

**AGENDA**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, February 12, 2019**  
**5:30 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 January 8th, 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 #19:3510 Thornapple Brewing  
**Public Hearing**  
**Property Address: 6262 28<sup>th</sup> St.**  
**Requested Action:** The applicant is requesting approval to allow the placement of seasonal temporary structure for outdoor seating.**
- 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*

MINUTES  
Cascade Charter Township Zoning Board of Appeals  
Tuesday, January 8th, 2019  
5:30 P.M.

**ARTICLE 1.** Chairman Berra called the meeting to order at 5:30 P.M.  
Members Present: Berra, McDonald, Mead, Moxley, Milliken  
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.

**ARTICLE 3.** Approve the Agenda.

Motion was made by Member McDonald to approve the Agenda. Supported by Member Mead. Motion carried 5 to 0.

**ARTICLE 4.** Approve the Minutes of the December 11, 2018 Meeting.

Motion was made by Member Mead to approve the Minutes of December 11, 2018. Supported by Member McDonald. Motion carried 5 to 0.

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

No visitors came forward.

**ARTICLE 6.** Case #18-3508 Cascade Paper Convertor  
Public Hearing

Property Address: 4935 Starr St.

Requested Action: The Applicant is requesting a sideyard setback variance in order to construct a 3,200 sq ft addition.

Director Peterson stated that there were a couple of maps in each packet, and proceeded to explain where the proposed addition will be built. He then showed where both side property lines are, and pointed out which one the applicant is requesting the setback variance for. Director Peterson then shows where the existing setback is, noting that it measures about 21 ft on the site plan. He explains that the area is industrial, and that the neighboring property has a rear setback of 60 ft to the neighbor, 10 more feet than the required rear setback of 50 ft. He continues on to note that there have been three other sideyard variance applications over the last few years that have been granted. Director Peterson then states that it is his recommendation to approve this variance as it is a unique circumstance that will be difficult to repeat, and is a small variance request. He also states that the Planning Commission did approve the site plan with the condition that the Zoning Board approves the setback variance.

Chariman Berra invited the applicant to come forward with any comments.

Mr. Natale added that the previous addition was completed 4 years ago. He stated that he would like to keep that same line both outside, and inside of the building with the proposed addition.

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

No one came forward.

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

**Motion was made by Member McDonald to approve the variance based on the staff presentation. Supported by Member Milliken. Motion carried 5 to 0.**

**ARTICLE 7. 2018 Annual Report**

Director Peterson highlights the development total has gone up slightly, as the single family home applications have gone down. He then stated that a few new subdivisions have been approved, so the single family home application trend may start to rise.

Member Mead asked Director Peterson when the Master Plan will be ready, Director Peterson stated it should be ready by February/March.

**ARTICLE 8. Rules of Conduct**

Director Peterson reiterated the importance of following communication rules with applicants, reminding members that all discussion needs to happen in a public forum.

**ARTICLE 9. Planning Principles**

Brief review of the provided document.

**ARTICLE 10. Election of Officers**

1. Election of officers of the Zoning Board of Appeals was held.

Chairman – Member Milliken

**Motion was made by Member McDonald to elect Member Milliken to a two-year term. Supported by Member Moxley. Motion carried 5-0.**

Vice-Chairman/Secretary – Member Mead

**Motion was made by Member McDonald to elect Member Mead to a two-year term. Supported by Member Moxley. Motion carried 5-0.**

2. Appointment to the Village Design Review Committee – Member Moxley

**Motion was made by Member McDonald to elect Member Moxley to a one-year term. Supported by Member Mead. Motion carried 5-0.**

**ARTICLE 11. Calendar**

Director Peterson invited Members to a 7pm joint meeting on May 21<sup>st</sup>.

**ARTICLE 12. Any Other Business**

None

**ARTICLE 13. Adjournment**

**Motion was made by Member McDonald to adjourn. Supported by Member Mead. Motion carried 5 to 0. Meeting adjourned at 5:50 p.m.**

Respectfully submitted,  
Aaron Mead, Secretary

**STAFF REPORT**

TO: Cascade Township Zoning Board of Appeals  
FROM: Steve Peterson, Planning Director  
REPORT DATE: January 16, 2019  
MEETING DATE: February 12, 2019  
CASE: #19-3510 / Thornapple Brewing

**GENERAL INFORMATION**

- A. **Applicant:** Thornapple Brewing  
Eric Fouch  
6262 28<sup>th</sup> St  
Cascade, MI 49546
  
- B. **Status of Applicant:** Owner
  
- C. **Property Location:** 6262 28<sup>th</sup> St
  
- D. **Requested Action:** Approval to allow the placement of seasonal temporary structure for outdoor seating.
  
- E. **Existing Zoning on Subject Parcel:** PUD 39
  
- F. **Zoning on Adjoining Parcels:**  
North - B2/PUD 68  
East - PUD 80  
South - PUD 39  
West - B2, General Business
  
- G. **General Location:** The property is located on the south side of 28<sup>th</sup> st in a strip mall
  
- H. **Parcel Size:** approximately 7 acres
  
- I. **Existing Land Use on Subject Parcel:** Restaurant
  
- J. **Adjacent Area Land Uses:** Commercial.

**STAFF ANALYSIS**

- A. The applicant is requesting your review, to allow for the placement of two temporary seasonal structures to allow for outdoor seating in the winter. This request is reviewed under Section 4.18(4) of the Zoning Ordinance.
- B. Section 4.18(4) of the Zoning Ordinance requires the Zoning Board of Appeals to determine: if indeed the structure is temporary and when its use will be terminated; if the structure will be served by a healthful water supply and toilet facilities, and; if the temporary building will be injurious to the surrounding properties or neighborhood.
- C. The Fire Department has reviewed the plans and has approved provided they don't have any open flame heaters.
- D. The Building Department has noted that they don't need a permit because they are under 120 sq ft but that they are limited to no more than 180 days and no more than 10 people can occupy.
- E. The business has a liquor license from the State and they have indicated that this is not a problem provided they are still within the enclosed licensed area and don't obscure law enforcement's view to the activities taking place inside
- F. We have granted other temporary structures permits. However, those had an ending date because they were temporary while a permanent addition was being built. In those cases, we allowed for the temporary structures for up to three years. We have also permitted temporary structures in one-year increments with the applicant appearing before the ZBA on an annual basis for renewal of the variance to report on the progress of the building addition plans. This was done to try and ensure that the temporary nature of the building would indeed remain temporary.
- G. Since this is not a variance request, the standards you should apply are those referred to above.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the applicant's request to allow the temporary portable structures with the following conditions:

- 1. The applicant remains in good standing with the Liquor control commission, Building Department and Fire Dept.
- 2. The permit would allow the temporary structures to be in place for no more than 4 months per year.
- 3. Have the Building and Fire Dept inspect the "igloos" prior to occupancy each year.

Attachments: Application  
Site plan  
Building Dept report  
Fire Dept report  
CD Assistant report



# CASCADÉ CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Eric Fouch  
 Address: 626 28<sup>th</sup> St SE  
 City & Zip Code: Grand Rapids MI 49546  
 Telephone: 616 427-6209  
 Email Address: eric.fouch@thornapplebrewing.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:\*\***  
Permit request for seasonal outdoor structure -  
Garden Igloos for cold weather outdoor seating  
Said structures are inside the boundaries of our  
Already approved  
outdoor serving area

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

LEGAL DESCRIPTION OF PROPERTY\*\*:

N 400 FT OF W 1/2 NE 1/4 NE 1/4 EX E  
200 FT & EX W 60 FT ALSO N 750 FT  
OF E 200 FT OF W 1/2 NE 1/4  
\* SEC 17 T6N R10W 7.03A

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19

ADDRESS OF PROPERTY: 6262 28th St SE Grand Rapids MI 49546

PRESENT USE OF THE PROPERTY: Blue Sky Brewing LLC DBA Thimble Brewing

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

Name(s)

Address(es)

Eric Fench

2329 84th St SE Calhoun MI

Jeff Coffey

3990 Buttrick Ave Ada MI

**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.)

Eric Fench

Applicant - Print or Type Name

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

1/5/19

\*

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

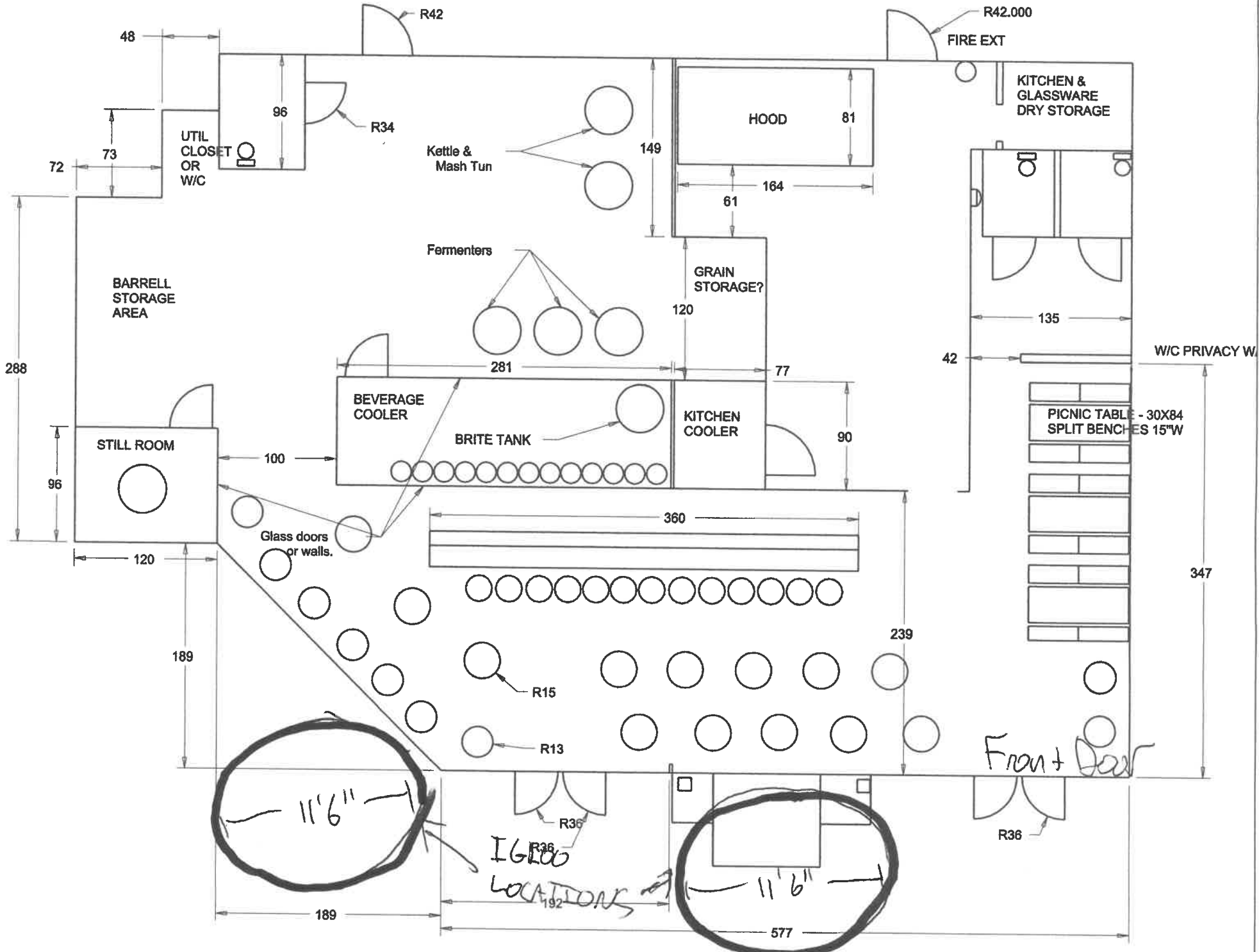


**Steve**

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**From:** Stephanie Fast  
**Sent:** Tuesday, January 15, 2019 3:23 PM  
**To:** Steve  
**Subject:** Igloo







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## MEMORANDUM

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**To:** Steve Peterson, Community Development Director  
**From:** Stephanie Fast, Community Development Assistant  
**Subject:** Temporary Structures at Thornapple Brewing- Igloos  
**Date:** January 14, 2019

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I have not found any liquor license violations at Thornapple Brewing, 6262 28<sup>th</sup> St SE. I contacted the Michigan Liquor Control Commission and was advised by Regional Manager Barb Subastian that she did not feel the igloos would be in violation provided they are still within the enclosed licensed area and don't obscure law enforcement's view to the activities taking place inside.

**Steve**

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**From:** Ron Sabin  
**Sent:** Monday, January 14, 2019 1:36 PM  
**To:** Steve  
**Cc:** Brian Wilson; Adam Magers  
**Subject:** 6262 28th Igloo  
**Attachments:** 20190114132754979\_0001.pdf

Good Afternoon Steve,

I have attached MBC 3103.1 which states no building permit is required for structures smaller than 120 s.q.f.t. The current igloos are 107 s.q.f.t. and have 8 chairs with a small table.

Ron

**3102.7 Engineering design.** The structure shall be designed and constructed to sustain dead loads; loads due to tension or inflation; live loads including wind, snow or flood and seismic loads and in accordance with Chapter 16.

**3102.7.1 Lateral restraint.** For membrane-covered frame structures, the membrane shall not be considered to provide lateral restraint in the calculation of the capacities of the frame members.

**3102.8 Inflation systems.** Air-supported and air-inflated structures shall be provided with primary and auxiliary inflation systems to meet the minimum requirements of Sections 3102.8.1 through 3102.8.3.

**3102.8.1 Equipment requirements.** This inflation system shall consist of one or more blowers and shall include provisions for automatic control to maintain the required inflation pressures. The system shall be so designed as to prevent overpressurization of the system.

**3102.8.1.1 Auxiliary inflation system.** In addition to the primary inflation system, in buildings larger than 1,500 square feet (140 m<sup>2</sup>) in area, an auxiliary inflation system shall be provided with sufficient capacity to maintain the inflation of the structure in case of primary system failure. The auxiliary inflation system shall operate automatically when there is a loss of internal pressure and when the primary blower system becomes inoperative.

**3102.8.1.2 Blower equipment.** Blower equipment shall meet all of the following requirements:

1. Blowers shall be powered by continuous-rated motors at the maximum power required for any flow condition as required by the structural design.
2. Blowers shall be provided with inlet screens, belt guards and other protective devices as required by the *building official* to provide protection from injury.
3. Blowers shall be housed within a weather-protecting structure.
4. Blowers shall be equipped with backdraft check dampers to minimize air loss when inoperative.
5. Blower inlets shall be located to provide protection from air contamination. The location of inlets shall be *approved*.

**3102.8.2 Standby power.** Wherever an auxiliary inflation system is required, an *approved* standby power-generating system shall be provided. The system shall be equipped with a suitable means for automatically starting the generator set upon failure of the normal electrical service and for automatic transfer and operation of all of the required electrical functions at full power within 60 seconds of such service failure. Standby power shall be capable of operating independently for not less than 4 hours.

**3102.8.3 Support provisions.** A system capable of supporting the membrane in the event of deflation shall be provided for in air-supported and air-inflated structures having an *occupant load* of 50 or more or where covering

a swimming pool regardless of *occupant load*. The support system shall be capable of maintaining membrane structures used as a roof for Type I construction not less than 20 feet (6096 mm) above floor or seating areas. The support system shall be capable of maintaining other membranes not less than 7 feet (2134 mm) above the floor, seating area or surface of the water.

## SECTION 3103 TEMPORARY STRUCTURES

**3103.1 General.** The provisions of Sections 3103.1 through 3103.4 shall apply to structures erected for a period of less than 180 days. Tents and other membrane structures erected for a period of less than 180 days shall comply with the *International Fire Code*. Those erected for a longer period of time shall comply with applicable sections of this code.

**3103.1.1 Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, *means of egress*, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

**3103.1.2 Permit required.** Temporary structures that cover an area greater than 120 square feet (11.16 m<sup>2</sup>), including connecting areas or spaces with a common *means of egress* or entrance that are used or intended to be used for the gathering together of 10 or more persons, shall not be erected, operated or maintained for any purpose without obtaining a *permit* from the *building official*.

**3103.2 Construction documents.** A *permit* application and *construction documents* shall be submitted for each installation of a temporary structure. The *construction documents* shall include a site plan indicating the location of the temporary structure and information delineating the *means of egress* and the *occupant load*.

**3103.3 Location.** Temporary structures shall be located in accordance with the requirements of Table 602 based on the *fire-resistance rating* of the *exterior walls* for the proposed type of construction.

**3103.4 Means of egress.** Temporary structures shall conform to the *means of egress* requirements of Chapter 10 and shall have an *exit access* travel distance of 100 feet (30 480 mm) or less.

## SECTION 3104 PEDESTRIAN WALKWAYS AND TUNNELS

**3104.1 General.** This section shall apply to connections between buildings such as *pedestrian walkways* or tunnels, located at, above or below grade level, that are used as a means of travel by persons. The *pedestrian walkway* shall not contribute to the *building area* or the number of *stories* or height of connected buildings.

**3104.1.1 Application.** Pedestrian walkways shall be designed and constructed in accordance with Sections 3104.2 through 3104.9. Tunnels shall be designed and constructed in accordance with Sections 3104.2 and 3104.10.

## Steve

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**From:** Adam Magers  
**Sent:** Friday, January 11, 2019 10:08 AM  
**To:** Steve  
**Subject:** RE: Thornapple Brewing igloos

I stand corrected.. As long as these igloos don't exceed 200sq ft the code doesn't apply. No open flame heaters. Electrical heaters are permitted with GFI.

**CHIEF ADAM MAGERS**  
**CASCADE FIRE DEPARTMENT**  
**2865 THORNHILLS SE**  
**GRAND RAPIDS, MI 49546**  
**STATION (616) 949-1320**  
[AMAGERS@CASCADETWP.COM](mailto:AMAGERS@CASCADETWP.COM)



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**From:** Steve <[Steve@cascadetwp.com](mailto:Steve@cascadetwp.com)>  
**Sent:** Friday, January 11, 2019 9:36 AM  
**To:** Adam Magers <[amagers@cascadetwp.com](mailto:amagers@cascadetwp.com)>  
**Cc:** Ron Sabin <[RonSabin@cascadetwp.com](mailto:RonSabin@cascadetwp.com)>  
**Subject:** RE: Thornapple Brewing igloos

Just tell what to require and I will make sure that they provide it.

Steve

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**From:** Adam Magers <[amagers@cascadetwp.com](mailto:amagers@cascadetwp.com)>  
**Sent:** Friday, January 11, 2019 9:35 AM  
**To:** Steve <[Steve@cascadetwp.com](mailto:Steve@cascadetwp.com)>  
**Subject:** RE: Thornapple Brewing igloos