

**AGENDA**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, July 10, 2018**  
**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 June 12, 2018 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 #18:3468 Town Center Inn & Suites  
**Public Hearing**  
**Property Address: 4834 Town Center Dr SE**  
**Requested Action:** The applicant is requesting a variance to allow property split that would reduce the required bufferyard.**
- ARTICLE 7. Case #18:3465 Star Truck Rental  
**Public Hearing**  
**Property Address: 5260 36<sup>th</sup> St**  
**Requested Action:** The applicant is requesting a variance to allow a sign closer to the road than permitted.**
- 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, June 12, 2018  
7:00 P.M.

**ARTICLE 1.** Chairman Berra called the meeting to order at 7:00 P.M.  
Members Present: Berra, McDonald, Milliken, Pennington and Puplava  
Members Absent: Mead  
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 Milliken to approve the Agenda. Supported by Member McDonald. Motion carried 5 to 0.

**ARTICLE 4.** Approve the Minutes of the March 13, 2018 Meeting.

Motion was made by Member Milliken to approve the Minutes of March 13, 2018. Supported by Member McDonald. 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 #18:3459 Stephan Tedhams

**Public Hearing**

**Property Address: 6750 Burton St. S.E.**

**Requested Action:** The Applicant is requesting a variance to split and reconfigure the property with the neighbor.

Director Peterson stated that Applicant is requesting a variance to split and reconfigure his property to sell it to a neighbor. The variance is necessary because the parcel is already smaller than what the zoning ordinance requires and the split would make it even smaller. Applicant's property would be about 3,300 sq. ft. smaller than is required. He would then transfer that 3,300 sq. ft. to his neighbor at 6760 Burton.

Director Peterson recommends approval of the variance. If approved, the neighbors will need to complete the lot split/reconfiguration process by applying for a lot split through the township.

Chairman Berra invited the Applicant to come forward.

Applicant, Stephen Tedhams came forward to explain that he and his neighbor felt it was long overdue and it is what they both want.

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

No one came forward.

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

**Motion was made by Member McDonald to approve the variance to split and reconfigure 6750 Burton with 6760 Burton. Supported by Member Pupilava. Motion carried 5 to 0.**

**ARTICLE 7. Any other business.**

**ARTICLE 8. Adjournment**

**Motion was made by Member Pennington to adjourn. Supported by Member McDonald. Motion carried 5 to 0. Meeting adjourned at 7:10 p.m.**

Respectfully submitted,  
Valerie Milliken, Secretary

STAFF REPORT: Case # 18-3468  
REPORT DATE: June 15, 2018  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: July 10, 2018  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:  
Town Center Inn and Suites  
Hikmat Piromari  
6506 Hanna Lake Ave  
Caledonia MI 49316

STATUS OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to allow property split that would reduce the required bufferyard.

EXISTING ZONING OF SUBJECT PARCEL(S): PUD 50 – Meadowbrooke Business Park

GENERAL LOCATION: The property is located on the east side of Towne Center Dr.

PARCEL SIZE: 8 acres

EXISTING LAND USE ON THE PROPERTY: Hotel under construction

ADJACENT AREA LAND USES:  
N – Vacant  
S – Vacant/apartments  
E – Vacant/apartments  
W – Gas station

ZONING ON ADJOINING PARCELS: All – PUD 50

**STAFF COMMENTS**

1. The applicant is requesting approval from the ZBA to allow the property to be split. The result would be a bufferyard of less than required.
2. Meadowbrooke allows for a sideyard buffer of 10 feet. Although the ordinance is a little unclear this was settled by way of a zoning interpretation in 2004.
3. Meadowbrooke also has a couple other unique aspects to what can be done. First they allow two buildings on one lot. This is what the hotel developer originally intended to do but ran into financing difficulties. Two, Meadowbrooke also allows a reduction in the bufferyard if certain aspects are present on the lot, such as wetlands or other undevelopable areas. This allows for the planning commission to reduce it by 25 percent. This would allow for a bufferyard of 7.5 feet.
4. The developer is proposing about 3.5 feet of buffer.
5. Meadowbrooke was developed in the late 1980's and is widely considered as the benchmark for industrial business park development. The way development is regulated has also been held in high regards and often used as a template for other projects.
6. The allowance of two buildings on one lots and the reduction of bufferyrds is not something that has been repeated and stands as unique to Meadowbrooke.
7. The lot while 11 acres has about 5 acres of wetlands so not all of the property is developable.
8. The two hotels were approved in 2017. They did decide to move ahead with the construction of one of them but need this variance for the other.
9. As designed, the bufferyard is no different with the lot line going through the area as it was when they designed two hotels on the property.
10. This is very different than other projects where two buildings on one lot are not permitted.

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 allowance of two buildings on one lot and the foresight to allow reduction of bufferyards is very unique in Cascade. Furthermore the presence of wetlands on the site allows for the reduction of the bufferyard.

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 unique circumstances of the lot and the development are not the result of actions by the applicant.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	The proposed buffer is the same as it was when the development was approved with the two buildings on one lot.
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 is different than anywhere else in Cascade and would be hard to replicate.
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 is the first variance in Meadowbrooke under these conditions that I have been able to find.
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.	

**STAFF RECOMMENDATION**

Staff Recommends Approval of the requested variance.

Attachments:            Application  
                                  Site Plan



UNAMED



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: TOWN CENTER INN & SUITES, INC.

Address: 6506 HANNA LAKE AVE SE

City & Zip Code CALEDONIA, MI 49316

Telephone: (616) 889 - 0127

Email Address: \_\_\_\_\_

**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 type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

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

**BRIEFLY DESCRIBE YOUR REQUEST:\*\***

To split the parcel in between two proposed hotels to sanction loans for construction. To get landscape buffer variance for the property split between the proposed hotels.

(\*\*Use Attachments if Necessary)

**-SEE OTHER SIDE-**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(\*\*Use Attachments if Necessary)

**PERMANENT PARCEL (TAX) NUMBER:** 41-19 31-302-003 and 41-19-31-302-004

**ADDRESS OF PROPERTY:** 4834 Town Center DR SE

**PRESENT USE OF THE PROPERTY:** Hotels Development

**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.)***

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

HIKMAT PIROMARI  
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





***STAFF REPORT***

**TO:** Cascade Township Zoning Board of Appeals  
**FROM:** Steve Peterson, Community Development Director  
**REPORT DATE:** June 1, 2018  
**MEETING DATE:** July 10, 2018  
**CASE:** #18-3465 / Star Truck Rental

***GENERAL INFORMATION***

**STATUS  
OF APPLICANT:** Owner

**REQUESTED ACTION:** The applicant is seeking a variance to allow a sign closer to the road than permitted.

**EXISTING ZONING OF  
SUBJECT PARCEL:** Industrial

**GENERAL LOCATION:** South side of 36<sup>th</sup> St just west of Kraft Ave

**PARCEL SIZE:** Approximately 2Acres

**EXISTING LAND USE  
ON THE PARCEL:** Truck Rental

**ADJACENT AREA  
LAND USES:** ALL Industrial

**ZONING ON ADJOINING  
PARCELS:**  
I, TI

**STAFF COMMENTS:**

- 1) The applicant is requesting a variance to install a new ground sign along 36<sup>th</sup> St .
- 2) The sign is proposed to be located 19 feet from the road and 8 feet from the road row.
- 3) We have recently adopted new rules for sign placement in the industrial area. What used to require a 25 foot setback from the row now it only requires a 25 foot setback form the road no closer than 5 feet to the row.
- 4) Because they are closer than 25 to the road they still need a variance even though they are more than 5 feet from the row.
- 5) The change in the rules was largely due to address issues like this in the industrial area where there is wide row, to form some consistency with other types of setbacks and to recognize a number of similar variances that were granted.
- 6) We did recently grant a variance on this section of 36thst (medbio)that allowed a similar size that was 5 feet from the row and 23 feet from the road edge.
- 7) This section of 36<sup>th</sup> St has about a 100 foot wide ROW.
- 8) The sign is 5 feet tall and 28 sq ft feet in size.
- 9) They are requesting to keep the sign 5 feet from the road right-of-way.
- 10) 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.	The sign would not seem to be a detriment to other property in the area.

<p>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.</p>	<p>The wide ROW is really what presents the problem, in addition to our relative small allowances for height of industrial signs. However, it does appear that they have a couple of feet to move the sign back but not enough without the need for a variance.</p>
<p>The granting of the variance would not be contrary to the general purposes of this Ordinance or set an adverse precedent.</p>	<p>Given the changes that we have made recently to the sign ordinance, this application is meeting the intent of that ordinance and is in compliance with the setback form the row.</p>

**RECOMMENDATION**

Staff would recommend that the variance be Approved.

Attachments: Application w/attachments



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Valley City Sign (Stephen Kerr)  
 Address: 5009 West River Dr  
 City & Zip Code Comstock Park, MI 49321  
 Telephone: (616) 785-5713  
 Email Address: skerr@valleycitysign.com

**OWNER: \* (If different from Applicant)**  
 Name: Star Truck Rentals  
 Address: 5260 36th St  
 City & Zip Code: Grand Rapids, MI 49512  
 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 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:\*\*

Sign variance for a freestanding sign placed 19 feet from the pavement of 36th St, a variance of 6 feet.

(\*\*Use Attachments if Necessary)

-SEE OTHER SIDE-

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

PART NE 1/4 COM AT NE COR OF N 580.8 FT OF W 225.0 FT OF NW  
1/4 NE 1/4 TH E ALONG N SEC LINE 232.88 FT TH S PERP TO N  
SEC LINE 440.0 FT TH W PAR WITH N SEC LINE 234.16 FT TO E  
LINE OF W 225.0 FT OF NW 1/4 NE 1/4 TH N ALONG SD E LINE TO  
BEG \* SEC 19 T6N R10W 2.35 A.

(\*\*Use Attachments if Necessary)

**PERMANENT PARCEL (TAX) NUMBER:** 41-19-19-200-039

**ADDRESS OF PROPERTY:** 5260 36TH ST SE

**PRESENT USE OF THE PROPERTY:** Industrial

**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.)*

Thomas L. Byler  
Owner - Print or Type Name

(\*If different from Applicant)

Thomas L. Byler  
Owner's Signature & Date

(\*If different from Applicant)

Stephen Kerr

Applicant - Print or Type Name

Stephen Kerr  
Applicant's Signature & Date

5/25/18

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

# VALLEY CITY SIGN

May 25, 2018

Zoning Board of Appeals  
Cascade Charter Township  
2865 Thornhills SE  
Grand Rapids, MI 49546-7140

RE: Sign Variance for 5260 36th St  
Star Truck Rentals

Star Truck Rentals is requesting that the a variance be granted in order to obtain relief from the minimum required distance between a freestanding sign and the pavement of the adjacent roadway. Valley City Sign is submitting this request on their behalf. We are proposing to install one freestanding ground sign with an area of 28 square feet and an overall height of 5 feet. The sign will be 7 feet wide and located 8 approximately 8 feet from the right-of-way line. We are requesting that the sign be placed 19 feet from the pavement of the adjacent roadway, a variance of 6 feet from the minimum of 25 feet required by the sign ordinance.

The short width of the green space between the pavement of the parking lot and the pavement of 36th Street is a unique condition that creates a hardship for sign placement for Star Truck Rentals. The distance between these two points is 32 feet, leaving only 7 feet where a sign may be placed as allowed by the ordinance. A literal application of this requirement would place the back edge of the sign at the edge of the pavement of the existing parking lot. As illustrated in the attached photo, vehicles are frequently backed into parking spaces and extend into the green space where the sign would be mounted. This greatly increases the risk of the sign being hit and damaged by vehicles. During the winter, snow plows also pile snow in front of these parking spaces, further increasing the risk of damage to the sign.

Unfortunately, this risk can only be mitigated in ways that would impose further hardship on Star Truck Rentals. The sign has been designed at smallest width possible to be effective while maintaining logo and branding standards for Star Truck Rental. Any sign smaller than what is being proposed would be significantly reduced in it's effectiveness. Orienting the sign to be parallel to 36th street would reduce the risk of the sign being

damaged by vehicles and snow, but this orientation would also greatly reduce the effectiveness of the sign. The removal of parking spaces would be the only way to mitigate this risk, but that would impose a whole new set of hardships on Star Truck Rentals.

We feel that this request fits within the spirit of the sign ordinance by providing some separation between the sign and pavement with vehicular traffic. The sign has been designed to fit within the ordinance as much as possible while still providing effective and legible brand identification. Where 46 square feet is allowed for this site, only 28 square feet of freestanding signage is being proposed in order to scale the sign appropriately to the site.. The sign will maintain a setback of 8 feet from the right-of-way line where a minimum of at least 5 feet is required.

If you have any questions, feel to contact me at any time. Thank you very much for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen Kerr".

Stephen Kerr,  
Permit Administrator, Owner  
Valley City Sign  
(616) 785-5713  
skerr@valleycitysign.com





**ELEVATION - SIDES A AND B**  
Typeface is Swiss 721 BT Bold



		Red Scotchlite #M30-21
White Scotchlite #7725-10	Black Scotchlite #3630-22 (opaque)	NAP Black

CONCEPT  
**DRAWING #165,147A**  
 SCALE: 1/2" = 1'-0"  
 ONE (1) ILLUMINATED D/F GROUND SIGN REQ'D

PROJECT: <b>Star Truck Rental</b>	
PHOTOSCAN (S): <b>No</b>	DESIGNER: <b>SV</b>
DATE: <b>3.16.18</b>	REVISIONS:
HOURS: <b>1.0+.50</b>	SALES: <b>32(SU)</b>



5009 West River Drive · Comstock Park, MI 49321 · Ph.616.784.5711 · Fax.616.784.8280 · www.valleycitysign.com  
 The designs, details and plans represented herein are the property of Valley City Sign; specifically developed for your personal use in connection with the project being planned for you by Valley City Sign. They are not to be shown to anyone outside of your organization, nor are they to be used, reproduced, exhibited or copied in any fashion whatsoever. All or any part of these designs (except registered trademarks) remain the property of Valley City Sign. Colors represented are being viewed by various web browsers, computer monitors and printers, therefore an exact representation of colors shown cannot be guaranteed via these methods. For true color matching, please request a material sample.

# 5260 36th St SE



May 25, 2018

1:410



