

**MINUTES SILVER CREEK TOWNSHIP**

**PLANNING COMMISSION MEETING – JANUARY 26, 2022**

Chairman Nick Barnes called the Planning Commission meeting to order at 7:00 p.m. on Wednesday, January 26, 2022.

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

**MEMBERS PRESENT:** Nick Barnes, Tim Feirick, Debbie Brown, John Joossens, Jon Tidey and Veronnica Kenreich

**MEMBERS ABSENT:** Mike Glynn

**OTHERS PRESENT:** Zoning Administrator Mark Davis, Recording Secretary Wendy Fitzgerald, and members of the public

**OPEN MEETING INTRODUCTIONS**

Nick Barnes introduced himself as the new Chairperson and presents Veronnica Kenreich. Veronnica Kenreich introduced herself to the other members.

**APPROVAL OF THE AGENDA FOR PUBLIC HEARING**

Nick Barnes noted an error in the type of meeting, it should be a regular meeting, not by zoom. Debbie Brown notes that under New Business (i.) should read "ZBA" not "VBA". Tim Feirick motioned to approve the amended agenda. Debbie Brown seconded. Motion passed by roll call vote.

**APPROVAL OF THE MINUTES FROM DECEMBER 22, 2021, MEETING**

John Joossens motioned to approve the minutes. Debbie Brown seconded. Motion passed by roll call vote.

**COMMUNICATIONS**

NONE

**PUBLIC COMMENT**

NONE

**TOWNSHIP ATTORNEY'S REPORT**

NONE

## **ZBA REPORT**

Nick Barnes said officers were chosen. He pointed out an issue with a tabled motion that the ZBA would like the Planning Commission to review about the Silver Creek Township Ordinance 155.030(B)(3). The ZBA would like the Planning Commission to contemplate the idea of not including attached garage square footage into the calculations. Noting that neighboring townships only consider detached buildings. He noted that this is not the first time a property like this has requested a variance.

## **BUILDING AND ZONING ADMINISTRATOR REPORT**

Presented by Mark Davis.

## **NEW BUSINESS**

Nick Barnes, about capital projects review, he has heard nothing new.

Nick Barnes would like the planning commission to review Silver Creek Township Ordinance 155.030(B)(3). Debbie Brown read Ordinance 155.030(B)(3); *"The total area of all accessory buildings including garages attached or detached on lots less than one acre shall not exceed 1,500 square feet, on lots of one to two acres shall not exceed 1,800 square feet, on lots over two acres to three acres shall not exceed 2,400 square feet, on lots over three acres to five acres shall not exceed 3,000 square feet, and on lots over five acres shall not exceed 4,000 square feet except for those used in farming operations, which shall not be counted toward the total square footage."* Nick Barnes pondered if amending the ordinance would supply relief for some of the larger three to four and a half acre lots, saying that the neighboring townships do not include attached garages. Mark Davis agreed that this is the case with other townships and noted that if the garage is not on the first floor it is not usually considered. Debbie Brown pointed out newer houses often use spaces above the garage as part of the house as a bonus room. John Joossens agreed with amending the ordinance so long as the square footage constraints stay the same. Debbie Brown said there would need to be verbiage put together so the members can consider a change and vote on it. John Joossens added that someone should contact the township attorney to make sure the type of verbiage added is proper and does not conflict with other parts of the ordinance. Nick Barnes agreed and said he will discuss the idea with the township clerk and investigate the process for amending the ordinance, noting there will need to be a public hearing on it before anything changes. He proposed a motion to examine amending the Silver Creek Township Ordinance 155.030 (B)(3). Debbie Brown Seconded. All members agreed via voice vote.

## **OLD BUSINESS**

No update on Senate Bill 446 and House Bill 4722 Short term rentals.

Nick Barnes stated in the previous Planning Commission Meeting of December 22, 2021, the members proposed to add a paragraph presented by Trustee Mike Glynn to Section 155.078(D) of the Silver Creek Township Zoning Ordinance *"(1) If the requirements, found in the District*

Regulations Table, render an existing platted lot unbuildable for a Single-Family Residential Use, then table (D) used in 155.80 R-1 Single Family Residential District may be applied by the Zoning Administrator.” He noted that all members present during the meeting were in favor of this idea. John Joossens noted members should have denied the request and given the applicant other options. Debbie Brown noted the difference between charts in the ordinance, as the reason members discussed the proposed paragraph. Veronnica Kenrich raised concerns about approving the request. She noted the location of the property is not waterfront physically and none of his neighbors are either. She raised concerns that it will create more drainage problems for Indian Lake. She added that the Indian Lake Association is not likely to be happy with the township approving a measure like this because it will add to Indian Lakes ongoing drainage and environmental issues. She supplied packets to each member to support her concerns. She added that this zoning change request only benefits the person requesting it and approving it would set a precedence that will cause expensive harm to the neighborhood, lake, and environment. She noted she was unable to determine if the property in question even has deeded access as she was unable to find records on it. Debbie Brown clarified that the members in the December 2021 meeting agreed that the definition of waterfront property alone excluded this applicant’s property and pointed out there are existing buildings neighboring this property. John Joossens noted the problem presented was that is this property is unbuildable due to setbacks requirements in the district it is in. Tim Feirick noted the paragraph considered at the last meeting would address a broader scope of lots even if it does not solve the issue presented by the owner of this one lot. Nick Barnes feels the Planning Commission should focus more on issues that affect many lots over single situations such as this one. He noted the proposed paragraph seems to do this.

**COMMISSION MEMBER COMMENTS**

NONE

**PUBLIC COMMENTS**

NONE

**NEXT MEETING**

February 23, 2022


**ADJOURNMENT**


Nick Barnes motioned to adjourn.

Debbie Brown seconded.

Motion passed by voice vote.

Meeting adjourned at 7:36 p.m.

  
Recording Secretary, Wendy Fitzgerald

  
Secretary, Debbie Brown