

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
AUGUST 21, 2007  
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 the Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Doug Brown, Barbara Figurski, Steve Wildman, and Joe Perri. Also present was Township staff member Adam Van Tassell and approximately 17 persons in the audience.

Chairman Brown gave a brief introduction of the board members and on why the Zoning Board of Appeals exists.

**Moved** by Figurski, supported by Wildman, to approve the agenda as presented. **Motion carried unanimously.**

A call to the public was made for non agenda items with no response.

**07-22...A request by Robert Roethler, Section 21, 4548 Crooked Lake Road, for two side yard variances to construct an addition.**

A call to the public was made with no response.

**Moved** by Perri, supported by Figurski, to approve case #07-22, 4548 Crooked Lake Road for a 2' variance on the east with a 38' setback and a west side variance of 4' with a 36' setback to construct an addition. The following finding of fact is the practical difficulty of the narrowness of the lot conditioned upon the addition being guttered. **Motion carried unanimously.**

**07-23...A request by Acme Architectural Sign, Section 13, 2394 Genoa Business Park Dr., for a sign variance.**

A call to the public was made at 6:52 p.m. with no response.

**Moved** by Perri, supported by Figurski, to approve case #07-23, 2394 Genoa Business Park Drive, for two wall signs no more than 90 square feet total. The following finding of fact is the obstructions presented by the monument sign of the Business Park, BIG's sign and the tree. The finding of fact is referencing table 16.1 (2) subsection b. **Motion carried unanimously.**

**07-24...A request by Eric Larvick, Section 13, 7401 Herbst, for a variance to split property into two nonconforming lots.**

A call to the public was made with the following response: Mr. And Mrs. Ronald Kelly-7373 Herbst Road- I sold the property to the Darden's and also sold them 4 acres. I bought back 2 acres from them. The deed that was drawn reads as follows" It is the intention of this deed that the lands hereby conveyed shall attach to and become a part of that portion of adjoining land to the South presently owned by the grantees to the extent that this conveyance does not create another division of land as defined in the Michigan Subdivision Control Act of 1967, as amended. It is the intention that the land hereby conveyed shall become one parcel with said adjoining land to the South presently owned by the grantees so that no additional divisions are created hereby."

**Moved** by Perri, supported by Wildman, to approve case #07-24, 7401 Herbst, to split property into parcel A to be .6 acres and parcel B to be 1.8 acres subject to the petitioner obtaining a permit to install a private drive easement from the Livingston County Building Department. The following finding of fact is the substantial justice to the current property owners of parcel A and B. The approval is conditioned upon the pole barn can stay as long as Eric Larvick owns parcel B for unspecified period of time and a new home owner can have up to 12 months from close of sale at which the new owner is to tear down pole barn or request additional variance from the Township to have the pole barn stay. **Motion carried as follows: Ayes- Perri, Wildman, Brown. Nays- Figurski.**

**07-25...A request by Robert and Gayle Ryan, Section 26, 6696 Quaint Ridge, for a side yard variance to construct an addition.**

A call to the public was made at 7:57 p.m. with no response.

**Moved** by Perri, supported by Wildman, to approve case #07-25 for 6696 Quaint Ridge Drive for a 2' variance with a 28' setback on the west side to construct an addition. The following finding of fact is the existing structure was built prior to the ordinance. **Motion carried unanimously.**

**07-26...A request by Jeff Wengle, Section 8, 1555 Westgate, for a front yard variance and size variance to construct a detached accessory structure.**

A call to the public was made at 8:13 p.m. with the following response: Judy Stewart, I live next to Mr. Wengle." Chairman Brown proceeded to read the following letter into the record that was submitted by Ms. Stewart:" My husband and I are in total disagreement. The pole barn that Mr. Wengle would like to put in his front yard would not be 50 feet from the easement and would block the view of our house and also our view of the road. The first thing we would see when we walk onto our front porch would be the pole barn. We believe this would lower our property value. Also, if Mr. Wengle attached the pole barn to his house it would not solve our problem, it would still block our view and would still be in his front yard, which is next door to our front yard. We do not believe the front yard is the place for a pole barn. We would be in agreement with Mr. Wengle putting the pole barn even with the back of his which as we understand would be 50 feet from the property line which is also the easement. We understand the Township requires all new

buildings to be 50 feet from the easement. We would hope you would take into consideration our feelings. Thank you for your attention in this matter.

**Moved** by Figurski, supported by Perri, to table case #07-26, 1555 Westgate for up to 3 months for the petitioner to submit additional information. **Motion carried unanimously.**

**07-27...A request by Gary Boyd and Michael Leech, Section 16, 2485 Nixon Road, for a side yard variance to construct a detached accessory structure.**

A call to the public was made at 8:33 p.m. with no response.

**Moved** by Figurski, supported by Perri, to approve case #07-27, 2485 Nixon Road for a side yard variance to construct a detached accessory structure with a 10' setback and a 30' variance. The following finding of fact is, the practical difficulty, is the typography and high water table on the property. **Motion carried unanimously.**

**Moved** by Figurski, submitted by Perri, to approve the Zoning Board of Appeals minutes of the August 21, 2007 meeting. **Motion carried unanimously.**

Meeting adjourned at 8:45 p.m.

Respectfully Submitted:

Amy Ruthig