

AGENDA
Cascade Charter Township Planning Commission
Monday, October 16, 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 September 18, 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 # 17-3411 Troy Ruby
Public Hearing
Property Address: 8358 28th St.
Requested Action: The applicant is requesting a Special Use Permit to construct an addition to an accessory building in excess of 832 sq. ft.**
- ARTICLE 7. Case # 17-3412 Joe Priest
Public Hearing
Property Address: 2860 Cascade Springs SE
Requested Action: The applicant is requesting a Type I Special Use Permit to allow a 6 foot tall fence in the front yard.**
- 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
Planning Commission
Monday, September 18, 2017
7:00 P.M.

ARTICLE 1. Vice Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Katsma, Johnson, Lewis, Mead, Pennington, Rissi and Williams
Members Absent: Robinson (E)
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Supported by Member Rissi. Motion carried 8 to 0.

ARTICLE 4. Approve the Minutes of the August 21, 2017 Meeting.

Motion was made by Member Johnson to approve the Minutes with a couple of noted corrections/revisions. Supported by Member Rissi. Motion carried 8 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 #17-3404 David Teppo

Public Hearing

Property Address: 3777 Cherry Lane

Requested Action: The Applicant is requesting a Special Use Permit to construct an accessory building in excess of 832 sq. ft.

Director Peterson stated that the Applicant is requesting permission to construct a 40' x 68' accessory building (2,720 sq. ft.). The building will be 17 feet tall as measured to the midpoint. This requires a minimum of a 40 feet setback from the side and 40 feet from the rear property lines. The Applicant shows the nearest setback of 87 feet to the side property line.

Applicant has indicated that they want the building as a hobby barn. The building will not be used to run a business or used for additional living space.

With more than 3 acres, they are allowed to have three accessory buildings. This building will be the third. The building planned would have metal siding and metal roofing. A review of past accessory buildings in the ARC zone on lots of similar size show that this would be a "normal" size. Any outdoor lighting would need to meet township requirements.

Director Peterson recommends approval of the Special Use Permit to construct a new accessory building with the following conditions:

1. The building is not used for living space or to run a business.
2. Any outdoor lighting meets township regulations.

Chairman Sperla asked the Applicant to come forward with any comments.

Applicant did not come forward.

Motion was made by Member Rissi to open Public Hearing. Supported by Member Pennington. Motion carried 8 to 0.

No one from the public came forward.

Motion was made by Member Rissi to close Public Hearing. Supported by Member Williams. Motion carried 8 to 0.

Motion was made by Member Lewis to approve the Special Use Permit to construct an accessory building in excess of 832 sq. ft. with the conditions listed by Director Peterson above. Supported by Member Johnson. Motion carried 8 to 0.

ARTICLE 7.

Case #16-3402 James Hudson

Public Hearing

Property Address: 7447 Woodvale Street S.E.

Requested Action: The Applicant is requesting a Type I Special Use Permit to allow for a taller fence in the rear yard.

Community Development Assistant Fast stated that Applicant is requesting a Type I Special Use Permit to allow for a taller fence in the rear yard. Applicant is asking for 3 panels of their 6 feet tall wooden dog-eared fence to be up to 7 feet tall in the rear yard along the Northeast corner of the property.

Upon receiving a complaint from a neighbor that Applicant's fence was taller than 6 feet, Community Development Assistant Fast inspected the fence, which revealed that 3 panels of the fence were between 6 and 7 feet tall. The Applicant indicated the average grade was slightly lower on the Northeast corner and he wanted to keep the top of the fence line even in order to allow for a nice appearance.

Fences do not require a building permit, but are required to comply with the Township Zoning Ordinance.

The Township has granted other permits for taller fences in the rear yard due to differences in topography.

Applicant is only asking for 3 panels of his entire fence be allowed to be between 6 and 7 feet, leaving most of the fence at the permitted height of 6 feet.

Community Development Assistant Fast recommends approval of the Type I Special Use Permit to allow for 3 panels of fence between 6 and 7 feet tall.

Chairman Sperla asked the Applicant to come forward with any comments.

Applicant opted not to come forward.

Motion was made by Member Rissi to open Public Hearing. Supported by Member Mead. Motion carried 8 to 0.

Mr. St. John came forward to speak about the fence which was erected. He lives directly behind Mr. Hudson. Mr. St. John showed photographs of the fence. He stated that there were more than just the 3 panels that were over 6 feet. He feels that the fence was poorly constructed and by placing it directly on the lot line made the bottom of the fence wavy (uneven), which makes it look terrible. Mr. St. John simply wants the fence to adhere to the township code of 6 feet.

Motion was made by Member Rissi to close Public Hearing. Supported by Member Mead. Motion carried 8 to 0.

Chairman Sperla noted for the record that a letter was received from a neighbor, Mr. Hegg. Mr. Hegg stated that he supported Mr. Hudson's efforts to add the fence and that the need for the fence was promulgated by the fact that the neighbors directly behind Mr. Hudson had made the fence necessary.

Motion was made by Member Mead to approve the Type I Special Use Permit to allow for a taller fence in the rear yard. Supported by Member Rissi. Motion carried 8 to 0.

ARTICLE 8.

Case #17-3401 2771 Orange Ave LLC

Public Hearing

Property Address: 2771 Orange Avenue SE

Requested Action: The Applicant is requesting a Type II Special Permit for a residential development up to 9 units per acre.

Director Peterson stated that Applicant is requesting a Type II Special Use Permit for a residential development for up to 9 units per acre. The property is zoned B1 and does allow residential densities up to 9 units per acre.

A review of the zoning map shows the property included in PUD 19. However, after reviewing the legal description for the PUD, it was found that it was never part of that development and therefore should be shown as B1. The B1 zone allows residential uses.

Applicant is meeting the design standards for development in that area. Most notably is the inclusion of a sidewalk through the project to connect to the sidewalks on Orange Avenue. The development also includes a vehicle connection from Orange Avenue through to the commercial property in the Thornapple Center. This will allow for multiple points of access to the site as well as assist with emergency vehicle access.

Access into the site is through the Gaylord House property. There is an existing recorded easement that allows for the access. The Kent County Road Commission ("KCRC") has informed that they are ok with the access to Orange Avenue, however, they are requiring the new driveway to be named for addressing purposes.

An airport noise disclosure statement will be required to be recorded. The Township Fire Department has reviewed and approved the plan. The Township Engineer has also reviewed the plan and provided comments. The plan has already been revised to address some of their comments.

Director Peterson recommends that this project receive a positive recommendation to the Township Board under the following conditions:

1. Compliance with the comments from the Township Engineer;
2. Recording of an airport recognition statement; and
3. Naming of the access drive to satisfy the KCRC.

Secretary Rissi asked if the Applicant would like to come forward.

Mr. Berends of Nederveld Engineering came forward on behalf Applicant. Mr. Berends gave a brief overview of the project and touched on several individual aspects of the project including parking, size and rates of apartments, storm water, retention pond, lighting, and their timeline, which was breaking ground at the end of October and completion in 8 to 9 months.

Motion was made by Member Rissi to open Public Hearing. Supported by Member Williams. Motion carried 8 to 0.

Several members of the public came forward. Most of the comments centered around Building C of the project. The roof line can easily be seen by the neighboring development. The public would like to see maybe some pine trees added to the grade to better hide the building.

Asked if there would be an on-site management company, Applicant stated there would be a management company, but it would not be on-site.

Management of Gaylord House came forward to state that they are very comfortable with the project and have no objections.

Motion was made by Member Rissi to close Public Hearing. Supported by Member Pennington. Motion carried 8 to 0.

Discussion commenced between the Board and Applicant including, but not limited to, the need for trees to screen the roof of the buildings, which Applicant was willing to do, also the chimneys on Building C, which do not seem to be depicted on Buildings A and B. Applicant stated it was their intention not to have the chimneys, but would like the option to have them.

Member Johnson felt that the Planning Commission was getting lost in some of the details. He suggested allowing the project to proceed without the need to be concerned about the elevation plans or whether they would have chimneys or not.

Motion was made by Member Mead to send a positive recommendation to the Township Board for approval of the Type II Special Use Permit for the residential development with up to 9 units per acre with the following conditions:

1. Eliminate the chimneys all altogether;
2. Add trees to screen the roof of the closest building to the residential area
3. Limit the height of the building to be no more than 724 AGL; and
4. Director Peterson's three conditions as stated in the staff report above.

Supported by Member Rissi. Motion failed 5 to 3.

A Second Motion was made by Member Johnson to send a positive recommendation to the Township Board for approval of the Type II Special Use Permit for the residential development with up to 9 units per acre with the following conditions:

1. Director Peterson's three conditions as stated in the staff report
2. Developer work with neighbors to come up with a solution to the exposed roofline and chimneys that will be best for everyone.

Supported by Member Williams. Motion carried 8 to 0.

ARTICLE 9.

Case #17-3405 Lakeland Finishing

Property Address: 5400 36th Street S.E.

Requested Action: The Applicant is requesting site plan approval to construct a 13,000 sq. ft. addition

Director Peterson stated that Applicant is requesting site plan approval to construct a 13,000 sq. ft. addition. The building complies with all of the required height, area and setback regulations of Industrial Zoning. However, some of the existing parking area is inside the landscape buffer area. The Applicant received a variance for those issues as part of the 2007 project. Applicant is not changing any of that as part of this new project.

The Township Fire Department has reviewed and approved, as has the Township Engineer. Because Applicant is not changing the storm water on site, there is no need for any new storm water provisions. As a part of the 2007 project, they worked out an agreement with the neighbor for storm water issues. A copy of that easement is in the 2007 file.

Applicant would like to use employee count for parking, which is allowed. They have provided a breakdown by shift, showing that the maximum parking needed is 82 spaces. They have 89 parking spaces on site.

This does require Applicant to obtain a formal easement from the adjacent property owner for this project. This has been communicated to the Applicant who has indicated that this will not be a problem. The Township will need to review and approve the easement language before it is recorded.

Applicant also has submitted a photometric plan. However, they have light levels above 5.0 and it will have to be revised.

Director Peterson recommends approval of the site plan to construct a 13,000 sq. ft. addition with the condition that a photometric site plan in compliance with lighting regulations is submitted.

Secretary Rissi asked if the Applicant would like to come forward.

Applicant did not come forward with any comments.

Motion was made by Member Rissi to approve the site plan to construct a 13,000 sq. ft. addition with staff's condition stated above. Supported by Member Johnson. Motion carried 8 to 0.

ARTICLE 10. Any other business

ARTICLE 11. Adjournment

Motion was made by Member Mead to adjourn. Supported by Member Williams. Motion carried 8 to 0. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,
Scott Rissi, Secretary

STAFF REPORT: Case # 17-3411
REPORT DATE: October 9, 2017
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: October 16, 2017
PREPARED BY: Steve Peterson, Community Development Director

APPLICANT:
Troy Rubey
8358 28th St
Cascade MI 49301

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a Special Use Permit to construct an addition to an accessory building in excess of 832 sq ft.

**EXISTING ZONING OF
SUBJECT PARCEL(S):** ARC

GENERAL LOCATION: West side of Cherry Lane just south of 36th st.

PARCEL SIZE: Approximately 1.9 acre.

**EXISTING LAND USE
ON THE PROPERTY:** Residential

**ADJACENT AREA
LAND USES:** Residential

**ZONING ON
ADJOINING PARCELS:** ARC

STAFF COMMENTS:

1. The applicant is requesting permission to construct a 1,184 sq ft addition to the existing building (1,008 sq ft.) This would bring the building to 2,192 sq ft. Because it would be over 832 sq ft a special use permit is required.
2. The addition will be about 20 feet tall measured to the midpoint. This requires a setback of 60 feet. The site plan shows a setback of 70 feet to the nearest property line.
3. The location of the building is a little unusual in that it is on the opposite side of the street from the home. Since the addition is behind the existing building the location of the ROW is not an issue.
4. They have not indicated the intended use of the building. This should be clarified to ensure that they are not running a business or for living space.
5. The plans do not indicate the type of siding or roofing. However, my inspection revealed that the area has a mix of natural siding as well as metal buildings.
6. With less than 3 acres they are only allowed this one building.
7. A review of past accessory building in the ARC zone on lots of similar size shows that this is "normal" size.
8. Any outdoor lighting will have to meet our standards, requiring it to be shielded and downcast or at a level that is exempted.

Upon review of a Type I Special Use Permit for an accessory building, Section 17.03(1)(a) of the Zoning Ordinance requires the Planning Commission to consider several factors. I have listed those items for your consideration followed by my comments for each.

<i>Factors</i>	<i>Comments</i>
The intended use of the building.	Not known
The proposed location, type and kind of construction and general architectural character of the building.	The garage materials are not shown and the area has both wood siding/asphalt shingled buildings as well as metal buildings.
The size of the building in relation to the	The property is about 1.9 acres. The

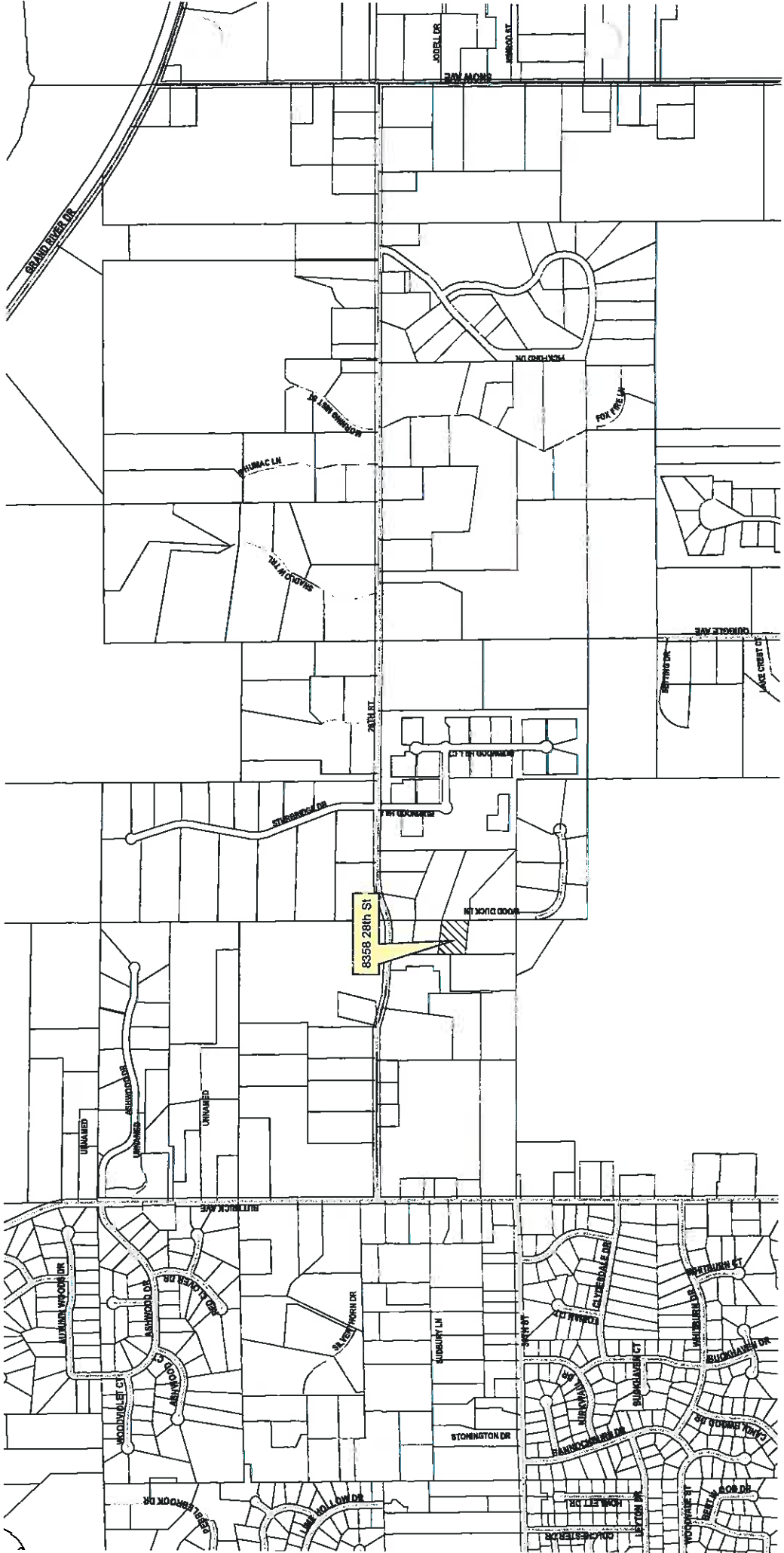
house, lot and zoning district.	home has approximately 2,500 sq. ft. of finished living space.
The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the general area.	There are a few other detached buildings in the immediate area. This size and type of building is consistent with others of similar size in the Township.
The topography and vegetation in the area.	wooded
Whether the proposed building will affect the light and air circulation of any adjoining properties.	No impact
Whether the proposed building will adversely affect the view of any adjoining property owner or occupant.	The most impacted home will be the home to the south.
Points of access to the proposed building and their relationship to adjoining properties and the view from the adjacent streets.	No new access to the street will be created.

STAFF RECOMMENDATION

I would recommend that you approve the request to construct the addition to the building as requested under the following conditions:

1. The building is not used for living space or to run a business.
2. Any outdoor lighting meets our regulations.

Attachments: Application package





CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Kosters Homes Inc - Eric Kosters
 Address: 4630 100th St.
 City & Zip Code: Caledonia MI 49316
 Telephone: 616-318-7850
 Email Address: Kostershomes@hotmail.com

OWNER: * (If different from Applicant)
 Name: Troy + Jennifer Ruby
 Address: 8358 28th St.
 City & Zip Code: Ada, MI 49301
 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 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 increase detached garage building from
576 sq ft to 1760 sq. feet. Add on 32x37,
1184 sq ft additional.

(**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
949-6044

LEGAL DESCRIPTION OF PROPERTY:**

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 14-100-036

ADDRESS OF PROPERTY: 8358 28th St. Ada, MT

PRESENT USE OF THE PROPERTY: House Dwelling

**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.)

Troy Rabe

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

[Signature]

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

Kosters Her In by

Applicant - Print or Type Name

[Signature] - CEO

Applicant's Signature & Date

Eric Kosters 9/13/17

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

Rev. 7/24/14

Typical Pole Barn Detail

2015 MI Residential Code

Truss spacing 2' 0" or
Rafter size _____ spacing _____
Roof pitch 8/12
ground snow load min 35#

Carrier size 2x12 qty 1 ea side of post
*If not direct bearing structural screws must meet loading requirements
*buildings over 40' wide must provide beam calcs
*provide roof & truss tie downs per R 802.11.1.1 and R802.11.1.2

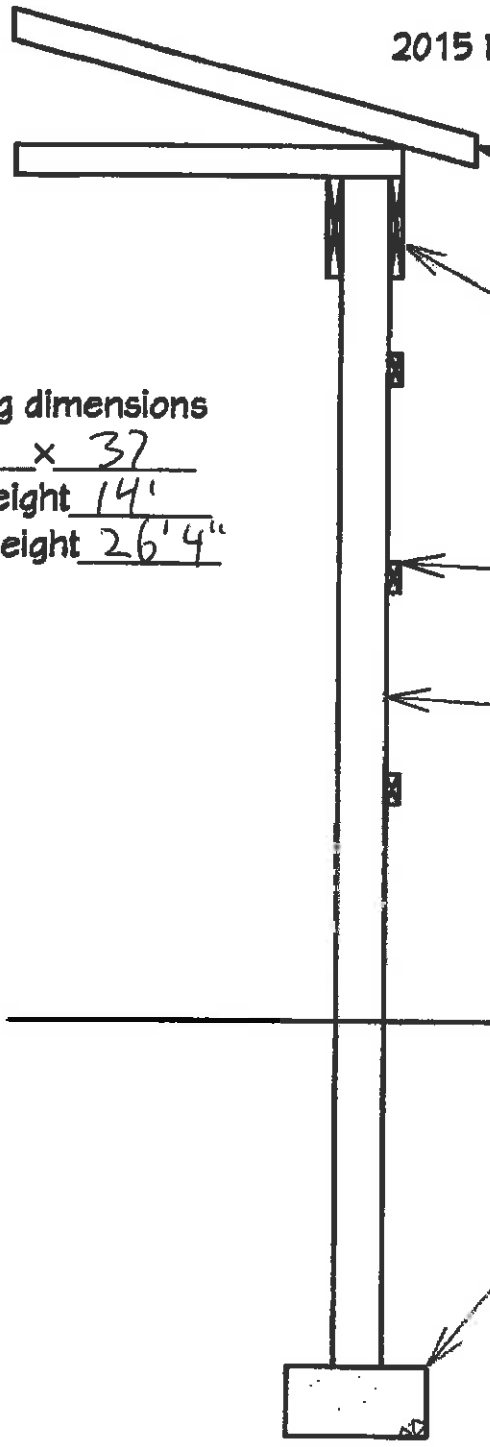
Purlins 2x4 - 2' 0"

Post size 6x6 spacing 8' 0"

Footing size 16" x 8" deep *poured footing*
*min 42" below grade
*precast pads or cured concrete mix min 6" deep
*buildings over 40' wide must provide footing size calculations

Building dimensions

32 x 37
Wall Height 14'
Total Height 26' 4"



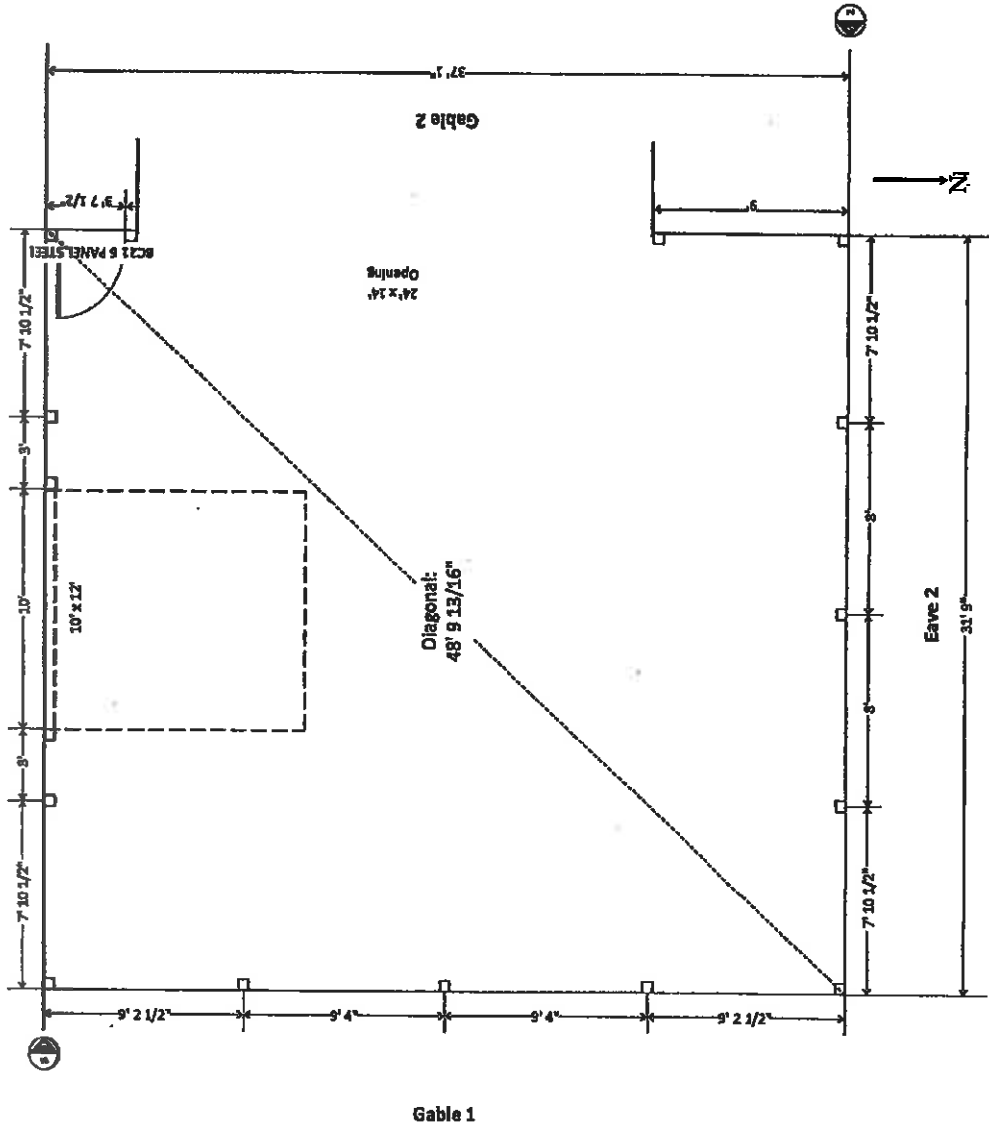


POLE LAYOUT

Personal Use, 1194.66 sq. ft.



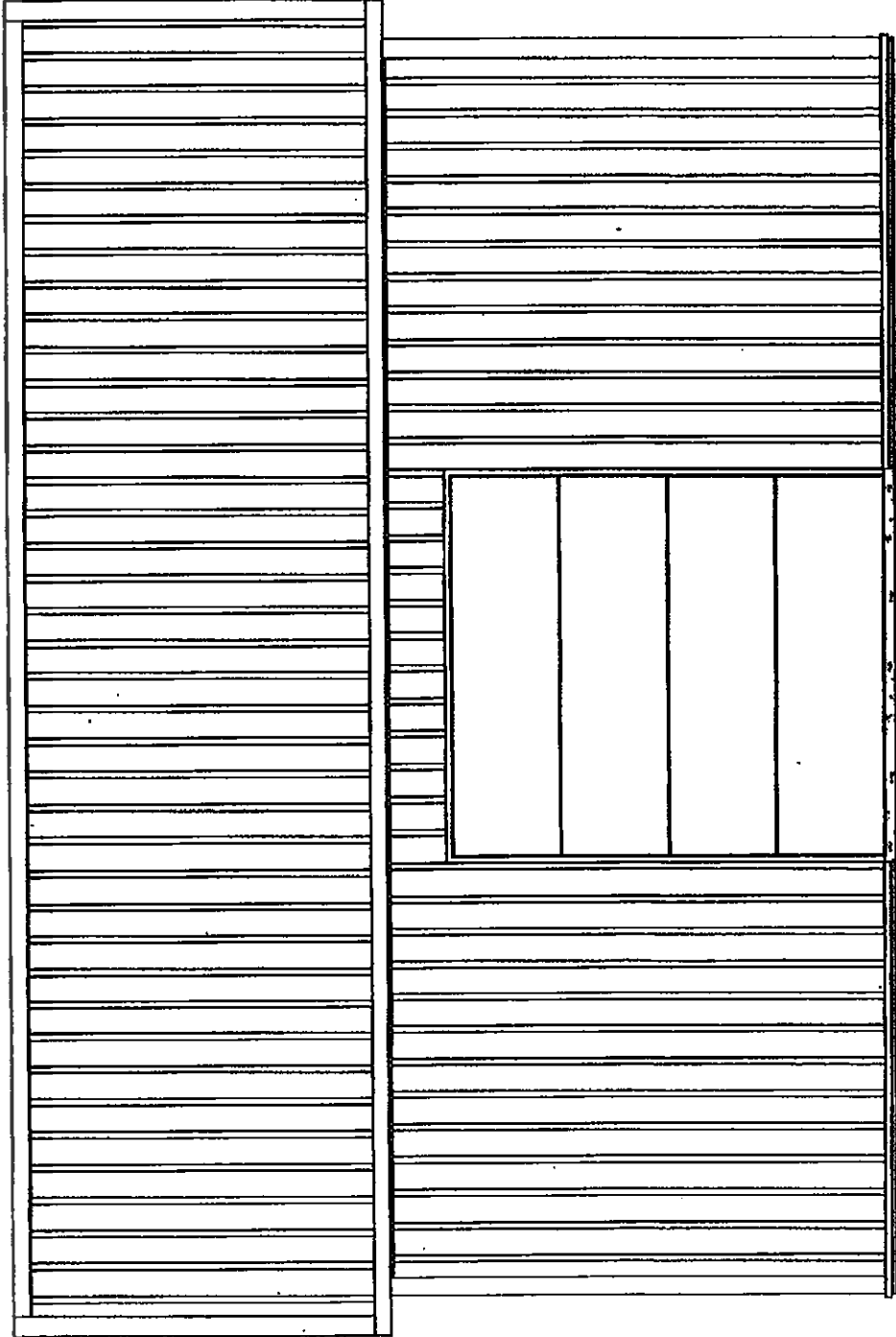
Eave 1



Gable 1



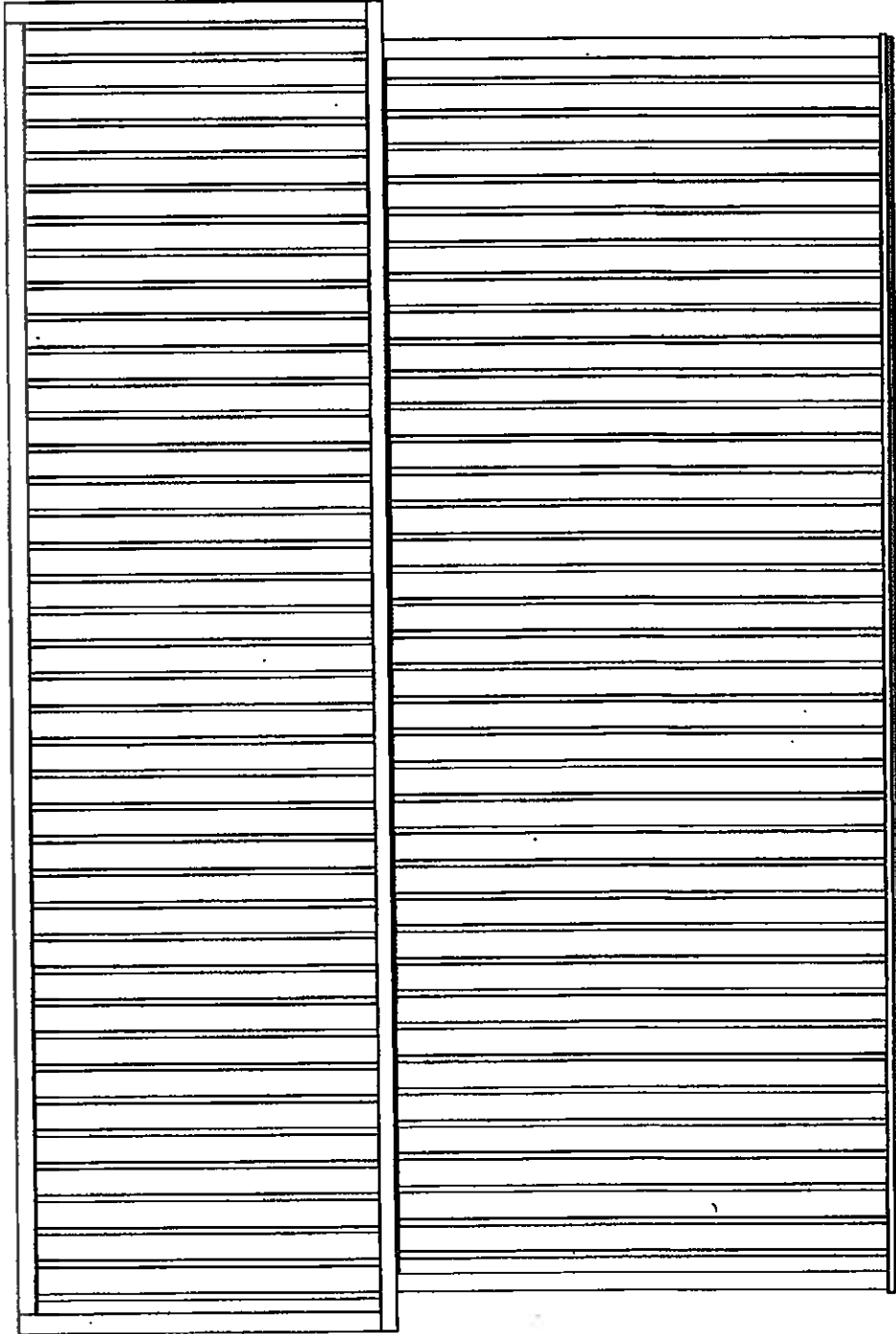
SOUTH SIDE-EAVE SIDE 1 ELEVATION



"Eric Koster 37' 4\"X32'-14 Post Frame
Estimate Number: 1042
9/6/2017"



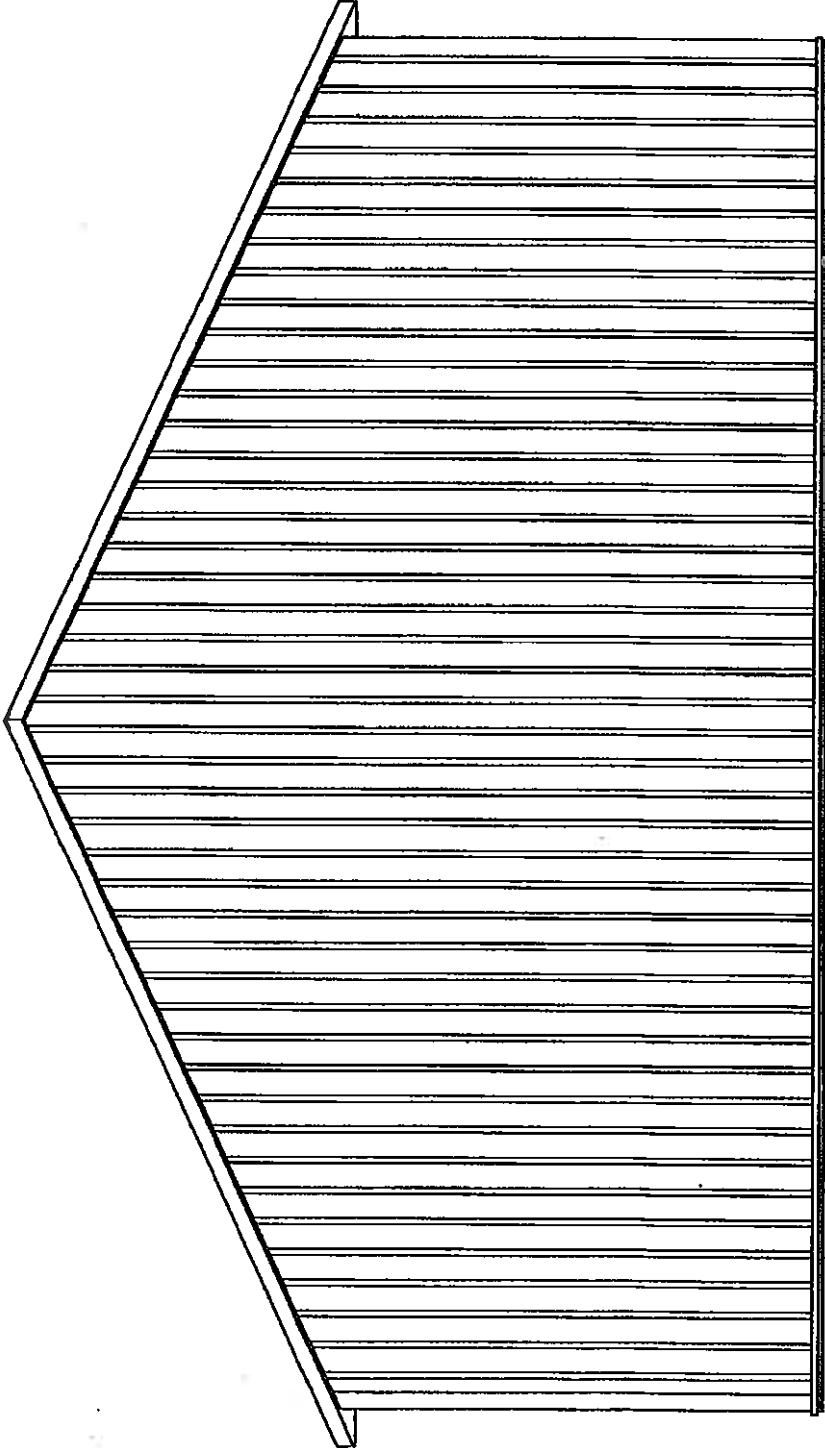
NORTH SIDE-EAVE SIDE 2 ELEVATION



"Eric Koster 37' 4"X32-14 Post Frame
Estimate Number: 1042
9/6/2017"



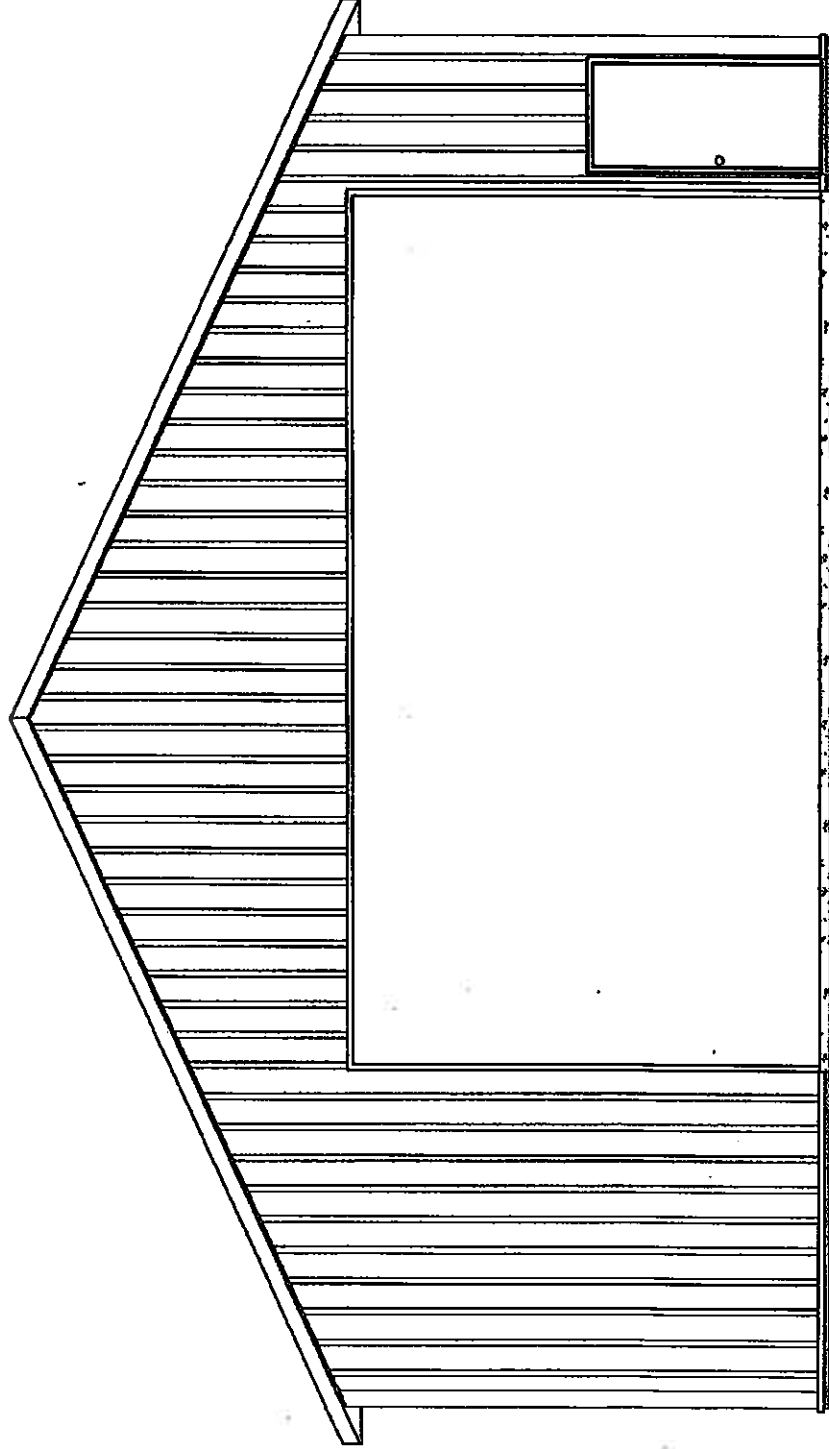
EAST SIDE-GABLE SIDE 1 ELEVATION



Eric Koster 37' 4" X 32'-14 Post Frame
Estimate Number: 1042
9/6/2017



WEST SIDE-GABLE SIDE 2 ELEVATION



"Eric Koster 37' 4" X 32'-14" Post Frame
Estimate Number: 1042
9/6/2017"

STAFF REPORT

TO: Cascade Charter Township Planning Commission
FROM: Steve Peterson, Community Development Director
REPORT DATE: October 9, 2017
MEETING DATE: October 16, 2017
CASE: #17-3412/Hudson

GENERAL INFORMATION

APPLICANT:

Joe Priest
2860 Cascade Springs SE
Cascade MI 49546

- A. **Status of Applicant:** Property Owner
- B. **Property Location:** South side of Cascade Springs between Dorset and Thorncrest
- C. **Requested Action:** Allow a 6-foot-tall fence in the front yard.
- D. **Existing Zoning on Subject Parcel:** R-2, Residential
- E. **Zoning on Adjoining Parcels:** All R-2
- F. **Existing Land Use on Subject Parcel:** Residential.
- G. **Adjacent Area Land Uses:** All Residential

STAFF ANALYSIS

- A. The applicant is requesting a Type I special use permit to allow for a taller fence in the front yard.
- B. They are asking to have 32 feet of fence in the front yard 6 feet tall. Fences in the front yard are limited to 4 feet tall without a special use permit.
- C. The fence is planned to be a white vinyl fence.
- D. The fence would actually be on the side lot line perpendicular with Dorset but because it is in the front yard it is limited to 4 feet.

- E. My inspection revealed that the taller fence would not cause a vision problem.
- F. Fences do not require a building permit but are required to comply with Section 4.30 of the Zoning Ordinance.
- G. We have granted other permits for taller fences in the front yards before when it has not created a vision problem.
- H. With a Type I special use permit the Planning Commission may allow the height of the fence to increase to 8 feet. I have copied for you the section from our ordinance that provides the criteria for you to evaluate the taller fence request.

Conditions for Special Use Permit Approval

Amended by Ord No 5 of 2012 (7/25/12)

Due to the unusual circumstances related to the property location or use of the fence, the height of a fence may be increased to a height of eight (8) feet as measured from final grade in all agricultural, office and residential zoning districts and up to ten (10) feet, as measured from average grade in all other zoning districts. Upon review of a special use permit for additional fence height the Planning Commission shall consider the following.

Standard	Comment
To what extent the impact of additional height has on adjoining neighbors.	Little if any for a 6 foot tall fence.
Whether the additional height severely impacts light and ventilation from flowing onto the adjoining properties.	No impact.
Whether the increased height creates a traffic hazard.	The additional height would not create a traffic hazard.
Whether the increased height creates a fire, safety hazard.	Interim Chief Rowland has indicated that the increase in height would not create a fire hazard.
Whether the increased height violates any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.).	The Township is unaware of any deed restrictions that would prohibit this fence.

Staff recommends that the Planning Commission approve the 6 foot tall fence in the front yard as proposed.

Attachments: application package, Section 4.30 of the zoning ordinance

CHAPTER 4 General Provisions

of all excavation sites shall be sloped at a grade of not less than 2.5 feet horizontal to 1 foot vertical.

- b. Complete extent of areas which will be backfilled and depth of backfill shown with spot elevations.
 - c. Areas and depth of areas to be restored with top soil and other overburden.
 - d. Areas which will contain either standing or runoff water and measures which will be taken to avoid stagnation and erosion.
 - e. Phasing diagram(s) for reclamation.
 - f. A complete landscape plan indicating location and type of proposed and existing landscape features.
 - g. Description of the proposed final use of the site, with discussion of how the proposed use relates to the General Development Plan and zoning districts within the vicinity of the property.
 - h. Estimated timetable clearly expressing the maximum time required for various phases of the reclamation plan.
9. **Financial Guarantee** The Township may require the posting of a financial guarantee consistent with Section 21.09 of this Ordinance.
10. **Existing Mineral Resource Extraction Sites-** Mineral Resource Extraction sites which are actively mined or which have been actively mined within 180 days of enactment of this Section shall be limited to the lot on which the activity exists at the date of enactment of this Section. Further, all existing mineral resource extraction sites which are currently being mined shall be required to submit a reclamation plan consistent with the requirements of this Section within one hundred eighty (180) days following the adoption of this Section. (New Section added by Ordinance #19 of 1990)

Section 4.29 Traffic Visibility Across Corners:

In any residential, business, or industrial district on any corner, no fence, structure or planting over thirty (30) inches in height shall be erected or planted within a twenty foot radius of the corner property lines so as to interfere with traffic visibility across the corner.

Section 4.30 Walls and Fences:

This Section shall apply to all boundary fences, walls, hedges, gatehouses and entrance gates which are not specifically exempted herein. This Section shall not apply to seawalls as regulated by the Michigan Department of Natural Resources.

1. Construction

- a. All fences and walls shall be of sound construction.
- b. No barbed wire, spire tips, sharp objects, or electrically charged fences shall be erected in or abutting any residentially zoned district.
- c. Bona fide agricultural uses may use barbed wire or charged fences to control livestock when located in the ARC, Agricultural Rural Conservation zoning district.
- d. Fence posts and vertical supports must be inside of the fence and facing inside of the property on which the fence is located.

2. Location and Height

- a. Agricultural, Office and Residential Zoning Districts - Unless specifically exempted by a Type I special Use Permit, all walls or fences in the front yard shall be limited to a maximum height of four (4) feet at final grade. The maximum fence or wall height in the side yard or rear yard shall be limited to six (6) feet in height as measured from average grade.
- b. All Other Zoning Districts - Unless specifically exempted by a Type I special Use Permit, all walls or fences in these zoning districts shall be limited to a maximum heights of eight (8) feet. The use of barbed wire strands is permitted provided the strands be restricted to the uppermost portion of the fence and shall not extend lower than a height of six (6) feet from the average grade.
- c. Architectural Features - Fences, walls and hedges for residential, office or commercial use may include architectural features such as columns, cupolas, fountains, parapets, etc. at a height not exceeding 1.5 times the permitted height wall or fence height. Such features must be compatible with the project and abutting properties.



CHAPTER 4 General Provisions

3. **Location Requirements** - Except as specified below, fences, walls and hedges may be erected, placed and maintained along any property line provided:

- a. It shall be unlawful to construct any wall or fence in any public right-of-way or within the right-of-way easement for private roads.
- b. No wall, fence, structure or planting over thirty (30) inches in height shall be erected or planted within a twenty (20) foot radius of the corner property lines so as to interfere with traffic visibility across the corner.

4. **Additional Requirements for Commercial, Office and Industrial Areas** - All commercial, office and industrial uses shall provide a continuous visual screen of at least eight (8) feet in height along any lot line abutting a residential use. Such screen shall be installed by the non-residential user and shall be maintained in a sightly manner.

- a. An entrance gate or gatehouse not approved as part of a Planned Unit Development (PUD) may be permitted by right for security purposes to any development provided the gate or gatehouse is:
 - 1) Not located on a public street or right-of-way; and
 - 2) Located a minimum of one hundred (100) feet back from any public right-of-way or easement; or
 - 3) Designed in such a manner that a minimum of three (3) vehicles can pull safely off the public street while waiting to enter; or
 - 4) The development provides a deceleration-turning lane adjacent to the existing pavement for a minimum distance of three hundred (300) feet leading into the access road, unless more stringent requirements are specified by the Kent County Road Commission.
- b. Access for emergency vehicles shall be provided. Should an emergency necessitate the breaking of an entrance gate, the costs of repairing the gate and the emergency vehicle (if applicable) shall be the responsibility of the owner and/or operator of the gates.

5. **Conditions for Special Use Permit Approval**

Due to the unusual circumstances related to the property location or use of the fence, the height of a fence may be increased to a height of eight (8) feet as measured from final grade in all agricultural, office

and residential zoning districts and up to ten (10) feet, as measured from average grade in all other zoning districts. Upon review of a special use permit for additional fence height the Planning Commission shall consider the following:

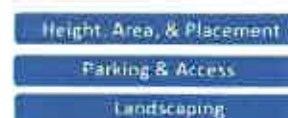
- a. To what extent the impact of additional height has on adjoining property owners.
- b. Whether the additional height severely impacts light and ventilation from flowing onto the adjoining properties.
- c. Whether the increased height creates a traffic hazard.
- d. Whether the increased height creates a fire, safety hazard.
- e. Whether the increased height violates any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.). (New Section added by Ordinance #5 of 2012).

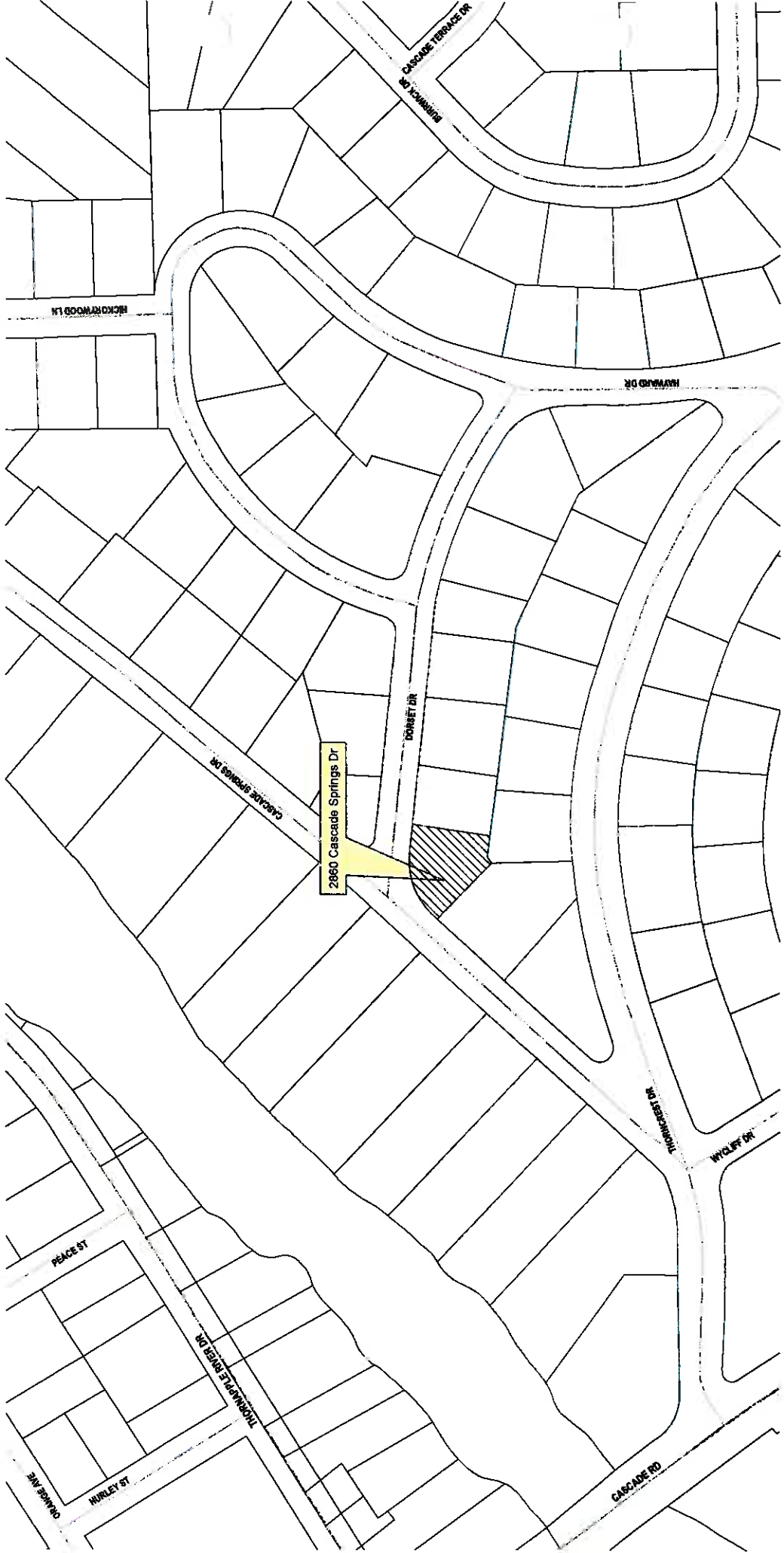
Section 4.31 Residential Front Yard Averaging:

In any ARC, R1 or R2 zoning district where the average front yard setback of two (2) or more buildings within two hundred (200) feet of the lot or parcel in question and on the same side of the street is less than, or greater than, the minimum front yard setback prescribed for the specific zoning district, then the required front yard setback of such lot or parcel shall not be less than the average existing front yard setback or such buildings. In any event, the front yard setback on any lot or parcel shall not be less than ten (10) feet. (New Section added by Ordinance #14 of 1989).

Section 4.32 Resubmission of Applications

No application for a rezoning, planned unit development, special use permit, site plan approval, variance or other zoning approval or project shall be submitted to the Township or be formally considered by a Township board or official (i.e. Township Board, Zoning Board of Appeals, Planning Commission or Planning Director) where such application or project has been previously denied or turned down by the Township unless the new application or project is substantially changed from the prior one. With regard to whether or not substantial changes have occurred since the prior application or project was denied, the Planning Director shall make the determination in the first instance. If the applicant disagrees with the Planning Director's determination, the applicant shall have thirty (30) days to appeal the Planning Director's determination





2860 Cascade Springs Dr

CASCADE TERRACE DR

HICKORYWOOD LN

HAYWARD DR

DONKEY DR

CASCADE SPRINGS DR

PEACE ST

THURSTON DR

HURLEY ST

ORANGE AVE

CASCADE RD

WOLF DR



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: **Robert (Joe) Priest**
 Name: Robert (Joe) Priest
 Address: 2860 Cascade Springs Dr SE
 City & Zip Code: Grand Rapids MI 49546
 Telephone: 480-385-9541
 Email Address: joe_priest@hotmail.com

OWNER: * (if different from Applicant)
 Name: N/A
 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 type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

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

BRIEFLY DESCRIBE YOUR REQUEST:**
Requesting Special Use Permit to install a 6' fence in the front yard.

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

LEGAL DESCRIPTION OF PROPERTY**:

Lot 5 & 6 B/k 5 Cascade Terrace

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19-16-229-003

ADDRESS OF PROPERTY: 2860 Cascade Springs Dr SE

PRESENT USE OF THE PROPERTY: 100% Residential Use

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

Name(s)	Address(es)
<u>Robert (Jae) Priest</u>	<u>2860 Cascade Springs Dr SE</u>
<u>Melissa Priest</u>	<u>2860 Cascade Springs Dr SE</u>

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.)

Robert (Jae) Priest

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

[Signature] 9-12-17

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

Applicant - Print or Type Name

Applicant's Signature & Date

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

Special Use Permit Written Statement**2860 Cascade Springs Dr SE**

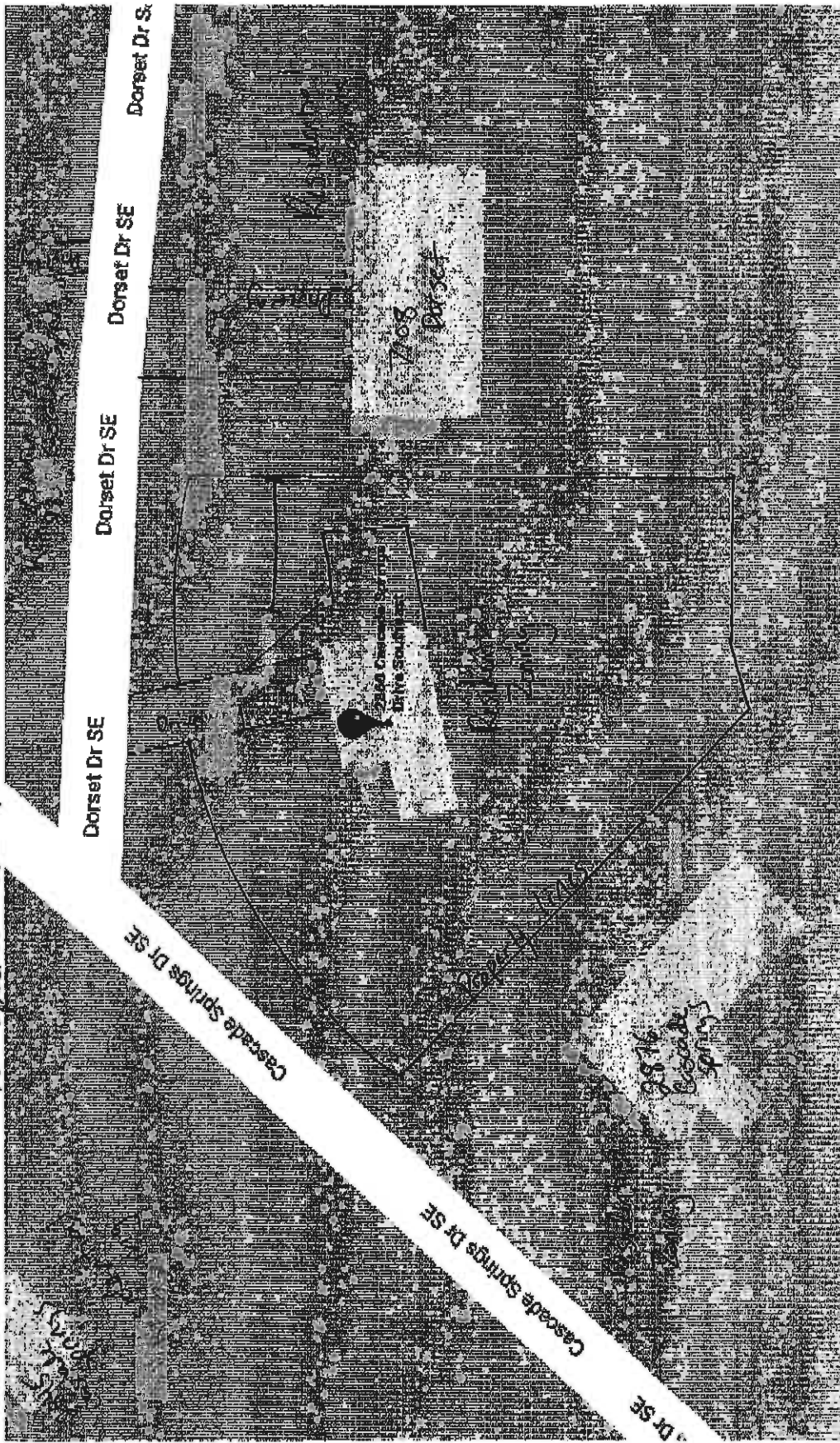
The applicant is requesting a Special Use Permit to install a 6 feet tall fence in the front yard parallel to the Dorset Drive frontage, approximately 20 feet away from the street. The fence would be a 6 feet tall, white vinyl fence. The placement of the fence will not interfere with driver/pedestrian visibility, or accessibility to road and public utilities for maintenance. The fence would be installed by a licensed contractor. The attractive vinyl fence complements the color scheme of the home, requires little maintenance and no painting. Applicant is allowed to have a 4 foot fence in the front yard and is looking to increase that to 6 feet, which requires a special use permit. Applicant actually has two front yards, because this is a corner lot. They are only seeking to place the fence for a portion of the Dorset Drive frontage.

Attachment:

Site Plan

Planning & Zoning Application

Site Plan #860 Cascade Springs VI SE
Re: Special Use Permit



┌───┐ Proposed Location for fence
 - 32' length x 6' height
 - white vinyl material