



VILLAGE OF PENTWATER
Zoning Board of Appeals
ON PENTWATER LAKE AND LAKE MICHIGAN
327 South Hancock Street – P.O. Box 622
Pentwater, Michigan 49449
(231) 869-8301 – FAX (231) 869-5120

Meeting Minutes – November 20, 2018

Chairperson Castor called the meeting of the Pentwater Zoning Board of Appeals Meeting to order at 7:00 PM followed by the Pledge of Allegiance.

ROLL CALL: Present: Bruce Koorndyk, Bill Bainton, Nancy Ceton and Mike Castor.
Absent: Bill O'Donnell and Jim Young

Others present: 863 Park Street residents Dayna and Ray Hasil, and Zoning Administrator Keith Edwards.

APPROVAL OF AGENDA: Motion by Ceton, second by Bainton to approve the agenda as presented. Voice vote: Unanimous. **Motion carried.**

APPROVAL OF MINUTES of September 5, 2018: Motion by Ceton, second by Koorndyk to approve the September 5, 2018 minutes as presented. Voice vote: Unanimous. **Motion carried.**

PUBLIC HEARING – 863 PARK STREET (PARCEL 64-044-620-116-25)

Motion to open the Public Hearing by Koorndyk, second by Bainton. Voice vote all Ayes.
Motion carried.

Zoning Administrator Keith Edwards stated the purpose of the variance request for 863 Park Street is to allow the applicant to construct a covered front porch across a good portion of the facade across the home. Report was received and placed on file. New information was provided by the applicant including a revised site plan showing the location of the survey stakes at the northeast and northwest corners of the property. It was then discovered that the existing home was built in a location nonconforming to today's required front setback of 17 feet. The existing home is located only 13.5 feet from the front property line. Therefore, the site plan was referred to the Planning Commission on October 17, where the Planning Commission approved an expansion of the front porch along the same plan of the existing covered stoop. Thus, the applicant is seeking a 3.33-foot variance for the remainder of the depth of the proposed covered front porch.

Applicant comments from Dayna Hasil, 863 Park Street, said they purchased the house in January 2018. She explained the house was constructed in 1927 and provided the appropriate documentation. She also provided a revised site plan and photographs shown the front lot line and proposed new porch. They also redesigned the porch with the same eight-foot wide covered deck space across the front but with a 16-inch overhang to match the existing overhang of the house.

Motion to close the Public Hearing by Koorndyk, second by Ceton. Voice vote all Ayes.
Motion carried.

CORRESPONDENCE / PUBLIC COMMENTS: Mr. Edwards said there were several emails of correspondence, all of which are in support of the variance request. Copies of the emails were placed at your place prior to the meeting this evening.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. Variance Request for 863 Park Street

Motion by Mr. Young to approve the variance request for 863 Park Street, second by Mr. Koorndyk. Discussion followed using the worksheet, which will be part of the public record.

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.

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.

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 adjoin 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.

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.

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. No impact.

Roll call vote: Koorndyk, yes; Bainton, yes; Ceton, yes, Castor, yes.
Ayes: 4. Nays: 0. Motion passed.
Variance Approved for 863 Park Street

ADJOURNMENT: There being no further business, Ceton moved to adjourn the meeting, seconded by Koorndyk. Motion passed unanimously and the meeting adjourned at 7:55 pm.

Respectfully submitted by:

Keith Edwards, Zoning Administrator
Village of Pentwater

November 28, 2018

Approved by the Zoning Board of Appeals on May 21, 2019.

DRAFT