

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, October 21, 2024
7:00 pm
2870 Jacksmith Ave SE

- ARTICLE 1.** Chair Moxley called the meeting to order at 7:00 pm.
- Members Present: Moxley, Noordhoek, Bruneau, Rissi, Noordyke, Rowland, Richardson
- Members Absent: None
- Others Present: Community Planning and Development Director (CP&D Director) Andrea Hendrick, Planning Consultant Danielle Bouchard of McKenna, Legal Counsel (LC) Laura Genovich of Foster Swift, Planning Administrative Assistant Nick Govan and others listed on the sign-in sheet.
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
- Motion was made by Secretary Noordyke to approve the current agenda. Supported by Vice Chair Rissi. Motion carried 7 to 0.**
- ARTICLE 4. Disclose any Conflict of Interest**
- There were no conflicts of interest.
- ARTICLE 5. Approve the Minutes of the October 7, 2024 Meeting.**
- Member Bruneau provided the following change that needed clarification:
1. Article 9. eighth paragraph. Addition of the sentence at the end of the paragraph “Legal Counsel advised current installations are not necessarily grandfathered in but are to be review on a case-by-case basis.
- Motion was made by Member Bruneau to approve the minutes of the October 7, 2024 meeting with the edits generated in the redlined version at 3:30pm on 10/21/24, with the addition of Member Bruneau’s change. Supported by Vice Chair Rissi. Motion carried 7 to 0.**
- ARTICLE 6. Acknowledge visitors and those wishing to speak.**
- There was no one wishing to speak.
- ARTICLE 7. Case #24-3853 – Public Hearing (CANCELLED)**
- Applicant:** Ben Hemker
Property Address: 2131 Brookhaven Dr.
Parcel Number: 41-19-11-100-047
Requested Action: Request for an exemption from the private street standards for an existing non-conforming private street in accordance with Section 1.3. of the Private Street Ordinance.
- Community Planning and Development Director Andrea Hendrick explained the scheduled public hearing was cancelled after staff review determined the subject road had already been inspected and meets the private streets ordinance requirements. She noted while the applicant still needs to secure a maintenance

agreement with all property owners, the public hearing before the Planning Commission was no longer necessary.

ARTICLE 8. DRAFT - Zoning Ordinance Amendments – No Formal Action

- a. Article 1 - Title and Legal Basis Applicant:**
- b. Article 2 - Administrative Organization**
- c. Article 3 - Administrative Procedures and Related Standards**
- d. Article 4 - General Provisions**

Planning Consultant Bouchard presented the draft of Articles 1-4 of the new zoning ordinance. She emphasized that the reorganization represented a significant departure from the current format.

The Commission engaged in extensive discussion regarding accessory buildings. CP&D Director Hendrick and Planning Consultant Bouchard presented a proposal to eliminate special use permit requirements in favor of administrative approval with predetermined criteria. This sparked debate about appropriate square footage, setbacks, and the number of buildings allowed per lot size.

Trustee Noordhoek expressed concern about the extent of proposed changes, suggesting focus should remain on addressing the primary issue of square footage limitations while maintaining current setback and height requirements. The Commission discussed various scenarios ultimately directing staff to maintain existing setback requirements while revising square footage.

Legal Counsel Laura Genovich provided insight regarding the unusual nature of using special use permits for accessory building sizes, noting that most municipalities handle such matters through the Zoning Board of Appeals variance process. At Secretary Noordyke's request, Legal Counsel agreed to research this matter further and provide additional information at a future meeting.

Regarding lot configurations, the Commission discussed the definition of through lots, corner lots and flag lots. Vice Chair Rissi identified potential issues with the proposed through lot definition, leading to clarification that non-intersecting "street frontages" rather than "streets" would be the determining factor. Planning Consultant Bouchard sought direction from the Commission regarding flag lots, presenting this as one of the approaches to address lot splits and shared access situations. She explained that while flag lots are not currently permitted under township ordinances, historical enforcement had been inconsistent, resulting in numerous such lots throughout the township. Planning Director Hendrick noted that under the current private road ordinance, lot splits requiring shared access must have a private road maintenance agreement.

The Commission expressed concerns about continuing to allow flag lots, with Member Bruneau noting existing problems with shared driveways and emergency access in current flag lot situations. Member Richardson questioned why parcels were historically created without direct road frontage, leading to a broader discussion about minimum frontage requirements versus shared access arrangements. Vice Chair Rissi

suggested focusing on establishing clear minimum frontage requirements rather than specifically addressing flag lots. This approach garnered support as a potential way to prevent future access issues while respecting existing situations.

The fence regulations discussion centered on height restrictions and setback requirements. The Commission reviewed proposed maximum heights of four feet in front yards and six feet in side and rear yards, with special provisions for through lots and corner lots. Considerable discussion focused on fence transitions relative to house facades and proper screening requirements for commercial properties.

The Commission briefly reviewed home occupation regulations but determined existing rules were functioning adequately. When discussion turned to Accessory Dwelling Units (ADUs), the Commission reached immediate consensus against allowing them in the township.

ARTICLE 9. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 10. Other Business

There was no other business.

ARTICLE 11. Adjourn

Motion was made by Trustee Noordhoek to adjourn. Supported by Member Bruneau, Motion carried 7 to 0. The meeting adjourned at 9:15 pm.

Respectfully submitted,
Chris Noordyke, Secretary