

AGENDA

TALLMADGE CHARTER TOWNSHIP ZONING BOARD OF APPEALS

DECEMBER 2, 2014
7:00pm

CALL TO ORDER

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 2, 2014 MEETING

NON-AGENDA ITEM INQUIRIES

NEW BUSINESS

- Public Hearings
 - Leland Hawes – 14155 16th Avenue – Requesting relief from Section 6.04(b)
 - Carol Nash – 13217 42nd Avenue – Requesting relief from Section 7.04(b) and Section 7.04(c)
- Election of Officers
- 2015 Meeting Schedule

OLD BUSINESS

- None

ZONING BOARD OF APPEALS MEMBER COMMENT

ADJORNMENT

TALLMADGE CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
DECEMBER 2, 2014

7:00 pm Charlie Gilson called the meeting to order.

Members Present: Charles Gilson, Shirley Bruin, Marvin Bennink and Clifford Bronkema

Members Absent: Mary Gavin

Also Present: Greg Ransford, Leland Hawes and Carol Nash.

Marvin Bennink provided a motion to approve the agenda. Clifford Bronkema seconded the motion and was carried unanimously.

Clifford Bronkema provided a motion to approve the Minutes from the September 2, 2014 Zoning Board of Appeals meeting. Shirley Bruin seconded the motion and was carried unanimously.

7:05 pm New Business:

- **Public Hearings**
 - **Leland Hawes – 14155 16th Ave – Requesting relief from Section 6.04(b)**

Mr. Hawes stated that he would like to add an addition to his current dwelling. He said that his home was built in 1890 and the two-story addition would fit his family's needs. He is looking to add a new kitchen, master suite and a garage.

Clifford Bronkema asked if he planned on having a two-stall garage and if so would the access to the well be an issue.

Mr. Hawes stated that it would in fact be a two-stall garage and the access to the well should not be a problem.

Shirley Bruin asked if he was planning to do a completely new roof.

Mr. Hawes said that a completely new metal roof would be added.

Greg Ransford stated that he meets all requirements to move forward with his project.

Marvin Bennink provided a motion to approve the application as submitted for the dimensional variance as written,

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to its intended use, that do not apply generally to other properties or classes of uses in the same zone. The existing dwelling was constructed in 1890, which predated zoning. Consequently, the dwelling was constructed with no concept of required setback, which is an exceptional and extraordinary circumstance applying to the property.
2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. All dwellings within the same zoning district are entitled to a building addition given the large minimum lot size, which is intended to accommodate a significant amount of building square footage. Given that the dwelling is located entirely within the front yard setback, the variance is necessary for the enjoyment of said property right.
3. The variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public interest. In fact, given that the parcel is approximately four (4) acres in area and the dwelling is positioned more or less in the center of the lot north to south, the addition will be of substantial detriment to adjacent property in any fashion nor will it materially impair the intent and purpose of the Ordinance or public interest.
4. The condition or situation of the property or its intended use is not of so general or recurrent a nature as to make reasonably practicable a general regulation for the condition or situation. The age of the dwelling and its location are rare. Given this, no regulation for the condition or situation needs to be created.
5. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.

Clifford Bronkema seconded the motion and was carried unanimously.

- **Carol Nash – 13217 42nd Ave – Requesting relief from Section 7.04(b) and Section 7.04(c)**

Mrs. Nash stated that her house was built in the 1800's and they are looking to add an addition to provide additional living space and adequate storage. In addition, change the roofline so proper ventilation can be added to eliminate further water damage.

Marvin Bennink questioned if any of the neighboring properties have any concerns regarding the lot line.

Clifford Bronkema provided a motion to approve the application for the dimensional variance as submitted,

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to its intended use, that do not apply generally to other properties or classes of uses in the same zone. The existing dwelling was constructed in 1800s as a blacksmith shop, which predated zoning. Consequently, the dwelling was constructed with no concept of required setback, which is an exceptional and extraordinary circumstance applying to the property.
2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. All dwellings within the same zoning district are entitled to a building addition given the large minimum lot size, which is intended to accommodate a significant amount of building square footage. Given that the dwelling is located entirely within the front yard setback and is a majority of the side yard setback, the variances are necessary for the enjoyment of said property right.
3. The variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public interest. In fact, Tom Hines immediately to the south was recently granted a variance of similar distance to the right-of-way. While said variance was for a pole barn, it remains evident that adjacent property requires similar setback. Given this, the addition will not be of substantial detriment to adjacent property in any fashion nor will it materially impair the intent and purpose of the Ordinance or public interest.
4. The condition or situation of the property or its intended use is not of so general or recurrent a nature as to make reasonably practicable a general regulation for the condition or situation. Considering the age of the dwelling and its location are rare.
5. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.

Shirley Bruin seconded the motion and was carried unanimously.

7:25 pm Election of Officers:

Marvin Bennink provided a motion to nominate Charlie Gilson as Chairman. Clifford Bronkema seconded the motion. There being no other challengers, Charles Gilson was awarded the office of Chairman.

Charlie Gilson provided a motion to nominate Marvin Bennink as Vice- Chairman. Shirley Bruin seconded the motion. There being no other challengers, Marvin Bennink was awarded the office of Vice- Chairman.

Charlie Gilson provided a motion to nominate Shirley Bruin as secretary. Marvin Bennink seconded the motion. There being no other challengers, Shirley Bruin was awarded the office of Secretary.

2015 Meeting Schedule:

Marvin Bennink provided a motion to approve the 2015 meeting schedule as written. Clifford Brokema seconded the motion and was carried unanimously.

7:30 pm Clifford Bronkema provided a motion to adjourn. Marvin Bennink seconded the motion and was carried unanimously.

Respectfully submitted:

Val Schwallier
Administrative Assistant

PLANNING & ZONING DEPARTMENT MEMORANDUM

To: Zoning Board of Appeals
From: Gregory L. Ransford, Director 
Date: November 25, 2014
Re: Proposed 2015 Zoning Board of Appeals Meeting Schedule

Zoning Board of Appeals:

In accordance with Section 2 of your proposed Bylaws, below is a proposed meeting schedule of the Zoning Board of Appeals for the 2015 year. The schedule requires your approval or amendment and approval at your December meeting. In the event you agree with this schedule, you may simply take a voice vote and note the results in the meeting minutes.

Tuesday, January 6, 2015
Tuesday, February 3, 2015
Tuesday, March 3, 2015
Tuesday, April 7, 2015
Tuesday, May 5, 2015
Tuesday, June 2, 2015
Tuesday, July 7, 2015
Tuesday, August 4, 2015
Tuesday, September 1, 2015
Tuesday, October 6, 2015
Tuesday, November 3, 2015
Tuesday, December 1, 2015

If you have any questions, please feel free to let me know.

GLR
Planning & Zoning Director