

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, February 13, 2024
5:30 pm
2870 Jacksmith Ave

- ARTICLE 1. Call the meeting to order
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Approve the minutes from the November 14, 2023 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 #23-3808 Kramer Jr.
Public Hearing
Property Address: 3590 Meadowood Trails
Requested Action: The applicant is requesting to split a platted lot.**
- ARTICLE 7. Case #24-3812 Haveman
Public Hearing
Property Address: 8960 28th Street
Requested Action: The applicant is requesting a variance to allow an accessory building in the front yard.**
- ARTICLE 8. Election of Officers**
- ARTICLE 9. Any Other Business**
- ARTICLE 10. Adjourn**

Meeting format

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

Minutes
Cascade Charter Township
Zoning Board of Appeals
Tuesday, November 14, 2023
5:30 pm
2870 Jacksmith Ave SE

- ARTICLE 1.** Chair Moxley called the meeting to order at 5:31 p.m.
Members Present: McDonald, Mead, Moxley, Berra, Milliken
Members Absent: None
Others Present: Zoning Administrator (ZA) Smith-Jacoby and others listed on the sign-in sheet.
- ARTICLE 2. Pledge of Allegiance**
- ARTICLE 3. Approve the current Agenda**
Motion was made by Member Mead to approve the current agenda. Supported by Member Berra. Motion carried 5 to 0.
- ARTICLE 4. Approve the Minutes of the October 10, 2023 Meeting**
Motion was made by Member Berra to approve the October 10, 2023 meeting minutes as written. Supported by Member Mead. Motion carried 5 to 0.
- ARTICLE 5. Acknowledge any visitors and those wishing to speak**
There was no one wishing to speak.
- ARTICLE 6. Case #23-3796 Spring Hills Suites**
Property Address: 5250 28th Street
Requested Action: The applicant is requesting a variance to place temporary storage on the property.
ZA Smith-Jacoby presented the case and explained the applicant is seeking to add temporary storage containers on their property while they go through a remodel.
Lisa Wedding, Regional Director of Sales, agreed to a project end date of April 1, 2024.
Motion was made by Member McDonald to open public hearing. Supported by Member Mead. Motion carried 5 to 0.
There was no one wishing to speak.
Motion was made by Member McDonald to close public hearing. Supported by Member Mead. Motion carried 5 to 0.
Motion was made by Member McDonald to approve the variance as requested with a project end date of April 1, 2024. Supported by Member Mead. Motion carried 5 to 0.

ARTICLE 7. Case #23-3797 Hampton Inn- Lighthouse Lodging

Property Address: 5200 28th St

Requested Action: The applicant is requesting a variance to place temporary storage on the property.

ZA Smith-Jacoby presented the case and explained the applicant is seeking to add additional storage containers on their property as they go through renovations. Staff recommended approval contingent on an agreed-upon end date.

Lisa Wedding agreed to have the containers removed by the end of January.

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

There was no one wishing to speak.

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

Motion was made by Member Mead to approve the variance with an end date of February 1, 2024. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 8. Case #23-3799 Epique Homes

Property Address: 3660 Cherry Lane

Requested Action: The applicant is requesting a side yard variance

ZA Smith-Jacoby presented the case and explained that the applicants are seeking a side yard variance to place their accessory building 21ft from the property line on their 10.2-acre parcel. The height to midpoint is proposed to be 17ft tall which requires a 40ft setback. The planned location of the building is necessary for wheelchair accessibility.

There was no apparent exceptional condition for the proposed location based on the size of the parcel. Staff recommended denial of the variance, but did propose conditions listed in the packet if the Zoning Board chooses to approve.

Member Mead reviewed plans and visited the site and noted earthwork had been completed on the property.

Troy Schrock, a representative with Epique Homes, clarified that the proposed location is set so the applicant, who is a wheelchair user, can have access from an elevator within the building down to the backyard. Other locations were attempted but due to terrain and preference, the location presented will best suit the applicant's needs. There will be a connection from the existing driveway to the new structure.

Scott Schrottenboer, the applicant, stated that the primary reason for completing this project is to have easier access to the backyard to play with their children.

Member McDonald expressed concerns about a neighbor's complaint regarding the barn's proximity to the property line, questioning why it was placed closer there than the house. Schrock explained the space in between the building and the house was needed for proper drainage. He had minimal concerns regarding runoff onto the neighbor's property once landscaping was completed such as a berm and placement of trees.

Member Mead wanted extra precautions taken to capture water runoff. He also felt a different location of the building would be more comfortable. The applicant agreed to implement measures to prevent runoff and add landscaping to screen the barn.

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

Kristen Schidiell (8494 36th Street) owns the property adjacent to the applicant. She is pleased that there's a nice home being built, but felt there could be better placement of the accessory building since the property is large. The biggest concern was the potential water runoff due to the building's proximity to the property line. She recommended that the applicants plant tall trees by the property line along the length of the building.

Schrock explained they have previously completed berms that successfully redirected water runoff.

The applicant agreed to submit a water retention plan for review by the township engineer and plant trees along the property line.

Jack Holt (3717 Cherry Lane) is a neighbor and suggested controlling water runoff using a drainage swale.

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

Member Mead mentioned that the new project is situated on 10.2 acres, with the house and barn chosen to be located there.

Member McDonald said there needs to be a proper compromise between the applicant, who violates the ordinance, and the neighbor.

Motion was made by Member McDonald to approve the proposed variance with Staff's conditions of planting no less than 5 10ft tall evergreen trees along the north property line, the building may not be used as a business or dwelling, a submitted water control and direction plan must be reviewed by the township engineer, and a survey must be completed before any permits are issued. Supported by Member Berra. Motion carried 4 to 1.

ARTICLE 9. Any other business

The next scheduled meeting is December 12.

Member Moxley is having a model railroad open house at his residence on November 24.

ARTICLE 10. Adjournment

Motion was made by Member Mead to adjourn the meeting. Supported by Member Berra. Motion carried 5 to 0. The meeting adjourned at 6:41 p.m.

Respectfully submitted,

Valerie Milliken, Secretary

DRAFT

STAFF REPORT

STAFF REPORT: Case # 23 - 3808
REPORT DATE: February 1, 2024
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: February 13, 2024
PREPARED BY: Madison Smith-Jacoby

APPLICANT

Robert A. Kramer Jr.

STATUS
OF APPLICANT: Property Owner

REQUESTED ACTION: Seeking a variance to allow a platted lot to be split

EXISTING ZONING OF
SUBJECT PARCEL: PUD – 45, Meadowood Trails

GENERAL LOCATION:

PARCEL SIZE: approximately 1.08 acres

PROPERTY LOCATION: 3590 Meadowood Trails SE

EXISTING LAND USE
ON THE PARCEL: Residential

ADJACENT AREA
LAND USES:
N: Residential/ General Common Element
E: General Common Element
S: Residential
W: Residential

ZONING ON
ADJOINING PARCELS:
N: PUD – 39
E: PUD – 39
S: PUD – 45
W: PUD – 45

STAFF COMMENTS:

- A. The applicant is requesting a variance to re-establish Lot 8 of the Meadowood Trails PUD. This requires the splitting of a platted parcel.
- B. The Meadowood Trails Development was approved in 1989. The original plat map is included in your packet.
- C. The current parcel (3590 Meadowood Trails) was previously separate, as lots #8 and #9 of the PUD. Since 1999, Lot 8 and 9 were combined, an access easement through Lot 8 was established, the properties sold pending lot reconfiguration (and an expansion to 3590 Meadowood Trails garage was approved), the golf course closed, the lot reconfiguration was not formally completed, the access easement was released in 2014. This history is not crucial to the review of this plat split, but provides historical context for the lots. The current survey is in your packet.
- D. This parcel has a unique history dating back to previous owners in 1999 who did not properly file the lot combination to amend the Master Deed for Meadowood Trails. As it stands, the Association recognizes Lots 8 and 9 as being separate. Kent County recognizes lots 8 and 9 as combined. The applicant is requesting to 'clean-up' this issue by reverting the lots back to their original intention with the Master Deed.
- E. In consideration of past variances granted to split a platted lot (about 5 in the past 15 years), we do not have any cases like this one. Past approvals were for lot reconfigurations.
- F. The Kramer residence will not meet setback requirements if the lot reverts back to its Master Deed descriptions. The home would encroach into Lot 8. Mr. Kramer has indicated that an easement would be put in place to remedy the situation, or he would be willing to modify the home to remedy this. Additionally, the current access to the garage would be removed and the primary access to Lot 9 would be on Lot 9's parcel. The proposed buyer of this Lot 8 has written a letter speaking to this encroachment. I have included it in the packet for reference.
- G. The split would reestablish lot #8 as vacant. A single-family home would be permitted here according to the PUD ordinance. I would recommend that if the variance is granted that the lot split application procedures still be completed with the Township to determine lot buildability and formal registration process with the Kent County Register of Deeds be completed.
- H. I have not received any public comment regarding this variance request. Mr. Kramer is on the Meadowood Trails Association board and can speak to the Association's stance on the matter.

Criteria for Approval

Pursuant to the Cascade Township Subdivision Ordinance #5 of 2003,

- i. Prior to a decision being made, a hearing shall be held by the Zoning Board of Appeals. Prior written notice of the hearing shall be given to the owners of all property located within 300 feet of the property at issue at least 5 days prior to the hearing, in the same fashion and in the same manner as would occur for a variance hearing pursuant to Chapter 23 of the Township Zoning Ordinance.
- ii. The decision of whether to approve or deny the request shall be within the discretion of the Zoning Board of Appeals.
- iii. In determining whether to grant the request for a partition, division, split or reconfiguration of the lot lines, the Zoning Board of Appeals shall consider the following standards:

<i>Findings of Fact</i>	<i>Comment</i>
Whether the resulting lots will have a materially adverse effect on adjacent uses or properties.	Because this PUD was originally two lots here, I do not see this adversely impacting adjacent properties other than Mr. Kramer having less land and the immediate neighbors to the south having a bit less open space next door. The parcels are surrounded by permanent open space for the PUD next door. Additionally, the existing home would encroach on lot #8 creating a nonconforming structure that doesn't meet setbacks. I do see this as a concern as we should not be creating nonconformities.
Whether the resulting lots will change the essential character of the surrounding area or neighborhood.	The Meadowood Trails PUD originally intended for 7 single family homes on Meadowood Trails Court and there is currently only 4 homes built on the street.
Whether the resulting lots will place demands on public services, roads and facilities in excess of their capacities.	The street is on city water and sewer so excess demands would not be created as utility is existing.
Whether the resulting lots will establish a precedent which could adversely affect the long-term goals of the Township Zoning Ordinance and Master Plan	It is important to consider the lot size this split of a platted lot would be creating. This lot, if split to its original size, could still be in compliance with the existing lot size requirements for the underlying R, R2 zoning district or the Subdivision Ordinance. The zoning wasn't in place when this development was approved. The main issue is creating a nonconforming lot due to Lot #9 not meeting setback requirements, and Lot #8 having a home encroaching on the property.

iv. If the Zoning Board of Appeals grants the request, reasonable conditions may be attached to the approval.

(1) No partition, division, split or reconfiguration of lot lines shall be allowed that would result in the creation of a lot that does not satisfy the minimum requirements of the Township Zoning Ordinance, as amended.

(2) A decision rendered by the Zoning Board of Appeals with respect to this section may be appealed to the Township Board by any person aggrieved by such decision within 10 calendar days of the date on which the contested decision was rendered. Such appeal shall be made in writing to the Planning Director who shall, upon receipt of the appeal, provide notice of a second public hearing pursuant to section 5.4(9)(a) above, except that such notice shall specify that the hearing is to be held before the Township Board. A decision rendered by the Township Board shall be final unless such decision is reversed or modified by a court of competent jurisdiction

RECOMMENDATION

Staff recommends that this plat split be DENIED because this creates a nonconforming situation.

Should the Zoning Board of Appeals wish to approve the application, I recommend the following conditions:

1. The existing home on 'Lot 9' is brought into compliance with the setback standards for the Meadowood Trails PUD – 10 feet from the property line to the foundation of the home.
2. A lot split application is completed and submitted to Cascade Township for approval. Upon approval the split must be filed with the Kent County Register of Deeds.



CASCADE CHARTER TOWNSHIP

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

PLANNING & ZONING APPLICATION

APPLICANT:

Name: Robert A Kramer Jr

Address: 3590 MEADOWWOOD TRAILS SE

City & Zip Code: GRAND RAPIDS 49546

Telephone: 616-460-6588

Email Address: KrBob15@hotmail.com

OWNER: * (If different from Applicant)

Name: _____

Address: _____

City & Zip Code: _____

Telephone: _____

Email Address: _____

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

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

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

BRIEFLY DESCRIBE YOUR REQUEST:**

Recognize 2 Lots As Described In our
ASSOCIATION MASTER DEED. Currently Recognized
As Lot #9. Re-Assign As Lots #8 & #9

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

Lot # 8 OF MASTER DEED

* SEE ATTACHED

Currently Combined with Lot # 9

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19

ADDRESS OF PROPERTY: 3589 Meadowood Trail

PRESENT USE OF THE PROPERTY: VACANT LOT

**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)

Robert A. Kramer Jr.
Applicant – Print or Type Name

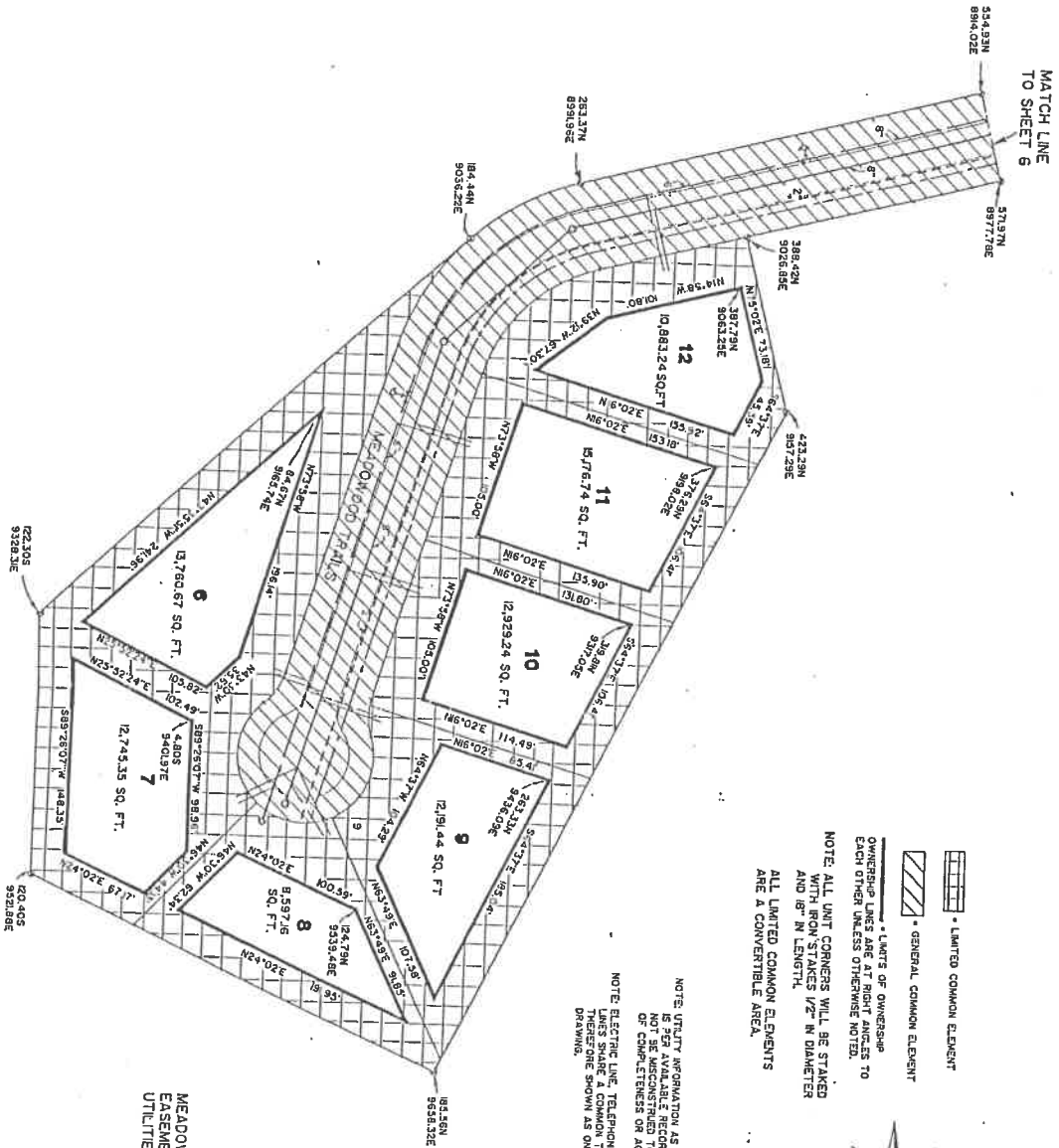
*

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

ORIGINAL PLAT MAP FOR MEADOWOOD TRAILS PUD OF 1989



* LIMITED COMMON ELEMENT
 * GENERAL COMMON ELEMENT
 * LIMITS OF OWNERSHIP
 OWNERSHIP LINES ARE AT RIGHT ANGLES TO
 EACH OTHER UNLESS OTHERWISE NOTED
 NOTE: ALL UNIT CORNERS WILL BE STAKED
 WITH IRON STAKES 1/2" IN DIAMETER
 AND 18" IN LENGTH.
 ALL LIMITED COMMON ELEMENTS
 ARE A CONVERTIBLE AREA.



NOTE: UTILITY INFORMATION AS SHOWN HEREON
 IS PER AVAILABLE RECORD, AND SHOULD
 NOT BE MISCONSTRUED TO BE A GUARANTEE
 OF COMPLETENESS OR ACCURACY.
 NOTE: ELECTRIC LINE, TELEPHONE LINE AND CABLE
 LINES SHARE A COMMON TRENCH AND ARE
 THEREFORE SHOWN AS ONE LINE ON THIS
 DRAWING.

NOTE: THE NUMBERED AREA SURROUNDING
 EACH UNIT IS LIMITED COMMON
 ELEMENT APPURTENANT TO THAT
 UNIT.

NOTE: ALL UTILITIES MUST BE BUILT
 PAYING FEES NOT BE BUILT

MEADOWOOD TRAILS IS A 66' WIDE
 EASEMENT FOR PUBLIC AND PRIVATE
 UTILITIES

UTILITY & SITE PLAN MEADOWOOD TRAILS

EXCEL ENGINEERING INC. 3952 CALAY AVE. S.W. GRAND RAPIDS MI 49508

PROPOSED APRIL 20, 1989
 AMENDED JUNE 5, 1990



PROPOSED PLAT SPLIT

DESCRIPTION

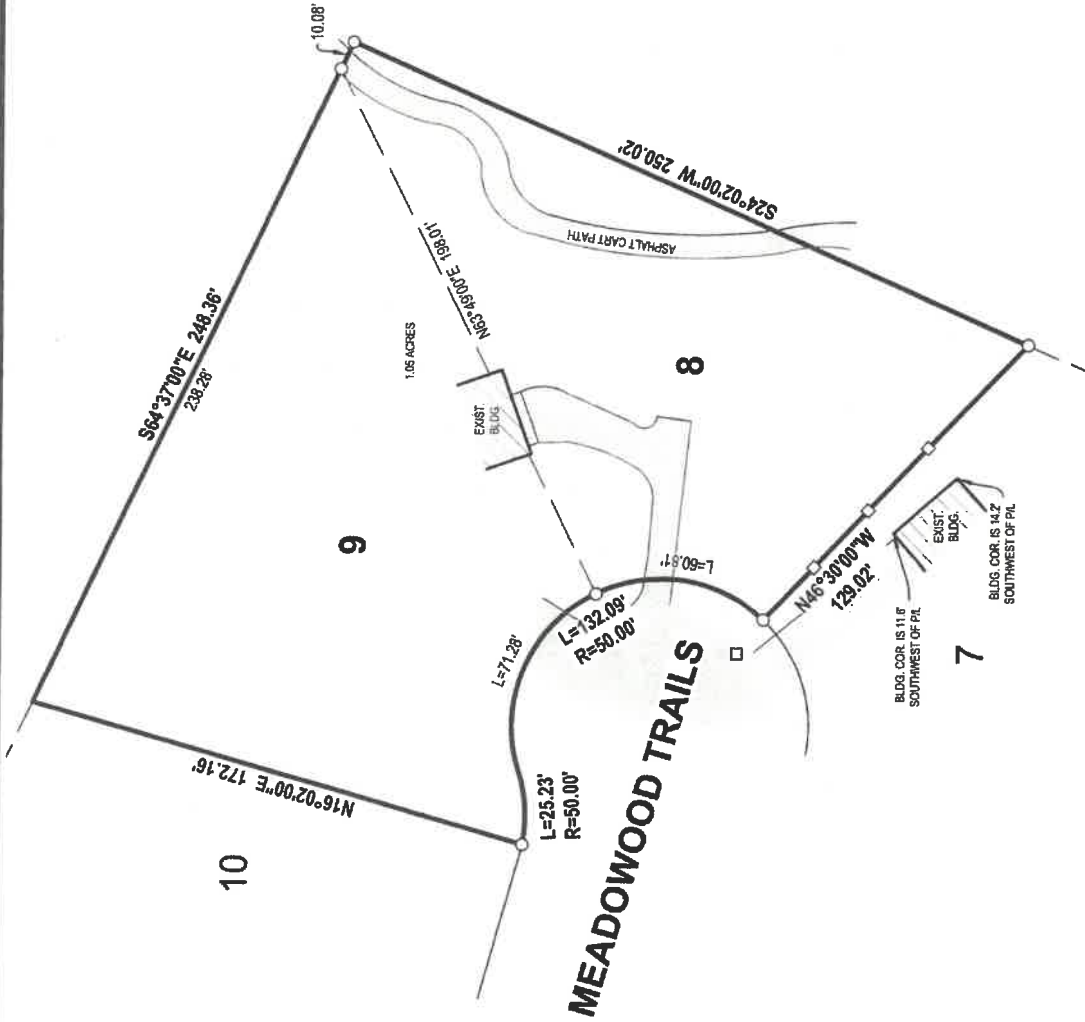
Real estate situated in Cascade Township, Kent County, Michigan, described as:

Unit 8 and 9, Meadowood Trails, a site Condominium according to the Master Deed recorded in Liber 2647, Pages 152 through 196, inclusive and first Amendment as recorded in Liber 2792, Pages 457 through 469, inclusive and Second Amendment recorded in Liber 3787, Pages 557 through 589, inclusive and Third Amendment recorded in Liber 4517, Pages 592 through 602 inclusive in the Office of the Kent County Register of Deeds and designated as Kent County Condominium Subdivision Plan No. 167 together with rights in general common elements and limited common elements as set forth in said Master Deed and as described in Act 59 of the Public Acts of 1978 as amended

(Quit Claim Deed, dated August 25, 2020, as recorded in Instrument No. 202010090094320, Kent County Register of Deeds)

LEGEND

- Set Wood Stake
- ▭ Asphalt
- ▨ Concrete
- ▩ Existing Building



This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

By: *Randal J. Vuglveen*
 Randal J. Vuglveen Licensed Professional Surveyor No. 4001028429



SCALE: 1" = 50' 0" 25' 50'



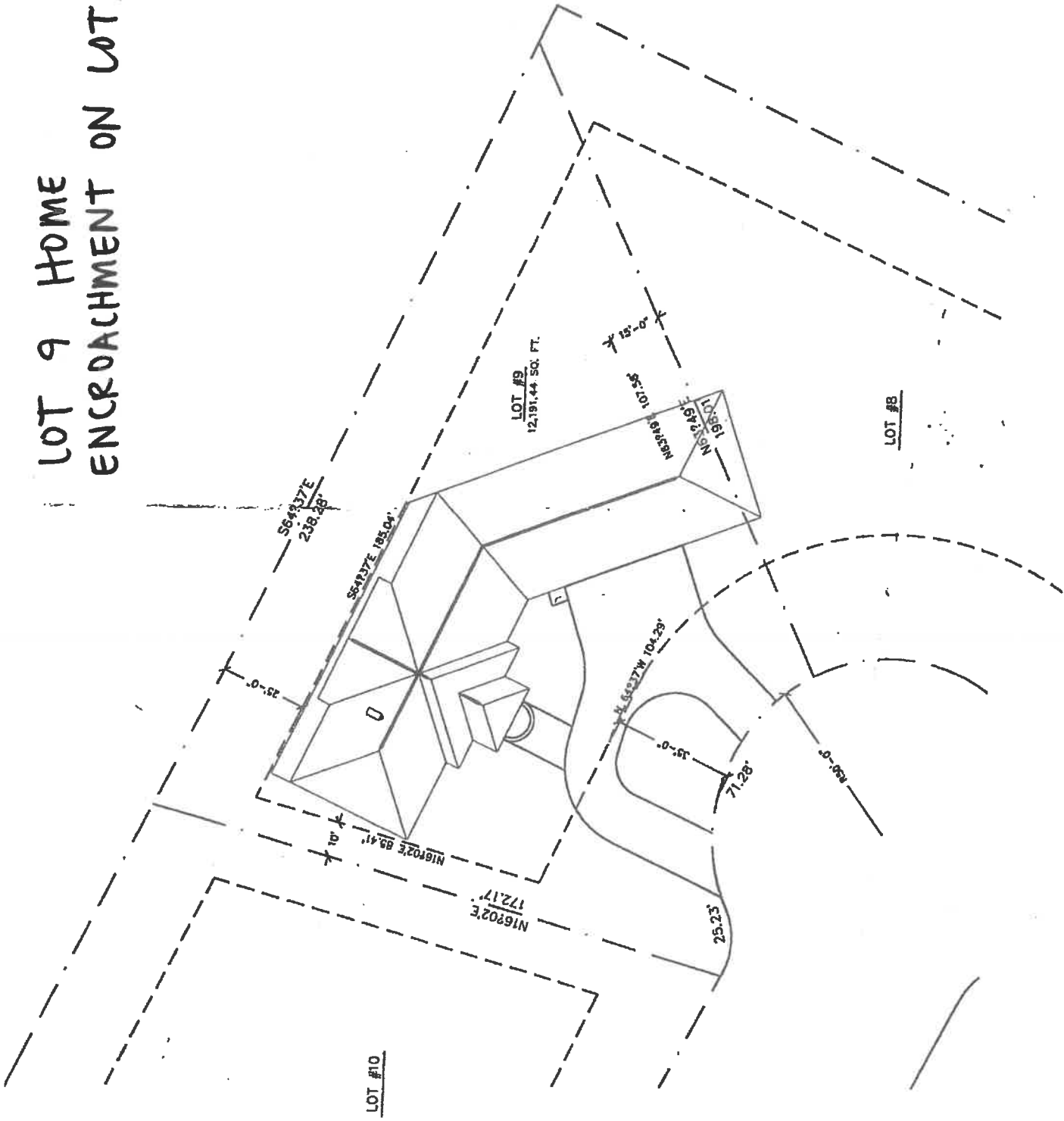
Robert Kramer Jr.
 3590 Meadowood Trails SE
 Grand Rapids, MI 49546

3599 Meadowood Trails SE

DRAWN BY: JH
 REV. BY:
 REV. DATE: 4-21-2022
 PRJ #: 22400585
 1 OF 1

NEDERVELD
 www.nederveld.com • 900.222.1088
 Grand Rapids
 217 Granville Ave., Suite 302
 Grand Rapids, MI 49503
 Ann Arbor Chicago Columbus
 Holland Indianapolis St. Louis

LOT 9 HOME ENCROACHMENT ON LOT 8



1" = 40'

STEPHEN R. DREW
JOHN E. ANDING
THOMAS V. HUBBARD
ADAM C. STURDIVANT *
AMANDA P. NARVAES
LARISSA D. HOLLINGSWORTH
ELLIOT J. GRUSZKA
* ALSO LICENSED IN OHIO

DREW COOPER & ANDING
ATTORNEYS AND COUNSELORS

ALDRICH PLACE, SUITE 200
80 OTTAWA AVENUE, N.W.
GRAND RAPIDS, MICHIGAN 49503-0205

OF COUNSEL
ANN M. COOPER
BRIDGET C. KEHOE

TELEPHONE
(616) 454-8300

FACSIMILE
(616) 226-4071

January 19, 2024

Mr. Robert Kramer, Jr.
3590 Meadowood Trails SE
Grand Rapids, MI 49546

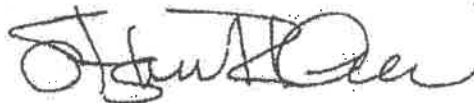
RE: Meadowood Trails, Parcel Units 8 and 9

Mr. Kramer:

As interested purchasers of the above lot, I wish to confirm that Clarice and I are willing to accommodate any issues that may arise in regards to a portion of your home being on the lot to be purchased. This would, of course, include granting or not objecting to, any easement which may already be in place or necessary to consummate the sale as it moves forward. If you have any questions or need additional information, please feel free to contact me directly.

Respectfully,

DREW COOPER & ANDING



Stephen R. Drew
sdrew@dca-lawyers.com
(616) 666-7581 [direct dial]

SRD/cj

STAFF REPORT

STAFF REPORT: Case # 24-3812
REPORT DATE: February 1, 2024
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: February 13, 2024
PREPARED BY: Madison Smith-Jacoby

APPLICANT

Laurie Haveman

ADDRESS: **8960 28th Street**

PARCEL NUMBER: 41-19-13-100-063

STATUS
OF APPLICANT: Property Owner

REQUESTED ACTION: Seeking a variance for a lot reconfiguration resulting in an accessory building in the front yard.

EXISTING ZONING OF
SUBJECT PARCEL: ARC

GENERAL LOCATION: 28th Street between Buttrick Avenue and Snow Avenue

PARCEL SIZE: Currently approximately 7.2 Acres
Proposed New Parcel 9.59 Acres

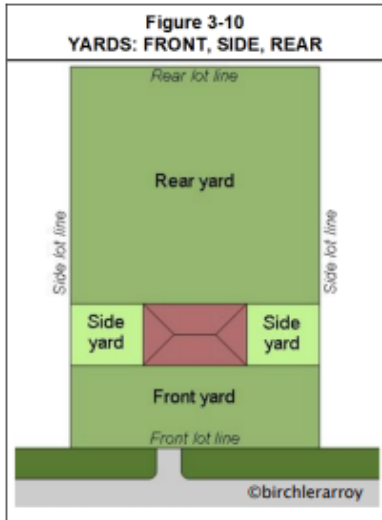
EXISTING LAND USE
ON THE PARCEL: Residential

ADJACENT AREA
LAND USES:
N: Residential
E: Residential
S: Residential
W: Residential

ZONING ON
ADJOINING PARCELS:
N: ARC
E: ARC
S: ARC
W: ARC

STAFF COMMENTS:

- A. The applicant is requesting to allow a historic barn to be permitted in the front yard of the parcel, as the result of a lot reconfiguration.
- B. The survey indicates that 1.75 acres would be transferred to 8960 28th Street. This property transfer would be permitted in accordance with our zoning standards, but there is a building on the property creating a need for the exception/variance.
- C. Historically, the barn that was built in the 1980s, belonged to the 8960 28th Street parcel but was transferred to 9050 28th Street in 2021. This previous split approval is attached in the packet. The owners were father and son. The applicants can speak to this more if there are questions.
- D. This previous boundary adjustment brought the barn into compliance. By including it in 9050 28th Street, it corrected the nonconforming structure by making it a rear yard accessory building.
- E. The home cannot be seen from the road, including this accessory building as it sits approximately 480 feet off of 28th Street.
- F. The accessory building is used for landscaping storage and a hobby shop.
- G. The survey indicates that the barn will be 41 feet from the north property line and 37 feet from the side yard line. The height is 14 feet to the peak. This complies with setbacks.
- H. Situationally, when entering the property via the driveway, the home sits in front of the barn and it appears to be in the left side yard. The lot is 'L' shaped, making the interpretation of a 'front yard' more complex. Technically speaking, the barn sits in front of the home when considering 28th Street at the ROW. However, it should be noted that this is not a traditional style "front yard".



As defined in Chapter 3 of the Zoning Ordinance:
Yard, Front: The yard between front lot line or street right-of-way line and the nearest point of any part of the main building thereon. (See Figure 3-10)

<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.	I do not find any exceptional or extraordinary circumstances inherent to the property, but the lot sits directly behind the parcel to the north and is heavily wooded, obscuring the view of this home and barn altogether. The barn originally belonged to this home/property and is already in place.
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 previous lot split resulted in bringing a nonconforming building into compliance. Because the barn was in existence prior to the current zoning, this was not a result of the current homeowner. The lot split proposed now <i>is</i> an action taken subsequent to the adoption of our current zoning.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	This finding doesn't necessarily apply because the building is in existence. The proposed lot split couldn't be done in such a way that the barn isn't in the front yard.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	Laurie owns the neighboring parcels so there is no injurious impact to neighbors. No building is proposed to be expanded on or moved to create a new nuisance.
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	This parcel's configuration is unique in that it is situated behind the neighboring parcel, creating a unique situation that wouldn't apply to lots with normal frontage.

or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.	
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RECOMMENDATION

Staff recommends that this variance be DENIED due to the previous lot split remedying the nonconforming building. This would reinstate a nonconforming building/structure. The applicant could split the parcel to leave the barn on 9050 28th Street's parcel.

Should the ZBA wish to grant the variance, I recommend the following conditions:

1. The barn be given a formal nonconforming status so that it cannot be expanded on, only maintained, pursuant to Chapter 22 of the Cascade Township Zoning Ordinance.

\$100.00 fee
paid cash or check



CASCADE CHARTER TOWNSHIP

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

PLANNING & ZONING APPLICATION

APPLICANT: Name: Laurie Hareman
Address: 8960 28th St SE
City & Zip Code: Ada MI 49301
Telephone: 616 970 4407
Email Address: hpostman99@aol.com

OWNER: * (If different from Applicant)
Name: Jeffrey D Van Strien
Address: 9050 28th St SE
City & Zip Code: Ada MI 49301
Telephone: 616 291 6682
Email Address: jeffvanstrien@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 Subdivision |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Plat Review * |
| <input checked="" type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other: _____ * |

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

BRIEFLY DESCRIBE YOUR REQUEST:**

accessory building in the front yard.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 _____

ADDRESS OF PROPERTY: _____

PRESENT USE OF THE PROPERTY: Storage Barn

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.)

Jeffrey D Van Strien

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

Applicant – Print or Type Name

* Jeffrey D Van Strien 1/11/24

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





Date: December 15, 2023

Prev. 160538

For: Jeffrey VanStrien
9050 28th St SE
Ada, MI 49301

Prev. 210593

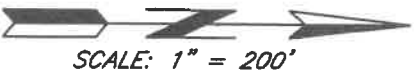
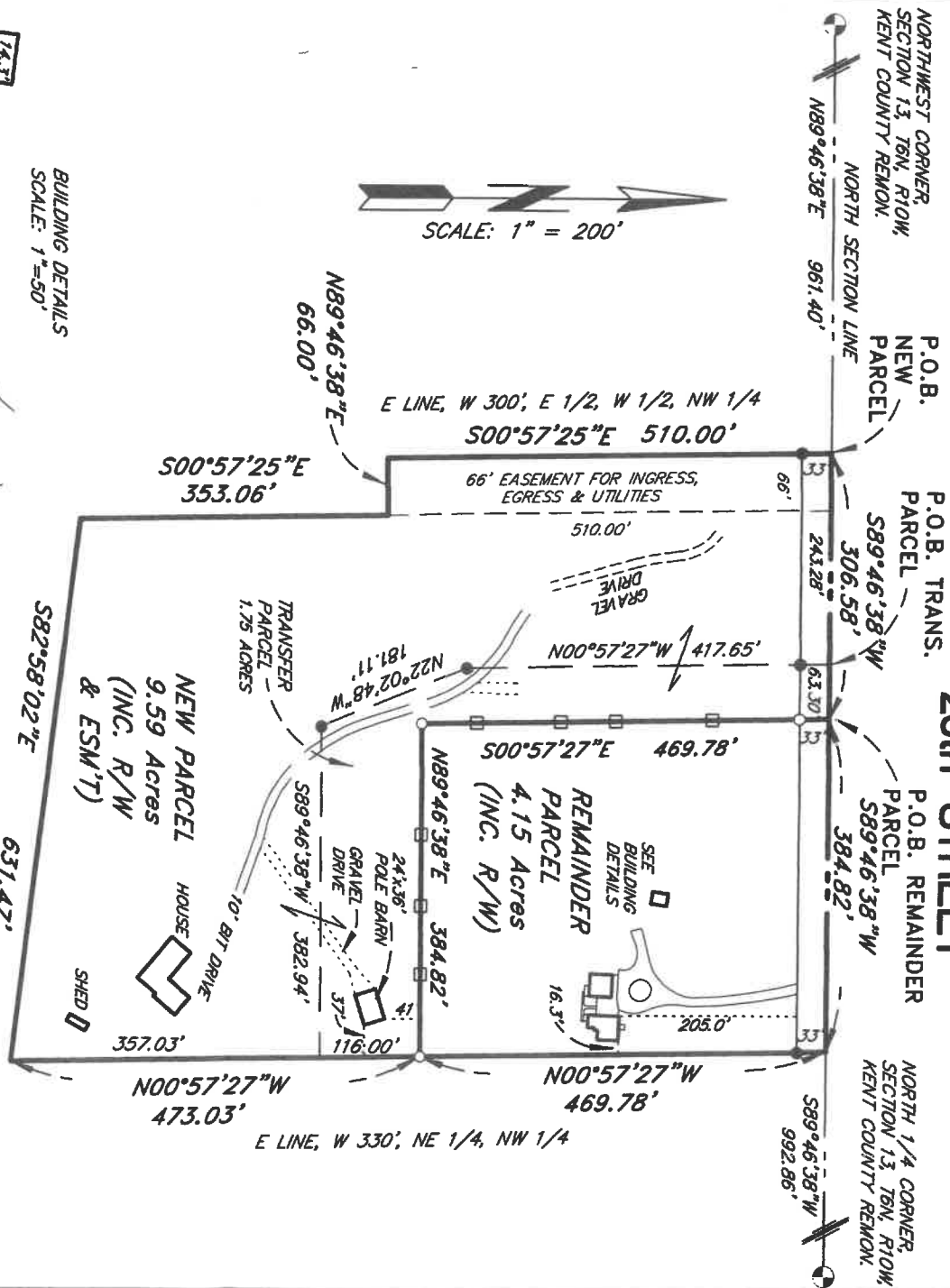
Prop. Address: 9050 28th St

LEGAL DESCRIPTIONS
(See Sheet 2 of 2)

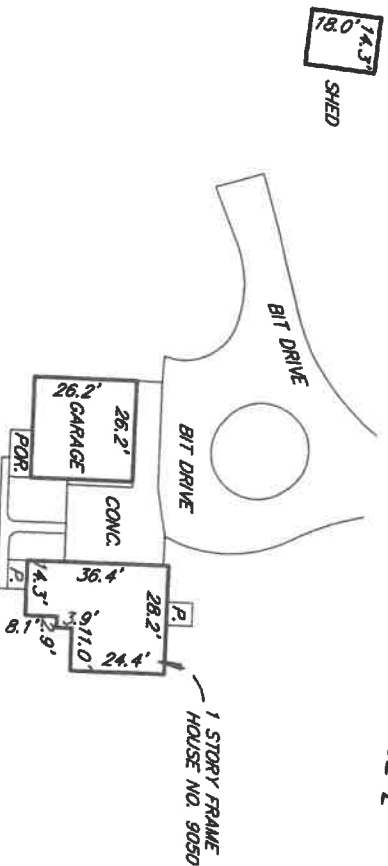
NOTE:
A complete boundary survey was only performed on the Remainder Parcel. All other improvements shown were previously located.

NOTE:
A title insurance policy was not provided at the time of this survey. One should be obtained to compare for accuracy of legal description and easements of record.

28th STREET



BUILDING DETAILS
SCALE: 1"=50'



This survey was made from the legal description shown hereon. The drawing and description should be compared to the Abstract of Title or Title Insurance Policy for easements, restrictions, rights-of-way, or differences in description not indicated hereon. I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying.

LEGEND

- o . SET 1/2"x18" CAPPED IRON
- . IRON FOUND
- . WOOD STAKE
- R . RECORDED DIMENSION
- D . DEED DIMENSION
- P . PLATTED DIMENSION
- M . MEASURED DIMENSION
- ⊕ . CENTERLINE
- x-x- FENCE LINE

Roosien & Associates
SURVEYING AND ENGINEERING



BY *Michael Manning*

5055 PLAINFIELD AVENUE, NE
GRAND RAPIDS, MICHIGAN 49525
TELE. (616) 361-7220

Date: December 15, 2023

Prev. 160538

For: Jeffrey VanStrien
9050 28th St SE
Ada, MI 49301

Prev. 210593

Prop. Address: 9050 28th St

LEGAL DESCRIPTIONS

NEW PARCEL: Part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 961.40 feet along the North line of said Section to the Place of Beginning; thence S00°57'25"E 510.00 feet along the East line of the West 300 feet of the East 1/2 of the West 1/2 of said Northwest 1/4; thence N89°46'38"E 66.00 feet along the South line of the North 510 feet of said Northwest 1/4; thence S00°57'25"E 353.06 feet; thence S82°58'02"E 631.47 feet; thence N00°57'27"W 473.03 feet along the East line of the West 330 feet of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 384.82 feet parallel with the Northeast line of said Section; thence N00°57'27"W 469.78 feet parallel with the North line of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 306.58 feet along the North line of said Section to the Place of Beginning. Subject to the road right of way for 28th Street over the North 33.0 feet thereof.

ALSO subject to a 66.0 foot wide Easement for Ingress, Egress and Utilities, the West line of which is described as: Commencing at the Northwest corner of said Section 13; thence N89°46'38"E 961.40 feet along the North line of said Section to the Place of Beginning of said West line; thence S00°57'25"E 510.00 feet to the Place of ending of said West line.

TRANSFER PARCEL: Part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 1204.68 feet along the North line of said Section to the Place of Beginning; thence S00°57'27"E 417.65 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4; thence S22°02'48"E 181.11 feet; thence N89°46'38"E 382.94 feet parallel with the North line of said Section; thence N00°57'27"W 116.00 feet along the East line of the West 330 feet of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 384.82 feet parallel with the North line of said Section; thence N00°57'27"W 469.78 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 63.30 feet along the North line of said Section to the Place of Beginning. Subject to the road right of way for 28th Street over the North 33.0 feet thereof.

REMAINDER PARCEL: Part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 1267.98 feet along the North line of said Section to the Place of Beginning; thence S00°57'27"E 469.78 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4; thence N89°46'38"E 384.82 feet parallel with the North line of said Section; thence N00°57'27"W 469.78 feet along the East line of the West 330 feet of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 384.82 feet along the North line of said Section to the Place of Beginning. Subject to the road right of way for 28th Street over the North 33.0 feet thereof.

This survey was made from the legal description shown hereon. The drawing and description should be compared to the Abstract of Title or Title Insurance Policy for easements, restrictions, rights-of-way, or differences in description not indicated hereon. I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying.

LEGEND

- o - SET 1/2"x18" CAPPED IRON
- - IRON FOUND
- - WOOD STAKE
- R - RECORDED DIMENSION
- D - DEED DIMENSION
- P - PLATTED DIMENSION
- M - MEASURED DIMENSION
- Ⓞ - CENTERLINE
- x-x - FENCE LINE



Roosien & Associates
SURVEYING AND ENGINEERING

5055 PLAINFIELD AVENUE, NE
GRAND RAPIDS, MICHIGAN 49525
TELE: (616) 361-7220



BY *Michael Manning*



CASCADE CHARTER TOWNSHIP

5920 Tahoe Dr SE Grand Rapids, Michigan 49546-7123

October 6, 2021

Jeffrey Van Strien
9050 28th St SE
Ada, MI 49301

RE: Case 21-3668 – Boundary Line Adjustment

8960 28th Street SE (41-19-13-100-043)
9050 28th Street SE (41-19-13-100-005)

Dear Jeff,

I have received your application to reconfigure the above properties. This reconfiguration will essentially take approximately 2.87 acres from 8960 28th Street and add it to 9050 28th Street.

You may consider this reconfiguration (as shown on the survey by Roosien & Associates dated 6/7/2021 and revised 10/1/21), approved subject to the following:

1. The required documents, including deeds with the revised legal descriptions, being recorded within the next 30 days.

Sincerely,
CASCADE CHARTER TOWNSHIP

Brian Hilbrands,
Planner

Project No. 210593
 Date: June 7, 2021
 For: Bob VanStrien
 8960 28th St SE
 Ada, MI 49301
 Prop. Address: 9050 28th St

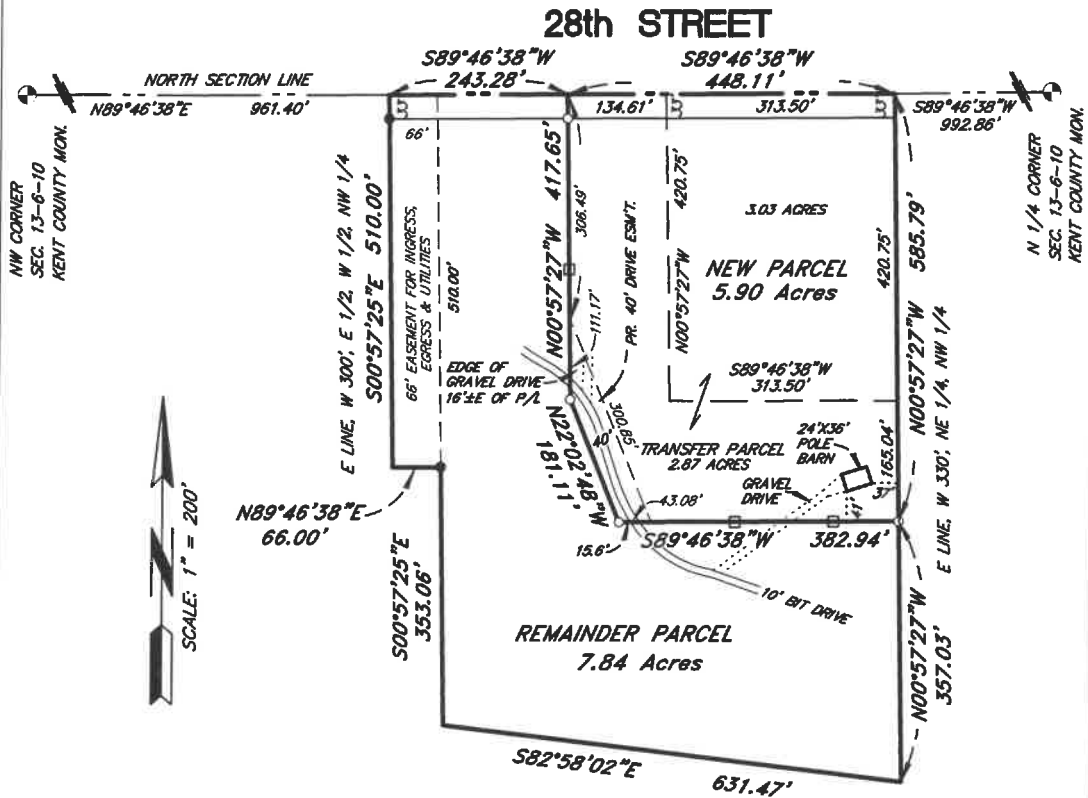
CERTIFIED SURVEY

Sheet 1 of 3

Prev. 160538

Revised: October 1, 2021
 (add drive esm't)

LEGAL DESCRIPTIONS (See Sheets 2 & 3)



NOTE:
 A title insurance policy was not provided at the time of this survey. One should be obtained to compare for accuracy of legal description and easements of record.

NOTE:
 This is not a complete boundary survey. Only the irons, line stakes and part of the gravel drive as shown were set and/or found.

This survey was made from the legal description shown hereon. The drawing and description should be compared to the Abstract of Title or Title Insurance Policy for easements, restrictions, rights-of-way, or differences in description not indicated hereon. I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying.

LEGEND

- SET "ROOSIEN 31604" CAPPED REROD
- IRON FOUND
- - WOOD STAKE
- R - RECORDED DIMENSION
- D - DEED DIMENSION
- P - PLATTED DIMENSION
- M - MEASURED DIMENSION
- ⊕ - CENTERLINE
- ** - FENCE LINE

Roosien & Associates
 SURVEYING AND ENGINEERING

5055 PLAINFIELD AVENUE, NE
 GRAND RAPIDS, MICHIGAN 49525
 TELE. (616) 361-7220
 FAX (616) 361-1822



BY *Kevin Roosien*

Project No. 210593
Date: June 7, 2021
For: Bob VanStrien
8960 28th St SE
Ada, MI 49301

CERTIFIED SURVEY

Sheet 2 of 3
Prev. 160538

Revised: October 1, 2021
(add drive esm't)

Prop. Address: 9050 28th St

LEGAL DESCRIPTIONS

NEW PARCEL: Part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 1204.68 feet along the North line of said Section to the Place of Beginning; thence S00°57'27"E 417.65 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4; thence S22°02'58"E 181.11 feet; thence N89°46'38"E 382.94 feet parallel with the North line of said Section; thence N00°57'27"W 585.79 feet along the East line of the West 330 feet of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 448.11 feet along the North line of said Section to the Place of Beginning. Subject to the road right of way for 28th Street over the North 33.0 feet thereof.

ALSO Subject to and together with a 40.0 foot wide Drive Easement in part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 1204.68 feet along the North line of said Section; thence S00°57'27"E 306.48 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4 to the Place of Beginning; thence S22°02'48"E 300.85 feet; thence S89°46'38"W 43.08 feet parallel with the North line of said Section; thence N22°02'48"W 181.11 feet; thence N00°57'27"W 111.17 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4 to the Place of Beginning.

TRANSFER PARCEL: Part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 1204.68 feet along the North line of said Section to the Place of Beginning; thence S00°57'27"E 417.65 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4; thence S22°02'58"E 181.11 feet; thence N89°46'38"E 382.94 feet parallel with the North line of said Section; thence N00°57'27"W 165.04 feet along the East line of the West 330 feet of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 313.50 feet along the South line of the North 420.75 feet of the Northeast 1/4 of said Northwest 1/4; thence N00°57'27"W 420.75 feet along the West line of the East 313.5 feet of the West 330 feet of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 134.61 feet along the North line of said Section to the Place of Beginning. Subject to the road right of way for 28th Street over the North 33.0 feet thereof.

ALSO Subject to and together with a 40.0 foot wide Drive Easement in part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 1204.68 feet along the North line of said Section; thence S00°57'27"E 306.48 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4 to the Place of Beginning; thence S22°02'48"E 300.85 feet; thence S89°46'38"W 43.08 feet parallel with the North line of said Section; thence N22°02'48"W 181.11 feet; thence N00°57'27"W 111.17 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4 to the Place of Beginning.

This survey was made from the legal description shown hereon. The drawing and description should be compared to the Abstract of Title or Title Insurance Policy for easements, restrictions, rights-of-way, or differences in description not indicated hereon. I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying.

LEGEND

- SET "ROOSIEN 31604"
- CAPPED REROD
- IRON FOUND
- - WOOD STAKE
- R - RECORDED DIMENSION
- D - DEED DIMENSION
- P - PLATTED DIMENSION
- M - MEASURED DIMENSION
- ⊙ - CENTERLINE
- *- FENCE LINE

**Roosien & Associates**
SURVEYING AND ENGINEERING

5055 PLAINFIELD AVENUE, NE
GRAND RAPIDS, MICHIGAN 49525
TELE. (616) 361-7220
FAX (616) 361-1822



BY 

Project No. 210593
Date: June 7, 2021
For: Bob VanStrien
8960 28th St SE
Ada, MI 49301

CERTIFIED SURVEY

Sheet 3 of 3
Prev. 160538

Revised: October 1, 2021
(add drive esm't)

Prop. Address: 9050 28th St

LEGAL DESCRIPTIONS

REMAINDER PARCEL: Part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 961.40 feet along the North line of said Section to the Place of Beginning; thence S00°57'25"E 510.00 feet along the East line of the West 300 feet of the East 1/2 of the West 1/2 of said Northwest 1/4; thence N89°46'38"E 66.00 feet along the South line of the North 510 feet of said Northwest 1/4; thence S00°57'25"E 353.06 feet; thence S82°58'02"E 631.47 feet; thence N00°57'27"W 357.03 feet along the East line of the West 330 feet of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 382.94 feet parallel with the North line of said Section; thence N22°02'48"W 181.11 feet; thence N00°57'27"W 417.65 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4; thence S89°46'38"W 243.28 feet along the North line of said Section to the Place of Beginning. Subject to the road right of way for 28th Street over the North 33.0 feet thereof.

ALSO subject to a 66.0 foot wide Easement for Ingress, Egress and Utilities, the West line of which is described as: Commencing at the Northwest corner of said Section 13; thence N89°46'38"E 961.40 feet along the North line of said Section to the Place of Beginning of said West line; thence S00°57'25"E 510.00 feet to the Place of ending of said West line.

ALSO together with a 40.0 foot wide Drive Easement in part of the Northwest 1/4 of Section 13, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N89°46'38"E 1204.68 feet along the North line of said Section; thence S00°57'27"E 306.48 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4 to the Place of Beginning; thence S22°02'48"E 300.85 feet; thence S89°46'38"W 43.08 feet parallel with the North line of said Section; thence N22°02'48"W 181.11 feet; thence N00°57'27"W 111.17 feet parallel with the West line of the Northeast 1/4 of said Northwest 1/4 to the Place of Beginning.

This survey was made from the legal description shown hereon. The drawing and description should be compared to the Abstract of Title or Title Insurance Policy for easements, restrictions, rights-of-way, or differences in description not indicated hereon. I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying.

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CAPPED REROD
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R - RECORDED DIMENSION
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SURVEYING AND ENGINEERING

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BY 