



**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE MAY 7, 2024, REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, May 7, 2024, at 4:30 p.m., at the Ada Township Hall Assembly Room, 7330 Thornapple River Dr. SE, Ada, Michigan

I. CALL TO ORDER

Chair McNamara called the meeting to order at 4:30 p.m.

II. ROLL CALL

Members Present: Burton, Courtade, McNamara, Nuttall, Smith

Members Absent: 0

Staff Present: Bajdek, Buckley, Said

Others Present: 5 members of public

III. APPROVAL OF AGENDA

Moved by Courtade, supported by Smith, to approve the agenda as presented. Motion carried.

IV. APPROVAL OF MINUTES OF THE FEBRUARY 6, 2024, REGULAR MEETING

Moved by Courtade, supported by Smith, to approve the February 6, 2024, meeting minutes as presented. Motion carried.

V. UNFINISHED BUSINESS - none

VI. NEW BUSINESS

1. Request for signage variances, for the Ada Hotel in the C1/PVM zoning district, 7415 River Street SE, Parcel No. 41-15-34-129-013, Ken Dixon, Dixon Architecture on behalf of River Street Commons A4 & A5, LLC

Ken Dixon, Dixon Architecture on behalf of River Street Commons, presented the request for variances for the Ada Hotel signage. Mr. Dixon said the first variance request is for the "Rix" sign. He is proposing projecting signs that exceed the size of what is allowable in the Zoning Ordinance. The second variance request is for two additional wall signs for the "Ada Hotel", for a total of four wall signs, exceeding the permitted two. He feels the design of the signage is historical, and unique. Mr. Dixon explained that the Hotel is the largest commercial building in the village and due to the size of the building, he requests relief for the size and locations of signage.

Zoning Administrator/Planner Bajdek summarized the staff report and said the Hotel is a large-scale building (containing auxiliary businesses; The Post bar and Rix restaurant, and other businesses/tenants), and the applicant desires both additional and larger signage than permitted per the Zoning Ordinance. Bajdek confirmed the requested variances: to allow for a total of four wall signs and two projecting signs at 12.67 sq. ft.

Bajdek concluded that the request does not meet the exact letter of all three of the Standards in Sec. 78-107, however, the details of this request may merit further consideration, due to the large-scale size of the subject building. If the Zoning Board of Appeals determines that the standards have been satisfied, Staff has no objections to approval of the requested variance.

McNamara opened the public hearing at 4:38 p.m. There was no public comment and the hearing was closed.

Nuttall arrived the meeting at 4:38 p.m.

There was Board discussion about the design of the signs, sizes, color, and locations. Mr. Dixon explained details on the locations and sizes of the signs as they will appear on the building.

Moved by Courtade, supported by Burton, to approve the signage variances, to allow for a total of 4 wall signs and 2 projecting signs at 12.67 sq. ft./each. Motion carried 5-0.

2. Request for variance, rear yard setback, to allow for a replacement deck in the R3 zoning district, 4920 Burrwood Street SE, Parcel No. 41-15-31-361-002, David & Joy Wahby

David Wahby, applicant, said he is requesting a variance to replace the existing deck with a new deck at a location of 30 feet from the rear property line. Mr. Wahby said the uniqueness of the request is the adjacent property, owned by Olde Rhoades Meadows Homeowners Association, which he refers to as the 'wilderness area', thus there are no other homes behind him. Mr. Wahby noted that the existing deck (built 25+ years ago) is located 36 feet from the rear property line, already non-conforming with the 50 feet required setback.

Planning Director Said summarized the staff report and said the applicant is proposing a new deck that would be positioned at a location 30 feet from the rear property line, not the required 50 feet. Said made note that the unique circumstance is that the area behind the property is a retention area and will never be developed.

Said concluded that the request meets Standards (1) and (3) of the applicable variance standards, but not Standard (2). He noted that though the request does not meet the exact letter of all three of the Standards, it should merit further consideration especially due to the adjacent HOA property. As such, if the Zoning Board of Appeals determines that the standards have been satisfied, Staff has no objections to approval of the requested variance.

McNamara opened the public hearing at 4:47 p.m. Said noted (for the record) that a letter in support for the variance was received by neighbors, Donald Kern & Elizabeth Peterson. Said also referenced support memo from the HOA that is included in the packet. There was no other public comment and the hearing was closed.

There was Board discussion in favor of the variance for the following reasons: the property borders the green space area/wetland and would not disturb/affect anything else, and the neighbors and the HOA are in support of this request. Smith noted that the odd shaped lot also creates a practical difficulty.

Moved by Smith, supported by Courtade, to approve the variance request, to allow for the proposed deck to be positioned at 30 feet from the rear property line. Motion carried 5-0.

3. Request for variance, side yard setback, to allow construction of a 2nd story addition to existing home in the R2 zoning district, 875 Maple Hill Avenue SE, Parcel No. 41-15-31-420-004, Andrew C. Hess Trust

Andrew Hess, applicant, stated that in 1987 there was a side yard setback variance granted for the garage addition. Mr. Hess explained that he is proposing to build a 2nd story addition, not changing the footprint of the existing home, but it is still necessary to request a variance for the non-confirming garage.

Bajdek summarized the staff report and confirmed that the applicant is proposing a two-story addition to the existing home. He said the addition will be vertical in nature with no increase to the footprint and the existing northern sidewall of the attached garage does not meet current setback requirements. He said the ZBA granted a variance years ago to erect the attached garage of the dwelling one (1) foot from the northern property line. The applicant recently had a survey done and found that the existing dwelling is 2.7 feet from the property line, so the variance proposal is for 2.7 feet.

Bajdek concluded that the building mass would be increased by the 2nd story addition, the granting of the requested variance would be in-line with the side yard setback that was granted by the Board in 1987 and would not present any negative or adverse effects to properties in the surrounding area. It is recommended that the subject variance request be approved.

The public hearing was opened at 4:54 p.m. There was no public comment and the hearing was closed.

Following brief Board discussion, it was moved by Courtade, supported by Burton, to approve the variance request, to allow the attached garage a side yard setback of 2.7 feet. Motion carried 5-0.

VII. CORRESPONDENCE

Said noted all the summer events happening in Ada (summer concerts, farmers market, Beers at the Bridge) and encouraged the ZBA members to take the opportunity to attend whenever possible.

VIII. PUBLIC COMMENT - none

IX. ADJOURNMENT

Moved by Nuttall, supported by Courtade, to adjourn the meeting at 4:58 p.m. Motion carried.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk

rs:eb