



CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE • Grand Rapids, MI 49546

Zoning Review Application

A. Application Type

☐ Livestock ☐ Fence ☐ Bee Keeping

B. Property Information

Address: _____ Zoning: _____

Parcel Number: _____

C. Applicant Information

1. Applicant

Identify the person or organization making the request:

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

2. Property Owner (if different from the applicant)

Identify the person or organization that owns the subject property.

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

F. Signatures

Applicant Name (printed)

Applicant Signature

Date

Property Owner Name (If different from applicant) (printed)

Property Owner Signature (If different from applicant)

Date

**Zoning approval does not override or negate any HOA approval, or the need for one, and does not establish, confirm, or guarantee property boundary lines.*



CASCADE CHARTER TOWNSHIP

Planning & Community Development Department

Zoning Review Application

Site Plan

Please attach a site plan or survey showing location, height, and any setbacks necessary.

** (Fences) If a survey is not provided, approval letters from neighboring property owners are required. **

1. **Where Permitted.** Freestanding wind energy conversion systems shall only be permitted in the I and TI Districts, and in the FP District on lots of ten (10) acres or more in area.
 - a. A maximum of one (1) freestanding wind energy conversion system is permitted per property and shall be accessory to a principal use.
2. **Location and Setbacks.** Such structures shall only be located in the rear yard. The wind energy conversion system shall be setback a minimum number of feet that is greater than or equal to 110% of the height of the overall structure.
3. **Diameter.** The blade diameter (tip to tip) shall not exceed fifty (50) feet.
4. **Height.** A freestanding wind energy conversion system shall, in no case, exceed ninety (90) feet, in height, measured from ground level (at normal grade) to the blade at its highest point.
5. **Shadow Flicker.** In no case shall a wind energy conversion system cause shadow flicker onto neighboring properties.
6. **Permit Required.** The installation of a freestanding wind energy conversion system shall meet all applicable structural and electrical codes and shall require a Zoning Review issued by the Township.

Section 4.21 Walls and Fences

- A. **Applicability.** This Section shall apply to all boundary fences, walls, gatehouses, and entrance gates which are not specifically exempted herein. This Section shall not apply to seawalls as regulated by the Michigan Department of Natural Resources.
- B. **General Requirements.**
 1. **Rules of Construction.** All walls and fences shall be of sound construction, such as maintained in good repair and free-standing.
 - a. Barbed wire, spire tips, sharp objects, or electrically charged fences shall not be permitted in the Township, unless exempted herein.
 - b. Bona fide agricultural uses may use barbed wire or charged fences to control livestock when located in the Farmland Preservation, FP or Agriculture/Rural Conservation (ARC) zone district.
 - c. Fence posts and vertical supports must be inside of the fence and facing inside of the property on which the fence is located.
 - d. It shall be unlawful to construct any wall or fence in any public right-of-way or within the right-of-way easement for private roads.
 2. **Determination of Height.** The height of a fence shall be measured from the average grade along the length of the fence to the highest point of the fence.
 3. **Zoning Review Required.** Prior to the construction, replacement, extension, or erection of any wall or fence more than four feet in height in any zone district, the property owner, or their designee, shall obtain approval from the Planning Department.
 4. **Permitted Fence Types and Materials.** All walls and fences shall be constructed of heavy duty, water-resistant material, and shall be designed to comply with one or more of the following types and associated materials:
 - a. Chain link fence, except where prohibited in Section 4.21.B.5 or elsewhere in this Article.
 - b. Vinyl or wood picket fence
 - c. Split rail fence
 - d. Metal open fence
 - e. Vinyl or wood privacy fence
 - f. Brick/masonry walls
 - g. Trex or other durable composite material

- h. Other similar fence types and materials as determined by the Planning Director, or their designee

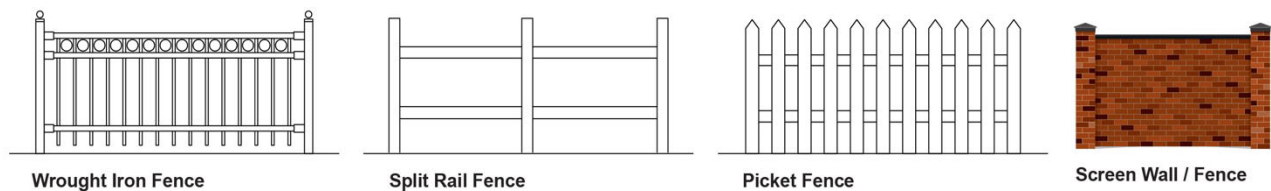


Figure 4-2: Walls and Fences

5. **Prohibited Fence Type and Materials.** Fences shall not be constructed of materials such as tarps, scrap logs, scrap metal/wood, or any other type of used material. Chain link is a prohibited fence type in the following zone districts: O-C, V-VC, V-VF, V-TC, V-O28.
6. **Decorative Features.** Walls and fences may include architectural features such as columns, cupolas, fountains, parapets, etc. at a height not exceeding 1.5 times the permitted height wall or fence height.
7. **Corner Clearance.** No fence, wall, shrubbery, sign, or other obstruction to vision above a height of twenty-four (24) inches from established street grades shall be permitted within the clear vision area, as defined by the Kent County Road Commission or the Michigan Department of Transportation (as applicable), as well as Section 4.19 Visibility Across Corners requirements.
8. No fence shall be constructed within a private street easement. For private streets with no easement, or an easement that does not meet the minimum width requirement of the Kent County Road Commission and this Ordinance, no fence shall be constructed within 33 feet of the centerline of the roadway as built.

C. Walls and Fences in Residential Districts.

1. All walls or fences in the front yard (as defined in Section 3.2) or waterfront yard shall be limited to a maximum height of four (4) feet at final grade. In Street Side Yards (as defined in Section 3.2) a maximum height of six (6) feet is permitted. All walls or fences in front yards shall be in accordance with Section 4.19.
2. The maximum fence or wall height in the side yard or rear yard shall be limited to six (6) feet in height.
3. When situations of erecting a new fence next to an existing fence, maintenance of the area between the fences shall be the responsibility of the person erecting the new fence.
4. Fences may be erected on the side or rear property line, but in no case shall they encroach onto a neighboring property.

D. Walls and Fences in Non-Residential Districts.

1. Fences are permitted in non-residential zone districts, or non-residential uses in mixed-use districts, subject to the following regulations and requirements:
 - a. Fences or walls shall not be permitted in the front yard, unless expressly required by the Planning Commission for reasons of public safety or environmental concern related to specific nonresidential uses during the Site Plan Review process.
 - b. Fences located in any side or rear yard shall be allowed up to six (6) feet in height.
 - c. In an industrial zone, a maximum of eight (8) feet in height, at final grade may be considered.
 - d. Fences or landscape screening shall be required to separate non-residential uses and non-districts with residential uses and residential districts.
 - e. If landscaped screening is required, landscaping and screening requirements are described in Article 11.

- b. For commercial or public antennas, the prohibition on the construction or occupancy of dwellings or other buildings or the construction or use of other structures within a specified isolation distance from an antenna or tower.
 - c. Notwithstanding the above, no condition shall be imposed that would hinder the ability of the antenna to receive or send signals.
- E. **Special Land Use Approval.** A special use permit, under the provisions of Article 14, shall be required prior to the erection of antennas having one or more of the following characteristics:
 - 1. Any wireless communications support structure as defined in Cascade Charter Township General Ordinance Chapter 342 and Section 9.6.N of this Ordinance.
 - 2. Any dish antenna exceeding ten (10) feet in diameter.
- F. **Amateur Radio Antennas.** For purposes of this Article, an "amateur radio antenna" shall be defined as an antenna operated for the purpose of receiving or transmitting communication by radio stations as described in Section 153(q) of Title 47 of the US Code, and which is operated under license issued by the Federal Communications Commission ("FCC"). Amateur radio antennas shall not be subject to the requirements of this section, except as follows:
 - 1. No outdoor amateur radio antenna shall be installed until and unless Township approval is obtained and a building permit for an amateur radio antenna has been issued by the Township.
 - 2. Township approval for an amateur radio antenna is not transferable and shall automatically expire when the person granted the approval no longer owns the property involved or that person's license from the FCC is no longer valid.
 - 3. The Township shall not issue a building permit for an amateur radio antenna until the applicant has presented proof of a current FCC license, and the following requirements are met:
 - a. If the antenna is to be installed in a rear yard, side yard, or on the roof, the permit shall be issued upon presentment of the FCC license to the building inspector.
 - b. No permit shall be issued for the installation of antenna in the front yard unless the requirements of all applicable subsections above have been met.
 - c. If the effect of any of these requirements will be to preclude or prevent the operation of an amateur radio antenna, the antenna shall not be subject to those provisions which preclude or prevent such operation, and the Township shall grant approval and issue a building permit for the amateur radio antenna.
 - d. Where the effect of any of the provisions of this section would be to prevent or preclude the effective operation of an antenna (including the ability to send or receive signals where applicable), such antenna may be approved by the Planning Commission if it is reasonably demonstrated that the effect of the application of any of the provisions of this section would be to preclude or prevent the operation of such antenna.
 - e. The Planning Commission may impose reasonable conditions upon such approval, but such conditions shall not interfere with the reasonable use of the antenna and such conditions, if any, shall be no more than the minimum practicable regulations necessary to accomplish the Township's legitimate purpose in regulating such antennas.

Section 4.4 Animals, Domesticated – Keeping of:

- A. **Pets**, as defined in Article 3, shall be permitted on all lots in all zone districts, provided that all animals are kept in safe and sanitary conditions, all County, State, and Federal regulations for the licensing and keeping of animals are met, and provided that the animals are not "Dangerous or Obnoxious, based on the standards in Subsection F below. No zoning approval shall be required to keep pets, except for land uses meeting the following definitions:
 - 1. Kennels, where permitted, must obtain the necessary zoning approvals listed in this Ordinance, and must meet the requirements of Section 9.4.R.

2. Veterinary Clinics, where permitted, must obtain the necessary zoning approvals listed in this Ordinance, and must meet the requirements of Section 9.4.36.
- B. **Livestock**, as defined in Article 3, shall be permitted on all lots in the FP and RC Districts, provided that:
1. **Animal Unit.** To clearly designate the number of animals allowed on a lot, while accounting for the different needs and impacts of different types of animals, an “animal unit” shall equal the following number of animals over 6 months in age. Animal units are calculated in ½ acre increments as rounded to the nearest half acre.

Type of Animal	Zone Districts, where Permitted	1 Unit = X Animals (Number Below Represents X)
Horse, Donkey, Mule, Cow/Bull, Bison, Llama	FP, RC	1
Pig, elk, deer, mini-horse, alpaca, or other fur-bearing animal not otherwise listed	FP, RC	2
Goats and sheep	FP, RC	2
	R-1, R-2	1
Chickens, Ducks, or other Livestock Birds	FP, RC,	20
	R-1, R-2	<i>Maximum of 4 per lot, regardless of parcel size</i>
Rabbit	FP, RC	20
	R-1, R-2	10
Bees	FP, RC, R-1, R-2	See Subsection D

2. **Maximum Number of Animals on a Lot:** 1 Animal Unit Per Acre, unless otherwise specified within this ordinance.
3. Varieties of goats and sheep are the only fur bearing livestock allowed in the R-1 and R-2 Zone Districts.
4. All animals are kept in safe and sanitary conditions.
5. All County, State, and Federal laws and regulations for the licensing and keeping of animals are met.
6. The animals are not “Dangerous or Obnoxious”, based on the standards in Subsection E below.
7. **Manure Handling.** All lots containing livestock and rescue/shelter operations must meet the following requirements:
 - a. **Storage.** All manure shall be stored at least fifty (50) feet from any property line and one hundred fifty (150) feet from any dwelling unit on a different lot from the manure.
 - b. **Duration.** Manure stored for more than seven days before being removed from the site must be stored in a location that drains away from the nearest property line, to prevent leachate from the manure from draining to a neighboring property. Manure that is spread as fertilizer shall be exempt from this requirement.
8. No zoning approval shall be required to keep livestock, except for Veterinary Clinics, where permitted, which must obtain the necessary zoning approvals listed in this Ordinance and must meet the requirements of Section 9.4.36. Otherwise, enforcement of this Section shall be on a complaint basis.

C. **Chickens.** The following provisions apply to the keeping of chickens in the Township.

1. **Applicability.** The requirements of this Section shall apply to the keeping of chickens on residential lots. The keeping of chickens shall only be permitted as an accessory use to a principal single-family detached residential dwelling.
2. **Minimum Lot Size.** To keep chickens, a residential lot shall be a minimum of 15,000 square feet in area.
3. **Maximum Number.** Any residential lot keeping chickens in the R-1 or R-2 District shall be permitted a maximum of four (4) chickens. There is no maximum number of chickens for the FP or RC Districts, provided that the lot in question does not exceed 1 animal unit per acre.
4. **Zoning Review.** A Zoning Review, from the Township Planning Department, shall be required prior to any activity related to the keeping of chickens to occur on-site.
5. **Setbacks and Location.** A chicken coop, or any other structure related to the keeping of chickens, including fences, or other applicable structures, shall be subject to the following:
 - a. Coops and other related structures must be a minimum of ten (10) feet from the side or rear property line.

b. Coops and other related structures shall be located in the side or rear yard only.

6. **Coop Size.** Coop Size is determined by the number of chickens at a ratio of 5 square feet for each chicken in the coop. Chicken Coops over 25 square feet shall be considered an accessory structure and regulated by Section 4.2.
7. **Roosters.** Roosters shall not be permitted in the R-1 or R-2 Districts.
8. **Sale of Chicken Products.** The sale of chickens, meat, eggs, or any other related items or products, shall not be permitted in the R-1 or R-2 Districts.
9. Chickens in the R-1 and R-2 Districts must be kept within a covered enclosure, including a coop and a run, at all times. Chickens shall not be allowed to roam the lot or any other property. The entire enclosure must meet the setback requirements of Section 4.4.C.5, but the requirements of Section 4.4.C.6 shall only apply to the coop itself.

D. **Bees.** The following provisions apply to the keeping of bees in the Township.

1. **Exemptions.** A property owner shall be exempt from the requirements of this Section and shall comply with the requirements of the State of Michigan Right to Farm Act (PA 93 of 1981) if the keeping of bees is a source of income for a property owner.
2. **General Requirements.** The following requirements shall apply to all beekeeping activities, excluding those activities exempted above.
3. **Registration Required.** No person shall keep bees unless registered with the Township in accordance with the Township Bee registration policy.
4. **Maximum Number.** The maximum number of hives permitted per property shall be as follows:

Lot Size	Number of Hives	Number of Nucleus Colonies (Nucs)
Up to 21,780 sq. ft. in area	Up to Two (2)	Up to one (1)
21,781 sq. ft. to 43,560 sq. ft. in area	Up to Four (4)	Up to two (2)
53,651 sq. ft. to 174,240 sq. ft. in area	Up to Five (5)	Up to two (2)
174,241 sq. ft. and greater	Up to Eight (8)	Up to three (3)
For each acre of land above 174,241 sq. ft.	One (1)	One (1) addition for every two (2) acres

5. Each hive shall have a maximum size of twenty (20) cubic feet.
6. A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive.
 - a. Such flyway barrier must be at least four (4) feet in width.
 - b. The flyway barrier shall consist of a wall fence dense vegetation or a combination thereof and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the property line to be shielded. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof.
7. A constant supply of water shall be provided for all hives.
8. **Required Location and Setbacks.** All hives shall be located at least ten (10) feet from any property line and shall be located in the rear yard only.

E. **Exotic and Wild Animals,** as defined in Article 3, shall be prohibited in all districts.

- F. **Dangerous or Obnoxious Animal Determination and Exemption.** The keeping, breeding or boarding of an animal which is dangerous and may cause injury or is obnoxious because of noise, odor, or potential to spread disease shall be prohibited. The keeping, breeding or boarding of any animal or insect which because of the number being kept, bred or boarded or the location in which they are being kept, bred or boarded in relationship to other residence may be considered dangerous or could cause injury or would be obnoxious because of the noise or odor, shall be prohibited.

1. **Determination.** The Planning Director or their designee shall have the jurisdiction to determine that an animal is dangerous or obnoxious under this Section. Appeals of the decision of the Planning Director shall be to the Zoning Board of Appeals.
2. **Exemption.** Any lot that is determined to be in compliance with Section 9.2.F shall not have a livestock animal deemed dangerous or obnoxious by reason of odor.

Section 4.5 Boathouses

- A. Boathouses, herein defined as a structure built over a body of water to shelter a boat and related equipment, are not permitted in the Township. Boathouses existing prior to the effective date of this ordinance are nonconforming structures subject to the provisions of Article 15 of this ordinance.

Section 4.6 Building, Moving or Razing

- A. **Moving.** The moving of a building to a new location shall be considered as the erection of a new building, and all provisions, regulations, or requirements relative to the erection of a new building shall apply.
- B. **Razing.** No building shall be razed until a permit has been obtained from the Building Official who shall be authorized to require a performance guarantee in an amount equal to one hundred and twenty percent (120%) of the cost estimate for the razing. The guarantee shall be conditioned on the applicant completing the razing with such reasonable period as shall be prescribed in the permit and complying with such reasonable regulations as to health and safety as the Building Official may reasonably require and this ordinance may, from time to time, prescribe, including filling of excavations and proper termination of utility connections.

Section 4.7 Dwellings – Single Family, Design Standards

- A. **General Provisions.** Any single-family residential structure shall be erected or constructed only if in compliance with the following residential design standards:
1. Each dwelling shall be properly maintained to prevent deterioration or damage from the elements by prompt and appropriate repairs, surface coating, and other protective measures. Residential structures shall be constructed in compliance with applicable state, Federal, or local laws or ordinances, including the Michigan State Construction Code.
 2. No dwelling unit shall be located within a 100- year floodplain.
 3. All dwellings shall include a permanent foundation and foundation skirting constructed of brick, concrete, stone, or other applicable materials as commonly found in the surrounding neighborhood or zone district.
 4. Awnings, bays windows and eaves may encroach into the setback areas by no more than three (3) feet.
 5. For the purpose of calculating lot coverage, impervious internal walkways less than five (5) feet in width, shall not count towards the maximum lot coverage requirements.
- B. **Size.** All single-family dwelling units shall comply with the following size requirements.
1. All single-family dwelling units shall have a minimum width across any front, side, or rear elevation of twenty (20) feet.
- C. **Building Materials.** Exterior siding shall consist of materials that are generally acceptable for housing in the vicinity, provided that the reflection from such exterior surface shall be no greater than from white semi-gloss exterior enamel and provided further that any such exterior is comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
1. Dwellings shall contain no additions of rooms or other areas that are not constructed with similar materials and quality of workmanship as in the original structure, including an appropriate foundation and permanent attachment to the principal structures.
 2. Any exterior attachments or extensions onto a dwelling unit, such as entry steps and storage buildings, shall comply with the adopted building code of the Township.