GENOA CHARTER TOWNSHIP ZONING BOARD OF APPEALS SEPTEMBER 15, 2020 6:30 P.M. AGENDA

	6:30 P.M.
	AGENDA
Call to Order:	
Pledge of Allegiance:	

Approval of Agenda:

Introductions:

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

- 1. 20-07 ... A request by Nicole Bartolomucci, 3968 Highcrest, for front, side and waterfront setback variances to construct a new home.
- 2. 20-15 ... A request by Chestnut Development, 6253 Grand River, for a height variance for an addition to an existing monument sign.
- 3. 20-16... A request by Chad Newton, vacant lot located on the northwest corner of Grand River Ave. and Wildwood Drive (4711-10-301-033), for a variance to allow an addition to an existing nonconforming detached accessory structure.

Administrative Business:

1. Adjournment



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

20-07 Case # Me	eeting Date:											
Case # Meeting Date: 6-16-2020 Meeting Date: PAID Variance Application Fee												
	Sign Variance \$395.00 for Commercial/Industrial											
Applicant/Owner: Nicole Bartolomucci	Email:_ nicole_bartolomucci@yahoo.com											
	Phone: 517-404-9181											
Present Zoning: Single Family Residentia	11 Tax Code: 4711-27-302-073											
ARTICLE 23 of the Genoa Township Zoning Ordinance Zoning Board of Appeals.	describes the Variance procedure and the duties of the											
change the Zoning Ordinance or grant relief when it is p	erty with strict application of the zoning ordinance to the											
The applicant is responsible for presenting the information of the necessary information is gathered through gathered by on-site visits, other sources, and during the township staff may visit the site without prior notification.	the completed application, other information may be EBA meeting. ZBA members, township officials and											
Failure to meet the submittal requirements and prope												
improvements may result in postponement or denial	of this petition.											
Please explain the proposed variance below:												
1. Variance requested/intended property modification	ns:front yard setback encroachment,											
	ide yard setback encroachment for chimney.											
Modification to include demolishing a new residence.	ng existing residence to rebuild											

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. Complying with current setbacks would make the new house uncharacteristically smaller than all surrounding properties causing

property value losses. Meeting all setbacks would disqualify any common privileges afforded to other neighbors with larger homes.

<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.

Current adjacent homes already have reduced front yard setbacks, including the current home on this property. Adhering to current setbacks would be highly inconsistent with surrounding properties.

<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.

The proposed home will actually improve the supply of light and air as well as lesson congestion by being more in conformance to the current setbacks.

<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.

The current home is actually reducing the value of surrounding homes by its size, age and aesthetics. The new home will be more in harmony with current home sizes and values.

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: 5-71-2020 Signature:



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

REVISEDMEMORANDUM

TO: Genoa Township Zoning Board of Appeals

FROM: Amy Ruthig, Zoning Official

DATE: June 10, 2020

RE: ZBA 20-06

STAFF REPORT

File Number: ZBA#20-06

Site Address: 3968 Highcrest

Parcel Number: 4711-22-302-073

Parcel Size: .176 Acres

Applicant: Nicole Bartolomucci

Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variances

Project Description: Applicant is requesting a side, front and waterfront yard setback variances to demolish and construct a new single family home.

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 31, 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 existing home was constructed in 1920.
- The parcel is serviced by a well and public sewer.
- See Assessing Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

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

MANAGER

Michael C. Archinal

The proposed project is to demolish the existing home and construct a new single family home. In order to construct the new home as proposed, the applicant is required to obtain a side, front and waterfront yard setback variances. The applicant has stated that the waterfront setback is the same as the existing home and the front yard setback is increasing the setback from the road and placing the proposed home further from the front yard property line.

Variance Requests

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

Table 3.04.01 (LRR District): Waterfront setback amounts were converted to decimals

Table 3.04.01 LRR District	Front Yard Setback	Side Yard Setback	Waterfront Yard Setback
Requirement	35′	10'	74.22
Request	7′11″	9'	65.20
Variance Amount	27'1"	1'	9.02

<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 front, side and waterfront yard setbacks would prevent the applicant from constructing the proposed new single family home. There are other homes in the vicinity with reduced front and side yard setbacks and the fact that the waterfront setback is the same as the existing structure it would support substantial justice and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same vicinity of the subject parcel.
- (b) Extraordinary Circumstances The exceptional or extraordinary condition of the property is the topography and narrowness of the lot. The need for the front, waterfront and side yard setback variances is not self-created and seems to be the least amount necessary.
- (c) Public Safety and Welfare The granting of the variances will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood The applicant should demonstrate that the waterfront variance request will not have an impact on the adjacent properties.

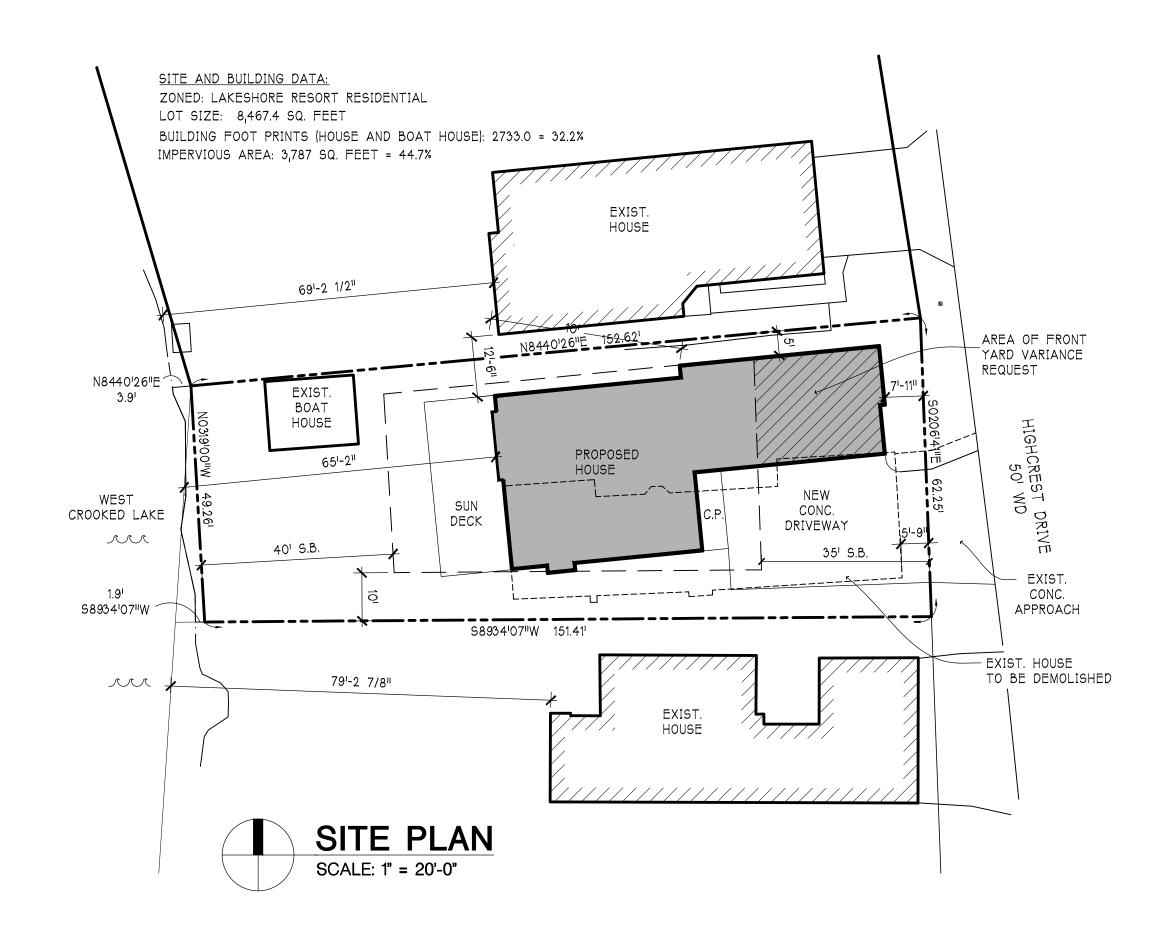
Recommended Conditions

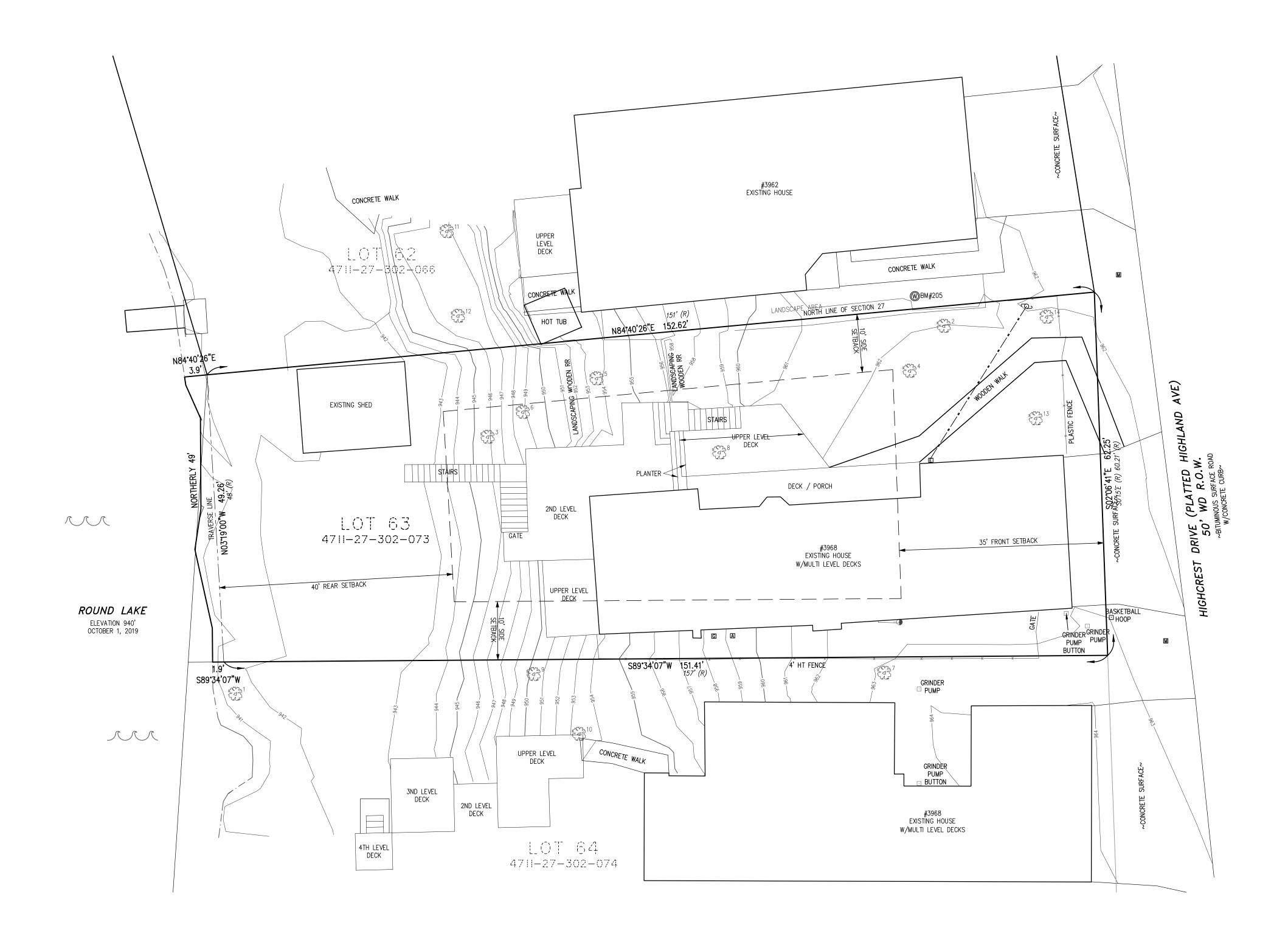
If the Zoning Board of Appeals grants the variance requests staff recommends the following conditions be placed on the approval.

- 1. Structure must be guttered with downspouts.
- 2. If improvements are requested for the expansion or improvements of the current accessory building, they shall comply with Section 24.04.06 of the zoning ordinance.
- 3. The applicant must contact the MHOG Utility Dept. in regards to the sewer disconnect and if relocating the grinder, must receive MHOG Utility Dept. approval for new location prior to land use permit issuance.

GENOA TOWNSHIP











PROJECT:

BERG & BARTOLOMUCCI RESIDENCE

3968 HIGHCREST DR. GENOA TOWNSHIP MICHIGAN

SHEET TITLE:

ELEVATIONS



SSUED FOR: ZBA 05-20-2020 05-27-2020

> DO NOT SCALE PRINTS USE FIGURED DIMENSIONS ONLY

JOB NO.

19028

A.200

EAST ELEVATION SCALE 1/4" = 1-1"



WEST ELEVATION
BOALE 1/4" × 7-0"

ARCHITECTS
22870 BENTLEY DR.
MORTHVILLE, MI
245-464-5005

000 mm

BERG & BARTOLOMUCCI RESIDENCE

3968 HIGHCREST DR. GENOA TOWNSHIP MICHIGAN

SHEET TITLE: ELEVATIONS

ISSUED FOR:

ZBA 05-20-2020 05-27-2020

DO NOT SCALE PRINTS USE FIGURED DIMENSIONS ONLY

JOB N

19028

A.210

Tedd Handelsman 3962 Highcrest Dr. Brighton, MI 48116 6/10/2020

Genoa Township Zoning Board 2911 Dorr Rd Brighton, MI 48116

Dear Genoa Township:

Reference: #20-07 Nicole Bartolomucci Variance Application

I'm objecting to the variance asked for in the application because it would cause great financial harm to my property value. I bought my home expecting the variances in either homes beside me to remain in compliance to ensure the integrity of my lake views.

These plans show a home that over-powers the space of property. It greatly restricts my existing views as a lake front home as seen in pictures below. It also restricts fresh incoming air through the windows and blocks natural light from filtering in.

Last, the big foot design with a three-car garage including a courtyard in this space does not flow in harmony or with the integrity or continuity of our street.

Exhibit #1 View from my living room. Windows on both sides of the fireplace have views currently of the lake. Proposed variance would restrict or eliminate the view.

Exhibit #2 View from my kitchen table have views currently of the lake. Proposed variance would restrict or eliminate the view.

Sincerely

Tedd Handelsman

Exhibit #1 View from my living room



Exhibit #2 View from my kitchen table



Grantor	Grantee		Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page		ified	Prcnt. Trans.
J DAN NIC LLC	BARTOLOMUCCI NIC	COLE	0	01/01/2009	QC	INVALID SALE	2009R-	-005538 BUY	ER	100.0
O'BRIEN, MICHAEL J.	J DAN NIC LLC		300,750	09/16/2005	WD	ARMS-LENGTH	4928/0	0876 BUY	ER	100.0
O'BRIEN, MICHAEL J.			0	12/23/1998	QC	QUIT CLAIM	252101	153 BUY	ER	0.0
O'BRIEN, MICHAEL J. & PATR			0	02/16/1994	QC	QUIT CLAIM	1892-0	0933 BUY	ER	0.0
Property Address		Class: RES	SIDENTIAL-IMPRO	OV Zoning: 1	LRR Bui	llding Permit(s)	Dat	e Number	St	atus
3968 HIGHCREST		School: BF	RIGHTON AREA SO	CHOOLS						
		P.R.E. 100)% 05/21/2009							
Owner's Name/Address		MAP #: V20)-07							
BARTOLOMUCCI NICOLE			2021 E	st TCV Tent	ative					
3968 HIGHCREST BRIGHTON MI 48116		X Improve	ed Vacant	Land Va	lue Estim	nates for Land Tab	le 4306.TRI LAKE	ES LAKE FRONT		
DRIGHTON PIT TOTTO		Public				*]	Factors *			
		Improve	ments			contage Depth Fro			n	Value
Tax Description		Dirt Ro		A LAKE		48.00 160.00 1.00 ont Feet, 0.18 Total) 100 al Est. Land	Value =	192,000 192,000
SEC. 22 T2N, R5E, CROOKED I	LAKE HIGHLANDS	Gravel X Paved F								
SUB. LOT 63 Comments/Influences		Storm S		Land Im	provement	Cost Estimates				
Comments/Influences		Sidewal	.k	Descrip	tion		Rate		% Good	Cash Value
		Water		Wood Fr		il Cost Land Impro	17.80	252	49	2,198
		Electri	.C	Descrip		ii cost Land impro-	Rate	Size	% Good	Cash Value
		Gas Curb		_	CAPING		1.00	756	91	688
		Street	Lights			Total Estimated La	and Improvements	s True Cash V	alue =	2,886
			d Utilities							
			cound Utils.							
		Topogra Site	phy of							
		Level		_						
		Rolling	ī							
	Market Transfer	Low	,							
		High Landsca	anad							
	1 Mary	Swamp	iped							
	操 者	Wooded								
		Pond Waterfr	- on t							
		Ravine	OHC							
	Manual Minus	Wetland		Vee	Lan	a pura	Assessed	Decoral col	Man & In	Taxable
	HILLIA SARATEST	Flood E X REFUSE	Plain	Year	Lan Valu		Assessed Value	Board of Review	Tribunal/ Other	Value
ARREST LINES COMPANIES AND ARREST			nen What	2021	Tentativ		Tentative			Tentative
一种,在一种的一种,		1 NI	······································	2001						
	VHHAII V	CG 07/20	2016 REVIEWED	R 2020	96.00	00 70.700	166.700			128.3210
The Equalizer. Copyright Licensed To: Township of Ge		CG 07/20/	2016 REVIEWED	R 2020	96,00	·	166,700 159,800			128,3210

Parcel Number: 4711-22-302-073 Jurisdiction: GENOA CHARTER TOWNSHIP County: LIVINGSTON

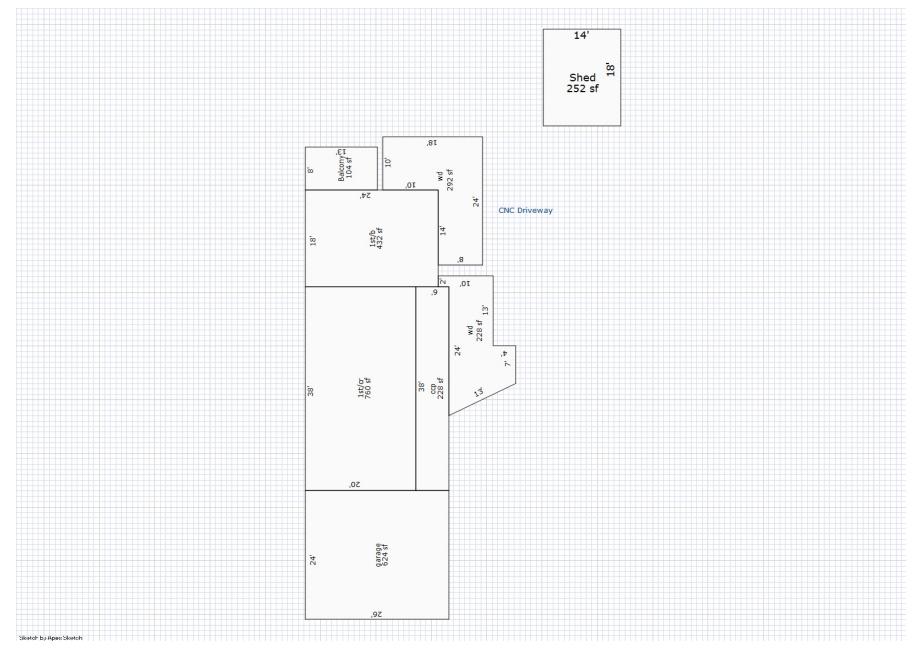
Printed on

05/28/2020

^{***} 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	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)	Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Tinterior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Unvented Hood Tinterior 2 Story 228 CCP (1 Story) 228 CCP (1 Story) Class Exter Brick Stone Commo	rior: Siding Ven.: 0 Ven.: 0 Nall: 1 Wall dation: 42 Inch
Building Style: CD Yr Built Remodeled 1920 0 Condition: Good	Trim & Decoration Ex X Ord Min Size of Closets Lg X Ord Small Doors: Solid X H.C. (5) Floors	Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling Central Air	Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clear Pages Intercom Raised Hearth Wood Stove Direct-Vented Gas Class: CD Effec. Age: 43 Floor Area: 1,192 Raised Hearth Wood Stove Direct-Vented Gas Race Stora	
Room List Basement 1st Floor	Kitchen: Other:	Wood Furnace (12) Electric	Sauna Total Base New: 171,169 E.C.F. Bsmnt Trash Compactor Total Depr Cost: 97,566 X 1.420 Fatimated T.C. V. 139,544	Garage:
2nd Floor 2 Bedrooms	Other:	0 Amps Service	Security System Roof:	
(1) Exterior	(6) Ceilings	No./Qual. of Fixtures Ex. X Ord. Min	Cost Est. for Res. Bldg: 1 Single Family CD Cls CD (11) Heating System: Forced Air w/ Ducts	Blt 1920
X Wood/Shingle Aluminum/Vinyl Brick Insulation (2) Windows	(7) Excavation Basement: 432 S.F. Crawl: 760 S.F. Slab: 0 S.F.	No. of Elec. Outlets Many X Ave. Few	Ground Area = 1192 SF Floor Area = 1192 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=57/100/100/100/57 Building Areas Stories Exterior Foundation Size Cost New 1 Story Siding Basement 432 1 Story Siding Crawl Space 760 Total: 122,547	Depr. Cost 69.852
Many Large X Avg. X Avg. Few Small	Height to Joists: 0.0	2 Fixture Bath Softener, Auto Softener, Manual	Other Additions/Adjustments Basement, Outside Entrance, Below Grade 1 1,793 Porches	,
Wood Sash Metal Sash	Conc. Block Poured Conc.	Solar Water Heat No Plumbing	CCP (1 Story) 228 4,451 Deck	2,537
Vinyl Sash Double Hung	Stone Treated Wood Concrete Floor	Extra Toilet Extra Sink Separate Shower	Treated Wood 228 3,664 Treated Wood 228 3,664 Balcony	2,088 2,088
Horiz. Slide Casement Double Glass	(9) Basement Finish Recreation SF	Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove	Wood Balcony 104 3,202 Garages Class: CD Exterior: Siding Foundation: 42 Inch (Unfinished)	1,825
Patio Doors Storms & Screens (3) Roof	Living SF 1 Walkout Doors No Floor SF	Vent Fan (14) Water/Sewer	Base Cost 624 19,488 Common Wall: 1 Wall 1 -2,084	11,108 -1,188
X Gable Gambrel Hip Mansard Flat Shed	(10) Floor Support	Public Water 1 Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic	Water/Sewer 1 1,100 Public Sewer 1 1,100 Water Well, 200 Feet 1 8,608 Fireplaces 2 4,736	627 4,907 2,700
X Asphalt Shingle Chimney: Brick	Cher.Sup:	Lump Sum Items:	Totals: 171,169 Notes: ECF (4306 TRI LAKES LAKE FRONT) 1.420 => TCV:	97,566 138,544

^{***} 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

9-15-2020 Meeting Date: XXXXXXXXXX PAID Variance Application Fee \$215.00 for Residential | \$300.00 for Sign Variance | \$395.00 for Commercial/Industrial Applicant/Owner: Chestnut Lec Email: Permits a chestnutdev.com Property Address: 6253 Grand River Phone: 734-679-4356 Present Zoning: Commercial Improved Tax Code: 4711-11-300-029 ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals. Each application for Variance is considered individually by the ZBA. The ZBA is a board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship. The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members, township officials and township staff may visit the site without prior notification to property owners. Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition. Please explain the proposed variance below: 1. Variance requested/intended property modifications: Addition to Manu Ment businesses leasing out

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.

Correct. Without visability for Tenants in regards to Signage on Grand River the building B is at risk of being vacant. Future Tenants are extremely concerned with Visability for their business in this location.
Signage on Grand River the building B is at risk of
being vacant. Future tenants are extremely concerned with
Visability for their business in this location.
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 Variance is clue to the necessary Visability
of businesses Leasing building B of Chestnut Landing Tenants/future tenants have expressed Concern over visability of signage for their business in bringing their business to Genera. Twp. Public Safety and Welfare. The granting of the variance will not impair an adequate supply of light and air to
tenants have expressed Convern over visability of signage for
their business in bringing their business to Genou. Tup.
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.
Correct. This would pose no danger to anything within
TOWNSHIP.
Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate
development, continued use, or value of adjacent properties and the surrounding neighborhood.
Correct. The variance will be consistent with surrounding businesses and asthetic appeal.
businesses and asthetic appeal.

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: 8-5-20 Signature: Kelly Roller, Agent of Chestaut



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: September 8, 2020

RE: ZBA 20-15

STAFF REPORT

File Number: ZBA#20-15

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

Dimensional Variance Request:

Project Description: Applicant is requesting a sign height variance to allow for an addition to an existing monument sign at an 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 August 30, 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 1st phase building was constructed in 2016 and the 2nd 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
- In 2020, a sign variance denied for an additional monument sign. (see attached minutes)
- 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 a height variance to an existing sign for the office building that is currently under construction. The property currently has a monument sign for the existing building. (See attached permit)

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 ^(3,4,5)	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	is)			
Multiple Family Residential	N/A	N/A	(See	Exempt Sign	is)			
Mobile/Manufactured Home District	N/A	N/A	(See Exempt Signs)					
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 ⁽²⁾ facade	1 (4)	72 sq. ft.	6 ft.			
Industrial District	1	10% of front ⁽²⁾ facade	1	60 sq. ft.	6 ft.			
Planned Industrial and PUD Districts (7)	1	10% of front ⁽²⁾ facade	1	60 sq. ft.	6 ft.			

(5) A ten (10) percent increase in the maximum permitted monument sign area is permitted if extensive landscaping and a decorative brick base consistent with the materials of the principal building are provided. Applicant has received the 10% increase in the existing sign approval.

<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 enlarging the existing sign. Granting of the requested variance may provide substantial justice to the applicant and provide a substantial property right similar to that possessed by a few other properties in the same zoning district with multiple buildings and reduced visibility from the road. There are a few existing or approved properties in the vicinity that have multiple buildings on site with reduced visibility that were approved larger monument signs.

- **(b)** Extraordinary Circumstances The exceptional or extraordinary conditions to the property is the location of the second building that has reduced visibility from the road and the odd shape of the lot. The applicant should demonstrate that the request is not self-created due to the parcel was vacant when the applicant sought site plan approval for both buildings.
- (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.
- (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. No additional ground signage will be allowed.
- 2. The changeable message portion of the sign shall not be increased.

GENOA TOWNSHIP



Board Member Rockwell noted that the paperwork states the variance requested is 10 feet; however, Ms. Grant stated the variance request is for four feet. Mr. Foldenauer stated the variance needed is ten feet.

Board Member Ledford questioned the location of the septic field. Ms. Grant stated it is on the side of the home and meets the requirements. Board Member McCreary wants to ensure that there is room for a reserve field should the existing field fail. Ms. Grant and Mr. Foldenauer confirmed there is room.

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

Mr. and Mrs. Chuck and Karen Nachtrab of 5601 King Road sent an email to the Township stating they do not see any problems with the variance in regards to the Grants' proposed garage. There would be virtually no difference in the placement of the garage from their point of view.

Moved by Board Member Kreutzberg, seconded by Board Member Ledford, to approve Case #20-02 for Jim and Diana Grant at 5525 King Road for a side-yard setback variance of 10 feet from the required 40 feet to construct a 24 x 24 garage, based on the following findings of fact:

- The variance does provide substantial justice as there are other detached accessory structures in the surrounding area with non-conforming side yard setbacks.
- The exceptional or extraordinary condition is the existing location of the home and existing accessory structures on the property, along with the topography and location of the septic field.
- The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. The structure shall comply with the accessory structure requirements.

The motion carried unanimously with a roll call vote.

2. 20-03 ... A request by Chestnut Development LLC, 6255 Grand River, for a variance to allow for a second monument sign on a parcel.

Mr. Brad Opfer of Chestnut Development was present. They are building a 16,000 square foot building behind the existing one, which can house up to ten tenants. If they were to divide the existing sign for these tenants, there would not be enough signage for the tenants for both buildings. The new sign would be identical to the existing sign, with the exception that it will be 13 square feet smaller to meet the ordinance of 72 square feet.

Board Member Ledford disagrees with this request. Mr. Opfer reiterated that they have six tenants in the front building and the new building can house up to ten tenants. If they were to put all 16 of these tenants on one sign, they would each only have an approximate 6x8 inch sign to promote their businesses.

Board Member McCreary asked for the hardship. Mr. Opfer stated the tenants in the rear would have no sign exposure. She asked the applicant if it was anticipated that the new building would have ten more tenants and additional signage was needed when the project was approved in 2015, which included the sign. Mr. Opfer stated that these parcels were two separate parcels and have now been combined.

Board Member Kreutzberg asked if there are a certain number of tenants in a building or buildings, does that allow for an additional sign. She also questioned if the address for the rear building is different than the existing building and would that allow for a second sign.

Ms. Ruthig stated the existing sign is currently as large as it can be per the ordinance. She noted that other developments in the Township typically have a name, such as this, and the sign has the name of the development.

Chairman Rassel asked if any other variances for two signs have been granted. Ms. Ruthig answered no.

Board Member Rockwell asked if these were two separate properties, would they be allowed a second sign. Ms. Ruthig stated they combined the properties in order to receive their site plan approval. If they were to separate the properties, they would need setback variances.

Mr. Opfer questioned if they could change the size of the existing sign and allow two signs. Chairman Rassel stated what is not allowed is two signs on one property.

The call to the public was made at 7:09 pm with no response.

Mr. Jim Mitte, the President of Turtlehut Internet Marketing owns the building next door to Chestnut Development. He sent an email to show his support for the sign variance request. He believes it would be beneficial to the tenants of the new building and customers to have proper signage on Grand River to showcase the businesses that will be occupying the building.

Moved by Board Member McCreary, seconded by Board Member Ledford to deny Case #20-03 for 6255 Grand River, based on the following findings of fact:

- The applicant is requesting a variance to allow for an additional monument sign at an existing office center.
- There is no practical difficulty with respect to granting a second sign. The ordinance is clear that only one monument sign is allowed for each parcel and the current sign that is there has been approved.

- There are no extraordinary circumstances and the request for the applicant is selfcreated.
- There is no public safety and welfare issue with respect to granting this variance.
- By denying this request, it would be equal for all other properties that have monument signs and comply with the sign ordinances for Genoa Township.

The motion carried unanimously with a roll call vote.

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.

Mr. and Mrs. Casoli were present. Ms. Casoli stated they would like to add a 12 x 14 addition to their home that will fill in the corner of the house. She showed a sketch plan of the property and addition. They are requesting a side variance and a lake side variance. The addition will not be any closer to the lake than the existing structure.

The call to the public was made at 7:17 pm with no response.

Moved by Board Member Ledford, seconded by Board Member McCreary, to approve Case #20-04 for 4121 Homestead Drive to Daniel and Christine Casoli for a waterfront setback of 17.25 feet from the required 57.25 feet for a waterfront setback of 40 feet and a side yard setback variance of .9 feet from the required 5 feet for a side yard setback of 4.1 feet in order to construct an addition on an existing home, based on the following findings of fact:

- The waterfront setback will be the same as the existing home.
- The side-yard setback variance will decrease from 4.7 feet to 4.1 feet.
- Strict compliance with the waterfront and side yard setbacks would prevent the applicant from constructing the proposed addition. 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 is necessary for the preservation and enjoyment of the property.
- The exceptional or extraordinary condition of the property is the narrowness of the lot and location of the existing home. The waterfront and side yard variances would make the property consistent with other properties in the area.
- Granting 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.
- These 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 with a roll call vote.

Administrative Business:

1. Approval of the minutes for the January 20, 2020 Zoning Board of Appeals Meeting.



STRUCTURE

- Existing double sided sign
- SignComp Standard aluminum extrusion
- 1 5/8" aluminum retainers
- New center tenant sign to be added
- Paint to be Matthews Acrylic Polyurethane

ELECTRICAL

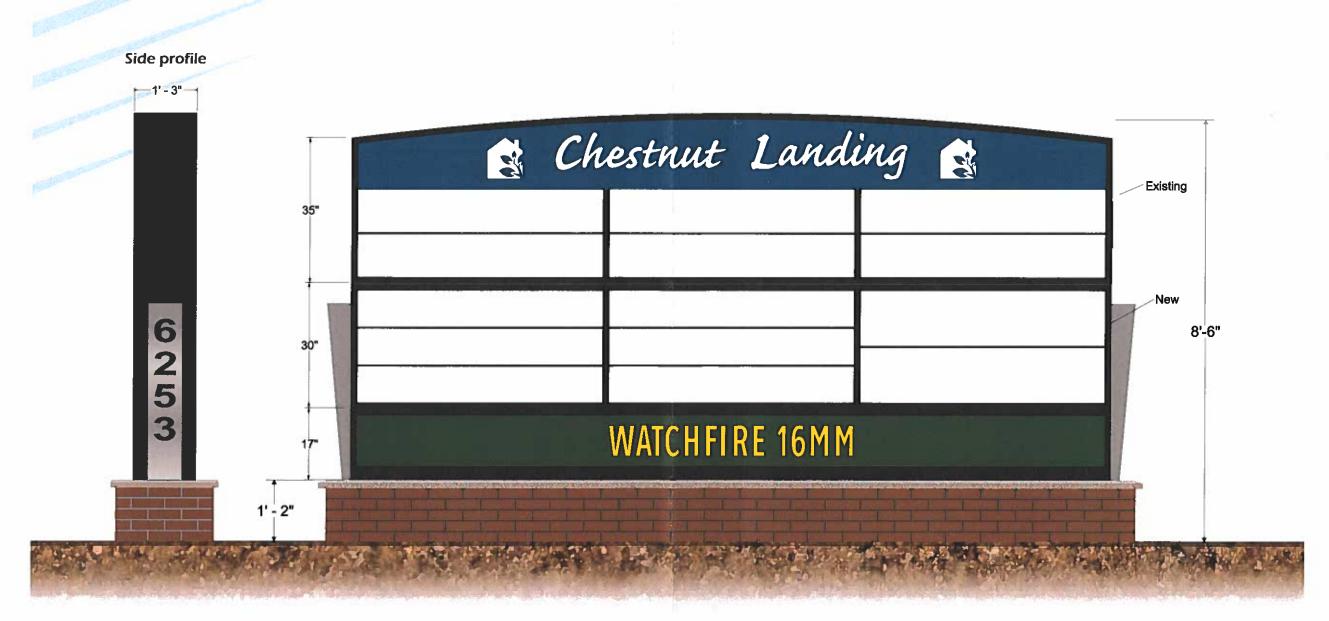
- White LED modules
- 12 volt energy saving system
- Integrated disconnect
- Photocell to be included
- UL listed and labeled

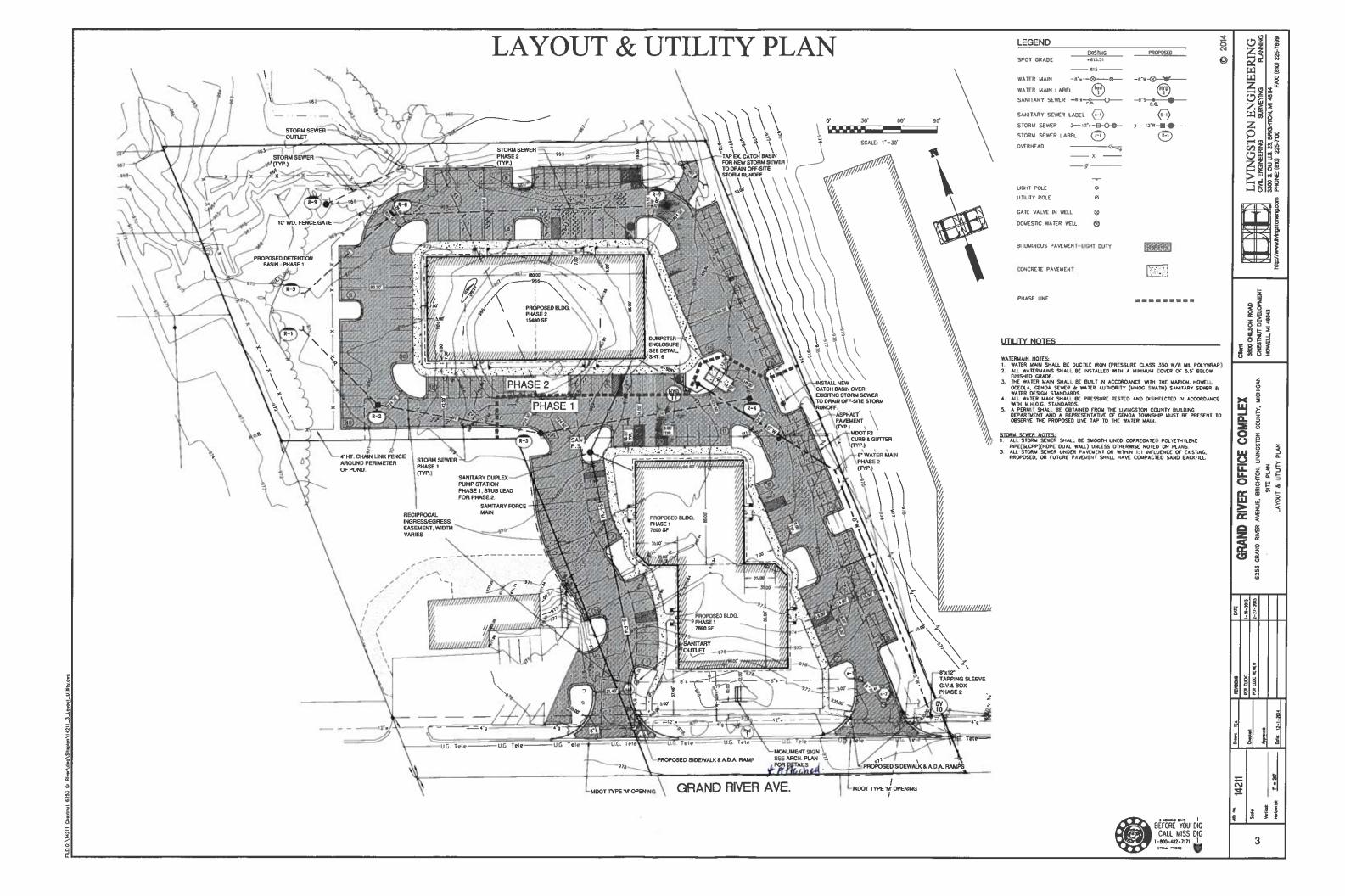
FACES

- White Polycarbonate
- Surface applied 3M vinyl graphics



TOTAL SQ. FT. - 111.8 LED SQ. FT. - 22.1 Additional - 38.1



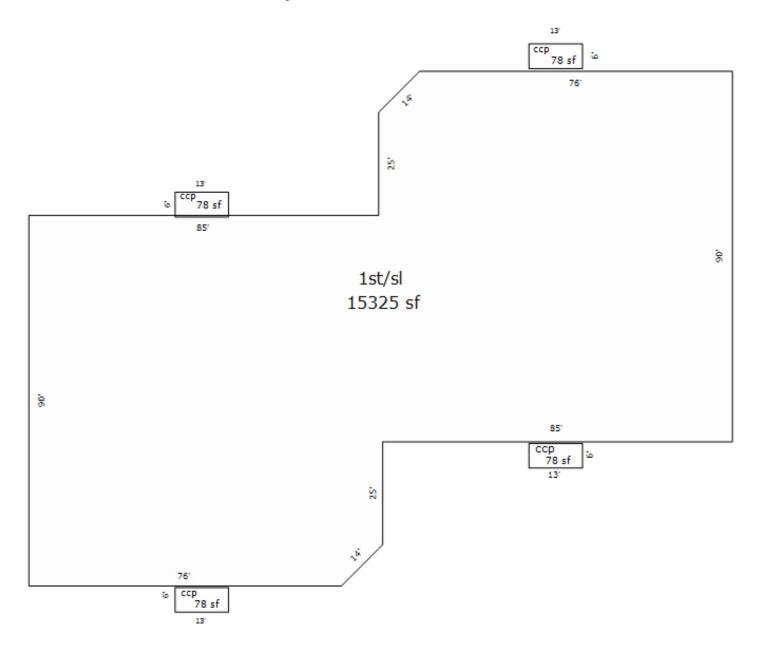


Grantor	Grantee		Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Ver By	ified	Prcnt Trans
CHESTNUT DEVELOPMENT LLC	CHESTNUT LANDING	G LLC	1	12/05/2019		QUIT CLAIM	2019R-034		ER	0.0
Property Address		Class: C	COMMERCIAL- IMPRO	OV Zonina: (GCD Bui	lding Permit(s)	Date	Number	S	tatus
6253 W GRAND RIVER			HOWELL PUBLIC SO			l Sign	01/14/202			
7200 W GIGIND KIVEK		P.R.E.	0%	51100115		mercial	11/15/201			
Owner's Name/Address										
CHESTNUT LANDING LLC		MAP #: V				e Work	10/24/201			
3800 CHILSON ROAD						ant Build-Out	02/01/201			FINAL BL
HOWELL MI 48843		X Impro	ved Vacant	Land Va	lue Estim	ates for Land Tabl	e GRIVE.GRAND RIVE	ER FRONTAG	E	
Tax Description		Dirt	vements	G R 100	0	* F ontage Depth Fro 400.00 457.00 1.00 nt Feet, 4.20 Tota	00 1.5116 1000 1			Value 604,649 604,649
328.24 FT TH N02*03'40"W 300 FT TO POB TH N02*03'40"W 262.51 FT TH S70*37'36"E 449.05 FT TH S02*41'13"E 564.96 FT TH N70*37'36"W 260.68 FT TH N02*03'40"W 300 FT TH N70*37'36"W 195 FT TO POB CONT 4.19 AC SPLIT/COMBINED ON 07/07/2015 FROM STreet Standa		Sewer valk	Descrip Commerc Descrip PAVIN WELL/	tion ial Local tion G AVE WATER C/SEWER		Rate Size 9 2.00 31000 5.00 1 0.00 1	% Good Arc 77 96 96	100 100 100	Cash Value 47,74(4,296 4,222 56,260	
Comments/Influences		Site Level Rolli Low High Lands Swamp Woode Pond	caped d efront							
			l Plain	Year	Lan Valu	1 31	Assessed Value	Board of Review	Tribunal/ Other	
		Who	When What	2021	Tentativ	re Tentative	Tentative			Tentativ
		L .		2020	302,30	0 601 100	983,400			850,938
<u>/</u>			06/2020 INSPECTE		302,30	681,100	J0J, 400			000,930
The Equalizer. Copyright icensed To: Township of			06/2020 INSPECTE 08/2016 INSPECTE		302,30	·	926,600		926,600A	

^{***} Information herein deemed reliable but not guaranteed***

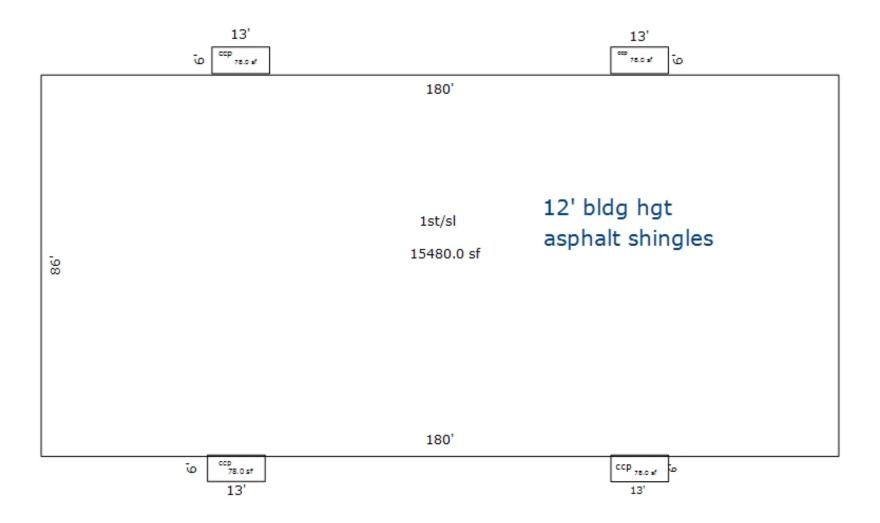
Desc. of Bldg/Section: Calculator Occupancy: Office Buildings	8	<<<< Class: C	Calcul Ouality: Average	lator Cost Compu	tations	>>>>
	Construction Cost	Stories: 1	Story Height: 12	Perimeter	: 580	
Floor Area: 15,325 Gross Bldg Area: 15,325	Above Ave. Ave. X Low	Base Rate fo	or Upper Floors = 100	6.68		
Stories Above Grd: 1 Average Sty Hght: 12 Bsmnt Wall Hght ** ** Cal Quality: Aver Heat#1: Packa	culator Cost Data ** ** Tage age Heating & Cooling 100 and Air Furnace 0%	- ,	g system: Package Heauare Foot Cost for Up			12 100%
Depr. Table : 2% Ave. SqFt/Sto Ave. Perimete	ory: 15325	Total Floor	Area: 15,325	Base Cost	New of Upper Flo	ors = 1,943,210
Physical %Good: 96 Func. %Good: 100 Economic %Good: 100 ***		Eff.Age:2	Phy.%Good/Abnr.Phy	./Func./Econ./Ov	ion/Replacement Coerall %Good: 96 / tal Depreciated Co	100/100/100/96.0
2016 Year Built Area: Remodeled Perimeter: Type: Overall Bldg Heat: Hot Wat	er, Radiant Floor	ECF (2012 (Replacer	OFFICE) ment Cost/Floor Area=		=> TCV of Bldg: t. TCV/Floor Area	
Height * M	Mezzanine Info *					
Comments: Area #1: Type #1: Area #2:						
Type #2:	Sprinkler Info *					
Area: Type: Average						
(1) Excavation/Site Prep:	(7) Interior:		(11) Electric and L	ighting:	(39) Miscellaneo	ous:
(2) Foundation: Footings	(8) Plumbing:					
X Poured Conc. Brick/Stone Block	Many Average	Few	Outlets:	Fixtures:		
	Above Ave. Typical Total Fixtures Uri	None	Few Average	Few Average		
(3) Frame:	3-Piece Baths Wasl 2-Piece Baths Wate	n Bowls er Heaters	Many Unfinished Typical	Many Unfinished Typical		
	1 1 1	er Softeners	Flex Conduit Rigid Conduit	Incandescent Fluorescent		
(4) Floor Structure:		Armored Cable	Mercury Sodium Vapor	(40) Exterior Wa	all: Bsmnt Insul.	
	(9) Sprinklers:		Bus Duct	Transformer : Slope=0	THICKHESS	BSIMITE THIS WIT.
(5) Floor Cover:		(13) Roof Structure	: Slope=0			
		Fired	(14) Danie Garage			
(6) Ceiling:	Oil Stoker Boile	er	(14) Roof Cover:			

^{***} Information herein deemed reliable but not guaranteed***



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

Desc. of Bldg/Section: Calculator Occupancy: In	Industrial - Light Manufacturing															
Class: C	(Cons	struction Co	ost												
Floor Area Gross Bldg Area: 15,325	High A	Abov	re Ave.	Ave.	XI	Low										
Stories Above Grd: 1	** ** Cal	cula	ator Cost D	ata	** **											
Average Sty Hght: 12	Quality: Aver															
Bsmnt Wall Hght	Heat#1: Space					100%										
Depr. Table : 1.5%	Heat#2: Space		aters, Gas	with	Fan	0%										
Effective Age : 9	Ave. SqFt/Sto Ave. Perimete															
Physical %Good: 87	Has Elevators															
Func. %Good : 100																
Economic %Good: 100		Base	ement Info	***												
Year Built	Area: Perimeter:															
Remodeled	Type:															
Overall Bldg	Heat: Hot Wat	er,	Radiant Fl	oor												
Height		•														
Comments:		ezza	anine Info	*												
	Area #1: Type #1:															
	Area #2:															
	Type #2:															
	* S	pri	nkler Info	*												
	Type: Average															
(1) Excavation/Site Pre	1 1 1 3) Interior:					(:	11)	Electric and	Ligh	ting:	(39) Mis	scellaneo	us:	
(2) Foundation: Fo	ootings	(8) Plumbing:						O1	itlets:	F	ixtures:				
X Poured Conc. Brick/	Stone Block		Many		Avera	- 1	Few			ew		ew				
			Above Ave.		Typic	al	None			verage		ew verage				
			Total Fixt			Urinals				any		any				
(3) Frame:		2-Piece Baths Wate:					n Bowls er Heaters n Fountains			nfinished		nfinished				
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			Toilets	0		Water So		3		lex Conduit		ncandescent				
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		(9) Sprinkler	s:				\dashv		is Duct		ransformer	Thick	kness		Bsmnt Insul.
		()	, оргинист	•				1	131	Roof Structure	<u> </u>	Slope=0				
(5) Floor Cover:								(-	13)	NOOL BULGCUL		probe-0				
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			Gas Coa			and Fire	ed									
(6) Ceiling:			Oil Sto	oker	B	oiler		()	14)	Roof Cover:						
(o) cerring:								7								
								_								



^{***} 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

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

Applicant/Owner: Chad Newton

Email: chadanewton1@gmail.com

Property Address: Grand River Lot 33 and 34

Phone: (734) 699-6999

Present Zoning: LRR

Tax Code: 11-10-301-033

ARTICLE 23 of the Genoa Township Zoning Ordinance describes the Variance procedure and the duties of the Zoning Board of Appeals.

Each application for Variance is considered individually by the ZBA. The ZBA is a board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. It may provide relief where due to unique aspects of the property with strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardship.

The applicant is responsible for presenting the information necessary to support the relief requested. While much of the necessary information is gathered through the completed application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting. ZBA members, township officials and township staff may visit the site without prior notification to property owners.

Failure to meet the submittal requirements and properly stake the property showing all proposed improvements may result in postponement or denial of this petition.

Please explain the proposed variance below:

1. Variance requested/intended property modifications: A variance to construct an attached shed to a nonconforming structure (existing garage).

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.

In 2017, we purchased Lot 132 (with home), along with vacant lots 33 (with garage) and 34. We spent a few thousand dollars in attorney fees trying to join the 3 lots into one lot, but were unsuccessful. We currently use all 3 lots as one property, but unfortunately they are separated by a 6' walking path. We have a significant amount of land, but we are limited as to what we can do because the walking path separates our properties. Strict compliance with the side yard setbacks prevents us from having a shed attached to the rear of our garage. There are other homes in the vicinity with similar restrictions, but have storage sheds. Having the shed attached to the rear of the garage hides the shed from people driving by and is more appealing than a stand-alone shed in public view. Having room to store lawn equipment is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same vicinity of our properties. I have moved the shed 3 feet further away from the lot line, compared to the existing garage.

<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.

The extraordinary circumstance that we face is having 3 lots that are adjacent to one another, but separated by a 6' wide walking path. In spite of our best efforts to have the walking path removed, our home is legally separated from our back properties, making the back properties "vacant". The ordinance does not allow construction on vacant property. The walking path, which separates our properties and is no longer used by anyone, was created in the early 1900's. This type of property separation would never be used by developers today. Although we treat our land as one piece of property (and it appears to be one piece of property), the current ordinance prevents us from having a shed, despite the large amount of land.

<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.

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

<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.

I have asked all of my surrounding neighbors if they had any issues with me building the shed and they each have said no. Additionally, they have each signed letters of support.

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: 8-15-2020 Signature: Olive Ant

TO: Amy Ruthig, Kelly VanMarter, and Variance Board Members

FROM: Chad Newton

DATE: August 15, 2020

Please accept this letter as a formal apology for starting to build a shed, on the back of my garage, without going through the required process. In hindsight, I can clearly see that my actions were wrong and created an unfortunate situation for myself. At the time I made the decision to add the shed, I thought that it would be unnoticed and not a big deal. My plan was to have it built to code and well designed, so that it blended well with my existing property.

Please understand, my intention was not to "pull one over" on anyone. I simply believed that adding a shed was a minor project. I now understand that any building, regardless of how small, requires a formal process. Please know that going forward, I will always seek guidance from the township staff for any project that I consider.

Finally, the intent of the shed was to be able to store all of my lawn equipment, snow blower, yard tools, storage shelves, etc., so that I could keep my boat in the garage during the off season. It is a personal choice to store my boat inside, as I realize that many boats are stored outside. However, I believe that placing my pontoon boat on the vacant land all winter creates an eyesore and I'd rather store it inside. Unfortunately, there is not enough room for the boat, one vehicle and all of the above-mentioned equipment.

We enjoy our home in Genoa township and we try very hard to be good neighbors. Please give my variance request your full consideration, despite my poor decision.

Sincerely,

Chad Newton



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: September 9, 2020

RE: ZBA 20-16

STAFF REPORT

File Number: ZBA#20-16

Site Address: Lot #33 and #34 Grand River

Parcel Number: 11-10-101-033

Parcel Size: .308 Acres

Applicant: Chad Newton, 47327 Hunters Park Dr. Plymouth 48170

Property Owner: Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variance

Project Description: Applicant is requesting a variance for an addition to a non-conforming detached accessory structure on a lot without a principal structure.

Zoning and Existing Use: LRR (Lakeshore Resort Residential) Single Family Dwelling located on property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday August 30, 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 existing home on the parcel was constructed in 1950.
- In 2018, a waiver was issued for the parcel with the home to hook to the municipal water. The water line is located in the lot to the north with the detached garage. (See attached)
- See Assessing Record Card.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

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

MANAGER

Michael C. Archinal

The applicant is seeking a variance to allow an addition to an existing detached accessory structure to remain. In order to keep the addition, the applicant must obtain a variance. The applicant owns the lot to the north of the parcel (11-10-301-132, 5536 Wildwood) that is occupied by a single family home. The two properties are divided by a 6 foot platted walkway for the subdivision which prevents them from being combined into a single tax parcel. The applicant and the applicant's agent contacted the Township prior to construction of the addition to the detached accessory structure. The applicant was instructed that the addition would require a variance.

Applicant was contacted by the Township when the structure was brought to the Township's attention. The structure was constructed without a variance or a land use permit.

Variance Requests

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

11.04.01 Accessory Buildings, Structures and Uses in General

(a) Relation to Principal Building: Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building, that is occupied by a use permitted in the particular zoning district. In the Agricultural District an accessory building or structure may be permitted on a separate lot in conjunction with activity of a permitted use on another lot under same ownership. No accessory building, structure or use shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.

<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 16 x 12 addition to the existing detached accessory structure to remain. The lot cannot be combined with 5536 Wildwood due to the platted walkway. Granting the variance does not appear to offer substantial justice and might not be necessary for preservation and substantial property right and would not make the property consistent with the surrounding area due to within the surrounding area there are not many examples of detached accessory structures over 700 sq. ft. The applicant should supply evidence to support substantial justice.
- (b) Extraordinary Circumstances The exceptional or extraordinary condition of the property is the location of the platted walkway making it difficult to combine the parcels. The lot constraint is not self-created however; the need for the variance is self-created due to the addition being constructed without a land use permit. Applicant should provide if the variance request is the least amount necessary.
- (c) Public Safety and Welfare The granting of this variance will not have an impact on 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 will not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

Recommended Conditions

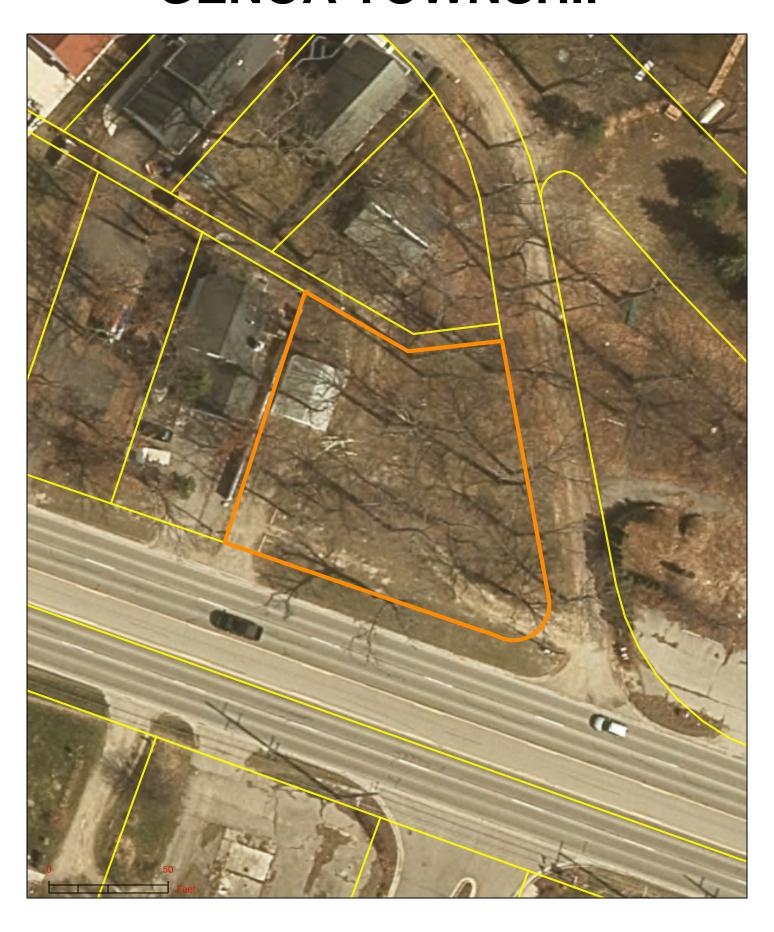
If the Zoning Board of Appeals grants the variance requests staff recommends the following conditions be placed on the approval:

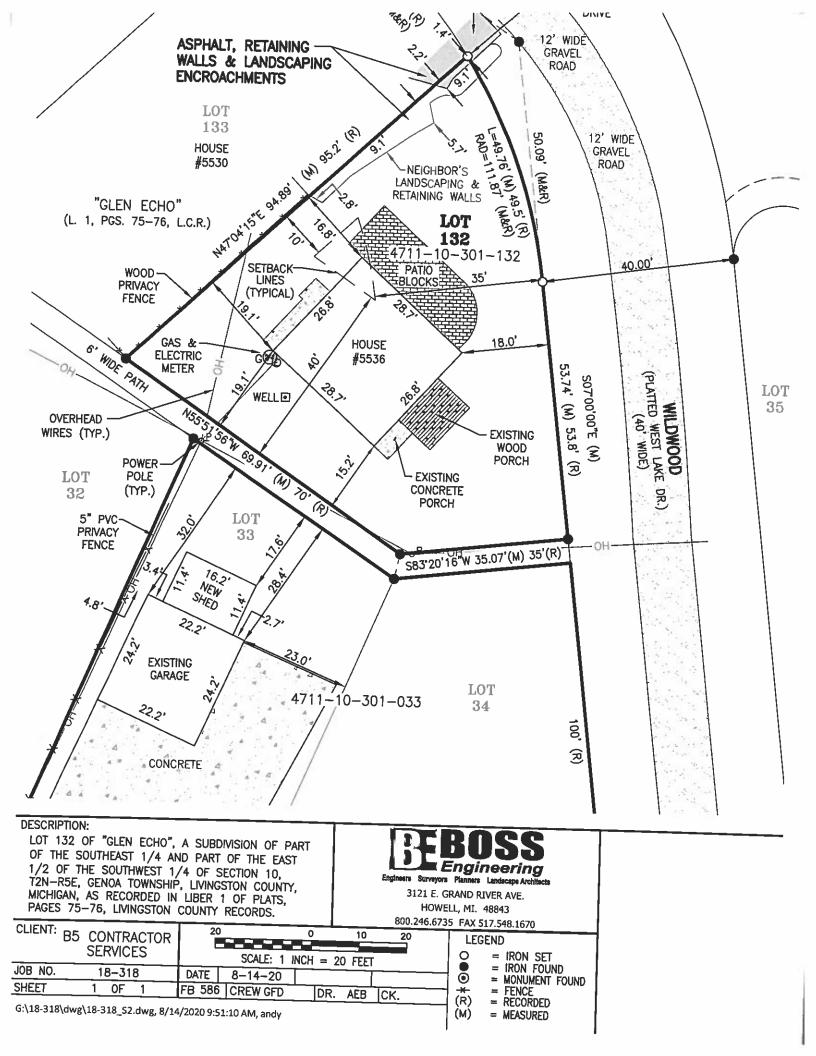
- 1. No other additional structures are allowed on lot.
- 2. Deed restrictions requiring vacant lot cannot be sold separately from 5536 Wildwood.

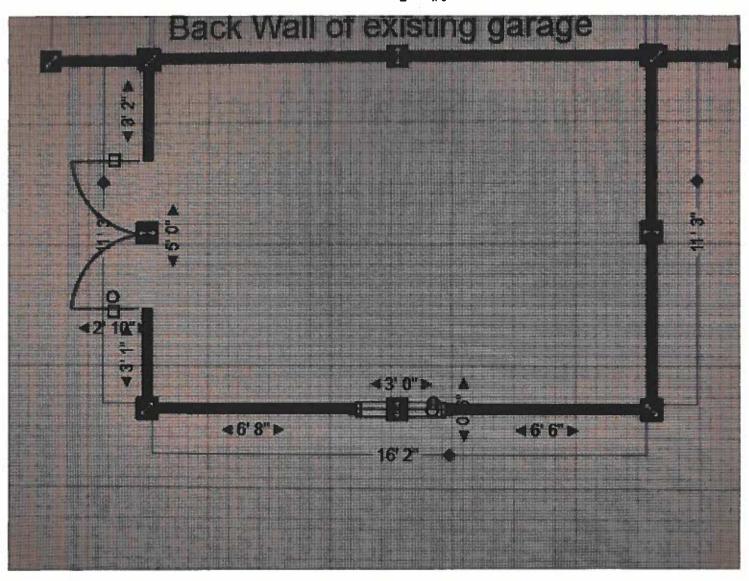
If the Zoning Board of Appeals denies the variance requests staff recommends the following conditions be placed on the denial:

1. Addition shall be removed within 60 days.

GENOA TOWNSHIP







Design Name: Garage Design Design ID: 332055241843

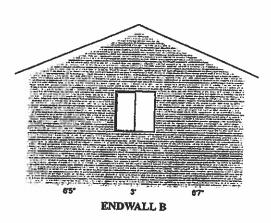
Estimate ID: 46798

Design & Buy-GARAGE

Dimensions

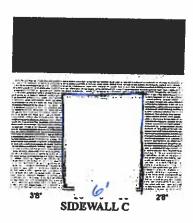
Wall Configurations

*Illustration may not depict all options selected.



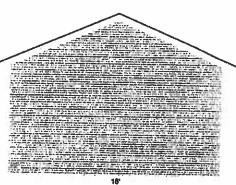
JELD-WEN 36"W x 36"H Vinyl Sliding w/Nailing Flange





Mastercraft® Primed Steel 6-Panel Prehung Exterior Door

Mastercraft® E-1 Primed Steel 6-Panel Prehung Exterior Door



Four of Garage

^{*}Some items like wainscot, gutter, gable accents, are not displayed if selected.

Design Name: Garage Design Design ID: 332055241843

Estimate ID: 46798

Design & Buy GARAGE

Materials

Building Info

Building Width: Building Length: Building Height: Wall Framing Stud:

Roof Framing: Truss Type: Roof Pitch: Eave Overhang:

Gable Overhang: Concrete Block Option:

Anchor bolt:

Custom Garage Plan:

16' [/' 8' 2" x 4"

Truss Construction

Common 5/12 Pitch 1'

None None

Grip Fast 1/2" x 10" HDG Anchor Bolt w/ Nut & Washer

No I do not need a custom building plan

Wall Info

Siding Material Types:

Vinyl Siding:

Accent Material Type: Wainscot Material Type:

Wall Sheathing: House Wrap: Gable Vents: Vinyl

ProTUFF™ Double 4" Dutchlap Vinyl Siding - White

None None

7/16" OSB (Oriented Strand Board)

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

None

Design Name: Garage Design Design ID: 332055241843

Estimate ID: 46798

Roof Info

Roof Sheathing:

Roofing Material Type:

Architectural Roofing:

Roof Underlayment:

Ice and Water Barrier:

Fascia material Type:

Fascia:

Soffit material Type:

Soffit:

Gutter material Type:

Ridge Vent: Roof Vents:

Openings

Windows:

Entry Door:

Entry Door:

Additional Options

Ceiling Insulation:

Wall Insulation:

Ceiling Finish:

Wall Finish:

1/2" OSB (Oriented Strand Board)

Architectural Shingle

Owens Corning® TruDefinition® Duration® Limited Lifetime Warranty

Design & Buy-GARAGE

Architectural Shingles (32.8 sq. ft.) - Onyx Black

#15 Felt Roofing Underlayment 3' x 144' (432 sq. ft.)

Owens Corning® WeatherLock® G Granulated Self-Sealing Ice and Water

Barrier 3' x 66.7' (200 sq. ft.)

Aluminum Fascia

6" x 12' Aluminum Rustic Fascia - White

Aluminum Soffit

16" x 12' Aluminum Vented Soffit - White

None

None

None

JELD-WEN 36"W x 36"H Vinyl Sliding w/Nailing Flange Mastercraft® Primed Steel 6-Panel Prehung Exterior Door Mastercraft® E-1 Primed Steel 6-Panel Prehung Exterior Door

None

None

None

<u>None</u>

Design Name: Garage Design

Design ID: 332055241843

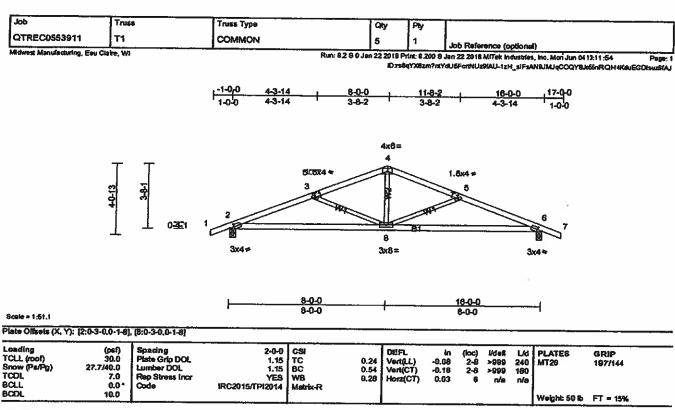
Estimate ID: 46801

MENARDS' Design & Buy GARAGE

Structural wood sheathing directly applied or 4-8-3 oc purlins. Rigid celling directly applied or 10-0-0 oc bracho.

installation guide.

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



BRACING TOP CHORD

BOT CHORD

LUMBER

TOP CHORD BOT CHORD WEBS 2x4 SPF No.2 2x4 SPF No.2 2x3 SPF Stud

REACTIONS (Ib/size) 2=782/0-3-8, (min. 0-1-8), 8=782/0-3-8, (min. 0-1-8) Max Horiz 2=48(LC 19) Max Upiit 2=-88(LC 14), 8=-88(LC 15) Max Grav 2=823(LC 2), 8=823(LC 2)

FORCES TOP CHORD BOT CHORD

(b) - Max. Comp./Max. Ten. - All forces 250 (ib) or less except when shown. 2-3=-1384/230, 3-4=-1041/155, 4-5=-1041/155, 5-8=-1384/230 2-8=-149/1230, 8-8=-149/1230 3-8=-403/129, 4-8=-0470, 5-8=-403/129

NOTES

- 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=8.0psf; 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 lorces & MWFRS for reactions shown; Lumber DOL=1.60 plate
 grip DOL=1.60
- TCLL: ASCE 7-10; Pr=30.0 psf (roof live load: Lumber DOL=1.15 Piate DOL=1.15); Pg=40.0 psf (ground snow); Ps=27.7 psf (roof snow; Lumber DOL=1.15 Piate DOL=1.15); Cstegory II; Exp B; Fully Exp; Ct=1.1 3)

- Category If, party capt, (ver.).

 Roof design snow load has been reduced to account for slope.

 Unbalanced snow loads have been considered for this design.

 This truss has been designed for greater of min roof live load of 12.0 paf or 1.00 times flat roof load of 27.7 paf on overhangs non-concurrent with other live loads.

 This truss has been designed for a flut part bottom chord live load annoconcurrent with any other live loads.

 This truss has been designed for a live load of 20.0paf 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 account of the party of the part
- Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 68 ib uplift at joint 2 and 68 ib uplift at joint 6. This truss is designed in accordance with the 2015 international Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.

LOAD CASE(S)

August 4, 2020

To Whom it may concern:

Chad and Rhonda Newton moved next door to Rick and me about three years ago. They have been great neighbors and have really improved their property. Rick and I support Chad's request for a shed and we hope the variance board agrees. Please allow Chad and Rhonda to keep their shed. As their nearest neighbors, we have no issues with it.

Thanks again,

Lower Commen & Fredhall Correction Loretta Corrunker.

TO: Genoa Township Staff and Zoning Board of Appeals

FROM: John Jones, Neighbor of Chad Newton, 5536 Wildwood Rd - Lake Chemung

DATE: August 5, 2020

Chad and Rhonda Newton have been my neighbor for nearly 3 years. Although they only typically only spend time at the lake house on weekends, they have proven to be good neighbors. They are respectful and have invested a lot of time, energy and money in improving their home and property. They asked me if I we had any problems with them adding a shed on the back of their garage and I told them that I had no problems with the addition of a shed. Since then, he has constructed the shed and it looks good. I still support the addition of the shed and I have no issues with it. I realize that Chad and Rhonda have limited storage in their home, and the addition of the shed helps resolve their issues. I would request that the variance board approve Chad and Rhonda's request to keep their shed.

5525 E. GAND RIVER

Sincerely,

John Jones

I fully support Chad and Rhonda Newton's request to have a shed. Before Chad built the shed, he asked me, along with other neighbors, if we had any issues. I told him that I had no issue with him building it. In fact, after seeing it nearly completed, I think it looks good and will provide him the space that he needs for storing items. Chad made sure that he constructed it in a manner that looks good and does not infringe on anyone's enjoyment of their property. Please provide Chad the variance and allow him to keep his shed.

Regards,

Joe Tiano

To: Genoa Township Staff and Zoning Board of Appeals

From: Matt Ikle,

Date: August 6, 2020

Chad Newton constructed a shed, behind his garage. Before doing so, Chad asked me if I had any issues with him building it. I told him I had no issues with it and I still have no issues with it. The shed matches his garage roof pitch and it looks like it was well designed. It will look good once it is completed and will provide Chad much-needed storage space. Please provide the variance needed and allow Chad to keep his shed.

Thank you,

Matt Ikle

				OBNOTI CI					mey. Bivinobio								
Grantor	Grantee		Grantee			Sale		Sale	Inst.	T∈	Terms of Sale		Liber		Verified		Pront.
				Price		Date	Type				& Page		Ву		Trans.		
	FONS CRAIG NEWTON CHAD & RHONDA					27/2017			RMS-LENGTH		2017R-02		BUYER		100.0		
4K CHEMUNG INVESTMENTS LLC FONS CRAIG						22/2016			QUIT CLAIM				BUYER		100.0		
JONES, PERRY & CONSTANCE NOWKA ALBERT			150,000 08		08/	06/2014	WD	ARMS-LENGTH			2014R-022901 B		BUYER		100.0		
JONES, PERRY & CONSTANCE NOWKA ALBERT		150,000		08/	06/2014	14 WD		L.C.P.O.		2016R-022434 B		BUYER		0.0			
Property Address		Class: RESIDENTIAL-VACANT			CANT Zo	Zoning: LRR Building Pe		ng Permit(s)	Permit(s)		Num	ber	Stat	.us			
VACANT		Sch	nool: HOWEI	LL PUBLIC	SCHOO	DLS	Wa	ter	Connection		04/30/20	19 PW1	8-146				
		P.R.E. 0%															
Owner's Name/Address		MAP #: V20-16															
NEWTON CHAD & RHONDA 47327 HUNTERS PARK DR PLYMOUTH MI 48170		2021 Est				TCV Tenta	ative										
		X Improved Vacant				Land Value Estimates for Land Table 4301.W					EST LAKE	CHEMUNG	,				
IBIMOOTH MI 40170			Public			* Factors *											
		Improvements							age Depth Fro				eason		Value		
Tax Description		Dirt Road				C NON LF 122.00 110.00 1.0000 1.0000 8						800 100 Total Est. Land Value =			97,600 97,600		
SEC. 10 T2N, R5E, GLEN ECHO LOTS 33 AND		Gravel Road				122 Actual Front Feet, 0.31 Total Acres T						TOTAL EST. Land value -			97,000		
34			Storm Sewe														
Comments/Influences		Sidewalk															
			Water														
			Sewer Electric														
		Gas Curb Street Lights Standard Utilities															
			Underground Utils.														
		Topography of Site															
			Level														
			Rolling														
		81	Low High														
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			Swamp														
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() - () -		Wetland				7	т -	1	Dod 1 dia a	7		D 1	- 6 m		m 1- 1 -		
			Flood Plai	ln	Y	ſear	ьа Val	and	Building Value		essed Value	Board Rev		ther	Taxable Value		
A STATE OF THE PARTY OF THE PAR		Who	When	Wha	+ 2	2021	Tentati		Tentative		ative				Tentative		
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The Equalizer. Copyright	(c) 1999 - 2009.				_												
Licensed To: Township of Genoa, County of						2019	42,7		7,600		0,300				50,300s		
Livingston, Michigan					2	2018	48,8	300	8,200	5	7,000				57,000s		

Parcel Number: 4711-10-301-033 Jurisdiction: GENOA CHARTER TOWNSHIP County: LIVINGSTON

09/03/2020

Printed on

^{***} Information herein deemed reliable but not guaranteed***

Building Type	(3) Roof (cont.)	(11) Heating/Cooling	(15) Built-ins	(15) Fireplaces (16) Porche	es/Decks (17) Garage
Building Type X Single Family Mobile Home Town Home Duplex A-Frame X Wood Frame Building Style: D Yr Built Remodeled 0 Condition: Good Room List Basement 1st Floor 2nd Floor Bedrooms (1) Exterior Wood/Shingle	(3) Roof (cont.) X Eavestrough X Insulation 0 Front Overhang 0 Other Overhang (4) Interior X 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: Other: Other: (6) Ceilings	X Gas Wood Coal Steam Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump X No Heating/Cooling Central Air Wood Furnace (12) Electric 0 Amps Service No./Qual. of Fixtures Ex. X Ord. Min	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 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: D Effec. Age: 1 Floor Area: 0 Total Base New: 15,560 Total Depr Cost: 15,404 Estimated T.C.V: 15,589 ldg: 1 Single Family D No Heating/Cooling	Year Built: Car Capacity: Class: D Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: Detache Foundation: 42 Inch Finished ?: Auto. Doors: 0 Mech. Doors: 0 Area: 550 % Good: 0 Storage Area: 0 No Conc. Floor: 0 E.C.F. Bsmnt Garage: Carport Area: Roof: Cls D Blt 0
Aluminum/Vinyl Brick X Vinyl X Insulation (2) Windows Many X Avg. Few X Avg. Small Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens (3) Roof X Gable Hip Flat X Asphalt Shingle Chimney:		No. of Elec. Outlets Many X Ave. Few	Phy/Ab.Phy/Func/Econ Building Areas Stories Exterio Other Additions/Adju Garages Class: D Exterior: S Base Cost Notes:	/Comb. % Good=99/100/100/100/99 r Foundation Size	15,560 15,404 15,560 15,404

^{***} Information herein deemed reliable but not guaranteed***

	25'				
	garage	55.			
		~			
	550 sf				
Skerch by Apex Sketch					

^{***} Information herein deemed reliable but not guaranteed***