

*(corrected)*  
**GENOA TOWNSHIP**  
**ZONING BOARD OF APPEALS**  
**April 13<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, Robert Murray, Paulette Skolarus and Chris Hensick. Also present were Manager Michael Archinal and approximately 20 persons in the audience.*

*Moved by Figurski, supported by Hensick, to approve the Agenda as presented. The motion carried.*

*A Call to the Public was made with no response.*

***99-11...A request by Keith & Terry Pratt, 4719 Summer Hill, Section 26, for an 18' variance to the side setback requirement to extend a garage.***

*A call to the public was made with o response. Moved by Murray, supported by Skolarus, to grant an 18' side yard variance contingent upon the removal of the existing shed. This action is due to the location of the existing garage, the unusual topography and the retention of the trees separating the parcels. The motion carried unanimously.*

***99-12...A request by Eric Cook, 3924 Highcrest, Section 22, for a 25' waterfront variance and also a 6.7' side variance to build a home and garage.***

*A call the public was made with the following response: Bill Wernett - I am concerned with the potential grading and possible flooding. Architect - The topography will not change. We will maintain the natural swale between the two properties. Wernett - how close will the retaining wall be to the property line? Architect - The retaining wall will be constructed with a unilock type block and be 10' from the property line. The petitioner asked that the garage request be tabled until the house in completed. George Cook - Please explain the calculation that determines where the house will be set back from the water. Archinal - The house placement is determined to be half way between the house to the north and the one to the south.*

*Moved by Hensick, supported by Murray, to grant a 6'7" variance to the south and to allow an 86' setback from the waters edge. Further, the existing shed will be permanently removed and the existing drainage pattern will not be changed, with all water contained on the property. The hardship is the unusual topography of the site and the narrowness of the parcel. The motion carried unanimously.*

**99-13...A request by Steven Lowry, 4150 Clifford, Section 28, for a 24.9' variance to the front setback to build a garage.**

*A call to the public was made with no response. Moved by Hensick, supported by Murray, to grant a 35' setback to the water with a 5' variance; a 25' variance to the roadside with a 10' setback which would be an expansion of a nonconforming use. Further, the existing shed will be removed. The hardship is the unusual configuration of the lot and the existing nonconforming use. The motion carried unanimously.*

**99-14...A request by Lynn Klein, Lot 47 Highcrest, Section 22, for a 4' variance to the side yard setback.**

*A call to the public was made with no response. A letter was received from Alice DuBach voicing opposition to the four-foot variance. Moved by Murray, supported by Hensick, to grant a 4' south side variance and a 35' front yard variance, allowing a zero setback from Highland Avenue conditional upon the new structure being located no closer than 80' to the waters edge. The hardship is the size of the lot and steep topography. The motion carried as follows: Ayes - Murray, Hensick, Skolarus and Staley. Nay - Figurski.*

**99-15... A request by Dan Maas, 1585 Euler Road, Section 12, the request is to grant an extension for a variance that was approved Oct. 12, 1993.**

*A call to the public was made with no response. Moved by Skolarus, supported by Hensick, to approve the petitioner's request. Further, that the building envelope for the 6 1/2 acre parcel will require no further variances and the home will meet the 100' water front setback as required by the township zoning ordinance. This action is based upon the topographical conditions of the property and no opposition from neighboring property owners being voiced. The motion carried as follows: Ayes - Skolarus, Hensick, Figurski and Staley. Nay - Murray.*

**99-16...A request by Richard Halama, 2308 Crooked Lake Road, Section 19, the request is for a 20' side variance to build a garage.**

*A call to the public was made with no response. Moved by Hensick, supported by Figurski, to deny the request since the petitioner could offer no practical difficulty or hardship that was associated with the parcel and because it appears that the accessory building could be placed in a different location on the lot. The motion carried unanimously.*

**99-17...A request by Francis O'Brien, 4091 Highcrest, Section 22, the request is for a 10' side variance to build a new home.**

*A call to the public was made with the following response: Mark Spickard (Attorney at Law) presented the board with a letter and packet concerning the petition. Robert Jenkins said that the address should be 4091 and not 4097. The record was corrected. Jenkins asked that the burned home be torn down and surveyed. Moved by Murray, supported by Skolarus, to table the petition for up to 90 days to allow for the removal of*

*the existing building, a boundary survey being conducted and the property staked for review by the ZBA. The motion carried unanimously.*

***99-18...A request by Ken Williams, 1205 Sunrise park, Section 09, for an 11' side variance to build an addition.***

*A call to the public was made with no response. Moved by Murray, supported by Hensick, to grant an 11' side yard variance as requested for the continuation of a nonconforming use because of the size and configuration of the lot and the placement of the existing home. The motion carried unanimously.*

*Moved by Figurski, supported by Murray, to approve the Minutes of the 03-09-99 regular meeting as submitted. The motion carried.*

*The meeting was adjourned at 9:40 p.m.*

*Respectfully submitted,*



*Paulette A. Skolarus  
Genoa Township Clerk*