

**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE TUESDAY, MAY 15, 2018, SPECIAL MEETING**

A special meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, May 15, 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, Burton, McNamara, & Smith
Nuttall (arrived at 4:37 p.m.)
Staff present: Bajdek, Winczewski
Public: Ross VanWieren & Bruce VanWieren

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Moved by Burton, supported by Smith, to approve the May 1, 2018, minutes as presented. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

1. Request for setback variances from the RP-1 zoning district requirements to allow for the construction of a new elevated single-family dwelling and deck to replace the existing flood damaged dwelling:
 - from the required front yard setback of 50 feet to a width varying from 26 feet to 31.1 feet;
 - from the required rear yard setback of 50 feet to a width varying from 33 feet to 35 feet; &
 - from the required minimum side yard setback of 20 feet to a width varying from 11 feet to 14.2 feet

Ross VanWieren, 2107, 2109, & 2111 Shady Drive, 41-15-07-376-018, 017, & 016

Ross VanWieren, 2107 Shady Drive, explained to the Board that he plans to purchase a modular home, which would be slightly less than the footprint of the current dwelling, and raise it above the floodplain. He also expressed that he might not have the funds to purchase a new modular home, after a discussion with concrete installers earlier in the day. Mr. VanWieren stated that if it were determined that he could not afford to purchase the subject home, the existing home would be utilized and raised above the floodplain.

Chair, Dixon, asked for Staff comments.

Planner/Zoning Administrator, Bajdek, stated that subject site consists of three (3) separate riverfront parcels with the greatest depth of it being only approximately 106 feet. He further stated that the existing single-family home is located on southernmost parcel while the home's waste disposal system occupies the other parcels.

Bajdek explained that at the time of variance request submittal, the applicant also requested that the three (3) parcels be combined into one (1) and that the combination request has been administratively approved by the Township.

Bajdek stated that a new single-family home, with a rear deck, is proposed to be constructed to replace the existing dwelling that was heavily damaged from the recent spring flood and the existing dwelling is situated on the site where the front, rear, and southern side yard setbacks do not conform to the current regulations of the RP-1 Rural Preservation 1 zoning district. He reminded the Board that setback regulations apply to an elevated deck.

Bajdek explained that elevated construction is planned for the dwelling, which would place it and the associated deck above the 100-year floodplain elevation, the south wall of the proposed dwelling is planned to be essentially the same distance from the south property line as the existing single-family home, and the cantilevered deck would be of a similar size to the current deck.

Bajdek stated Mr. VanWieren is aware that the obtainment of State and Township floodplain permits are required prior to the commencement of any construction on the property.

Nuttall arrived at 4:37 p.m.

Bajdek reminded Board members of the criteria required to grant a variance: 1. Whether unique physical circumstances exist which cause a practical difficulty in complying with the Zoning Ordinance standards; 2. Whether granting the variance would alter the essential character of the area.; 3. Whether the circumstances leading to the variance are self-created; and 4. Whether amending the Zoning Ordinance standards is a more appropriate remedy to the situation. He stated that shallowness of the site, as well as the onsite location of the existing waste disposal system creates a practical difficulty, the essential character of the area would not be altered, 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.

The public hearing was opened at 4:39 p.m.

There was no public comment.

The public hearing was closed at 4:39 p.m.

Dixon questioned if any of the original structure will remain; Mr. VanWieren stated nothing existing would be utilized (with the proposed placement of a modular home on the property).

Mr. VanWieren reiterated that the variances are being sought since it is his plan to replace the existing home with a new modular home, but he stated that it depends on the insurance payment.

Bajdek stated with the granting of the variances it is important that the footprint does not change (increase); it could be less than the currently proposed footprint, but not greater.

Moved by Smith, supported by McNamara, to approve the variances based on the findings that the required standards to grant variances have been met, subject to the following condition:

- **The obtainment of State and Township floodplain permits prior to any construction.**

Motion carried unanimously.

CORRESPONDENCE

There was no correspondence.

PUBLIC COMMENT

Mr. Bruce VanWieren, applicant's father, asked if Ross VanWieren would need to return and apply for a new variance if the current home is kept and lifted above the floodplain.

Dixon stated yes, he would need to return.

ADJOURNMENT

Moved by Burton, supported by McNamara, to adjourn at 4:50 p.m. Motion carried unanimously.

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk