

(corrected)
**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
APRIL 9, 2002**

MINUTES

A regular meeting of the Zoning Board of Appeals was called to order by Chairman Staley 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 Polly Skolarus. Also present were Township Zoning Administrator Adam VanTassell and approximately ten persons in the audience.

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

02-10...A request by David Templeton, Section 12, 1600 Euler Road, for a 62.5-foot wetland variance with a 37.5-foot setback for an existing accessory structure.

A Call to the Public was made with no response. A survey by Munzel Engineering was provided as requested by the board. Letters requesting a delay were received from Scott J. Williams and Walter and Jane Wasilewski, however the board felt that it was unfair to the petitioner to delay a response to a request that had been before them for three months in a row. Moved by Skolarus, supported by Ledford, to approve a 62.5' water front variance for the accessory building as requested. This action is contingent upon the placement of two six-foot evergreens at both corners of the building - fronting the easement. The practical difficulty is the proximity of the pond to the replacement building. The motion carried unanimously.

02-13...A request by Gary Spare, Section 10, 5264 Westwood, for an 8-foot side yard variance with a 2-foot side yard setback and a 17.5-foot front yard variance with a 17.5-foot front yard setback to construct an addition.

A Call to the Public was made with no response. The property was not staked and the petitioner was not present when this petition was called. Moved by Skolarus, supported by Figurski, to table the request until the next regular meeting of the board. The motion carried unanimously.

02-14...A request by John and Shannon Douglas, Section 6, 2930 Atwood, for a 7-foot side yard variance with a 23-foot side yard setback to construct an attached garage and a 6-foot front yard variance with a 44-foot front yard setback to construct an enclosed porch.

A Call to the Public was made with no response. Moved by Ledford, supported by Figurski, to approve a 7' side yard variance and a 6' front yard variance for construction of an attached garage and an enclosed porch. The practical difficulty is the narrowness of the lot in LDR zone, the preservation of existing mature trees and the location of the existing home on the site that will not allow the addition in any other place. The motion carried unanimously.

02-15...A request by Craig White, Section 28, 4277 Homestead, for a 3-foot side yard variance with a 7-foot setback to construct an attached garage and a side variance to construct an addition on a detached garage.

A Call to the Public was made with no response. The petitioner was advised that no practical difficulty existed for the variance to the accessory structure. The petitioner withdrew his request for the variance for the accessory building. He will comply with the 900-sq. ft. requirement of the ordinance. Moved by Skolarus, supported by Figurski, to grant a 5' variance to the side to allow the construction of an attached garage in the dimensions provided. The practical difficulty is that there is no other feasible location for the placement of the garage. This action would allow the continuation of a nonconforming use. The motion carried unanimously.

02-16...A request by Thomas and Beverly Smith, Section 10, 5425 Wildwood, for a 6.5-foot side yard variance with a 3.5-foot setback, 20-foot waterfront variance with a 60-foot setback and a 31-foot front yard variance with a 4-foot setback to construct an addition.

A Call to the Public was made with no response. A letter of support was received from John and Karen Buckley. The petitioner advised the board that the existing home is approximately 1300-sq. ft. in area. Their plan is to remove the existing Florida room (measuring 6' x 20') and deck and replace it with an addition of approximately 672-sq. ft. in area. Moved by Ledford, supported by Figurski, to deny the request since the small lot size and the existence of the present structure is out-weighed by the health and safety impact on the township and the adjacent property owners. The parcel at present does not make allowance for any parking. The petitioner advised the board that they park their vehicles on the neighboring lot that they own. The board felt that the petitioner should combine both lots and make a buildable site that would allow them to meet the standards of the zoning ordinance. Any future sale of the existing home would be a severe problem for anyone purchasing the site in that there is no parking area on the site. In addition, the impervious lot coverage is far in excess of the maximum allowance under the zoning ordinance. Before the board could make a final decision, the petitioner asked if the board could make any compromise on their request. It was the consensus of the board that a split vote would allow the petitioner to ask for a tabling of their request in order to allow them to discuss other options. The motion failed as follows: Aye - Figurski and Ledford. Nay - Skolarus and Staley. Moved by Skolarus, supported by Ledford, to table (at the petitioner's request) until the next regular meeting of the board. The motion carried unanimously.


02-17...A request by Cedar West Development, Section 9, 4300 E. Grand River, for a 10-foot front yard variance with a setback of 60 feet for an existing structure with a proposed parking lot in the front yard, as discussed by the Planning Commission on 03-25-02.

A Call to the Public was made with no response. Moved by Skolarus, supported by Ledford, to approve the 10' front yard variance, allowing the continuation of a nonconforming use and approval of the front yard parking variance for the areas that do not meet the 70-foot minimal front yard setback requirement. The motion carried unanimously.

ADMINISTRATIVE BUSINESS:

Moved by Figurski, supported by Ledford, to approve the Minutes of the March 12, 2002 regular meeting of the board as presented, with Staley abstaining. The motion carried unanimously.

The regular meeting of the Zoning Board of Appeals was adjourned at 8:45 p.m.


Paulette A. Skolarus
Genoa Township Clerk