

GENOA TOWNSHIP  
Zoning Board of Appeals  
June 12, 2001

MINUTES

A regular meeting of the Zoning Board of Appeals was called to order by Chairman Staley at 7:00 p.m. at the Genoa Township Hall. The following board members were present constituting a quorum for the transaction of business: Rick Staley, Barbara Figurski, Judith Stornant, Chris Hensick and Jean Ledford. Also present were Zoning Enforcement Officer Adam VanTassell and Township Manager Michael Archinal and approximately 25 persons in the audience.

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

A Call to the Public was made with no response.

**01-14 A request by Mark Groulet, Section 26, 6616 Challis, is for a 15-foot side yard variance to construct pole barn.**

A Call to the Public was made with no response. Moved by Hensick, supported Ledford, to table the petition until the property is staked. The motion carried unanimously.

**01-20A request by Ernest Egan, Section 33, 5366 Chilson Road, is for a 1 foot side yard variance and a size variance to allow for a 1200 sq. ft. pole barn.**

A Call to the Public was made with the following response: Robert Egan - I have no objection to this petition. Ledford - It would not be feasible to attach a garage to this 100-year old home. It is not conducive to the architecture. We should try and maintain the unique architecture of the farmhouse. Hensick - We should not be looking at architecture when making our decision. It would not be objective or in line with our responsibility. Moved by Ledford, supported by Stornant, to approve a 1-foot variance and the 1200 sq. ft. pole barn as requested, contingent upon removal of the existing garage and workshop. The practical difficulty is the maintenance of the architectural design of the home. The motion failed as follows: Ayes - Ledford and Stornant. Nays - Staley, Hensick and Figurski.

**01-21 A request by Adler Building, Section 5, 6108 Shadetree, is for a variance to allow a fence 6-foot in height.**

Douglas Zachow (representing Adler Building) - The fence is already installed. It fits the surrounding neighborhood and screens noise from Hughes Road. The fence is six-foot high and raised one-foot off the ground. The residence at 6122 Shadetree has installed a similar fence but it is not raised off the ground. Staley - Anyone buying that property is well aware of the traffic on Hughes Road before they purchase. A Call to the Public was made with the following response: Dorothy Neil - We live at 6122 Shadetree and we put up a fence because of the noise and to eliminate trespass. Moved by Hensick, supported by Figurski, to deny the request since

the petitioner presented no practical difficulty.

**01-22 A request by Weiss Land Development, Section 5, 3477 Grand River, is for a 5-foot side yard and a 50-foot rear yard variance to construct a retail building.**

Harvey Weiss - It is our intention to demolish the existing building "Slender You" and construct a 13,000 sq. ft. building on the site. Our original site plan could be completed without a variance. The Planning Commission requested that the existing driveway be abandoned and a new access be constructed. The moving of the driveway forced us to move the building and resulted in a reduction in the size of the buildable area of the site. Since we could meet the zoning requirements originally and were trying to accommodate the township and planners we are asking for a variance. Archinal - The Planning Commission is in favor of the project and the re-alignment. They made no recommendation to the Zoning Board of Appeals. Weiss - We could move the building 5' to the west, reduce the greenbelt on the east and place additional landscaping to the west. A Call to the Public was made with no response. Moved by Figurski, supported by Ledford, to table the request until the property is staked with markings for a 5' setback and a second marking for a 10' setback. The motion carried unanimously.

**01-23 A request by Richard Jones, Section 1, 316 S. Hacker Road, is for a variance to construct an addition to a nonconforming garage.**

A Call to the Public was made with no response. Moved by Hensick, supported by Ledford, to grant a variance to construct an addition to a nonconforming one-story garage, measuring 24' x 36' (less than 900-sq. ft. in area), contingent upon the removal of the "raised" parking area. The motion carried unanimously.

**01-24 A request by Chilson Hills Church, Section 33, 4440 Brighton Road, is for a variance to construct a spire not to exceed 93 feet.**

Wally Krall - This addition will be traditional in design. A three dimensional replica of the church facility was presented. There will be no lights from the steeple shining out. We would like to shine a light on the steeple from dusk until midnight. We could place that lighting on an automatic timer. The height will not exceed the FAA limit. A letter of objection was received from Gottfried Schiller. A Call to the Public was made with the following response: Christine Klasner - A steeple is needed to identify the church that sits off Brighton Road, behind many trees. Mike Kontz - The backside of the church includes a tree line that has not been disturbed. There should be no problem with neighbors to the rear. Mrs. Wisser - The new building is very large and is disturbing. Al Patterson - The church is used as a voting site and it is difficult to find for first time voters. The steeple would be visible to persons wanting to vote. Sandra Skolnick - The spire is appropriate and the chime system is wonderful. I do not want to see a cell tower in this location. The lighting does not bother me since it is directed downward. I am concerned with the parking lot and the flooding of my yard. The drainage appears to be inadequate. The petitioner advised Skolnick that they would meet with her personally to resolve the issue. Mr. Wisser - I don't see why the steeple needs to be so tall. Moved by Ledford, supported by Figurski, to table the request until the board can be assured that the FAA requirements are met.

Further, to review comparable steeples within the community to determine average height. The motion carried unanimously.

**01-25 A request by Joann Bartolomucci, Section 22, 3914 Highcrest, is for a 1-foot side yard variance on both sides to construct a new home.**

A Call to the Public was made with the following response: Tom Craine - My family owns property across the street. We have a problem with residents of this home parking on our property. The garage is no 2' off the road. If this variance were granted, there would be no room for an addition to the existing garage. Bartolomucci - I did not know that we couldn't park on the other side of the street. Jackie Blaire - I have made several complaints on cars parked in that area. We did talk to the renters and they were adversarial. We did file a complaint with the township and the county. Bill Burnett - I believe that a variance would also be needed on the lakeside. The lot dimensions are not correct. Archinal - We can verify that in the field. Moved by Hensick, supported by Figurski, to deny the petition since no practical difficulty was presented and the petitioner should be able to meet the requirements of the ordinance. The motion carried unanimously.

**01-26 A request by Doyle Camp, Section 26, 5522 River Ridge Drive, is for a 6-foot rear yard variance to construct a screen porch over existing deck.**

A Call to the Public was made with no response. Moved by Figurski, supported by Ledford, to grant a 6' rear variance for a screened porch. The practical difficulty is the location of the home placed dead center of the lot and the heavily wooded area to the rear that would eliminate any view from adjoining neighbors. The motion carried unanimously.


**01-27 A request by Mark Santoni, Section 30, 2410 E. Coon Lake Road, is for a 40-foot front yard variance and a 15-foot side yard variance to construct a new home.**

A letter of objection was received from David TeGrotenhuis. He asked for additional pine or spruce trees to be planted at the northern lot line. Archinal - The request you have before you is a result of an error by my office. It was originally thought that the zoning was lakeshore residential when in fact it is country estate. A Call to the Public was made with the following response: Al Patterson - I received no notice of the variance request. There is a blind corner coming up to this property and hopefully the petitioner can cut back the berm to allow for a greater site distance. Steve Plasner - The home looks real nice. I'm sure the petitioner will gladly handle the road issue. Santoni - There are many trees on the lot. We moved \$1,800.00 worth of trees to the north side. We will provide for five additional spruce or pine trees on the north side. Moved by Hensick, supported by Ledford, to grant the request for a 15' side yard variance and a 29' front yard variance contingent upon the following: The petitioner will provide additional screening with five spruce/pine trees on the north side. The petitioner will enhance the visibility along the intersection of the drive and the access road by reducing the existing berm. The petitioner will remove the existing cottage within 90 days of the Certificate of Occupancy being issued. The township is responsible for the existing situation and created the practical difficulty that forced the Santoni's to seek a variance. The motion carried unanimously.

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Moved by Figurski, supported by Ledford, to approve the Minutes of the May 8, 2001 regular meeting of the Zoning Board of Appeals.

The meeting was adjourned at 10:20 p.m.



Paulette A. Skolarus  
Genoa Township Clerk