

**GENOA TOWNSHIP  
Zoning Board of Appeals  
December 19, 2000**

**Minutes**

The 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, Polly Skolarus, Judy Stornant, and Jean Ledford. Also present were Township Manager Michael Archinal and 15 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.

**00-50... A request by James Scally, Section 32, 3423 E. Schafer, the request is for a 20-foot side yard variance to construct an accessory structure.**

A Call to the Public was made with the following response: Jim Cartney - I am happy to see this addition. Moved by Skolarus, supported by Ledford, to approve a variance to allow the placement of the accessory building 16' in front of the existing home, contingent upon removal of the existing shed. The barn will be turned so that no variance is needed for side yard setback. The hardship is the location of the 2nd septic field as well as the unusual topography. The motion carried unanimously.

**00-51... A request by Terry Lassitter, Section 7, 1532 Chilson Road, is for a 25-foot side yard variance to construct an addition and garage.**

A Call to the Public was made with no response. Letters from neighboring property owners were received indicating that there was no objection to the petition. Moved by Figurski, supported by Ledford, to approve a 25' variance to the south side of the property to allow for an addition to an existing non-conforming structure. The hardship is the narrowness of the lot that will not allow an addition on either side as well as a safety feature related to the road. The motion carried unanimously.

**00-52... A request by Chris Barnard, Section 6, 392 Chalmers, is for a 3'9" side yard variance to construct a detached garage.**

A Call to the Public was made with no response. Moved by Skolarus, supported by Figurski, to table until the next regular meeting of the board in order to allow the petitioner to properly stake their property. The motion carried unanimously.

**00-53... A request by Norfolk Development, Section 22, 5388,5328,5334 Pentwater Drive, is for a variance to allow grading to occur in the required 25 foot undisturbed natural wetland buffer.**

A Call to the Public was made with no response. Moved by Ledford, supported by Skolarus, to approve a request to allow grading as requested referencing the Township Planner's letter dated 12/04/00. (Note: LSL's letter is included as a part of the board minutes.) This action is taken contingent upon the following:

- The petitioner will move the deck on lot 13 so that it does not encroach on the wetland buffer.
- The township planner will provide a list of approved plantings and shrubs to be placed in the buffer at a density not less than 12 per 150 square feet.
- Reference is made to LSL's letter of 12/04/00. The board concurs with their letter and agrees that the plantings will form a natural, physical barrier between the developed portion of the site and the wetland.

This variance is determined because of the following arguments contained in LSL's 12/04/00 letter:

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question which are different than typical properties in the zoning district, specifically the drastic change in elevation change from the road to the building area.
2. A safe foundation for the construction of the homes and to offer the homeowner a reasonable use of his land.
3. Granting the variance would not present any negative impacts to the wetland and would enhance public safety in relation to the site.

The motion carried as follows: Ayes - Stornant, Ledford, Skolarus and Staley. Nay - Figurski.

**00-54... A request by Michael Balagna, Section 22, 3450 Pine Ridge, is for a 108-foot waterfront variance to construct a new home.**

A Call to the Public was made with no response. Letters were received from neighboring property owners in support of the variance being granted. Moved by Figurski, supported by Skolarus, to approve a 108' lakeside variance for construction of a new home. The hardship is the lot size and the unusual topography as well as the safety and welfare of the family living on this site. The motion carried unanimously.

Moved by Ledford, supported by Figurski, to approve the Minutes from the Nov. 14, 2000 regular meeting of the Zoning Board of Appeals, correcting the spelling of the name "Jean" to "Gene". The motion carried unanimously.

Minor typographical corrections were given to Archinal concerning the newly adopted Zoning Ordinance.

The regular meeting of the Zoning Board of Appeals was adjourned at 9:15 p.m.



Paulette A. Skolarus  
Genoa Township Clerk