

Minutes
Cascade Charter Township
Zoning Board of Appeals
Tuesday, November 14, 2023
5:30 pm
2870 Jacksmith Ave SE

ARTICLE 1. Chair Moxley called the meeting to order at 5:31 p.m.
Members Present: McDonald, Mead, Moxley, Berra, Milliken
Members Absent: None
Others Present: Zoning Administrator (ZA) 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 October 10, 2023 Meeting

Motion was made by Member Berra to approve the October 10, 2023 meeting minutes as written. Supported by Member Mead. Motion carried 5 to 0.

ARTICLE 5. Acknowledge any visitors and those wishing to speak

There was no one wishing to speak.

ARTICLE 6. Case #23-3796 Spring Hills Suites

Property Address: 5250 28th Street

Requested Action: The applicant is requesting a variance to place temporary storage on the property.

ZA Smith-Jacoby presented the case and explained the applicant is seeking to add temporary storage containers on their property while they go through a remodel.

Lisa Wedding, Regional Director of Sales, agreed to a project end date of April 1, 2024.

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

Motion was made by Member McDonald to approve the variance as requested with a project end date of April 1, 2024. Supported by Member Mead. Motion carried 5 to 0.

ARTICLE 7. Case #23-3797 Hampton Inn- Lighthouse Lodging

Property Address: 5200 28th St

Requested Action: The applicant is requesting a variance to place temporary storage on the property.

ZA Smith-Jacoby presented the case and explained the applicant is seeking to add additional storage containers on their property as they go through renovations. Staff recommended approval contingent on an agreed-upon end date.

Lisa Wedding agreed to have the containers removed by the end of January.

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

There was no one wishing to speak.

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 the variance with an end date of February 1, 2024. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 8. Case #23-3799 Epique Homes

Property Address: 3660 Cherry Lane

Requested Action: The applicant is requesting a side yard variance

ZA Smith-Jacoby presented the case and explained that the applicants are seeking a side yard variance to place their accessory building 21ft from the property line on their 10.2-acre parcel. The height to midpoint is proposed to be 17ft tall which requires a 40ft setback. The planned location of the building is necessary for wheelchair accessibility.

There was no apparent exceptional condition for the proposed location based on the size of the parcel. Staff recommended denial of the variance, but did propose conditions listed in the packet if the Zoning Board chooses to approve.

Member Mead reviewed plans and visited the site and noted earthwork had been completed on the property.

Troy Schrock, a representative with Epique Homes, clarified that the proposed location is set so the applicant, who is a wheelchair user, can have access from an elevator within the building down to the backyard. Other locations were attempted but due to terrain and preference, the location presented will best suit the applicant's needs. There will be a connection from the existing driveway to the new structure.

Scott Schrottenboer, the applicant, stated that the primary reason for completing this project is to have easier access to the backyard to play with their children.

Member McDonald expressed concerns about a neighbor's complaint regarding the barn's proximity to the property line, questioning why it was placed closer there than the house. Schrock explained the space in between the building and the house was needed for proper drainage. He had minimal concerns regarding runoff onto the neighbor's property once landscaping was completed such as a berm and placement of trees.

Member Mead wanted extra precautions taken to capture water runoff. He also felt a different location of the building would be more comfortable. The applicant agreed to implement measures to prevent runoff and add landscaping to screen the barn.

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

Kristen Schidiell (8494 36th Street) owns the property adjacent to the applicant. She is pleased that there's a nice home being built, but felt there could be better placement of the accessory building since the property is large. The biggest concern was the potential water runoff due to the building's proximity to the property line. She recommended that the applicants plant tall trees by the property line along the length of the building.

Schrock explained they have previously completed berms that successfully redirected water runoff.

The applicant agreed to submit a water retention plan for review by the township engineer and plant trees along the property line.

Jack Holt (3717 Cherry Lane) is a neighbor and suggested controlling water runoff using a drainage swale.

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

Member Mead mentioned that the new project is situated on 10.2 acres, with the house and barn chosen to be located there.

Member McDonald said there needs to be a proper compromise between the applicant, who violates the ordinance, and the neighbor.

Motion was made by Member McDonald to approve the proposed variance with Staff's conditions of planting no less than 5 10ft tall evergreen trees along the north property line, the building may not be used as a business or dwelling, a submitted water control and direction plan must be reviewed by the township engineer, and a survey must be completed before any permits are issued. Supported by Member Berra. Motion carried 4 to 1.

ARTICLE 9. Any other business

The next scheduled meeting is December 12.

Member Moxley is having a model railroad open house at his residence on November 24.

ARTICLE 10. Adjournment

Motion was made by Member Mead to adjourn the meeting. Supported by Member Berra. Motion carried 5 to 0. The meeting adjourned at 6:41 p.m.

Respectfully submitted,

Valerie Milliken, Secretary