



**ADA TOWNSHIP ZONING BOARD OF APPEALS MINUTES
TUESDAY JANUARY 5, 2010, 4:30 P.M.
ADA TOWNSHIP OFFICES
7330 THORNAPPLE RIVER DR. SE, ADA, MICHIGAN**

MEMBERS PRESENT: Lowry, Hartley, Boman, Burton, and Fields

STAFF PRESENT: Kushion and Thompson

COMMUNITY PRESENT: 12

ABSENT: None

I. CALL MEETING TO ORDER-4:30 PM

II. APPROVAL OF AGENDA –Added under new business proposed schedule for the Zoning Board of Appeals 2010/2011 Meeting dates. Moved by Member Fields, supported by Member Lowry. Yes: 5 No: 0 Absent: 0 Motion Carried.

III. APPROVAL OF THE, DECEMBER 1, 2009 MEETING MINUTES-Moved by Member Burton, supported by Member Lowry. Yes: 5 No: 0 Absent: 0 Motion Carried

IV. OLD BUSINESS-None

V. NEW BUSINESS

- 1. Request for Variance from Private Road Standards to allow a parcel to be accessed from an easement with only 12 feet of width, smaller than the 30 feet required, 2455 Pettis Ave. NE, Bette Ann Roberts Trust, 41-15-07-251-001.**

Todd Dickinson, attorney, was present on behalf of Bette Roberts Trust. Member Fields inquired as to how the request differed from the previous request. Mr. Dickenson stated it the same as previous requests and currently two lawsuits, one against the township and one against Ms. Roberts is pending. A big portion of parcel A is unbuildable but the McCloskey's agreed to allow one residence on the property. That is one difference from what was presented before. Chairman Boman asked the board if there were reasons to review this request again. Member Fields stated he felt it was inappropriate to go forward or revisit the motion. Member Fields also stated, due to the fact there are two lawsuits and one is pending appeal in court, the Zoning Board of Appeals should not reconsider the motion.

Open to Public Comment.

Don Niedzwiecki, Attorney on behalf of Joe and Stacy Niedzwiecki, commented on the pending lawsuit involving the McCloskey's.

Jim Duvall, Ada Fire Chief, stated the access to the road is too narrow. Chief DuVall requested the ZBA not reconsider the request as it would deny access for fire trucks to get in.

Daniel Bergsma, 5435 Knapp St., stated he opposed the variance request.

Robert Bierens stated he opposed the variance request, as nothing has changed.

Ernie Chernoby, 2405 Pettis, share the driveway with Bette Roberts. Mr. Chernoby stated Ms. Roberts wanted to know if he would contribute 6 feet to the property easement which he did years ago, but is opposed to the variance.

Stacy Niedzwiecki, 5451 Knapp, presented to the Zoning Board of Appeals a map of where the easement is and stated Ms. Roberts's driveway is not her easement.

Joe Niedzwiecki, 5451 Knapp, stated he is against the variance.

Closed to Public Comment.

Open to Board discussion.

Moved by Member Fields to deny the motion as the Zoning Board of Appeals had already decided on this request and it is currently in court pending appeal, supported by Member Lowry. Yes: 5 No: 0 Absent: 0 Motion to deny the reconsideration is carried.

2. **Proposed Schedule for 2010/2011 Zoning Board of Appeals Meeting Dates-**
The ZBA Board moved April 6th to April 13th. and July 6th to July 13th. Motioned to approve the Zoning Board of Appeals Meeting dates for 2010/2011 by Member Hartley, supported by Member Burton. Yes 5 No: 0 Motion Carried

VI. CORRESPONDENCE-None

VII. PUBLIC COMMENT-None

VIII. ADJOURNMENT- Moved by Member Fields, supported by Member Burton to adjourn at 5:14 pm. Yes: 5 No: 0 Absent: 0 Motion Carried

Susan Burton
Ada Township Clerk

Date

RS/dt