

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, June 13, 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 May 09, 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 #17:3380 Rick Bowling
Public Hearing
Property Address: 3157 Thorncrest Dr.
Requested Action: The applicant is requesting a variance to construct an addition to the rear of the house closer than 25 feet to the lot line.**
- ARTICLE 7. Case # 17:3384 Kent Ott
Public Hearing
Property Address: 2611 Thornapple River Dr.
Requested Action: The applicant is requesting a variance to construct an addition to the side of the home that would be closer to the front lot line than permitted and closer than the current house.**
- 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, May 9, 2017
7:00 P.M.

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

ARTICLE 4. Approve the Minutes of the April 18, 2017 Meetings.

Motion was made by Member Casey to approve the Minutes of April 18, 2017. Supported by Member McDonald. Motion carried 5 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 #17:3377 YMCA

Public Hearing

Property Address: 5500 Burton St. S.E.

Requested Action: The Applicant is requesting a variance to allow an 800 sq. ft. tent.

Member McDonald stated that he is on the YMCA Board, which is a voluntary position. He feels his position on the YMCA Board will not affect his judgment on this project. The Board agreed there was no conflict of interest.

Director Peterson stated that the Applicant is requesting approval to allow for the installation of an 800 sq. ft. tent for a period of 3 months this summer. The P.U.D. Ordinance for the YMCA is limited to tents of no more than 400 sq. ft. Last year they installed two 400 sq. ft. tents, but indicated that it was not practical with all the tent tie downs.

Tents are permitted for only 3 days in the Zoning Ordinance, which was intended to address more of the special sales tents that are used in the retail area. The allowance of the tent in the YMCA project was not a matter of much discussion and I believe if asked, we would have permitted an 800 sq. ft. tent in the P.U.D. Ordinance.

Director Peterson recommends approval of the variance to allow the 800 sq. ft. tent for a period of 3 months for the summer program at the YMCA.

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

Mr. White came forward to answer any questions the Board might have.

A brief discussion followed.

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

No members of the public came forward.

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

Motion was made by Member McDonald to approve the variance to all an 800 sq. ft. tent for a period of 3 months this summer. Supported by Member Milliken. Motion carried 5 to 0.

ARTICLE 7. Any other business.

No other business was presented

ARTICLE 8. Adjournment

Motion was made by Member Pennington to adjourn. Supported by Member Casey. Motion carried 5 to 0.

Respectfully submitted,
Tom McDonald, Secretary

STAFF REPORT

STAFF REPORT: Case #17-3380
REPORT DATE: May 4, 2017
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: June 13, 2017
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:

Rick Bowling
3157 Thorncrest Dr
Cascade MI 49546

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to construct an addition to the rear of the house closer than 25 feet to the lot line.

EXISTING ZONING OF
SUBJECT PARCEL(S): R2

GENERAL LOCATION: West side of Thorncrest

PARCEL SIZE: Approximately 21,500 sq ft.

EXISTING LAND USE
ON THE PROPERTY: Residential

ADJACENT AREA
LAND USES: Residential

ZONING ON
ADJOINING PARCELS: R2

STAFF COMMENTS:

- 1) The applicant has recently purchased the home at 3157 Thorncrest and is in the process of remodeling the home.
- 2) The current home was built in 1995. The home was built right at the rear setback line of 25 feet. The home does have an existing concrete patio across the back that

is within the 25 foot setback. A concrete patio does not need to meet the 25 foot setbacks.

- 3) As a result of the concrete patio being inside the 25 foot rear setback their desire to enclose a portion of it now requires a zoning variance.
 - 4) As a result of the township acquiring the dam in the early 1970's the 666 elevation became the property line. This neighborhood on Thorncrest is probably the most impacted as several of the properties have quite a bit of upland between the normal waterline and the 666 elevation.
 - 5) This property has about 170 feet of upland between the rear lot line and the river.
 - 6) Looking at some other properties in the neighborhood it appears that we have at least 4 others that have structures closer to the rear lot line than permitted. 3 of them were existing before the township acquired the dam. One home (3049 Thorncrest) was given a variance to put a small addition to the house. It appears the rationale was that they were able to maintain the side setback and they were able to maintain the existing rear lot line as well. Although a jog in the rear lot line did bring the addition to within 12 feet of the rear lot line (666 elevation)
 - 7) The new screened porch for the applicant would maintain the existing line of the porch which is about 10 feet from the 666 elevation line (rear property line).
 - 8) It will appear visually, to be about 170 feet from the river.
- A. Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all of the findings of fact listed in the table below:

<i>Findings of Fact</i>	<i>Comment</i>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The property is one of the most impact by the river floodway properties. It will be at least 170 feet from the river and will maintain the existing setback of the porch.
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	The conditions of the property are not the result of actions taken by the applicant.

adopted regulations preceding this Ordinance will not be considered self-created)	
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	They would not be able to construct an addition or enclose anything on the rear of the home since it was built right at the 25 foot setback line.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	4 others in the neighborhood have structures closer than 25 feet to the rear property line. One was given a variance in 2004.
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 neighborhood is the most impacted by the river floodway property, making it difficult to repeat the situation.
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 relatively small size of the enclosure the distance to the water line of the river and the others in the neighborhood who have similar situations it seem reasonable to allow the requested variance.

STAFF RECOMMENDATION

Approve the request.

Attachments: Application
 Site Plan





CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: (Michael T. Craigill Builder) Rick Bowling } Owners
KAY UDRY }
 Address: 3151 Thorncrest Dr SE
 City & Zip Code: Grand Rapids, Mi 49546
 Telephone: (616) 460-1104
 Email Address: mtcbuilder@gmail.com

OWNER: * (if different from Applicant)
 Name: Rick Bowling / Kay UDRY
 Address: SAME AS ABOVE
 City & Zip Code: _____
 Telephone: Rick (616) 485-2887 KAY (517) 327-2901
 Email Address: KAY.8000@gmail.com

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Administrative Site Plan Review
<input type="checkbox"/> Deferred Parking	<input type="checkbox"/> P.U.D. - Rezoning *
<input type="checkbox"/> P.U.D. - Site Condominium *	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Site Plan Review *	<input type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision Plat Review *
<input checked="" type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

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

BRIEFLY DESCRIBE YOUR REQUEST:**

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 16-251-01A

ADDRESS OF PROPERTY: 3157 Thorncrest Dr SE GR MI 49546

PRESENT USE OF THE PROPERTY: _____

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>CHOICE ONE BANK</u>	<u>GRAND RAPIDS, MI</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.)

Richard Bowling / Kay Wray

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

[Signature] Kay Wray

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

Michael A. Cargill

Applicant – Print or Type Name

[Signature]

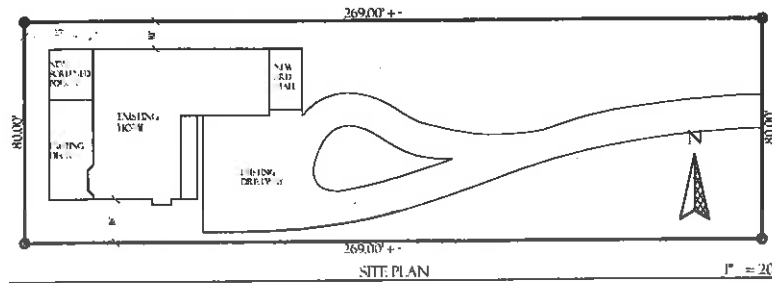
Applicant’s Signature & Date

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

Rev. 7/24/14

BOWLING/UDRY RESIDENCE

3157 THORNCREST DRIVE,
GRAND RAPIDS, MICHIGAN 49546



DRAWING INDEX

- A-1 COVER SHEET
- A-2 MAIN FLOOR PLAN
- A-3 UPPER FLOOR PLAN
- A-4 FRONT & REAR ELEV.
- A-5 RIGHT & LEFT ELEV.
- A-6 BUILDING SECTIONS



BOWLING/UDRY
RESIDENCE

3157 THORNCREST DRIVE, GRAND RAPIDS, MI 49546

ALL CONTRACTORS SHALL VERIFY THE CORRECTNESS OF ALL DIMENSIONS, CONDITIONS, AND MATERIALS SHOWN ON THESE PLANS WITH THE FIELD CONDITIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EROSION CONTROL MEASURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TREE PROTECTION MEASURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAFFIC CONTROL MEASURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SIGNAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LIGHTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LANDSCAPING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FURNITURE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ACCESSORIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FINISHES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MAINTENANCE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REPAIRS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REPLACEMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DEMOLITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DESTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RESTORATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PRESERVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PROTECTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MONITORING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REPORTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHIVING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PRESERVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PROTECTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MONITORING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REPORTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHIVING.

© BRAD DOUGLAS ENGINEERING

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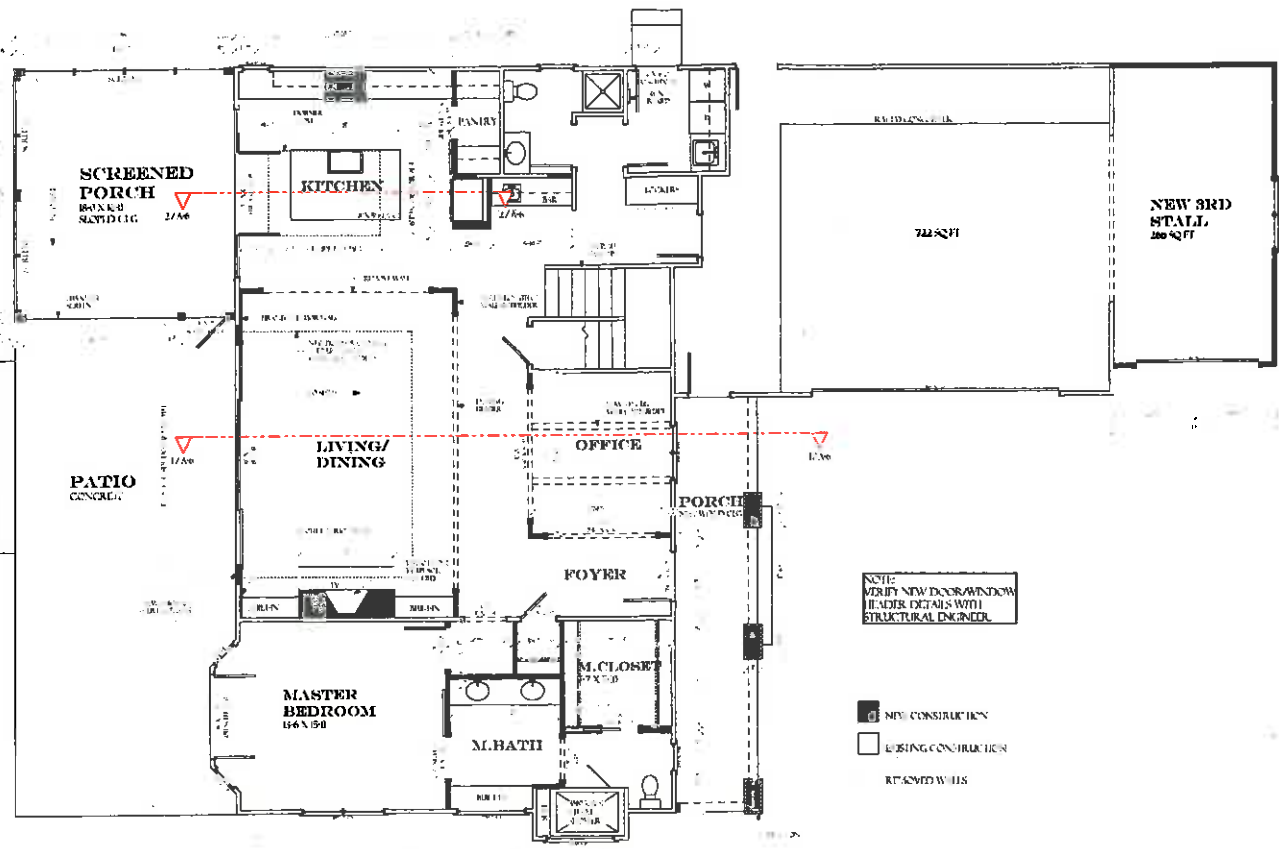
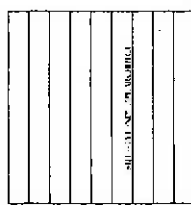
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BY

COVER SHEET

A-1

NOTE:
VARIATION MAY BE
NEEDED FOR SCREENED
PORCH ADDITION AS IT
ENS. ROOMS TO STACK



NOTE:
VERIFY NEW DOOR/WINDOW
HEADER DETAILS WITH
STRUCTURAL ENGINEER

- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- REMOVED WALLS

MAIN FLOOR

1/4" = 1'-0"

MAIN FLOOR

A-2

STAFF REPORT

STAFF REPORT: Case #17-3384
REPORT DATE: May 17, 2017
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: June 13, 2017
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:
Kent Ott
2611 Thornapple River Dr
Cascade MI 49546

STATUS
OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to construct an addition to the side of the home that would be closer to the front lot line than permitted and closer than the current house.

EXISTING ZONING OF
SUBJECT PARCEL(S): R2

GENERAL LOCATION: North west side of Thornapple River Dr just east of Shagbark

PARCEL SIZE: Approximately 4.2 acres.

EXISTING LAND USE
ON THE PROPERTY: Residential

ADJACENT AREA
LAND USES: Residential

ZONING ON
ADJOINING PARCELS: R2

STAFF COMMENTS:

- 1) The home on the property is setback about 46 feet from the road ROW.
- 2) Based on the type of road (arterial) the home is required to be setback 50 from the ROW.

- 3) Due to the curve in the ROW and the home not being built on the same parallel line, the SE corner of the home is within the required setback.
 - 4) The applicant has indicated the reason for the addition is to be able to take care of elderly family members.
 - 5) The owner would like to do an addition onto the side of the home that is currently inside the setback area. This addition would bring more of the home into the required setback and have a setback of 30 feet.
 - 6) The home was built in 1941.
 - 7) We did have a similar variance like this with older non-conforming home on major streets (Cascade Rd). That was in 2015 and it was approved. Although in that case they were able to keep the building addition behind the current setback of the home, but we did allow a 38 foot setback.
 - 8) A review of some of the other homes in the vicinity revealed that only a couple are closer than the required setback. Although none of the homes in the immediate area have setback issues
 - 9) I'm sure some of the reason for the location of the home has to do with the location of the pond on the property forcing the building closer to the road.
 - 10) The ROW is 66 feet in the area in front of the house so it does not have an excessive amount of ROW.
- A. Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all of the findings of fact listed in the table below:

<i>Findings of Fact</i>	<i>Comment</i>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The home is already non-conforming due to the curve in the road. The size of the home is normal compared to others in the area, maybe slightly larger. An addition could be made without the need for the variance.
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	The need for the addition is the result of actions from the applicant.

adopted regulations preceding this Ordinance will not be considered self-created)	
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	The applicant has indicated they have tried to reduce the amount of variance needed with the current floor plan.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	With no homes in the immediate area having setback issues, it could be seen as injurious to the neighborhood.
That the condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of so general or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.	In other situations we have tried to not increase the amount of non-conformity.
The Zoning Board of Appeals shall further find that the reasons set forth in application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building or structure.	Given the relatively small size of the addition it appears possible to put an addition to the home and at least stay behind the existing setback of 46 feet. This would allow for a variance for the addition but not bring it any closer to the road.

STAFF RECOMMENDATION

Deny the requested variance but allow a variance for the current 46' setback to be maintained for the addition.

Attachments: Application
 Site Plan



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Kent A Ott
 Address: 2611 Thornapple River Dr. SE
 City & Zip Code Grand Rapids, MI 49546
 Telephone: (616)560-1422
 Email Address: kentnbill@sbcglobal.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 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:**

This is a petition for a variance to build within the fifty-foot setback from the road right of way for the property at 2611 Thornapple River Dr. SE. (See Attachments)

(**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

May 31, 2017

To: Steve Peterson

From: Kent A Ott
2611 Thornapple River Dr. SE

Reg: Request for a Variance at 2611 Thornapple River Dr. SE.

Steve,

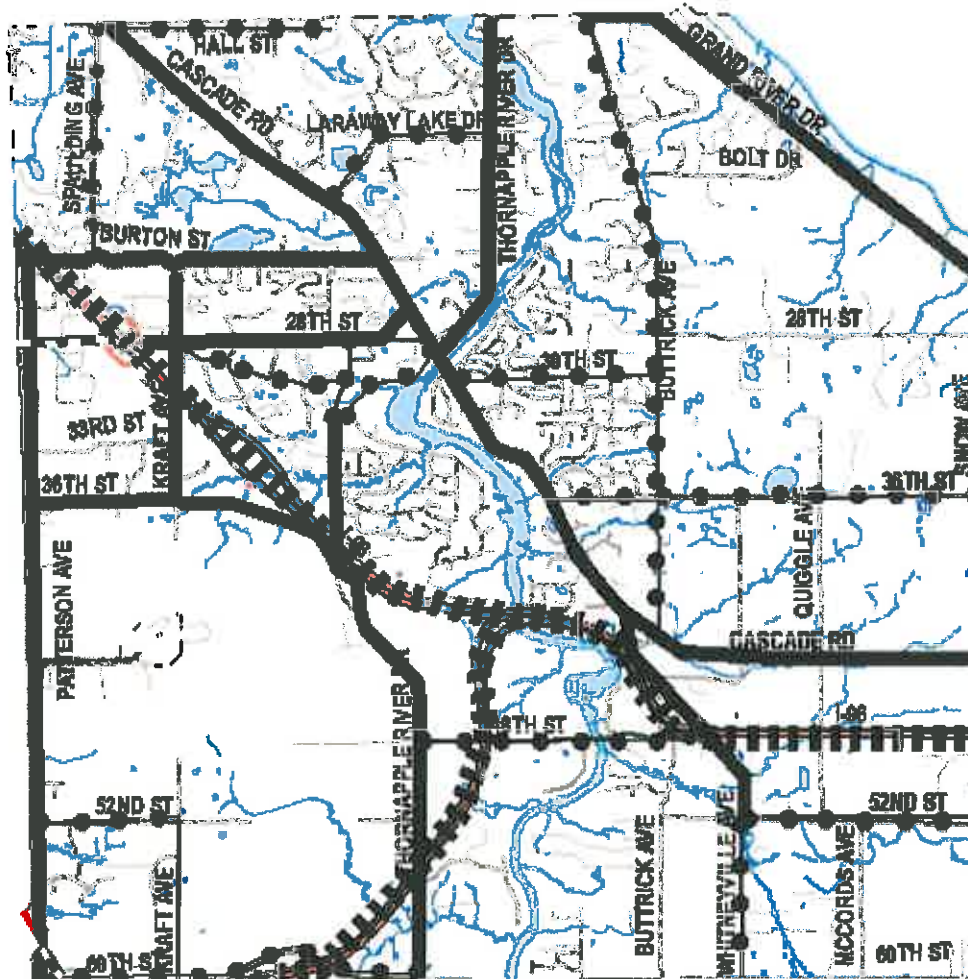
I am requesting a variance for the set back from the road right of way that is presently 50' to be reduced to 30'. This would give me the need space to be able to do the needed addition to my residence. This should give me approximately 3' to 4' of extra clearance, because I estimated the placement of the location of the road right of way.

A handwritten signature in black ink, appearing to read 'Kent A Ott', with a long horizontal flourish extending to the right.

Kent A Ott

Appendix A Major Street Plan

-  Interstate Highway
-  State Road/Highway
-  Arterial Road
-  Collector Road



Map amended by Ordinance #5 of 2010
March 10, 2010

CHAPTER 18

Zoning District Height, Area and Placement Standards

Section 18.05 Placement and Yard Area Standards, Residential Dwellings – Table 18-B

The following Table 18-B sets forth the minimum building setback and yard area standards applicable to residential dwellings.

Table 18-B: Placement and Yard Area Standards, Residential Dwellings	
	Distance in Feet
Front Yard Setback	
Platted local & Pavement Streets	35 [68]
Collector Streets	43 [88]
Arterial Streets	50 [110]
Side Yard Setback	
Minimum on One (1) Side	10
Total on Both Sides	25
Rear Yard Setback	25
Editors Note: See Section 4.15 to determine the applicable line from which front yard building setbacks shall be measured.	
Note: Numbers in brackets [] refer to distances measured from the nominal centerline of the street right-of-way.	

Section 18.06 Bulk Area and Placement Standards, Principal Non-Residential Buildings and Uses: (Ord No 3 of 2010; 3/10/10)

The following provisions shall apply to non-residential principal buildings and uses which may be permitted by right or special use in the ARC, FP, R-1 and R-2 districts.

- 1. Agricultural Uses and Buildings:** Agricultural buildings as permitted in the ARC and FP District shall be located on a parcel of land which constitutes an integral part of a farming operation as defined in Chapter 3. The minimum front yard building setbacks or agricultural buildings and structures as defined in Chapter 3, shall be 100 feet. The minimum side and rear yard setbacks for such buildings or structures shall be 50 feet.
- 2. For non-residential uses in the residential zones (R-1, R-2 FP and ARC)** a Type A bufferyard shall only be required when any approved parking lot is located closer to a residentially used lot than the permitted building setback line. (Ord. #10 of 2001)
- 3. Principal Uses Allowed by Special Use Permits:** The dimensional standards applicable to principal uses which may be permitted by special use, as enumerated in Chapters 6, 7 and 7a shall be determined in accordance with the provisions contained in Chapter 17, "Special Uses".

Section 18.07 Bulk, Area and Placement Standards, Accessory Buildings, Structures and Uses - Cross References: (Ord No 3 of 2010;3/10/10)

The following subsections enumerate by reference the various provisions contained elsewhere within this Ordinance which shall regulate accessory buildings, structures and uses permitted in the ARC,FP, R-1 and R-2 districts, as well as those additional provisions of the Ordinance which may be imposed in specific situations.

- 1. Accessory Buildings and Structures:** As required in Sections 4.08 and 4.09.
- 2. Animals and Fowl, Domesticated:** As required in Section 4.11.
- 3. Corner Lots:** As required in Section 4.21.
- 4. Off-Street Parking:** As required in Section 19.21.
- 5. Sign:** As provided in the Cascade Township Sign Ordinance.
- 6. Greenbelts:** As required in Chapter 20.
- 7. Driveways:** As required in Chapter 19.
- 8. Satellite Dish antennas:** As required in Section 4.10(1).

Sections 18.08 through 18.11 have been intentionally left blank



Definitions
General Provisions
Development Review

Zoning Districts
Special Uses
Planned Unit Development

Height, Area, & Placement
Parking & Access
Landscaping



CASCADE LAKES DR

CASCADE LAKES CIRCLE

GIFFORD

BURTON ST

BURTON ST

BURTON WOODS CT

HIDDEN RIDGE DR

RED BOX LN

THORNAPPLE PARK DR

WINDCREST CT

THORNAPPLE RIVER DR

WOODRING HEIGHTS CT

2811 Thomapple River Dr

OAK BROOK ST

OAK BROOK ST

PEBBLEBROOK DR

WENDELL ST

WYNDHAM DR

GLASTON CT

WYNDHAM DR

WAYBRIDGE DR

ORANGE WOODS DR

WILLOW ST

WINDCREST DR

WINDCREST DR

SHADOWBROOK CIRCLE

SHADOWBROOK DR

SHADOWBROOK DR

SHADOWBROOK DR

SHADOWBROOK DR

CASCADE WOODS DR

KENT A. OTT
PETITION FOR ZONING VARIANCE TO THE CASCADE PLANNING DEPARTMENT

This is a petition for a variance to build within the fifty-foot setback from the road right of way for the property at 2611 Thornapple River Drive SE. The owner of this property, Kent Ott, is requesting this variance because he is remodeling the home that is on the property in preparation for caring for his elderly father at the end of life, and he wants to bring the home into conformity with recommendations for handicap accessibility to create a more comfortable and functional living environment for his father. After having a professional inspection of the residence, it was determined that the major changes that are required to achieve this goal are to provide a bedroom and a full bath on the main floor and to widen all traffic areas on the main floor to make them wheelchair accessible.

After consulting multiple architects, it was determined that the most feasible means of achieving this goal is to construct an addition on the northeast end of the home. The layout of the first floor in the original structure does not contain any area that can accommodate both a bedroom and a bathroom. The southwest end is not suitable for an addition because that is the location of a workshop and garage. A professional arborist has recommended not putting an addition on the back of the house because it would result in the destruction of trees that he deems essential to controlling erosion along a pond that is fed by Schoolhouse Creek. The owner is also highly hesitant to lose any more mature trees because he already lost just over fifty trees from the area that he donated for the new bike path.

In the process of planning for this addition, it was determined that it could not be accomplished without building into the setback from the Thornapple River Drive right of way. Since the current setback ordinance was established after the construction of the house, the front corner of the home already falls four feet within this set back area. The addition cannot be moved toward the back of the property because of the trees protecting the creek bank from erosion. Therefore, with the road taking a sharp north turn at this point, this inevitably increases the distance any new structure would impede into the set back.

The owner wants to assure the board members that he has taken into consideration the following exceptional and extraordinary conditions that are inherent to the property in presenting this petition for variance. He is aware of the unique historical significance of the property to the Cascade community, and he is committed to remaining true to that historical significance. This proposed addition is just one part of a total renovation of the main house that will preserve it for future generations. Along with the renovation of the main house, the owner is in the process of restoring the cabin that sits next to the dam and the pond itself. As long as the owner has resided at this location, residents have frequently stopped to enjoy the views, to admire the historical buildings, and to catch a glimpse of the wildlife that reside in the area. It is his desire to continue to improve this valuable asset for the Cascade community.

In assessing the impact that the proposed addition would have on the line of sight for drivers traveling on Thornapple River Drive, there is evidence that there would be minimal to no impact. As has been stated, the road takes a sharp curve at this location, which already impedes the distance for the line of sight. In addition, there is a retaining wall

KENT A. OTT
PETITION FOR ZONING VARIANCE TO THE CASCADE PLANNING DEPARTMENT

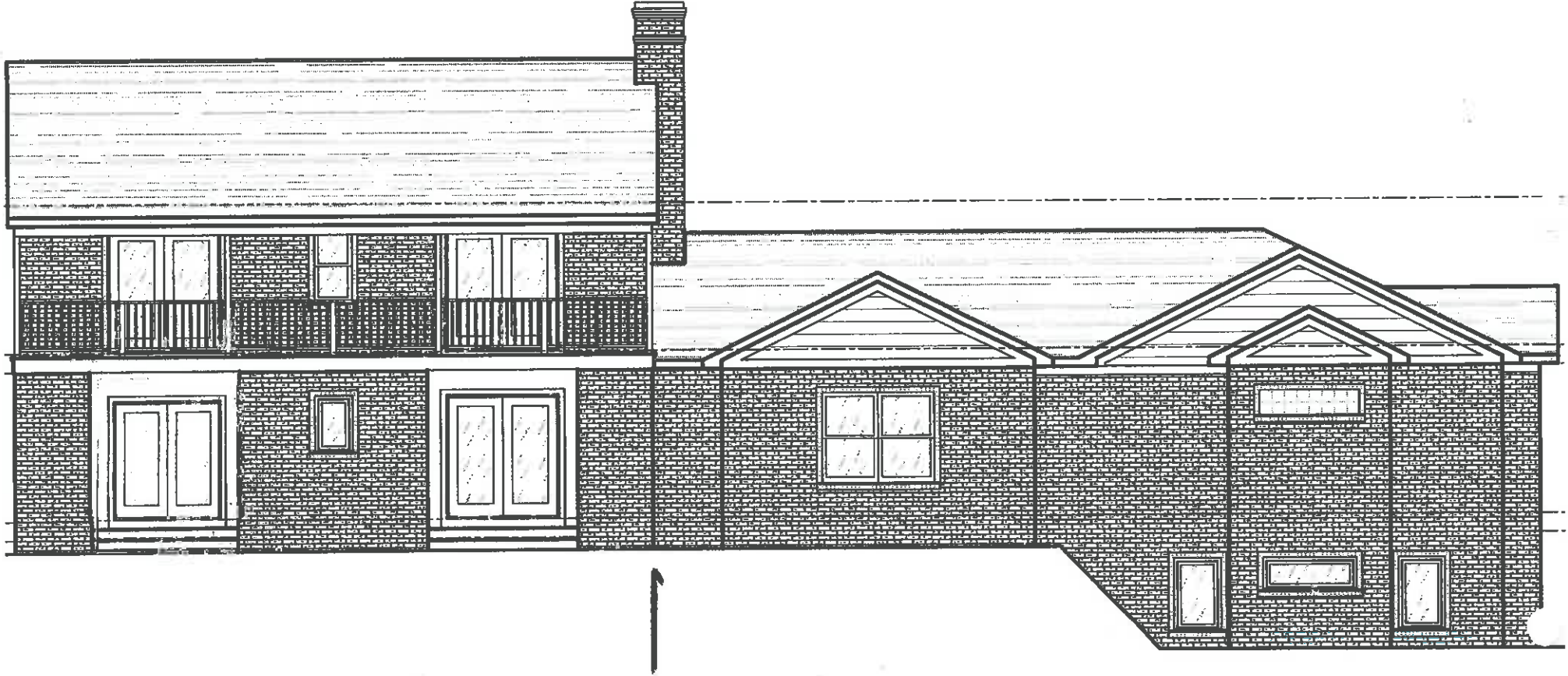
running along the bike path at this point that rises seven-foot above the roadway, which further impedes the vision of drivers. Another characteristic of the property at this point is that the ground level at the location of the addition is eleven feet above the level of the road. Therefore, it is already impossible for drivers traveling in either direction to see around this bend in the road, and the new addition to the home will not further reduce the line of sight for drivers.

Since the new addition to the house will not further reduce the ability of drivers to see around the curve in Thornapple River Drive and there are no other residences within three hundred feet of this point in the owner's property, approval of this variance should not create any detrimental consequences to neighbors or to the public welfare.

Due to the unique characteristics of this property (as they have been presented in this petition) and the unique circumstances leading to the necessity for creating the addition to the existing home, the owner hopes that the board members will agree that approving his petition will not create precedent for future variance petitions, nor does it indicate the need to amend the existing Ordinance.

Existing Structure

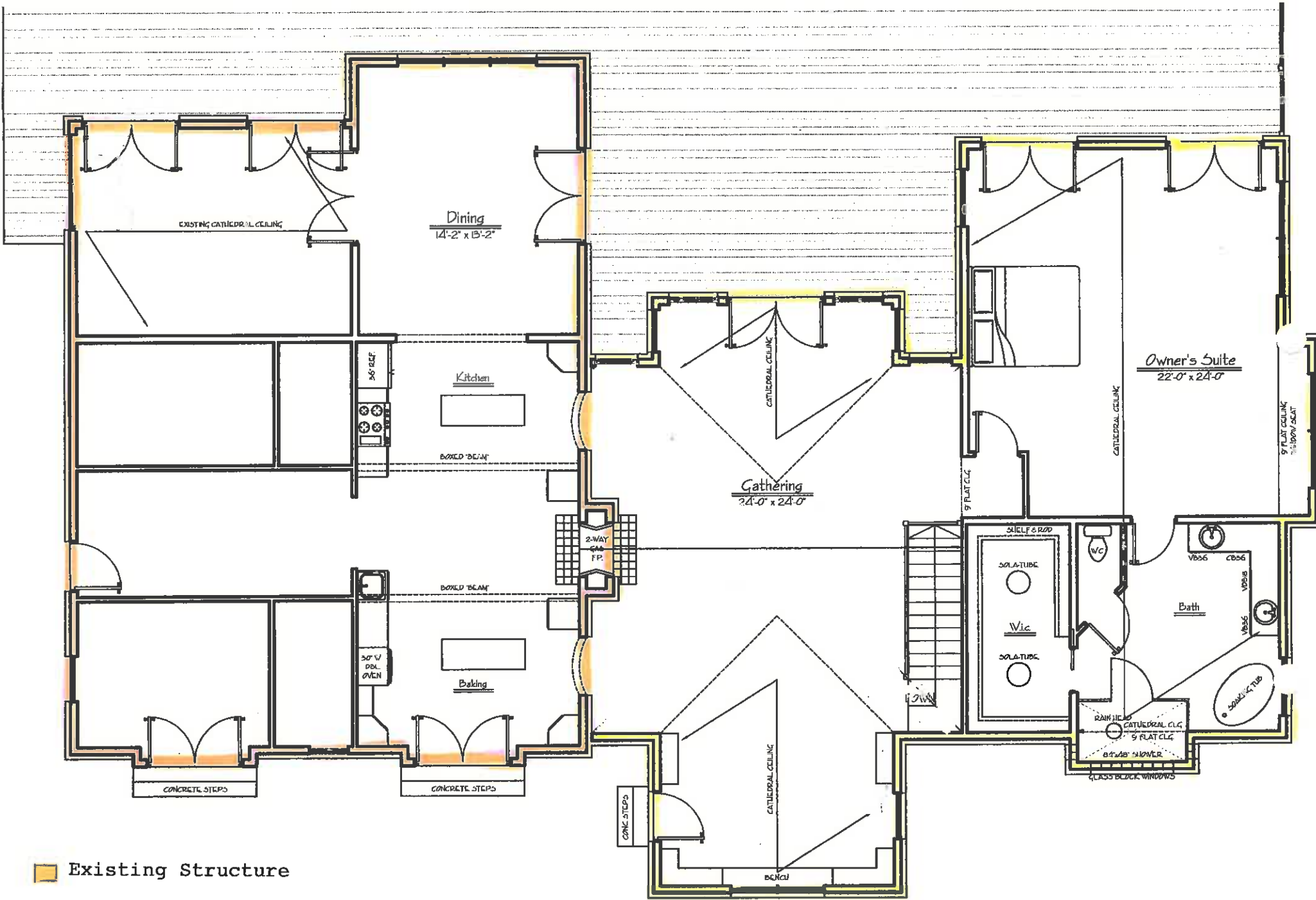
New Construction



FRONT ELEVATION

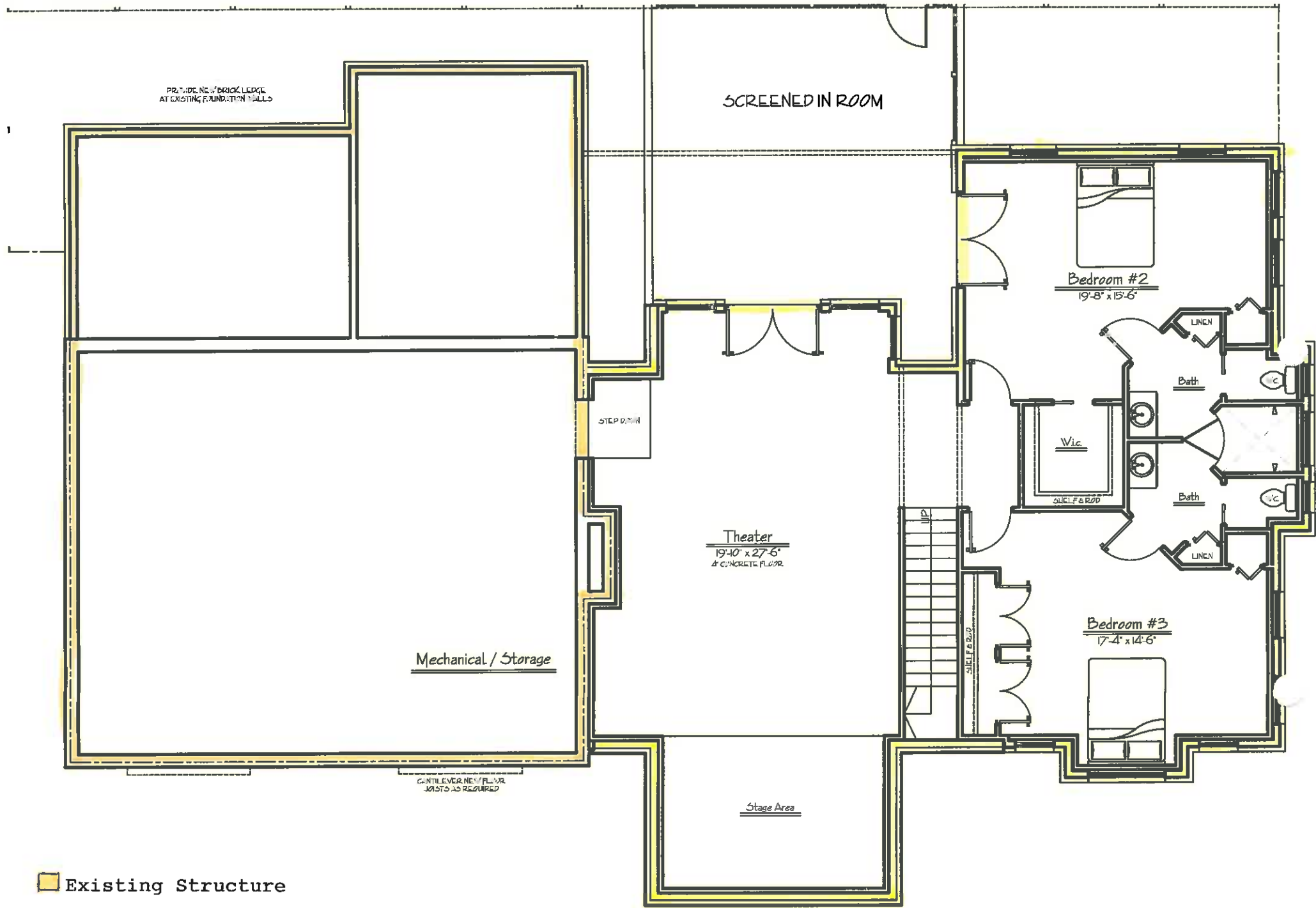
SCALE: 1/8" = 1'-0"

View From Thornapple River Dr.



- Existing Structure
- New Construction

MAIN FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 1,000 SQUARE FEET



Existing Structure

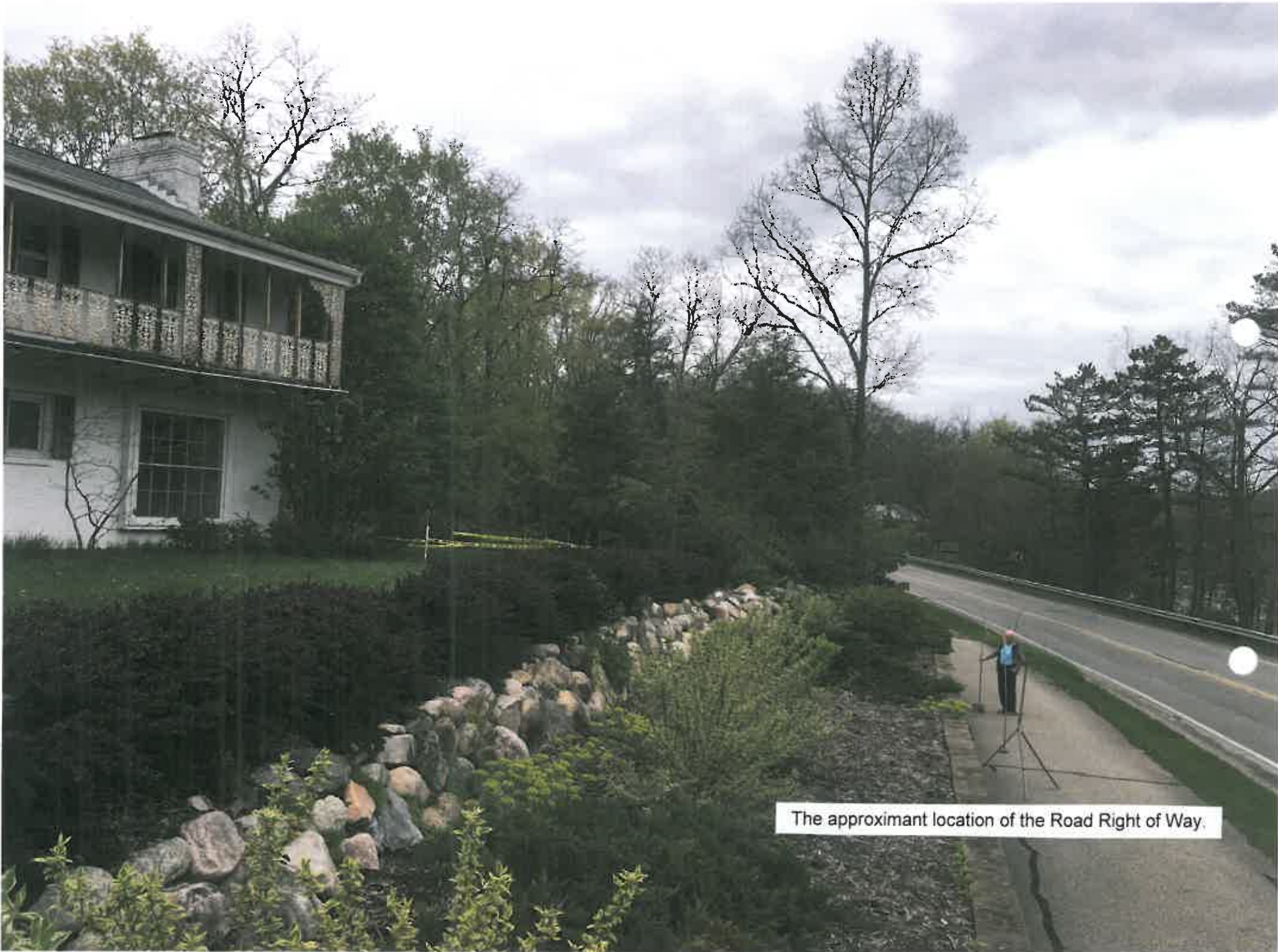
New Construction

LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0"

Birds eye view of existing structure and out-line of new addition.







The approximant location of the Road Right of Way.

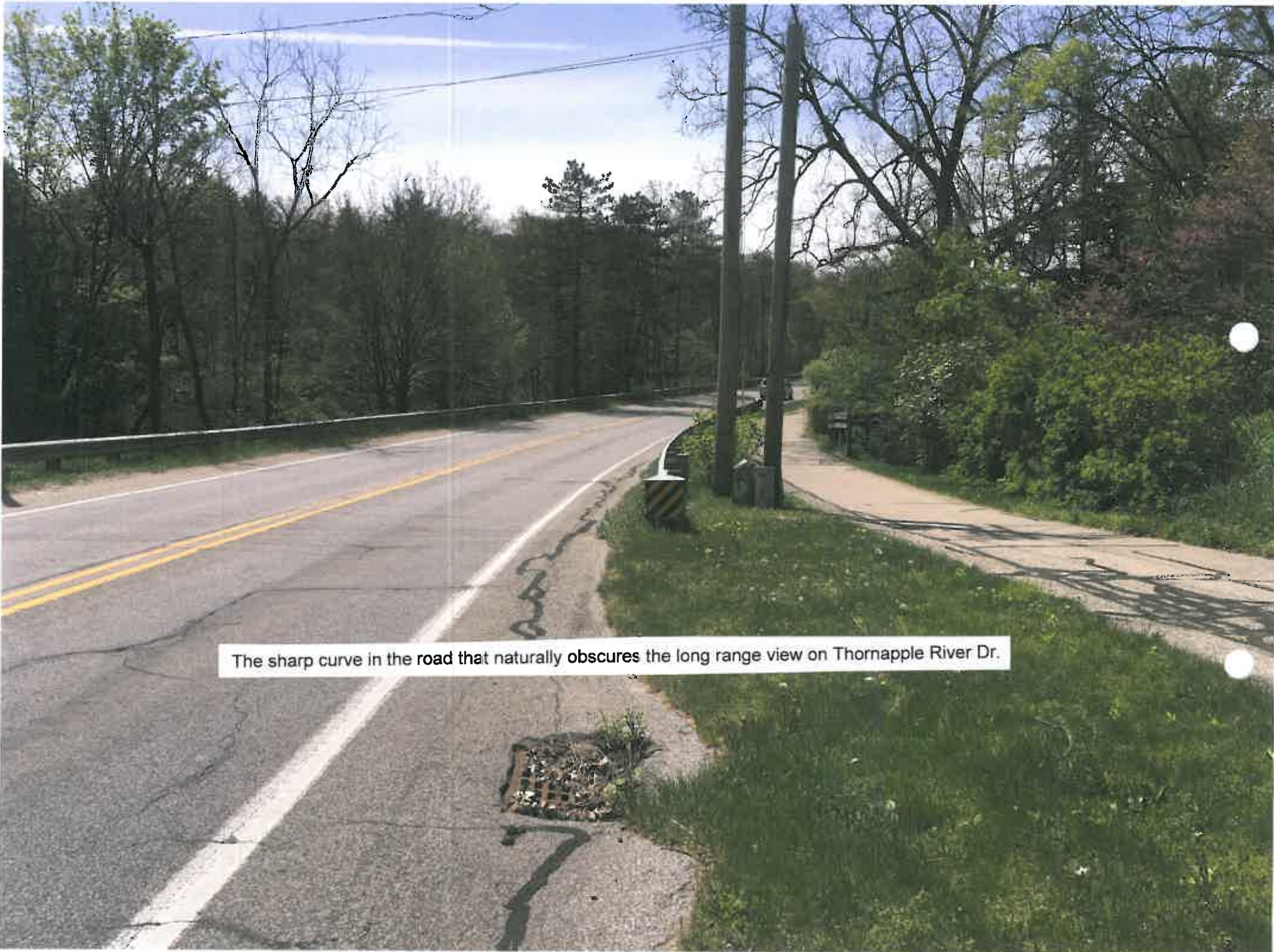
Thornapple River Dr. looking NE toward Ada.







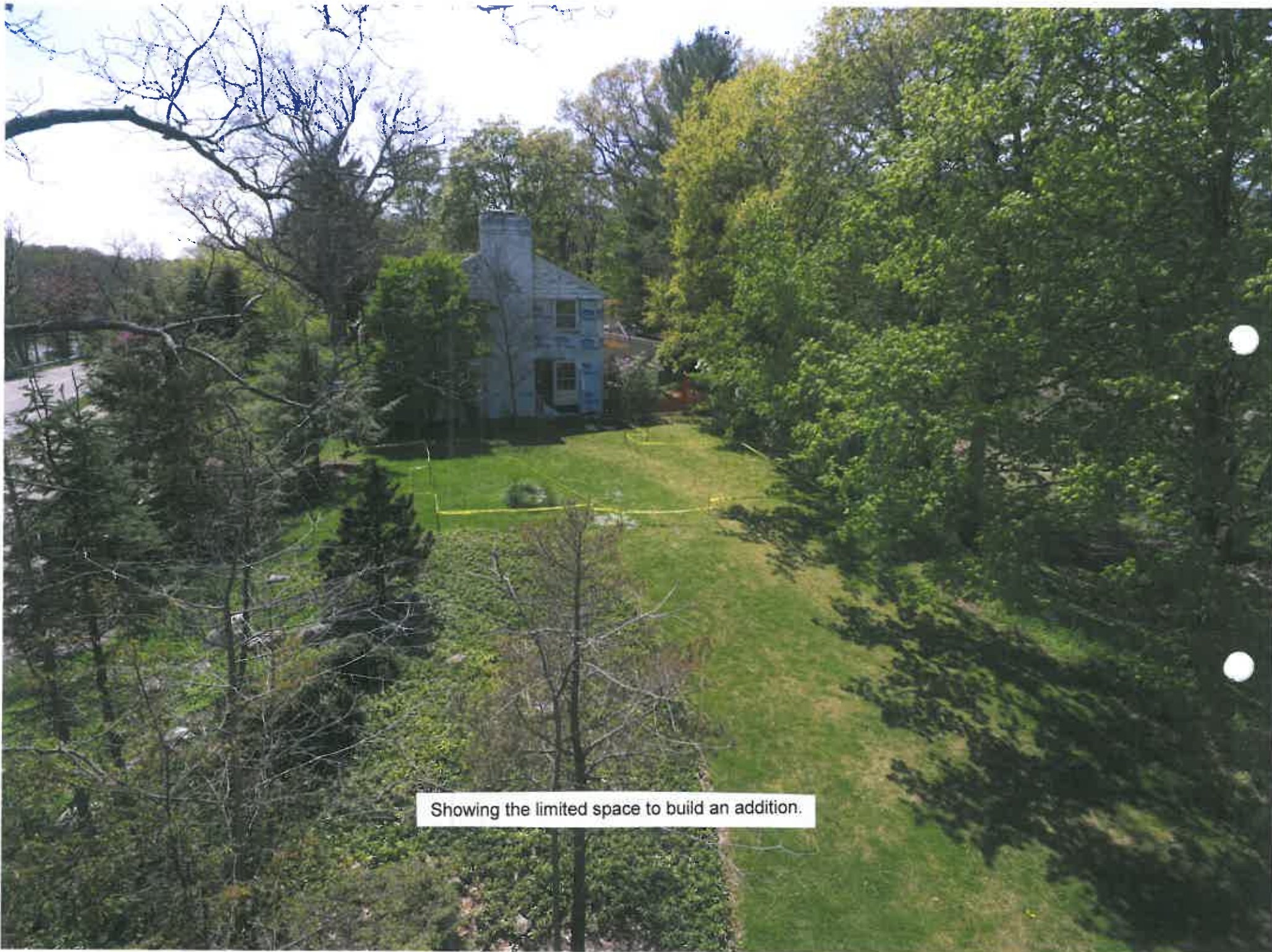
The approximant location of the Road Right of Way.



The sharp curve in the road that naturally obscures the long range view on Thornapple River Dr.



The change in elevation.

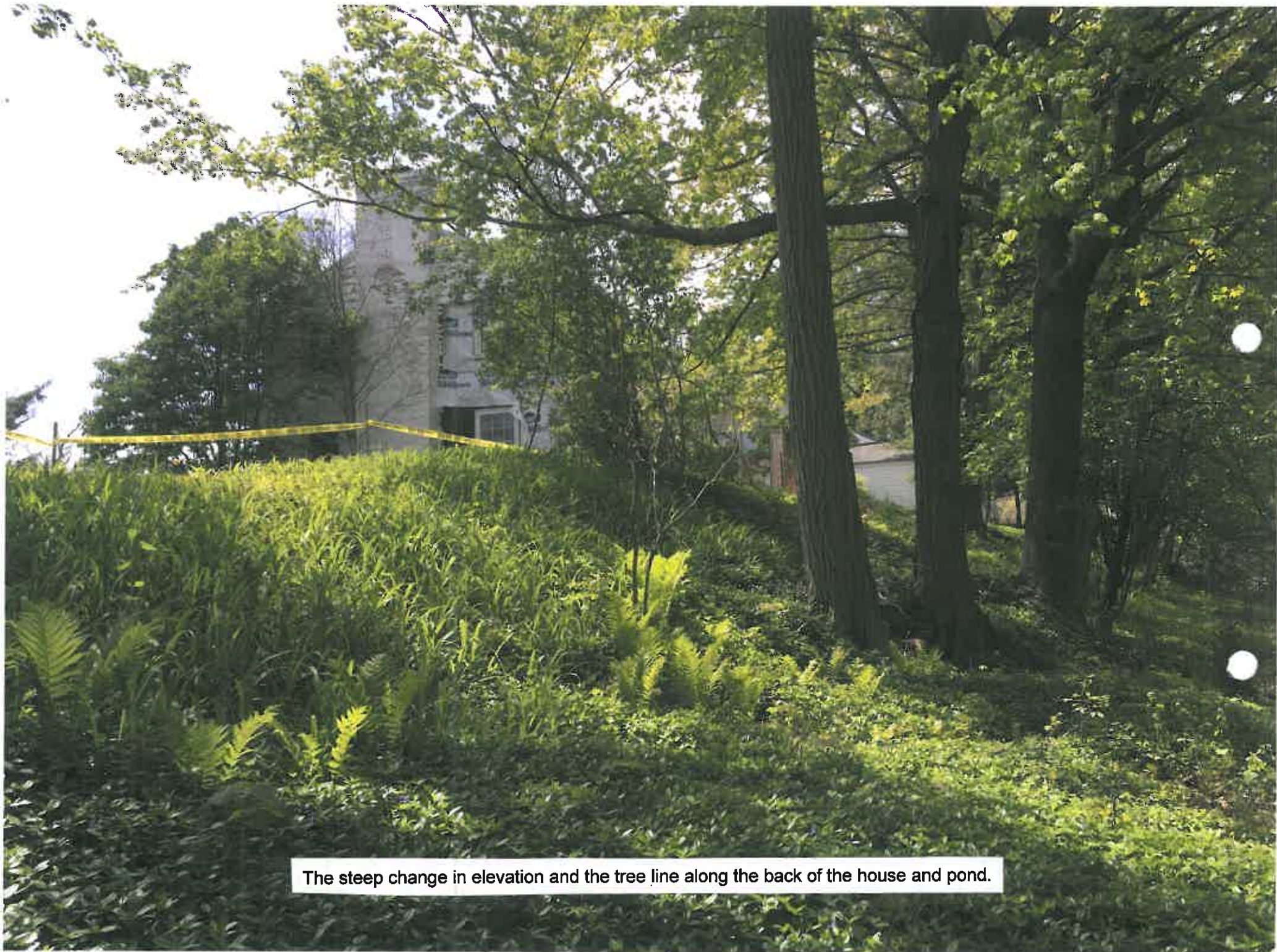


Showing the limited space to build an addition.

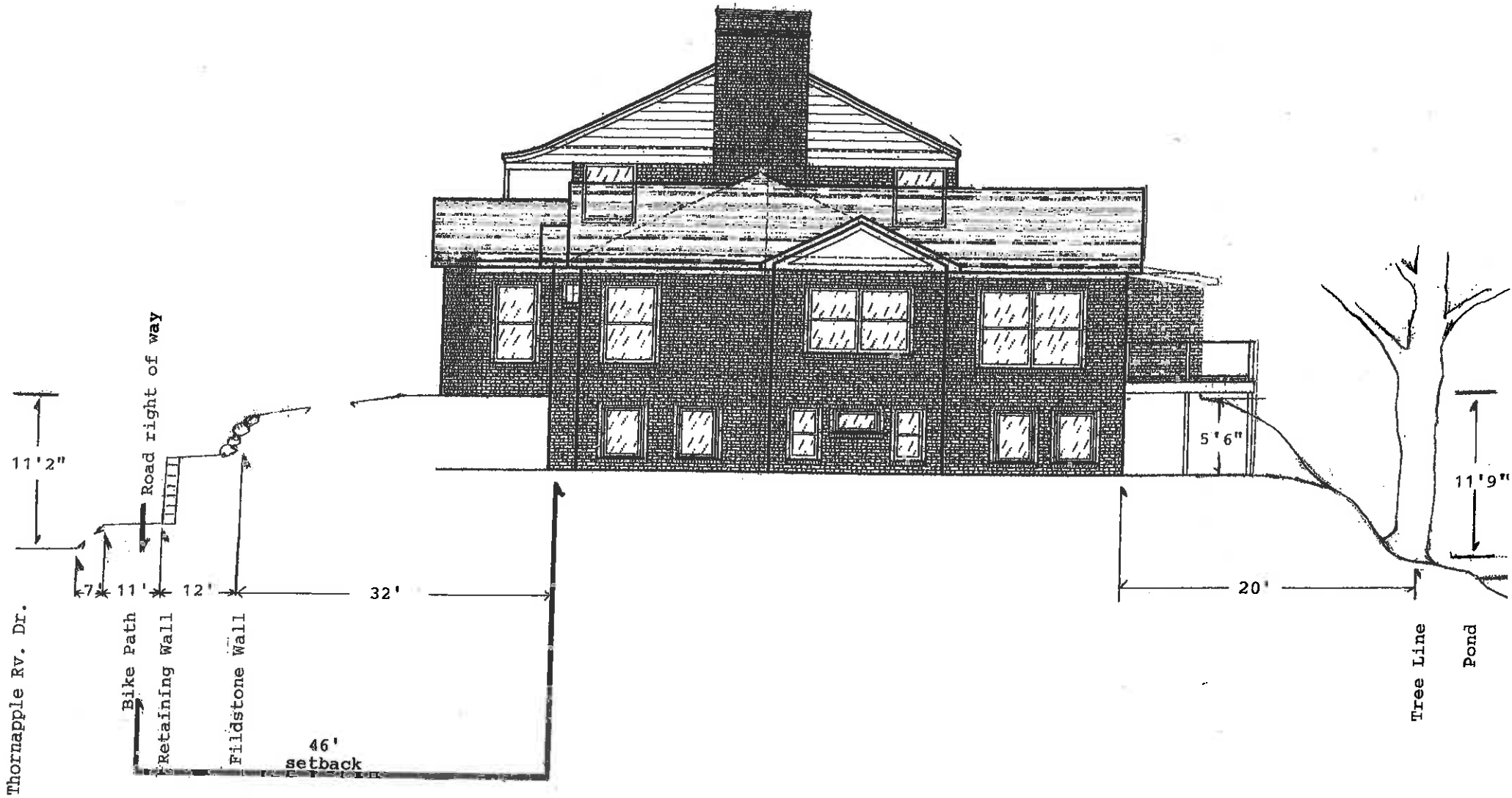




The change in elevation.



The steep change in elevation and the tree line along the back of the house and pond.



Distants in width are not to scale.
 Distants in heights is to scale.