

## MINUTES

Cascade Charter Township Zoning Board of Appeals  
Tuesday, August 9, 2011  
7:00 P.M.

**ARTICLE 1.** Chairman Mel Casey called the meeting to order at 7:00 P.M.  
Members Present: Casey, James, Logue, McDonald, Alternate Neal  
Members Absent: Goldberg, excused.  
Others Present: Planning Director, Steve Peterson

**ARTICLE 2.** Chairman Casey led the Pledge of Allegiance.

**ARTICLE 3. Approve the Agenda**

**Motion was made by Member McDonald to approve the Agenda. Support by Member James. Motion carried.**

**ARTICLE 4. Approve the Minutes of the July 12, 2011 Meeting.**

**Motion was made by Member Neal to approve the Minutes. Support by Member James. Motion carried.**

**ARTICLE 5. Case #11-3039 West Michigan Caterer  
(Public Hearing)**

**Property Address:** 3361 Charlevoix Dr.

**Requested Action:** The applicant is requesting a Variance to allow multiple ground signs.

Planning Director Peterson stated that the request is for a couple of new signs; however the signs have already been installed. One is along I-96 facing the westbound traffic and the other is on Charlevoix Dr. at the west entrance to the club. They also have a permitted sign and a legal, non conforming sign.

When the signs were noticed along the highway the owner was contacted and that he couldn't have any additional signs because the Country Club already has their ground sign. The owner indicated that he needed additional signs because he had an additional business. The owner was advised that just because he had an additional business didn't mean he was allowed additional signage. The owner is allowed to modify the permitted sign as well as the legal, non conforming sign to indicate the new business.

After repeated attempts to contact the owner, then failure to comply a citation was issued. The owner then applied for a variance, resulting in tonight's meeting. The ticket is on hold until the result of this meeting.

One of the problems with the additional sign that is along Charlevoix is that it's in the road right of way, which is not permitted. The sign along the highway appears to need a variance for the location as well since it is too close to the property line. The signs that have been illegally installed appear to be about 40 sq ft each.

One option for the owner is to install new directional signage; however this is limited to no more than 20 sq ft for a multi-tenant sign setback 5 feet from the ROW.

I do not find any unique circumstances. We have plenty of properties that have multiple businesses that have only one sign.

This variance would be contrary to the intent of the Ordinance and would set a bad precedent for other sites with multiple businesses.

Given the fact that they do not meet any of the standards for a sign variance and have the option of installing new directional signage, staff recommends that the variance be denied and that the illegal signs be removed. If you agree that the variance should be denied, I would recommend that you give the applicant ten days to remove the signs. If the signs are not removed in ten days, the ticket will be reauthorized.

Chairman Casey asked if there were any questions for staff. Member James asked if it is a single violation or two separate violations and how should they be handled. Staff said they can be handled together, but viewed as multiple violations.

Member McDonald asked about the legal non-conforming sign and questioned what the issue is with it. Peterson said it is non-conforming because it's been there since before we've had this Sign Ordinance and a permit for it cannot be found. It may have been there for over 15 years.

Chairman Casey asked for the applicant or a representative to come forward. Owner Bob Johnson gave his address as 3361 Charlevoix Drive. He stated that he was not aware that he needed a variance for the signs. He stated that he agreed to buy the club a year ago. At that time there were plans to shut the club down. He owns West Michigan Caterer and needed the banquet space and the things the club had with it. He stated that Pioneer approached him saying that they would really like to save the club if at all possible and asked him if he could make this happen. Mr. Johnson feels the way it can happen is by making the club profitable. The golf course has not made a profit in over 20 years. He came in and helped subsidize it from his other division. They are two separate entities in two separate buildings. The golf course and the country club is run out of the smaller building that oversees the pool and everything else, and the banquet centers and the catering operation run out of the secondary building which is where the banquet centers are.

Mr. Johnson said that the sign on the highway is exactly as far back as the first sign. He said he was willing to take that down if the Township wanted him to. The first sign is very important to him, but he feels that he needs the visible exposure of both of the signs to make it run. If it doesn't run he will shut the golf course down. He stated that he has agreed to spend over \$400,000 of his own money over the next three years to try to make this a viable entity for Cascade Township. He moved his business from downtown Grand Rapids to this area in order to make this happen. He just opened a third business in Cascade Township as well. He thinks this is an important part of Cascade and he really does need this variance.

Mr. Johnson said he has found multiple signage for other businesses and had pictures.

Chairman Casey commented to the applicant that if he was serious he was disappointed that the Kent County Deputies had to write up a report and try to catch up with him.

Chairman Casey asked if there were any questions of the applicant. Member Logue asked if there was a reason the existing signs can't be reconfigured to meet his needs. The applicant said it was cost prohibitive at this time to put another \$10,000 - \$15,000 into a sign.

Member Logue asked how much the catering sign cost. The applicant replied, \$3,300. Logue also asked if the applicant had any other ideas on how he could comply with the Sign Ordinance. The applicant replied that he could move the big sign back. Member Logue reminded him that the total numbers of signage were more than is permitted.

Chairman Casey asked for a Motion to open Public Hearing. **Member McDonald made a Motion to open Public Hearing. Support by Member Logue. Motion carried.**

Chairman Casey asked if any correspondence was received by Staff. Peterson said that a few people came in to the office to ask questions but nothing was received in writing.

The chairman asked if anyone from the public wished to speak.

Jane Hesselchwerdt of 6121 N. Gatehouse is a resident of 30 years. She said staff has done a really good job to keep this community the way it was intended and she'd like to have it stay that way; according to the established rules.

Jim Reed of 6206 S. Gatehouse is the president of the association at Gatehouse. He agrees with Ms Hesselchwerdt. He likes the way the Township regulates the signage. Even the signage at Gatehouse had to be done the proper way. He continued by saying that he wants the applicant to succeed with his businesses. He realizes that it would take a great deal of expense to comply with the Sign Ordinance, but he agrees that the applicant needs to comply.

Peterson explained how the applicant could comply with everything.

**Member McDonald made a Motion to close Public Hearing. Support by Member James. Motion carried.**

Member McDonald expressed appreciation for Mr. Johnson's investments and wants to see him succeed, but he is concerned with setting precedent. There are options for the applicant and that is good; however there are no unique circumstances that would justify a variance for the signs that are there now. Member McDonald said he would have a hard time approving a variance.

**Member McDonald made a Motion that the variance is denied and that the illegal signs are removed within 10 days. He would also urge the applicant to get with Staff**

and work on those options, because there are options that are pretty accommodating for the Township, for the business, and for the residents. Support by Member Neal. Motion carried.

**ARTICLE 6: Any other business**

There is a meeting planned for September 13.

**ARTICLE 7: Adjournment**

**Motion was made by Member James to adjourn. Support by Member Logue. Motion carried. The meeting was adjourned at 7:40 p.m.**

Respectfully submitted,

Tom McDonald, Secretary

Carol M. Meyer, Planning Administrative Assistant