**ADA TOWNSHIP ZONING BOARD OF APPEALS**

**MINUTES OF THE TUESDAY, MARCH 6, 2018, REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, March 6, 2018, 4:30 p.m., at the Ada Township Office, 7330 Thornapple River Drive, Ada, Michigan.

**CALL TO ORDER**

The meeting was called to order by Chair Dixon at 4:30 p.m.

**ROLL CALL**

Members present: Dixon, McNamara, Nuttall and Smith

Members absent: Burton

Staff Present: Bajdek

Public: Twocommunity members

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Moved by McNamara, supported by Nuttall, to approve the September 5, 2017, minutes as presented. Motion carried unanimously.**

**OLD BUSINESS**

None.

**NEW BUSINESS**

1. **REQUEST FOR A USE VARIANCE TO PERMIT A CHANGE IN USE FROM A COMMERCIAL DESIGN STUDIO TO A PROFESSIONAL MORTGAGE OFFICE FOR PROPERTY ZONED RP-1, JONATHAN ARNOLD (property currently owned by Palazzolo Design Studio), 6410 Knapp St. NE, 41-15-09-301-001**

Applicant Jonathan Arnold explained his request for a use variance to permit a change in use of the property from a commercial design studio to a professional mortgage office. There are no major changes planned for the site or building. Less traffic is anticipated than with the current business.

Brent Bajdek, Planner/Zoning Administrator, stated that the subject request is for a use variance and not the typically heard dimensional variance request and that a use variance is a variance that permits a use of land or structure in a way that would not otherwise be allowed in the zoning district in which a property is located. He stated that per State statue, the Zoning Board of Appeals has the authority to grant use variances and explained when use variances are considered appropriate.

Bajdek stated that the subject site is located at the southeast corner of Knapp and Egypt Valley, and is zoned RP-1, Rural Preservation 1. He reviewed the history of the property that contains a historically significant structure, the ‘Grange’ building and stated that the commercial design studio is considered a conforming use based on the Zoning Board of Appeals approval of a use variance request in 1994. The 1994 use variance required future owners to conform to the commercial design studio use or apply for a variance for any other use. He noted some correspondence was received and included in the packet.

Bajdek reminded board members of the criteria required to grant a variance: 1. Whether unique physical circumstances exist which cause a practical difficulty (“hardship” when related to a use variance) in complying with the Zoning Ordinance standards; 2. Whether granting the variance would alter the essential character of the area.; 3. Whether the circumstances leading to the variance are self-created; and 4. Whether amending the Zoning Ordinance standards is a more appropriate remedy to the situation.

He stated that due to physical location and size of the site, which contains a historically significant structure, the property could not be reasonably used for uses that are permitted in the RP-1 zoning district, the essential character of the area would not be altered, but would allow the continued preservation of building for office use, the circumstances are not self-created, and that the conditions leading to the variance request are not so common or recurring, which would indicate that amending the Zoning Ordinance would be a more appropriate solution.

Bajdek recommended granting the variance with the following conditions: 1. The use of the property shall be limited to a professional mortgage office; 2. If the property is sold, any future owners must also conform to this use or apply for a new use variance; 3. Signage shall be limited to a size not to exceed 24 square feet in area, five (5) feet in height and setback a minimum of five (5) feet from both the Knapp Street and Egypt Valley Avenue right-of-way lines; a sign permit application shall be submitted and approved by Planning Department staff prior to its erection; and 4. The submission of a detailed parking layout plan to be reviewed and approved by Planning Department staff prior to any improvements to the existing onsite parking area.

The public hearing was opened at 4:42 p.m.

There was no public comment.

The public hearing was closed at 4:43 p.m.

Chair Dixon asked for clarification of the intent of RP-1 Rural Preservation 1 zoning district. Bajdek explained the intent of the district.

Member Nuttall asked for clarification on whether the proposed use will be conforming. Bajdek stated that it would be a conforming use.

**Moved by Smith, supported by McNamara, to approve the variance based on the findings that the required standards to grant a variance have been met, subject to the following conditions:**

1. **The use of the property shall be limited to a professional mortgage office.**
2. **If the property is sold, any future owners must also conform to this use or apply for a new use variance.**
3. **Signage shall be limited to a size not to exceed 24 square feet in area, five (5) feet in height and setback a minimum of five (5) feet from both the Knapp Street and Egypt Valley Avenue right-of-way lines; a sign permit application shall be submitted and approved by Planning Department staff prior to its erection.**
4. **The submission of a detailed parking layout plan to be reviewed and approved by Planning Department staff prior to any improvements to the existing onsite parking area.**

**Motion carried unanimously.**

**CORRESPONDENCE**

There was no correspondence other than those pertaining to New Business, Item 1.

**PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

**Moved by McNamara, supported by Nuttall, to adjourn at 4:55 p.m. Motion carried unanimously.**

Respectfully submitted,

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Jacqueline Smith

Ada Township Clerk

RS: js