

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, December 12, 2017
7:00 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 November 14, 2017 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 #17-3423 Leo Vicari Lake Michigan Credit Union
Public Hearing
Property Address: 5519 and 5537 Glenwood Hills Pkwy
Requested Action: The applicant is requesting a variance to allow an expansion of the parking lot that does not include the required bufferyard.**
- ARTICLE 7. Case #17-3426 Jeff Bennett
Public Hearing
Property Address: 1460 Briarcliff Dr
Requested Action: The applicant is requesting a variance to construct an addition that encroaches into the side yard setback.**
- ARTICLE 8. Any other business**
- ARTICLE 9. 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, November 14, 2017
7:00 P.M.

ARTICLE 1. Chairman Berra called the meeting to order at 7:00 P.M.
Members Present: Casey, McDonald, Pupilava
Members Absent: Milliken and Pennington
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Chairman Berra led the Pledge of Allegiance.

ARTICLE 3. Approve the Agenda.

Motion was made by Member Casey to approve the Agenda. Supported by Member McDonald. Motion carried 4 to 0.

ARTICLE 4. Approve the Minutes of the October 10, 2017 Meeting.

Motion was made by Member McDonald to approve the Minutes of October 10, 2017. Supported by Member Pupilava. Motion carried 4 to 0.

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

No visitors who were present wished to speak about non-agenda items.

ARTICLE 6. Case #17:3416 Gary Kuhlman

Public Hearing

Property Address: 1763 River Oaks Drive

Requested Action: The Applicant is requesting a variance that would allow the property owner at 1763 River Oaks Drive to remove the home and leave the accessory buildings on the property.

Director Peterson stated that the Applicant is requesting a variance that would allow them to remove the principal structure on their property before an accessory building, in order to build a new home. The Zoning Ordinance requires that the home be at least 50% complete before an accessory building can be built.

The Zoning Board has had similar instances in the past and those variances were given with the condition that a performance bond is provided to allow the township to remove the accessory building if the property was not in compliance.

Applicant has indicated that they believe they will have the new house at the 50% completion stage in 6 months. They have also indicated that they are willing to obtain a \$10,000 bond to guarantee that the home will be built.

Director Peterson recommends approval of the variance allowing the property owner at 1763 River Oaks Drive to remove the existing home and leave the accessory building on the property with the following conditions:

1. The home is at least 50% complete (rough-in) within 1 year;
2. Provide a performance bond for the removal of the accessory building if the home is not at least 50% complete within one year. The amount of the bond will be a \$10,000 minimum.
3. Bond will be released when the property is in compliance.

Chairman Berra asked if the Applicant would like to come forward.

Mr. Gary Kuhlmann came forward to assure the Board that he is prepared to move forward immediately with the demolition and rebuild. He has a building permit and is ready to produce the bond.

Motion was made by Member McDonald to open the Public Hearing. Supported by Member Casey. Motion carried 4 to 0.

One neighbor, who is the closest to Mr. Kuhlmann's property, came forward to voice her support for the project.

Motion was made by Member McDonald to close the Public Hearing. Supported by Member Puplava. Motion carried 4 to 0.

Motion was made by Member McDonald to approve the variance allowing the property owner at 1763 River Oaks Drive to remove the existing home and leave the accessory building on the property with the conditions laid out by Director Peterson above. Supported by Member Casey. Motion carried 4 to 0.

ARTICLE 7. Any other business.

No other business was presented.

ARTICLE 8. Adjournment

Motion was made by Member McDonald to adjourn. Supported by Member Casey. Motion carried 4 to 0. Meeting adjourned at 7:15.

Respectfully submitted,
Tom McDonald, Secretary

STAFF REPORT: Case # 17-3423
REPORT DATE: November 10, 2017
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: December 12, 2017
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:

Leo Vicari
Lake Michigan Credit Union
5540 Glenwood Hills Parkway
Cascade MI 49512

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to allow an expansion of the parking lot that does not include the required bufferyard.

EXISTING ZONING OF
SUBJECT PARCEL(S):

PUD 41 – Glenwood Hills

GENERAL LOCATION:

The property is located on the east side of Kraft Ave just south of I-96.

PARCEL SIZE:

1.86 Acres 5519 Glenwood Hills
3.4 Acres 5537 Glenwood Hills

EXISTING LAND USE
ON THE PROPERTY:

Office

ADJACENT AREA

LAND USES:

N – I-96
S – office
E - office
W – Vacant

ZONING ON
ADJOINING PARCELS:

N - ES
S – PUD 41
E – PUD 41
W – PUD 41

STAFF COMMENTS

1. The applicant is requesting approval from the ZBA to allow an expansion of a parking lot that would result in an insufficient bufferyard between the parking lot and the property lines.
2. As a result of their actions it would place two properties into non-compliance. 5519 Glenwood Hills and 5537 Glenwood Hills.
3. The property is zoned as a part of the Glenwood Hills office park project. This PUD was done in 1986. The buildings and parking were developed in compliance with those requirements.
4. The property at 5519 Glenwood Hills was built in 1989 and the property at 5537 Glenwood Hills was built in 2001.
5. The landscaping requirements in the PUD allow for flexibility by not dictating the bufferyard size. However, they are moving the property lines which would not have been contemplated. Their proposal not only reduces the distance between the property line and the parking it also removes several trees. All of which was part of the prior approvals.
6. A normal bufferyard in the office area would be 25 feet between parking lots and property lines. The existing properties have between 10 and 25 feet. They are be proposing 0 and 10 feet.
7. I don't believe the intent with allowing the flexible approach to the bufferyard would have allowed this reduction in size and plantings.
8. Both properties are owned by the Lake Michigan Credit union. However, this does not change the bufferyard requirement
9. We did have a variance request in 2013. However, that situation involved a non-conforming situation on norther Dr. This situation is not non-conforming currently.
10. Any expansion of the parking lot will also require site plan approval.

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>	<i>Comment</i>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally	There is nothing unique about wanting a larger parking lot. It is unique that the township did not dictate the size of the bufferyard. Allowing the applicant to get the

to the other nearby properties in the same zoning district.	benefit of that and then allowing a further reduction seems to be contrary to any reasonable approach to bufferyard requirements.
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 situation is being created by the applicant.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	They have maxed out the building and parking on the site.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	The granting of a variance in this situation could be seen as injurious to others who have had to meet these same requirements.
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.	This would be the first variance under these conditions and given that there is no unique circumstance it may create other variances.
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 do not need the variances to use the property.

STAFF RECOMMENDATION

Staff Recommends Denial of the requested variance.

Attachments: Application
 Site Plan



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Lake Michigan Credit Union. Attn. Leo Vicari
Address: 5540 Glenwood Hills Parkway
City & Zip Code Grand Rapids, MI 49512
Telephone: 616-242-9790
Email Address: leo.vicari@lmcu.org

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:**

Request variance to allow parking additions at the properties to extend into side yard bufferyards between the two properties each owned by Lake Michigan Credit Union and within Glenwood Hills #5 P.U.D.

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

LEGAL DESCRIPTION OF PROPERTY:**

Lot 9 of Glenwood Hills Office Park #2

Lot 10 of Glenwood Hills Office Park #2

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -18-276-009 and -010

ADDRESS OF PROPERTY: 5519 Glenwood Hills Pkwy and 5637 Glenwood Hills Pkwy, Grand Rapids, MI 49512

PRESENT USE OF THE PROPERTY: Commercial Bank buildings - Lake Michigan Credit Union

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.)

Leo Vicari / S.U.P. REAL ESTATE

Owner - Print or Type Name
(*if different from Applicant)

Applicant - Print or Type Name

[Signature] / S.U.P. REAL ESTATE

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



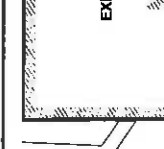
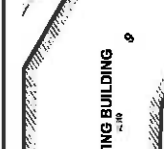
Zoning Variance Narrative
Lake Michigan Credit Union, Cascade Township, Michigan
October 13, 2017

- A. *Legal Description of Properties:* Lot 9 of Glenwood Hills Office Park #2 and Lot 10 of Glenwood Hills Office Park #2
- B. *Summary of Need for the requested variance:* Lake Michigan Credit Union (LMCU) has a need for additional parking at its facilities located at 5519 Glenwood Hills Parkway and 5537 Glenwood Hills Parkway. The properties are adjacent to each other and as part of the project the property line would be adjusted to keep parking for each site on its property. The area available to add this needed parking is along the adjusted property line and the variance, if granted, would allow the added parking within the 10' side yard buffer (PUD Ordinance – Glenwood Hills #5 of 1986). A sidewalk connecting the two properties is also proposed as part of the project to more easily allow pedestrian traffic between the two LMCU buildings.
- C. The scaled site plan included in this submittal provides the items needed including: property boundaries, existing buildings (no new buildings are being proposed), the distance from property lines to the existing buildings, physical features of the site and the abutting street (Glenwood Hills Parkway).

K:\2017\174\17401013\OUTGOING\Zoning Variance\Zoning Variance Narrative.LMCU.DOC

Explores... the Difference

BENCHMARKS
 GRAND RAPIDS
 ANN ARBOR
 CHICAGO
 COLUMBUS
 HOLLAND
 INDIANAPOLIS
 ST. LOUIS



PREPARED FOR:
 LEO AEDAS
 2000 North Zeeb Road
 Grand Rapids, MI 49508
 Phone: 616.461.2111

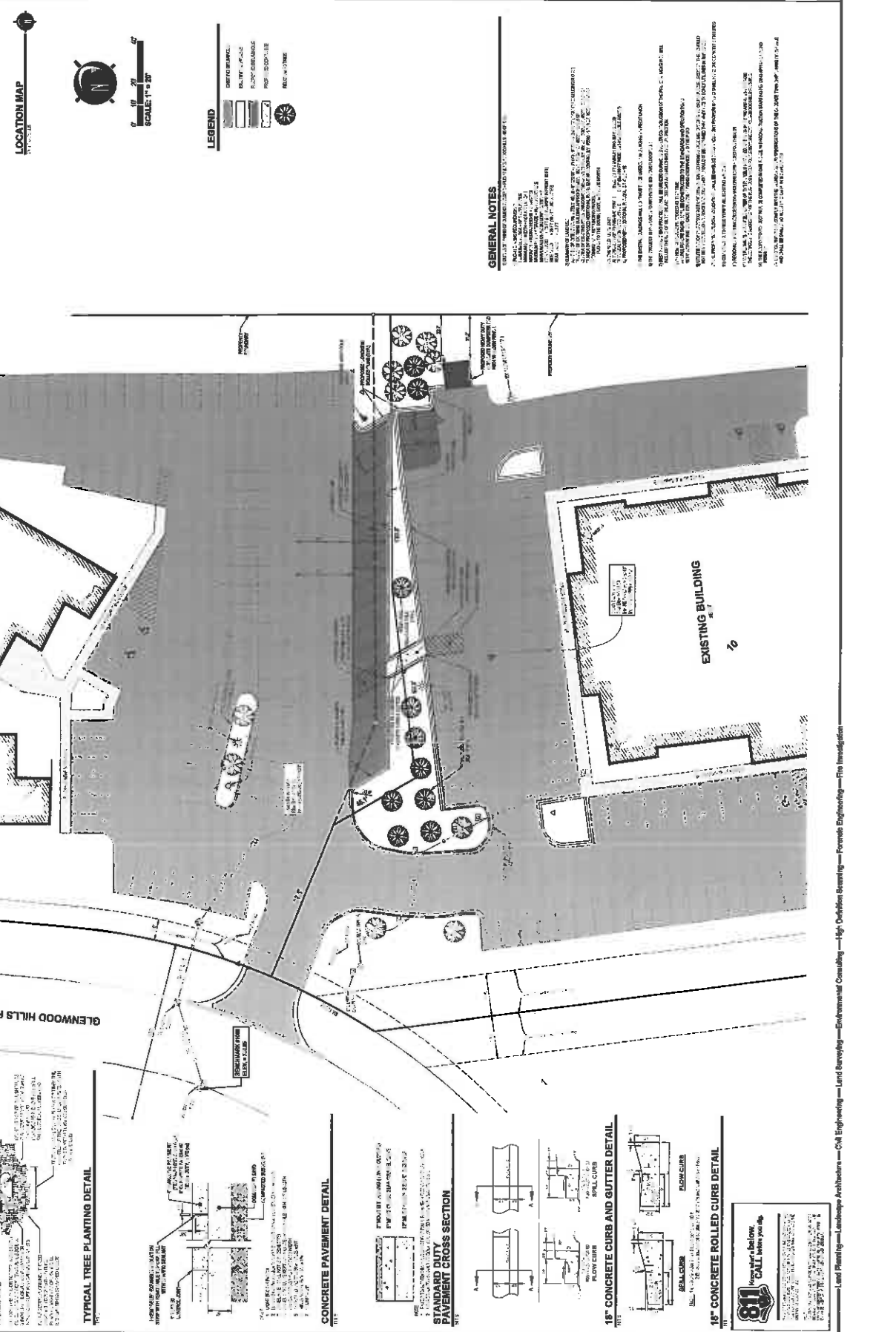
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LAKE MICHIGAN CREDIT UNION - GLENWOOD
 Site Layout Plan
 PART OF THE NORTHWEST QUARTER, SECTION 36, TOWNSHIP 35 NORTH, RANGE 18 WEST, COUNTY OF KENT, MICHIGAN

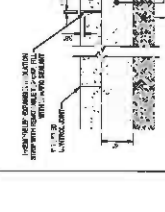
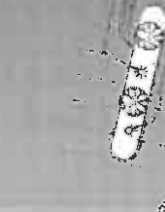
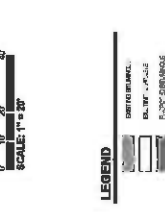


PROJECT NO: 11W0113
SHEET NO: C-205
SHEET: 3 OF 3



GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
2. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
3. ALL EXISTING UTILITIES SHALL BE PROTECTED AND DEEPENED AS NECESSARY TO MAINTAIN PROPER COVER.
4. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
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811
 Know what's below.
 CALL before you dig.

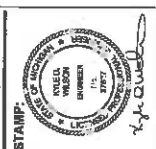
NEBERVELD
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PREPARED FOR:
LAKE MICHIGAN CREDIT UNION
657 GLENWOOD HILLS PARKWAY
CASCADE TOWNSHIP, EAST COUNTY, MICHIGAN

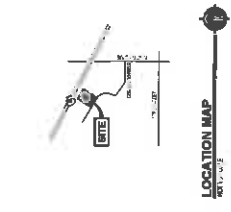
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LAKE MICHIGAN CREDIT UNION - GLENWOOD
Grading, Utility, and S.E.S.C. Plan



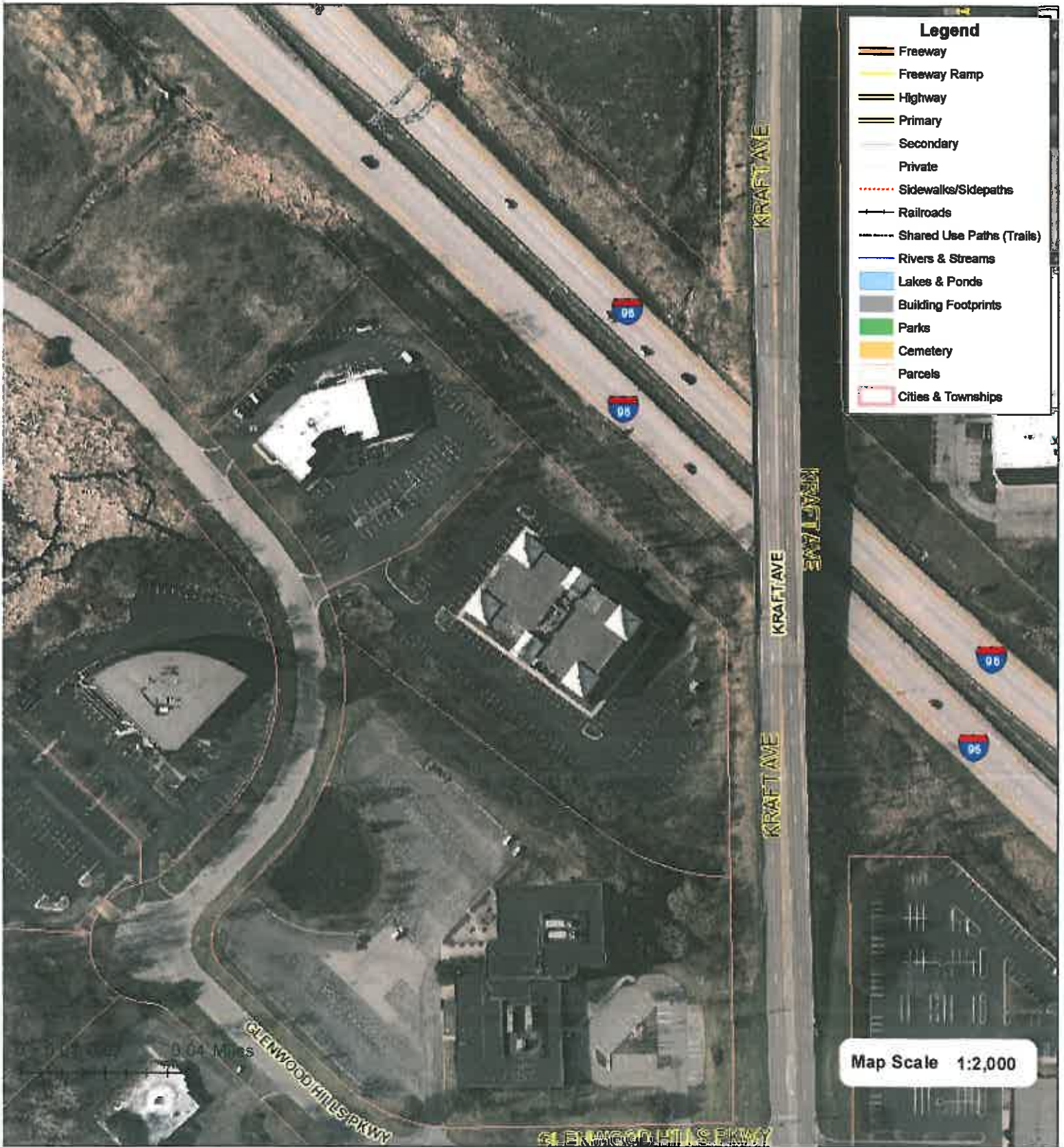
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SHEET NO: C-300
SHEET: 3 OF 3



LEGEND

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TITLE



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CASCADE CHARTER TOWNSHIP
Kent County, Michigan
ORDINANCE NO. 5/1986
Glenwood Hills Office Park PUD

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE, ZONING MAP, AND LAND USE MAP TO ESTABLISH THE GLENWOOD HILLS OFFICE PARK PLANNED UNIT DEVELOPMENT.

THE CASCADE CHARTER TOWNSHIP ORDAINS:

Section 1.

That the application of WW Engineering and Science Group for the Planned Unit Development as recommended by the Cascade Township Planning Commission on September 2, 1986 be and the same is hereby approved and Zoning Map, Land Use Map, and Township Zoning Ordinance No. 2, of 1978 as amended, are hereby amended so as to incorporate said Planning Commission recommendation.

Section 2.

Legal description of said Planned Unit Development includes:

That part of the NE ¼, Section 18, T6N, R10W, Cascade Township, Kent county, Michigan, described as: BEGINNING at a point on the East line of Section 18, which is N1 degree 46'38"W 66.0 feet from the E ¼ corner of Section 18; thence S 88 degrees 09'47"W 1332.29 feet along a line which is 66 feet North of and parallel with the South line of said NE ¼; thence N 1 degree 42'58"W 1637.05 feet along the West line of the E ½ of said NE ¼; thence S 85 degrees 06'45"E 370.73 feet along the Southerly line of Highway I-96 R.O.W.; thence S 47 degrees 05'25"E 1353.55 feet along said Southerly line; thence S 1 degree 46'38"E 640.77 feet along the East line of Section 18 to the place of beginning. Subject to an easement for highway R.O.W. described as: BEGINNING at a point on the east line of Section 18, which is N 1 degree 46'38"W 66.0 feet from the E ¼ corner; thence S 88 degrees 09'47"W 33.0 feet; thence N 1 degree 46'38"W 51.78 feet; thence S 88 degrees 13'22"W 42.0 feet; thence N 1 degree 46'38"W 663.20 feet; thence S 47 degrees 05'25"E 105.49 feet; thence S 1 degree 46'48"E 640.77 feet along the East line of Section 18 to the place of beginning. This parcel contains 37.25 Acres, not including easements for highway R.O.W.

Section 3.

General Provisions: The following provisions shall hereby apply to the above described Planned Unit Development in addition to those provisions outlined in Section 13.11 of the Cascade Charter Township Zoning Ordinance No. 2., as amended through August 28, 1984.

Section 3.1

Permitted Uses: In this P.U.D. district no building or part thereof shall be erected, altered or used or any area of land in whole or in part used for other than any one or more of the following specific uses:

- A. Executive and administrative offices, data processing centers and business offices such as real estate, insurance, and non-profit organizations.
- B. Professional offices, such as for doctors, dentists, lawyers, architects, engineers, and accountants.
- C. Medical and dental laboratories and clinics.
- D. Radio and television station, not including towers and antennas.
- E. Funeral homes, not including crematories, subject to the following restrictions:
 - a. Sufficient off-street automobile parking and assembly area shall be provided for vehicles to be used in funeral processions. The assembly area shall be provided in addition to otherwise required off-street parking area.
 - b. Loading and unloading areas used by ambulances, hearse, or other such service vehicles shall be obscured from view with an opaque fence or wall not less than six feet in height.
- F. Publicly owned buildings, exchanges, and public utility offices not including storage yards, maintenance facilities, substations, regular stations, and materials handling facilities.
- G. Banks, credit unions, savings and loan institutions, including drive-in facilities.

Section 3.2

Development Standards:

- A. There shall be a maximum number of nine lots to be platted and developed in general accord with the approved Master Development Plan. No more than one principal building may be erected on each parcel.
- B. There shall be provided a private cul-de-sac or other suitable means of maneuvering area for emergency vehicles at a common access point to Lots 1 A and 1 B.
- C. Drainage and Flood Plain: A 40 foot drainage and easement across the property shall be maintained in open condition or as modified and approved by the Kent County Drain Commission. No structures shall be erected below the elevation of 725.0 feet. No fill shall be placed below existing contour elevation 720, except that minor encroachments may be offset by balancing cuts.
- D. Ingress and Egress: Driveway openings onto the public and private streets shall not be permitted at an interval of less than 200 feet. In the case of Lots 4 A (Lot 5#2) and 4B (Lot 4 of #1) and 4 B (Lot 4 #1) and 5 A (Lot 3 #1) where it would not be possible to maintain the 200 foot spacing if the lots are developed separately, joint access will be required. Joint access is required

between lot 1 A (Lots 6 and 7 Glenwood #2) and 1 B to provide for required emergency vehicle maneuvering area.

Main access to the development shall be provided as shown on the approved Master Development Plan by a public road built to County Road Commission standards and include appropriate tapers for ingress and egress to and from Kraft Avenue as determined by the Kent County Road Commission.


E. The required yard and area regulations are as follows:

1. Front Yard: The minimum distance from any building to the right of way line shall be 50 feet. No vehicle parking shall be permitted within the first 10 feet thereof along public R.O.W. No vehicle parking shall be provided within the first 20 feet thereof along the private R.O.W.
2. Side Yard: The minimum distance from any building to the side property line shall be 25 feet. The first 10 feet as measured from the side property line shall be permanently landscaped.
3. Rear Yard: The minimum rear yard area for lots lying adjacent to the I-96 Expressway shall be 25 feet. All of which shall include berming and suitable permanent landscape plantings.
 - The minimum rear yard area for lots abutting the I-1 zone shall be 35 feet. All of which shall be devoted to permanent landscape area.
 - The minimum rear yard for all other lots shall be fifty feet. A minimum of 20% thereof shall be permanently landscaped and maintained.

F. Height: No buildings shall exceed three stories in height.

G. The required parking ratios shall be as follows:

- zero (0) square feet of parking for each square foot of internal garage or mechanical area.
- One (1) square feet of parking for each square foot of lab, print shop and storage area.
- Two (2) square feet of parking for each square foot of office area including conference rooms, reception area and miscellaneous areas.



H. Landscaping: All yard areas with the exception of paved driveways, parking spaces and walkways shall be used exclusively for landscaping, including trees, shrubs, lawns, and ornamental features. All landscaping to be completed within six months after occupancy.

I. Signs: The following exterior signs shall be permitted:

- a. One wall sign on each main building, provided that the sign surface does not exceed 100 square feet.
- b. One business sign for each building, provided that the sign surface does not

exceed 32 square feet and provided that it is located a minimum of 20 feet from the public or private street R.O.W.

c. Directional signs not to exceed 4 square feet.

J. All existing structures located on the property as described including buildings and signs shall be removed from the property and are hereby made a condition of final plat approval of the proposed Glenwood Hills Office Park.

Section 4.

Staging: Development as outlined above is conditioned upon the approval of a Final Plat in accordance with the State Plat Act. Approval of individual site plans is further subject to the provisions of Chapters 17 and 18 of the Cascade Charter Township Zoning Ordinance No. 2, of 1978 as amended.

Section 5.

Subject to the Approved Master Development Plan, Case #458A.

Section 6.

Effective Date: This ordinance shall become effective upon publication in a newspaper circulated within the Township of Cascade.

The foregoing ordinance was offered by Board Member Ellinger, supported by Board Member Hansen. The roll call vote being as follows:

YEAS: Burlingham, Carpenter, Champion, Ellinger, Hansen, Henning, Rowland

NAYS: None

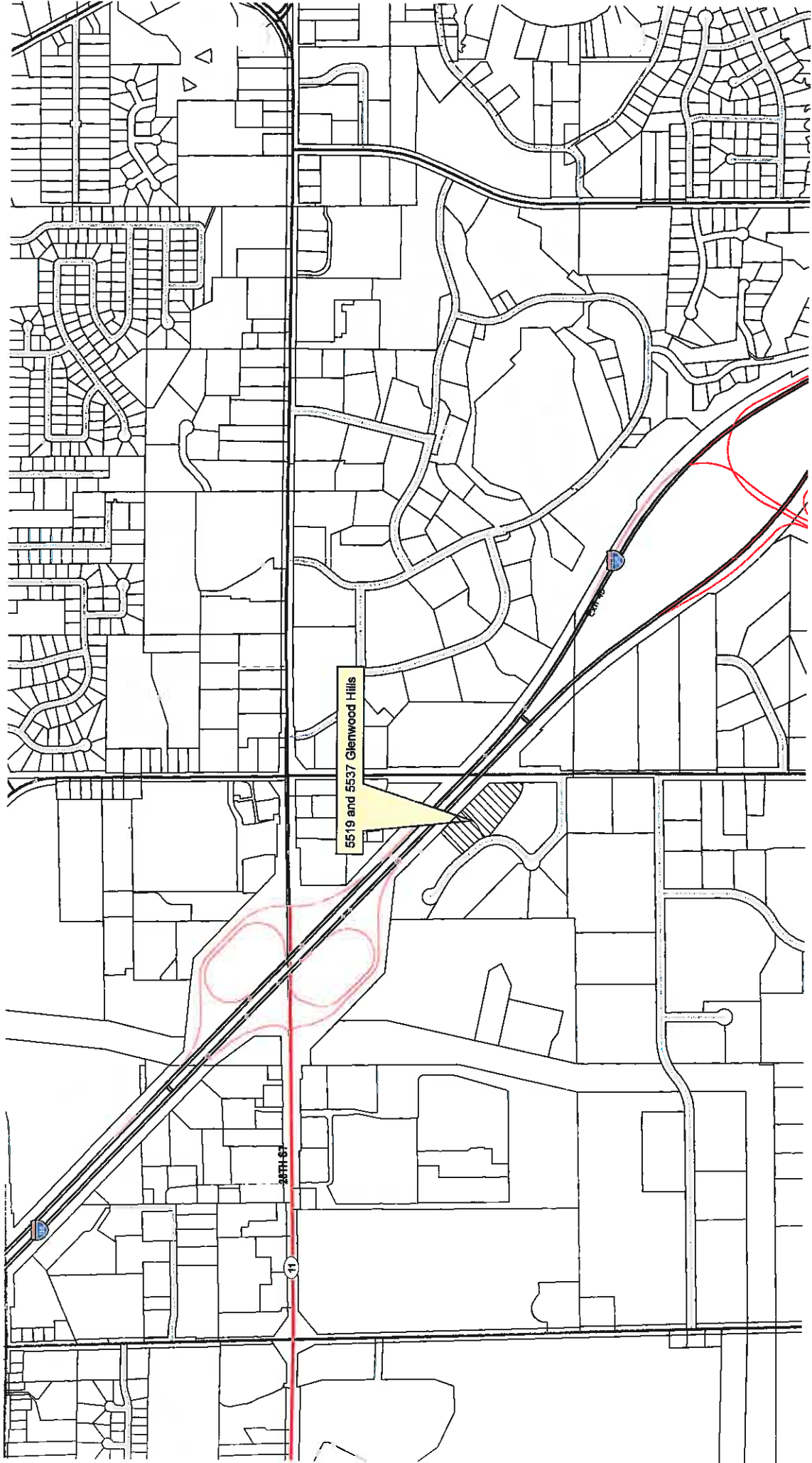
ABSENT: None

Brenda J. Henning, Clerk
Cascade Charter Township

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 1st day of October, 1986.

Brenda J. Henning, Clerk
Cascade Charter Township



5519 and 5537 Glenwood Hills

28TH ST

11

STAFF REPORT

STAFF REPORT: Case #17-3426
REPORT DATE: November 30, 2017
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: December 12, 2017
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:

Jeff Bennett
1460 Briarcliff Dr
Cascade MI 49301

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to construct an addition that encroaches into the side yard setback.

EXISTING ZONING OF SUBJECT PARCEL(S): R1

GENERAL LOCATION: south side of Briarcliff Dr just east of Thornapple River Dr

PARCEL SIZE: Approximately 1.1 acres.

EXISTING LAND USE ON THE PROPERTY: Residential

ADJACENT AREA LAND USES: Residential

ZONING ON ADJOINING PARCELS: R1

STAFF COMMENTS:

- 1) The home on the property is setback about 7 feet from the side property line .
- 2) The home was built in 1965. I was not able to find a record of a variance.
- 3) The homeowner would now like to put an addition onto the house and continue the same 7 foot sideyard setback. This results in three areas that would encroach into the required 10 foot setback.

- 4) The lot is irregular shape and the home is built on an angle which appears to contribute to the problem.
- 5) The addition would allow a covered patio, deck and covered grilling area. Each of these areas has a small amount of that encroaches into the setback. Covered patio encroaches about 19 sq ft into the setback. The deck about 12 sq ft. the covered grilling area about 26 sq ft.
- 6) The home closest to these additions is located about 150 away from the common property line.
- 7) In situations like this where we have a non-conforming setback we require that any new addition meet today's requirements, thus the need for the variance. In cases where we have granted variances like this we have typically had them not increase the amount of non-conformity. This variance would not increase the non-conformity.

A. 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:

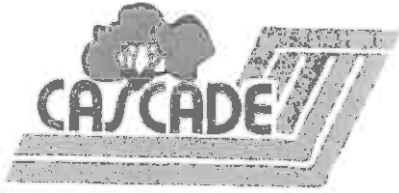
<i>Findings of Fact</i>	<i>Comment</i>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The home is already non-conforming due to the setback. The location of the home and irregular lot appear to contribute the non-conforming issue.
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 applicant did not create the issue and are not making it worse but would like to continue the same setback.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	The amount of variance they are asking is very small.

<p>That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.</p>	<p>The closest homes is about 150 away. The home was built in the 1960's with the same issue and has not caused a problem due to the 7 foot setback.</p>
<p>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.</p>	<p>In other situations we have tried to not increase the amount of non-conformity.</p>
<p>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.</p>	<p>It would appear that this would be the minimum amount of variance possible to request.</p>

STAFF RECOMMENDATION

Staff recommends approval of a variance to allow the additions provided it is not closer than what the current home is.

Attachments: Application
 Site Plan



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Scott Branc / New Urban Home Builders, LLC
 Address: 6883 Cascade Rd SE, Suite B
 City & Zip Code: Grand Rapids MI 49546
 Telephone: (616) 401-5669
 Email Address: scott@newurbanhomebuilders.com

OWNER: * (if different from Applicant)
 Name: Jeff and Meg Bennett
 Address: 1460 Briarcliff Dr. SE
 City & Zip Code: Grand Rapids MI 49546
 Telephone: (616) 915-1703
 Email Address: jbennett@otterbase.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:**

See attached.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

411903176004 PART OF NW 1/4 COM AT CEN OF SEC TH W 960.0 FT TH N 0D 20M E 928.80 FT TH W 307.30 FT TO BEG OF THIS DESC - TH S 37D 50M E 217.60 FT TH N 72D 40M W 141.30 FT TH S 72D W 288.20 FT TO CONT 636 FT ON RT BANK OF THORNAPPLE RIVER TH NWLY ALONG SD CONT LINE 126.30 FT TH N 72D E 341.50 FT TO BEG ALSO COM AT CEN OF SEC TH W 960.0 FT TH N 0D 20M E 928.80 FT TH W 307.30 FT TO BEG OF THIS DESC - TH N 72D 00M E 5.55 FT TO SLY LINE OF BRIARCLIFF DR /60 FT WIDE/ TH S 41D 58M E ALONG SD SLY LINE 217.55 FT TH S 52D 10M W 23.30 FT TH N 37D 50M W 218.70 FT TO BEG * SEC 3 T6N R10W 1.16 A.

PERMANENT PARCEL (TAX) NUMBER: 41-19 -03-176-004

ADDRESS OF PROPERTY: 1460 Briarcliff Dr SE

PRESENT USE OF THE PROPERTY: 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)
_____	_____
_____	_____

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.)

MARGARET BENNETT

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

Margaret Bennett

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

Scott Branc

Applicant – Print or Type Name

Scott Branc 2/15/17

Applicant's Signature & Date

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



The existing home encroaches in the side yard setback by 3ft at the garage corner and 2ft at the western most corner of the house. The proposed covered patio and covered grilling area will keep in line with the existing exterior in order to keep the renovation compatible with the current home condition, design and appearance.

The covered patio area in question encroaches on an angled portion of the site boundary by 3 ft (19 sf total). See site plan for further information. The covered grilling area condition is similar to that of the covered patio and encroaches by 2 ft.

The requested variance will not affect neighboring views or significantly add to the overall lot coverage.

JVISSE

JVISSE DESIGN
1000 CALIFORNIA STREET, SUITE 200
SAN FRANCISCO, CALIFORNIA 94109
TEL: 415.774.8888
WWW.JVISSEDESIGN.COM

PROFESSIONAL
ARCHITECT

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DATE	DESCRIPTION	BY	CHKD

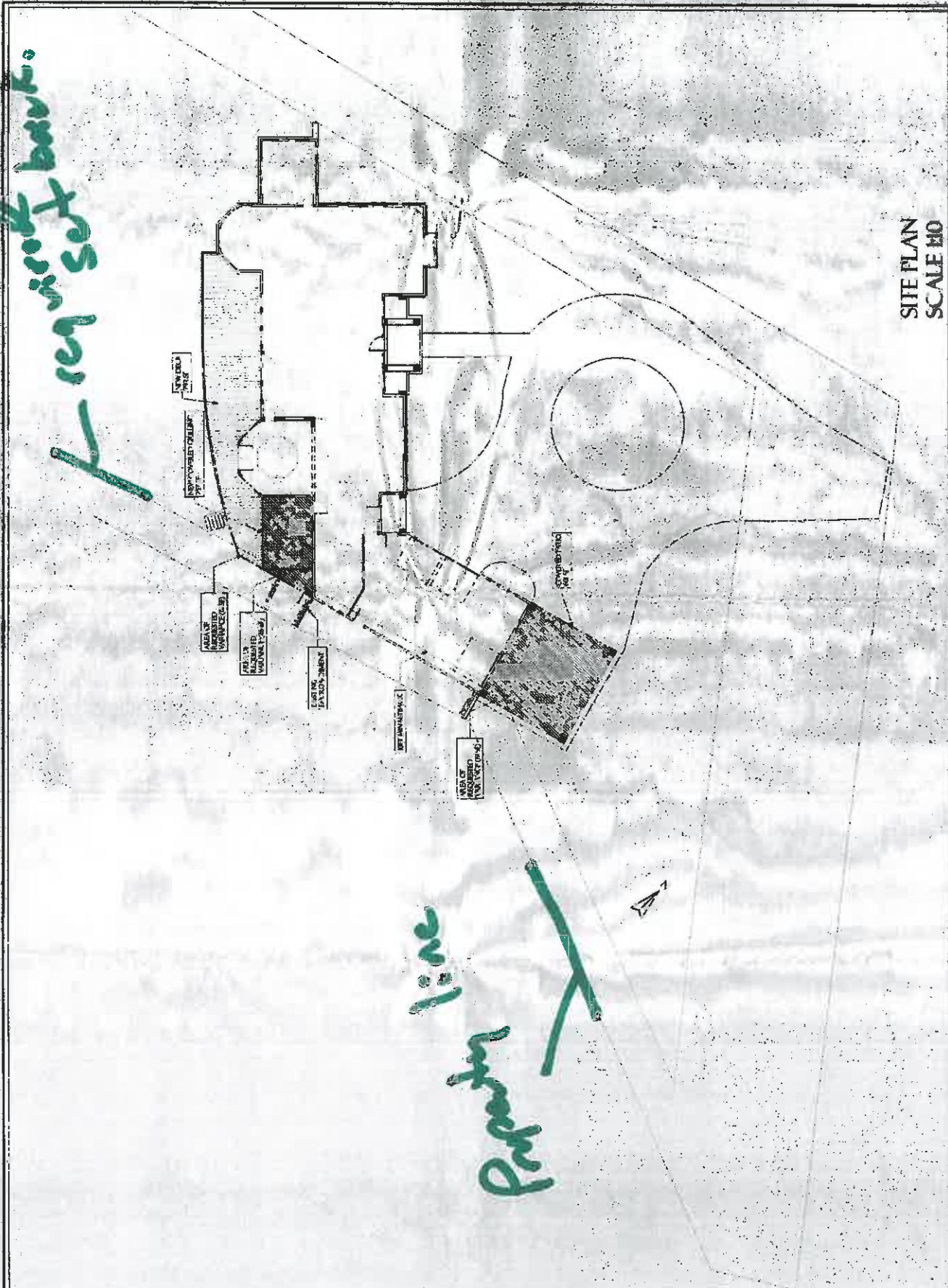
20
REVISIONS

BENNETT
RESIDENCE
MUNICIPAL

SITE PLAN

C-0

F req visiof bank



SITE PLAN
SCALE 1/8" = 1'-0"

TITLE



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