

**GRAND RAPIDS CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
April 12, 2016**

A regular meeting of the Grand Rapids Charter Township Zoning Board of Appeals was called to order at 7:00 pm with the following present; Chair George Orphan, Vice Chair Bev Wall, Secretary Jim Kubicek, Lee VanPopering, Greg Timmer and Lindsey Koorndyk-Theil. Also present were Township Attorney Jim Scales and Planning/Zoning Assistant Kara Hammond.

1. Approval of the August 11, 2015 minutes.

Lee VanPopering, seconded by **Bev Wall**, moved to approve the minutes with no changes.
Motion approved unanimously.

2. #2016-01 - James & Linda Ries - 3241 Shadyside Dr NE

Jim Ries, 3241 Shadyside Dr NE, homeowner, gave an explanation;

- Requesting a car port type shelter over existing handicap ramp to shelter from the elements
- Wife cannot access the home any other way but through the back entrance
- Moved in last fall and found the handicap ramp is unusable for the majority of the winter due to snow and ice
- Roof over to have it covered and protect the ramp in order to use it
- Stated he has 29 ft. from property line to the back of his home, there would be approximately 3 ft. of leeway
- Stated he holds the lease to the right of away located behind his property and is able to do gardening, etc. as he wants and had the lease since 1985
- There are some restrictions on that lease; can't block it in any way, no structure, no trees
- 4 criteria; Yes, wife has a mobility issue - needing scooters and electric mobility assistance - they use that floor as their main living area and it is restrictive of his wife entering

Lee VanPopering asked if the applicant obtained a building permit for the existing ramp. The applicant stated he did and that it was inspected. Mr. Ries continued by stating he does have a building permit and the ramp was approved by the Township's Assessing Department.

Lee VanPopering asked why there is a need for the roof to go all the way to the end of the property line. VanPopering also noted there are no detailed plans or elevations shown or provided from the applicant and explained there is no way the items in front of the ZBA members is sufficient. Mr. Ries said he has some more in depth plans showing some dimensions. VanPopering said he wants a detailed plan, from a qualified architect or house designer explaining the applicant is telling the ZBA what he wants, but not how he intends to do it. Mr. Ries stated he did not think he needed a qualified architect to sign off on his plans. VanPopering said there is not enough information provided for the magnitude of the structure he is proposing.

Lee VanPopering stated he would like to see the following items addressed before continuing; otherwise the request will not be moving forward;

- ♦ Conform and look (pretty much) like the house
- ♦ 1 foot larger than the railing and deck, but not anything larger
- ♦ Qualified architect or house designer with in depth descriptive plans

George Orphan added there is no survey provided so the ZBA members cannot actually look at then in turn, make a determination on what is provided.

Jim Kubicek asked if the entire proposed building would be completely enclosed. The applicant replied stating no; just two sides would be completely enclosed in order to keep the wind, leaves debris out.

Lee VanPopering stated the Zoning Board of Appeals is going to hold the applicant to every standard they expect and said the applicant needs to keep in mind when dealing with the ZBA they will require you make the structure look like it belongs there, like it was not an add on.

George Orphan wanted to remind the ZBA members that if they allow a variance it stays with the home, not the homeowner. Orphan encouraged the other members to keep that in mind and take caution when deciding on this matter; it may make sense now but what about in ten years.

The applicant rebutted saying the addition is in the back of the home, not the front, and will not be seen from the road

Bev Wall, seconded by **Lee VanPopering**, moved to open the Public Hearing at 7:35 pm.
Motion approved unanimously.

Ken Fridsma, 3225 Shadyside Dr NE, is opposed to the request;

- ♦ Lives to the south of the applicant
- ♦ Worried about the property values due to the way the applicant has built his previous homes along their drive (example; roof repair/patch)
- ♦ As a neighbor he would like to sit down and have coffee and be a good neighbor, but it doesn't happen
- ♦ Does not see the structure as a benefit
- ♦ More of an eyesore, just like the rest of the homes he owns and "takes care of" on the street
- ♦ Feels there are other ways to protect the ramp, doesn't need to make a huge structure or car port

Irene Fridsma, 3225 Shadyside Dr NE; stated she really does feel for Linda and for the struggles she has, but if there is a way to do this without enclosing the whole back yard that would be better.

Mr. Ries replied; he replaced the roofing with a 50 yr. roof and feels that will actually increase the property values.

Lee VanPopering, seconded by **Bev Wall**, moved to close the Public Hearing at 7:41 pm.
Motion approved unanimously.

Lee VanPopering stated his thought would be that it is not adding up and there is no way he would approve a building all the way to back property line.

Lee VanPopering, seconded by Jim Kubicek, moved to table the variance request. The applicant began speaking before the Zoning Board Members were able to vote on this motion resulting in a dead motion.

The Zoning Board of Appeals members were all in agreement that the current situation is a hardship on Mrs. Ries and all members agreed to allowing the ramp be covered with an additional one foot of overhang, but a structure as large as the applicant is requesting is more than what is necessary to fix the current issue.

Mr. Ries rebutted saying the reason it extends that far out is because it solves all the issues, stating if it is not covered the entire way, the issues will still exist. Getting in and out of the vehicle with the lift on it is the issue and Mr. Ries stated he wants to fix that by having a structure over the entire area; by only allowing half of it to be covered it does not fix the problem of getting in and out of the vehicle and into the home.

Bev Wall asked the applicant to clarify his request; meaning is it all or nothing for him. Mr. Ries replied yes; 24 ft. would be the smallest he would want to go, indicating a lesser variance (just covering of the ramp) would not be acceptable.

Lee VanPopering, seconded by **Bev Wall**, moved to deny the variance request as the applicant did not demonstrate anything unique about the property nor was a fully dimensioned drawing or survey submitted, in accordance to the Resolution provided by the Township Attorney.

Motion approved unanimously.

The meeting was adjourned at 8:01 pm.

Respectfully Submitted,
Jim Kubicek