

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
AUGUST 21, 2012  
6:30 p.m.  
MINUTES**

Chairman Dhaenans 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 members and staff of the Zoning Board of Appeals were introduced. The Board members in attendance were as follows: Chris Grajek, Marianne McCreary, Barbara Figurski, Steve Wildman, and Jeff Dhaenans. Also present was Township staff member Adam Van Tassell and 19 persons in the audience.

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

A call to the public was made with no response.

**12-16...A request by Charles and Linda Szafran, 7584 McClements, Sec. 12, for a size variance to rebuild and increase the size of a non-conforming structure.**

Charles Szafran was present for the petitioner.

A call to the public was made with no response.

**Moved** by Figurski supported by Wildman to grant case #12-16 by Charles and Linda Szafran, 7584 McClements for a size variance to rebuild and increase the size of a nonconforming structure with the size being 40 x 48 and to reestablish the non-conforming height. The practical difficulty is the property being rezoned from CE (Country Estates) to LDR (Low Density Residential) without the applicant's knowledge and the property is consistent with this size of building. **Motion carried unanimously.**

**12-17...A request by Scott Sherman, 3743 Westphal, Sec. 20, for a side yard variance to construct an addition to an existing non-conforming structure.**

Scott Sherman was present for the petitioner.

A call to the public was made with no response.

**Moved** by Wildman supported by Figurski to grant case #12-17, 3743 Westphal, for Scott Sherman for a variance of 24 feet with a setback of 16 feet to construct an addition. The practical difficulty is the position of the old barn and the retaining wall and topography of the land. **Motion carried unanimously.**

**12-18...A request by James and Emma Seger, 5715 Cherokee Bend, Sec. 3, for a front yard variance to construct an addition.**

Joe Terry, James and Emma Seger were present for the petitioner.

A call to the public was made with the following response: Ida Caldwell of 5776 Chippewa stating that she has no objection to their request for a front yard variance to construct an addition.

**Moved** by Wildman, supported by Grajek to grant case#12-18, James and Emma Seger, 5715 Cherokee Bend, for a west front yard variance of 23 feet with a 12 foot setback and a south front yard variance of 11 feet with a 24 foot setback. The practical difficulty is the house was placed in a manner that brought it too close to the corner and the corner was brought back too far per the plat for road right of way. **Motion carried as follows: Ayes: Dhaenans, Wildman and Grajek. Nays: McCreary and Figurski.**

**12-19...A request by Robert and Mary Spensley, 4390 Skusa, for a front, rear and waterfront variance to construct a new home.**

Mr. Dennis Dinsler of Arcardia Design was present for the petitioner.

Call to the public was made with no response.

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**Moved** by Wildman, supported by Grajek to grant case#12-19, 4390 Skusa, Robert and Mary Spensley, for a front yard variance of 19 feet with a setback of 16 feet, a rear yard variance of 17 feet with a setback of 28 feet and a waterfront variance of 12 feet with a setback of 28 feet. The practical difficulty is the size of the lot and the typography of the land. Conditioned upon the home being guttered. **Motion carried unanimously.**

At 7:28 Chairman Dhaenans called for a 5 minute break. At 7:32 the meeting was called back to order.

**12-20...A request by John and Carrie Mitter, 5287 Edgewood Shores Drive, Sec. 22, for a side yard variance to construct an addition.**

John and Carrie Mitter were present as the petitioner.

Call to the public was made with the following responses: Chairman Dhaenans received into record letters received from Timothy and Nadine Mooney, Brian and Jennifer Lynn, Jodi Reighard and Chris Brodie.

Stan Grembo of 5279 Edgewood Shores Drive stated that he lives on the opposite side of the addition and they have no issues with the project.

Kevin Gerkin of 5268 Edgewood Shores Drive stated that he lives across the street and was the senior marketing agent of the Northshore Subdivision. He also stated that one of the things that was allowed is a side entry garage with the minimum of 30 feet between the houses. As a real estate agent he does not believe that the addition will hinder the values of the adjoining homes. His home, the Mooneys, and the Lynns needed variances for their homes. He would like it noted that he is a member of the Homeowners Association Board and he is here as a resident.

Chris Brodie of 5295 Edgewood Shores Drive stated she lives next door to the addition and that there are 9 houses in Northshore Village with front entry garages and only 2 are on Edgewood Shores Drive. They like the setbacks in the neighborhood. There are a lot of lots that they can build on. She asked the board members to not approve the variance.

**Moved** by Figurski, supported by Wildman to grant case # 12-20, John and Carrie Mitter of 5487 Edgewood Shores Drive for a side yard setback of 10 feet with a variance amount of 20 feet to construct a 20 x 55 addition. The practical difficulty is the position of the home being built on an angle and the typography of the land. Conditioned upon the retention of a side entry garage. **Motion failed as follows: Ayes- Figurski, Wildman. Nays- Dhaenans, Grajek, and McCreary.**

**Moved** by Figurski, supported by Wildman, to table case #12-20, John and Carrie Mitter of 5487 Edgewood Shores Drive until the next Zoning Board of Appeals meeting. **Motion carried unanimously.**

**12-21...A request by Roderick Smith, 3773 Highcrest, Sec. 22, for a front and side yard variance to construct a detached accessory structure.**

Roderick and Lisa Smith were present as the petitioner.

A call to the public was made with the following response: Gary Bozyk of 3723 Highcrest stated that Mr. Smith is doing a great job with the property.

**Moved** by Wildman, supported by Figurski, to grant case 12-21, Roderick and Lisa Smith of 3773 Highcrest, for a front yard variance of 7 feet with a setback of 3 feet to allow for a 22 x 28 detached garage that is to be guttered. The practical difficulty is the typography of the land. **Motion carried unanimously.**

**Moved** by Figurski, supported by Wildman, to approve the July 17<sup>th</sup>, 2012 Zoning Board of Appeals minutes. **Motion carried unanimously.**

Member Discussion: Chairman Dhaenans stated that the Township Board recently passed the litter ordinance.

**Moved** by Grajek, supported by Figurski, to adjourn the meeting of the Zoning Board of Appeals at 8:14 p.m. **Motion carried unanimously.**

