

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
SEPTEMBER 18, 2007  
6:30 P.M.**

**MINUTES**

Chairman Doug Brown called the regular meeting of the Zoning Board of appeals to order at 6:30 p.m. at the Genoa Township Hall. The Pledge of the Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Doug Brown, Barbara Figurski, Steve Wildman, Kevin Brady and Joe Perri. Also present was Township staff member Adam Van Tassell and approximately 21 persons in the audience.

Chairman Brown gave a brief introduction of the board members and on why the Zoning Board of Appeals exists.

**Moved** by Figurski, supported by Wildman, to approve the agenda as presented. **Motion carried unanimously.**

A call to the public was made for non agenda items with no response.

**07-26...A request by Jeff Wengle, Section 8, 1555 Westgate, for a front yard variance and a size variance to construct a detached accessory structure.**

A call to the public was made with the following response: Judy Stewart, 1749 Westgate- Is there going to be enough room for any utilities to be install down the road in the future. Mr. Wengle's barn is only 24 feet from the road right of way. Ray Rose, 1744 Westgate- I would like Jeff to have his pole barn but my concern is that it is 24 feet from the road right of way. The telephone poles that are currently on the other side would have to be moved if the road is widen. Is this going to leave us enough room to have gas or the road widen. Larry Stewart, 1749 Westgate- He runs an antique business and he is painting and the smell is coming over to our property. I hear a compressor and smell paint.

**Moved** by Perri, supported by Wildman, to grant petitioner's request for case #07-26, 1555 Westgate, for a 40' x 60' pole barn with a 26' variance from the westerly road right of way. Conditioned upon the structure being guttered, to be attached with a breezeway as indicated on the site plan supplied by the petitioner dated 9-7-07 and there is to be no living quarters and manufacturing. Also the addition of seven 5' evergreen trees to be planted between the current trees on the southerly property line. The finding of fact is the typography of the lot, current well placement and septic location. **Motion carried unanimously.**

**07-28...A request by Joseph Meier, Section 32, 5075 Richardson Road, for a variance to construct a detached accessory structure in the front yard.**

A call to the public was made with no response.

**Moved** by Brady, supported by Figurski, to approve case #07-28, 5075 Richardson Road, for a variance to construct a detached accessory structure in the front yard. The finding of fact is the typography of the lot and the wetlands. **Motion carried unanimously.**

**07-29...A request by Progressive Homes, Section 10, 858 Pathway Dr., for two side yard variances, front yard variance and a height variance to construct a new home.**

A call to the public was made with no response.

It was determined that the height and front yard variance were not required.

**Moved** by Brady, supported by Wildman, to approve case #07-29, 858 Sunrise Park Dr, for a side yard variance of 8 feet with a 2' setback and another side yard variance of 5.9' with a 4'.1" setback and a 15' variance with a 72' waterfront setback to construct a new home. The home is to be guttered. The finding of fact is the narrowness of the lot. **Motion carried unanimously.**

**07-30...A request by Paul Sanders, Section 21, 3654 Lakewood Shores Dr., for a rear yard variance to construct an addition.**

A call to the public was made with no response.

**Moved** by Perri, supported by Figurski, to approve case #07-30, 3654 Lakewood Shores Drive, for a rear yard variance of 16' with a setback of 34' to construct an addition. The addition is to be guttered and is to be 13' x 15'. The finding of fact is the size of the lot which is much smaller than the Northshore PUD allows. **Motion carried unanimously.**

**07-31...A request by Mark and Eleanor Evarian, Section 10, 5251 Wildwood, for front yard variance, two side yard variances, a waterfront variance and a density variance to construct a new home.**

A call to the public was made with the following response: Chairman Brown read the following letter into record by Nancy Oglesby "In regards to case number 07-31, 5251 Wildwood. When you visit the property please take note to the overhang as it approaches to my property with this 3 foot variance."

**Moved** by Figurski, supported by Wildman, to table case #07-31 to the end of the meeting to give petitioner time to discuss with their builder changes to the site plan. **Motion carried unanimously.**

**07-32...A request by Rob and Meg Boomer, Section 32, 5323 Charleviox Dr., for a variance to install an inground swimming pool in the front yard.**

A call to the public was made with no response.

**Moved** by Brady, supported by Figurski, to approve case #07-32, 5323 Charleviox, to install a pool in the front yard with the setbacks as written. The finding of fact is the property has 3 front yards and the pool will be screened from all the views. **Motion carried unanimously.**

**07-33...A request by Kurt Mahan, Section 9, 690 Sunrise Park Dr., for two side yard variances and a rear yard variance to construct an addition.**

A call to the public was made with the following response: Chairman Brown read the following letter by Arnold and Jody Wright into the record "We are concerned with the proposed variance request by Mr. Kurt Mahan, 690 Sunrise Park. As we understand, according to the Genoa Township Zoning there is supposed to be a 10 ft setback from a neighboring property line. Mr. Mahan bought a small cottage in a Lake Community on a very small lot. All of the homes in our direct vicinity that have expanded built upwards because of the small lot sizes. Our concern is regarding the south side of his expansion project where he is asking for a 5 ft. variance. We provided the pictures just as a reference to give an idea of how close that would be to our property line. We are not asking that he adhere to a 10 ft. setback. However, we are asking if Mr. Mahan would be agreeable to at least a 7' setback." Arnold Wright, 700 Sunrise Park- The property line is in question. The property is so tight in there. The property was owned by the same person. We have two different drawings. Jody Wright- We are just asking if he could be 7' back instead of 5'.

**Moved** by Figurski, supported by Perri, to approve case #07-33, 690 Sunrise Park Dr., for one side variance of 3' with a 7' setback and another side yard variance of 5' with a 5' setback and a 30' variance with a 10' setback to construct an 8' addition and an attached garage. The finding of fact is the pie shape of the lot and there is a road behind and in front of the lot to allow for emergency vehicles. **Motion carried unanimously.**

**07-31...A request by Mark and Eleanor Evarian, Section 10, 5251 Wildwood, for front yard variance, two side yard variances, a waterfront variance and a density variance to construct a new home.**

Chairman Brown reinstated case #07-31.

A call to the public was made with the following response: Nancy Oglesby- I want to make sure that there is adequate drain fill area because I sit lower than them.

**Moved** by Perri, Supported by Wildman, to approve case #07-31, 5251 Wildwood, for a front yard setback of 4'5" with a variance amount of 30'7", west side setback of 6' with a variance of 4', east side setback of 2' with a variance amount of 8', a rear yard variance of 2'1" with a setback of 37'11", waterfront variance of 16'6" with a setback amount of 24'6" and a lot coverage variance of 49% including the land referred to in the Bennett Property variance approval. The overhang is to be not over 12" on the west and east side. The house is to be guttered properly. The shed is to be removed and the deck is to be 12'

09-18-07 ZBA Minutes Approved

X 14'. The finding of fact is the narrowness and shallowness of the lot. Motion carried as follows: Ayes- Brown, Wildman, Perri. Nays: Brady, Figurski.

**Moved** by Figurski, supported by Wildman, to approve the August 21, 2007 Zoning Board of Appeals meeting minutes. **Motion** carried unanimously.

Meeting adjourned at 9:02 p.m.

Respectfully Submitted:

Amy Ruthig