

SILVER CREEK TOWNSHIP ZONING BOARD OF APPEALS
VARIANCE REQUEST, PUBLIC HEARING AND MEETING NOTICE

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF SILVER CREEK, CASS COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the Silver Creek Township Zoning Board of Appeals will hold a public hearing and meeting on Wednesday, April 21, 2021 commencing at 7:00 p.m. at the Silver Creek Township Hall, 32764 Dixon Street, Dowagiac, MI 49047, within the Township.

PLEASE TAKE FURTHER NOTICE that due to COVID-19 and in accordance with the governor's executive orders, meetings for Silver Creek Township have been held remotely via ZOOM video conference. As of the time of this notice, the ability to undertake public meetings via teleconference has not been extended past March 31, 2021. Attendees at the township hall may be required to wear protective masks, abide by social distancing rules and other rules. If the Township can undertake the meeting via teleconference, thru extension of public health emergency, it will likely do so. Please check the township's website at www.silvercreektwpmi.org as to how to access the video or telephone conference OR to determine whether the township hall will be open to the public for the meeting. If the hearing will be held remotely, no new notice will be mailed or published. Access information is published on the township's website.

PLEASE TAKE FURTHER NOTICE that the item(s) to be considered at said meeting are as follows:

- The request of Steven MacGregor 31765 Karl Street, Dowagiac, MI (Parcel No. 14-130-155-061-00) in the LR Lake Residential District Zoning Classification for a 21' variance from the required 30' setback on the Karl Street (north) line in order to permit him to construct a new 32' x 28' accessory building on the eastern portion of the property in the triangle-shaped portion formed by the intersection of Lakeshore Drive and Karl Streets. The proposed structure will sit approximately the same distance from Karl Street as the existing house and 2-car attached garage. Standards of review for the Zoning Board of Appeals are contained in Section 155.253 of the Zoning Ordinance.
- Such other and further matters as may properly come before the zoning board of appeals.

Anyone interested in reviewing the application for the above or the Township Zoning Ordinance may examine a copy of the same at the Silver Creek Township Hall during regular business hours of regular business days hereafter until noon on the date of the hearing or via internet at www.silvercreektwpmi.org.

Written comments are encouraged to be submitted prior to the meeting via email, regular mail or dropping off a letter at the Silver Creek Township hall during regular business days and hours. Written comments may be submitted at the meeting if it is held in person. All interested persons are invited to be present at the aforesaid time and place.

Silver Creek Township will provide necessary and reasonable auxiliary aids and services to individuals with disabilities who wish to attend the meeting upon five (5) days prior notice to the Silver Creek Township Clerk at the address, phone and email listed below.

SILVER CREEK TOWNSHIP ZONING BOARD OF APPEALS

By: Lorri Behnke, Township Clerk

32764 Dixon St.

Dowagiac, MI 49047

(269) 424-3025

www.silvercreektwpmi.org

APPLICANT/OWNER INFORMATION

APPLICANT INFORMATION (if different than owner)

Name _____ Email _____
Phone _____
Address _____ City _____

OWNER INFORMATION

Name Steven Mac Gregor Email smac6608@sbcglobal.net
Phone 214 803 4082
Address 31765 KARL STREET City DOWAGIAC

PROPERTY LOCATION

Address 31765 KARL ST
Permanent Parcel # 14-130- 155-061-00
Zoning District Residential
Property size 0.31
Directions & Landmarks _____

DESCRIPTION OF NONUSE VARIANCE REQUEST

See attached Variance SHEET
The shape and location of goods making
it very difficult to meet easement Requirements

OFFICE USE ONLY:

Application Fee Paid _____

Case Number # _____

Hearing Date _____

Submitted _____

Materials: _____ SitePlan _____ Application _____ Survey _____ Q/A _____

Application Accepted by _____ Date _____

Accepted _____

Date legal notices published in paper _____

Date notices mailed to neighboring property owners _____

ACTION TAKEN BY BOARD OF APPEALS

Date _____

Approve Variance as requested? _____

Chairman Thom Brown _____

Member Nick Barnes _____

Member Wendy Fitzgerald _____

Member Dave Grabemeyer _____

Member Mike Glynn _____

Member Jean Rowe (alt) _____

Vote

signature

Approve Variance as follows: _____

Chairman Thom Brown _____

Member Nick Barnes _____

Member Wendy Fitzgerald _____

Member Dave Grabemeyer _____

Member Mike Glynn _____

Member Jean Rowe (alt) _____

Flag Receipt Acknowledgement Form

Silver Creek Township

32764 Dixon St. Dowagiac, MI 49047

(269) 424-3025

Name Steven Mark Gregor
Address 31765 KARL ST Dowagiac
Phone/Cell phone 214-803-4082

My signature on this form confirms that I have received the flags needed to mark the four corners of the proposed structure I would like to build on my property.

I understand that these flags must be placed by me so that the members of the Zoning Board of Appeals can clearly see where I plan to build, if the variance for which I am applying, is granted.

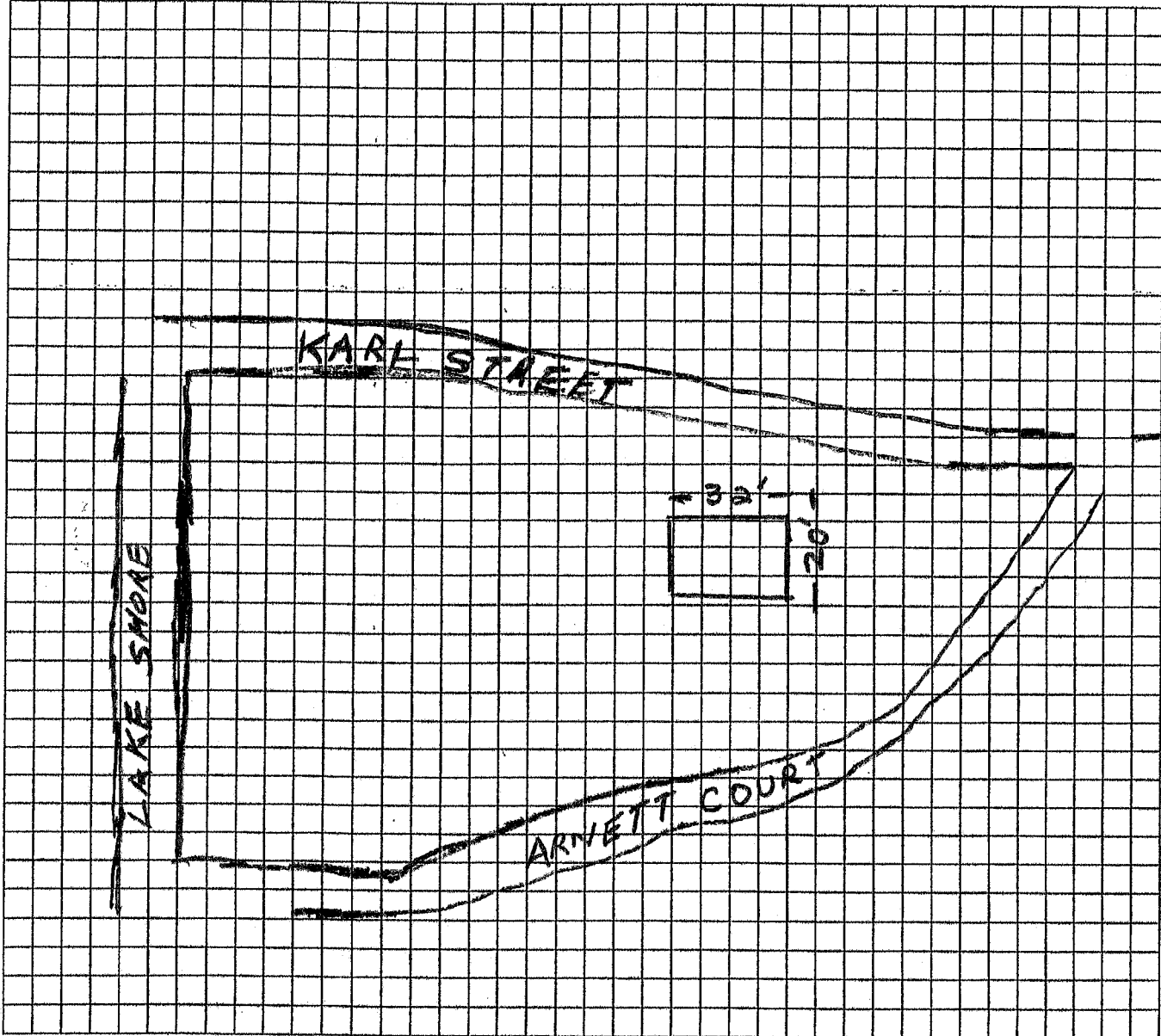
The Zoning Administrator has explained the process to me and I understand that the members will come to my site personally, prior to the scheduled date of my hearing, to familiarize themselves with the property and the surroundings. This will help them to better understand my request and how it will affect my neighbors.

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate. I hereby grant permission for members of the Silver Creek Township **(Planning Commission) (Board of Appeals) (Township Board) (Zoning Administrator)** to enter the above-described property (or as described in the attached) for the purposes of gathering information related to this application.

Signature of Applicant  Date 3/15/2021

ZBA MEMBERS WHO ARE ON THE PROPERTY TO OBSERVE IT WILL IDENTIFY THEMSELVES AS MEMBERS OF THE ZBA. IN ORDER TO PRESERVE THE INTEGRITY OF THE PROCESS, PLEASE DO NOT ENTER INTO A DIALOGUE WITH THEM OR ASK ANY QUESTIONS OTHER THAN TO SEE THEIR CREDENTIALS.

IX. Site or Plot Plan - For Applicant Use



The specification for the building or structure, and full and complete copies of the plans drawn to scale of the proposed work. A site plan showing the dimensions and the location of the proposed building or structure and the other buildings or structures on the same premises shall be submitted.

Expiration of Permit: A permit remains valid as long as work is progressing and inspections are requested and conducted. A permit shall become invalid if the authorized work is not commenced within 180 days after issuance of the permit or if the authorized work is suspended or abandoned for a period of 180 days after the time of commencing the work. **A PERMIT WILL BE CLOSED WHEN NO INSPECTIONS ARE REQUESTED AND CONDUCTED WITHIN 180 DAYS OF THE DATE OF ISSUANCE OR THE DATE OF A PREVIOUS INSPECTION. CLOSED PERMITS CANNOT BE REFUNDED. THE CHARGE TO RE-OPEN A CLOSED PERMIT IS \$100.00.**

General: Building work shall not be started until the application for permit has been filed with the Bureau of Construction Codes. All installations shall be in conformance with the Michigan Building Codes. No work shall be concealed until it has been inspected. The telephone number for the inspector will be provided. When ready for an inspection, call the inspector providing as much advance notice as possible. The inspector will need the job location and permit number. *Schedule permitting, an inspector will respond to an inspection request within 2 business days to schedule the inspection. The inspector will typically perform the inspection within 5 business days as his or her schedule permits.*

To; Silver Creek Township Zoning Board of Appeals
Variance request for Kim and Steve MacGregor
31765 Karl Street
Dowagiac, Michigan 49047

Mr. MacGregor would like to build a post-frame 20' wide x 32' long x 20' high accessory building for personal boat storage. His house has an attached 26'x26' garage, or 676 square feet. The proposed building would add 640 square feet for a total of 1316 square feet-184 square feet less than the maximum allowed. Because of the way Karl Street and Arnett court are situated- a variance would be needed. The proposed building would run about east-west and about parallel with Karl street.

Karl Street; county right of way is 33' from center of road, set back is 30', plus 1' overhang for a total of 64'. Building as staked is 43' (at both corners) ,requiring a variance from Karl street of 21'.

Arnett Court or south side of building;
county right of way is 16-1/2' from center of road, setback is 8', bldg. has 1' overhang, for a total of 25 1/2'. Southwest corner is 26' from center of road, northeast corner is 24' from center of road. requiring a 1-1/2' variance from Arnett Court.

The building project would greatly improve the look and character of the lot, as all the brush and briars would be removed,

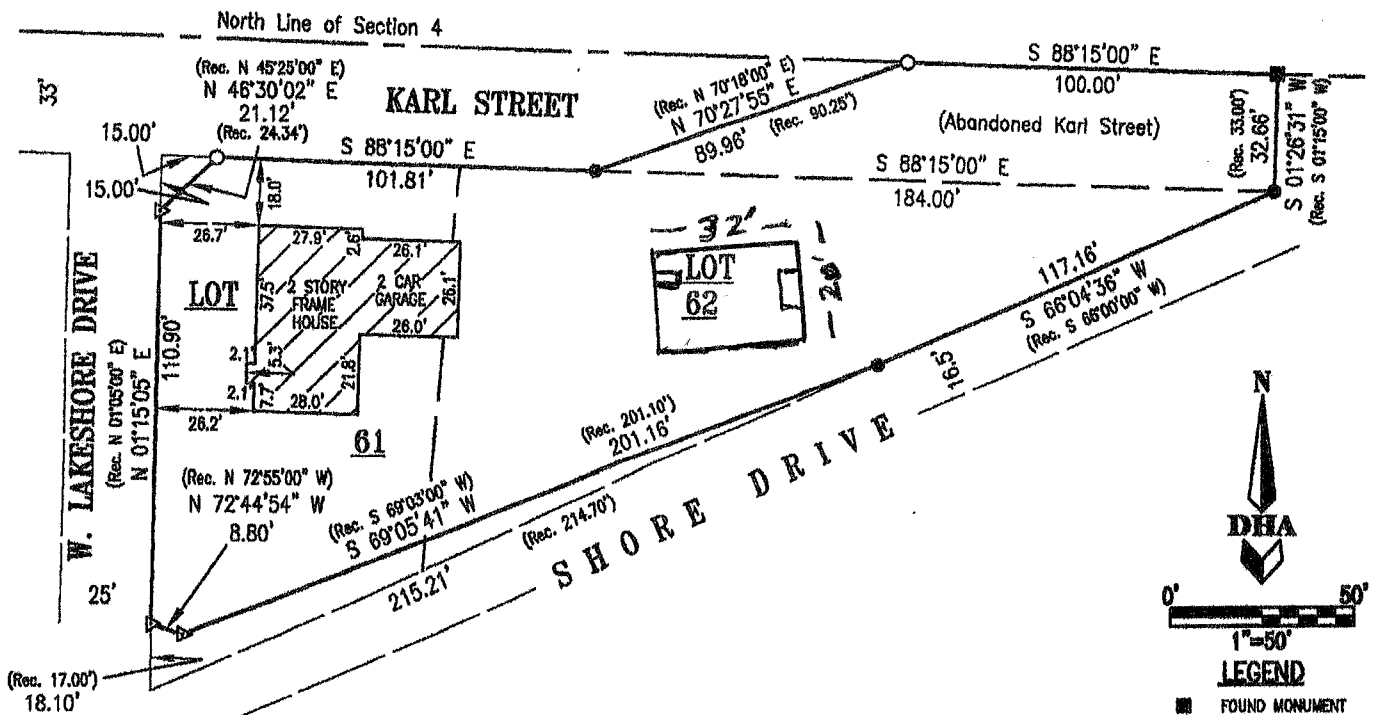
MICHIGAN PROPERTY SURVEY

COMPANY ORDERED BY: N/A
 CONTACT PERSON: Paula Arnett
 FIELD WORK DATE: 20 Sep 19
 PROJECT NO.: M-196184

DRAWN BY: CS
 BUYER: N/A
 REVISED DATE: 04 Oct 19
 ADDRESS: 31765 Karl Street
 Dowagiac, Michigan 49047

LEGAL DESCRIPTION

That part of Lots 61 and 62 and abandoned Karl Street in the recorded Plat of "LAKE VIEW SUBDIVISION" as recorded June 13, 1925 in Liber 1 of Plats, Page 122 in the records of Cass County, Michigan described as: Beginning at the Northeast corner of said Lot 62, thence S. 66° 04' 36" W. (recorded S. 66° 00' W.), along the Southerly line of said Lot 62, 117.16 ft., thence S. 69° 05' 41" W., 201.16 ft. (recorded S. 69° 03' W., 201.10 ft.), thence N. 72° 44' 54" W. (recorded N. 72° 55' W.), 8.80 ft. to the West line of said Lot 61, thence N. 01° 15' 05" E. (recorded N. 01° 05' E.), along said West line, 110.90 ft., thence N. 46° 30' 02" E., 21.12 ft. (recorded N. 45° 25' E., 24.34 ft.) to the North line of said Lot 61, thence S. 88° 15' 00" E., along said North line, 101.81 ft., thence N. 70° 27' 55" E., 89.96 ft. (recorded N. 70° 18' E., 90.25 ft.) to the North line of abandoned Karl Street, thence S. 88° 15' 00" E., along said North line, 100.00 ft. to the Northeast corner of said recorded Plat, thence S. 01° 26' 31" W., 32.66 ft. (recorded S. 01° 15' W., 33.00 ft.) to the point of beginning.



- LEGEND**
- FOUND MONUMENT
 - SET MONUMENT
 - FOUND IRON
 - SET IRON
 - ▼ FOUND PK NAIL
 - ▲ SET PK NAIL
 - × FOUND CROSS
 - ⊠ SET CROSS
 - ⊞ SET LINE STAKE
 - ⊞ SET WOODEN HUB

MICHIGAN SURVEYS: THE REQUIREMENTS OF SECTION #3 OF ACT #193 OF P. A. 2018 HAVE BEEN COMPLIED WITH.

