



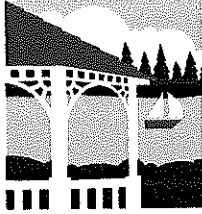
# VILLAGE OF PENTWATER

ON PENTWATER LAKE AND LAKE MICHIGAN  
327 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449  
(231) 869-8301 - FAX (231) 869-5120  
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Pentwater Village Zoning Board of Appeals  
Community Room – 327 Hancock St.  
**Wednesday, May 21, 2019**  
**7:00 P.M**

## Agenda

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of Agenda
- V. Approval of the Minutes of the November 20, 2018 Meeting
- VI. Correspondence / Public Comments
- VII. Unfinished Business
  - A. None.
- VIII. New Business
  - A. Consideration for changing the ZBA meeting time from 7:00 pm to 6:00 pm.
  - B. 2019-2020 Meeting Schedule.
  - C. Election of Officers.
- IV. Adjournment



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**Meeting Minutes – November 20, 2018**

Chairperson Castor called the meeting of the Pentwater Zoning Board of Appeals Meeting to order at 7:00 PM followed by the Pledge of Allegiance.

**ROLL CALL: Present:** Bruce Koorndyk, Bill Bainton, Nancy Ceton and Mike Castor.  
**Absent:** Bill O'Donnell and Jim Young

**Others present:** 863 Park Street residents Dayna and Ray Hasil, and Zoning Administrator Keith Edwards.

**APPROVAL OF AGENDA: Motion** by Ceton, second by Bainton to approve the agenda as presented. Voice vote: Unanimous. **Motion carried.**

**APPROVAL OF MINUTES of September 5, 2018: Motion** by Ceton, second by Koorndyk to approve the September 5, 2018 minutes as presented. Voice vote: Unanimous. **Motion carried.**

Chair Mike Castor stated there would be two public hearings regarding separate variance requests: **(PARCEL 64-044-680-004-50) – 40 E. FIFTH STREET** and **(PARCEL 64-044-620-116-25) – 863 PARK STREET.**

**PUBLIC HEARING – 863 PARK STREET (PARCEL 64-044-620-116-25)**

**Motion to open the Public Hearing** by Koorndyk, second by Bainton. Voice vote all Ayes. **Motion carried.**

Zoning Administrator Keith Edwards stated the purpose of the variance request for 863 Park Street is to allow the applicant to construct a covered front porch across a good portion of the facade across the home. Report was received and placed on file. New information was provided by the applicant including a revised site plan showing the location of the survey stakes at the northeast and northwest corners of the property. It was then discovered that the existing home was built in a location nonconforming to today's required front setback of 17 feet. The existing home is located only 13.5 feet from the front property line. Therefore, the site plan was referred to the Planning Commission on October 17, where the Planning Commission approved an expansion of the front porch along the same plan of the existing covered stoop. Thus, the applicant is seeking a 3.33-foot variance for the remainder of the depth of the proposed covered front porch.

Applicant comments from Dayna Hasil, 863 Park Street, said they purchased the house in January 2018. She explained the house was constructed in 1927 and provided the appropriate documentation. She also provided a revised site plan and photographs shown the front lot line and proposed new porch. They also redesigned the porch with the same eight-foot wide covered deck space across the front but with a 16-inch overhang to match the existing overhang of the house.

**Motion to close the Public Hearing** by Koorndyk, second by Ceton. Voice vote all Ayes.  
**Motion carried.**

**CORRESPONDENCE / PUBLIC COMMENTS:** Mr. Edwards said there were several emails of correspondence, all of which are in support of the variance request. Copies of the emails were placed at your place prior to the meeting this evening.

**UNFINISHED BUSINESS: None**

**NEW BUSINESS:**

**A. Variance Request for 863 Park Street**

**Motion** by Mr. Young to approve the variance request for 863 Park Street, second by Mr. Koorndyk. Discussion followed using the worksheet, which will be part of the public record.

**Condition #1: (Section 18.08 A (1)):** “Granting the variance will not be contrary to the public interest and will ensure that the spirit of this Ordinance is observed.”

Comments: All agree not contrary to public interest.

**Condition #2: (Section 18.08 A (2)):** “Granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or in the district in which the subject property is located.”

Comments: Yes, all agree.

**Condition #3: (Section 18.08 A (3)):** “The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practicable.”

Comments: Yes, all agree.

**Condition #4: (Section 18.08 A (4)):** “That there are practical difficulties in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the vicinity in the same zoning district. Exceptional or extraordinary circumstances of conditions include:

- a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance;
- b. Exceptional topographic conditions;
- c. By reason of the use or development of the property immediately adjoin the property in question; or
- d. Any other physical situation on the land, building or structure deemed by the Board of Appeals to be extraordinary.

Comments: Yes, all agree.

**Condition #5: (Section 18.08 A (5)):** “That granting such variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district.”

Comments: Yes, all agree.

**Condition #6: (Section 18.08 A (6)):** “That the variance is not necessitated as a result of any action or inaction to the property prior to the variance request by the applicant or his/her representative.”

Comments: All agree. No impact.

**Roll call vote:** Koorndyk, yes; Bainton, yes; Ceton, yes, Castor, yes.

Ayes: 4. Nays: 0. Motion passed.

Variance Approved for 863 Park Street

**ADJOURNMENT:** There being no further business, Ceton moved to adjourn the meeting, seconded by Koorndyk. Motion passed unanimously and the meeting adjourned at 7:55 pm.

Respectfully submitted by:

Keith Edwards, Zoning Administrator  
Village of Pentwater

November 28, 2018

Approved by the Zoning Board of Appeals on \_\_\_\_\_.

**MEMORANDUM**

To: Village of Pentwater Zoning Board of Appeals

From: Keith Edwards, Zoning Administrator

Date: May 17, 2019

**Subject: Request to change ZBA Regular Meeting Time**

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Recently the Village of Pentwater Planning Commission changed their meeting time from 7 pm to 6 pm. The 6:00 pm meeting time is also used by the Village Council. If the ZBA wanted to change their meeting time they may do so and no change to the ZBA By-Laws is required. However, we typically publish a schedule of meetings (also contained in your packet) that is approved annually at the annual meeting in May.

If the ZBA wishes to change the regular meeting time, please do so now in order to publish the meeting schedule for 2019-2020.

**Village of Pentwater  
Zoning Board of Appeals**

**2019-2020 Meeting Schedule  
Third Tuesday of each month as necessary at ? pm.**

| <u>Friday Application Deadline</u> | <u>Publication Deadline</u> | <u>Tuesday Meeting Date</u> |
|------------------------------------|-----------------------------|-----------------------------|
| May 17, 2019                       | May 24, 2019                | June 18, 2019               |
| June 14, 2019                      | June 21, 2019               | July 16, 2019               |
| July 19, 2019                      | July 26, 2019               | August 20, 2019             |
| August 16, 2019                    | August 23, 2019             | September 17, 2019          |
| September 13, 2019                 | September 20, 2019          | October 15, 2019            |
| October 18, 2019                   | October 25, 2019            | November 19, 2019           |
| November 15, 2019                  | November 22, 2019           | December 17, 2019           |
| December 20, 2019                  | December 27, 2019           | January 21, 2020            |
| January 17, 2020                   | January 24, 2020            | February 18, 2020           |
| February 14, 2020                  | February 21, 2020           | March 17, 2020              |
| March 20, 2020                     | March 27, 2020              | April 15, 2020              |
| April 17, 2020                     | April 24, 2020              | May 20, 2020                |

Approved by the Board of Zoning Appeals – May 21, 2019