

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
OCTOBER 17, 2006
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, Kevin Brady and Joe Perri. Also present was Township staff member Adam Van Tassell and approximately 13 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 Perri, to approve the agenda with the moving of case #7 to #1 to hear public comment only. **Motion carried unanimously.**

06-34...A request by T-Mobile, Section 33, 4440 Brighton Road, for a front yard and side yard variance to construct a cellular tower.

A call to the public was made with the following response: Sandra Skolnik, 4448 Brighton Road, I live directly to the south of the site. I have done a lot of research and have turned the information into the Planning Commission. These towers are a physical danger to people where they work and go to school. This has been documented to cause damage in children. The church has head start classes being taught there. The cellular tower omits harmful high frequency waves and this is a heavy residential area with 350 homes in Oak Pointe alone. I challenge the Board to recognize the facts. Farmers located by the cellular tower on Nixon Road have stated that even their livestock has stopped producing offspring. This tower that will be 210 feet tall will also be in the middle of the St. Joseph and University of Michigan hospital flight path and also a flight path for small aircraft. I think that the federal aviation should also review this cellular tower location. I have learned that they can attach 4-5 more antennae to this tower that will emit the same level of frequencies. We are opposed to this cell tower. John Deluca, 4365 Timberview Drive, I live within one mile of this site. Mr. Deluca stated that he works in the medical field and that he agrees with Mrs. Skolnik's concerns. James Evans, 5192 Pine Hill Circle, I have lived here for 20-25 years. I am in support of my neighbors petition to stop this eye sore. I do not want this monstrosity looming over us. For the church to put this cellular tower on their property is insulting to the neighbors and we are not happy. There is plenty of vacant land where this tower can go that would not have a direct impact on the people. A majority of the people that attend the church do not reside in the direct area. Rich Miller, 4400 Brighton Road, I live to the right of the proposed site. I am greatly concerned that in the 15 years that I lived here the erection of the tower will affect our property value. We purchased here for the natural environment and the wildlife which is in abundance. Our property values will decline and with the conditions of Livingston County, it will only get worse. I am in support of my neighbors and protest this cellular

tower. Charlie Guerriero, 4690 Pine Eagles, I have done some reading of a variety of articles that states that these frequency can hurt people both mentally and physically. My neighbors are all against this cellular tower.

06-23...A request by Larry Nastwold, Section 22, 4054 Clifford, is for a front yard variance to construct an attached garage.

A call to the public made with no response.

Moved by Perri, supported by Brady, to approve case #06-23 for Larry Nastwold for an 8.1 foot front yard variance with a 26.9 foot setback to construct an attached garage. Conditioned upon the garage being guttered and by Certificate of Occupancy issuance the metal shed to the west be removed. The practical difficulty is the topography and slope of the land. **Motion carried as follows: Ayes- Brady, Perri, and Brown. Nays- Figurski.** As noted on plan the additional garage will be heard at a later date in order to be published and neighbors notified.

06-30...A request by Punch and Pat Investments, Section 14, 6300 Grand River Avenue, is for a sign variance.

A call to the public was made with no response.

Moved by Perri, supported by Figurski, to approved petitioner's request to change the dimensional variance to an administrative decision variance. **Motion carried unanimously.**

Moved by Brady, supported by Figurski, to approve the petitioner's request for two wall signs. The Board of Appeals found that the order by the Township Zoning Administrator denying the petitioner's sign permit was based on an erroneous finding of the Planning Commission's review and approval. **Motion carried unanimously.**

06-31...A request by Susan Mayer, Section 32, Unit #5 Crystal Valley Drive, for a front yard variance to construct a new home.

A call to the public was made with no response.

Moved by Brady, supported by Perri, to approve case #06-31 for a front yard variance of 10 foot with a 40 foot setback from the front property line. The practical difficulty is the topography of the land and the location of the existing septic field. **Motion carried unanimously.**

06-32...A request by Kim Cybart and David Harris, Section 10, 5221 Wildwood, for a front, two sides, rear and waterfront yard variances to construct a new home.

A call to the public was made with no response.

Moved by Perri, supported by Figurski, to approve petitioner's request of case #06-32, 5221 Wildwood, for a front yard variance of 24 feet with a setback of 11 feet, an east side variance of 3 feet with a 7 foot setback, a west side variance of 6 feet with a 4 foot setback, a rear yard variance of 21 feet with a 19 foot setback and a waterfront variance of 7 feet with a setback of 33 feet to construct a new home. Conditioned upon the new home being guttered. The practical difficulty is the narrowness of the lot. **Motion carried unanimously.**

06-33...A request by Paul Ellis, Section 26, 4140 Bauer Road, for a variance to allow 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 #06-33 for a front yard variance to construct a detached accessory. Conditioned upon that, one of the two existing detached accessory buildings be removed or attached by time of Certificate of Occupancy issuance. The practical difficulty is the topography of the lot and the location of large trees that prevent any other locations for a detached accessory structure. **Motion carried unanimously.**

Moved by Figurski, supported by Perri, to approve the Zoning Board of Appeals minutes from the September 19, 2006 meeting with corrections. **Motion carried unanimously.**

The meeting adjourned at 8:45 p.m.

Respectfully submitted:

Amy Ruthig