

**GENOA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
August 20, 2024 - 6:30 PM**

**MINUTES**

**Call to Order:** Chairperson McCreary 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: Marianne McCreary, Michele Kreutzberg, Craig Fons, Jean Ledford, Amy Ruthig, Planning Director, and Carrie Aulette, Zoning Official. Absent was Bill Rockwell.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

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

**Conflict of Interest:** None

**Approval of the Agenda:**

**Moved** by Board Member Kreutzberg, supported by Board Member 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.

**OLD BUSINESS:**

1. 24-12... (APPLICANT REQUESTS TO BE POSTPONED TO 9-17-24 MEETING) A request by Michael Brown, 4655 Sweet Road, for a side yard setback variance and any other variance deemed necessary by the Zoning Board of Appeals, to allow solar panels to remain.

Ms. Aulette stated the applicant is still working on the project. He will be advised that he is only allowed to postpone his case one more time.

**Moved** by Board Member Ledford, supported by Board Member Kreutzberg, to postpone Case #24-12 for Michael Brown of 4655 Sweet Road for a side yard setback variance until the September 17, 2024 ZBA meeting. **The motion carried unanimously**

**NEW BUSINESS:**

Chairperson McCreary reviewed the criteria necessary for a variance to be approved.

Genoa Township Zoning Board of Appeals Meeting

August 20, 2024

Unapproved Minutes

2. 24-24...A request by Earl and Silvana Long, 1342 Elmhurst Dr., for a waterfront variance and any other variances deemed necessary by the Zoning Board of Appeals, to add a roof to an existing patio.

Mr. and Mrs. Long were present. Mr. Long stated they want to cover a portion of their patio. They will extend the roof off the existing house. They will not go beyond the patio. Their neighbors on either side of them have covered patios. His neighbor to the west will see one of the posts and he is in agreement with the request. The neighbor to the east will not be able to see it. He noted that their shore line comes in further from the lake than their neighbors' properties.

Ms. Ruthig stated the plans say "post for future privacy screen". Mr. Long stated they will not be enclosing it. He will change that.

The call to the public was made at 6:46 pm with no response.

Chairperson McCreary visited the property and saw that it will be wide open so it will not block either of the neighbors' views of the lake so she is in support of the variance.

**Moved** by Board Member Kreutzberg, supported by Board Member Fons, to approve Case #24-24 for Earl and Silvana Long of 1342 Elmhurst Drive for a waterfront variance of 9.55 feet from the required 97.25 feet for a waterfront yard setback of 87.70 to add a roof to an existing patio, based on the following findings of fact:

- Strict compliance with the setbacks would unreasonably restrict the intended use of the property. The variance will provide substantial justice, is the least necessary and would make the property consistent with other properties in the area as there are other homes in the immediate area with reduced waterfront setbacks..
- The variance is necessary due to extraordinary circumstances, such as the waterfront encroaches into the property more so than neighboring lots, the pre-existing permanent seawall cannot be removed and is the cause for less lot depth. The need for the variance is not self created.
- Granting this variance would not impair adequate light or air to adjacent properties, would not increase congestion or increase danger or fire or threaten public safety or welfare.
- The variance would have little or no impact on the appropriate development, continued use or value of adjacent properties and surrounding neighborhood.

This approval is conditioned upon the following:

1. The structure must be guttered with downspouts.
2. If at any time applicants intend to enclose this structure, permits will be required.
3. The wording "post for future privacy screen" shall be removed from the plans.

**The motion carried unanimously**

Genoa Township Zoning Board of Appeals Meeting

August 20, 2024

Unapproved Minutes

3. 24-25...A request by Gerard Delyon, 7022 Lindsey Dr., for a side yard setback variance and any other variances deemed necessary by the Zoning Board of Appeals, to construct a detached accessory building.

Mr. and Mrs. Delyon were present. Mr. Delyon stated his house is on a corner so he has two front yards. His septic is right behind his house and then the property slopes down. There is also a storm drain that runs through the back of his property and another easement on the side.

Chairperson McCreary is concerned that the applicant does not know exactly where the easements are located. Board Member Kreutzberg suggested Mr. Delyon have the easements staked and marked before this request could be approved. Mr. Delyon stated the building will be at least 15 from the storm drain line shown on the plans.

Board Member Fons stated the construction drawings and the survey should be in the same plan. It should show exactly where the pipe is, where the easements are, and where the building will be located.

The call to the public was made at 7:09 pm with no response.

Mr. Delyon would like to have his request tabled this evening so he can provide that information.

**Moved** by Board Member Kreutzberg, supported by Board Member Ledford, to table Case #24-25 for Gerard and Diane Delyon of 7022 Lindsey Drive, for a side yard setback variance to construct a detached accessory building until the September 17, 2024 ZBA meeting. **The motion carried unanimously**

**Administrative Business:**

1. Approval of minutes for the July 23, 2024 Zoning Board of Appeals meeting.

**Moved** by Board Member Ledford, supported by Board Member Fons, to approve the minutes of the July 23, 2024 Zoning Board of Appeals meeting as presented. **The motion carried unanimously.**

2. Correspondence

Ms. Aulette stated there will be three new items on the September agenda.

Ms. Ruthig stated that the Township Board appointed Matt Hurley as an alternate member of the ZBA. He will be a great addition.

3. Member Discussion

Ms. Ruthig stated that the Community Bible Church has not submitted a variance request. They are going to amend their site plan to meet the 10-foot setback requirement.

Genoa Township Zoning Board of Appeals Meeting  
August 20, 2024  
Unapproved Minutes

4. Adjournment

**Moved** by Board Member Ledford, supported by Board Member Kreutzberg, to adjourn the meeting at 7:15 pm. **The motion carried unanimously.**

Respectfully submitted:

Patty Thomas, Recording Secretary