

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
OCTOBER 20, 2009  
6:30 P.M.**

**MINUTES**

Chairman Mike Howell called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for transaction of business: Mike Howell, Joe Perri, Steve Wildman, Marianne McCreary and Barbara Figurski. Also present was Township staff member Adam VanTassell and approximately 10 persons in audience.

The members introduced themselves to the public.

**Moved** by Figurski, supported by Wildman, to approve the agenda as presented. **Motion carried unanimously.**

The call to the public was made with no response.

**09-14...A request by Dennis Carnes, Section 10, 1200 Chemung Drive, for a side yard, waterfront and lot coverage variance to construct an addition. (Tabled 9-15-09)**

Mr. Dennis Carnes was present to represent himself. Joe Perri questioned what the hardship or practical difficulty is for his lot. Mr. Carnes stated that there is nothing unique about it, he wants to add on to his living room and this is the best location.

Barb Figurski asked if the house is bumped out 12 feet will that block the view of the neighbors. Dennis Carnes states that both neighbors have said they are OK with the proposed addition. Figurski asks why they need the additional lot coverage. The petitioner indicates he didn't know he was exceeding lot coverage.

Chairman Howell questions why he needs 12 feet. Mr. Carnes states it is easy for construction.

The call to the public was made at 6:35pm with no response.

Joe Perri states that there needs to be a hardship or a practical difficulty to grant a variance. The problem is the house is in line with the neighbor's homes. If they give this variance next the neighbors will be in requesting a similar variance. They have asked for the petitioner to demonstrate the practical difficulty however, if you cannot show one, they cannot grant the request. If they granted this request it would change a conforming structure to a non-conforming structure and there is no hardship.

**Moved** by Perri, supported by Figurski, to deny case 09-14, petitioned by Dennis Carnes, Section 10, 1200 Chemung Drive, for a side yard, waterfront yard and lot coverage variance because there is a lack of hardship or practical difficulty.

**Motion carried unanimously.**

**09-18...A request by Theo Paddock, Sec. 11, 1620 Hughes Road, for a variance to increase square footage of a fire damaged non-conforming residence.**

Mr. Theo Paddock is representing himself. They will be using the same foundation and footprint.

Mike Howell asked how wide is the lot. Theo Paddock states the lot is 60.6 feet wide.

Joe Perri stated that the home was boarded up very poorly after the fire.

Steve Wildman asked what is the practical difficulty. Mr. Paddock replied that they are trying to restore the home after the fire and they want to keep the house intact to how it was.

Chairman Howell asked how many homes are two story in the area. Mr. Paddock stated that the house next door is two story and there are quite a few more in the area. The lot is narrow and other homes in the area are two story. The whole foundation is proposed to be exactly the same.

Barb Figurski is concerned with how close the eave overhang is to the neighbor's property line. Mr. Ted Paddock is also present to help the petitioner and he indicates that they don't need as large of an overhang and it can be reduced. He prefers to have somewhat of an overhang however to keep the water off the walls.

The call to the public was made with the following response:

Nick Dislers at 1616 Hughes Road asked if they do build that close what will they do with the water drainage. He is on the garage side of the home. Will they put up tarps or curtains if they demo the house to stop ash and soot from getting on his new home.

Chairman Howell indicates that the close setback is on the other side of the home. Mr. Perri indicates that the addition will be required to be guttered to prevent any stormwater from running off the roof onto the neighbor's property. Mr. Adam VanTassell indicates the building department would be issuing the demolition permit for the existing structure and they would handle that issue.

Mr. Dislers also states that he is concerned with the dumpster location because it blocks the view.

Marianne McCreary stated that she is also very concerned about the condition of the home and the way that it was boarded up. It is open and kids can get into the home so it needs to be boarded up for security and safety purposes.

Mr. Paddock states that he will take care of having the home boarded up and the dumpster will be removed or relocated.

**Moved** by Wildman, supported by Perri, to approve case 09-18, petitioned by Theo Paddock, Section 11, 1620 Hughes Road, to grant a variance for a 971 square foot second story addition to increase square footage of a fire damaged non-conforming residence under the following conditions:

1. The building shall be guttered and drained properly towards the lake;
2. The structure shall be boarded up and secured immediately;
3. The dumpster to be removed or relocated;
4. The 1 foot overhang will be shortened to 6 inches;

The practical difficulty is the narrowness of the lot and substantial justice will be done by allowing a 2-story structure similar to those in the area.

**The motion carried unanimously.**

**Moved** by Figurski, supported by Wildman, to approve the September 15, 2009 Zoning Board of Appeals minutes with the changes submitted this evening. **Motion carried unanimously.**

Meeting adjourned at 6:57 p.m.

Respectfully submitted:

Kelly VanMarter