



VILLAGE OF PENTWATER

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

Planning Commission Meeting Agenda January 26, 2020 - 6:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/89697257415?pwd=VllMYUl6NC9JQzVsM1ZjdnZPZjJZQT09>

(646) 558 8656 US (New York) Meeting ID: 896 9725 7415
Passcode: 880281

1. **Opening** – Welcome, Call to Order, Pledge of Allegiance, and Roll Call.
2. **Approval of Agenda and Minutes.**
 - A. Approval of Agenda.
 - B. Approval of Minutes of October 27, 2020.
3. **Public Comments.**
4. **Public Hearing** - None.
5. **Old Business** – None.
6. **New Business:**
 - A. Introduction of New Planning Commissioner Ronald Stoneman.
 - B. Consideration for the proposed 2021 Meeting Schedule.
 - C. Consideration for Zoning Ordinance Amendments to Sections 6.04.E and 7.04.E for waterfront setbacks.
 - D. Election of Chairperson to fill the remainder of Chairperson Ron Christians term expiring in May of 2021.
7. **Department/Committee Reports**
 - A. Zoning Administrator – See attached report.
 - B. Zoning Board of Appeals – The ZBA did not meet in November or December of 2020.
 - C. Master Plan Steering Committee – Chris Conroy.

Next Scheduled Planning Commission Meeting – February 23, at 6 pm

8. Communications from Planning Commission Members

9. Public Comments

10. Adjournment

Next Scheduled Planning Commission Meeting – February 23, at 6 pm

**RESOLUTION TO SCHEDULE THE
PENTWATER PLANNING COMMISSION
2021 MEETING SCHEDULE**

THEREFORE, BE IT RESOLVED that the 2021 Village of Pentwater Planning Commission meeting schedule shall be at 6:00 PM on the fourth Tuesday of the Month, specifically:

January 26, 2021
February 23, 2021
March 23, 2021
April 27, 2021
May 25, 2021
June 22, 2021
July 27, 2021
August 24, 2021
September 28, 2021
October 26, 2021
November 23, 2021
December 28, 2021

Approved by a Roll Call Vote of the Village of Pentwater Planning Commission as follows:

Yeas: _____

Neas: _____

Resolution Approved: _____, 2021

MEMORANDUM

To: Village of Pentwater Planning Commission

From: Keith Edwards, Zoning Administrator

Date: January 22, 2021

**Subject: Proposed Zoning Ordinance Amendment
Residential Waterfront Setbacks – R-2 and R-3 Zoning Districts**

Introduction

When the WD, Waterfront District Designation was removed from the Village and Township Zoning Ordinances in 2019, an unintended consequence was that the required distances for setbacks for residential waterfront created a conflict. When considering the placement of a single-family residential building on a waterfront lot, by definition, the front setback becomes the waterfront portion of the property and the rear setback becomes the street or road frontage portion of the property. This is not an issue in the Township as both the required front setback distances are the same at 30 feet. However, in the Village the required front setback distance is 17 feet (intended to be the distance from the street or road right-of-way line) and the required rear setback distance is 30 feet. The former WD, Waterfront District regulations had always required a 30-foot setback from the water's edge, and that requirement was transferred to Section 3.31, paragraph A.2 of the Zoning Ordinance. We have been able to maintain the 30-foot from the water's edge for all subsequent recent developments, however, it is important to remove this ambiguity in our Zoning Ordinance by correcting the District Regulations for the R-2 Single Family Residential and R-3 Multiple Family Residential Zoning Districts.

Proposed Amendment

The attached proposed amendment would add clarity to the charts in the R-2 (Section 6.04.E) and R-3 (Section 7.04.E) Zoning District Regulations regarding the required setback distances for the front (water side) and rear (road side) of a waterfront lot.

Process

Should the Planning Commission agree with the proposed Zoning Ordinance Amendment, a public hearing must be held by the Planning Commission regarding the proposed amendment prior to the Planning Commission making a recommendation to the Village Council.

At this time, please consider scheduling a public hearing on the proposed amendment for the Planning Commission's next scheduled meeting, February 23, 2021.

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 Hancock Street, Pentwater, Michigan, on the ____ day of _____, 2021, at 6:00 p.m.

PRESENT: Members: _____

ABSENT: Members: _____

The following ordinance was offered by Member _____ and seconded by Member _____:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE VILLAGE ZONING ORDINANCE

[Setbacks for Waterfront Lots in the R-2 District and for Residential Dwellings, except Multiple-Family Dwellings, in the R-3 District]

THE VILLAGE OF PENTWATER ORDAINS:

Section 1. The table provided in Section 6.04.E of the Village zoning ordinance shall be amended to provide that front yard setbacks and rear yard setbacks in the R-2 Single-Family Residential District shall read as follows:

Front yard setback	17 feet – but 30 feet for the front yard (the water side) of a waterfront lot	
Side yard setback	6 feet	15 feet
Rear yard setback	30 feet -- but 17 feet for the rear yard (the road side) of a waterfront lot	

Section 2. The table provided in Section 7.04.E of the Village zoning ordinance, with respect to Residential Dwellings, Except Multiple Family Dwellings, shall be amended to provide that the front yard setback and rear yard setback requirements with respect to Residential Dwellings, Except Multiple Family Dwellings, in the R-3 district shall read as follows:

Front yard setback	17 feet – but 30 feet for the front yard (the water side) of a waterfront lot	
Side yard setback	6 feet	15 feet
Rear yard setback	30 feet -- but 17 feet for the rear yard (the road side) of a waterfront lot	

Section 3. **Effective Date.** This ordinance shall become effective seven (7) days after its publication or seven (7) days after the publication of the summary of its provisions in a local newspaper of general circulation in the Village.

AYES: Members: _____

NAYS: 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



VILLAGE OF PENTWATER

ON PENTWATER LAKE AND LAKE MICHIGAN
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ZONING ADMINISTRATOR'S REPORT January 6, 2021

The following is a summary of activity conducted by the Zoning Administrator in December 2020.

Code Enforcement – Nothing to report at this time.

Planning Commission - The Planning Commission did not meet in December. Chairperson Ron Christians had to resign due to his new position as an Oceana County Commissioner. Thus, the Planning Commission seeks another member. Vice-Chairperson Michelle Angell-Powell is expected to chair the next meeting, currently scheduled for January 26, 2021.

Zoning Board of Appeals - The Zoning Board of Appeals did not meet in December. The ZBA is in need of two alternate members.

Zoning Permits

While I issued only one Zoning Permit in December, 2020 was a banner year for Zoning Permits as I issued 51 of them, a 40-45% increase over our average of 35-38 permits.

1. ZP 20-52 was issued for a wall sign for the new Painted Frog Gallery in the former Bitchi'n Kitchen space at 320 S. Hancock.

Other

I have begun to move the Village Zoning Office to the Township Hall. The move had been delayed somewhat by the necessity to be in quarantine as two members of my family tested positive for the Covid-19 virus on December 31, 2020. I hope to be back at it January 11, 2021, according to CDC guidelines. I also hope to be stepping up our efforts to get the Master Plan "Done in 21".

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator