

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

Planning Commission Meeting Agenda
Pentwater Friendship Center – 310 N. Rush St.
Tuesday, September 26, 2017
Rescheduled from September 20, 2017
5:30 P.M.

- I. Opening
 - A. Call to Order and Pledge of Allegiance.
 - B. Roll Call.
- II. Approval of Agenda and Minutes
 - A. Approval of Agenda.
 - B. Approval of Minutes of the Meeting held August 23, 2017.
- III. Public Comments
- IV. Department/Committee Reports
 - A. Zoning Administrator – See attached report.
 - B. Zoning Board of Appeals – No meeting, no report.
- V. Old Business – None.
- VI. New Business – Proposed Improvements to Nonconforming Building – 136 S. Wythe Street by Harbor Design and Construction.
- VII. Communications from Planning Commission Members
- VIII. Public Comments
- IX. Adjournment

Presentation of the Pentwater Design by Steve Bass to follow at 6:30 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 – August 23, 2017

Chairperson Christians called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 5:35 pm with the Pledge of Allegiance.

ROLL CALL

Present: Ron Christians, Michelle Angell-Powell, Mark Benner, Kirstin McDonough & Bruce Koorndyk

Absent: Paul Anderson

Staff Present: Keith Edwards, Zoning Administrator & Chris Brown, Village Manager

APPROVAL OF AGENDA

Motion by Benner, second by Angell-Powell to approve the Agenda as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 0 **Motion carried.**

APPROVAL OF REGULAR MINUTES

Motion by Angell - Powell, second by Benner to approve the July 19, 2017 regular meeting minutes as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 0 **Motion carried.**

PUBLIC COMMENTS – None

COMMITTEE/DEPARTMENT REPORTS

A. Zoning Administrator

Mr. Edwards referred to his written report.

Motion by Koorndyk, second by Angell-Powell to accept the Zoning Administrator's report as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 0 **Motion carried.**

B. Zoning Board of Appeals

No meeting in July, No report. The next ZBA meeting is scheduled for September 6 at 7 pm.

OLD BUSINESS – Discussion of the Downtown Pentwater Sub-Area Plan

Mr. Edwards presented his memorandum dated August 18, 2017 that summarized recent past planning efforts and recommended an outline for an amendment to the Village Master Plan called the Downtown Pentwater Plan. The Planning Commission will continue the discussion on the outline and consider the procedures outlined in the State's Planning Enabling Act at the next available meeting opportunity.

NEW BUSINESS

Mr. Edwards reviewed his memorandum dated August 18, 2017 regarding the presentation of Pentwater Design, created by Steve Bass. Mr. Edwards requested that the Planning Commission consider sponsoring the presentation to a larger audience of the public at a meeting to be held September 26, 2017 at 6:30 pm at the Pentwater Friendship Center, located at 310 Rush Street in the Village. Other volunteer and service groups would be invited along with the general public to view a presentation of the digital design work designed by Steve Bass. The Planning Commission would hold its regular meeting prior to the presentation at 5:30 pm at the Friendship Center.

Motion by Angell - Powell, second by McDonough to approve the next regular meeting of the Planning Commission to be held on September 26, 2017 at 5:30 pm at the Friendship Center, prior to the presentation of the Pentwater Design at 6:30 pm also at the Pentwater Friendship Center

Voice Vote: Aye: 5 Nay: 0 Absent: 0 **Motion carried.**

PUBLIC COMMENTS - None

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS - None

None.

ADJOURNMENT

Christians adjourned the meeting at 6:45 p.m.

Respectfully Submitted,

Keith Edwards
Zoning Administrator

September 1, 2017
Date

Approved by the Village of Pentwater Planning Commission on _____



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

ZONING ADMINISTRATOR'S REPORT

September 5, 2017

The following is a summary of activity conducted by the Zoning Administrator in August, 2017.

Code Enforcement

Nothing outstanding at this time.

Planning Commission

The Planning Commission met on August 23 to discuss a sub-area plan for Downtown Pentwater, which would primarily review existing and proposed land use in the downtown area and the barriers to development within the Zoning Ordinance. The Downtown Pentwater Plan will also be informed by the prior Small Harbor Plan, Pentwater Branding effort, and the Pentwater Design - Streetscape presentation prepared by Steve Bass. For more information regarding the Planning Commission and their upcoming work to the Master Plan and Zoning Ordinance, please see the attached memorandums from me to the Planning Commission. These memorandums frame the major issues associated with the discussion we have been having since February of 2017.

The Pentwater Design presentation will also be presented in a public meeting to take place at the Friendship Center, September 26, 2017 at 6:30 pm. We will also take that opportunity to announce the Pentwater Design as a collaboration of the Pentwater Village Planning Commission, Pentwater Downtown Development Authority and the Building & Grounds Committee of the Village Council.

To complete the master plan amendment and the related zoning ordinance revisions, Staff has also requested the assistance of Attorney Mark Van Allsburg from the firm of Mika Meyers in Grand Rapids.

Zoning Board of Appeals

The Zoning Board of Appeals did not meet in August. The ZBA is considering a minor change in its bylaws to reduce the number of members from 7 to 5 and plans to meet again September 6 to discuss the proposed change.

Zoning Permits

The following Zoning Permits were issued in August, 2017.

1. 495 Wythe for an 88 sq. ft. addition.
2. 225 N. Hancock to demolish the existing garage and build a new one.

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator

MEMORANDUM

To: Pentwater Township Planning Commission

From: Keith Edwards, Zoning Administrator

Date: September 19, 2017

Subject: **Proposed Expansion of Existing Nonconforming Building
136 S. Wythe, Village of Pentwater – 64-044-699-002-00**

Introduction

Harbor Design and Construction, on behalf of the owners of 136 S. Wythe Street, is proposing to demolish an existing 200 sq. ft. shed and part of a concrete sidewalk on the south side of the home to replace it with a 572 sq. ft. attached garage with a 528 sq. ft. studio/office above the garage and a small 28 sq. ft. covered porch on the north side of the garage. The new construction conforms to the current Zoning Ordinance requirements.

The proposed building addition will not exacerbate the existing nonconforming conditions of the existing house which are nonconforming along the north side of the property where only 4 feet of open space remains in the required 6 ft. setback area.

Background

The existing 2451 sq. ft. home, which was built in 1867 and remodeled in 1955, is located on the east side of Wythe Street, south of First Street and north of Second Street. The property has a total area of 10,032 sq. ft. The proposed addition consists of a two car garage on the ground floor with a studio/office and bathroom above. The architecture has been designed to complement the historic nature of the existing home. The property is located within the R2, Single Family Residential Zoning District.

Details of the Nonconformity and Zoning Requirements

The north side of the existing home is within 4 ft. of the north property line causing the nonconformity, where 6 feet is required, and the south side of the proposed addition is to be within 6 feet of the south property line, where 6 feet is required. Thus the house is no conforming with respect to the required side setback on the north property line on Mears Street and Channel Lane. The front (Wythe Street) setback will remain at 24 feet and the rear setback will be 42.66 feet. The existing 80 sq. ft. shed is proposed to remain on the property. The height of the building will remain as at 25.33 ft. less than the allowable 30 ft. as required. **Thus, the proposed addition will not exacerbate the existing non-conforming front setback on the north side of the existing home.**

The architect has provided calculations of the lot coverage on the site plan. The lot area is 10,032 sq. ft. and all impervious area existing and proposed totals 4,434 sq. ft. or 44% of the lot area, where a maximum of 50% is allowed.

On a lot of 10,000 sq. ft. up to 2 acres in size, a total of 1,000 sq. ft. of accessory building is allowed. Since the applicant proposes to demolish the existing 200 sq. ft. of shed, and the existing 80 sq. ft. of detached shed will remain, adding 572 sq. ft. to the existing 80 sq. ft. of accessory building will result in a total of 652 sq. ft. since the upper floor of the garage (528 sq. ft.) is not proposed for sleeping (See Definition in Section 2.02 of Accessory Building and Accessory Use and Section 2.05 for Dwelling Unit).

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 building 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.

The existing nonconforming front setback on the north side of the existing home will not be exacerbated since the proposed addition will observe all required setbacks of the current Zoning Ordinance.

- 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).

The existing home remaining contains 2,451 sq. ft. and the proposed addition contains 1,100 sq. ft. or an enlargement of 45% of the GFA of the original building, where up to 50% is allowed.

8. Where a building or structure is nonconforming for setback by a distance equal to or less than on-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.

The required setbacks are not further reduced by the applicant's proposal, therefore this condition is met.

Recommendation

At this time, Staff recommends the Planning Commission consider approval of the requested addition to 136 S. Wythe Street subject to confirming staff's review that Sections 3.24.B.1 et seq. and 3.24.B.8 have been met.

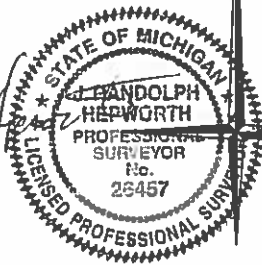
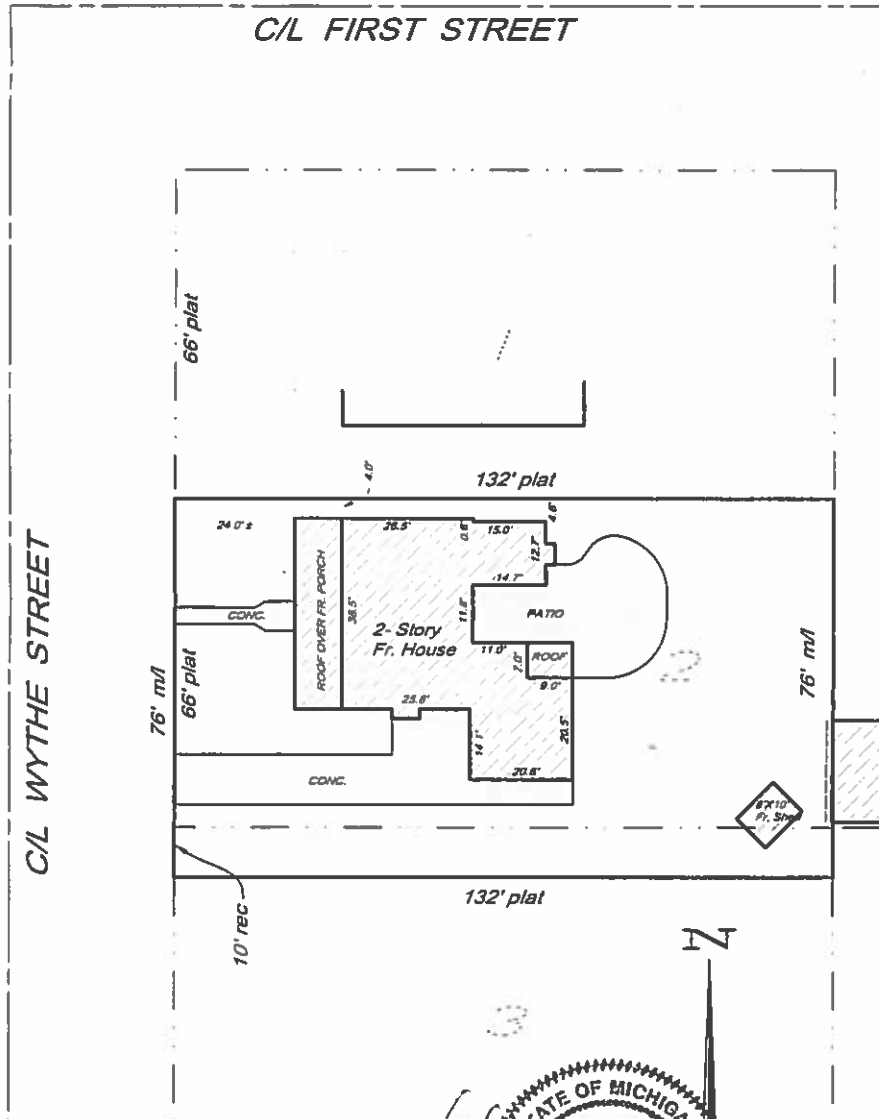
SITE PLAN

THIS IS NOT A BOUNDARY SURVEY

PP# 64-044-699-002-00

Lot 2 and the North 10 feet of Lot 3 of Block 29 of the plat of the VILLAGE OF PENTWATER, according to the recorded plat thereof, Village of Pentwater, Oceana County, Michigan

RE: Michael Skinner
136 S. Wythe Street
Pentwater MI 49449



SCALE: 1" = 30 FEET

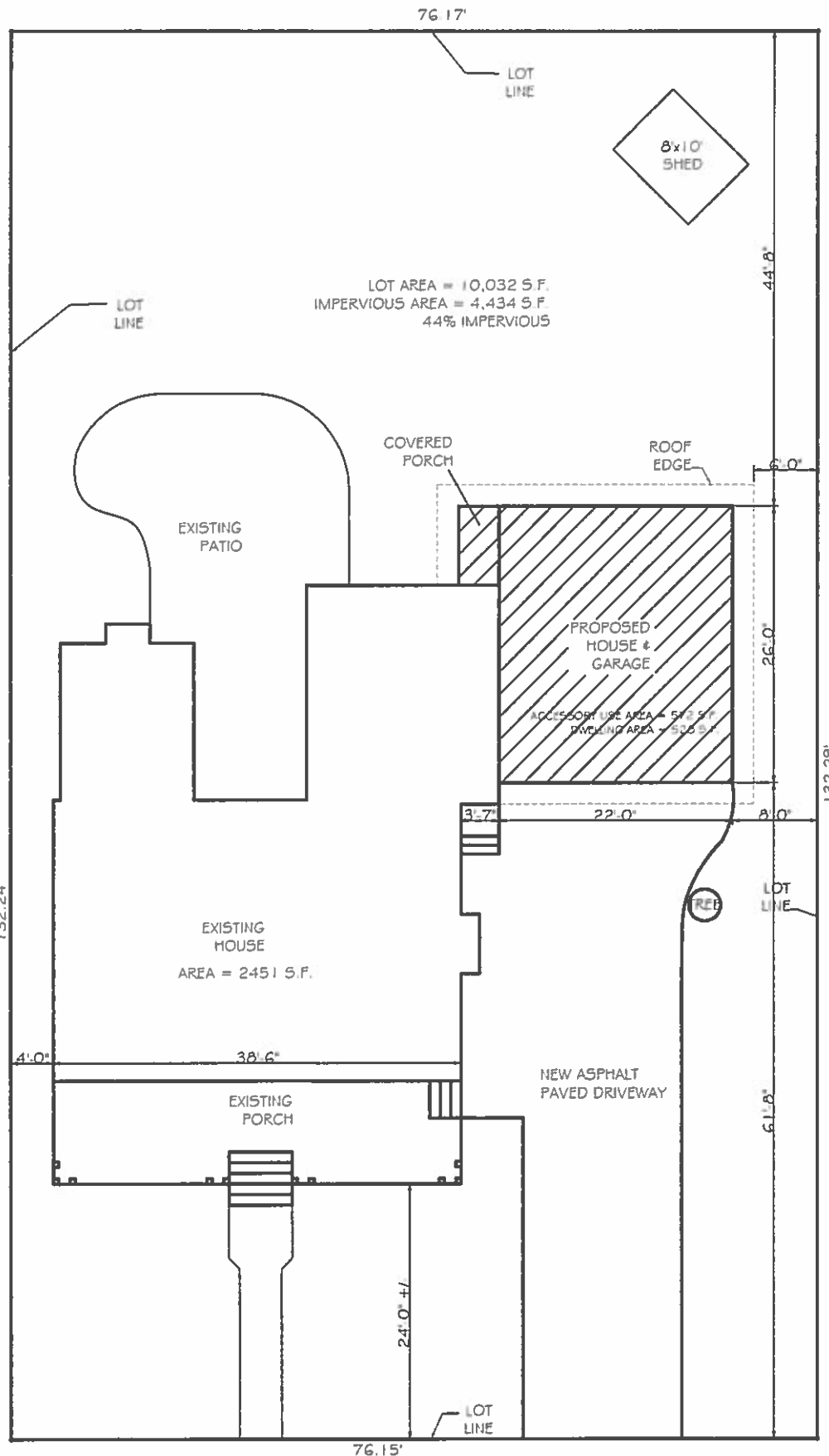
FOR: HARBOR DESIGN & CONSTRUCTION	HEPWORTH LAND SURVEYING, LLC 5774 WAYNE AVE PENTWATER, MI 49449 TEL 231-869-2391	DISK: 2017 CRD: S99224
		SCR: M17158
DWN: JRH CHK:		DATE: SEPT. 9, 2017
		JOB NO.: 17158
		SHEET 1 of 1

HARBOR DESIGN

JEREMY HORTON PE PO BOX 823 PENTWATER, MICHIGAN 869-6841

SKINNER SITE

SCALE 1" = 15'-0"



FIRST STREET

FIRST STREET TO THE NORTH OF PROPERTY

1 LOT BETWEEN HOUSE & STREET

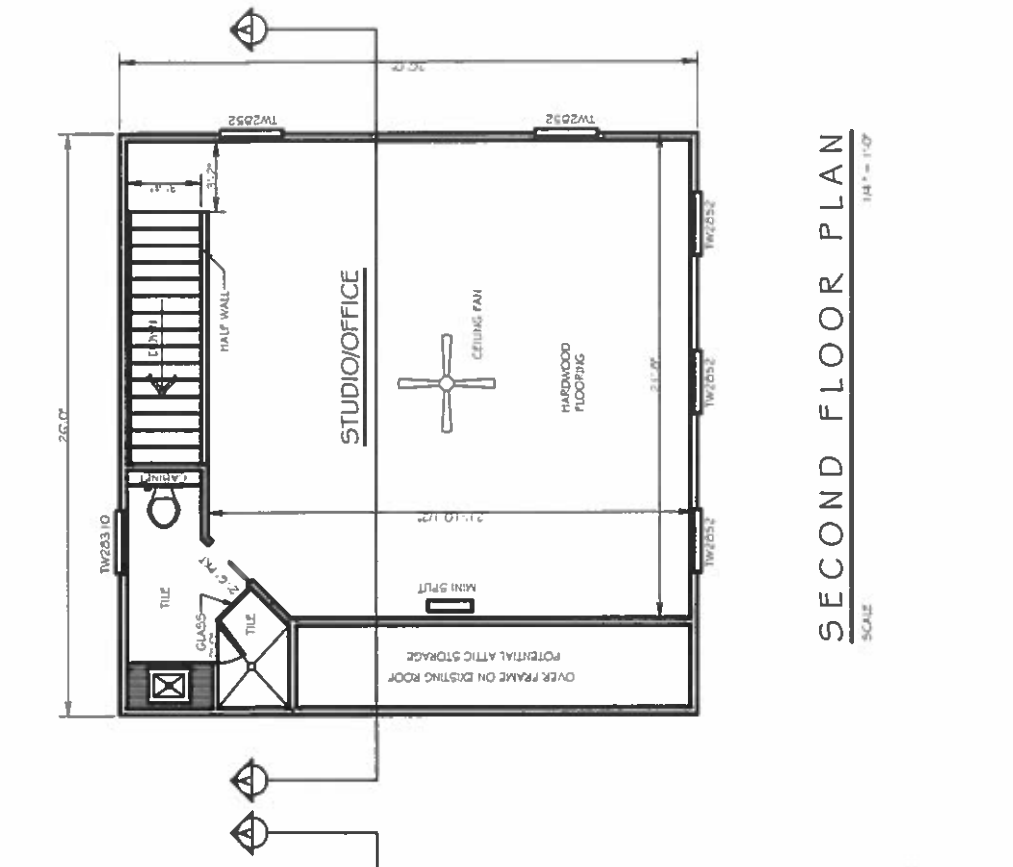
2 LOTS BETWEEN HOUSE & STREET

SECOND STREET

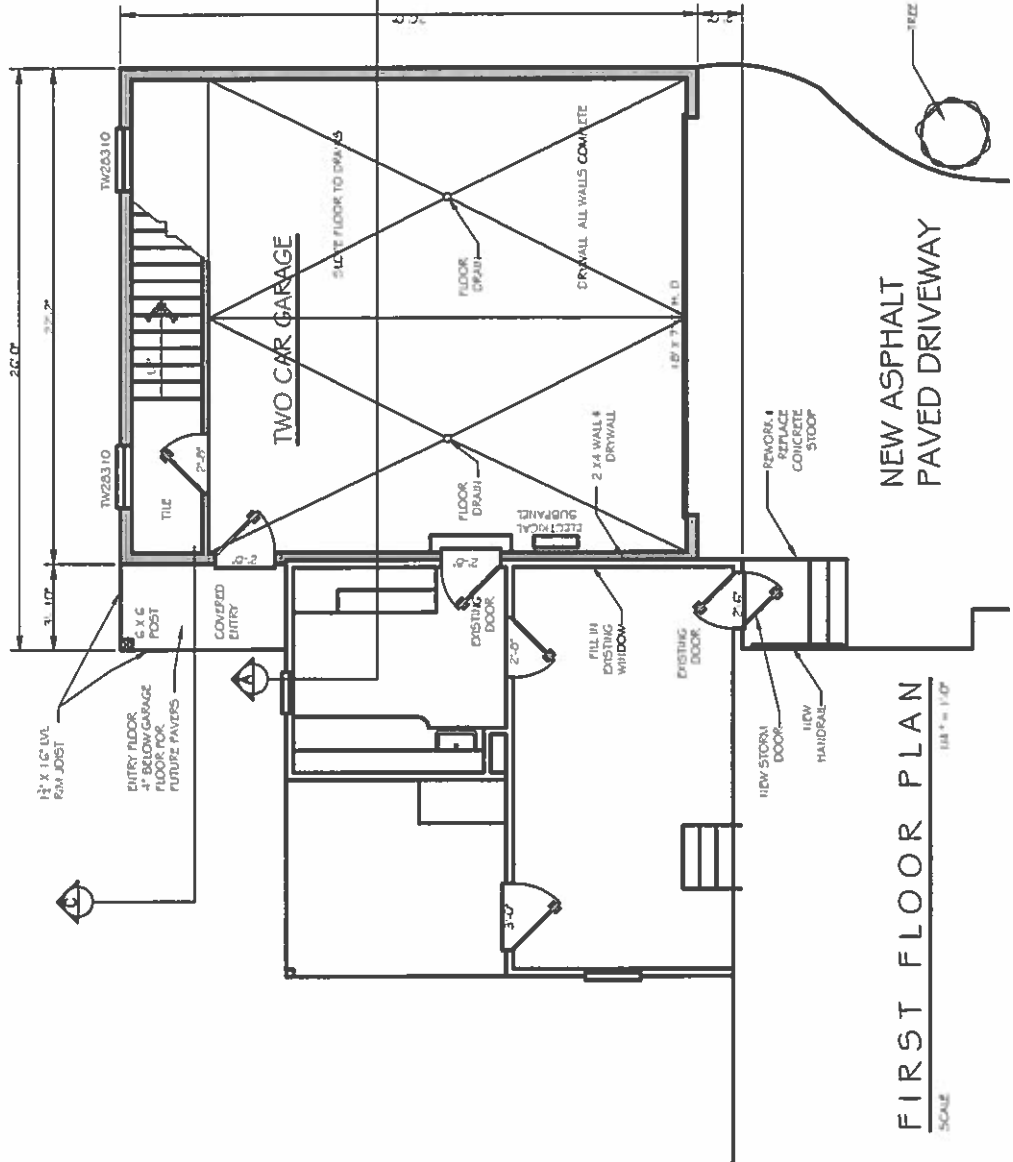
FIRST STREET TO THE SOUTH OF PROPERTY



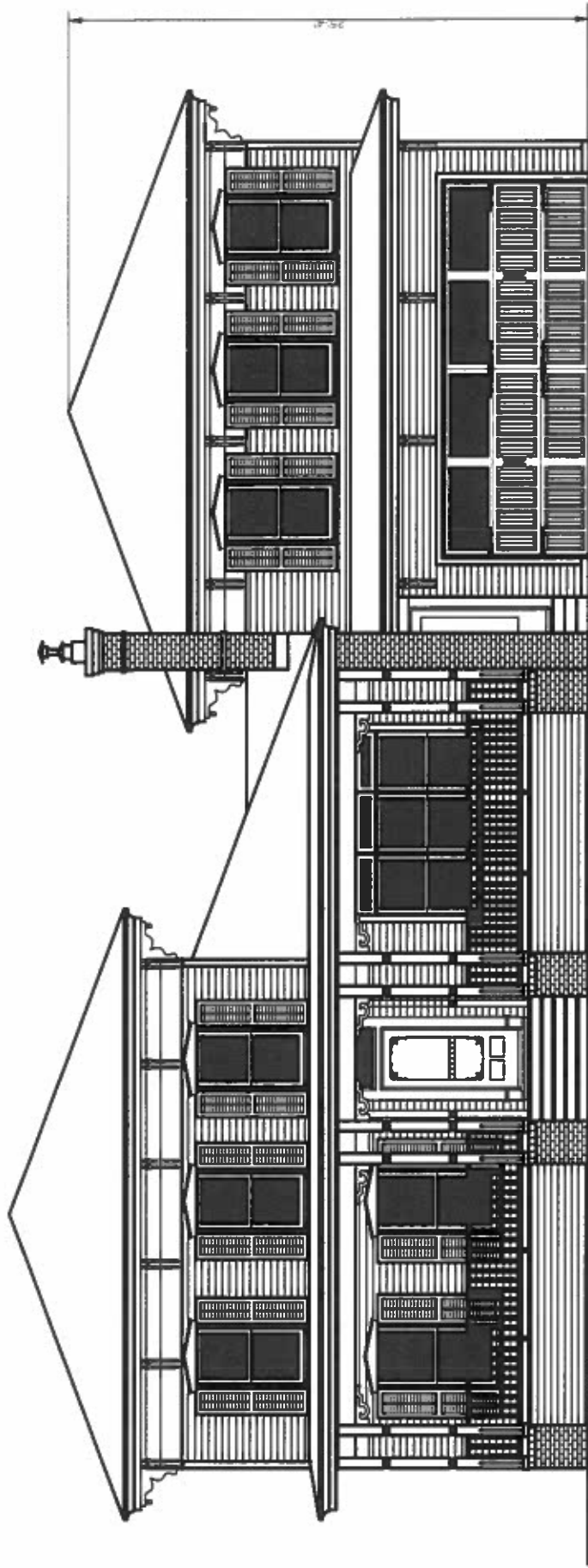
WYTHE STREET



SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"



WEST ELEVATION

SCALE 1/4" = 1'-0"

**VILLAGE OF PENTWATER
ZONING PERMIT APPLICATION**

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

Parcel Number _____
Name _____
Date: _____

Michael Skinner
(Applicant)

136 S. Wythe St.
(Address)

Pentwater, MI 49449
(City, State, Zip Code)

312-543-3465
(Telephone)

michaels@dansr.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.

CONTRACTOR LICENSE # (IF APPLICABLE) _____

PROPERTY OWNER:		<u>Michael Skinner</u>	
OWNER'S MAILING ADDRESS:		<u>3660 N. Lakeshore Dr., Apt. 2806 Chicago, IL 60613</u>	
OWNER'S PHONE # & E-MAIL:		<u>312-543-3465 michaels@dansr.com</u>	
PROPERTY ADDRESS:		<u>136 S. Wythe St.</u>	
PARCEL NUMBER:		<u>044-699-002-00</u>	
RECORDED PLAT:			
BLOCK:	LOT(S):	*OR ATTACH LEGAL DESCRIPTION	
ZONING DISTRICT:		PRESENT USE:	<u>Residential</u>
CORNER LOT:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ROADS:	<u>Wythe</u>
NEW BUILD: <u>NO</u> (Basement Acknowledgement is required)	WATER: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>exist.</u>	SEWER: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>exist.</u>	
CURRENT STRUCTURE ON LOT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	* IF YES, A DEMOLITION PERMIT IS REQUIRED	

PROPOSED PROJECT (Check one):

FENCE		DECK		ACCESSORY BUILDING	
ADDITION	<input checked="" type="checkbox"/>	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 NOT 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: _____ <u>N/A</u> _____ 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:

_____ 22' x 26' garage addition

_____ w/ 26' x 26' bonus room above

(Attach sheets if necessary) Attached

ATTACH A SITE PLAN OR SKETCH FOR PROPOSED PROJECT. Attached

SETBACKS FROM PROPERTY LINES

FRONT: <u>53'-8"</u>	RIGHT SIDE: <u>6'</u>	LEFT SIDE: <u>N/A</u>
REAR: <u>45'</u>	OTHER:	HEIGHT: <u>25'-4"</u>

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: 9/1/12

**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 <i>(For projects including Water & Sewer)</i>	
_____	DATE: _____
WATER & SEWER FINAL INSPECTION COMPLETED BY:	
_____	DATE: _____



VILLAGE OF PENTWATER

ON PENTWATER LAKE AND LAKE MICHIGAN
327 S. Hancock Street – P.O. Box 622 – Pentwater, MI 49449
Phone: (231) 869-8301 – FAX (231) 869-5120
www.pentwatervillage.org

Basement Requirements for New Builds

The Village of Pentwater advises property owners and contractors that are building a new home that basements may not be suitable in all areas of the Village because of the high water table.

The Village has several ordinances relating to connecting to municipal water and sewer services.

1. Sump Pumps are **NOT** allowed to be connected to the Village Sanitary Sewer (PW Ord §51.05 (A)).
2. All water taps and connections to the main lines of the Village shall be made by Village personnel (PW Ord §50.003 (C)).
3. All sewer taps shall be made under the supervision and be witnessed by the Village (PW Ord §51.04(L)).
4. 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.
5. All water & sewer installation will be inspected by the Village after completion.
6. Water service will not be turned on until the Village Manager or representative inspects and approves all connections.

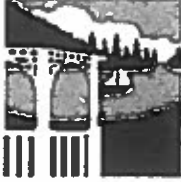
*** I, the applicant agree to adhere to all water & sewer requirements. Failure to do so may result in disconnection of services.**

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE DEMOLITION REQUIREMENTS

Applicant's Signature

Date

Property Address



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

ZONING PERMIT APPLICATION INFORMATION

SITE PLAN REQUIREMENT

1. Name of preparer
2. Date prepared
3. Survey or drawing of property
4. Scale used
5. North arrow
6. All existing structures
7. Proposed structures with dimensions
8. Setback (measured from eaves)
9. Road and easements adjacent to property
10. Natural features i.e.: lakefront, creeks, woodlots, etc.
11. Stake location of project for inspection

OTHER PERMITS THAT MAY BE REQUIRED

1. 347 Soil Erosion and Sedimentation – Drain Commissioner
2. Critical Dune-MDEQ
3. High Risk Erosion-MDEQ
4. Inland Lakes and Streams-MDEQ
5. House Number-Village
6. Driveway-Curbcut-Village DPW
7. Sewer Hookup(if not hooked up and within 200 feet of main)-Village DPW

APPLICATION INSTRUCTIONS

Property Owner

1. Name
2. Permanent home address if not local
3. Home and local phone numbers

Contractor

1. Name
2. Address
3. Phone

PROPERTY INFORMATION

1. Parcel number from property tax statement
2. Name of plat or subdivision
3. Block and lot number or legal description of property
4. Address of property if different from above
5. Current zoning

PROJECT INFORMATION

1. Proposed project dimensions of structures(s) with decks, porches, attached garages and/or accessory building(s) being applied for and fences, signs, or any demolition proposed.
2. Actual setbacks of the project

* According to the Pentwater Community Zoning Ordinance Section 19.07(F), "Within ten(10) days after receipt of the completed zoning permit application, the Zoning Administrator shall issue a zoning permit to the applicant or their duly authorized agent provided the dwelling, building or structure and land used thereof are set forth in the application are in conformity with the provisions of this Ordinance, and when such permit is refused, the Zoning Administrator shall state in writing with cause. The Zoning Administrator shall file one (1) copy of the application, with proper notations thereon or attached thereto relative to his/her approval or disapproval including the date thereof as record. A copy of the application shall be returned to the applicant with similar notation."

** Application Fee must be submitted per the fee schedule established by the Village of Pentwater



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, Michael Skinner am the legal property owner of
136 S. Wythe St., Pentwater, MI 49449.
Parcel # 044-699-002-00

I authorize Jeremy Horton 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:

GARAGE + Bonus Room ADDITION

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: Michael Skinner

Date: 08/30/17