

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
MAY 12TH, 1998**

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, Chris Hensick, Barbara Figurski, Nancy Litogot and Robert Murray. Also present were Mike Archinal, Township Manager and approximately 30 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.

- 1.) *98-13...A request by Douglas Noggle, 4336 Highcrest, Brighton, Section 22, for a 7' side variance. Request is also made to live in existing house while new home is being constructed and upon completion, tear down existing house with the exception of 370 sq. ft. to be used as a utility shed.(Tabled from April meeting)*

A call to the public was made with the following response: Don Van Buster – I have no objection to the project but would like to get verification of the lot lines. Noggle – Boss Engineering will verify the parameters of the site. Moved by Murray, supported by Figurski, to approve a 5-½ foot variance to the side yard setback with the following contingencies: 1. A staked survey of the property boundaries will be provided to the township manager before a land use permit is issued. 2. The existing building will be removed within 60 days of the certificate of occupancy being issued. The hardship is the narrowness of the lot. The motion was voted and carried unanimously.

- 2.) *98-14...A request by Courtney Lusk, 2800 Acorn Ln., Howell, Section 18, for a front variance of 45' to construct a home with preservation of natural features on a road not built to the right away.*

A call to the public was made with the following response: Pam Veloy – This request is to save the trees. The trees have already been removed. Ben Veloy = We all had to make sacrifices because of the way the road is laid out. He is building on a wetland and water is standing on that property most of the time. Lusk – there is no other place on the five acres to build a home. I have an approved perk test from the Health Department. Moved by Hensick, supported by Murray, to grant the 45' front yard variance from the edge of Acorn Lane contingent upon the petitioner not removing the remaining two trees from the parcel. The hardship is the unusual topography with lowlands and the only usable site for construction being in this area near the road. The motion carried unanimously.

- 3.) 98-15...A request by E.B.I. Incorporated, 659 Sunrise Park, Brighton, Section 09, for a front variance of 9', a rear variance of 35', a side variance of 5'6" on one side, and 9'6" on the other side to construct a home on a narrow lot.

Staley – If we were to approve this request, another variance would be needed for the lot coverage of impervious surface. A call to the public was made with the following response: Joseph Lane – Our blacktop is 12' wide. This building would be right on the road. How will emergency vehicles enter? Moved by Murray, supported by Litogot, to approve the following variances: 30' front (water side), 20' rear, 5.5' and 10.5' side yard with the following contingencies:

- *the garage and the additional concrete pavement will be removed from the petition;*
- *the existing shed will be permanently removed along with the split rail fence;*
- *the township attorney will draft a document precluding any further lot coverage with either building or impervious surface;*
- *the house will be constructed with a 1' overhang including gutters;*
- *all water runoff will be contained on this site.*

The motion carried unanimously.

- 4.) 98-16...A request by John C. Rogers, Brighton, located on the corner of Hughes and Norfolk, Section 10, for a front variance of 10' and a second front variance of 17' to construct a home with an attached garage.

A call to the public was made with the following response: Phil BeDen – The side setback is too close to my home. There will be a further safety problem with the home being located 18' off Hughes Road. The utilities to my house cross directly over this lot. The lot is wet right now and is not buildable. Bob Rogers (EBI) – We will move the overhead utility lines. The two front yards for this lot create the problem. The house will be a total of 1650 square feet with an attached garage. Murray – Does other property drain onto this parcel? Rogers – We can direct the water to Hughes Road.

Moved by Hensick, supported by Figurski, to grant a request for a 10' variance to Norfolk and a 17' variance to Hughes Road contingent upon the petitioner constructing the home with gutters and all water will be retained on the site. Further the grade of the site will not be changed unless all water can be retained on the parcel/lot (no water will be directed to the neighboring property or Hughes Road. The motion carried unanimously.

- 5.) 98-17...A request by George Phinney, 4044 Clifford, Brighton, Section 22, for a front variance of 12', a side variance of 5', and a second side variance of 9' to add a garage onto the existing home.

A call to the public was made with no response. Moved by Murray, supported by Figurski, to table the request to allow the petitioner to reposition the stakes and/or provide proper markings. The motion carried unanimously.

- 6.) 98-18...A request by Larry Burroughs, 5209 Chilson, Brighton, Section 33, to build a 1680 square foot garage and shop.

A call to the public was made with Charles Mislix stating that he had no objection to the petition. Moved by Hensick, supported by Figurski, to deny the request because the petitioner presented no practical difficulty or undue hardship. The motion carried unanimously.

- 7.) 98-19...A request by James Liddy, 3160 Chilson, Howell, Section 20, to split off a two (2) acre parcel from his property for his son to live on in a County Estate District.

A call to the public was made with the following response: Gail Nixon – Does the township restrict the size of the home on two acres versus five acres? Staley – 1200 square feet on two acres and 1500 square feet on five acres. Moved by Hensick, supported by Figurski, to deny the request because the petitioner presented no practical difficulty or undue hardship. The motion carried unanimously.

ADMINISTRATIVE BUSINESS:

Moved by Murray, supported by Litogot, to approve the minutes of the April 14th, 1998 regular meeting as presented. The motion carried with Hensick abstaining.

The regular meeting of the Zoning Board was adjourned at 9:20 p.m.

Respectfully submitted,



Paulette A. Skolarus
Genoa Township Clerk