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**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES
TUESDAY APRIL 10, 2007, 4:30 P.M.
ADA TOWNSHIP OFFICES
7330 THORNAPPLE RIVER DR. SE, ADA, MICHIGAN**

MEMBERS PRESENT: Pratt, Hartley, Korth and Boman

STAFF PRESENT: Kushion and Thompson

COMMUNITY PRESENT: 10

ABSENT: Co-Chair Fields

I. CALL MEETING TO ORDER-4:30 PM

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

III. APPROVAL OF THE MARCH 6, 2007, ZBA MEETING MINUTES-Moved by Member Korth, supported by Member Hartley. Yes: 4 No: 0 Absent: 1

IV. OLD BUSINESS

1 Request for Variance from Stable Building setbacks to allow a Stable Building to be 79 feet from the property line instead of the required 150 feet, Tom Rinks, 5530 Michigan St., 41-15-19-200-034

The applicant is present for the variance. Mr. Rinks presented pictures to the Zoning Board of Appeals and stated he had built a barn with a walk out. After building the structure, Mr. Rinks found out there was a height restriction so he got a special use permit from the Planning Commission which was approved for height. Mr. Rinks stated when he built the barn it was from the farthest neighbor which was further then 225 ft away. He stated his family wants to get animals and there is a place in front of the house where he could build a structure to hold animals in the future. Mr. Rinks then produced a sky view of the property to the Zoning Board of Appeals.

Zoning Director Kushion summarized the decision of the Planning Commission and stated the applicant is here to use the accessory building for animals and it is legal.

Member Pratt asked what animals were to be brought in and Mr. Rinks stated there would be doves, chickens, and other small animals. The applicant stated there would be no horses.

Open to public comment

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Closed to public comment

Open to board discussion.

Chairman Boman stated an already constructed barn which is conforming would need no further approval from the Zoning Board of Appeals, but would like approval for farm animals. Mr. Boman noted that most of the 10 acres is wetland and the house is constructed in the southern part of the property.

Member Korth stated this was similar to another application which wanted to build a stable for miniature horses but the lot was shaped in a way not to be useful. Member Korth asked the applicant if he would like to have horses as an option and Mr. Rinks stated he would not.

Member Korth moved to approve with restrictions not to house horses, but small farm animals. Supported by Member Pratt. Yes: 4 No: 0 Absent : 1 Motion Carried.

V. NEW BUSINESS

1. Request for Variance from Lot Size Standards in the Ag. Zoning District to allow the creation of 2 lots less than the 3 acres required, Joe Gillard, 1559 Sargent Ave. and 9123 Fulton St., 41-19-01-100-038 and 41-19-01-100-007.

The applicant is present for the variance. Mr. Gillard stated he would like to increase the lot size as it is wooded and hilly. The original lot was one lot and another lot was taken off, but was split in 1978. The original 3 lots were all shaped like 9123 Fulton Street and now have been changed.

Open to public comment.

Joanne Woodfield, 1463 Sargent SE lives to the north of the Gillard property on Sargent. She stated she is not in favor of the variance as it is not protecting the integrity of the community. Ada is a rural community and Ms. Woodfield is concerned it would set precedence if this was approved. Ms. Woodfield stated it would also set precedence of property across the street and was concerned it could change the 3 lot variance. She stated concern for her neighbors and erosion of her property.

Pat Trapp, 9137 E. Fulton lives on the corner of Sargent and E. Fulton. The property she stated was not buildable when she sold it to the previous owners and the builder sold it back to her and her husband. It changed hands only to put a gas line through the property. She is not in favor of the variance.

The applicant, Mr. Gillard stated the erosion problem would be taken care of by the county road commission.

Closed to public comment.

Open to Board discussion

Zoning Administrator Kushion stated to split up the 2 acres, which does not meet the 3 acre parcel in this AG zoning district, both lots would be less than 2 acres. Mr. Kushion stated it is less nonconforming than it was when it was originally created and does meet ordinance standards and to build they need to acquire land at 9123 Fulton Street.

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Chairman Boman stated the property on Fulton St. is grandfathered in, yet the property on Sargent is not buildable.

Member Korth stated the original lot was not buildable when it was created back in the 70's.

Zoning Administrator Kushion stated it never had setbacks to have a home on it and failed to make the lot deep enough to meet setbacks at the time.

Member Hartley stated he agreed with Member Korth and Chairman Boman.

Chairman Boman stated correspondence from Stephen & Shirley Carlson, 1560 Sargent Ave., and Robert & Collette McDonald, 1551 Sargent Ave., was received stating they were not in favor of the request.

Moved by Member Korth to deny the variance request, seconded by Member Hartley. Yes: 4 No: 0 Absent: 1 Motion carried to deny request.

VI. CORRESPONDENCE-None

VII. PUBLIC COMMENT-None

VIII. ADJOURNMENT-Moved by Member Pratt, supported by Member Hartley. Yes: 4 No: 0 Absent: 1 Meeting adjourned at 4:58 pm.

Deborah Ensing Millhuff, CMC
Ada Township Clerk

RS/DT