

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
Wednesday, January 21, 2009
6:30 P.M.**

MINUTES

Chairman Mike Howell called the regular meeting of the Zoning Board of appeals to order at 6:31 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: Mike Howell, Steve Wildman, Barb Figurski, Kevin Brady and Joe Perri. Also present was Township staff member Adam VanTassell and four persons in the audience.

Election of officers: **Moved** by Brady, supported by Perri to re-elect Mike Howell as chairman. **Motion carried unanimously.**

Moved by Perri, supported by Brady to re-elect Barbara Figurski as Vice Chairwoman. **Motion carried unanimously.**

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.

1. 09-01...A request by Brian and Julie McDonnell, Section 21, 4949 Stillmeadow Drive, for a side yard variance to construct an addition.

Mr. Brian McDonnell and a representative from Paulson's Construction addressed the Commission. Chairman Howell feels they can add on without the variance. Mr. Brady is concerned that they will not be able to add on to the garage and still meet the setbacks. Mr. McDonnell clarified the location of the garage.

Chairman Howell indicated that a letter was received tonight from Christopher Tate at 4339 Stillmeadow. Mr. Howell read the letter into the record that Mr. Tate had no objections to the proposed variance.

Mr. Perri questioned what the practical difficulty is for this lot. The petitioner responded that the lot shape and the placement of the home by the builder create the difficulty. Ms. Figurski thinks this is difficult to approve. Mr. Perri and Mr. Brady explained that because this is a Planned Unit Development concessions were already granted to the developer and there needs to be a practical difficulty to grant a variance.

A call to the public was made at 6:51 pm with no response.

Moved by Brady, supported by Perri to deny the variance request for case #09-01, petitioned by Brian and Julie McDonnell, Section 21, 4949 Stillmeadow Drive, for a side yard variance to construct an addition citing lack of practical difficulty.
Motion carried unanimously.

2. 09-02...A request by Dennis Carnes, Section 10, 5373 Wildwood, for a front yard and side yard variance to construct a new home.

Chairman Howell states that during his site visit the property owner indicated that he does not support this request. Mr. Brady states that the request is incomplete and they do not own the property. Mr. VanTassell states that the petitioner does not have the right to submit this request without permission from the owner.

Moved by Perri, supported by Wildman to withdraw the request from the agenda due to an incomplete submittal. The applicant will need to submit a new application including the review fee to go before the Board again in the future.
Motion carried unanimously.

Moved by Figurski, supported by Brady to approve the minutes of the November 18, 2008 meeting. **Motion carried unanimously.**

Correspondence: Mr. VanTassell distributed a ZBA Member handbook to the members and some materials regarding some recent case law. He also indicated that the Township will be providing some training in the future for the Planning Commission and Zoning Board and Amy will be contacting the members for scheduling.

Moved by Figurski, supported by Wildman to adjourn the meeting at 7:00 p.m.
Motion carried unanimously.

Respectfully submitted by:

Kelly VanMarter