



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 February 23, 2021, 2020 - 6:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/82934711761?pwd=WlpXcmxzYjVkM3I2bHREK01uK2VNUT09>

(646) 558 8656 US (New York) Meeting ID: 829 3471 1761
Passcode: 044443

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 January 26, 2021.
3. **Public Comments.**
4. **Public Hearing** - None.
5. **Old Business** – None.
6. **New Business:**
 - A. Proposed Lot Split – Eric & Jennilee Norris, 64-044-712-001-00 a.k.a 438 S. Rush St.
7. **Department/Committee Reports**
 - A. Zoning Administrator – See attached report.
 - B. Zoning Board of Appeals – The ZBA did not meet in January, 2021.
 - C. Master Plan Steering Committee – Chris Conroy.
8. **Communications from Planning Commission Members**
9. **Public Comments**
10. **Adjournment**

Next Scheduled Planning Commission Meeting – March 23, 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
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Regular Meeting Minutes – January 26, 2021

Vice Chairperson Michelle Angell-Powell called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:04 pm, via Zoom, with the Pledge of Allegiance.

ROLL CALL

Present: Bruce Koorndyk, Michelle Angell-Powell, Mary Temple, Chris Conroy, and Amy Roberson.

Absent: Paul Anderson and Ron Stoneman.

Staff Present: Keith Edwards, Zoning Administrator.

APPROVAL OF AGENDA

Motion by Koorndyk, second by Conroy to approve the Agenda as presented.

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

APPROVAL OF REGULAR MEETING MINUTES

Motion by Conroy, second by Koorndyk to approve the October 27, 2020 regular meeting minutes.

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

PUBLIC COMMENTS - None

PUBLIC HEARING - None.

OLD BUSINESS - None.

NEW BUSINESS:

A. Introduction of new Planning Commissioner Ron Stoneman.

Michelle Angell-Powell introduced Ron Stoneman as the newest member of the Planning Commission who is fulfilling the position vacated by former Chairperson Ron Christians who was elected as an Oceana County Commissioner. Michelle Angell-Powell provide Ron Stoneman's background and information about his employment as the Superintendent of Manistee Public Schools.

B. Consideration for the proposed 2021 Meeting Schedule.

Motion by Conroy, second by Temple to approve resolution for the 2021 Planning commission meeting schedule.

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

C. Consideration for Zoning Ordinance Amendments to Sections 6.04.E and 7.04.E for waterfront setbacks.

The Zoning Ordinance amendment prepared by the Village Zoning Attorney Mark Van Allsburg seeks to reiterate the required waterfront setback as given in Section 3. within the R2, Single Family Residential District (Section 6.04.E) Regulations, and R3, Multiple Family Residential District (Section 7.04.E) Regulations for the purpose of providing clarity within the Zoning Ordinance.

A public hearing is required to be held by the Planning Commission prior to making a recommendation to the Village Council on the Zoning Ordinance Amendment.

Planning Commissioners recommended a change to the amendment text to include the necessary headings to the table of Regulations for of each of the above District Regulations.

Motion by Koorndyk, second by Temple to schedule the required public hearing for the above-described amendment as changed by Planning Commission discussion for February 23, 2021.

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

D. Consideration for Chairperson to fill the remainder of Ron Christians term as Chairperson expiring in May of 2021.

Vice Chairperson Michelle Angell-Powell nominated Bruce Koorndyk to fulfill the remaining term of former Chairperson Ron Christians. Chris Conroy added her support for the nomination. Bruce Koorndyk accepted the nomination after discussion.

Motion by Angell-Powell, second by Conroy to elect Bruce Koorndyk to fulfill the Chairperson position on the Planning Commission until May 31, 2021.

Voice Vote: Aye: 4 Nay: 0 Absent: 2 Abstain: 1 (Koorndyk) Motion passed.

COMMITTEE/DEPARTMENT REPORTS

- A. Zoning Administrator** – Mr. Edwards’ written report was accepted by the Planning Commission.
- B. Zoning Board of Appeals** – No ZBA meeting was held in October through December 2020.
- C. Master Plan Steering Committee** – Chris Conroy provided an update of the work of the Master Plan Steering Committee (MPSC) adding that the issue of the lack of childcare should be added to the overall goals as recommended by young families.

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS – None.

PUBLIC COMMENTS - None.

ADJOURNMENT - The meeting was adjourned by Vice Chairperson Michelle Angell-Powell at 6:40 PM.

Respectfully Submitted,
Keith Edwards, Zoning Administrator

February 2, 2020

Approved by the Village of Pentwater Planning Commission on _____.

MEMORANDUM

To: Village of Pentwater Planning Commission
From: Keith Edwards, Zoning Administrator, Village of Pentwater
Date: July 14, 2017
Subject: **Proposed Lot Split – 438 S. Rush, Property Tax ID No. 64-044-712-001-00**

Introduction

Eric & Jennilee Norris, owners of the property known as 438 S. Rush St., on the east side of Rush St. between Fourth and Fifth Streets, in the Village of Pentwater are seeking approval to divide the existing property into two properties.

Background

The existing property known as 438 S. Rush Street consists of Lots 1, 2, 7 and 8 of Block 42 of the original plat of the Village of Pentwater, and the southerly half of vacated Fourth Street and the western half of the vacated Ellery Street adjacent thereto (please refer to the attached survey). The existing property is approximately 1.125 acres or 49,005 sq. ft. in area, with approximately 165 feet of frontage along Rush Street. The property is located within the R2, Single Family Residential Zoning District, where the minimum lot area of 8,000 sq. ft. and a minimum lot width of 66 feet is required for single-family residential uses.

The existing residence is located on the south side of the property and is comprised of a home with attached garage. The detached shed north of the house is proposed to be removed from the proposed new property.

This property also contains frontage along the Pine Creek to the rear of the existing home, and it roughly bisects the property from north to south.

Discussion

The subject property is located within the R2, Single Family Residential Zoning District which requires a minimum of 8,000 sq. ft. of land area and a minimum lot width of 66 feet. The applicants propose to split or divide the property into two properties of unequal size. The smallest of the two, shown as 'Parcel A' on the attached survey has a proposed lot area of approximately 18,216 sq. ft. or 0.42 acres with a lot width of 69 feet on the Rush Street side of the lot. 'Parcel B' is proposed to contain the remainder of the property at approximately 30,789 sq. ft. or 0.71 acres with a lot width of 96 feet. Thus, both proposed lots would meet the

minimum requirements for the R2, Single Family Residential Zoning District for single-family residential use.

Additionally, Section 3.27 of the Zoning Ordinance requires that no parcel shall be created with a lot depth that exceed 4 times the lot width. Both proposed lots meet this requirement. This accounts for the "L" shaped portion of the rear yard of the remainder lot.

Lastly, Sections 150.35 – 150.37 of the Code of Ordinances for the Village of Pentwater require that:

1. No lot shall be provided into more than four parts; and,
2. Each new lot shall meet the minimum width and area of the Zoning Ordinance.

Both of the above requirements of the Code of Ordinances for the Village of Pentwater would be met based on the applicant's proposal. Additionally, the property is served by both municipal sanitary sewer and potable water.

Process

Although the Lot Split process is the sole responsibility of the Village Council, it has been the practice of the previous Zoning Administration to forward Lot Split requests to the Planning Commission for review against the Zoning Ordinance. After Planning Commission review and recommendation, the proposal must be forwarded to the Village Council for review and approval.

Recommendation

Staff recommends the Planning Commission consider a recommendation to the Village Council to approve the proposed lot split for 64-044-580-109-00, a.k.a. 438 S. Rush Street, as proposed into two lots as shown on the attached application and survey prepared by Hepworth Land Surveying, LLC on August 27, 2020.



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ZONING ADMINISTRATOR'S REPORT February 3, 2021

The following is a summary of activity conducted by the Zoning Administrator in January 2021.

Code Enforcement – Nothing to report at this time.

Planning Commission - The Planning Commission met via Zoom on January 26, 2021 to:

- Introduce new member Ron Stoneman;
- Approve the 2021 meeting schedule;
- Consider a Zoning Ordinance amendment for clarification on waterfront setbacks; and,
- Elect Bruce Koorndyk as the Chairperson – fulfilling Ron Christians vacancy until May 31, 2021.

Zoning Board of Appeals - The Zoning Board of Appeals did not meet in January, 2021. The ZBA is in need of two alternate members.

Zoning Permits

The following Zoning Permits were issued in January, 2021:

1. ZP 21-01 was issued for the demolition of the home and garage at 1040 Chester Street.
2. ZP 21-02 was issued for a 12' x 12' shed at 301 Sixth Street.
3. ZP 21-03 was issued for the repair and expansion of an existing deck at 522 N. Morris St.

Other

None.

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator

**VILLAGE OF PENTWATER
 PETITION TO DIVIDE, SPLIT OR OTHERWISE ALTER EXISTING
 PROPERTY BOUNDARIES IN THE VILLAGE**

Parcel Number _____
 Name: _____
 Date: _____

Eric + Jennilee Norris
 (Applicant)

438 S. Rush St
 (Address)

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

231-869-3124
 (Telephone)

ejnkr5@gmail.com
 (E-mail)

OFFICE USE ONLY	
Application number	_____
Date Rec'd	_____
Fee Rec'd	_____
Approval Date by Planning Commission	_____
Approval Date by Village Council	_____
Date Recorded	_____

APPLICANT'S CAPACITY IF NOT PROPERTY OWNER (circle one):

Builder / Have Option to purchase / Agent / other _____

PROPERTY OWNER:		Eric + Jennilee Norris	
PROPERTY ADDRESS:		438 S. Rush St Pentwater MI 49449	
PARCEL NUMBER:		64-044-712-001-00	
RECORDED PLAT OR SUBDIVISION NAME:		Village of Pentwater	
BLOCK:	42	LOT(S):	8
		*OR ATTACH LEGAL DESCRIPTION	
ZONING DISTRICT:	R2	PRESENT USE:	Single Family Residential
WATER: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		SEWER: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
CURRENT STRUCTURE ON LOT		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>shed. To be removed</i>	

SETBACKS FROM PROPERTY LINES OF CURRENT STRUCTURES:

PRINCIPAL BUILDING

FRONT: 5 ft.	RIGHT SIDE: 14 ft.	LEFT SIDE: 23 ft.	REAR: > 30
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ACCESSORY BUILDING

FRONT:	RIGHT SIDE:	LEFT SIDE:	REAR:
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PURPOSE OF PETITION: To divide and sell
parcel A.

(Attach sheets if necessary)
(attached)

ATTACHED 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*
(attached)

ATTACH A TENTATIVE PARCEL MAP DEPICTING THE PROPERTY, including dimensions, layout of the alteration(s), and connecting streets/alleys/easement.
(attached)

ATTACH LEGAL DESCRIPTION OF NEW PARCELS
(attached)

**A word document containing the current legal and proposed descriptions must be e-mailed to zoning@pentwatervillage.org*

NUMBER OF ATTACHED SHEETS: /

1. <input checked="" type="checkbox"/> Current Legal Description	Number of Pages:
2. <input checked="" type="checkbox"/> Proposed Project	Number of Pages:
3. <input checked="" type="checkbox"/> Survey	Number of Pages:
4. <input checked="" type="checkbox"/> Proposed Map	Number of Pages:
5. <input checked="" type="checkbox"/> New Legal Description	Number of Pages:
6. <input type="checkbox"/> Other:	Number of Pages:

AFFIDAVIT: I attest that the information on the petition is, to the best of my knowledge, true and accurate. Further, I agree that all applicable sections of the Pentwater Community Zoning Ordinance will be complied with. Also, I agree to give permission for officials of Village of Pentwater to enter the property subject to this application for purposes of inspection. Finally, 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, building code, deed restriction or other property rights.

Signed: Eric L. [Signature]

Date: 1-29-2021

**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**

OFFICE USE ONLY

HEARING DATE: _____

DATE SUBMITTED TO PLANNING COMMISSION: _____

[THIS FORM MUST BE DISTRIBUTED TO THE PLANNING COMMISSION WITHIN 30 DAYS OF RECEIPT]

OFFICE USE ONLY

Response requested from:
 DPW _____
 Police _____
 Fire PKS _____
 Other _____

Please attach your response and RETURN WITHIN 10 DAYS OF THIS REQUEST to the Zoning Administrator

