

# Silver Creek Township Zoning Board of Appeals

## Meeting Agenda

Date: April 9, 2024

Time: 7 PM

### Meeting Facilitator:

1. Call to Order
2. Pledge to the Flag
3. Roll Call
4. Approval of previous Zoning Board of Appeals Minutes (February 13, 2024)
5. Reading of Public Hearing Notice
  - a. The request of Mateo Chinchilla on behalf of property owner Herbert Kashanitz, regarding the property at 50791 East Bay Road, Dowagiac, MI (Parcel No. 14-130-260-025-00) in the "WD" Waterfront Residential District Zoning Classification to construct a new 24' x 32' garage in the front side (E Bay Drive side) of the property. The house portion and the lake portion of the property are bi-furcated by Middle Road. The applicant is seeking a variance from Section 3.11A.2 prohibiting accessory buildings in the front yards in order to place the proposed new garage between the house and the existing barn, 8 feet from the south property line and 25' from the center of East Bay Drive on the East Bay Side of the property. Standards of review for consideration by the Zoning Board of Appeals are contained in Section 18.04 of the Silver Creek Township Zoning Ordinance.
  - b. Such other and further matters as may properly come before the zoning board of appeals.
6. Standards of review for the Zoning Board of Appeals are in Section 155.253 of the Zoning Ordinance.
7. Zoning Administrator Comment
8. Open Public Hearing-Chairperson
9. Please wait to be recognized by the Chairperson, then clearly state your name and address prior to speaking to assist us in the preparation of the meeting minutes.
  - a. Applicant's opportunity to speak
  - b. Those in favor (may be limited to 3 minutes per speaker)
  - c. Those in opposition (may be limited to 3 minutes per speaker)
  - d. Written Comments
  - e. Rebuttal by Applicant
10. Close Public Hearing- Chairperson
11. Zoning Board of Appeals Discussion-Board members Only (board may seek clarification by asking questions of the Zoning administrator)
12. Standards of Review – Section 155.253 – Begin by determining if there is *reasonable evidence of practical difficulty; identify it and specifically state it for the official record (motion, support, roll call vote)* If there is not evidence of practical difficulty, variance request should be denied. If there is practical difficulty, then conditions 1-5 should be addressed in order with specific statements.
13. Motion & Support to "approve or deny variance as presented" (board members respond with approve or deny).
14. If variance denied, applicant may request a variance with modifications.
  - a. (Motion & Support to "approve or deny variance as modified"; Roll Call Vote)
15. Announce variance request(s) as approved or denied or approved with any modifications.
  - i. Applicant to receive a copy of the completed application; appeal time begins upon receipt.
16. Such other and further matters as may properly come before the zoning board of appeals.
17. Public Comment\*\*
18. Adjournment
  - a. \*\*Public Comment is the opportunity for the public to make a comment/statement to the board members. Please raise your hand to be recognized by the Chairperson. When it is your turn to speak, please begin with stating your name and then your comment(s). We ask each person speak only one time so others will have time to speak as well. If you have questions about the process or need general information, please contact the trustee who is the liaison for this board to the Silver Creek Township Board.