

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
June 17, 2025 - 6:30 PM**

MINUTES

Call to Order: Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm. The members and staff of the Zoning Board of Appeals were present as follows: Marianne McCreary, Craig Fons, Matt Hurley, Michele Kreutzberg, Rick Soucy, and Carrie Aulette, Zoning Official. Absent was Bill Rockwell.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introductions: The members of the Board and staff introduced themselves.

Conflict of Interest: Chairperson McCreary stated she has spoken to Mr. Bair previously when he asked her about the process for obtaining a variance. She directed him to Ms. VanMarter.

Approval of the Agenda:

Moved by Board Member Soucy, supported by Board Member Kreutzberg, to approve the agenda as presented. **The motion carried unanimously.**

Call to the Public:

The call to the public was made at 6:32 pm with no response.

Chairperson McCreary reviewed the criteria necessary for a variance to be approved.

New Business

1. 25-12...A request by David Bair of Property Services Unlimited LLC, 4433 Brighton Road, for a wetland setback variance and any other variances deemed necessary by the Zoning Board of Appeals, to install a shared driveway to allow for property to be split.

Mr. Bair stated he is requesting a temporary variance to allow him to install the shared driveway. The finished driveway would not be within the wetland setback, but they will need to access it while it's being installed. He would like to develop individual homes on this property. Installing the driveway will also allow safe access to the public utilities here.

Chairperson McCreary was not aware this was temporary.

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Board Member Hurley stated he would like to see where the finished driveway will be located. Mr. Bair stated that he has submitted those plans to the Township Manager, and he is unsure why it was not included in the packet.

Chairperson McCreary stated the ZBA has never issued a temporary variance. She cited the EGLE letter that was included. Mr. Bair said that permit has been approved and is not relevant to what he is requesting this evening.

Ms. VanMarter entered the meeting at 6:59 pm. She stated that she has been working with Mr. Bair on the land division. She requested that he seek a variance for the two locations where the driveway easement will encroach into the natural features setback. It will not be the actual driveway, but it would be for any work or maintenance that is done around the drive. The variance would be permanent; and not temporary. She added that the construction plans are not required for this request, so they do not have drawings for the driveway. She stated that the Township Ordinance does allow for the driveway to be reduced to 12 feet in this location. It can also be shifted to the east so it would be outside the wetlands setbacks, which would minimize the impact on them.

Board Member Fons suggested to Mr. Bair that he install temporary orange fencing along the wetland to keep workers and equipment out of that area.

Board Member Hurley would like to see a drawing of the finished driveway because it will have an impact on the wetlands. Mr. Bair stated that if he changes the width of the driveway, it may be outside of the wetland setbacks and then only one variance would be needed.

The call to the public was made at 7:21 pm.

Mr. Mike Schmidt of 3905 Honors Bluff is questioning the discussion this evening. The request was for a variance. Now there is a discussion regarding installing a permanent road, disturbing more wetlands, etc. It has gone off track.

Chairperson McCreary read three letters received from residents who are opposed to the request; Richard and Sharon Wilkins of 4404 Braeburn Court; Teri and Craig Muhn of Braeburn Court; and Deb Beattie at 3109 Pineview.

The call to the public was closed at 7:25 pm.

Chairperson McCreary addressed Mr. Schmidt's comment this evening. The discussion was the Board working with the applicant to determine if changes can be made to the plan to eliminate or lessen the variances that are needed.

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Board Member Fons would like to see the final plans before a decision is made. Board Member Soucy agrees and is in favor of postponing this item this evening.

Ms. VanMarter stated the location of the existing power lines should be included in any plans that are submitted.

Moved by Board Member Kreutzberg, supported by Board Member Soucy, to table Case #25-12 until the July 15 Zoning Board of Appeals Meeting. **The motion carried unanimously**

2. 25-13...A request by the Warren Construction Group and Tony McNeal, 4330 Ridge Lake Court, for a dimensional variance, and any other variances deemed necessary by the Zoning Board of Appeals, to build an addition on a detached garage.

Mr. Tony McNeal, the property owner, and Mr. Warren of Warren Construction Group were present. Mr. Warren stated they would like to add 12 feet to the existing garage, so the setback would be reduced to 49 feet instead of 60 feet. They cannot expand in any other location.

Ms. Aulette stated when the original calculations for the maximum allowable square footage were done, she used the information on the survey; however, in looking at the plans submitted for this evening, she determined there is no need for that variance.

Board Member Fons does not see the hardship or extraordinary circumstances. Mr. Warren stated that there are other homes in the same subdivision that have larger detached garages than Mr. McNeal and one resident received a variance for it last year. Board Member Fons recalls that case and the hardship there was that if the setbacks were met, it would cut off access to the rear of the property for well and septic maintenance.

The call to the public was made at 7:47 pm with no response.

Chairperson McCreary noted that the staff report shows three other homes in the area who have larger lots than the applicant with larger detached buildings.

Board Member Soucy does not think this request is unreasonable based on the other homes and properties in the area.

Moved by Board Member Soucy, supported by Board Member Kreutzberg, to approve Case #25-13 for Warren Construction Group and Tony McNeal of 4330 Ridge Lake Court for a rear yard setback variance of 11 feet from the required 60 feet for a rear yard setback of 49 feet to build a 30 x 12 addition on a detached garage, based on the following findings of fact:

- Strict compliance with the rear yard setback requirement would prevent the proposed addition from being constructed on the existing garage. However, this restriction does not deprive the applicant of reasonable use of the property. The lot remains usable, and the

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primary residence is not impacted. It is also important to note that other homes in the neighborhood feature detached garages of similar or greater size. While some of those properties may benefit from larger lot sizes, allowing for increased maximum square footage, the proposed addition remains in character with the surrounding development.

- The exceptional or extraordinary condition of the property is the topography of the front of the lot. This caused the house to be set back farther into the building envelope, leaving a reduced amount of room for an accessory building to be built. The variance request is not self-created.
- The granting of this variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would not have an impact on the surrounding neighborhood.

This approval is conditioned upon the following:

1. Structure must be guttered with downspouts.
2. No other accessory buildings may be permitted on the property.

The motion carried (Kreutzberg - yes; Fons - no; Hurley - no; McCreary - yes; Soucy - yes).

Administrative Business:

1. Approval of minutes for the May 20, 2025 Zoning Board of Appeals meeting.

Moved by Board Member Kreutzberg, supported by Board Member Fons, to approve the minutes of the May 20, 2025 Zoning Board of Appeals meeting as presented. **The motion carried unanimously.**

2. Correspondence

Ms. Aulette stated there will be four cases on next month's agenda.

3. Member Discussion

There were no items to discuss this evening.

4. Adjournment

Moved by Board Member Soucy, supported by Board Member Hurley, to adjourn the meeting at 8:02 pm. **The motion carried unanimously.**

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Respectfully submitted:

Patty Thomas, Recording Secretary

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