

**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE TUESDAY, OCTOBER 6, 2015 REGULAR MEETING**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, October 6, 2015, 4:30 p.m., at the Ada Township Office, 7330 Thornapple River Dr., Ada, Michigan.

Call to Order:

The meeting was called to order by Chairperson Dixon at 4:30 p.m.

Roll Call:

Members present: Burton, Dixon, Hartley, Lowry and McNamara

Members absent: None

Staff Present: Sisson and Ferro

Public: 7

Approval of August 18, 2015 Meeting Minutes:

It was moved by Lowry, supported by McNamara, to approve the August 18, 2015 minutes as presented. Motion passed by 5-0 vote.

Approval of Agenda:

Moved by Lowry, seconded by Hartley, to approve the agenda as presented. Motion passed by 5-0 vote.

Old Business: None

New Business:

- 1. Request for variance from accessory building setback standards, to allow a new accessory building having a floor area in excess of 1200 square with a side yard setback of 20 feet instead of 50 feet as required by Sec. 78-20 of the zoning regulations, 1765 Honey Creek Ave, Parcel No. 41-19-15-200-012, Russ Denker**

The applicant was present for the variance. Mr. Denker explained the request and noted that the barn will be used to store recreational and property maintenance equipment. Denker stated the property is hilly, that the hill top where the house is positioned was the best location for the house and that once the house was located there is little flat area left on the site behind the house to place the pole barn. Placement in accordance with the 50 foot setback would require extensive filling as well as additional expense for a lengthened driveway, and utility extensions. Placing the barn with a 20 foot side yard would reduce cost and would not impact neighboring property, which is vacant. He stated a willingness to possibly increase the setback some greater distance but did not wish to locate the barn 50 feet off the property line.

The Chairman opened the public hearing on the request.

Tom Kaywood of 1824 Aslan Ct. stated that he had no objections with the placement of the building.

There were no other comments and the Chairman closed the hearing.

Discussion ensued with Burton and the Chairman Dixon noting that economic considerations are not used as factors in considering variances. Lowry noted that the parcel contains over 16.75 acres and that over 40% of the site is buildable with other places to correctly locate the barn. Hartley agreed that the hardship appeared self-created and that approval would set a bad precedent.

It was moved by Burton, supported by Lowry, to deny the request to allow placement of the building with a 20 foot side yard setback.

Motion carried by 5-0 vote.

- 2. Request for variance or variances to allow development of a private road system having only one point of connection to a public street while providing access to a total of fifty (50) residential dwellings, and a segment thereof having only one point of connection to the primary private street while providing access to twenty two (22) residential dwellings. Sec. 78.804(d) and (e) of the Ada Township Zoning Ordinance limits the number of dwelling units that may be accessed by a private road having only one point of connection to a public or private road to not more than twenty(20). Property located at 626 to 690 Ada Drive SE, Parcel Numbers: 41-15-34-152-001, 41-15-34-152-003, 41-15-34-152-011, 41-15-34-152-012, 41-15-34-151-006, 41-15-34-151-007, 41-15-34-151-009, 41-15-34-154-001, 41-15-34-154-004, 41-15-34--154-005, 41-15-34-154-006, 41-15-34-154-007, 41-15-34-154-008, 41-15-34-154-009, 41-15-34-154-010, Thornapple Pines Development.**

Chuck Hoyt of Thornapple Pines Development provided an overview of the request. He summarized that the 18 acre site has extreme topography, which makes installing public roads meeting Kent County Road Commission standards not feasible. They are proposing to use private streets which will allow up to 10% grades and less surface width than the public standard. The Road Commission will however only allow one access point at the current Rix Street location.

Sisson stated the ZBA is not being asked to approve the development itself, but to increase the number of dwelling units that may be served by single point of access private streets. The variances are needed to allow the Planning Commission the ability to consider the 50 unit development proposal as conceived.

Sisson stated the applicant's proposed development plan necessitates requests for the following:

-A variance granting the Planning Commission authority to approve the proposed private street system (with only one point of connection to Ada Drive), to serve as access to all 50 units.

-A variance granting the Planning Commission authority approve the proposed internal cul-de-sac (having only one point of connection to the primary private street) supporting 22 units.

The Chairman opened the public hearing on the request.

Kathy Obee of 645 Ada Dr. questioned the safety of the additional street opening and the extreme traffic concerns she has with traffic on Ada Dr. Hoyt stated that a traffic study had been completed and that the study showed no material change to Ada Drive traffic level of service in the morning and a slight decline in the afternoon, but that overall, the development would not degrade Ada Drives level of service.

Don Borton of 7256 Rix St. questioned when the traffic study was completed. He also spoke of traffic concerns relative to volume, lack of clear vision and parking, and whether the study took school-related traffic into consideration. Hoyt explained that the traffic study was done in the winter and accounted for school-related traffic.

Pat Kain of 7357 Bronson St. raised traffic concerns and questioned why the property needed to be developed. She urged the Board to deny the variance.

The public hearing was closed.

The Board discussed the impact of the steep topography of the site, the adjoining rail line and the adjoining Thornapple River on the feasibility of installing a second point of access to the site from Ada Drive. It was noted that the Fire Chief had reviewed the proposed plan, and had no objections to the proposed private street layout.

Following Board discussion, it was moved by Burton, supported by Hartley, to approve the variance granting the Planning Commission authority to approve the proposed private street system (with only one point of connection to Ada Drive), to serve as access to up to 50 units, based on the following findings, and subject to the condition that the variance will shall not go into effect unless the Planning Commission authorizes a final PVM site plan:

1. The development site has extreme topographic conditions with steep slopes throughout and many areas with slopes that exceed 30%. Enforcement of the 20 unit maximum will either significantly limit the development potential for the site or it could drastically increase the amount of grading and environmental change and degradation that results from site development.
2. Increasing the allowable threshold of dwellings on a single access street will enable consideration of a development proposal designed to minimize environmental change and degradation while accomplishing adopted planning and village design objectives, as expressed in the Envision Ada plan.
3. Fire safety will be addressed by an appropriately designed public water system with appropriately positioned fire hydrants.
4. The practical difficulties encountered are physical in nature, and are relatively unique to this parcel, especially with respect to the Envision Ada plan and the PVM District. The PVM Overlay District encourages residential density in proximity to the Village, but in this case may only be achieved by way of a single access street system.

The motion passed by a 5-0 vote.

It was moved by McNamara, seconded by Burton, to grant the variance granting the Planning Commission authority approve the proposed internal cul-de-sac (having only one point of connection to the primary private street) supporting up 22 units, based on the same findings as contained in the prior motion, on the condition that the variance will shall not go into effect unless the Planning Commission authorizes a final PVM site plan.

Motion passed by a 5-0 vote.

Correspondence: None

Public Comment: None

Adjournment:

It was moved by McNamara, supported by Hartley, to adjourn the meeting at 5:30 pm

Motion passed by 5-0 vote.

Jackie Smith
Ada Township Clerk

Date