

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
December 13, 2016, 6:30 PM**

MINUTES

Call to Order: Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:32 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Jeff Dhaenens, Marianne McCreary, Jean Ledford, Barb Figurski, Dean Tengal, Amy Ruthig, Zoning Administrator; Kelly VanMarter, Community Development Director/Assistant Township Manager; and Joe Seward, Township Attorney.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda:

Moved by Ledford, seconded by Figurski, to approve the agenda as presented. **The motion carried unanimously.**

Call to the Public: The call to the public was made at 6:33 pm with no response.

1. **16-36...A request by Ray Johnson, 4821 Pinehurst Court, for a rear yard variance to construct an addition to an existing home.**

Mr. Johnson was not present. Mr. Chris Ouellette of 11648 Maxfield Lane, Hartland, was present to represent the applicant. He stated that Mr. Johnson would like to remove the existing porch and put in a kitchen. The variance is needed due to the location of the existing home on the lot. The extension will not extend further toward the rear of the lot than the current home.

Board Member McCreary is concerned that the access road to the home is only 16-feet wide and questioned who maintains it, as it relates to construction traffic for this work.

The call to the public was made at 6:53 pm with no response.

Moved by McCreary, seconded by Ledford to approval Case #16-36, 4821 Pinehurst Court, for a rear yard setback of 25' 7" for a variance of 24' 5" from the required 50 feet to add an addition to the home, based on the following finding of facts:

- The current location of the home is already 26 feet from the rear set back.
- The rear setback is consistent with neighboring properties on the east side of Pinehurst Road that are directly south of this property.
- The extraordinary circumstances are the preexisting location of the home and the narrowness of the lot.
- Granting this variance will be consistent with neighboring properties.
- The need for the variance is not self-created.

- Granting this variance will not impair adequate light and air to adjacent properties and will not unreasonably increase the congestion on public streets.
- The proposed variance will have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood or value.

This variance is conditioned upon:

- Drainage from the home must be maintained on the lot.
- Structure must be guttered with downspouts.

The motion carried unanimously.

2. Request to enter into closed session to discuss pending litigation pursuant to MCL 15.268 § 8 (e).

Moved by McCreary, seconded by Figurski, to enter into a closed session at 6:57 pm to discuss pending litigation. **The motion carried unanimously with a roll-call vote.**

The Board reconvened the regular meeting at 8:01 pm.

Administrative Business:

1. Approval of minutes for the November 15, 2016 Zoning Board of Appeals Meeting

Moved by Figurski, seconded by Tengel, to approve the November 15, 2016 Zoning Board of Appeals Meeting minutes with the deletion of the last two sentences in the "Zoning Official Report" item. **The motion carried unanimously.**

2. Correspondence – Ms. Ruthig distributed an informational newsletter from Michigan Planner magazine.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board Meetings of November 21, 2016 and December 5, 2016
4. Planning Commission Representative Report – Board Member Figurski gave a review of the Planning Commission meeting of November 14, 2016.
5. Zoning Official Report
Ms. Ruth stated that Mr. Ikle will be resubmitting his request and it will be on the January meeting agenda. One other item will be on the agenda as well.
6. Member Discussion
There were no member discussion items.
7. Adjournment

Moved by Figurski, seconded by McCreary, to adjourn the meeting at 8:21 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary

UNAPPROVED