

**Minutes**  
Cascade Charter Township  
Zoning Board of Appeals  
Tuesday, February 13, 2024  
5:30 pm  
2870 Jacksmith Ave SE

**ARTICLE 1.** Chair Moxley called the meeting to order at 5:30 pm.  
Members Present: McDonald, Mead, Moxley, Berra, Milliken  
Members Absent: None  
Others Present: Zoning Administrator (ZA) Madison Smith-Jacoby and others listed on the sign-in sheet.

**ARTICLE 2. Pledge of Allegiance**

**ARTICLE 3. Approve the current Agenda**

**Motion was made by Member Mead to approve the current agenda. Supported by Member Berra. Motion carried 5 to 0.**

**ARTICLE 4. Approve the Minutes of the November 14, 2023 Meeting**

**Motion was made by Member Berra to approve the November 14, 2023 meeting minutes as written. Supported by Member Milliken. Motion carried 5 to 0.**

**ARTICLE 5. Acknowledge visitors and those wishing to speak**

There was no one wishing to speak.

**ARTICLE 6. Case #23-3808 Kramer Jr.**

**Property Address:** 3590 Meadowood Trails

**Requested Action:** The applicant is requesting to split a platted lot.

ZA Smith-Jacoby presented the case explaining that the applicant was seeking a variance to allow a split to a platted lot in the PUD 45 Meadowbrook Trails. The parcel has a unique history since the previous owners did not properly file a lot combination to amend the Master Deed for Meadow Brook Trails. The association recognized lots 8 and 9 as being separate while Kent County recognized them as combined. She did not believe this request would impact neighbors negatively but wanted to note there was an addition to the house on lot 9 that encroaches onto lot 8; this would make lot 9 nonconforming.

Member Mead said they are referring to a Site Condominium with different legal requirements than just a platted lot. He questioned if they had the authority for the combination of these lots or the split to make lot 9 nonconforming. He was not sure of the legality of the initial combination and believed the State of Michigan had the ultimate authority as opposed to the county or township. Member McDonald suggested making a condition that legal counsel review this case.

**Motion was made by Member McDonald to open public hearing. Supported by Member Berra. Motion carried 5 to 0.**

Robert Kramer (3590 Meadowood Trails) stated this has been an ongoing situation since he purchased the property. He explained that when the development first went in, there was a need to establish an access easement through Lot 8 to access the maintenance barn. Kramer provided the proposal document for the easement with signatures of approval from Cascade Township.

Member Mead asked if the applicant intended to remove the garage's 4ft overhang or 14ft off the garage to eliminate encumbrance on the common element and neighboring property. Kramer said he was hoping to obtain a variance to eliminate removing a portion of his garage.

Member McDonald suggested completing a lot line adjustment to enlarge Lot 9 to bring the structure into compliance. Member Mead added that an amendment to the site condominium master deed and lot line reconfiguration could help resolve this issue within the association.

**Motion was made by Member Mead to close public hearing. Supported by Member Berra. Motion carried 5 to 0.**

**Motion was made by Member Mead to approve a reconfiguration of Lot 8 and 9 as long as they are conforming to Cascade Township's zoning standards, file an addendum to the condominium association's master deed, and have legal counsel review. Supported by Member Berra. Motion carried 5 to 0.**

**ARTICLE 7. Case #24-3812 Haveman**

**Property Address:** 8960 28<sup>th</sup> Street

**Requested Action:** The applicant is requesting a variance to allow an accessory building in the front yard.

ZA Smith-Jacoby presented the case and explained that the applicant is seeking variance in the ARC district for a lot reconfiguration that would result in an accessory building being in the front yard. The accessory building is currently located on the northern parcel and would become a part of the southern parcel upon approval. In 2021, these lots were reconfigured so this variance would be reverting the land back to how it previously was.

Member Mead commented that the accessory building would be roughly 470ft from the road. ZA Smith-Jacoby confirmed that the building would be far from the road and appears to be in the side yard.

Jeffery Vanstrein (9050 28<sup>th</sup> St) is the owner of the northern parcel and his parents used to own the southern parcel. The property line was initially adjusted to allow the owner of 9050 28th Street to have the accessory building on their property. With the new ownership of 8960 28th Street, Vanstrein believed that the barn should now be owned by them.

**Motion was made by Member Mead to open public hearing. Supported by Member McDonald. Motion carried 5 to 0.**

There was no one wishing to speak.

**Motion was made by Member McDonald to close public hearing. Supported by Member Berra. Motion carried 5 to 0.**

Member McDonald said this case has many exceptions including the unique configuration of the lot, the building has minimal visibility from the road, and neighbors will not be negatively impacted.

**Motion was made by Member McDonald to approve the variance allowing an accessory building in the front yard, subject to Staff conditions. Supported by Member Berra. Motion carried 5 to 0.**

**ARTICLE 8. Election of Officers**

**Motion was made by Member McDonald to keep Chair Moxley and Vice Chair Milliken in their positions. Supported by Member Berra. Motion carried 5 to 0.**

**Motion was made by Member McDonald to keep Member Mead as Secretary. Supported by Member Berra. Motion carried 5 to 0.**

**ARTICLE 9. Any Other Business**

ZA Smith-Jacoby noted that a previous applicant off Burton Street removed their shipping container, the business located on Spaulding that is not permitted has received a letter, and there are other properties with shipping containers that are being addressed. She also mentioned that Staff is looking into training opportunities for ZBA members.

**ARTICLE 10. Adjourn**

**Motion was made by Member Mead to adjourn the meeting. Supported by Member McDonald. Motion carried 5 to 0. The meeting adjourned at 6:24 PM.**

Respectfully submitted,

Aaron Mead, Secretary