

**TALLMADGE CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
DECEMBER 17, 2009**

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

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

The minutes of the October 15, 2009 meeting were approved as presented.

1. Robert Rodenhouse is requesting a variance from Section 3.02 (f) – Accessory Uses and Buildings, Minimum Setbacks and Section 3.02 (i) 2 – Accessory Uses and Buildings, Other Accessory Buildings. This is for parcel number 70-10-26-400-014 which is zoned R-2 and is located at O-10543 8<sup>th</sup> Avenue.

Mr. Rodenhouse explained that on October 2<sup>nd</sup> his rental house exploded and was a total loss. This property is adjacent to his primary residence. The renter had moved out the day prior and broke a gas line when removing the dryer. Now he is left with a parcel that he may or may not want to rebuild a house on, however there is an accessory building remaining on the property without a principal building. He said this is a hardship since he did not intend to remove the house.

Charles Gilson asked if he wanted to combine the parcels. Mr. Rodenhouse said that was his original intention, however he would now like to keep the parcel separate with the accessory building on it. That would involve a variance from Section 3.02 (b) – No accessory building may be built on any lot on which there is no principal building. The Zoning Board of Appeals determined he will still need a variance for the setback as well.

Mary Gavin moved, Clifford Bronkema supported, motion CARRIED to APPROVE the variance for an accessory building on a parcel without a principal building and a variance for a 53 foot front yard setback for the accessory building. If a house is built in the future it must meet all other criteria current at the time the house is built. These variances are approved due to the fact the building is grandfathered in, and the dwelling on the property was destroyed by means not in control of the owner. It is an exceptional occurrence for a structure to explode and be destroyed beyond repair. In the instance the house exploded and there was no accessory building existing, no variance would be needed. Mr. Rodenhouse did not cause the destruction of the single family dwelling and remains entitled to the surviving structure since the hardship is not self-created. Ayes: Shirley Bruin, Marvin Bennink, Mary Gavin, Clifford Bronkema and Charles Gilson. Nays: none.

Meeting Adjourned at 7:25 p.m.

Respectfully Submitted,

Denise L. Somers, Administrative Assistant