

(corrected)
GENOA TOWNSHIP
Zoning Board of Appeals
November 19, 2002

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 board members were present constituting a quorum for the transaction of business: Rick Staley, Barbara Figurski, Chris Hensick and Jean Ledford. Also present were Township Ordinance Enforcement Officer Adam VanTassell and approximately 25 persons in the audience.

Moved by Ledford, supported by Figurski, to approve the Agenda with the tabling of petition 02-56. The motion carried unanimously.

02-47...A request by Pete Berton, Section 31, 2760 Brighton Road, for a 27-foot side yard variance with a 13-foot setback to construct an accessory structure.

A call to the public was made with no response. Moved by Hensick, supported by Figurski, to approve a 27' side yard variance for construction of a single story (heated) accessory building measuring 30'x 30' with the location as identified in the petition. The practical difficulty is the unusual topography with regard to any possible location of the building on the west side. The motion carried unanimously.

02-59...A request by John and Maricel Roberts, Section 22, 3805 Highcrest, for a side and rear yard variance for an expansion to a nonconforming structure.

A call to the public was made with the following response: Tom Crane – Part of the garage was added-on without a permit. This house is wider than most on a narrow lot. Jacqueline Blair – I dropped off a quitclaim deed. Paragraph 5 states that the Township retains a perpetual utility easement over the parcel 10 easement. The variance they are requesting is not from the initial property line but instead from parcel 10 and the five additional feet granted through the quitclaim deed related to the easement. We do not want to see any construction materials placed on the easement should the board grant a variance. Mike Page – Anything you allow to that existing structure would be an improvement. Hensick – The issues raised by the public do not in any way relate to this petition. If the neighbors are in opposition and feel that the Boss Engineering survey is wrong then it is incumbent upon them to obtain a survey.

Moved by Hensick, supported by Figurski, to grant a 14' rear yard (roadside) variance, a 6' south side-yard variance (the continuation of a nonconforming use) and a 2' north side-yard variance (all measured from the lot boundary line of lot #10) for construction of an addition with a ten-foot separation from the existing garage and home. The height appears to be in conformance according to VanTassell. The house must be guttered on

all sides to retain all water on the parcel. The practical difficulty is the narrowness of the lot. The motion carried unanimously.

02-52...A request by Frank White, Section 22, 4058 Highcrest, for a 4-foot side yard variance with a 6-foot setback and a waterfront variance to construct an addition.

Moved by Hensick, supported by Figurski, to table the petition until such time as the property is properly staked. The motion carried unanimously.

02-53...A request by Keith Penner, Section 22, 3743 Conrad, for a variance to split property into nonconforming lots.

Hensick advised the board that he had a conflict of interest with regard to this petition and asked to be excused. The petitioner was advised that he would need a unanimous decision from the three remaining members of the board. The petitioner asked to be tabled. Moved by Ledford, supported by Figurski, to table the request until such time as a full board was in session to rule on the petition. The motion carried unanimously.

02-54...A request by Mike and Lynn Collins, Section 21, 3332 Hillandale, for a 40 foot rear yard variance with a 20 foot setback to construct an accessory building.

A call to the public was made with no response. Moved by Figurski, supported by Ledford, to grant a 30' rear yard variance and a 50' waterside variance for construction of a single story detached accessory structure. The practical difficulty is determined to be the existing improvements on the property and the location of the septic field and pond. The motion carried unanimously.

02-55...A request by @ Wireless, Section 4, 4193 E. Grand River, for a 2nd sign variance to place on the side of the building.

A call to the public was made with no response. Moved by Ledford, supported by Hensick, to deny the request since the petitioner presented no hardship or practical difficulty related to the land that would qualify for a variance. The petitioner presented numerous pictures of other parcels along Grand River that contained more than one building sign. The pictures were reviewed by the board and it was determined that most of the properties were located on more than one roadway and were therefore eligible for an additional sign. Other parcels were grandfathered in and approved prior to the existing zoning ordinance. The motion to deny carried unanimously.

02-56...A request by Charles Fillion, Section 28, 4089 Homestead, for a 6-foot waterfront variance with a 42-foot setback, a 27-foot rear yard variance with a 5-foot setback and a 1-foot side yard variance with a 9-foot setback to construct an addition.

Moved by Hensick, supported by Figurski, to table the petition until such time as the property is staked and the petitioner is present. The motion carried unanimously.

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 construct an accessory structure.

Moved by Hensick, supported by Figurski, to table the petition until the property is properly staked. The motion carried unanimously.

02-58...A request by James and Leila Goldsworthy, Section 25, 7931 State Street, for a 17-foot front yard variance with a 23-foot setback and a 14-foot side yard variance with a 14-foot setback to construct an addition in the front and rear of home.

A call to the public was made with no response. Moved by Figurski, supported by Hensick, to grant a 13.7' side yard variance to permit a one-story addition to the rear of the home. The petitioner has decided not to construct the front porch. This approval would allow an expansion to an existing nonconforming use. The motion carried unanimously.

Moved by Figurski, supported by Ledford, to approve the Minutes of the 10-22-02 regular meeting of the Zoning Board of Appeals. The motion carried with Staley abstaining.

The Zoning Board of Appeals has asked for new 2002 updated zoning books. The books should include Section 12 that appears to be missing from all copies.



Paulette A. Skolarus
Genoa Township Clerk