

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, November 12, 2024
5:30 pm
2870 Jacksmith Ave

Public may access the meeting via video conference software Zoom

Webinar ID: 885 8269 6721

<https://us02web.zoom.us/j/88582696721>

- 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 October 8, 2024 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 #24-3865 – Michael Valentino
Public Hearing
Property Address: 1596 & 1598 MacNider Ave
Requested Action: Dimensional variance to the front yard setback for an expansion to an existing non-conforming building.
- ARTICLE 7. Case #24-3871 – Lakeland Pallets LLC
Public Hearing
Property Address: 3700 Kraft Ave SE
Requested Action: Variance to allow for outdoor storage within the front and side setback.
- ARTICLE 8. Any Other Business
- ARTICLE 9. 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*

**CASCADE CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

**TUESDAY, November 12, 2024
5:30 PM**

ARTICLE 5.

Approve the Minutes of the
October 8, 2024, Meeting.

Minutes

Cascade Charter Township
Zoning Board of Appeals
Tuesday, October 8, 2024
5:30 pm
2870 Jacksmith Ave SE

ARTICLE 1. Chair Moxley called the meeting to order at 5:30 pm.
Members Present: McDonald, Mead, Moxley, Berra, Milliken
Members Absent: None
Others Present: Community Development and Planning Director Andrea Hendrick,
Planning Administrative Assistant Nick Govan and others listed on the sign-in sheet.

ARTICLE 2. Pledge of Allegiance

ARTICLE 3. Approve the current Agenda

Community Planning & Development Director Hendrick requested noting that Case 24-3856 (1800 Watermark Drive SE) would require tabling for modifications. She suggested having the public hearing still in case anyone that wanted to comment could do so.

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

Motion carried 5 to 0.

ARTICLE 4. Approve the Minutes of the August 13, 2024, Meeting

Motion was made by Member Berra to approve, the August 13, 2024, meeting minutes Supported by Memer Mead.

Motion carried 5 to 0.

ARTICLE 5. Acknowledge visitors and those wishing to speak

There was no one wishing to speak.

ARTICLE 6. Case #24-3856 Robert and Maria Maleca

Property Address: 1800 Watermark Drive SE

Requested Action: The applicant is requesting a variance to build an addition to the existing residential structure within the rear setback.

Community Planning & Development Director Hendrick presented background on the application for a dimensional variance to the rear setback. The request involved expanding an approximately 4,000 square foot home by 1,100 square feet to accommodate aging parents. During review, staff identified a non-conforming structure without proper permits on the property. The applicant is exploring solutions, including potentially purchasing additional land from the golf course, though this presents challenges due to site condo development requirements.

Chair Moxley inquired about the building footprint versus overhang measurements, noting that the floor plan appeared to show the corner within setback restrictions. Planning Director Hendrick acknowledged this observation but noted the separate issue of the non-compliant structure requiring resolution.

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

**Motion was made by Member McDonald to TABLE case #24-3856.
Supported by Member Berra.
Motion carried 5 to 0.**

ARTICLE 7. Case #24-3860 Brian Esbaugh

Property Address: 5320 McCords Ave SE

Requested Action: The applicant is requesting a variance to build an accessory building in the front yard, on an existing concrete pad.

CP&D Director Hendrick presented the application for a variance to construct a 24' x 30' accessory building in the front yard of a 7.7-acre lot in the ARC district. The property contains extensive wetlands and a meandering stream, with the proposed building to be located on an existing pad from a historic structure. Staff reviewed the standards for approval and recommended approval with conditions.

The applicant, Brian Esbaugh, provided historical context about the existing slab, stating he had been at the property for 50 years and remembered the barn that was previously there before snow took it down. Mr. Esbaugh noted that part of the foundation wall remains, along with a large slab. He explained their intention to use about half of the existing slab for the new structure, positioning it to maintain distance from the roadway. When discussing setbacks, Mr. Esbaugh confirmed the structure would be 65 feet from the roadway and acknowledged the side setback measurement of 38 feet that was shown on the submitted plan.

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

Brian Logue (5350 McCords Ave SE) came forward to express support for his neighbor's request.

Ken Gration (5250 McCords Ave SE) enquired where the proposed structure would be built and agreed it was well away from his lot line and did not have any problems with it.

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

Motion was made by Trustee McDonald to approve the variance based on factors discussed including the property's challenging topography, extensive wetlands, existing historic footprint, and precedent for front yard garages in the area with the following conditions.

- 1. The application and plans submitted by the applicant and signed, dated, and stamped by the Planning Director, shall constitute the approved plans, except if plan elements are amended in this resolution, or do not meet the requirements of the Zoning Ordinance.**
- 2. The detached accessory structure shall be placed a minimum of:**
 - a. 10' setback from the side property line**
 - b. 35' setback from the front property line.**

Supported by Member Berra.

Motion carried 5 to 0.

ARTICLE 8. Any Other Business

No other business.

ARTICLE 9. Adjourn

**Motion was made by Trustee McDonald to adjourn. Supported by Member Berra.
Motion carried 5 to 0. The meeting adjourned at 5:46PM.**

**CASCADE CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

**TUESDAY, November 12, 2024
5:30 PM**

ARTICLE 6.

Case #24-3865 - Public Hearing

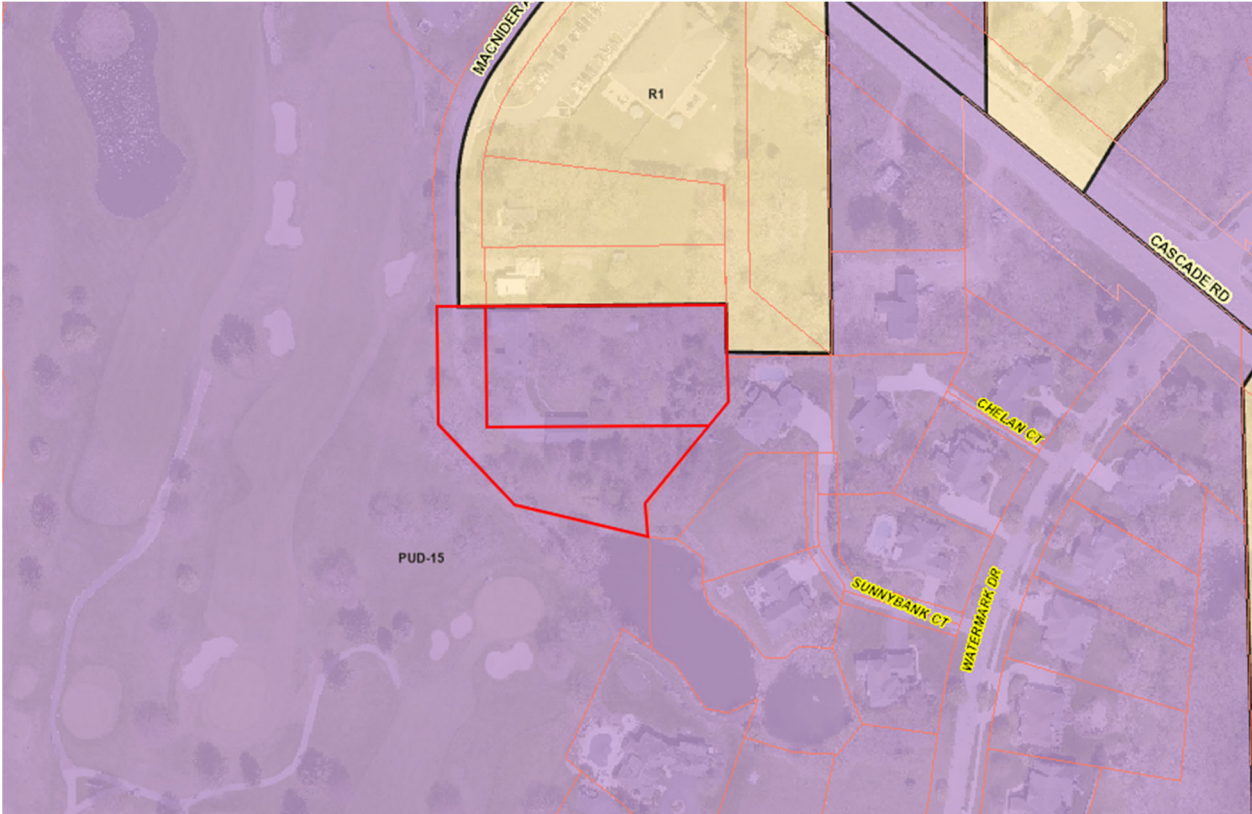
Applicant: Michael Valentino

Property Address: 1596 & 1598 MacNider Avenue SE

Parcel Number: 41-19-06-426-019 & 41-19-06-426-015

Requested Action: Dimensional variance to the front yard setback for an expansion to an existing non-conforming building.

Zoning & Parcel Map





CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE • Grand Rapids, MI 49546

PLANNING DEPARTMENT STAFF REPORT

STAFF REPORT: Case # 24-3865
 REPORT DATE: November 1, 2024
 PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
 MEETING DATE: November 11, 2024
 PREPARED BY: Danielle Bouchard, AICP, Contract Planner

APPLICATION SUMMARY

APPLICANT: Applicant: Michael Valentino
 Property Owner: Michael Valentino

ADDRESS: 1596 & 1598 MacNider Ave SE

PARCEL NUMBER: 41-19-06-426-019 & 41-19-06-426-015

REQUESTED ACTION: The applicant is requesting a dimensional variance to build an addition to the existing residential structure within the front yard setback. 35 feet is required, and 26.3 feet is requested.

REQUIREMENTS: Zoning Ordinance
 Section 23.07: Functions, Considerations – Decisions and Authority of the Zoning Board of Appeals

EXISTING ZONING: R-1 Residential

GENERAL LOCATION: The subject property is an existing single-family residential home located on the east side of Watermark Dr. The nearest cross street to the north is Cascade Road. The subject site is on the east side of MacNider Avenue, just south of Cascade Road. West is the Watermark Golf Course.

PARCEL SIZE: 1 acre (parcel -019) and 0.9 acres (parcel -015)

EXISTING LAND USE: Residential

ADJACENT PROPERTIES: N: R-1 – Single Family Residential
 W: PUD-15 – Single Family Residential
 S: PUD-15 – Single Family Residential
 E: PUD-15 – Golf Course



CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE • Grand Rapids, MI 49546

PROPERTY HISTORY

The subject home was built in 1953, according to BSA online. PUD #15, Forest Hills Golf Course/Watermark Condominiums was later adopted in 1997 (Ordinance No. 10 or 1997). Since then, the PUD has been amended several times, essentially surrounding the residential home on all sides.

Section 22.03.1.b of the CCT Zoning Ordinance notes that an existing nonconforming structure cannot be extended or altered in such a way that which would increase the dimensional nonconforming situation. As such, a variance for the front yard setback to build the proposed addition is required.

The applicant is seeking relief from the required setbacks for the subject site, as dictated by the setback requirements of the Zoning Ordinance. The site, with an existing residential home, currently does not have compliant setbacks and was originally constructed with noncompliant setbacks, not due to the actions of the applicant. The applicant proposes an addition to the south side of the existing home. The addition will be attached to the home, thus contributing to the life of the existing nonconforming front yard setback.

Required front yard setback: 35 feet

Required side yard setback: 10 feet (one side) 25 feet (both combined)

Required rear yard setback: 25 feet

Existing front yard setback (principal home): 6.1 feet

Existing side yard setback (principal home): 62.6 feet (south) and 9.5 feet (north)

Existing rear yard setback (principal home): 244 feet (approx.)

Proposed front yard setback (addition): 26.3 feet

Proposed side yard setback (addition): 20.7 feet (south)

Proposed rear yard setback (addition): 200+ feet (approx.)

The applicant is seeking a dimensional variance of 8.7 feet for the required front yard setback, as required in the R-1 Zone district. Where 35 feet is required, and 26.3 feet is requested.

PROPOSED USE

The proposed use is to continue as a residential home. The proposed addition is intended for residential purposes.



CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE • Grand Rapids, MI 49546

CONSIDERATIONS

Zoning Board of Appeals Determination

The CCT Zoning Ordinance gives the Zoning Board of Appeals the authority to deliberate and determine if the proposed plans meet the standards for a Variance.

<i>Section 23.07(2)(1)</i>	<i>Findings</i>
Before granting any variance, the Zoning Board of Appeals must find that all of the following standards are met:	
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.	<p>The subject property is used for single-family residential purposes. The existing structure, built in 1953 (according to assessing records) does not comply with the setback requirements. We cannot determine if the home was compliant when constructed or note. As such, this can be considered as an extraordinary condition in that the existing structure includes an existing nonconforming situation. Further, aging residential homes tend to require more maintenance and upkeep, where renovations are likely necessary to keep the home up to the aesthetic character of the surrounding area.</p>
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	<p>Although the applicant is proposing an addition that would continue to the noncompliant front yard setback, the existing home does not comply, the existing front yard noncompliant setback is not due to the actions of the applicant.</p>
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	<p>Given the current width of the south side of the existing home (36.2 feet), it is not likely that the proposed addition could be constructed further east an additional 8.7 feet to comply with the 35 front yard setback requirement. The rear face of the home is intended to be “flush” with the proposed addition.</p> <p>On the north side of the proposed addition (adjacent to the existing south side of the home) is a staircase, as indicated on the site survey. As such, the orientation of the proposed addition may also lend to the proposed location of the addition at 26.3 feet setback rather than 35 feet setback.</p>



CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE • Grand Rapids, MI 49546

That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	The structure is a single-family residential use and will continue to be a single-family residential use. As such, it is not likely the variance request would result in any adverse effects to neighboring properties. Further, as previously mentioned, the proposed home renovations, along with addition, will likely bring the structure closer in harmony with the aesthetic character of the existing adjacent homes, which are newer. Structures will not be constructed further north, which would be closer to neighboring home.
That the condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of so general or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.	The subject site(s) have existing conditions that were in effect prior to the current zoning ordinance standards, so therefore it is not likely that many situations such as this exist on applicable parcels. Additionally, the site is an irregular lot, surrounded by a stream. Granting the variance, with the condition that the lots be combined allowing the structure located in the middle of the property lines to be on one property would bring the site closer to compliance.

RECOMMENDATION

Staff recommends that the Zoning Board of Appeals APPROVE the requested variance of 8.7 feet for relief from the required front yard setback, given the analysis discussed above, with the following condition:

- 1) The applicant combines parcels - 019 and - 015 as to ensure compliance with the required side yard and rear yard setbacks.

ATTACHMENTS

1. Application
2. Site Plan
3. Applicant Narrative



CASCADE CHARTER TOWNSHIP

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

PLANNING & ZONING APPLICATION

APPLICANT: Name: Michael Valentino
 Address: 1596/1598 Mac Nider Ave SE
 City & Zip Code: Grand Rapids 49546
 Telephone: 616 272 8174
 Email Address: valentino.designs.mi@gmail.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:**

see attached

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY**:

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 06 426 019

ADDRESS OF PROPERTY: 1596 MacNider

PRESENT USE OF THE PROPERTY: primary residence

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

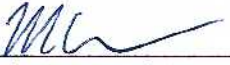
Name(s)	Address(es)
<u>Valentino Designs LLC</u>	<u>same</u>
_____	_____

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.)

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

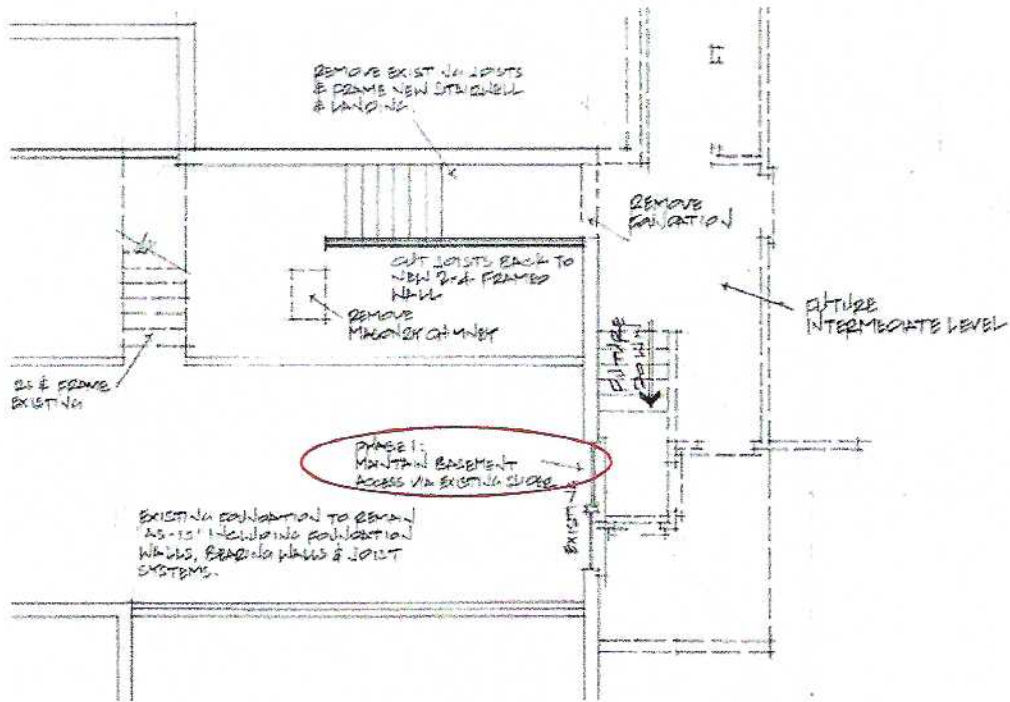
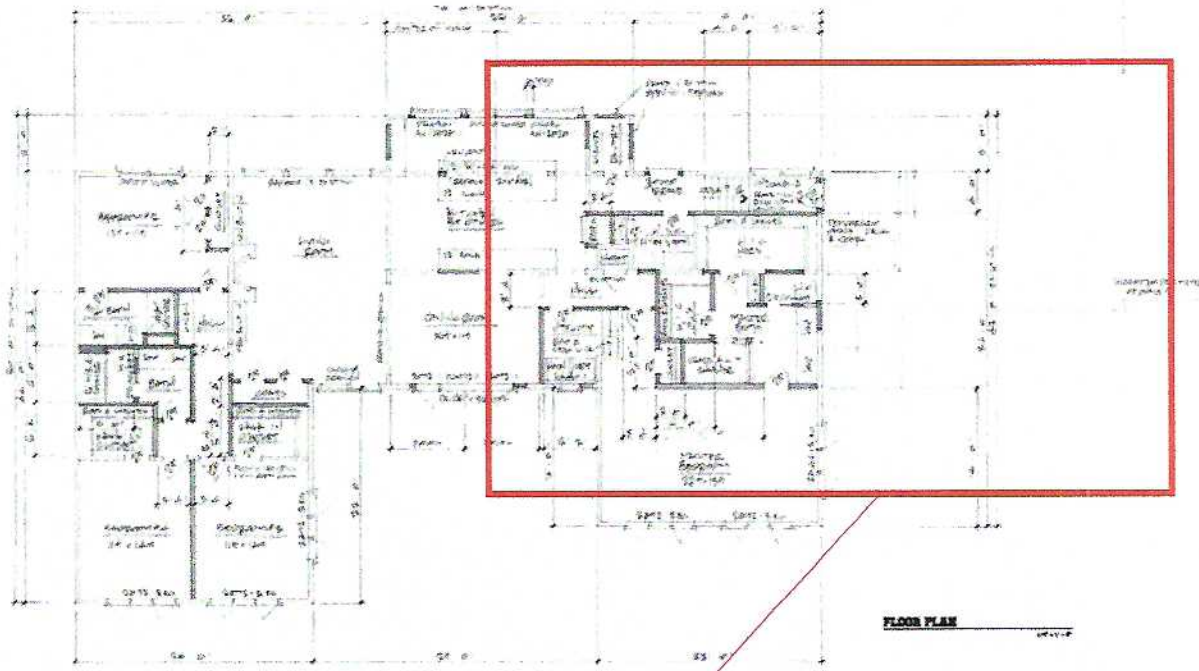
*  9/17/2024
Owner’s Signature & Date
(*If different from Applicant)

Applicant – Print or Type Name

Applicant’s Signature & Date

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

Rev. 7/27/21



SITE PLAN

FOR: Mike Valentino
 Valentino Designs
 3888 Goodwood Dr Se
 Grand Rapids, MI 49546

DESCRIPTION:
 PARCEL 1, 1596 Mac Nider Ave, PP#41-19-06-426-019: Part of the Southeast 1/4 of the Northeast 1/4 and that part of the Northeast 1/4 of the Southeast 1/4 of Section 6, T6N, R10W, commencing on the East line of said Section at the Southeast corner of Lot 154 of Cascade Gardens (said point being also 51 feet North of the East 1/4 corner of said Section; thence West along the South line of said Lot 300 feet to the Southwest corner of said Lot; thence South along extended East line of MacNider Avenue 150 feet; thence East parallel with the South line of said Lot 300 feet to the East line of said Section; thence North along East Section line 150 feet to beginning.

PARCEL 2, 1598 Mac Nider Ave, PP#41-19-06-426-015: Part of the Northeast 1/4 of the Southeast 1/4 of Section 6, T6N, R10W, commencing at the Southwest corner of Lot 154, Cascade Gardens Subdivision; thence West 60 feet; thence South 150 feet; thence East 60 feet; thence North 150 feet to beginning.

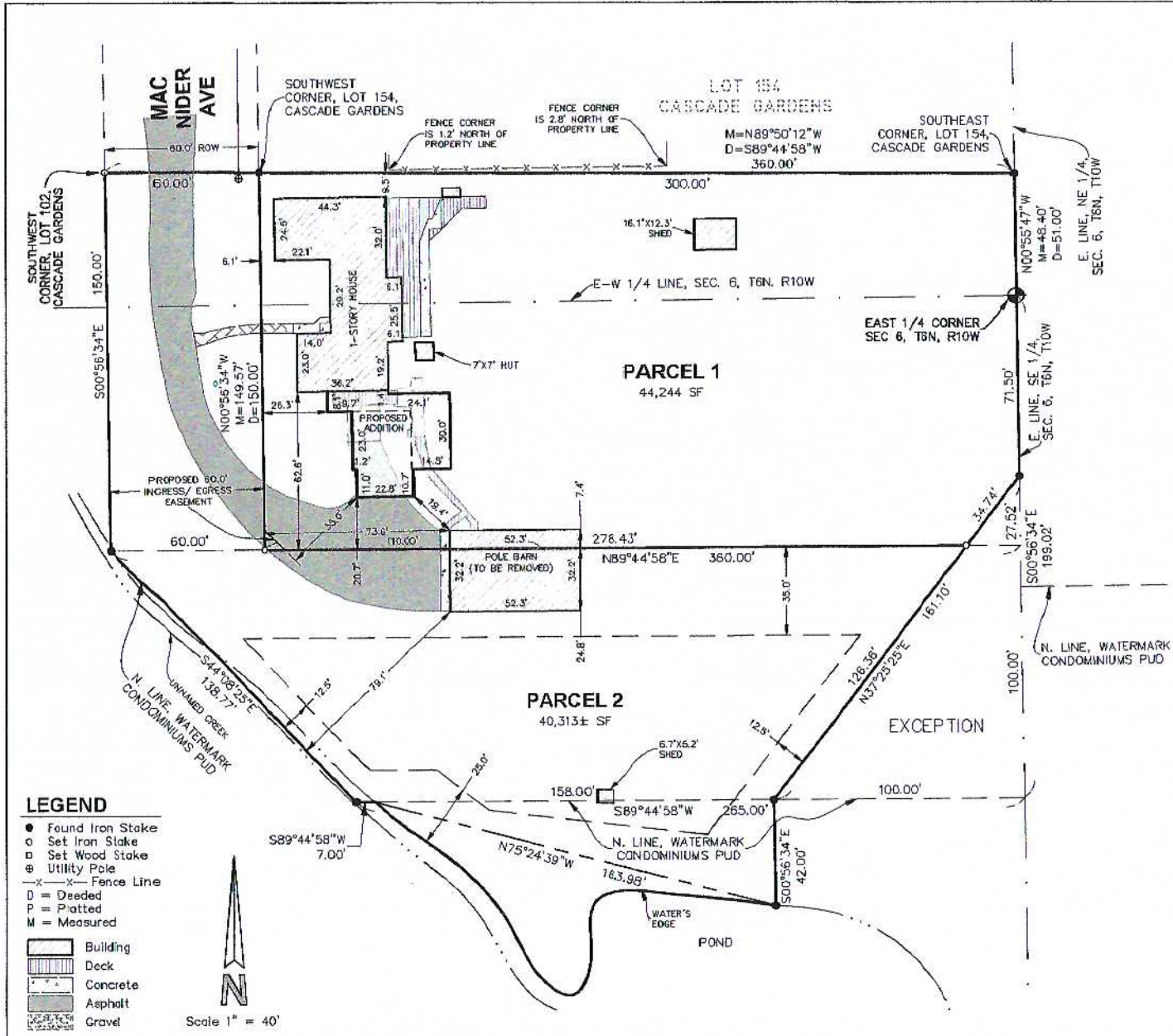
ALSO: Part of the Northeast 1/4 of the Southeast 1/4 of Section 6, T6N, R10W, beginning at a point being 150.00 feet South of the Southeast corner of Lot 102, Cascade Gardens (according to the recorded Plat thereof) and 360.00 feet West of the East line of said Section 6; thence Southeasterly 138 feet, more or less, to a point being 250.00 feet South of the South line of Lot 154, Cascade Gardens, and 265.00 feet West of the East Section line; thence East 265.00 feet parallel with the South line of said Lot 154; thence North 100.00 feet along the East Section line; thence West 360.00 feet to the place of beginning.

ALSO: Part of the Northeast 1/4 of the Southeast 1/4 of Section 6, T6N, R10W, described as: Beginning S00°56'34"E 199.02 feet (as measured along the East Section line) and S89°44'58"W 100.00 feet (parallel with and South 250.00 feet of the South line of Lot 154, Cascade Gardens) from the East 1/4 corner of said Section 6; thence S00°56'34"E 42 feet more or less to the waters edge of an existing pond; thence Northwesterly along the waters edge of said pond and its inlet to a line bearing S89°44'58"W from the place of beginning; thence N89°44'58"E 160 feet more or less to the place of beginning.

EXCEPT: Part of the Northeast 1/4 of the Southeast 1/4 of Section 6, T6N, R10W, described as: Beginning on the East Section line at a point being S00°56'34"E 71.50 feet from the East 1/4 corner of said Section 6; thence S00°56'34"E 127.52 feet along said East line; thence S89°44'58"W 100.00 feet along a line being parallel to and South 250.00 feet of the South line of Lot 154, Cascade Gardens; thence N37°25'25"E 161.10 feet to the place of beginning.

PROPERTY ADDRESS: 1596 & 1598 Mac Nider Ave SE

NOTE: The location of the proposed house including required building setbacks and elevations should be approved by the governing agency prior to staking or start of construction.



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, amendments and exceptions.

SITE PLAN

FOR: Mike Valentino
 Valentino Designs
 3888 Goodwood Dr Se
 Grand Rapids, MI 49546

DESCRIPTION:
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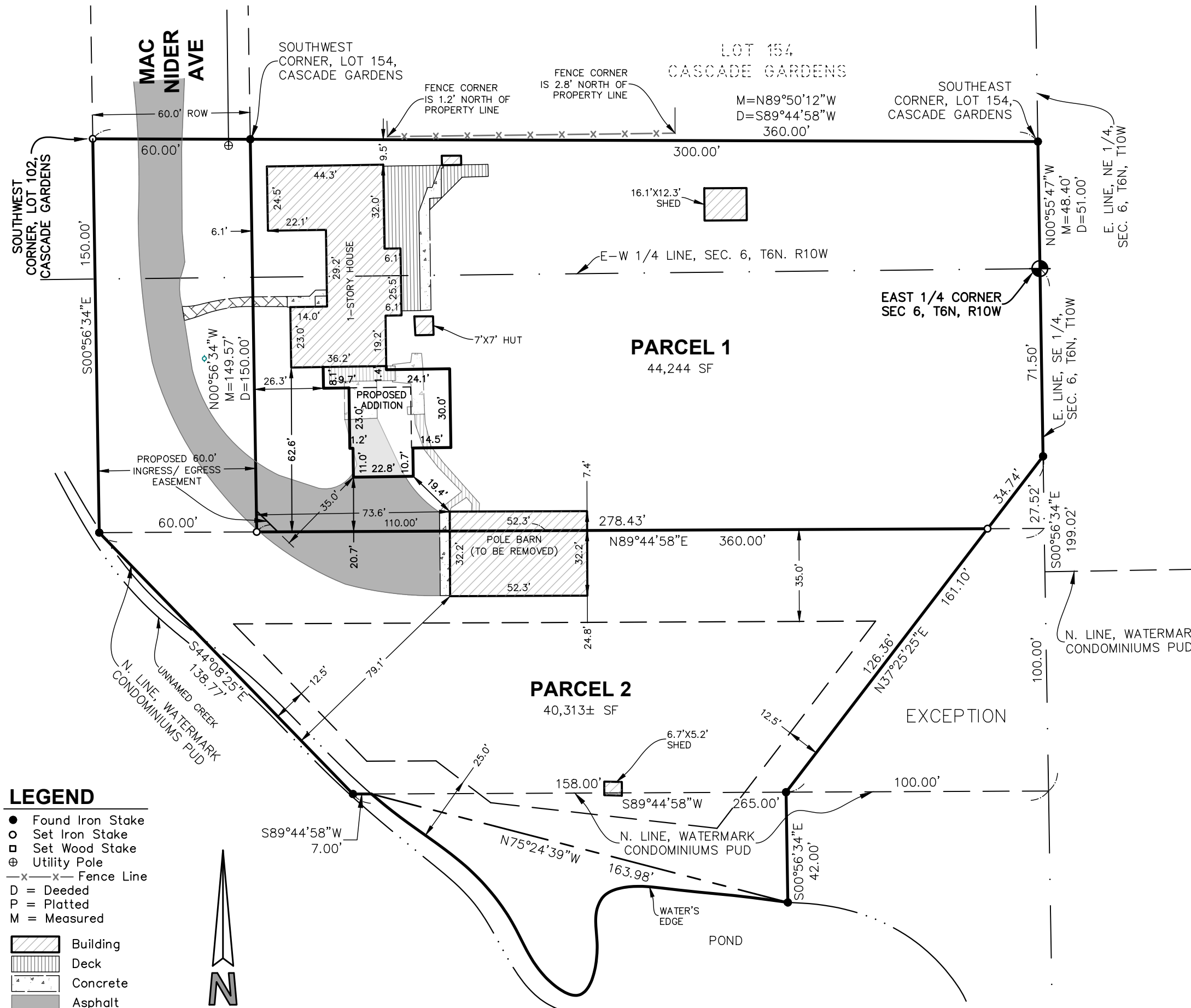
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ALSO: Part of the Northeast 1/4 of the Southeast 1/4 of Section 6, T6N, R10W, beginning at a point being 150.00 feet South of the Southeast corner of Lot 102, Cascade Gardens (according to the recorded Plat thereof) and 360.00 feet West of the East line of said Section 6; thence Southeasterly 138 feet, more or less, to a point being 250.00 feet South of the South line of Lot 154, Cascade Gardens, and 265.00 feet West of the East Section line; thence East 265.00 feet parallel with the South line of said Lot 154; thence North 100.00 feet along the East Section line; thence West 360.00 feet to the place of beginning.

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PROPERTY ADDRESS: 1596 & 1598 Mac Nider Ave SE

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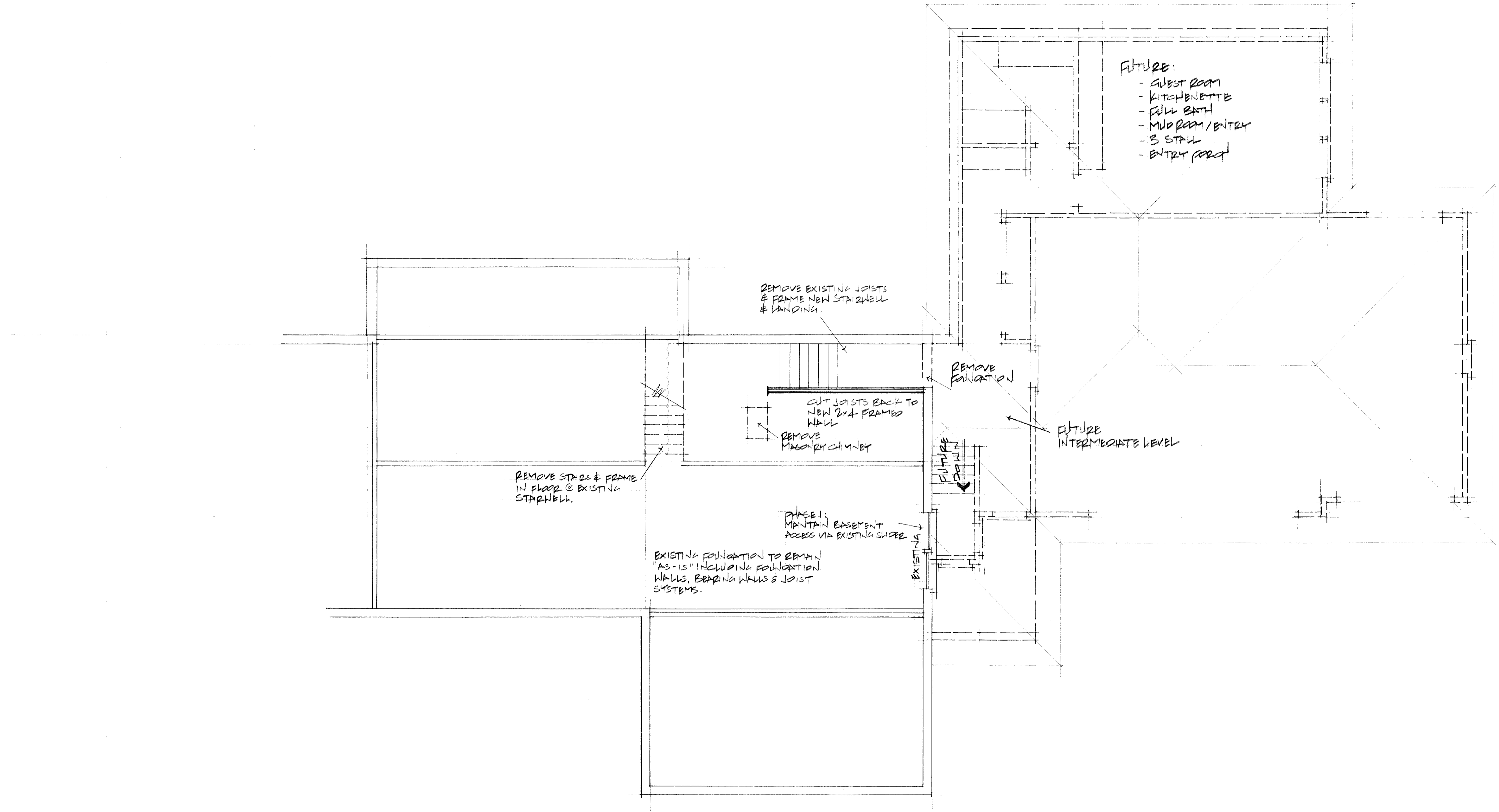


- LEGEND**
- Found Iron Stake
 - Set Iron Stake
 - Set Wood Stake
 - ⊕ Utility Pole
 - x-x- Fence Line
 - D = Deeded
 - P = Platted
 - M = Measured

- Building
- Deck
- Concrete
- Asphalt
- Gravel

Scale 1" = 40'

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.



FOUNDATION PLAN

1/4" = 1' - 0"

NOT: WHILE EVERY ATTEMPT HAS BEEN MADE IN THE PREPARATION OF THIS PLAN TO AVOID MISTAKES, THE MAKER CANNOT GUARANTEE AGAINST HUMAN ERROR. DIMENSIONS AND OTHER DETAILS AND MUST BE REFERRED TO THE ORIGINAL DRAWING FOR CLARIFICATION. THIS DRAWING ALL DIMENSIONS SHALL OVER SCALE OF 1/4" = 1' - 0". DIMENSIONS ARE FIGURED AS SHOWN, UNLESS NOTED OTHERWISE.

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DATE: _____
SCALE: _____
DRAWN BY: _____
REVISED: _____

Sheet **3 OF 5**

FOR VALENTINO DESIGNS LLC
PLAN NUMBER



baroque inc.
2875 26th St, Suite 208
Cape Girardeau, MO 63603
Phone: (618) 824-6464

Residential
Designers



10.2.2024

Zoning variance application

1596 Macnider Dr SE

41-19-06-426-019

We are currently completing a renovation of 1596 MacNider within the existing footprint of the home. Future plans include an addition as proposed on the prints and site plans included with this application as well as with the permit for the current renovations. The existing house is non-conforming with a 6' front yard setback. The proposed addition has a conforming 36' setback, but with a breezeway at 26' which would require a zoning variance. We are asking for a setback variance as this breezeway connects the addition at an existing foundation opening of the home. This home and lot is unique with its current setback on the Watermark golf course. It currently sits near the setbacks of the other two adjacent homes on MacNider but had been previously split with a shared driveway for access to both 1596 and 1598 MacNider, likely creating this existing variance many years ago. The proposed variance is as minimal as possible to enter the lower level at the existing foundation opening.

Feenstras site plan also notes that the existing Watermark PUD boundary line incorrectly cuts across a piece of 1598 MacNider which I also own. I was told that the township would make the necessary edits of that Boundary line. Future plans to build on 1598 MacNider would be conditional on tearing down the existing pole barn which currently sits on the lot line between 1596 and 1598 MacNider.

Thank you for your consideration,



10/2/2024

Michael Valentino

**CASCADE CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

**TUESDAY, November 12, 2024
5:30 PM**

ARTICLE 7.

Case #24-3871 – Public Hearing

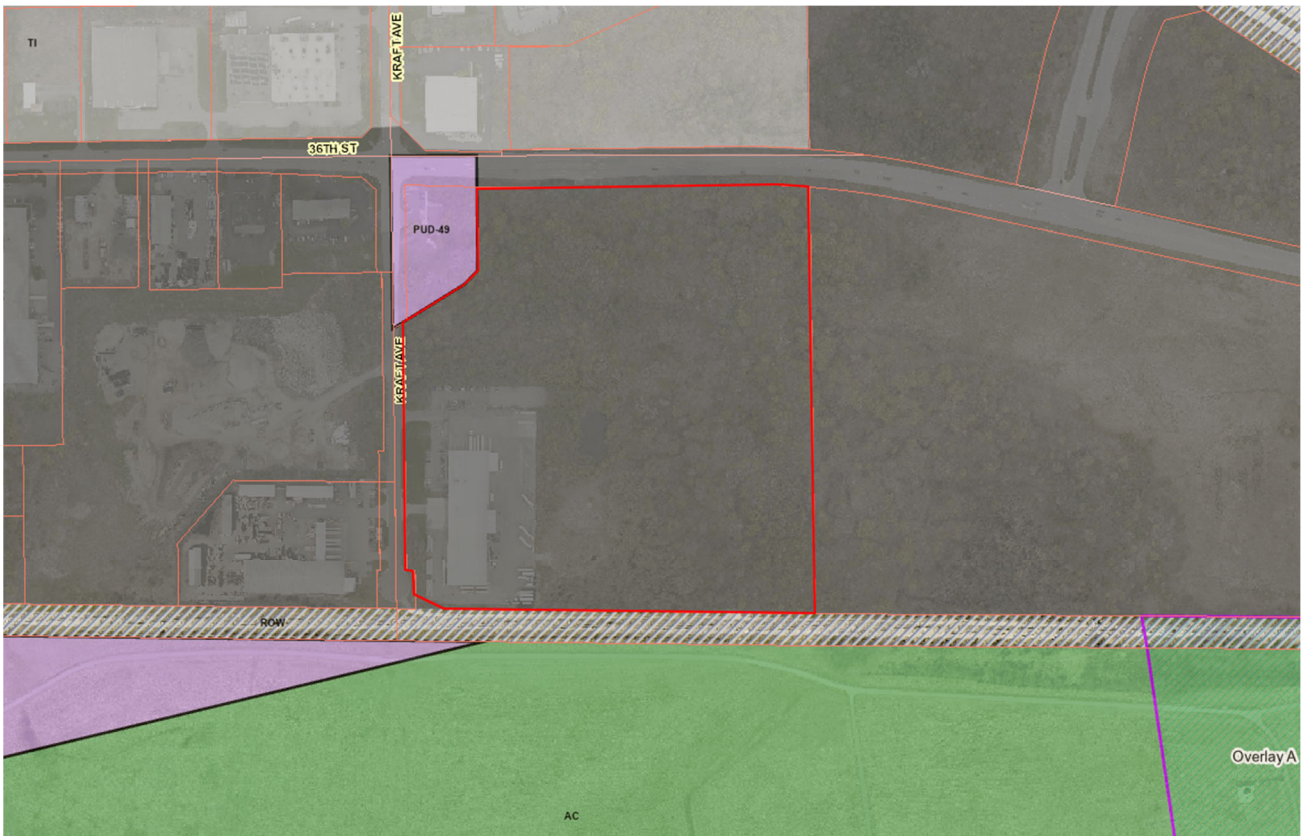
Applicant: Lakeland Pallets Inc

Property Address: 3700 Kraft Ave SE

Parcel Number: 41-19-20-100-015

Requested Action: Variance to allow for outdoor storage within the front and side setback.

Zoning & Parcel Map





CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE Grand Rapids, Michigan 49546-7140

PLANNING DEPARTMENT STAFF REPORT

STAFF REPORT: Case # 24-3871
REPORT DATE: November 6, 2024
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: November 12, 2024
PREPARED BY: Andrea Hendrick, Planning Director

APPLICATION SUMMARY

APPLICANT: Applicant: Joel Bodbyl, Lakeland Pallets Incorporated
Property Owner: Kraft Avenue Partners LLC

ADDRESS: 3700 Kraft Ave SE

PARCEL NUMBER: 41-19-17-365-034

REQUESTED ACTION: A variance for a reduction in the minimum front and side setback requirements for outdoor storage

REQUIREMENTS: Section 13: Industrial Zone District
Section 17.06.i(2): Minimum Setback for Outdoor Storage
Section 23.07: Functions, Considerations – Decisions and Authority of the Zoning Board of Appeals

EXISTING ZONING OF SUBJECT PARCEL(S): I – Industrial District

GENERAL LOCATION: The subject property is located on the east side of Kraft between 36th Street and the CSX Railroad tracks. Kraft dead ends into the railroad tracks. An access drive for the railroad exists along the south side of the property. The Gerald R Ford airport is located on the south side of the tracks.

PARCEL SIZE: 37.4 acres

EXISTING LAND USE: The south 7 acres of the site are improved with a 52,500 sf industrial warehouse facility and associated parking and access drives.

ADJACENT PROPERTIES: N: TI – Transitional Industrial– Warehouse/Manufacturing
W: I – Industrial - Vacant Warehouse/Manufacturing & Mineral Mining Operation
S: AC - Airport
E: I – Industrial, Vacant forested land

PROPERTY HISTORY

1978 – Current Building Constructed

2024 – Building sold to Lakeland Pallets, previously located across the street for relocation of the existing building.

2024-04-26 Zoning Verification determined that operations associated with Lakeland Pallets were an allowed use in the Industrial Zone District

2024-9-24 Lakeland Pallet recognized that an Administrative Site Plan Review was required for change of use. After review Planning Staff recognized that the outdoor storage of materials was occurring on the site. Staff and applicant worked together to create an expeditious compliance plan.

PROPOSED USE

The applicant is requesting a Special Use Permit and Site Plan approval from the Planning Commission on November 18th & Township Board on December 11th to request a Type II Special Use permit for outdoor storage. The business constructs pallets and intends to use portions of the paved area on the southwest, south, and southeast sides of the building for storage of constructed pallets and wood material.

The applicant intended to use the existing layout of the site and building to develop a systematic construction process where material for pallet construction would come in on the west side of the building where it would be stored on the west or south side of the building. Materials would be processed or constructed on within the building, and finished product would be stored on the east side of the building or stored within the north portion of the building. Finished product would be packed and shipped through the existing loading bays on the north side of the building.

The operations were considered and designed based on the current operation of the building without the knowledge that setbacks for outdoor storage were required. However, given the surrounding land uses, staff does not find that the current requirements for outdoor storage within the setback have a negative impact to the surrounding land uses or compromise the character of the Zone District. This is further summarized in the finding of the standards for a variance.

NEIGHBORS COMMENTS

Both the Special Use and the Variance have been noticed to the neighbors. No comments in support or opposition have been received.

CONSIDERATIONS

Zoning Board of Appeals Determination

The CCT Zoning Ordinance gives the Zoning Board of Appeals the authority to deliberate and determine if the proposed plans meet the standards for a Variance.

<i>Section 23.07(2)(1)</i>	<i>Findings</i>
<p>Before granting any variance, the Zoning Board of Appeals must find that all of the following standards are met:</p>	
<p>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.</p>	<p>The subject site is surrounded on multiple side by industrial and transportation facilities that have limited operations involving employees working near the proposed outdoor storage. To the south, the railroad and airport property have limited access for employees, and no access for the general public who could be aggrieved by the decreased setbacks of the outdoor storage. Additionally, because of the railroad and airport, the road dead ends. Only one (1) other business, and potential railroad workers, have reason to access this section of road. Furthermore, the site has wetlands and large forested areas on the north and east portions of the site that have value to the district and the community as a whole. Staff finds that the site exceptional or extraordinary to the site that are inherent to this site in relation to other uses in the adjacent are that are unique to this site and do not apply generally to other properties in the zone district.</p>
<p>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</p>	<p>The applicant has taken the terrain of the land and the location and useability of the existing manmade structures on site into account when planning for the operations of the site. Additionally, the applicant has made attempts to preserve the natural elements of the site while utilizing existing manmade infrastructure. Furthermore, the applicant has made sufficient effort to ensure that the site and operation were compliant with the requirements of the CCT zoning Ordinance. Staff finds that the condition is not a result of actions taken by the applicant.</p>
<p>That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.</p>	<p>The variance, as proposed, will have less visual impact on the surrounding properties by using the existing building and vegetation located on the south and west portion of the site to screen the materials from public view. The variance request is consistent with the current paved area of site and will not create additional constructed elements of the site. Allowing for the variance in the proposed location will decrease the visual impact to public view and allow for the reasonable use of the land, and building. Staff finds that the applicant has met this standard.</p>

<p>That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.</p>	<p>As previously mentioned, the property is located at the end of a dead end, with adequate screening from surrounding properties. Both the Special Use and Variance request have been noticed to surrounding properties and no objections have been received. The surrounding properties are transportation utility uses with no public access and limited access for employees of the business. There are no parties to be aggrieved by the out storage of pallets and material for pallet manufacturing. Staff does not find that this variance would be injurious or detrimental to the neighbors or the district as a whole.</p>
<p>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.</p>	<p>While there are elements of the proposed use that occur throughout the Industrial Zone District, the combination of natural site features, the existing site design, and the surrounding land uses make this site unique. Lastly, a review of previous variance cases shows that this request is not a common request. Staff finds this standard to be met.</p>

RECOMMENDATION

Staff recommends that the variance request for case #24-3871, a variance for a reduction in the minimum setback requirement for outdoor storage of pallets and material associated with the manufacturing of pallets located at 3700 Kraft Ave SE be APPROVED based on the findings above, with the following conditions:

1. The application and plans submitted by the applicant and signed, dated, and stamped by the Planning Director, shall constitute the approved plans.
2. The variance is limited to a 30 foot reduction in the front yard and 20 foot reduction in the south side yard.
3. The applicant receives the required Special Use Permit approvals from the Planning Commission and the Township Board.
4. The applicant agrees to preserve all existing vegetation on site and maintain all outdoor storage on the existing concrete surfaces.

ATTACHMENTS

1. Application
2. Applicant Narrative
3. Site Sketch indicating the proposed variance
4. Site Sketch of outdoor operations
5. Floor plan
6. Zoning Verification – 4-26-2024



CASCADE CHARTER TOWNSHIP

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

PLANNING & ZONING APPLICATION

APPLICANT: Name: LAKELAND PALLETS INCORPORATED
 Address: 3700 KRAFT AVE
 City & Zip Code: GRAND RAPIDS, MI 49512
 Telephone: 616-949-9515
 Email Address: joel@lakelandpalletsinc.com

OWNER: * (If different from Applicant)
 Name: JOEL BOBZYL
 Address: _____
 City & Zip Code: _____
 Telephone: 616-366-1706
 Email Address: _____

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

<input type="checkbox"/>	Administrative Appeal	<input checked="" 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:**

WE MOVED OUR OPERATIONS ACROSS THE STREET.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY**:

SEE ATTACHED.

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -20-100-015

ADDRESS OF PROPERTY: 3700 KRAFT AVE GRAND RAPIDS, MI 49512

PRESENT USE OF THE PROPERTY: PALLET WAREHOUSING & MANUFACTURING

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

Name(s)

Address(es)

3700 KRAFT LLC

2888 LEONARD ST MARNE, MI 49738

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.)

JOEL BOBBYL

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

Rev. 7/27/21



Dear Cascade Township,

Lakeland Pallets has called Cascade Township home for more than 17 years, specially our little spot at the end of the culdesac located on the north side of the airport. We have recently moved across the street and we are looking forward to calling this our new home for another 17 years and more. We have added many jobs in the community since we moved here. The partnership with the township over the years has proved to be mutally beneficial. I recently met with Andrea Hendrick to discuss a few things and her honesty and consideration was appreciated.

It is with this in mind that we humbly request the following variance to allow for the some outdoor storage in the setback. Section 17.07.i requires 100' of setback on the west and 50' of setback on the south. Our outdoor storage would be in the setback on a section of the west and south side of the property. Specifally, the outdoor storage would be in 30' of the setback on the west side and in 20' of the setback on the south. The page that I have attached shows the blue areas where we are requesting outdoor storage in the setback.

Allowing this variance will help keep the storage of materials better hidden from the view of passers by. The terrain on the southwest corner is much lower than the road and our material tucks away nicely there. The south side of the property is unviewable from the street right-of-way and we have no neighbor to the south. It also helps with the workflow of material through our facility and thus reduces waste.

Thank you for considering this.

Sincerely,

Joel Bodbyl
President
616-366-1706



KRAFT

100.0 ft

70.8 ft

19.8 ft

50.0 ft

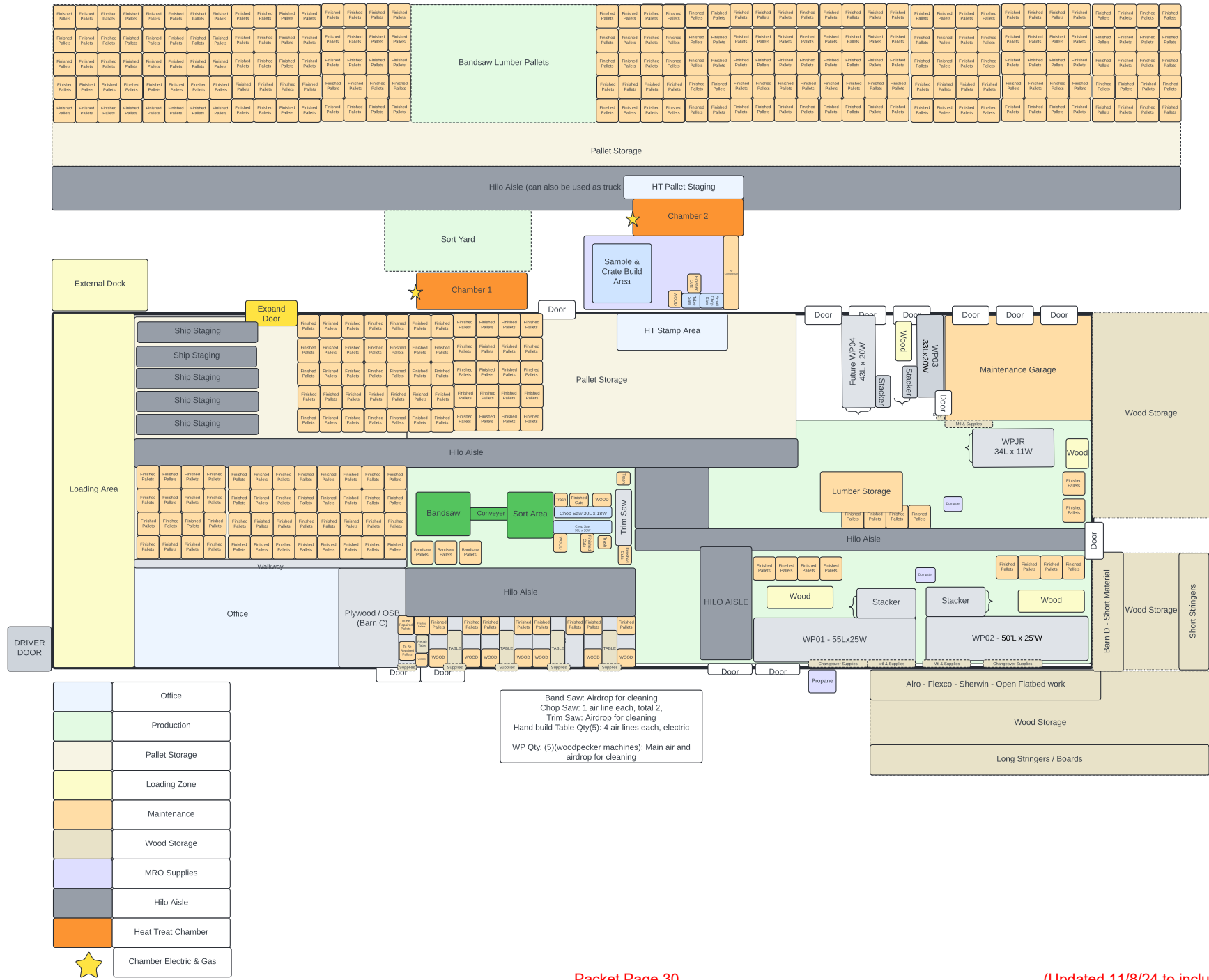
3700 Kraft Site Sketch Plan



Green boxes denote outdoor storage of lumber and pallets.

Red boxes denote parking to be maintained.

Blue box denotes 10 loading spaces.



Band Saw: Airdrop for cleaning
 Chop Saw: 1 air line each, total 2,
 Trim Saw: Airdrop for cleaning
 Hand build Table Qty(5): 4 air lines each, electric
 WP Qty. (5)(woodpecker machines): Main air and airdrop for cleaning

Office
Production
Pallet Storage
Loading Zone
Maintenance
Wood Storage
MRO Supplies
Hilo Aisle
Heat Treat Chamber
★ Chamber Electric & Gas



CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE
Grand Rapids, Michigan 49546

April 26, 2024

Requested by:
Skye C. Wickland
Varnum LLP
333 Bridge Street NW
Suite 1700
Grand Rapids, Michigan
49504

Re: Parcel No. 41-19-20-100-015

The address of the parcel number stated above is listed as both 3700 and 3730 Kraft Avenue SE, Grand Rapids, Michigan 49512

This Zoning Verification letter is being sent as a request from Skye C. Wickland of Varnum Law. With respect to your request for a zoning letter for the above location, I submit the following:

1. The property is in the I – Industrial Zoning District.
2. The permitted uses for the Industrial Zoning District listed in the Cascade Charter Township Zoning Ordinance are as follows:

Section 13.03 Uses Permitted by Right: Amended by Ord #5 of 2010; 3/10/10 Land and/or buildings in this district may be used for the following purposes:

1. "A" Grouping Basic Manufacturing: Manufacturing, compounding, processing and/or fabrication of the following materials provided that any structure used therefor shall not be located less than four hundred (400) feet from any residential district or use:
 - a. Agricultural products.
 - b. Food and kindred products.
 - c. Chemicals and chemical products such as plastics, synthetic fibers and cosmetics.
 - d. Wood and wood products, including sawmills and planing mills.
 - e. Metals and metal products, including metal plating.
 - f. Glass and glass products.
 - g. Paper and paper products.
 - h. Foundries and forge plants.
 - i. Insulation manufacture.
 - j. Rubber and rubber products.

2. "B" Groupings - Non-Basic Manufacturing: Facilities for manufacturing, processing fabrication, packaging treating or assembling from previously prepared materials provided that any structure used therefor shall be located not less than two hundred (200) feet from any residential district or use.
 - a. Automotive and aircraft parts (not including tires) and metal working.
 - b. Automotive assembly, including major repair.
 - c. Textile mill products such as woven fabric, knitted goods, floor coverings, yarn and thread.
 - d. Apparel and similar products made from fabrics, leather, fur, canvas and similar materials.
 - e. Prefabricated structural wood products, containers and lumber yards but excluding sawmills.
 - f. Furniture and fixtures.
 - g. Paper and paperboard containers and products.
 - h. Printing, publishing, and allied industries.
 - i. Chemical products such as plastics, synthetic fibers, and cosmetics.
 - j. Drugs and pharmaceutical products.
 - k. Electrical machinery, equipment, and supplies.
 - l. Fabricated metal products.
 - m. Glass products.
 - n. Tool and die shop and screw machine products.
 - o. Metal bending and welding.
 - p. Central dry cleaning or laundry.*
 - q. Building trades contractors.*
 - r. Research and development, and testing laboratories.*
 - s. Warehousing and general storage.*
 - t. Truck and trailer and heavy equipment sales, leasing and rental.*
 - u. Mini warehouses and self storage.*
 - v. Wholesale establishments.*
 - w. Retail sales where such use is clearly incidental to the primary use and where the area devoted to retail sales does not exceed fifteen (15) percent of the total floor area, and provided that the building used for such purpose is located a minimum of one hundred fifty (150) feet from a residential district or use.*
 - x. Offices, provided they are incidental to an industrial use located on the same site.*
 - y. Churches* (Ord. #10 of 2001)
3. Accessory buildings and uses: As provided in Section 4.08.
4. Signs As provided in the Cascade Charter Township Sign Ordinance.
5. Temporary structures and essential public services: As provided in Section 4.25.

Section 13.04 Uses Permitted by Special Use Permit:

The following uses may be permitted but are subject to the provisions and conditions outlined in Chapter 17, Special Use:

1. Auction houses if operation ceases before midnight and is wholly enclosed within a building.
2. Contractor's yards for vehicles, equipment, materials and/or supplies, provided that such yards shall be not less than five hundred (500) feet from any residential district or residential use.
3. Gasoline service stations, provided buildings used for such purposes shall not be nearer than five hundred (500) feet to any residential district or residential use.
4. Kennels not nearer than five hundred (500) feet to any residential district or residential use.
5. Livestock auctions not closer than five hundred (500) feet to any residential district or residential use.
6. Parking and/or storage yards for motor vehicles (excluding junked vehicles) and including transport equipment, provided such yards shall be not less than five hundred (500) feet from any residential district.
7. Trucking freight terminal and yards, provided such yards shall not be less than five hundred (500) feet from any residential district.
8. Veterinary clinic not less than five hundred (500) feet from any residential district.
9. Free standing office buildings located on substandard parcels or lots in existence prior to the effective date of this Ordinance.
10. Temporary cement or asphalt batch plants.
11. Billboard signs as provided in the Cascade Charter Township Sign Ordinance.
12. Minor Mineral Resource Extraction as regulated in Chapter 17 and Section 4.28 of Chapter 4. (New

Section added by Ordinance #19 of 1990).

13. Antenna tower and masts for cellular phone and other personal communication services, when authorized as a special use by the Planning Commission subject to conformance with the standards of Section 17.03 (h). (This subsection added by Ordinance #11 of 1996)

14. Other uses determined by the Planning Commission to be similar to the uses listed in Sections 13.03 and 13.04 hereof. (Section added by Ord #3 of 2006; 5/10/06)

15. Commercial composting operations. Section 17.07.2.t (New subsection added by Ordinance #2 of 2022)

3. There are no violations on record regarding the property.

Sincerely,



Madison Smith-Jacoby

Zoning Administrator

Cascade Charter Township

5920 Tahoe Dr. SE | Grand Rapids, MI 49546

Phone 616.285-2327



3801 Kraft LLC

5345 Naples Cedar Dr
Wyoming, MI 49519

***Cascade Charter Township
Notice of Public Hearing
Case # 24-3871
Variance to Allow Outdoor Storage in the Setback***

November 6, 2024

Greetings Township Officials,

We received in the mail the notification that our neighbor is requesting a variance. We own the property that is located directly across the street and to the west of 3700 Kraft Ave. Grand Rapids, MI 49512. Lakeland Pallets Inc. has asked us if we have any issues with where they desire to store materials in the setback. We have no issue with it at all and in fact, storing the materials where they are proposing will help keep them out of view. We support granting Lakeland Pallets their request for the variance to allow outdoor storage within the front and side setback of their property.

Sincerely,


Its Managing Partner


Its MANAGING PARTNER