

GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
August 19, 2014, 6:30 P.M.
AGENDA

Call to Order: Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 p.m. at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals present were as follows: Marianne McCreary, Barbara Figurski, Jean Ledford, and Chairman Dhaenens. Also present was Township staff member, Ron Akers. There were 8 members of the public present.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of Agenda: Moved by Jean Ledford to approve the agenda. Support by Barb Figurski. **Motion passed unanimously.**

Call to the Public: *(Please Note: The Board will not begin any new business after 10:00 p.m.)*

- 1. 14-15 ... A request by Kristinne Horvath, 3682 Beattie Road, for a variance from the maximum allowable building height of an accessory building to construct a detached accessory building.**

Kristinne Horvath present. Requesting height variance because her RV is over 14 feet high. Requesting current placement of the garage at site of existing shed. Top of garage would be 16 feet high. There is Country Estate zoning on both sides and Suburban Residential on and around her property. Horvath said the majority of houses in neighborhood have oversized accessory structures. Consumers Energy said she has to stay five feet away from gas line and the electrical line is also an issue. Horvath said she feels she is being punished because she is coming forward and asking permission.

Discussion centered around whether or not the hardship was self-created. Dhaenens said Horvath's hardship is that she bought an RV that is too big. McCreary agreed with Dhaenens. She said this was not punishment but accountability. She said Horvath's property is in a zoning area where a 16-foot-high building is not allowed. Ledford said the issue was not the building, but the height.

No one from public spoke up.

Motion by Jean Ledford to deny case 14-15 for the lack of a hardship and there is not practical difficulty or extraordinary circumstances. Support by Figurski. **Motion passed unanimously.**

- 14-22 ... A request by Paul and Joy Corneliusen, 3880 Highcrest Drive, for a side yard setback variance for the construction of a detached garage.**

Paul Corneliusen was present. The couple bought the home in September 2013 and finished interior-exterior remodel in April. There is an easement separating lakefront from the Highcrest parcel and it is landlocked, making an attached garage impossible. They

want to build a two-car garage east of the easement. The structure would be 12 feet by 54 feet for two cars and a storage bay. They need the sideyard variance to go one foot, noting the hardship is the existing topography. Corneliusen said both southern neighbors have no problem with the request.

Discussion centered on the concrete walkway around the proposed garage, the retaining wall and the number of trees that would have to be removed. Corneliusen said with the one-foot setback, only four trees will be removed, while abiding by the full setback may result in three more large trees removed to construct the appropriate retaining wall. Figurski asked about fire trucks gaining access and erosion. McCreary also expressed concerns about emergency vehicles. Dhaenens suggested postponing a decision to the next meeting so Corneliusen can address the following issues: property lines, drainage and length of the building taking up all of usable spot for emergency vehicles.

Motion made by Figurski seconded by McCreary to table at the request of the petitioner and come back at next regularly scheduled meeting on Sept. 16, 2014.. **Motion passed unanimously.**

14-23 ... A request by Scott and Maureen Kiefer, 3695 Highcrest Drive, for front and side yard setback variances for the construction of an addition to an existing single family home.

Dennis Dinser of Acadia Design, and Scott and Maureen Kieffer were present. Dinser said the hardship is being induced by the severity of 32 foot drop from the highest point to the water. He said the previous owners sold the home and moved next door because they could not have an attached garage. If approved, Dinser said the wood retaining walls would be replaced by concrete and the driveway would be concrete.

Discussion centered on the drainage and the small size of the property. McCreary and Figurski both expressed concern about runoff. Dinser said the retaining walls would be built so no more runoff will go to the neighbors and they are not changing drainage pattern.

John Edwards 3683 Highcrest is the previous owner of the home. He gave the Kieffers a lot of credit for buying house and trying to make it their own. He said he would have liked to have done what they are trying to do with the property

Brian Carlowski 3623 Highcrest said parking is an issue and the hill is challenging. He said he loves that the Kieffers are doing something with the house.

Al Sharpe 3665 Highcrest is at the end of the road. He thinks the Kieffer's proposal is beautiful and said 10 feet of the parking structure has been in road right of way. Parking is tight.

Motion by Ledford to table at the request of the petitioner until our next regularly scheduled meeting Sept. 16, 2014 to give the applicant time to revisit both three foot setbacks and absolutely address the drainage. Support by McCreary. **Motion passed unanimously.**

Administrative Business:

8-19-14 ZBA Minutes APPROVED

1. Approval of minutes for the July 15, 2014 Zoning Board of Appeals meeting. Approved with changes. Motion by Figurski, seconded by McCreary. Motion passed unanimously.
2. 2013 Annual Report Executive Summary – Discussion regarding accessory building size and front yard setbacks on lakefront properties. ZBA wanted to give new member opportunity for input.
3. Correspondence - None
4. Township Board Representative Report: Heard that the Township Board approved USA2GO, Wellbridge, Uncle Joe's Used Car Lot; the Oak Pointe plant; and changes to the Timber Green PUD. Heard that ZBA member Chris Grajek was appointed to the Planning Commission and Jerry Poissant was appointed to the vacancy on the ZBA.
5. Planning Commission Representative Report: General discussion.
6. Zoning Official Report: Land Use Permits and Waivers are up 30% this year over last year. Blight, Noxious Weeds Ordinances: Noxious Weed Ordinance would allow us to cut lawns and bill property owners with the intended use for vacant property.
7. Member Discussion – There was general discussion.
8. Adjournment -- Meeting adjourned at 8:31 p.m. Motion by Figurski and seconded by McCreary. Motion passed unanimously.

Kathleen Murphy
Recording Secretary