

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
MARCH 16, 2004**

MINUTES

Chairman Doug Brown call to 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, Dean Tengel, Chris Hensick and Doug Brown. Also present was Township staff member Adam VanTassell and approximately 11 persons in the audience.

Moved by Ledford, supported by Figurski to approve the Agenda with the elimination and refunding of the fee of the petitioner of item #5. (Case 04-07, Holsomback). Motion carried unanimously.

A call to the public was made with no response.

03-69...A request by Jill and Tim Michalik, Section 22, 4354 Highcrest, is for two side yard variances and a waterfront variance to construct a new home. (tabled 11-18-03)

A call to the public was made with no response.

Moved by Hensick, supported by Figurski, to table until the April 20th, 2004 Zoning Board of Appeals meeting for the petitioner to provide proper staking. Motion carried unanimously.

04-03...A request by Robert and Carol VerSchure, Section 22, 4050 Highcrest, is for a front yard and side yard variance to construct an addition. (tabled 2-17-04)

A call to the public was made with no response.

Moved by Ledford, supported by Hensick, a motion for approval of a front yard variance of 23 feet to construct a second story addition, which is a continuation of an existing non-conforming structure as per the survey submitted on 12-19-92. Further, this approval includes park of the motion granted for a variance on 4-13-03 by the Zoning Board of Appeals which states that 3 lots combined under one tax code will not be split. Motion carried unanimously.

04-04...A request by Carl Roberts (Brockway Residence), Section 22, 3722 Noble, is a for a front and rear yard variance to construct a new home.

A call to the public was made with no response.

03-16-04 Approved Minutes

Moved by Tengel, supported by Figurski, for approval of the variance requested to the front and rear setbacks due to the hardship created by Noble Drive intersecting with the parcel, creating a long and narrow building envelope.

The variances will be a 5 foot front yard a 30 foot rear yard. Motion failed as follows:
Nay: Hensick, Figurski, Ledford. Aye: Tengel, Brown.

Moved by Hensick, supported by Figurski, to table case #04-04 to investigate the legal issue if the Zoning Board of Appeals is obligated to provide vote of denial if the motion to approve fails. Motion carried unanimously.

04-05...A request by C.A. and D.M. Malysz, Section 12, Vacant, Clark Lake Road, is for a front yard, side yard and waterfront variance to construct a new home.

A call to the public was made with no response.

Applicant submitted a survey and pictures to show homes around the lake with similar setbacks.

Moved by Hensick, supported by Ledford, to table case #04-05 per petitioners request for up to three months. Motion carried unanimously.

A request for an interpretation to the official zoning map for parcel 11-10-200-007 and parcel 11-10-200-003.

The Board members reviewed a memo from Planning Coordinator Kelly Kolakowski regarding a zoning interpretation for two parcels on Hughes Road.

Moved by Ledford, supported by Figurski, as per Article 23, Section 23.02 of the Genoa Township Zoning Ordinance which gives that Zoning Board of Appeals the power to hear and decide requests for interpretation of the zoning map that parcel #11-10-200-007 be designated as NSD. This is being done to correct a scrivener's error by the Township in platting of the Master Plan. Motion carried unanimously.

Moved by Figurski, supported by Hensick, to approve the minutes as submitted, of the February 16, 2004 regular meeting of the Zoning Board of Appeals. Motion carried unanimously.

The regular meeting of the Zoning Board of Appeals was adjourned at 9:50 p.m.

Submitted by:

Amy Ruthig