

**MINUTES SILVER CREEK TOWNSHIP**  
**ZONING BOARD OF APPEALS MEETING – JUNE 21, 2022**

Ben Schilling called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was recited.

Members present – Ben Schilling, Thom Brown, Wendy Fitzgerald, Bill Saunders, Jean Rowe

Members absent – Nick Barnes

Others present – Members of the public, Zoning Administrator, Mark Davis, and Building Inspector Scott Saunders

**APPROVAL OF MAY 17, 2022 MINUTES**

Thom Brown motioned to approve the previous Zoning Board meeting minutes, seconded by Wendy Fitzgerald.

Motion passed by voice vote.

**PUBLIC HEARING NOTICE**

Thom Brown read the request: *The request of Tom and Michelle Koken, regarding the property at 50736 Middle Bay Road, Dowagiac, MI 49047 (Parcel No. 14-130-260-030-00) in the R-2 Waterfront District Zoning Classification variances to permit the addition of a 22.9' x 10' enclosed living space on the west side of the existing structure in approximately the same location as the existing patio:*

- *A 3-foot variance from the required 30-foot front yard (lakeside) setback in order to provide a 27-foot front yard (lakeside) setback; and*
- *A 1.1 foot variance from the required 5-foot side yard setback for lots less than 40 feet in width on the west side of the parcel in order to place the addition 3.1 feet from the west property line.*

**STANDARDS OF REVIEW- SECTION 155.253 OF THE ZONING ORDINANCE**

Ben Schilling read the standards of review.

**PUBLIC COMMENT:**

Bill Saunders gave a brief history of the cabins/cottages. James Douglass, a neighbor of the applicants, stated the addition being requested is small and he feels it will not interfere with the neighborhood. Michell Koken said she is an interior designer and enjoys the cabin and would like to make the cabin more accommodating. She feels this is accomplished with the addition.

### **ZONING ADMINISTRATOR COMMENT**

Mark Davis said the applicants are trying to keep the cabin as original as possible but would like to make the property more liveable.

### **ZONING BOARD OF APPEALS DISCUSSION**

Ben Schilling asked who the original owners were and who put the well and septic in. Michelle Koken responded and noted that they are only able to build on the lake side of the cabin.

Ben Schilling noted that the location of the well and septic make it hard to build and they are not able to move easily.

Jean Rowe asked about parking. Tom Koken noted they have to park somewhere else on trash day. Jean Rowe wondered if a well and septic qualify as practical difficulty. Member discussion ensued.

Thom Brown Motioned to approve or deny the variance as requested. Wendy Fitzgerald seconded.

APPROVE (4): Thom Brown, Wendy Fitzgerald, Ben Schilling, and Jean Rowe

DENY (0):

ABSTAIN: Bill Saunders

### **OTHER BUSINESS**

Thom Brown expressed remorse for stepping down as the chairman mid-term.

Bill Saunders motioned to nominate Ben Schilling for chairman. Seconded by Thom Brown.

APPROVE (4): Thom Brown, Jean Rowe, Bill Saunders, and Wendy Fitzgerald

DENY(0)

ABSTAIN (1): Ben Schilling

### **ADJOURNMENT**

Thom Brown motioned to adjourn, seconded by Ben Schilling.

Meeting adjourned at 7:30 p.m.

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Wendy Fitzgerald, Secretary and Recording Secretary