

AGENDA
Cascade Charter Township Planning Commission
Monday, December 18, 2023
7:00 pm
2870 Jacksmith Ave

Public may access the meeting via video conference software Zoom
<https://us02web.zoom.us/j/85807187174>

Meeting ID: 879 8058 1366
By Phone: +1 929 205 6099

- ARTICLE 1. Call the meeting to order. Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Disclose any Conflict of Interest**
- ARTICLE 5. Approve the Minutes of the December 4, 2023 Meeting**
- ARTICLE 6. Acknowledge visitors and those wishing to speak.
(Comments are limited to five minutes per speaker)**
- ARTICLE 7. Case #23-3801 Epique Homes/Schrotenboer
Property Address: 3660 Cherry Lane
Requested Action: Seeking a Type I Special Use permit for an accessory building exceeding 832sqft.**
- ARTICLE 8. Ordinance Amendment
Requested Action: Schedule a public hearing to amend Section 23 of the Zoning Ordinance.**
- ARTICLE 9. Farmland Preservation Subcommittee Update**
- ARTICLE 10. Acknowledge visitors and those wishing to speak.
(Comments are limited to five minutes per speaker)**
- ARTICLE 11. Any other business**
- ARTICLE 12. Adjourn**

Meeting format

1. **Staff Presentation** *Staff report and recommendation*
2. **Project presentation-** *Applicant presentation and explanation of project*
 - a. **PUBLIC HEARINGS**
 - i. **Open Public Hearing.** *Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
 - ii. **Close public hearing**
3. **Commission discussion –** *May ask for clarification from applicant, staff or public*
4. **Commission decision - Options**
 - a. *Table the decision*
 - b. *Deny*
 - c. *Approve*
 - d. *Approve with conditions*
 - e. *Recommendation to Township Board*

Minutes

Cascade Charter Township
Planning Commission
Monday, March 20, 2023
7:00 pm
2870 Jacksmith Ave SE

- ARTICLE 1.** Vice Chair Moxley called the meeting to order at 7:01 p.m.
Members Present: Noordhoek, Richardson, Bruneau, Moxley, Engel, Rissi
Members Absent: Noordyke, Rowland (excused)
Others Present: Zoning Administrator Madison Smith-Jacoby, Clerk Sue Slater, and others listed on the sign-in sheet.
- ARTICLE 2.** **Pledge of Allegiance**
- ARTICLE 3.** **Approve the current Agenda**
- Motion was made by Member Bruneau to table Article 11 until further documentation is provided and to table Article 10 until the legal council's opinion is given. There was no support for this motion.**
- Motion was made by Member Bruneau to table Article 11 until a later meeting. Supported by Member Engel. Motion carried 4 to 2.**
- Motion was made by Member Bruneau to table the Planning Commission discussion of Article 10 but still hold the public hearing. Supported by Member Richardson. Motion failed 3 to 3.**
- Motion was made by Member Rissi to approve the amended agenda. Supported by Member Bruneau. Motion carried 6 to 0.**
- ARTICLE 4.** **Disclose any conflict of interest**
- Member Rissi stated his company has completed yard work for an individual involved in Article 10.
- Member Engel has toured a neighboring property to the one listed in Article 10 with someone involved in the case.
- Members did not view either of these as an issue.
- ARTICLE 5.** **Approve the Minutes of the November 13, 2023 Meeting**
- Member Rissi noticed Chris Khorey's name was spelled incorrectly in Article 7.
- Motion was made by Member Engel to approve the minutes with the proposed change. Supported by Member Rissi. Motion carried 6 to 0.**
- ARTICLE 6.** **Acknowledge visitors and those wishing to speak**

David Bult (6855 Thornapple River Drive) has studied tiny housing and ADUs and wondered if anyone had considered studying this and allowing these types of dwellings.

ARTICLE 7. Case #23-3798 Salmon

Property Address: 6390 Cascade Road

Requested Action: Seeking a Type 1 Special Use permit for an accessory building exceeding 832sqft.

ZA Smith-Jacoby presented the case and explained that the applicant is seeking approval for a 1,440sqft building on his 1.9-acre parcel. The barn will be placed in the backyard with all required setbacks met and no utilities conflicting with placement. The applicant will be using this building for personal use and will match the design of the house.

Staff recommended approval with conditions listed in the packet.

Alan Salmon, the applicant, explained he lives at the property immediately to the north where he built a very similar barn.

Member Noordhoek asked if he would be running a business out of the barn. Salmon stated it is purely for personal use.

Vice Chair Moxley asked if neighbors have issues with the noise from his woodworking machines. Salmon said his neighbors have not had any problems with the noise.

Member Bruneau questioned the amount of wood inventory on the applicant's existing home property. Salmon said that his hobby is milling lumber and he needed storage for the items that were previously kept in his warehouse, which has now been sold.

Motion was made by Member Rissi to open public hearing. Supported by Member Engel. Motion carried 6 to 0.

There was no one wishing to speak.

Motion was made by Member Rissi to close public hearing. Supported by Member Engel. Motion carried 6 to 0.

Member Bruneau expressed concern that the applicant could turn this into a major furniture shop. Member Rissi noted he has had the same equipment at his current property with no issues or complaints to Township Staff.

Motion was made by Member Engel to approve the Special Use permit with Staff conditions of not utilizing the building to operate a business, that the building not be used as a dwelling, and that all outdoor lighting would adhere to Cascade Township's zoning standards. Supported by Member Rissi. Motion carried 5 to 1.

ARTICLE 8. Case #23-3795 Josh Baker

Property Address: 5441 36th Street

Requested Action: Site Plan Review and approval.

ZA Smith-Jacoby presented the Site Plan Review for a 12,000sqft addition to an office and warehouse located in the transitional industrial zoning district. The building will be used for storage as they own AT&T stores and have extra inventory. As indicated in the plans, there will be an addition for a trucking dock and the creation of the retention pond. There will be an increase in parking spaces totaling 23 additional spaces required. The township engineer reviewed and approved plans, but required a geotechnical report with soil test data.

The landscaping plans submitted meet township requirements but as extra assurance, a \$5,000 landscape bond should be submitted upon approval.

Staff recommended approval for the 12,000sqft addition with staff conditions listed in the packet.

Member Bruneau noted that it appeared they had begun construction on the loading dock. Randy Burry, the general contractor, clarified that there was a previous dock located there that was dug out and they had completed a compact test for soil. He also mentioned that the existing sewer was extended for the new addition. Member Bruneau wanted the plumbing updated on the Site Plan.

Motion was made by Member Rissi to approve the Site Plan as presented with conditions of executing the stormwater maintenance agreement, that they provide a landscaping bond of \$5,000, and that they must provide updated plans showing the location of water, sewer, and utilities. Supported by Member Engel. Motion carried 6 to 0.

ARTICLE 9. Case #23-3801 Epique Homes

Property Address: 3660 Cherry Lane

Requested Action: Seeking a Type 1 Special Use Permit for an accessory building exceeding 832sqft.

ZA Smith-Jacoby presented the case and explained the applicants are requesting a 3,072sqft accessory building on their 10.2-acre property. This case was recently approved by the Zoning Board for the placement of the building. She noted if the applicants were to have the allowed amount of 3 accessory buildings on their property, the total square footage would equate to 2,496sqft. The applicant is a wheelchair user, so they are requesting this structure for storage and to make spending time with family easier. There will be an extension of the existing driveway to the accessory building.

The average size for accessory buildings in the district is 1,857sqft, making the applicant's proposed building the largest in the district.

Staff recommended denial of the Special Use permit since the findings determined this accessory building to be the largest by more than 1.5 times in the district and that it may negatively impact neighbors. If the commission chose to approve due to the unique circumstances of the applicant, she listed conditions in the packet.

Vice Chair Moxley noted some discussions the Zoning Board had that included the neighbors to the north requesting extra screening along the property line and managing potential drainage issues.

Member Rissi expressed concern regarding items being brought to the Zoning Board before obtaining planning approval.

Member Rissi questioned if there was anything that could be done to bring the application further into compliance with the ordinance. ZA Smith-Jacoby explained the applicant does have a unique situation, but her main concern was the building size and negative impacts on neighbors. She indicates the applicant has been willing to work with the Township to improve the plans.

Scott and Becky Schrottenboer, the applicants, stated that there will be evergreens planted as screening.

Member Bruneau questioned why their home and barn were placed in that location. Becky stated they found this parcel that is close to their kid's school and it was the best piece of property they could locate promptly. The home and accessory building were placed there due to the elevation making it easier for wheelchair users. They are willing to create a more cohesive facade for the building as well. The applicant also noted the need for an indoor area to remain active with his kids.

Member Bruneau asked if they would be willing to reduce the size of the structure. The applicants were both willing to figure out a way to reduce the size by potentially removing the lean-to and creating an overhang instead.

Motion was made by Member Rissi to open public hearing. Supported by Member Engel. Motion carried 6 to 0.

Jack Holst (3717 Cherry Lane) gave his support for this accessory building. He felt that the family had gone through enough already.

Motion was made by Member Rissi to close public hearing. Supported by Member Engel. Motion carried 6 to 0.

Motion was made by Member Bruneau to table this case so the applicants can reduce the size of the structure by changing the lean-to into an overhang and creating a new design for the building. Supported by Member Richardson. Motion carried 4 to 2.

ARTICLE 10. Case #23-3800 Islamic Masque & Religious Institute

Property Address: 6670 52nd Street

Requested Action: Seeking a Type II Special Use Permit for a cemetery in the ARC District.

ZA Smith-Jacoby presented the case and explained the applicants are seeking a positive recommendation to the Township Board for a Special Use Permit allowing for a cemetery with 4,350 grave sites on approximately 9.6 acres of vacant land. The plans indicate the project to have 3 phases, with roughly 25-30 people buried annually, the

first phase is estimated to take about 75 years to fill. This will be owned by a not-for-profit organization. There will be no electricity, water, or sewer on the property. Kent County Road Commission will require a curb cut out for the circle drive access in the plans.

ZA Smith-Jacoby noted she has been in contact with legal counsel and provided a memo from them. The ordinance addresses Special Use permits for township-owned cemeteries, with nothing defined for privately owned cemeteries, so this case is treated as a general Type II Special Use.

The township engineer has reviewed and approved the plan but requested a stormwater maintenance plan and noted a soil erosion and sedimentation control permit will be required from the Road Commission. Fire officials have also reviewed plans and had no concerns.

Member Richardson wanted clarification on whether anything would be built on the property. ZA Smith-Jacoby said they will potentially be building a pavilion.

Member Rissi asked what the setbacks for existing township cemeteries are. Clerk Slater indicated that the cemetery off of 30th Street has 6ft of space beyond the pathway from neighbors. Whitneyville and Snow cemeteries are fenced and are roughly 10ft from the road.

Member Noordhoek expressed concern with parking.

Member Engel wanted to ensure that the applicant had sufficient funds to manage this site in perpetuity.

Ali Metwalli (7444 Whispering Ridge St) thanked the commission for the questions and explained that cemeteries for Muslims are very simple. He noted that the Graceland Cemetery has double the number of burial sites per acre than this proposed cemetery. If they were to construct a pavilion, it would be simple. The driveway will be sufficient for parking.

Member Noordhoek asked what the burial process would be. Metwalli explained that the individual is taken to the funeral home to be washed, covered, and placed in a bottomless cement vault within 24 hours of death.

Member Bruneau questioned the pond on the plans. Paul Henderson, the project engineer, stated this would be a detention basin. He also mentioned the driveway will be gravel and the drive was designed with room for cars to pull to the side for parking.

Motion was made by Member Engel to open public hearing. Supported by Member Rissi. Motion carried 6 to 0.

Marty Hilbrands (6482 52nd St) is part owner of the neighboring property. He asked if the current burials at Graceland would have the same appearance as the ones proposed and he asked if there would be any equipment on site. Hilbrands wanted to ensure that the aesthetics were up to standards.

Elyaas Albeirut (1900 Tall Pines) is a member of the Mosque and said they are committed to creating a neighborly, peaceful area. He emphasized the simplicity of the proposed cemetery and ensured this space would not be off-putting.

Rebecca Hilbrands (6482 52nd St) said her home is aesthetically pleasing and questioned how the cemetery could match the area. She was concerned about driving past the cemetery every day and others using their driveway to turn around.

Dan Hilbrands (6482 52nd St) was also concerned about aesthetics. He did not feel this was a good fit for the community. Hilbrands said this would set precedence for other religions to create additional cemeteries. Increased traffic was also mentioned as a concern.

Janice Hilbrands (3839 Cook Valley) is part owner of the property off of 52nd St. She was concerned about the aesthetics of the area changing and property values decreasing.

Hikmat Piromari (6240 Glenstone Drive) is in full support of the cemetery and location. He stated the owners would be very respectful of neighboring properties.

Mohammad Salah (5514 Alhambra Drive) stated that the neighbors will be respected. He said there would be 1-2 burials a month, less than 20 a year, so traffic would not be an issue.

David Bult (6855 Thronview Drive) said that understanding the topography might help people understand the plans better along with showcasing the cemetery design.

Tom Stoutjesdyk (5545 Thornapple River) attended the meeting to share a neighbor's request for a buffer of trees.

Max Smith lives on 52nd St and stated he purchased his property in 1968 and did not expect a cemetery to be placed next door. He is strongly against this use of land and wants a buffer to go in.

Motion was made by Member Engel to close public hearing. Supported by Member Rissi. Motion carried 6 to 0.

Henderson clarified some questions. With the minimal number of people being buried there, the maintenance will be low and there will not be a need for heavy equipment on sight. They are willing to abide by the Township's cemetery standards regarding aesthetics and will have plans to create a buffer of trees and landscaping.

Member Bruneau questioned what time the grave sites would be dug. Henderson agreed to complete grave digging during business hours.

Member Rissi believed that thoroughly thinking the application through was important, to avoid setting a precedent. He noted that maintaining a 20-30ft setback and aligning with township regulations where it makes sense would increase the odds of approval.

Motion was made by Member Rissi to table the application until the applicant provides an updated site plan to include a 30ft setback along the road, a 20ft setback along the east and west property lines with trees and landscaping, further regulation

to cemetery aesthetics consistent with the Cascade Township ordinance, Road Commission approval for access with an opinion on incorporating a cul-de-sac, and compliance with Staff recommendation. Supported by Member Engel. Motion carried 6 to 0.

ARTICLE 11. Acknowledge visitors and those wishing to speak

There was no one wishing to speak.

ARTICLE 12. Any Other Business

Member Rissi would like to see the legal counsel's opinion on bylaws. He believed that the Planning Commission needed to conduct a review.

Member Engel requested the initial memo from legal counsel regarding the cemetery.

Members were reminded to appoint a new chair, vice chair, and secretary.

Vice Chair Moxley said there is a Farmland Preservation Subcommittee meeting on Thursday.

ARTICLE 13. Adjournment

Motion was made by Member Engel to adjourn the meeting. Supported by Member Rissi. Motion carried 6 to 0. The meeting adjourned at 9:57 p.m.

Respectfully submitted,

Joe Engel, Secretary

STAFF REPORT

STAFF REPORT: Case # 23-3801
REPORT DATE: December 14, 2023
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: December 18, 2023
PREPARED BY: Madison Smith-Jacoby

APPLICANT
Troy Schrock

PROPERTY OWNER/S: Scott Schrotenboer
PROPERTY LOCATION: 3660 Cherry Lane SE

PP#: 41-19-23-200-029

STATUS
OF APPLICANT: Builder

REQUESTED ACTION: The applicant is requesting a Type I Special Use Permit for an accessory building exceeding 832sqft.

EXISTING ZONING OF
SUBJECT PARCEL: FP

GENERAL LOCATION: Southeast corner of 36th Street and Cherry Lane.

PARCEL SIZE: 10.2 acres

EXISTING LAND USE
ON THE PARCEL: Residential

ADJACENT AREA
LAND USES:
N: Residential
E: Residential
S: Vacant/Residential
W: Residential

ZONING ON
ADJOINING PARCELS:
N: FP
E: FP
S: FP
W: ARC

STAFF COMMENTS:

- A. The applicant is requesting to build a proposed 40’ x 64’ pole barn (2,560sqft.) with a height of 17’ to the midpoint of the roof. Added to the pole barn is an 8’ x 8’ lean-to to cover the entrance. In total, the request is then for a 2,624. This size was reduced as requested by the Planning Commission at the December 4th meeting.
- B. The proposed accessory building requires both a Variance and Type I Special Use Permit. The Zoning Board of Appeals granted a variance for the north-side property line setback at the November 14, 2023 meeting with conditions. The proposed height is 17 feet to the midpoint. This height requires a 40-foot side yard setback. The proposed plans thus required a 19-foot side yard variance to place the building 21 feet from the north property line. The approval with conditions is included in the packet for reference.
- C. All other setbacks are in compliance with the zoning standards.
- D. The acreage on the property permits up to 3 accessory buildings because the parcel is larger than 6 acres. This is the only proposed accessory building on the property. This would mean that the applicant could have a total of three 832sqft. accessory buildings totaling to 2,496sqft.
- E. The parcel does not appear to have steep hills but the east end of the property gradually descends into what appears to be lower wetlands. A topographical map is included in this packet. Refer to the applicant for drainage, berm, and stormwater diversion plans.
- F. The owner has submitted a letter describing the nature of his request and the proposed use to be for storage and recreation. Please refer to the applicant for details on use and reasons for the request. In summary, the property owner has a unique circumstance being paralyzed and is requesting an exceptionally sized building for activities requiring wheelchair-friendly accessibility.
- G. The site plan indicates that a driveway to the barn will be added as an extension of off the main drive to the home. Please refer to the applicant about material used for the drive as it is not indicated in the plan.
- H. Staff has received one letter for public comment, included in your packet.

Criteria for Approval

Upon review of a Type 1 Special Use Permit for an accessory building, Section 17.03(1)(a) of the Zoning Ordinance requires the Planning Commission to consider several factors. I have listed those items for your consideration followed by my comments for each

Factors	Comment
The intended use of the building.	Personal storage and recreation

The proposed location, type and kind of construction and general architectural character of the building.	Within in the north, side-yard setback, behind the home from Cherry Lane. A pole barn construction.
The size of the building in relation to the house, lot and zoning district.	The house is under construction and is approved as 2,578sqft, on about 10 acres. The accessory building inventory averages 1,857sqft in the FP District. The Inventory spreadsheet is included in the packet. This size is more in line with the surrounding AG buildings and residential accessory buildings than the previously presented plan.
The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the general area.	The parcel to the north has 3 acc./farm buildings, of which two are grandfathered in. To the west is a 960sqft. acc. building and 2,720sqft pole barn. Others in the area range around 600sqft. -820sqft. Additionally, there are a number of larger Ag-exempted farm buildings.
The topography and vegetation in the area.	Previous farmland with a mix of wetland. Vacant prior to this home.
Whether the proposed building will affect the light and air circulation of any adjoining properties.	The building would mostly impact the neighbors to the north. They have spoken during public comment about their concerns. The other parcels have enough distance between them that this would not be injurious.
Whether the proposed building will adversely affect the view of any adjoining property owner or occupant.	Views would be impacted for neighbors to the north. Other parcels are currently vacant or not close enough to be adversely impacted.
Points of access to the proposed building and their relationship to adjoining properties and the view from the adjacent streets.	Access will be extended from the drive to the home. Surface type should be clarified by the applicant. The building is setback far enough from Cherry Lane to not impact ROW site lines etc. The two adjoining parcels fronting Cherry Lane are vacant.

RECOMMENDATION

Staff thus recommends that this permit be APPROVED based on the findings.

I recommend the following conditions:

1. The building not be used to run a business or for dwelling space.
2. Outdoor lighting adheres to the Cascade Township ordinance standards.



CASCADÉ CHARTER TOWNSHIP

5920 Tahoe Dr. SE, Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT:

Name: Epique Homes Inc.
 Address: 6440 Grace Meadows
 City & Zip Code: Ada, MI 49301
 Telephone: 616-437-1767
 Email Address: Troy Schrock@EpiqueHomes.com

OWNER: * (If different from Applicant)

Name: Scott Schrobenboer
 Address: 6714 Turnberry Dr. SE
 City & Zip Code: Grand Rapids, MI 49546
 Telephone: 616-437-4778
 Email Address: scott.s3435@gmail.com

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

- | | |
|--|--|
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Administrative Site Plan Review |
| <input type="checkbox"/> Deferred Parking | <input type="checkbox"/> P.U.D. - Rezoning * |
| <input type="checkbox"/> P.U.D. - Site Condominium * | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Site Plan Review * | <input type="checkbox"/> Sign Variance Subdivision |
| <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Plat Review * |
| <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other: _____ * |

** Requires an initial submission of 5 copies of the completed site plan*

BRIEFLY DESCRIBE YOUR REQUEST:**

Request Pole Barn accessory building at 3,072 Sq Ft.
See Letter Attached For Reason From Homeowner

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 23-200-029

ADDRESS OF PROPERTY: 3660 Cherry Ln, SE

PRESENT USE OF THE PROPERTY: _____

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)	Address(es)
_____	_____
_____	_____

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

Scott Schrotenboer
Owner – Print or Type Name
(*If different from Applicant)

Troy Schrock
Applicant – Print or Type Name

* _____
Owner’s Signature & Date
(*If different from Applicant)

[Signature]
Applicant’s Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU

10.16.23

Scott Schrotenboer
RE: 3660 Cherry Lane SE

To the Cascade Township:

I am writing this letter to give you a better understanding of why we would like a variance to build the pole barn that we have chosen at our new property on Cherry Lane. While I understand the constraints on the size of new builds in the township, I hope that this explanation will also clear up the reasoning for our decision, and I ask that this is taken into consideration.

On October 8th 2020 I was involved in an accident and became paralyzed. The accident left me without any use of my legs, which has had an effect on my daily life. Prior to my accident I was very active in running, working out, and playing indoor and outdoor sports with my 3 kids; now I am no longer able to do most of those things. My intent is to use the barn for storage, but also as a place for me to resume some activities with my kids and for me to also work out.

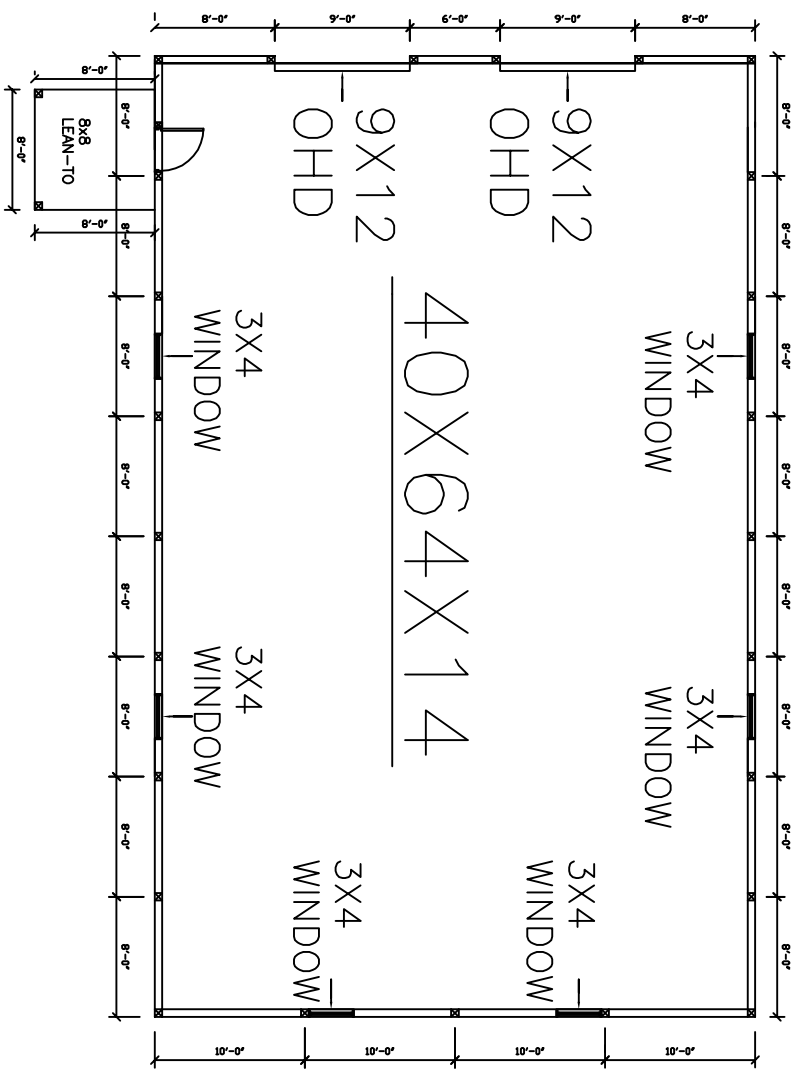
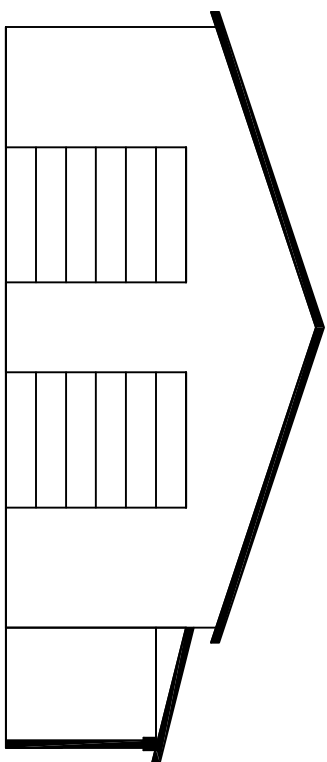
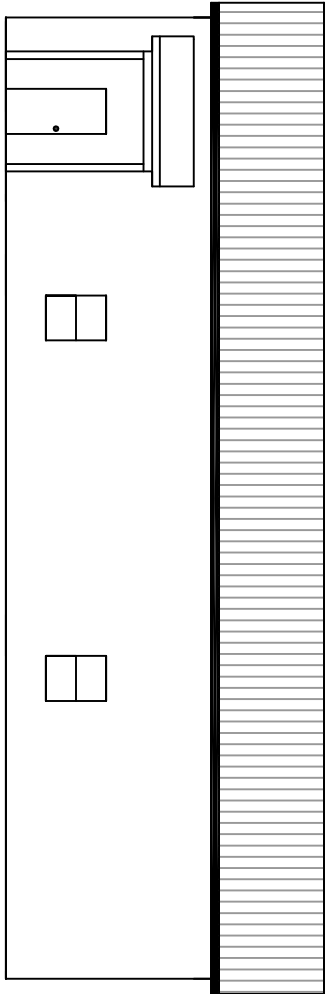
In addition to the time spent with my kids, there are two primary reasons we are asking for the variance. The first reason is that we located the home in the location it is on the property because that is the only place we could do a walkout, allowing me to get into the back yard. My family spends a lot of time outdoors, and having this walkout will allow me to spend more time with them when we are together. And the second reason we would like the variance is that we would like to put the location of the barn where we would be able make the driveway to the barn far enough from the home for me to have a gradual grade and not have an overly steep driveway. Steep hills are difficult for me unless I have someone to help push me, and one of my goals with this new home and barn is to obtain as much freedom as possible; lack of freedom has been one of the most difficult parts of this injury.

Our new neighbors to the north also have barns on their property, and we intend to use a portion the barn for storage of some agricultural equipment. I grew up on a farm and enjoy to raising a small amount of food for my family, so having this space would also help me in having the ability to do that.

I hope you will consider this variance as a help to my physical and emotional wellbeing. Please feel free to reach out to me at any time, and I would be happy to answer any questions you may have.

Thank you-

Scott Schrotenboer
616.437.4778
scotts3435@gmail.com



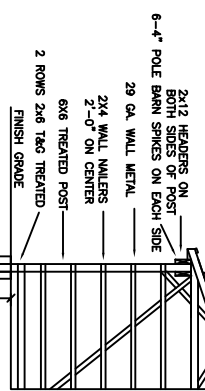
2x12 6x6

ENGINEERED TRUSS 4' OC.




29 GA. ROOF METAL

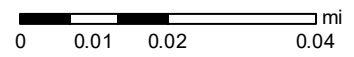
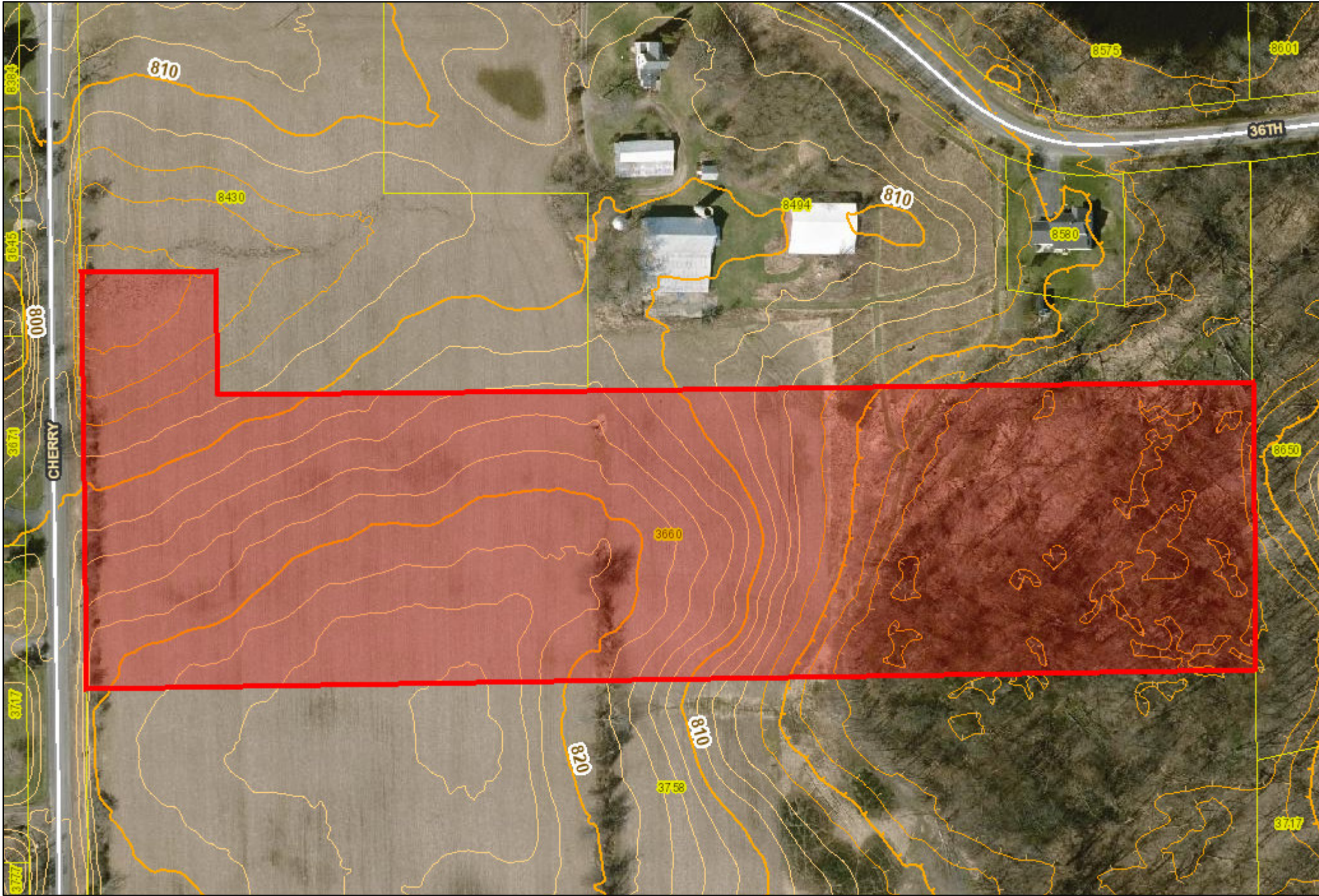
2x4 ROOF FURRING
24" O.C.



4'x12" DIA. PRECAST CONCRETE PAD


THE RENO LUMBER CO.
 (260) 724-3108
 FAX (260) 724-4505

DATE: 2-2022	HOME PH.
DRWN: KRM	SCALE: 1/8" = 1'-0"
DATE: 2-2022	DATE: 2-2022
DRWN: KRM	SCALE: 1/8" = 1'-0"





CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE, Grand Rapids, Michigan 49546

November 30, 2023
Schrotenboer
3660 Cherry Lane

Re: Case 22-3799 – Variance

Dear Epique Homes & Schrotenboer Residence,

Your case was reviewed at the November 14, 2023 Zoning Board of Appeals meeting and a motion was passed to approve your request with conditions.

This letter serves as verification of this approval to let a pole barn be built 21 feet from the north property line.

This approval was granted with the following conditions:

1. The barn is not used to run a business or for living space.
2. No less than 5 trees that are no smaller than 10 feet in height, be planted on the north side of the pole barn to act as screening.
3. A Water Diversion Control plan be created and reviewed by the Township Engineer prior to building permits being issued. Included in this plan must be a survey.

Please call or email me with any follow-up questions.

Sincerely,

Madison Smith-Jacoby
Zoning Administrator

MEMO

TO: Cascade Charter Township
FROM: Michael D. Homier
DATE: December 14, 2023
RE: The Township Planning Commission

This memorandum addresses the Township Planning Commission, how it is currently established, and the authority for continuing the Planning Commission under state law.

Currently, the Township Planning Commission is established by Chapter 23 of the Township Zoning Ordinance, pursuant to the Michigan Zoning Enabling Act, MCL 125.3101 *et seq* (“MZEA”). However, since 2008 following the legislature’s consolidation of the various planning acts, planning commissions are creatures of the Michigan Planning Enabling Act, MCL 125.3801 *et seq* (“MPEA”). In our experience, most planning commissions are now organized under the authority granted by the MPEA and not under the MZEA or included in the zoning ordinance. Just a few local examples include Grand Rapids Township and Cannon Township.

Local units of government have various powers that are granted to them by law. For example, the general police power (the ability to protect the health, safety, and welfare of the public by regulation of persons and property), is granted by the Michigan Constitution and codified under statute. Other powers are specifically delegated to local units by the Legislature. Zoning is an example of a power explicitly delegated to local units by the Legislature under the MZEA. When a public body adopts any regulation, it generally must identify the authority under which it is acting. If the public body’s exercise of power is challenged, it generally must defend that exercise of power under the claim of authority it made when adopting the regulation.

The MPEA allows local units of government to create and continue a planning commission. The MPEA provides specific regulations and procedures for local planning commissions, including among other things membership on the planning commission and the length of terms. See, e.g., MCL 125.3815. The MPEA does not allow a referendum to be filed against an ordinance continuing a planning commission. MCL 125.3881. That is not the case under the MZEA, which specifically permits a referendum whenever a zoning ordinance is adopted or amended. See MCL 125.3402.

The MPEA and MZEA set forth different regulations that present problems if a municipality relies on the MZEA to establish its planning commission. For instance, as stated above, the MZEA grants a right of referendum for any amendment to a zoning ordinance. And, the MZEA has stringent public hearing and notice requirements. See MCL 125.3103; 125.3403. So currently, if the Township desires to change any number of things related to the operation of the Planning Commission, the Township must follow the requirements of the MZEA, which requires notice and a public hearing, and any amendment would be subject to a legislatively mandated right of referendum. On the other hand, if the Township were to continue the Planning

Commission under the authority granted to it by the MPEA and revise any number of things related to the operation of the Planning Commission, no notice or public hearing is required. We recommend removing those sections of the zoning ordinance referring to the creation and operation of the planning commission and instead utilize the authority granted to the Township under the MPEA for the creation and operation of the Planning Commission.

Because the Planning Commission is currently authorized under the Township's Zoning Ordinance, the Township would need to amend Chapter 23 of the Zoning Ordinance to remove references to the Planning Commission. And because doing so is an amendment to the Zoning Ordinance, the Planning Commission must hold a public hearing on such an amendatory ordinance, and then make a recommendation to the Township Board on the ordinance. The Township Board would then need to adopt the ordinance amending the zoning ordinance. MCL 125.3202; 125.3402. At that same time, the Township Board could adopt a police power ordinance continuing the Planning Commission in accordance with the provisions of the MPEA.¹

Please let us know if you have any questions.

MDH:KTB

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¹ Because Cascade is Charter Township, it may not adopt an ordinance at the same meeting at which it is introduced, or before it is published in the form in which it is introduced. MCL 42.20.

Cascade Township
Farmland Preservation (FP) Sub-committee (SC) Update
18 December 2023

Overarching Goals:

- 1.) Align strategic and master plans, and ordinances, to ensure preservation of township's rural character
- 2.) Identify and recommend specific methodologies to incentivize protection of township farmland
- 3.) Create an avenue for integrating these methodologies and incentives into land use across all township zoning districts and broadening include open/green space and not just farms

Goal 1

The threshold consideration for an application for preservation is presence of high-value natural resources. Whether defined as open space, green space, or farmland, the parcel must first be tactically conserved as close to its natural or agricultural characteristics as possible. To that end, the FPSC reviewed and analyzed uses - both by right and via special use permit - as outlined in the current township zoning ordinance as well as outside jurisdictions blessed with a higher percentage of farmland.

It should be noted the committee addressed both ARC & FP districts, as both are eligible for Kent County's Farmland Preservation. We believe the proposed realignment of uses will enhance our chances of success with the grant program, while providing an overall increase in the preservation of land. There are a few uses for which ARC is the catch-all, i.e. by law the township has to allow most everything at least somewhere, and for those items in particular we denote ARC-Only. It should also be noted that once a parcel is "preserved," the resultant conservation easement typically has even more stringent requirements that supersede zoning ordinances and 'go a step further' in protecting the underlying resources.

Beyond the proposed zoning "use" revisions, we will offer one additional zoning modification - exclusive to the FP district - regarding splits. For farms to maximize their score on Kent County's competitive application the parcel must be at least 20 acres. We would recommend that any splits in the FP district would each be required to have direct access (not via easement) to a public road. Private roads providing the only access to parcels in the FP district would not be allowed (going forward).

Goal 2

To date, we have zero farmers formally enrolled in any preservation program - past or present. Given the dearth of interest, it was obvious a stronger impetus (funding source and/or motivation) would be required. The committee sought, with Trustee Nordhoek's kind help, the inaugural inclusion of what we hope will be an annual financial commitment for farmland

preservation – in the amount of \$100,000 for CY2024. These funds may be used to incentivize farmers to place their qualifying ag lands into the program via a conservation easement which, simply put, removes any development potential on their property, in perpetuity.

An alternative way to more broadly approach and fund this incentive is something called a Transfer of Development Rights (TDR). In this program, applicants for planned unit developments (receivers) may be afforded wins/leeway/special-uses in exchange for high-ratio co-located greenspace preservation or off-site (sender) preservation of farms, wood lots, etc. A template specifically for preservation within a FP zoning district can be found in Grattan Township, but we see an opportunity to use this approach even beyond ag land.

Goal 3

Ordinances incentivizing future development in areas eligible for height and density “bonuses” - much like those being proposed by McKenna - can similarly be used as conservation funding mechanisms. In such scenarios, all township parcels are theoretically eligible to be rights senders, but only bonus districts can be receivers. Perhaps more simply put, a development “bonus” of density/height can and should be tied directly to an open space offset, even in areas outside of farmland.

Go-Forward Plan

Ideally, developers will be motivated to set aside open space, whether wet/wooded/farmed, at some predetermined target-preservation-ratio (TPR) - regardless of where that space exists. This is critical if Cascade as a whole is to maintain its rural character over large swaths of the township as opposed to the mere 7% targeted for farmland preservation. Historically 1. farmland preservation programs are underfunded and consequently underperforming, 2. PUD's are not cutting it in their current incarnation, and 3. developers need outlets to try new concepts. We believe melding these three will create a synergy with tangible results.

FSPC Schedule*:

- 28 Dec - Non-farming Greenspace Edification
- 03 Jan - “Other” Zoning Tie-in (guest: McKenna?)
- 10 Jan - Future Ordinance Key-point Generation (guest: Grattan Ordinance drafter and/or Foster Swift?)
- 15 Jan - PC Ordinance Funding Presentation (guest: Housing Next?)

**pending PC approval of planning & counsel resources