

**MINUTES SILVER CREEK TOWNSHIP
ZONING BOARD OF APPEALS HEARING HELD ON AUGUST 17, 2016**

The meeting was called to order by Chairman Jerry Donley at 7:00 p.m. on Wednesday, August 19, 2016. The Pledge of Allegiance to the Flag of the United States of America was led by Jerry Donley.

MEMBERS PRESENT: Bruce Nevins, Jean Rowe, Jerry Donley, Joe Moore, Dick Morey

OTHERS PRESENT: Attorney John Magyar, Building and Zoning Administrator Todd Herter, Recording Secretary Lindsay Krohne, five members from the public.

ABSENT: Adele Straub

PUBLIC HEARING

Chairman Jerry Donley read aloud the Notice of Zoning Board of Appeals Hearing.

PUBLIC COMMENT

Jerry Donley opened the floor for public comment at 7:03 p.m. He questioned Building and Zoning Administrator Todd Herter on the reason for the Public Hearing.

Todd Herter stated that the VanHulleø wanted to tear down the existing home and build a year round home, rather than seasonal. They were asking for a variance of a 3.5øside yard setback instead of the required 5ø

Homeowner John Vanhulle stated that the new home would be narrower than what he currently has, but he wanted to make it longer. His current cottage was only 700 square feet.

Todd Herter stated that if they tore down the old home, they could not rebuild unless it was in the same exact foot print. He stated that since they want to build a larger home, they must comply with the Zoning Ordinance.

There was no opposition from the public.

Jean Rowe read aloud a letter from Mumaugh Indian Lakes LLC / David Squiers Family Trust. Vicary Blackmond stated in the letter that as landlords, they have given the VanHulleø verbal permission, as long as the variance and permits are obtained, to construct the proposed home. He added that the VanHulleø have been outstanding tenants in the Conklin Shores neighborhood.

Public comment was closed at 7:10 p.m.

COMMISSION MEMBER DISCUSSION

Bruce Nevins stated that the variance request was pretty straight forward and he saw no problem with it.

Joe Moore questioned whether the setback included the overhang, which it did. He stated that he didn't see a problem with the request.

Jean Rowe stated that she walked around the house, and commented that it appears that everyone is pretty tight in that area anyway.

Jerry Donley read aloud the Five Standards of Review for consideration.

MOTION TO APPROVE VARIANCE REQUEST

Jean Rowe motioned to approve the variance for another 1.6øside yard setback. Joe Moore seconded. Motion passed by roll call vote.

Yes: (5) Bruce Nevins, Dick Morey, Jean Rowe, Jerry Donley, Joe Moore

No: (0) None.

ADJOURNMENT

Jerry Donley adjourned the meeting at 7:17 p.m.

Respectfully submitted,

Lindsay Krohne
Recording Secretary