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**ADA TOWNSHIP ZONING BOARD OF APPEALS**

**MINUTES OF THE TUESDAY, JUNE 6, 2017, REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, June 6, 2017, 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 and Smith

Members absent: Burton

Seats vacant: One

Staff Present: Bajdek

Public: Five community members

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Moved by McNamara, supported by Smith, to approve the May 9, 2017, minutes as presented. Motion carried unanimously.**

**OLD BUSINESS**

There was no Old Business.

**NEW BUSINESS**

1. **REQUEST FOR SETBACK VARIANCE TO ALLOW AN ACCESSORY BUILDING TO BE 20 FEET FROM THE EASTERN PROPERTY LINE INSTEAD OF THE REQUIRED 40 FEET FOR LOTS WHICH DO NOT ABUT A PUBLIC ROAD OR PRIVATE ROAD RIGHT-OF-WAY, CORY & KATHERINE BAKER & DANIEL & MARGUERITE WHITE, 5127 E. FULTON ST., 41-15-30-176-013.**

Chair Dixon explained to the applicants that due to one vacant seat and one absent member, all three members present would have to vote in favor of the variance. He stated the applicants could choose to postpone the matter until the next meeting. The applicants acknowledged that fact and chose to proceed.

Applicant Cory Baker explained that they had recently moved to this property and had dreams of building this accessory building to hold an extra car, use as a workshop, and for household storage. In preparing to build this building they have come into a problem with setback requirements due to the topography of the land. After considering all the options, the Bakers and Whites have determined that this variance is their best option.

Brent Bajdek, Planner/Zoning Administrator, explained that the proposed building is a 1,080 square foot accessory building. The two-acre site is zoned RR Rural Residential. It is rectangular in shape without frontage on a public road or private road right-of-way. If this property did abut a public road or private road right-of-way, the required setback would be 20 feet.

Criteria for granting of a variance includes: 1. Whether the 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. Bajdek reported that there are physical circumstances that create a practical difficulty, mainly the sloping topography of the land, that granting the variance would not alter the essential character of the area; that the circumstances are not self-created; and that amending the Zoning Ordinance standards is not a more appropriate remedy. Bajdek recommended granting the variance.

The public hearing was opened.

The public hearing was closed without comment.

**Moved by Smith, supported by McNamara, to approve the variance based on the finding that the required standards to grant a variance have been met. Motion carried unanimously.**

**BOARD DISCUSSION**

There was no board comment.

**CORRESPONDENCE**

There was no correspondence.

**PUBLIC COMMENT**

Linda Andrews, 6689 Rix St., stated there was a problem with vicious animals in her neighborhood. The Asburys at 6711 Rix St. have an arctic fox which is kept outdoors year-round, located near the property line. Arctic foxes are known to have rabies and have been known to bite. She also stated that the fox constantly barks, and the area smells of urine and waste. She wants the animal removed and asked what could be done about the matter.

Planner/Zoning Administrator Brent Bajdek replied that there are currently no Township ordinances regulating exotic animals, but they could be considered. Bajdek and board members discussed possible options, including Planning Commission and Township Board actions.

**ADJOURNMENT**

**Moved by McNamara, supported by Smith, to adjourn at 5:01 p.m. Motion carried unanimously.**

Respectfully submitted,

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Jacqueline Smith

Ada Township Clerk

RS: js