

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
March 22, 2022 - 6:00 P.M. – In Person
310 N. Rush Street – Park Place, Pentwater, MI 49449
Agenda**

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 25, 2022.
3. **Public Comments - For items on the agenda.**
4. **Public Hearing: None**
5. **Old Business: None**
6. **New Business:**
 - A. 77 Park Street – Request to expand nonconforming accessory building.
 - B. Discussion regarding the Future Land Use Map for the Master Plan.
 1. Chester Street north of the Township limits.
 2. Mears State Park and Village north of Park Street to Township limits.
 3. Village Core.
7. **Department/Committee Reports**
 - A. Zoning Administrator – See attached report.
 - B. Zoning Board of Appeals – The ZBA did not meet in January, 2022.
8. **Public Comments**
9. **Communications from Planning Commission Members**
10. **Adjournment**

Next Scheduled Planning Commission Meeting – April 26, 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 – January 25, 2022

Chairperson Bruce Koorndyk called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:03 pm, in-person at Park Place, 310 N. Rush Street, Pentwater, with the Pledge of Allegiance.

ROLL CALL

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

Absent: Paul Anderson.

Staff Present: Keith Edwards, Zoning Administrator and Rande Listerman, Village Clerk.

APPROVAL OF AGENDA

Motion by Stoneman, second by Temple to approve the agenda as presented.

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

APPROVAL OF REGULAR MEETING MINUTES

Motion by Angell-Powell, second by Conroy to approve the January 6, 2022, regular meeting minutes.

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

PUBLIC COMMENTS FOR ITEMS ON THE AGENDA - None

Seeing no hands raised for public comment, Chairperson Koorndyk closed public comment.

PUBLIC HEARING - None

OLD BUSINESS - None

NEW BUSINESS

A. 2022 Planning Commission Meeting Schedule

Resolution by Temple, second by Roberson to approve the 2022 Planning Commission Regular Meeting Schedule, as amended to change the proposed November 22, 2022 meeting to November 29, 2022.

Roll Call Vote: Aye: 6 Temple, Roberson, Stoneman, Angell-Powell, Conroy, &
Koorndyk
Nay: 0 Absent: 1 Motion passed.

B. Existing and Future Land Use Discussion.

Using digital and hard copy maps, Zoning Administrator Keith Edwards provided an overview of existing land use within the village and discussed the highlights of his memorandum on Land Use dated January 25, 2022. The presentation focused on three general areas of the Village including Chester Street north of the Township limits; Mears State Park and north of Park Street to the Township limits; and, The Village Core – south of Park Street to Pentwater Lake and Victoria Street.

The presentation also included discussion of the GIS map layers that have been created as part of the Master Plan process including base mapping information, environmental conditions, future land use and zoning. Existing land use was also discussed using a hard-copy map from the previous master plan.

Planning Commissioners were asked to write down their answers to specific questions given in the written memorandum dated January 25, 2022 as prepared by Mr. Edwards, and to return their answers as soon as possible to the him. An electronic copy of the memorandum was also emailed to each Planning Commissioner to make it easier to submit their answers to the questions. The answers received will be discussed at a future meeting.

COMMITTEE/DEPARTMENT REPORTS

A. Zoning Administrator – Mr. Edwards' written report was accepted by the Planning Commission.

B. Zoning Board of Appeals – The Zoning Board of Appeals did not meet in January, 2022.

PUBLIC COMMENTS:

Karl Schrumpf of 214 S. Wythe asked if the Planning Commission has looked at where the creek crosses Sixth Street and the adjacent wetlands/floodplain areas.

Amanda Lewandowski of 338 E. Sixth Street informed the Planning Commission that she would be sending a report on marijuana dispensaries via email.

Michelle-Angell Powell left the meeting at 7:17 pm.

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS - None

ADJOURNMENT

Motion by Stoneman, second by Conroy to adjourn the meeting at 7:22 pm.

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

Respectfully Submitted,
Keith Edwards, Zoning Administrator

February 1, 2022

Approved by the Village of Pentwater Planning Commission on _____.

DRAFT

MEMORANDUM

To: Village of Pentwater Planning Commission

From: Keith Edwards, Zoning Administrator

Date: March 15, 2022

**Subject: Proposed garage remodel
Nonconforming Building
77 Park St., Village of Pentwater – 64-044-686-077-00**

Introduction

Pam Omer, owner of 77 S. Park St. (on the southwest side of Park and Carroll Streets), just east of Hancock Street seeks to add a 16 ft. x 4 ft. (64 sq. ft.) addition onto the rear of the exiting detached. The property is located within the R2, Single Family Residential Zoning District.

The existing detached garage is constructed less than 6 ft. from the west side property line. Please refer to the enclosed survey, and Planning Commission approval is required in order to issue a Zoning Permit for the proposed addition.

Background

Because the required side setback for an accessory building of this size is 6 ft., and the exiting garage was constructed on an angle, not parallel to the west property line, the requested addition had to be shortened so as not to exacerbate the nonconforming situation.

Section 3.24.B.1 of the Zoning Ordinance states that “Non-conforming building(s) or structures may only be extended, enlarged, altered, remodeled or modernized when the Planning Commission determines that the following conditions are met:”. I have summarized those conditions in the discussion below.

Details of the Nonconformity and Zoning Ordinance Standards Review

The required side setback from the west property line for the existing detached accessory building is 6 feet. The existing north side setback is approximately 4 ft. The proposed design of the 64 sq. ft. addition will not exacerbate the existing nonconformity along the west property line.

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 addition 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.

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.

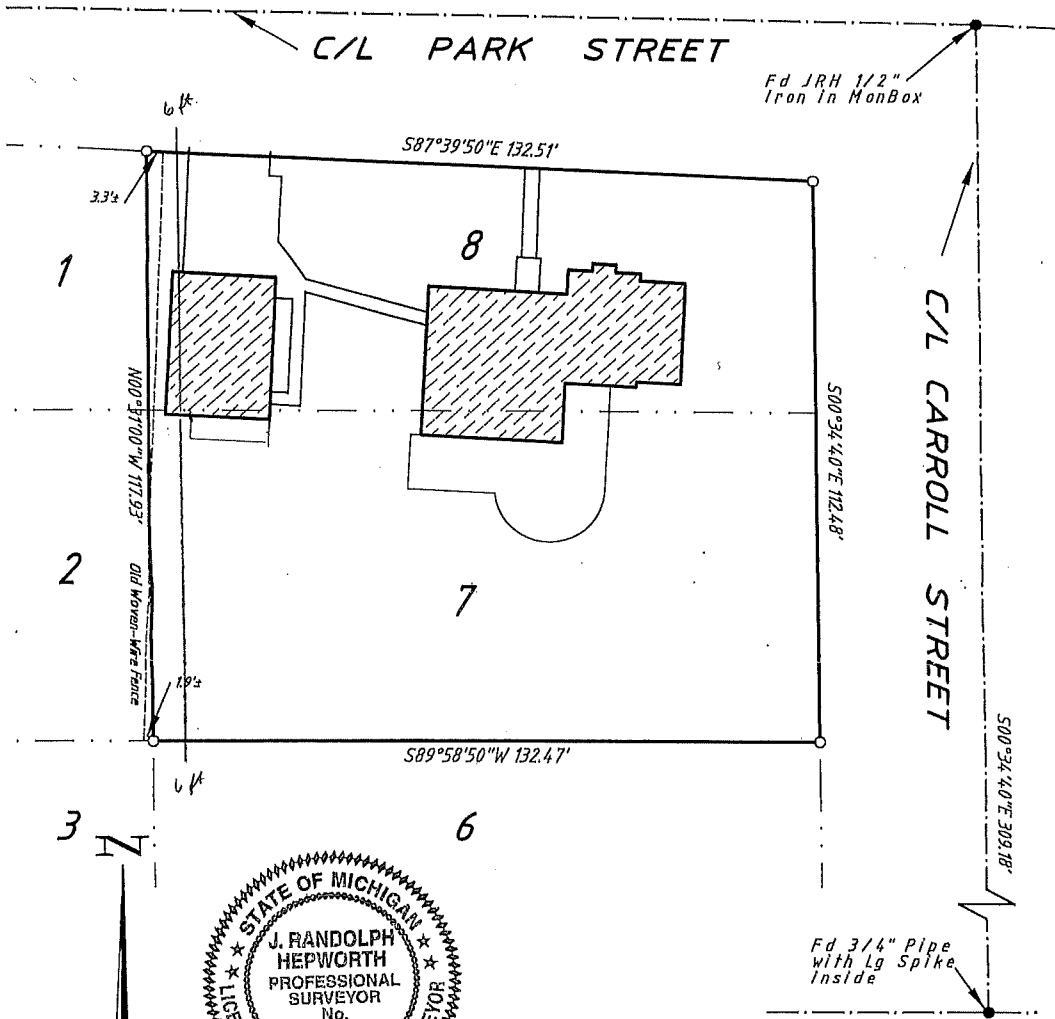
This requirement is met since the proposed addition does not further encroach upon the west side setback.

Recommendation

At this time, I recommend the Planning Commission consider approval of the requested addition to the existing detached garage for 77 Park Street, in accordance with Section 3.24.B, paragraph 1.a. through 1.d, and paragraph 8.

CERTIFICATE OF SURVEY

Lot 7 and fractional Lot 8 of Block 16 of the Plat of the VILLAGE OF PENTWATER, according to the recorded plat thereof, Village of Pentwater, Oceana County, Michigan



To Robert J. Cutler:

I hereby certify that to the best of my knowledge, information and belief I have surveyed and mapped the property as described and platted herein; that the ratio of closure of such survey was less than one part in 5000; and that I have substantially complied with the requirements of PA 132 of 1970 as amended.

Furthermore, if the Surveyor's signature is not purple colored, the plan is a copy that should be assumed to contain unauthorized alterations. This certification shall not apply to any copies.

J. Randolph Hepworth, PS 26457

BEARING BASIS - ASSUMED

- = SET 1/2" X 24" IRON
- = FOUND IRON



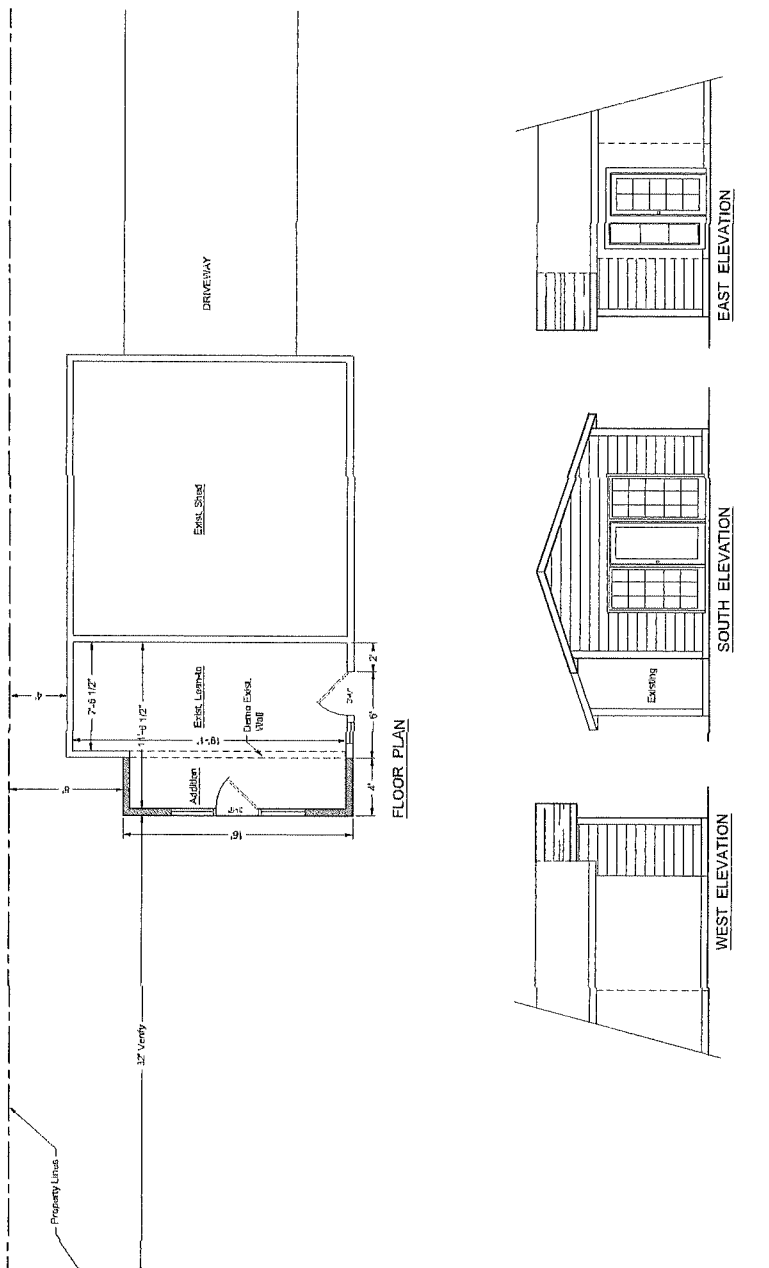
FOR:
ROBERT J. CUTLER

DWN BY: JRH CHK:

HEPWORTH LAND SURVEYING, LLC
 5774 WAYNE AVE
 PENTWATER, MI 49449

TEL 231-869-2391 FAX 231-869-4061

DISK: 278	CRD: S02001
SCR: S02001	
DATE: JANUARY 14, 2002	
JOB NO.: 02001	
SHEET 1 of 1	



PAM OMER	
4x16x8' SHED ADDITION	
Use Group: R-3	Construction Type: 55
Drawn By: S. Moore	Scale: 3/4" = 1'
Date: Feb. 17, 2022	Page: 1 of 1
BLACKMER CONSTRUCTION A Division of M. BLACKMER ELECTRIC, LLC 3310 W. Monroe Rd. Hart, NJ 08420 PH: 201-573-4361	

Pentwater Township
500 N. Hancock Street, P.O. Box 512, Pentwater, Michigan 49449
Phone (231) 869-6231

Website: www.pentwatertwp.org.

Email: zoningadministrator@pentwatertwp.org

APPLICATION FOR ZONING PERMIT

Date Application Prepared: 2-4-22 Application Fee \$ 40.00

Date Application Received: 2/4/22 Receipt No. 6221

Property Location Information

Parcel ID: 64 - 001 - _____ - _____ - _____ Property Address 77 DARK ST

Property Location CORNER OF PARK & CARROLL

Section No. _____ Subdivision Name _____

Applicant Information

Applicant (circle one):

Contractor Property Owner Other _____

BACANER PARK OWNER
(applicant)

77 PARK ST.
(address)

PENTWATER, MI 49449
(city, state, zip code)

(517) 449-0983
(telephone, home, cell and/or business)

IMDRAM@YAHOO.COM
(email address)

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

Phone (____) _____ - _____

Land Use and Zoning Information

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

Single Family accessory use.

Zoning Map Classification of Property: R2

Lot Area: 15,312 sq. ft. or acres. Lot width: 116 ft. Waterfront? Yes ___ No

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

construct new 4' x ~~20'~~^{16'} (80 sq. ft.) addition onto existing detached accessory building.

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 = NA ft. Proposed = ___ ft.

Front Setback: Required = 17 ft. Proposed = >17 ft.

Corner Lot? Yes No ___ Side Street Front Setback: Req. = 17 ft. Prop. = >17 ft.

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

Side Setback: Required = (S or W) 6 ft. Proposed = 8 ft.

Rear Setback: Required = 6 ft. Proposed = ___ ft.

Other Zoning Requirements:

Percent (%) Lot Coverage (Impervious Surface): Existing = 14 % Proposed = 14 %

Principal Building Area Required = 750 sq. ft. Proposed = NA sq. ft.

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

Acc. Building Area: Allowed = 1000 sq. ft. Proposed = 80 sq. ft.

Acc. Building Height: Allowed = 15 ft. from grade to peak. Proposed = <15 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 David J. Jones (Cutler)

Date: 2-4-22

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 Pentwater Township 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.

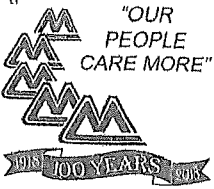
Applicant Signature  Date: 2/4/22

Property Owner Signature  Date: 2/4/22

Zoning Permit Approval

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

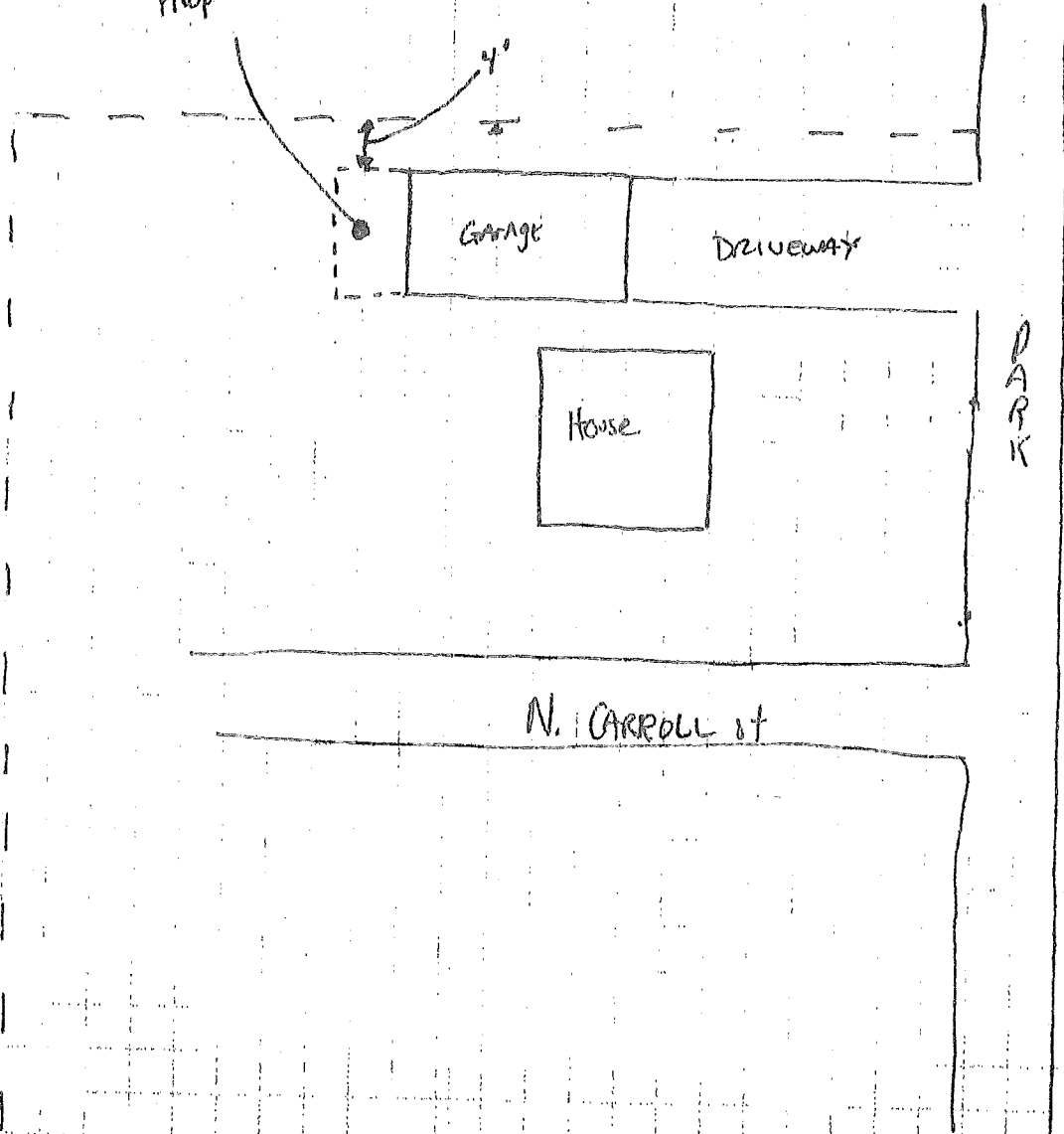
Signed: _____
Zoning Administrator



Medler Electric Company
 An Employee Owned Company
 www.medlerelectric.com



Proposed 4" extension



Corporate Office
 Alma, MI 48801 800-229-5740
 Alma Branch 800-322-9089
 Bad Axe, MI 800-968-1466
 Battle Creek, MI 800-632-1425
 Bay City, MI 800-322-4818
 Big Rapids, MI 800-442-2603
 Caro, MI 800-968-0824
 Lansing, MI 800-589-9416
 Lapeer, MI 800-968-3013
 Ludington, MI 800-511-2150
 Midland, MI 800-968-7202
 Mt. Pleasant, MI 800-221-0289
 Muskegon, MI 855-457-4019
 Port Huron, MI 800-968-4488
 Thiverville City, MI 800-632-1751
 West Branch, MI 800-322-0203



Remove Flat Roof
Extend Trusses to match existing

MEMORANDUM

To: Village of Pentwater Planning Commissioners

From: Keith Edwards, Zoning Administrator

Date: January 25, 2022, revised March 15, 2022

Subject: **Future Land Use Map Discussion**
Introduction and questionnaire

Introduction

An agenda item for the March 22, 2022 Planning Commission meeting will focus on the Future Land Use Map – the most important part of the Master Plan, which as you know is currently being revised. At the January 25, 2022 meeting this memorandum with questionnaire was handed out to all the Planning Commissioners in attendance at the meeting and sent to those absent via email, with the expectation that Planning Commissioners would return to the next meeting with answers to those questions. Unfortunately, the subsequent meeting of February 22, 2022 had to be cancelled due to weather. Five of the seven Planning Commissioners submitted their responses to the questions below and these will now be discussed at the March 22, 2022 Meeting of the Planning Commission.

Please feel free to make any notes to those questions below and we work through creating a new draft of the Future Land Use Map.

Discussion Areas

Chester Street north of the Township limits

This area is bound by Lake Michigan on the west, the Pentwater Channel to Pentwater Lake on the north, Pentwater Lake to the east and the southern Village limits (Township line). This area is characterized by:

- Solely single-family platted lots primarily located along the Pentwater Lake shoreline and Lake Michigan within the Critical Sand Dune area west of Chester Street.
- Larger single-family parcels exist west of Chester Street within the undeveloped areas of the Garrison Park and Oceana Beach platted subdivisions.

- The area is devoid of inland wetlands, and no High-Risk Erosion areas are mapped along the Lake Michigan shoreline in this area.
- There are no multiple-family, commercial or industrially used parcels within this area.
- The north-end of Chester Street has been improved as Chester Street Park within the right-of-way and includes pit-toilet style restrooms, and a viewing area of the Channel and Pentwater Lake. A parking area within the Chester Street right-of-way has also been developed south of Chester Street Park. Chester Street Park is connected to the US Army Corps of Engineers constructed walkway adjacent to the Channel.
- There is no municipal sanitary sewer or water service to this area.

Here are some of the issues to consider when looking at this area for future land use:

- Many of the platted areas in the critical dunes are served by roads and drives that are not located within their respective platted right-of-ways. Much of the larger undeveloped areas have been preserved from development due to their ownership by the Oceana Beach and Garrison Park Associations. Future improvement (building) on these platted lots may be prohibited due to deed restrictions and/or requirements for legal access or means of access that are conforming to public or private road standards as stated within the Zoning Ordinance. Emergency vehicle access is also inadequate in many areas.
- Road ends where Manchester, Suffolk, Tamherst and Ware Streets terminate at Pentwater Lake could be considered for either public access opportunities or shoreline protection measures or some combination thereof.

Chester Street Area Questions:

1. Should these undeveloped areas of Oceana Beach and Garrison Park be considered for re-platting or another form of redevelopment scheme or left alone for future generations to deal with?

2. Are Medium Density Residential (MDR) single-family lots (8,000 sq. ft.) still the most appropriate use for these areas? Should the undeveloped areas be considered for Low Density single-family Residential Use?

3. Should any form of more intensive uses such as High Density Residential (HDR), multiple-family, commercial, mixed-use, or industrial uses be considered for this area?

4. Should this area be considered for service by municipal sanitary sewer or water services?

5. Should there be consideration for any improvements to the road ends at Pentwater Lake, or park improvements at Chester Street Park?

6. Any other comments or suggestions?

Mears State Park and Village north of Park Street to the Township limits

Mears State Park and a residential area (Campbell Park and Pentwater Heights) within the Critical Dunes flank the northwestern boundary of the Village adjacent to Lake Michigan in this area west of Hancock Street (Bus. RT US-31). The Campbell Park Subdivision is also subject to a small High Risk Erosion Area in the northwest corner of the Village adjacent to Lake Michigan.

The southern boundary of this area is the north side of Park Street, east of Hancock Street, and is completed by the northern Village limits (just south of the Township Cemetery), eastward to the Village limits at Oceana Street (56th Avenue).

This area is characterized by:

- The single-family residential areas east of Hancock Street and north of Park Street are part of plats with typically larger lots (>12,000 sq. ft.) than the Village core area south of Park Street. This area also includes High Density Residential uses including a manufactured home park (Lakewood MHP) and a multiple family residential development known as Summerview Apartments on Third Avenue northeast of the school.
- This area also includes Pentwater School (K-12), with its associated athletic fields, playground, and vacant property; the Pentwater Township Library; Park Place (a recently renovated event venue); the Artisan Center; the Fire Department; and, Municipal Well complex with water treatment facilities. Two former medical / dental offices located at the northeast corner of Sands and Hancock Streets have been repurposed as the Township Hall and a residence.
- Wetlands are limited to the area near northeast corner of this area, north of Sands Street and east of Hancock Street, and west of 56th Avenue.
- For the most part, municipal sanitary sewer and water services are limited or not available north of Sands Street or east of Rush Street.
- There are no commercial or industrially used parcels within this area.
- The current Future Land Use Map supposes an area of High Density Residential (8 dwelling units per acre), which is bisected by the Hanover Street right-of-way and includes the existing Summerview Apartments and vacant land owned by Pentwater School with limited access to municipal sanitary sewer and water utilities.
- Lastly, the North End Park is located at the north end of Wythe Street and Hancock Street.

Mears State Park and Village north of Park Street Area Questions:

1. Should these undeveloped portions of this area be considered for lower density residential uses?

2. Are Medium Density Residential (MDR) single-family lots (8,000 sq. ft.) still the most appropriate use for these areas that are currently Low Density and/or not services by municipal sanitary sewer or water?

3. Should any form of more intensive uses such as High Density Residential (HDR), multiple-family, commercial, mixed-use, or industrial uses be considered for this area? If so, where?

4. Should this area be considered for the extension of municipal sanitary sewer or water services? What would be the target area(s)?

5. Should there be consideration for any improvements to the roads, off-street trails, or North End Park?

6. Any other comments or suggestions?

Village Core

This area is bounded by Park Street in the north, the eastern Village limits, just east of Victoria Street, Pentwater Lake to the south and the Lake Michigan beach and Mears State Park on the west.

This area is characterized by

- Primarily by single-family residential uses within a traditional grid of streets (north of Sixth Street or Monroe) with approximately 300 ft. x 300 ft blocks. The residential areas south of Sixth Street and west of Dover Street with developed somewhat differently, but

still with Medium Density Residential (5 du/acre) plats. A multiple-family residential development is located on Clymer at Concord Street. Lites Woods, a planned unit development (PUD) which includes single and two-family residential units is located just north of Fifth Street and Clymer with vacant property along Clymer Street.

- There are also three High-Density Residential (condominium) developments along the Pentwater Lake shoreline adjacent to Downtown Pentwater. Additional shoreline development along Pentwater Lake includes a municipal and three two private marinas for pleasure craft including the Pentwater Yacht Club, and a municipal boat launch with parking off of Lake Road.
- Land use in the area is more diverse than the above areas and it is augmented with the community's only traditional downtown multi-use commercial district along Hancock Street from Lowell to Sixth Street. It contains the Village's only industrial site known as Pentwater Wire, the Post Office and all three of the churches within the Village limits.
- Municipal sanitary sewer and water serve the majority of the area but are somewhat limited east of Pine Creek and east of Clymer Street. Pine Creek and its associated wooded flood hazard area is the main natural area and also acts as the discharge from the Village of Pentwater Clean Water (sewage treatment) plant located just east of the Village limits within Pentwater Township.

Village Core Questions

- Should Low Density Residential uses be considered on the Future Land Use map for the area east of Clymer and north of Pine Creek?
- Are there any areas that should be considered for future High Density Residential uses?
- Should the Master Plan describe ways to accommodate "Missing Middle" housing such as duplexes, triplexes and quadplexes within existing single-family neighborhoods? If so, where?

- Should the Master Plan address “Tiny Houses”? In our case these would be dwelling units less than 750 sq. ft. at least and could be less than 600 sq. ft. (we will address Zoning Regulations in a subsequent conversation).
- Should the Master Plan address Accessory Dwelling Units (ADUs)? These are typically detached accessory buildings that are either converted into dwellings or built new as dwellings. Are there certain locations or conditions where these are most appropriate?
- Generally speaking, is parking a problem in “Downtown Pentwater”? If so, how should it be addressed?
- Should the “Downtown Pentwater” commercial area be expanded? If so, to what extent?
- We have briefly talked about a “Boutique Hotel” to be located in “Downtown Pentwater”. Would you please share any ideas as to where such a use would be appropriately located, and how guest parking should be handled?
- Is the Industrial classification the most appropriate Future Land Use Category for the block occupied by Pentwater Wire? If not, what should the future use of this property?
- Any other comments or suggestions?

Planning Commissioners are free to ask questions and discuss the future land use of these areas with each other. This exercise is intended to be informal, and public engagement is also appropriate, but such a request should be made with the attention of the Chairperson so that the meeting can be managed appropriately during the discussion.