

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, June 14, 2016
7:00 pm
Cascade Library Wisner Center
2870 Jacksmith Ave. SE

- ARTICLE 1. Call the meeting to order
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Approve the Minutes of the May 10, 2016 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 #16:3307 Gertrude Roelofs
Public Hearing
Property Address: 9554 52nd St. SE
Requested Action: The applicant is requesting a variance to construct a
new accessory building closer to the side property line than permitted.**
- ARTICLE 7. Any other business**
- ARTICLE 8. Adjournment**

Meeting format

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

ZONING MINUTES
Cascade Charter Township
Zoning Board of Appeals
Tuesday, May 10, 2016
7:00 P.M.
Cascade Library Wisner Center
2870 Jackson Avenue SE

ARTICLE 1. Chairman Berra called the meeting to order at 7:00 P.M.
Members Present: Berra, Casey, McDonald, Milliken, Pennington
Members Absent: None
Others Present: Community Development Director Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Chairman Berra led the Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

Motion made to approve the Agenda as printed by Member McDonald. Support by Member Pennington. Motion carried 5-0.

ARTICLE 4. Approve the Minutes of the March 22, 2016 Meeting.

Motion made by Member Milliken to approve the Minutes of the March 22, 2016 Meeting as written. Support by Member McDonald. Motion carried 5-0.

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

No visitors present wished to speak to non-agenda items.

ARTICLE 6. **Case #16:3304 Cascade Metro Cruise**

Public Hearing

Property Address: 6797 Cascade Rd SE

Requested Action: The Applicant is seeking approval from the Zoning Board to have up to 6 food trucks for the Metro Cruise warm-up event August 25 and 26.

Community Development Director Peterson presented the case. The location is in the village by the old Daanes shopping center. They would like to have some food trucks for the Metro Cruise warm-up event this year. This is not a variance, section 4.18 subsection 4 of our Zoning ordinance is used. In terms of it being temporary, they are talking about it being on site for only 48 hours, the event dates are August 25 and 26. The staff recommendation is that you approve the request to allow the food trucks at the shopping center for the event, with the condition that they only be there for the 2 days that they asked for and they provide a copy of the health department permit to serve food prior to the event.

Member Pennington asked if what they discussed at the Planning meeting with regard to the food trucks, if the ordinance is adopted, would they have to come back to the Zoning Board of Appeals. Director Peterson replied that they would not have to come back if they did the same thing under the same conditions. The Planning Commission is

looking at adopting some regulations specific to food trucks. Unless you wanted to make that part of the conditions, that you wanted to see it and get a report on how it went last year, then we would make them come back. I am not suggesting that we need that for this one.

Chairman Berra asked the applicant to come forward with comments.

Carmen Villahermosa deCox Co-Chair of the Cascade Metro Cruise warm-up. We have decided to call it At The Starting Line this year, as we have changed the location. The food truck part of this is going to be exciting this year. Gonzo from MLive is going to be spearheading the food trucks that will be here. There will be 6 trucks and there will be a food truck competition and we anticipate that it will draw a crowd. We are asking that each truck donate 20% of their proceeds back to this event, since it is a great opportunity for them to be here.

Chairman Berra asked if there were going to be different ethnic foods. The Applicant stated that they have requested different ethnic foods. We have a very good concert line up for the event with Delilah De Wilde and on Friday we are having Steve Azar. We think that Friday nights event is going to require the Food Trucks to be available as the crowds are anticipated to be quite large. Chairman Berra asked if alcohol would be available for purchase. The Applicant stated that alcohol will not be available for purchase this year. We are expecting a very large turnout. We have sent notices to the surrounding neighbors and every single business in the parking lot to let them know what is going on. We give them copies of all of our meeting minutes to keep everyone informed. I think this event will be a big hit and I really hope you will approve the Food Trucks.

Member McDonald made a motion to open the Public Hearing. Second by Member Pennington. Motion passes 5-0.

Chairman Berra asked anyone with comments to come forward.

No one came forward with comments.

Member McDonald made a motion to close the Public Hearing. Second by Member Casey. Motion passes 5-0.

Member McDonald made a motion to approve the variance based on the findings of fact as indicated in the staff report. Second by Member Casey. Motion passes 5-0

ARTICLE 7 Any other business.

Director Peterson stated there will not be an April 12 meeting.

ARTICLE 8. Adjournment

Member McDonald to adjourn the meeting. Support by Member Pennington. Motion Passed 5-0. Meeting adjourned at 7:20 PM.

Respectfully submitted,

Ann Seykora/Julie Kutchins
Planning Administrative Assistant

DRAFT

STAFF REPORT

STAFF REPORT: Case #16-3307
REPORT DATE: May 24, 2016
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals
MEETING DATE: June 14, 2016
PREPARED BY: Steve Peterson, Community Development Director

APPLICANT:
Gertrude Roelofs
9554 52nd St
Ada MI 49301

STATUS
OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to construct a new accessory building closer to the side property line than permitted.

EXISTING ZONING OF
SUBJECT PARCEL(S): ARC

GENERAL LOCATION: south side of 52nd St just west of Snow Ave.

PARCEL SIZE: Approximately 4.4 acres.

EXISTING LAND USE
ON THE PROPERTY: Residential

ADJACENT AREA
LAND USES: Residential

ZONING ON
ADJOINING PARCELS: ARC

STAFF COMMENTS:

1. The applicant wants to construct a new accessory building to replace one that burned down. Unfortunately, because the building was legal nonconforming they are unable to build the same building without seeking a variance.
 2. The building was non-conforming due to the setback from the property line because of the height of the building.
 3. The new building is planned to be about 76 x 64 and 18.5 feet tall at the midpoint. This requires a setback of 60 feet from the side and rear property line. While they meet the rear yard setback the sideyard setback is proposed at 13 feet.
 4. They could build a new building in a different location or one that is under 14 feet tall in the same location.
 5. The property also has an old barn that is also nonconforming due to the height of it. the building is about 35 feet tall and is approximately 43 x 64.
 6. With a little over 4 acres they are allowed to have two buildings.
 7. Any new building over 832 sq ft will require approval by the planning commission with or without a variance. As proposed staff would not support a new 76 x 64 accessory building.
 8. I have spoken with the property owner about the size of the building and the amount of the variance they are requesting and told them that they should be prepared to alter their plans.
 9. The other larger buildings in the area are also the result of old farm buildings and not the result of buildings that have recently been permitted.
 10. In general, we try to improve non-conforming situations when they are removed. I would not see this as improving the situation.
- A. Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all of the findings of fact listed in the table below:

<i>Findings of Fact</i>	<i>Comment</i>
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<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 property can handle another accessory building. However, the use of the old site for the same building is not appropriate for this 4 acre property. There are no conditions that are unique to this property.</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 (any action taken by an applicant pursuant to lawfully adopted regulations preceding this Ordinance will not be considered self-created)</p>	<p>The fact that they would simply like to continue the non-conformity is the result of actions 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>This is not the minimum variance necessary to use the land since they don't need a variance.</p>
<p>That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.</p>	<p>The size and height of this building is something that would not be allowed and something that we have tried to avoid and would be considered injurious to the neighborhood.</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>The situation is not unique and therefore a variance would set a precedent that could lead to a recurring request.</p>
<p>The Zoning Board of Appeals shall further find that the reasons set forth in application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building or structure.</p>	<p>The variance for the setback/building height is not justified.</p>

STAFF RECOMMENDATION

Deny the variance.

Attachments: **Application
Site Plan**



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Gertrude Roelofs
 Address: 9554 52nd St. SE
 City & Zip Code: Ada, 49301
 Telephone: 616-634-6934 or 616-690-1541
 Email Address: trudyr5050@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 |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Subdivision Plat Review * |
| <input checked="" type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other: _____ * |

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

BRIEFLY DESCRIBE YOUR REQUEST:**

Variance to allow accessory building to be re-built after old one was destroyed in fire. It meets the min setback requirements, but not the height restrictions.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

Assessing
949-6176

Building
949-3765

Buildings & Grounds
682-4836

Clerk
949-1508

Fire
949-1320

Manager
949-1500

Planning
949-0224

Treasurer
949-6944

LEGAL DESCRIPTION OF PROPERTY:**

That part of E 385.5 Ft of NE 1/4 Lying NLY of NLY Line of
C & O RR R/W / 100 ft wide / Ex N 330 ft of W 30 ft thereof
* SEC 36 T6N R10W 4.46 A

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 - 36 - 200 - ~~026~~⁰²⁶

ADDRESS OF PROPERTY: 9554 Sand St SE Ada, MI 49301

PRESENT USE OF THE PROPERTY: ARL - Hobby Farming

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.)

Gertrude D. Roelofs
Owner - Print or Type Name
(*If different from Applicant)

Gertrude D. Roelofs
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. 7/24/14

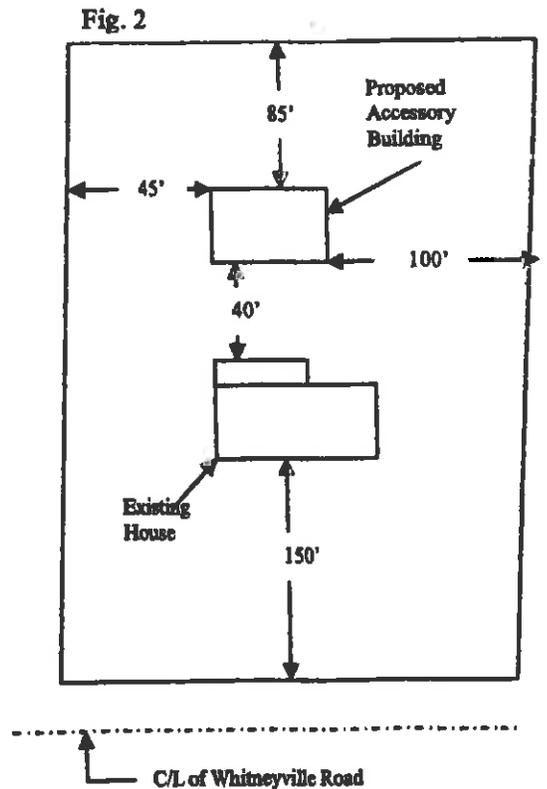
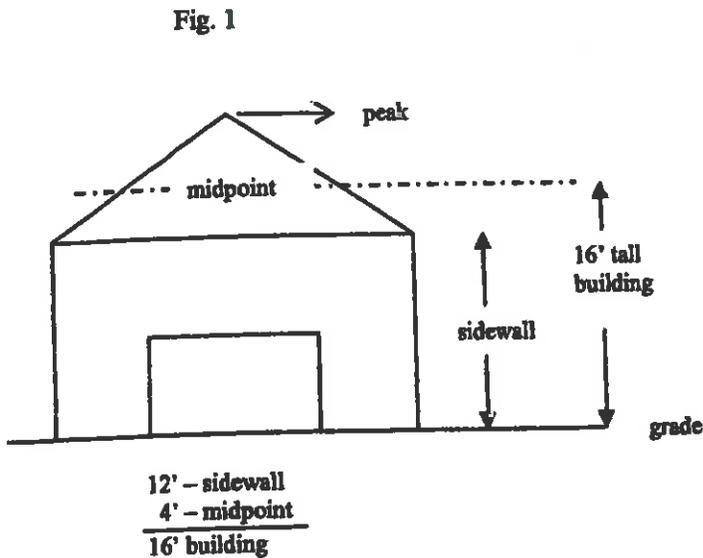
RESIDENTIAL ACCESSORY BUILDINGS

1. On residential lots of less than three (3) acres only one accessory building in addition to an attached or detached private garage is permitted. On residential lots of 3-6 acres or more two (2) accessory buildings in addition to an attached or detached garage may be permitted.
2. The following table shall be used to determine the minimum setbacks and maximum height requirement and also whether accessory buildings shall be approved under the provisions of Chapter 17 Special Use.

Maximum Height of Midpoint of Roof	Minimum Building Side Yard Setback	Minimum Building Rear Yard Setback	Special Use Permit Required
Up to 14'	Minimum - 10'	Minimum - 25'	Over 832 square feet
15' – 18'	Minimum - 40'	Minimum - 40'	Over 832 square feet
19' - 22'	Minimum - 60'	Minimum – 60'	Over 832 square feet

3. A customary private garage shall consist of any one private garage attached to a principal dwelling unit or, in its place, any one detached private garage. One such garage is permitted by right on any lot or parcel occupied for residential purposes.
 - a. The maximum size of a detached private garage is permitted by right shall be 832 square feet of floor area. Detached private garages exceeding 832 square feet shall only be allowed with a Type I Special Use Permit.
 - b. The maximum size of a private garage attached to a dwelling unit shall be limited to 832 square feet for the first 1300 square feet of habitable floor area contained in the dwelling. In addition, for each whole increment of five (5) square feet that the floor area of the dwelling unit exceeds 1300 square feet, the floor area of the attached garage may be increased by one (1) square foot.
4. Accessory buildings on residential lots shall not directly or indirectly involve any business, trade, occupation, or profession.
5. The following standards shall apply to all accessory buildings:
 - a. The architectural character of accessory buildings in excess of 200 square feet shall be compatible and similar to the principal building.
 - b. No accessory building shall be constructed on any parcel on which there is no principal building. If an accessory building and principal building are to be erected concurrently a building permit for the accessory building will not be issued until such time that construction of the principal building has been at least 50% completed.

- c. Accessory buildings other than attached garages shall not be located in the front yard area of any lot unless the accessory building is located more than 200 feet from the road right-of-way. On lots having water frontage a customary detached private garage is permitted in the front yard if it is located behind the applicable required front yard setback line for the district.
 - d. The distance between accessory buildings in excess of 200 square feet and any principal building shall not be less than 10 feet.
6. All residential accessory buildings that require a Type I Special Use Permit shall be approved according to the procedure outline on the "Special Use Permit Process Sheet".
 7. The following (Figure 1) is an example of how to measure the height of the building.
 8. The following (Figure 2) is an example of an acceptable site plan that is required with an application for a Type I Special Use Permit for an accessory building.





Michigan Dutch Barns

Michigan Dutch Barns Quotation Package

Maestro
Estimating Software
for Barns, Garages & Pools

QUOTATION FOR:

9554 52nd Street
Ada, MI 49301
(616) 957-3080

CONTACT:

Jesse Swartz
9811 Thompson Road
Lake Odessa, MI 48849
(800) 693-2754

QUOTATION DATE:

2/24/2016

ESTIMATE NUMBER:

8782

CONSTRUCTION:

Post Frame

DIMENSIONS:

64' X 76' X 16'/12

SPECIFICATIONS FOR 64' X 76' X 16' /12' POST FRAME PACKAGE:

MATERIAL PACKAGE

- Pre-Engineered Wood Trusses (4/12 Pitch, 4' O/C)
- 4.5 x 5.5 Graber Post 3 Ply Eave Posts (4' O/C)
- 4.5 x 5.5 Graber Post 3 Ply Gable Posts (8' O/C)
- 2 x 8 Treated Skirt Boards (1 Row)
- 2 x 4 Wall Girts (24" O/C) and Roof Purlins (24" O/C)
- Charcoal #1 40 Year G-Rib 29 Ga. Steel Siding
- Evergreen #1 40 Year G-Rib 29 Ga. Steel Roof
- One Concrete Post Footer in Each Post Hole
- 4" Floor Through Entire Bldg

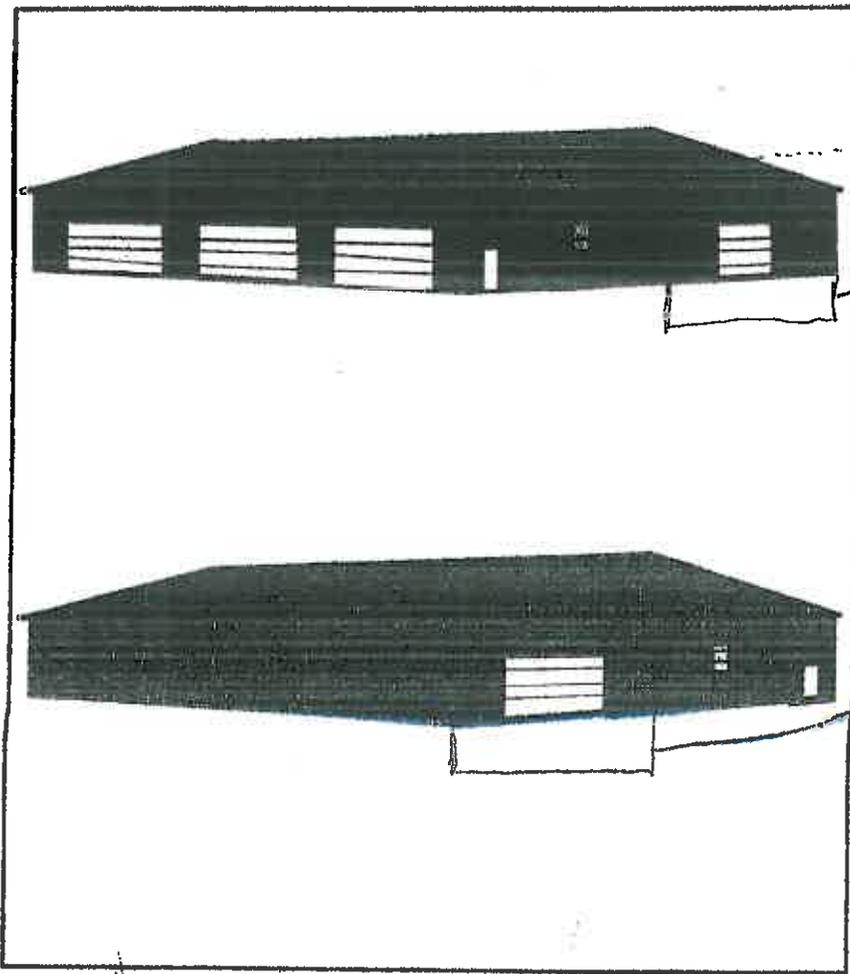
DOORS & WINDOWS

- One C.H.I. 2283 18 X 10 White Insulated Overhead Door High Lift
- One C.H.I. 2283 10 X 10 White Insulated Overhead Door High Lift
- Three C.H.I. 2283 18 X 10 White Insulated Overhead Doors
- Five Ohd Openers
- Two 3' 9 Lite Entry Doors
- Two Vwintech 2100 Series Single-Hung 3' x 5' Single Hs

12" OVERHANG ON ALL SIDES W/ VENTED STEEL SOFFIT

INCLUDES

- Commercial Gutter Both Eaves
- 8" Poured Walls (2-32', 1-76')
- 76' Wall Rail----- (Allowance \$3600.00)
- All Labor To Complete Project
- All Excavation And Disposal Of Concrete (Allowance Of \$12,000.00)
- All Labor To Complete Project
- All Bldg Permits



18.75'
Midpoint
at roof height
42"
drop-down

42"
drop-down

9554 52nd St

