

MINUTES

Cascade Charter Township
Zoning Board of Appeals
Tuesday, March 12, 2013
7:00 P.M.

ARTICLE 1. Chairman Tom McDonald called the meeting to order at 7:00 P.M.
Members Present: Casey, Goldberg, Hammond, James, McDonald
Members Absent: None
Others Present: Planning Director Steve Peterson

ARTICLE 2. Chairman McDonald led the Pledge of Allegiance to the flag.

ARTICLE 3. Approve the Agenda

Motion was made by Member Casey and supported by Member Hammond.

ARTICLE 4. Approve the Minutes of the January 8, 2013 Meeting.

**Motion was made by Member Goldberg to approve the Minutes as presented.
Support by Member Casey. Motion carried.**

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

No visitors present wished to speak about non-agenda items.

**ARTICLE 6. Case # 13-3121 Steven Watt
(Public Hearing)**

Property Address: 3412 Goodwood Dr SE

Requested Action: The applicant is requesting a Variance of Section 18.05 of the Zoning Ordinance which requires homes to have a minimum setback of 10 feet on the sides, with the total of both sides being not less than 25 feet. The applicant is requesting this in order to construct an addition to the front and rear of the home that is closer to the side setback than permitted.

Planning Director Peterson introduced the case. He stated that the applicant currently has a setback of 6 feet on one side and 9 feet on the other side. The current house is legal nonconforming because it does not meet current setback requirements.

The applicant is asking to put two additions on the home. The additions will maintain the wall line of the home. One of the setbacks will increase slightly because the house does not sit parallel to the property line on the north side. These additions will require a variance because they will not comply with the minimum 10 foot setback or the total 25 foot setbacks. Our records indicate the home was built in 1931.

Upon reviewing the aerial photography of the area, it appears that other homes in the neighborhood have similar non-conforming sideyard setbacks. Going back through the ZBA cases through 2000, we have had four similar cases, two denied and two approved.

The cases that were approved appear to be more similar than the cases that were denied. In those two cases that were approved, they were allowed to maintain the existing setback. The two denied cases were coming closer to the sideyard setback.

Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all of the findings of fact.

Chairman McDonald invited owner, Steven Watt to come forward to address his request. Mr. Watt mentioned that he had more construction type plans available if needed. He agreed with what Peterson presented, only correcting the directions of the property, and location of the garage. Mr. Watt stated that he thinks he is the only house in the Goodwood neighborhood that hasn't remodeled in some way. The prior owners had been there a long time and Mr. Watt and his family have been there for seven years, and have outgrown the house. Mr. Watt presented the drawing for the Board. He stated that the lot is hilly, and slants towards the river, so there shouldn't be any issue with the dam or flooding.

Mr. Watt does not plan to do any landscaping, other than removing some trees. He plans to cut his circular drive in half, causing him to have to cut off the maple tree in the center of the driveway. One large pine tree to the side will also be removed. His neighbor on that side uses that area for parking.

Mr. Watt discussed his plans with his neighbors and they are all in support.

Chairman McDonald made a Motion to open Public Hearing. Support by Member Goldberg. Motion carried.

No one from the public spoke to this project.

Member Casey made a Motion to close the Public Hearing. Support by Member Goldberg. Motion carried

Planning Director Peterson did indicate that he received two comments, one from a neighbor concerned about construction traffic and the other from Janine Kling who manages the Cascade Dam. Janine was concerned that the additions not extend beyond the 668 elevation. Peterson showed an aerial photo indicating contour line 668 and that it is a significant distance away from the home.

Member Goldberg made a Motion to approve the Variance. Support by Member James. Motion carried unanimously.

ARTICLE 7.

Any other business

ARTICLE 8.

Adjournment

Motion was made by Member Hammond to adjourn. Support by Member James. Motion carried. The meeting was adjourned at 7:12 p.m.

Respectfully submitted,
Mel Casey, Secretary
Kelli Hulst, Planning Administrative Assistant