



**ADA TOWNSHIP ZONING BOARD OF APPEALS MEETING
TUESDAY, JUNE 3, 2025, 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 MAY 6, 2025, REGULAR MEETING

V. UNFINISHED BUSINESS - none

VI. NEW BUSINESS

1. Request for the expansion of a non-conforming use, as well as side and rear yard setback variances, to allow for the construction of an addition to the existing building in the RP-1 zoning district, 6365 Knapp St. NE, Parcel No. 41-15-08-277-014, applicant Timothy S. Klaes, property owner Paragon C & I Property, LLC
2. Request for a variances, front and side yard setbacks, to allow for a restroom expansion and associated canopy in the VR zoning district, 7490 Thornapple River Dr. SE, Parcel No. 41-15-34-176-002, applicant Progressive Companies, property owner Ada Township
3. Request for a variance, front yard setback, to allow for attachment of the existing detached garage to the dwelling in the RR zoning district, 7161 Conservation St. NE, Parcel No. 41-15-21-276-012, applicant and property owners Matthew & Kaitlyn Baas
4. Request for a variance, rear yard setback, to allow for construction of a new dwelling in the VR zoning district, 7390 Thornapple River Dr. SE, Parcel No. 41-15-34-105-026, applicant and property owners Sean & Rene Growney

VII. CORRESPONDENCE

VIII. PUBLIC COMMENT

IX. ADJOURNMENT



ADA TOWNSHIP ZONING BOARD OF APPEALS MINUTES OF THE MAY 6, 2025, REGULAR MEETING

DRAFT

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, May 6, 2025, at 4:30 p.m., at the Ada Township Hall Assembly Room, 7330 Thornapple River Dr. SE, Ada, Michigan

I. CALL TO ORDER

Chair McNamara called the meeting to order at 4:30 p.m.

II. ROLL CALL

Members Present: Courtade, Ellixson-Andrews, McNamara, Nuttall

Members Absent: DeMarco

Staff Present: Bajdek, Buckley, Said

Others Present: 1 member of the public

III. APPROVAL OF AGENDA

Moved by Courtade, supported by Ellixson-Andrews, to approve the agenda as presented. Motion carried.

IV. APPROVAL OF MINUTES OF THE JANUARY 7, 2025, REGULAR MEETING

Moved by Nuttall, supported by Courtade, to approve the January 7, 2025, meeting minutes as presented. Motion carried.

V. UNFINISHED BUSINESS - none

VI. NEW BUSINESS

1. Election of Chair and Vice-Chair

Planning Director Said recapped that currently Jason McNamara is the ZBA Chair and there is no Vice-Chair. Following brief ZBA member discussion, it was moved by Courtade, supported by Nuttall, to re-elect McNamara as ZBA Chair; and moved by Courtade, supported by Ellixson-Andrews, to elect Harvey Nuttall as the Vice-Chair. Motions carried.

2. Zoning Ordinance Update – Summary

Said updated that Planning Staff has been working on the Zoning Ordinance Rewrite project and were at the point of launching the RFP (Request for Proposals) to choose a consulting firm

to assist with the process. A draft RFP will be presented to the Planning Commission Board at their meeting on May 15 and then presented to the Township Board for their review and approval.

Said stated our goal in this reorganization effort is to utilize charts, graphs/tables, and illustrations. Said went over examples of the reorganization of existing requirements with information on allowed uses (permitted use or special use) in various zoning districts, placement requirements, lot requirements, setback requirements, and related development standards, via new charts and graphs vs. old text versions. He stated that ultimately the reorganization of the Ordinance will provide for a much more user-friendly, transparent set of regulations for all.

Said informed that the selected consultant will be asked to focus on the more technical aspects of the Ordinance, such as the PVM (Planned Village Mixed-Use) Overlay District, as well as preparation of graphics to effectively illustrate requirements.

Courtade noted that he has been involved in the process of the Zoning Ordinance rewrite, via the Review Committee (consisting of Courtade, and Rob VanderVennen & James Moyer from the Planning Commission). Courtade said what has struck him most is how much easier it is to read and understand; it lets people know what to look for, where to find it, and what to expect.

3. Procedural Review – Open Meetings Act, etc.

Said provided the ZBA members with copies of three State documents; Michigan Zoning Enabling Act, Michigan Planning Enabling Act, and the Michigan Open Meetings Act Handbook. Said summarized a few of the applicable requirements that affect the ZBA's review process. Said went over particular procedural aspects of the Open Meetings Act and Zoning Ordinance that are State Law Requirements, emphasizing to ZBA members important facts to remember.

Said noted that by discussing and reviewing the laws and procedures, he hopes the ZBA members have enough resources to assist them in their role as decision-makers about zoning variances and administrative appeals.

Ellixson-Andrews thanked Said for continuing to assist the ZBA with procedures and keeping things open and fair. He said this is very helpful knowledge to pass on.

Courtade said he appreciates the review of the ZBA standards/criteria, it helps to apply them to each application for review. (*Section 78-107 - #1 narrowness/shape of property, #2 practical difficulty or unnecessary hardship, #3 not so general or recurrent in nature*).

VII. CORRESPONDENCE

Courtade and Nuttall informed that due to vacation schedules, they will not be able to attend the ZBA meeting on July 1, 2025.

VIII. PUBLIC COMMENT - none

IX. ADJOURNMENT

Moved by Nuttall, supported by Courtade, to adjourn the meeting at 4:57 p.m. Motion carried.

Respectfully submitted,

Jo DeMarco, Ada Township Clerk

rs:eb



TO: Ada Township Zoning Board of Appeals
FROM: Department of Planning
RE: Agenda Item for the June 3, 2025 Meeting

Request for side yard variances and for expansion of a nonconforming use, consisting of an addition to an existing commercial structure (contractor's business) in the RP-1 Rural Preservation 1 zoning district, 6365 Knapp St. NE, Parcel No. 41-15-08-277-014, Tim Klaes/Paragon Construction

Overview

The applicant proposes construction of a 3,200 square feet addition to the existing commercial structure (contractor's business) on the subject parcel, which contains approximately 1.0 acre and is zoned RP-1 Rural Preservation 1. The proposed building addition would be located about 20 feet from the existing driveway easement on the west side, and about 10 feet from the existing lot line on the west side; the existing commercial building also has a setback of 10 feet to the east property line; the required side yard setbacks are 60 feet for non-residential uses. The proposed addition also represents an expansion of a nonconforming use. It has been determined that the addition meets front and rear yard setback requirements (therefore no rear yard setback variance is required as had been noted).

Analysis

The proposed 3,200 sq. ft. addition represents a significant addition to this nonconforming use, which is a contractor's business abutting single-family residential uses to the northeast, north, and west. The addition would more than double the size of the building, as the existing building contains about 2,600 feet. As well, the rear of the addition has a roofed overhang area, which appears to be an area intended for outside storage facing the single-family residential home to the north.

While this site received previous approvals allowing for nonconforming uses, these requests were granted based on existing conditions of the property. However, the current request represents an expansion of a nonconforming use, which is not consistent with Township policy as reflected in the Master Plan, nor with Zoning Ordinance requirements. Further, the construction business, unlike previous uses, presents more conflicts with the surrounding residential area due to: increased truck and equipment traffic, noise, storage, etc. While a previous condition of approval (from 2016) for the current use specified no outside equipment storage on the subject property, Staff has observed that trailers have been stored at the site.

The Standards for Variances per Section 78-107 of the Zoning Ordinance are as follows:

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

In Staff's view, this request does not meet the applicable Standards for Variances. The applicant proposes to double the size of the business on this small parcel, which would detract from the enjoyment of surrounding properties. As well, it is not the Township's responsibility to allow for expansion of this nonconforming use on this undersized parcel, to the detriment of the residential character of the area, as the request is a self-created issue. In conclusion, Staff does not support this application, and recommends its denial based on the findings of fact that this request is not consistent with the applicable Standards for Variances.

Should the Zoning Board of Appeals opt to approve this request despite Staff's recommendation, then the following conditions of approval are recommended:

1. No outside storage of materials, commercial vehicles, trailers, or any equipment shall be allowed anywhere on the subject property.
2. Prior to the issuance of any permit, the applicant shall submit a landscape plan to, and obtain approval from, Township Staff. The plan shall include a mix of evergreen and deciduous trees to minimize views from surrounding properties. The applicant shall be responsible for maintaining the plantings in perpetuity.
3. Any exterior lighting to be installed shall be downward facing horizontal cutoff fixtures.



RECEIVED
APR - 3 2025
PLANNING & ZONING
ADA TOWNSHIP

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

1. Applicant Information:

Name: Timothy S. Klaes

Address: 6365 Knapp St, NE Ada, MI 49301

Phone Number: 616-291-7518 Email: tim@paragonconstruction.com

2. OWNER (if different than above):

Name: Paragon C&I Property LLC

Address: 6365 Knapp St, NE Ada, MI 49301

Phone Number: 616-291-7518 Email: tim@paragonconstruction.com

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:

Paragon C&I Property LLC is requesting to construct an addition to the existing building which comprises a 100' wide x 40' deep building addition to act as "warehouse" space for storage of commercial flooring materials such as carpet tiles, vinyl composite tile, porcelain tile, luxury vinyl plank flooring and some flooring equipment. ~~The addition will be complimentary to the rest of the building in terms of construction form and finish and will incorporate (3) overhead doors similar to the one that~~ is present on the existing building. In order to construct the addition, we will need to replace/relocate the existing septic tanks and drain field and have noted this on the site plan we have submitted. We would also need to work with the electric utility to relocate (1) power pole / overhead power line.

4. PERMANENT PARCEL NUMBER: 41-15-08-277-014

5. PROPERTY ADDRESS: 6365 Knapp St, NE Ada, MI 49301 **6. ZONING DISTRICT:** RP-1

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: Timothy S. Kles DATE: 4/2/2025

OWNER'S SIGNATURE: _____ DATE: _____
(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

Note: Electronic file/pdf is required on all applications (submit via email).

TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT

Application received: 4-3-2025 by: eh Paragon Construction
 (date)
 Application fee of \$ 300.00 received: 5/2/25 by: ~~1998~~ Check No: 1998
 (date)
 Receipt No: 385275

Updated 12/21/2023 (f:\users\planzone\app&forms\app templates)

TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT

Application received: 5-2-25 by: eh Timothy Klaes
 (date)
 Application fee of \$ 200.00 received: 5/2/25 by: ~~3067~~ Check No: 3067
 (date)
 Receipt No: 385276

Updated 12/21/2023 (f:\users\planzone\app&forms\app templates)

INTRODUCTION

The Applicant, Paragon C & I Property LLC, owns real property located in the Egypt Valley Avenue/Knapp Street corridor, commonly identified as 6365 Knapp Street ("Property"). Paragon C & I Property LLC leases the property to its affiliated entity, Paragon Construction and Interior LLC (for ease of reference, the applicant will be referred to simply as "Paragon").

Since 2016, Paragon has operated its business, which specializes in large scale construction projects such as hotels, military housing and lodging, demolition and historic renovations across the United States, from the Knapp Street location.

The Knapp Street location consists of a single building, oriented towards the southeast side of the lot, with parking to the west, and a large open area behind the building to the northernmost property line.

While Paragon is a construction company, the Property looks nothing like a construction site. It's historical use, and future intended use, is primarily for office space, meeting rooms, showroom space and interior storage of materials. The exterior of the Property is well manicured, with a single freestanding sign by the road indicating that the Property is the site of a business. The sign is the only way any casual observer could determine that the Property is home to a construction company, rather than a bank or a dentist's office.

As the company has grown, so too have its needs for space. Paragon presently leases off site storage space from an unaffiliated third party. Paragon desires to bring that storage capability onsite, by constructing an addition on to the existing building, with rough dimensions of 40'x100', as illustrated on the attached drawings and site plan. To be clear, Paragon never has stored, nor does it intend to store, construction equipment such as bulldozers, dump trucks, back hoes, etc. at the Property. The Property itself will remain a commercial office and show room. The additional space will be utilized primarily for interior storage of commercial flooring and similar materials, completely enclosed within the 4 corners of the building.

In order to accomplish this, Paragon is in need of both a use variance and a traditional dimensional variance, as set forth herein.

RELEVANT BACKGROUND

The Property is located within the area formerly zoned agricultural, and reclassified as Rural Preservation 1 in 2010. Prior to Paragon's purchase of the Property, it was used as a commercial personal training studio. The prior use was considered legal non-conforming.

In connection with its purchase of the Property, Paragon applied to the ZBA for Approval to change the non-conforming use to a commercial general contracting office. That request came before the ZBA in April 2016. It was approved unanimously, with two contingencies. First, no onsite storage of large scale construction equipment (like bulldozers and backhoes) and second, that the sign by the road be limited in size to 24 square feet, as was previously permitted.

Since 2016, Paragon has comfortably operated within these confines. It has received no complaints, has never been in violation of its permitted activities, and has maintained the premises in an attractive and modern condition.

Because there was a mechanism to transfer approval of a non-conforming use to another use at the same property, Paragon did not need to apply for a variance at the time it purchased the Property. In other words, it was easier for all involved for Paragon to continue as a legal non-conforming use, as opposed to seeking legal/conforming/permitted status.

The Ada Township Zoning Ordinances, however, place strict limitations on the expansion of a legal non-conforming use. As they are written, Paragon would be strictly prohibited from expanding its building footprint at all. As a result, Paragon is now requesting that the ZBA consider this application for an express variance that would result in the traditional use becoming a permitted/conforming use. Should this request be granted, it would enable Paragon to continue to pursue a dimensional variance for the addition of the storage space as identified in the corresponding documents.

Considerations for Use Variance

State statute permits the ZBA to consider a request for a use variance. The criteria overlap somewhat with the criteria for a dimensional variance, and are as follows:

- **Whether unique physical circumstances exist which cause a practical difficulty in complying with the Zoning Ordinance standards;**

The RP1 District contemplates large lots with a lot of space. The minimum lot width and acreage required for any particular lot is 5 acres and 270 feet. The Property in question is less than 1 acre in total area, 230 feet deep, and 165 feet wide. The setback requirements, on the other hand, are 60 feet on the sides, and 50 feet front and rear.

Because of the physical location and size of the site, the property cannot be reasonably used for the uses permitted in the RP-1 district. For example, if Paragon were to decide to sell to someone looking to build a single family home on the Property, the Property itself would be incapable of satisfying the minimum requirements for this basic use.

- **Whether granting the variance would alter the essential character of the area;**

The Property's use as a commercial property predates the amendments to the township's zoning map. Indeed, as far as Paragon is aware, the Property has only ever been used as a commercial property. As the Board is well-aware, this area of the township is quite unique in that there are essentially only non-conforming or permitted uses in the immediate area. For example, the property directly to the east is a convenience/liquor store. The property on the southeast corner of the intersection of Knapp and Egypt Valley is a professional mortgage office. Prior to that, it was a professional design studio. The property on the southwest corner of the intersection is a giant cellular tower.

- **Whether the circumstances leading to the variance are self-created;**

Paragon did its due diligence when it purchased the Property in question. It made sure the anticipated use could be continued as a non-conforming use. This is an interesting situation, in that Paragon does not need a variance to continue its current use. But it does need a variance, so that it can expand the footprint of its current use, as expansion is not permitted by the township's ordinance with respect to legal non-conforming uses.

- **Whether amending the zoning ordinance is a more appropriate remedy.**

Paragon understands that there has been discussion at the township level specifically about this corridor and the potential to create a "commercial node" within the same. It is Paragon's understanding that this particular movement did not gain traction at the time of its consideration.

Consideration for Dimensional Variance

- **Where it is found by reason of the exceptional narrowness, shallowness or shape of a specific parcel of property, the literal enforcement of this Ordinance would involve practical difficulties or would cause undue hardship.**

Of particular concern, because the lot is deeper than it is wide, are the side setbacks. Complying with these side setbacks of 60 feet on each side would only allow for a building no more than 45 feet wide, to be placed directly in the middle of the lot.

In spite of the site limitations and large setback requirements, the proposed building would meet the required setbacks on the north, west and south sides. The only problematic area would be the east side of the building. As the board can see based on the attached survey and site drawings, the eastern edge of the new building is intended to run flush with the eastern edge of the current building. The problem is that the eastern edge of the current building is only 10 feet from the side property line. The fact remains,

however, that running the new building flush with the old is far and away the most aesthetically pleasing method of adding on to the current building.

- **Where it is found that there is practice 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.**

Paragon's proposed building addition will not encroach further towards the public right of way on Knapp, and will be only marginally more visible from the road itself, specifically when viewed from the west. The setback to the east property line will be maintained consistent with the location of the current building. Paragon intends to merge the buildings together using exactly the same color and type of materials, such that the proposed structure will appear as one uniform building from the exterior.

This particular addition, once complete, will not increase traffic at all. It will not materially alter the day to day use of the property at all. It will not operate to limit or reduce sight lines or otherwise create a hazard to people either on Paragon's property or travelling by it. In other words, there will be no meaningful impact on the immediate neighbors, or on the public safety at large.

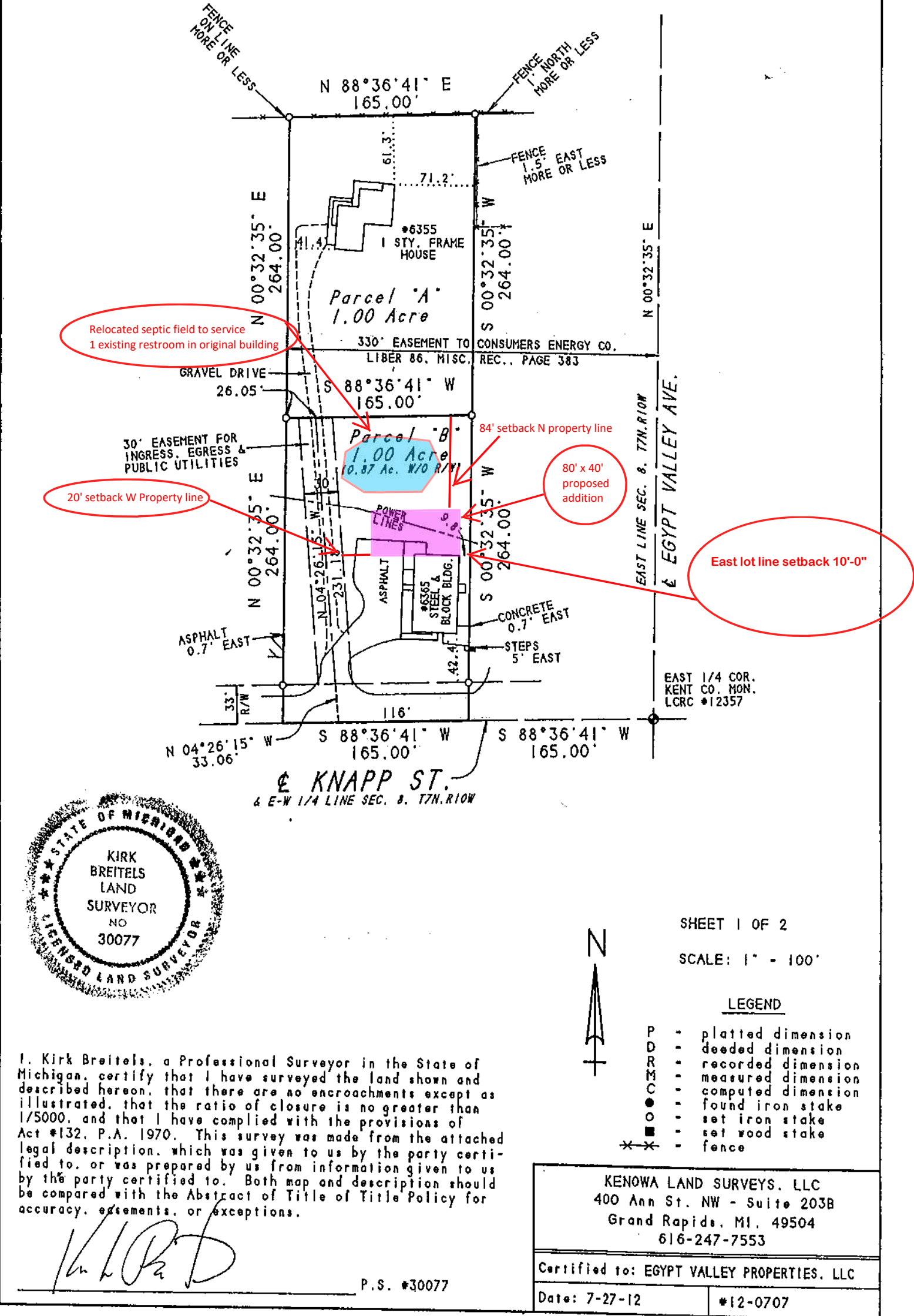
- **Whether amending the zoning ordinance is a more appropriate remedy.**

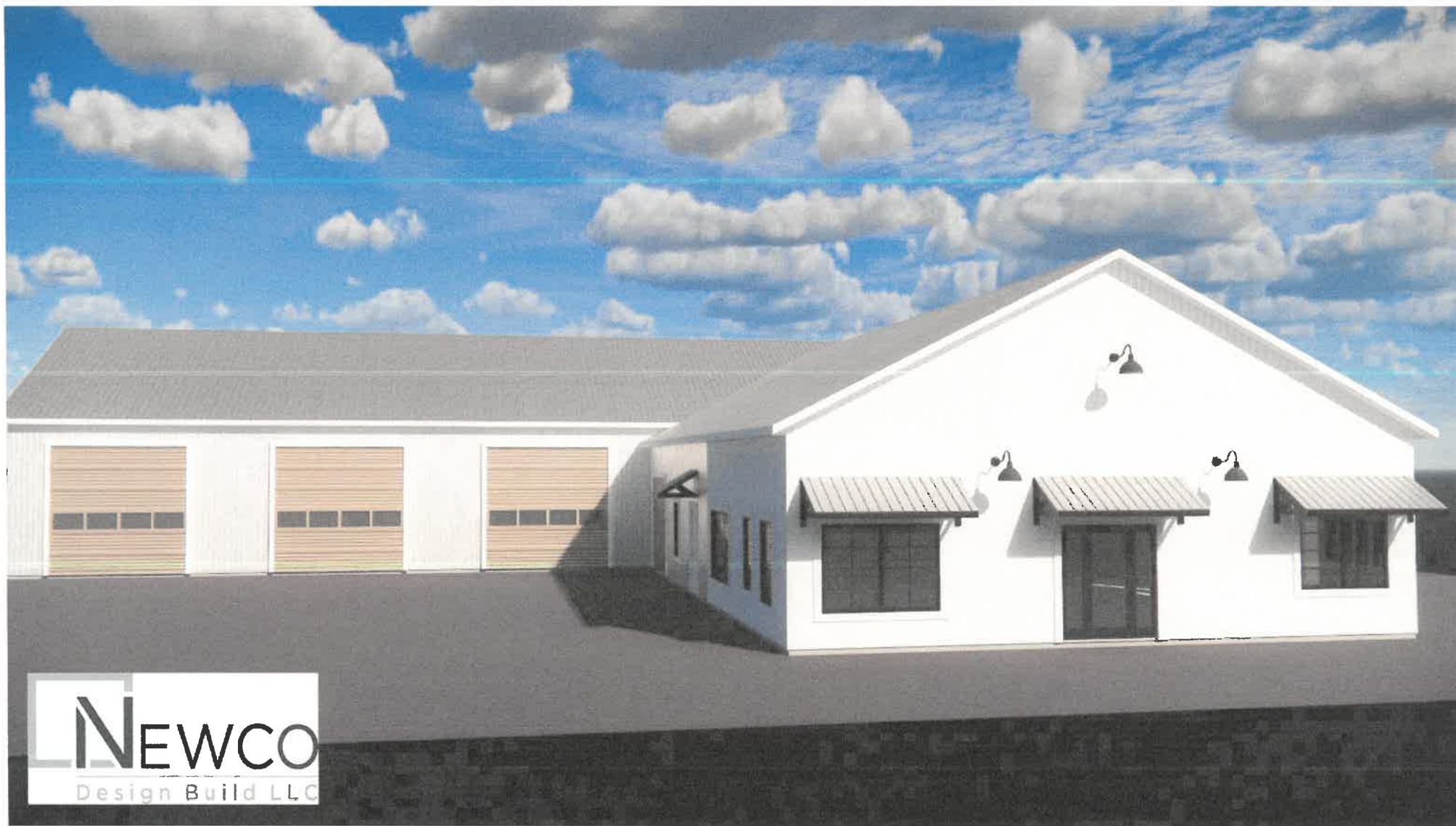
See above.

Conclusion

Paragon has been a respectful and respected member of the Ada Township community for almost a decade. It wishes to continue its relationship with the township for many more years to come. It is hopeful that the limitations and unique characteristics of its Property, the recent success of its business and the need to expand will be met with due consideration from the board, such that this relationship can continue for many more years.

Paragon C&I Properties, LLC
ZBA For Proposed "Warehouse" Addition
at 6365 Knapp St, NE





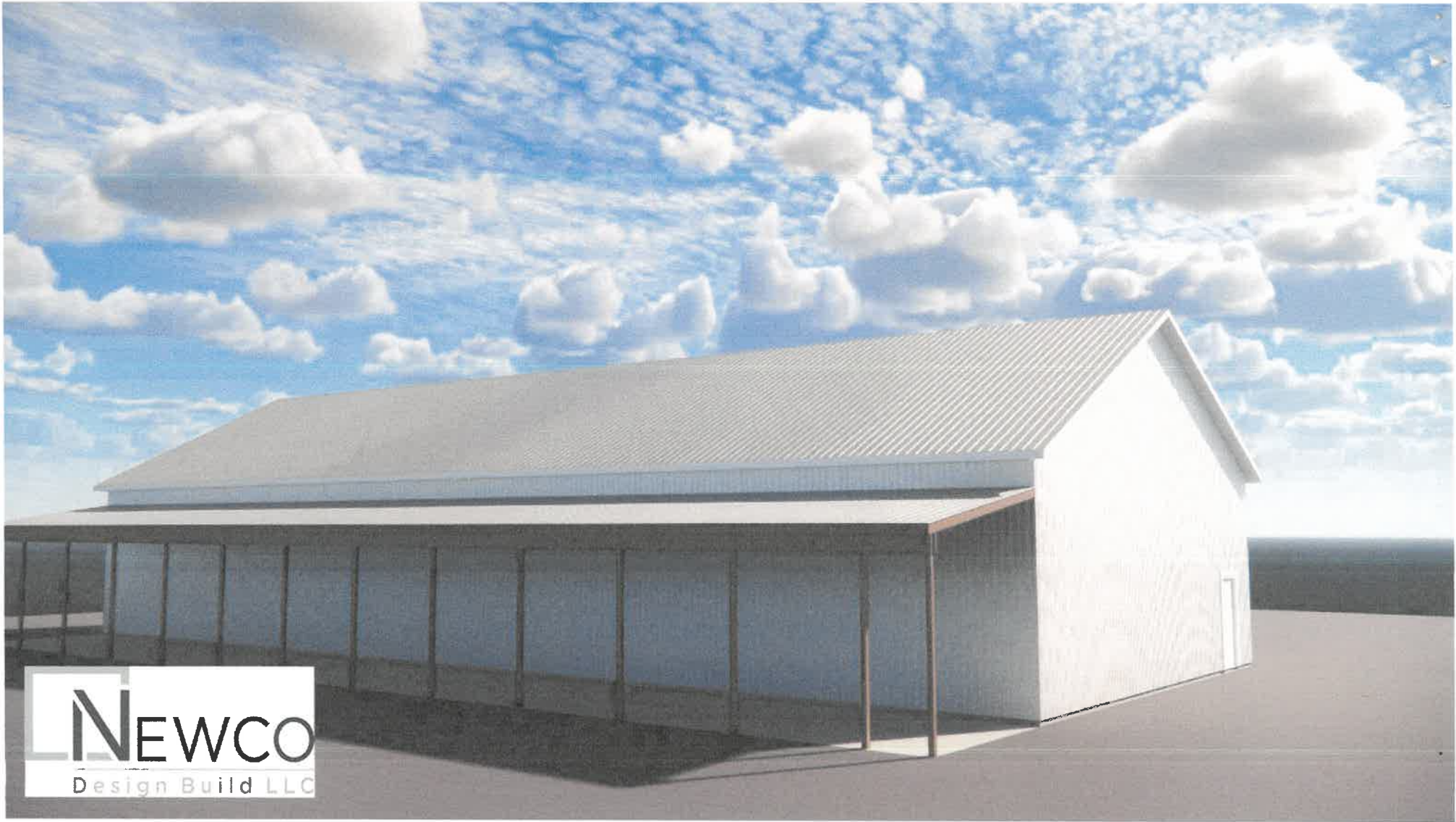
NEWCO
Design Build LLC



NEWCO
Design Build LLC



NEWCO
Design Build LLC



NEWCO
Design Build LLC

Date: 05-29-25



TO: Ada Township Zoning Board of Appeals
FROM: Department of Planning
RE: Agenda Item for June 3, 2025 Meeting

Request for front and side yard setback variances, 7490 Thornapple River Drive SE, Parcel No. 41-15-34-176-002, Progressive Companies/Mike Oezer for Ada Township

Overview

The applicant proposes to expand the existing public restroom building at Leonard Field Park, as part of the redevelopment of the park (including its redesignation to be called Covered Bridge Park). The expansion will include addition of a canopy structure attached to the restroom building, and extending beyond it to the northwest (for a covered picnic shelter area). The restroom building also includes a storage area for park maintenance. The subject park parcel contains about 2.5 acres and is zoned V-R Village Residential. The expanded restroom/storage structure will be located approximately 13.3 feet from the front lot line (adjacent to Thornapple River Drive) rather than the required 15 feet. The attached canopy will be located about 11 feet from the side lot line (adjacent to the Grand Rapids Eastern Railroad Tracks) rather than the required 20 feet. All other applicable zoning requirements will be met.

Analysis

The applicant is proposing lesser setbacks due to the existing placement of the existing restroom/storage structure, as well as due to the overall layout of the planned new park. Absent obtaining these variances, the structure would need to be rebuilt in a different location. The front yard setback along Thornapple River Drive is located across the street from an office building (Calder Financial) and its parking lot; both the building and the parking lot have an approximate setback of 0'. As well, the reduced side yard setback will be adjacent to the railroad property, which consists of a heavily vegetated area including significant grade rise and existing elevated railroad tracks.

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

In Staff's view, this request meets the applicable Standards in Sec. 78-107. The front yard setback reduction is minimal (1.7 feet) and is across from an office property with minimal setbacks, while the side yard setback will have no impact on the adjacent property to the south, given the vegetation, higher elevation, and railroad tracks.

In conclusion, Staff has no objections to the approval of this request based on the findings of act that the request is consistent with the applicable Standards for Variances.



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

1. Applicant Information:

Name: Progressive Companies, Attn: Mike Oezer

Address: 1811 4 Mile Road NE, Grand Rapids, Michigan 49525

Phone Number: 616.291.6567 Email: moezer@weareprogressive.com

2. OWNER (if different than above):

Name: Ada Township

Address: 7330 Thornapple River Drive SE, P.O. Box 370, Ada, Michigan 49301

Phone Number: 616.676.9191 Email: info@adamichigan.org

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:

Requesting variance on side yard setback from the required 20-foot for non-residential
buildings to 11 feet for the restroom expansion and associated canopy.

_____.

4. PERMANENT PARCEL NUMBER: **41 - 15 - 34 - 176 - 002**

5. PROPERTY ADDRESS: 7490 Thornapple River Drive **6. ZONING DISTRICT:** VR

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: Michael J Oezer Digitally signed by Michael J Oezer
DN: c=US,
e=oezerm@progressiveaz.com,
o=Progressive AZ, cn=Michael J Oezer
Date: 2025.04.10 17:56:05 -0400 DATE: April 10, 2025

OWNER'S SIGNATURE: _____ DATE: _____
(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**

Note: Electronic file/pdf is required on all applications (submit via email).

TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT

Application received: _____ by: _____
(date)

Application fee of \$_____ received: _____ by: _____ Check No: _____
(date)

Receipt No: _____

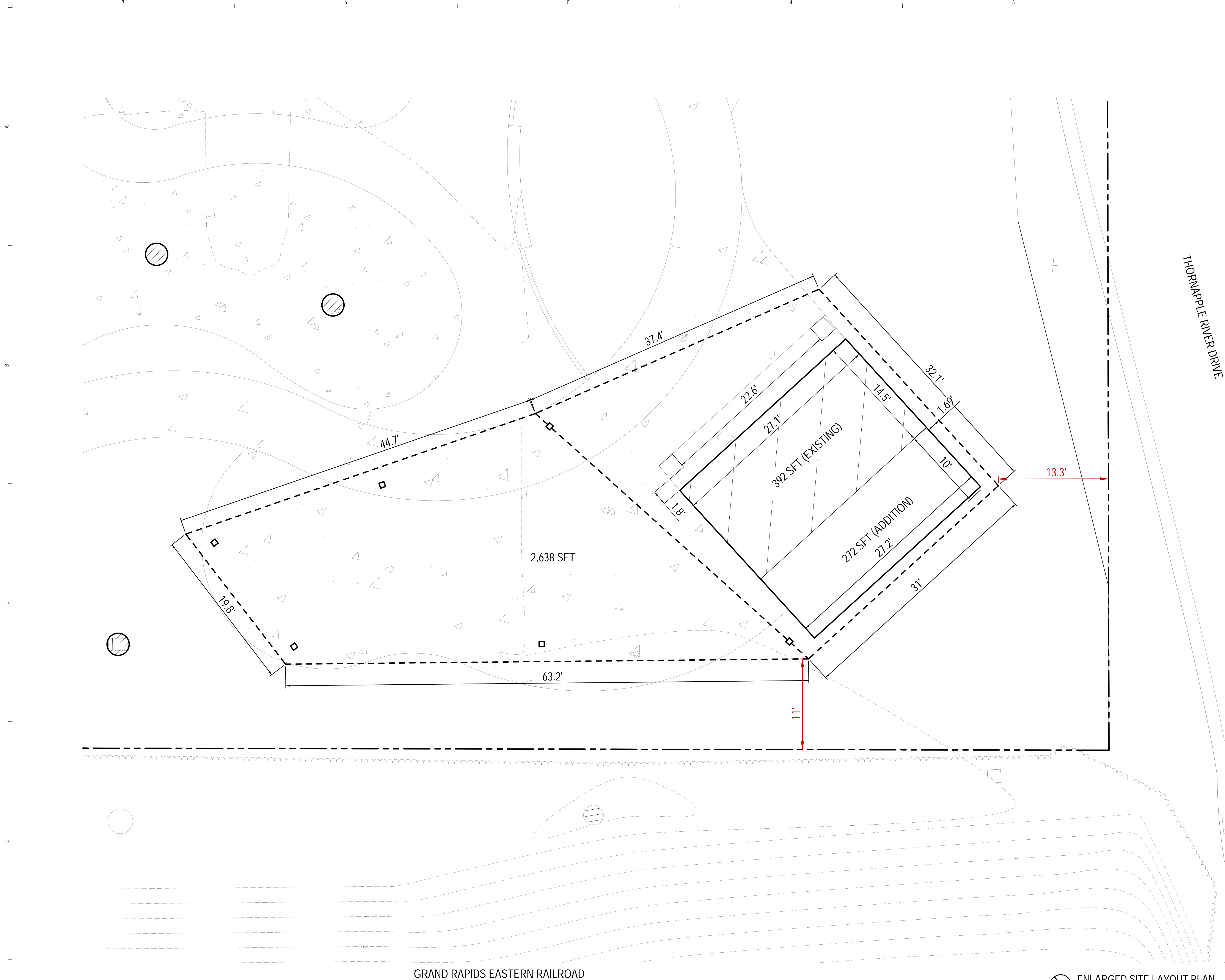
Updated 12/21/2023 { f:\users\planzone\app&forms\app templates}

April 10, 2025

VARIANCE NARRATIVE
Ada Township Covered Bridge Park

Ada Township is seeking a variance for this property to allow for expansion of the existing public restroom building, which will create an additional stall in each side (men's and women's) to accommodate the features of the site. The bathroom can only feasibly be expanded to the southeast due to the configuration. The alternative is to demolish the existing restroom and fully reconstruct a new restroom building. We have determined that this is not feasible with the project budget and is not good stewardship of the existing asset. The Township is also proposing to construct a canopy adjacent to (and over) the restroom to allow for an area to sit protected from the elements.

The adjacent property is owned by the Grand Rapids Eastern Railroad and includes a significant grade rise up to the tracks. Reducing the setback along the railroad property will not negatively affect the neighboring property or any other residential properties. We understand the purpose of setbacks in this district to be adequate separation between neighbors and particularly residential uses. With no adjacent residential use, we believe the smaller setback will not have any negative effects.



ENLARGED SITE LAYOUT PLAN
1"=5'



CALL 811 NOTE:
CONTRACTOR TO CONTACT 811 SERVICE AT LEAST 3 WORKING DAYS PRIOR TO CONSTRUCTION, TO CONFIRM LOCATION OF EXISTING UTILITIES. DIAL 811.

GENERAL NOTES

1. VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
2. PROTECT AND MAINTAIN CROSSINGS OF OTHER UTILITIES.
3. REFER TO DRAWING ____ FOR BENCHMARK INFORMATION.
4. ALL MATERIAL, SPECIFICATIONS AND CONSTRUCTION METHODS SHALL BE IN CONFORMANCE WITH ALL APPLICABLE MUNICIPAL AGENCIES.
5. RESTORE ALL STREET SURFACES, DRIVEWAYS, CULVERTS, ROADSIDE DRAINAGE DITCHES, AND OTHER PUBLIC OR PRIVATE STRUCTURES THAT ARE DISTURBED OR DAMAGED AS A RESULT OF CONSTRUCTION ACTIVITIES TO MATCH AT A MINIMUM EXISTING CONDITIONS.
6. CONTRACTOR'S MANNER AND METHOD OF INGRESS AND EGRESS WITH RESPECT TO THE PROJECT AREAS SHALL IN NO WAY PROHIBIT OR DISTURB NORMAL PEDESTRIAN OR VEHICULAR TRAFFIC IN THE VICINITY AND IS SUBJECT TO REGULATION AND WRITTEN APPROVAL OF APPROPRIATE GOVERNING AGENCIES.
7. EXISTING TREES TO REMAIN - CONTRACTOR TO PROTECT ROOT SYSTEMS BY MAINTAINING TREE PROTECTION FENCE AT TREE DRIPLINE TO ELIMINATE MATERIAL STORAGE, PARKING OR CONSTRUCTION TRAFFIC WITHIN THE TREE DRIPLINE.
8. WORK WITHIN FLOODPLAIN/WETLANDS TO BE COMPLETED ACCORDING TO MDEQ PERMIT NUMBER _____ ISSUED _____.

GENERAL SITE LAYOUT NOTES

1. ALL WORKMANSHIP AND MATERIALS SHALL BE ACCORDING TO THE CURRENT MICHIGAN DEPARTMENT OF TRANSPORTATION (M.D.O.T.) STANDARD SPECIFICATIONS FOR CONSTRUCTION.
2. CONTACT "MISS DIG" TOLL FREE AT 1-800-482-7171 THREE (3) DAYS PRIOR TO THE START OF CONSTRUCTION, EXCLUDING SATURDAYS, SUNDAYS, AND HOLIDAYS.
3. NO DIMENSION MAY BE SCALED. REFER UNCLEAR ITEMS TO THE ENGINEER FOR INTERPRETATION.
4. DIMENSIONS SHOWN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED AS B-B (BACK TO BACK) OR E-E (EDGE OF METAL TO EDGE OF METAL).
5. CONTRACTOR TO PAINT STRIPE ALL PARKING SPACES SHOWN. PAINT COLOR TO BE YELLOW.
6. UPON REQUEST, ELECTRONIC INFORMATION WILL BE PROVIDED FOR SITE LAYOUT PURPOSES. CONTRACTOR SHALL REQUEST ALL INFORMATION IN WRITING THROUGH PROGRESSIVE AE. LAYOUT OF ALL NEW CONSTRUCTION SHALL BE DONE BY A LICENSED SURVEYOR.
7. ALL CONCRETE JOINTS SHALL BE TOOLED PER SPECIFICATIONS.
8. CONTRACTOR MUST RESTORE AND REPAIR ANY EXISTING CONDITIONS DISTURBED BY CONSTRUCTION. THIS IS TO INCLUDE BURIED UTILITIES, LIGHTING, LANDSCAPING, SPRINKLING, ETC.
9. ANY AREA DISTURBED BY CONSTRUCTION TO BE RESTORED TO CONDITION EQUAL TO OR BETTER THAN BEFORE CONSTRUCTION BEGAN.
10. ALL PAVEMENT, CURB & GUTTER, SIDEWALK AND UTILITIES WITHIN PUBLIC RIGHT OF WAY SHALL MEET CITY OF _____ STANDARDS.
11. CONTRACTOR TO PROTECT EXISTING IRRIGATION SYSTEM AS MUCH AS POSSIBLE. REPAIR DAMAGE TO EXISTING IRRIGATION SYSTEM AND RECONFIGURE SPRINKLER LAYOUT TO ACCOMMODATE THE NEW IMPROVEMENTS.

PAVEMENT LEGEND

	STANDARD CURB AND GUTTER
	PITCH OUT CURB AND GUTTER
	INTEGRAL CONCRETE WALK / CURB
	<div>1 1/2" (165 LB/SYD) MDOT 36A BIT. WEARING COURSE</div> <div>MDOT TACK COAT @ 0.15 GAL/SY</div> <div>1 1/2" (165 LB/SYD) MDOT 13A BIT. LEVELING COURSE</div> <div>6" AGGREGATE BASE, MDOT 21AA MOD</div> <div>12" SUBBASE, CL II SAND OR APPROVED NATIVE MATERIAL</div>
	<div>4" CONCRETE</div> <div>4" AGGREGATE BASE, MDOT 21AA</div> <div>APPROVED COMPACTED SUBBASE</div>
	<div>CONCRETE UNIT PAVERS</div> <div>3/4" SAND SETTING BED</div> <div>1" DIA WEEPHOLES THRU CONC. SLAB, 4'-0" O.C.</div> <div>4" CONCRETE</div> <div>6" MDOT CLASS II SAND</div> <div>COMPACTED SUBGRADE</div>
	<div>PAVEDRAIN PERMEABLE PAVERS</div> <div>8" AGGREGATE BASE, MDOT 6AA</div> <div>24" AGGREGATE BASE, 4A</div> <div>APPROVED COMPACTED SUBBASE</div>
	<div>4" POST TENSIONED CONCRETE</div> <div>2" MDOT CLASS II GRANULAR BASE</div> <div>6" AGGREGATE BASE, MDOT 21 AA</div> <div>18" MDOT CLASS II GRANULAR BASE</div>
	<div>6 CONCRETE PAVEMENT</div> <div>8" AGGREGATE BASE, MDOT 6AA</div> <div>APPROVED COMPACTED SUBBASE</div>

(SEE LANDSCAPING SHEETS)

ADA TOWNSHIP

COVERED BRIDGE PARK
IMPROVEMENTS

NOT FOR
CONSTRUCTION

If this document is sealed and signed in a digital or electronic format and is received from someone other than the sealing professional identified in this document, you must contact the sealing professional in writing to verify the authenticity of this document. This sealing professional declares the seal and signature are valid and he/she has no liability associated with it where the authenticity of any digital or electronic seal or signature has not been validated on this system.

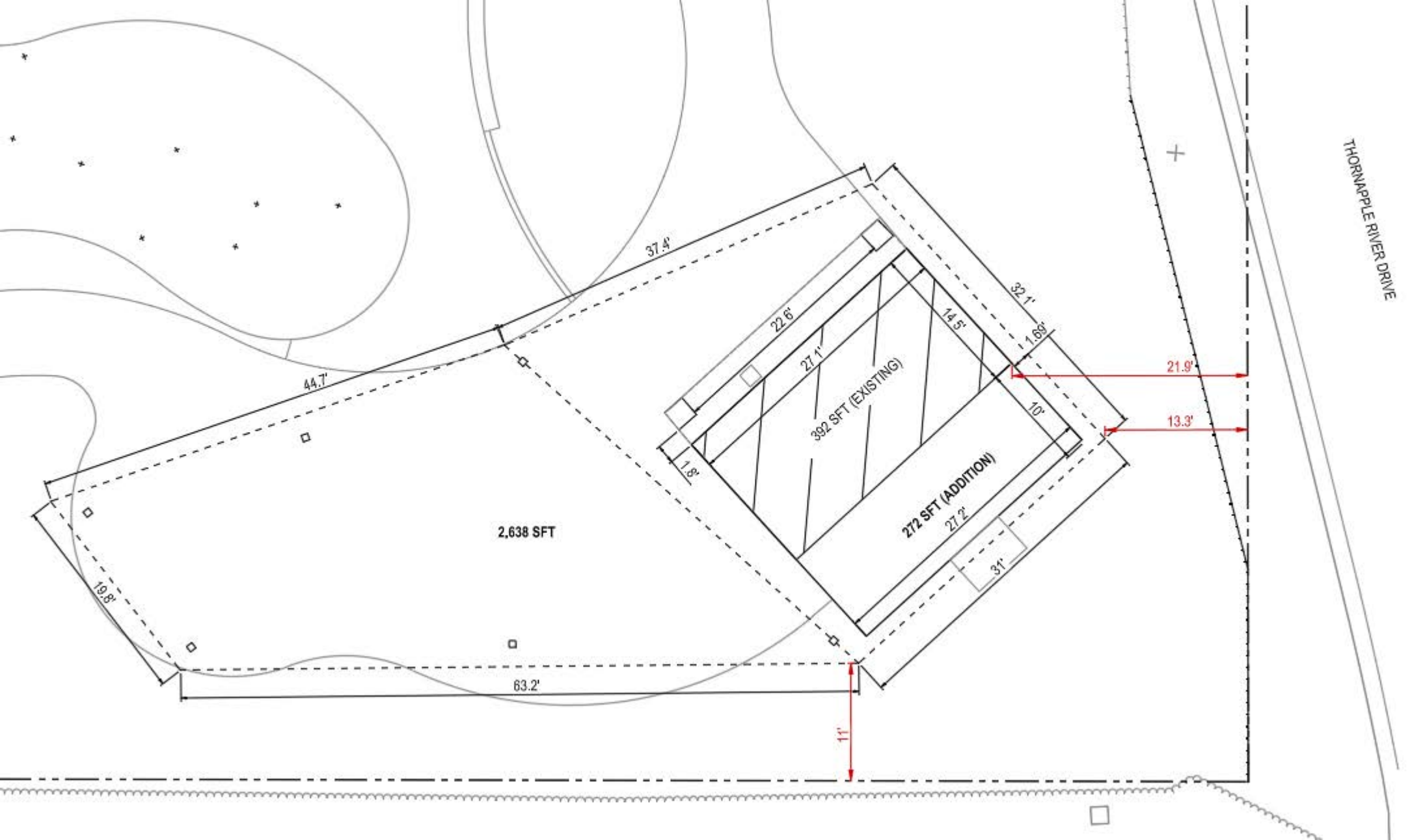
ISSUANCE

PROJECT NUMBER
72230018
PROJECT MANAGER

PROFESSIONAL
MJO
DRAWN BY
DJS
CHECKED BY

ENLARGED SITE
LAYOUT PLAN
C203

PROGRESSIVE
COMPANIES
Charlotte, NC | Detroit, MI | Grand Rapids, MI
weareprogressive.com







TO: Ada Township Zoning Board of Appeals
FROM: Department of Planning
RE: Agenda Item for the June 3, 2025 Meeting

Request for front yard variance for an addition to the existing single-family home and garage in the RR Rural Residential zoning district, 7161 Conservation St. NE, Parcel No. 41-15-21-276-012, property owners Kaitlyn and Matthew Baas

Overview

The applicants propose construction of a breezeway to connect their existing home and garage on the subject parcel, which contains approximately 2.1 acres and is zoned RR Rural Residential. The proposed breezeway would be located 28.8 feet from the front lot line rather than the required 50 feet; however, the existing garage is located about 5 feet from the front lot line, and the existing home is located about 35 feet from the front lot line at its closest point. (The Zoning Board of Appeals approved the garage in its current location in 1968.) The proposed breezeway would meet the other applicable zoning requirements.

Analysis

The proposed 376 sq. ft. breezeway (8' x 47') would have more of a setback than the existing garage, and slightly less than the existing home. Both the home and the garage are considered to be legal nonconforming structures, presumably constructed utilizing different zoning requirements. The applicants have noted that the breezeway is intended to connect the home and garage with a covered, enclosed space. The subject property also has a legal, nonconforming swimming pool in the front yard.

The Standards for Variances per Section 78-107 of the Zoning Ordinance are as follows:

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

In Staff's view, this request does not conflict with the applicable Standards for Variances. The existing home and garage location and layout are beyond control of the applicants, and the proposed location of the enclosed breezeway, is set back a greater distance than the existing garage. In addition, the significant presence of trees and vegetation along the front lot line of the subject property help provide sufficient screening to minimize the impact of the proposed breezeway connection.

In conclusion, Staff has no objections to the approval of this request based on the findings of fact that this request is consistent with the applicable Standards for Variances.



RECEIVED

APR 16 2025

PLANNING & ZONING
ADA TOWNSHIP

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

1. Applicant Information:

Name: Matthew and Kaitlyn Baas

Address: 7161 Conservation St NE Ada, MI 49301

Phone Number: 616 9155336 Email: mtbbaas@gmail.com

2. OWNER (if different than above):

Name: _____

Address: _____

Phone Number: _____ Email: _____

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:

We are requesting to connect our garage and house which would require building within the set off because the entirety of our garage and part of our house are already within the set off.

4. PERMANENT PARCEL NUMBER: 41-15-21-276-012

5. PROPERTY ADDRESS: 7161 Conservation St NE **6. ZONING DISTRICT:** RR

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: Matt B DATE: 4/16/2025

OWNER'S SIGNATURE: _____ DATE: _____
(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.
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- 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

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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:

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- 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: 4-16-2025 by: eb
(date)

Application fee of \$ 300.00 received: 4/30/25 by: eb Check No: 1069
(date)

Receipt No: 385155

Updated 08/14/2023 { f:\users\planzone\app&forms\app templates }

Narrative Statement – 7161 Conservation St NE

We are requesting a variance to allow us to connect our existing garage to our house. The garage, along with a portion of our home, is already located within the required front setback. Our proposed project would not bring any part of the structure closer to the road than what currently exists.

Our intent is to extend the front of the garage away from the road and enclose the space between the garage and the home to create a functional, weather-protected connection. This would improve both the safety and accessibility of our home, especially during Michigan winters. Additionally, this would help protect access to the pool in the backyard.

Based on where the house is situated on our parcel, there is not a simple, practicable location if the goal was to relocate the garage and meet the same objective. We have a hill and large trees on the opposite side of the driveway. Additionally, this would require the connection of the house to the garage to come from the master bedroom. The combination of these factors make this alternative unviable.

It has also come to our attention that the garage structure is not in optimal condition. An architect and builder have several concerns after reviewing the structure. The variance would allow us to make necessary improvements to the structure for long-term use.

We understand and respect the purpose of the zoning ordinance and setbacks. However, given that both the garage and part of the home are already legally non-conforming and we are not proposing any construction closer to the road, we believe this request is reasonable and consistent with the character of the neighborhood.

We appreciate your consideration and are happy to provide additional information, if helpful.

March 17, 2025

Matt & Kaitlyn Baas
7161 Conservation Street NE
Ada, MI 49301

To Whom It May Concern:

Team Residential Construction has been engaged to explore the feasibility of adding an office space above the existing detached garage located at 7161 Conservation NE in Ada. Team's background is in remodeling and historic preservation, and we do try to preserve structures whenever possible.

The detached garage has several issues that, when combined, lead us to recommend demolishing and rebuilding the structure as opposed to trying to salvage and remodel.

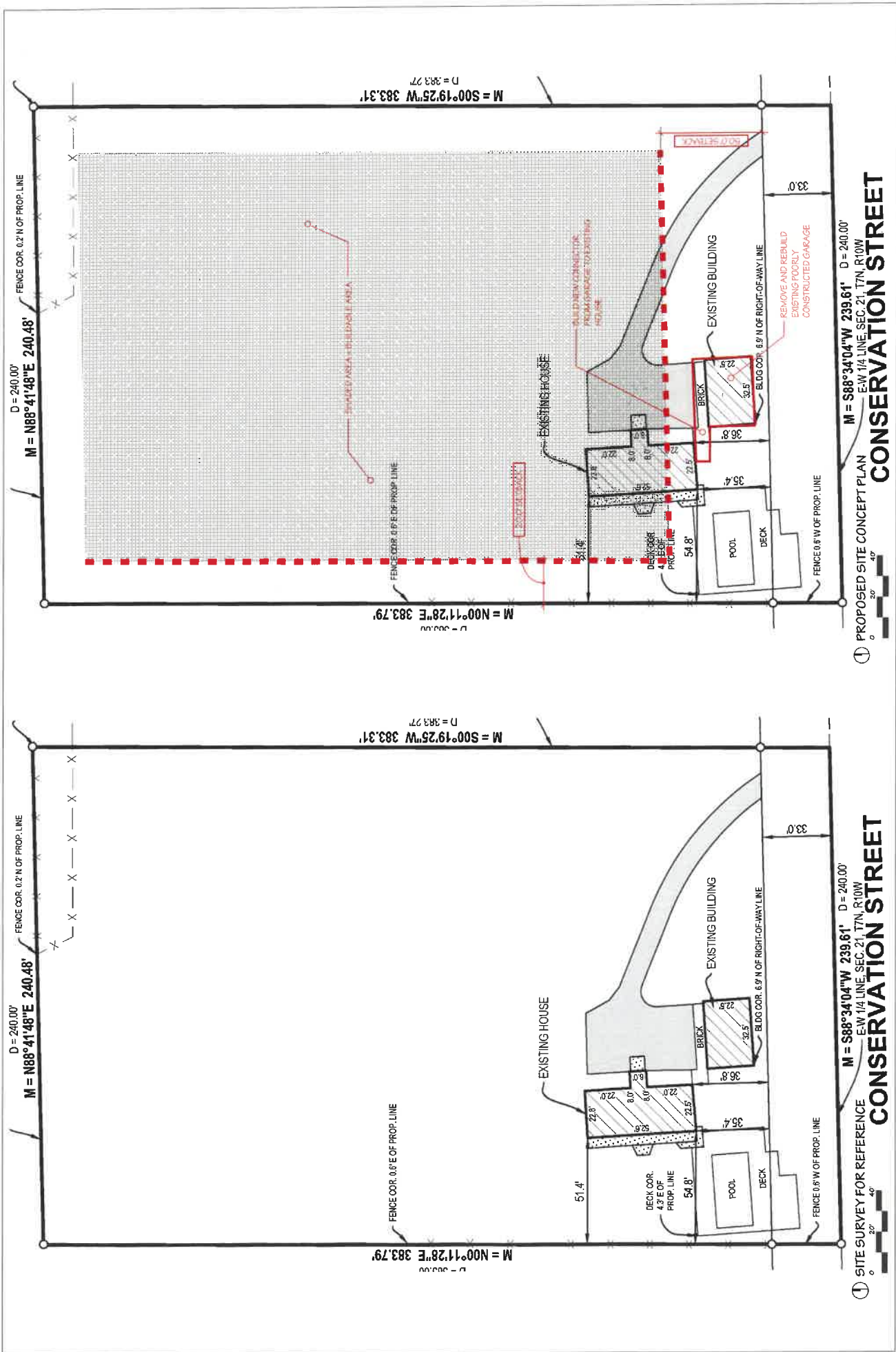
These concerns include:

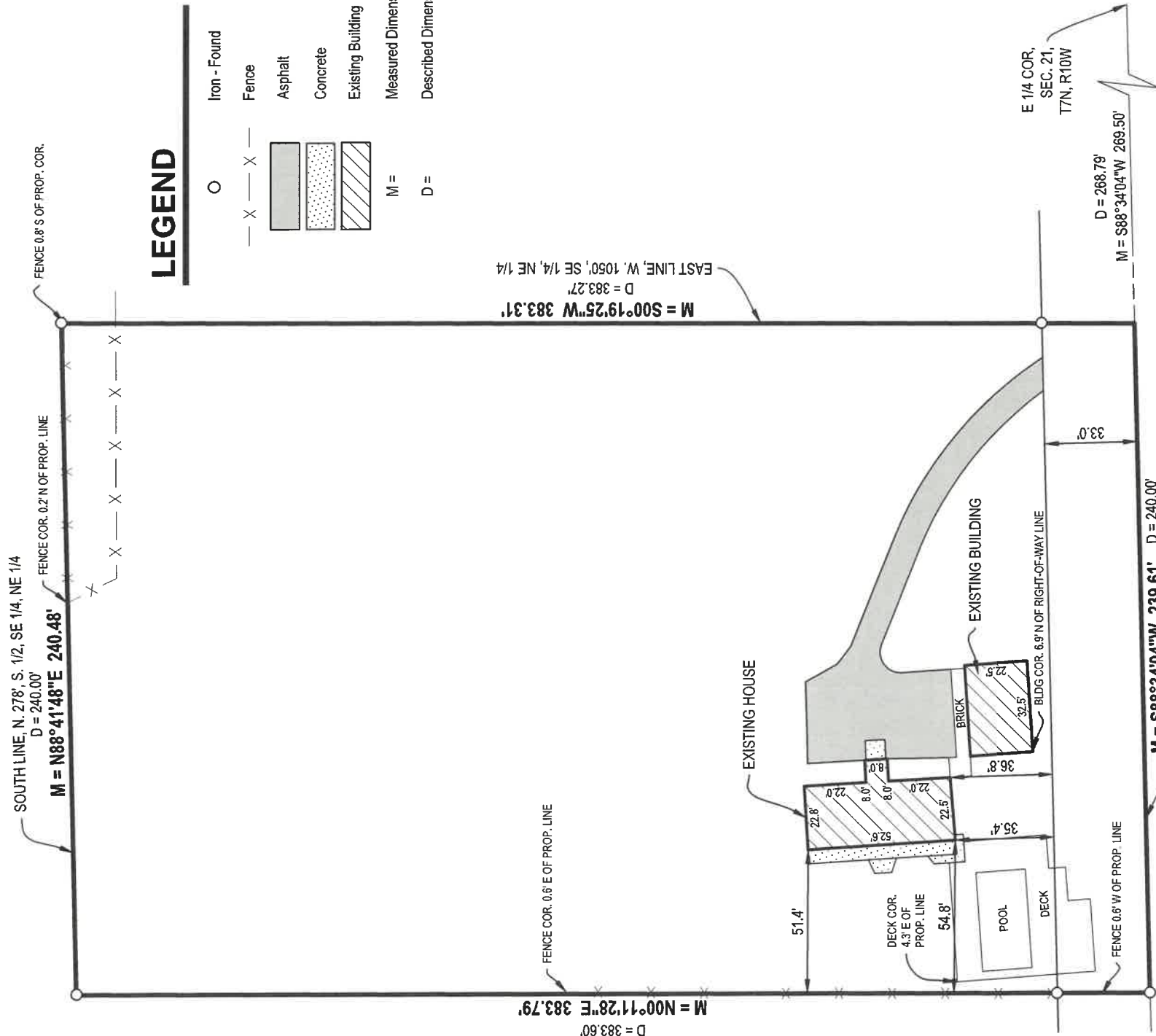
- No existing footings
- A bottom plate that is at-grade and rotten in several locations
- Undersized headers above each garage door without space to add anything taller
- Uneven and bouncy upper sub-floor
- Sagging 2x6 rafters

Rebuilding and expanding away from the road will not only make for a more sound structure long-term, it will also allow the owners, who are a growing family, a way to get from their garage to the house without walking in the elements.

Thank you and please let me know if there are any questions.

Mark Zimmer
Team Residential Construction
Fully Licensed and Insured





LEGEND

- Iron - Found
- Fence
- Asphalt
- Concrete
- Existing Building
- Measured Dimension
- Described Dimension

SCHEDULE B - SECTION II NOTES

No survey matters to depict.

DESCRIPTION

Land situated in the Township of Ada, County of Kent, State of Michigan, is described as follows:

Part of the Northeast 1/4 Section 21, Town 7 North, Range 10 West, Ada Township, Kent County, Michigan, described as: The East 240 feet of the West 1050 feet of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 21, except the North 278 feet thereof.

(Star Title Agency, LLC Commitment No. 23-130570, dated March 24, 2023)

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.



By: *Scott A. Hendges*
Scott A. Hendges Licensed Professional Surveyor No. 4001047953



SCALE: 1" = 50' 0' 25' 50'

Five Star Real Estate Nathan DeVries 6690 Crossings Drive SE, Suite B Grand Rapids, MI 49508-7379	
Matthew and Kaitlin Baas 7161 Conservation Street NE	
DRAWN BY: JR	DATE: 4.6.23
REV. BY:	REV. DATE:
PRJ #: 23400326	
1 OF 1	



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Grand Rapids
217 Grandville Ave., Suite 302
Grand Rapids, MI 49503
Ann Arbor, Chicago, Columbus,
Holland, Indianapolis



Figure 2 View from street from directly behind garage



Figure 1 View from road directly behind the garage



*Figure 3*View from road



*Figure 4*View from road closer to the driveway



*Figure 5*View from road at the driveway



*Figure 6*View from the driveway



*Figure 7*View of where connection would be



*Figure 8*View of where connection would be



*Figure 9*View of space opposite the garage





Date: 05-28-25



TO: Ada Township Zoning Board of Appeals
FROM: Department of Planning
RE: Agenda Item for June 3, 2025 Meeting

Request for rear yard setback Variance, 7390 Thornapple River Drive SE, Parcel No. 41-15-34-105-026, Sean and Rene Growney

Overview

The applicant proposes to construct a new home with attached garage (alley loaded) on the subject parcel, which contains approximately 0.2 acres and is zoned V-R Village Residential. The dwelling is proposed to be located 35 feet from the rear property line rather than the required 40 feet. The new home's placement would meet applicable setback requirements from all remaining property lines.

Analysis

The applicant is proposing a lesser rear yard setback to allow the home to align with neighboring homes that were recently constructed in immediate neighborhood with 35-foot rear yard setbacks (through variance approvals) for consistency purposes.

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

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 planned utilization and proximity to the existing adjacent alley. As such, if the Zoning Board of Appeals determines, based on findings of fact that the above standards have been satisfied, Staff has no objections to approval of the requested variance.



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

1. Applicant Information:

Name: Sean and Rene Growney

Address: 7390 Thornapple River Drive

Phone Number: 616-405-3467 Email: rene.growney@gmail.com

2. OWNER (if different than above):

Name: _____

Address: _____

Phone Number: _____ Email: _____

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:

Requesting a variance to reduce the 40-foot rear yard setback to 35 feet per Article XII, Sec.
78-294 for a new single-family home, as adjacent homes have 35-foot setbacks and a
shorter driveway improves aesthetics. Site plans, elevation, and renderings support the
request, with details in the narrative.

4. PERMANENT PARCEL NUMBER: 4 1 - 1 5 - 3 4 - 1 0 5 - 0 2 6

5. PROPERTY ADDRESS: 7390 Thornapple River Drive **6. ZONING DISTRICT:** 11

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: [Signature] DATE: 4/29/25

OWNER'S SIGNATURE: [Signature] DATE:
(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.**
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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

Note: Electronic file/pdf is required on all applications (submit via email).

TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT

Application received: <u>4-29-2025</u> by: <u>eb</u>	<u>Sean Growney</u>
(date)	
Application fee of \$ <u>300.00</u> received: <u>4/30/25</u> by: <u>[Signature]</u>	Check No: <u>7588</u>
(date)	
	Receipt No: <u>385154</u>

Updated 12/21/2023 (f:\users\planzone\app&forms\app templates)

I, Sean and Rene Growney, request a zoning variance for the property at 7390 Thornapple River Drive in Ada Township, seeking a 35-foot rear yard setback instead of the 40-foot requirement under Article XII, Sec. 78-294 for a new single-family home. This variance addresses practical difficulties and preserves the neighborhood's aesthetic character.

Project Description

The proposed home complements the neighborhood's design, using materials and scale consistent with nearby residences. A 35-foot rear yard setback is needed to optimize the site layout and align with adjacent properties. Attached are a site plan showing the home's position relative to neighbors and an exterior elevation illustrating massing beside the home to the north.

Practical Difficulty

Two factors necessitate this variance:

1. **Neighborhood Consistency:** Homes directly north and west have 35-foot rear yard setbacks, as shown in the site plan. Requiring a 40-foot setback for this lot would create an inconsistent setback line, unfairly burdening the property compared to adjacent lots.
2. **Aesthetic Improvement:** Access to the garage via the rear alley is required regardless of the setback. A 40-foot setback demands a longer concrete driveway, extending it by 5 feet, which is less visually appealing. A 35-foot setback allows a shorter driveway, enhancing the rear yard's appearance.

Alternatives and Impact

Alternatives to the 35-foot setback were infeasible, as they disrupt the project's alignment with neighborhood standards. The 35-foot setback matches adjacent homes, ensuring no impact on light, privacy, or property values. The elevation confirms compatible massing. Adjacent neighbors expressed no objections to the proposed setback.

Conclusion

I respectfully request a 35-foot rear yard setback variance, supported by the attached site plan and elevation. This variance ensures aesthetic consistency and fairness, preserving the neighborhood's character. I'm available to address board or community questions at the hearing.

Sincerely,
Sean and Rene Growney

Attachments: Overall Site Plan, Enlarged Site Plan, Exterior Elevation, Exterior Renderings

RECEIVED

May 15, 2025

MAY 15 2025

PLANNING & ZONING
ADA TOWNSHIP

Ada Township Zoning Board
7330 Thornapple River Drive
Ada MI 49301

To Whom It May Concern:

We are writing on behalf of our Sean and Rene Growney's request for a zoning variance for the property at 7390 Thornapple River Drive SE. They are seeking a 35-foot rear yard setback instead of the 40-foot requirement under Article XII, Sec. 78-294 for a new single-family home.

As alley neighbors, we express no objections to the proposed setback. This will not hinder our use & enjoyment of the alley or our property. No other houses on our alley currently have more than a 35-foot rear yard setback. We think it will be more aesthetically pleasing if they have the same setbacks as the adjacent properties.

We are looking forward to the addition of their proposed home as it complements the neighborhood's design.

Sincerely,



Michael & Heather Garbaty

7370 Thornapple River Drive SE

Ada Township Zoning Board
7330 Thornapple River Drive
Ada MI 49301

RECEIVED
MAY 19 2025
PLANNING & ZONING
ADA TOWNSHIP

To whom it may Concern:

I am writing on behalf of Sean and Rene Grownney's request for a zoning variance for the property at 7390 Thornapple River Drive in Ada Township. They are seeking a 35-foot rear yard setback instead of the 40-foot requirement under Article XII, Sec. 78-294 for a new single-family home.

The proposed home complements the neighborhood's design, using materials and scale consistent with nearby residences. A 35-foot rear yard setback is needed to optimize the site layout and align with adjacent properties.

Homes directly north and west have 35-foot rear yard setbacks, as shown in the site plan. Requiring a 40-foot setback for this lot would create an inconsistent setback line, unfairly burdening the property compared to adjacent lots.

The 35-foot setback matches adjacent homes, ensuring no impact on light, privacy, or property values.

As Adjacent neighbors, we express no objections to the proposed setback.

Sincerely,

Name____Kirsetin K. Morello_____

Property address____7380 Thornapple River Dr. SE_____

Signature_________

RECEIVED

MAY 19 2025

PLANNING & ZONING
ADA TOWNSHIP

Ada Township Zoning Board
7330 Thornapple River Drive
Ada MI 49301

To whom it may Concern:

I am writing on behalf of Sean and Rene Grownney's request for a zoning variance for the property at 7390 Thornapple River Drive in Ada Township. They are seeking a 35-foot rear yard setback instead of the 40-foot requirement under Article XII, Sec. 78-294 for a new single-family home.

The proposed home complements the neighborhood's design, using materials and scale consistent with nearby residences. A 35-foot rear yard setback is needed to optimize the site layout and align with adjacent properties.

Homes directly north and west have 35-foot rear yard setbacks, as shown in the site plan. Requiring a 40-foot setback for this lot would create an inconsistent setback line, unfairly burdening the property compared to adjacent lots.

The 35-foot setback matches adjacent homes, ensuring no impact on light, privacy, or property values.

As Adjacent neighbors, we express no objections to the proposed setback.

Sincerely,

Name _____ Gregory L. Morello _____

Property address _____ 7380 Thornapple River Dr. SE _____

Signature _____  _____

May 23, 2025

Chris & Jennifer Czekai
7365 Bronson St SE
Ada, MI 49301

Ada Township Zoning Board
7330 Thornapple River Drive
Ada MI 49301

RE: 7390 Thornapple Drive

To whom it may Concern:

I am writing on behalf of Sean and Rene Growney's request for a zoning variance for the property at 7390 Thornapple River Drive in Ada Township. They are seeking a 35-foot rear yard setback instead of the 40-foot requirement under Article XII, Sec. 78-294 for a new single-family home.

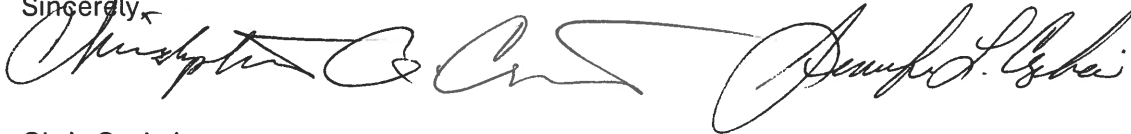
The proposed home complements the neighborhood's design, using materials and scale consistent with nearby residences. A 35-foot rear yard setback is needed to optimize the site layout and align with adjacent properties.

Homes directly north and west have 35-foot rear yard setbacks, as shown in the site plan that has already been provided. Requiring a 40-foot setback for this lot would create an inconsistent setback line, unfairly burdening the property compared to adjacent lots.

The 35-foot setback matches adjacent homes, ensuring no impact on light, privacy, or property values.

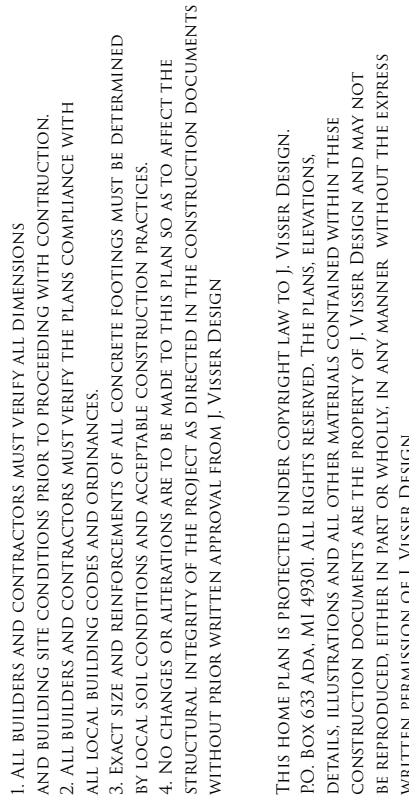
As Adjacent neighbors, we express no objections to the proposed setback.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature on the left is for Christopher Czekai, and the second signature on the right is for Jennifer Czekai. Both signatures are fluid and cursive.

Chris Czekai

Received
5.28.25
J.D.S.



Michael Hayes Builders
New Home Building & Remodeling

616-901-6606 | michaehayesbuilders@gmail.com

AS-1.0



