**ADA TOWNSHIP ZONING BOARD OF APPEALS**

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

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

**ROLL CALL**

Members present: Burton, Lowry, McNamara and Smith

Members absent: Dixon

Staff Present: Bajdek

Public: Four community members

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Moved by Burton, supported by Lowry, to approve the June 7, 2016, minutes as presented. Motion carried unanimously.**

**OLD BUSINESS**

None.

**NEW BUSINESS**

1. **REQUEST FOR VARIANCES FROM THE MINIMUM LOT SIZE STANDARD IN THE RP-1 ZONING DISTRICT OF FIVE (5) ACRES, TO ALLOW THE RECONFIGURATION OF THREE (3) ADJACENTLY OWNED FAMILY PARCELS, THROUGH LOT LINE MODIFICATIONS, GAYLE PLATTE & ROY HEIN, 7001, 7051, AND 7095 KNAPP STREET NE, 41-15-09-276-001, 002 AND 003.**

Applicants Gayle Platte and Roy Hein explained that their father, Milton Hein, had originally owned the entire 10-acre parcel and that he had split off two parcels of 1.5 acre each, one each for Gayle and Roy. This was done before the current zoning requirement of a 5-acre minimum was put into place. Their father’s intent, expressed before his death, was to alter the boundaries to increase each of their lots by adding 1.5 acres each directly north of their currently lots by decreasing the main homestead lot. The request now is to alter boundaries to create two lots of 3.03 acres (including right-of-way)/2.88 acres (excluding right-of-way) each and one parcel at 3.98 acres (including right-of-way)/3.78 acres excluding right-of-way) through lot line modifications.

Brent Bajdek, Planner/Zoning Administrator, stated that the reconfiguration of three adjacently owned family parcels in the RP-1 Rural Preservation 1 Zoning District, requiring a minimum lot area of five acres, requires variances. The two smaller parcels will be increased in size and brought closer to conformance with the minimum lot size requirement, while the larger parcel will be reduced from approximately 6.5 acres to 3.98 acres. The standards that need to be met to grant a variance are: 1. Whether unique physical circumstances exist which cause a practical difficulty in complying with the Zoning Ordinance standards, 2. Whether granting the variances would alter the essential character of the area, 3. Whether the circumstances leading to the variances are self-created, and 4. Whether amending the Zoning Ordinance is a more appropriate remedy to the situation.

Bajdek stated that there is a practical difficulty due to the physical configuration of the properties that was created during the initial division of the ‘original homestead’ property. The intended enlargement of the two smaller parcels would allow them to be brought into closer conformance with the current lot size requirement, while allowing for all of the subject parcels to be more uniform in shape and size. The essential character of the area would not be altered by approving this request. The circumstances leading to the variances are primarily not self-created. An amendment of the Zoning Ordinance is not deemed as an appropriate remedy to the situation.

The public hearing was opened at 4:40 p.m.

There was no public comment.

The public hearing was closed at 4:41 p.m.

**Moved by Burton, supported by Lowry, to approve the variances, based on the findings that the required conditions have been met to grant the variances. Motion carried unanimously.**

**CORRESPONDENCE**

There was no correspondence.

**BOARD COMMENT**

Planner/Zoning Administrator Bajdek gave a history of the applications for building height variances and the board’s actions from 2000 to present. He stated the Planning Commission met for several months in 2004 to consider the various options related to amending the building height ordinance. The Planning Commission at that time took no action and set no time to revisit the issue. In September 2010, Chair Boman asked the Zoning Administrator where the issue stood, and the Zoning Administrator stated it was going to the Planning Commission; the Planning Director has no record of that referral. **Moved by Smith, supported by Burton, to refer the matter of amending the building height regulations of the zoning ordinance to the Planning Commission. Motion carried unanimously.**

**PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

**Moved by Burton, supported by Lowry, to adjourn at 4:52 p.m. Motion carried unanimously.**

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jacqueline Smith

Ada Township Clerk

RS: js