GENOA CHARTER TOWNSHIP ZONING BOARD OF APPEALS JUNE 15, 2021 6:30 P.M. AGENDA

Call to Order:

Pledge of Allegiance:

Introductions:

Approval of Agenda:

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

- 1. 21-12...A request by Chris Cetnor, 1825 Westgate Drive, for a size variance and side yard setback variance to allow for an existing addition to an existing detached accessory structure and an additional size variance for a proposed addition to an existing detached accessory structure and a proposed additional detached accessory structure.
- 2. 21-13...A request by Adam Marchwinski, 1183 Fendt, for a variance to exceed the spacing between nearest parking space and building entrance requirement to allow a parking lot on a vacant lot.

Administrative Business:

- 1. Approval of minutes for the May 18, 2021 Zoning Board of Appeals meetings.
- 2. Correspondence
- 3. Member Discussion
- 4. Adjournment



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

Case #	21-12	Meeting Date:	June	15,2021
	5	PAID Variance	e Application	Fee
\$215.00 for Res	idential \$300.00) for Sign Variance	e \$395.00 fc	or Commercial/Industrial

Applicant/Owner:	Christopher Cetnor	Email:	christopher.cetnor@dteenergy.com
Property Address:	1825 Westgate dr Howell	Phone:	5173039517
Present Zoning:	rural residential	Tax Code:	#4711-08-300-042

<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, 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: Requesting variance approval for an existing 16'x45' lean to

attached to existing pole barn. Also, requesting variance approval for additional 10'x40' lean to on east side of pole barn

and a proposed 8'x12' pool shed. My intent is to maintain my property at a high level of cleanliness of personal property

that will be covered and not a visible burden to neighbors.

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.

I wish to maintain a high standard of property which includes lean to's off of my barn and allow construction of a pool shed. Property size of 5 acres does allow proper set backs and does not create an over burdon of property usage or injurious to surroundings properties. These improvements will create a clean, aesthetic surrounding to neighboring properties that will increase quality of area.

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.

I do not intend to over burdon property, but size, 5 acre parcel, and close proximity to other properties that allow additional structures seems to create an extraordinary situation to improve applicants property with these structures. I only wish to use property within reasonable means.

<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.

Property improvements of lean to's and pool storage shed will improve the welfare of property by maintining a safe and clean property with contained storage that will only improve property quality. These structures will not interfere with property aesthetics or create safety issues.

<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.

Impact on surrounding parcels will not create a burden or negative to others property or values. These structures will maintain my current value to property cleanliness and quality standard that Genoa township strives from their residents.

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: 5/17/21 Signature



TO:

RE:

FROM:

DATE:

MEMORANDUM

Genoa Township Zoning Board of Appeals Amy Ruthig, Zoning Official June 9, 2021

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

STAFF REPORT

File Number:	ZBA# 21-12
Site Address:	1825 Westgate Drive
Parcel Number:	4711-08-300-042
Parcel Size:	5.0 Acres
Applicant:	Christopher Cetnor, 1825 Westgate Dr. Howell 48843
Property Owner:	Same as Applicant

Information Submitted: Application, site plan, conceptual drawings

Request: Dimensional Variances

ZBA 21-12

Project Description: Applicant is requesting a size variance and side yard setback variance to allow for an existing addition to an existing detached accessory structure and an additional size variance for a proposed addition to an existing detached accessory structure. The applicant is also proposing to construct an detached accessory structure.

Zoning and Existing Use: RR (Rural Residential) Single Family Dwelling and one detached accessory structure is located on the property.

Other:

Public hearing was published in the Livingston County Press and Argus on Sunday May 30, 2021 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 2017.
- In 2017, a land use permit was issued for a new construction home and detached accessory structure. (See Attached)
- In 2021, a land use permit was issued for an inground swimming pool (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

<u>Summary</u>

The proposed project is to allow an existing addition to a detached accessory structure and to allow a new addition to the same existing detached accessory and to construct an additional detached accessory structure. The addition to the detached accessory structure was discovered when the applicant was seeking a land use permit for the swimming pool. A land use permit or building permit was not applied for the illegal addition.

Variance Requests

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

Section 11.04.01 (H) Maximum Size: Maximum Size: The combined total of all accessory buildings in any residential district shall be a maximum of nine hundred (900) square feet in area for lots less than two (2) acres and one thousand two hundred (1200) square feet in area for lots equal to or greater than two (2) acres. Accessory buildings and structures located on conforming lots in Agricultural and Country Estates Districts shall not be limited by size, provided all required setback are met.

are Footage:	1,200 Sq. Ft.	
quare Footage:	1,200 Sq. Ft.	
	Proposed Variance Amount:	1,296 Sq. Ft.
	Proposed Total Square Footag	e: 2,496 Sq. ft.

(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.

Required RR side yard setback:	30 Feet
Proposed side yard setback:	16 Feet
Proposed Variance Request:	16 Feet

• There is a discrepancy in location of the detached accessory. The land use permit site plan shows a 32-foot side yard setback without the illegal addition. The site plan submitted for the variance application shows a 20-foot setback with the addition. Staff used the approved site plan from the land use permit in determining setbacks.

<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 and square footage requirement would prevent the addition to the existing detached accessory structure to remain and would prevent the construction of the proposed additional addition and proposed 2nd detached accessory structure. The property is a conforming lot in the Rural Residential Zoning District (2 acre minimum). There are properties in the vicinity that are zoned Agricultural (10-acre ⁵

minimum) and Country Estates (5-acre minimum) which detached accessory structures are not limited by size.

- (b) Extraordinary Circumstances The applicant has not demonstrated an extraordinary or exceptional condition of the property. The request for the side yard variance and to allow the illegal addition was self-created due to the structure being built without permits. The additional size variance is self-created. The applicant should address if the variances requested are the least amount necessary.
- (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 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.

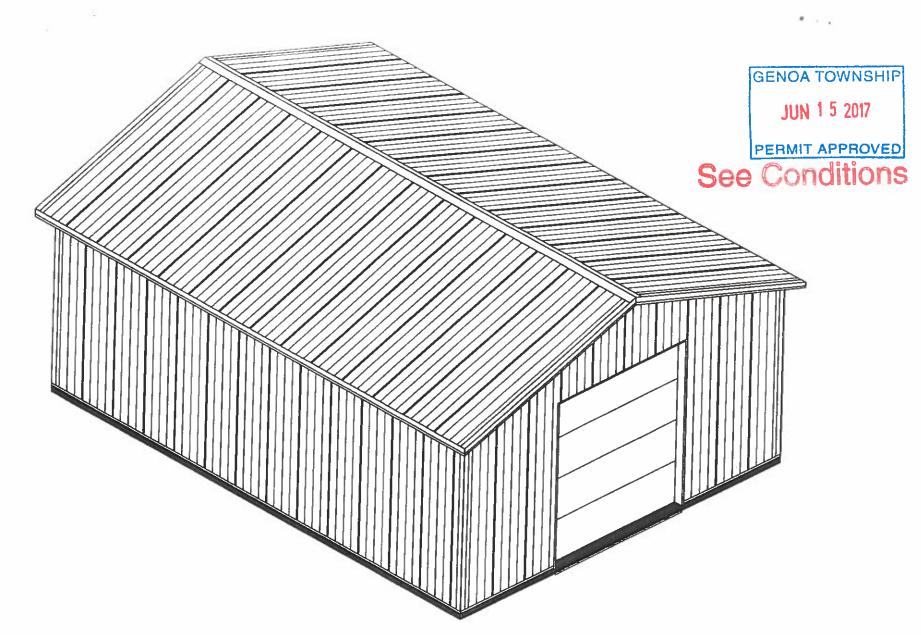
N/A

Recommended Conditions

If the Zoning Board of Appeals denies the variance request staff recommends the following:

1. The addition to the detached accessory structure must be removed within 60 days.

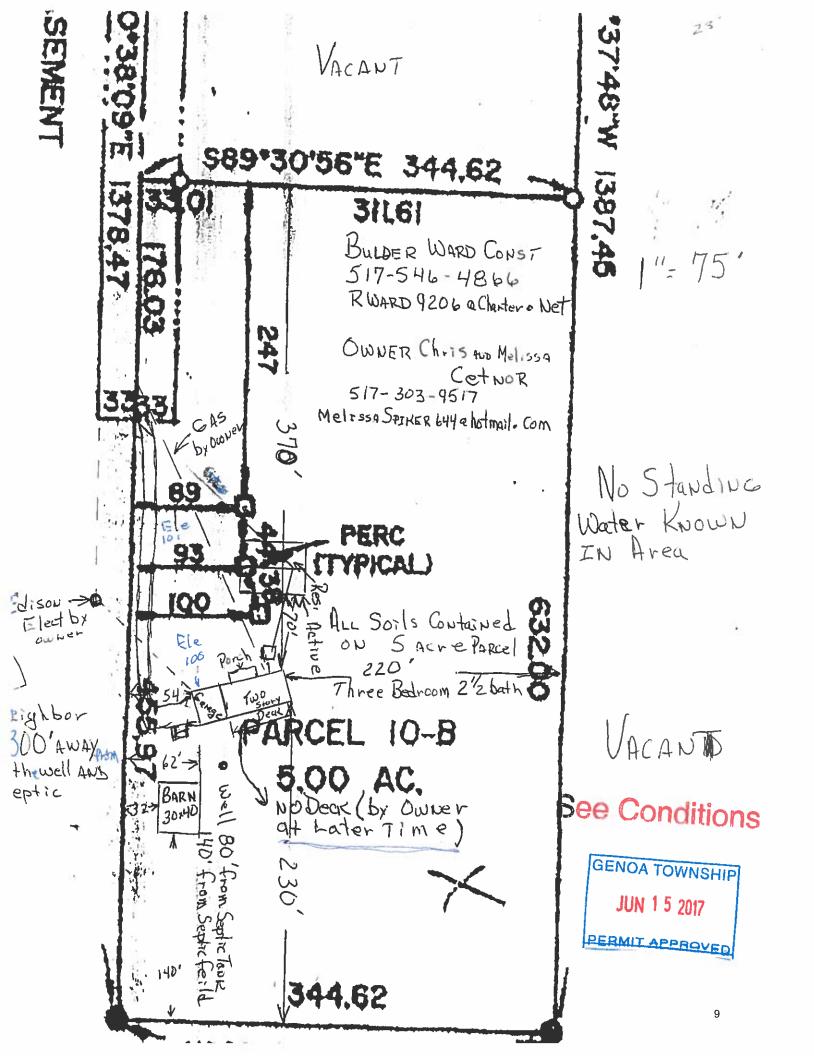
g BENOA	Residential Land Genoa Charter Towns Phone (810) 227-5225	Use Permit hip • 2911 Dorr Rd. • Brig • Fax (810) 227-3420 • w	hton, MI 48116 ww.genoa.org	PERMIT	NO. 17-106 revised 10/09	
1. PROJECT	INFORMATION					
Site Address:	10-B U	lestgate Dr.	Hourell,	MI	Acreage: 5 AC.	
	ONTRACTOR INFO	RMATION	and the second			
Owner Name:	Christopher .	Helissa Cetno				
	s: 7899 Hidden	<u>Circle Dr</u> City:	Byron	State: M/	Zip: 48418	
Contractor nan	WARA CONS	truction	Phone 1	No.: 517-546	-4866	
Contractor Add	dress: 3671 Jose	E Dr. City:	Howell	State: MI	Zip: 48843	
3. TYPE OF I	MPROVEMENT					
A. <u>Principal S</u> X New Single Other: B. <u>Accessory</u> Fence	Structure	Detached Accessory (ga			Frading/Site Work	
C Other:	Deck By C	wver at Late	+ Date			
4. PROPOSEI	SETBACK AND DI	MENSIONAL INFORM	ATION			
the second se	rincipal Structure Set	and the second				
Front: 37		ront property line, right-of-way li	ne or private road easem	ent, whichever is less)		
Rear: 23			Side: 2	20	Water/Wetland: NO	
	ccessory Structure Se					
Front: 452 Lo		: 280 Rear: 40	Water/Wetland:	Distance fr	om Principle Structure:	
	uilding/Improvement			7		
the second se	g/Improvement: <u>29</u>	00 square feet	Height:	<u> </u>		
I hereby certify th authorized by the agree to conform A Land Use Perm	6. 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 of 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 Contrac	tor 🛛 Lessee/Renter 🗆	Architect/Enginee	r 🖵 Other:	• • • • • • • • • • • • • • • • • • •	
Signature of Appli		2-0	Printed Applicant nar		Date:	
	Kay V	Jaid	KAY W	ARD	6/13/17	
	ICE USE ONLY $\square \nabla$					
FLOODPLAIN						
Floodplain:	JIH	Panel #:			Zone #:	
ASSESSING A	PPROVAL					
Approved	Disapproved	Approved by:	froch		Date: 6 15 17	
ZONING APP	ROVAL	Parcel I.D. No.:	<u>)8-300-0</u>	042	Zoning: RR	
Approved	Disapproved	Approved by:	intro		Date: (0 - 15 - 17	
Comments/Conditions: Detached Assessory Structure shall NOT De used for						
living purposes and must comply with tome Occupation ordinance. Detached Structure shall Not be occupied or utilized Until home is occupied						
With an approved Cop O. Defached Smithere Caphot de Date picked up: (0-15-17						
ZBA Case #/Approval date: Conditions: Defore home.						
Land Use:	\$75-	Water/Sewer:	S	1	7 Meter: \$	



"Chris Cetnor Estimate Number: 4583 5/25/2017"

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Genoa Township

2911 Dorr Road, Brighton, Michigan 48116 Phone: 810.227.5225 Fax: 810.227.3420 www.genoa.org

Planning & Zoning

P21-055

Issued: 05/07/2021 Expires: 05/07/2022

Residential Land Use

Swimming Pool

LOCATION	OWNER	APPLICANT
1825 WESTGATE DR	CETNOR CHRISTOPHER & MELISSA	BLUE HAWAIIAN POOLS OF MICHIGAN
4711-08-300-042	1825 WESTGATE DR	
Zoning: RR	HOWELL MI 48843-6470	
	Phone:	Phone:
	E-mail:	E-mail:

Work Description: swimming pool: 2,240; \$68,510 deck: 1,656; \$15,000; composite

PROJECT INFORMATION:

Front Setback: 0	Side Setback: 165	Water/Wetland:
Least Side Setback: 108	Rear Setback: 0	Distance from Principal Structure:
Construction Value: \$68,510.00	Height:	Total Square Feet: 2,240
ZBA Approval: n/a		
Comments/ Swimming po	ol needs to meet all state o	codes.

Conditions:

Deck plans do not include stairs. Stairs have been eliminated

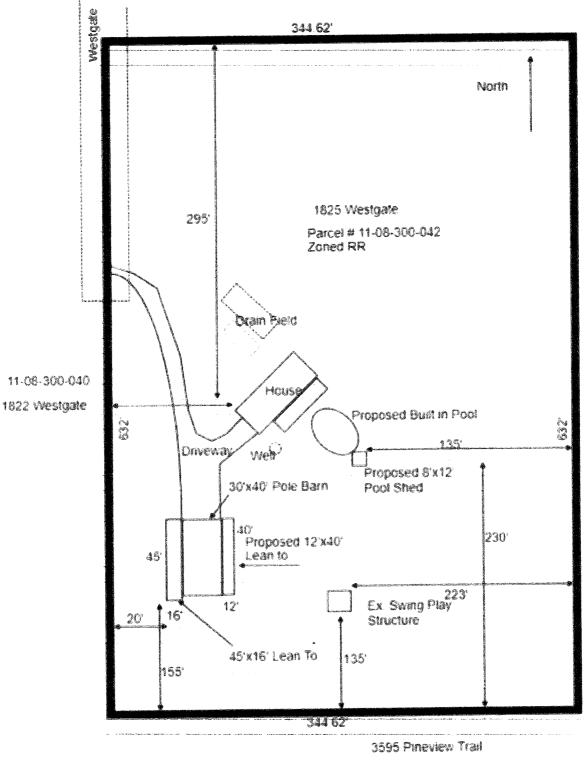
Pole barn will need to be reduced to 1200 sq feet. Final inspection will be done to make sure pole barn is reduced to size.

Permit Item	Permit Fee	Fee Basis	Item Total
Deck/Fence/Swimming Pool	Permit Fee	1.00	50.00

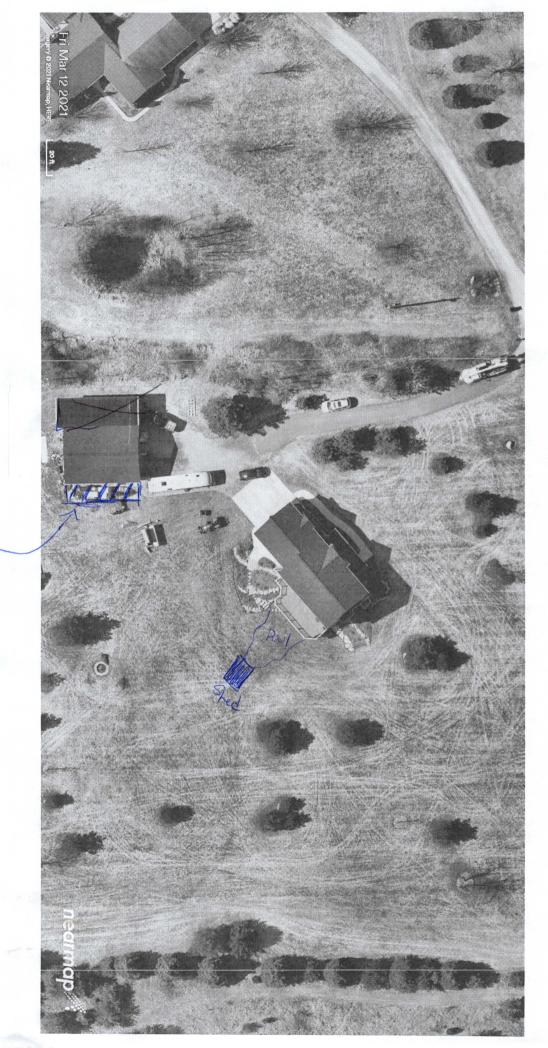
Issuance of this permit confirms the applicants certification that all information and data attached to and made part of this permit are true and accurate and to the best of the applicants knowledge and belief. The applicant has certified that the proposed work has been authorized by the owner of record and that the applicant has been authorized by the owner to obtain this permit as the authorized agent. The applicant has agreed to conform to all applicable laws, codes and ordinances of the State of Michigan, Livingston County and Genoa Township. The applicant acknowledges that private covenants and restrictions are potentially enforceable by private parties. This permit authorizes on-site inspections by an official representative of Genoa Charter Township. This permit is valid for a period of 12 months from the date of issue and the applicant agrees that any modifications must be approved by Genoa Township.



s.



Parcel 11-08-300-004 Zoned CE



Purpored -Lean to

Post Frame Building Estimate Design #: 332058471325 MENARD Store: WIXOM Date: May 12, 2021 8:31:58 AM **Elevation Views** 3-B 1-0 3-D 14 3-6 1 0 LEXISTING Lean ito See potos 40' 2-0 101 30440' Proposed Iran to Pole barn 145' × 16 w H12'6"

https://midwest.menards.com/postframe-web/redirect.do#/summary/2/1/48843/3320

14

CHECK OUT THE MOST INNOVATIVE PRODUCTS, HAND-PICKED BY LOWE'S. SHOP NOW >

What are you looking for today?

0

Brooklyn Lowe's Opens at 6AM tomorrow >



12

Prices, Promotions, styles, and availability may vary. Our local stores do not honor online pricing. Prices and availability of products and services are subject to change without notice. Errors will be corrected where discovered, and Lowe's reserves the right to revoke any stated offer and to correct any errors, inaccuracies or omissions including after an order has been submitted.

Outdoors / Sheds & Outdoor Storage / Sheds / Wood Storage Sheds







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View Q&A

Heartland 8-ft x 12-ft Hillsdale Gable Engineered Storage Shed

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Item #703660 Model #191022

Pre-cut kit, nothing to saw

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- Extra-wide double doors and
- . Bonus features include complete naara ahaan ka sada aha

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This item is no longer sold on -Lowes.com

- Pre-cut kit, nothing to saw
- Extra-wide double doors and side entry door
- Bonus features include complete floor system, two windows, two gable vents and deep roof overhangs
- Pre-hung doors with heavy-duty continuous hinges to prevent sagging
- Heavy-duty wood construction stands up to demanding wind and snow loads
- Treated, engineered wood siding is factory-primed and
- ready to paint
- Will not warp like plastic sheds, will not rust like metal sheds
- 12-Year limited material warranty
- · Full on-site installation available; see Lowe's associate

CA Residents: **A Prop 65 Warning(s)**

D	Installati	CA Prop 65
	PDF	PDF

SPECIFICATIONS

Siding Type	Engineered	Actual Interior Length (Feet)	12
Floor Included		Actual Interior Peak Height (Feet)	8.8
CA Residents: Prop 65 Warning(s)	▲ Prop 65 WARNING(S)	Foundation Width (Feet)	8
Shelf Included	×	Foundation Length (Feet)	12
Skylight Included	×	Package Width (Inches)	48

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Parcel Number: 4711-08-300-042 Jurisdiction: GENOA CHARTER TOWNSHIP County: LIVINGSTON

Printed on 06/10/2021

Grantor	Grantee			Sale Price	Sale Date	Inst. Type	1	Terms of Sale		Liber & Page	Ve By	erified	Prcnt Trans	
KUCZYNSKI DENNIS & KIMBERL	CETNOR CHRISTOPH			ER & MELIS 80,000		80,000 06/1	06/13/2017	WD	03-ARM'S LENGTH		TH	2017R-017760		JYER/SELLER
STEWART, LARRY & JUDY	KUCZYNSKI DENNIS & KIMBER		& KIMBERI 80,000 0		07/30/2004	WD		03-ARM'S LENG	KM'S LENGTH		80 BI	JYER/SELLER	100.	
Property Address		Class: RE	SIDENTIA	AL-IMPRO	OV Zoning: 1	RR I	Builc	ding Permit(s)	Date	Numbe	r	Status	
1825 WESTGATE DR		School: H	IOWELL PU	JBLIC S	CHOOLS	2	Swimn	ning Pool		05/07/20)21 P21-0	55		
		P.R.E. 10	0% 12/28	8/2017		F	HOME			06/15/20)17 P17-1	06 1	IO START	
Owner's Name/Address		MAP #: V2	1-12											
CETNOR CHRISTOPHER & MELIS	SA			2022 E	st TCV Tent	ative								
1825 WESTGATE DR HOWELL MI 48843-6470		X Improv	red V	/acant	Land Va	lue Est	imat	es for Land 1	Table 4500.H	HOWELL M&	В			
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SEC 8 T2N R5E COMM AT W 1/	4 COR TH	Gravel						5.00	Total Acres	TOLAL	ESL. Lano	i value =	85,000	
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and the second s	A - A -	JB 04/20	/2018 IN	NSPECTE	D 2021	42,	,500	174,4	100 21	16,900			213,368	
The Equalizer. Copyright		JB 10/19	/2017 IN	NSPECTE	D 2020	42,	,500	168,7	700 21	1,200			210,423	
Licensed To: Township of G Livingston, Michigan	enoa, county of				2019	42,	,500	164,0	000 20	06,500			206,500	

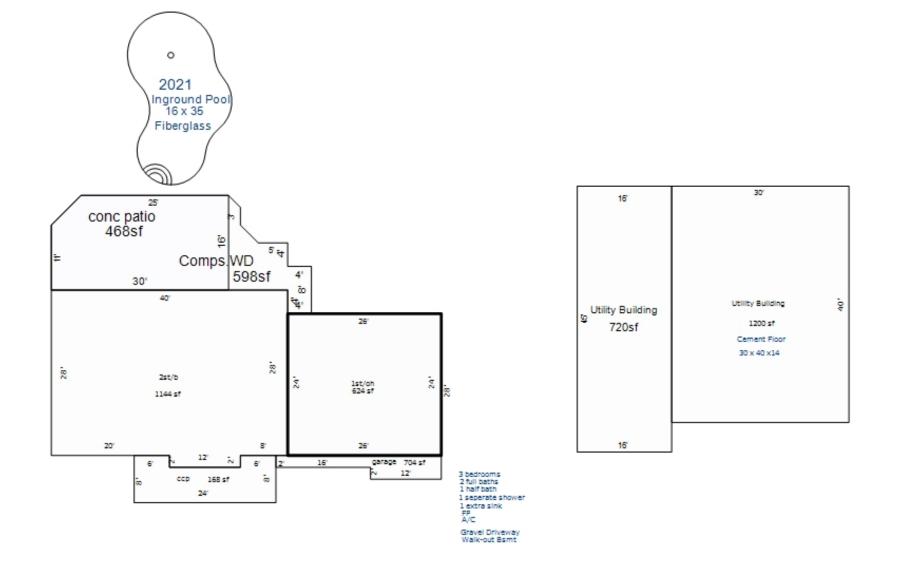
Residential Building 1 of 1

Parcel Number: 4711-08-300-042

Printed on

06/10/2021

Building Type	(3) Roof (cont.)	(11) Heating/Cooling	(15) Built-ins (15) Fireplaces (16) Porches/Decks (17) Garage
X Single Family Mobile Home Town Home Duplex A-Frame	X Eavestrough X Insulation 0 Front Overhang 0 Other Overhang (4) Interior	X Gas Oil Elec. Wood Coal Steam Forced Air w/o Ducts Forced Hot Water	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent FanInterior 1 Story Interior 2 StoryArea TypeYear Built: 2017 Car Capacity: Class: C S98Area Type Interior 2 StoryCar Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0
Condition: Good Room List Basement 1st Floor	X Drywall Paneled Plaster 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:	Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling Central Air Wood Furnace (12) Electric	Hot TubPrefab 1 StoryCommon Wall: 1 WallUnvented HoodPrefab 2 StoryFoundation: 42 InchVented HoodHeat CirculatorFinished ?: YesIntercomRaised HearthWood StoveJacuzzi Tub1Direct-Vented GasJacuzzi repl.Tub1Direct-Vented GasOvenClass: CStorage Area: 0MicrowaveStandard RangeSaunaTrash CompactorTrash CompactorCharler Cost: 369,673Central VacuumExtimated T.C.V: 362,280
2nd Floor 4 Bedrooms (1) Exterior Wood/Shingle	(6) Ceilings	0 Amps Service No./Qual. of Fixtures Ex. X Ord. Min No. of Elec. Outlets	Security System INSERT Cost Est. for Res. Bldg: 1 Single Family C Cls C Blt 2017 (11) Heating System: Forced Heat & Cool Ground Area = 1768 SF Floor Area = 2912 SF.
Aluminum/Vinyl Brick X Vinyl X Insulation (2) Windows	(7) Excavation Basement: 1144 S.F. Crawl: 0 S.F.	Many X Ave. Few (13) Plumbing Average Fixture(s) 2 3 Fixture Bath	Phy/Ab.Phy/Func/Econ/Comb. % Good=99/100/100/100/99 Building Areas Stories Exterior Foundation Size Cost New Depr. Cost 2 Story Siding Basement 1,144 1 Story Siding Overhang 624
X Avg. X Avg. Few Small	Slab: 0 S.F. Height to Joists: 0.0 (8) Basement Conc. Block	1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat	Total:292,425289,500Other Additions/AdjustmentsExterior13,61913,483Stone Veneer40813,61913,483
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement	Conc. Block Poured Conc. Stone Treated Wood Concrete Floor (9) Basement Finish	No Plumbing Extra Toilet 1 Extra Sink 1 Separate Shower Ceramic Tile Floor	Basement, Outside Entrance, Below Grade 1 2,251 2,228 Plumbing 3 Fixture Bath 1 4,085 4,044 2 Fixture Bath 1 2,734 2,707 Extra Sink 1 835 827 Separate Shower 1 1,196 1,184
Double Glass Patio Doors Storms & Screens (3) Roof	Recreation SF Living SF 1 Walkout Doors No Floor SF	Ceramic Tile Wains Ceramic Tub Alcove Vent Fan (14) Water/Sewer	Water/Sewer 1 4,278 4,235 1000 Gal Septic 1 9,448 9,354 Water Well, 200 Feet 1 9,448 9,354 Porches 200 Feet 168 3,968 3,928
X Gable Gambrel Hip Mansard Flat Shed X Asphalt Shingle	(10) Floor Support Joists: Unsupported Len: Cntr.Sup:	Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic	Garages Class: C Exterior: Siding Foundation: 42 Inch (Finished) Base Cost 704 30,378 30,074 Common Wall: 1 Wall 1 -2,362 -2,338
Chimney:	-	Lump Sum Items:	Fireplaces Direct-Vented Gas 1 2,657 2,630 Deck <<<<< Calculations too long. See Valuation printout for complete pricing. >>>>



Agricultural Improvement Card 1 of 1 Parcel Number: 4711-08-300-042

Printed on

06/10/2021

Building Type	Farm Utility Buildings	Farm Utility Buildings		
Year Built	2017	2020		
Class/Construction	D,Pole	D,Pole		
Quality/Exterior	Average	Average		
<pre># of Walls, Perimeter</pre>	4 Wall, 140	4 Wall, 122		
Height	14	10		
Heating System	No Heating/Cooling	No Heating/Cooling		
Length/Width/Area	40 x 30 = 1200	45 x 16 = 720		
Cost New	\$ 17,772	\$ 11,181		
Phy./Func./Econ. %Good	100/100/100 100.0	100/100/100 100.0		
Depreciated Cost	\$ 17,772	\$ 11,181		
+ Unit-In-Place Items	\$ 0	\$ 0		
Description, Size X Rate X %Good = Cost Itemized ->				
Unit-In-Place -> Items ->				
E.C.F.	X 1.035	x 1.035		
% Good	100	100		
Est. True Cash Value	\$ 18,394	\$ 11,572		
Comments:				



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

Case # 21-13 Meeting Date: June 5, 20 PAID Variance Application Fee

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

Applicant/Owner: Adam Marchwinski	Email: amarchwinski@ups.com
Property Address: 1183 Fendt Drive	Phone:(248) 226-0950
Present Zoning: IND, Industrial	Tax Code: 4711-08-201-007

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:

Dimensional Variance

The space between the nearest parking space and public building entrance per Section 14.02.03 of the zoning

ordinance.

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.

The distance from the building entrance to the nearest parking space is approximately 310 feet. The nearest parking space of the employee lot cannot be any closer without encroaching into the ten foot side parking lot set back.

<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 dimensional variance is required by the Planning Commission as noted in the meeting minutes dated November 9, 2020.

<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.

An Environmental Impact Assessment (dated September 23, 2020) has been reviewed with no additional comments by the Township Board. Pending approval contingent on dimensional variance and recordable agreement approved by the Township Attorney.

<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 parking lot improvements are proposed within the proper setbacks and in accordance with the township's ordinance code.

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.

<u>.</u>.

Date: _	5/18/2021 12:53 PM PDT Signature:	Adam Marchwinski
		74F93044BE434D5

Genoa Township Planning Commission November 9, 2020 Approved Minutes

noted the building is not as tall as the maximum allowable height in this zoning district. She will provide an operations plan and a plan of what the center will be going forward and in the future.

Commissioner Rickard asked why the property has not been maintained, such as the broken fence and the trash. Mr. Hickey stated there is an area that needs to be repaired. He does not believe it's true that there is trash around the camp. She also would like information added such as, what will be the use of the lake, will there be utilized watercraft, etc. Mr. Hickey stated the lake is used for canoes, kayaks and swimming.

Vice Chairman Rauch reopened the call to the public at 8:18 pm.

Mr. Joseph Saliba of 1829 Kellogg Road is concerned about the proposed new detention pond. He is concerned that water will flow onto the neighbors' properties and into the lake. Vice Chairman Rauch explained the reason and process of a detention pond.

Mr. Berean asked why there are three pontoons on the lake. The fence that they put up hindered the wild life from traveling. He asked what the camp was used for last weekend. There were guards in fatigues with berets, but they were not armed. Mr. Hickey stated there were two camp groups last weekend. It was Christian Boot Camp. He asked if the property has been delineated for wetlands. Ms. VanMarter said that she has seen a wetland delineation plan. He asked that if the roads need maintenance or if they get paved, would the diocese pay.

The call to the public was closed at 8:23 p.m.

Moved by Commissioner Mortensen, seconded by Commissioner Dhaenens, to table the proposal for a Special Land Use, Site Plan, and Environmental Impact Assessment for Prophet Elijah Retreat Center to allow the applicant to address concerns presented and discussed during tonight's meeting. **The motion carried unanimously**.

OPEN PUBLIC HEARING # 2...Review of a site plan and environmental impact assessment for a proposed parking lot at 1183 Fendt Drive to be used in conjunction with the existing UPS Facility on the west side of Fendt Drive. The request is petitioned by Hugo Ceron, SME.

- A. Recommendation of Environmental Impact Assessment (9-2-2020)
- B. Disposition of Site Plan (9-24-2020)

Mr. Hugo Ceron of SME and Mr. Adam Marchwinski of UPS Buildings & Systems Engineering were present. Mr. Ceron apologize he was not available at last month's meeting. He stated they are proposing to pave the parking lot so that it will be compliant with the Township ordinance. They will provide curb and gutter, a retention pond, and lighting and landscaping improvements. They are requesting to waive the interior island requirements to maximize the amount of parking spaces, noting his site is at the end of a road in an industrial park.

Mr. Marchwinski stated that he has spoken with the real estate department at UPS and they do not want to tie the two properties together with regard to a sale, as recommended by the Township. Ms. VanMarter spoke to a representative from UPS who understands the Township's goal and they would be willing to put an easement in place and then provide an agreement that if the property with the building was sold, then changes would need to be made

Genoa Township Planning Commission November 9, 2020 Approved Minutes

to the lot with only the parking lot to meet Township ordinance, unless it is associated with the lot across the street..

Commissioner Mortensen would like the Township Attorney to determine which avenue would be best to protect the Township. All Commissioners agree.

Mr. Borden reviewed his letter dated October 6.

- 1. He agrees with the decision to have the Township Attorney review the issue regarding the two lots just discussed.
- The applicant will need to obtain a variance from the ZBA to exceed the 300-foot spacing between the nearest parking space and public building entrance per Section 14.02.03 of the zoning ordinance.
- 3. The landscape plan is deficient in parking lot landscaping. The applicant requests that the Planning Commission waive these requirements, per Section 12.02.13.
- 4. If signage if proposed in the future, a sign permit must be obtained from the Township prior to installation.

Mr. Markstrom reviewed his letter dated October 5, 2020.

- The Petitioner is proposing a closed pipe type underground detention basin comprised of four 48-inch diameter pipes to provide 5,329 cubic feet of storage. A Storm water Management System Maintenance Plan is included and details the cost and responsibility of maintaining the proposed storm system. The provided maintenance schedules include maintenance and inspection of the detention basin inlet, but not the outlet and emergency outlets. These components should be included in the schedules to make sure they remain clear of debris.
- 2. The proposed underground detention basin is designed to capture additional flow that will be generated from the parking lot being improved from gravel to asphalt, not to capture all onsite drainage. The Petitioner provided an email from Mitch Dempsey of the Livingston County Drain Commission permitting this basis of design.
- The Petitioner reduced their outlet pipe size to 6 inches to create a restricted outflow. The 6-inch pipe will restrict outflow to 0.561 cfs, which meets the 0.2 cfs per acre maximum.
- 4. The Petitioner added an overflow outlet to the underground detention basin at catch basin
- 5. The emergency outlet is currently proposed as a 6-inch pipe. This appears to be undersized when reviewing the calculations for the pipes tributary to the detention system. The petitioner should size the outlet so that the combination of the outlet pipe (6 inch) and overflow pipe will accommodate the same amount of flow that is being calculated for the pipe between catch basins 3 and 2. This will limit the potential for the collection system to back up and overflow over the curb and thereby cause erosion of the parking lot embankment.
- 6. The plans include 10-foot-deep soil borings. The Genoa Township Engineering Standards require that soil borings shall be provided to a depth of 20 feet below the

bottom of the proposed detention basin and the documented high level of the groundwater should be provided.

7. The Petitioner is proposing to relocate the existing fire hydrant at the end of Fendt Drive to accommodate one of the two proposed access drives to the parking lot. More detail needs to be provided on how this hydrant will be relocated. The relocation of the hydrant should be achieved by shutting off the existing hydrant isolation valve, removing the existing hydrant, installing any necessary fittings to get to the proposed location, and then installing a new isolation valve and the hydrant. The existing isolation valve can then be opened and buried with the operator removed. This method will not require the water main on Fendt Drive to be shut down. If the hydrant is relocated as it is currently shown, the water main will need to be shut down and the hydrant will need to be reinstalled using MHOG's terminal hydrant detail.

Mr. Rick Boisevert, the Brighton Area Fire Authority Fire Marshal, advised that all of his concerns have been met by the applicant.

Commissioners Dhaenens, Mortensen, and Rauch agreed to waive the landscaping in the middle of the parking lot. Commissioners Rickard and McCreary would like to have the landscape islands installed.

The call to the public was made at 8:56 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Environmental Impact Assessment dated September 23, 2020 for the UPS Howell parking lot at 1183 Fendt Drive, subject to a recordable agreement being prepared by the petitioner and approved by the Township Attorney tying the parking lot to the UPS facility across the road in a way to prevent the parking lot ultimately becoming standalone if either property is sold separately. **The motion carried unanimously**.

Moved by Commissioner Mortensen, seconded by Commissioner Dhaenens, to approve the Site Plan dated September 23, 2020 for the UPS Howell parking lot at 1183 Fendt Drive, subject to the following:

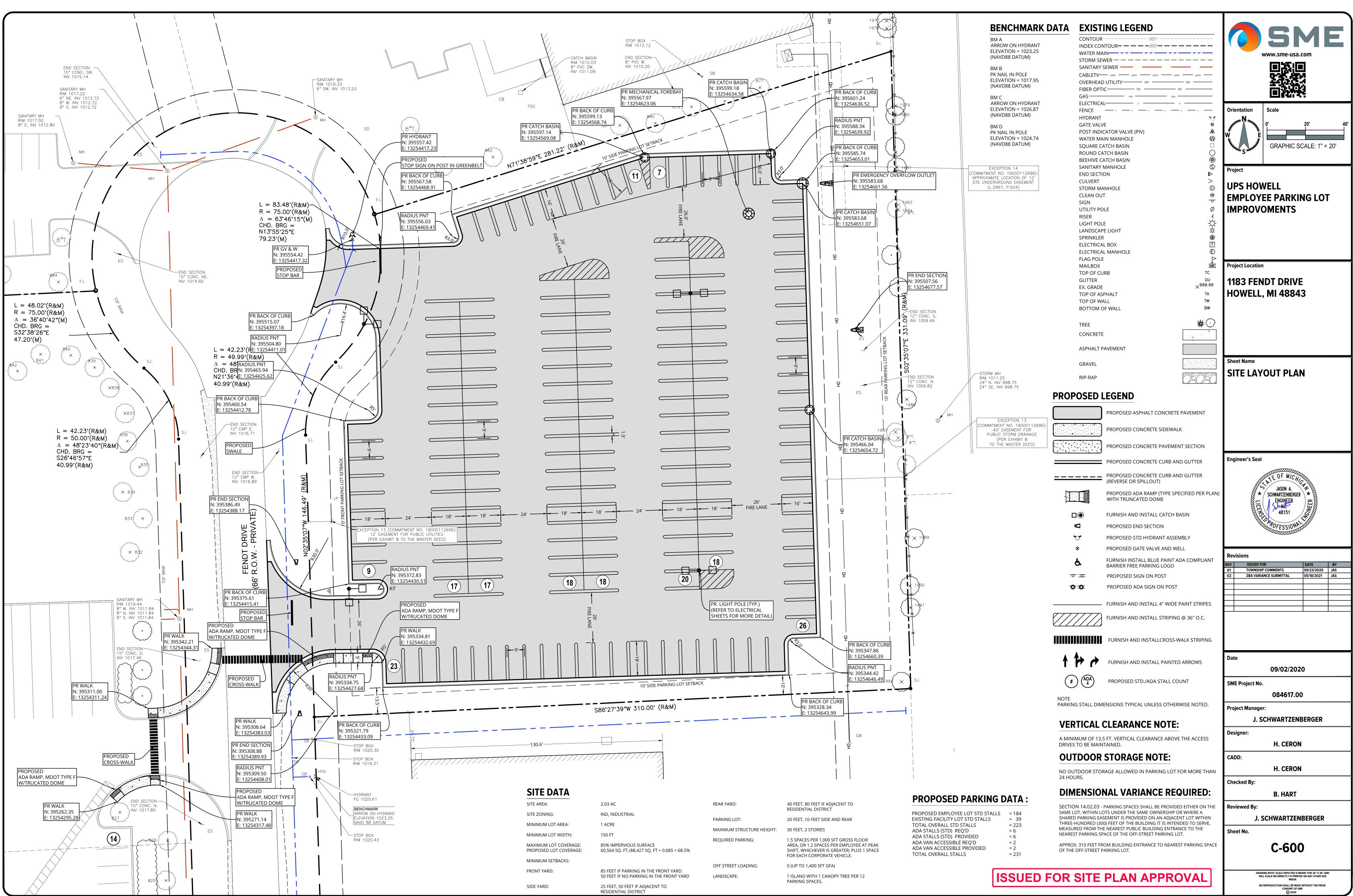
- Approval of a variance from the Township ZBA to exceed the 300-foot spacing between the nearest parking space and the building entrance.
- A recordable agreement being prepared by the petitioner and the Township Attorney tying the parking lot to the UPS facility across the road in a way to prevent the parking lot ultimately becoming standalone if either property is sold separately.
- The Planning Commission agrees to waive the requirements of Section 12.02.13.4 for landscaping inasmuch as it is a secluded parking lot in an industrial area.

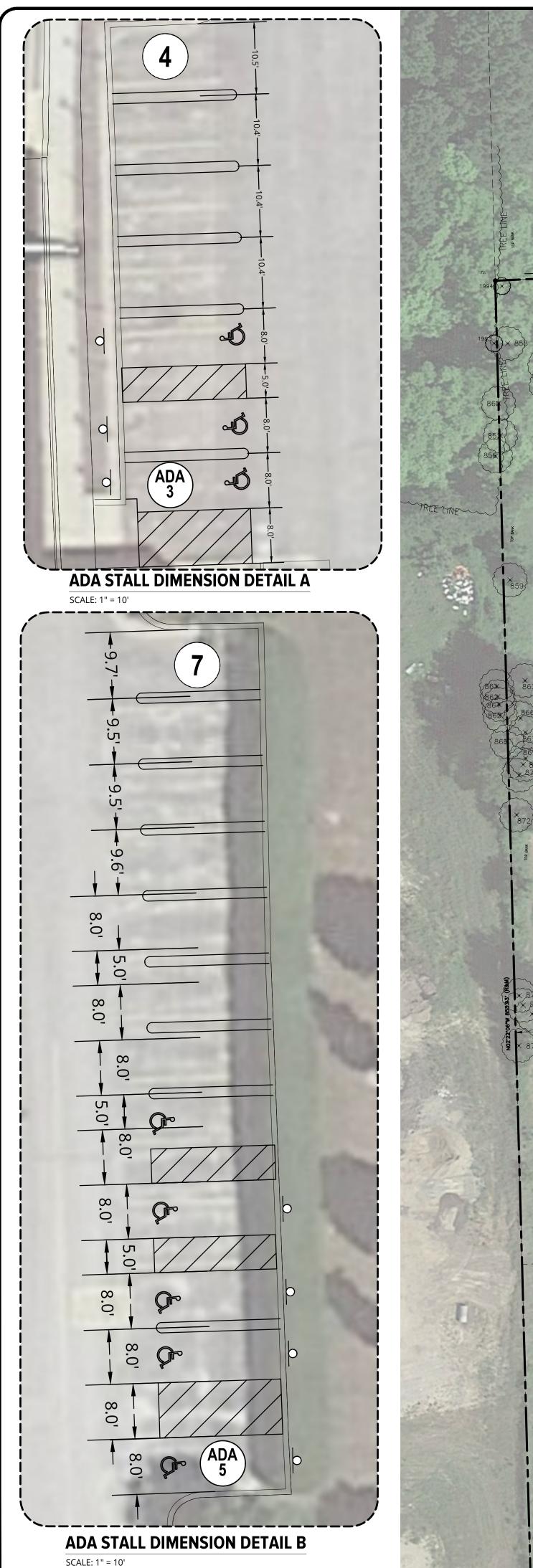
• All requirements of the Township Engineer October 5, 2020 letter shall be met.

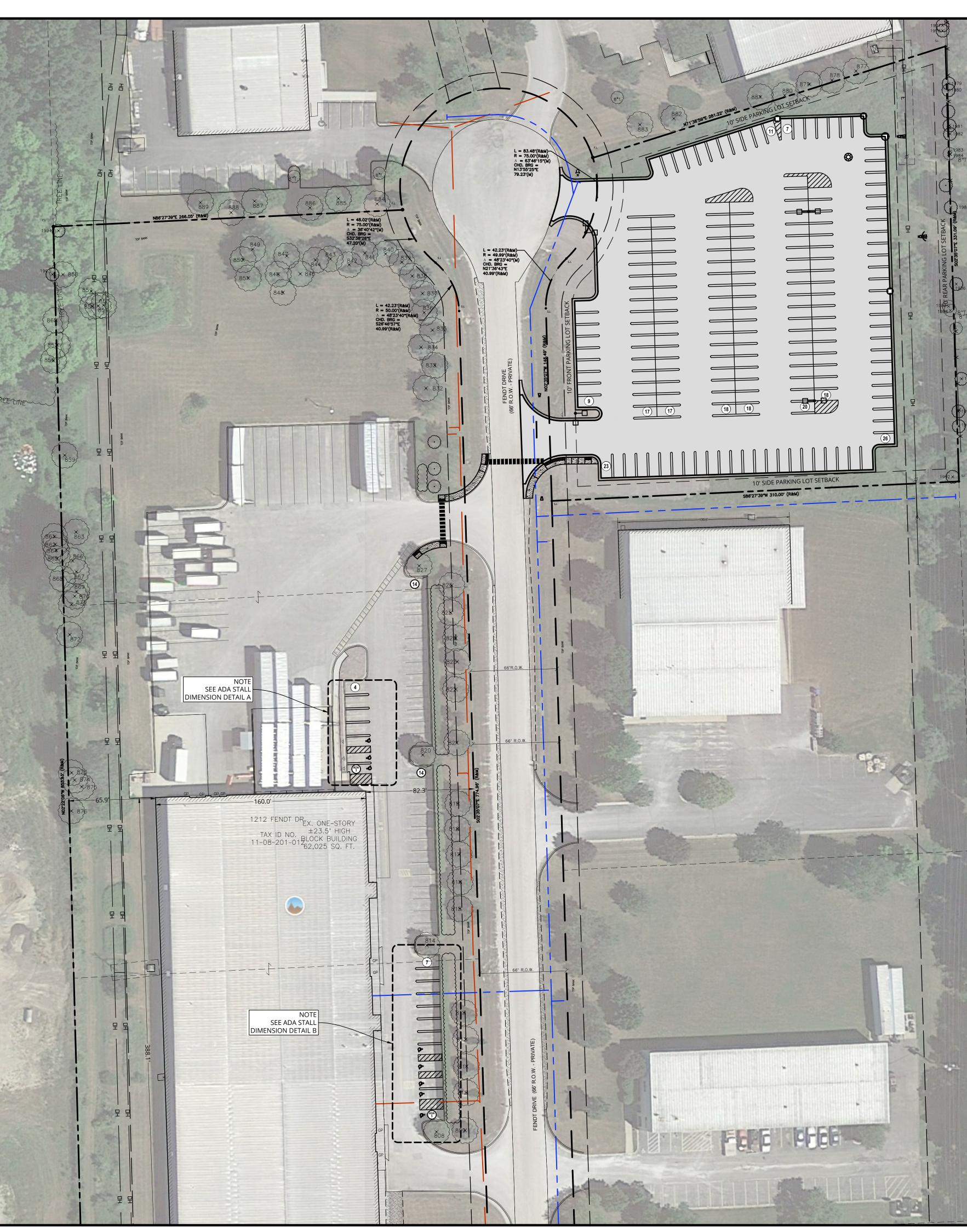
The motion carried unanimously.

OPEN PUBLIC HEARING # 3...Review of a final PUD site plan and environmental impact assessment for the "Premier Genoa Planned Unit Development" phase 1 involving a 37,275 sq.









BENCHMARK DATA EXISTING LEGEND

BM A ARROW ON HYDRANT ELEVATION = 1023.25 (NAVD88 DATUM)

BM B PK NAIL IN POLE ELEVATION = 1017.95 (NAVD88 DATUM)

BM C ARROW ON HYDRANT ELEVATION = 1026.87 (NAVD88 DATUM)

BM D PK NAIL IN POLE ELEVATION = 1024.74 (NAVD88 DATUM)

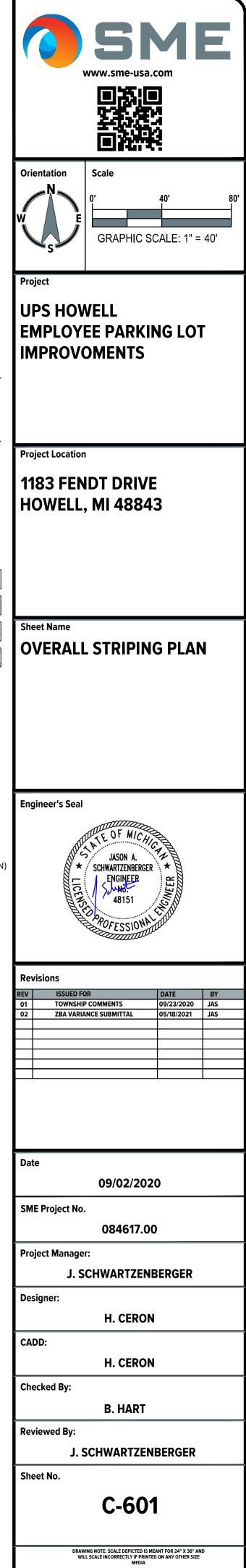
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PROPOSED LEGEND

	PROPOSED ASPHALT CONCRETE PAVEMENT
	PROPOSED CONCRETE SIDEWALK
	PROPOSED CONCRETE PAVEMENT SECTION
	PROPOSED CONCRETE CURB AND GUTTER
	PROPOSED CONCRETE CURB AND GUTTER (REVERSE OR SPILLOUT)
	PROPOSED ADA RAMP (TYPE SPECIFIED PER PLAN WITH TRUNCATED DOME
	FURNISH AND INSTALL CATCH BASIN
Ø	PROPOSED END SECTION
$\mathbf{\nabla}$	PROPOSED STD HYDRANT ASSEMBLY
8	PROPOSED GATE VALVE AND WELL
Ġ.	FURNISH INSTALL BLUE PAINT ADA COMPLIANT BARRIER FREE PARKING LOGO
	PROPOSED SIGN ON POST
00	PROPOSED ADA SIGN ON POST
	FURNISH AND INSTALL 4" WIDE PAINT STRIPES
	FURNISH AND INSTALL STRIPING @ 36" O.C.
	FURNISH AND INSTALLCROSS-WALK STRIPING
* * ~	FURNISH AND INSTALL PAINTED ARROWS
(#) (ADA) (4)	PROPOSED STD./ADA STALL COUNT

PROPOSED PARKING DATA :

PROPOSED EMPLOYEE LOT STD STALLS	= 184
EXISTING FACILITY LOT STD STALLS	= 39
TOTAL OVERALL STD STALLS	= 223
ADA STALLS (STD) REQ'D	= 6
ADA STALLS (STD) PROVIDED	= 6
ADA VAN ACCESSIBLE REQ'D	= 2
ADA VAN ACCESSIBLE PROVIDED	= 2
TOTAL OVERALL STALLS	= 231



ISSUED FOR SITE PLAN APPROVAL

NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR CONSENT OF SME © 2020

Grantor Gr	antee			Sale	Sale	Inst.	Terms of Sale		Lik	Liber		ified	Prcnt
				Price		Туре			& E	& Page		Ву	
A & J CARTAGE COMPANY BT	-OH LLC			240,000	04/28/202	0 CD	03-ARM'S	03-ARM'S LENGTH		2020R-013974		4 BUYER/SELLER	
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RHODES DON & SHIRLEY HA	LLIDAY AL & JA	NE		0	02/27/200	8 QC	21-NOT U	ISED	200)8R-005557	BUYI	ER/SELLER	0.0
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		P.R.E.	08										
Owner's Name/Address		MAP #:	V21-13										
BT-OH LLC				2022 E	st TCV Te	tative							
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ATLANTA GA 30328-3474		Pub	lic					* Fact	ors *				
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SEC 8 T2N R5E GENTECH INDUST	RIAL PARK		vel Road	ł				2.00 Total A	icres 1	Cotal Est.	Land	value =	113,294
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The Equalizer. Copyright (c					2020	30,50	00	0	30,50	00			22,747
Licensed To: Township of Genoa, County of Livingston, Michigan					2019	30,50			30,50				22,323

Genoa Township Zoning Board of Appeals Meeting May 18, 2021 Unapproved Minutes

GENOA CHARTER TOWNSHIP ZONING BOARD OF APPEALS MAY 18, 2021 - 6:30 PM

MINUTES

<u>Call to Order</u>: Vice-Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:34 pm. The members and staff of the Zoning Board of Appeals were present as follows: Marianne McCreary, Bill Rockwell, Jean Ledford, Michelle Kreutzberg, and Amy Ruthig, Zoning Official. Absent was Greg Rassel.

Pledge of Allegiance: The Pledge of Allegiance was recited.

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

Approval of the Agenda:

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

Call to the Public:

The call to the public was made at 6:35 pm with no response.

1. 21-11...A request by Katie and Jared Van Hees, 4077 Anchor Lane, for a rear yard setback variance to construct an addition to an existing single-family home.

Mr. and Mrs. Van Hees were present. Mr. Van Hees stated they are requesting a 10-foot rearyard setback for an addition of a dining area onto their home. Their lot is very shallow and the home was built far from the front setback.

Their builder, Steve Bellenger of Bellenger Builders was present and he stated the application wants to add a nook to the kitchen area and this is the only location where it can be put. They have looked at other options but this is where it would be most useful.

The call to the public was made at 6:40 pm with no response.

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to approve to Case #21-11 for 4077 Anchor Lane for Katie and Jared Van Hees for a rear yard setback variance of 10 feet from the required 40 feet for a 30-foot rear yard setback to construct an addition to a single-family home, based on the following findings of fact:

• Strict compliance with the rear yard setback would prevent the applicant from constructing the proposed addition. There are other homes in the vicinity with reduced rear yard setbacks

Genoa Township Zoning Board of Appeals Meeting May 18, 2021 Unapproved Minutes

that 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.

- The exceptional or extraordinary condition of the property is the shallowness of the lot, location of well, and the location of the existing home. The need for this variance is not self-created and seems to be the least amount necessary.
- 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 residents 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.

The approval is conditioned upon the following:

1. The structure must be guttered with downspouts.

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the April 20, 2021 Zoning Board of Appeals meetings.

Needed changes were noted for both April 20, 2021 meetings.

Moved by Board Member Kreutzberg, seconded by Board Member Rockwell, to approve the minutes of the April 20, 2021 6:30 pm and 7:30 pm meetings as corrected. **The motion carried unanimously.**

- 2. Correspondence Ms. Ruthig stated there are two cases scheduled for next month's meeting.
- 3. Member Discussion

Vice Chairperson McCreary asked if the variance information as well as the applicant's paperwork could be distributed to the Board prior to the entire packet being sent on the Friday before the meeting to allow more time for the Board to review the requests and visit the sites. Ms. Ruthig will try to have them to the Board on Tuesday before the meeting.

4. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member Rockwell, to adjourn the meeting at 7:05 pm. **The motion carried unanimously**.

Respectfully submitted:

Genoa Township Zoning Board of Appeals Meeting May 18, 2021 Unapproved Minutes

Patty Thomas, Recording Secretary