

**GENOA TOWNSHIP
Zoning Board of Appeals
July 22, 2003**

MINUTES

Chairman Rick Staley called a 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: Rick Staley, Barbara Figurski, Dean Tengel and Jean Ledford. Also present were Township Ordinance Enforcement Officer Adam VanTassell and approximately 30 persons in the audience.

Moved by Figurski, supported by Ledford, to approve the Agenda as presented. The motion carried unanimously.

02-56...A request by Charles Fillion, Section 28, 4089 Homestead, for a variance to construct an addition and an attached garage on an existing non-conforming building.

A call to the public was made with the following response: Lily Gillespie provided pictures of the house and asked where cars would be parked. Steve Collett – Mr. Fillion will be 18' in front of my house and will restrict my view of the lake. It will be like a wall in front of the lake. Fillion – I will remove the porch. The cottage is built of cinder blocks and I want to use what I have for the foundation.

Moved by Figurski, supported by Tengel, to approve the variances as follows: a 6' east side, 1.5' west side, and 27' roadside for the continuation of an existing nonconforming use. No variance is granted for lot coverage. This action is contingent upon removal of the metal shed, removal of the porch on the west side and gutters on both sides of the house. The practical difficulty is the narrowness of the lot, the topography and the location of the existing structure. The motion carried unanimously.

03-37...A request by Providence Steel, Section 5, 1200 Victory Drive, is for a sign variance to place two pole signs on one property.

A call to the public was made with the following response: A representative of Hertz Corp stated that his customers couldn't locate their facility on Victory Drive. Ken Cole – Grand Oaks has a traffic light and left turn lane that Victory Lane does not. Rob Frankie- Customers cannot see the small street sign when going 55 mph. Restoration Company and Best Self Storage provided written statement supporting the signage. Moved by Ledford, supported by Tengel, to table the request to allow the petitioner to consider a sign reading Victory Drive and the name of the Industrial Park. The motion carried as follows: Ayes – Staley, Tengel and Ledford. Nay – Figurski.

03-41...A request by Camille Malpeli, Section 22, 4482 Clifford, for a waterfront variance to construct a two-story deck.

A call to the public was made with the following response: Larry Van Busner – The new deck will be right in my line of view. Pictures were provided. Moved by Figurski, supported by Ledford, to deny the request since no hardship or practical difficulty (related to the land) was presented. The motion carried unanimously.

03-42...A request by Joseph Kowalczyk, Section 28, 4099 Homestead, for a size variance to construct a detached garage.

A call to the public was made with no response. A letter of objection was received from Dennis and Nancy Koreschuk concerning the size of the pole barn-garage structure. Moved by Figurski, supported by Tengel, to deny the request since no hardship or practical difficulty (related to the land) was presented. The motion carried unanimously.

03-43...A request by George and Jessica Wade, Section 22, 4430 Clifford, for two side yard variances to construct an addition.

The petitioner advised the board that the addition, to square off the house is being asked specifically for utilities that are now located beneath the house. A call to the public was made with no response.

Moved by Ledford, supported by Tengel, to grant a 3.9' south side variance (in accordance with the plans submitted) to allow the construction before winter sets in. This action is contingent upon the home being guttered, with all water retained on site. The hardship or practical difficulty is the narrowness of the lot and the continuation of an existing nonconforming use. The motion carried unanimously.

03-45...A request by Sandra Minor Cherry, Section 3, 420 Cheyenne Trail, for a rear yard variance to construct an addition.

A call to the public was made with no response. Moved by Figurski, supported by Ledford, to approve a 22' rear yard variance as requested. This action is contingent upon removal of the existing trailer on completion of the stick home. The practical difficulty is the narrowness of the lot, the location of the existing well and a large tree that will not allow the home to be built closer to the road side. The motion carried unanimously.

03-46...A request by Mark Ouilette and Blythe Patterson, Section 6, 2630 Grand River, for a variance for a special use: Family Fun Center within 100 feet of a residential district.

A call to the public was made with the following response: Annette Ray provided a written list of concerns from neighbors of the Chilson Hills Subdivision. Among the concerns were traffic, parking, landscape buffers, noise, lights etc. Paul Radlind – Will there be sound control? Petitioner – The room will be dry-walled and sound will stay in the building. Parking spaces were discussed and it was agreed that the 182 spaces would be the continuation of a nonconforming use. The hours of operation were a problem. The petitioner said that they could reduce the hours and would hire a security guard for the parking lot. Rob Frank – People will destroy our subdivision and this will be a continued disturbance. Al Patterson – This is not in the community interest to have a building sit empty. Now we will know where the kids are. We need this kind of activity to keep our kids off the street. Lindhout representative – The lighting will be improved. It will be shielded and directed downward. The existing water problem will be solved with water directed to a retention pond. The building will not house that many people. 182 parking spaces will not be necessary even in the best season. Blythe Patterson – We meet all the criteria of the ordinance. This will make the community a better place to live. The site will be patrolled and supervised. A cyclone fence will replace the wooden fence. Glen Wiseman – My yard is being used as a cut thru. This will only attract more foot traffic.

Staley - It is determined by the board that the development would be an enhancement to the community as a whole, but the negative impact to the Chilson Hills subdivision could not be overcome. Moved by Ledford, supported by Figurski, to deny the request since the development was too close to the adjacent subdivision, the hours of operation would be lengthy and the operation would generate unsupervised minors at all hours, specifically in the parking area. The motion carried as follows: Ayes – Figurski, Ledford and Staley. Nay – Tengel.

Moved by Figurski, supported by Tengel, to approve the Minutes of the 06/17/03 regular meeting of the Zoning Board of Appeals as submitted. The motion carried unanimously.

A letter of resignation was received from Rick Staley. The board acknowledged his many years of service and regretfully accepted his decision.

The regular meeting of the Zoning Board of Appeals was adjourned at 9:40 p.m.

Paulette A. Skolarus
Genoa Township Clerk