

**TALLMADGE CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
SPECIAL MEETING  
AUGUST 7, 2024**

7:00pm Marv Bennink called the meeting to order.

MEMBERS PRESENT: Marv Bennink- Chairman, Mary Gavin, Tip Bronkema, Timothy Smith. Also Present: Alexis Gulker, Zoning Administrator, Greg Ransford, Planner, 5 residents and applicant. Absent: Shirley Bruin

APPROVAL OF THE AGENDA: Mary Gavin motioned to approve the agenda. Tim Smith supported and it carried unanimously.

APPROVAL OF THE MINUTES FROM March 5, 2024 REGULAR MEETING: Tim Smith motioned to approved the minutes as presented. Mary Gavin supported and it carried unanimously.

NON-AGENDA ITEM INQUIRIES:

Q: Val Schwallier neighbor, Tree fell on shed, does he need to come to ZBA for approval?

Discussion about position of shed and distance from property line. Yes, Zoning would need an application, along with \$50 fee. If the location of new shed would be too close to the property line, then an application to ZBA would be required.

NEW BUSINESS

- Public Hearing
  - o Jason Mills –10240 4th Avenue– 70-10-36-260-015
  - o Seeking relief from:
    - Section 7.04(b) – R-1 Single Family Area Regulations (Front Yard)
    - Section 17.04 (d)2 – Nonconforming Structures

Marv Bennink opened the floor to applicant, Jason Mills. Mr. Mills states his brother started this project and things went a bit haywire, and now his is left with picking up the pieces. Explained how he is restricted on the placement of the deck due to the location of room within the home, and views of the lake, along with the location of neighbor homes and trees. States most of his house is already non-conforming and has been

Q: Tim smith – Wondering if the new projects were constructed structural safely. A: Applicant states yes.

Q: Tim smith – asks about hand railing on the deck. A: Alexis states that the project was put on hold, and a railing will be required. Applicant states that his intention as well.

Marv Bennink asks: Is the deck along roadside and the house – is it new? A: Part of walkway is new and a portion was existing. What did the old part serve? It was the entrance to the house, it was a large landing along with a ramp that went further.

Q: Marv Bennink: Is brother a license builder? A: NO. States the brother is no longer living there, and will not be heading the remaining of the project.

Q: Marv Bennink: What does the flat Roof around the corner of the new deck covers: A: the Garage. And did not use this surface as a deck, because it does not access the house interior in a practical way.

Tim Smith moves to open to public hearing. Tip Bronkema supports and it carries unanimously.

Neighbor: Asks about clarification of the 2 items being addressed.

A: The house is 12ft from the road, and needs to be 50ft. So applicant is expanding the non-conforming building, which requires ZBA review.

Neighbor: States the house looks nice where it is, as long as the project is done to code standards for safety.

Mary Gavins moves to close to public hearing. Tip Bronkema supports and it carries unanimously.

ZBA members discuss among each other.

Marv Bennink address the need to meet all 5 standards. He highlights standard 5, which addresses that the item in question could be considered self-created.

Greg Ransford addresses the history of standards, and how the ZBA works, and how it serves a purpose.

Tip Bronkema motions to approve the variance request. Tim Smith seconds. Mary supports. Marv Bennink opposed. VOTES – 3 supports, 1 oppose. Variance request is approved.

## **OLD BUSINESSS**

- None

## **ZONING BOARD OF APPEALS MEMBER COMMENT – NONE**

Tim Smith motioned ADJORNMENT. Mary Gavin seconded and it carried unanimously.

Adjournment – 7:45pm

Respectfully submitted,  
Jennifer Bosch