

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS**

**APRIL 20, 2010**

**6:30 P.M.**

**MINUTES**

Chairman Howell called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Mike Howell, Steve Wildman, Barbara Figurski, and Joe Perri. Also present was Township staff member Adam VanTassell and approximately 11 persons in the audience.

The members introduced themselves to the public.

**Moved** by Figurski, supported by Perri, to approve the agenda with the moving of Case #10-3 to item #1. **Motion carried unanimously.**

A call to the public was made with no response.

**10-03...A request by Eugene Wilber, Section 34, 5165 Glenway Drive, for a height variance to install a 6-foot fence.**

A call to the public was made with no response.

Moved by Perri, supported by Figurski, to approve case #10-03, 5165 Glenway Drive, for a 2-foot variance for petitioner to be able to erect a 6-foot fence at the rear of the property.

The finding of fact is due to the lights from the Condominium complex at the rear of the property shining into the windows and the topography of the land. **Motion carried unanimously.**

**10-01...A request by Karen Newhouse, Section 9, 763 Sunrise Park, for a front, side and rear yard variance and a lot coverage variance to construct a new home.**

A call to the public was made with the following response: Chairman Howell referred to a letter that was received from Jim and Denise Hlavaty, 758 Sunrise Park Drive, read as follows: "My name is James Hlavaty and I live at 758 Sunrise Park Drive, across the street from Kay Newhouse. I have been at this address for over 30 years, as a full time resident. We have no ill feelings for Kay; in fact we welcome her as a new full time neighbor. We know she has wanted to move out here for a long time. However my wife and I were quite surprised to see the plans for her new home. I have never seen so much house crammed into such a postage stamp lot. It seems excessive for a single person. We

have no objections to the request for a front, rear and side yard variance. But the amount of house (sq. footage) we strongly feel is.

What is the point of having a lot coverage ordinance designed for just this purpose if it can be cast aside on a whim? I have been on this lake all my 57 years, my grandfather owned a place in Sunrise Park for over 52 years. When he bought his lot in Sunrise Park there wasn't even a road. The Farmer Lawson who owned all this frontage on the lake divided up his lake frontage for maximum profit. I don't think even could envision what the future would bring. We don't want to stop Kay from building her dream home, but we sure would like to see some common sense prevail. My wife and I feel a compromise on the total square footage is a reasonable request. We would so request that of this Zoning Board. It is already crowded enough in the park. We have called Sunrise Park our home for many, many years. We also have raised our three children here. It is a great place to live and we would like to keep it this way.

Remember, this would not even be an issue if we were still on septic systems. Thank for you time and consideration in this matter. I hope this does not strain relations between us and Kay, but we feel entitled to our opinion. After all that is what this process is about.”

**Moved** by Perri, supported by Wildman, to approve case #10-01, 763 Sunrise Park, for a variance amount of 35' in the front with a zero setback, one side variance amount of 3.5' with a setback of 6.5', a rear yard variance of 24.5' with a setback of 15.5' and a lot coverage variance of 16% with a coverage amount of 51%. Conditioned upon DNRE approval for a sea wall and the home is to be guttered.

The finding of fact is the additional property located between the lake and the lot line was taken into consideration and the topography and narrowness of the lot. **Motion carried as follows: Ayes: Perri, Wildman and Howell. Nays: Figurski.**

**10-02...A request by Thomas Sarrach, Section 10, 5297 Wildwood, for a front yard variance and lot coverage variance to construct an addition.**

A call to the public was made with no response.

Moved by Wildman, supported by Perri, to approve case #10-02, 5297 Wildwood, for a front yard variance amount of 25' with a 10' setback, a .5% variance for lot coverage variance to construct an addition. Conditioned upon the addition is to be guttered and drain to the lake.

The finding of fact is the narrowness of the lot and substantial justice to the applicant as well as to other properties in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel. **Motion carried unanimously.**

**10-04...A request by Michael Cunningham, Section 2, 6490 Golf Club Road, for a variance to construct a detached accessory structure on a vacant parcel.**

A call to the public was made with no response.

**Moved** by Perri, supported by Wildman, to approve case #10-04, 6490 Golf Club Road, for a variance amount of 240 sq. ft. to construct a 1440 sq. ft. detached accessory structure with the condition that the house can not be sold with out the detached accessory structure and the property.

The finding of fact is the substantial justice to the applicant as well as to other properties in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel. **Motion carried unanimously.**

**10-05...A request by Martin Close, Section 4, 4450 Golf Club Road, for a side yard variance to construct a covered porch.**

A call to the public was made with no response.

**Moved** by Wildman, supported by Perri, to approve case #10-05, 4450 Golf Club Road, for a 5- foot variance with a 25- foot setback to allow for a covered porch conditioned upon the porch is not to be enclosed and the roof will be guttered.

The finding of fact is the placement of the house on the lot. **Motion carried unanimously.**

**Moved** by Figurski, supported by Wildman, to approve the November 17, 2009 Zoning Board of Appeals minutes. **Motion carried unanimously.**

Meeting adjourned at 7:55 p.m.

Respectfully submitted:

Amy Ruthig