



CASCADE CHARTER TOWNSHIP

5920 Tahoe Dr SE SE Grand Rapids, Michigan 49546

NOTICE OF PUBLIC MEETING VIA VIDEO CONFERENCE

In accordance with Public Act 228 of 2020, which declares that public bodies subject to the Open Meetings Act can use telephone and/or video conferencing technology to meet and conduct business during the ongoing COVID-19 pandemic, the Cascade Charter Township Zoning Board will conduct a regular meeting on Tuesday, June 8, 2021 at 5:30 pm utilizing the Zoom video conferencing platform, for the purpose of conducting official business while complying with the Michigan Department of Health and Human Services orders and recommendations designed to help prevent the spread of COVID-19. For up-to-date information regarding the ongoing public health crisis, please visit:

<http://www.Michigan.gov/coronavirus> or <http://www.CDC.gov/coronavirus>

INSTRUCTIONS FOR ACCESS AND PARTICIPATION

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82245534078>

Or iPhone one-tap :

US: +13126266799,, 82245534078# or +19292056099,, 82245534078 #

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1
669 900 6833 or +1 253 215 8782

Webinar ID: 822 4553 4078

International numbers available: <https://us02web.zoom.us/j/82245534078>

Members of the public with disabilities may utilize the Michigan Relay System (7-1-1) to participate in the meeting. If other aids or services are needed for individuals with disabilities, please contact the Township Manager, Ben Swayze, at bswayze@cascadetwp.com or 616-949-1500 at least 24 hours prior to the meeting

PUBLIC PARTICIPATION

Members of the public will be able to listen to and view all discussion by the Zoning Board, and all official materials for this meeting prepared for the Zoning Board will be included in the meeting packet and available to the public on the Township website. www.cascadetwp.com

Individuals will be permitted to speak during public comment periods in accordance with the Township Remote Public Meeting Procedure Policy.

If you would like to contact the Township about any matter, on the agenda or otherwise, please do so via email at the addresses below a minimum of 8 hours prior to the meeting. If you wish comments to be read into the public record during the public comment period, you must indicate so and draft communication that can be read in the allotted 3-minute timeframe.

Clerk Sue Slater: sslater@cascadetwp.com

Manager Ben Swayze: bswayze@cascadetwp.com

Community Dev. Director: speterson@cascadetwp.com

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, June 8, 2021
5:30 pm
Virtual Meeting

- ARTICLE 1. Call the meeting to order
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Approve the minutes of the May 11, 2021 meeting**
- ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.
(Comments are limited to five minutes per speaker.)**
- ARTICLE 6. Case #21-3635/John & Paul Renucci Trust
Public Hearing
Property Address: 5175 Buttrick Ave SE
Requested Action: The applicant is requesting a variance to allow the construction of a new barn on the property where no home exists.**
- ARTICLE 7. Any other business**
- ARTICLE 8. Adjournment**

Meeting format

- 1. **Staff Presentation** *Staff report and recommendation*
- 2. **Project presentation-** *Applicant presentation and explanation of project*
 - a. **PUBLIC HEARINGS**
 - i. *Open Public Hearing. Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
 - ii. *Close public hearing*
- 3. **Commission discussion –** *May ask for clarification from applicant, staff or public*
- 4. **Commission decision - Options**
 - a. *Table the decision*
 - b. *Deny*
 - c. *Approve*
 - d. *Approve with conditions*
 - e. *Recommendation to Township Board*

MINUTES
Cascade Charter Township Zoning Board of Appeals
Tuesday, May 11, 2021
5:30 P.M.
Virtual Zoom Meeting

ARTICLE 1. Chairman Mead called the meeting to order at 5:30 P.M.
Members Present: Berra, McDonald, Mead, Milliken, Moxley
Members Absent: None
Others Present: Planner Brian Hilbrands

ARTICLE 2. Chairman Mead led the Pledge of Allegiance.

ARTICLE 3. Approve the Agenda.

Motion was made by Member McDonald to approve the Agenda. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 4. Approve the Minutes of the April 13, 2021 Meeting.

Motion was made by Member McDonald to approve the Minutes of April 13, 2021. Supported by Member Milliken. Motion carried 5 to 0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.

No visitors came forward.

ARTICLE 6. Case #21-3628 / Goehring, Harold
Public Hearing

Property Address: 6389 Burton St SE

Requested Action: The applicant is requesting a variance for the use of a temporary building during the construction of a detached garage.

Planner Hilbrands stated that this case was brought to the attention of Township Staff in March, and that the temporary building was already in place at that time. Planner Hilbrands stated that the applicant was told he would need to apply for and receive a variance in order to keep the temporary building on the property, and stated that since applying for the variance, the applicant has been very cooperative.

Planner Hilbrands stated that the temporary building is an approximately 8x20 shipping container, and is approximately 9 feet tall. Planner Hilbrands stated that although this is not a zoning variance, it is something the Zoning Board of Appeals needs to grant permission for. Both the Fire Department and Building Department have reviewed the request, and stated that no additional permits are needed.

Planner Hilbrands stated that as the building is currently placed, it is approximately 8 feet in front of the house on the side facing Cascade Pointe Drive, so it is technically in

the front yard since the home sits on a corner and has two front yards. Planner Hilbrands stated that there is room for the applicant to shift the building back to the west 8 feet if the Zoning Board would like that done. Planner Hilbrands stated that since this is just a temporary permit, he does not find it necessary to have the building moved. The applicant has stated that he is using the building as temporary storage until the garage is built, and has bids out to start work on the foundation of the garage.

Planner Hilbrands stated that variances for temporary structures have been issued in the past, however most often for commercial, school, or church sites. These variances have been given when an end date was set for when the use of the temporary building would be terminated.

Planner Hilbrands stated that Staff is recommending approval of the variance request with the two following conditions:

1. The applicant removes the temporary building upon completion of the detached garage or within six months, whichever is sooner.
2. The applicant provides a performance bond or security deposit for the removal of the temporary building if it is not removed and the property is not in compliance within six months. The amount of the bond or deposit will be a minimum of \$500.

Chairman Mead invited the applicant to comment.

Planner Hilbrands stated that the applicant reached out and said he had to travel for work, and was unsure if he would have internet access.

Motion was made by Member McDonald to open Public Hearing. Supported by Member Berra. Motion carried 5 to 0.

Member McDonald asked Planner Hilbrands if there was any additional public comment made besides the initial complaint alerting the Township Office to the building, Planner Hilbrands stated there was none.

Mr. Tom Stolz (6399 Cascade Pointe Drive) asked if a permit is needed for the permanent structure (garage) being built, and if one has been applied for. Planner Hilbrands stated that he did not believe a permit is needed yet for the building that will be constructed, and that a temporary building only needs a permit if it is over 200 square feet. The temporary building on the property in question is not over 200 square feet, however the six-month timeline is given to assure that a permit will be pulled when needed, and that the project will be completed within six months.

There was no further comment.

Motion was made by Member McDonald to close Public Hearing. Supported by Member Moxley. Motion carried 5 to 0.

Member Moxley asked what the current building to the north of the temporary building is, Planner Hilbrands stated that it is an existing shed that the applicant plans to take down after the garage is built.

Member Moxley asked where the new building is going to be located on the property. Planner Hilbrands stated it will be near where the current shed is, and will need to meet all Zoning requirements.

Member Moxley asked if the contents of the existing shed have been moved in to the temporary building, Planner Hilbrands stated that he believes so, but would need to verify that with the applicant.

Member Moxley asked if the temporary building can be moved once it's loaded. Planner Hilbrands stated that he would need to check with the applicant, Chairman Mead stated that he believes it can be moved.

Member Moxley commented that the temporary building is hid well by large spruce trees and another flowering tree on the property.

Motion was made by Member McDonald to approve the variance with the conditions listed above by Staff. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 7. Case #21-3633 / Daniel Verkaik

Public Hearing

Property Address: 8934 52nd St SE

Requested Action: The applicant is requesting a variance to construct an accessory building concurrently with a home.

Planner Hilbrands Planner Hilbrands stated that the Township does not typically permit an accessory building being built at the same time as a home, and that the Township Ordinance states that a house has to be 50% complete before an accessory building is able to be constructed. Planner Hilbrands stated that the applicant has said that building both the home and accessory building concurrently will help with construction efficiencies. Planner Hilbrands stated that there have been similar variances granted in the past (accessory building built concurrently with a house), and that a performance bond is provided to the Township to ensure the building can be removed if the property does not come into compliance.

Planner Hilbrands stated that the applicant has been made aware of these requirements, and that this is the only approval the applicant needs to receive before he can apply for building permits for both buildings.

Planner Hilbrands stated that Staff is recommending approval of the variance as requested with the following three conditions:

1. The house is at least 50% complete within one year.
2. The applicant provides a performance bond (minimum of \$10,000) for the removal of the accessory building if the home is not 50% complete within one year.

3. The performance bond will be released when the property is in compliance.

Chairman Mead invited the applicant to comment.

Mr. Dan Verkaik (8111 Bailey Drive) is the builder/contractor for the property, and asked if the performance bond is paid upfront, or after six months/50% complete. Planner Hilbrands stated that it needs to be received upfront, and will be released upon the property coming into compliance.

Motion was made by Member McDonald to open Public Hearing. Supported by Member Berra. Motion carried 5 to 0.

There was no public comment.

Member McDonald asked Planner Hilbrands if there was any comment made to the Township Office. Planner Hilbrands stated that one neighbor called with general questions, but no concern about the project.

Motion made by Member McDonald to close public hearing. Supported by Member Berra. Motion carried 5 to 0.

Motion was made by Member McDonald to approve the variance with the conditions listed above by Staff. Supported by Member Moxley. Motion carried 5 to 0.

ARTICLE 8. Discuss and Consider Virtual or In-Person (Hybrid) Meetings

Planner Hilbrands stated that the Township now has the ability to hold a in-person/hybrid meetings at the Wisner Center; this gives Staff, residents, and applicants the ability to meet in-person, but allows the use of Zoom for those unable to attend in-person. Kent County did extend an order giving municipalities the ability to hold virtual meetings until June 30th. Planner Hilbrands stated that the new Township Attorney stated that they prefer staying virtual (instead of hybrid) due to potential complications with hybrid meetings.

Members discussed, and decided that continuing to hold virtual meetings while possible is what they'd like to do.

ARTICLE 9. Any Other Business

Planner Hilbrands stated the next meeting will be held June 8th.

ARTICLE 10. Adjournment

Motion was made by Member Berra to adjourn. Supported by Member Milliken. Motion carried 5 to 0. The Meeting was adjourned at 5:52 P.M.

Respectfully submitted,
Ralph Moxley, Secretary

STAFF REPORT: Case #21-3635
REPORT DATE: May 21, 2021
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: June 8, 2021
PREPARED BY: Steve Peterson, Community Development Director

APPLICANT:
John and Paul Renucci Trust
5433 Whitneyville Ave
Alto MI 49302

STATUS
OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to allow the construction of a new barn on the property where no home exists.

EXISTING ZONING OF
SUBJECT PARCEL(S): ARC

GENERAL LOCATION: The property is on the west side of Buttrick just south of Sandy Hollow Dr.

PARCEL SIZE: 55 Acres

EXISTING LAND USE
ON THE PROPERTY: Vacant

ADJACENT AREA
LAND USES: Residential

ZONING ON
ADJOINING PARCELS: N – R1
S – ARC/PUD 83
E – R1
W – R1

STAFF COMMENTS

1. The applicant has applied for a variance to allow the construction of an accessory building where no home exists. Section 4.08.2 of the zoning ordinance requires a home on the property in order to have an accessory building.

2. This section of the ordinance actually requires that homes must be at least 50% completed before construction of the accessory building, even if they want to build them concurrently.
3. It appears from our ariel photos that the property had several other buildings on in as well as other materials and the owners had removed the other buildings as well as cleaned up the property since 2014. However, we did not find a building permit for any of the removal of the other buildings.
4. The large agricultural barn that they would like to replace was left after the property was cleaned and that is the building that burned to the ground this year. The police are investigating the incident as they believe it was arson.
5. The owners would like to construct a new building on the property in a similar location.
6. Since the property does not have a home on it the applicant need a variance to build an accessory building with no home.
7. If the variance is approved, they will have to meet our current requirements for accessory buildings, for things like size, height, setbacks and will require approval from the planning commission since it is planned to be over 832 sq ft.
8. I have received confirmation from the KCSD for the arson investigation and his report is attached.
9. I did not find any other variances exactly like this. While we have granted exceptions that allow accessory buildings to be built while a home is built. We also granted a variance last year that allows a second home on the property while they built the new home. I have not been able to find a variance that allowed a building on a vacant lot. We also have not had a request to simply restore the situation from an arson incident.
10. The concern of an accessory building on a vacant lot has a lot to do with nuisance issues, such as running of a business or other non-residential use.
11. I am not aware that we had ever received any complaint relative to this property or the barn
12. They have no plans to build a home on the property at this time.
13. If denied they could build a home on the property and then an accessory building would be permitted, although it would still require planning commission approval if over 832 sq ft
14. Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all of the findings of fact listed in the table below:

<i>Findings of Fact</i>	
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The property is one of a few that has not been divided up or developed in the area.
That the exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of this Ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding this Ordinance will not be considered self-created)	The fact the building was lost to arson is certainly not something that happens frequently. When the building was present, we had not received any complaints regarding the property.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	They simply want to build what they had before the fire.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	The fact that this was an arson incident is not an issue the property owner could control and is even unlike a natural event that could have destroyed the barn.
That the condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of so general or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.	We have no other cases like this.
The Zoning Board of Appeals shall further find that the reasons set forth in application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building or structure.	If denied the applicant could have a building once a home was built.

STAFF RECOMMENDATION

Approve the variance under the following conditions:

1. Receive approval from the planning commission for a building over 832 sq ft.

Attachments: Application
 Site Plan
 2014 aerial photo
 2017 aerial photo



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: John P. Renucci Trust & Paul B. Renucci Trust
 Address: 5433 Whitneyville Ave SE
 City & Zip Code: Alto MI 49302
 Telephone: 616-450-3757
 Email Address: paulrenucci@icloud.com

OWNER: * (If different from Applicant)
 Name: SAME
 Address: _____
 City & Zip Code: _____
 Telephone: _____
 Email Address: _____

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)	
<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Administrative Site Plan Review
<input type="checkbox"/> Deferred Parking	<input type="checkbox"/> P.U.D. - Rezoning *
<input type="checkbox"/> P.U.D. - Site Condominium *	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Site Plan Review *	<input type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision Plat Review *
<input checked="" type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

* Requires an initial submission of 5 copies of the completed site plan

BRIEFLY DESCRIBE YOUR REQUEST:**

Rebuild BARN BURNED DOWN BY ARSON
Rebuild in same location - Roughly centered between North & South property lines
42' x 60'

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY**:

That PTS 1/2 S 1/2 OF SEC LYING E OF CONT 666 FT ON R BANK OF THONATHE RIVER EX N 6271
SEC 27 T6N R10W 55.00A. ALTO PART OF LOT 1 COM AT MOST SLY COR THEREOF TH N 10 41M 48S

N 18849 FT TH S 890 19M 06S W 208.34 FT TH N 120 40M 00S E 129.16 FT TO SLY LINE OF SANDY

FOLLOW OR 166 FT WIDE / TH ELY 126.56 FT ALONG SLY LINE OF SD DR ON A 433.0 FT RAD CURVE TO LT /
LONG CHORD BEARS S 72D 22M 30S E 126.11 FT / TH S 800 45M 00S E ALONG SD SLY LINE 225.19 FT TO WLY LN
OF BUTTRICK AVE TH S 128 17M 18S W ALONG WLY LINE OF SD AVE 39.67 FT TH SWLY 190.20 FT ALONG WLY LINE OF SD AVE
W A 232.0 FT RAD CURVE TORT / LONG CHORD BEARS S 290 36M

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 - 27-478 - 002

ADDRESS OF PROPERTY: 5175 BUTTRICK AVE SE

PRESENT USE OF THE PROPERTY: VACANT WITH BURNT DOWN BARN

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR
EQUITABLE INTEREST IN THE PROPERTY:

Name(s)	Address(es)
RENCCI, PAUL B TRUST	5433 Whittingville Ave SE
RENCCI, JOHN D TRUST	7150 GLADYS

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

John D. Rencci
Owner - Print or Type Name
(*If different from Applicant)

* John D Rencci
Owner's Signature & Date
(*If different from Applicant)

Paul B Rencci
Applicant - Print or Type Name

Paul B Rencci
Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET - THANK YOU

Identification of the Property

The subject property is located at 5175, 5215, 5380, 5455 & 5503 Buttrick Avenue and 5630 Alaska Avenue, SE, Alto, Michigan.



Aerial photograph from Kent County GIS website

Legal Description

41-19-27-478-002: THAT PT S 1/2 S 1/2 OF SEC LYING E OF CONT 666 FT ON R BANK OF THORNAPPLE RIVER EX N 627 FT * SEC 27 T6N R10W 55.00 A. ALSO PART OF LOT 1 COM AT MOST SLY COR THEREOF TH N 1D 41M 48S W 188.49 FT TH S 88D 19M 06S W 208.34 FT TH N 12D 40M 00S E 129.16 FT TO SLY LINE OF SANDY HOLLOW DR /66 FT WIDE/ TH ELY 126.56 FT ALONG SLY LINE OF SD DR ON A 433.0 FT RAD CURVE TO LT /LONG CHORD BEARS S 72D 22M 30S E 126.11 FT/ TH S 80D 45M 00S E ALONG SD SLY LINE 225.19 FT TO WLY LINE OF BUTTRICK AVE TH S 12D 17M 18S W ALONG WLY LINE OF SD AVE 39.67 FT TH SWLY 140.20 FT ALONG WLY LINE OF SD AVE ON A 232.0 FT RAD CURVE TO RT /LONG CHORD BEARS S 29D 36M

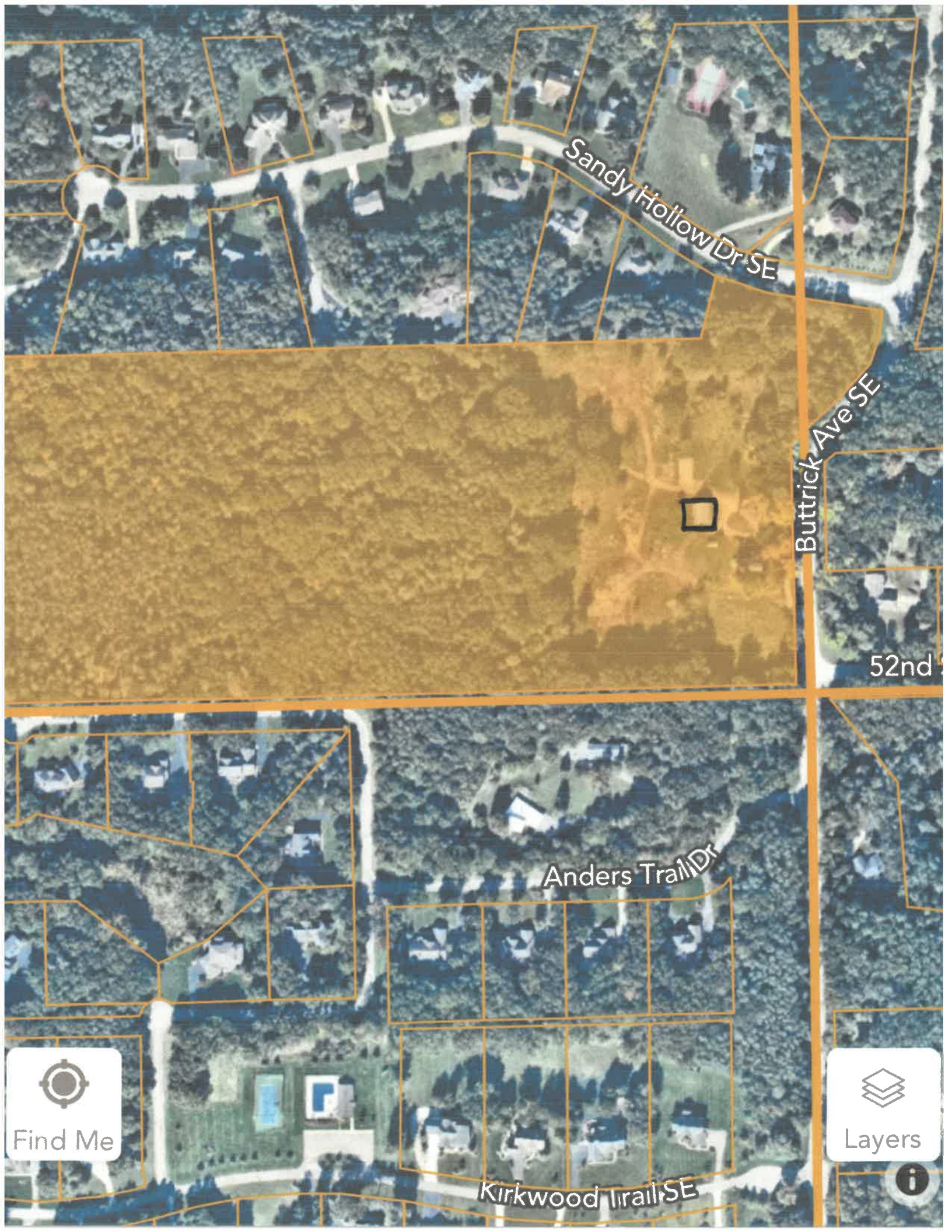


↑
500
30074 ↓



S HIRKIN

10-2-2011



Sandy Hollow Dr SE

Buttrick Ave SE

52nd

Anders Trail Dr

Kirkwood Trail SE

Find Me

Layers



TITLE 2017



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TITLE 2020



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