

MINUTES

Cascade Charter Township
Zoning Board of Appeals
Tuesday, June 25, 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
Members Absent: Milliken
Others Present: Community Planning & Development Director Andrea Hendrick, Administrative Assistant Nick Govan 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, supported by Member Berra, to approve the current agenda. Motion carried 4 to 0.

ARTICLE 4. Approve the Minutes of the June 11, 2024, Meeting

Motion was made by Member Berra, supported by Member Mead, to approve the June 11, 2024 meeting minutes.

Motion carried 4 to 0.

ARTICLE 5. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 6. Case #24-3829

Property Address: 5460 Executive Parkway

Requested Action: The applicant is requesting a Dimensional Variance to the existing building that exceeds the maximum height of 45ft in PUD-50.

Director Andrea Hendrick presented the applicant's request. The current height limit in both PUD-50 and the Industrial Zone District is 45 feet. However, the applicant is seeking to expand their building to accommodate new pieces of manufacturing equipment that will be located inside the building, specifically a press that is approximately 45 feet tall. She noted initially the applicant proposed a height of 50 feet, but the applicant had requested consideration of additional height prior to the packet distribution. There's potential for approving a greater height in PUD-50. The current language of the ordinance allows structures outside buildings to reach up to 70 feet. She noted that the case is unique, as there's been only one height variance request (for a residential property) in the last 20 years. Staff recommended approval, noting no negative impact on adjacent industrial buildings and no concerns from the airport, whose height restrictions in this area exceed 100 feet. She stated that the Zoning Board of Appeals has flexibility in determining the approved height, given that the public notice was for a height exceeding 45 feet. They can choose to approve the original 50-foot request, consider a height up to 70 feet, or settle on a 60-foot height that the applicant is now proposing.

The Applicant, Eric Clawson, represents the owner of the building currently leased by Tesla, which is seeking approval for a dimensional variance. Mr. Clawson stated the height is needed to accommodate Tesla's growing manufacturing needs, specifically for their "press row." He stated that initially, the variance request was for a 50-foot height to accommodate a 44-foot press with additional clearance for servicing. However, Mr. Clawson had learned just prior to the meeting that Tesla might require a height of up to 60 feet. He clarified that this 60-foot height would be to the top of the roof structure, with no additional rooftop equipment needed above this level.

Clawson emphasized the evolving nature of Tesla's equipment needs and the uncertainty surrounding the exact specifications of the press, since Tesla was still working with the manufacturer on specs. He requested that, if possible, the variance approval be extended to allow for a building height of up to 60 feet, with an agreement that no additional equipment would be placed above the roofline. This would provide Tesla with the flexibility they need while still maintaining compliance with local regulations.

Trustee McDonald asked staff if she was comfortable with a request for up to 70 feet. He also asked if she felt the airport would be alright with the additional height as well.

Director Hendrick said that, if approved, staff will conduct a full site plan review, including consultation with the airport, to ensure compliance with all regulations.

Member Mead asked the applicant if the subsoils were sufficient for these larger presses that the variance is being requested for.

Mr. Clawson responded that based on current operation of large presses at the site had not seen any issues. He did acknowledge that there are wetlands on the site that would be properly addressed when the building is expanded.

**Motion was made by Member Mead, supported by Member Berra, to open public hearing.
Motion carried 4 to 0.**

There was no one wishing to speak.

**Motion was made by Trustee McDonald, supported by Member Mead, to close public hearing.
Motion carried 4 to 0.**

Motion was made by Trustee McDonald, supported by Member Berra to approve case 24-3829 for a dimensional variance with the following conditions:

- 1. The application and plans submitted by the applicant and signed, dated, and stamped by the Planning Director, shall constitute the approved plans, except if plan elements are amended in this resolution, or do not meet the requirements of the Zoning Ordinance.**
- 2. That the use shall operate according to this application and per the testimony of the applicant.**
- 3. That a full set of site plans compliant with Chapter 21 of the Cascade Township Zoning Ordinance is reviewed and approved by the Planning Commission within a year of this approval.**
- 4. That the total height of the building and any mechanical appurtenances and antennas necessary for the function or operation of a building do not exceed 60 feet.**

Motion carried 4 to 0.

ARTICLE 8. Any Other Business

No other business.

ARTICLE 9. Motion was made by Member Mead to adjourn, supported by Member Berra.

Motion carried 4 to 0.

The meeting adjourned at 5:45PM.