

**TALLMADGE CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MAY 18, 2010**

Charles Gilson called the meeting to order at 7:00 p.m.

Members present: Shirley Bruin, Mary Gavin, Clifford Bronkema and Charles Gilson

Member Absent: Marvin Bennink

The minutes of the March 30, 2010 meeting were approved as presented.

1. Scott and Patty Bylsma are requesting a variance from Section 7.04(d) – Area Regulations, Rear Yard, for the purpose of being able to build an addition on the rear of their single family dwelling. This is for parcel number 70-10-13-169-004 which is zoned R-1 and is located at O-655 Bylsma Street.

Jonathan Kamps, builder for the proposed project for the Bylsma's, referred to the responses to the Standards for Review that he had submitted with the application. The required rear yard set back is 50 feet and they are requesting a rear yard set back of 24 feet. He said if they were to locate the addition in another area, it would cause problems for the Bylsma's and the neighbors due to water issues. Also, the drain field is located in the front yard, and if the addition was located on the north side of the property, water would drain into the neighbors drain field. He then submitted a letter from the neighbor in support of the request.

Mr. Bylsma pointed out that his rear yard abuts Consumers Energy property and his options are limited. Shirley Bruin asked if Consumers Energy had setback rules. Mr. Bylsma said his proposed addition is not in violation of any Consumer Energy regulations. Mr. Bylsma added that he leases one acre of property adjacent to his from Consumers Energy. Charles Gilson agreed that this was a unique property, especially due to it being adjacent to the power lines. It was noted that as a property owner, they have the right to an addition. The property is on a cul-de-sac which creates a uniquely shaped parcel and therefore creates greater restrictions. In addition the drain field is located on the south side of the property and the well is located on the north side of the property.

Clifford Bronkema moved, Mary Gavin supported, motion CARRIED to APPROVE the request since it meets all the criteria of the Standards for Review, Section 21.07 (d), especially given that the most adjacent and affected parcel is owned by Consumer's Energy. In addition, the applicant notes that they lease some of this property from Consumer's, therefore are creating an additional buffer for their addition with this vacant Consumer's property. Ayes: Shirley Bruin, Mary Gavin, Clifford Bronkema and Charles Gilson. Nays: none.

Meeting Adjourned at 7:15 p.m.

Respectfully Submitted,

Denise L. Somers, Administrative Assistant