GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
August ~~18~~19, 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, Matthew Hurley, Bill Rockwell, Rick Soucy, and Carrie Aulette, Zoning Official. Absent was Michele Kreutzberg.

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 no conflict of interest; however, the company that she currently works for had previous business with Mr. Ready.

Approval of the Agenda:

Moved by Board Member Soucy, supported by Board Member Hurley, 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. 25-16…A request by Glass Doctor of Michigan, 2855 Fishbeck Road, for a dimensional variance and any other variances deemed necessary by the Zoning Board of Appeals, to install an aluminum framed patio cover.

Mr. Kirk Rasch of The Glass Doctor of Michigan stated they would like to add a 224 square foot aluminum patio cover. The ordinance only allows for 150 square feet, so they are requesting a 74 square foot variance. The practical difficulty is the size of the existing deck that they wish to cover. The cover would be below the existing roof line of the home. This should not be a detriment to anyone in the area.

Chairperson McCreary noted that this property and the ones surrounding it are large with a lot of trees between them. It does not appear that it will be detrimental to the surrounding neighbors.

The commissioners agreed that the footprint is not being enlarged, the applicant is requesting to cover their entire deck, and not just a portion of it.

The call to the public was made at 6:43 pm with no response.

Moved by Board Member Soucy, supported by Board Member Hurley, to approve Case #25-16 for the Glass Doctor of Michigan at 2855 Fishbeck Road for a dimensional variance of 74 square feet from the maximum allowable 150 square feet for a total square footage of 224 square feet to install an aluminum framed patio cover, based on the following findings of fact:

- The applicant is not encroaching any further into side yard or rear yard setbacks. The additional square footage beyond what the Ordinance limits is minor and does not impact neighboring properties or block views. The variance requested is minimal and granting it will not change the essential character of the locality.
- The applicant is compliant with all setback requirements and if the request to have an addition put on the house, a variance would not be needed.
- The granting of the 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 have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This motion is conditioned on the following:
1. The structure must be guttered with downspouts.
2. A Building Permit must be obtained from the Livingston County Building Department.

The motion carried unanimously

2. 25-17…A request by Gary Poma, 4075 Highcrest, for a side, front and shoreline setback variance and any other variances deemed necessary by the Zoning Board of Appeals, to demolish an existing home and construct a new home.

Mr. Don Harvey of the Brighton Building Company and Mr. Gary Poma were present. Mr. Harvey stated that the existing house is falling apart. The lot is small, and variances are required to build a home that is compatible with the neighborhood. The old home is a safety hazard so removing it and rebuilding it would be a benefit to the neighborhood.

Ms. Aulette displayed the aerial that shows that the property lines are far from the roadway; however, there are residents on this road whose houses appear to be built in the road right-of-way. She was advised by staff that that has been vacated, but she could not find documentation to support that. The applicant should be aware of this when designing the home and placing it on the property. Board Member Fons advised the applicant to use the property stakes for determining the property lines and setbacks. Chairperson McCreary advised the applicant to seek the least variances necessary.

There was a discussion regarding the original survey that was submitted with the application and how it differs from the engineer survey that was provided to the township today. Because of this, Mr. Harvey stated he would propose to move the garage closer to the home, move the southeast front corner of the home further from the neighbor, and change the garage from a side entry to a front entry. This will change the variances being requested. Because of these changes, it was suggested to have this item tabled this evening.

The call to the public was made at 7:15 pm.

Mr. Jake Gruber of 4065 Highcrest, who lives next door to the applicant, had a survey done on his property and it does not match the survey that was done for Mr. Poma's property.

The call to the public was closed at 7:19 pm.

Mr. Harvey stated Mr. Poma spoke with Mr. Gruber when he was questioning the survey, and recommended he have one done. The applicant had his property resurveyed and they are confident it is correct.

Moved by Board Member Hurley, supported by Board Member Fons, to table Case #25-17 for Gary Poma of 4075 Highcrest until the September 16, 2025 ZBA meeting. **The motion carried unanimously.**

3. 25-18…A request by Robert Ready, 5377 Wildwood, for side, front, waterfront variances and any other variances deemed necessary by the Zoning Board of Appeals, to add a second story to an existing home and an overhang to the front entrance.

Mr. Robert Ready stated he applied for variances to extend their porch. Since that time, they discovered foundation issues that need to be addressed. He is requesting this item be tabled this evening.

The call to the public was made at 7:26 pm with no response.

Moved by Board Member Fons, supported by Board Member Soucy, to table Case #25-18 for Robert Ready of 5377 Wildwood until the October 21, 2025 ZBA meeting. **The motion carried unanimously.**

4. 25-19…A request by Chris Duperon, 3101 Beck Road, for a dimensional variance and any other variances deemed necessary by the Zoning Board of Appeals, to construct a detached accessory structure.

Mr. Chris Duperon and his contractor from Sass Excavating were present. They are proposing to build a 30 x 64 square foot pole barn, which is larger than the ordinance allows, so they are requesting a variance of 420 square feet. Mr. Duperon stated this is the least necessary because if he was to expand his garage, instead of building the pole barn, it would be right at the property line. There are other properties in the neighborhood that have larger barns than he is proposing. Having the barn will allow him to move his recreational vehicles inside and out of the yard. It will not negatively affect his neighbors.

Chairperson McCreary does not see the hardship. Board Member Rockwell agrees.

Board Member Soucy asked the applicant how they determined the size of the barn. Mr. Duperon said they measured how much space he needed to store all of his items. Board Member Soucy stated this would be an improvement to the area and is in favor of the variance.

The call to the public was made at 7:41 pm with no response.

Moved by Board Member Rockwell, supported by Board Member Fons, to deny Case #25-19 for Chris Duperon of 3101 Beck Road for a 420 square foot dimensional variance to construct a detached accessory structure, based on the following findings of fact:

- Strict compliance with the maximum size requirement would prevent the applicant from constructing the accessory building as proposed but would not prevent the use of the property. The lot does not have adequate acreage and is not zoned as Rural Residential to support the structure.
- Staff is unable to note any extraordinary circumstances pertaining to the property. The need for the variance is self-created.
- The granting of the 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 have little or no impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

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

Administrative Business:

1. Approval of minutes for the July 15, 2025 Zoning Board of Appeals meeting.

Moved by Board Member Fons, supported by Board Member Soucy, to approve the minutes of the July 15, 2025 Zoning Board of Appeals meeting as presented. **The motion carried unanimously.**

2. Correspondence

Ms. Aulette stated the only case for September is Mr. Poma's tabled item from this evening.

3. Member Discussion

Chairperson McCreary stated the Planning Commission is reviewing the section of the ordinance that addresses the language that is put on the sign when a site is being developed.

Ms. Aulette stated there is a new car wash being proposed.

Board Member Soucy advised the board that the Planning and Zoning for Everyone event will be held on Wednesday, September 10 at the township hall.

4. Adjournment

Moved by Board Member Soucy, supported by Board Member Hurley, to adjourn the meeting at 8:03 pm. **The motion carried unanimously**.

Respectfully submitted:

Patty Thomas, Recording Secretary