

ZONING BOARD OF APPEALS

June 17, 2003

MINUTES

Chairman Rick Staley called a regular meeting of the Zoning Board of Appeals to order at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following members of the Zoning Board of Appeals were present constituting a quorum for the transaction of business: Rick Staley, Barbara Figurski, Jean Ledford and Dean Tengal. Also present were Township Ordinance Enforcement Officer Adam Van Tassell and approximately 20 persons in the audience.

A call to the public was made with no response.

03-20...A request by Robert and Rosemary Gontarski, Section 27, 4401 Filbert, for a variance to split a lot into two non-conforming lots. (Tabled 5-20-03)

A call to the public was made with no response. A letter of opposition was received from Frank and Lola Castle. Moved by Ledford, supported by Tengal to approve the request to re-split parcels 26, 27 and 28 into two buildable lots as per execution of the Declaration of Restrictive Covenants drafted by Heikkinen. The lots will measure 54 feet and 96 feet in width at the roadside. No variances will be sought or granted relative to the creation of the 54-foot lot. This action is contingent upon the demolition of the existing garage by 10/31/03. The extraordinary circumstance is the abnormal size of this lot in relation to other parcels in that area. This split will bring that parcel into conformity with neighboring parcels. The motion carried unanimously.

03-34...A request by Eugene Miceli, Section 32, 3247 E. Schafer Road, for a rear yard variance to construct a detached garage.

A call to the public was made with no response. Moved by Figurski, supported by Ledford to approve a 35' variance to the rear for construction of a detached accessory pole barn measuring 24' x 30'. The vinyl sided barn area will include a 6' porch overhang with the 24' x 24' area enclosed. The practical difficulty is the layout of the land and the location of the septic field and drainage area. The motion carried unanimously.

03-35...A request by Peggy Farmer and Mark Harbour, Section 9, 1053 Sunrise Park, for a side yard variance to construct a detached garage.

A call to the public was made with no response. A letter of support was received from Michael and Marion Suci. Moved by Ledford, supported by Tengal, to approve a 10' side yard variance for construction of a detached 1 ½ car garage measuring 24' x 16' in area. This action is contingent upon removal of the existing shed and tree and the guttering of the addition. The practical difficulty is the narrowness of the lot as well as

the sloping driveway and the location of the sewer line that runs down the driveway. The motion carried unanimously.

03-36...A request by Raymond Harlow, Section 14, 6836 Mahinkski, for a side yard variance to construct a new home.

A call to the public was made with no response. Moved by Ledford, supported by Figurski, to approve the variance of 7'8" contingent upon removal of the existing shed. This action is the continuation of an existing nonconforming use in that the foundation will be used for the new building. The practical difficulty is the unusual shape of the lot and the location of the existing septic field (in front of the porch) that will not allow a side entry garage. This action is contingent upon the home being guttered with all water remaining on site. The motion carried unanimously.

03-37...A request by Providence Steel and Supply, Section 5, 1200 Victory Drive, for a sign variance to place two pole signs on one property.

A call to the public was made with no response. Moved by Ledford, supported by Figurski, to table (until the next regular meeting of the board) to allow the petitioner to properly stake the location of the sign. The motion carried unanimously.

03-38...A request by Jacobs & Sharp LLC. Section 22, 4078 Highcrest, for a side yard, rear yard and waterfront variance to construct a new home.

A call to the public was made with no response. Moved by Figurski, supported by Tengel, to table (at the petitioner's request) to allow the petitioner to review other possibilities with regard to the side yard setbacks that do not meet the 10' fire code. The garage will measure 20' x 22' in size with approximately an additional 2,000 sq. feet of living space. It is the understanding of the board that the existing home (including the deck) will be demolished. The motion carried unanimously.

03-39...A request by Michael Page, Section 22, 3793 Highcrest, for a side yard variance to construct a new deck.

A call to the public was made with no response. Moved by Figurski, supported by Ledford, to approve a 5' side yard variance to construct a deck and storage area. The practical difficulty is the narrow size of the lot, the location of the existing structure on the lot and the hilly terrain. The motion carried unanimously.

03-40...A request by Geoff Oswalt, Section 28, 4003 Homestead, for a revision of a condition attached to a previously granted variance.

A call to the public was made with the following response: Curt Brown – I support the variance as long as the footprint remains the same. Moved by Ledford, supported by Figurski, to deny the request and clarify the motion of 01/22/03 – that 2500 sq. ft. of

living space is allowed in addition to the garage. The petitioner presented no practical difficulty or hardship related to the land. The motion carried unanimously.

03-44...A request by Dave Eichen, Section 22, 5400 Sharp Drive, for a variance to split a lot with one nonconforming lot.

A call to the public was made with no response. Moved by Ledford, supported by Tengel, to approve the request with the execution of deed restrictions – not allowing additional splits or a request for variances for the new parcels. Lot A will be 12,066 sq. ft. in area and lot B will be 19,079.28 sq. ft. in area. Further, when the property is sold, the detached accessory structure will be torn down at the owner's expense. The practical difficulty is that the parcel existing today is out of character with the neighborhood. The motion carried unanimously. (Reference is made to petition 03/20 and the deed restriction related to that parcel. This request will include similar restrictions. A copy was provided to the attorney representing the Eichens.)

Moved by Figurski, supported by Ledford, to approve the Minutes of the 06/10/03 regular meeting of the Zoning Board of Appeals as submitted. The motion carried unanimously.

The regular meeting of the ZBA was adjourned at 9:20 p.m.



Paulette A. Skolarus
Genoa Township Clerk