



VILLAGE OF PENTWATER
Zoning Board of Appeals
ON PENTWATER LAKE AND LAKE MICHIGAN
327 South Hancock Street – P.O. Box 622
Pentwater, Michigan 49449
(231) 869-8301 – FAX (231) 869-5120

Regular Meeting Minutes – September 2, 2015

Chairperson Castor called the regular meeting of the Pentwater Zoning Board of Appeals Meeting to order at 7:04 P.M. with the Pledge of Allegiance.

ROLL CALL

Present: Gay Birchard, Juanita Lamb, Bill O'Donnell, Norm Shotwell, Jim Young (Alternate), and Mike Castor.

Absent: Damon Crumb, Andrew Witt (Alternate), and Earl Raczkowski.

Others present: Zoning Administrator Sara Bizon, Deputy Clerk/Treasurer Barbara Siok.

APPROVAL OF AGENDA

Motion by Shotwell, second by O'Donnell to approve agenda.
Voice Vote: Ayes: 6, Nays: 0. **Motion carried.**

PUBLIC COMMENTS ON AGENDA ITEMS: None.

APPROVAL OF MINUTES

Motion by O'Donnell, second by Shotwell to approve March 4, 2015 meeting minutes.
Voice Vote: Ayes: 6, Nays: 0. **Motion carried.**

PUBLIC COMMENTS: None

UNFINISHED BUSINESS:

- A. Distribution of Master Plan:** Sara Bizon presented the 2015 Master Plan noting that some goals were renewed and some new goals were created. She also stated that the Village Council would like to have the Planning Commission review the plan each year over the next five years and would like to have work sessions with the Township to discuss common interest. Finally Bizon told the Board that the Master Plan is Village only.

- B. Mr. Laurence Bate Lawsuits (801 N. 56th Street) – Update** given by Sara Bizon:
Lawsuit 1: Judge Monton granted the Village a summary disposition. The Court of Appeals will have to hear the appeal of VOP v Bates. Bizon informed the group that Mr. Bates missed a deadline on Bates v VOP (ZBA) and could possibly be dismissed. Judge Monton ordered removal of the shed by 8/31/15. However, the Village will not remove it until appeals process is complete.

NEW BUSINESS:

- A. **Interpretation request – Section 2.07A:** Sara Bizon explained clarification needed for ordinance regarding minimum 750 sq. ft. area. The ZBA requested that section 2.07 be reviewed and further clarified in the Zoning Ordinance by the Planning Commission. **Motion:** “The interpretation of the ZBA is that the 750 square foot minimum area (Sec.6.04 E) excludes a screened in porch, unless it has removable windows and a heating source,” by Shotwell, second by Juanita Lamb. Roll call vote: All Ayes. Nays: None. Motion unanimous.

The ZBA also discussed the need for the ordinance to allow for “Use Variances” in section 18.08 (B) Bizon will draft a letter with a request to the Planning Commission to review Section 2.07 and 18.08 (B). Chairperson Castor will then review and sign the letter.

- B. **Discussion on recent MSU Training:** Castor clarified in training that all members have to be registered to vote in the jurisdiction of the ZBA and all worksheets and forms become legal documents.
- C. **Discussion on new forms:** Bizon stated several forms were updated including the ZBA application forms. O’Donnell noted some changes be made on the Non Use variance form such as the second line on the second page, under III, should read as “public hearing.” Shotwell commented on the use of standard forms removing the ZBA Chair name and using a blank line for signature and line for a printed name. Bizon stated that electronic packets are being used in place of printed copies for other committees.

ADJOURNMENT

Motion to adjourn by Shotwell second by O’Donnell. All Ayes.
Castor adjourned the meeting at 8:02 PM

Respectfully submitted by,

Barbara Siok Deputy Clerk/Treasurer	Date
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