

**AGENDA**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, March 13, 2018**  
**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 February 13, 2018 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 #18:3435 Walmart Stores  
**Public Hearing**  
**Property Address: 5859 28<sup>th</sup> St SE**  
**Requested Action:** The applicant is requesting a variance to increase the amount of wall signage.**
- ARTICLE 7. Case #18:3441 BDR Acquisitions LLC  
**Public Hearing**  
**Property Address: 1359 Buttrick Ave SE**  
**Requested Action:** The applicant is requesting a variance that would allow the property owner to split the property and leave the accessory buildings on the property with no home.**
- ARTICLE 8. Any other business**
- ARTICLE 9. Adjournment**

**Meeting format**

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

**MINUTES**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, February 13, 2018**  
**7:00 P.M.**

- ARTICLE 1.** Chairman Berra called the meeting to order at 7:00 P.M.  
Members Present: Berra, McDonald, Mead, Milliken and Pennington  
Members Absent:  
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.
- ARTICLE 2.** Chairman Berra led the Pledge of Allegiance.
- ARTICLE 3.** Approve the Agenda.  
  
Motion was made by Member Pennington to approve the Agenda. Supported by Member McDonald. Motion carried 5 to 0.
- ARTICLE 4.** Approve the Minutes of the December 12, 2017 Meeting.  
  
Motion was made by Member McDonald to approve the Minutes of December 12, 2017. Supported by Member Milliken. Motion carried 5 to 0.
- ARTICLE 5.** Acknowledge visitors and those wishing to speak to non-agenda items.  
  
Mr. Ken Carey came forward to speak about the potential of Cascade.
- ARTICLE 6.** Case #17:3430 Randy Carpenter  
**Public Hearing**  
**Property Address: 8650 36<sup>th</sup> Street**  
**Requested Action:** The Applicant is requesting a variance to place an accessory building in the front yard.  
  
Director Peterson stated that Applicant would like to construct an accessory building in the front yard of his home. The home has been permitted and is under construction.  
  
The home is located almost in the middle of the lot about 360 feet from 36<sup>th</sup> Street. The barn is being proposed at 330 feet from 36<sup>th</sup> Street. Because the front yard is everything between the road and the home, the location of the home determines how much front yard there is.  
  
The Township does have some allowance for building in the front yard provided they meet certain standards. Applicant has indicated that they do not meet one of those standards, so a variance is required.

There is at least one other building on the street with an accessory building in the front yard. The home most directly impacted is to the East.

Neither the plans or a site visit revealed any reason why the barn could not be pushed back 30 feet in order to be located in the side yard and not the front.

Director Peterson recommends denial of the request for a variance to place an accessory building in the front yard.

Chairman Berra invited the Applicant to come forward.

Mr. Bill Makuski, Applicant's builder, came forward on behalf of Applicant, to state that he feels that the location for the building is better than the location 30 feet back. He pointed out that Director Peterson's location for the building (30 feet back from its current proposed location) would be problematic. It would require much more excavation due to it being a very wet area. Mr. Makuski stated that precedent has been set for having buildings in the front yard. Applicant has 15 acres of land and no other home in the area will be able to see the new building.

Mr. Randy Carpenter, Applicant, also came forward to express his frustration with the rigid township ordinances. He is a business owner in Cascade and had to jump through many hoops in order to make his business compliant with all ordinances. He is now asking to build an additional building on his property and feels that turning down the variance he seeks because of only 30 feet is ridiculous.

**Motion was made by Member McDonald to open Public Hearing. Supported by Member Mead. Motion carried 5 to 0.**

Mr. Ron McCullum came forward to state that he feels that the township is applying residential rules to a piece of agricultural property. It is inappropriate to do so. He feels that there should be no reason why this variance shouldn't be granted.

Mr. Ken Carey also came forward to voice his disagreement with Director Peterson's recommendation to deny this variance.

**Motion was made by Member Pennington to close Public Hearing. Supported by Member McDonald. Motion carried 5 to 0.**

**Motion was made by Member Mead to approve the variance with three conditions:**

1. That by moving the building back 30 feet to comply with township requirements, it would be encumbered by a potential wet area;
2. It would not be a detriment to other neighbors; and
3. The building would be at least 300 feet off of the right-of-way.

**Supported by Member McDonald. Motion carried 5 to 0.**

**ARTICLE 7. Case #3434 Jeff Dionne**

**Public Hearing**

**Property Address: 2984 Thornapple River Drive**

**Requested Action:** The Applicant is requesting a variance to construct an addition to the house that does not meet the minimum 43 feet setback or the 10 feet side yard setback.

Director Peterson stated that Applicant is requesting a variance to allow an addition closer to the road right-of-way and closer to the side lot line than permitted. They are asking to build a two-story garage with three bedrooms behind and one on the lower level.

The Northeast corner of the home on the property is setback 16.7 feet from the right-of-way. The Northwest corner of the home, which would be adjacent to the proposed addition, is setback 25.3 feet from the right-of-way. The home is required to be set back 43 feet from the right-of-way. As it stands now, the current house is legal non-conforming because it does not meet current front setback requirements.

They are proposing an addition to the front of the home that would not allow 15.9 feet front setback. The side yard setback requirement is a minimum of 25 feet total with no one side being less than 10 feet. The home currently has setbacks of approximately 55 feet and 180 feet on the side. Applicant is asking to reduce the 55 feet side yard to 5.3 feet.

Director Peterson recommends denial of the requested variance. However, he would support a variance that maintained the existing front setback and did not exceed the minimum 10 feet setback.

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

Mr. Jeff Dionne came forward and made an elaborate and extensive presentation with regards to this project, why it came to be, and why he is asking for these particular setbacks.

**Motion was made by Member McDonald to open Public Hearing. Supported by Member Milliken. Motion carried 5 to 0.**

Mr. Ken Carey came forward to say he personally knows the Dionne family and that it was his opinion that this project needed to happen if not only because of the security factor involved with being on that portion of Thornapple River Drive.

**Motion was made by Member McDonald to close the Public Hearing. Supported by Member Milliken. Motion carried 5 to 0.**

**Motion was made by Member McDonald to:**

1. Deny the requested variance to construct an addition to the house because it does not meet the minimum 43 feet front setback or the 10 feet side yard setback;
2. Approve a variance that maintains the existing front setback and does not exceed the minimum 10 feet side setback.

**Supported by Member Mead. Motion carried 5 to 0.**

**ARTICLE 8. Any other business.**

- Election of Officers

**Motion was made by Member McDonald to nominate Chairman Lou Berra as Chairman and Member Valerie Milliken as Secretary. Supported by Member Mead. Motion carried 5 to 0.**

**Motion was made by Member McDonald to nominate Member Pennington to the Village Design Committee. Supported by Member Mead. Motion carried 5 to 0.**

- Rules of Conduct

**ARTICLE 9. Adjournment**

**Motion was made by Member McDonald to adjourn. Supported by Member Mead. Motion carried 5 to 0. Meeting adjourned at 8:30 p.m.**

Respectfully submitted,  
Valerie Milliken, Secretary

STAFF REPORT: Case # 18-3435  
REPORT DATE: February 23, 2018  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: March 13, 2018  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:  
Wal-Mart Stores Inc  
2001 SE 10<sup>th</sup> St  
Betonville AR 72716

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STATUS  
OF APPLICANT: Tenant

REQUESTED ACTION: Variance for wall signage.

EXISTING ZONING OF  
SUBJECT PARCEL: B2, General Business

GENERAL LOCATION: north side of 28<sup>th</sup> St between Thornhills and Kraft Ave.

PARCEL SIZE: Approximately 14 acres

EXISTING LAND USE  
ON THE PARCEL: retail

ADJACENT AREA  
LAND USES: N-Vacant  
S-Commercial/Office  
E-Car sales  
W-Commercial retail

ZONING ON ADJOINING  
PARCELS: N –Office  
S-Centennial Park PUD  
E – East Imports PUD  
W-B2

**STAFF COMMENTS:**

1. The applicant is requesting a variance to modify the variance they received in 2012. The 2012 allowed for a variance of more than 100 sq ft of wall signage by allowing 147.5 sq ft. This variance also limited the pylon sign to no more than 108 sq ft. We did not include the two incidental signs that were under 8 sq ft in the calculations.
2. The applicant would now like to increase the total amount of wall signage to 198.65 in order to accommodate a new pick up sign.
3. Since the variance in 2012 we have updated the sign Ordinance that allows for multiple wall signage.
4. The Sign Ordinance allows Walmart wall signage up to 100 sq ft. As well as a pylon sign of 125 sq ft. for a total of 225 sq ft of allowed signage, plus any allowed incidental, directional, etc. The wall signs they are now asking for now, not including the incidental signs, totals 198.65 sq ft. this is calculated as follows:

Sign	Allowed	Requested
Pylon sign	125 sq ft	108 sq ft
Wall signage	100 sq ft	
<b>Main WalMart Wall sign w/o spark</b>		<b>88.24 sq ft</b>
<b>Spark</b>		<b>24.6 sq ft</b>
<b>Pickup</b>		<b>66.76</b>
<b>Outdoor living wall sign</b>		<b>15.6 sq ft (to be removed)</b>
<b>Home and Pharmacy</b>		<b>19.05 sq ft</b>
<b>Wall sign total</b>		<b>198.65 sq ft</b>
Total	225 sq ft	
<b>Incidental Signs</b>		
Recycle	8 sq ft (incidental sign)	*3.7 sq ft
Market	8 sq ft (incidental sign)	*7.94 sq ft

\*are not calculated as part of overall wall signage

5. I have found a few other exceptions that we have granted for similar retail stores. These include:
6. Meijer was granted a variance in the early 80's for up to 544 sq ft of wall signage.

- 7. The Waterfall shoppes PUD allowed for larger wall signage as a part of the total signage plan. Wall signs for Costco, Dick's and Target were allowed to have additional signage due to the location (setback) of the building from the road and the size of the building.
- 8. D&W was also granted a wall sign variance (1998) and modified in 2007 to allow up to 217 sq ft of wall signage.

A. According to Section 9.07 of the Sign Ordinance, a variance may be granted by the Zoning Board of Appeals where the literal application of the Ordinance would create a GENUINE hardship for the sign user and the following criteria are met. Before the Zoning Board of Appeals reaches a decision they shall consider the following findings of fact:

Findings of Fact	Staff Comments
The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.	This request is similar to other large retail stores that we have either granted variances for or given consideration as part of a P.U.D. Walmart is giving up some pylon signage in order for the consideration of the additional wall signage.
The hardship created by a literal interpretation of the Ordinance is due to conditions unique to that property and does not apply generally to other properties in the Township.	Other large retail buildings have been given similar consideration. The setback of the building and the fact that the signs do not face 28 <sup>th</sup> is similar to some of the others that have been given exceptions. Finally the giving up of some pylon signage is very unique.
The granting of the variance would not be contrary to the general purposes of this Ordinance or set an adverse precedent.	We have already established a precedent to consider larger wall signs for the larger retail stores that are setback from the road. We have also already established regulations in the B1 zoning district to allow for larger signs for the larger retail store for some of the same reasons.

In granting a variance, the Zoning Board of Appeals may attach additional requirements necessary to carry out the spirit and purpose of this Ordinance in the public interest.

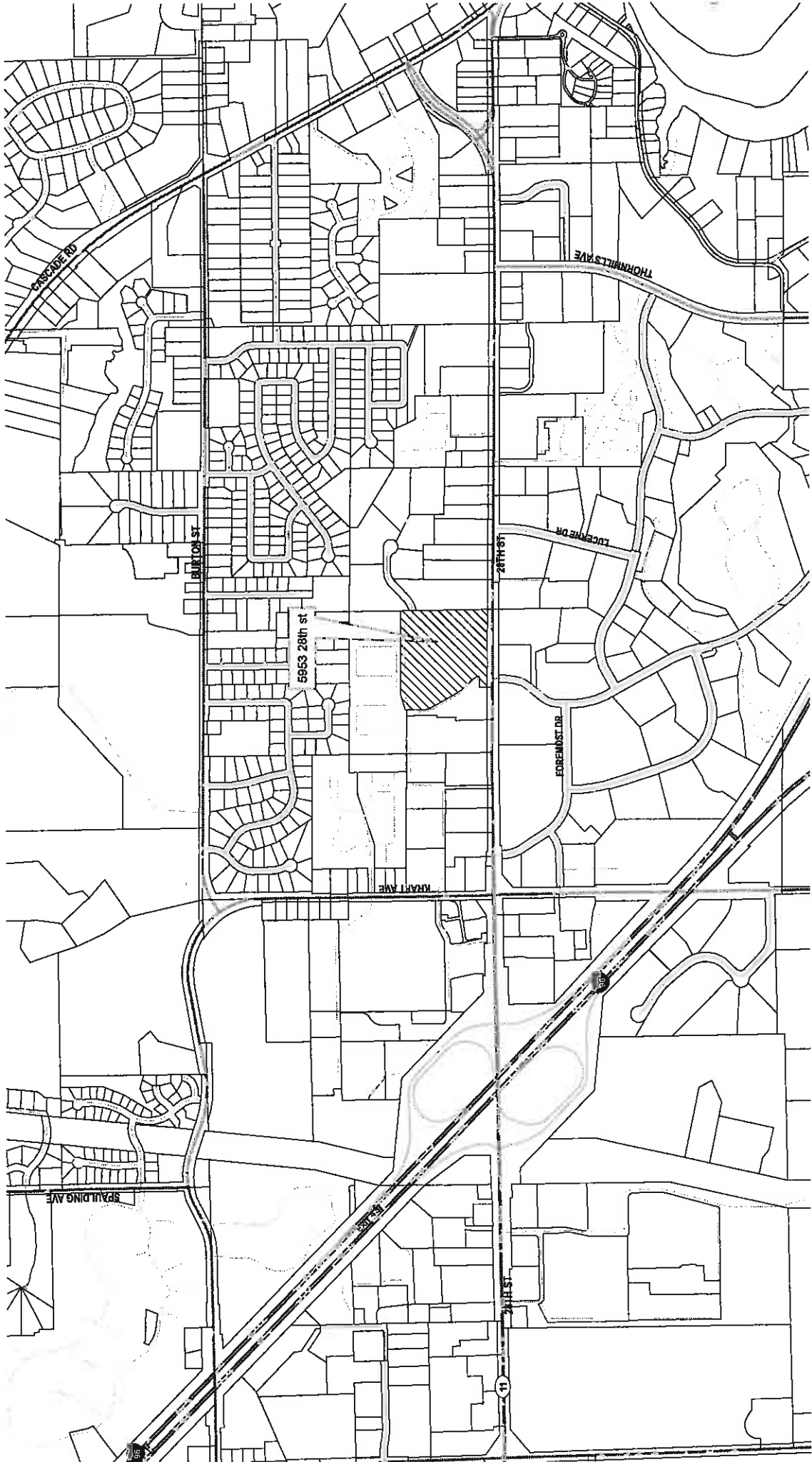
**STAFF RECOMMENDATION**

Staff recommends approval the variances to allow Walmart wall signs totaling no more than 198.65 sq ft as proposed on the plan dated September 18, 2017. This is a modification of the 2012 variance and still has total signage under the



allowed 225 sq ft. This plan includes the incidental signage that is shown on the plan but it is not part of the variance since no variance is needed for these signs.

Attachments:       Application  
                              Sign Plan





**PERRY M. PETRILLO ARCHITECTS, PC**

November 30, 2017

Mr. Steve Peterson  
Cascade Charter Township  
Community Development Director  
2865 Thornhills SE  
Cascade MI 49546  
616-949-0224

Re: Walmart Signage variance, Parcel #41-19-08-376-009

Dear Mr. Peterson:

I am the Architect of Record for the Walmart at 5859 28th St SE, in Grand Rapids, MI.

We are currently seeking a variance to add one on building sign at 66.76 square feet. The graphic will read " Pickup\* ". We can remove one "Outdoor Living" sign at 16.60 square feet to reduce the number of signs but we will still be exceeding the current square footage amount allowed under the current variance in place.

The Online Grocery Pickup program is being introduced nationwide. Customers will order their grocery related items online and drive to the store to pick them up. There is a designated parking area for the Online Grocery shoppers to park in and Walmart associates bring the bagged items to the customer's vehicle and place the goods in the customer's automobile. The "Pickup" sign that Walmart would like to place on the building makes local shoppers aware that the program is available at this store and on which side of the building that "Pickup" customers will park.

Sincerely,

Perry M. Petrillo Architects

PMP:ss

cc:



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

APPLICANT: Name: Perry M. Petrillo  
Address: 9 Park Avenue  
City & Zip Code Park Ridge, NJ 07656  
Telephone: 201-307-6153  
Email Address: lmaday@petrilloarchitects.com

OWNER: \* (If different from Applicant)  
Name: RG GRAND RAPIDS L.L.C.  
Address: 8163 Old Yankee Road Suite B  
City & Zip Code: Dayton, OH 45458  
Telephone: 212-623-5378  
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 checked="" type="checkbox"/> Sign Variance        |
| <input type="checkbox"/> Special Use Permit           | <input type="checkbox"/> Subdivision Plat Review *       |
| <input type="checkbox"/> Zoning Variance              | <input type="checkbox"/> Other: _____ *                  |

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

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

Add one on building sign at 66.76 square feet. Graphic will  
read " Pickup\* ".

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

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

411908376009 PART OF SW 1/4 COM AT S 1/4 COR TH S 89D 34M 15S W ALONG S SEC LINE 714.18 FT TH N OD 25M 45S W 127.68 FT TH N 89D 34M 15S E 96.97 FT TH NWLY 69.10 FT ON A 100.0 FT RAD CURVE TO LT /LONG CHORD BEARS N 25D 56M 05S W 67.74 FT/ TH N 45D 43M 54S W 76.87 FT TH NWLY 125.53 FT ON A 470.0 FT RAD CURVE TO RT /LONG CHORD BEARS N 38D 04M 50S W 125.15 FT/ TH N 30D 25M 45S W 256.07 FT TH NWLY 89.01 FT ON A 170.0 FT RAD CURVE TO RT /LONG CHORD BEARS N 15D 25M 43S W 88.0 FT/ TH N OD 25M 45S W 159.51 FT TH N 77D 11M 51S E 26.56 FT TH N 69D 55M 40S E 54.28 FT TH NELY 120.26 FT RAD CURVE TO RT /LONG CHORD BEARS N 79D 44M 36S E 119.67 FT/ TH N 89D 33M 32S E 717.19 FT TO N&S 1/4 LINE TH S 1D 30M 41S E ALONG N&S 1/4 LINE 852.91 FT TO BEG \* SEC 8 T6N R10W 15.69 A. SPLIT/COMBINED ON 01/24/13 FROM 41-19-08-376-004, 41-19-08-376-007

PERMANENT PARCEL (TAX) NUMBER: 41-19 -08-376-009

ADDRESS OF PROPERTY: 5859 28TH ST SE, GRAND RAPIDS MI 49546

PRESENT USE OF THE PROPERTY: Retail Store

**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.)*

Thomas W. Gunlock  
Owner – Print or Type Name  
(\*If different from Applicant)

Thomas W. Gunlock  
Owner's Signature & Date  
(\*If different from Applicant)

Perry M. Petrillo  
Applicant – Print or Type Name

[Signature] 1.16.18  
Applicant's Signature & Date

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

**PROFESSIONAL PRINT ROOM - 1987**  
 1. All drawings shall be prepared in accordance with the Michigan State Board of Engineers and Surveyors.  
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 3. All drawings shall be prepared in accordance with the Michigan State Board of Engineers and Surveyors.

**COMMENTS**

**CONTRACT NO.**

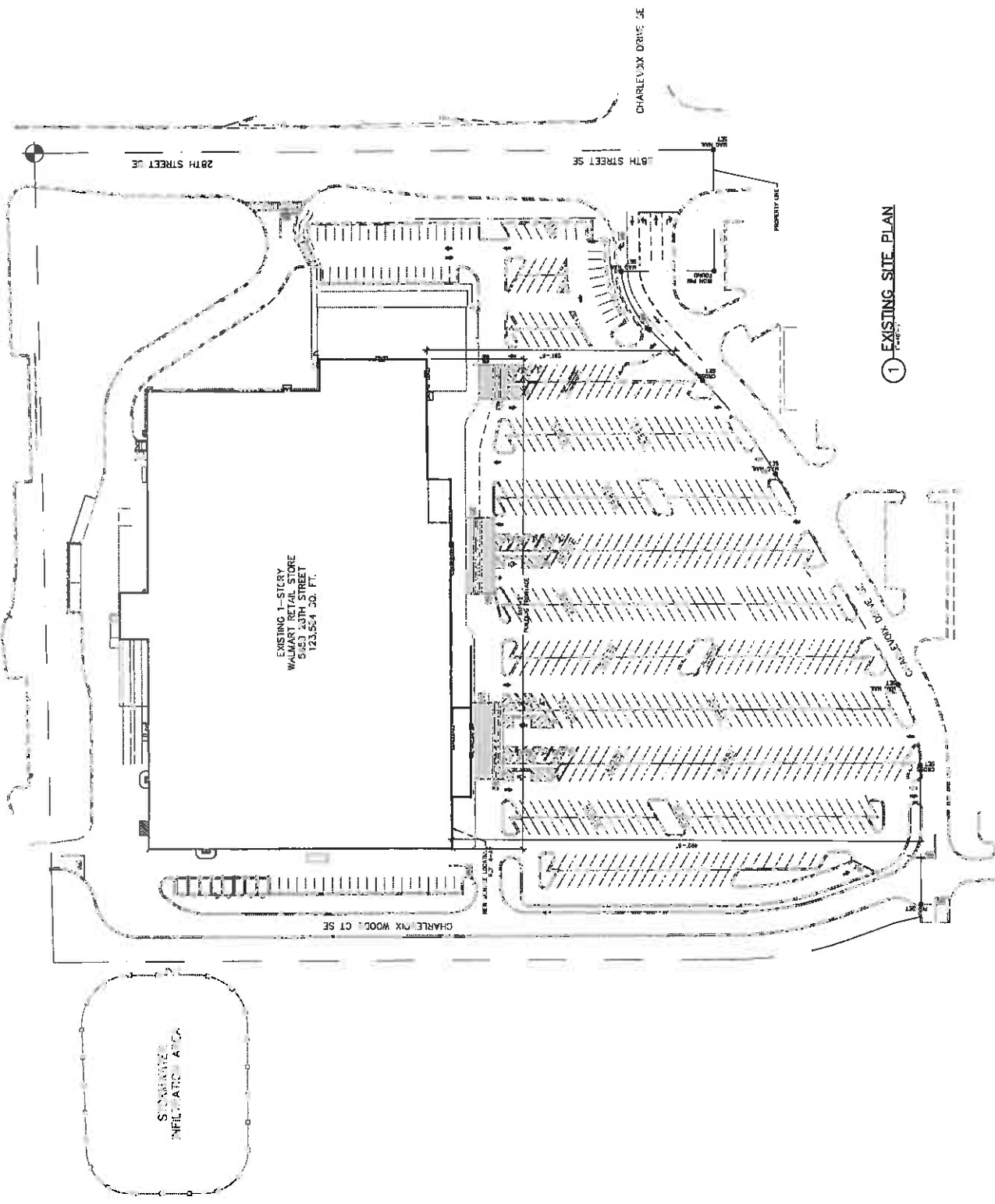
**Walmart**  
**GRAND RAPIDS, MI**  
 STORE NO. 2493

NO.	DATE	DESCRIPTION

DATE	10/15/11
DRAWN BY	
CHECKED BY	
PROJECT NO.	
PROJECT NAME	
DRAWING NO.	

**SITE PLAN (SIGNAGE)**  
**SHEET SP2**

**INDUSTRIAL, FRONT FLOOR - 1987**  
 THIS DRAWING IS A REPRODUCTION OF AN EXISTING DRAWING. IT IS NOT TO BE USED FOR CONSTRUCTION OF ANY STRUCTURE WITHOUT THE APPLICABLE CODES.



① EXISTING SITE PLAN

EXISTING 1-STORY WALKMART RETAIL STORE  
 5153 28TH STREET  
 123,554 SQ. FT.

STORMWATER INFILTRATION AREA

28TH STREET SE

16TH STREET SE

CHARLEYIX DRIVE SE

CHARLEYIX WOODS CT SE

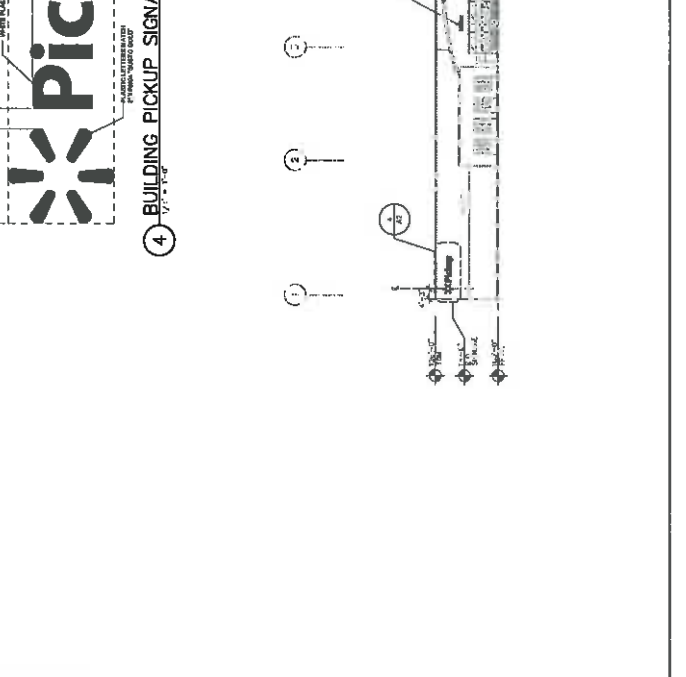
CHARLEYIX DRIVE SE

EXISTING SIGNAGE SCHEDULE				NEW SIGNAGE SCHEDULE			
Shop	Color	Mt. Ht.	Mount. Ht.	Sign	Color	Mt. Ht.	Mount. Ht.
FRONT 5' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A
FRONT 1' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A
FRONT 4' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A
FRONT 1' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A
FRONT 1' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A
FRONT 1' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A
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FRONT 1' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A
FRONT 1' X 4.5'	WHITE	1'-0"	N/A	FRONT SIGNAGE	WHITE	1'-0"	N/A

TOTAL BILLING: \$ 0.00

**GENERAL SIGNAGE NOTES**

- SIGNAGE DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
- ALL SIGNAGE SHALL BE MANUFACTURED BY THE SAME CONTRACTOR AS THE BUILDING.
- ALL SIGNAGE SHALL BE MANUFACTURED BY THE SAME CONTRACTOR AS THE BUILDING.
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STAFF REPORT: Case # 18-3441  
 REPORT DATE: February 28, 2018  
 PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
 MEETING DATE: March 13, 2018  
 PREPARED BY: Steve Peterson, Community Development Director

APPLICANT:  
 BDR Acquisitions LLC  
 5510 Cascade Rd  
 Cascade MI 49546

STATUS  
 OF APPLICANT: Purchaser

REQUESTED ACTION: The applicant is requesting a variance that would allow the property owner at 1359 Buttrick Ave to split the property and leave the accessory buildings on the property with no home.

EXISTING ZONING OF  
 SUBJECT PARCEL(S): R-1

GENERAL LOCATION: The property is located on the West side of Buttrick Ave just south of Grand River Dr.

PARCEL SIZE: 9.3 Acres

EXISTING LAND USE  
 ON THE PROPERTY: Residential

ADJACENT AREA  
 LAND USES: N-Somerville Airport  
 S, W, E - Residential

ZONING ON  
 ADJOINING PARCELS: R1

**STAFF COMMENTS**

1. The applicant is requesting a variance of Section 4.09 of the Zoning Ordinance. This section requires a principal structure (home) on the property before an accessory building. The number of accessory buildings are then limited based on the size of the property.

Acreage	Number of Buildings Allowed*
Up to three (3) acres	1
3-6 acres	2
6+ acres	3



2. The variance request is the result of the applicant wanting to split the property. They would then want to build a new home on the property with the accessory building.
3. The Zoning ordinance actually requires that the home be at least 50% complete before an accessory building can be built.
4. We have had some similar cases in the past and those variances were given with the condition that a performance bond is provided to allow the township to remove the accessory building if the property was not come into compliance.
5. The applicant has indicated that they believe they will have the new house to the 50% completion stage in one year from the time of the variance being issued. They have also indicated that they are willing to obtain a \$10,000 bond to guarantee that the house will be built. The bond would be released when the home is at least 50% complete.
6. 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>	
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district.	The split of the property is not a unique circumstance. The purpose of the regulation is to avoid an accessory building on a vacant lot. The quick resolution of building the home will address the matter.
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 request to remove the home is the result of actions of the owner.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	The quicker the new home is built will reduce the "amount" of the variance.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	The variance would not be detrimental to others if the situation is quickly addressed.
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.	I did find a couple of similar variances that we have approved. In a case when we denied a similar request the applicant had no plan to build a home.
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.	If denied, the applicant could remove the accessory building, build a home and then build an accessory building.

**STAFF RECOMMENDATION**

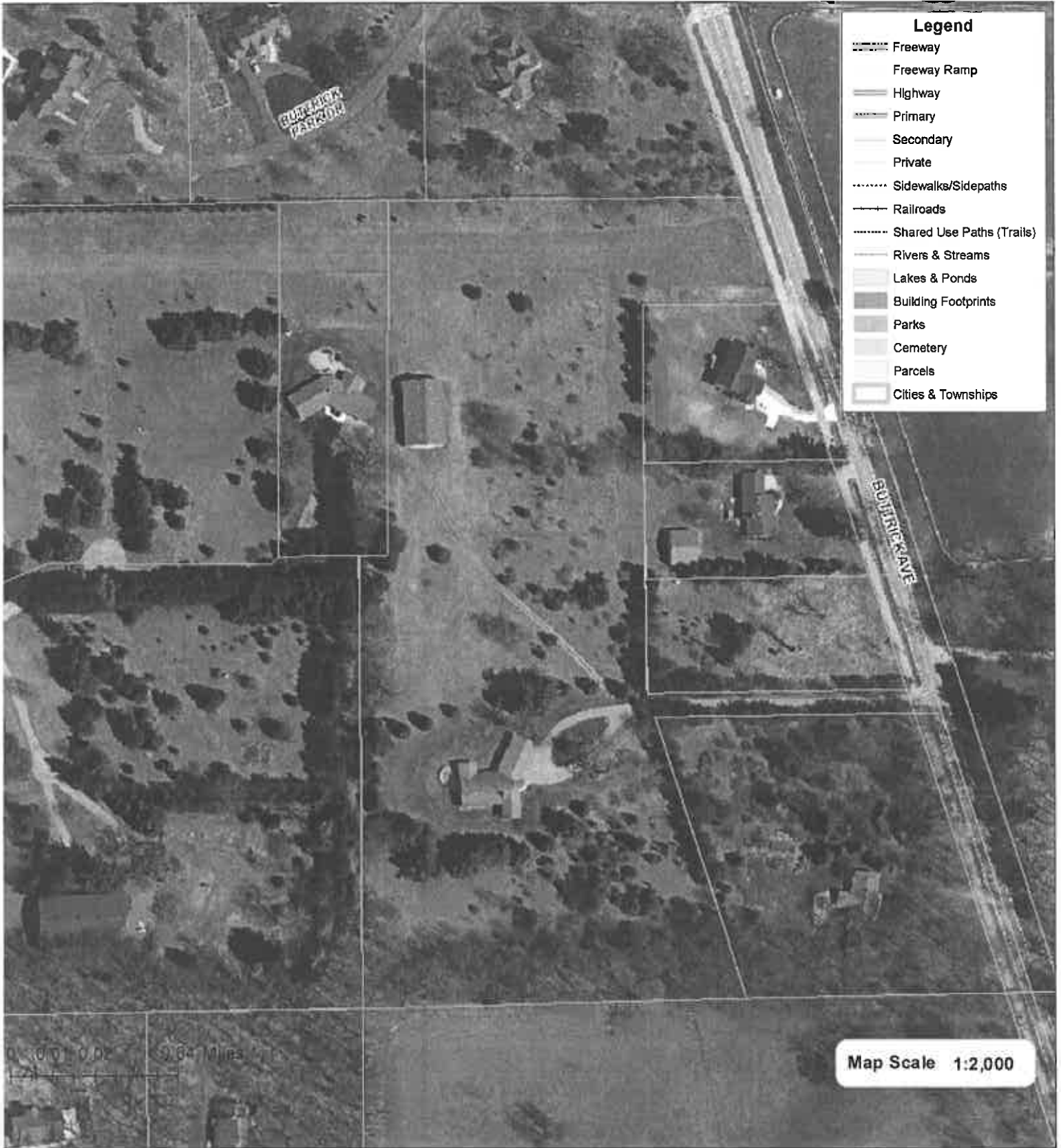
Approve the variance under the following conditions:

1. The home is at least 50% complete (rough -in) within 1 year.
2. Provide a performance bond for the removal of the accessory building if the home is not at least 50% complete within one year. The amount of the bond will be at a minimum \$10,000.
3. Bond will be released when the property is in compliance.

Attachments:           Application  
                                  Site Plan



# TITLE



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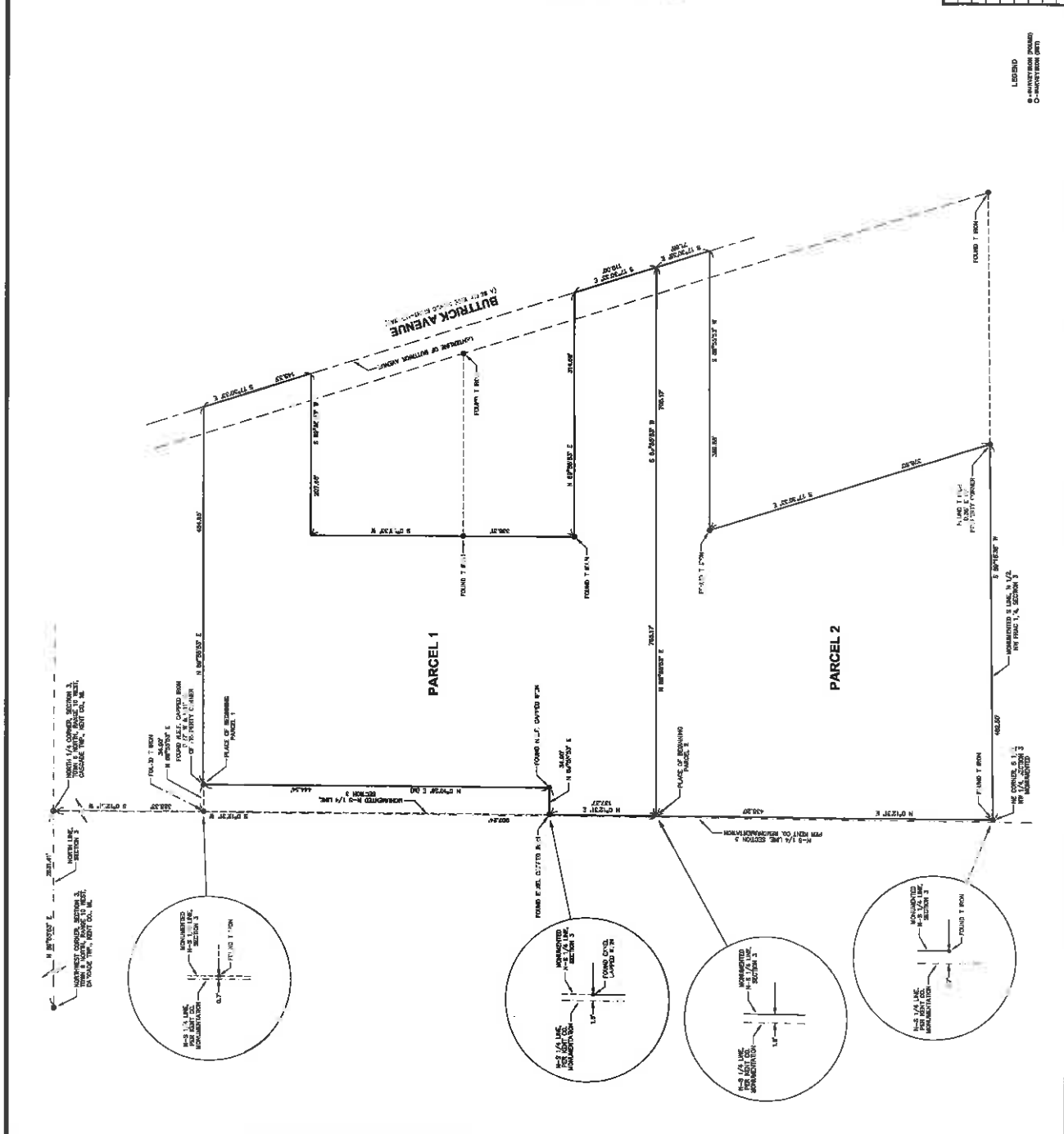
Printed 3/7/2018 8:08:30 AM

**PROPERTY DESCRIPTION**  
Parcel 1

That part of the Northwest fractional one-quarter of Section 3, Town 6 North, Range 10 West, Cassata Township, Kent County, Michigan, described as COMBINED of the North-South one-quarter of said section to the North one-quarter corner of said section, thence South 17°23'31" West 352.34 feet along the North-South one-quarter line to the northeast corner of said section, thence East 5°30' West parallel with the north line of the Northeast fractional one-quarter of said section as established by said 1st lot; thence North 89°49'52" East 5.30 feet parallel with the north line of the Northeast fractional one-quarter of said section to the northeast corner of said section, thence East 494.85 feet, thence South 17°23'57" East 148.53 feet along the centerline of Buttrick Avenue (a 30.00 foot wide public right-of-way); thence South 89°56'53" West 207.65 feet, thence North 89°49'52" East 314.69 feet, thence South 07°03'52" West 338.31 feet, thence North 89°49'52" East 314.69 feet, thence North 89°49'52" East 314.69 feet, thence South 17°23'57" East 116.02 feet along the centerline of offroaded Buttrick Avenue; thence South 89°49'52" East 305.17 feet parallel with offroaded Buttrick Avenue; thence North 89°49'52" East 305.17 feet parallel with offroaded Buttrick Avenue; thence East 444.98 feet, thence North 07°12'23" East 444.98 feet parallel with offroaded Buttrick Avenue; thence North 07°12'23" East 444.98 feet parallel with offroaded Buttrick Avenue; with one-quarter line of said section to the place of beginning, 5,782 acres including right-of-way, 5,842 acres including right-of-way.

**PROPERTY DESCRIPTION**  
Parcel 2

That part of the Northwest fractional one-quarter of Section 3, Town 6 North, Range 10 West, Cassata Township, Kent County, Michigan, described as COMBINED of the North-South one-quarter of said section to the North one-quarter corner of said section, thence South 17°23'31" West 352.34 feet along the North-South one-quarter line to the northeast corner of said section, thence East 5°30' West parallel with the north line of the Northeast fractional one-quarter of said section as established by said 1st lot; thence North 89°49'52" East 5.30 feet parallel with the north line of the Northeast fractional one-quarter of said section to the northeast corner of said section, thence East 494.85 feet, thence South 17°23'57" East 148.53 feet along the centerline of Buttrick Avenue (a 30.00 foot wide public right-of-way); thence South 89°56'53" West 207.65 feet, thence North 89°49'52" East 314.69 feet, thence South 07°03'52" West 338.31 feet, thence North 89°49'52" East 314.69 feet, thence South 17°23'57" East 116.02 feet along the centerline of offroaded Buttrick Avenue; thence South 89°49'52" East 305.17 feet parallel with offroaded Buttrick Avenue; thence North 89°49'52" East 305.17 feet parallel with offroaded Buttrick Avenue; thence East 444.98 feet, thence North 07°12'23" East 444.98 feet parallel with offroaded Buttrick Avenue; thence North 07°12'23" East 444.98 feet parallel with offroaded Buttrick Avenue; with one-quarter line of said section to the place of beginning, 4,680 acres including right-of-way, 4,740 acres including right-of-way.





# CASCADÉ CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

## PLANNING & ZONING APPLICATION

APPLICANT: Name: BDR Acquisitions, LLC.  
 Address: 5510 Cascade Rd. SE, Suite 200  
 City & Zip Code: Grand Rapids, MI 49546  
 Telephone: 616-458-8505 ext. B.  
 Email Address: dcontant@bdrinc.com.

OWNER: \* (If different from Applicant)  
 Name: Brian & Dana Bishop.  
 Address: 1359 Buttrick Ave SE  
 City & Zip Code: Ada MI 49301  
 Telephone: 616-676-1728.  
 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:\*\*

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(\*\*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\*\*:

See Attached.

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -03 -201 - 004

ADDRESS OF PROPERTY: 1339 Buttrick Ave SE, Ada, MI 49301

PRESENT USE OF THE PROPERTY: Vacant Land - Residential,

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

Name(s)

Address(es)

Brian Bishop

1359 Buttrick Ave, SE, Ada, MI 49301

Dana Bishop

1359 Buttrick Ave, SE, Ada, MI 49301

**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.)***

BRIAN BISHOP DANA BISHOP

BDR Acquisitions, LLC -

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

Applicant - Print or Type Name

*Dana Bishop*

*h g* 2/13/18

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

**Cascade Charter Township**  
**Planning & Zoning Application**

**Applicate:** BDR Acquisitions, LLC

**Property:** 1339 Buttrick Avenue, NE, Ada, MI 49301

**Briefly Describe Your Request:** Applicate is seeking to modify property lines between two adjacent parcels whereby increasing the total lot size of 1339 Buttrick Avenue, NE, (Parcel 1) and reducing the total lot size of 1359 Buttrick Avenue, NE, (Parcel 2). Additionally, the modification of the two parcels will result in the existing auxiliary building currently situated on the same parcel as the residential home, 1359 Buttrick Avenue, NE, becoming a part of the property known as 1339 Buttrick Avenue, NE. Applicant anticipates a new home commencing on Parcel 1 within 1 year of a variance being issued to applicant.