

VILLAGE OF PENTWATER

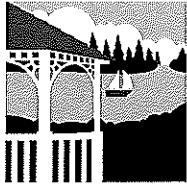
65 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449
(231) 869-8301 - FAX (231) 869-5120
www.pentwatervillage.org

**Planning Commission Regular Meeting
December 19, 2022 - 6:00 P.M. – In Person
Park Place Event Center – 310 N. Rush Street, Pentwater, MI**

Agenda

- 1. Opening – Welcome, Call to Order, and Pledge of Allegiance**
- 2. Roll Call**
- 3. Approval of Agenda and Minutes.**
 - A. Approval of Agenda.
 - B. Approval of Minutes of November 29, 2022.
- 4. Public Comments - For items on the agenda.**
- 5. Public Hearing: None**
- 6. Old Business: None**
- 7. New Business:**
 - A. Consideration for Expansion on Nonconforming House – 222 S. Chester Street
 - B. Consideration for Expansion on Nonconforming House – 62 N. Hancock Street
- 8. Department/Committee Reports**
 - A. Zoning Administrator – See Attached Report.
 - B. Zoning Board of Appeals – No Meeting, No Report.
 - C. Master Plan Update –
- 9. Public Comments**
- 10. Communications from Planning Commission Members**
- 11. Adjournment**

Next Scheduled Planning Commission Meeting – January 24, 2022 at Park Place.



VILLAGE OF PENTWATER

Planning Commission

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

Regular Meeting Minutes – November 29, 2022

Chairperson Bruce Koorndyk called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:00 pm, in-person at Park Place, 310 N. Rush Street, Pentwater, with the Pledge of Allegiance.

ROLL CALL

Present: Bruce Koorndyk, Chris Conroy, Mary Temple, Amy Roberson, Ron Stoneman and Paul Anderson.

Absent: Michelle Angell-Powell

Staff Present: Katie Anderson, Zoning Administrator and Brian Monton, Village Attorney.

APPROVAL OF AGENDA

Motion by Chris Conroy, second by Paul Anderson to approve the agenda presented.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

APPROVAL OF REGULAR MEETING MINUTES

Motion by Ron Stoneman, second by Amy Roberson to approve the November 1, 2022, special meeting minutes as presented.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

PUBLIC COMMENTS FOR ITEMS ON THE AGENDA – None

PUBLIC HEARING - None

OLD BUSINESS - None

NEW BUSINESS

- A. Planning Commission Meeting Date Resolution 2022-11-22

Motion by Mary Temple, second by Chris Conroy to approve Resolution No. 2022-11-22 as presented.

Roll Call Vote: Yes: Temple, Conroy, Koorndyk, P. Anderson, Roberson, and Stoneman

No: 0 Absent: Angell-Powell Motion passed.

B. Consideration for Expansion on Nonconforming House – 294 E. Lake Street

Motion by Ron Stoneman, second by Chris Conroy to approve the porch expansion on the nonconforming house of 294 E. Lake Street.

Roll Call Vote: Yes: Stoneman, Conroy, Koorndyk, P. Anderson, Roberson, and Temple
No: 0 Absent: Angell-Powell Motion passed.

C. Greg VanBoxel & Larry Doran – Wire Factory Property Introduction.

Larry Doran gave a presentation on the renovations of the Wire Factory Property, their plans to work with the Village and their Complete Streets project, and their intentions of future development for growth in the community.

Planning Commission Members were asked to send their questions about the project to Katie Anderson, Zoning Administrator where she would compile the list and share with Greg VanBoxel and Larry Doran.

D. August 1, 2022 Correspondence – Cottages at Lites Woods

Mr. Thomas Amon, Attorney for Mr. Richard Whitcomb, spoke about the three proposals his client prepared as zoning requests on the Lites Woods property.

Mr. Mike McKee, Realtor for Mr. Richard Whitcomb, spoke on the history of the property, the lot purchases, and about the lots possibly being divided.

Mr. Brian Monton, Attorney for the Village of Pentwater, stated to move forward the next step is to make a request for a public hearing on the amendment and section they are seeking to change, draft a proposed amendment and present it to the Planning Commission.

Motion by Ron Stoneman, second by Amy Roberson to hold a Public Hearing on January 24, 2023 for Cottages at Lites Woods.

Roll Call Vote: Yes: Stoneman, Roberson, Koorndyk, P. Anderson, Conroy, and Temple
No: 0 Absent: Angell-Powell Motion passed.

COMMITTEE/DEPARTMENT REPORTS

A. **Zoning Administrator** - Ms. K. Anderson's written report was accepted by the Planning Commission.

B. **Zoning Board of Appeals** – No Meeting, No Report.

C. **Master Plan Update** – Mary shared that Version 6 of the Master Plan has been

reviewed. A December 1st work session is set between the writers and Zoning Administrators to go over their reviews. The Master Plan Steering Committee Members reviews on the plan are to be submitted the week of December 4th.

PUBLIC COMMENTS – None

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS – None

ADJOURNMENT

Motion by Ron Stoneman, second by Amy Roberson to adjourn the meeting at 7:13pm.
Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

Respectfully Submitted,
Kate Anderson, Zoning Administrator

November 29, 2022

Approved by the Village of Pentwater Planning Commission on _____.

MEMORANDUM

To: Village of Pentwater Planning Commission

From: Katie Anderson, Zoning Administrator

Date: November 28, 2022

Subject: **Proposed Construction of Home Addition - Nonconforming Building
222 S. Chester Street, Village of Pentwater – 64-044-452-002-00**

Introduction

Insignia Homes, on behalf of the owners of 222 S. Chester Street (located on the corner of Chester and Manchester Street), seeks to construct a new patio and an addition to the existing house. The Paulus residence is located on the northwest corner lot of Chester and Manchester Street.

Background

The existing home is a corner lot situated on the east side of S. Chester Street and the south side of Manchester Street and is located in the R-2, Single Family Residential Zoning District.

According to the survey and drawings submitted, the existing attached house is located approximately 11 over the north front setback. Thus, the existing attached house is nonconforming with respect to the north front setback.

At this time, the applicant seeks to construct a new patio and home addition (See attached plans). The home addition will exceed the 50% of the GFA of the original building or structure. 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) in accordance with Section 3.24.B.1.d of the Zoning Ordinance.

The requirement of no more than 50% lot coverage will be met at 45% on this large property. Additionally, the remaining requirements of the Zoning Ordinance such as the required west front, and east and south side setbacks, and building height are met with the proposed addition.

Details of the Nonconformity

The required front setback is 17 ft., **existing is 11 ft. over on the north building wall, proposed remains 11 ft. over on the north building wall.**

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 existing house 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 has not been met since the proposed addition will exceed 50% of the existing GFA, however, the Planning Commission may permit a greater percentage where all yard setbacks are for the district in which the building is located are met without need of a variance to such setback(s) according to Section 3.24.B.1.d of the Zoning Ordinance.

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 does not further encroach upon the north side setback.

Recommendation

At this time, Staff recommends the Planning Commission consider approval of the requested house addition and new patio for 222 S. Chester Street in accordance with Section 3.24.B, paragraph 1.a. through 1.d, and paragraph 8, subject to the following condition:

1. The Planning Commission permits a greater percentage than the 50% of the GFA, as stated in Section 3.24.B.1.d of the Zoning Ordinance, as all yard setbacks for the district in which the building is located are met without need of a variance to such setback(s).

Village of Pentwater

65 S. Hancock St. P.O. Box 622 Pentwater, MI 49449
Phone: 231-869-8301 Fax: 231-869-5120

Website: pentwatervillage.org

Email: zoning@pentwatervillage.org

APPLICATION FOR ZONING PERMIT

Date Application Prepared: 11/17/22 Application Fee \$ 40.00

Date Application Received: _____ Receipt No. _____

Property Location Information

Parcel ID: 64 - 044 - 452-006-00 Property Address 922 Clester

Property Location _____

Section No. _____ Subdivision Name _____

Applicant Information

Applicant (circle one):

Contractor Property Owner Other _____

Insignia Homes.
(Applicant) _____

5168 Beltway Dr.
(Address) _____

Caledonia, MI, 49316
(City, State, Zip Code) _____

(616) 940-1703
(Telephone, Home, Cell and/or Business) _____

lupdegraff@insigniahomesmi.com
(Email Address) _____

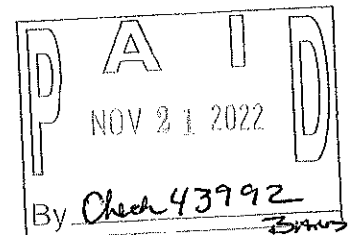
Property owner's name and address (if not the applicant)

Steve Paulus

922 Clester

Pentwater, MI 49449

Phone (770) 843-0739



Land Use and Zoning Information

Proposed Land Use (i.e., Single, Duplex or Multiple Family Residential, Commercial or Industrial Use)

Single Family

Zoning Map Classification of Property: R-2

Lot Area: .17 Acres sq. ft. or acres. Lot width: 75 x 95 ft. Waterfront? Yes ___ No X

Size(s) and Type(s) of building, addition, accessory building, deck, fence or other structure,

Minimum setbacks (Minimum 8 1/2 x 11-inch Plot Plan or Sketch Required):

(Setbacks for accessory buildings are measured from lot lines to the drip edge or eave of the building)

Waterfront Setback Required = ___ ft. Proposed = ___ ft.

Front Setback: Required = ___ ft. Proposed = ___ ft.

Corner Lot? Yes X No ___ Side Street Front Setback: Req. = ___ ft. Prop. = ___ ft.

Side Setback: Required = (N or E) ___ ft. Proposed = ___ ft.

Side Setback: Required = (S or W) ___ ft. Proposed = ___ ft.

Rear Setback: Required = ___ ft. Proposed = ___ ft.

Other Zoning Requirements:

Percent (%) Lot Coverage (Impervious Surface): Existing = 30 % Proposed = 45 %

Principal Building Area Required = ___ sq. ft. Proposed = ___ sq. ft.

Principal Building Height: Allowed = ___ ft. from grade to peak. Proposed = ___ ft. from grade to peak.

Acc. Building Area: Allowed = ___ sq. ft. Proposed = ___ sq. ft.

Acc. Building Height: Allowed = ___ ft. from grade to peak. Proposed = ___ ft. from grade to peak.

Zoning Variance Required? Yes ___ No ___

I Attest that the above information is true, to the best of my knowledge:

Applicant's Signature _____

Date: _____


Miscellaneous

Check all attached information:

- Plot Plan or Sketch of property and setbacks. Survey (if available).
- Building Elevation Drawings.
- Critical Dune Area, High-Risk Erosion Area or Wetlands? Yes____ No____
- MDEQ, MDNR or USACE Permit Required? Yes____ No____
- Septic System – Requires DHD #10 Approval
- Sanitary Sewer? – Requires Pentwater Village Manager Approval
- Well – Requires DHD #10 Approval
- Municipal Water? – Requires Pentwater Village Manager Approval
- Soil Erosion Permit May be Required from Oceana County Drain Commissioner's Office
- Date of Zoning Board of Appeals (ZBA) Meeting/Hearing _____
- ZBA Decision _____

Authorization for On-Site Inspection

By signing below, the Applicant and/or Property Owner authorize Village of Pentwater Staff, Elected or Appointed Officials permission to enter the property for the purposes of investigating any question that they may have relative to this Zoning Permit Application.

Applicant Signature  Date: 11/17/22

Property Owner Signature _____ Date: _____

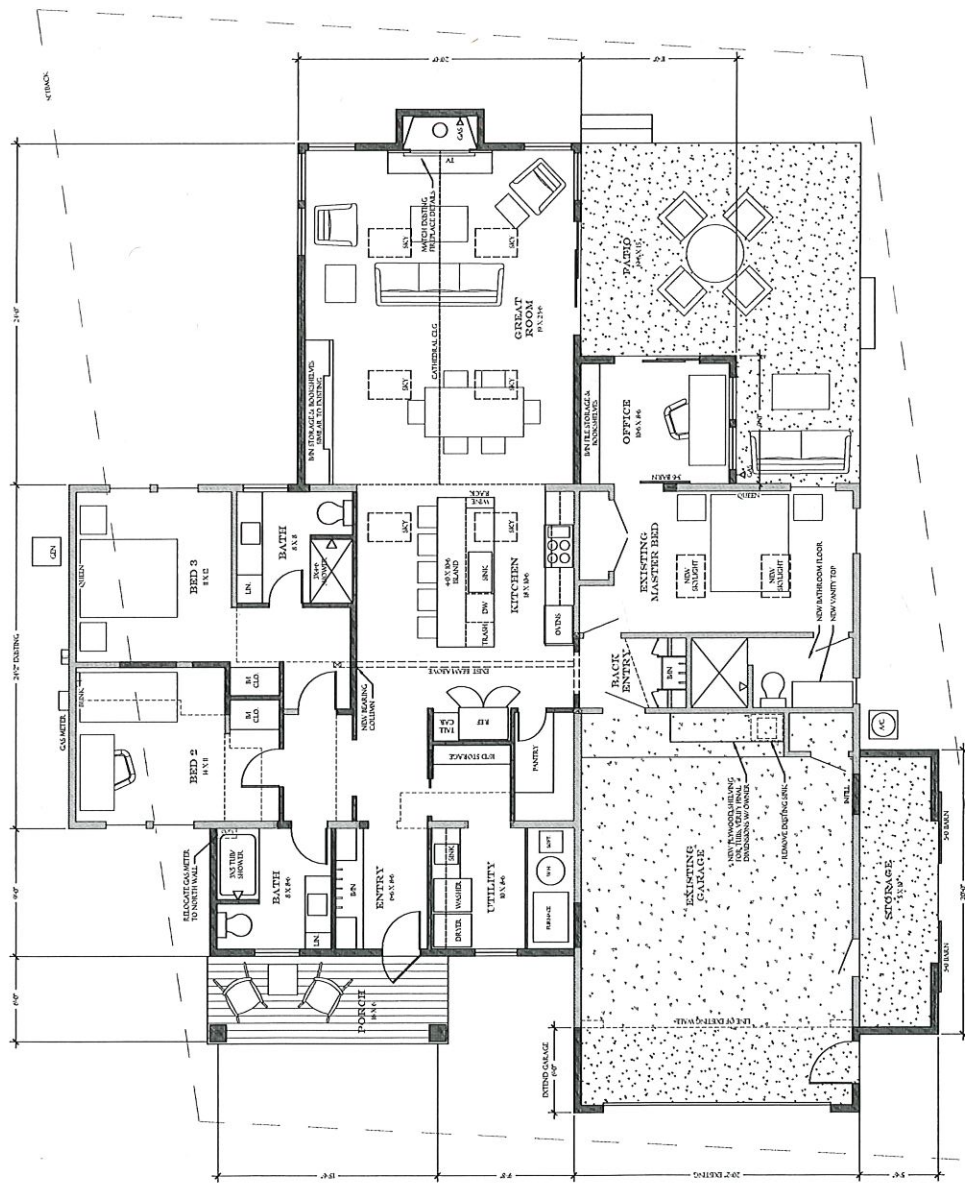
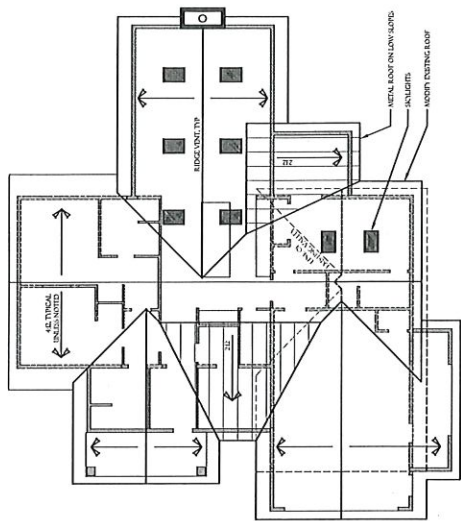
Zoning Permit Approval

Zoning Permit No. _____ Date: _____ Expiration Date: _____

Signed: _____
Zoning Administrator

DATE / DESCRIPTION	PREPARED BY
REVISIONS	DATE
NO. 1	DATE
NO. 2	DATE
NO. 3	DATE
NO. 4	DATE
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NO. 100	DATE

FLOOR & ROOF PLAN
A-2



- KEY**
- EXISTING WALL
 - REMOVE WALL
 - NEW WALL
- NOTES:**
- SQUARE FOOTAGE
 - EXISTING LIVING: 811
 - NEW CONSTRUCTION: 811
 - TOTAL NEW LIVING: 202



MEMORANDUM

To: Village of Pentwater Planning Commission

From: Katie Anderson, Zoning Administrator

Date: December 5, 2022

**Subject: Proposed Construction of Home Addition - Nonconforming Building
62 N. Hancock Street, Village of Pentwater – 64-044-685-002-00**

Introduction

Insignia Homes, on behalf of the owners of 62 N. Hancock Street, seeks to remodel and expand the back portion of the existing house. The Brown residence is located on the east side of N. Hancock Street between Lowell Street and Concord Street.

Background

The existing home is situated on the east side of N. Hancock Street and is located in the R-2, Single Family Residential Zoning District.

According to the survey and drawings submitted, the existing house is located approximately eight (8) feet from the front property line and four (4) feet from the north side property line. Seventeen (17) feet is the required setback to the front yard property line and Six (6) feet is the required setback to the side yard property line. Thus, the existing house is nonconforming with respect to the front and north side setback.

At this time, the applicant seeks to remodel and expand the back portion of the existing house. (See attached plans)

The requirement of no more than 50% lot coverage will be met at 38% on this property. Additionally, the remaining requirements of the Zoning Ordinance such as the required rear and south side setback, building height and impervious surface area are met with the proposed addition.

Details of the Nonconformity

The required front setback is 17 ft., **existing is 8 ft., proposed remains at 8 ft.**
The required side setback (north side) is 6ft., **existing is 4 ft., proposed remains at 4 ft.**

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 existing house 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 condition has been met in accordance with the applicant's proposal, the remodel is adding an additional 1.09% of GFA to the original building, total building coverage becomes 26%.

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 does not further encroach upon the front setback or the north side setback.

Recommendation

At this time, Staff recommends the Planning Commission consider approval of the requested house addition to 62 N. Hancock Street in accordance with Section 3.24.B, paragraph 1.a. through 1.d, and paragraph 8.

By Dec 5

Village of Pentwater

65 S. Hancock St. P.O. Box 622 Pentwater, MI 49449
Phone: 231-869-8301 Fax: 231-869-5120

Website: pentwatervillage.org

Email: zoning@pentwatervillage.org

APPLICATION FOR ZONING PERMIT

Date Application Prepared: 12/1/22 Application Fee \$ 40.00

Date Application Received: _____ Receipt No. _____

Property Location Information

Parcel ID: 64 - 044 - 685-002-00 Property Address 62 N. Hancock St

Property Location _____

Section No. _____ Subdivision Name _____

Applicant Information

Applicant (circle one):

Contractor Property Owner Other _____

Insignia Homes
(Applicant)

5168 Beltway Dr.
(Address)

Caledonia, MI 49314
(City, State, Zip Code)

616 940 1703
(Telephone, Home, Cell and/or Business)

lu.pdegraff@insigniahomesmi.com
(Email Address)

Property owner's name and address (if not the applicant)

Mark & Jodi Brown

62 N. Hancock

Pentwater, MI

Phone (____) _____

Land Use and Zoning Information

Proposed Land Use (i.e., Single, Duplex or Multiple Family Residential, Commercial or Industrial Use)

Single Residential

Zoning Map Classification of Property: _____

Lot Area: .194 sq. ft. or (acres) Lot width: 61' ft. Waterfront? Yes _____ No

Size(s) and Type(s) of building, addition, accessory building, deck, fence or other structure,
1 story house existing approx 1300 sq ft, 1 story structure
approx 576 sq ft existing, wood shed existing 96 sq ft.

Minimum setbacks (Minimum 8 1/2 x 11-inch Plot Plan or Sketch Required):
(Setbacks for accessory buildings are measured from lot lines to the drip edge or eave of the building)

Waterfront Setback Required = N/A ft. Proposed = _____ ft.

Front Setback: Required = N/A ft. Proposed = _____ ft.

Corner Lot? Yes _____ No Side Street Front Setback: Req. = _____ ft. Prop. = _____ ft.

Side Setback: Required = (N or E) 6 ft. Proposed = 31' ft.

Side Setback: Required = (S or W) 6 ft. Proposed = 15 ft.

Rear Setback: Required = _____ ft. Proposed = 64 ft.

Other Zoning Requirements:

Percent (%) Lot Coverage (Impervious Surface): Existing = 35.9 % Proposed = 37.1 %

Principal Building Area Required = 2080 sq. ft. Proposed = 2275 sq. ft.

Principal Building Height: Allowed = 35 ft. from grade to peak. Proposed = 13'2" ft. from grade to peak.

Acc. Building Area: Allowed = 0 sq. ft. Proposed = _____ sq. ft. N/A

Acc. Building Height: Allowed = _____ ft. from grade to peak. Proposed = _____ ft. from grade to peak. N/A

Zoning Variance Required? Yes No _____

I Attest that the above information is true, to the best of my knowledge:

Applicant's Signature [Signature]
Date: _____

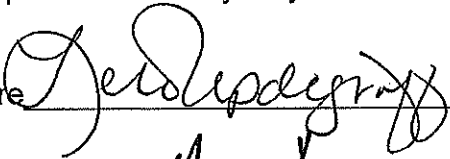
Miscellaneous


Check all attached information:

- Plot Plan or Sketch of property and setbacks. Survey (if available).
- Building Elevation Drawings.
- Critical Dune Area, High-Risk Erosion Area or Wetlands? Yes ___ No
- MDEQ, MDNR or USACE Permit Required? Yes ___ No
- Septic System – Requires DHD #10 Approval
- Sanitary Sewer? – Requires Pentwater Village Manager Approval
- Well – Requires DHD #10 Approval
- Municipal Water? – Requires Pentwater Village Manager Approval
- Soil Erosion Permit May be Required from Oceana County Drain Commissioner's Office
- Date of Zoning Board of Appeals (ZBA) Meeting/Hearing _____
- ZBA Decision _____

Authorization for On-Site Inspection

By signing below, the Applicant and/or Property Owner authorize Village of Pentwater Staff, Elected or Appointed Officials permission to enter the property for the purposes of investigating any question that they may have relative to this Zoning Permit Application.

Applicant Signature  Date: 12/1/22

Property Owner Signature  Date: 12/1/22

Zoning Permit Approval

Zoning Permit No. _____ Date: _____ Expiration Date: _____

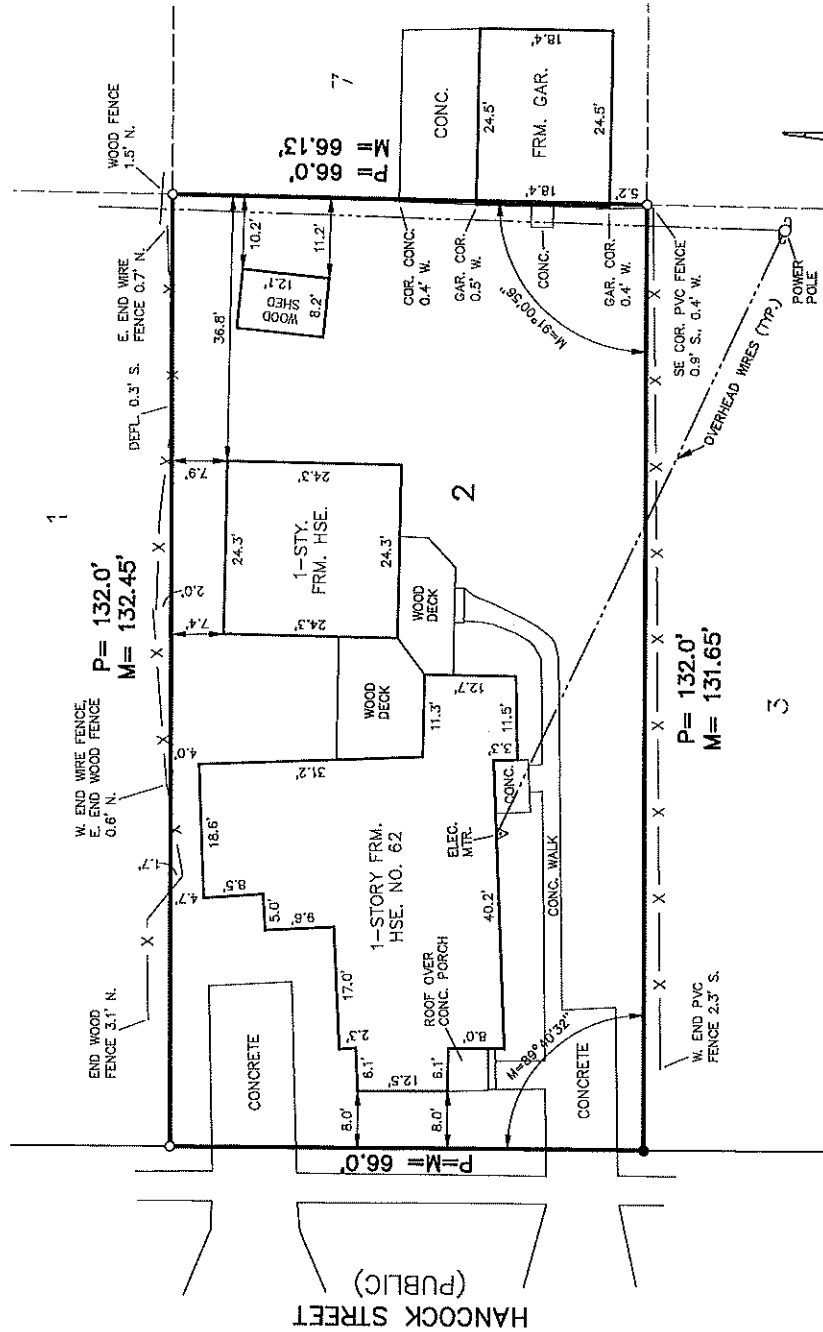
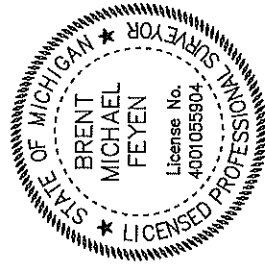
Signed: _____
Zoning Administrator

Boundary with Improvements Survey for:
 Insignia Homes
 Attn: Leta Updegraff
 5186 Beltway Dr.
 Caledonia, MI 49316

RE: 62 N. Hancock St., Pentwater

Description:

Lot 2, Block 15, Plat of Pentwater, Village of Pentwater (as recorded in Book of Plats, Page 25), Section 14, T16N, R18W, Oceana County, Michigan.

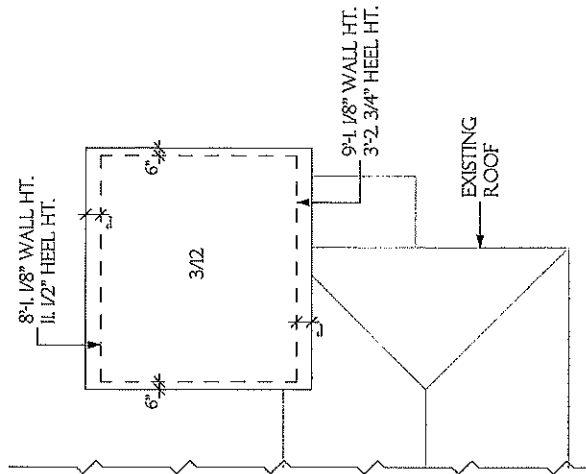


Scale 1" = 20'

D = Deeded dimension
 M = Measured dimension
 P = Platted dimension
 • = Set iron stake
 o = Found iron stake
 ⊙ = Concrete monument
 —x— = Fence line

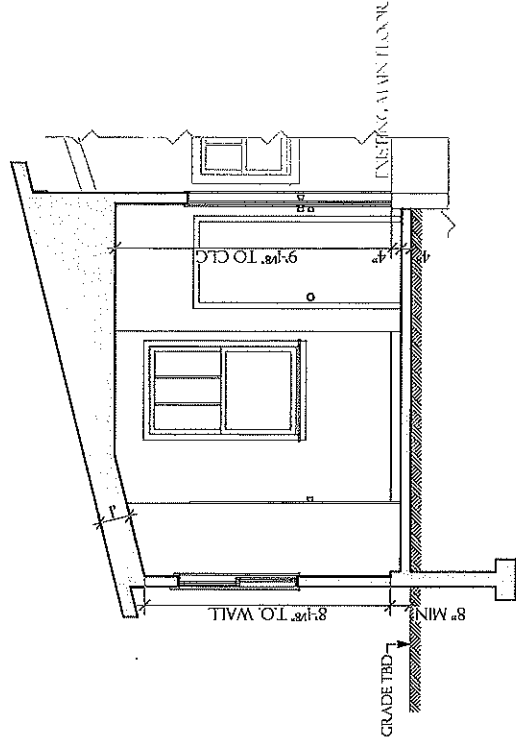
exxel engineering, inc.
 planners • engineers • surveyors
 5252 Clyde Park, S.W. • Grand Rapids, MI 49509
 Phone: (616) 531-3660 www.exxelengineering.com

FILE NO.: S222105 DATE: 11/4/2022



ALL WALL HEIGHTS TAKEN FROM T.O.
 ALL OVERHANG DIMENSIONS TAKEN FROM
 ROUGH HOUSE FRAMING TO SUBFASCIA.

ROOF PLAN 1/8" = 1'-0"



BUILDING SECTION 1/4" = 1'-0"

VILLAGE OF PENTWATER

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

ZONING ADMINISTRATOR'S REPORT

November 30, 2022

The following is a summary of activity conducted by the Zoning Administrator in November 2022:

Code Enforcement – Nothing significant to report at this time.

Planning Commission - The Planning Commission met on November 29th, to:

1. Set the Planning Commission Meeting Dates for 2023, Resolution No. 2022-11-22
2. Review Proposed Porch Addition for 294 E. Lake Street
3. Wire Factory Property Introduction with Greg VanBoxel and Larry Doran
4. Review the August 1, 2022 Correspondence Letter – Cottages at Lites Woods

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

Zoning Permits – The following Zoning Permits were issued in November of 2022:

1. ZP 22-36 was issued to Shimon Seban for 297 S. Hancock St. for new signs – Simon's.

Other

None.

Sincerely,

Katie Anderson

Katie Anderson
Zoning Administrator