

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, May 4, 2026
6:00 pm
2870 JACKSMITH AVE SE

ARTICLE 1. Chair Rowland called the meeting to order at 6:00 pm.

Members Present: Korstange, Kraemer, Rowland, Cribbs, Madiol, Kaiser, Lauer

Members Absent: None

Others Present: Building Official Brian Wilson, Interim Planer Kevin Garcia, Mallory Reader of Foster Swift, Planning Administrative Assistant Nick Govan, and others listed on the sign-in sheet.

ARTICLE 2. Pledge of Allegiance to the Flag

ARTICLE 3. Approve the current Agenda

Motion was made by Vice Chair Kraemer to approve the current agenda. Supported by Commissioner Madiol. Motion carried unanimously.

ARTICLE 4. Disclose any Conflict of Interest

There were no conflicts of interest disclosed.

ARTICLE 5. Approve the Minutes of the March 16, 2026, meeting.

Motion was made by Commissioner Cribbs to approve the minutes of the March 16, 2026 meeting. Supported by Vice Chair Kraemer. Motion carried unanimously.

ARTICLE 6. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 7. Case #25-3903 – Public Hearing (CANCELED)

Applicant: Mason Leffew

Property Address: 7269 Thomcrest Drive SE

Parcel Number: 41-19-15-152-001

Requested Action: No Action Required.

Chair Rowland noted that Case #25-3903 had been canceled. He initiated a discussion regarding the Commission's authority to place time limits on special use permit approvals, expressing concern that approvals could be conveyed with a property sale even if a project had not been initiated.

Interim Planner Kevin Garcia explained that the current zoning ordinance does not contain a provision allowing a time limit to be placed on special use permits. He noted that a letter issued in 2022 had included a time limit, but after review of the Planning Commission meeting record from that time, no discussion of placing a time limit was found. He indicated that

staff appeared to have added the language administratively and that, after late 2022, such language was no longer included in special use permit letters, likely because staff recognized the ordinance did not authorize it. He noted that the current zoning ordinance does contain a one-year time limit for site plan approvals, requiring building permits to be pulled within one year, but no comparable provision exists for special use permits.

Treasurer Korstange noted that she had understood a time limit existed under the current ordinance and observed that, absent such a limitation, a special use permit would run with the land and not necessarily with the applicant. She questioned whether the newer zoning ordinance contained such a provision.

Garcia confirmed that special use permits generally run with the land, meaning a subsequent property owner could exercise an approved permit for the same use. He also confirmed that the new zoning ordinance, currently in limbo due to a referendum, does contain a time limit provision.

Legal Counsel Mallory Reader, appearing on behalf of Foster Swift, concurred that special use permits generally run with the land. She indicated that requiring commencement of construction or initiation of the approved use within a specified period is a standard condition used by other municipalities and could be implemented either as a condition of approval or through an amendment to the zoning ordinance.

Chair Rowland raised the question of whether the Commission could place a condition on special use permit approvals specifying that the permit would not transfer with a property sale if the approved use had not yet been initiated, and that the permit would expire within one year if construction had not commenced. Garcia indicated he believed such a condition would be defensible, though he deferred to legal counsel. Legal Counsel Reader confirmed it would be appropriate and consistent with practices used by other clients.

Chair Rowland directed staff to consult with the Township's legal counsel to confirm the Commission's authority to impose time limits as conditions on future special use permit approvals and requested that consideration be given to incorporating such language into the zoning ordinance.

ARTICLE 8.

Case #26-3915 – Public Hearing

Applicants: Livingston Homes LLC, Candice Patterson, Joe & Marie Parzych

Property Address: 3758 Cherry Lane SE

Parcel Number: 41-19-23-200-030

Requested Action: Request for approval of a Type I Special Use Permit to allow an accessory building over 832 sf located in the front yard.

Garcia presented the case and explained that the subject site is an approximately 18.5-acre parcel located on the east side of Cherry Lane, part of a larger tract of farmland subdivided into three large lots in 2022 and

sold to separate buyers. The applicant is currently constructing a home on the site on behalf of the property owners, who were present at the meeting. The request was for a Type I Special Use Permit to construct a 1,200 square foot accessory building.

Garcia presented the site plan and noted the proposed accessory building would be located with an approximate 250-foot front yard setback from Cherry Lane, approximately 300-foot setbacks on both the north and south side yards, and at least 1,000 feet from the rear yard. He explained that the property owners intended to use the building primarily for storing landscaping and gardening equipment and as a potting shed, with secondary use as a garage for passenger vehicles.

Garcia explained that because the accessory building is technically located in the front yard, the Planning Commission was required to evaluate the application against two sets of criteria: one for detached private garages larger than 832 square feet under Section 17.03.1.a, and one for accessory buildings located in front yards under Section 17.03.1.b. He clarified that all criteria under Section 17.03.1.a need not be met, but the Commission should consider all eight criteria, and that under Section 17.03.1.b, only one of the three listed criteria is required to be satisfied.

Garcia reported that staff found the application meets seven of the eight criteria under Section 17.03.1.a, with seven criteria weighing in favor of granting approval. Under Section 17.03.1.b, he noted the first two criteria were not applicable to this application, but that the third criterion was met, as the proposed accessory building is set back a minimum of 200 feet from the right-of-way, with the proposed building at 250 feet. He confirmed that no comments had been received from neighboring property owners as of the time of the report or as of the meeting date. Staff recommended approval with conditions that construction be in general conformance with the attached site plan, that the accessory building not be used for a home occupation or accessory dwelling unit, and that outdoor lighting adhere to Cascade Township standards, requiring shielded or downcast fixtures that do not create glare for neighboring properties.

Commissioner Lauer questioned why the accessory building was proposed for the front yard rather than being situated in the rear yard, noting that ordinance exceptions are typically warranted by specific site conditions such as topography or the presence of a septic field. Garcia indicated he was not aware of the specific reasoning for the front yard placement versus the rear yard.

Commissioner Lauer further noted that the topography of the site sloped and that the adjacent lot to the south had recently sold, meaning the new owner may not have received notification of the public hearing. Garcia acknowledged that the lot had recently changed ownership and noted that notification letters are sent to the property owner of record at the time of mailing.

Commissioner Lauer also raised the concern that while the accessory building would not obstruct the view of the adjacent property to the south

given the current absence of a home there, a future home on that parcel, situated similarly to this property's home, could potentially have its view obstructed by the accessory building given the topography.

Treasurer Korstange inquired about the configuration of the neighboring lot to the south, noting from prior observation that it appeared to be a flag lot with the buildable area set back from Cherry Lane. Staff confirmed it was believed to be a flag lot, with the principal structure likely situated further back on the property. Treasurer Korstange observed that, given the flag lot configuration, the neighboring property owners would likely not be looking directly at the proposed accessory building from their principal structure.

Vice Chair Kraemer asked for clarification on staff's finding that the proposed accessory building's construction and architectural character matched that of the principal dwelling, noting that the packet did not include side-by-side comparison materials. Garcia acknowledged that he had intended to include a more complete site plan for comparison but had not done so, and apologized for the omission. He confirmed that he had reviewed the site plan for the home under construction and compared it to the accessory building design before reaching that conclusion. Treasurer Korstange noted that the home was nearly complete and that the building's design was consistent with the house she had observed driving by the property.

Chair Rowland sought clarification on how the front yard was defined in relation to the property, noting that the house appeared to be oriented at an angle within the parcel. Garcia clarified that the front lot line is established along Cherry Lane, and that the front yard is defined as the area between the front lot line and the nearest point of the main building. He confirmed that even with a significant setback, the accessory building would still be technically located within the front yard.

Chair Rowland confirmed with staff that the lot is over 18 acres, the accessory building is 1,200 square feet, the ordinance requires a minimum 200-foot setback from the right-of-way, and the proposed building meets that standard at 250 feet on the front yard setback and approximately 300 feet on both side yard setbacks.

The property owners, Marie Parzych and Joe Parzych (3758 Cherry Lane SE), presented their request. Marie Parzych explained that when the property was purchased, there was no driveway and the site required significant effort to establish access. She described an established garden in the front portion of the property, including fruit trees, strawberry beds, raspberries, and asparagus, which had been developed in that location because it was accessible and received adequate sunlight. She noted the proposed accessory building, which she described as a pole barn, would primarily serve the gardening operation and general lawn equipment storage, and was intended to be located in proximity to the existing garden area.

Marie Parzych explained that the house was designed and oriented at an angle of approximately 25 to 30 degrees from the south to maximize

passive solar heating in winter and provide view corridors to both sunrise and sunset. She noted that with the house sited at the high point of the property and the accessory building positioned adjacent to the garage, the view from the house's porches and deck would not be impaired by the accessory building, and the property would retain a wide, unobstructed view.

Joe Parzych added that the topography of the site played a role in the front yard placement, as the land falls off toward the rear of the property, making it impractical to extend the driveway further back. He confirmed the house is situated at the highest point on the parcel.

Treasurer Korstange observed that, given the topography and the configuration of the neighboring property to the south, the proposed accessory building would likely not be visible from the front of the neighbor's principal structure. Marie Parzych confirmed that the neighboring property's house faces Cherry Lane and the garage faces their shared property line, and that the neighbors are aware of the proposed building and have no objection. She noted the neighboring owners had previously been granted access across the Parzych property during excavation of their driveway, describing them as wonderful neighbors.

Commissioner Kaiser asked about the property boundaries, noting the parcel was approximately 18 acres and from the aerial presented and that it looked as if the property ran further to the north. Marie Parzych explained that the parcel runs approximately three acres wide but extends approximately nine acres in depth, with the rear portion consisting of swampy forested area.

**Motion was made by Treasurer Korstange to open public hearing.
Supported by Commissioner Cribbs.
Motion carried unanimously.**

Scot VanSolkema (2570 Orange Court) addressed the Commission in support of the application. He characterized the case as representative of what he described as excessive regulatory burden under the current ordinance, noting that under the newly adopted zoning ordinance, the property owner could construct an accessory building up to 3,000 square feet without requiring this level of review. He expressed concern that the 832 square foot threshold and other provisions of the current ordinance create barriers for responsible homeowners and impose costs that are disproportionate to actual community impacts. He encouraged the Commission to move forward with implementation of the new zoning ordinance and expressed the view that the delay caused by organized opposition had prolonged the types of hearings the new ordinance was designed to eliminate.

**Motion was made by Chair Rowland to close public hearing.
Supported by Treasurer Korstange.
Motion carried unanimously.**

Following the close of public hearing, the Commission discussed the

application. Chair Rowland stated he did not see a significant problem with the proposal, noting the building is 1,200 square feet, set back 250 feet from the road, and situated on a nearly 20-acre parcel.

Commissioner Lauer commented that while the front yard placement was a matter of preference rather than strict necessity, the applicant's explanation of the topography, specifically the impracticality of navigating toward a downhill pole barn in winter conditions, provided helpful context that informed her understanding of the site constraints.

Vice Chair Kraemer stated he had no objection to the application. He noted the property is large and the proposed accessory building is modest in scale relative to the parcel size. He referenced the Township's historical data on similar applications, observing that a prior approval for a comparable use had involved a structure representing 945 percent of the primary dwelling unit on a 160-acre parcel. Treasurer Korstange noted this type of disproportionality was one of the issues the new zoning ordinance sought to address by scaling accessory building allowances to property size.

Commissioner Madiol noted that there are larger accessory buildings already present in the Cherry Lane area, and the proposed 1,200 square foot building was smaller than others that had been approved in the vicinity.

Motion was made by Treasurer Korstange to Approve Case Number 26-3915 for a Type I Special Use Permit for an accessory building greater than 832 sf located in the front yard at 3758 Cherry Lane SE for the following reasons:

- 1. Seven of the eight criteria used to evaluate accessory garages weigh in favor of granting approval.**
- 2. The proposed accessory building is set back more than 200 feet from the right-of-way.**

And with the following conditions:

- 1. Construction must be in general conformance with the attached site plan.**
- 2. The accessory building shall not be used for a home occupation or accessory dwelling unit.**
- 3. Outdoor lighting must adhere to the Cascade Township standards; shielded or downcast, not creating glare for neighbors.**
- 4. The approval expires on May 4, 2027, if construction has not commenced by that date.**
- 5. The approval to construct the accessory building is non-transferable and shall not run with the land if the property is conveyed prior to the commencement of construction.**

Supported by Vice Chair Kraemer.

Motion carried unanimously.

ARTICLE 9. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 10. Other Business

There was no other business.

ARTICLE 11. Adjourn

The meeting adjourned at 6:35 pm.

Respectfully submitted,

Commissioner David Madiol, Planning Commission Secretary