

**AGENDA**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, September 12, 2017**  
**7:00 pm**  
**Cascade Library Wisner Center**  
**2870 Jacksmith Ave. SE**

- ARTICLE 1. Call the meeting to order  
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Approve the Minutes of the June 13, 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 #17-3396 Plafkin  
Public Hearing  
Property Address: 3390 Brookpointe Dr. SE  
Requested Action: The applicant is requesting a variance to construct an accessory building more than 200 sq. ft. closer to the rear property line than the required 25 feet.**
- ARTICLE 7. Case #17-3397 Universal Sign  
Public Hearing  
Property Address: 5062 Kendrick Ct. SE  
Requested Action: The applicant is requesting a variance to allow a sign closer to the road than permitted.**
- ARTICLE 8. Case #17-3399 Jeremiah Gruchow  
Public Hearing  
Property Address: 7061 Cascade Rd. SE  
Requested Action: The applicant is requesting a variance to create a new lot that does not meet the required lot size of 18,000 sq. ft.**
- ARTICLE 9. Any other business**
- ARTICLE 10. Adjournment**

**Meeting format**

- 1. **Staff Presentation** *Staff report and recommendation*
- 2. **Project presentation-** *Applicant presentation and explanation of project*
  - a. **PUBLIC HEARINGS**
    - i. *Open Public Hearing. Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
    - ii. *Close public hearing*
- 3. **Commission discussion –** *May ask for clarification from applicant, staff or public*
- 4. **Commission decision - Options**
  - a. *Table the decision*
  - b. *Deny*
  - c. *Approve*
  - d. *Approve with conditions*
  - e. *Recommendation to Township Board*

MINUTES  
Cascade Charter Township Zoning Board of Appeals  
Tuesday, June 13, 2017  
7:00 P.M.

**ARTICLE 1.** Chairman Berra called the meeting to order at 7:00 P.M.  
Members Present: Casey, Milliken and Pennington  
Members Absent: McDonald  
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 Casey. Motion carried 4 to 0.

**ARTICLE 4.** Approve the Minutes of the May 9, 2017 Meetings.

Motion was made by Member Casey to approve the Minutes of May 9, 2017. Supported by Member Milliken. Motion carried 4 to 0.

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

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

**ARTICLE 6.** Case #17:3380 Rick Bowling

**Public Hearing**

**Property Address: 3157 Thorncrest Drive**

**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.

Director Peterson stated that the Applicant had recently purchased the home at 3157 Thorncrest and is in the process of remodeling. The current home was built in 1955 and 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. Concrete patios do not need to meet the 25 foot setback. As a result of the concrete patio being inside the 25 foot rear setback, Applicant desires to enclose a portion of it, which requires a zoning variance.

When the township acquired the dam in the early 1970s, 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. This particular property has about 170 feet of upland between the rear lot line and the river. The new screened porch would maintain the existing rear lot line of the porch which is about 10 feet from the 666 elevation line (rear property line). It will appear visually to be about 170 feet from the river.

Director Peterson recommended approval of the variance.

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

Mr. Cargill came forward, on behalf of the Bowlings, to briefly explain the project.

**Motion was made by Member Milliken to open the public hearing. Supported by Member Casey. Motion carried 4 to 0.**

No members of the public came forward.

**Motion was made by Member Pennington to close the public hearing. Supported by Member Casey. Motion carried 4 to 0.**

**Motion was made by Member Milliken to approve the variance to construct an addition to the rear of the house closer than 25 feet to the lot line. Supported by Member Casey. Motion carried 4 to 0.**

#### **ARTICLE 7.**

##### **Case #17:3384 Kent Ott**

##### **Public Hearing**

**Property Address: 2611 Thornapple River Drive**

**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.

The home on the property is setback about 46 feet from the road right-of-way (ROW). Based on the type of road (arterial) the home is required to be setback 50 feet from the ROW. 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. The Applicant has indicated the reason for the addition is to be able to take care of elderly family members.

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.

A similar variance was granted like this with an older non-conforming home on major streets. Although in that case they were able to keep the building addition behind the current setback of the home, but a 38 foot setback was allowed. A review of some of the other homes in the vicinity revealed that only a couple are close than the required setback. Although none of the homes in the immediate area have setback issues.

Director Peterson feels that one of the reasons 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. The ROW is 66 feet in the area in front of the house so it does not have an excessive amount of ROW.

Director Peterson recommends denial of the requested variance, but allow a variance for the current 46 foot setback to be maintained for the addition.

Director Peterson also noted that there were a couple comments from the public which he presented to the Board, all of which were in favor of the requested variance for Mr. Ott.

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

Mr. Ott came forward to discuss the project. Mr. Ott is a licensed builder who has owned the home since 1999. He would like to build this addition to add a first floor, handicap accessible, bedroom and bathroom. He stressed that he has looked at every option and worked with a couple different architects to try to meet the current 46 foot setback but has found it impossible. The plan that is presented is the only option that will work. Mr. Ott went on to explain that the topography of the property and the location of the pond does not allow him to avoid building the addition into the setback.

Discussion followed mostly centered around the square footage of the addition and main structure. Mr. Ott stated if the variance was denied he would not build the addition because the 46 foot setback does not allow him enough room to make it handicap accessible or to properly give and get end of life care, which is the sole purpose in building the addition.

**Motion was made by Member Casey to open the public hearing. Supported by Member Milliken. Motion carried 4 to 0.**

Mr. Walter Huizenga came forward to speak to the unique circumstances surrounding this request and urged the Board to approve the request for the variance for Mr. Ott.

**Motion was made by Member Pennington to close the public hearing. Supported by Member Casey. Motion carried 4 to 0.**

**Motion was made by Member Pennington to approve a setback of 38 feet from the ROW line of Thornapple River Drive. Supported by Member Milliken. Motion carried 3 to 1.**

**ARTICLE 8. 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 4 to 0.**

Respectfully submitted,  
Tom McDonald, Secretary

## STAFF REPORT

STAFF REPORT: Case #17-3396  
REPORT DATE: July 24, 2017  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: September 12, 2017  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:  
Plafkin  
3390 Brookpointe Dr  
Cascade MI 49546

STATUS  
OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to construct an accessory building more than 200 sq ft closer to the rear property line than the required 25 feet.

EXISTING ZONING OF  
SUBJECT PARCEL(S): R2

GENERAL LOCATION: West side of Brookpointe just north of Tangelwood

PARCEL SIZE: Approximately 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 removed an old accessory building in the same location and started construction of a new building. However, the old building was grandfathered and when removed should have come into compliance for placement.

- 2) The building is 240 sq ft (20x12) and is a little over 10 feet away from the rear property line. Buildings over 200 sq ft are required to be 25 feet from the rear property line. Buildings 200 sq ft or less can have a 10 foot rear setback.
- 3) The applicant has indicated that they replaced the building because the water was rotting the building.
- 4) We did become aware of the situation from a drainage complaint from a neighbor. Although they are not violating any drainage rule the building dept did confirm the need for a permit and thus the required 25 foot setback from the rear property line.
- 5) One other possible remedy is to reduce the size of the building to 200 sq ft (or less) and then the 10 foot setback would be permitted. According to our building official this would not be that difficult.
- 6) From an inspection of the property it appears that the location could have been changed to increase the setback but probably still not the required 25 feet. The real solution would have been to reduce the building to 200 sq ft or less and keep it in the same location.

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:

<b><i>Findings of Fact</i></b>	<b><i>Comment</i></b>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The topography and location of the deck pool would make it difficult to meet the 25 foot rear yard requirement.
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 conditions of the property are not the result of actions taken by the applicant.
That such variance is the minimum variance that will make possible the reasonable use of the land, building,	They could move the building further away from the property line but would not be able to meet the 25 foot

or structure.	requirement. According to our building dept reducing the size of the building is not a big job.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	Could be seen as injurious to others since they would not be permitted the same. A smaller building would have rectified the situation
That the condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of so general or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.	This would be a recurrent situation and may send a negative message about doing projects with no permits
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 building the location to the property line is not as detrimental as it could be for a larger building.

**STAFF RECOMMENDATION**

Deny the request.

Attachments:        Application  
                              Site Plan



# SITE PLAN REVIEW PROCESS



## Planning & Zoning Application

**APPLICANT:** Name: Joseph & Bridget Plafkin  
Address: 3390 Brookpoint Dr  
Telephone: 9566680  
Facsimile: \_\_\_\_\_

**OWNER:\*** Name: Joseph & Bridget Plafkin  
Address: 3390 Brookpoint Dr  
Telephone: 9566680  
Facsimile: \_\_\_\_\_

(\*If different from the Applicant)

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:\*\*\***

would like to have 240 sq. ft shed (12x20) as was  
existing shed that was rotten with roof caving in that  
we took down

(\*\*\*Use Attachments if Necessary)

# SITE PLAN REVIEW PROCESS



LEGAL DESCRIPTION OF PROPERTY\*\*\*:

Lot 140 Whispering Brook No. 5

(\*\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19-16-352-029

ADDRESS OF PROPERTY: 3390 Brookpoint Dr SE

PRESENT USE OF THE PROPERTY: residential

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

Name(s)

Address(es)

_____	_____
_____	_____

### SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

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

Applicant – Print or Type Name

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

Applicant's Signature & Date

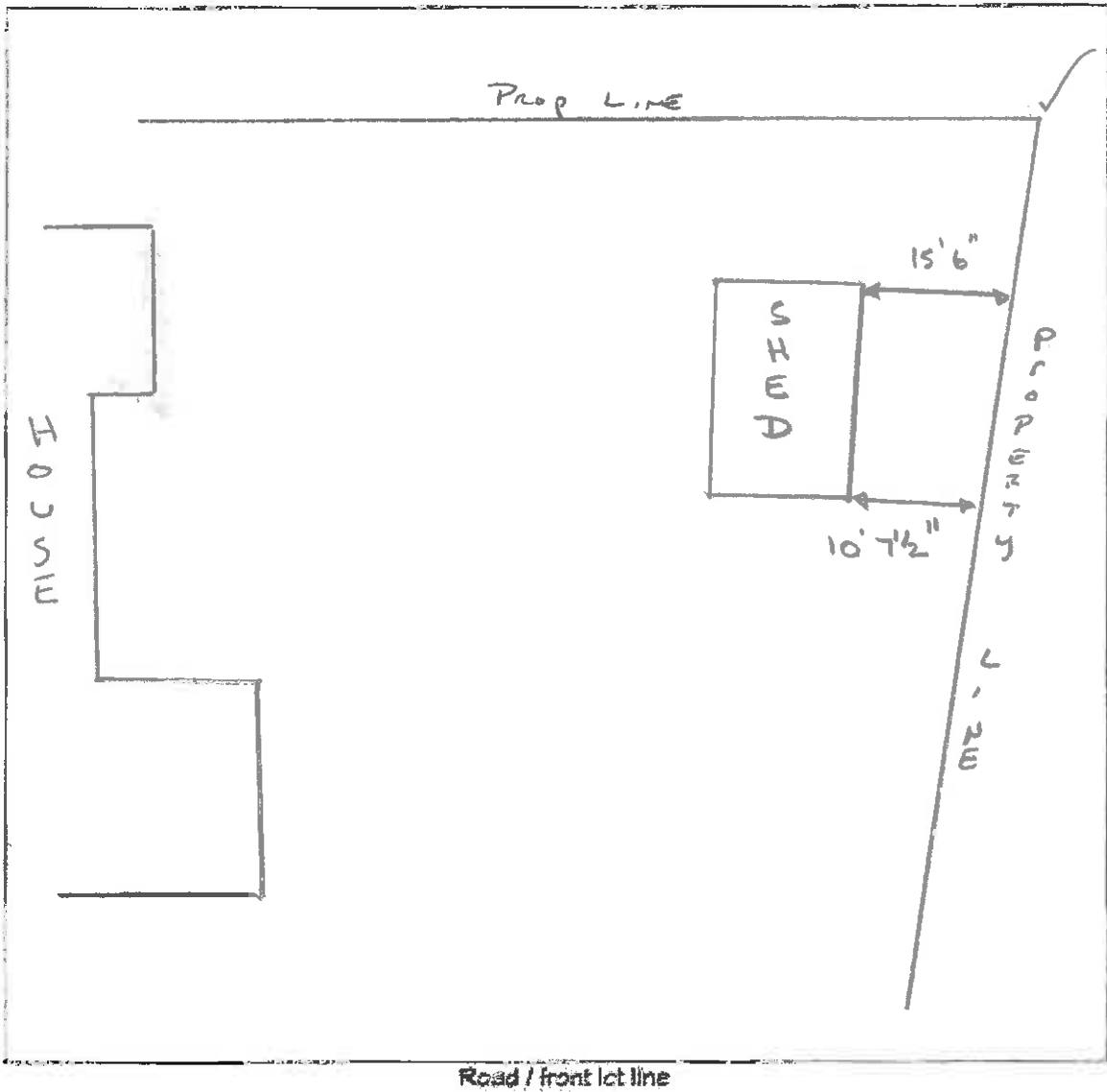
PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU!



# Site Plan

Address: 3390 Brookpoint Dr SE

Contact name/number: Bridget 299-7054



**\*\*Please note existing building locations and distances from lot lines for any additions or decks.**

**\*\*For swimming pools - include the required barrier location**



***STAFF REPORT***

TO: Cascade Township Zoning Board of Appeals  
FROM: Steve Peterson, Community Development Director  
REPORT DATE: August 10, 2017  
MEETING DATE: September 12, 2017  
CASE: #17-3397 / Universal Sign

***GENERAL INFORMATION***

STATUS  
OF APPLICANT: Sign company

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

EXISTING ZONING OF  
SUBJECT PARCEL: Industrial .

GENERAL LOCATION: south end of Kendrick Ct

PARCEL SIZE: Approximately 2.1Acres

EXISTING LAND USE  
ON THE PARCEL: Total Fire Protection

ADJACENT AREA  
LAND USES: ALL Industrial

ZONING ON ADJOINING  
PARCELS:  
All Industrial

**STAFF COMMENTS:**

- 1) The applicant is requesting a variance to install a new ground sign along Kendrick Ct. The reason for the variance is because they would like the sign closer than 25 feet from the road R.O.W.
- 2) They are requesting the sign to be 11 feet from the road right-of-way.
- 3) The size and height of the sign are limited to 50 sq ft and 5 feet tall. They are not asking for any variance from those requirements.

- 4) During a similar request in the Meadowbrooke Business Park we found that some other industrial users had signs closer than 25 feet to the ROW. We then granted a variance to allow a setback of no less than 10 feet to the ROW.
- 5) One of the reasons we gave the variance was the wider ROW that we have in the industrial areas and the relatively low, small signs that are permitted.
- 6) In this case, we have a 90 foot ROW with no real possibility that it would be expanded in the future. The sign would be about 38 feet off from the curb but because of the wide ROW the sign would only be 11 feet to the ROW.
- 7) In order to meet our required 25 foot setback they would probably need a variance for any sign along their frontage unless the sign was placed parallel to the road.
- 8) According to Section 9.07 of the Sign Ordinance, a variance may be granted by the Zoning Board of Appeals where the literal application of the Ordinance would create a GENUINE hardship for the sign user and the following criteria are met. Before the Zoning Board of Appeals reaches a decision they shall consider the following findings of fact:

Findings of Fact	Staff Comments
The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.	The sign would not seem to be a detriment to other property in the area.
The hardship created by a literal interpretation of the Ordinance is due to conditions unique to that property and does not apply generally to other properties in the Township.	The wide ROW is really what presents the problem, in addition to our relative small allowances for industrial sign. However, it does appear that they have room to back the sign away from the ROW.
The granting of the variance would not be contrary to the general purposes of this Ordinance or set an adverse precedent.	Given the other sign variance that we just granted in Meadowbrooke under similar circumstance it may be appropriate to consider changing the ordinance.

RECOMMENDATION

Staff would recommend that the variance be Approved with e minimum of a 10 foot setback to the ROW. I would also suggest that the ZBA recommend the planning commission consider changing the ordinance in the industrial areas where similar circumstances are present.

Attachments: Application w/attachments





# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Universal Sign  
Address: 5001 FalconView SE  
City & Zip Code: Grand Rapids MI 49512  
Telephone: 616-554-9999  
Email Address: Sandys@universalsignsystems.com

**OWNER: \* (If different from Applicant)**  
Name: Total Fire / G3 Holdings LLC  
Address: 5062 Kendrick Ct SE  
City & Zip Code: Grand Rapids MI 49512  
Telephone: \_\_\_\_\_  
Email Address: Sandys@universalsignsystems.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 checked="" type="checkbox"/> Sign Variance        |
| <input type="checkbox"/> Special Use Permit          | <input type="checkbox"/> Subdivision Plat Review *       |
| <input type="checkbox"/> Zoning Variance             | <input type="checkbox"/> Other: _____ *                  |

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

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

We would like to install sign in location shown  
on attached map/drawing. which is right in front  
on flag pole

(\*\*Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY\*\*:

Lot 6 Cascade Industrial Park

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 30-300-024

ADDRESS OF PROPERTY: 5002 Kendrick Ct SE

PRESENT USE OF THE PROPERTY: Commercial

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)

Sandy Solomon

Applicant - Print or Type Name

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

Sandy Solomon

Applicant's Signature & Date

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

Google Maps 5068 Kendrick Ct SE



Image capture: Oct 2007 © 2017 Google United States

Grand Rapids, Michigan

Street View - Oct 2007



### Measure Lot Size

Click on the map to set a marker. At least two markers are needed to measure distance and three markers to measure area. The markers are draggable.

You can drag the blue icon to a new location to display the address at that location.

Clear Markers

Remove Last Marker

Distance Area

Total distance:  
16 meters  
0.016 km  
54 feet  
18 yards  
0.010 miles



Driving Directions  
To Here - From Here

Show me the URL of this page so that I can make a link to it!

Sign to be located  
in front of flag pole  
approx 54 feet  
from center of roadway

86' wide R.O.W.

30' Setback from R.O.W. to  
parking lot.

Google Maps 5062 Kendrick Ct SE



Imagery ©2017 Google, Map data ©2017 Google United States 50 ft



### 5062 Kendrick Ct SE

Grand Rapids, MI 49512

At this location

#### Total Fire Protection

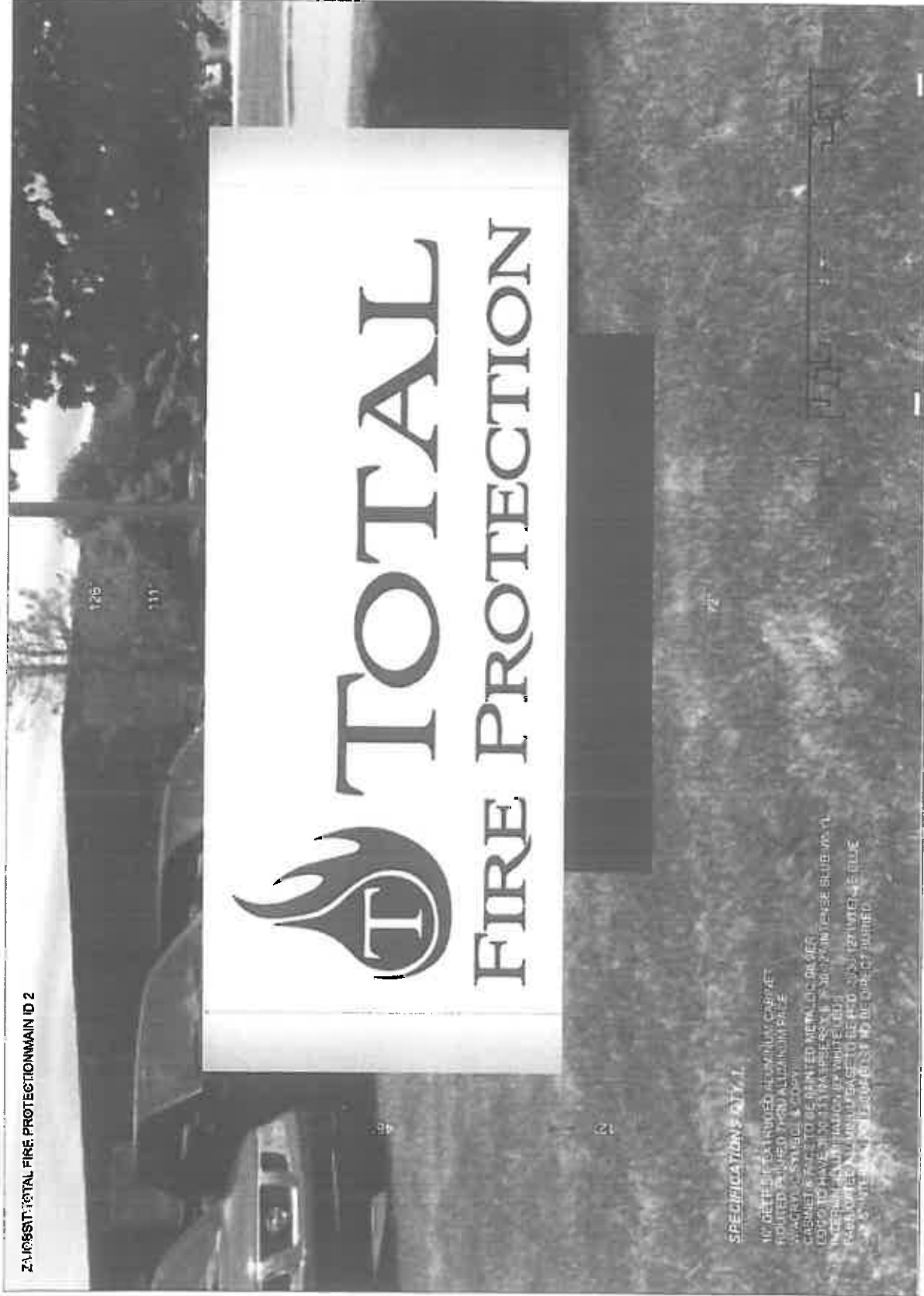
5.0 ★★★★★ (7)

Fire Protection System Supplier · 5062 Kendrick Ct SE

Closing soon: 5:00 PM



Z:\08531-TOTAL FIRE PROTECTION\MAIN ID 2



Project:

Date: 6.9.16

Approval:  
Name:  
Date:

Sign Offs:  
Graphics  
Production  
Purchasing  
Quality  
Load Out  
Notes:

Electrical Components

	Qty	Units	Notes
Lamp			
LED's			
Power Supply			
Breaker			
Toggle Switch			
Misc			



**SPECIFICATIONS ATTY 1.**

NO DETAIL FOR FINISHED ALUMINUM CABINET  
FINISHED POLISHED 7050 ALUMINUM FINISH  
CABINET TO BE PAINTED METAL LID OR OVER  
CABINET TO HAVE 1/2" X 1/4" INTERSECT ALL  
CORNERS AND EDGES (IF APPLICABLE)  
ELECTRICAL AND PIPING TO BE RED - 3/4" DIA. (IF BLUE  
SWITCHES) - 1/2" DIA. (IF NO DETAIL SHOWN)

## STAFF REPORT

STAFF REPORT: Case #17-3399  
REPORT DATE: August 29, 2017  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: September 12, 2017  
PREPARED BY: Steve Peterson, Community Development Director

APPLICANT:  
Jermiah Gruchow

STATUS  
OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to create a new lot that does not meet the required lot size of 18,000 sq ft.

EXISTING ZONING OF  
SUBJECT PARCEL(S): R2

GENERAL LOCATION: Corner of Cascade Rd and Leyton.

PARCEL SIZE: Approximately 32,000 sq ft

EXISTING LAND USE  
ON THE PROPERTY: Residential

ADJACENT AREA  
LAND USES: Residential

ZONING ON  
ADJOINING PARCELS: R2

### STAFF COMMENTS:

- 1) The applicant is asking for a variance to create a new lot from the existing parcel. As a result of the request both lots would be under the required 18,000 sq ft lot size.
- 2) The proposed lot sizes for the new parcels are 16,263, sq ft and 16,193 sq ft.
- 3) This parcel is the result of 4 old platted lots being combined. This area was platted in the late 1920's and at that time the lots were about 8,000 sq ft each.

- 4) Our records indicate that these platted lots have been combined into one lot since the late 1980's.
  - 5) Because they are old platted lots, which are not permitted to be split, we do allow platted lots that have been combined to be split if they can meet the unplatted lot area requirements. That is where the 18,000 sq ft comes from.
  - 6) The homeowner has indicated the reason for the split is to be able to sell the lot for another home. In order to do so the existing shed would have to be removed in order to meet zoning.
  - 7) We have had other requests to split parcels like this where they have combined several platted parcels, although none that required a variance for lot area.
  - 8) Because the lots were platted so long ago, is the reason you will find lots in the neighborhood that don't meet current minimum lot size requirements. It's the same reason you will find lots in our agricultural area under the 2.29 acre requirement. These are called "grandfathered" lots.
  - 9) Typically, when we have had a variance situation dealing with a grandfathered situation we have looked to make the matter closer to compliance. In some cases we have granted variances but that has been when moving toward compliance rather than away.
  - 10) One of the biggest concerns for creating small lots than required is its impact on the eventual development of the lot. The other rules for the area are set up assuming that you meet the basic requirements and it can cause a problem for the eventual development of the lot if they are not meeting all of the basic requirements.
- 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</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	I do not find any exceptional circumstances on this lot that would not apply to others.
That the exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant (or the applicant's predecessors) taken subsequent to the adoption of this Ordinance	The desire to split this lot is from action taken by the applicant.

That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure	The variance requested is a small amount.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare	Some in the area would feel that this is an unfair advantage and would probably want to take advantage as well.
That the condition or situation of the specific piece of 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 Ordinance	If granted it may cause the need to look at revising the ordinance.
That complying with the Ordinance presents practical difficulty	The applicant could reconfigure the property line to sell a portion to the neighbor.

**STAFF RECOMMENDATION**

I do not find that they are meeting all of the standards to grant the request and would recommend that the request be denied.

Attachments:           Application  
                                  Site Plan



7061 Cascade Rd

SHEFFIELD DR

THORNCREST DR

REDFORD AVE

HAYWARD DR

HAYWARD DR

LETTON DR

BEHLER DR

CASCADE RD

WEST DR

UTHWARD

THORNCREST DR

JEANLIN DR

THORNCREST DR



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

APPLICANT: Name: Jewel & Jeremiah Gruchow  
Address: 7061 Cascade Road SE  
City & Zip Code Grand Rapids, MI 49546  
Telephone: (616) 885-6180  
Email Address: jeremiah@patriot-realty.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 checked="" type="checkbox"/> Other: <u>Lot Split</u> *

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

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

Approval of a zoning variance on the required minimum lot area (18,000 sq. ft.) in order to reconfigure  
platted lot lines to create an additional building site for a single family residence (R2). See attached supporting documentation.

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

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

Lots 13-16 of Cascade Terrace, Block 12, Cascade Township, Kent County, Michigan, according  
to the recorded plat thereof.

(\*\*Use Attachments if Necessary)

**PERMANENT PARCEL (TAX) NUMBER:** 41-19-16-278-011

**ADDRESS OF PROPERTY:** 7061 Cascade Road SE, Grand Rapids, MI 49546

**PRESENT USE OF THE PROPERTY:** Single Family Residential (R2)

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

**Name(s)**

**Address(es)**

Huron Valley Financial (Mortgage)

2395 Oak Valley Dr., Ste 200, Ann Arbor, MI 48103

**SIGNATURES**

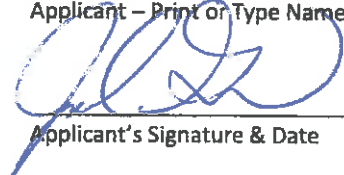
*I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review 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)

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

Jewel Gruchow  
Applicant – Print or Type Name

 8/11/17  
Applicant's Signature & Date

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

## Property Search

### Split History

This Parcel History report contains changes to parcel numbers from 1989 to 2003 only. To obtain changes after 2003 look in the tax description. Parcel history from 1968 to 1989 can be obtained by contact Property Description & Mapping at (616) 632-7520.

**Parcel Number:** 41-19-16-278-011

**Property Address:** 7061 CASCADE RD SE

<b>Split Date</b>	<b>Parcel Number</b>	<b>Parent/Child</b>
10/27/1988	<b><u>41-19-16-278-003</u></b>	Parent
10/27/1988	<b><u>41-19-16-278-004</u></b>	Parent
10/27/1988	<b><u>41-19-16-278-011</u></b>	Child

## **SUPPORTING DOCUMENTATION FOR ZONING VARIANCE**

### ***STATEMENT OF OWNERSHIP AND INTEREST:***

Jewel & Jeremiah Gruchow are the Applicants and Owners of the property commonly located at 7061 Cascade Road SE, Grand Rapids, MI 49546. The legal description of the property is Lots 13-16 of Cascade Terrace, Block 12, Cascade Township, Kent County, Michigan, according to the recorded plat thereof. The applicants acquired the above-described property on March 30, 2012. The property is zoned R-2 Residential and is approximately 32,540 square feet in area.

### ***HISTORY OF THE PROPERTY:***

When this neighborhood was originally platted and designed, the above-described property consisted of two separate parcels, both suited as a building site for single family residential dwellings: Parcel Number 41-19-16-278-003 (Lots 15 & 16 of Cascade Terrace, Block 12, commonly located at 7061 Cascade Road SE) and Parcel Number 41-19-16-278-004 (Lots 13 & 14 of Cascade Terrace, Block 12, commonly located at 7095 Leyton Drive SE). Prior to the Applicants purchasing the property in March 2012, the previous property owner combined the 2 parcels into 1 parcel (Parcel Number 41-19-16-278-011) for property tax payment purposes on October 27, 1988. We were informed that since that time there were changes in the Township Ordinances and/or Bylaws that require a minimum lot size of 18,000 square feet in order to be a conforming lot, and therefore the Applicants are unable to reconfigure the platted lot lines in order to create an additional building site as it was originally designed.

### ***PRECEDENT:***

Lot splits and reconfigurations of platted lot lines are not unprecedented in this area. In fact, a similar reconfiguration was approved by this Board in 1997 for a property located only a block away at 3024 Wycliff Drive. The Applicants' proposed lot split/reconfiguration is analogous to that of 3024 Wycliff in that the proposed split would take 1 parcel consisting of 4 lots and create 2 parcels consisting of 2 lots each. However, Applicants' proposed lot split is distinguishable from that case in that this Board's 1997 approval did not necessitate the use of a variance. The lot at 3024 Wycliff consisted of approximately 42,000 sq. ft., which left the resulting created parcels over the 18,000 sq. ft. minimum area requirement. Applicants' current parcel is approximately 32,540 sq. ft., and applicants are proposing a reconfiguration that would create 2 parcels with approximately 16,263 sq. ft. and 16,193 sq. ft. – 1,737 and 1,807 sq. ft. shy of the 18,000 sq. ft. minimum.

***ESSENTIAL CHARACTER & EFFECT TO ADJACENT PROPERTIES:***

There will be no disruption to the essential character of the neighborhood, and there will be no adverse effect to the adjacent properties. If approved, the resulting additional parcel will create a new building site for the development of a single family dwelling on a double lot, similar to the adjacent properties. Applicants would like to note that the majority of parcels in this neighborhood, and its surrounding area, currently consist of parcels under the 18,000 sq. ft. minimum and are of similar size to the parcels proposed by the Applicants.

While the Applicants are in no way requesting approval of any structure, they have included a conceptual drawing (drawn to scale) to show that, if the variance for minimum square footage requirement was approved, the construction of a single family dwelling, similar in size and shape to the existing home of Applicants', would meet all other zoning ordinance requirements (setback, frontage, etc.)

***IMPACT TO THE TOWNSHIP:***

If approved, the resulting parcel would place no additional demands on public services, township roads, or facilities. Another home served by Cascade Road or Leyton Drive would not exceed their capacities. As mentioned above, the proposed parcel was originally platted and intended to be suited for the development of a single family dwelling. The proposed parcel is already set up for water service (inspection report attached), however is not currently set up for sewer/septic, and as a result, Applicants were given conflicting opinions/advice on whether a Vacant Land Evaluation ("Perk Test") would be required. Therefore, Applicants are requesting approval of the variance for the minimum lot area requirement subject to a Perk Test should it be deemed necessary. Similarly, Applicants were unaware if they were required to apply for a driveway easement at this time, and therefore would request approval of the variance subject to obtaining a driveway easement if deemed necessary. Should this Board approve of the requested variance, and should it be deemed necessary, Applicants shall order a Perk Test and file for a driveway easement within a period of 60 days from the date of approval.

The Applicants thank the members of the Board in advance for their time and consideration in this matter, and they look forward to answering any additional questions and discussing further at the Zoning Board of Appeals meeting on September 12, 2017.

Respectfully submitted:

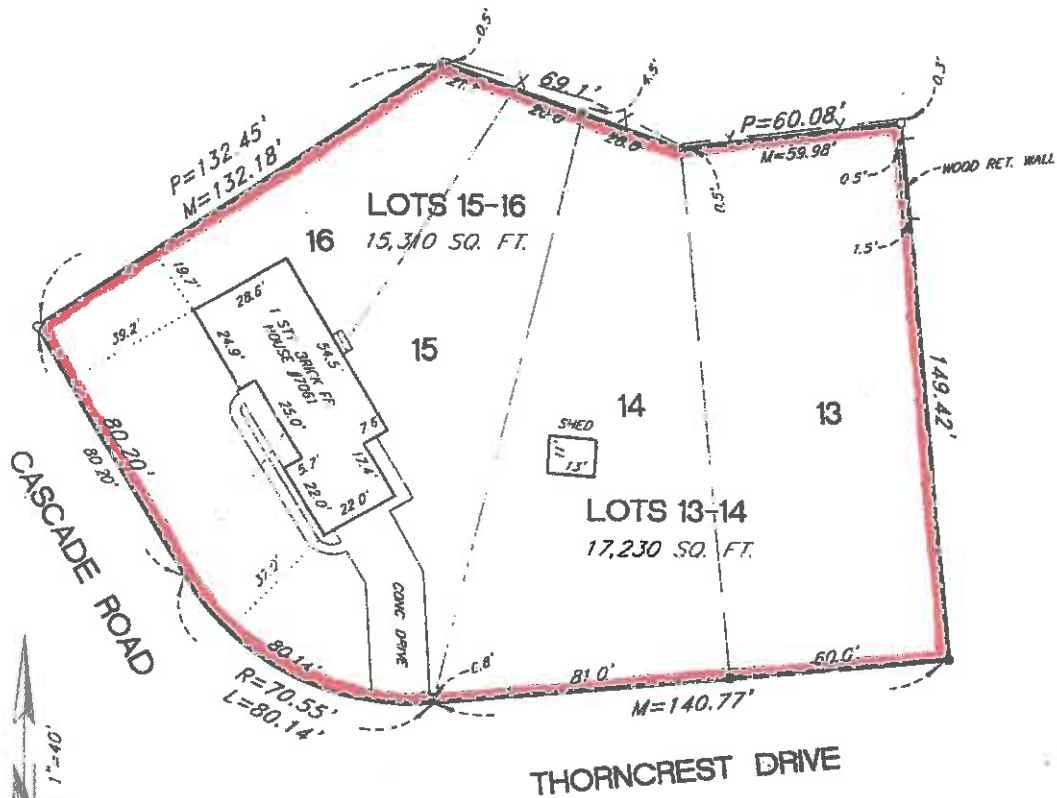


Alexander B. Pfeifle, J.D.  
*Attorney on behalf of Mr. & Mrs. Gruchow*  
(616) 633-8417

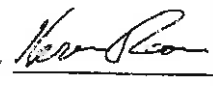
Project No.170018  
 Date: February 15, 2017  
 For: Jeremiah Gruchow  
 7061 Cascade Road SE  
 Grand Rapids, MI 49546

**LEGAL DESCRIPTION**  
 Lots 13-16, Block 12, Cascade Terrace, Cascade Township, Kent County,  
 Michigan, according to the recorded plat thereof.

**CURRENT EXISTING LOT**  
 PERMANENT PARCEL NUMBER: 41-19-16-278-011



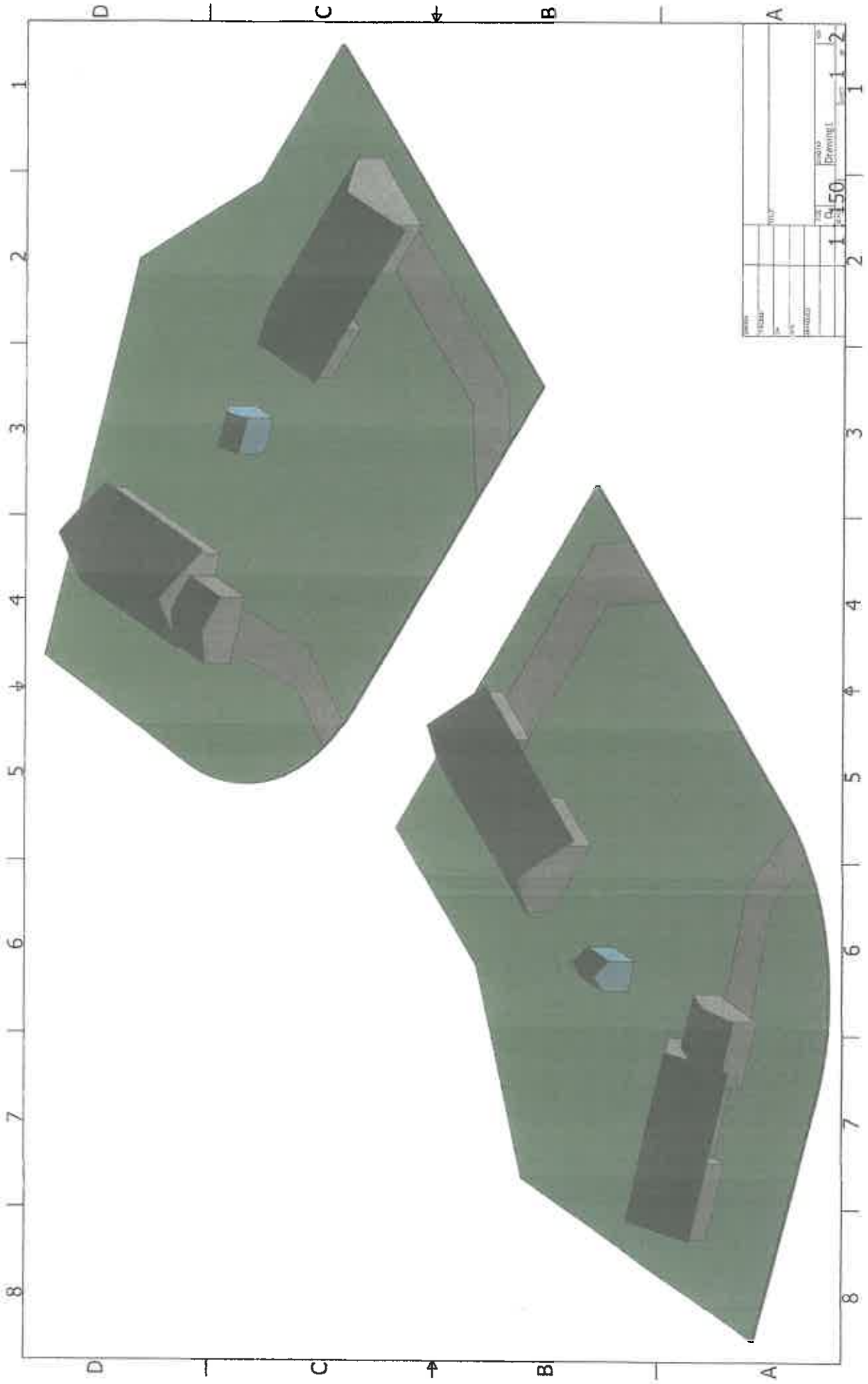
I hereby certify that the buildings and improvements are located entirely thereon and that said buildings and improvements are within the property lines and that there are no existing encroachments upon the lands and property described unless otherwise shown hereon.

<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li>○ IRON STAKE - SET</li> <li>● IRON FOUND</li> <li>□ WOOD STAKE</li> <li>R RECORDED DIMENSION</li> <li>D DEED DIMENSION</li> <li>P PLATTED DIMENSION</li> <li>M MEASURED DIMENSION</li> <li>C CENTERLINE</li> <li>F FENCE LINE</li> </ul>	<p><b>Ronsien &amp; Associates</b>          SURVEYING AND ENGINEERING</p> <p>5055 PLAINFIELD AVENUE, NE          GRAND RAPIDS, MICHIGAN 49525          TELE. (616) 361-7225          FAX (616) 361-1822</p>	<p>STATE OF MICHIGAN</p> <p>KEVIN ROOSIEN          LAND SURVEYOR          No. 31604</p> <p>PROFESSIONAL SURVEYOR</p>	<p>BY </p>
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**CONCEPTUAL DRAWING SHOWING NO DISRUPTION TO THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD AND MEETS ALL OTHER ZONING ORDINANCE REQUIREMENTS.**

SCALE: 1" = 150'



**INSPECTIONS SERVICES/TRENCHING SECTION**

**GRAND RAPIDS, MICHIGAN**

**HO 40503**

FORM 584

CONTRACTORS

Jen Kel

OWNER

ADDRESS

7095 Leyton Dr S.E.

CITY

Cascade

	Sewer	Water	Storm	Repair	Street Open	Outside City	PRICE
<b>PLUMBING:</b>							\$
<b>TAPPING:</b>	Size 1"						N.C.
<b>METER:</b>	Size					Bar Issued	
						YES	NO

**WATER TRUNKAGE**

**WATER FOOTAGE**

**SEWER TRUNKAGE**

**SEWER FOOTAGE**

**MISC.**

Date

Nov. 3, 19;88

**TOTAL \$ N.C.**

Plumber

Jen Kel

Billing

N.C.

**NOTICE:** Before working in major streets, call Transportation Dept., 456-3066  
Street openings require a compaction test. When in the right-of-way,  
a patch is required the same day. Call City Engineers, 456-3060.

TAP 1" # 86519

J.C.

Clerk

**HO 40503**

Owner

Address 7095 Leyton Dr S.E.

1

**PERMIT APPLICANT AGREES TO COMPLY WITH ALL CITY ORDINANCES AND CODES.**

Wye Y Branch Inspected \_\_\_\_\_ Size \_\_\_\_\_

Depth of sewer \_\_\_\_\_ At Curb \_\_\_\_\_ At lot \_\_\_\_\_

Dist. from \_\_\_\_\_ line of house to lat \_\_\_\_\_ to box \_\_\_\_\_

Dist. from MH to opening at main curb \_\_\_\_\_ At lot \_\_\_\_\_

Water Service \_\_\_\_\_ Size \_\_\_\_\_ Depth of main at lot \_\_\_\_\_

Top \_\_\_\_\_ feet \_\_\_\_\_ of \_\_\_\_\_ at \_\_\_\_\_ St \_\_\_\_\_

Curb Box Location \_\_\_\_\_

Date Inspected \_\_\_\_\_ Inspector \_\_\_\_\_

20303

... ..

Plumber

Jen Ke1

Billing

N.C.

NOTICE: Before working in major streets, call Transportation Dept., 456-3066. Street openings require a compaction test. When in the right-of-way, a patch is required the same day. Call City Engineers, 456-3060.

TAP 1" # 86519

J.C.

HO 40503

Clerk

Owner

Address 7095 Leyton Dr S.E.

3

PERMIT APPLICANT AGREES TO COMPLY WITH ALL CITY ORDINANCES AND CODES.

TAPPING PERMIT  
ENGINEERING DEPT.

Date of tapping

Tap 73 feet East

80201

cor. of

Leyton

and Cascade Rd.

Location of

Hyd. Valve @ N.E. -

St.

St. Depth of main

5 ft. 9

in.

Remarks 103' N. of N. Bldg. Ln. x 11' W. of W' Bldg. ln. of the #7085

86519

Leyton

TAPPING PERMIT NUMBER

FOREMAN



