

**MINUTES SILVER CREEK TOWNSHIP  
PLANNING COMMISSION MEETING – SEPTEMBER 23, 2020  
PLANNING COMMISSION PUBLIC HEARING SEGMENT**

Chairman Terry Harris called the Public Hearing segment to order at 6:30 p.m. on Wednesday, September 23, 2020.

MEMBERS PRESENT: Debbie Brown, Tim Feirick, David Grabemeyer, Terry Harris, Jon Tidey, Bill Zuhl

MEMBERS ABSENT: Nick Barnes

OTHERS PRESENT: Building and Zoning Administrator Todd Herter, Recording Secretary Liberty Nevins

The Pledge of Allegiance to the Flag of the United States of America was recited.

**APPROVAL OF AGENDA**

Jon Tidey motioned to approve the agenda.

David Grabemeyer seconded.

All members approved.

**PUBLIC NOTICE**

Secretary Debbie Brown recited the Notice of Public Hearing:

A proposed amendment to Section 155.023(C) of the Silver Creek Township Zoning Ordinance entitled “Double Frontage Lots” by eliminating the requirement for both sides of the corner to meet the front yard setback requirement; and to replace that setback with a provision allowing for the street side setback to be ½ of the size of the front yard setback.

**REASON FOR HEARING**

Terry Harris stated that the current wording reads “the required setback on the street side of a corner lot shall be the same as required for that lot’s front yard”. He stated that the proposed wording would read “The required setback on the street side yard of a corner lot shall be half the distance of the front yard setback in the district in which the property lies”. He stated that the “proposal would give substantial relief to our residents who own corner lots and keep with the spirit of the original intent of the ordinance. With this change, in WD, the new roadside setback would be 15’, which is still 8’ more than the typical side yard setback for any interior lot, within the same district”.

**PUBLIC COMMENT**

Member of the public and corner lot property owner Vicki Foote commented that if corner lots were given an extra 15’ to build, her house would be boxed in and surrounding property values would be altered.

Member of the public and corner lot property owner Cathy Daly commented that the setback ordinance has given her trouble in regards of being able to build a garage. She commented that she wanted the ordinance changed.

Member of the public Linda Lawless asked if a safety engineer checked to see if the ordinance revision would cause a safety issue. She commented that she would be opposed to the ordinance revision if no one had checked into the safety issue.

Terry Harris closed public comment.

**WRITTEN PUBLIC COMMENT**

Debbie Brown read aloud a letter from Dennis Foote that in summary said that Dennis would strongly oppose the amendment. The letter stated that property values would suffer from the amendment. The letter stated that the amendment would go against the ordinance. Debbie Brown read aloud an email from George Tovey that in summary said that George would oppose the amendment. The letter stated that taxes did not need to go up.

Terry Harris read aloud an email from Dave Bulat that in summary said that Dave would disapprove the setback proposal.

Building and Zoning Administrator Todd Herter asked if any Planning Commission members had received another 6 or 7 letters from the Supervisor on the matter.

Terry Harris responded that no members had received any.

#### **PLANNING COMMISSION DISCUSSION**

Terry Harris commented that the meeting could not be moved forward without the 6 or 7 letters. Debbie Brown, David Grabemeyer, and Jon Tidey agreed.

Debbie Brown motioned to close the Public Hearing segment.

David Grabemeyer seconded.

Motion passed by voice vote.

#### **PLANNING COMMISSION MEETING**

Terry Harris called the Planning Commission meeting to order at 7:00 p.m.

MEMBERS PRESENT: Nick Barnes, Debbie Brown, Tim Feirick, David Grabemeyer, Terry Harris, Jon Tidey, Bill Zuhl

MEMBERS ABSENT: none

OTHERS PRESENT: Building and Zoning Administrator Todd Herter, Recording Secretary Liberty Nevins

#### **APPROVAL OF THE AGENDA**

Nick Barnes motioned to approve the agenda.

Vice Chairman Tim Feirick seconded.

Motion passed by voice vote.

#### **ZONING BOARD OF APPEALS REPORT**

David Grabemeyer stated that the Zoning Board had a meeting in which a variance request was denied with a 5:0 vote.

#### **NEW BUSINESS – REVIEW OF UPDATED CAPITAL PLAN**

Terry Harris stated that the township had purchased a new patrol car. He stated that the budget given had been \$36,000 and that the final total for the patrol car had been \$46,700.

#### **UNFINISHED BUSINESS – APPROVAL TO SEND CORNER LOT SETBACK PROPOSED ORDINANCE REVISION TO TOWNSHIP BOARD**

Debbie Brown motioned to table the corner lot setback proposal until the meeting in October.

Nick Barnes seconded.

Motion passed by voice vote.

#### **UNFINISHED BUSINESS – UPDATE REGARDING DEVELOPMENT OF SHORT-TERM RENTAL ORDINANCE**

Terry Harris stated that permission had been given from the Supervisor to proceed with the topic. He stated that when a draft was made it would be brought in front of a Public Hearing once again.

## **COMMISSION MEMBER COMMENTS**

Terry Harris commented that in the October meeting, a new Planning Commission Chairman, Vice Chairman, and Secretary would be picked to lead in 2021.

Tim Feirick commented that townships are able to regulate when fireworks are allowed aside from major holidays.

Terry Harris commented that a representative from the sheriff's marine division could talk about the activity on the lakes to the Planning Commission members to clarify if there was an issue to be addressed.

Jon Tidey and Debbie Brown agreed.

## **APPROVAL OF AUGUST 26, 2020 MINUTES**

David Grabemeyer motioned to approve the August 26, 2020 Planning Commission minutes.

Jon Tidey seconded.

Motion passed by voice vote.

## **PUBLIC COMMENT**

Linda Lawless commented that a noise ordinance should be addressed before a rental ordinance.

## **ADJOURNMENT**

Terry Harris stated that the next Planning Commission meeting would take place on October 28, 2020.

Debbie Brown motioned to adjourn.

Jon Tidey seconded.

Motion passed by voice vote.

Meeting adjourned at 7:20 p.m.

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Liberty Nevins, Recording Secretary

Debbie Brown, Secretary