

**MINUTES**  
Cascade Charter Township Zoning Board of Appeals  
Tuesday, July 13, 2010  
7:00 p.m.

**ARTICLE 1.** Vice Chair Casey called the meeting to order at 7:00 p.m.  
Members Present: Casey, James, Logue and Neal.  
Members Absent: Chairwoman Wilson (excused), Trustee  
Goldberg (excused).  
Others Present: Planning Director Peterson, Recording Secretary  
Hern and Members of the Public.

**ARTICLE 2. Pledge of Allegiance**

**ARTICLE 3.** Vice-Chairman Casey requested a motion for approval of the July  
13, 2010 Agenda.

**Motion was made by Member James and supported by  
Member Neal to approve the Agenda as presented. Motion  
carried unanimously.**

**ARTICLE 4.** Vice-Chairman Casey requested a motion for approval or  
corrections of the June 8, 2010 Meeting Minutes.

**Motion was made by Member James and supported by  
Member Neal to approve the June 8, 2010 Minutes as  
presented. Motion carried unanimously.**

**ARTICLE 5.**

**Case # 10-2994: Jacqueline Stancil  
(From the Table of June 8, 2010)**

**Property Address: 3506 & 3508 Quiggle Ave.**

**Requested Action:** The applicant is requesting a variance to  
construct a 10-foot tall fence to keep deer on their property.

**Motion was made by Member James to remove Case # 10-2994  
from the Table of June 8, 2010 and supported by Member  
Neal. Motion carried unanimously.**

Planning Director Peterson noted this case was tabled at the June  
8<sup>th</sup> ZBA Meeting to allow staff time to address some concerns  
expressed at that meeting.

A concern was whether the proper notifications were sent to the  
surrounding neighbors of the property, primarily the neighbors to  
the east. The Township has reviewed their notice list and found  
that all properties within 300-feet were properly notified as well as  
the notice being published in *The Grand Rapids Press*.

The concern was also expressed as to if the Applicant is planning on having elk on the property. The Applicant has indicated that they might have elk on the property in the near future.

At the June ZBA Meeting, the question arose as to if a Special Use Permit is required for the following:

- a. A fence taller than 6-feet. No Special Use Permit is required since the Variance is being done. The Special Use Permit allows for an 8-foot fence, the Applicant is requesting a 10-foot fence. The Variance is for the 10-foot high fence so a Special Use Permit for an 8-foot fence is not necessary.
- b. Operation involving fur-bearing animals. Deer and elk are not considered fur-bearing animals. Fur-bearing animals relates to those used for their coats, such as mink.

Planning Director Peterson has discussed these concerns with the Township Attorney who has submitted a letter included within the Board's packets.

Staff would, again, recommend that the ZBA approve the Variance to allow for a taller fence with the condition that the fence be removed, within 6-months of being notified by the Township, when the deer are no longer on the property since the deer are the reason for the taller fence.

Member Logue asked what the Applicant's feelings are concerning the removal of the fencing if the deer were no longer on the property. Planning Director Peterson said he has discussed this with the Applicant and though the Applicant is not thrilled with removing the fence they are willing to lower it to meet Township requirements if the deer were no longer on the property.

Member Neal asked how many acres are involved with this property and Planning Director Peterson said 33-acres. Member Neal asked if the intent of the Applicant is to fence in the entire acreage and Planning Director Peterson said the Applicant plans to fence in approximately 29-acres.

Member Logue asked that if the Applicant were to lower the fence, would they be required to lower it to 6-feet and Planning Director Peterson said that they would have to lower it to at least 6 feet.

Member Logue asked if the Applicant could install a 6-foot fence and top-it with an additional 4-feet of fencing and Applicant Stancil said that the DNR would not allow sectioned fencing, they require 10-foot tall, one-piece fencing for deer.

Member Logue asked the Applicant how long she plans to keep deer on the property and Applicant Stancil said for at least another fifteen or twenty years.

**Motion was made by Member James and supported by Member Logue to approve Case # 10-2994 and the Applicant's request for a variance to construct a 10-foot tall fence to keep deer on their property with the condition that the fence either:**  
**1) Be removed or lowered to 6-feet within 6-months from the time the Applicant no longer has deer on the property in order to comply with Township requirements. Motion carried unanimously, Case # 10-2994 Jacqueline Stancil has been approved.**

#### **ARTICLE 6.**

#### **Case # 10-2995: Tom Edwards**

#### **(PUBLIC HEARING)**

**Property Address:** 5752 Cascade Rd

**Requested Action:** The Applicant is requesting a Variance to replace the existing accessory building with a new one that is taller than 14-feet and closer to the front and side property lines than permitted.

Planning Director Peterson referred to the site map and the property is located off of a small private road west side of Cascade Road across from Manchester Woods. The setbacks were taken from the private road, not Cascade Road.

The site map indicates the area the Applicant wishes to construct the building, however, the only location for the building is right at the edge of a large drop off. The building cannot be moved forward because it would then be in the front yard of the house. It is already in the front setback due to the right-of-way for the cul-de-sac.

The building cannot be moved farther back on the property because of the drop-off and wetlands that are at the rear of the building. Therefore, the Applicant has opted to replace the building right at the end of the driveway and at the base of the hill. Unfortunately, this causes the height of the building, to be taller than 14-feet.

The Township does allow accessory buildings taller than 14-feet provided the side and rear setbacks increase. As planned, the building has a height of 17.5-feet. This requires a minimum setback of 40-feet from the side and rear lot lines.

The proposed building is proposed to be 30-feet from the side property line, thus the Applicant needs a 10-foot side yard variance.

The property does have some challenges due to the location of the wetlands and drop off as well as the private road. These constraints make it difficult to locate a building on the property that meets Township requirements.

The project would not require approval from the Planning Commission since the building is not more than 832-square feet.

Staff recommends approval of the variance given the drop-off and wetlands that are on the site.

Planning Director Peterson also stated that the Township did not receive any phone calls or letters regarding this project.

Applicant Tom Edwards said he did not have any additional comments to Staff's report.

**Motion was made by Member James and supported by Member Neal to open the Public Hearing. All in favor with none opposed. Motion carried and the Public Hearing was opened.**

There were no Public comments.

**Motion was made by Member James and supported by Member Neal to close the Public Hearing. All in favor with none opposed. Motion carried and the Public Hearing was closed.**

**Motion was made by Member James and supported by Member Neal to approve the Applicant's request for a variance to replace the existing accessory building that is taller than 14-feet and closer to the front and side property lines than permitted. All in favor with none opposed, motion carried.**

#### ARTICLE 7.

**Case # 10-2997: Valley City Sign for Sentinel Pointe  
(PUBLIC HEARING)**

**Property Address:** 2900 Thornhills Avenue

**Requested Action:** The Applicant is requesting a Variance to replace the existing sign and install a new ground sign 10-feet from the right-of-way.

Planning Director Peterson said the Applicant is requesting a Variance to allow a new sign along Thornhills Avenue.

The current sign is attached to the large brick walls at the entrance of the facility.

The walls are in need of repair and will be replaced. They would like to install new signs that are not on the walls. In order to do this, the signs would be closer than the required 25-feet from the row line.

The Applicant is proposing a smaller ground sign located 10-feet from the property line.

The proposed sign is to be perpendicular to the road and 5-feet high and 30-square feet. This follows the Township's B1 Zoning rules for signage.

The property is part of a P.U.D. (Planned Urban Development) that was rezoned in 1980. Its original zoning was Special Business, which was the precursor to R2 Residential.

Although not a subdivision, the Township does allow subdivision signs to be located as close as 5-feet from the property line provided it is more than 25-feet from the road. In this case, the road edge is approximately 25-feet from the road. In other words, if this were a Subdivision the Applicant could have a subdivision sign of the same or larger size at the proposed location.

There is a sign across the street for the Forest Hills Condos. This sign is approximately the same size as the one the Applicant is proposing and appears to be located closer to the right-of-way but is a little taller than the Applicant's proposed sign.

Given the fact that this is a residential community, and the Applicant is following the B1 Zoning Ordinance and Staff finds this request to be similar to what is present across the street. Staff recommends approval of the request for the variance for the sign as proposed.

Planning Director Peterson also stated that the Township did not receive any phone calls or letters pertaining to this case.

Melanie Gray, who is employed by Valley City Sign and representing Sentinel Pointe, said that the sign is non-illuminated.

The wall that is currently at Sentinel Pointe is failing; the brick is deteriorating. The wall they are proposing to replace the brick one will not be all brick, thus not being conducive to being a wall sign.

The current sign is also parallel to the road and easy to miss, the Applicant is proposing a smaller sign that is perpendicular to the road.

**Motion was made by Member James and supported by Member Neal to open the Public Hearing. All in favor with none opposed. Motion carried and the Public Hearing was opened.**

There were no Public comments.

**Motion was made by Member James and supported by Member Neal to close the Public Hearing. All in favor with none opposed. Motion carried and the Public Hearing was closed.**

Vice-Chairman Casey asked Staff if the sign would be similar to the one for Forest Hills Condos and Planning Director Peterson said similar but shorter.

**Motion was made by Member James and supported by Member Logue to approve the Applicant's request for a Variance to replace the existing sign and install a new ground sign 10-feet from the right-of-way. All in favor with none opposed. Motion carried.**

#### ARTICLE 8.

**Case # 10-2998: City of Grand Rapids  
(PUBLIC HEARING)**

**Property Address:** 3288 Patterson Avenue

**Requested Action:** The Applicant is requesting a Variance to create a non-conforming property (lot size, lot width) and to construct a water tower over 35-feet tall.

Planning Director Peterson noted that there are two (2) requests in this case:

1. The variance for the lot reconfiguration.
2. The height of the water tower.

Planning Director Peterson noted the location of the site is the east side of Patterson approximately ½-mile south of 28<sup>th</sup> Street.

The City of Grand Rapids has been discussing placing a water tower in this area for some time. They have now located the

property to place the tower and it requires approval from Cascade Township.

Planning Director Peterson stated that he received an email from Gerald R. Ford International Airport approving the height of the water tower though they still have to go through the permit process with the airport. The FAA has approved the Applicant's request for the height and their letter is included in the Board's packets.

Planning Director Peterson referred to the proposed property splits and they are looking to reconfigure the property so that they have frontage on Patterson Avenue.

Planning Director Peterson noted the property is in the B2 district and is smaller than the minimum 3-acre requirement. The Township has advised those that reconfigure small properties that the lots should not get any smaller. The Applicant has one of the parcels, Parcel A, decreasing from 1.66-acres to 1.49-acres due to Parcel B obtaining frontage on the road. This is a 7,400-square foot difference.

Staff recommends approval of the variations for the proposed lot sizes and lot width as requested. Staff also suggests that the ZBA approve the additional height for the tower as requested and that no landscaping is needed for this project.

Member James asked if the barbed wire is allowed and Planning Director Peterson said it is allowed and the Applicant has met the requirements.

Member James asked what part of the Township would be served by this water tower and Planning Director Peterson said the entire water service area of the Township would be served.

Bernard Schaefer, City of Grand Rapids; David Baar from FTC&H along with Erik Soucey and Wayne Jernberg from the City's Water Department.

Mr. Schaefer said that the entire Township would be serviced by the water tower along with parts of Ada and Kentwood. The City of Grand Rapids representatives provided the ZBA further details regarding the project.

There is a vehicle that visits the site at least one time per day and there will not be any additional traffic.

The tank height is necessary to assist with the water pressure that is being required to meet the residents' needs.

Member Neal asked how the Cascade residents would benefit from the water tower and Mr. Schaefer said the water pressure would be maintained in supply pressure/water during peak demand times and when there is a need by the Fire Department. The tower would assist in stabilizing the water pressure. Mr. David Baar from FTC&H said this will help stabilize pressure in the community and able to increase from 2,000 gallons per minute to 3,000 gallons. This system will also help with any increase in demands, allowing for future growth.

Member James asked what the cost is going to be to the taxpayers for this improvement. Mr. Schaefer said that the tower would be paid for through revenue bonds and will be reflected on rates of new bonds. The average homeowner will see an increase of approximately \$100 per year in their rates.

Member Logue noted the project notes the re-sizing of pumps at the East Paris Station in five to ten year but based on demand or built for future use? Mr. Schaefer said that the Township is unique as there are certain pockets that need higher pressure. Another source is the East Paris Station is a "booster system" that has two (2) pumps that service other high-pressure districts. The water tower would allow for future growth in the Township and stabilize the pressure in the high-pressure districts. The City of Grand Rapids could change some of the pumps that are in the boost station to assist with the pressure stabilization and supply to the Township.

**Motion was made by Member James and supported by Member Neal to open the Public Hearing. All in favor with none opposed. Motion carried and the Public Hearing was opened.**

No letters or phone calls were received pertaining to this project. No comments from the Public.

**Motion was made by Member James and supported by Member Neal to close the Public Hearing. All in favor with none opposed. Motion carried and the Public Hearing was closed.**

Member Logue believes this is a good addition to the Township and improves service to the Township's residents.



**Motion was made by Member Logue and supported by Member James to approve the Applicant's request for a Variance to create a non-conforming property (lot size, lot width) and to construct a water tower over 35-feet tall as proposed. All in favor with none opposed. Motion carried.**

**ARTICLE 9. Any Other Business**

Vice-Chairman Casey opened the meeting for any other business. There was no other business.

**ARTICLE 7. Adjournment**

**Motion was made by Member James and supported by Member Neal to adjourn. Motion carried unanimously and the meeting was adjourned at 8:10 p.m.**

Respectfully submitted,

Mel Casey, Vice-Chairman/Secretary

Lisa Hern, Recording Secretary