

**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE TUESDAY, MARCH 3, 2020, REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, March 3, 2020, 4:30 p.m., at the Ada Township Office, 7330 Thornapple River Drive, Ada, Michigan.

CALL TO ORDER

The meeting was called to order by Chair Dixon at 4:30 p.m.

ROLL CALL

Members present: Dixon, McNamara, Nuttall

Members absent: Burton, Smith

Staff Present: Bajdek, Winczewski

Public: 2 Community members

APPROVAL OF AGENDA

Moved by McNamara, supported by Nuttall, to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

Moved by Nuttall, supported by McNamara, to approve the February 4, 2020, minutes as presented. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

Chair Dixon advised the applicant that because 2 of the board members are absent, all 3 members who are present will need to unanimously vote for approval in order to grant the variance. He also advised the applicant that he may choose to table the request until more/all board members are present. The applicant chose not to table the request.

- 1. Request for variance to allow the construction of a 2,300 sq. ft. accessory building in the front yard with a side yard setback of 20 feet from the east property line instead of the required 50 feet, Parcel No. 41-15-27-176-035, 46 Deer Run Dr. NE, Michael & Hannah Veldstra**

Michael Veldstra presented the request. Mr. Veldstra stated he is requesting a side yard setback of 20 feet instead of the required 50 feet in order to place the accessory building in a location where a minimal amount of trees will be removed and the building will be shielded from his neighbors. He also chose this location in order to avoid digging into a big berm and to avoid wetlands.

Planner/Zoning Administrator, Brent Bajdek, summarized the request as outlined in his staff memo:

The 5.61-acre site is topographically varied with a very awkward, irregular shape. An approximately 2,300 sq. ft. accessory building, with a covered porch, is planned to be constructed with the southeast corner of the covered porch being 20 feet from an eastern property line. A single-family home exists northeast of the planned location of the accessory building. The accessory building is intended to be used for standard vehicle, recreational vehicle, and general storage purposes. A band of dense mature tree coverage exists along the western periphery/front of the property, consisting primarily of coniferous trees with an intermingling of deciduous trees. The remaining portion of the property is forested with deciduous trees.

The proposed accessory building is planned to occupy a relatively level area of the site that would require minimal tree removal. It is in the general area of the property which contains the home. Although level site conditions exist behind/east of the dwelling, the waste disposal system occupies that portion of the property and therefore not a suitable building location for the accessory building. Level site conditions also appear to be present west/northwest of the dwelling; however, the applicant has stated that that area is an unsuitable location for building construction due to its natural 'wet' condition.

The building appearance will be consistent with the existing dwelling, satisfying the design standards that are required to permit an accessory building in a front yard. All other accessory building regulations have been met.

Bajdek reviewed the 4 criteria which must be met in order for the Zoning Board of Appeals to grant a variance:

1. Whether unique physical circumstances exist which cause a “practical difficulty” in complying with the Zoning Ordinance standards.

With the forested property's undulating terrain and very awkward, irregular shape, along with limited availability of a level building location due to the location of the waste disposal system, as well as other natural site conditions that exist creates a “practical difficulty” and differentiates this site from other sites justifying the requested variance.

2. Whether granting the variance would alter the essential character of the area.

The granting of the variance would not alter the essential character of the area.

3. Whether the circumstances leading to the variance are self-created.

Circumstances leading to the variance are not self-created.

4. Whether amending the Zoning Ordinance standards is a more appropriate remedy to the situation.

An amendment of the Zoning Ordinance is not deemed as an appropriate remedy to the situation. The conditions leading to this variance request are not so common or recurring, which would indicate that amending the zoning regulations would be a more appropriate solution.

Bajdek stated that staff is recommending approval of the variance.

Public Hearing was opened at 4:38 p.m.

Zach Schaff, Architect and Designer of Mr. Veldstra’s accessory building, reiterated that the location was mainly chosen in order to avoid cutting down dense trees and to place the building on a relatively flat area of land.

Bajdek noted that 2 pieces of correspondence were received from neighbors; both in favor of granting the variance. One of those neighbors was initially opposed because they thought the accessory building was going to be placed in a different location. Since learning of the actual location, that neighbor is now in favor of the variance.

Being that there were no other comments, the Public Hearing was closed at 4:39 p.m.

Board members commented on the unique shape of the property.

Bajdek inquired how the accessory building will be accessed. Mr. Veldstra stated that access will be off the existing driveway. The accessory building will be facing the house.

Dixon stated the building is beautiful but suggested improving the rear elevation (street side) of the building in case it is viewed by neighbors driving by in the winter.

Bajdek explained that certain standards regarding building appearance need to be met in order to permit an accessory building in the front yard.

Moved by Nuttall, supported by McNamara, to grant the variance to allow the construction of a 2,300 sq. ft. accessory building in the front yard with a side yard setback of 20 ft. from the east property line based on the findings that the required standards to approve a variance have been met.

Motion carried unanimously.

CORRESPONDENCE

No additional correspondence was received.

BOARD MEMBER/STAFF REPORTS

There were no board member or staff reports.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

Meeting adjourned at 4:46 p.m.

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk