

This Meeting was Conducted via Zoom Meeting

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
June 16, 2020 - 6:30 PM**

MINUTES

Call to Order: Vice-Chairperson McCreary called the regular meeting of the Zoning Board of Appeals to order at 6:36 pm via Zoom Meeting. The members and staff of the Zoning Board of Appeals were present as follows: Michele Kreutzberg, Jean Ledford, Bill Rockwell, Marianne McCreary, Craig Fons, and Amy Ruthig, Zoning Official. Absent was Greg Rassel.

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 Ledford, seconded by Board Member Rockwell, to approve the agenda as presented. **The motion carried unanimously.**

Call to the Public:

The call to the public was made at 6:40 pm. Vice-Chairman McCreary provided the phone number for the public to call in to participate in the meeting. There were no members of the public who wished to speak.

New Business

1. 20-05 ... A request by Ron Abner, 2805 Acorn Lane, for a side setback variance to construct a detached accessory structure.

Mr. Ron and Jennifer Abner were present. Mr. Abner stated they made this same request in 2016 and it was approved; however, they never completed the project. The reason they want to place the accessory building in this location is due to the topography of their property. There is a steep hill in their backyard. Placing it closer to the property line also allows access for maintenance to their well. There is a slight change to the request. They have lengthened the driveway, but they have not moved it any closer to the property line than their previous request. The size of the structure is 18 x 24.

Board Member Ledford asked for confirmation that there have been no changes to the request. Mr. Abner stated the size of the building and the side setback is the same; however, the building

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is being proposed to be 10 feet further back than what was originally approved. Ms. Ruthig confirmed that everything Mr. Abner is requesting this evening is the same as 2016.

Board Member Fons questioned the grade between the building and the property line. Mr. Abner stated they will have to bury some of the foundation on that side of the building. The drainage will be toward the front of the property.

The call to the public was made at 6:52 pm.

Mr. Steve Bibbee of 2777 Acorn Lane asked what the required setback is and what setback is being requested. Chairman McCreary stated the side-yard setback requirement is 30 feet and they are asking for a 20-foot variance.

The call to the public was closed at 6:57 pm.

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to approve Case #20-05 for 2805 Acorn Lane to Ronald Abner for a 20-foot side yard setback variance from the required 30 feet to 10 feet in order to build an 18 x 24 detached accessory structure. The same request was approved by the Zoning Board of Appeals in June of 2016 as Case #16-25. Since there have been no new changes made or new information submitted, the original petition is being renewed verbatim. **The motion carried unanimously with a roll call vote.**

2. 20-06 ... A request by Joel Johnson, 3406 Pineridge Lane, for a side setback variance to construct a detached accessory structure.

Mr. Johnson was present and stated he would like to build a 10x18 accessory structure. There is a very steep decline from the home to the lake. This is the only location where the structure could be placed. In order to avoid obstructing their neighbors' views, he would be placing it directly next to their neighbor's accessory structure. He showed the survey noting the neighbor's shed and the proposed location for his shed. It will be 2 ½ feet from the property line, which is three feet from the closest portion of their neighbor's shed. He has worked with this neighbor, Doug Brown. Mr. Brown submitted a letter to the Township and he is in favor of the variance request.

Vice-Chairman McCreary asked how the lawn in between the two sheds will be maintained. Mr. Johnson stated he will be placing geotextile material and crushed limestone between the two sheds.

Board Member Fons visited the site today and noted there is an eight- inch diameter drainage pipe in that area that drains to the other side of the road and if that needed maintenance, the shed would have to be moved. Mr. Johnson is aware of this structure.

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The call to the public was made at 7:09 pm.

Mr. Doug Brown of 3420 Pineridge Lane, who lives to the south of Mr. Johnson, stated that due to the location of the home on the property and the topography of the site, this is the only location where the shed can be placed.

The call to the public was closed at 7:12 pm.

Moved by Board Member Rockwell, seconded by Board Member Ledford, to approve Case #20-06 for Joel Johnson at 3406 Pineridge Lane for a 7.5 foot variance from the required setback of 10 feet for a 2.5 foot setback for a detached accessory structure, based on the following findings of fact:

- Strict compliance with the side yard setback would prevent the applicant from constructing the proposed detached accessory structure. The proposed placement of the structure is in the same location as the previously approved structure. The variance requested appears to be the least necessary to provide substantial justice and granting of the requested variance is necessary for the preservation and enjoyment of the property.
- The exceptional or extraordinary condition of the property is the topography and location of the existing home and the unusual configuration of the home on the lot. The variance would make the property consistent with other properties in the vicinity.
- The granting of this 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 endanger the public safety, comfort, morals or welfare of the inhabitants of the Township of Genoa.
- The proposed variance would not have an impact on the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. Structure must be guttered with downspouts.

The motion carried unanimously with a roll call vote.

3. 20-07 ... A request by Nicole Bartolomucci, 3968 Highcrest, for front, side and waterfront setback variances to construct a new home. (Requested to be tabled)

Vice-Chairperson McCreary noted that the applicant has requested this item to be tabled.

Moved by Board Member Ledford, seconded by Board Member Kreuzberg, to table Case #20-07 until the July 21, 2020 Zoning Board of Appeals Meeting. **The motion carried unanimously with a roll call vote.**

Administrative Business:

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1. Approval of the minutes for the May 19, 2020 Zoning Board of Appeals Meeting.

Moved by Board Member Kreutzberg, seconded by Board Member Rockwell, to approve the minutes from the May 19, 2020 Zoning Board of Appeals Meeting with the changes noted. **The motion carried with Board Member Fons abstaining.**

3. Correspondence – Ms. Ruthig stated there are items scheduled for the July meeting.
4. Township Board Representative Report - Board Member Ledford provided a review of the June 15, 2020 Board Meeting.
5. Planning Commission Representative Report – Board Member McCreary provided a review of the June 3 and June 11 Planning Commission Meetings.
6. Zoning Official Report – Ms. Ruthig had nothing to report.
7. Member Discussion - Vice-Chairperson McCreary welcomed Craig Fons to the Board.
8. Adjournment - **Moved** by Board Member Ledford, seconded by Board Member Fons, to adjourn the meeting at 7:32 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary