeners	
(4) Floor Structure:		(9) Sprinklers:	
(5) Floor Cover:		(10) Heating and Cooling:	
(6) Ceiling:		Gas Oil Coal Stoker Hand Fired Boiler	
		(11) Electric and Lighting:	
		(13) Roof Structure: Slope=0	
		(14) Roof Cover:	
		(39) Miscellaneous:	
		(40) Exterior Wall:	
		Thickness Bsmnt Insul.	

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

Desc. of Bldg/Section: Calculator Occupancy: Sheds - Boat Storage 4 Wall Buildings		<<<<< Calculator Cost Computations >>>>>					
Class: D,Pole Floor Area: 8,800 Gross Bldg Area: 12,960 Stories Above Grd: 1 Average Sty Hght : 20 Bsmnt Wall Hght		Construction Cost				Class: D,Pole Quality: Low Cost Stories: 1 Story Height: 20 Perimeter: 380	
Depr. Table : 4% Effective Age : 32 Physical %Good: 35 Func. %Good : 100 Economic %Good: 100		High	Above Ave.	Ave.	X	Low	Base Rate for Upper Floors = 30.61
Year Built Remodeled		** ** Calculator Cost Data ** **				(10) Heating system: No Heating or Cooling Cost/SqFt: 0.00 100% Adjusted Square Foot Cost for Upper Floors = 30.61	
Overall Bldg Height		Quality: Low Cost Heat#1: No Heating or Cooling 100% Heat#2: No Heating or Cooling 0% Ave. SqFt/Story: 8800 Ave. Perimeter: 380 Has Elevators:				Total Floor Area: 8,800 Base Cost New of Upper Floors = 269,368	
Comments:		*** Basement Info *** Area: Perimeter: Type: Heat: Hot Water, Radiant Floor				Reproduction/Replacement Cost = 269,368 Eff.Age:32 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 35 /100/100/100/35.0 Total Depreciated Cost = 94,279	
(1) Excavation/Site Prep:		(7) Interior:				(11) Electric and Lighting:	
(2) Foundation:		(8) Plumbing:				(39) Miscellaneous:	
X Poured Conc.	Brick/Stone	Block	Footings	Many Above Ave.	Average Typical	Few None	
(3) Frame:		Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets				Outlets:	
(4) Floor Structure:		Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners				Fixtures:	
(5) Floor Cover:		(9) Sprinklers:				Few Average Unfinished Typical	Few Average Unfinished Typical
(6) Ceiling:		(10) Heating and Cooling:				Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct	Incandescent Fluorescent Mercury Sodium Vapor Transformer
		Gas Oil Coal Stoker Hand Fired Boiler				(40) Exterior Wall:	
						Thickness	Bsmnt Insul.
						(13) Roof Structure: Slope=0	
						(14) Roof Cover:	

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

Desc. of Bldg/Section: NEW STORE Calculator Occupancy: Stores - Retail														
Class: C Floor Area Gross Bldg Area: 12,960 Stories Above Grd: 1 Average Sty Hght : 12 Bsmnt Wall Hght		Construction Cost <table border="1"> <tr> <td>High</td> <td>Above Ave.</td> <td>Ave.</td> <td>X</td> <td>Low</td> <td colspan="2"></td> </tr> </table>						High	Above Ave.	Ave.	X	Low		
High	Above Ave.	Ave.	X	Low										
Depr. Table : 2.25% Effective Age Physical %Good: 100 Func. %Good : 100 Economic %Good: 100		** ** Calculator Cost Data ** ** Quality: Average Heat#1: Space Heaters, Radiant 100% Heat#2: Space Heaters, Gas with Fan 0% Ave. SqFt/Story Ave. Perimeter Has Elevators: *** Basement Info *** Area: Perimeter: Type: Heat: Hot Water, Radiant Floor * Mezzanine Info * Area #1: Type #1: Area #2: Type #2: * Sprinkler Info * Area: Type: Average												
2024	Year Built Remodeled													
	Overall Bldg Height													
Comments:														

(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 3-Piece Baths 2-Piece Baths Shower Stalls Toilets				Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners				Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct				Incandescent Fluorescent Mercury Sodium Vapor Transformer			
(4) Floor Structure:				(9) Sprinklers:				(13) Roof Structure: Slope=0				(40) Exterior Wall:							
(5) Floor Cover:				(10) Heating and Cooling:								Thickness				Bsmnt Insul.			
(6) Ceiling:				Gas Oil				Coal Stoker				Hand Fired Boiler				(14) Roof Cover:			

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

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
December 17, 2024 - 6:30 PM**

MINUTES

Call to Order: Chairperson McCreary 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: Craig Fons, Marianne McCreary, Rick Soucy, Michele Kreutzberg, and Carrie Aulette, Zoning Official. Absent was Bill Rockwell.

Pledge of Allegiance: The Pledge of Allegiance was recited.

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

Conflict of Interest: None

Approval of the Agenda:

Moved by Board Member Kreutzberg, supported by Board Member Fons, to approve the agenda as presented. **The motion carried unanimously.**

Call to the Public:

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

Chairperson McCreary reviewed the criteria necessary for a variance to be approved.

NEW BUSINESS:

1. 24-29...A request by Steven and Michelle VanPatten, 570 S. Hughes Road, for rear and side yard variances and any other variances deemed necessary by the Zoning Board of Appeals, to construct a 6- foot-tall fence.

Steven and Michelle Van Patten were present. Mr. Van Patten stated they would like to put up a six-foot privacy fence to keep his grandson and small dog safe from the Pitbull that runs free in the neighborhood. Ms. Van Patten stated that even though the yard faces Hilltop Drive, there is no driveway from there so aesthetically it should be considered a backyard. A lot of the neighbors let their dogs run. They have a small grandson, and their daughter has limited vision.

They have spoken with their neighbors about their dogs running loose and they hold her that is why they live in this area so her dogs can run the neighborhood. They have an electric fence, but they do not use it. The dog has not harmed anyone. They do not feel that they are in danger. There are also other dogs in the neighborhood that run free.

Genoa Township Zoning Board of Appeals Meeting
December 17, 2024
Unapproved Minutes

The Board noted that there were posts in the ground for the fence. Ms. Van Patten stated that their contractor said they would get the permit and started the project, but they did not. When they applied for the permit, they learned they needed a variance.

Board Member Soucy noted that the home across Hilltop from the applicant has a fence along the road. There are other homes in the area that also have fences in the front yard. He confirmed that none of the neighbors have contacted the Township regarding this request. Ms. Van Patten spoke to three of her neighbors and none of them have any concerns with the fence.

Board Member Fons stated this request is outside the parameters of what the Board would approve. He questioned if they are allowed to grant a variance because of what a neighbor's dog could potentially do. Would this set a precedent?

Board Member Soucy confirmed that if this was a backyard, a six-foot-high fence would be allowed. The hardship of the property is that it is deemed to have two front yards.

Board Member Kreutzberg stated that two variances are being requested. One for the height and one for the impervious surface amount. This is not the least necessary.

Chairperson McCreary understands the need, but there is no true hardship that prevents the applicant from using their property without the variances. She is not able to vote in favor of this request.

The call to the public was made at 7:02 pm with no response.

Board Member Soucy **moved** to approve Case #24-19 for Steven and Michelle VanPatten of 570 S. Hughes Road for a height variance of three feet from the required three feet for a fence height of six feet and an impervious surface variance of 26 percent from the required 49 percent for an impervious surface amount of 75 percent to construct a six-foot tall fence, based on the following findings of fact:

- The hardship and extraordinary circumstances are that this yard should not be listed as a front yard. It has never been utilized as that and all the neighbors use theirs as backyards. The fence is aesthetic; it is not a solid wall.
- There is public safety and welfare for the applicant's family.
- This would have a positive impact on the surrounding community.

The motion failed for the lack of support.

Moved by Board Member Fons, supported by Board Member Kreutzberg, to table Case #24-19 until the February 18, 2025 Zoning Board of Appeals meeting to allow for all members to be present. **The motion carried unanimously.**

Administrative Business:

1. Approval of minutes for the November 19, 2024 Zoning Board of Appeals meeting.

Moved by Board Member Kreutzberg, supported by Board Member Fons, to approve the minutes of the November 19, 2024 Zoning Board of Appeals meeting as presented. **The motion carried unanimously.**

2. Correspondence

Ms. Aulette stated there will be two cases on the January meeting agenda.

3. Member Discussion

Board Member Soucy stated that he made his motion for approval because it is not always about doing what is correct, but what is right. He will be using this instance to approach the Township Board about changing the ordinance.

4. Adjournment

Moved by Board Member Kreutzberg, supported by Board Member Fons, to adjourn the meeting at 7:32 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary