**ADA TOWNSHIP ZONING BOARD OF APPEALS**

**MINUTES OF THE TUESDAY, NOVEMBER 1, 2016, REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, November 1, 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 Chair Dixon at 4:30 p.m.

**ROLL CALL**

Members present: Dixon, Burton, McNamara and Smith.

Members absent: Lowry.

Staff Present: Bajdek.

Public: Ten community members.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Moved by McNamara, supported by Burton, to approve the July 5, 2016, minutes as presented. Motion carried unanimously.**

**OLD BUSINESS**

There was no Old Business.

**NEW BUSINESS**

1. **REQUEST FOR VARIANCE FROM THE GROUND-MOUNTED WIND ENERGY SYSTEMS (65 FEET IN HEIGHT OR LESS) ZONING DISTRICT REGULATION STANDARD TO ALLOW THE ERECTION OF A WIND TURBINE WITH AN OVERALL HEIGHT OF APPROXIMATELY 44 FEET FOR AN OUTDOOR EDUCATION PROGRAM ON PROPERTY ZONED R-2 SINGLE-FAMILY RESIDENTIAL, ADA CHRISTIAN SCHOOL SOCIETY, 6206 ADA DRIVE NE, 41-15-32-400-036.**

Bill Hoogstrate, 5th grade teacher at Ada Christian School, explained the proposed turbine is vertical, safe, maintenance-free, and quiet. It is to be used with the school’s Outdoor Education program.

Resident Kathy O’Bee stated she affirmed what the school is proposing.

Brent Bajdek, Ada Township Planner/Zoning Administrator, explained that wind turbines are regulated by the Wind Energy Systems section of the zoning ordinance and that ground-mounted wind energy systems (65 feet in height or less) are permitted as an accessory use subject to compliance with conformance standards that includes only being permitted in the AGP, RP-1, RP-2, RR, C-1, C-2, LI and I zoning districts on lots that are three (3) acres in size or greater. He further explained that with the school property, being zoned R-2 Single-Family Residential, the zoning district standard is not met; however, all other required conformance standards have or will be able to be met.

Bajdek also stated that in order for the Board to approve a variance, four criteria must be met: 1. Whether unique physical circumstances exist which cause a “practical difficulty” in complying with the Zoning Ordinance standards; 2. Whether granting the variance would alter the essential character of the area; 3. Whether the circumstances leading to the variance are self-created; and 4. Whether amending the Zoning Ordinance standards is a more appropriate remedy to the situation. Bajdek reported that there is a practical difficulty due to the large size of the school site as well as the non-single-family residential use; the granting of the variance would not alter the essential character of the area, the circumstances leading to the variance are primarily not self-created; an amendment of the Zoning Ordinance is not deemed as an appropriate remedy to the situation, and that he recommended approval of the variance.

There was no additional public comment. There was a correspondence from the DeVos family in support of the variance.

There was a question about the reason the property was zoned residential. Bajdek replied that it was due to its location, and that a school is an allowable use in a residentially zoned area.

**Moved by Burton, supported by Smith, to approve the variance as requested, based on the finding that the required standards to grant a variance have been met. Motion carried unanimously.**

1. **REQUEST FOR VARIANCE TO REPLACE A NON-CONFORMING OFF-PREMISE IDENTIFICATION SIGN FOR ADA CHRISTIAN REFORMED CHURCH LOCATED AT THE CORNER OF ADA DR. & BRADFIELD ST., ADA CHRISTIAN REFORMED CHURCH (PROPERTY OWNED BY KATHRYN O’BEE), 645 ADA DR., SE, 41-15-34-104-007.**

Everett VanderTuin, Ada Christian Reformed Church, explained that the original motivation for changing/replacing the sign was when it was initially thought that the sign would need to be removed due to waterline work in Ada Drive. He further explained that the removal of the sign ended up not being necessary due to a change in procedure for the utility project; however, due to the age and architecture/design of the existing sign a new sign was still considered to be appropriate and would be an improvement to the community.

Brent Bajdek, Ada Township Planner/Zoning Administrator, stated the proposed sign would be non-illuminated, low profile, and that the existing sign predates the current zoning regulations, which prohibit off-premise signs. It was noted that a similar request in the 1990s was denied due to the request for illumination.

Bajdek also explained that in order for the board to approve a variance, four criteria must be met: 1. Whether unique physical circumstances exist which cause a “practical difficulty” in complying with the Zoning Ordinance standards; 2. Whether granting the variance would alter the essential character of the area; 3. Whether the circumstances leading to the variance are self-created; and 4. Whether amending the Zoning Ordinance standards is a more appropriate remedy to the situation. Bajdek stated that there are unique physical circumstances due to the physical location of the church property, sitting atop a hill with no visibility from Ada Drive, which is a primary access to it via Bradfield Street, the essential character of the area would not be altered, the situation was not primarily self-created, that it would not be more appropriate to amend the zoning ordinances, and he recommended approval of the variance.

Kathy O’Bee (owner of the property), stated there was some possible negatives, but it would be okay.

Chair Dixon asked if there were any other off-premise signs in the Township. Bajdek did not know of any. Don Korhorn stated that the Ada Vista sign was off-premises.

Chair Dixon asked about the sign size. Bajdek replied that the current sign is 8 feet high, and the new one would be much lower.

Kathy O’Bee stated there should not be any lights on it. Bajdek replied it would not be illuminated, but there would be a changeable part of the sign, which is allowed for schools and churches.

**Moved by Burton, supported by McNamara, to approve the variance as requested, based on the finding that the required standards to grant a variance have been met. Motion carried unanimously.**

**BOARD DISCUSSION**

There was no additional board discussion.

**CORRESPONDENCE**

There was no correspondence in addition to the DeVos family letter in regards to the wind turbine.

**PUBLIC COMMENT**

Burton asked if the building height issue had gone to the Planning Commission. Bajdek replied that it had, but the report and recommendation had not yet been presented.

**ADJOURNMENT**

**Moved by McNamara, supported by Burton, to adjourn at 5:01 p.m. Motion carried unanimously.**

Respectfully submitted,

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Jacqueline Smith

Ada Township Clerk

RS: js