

MINUTES

Cascade Charter Township Zoning Board of Appeals
Tuesday, March 8, 2005
7:00 pm

ARTICLE 1. Chairman Casey called the meeting to order.
Members Present: Beahan, Casey, Crawley, Lewis, Neal, Vaughn
Members Absent: Richards (excused).
Others Present: Planning Director Peterson, Admin. Assistant
Thompson and those listed on Supplement #1.

ARTICLE 2. **The agenda was approved on motion by Member Lewis and supported by Member Beahan. The motion carried.**

ARTICLE 3. Chairman Casey corrected the Minutes on Page 6, Paragraph 2, first sentence to read: where does the ice rink (structure) melt? With that correction **Member Lewis supported by Member Neal moved to approve the Minutes as corrected. The motion carried.**

ARTICLE 4. The Planning Commission Minutes of January 18 and February 7, 2005 were received and filed.

ARTICLE 5. **Case #04-2691: Gantos/Thornhills Properties L.L.C.**
(From the Table of February 8, 2005)
The applicant requested bufferyard and curb cut variances for the re-development of 2845 Thornhills, SE.

Member Lewis supported by Member Vaughn moved to remove Case #04-2691 from the Table of February 8, 2005. The motion carried.

Planning Director Peterson related the applicant is asking for a variance for the bufferyard and curb cut location. The curb cut variance was decided at the January meeting. Since the meeting on February 8, the applicant has submitted a signed copy of the First Amendment to Declaration and Grant of Easement from the bank agreeing to the Staff recommendation of a 17 foot bufferyard along the north property line. Staff reviewed the document with the Township Attorney and recommends approval of the variance for a reduced buffer yard with two conditions: 1) the applicant record the easement agreement before any building permits for the site are issued; and 2) all plantings of the larger (25 foot) buffer yard be planted.

Member Neal asked if there is a copy of the easement agreement signed by Thornhills Properties. Planning Director Peterson responded we would make sure we have a signed document and proof of recording prior to any building permit being issued.

Member Neal related recording is the important thing to be done.

Mr. Gantos, the applicant, related he would like to move forward with what Staff is proposing.

Member Lewis supported by Member Beahan moved that the applicant be granted a variance for a buffer yard of 17 feet wide along the north property line with the following conditions: 1) that the applicant record the proposed revised easement agreement before any building permits will be issued; and 2) the same number of plantings will still be provided in the reduced bufferyard as what would have been planted for the full width bufferyard. Member Lewis related he recognizes this is a unique situation and there has been an easement in the past which has been updated to meet the Zoning Board of Appeals' request. By reference he will incorporate the Memo from Staff dated February 28, 2005.

Member Beahan agreed to the incorporation of Staff's memo.

The motion carried.

ARTICLE 6.

Any Other Business

The Planning Department 2004 Annual Report was presented. Member Lewis related Staff did a wonderful job on the report.

Chairman Casey asked if there are any items the members would like to bring up at the joint meeting on March 9. Member Lewis related his understanding is the Chairman of each board will speak for each board.

Member Lewis related he would like to discuss term limits at the meeting. Personally he is against term limits for Planning Commission and Zoning Board of Appeals. Members who serve for several terms have stores of knowledge and background. He feels that is particularly important on the Zoning Board of Appeals. Member Lewis related at one time the Township did a survey and found other townships do not have term limits for Planning Commission and Zoning Board of Appeals. It seems that is an important factor where the Township Board impacts on this board.

Member Beahan agreed with Member Lewis. He also does not think there should be term limits. And, terms should be expanded to at least three terms instead of the present two. Member Beahan related Trustee Koessel also feels strongly that term limits should be changed.

Member Neal agreed.

Chairman Casey related another concern. He feels a variance should be presented to applicants as you can see if the Zoning Board of Appeals will grant it. But the tone should not be that the variance will be granted if asked for.

Member Lewis related so often when looking at the annual report it says variance granted. That is not always a true picture of what happened. At the Zoning Board of Appeals there is some give and take. Tonight the variance granted is not what the ordinance says and it is not what the applicant wanted. It is a compromise. In the annual report it will say variance granted. It is important to note the background information.

ARTICLE 7. Adjournment

Member Beahan supported by Member Crawley moved to adjourn. The motion carried and the meeting was adjourned at 7:25 pm.

Respectfully submitted,

Jack Lewis, Secretary

JL:MJT

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, April 12, 2005
7:00 pm
Cascade Historical Museum Building
2839 Thornapple River Drive, SE

Originals

- ARTICLE 1.** Call the meeting to order
Record the attendance
- ARTICLE 2.** Approve the agenda
- ARTICLE 3.** Approve the Minutes of the March 8, 2005 meeting
- ARTICLE 4.** Receive and File:
Planning Commission Minutes February 22, 2005
Planning Commission Minutes March 21, 2005
- ARTICLE 5.** **Case #05-2711: David Crum**
(PUBLIC HEARING)
The applicant is seeking a variance of eight feet to place a home 17 feet from the rear property line at 3042 Wycliffe Drive.
- ARTICLE 6.** **Case #05-2710: TCF Enterprises**
(PUBLIC HEARING)
The applicant is seeking to have an interpretation of the Meadowbrooke Business Park PUD ordinance regarding whether a banquet facility is an allowed use.
- ARTICLE 7.** Any Other Business
- ARTICLE 8.** Adjournment