

**GENOA TOWNSHIP  
ZONING BOARD OF APPEALS  
MARCH 22, 2005**

**MINUTES**

Chairman Doug Brown called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Doug Brown, Barbara Figurski, Joe Perri, Jean Ledford and Kevin Brady. Also present was Township staff member Adam Van Tassell and approximately 15 persons in the audience.

Moved by Figurski, supported by Ledford, to approve the agenda with the removals of item 05-03 and 05-04. The motion carried unanimously.

A call to the public was made with no response.

**04-05...A request by Chris Malysz requesting a front yard variance to a previously granted variance to construct a new home.**

A call to the public was made with the following response: George Kandler, 1475 South Hacker- lot 114 is a house and lot adjacent to this but it is not showing on this map. I am just curious as to why it was not on this drawing. Brown- it is on our map. Mr. Kandler- my main concern is that along with these setbacks there is a 71 ft setback. If this goes the way it shows he will be building 45 ft from the lake. From the edge of the gravel to the edge of the water it is 156 feet. Mr. Malysz- the water line varies from time to time. Brown- For the record we need to know whether it is 71 feet or 45 feet. Mr. Malysz- Currently right now it would have to be 50 feet but the water level varies and the shore line has been cleaned up quite a bit. The lake is not going to protrude any further than what it is right now. On the setback given there was a 60 foot variance that was given and it is supposed to be 100 feet right now. Mr. Van Tassell- a 24 foot waterfront setback is what was granted originally.

Brown- For the record we need the exact distance from the end of the proposed house to the lake. Mr. Malysz – If we went with my neighbors drawing he has 46 ½ feet apparently from where the edge of the house is now. Ledford - You do have an official survey, right? Mr. Malysz – Right. Ledford - Then what is the problem? Brown – I agree with Jean that I have no problem as long as it is adjacent to the property next door. Perri- We have the same concerns with the lake being overpopulated. We try to protect it as well as we can. But these were existing lots and we can't keep the people out. I appreciate your input and you provided a lot of documentation. Mr. Kandler – We are just concerned. We have been there since 1988. We were told that those lots were not going to be built on when we bought. We have also been told that when Chris first bought this place that he was building one house on all three lots. We are afraid that

there will be 1-3 rental homes that we will have to contend with. We have soil piles and when Chris bulldozed dirt there is no fencing to catch the dirt. We are not happy with what we have seen thus far. Brown- I understand but there is very little we can do about it.

Moved by Ledford, supported by Perri, to grant approval to adjust variances granted at the June 22, 2004 ZBA meeting.

Front –	27 ft
One side-	26 ½ ft
Other side-	20 ft
Rear –	25 ft
Waterfront –	29 ft

This is the result of an official survey dated 7/16/04 which shows a portion of the front yard is to be moved to comply with variances. All other conditions of the meeting dated 6/22/04 remain the same. To be in line with neighboring homes – No closer to the waters edge than the structure on lot 116. Practical difficulty is the topography and the narrowness of the lot. Motion carried unanimously.

**05-01...A request by Theresa and Timothy Morin, Section 29, Vacant Coon Lake Road, for a variance to place a modular home with a roof pitch less than 4/12.**

A call to the public was made with no response.

Moved by Brady, supported by Ledford, to deny petitioner's request with the ability to come back within one year without a fee if the ordinance has changed. Motion carried as follows: Ayes- Brady, Ledford, Perri, Figurski. Nays- Brown.

**05-02...A request by Brad Robinson, Section 22, 4004 Clifford, for two side yard variances and a front yard variance to construct an addition.**

Moved by Brady, supported by Perri, to grant the variances of 8" in the front yard, 4.5 ft. in the side yard, 2.3 feet in the other side yard. Practical difficulty is the size and narrowness of the lot. The house is to be guttered. Motion carried unanimously.

**05-05...A request by Jay Hickman, 1046 S. Hughes for a side yard variance to construct a new home.**

A call to the public was made with no response.

Moved by Figurski, supported by Perri, to table case # 05-05 per petitioner's request. Motion carried unanimously.

**05-06...A request by Gar Boling, Ryson Tube Inc., for a parking lot variance to construct an industrial building.**

A call to the public was made with no response.

Moved by Ledford, supported by Brady, to grant petitioner's request for a 16 ft variance to the parking lot setback to construct a new building. It is conditional that any trees that die within a year that they will be replaced. The hardship and practical difficulty is as listed: 20 ft utility easement, retention pond on the south east side. Motion carried unanimously.

Moved by Figurski, seconded by Ledford, to approve the minutes from the February 22, 2005 meeting with corrections.

The meeting adjourned at 9:00 p.m.

Respectfully submitted:

Kelli Schwab