

**GENOA CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
September 20, 2022 - 6:30 PM**

MINUTES

Call to Order: Chairman Rassel called the regular meeting of the Zoning Board of Appeals to order at 6:30 pm. The members and staff of the Zoning Board of Appeals were present as follows: Greg Rassel, Jean Ledford, Michelle Kreutzberg, Craig Fons, **Bill Rockwell** and Michael Archinal, Township Manager. Absent was Marianne McCreary.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Introduction: The members of the Board and staff introduced themselves.

Approval of the Agenda:

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

Call to the Public:

The call to the public was opened at 6:32 pm with no response.

Old Business:

1. 22-17...A request by Brody and Ara Adams, 600 Black Oaks Trail, for a fence variance to allow an existing 6-8-foot-tall fence to remain. (Request to withdraw application).

Moved by Board Member Ledford, seconded by Board Member Kreutzberg, to withdraw Case #22-17 per the applicant's request. **The motion carried unanimously.**

New Business

2. 22-20...A request by Joseph Anzalone, 5964 Glen Echo, for variances to allow a detached accessory building (gazebo) to remain within the required waterfront yard and for a shoreline setback variance. (Request to be postponed until October 18, 2022 ZBA Meeting)

Moved by Board Member Kreutzberg, seconded by Board Member Rockwell, to postpone Case #22-20 until the October 18, 2022 ZBA Meeting per the applicant's request. **The motion carried unanimously.**

3. 22-21...A request by Chris Stone (Log Cabin Restaurant), 5393 Grand River Avenue, for a rear yard setback variance and a variance to allow an additional detached accessory building for placement of a commercial smoker.

Mr. Bob Fulton, the contractor for the applicant, stated they would like to place a smoker at the rear of the Log Cabin restaurant. He showed the plans, noting where the smoker will be located. The smoker and location have been approved by the Fire Marshal.

Board Member Rockwell questioned why the smoker could not be placed on the east side of the building. Mr. Fulton stated that due to the narrowness of the lot, they cannot place the smoker anywhere on the site without requesting a variance. He added that a privacy fence and shrubs will be planted along the rear property line to screen it from the neighbors. Board Member Rockwell noted that there could be a lot of smoke that could affect the neighbors. Mr. Fulton stated the smoker is not very large and the smoke is routed through the building and will not be coming from the smoker.

Board Member Kreutzberg asked if the small shed will be removed. Mr. Fulton stated if that is required, then it will be taken down; however, they are requesting that all three accessory structures be approved.

The call to the public was opened at 6:40 pm.

Mr. David Sayers of 5410 Ridgemoor lives right behind the restaurant. This type of smoker is intended to be used inside a building so it is completely self contained and not like a traditional outside smoker. He is in support of allowing the variance and is not concerned about smoke.

Ms. Robin Frye is glad the applicant is putting up the fence and the shrubbery.

The call to the public was closed at 6:43 pm.

Moved by Board Member Kreutzberg, seconded by Board Member Ledford, to approve Case #22-21 for Chris Stone (Log Cabin Restaurant) at 5393 Grand River Avenue for a rear yard setback variance of 32 feet, from the required 50 feet, for a setback of 18 feet to house a commercial smoker, of based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably prevent or restrict the use of the property. Granting of the variance will provide substantial justice and is not self created. It is necessary to preserve substantial property rights similar to others in the same zoning district.
- The extraordinary circumstances are the narrowness of the lot and building envelope, the fronting on two public roads, and location of the existing building.

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- The granting of the variance will not impair an adequate supply of light or air to adjacent properties, would not increase congestion or increase danger of fire or threaten public safety or welfare.
- The proposed variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood.

This approval is conditioned upon the following:

1. All requirements of Planning Commission's approval at the September 12, 2022 Planning Commission meeting shall be met.
2. No more than two accessory structures are allowed.

The motion carried unanimously.

Administrative Business:

1. Approval of minutes for the August 16, 2022 Zoning Board of Appeals meeting.

Moved by Board Member Kreutzberg, seconded by Board Member Ledford, to approve the minutes of the August 16, 2022 meeting as presented. **The motion carried unanimously.**

2. Correspondence - There were no correspondence this evening.

3. Member Discussion

Board Member Ledford presented Mr. Archinal with a card congratulating him on his retirement. They thanked him for his service to the Township.

4. Adjournment

Moved by Board Member Rockwell, seconded by Board Member Fons, to adjourn the meeting at 6:52 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary