

(corrected)  
**GENOA TOWNSHIP  
ZONING BOARD OF APPEALS  
September 14<sup>th</sup>, 1999**

**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, Chris Hensick, Robert Murray and Nancy Litogot. Also present were Township Manager Michael Archinal and approximately 35 persons in the audience.

Moved by Hensick, supported by Figurski, to approve the Agenda with the tabling of item petition 99-45. The motion carried.

A call to the public was made with no response.

**99-24...A request by Stanley Schafer, 5000 Grand River Avenue, Section 10, for a variance to build an addition within the setback required.**

A call to the public was made with no response. Moved by Hensick, supported by Murray, to approve an 18' variance to the rear yard for Champion Chevrolet based upon the location of the existing building and its relation to the state highway. The motion carried unanimously.

**99-34... A request by Andrew Pizzino, 1348 Elmhurst Drive, Section 10, for a 7'4" side variance and a 39' waterfront variance to build a home.**

Moved by Hensick, supported by Figurski, to table the petition since no one was present when the case was called. The motion carried.

**99-45...A request by Mark Ostrowski, 3894 Highcrest, Section 22, for a 5' side variances and a 20' front variance to rebuild a home.**

Tabled.

**99-48...A request by Shoreline Building Company, Section 22, 4044 Clifford Road, for a 17' front variance, 7' side variance, and a 2' side variance to build a garage.**

A call to the public was made with the following response: Tom Craine - hopefully the addition of a garage will eliminate the parking on the other side of the street that is dangerous. Moved by Murray, supported by Hensick, to grant the following variances: 17' front, 7' side and 2' side for construction of single story garage measuring 20' x 20' due to the location of the existing home and the size of the lot. The motion carried as follows: Ayes - Murray, Hensick, Litogot and Staley. Nay - Figurski.

**99-49...A request by BD Donavon, Section 22, 3930 Highcrest, for a 6'7" side variance and a 7' 4" side variance to build a home, and a 4' side variance to build a garage.**

A call to the public was made with the following response: Tom Craine - My parents live just to the south of this lot and their retaining wall is starting to need repair. How much dirt will need to be removed for the walkout. Will the large trees be destroyed? Will this create a water problem? Can the garage be moved closer to the house to allow for parking in front of the garage. Petitioner - A retaining wall will be used to preserve the trees. If there is water problem we will correct it. We can move the garage back six feet and shrink the garage to a 2 1/2 car.

Moved by Murray, supported by Hensick, to grant a 7.2' side yard variance contingent upon the 24' x 28' single story garage being centered and located 16' off the front property line. Further, the house will be located in line with the neighboring properties and the boathouse and deck will be removed. A string line should be drawn between the two existing homes and no part of the new construction should sit in front of that line. The motion carried as follows: Ayes - Murray, Hensick and Litogot. Nay - Figurski and Staley.

**99-50...A request by Steve Stanley, Section 27, 3953 Highcrest, for a 5' side variance, a 10' side variance and a 131' waterfront variance to rebuild a home.**

Moved by Murray, supported by Figurski, to table until the property is staked. The motion carried.

**99-51... A request by Malisa Harter, Section 10, 5393 Wildwood, for a 35' front variance and 15' side variance to build a garage.**

A call to the public was made with no response. Moved by Murray, supported by Figurski, to table until the petitioner can present a valid staked survey. Further, the garage should be reduced to a reasonable size in relation to the lot and should not obstruct the view of the neighboring property. The motion carried.

**99-52...A request by Marion Kujawa, Section 10, 1080 Chemung Drive, for a 18' front variance, 7' side variance on both sides, and a 3' height variance to build a home. An additional variance is requested to locate a garage on a separate lot.**

A call to the public was made with the following response: Renee Jones - I am here with 12 neighbors who object to this variance. Reference is made to the Jones' letter dated 09-08-99. Neighbors and the board raised the following concerns:

- No hardship is presented with reference to the height;
- The house is too large for the size of the lot;
- The cottage that is to be moved to the other lot should be placed further back on the lot;

- ❑ The 5" gutters are not included in the calculation for the overhang;
- ❑ The house sits in front of the neighboring homes and should be set back further on the property;
- ❑ The trees along the fence/property line should be preserved;
- ❑ The plan will obstruct the view of neighboring homes;
- ❑ The house should be centered on the property;
- ❑ Sparks from the fireplace could start a fire on the nearby neighbor;
- ❑ Who will pay the cost of changing the Detroit Edison lines;
- ❑ Drainage is a concern with so much of the lot covered;
- ❑ A deck over 3' above the ground is considered part of the house.

Moved by Murray, supported by Figurski, to table the petition until the concerns raised here this evening can be addressed. The motion carried.

**99-54... A request by EBI Inc., Section 10, 5309 Wildwood Drive, for a 17' front variance, a 10' side variance and a 23.5 rear variance to rebuild a home.**

A call to the public was made with the following response: Eileen Procus - I am glad to see this new construction. Moved by Murray, supported by Litogot, to grant the following variances: the garage will be located no closer than 18' from the property line calculated from the southeast corner of the front yard, a 10' side yard and 23.5' rear variances. Further, the garage will be attached to the home with a breezeway and no variance will be granted for the distance between the house and garage. The hardship is the shallow depth and narrowness of the lot. The motion carried as follows: Ayes - Murray, Litogot and Staley. Nay - Figurski and Hensick.

**99-55... A request by Rollerama II, Section 14, for a sign variance.**

A call to the public was made with no response. Staley advised the petitioner that no hardship or extraordinary circumstance was presented for the request. Moved by Hensick, supported by Figurski, to table at the petitioner's request. The motion carried.

**99-56...A request by Tom Rafferty, Section 28, 4183 Homestead, for a 5' variance to rebuild a home.**

A call to the public was made with the following response: Jack Weatherly - I have no objection to this petition. Staley - The neighbor at 4177 Homestead is in favor of this variance. Archinal - Any deck that is raised more than 3' above ground is considered to be part of the main structure when it comes to setbacks. Staley - Do you intend on raising the elevation of the home? Rafferty - I intend on having an elevated front porch, that is all.

Moved by Murray, supported by Hensick, to grant a 10' side yard and a 5' waterside variance to construct a new home per the plans. The hardship is the narrowness and the depth of the lot. Note: No variance was granted with regard to the height. The motion carried unanimously.

**99-57... A request by Michigan National Bank, Section 04, 3883 East Grand River, for a variance to place a sign on the Meijers store elevation.**

A call to the public was made with no response. Moved by Hensick, supported by Figurski, to deny the request based upon the Planning Commission and Township Board's prior decision. The motion carried unanimously.


**99-58...A request by Tim Aigner, Section 27, 4570 Clifford Road, for a variance to install a fence in the area defined as the front yard.**

A call to the public was made with no response. Moved by Murray, supported by Litogot, to grant the variance for the installation of a fence 42" in height due to the configuration of the lot and the location of the home with two front yards and no back yard. The motion carried unanimously.

**ADMINISTRATIVE BUSINESS:**

Moved by Murray, supported by Figurski, to approve the Minutes of the August 10, 1999 regular meeting of the board as presented. The motion carried unanimously.

The regular meeting of the Zoning Board of Appeals was adjourned at 10:40 p.m.

  
Paulette A. Skolarus  
Genoa Township Clerk