



**ADA TOWNSHIP ZONING BOARD OF APPEALS MEETING
TUESDAY, DECEMBER 03, 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 OCTOBER 1, 2024, REGULAR MEETING

V. UNFINISHED BUSINESS - none

VI. NEW BUSINESS

1. Request for a variance, side yard setback, to allow for an addition on the west side of the existing building in the I Industrial zoning district, 6540 E. Fulton Street, Parcel No. 41-15-28-324-005, Makuski Builders Inc.
2. Request for an aggregate area signage variance, 6477 Ada Drive SE, Parcel No. 41-15-33-101-027, James J. Rabaut on behalf of Roman Catholic Diocese of Grand Rapids (St. Robert of Newminster Parish)

VII. CORRESPONDENCE

VIII. PUBLIC COMMENT

IX. ADJOURNMENT



**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE OCTOBER 1, 2024, REGULAR MEETING**

DRAFT

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, October 1, 2024, 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: Burton, McNamara, Nuttall

Members Absent: Courtade

Staff Present: Bajdek, Buckley, Said, Assessor Boerman

Others Present: 2

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES OF THE SEPTEMBER 3, 2024, REGULAR MEETING

Moved by Nuttall, supported by Burton, to approve the September 3, 2024, meeting minutes as presented. Motion carried.

V. UNFINISHED BUSINESS - none

VI. NEW BUSINESS

1. **Request for lot size variance to allow for a proposed lot split into two lots, in the VR/PVM zoning district, 7172 Thornapple River Drive SE, Parcel No. 41-15-33-230-002, Let Us, Inc., for Daniel and Sherrill Gardiner**

Joel Harner, Applicant with Let Us, Inc., said he is representing property owners Dan & Sherrill Gardiner at 7172 Thornapple River Drive, and explained that the property is currently one lot with a house on it and the owners would like to split the lot into two equal lots. He said that the request for variance is for lot size with the reason being to split the lot into two parcels, each lot becomes 10,349 sq. ft., which exceeds the maximum permitted lot area of 10,000 sq. ft. Harner noted that the variance would allow to take the current non-conforming lot and make it into two lots closer to requirements, and are 65+ feet deep (proposing to have a single-family home on each lot).

Planner/Zoning Administrator Bajdek summarized the staff report and confirmed the applicant is proposing to divide the .48 acre property into two parcels at 10,349 sq. ft. each (which is greater

than the maximum permitted lot area of 10,000 sq. ft.). Bajdek said the applicant is proposing to create parcels which would be more in compliance with the maximum lot area regulation of 10,000 sq. ft. for the VR zoning district than the subject property in its current state.

Bajdek stated the variance request does not meet the exact letter of all three of the Standards in carrying out Zoning Ordinance requirements, however, the details of this request may merit further consideration, due to the new lots being created closer to compliance with the current maximum regulations. Staff has no objections to approval of the requested variance.

McNamara opened the public hearing at 4:35 p.m.

Marilyn Thompson, 7148 Thornapple River Drive, said that she lives next door to Dan and Sherrill and she does not like the idea of dividing large lots into smaller lots and building huge houses on them, and she said she does not support this request. She shared concern with the side yard setback of her property.

Planning Director Said clarified that the variance request is for lot size consideration and not for home construction requirements. There was discussion among ZBA, Planning Staff, and Applicant regarding the side yard setbacks in the VR zoning district, and other regulations.

There was no other public comment and the public hearing was closed at 4:40 p.m.

It was moved by Nuttall, supported by Burton, to approve the lot size variance. Motion carried.

VII. CORRESPONDENCE

Planning Director Said updated that he and Bajdek attended the Planning Conference in Grand Rapids and that they learned information that reinforces good planning and zoning processes/procedures that we already use.

Said recapped that Staff is internally working on the zoning ordinance rewrite to have a more organized, clearer/better understanding, and re-organized format.

Said informed that there is a candidate that is being looked at for appointment to serve as a member of the ZBA.

VIII. PUBLIC COMMENT - none

IX. ADJOURNMENT

Moved by Nuttall, supported by Burton, to adjourn the meeting at 4:46 p.m. Motion carried.

Respectfully submitted,

Susan Burton, Ada Township Clerk

rs:eb



TO: Ada Township Zoning Board of Appeals
FROM: Department of Planning
RE: Agenda Item for the December 3, 2024 Meeting

**Request for a variance, side yard setback, to allow for an addition on the west side of the existing building in the I Industrial zoning district, 6540 E. Fulton Street, Parcel No. 41-15-28-324-005, Makuski Builders Inc.
021**

Overview

Makuski Builders Inc. is proposing to construct a 1,144 SF addition to its existing facility. The subject site contains 0.793 acres, with a relatively narrow (+/- 136') lot width.

The addition is planned to be erected toward the southern portion of the existing building, along the west side. As plans indicate, an existing portion of the building actually is located closer to the west side lot line (5') than the proposed addition (9.3'); the existing building and the proposed addition both do not meet current side yard setback requirements (50 feet) in the I Industrial District.

The proposed addition will be used for storage, per the applicant's submittal. While parking will be reviewed as part of the site plan approval process, Staff finds that parking capacity will be adequate and code compliant as it relates to the amount of existing and proposed building space at this location.

Please note that the project requires Planning Commission site plan approval; the applicant has already been notified of this requirement.

Analysis

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 Zoning Board for such properties, including most recently in January for Ada Valley Meats (6210 Fulton Street), 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

OCT - 1 2024

PLANNING & ZONING
ADA TOWNSHIP

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

1. Applicant Information:

Name: MAKUSKI BUILDERS LLC

Address: 6540 FULTON ST. E STE. 2 ADA MI. 49301

Phone Number: 616-299-1725 Email: Bill@MBI-Homes.com

2. OWNER (if different than above):

Name: _____

Address: _____

Phone Number: _____ Email: _____

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:

REDUCE SIDE YARD SETBACK TO 9.3'
TO CONSTRUCT A 44' X 26' ADDITION.

4. PERMANENT PARCEL NUMBER: 41-15-28-324-005

5. PROPERTY ADDRESS: 6540 FULTON ST E **6. ZONING DISTRICT:** IND

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: W. P. S. H. DATE: 9/3/24-

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: <u>10-1-2024</u> by: <u>eb</u>	
<small>(date)</small>	
Application fee of \$ <u>500⁰⁰</u> received: <u>10/8/24</u> by: <u>[Signature]</u>	Check No: <u>4951</u>
<small>(date)</small>	
	Receipt No: <u>375511</u>

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



Zoning Board of Appeal.
Request side yard setback change to 10'

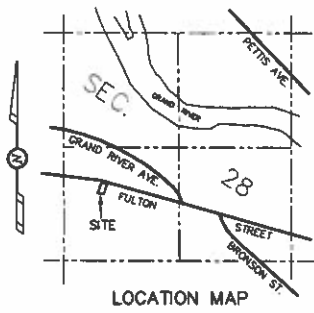
6540 Fulton St. E
Ada, Mi. 49301

We are requesting a side yard setback reduction to 10' in order to construct a 25'x 60' addition to the west side of the existing building. The structure will be used for storage and will be constructed in a manner using the same building materials that were used when the current building was upgraded.

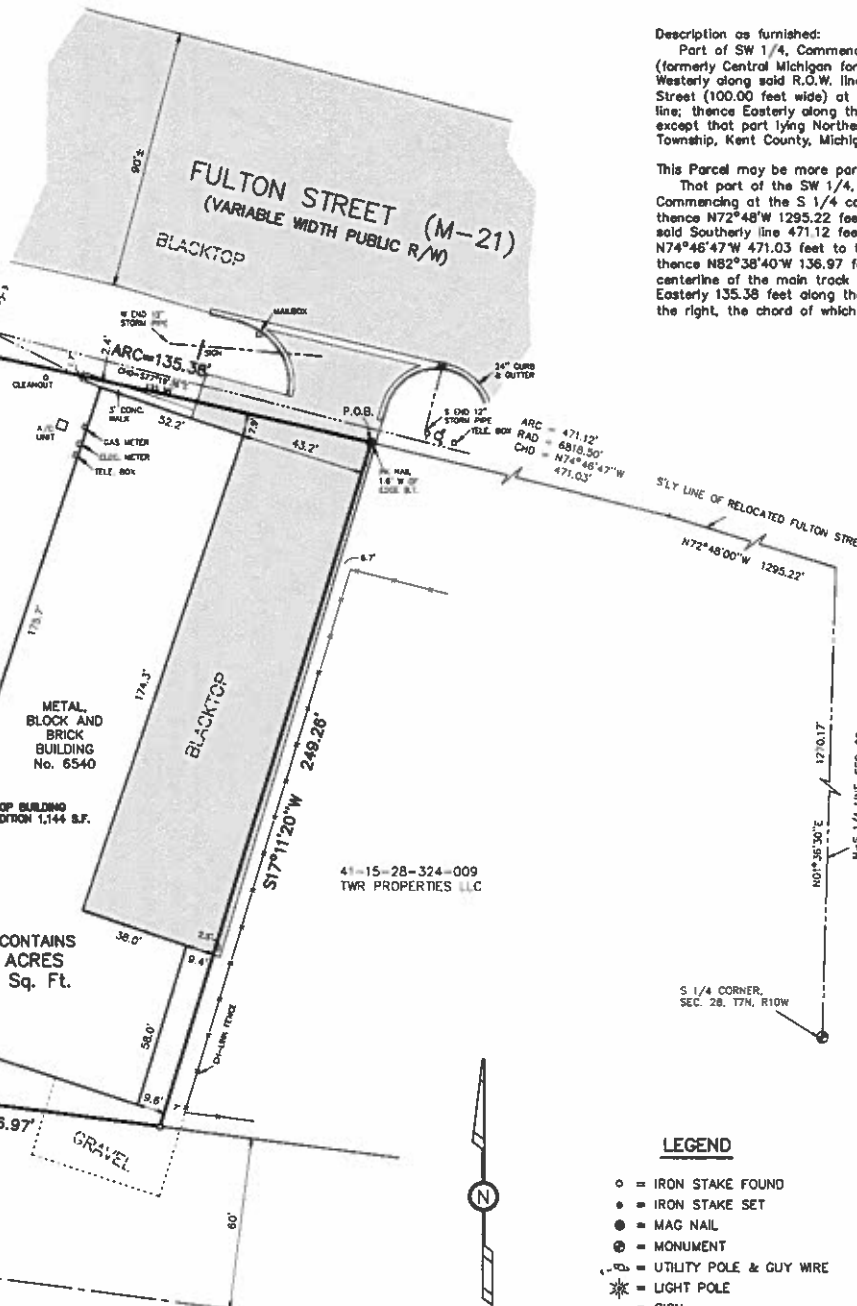
We believe that we meet the criteria for approval.

- a) Due to the narrowness of the property, we are unable to meet the ordinance setback requirements. The property is 135.9' wide.
- b) There is practical difficulty due to the narrowness of the property. Based on the current ordinance there is unnecessary hardship due to the fact that other properties in the district are constructed in a manner that are not in line with the ordinance. Map attached. The addition would not create any type of public safety issue. Substantial justice would be granted to the owner.
- c) The proposed addition would not inhibit the adjacent properties from their practical use. The additional structure would not be out of character of other buildings in the district and the spirit of the ordinance would be maintained.

MAKUSKI BUILDERS INC.
6540 Fulton St E Ste.2
Ada, Mi. 49301
616-299-1725



41-15-28-324-004
FULTON STREET ASSOC. LLC



Description as furnished:

Part of SW 1/4, Commencing 452.92 feet Westerly along the Northerly line of Grand Rapids Eastern (formerly Central Michigan formerly Grand Trunk) Railroad R.O.W. (100.00 feet wide) from W 1/8 line; thence Westerly along said R.O.W. line 137.57 feet; thence Northeasterly 342.55 feet to Southerly line of Fulton Street (100.00 feet wide) at a point 518 feet Westerly along the Southerly line of said street from W 1/8 line; thence Easterly along the Southerly line of said street 135.0 feet; thence Southwesterly to beginning, except that part lying Northerly of Southerly line of Highway M-21 relocated, Section 28, T7N, R10W, Ada Township, Kent County, Michigan.

This Parcel may be more particularly described as:

That part of the SW 1/4, Section 28, T7N, R10W, Ada Township, Kent County, Michigan, described as: Commencing at the S 1/4 corner of said Section; thence N01°36'30"E 1270.17 feet along the N-S 1/4 line; thence N72°48'W 1295.22 feet along the Southerly line of relocated Highway M-21; thence Westerly along said Southerly line 471.12 feet on a 6818.5 foot radius curve to the left, the chord of which bears N74°46'47"W 471.03 feet to the PLACE OF BEGINNING of this description; thence S17°11'20"W 249.26 feet; thence N82°38'40"W 136.97 feet along a line which is parallel with and 60.00 feet Northerly from the centerline of the main track of the Grand Trunk Western Railroad; thence N17°11'20"E 261.99 feet; thence Easterly 135.38 feet along the Southerly line of relocated Highway M-21 on a 6818.50 foot radius curve to the right, the chord of which bears S77°19'38"E 135.38 feet to the place of beginning.

NOTES:

1. Description and easements shown hereon are based on First American Title Insurance Company Commitment No. 1300979CT/R3, with a Commitment date of February 5, 2014. (no specific easements listed)
2. This parcel contains 34,529 square feet (0.793 acres).
3. Bearings are based on furnished descriptions.
4. This parcel is Zoned Industrial per Ada Township Zoning Map. Minimum building restrictions include the following:
 - a) Minimum front yard of 50 feet.
 - b) Minimum side yard of 50 feet.
 - c) Minimum rear yard of 50 feet.
 - d) Maximum building height of 45 feet.
5. This parcel is located within Zone "C" (areas of minimal flooding, no shading) for Ada Township as shown on Community Panel No. 260248 0010 B, dated October 15, 1980, as published by the Federal Emergency Management Agency.

LEGEND

- = IRON STAKE FOUND
- = IRON STAKE SET
- = MAG NAIL
- ⊙ = MONUMENT
- ⊙ = UTILITY POLE & GUY WIRE
- ⊙ = LIGHT POLE
- ⊙ = SIGN
- ⊙ = HYDRANT
- ⊙ = VALVE
- ⊙ = CATCH BASIN
- = MANHOLE
- — — = FENCE LINE
- — — = OVERHEAD WIRES

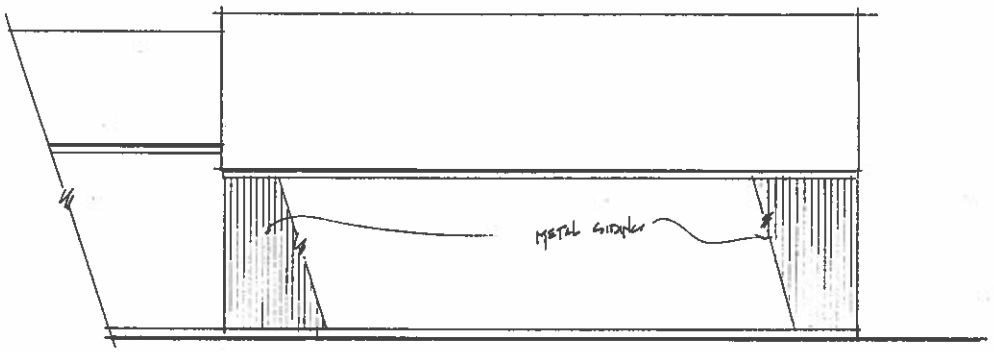
SCALE: 1" = 30'

BUILDING ADDITION - VARIANCE PLAN
RE: 6540 FULTON STREET
FOR: MAKUSKI BUILDERS, INC
ATTN: BILL MAKUSKI
6540 FULTON STREET E.; SUITE 2
ADA, MI 49301
 PART OF THE SW 1/4, SECTION 28, T7N, R10W, ADA TOWNSHIP, KENT COUNTY, MICHIGAN

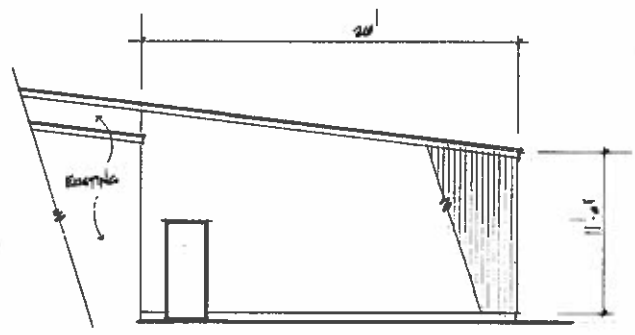
DATE	REVISION	BY	FILE NO.	241783E	DATE	09/04/2024
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exxel engineering, inc.
 planners · engineers · surveyors
 5252 Clyde Park, S.W. • Grand Rapids, MI 49508
 Phone: (616) 531-3880 www.exxelengineering.com

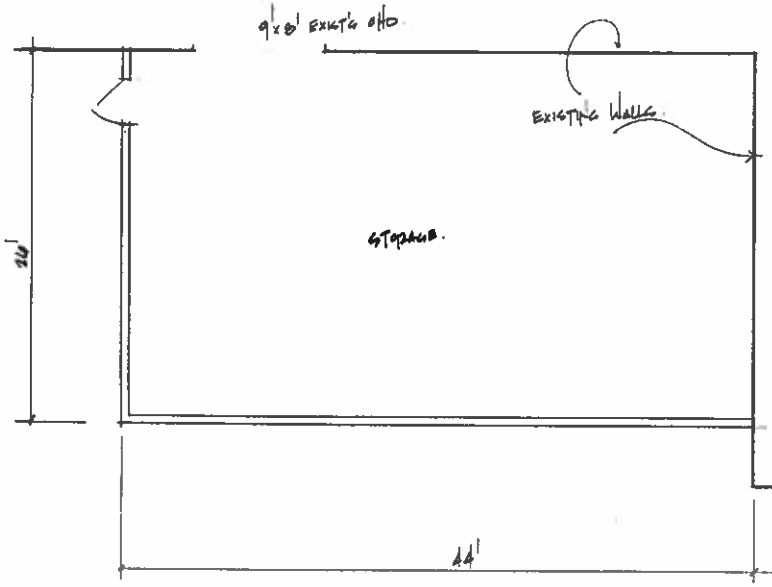
DRAWN BY: JB
 APPROVED BY: JM
 PROJ. ENG.: JM
 PROJ. SURV.: .
 SHEET 1 of 1



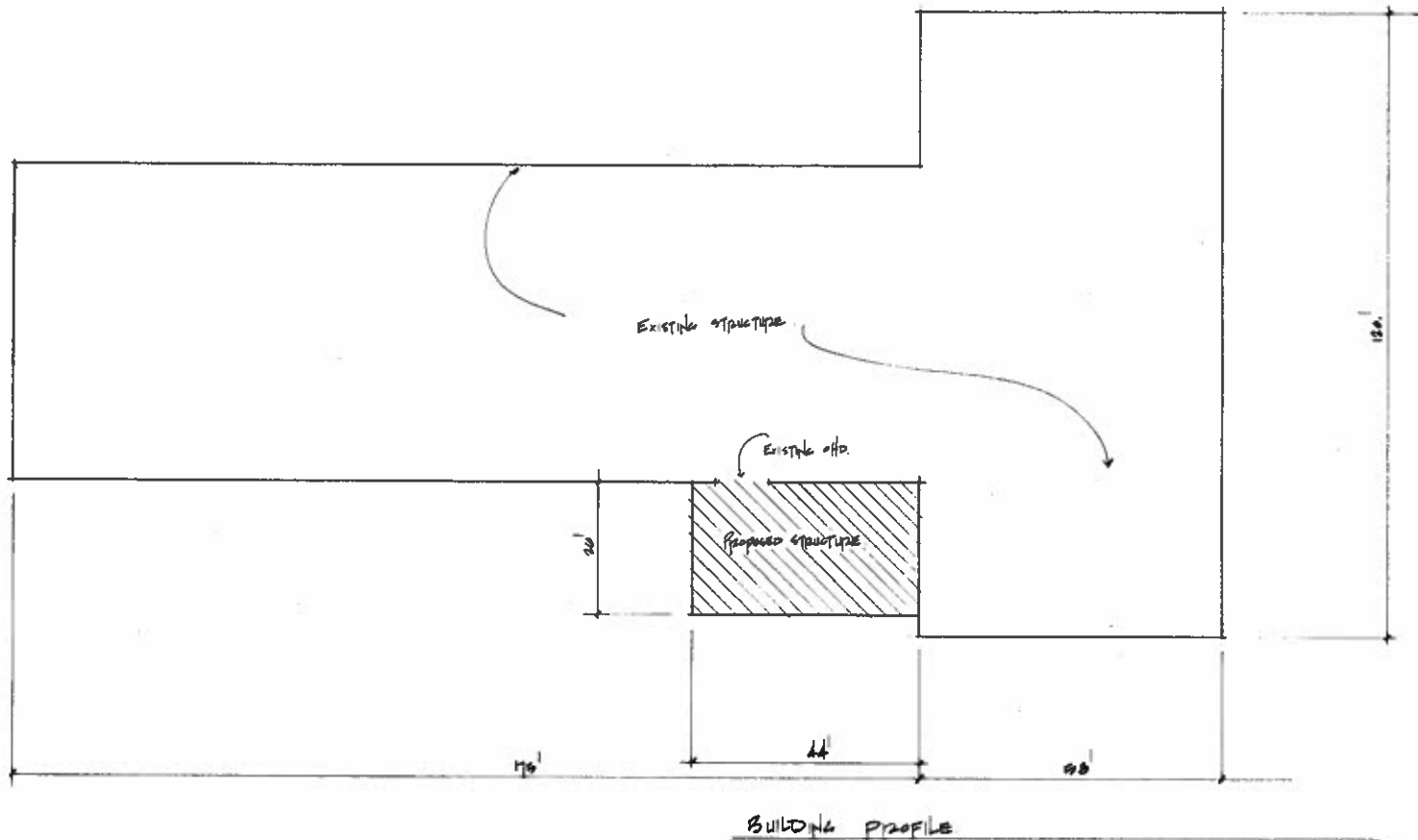
WEST SIDE ELEVATION
 1/4" = 1'-0"



NORTH SIDE ELEVATION
 1/4" = 1'-0"



FLOOR PLAN
 1/4" = 1'-0"



2447 Peach Avenue, Suite 102
 Marietta, Georgia 30066
 (770) 426-1100
 www.rizpauck.com

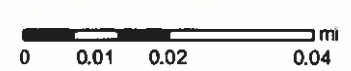
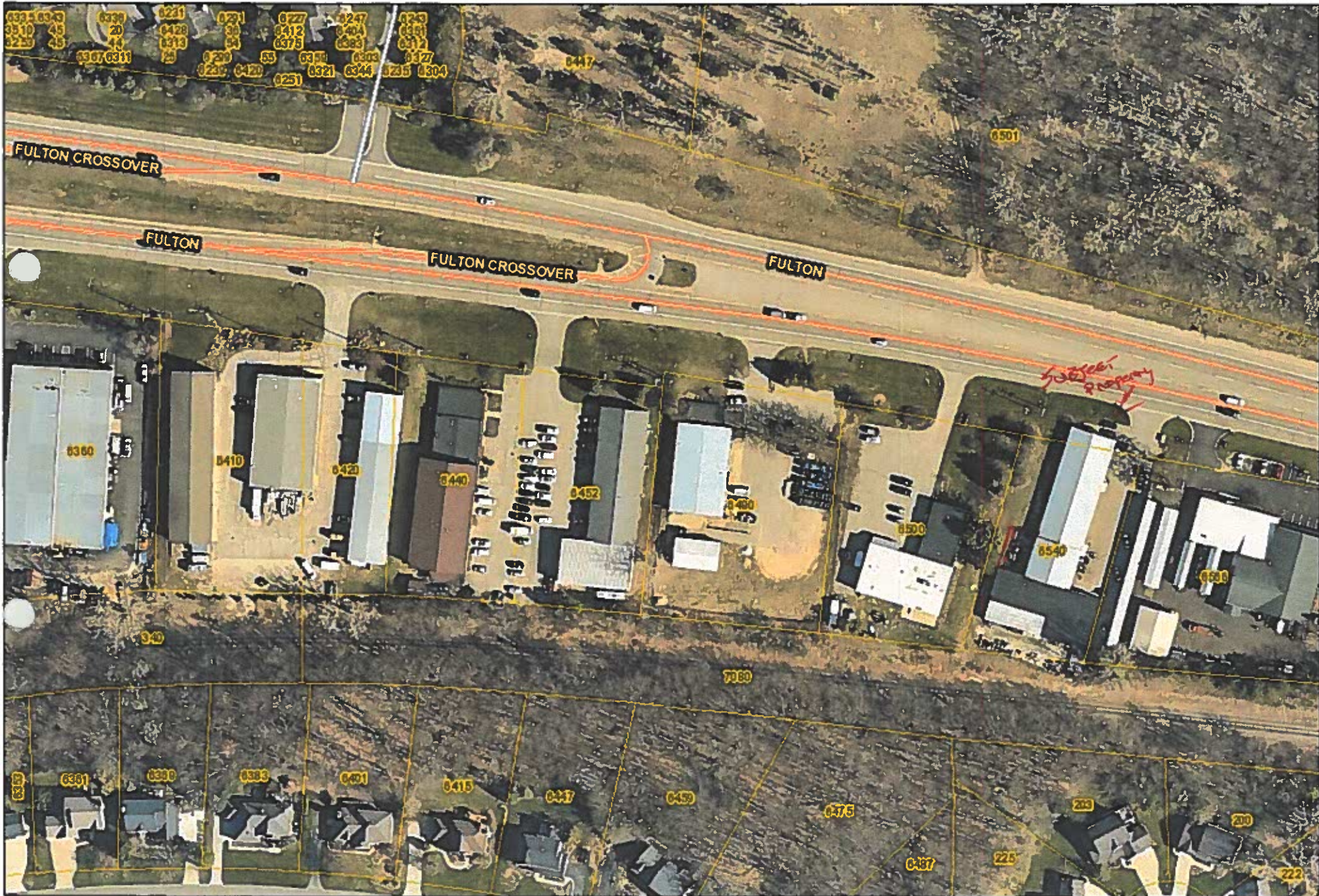
Rizpauck

Eng / M / Arch / Builders, Inc.
 # 1 of 2

1/2" = 1'-0"

1/2" = 1'-0"

1/2" = 1'-0"



MEMORANDUM

Date: 11.21.24



TO: Ada Township Zoning Board of Appeals
FROM: Department of Planning
RE: Agenda Item for December 3, 2024 Meeting

Request for signage variances, for the Roman Catholic Diocese of Grand Rapids/St. Robert of Newminster Parish, in the R-3 Residential Zoning District, 6477 Ada Drive SE, Parcel No. 41-15-33-101-027 (James J. Rabaut on behalf of the Diocese/St. Robert)

Overview

The applicant requests a variance for the number of signs allowed, and for the aggregate area of all signage, on the subject property. Specifically, the applicant proposes to install one additional 20 SF (square feet) wall sign at the Parish Activities Center, resulting in:

- A variance to allow 3 (three) signs in lieu of the maximum allowed 2 (two); and
- A variance for the overall sign area. The existing signage (a 7 SF wall sign and a 48 SF ground-mounted sign), plus the proposed 20 SF sign will total 75 SF, which exceeds the maximum allowed 50 SF.

The proposed sign will face westward towards existing parking, and is intended to guide/direct visitors to the Parish Activities Center (PAC), which is a multi-purpose activities and athletics facility that will be utilized for both school and church-related activities. The PAC previously obtained Special Use approval from the Township.

***Note:** The published legal notice contained a typographical error in that it only included the aggregate sign area reference and not the number of signs variance. However, in Staff's view this is a minor matter because notification did include reference to the overall proposed signage, and as such the matter can proceed for Zoning Board of Appeals review.*

Analysis

The applicant indicates that the proposed signage's location, within the interior of the site, will help minimize any impact as it pertains to the adjacent properties and the overall relatively large size of this site (17+ acres).

The board of zoning appeals may grant such variances only upon finding that all of the following conditions exist (Sec. 78-107 of the Zoning Ordinance):

- (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

While the request may not meet the strictest letter of all three of the Standards in Sec. 78-107, the details of this request merit further consideration, due to the large-scale size of the subject site relative to the small size of the proposed sign. As such, if the Zoning Board of Appeals determines 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: James J. Rabaut

Address: 150 Ottawa Avenue, Suite 1500, Grand Rapids, MI 49503

Phone Number: (616) 752 - 2178 Email: jrabaut@wnj.com

2. OWNER (if different than above):

Name: Roman Catholic Diocese of Grand Rapids, Michigan

Address: 360 Division Avenue South, Grand Rapids, MI 49503

Phone Number: (616) 475 - 1247 Email: m1own@grdiocese.org

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:

Variance from Section 78-744 (Permitted Signs) of the Code of Ordinances. We request: (i) a variance from the number of signs allowed; and (ii) a variance from the limit on the aggregate area of all signage. (See attached Exhibit - A for full description)

4. PERMANENT PARCEL NUMBER: 4 1 - 1 5 - 3 3 - 1 0 1 - 0 2 7

5. PROPERTY ADDRESS: 6477 Ada Drive SE, Ada, MI 49301 **6. ZONING DISTRICT:** R-3

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: James J. Roberts DATE: 4/1/24

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

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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:

- 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: _____ (date)	Check No: _____
	Receipt No: _____

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

RECEIVED

NOV -1 2024

PLANNING & ZONING
ADA TOWNSHIP



**APPLICATION FOR
ZONING VARIANCE OR ADMINISTRATIVE APPEAL**

1. APPLICANT

Name: James J. Rabaut
Address: 150 Ottawa Avenue City: Grand Rapids State: MI Zip: 49503
Telephone: (616) 752 - 2178 Fax: (616) 752 - 2500

2. OWNER

Name: Roman Catholic Diocese of Grand Rapids, Michigan
Address: 360 Division Avenue South City: Grand Rapids State: MI Zip: 49503
Telephone: (616) 475 - 1247 Fax: ()

3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST: Variance from Section 78-744 (Permitted Signs) of the
Code of Ordinances. We request: (i) a variance from the number of signs allowed; and (ii) a variance from the limit on the aggregate
area of all signage (See attached Exhibit A for full description)

4. PERMANENT PARCEL NUMBER: 4 1 - 1 5 - 3 3 - 1 0 1 - 0 2 7

5. PROPERTY ADDRESS: 6477 Ada Drive SE, Ada, MI 49301 **6. ZONING DISTRICT:** R-3

7. ATTACH TEN (10) COPIES OF:

A. AN ACCURATE SITE PLAN OF THE PROPERTY, DRAWN TO 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.

APPLICANTS SIGNATURE: James J. Rabaut DATE: 11-1-24

OWNER'S SIGNATURE: [Signature] DATE: 11-1-24

Exhibit A
Narrative Statement in Support of
Variance Application

Applicant requests a variance from **Section 78-744 (Permitted Signs)** of the Code of Ordinances (the “**Ordinance**”) to allow its proposed signage package associated with the approved Parish Activity Center to be constructed on the real property commonly known as 6477 Ada Drive SE, Ada, MI 49301 (the “**Property**”). The Property currently contains a parish church, rectory, and school. The Property is zoned R-3 (Medium Density Single-Family Residential). Pursuant to the approval of the Planning Commission, Applicant intends to expand the existing school and construct a new Parish Activity Center. The approved site plan for the Property, including the Parish Activity Center, is attached as **Exhibit C**. Applicant wishes to add signage associated with the Parish Activity Center to increase safety and to properly direct parishioners, visitors, students, and staff members to the appropriate building(s) located on the Property. Applicant’s proposed signage would exceed the number of signs allowed and the maximum square footage of signage allowed under **Section 78-744 (a)(1)** of the Ordinance.

The Ordinance provides, in relevant part, “[i]n... R-3... districts, the following signs are authorized upon application for and issuance of a sign permit, pursuant to **Section 78-748 (Sign Permit Procedures)**. Institutional identification for churches, schools, nursing homes, and public buildings may include one wall sign and one ground-mounted freestanding sign ... [t]he aggregate area of all signage shall not exceed 50 square feet.” The Property currently includes: (i) one wall sign (“Parish Offices”- 7sf) and one ground mounted sign (“St. Robert of Newminster Catholic Church & School”- 48sf) associated with the Church use; and (ii) one wall sign (“Saint Robert Catholic School” - 22sf) and one ground mounted sign (“Saint Robert Catholic School” - 27sf) associated with the School use (**See attached Exhibit B**). The Diocese seeks this variance to: (i) install an additional 20 square foot wall sign on the Parish Activity Center to be located on the northern portion of the Property (the “**Proposed Sign**”) as depicted on **Exhibit B**. The above signage associated with the School use appears to meet the requirements of the Ordinance both in number (one wall sign and one ground mounted sign) and in square footage (27sf + 22sf = 49sf which is less than the maximum of 50sf). Applicant understands that the Proposed Sign shall be included with the Church signage for the purposes of calculating the number and square footage of signage for the Church use under the Ordinance. When included with the existing Church signage, the Proposed Sign would require a variance in both: (i) the number of signs (3 including the existing wall sign, the existing ground mounted sign and the Proposed Sign — which exceeds the maximum of 2 signs); and (ii) square footage (existing wall sign (7sf) + existing parish ground mounted sign (48sf) + Proposed Sign (20sf) = 75sf – which exceeds the maximum of 50sf). In summary, Applicant seeks a variance for 1 additional sign (the Proposed Sign) and 25 additional square feet of signage for the Property.

The Proposed Sign would face westward toward the wooded area located along the western boundary of the Property. Due to the depth of the parcel, the Proposed Sign’s westward orientation toward the wooded area, and the unique, concave shape of the western edge of the buildings, the Proposed Sign will only be visible to individuals on the northern portion of the Property facing eastward toward the buildings. The Proposed Sign is modest and understated when compared in scale to the approved Parish Activity Center. It would simply read “Parish Activity Center” in

plain-black text and would not include any lighting or other disruptive or eye-drawing features. The purpose of the Proposed Sign is simply to guide parishioners, visitors, students and staff to the Parish Activity Center. The Proposed Sign will improve safety and the efficiency of both vehicular and pedestrian traffic on the Property.

Applicant believes that this request for variances meets the criteria for approval set forth in **Section 78-107 (Variances Permitted)** of the Ordinance. The variances requested herein are requested to avoid practical difficulties or unnecessary hardships in following the strict letter of the Ordinance and meet the criteria relating to the Ordinance as follows:

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.

The narrow and deep geometric shape of the Property has caused the development of the site to compliment and reflect such shape. As a result, the buildings constructed and to be constructed run in a similar narrow and deep configuration with a large parking lot being located west of such buildings along a line running northwest and then northeast. This configuration directs the flow of traffic in such a way that the traveler comes to a point at which they are in line with the entrances to both Saint Robert Catholic School and the approved Parish Activity Center. Without the Proposed Sign, it would be practically difficult for parishioners, visitors, students and staff members to ascertain the correct entrance to approach. Adding the Proposed Sign would provide a significant directional cue that would increase both safety (as drivers will not be distracted for an extended period of time looking for the appropriate entrance) and efficiency (as all parties will promptly access the building they wish to enter).

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.

The Proposed Sign and the requested variance satisfy these requirements.

First, strict application of the sign regulations will make it impossible to properly identify the uses on the Property and properly guide parishioners, visitors, students and staff members on site.

Second, the Proposed Sign satisfies the general purposes of the sign regulations and does not violate the spirit of such purposes. The sign regulations were promulgated to: (i) protect natural beauty; (ii) protect uses from too many signs; (iii) protect districts from chaos and clutter; (iv) protect the area's image; (v) reduce confusion; (vi) eliminate unnecessary distractions; (vii) maintain tranquility; and (viii) ensure that signs are compatible with and complementary to related buildings and harmonious with their surroundings (See **Section 78-741 (Description and Purpose)**). The Proposed Sign will (i) be modest and will not distract from the Property's natural

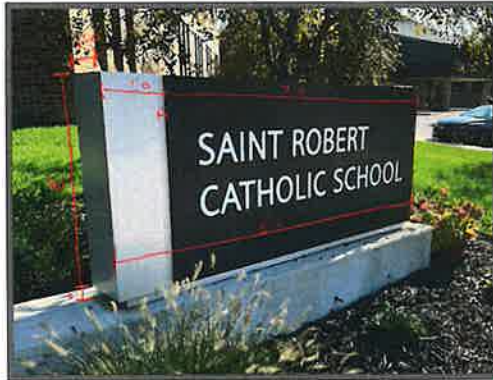
beauty; (ii) not burden the Property with too many signs as the site is quite large (approximately 16.64 acres) and one additional sign will not significantly “burden” on the site; (iii) reduce chaos by efficiently directing traffic and the extra sign (as described above) will not overly burden the site; (iv) not harm the Property’s or the area’s image; (v) reduce confusion by properly directing vehicular and pedestrian traffic on site; (vi) not create a distraction and will eliminate distracted driving by clarifying each building use; (vii) maintain tranquility by being properly scaled to the site; and (viii) will be compatible and complimentary of the related Parish Activity Center and (because of its modest scale) will also be harmonious with the their surroundings.

Due to the depth of the Property, the wooded area to this west of the proposed location for the Proposed Sign, and the concave shape of the buildings, the Proposed Sign will not be visible from Ada Drive or from the homes located west of the Property. The Proposed Sign will be uniform with all other signs on the Property in text and style, and particularly uniform with the Saint Robert Catholic School canopy sign located directly to the south of the Proposed Sign, as both signs are canopy style and identify entrances to respective portions of the buildings. As stated above, the Proposed Sign will be modest in nature as it will identify the Parish Activity Center in plain-black text, without the use of lighting of any sort and will only cover 20 square feet. As stated above, the Proposed Sign will help improve safety on the Property, as it will permit drivers to focus on the road and pedestrians to focus on their surroundings, and avoid the distraction caused by searching for the proper entrance to the buildings because all building entrances will be accurately and obviously identified. The Proposed Sign will not detract from the Township’s public safety as it will not be visible to drivers or pedestrians traveling along Ada Drive.

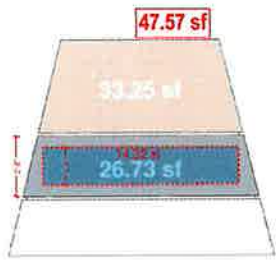
Where it is found that the condition or situation of the specific piece of property or the intended use of such property for which the variance is sought is not so general or recurrent in nature as to make reasonably practicable the formulation of a general regulation in this chapter for such condition or situation.

Due to the unique nature of the Property (its depth and the resulting development), it is unlikely that properties subject to **Section 78-744(a)(1)** of the Ordinance will have a general or recurrent need to exceed the sign number limit and aggregate area limit of the Ordinance.

Exhibit B
Saint Robert Parish Signage



existing school ground mount sign
27sf



diagrammatic calculations



existing parish ground mount sign
48sf



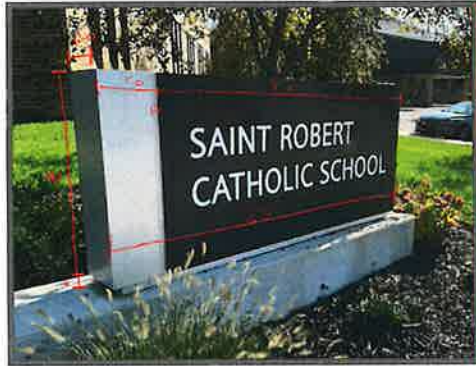
existing site plan



existing school canopy sign
22sf



existing parish canopy sign
7sf



school ground mount sign to be relocated to this location
27sf



proposed parish activity center canopy sign 20 sf



school canopy sign to be relocated 22 sf

signage chart

relocated school ground mount sign: 27 sf
relocated school canopy sign: 22sf
total SCHOOL signage areas: 49sf

ex. parish ground mount sign: 48sf
ex. parish canopy sign: 7sf
total PARISH signage areas: 55sf

proposed "parish activity center" canopy sign 20sf

total existing + proposed sign area: 124 sf
total allowable sign area: 100sf

existing parish canopy sign (7 sf)

existing parish ground mount sign (48 sf)

proposed conditions



Exhibit C

Site Plan

every square inch - not 100% finished - rooted in our faith - community building - built for growth

