



**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE TUESDAY, JUNE 7, 2022 REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, June 7, 2022, at 4:30 p.m. at the Ada Township Hall, 7330 Thornapple River Dr. SE, Ada, Michigan

I. CALL TO ORDER

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

II. ROLL CALL

Members present: Burton, McNamara, Nuttall, Smith

Members absent: Courtade

Member Smith arrived at 4:46 p.m.

Staff Present: Bajdek, Buckley, Said

Others Present: 1

There was Board discussion regarding meeting procedures and McNamara explained to the applicant that there were three ZBA members present and that represented a quorum so it would require all three votes in favor for the variance to pass or the applicant could opt to table the vote for a full Board. The members concurred to proceed with the meeting agenda.

III. APPROVAL OF AGENDA

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

IV. ELECTION OF CHAIR

Moved by Burton, supported by Nuttall, to appoint Jason McNamara as the Chair of the Zoning Board of Appeals. Motion carried.

Moved by Nuttall, supported by McNamara, to appoint Susan Burton as the Vice Chair of the Zoning Board of Appeals. Motion carried.

V. APPROVAL OF MINUTES OF FEBRUARY 1, 2022 REGULAR MEETING

Moved by Nuttall, supported by Burton, to approve the February 1, 2022, meeting minutes as presented. Motion carried.

VI. UNFINISHED BUSINESS – None

VII. NEW BUSINESS

1. Request for Variance to allow the construction of a hillside mausoleum structure 5 feet from the west property line instead of the required 40-foot setback, private cemetery at 7300 Windy Hill Dr. SE, Jim Morgan w/RJM Design Inc. for VA Memorial Trust, Parcel No. 41-15-34-301-010

Jim Morgan, Landscape Architect with RJM Design, said he was representing the VA Memorial Trust. Mr. Morgan stated that in February they received a Site Plan approval and Special Use approval for the private cemetery, but township staff identified that the mausoleum did not meet the required setback.

Mr. Morgan requested a variance for setback relief for the 500 sq. ft. building and referred to the drawing showing the location of the desired hillside mausoleum. He stated if we do not comply with the setback, then it no longer would be a hillside mausoleum.

Smith arrived 4:46 p.m.

Mr. Morgan went over the standards that need to be satisfied and said: it was a very unique, private cemetery; there are practical difficulties carrying out the strict letter of the ordinance; the spirit of the ordinance was being observed and public safety promoted; and that the standards and conditions for a variance have been met.

Mr. Morgan shared some history about the Van Andel's property and explained that he looked into the option to move the property line, but it was very difficult to do because of the trusts involved. He concluded that he was eager to move forward with the project and hoped the request for a variance be granted.

Zoning Administrator, Bajdek, summarized the staff memo and said the Special Use was granted to allow the creation of a private cemetery with the condition for the applicant to meet applicable zoning requirements or seek a variance.

Bajdek said the mausoleum is intended to be built into the hill five (5) feet from the west property line, instead of the required 40 feet, and he referred to a section of the ordinance regarding the required 40-foot setback.

Bajdek said the criteria that needed to be met was addressed in the narrative statement from the applicant and included in the packet. He said that staff did not have a recommendation. Planning Director, Said, explained that staff discussed the request, but due to the number of challenges and benefits, staff did not offer a recommendation.

ZBA member, Smith, asked the applicant if there was any way to move the location of the mausoleum. Mr. Morgan replied that it could be rearranged but if they moved the location, it would not meet the family's desire to have a hillside mausoleum.

Chair, McNamara, opened the public hearing at 4:51 p.m. There was no public comment and the public hearing was closed.

There was brief Board discussion and the members concurred that it was a very unique situation/request and that it would not impact anyone else.

Moved by Burton, supported by Nuttall, to approve the request for variance to allow the construction of a hillside mausoleum structure 5 feet from the west property line instead of the required 40-foot setback. Motion carried.

VIII. CORRESPONDENCE - none

IX. PUBLIC COMMENT

Said gave an update on the Master Plan review and informed that there were public focus groups planned for June 22 at 8:30 a.m. and June 28 at 5:30 p.m. He encouraged the members to participate and asked them to share the news.

X. ADJOURNMENT

Moved by Nuttall, supported by Burton, to adjourn meeting at 5:01 p.m. Motion carried.

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk

rs:eb