

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
March 18, 2025 - 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: Marianne McCreary, Matt Hurley, Michele Kreutzberg, Bill Rockwell, Rick Soucy, and Carrie Aulette, Zoning Official. Absent was Craig Fons.

Pledge of Allegiance: The Pledge of Allegiance was recited.

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

Conflict of Interest: Chairperson McCreary has a conflict of interest with Agenda Item #4.

Approval of the Agenda:

It was noted that Agenda Item #4 should say "25-06"

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

Call to the Public:

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

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

Old Business

1. 25-02...A request by Gary Potts of Professional Permits, 1015 S. Latson, seeking a variance from Article 16.1-number of allowed walls signs, and 16.07.05 number of allowed directional signs and other variances deemed necessary by the Zoning Board of Appeals, for multiple building signs and directional signs on site for a new car wash.

Mr. Gary Potts stated that they have revised their proposal and removed the lighting around the directional signs, removed two of the wall signs, and removed two of the directional signs. They no longer require a variance for the wall sign square footage.

Board Member Kreutzberg questioned the entrance configuration, which is right in and right out only. Mr. Potts is unsure why the entrance is that way. Chairperson McCreary stated this was a request from the Planning Commission.

Genoa Township Zoning Board of Appeals Meeting

March 18, 2025

Approved Minutes

Chairperson McCreary recommended a condition of approval would be that the applicant must comply with Ordinance Section 12.03.01 for the site lighting.

Board Member Rockwell stated allowing these excessive signs could prompt other businesses to request additional signage. He does not see justification for these requests.

Chairperson McCreary stated pavement markings can be used to direct traffic on the site instead of some of the signs.

The call to the public was made at 6:56 pm with no response.

Moved by Board Member Kreutzberg, supported by Board Member Soucy, to approve Case #25-02 for Gary Potts of Professional Permits for Mr. Sparkle at 1015 S. Latson Road, for a directional sign variance of 1 from the allowable 1 for a total of 2 directional signs, and a wall sign variance of three from the required one for a total of four wall signs for a drive through car wash, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict the intended use of the property or cause confusion by restricting signage. This variance will provide substantial justice, is the least necessary and would make the property consistent with other businesses of this type in the area.
- The variance is necessary due to the extraordinary circumstances, such as the business is considered a "Drive Thru" model, which requires directional signs, so as not to confuse patrons, operate in orderly fashion, and create optimal traffic flow and patron safety, the business building envelope is located on a high traffic area surrounded by commercial properties and parking lots illuminated to the same extent.
- These signage variances will not impair sightlines, impact vistas, create confusion, reduce desired uniform traffic flow, create potential for accidents, affect the tranquility of residential areas nor impact the aesthetics or degrade the quality of a community.
- These variances would not have a negative impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood. The variances will assist desired uniform traffic flow, decrease potential for accidents, and have minimal impact on the aesthetics or the quality of the community.

This approval is conditioned upon the following:

1. To allow for (2) "Mister" channel letter wall signs (sign B) one on North Elevation & one on West Elevation not to be more than 100 square feet in total size .
2. Directional signs may only have the verbiage lit, no blue accent lighting down the sides or sparkle logo.
3. To allow for (3) Directional Signs, each one not to be larger than 4 square feet in size.
4. No additional signage permitted in the future.
5. The lighting foot candles shall comply with Ordinance Section 12.03.01.

The motion carried (Kreutzberg - yes; Hurley - yes; Rockwell - no; McCreary - yes; Soucy - yes)

New Business

1. 25-03...A request by Logan McAnallen, 5945 Hartford Way, for a side, rear and front yard variances and any other variances deemed necessary by the Zoning Board of Appeals, for the construction of a new single-family home.

Mr. Logan McAnallen stated the variances are needed due to this property being very narrow and the requirements of the subdivision.

Ms. Aulette stated the application asked for front, side, and waterfront setbacks, but the survey submitted shows that the proposal meets the front yard setback, so the only variances needed would be for a side yard and waterfront.

Chairperson McCreary asked if the architect was aware of the setback requirements. Mr. McAnallen stated they have had approximately six iterations and changes were made based on the subdivision requirements, topography of the site, etc. She advised Mr. McAnallen that a requirement of the variance request is to stake the boundaries of the proposed home and that was not done here. Mr. McAnallen staked the boundaries of the property. He was not aware the corners of the home had to be marked. She would like to have this item tabled this evening.

Board Member Hurley stated that since this is an empty lot, the applicant should be able to build a house that fits within the building envelope.

Board Member Rockwell agrees with Board Member Hurley. He understands that the shoreline setback could be needed, but not the side yard setbacks.

Board Member Kreutzberg would like to see a revised plan showing the variance request to be the least amount necessary.

The call to the public was made at 7:16 pm.

Mr. Dire Shipman of 5950 Hartford Way lives across the street from this property. He and his wife have concerns with the placement of the home on the lot.

The call to the public was closed at 7:18 pm.

Mr. McAnallen asked if he could receive approval this evening with conditions. Chairperson McCreary stated the ZBA does not approve variances with contingencies. All of the details and specifications need to be provided.

Board Member Soucy advised the applicant to stake the boundaries of the house and decrease the amount of the variance requests.

Genoa Township Zoning Board of Appeals Meeting

March 18, 2025

Approved Minutes

Moved by Board Member Kreutzberg, supported by Board Member Soucy, to table Case #25-03 for Logan McAnallen until the May 20, 2025 Zoning Board of Appeals meeting at the applicant's request. **The motion carried unanimously.**

2. 25-04...A request by Steve Zacharias, 770 Sunrise Park, for front and rear yard variances, and any other variances deemed necessary by the Zoning Board of Appeals, to build a new single-family home with a deck.

Mr. and Mrs. Zacharias were present. Mr. Zacharias stated they own 770 and 780 Sunrise Park. They would like to demolish both of the existing homes, combine the properties and build one single-family home with a garage.

Chairperson McCreary noted that there were no stakes on the property, so she was unable to determine what is being requested so she is not able to make an informed decision regarding these requests.

Mr. Zacharias stated the topography of the sites is requiring them to place the home in this location.

Board Member Soucy knows that this proposal will improve the community, but he would like to see the stakes on the property.

Board Member Hurley asked for detail on the proposed retaining wall. Ms. Zacharias stated it will be concrete. It was noted that the retaining wall will need to be approved by the Township.

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

Moved by Board Member Kreutzberg, supported by Board Member Hurley, to table Case #25-04 for Steve and Terri Zacharias until the May 10, 2025 Zoning Board of Appeals meeting, per the applicant's request. **The motion carried unanimously.**

3. 25-05...A request by Culver's, 3900 E. Grand River, for sign variances, and any other variances deemed necessary by the Zoning Board of Appeals, for an additional menu board in the drive-thru lane.

Mr. Jim Fields of Allied Signs stated Culvers is requesting a variance for additional sign square footage for a second sign. They are proposing to add a second ordering station in the drive thru lane because most of their business since 2021 is drive-through. They have a lot of items on the menu, so the signs are large. It will be the same sign as the existing one.

Chairperson McCreary does not see the hardship with the property. Mr. Fields stated there is a hardship with the property because there is no room to add a second drive-thru lane. He noted that all Culvers have the same signs at all of their locations.

Board Member Soucy is in favor of this request. The Township should help businesses. It will help to process the orders more quickly and reduce the congestion.

The call to the public was made at 8:02 pm with no response.

Moved by Board Member Kreutzberg, supported by Board Member Soucy, to approve Case #25-05 for Springfield Signs on behalf of Culver's at 3900 E. Grand River, for a sign square footage variance of 52.58 square feet from the allowable 40 square feet for a total sign square footage of 92.58 for an additional menu board in the drive-thru lane, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict the menu visibility which is dictated by brand standards. This variance will provide substantial justice, is the least necessary and would make the property consistent with other drive-through restaurants in the area.
- The variance is necessary due to the extraordinary circumstances, such as property location at a high flow traffic area and the need to reduce congestion, improve efficiency for patrons, and improve overall traffic safety in the surrounding parking lot.
- Granting this variance would not impair adequate light or air to adjacent properties, would not increase congestion or increase danger or fire or threaten public safety or welfare.
- The variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood.

This approval is conditioned upon the following:

1. No additional signage shall be permitted in the future.
2. No more than two drive-through menu boards are allowed.

The motion carried (Kreutzberg - yes; Hurley - yes; Rockwell - yes; McCreary - no; Soucy - yes)

Chairperson McCreary left the meeting room. Vice Chairman Rockwell introduced item #4.

4. 25-06...A request by Jill Bianco, 410 S. Hughes Road, for a waterfront variance, and any other variances deemed necessary by the Zoning Board of Appeals, to build a new single-family home.

Ms. Jill Bianco stated she is requesting a waterfront variance of 30 feet from the required 100 feet. She stated the new home will be built in the same location of the existing home, but it will be bigger. That home is already 70 feet from the lake. The new home is being moved so that the side setback is now compliant.

The call to the public was made at 8:12 pm with no response.

Board Member Hurley stated this is an unusual case because of the location of the existing home, and the need to install a septic field.

Vice-Chairman Rockwell appreciates that the side yard setback has been brought into compliance. Ms. Aulette stated there were quite a few non-conformities and the applicant has reduced or eliminated almost all of them.

Moved by Board Member Kreutzberg, supported by Board Member Soucy, to approve Case #25-06 for Jill Bianco of 410 S. Hughes Road, for a waterfront variance of 30 feet from the required 100 feet for a setback of 70 feet to construct a new home, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict the intended use of the property or cause it to be unbuildable.
- The variance will provide substantial justice, is the least necessary and would make the property consistent with other properties and homes in the area as there are several homes in the area with severely reduced shoreline setbacks.
- The variance is necessary due to the extraordinary circumstances, such as the condition of the property on which several wetland areas exist, the topography and need for a septic as it is not able to be serviced by the municipal water system. In addition, the lake overflow / drainage creek runs through the site; therefore, the need for the variance is not self-created.
- Granting this variance would not impair adequate light or air to adjacent properties, would not increase congestion or increase danger or fire or threaten public safety or welfare.
- The variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood.

This approval is conditioned upon the following:

1. The structure must be guttered with downspouts.
2. The applicant must maintain 25' natural features setback.
3. The building height cannot exceed 25 feet.
4. Silt fencing must remain in place to protect runoff to wetlands and creek
5. Only one residence is permitted on the property.

The motion carried unanimously

Chairperson McCreary returned to the meeting room.

Administrative Business:

1. Approval of minutes for the February 18, 2025 Zoning Board of Appeals meeting.

Moved by Board Member Soucy, supported by Board Member Kreutzberg, to approve the minutes of the February 18, 2025 Zoning Board of Appeals meeting as presented. **The motion carried unanimously.**

2. Correspondence

Ms. Aulette stated there will be two new cases on the April agenda.

Genoa Township Zoning Board of Appeals Meeting

March 18, 2025

Approved Minutes

3. Member Discussion

The Board requested to change the variance application to highlight that the project area must be staked.

Board Member Soucy stated he will not be at the May 20 meeting.

4. Adjournment

Moved by Board Member Soucy, supported by Board Member Hurley, to adjourn the meeting at 8:28 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary