

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
OCTOBER 8, 2013  
MINUTES**

Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:32 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 as follows: Chris Grajek, Marianne McCreary, Jean Ledford, Barbara Figurski and Jeff Dhaenens. Also present was Township staff member Ron Akers. There were 8 persons in the audience.

**Moved** by Figurski, seconded by Grajek to approve the agenda including withdraw of case 13-22, 4283 Clifford Road per applicant's request. **Motion passed.**

Chairman Dhaenens discussed that he attended the same high school as one of the applicants and did not feel this was a conflict of interest.

A call to the public was made with no response for non-agenda items.

**13-26...A request by Oren and Jill Lane, Section 9, 623 Sunrise Park, for a variance from the maximum required lot coverage, side yard setback and front yard setback to build a new single family dwelling.**

Mr. Scott Tarkelson, Fenton Lakes Builders and Design was present for the petitioner.

Chairman Dhaenens questioned the current placement of the utility poles. Mr. Tarkelson stated that he has already spoken with DTE and is working to remedy that situation. Figurski questioned the placement of the shed and the deck. Mr. Lane stated that the shed will be removed and the deck will stay as is. Mr. Akers brought it to the Board's attention that additional variances will be needed and notices would need to be republished and remailed.

A call to the public was made with no response.

**Moved** by Ledford, seconded by Figurski, to postpone case #13-26 until the November 12<sup>th</sup>, 2013 Zoning Board of Appeals meeting. **Motion passed.**

**13-27...A request by Robert Socia, Section 22, 3950 Highcrest Drive, to modify the variance granted on June 18, 2013 in order to remove the condition that limits the applicant's ability to increase the height of the structure.**

Mr. Ronald Socia was present for the petitioner.

Mr. Socia stated that the need for the modification to the variance was to prevent snow and ice build-up on the roof.

Chairman Dhaenens questioned if there will be a change to the building size. Mr. Socia stated that they might add a loft and storage area to the upper level. McCreary asked if the applicant is ready to move

with construction or if he was still working with the architect? Mr. Socia stated that he was waiting for the decision from the Zoning Board of Appeals. The Board questioned if the applicant could design a lower roof to remedy the snow and ice issues. Grajek stated that there are two houses on this property. The spirit of the Zoning Ordinance does not allow 2 single family houses. He is concerned that with the improvements this will circumvent the ordinance. Mr. Akers stated the previously approved ZBA case stated that the height and footprint could not change per a condition placed on the previous approval. If Mr. Akers also stated that if Mr. Socia wanted to construct a new roof and keep the same height he would not have to go back to the Zoning Board of Appeals. The Board stated that the original motion was made conditioned upon the building staying within the original footprint and height of the building and that 16'1" is the highest that the applicant can do.

A call to the public was made with no response.

**Motion** by Grajek, seconded by Ledford to deny case #13-27, 3950 Highcrest, due to the existing condition as was stipulated in prior approval on June 18<sup>th</sup>, 2013 for case #13-15 which limited the applicant's ability to increase the height of the structure. **Motion passed.**

**Administrative Business:**

**Moved** by Figurski, seconded by McCreary to approve the September 17, 2013 Zoning Board of Appeals minutes with typographical corrections: **Motion passed.**

**Review Draft By-Laws:** Mr. Akers gave an overview of the bylaws that were included in the packet. Mr. Grajek brought up the concern if the Board has budgeted for the training of the Zoning Board of Appeals. It was the consensus of the Board not to make training mandatory. The bylaws have provisions for the liaisons to the board, answering questions. In regards to the Officers section in the bylaws, it was decided that an election for a chairperson and vice-chairperson would occur the beginning of every calendar year. The Board decided that a secretary is not needed. Also in addition it will be added that the Chairman will serve as a liaison with staff. It was discussed if the applicants should have a cut off time for submitting information for the meeting. Conflict of Interest declaration and requirements was reviewed and determined that if a member declares a conflict of interest, that said member was to leave the room while that case is being heard.

Correspondence was received from Mr. Akers in regards to Parliamentary Procedure.

Township Board Representative Report: Ledford presented the Board with correspondence from Polly Skolarus, Township Clerk in regards to Parliamentary Procedure.

Planning Commission Representative Report: Figurski stated that the Planning Commission has cancelled the October meeting due to lack of agenda items.

Zoning Official Report: Mr. Akers updated the Board on zoning compliance issues.

**Moved** by Figurski, seconded by Ledford, to adjourn the October 8, 2013 Zoning Board of Appeals meeting at 8:03 p.m. **Motion passed.**

