

MINUTES
Cascade Charter Township Zoning Board of Appeals
Tuesday, June 8th, 2021
5:30 P.M. Virtual Zoom Meeting

ARTICLE 1. Vice Chairman Moxley called the meeting to order at 5:33 P.M.
Members Present: McDonald, Pupilava, Berra, and Moxley
Members Absent: Mead (excused), Milliken
Others Present: Community Development Director Steve Peterson

ARTICLE 2. Vice Chairman Moxley led the Pledge of Allegiance to The Flag.

ARTICLE 3. Approval of the Current Agenda.

Motion was made by Member McDonald to approve the current Agenda. Supported by Member Pupilava. Motion carried 4 to 0.

ARTICLE 4. Approve the Minutes of the May 11, 2021 Meeting.

Motion was made by Member McDonald to approve the Minutes of the May 11, 2021 Meeting. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.

No visitors came forward.

Motion was made by Member Berra to close this item. Supported by Member Pupilava. Motion carried 4 to 0.

**ARTICLE 6. Case #21-3635/John & Paul Renucci Trust
Public Hearing**

Property Address: 5175 Buttrick Ave SE

Requested Action: The applicant is requesting a variance to allow the construction of a new barn on the property where no home exists.

Director Peterson stated that the applicant is requesting to build a new barn on the property after the current barn had burned down, however since there is no home on the current property, the barn would be considered legal non-conforming. A home is required on the property to have any sort of accessory building. Director Peterson stated that they would like to build the barn in the same spot that it was in before, and this property is about 55 acres in size.

Director Peterson stated that there have been other exception requests granted where an accessory building has been built before the house is finished. Cascade Township requires a house be at least 50% complete before you're able to start building an accessory building. Director Peterson stated that this case is currently being investigated for arson, and while there has been other instances where legal non-conforming status has been lost due to a weather incident, there has never been one due to a criminal activity such as arson. The barn will be over 832 square feet in size, and even though that isn't too important to the Zoning Board, Director Peterson stated that the applicant will need to obtain approval of a special use permit from the Planning Commission for a building over 832 square feet.

Director Peterson stated that a variance approval tonight will be conditioned on the fact of the applicant getting approval from the Planning Commission to build a building over 832 square feet.

Director Peterson stated that as this case is unique, and given the arson investigation that is going on, he is in favor of granting the variance allowing the applicant to essentially have what they had before. With the public notices that were sent out, Director Peterson stated that there was no comment received by Staff regarding this case.

Member Pupilava asked if law enforcement articulated any kind of restriction on development while the investigation is pending. Director Peterson stated they have not relayed that to him.

Member McDonald asked what the barn is used for. Director Peterson stated that the applicant should answer that question.

Motion was made by Member McDonald to open Public Hearing. Supported by Member Berra. Motion carried 4 to 0.

Mr. John Renucci stated that his family has had property in this area since 1975, with a little over 270 acres. There was a house and sugar shack on the property removed due to disrepair, and Mr. Renucci stated that they have been cleaning up the area over the years to be a good neighbor. Mr. Renucci stated that the new barn will be used for equipment such as tractors to maintain and clean up the property.

Motion was made by Member McDonald to close Public Hearing. Supported by Member Berra. Motion carried 4 to 0.

Member McDonald stated that when approving a variance, the Zoning Board is very conscientious of looking for exceptional conditions, and in this case agrees with Staff to approve this as the non-conforming condition was taken away from the applicant, not at their own fault. Member McDonald also states that this property is sizeable, and he would much rather have equipment needed to maintain the property stored in a barn than not.

Motion was made by Member McDonald to approve the variance with Staff conditions above. Supported by Member Berra. Motion carried 4 to 0.

ARTICLE 7. Any other business.

Director Peterson stated there will be a meeting in July. Members agreed to meet virtually for that meeting.

ARTICLE 8. Adjournment

Motion was made by Member Berra to adjourn. Supported by Member McDonald. Motion carried 4 to 0. Meeting adjourned at 5:35 p.m.

Respectfully submitted,
Ralph Moxley, Secretary