

GENOA TOWNSHIP
ZONING BOARD OF APPEALS
MARCH 18, 2003
7:00 P.M.

MINUTES

Chairman 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 board members were present constituting a quorum for the transaction of business: Rick Staley, Barbara Figurski, Jean Ledford and Chris Hensick. Also present were Township Zoning Administrator Adam VanTassell and approximately 30 persons in the audience.

Moved by Ledford, supported by Figurski, to approve the Agenda as presented. The motion carried unanimously.

A call to the public was made with no response.

02-57...A request by Allen and Laurie Keeling, Section 1, 7752 Price Drive, for a 20-foot side yard variance with a 10-foot setback and a size variance to the 900 sq. ft. maximum requirement to construct an accessory structure.

A call to the public was made with no response. Moved by Ledford, supported by Hensick, to deny the request since no practical difficulty or hardship was presented by the petitioner specifically related to the land. The motion carried unanimously.

03-02...A request by Albert Sharp, Section 22, 3653 Crest Hill for a 39' variance with a 1' setback to construct a new home.

A call to the public was made with the following response: Robert Zdziebko - The neighborhood can petition the Genoa Township Board to have the road vacated. Paul Stupak - I live on lot 5 and have been a resident for about 50 years. Bringing the house farther from the lake would not cause removal of the existing trees. The house in this location would not obstruct the view. Gary McCririe - Mr. Sharp called me about six months ago concerning the vacation or abandonment of Crest Hill Drive. The township board could take action if the road was public. Since it is a private road it would need circuit court action to be abandoned. Zdziebko - If the road were abandoned, the house could be built even closer to Grover.

Staley - To approve a 39' variance there needs to be a practical difficulty associated with the land. In my estimation, a private road that has never been used as a roadway in at least 25 years and has been used consistently to access this parcel for at least that many years is reason enough. Builder (Anthony) - If the house were moved down the hill it would be in the flood plain. Hensick - Any action that we take should be after circuit court action to modify the plat and any approval granted should be conditioned upon a

presentation of the vacation of Crest Hill and the future combination of lot 41 with lot 8. The petitioner was advised that a full board was not present and any approval would need a positive response by at least three members. After further discussion Mr. Sharp asked that his request be tabled to the next regular meeting of the Zoning Board of Appeals.

Moved by Hensick, supported by Ledford, to table the petitioner's request until the April 22nd meeting of the Zoning Board. The motion carried unanimously.

03-07...A request by Dennis Cuffe, Section 3, (vacant land, located on the south side of Lakeside Drive) for a 10-foot front yard variance with a 25-foot setback and a 27-foot rear yard variance with a 13-foot setback to construct a new home.

A call to the public was made with the following response: Greg Krench – This petitioner does excellent work and I have no objection. Moved by Ledford, supported by Hensick, to approve a 7' waterside (front) variance and a 27' rear (road) variance contingent upon removal of the existing shed and that the new construction be guttered in an effort to retain all water on the existing parcel. The practical difficulty is the narrowness of the existing lot. The motion carried unanimously.

03-10...A request by McDonalds Corporation, Section 5, 3781 E. Grand River, for a variance to the required number of parking spaces to construct a 120-square foot addition.

A call to the public was made with no response. Moved by Hensick, supported by Ledford, to approve a variance to permit 4 fewer parking spaces to allow the expansion pursuant to the plans submitted. The practical difficulty is that the manner of calculation for parking spaces has shifted to square footage and away from seating capacity. Note: The petitioner has reduced the number of seats by 13 even though the square footage of the building has been increased. The motion carried unanimously.

03-11...A request by Mark Lasagna, Section 14, 6854 Mahinske Dr., for a 6-foot side yard variance with a 4-foot setback to construct an addition.

A call to the public was made with no response. Letters were received from Barbara Lewis and Kim and Penny Jones supporting the variance. Moved by Hensick, supported by Ledford, to approve a 6' side yard variance to allow the expansion of an existing nonconforming structure. The addition will measure 20' x 13' on the waterfront side. Further, this action is contingent upon the home being guttered in an effort to retain all water on the parcel. The practical difficulty is the present location of the nonconforming structure on the parcel. The motion carried unanimously.

03-13...A request by James Koerschen, Section 11, 1764 Hughes Road, for a rear and side yard variance to construct an addition.

A call to the public was made with no response. The board expressed concern with the actual location of the lot lines of this parcel and that a variance regarding the maximum

coverage of the lot may also be necessary. The petitioner was asked to stake the property lines in relation to the proposal submitted. Moved by Hensick, supported by Ledford, to table the request until such time as the lot lines can be staked and a copy of the survey provided to the board. The motion carried unanimously.

Administrative Business:

Moved by Figurski, supported by Ledford, to approve the Minutes of the 03-18-03 regular meeting of the Zoning Board of Appeals as submitted. The motion carried unanimously.

The regular meeting of the Zoning Board of Appeals was adjourned at 9:10 p.m.

Paulette A. Skolarus
Genoa Township Clerk