



**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE TUESDAY, SEPTEMBER 5, 2023, REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, September 5, 2023, 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 Chair McNamara at 4:30 p.m.

II. ROLL CALL

Members present: Burton, Courtade, McNamara, Nuttall
Members absent: Smith
Staff Present: Bajdek, Buckley, Said, Assessor Boerman
Others Present: 2

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES OF AUGUST 1, 2023, REGULAR MEETING

Moved by Courtade, supported by Nuttall, to approve the August 1, 2023, meeting minutes as presented. Motion carried.

V. UNFINISHED BUSINESS – none

VI. NEW BUSINESS

- 1. Request for variances for lot width and lot area in the V-R zoning district, 7179, 7183, and 7187 Bronson Street SE, Parcel Nos. 41-15-33-230-010, 41-15-33-230-011, and 41-15-33-230-012, Let Us Development, LLC & Joel & Laura Harner Trust**

Applicant Joel Harner, 7187 Bronson Street, representing Let Us Development, said he is proposing to take three non-conforming lots and make one conforming lot at 7187 Bronson and would like to combine 7179 and 7183 into one lot that would be 82 feet wide (current VR District lot width requirement is 70 feet maximum).

Planning Director Said summarized the staff report and said that the applicant is requesting to take three lots and combine them into two lots. Said stated that the result of the two lots is that one will be code complying and the other one will have an area 13,000+ sq. ft. and lot width of 82 feet. Said went over the details of lot requirements in the V-R District and referred to similar approvals that were recently granted to other lots in the area.

Said concluded that the request does not meet the exact letter of all three of the Standards in Sec. 78-107. At the same time, the details of this request may merit further consideration, due to a new lot being created in closer compliance with the minimum lot width requirement of 50 feet. Said stated that if the Zoning Board of Appeals determines that the above standards have been satisfied, Staff has no objections to approval of the requested variance.

McNamara opened the public hearing at 4:36 p.m. There was no public comment and the public hearing was closed.

There was ZBA discussion regarding the interpretation of the variance request and how the recent zoning ordinance amendment affects the minimum and maximum lot width and lot area in the V-R and PVM Districts.

Moved by Courtade, supported by Burton, to approve the variance requests for lot width and lot area. Motion carried 4-0.

2. Request for rear yard setback variance for a new, attached garage in the V-R zoning district, 7606 Fase Street SE, Parcel No. 41-15-34-327-004, Jenell Spindle

Applicant Janell Spindle, 7606 Fase Street, said she purchased the home in 2022 and explained that it currently has a (non-conforming) detached garage and she would like to tear it down and rebuild a new attached garage, but due to the property size/position, it would not meet the required rear yard setback of 40 feet. She referred to the plans submitted in the packet and further explained the requested setback, as well as an addition to the home.

Planner/Zoning Administrator Bajdek summarized the staff report and said that the applicant currently has a 400 sq. ft. detached garage and is proposing to build a new attached garage that is 588 sq. ft. The new attached garage would be positioned no closer to the rear property line than the existing detached garage at 31.4 feet; the required rear yard setback for a principal structure is 40 feet.

Bajdek concluded that the request does not meet the exact letter of all three of the Standards in Sec. 78-107 in carrying out Zoning Ordinance requirements. At the same time, the details of this request may merit further consideration, due to the existing onsite location of the dwelling and detached garage essentially being unchanged with the currently proposed attached garage expansion project. 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, subject to the condition mentioned in the staff report about a floodplain permit requirement.

McNamara opened the public hearing at 4:53 p.m. There was no public comment and the public hearing was closed.

There was brief ZBA discussion regarding the floodplain permit requirement and the setbacks for a detached garage vs. attached garage.

Moved by Courtade, supported by Nuttall, to approve the variance request, subject to the following conditions:

- A floodplain development permit application shall be submitted, and a permit issued by the Michigan EGLE and Ada Township, prior to the initiation of any site improvements and prior to the release of any permits.

Motion carried 4-0.

VII. CORRESPONDENCE

Said stated that he mentioned at the last meeting that he was forming a zoning ordinance rewrite/master plan implementation review committee and they had their first meeting. He is emailing correspondence from the meeting to the Planning Commission and ZBA meeting members. He noted that his goal with the rewrite review committee is to simplify the zoning ordinance using charts rather than pages and pages of inefficient information. Said encouraged the ZBA members to offer any suggestions/concerns about the master plan or zoning ordinance rewrite.

VIII. PUBLIC COMMENT - none

IX. ADJOURNMENT

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

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk

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