#### GENOA CHARTER TOWNSHIP ZONING BOARD OF APPEALS ELECTRONIC MEETING NOTICE MAY 19, 2020 6:30 P.M.

Reason: As a result of the Executive Order 2020-15 and the Covid-19 (Coronavirus) Pandemic, the regularly scheduled meeting of the Genoa Charter Township Zoning Board of Appeals on May 19, 2020 at 6:30 p.m. will be held electronically to avoid the spread and potential contact with the virus.

Public Participation: Public may participate in the call to public and hear the meeting live by going to <a href="https://www.genoa.org/government/boards/board">https://www.genoa.org/government/boards/board</a> and clicking on the Streaming Meeting Link that will be posted on that page.

Procedures: Public wishing to address the Zoning Board of Appeals to provide input or ask questions on any business on the agenda may participate in the call to the public by the calling 810-227-5225. We also encourage residents to participate by emailing questions to: <a href="mailto:info@genoa.org">info@genoa.org</a> prior to the 6:30 PM meeting start.

Disabilities: Persons with a disability may participate with the use of an attendant or by requesting, in advance, accommodations to participate in the meeting.

GENOA CHARTER TOWNSHIP ZONING BOARD OF APPEALS MAY 19, 2020 6:30 P.M. AGENDA

Call	to	Order:

Pledge of Allegiance:

Introductions:

#### Approval of Agenda:

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

- 1. 20-02 ... A request by Jim and Diana Grant, 5525 King Road, for a side setback variance to construct a detached accessory structure.
- 2. 20-03 ... A request by Chestnut Development LLC, 6255 Grand River, for a variance to allow for a 2<sup>nd</sup> monument sign on a parcel.
- 3. 20-04 ... A request by Daniel and Christine Casoli, 4121 Homestead, for side and waterfront setback variances to construct an addition to an existing home.

#### Administrative Business:

- 1. Approval of minutes for the January 20, 2020 Zoning Board of Appeals meeting.
- 2. Correspondence
- 3. Township Board Representative Report
- 4. Planning Commission Representative Report
- 5. Zoning Official Report
- 6. Member Discussion
- 7. Adjournment



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

Case # 20-02 Meeting Date: April 21, 2020						
Case # _ ZO OZ _ Meeting Date: _ MOTT ZT, WZO						
PAID Variance Application Fee						
\$215.00 for Residential   \$300.00 for Sign Variance   \$395.00 for Commercial/Industrial						
Applicant/Owner: <u>JIM&amp;DIANA GRANT</u> Email: <u>Lana</u> grante com ea						
Property Address: 5525 KING RD. Phone: 810-599-3498						
Present Zoning: <u>COUNTRY ESTATE</u> Tax Code: <u>4111 - 33 - 300 - 008</u>						
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 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: WANT TO ADD A 2 CAR						
GARAGE (24X24) DETACHED 10'FROM HOUSE AND 30,8						
FROM SIDE OF PROPERTY						

The following is per Article 23.05.03:

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 LETO BE TORN DOWN parcel.

PROPERTY LINE, EXISTING GARAGE IS ALREADY

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.

NEED A 2 CAR DETACHED GARAGE CLOSE TO HOUSE THE GRADE OF THE PROPERTY OWNERS ARE AGING

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.

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.

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.



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

## SUPERVISOR

Bill Rogers

#### CLERK

Paulette A. Skolarus

#### TREASURER

Robin L. Hunt

#### TRUSTEES

Jean W. Ledford H. James Mortensen Terry Croft Diana Lowe

## MANAGER

Michael C. Archinal

### **MEMORANDUM**

**TO:** Genoa Township Zoning Board of Appeals

**FROM:** Amy Ruthig, Zoning Official

**DATE:** May 13, 2020

**RE:** ZBA 20-02

#### STAFF REPORT

File Number: ZBA#20-02

Site Address: 5525 King Road

**Parcel Number:** 4711-33-300-008

Parcel Size: 5.150 Acres

**Applicant:** Grant, James and Worthy, Diana

**Property Owner:** Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description**: Applicant is requesting a side yard variance to construct a

detached accessory structure.

Zoning and Existing Use: CE (County Estates) Single Family Dwelling located on

property.

#### Other:

Public hearing was published in the Livingston County Press and Argus on Sunday May 3, 2020 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 1937.
- The parcel is serviced by well and septic.
- See Assessing Record Card.

<u>Summary:</u> The proposed project is to demo existing detached accessory structure and construct a new detached accessory structure keeping the same side yard setback of 30 feet. A side yard variance is necessary to construct the structure in the applicant's proposed location.

#### **Variance Requests**

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

- Sec. 11.04.01(f): (f) Required Setbacks (Detached, over one hundred twenty (120) square feet total floor area): Detached accessory buildings and structures over one hundred twenty (120) square feet of total floor area shall be at least ten (10) feet from any principal building, and at least ten (10) feet from any side or rear lot line; except as follows:
  - (1) On lots greater than one (1) acre detached accessory buildings and structures over one hundred twenty (120) square feet of total floor area shall meet the setback requirements for principal structures.

Sec. 03 Table 03.04.01 (CE)

Required Side Yard Setback: 40'

Proposed Side Yard Setback: 30'

Proposed Variance Amount: 10'

<u>Summary of Findings of Fact-</u> 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 side yard setback would prevent the applicant from constructing the detached accessory structure in the proposed location. The variance does provide substantial justice for there are quite a few detached accessory structures in surrounding area with non-conforming side yard setbacks.
- **(b)** Extraordinary Circumstances The exceptional or extraordinary condition is the property is the existing location of the home. It appears that the proposed detached structure cannot be moved to the rear of the home due to the existing detached accessory structures on the property. Applicant should address if the proposed location is the only location on the property with the least amount of a variance setback.
- (c) Public Safety and Welfare The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

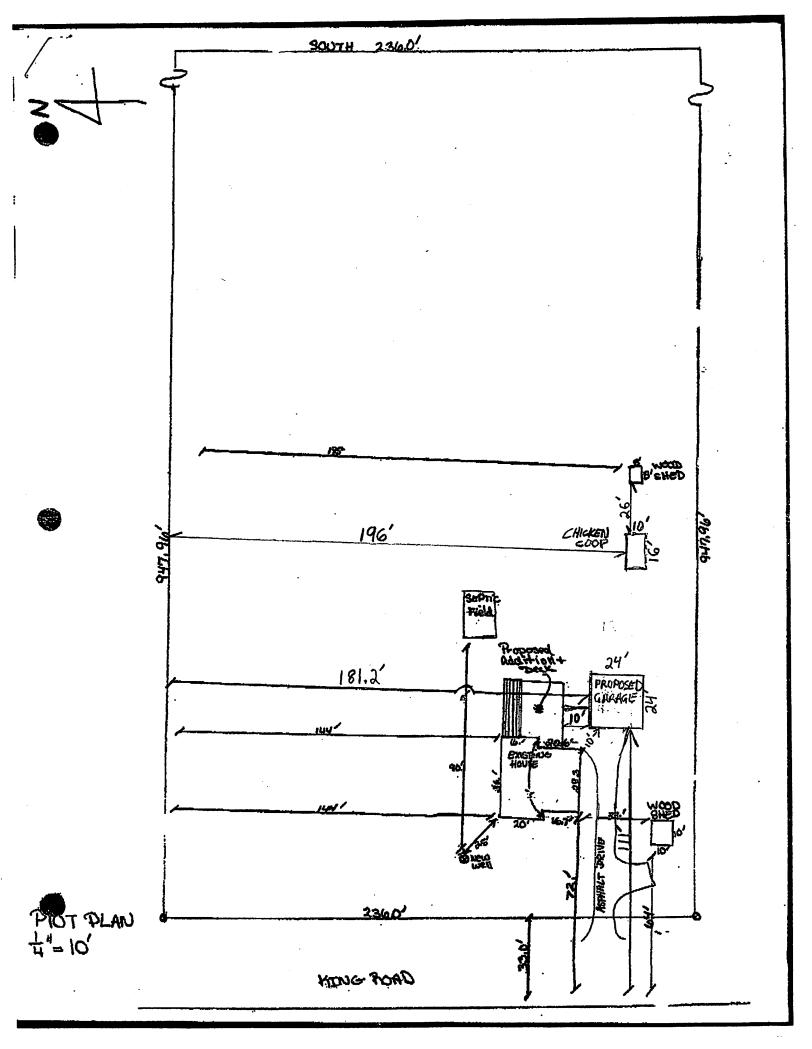
### **Recommended Conditions**

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

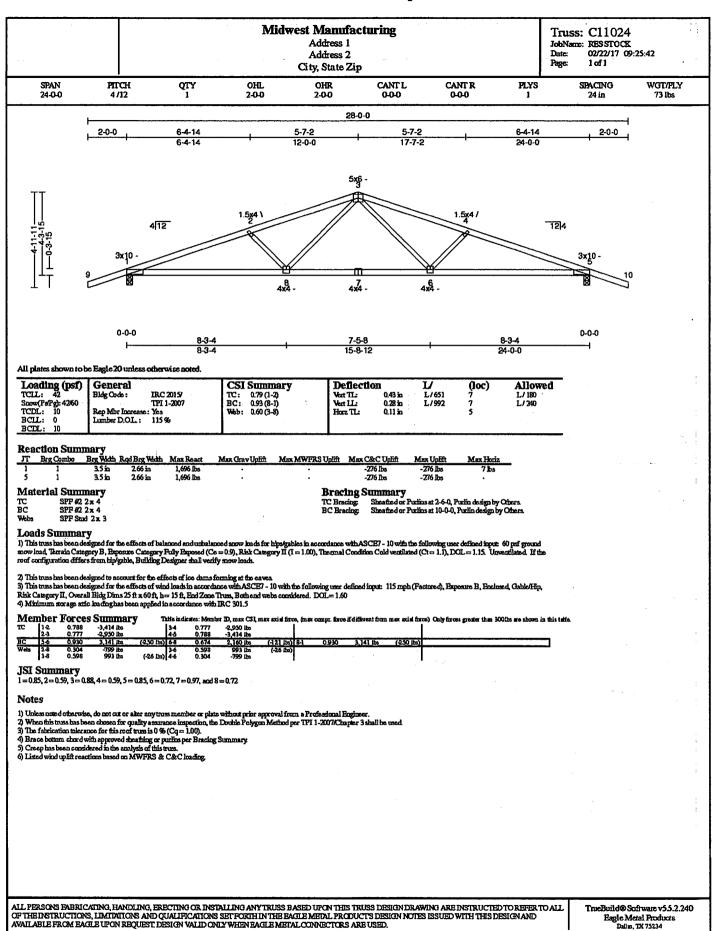
1. Shall comply with the accessory structure requirements.

# **GENOA TOWNSHIP**





2/15/2020



Garage

Job	Truss	Truss Type	Qty	Ply	
QTREC0598387	T1DE	COMMON	2		Job Reference (optional)

rest Manufacturing, Eau Claire, Wi

Run: 823 S Aug 28 2018 Print: 8230 S Aug 28 2018 MiTek Industries, Inc. Tue Jul 09 11:43:33

Page: 1

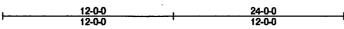
ID.fpggTyNuumilyZiPtqKWgOyzp6k-X7z1RyrlxxRYLWPYI5p0RCPOQBjLDWTGlfsiRr8yzp68

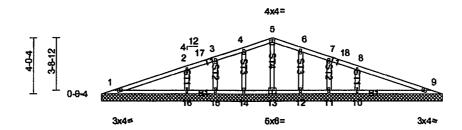
Structural wood sheathing directly applied or 6-0-0 oc purlins.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer

Rigid ceiling directly applied or 10-0-0 oc bracing.

Installation guide.





Scale = 1:72.1

24-0-0

**PRACING** 

TOP CHORD

**BOT CHORD** 

Plate Offse	ts (X, Y):	[13:0-3-0,	0-3-0]
-------------	------------	------------	--------

Loading TCLL (roof)	(psf) 30.0	Spacing Plate Grip DOL	2-0-0 1.15		0.31	DEFL Vert(LL)	in n/a	(loc)	Vdefi n/a		PLATES MT20	GRIP 197/144
Snow (Ps/Pg)	27.7/40.0	Lumber DOL	1.15	BC	0.19	Vert(TL)	n/a		n/a	999		
TCDL	7.0	Rep Stress Incr	YES	WB	0.08	Horiz(TL)	0.00	9	n/a	n/a		
BCLL	0.0*	Code	IRC2015/TPI2014	Matrix-R								
BCDL	10.0										Weight: 73 lb	FT = 15%

LUMBER

TOP CHORD 2x4 SPF No.2 BOT CHORD 2x4 SPF No.2

2x4 SPF Stud

#### REACTIONS All bearings 24-0-0.

(b) - Max Horiz 1=-49 (LC 15)

Max Uplift All uplift 100 (b) or less at joint(s) 1, 9, 10, 11, 12, 14, 15, 16 Max Grav All reactions 250 (b) or less at joint(s) 1, 9, 11, 13, 15 except 10=515 (LC 32), 12=275 (LC 21), 14=275 (LC 20), 18=515 (LC

WEBS

(lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown

2-16=-368/131, 8-10=-388/131

#### JOINT STRESS INDEX

1 = 0.57, 2 = 0.51, 3 = 0.51, 4 = 0.51, 5 = 0.33, 8 = 0.51, 7 = 0.51, 8 = 0.51, 9 = 0.57, 10 = 0.51, 11 = 0.51, 12 = 0.51, 13 = 0.22, 14 = 0.51, 15 = 0.51 and 16 = 0.51

#### NOTES

**FORCES** 

- Unbalanced roof live loads have been considered for this design.

  Wind: ASCE 7-10; Vult=115mph (3-second gust) Vasd=91mph; TCDL=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; Enclosed; MWFRS (envelope) exterior zone and C-C Exterior (2) zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
- 3) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult
- Intiss designed for wind loads in the plane of the truss only. For stools exposed to wind (normal to the tace), see Standard Industry Gathe End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.

  TCLL: ASCE 7-10; Pr=30.0 psf (noof five load: Lumber DOL=1.15 Plate DOL=1.15); Pg=40.0 psf (ground snow); Ps=27.7 psf (noof snow: Lumber DOL=1.15 Plate DOL=1.15); Category II; Exp B; Fully Exp.; Ct=1.10

  Roof design snow load has been reduced to account for slope.
- Unbalanced snow loads have been considered for this design.
- All plates are 1.5x4 MT20 unless otherwise indicated. Gable requires continuous bottom chord bearing.
- Gable study spaced at 2-0-0 oc.
- This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- \* This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-08-00 tall by 2-00-00 wide will fit between the bottom chord and
- Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 1, 9, 14, 15, 16, 12, 11, 10.

  This truss is designed in accordance with the 2015 International Residential Code sections R502.11.1 and R602.10.2 and referenced standard ANSI/TPI 1.

LOAD CASE(S)

### MENARDS'

WIXOM, 10400 ASSEMBLY PARK DR, WIXOM, MI, 248-344-1140

## **Garage Floor Plan**

\*\*Illustration may not depict all selections.

Endwall A

24'

Endwall B

Sidewall

Design Name: Garage Design Design ID: 332052464601

Date: 02/15/2020 Estimate ID: 1414

Sidewall

#### How to purchase at the store

- Take this packet to any Menards store.
- Have a building materials team member enter the design number into the Garage Estimator Search Saved Designs page.
- Apply the design to System V to create the material list.
- Take the purchase documents to the register and pay.

# How to recall and purchase a saved design at home

- 1. Go to Menards.com.
- Select the Garage Estimator from the Project Center.
- Select Search Saved Designs.
- Log into your account.
- Select the saved design to load back into the estimator.
- 6. Add your garage to the cart and purchase.

Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.



2/15/2020 Garage

### MENARDS'

WIXOM, 10400 ASSEMBLY PARK DR, WIXOM, MI, 248-344-1140

# Wall Configurations \*Illustration may not depict all options selected.



**ENDWALL B** 



SIDEWALL D



SIDEWALL C



**ENDWALL A** 

D "-		0	-
Desig	ın-n	Center	
CARAC			

Design Name: Garage Design

Design ID: 332052464601

Estimate ID: 1414

<sup>\*</sup>Some items like wainscot, gutter, gable accents, are not displayed if selected.

### MENARDS'

WIXOM, 10400 ASSEMBLY PARK DR, WIXOM, MI, 248-344-1140

## **Design Summary**

Here is a summary of all your customized selections.

Wall Info:

Siding Material Types: Vinyl

Wainscot Material Type: None

Gable Vent Color: NoColor

Siding Color: White Accent Material Type: None

Gable Vents: None

Siding: ABCTO® Cedar Creek™ Double 4"

House Wrap: Kimberly-Clark BLOCK-IT®9'x75'House Wrap

Walls Sheathing: 7/16" OSB (Oriented Strand Board)

- Building Info:
   Roof Framing: Truss Construction
- Truss Type: Common
- Pitch: 4/12 Pitch
- Framing Size: 2" x 4"
- Width: 24'
- Length: 24'
- Height: 8'
- Gable Overhang: 2'
- Eave Overhang: 2'
- Block Option: 1 Row
- Block Type: 8" Standard Concrete Construction Block
- Block Color: NoColor
- Anchor bolt: Grip Fast 1/2" x 10" HDG Anchor Bolt w/ Nut & Washer
- Custom Garage Plan: Yes I need a custom building plan

- Garage Roof Sheathing: 1/2" OSB (Oriented Strand Board)
- Roofing Material Type: Architectural Shingle
- Roof Vents: None
- Roof Vent Color: NoColor
- Ridge Vent: None
- Garage Roofing: Owens Corning® TruDefinition® Duration® Architectural Shingles (32.8 sq. ft.)
- Roofing Color: Chateau Green
- Roof Underlayment: #15 Felt Roofing Underlayment 3' x 144' (432 sq. ft.)
- Ice and Water Barrier: Owens Corning® WeatherLock® G Granulated Self-Sealing Ice and Water Barrier 3' x 66.7" (200 sq. ft.)
- Garage Fascia Type: Aluminum Fascia
- Garage Fascia: 6" x 12' Aluminum Rustic Fascia
- Fascia Color: White
- Garage Soffit Type: Aluminum Soffit
- Garage Soffit: 16" x 12' Aluminum Vented Soffit
- Soffit Color: White
- Gutter material Type: None

Additional Options:

- Wall Finish: None
- Truss Fastener: FastenMaster® TimberLOK® 5/16" x 6" Hex Drive Black Hex Head Wood Screw - 50 Count
- Ceiling Finish: None
- Wall Insulation: None
- Ceiling Insulation: None

Openings: No openings selected:

#### What's Next

Finalized your Garage design? Great! Now it's time to set-up shipping!











Set Up

- Set Up Shipping
- 1. If you completed the order online, check your email for a confirmation receipt and follow the directions included in it.
- 2. Take this printout to the Menards store location you selected (shown
- 3. Find a team member from the Building Materials department and show them your receipt and this print-out
- If you have already set up your shipping/delivery options, please disregard this section 4. Set up a time and location for delivery.

Design

Review

Add-to-Cart

Finish

Shipping



Design Name: Garage Design

Design ID: 332052464601

Estimate ID: 1414

Grantor	Grantee			Sale Price	Sale Date	Inst. Type		Terms of Sal	e	Liber & Page		Verified By		Prcnt. Trans.
Property Address		Class	: RESIDE	NTTAITMPI	ROV Zoning:	CE.	Build	ling Permit(s	3)	Dat	e Numk	ner	Statu	19
5525 KING RD					NITY SCHOO			12119 10111110 (1	- /		1101111		00000	
JJZJ KING KD			100%	/ /	VIII DONOO									
Owner's Name/Address			: V20-02	<u> </u>										
GRANT, JAMES & WORTHY	, DIANA	1.11.11	. 720 02		Est TCV Te	ntativa								
5525 KING RD		V Tm	proved	Vacant			+ima+	es for Land	Table 4503		/ M s. B			
HOWELL MI 48843			blic	Vacanc	Dana	arue Es	CIMAC	es for band	* Factors		- M & D			
		Im	provemen	ts	Descri		Fron	tage Depth	Front De			ason		Value 35,750
Tax Description		1 1	rt Road	۵	IADLE	А		5.15	Total Acre	·				35,750 35,750
SEC 33 T2N, R5E - BEG SW COR OF SEC - TH N E 947.96 FT - TH S 23 10" W 947.96 FT TO BE Comments/Influences	236 FT - N 88*45'10" 6 FT - TH S 88*45'	Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities		Land Descri	ption rame		ost Estimate		Rate 20.74 23.23 provements	1	ze % Good 92 50 20 50 h Value =	Cas	sh Value 1,991 1,394 3,385	
		To Si	pography te											
		Ro Lo Hi La Sw Wo Po Wa Ra	lling											
		-	ood Plai	n	Year		Land alue	Build Va	ling A	Assessed Value	Board Revi		nal/ ther	Taxable Value
		Who	When	What	2021	Tenta	tive	Tentat	ive Te	entative			Т	entative
					2020	42	,900	83,	100	126,000				103,8850
The Equalizer. Copyr Licensed To: Township					2019	45	,200	73,	600	118,800				101,9480
Livingston, Michigan	or denou, country or				2018	45	,200	83,	200	128,400				99,5590

Parcel Number: 4711-33-300-008 Jurisdiction: GENOA CHARTER TOWNSHIP County: LIVINGSTON

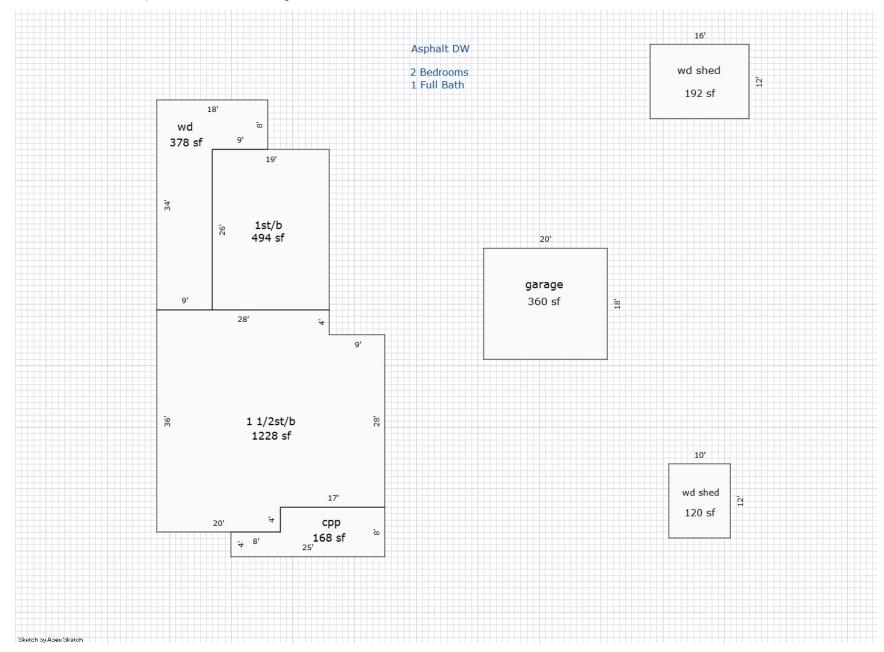
Printed on

05/13/2020

<sup>\*\*\*</sup> 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 Wood Frame Building Style: C Yr Built Remodeled 1937 0 Condition: Good  Room List Basement	Eavestrough Insulation 0 Front Overhang 0 Other Overhang (4) Interior  Drywall Plaster Paneled Wood T&G  Trim & Decoration  Ex X Ord Min Size of Closets  Lg X Ord Small Doors: Solid X H.C. (5) Floors  Kitchen:	No Heating/Cooling  Central Air Wood Furnace	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor	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  Class: C Effec. Age: 52 Floor Area: 2,336 Total Base New: 302 Total Depr Cost: 164	,373 E.C.F.	Year Built: Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 360 % Good: 0 Storage Area: 0 No Conc. Floor: 0 Bsmnt Garage:
1st Floor 2nd Floor	Other:	(12) Electric  0 Amps Service	Central Vacuum Security System	Estimated T.C.V: 162,	·	Carport Area: Roof:
2 Bedrooms (1) Exterior X Wood/Shingle Aluminum/Vinyl	(6) Ceilings	No./Qual. of Fixtures  Ex. X Ord. Min  No. of Elec. Outlets  Many X Ave. Few	(11) Heating System: Ground Area = 1722 S	ldg: 1 Single Family Forced Heat & Cool F Floor Area = 2336 /Comb. % Good=48/100/1	SF.	.s C Blt 1937
Brick Insulation (2) Windows	(7) Excavation  Basement: 1722 S.F. Crawl: 0 S.F. Slab: 0 S.F.	(13) Plumbing  Average Fixture(s)  1 3 Fixture Bath	Stories Exterio 1.5 Story Stone 1 Story Stone	Basement Basement	Size Cost 1,228 494 Total: 265,	*8
Many Large X Avg. Small  Wood Sash Metal Sash Vinyl Sash	Height to Joists: 0.0  (8) Basement  Conc. Block Poured Conc. Stone Treated Wood	2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink	Other Additions/Adju Water/Sewer 1000 Gal Septic Water Well, 200 Fe Porches CCP (1 Story)		1 8,	036 1,937 914 4,279 745 1,798
Double Hung Horiz. Slide Casement Double Glass Patio Doors	Concrete Floor  (9) Basement Finish  Recreation SF Living SF	Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove	Jarages	iding Foundation: 42 1	Inch (Unfinished) 360 15,	220 2,506 073 7,235
Storms & Screens  (3) Roof  X Gable Gambrel Hip Mansard Flat Shed  X Asphalt Shingle	Walkout Doors No Floor SF  (10) Floor Support	Vent Fan   (14) Water/Sewer   Public Water   Public Sewer   1 Water Well   1 1000 Gal Septic   2000 Gal Septic	Notes: ECF	(4503 (47080) PINCKNE	Totals: 302,	·
Chimney: Brick		Lump Sum Items:	-			

<sup>\*\*\*</sup> Information herein deemed reliable but not guaranteed\*\*\*



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



## GENOA CHARTER TOWNSHIP VARIANCE APPLICATION

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

	Case # 20-03 Meet	ing Date: _				
PAID Variance Application Fee						
\$215	.00 for Residential   \$300.00 for Sig	n Variance	\$395.00 for Commercial/Industrial			
Applicant/Owner: _	Chestnut Development, LLC	Email:	Permits@chestnutdev.com			
Property Address:_	6255 Grand River	Phone:	734-679-4356			
Present Zoning:	GCD	Tax Code:_	734-679-4356 4711-11-300-029			
ARTICLE 23 of the C Zoning Board of Ap		cribes the V	ariance procedure and the duties of the			
change the Zoning or provide relief where	Ordinance or grant relief when it is pos	sible to comp y with strict a	e ZBA is a board of limited power; it cannot ply with the Zoning Ordinance. It may application of the zoning ordinance to the			
much of the necess gathered by on-site	ponsible for presenting the information is gathered through the visits, other sources, and during the Z visit the site without prior notification	e completed BA meeting.	application, other information may be ZBA members, township officials and			
	submittal requirements and properly		The state of the s			
improvements may	y result in postponement or denial of t	nis petition.				
Please explain the proposed variance below:						
1. Variance requested/intended property modifications:						
Chestnut Development is requesting a  variance to allow for a second sign on our  one parcel for businesses that will be occupying our Landing Building B, phase II  currently under construction.						

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

<u>Criteria Applicable to Dimensional Variances.</u> 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 <u>all</u> of the following conditions exist:

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

<u>Practical Difficulty/Substantial Justice.</u> 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.

parcel.
Chestnut will comply with all required setbacks  and sign requirements and sees no conflict with  neighboring properties with placement of a
second sign.
Extraordinary Circumstances. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity. The need for the variance was not self-created by the applicant.
The need for a second sign for our Building B is necessary for the businesses that will be occupying
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.
None
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.  None
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.



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

## SUPERVISOR

Bill Rogers

# CLERK Paulette A. Skolarus

Tudiene A. okolulu.

#### TREASURER

Robin L. Hunt

#### TRUSTEES

Jean W. Ledford H. James Mortensen Terry Croft Diana Lowe

#### MANAGER

Michael C. Archinal

### **MEMORANDUM**

**TO:** Genoa Township Zoning Board of Appeals

**FROM:** Amy Ruthig, Zoning Official

**DATE:** May 13, 2020

**RE:** ZBA 20-03

#### STAFF REPORT

File Number: ZBA#20-03

**Site Address:** 6255 Grand River Ave.

**Parcel Number:** 4711-11-300-029

**Parcel Size:** 4.197 Acres

**Applicant:** Chestnut Development, LLC.

**Property Owner:** Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

**Request:** Dimensional Variance

**Project Description**: Applicant is requesting a variance to allow for an additional monument sign at existing office center.

monument sign at existing office center.

**Zoning and Existing Use:** GCD (General Commercial District) Existing office building and an additional office building is under construction.

#### Other:

Public hearing was published in the Livingston County Press and Argus on Sunday May 3, 2020 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 1<sup>st</sup> phase building was constructed in 2016 and the 2<sup>nd</sup> phase building was issued a land use permit for construction in 2019.
- In 2015, the parcel was rezoned and approved for a site plan including two buildings.
- In 2016, a sign permit was issued for the existing monument sign. (see attached permit)
- The parcel is serviced by public water and sewer.
- See Assessing Record Card.

<u>Summary:</u> The applicant is requesting a variance to allow for an additional monument sign for the office building that is currently under construction. The property currently has a monument sign for the existing building. (See attached permit)

The applicant stated on the ZBA application that the sign would meet the Sign Ordinance standards however the sign submitted does not meet the height and size allowed. If applicant would like to pursue a size and height variance also then the case would need to be republished for the June meeting.

#### **Variance Requests**

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

**Table 16.1 Sign Dimensional Standards and Regulations** 

	WALL OR CA	ANOPY SIGN	MONUMENT SIGN				
DISTRICT (7)	MAX. NO. OF SIGNS (1)	MAX SIZE	MAX. NO. OF SIGNS	MAX. SIZE <sup>(3,4,5)</sup>	MAX. HEIGHT		
Agricultural Districts	1	10 sq. ft.	1	10 sq. ft.	6 ft.		
Single Family Residential (6)	N/A	N/A	(See	Exempt Sign	ıs)		
Multiple Family Residential	N/A	N/A	(See	Exempt Sign	ıs)		
Mobile/Manufactured Home District	N/A	N/A	(See	Exempt Sign	ıs)		
Neighborhood Service District	1 per business	10% of front facade (2)	1 (4)	72 sq. ft.	6 ft.		
General Commercial District Regional Commercial District	1 per business	10% of front facade (2)	1 (4)	72 sq. ft.	6 ft.		
Office-Service District	1 per business	10% of front facade (2)	1	72 sq. ft.	6 ft.		
Recreational Facilities District	1	10% of front <sup>(2)</sup> facade	1 (4)	72 sq. ft.	6 ft.		
Industrial District	1	10% of front <sup>(2)</sup> facade	1	60 sq. ft.	6 ft.		
Planned Industrial and PUD Districts (7)	1	10% of front <sup>(2)</sup> facade	1	60 sq. ft.	6 ft.		

<u>Summary of Findings of Fact-</u> 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 a 2<sup>nd</sup> monument sign. Granting of the requested variance would not do substantial justice to the applicant as well as to other property owners in the district and is not necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel. There are other properties in the vicinity that have multiple buildings on site with no additional monument signs.

- **(b)** Extraordinary Circumstances There are no exceptional or extraordinary conditions to the property. There are other office developments in the area with multiple buildings without additional monument signs.
- (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 additional sign could endanger the public safety as to location of the sign for the vehicles leaving the site. Applicant should demonstrate that the sign will not block any views for vehicles exiting the shared driveway.
- (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.

#### **Recommended Conditions**

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

- 1. The sign must comply with the Sign Standards of the Genoa Township Zoning Ordinance.
- 2. It appears that a tree that was required per site plan approval will have to be removed with placement of the sign. The tree shall be moved to the immediate area of the sign.

# **GENOA TOWNSHIP**





Sign Permit
Genoa Charter Township • 2911 Dorr Rd. • Brighton, MI 48116
Phone (810) 227-5225 • Fax (810) 227-3420 • www.genoa.org

1	11-10-
PERMIT NO	4-04

1. PROJECT INFORMATION							Alleka Ph		
Name of Business: Chestnut Landing	Site Address: 6253 Grand River Avenue								
2. OWNER/CONTRACTOR INFORMATION  Owner Name: Other Programme Phone No.:									
Owner Name: Chestnut Development L		Phone No.:							
Owner Address: 3800 Chilson Rd.		<sup>ty:</sup> Howel					<sup>Zip:</sup> 48843		
Contractor name: Postema Signs & Grap	hics		Phone !	Phone No.: (616)455-0260					
Contractor Address: 7475 S. Division	Ci	<sup>ty:</sup> Grand	Rapids	Rapids State: MI			<sup>Žip:</sup> 49548		
3. SETBACK AND DIMENSIONAL INFORM	ATION		22						
A. Ground Sign Setbacks and Dimensions (in fe	<u>eet)</u>								
Front Setback: 10' (measured from the right-of-	way line o	r private road e	asement, whi	chever i	s less)				
Sign Length: 15' 3" feet		Sig	n Height:	4' 10	nt .	feet	6' overall sig	n height	
B. Wall or Canopy Sign Dimensions (in feet)									
Size of Building or Tenant Space Façade: Le	ength: 80	6'	feet	Heig	ht: 18'4"		feet		
Size of Sign: Sign Length: 7.75'	feet	Sign Heigl	nt: 4.9'		feet	Sign De	pth:	feet	
C. Sign Lighting									
■ Yes □ No - If yes, please explain: Electronic	: LED dis	play, UL liste	ed ground si	gn & L	ED channel	etters	-		
4. ATTACHMENTS				23					
<ul> <li>For ground sign - attach 3 copies of site plan showing dimensions from sign to property lines; dimensions from sign to any right-of-way lines; dimensions of property; location of all roads adjacent to property; and location of any right-of-way or private road easements, sign dimensions and construction.</li> <li>For wall sign - attach 3 copies of building elevation drawing showing front facade and include dimensions of the building or tenant space façade, sign dimensions and construction.</li> </ul>									
5. SIGNATURE OF APPLICANT		····							
I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent. The owner and applicant agree to conform to all applicable ordinances of Genoa Township. Any modification to location, size or dimensions must be approved by Genoa Township. A Land Use Permit is valid for a period of 12 months from the date of issue. In signing this application, I am permitting an official representative of Genoa Charter Township to do on-site inspections. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.									
Applicant is: ☐ Owner ☐ Contractor ☐ Less				Oth	er:				
Signature of Applicant: Partie	Print	ed Applicant r	··········· Ma	tthe	w E. J	arka D	<sup>9nte:</sup> 5/13/16		
∇ FOR OFFICE USE ONLY ∇									
A. TOWNSHIP APPROVALS									
Planning Commission/ZBA		☐ Yes 🕅		Case			Date:		
B. ZONING APPROVAL	#:47/1	-11-	<u>-300-(</u>		Zoning:				
Approved Disapproved Approved by Date: 6 9 16									
Comments/Conditions: Wall sign for Suite C is OK because It has it own public entrance, Ground sign									
MUST maintain 10' setback & shall not exceed b' tall from average grade within 50' of frontage along 80TH side LED MIST mondy with 16.07.02 - MUST maintain black or dark backgrounding picked up: (0-10-16)									
Sides, LED Missage MUST comply with 16.07.02 - Must maintain black or dark background ate picked up: (0-10-110									
	5.5°	Da	te Paid:	60	1/16	Cash	or Check No.:	36493	

#### **STRUCTURE**

- Double sided sign
- SignComp mediumbody aluminum extrusion
- 1 1/2" aluminum retainers hingeable for service
- Masonary base by others
- 3"x5" Steel ground pole direct buried in concrete Paint to be Matthews Acrylic Polyurethane

#### **ELECTRICAL**

- White LED modules
- 12 volt energy saving system
- Integrated disconnect
- Photocell to be included
- . UL listed and labeled

#### **ELECTRONIC LED DISPLAY**

- Watchfire Full Color display
- 18 x 252 Matrix
- 16mm pixel pitch
- 5 year warranty

#### **FACES**

- 3/16" White Polycarbonate
- · Surface applied 3M vinyl graphics





TOTAL SQ. FT. - 77.3 LED SQ. FT. - 22.1

**GENOA TOWNSHIP** 

JUN 09 2016

PERMIT APPROVED - Must comply

With Z.O. sec. 16.67.02

#### Side profile





**Approval Signature:** 

p: 810·588·4703 f: 810·588·4706

8200 Grand River Road Brighton, MI 48114

Date:

Customer Name:	Job Number:
Company:	Order Taken By:
Street:	Order Date:
City:	Delivery Date:
State: Zip:	Shipping:
Country:	File Name: monument sign 0320.fs
Phone:	Comments:
Fax:	Description:
E-mail:	

NOTE: All sales are final once proofing has begun. There are no refunds once production has begun. Jobs canceled prior to production may be subject to design fees. %50 deposit required before production to begin. Artwork & Files are owned exclusively by W4 Signs, Inc. unless originally provided by client or specifically stated. Original artwork files and rights may be purchased for an additional fee.

It is the responsibility of the client to ensure proof accuracy, including all spelling, colors & materials as indicated. After the 3rd proof, each additional revision will incur an additional \$20 fee. Proof approval authorizes W4 Signs to proceed with production of the design selected. Call for specific estimated completion time, otherwise jobs will be completed within the production schedule and/or notified for installation.

All Balances due upon completion / installation.

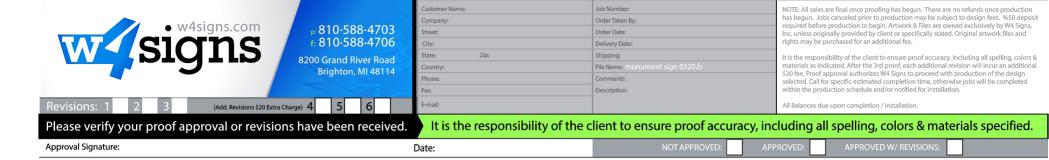
Grand River A

Please verify your proof approval or revisions have been received.

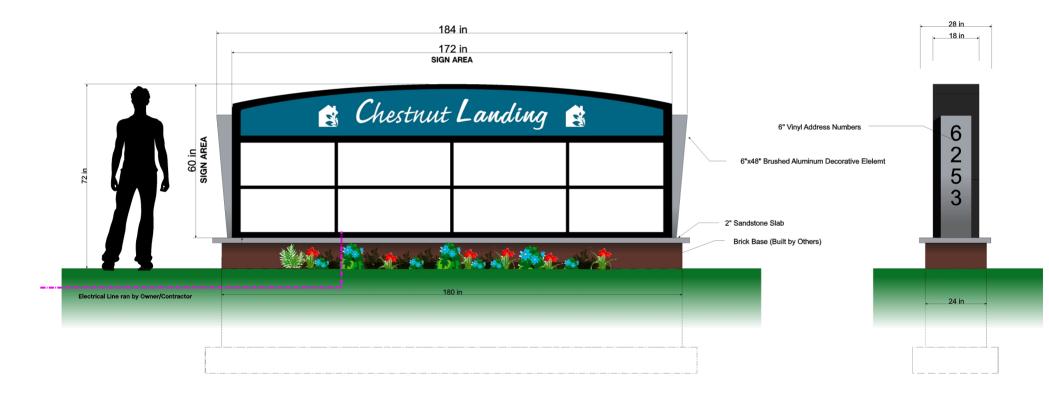
(Add. Revisions \$20 Extra Charge) 4

It is the responsibility of the client to ensure proof accuracy, including all spelling, colors & materials specified.

Chestnut Real Estate ENTRANCE EXISTING SIGN - BUILDING 1 and River Ave ROAD RIGHT OF WAY Roots Endodontics ENTRANCE Grand River Ave PROPOSED NEW SIGN 10' FROM R.O.W Grand River Ave Grand River Ave



#### 71.6 Sq/Ft LED LIT CUSTOM SIGN CABINET



Grantor	Grantee			Sale Price		Inst. Type	Terms of Sale	1	Liber & Page		Verified By		Prcnt. Trans.	
CHESTNUT DEVELOPMENT LLC CHESTNUT LANDING		G LLC 1 12		12/05/2019	QC	QUIT CLAIM		2019R-034867		BUYER		0.0		
Property Address		Class	: COMMER	RCIAL- IMP	 ROV Zoning:	GCD Bui	_  ilding Permit(s)		Date	Number	5	Status		
5253 W GRAND RIVER		Schoo	ol: HOWEL	L PUBLIC	SCHOOLS	Wal	ll Sign	01/2	14/2020	PS20-00	°S20-001			
		P.R.E	E. 0%			Con	nmercial	11/	15/2019	P19-16	7			
Owner's Name/Address			: V20-03	}			te Work			P19-178				
CHESTNUT LANDING LLC		1777 11	r. V20 03		Dob MOVI Move				·			7 17373		
3800 CHILSON ROAD							nant Build-Out		01/2019			7 FINA		
HOWELL MI 48843			nproved	Vacant	Land Va	lue Estim	ates for Land Tab		D RIVER	FRONTAG	E			
			blic					Factors *						
		Improvements			Descrip G R 100		contage Depth Fr 400.00 457.00 1.0		oth Rate %Adj. Reason		n	Value 604,649		
Tax Description			Dirt Road Gravel Road				ont Feet, 4.20 Tot					,649		
SEC 11 T2N R5E COMM AT SW	COR TH	1 1 -	ravel Koa wed Road		1001								, 0 1 0	
N87*46'30"E 1338.82 FT TH		1 1 -	orm Sewe											
200 04 EE EU 2700+00140HF7 200 EE EO DOD EU			Sidewalk			Land Improvement Cost Estimates  Description Rate Size % Good						Caah	Value	
N02*03'40"W 262.51 FT TH S70*37'36"E   W			Water			Commercial Local Cost Land Improvements						Casii	value	
449.05 FT TH S02*41'13"E 564.96 FT TH Sewer			ewer	Description						Good Arc	ood Arch Mult Cash		Value	
DB BU N70+27126UW 105 DB BO DOD			lectric PAVING AVE						31000 77		100		47,740	
CONT 4.19 AC	10 106	Ga			WELL/	WATER	4,4	75.00	1	96	100		4,296	
SPLIT/COMBINED ON 07/07/20	015 FROM		ırb :reet Lig	h+ a	SEPTI	C/SEWER	•	00.00	1	96	100		4,224	
4711-11-300-028, 4711-11-3		1 1		nts Itilities			Total Estimated I	and Improveme	nts True	Cash V	/alue =		56,260	
4711-11-300-021;		1 1	dergroun											
Comments/Influences														
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2020

2019

2018

302,300

302,300

241,900

681,100

624,300

893,300

983,400

926,600

1,135,200

850,938C

835,072C

815,500C

926,600A

815,500T

The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of

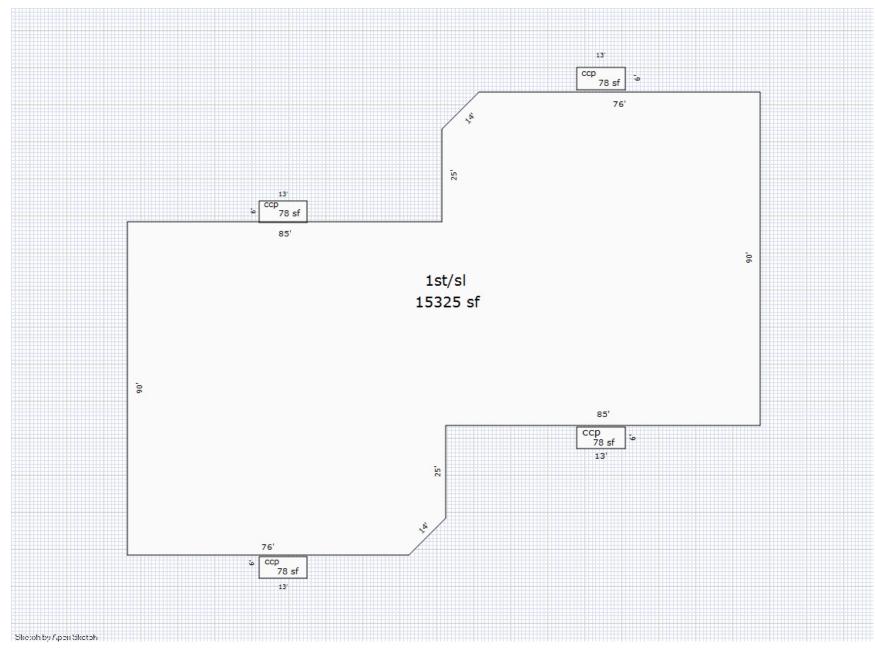
Livingston, Michigan

DLR 11/18/2016 INSPECTED

<sup>\*\*\*</sup> Information herein deemed reliable but not guaranteed\*\*\*

Desc. of Bldg/Section: Calculator Occupancy: Office Buildings				ss: C	~	ality: Average	lator Cost Compu		>>>	>>>			
Class: C		Construct	ion Cost	Stori	es: 1	St	cory Height: 12	: 580					
Floor Area: 15,325 Gross Bldg Area: 15,325	High A	Above Ave	Ave.	X Low	Base :	Rate f	or Up	per Floors = 10	6.68				
Stories Above Grd: 1	** ** Cal	culator (	Cost Data	** **	(10)					/	0 1000		
Average Sty Hght: 12	Quality: Aver Heat#1: Packa		na ( Coolin	ıa 100:		(10) Heating system: Package Heating & Cooling Cost/SqFt: 20.12 100% Adjusted Square Foot Cost for Upper Floors = 126.80							
Bsmnt Wall Hght	Heat#1: Packa Heat#2: Force			19 100. 0%	110,00	004 04	14410	1000 0000 101 0	pp01 110010 11	•••			
Depr. Table : 2% Effective Age : 2	Ave. SqFt/Stc	ry: 1532			Total	tal Floor Area: 15,325 Base Cost New of Upper Floors = 1,9							
Physical %Good: 96	Ave. Perimete					Reproduction/Replacement Cost = 1,943,210							
Func. %Good : 100	Has Elevators	:			Eff.A	ge:2	Phy	.%Good/Abnr.Phy		erall %Good: 96 /1			
Economic %Good: 100	***	Basement	Info ***						To	tal Depreciated Co	sst = 1,865,4	482	
2016 Year Built	Area: Perimeter:				ECF (	2012	OFFIC	TE.)	0.700 :	=> TCV of Bldg: 1	= 1.305.8	837	
Remodeled	Type:				,			Cost/Floor Area		t. TCV/Floor Area=			
Overall Bldg	Heat: Hot Wat	er, Radi	ant Floor										
Height	+ 1/		T==== +										
Comments:	Area #1:	lezzanine	IIIIO ^										
	Type #1:												
	Area #2:												
Type #2:													
* Sprinkler Info *													
	Area: Type: Average												
(1) Excavation/Site Pre		(7) Int	erior:				(11	) Electric and I	ighting:	(39) Miscellaneo	us:		
	otings	(8) Plu						Outlets:	Fixtures:				
X Poured Conc. Brick/S	Stone Block	Many	ve Ave.	Average Typical	1 1	Few None		?ew	Few				
			al Fixtures		nals	None		Average	Average				
(2) 7			ece Baths	1 1 1	naıs h Bowls			Many Jnfinished	Many Unfinished				
(3) Frame:			ece Baths		er Heat		1 1	Typical	Typical				
		Show   Toil	er Stalls		h Fount			Flex Conduit	Incandescent				
		TOLL	ets	wate	er Soft	eners		Rigid Conduit	Fluorescent				
(4) Floor Structure:								Armored Cable	Mercury Sodium Vapor	(40) Exterior Wa	11:		
		(9) Spr	inklers:				1 1	Bus Duct	Transformer	Thickness	Bsmnt Ins	sul.	
							(13	) Roof Structure	e: Slope=0				
(5) Floor Cover:													
(10) Heating and Cooling:				-									
		Gas	Coal	Hand	Fired								
(C) Cailing		Oil	Stoker	Boile	er		(14	) Roof Cover:					
(6) Ceiling:													

<sup>\*\*\*</sup> Information herein deemed reliable but not guaranteed\*\*\*



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

High

Quality: Average

Ave. SqFt/Story

Ave. Perimeter

Has Elevators:

Area:

Type:

Area:

Footings

X Poured Conc. Brick/Stone Block

Type: Average

Perimeter:

Area #1: Type #1: Area #2: Type #2:

Above Ave.

(7) Interior:

Many

Desc. of Bldg/Section:

Gross Bldg Area: 15,325

Stories Above Grd: 1 Average Sty Hght: 12

Depr. Table : 1.5%

Year Built

Overall Bldg

(1) Excavation/Site Prep:

Remodeled

Height

(2) Foundation:

Comments:

Effective Age : 9

Physical %Good: 87

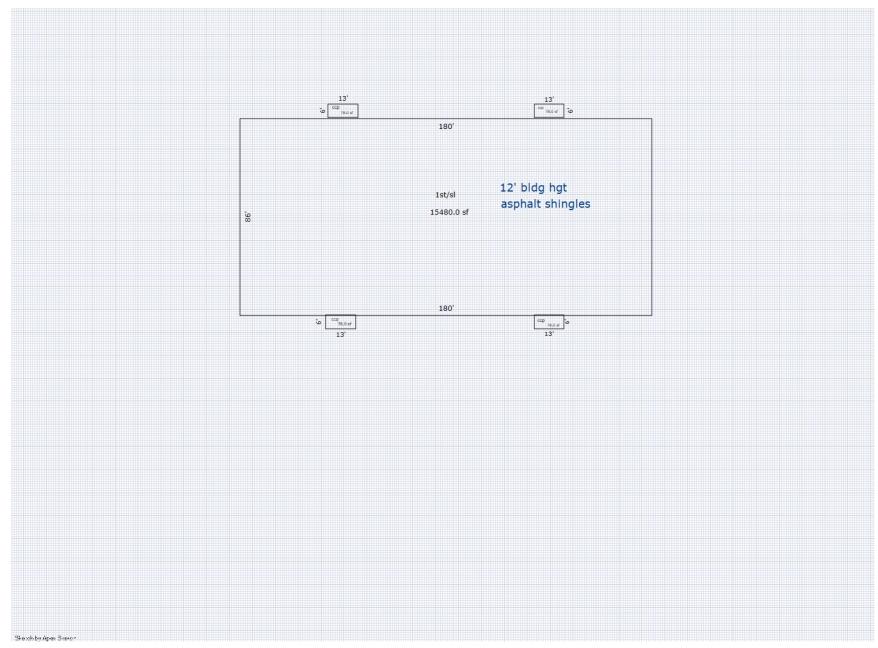
Func. %Good : 100 Economic %Good: 100

Bsmnt Wall Hght

Floor Area

(3) Frame:	Total Fixtures 3-Piece Baths 2-Piece Baths		Bowls Heaters	Few Average Many Unfinished Typical	Few Average Many Unfinished Typical				
	Shower Stalls Toilets		Fountains Softeners	Flex Conduit Rigid Conduit	Incandescent Fluorescent				
(4) Floor Structure:				Armored Cable Non-Metalic	Mercury Sodium Vapor	(40) Exterior Wall:			
	(9) Sprinklers:		-	Bus Duct	Transformer		Thickness		Bsmnt Insul.
(5) Floor Cover:				(13) Roof Structur	re: Slope=0				
	(10) Heating and C		2 2						
(6) Ceiling:	Gas Coal Stoker	Hand F: Boiler	-	(14) Roof Cover:					

<sup>\*\*\*</sup> Information herein deemed reliable but not guaranteed\*\*\*



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



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

Case # 20-04 Meeting Date: 5-19-20 6:30 om									
PAID Variance Application Fee									
\$215.00 for Residential   \$300.00 for Sign Variance   \$395.00 for Commercial/Industrial									
Applicant/Owner: Daniel a Christine Casoli Email: + Casoliegnail. Com  Property Address: 4/21 Homestead Phone: 734.637.2596									
Present Zoning: <u>LRR</u> Tax Code: <u>47/1-28-201-026</u>									
<u>ARTICLE 23</u> 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 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 a variance to construct an addition. The proposed addition is 12 x 14.33 and fills in a corner of the property where there is currently a cement pad. The variance request is 11" from the setback of 5ft. on the north side of the property. The other variance is an increase from 11.57' to 14' encroachment based upon an average setback of 50.34'. Thus, the lakefront setback variance of 14'.

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

<u>Criteria Applicable to Dimensional Variances.</u> 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 <u>all</u> of the following conditions exist:

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

<u>Practical Difficulty/Substantial Justice.</u> 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.

Having one of the narrower lots in the subdivision we are limited on the width of home we can have. Currently our home does not have a main level bedroom which limits the ability for my husband and I to age in place and enjoy the same rights granted to other homes on larger lots or double lots in the area. This addition does substantial justice by providing the ability to age in place while only infilling a corner of the home, not increasing impervious area or substantially increasing non-conformance.

<u>Extraordinary Circumstances</u>. 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.

Based upon the original plat maps we have one of the narrower lots at the lake at only 40'. The typical lot width at the lake was 45-50'. This subdivision was also developed in 1922 which would predate the current ordinances and restrictions. These were not self-created conditions.

<u>Public Safety and Welfare.</u> 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.

Granting of this variance will not impair adequate supply of light and air to adjacent properties or increase congestion on streets or increase the danger of fire, public safety, comfort, morals, or welfare to the inhabitants of Genoa Township.

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

Granting of this variance does not negatively impact the surrounding neighborhood. Only the neighbor directly adjacent would potentially experience any impact, however, this impact is no worse than the limitation imposed by the current trees and vegetation located on both the subject property as well as the neighbors. All other neighbors to the north and south will have no impact due to the "infill" nature of the addition.

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: 4-22-20 Signature: Churche C. Carello



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

### **MEMORANDUM**

**TO:** Genoa Township Zoning Board of Appeals

**FROM:** Amy Ruthig, Zoning Official

**DATE:** May 13, 2020

**RE:** ZBA 20-04

#### STAFF REPORT

File Number: ZBA#20-04

Site Address: 4121 Homestead Drive

**Parcel Number:** 4711-28-201-026

Parcel Size: .137 Acres

**Applicant:** Daniel and Christine Casoli, 4121 Homestead Drive, Howell

**Property Owner:** Same as applicant

Information Submitted: Application, site plan, conceptual drawings

**Request:** Dimensional Variances

**Project Description**: Applicant is requesting a waterfront and side yard setback variance to construct an addition.

**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 May 3, 2020 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 constructed in 2004.
- In 2003, a variance was approved for addition. (See attached minutes)
- In 2003, a permit was issued for a new home. (See attached permit)
- Parcel is serviced by public sewer and private well.
- See Record Card.

#### SUPERVISOR

Bill Rogers

#### CLERK

Paulette A. Skolarus

#### TREASURER

Robin L. Hunt

#### TRUSTEES

Jean W. Ledford H. James Mortensen Terry Croft Diana Lowe

#### MANAGER

Michael C. Archinal

The proposed project is to construct an addition on an existing home. In order to construct the proposed addition, the applicant would be required to obtain a waterfront and side yard variance. The applicant is proposing to maintain the same waterfront setback as the existing home with the construction of the addition and the side yard setback will increase from a 4.7 foot setback to a 4.1 foot setback.

Applicant used the properties within 500 feet for the average waterfront setback. However, the shoreline is not considered to be irregular. The setbacks from the two adjacent homes were used to determine the waterfront setback.

#### **Variance Requests**

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

#### Table 3.04.01 (LRR District):

SINGLE FAMILY STRUCTURE	WaterFront	Side Yard
	Setback	Setback
Required Setbacks	57.25′	5′
Setback Amount Requested	40′	4.1′
Variance Amount	17.25′	.9′

<u>Summary of Findings of Fact-</u> 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 waterfront and side yard setbacks would prevent the applicant from constructing the proposed addition. The proposed placement of the addition in the waterfront yard is not increasing the waterfront setback. The variances requested appear to be the least necessary to provide substantial justice and granting of the requested variances is 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 location of existing home. The waterfront and side yard variances would make the property consistent with other properties in the vicinity.
- (c) Public Safety and Welfare The granting of these variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood The proposed variances would not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

### **Recommended Conditions**

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

1. Structure must be guttered with downspouts.

# **GENOA TOWNSHIP**



property. The practical difficulty is the unusual shape of the lot. The motion carried as follows: Ayes – Hensick, Ledford, Tengel and Staley. Nay – Figurski.

## 03-28...A request by Thomas O'Brien, Section 16, 4290 Sweet Road, for a 14 foot side variance to construct an attached garage.

A call to the public was made with no response. Moved by Ledford, supported by Hensick, to approve the construction of a single-story garage measuring 28' x 28' with a 14' side yard variance. The extraordinary circumstance is the location of the pond and septic field and the steep incline that will not allow construction in another location. The motion carried unanimously.

## 03-30...A request by Dennis Ling, Section 10, 1840 Gray Road, for a size variance to construct a pole barn.

A call to the public was made with no response. Mr. Ling advised the board that he needed the variance for storage of vehicles - a 30' trailer, van, motor home, tools and other vehicles. No hardship was presented related to the land. Moved by Figurski, supported by Ledford, to deny the request since no hardship or practical difficulty was presented other than self-imposed. The motion carried unanimously.

## 03-31...A request by Robert McColl, Section 7, 2610 Chilson Meadows, for a height and size yard variance to construct a pole barn.

A call to the public was made with no response. Mr. McColl advised the board that the zoning on his property was rural residential and that the property really should be country estate since all parcels in that area exceeded the five acre minimum with the exception of parcels along Chilson Road. He did not feel that he should personally make an application for rezoning since that would be considered spot zoning. Perhaps the township would consider taking this matter up at a later date since it appears that the property should never have been rezoned to rural residential.

Moved by Hensick, supported by Ledford, to deny the request since no hardship or practical difficulty associated with the land was presented. The motion carried unanimously.

## 03-32...A request by Stuart and Sylvia Willner, Section 28, 4121 Homestead, is for a rear yard and side yard variance to construct an addition.

A call to the public was made with the following response: Tom Rafferty – I have no objection to this petition being granted. It will enhance the neighborhood. Annette Dubanik – It appears that the Zoning Board of Appeals in their granting of variances has now created a "plan" for our community. Moved by Ledford, supported by Tengel, to grant a 4'6" side yard variance and a 22'10" rear yard variance for the construction of an addition. This action is contingent upon removal of an existing shed on the east side. The height of the home will meet the 25' requirement. The practical difficulty is the

configuration of the land and the placement of the existing structure which will not allow expansion elsewhere. The motion carried as follows: Ayes Ledford, Tengel and Staley. Nay Hensick and Figurski.

## 03-33...A request by Douglas Noggle and Marilyn Jamieson, Section 22, 4336 Highcrest, is for a revision of a condition for a previously granted variance.

Mr. Noggle advised the board that the home was completed a couple years ago but that the shed was not taken down because they understood that they were allowed to keep 370 sq. ft. for storage, since no one complained they have not done anything. Even though the minutes of the meeting from May 12, 1998 state that the existing building will be removed within 60 days of a certificate of occupancy being issued they still believe that they could retain part of that building. Now they would like a variance to continue the use of the out building. A call to the public was made with the following response: Richard Ziminski - These people believe they can do anything they want on this lot. Code does not allow two homes on one site. The parking is atrocious and the shed should be taken down. They are running a business from this shed. Frank Castle - There are trucks going in and out of there all the time. It appears to be a business. Marilyn Jamieson – My husband is a mason and we have equipment that needs to be stored. Mr. Ziminski has not taken down his shed from when he was granted a variance. Beth Genung – The petitioner has done a beautiful job with the house and I have no objection to the variance being granted. Tim Holliday – This side of the lake is hilly. I see no problem with the existing structure.

Moved by Hensick, supported by Figurski, to deny the application to modify the variance granted on May 12, 1998 for the reason that the existing residence was to serve only during construction of the new home. The petitioner has admitted to not complying with the removal of the house hoping that the township would not observe its retention. The minutes of the 05/12/98 meeting state clearly "The existing building will be removed within 60 days of the certificate of occupancy being issued." The motion to deny was voted and carried unanimously.

Moved by Tengel, supported by Figurski, to approve the Minutes of the May 20, 2003 regular meeting of the Zoning Board of Appeals with Staley abstaining. The motion carried unanimously.

The regular meeting of the Zoning Board of Appeals was adjourned at 9:30 p.m.

Paulette A. Skolarus Genoa Township Clerk

alate Ollulora

### LAND USE PERMIT

### **GENOA TOWNSHIP**

2911 Dorr Road • Brighton, MI 48116 (810) 227-5225 • Fax (810) 227-3420

Permit No	
	Date
Owner DR + MRS WILLNER	Telephone 248 1456 661-1869
Site Address 4121 Homstead	City <u>Brighton</u> zip <u>488/6</u>
Contractor GREEN head Building	
Address 5321 E GRAND RIVER	City Howell Zip 48843
Subdivision OLD HOMSteAd	Lot No. 26
Size of Lot: Front 5/00 Rear 40 Side 20,70 Side	124.00
AcreageZoning Classification	
Tax Code No. 1/28 20/ 026	
Application is made for the following: Demo old Home Dwelling Deck Mobil Daddition Swimming Pool Comm Garage Accessory Bldg Indus Type of Construction: Brick Stone Deframe Cinder B Foundation: Basement Full Part Poured Delock	e Home ☐ Sign nercial ☐ Sewer Connection trial ☐ Water Connection lock ☐ Steel ☐ Other
Size of Building: Front 30 Rear 30 Deep	□ Walkout □ Conventional ☑ Crawlspace □ Slab □ 3 Height <u> </u>
	Total Square Feet 2647
Building Setback:     The state of the state	adjacent to property (indicate private or county); easements; ank and field; existing or proposed well; dimensions from ling elevations.  the facade to which it will be attached.  his application are true and accurate to the best of my knowledged ply to this project that are not under the purview of the Geno
Approved Disapproved Date  Conditional As a groved by Z/A	Connection—water  -sewer  Meter  Total Paid
oning Inspector	

Form 5091, Rev 5-03 • Haviland Printing & Graphics, Howell, (517) 546-7030

Copies: White-Township Canary-Assessor Pink-Applicant

Lakesido Setback

We used this ordinance to determine the setback for 4121 Homestead

Table 3.04.02 - Sites connected to public sewer in Lakeshore Resort Residential District. 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.

We used the shoreline vary portion and measured buildings within 500', By averaging the buildings within 500' and averaging we got an average setback of 50.34'. Current house projects over this by 11.57' and the addition would project over by 14'

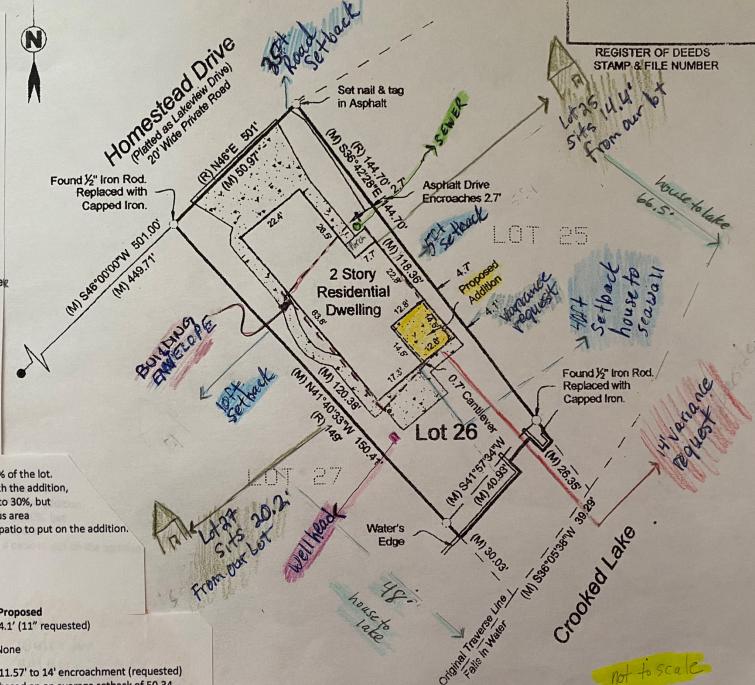
#### **Lot Coverage**

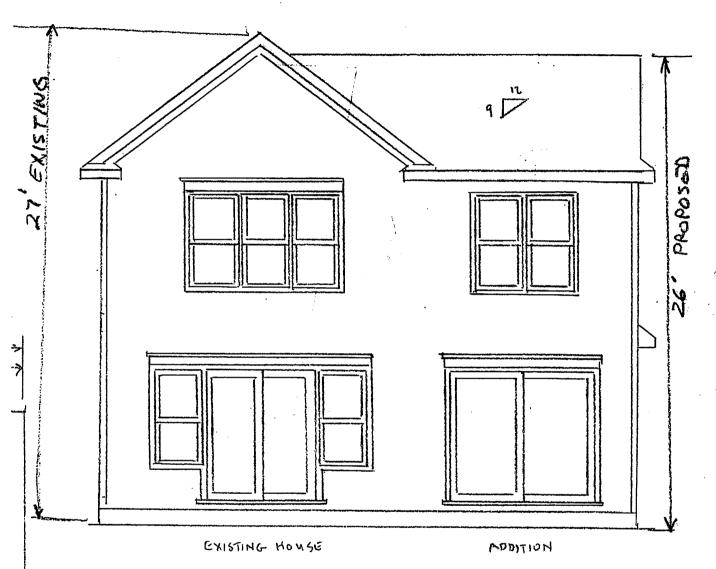
The house currently covers 26.96% of the lot.
The impervious area is 51.4%. With the addition,
our house coverage will increase to 30%, but
this doesn't change the impervious area
amount since we are removing a patio to put on the addition.

#### **Zoning Requirements**

Jurisdiction – Genoa Township Existing Lot Size: 6,547 sq. ft.

Regulation Permitted Proposed North Side Setback 5' 4.1' (11" requested)	7.3
South Side Setback 10' None	
Lakeside Setback 40' 11.57' to 14' encroachment (based on an average setback	
Rear Setback 35' None	





REAR (LAKE) ELEVATION

SCALE: 3/16"=1"0"

Grantor	Grantee		Sale Price		Sale Date	Inst. Type	Terms of Sale	Liber & Page	Ver By	Verified By		
WILLNER, STUART	CASOLI DANIEL J	& CHRIST	II 4	60,000	07/02/2015	WD	ARMS-LENGTH	2015R-02	23262 BUY	BUYER		
Property Address		Class: RESIDENTIAL-IMPROV Zoning: LRR Building Permi				lding Permit(s)	Date	Number	St	tatus		
4121 HOMESTEAD		School:	BRIGHTON	AREA S	SCHOOLS	HOME	Ε	10/20/20	10/20/2003 03-564		100%	
		P.R.E.	0%									
Owner's Name/Address		MAP #: V	20-04									
CASOLI DANIEL J & CHRIS	STINE K			2021 1	Est TCV Tent	ative						
4121 HOMESTEAD HOWELL MI 48843				Land Va	Land Value Estimates for Land Table 4304.0			EAD				
10.120		Publi	c				* F	actors *				
			vements				ntage Depth Fro	nt Depth Rate ${}^{9}$		n	Value	
Tax Description	Dirt Road				A LAKE FRONT 40.00 149.00 1.0000 1.0000 4000 100 160,000							
SEC. 28 T2N, R5E, OLD I	HOMESTEAD LOT 26		l Road		40 A	ctual Fron	reet, U.14 Tota	Acres Total	Est. Land	value =	160,000	
Comments/Influences		Paved Road Storm Sewer Sidewalk Water Sewer Electric		Descrip	tion 3.5 Concre	Cost Estimates ete Cotal Estimated La	Rate 5.46 nd Improvements 1	288	% Good 50 alue =	Cash Value 786 786		
		Stand Under	t Lights ard Util ground U	ities tils.								
		Site	rapny or									
		Level Rolli Low High Lands Swamp Woode Pond Water Ravin	ng caped d front e									
			Plain		Year	Land Value		Assessed Value	Board of Review	Tribunal/ Other		
TOTAL SOLUTION	00	Who	When	What	2021	Tentative	Tentative	Tentative			Tentative	
					2020	80,000	170,300	250,300			240,6870	
The Equalizer. Copyric Licensed To: Township					2019	76,000	160,200	236,200			236,2008	
Licensed to: Township (	or genoa, county of				2018	60,000	170,800	230,800			230,8008	

Parcel Number: 4711-28-201-026 Jurisdiction: GENOA CHARTER TOWNSHIP County: LIVINGSTON

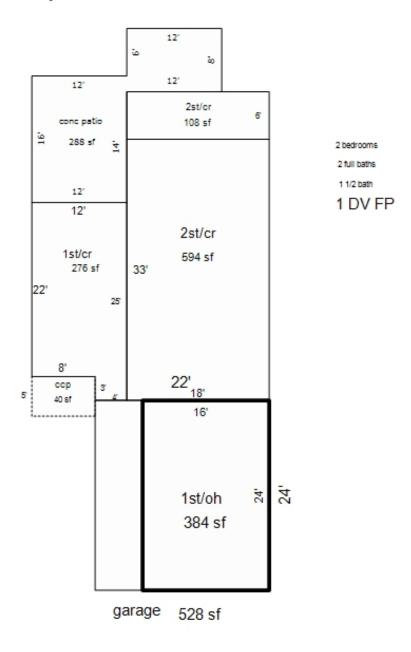
Printed on

05/13/2020

<sup>\*\*\*</sup> Information herein deemed reliable but not guaranteed\*\*\*

Building Type	(3) Roof (cont.)	(11) Heating/Cooling	(15) Built-ins	(15) Fireplaces (16) Porch	hes/Decks (17	) Garage	
X Single Family Mobile Home Town Home Duplex A-Frame X Wood Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang (4) Interior  Drywall Plaster Paneled Wood T&G	X Gas Wood Coal Elec. Steam  Forced Air w/o Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor)	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood	Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story	(1 Story) Car Clas Exte Bric Ston Comm Foun	Built: Capacity: s: C rior: Siding k Ven.: 0 e Ven.: 0 on Wall: 1 Wall dation: 42 Inch	
Building Style: C  Yr Built Remodeled 2004 0  Condition: Good	Trim & Decoration  Ex X Ord Min  Size of Closets  Lg X Ord Small  Doors: Solid X H.C.	Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling	Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range	Heat Circulator Raised Hearth Wood Stove 1 Direct-Vented Gas  Class: C Effec. Age: 7 Floor Area: 2,340	Auto Mech Area % Go Stor	shed ?: . Doors: 0 . Doors: 0 : 528 od: 0 age Area: 0 onc. Floor: 0	
Room List  Basement 1st. Floor	(5) Floors Kitchen: Other:	Central Air Wood Furnace (12) Electric	Self Clean Range Sauna Trash Compactor	Total Base New : 255,934	X 1.400	Bsmnt Garage: Carport Area: Roof:	
2nd Floor	Other:	0 Amps Service	Central Vacuum Security System	·	Roof		
3 Bedrooms (1) Exterior	(6) Ceilings	No./Qual. of Fixtures  Ex. X Ord. Min	(11) Heating System:		Cls C	Blt 2004	
X Wood/Shingle Aluminum/Vinyl Brick Insulation (2) Windows Many Large	(7) Excavation  Basement: 0 S.F. Crawl: 978 S.F. Slab: 0 S.F. Height to Joists: 0.0	No. of Elec. Outlets    Many   X   Ave.   Few		F Floor Area = 2340 SF. /Comb. % Good=93/100/100/100/93  F Foundation Size Crawl Space 594 Crawl Space 276 Crawl Space 108 Overhang 384	Cost New	Depr. Cost	
X Avg. X Avg. Small	(8) Basement Conc. Block	Softener, Auto Softener, Manual Solar Water Heat	Other Additions/Adjus	Total:	218,606	203,302	
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide	Poured Conc. Stone Treated Wood Concrete Floor	No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor	Plumbing 3 Fixture Bath 2 Fixture Bath Porches CCP (1 Story)	1 1 40	3,855 2,579 1,046	3,585 2,398 973	
Casement Double Glass Patio Doors Storms & Screens	(9) Basement Finish  Recreation SF Living SF Walkout Doors	Ceramic Tile Wains Ceramic Tub Alcove Vent Fan	Jarages	iding Foundation: 42 Inch (Unfin 528 1	ished) 19,415 -2,228	18,056 -2,072	
(3) Roof  X Gable Gambrel Hip Mansard Flat Shed	No Floor SF  (10) Floor Support  Joists: Unsupported Len:	Public Water  Public Sewer  Water Well  1000 Gal Septic	Public Sewer Water Well, 200 Fee Fireplaces Direct-Vented Gas	1 1 Totals:	1,240 8,914 2,507 255,934	1,153 8,290 2,332 238,017	
X Asphalt Shingle Chimney: Brick	Cntr.Sup:	2000 Gal Septic  Lump Sum Items:	Notes:	ECF (4304 OLD HOMESTEAD) 1		333,224	

<sup>\*\*\*</sup> Information herein deemed reliable but not guaranteed\*\*\*



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

### GENOA CHARTER TOWNSHIP ZONING BOARD OF APPEALS JANUARY 21, 2020 - 6:30 PM

### **MINUTES**

<u>Call to Order</u>: Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Michelle Kreutzberg, Jean Ledford, Bill Rockwell, and Amy Ruthig, Zoning Official. Absent was Marianne McCreary.

Pledge of Allegiance: The Pledge of Allegiance was recited.

**Introduction**: The members of the Board introduced themselves.

#### Approval of the Agenda:

**Moved** by Board Member Ledford, seconded by Board Member Rockwell, 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.

#### **New Business**

1. 20-01 ... A request by Tim Chouinard, 941 Sunrise Park, for front and rear yard setback variances to construct an addition to an existing home.

Mr. Chouinard was present. The homeowners have four children and a home office. The home currently has three bedrooms. The variance for the rear yard is just to extend the second story, which will be equal to the existing setback. The front yard setback is required for extra storage.

Board Member Rockwell stated that the reasons for the two variances very clear on the application and the plans.

The call to the public was made at 6:33 pm with no response.

**Moved** by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case #20-01 for 941 Sunrise Park Drive by applicant Tim Chouinard and property owner David Kniivila for a front-yard variance from the required 35 feet to 29.8 feet and maintain the same rear-yard setback variance of 36.7 for the second story in order to construct an addition to an existing home based on the following findings of fact:

- Strict compliance with the front and rear yard setbacks would prevent the applicant from constructing the proposed addition. The request is the least necessary to provide substantial justice and granting of the requested variances is necessary for the preservation and enjoyment of the property.
- The exceptional or extraordinary condition of the property is the shallow depth of the lot with the location of the platted park bordering a portion of the rear of the property. The front and rear yard variances would make the property consistent with other properties in the vicinity.
- The need for the variances was not self-created.
- The granting of these variances will not impair an adequate supply of light and air to adjacent properties 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 Genoa Township.
- The proposed variances 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. Structure must be guttered with downspouts.

The motion carried unanimously.

#### **Administrative Business:**

1. Approval of the minutes for the December 17, 2019 Zoning Board of Appeals Meeting.

**Moved** by Board Member Rockwell, seconded by Board Member Ledford, to approve the minutes from the December 17, 2019 Zoning Board of Appeals Meeting as presented. **The motion carried unanimously.** 

- 3. Correspondence Ms. Ruthig stated stated there is a new alternate member to the ZBA, Craig Fons. He is the previous owner of Fonson Construction.
- 4. Township Board Representative Report Board Member Ledford provided a review of the January 6, 2020 Board Meeting.
- 5. Planning Commission Representative Report Ms. Ruthig stated the January Planning Commission was canceled.
- 6. Zoning Official Report Ms. Ruthig had nothing to report.
- 7. Member Discussion There were no items to discuss this evening.
- 8. Adjournment **Moved** by Board Member Ledford, seconded by Board Member Kreutzberg, to adjourn the meeting at 6:52 pm. **The motion carried unanimously**.

Zoning Board of Appeals Meeting
January 21, 2020 Unapproved Minutes
Respectfully submitted:

Patty Thomas, Recording Secretary