

MINUTES

Cascade Charter Township Planning Commission
Monday, July 21, 2014
7:00 P.M.

ARTICLE 1. Chairman Pennington called the meeting to order at 7:00 PM.
Members Present: Hammond, Lewis, Mead, Pennington, Rissi, Waalkes,
Williams, Sperla
Members Absent: Robinson
Others Present: Planning Director Steve Peterson and those on the sign in sheet.

ARTICLE 2. Pledge of Allegiance to the flag

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Support by Member Mead. Motion carried 8-0.

ARTICLE 4. Approve the Minutes of the July 7, 2014 meeting.

Motion by Member Lewis, support by Member Robinson to approve the minutes of 7/7/14 as presented. Motion carried 8-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

No Comments received

**ARTICLE 6. Case #14:3195 Joel Harner
Public Hearing**

Property Address: 7303 Grachen Drive

Requested Action: The Applicant is requesting to install an 8 foot tall fence in the front yard.

Planning Director Peterson introduced the case and indicated that the Zoning Ordinance allows for 4 foot tall fences in the front yard and the applicant is asking for an 8 foot tall fence. The Zoning Ordinance provides for the ability to go to 8 feet tall with the special use permit that is being requested. Peterson indicated that the location of the proposed fence is in the applicant's front yard but it would be considered the side and rear yard of the adjacent properties. Those adjacent properties would be permitted to have a 6 foot tall fence with no special use permit needed because it is not their front yard.

Peterson indicated that we have had other cases like this and those minutes were included in the packet. Peterson indicated that we have not granted anything over 6 feet in other similar cases.

Member Sperla asked if there are other fences in the area. Peterson did not find any in the immediate neighborhood but noted that there are some along Thornapple River Dr that are 6 feet tall and in the front yard.

Member Rissi indicated that he found a fence on his inspection that appears to be in the side yard of the neighboring property that was over 4 feet tall.

The applicant Joel Harner, indicated that he is asking for an 8 foot tall to help block the view between him and his neighbor. Harner also indicated that he was able to get the adjacent neighbors to agree to his request and presented a signed paper with the neighbor's signatures.

Harner indicated that he is trying to sell the home and believes the taller fence would be an asset.

Don Faas, 7374 Grachen asked where the fence could be located relative to the street. Peterson indicated that a fence can be put along the property line , which includes up to the road right-of-way. The right-of-way is approximately 15-20 feet from the road edge.

Member Sperla asked Peterson for the reason to limit the fence to 6 feet. Peterson indicated when reviewing the standards for a taller fence it seems that allowing a fence the same height that the neighbors could have meets the standards for a special use permit.

Motion by Member Mead with support by Member Lewis to approve a 6 foot tall fence along the west property line as shown on the site plan presented at the meeting

Motion carried 8-0.

ARTICLE 7: Case #14:3197 John Shipley

Public Hearing

Property Address: 7373 Biscayne Way

Requested Action: The Applicant is requesting a Special Use Permit to construct an accessory building that is over 832 sq. ft.

Peterson introduced the case showing where the property was located. The proposed building is 25 x 40 with a small 5 foot lean-to on the side. It was also

noted that the building is in the front yard but meets our allowances for accessory buildings in the front yard.

Peterson indicated that the building was discovered by our Assessing dept and had not received a building permit prior to being constructed. Staff has been working with the applicant to address this and the applicant has been informed that they not only need a building permit but also the special use permit, due to the size, and zoning variance, due to the number of accessory buildings on site.

Peterson indicted that the property is about 2.6 acres and the home is a little over 3,000 sq ft. The size of the accessory building is consistent with what we have approved in other cases and the materials chosen match the home. Peterson recommended approval of the accessory building with the conditions listed in the staff report.

John Shipley, 7373 Biscayne Way indicated that he bought the building from Meekhoof lumber who built it as a turnkey project and was understanding that they would be getting the permits. Shipley indicated that he is now working with the township staff to rectify the situation and obtain all the proper permits. Shipley indicated that he is still considering options for the other buildings including purchasing some addition property from a neighbor to get more than 3 acres, since that would allow an additional accessory building.

Shipley noted that the building would have power but not water. Shipley noted that the building would be used for storage and would not be used to run a business or for living space. The building would store some of the things that he has under tarps on his property.

Motion made by Member Sperla with support by Member Meade to approve the special use permit for the 25x40 accessory building with the 5 foot lean-to with the following conditions:

- 1. Remove the small accessory building (labeled as building C) as shown on the site plan and either remove the other accessory buildings or receive a variance from the ZBA.**
- 2. The buildings cannot be used for living space or to run a business.**
- 3. Indicate the building height on the plans.**

Motion carried 8-0

ARTICLE 8. Any other business

ARTICLE 9. Adjournment