

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
April 18, 2017 6:30 PM**

MINUTES

Call to Order: Chairman Dhaenens called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm at the Genoa Charter Township Hall. The members and staff of the Zoning Board of Appeals were present as follows: Jeff Dhaenens, Marianne McCreary, Jean Ledford, Barb Figurski, Dean Tengal, and Amy Ruthig, Zoning Official.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board introduced themselves.

Approval of the Agenda:

Moved by Figurski, seconded by Ledford, to approve the agenda as presented. **The motion carried unanimously.**

Call to the Public: The call to the public was made at 6:32 pm with no response.

1. 17-07 ... A request by Mark Collins, 2455 Pardee Road, for a side-yard variance to construct an attached garage to an existing single-family home.

Mr. Collins stated that he would like to build a 32 x 36 attached garage so he can park his cars. He would also have more storage and will not have to keep things outside. All of the homes in the area have attached garages, including both of his neighbors. He feels a detached garage or a pole barn would look out of place.

He noted that he is in a zoning district where the lots are five-acres and his lot is only one acre.

He is seeking a side-yard variance of 18 feet.

Board Member Ledford asked if the garage is going to be larger than the home. She is concerned that it will overpower the house. Mr. Collins believes it will compliment it. She noted that the home is approximately 1,300 square feet and the garage will be 1,152 square feet.

Board Member McCreary advised the applicant that his request is based on want and not a need and in order to approve the variance request, it must meet all four of the required criteria.

Board Member Ledford is concerned that the septic field and tank are in the back yard. Will there be room for a vehicle to access it? Mr. Collins stated yes. There is a 25 foot setback on one side and 22 feet on the other.

The call to the public was made at 6:50 pm with no response.

Chairman Dhaenens noted that a phone call was received from David Moza of 2487 Pardee Road in favor of the request. An e-mail was received from Ted Gerutta of 2540 Pardee stating he is in support of the request. Mr. Collins stated those are the neighbors on either side of him.

Moved by Tengel, seconded by Ledford, to approve Case #17-07 for 2455 Pardee Road for a side-yard variance of 18 feet from the required set back of 40 feet for a side-yard setback of 22 feet to construct a 32 x 36 attached garage based on the following findings of fact:

- Strict compliance with the side-yard setback would not allow the applicant to construct the addition in the desired location.
- The exceptional or extraordinary condition is the property is a non-confirming lot in the Country Estates zoning district, which is five-acre minimum and the lots surrounding this property are conforming.
- The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion on public streets or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

The variance is conditioned upon the following:

- Draining from the structure must be maintained on the lot.
- Structure must be guttered with downspouts.

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the March 21, 2017 Zoning Board of Appeals Meeting

Moved by Figurski, seconded by McCreary, to approve the March 21, 2017 Zoning Board of Appeals Meeting minutes as presented. **The motion carried unanimously.**

2. Correspondence – Ms. Ruthig presented an article which speaks to a case where a variance denial was upheld because of the motion that was given by the Board.
3. Township Board Representative Report - Board Member Ledford gave a review of the Township Board meeting held on April 3, 2017.
4. Planning Commission Representative Report – Board Member Figurski gave a review of the March 21, 2017 Planning Commission meeting.
5. Zoning Official Report - Ms. Ruthig stated there will be at least one case at next month's ZBA meeting. She showed the ZBA the colored rendering of the proposed Lake Trust bank branch approved by the Board earlier this month.
6. Member Discussion - There were no member discussion items.

7. Adjournment

Moved by Ledford, seconded by Figurski, to adjourn the meeting at 7:09 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary