

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
OCTOBER 16, 2018 - 6:30 PM**

**MINUTES**

**Call to Order:** Chairman Tengel 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: Dean Tengel, Jean Ledford, Marianne McCreary, Bill Rockwell, Greg Rassel, 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 Board Member Rassel, seconded by Board Member McCreary, to approve the agenda as presented. **The motion carried unanimously.**

**Call to the Public:**

The call to the public was made at 6:33 pm with no response.

1. 18-29... A request by Robert Savage, 1195 Sunrise Park, for a rear yard variance to construct a second story addition.

Mr. Robert Savage was present. There is currently a second floor on this home. It is approximately 20 feet high; however, it is not usable because of the pitch of the ceiling and the roof. They are using the same footprint and only putting in three bedrooms. He needs the variance because he does not own to the water's edge, which is different than the surrounding properties.

The call to the public was made at 6:35 pm with no response.

Board Member McCreary noted that a drawing was presented; however, there is no staked or mortgage survey provided. Mr. Savage stated that there are stakes placed on the property on one side, which is a public access. His neighbor on the other side

recently had a survey done. Both of these reference points were used to determine his setbacks.

**Motion** by Board Member Ledford, seconded by Board Member Rockwell, to approved Case #18-29 for 1195 Sunrise Park for Robert Savage for a rear yard setback variance of 25 feet from the required rear yard setback of 40 feet to 15 foot setback to construct a second story addition to a single-family home on the existing footprint, based on the following findings of fact:

- Strict compliance with the setbacks would cause the applicant to be unable to construct proposed addition. There are other homes in the vicinity that do not meet the rear yard setback; therefore the variance would provide substantial justice to the property.
- The exceptional or extraordinary condition of the property is the location of the existing home and the shape of the lot. The need for the variance to construct the addition is not self-created.
- The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or the public safety, comfort, morals or welfare of the residents 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 approval of this variance is conditioned upon the following:

1. Gutters and downspouts are to be installed.
2. Drainage from the structure must be maintained on the lot.
3. Building height cannot exceed the 25-foot height requirement.
4. The existing decks on the front and rear of the property will remain on the same configuration.

**The motion carried unanimously.**

2. 18-30... A request by Rhonda Newton, 5536 Wildwood Drive, for front, side, and rear yard variances to construct an attached garage.

Mr. Chris Bonk, the developer for the applicant, was present. The homeowner wishes to add an attached garage and a driveway onto Wildwood. He stated the lot is odd shaped. The applicant owns this property and the property to the north. There is an existing public walking path between these two properties. Because of the path, the two properties are not able to be combined, unless this portion of the path was vacated. He stated that many of the homes in the area have attached garages in the front yard that do not meet the setback. Additionally, there is a very steep embankment and a large

tree so someone driving on the roadway would not be able to drive off the road onto the property and into the home.

Chairman Tengel asked the applicant if they have received approval from the Livingston County Road Commission for the driveway. Mr. Bonk stated he will request that if he receives approval of the variances from the Township.

Board Member McCreary stated there was a previous applicant requesting a driveway onto Wildwood and the Road Commission stated they would not allow a driveway access in this area because of the lack of site distance. She feels that imposing any further on that corner is putting the public at risk, especially it being a dirt road and in the winter weather. Mr. Bonk suggested placing the driveway access on Grand River, instead of onto Wildwood.

Mr. Chad Newton, the homeowner, was present. He stated they would be willing to just add an addition to the home, and not a garage, and they would not need to install the new driveway. They purchased the home last year and have done a lot of work on the home; however, it is very small.

Board Member McCreary suggested that the applicant pursue the vacation of the walking path, combine the two properties, and build the garage and/or addition in that area.

The call to public was made at 7:03 pm with no response.

There were three letters of support received. Mr. Richard Corruner, Jennifer and Joe Tiano, and Matt Ikle of 5555 E. Grand River are in support of granting the variances.

The applicant requested to have their request tabled this evening.

**Moved** by Board Member Rockwell, seconded by Board Member Rassel, to table Case #18-30 for 5536 Wildwood Drive by Rhonda Newton, per the applicant's request, until the May 2019 Zoning Board of Appeals Meeting or sooner. **The motion carried unanimously.**

### **Administrative Business:**

1. Approval of the minutes for the September 18, 2018 Zoning Board of Appeals Meeting.

Board Members McCreary and Ledford requested changes be made to the minutes.

**Moved** by Board Member McCreary, seconded by Board Member Ledford, to approve the September 18, 2018 Zoning Board of Appeals Meeting minutes with the changes noted. **The motion carried unanimously.**

2. Correspondence – Ms. Ruthig will present the 2019 meeting calendar to the Board at the next meeting.
3. Township Board Representative Report - Board Member Ledford provided a review of the Township Board meetings held on October 1 and October 15, 2018.
4. Planning Commission Representative Report – Board Member McCreary provided a review of the Planning Commission meeting held on October 9, 2018.
5. Zoning Official Report – Ms. Ruthig noted that the November ZBA meeting will be on Wednesday, November 14. Board Member Rassel stated he will not be in attendance in November.
6. Member Discussion - There were no items discussed this evening.
7. Adjournment

**Moved** by Board Member Ledford, seconded by Board Member Rassel, to adjourn the meeting at 7:29 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary