

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS**

**April 15<sup>th</sup>, 2025**

**6:30 P.M.**

**AGENDA**

Call to Order:

Pledge of Allegiance:

Introductions:

Conflict of Interest:

Approval of Agenda:

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

OLD BUSINESS:

1. 25-04...A request by Steve Zacharias, 770 Sunrise Park, for front and rear yard variances, and any other variances deemed necessary by the Zoning Board of Appeals, to build a new single-family home with a deck.

NEW BUSINESS:

2. 25-07...A request by Scott Krueger, 4500 Clifford Road, for side and front yard variances and any other variances deemed necessary by the Zoning Board of Appeals, for the construction of a garage.
3. 25-08...A request by John and Stephanie Prout, 4400 Brighton Road, for a use variance, and any other variances deemed necessary by the Zoning Board of Appeals, to allow chickens to be kept on the property.

ADMINISTRATIVE BUSINESS:

1. Approval of minutes for the March 18<sup>th</sup>, 2025 Zoning Board of Appeals meeting.
2. Correspondence
3. Member Discussion
4. Adjournment

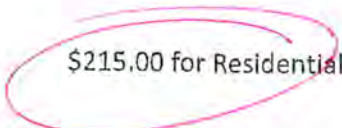
\*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented. Anyone speaking on an agenda item will be limited to 2 minutes.



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

Case # 25-04 Meeting Date: 3-18-25 @ 6:30

PAID Variance Application Fee



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

Applicant/Owner: STEVE ZACHARIAS Email: ZACHARIAS STEVE @ YAHOO.COM

Property Address: 770 SUNSHINE PARK ST Phone: 248-321-7898

Present Zoning: LRR Tax Code: 4711-09-201-112

**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: CHANGE FRONT AND REAR SET BACKS, REGARDING HOUSE AND DECK

Please note that the packet and staff report for your scheduled Zoning Board of Appeals meeting will be available to review at <https://www.genoa.org/government/boards/zoningboard> five days prior to the meeting.

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

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

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

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

TOP ROAD AREA IS THE MOST FLAT, DEMO EXISTING HOUSE  
PRIOR APPROVAL FOR SINGLE FAMILY RESIDENCE EXPIRED

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.

WE WOULD LIKE TO COMBINE THE LOTS, DEMO TWO OLD COTTAGES  
AND REPLACE WITH ONE

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.

COMBINING LOTS, DEMO 2 EXISTING UNITS AND REPLACING  
WITH ONE WELL ENHANCE AREA

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.

REPLACING TWO VERY OLD HOUSES WITH 1

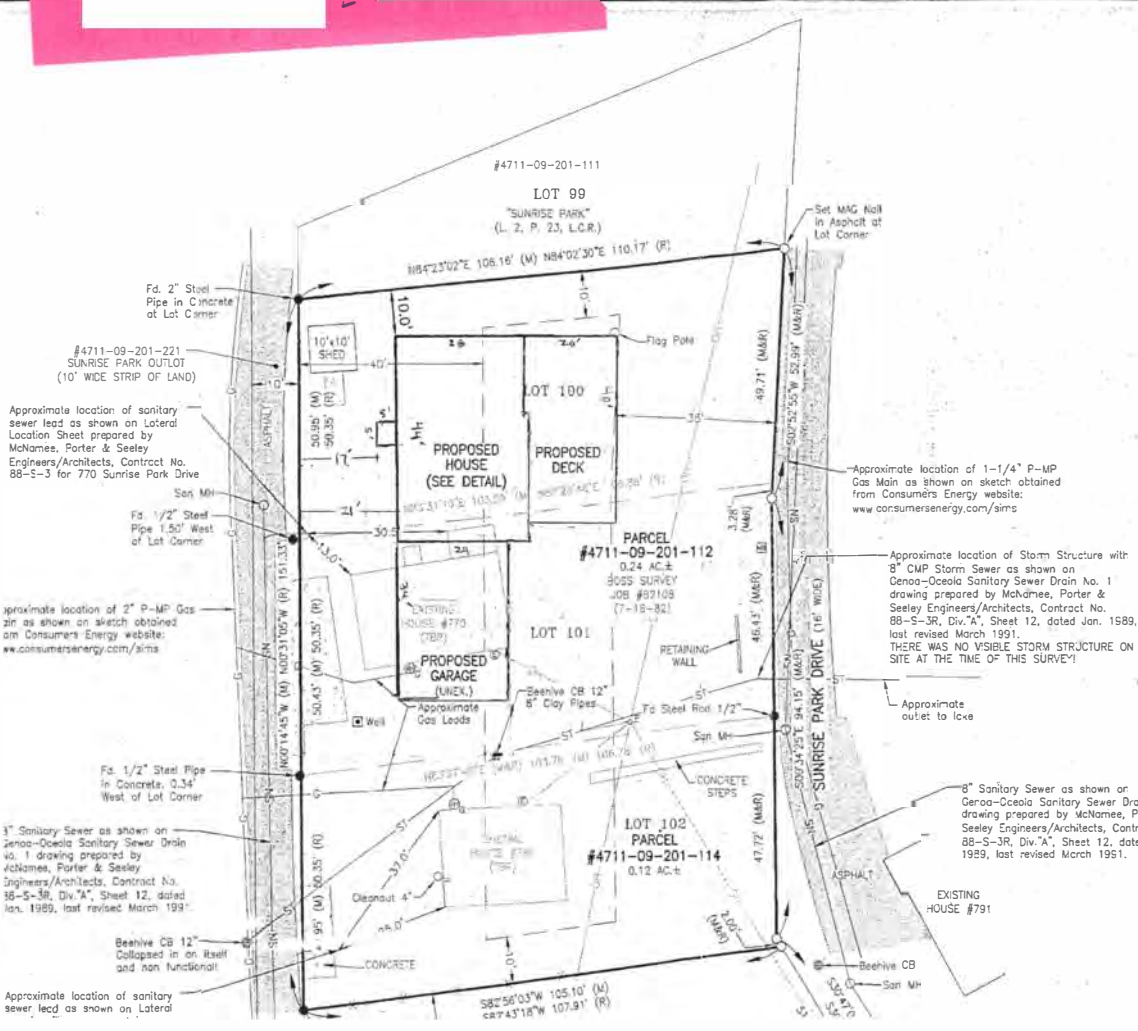
Attendance by the applicant is required at the Zoning Board of Appeals meeting.

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

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

Date: 2/12/2025 Signature: [Signature]





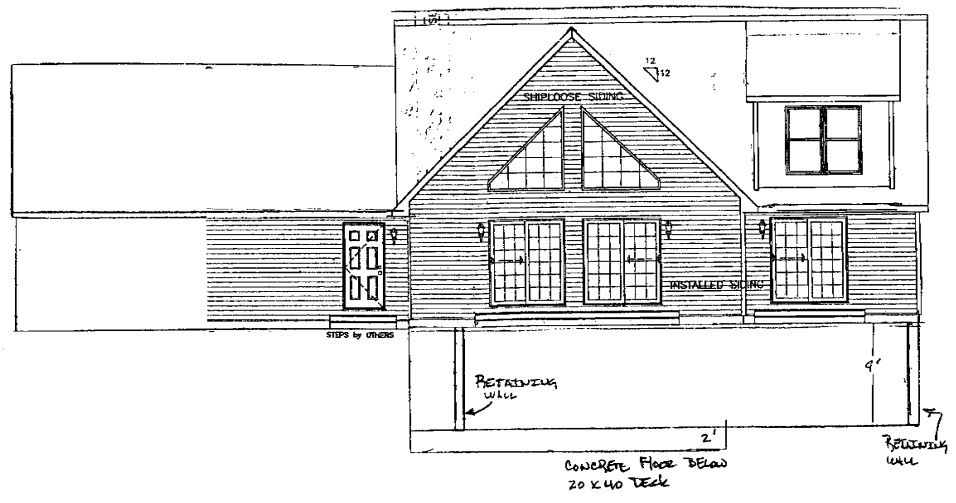
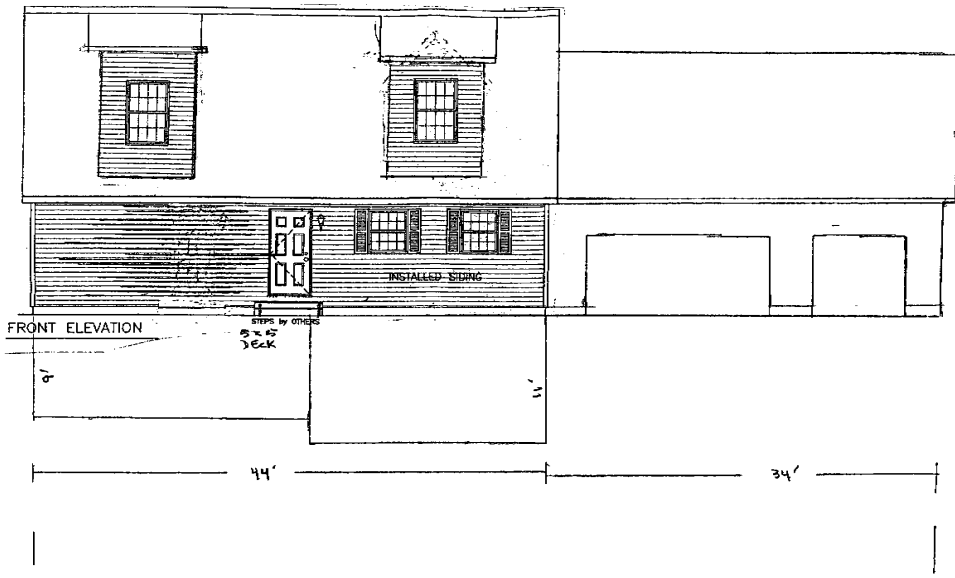
**GENERAL SURVEY NOTES**

1. BEARINGS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF-RECORD-NOT DEPICTED ON THIS DRAWING MAY EXIST.
4. THE LOCATIONS OF STORM SEWER, GAS MAIN & SANITARY SEWER, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES ALONG WITH DRAWINGS PREPARED BY McNAMEE, PORTER & SEELEY.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
6. ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.

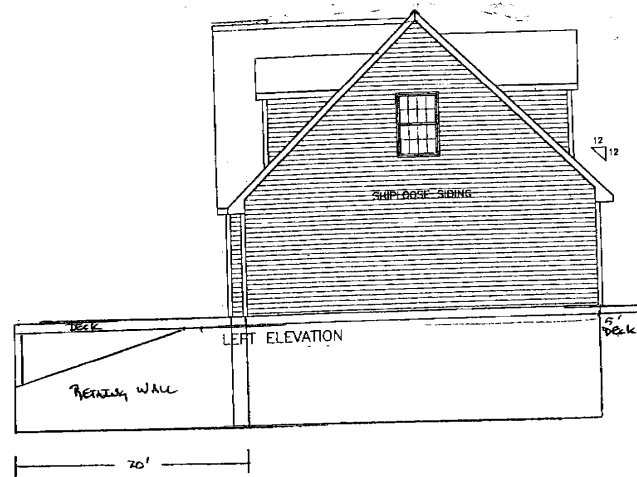
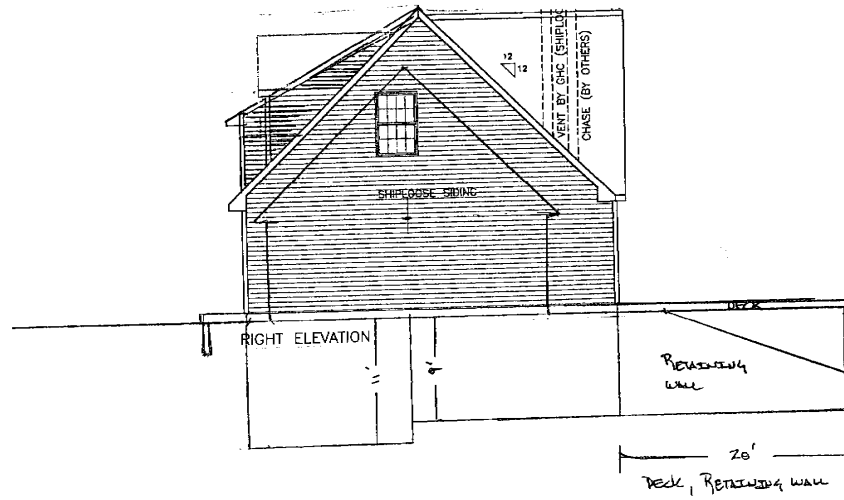
**LEGEND**

- P POWER POLE
- I GUY WIRE
- ⊙ ELECTRICAL METER
- ⊞ WELL
- MANHOLE
- <sub>ca</sub> CLEANOUT
- ⊕ STORM CATCH BASIN
- ⊙ GAS METER
- ⊞ MAILBOX
- STEEL ROD SET (UNLESS NOTED OTHERWISE)
- STEEL ROD OR PIPE FOUND
- SN- SANITARY SEWER
- S- STORM SEWER
- G- GAS MAIN
- OH- OVERHEAD WIRES
- X- FENCE
- SAN MH SANITARY MANHOLE
- L LIBER
- P PAGE
- L.C.R. LIVINGSTON COUNTY RECORDS
- (M&R) MEASURED AND RECORD
- (TBR) TO BE REMOVED

CURRENT ZONING: LRR



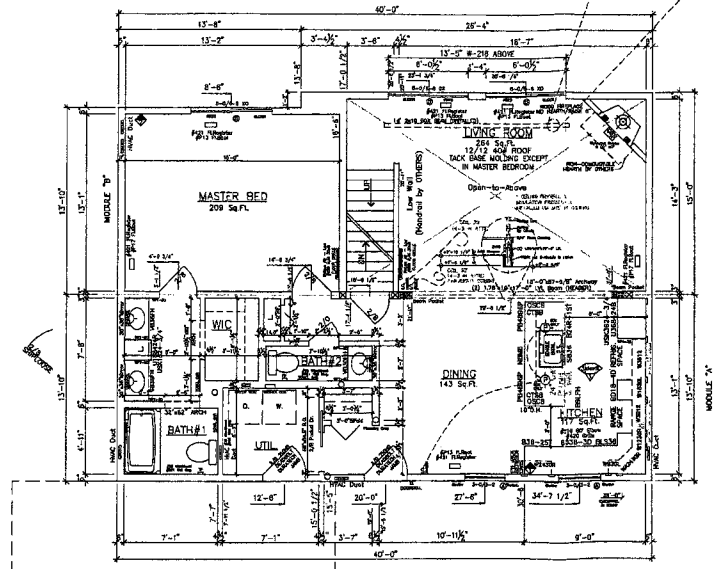
SCALE 1/8"



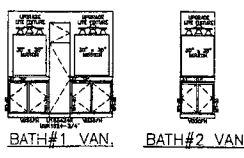
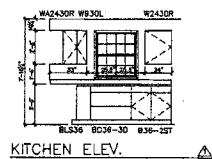
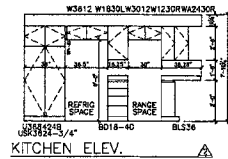
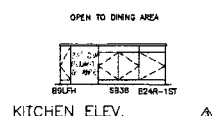
VINYL 250 W/ GRILLES			
①	3-0/3-2	DH	36.5"x60.5"
②	3-4/5-0	DH	40.5"x60.5"
③	6-8/5-0	DHW2	80.5"x60.5" EGRESS (6.6)
④	6-0/6-8	6'SD	72.5"x60" EGRESS (6.6x2)
⑤	3-0/3-0	DH	36.5"x60.5" EGRESS

**ADVANTAGE SPIRCS**

- Special Rating:
- 1. 2 1/2" G. Framing @ 16" o.c.
  - 2. 5/8" Ply. Sheathing @ 16" o.c. (4-1/2")
  - 3. 1/2" G. Insulation @ 16" o.c.
  - 4. 1/2" G. Insulation @ 16" o.c.
  - 5. PLUMBING Faucets
  - 6. NO KITCHEN SINKETS
  - 7. DEXTER LOCKETS



**FLOOR PLAN (BASEMENT) 28x40 RIVERVIEW...11036**  
 1150 SQ.FT.(1st FL.) + 522 SQ.FT.(2nd FL.) = 1672 TOTAL SQ.FT.  
 SCALE 1/8" = 1'-0"



DRN 7-10-13 KSL  
 REV 08/13/13  
 GENERAL HOUSING CORPORATION  
 OFFICE: 4660 E. WILDER RD. 4644 FRASER RD.  
 BAY CITY, MI 49706 BAY CITY, MI 49708

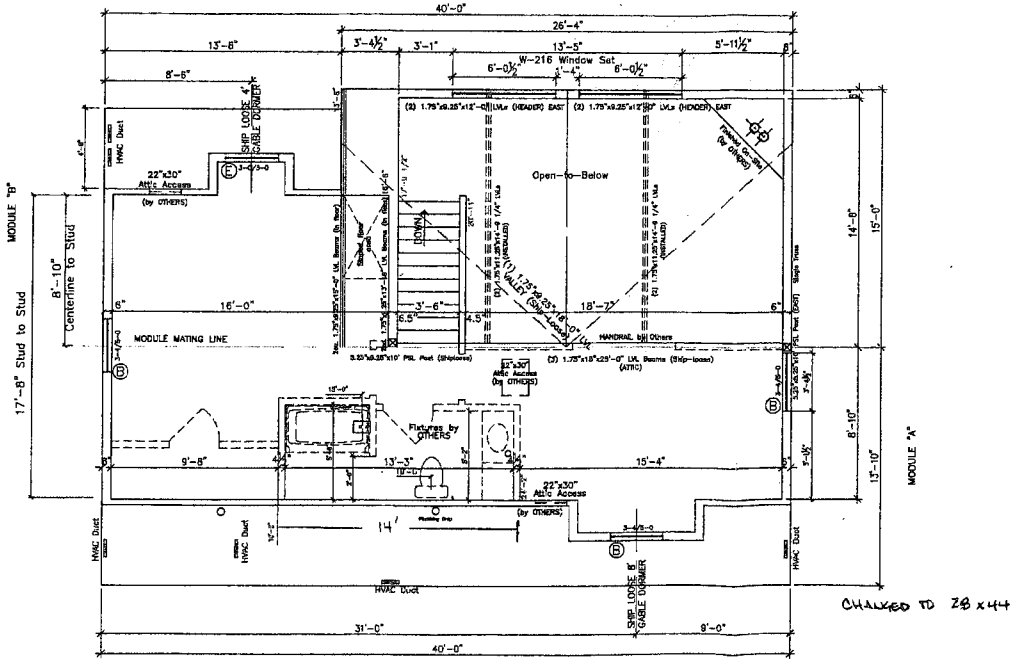
Copyright 2024 General Housing Corp.  
 MODEL #6037  
 TITLE RIVERVIEW 28x40...11036  
 Basement, End Kitchen, R.H.  
 SHEET A-2 of 6  
 FLOOR PLAN...1/4" 12/8/16 2-3/16"

CHANGED TO 28x44 #6037

VINYL 250 W/ GRILLES			
(A)	3-0/3-2	DH	36.5"x38.5"
(B)	3-4/5-0	DH	40.5"x60.5"
(C)	8-8/5-0	DHx2	80.5"x60.5"
(D)	6-0/6-8	6'SGD	72.5"x80"
(E)	3-C/5-0	DH	36.5"x60.5"
			EGRESS (6.6)
			EGRESS (6.6x2)
			EGRESS

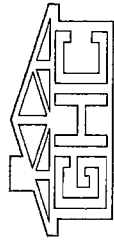
**ADVANTAGE SPEEDS**

- (partial listing)
- 1. 2X10 Ft. Framing @ 16" o.c.
  - 2. Sub. and Plumbing
  - 3. 2x8 Pl. Walls @ 16" o.c. (2-18)
  - 4. PELLA Vinyl SH Windows
  - 5. PIERLESS FLOORS
  - 6. No Kitchen Scaffolding
  - 7. Dexter Locksets



DRN 2-10-15 KSL  
REV 10/4/18 AST  
09/30/20 CMT  
11/3/20 CMT  
12-3-20 KSL

**GENERAL HOUSING CORPORATION**  
OFFICE: 4650 E. WILDER RD., 4844 FRASER RD., BAY CITY, MI 48706  
PLANT: BAY CITY, MI 48706



all Housing Corp.  
TITLE IVERVIEW 28x40... 11036  
assessment, End Kitchen, R.H.  
DOOR PLAN... 1/4"







**Genoa Township**

2911 Dorr Rd. Brighton, MI 48116

Phone: 810.227.5225 Fax: 810.227.3420 www.genoa.org

**Planning & Zoning**

<b>Land Use Waiver</b>
<b>Demolition</b>

**PW24-155**

Issued: 11/13/2024  
Expires: 11/13/2025

LOCATION	OWNER	APPLICANT
770 SUNRISE PARK ST 4711-09-201-112 Zoning: LRR	ZACHARIAS FAMILY TRUST 49276 HARVEST DR PLYMOUTH MI 48170 Phone: (248) 321 7878 E-mail: zachariassteve@yahoo.com	EBI/ General Housing Corp 10454 Grand River Brighton MI 48116 Phone: (810) 227 8180 E-mail:

**Work Description:** Demolition of single family home

**Construction Value:** \$6,000.00

**Total Square Feet:**

**Comments/ Conditions:** THIS IS A LAND USE WAIVER ONLY. IT IS THE APPLICANT'S RESPONSIBILITY TO CONTACT THE LIVINGSTON COUNTY BUILDING DEPARTMENT TO DETERMINE IF BUILDING PERMITS ARE NECESSARY PRIOR TO STARTING ANY WORK.

**Flood Plain:** NA

Permit Item	Permit Fee	Fee Basis	Item Total
-------------	------------	-----------	------------

Fee Total:	\$0.00
Amount Paid:	\$0.00
<b>Balance Due:</b>	<b>\$0.00</b>

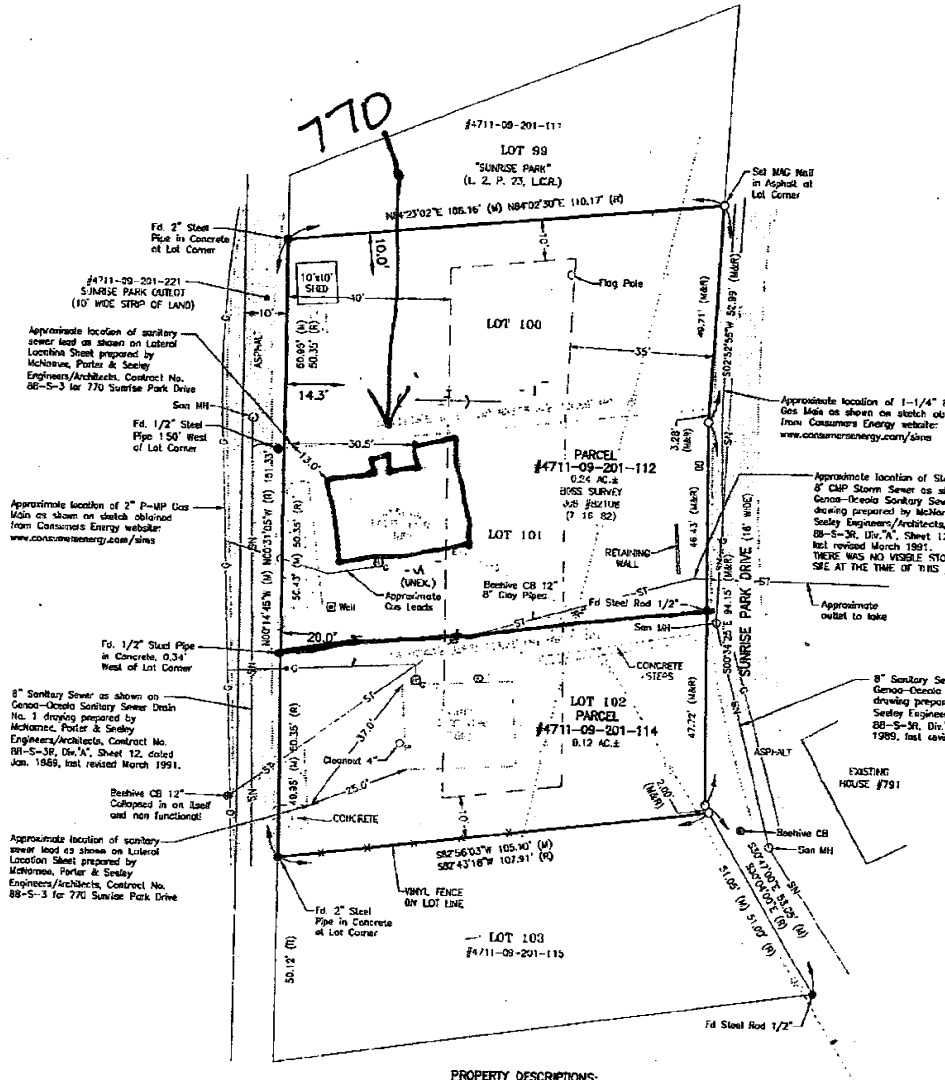
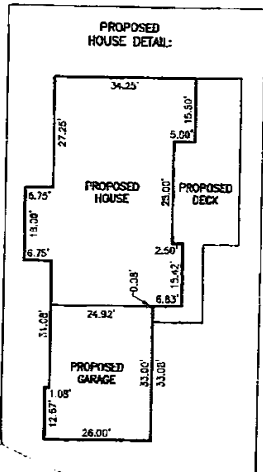
Issuance of this waiver confirms the applicants certification that all information and data attached to and made part of this waiver are true and accurate and to the best of the applicants knowledge and belief. The applicant has certified that the proposed work has been authorized by the owner of record and that the applicant has been authorized by the owner to obtain this waiver 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 waiver authorizes on-site inspections by an official representative of Genoa Charter Township. This waiver 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.

# PLOT PLAN



SCALE: 1 INCH = 20 FEET

GENOA TOWNSHIP  
NOV 13 2024  
WAIVER APPROVED



- GENERAL SURVEY NOTES:**
- BEARINGS WERE ESTABLISHED FROM THE PLAT OF 'SUNRISE PARK', AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.
  - SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
  - EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
  - THE LOCATIONS OF STORM SEWER, GAS MAIN & SANITARY SEWER, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES ALONG WITH DRAWINGS PREPARED BY HANWEE, PORTER & SEELEY.
  - ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
  - ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE: 1-800-482-7171.

- LEGEND**
- P— POWER POLE
  - G— GUT WIRE
  - E— ELECTRICAL METER
  - W— WELL
  - M— MANHOLE
  - C— CLEANOUT
  - S— STORM CATCH BASIN
  - G— GAS METER
  - M— MALLOX
  - S— STEEL ROD SET (UNLESS NOTED OTHERWISE)
  - P— STEEL ROD OR PIPE FOUND
  - S— SANITARY SEWER
  - S— STORM SEWER
  - G— GAS MAIN
  - F— OVERHEAD WIRES
  - X— FENCE
  - S— SANITARY MANHOLE
  - L— LIBER
  - P— PAGE
  - L.C.R.— LIVINGSTON COUNTY RECORDS
  - (M&R)— MEASURED AND RECORDED
  - (T&R)— TO BE REMOVED

**CURRENT ZONING: LRR (LAKESHORE RESIDENTIAL)**  
**MINIMUM SETBACK REQUIREMENTS:**  
 FRONT = 35 FEET  
 SIDES = 10 FEET  
 REAR = 40 FEET  
**MINIMUM LOT AREA = 12,800 SQ. FT.**  
**MINIMUM LOT WIDTH = 50 FEET**  
**MAXIMUM LOT COVERAGE = 35% BLDG. 5000 SQ. FT. SUR.**  
**MAXIMUM BUILDING HT. = 25 FEET OR (2) STORES**

In the LRR Zoning District one of the side yards may be reduced to a minimum of five (5) feet where all of the following are met:  
 (1) The other side yard must be at least ten (10) feet.  
 (2) The distance between the building and any building on the adjacent lot shall be no less than ten (10) feet.  
 (3) The roof shall have gutters. (as amended 3/5/10)

**PROPERTY DESCRIPTIONS:**

**PARCEL #4711-09-201-112 (770 SUNRISE PARK DR.)**  
 LOTS 100 AND 101 OF 'SUNRISE PARK', A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 9 AND A PART OF THE SOUTHEAST 1/4 OF SECTION 4, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.

**PARCEL #4711-09-201-114 (780 SUNRISE PARK DR.)**  
 LOT 102 OF 'SUNRISE PARK', A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 9 AND A PART OF THE SOUTHEAST 1/4 OF SECTION 4, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.

THE LOCATION AND DEPTH OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS GIVEN FOR THE ACCURACY OF THESE UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION AND DEPTH OF EXISTING UTILITIES AND PROTECTING THEM THROUGHOUT THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY UTILITIES ARE FOUND TO BE DEEPER OR OTHERWISE DIFFERENT FROM THE DRAWINGS.

MISS DIG BEFORE YOU DIG  
 CALL MISS DIG  
 1-800-482-7171

**BOSS Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 517-546-6836 FAX 517-546-1670

PROJECT	"SUNRISE PARK" LOTS 100-102	
PREPARED FOR	CHOUINARD CUSTOM HOMES	
DATE	0-9-22	
NO.	1	OF 1
ADD PROPOSED HOUSE		
SET LOT CORNERS & LOCATE STORM		
REVISION PCH		
DRAWN BY:	AEB	
FIELD CREW:	RR/CZ	
CHECKED BY:		
SCALE:	1" = 20'	
JOB NO.:	21-520	
DATE:	1-18-22	
SHEET NO.:	1 OF 1	



**Genoa Township**

2911 Dorr Rd. Brighton, MI 48116

Phone: 810.227.5225 Fax: 810.227.3420 www.genoa.org

**Planning & Zoning**

**Land Use Waiver**

**Demolition**

**PW24-156**

Issued: 11/13/2024

Expires: 11/13/2025

LOCATION	OWNER	APPLICANT
780 SUNRISE PARK 4711-09-201-114 Zoning: LRR	ZACHARIAS FAMILY TRUST 49276 HARVEST DR PLYMOUTH MI 48170 Phone: (248) 321 7878 E-mail: zachariassteve@yahoo.com	EBI/ General Housing Corp 10454 Grand River Brighton MI 48116 Phone: (810) 227 8180 E-mail:

**Work Description:** Demolition of home. Any accessory buildings on property must also be removed.

**Construction Value:** \$5,000.00

**Total Square Feet:**

**Comments/ Conditions:** THIS IS A LAND USE WAIVER ONLY. IT IS THE APPLICANT'S RESPONSIBILITY TO CONTACT THE LIVINGSTON COUNTY BUILDING DEPARTMENT TO DETERMINE IF BUILDING PERMITS ARE NECESSARY PRIOR TO STARTING ANY WORK.

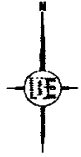
**Flood Plain:** NA

Permit Item	Permit Fee	Fee Basis	Item Total
-------------	------------	-----------	------------

Fee Total: \$0.00  
 Amount Paid: \$0.00  
 Balance Due: \$0.00

Issuance of this waiver confirms the applicants certification that all information and data attached to and made part of this waiver 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 waiver 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 waiver authorizes on-site inspections by an official representative of Genoa Charter Township. This waiver 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.

# PLOT PLAN

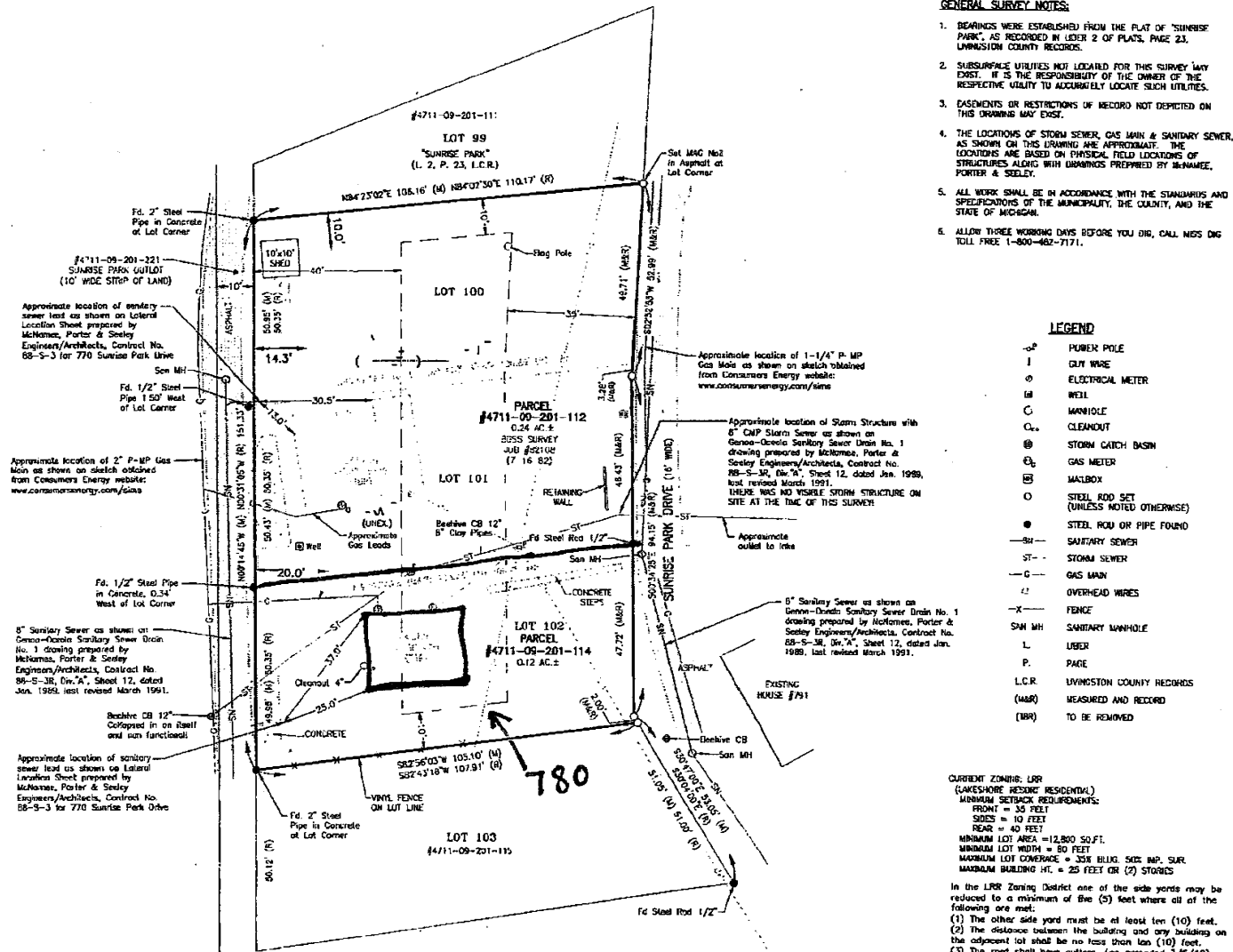
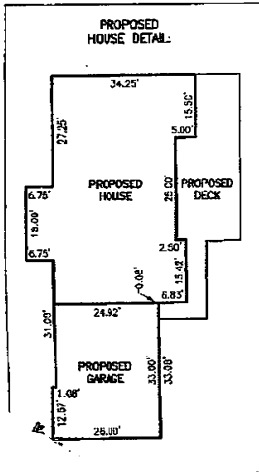


SCALE: 1 INCH = 20 FEET

GENOA TOWNSHIP

NOV 13 2024

WAIVER APPROVED



- GENERAL SURVEY NOTES:**
- BEARINGS WERE ESTABLISHED FROM THE PLAT OF "SUNRISE PARK", AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.
  - SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
  - EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
  - THE LOCATIONS OF STORM SEWER, GAS MAIN & SANITARY SEWER, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES ALONG WITH DRAWINGS PREPARED BY McNAMEE, PORTER & SEELEY.
  - ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
  - ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MGS DIG TOLL FREE 1-800-482-7171.

- LEGEND**
- P- PUBLIC POLE
  - I- GUY WIRE
  - E- ELECTRICAL METER
  - W- WELL
  - C- MANHOLE
  - CL- CLEANOUT
  - SC- STORM CATCH BASIN
  - GM- GAS METER
  - M- MAILBOX
  - O- STEEL ROD SET (UNLESS NOTED OTHERWISE)
  - R- STEEL ROD OR PIPE FOUND
  - SS- SANITARY SEWER
  - ST- STORM SEWER
  - G- GAS MAIN
  - L- OVERHEAD WIRES
  - X- FENCE
  - SM MH- SANITARY MANHOLE
  - L- LIBER
  - P- PAGE
  - L.C.R- LIVINGSTON COUNTY RECORDS
  - M&R- MEASURED AND RECORDED
  - M&R- TO BE REMOVED

**PROPERTY DESCRIPTIONS:**

PARCEL #4711-09-201-112 (770 SUNRISE PARK DR.) LOTS 100 AND 101 OF "SUNRISE PARK", A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 9 AND A PART OF THE SOUTHWEST 1/4 OF SECTION 4, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.

PARCEL #4711-09-201-114 (780 SUNRISE PARK DR.) LOT 102 OF "SUNRISE PARK", A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 9 AND A PART OF THE SOUTHWEST 1/4 OF SECTION 4, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.

**CURRENT ZONING: LRR (LAKESHORE RESID. RESIDENTIAL)**  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 35 FEET  
 SIDES = 10 FEET  
 REAR = 40 FEET  
 MINIMUM LOT AREA = 12,800 SQ.FT.  
 MINIMUM LOT WIDTH = 80 FEET  
 MAXIMUM LOT COVERAGE = 30% BLDG. 50% IMP. SUR.  
 MAXIMUM BUILDING HT. = 25 FEET OR (2) STORES

In the LRR Zoning District one of the side yards may be reduced to a minimum of five (5) feet where all of the following are met:  
 (1) The other side yard must be at least ten (10) feet.  
 (2) The distance between the building and any building on the adjacent lot shall be no less than ten (10) feet.  
 (3) The rear shall have gutters. (as amended 3/5/10)

THIS LOCATION AND FINISH OF CURBS, LANDSCAPING, UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. THE CONTRACTOR IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECONSTRUCTING THE EXACT LOCATION AND DEPTH OF EXISTING UTILITIES AND PROPOSED UTILITY CONDITIONS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY CONFLICTS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171

**DEBOSS Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 517.546.4836 FAX 517.548.1670

**PROJECT:** "SUNRISE PARK" LOTS 100-102  
**PREPARED FOR:** CHOUINARD CUSTOM HOMES  
 8327 SUNRISE PARK DRIVE  
 HOWELL, MI 48843  
 517-546-6587

**TITLE:** PLOT PLAN

NO.	DATE	REVISION PER
1	1-24-22	8-B-22
2	1-24-22	8-B-22
3	1-24-22	8-B-22
4	1-24-22	8-B-22
5	1-24-22	8-B-22
6	1-24-22	8-B-22
7	1-24-22	8-B-22
8	1-24-22	8-B-22
9	1-24-22	8-B-22
10	1-24-22	8-B-22
11	1-24-22	8-B-22
12	1-24-22	8-B-22
13	1-24-22	8-B-22
14	1-24-22	8-B-22
15	1-24-22	8-B-22
16	1-24-22	8-B-22
17	1-24-22	8-B-22
18	1-24-22	8-B-22
19	1-24-22	8-B-22
20	1-24-22	8-B-22
21	1-24-22	8-B-22
22	1-24-22	8-B-22
23	1-24-22	8-B-22
24	1-24-22	8-B-22
25	1-24-22	8-B-22
26	1-24-22	8-B-22
27	1-24-22	8-B-22
28	1-24-22	8-B-22
29	1-24-22	8-B-22
30	1-24-22	8-B-22
31	1-24-22	8-B-22
32	1-24-22	8-B-22
33	1-24-22	8-B-22
34	1-24-22	8-B-22
35	1-24-22	8-B-22
36	1-24-22	8-B-22
37	1-24-22	8-B-22
38	1-24-22	8-B-22
39	1-24-22	8-B-22
40	1-24-22	8-B-22
41	1-24-22	8-B-22
42	1-24-22	8-B-22
43	1-24-22	8-B-22
44	1-24-22	8-B-22
45	1-24-22	8-B-22
46	1-24-22	8-B-22
47	1-24-22	8-B-22
48	1-24-22	8-B-22
49	1-24-22	8-B-22
50	1-24-22	8-B-22
51	1-24-22	8-B-22
52	1-24-22	8-B-22
53	1-24-22	8-B-22
54	1-24-22	8-B-22
55	1-24-22	8-B-22
56	1-24-22	8-B-22
57	1-24-22	8-B-22
58	1-24-22	8-B-22
59	1-24-22	8-B-22
60	1-24-22	8-B-22
61	1-24-22	8-B-22
62	1-24-22	8-B-22
63	1-24-22	8-B-22
64	1-24-22	8-B-22
65	1-24-22	8-B-22
66	1-24-22	8-B-22
67	1-24-22	8-B-22
68	1-24-22	8-B-22
69	1-24-22	8-B-22
70	1-24-22	8-B-22
71	1-24-22	8-B-22
72	1-24-22	8-B-22
73	1-24-22	8-B-22
74	1-24-22	8-B-22
75	1-24-22	8-B-22
76	1-24-22	8-B-22
77	1-24-22	8-B-22
78	1-24-22	8-B-22
79	1-24-22	8-B-22
80	1-24-22	8-B-22
81	1-24-22	8-B-22
82	1-24-22	8-B-22
83	1-24-22	8-B-22
84	1-24-22	8-B-22
85	1-24-22	8-B-22
86	1-24-22	8-B-22
87	1-24-22	8-B-22
88	1-24-22	8-B-22
89	1-24-22	8-B-22
90	1-24-22	8-B-22
91	1-24-22	8-B-22
92	1-24-22	8-B-22
93	1-24-22	8-B-22
94	1-24-22	8-B-22
95	1-24-22	8-B-22
96	1-24-22	8-B-22
97	1-24-22	8-B-22
98	1-24-22	8-B-22
99	1-24-22	8-B-22
100	1-24-22	8-B-22
101	1-24-22	8-B-22
102	1-24-22	8-B-22
103	1-24-22	8-B-22
104	1-24-22	8-B-22
105	1-24-22	8-B-22
106	1-24-22	8-B-22
107	1-24-22	8-B-22
108	1-24-22	8-B-22
109	1-24-22	8-B-22
110	1-24-22	8-B-22
111	1-24-22	8-B-22
112	1-24-22	8-B-22
113	1-24-22	8-B-22
114	1-24-22	8-B-22
115	1-24-22	8-B-22
116	1-24-22	8-B-22
117	1-24-22	8-B-22
118	1-24-22	8-B-22
119	1-24-22	8-B-22
120	1-24-22	8-B-22

**DRAWN BY:** AEB  
**FIELD CREW:** RR/CZ  
**CHECKED BY:** RR/CZ  
**SCALE:** 1" = 20'  
**JOB NO.:** 21-520  
**DATE:** 1-18-22  
**SHEET NO.:** 1 OF 1



**LIVINGSTON COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH DIVISION**

2300 E. Grand River, Suite 102 \* Howell, Michigan 48843-7578  
(517) 546-9858 \* (517) 546-9853

www.lchd.org

**Application for EH Review of Property Additions and Modifications**

Residential  Commercial  Review Permit # \_\_\_\_\_

LOCATION OF PROPERTY <i>Please Print or Type</i>		
Address	City/Village	Zip
Township <u>GENOA</u>	Tax Code#	Section

A. OWNER	
Name <u>ZACHARIAS, TEBE + STEVE</u>	Phone
Address <u>49276 HARVEST DR</u>	
City/State/Zip <u>PLYMOUTH, MI 48170</u>	E-Mail <u>ZACHARIASSTEVE@YAHOO.COM</u> <u>TEBE.ZACHARIAS@YAHOO.COM</u>

CONTRACTOR (if applicable)	
Name <u>EBI, INCORPORATED</u>	Phone <u>810-227-8180</u>
Address <u>10454</u>	
City/State/Zip <u>GRAND RIVER MI 48816</u>	E-Mail <u>EBI.ROGER@ATT.NET</u>

**Please answer the following questions that apply to your project:**

Sanitary service: municipal (city sewer)  private septic system

If septic: distance from project to septic \_\_\_\_\_ ft. Accessible for maintenance after project? yes  no

Water supply: municipal (city water)  private well  If well: casing (pipe) diameter: 4"  5"  Other

If private well: distance from project to well \_\_\_\_\_ ft. Accessible for maintenance after project? yes  no

Proposed demolition? yes  no  Rebuilding after demolition: yes  no

Constructing an accessory structure?  
(garage, pole barn, pool, deck, etc.) yes  no  Plumbing installed? yes  no

Increasing living space in home? yes  no  If yes: original ft<sup>2</sup> \_\_\_\_\_ proposed ft<sup>2</sup> \_\_\_\_\_

Adding additional bedrooms? yes  no  If yes: original bedrooms \_\_\_\_\_ proposed bedrooms \_\_\_\_\_

Municipal hook-up only: Sewer yes  no  Water yes  no  Converting to irrigation yes  no

**PROJECT DESCRIPTION: (include as applicable: type of living space, type of structure, increase in living space, alteration to structure, roof changes, etc.) Let us know, in as much detail as possible, your proposal**

FORMERLY 780 SUNRISE PARK ST

All proposals must include a complete and accurate site plan (with dimensions), and include all existing and proposed structures, location of roads, easements, steep slopes, surface water, wetlands, well and septic systems. Include project plans and/or existing and proposed floor plans and elevations if an increase in living space or a complete interior remodeling is proposed.

The undersigned, property owner or representative, certifies the accuracy of the completed application and attached documents. The undersigned acknowledges any deviation from the submitted application will void LCHD approval.

\_\_\_\_\_  
Applicant's Signature Printed Name Date

\*\*\*\*\* For Office Use Only \*\*\*\*\*

Receipt # \_\_\_\_\_ Amount \$ \_\_\_\_\_ Check/Appv # \_\_\_\_\_ Payer \_\_\_\_\_





**LIVINGSTON COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH DIVISION**

2300 E. Grand River, Suite 102, Howell, Michigan 48843-7578  
Phone (517) 546-9858 Fax (517) 546-9853 www.lchd.org

**Application for Sewage Disposal and/or Water Supply Facilities For  
Single, Two Family, Industrial, Commercial & Multiple Family Dwellings**

Residential  New Construction  Irrigation  Septic Permit # \_\_\_\_\_  
Commercial  Replacement  Tank Only  Well Permit # \_\_\_\_\_

**LOCATION OF BUILDING** *Please Print or Type*

Address 770/780 sunrise park st.	City/Village Howell	Zip 48843
Township Genoa	Tax Code #	Section 9
Subdivision	Lot/Parcel #	Acreage
Directions		

**Residential only:**  
 Geothermal Heating/Cooling: yes  no  Type: \_\_\_\_\_ If yes, must be included on site plan  
 Is plumbing elevation lower than the septic tank making it necessary to install a sewage lift pump? yes  no   
 Number of Bedrooms (Required) \_\_\_\_\_ Den/office proposed yes  no

**Commercial only:** Business Name: \_\_\_\_\_  
 Premise Usage \_\_\_\_\_ # of Employees/Occupants \_\_\_\_\_  
 Max. Est. Daily Wastewater Flow \_\_\_\_\_ How determined \_\_\_\_\_

**OWNER**  
 Name TERI AND STEVE ZACHARIAS Phone 248-321-7878  
 Address 49276 HARVEST DR ZACHARIAS STEVE @ 44400.COM  
 City/State/Zip PLYMOUTH, MI 48170 E-Mail TERI ZACHARIAS @ YAHOO.COM

**CONTRACTOR for Sewage Disposal System**  
 Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_ E-Mail \_\_\_\_\_

**CONTRACTOR for Water Supply**  
 Name ADAMS WELL DRILLING Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_ E-Mail \_\_\_\_\_

**BUILDER**  
 Name EBI, INCORPORATED Phone 810-227-8180  
 Address 10454 GRAND RIVER RD  
 City/State/Zip BRIGHTON, MI 48116 E-Mail EBI.ROGER@ATT.NET

I hereby apply for this permit and have authorization to do so. I understand this is a construction permit only and the sewage disposal system and/or well is not to be put into service until final written approval has been granted. I further state the information given herein is accurate and complete.

\_\_\_\_\_  
 Applicant's Signature \_\_\_\_\_  
Date

\*\*\*\*\* For Office Use Only \*\*\*\*\*

Receipt # \_\_\_\_\_ Amount \$ \_\_\_\_\_ Check/Appv # \_\_\_\_\_ Payer \_\_\_\_\_

GENOA TOWNSHIP  
2911 DORR RD  
BRIGHTON, MI 48116

Received From:

Date: 02/12/2025    Time: 11:52:17 AM  
Receipt: 135073  
Cashier: cash

4711-09-201-112  
770 SUNRISE PARK  
EBI INC.

Batch: 020125	
ITEM REFERENCE	AMOUNT
ZBA APPLICATION FEE	
APPLICATION FEE	\$215.00
TOTAL	\$215.00
CHECK 13124	\$215.00
Total Tendered:	\$215.00
Change:	\$0.00

HAVE A GOOD DAY

Have a great day!



# MEMORANDUM

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

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Carrie Aulette, Zoning Official  
**DATE:** February 25, 2025  
**RE:** ZBA 25-04

---

**File Number:** ZBA#25-04

**Site Address:** 770 Sunrise Park Street

**Parcel Number:** 4711-09-201-112/11-09-201-114

**Parcel Size:** 0.369 acres

**Applicant:** Steve Zacharias

**Property Owner:** Same as applicant

**Information Submitted:** Application, site plan, building plans

**Request:** Dimensional Variance

**Project Description:** Applicant is requesting a front yard and rear yard setback variance to construct a new home.

**Zoning and Existing Use:** LRR (Lake Resort Residential), Single Family Residential

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday March 3, 2025 and 300-foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

**Background**

The following is a brief summary of the background information we have on file:

- Per Township records, the existing homes on both parcels are set to be demolished and lots combined.
- See Record Cards.
- The property is serviced by public sewer and a private well.
- The parcel does not require a grinder pump. Utility Dept. approval is not required.

**SUPERVISOR**

Kevin Spicher

**CLERK**

Janene Deaton

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

**MANAGER**

Kelly VanMarter

## Summary

The applicant is proposing to combine two lots (11-09-201-112 & 11-09-201-114), demolish the existing two homes and accessory buildings and construct a new home with attached garage and rear deck. Applicant is requesting a front yard and rear yard setback. The proposed home does not require a height variance.

Applicant has consulted with staff to determine the least amount necessary for a variance request.

## Variance Requests

The following are the various sections of the zoning ordinance that variances are being requested from:

### **Section 03.04.01: Residential Schedule of Area and Bulk Requirements.**

<b>Required Front Yard Setback:</b> 35'	<b>Required Rear Yard Setback:</b> 40'
<b>Proposed Front Yard Setback:</b> 17'	<b>Proposed Rear Yard Setback:</b> 35'
<b>Proposed Variance Amount:</b> 18'	<b>Proposed Variance Amount:</b> 5'

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

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

- (a) Practical Difficulty/Substantial Justice** – Strict compliance with the front yard setback would prevent the applicant from constructing the new home. There are several homes in the vicinity that have reduced setbacks. Granting of this variance would do substantial justice to the applicant 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 in the vicinity of the subject parcel.
- (b) Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the topography of the lot. There is a steep drop-off on the east side of the property that limits the buildable area. There is also an 8" Livingston County Drain for storm sewer that bisects the lot. The variance request appears to be the least amount necessary and provides for adequate parking on the lot. The variance request is not self-created.
- (c) Public Safety and Welfare** – The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- (d) Impact on Surrounding Neighborhood** – The proposed variance would have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. The proposed new home will be an improvement of what was previously on both lots. It will also do away with a non-conforming lot (780 Sunrise Park).

## Recommended Conditions

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

1. Parcels must be combined.
2. Structure must be guttered with downspouts.
3. Any retaining walls must comply with Article 11.04.03 (J) Retaining walls section of the Zoning Ordinance.
4. Building height cannot exceed 25 feet.

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
July 19, 2022 - 6:30 PM**

**MINUTES**

**Call to Order:** Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Marianne McCreary, Bill Rockwell, Jean Ledford, Michelle Kreutzberg and Kelly VanMarter, Community Development Director/Asst. Township Manager.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

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

**Approval of the Agenda:**

Chairman Rassel noted that Case #22-19 was requested to be removed by Staff as a variance is not needed and Item #3 should read "770 and 780 **Sunrise Park**".

**Moved** by Board Member McCreary, seconded by Board Member Rockwell, to approve the agenda with the removal of Case #22-19 and the change to Item #3. **The motion carried unanimously.**

**Call to the Public:**

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

1. 22-15...A request by Philip and Melissa Casteleyn, 582 Hilltop Drive, for a rear yard setback variance for an addition to remain and to construct another addition on an existing home.

Mr. Castelyn stated that he has provided the revised measurements from Boss Engineering. He is now requesting a 35-foot variance for the south addition and a 12-foot variance for the north addition.

Board Member Rockwell questioned if the Board needs to approve both variances or if they can approve one and deny another. Ms. VanMarter stated the Board can approve both, one or neither.

The call to the public was made at 6:36 pm with no response.



Board Member McCreary thanked the applicant for completing the Board's request from the last meeting. She noted that the Board must look at the hardship and the four factors that must be met in order for a variance to be granted. When a non-conforming structure is altered, it should be brought more into compliance and not be made more non-conforming. She is in support of the front/north variance, but not the one for the back/lakeside/south as it is self-created.

Mr. Casteleyn stated the deck that was approved by Genoa Township extended past the path and then to the staircase. Ms. VanMarter stated the law states that if a permit is issued in error, it does not give the right for the structure to remain.

Board Member Rockwell stated that the changes that were made from the last meeting are clearer and he is comfortable with both of the variance requests.

**Moved** by McCreary, seconded by Kreutzberg, to approve Case #22-15 for Philip and Melissa Caseleyn for the property located at 582 Hilltop Drive for a rear-yard/north side setback variance of 12 feet from the required 40 feet, for a setback of 28 feet for an existing addition to remain, based on the following findings of fact:

- The Board finds that the request has met all of the requirements of Section 2305.03 of the Zoning Ordinance.
- Strict compliance with the letter of the ordinance would prevent the applicant from constructing the proposed addition. The home has a predominantly undeveloped building envelope in the front of the home. Granting the variance would provide substantial justice and is necessary for the preservation and enjoyment of substantial property rights similarly possessed by other properties in the same zoning district and vicinity of the subject parcel. It is also located closer to the building envelope and partially within the building envelope.
- The extraordinary circumstances are the location of the existing single-family home and the expansive area in the front of the home to be able to reconstruct an addition. The variance is also not self-created.
- 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 variance will 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.
2. No work on the property can commence without obtaining a land use permit and a building permit from the Livingston County Building Department.
3. A deck or patio would have to conform with the Zoning Ordinance and obtain a land use permit.
4. Any work proposed for the interior of the home will require a land use waiver and a Livingston County Building permit.

5. If any personal equipment (trucks, trailers, boats, etc.) are stored on the lot, they must follow the Township ordinance.
6. Any repairs to the existing retaining walls will require a land use waiver and any new retaining walls will require a land use permit.

**The motion carried unanimously.**

Mr. Castelyn questioned why there is going to be a need for him to remove the footings. This would compromise the integrity of his existing home. Board Member Kreutzberg agrees that if the applicant is not able to install any retaining walls, etc. it could cause erosion issues as the home is at the edge of the hill. Ms. VanMarter stated that the Township cannot allow a resident to build on property that is not theirs. She added that the Livingston County Drain Commissioner's office is not concerned with the footings being removed. After a brief discussion, the Board agreed to allow Staff to determine if the footings will need to be removed based on the outcome of the pending lawsuit regarding the path.

**Moved** by McCreary, seconded by Kreutzberg, to deny Case #22-15 for Philip and Melissa Caseleyn for the property located at 582 Hilltop Drive for a rear-yard/south side setback variance of 35 feet from the required 40 feet, for a setback of five feet to construct an addition, based on the following findings of fact:

- The request does not meet all of the standards of Section 23.05.03 of the Zoning Ordinance.
- Homes in the nearby area that have reduced setbacks to the pathway that runs parallel to the adjacent parcels have utilized their forward building envelopes for house footprints. The greater area in the "front of the house" would be the least amount requested for a variance as it is undeveloped and falls in the greater opportunity to conform.
- The extraordinary circumstances are that the need for the variance to reconstruct this addition is self-created. The applicant removed the non-conforming structure without receiving approval or permits. There is ample building room available to construct an addition and comply in the front of the home.
- 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 variance will not have an impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This denial is conditioned upon the following:

1. The remaining floor of the addition in the rear of the home shall be completely removed.
2. Due to the pending litigation, Township Staff will pursue removal of the existing non-permitted footings through the existing legal proceedings based on the pending litigation.

**The motion carried unanimously.**

2. 22-16...A request by Jeremy Clarke, 3742 Westphal, for a side yard and rear yard setback variance to construct a detached accessory structure.

Mr. Clarke stated he would like to build a pole barn. He has wetlands and woods in the rear of his property and the septic field is in the front. The proposed location is the only place where it can be built. He is one of the few residents on their road that does not have a pole barn. He has spoken to his neighbors and none are against it.

Chairman Rassel noted that one neighbor sent a letter in opposition to the variance.

Board Member McCreary suggested the structure be moved further to the south so that it is less in the sight line of the neighbor to the west. Mr. Clarke stated none of his neighbors will be able to see the barn outside of any of their windows. He did not want to remove trees; however, he would agree to that. Board Member Kreutzberg agrees with Board Member McCreary's suggestion due to the size of the proposed structure.

The call to the public was made at 7:22 with no response.

Board Member Rockwell is not in favor of approving the variances because of the size of the structure. It could be made smaller and comply with the setbacks. Board Members McCreary and Kreutzberg agree. Mr. Clarke reiterated that he will be willing to move the building further to the south or construct a 60 x 30 barn and eliminate the need for one variance.

The Board suggested tabling this item this evening to allow the applicant to return with a revised plan.

**Moved** by Board Member McCreary, seconded by Board Member Kreutzberg, to table Case #22-16, at the application's request, until the August 16, 2022 Zoning Board of Appeals Meeting. **The motion carried unanimously.**

3. 22-18...A request by Tim Chouinard and Teri and Steve Zacharias, 770 Sunrise Park, for a rear yard setback variance to demolish two existing structures and construct a new single-family home.

Mr. Chouinard stated the topography and the depth of the lots are causing the need for the variance. The lot would not be buildable without a variance. They will be combining the properties and removing both of the structures, which will decrease the number of residences on the street. The retaining walls will be within the setback requirements and he will obtain the appropriate approval.

Board Member McCreary wants to ensure that erosion will be controlled during construction. Mr. Chouinard stated they will be installing silt fencing. He explained where the home will be located in relation to the slope on the property.

The call to the public was made at 7:46 pm with no response.

**Moved** by Board Member Kreutzberg, seconded by Board Member Ledford, to approve Case #22-18 for Tim Chouinard on behalf of Teri and Steve Zacharias of 770 and 780 Sunrise Park Drive (Parcel #'s 4711-09-201-112 and 4711-09-201-114), for a rear yard setback variance of 25.7 feet from the required 40 feet, for a setback of 14.3 feet to demolish three existing structures and construct a new single-family home, based on the following findings of fact:

- Strict compliance with the setback would unreasonably prevent and restrict use of the property or cause it to be unbuildable.
- The variance will provide substantial justice, is the least necessary, and would make the property consistent with outer properties and homes in the area as there are several homes with reduced rear-yard setbacks. The variance is necessary due to the topography and shape of the lot, narrow building envelope, and location of the storm drain. The need for the variance is not self-created.
- The granting of this 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 threaten public safety, comfort, morals or welfare.
- The proposed variance would have little or no impact on appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. The two lots must be combined prior to issuance of land use permit.
2. Structure must be guttered with downspouts.
3. Any retaining walls must comply with Article 11.04.03 (J) Retaining Walls section of the Zoning Ordinance.
4. Any steps or stairs installed to access the lake or Sunrise Park Drive must comply with Article 11.04.03 (g) and (h) of the Zoning Ordinance.
5. Building height cannot exceed 25 feet.
6. Must receive approval from the Livingston County Drain Commissioner's office prior to land use permit issuance.
7. The survey must be corrected to depict the covered deck prior to land use permit issuance.

**The motion carried unanimously.**

**Administrative Business:**

1. Approval of minutes for the June 21, 2022 Zoning Board of Appeals meeting.

**Moved** by Board Member McCreary, seconded by Board Member Ledford, to approve the minutes of the June 21, 2022 meeting as presented. **The motion carried unanimously.**

2. Correspondence - There were no correspondence this evening.
3. Member Discussion - There were no items to discuss this evening.

Genoa Township Zoning Board of Appeals Meeting  
July 19, 2022  
Approved Minutes

4. Adjournment - **Moved** by Board Member McCreary, seconded by Board Member Ledford, to adjourn the meeting at 7:52 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary





758

755

763

770

780

791

792

803

800

807

Sunrise Park St

Sunrise Park St

Sat Apr 6 2024

Imagery © 2025 Nearmap, HERE

20 ft

Nearmap



Approval  
 This plat was approved by the Genoa Township Board at a meeting held June 7 1923  
Lulu Latson Township Clerk

This plat was approved on the 15<sup>th</sup> day of June 1923  
Willie Leonard Judge of Probate  
Wm. C. Raymond County Clerk  
Pearl M. Rankin County Treasurer

Register's Office } S. S.  
 Livingston County }  
 Received for record the 20<sup>th</sup>  
 day of June A. D. 1923 at 4  
 o'clock PM and recorded in Liber  
Two of Plats  
 on Page 23  
G. J. Drumming Register

# SUNRISE PARK

GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN  
 A Subdivision of A Part of the NE 1/4 of Sec. 9 and SE 1/4 of Sec. 4 T. 21 N. R. 5 E.

Dedication

Know ALL MEN BY THESE PRESENTS, That we Ernest Lawson as proprietor, and Kathryn M. Lawson his wife have caused the land embraced in the annexed plat to be surveyed, laid out and platted to be known as Sunrise Park Genoa Township, Livingston County, Michigan. As shown on a part of the NE 1/4 of Sec. 9 and SE 1/4 of Sec. 4 T. 21 N. R. 5 E., and that the paths, drives, lanes and boulevard, as shown on said plat, are hereby dedicated to the lot owners.

Signed and Sealed in Presence of  
W. J. Frantz } Ernest J. Lawson (LS)  
G. A. Drumming } Kathryn M. Lawson (LS)

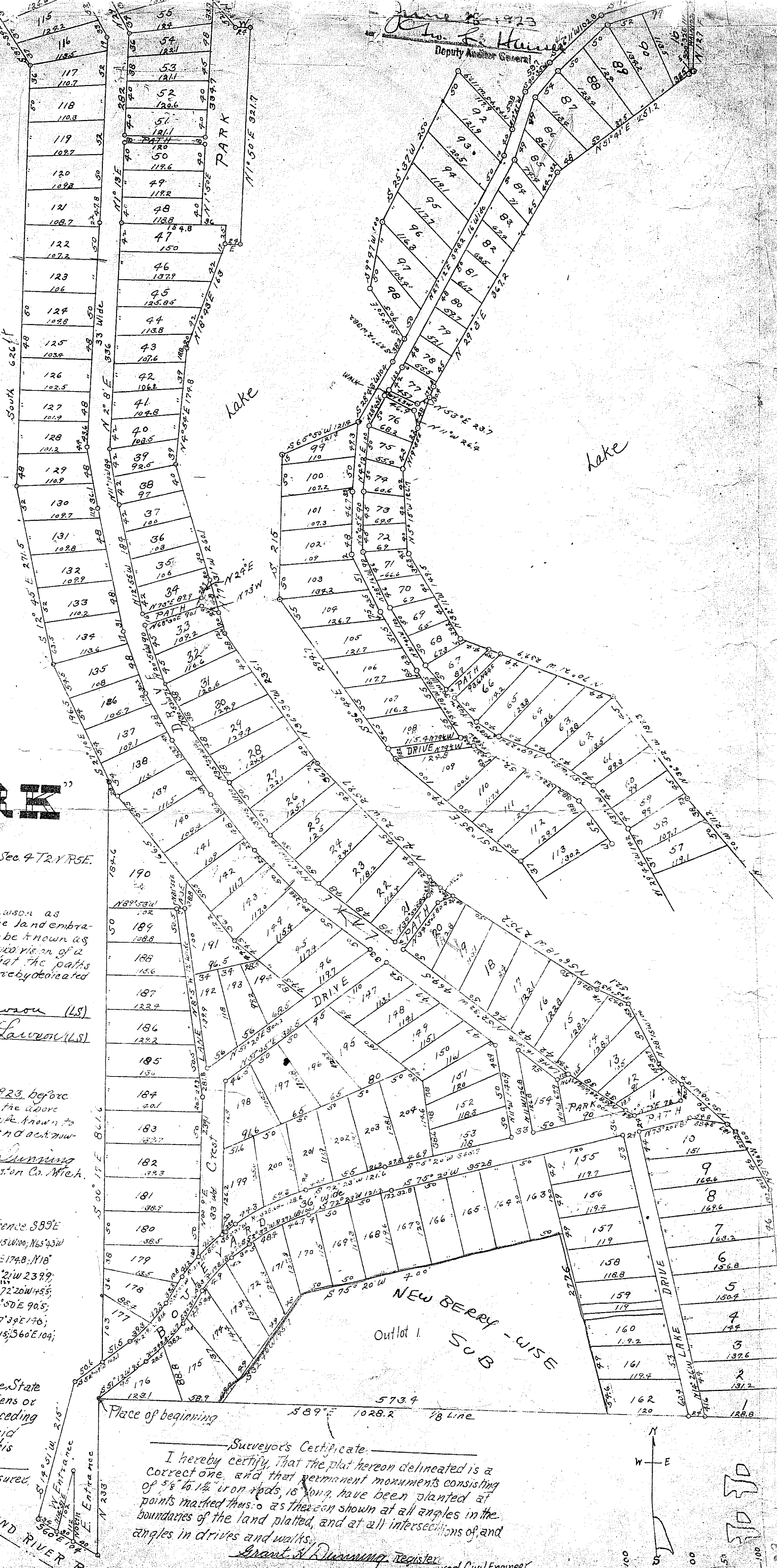
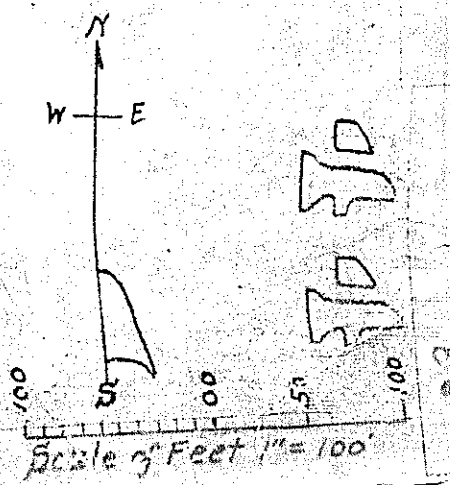
STATE OF MICHIGAN } S. S.  
 County of Livingston }  
 On this 4th day of June 1923 before me, a Notary Public, in and for said County, personally came the above named Ernest J. Lawson and Kathryn M. Lawson his wife known to me to be the persons who executed the above dedication and acknowledged the same to be their free act and deed.  
Grant A. Drumming  
 My Commission expires Jan 31st 1927. Notary Public Livingston Co. Mich.

Description of Land Platted

Beginning at the center of the NE 1/4 of Sec. 9 T. 21 N. R. 5 E. Mich.; thence S 89° E 102.82 on 1/2 line; thence N 6° 10' W 34.55; N 3° 36' W 100; N 50° 08' W 154; N 28° 15' W 100; N 65° 43' W 52; N 56° 18' W 275.2; N 45° 20' W 259.7; N 36° 36' W 235.1; N 7° 31' W 260.1; N 7° 52' E 174.8; N 16° 46' E 163; E 24; N 1° 50' E 321.7; W 24; N 41° 50' W 211.2; N 36° 52' W 187.3; N 70° 21' W 239.9; N 23° 11' W 149.5; N 5° 15' W 126.7; N 19° 55' E 130.9; N 29° 32' E 367.2; N 19° 1' E 251.2; S 72° 20' W 145.5; S 46° 11' W 102.8; S 40° 35' W 59.7; N 43° 45' W 111.9; S 25° 37' W 250; S 0° 47' W 100; S 37° 50' E 90.5; S 27° 12' W 38.2; S 28° 43' W 104; S 65° 50' W 121.4; S 21.5; S 36° 40' E 299.7; S 31° 35' E 240; S 37° 34' E 146; S 4° 26; S 12° 45' E 271.5; S 27° 10' E 146.5; S 00° 17' E 861.6; S 52° 49' W 506; S 14° 51' W 215; S 60° E 104; N 23° to place of beginning.

County Treasurer's Certificate  
 I hereby certify that there are no tax liens or titles held by the State on the lands described above, and that there are no tax liens or titles held by individuals on said lands for the five years preceding the 15<sup>th</sup> day of June 1923 and that the taxes for said period of five years are paid as shown by the records of this office.  
Pearl M. Rankin  
 Livingston County Treasurer

Surveyor's Certificate  
 I hereby certify that the plat hereon delineated is a correct one, and that permanent monuments consisting of 5/8 to 1 1/2 iron rods, 16 long, have been planted at points marked thus: o as they are shown at all angles in the boundaries of the land platted, and at all intersections of, and angles in drives and walks.  
Grant A. Drumming Register  
 red Civil Engineer



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.													
WRIGHT, NORMAN	ZACHARIAS FAMILY TRUST	227,000	06/11/2021	WD	19-MULTI PARCEL ARM'S LEN	2021R-030820	BUYER/SELLER	100.0													
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR		Building Permit(s)		Date	Number	Status											
770 SUNRISE PARK ST		School: HOWELL PUBLIC SCHOOLS		Demolition		11/13/2024		PW24-155													
Owner's Name/Address		P.R.E. 0%		MAP #: V25-04		2025 Est TCV 131,446 TCV/TFA: 187.78															
ZACHARIAS FAMILY TRUST 49276 HARVEST DR PLYMOUTH MI 48170		X Improved		Vacant		Land Value Estimates for Land Table 4301.4301 LAKE CHEMUNG NON LAKE FRONT															
Tax Description		Public Improvements		* Factors *																	
SEC. 9 T2N, R5E, SUNRISE PARK LOTS 100 AND 101		Dirt Road		Description		Frontage		Depth		Front		Depth		Rate %Adj.		Reason		Value			
Comments/Influences		Gravel Road		A NON LF		50.00		109.00		1.0000		1.0000		900 100				45,000			
		Paved Road		B NONLF SURPLUS		50.00		109.00		1.0000		1.0000		630 100				31,500			
		Storm Sewer		100 Actual Front Feet, 0.25 Total Acres										Total Est. Land Value =				76,500			
		Sidewalk																			
		Water																			
		Sewer																			
		Electric																			
		Gas																			
		Curb																			
		Street Lights																			
		Standard Utilities																			
		Underground Utils.																			
		Topography of Site																			
		Level																			
		Rolling																			
		Low																			
		High																			
		Landscaped																			
		Swamp																			
		Wooded																			
		Pond																			
		Waterfront																			
		Ravine																			
		Wetland																			
		Flood Plain																			
		X REFUSE																			
		Who		When		What		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
		JB		09/15/2022		INSPECTED		2025		38,300		27,400		65,700						65,700S	
		JB		09/17/2018		INSPECTED		2024		50,000		25,900		75,900						75,900S	
								2023		50,000		24,500		74,500						74,500S	
								2022		45,000		29,400		74,400						74,400S	



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

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

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage		
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood		Oil Coal		Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area	Type	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished ?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
X	Wood Frame	(4) Interior			Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling												
Building Style: D		Drywall Paneled	Plaster Wood T&G	Trim & Decoration			Central Air Wood Furnace										
Yr Built 0	Remodeled 0	Ex	X	Ord		Min	No./Qual. of Fixtures			Cost Est. for Res. Bldg: 1 Single Family D			E.C.F. X 1.400		Cls D-10 Blt 0		
Condition: Good		Lg	X	Ord		Small	Ex. X Ord. Min			Ground Area = 700 SF Floor Area = 700 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=45/100/100/100/45							
Room List		Doors:		Solid	X	H.C.	No. of Elec. Outlets			Building Areas							
	Basement 1st Floor 2nd Floor 1 Bedrooms	(5) Floors		(12) Electric			Many X Ave. Few			Stories Exterior Foundation			Size		Cost New Depr. Cost		
(1) Exterior		Kitchen: Other: Other:		0 Amps Service			(13) Plumbing			1 Story Siding Crawl Space			480				
X	Wood/Shingle Aluminum/Vinyl Brick  Insulation	(6) Ceilings		Average Fixture(s)			1 3 Fixture Bath			1 Story Siding Slab			160				
(2) Windows		(7) Excavation		2 Fixture Bath			1 Story Siding Slab			1 Story Siding Slab			60				
Many Avg.	X	Large Avg.	Basement: 0 S.F. Crawl: 480 S.F. Slab: 220 S.F. Height to Joists: 0.0		Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 1 Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Other Additions/Adjustments			Total:			74,973 33,735			
Few	X	Small	(8) Basement		Solar Water Heat No Plumbing Extra Toilet 1 Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan			Plumbing			Extra Sink			1 672 302			
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens		Conc. Block Poured Conc. Stone Treated Wood Concrete Floor		(9) Basement Finish			Water/Sewer			Water/Sewer			Public Sewer			1 1,217 548	
(3) Roof		Recreation SF Living SF Walkout Doors (B) No Floor SF Walkout Doors (A)		(14) Water/Sewer			Notes:			Water Well, 200 Feet			Totals:			87,221 39,247	
X	Gable Hip Flat	Gambrel Mansard Shed	(10) Floor Support		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic			Lump Sum Items:			ECF (4305 SUNRISE PARK NON LAKEFRONT) 1.400 => TCV:			54,946			
X	Asphalt Shingle	Joists: Unsupported Len: Cntr.Sup:															

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





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

Case # 25-07

Meeting Date: April 15, 2025 @ 6:30pm  
in Boardroom

PAID Variance Application Fee

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

Applicant/Owner: Scott Krueger Email: skruege3@gmail.com

Property Address: 4500 Clifford Rd, Brighton, MI 48116 Phone: 810-923-9272

Present Zoning: LRR Tax Code: 11-22-302-207

**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: Request would be to build a detached 2 car garage (30'\*24')  
and a storage room attached to the garage (24'\*15'). This option would be 180 Sq ft over the 900 sq ft in Article

11.04.02 section (e). The garage would be 5' from the side lot line, 28' from the road and well over the minimum from the lake.

**Please note that the packet and staff report for your scheduled Zoning Board of Appeals meeting will be available to review at <https://www.genoa.org/government/boards/zoningboard> five days prior to the meeting.**

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

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

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

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

The garage with storage space would allow owners to store truck, camper and seasonal items (which are currently stored in a shed, crawl space and outside). It would protect the owners' assets and safety. The neighbor has no issues with the structure because it would in no way impact their property or view of the lake. (Attached is a letter from neighbor)

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.

Storage has always been an issue in the current home. Owners request the variance for safety purposes of having items and bins stored on the ground level, rather than the crawl space, which will become more difficult to access in our elderly years.

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.

The proposed structure would be sitting well off the lake so light and air supply would not be affected. There would be no increase in congestion as we would be using the same driveway. There would be no additional dangers or discomforts with the new structure.

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

The proposed structure would in no way affect the surrounding neighborhood. The structure would be built to match the current house/garage. This structure would not interfere with any views of the lake for current homeowners on the lake.

Attendance by the applicant is required at the Zoning Board of Appeals meeting.

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

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

Date: 03/12/2025 Signature: Scott Krueger



**Overview of intended accessory building and needing additional sq ft beyond the requirement in Article 11.04.02 (g)**

*We are building this addition garage/storage for 2 reasons*

1. Be able to fit our camper, truck and jet ski, which do not fit in our attached garage.
2. Add a storage area for items currently in the 10\*10 shed (which would be removed immediately upon taking occupancy of new garage). Storage for jet ski (currently stored outside), outside furniture and other storage items that are currently in the crawl space. The crawl space will be more difficult to access and lift bins upstairs as we age.

*Our intent is to build a garage and storage area that will fit in the allotted area, match the current house and not create an impact on the surrounding environment (avoiding safety issues on the property and road).*

- This would not obstruct any current residence view of the lake.
- No safety or increased congestion would occur as we would be using the same driveway.
- There are at least 4 homes on our lake and numerous homes on crooked lake with similar accessory buildings that have less property than we currently have. We purchased an additional 35 feet of lot next to our home in 2007.

Justification of storage space needing to be at least 360 sq ft (400 sq ft is what has been measured)

1. For safety purposes of having seasonal items and bins stored on the ground level, rather than the crawl space, which will become more difficult to access in our elderly years.
2. With lake levels up the past couple years, fear of losing valuable items due to crawl space being near water level

Pictures of the entrance and stairs going down to the crawlspace



As you can see, this is going to be a safety issue as we get older as it is currently very difficult today. The crawl space has very little clearance and a scooter is needed to move around the area,



3. Jet ski will take up 52 sq ft of awkward space



4. Storage shed will take up at least 100 sq ft as you can see it is very full – **THIS SHED WILL BE REMOVED ONCE GARAGE IS BUILT**



5. Items in basement moving to new storage area (min 232 sq ft)



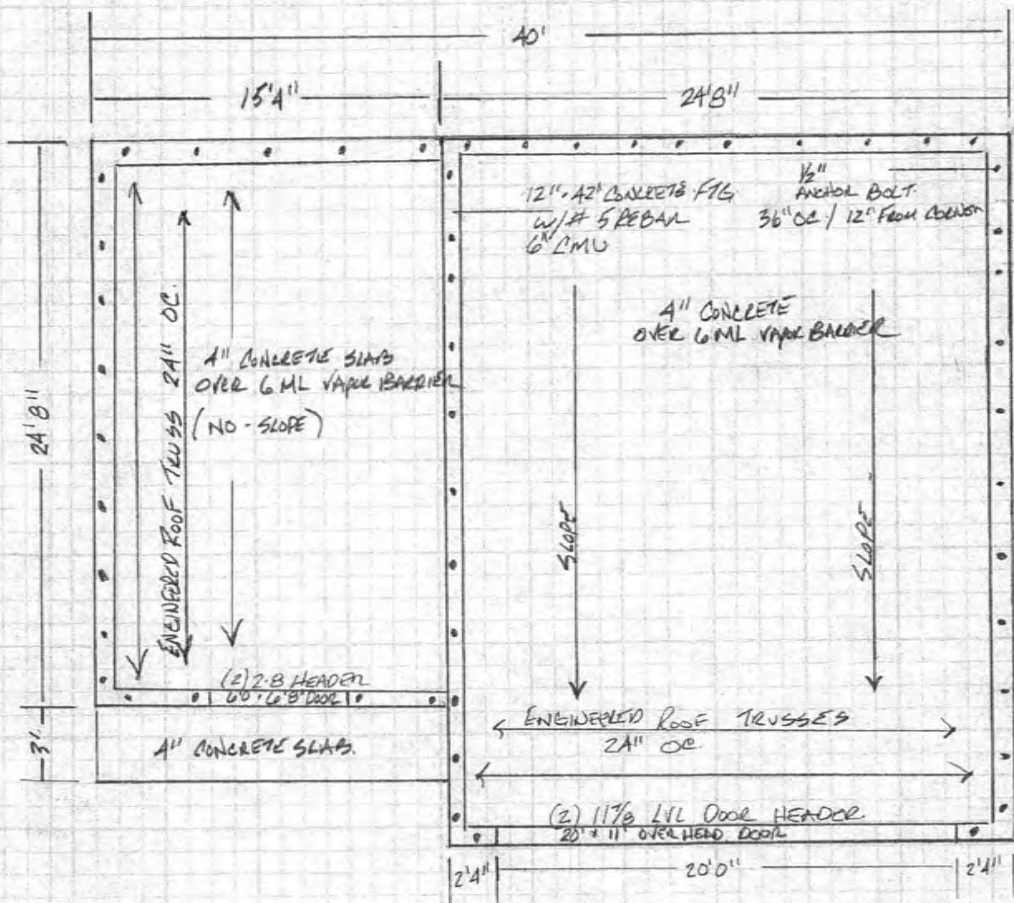
***Validation of addition Inside sq ft needed***

Camper and Truck Storage – 720 sq ft

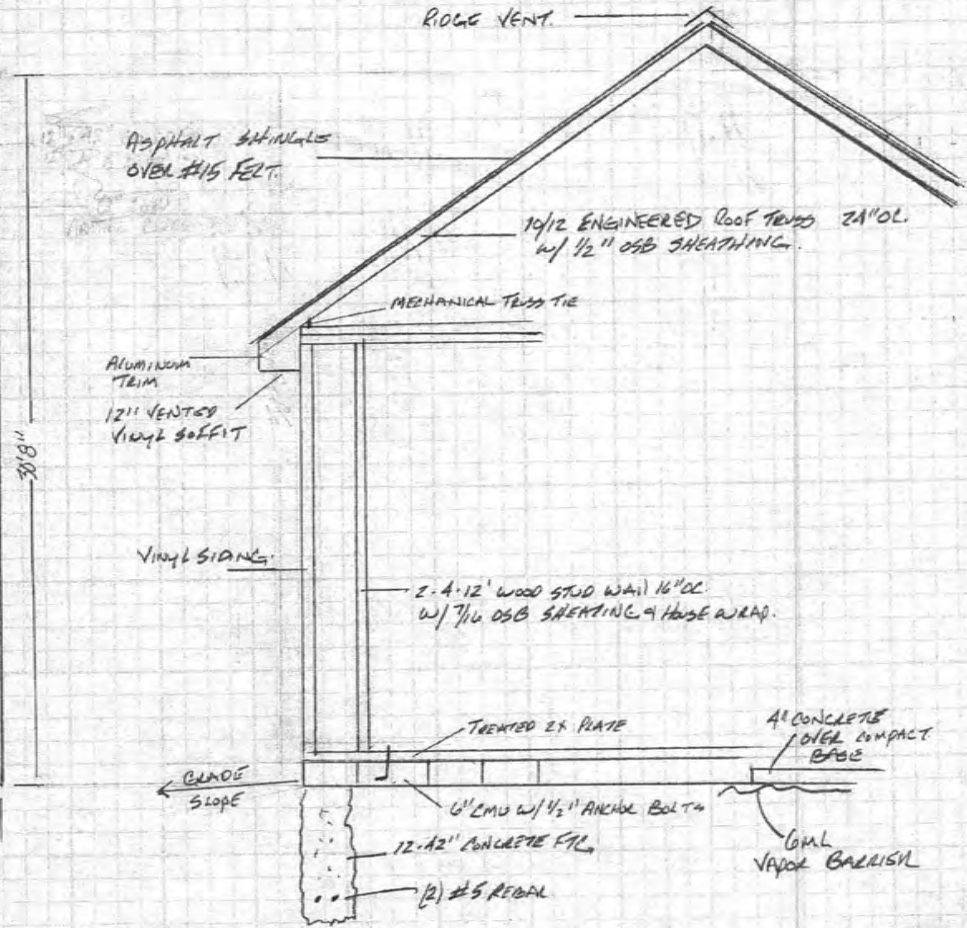
Storage room – 360 sq ft

***Total needed Inside – 1,080 sq ft***





Roof & Foundation Plan 1/4" = 1'0"

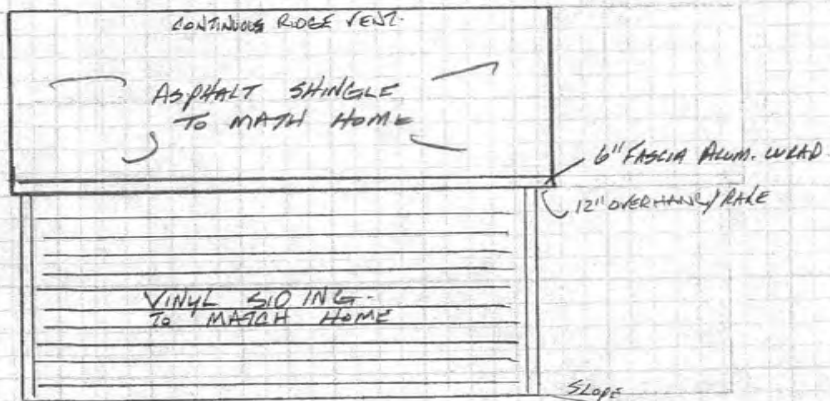


CROSS SECTION 3/8" = 1'0"

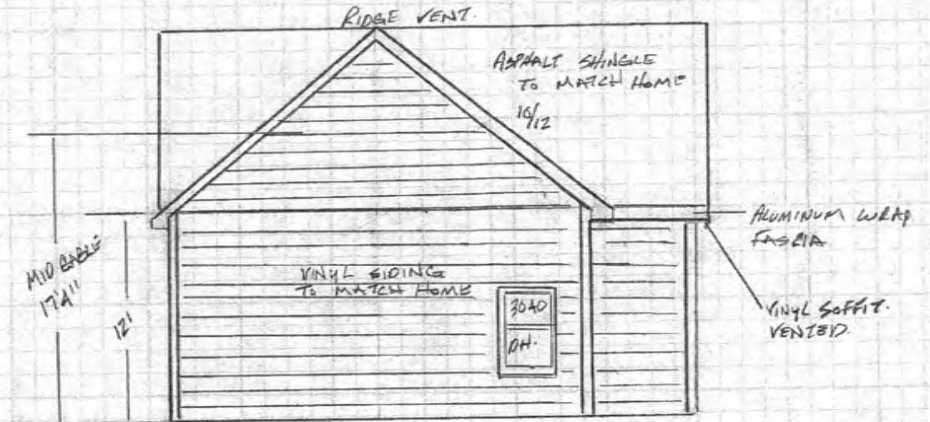


© CONSTANTINE CONSTRUCTION LLC  
COMMERCIAL - RESIDENTIAL  
NEW CONSTRUCTION + RENOVATIONS  
OFFICE FAX (910) 225-8117

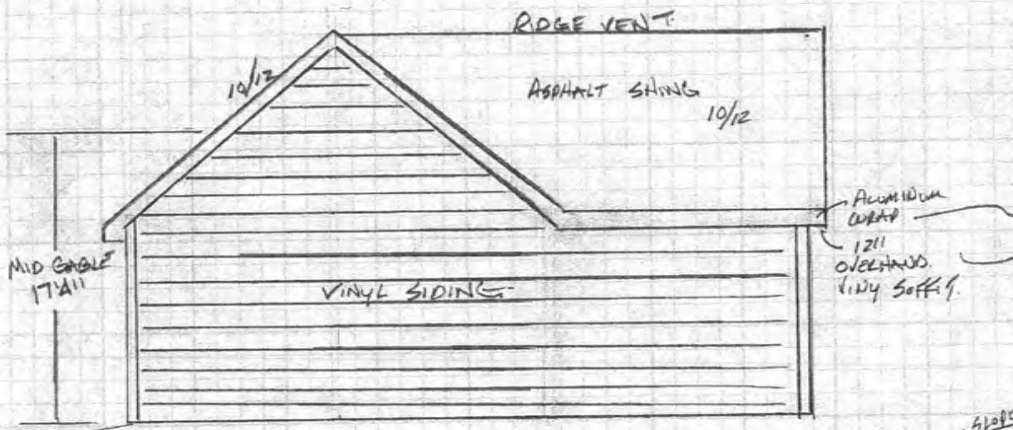
KRUEGER GARAGE  
4500 CLIFFORD ROAD  
BRIGHTON 48116



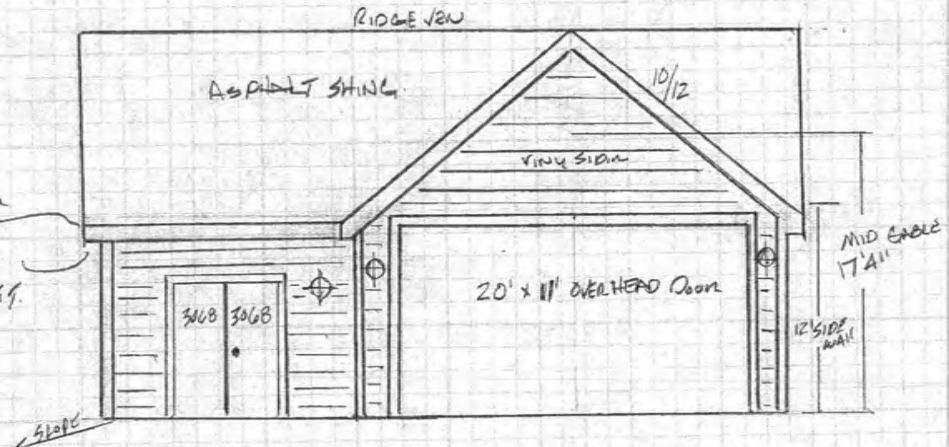
EAST ELEVATION  $\frac{3}{16} = 1'0''$



WEST ELEVATION  $\frac{3}{16} = 1'0''$



NORTH ELEVATION  $\frac{3}{16} = 1'0''$



SOUTH ELEVATION  $\frac{3}{16} = 1'0''$



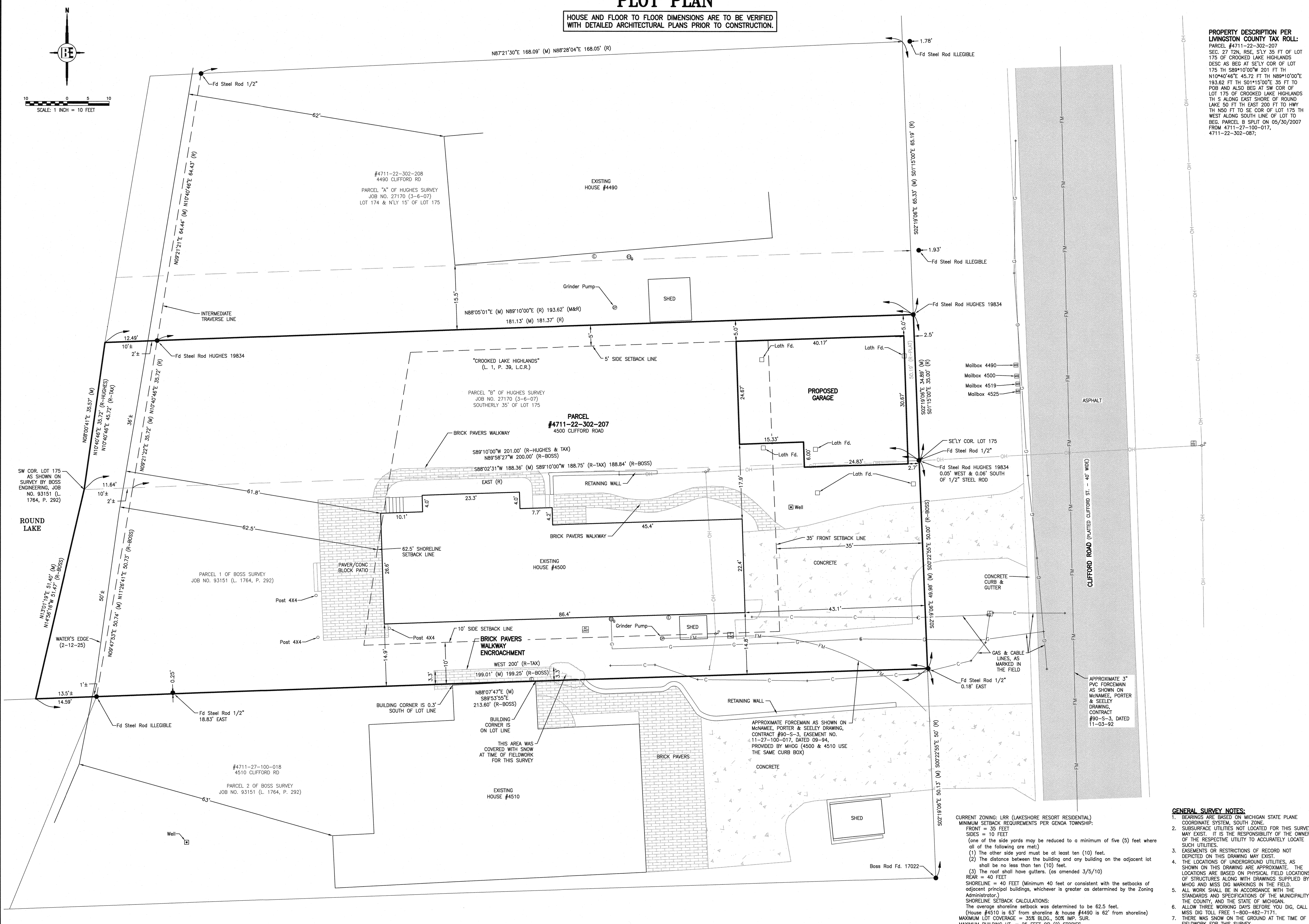
© CONSTANTINE CONSTRUCTION LLC  
COMMERCIAL • RESIDENTIAL  
NEW CONSTRUCTION • RENOVATIONS  
OFFICE FAX (810) 225-4817

KRUEGER GARAGE  
4500 CLIFFORD ROAD  
BRIGHTON 48116.

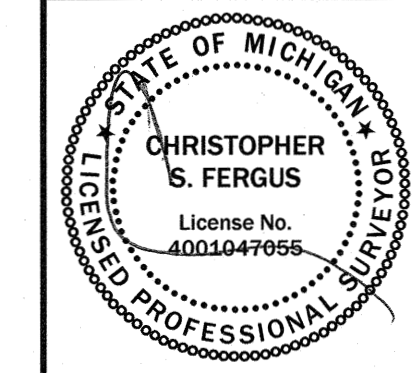


# PLOT PLAN

HOUSE AND FLOOR TO FLOOR DIMENSIONS ARE TO BE VERIFIED WITH DETAILED ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION.



PROPERTY DESCRIPTION PER LIVINGSTON COUNTY TAX ROLL:  
 PARCEL #4711-22-302-207  
 SEC. 27 T2N, R2E, S1Y 35 FT OF LOT 175 OF CROOKED LAKE HIGHLANDS DESC AS BEG AT SE'LY COR OF LOT 175 TH S89°10'00"W 201 FT TH N10°40'46"E 45.72 FT TH N89°10'00"E 193.62 FT TH S01°15'00"E 35 FT TO POB AND ALSO BEG AT SW COR OF LOT 175 OF CROOKED LAKE HIGHLANDS TH S ALONG EAST SHORE OF ROUND LAKE 50 FT TH EAST 200 FT TO HWY TH N50 FT TO SE COR OF LOT 175 TH WEST ALONG SOUTH LINE OF LOT TO BEG. PARCEL B SPLIT ON 05/30/2007 FROM 4711-27-100-017, 4711-22-302-087.



**BEBOSS**  
 Engineering  
 Engineers Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 517.546.4836 FAX 517.548.1670

PROJECT: **4500 CLIFFORD ROAD**  
 PREPARED FOR: **KRUGER**  
 4500 CLIFFORD ROAD  
 BRIGHTON, MI 48116  
 810-923-9272

TITLE: **PLOT PLAN**

NO	BY	REVISION PER	DATE

DRAWN BY: AEB  
 FIELD CREW: RR/CW/PB/MB  
 CHECKED BY:  
 SCALE: 1" = 10'  
 JOB NO. 25-033  
 DATE 3-10-25  
 SHEET NO. **1 OF 1**

**GENERAL SURVEY NOTES:**  
 1. BEARINGS ARE BASED ON MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.  
 2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.  
 3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST. THE LOCATIONS OF UNDERGROUND UTILITIES, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES ALONG WITH DRAWINGS SUPPLIED BY MHOG AND MISS DIG MARKINGS IN THE FIELD.  
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.  
 5. ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-462-7171.  
 6. THERE WAS SNOW ON THE GROUND AT THE TIME OF FIELDWORK FOR THIS SURVEY.





## MEMORANDUM

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

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Carrie Aulette, Zoning Official  
**DATE:** April 2, 2025  
**RE:** ZBA 25-07

---

### STAFF REPORT

**File Number:** ZBA# 25-07  
**Site Address:** 4500 Clifford Road, Brighton  
**Parcel Number:** 4711-22-302-207  
**Parcel Size:** .452 Acres  
**Applicant:** Scott Krueger  
**Property Owner:** Same as Applicant. Scott Krueger Living Trust  
**Information Submitted:** Application, site plan, conceptual drawings

**Request:** Dimensional Variances

**Project Description:** Applicant is requesting a size variance and a front yard variance to construct a detached garage.

**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 March 30, 2025 and 300-foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

**Background**

The following is a brief summary of the background information we have on file:

- Per assessing records, the home was built in 1994.
- Parcel is serviced by public sewer and private well.
- There was an addition built in 2017 onto the lake side of the home.
- See Record Card.

**SUPERVISOR**

Kevin Spicher

**CLERK**

Janene Deaton

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

**MANAGER**

Kelly VanMarter

## Summary

The proposed project is to construct a detached garage. In order to construct the proposed garage, the applicant would be required to obtain a front yard and max square footage variance. The proposed garage meets the height requirement for the LRR zoning.

## Variance Requests

<b>Accessory Buildings Over 200 square feet</b>	<b>Front Setback</b>	<b>Square Footage Maximum</b>
<b>Required Setbacks</b>	10'	900 square feet
<b>Setback Amount Requested</b>	2.7'	1080 square feet
<b>Variance Amount</b>	7.3'	180 square feet

**THE FOLLOWING IS A SECTION FROM THE ORDINANCE THE VARIANCE IS BEING REQUESTED FROM:**

### **11.04.02 Accessory Buildings**

(a) **Restrictions in Front Yard:** Detached accessory buildings shall not be erected in any front yard, except as follows:

(1) Waterfront lots in the Lakeshore Resort Residential District, provided the front setback is not less than ten (10) feet.

(e) **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 one (1) acre.

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

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

- **Practical Difficulty/Substantial Justice** –Strict compliance with the max square footage would prevent the applicant from building the size of garage they are proposing. However, staff is not certain that the garage could not be moved back to avoid the need for the front yard setback variance. Staff notes that there are multiple homes in immediate vicinity that have detached accessory buildings that do not meet the LRR front setback, some appear to be built in the road ROW. Approval of this variance request may provide substantial justice

however, granting of the requested variance is not necessary for the preservation and enjoyment of the property.

- **Extraordinary Circumstances** – The exceptional or extraordinary condition of the property is the condition of the soils and inability for the home to have a traditional basement. The applicant wishes to build this detached garage to be able to store items inside instead of the yard. The need for the variance is not self-created.
- **Public Safety and Welfare** – The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- **Impact on Surrounding Neighborhood** – The granting of the variance will not negatively impact the surrounding neighborhood. As mentioned earlier, staff has noticed other homes in the area that have detached accessory buildings, some appear to have been built in the road ROW.

### **Recommended Conditions**

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

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



2/14/2025

To Whom It May Concern,

I am the Krueger's next door neighbor to the north (4490 Clifford Road). They have discussed their intention of building a garage with a storage area on the 35 feet of frontage that was purchased from me in 2007. I am in support of the building of this unattached garage. It will in no way impact my property or access/view of Round Lake. I fully support their project and hope that they get approval of the variance that's needed.

Thank You!

A handwritten signature in cursive script that reads "Cathy Cloke". The signature is written in black ink on a light-colored background.

Cathy Cloke

**From:** [Jennifer Sprys-Tellner](#)  
**To:** [Carrie Aulette](#)  
**Subject:** 4500 Clifford Road  
**Date:** Tuesday, April 8, 2025 6:04:00 PM

---

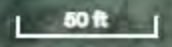
Dear Genoa Township Zoning Board,  
We are homeowners at 4510 Clifford Road, neighbors to Scott and Linda Krueger. We are aware of the side and front yard variances requested by them for construction of a garage at their address 4500 Clifford Road. We have no problems with this request. Thank you for your time-  
Jennifer and Greg Sprys-Tellner  
4510 Clifford Road





Sat Apr 6 2024

Imagery © 2025 Nearmap, HERE



Nearmap



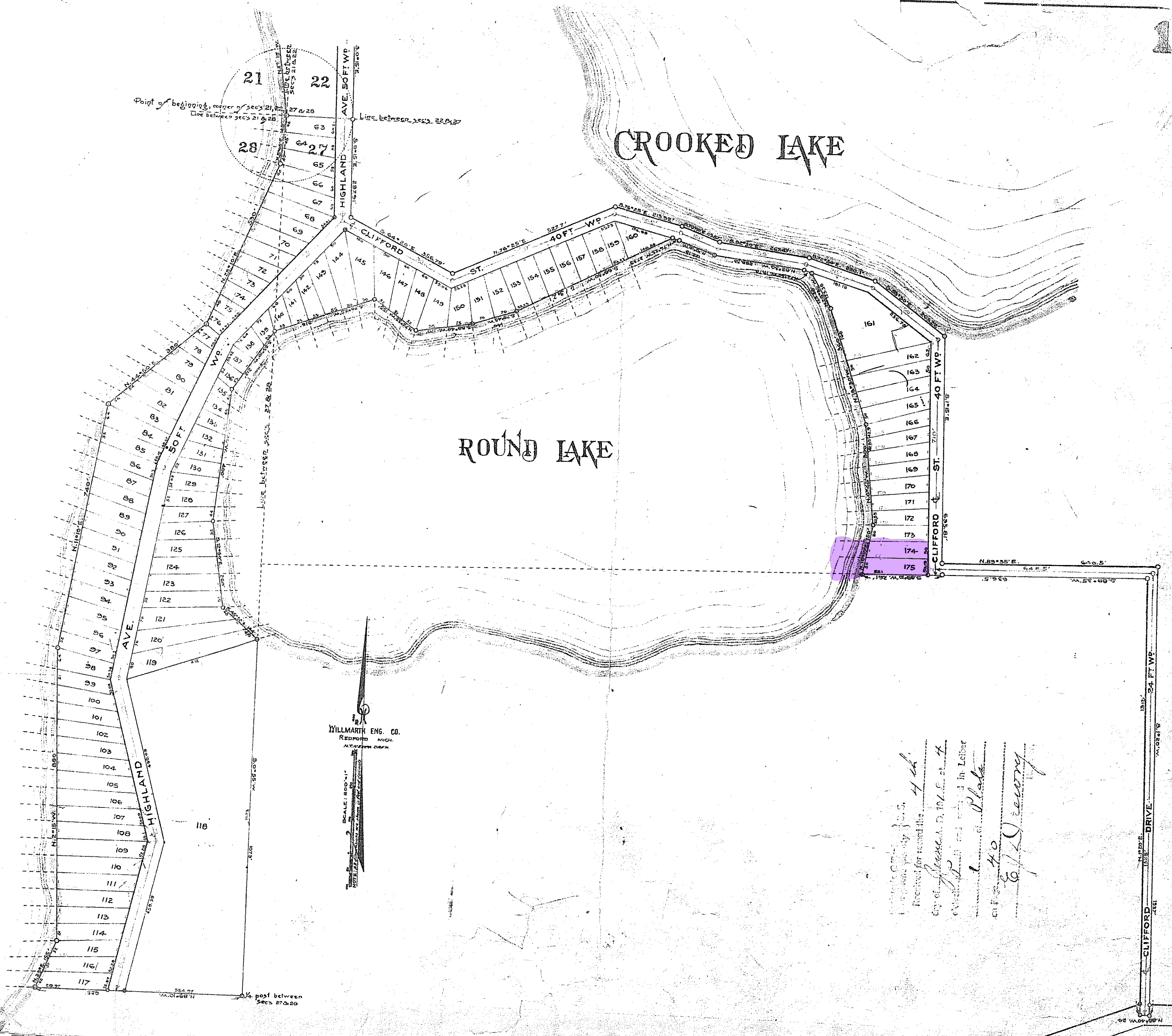
# CROOKED LAKE HIGHLANDS SUB.

PLATE 2.

of part of sections 21, 22, 27 and 28, T.2 N. R. 5 E.

GENOA TWP.  
LIVINGSTON CO.  
MICH.

## LITTLE CROOKED LAKE



Received for record the 4th day of August, 1912, at 4 o'clock P.M. and returned in Liber No. 40 of Plate 2 of 1912 by G. J. Leiby

CLIFFORD DRIVE 24 FT W.P.

455

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.					
KRUEGER, SCOTT M. & LINDA	KRUEGER SCOTT LIVING TRUST	0	11/02/2012	QC	14-INTO/OUT OF TRUST	2012R-038984	BUYER/SELLER	0.0					
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: LRR	Building Permit(s)	Date	Number	Status					
4500 CLIFFORD RD		School: BRIGHTON AREA SCHOOLS		Generator		04/29/2024	P24-056						
Owner's Name/Address		P.R.E. 100% 04/16/2007		ADDITION		11/13/2017	P17-213	NO START					
KRUEGER SCOTT LIVING TRUST 4500 CLIFFORD RD BRIGHTON MI 48116-7703		MAP #: V25-07		2025 Est TCV 924,390 (10,000 MCL 211.2)									
Tax Description		X	Improved	Vacant	Land Value Estimates for Land Table 4310.4310 ROUND LAKE								
SEC. 27 T2N, R5E, S'LY 35 FT OF LOT 175 OF CROOKED LAKE HIGHLANDS DESC AS BEG AT SE'LY COR OF LOT 175 TH S89*10'00"W 201 FT TH N10*40'46"E 45.72 FT TH N89*10'00"E 193.62 FT TH S01*15'00"E 35 FT TO POB AND ALSO BEG AT SW COR OF LOT 175 OF CROOKED LAKE HIGHLANDS TH S ALONG EAST SHORE OF ROUND LAKE 50 FT TH EAST 200 FT TO HWY TH N50 FT TO SE COR OF LOT 175 TH WEST ALONG SOUTH LINE OF LOT TO BEG. PARCEL B SPLIT ON 05/30/2007 FROM 4711-27-100-017, 4711-22-302-087:		Public Improvements		* Factors *				Value					
		X	Dirt Road		Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
			Gravel Road		A ROUND LAKE LF	50.00	197.00	1.0000	1.0000	3900	100		195,000
			Paved Road		B SURP ROUND LF	50.00	197.00	1.0000	1.0000	2700	100		135,000
			Storm Sewer		100 Actual Front Feet, 0.45 Total Acres				Total Est. Land Value =		330,000		
			Sidewalk		Land Improvement Cost Estimates								
			Water		Description	Rate		Size % Good		Cash Value			
			Sewer		D/W/P: Brick on Sand	22.43		544 50		6,101			
			Electric		Total Estimated Land Improvements True Cash Value =				6,101				
			Gas										
			Curb										
			Street Lights										
			Standard Utilities										
			Underground Utils.										
		Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
			Level		2025	165,000	297,200	462,200			326,657C		
			Rolling		2024	127,500	258,600	386,100			316,836C		
			Low		2023	114,800	230,700	345,500			301,749C		
			High		2022	114,800	207,300	322,100			287,380C		
			Landscaped										
			Swamp										
			Wooded										
			Pond										
		X	Waterfront										
			Ravine										
			Wetland										
			Flood Plain										
4711-22-302-207		10/30/2024	JB	10/30/2024	INSPECTED								
The Equalizer. Copyright (c) 1999 - 2009.			JB	09/27/2018	INSPECTED								
Licensed To: Township of Genoa, County of Livingston, Michigan			CG	07/28/2016	REVIEWED R								



Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																																																																																																																						
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 24 12	Type CCP (1 Story) Treated Wood	Year Built: Car Capacity: 2 Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Yes Auto. Doors: 0 Mech. Doors: 0 Area: 572 % Good: 0 Storage Area: 0 No Conc. Floor: 0																																																																																																																							
X	Wood Frame	(4) Interior			Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling																																																																																																																																
Building Style: BC		Drywall Paneled	Plaster Wood T&G	Trim & Decoration																																																																																																																																	
Yr Built 1994	Remodeled 0	Ex	X Ord	Min	Size of Closets																																																																																																																																
Condition: Good		Lg	X Ord	Small	Central Air Wood Furnace																																																																																																																																
Room List		Doors:	Solid X	H.C.	(12) Electric																																																																																																																																
	Basement 1st Floor 2nd Floor 4 Bedrooms	(5) Floors			0 Amps Service																																																																																																																																
	(1) Exterior	Kitchen: Other: Other:			No./Qual. of Fixtures																																																																																																																																
X	Wood/Shingle Aluminum/Vinyl Brick  Insulation	(6) Ceilings			X Ex.	Ord.	Min	No. of Elec. Outlets																																																																																																																													
					Many	X Ave.	Few	(13) Plumbing																																																																																																																													
	(2) Windows	(7) Excavation			Average Fixture(s)																																																																																																																																
X	Many Avg. Few	X	Large Avg. Small	Basement: 0 S.F. Crawl: 1607 S.F. Slab: 0 S.F. Height to Joists: 0.0	2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan																																																																																																																																
	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(8) Basement			Conc. Block Poured Conc. Stone Treated Wood Concrete Floor																																																																																																																																
	(3) Roof	(9) Basement Finish			(14) Water/Sewer																																																																																																																																
X	Gable Hip Flat	Gambrel Mansard Shed	Recreation SF Living SF Walkout Doors (B) No Floor SF Walkout Doors (A)			1	Public Water Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic																																																																																																																														
X	Asphalt Shingle	(10) Floor Support			Lump Sum Items:																																																																																																																																
	Chimney: Brick	Joists: Unsupported Len: Cntr.Sup:			Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic																																																																																																																																
<p>Cost Est. for Res. Bldg: 1 Single Family BC Cls BC Blt 1994</p> <p>(11) Heating System: Forced Heat &amp; Cool</p> <p>Ground Area = 1940 SF Floor Area = 2640 SF.</p> <p>Phy/Ab.Phy/Func/Econ/Comb. % Good=89/100/100/100/89</p> <table border="1"> <thead> <tr> <th>Building Areas</th> <th>Stories</th> <th>Exterior</th> <th>Foundation</th> <th>Size</th> <th>Cost New</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>2 Story</td> <td>Siding/Brick</td> <td>Crawl Space</td> <td>700</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Crawl Space</td> <td>729</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Crawl Space</td> <td>90</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Crawl Space</td> <td>88</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Overhang</td> <td>312</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Overhang</td> <td>21</td> <td></td> <td></td> </tr> <tr> <td colspan="4">Total:</td> <td>426,848</td> <td>381,354</td> </tr> </tbody> </table> <p>Other Additions/Adjustments</p> <table border="1"> <thead> <tr> <th>Item</th> <th>Quantity</th> <th>Cost</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>Plumbing</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3 Fixture Bath</td> <td>1</td> <td>7,074</td> <td>6,296</td> </tr> <tr> <td>2 Fixture Bath</td> <td>1</td> <td>4,740</td> <td>4,219</td> </tr> <tr> <td>Garages</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="4">Class: BC Exterior: Siding Foundation: 42 Inch (Finished)</td> </tr> <tr> <td>Base Cost</td> <td>572</td> <td>39,131</td> <td>34,827</td> </tr> <tr> <td>Common Wall: 1 Wall</td> <td>1</td> <td>-3,227</td> <td>-2,872</td> </tr> <tr> <td>Water/Sewer</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Public Sewer</td> <td>1</td> <td>1,981</td> <td>1,763</td> </tr> <tr> <td>Water Well, 200 Feet</td> <td>1</td> <td>12,132</td> <td>10,797</td> </tr> <tr> <td>Porches</td> <td></td> <td></td> <td></td> </tr> <tr> <td>CCP (1 Story)</td> <td>24</td> <td>1,500</td> <td>1,335</td> </tr> <tr> <td>Deck</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Treated Wood</td> <td>12</td> <td>600</td> <td>588</td> </tr> <tr> <td>Unit-in-Place Cost Items</td> <td></td> <td></td> <td></td> </tr> <tr> <td>GENERATOR</td> <td>1</td> <td>7,665</td> <td>7,512</td> </tr> </tbody> </table> <p>&lt;&lt;&lt;&lt;&lt; Calculations too long. See Valuation printout for complete pricing. &gt;&gt;&gt;&gt;&gt;</p>																	Building Areas	Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	2 Story	Siding/Brick	Crawl Space	700			1 Story	Siding/Brick	Crawl Space	729			1 Story	Siding/Brick	Crawl Space	90			1 Story	Siding/Brick	Crawl Space	88			1 Story	Siding/Brick	Overhang	312			1 Story	Siding/Brick	Overhang	21			Total:				426,848	381,354	Item	Quantity	Cost	Depr. Cost	Plumbing				3 Fixture Bath	1	7,074	6,296	2 Fixture Bath	1	4,740	4,219	Garages				Class: BC Exterior: Siding Foundation: 42 Inch (Finished)				Base Cost	572	39,131	34,827	Common Wall: 1 Wall	1	-3,227	-2,872	Water/Sewer				Public Sewer	1	1,981	1,763	Water Well, 200 Feet	1	12,132	10,797	Porches				CCP (1 Story)	24	1,500	1,335	Deck				Treated Wood	12	600	588	Unit-in-Place Cost Items				GENERATOR	1	7,665	7,512
Building Areas	Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																																																																																																																															
2 Story	Siding/Brick	Crawl Space	700																																																																																																																																		
1 Story	Siding/Brick	Crawl Space	729																																																																																																																																		
1 Story	Siding/Brick	Crawl Space	90																																																																																																																																		
1 Story	Siding/Brick	Crawl Space	88																																																																																																																																		
1 Story	Siding/Brick	Overhang	312																																																																																																																																		
1 Story	Siding/Brick	Overhang	21																																																																																																																																		
Total:				426,848	381,354																																																																																																																																
Item	Quantity	Cost	Depr. Cost																																																																																																																																		
Plumbing																																																																																																																																					
3 Fixture Bath	1	7,074	6,296																																																																																																																																		
2 Fixture Bath	1	4,740	4,219																																																																																																																																		
Garages																																																																																																																																					
Class: BC Exterior: Siding Foundation: 42 Inch (Finished)																																																																																																																																					
Base Cost	572	39,131	34,827																																																																																																																																		
Common Wall: 1 Wall	1	-3,227	-2,872																																																																																																																																		
Water/Sewer																																																																																																																																					
Public Sewer	1	1,981	1,763																																																																																																																																		
Water Well, 200 Feet	1	12,132	10,797																																																																																																																																		
Porches																																																																																																																																					
CCP (1 Story)	24	1,500	1,335																																																																																																																																		
Deck																																																																																																																																					
Treated Wood	12	600	588																																																																																																																																		
Unit-in-Place Cost Items																																																																																																																																					
GENERATOR	1	7,665	7,512																																																																																																																																		

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





**GENOA CHARTER TOWNSHIP  
USE VARIANCE APPLICATION**

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

Case # 25-08

Meeting Date: April 15, 2025 @ 6:30pm

PAID Variance Application Fee *in Boardroom*

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

Applicant/Owner: John and Stephanie Prout Email: stephanie.goretski@gmail.com

Property Address: 4400 Brighton Rd Phone: 248 925 2265

Present Zoning: SR Tax Code: 11-33-102-032

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

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

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

**Failure to meet the submittal requirements may result in postponement or denial of this petition.**

Please explain the proposed variance below:

1. Variance requested/intended property modifications: Requesting allowance  
for the keeping of chickens based on  
the lot area reference for RR.

The following is per Article 23.05.04 of the Genoa Township Ordinance:

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

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

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

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

We would enjoy raising chickens to harvest their eggs and similar zoning areas in the vicinity are able to enjoy this activity. Property size is more consistent with RR than SR.

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

Our property is greater than 2 acres, more consistent with RR zoning. Furthermore, there is not a home neighboring the east side of our property and our driveway is not located in the subdivision.

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

Although the property is greater than 2 acres and near RR zoned properties, it was zoned as SR.

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

The proposed variation will not affect adjacent properties in a negative way, will not change capacity and operations of roads, utilities or other services, will not endanger safety.

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

The variance will not interfere with the character of the neighborhood or be a detriment to adjacent properties

**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: 3/18/2025 Signature: [Signature]









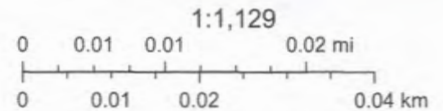
# Livingston County GIS Map

Approx. location for chickens



3/17/2025, 8:09:49 PM

-  Tax Parcel
-  Subdivision / Condominium
-  PLSS Section
-  Roads
-  Municipality
-  Minor Road



SEMCOG, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Livingston County IT/GIS

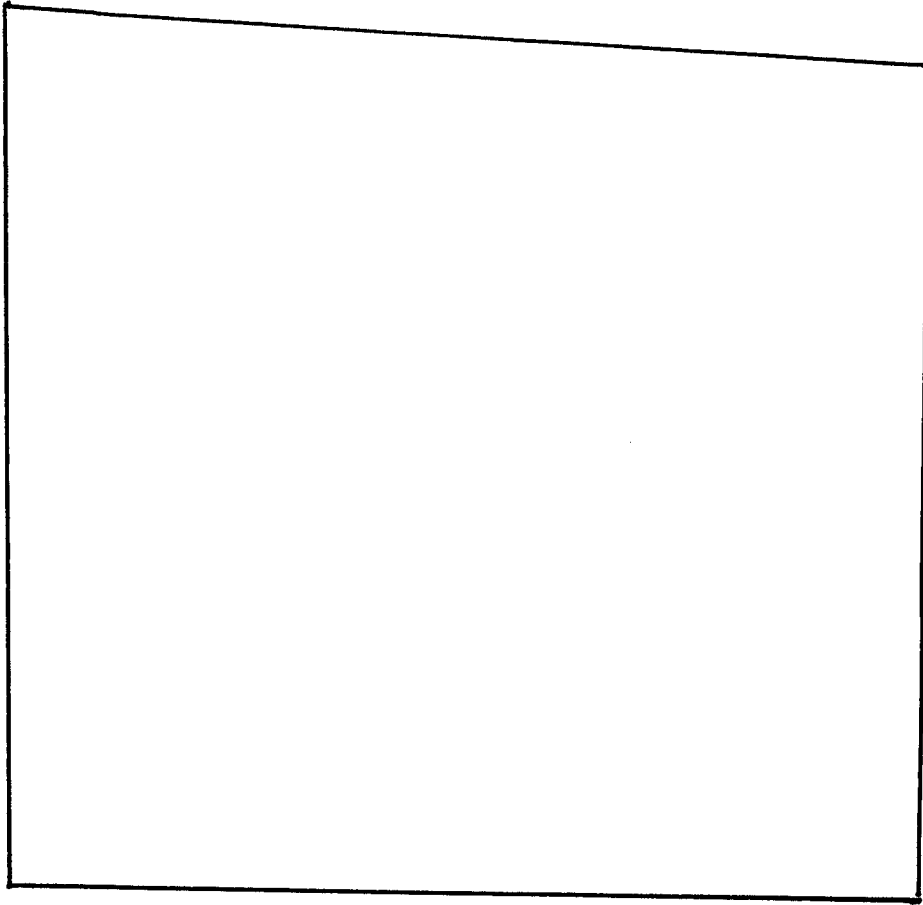
Livingston County IT/GIS

Map information depicted is not intended to replace or substitute for any official or primary source. Boundary measurements and area calculations are approximate and should not be construed as survey measurements.

Proposed: Approx dimensions of chicken coop

Side View

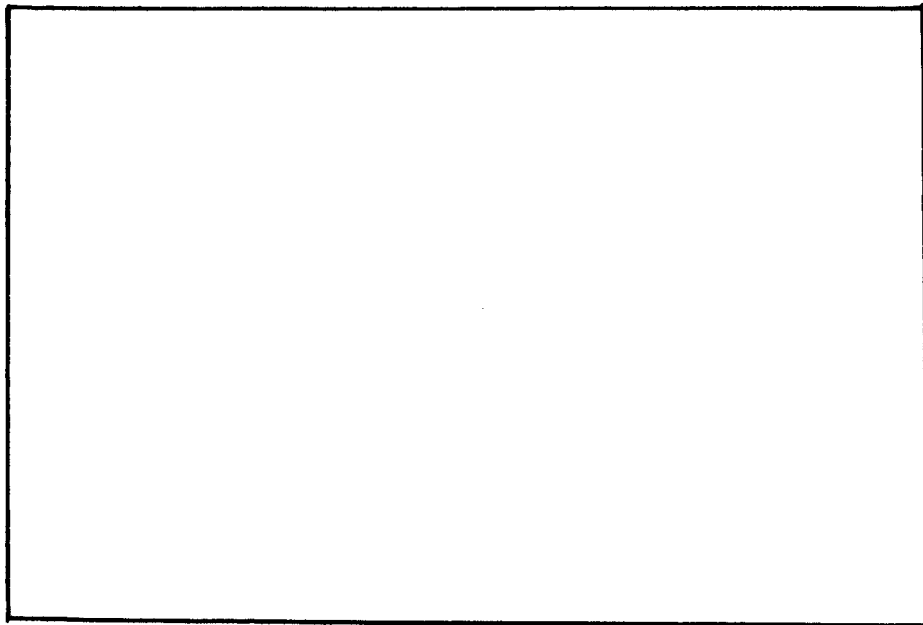
73"



67"

76"

Top-Down View



48"

76"



## MEMORANDUM

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

**TO:** Genoa Township Zoning Board of Appeals  
**FROM:** Carrie Aulette, Zoning Official  
**DATE:** April 4, 2025  
**RE:** ZBA 25-08

---

### STAFF REPORT

**File Number:** ZBA# 25-08  
**Site Address:** 4400 Brighton Road, Howell  
**Parcel Number:** 4711-33-102-032  
**Parcel Size:** 2.23 Acres  
**Applicant:** John & Stephanie Prout  
**Property Owner:** Same as Applicant  
**Information Submitted:** Application, site plan

**Request:** Use Variance

**Project Description:** Applicant is requesting a use variance to have chickens for their own usage on their property that is currently zoned Suburban Residential.

**Zoning and Existing Use:** SR (Suburban Residential), Single Family Dwelling located on property.

**Other:**

Public hearing was published in the Livingston County Press and Argus on Sunday March 30, 2025 and 300-foot mailings were sent to any real property within 300 feet of the property in accordance with the Michigan Zoning Enabling Act.

**Background**

The following is a brief summary of the background information we have on file:

- Per assessing records, the home was built in 1992.
- Parcel is serviced by private well & septic.
- Property is part of a platted subdivision-Timberview Farms #2
- See Record Card.

**SUPERVISOR**

Kevin Spicher

**CLERK**

Janene Deaton

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

**MANAGER**

Kelly VanMarter



### Summary

The proposed application is for a use variance to have chickens on their property that is zoned **Suburban Residential**. This home is part of a platted subdivision (Timberview Farms) but this home is accessed from Brighton Road, not Timberview Drive like the rest of the homes in the plat. Applicant believes their property is more like **Rural Residential**, with a lot size of over 2 acres. Staff looked into the Right to Farm Act, it seems this Act **ONLY** protects commercial farming operations and does not apply to this request.

**MRTFA 286.472 (a)** "Farm" means the land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances **used in the commercial production of farm products**.

### Variance Requests

THE FOLLOWING IS A SECTION FROM THE ORDINANCE THE VARIANCE IS BEING REQUESTED FROM:

#### **3.03.02 (g) – The Keeping of Animals**

- (2) The keeping of animals other than domesticated pets is only permitted as provided for in the following table. The keeping of equine and livestock is prohibited in all other zoning districts. These provisions do not apply to farms in the Agricultural District that are at least ten (10) acres in area, provided all other applicable state and county requirements are met.

Animal	Zoning Districts Permitted	Minimum Lot Area for First Animal	Lot Area for Each Additional Animal
Chickens, turkeys or rabbits	AG, CE & RR	2 acres	0.05 acres
Horses, ponies, other equine mules, burros, llamas and alpaca	AG & CE	3 acres	1 acres
Sheep or goats	AG, CE & RR	2 acres	0.25 acres
Swine	AG & CE	10 acres	0.5 acres
Cattle, bison, ostriches or elk	AG & CE	10 acres	1.5 acres

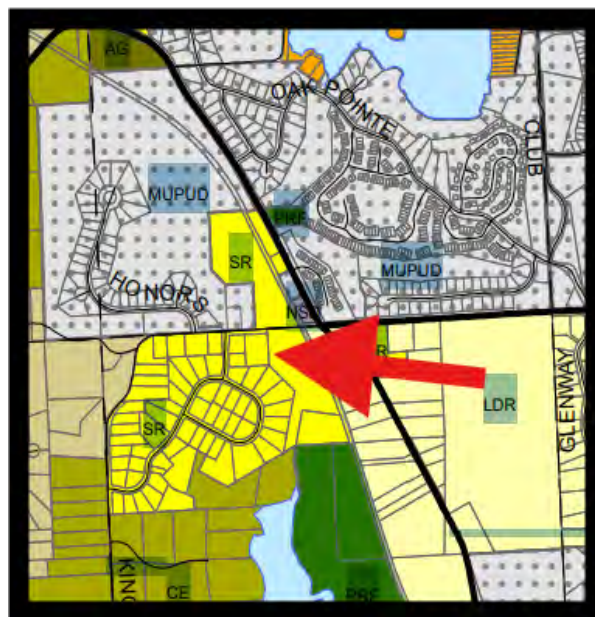
**23.05.04 Criteria Applicable to Use Variances.** The Board of Appeals may grant a use variance only upon a finding that an unnecessary hardship exists. A use variance is approval to allow a use that is otherwise not permitted in a zoning district.



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

Please note that in order for a variance to be approved it has to meet all of the standards in 23.05.04.

- (a) **Unreasonable Zoning Designation:** The applicant has not demonstrated that the site cannot be reasonably used for any of the uses allowed within the Suburban Residential zoning. They have provided information regarding the size of their property and it being similar to the Rural Residential district.
- (b) **Unique Circumstances:** Staff could not find any unique circumstances. While the lot is over the minimum size to keep chickens, not having them does not prevent the usage or make it impossible to earn a reasonable return without adjustment.
- (c) **Not Self-Created:** The applicant purchased a property not zoned to allow for chickens, so it does seem that this is a self-created issue.
- (d) **Capacity of Roads, Infrastructure, & Public Services:** The capacity and operations of public roads, utilities, other facilities and services will not be significantly compromised.
- (e) **Character of Neighborhood:** This property is located in a platted subdivision, zoned Suburban Residential. Staff was able to locate 2 homes in this platted sub that have lots over 5 acres that are zoned Country Estates. Staff also notes that there are properties within .5 miles of applicant that are zoned **Rural Residential or Country Estates**. The use variance would may alter the character of the neighborhood or pose a potential detriment to adjacent properties if the chickens were not housed in a secure area. There are approximately 65 properties in this platted sub, all but 6 lots are less than 2 acres. There are four properties over 2 acres and two properties over 5 acres (these 2 are zoned Country Estates). Surrounding to the north are PUD's and to the east is mainly zoned LDR. The nearest properties zoned Rural Residential are approximately 0.50 miles away.



### Recommended Conditions

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

1. Applicant shall have no more than 5 laying hens.
2. Applicant shall **NOT** have any roosters.
3. Chickens must be housed in a secure coop or enclosure, designed to prevent escape from the property and protect them from predators.
4. Chicken coop shall be located at least 25' from any property line.
5. The sale of eggs shall not be allowed.
6. No other livestock shall be permitted on the property.
7. The chicken coop must be located at least 25' from any wetlands.
8. Chicken feed must be stored within a tightly lidded container in a shed, garage, or similar storage area; and waste materials (feed, manure, litter) shall be disposed of in a sanitary manner (which may include bagging or composting) and not piled or otherwise stored on the property.

**From:** [Stephanie Goretski](#)  
**To:** [Carrie Aulette](#)  
**Subject:** Re: ZBA 25-08  
**Date:** Friday, April 4, 2025 1:20:03 PM  
**Attachments:** [image001.png](#)

---

Hi Carrie,

The chickens would be for our own use. Let me know if you need anything else!

Thanks!  
Stephanie

On Fri, Apr 4, 2025 at 12:59 PM Carrie Aulette <[carrie@genoa.org](mailto:carrie@genoa.org)> wrote:

Hi Stephanie,

I am working on my staff report for your request and just have a question- are the chickens for your own use or do you plan on selling the eggs?

If you can let me know I would appreciate it!

Have a great day!

Carrie Aulette

*Zoning Official*



Genoa Charter Township

2911 Dorr Road, Brighton, Michigan 48116

Direct: (810) 224-5838 Phone: (810) 227-5225

E-mail: [carrie@genoa.org](mailto:carrie@genoa.org)





Brighton Rd

Brighton Rd

Brighton Rd

Brighton Rd

Brighton Rd

King Rd

Timberview Dr

Timberview Dr

Pine Hill Cir

Pine Hill Cir

Timberview Dr

Pine Hill Cir

Pine Hill Cir

Pine Hill Cir

Pine Hill Cir

Pine Hill Cir

Timberview Dr



# 'TIMBERVIEW FARMS NO. 2'

PART OF THE NW 1/4 OF SEC. 33, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.

Scale: 1 inch=100'



PREPARED AND DRAFTED BY  
BOSS ENGINEERING COMPANY  
3121 EAST GRAND RIVER  
NOWELL, MICHIGAN 48843

*Handwritten notes:*  
ALL DIMENSIONS SHOWN IN FEET  
ALL BEARINGS ARE IN RELATION TO  
THE POINT OF BEGINNING  
DATE: October 21, 1974

Approx location for chickens  
SHEET 1 OF 3 SHEETS

POINT OF BEGINNING  
N. 1/4 COR. SEC. 33 T. 2 N. - R. 5 E.

### PLAT LEGEND

All dimensions are shown in feet. All curvilinear dimensions are shown along the arc.  
All bearings are in relation to Timberview Farms No. 1 as recorded in Liber 590, Page 590 - 590.  
The symbol "O" indicates a concrete monument.  
All lot markers are 1/2 inch iron rods and are 18 inches in length.

NO.	DELTA	TAN.	RADIUS	ARC	CHORD	CH. BRG.
1	20° 53' 08"	140.07	760.00	277.04	275.31	N. 39° 30' 00" E.
2	20° 53' 08"	152.24	828.00	301.09	299.43	N. 39° 50' 00" E.
3	90° 00' 00"	20.00	20.00	31.42	28.28	N. 74° 24' 17" E.
4	90° 00' 00"	20.00	20.00	31.42	28.28	N. 10° 35' 43" W.
5	49° 00' 00"	81.60	197.00	104.72	150.78	N. 5° 54' 17" E.
6	49° 00' 00"	108.94	263.00	206.96	201.29	N. 51° 54' 17" E.
7	24° 14' 31"	78.60	366.00	194.85	153.70	S. 88° 31' 33" E.
8	49° 00' 00"	124.28	300.00	235.62	229.81	S. 83° 05' 43" E.
9	82° 08' 29"	17.42	20.00	28.66	26.27	N. 37° 38' 30" E.
10	82° 08' 29"	17.42	20.00	28.66	26.27	N. 24° 31' 00" W.
11	18° 24' 05"	75.84	467.00	149.88	143.74	N. 07° 02' 14" E.
12	18° 24' 05"	86.33	535.00	171.18	170.44	N. 07° 20' 16" E.
13	18° 10' 38"	43.89	411.45	87.45	87.28	N. 04° 51' 31" E.
14	18° 12' 42"	30.98	478.34	101.52	101.33	N. 04° 12' 28" E.
15	80° 00' 00"	20.00	20.00	31.42	28.28	N. 43° 08' 08" E.
16	72° 37' 00"	144.78	197.00	249.88	233.30	S. 24° 17' 13" E.
17	72° 37' 00"	193.25	263.00	333.33	311.46	S. 24° 17' 13" E.
18	107° 23' 00"	357.92	263.00	492.81	423.87	S. 65° 42' 47" W.
19	107° 23' 00"	268.10	197.00	369.22	317.50	S. 65° 42' 47" W.
20	04° 58' 31"	15.90	266.00	31.78	31.77	N. 63° 05' 00" W.



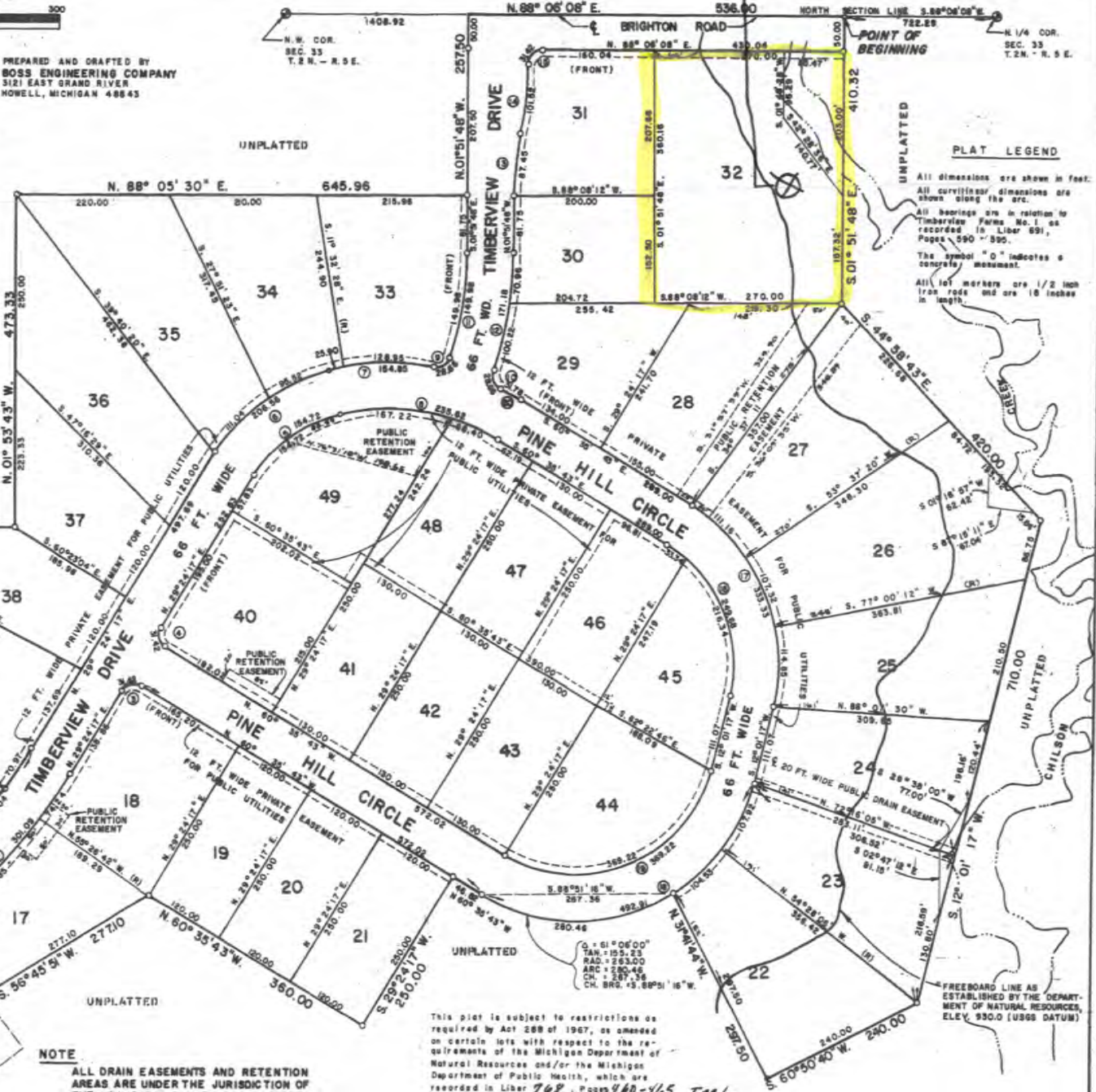
### LOCATION MAP



**NOTE**  
ALL DRAIN EASEMENTS AND RETENTION AREAS ARE UNDER THE JURISDICTION OF THE LIVINGSTON COUNTY DRAIN COMMISSION.

This plat is subject to restrictions as required by Act 288 of 1967, as amended on certain lots with respect to the requirements of the Michigan Department of Natural Resources and/or the Michigan Department of Public Health, which are recorded in Liber 762, Pages 448-465 Encl. of records of this county.

FREEBOARD LINE AS ESTABLISHED BY THE DEPARTMENT OF NATURAL RESOURCES, ELEV. 930.0 (USGS DATUM)



Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.							
MILLER, RICHARD & LISA	PROUT JOHN & STEPHANIE	343,000	08/05/2019	WD	03-ARM'S LENGTH	2019R-020202	BUYER/SELLER	100.0							
MILLER, RICHARD & ROULEAU,		0	07/03/1996	QC	21-NOT USED/OTHER	2068-0407	BUYER/SELLER	0.0							
MILLER, RICHARD		0	05/20/1994	OTH	21-NOT USED/OTHER	18330566	BUYER/SELLER	0.0							
MILLER, RICHARD		20,000	05/10/1994	OTH	21-NOT USED/OTHER	18270242	BUYER/SELLER	0.0							
Property Address		Class: RESIDENTIAL-IMPROV		Zoning: SR		Building Permit(s)		Date	Number	Status					
4400 BRIGHTON RD		School: BRIGHTON AREA SCHOOLS		ABOVE GROUND POOL		05/29/2007		07-061	NO START						
Owner's Name/Address		P.R.E. 100% 09/13/2019		MAP #: V25-08		2025 Est TCV 489,406 TCV/TFA: 186.94									
PROUT JOHN & STEPHANIE 4400 BRIGHTON RD HOWELL MI 48843-9433		X Improved		Vacant		Land Value Estimates for Land Table 4021.4021 TIMBERVIEW FARMS									
Tax Description		Public Improvements		* Factors *		Description		Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
SEC 33 T2N R5E TIMBERVIEW FARMS #2, LOT 32		Dirt Road		<Site Value A>		A SITE VALUE		65000	100					65,000	
Comments/Influences		Gravel Road		270 Actual Front Feet, 2.23 Total Acres		Total Est. Land Value =								65,000	
		Paved Road		Land Improvement Cost Estimates		Description		Rate	Size	% Good			Cash Value		
		Storm Sewer		D/W/P: 3.5 Concrete		7.85		196	50			769			
		Sidewalk		Total Estimated Land Improvements		True Cash Value =						769			
		Water		Topography of Site		Level									
		Electric		Rolling		Low									
		Gas		High		Landscaped									
		Curb		Swamp		Wooded									
		Street Lights		Pond		Waterfront									
		Standard Utilities		Ravine		Wetland									
		Underground Utils.		Flood Plain		X REFUSE									
		Year		Land Value		Building Value		Assessed Value		Board of Review		Tribunal/Other		Taxable Value	
		2025		32,500		212,200		244,700						211,116C	
		2024		32,500		195,800		228,300						204,769C	
		2023		30,000		168,500		198,500						195,019C	
		2022		30,000		156,100		186,100						185,733C	
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Genoa, County of Livingston, Michigan		Who		When		What		JB		09/30/2019		SALES REVI			



Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins			(15) Fireplaces			(16) Porches/Decks		(17) Garage																																																																																																																							
X	Single Family Mobile Home Town Home Duplex A-Frame		Eavestrough Insulation 0 Front Overhang 0 Other Overhang	X	Gas Wood	Oil Coal	Elec. Steam		Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System		Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story 1 Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area 40 503 260	Type CCP (1 Story) Treated Wood Treated Wood	Year Built: Car Capacity: Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1.5 Wal Foundation: 42 Inch Finished?: Yes Auto. Doors: 0 Mech. Doors: 0 Area: 696 % Good: 0 Storage Area: 0 No Conc. Floor: 0																																																																																																																								
X	Wood Frame	(4) Interior			Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace X Forced Heat & Cool Heat Pump No Heating/Cooling																																																																																																																																	
Building Style: BC		Drywall Paneled	Plaster Wood T&G	Trim & Decoration																																																																																																																																		
Yr Built 1992	Remodeled 0	Ex	X Ord	Min	Size of Closets																																																																																																																																	
Condition: Good		Lg	X Ord	Small	Central Air Wood Furnace																																																																																																																																	
Room List		Doors:	Solid X	H.C.	(5) Floors																																																																																																																																	
	Basement 1st Floor 2nd Floor 4 Bedrooms	Kitchen: Other: Other:			(12) Electric																																																																																																																																	
(1) Exterior		No./Qual. of Fixtures			0 Amps Service																																																																																																																																	
X	Wood/Shingle Aluminum/Vinyl Brick  Insulation	Ex.	X Ord.	Min	No. of Elec. Outlets																																																																																																																																	
(2) Windows		Many Avg. Few	X Avg.	Large Small	Many	X Ave.	Few	(13) Plumbing																																																																																																																														
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	Basement: 1244 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0			Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 2 Extra Sink 1 Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan																																																																																																																																	
(3) Roof		(7) Excavation			(8) Basement			(14) Water/Sewer																																																																																																																														
X	Gable Hip Flat	Gambrel Mansard Shed	1 Walkout Doors (B) No Floor SF Walkout Doors (A)			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic																																																																																																																																
X	Asphalt Shingle	(9) Basement Finish			(10) Floor Support			Lump Sum Items:																																																																																																																														
Chimney: Brick		Joists: Unsupported Len: Cntr.Sup:			Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic																																																																																																																																	
<p>Cost Est. for Res. Bldg: 1 Single Family BC Cls BC Blt 1992</p> <p>(11) Heating System: Forced Heat &amp; Cool</p> <p>Ground Area = 1434 SF Floor Area = 2618 SF.</p> <p>Phy/Ab.Phy/Func/Econ/Comb. % Good=79/100/100/100/79</p> <table border="1"> <thead> <tr> <th>Building Areas</th> <th>Stories</th> <th>Exterior</th> <th>Foundation</th> <th>Size</th> <th>Cost New</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>2 Story</td> <td>Siding/Brick</td> <td>Basement</td> <td>1,102</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Basement</td> <td>76</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Basement</td> <td>66</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding/Brick</td> <td>Overhang</td> <td>190</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding</td> <td>Overhang</td> <td>27</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding</td> <td>Overhang</td> <td>27</td> <td></td> <td></td> </tr> <tr> <td>1 Story</td> <td>Siding</td> <td>Overhang</td> <td>28</td> <td></td> <td></td> </tr> <tr> <td colspan="4">Total:</td> <td>436,763</td> <td>345,044</td> </tr> </tbody> </table> <p>Other Additions/Adjustments</p> <table border="1"> <thead> <tr> <th>Description</th> <th>Quantity</th> <th>Cost</th> <th>Depr. Cost</th> </tr> </thead> <tbody> <tr> <td>Basement, Outside Entrance, Below Grade</td> <td>1</td> <td>3,721</td> <td>2,940</td> </tr> <tr> <td>Plumbing</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3 Fixture Bath</td> <td>1</td> <td>7,074</td> <td>5,588</td> </tr> <tr> <td>2 Fixture Bath</td> <td>1</td> <td>4,740</td> <td>3,745</td> </tr> <tr> <td>Extra Sink</td> <td>2</td> <td>2,914</td> <td>2,302</td> </tr> <tr> <td>Separate Shower</td> <td>1</td> <td>2,865</td> <td>2,263</td> </tr> <tr> <td>Water/Sewer</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1000 Gal Septic</td> <td>1</td> <td>5,836</td> <td>4,610</td> </tr> <tr> <td>Water Well, 200 Feet</td> <td>1</td> <td>12,132</td> <td>9,584</td> </tr> <tr> <td>Porches</td> <td></td> <td></td> <td></td> </tr> <tr> <td>CCP (1 Story)</td> <td>40</td> <td>1,645</td> <td>1,300</td> </tr> <tr> <td>Deck</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Treated Wood</td> <td>503</td> <td>8,320</td> <td>6,573</td> </tr> <tr> <td>Treated Wood</td> <td>260</td> <td>5,398</td> <td>4,264</td> </tr> <tr> <td>Garages</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>&lt;&lt;&lt;&lt;&lt; Calculations too long. See Valuation printout for complete pricing. &gt;&gt;&gt;&gt;&gt;</p>																Building Areas	Stories	Exterior	Foundation	Size	Cost New	Depr. Cost	2 Story	Siding/Brick	Basement	1,102			1 Story	Siding/Brick	Basement	76			1 Story	Siding/Brick	Basement	66			1 Story	Siding/Brick	Overhang	190			1 Story	Siding	Overhang	27			1 Story	Siding	Overhang	27			1 Story	Siding	Overhang	28			Total:				436,763	345,044	Description	Quantity	Cost	Depr. Cost	Basement, Outside Entrance, Below Grade	1	3,721	2,940	Plumbing				3 Fixture Bath	1	7,074	5,588	2 Fixture Bath	1	4,740	3,745	Extra Sink	2	2,914	2,302	Separate Shower	1	2,865	2,263	Water/Sewer				1000 Gal Septic	1	5,836	4,610	Water Well, 200 Feet	1	12,132	9,584	Porches				CCP (1 Story)	40	1,645	1,300	Deck				Treated Wood	503	8,320	6,573	Treated Wood	260	5,398	4,264	Garages			
Building Areas	Stories	Exterior	Foundation	Size	Cost New	Depr. Cost																																																																																																																																
2 Story	Siding/Brick	Basement	1,102																																																																																																																																			
1 Story	Siding/Brick	Basement	76																																																																																																																																			
1 Story	Siding/Brick	Basement	66																																																																																																																																			
1 Story	Siding/Brick	Overhang	190																																																																																																																																			
1 Story	Siding	Overhang	27																																																																																																																																			
1 Story	Siding	Overhang	27																																																																																																																																			
1 Story	Siding	Overhang	28																																																																																																																																			
Total:				436,763	345,044																																																																																																																																	
Description	Quantity	Cost	Depr. Cost																																																																																																																																			
Basement, Outside Entrance, Below Grade	1	3,721	2,940																																																																																																																																			
Plumbing																																																																																																																																						
3 Fixture Bath	1	7,074	5,588																																																																																																																																			
2 Fixture Bath	1	4,740	3,745																																																																																																																																			
Extra Sink	2	2,914	2,302																																																																																																																																			
Separate Shower	1	2,865	2,263																																																																																																																																			
Water/Sewer																																																																																																																																						
1000 Gal Septic	1	5,836	4,610																																																																																																																																			
Water Well, 200 Feet	1	12,132	9,584																																																																																																																																			
Porches																																																																																																																																						
CCP (1 Story)	40	1,645	1,300																																																																																																																																			
Deck																																																																																																																																						
Treated Wood	503	8,320	6,573																																																																																																																																			
Treated Wood	260	5,398	4,264																																																																																																																																			
Garages																																																																																																																																						

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

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
March 18, 2025 - 6:30 PM**

**MINUTES**

**Call to Order:** Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm. The members and staff of the Zoning Board of Appeals were present as follows: Marianne McCreary, Matt Hurley, Michele Kreutzberg, Bill Rockwell, Rick Soucy, and Carrie Aulette, Zoning Official. Absent was Craig Fons.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

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

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

**Approval of the Agenda:**

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

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

**Call to the Public:**

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

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

**Old Business**

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

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

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



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

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

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

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

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

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

This approval is conditioned upon the following:

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

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

**New Business**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

This approval is conditioned upon the following:

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

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

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

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

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

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

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

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

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

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

This approval is conditioned upon the following:

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

**The motion carried unanimously**

Chairperson McCreary returned to the meeting room.

**Administrative Business:**

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

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

2. Correspondence

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

Genoa Township Zoning Board of Appeals Meeting  
March 18, 2025  
Unapproved Minutes

3. Member Discussion

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

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

4. Adjournment

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

Respectfully submitted:

Patty Thomas, Recording Secretary

DRAFT