

GENOA TOWNSHIP  
ZONING BOARD OF APPEALS  
MAY 20, 2003

MINUTES

Vice-Chairman Barbara Figurski 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: Barbara Figurski, Chris Hensick, Jean Ledford, and Dean Tengel. Also present were Township Ordinance Enforcement Office Adam VanTassell and approximately 32 persons in the audience.

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

***03-15...A request by Jeff and Gina Gangnier, Section 22, 4358 Highcrest, for a side yard variance with an additional size variance to construct a detached garage.***

A call to the public was made with Richard Ziminsky asking to see pictures of the project. Pictures and a copy of the survey were provided. Marilyn Jameson – Emergency vehicles were a problem determined at the last meeting. This is a reasonable request. Moved by Hensick, supported by Ledford, to deny the request since no hardship or practical difficulty associated with the land was presented. The motion carried unanimously.

***03-17...A request by Christopher and Monica Flanery, Section 27, 4525 Clifford, is for a variance to construct a detached garage in the front yard.***

A call to the public was made with no response. Moved by Ledford, supported by Hensick, to approve the construction of a 24' x 32' detached, single story garage – measuring 768 feet in area, with no plumbing or other utilities (excepting electricity). This action is contingent upon moving the existing shed to someplace else on the lot. Further, the garage may not be built within ten feet of the existing home (fire hazard). The practical difficulty is that this is the only area available for a building on a heavily wooded parcel with a wetland. The motion carried unanimously.

***03-18...A request by William and Ann Blaine, Section 4, 151 Latson Road, is for a variance to split a lot into two nonconforming lots.***

A call to the public was made with no response. Moved by Tengel, supported by Ledford, to deny the request since no hardship or practical difficulty associated with the land was presented. The motion carried unanimously.

***03-19...A request by Oak Pointe Hills Homeowners Association, Section 27, Corner of Brighton Road and Clifford Road, is for a variance to allow identification sign within 10 feet of road right of way.***

Jeff Hadley, Bill Cook and Pete Eichinger addressed the board on behalf of their association. A call to the public was made with the following response: Christina Noble – The placement of the sign is just off my lot and I have no objection. Hilda Kirsch – I am in favor of signage identifying our subdivision. Richard Ziminksi – Will the sign be lighted? Petitioner – A single 50-watt halogen light will be imbedded in the ground facing the sign. It will be timed to operate from dusk until 12:00 a.m. The light will only illuminate the sign. Ziminski – This is a rural area and we should be concerned with light pollution. John Kirsch – The lack of streetlights make it difficult to find our home. Approval of this petition would help us.

Moved by Hensick, supported by Ledford, to approve an 8' variance for construction of a monument ground sign according to the drawings submitted. The practical difficulty is that the intersection of Clifford and Brighton Roads need identification. This action would provide for the health, safety and welfare of the community. The motion carried unanimously.

***03-20... A request by Robert and Rosemary Gontarski, Section 27, 4401 Filbert, is for a variance to split a lot into two nonconforming lots.***

Tom Halm (Attorney for the petitioner) – The petitioner owns three-lake lots nos. 26, 27 and 28. They were combined into one parcel in 1976 as a condition of the Zoning Board of Appeals. Now they would like to split the three lots into two parcels. There is a single sewer tap to the existing home. No additional variances will be asked.

A call to the public was made with no response. A letter of objection was received from Frank and Lola Castle. A letter and petition supporting the project was presented by Gontarski.

Discussion by the board included possible deed restrictions with no variances for construction of homes or garages, etc. Halm advised the board that he would draw up the necessary deed restrictions and submit them to the township attorney. Moved by Ledford, supported by Hensick, to table until the next meeting of the board. The motion carried unanimously.

***03-21...A request by First National Bank, Section 10, 5990 E. Grand River, is for a variance to split a corner lot into a conforming and nonconforming lot.***

A call to the public was made with no response. Moved by Hensick, supported by Ledford, to grant a variance to the minimum lot area allowing a split of a parcel into .75 of an acre. The hardship is determined to be the location of the existing unused commercial building on the site. The motion carried unanimously.

Moved by Hensick, supported by Ledford, to grant a 10' rear yard variance for the drive-thru overhang, located on parcel #1 to allow the continued use of the commercial drive thru banking facility. The practical difficulty is that the facility was legal and conforming prior to the allowance for a split. The motion carried unanimously.

***03-22...A request by Donald McCluskey, Section 13, Vacant Grand River Ave., between Hacker and Bendix, is to allow zero foot front yard setback to construct a new building in the OSD (Office Service District) zoning.***

A call to the public was made with the following response: Mark Mohrenweiser –The Waldecker site has no shields on their parking lights. This is of great concern. The previous project on this site included trees, however they were not maintained. Now your plan is to place 5 foot or 6 foot evergreens below the retaining wall, however the retaining wall is 3feet higher than the plantings. Where is the benefit to our property? Also, there is no commitment for the retention of the natural vegetation and trees on lot 9 that are owned by the same petitioner. Figurski – The dumpster on the Planned Parenthood site should be enclosed. It is sitting in the parking lot and that is not allowed under our ordinance. Mike Knop – I am concerned with the lights and the sound from Grand River as trees are removed. Lot 9 should be left in its natural state as a buffer to the neighboring homes. Mohrenweiser – How will this parcel be accessed? Jim Barnwell (Design Engineering) – Construction traffic will not be allowed on Collingwood or Stanwood.

Moved by Hensick, supported by Tengel, to grant a zero lot line setback. The location, grading, preservation of trees, and the severe terrain make it difficult to place the building in another location without damaging more natural features. The motion carried unanimously.

***03-23...A request by David and Jennifer Osterman, Section 22, 3828 Highcrest, is for a side yard variance to construct a detached garage.***

A call to the public was made with no response. Moved by Hensick, supported by Ledford, to approve a 3' variance for construction of a detached accessory structure in the front yard. The practical difficulty is the unusual terrain and the access easement crossing the front of the parcel. The motion carried unanimously.

***03-24...A request by Frank Grochowski, Section 12, 1345 N. Clark Lake Road, is for a front yard and side yard variance to construct an addition.***

A call to the public was made with no response. Moved by Hensick, supported by Ledford, to grant a 25' front yard variance and a 4' east side variance for construction of a garage and living space pursuant to the plans submitted. The practical difficulty is the unusual terrain to the rear of the house that drops off dramatically. The motion carried unanimously.

***03-25...A request by Patricia Holsomback, Section 1, 7728 Price Drive, is for a variance to split a lot into two nonconforming lots.***

A call to the public was made with the following response: Alan Keeling – I am the former owner of that property and I tried to split the parcel two years ago. Nothing has changed since I was denied. The neighboring property owners considered a rezoning a couple years ago but there was no support. Letters of objection were received from Paul Price and Lynn Ferguson.

Moved by Ledford, supported by Hensick, to deny the request since the petitioner presented no hardship or practical difficulty related to the land. The motion carried unanimously.

***03-29...A request by Country Corners Shopping Center LLC, Section 4, 4046 Grand River Ave., is for a height variance to allow a shopping center identification sign.***

A call to the public was made with no response. Moved by Tengel, supported by Ledford, to approve the 2'2" variance to the height as requested conditioned upon no more than two colors being used on the face of the signage. The practical difficulty is that the number of tenants in the development that require a minimum of space for advertising their business. The motion carried as follows: Ayes – Figurski, Ledford, and Tengel. Nay – Hensick.

Moved by Ledford, supported by Tengel, to approve the Minutes of the 04-22-03 regular meeting of the Zoning Board of Appeals as submitted. The motion carried unanimously.

Paulette A. Skolarus  
Genoa Township Clerk