

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
April 21, 2026 - 6:30 PM**

MINUTES

Call to Order: Vice Chairman Rockwell 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: Craig Fons, Matt Hurley Michele Kreutzberg, Bill Rockwell, and Carrie Aulette, Zoning Official. Absent were Marianne McCreary and Rick Soucy.

Pledge of Allegiance: The Pledge of Allegiance was recited.

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

Conflict of Interest: None

Approval of the Agenda:

Moved by Board Member Hurley, 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 6:31 pm with no response.

1. 26-04...A request by Richard Garbacik, 4780 Chestnut Springs Dr., for rear yard variance and any other variances deemed necessary by the Zoning Board of Appeals, to construct a new single-family home.

Mr. Garbacik provided the board with drawings of the slope of the property. He is requesting a rear yard variance because of the slope.

Vice Chairman Rockwell noted that the variance request is due to where the garage is located and asked if it can be relocated. Mr. Garbacik stated that If he met the setbacks, he would have to build a 10-12 foot retaining wall. Mr. Hurley stated the house meets the setbacks, but the garage is causing the need for the variance. He suggested redesigning the house.

Ms. Aulette stated if they were to install 12-foot retaining walls, they would need a variance for those. Mr. Garbacik stated they can do multiple six-foot retaining walls.

Mr. Andy Gerecke, the builder, explained the grade differential of the property, noting it is an approximate 60 foot drop. They have an approved building permit but are requesting the variance so that the house is not so intrusive on the lot and in the subdivision and not "the big house on the hill".

Mr. Fons stated that the staff report notes that when the Planning Commission was reviewing the site plan for this subdivision, it was stated that this setback could be an issue. He understands why the home is being proposed this way, but that is not a reason for a variance.

The call to the public was made at 6:50 pm.

Mr. Tim Balogh owns Lot #9 and would appreciate approving the variance to ease the view of the house to avoid it being “the big house on the hill”.

The call to the public was closed at 6:51 pm.

Vice Chairman Rockwell stated that the variance is self-created based on the home’s design.

The applicant requested to have this item tabled to allow them to review the plans to determine if the house can be redesigned with a lesser variance.

Moved by Board Member Kreutzberg, supported by Board Member Hurley, to table Case #26-04 for Richard Garbacik of 4780 Chestnut Springs until the May 19, 2026 Zoning Board of Appeals Meeting. **The motion carried unanimously**

2. 26-05... A request by Tim Chouinard and Sandra Ostro, 989 Sunrise Park, for a front yard variance and any other variances deemed necessary by the Zoning Board of Appeals, to demolish an existing non-conforming home and construct a new single-family home.

Mr. Tim Chouinard stated that due to the condition of the current home, it was decided to remove the existing house and build a new one. When it was originally designed, it met all of the setbacks; however, since that time, a new home was built next door so that changed the shoreline setback requirement. He has redesigned the home because of this; however, he now needs shoreline and front yard setback variances.

Mr. Hurley stated the proposed home is 20 feet closer to the water than the current one, which is a lot. Mr. Chouinard stated the lot is very narrow.

The board members agree that putting the home in this location would not have a negative impact on the neighbors’ views of the lake.

The call to the public was made at 7:05 pm.

Mr. Gary DeGeorge of 996 Sunrise Park owns the vacant property next to this property. He questioned if when he builds his home, will the location of this home affect where he can place his.

Ms. Gabriella Hoffman of 980 Sunrise Park lives across the street from this house. The other new home that was built removed her view of the lake and her privacy as they can see right into her windows. The proposed height of the garage for the request tonight will remove her last view of the lake.

The call to the public was closed at 7:13 pm.

Ms. Aulette stated that a height variance is not required. The proposed home meets the height requirements in this zoning district.

Moved by Board Member Kreutzberg, supported by Board Member Fons, to approve Case #26-05 for Tim Chouinard and Sandra Ostro of 989 Sunrise Park Drive for a front yard setback variance of 19.3 feet, from the required 35 feet, for a front yard setback of 15.7 feet, and a shoreline setback variance of 7.1 feet, from the required 56.5 feet, for a shoreline setback of 49.4 feet, to build a new single-family home, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict the intended use of the property or cause it to be unbuildable. This variance will provide substantial justice, is the least necessary and would make the property consistent with other properties and homes in the area. There are several homes in the vicinity that have reduced setbacks.
- The variances are necessary due to the extraordinary circumstances such as the existing home and garage encroach into the front and side setbacks, the topography of the lot is extreme on the street side, along with a considerable narrow building envelope. The variance appears to be the least necessary to allow for the garage entrance and parking as well as shoreline irregularity.
- Granting these variances would not impair adequate light or air to adjacent properties, would not increase congestion or increase danger or fire or threaten public safety or welfare.
- These variances would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood.

This approval is conditioned upon the following:

1. The finished structure must be guttered with downspouts.
2. The building height may not exceed 25 feet.
3. The existing detached garage and shed shall be removed.

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the March 17, 2026 Zoning Board of Appeals meeting.

Moved by Board Member Kreutzberg, supported by Board Member Hurley, to approve the minutes of the March 17, 2026 Zoning Board of Appeals meeting as presented. **The motion carried unanimously.**

Genoa Township Zoning Board of Appeals Meeting
April 21, 2026
Unapproved Minutes

2. Correspondence

Ms. Aulette stated there will be four cases at next month's meeting.

3. Member Discussion

There were no items for discussion.

4. Adjournment

Moved by Board Member Kreutzberg, supported by Board Member Hurley, to adjourn the meeting at 7:33 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary

DRAFT