



**ADA TOWNSHIP ZONING BOARD OF APPEALS MINUTES  
TUESDAY FEBRUARY 1, 4:30 P.M.  
ADA TOWNSHIP OFFICES  
7330 THORNAPPLE RIVER DR. SE, ADA, MICHIGAN**

**MEMBERS PRESENT:** Hartley, Lowry, Fields, Burton and Boman  
**STAFF PRESENT:** Kushion and Ferro  
**COMMUNITY PRESENT:** 10  
**ABSENT:** None

**I. CALL MEETING TO ORDER-4:30 pm**

**II. APPROVAL OF AGENDA-Moved by Member Burton, supported by Member Lowry,**

Yes: 5 No: 0 Absent: 0 Motion Carried.

**III. APPROVAL OF THE JANUARY 4, 2011 Zoning Board of Appeals Minutes.**

Moved by Member Lowry, supported by Member Hartley to approve the October 6, 2009 Minutes. Yes: 5  
No: Absent: 0 Motion Carried.

**IV. OLD BUSINESS-None**

**V. NEW BUSINESS**

- 1. Request for Request for Variance from Zoning Regulations to allow a "Touchdown and Lift off area" to be 227 Feet from a property line instead of the required 300 feet and 385 feet away from the nearest building instead of the required 500 foot setback, 41-15-33-300-053, Richard M. Devos Jr. and Elisabeth D. Devos, 1170 Fox Hollow.**

Chris Meyer presented the application on behalf of the applicant.

Mr. Meyer cited the preservation of trees and the rugged topography as physical practical difficulties of the property.

Mr. Meyer stated that the request is supported by Ada Christian School. He also stated that past Variances that the Township has approved cited tree removal and topography as physical practical difficulty when they were approved, much like the request made by the applicant.

Mr. Meyer explained the proposed location of the "Take off/ Landing Area" (TLOF) to the Board. He stated that the proposed TLOF would be 56 feet to the southwest of the existing TLOF.

Mr. Meyer explained that the proposed location would keep the TLOF in the existing "Open Glade" providing for easier take off and landing. He believes that moving the helistop to the alternate site and

denying the variance would affect the homes to the South. He stated that the wetlands, extensive grading, and tree removal for the alternate TLOF creates a practical difficulty for the applicant. He also explained the concept of "hover taxi" and how the alternate site would double the time of takeoff and landing. Mr. Meyer read through 5 previous approved variances by the ZBA where tree removal or topography issues were cited as physical practical difficulty.

Mr. Meyer concluded by saying that the request meets the standards for a variance and granting the variance would preserve wetlands and eliminates grading and tree removal. He believes that denial of the variance would expose the School and neighbors to more helicopter noise.

Member Fields asked Mr. Meyer if he was familiar with any specific court cases involving helipads in other states regarding setbacks and public safety. He inquired as to the safety of Helicopters as opposed to Vehicles. Mr. Meyer responded that he believes the variance is about setbacks, not the safety of Helicopters as opposed to Vehicles.

Member Fields left the meeting at 5:10

Mr. Meyers explained the flight path to the board.

Chairman Boman questioned the applicant about located the TLOF on the East side of Fox Hollow, near the applicant's home. Mr. Meyer explained that the topography and wooded nature of the East side of the property would create a practical difficulty for the applicant and result in more hovering for take offs and landings.

Kevin Nelson, pilot and director of helicopter operations for the applicant, stated that the proposed location in front of the board is the most expedient location for landings and departures on the property. He stated that the location makes the most sense for everyone involved. Mr. Nelson explained the theory of "hover taxi" and that the alternative location would add one to three minutes per take off and landing. He believes that the lower vegetation near the proposed location would allow for a "Hover glide" take off and landing.

Member Lowry inquired about the possibility of using the TLOF near Fox Hollow Rd. as an alternative.

Mr. Nelson stated that it could be used, however, it lacked the security of the proposed location, as it was very close to the road.

Tom Weatherbee from Via Design stated that as many trees would be saved as possible with the proposed landing site, and new plantings would occur on the Richter's property, the neighbors to the south.

Chairman Boman opened for Public Comment.

Lewis VanKuiken, 6802 Fox Hollow, stated that he has never noticed any helicopter noise during take offs and landings and he has no complaints whatsoever. He is in support of the variance request.

Kathleen Richter, 6301 Hall St, stated that she is concerned with both the safety and privacy of her home, as well as the School.

Lloyd Paul, 1268 Pettis Ave., stated that he believes that Ada Township has worked hard to protect "natural vistas" and he believes that the alternative site in question would destroy the natural vistas of the property. He urged approval of the variance.

Noreen Kuipers, 6540 Ada Dr, favors the variance because she does not hear or see the helicopter and does not want to see trees cut down.

Duke Suwyn, 6570 Ada Dr., is a neighbor and parent of an Ada Christian student as well as the Ada Christian School Board President. He favors the variance and believes the applicant has been thoughtful, thorough, and has answered all of the questions of the neighbors. He supports approval of the variance as submitted.

Chairman Boman inquired to Township staff as to how the setbacks for Helipads were chosen.

Jim Ferro, Ada Township Planning Director, stated that the Planning Commission worked for an entire year on the Heliport Ordinance and that setbacks weren't created for a specific reason. The Planning Commission felt that a larger setback would put neighbors at ease. The ordinance was written for general applicability throughout the Township, not specifically for the Devos property.

Chairman Boman stated that he needed some time to think about his decision and would benefit from a site visit to the East side of the property because he feels that could be an option.

Member Hartley stated that there has been an existing helipad closer to the property line than the one proposed for over 3 years without incident.

Chairman Boman inquired to Planning Director Ferro the legality of the current landing site. Ferro explained that it was legally non-conforming as there was no ordinance regarding heliports when the existing heliport was established.

Member Fields rejoined the meeting at 5:45 PM

Member Fields stated that he needs more information about the potential landing zones that fall within ordinance standards, especially on the east side of the property.

Duke Suwyn, 6570 Ada Dr, stated that he would like Mr. Fields to review all the public comment in the meeting minutes since he was unable to hear them in person.

Lloyd Paul, 1268 Pettis Ave, stated that using the east side as a heliport would affect surrounding properties more than the west.

There was some discussion about possible meeting dates that worked for both applicant and the board members.

Motion to table the request until February 16<sup>th</sup>, 2011 at 4:30 PM by Fields, supported by Hartley. Motion passed 5-0.

**VI. CORRESPONDENCE-** None

**VII. PUBLIC COMMENT-** None

**VIII. ADJOURNMENT-**Member Fields moved to adjourn at 6 :05 pm., Member Hartley supported  
Yes -5 No :0 Absent : 0 Motion Carried.

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Susan Burton  
Ada Township Clerk

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Date

RS/dt