



VILLAGE OF PENTWATER

327 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449

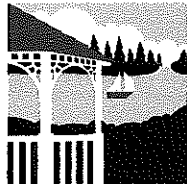
(231) 869-8301 - FAX (231) 869-5120

www.PentwaterVillage.org

Planning Commission Meeting Agenda April 23, 2019 - 6:00 P.M.

1. **Opening - Call to Order, Pledge of Allegiance, and Roll Call.**
2. **Approval of Agenda and Minutes**
 - A. Approval of Agenda.
 - B. Approval of Minutes of the Regular Meeting held March 26, 2019.
3. **Public Comments**
4. **Public Hearing - None**
5. **Old Business**
 - A. Report from the Pentwater Visioning Team.
6. **New Business**
 - A. Request for approval for a screen porch addition to the existing detached accessory building (garage) at 85 E. First Street.
 - B. Consideration for a Zoning Ordinance Update – information to be provided at the meeting.
7. **Department/Committee Reports**
 - A. Zoning Administrator – See attached report.
 - B. Zoning Board of Appeals – No March meeting, no report.
8. **Communications from Planning Commission Members**
9. **Public Comments**
10. **Adjournment**

Next Scheduled Planning Commission Meeting – May 28, 2019 at 6 pm



VILLAGE OF PENTWATER

Planning Commission

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 – March 26, 2019

Chairperson Ron Christians called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:00 pm, with the Pledge of Allegiance.

ROLL CALL

Present: Bruce Koorndyk, Rand Gee, Kirstin McDonough, Ron Christians and Paul Anderson.

Absent: Michelle Angell-Powell and Mark Benner.

Staff Present: Keith Edwards, Zoning Administrator.

APPROVAL OF AGENDA

Motion by Anderson, second by McDonough to approve the Agenda as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 2 Motion passed.

APPROVAL OF REGULAR MINUTES

Motion by McDonough, second by Anderson to approve the February 26, 2019 regular meeting minutes as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 2 Motion passed.

PUBLIC COMMENTS - None

PUBLIC HEARING - None

OLD BUSINESS

A. Report from the Pentwater Visioning Team – Rand Gee

Rand Gee gave a summary report of the activities of the Vision Team for long-term planning including refinement of the planning process and the upcoming meeting with Julie Hales-Smith of CEDAM for the next Vision Team meeting on April 2, 2019. Please see the attached report.

NEW BUSINESS

A. Consideration for a Zoning Ordinance Amendment to create Chapter 20 - Rezoning and Zoning Ordinance Text Amendments.

Staff is proposing to move the Conditional Rezoning provisions of Section 19.20 et. Seq. to a new chapter, Chapter 20, which would also contain standards for consideration of any zoning map changes and text changes. The proposed ordinance drafted by our attorney includes all of these provisions in one central location. Lastly, we also added a provision for Zoning Amendments that

are required to conform to a Court Decree. While I do not expect to use proposed Section 20.07 very often, it provides a mechanism to amend the Zoning Ordinance as directed by the courts simply with Village Council adoption.

Motion by Anderson, second by McDonough to set a date for a public hearing of April 23, 2019.

Voice Vote: Aye: 5 Nay: 0 Absent: 2 Motion passed.

B. Intent to Plan

Staff provided a draft notice for publication of the intent to create a master plan.

Motion by Gee, second by Anderson to approve the notice for publication as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 2 Motion passed.

COMMITTEE/DEPARTMENT REPORTS

A. Zoning Administrator – Mr. Edwards’ written report was received by the Planning Commission.

B. Zoning Board of Appeals – No meeting in December, 2018.

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS – None.

PUBLIC COMMENTS – None.

ADJOURNMENT - The meeting was adjourned by Vice-Chairperson Michelle Angell-Powell at 7:12 PM.

Respectfully Submitted,
Keith Edwards, Zoning Administrator

April 2, 2019

Approved by the Village of Pentwater Planning Commission on _____.

MEMORANDUM

To: Pentwater Township Planning Commission

From: Keith Edwards, Zoning Administrator

Date: April 17, 2019

**Subject: Proposed Construction of New Screen Porch
85 E. First Street, Village of Pentwater – 64-044-734-004-00**

Introduction

The owner of 85 E. First Street, seeks to construct a screen porch onto the existing detached garage (detached accessory building). The Bass residence is located on the southwest corner of First Street and Carroll Street, on the east half of Lot 8 and the east half of the north 36 feet of Lot 7 in the Village of Pentwater.

Background

The existing home is situated on the south side of First Street, and the west side of Carroll Street, about one block east of Hancock Street. The property is located within the R2, Single Family Residential Zoning District.

According to the survey and drawings submitted, the existing detached garage is located approximately 9 feet west of the Carroll Street right-of-way and east property line, in parallel with the existing home. By definition, corner lots have two front setback requirements and two side setback requirements, with no rear yard required. The required front setback for detached accessory buildings on corner lots is the same as it is for the main building, 17 feet. Thus, the existing garage is nonconforming with respect to the front setback (Carroll Street side of the property) requirement of 17 feet. At this time, the applicant seeks to add a 288 sq. ft. screened porch onto the west side of the nonconforming 432 sq. ft. garage for a total of 720 sq. ft. of detached accessory building.

While the applicant also seeks to erect a detached pergola, and at-grade patios and walk ways, the requirement of no more than 50% lot coverage will be met at 45%. Additionally, the remaining requirements of the Zoning Ordinance such as the two required six-foot side setbacks, building area of 720 sq. ft., and building height are met with removal of the cupola on the applicant's proposal.

Details of the Nonconformities

The required front setback is 17 ft., **existing is 9 ft., proposed remains at 9 ft.**

The height of the building will not change because the applicant has offered to remove the proposed cupola from the proposed screen porch.

The residential use of the property as a single-family residential use conforms to the permitted uses within the R-2, Single Family Residential Zoning District requirements of Chapter 6 of the Zoning Ordinance. The proposed expansion of the detached garage with the screen porch does not change the permitted uses of the property. Thus, the Planning Commission should direct its focus to Section 3.24.B.1 et seq. and 3.24.B.8 of the Zoning Ordinance to consider the following conditions for approval:

Section 3.24.B Nonconforming Buildings or Structures

1. Nonconforming building(s) or structures may only be extended, enlarged, altered, remodeled or modernized when the Planning Commission determines that the following conditions are met:
 - a. The building or structure shall comply with all height, area, and/or parking and loading provisions with respect to such extension, enlargement, alteration, remodeling or modernization.

This condition has been met in accordance with the applicant's proposal.

- b. The enlargement or extension is limited to the same parcel the nonconforming building or structure was located on at the time of the adoption of this Ordinance.

This condition has been met in accordance with the applicant's proposal.

- c. The enlargement or extension will not interfere with the use of other properties in the vicinity.

This condition has been met in accordance with the applicant's proposal.

- d. The enlargement or extension shall not exceed fifty percent (50%) of the GFA of the original building or structure when it became nonconforming; except that the Planning Commission may permit a greater percentage where all yard setbacks for the district in which the building is located are met without need of a variance to such setback(s).

This requirement is met since the proposed addition is only 20% of the existing GFA.

8. Where a building or structure is nonconforming for setback by a distance equal to or less than one-half of the distance required by this ordinance, the nonconforming setback (may) be extended along the same plane as the existing nonconforming setback, provided that in so doing, the setback itself is not further reduced and all other required setbacks are met.

This requirement is met since the proposed addition is on the west side of the existing garage.

Recommendation

At this time, Staff recommends the Planning Commission consider approval of the requested screened porch addition to 85 E. First Street with the condition that the proposed cupola is removed from the proposed screen porch.

**VILLAGE OF PENTWATER
ZONING PERMIT APPLICATION**

(Fences, Decks, Accessory Buildings, New Build, Moving of Building, Demolition, Signs)

Parcel Number
Name
Date:

STEVE BASS

(Applicant)

73 E 1ST STREET

(Address)

PENTWATER MI 49449

(City, State, Zip Code)

323.933.1555

(Telephone)

steve@hasbus.com

(E-mail)

OFFICE USE ONLY	
Application number	_____
Date Rec'd	_____
Fee Rec'd \$	_____
If non-conforming, Approval Date by Planning Commission: _____	
Expiration Date:	_____
ZONING PERMIT #	_____

APPLICANT'S CAPACITY IF NOT PROPERTY OWNER (circle one):

Builder / Have Option to purchase / Agent / other _____

** If the applicant is not the property owner, an affidavit must be provided by the property owner that the applicant has the authority to apply on his/her behalf.

TONY LAMBERT

CONTRACTOR LICENSE # (IF APPLICABLE) 2101152733 2218520106

PROPERTY OWNER:		STEVE BASS	
OWNER'S MAILING ADDRESS:		73 PO BOX 36, PENTWATER MI 49449	
OWNER'S PHONE # & E-MAIL:		323.933.1555 steve@hasbus.com	
PROPERTY ADDRESS:		73 E. 1ST STREET PENTWATER MI 49449	
PARCEL NUMBER:		044-683-008-00	
RECORDED PLAT:		BLK 13 E 1/2 OF LOT 8 VP-92 WDT7506	
BLOCK:	13	LOT(S):	8 *OR ATTACH LEGAL DESCRIPTION
ZONING DISTRICT:		PRESENT USE:	RESIDENTIAL
CORNER LOT:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ROADS:	1ST & CARROLL
NEW BUILD: (Basement Acknowledgement is required)	WATER: <input type="checkbox"/> Yes <input type="checkbox"/> No		SEWER: <input type="checkbox"/> Yes <input type="checkbox"/> No
CURRENT STRUCTURE ON LOT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	*IF YES, A DEMOLITION PERMIT IS REQUIRED	

NO DEMO

PROPOSED PROJECT (Check one):

FENCE		DECK		ACCESSORY BUILDING	<input checked="" type="checkbox"/>
ADDITION		MOVING STRUCTURE		SIGN (Sketch Required)	

Village of Pentwater is an equal opportunity Employer and Provider.

<p>NEW BUILD</p> <ol style="list-style-type: none"> 1. The Village of Pentwater advises that basements may not be suitable in all areas of the Village because of the high water table. 2. Sump Pumps are <u>NOT</u> allowed to be connected to the Village Sanitary Sewer (PW Ord §51.05 (A)). 3. All water taps and connections to the main lines of the Village shall be made by Village personnel (PW Ord §50.003 (C)). 4. All sewer taps shall be made under the Supervision of the Village (PW Ord §51.04(L)). 5. All property that is disturbed during the excavations and building of sewer & water installations shall be restored and inspected by the Village of Pentwater at the property owner's expense. (PW Ord §51.04 (M)). A bond at the time of application may be required at the Village's discretion. 6. All water & sewer installation will be inspected by the Village after completion. 7. Water service will not be turned on until the Village Manager inspects and approves all connections. <p>* I, the applicant agree to adhere to all water & sewer requirements. Failure to do so may result in disconnection of services.</p> <p>Signature: _____ Date: _____</p>	
<p>DEMOLITION</p> <p>The contractor must kill the water line at the corporation stop under Village supervision. The sewer lateral will need to be cut, capped and witnessed (by Village Staff) at the property owner's expense, with work completed by the property owner's contractor. A bond at the time of application may be required at the Village's discretion.</p>	

FURTHER EXPLANATION OF PROJECT:

12x24 ~~SH~~ SCREENED PORCH & PATIO TRELLIS + GARAGE ROOF MODIFICATION.

(Attach sheets if necessary) (Attached)

ATTACH A SITE PLAN OR SKETCH FOR PROPOSED PROJECT. (Attached)

SETBACKS FROM PROPERTY LINES

FRONT: <u>16' 9" VC</u>	RIGHT SIDE: <u>22'-6"</u>	LEFT SIDE: <u>9'-6"</u>
REAR: <u>7'-6"</u>	OTHER:	HEIGHT:

ATTACH A CERTIFIED SURVEY (IF REQUESTED BY THE ZONING ADMINISTRATOR OR PLANNING COMMISSION), (completed by a professional surveyor or engineer for the property at issue [including a written drawing showing structures and stakes set on the property boundaries or corners] in order to insure that all requirements of the Zoning Ordinance will be met.) (See Pentwater Community Zoning Ordinance – Section 19.15)

ATTACH COPIES OF PERMITS FROM OTHER AGENCIES IF REQUIRED FOR CRITICAL DUNES OR WETLANDS. (Attached)

1. <input type="checkbox"/> Legal Description	Number of Pages:
2. <input type="checkbox"/> Proposed Project	Number of Pages:
3. <input type="checkbox"/> Site Plan / Sketch	Number of Pages:
4. <input type="checkbox"/> Survey	Number of Pages:
5. <input type="checkbox"/> Letters or Permits	Number of Pages:
6. <input type="checkbox"/> Acknowledgement of Basement Requirements	Number of Pages:
7. <input type="checkbox"/> Affidavit to Apply:	Number of Pages:
8. <input type="checkbox"/> Other:	

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, any Zoning Permits may be revoked. Further, I agree that all applicable sections of the Pentwater Community Zoning Ordinance and the Pentwater Codified Ordinances will be complied with. Also, I agree to notify the Zoning Administrator for the Village of Pentwater for inspection before the start of construction and when locations of proposed uses are marked on the ground. Further, I agree to give permission for officials of Village of Pentwater to enter the property subject to this permit application for purposes of inspection. Also, I understand any zoning action approved for this application conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, Village Ordinances, building code, deed restriction or other property rights.

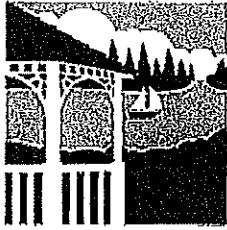
Applicant Signature:  _____

Date: APRIL 10, 2019

When completed send to: Village of Pentwater Zoning Administrator
 327 S. Hancock Street – P.O Box 622, Pentwater, Michigan 49449
 Phone: (231) 869-8301 Fax: (231) 869-5120

<u>OFFICE USE ONLY</u>	
SITE PLAN APPROVED _____	SITE PLAN NOT APPROVED _____
PROJECT APPROVED _____	PROJECT NOT APPROVED _____
ZONING ADMINISTRATOR SIGNATURE _____	
DATE _____	EXPIRATION DATE _____
PRE-APPROVAL INSPECTION _____	COMPLETION INSPECTION _____
OTHER INSPECTION DATES _____	
VILLAGE MANAGER SITE PLAN APPROVAL (For projects including Water & Sewer) _____ DATE: _____	
WATER & SEWER FINAL INSPECTION COMPLETED BY: _____ DATE: _____	

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VILLAGE OF PENTWATER

ON PENTWATER LAKE AND LAKE MICHIGAN
327 South Hancock Street-P.O. Box 622-Pentwater, Michigan 49449
(231) 869-8301 - FAX (231) 869-5120

Affidavit to Apply for Zoning Permit

I, STEVEN J BASS am the legal property owner of
72 E 1ST STREET, Pentwater, MI 49449.
Parcel # 044 683 00 B-00

I authorize _____ to apply for a Zoning Permit and agree to all conditions set forth by the Village of Pentwater on my behalf.

The work to be completed includes:

<u>12x24 SCREENED PORCH ATTACHED TO THE GARAGE (18x24)</u>	
<u>(288 SQ FT)</u>	<u>(432 SQ FT) =</u>
<u>12x25 PATIO COVER TRELLIS CONNECTING HOUSE & GARAGE</u>	<u>720 SQ FT</u>
<u>GARAGE ROOF PEAK ADJUSTMENT</u>	<u>TOTAL .</u>

I agree to give permission for officials of Village of Pentwater to enter the property subject to this permit application for purposes of inspection. Also, I understand any zoning action approved for this application conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, Village ordinances, building code, deed restriction or other property rights

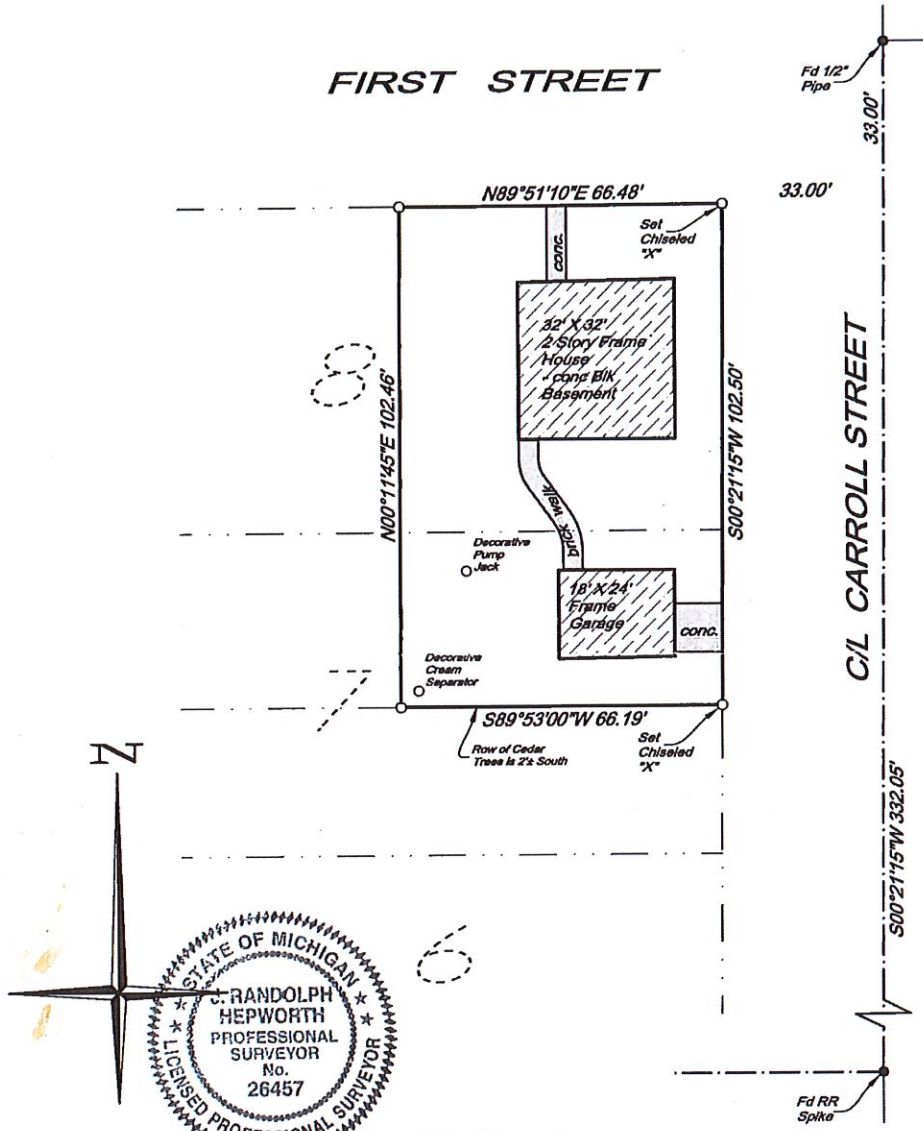
Property Owner's Signature: _____

Date: 4-10-2019

CERTIFICATE OF SURVEY

The East half of Lot 8, and also, the East half of the North 36 feet of Lot 7 of Block 13 of the plat of the VILLAGE OF PENTWATER, according to the recorded plat thereof, Village of Pentwater, Oceana County, Michigan.

PP# 64-044-683-008-00
 RE: 85 E. First Street
 Pentwater MI 49449



Ron & Shirley Hugeno:

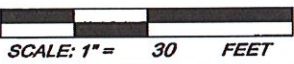
I hereby certify that to the best of my knowledge, information and belief I have surveyed and mapped the property as described and platted herein; that the ratio of closure of such survey was less than one part in 5000; and that I have substantially complied with the requirements of PA 132 of 1970 as amended.

Furthermore, if the Surveyor's signature is not purple colored, the plan is a copy that should be assumed to contain unauthorized alterations. This certification shall not apply to any copies.

J. Randolph Hepworth
 J. Randolph Hepworth, PS 26457

BEARING BASIS - ASSUMED

- = SET 1/2" X 24" IRON
- = FOUND IRON AS SHOWN



FOR:
 RON & SHIRLEY HUGENOT

DWN: JRH CHK:

HEPWORTH LAND SURVEYING, LLC

5774 WAYNE AVE
 PENTWATER, MI 49449

TEL 231-869-2391 FAX 231-869-4061

DISK: 2010 CRD: S03207
SCR: S10150
DATE: SEPTEMBER 16, 2010
JOB NO.: 10150
SHEET 1 of 1

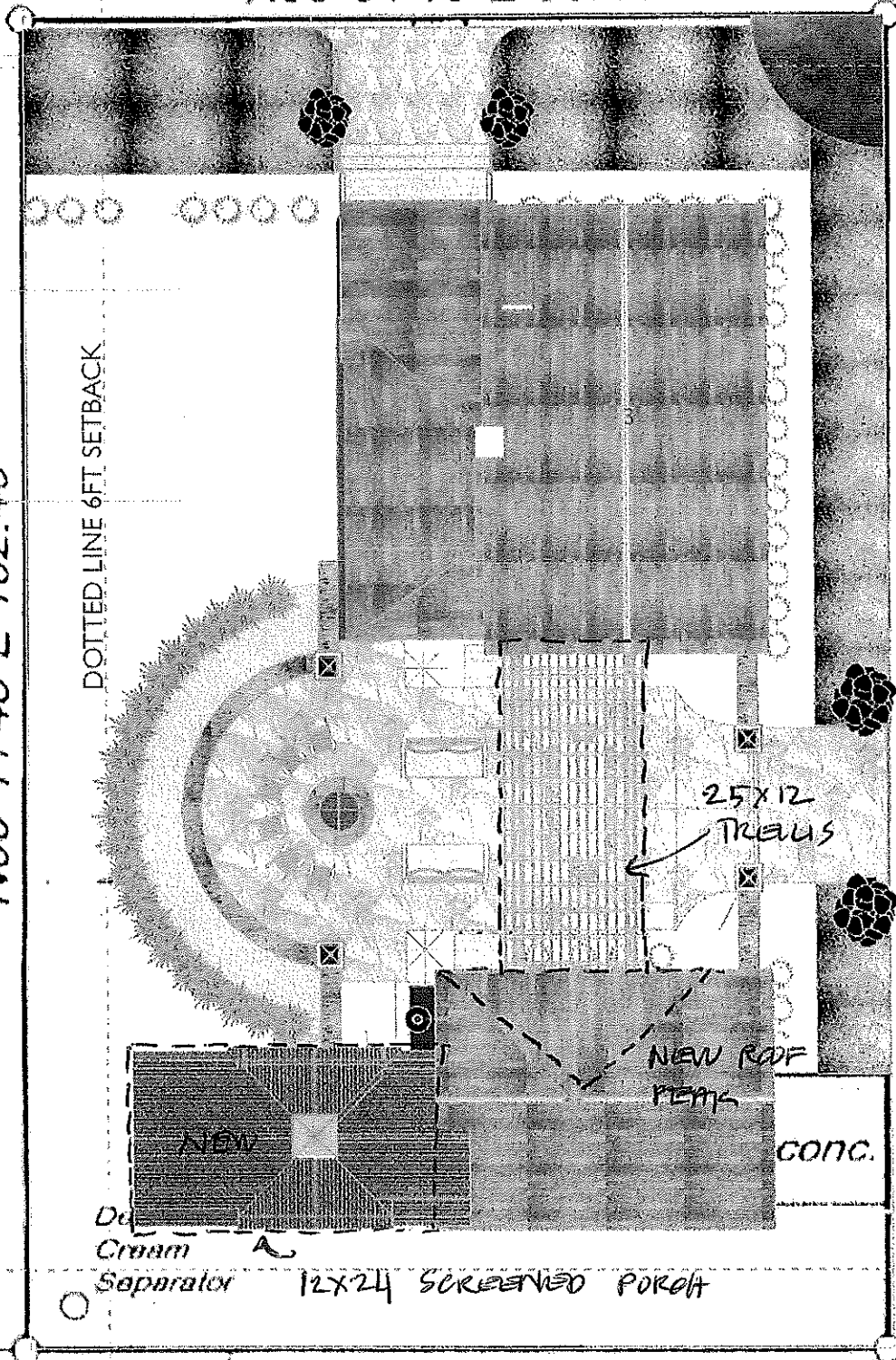
N89°51'10"E 66.48'

N00°11'45"E 102.45'

S00°21'15"W 102.50'

DOTTED LINE 6FT SETBACK

DOTTED LINE 6FT SETBACK



25x12 TRELLIS

NEW ROOF PERMS

CONC.

NEW Cream Separator

12x24 SCREENED PORCH

S89°53'00"W 66.19'

Row of Cedar

Set Chiseled

110°E 66.48'

S00°21'15"W 102.50'

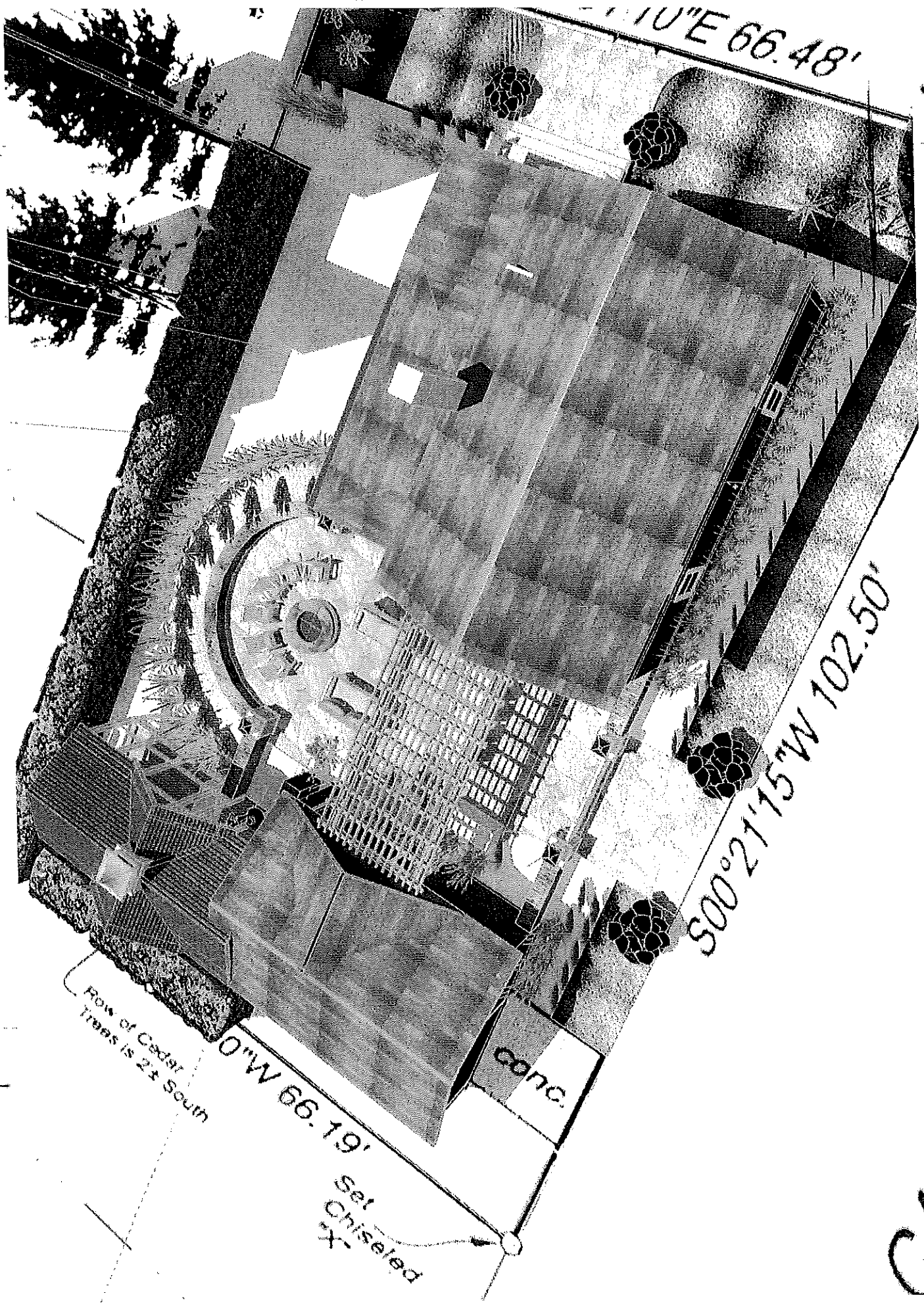
Row of Cedar
Trans is 2 1/2 South

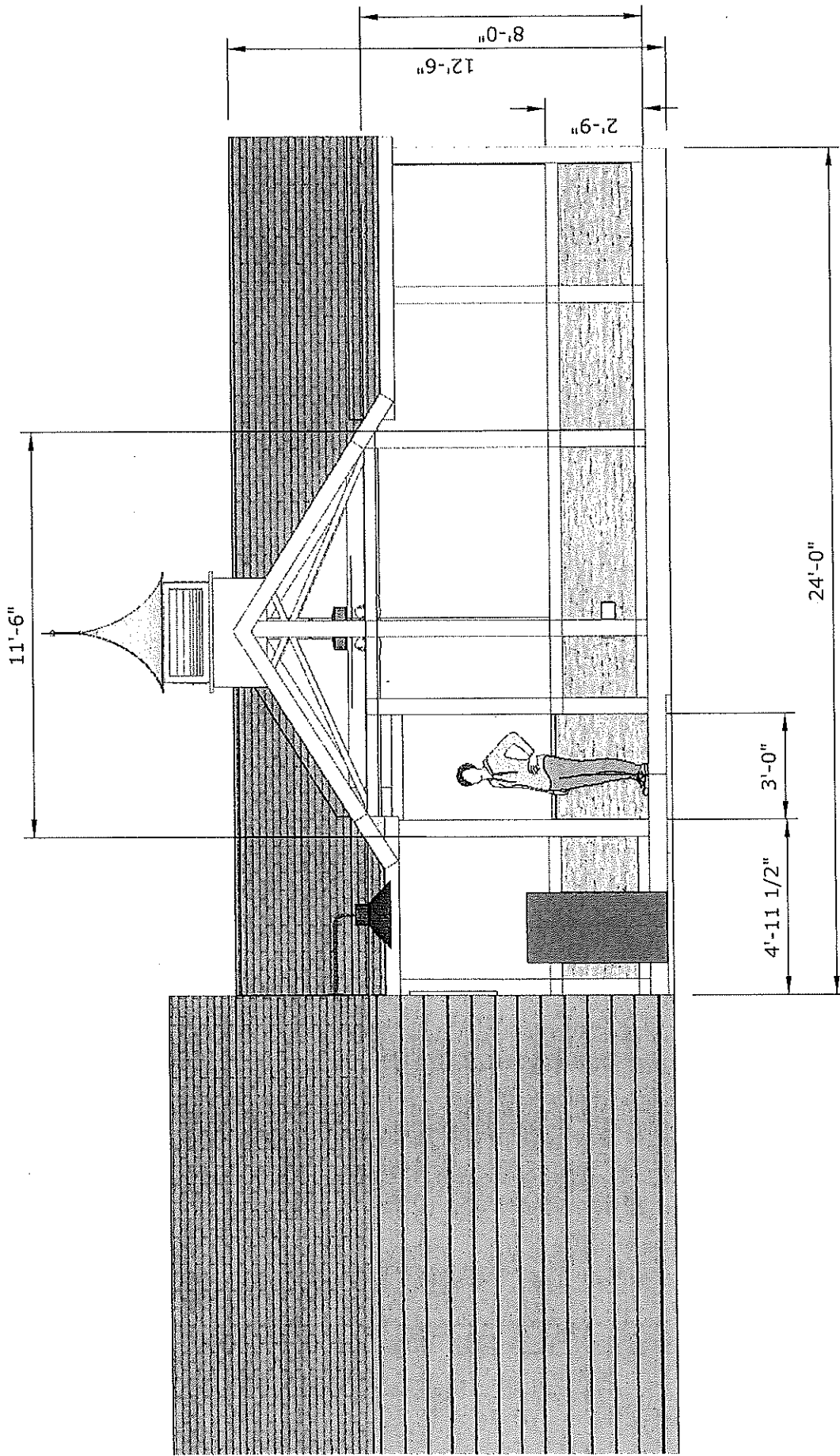
10"W 66.19'

conc.

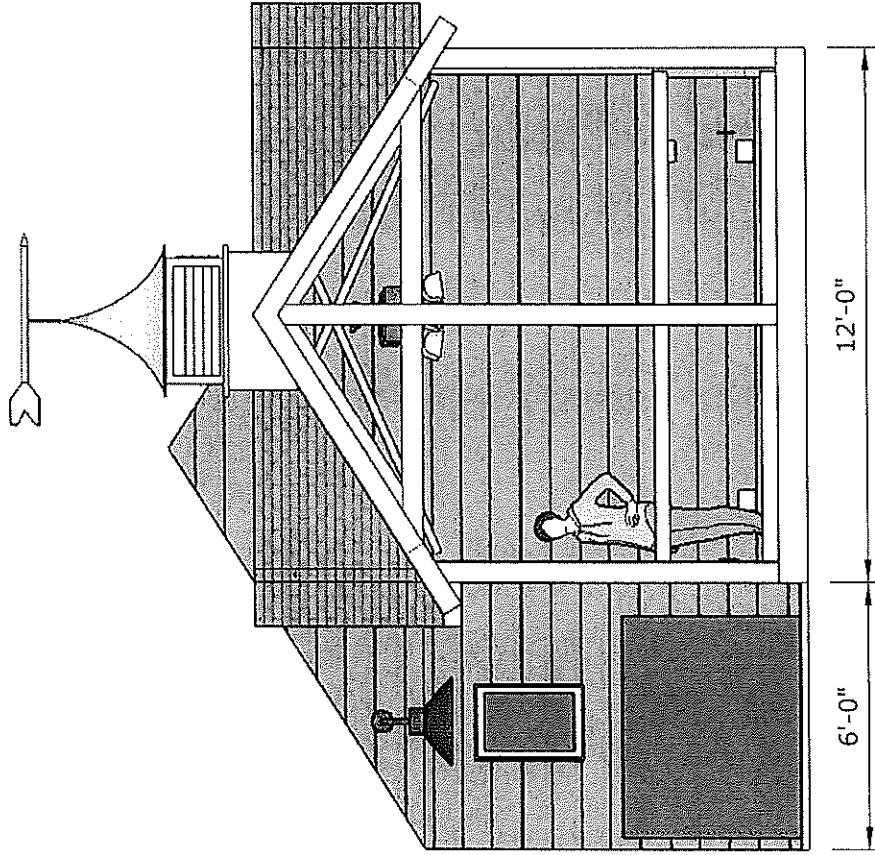
Set
Chiseled
"X"

CS





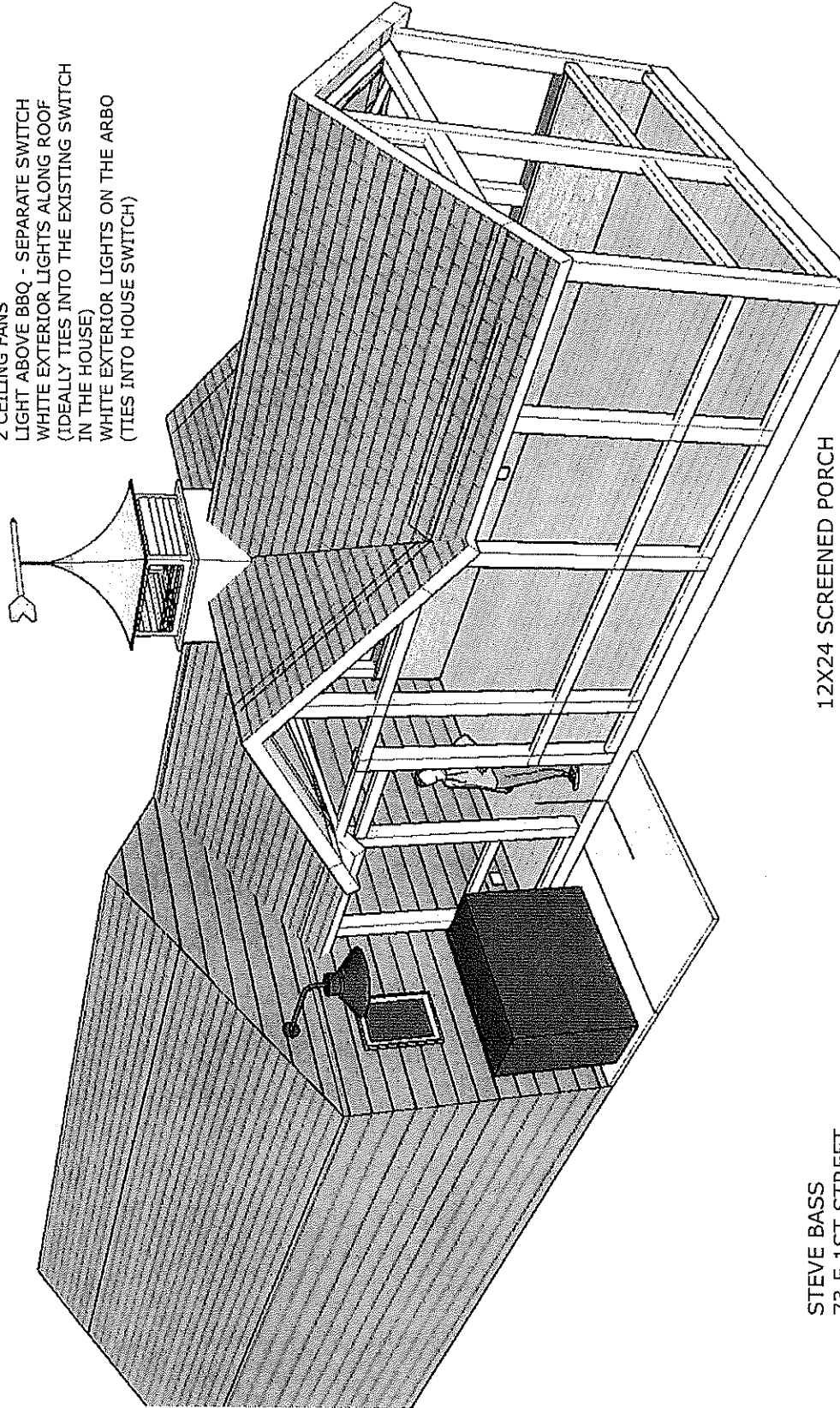
FRONT ELEVATION
 SCALE: 1/4" = 1'-0"



END VIEW
SCALE: 1/4"=1'0"

ELECTRIC

- 5 OUTLETS
- 2 INTERIOR SWITCHES - CEILING FANS AND LAMPS
- 2 CEILING FANS
- LIGHT ABOVE BBQ - SEPARATE SWITCH
- WHITE EXTERIOR LIGHTS ALONG ROOF (IDEALLY TIES INTO THE EXISTING SWITCH IN THE HOUSE)
- WHITE EXTERIOR LIGHTS ON THE ARBO (TIES INTO HOUSE SWITCH)



STEVE BASS
73 E 1ST STREET
PENTWATER, MI 49449

12X24 SCREENED PORCH
IPE WOOD DECKING
SIDE SCREENS
PICKLED PINE 1X6 CEILING
WHITE BEAMS



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ZONING ADMINISTRATOR'S REPORT

April 5, 2019

The following is a summary of activity conducted by the Zoning Administrator in March, 2019.

Code Enforcement - Nothing outstanding at this time.

Planning Commission

The Planning Commission met on March 26, 2019 to:

- Accept a report from the Pentwater Visioning Team (See Attachment).
- Consider for a Zoning Ordinance Amendment to create Chapter 20 - Rezoning and Zoning Ordinance Text Amendments.
- Review of the Intent to Plan notice prior to publication, a statutory requirement for the 2020 Master Plan process.

Zoning Board of Appeals - The Zoning Board of Appeals did not meet in March.

Zoning Permits - The following Zoning Permits were issued in March, 2019:

1. 166 Carroll Street for a 98 sq. ft. addition.
2. 560 S. Hancock for a sign for a yoga studio.

Other - None

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator