

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 29, 2004**

MINUTES

Chairman Doug Brown called the regular meeting of the Zoning Board of Appeals to order at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Barbara Figurski, Jean Ledford, Joe Perri, Kevin Brady and Doug Brown. Also present was Township Staff member Adam Van Tassell and approximately 20 persons in the audience.

Moved by Figurski, supported by Ledford to approve the Agenda with the tabling of item #1, case # 04-11 for Jeffrey Adams per the petitioner's request. Motion carried unanimously.

A call to the public was made with no response.

04-24...A request by Jeffrey Geist, Section 22, 4070 Clifford, is for a front yard variance to construct a 2nd story addition.

A call to the public was made with no response.

Moved by Brady, supported by Perri, to grant case #04-24 for a 25 foot front yard variance for an addition of an approximate 1,900 sq. ft. garage with a carport to an existing non conforming structure with the following restrictions: There is to be no water supply in the addition, no egress from the existing house to the 2nd story storage area, the addition is to be guttered and there is to be no living space in the 2nd floor storage area. The hardship is the typography of the lot does not allow the petitioner to construct garage closer to the lake. Motion carried as follows: Ayes: Perri, Brady, Brown. Nays: Ledford, Figurski.

04-26...A request by Joseph Migdaleck and Dennis Cuffe, Section 11, 1728 Hughes Road, for a waterfront, side yard and front yard variance to construct a 2nd story addition.

A call to the public was made with no response.

Moved by Ledford, supported by Figurski, to grant petitioner's request to allow the following variances of roadside of 16.25 feet, north side of 10 feet for a zero lot line setback, and a 33 foot waterfront to lot line variance to construct a 2nd floor addition to a nonconforming structure, with the structure matching the existing roof line with no expansion to the original building envelope and conditioned upon the addition being guttered and the removal of the trash and debris on the site. Petitioner will not obstruct

the 10 foot lake access easement along the north side of the property. The hardship for granting this request is because of the extreme narrowness of the lot and the structure being situated on the zero lot line. Also the extensive improvements to the structure will make it compatible with the other homes in the area. Motion carried unanimously.

04-27...A request by Andres Migdaleck and Dennis Cuffe, Section 11, 1794 Hughes Road, for a front and side yard variance to construct an addition.

A call to the public was made with following response: Greg Krench, 1732 Hughes Road, I own three houses in the area and live in the area, this is a welcomed change. Craig Tolles, 1797 Hughes Road, I live across the street and the petitioner indicated a side yard variance, are we going to the south side? Mr. Cuffe- The addition will be 15 feet from the south side lot line. Mr. Tolles: Lot 2 is the lot next door, I have heard that it had sold, is Mr. Migdaleck buying the lot because I do have an easement across that lot. Mr. Migdaleck: I am in negotiations with the realtor now. Chairman Brown: Lot 2 is not pertinent to this matter.

Moved by Ledford, Supported by Figurski, to grant petitioner's request for a 4.3 foot waterfront variance and a 20.5 foot roadside variance to construct a 30 X 24 addition to an existing nonconforming structure with namely a 1st floor master bedroom and a 2nd story above. The structure is to be guttered. The hardship is the need to expand the home because of extremely small bedrooms (1 1/2 bedroom). The house is presently too close to the waterfront in regards to 4.3 foot waterfront variance approved. Motion carried unanimously.

04-28...A request by Mark and Michelle Santoni, Section 30, 2410 E. Coon Lake Road, to construct a pole barn in the front yard.

A call to the public was made with the following responses: Alan Patterson, 2424 E. Coon Lake Road, there is a road maintenance agreement that Dr. Stone did years ago. The gravel road is 12 feet wide. The gravel road does meander. I am concerned about the access to the garage; you will have to cross the road to get to the garage. The further away the garage is from the road the better it would be. The Santoni's were very smart in where they placed the garage. Debbie Hall, 2400 E. Coon Lake Road, I was wondering if this is going to be used for business purposes. The road is not a well maintained road. Chairman Brown: If any business was to be run out there, they would need approval from the Township. Chairman Brown read a letter that was given to the Township by Mr. David Tegrotenhuis, it read as follows: "I own the adjacent parcel to the north having a common boundary line with the Santoni's. The Santoni parcel falls well below the 5 acre minimum lot side for our area. This lot has already benefited from the township error giving it a 20 foot setback approval instead of the required 40 foot setback requirement of this area. This allowed the Santoni's to build a very large home on the 120 wide lot and subsequent removal of most of the beautiful oak trees. This area has nice homes on very forested land. Already the house on this parcel does not fit the area. Any additional building would greatly change the ambiance of the area. I strongly urge the Zoning Board

of Appeals to deny any future building on this lot. Consider that this house that exists already has a large attached garage. There are many subdivisions available where all trees have already been removed and large homes exist. Perhaps the Santoni's might feel more at home building there."

Moved by Ledford, supported by Brady, to grant approval to a very odd situation to construct a 40 x 30 pole barn to be built in the front yard across from the existing home at 2410 E. Coon Lake Road and separated by an existing private gravel roadway. Proposed pole barn to be 45 feet from north corner of center line of existing gravel roadway, 51 feet from back of property line, 40 feet from north and south property lines with a retaining wall on west side of property. Conditioned upon pole barn not being converted into a residential home. The hardship is because of the gravel roadway splitting the land and the land on which pole barn is to be built is a difficult hilly site requiring a great deal of earth removal. Motion carried unanimously.

04-29...A request by Courtney and Paula Lusk, Section 18, 2800 Acorn Lane, for a front yard variance to construct a sun room.

A call to the public was made with no response.

Moved by Brady, supported by Perri, to grant case #04-29 for a 23 foot front yard variance to construct a sunroom. The hardship is the unusual topography of the land.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Amy Ruthig