

**GENOA TOWNSHIP**  
**Zoning Board of Appeals**  
**Oct. 22, 2002**  
**7:00 p.m.**

**AGENDA**

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, Judith Stornant, Chris Hensick and Jean Ledford. Also present were Township Ordinance Enforcement Officer Adam VanTassell and approximately 15 persons in the audience.

Moved by Ledford, supported by Hensick, to approve the Agenda correcting the numbering sequence. The motion carried unanimously.

**02-43...A request by John and Maricel Roberts, Section 22, 3805 Highcrest, for a variance to construct an addition to connect two nonconforming existing structures on the lot and an additional side variance to construct a second story addition, in essence extending the existing nonconformity.**

A call to the public was made with the following response: Jacqueline Blaire – You have an old plat. This road was quitclaimed to our property. Hensick – A quitclaim deed is an instrument that says ‘if I own anything, I am giving it to you’. In order for the road to be abandoned it would need to go to court and amend or modify the plat. Blaire – Will there be mercury lighting. Petitioner – No. I will use carriage type lighting that will be turned on and off with use. Blaire – Will construction materials be burned? Petitioner – We intend to use a dumpster. How will the well be accessed? Hensick – That is a problem. Petitioner – If I have well issues, I can move it to the roadside.

Tom Craine – The garage is 3’ beyond the 5’ allowance. I have a problem with connecting that garage to the house. The garage is an eyesore. Mike Page - The big trees would have to be removed to access the well. Hensick – Your request does not work in that area. The buildings would exceed 90’ in length and the location of the garage troubles me. The footprint on the Boss survey is not the same as the mortgage survey.

Moved by Ledford, supported by Stornant, to deny the request to construct a garage. No visible hardship is involved. The petitioner asked if he could modify his petition to address just the second story of the house. Hensick – There is a motion on the table and your request is out of line. Hensick asked that the motion be modified to state that the request for variance to expand two nonconforming structures be denied since no practical difficulty to justify modifying the structures is apparent. The motion, as amended, was voted and carried unanimously.

**02-45...A request by TCF Bank, Section 5, 3875 E. Grand River, is for a variance to place a second wall sign on north wall.**

A call to the public was made with the following response: Jay Powell – I have no issue with the request, however, if a vehicle used this access to get from Latson to Grand River, they would get a ticket. Craig Lesley – I used to serve on the Planning Commission. The township made every effort with this development to achieve safety. The township may have forgotten one thing with regard to signage on out lots. Safety was the real objective of the Master Plan.

Moved by Hensick, supported by Ledford, to grant the variance, allowing a second wall sign on the north elevation as delineated on the application. The practical difficulty is identified as the internal traffic pattern that has been developed under the Master Plan. The motion carried unanimously.

**02-46...A request by James and Dawn Holland, Section 10, 1205 Chemung Drive, is for a variance to split property into nonconforming lots.**

A call to the public was made with no response. A petition from neighboring homeowners was submitted requesting denial. Moved by Ledford, supported by Hensick, to deny the request since no hardship or practical difficulty exists. Further, the split would create a nonconforming lot. The motion carried unanimously.

**02-47...A request by Pete Berton, Section 31, 2760 Brighton Road, is for a 27-foot side yard variance with a 13-foot setback to construct an accessory structure.**

The petitioner was advised that his property was not staked. Moved by Hensick, supported by Ledford, to table the request until the next regular meeting of the board. The motion carried unanimously.

**02-48...A request by Dennis Jackson, Section 22, 5730 Griffith, is for a variance to construct an accessory structure located in the front yard.**

A call to the public was made with the following response: Craig Lesley – I am a neighbor who opposes the request. Detached garages are not allowed in our neighborhood. Steve Rossin – This garage will be at a lower elevation and I do not have a problem with the request. Figurski – The Zoning Board of Appeals can only act on a hardship or practical difficulty that is related to the land. Your request is self-imposed. Hensick – The garage in the front is out of character with the area.

Moved by Hensick, supported by Stornant, to deny the variance since the petitioner presented no practical difficulty or hardship. The motion carried unanimously.

**02-50...A request by Christopher Voris, Section 11, 1656 Hughes, is for a 5-foot side yard variance with a 5-foot setback to construct an accessory structure.**

A call to the public was made with no response. Moved by Stornant, supported by Ledford, to approve the request for a 5' side yard variance as requested. The practical difficulty is the narrowness of the lot and the location of the existing well. The motion carried unanimously.

**02-51...A request by Jason Demery, Section 18, 2930 Kings Court, is for a variance to place an accessory structure in the front yard and a 40-foot front yard variance with a 160-foot setback to construct an accessory structure.**

A call to the public was made with no response. Moved by Hensick, supported by Stornant, to approve the 40' variance for the accessory building on condition that it will not be used for commercial use. The practical difficulty is the location of the existing residence and the unusual terrain of the site. The motion carried unanimously.

Moved by Ledford, supported by Stornant, to approve the Minutes of the September 17, 2002 regular meeting of the board with typographical corrections. The motion carried unanimously.

Moved by Hensick, supported by Ledford, to waive the fee for the Roberts petition and to allow him to come back with a new plan within 180 days.

The regular meeting of the Zoning Board of Appeals was adjourned at 9:00 p.m.



Paulette A. Skolarus  
Genoa Township Clerk