



**ADA TOWNSHIP ZONING BOARD OF APPEALS MINUTES
TUESDAY FEBRUARY 5, 2008, 4:30 P.M.
ADA TOWNSHIP OFFICES
7330 THORNAPPLE RIVER DR. SE, ADA, MICHIGAN**

MEMBERS PRESENT: Hartley, Korth, Boman, Pratt

STAFF PRESENT: Kushion and Thompson

COMMUNITY PRESENT: 4

ABSENT: Fields

I. CALL MEETING TO ORDER-4:30 PM

II. APPROVAL OF AGENDA-Moved by Member Korth, supported by Member Hartley
Yes: 4 No: 0 Absent: 1 Motion Carried

III. APPROVAL OF THE, JANUARY 8, 2008, ZBA MEETING MINUTES-Moved by Member Korth, supported by Member Pratt. Yes: 4 No: 0 Absent: 1 Motion Carried.

IV. OLD BUSINESS- None

V. NEW BUSINESS

- 1. Request for Variance from Accessory Building standards to allow an Accessory Building to be the principal structure on the property. (Home is being demolished), Vander Weide Properties, 6385 Duxbury Dr. SE, 41-15-33-101-006.**

The applicant is present for the variance request. Mr. Clemo stated he purchased the property with an existing home which needs to be demolished and a three stall garage on the property which has had improvements, but is not livable. Mr. Clemo stated they do not have immediate plans to build on the property and are planning on leaving it vacant.

Open to Public comment.

Fred Snyder stated he has property right behind Mr. Clemo's property. Mr. Snyder can see the out building which is in good shape which does not look displaced. Mr. Snyder stated he is in favor of the variance request and supported it.

Closed to Public comment.

Open to Board discussion.

Member Korth remarked the Zoning Board of Appeals has been fairly stringent about preserving the integrity of the ordinances with respect to individual parcels having a structure that have allowed such a circumstance to exist at this point for a finite period of time so that something could occur, whether it could be a division or sale of the property, the construction of a house and doesn't see this as any different and has a hard time varying from the ordinance.

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Chairman Boman stated he agreed with Member Korth and it would be a fair position to say this structure could stay as long as the residence would be built within a period of time.

Zoning Administrator Kushion stated he would be comfortable with some guidelines suggesting within a six (6) month to a year time frame would be fair and a single family permit pulled within a year.

Chairman Boman stated subject to pulling a permit for a primary structure or combining it with a property that already has a primary residence would make sense and if the permit is not pulled the structure would have to be demolished within a period of time.

Member Korth moved to approve the request subject to the condition within a one year approval for an active building permit for primary residence is pulled or the property is attached to another parcel and has a primary residence, supported by Member Hartley. Yes: 4 No: 0 Absent: 1 Motion Carried.

2. **Request for Variance from Rear Yard Setbacks in the R3 Zoning district to allow a rear yard of 47 feet instead of the required 50 feet, Martin Slendebroek, 839 Thornapple River Dr., 41-15-34-326-017.**

The applicant is present for the variance. Mr. Slendebroek stated he put together several plans and described the floor plan of the home and the interior plans. Mr. Slendebroek stated for the 3 foot they are looking to get more room for the walkway between the front and the back of the house and the master area to go through the bathroom.

Open to public comment.

Closed to public comment.

Open to board discussion.

Zoning Administrator Kushion stated he included a Regis map showing neighboring parcels. He stated that he and Planning Director Ferro research this past week, looking into how the homes got built so close to the rear property line as some are less than five feet. Kushion stated they couldn't find any variance files on them or plat approvals that showed different than 50 feet on other parcels. The 47 foot rear setback is greater than what the neighbors have all the way down to Driftwood and it's difficult to find anything greater than 35 feet rear yard setback. They seem to be larger homes than what is being proposed crammed down to similar size lots.

Member Pratt asked if there had been any correspondence with the neighbors and Zoning Administrator Kushion stated there was none.

Member Hartley stated it would be a much better situation than what the neighbors places are and doesn't have a problem with it.

Member Korth stated rear setbacks are to keep from being too close to the rear neighbor which there is none in this circumstance. The fact that the house will be close to the road so that the public is more impacted along with the homeowner with the house not complying.

Member Korth stated there was a practical difficulty on this parcel where the front yard is extremely shallow and to give more latitude for a broader variance for the driveway and safety reasons.

Member Korth stated given practical difficulty, due to the character of the area, and the circumstance was not self created, he moved to approve the variance request to be pushed back so there is a 37 foot setback in the back and the front setback should be 40 feet. Supported by Member Hartley. Yes: 4 No: 0 Absent: 1 Motion Carried.

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VI. **CORRESPONDENCE**-2008/2009 Zoning Board of Appeals Meeting Dates was presented to the Zoning Board of Appeals Board to vote on any corrections or changes for the 2008/2009 year. The following dates were changed and voted on. Move July 1, 2008 to July 15th, 2008, September 2, 2008 meeting to September 9th, 2008. Moved by Member Pratt, supported by Member Hartley. Yes : 4 No : 0 Absent: 1
Motion Carried.

VII. **PUBLIC COMMENT**-None

VIII. **ADJOURNMENT**-Moved by Member Korth, supported by Member Pratt. Yes: 4 No: 0 Meeting adjourned at 4:56 pm.

Deborah Ensing Millhuff, CMC
Ada Township Clerk

RS/dt