

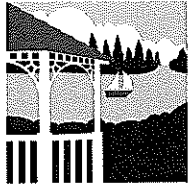
# VILLAGE OF PENTWATER

327 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449  
(231) 869-8301 - FAX (231) 869-5120  
[www.PentwaterVillage.org](http://www.PentwaterVillage.org)

## **Planning Commission Meeting Agenda March 26, 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 February 26, 2019.
3. **Public Comments**
4. **Public Hearing** - None.
5. **Old Business** - Report from the Pentwater Visioning Team.
6. **New Business**
  - A. Consideration for a Zoning Ordinance Amendment to create Chapter 20 - Rezoning and Zoning Ordinance Text Amendments.
  - B. Review of the Intent to Plan prior to publication, a statutory requirement for the 2020 Master Plan process.
7. **Department/Committee Reports**
  - A. Zoning Administrator – See attached report.
  - B. Zoning Board of Appeals – No February meeting, no report.
8. **Communications from Planning Commission Members**
9. **Public Comments**
10. **Adjournment**

**Next Scheduled Planning Commission Meeting – April 23, 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 – February 26, 2019

Vice Chairperson Michelle Angell-Powell called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:01 pm, with the Pledge of Allegiance.

#### ROLL CALL

**Present:** Paul Anderson, Michelle Angell-Powell, Bruce Koorndyk, Rand Gee, and Kirstin McDonough.

**Absent:** Ron Christians and Mark Benner.

**Staff Present:** Keith Edwards, Zoning Administrator, and Chris Brown, Village Manager.

**Also present:** Village Council person Claudia Ressel-Hodan and Jeff Hodges and Rande Listerman Clerk/Treasurer.

#### 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 Koorndyk to approve the January 22, 2019 regular meeting minutes as presented.

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

#### PUBLIC COMMENTS - None

#### PUBLIC HEARING – Open at 6:05 pm

Ted Cuchna, 529 Clymer - read a letter and submitted it for the record regarding his concerns about rezoning 10 Channel Lane from R2 Single Family Residential to C4 Hotel Resorts.

Keith Edwards, Zoning Administrator – Since the last public hearing the applicant has offered a letter with 3 conditions on the property. The planning commission decision is a recommendation to the Village Council. The Village Council has the final decision. The (3) conditions offered by the applicant are no restaurant or bar, 75% lot coverage, no retail sales. A change in zoning designation for the property may nullify the existing consent agreement.

Claudia Ressel-Hodan, 490 Sands – Would like to see the Planning Commission recommend the re-zoning. Channel Lane Inn is a vibrant, important housing for our guests in the community. She would like to see it succeed best it and some kind of compromise be reached, in her opinion.

Laura Voelker, 51 & 80 Bridge Street - The concern with the agreement was not only with the former owners but with the Village because they are a party to the consent agreement. Channel Lane has been my next-door neighbor my entire life. I am concerned I am not sure we need to change the zoning to do that. I don't want to see the business' hands tied. I would like them to maintain what they've got.

Lisa McKinney, 10 Channel Lane – All this happened because I wanted a garage. I was going through the proper channels with the zoning. I love the business. The consent judgement is super restrictive. I feel zoning can take care of the consent agreement. The consent agreement is very restrictive it goes into how many people I can have in my rooms. I don't tell my neighbors how many they can have in their rooms. It even goes into the time I can have lights on outside. Even if I have a late guest I can't leave the light on for them after 11pm for their arrival. No additional porches or decks. I should be bound to our zoning laws like everybody else. I think this agreement should go away. I hope you will consider the report that the Zoning Administrator submitted and send this on to the council for their consideration.

Ted Cuchna, 529 Clymer – I want to make it clear. I have no particular objection to the current owner, or to staying with the conditions as they are close to an R2. If there is a modification of the consent judgement. My main concern is the next person that buys the property as a pure investment and maximizes what could happen there. I could have underground parking and stack that lot 35 feet high and under the zoning a 100% lot line to lot line. While all the neighbors on that street that were a part of the consent agreement were facing a unique neighbor at that time. And I think everybody is aware of what happens there. So, if a modification can be done to the consent judgement to allow them to do what they want to do with the zoning requirements I don't have an argument and I don't think the neighbors have an argument with that. But opening up, to a C4 Hotel takes everything off the table and anything can be done there.

Michelle Angell-Powell, Planning Commission - I believe that is what we have been looking at for the last few months. The setbacks are the same as R2 and C4 they are not asking for 100% coverage correct. That will be part of the conditions that run with the land. That's why you are seeing the second application. I don't know if you were at the previous meetings/hearings?

Ted Cuchna, 529 Clymer – This request will violate the zoning requirements with the 17 foot set-back their decks are fourteen feet from the lot line.

Keith Edwards, Zoning Administrator – The site plan submitted is for illustration purposes only.

Ted Cuchna, 529 Clymer – It is not a survey

Keith Edwards, Zoning Administrator – Correct

Ted Cuchna, 529 Clymer – So if they can fit within the 17 feet set back and they can modify the consent agreement without restaurant and food service it's up to the rest of the neighbors.

Keith Edwards, Zoning Administrator – I think we need to narrow what the Planning Commission scope is going to be. The planning commission is not party to the consent agreement. That is for the Village Council per view as representatives of the Village. So, Mr. Monton will guide them in that discussion. Correct me if I am wrong but I believe if there is a change to the zoning that will negate the Consent Agreement?

Brian Monton, Village Attorney – That is correct. Paragraph 6 of the Consent Judgement indicates the judgement or relevant portions thereof shall be deemed automatically amended. So, the Conditional Zoning Agreement and the proposed map change would automatically amend the Consent Judgement and in sense make in null and void. Back when this was filed it was brought forth as a nuisance action against the former owners of the Channel Lane Inn and a mandamus action against the Village forcing the Village to enforce its Ordinance. It does not appear to me in that lawsuit the original plaintiffs had standing to bring that lawsuit was ever raised or decided. It would seem to me, unless the plaintiffs could show special and unique damages and it caused them immeasurable economic harm, they did not have standing to bring the lawsuit. The person to enforce our Zoning Ordinances is the Zoning Administrator, that is his job. It does not appear to me modifying the Consent Judgement is an unlikely scenario with the time frame of this agreement being over 20 years old. To get everyone that owned the properties or new owners to agree to the changes Lisa is proposing is unlikely scenario.

Keith Edwards, Zoning Administrator – The Planning Commission job is not relative to the Consent Judgement. The reason I brought it forth was because it does deal with somethings that are relative to the allowable uses within the two districts C4 & R2 and because the Village itself was party to that Consent Judgement that is why I asked for Mr. Monton's help. The way I would like to frame this for you is a would like you to consider the R2 Zoning today what it allows and what exist there as existing non-conforming and then the provisions of the C4 which the applicant has offered to modify by asking for certain conditions which mitigates some of those perceived problems that would be within the C4 district such as the 100% lot coverage, retail sales and the bar restaurant which I think seem to be the greatest amount of sticking point relative to the two different districts.

Brian Monton, Village Attorney – As you consider this the issue of the judgement is a decision for the Village Council. Your decision today should be does this make sense from a zoning perspective? Does it conform to our new Conditional Zoning Ordinance that was recently passed by the village council? I would encourage you to go through the guideline sheet and make specific findings with each of those as you do that you make sure it's consistent with the number one the Master Plan. On page 46 which describes the intent of the C4 District. Page 48 has other criteria in the Master Plan. If you go through the rezoning criteria you will hit the conditions that are required by the new owner regarding the new Ordinance that was passed regarding Conditional Re-Zoning and the criteria set forth in the Master Plan.

Claudia Ressel-Hodan, 490 Sands, if it went to C4 with the proposed modifications would that stay with the property?

Brian Monton, Village Attorney – Yes, so conditional re-zoning is an agreement between the Village and the property owner. If they violate the conditions that voids the agreement and it reverts to its original rezoning.

Claudia Ressel-Hodan, 490 Sands – And a new owner would have to follow those conditions.

Brian Monton, Village Attorney – Yes, it gets recorded at the Register of Deeds so a successive owner constructive knowledge of the agreement and its existence at closing it would come up in a title search.

Jeff Hodges, Village President – I am just wondering if you know, because things have changed and obviously Lisa has been a great owner and asset to the community and hopefully there is a compromise, but things have changed a lot since the Consent Judgement. Originally those were all single-family homes and cottages just for those families. Do we know how many of those cottages today are weekly rentals? That does change things. Those are now a business, but they are treated as a single-family residence.

Laura Voelker, 5180 Bridge Street – In the proposed conditional agreement although Lisa basically excluded bar/restaurant, in the proposed agreement it does not address food service or alcohol.

Brian Monton, Village Attorney – The definition of hotel is included in the Zoning Ordinance.

Chris Brown, Village Manager – Liquor Commission answers those questions.

Brian Monton, Village Attorney – Hotel definition is in the zoning ordinance.

Keith Edwards, Zoning Administrator – We have to deal with the conditions that are offered by the applicant. We can-not add to the conditions. We have to use the definitions that are in the zoning ordinance and if that is not defined there I have to go to the dictionary.

Brian Monton, Village Attorney – A bar is not a permitted use in a C4 District as a stand-alone operation. I don't think it's allowable from either a Zoning or a Liquor Control perspective.

Sean McKinney, 10 Channel Lane – I wanted to say since I have lived here Lisa does a great job running the Inn. She does not desire to run a bar or have a liquor license. She has done everything you guys have asked.

Closed Public Hearing at 6:39pm

## **OLD BUSINESS**

### **A. Discussion regarding the Conditional Rezoning of 10 Channel Lane from R-2, Single Family Residential to C4, Hotel Resort.**

**Motion** by Gee, second by Anderson to agree that the Planning Commission reviewed and the (4) requirements in the Conditional Re-zoning Ordinance were met regarding the request for conditional Rezoning 10 Channel Lane from R-2, Single Family residential to C4, Hotel Resort. The proposed conditions are: Section 1B: 1. Yes, the policies and conditions were met for the land use in the area. Yes, the proposed fits with the work currently being done but not yet complete on the Master Plan. 2. Yes, is it compatible with the uses in the surrounding area. 3. Yes, the Village does have sufficient utilities to support this facility. 4. Yes, the development is within the public interest.

**Motion** by Gee, second by Anderson to recommend to the Village council to approve the Conditional Rezoning of 10 Channel Lane from R-2, Single Family Residential to conditional C4, Hotel Resort.

Roll Call Vote: Aye: 5    Nay: 0    Absent: 2    Motion passed.

### **B. Review of Final Design for Hancock Street Improvements – Recommendation to the Village Council.**

**Motion** by McDonough, second by Gee to approve sending the Hancock Street Improvement Project on to the Village Council.

Roll Call Vote: Aye: 5    Nay: 0    Absent: 2    Motion passed.

### **C. Report from the Pentwater Visioning Team – Township Appointment and School Board Presentation.**

Rand Gee submitted the report in writing and stated the committee is making progress.

## **NEW BUSINESS**

### **A. Request for approval for a main floor addition to the nonconforming building at 166 Carroll Street.**

**Motion** by Anderson, second by Gee to recommend approval to the Village Council for a main floor addition to the nonconforming building at 166 Carroll Street.

Roll Call Vote: Aye: 5    Nay: 0    Absent: 2    Motion passed.

### **B. Request for support of grant application to the Community Foundation for a Community Assessment – data to be used as part of the 2020 Master Plan process.**

**Motion** by Anderson, second by Gee to support the grant application to the Community Foundation for a Community Assessment with the data to be used as part of the 2020 Master Plan process.

Roll Call 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 January of 2019.

**COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS** – None.

**PUBLIC COMMENTS** – None.

**ADJOURNMENT** - The meeting was adjourned by Michelle Angell-Powell at 7:46pm.

Respectfully Submitted,  
Rande Listerman, Clerk/Treasurer

February 26, 2019

Approved by the Village of Pentwater Planning Commission on \_\_\_\_\_.

## MEMORANDUM

To: Village of Pentwater Planning Commission

From: Keith Edwards, Zoning Administrator

Date: March 22, 2019

**Subject: Proposed New Zoning Ordinance Chapter 20 – Rezoning and Conditional Rezoning**

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As a result of using our existing Zoning Ordinance to review and prepare a staff report for the rezoning of 10 Channel Lane, it came to my attention that the Zoning Ordinance did not contain the provisions for Conditional Rezoning as allowed by the Michigan Zoning Enabling Act (MZEA). To that end, on February 11, 2019, the Village Council approved an amendment to add Conditional Rezoning provisions to the Zoning Ordinance as Section 19.20 within the Zoning Ordinance.

However, I also discovered that the Zoning Ordinance does not contain any standards for considering rezoning requests (zoning map changes) or text amendments, such as compatibility with the existing Master Plan and other such standards. Thus, I requested that attorney Brian Monton prepare such provisions. During our discussions it became apparent that it would be more appropriate to create a stand alone Chapter in the Zoning Ordinance, since Chapter 19 dealt primarily with general administration and enforcement of the Zoning Ordinance.

Today, we are 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 attached 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 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. No public hearing would be required.

Please review the proposed ordinance amendment attached and consider setting a public hearing date for the next regularly scheduled Planning Commission meeting date of April 23, 2019.

**VILLAGE OF PENTWATER**  
**COUNTY OF OCEANA, MICHIGAN**

At a regular meeting of the Village Council of the Village of Pentwater, held at the Village Hall, 327 South Hancock Street, Pentwater, Michigan, on the \_\_\_\_ day of \_\_\_\_\_, 2019, at 6:00 p.m.

Members Present: \_\_\_\_\_.

Members Absent: \_\_\_\_\_.

The following ordinance and preamble were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE VILLAGE OF  
PENTWATER'S ZONING ORDINANCE**

WHEREAS, the Village Council of the Village of Pentwater has determined that it would be in the best interest of the Village to adopt a zoning ordinance adding "Chapter 20 - Rezoning and Zoning Ordinance Text Amendments" to the Village of Pentwater Zoning Ordinance;

WHEREAS, the Village Council of the Village of Pentwater has determined that it is appropriate to renumber Section 19.20 of the Village of Pentwater Zoning Ordinance governing the conditional rezoning of property to be Section 20.06;

THE VILLAGE OF PENTWATER ORDAINS:

**Section 1.** The Village of Pentwater Zoning Ordinance is hereby amended to add "Chapter 20 - Rezoning and Zoning Ordinance Text Amendments."

**Section 2.** The Village of Pentwater Zoning Ordinance is hereby amended to add and adopt Section 20.01, which shall read as follows:

**Section 20.01. Zoning Amendment Initiation.** An amendment to the zoning district boundaries contained on the official Zoning Map (rezoning) may be initiated by the Village

Council, Planning Commission, or by the owner or owners of property that is the subject of the proposed rezoning. An amendment to the text of this Ordinance may be initiated by the Village Council, Planning Commission, or by petition of one (1) or more property owners of the Village.

**Section 3.** The Village of Pentwater Zoning Ordinance is hereby amended to add and adopt Section 20.02, which shall read as follows:

**Section 20.02. Rezoning and Zoning Ordinance Text Amendment Application Procedure.**

A. Application Information for Amendments. An amendment to the official Zoning Map or to the text of the Village of Pentwater Zoning Ordinance, except those initiated by the Village Council or Planning Commission, shall be initiated by submission of a complete application on a form supplied by the Village, including an application fee, which shall be established from time to time by resolution of the Village Council. The application shall explicitly describe the proposed amendment and shall be signed by the applicant.

B. Application Information for Zoning Map Amendment. In the case of an application for amendment to the official Zoning Map (rezoning), the following information shall accompany the application:

- (1) information to indicate the dimensions, location and size of the subject property such as a sketch plan, property identification number, a legal description, street address of the subject property, a map identifying the subject property in relation to surrounding properties, or other information required by the Planning Commission;
- (2) the name, signature, and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner;
- (3) the existing and proposed zoning district designation of the subject property;
- (4) a written description of how the requested rezoning meets Section 20.04 Criteria for Amendment of the Zoning Map (Rezoning); and
- (5) at the Planning Commission's discretion, the following additional information may be required:
  - (a) a site analysis site plan illustrating existing conditions on the site and adjacent properties such as woodlands, wetlands, soil conditions, steep slopes, drainage patterns, views, existing buildings, any sight distance limitations, relationship to other developed sites, and access points in the vicinity;

- (b) a conceptual plot plan to scale demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors;
- (c) a traffic impact analysis if any use permitted in the requested zoning district could generate one hundred (100) or more peak hour directional trips, or 1,000 or more vehicle trips per day; the traffic study should contrast the daily and peak hour trip generation rates for representative use in the current and requested zoning district; the determination of representative uses shall be made by the Planning Commission with input from Village staff and consultants; and/or
- (d) the site shall be staked to clearly indicate the location of the requested amendment, and flagged stakes shall be placed at each parcel corner.

**Section 4.** The Village of Pentwater Zoning Ordinance is hereby amended to add and adopt Section 20.03, which shall read as follows:

**Section 20.03. Rezoning and Zoning Ordinance Amendment Process.**

A. Public Hearing. Upon initiation of a rezoning, zoning ordinance text amendment, or master plan amendment, a public hearing on the proposed amendment shall be scheduled before the Planning Commission. Notice of the hearing shall be given in accordance with the provisions of the Michigan Zoning Enabling Act, Act 110 of the Public Acts of 2006, MCL 125.3101 *et seq.*

B. Planning Commission Review and Recommendation. Following the public hearing, the Planning Commission shall identify and evaluate all factors relevant to the petition and shall report its findings and recommendation to the Village Council. In the case of a proposed amendment to the official Zoning Map (rezoning), the Planning Commission shall consider the criteria contained in Section 20.04 Criteria for Amendment of the official Zoning Map (Rezoning), below, in making its findings and recommendation to the Village Council. In the case of a proposed amendment to the text of this Ordinance, the Planning Commission shall consider the criteria contained in Section 20.05 Criteria for Amendment of the Official Zoning Ordinance Text, below, in making its findings and recommendation to the Village Council.

C. Village Council Review and Action. Following receipt of the findings and recommendation of the Planning Commission, the Village Council shall consider the proposed Zoning Map or text amendment. In the case of an amendment to the text of this Ordinance, the Village Council may modify or revise the proposed amendment as

recommended by the Planning Commission. In the case of an amendment to the official Zoning Map (rezoning), the Village Council shall approve or deny the amendment.

D. Notice of Adoption. Following adoption of a Zoning Map or text amendment by the Village Council, a notice will be published in accordance with the Michigan Zoning Enabling Act, Act 110 of the Public Acts of 2006, MCL 125.3101 *et seq.*

E. Resubmittal. No petition for rezoning or text amendment that has been denied by the Village Council shall be resubmitted for a period of one (1) year from the date of denial except on the grounds of new and material evidence or substantial proof of changed conditions.

**Section 5.** The Village of Pentwater Zoning Ordinance is hereby amended to add and adopt Section 20.04, which shall read as follows:

**Section 20.04. Criteria for Amendment of the Zoning Map (Rezoning).** In considering any petition for an amendment to the official Zoning Map (rezoning), the Planning Commission and the Village Council shall consider the following criteria in making its findings, recommendations and decision:

A. Consistency with the goals, policies, and future land use guidelines of the Village of Pentwater Master Plan, including all applicable subarea and corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

B. Compatibility of the site's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district;

C. Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning;

D. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values;

E. The capacity of Village infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare" of the Village residents;

F. The apparent demand for the types of uses permitted in the requested zoning district in the Village in relation to the amount of land in the Village currently zoned to accommodate the demand; and

G. Where a rezoning is reasonable given the above criteria, a determination shall be made

that the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.

**Section 6.** The Village of Pentwater Zoning Ordinance is hereby amended to add and adopt Section 20.05, which shall read as follows:

**Section 20.05. Criteria for Amendment of the Official Zoning Ordinance Text.** The Planning Commission and Village Council shall, at minimum, consider the following before taking action on any proposed amendment to the text of this Ordinance:

- A. Compatibility with the basic intent and purpose of the Ordinance;
- B. Consistency with the goals, objectives, and future land uses of the Village of Pentwater Master Plan, including an sub-area or corridor studies;
- C. The requested amendment will correct an error and/or clarify an ambiguity in the Ordinance;
- D. The requested amendment will resolve an inequitable situation created by the Ordinance and does not grant special privileges;
- E. The requested amendment will not result in unlawful exclusionary zoning;
- F. There is documentation from Village staff or the Zoning Board of Appeals indicating problems and conflicts in implementation or interpretation of specific sections of the Ordinance;
- G. The requested amendment will address changes in state or federal legislation or regulations or other Village ordinances;
- H. The requested amendment will resolve potential legal issues or administrative problems with the Ordinance based on recent case law or opinions rendered by the Attorney General of the State of Michigan;

**Section 7. Conditional Rezoning.** Section 19.20 of the Village of Pentwater Zoning Ordinance is renumbered to be Section 20.06.

**Section 8.** The Village of Pentwater Zoning Ordinance is hereby amended to add and adopt Section 20.07, which shall read as follows:

**Section 20.07. Amendments Required to Conform to Court Decree.** Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the Village Council and published, without necessity of a public hearing.

**Section 9.** Should any section, clause, or paragraph of this ordinance be declared by a court of

competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part of it other than the part declared to be invalid.

**Section 10.** All ordinances or part of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this ordinance full force and effect.

**Section 11.** This ordinance will become effective seven (7) days after its publication or seven (7) days after the publication of a summary of its provisions in a local newspaper of general circulation in the Village.

AYES:       Members: \_\_\_\_\_.

NAYS:       Members: \_\_\_\_\_.

ABSENT:     Members: \_\_\_\_\_.

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
Rande S. Listerman, Village Clerk  
Village of Pentwater

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF OCEANA     )

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Pentwater at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

\_\_\_\_\_  
Rande S. Listerman, Village Clerk  
Village of Pentwater

## PUBLIC NOTICE

### Preparation of the Pentwater Community Master Plan

On April 11, 2019, The Planning Commission for the Village of Pentwater will begin working with the Township of Pentwater and Pentwater Public Schools to prepare a new joint Master Plan for the Pentwater Community. The Pentwater Community Master Plan, will be prepared in accordance with the Michigan Planning Enabling Act, PA 33 of 2008, as amended.

It is anticipated that the Pentwater Community will develop a Community Vision to guide the preparation of the Community Master Plan. The Visioning process is expected to begin in May of 2019 and conclude by December 2019, whereby the calendar year 2020 will be dedicated to preparation of the Plan that follows the creation of the Community's Vision. Furthermore, we expect that the Pentwater Community Master Plan will be completed by December of 2020.

Should you be interested in participating in any part of the Visioning process, Planning Process or submitting any comments, please consider making your interest known to the Zoning Administrator for the Pentwater Community, Keith Edwards via one of the following methods:

Pentwater Township – (231) 869-6231 or [Zoningadministrator@pentwatertwp.org](mailto:Zoningadministrator@pentwatertwp.org) or,  
Village of Pentwater – (231) 869-8301 or [Zoning@pentwatervillage.org](mailto:Zoning@pentwatervillage.org)

A variety of options for community input are anticipated during each of these processes. We also anticipate several public meetings to take place during the Visioning process during late spring, summer and early fall of 2019. These opportunities and a dedicated web page will also be provided at a later date in order to participate in the Visioning and Planning processes.

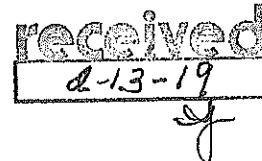
For any questions, please contact Keith Edwards, Zoning Administrator as listed above.



*with*  
**COPY**  
**Mason County**

**Planning and Zoning Department**  
102 FIFTH STREET, SCOTTVILLE, MICHIGAN 49454  
(231) 757-9272 - FAX (231) 757-9253  
[www.masoncounty.net](http://www.masoncounty.net)

February 11, 2019



**RE: Notice of Planning**

Hello Neighbor:

This notice is sent to inform you that the Mason County Planning Commission is initiating the process of updating the County's Master Plan. The purpose of this letter is to advise you of this activity and to invite your cooperation, comments and participation in our process in accordance with the Planning Enabling Act, Public Act 33 of 2008, as amended. A variety of options for community input are anticipated during this process.

Once the Master Plan has been prepared and approved for distribution, we will forward you a copy for your review and comment. We will send you the draft Master Plan in electronic form via a link to our website. If you prefer a printed copy of the draft Master Plan instead, please notify us at [bselner@masoncounty.net](mailto:bselner@masoncounty.net) or 231.757.9272 (ext. 314).

Thank you for your interest.

Respectfully,

Brady Selner  
Planning and Zoning Director



# **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  
[www.Pentwatervillage.org](http://www.Pentwatervillage.org)

## **ZONING ADMINISTRATOR'S REPORT**

**March 8, 2019**

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

**Code Enforcement** - Nothing outstanding at this time.

### **Planning Commission**

The Planning Commission met on February 26, 2019 to:

- Hold a public hearing for February 26, 2019 for the amended application for conditional rezoning of 10 Channel Lane, the Channel Lane Inn, from R2, Single Family Residential to C4, Hotel Resort.
- Review and make a recommendation to Village Council regarding the proposed conditional rezoning of 10 Channel Lane, from R2, Single Family Residential to C4, Hotel Resort.
- Review of Final Design for Hancock Street Improvements – Recommendation to Village Council.
- Report from the Pentwater Visioning Team (See Attachment).
- Request for approval for a main floor addition to the nonconforming building at 166 Carroll Street.
- Request for support of grant application to the Community Foundation for a Community Assessment – data to be used as part of the 2020 Master Plan process.

**Zoning Board of Appeals** - The Zoning Board of Appeals did not meet in February.

**Zoning Permits** - The following Zoning Permits were issued in February, 2019:

1. 284 Clymer for the reconstruction of a 12' x 18' shed.
2. 133 Hanover for the construction of a new 1879 sq. ft. house with 1,000 sq. ft. attached garage.

**Other - None**

Sincerely,

*Keith J. Edwards*

Keith Edwards  
Zoning Administrator