



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

**MEMBERS PRESENT:** Fields, Korth, Hartley, and Pratt  
**STAFF PRESENT:** Kushion and Thompson  
**COMMUNITY PRESENT:** 7  
**ABSENT:** Chairperson Boman

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

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

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

**IV. OLD BUSINESS-**None

**V. NEW BUSINESS**

**1. Request for Variance from rear yard setbacks in the VR Zoning district to allow an addition to be 30 feet from the rear property line instead of the required 50 feet, Chan Tran and Van Lam, 7369 Thornapple River Dr., 41-15-34-126-004.**

The applicants were present for variance. Mr. Tran stated they moved into the village five (5) years ago and the house was built in 1928. Mr. Tran stated there is a large Oak tree by the side of his home which would have to be removed. By building the garage on the back of house the tree would not be taken down. Mr. Tran presented a model of the original house to the Zoning Board of Appeals and stated they wanted to put a garage on the back of the house but the setback would be approximately 30 feet from the property line which is why he is asking for the variance.

Open to Public Comment.

Closed to Public Comment.

Opened for Board Discussion.

Zoning Administrator Kushion stated he received two letters in favor of the request.

Member Korth stated within the village residential district where this is situated there are a lot of unique structures and odd setbacks and does not feel this one would disrupt the character .

He stated the opportunity to protect the trees would be considered and has no problem with the request and it would be an asset to the community.

Member Pratt stated she agreed the addition would be agreeable and supported the request.

Member Hartley stated it would be an asset.

Member Korth moved to approve the variance for a rear setback as presented, supported by Member Pratt. Yes: 4 No: 0 Absent : 1 Motion Carried

**2. Request for Variance from side and rear yard setbacks in the R-3 Zoning district to allow a front setback of 21 feet, less than the required 30 feet, and a side setback of 6 feet, 5 inches, less than the required 10 feet, Jeff Roys, 6838 Adaside dr., 41-15-33-202-004**

The applicant is present for the variance request. Mr. Roys stated he would like to add a garage and a small addition to his home. Mr. Roys stated he had looked over approximately ten different plans, trying to stay within budget and basically tried to keep in the parameters of the value of the homes in the area. He was finally able to make a decision where the garage would be in the front of the addition. The reason was because in order to go back and around the sides would make the cost of the additions twice as much. Mr. Roys stated they would be able to use the structure of the house as it is to expand the living room area and add an additional bedroom and bathroom. He stated they may possibly build a 22 ft garage, but a 24 ft would give more play.

Member Fields stated the standard to review this is by some kind of practical difficulty or undue hardship that relates to the property and is unique to the property and the ordinance does not seem to apply here. Member Fields asked the applicant if there was anything about the property that is unique to it.

Mr. Roys stated the original house was set within parameters but the width of the lot is the reason as it is the only way to get the standard size garage built there. Mr. Roys stated the other thing with this setup is the backyard will still have a fair amount of green space for recreational use and gets more use than the front yard does.

Open to Public comment

Marilyn Shackleton, 6836 Adaside Dr., stated her house is identical to the applicant's home. Mrs. Shackleton stated she had added on a garage and put an addition on the back of house which created a very nice patio. Mrs. Shackleton stated the applicant already has three out buildings in the backyard along with a wood structure and three years ago the applicant had chickens in one of the outbuildings. Mrs. Shackleton stated the safety of children is a concern as the driveway would be small and it would be negative for neighbors on both sides should they sell their home. The setbacks were established for a reason and doesn't want to see this request occur.

Rick Godinez, 6866 Adaside Dr., stated he looked at this request proactively and spoke to the applicant. Mr. Godinez stated it was more of a safety concern with children as the closer a garage is built to the street, there are cars going up and down the street and is opposed to the variance request after looking at it.

Closed to Public comment.

Open to Board discussion.

Zoning Administrator Kushion stated the lot is 90 feet wide which is the minimum for the R-3 zoning district and is allowed in this district. Most of the lots are 90-100 ft and the homes are lined up and this would stick out quite a bit.

Member Korth asked if the house on Fase Street is within the normal required setback.

Zoning Administrator Kushion stated it was village residential district so it is an entirely different setback and with the garage facing forward the setback is 20 ft.

Member Korth stated he looked at the neighborhood and it would be an anomaly. Member Korth stated he is not a proponent to garages that protrude from the front of homes and as part of the zoning statues they are looking at with respect to the village, address that very issue and prohibit garages that protrude more than a few feet. He did not think it was practical with this much property to not be able to have a two stall garage in this market or larger but does not see the practical difficulty. The garage could not be pushed back to a 30 ft setback which would be a use by right even though he would need a side variance. Member Korth stated he would consider a side variance but not allow front variance as it would be harmful to the neighborhood.

Member Hartley stated the safety feature should be considered as the garage would be close to the street in granting the variance and it should be considered going out the back of the house as it would be a more appropriate remedy.

Member Korth moved to approve the front variance as a separate item, supported by Member Hartley. Co-Chair Fields clarified the "No" vote would mean the denial of the front setback request. Yes: 0 No: 4 Absent : 1 Motion Carried

Member Korth moved to approve a side setback variance that would allow 6 1/2 feet on this property to allow a double stall garage addition on the house, supported by Member Pratt. Yes: 4 No: 0 Absent: 1 Motion Carried.

**VI. CORRESPONDENCE-** Letters related to the two applications received and are on file in the Clerk's office.

**VII. PUBLIC COMMENT-**None

**VIII. ADJOURNMENT-**Moved by Member Pratt to adjourn at 4:55 pm, supported by Member Korth  
Yes: 4 No: 0 Absent: 1 Motion Carried.

---

Deborah Ensing Millhuff, CMC  
Ada Township Clerk

RS/dt