**ADA TOWNSHIP ZONING BOARD OF APPEALS**

**MINUTES OF THE TUESDAY, APRIL 5, 2016, REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, April 5, 2016, 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 Member Burton at 4:30 p.m.

**ROLL CALL**

Members present: Burton, Smith, and Lowry

Members absent: Dixon, McNamara

Staff Present: Bajdek

Public: Three community members

**APPROVAL OF AGENDA**

Burton noted that because a majority of the board is required for approval and due to the fact that two members were missing from this meeting, that all three present would be required to approve the request on the agenda. The applicants chose to keep the item on the agenda for this meeting.

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

**APPROVAL OF MINUTES**

**Moved by Smith, supported by Lowry, to approve the March 1, 2016, minutes as presented. Motion carried.**

**OLD BUSINESS**

None.

**NEW BUSINESS**

**Request for Approval to change a Non-Conforming use from a Commercial Personal Training Studio to a Commercial General Contracting Office in the RP-1 Rural Preservation 1 District, Paragon Construction, 6365 Knapp Street, 41-15-08-277-014.**

Tim Klaes, prospective buyer of the property, gave a history of the site, explained his business and desire to purchase this property, and presented his current request for approval of a non-conforming use of the property.

Planner/Zoning Administrator Brent Bajdek gave an overview, analysis and recommendation for this request. The property is approximately one acre, located near the northwest corner of Knapp and Egypt Valley. In 2009, the ZBA approved a nonconforming personal training use operation out of the subject building, which operated until recently. The applicant is requesting approval to change the nonconforming use from a personal training facility to a commercial general contracting office. The proposed operation will consist of four individuals working out of the office with no onsite storage of large-scale commercial/industrial construction equipment. It is proposed that one fourteen-foot utility trailer be stationed onsite on occasion.

In order for the ZBA to change the nonconforming use, the following standards must be met: 1. The proposed use does not substantially differ from the existing use in terms of compatibility with the character of the area in which it is located, and is no more obnoxious or detrimental to the health, safety and welfare of the surrounding area than the existing nonconforming use; 2. The proposed use does not increase the degree of nonconformity existing prior to such change of use; and 3. No structural alteration of the existing structure will be required to accommodate the new use. Bajdek stated the proposed nonconforming use meets those criteria. He recommended two contingencies: 1. No onsite storage of large-scale commercial/industrial construction equipment, such as but not limited to backhoes, bulldozers, excavators, and semi-tractors; and 2. That the freestanding sign be limited to a size not to exceed 24 square feet in area with external illumination only, which was allowed for previous uses that operated from the subject structure.

A letter was received from Pam and Gene Kleibusch related to the Paragon Construction new business item. Burton read the letter, and stated the concerns listed had already been addressed.

Burton asked for any additional public comment, and there was none.

Smith stated she felt all the standards required to change a nonconforming use had been met. **Moved by Smith, supported by Lowry, to approve the change to a non-conforming use from a Commercial Personal Training Studio to a Commercial General Contracting Office in the RP-1 Rural Preservation 1 District, for Paragon Construction, 6365 Knapp Street, 41-15-08-277-014, with two contingencies: 1. No onsite storage of large-scale commercial/industrial construction equipment, such as but not limited to backhoes, bulldozers, excavators, and semi-tractors; and 2. That the freestanding sign be limited to a size not to exceed 24 square feet in area with external illumination only, which was allowed for previous uses that operated from the subject structure. Motion carried 3-0.**

**CORRESPONDENCE**

Burton noted again that a letter had been received from Pam and Gene Kleibusch related to the Paragon Construction new business item.

A brochure was received about the MTA “Inside the Township Zoning Board of Appeals” one-day conference.

**PUBLIC COMMENT**

None.

**ADJOURNMENT**

**Moved by Lowry, supported by Smith, to adjourn at 4:55 p.m. Motion carried.**

Respectfully submitted,

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Jacqueline Smith

Ada Township Clerk

RS: js