

**AGENDA**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, June 12, 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 March 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 #18:3459 Stephan Tedhams  
Public Hearing  
Property Address: 6750 Burton St. SE  
Requested Action: The applicant is requesting a variance to split and reconfigure  
the property with the neighbor.**
- 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, March 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 McDonald to approve the Agenda. Supported by Member Mead. Motion carried 5 to 0.

**ARTICLE 4.** Approve the Minutes of the February 13, 2018 Meeting.

Motion was made by Member Mead to approve the Minutes of February 13, 2018 (with noted correction). 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 #18:3435 Walmart Stores  
Public Hearing

**Property Address:** 5859 28<sup>th</sup> Street

**Requested Action:** The Applicant is requesting a variance to increase the amount of wall signage.

Director Peterson stated that Applicant is requesting to modify a variance they received in 2012. The 2012 variance allowed for more than 100 sq. ft. of wall signage by allowing 147 sq. ft. This variance also limited the pylon sign to no more than 108 sq. ft. Not included were two incidental signs that were under 8 sq. ft. in the calculations. Applicant would like to increase the total amount of wall signage from 147 sq. ft. to 198.65 sq. ft. in order to accommodate a new sign reading "Pick Up."

The Township's Sign Ordinance has been updated since 2012 to allow up to a total of 225 sq. ft. of allowed signage.

Director Peterson recommends approval of the variance to allow Walmart wall signs totaling no more than 198.65 sq. ft. (including incidental signage), as proposed. This is a

modification of the 2012 variance and still has total signage under the allowed 225 sq. ft.

Chairman Berra invited the Applicant to come forward.

Mr. Petrillo came forward on behalf of Applicant to explain that the sign is crucial for providing direction for customers of Walmart.

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

**Motion was made by Member McDonald to approve a variance to increase the amount of wall signage to no more than 198.65 sq. ft. Supported by Member Pennington. Motion carried 5 to 0.**

**ARTICLE 7.**

**Case #18-3441 BDR Acquisitions LLC**

**Public Hearing**

**Property Address: 1359 Buttrick Avenue S.E.**

**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.

Director Peterson stated that Applicant is requesting a variance to split their property. When split, the existing home is on one parcel, leaving the other parcel with an accessory building and no home. It is the intention of the Applicant to build a new home on the parcel with the accessory building.

The Zoning Ordinance requires that a home be at least 50% complete before an accessory building can be built. Applicant has indicated that they believe the new home will be to the 50% stage within one year from the variance being issued and have stated they are willing to obtain a \$10,000 bond to guarantee that the house will be built, which would then be released when the home is at least 50% complete.

Director Peterson recommends approval of the variance to allow the property owner to split the property and leave the accessory building on the property with no home on the following conditions:

1. The home is at least 50% complete (rough-in) with one 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 bond will be a minimum of \$10,000.
3. Bond will be released when the property is in compliance.

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

Mr. Dave \_\_\_\_\_, came forward to give a brief overview of the project. He also stated that they are currently in the design stage, but will begin building the home later this year.

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

A couple of people came forward not to express any opposition to the project, but to simply receive clarification on aspects of the project. For example, where exactly the split would be, where would a driveway for the new home be put in, questions with regard to Somerville airport next door to property, setbacks and if there would be any additional splits anticipated in the future. All questions and concerns were answered and/or discussed.

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

**Motion was made by Member McDonald to approve the variance allowing the property owner to split the property and leave an accessory building on the property with no home, with the conditions outlined above by Director Peterson. Supported by Member Mead. Motion carried 5 to 0.**

**ARTICLE 8. Any other business.**

There will be no meeting in April.

**ARTICLE 9. Adjournment**

**Motion was made by Member McDonald to adjourn. Supported by Member Mead. Motion carried 5 to 0. Meeting adjourned at 7:30 p.m.**

Respectfully submitted,  
Valerie Milliken, Secretary

## STAFF REPORT

STAFF REPORT: Case #18-3459  
REPORT DATE: May 25, 2018  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: June 12, 2018  
PREPARED BY: Steve Peterson, Community Development Director

### APPLICANT:

Stephen Tedhams  
6750 Burton St  
Cascade MI 49546

### STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to split and reconfigure the property with the neighbor. The variance is needed because the parcel is already smaller than what the zoning requires and the split will make it even smaller.

EXISTING ZONING OF  
SUBJECT PARCEL(S): R1

GENERAL LOCATION: South side of Burton St just east of Casade Rd.

PARCEL SIZE: Approximately 21,300 sq ft

EXISTING LAND USE  
ON THE PROPERTY: Residential

ADJACENT AREA  
LAND USES: Residential

ZONING ON  
ADJOINING PARCELS: R1

### STAFF COMMENTS:

- 1) The applicant is asking for a variance to split a portion of his property to sell it to a neighbor. They are not creating a new lot.

- 2) While a property reconfiguration is pretty typical, this creates the need for a variance because the lot that is becoming smaller is already smaller than what the zoning permits.
- 3) Unplatted properties in the R1 zone are required to be 40,000 sq ft (exclusive of R.O.W.). This parcel is about half that size.
- 4) The applicant would like to sell off a small area that wraps around the neighboring property at 6760 Burton to 6760 Burton.
- 5) A review of the lots in this area shows that there are several lots smaller than required.
- 6) The applicant is asking to make his parcel about 3,300 sq ft smaller. The result would be to transfer this area to 6760 Burton and make that parcel larger by 3,300 sq ft.
- 7) Given the location of the property in question it would appear that this reconfiguration would actually clean up the parcel lines.
- 8) The end result would be as follows:

	Existing parcel size	Proposed parcel size
6750 Burton	21,300 sq ft	18,000
6760 Burton	16,600 sq ft	19,900

- 9) Typically, when we have had a variance situation dealing with a grandfathered situation we have looked to make the matter closer to compliance. In some cases we have granted variances but that has been when moving toward compliance.
  - 10) One of the biggest concerns for creating small lots than required is its impact on the eventual development of the lot. The other rules for the area are set up assuming that you meet the basic requirements and it can cause a problem for the eventual development of the lot if they are not meeting all of the basic requirements.
- 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</i>	<i>Comment</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	They are not creating a new parcel and are simply trading size with another property. One non-conforming parcel get a letter smaller another gets a little bigger.

properties in the same zoning district	
That the exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant (or the applicant's predecessors) taken subsequent to the adoption of this Ordinance	The other lots in the neighborhood are of similar size. It would also appear that this reconfiguration would help clean up the parcel lines and make them a little more easily understood.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure	The variance requested is a small amount and increases a smaller nonconforming parcel as well.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare	Given the other sized lots in the area and the fact it does not appear that this would result in an unfair advantage.
That the condition or situation of the specific piece of 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 Ordinance	This situation has not occurred before and would appear to be a unique situation.
That complying with the Ordinance presents practical difficulty	The applicant could not reconfigure the property line to sell a portion to the neighbor.

**STAFF RECOMMENDATION**

I recommend approval of the variance. If approved the neighbors will need to complete the lot split/reconfiguration process by applying for lot split through the township.

Attachments:           Application  
                                  Site Plan







# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan  
49546-7140

## PLANNING & ZONING APPLICATION

APPLICANT: Name: STEPHEN TEDHAMS  
Address: 6750 BURTON ST SE  
City & Zip Code: GRAND RAPIDS, MI 49546  
Telephone: (616) 813-8231  
Email Address: turfboy7@comcast.net

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:\*\*

-SEE ATTACHMENTS-

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

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

PART SW 1/4 COM 300 FT W OF CEN OF SEC TH S 200 FT TH E 100 FT TH S 33  
FT TH W 190 FT TH N 233 FT TH E 90 FT TO BEG \* SEC 9 T6N R10W 0.55 A

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -09-326-005

ADDRESS OF PROPERTY: 6750 BURTON ST SE

PRESENT USE OF THE PROPERTY: RESIDENTIAL HOME

**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.)*

STEPHEN TEDHAMS

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

STEPHEN TEDHAMS  
Steph Tedhams

Applicant – Print or Type Name

\*

Owner's Signature & Date  
(\*If different from Applicant)

Steph Tedhams 5/13/18

Applicant's Signature & Date

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

To:  
Cascade Township Zoning Board of Appeals

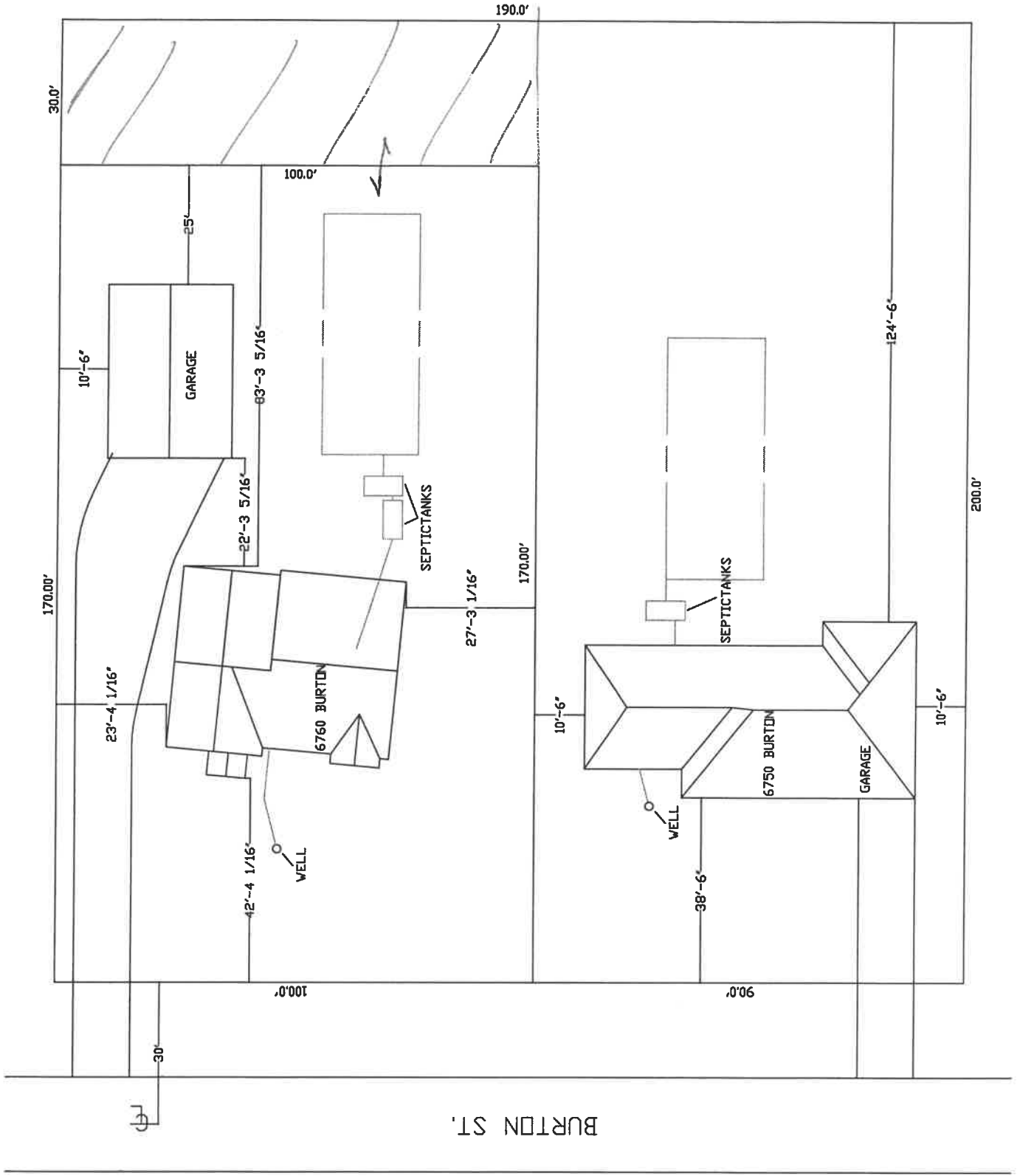
From:  
Steve & Vicki Tedhams  
6750 Burton St. S.E.  
Grand Rapids, MI. 49546  
(616) 813-8231

We (Steve & Vicki Tedhams) are requesting a zoning variance to change the size of our property by combining the 30'x100' small panhandle section of property at 6750 Burton St. S.E. Parcel #41-19-09-326-005 to Parcel #41-19-09-326-006 owned by David & Sandra Hop at 6760 Burton St. S.E. David and Sandra Hop would like to combine this small section of property to their existing parcel. There are no lienholders with an interest connected to either of these properties. This section of land has been used and maintained by David & Sandra Hop through a verbal agreement since they moved into their home in April of 2005. They currently use this space for recreational purposes only. They have a small garden, picnic table, fire ring, and flag pole on this section of property. We have had discussions with them over the years about this section of property but have not pursued the combination until this time. We have been discussing our future plans and realize that we will not own this home forever. As good neighbors we would like to mitigate, to the best of our abilities any affects our decisions might have on our neighbors. We are not looking to gain monetarily through this property combination but only to help our neighbors by cleaning up the parcel boundaries and trying to alleviate any future issues that may arise with a new owner and how that owner would maintain and use this section of property. The Hop's are planning to use this property for recreational purposes in the same manner as they currently use it now. It is also my understanding that the Hop's or any future owners of 6760 Burton St. could not build another structure on the property at 6760 Burton St. with or without this section of additional property because current zoning ordinances regarding setbacks and existing structures wouldn't allow this. There are no waterways or bodies of water connected to either of these properties. There are no electrical lines, water lines, sewer lines, or gas lines that extend through this section of property. There are no utility easements through this section of property. There are no railroad easements through this section of property. There are no road easements through this section of property. There are no pathway or sidewalk easements through this section of property.

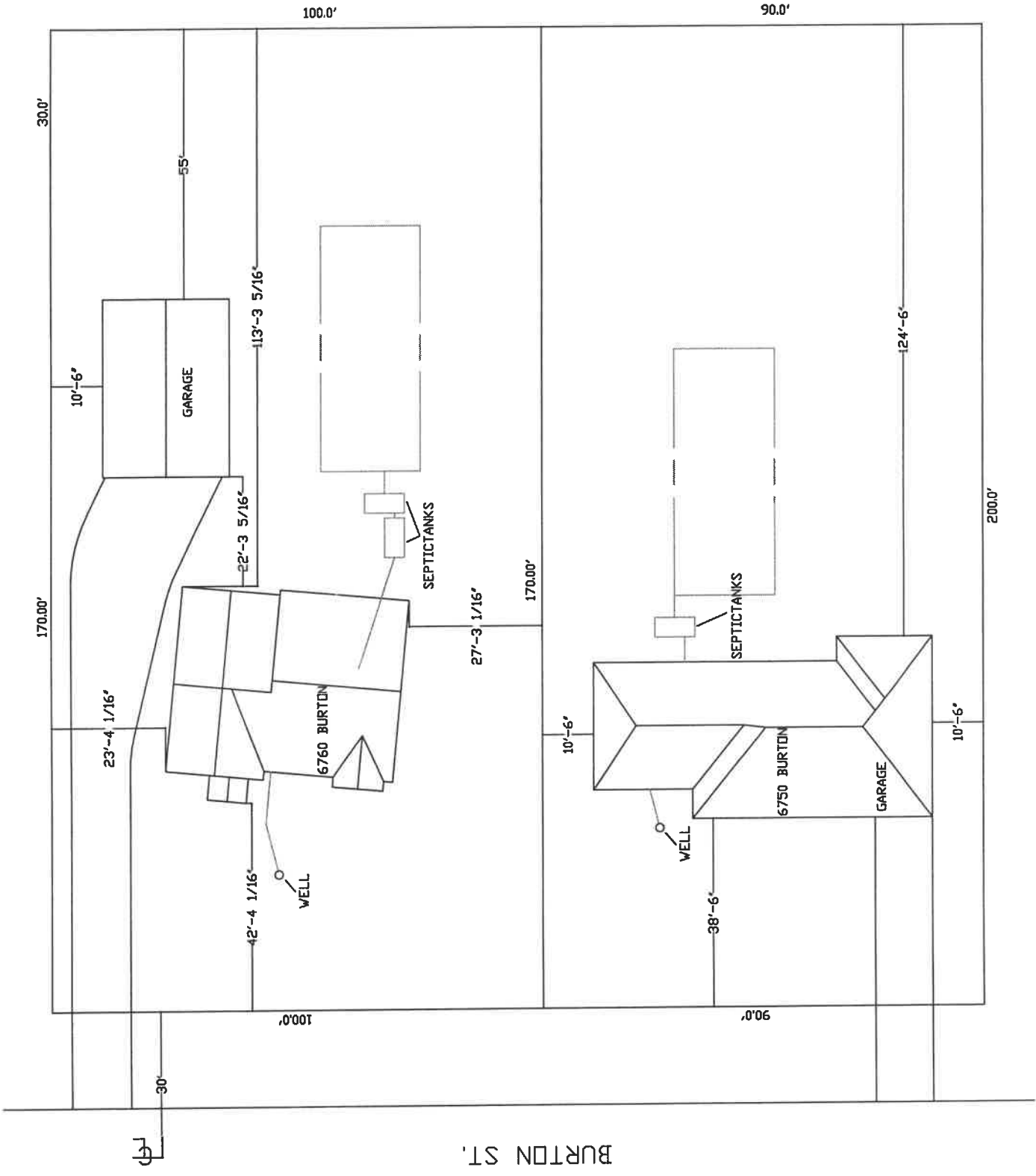
The parcels listed were developed before the current zoning rules were in force. These parcels are under the current 1 acre minimum size requirement which has therefore necessitated the need for this zoning variance request. The 30'x100' proposed property combination would cause these two parcels to be closer in size. The current size of 6750 Burton St. is .482 acres. After this land combination the parcel size of 6750 Burton St. would be .413 acres. The current size of 6760 Burton St. is .390 acres. After the combination the parcel at 6760 Burton St. would be .459 acres. This land combination would "tidy up" the current lot lines for these two parcels of land. This is a fairly unique situation when looking at the other parcels in the older subdivisions in the Cascade Village. This special case should not give cause for multiple requests of this nature.

Thank you for your time and consideration in reviewing this variance request. If you have any questions please feel free to call us (616) 813-8231 or our neighbors the Hop's (616)-262-2004.

SITE PLAN  
CURRENT PROPERTY BOUNDRIES



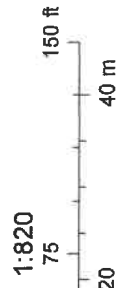
SITE PLAN  
PROPOSED PROPERTY BOUNDARIES



# Viewer Map



May 12, 2018



# Viewer Map



May 12, 2018



**-CURRENT USE-**

