



**ADA TOWNSHIP ZONING BOARD OF APPEALS MEETING
TUESDAY, JANUARY 2, 2024, 4:30 P.M.
ADA TOWNSHIP OFFICE, ASSEMBLY ROOM
7330 THORNAPPLE RIVER DR SE, ADA, MI**

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF AGENDA**
- IV. APPROVAL OF MINUTES OF NOVEMBER 7, 2023, REGULAR MEETING**
- V. UNFINISHED BUSINESS** - none
- VI. NEW BUSINESS**
 - 1. Request for a variance, side yard setback, to allow for an addition on the south side of the existing building in the I Industrial zoning district, 6210 E. Fulton Street, Parcel No. 41-15-29-445-001, Dan Vos Construction for WDDG LLC (Ada Valley Meat Co.)
- VII. CORRESPONDENCE**
- VIII. PUBLIC COMMENT**
- IX. ADJOURNMENT**



**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE TUESDAY, NOVEMBER 7, 2023, REGULAR MEETING**

Draft

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, November 7, 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, Smith

Members absent: 0

Staff Present: Buckley, Said

Others Present: 3

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES OF SEPTEMBER 5, 2023, REGULAR MEETING

Moved by Courtade, supported by Burton, to approve the September 5, 2023, meeting minutes as presented. Motion carried.

V. UNFINISHED BUSINESS – none

VI. NEW BUSINESS

1. Request for lot size variance in the RP-1 zoning district to allow for boundary line change with an adjacent property, 8842 Beech Hill Court NE, Parcel No. 41-15-14-400-020, Sara Easter and Kathryn Hoffman Trust

Sara Easter, 8842 Beech Hill Court, presented her request for lot size variance. She explained that she had a fence installed about 15 years ago not realizing that a portion of the fence was on land owned by the Kent Conservation League. The Conservancy contacted Ms. Easter to notify her that a portion of the fence was on their property. Easter said they were going to do a land swap but the Conservancy requested an additional 4 square feet, which basically makes her property even more non-conforming.

Planning Director Said echoed what the applicant indicated. Said explained that the applicant has to go through this process even for this small amount of square footage because technically it reduces the size of her property, which is already below the minimum lot size, this request increases the non-conformity of her property.

Said concluded that the request does not meet the exact letter of all three of the Standards in Sec. 78-107, but the change being requested is of the smallest scale and does not result in an appreciable change to the neighborhood or impacted properties. Other residential lots in the area have similar, or even smaller, lot sizes. As such, Staff has no objections to the approval of the requested variance if the Zoning Board of Appeals determines that the standards for a zoning variance have been satisfied.

McNamara opened the public hearing at 4:34 p.m.

Michael Condon, 8675 Conservation Street, said he has no objection on what the applicant is asking to do. He said he lives on the south side of Ms. Easter's property and the fence goes between them. He was asking for assurance from Ms. Easter that the fence is on her property line between their two properties. Ms. Easter confirmed that the fence was moved and is on her property line.

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

Moved by Courtade, supported by Nuttall, to approve the requested lot size variance. Motion carried 5-0.

VII. CORRESPONDENCE

Said shared some updates:

Parks Director, Mark Fitzpatrick, is retiring. There is a retirement party on November 14th from 3:00-7:00 p.m. at Roselle Park and welcomed all to attend. Wesley Deason is Mark's successor.

The Planning Commission has been reviewing/discussing the Planning process/procedures, and is preparing to update the Zoning Ordinance rewrite for 2024 fiscal year. Said stated that the goal is to not change the rules, but to help reorganize it, make it more transparent, and much easier to use.

ZBA member Burton, also on the Planning Commission Board, said she was able to review examples/charts of what the Zoning Ordinance Rewrite would look like and the way it was organized in the new method is light-years better.

VIII. PUBLIC COMMENT

Tim Klaes, 6365 Knapp Street, also Paragon Construction, said he had questions related to an addition to his building that is currently operating on a non-conforming use as a business. He said that he previously spoke with Ada's Zoning Administrator and was looking for the best way to pursue an addition.

Said explained that there are certain procedures/proper steps that an applicant needs to go through for requests (whether it be amending the use variance or request a rezoning) and whether it involves the ZBA or Planning Commission review, involving public hearings, and/or public notices. Said welcomed Mr. Klaes to contact him for additional information/data on the proper steps and the possible processes to help pursue a specific request. Mr. Klaes appreciated the opportunity to further discuss his options with the Planning Staff.

IX. ADJOURNMENT

Moved by Nuttall, supported by Courtade, to adjourn meeting at 4:49 p.m. Motion carried.

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk

rs:eb



TO: Ada Township Zoning Board of Appeals
FROM: Department of Planning
RE: Agenda Item for the January 02, 2024 Meeting

Request for a variance, side yard setback, to allow for an addition on the south side of the existing building in the I Industrial zoning district, 6210 E. Fulton Street, Parcel No. 41-15-29-445-001, Dan Vos Construction for WDDG LLC (Ada Valley Meat Co.)

Overview

Ada Valley Meat Co. is proposing a 9,576 addition to its existing facility. The subject site is 2.23 acres in area with a long and fairly narrow (155' in width) configuration.

The addition is planned to be erected at the southern extent of the current building with it being a continuation of the established east and west sidewalls; the existing western sidewall does not meet current setbacks requirements.

Please note that the overall planned project for the property will also include site improvements (pavement expansion and stormwater ponds) in addition to the building expansion; the project requires Planning Commission site plan approval.

Analysis

The existing building is situated 26'-4" from the western property line, while the currently planned addition would be slightly closer to the property line at 25 feet. The Board granted variances in 1990, 1996, and 2018 permitting the established western boundary line setback of 26'-4" instead of the required 50'-0".

Per Section 78-107 of the Zoning Ordinance:

The board of zoning appeals may grant such variances only upon finding that all of the following conditions exist:

- (1) Where it is found that, by reason of the exceptional narrowness, shallowness or shape of a specific parcel of property, or by reason of exceptional topographic conditions or other extraordinary situation of the land or structure or of the use of property immediately adjoining the property in question, the literal enforcement of this chapter would involve practical*

difficulties or would cause undue hardship; provided that no variance shall be granted on a lot if the owner owns adjacent land which could, without undue hardship, be included as part of the lot in question avoiding the need for a variance.

- (2) Where it is found that there is practical difficulty or unnecessary hardship in carrying out the strict letter of this chapter and the chapter can be varied in such a way that the spirit of this chapter shall be observed, public safety secured, and substantial justice done.*
- (3) Where it is found that the condition or situation of the specific piece of property or the intended use of such property for which the variance is sought is not so general or recurrent in nature as to make reasonably practicable the formulation of a general regulation in this chapter for such condition or situation.*

Conclusion & Recommendation

Based on current industry standards for industrially zoned and developed properties, the subject property is considered an undersized lot, along with many other existing industrially zoned properties along the E. Fulton Street corridor. The granting of the requested variance would be in-line with similar side yard setback variances that were granted in the past by the Board for the subject property, as well as other properties in the vicinity, while allowing for the growth expansion of an existing and viable industrial business operation within the Township.

It is recommended that the subject variance request be approved, contingent upon site plan approval by the Planning Commission for the proposed addition and associated site improvements.



RECEIVED

DEC - 5 2023

PLANNING & ZONING
ADA TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION
(ZONING VARIANCE OR ADMINISTRATIVE APPEAL)

1. Applicant Information:

Name: Dan Vos Const. Co., Joseph Geelhoed, P.E.

Address: 6160 Fulton St. East, PO Box 189, Ada, MI 49301

Phone Number: 616-262-5387 Email: joeg@danvoscc.com

2. OWNER (if different than above):

Name: Ada Valley Meat Co., Dale Vander Boom

Address: 6210 Fulton St. East, Ada, MI 49301

Phone Number: 616-676-0767 Email: dale@adavalley.com

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:

Construction of an addition on the south end of the existing building that would maintain a 25' side yard setback
along the west property line. Existing building was constructed with a min. 25' side yard setback. Current zoning
regulations require a 50 ft side yard setback.

4. PERMANENT PARCEL NUMBER: 41 - 15 - 29 - 445 - 001

5. PROPERTY ADDRESS: 6210 Fulton St. East, Ada, MI 49301 **6. ZONING DISTRICT:** I

7. ATTACH:

A. AN ACCURATE SITE PLAN OF THE PROPERTY, DRAWN TO A STANDARD ENGINEERING SCALE, SHOWING:



- 1) Property boundaries.
- 2) Existing and proposed buildings or structures.
- 3) Distance from lot lines of each existing and proposed building or structure.
- 4) Unusual physical features of the site, building, or structure.
- 5) Abutting streets.

B. A NARRATIVE STATEMENT WHICH ADDRESSES COMPLIANCE OF THE VARIANCE REQUEST WITH THE STANDARDS FOR APPROVAL CONTAINED IN THE ZONING ORDINANCE AND LISTED ON THE REVERSE SIDE OF THIS APPLICATION FORM.

*** APPLICATIONS SUBMITTED WITHOUT A NARRATIVE STATEMENT WILL NOT BE ACCEPTED ***

8. PETITIONER AFFIDAVIT:

I understand that if the requested variance or appeal is granted, I am not relieved from complying with all other applicable requirements of the Ada Township Zoning Ordinance or any other Township Ordinances. By signing, the applicant and owner hereby grant permission to Ada Township officials and employees to enter upon the subject property for purposes of review and evaluation of this request.

APPLICANT'S SIGNATURE:  DATE: 12/5/23
OWNER'S SIGNATURE:  DATE: 12/5/23
(If different than applicant)

9. PLEASE NOTE THE FOLLOWING BOARD OF APPEALS PROCEDURES:

- a) The application form, application fee, site plan and narrative statement must be submitted at least one (1) month prior to the regularly scheduled Zoning Board of Appeals meeting. **Regular meetings of the Zoning Board of Appeals are generally held on the first (1st) Tuesday of each month at 4:30 p.m.**
- b) Notices of the hearing will be given at least 15 days prior to the hearing to the applicant and to all property owners and occupants within 300 ft. of the property subject to appeal.
- c) Following the hearing, the Board of Appeals will make its decision and may reverse or affirm, in whole or part, or may modify any order, requirement, decision or determination.
- d) The variance or exception expires one (1) year after it is granted if no action is taken to affect the variance within the period. The Zoning Board of Appeals may grant up to an additional one (1) year extension of this time limit.
- e) A zoning variance does not excuse the applicant from obtaining a building permit. A building permit must be secured before construction begins.

CRITERIA FOR APPROVAL

The Zoning Board of Appeals treats each variance or appeal request individually and approves or denies each request on its own merits. In order for the Board of Appeals to grant a variance or appeal the applicant must satisfy all of the following findings which are contained in Section 78-107 of the Ada Township Zoning Ordinance:

That where there are practical difficulties or unnecessary hardship in carrying out the strict letter of this Ordinance, the Board of Zoning Appeals shall have the power to vary or modify any of the provisions hereof so that the spirit of the Ordinance shall be observed, public safety promoted, and substantial justice done. The Board of Zoning Appeals may grant such variances only upon finding that all of the following conditions exist:

- a) *Where it is found that, by reason of the exceptional narrowness, shallowness or shape of a specific parcel of property, or by reason of exceptional topographic conditions or other extraordinary situation of the land or structure or of the use of property immediately adjoining the property in question, the literal enforcement of this Ordinance would involve practical difficulties or would cause undue hardship; provided that no variance shall be granted on a lot if the owner owns adjacent land which could, without undue hardship, be included as part of the lot in question avoiding the need for a variance.*

- b) Where it is found that there is practical difficulty or unnecessary hardship in carrying out the strict letter of this Ordinance and the ordinance can be varied in such a way that the spirit of this Ordinance shall be observed, public safety secured, and substantial justice done.
- c) Where it is found that the condition or situation of the specific piece of property or the intended use of said property for which the variance is sought is not so general or recurrent in nature as to make reasonably practicable the formulation of a general regulation in this Ordinance for such condition or situation.

Please note that the verbiage of the above stated conditions is generally abbreviated due to redundancy when reviewed by Staff and the Board.

APPLICATION FEE: RESIDENTIAL USE: \$300.00 NON-RESIDENTIAL USE: \$500.00

TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT

Application received: <u>12-5-2023</u> by: <u>eb</u>			
(date)			
Application fee of \$ <u>500⁰⁰</u>	received: <u>12/7/23</u>	by: <u>[Signature]</u>	Check No: <u>359220</u>
			(date)
Receipt No: _____			

Updated 08/14/2023 (f:\users\planzone\app&forms\app templates)



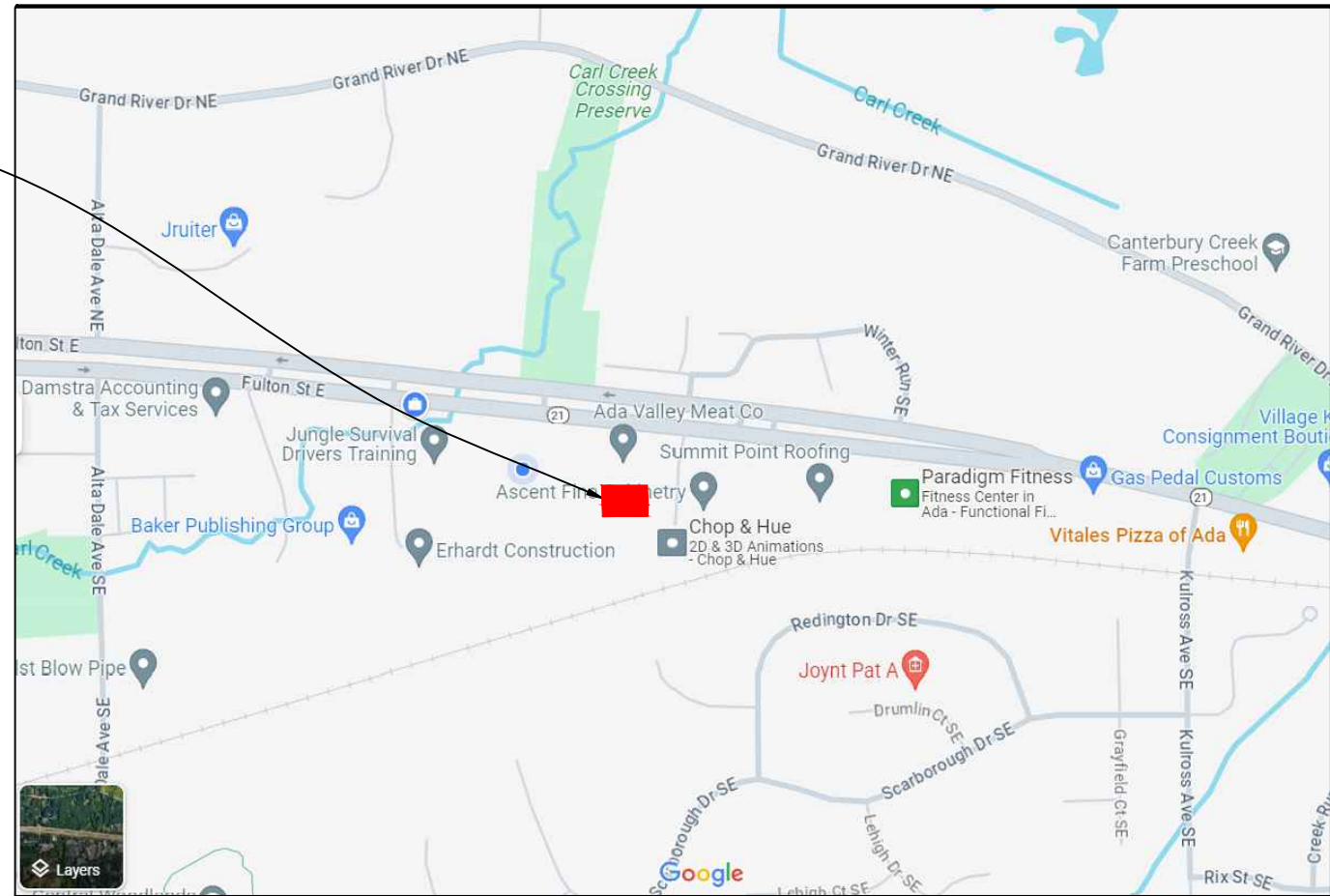
Building for Life.

NARRATIVE STATEMENT

ADA VALLEY MEAT CO.

Ada Valley Meat Co. would like to expand their building and provide additional process and warehouse space. The demand for their products have steadily increased and they would like to remain in Ada Township. Their recent expansions relieved their immediate needs, but they would like to expand their capacity to both produce and warehouse their products.

- a) Ada Valley Meat Co. requests that the side yard setback along their west property line be reduced to 25 feet from the 50 feet required and 49 feet on the east from the 50 feet required. The existing building was constructed when the side yard setback was 25 feet and the building is 25 feet from the west property line and approximately 49' from the east property line. The existing parcel is 155 ft wide and with the side yard setbacks at 50 ft. each it leaves only 55 ft of buildable width. The adjoining properties east and west are both industrial and are compatible with the current use.
- b) The spirit of the ordinance establishing setbacks for the Industrial Zone is one that provides for more separation and green space between buildings. Ada Valley Meats will maintain the existing side yard setbacks along both sides of the property. The building addition is in the rear of the building so there would not be much change that could be noticed from E. Fulton St.
- c) The proposed building addition will largely maximize the use of the existing property. No more room would be available to provide for docks, truck maneuvering, stormwater ponding or car parking if the building were expanded again.



LOCATION MAP
NOT TO SCALE

GENERAL NOTES:

- PARCEL INFORMATION**
CURRENT ZONING: I - INDUSTRIAL
SITE ADDRESS: 6210 FULTON ST. EAST
PARCEL NUMBER: 41-15-29-445-001

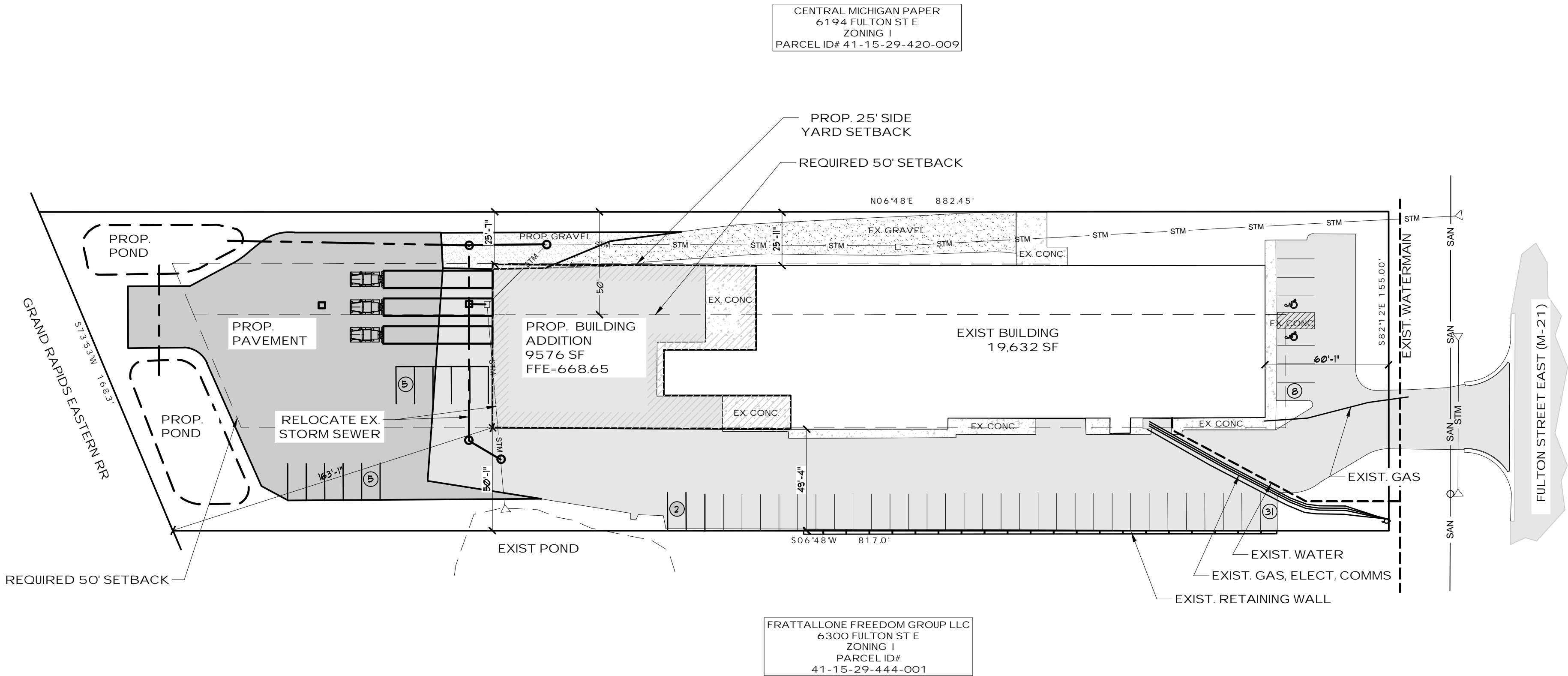
	REQUIRED	PROVIDED
MIN. LAND AREA:	40,000 SF	91,476 SF
MIN. LOT WIDTH:	200 FT	155 FT
- BUILDING**

	REQUIRED	PROVIDED
MAX. BUILDING HEIGHT:	45 FT	30 FT
MAX. BUILDING SIZE:	N/A	N/A
MAX. LOT COVERAGE:	N/A	N/A
- SETBACKS**

	MIN REQUIRED	PROVIDED
FRONT (NORTH)	50 FT	60 FT
SIDE (EAST/WEST)	50 FT	49 FT EAST/25' WEST
REAR (SOUTH)	50 FT	160 FT
- REGULATORY APPROVALS**
THE PROJECT WILL REQUIRE THE FOLLOWING APPROVALS, AT A MINIMUM (OTHER PERMITS/APPROVAL MAY ALSO BE REQUIRED)
 - ADA TWP SITE PLAN
 - ADA TWP VARIANCE
 - ADA TWP FIRE DEPARTMENT
 - ADA TWP STORMWATER
 - KENT COUNTY SOIL EROSION & SEDIMENTATION CONTROL PERMIT (DRAIN COMMISSION)
- PARKING**
 - EXISTING OFFICE - 3239 SF X 1 SPACE/300 SF = 11 SPACES
 - EXISTING INDUSTRIAL - 17,575 SF X 1 SPACE/1000SF = 18 SPACES
 - NEW INDUSTRIAL - 9576 SF X 1 SPACE/1000 SF = 10 SPACES
 - TOTAL REQ'D = 38 SPACES
 - EXISTING SPACES - 39 SPACES
 - PROPOSED SPACES - 12 SPACES
 - TOTAL PROPOSED SPACES = 51 SPACES
- STORM WATER MANAGEMENT**
STORM WATER WILL BE COLLECTED IN A SERIES OF CATCH BASINS AND PIPES AND ROUTED TO NEW DETENTION PONDS. THE DETENTION PONDS WILL DISCHARGE TO THE NORTHWEST INTO AN EXISTING STORM SEWER DRAINING TO M-21.
- WATER/SEWER SERVICE**
SITE IS SERVED WITH WATER AND SEWER CONNECTIONS CONNECTED TO EXISTING PUBLIC UTILITIES ALONG M-21.
- WETLANDS**
THERE ARE KNOWN REGULATED WETLANDS (POND) ON THE PROPERTY TO THE EAST.
- FLOODPLAINS**
THERE ARE NO KNOWN REGULATORY FLOODPLAINS ON THE SUBJECT PROPERTY.
- SITE LIGHTING**
PROPOSED LIGHTING WILL BE WITH SHIELDED LIGHT FIXTURES SHOWN ON THE PHOTOMETRIC PLAN. LIGHTING WILL BE CONSISTENT WITH OTHER USES AND WILL COMPLY WITH ORDINANCE REQUIREMENTS.
- LOADING/UNLOADING OPERATIONS**
LOADING AREAS ARE AT TRUCK DOCKS ON THE SOUTH WALL AND OVERHEAD DOOR LOCATED ON THE EAST SIDE OF THE BUILDING.

PROPOSED LEGEND

- PROP. STORM CB
- PROP. STORM CB
- PROP. STORM. SEWER
- PROP. FLOWLINE
- PROP. HMA PAVEMENT
- PROP. BUILDING EXPANSION
- EXISTING BUILDING
- PROPOSED RIPRAP
- PROP. CONC PAVEMENT
- EX. CONC PAVEMENT
- PROPERTY LINE
- PROP. FENCE
- PARKING COUNT



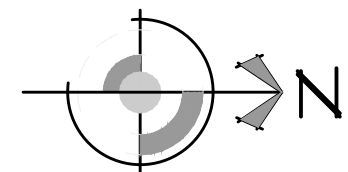
OVERALL SITE LAYOUT
SCALE: 1" = 40'

LEGAL DESCRIPTION

That part of the Southeast 1/4 of Section 29, Twpn 7 North, Range 10 West, Ada Township, commencing 1,517.2 feet South 83 degrees 12 minutes East along the centerline of existing Highway M-21, from the North and South 1/4 line of said section; thence South 83 degrees 12 minutes East 155.0 feet on said centerline; thence South 06 degrees 48 minutes West 817 feet to the North line of the Grand Trunk Railroad right of way; thence South 73 degrees 53 minutes West 168.3 feet along said right of way line to the intersection of a line bearing South 06 degrees 48 minutes West from the point of beginning; thence North 06 degrees 48 minutes East 882.45 feet to place of beginning except the Northerly 225 feet for highway purposes.

PROPERTY OWNER:
ADA VALLEY MEAT CO.
6210 FULTON ST. EAST
ADA, MI 49301
616-676-0767
DALE@ADAVALLEY.COM

APPLICANT & PREPARER:
JOSEPH L. GEELHOED, P.E.
DAN VOS CONSTRUCTION CO.
6160 E. FULTON, PO BOX 189
ADA, MI 49301
616-425-2871
JOEG@DANVOSCC.COM



Know what's below.
Call before you dig.