

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
OCTOBER 21, 2014**

MINUTES

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: Barbara Figurski, Jean Ledford, Jerry Poissant, Marianne McCreary and Chairman Dhaenens. Also present was Township staff member, Ron Akers. There were 12 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 McCreary, supported by Poissant to approve the agenda as submitted. **Motion carried.**

Call to the Public: (Please note: the Board will not begin any new business after 10:00 p.m.) with no response.

14-25...A request by Chilson Pointe LLC, 4666 Brighton Road, for a variance from the maximum allowable size of a detached accessory building.

A call to the public was made with no response.

Moved by Figurski, supported by Ledford, to table until the November 11th, 2014 Zoning Board of Appeals meeting and if the meeting is canceled then the December 9th, 2014 meeting per the petitioner's request. **Motion carried.**

14-26...A request by Donald Davis, 3907 Homestead, for a front yard setback variance to construct a second story addition on a single family home.

Dennis Dinser from Arcadian Design, was present for the petitioner. They are proposing to turn a one bedroom home into a three bedroom by constructing a second story on the existing home which would be consistent with the neighboring properties. It was stated that the existing detached accessory structure will remain on the property.

A call to the public was made with an email that was received from Ron and Anna Rea of 3925 Homestead stating that they are in agreement for the proposed front yard setback variance.

Michael McLean, 3913 Homestead, stated that he is the next door neighbor and they are in full agreement with what Mr. Davis has planned for the addition.

Moved by Ledford, supported by Figurski to approve case #14-26, 3907 Homestead, and a 10'2" front yard variance to construct a second floor addition on the existing single family home. The practical difficulty is the small building envelope created by the existing placement of the home, it is legally non-conforming and the need is not self-created. Granting the variance will make it consistent with the neighboring properties. **Motion carried.**

14-27...A request by Todd and Julie Hutchins, 3350 S. Latson Road, for a variance to allow an accessory building to be located on a parcel without a principal building.

Todd and Julie Hutchins were present for the petitioner. They would like to rezone their property for a split and they spoke with staff in regards to applying for a variance to have the pole barn on a separate lot. They would like to build another house on the back part of the property. Along the south end of the property they have been approved for a driveway permit by the Livingston County Road Commission. A perk test has not been conducted.

The adjacent parcels located on the same side of the road in the surrounding area are zoned Rural Residential which allows 2 acre lots. They are looking to start within one year. McCreary stated that the petitioner should look into the lien holder conditions.

The Board is concerned about the number of outstanding issues that the owner has to address in regards to the property prior to splitting property

A call to the public was made with Charlie Comer, owner of the 40 acre property to the west and that property does perk. He would like to make sure that the new home would be set back from his property.

Moved by Ledford, supported by Poissant, to approve case# 14-27, 3350 S. Latson Road for a variance to allow for an accessory building to be located on a parcel with a principal building. Conditioned upon the rezoning of the 4.42 acres from Country Estates to Rural Residential to be approved by the Township Board and if the building of the single family home does not take place within a year of the property being split the applicant must demolish the accessory structures at the owner's expense. **Motion carried as follows: Ayes- Poissant, Figurski, Dhaenens and Ledford. Nays-McCreary.**

14-28...A request by Scott and Marilyn Kiefer, 3695 Highcrest, for a front yard setback variance and a side yard setback variance to building an addition to an existing home.

Dennis Dinser, Arcadian Design was present for the petitioner. This parcel was brought before the board in August and there was an error on the drawing. A front yard variance is needed of 5 feet and the side yard variance has been reduced from 3 feet to 11 inches.

The Board stated that they have concerns about the drainage on the property.

A call to the public was made by Al Sharp-3665 Highcrest stated the he has lived here since 1965. This variance will improve the neighborhood and the parking on Highcrest. The applicant is looking for an 11" variance not a 3' variance that was previously requested. It will be a benefit having the garage setback and the drainage taken care of. The Zoning Board of Appeals has approved side yard variances of 3 feet or less. Mr. Sharp is in support of this petition.

Moved by McCreary, supported by Poissant, to approve case #14-28, 3695 Highcrest, for a 5 foot front yard variance with a 30 foot setback and an 11" side yard variance with a 9'1" setback to build an addition to an existing single family home. The finding of fact of practical difficulty is the current location of the home itself and the grade of the lot. The grade and typography of the lot does not allow the addition to take place any other place on the lot. This does not impede on public safety and welfare. This is improving the surrounding neighborhood. The drain runoff will a high priority and address any drainage issues properly. The addition is to be guttered and with appropriate downspouts. **Motion carried.**

14-29...A request by Steven C. Liedel and Janine K. Fogg, Parcel ID 4711-28-401-023, Oak Tree Court, Lot 23, for a rear yard setback variance to build a new home.

Ron Godair, Godair Builders and Steven Liedel, homeowner, were present for the petitioner. The house has been gifted back and the lot is irregular. It is consistent with the houses in the area. The houses adjacent to the north and to the south-east will benefit by moving the house toward the rear of the property. The rear yard also backs up to Brighton Road.

A call to the public was made with no response.

Moved by Ledford, supported by Figurski, to approve case #14-29, lot 23 Oak Tree Court located in Oak Pointe for a rear yard setback variance of 9'9" to construct a single family home. The practical difficulty is the location of the tree to the east and the utility easement to the north. Granting of this variance will make the property consistent with the surrounding area and consistent with Oak Tree Court. **Motion carried.**

Administrative Business:

1. **Approval of Minutes:** **Moved** by Figurski, supported by Poissant, to approve the September 16, 2014 Zoning Board of Appeals minutes. **Motion carried with McCreary abstaining.**
2. **2013 Annual Report Executive Summary:** Akers stated that he addressed what was discussed at the last meeting and the next step would be placing the Summary in correspondence for the Planning Commission and Township Board. **Moved** by McCreary, supported by Figurski to approve the Executive Summary and to forward it to the appropriate committees for review. **Motion carried.**

3. **Election of Vice-Chairperson: Moved** by Figurski, supported by Ledford to appoint McCreary as Vice-Chairperson until January. **Motion carried.**
4. **Correspondence:** There was no correspondence to report.
5. **Township Board Representative Report:** Ledford reported that the Township Board had its first reading of the Noxious Weed Ordinance.
6. **Planning Commission Representative Report:** Figurski reported that Chem-Trend was approved to allow them to improve their façade on the property located on Grand River at the October Planning Commission meeting.
7. **Zoning Official Report:** Akers reported that LSL Consultants were chosen to update the Township Zoning Ordinance. They are looking at making the ordinance more user friendly with GIS links and web links. One of the changes that they are looking at changing is the front yard setback in the LRR district. There was discussion of reducing the side yard setback on LRR properties. Akers will be keeping the Zoning Board of Appeals in the loop on the discussion. Akers stated that the Township has advertised for a part-time Ordinance Enforcement Officer.
8. **Member Discussion:** The November 11, 2014 Zoning Board of Appeals meeting has been canceled due to lack of agenda items.
9. **Adjournment: Moved** by Ledford, supported by Figurski to adjourn the Zoning Board of Appeals meeting at 8:24 p.m. **Motion carried.**