

**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
MARCH 10TH, 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, Barbara Figurski, Robert Murray, Paulette Skolarus and Nancy Litogot. Also present were Mike Archinal, Township Manager and approximately ten persons in the audience.

Moved by Figurski, supported by Litogot, to approve the Agenda with the tabling of Case 98.03 at the petitioner's request. The motion carried unanimously.

A call to the public was made with no response.

- 1.) *97-41 ...A request by Wade Bray, 6600 Challis, Brighton, Section 26, for a variance to the 22' wide requirement for a private road to 20' to preserve the land including trees and wetlands. (Tabled from February 10, 1998 meeting)*

A call to the public was made with no response. Moved by Murray, supported by Figurski, to approve a private road with a 20' width as depicted in the plans submitted by Munzel engineering, and to allow six parcels to be served by the private road identified as Challis Court. The hardship is determined to be the preservation of the natural features and trees on the site. The motion carried with Skolarus abstaining.

- 2.) *97-45 ...A request by Dan and Sheryl Spagnoletti, Chilson Meadows, Howell, Section 07, to move a mobile home onto property during construction of their home. (Tabled from February 10, 1998 meeting)*

Moved by Murray, supported by Figurski, to dismiss this case since the petitioner was not present when it was called. The motion carried unanimously.

- 3.) *98-03 ...A request by CEI Engineering, 2649 Grand River, Brighton, Section 06, for a 22' variance to the rear yard setbacks to construct a retail only auto parts store with parking.*

Tabled at the petitioner's request.

- 4.) *98-04 ...A request by Holland, 1205 Chemung, Howell, Section 10, to give lots #40 & 41 unique tax I.D.'s to sell as "buildable" lots.*

A call to the public was made with the following response: James Agee – No written notification was received from the township concerning this petition. If this board were thinking of approving this petition I would request that this board postpone this hearing until proper notification of the neighboring property owners.

Moved by Murray, supported by Figurski, to deny the request for the splitting of this property. No hardship or extraordinary circumstances exist warranting a split. The motion carried unanimously.

- 5.) *98-05...A request by Kevin and Brian Spicher, 4210 Chilson, Howell, Section 29, for a 26' side variance for a proposed garage.*

A call to the public was made with no response. Moved by Figurski, supported by Murray, to approve a 26' side yard variance with the following conditions:

Removal of the existing shed.

The house and garage will be guttered.

All water will be contained on the property.

The hardship is the narrowness of the lot and the location of the existing home. The motion carried unanimously.

- 6.) *98-06...A request by Mid-Oakland Building and Development, 6005 Grand River, Howell, Section 11, for a 17' front variance to construct an attached garage and storage.*

A call to the public was made with the following response: Jim Daniels – I am concerned with the manner of construction. There is no room for vehicles to pass, construction vehicles are encroaching on my property, and the greenbelt is being damaged. Jerry Sparks (builder) – The raising of the house will be completed in two more weeks. We will repair the construction damage; the existing equipment will be removed.

Sandy Zauner – They are driving on the lawn. The greenbelt is being destroyed. Murray – We will have the petitioner place funds in escrow to make sure that the damage is corrected.

Moved by Skolarus, supported by Figurski, to approve a 17' front yard variance with the following conditions:

One garage door will be deleted from the site plan for the area marked "storage".

The existing driveway to the boathouse will be abandoned.

An escrow will be placed with the Township Clerk in the amount of \$1,000.00 to cover the cost of repair to the greenbelt.

The petitioner may redesign the driveway for easier access.

The hardship is the unusual configuration and narrowness of the lot with two front yards. The motion carried unanimously.

- 7.) *98-07...A request by Donald and Jennifer Dalton, 2595 Fisk, Howell, Section 18, for a 8' side variance for an existing home.*

A call to the public was made with the following response: Forest Henderson – I originally called on the location of this home on the lot. We were able to identify the property lines. I have no objection to the petition except that it should be an 18' variance not 8'. Moved by Murray, supported by Skolarus, to approve an 18' variance to the side yard setback for an existing home. The hardship is the unusual topography of the property and the high water table. The motion carried unanimously. Note: The township did not react in a timely manner to the original complaint from the neighboring property owner and the land use permit was not completed properly.

8.) 98-08...A request by Godair Builders, 3318 Lakewood Shores, Howell, Section 21, for a 6' rear variance to construct an addition.

Moved by Murray, supported by Figurski, to deny a request for variance since no legitimate hardship exists and the township is not inclined to approve variances in new subdivisions, thereby setting precedent for other applications to the Zoning Board of Appeals. The motion carried unanimously.

ADMINISTRATIVE BUSINESS:

The Minutes of February 10, 1998 will be reviewed at the next regular meeting of the Zoning Board of Appeals.

The regular meeting of the Zoning Board of Appeals was adjourned at 8:45 p.m.

Respectfully submitted,



*Paulette A. Skolarus
Genoa Township Clerk*