



**VILLAGE OF PENTWATER  
Zoning Board of Appeals**

65 South Hancock Street – P.O. Box 622  
Pentwater, Michigan 49449  
(231) 869-8301

**Annual Meeting Minutes – June 21, 2022 in-person  
Park Place - 310 N. Rush St., Pentwater, MI 49449**

Chairperson Bainton called the annual meeting of the Pentwater Zoning Board of Appeals Meeting to order at 6:00 p.m. with the pledge of allegiance.

**ROLL CALL:**           **Present:** Nancy Ceton, Lisa McKinney, Bruce Koorndyk, Jim Young and Bill Bainton.

**Absent:** None.

**Alternates Jane Dosemagen was also present for the meeting.**

**Others present:**       Zoning Administrator Keith Edwards, and Deputy Clerk/Treasurer Kate Anderson.

**APPROVAL OF AGENDA:** *Motion* by McKinney, second by Ceton to approve the agenda as presented. Voice Vote: Ayes: 5, Nays: 0. Absent: 0. **Motion carried.**

**APPROVAL OF MINUTES of May 18, 2021:** *Motion* by Young, second by McKinney to approve the minutes of May 18, 2021 as submitted. Voice Vote: Ayes: 5, Nays: 0. Absent: 0. **Motion carried.**

**PUBLIC COMMENTS:** None

**UNFINISHED BUSINESS:** None

**PUBLIC HEARING – 721 E. Concord (Parcel ID No. 64-044-736-007-00)**

Chairperson Bainton asked Zoning Administrator Keith Edwards to present the highlights of his report which determined that the recent survey of the property requested by the new owners of the property, Chad and Jessica Cordes revealed that the property was actually short 21 sq. ft. of land area to meet the requirements of Section 704, paragraph E of the Zoning Ordinance for two units to be constructed within the R3, Multiple Family Residential Zoning District. Previous estimates of the property area included 16, 236 sq. ft. according to the Assessor's Record Card and the new owner's deed which claimed 14,810 sq. ft. Either of those land area calculations would have met the minimum of 12,000 sq. ft., however the property survey only revealed 11,979 sq. ft. which is 21 sq. ft. short of the required minimum. The R3 Zoning District does not allow for construction of a single-family residence.

Chairperson Bainton then referred to the applicant, Chad & Jessica Cordes for their explanation which reiterated that to the best of their knowledge at the time of purchase, the property included over 12,000 sq. ft. of land area. They also stated that their intent is to construct a building containing two attached dwelling units (duplex).

Chairperson Bainton opened the public hearing at 6:09 pm.

Mr. Dennis Veine of 65 Clymer Street said that the property was supposed to be for expansion of the adjacent apartments, and that his only concern was regarding storm water management. Mr. Edwards reported that review of storm water management will take place during site plan review by the Village Engineer and the Planning Commission which is the next step should the variance be awarded.

Seeing no other hands in the audience from persons who wished to speak, Chairperson Bainton closed the public hearing at 6:14 pm.

**CORRESPONDENCE / PUBLIC COMMENTS:** Mr. Edwards said he received one note of correspondence from the notices mailed from Tim & Hanne Kelley of 692 E. Concord who indicated that they have no concerns with the request and are delighted with the prospect of new neighbors.

**NEW BUSINESS:**

**A. Variance Request for 721 E. Concord – 21 sq. ft. of land area.**

*Motion* by Young to grant the variance request for 21 sq. ft. as it pertains to the required minimum land area to meet the requirements of Section 704, paragraph E of the Village of Pentwater Zoning Ordinance, second by Ceton.

Discussion: (Members reviewed Section 18.08.A Standards for Dimensional Variances)

**Condition #1: (Section 18.08 A (1)):** “Granting the variance will not be contrary to the public interest and will ensure that the spirit of this Ordinance is observed.”

Comments: All agree not contrary to public interest.

**Condition #2: (Section 18.08 A (2)):** “Granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or in the district in which the subject property is located.”

Comments: Yes, all agree, will not cause an adverse effect to property in the vicinity, especially since it is adjacent to existing apartments.

**Condition #3: (Section 18.08 A (3)):** “The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practicable.”

Comments: Yes, all agree, this is the first time such a request has been heard.

**Condition #4: (Section 18.08 A (4)):** “That there are practical difficulties in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the vicinity in the same zoning district. Exceptional or extraordinary circumstances of conditions include:

- a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance;
- b. Exceptional topographic conditions;
- c. By reason of the use or development of the property immediately adjoining the property in question; or

- d. Any other physical situation on the land, building or structure deemed by the Board of Appeals to be extraordinary.

Comments: Yes, all agree, the property narrows from the north to the south lot line, resulting in new information regarding the size of the property.

**Condition #5: (Section 18.08 A (5)):** “That granting such variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district.”

Comments: Yes, all agree, especially because a single-family dwelling is not permitted within the R3, Multiple Family Zoning District.

**Condition #6: (Section 18.08 A (6)):** “That the variance is not necessitated as a result of any action or inaction to the property prior to the variance request by the applicant or his/her representative.”

Comments: All agree. The conditions for the request were clearly not the result of any action of the applicant (new property owners).

**Roll call vote:** Young, yes; Ceton, yes; McKinney, yes; Koorndyk, yes; Bainton, yes.  
Ayes: 5. Nays: 0. Motion passed. Variance Approved for 721 E. Concord Street.

**B. 2022-2023 Meeting Schedule – Motion** by Koorndyk, to approve the 2022-2023 Meeting Schedule. Bainton seconded the motion. Voice Vote: Ayes: 5, Nays: 0. Absent: 0. **Motion carried.**

**C. Election of Officers –**

**a. Motion** by Koorndyk to re-elect Bill Bainton as Chairperson, Young seconded the motion. Voice Vote: Ayes: 5, Nays: 0. Absent: 0. **Motion carried.**

**b. Motion** by Bainton to re-elect McKinney as Vice-Chairperson, Young seconded the motion. Voice Vote: Ayes: 5, Nays:0, Absent: 0.

**ADJOURNMENT:** Chairperson Bainton adjourned the meeting at 6:35 pm.

Respectfully submitted by:

Keith Edwards, Zoning Administrator  
Village of Pentwater

July 1, 2022

Approved by the Zoning Board of Appeals on September 20, 2022.