

**AGENDA**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, August 13, 2019**  
**5:30 pm**  
**Cascade Library Wisner Center**  
**2870 Jacksmith Ave. SE**

- 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 February 12, 2019 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 #19-3539 Kimberly Lohr  
Public Hearing  
Property Address: 4615 Whitneyville Ave SE  
Requested Action: The applicant is requesting a variance to construct an addition to the house that does not meet the minimum 43-foot front setback.**
- ARTICLE 7. Case #19-3540 Kerry Gorsuch  
Public Hearing  
Property Address: 3044 Thornapple River Drive  
Requested Action: The applicant is requesting a variance to allow for the construction of a new home closer to the minimum 43-foot front setback.**
- ARTICLE 8. Case #19-3541 Wal-Mart Stores Inc.  
Public Hearing  
Property Address: 5958 28<sup>th</sup> St SE  
Requested Action: Variance for wall signage.**
- ARTICLE 9. Any other business.**
- ARTICLE 10. 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, February 12, 2019  
5:30 P.M.

**ARTICLE 1.** Chairman Milliken called the meeting to order at 5:30 P.M.  
Members Present: Mead, McDonald, Moxley, Berra, Milliken  
Members Absent: None  
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

**ARTICLE 2.** Chairman Milliken led the Pledge of Allegiance.

**ARTICLE 3.** Approve the Agenda.

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

**ARTICLE 4.** Approve the Minutes of the January 8th, 2019 Meeting.

Motion was made by Member McDonald to approve the Minutes of January 8th, 2019. Supported by Member Berra. Motion carried 5 to 0.

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

There were no visitors.

**ARTICLE 6.** Case #19:3510 Thornapple Brewing  
Public Hearing

Property Address: 6262 28<sup>th</sup> St.

Requested Action: The applicant is requesting approval to allow the placement of two seasonal temporary structures for outdoor seating.

Director Peterson stated that the structures were already up before the placement was approved, but since the Applicant is being cooperative and is now taking the proper steps to have the placement approved, they are being given the time to do so without having to take down the structures.

Director Peterson continued on to say that even though this is not a zoning variance, it is something that the Zoning Board of Appeals needs to grant permission for. He then states that this section of the ordinance has historically been used to allow for temporary classrooms or temporary housing after a house fire or during a build, but not yet for this type of structure. Some language in this section refers to having a water supply and toilet facilities, neither of which are needed with this approval as these structures will not be used for living space.

Director Peterson stated that the Fire Department approved the plan with the condition that there will be no open flame heaters, and the Building Department did not need a permit as it is under 120 sq feet, but did state that the temporary structures shall not be up for more that 180 days, and are limited to no more than 10 people inside a single structure at a time. The Liquor Control Commission stated that as long as the structures are within the confines of the allowed outdoor seating area, and as long as the outdoor seating area continues to be marked by ropes or lattice fencing as it is now to distinguish the outdoor seating area, they are support of the approval.

The two requested structures will be placed over two picnic tables that are already in the outdoor seating area, and Director Peterson suggested that the temporary structures be in place for no more than 4 months per year. A yearly inspection by the Building and Fire Departments to make sure the structures are still safe was also suggested by Director Peterson.

Director Peterson recommends approval of the structures with the three following conditions:

1. The structures be in place for no more than 4 months per year.
2. The structures be inspected yearly upon placement by the Building and Fire Departments.
3. The business remains in good standing with the Fire Department, Building Department, and Liquor Control Commission.

The Applicant did not attend the meeting; Director Peterson stated to the Board they could table the approval, or either approve or deny without the Applicant present.

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

Director Peterson noted that he did hear from one person as a result of the public hearing notice who had general questions and/or concerns about past issues at this property, not specifically this business.

**Motion was made by Member McDonald to close Public Hearing. Supported by Member Berra. Motion carried 5-0.**

**Motion was made by Member McDonald to approve the application request with the Staffs conditions which are as follows:**

1. The structures be in place for no more than 4 months per year.
2. The structures be inspected yearly upon placement by the Building and Fire Departments.
3. The business remains in good standing with the Fire Department, Building Department, and Liquor Control Commission.

**Supported by Member Mead. Motion carried 5-0.**

**ARTICLE 7. Any Other Business**

None.

**ARTICLE 8. Adjournment**

**Motion was made by Member McDonald to adjourn. Supported by Member Mead. Motion carried 5 to 0. Meeting adjourned at 5:39 p.m.**

Respectfully submitted,  
Aaron Mead, Secretary

## STAFF REPORT

STAFF REPORT: Case #19-3539  
REPORT DATE: August 6, 2019  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: August 13, 2019  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:  
Kimberly Lohr  
4615 Whitneyville Ave SE  
Cascade MI 49301

STATUS  
OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to construct an addition to the house that does not meet the minimum 43-foot front setback.

EXISTING ZONING OF  
SUBJECT PARCEL(S): R1

GENERAL LOCATION: West side of Whitneyville Ave just North of I-96

PARCEL SIZE: Approximately .81 acres.

EXISTING LAND USE  
ON THE PROPERTY: Residential

ADJACENT AREA  
LAND USES: Residential

ZONING ON  
ADJOINING PARCELS: R1

### STAFF COMMENTS

1. The applicant is requesting a variance from chapter 18 to allow an addition closer to the road ROW.
2. The home currently has a setback of 13 feet to the ROW line.

3. It appears the addition the applicant would like to put on the house would be setback 30 feet from the ROW. This setback should be verified since the survey they have provided is not scalable.
4. Based on the type of road (arterial) the home is required to be setback 50 feet from the ROW. As it is, the current house is legal nonconforming because it does not meet current front setback requirements.
5. The addition is in the sideyard but given the location of the home, almost the entire home is in the required front setback. An addition on the home would probably require a variance.
6. The applicant is asking to build the addition to improve the entry into the home.
7. Our records indicate the home was built in 1946.
8. In reviewing the neighborhood, it does appear that all of the homes in the area meet the 50-foot requirement with the exception of the applicants and the home closest to the highway.
9. In situations involving non-conforming setbacks we have granted variances. However, we have typically limited those variances to no more than what was existing and not allowed them to make it worse by reducing the non-conformity. In 2017 we approved a variance at 2611 Thornapple River Dr that allowed for a 38-foot setback where the existing setback was 46 feet. In that case the ZBA felt that the topography and grade change and the fact that they would still be meeting the "normal" residential setback of 35 feet made the situation unique.

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:

<b><i>Findings of Fact</i></b>	<b><i>Comment</i></b>
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 small lot size, age of the home and being located on a major arterial street contribute to the variance request but there is not much that is exceptional about this property that does not apply to others 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)	Due to the fact that much of the home is currently built within the required front setback, it would be very difficult to build an addition to the home without the need for relief from the front setback requirement of 50 feet.

That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	The minimum variance would be to maintain the existing front setback
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	Others in the neighborhood do meet the 50-foot setback requirement we have granted similar varices before provided they don't make the exception worse.
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.	In other situations, we have tried to not increase the amount of non-conformity.
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.	It would appear that this is a small addition to a home that would require a variance for any addition.

**STAFF RECOMMENDATION**

Staff Recommends approval of the variance to allow the addition as proposed.

Attachments:           Application  
                                  Site Plan



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: MICHAEL WITKIN  
 Address: 547 ETHEL AVE SE  
 City & Zip Code: GRAND RAPIDS MI 49506  
 Telephone: (616) 808-7426  
 Email Address: michael@mwarchitects.net

**OWNER: \* (If different from Applicant)**  
 Name: ~~KIMBERLY LOHR~~  
 Address: ~~4615 WHITNEYVILLE AVE~~  
 City & Zip Code: ADA MI 49301  
 Telephone: (231) 357-2680  
 Email Address: lohrkimb@gmail.com

### 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:\*\*

APPLICATION FOR A VARIANCE TO BUILD WITHIN  
THE FIFTY FOOT SETBACK FROM THE ROAD  
RIGHT OF WAY.

(\*\*Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY\*\*:

SEE ATTACHED SURVEY

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19-26-151-010

ADDRESS OF PROPERTY: 4615 WHITNEYVILLE AV, ADAMI 49301

PRESENT USE OF THE PROPERTY: SINGLE FAMILY RESIDENCE

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

Name(s)

Address(es)

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.)

Kimberly Lohr
Owner - Print or Type Name
(\*If different from Applicant)

\* Kimberly Lohr
Owner's Signature & Date
(\*If different from Applicant)

MICHAEL WITKIN
Applicant - Print or Type Name

Michael Witkin
Applicant's Signature & Date

JULY 9, 2019

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

Rev. 7/24/14



4615 Whitneyville Ave

CANYON DR

BUTTRICK AVE

CASCADE RD

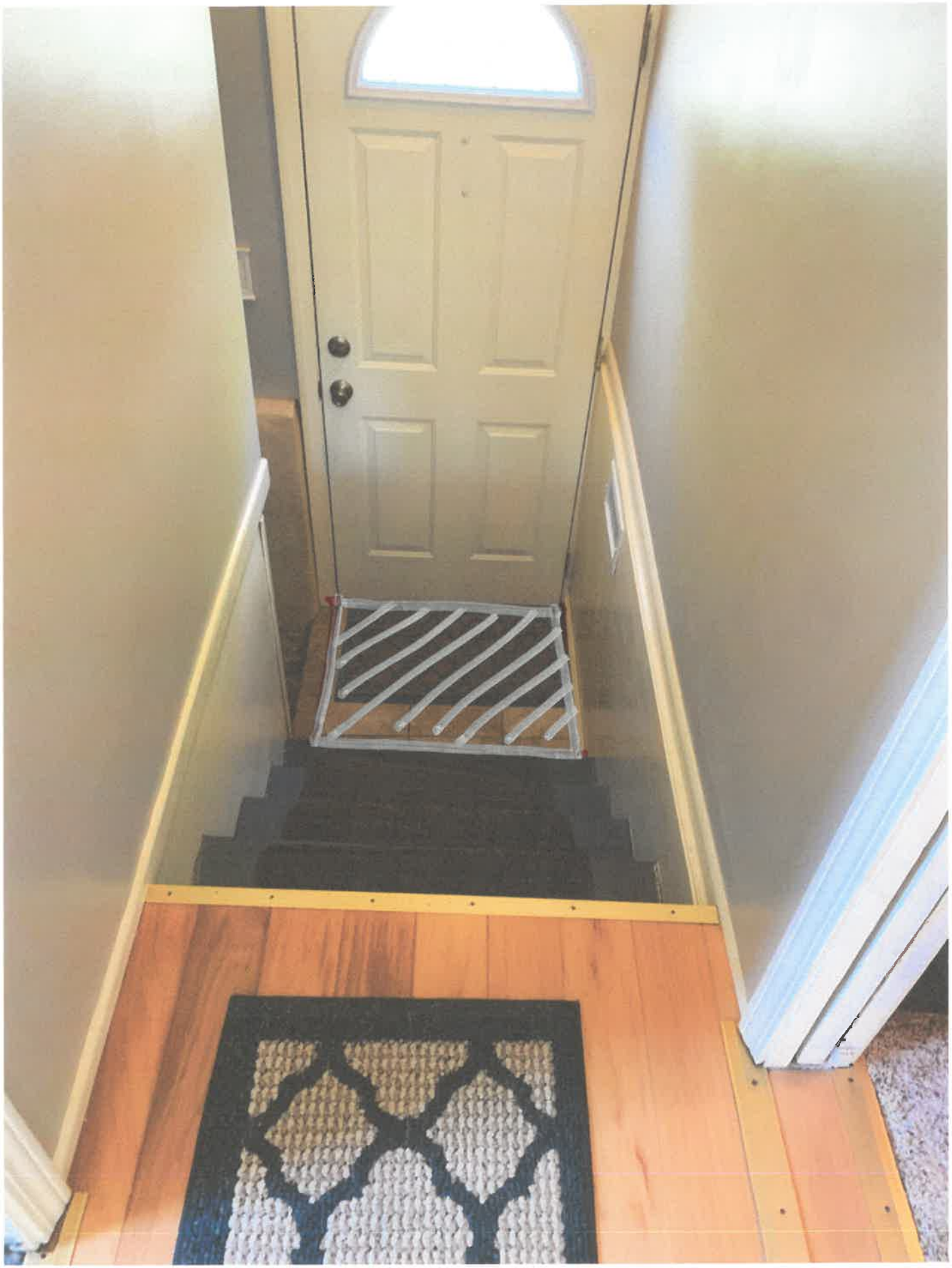
45TH ST

LITTLE HARBOR DR

HARBOR VIEW DR

WHITNEYVILLE AVE

96  
6

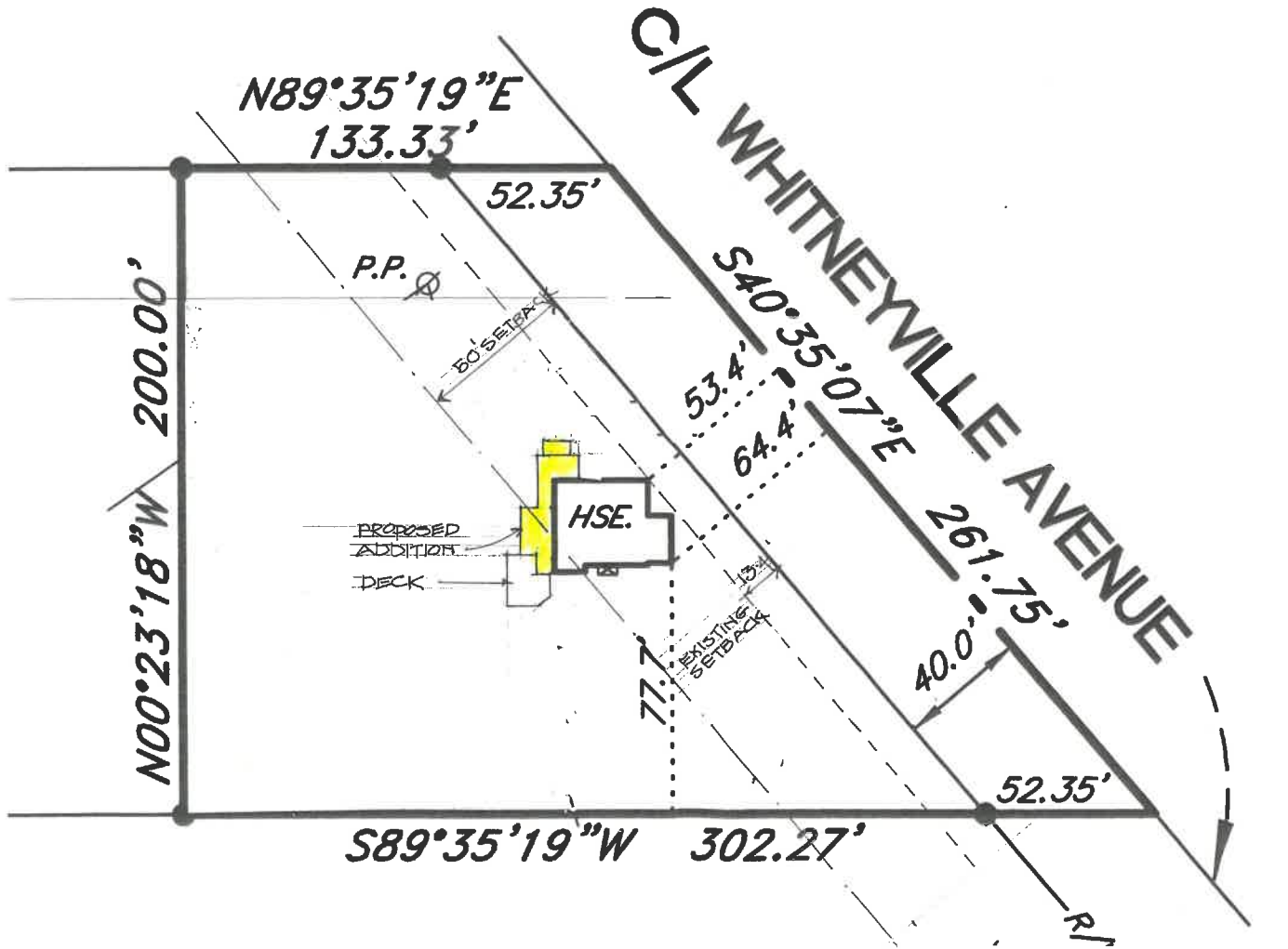






**NOTE:**

A title insurance policy was not provided at the time of this survey. One should be obtained to compare for accuracy of legal description and easements of record.



## STAFF REPORT

STAFF REPORT: Case #19-3540  
REPORT DATE: August 1, 2019  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: August 13, 2019  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:

Kerry Gorsuch  
3044 Thornapple River Dr  
Cascade MI 49546

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to allow for the construction of a new home closer to the minimum 43-foot front setback.

EXISTING ZONING OF  
SUBJECT PARCEL(S):

R2

GENERAL LOCATION:

Southeast side of Thornapple River Dr southwest of Cascade Rd

PARCEL SIZE:

Approximately 19,500 sq ft.

EXISTING LAND USE  
ON THE PROPERTY:

Residential

ADJACENT AREA  
LAND USES:

Residential

ZONING ON  
ADJOINING PARCELS:

R2

### STAFF COMMENTS

1. The applicant is requesting a variance from chapter 18 to allow an addition closer to the road ROW than permitted.
2. The applicant would like to tear down the existing home and build a new one.

3. The existing home is about 24 feet to the ROW. The new home is proposed to be 27 feet back from the ROW. While further back, it does not meet the required 43 feet from the ROW.
4. A review of other homes in this area shows that very few meet of them meet the required setback. In fact, the site plan shows the two adjacent properties have a 25 foot and 20-foot front setback.
5. We did grant a variance to a neighbor just down the street in 2018 that allowed them to add on to the house provided they were no closer than the existing setback of 16 feet.
6. Based on the type of road (collector) the home is required to be setback 43 feet from the ROW. As it is, the current house is legal nonconforming because it does not meet current front setback requirements.
7. The sideyard setback requirement is a minimum of 25 feet total with no one side being less than 10 feet. The proposed home would meet those requirements.
8. The property was made larger by combining the vacant lot next to it.
9. The Township has recently installed sewer and water on this section of the road. This will make it a little easier to build on the lot since they will not have a septic system.
10. In situations involving non-conforming setbacks we have granted variances. However, we have typically limited those variances to no more than what was existing and not allowed them to make it worse by reducing the non-conformity. In 2017 we approved a variance at 2611 Thornapple River Dr that allowed for a 38-foot setback where the existing setback was 46 feet. In that case the ZBA felt that the topography and grade change and the fact that they would still be meeting the "normal" residential setback of 35 feet made the situation unique.

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:

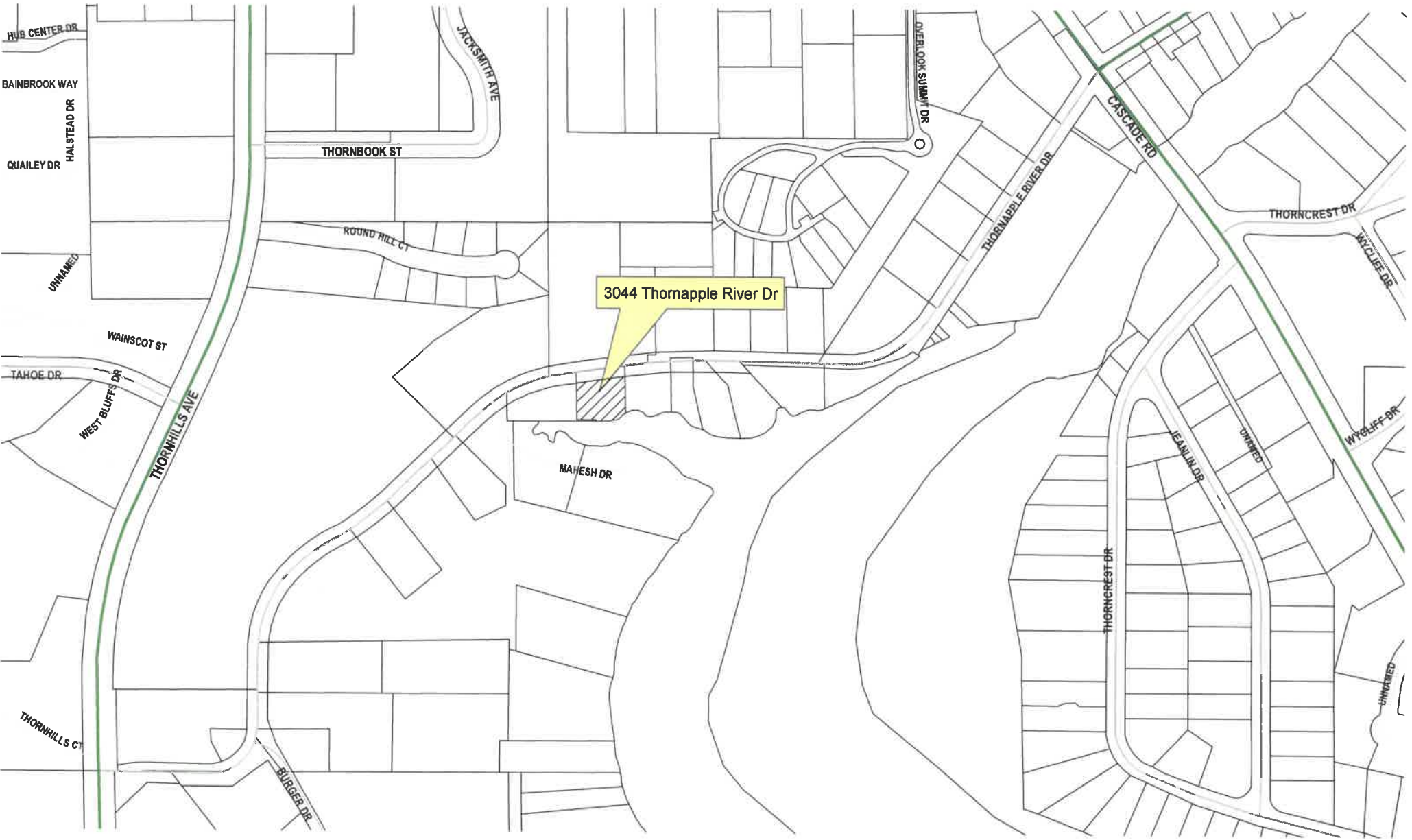
<b><i>Findings of Fact</i></b>	<b><i>Comment</i></b>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The small lots in this area coupled with the river and steeper slopes (front and back) create small building envelopes.
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	Due to the limited building envelope sizes, it would be difficult to build on the lot and meet all of the setback requirements.

regulations preceding this Ordinance will not be considered self-created)	
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	They are proposing a setback that is consistent with others in the area and an increase from what it is today.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	They are proposing a setback that is consistent with others in the area and an increase from what it is today.
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.	In other situations, we have tried to not increase the amount of non-conformity.
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.	They are only in need of the front setback variance and have increased it from what it is currently.

**STAFF RECOMMENDATION**

Staff Recommends Approval of the request to allow a front setback of 27 feet from the ROW as proposed.

Attachments:            Application  
                                  Site Plan



3044 Thornapple River Dr

HUB CENTER DR

BAINBROOK WAY

HALSTEAD DR

QUAILY DR

UNNAMED

WAINSCOT ST

TAHOE DR

WEST BLUFF DR

THORNHILLS CT

BURGER DR

THORNBOOK ST

ROUND HILL CT

JACKSONITE AVE

MAHESH DR

OVERLOOK SUMMIT DR

THORNAPPLE RIVER DR

CASCADE RD

THORNCREST DR

THORNCREST DR

WYCLIFFE DR

JEANIE DR

UNNAMED

WEST BLUFF DR

UNNAMED



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Kerry Gorsuch

Address: 3044 Thornapple River Dr. SE

City & Zip Code Grand Rapids, MI 49546

Telephone: (616) 450-8845

Email Address: gorsuchone@aol.com

**OWNER: \* (If different from Applicant)**

Name: \_\_\_\_\_

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:\*\*

Please see attachment #1

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(\*\*Use Attachments if Necessary)  
-SEE OTHER SIDE-

**LEGAL DESCRIPTION OF PROPERTY\*\*:**

Please see attachment #2

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(\*\*Use Attachments if Necessary)

**PERMANENT PARCEL (TAX) NUMBER:** 41-19-16-176-021

**ADDRESS OF PROPERTY:** 3044 Thornapple River Dr. SE

**PRESENT USE OF THE PROPERTY:** Single-family Residential

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

**Name(s)**

**Address(es)**

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**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.)*

\_\_\_\_\_  
Owner – Print or Type Name  
(\*If different from Applicant)

Kerry Gorsuch  
Applicant – Print or Type Name

\* \_\_\_\_\_  
Owner's Signature & Date  
(\*If different from Applicant)

\_\_\_\_\_  
Applicant's Signature & Date

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

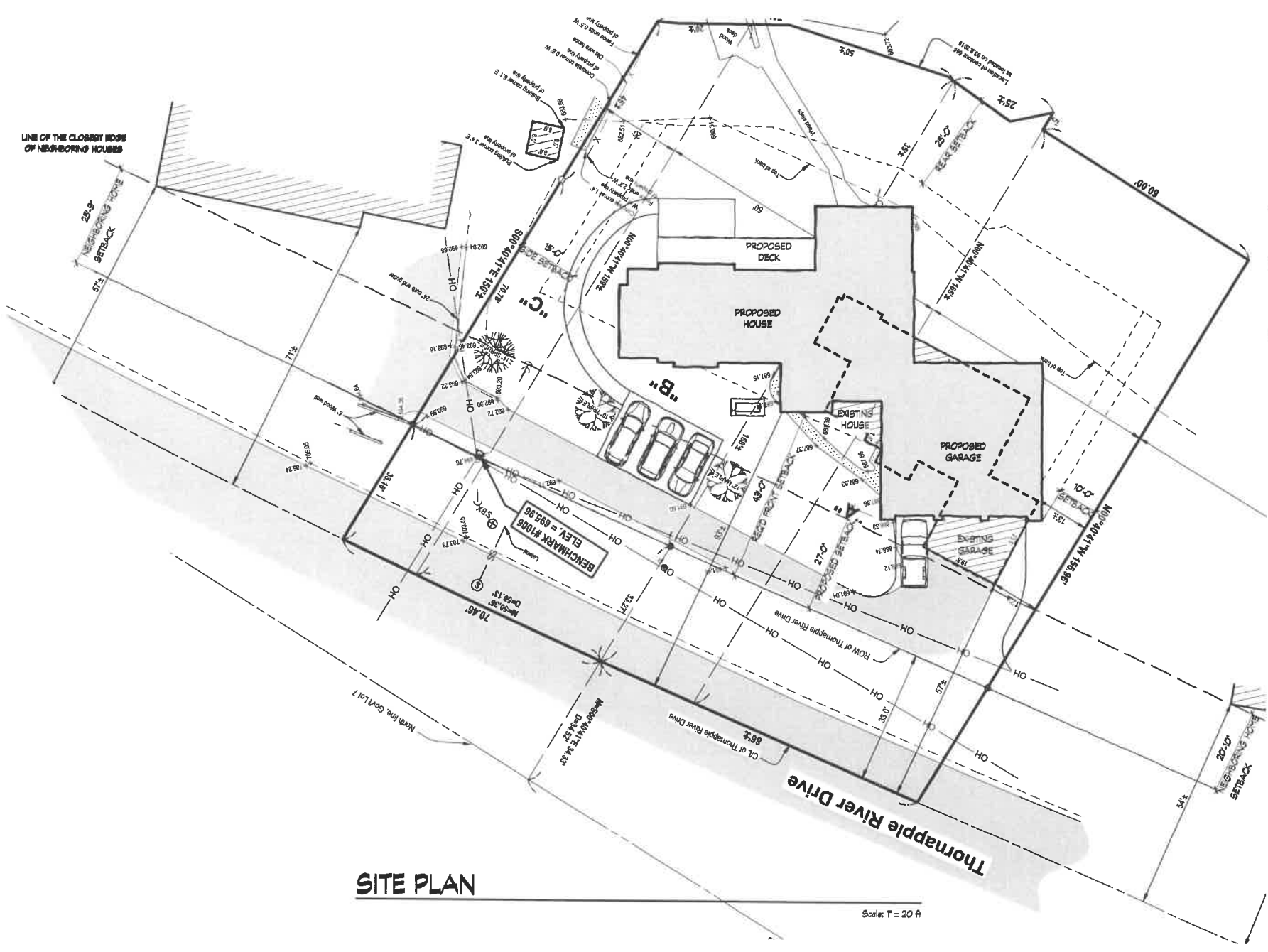


architecture + design

616 . 340 . 8047

www.42northarchitects.com  
6744 Cascade Rd. SE  
Grand Rapids, MI 49546

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written permission and consent of  
42 North, LLC.



# SITE PLAN

Scale: 1" = 20' ft

LINE OF THE CLOSEST EDGES  
OF NEIGHBORING HOUSES

LINE OF THE CLOSEST EDGES  
OF NEIGHBORING HOUSES



## SITE CONTEXT

Scale: 1" = 50 ft



architecture  
+  
design

616 . 340 . 8047

[www.42northarchitects.com](http://www.42northarchitects.com)

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Grand Rapids, MI 49546

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42 North, LLC.

## Attachment #1: Description of Request

The owner is requesting a variance for a 27 feet front yard setback on the subject property of 3044 Thornapple River Drive SE. The variance is requested due to the narrow nature of the lot, resulting from the 43 feet required front yard setback to the right-of-way and the top of the bank of the river at the rear of the lot. The current lot depth is confined to less than 58 feet of buildable space between the front yard setback line and the top of the bank of the river.

If the variance is granted, the proposed home placement will be further from the road right-of-way than the existing home that will be removed in its entirety. The proposed home will also be set back further from the right-of-way than both neighboring homes. The 25 feet required rear yard setback and combined 25 feet required side yard setbacks are satisfied.

The proposed home placement will be cohesive with the context of the overall neighborhood and specifically the neighboring homes to the East and West.

Dear Cascade Township Zoning Commissioners,

I am writing this letter in support of the variance request at 3044 Thornapple River Drive SE. As the neighboring parcels, we feel that there is no adverse effect to us based on the front yard variance requested. Furthermore, we understand that the proposed home will be set back further from the road right-of-way than our home currently exists. Additionally, we feel the proposed home will be beneficial to the neighborhood and will fit into the context of the existing surrounding homes.

Sincerely,

James and Julie Petrie  
3032 Thornapple River Dr. SE  
Grand Rapids, MI 49546

Dear Cascade Township Zoning Commissioners,

I am writing this letter in support of the variance request at 3044 Thornapple River Drive SE. As the neighboring parcels, we feel that there is no adverse effect to us based on the front yard variance requested. Furthermore, we understand that the proposed home will be set back further from the road-right of-way than our home currently exists. Additionally, we feel the proposed home will be beneficial to the neighborhood and will fit into the context of the existing surrounding homes.

Sincerely,

Stanley and Cherie Grunske  
3056 Thornapple River Dr. SE  
Grand Rapids, MI 49546

STAFF REPORT: Case # 19-3541  
REPORT DATE: August 1, 2019  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: August 13, 2019  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:  
Wal-Mart Stores Inc  
2001 SE 10<sup>th</sup> St  
Betonville AR 72716

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STATUS  
OF APPLICANT: Tenant

REQUESTED ACTION: Variance for wall signage.

EXISTING ZONING OF  
SUBJECT PARCEL: B2, General Business

GENERAL LOCATION: north side of 28<sup>th</sup> St between Thornhills and Kraft Ave.

PARCEL SIZE: Approximately 14 acres

EXISTING LAND USE  
ON THE PARCEL: retail

ADJACENT AREA  
LAND USES: N-Vacant  
S-Commercial/Office  
E-Car sales  
W-Commercial retail

ZONING ON ADJOINING  
PARCELS: N –Office  
S-Centennial Park PUD  
E – East Imports PUD  
W-B2

STAFF COMMENTS:

1. The applicant is requesting a variance to modify the variance they received in 2012 and modified in 2018. The 2012 variance allowed for a variance of more than 100 sq ft of wall signage by allowing 147.5 sq ft. This variance also limited the pylon sign to no more than 108 sq ft. We did not include the two incidental signs that were under 8 sq ft in the calculations.
2. In 2018 the applicant was approved to have 198.65 sq ft of total signage. The rationale was that the ordinance permitted 125sq ft for pylon sign and 100 sq ft for wall signage for a total of 225 sq ft of wall signage.
3. The applicant would now like to increase the total amount of signage to 218.65 in order to accommodate a new sign for Michigan First Credit union.
4. Since the variance in 2012 we have updated the sign Ordinance that allows for multiple wall signage.
5. The Sign Ordinance allows Walmart wall signage up to 100 sq ft. As well as a pylon sign of 125 sq ft. for a total of 225 sq ft of allowed signage, plus any allowed incidental, directional, etc. The wall signs they are now asking for now, not including the incidental signs, totals 218.65 sq ft. this is calculated as follows:

Sign	Allowed	Requested
Pylon sign	125 sq ft	108 sq ft
Wall signage	100 sq ft	
<b>Main WalMart Wall sign w/o spark</b>		<b>88.24 sq ft</b>
<b>Spark</b>		<b>24.6 sq ft</b>
<b>Pickup</b>		<b>66.76</b>
<b>Outdoor living wall sign</b>		<b>15.6 sq ft (to be removed)</b>
<b>Home and Pharmacy</b>		<b>19.05 sq ft</b>
<b>Michigan First Credit Union</b>		<b>20 sq ft</b>
<b>Wall sign total</b>		<b>218.65 sq ft</b>
Total	225 sq ft	
Incidental Signs		
Recycle	8 sq ft (incidental sign)	*3.7 sq ft
Market	8 sq ft (incidental sign)	*7.94 sq ft

\*are not calculated as part of overall wall signage

6. I have found a few other exceptions that we have granted for similar retail stores. These include:
  7. Meijer was granted a variance in the early 80's for up to 544 sq ft of wall signage.
  8. The Waterfall shoppes PUD allowed for larger wall signage as a part of the total signage plan. Wall signs for Costco, Dick's and Target were allowed to have additional signage due to the location (setback) of the building from the road and the size of the building.
  9. D&W was also granted a wall sign variance (1998) and modified in 2007 to allow up to 217 sq ft of wall signage.
- A. According to Section 9.07 of the Sign Ordinance, a variance may be granted by the Zoning Board of Appeals where the literal application of the Ordinance would create a GENUINE hardship for the sign user and the following criteria are met. Before the Zoning Board of Appeals reaches a decision, they shall consider the following findings of fact:

Findings of Fact	Staff Comments
The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.	This request is similar to other large retail stores that we have either granted variances for or given consideration as part of a P.U.D. Walmart is giving up some pylon signage in order for the consideration of the additional wall signage.
The hardship created by a literal interpretation of the Ordinance is due to conditions unique to that property and does not apply generally to other properties in the Township.	Other large retail buildings have been given similar consideration. The setback of the building and the fact that the signs do not face 28 <sup>th</sup> is similar to some of the others that have been given exceptions. Finally the giving up of some pylon signage is very unique.
The granting of the variance would not be contrary to the general purposes of this Ordinance or set an adverse precedent.	We have already established a precedent to consider larger wall signs for the larger retail stores that are setback from the road. We have also already established regulations in the B1 zoning district to allow for larger signs for the larger retail store for some of the same reasons.

In granting a variance, the Zoning Board of Appeals may attach additional requirements necessary to carry out the spirit and purpose of this Ordinance in the public interest.

## STAFF RECOMMENDATION

Staff recommends approval of the variance to allow Walmart signs totaling no more than 218.65 sq ft as proposed on the plan dated 5-15-19. This is a modification of the 2012 and 2018 variance and still has total signage under the allowed 225 sq ft. This plan includes the incidental signage that is shown on the plan but it is not part of the variance since no variance is needed for these signs.

Attachments:        Application  
                             Sign Plan



5859 28th St

SEDFIELD RD

KNIGHTSBRIDGE RD

CHATHAM WOODS DR

SATINWOOD AVE

MOHICAN AVE

SPRINGMILL AVE

LINDA AVE

CAPTAIN DR

PATAGONIA DR

BECHALLA DR

SANTIAGO CT

OLD MILL RUN ST

CHARLEVOIX DR

WEATHERBY HILLS DR

CASCADE PLACE DR

28TH ST

COACH RD

FOREMOST DR

CHARLEVOIX DR

UNNAMED

LUCERNE DR

LINCOLNSHIRE LN

UNNAMED

LINC. SHIRE CT

July 12<sup>th</sup>, 2019

**Zoning Board of Appeals**  
Cascade Township Community Development  
2865 Thornhills Ave, SE  
Grand Rapids, MI 49546

**Variance Request Narrative**

RE: Michigan First Credit Union – Exterior Wall Sign at Walmart Store  
5859 28<sup>th</sup> St. SE,  
Grand Rapids, MI 49546

Dear Zoning Board Members,

We are seeking a dimensional variance to section 6.04 of the Cascade Charter Township Sign Ordinance. Walmart's current variance, approved on March 14, 2018, allows Walmart to combine the 125 SF of free-standing sign allowed with the 100 SF of Wall signage allowed per ordinance and use this as the total (225 SF) signage allowed. The current total of Walmart's existing signage is 198.65 SF. The addition of the Michigan First Credit Union sign, of 20 SF, would continue to hold Walmart's total signage under 225 SF.

Our hardship is that our client needs an exterior presence on the Walmart façade. This is a very small sign on a very large façade, but it is very important for Michigan First Credit Union to have this visible presence on the exterior of this building.

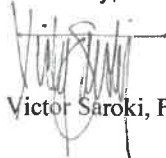
The existing Walmart sign on this building is 88.24 square feet which is very reasonable for a building of this size. In addition to the main Walmart sign, there are four additional smaller signs on the building ranging in size from 4 to 60 square feet.

Some other key facts on relating to this variance request:

- The proposed sign will be installed on a front facade of 13, 487 SF., occupying less than **0.01 %** of the facade. The façade is 516 feet wide and 32 feet high at the highest points.
- The front façade of the building is not facing a major street making a sign of 20 square feet in size unnoticeable to neighboring properties.
- The proposed sign will be installed in a fashion that will not alter the general look of the existing building nor will the proposed sign be detrimental to the appearance of the adjacent properties. In no way will the proposed variance impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.
- Albeit the proposed sign is small on this large building façade, it is important to Michigan First Credit Union to have identity on the exterior for their customers/members.

Please refer to attached drawings for additional information.

Sincerely,



Victor Saroki, FAIA



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Victor Saroki

Address: 430 N. Old Woodward

City & Zip Code Birmingham 48009

Telephone: 248.258.5707

Email Address: vsaroki@sarokiarchitecture.com

**OWNER: \* (If different from Applicant)**

Name: Walmart

Address: 1301 SE 10th St.

City & Zip Code: Bentonville 72716

Telephone: 1301 SE 10th St.

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 checked="" type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision Plat Review *
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

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

BRIEFLY DESCRIBE YOUR REQUEST:\*\*

Please see attached variance request description.

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(\*\*Use Attachments if Necessary)  
-SEE OTHER SIDE-

**LEGAL DESCRIPTION OF PROPERTY\*\*:**

Please see attached property description.

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(\*\*Use Attachments if Necessary)

**PERMANENT PARCEL (TAX) NUMBER:** 41-19 -08-376-009

**ADDRESS OF PROPERTY:** 5859 28th St. SE Grand Rapids, MI 49546

**PRESENT USE OF THE PROPERTY:** Walmart Retail Store

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

**Name(s)**

**Address(es)**

Wal-Mart Stores East, LP ("Walmart")

601 N Walton Blvd.

Bentonville, AR 72712

**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.)***

\_\_\_\_\_  
Owner – Print or Type Name  
(\*If different from Applicant)

**\*\*Please see attached Authorization**  
\_\_\_\_\_  
Owner's Signature & Date  
(\*If different from Applicant)

Victor Saroki

Applicant – Print or Type Name



07/15/2019

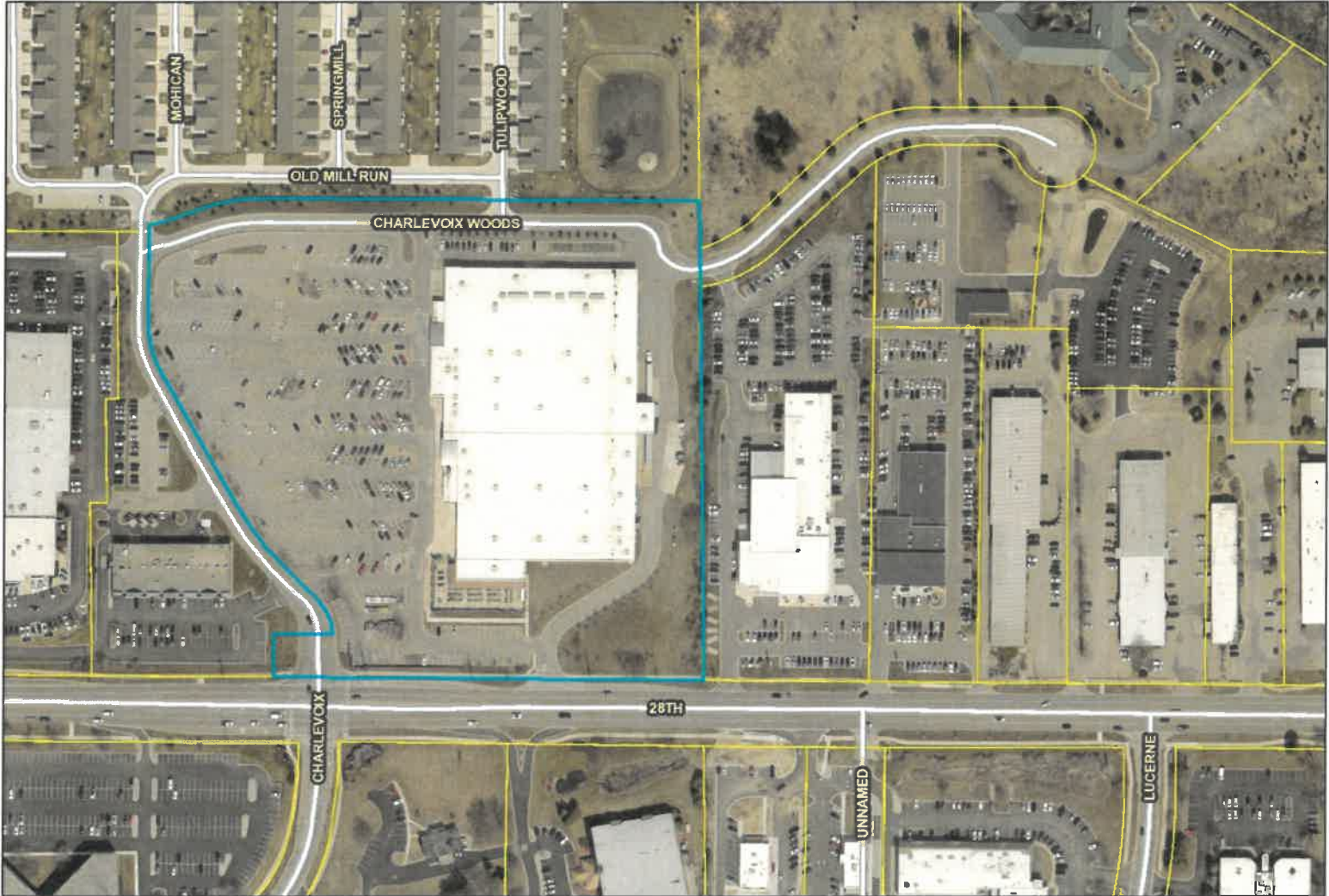
Applicant's Signature & Date

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



# Viewer Map

July 12, 2019



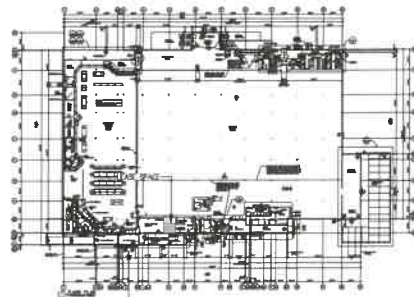
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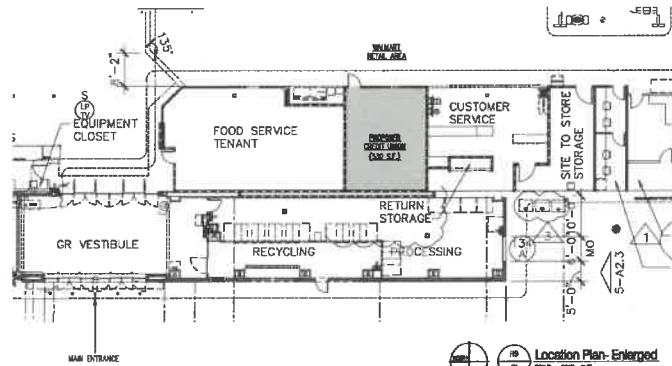


**Aerial View**  
 01 02





**Location Plan**  
 03 04





**Location Plan-Enlarged**  
 05 06

**SAROKI**  
 ARCHITECTS  
 430 N. OLD WOODWARD  
 BIRMINGHAM, MI 48009  
 P. 248.258.5707  
 F. 248.258.5555  
 SarokiArchitecture.com

Project:  
 HICKORY FIRST CREDIT UNION  
 800 5th St. SE  
 Grand Rapids, MI 49508

Date: Issued For:  
 05/20/14 04/14/14

Sheet No.:  
**C1**  
 Location Plan

A  
 B  
 C  
 D  
 E  
 F  
 G  
 H

1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10

