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MEMORANDUM

To: Tallmadge Charter Township Zoning Board of Appeals
From: Aaron Bigelow
Date: March 4, 2025
Re: Daniel Sinke- Dimensional Variance Request for Placement of Pole Building

Attached is an application for a dimensional variance request from Daniel Sinke for property located at 2993 Buchanan Street, parcel number 70-10-17-400-049. The property is located within the Rural Preserve Zoning District (RP).

The applicant seeks relief from Section 3.02(f) – Minimum Setbacks of the Tallmadge Charter Township Zoning Ordinance (TCTZO) to build an accessory building in the front yard when the required placement is in the rear yard or side yard.

The application has been reviewed and found complete. We believe approval is appropriate.

Property Details

The property is approximately 3.65 acres in area and is located on the north side of Buchanan Street, approximately 1,200 feet east of Linden Drive and 2,000 feet east of the Grand River.

The property currently has one principal dwelling of 2,419 square feet. There is one small accessory building that will be removed prior to construction of the proposed pole building.

The property is a flag lot with 106' of street frontage, and a depth of 735'. The width at the rear of the property is 285'. There is a significant 30' rise in elevation in the rear and side yards. This feature creates the challenge of the required rear and side yard placement of an accessory building, requiring the need for a variance. Additionally, the drain field is located to the northwest of the house, in the rear and side yard. The well is located in the east side yard. The most level portion of the site is in the front yard, south of the house and on the west side of the driveway. This area is the proposed location of the pole building.

Dimensional Request

As aforementioned, the applicant seeks approval from Section 3.02(f) of the TCTZO to locate the proposed pole barn within the front yard. Below is a copy of said section, in part, for your convenience.

Section 3.02 (f) - Minimum Setbacks.

1. Accessory buildings may be located in the rear yard or side yard.

Standards for Review

In the case that the applicant desires to place the proposed accessory building between the street and the dwelling due to unusual property circumstances, the Zoning Board of Appeals shall consider the following standards, provided in Section 3.01(f), in lieu of Section 21.07(d).

In an effort to assist with your review, we provided our comments in italic font for each standard.

- a. An existing natural feature makes it impractical to locate an accessory building in the rear or side yard without drastically modifying the natural feature itself. For the purposes of this section, natural features shall only include a creek, ravine or steep slope.

There is a steep 30 foot rise in elevation in the rear and side yards. This feature creates the challenge of the required rear and side yard placement of accessory building. (See Figure 3)

- b. The proposed location of the accessory building shall comply with the setback requirements of a principal building.

The building exceeds all requirements. It will be setback 40 feet from the east side property line, 75 feet from the west property line, 230 feet from the street right-of-way, and 106 feet from the principal structure. (See Figures 1 & 2)

- c. The proposed location of the building on the parcel will take maximum advantage of natural screening provided by existing vegetation. Natural vegetative screening of the accessory building from adjoining properties is a major consideration for front yard locations.

The property is significantly wooded, providing natural screening between the street frontage as well as the neighbors. Care should be taken to minimize the removal of trees to what is necessary for construction. The Zoning Board of Appeals may desire to condition the prohibition of certain tree removal to achieve this standard.

- d. The variance granted shall be the minimum variance that will make possible a reasonable placement of the accessory building.

The variance, if granted, will allow reasonable placement of the accessory building. This will comply with all setback requirements except for placement in the rear or side yard, and will maintain the maximum distance from all neighboring structures. The topography of the rear and side yards, along with the location of the septic drainfield and well, do not allow placement in the regulated area. (See Figure 4)

- e. The variance granted shall be in harmony with the intent of this ordinance and will not be injurious to the neighborhood, and otherwise detrimental to the public interest.

The variance granting the placement of the accessory building is in harmony with the intent of this ordinance. It will allow the property owner to build on the only available level land, while still maintaining the minimum setback requirements and distance from neighbors.

As you are aware, a dimensional request requires a majority vote of the membership.

Public Hearing

The application has been scheduled for a public hearing at your March 4th 2025 meeting at 7:00pm. If you have any questions, please let us know.

AB
Planner

Attachment

cc: Supervisor Bennett



Figure 1- Site Plan



Figure 2- Site Plan-South

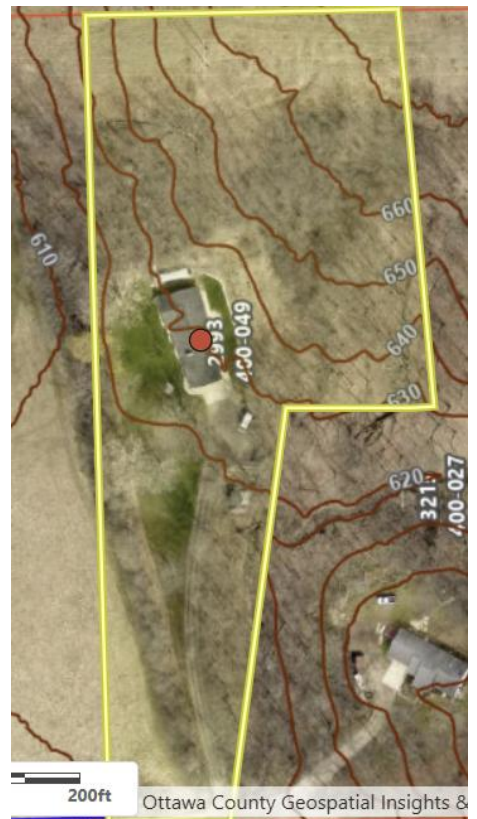


Figure 3- Topography

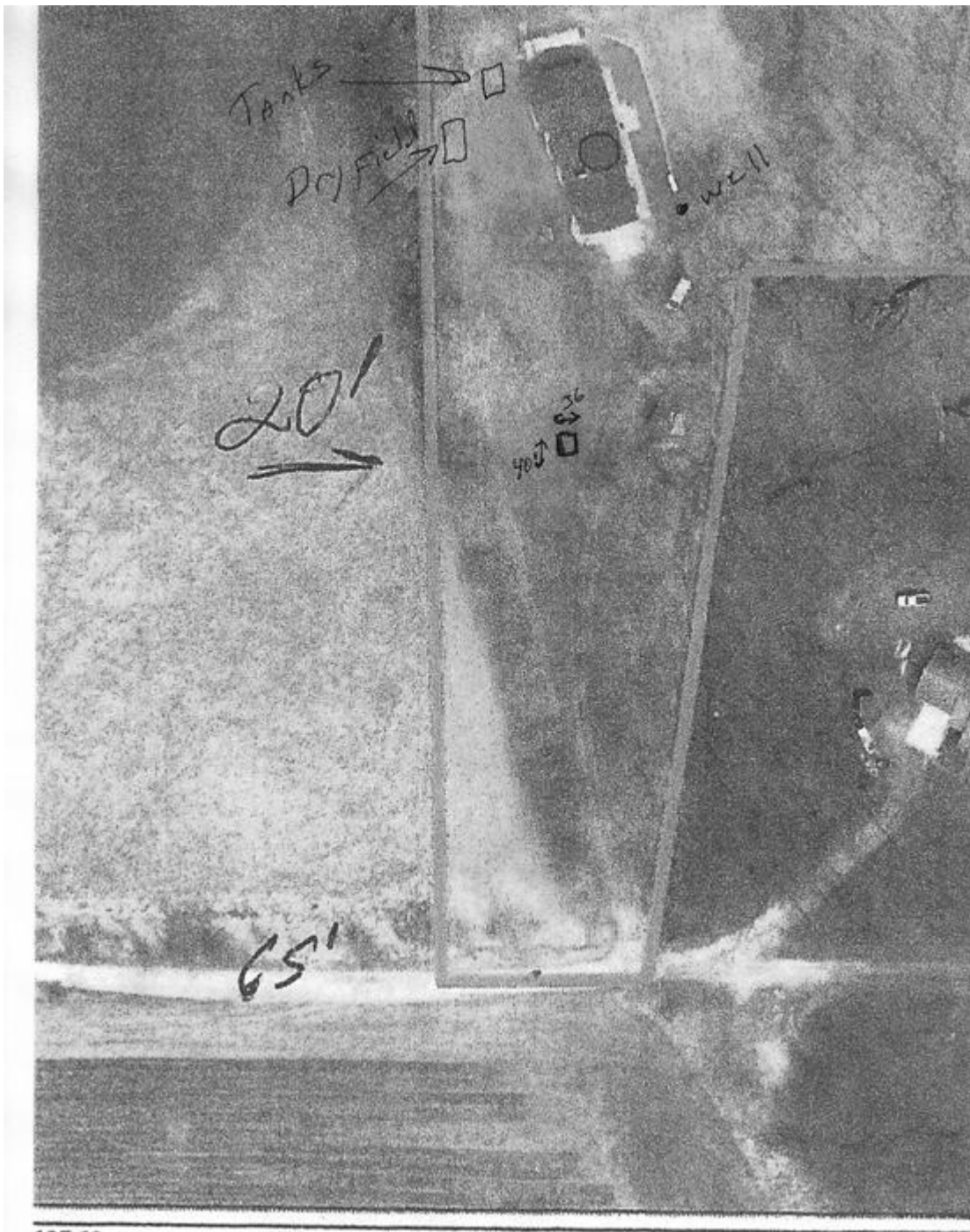


Figure 4- Site Plan showing Septic tanks, drainfield, and well locations.