

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, August 9, 2022
5:30 pm
2870 Jacksmith Ave

- 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 from the June 28, 2022 and July 12, 2022 meetings.**
- ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.
(Comments are limited to five minutes per speaker.)**
- ARTICLE 6. Case #22-3721-Meijer
Public Hearing
Property Address: 5531 28th Street
Requested Action: The applicant is requesting a variance for temporary outdoor storage.**
- ARTICLE 7. Case #22-3724 -Jeff & Lisa Dionne
Public Hearing
Property Address: 2984 Thornapple River Drive
Requested Action: The applicant is requesting a variance to build within the front yard setback.**
- ARTICLE 8. Case #22-3726 – Janet Lash
Public Hearing
Property Address: 9070 52nd Street
Requested Action: The applicant is requesting a variance to build within the side yard setback**
- ARTICLE 9. Case #22-3727- Wolverine/Target
Public Hearing
Property Address: 5120 28th Street
Requested Action: The applicant is requesting a variance for temporary outdoor storage.**
- ARTICLE 10. Any other Business**
- ARTICLE 11. Adjourn**

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
Special Meeting
Tuesday, June 28, 2022
5:30 P.M.
2870 Jacksmith Ave SE

ARTICLE 1. Chair Mead called the meeting to order at 5:30 P.M.
Members Present: Tom McDonald, Ralph Moxley, Aaron Mead, Lou Berra, Valerie Milliken
Members Absent: None
Others Present: Planning Director Brian Hilbrands, Zoning Administrator Madison Smith-Jacoby, and those listed on the sign-in sheet

ARTICLE 2. Pledge of Allegiance

ARTICLE 3. Approve the current Agenda

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

ARTICLE 4. Acknowledge visitors and those wishing to speak on non-agenda items.

There were not any visitors that wished to speak to non-agenda items.

ARTICLE 5. Case #22-3714/Wal-Mart

Property Address: 5859 28th Street SE

Requested Action: The applicant is requesting a variance for temporary outdoor storage.

Zoning Administrator Smith-Jacoby presented the case. The applicant is requesting a variance for outdoor storage on the south side of the building. They are planning to place the containers 65' back from 28th Street, which meets the minimum setback requirement of 60'. The plan is to store the containers there for 90 days in order to accommodate supply chain needs. Township Building Officials would like to see a building permit to ensure the containers are anchored properly, and the fire department saw no issues as the ingress and egress were not blocked. Staff recommends approval of the request for outdoor storage containers. Planning Director Hilbrands clarified a question stating that when a structure is above a certain height limit, the structure must meet building code and permit requirements.

Eric Hooker, Manager of the 28th Street Wal-Mart, reiterated the stores need for outdoor storage due to excess inventory. They have utilized many areas inside to the point where options are limited. His supplier for the shipping containers has never had a request to anchor them as they have a dry weight of 11,000 pounds but, to be compliant, he is still looking into that.

Member McDonald asked if there were specific times inventory would be moved around from the containers to the store and the applicant stated there will be movement around 7:00pm and around 3:00am.

Motion was made by Member McDonald to move to public hearing. Supported by Member Moxley. Motion carried 5 to 0.

There was no one who wished to make a public comment.

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

Member McDonald believed the request for outdoor storage was justified and that the applicant will take necessary precautions to ensure safety.

Motion was made by Member McDonald to approve the variance for outdoor storage for 90 days. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 6. Any Other Business

Director Hilbrands reminded the Zoning Board of the meeting on July 12th.

Chair Mead would like the Zoning Board to determine how they would evaluate if storage containers are anchored. Director Hilbrands stated that he is unsure if they will need to be anchored. The building department requires that they have a permit, so they will ultimately make the decision.

ARTICLE 7. Adjournment

Motion to adjourn was made by Member Berra. Supported by Member Moxley. Motion carried 5 to 0.

Minutes
Cascade Charter Township
Zoning Board of Appeals
Tuesday, July 12, 2022
5:30 P.M.
2870 Jacksmith Ave SE

ARTICLE 1. Chair Mead called the meeting to order at 5:30 P.M.
Members Present: Tom McDonald, Ralph Moxley, Aaron Mead, Lou Berra, Valerie Milliken
Members Absent: None
Others Present: Planning Director Brian Hilbrands, Zoning Administrator Madison Smith-Jacoby, and those listed on the sign-in sheet.

ARTICLE 2. Pledge of Allegiance

ARTICLE 3. Approve the current Agenda

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

ARTICLE 4. Approve the minutes of the June 14, 2022 meeting

Motion was made by Member Berra to approve the June 14, 2022 meeting minutes as written. Supported by Member McDonald. Motion carried 5 to 0.

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

There were not any visitors that wished to speak to non-agenda items.

ARTICLE 6. Case #22-3716/VanDeBurg

Property Address: 3295 Snow Ave

Requested Action: The applicant is requesting approval for temporary use to allow a greenhouse to be used as an event venue in the offseason.

Planning Director Hilbrands presented the case. The property is currently being used for a greenhouse, but the applicant is looking to use the building to host up to 20 events in the fall months. They are estimated to have between 50-200 guests and will only be using the first third of the building for events. There are 36 paved parking spaces for the site with the possibility of adding up to 50 more spaces. This is a unique temporary use request and the most similar cases include the Patterson Ice Arena being allowed to serve alcohol for three events and two different churches being allowed to occupy a commercial space until they finished construction of a permanent space.

Staff received comments from both the Building and Fire Departments stating, that even if this use is temporary, it would change the use in relation to fire and building codes.

This would require the building to meet a different set of code requirements than it does with the current use. In order to be issued a permit, the applicant would have to provide documents demonstrating code compliance. They would also have to meet noise regulations that prohibit audible sound beyond the property line between 10 pm and 7 am.

Staff recommended approval for the temporary use on three conditions: the approval allows for no more than 20 events between August 2022 and December 2022, the property remains in compliance with township lighting, signage, and noise standards, and the applicant demonstrates compliance with building and fire codes, receiving approval from both those departments.

Planning Director Hilbrands responded to a question in regards to the Health Department, stating that they have not yet given any input. If a bathroom were to be required, they would have to review septic systems. The applicant is also planning to cater food that would require Health Department and liquor licenses.

Christian VanDeBurg (1014 Powers Ave), the applicant, explained that he has worked at the greenhouse, currently owned by his father since he was young, and has plenty of experience with the building and surrounding areas. Since they don't run the greenhouse in late summer or fall, the applicant is looking to make the building useful during that time. He explained further that he has worked in event planning and catering and would be using this building as a wedding venue. The applicant is in contact with an architect to ensure the building is up to code.

Chair Mead commented that the Health Department may have an issue with the lack of water source testing. The change of use is a big deal for facilities and people. The applicant stated that the water has been used by the family for over 20 years and they will likely be renting portable restrooms, but getting everything up to code will be his main objective.

The applicant was asked if the 20 events per year threshold were acceptable to him and he expressed concern that he would struggle to get anyone booked as the season is coming up soon and weddings typically take more planning.

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

There was no one who wished to comment.

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

Member McDonald expressed that he was in favor of this variance. He believed the greenhouse would be a great place with limited surrounding buildings and little

disruption to neighbors. Given the 46-acre location and well-written conditions from staff, he would be in favor of approving the variance.

Chair Mead added that the property has the opportunity to provide additional space outside, though this use is described as an inside event, he wanted staff to be aware of that potential. Planning Director Hilbrands explained that he was comfortable with this use since it will be an indoor event, which can limit sound. He also recommended adding a condition to the motion to provide a schedule for events.

Motion was made by Member McDonald to approve the variance for the temporary use permit with Staff conditions and add a condition that the applicant provides a schedule of events. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 7. Any Other Business

Planning Director Hilbrands reminded the board of their next meeting on August 9, 2022.

ARTICLE 8. Adjournment

Motion was made by Member Berra to adjourn. Supported by Member Milliken. Motion carried 5 to 0. The meeting was adjourned at 5:46 P.M.

Respectfully submitted,

Ralph Moley, Secretary

STAFF REPORT

STAFF REPORT: Case #22-3721
REPORT DATE: August 1, 2022
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: August 9, 2022
PREPARED BY: Madison Smith-Jacoby, Zoning Administrator

APPLICANT:

Meijer, Inc.
2929 Walker Avenue NW
Grand Rapids, Michigan 49544

STATUS
OF APPLICANT: Contractor, D&D Building

REQUESTED ACTION: The applicant is requesting approval from the Zoning Board of Appeals to allow for temporary outside storage of 14 trailers for the duration of the Meijer construction.

EXISTING ZONING OF
SUBJECT PARCEL(S): PUD - 69

GENERAL LOCATION: On the north side of 28th street west of Kraft Avenue.

PARCEL SIZE: Approximately 21 acres

PROPERTY LOCATION: 5531 28th Street SE. PP #41-19-07-476-002

EXISTING LAND USE
ON THE PROPERTY: Commercial use, Grocery Store

ADJACENT AREA
LAND USES: N – Residential/Commercial
S – Commercial
E- Commercial
W – Commercial

ZONING ON
ADJOINING PARCELS: N – PUD 24, R1
S – PUD 69
E – ES
W – B2

STAFF COMMENTS:

1. The applicant requests approval from the Zoning Board of Appeals to allow for temporary placement of storage containers for the duration of the remodeling project at Meijer. The end date is projected to be January 27, 2023.
2. The site plan indicates the 14 containers will be confined to the eastern parking lot of the property, abutting Kraft Avenue. This area is contained by landscape buffers and curbed islands.
3. The applicant indicates the area is blocked off to vehicles but does not impact the ingress and egress at Kraft Avenue, thus minimizing traffic hazards. Additionally, the site plan shows construction fencing around the entire north-eastern portion of the parking lot during phase 2. This fence will be 6 feet tall with sand bags to weigh down the posts.
4. The Building Official has reviewed the site plan and has no need for a permit. (The previously approved temporary storage at Wal-Mart resulted in no permits needed).
5. The Fire Department has previously reviewed and approved plans with no issue.
6. The Township Engineer has reviewed the plans and does not see any negative impact and sees no issues with approving as presented.

ZONING ORDINANCE SECTION 4.18: Criteria for Approval

1. Section 4.18 of our Zoning Ordinance allows for approval of temporary or movable structures so long as they meet the conditions outlined. **Section 4.18 Buildings and Structures, Temporary:** Mobile homes, mobile offices, tents or other movable or erected structures intended for temporary use or occupancy incidental to construction work, or special events shall be situated or erected upon land or premises within the Township and used according to the following provisions.

Other Approved Temporary Structures:

Other temporary structures not permitted or regulated above or by other provisions of this Ordinance may be permitted by the Zoning Board of Appeals. An application for such temporary structure shall set forth the purposes of the construction. The Zoning Board of Appeals shall determine whether such structure is intended as a temporary building and that its use thereof shall be terminated at a specified time. The application shall not be granted if the structure is not served with a sufficient and healthful water supply and

toilet facilities. The temporary structure shall be so constructed and maintained that it shall conform to the minimum requirements for safety, health, and general public welfare and for the prevention of fire hazards as provided by the terms of this Ordinance or any other ordinance of the Township, not in conflict herewith for such districts in which the temporary structure shall be located. The temporary building shall not be injurious to the value of the surrounding property or neighborhood.

STAFF RECOMMENDATION:

Staff recommends that you approve the variance as requested to allow for temporary outdoor storage for the number of days agreed upon by the applicant and ZBA.

ATTACHMENTS: Application packet, Site Plan, and Map





CASCADE CHARTER TOWNSHIP

5920 Tahoe Dr. SE, Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: D&D Building
 Address: 3264 Union St Se
 City & Zip Code Wyoming Mi
 Telephone: 616-243-5633
 Email Address: dmatelski@dndbuilding.com

OWNER: * (If different from Applicant)
 Name: Meijer, Inc.
 Address: 2929 Walker Ave. NW
 City & Zip Code: Grand Rapids, MI 49544
 Telephone: 616-791-3288
 Email Address: kevin.wieringa@meijer.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 Subdivision
<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> Plat Review *
<input checked="" type="checkbox"/> Zoning Variance	<input checked="" type="checkbox"/> Other: <u>storage containers</u>

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

BRIEFLY DESCRIBE YOUR REQUEST:**

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

LEGAL DESCRIPTION OF PROPERTY:**

See attached

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -07-476-002

ADDRESS OF PROPERTY: 5531 28th St SE

PRESENT USE OF THE PROPERTY: Retail

**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.)

Kevin Wieringa - Program Manager

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

*  6/27/22
Owner's Signature & Date

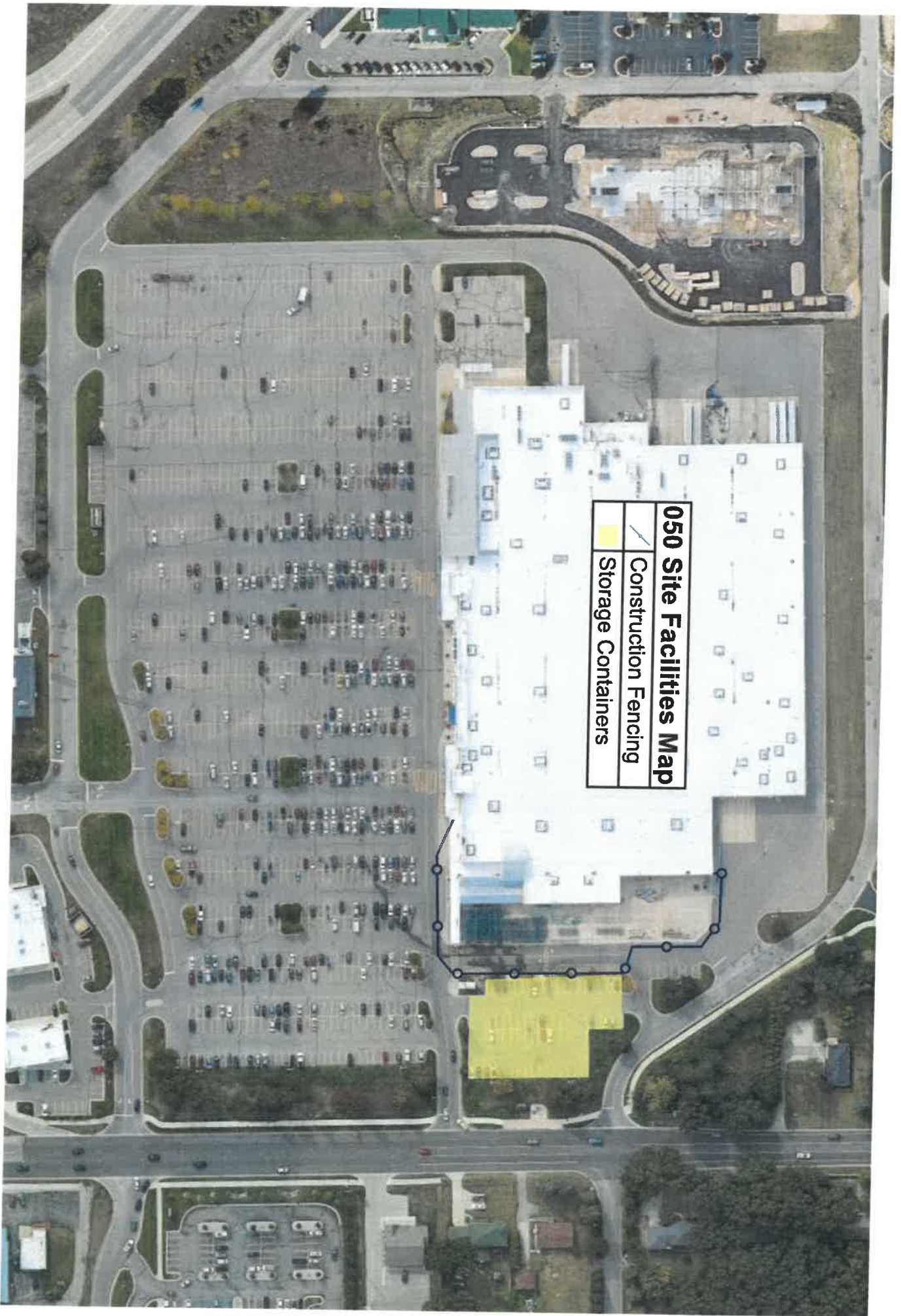
(*If different from Applicant)

Dave Matelski

Applicant - Print or Type Name

 6/27/22
Applicant's Signature & Date

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



050 Site Facilities Map

	Construction Fencing
	Storage Containers

STAFF REPORT

STAFF REPORT: Case #22-3724
REPORT DATE: July 22, 2022
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: August 9, 2021
PREPARED BY: Madison Smith-Jacoby, Zoning Administrator

APPLICANT:

Jeff & Lisa Dionne
2984 Thornapple River Drive SE
Grand Rapids, Michigan 49546

STATUS
OF APPLICANT:

Property Owner

REQUESTED ACTION:

The applicant is requesting a variance to build an addition within the front yard setback.

EXISTING ZONING OF
SUBJECT PARCEL(S):

R2

GENERAL LOCATION:

The home is on the southeast side of Thornapple River Dr. West of Cascade Road, along the Thornapple River just past the Leslie E Tassell Riverfront Park

PARCEL SIZE:

Approximately 0.4 acres

EXISTING LAND USE
ON THE PROPERTY:

Residential

ADJACENT AREA
LAND USES:

N- Residential
E – Public Park
S – Thornapple River
W - Residential

ZONING ON
ADJOINING PARCELS:

N- R2
E- R2
S- Thornapple River
W – R2

STAFF COMMENTS:

1. The applicant is requesting a variance from Chapter 18 to allow an addition within the required front yard setback.
2. The applicant received approval for this same project in 2018 but work was not started. The applicant is seeking to reinstate previous approval for the front yard setback variance.
3. The proposed addition would be 17.56 feet from the property line/road right-of-way, the same as the previously granted variance. This setback matches the current closest setback of the existing house.
4. Thornapple River Drive is a collector-type street and requires a 43-foot setback from the right-of-way. The existing house is legally nonconforming because the home is within the required setback.
5. The house addition has not been specified with building plans. I would refer to the applicant for the scope of the project. The existing garage driveway
6. Previous application indicated a new driveway and this would require a permit from Kent County Road Commission for a new curb cut.
7. Other homes in the area have legally nonconforming setbacks and similar circumstances have been granted a variance for cases with hardships such as topography, lot size, or existing nonconforming homes.
8. The applicant has not detailed the amount of garage space being added but, the total garage space will need to comply with Section 4.09 of the Zoning Ordinance. Again, I would refer to the applicant for these garage renovation details as they were not provided.

ZONING REQUIREMENTS:

- A. Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all the findings of fact listed in the table below:

Findings of Fact	Comment
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 unique shape of the lot is the main circumstance causing hardship for the property owner. Other nonconforming lots nearby would have the same issue, but there are no exceptional conditions that don't apply to nearby properties.

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 43 feet.
That such variance is the minimum variance that will make possible the reasonable use of the land, building or structure.	The applicant changed their plans to no longer require a side yard setback variance and are requesting the minimum front yard setback required.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	The next-door neighbor has spoken with staff to clarify their side yard would not be impacted. The plans show a fence that improves safety, acting as a buffer.
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, and/or circumstances, the ZBA has tried to not increase nonconformity, depending on the circumstances. The lot shape and size make this too unique for a zoning ordinance amendment.
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.	The front yard setback is already nonconforming and the applicant's plans have been amended to request the minimum variance required.

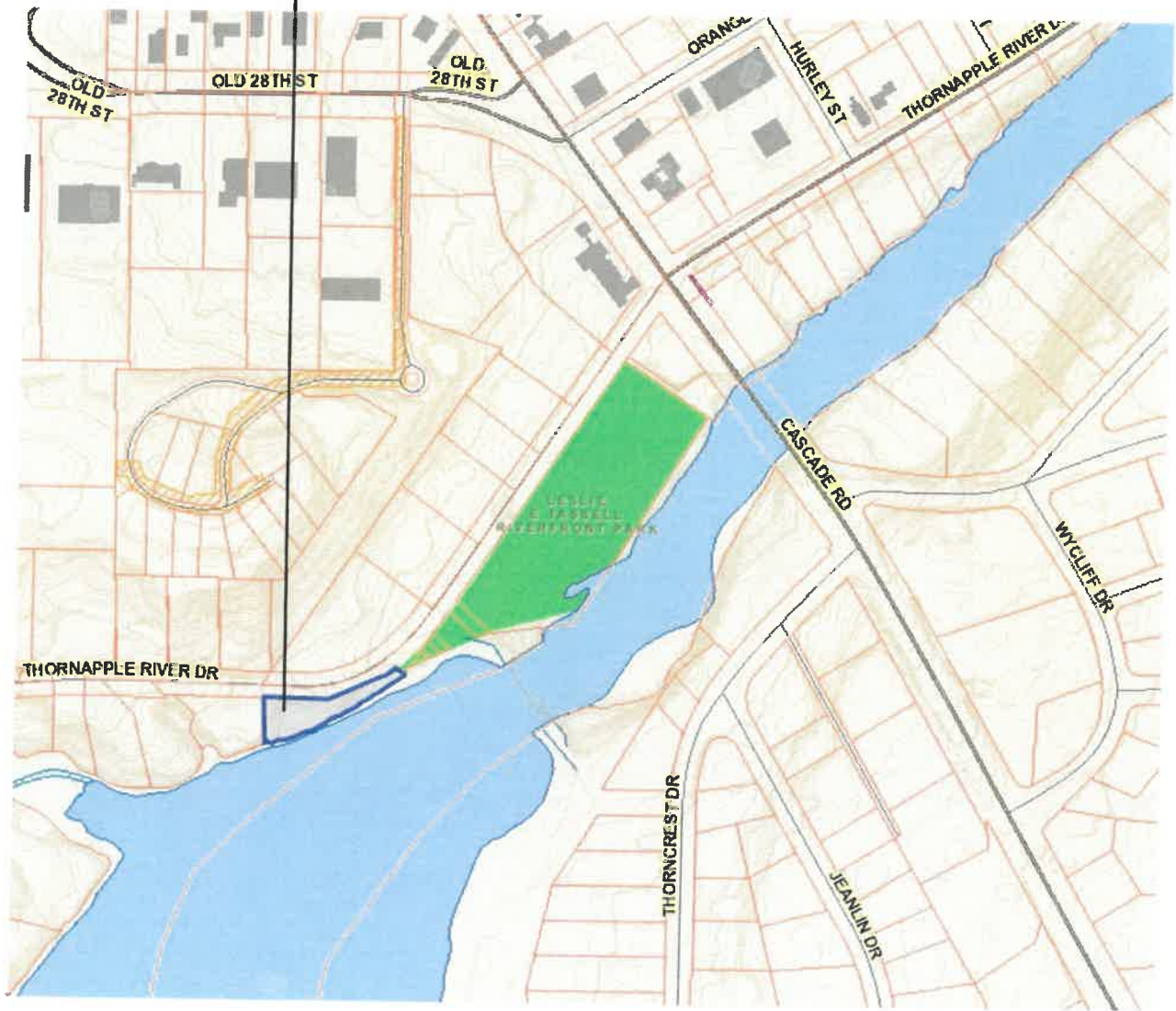
STAFF RECOMMENDATION:

Staff recommends that you reinstate the previously granted front yard setback variance with the following conditions:

1. The KCRC permit be obtained for new curb cuts.

Attachments: Application package
 Site plan
 Map
 Previous Approval Letter
 Minutes from previous Public Hearing

2984 Thornapple River Dr. Grand Rapids, MI



MINUTES
Cascade Charter Township Zoning Board of Appeals
Tuesday, February 13, 2018
7:00 P.M.

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

ARTICLE 4. Approve the Minutes of the December 12, 2017 Meeting.

Motion was made by Member McDonald to approve the Minutes of December 12, 2017. Supported by Member Milliken. Motion carried 5 to 0.

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

Mr. Ken Carey came forward to speak about the potential of Cascade.

ARTICLE 6. Case #17:3430 Randy Carpenter

Public Hearing

Property Address: 8650 36th Street

Requested Action: The Applicant is requesting a variance to place an accessory building in the front yard.

Director Peterson stated that Applicant would like to construct an accessory building in the front yard of his home. The home has been permitted and is under construction.

The home is located almost in the middle of the lot about 360 feet from 36th Street. The barn is being proposed at 330 feet from 36th Street. Because the front yard is everything between the road and the home, the location of the home determines how much front yard there is.

The Township does have some allowance for building in the front yard provided they meet certain standards. Applicant has indicated that they do not meet one of those standards, so a variance is required.

There is at least one other building on the street with an accessory building in the front yard. The home most directly impacted is to the East.

Neither the plans or a site visit revealed any reason why the barn could not be pushed back 30 feet in order to be located in the side yard and not the front.

Director Peterson recommends denial of the request for a variance to place an accessory building in the front yard.

Chairman Berra invited the Applicant to come forward.

Mr. Bill Makuski, Applicant's builder, came forward on behalf of Applicant, to state that he feels that the location for the building is better than the location 30 feet back. He pointed out that Director Peterson's location for the building (30 feet back from its current proposed location) would be problematic. It would require much more excavation due to it being a very wet area. Mr. Makuski stated that precedent has been set for having buildings in the front yard. Applicant has 15 acres of land and no other home in the area will be able to see the new building.

Mr. Randy Carpenter, Applicant, also came forward to express his frustration with the rigid township ordinances. He is a business owner in Cascade and had to jump through many hoops in order to make his business compliant with all ordinances. He is now asking to build an additional building on his property and feels that turning down the variance he seeks because of only 30 feet is ridiculous.

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

Mr. Ron McCullum came forward to state that he feels that the township is applying residential rules to a piece of agricultural property. It is inappropriate to do so. He feels that there should be no reason why this variance shouldn't be granted.

Mr. Ken Carey also came forward to voice his disagreement with Director Peterson's recommendation to deny this variance.

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

Motion was made by Member Mead to approve the variance with three conditions:

- 1. That by moving the building back 30 feet to comply with township requirements, it would be encumbered by a potential wet area;**
- 2. It would not be a detriment to other neighbors; and**
- 3. The building would be at least 300 feet off of the right-of-way.**

Supported by Member McDonald. Motion carried 5 to 0.

ARTICLE 7.

Case #3434 Jeff Dionne

Public Hearing

Property Address: 2984 Thornapple River Drive

Requested Action: The Applicant is requesting a variance to construct an addition to the house that does not meet the minimum 43 feet setback or the 10 feet side yard setback.

Director Peterson stated that Applicant is requesting a variance to allow an addition closer to the road right-of-way and closer to the side lot line than permitted. They are asking to build a two-story garage with three bedrooms behind and one on the lower level.

The Northeast corner of the home on the property is setback 16.7 feet from the right-of-way. The Northwest corner of the home, which would be adjacent to the proposed addition, is setback 25.3 feet from the right-of-way. The home is required to be set back 43 feet from the right-of-way. As it stands now, the current house is legal non-conforming because it does not meet current front setback requirements.

They are proposing an addition to the front of the home that would not allow 15.9 feet front setback. The side yard setback requirement is a minimum of 25 feet total with no one side being less than 10 feet. The home currently has setbacks of approximately 55 feet and 180 feet on the side. Applicant is asking to reduce the 55 feet side yard to 5.3 feet.

Director Peterson recommends denial of the requested variance. However, he would support a variance that maintained the existing front setback and did not exceed the minimum 10 feet setback.

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

Mr. Jeff Dionne came forward and made an elaborate and extensive presentation with regards to this project, why it came to be, and why he is asking for these particular setbacks.

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

Mr. Ken Carey came forward to say he personally knows the Dionne family and that it was his opinion that this project needed to happen if not only because of the security factor involved with being on that portion of Thornapple River Drive.

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

Motion was made by Member McDonald to:

1. Deny the requested variance to construct an addition to the house because it does not meet the minimum 43 feet front setback or the 10 feet side yard setback;
2. Approve a variance that maintains the existing front setback and does not exceed the minimum 10 feet side setback.

Supported by Member Mead. Motion carried 5 to 0.

ARTICLE 8. Any other business.

- Election of Officers

Motion was made by Member McDonald to nominate Chairman Lou Berra as Chairman and Member Valerie Milliken as Secretary. Supported by Member Mead. Motion carried 5 to 0.

Motion was made by Member McDonald to nominate Member Mead to the Village Design Committee. Supported by Member Pennington. Motion carried 5 to 0.

- Rules of Conduct

ARTICLE 9. Adjournment

Motion was made by Member McDonald to adjourn. Supported by Member Mead. Motion carried 5 to 0. Meeting adjourned at 8:30 p.m.

Respectfully submitted,
Valerie Milliken, Secretary



CASCADÉ CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT

waiting for updated plans 8/2

Lisa DIONNE

Thornapple River Dr. SE

Grand Rapids MI 49546

Telephone: 616-443-4308

Email Address: jeffrey.dionne@comcast.net

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 re-establish the front setback Variance as previously established.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

Assessing
949-6176

Building
949-3765

Buildings & Grounds
682-4836

Clerk
949-1508

Fire
949-1320

Manager
949-1500

Planning
949-0224

Treasurer
949-6944



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

February 14, 2018

Jeff Dionne
2984 Thornapple River Dr
Cascade MI 49546

RE: Case 18-3434

Dear Jeff:

This is your notice of the Cascade Township Zoning Board of Appeals decision to Deny your requested sideyard setback variance (you must maintain a minimum of 10 feet for your planned addition). The Zoning Board did approve a front yard variance allowing you to maintain the same setback you currently have for your planned addition. Please make sure to demonstrate the existing front setback on your site plan when you apply for your building permit. You have one year to act upon this approval or it will expire. If you have any questions or would like to discuss this matter, please call me at 949-0224 or email at speterson@cascadetwp.com.

Sincerely,
CASCADE CHARTER TOWNSHIP

Steve Peterson,
Community Development Director

Assessing
949-6176

Building
949-3765

Buildings & Grounds
682-4836

Clerk
949-1508

Fire
949-1320

Manager
949-1500

Planning
949-0224

Treasurer
949-6944

STAFF REPORT

STAFF REPORT: Case #22-3726
REPORT DATE: July 25, 2022
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: August 9, 2022
PREPARED BY: Madison Smith-Jacoby, Zoning Administrator

APPLICANT:

Janet E. Lash

STATUS OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting approval from the Zoning Board of Appeals to allow for building an accessory building within the side yard setback.

EXISTING ZONING OF SUBJECT PARCEL(S): ARC

GENERAL LOCATION: South of 96 and west of Snow Avenue

PARCEL SIZE: Approximately 1.77 acres

PROPERTY LOCATION: **9070 52nd Street SE Alto, Michigan 49302**
PP# 41-19-36-126-011

EXISTING LAND USE ON THE PROPERTY: Residential

ADJACENT AREA LAND USES: N – residential/agricultural
S – vacant
E- residential
W – vacant

ZONING ON ADJOINING PARCELS: N – ARC, farmland preservation
S – ARC
E – ARC
W – ARC

STAFF COMMENTS:

1. The applicant is requesting a variance of Section 4.09 of the Cascade Zoning Ordinance. This would grant her approval to build an accessory building (pole barn) 30 feet from the east side property line.
2. The proposed building is 32' x 64' (2,048 square feet) with an 8' x 24' lean to on the west side. The height to the midpoint is 17 feet—a gabled roof.
3. The required side yard setback for an accessory building 17' in height is 40 feet.
4. The applicant's project requires two-part approval, first with the Zoning Board of Appeals and then from Planning Commission for a building over 832 square feet.
5. Previously, the Zoning Board of Appeals has issued variances for setbacks that were already nonconforming and would only be maintained with the addition or placement of an accessory building. Cases that were denied seemingly had no exceptional conditions requiring a variance.
6. The applicant has noted that the other accessory building in the northwest of the parcel would be removed after construction of the new building is complete. The other building is a small shed under 200 square feet that would also be removed. I would make this a condition for approval as less than 3 acres only allows for one accessory building.
7. The applicant requests a variance to build 30 feet from her east property line to allow for young trees on her property to remain and to continue growing. This 30-foot setback provides adequate space for tree growth over the years.
8. The building will be used for personal use and volunteer-based dog training in the winter.
9. The building design is a pole barn with one garage door, one side entrance door, and a lean-to. This architectural style would be consistent with the ARC district.
10. Homes and farms in the area appear to have similar sized accessory buildings.

ZONING ORDINANCE SECTION 4.18: Criteria for 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:

1. Findings of Fact	Comment
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The property has newly planted trees in other areas of the property—the property owner is looking to keep them as they are newly planted. Additionally, the property slopes down on the SW corner of the property and

	the middle of the property is used as an agility field for her training.
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 trees on the property were planted within the past few years but aren't necessarily considered a direct action causing the circumstances for a variance request.
That such variance is the minimum variance that will make possible the reasonable use of the land, building or structure.	The setback request is 30 feet. There are a few feet of room for the building to be setback about 35 feet should the ZBA wish to deny 30 feet—however, this would be more imposing on the growing trees.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	The east side of the property is screened by two rows of trees, for this reason I see no detrimental effect.
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.	The use on the property, placement of landscaping, and topography sloping to the southern end of the parcel are the limiting factors prohibiting the applicant from building 40 feet from the side yard on the west side.
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.	Given the location of trees, sloping, and need for open space, the variance is justified.

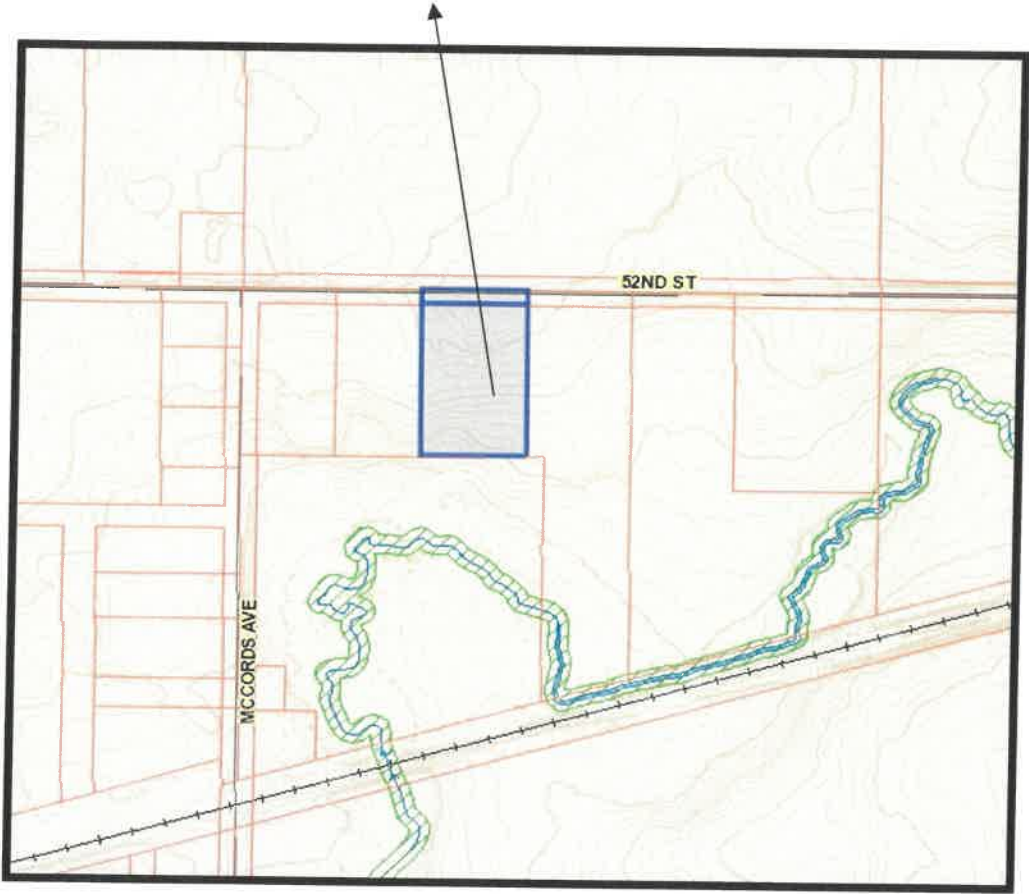
STAFF RECOMMENDATION:

Staff recommends that you APPROVE the variance as requested to allow the accessory building to be built 30 feet from the east property line, with the following conditions:

1. That the two existing accessory buildings are removed.
2. That the accessory building is not used to operate a business.

ATTACHMENTS: Application packet
 Site Plan
 Map

9070 52nd Street SE, Alto, MI



Kent County Web Map

July 22, 2022





CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Janet E. Lash
 Address: 9070 52nd St SE
 City & Zip Code: ALTO, MI 49302
 Telephone: 616 868 7242
 Email Address: jntlsh@yahoo.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 checked="" 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-

Assessing
949-6176

Building
949-3765

Buildings & Grounds
682-4836

Clerk
949-1508

Fire
949-1320

Manager
949-1500

Planning
949-0224

Treasurer
949-6944

I would like to build a 32' x 64' pole barn with Gambrel Roof, midpoint height of 17', to be used for storing RV & tractors, as well as space for personal projects, including dog training (my own dogs, as well as 4H youth dog club). Request 30' setback to maintain appropriate space for growth of 2 maple trees planted 3 years ago.

NORTH 1/4 CORNER
SEC. 36, T6N, R10W
L.C.R.C. #9000

S89°56'03"W
723.81'

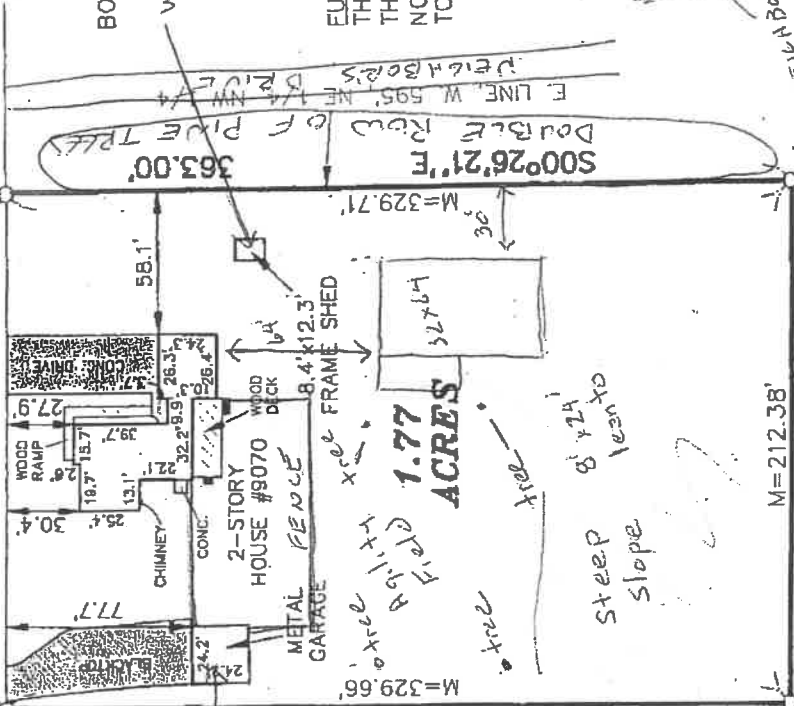
C/L 62ND STREET
& N. LINE, NW 1/4, SEC. 36

N89°56'03'E 212.50'

89°56'03'E
382.5'

M=212.22'

M=212.38'

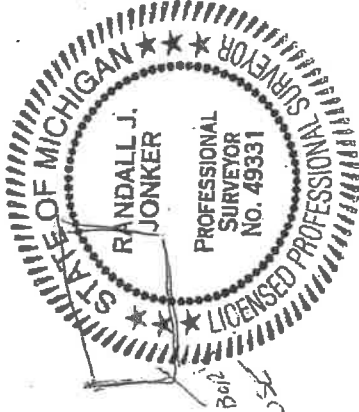


BOUNDARY SURVEY FOR: JULIE HIELKEMA
OPTION 1 CREDIT UNION
630 - 32ND STREET, SE
GRAND RAPIDS, MI 49548

RE: 9070 - 52ND STREET, SE

EURNISHED DESCRIPTION:
THE NORTH 363 FEET OF THE EAST 212.5 FEET OF
THE WEST 595 FEET OF THE NORTHEAST 1/4 OF THE
NORTHWEST 1/4, SECTION 36, T6N, R10W, CASCADE
TOWNSHIP, KENT COUNTY, MICHIGAN.

will be removed



LEGEND

- O = Found Iron Stake
- = Set Iron Stake
- = Monument
- = Wood Stake
- ⊕ = Power Pole
- P = Platted Dimension
- D = Deeded Dimension
- M = Measured Dimension
- C = Calculated Dimension
- X-X-X = Fence Line
- C/L = Centerline

As herein described, that the improvements are located thereon as shown, and that shown hereon. This survey was made from the legal description shown above, the of Title or Title Policy for accuracy, easements and exceptions.

Jonker Land Surveys P.C.

P.O. Box 385
8373 Merton Ave. SW
Suite A
Byron Center, MI 49315

PH: (616) 878-1607
FAX: (616) 878-9465

Drawn by: SBL
jonkersurveys@sbcglobal.net

Scale 1" = 80' File No.: 08336 Date: 10/24/08

S. LINE, N. 363', NE. 1/4, NW 1/4

382.5'

S89°56'03"W 212.50'

N00°26'21"W 363.00'

W. LINE, E. 212.5', W. 595', NE. 1/4, NW 1/4

will be removed
one bar
removed
NE 1/4 NW 1/4

steep slope

1.77 ACRES

WOOD FRAME SHED

2-STORY HOUSE #9070

METAL GARAGE

WOOD RAMP

WOOD DICK

CHIMNEY

WOOD RAMP

WOOD RAMP

WOOD RAMP

WOOD RAMP

WOOD RAMP

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STAFF REPORT

STAFF REPORT: Case #22-3727
REPORT DATE: July 18, 2022
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: August 9, 2022
PREPARED BY: Madison Smith-Jacoby, Zoning Administrator

APPLICANT

;
Wolverine Building Group

STATUS OF APPLICANT: Contractors for Target

REQUESTED ACTION: The applicant is requesting approval from the Zoning Board of Appeals to allow for temporary outside storage of trailers for the duration of their construction project.

EXISTING ZONING OF SUBJECT PARCEL(S): PUD-76

GENERAL LOCATION: On the south side of 28th Street, west of I-96 and east of Patterson Avenue.

PARCEL SIZE: Approximately 12.7 acres

PROPERTY LOCATION: 5120 28th Street SE PP #41-19-18-100-016

EXISTING LAND USE ON THE PROPERTY: Commercial use, Target Store

ADJACENT AREA LAND USES: N – Commercial
S – Commercial
E- Utility/Consumers Energy
W – Cemetery

ZONING ON ADJOINING PARCELS: N – ES
S – B2
E – B2, PUD 76
W – B2

STAFF COMMENTS:

1. The applicant requests approval from the Zoning Board of Appeals to allow for temporary placement of storage containers for the duration of the remodeling project at Target. The projected end date is July 23, 2022. (As of July 25, 2022 the containers are still on the property).
2. The site plan indicates that 55, 30-foot storage containers are placed within a construction fence on the East side of the Target parking lot.
3. The fenced-in area also shows dumpsters, porta johns, and Contractor parking area.
4. The applicant indicates the area is blocked off to vehicles but does not impact the ingress and egress to the parking lot.
5. The Building Official has reviewed the site plan and has no need for a permit and thus has no concern with the application.
6. The Fire Department has reviewed the site plan and sees no issues.
7. A Cascade Township Engineering representative has reviewed the plans and sees no issues.
8. The timeline for storage has not been specified at this point. I recommend referring to the applicant for what date they need the approval until.

ZONING ORDINANCE SECTION 4.18: Criteria for Approval

1. Section 4.18 of our Zoning Ordinance allows for approval of temporary or movable structures so long as they meet the conditions outlined. **Section 4.18 Buildings and Structures, Temporary:** Mobile homes, mobile offices, tents or other movable or erected structures intended for temporary use or occupancy incidental to construction work, or special events shall be situated or erected upon land or premises within the Township and used according to the following provisions.

Other Approved Temporary Structures:

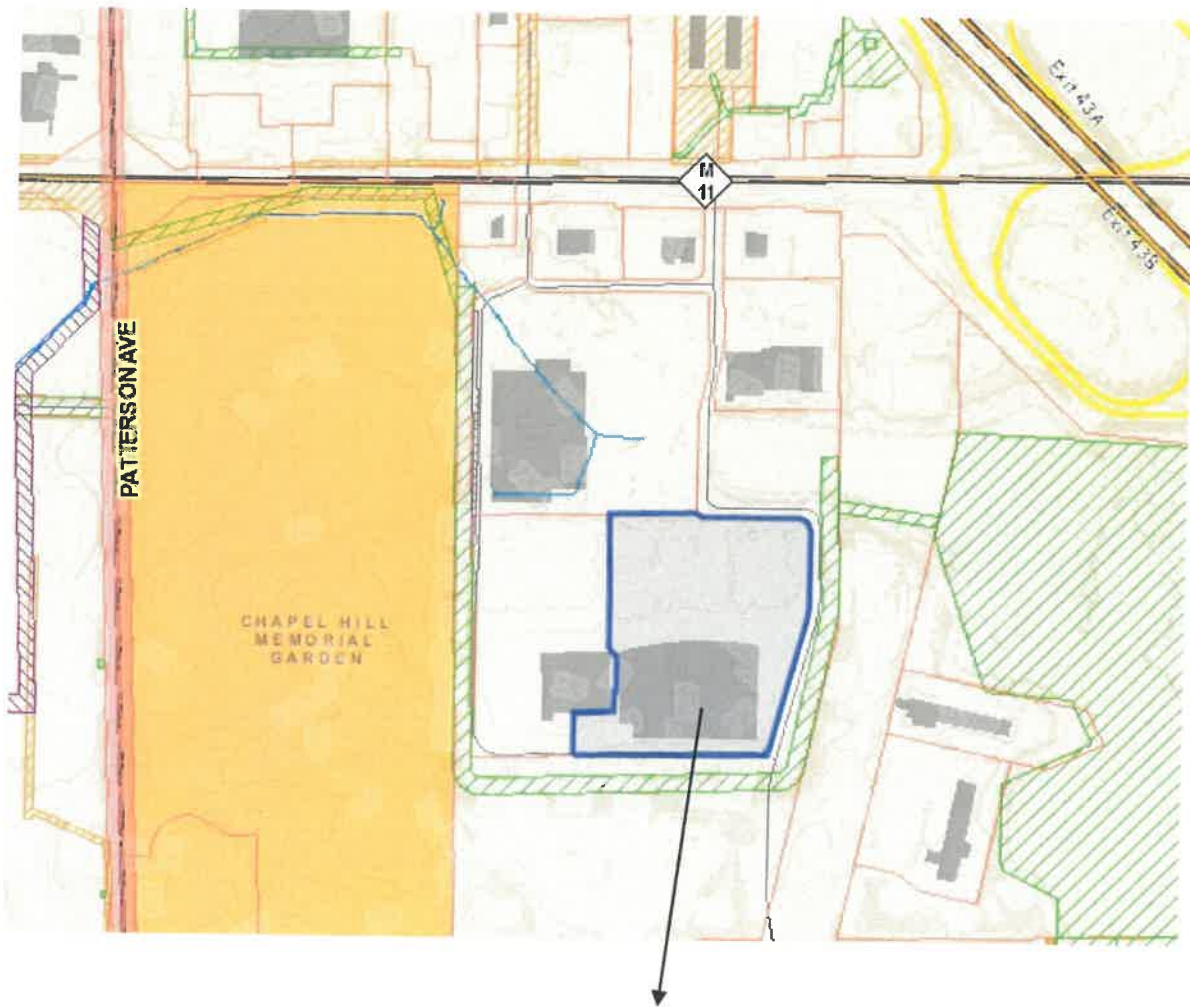
Other temporary structures not permitted or regulated above or by other provisions of this Ordinance may be permitted by the Zoning Board of Appeals. An application for such temporary structure shall set forth the purposes of the construction. The Zoning Board of Appeals shall determine whether such structure is intended as a temporary building and that its use thereof shall be terminated at a specified time. The application shall not be granted if the structure is not served with a sufficient and healthful water supply and toilet facilities. The temporary structure shall be so constructed and maintained that it

shall conform to the minimum requirements for safety, health, and general public welfare and for the prevention of fire hazards as provided by the terms of this Ordinance or any other ordinance of the Township, not in conflict herewith for such districts in which the temporary structure shall be located. The temporary building shall not be injurious to the value of the surrounding property or neighborhood.

STAFF RECOMMENDATION:

Staff recommends that you approve the variance as requested to allow for temporary outdoor storage until the date requested by the applicant.

ATTACHMENTS: Application packet
 Site Plan
 Map



5120 28th Street SE, Grand Rapids, MI



CASCADÉ CHARTER TOWNSHIP

5920 Tahoe Dr. SE, Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: WOLVERINE BUILDING GROUP
 Address: 4045 BARDEN SE
 City & Zip Code: GRAND RAPIDS, MI. 49512
 Telephone: 616-266-7093
 Email Address: jchambers@wolvgroup.com

OWNER: * (If different from Applicant)
 Name: TARGET T2014
 Address: 1000 NICOLLET MALL
 City & Zip Code: MINNEAPOLIS MN. 55403
 Telephone: 1-800-440-0620 616-618-0948
 Email Address: ~~DAVE~~ DAVE.TUPTA@TARGET.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 Subdivision
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> 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:**

CONSTRUCTION BONEYARD APPROVAL FOR
TEMP. STORAGE CONTAINERS

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY**:

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 _____

ADDRESS OF PROPERTY: 5120 28th ST. S.E.

PRESENT USE OF THE PROPERTY: RETAIL

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)

JIM CHAMBERS
Applicant – Print or Type Name

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

Jim Chambers 7-12-22
Applicant’s Signature & Date

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

