

*PENTWATER TOWNSHIP
ZONING BOARD OF APPEALS
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July 9, 2015

Jean Russell called the Pentwater Township Zoning Board of Appeals meeting to order at 7:00 Pm The Pledge of Allegiance was recited. Jean Russell asked for Roll Call.

Roll Call

<i>Jean Russell</i>	<i>Present</i>
<i>Dave Spitler</i>	<i>Present</i>
<i>Dan Kelly</i>	<i>Present</i>
<i>Mike Flynn</i>	<i>Present</i>
<i>Randy Hepworth</i>	<i>Present</i>

Keith Edwards the new Zoning Administrator was present at the meeting.

We had Pam Kell, Ralph and Mary Kayler, Duane Hamburger, Paula DeGregorio, and Mr. and Mrs. Harry. Laffkas in attendance.

Old Business

None

New Business

Jean Russell stated the meeting tonight is a Public Hearing for a Variance requested by Ralph and Mary Kayler. The Property Id # is 64-001-002-100-19 which is in Duna Vista Resorts. The request is for a ten (10 ft.) front setback variance in order to construct a single family home. Jean Russell stated all the members had a diagram of the property mentioned. Jean Russell asked if the Kayler's had any comments. Jean Russell asked if any of the people present at the meeting would like to review the diagram of the property. Jean Russell would like to hear from the Zoning Administrator Keith Edwards before opening up the Public Hearing, Keith Edwards stated he received replies back from people who were notified living within 300 feet of the said requested Variance.

The first reply was from Dr. Robert Fitzpatrick who did not support. The second reply was from Duane and Ellen Hamburger who did not support. The third reply was from Harry Laffkas who did not support. See attached letters from the people who did not support who had written reason for not supporting the variance.

Keith Edwards stated he did receive information from the architect Mr. Dodds and he indicated the 10 foot variance was not correct. The request is for 13 feet. Keith Edwards stated this variance needs to be tabled until a corrected request is put in the newspaper and posted for two weeks and the Public Hearing will be rescheduled. Jean Russell stated the variance request will be tabled until it goes thru the proper procedure again.

Harry Laffkas would like to ask some questions before the meeting is rescheduled. Mr. Laffkas asked if the variance was to the eaves or the building. Per Jean Russell it was to the eaves. Ms. Russell stated in the drawing the eaves were unclear so variance might be even more than requested. Mary Kayler stated she would like to have the Architect at the next meeting. Jean Russell stated the Architect should be present to address questions from the Zoning Board.

Randy Hepworth states the plan stated the overhang is outside the 17 feet. Per Keith Edwards the Township Ordinance states to the drip edge of the overhang. Need to check with the Architect regarding the drainage issue with the new build. Mr. Laffkas asked about the fire lane. Jean Russell stated it would not interfere. The fire lane goes to the property line not to the middle of the road.

Dan Kelly stated easements have been mentioned by all the owners in the area. Dan Kelly see's nothing stated at all regarding easements. How have they been granted and how they are used. Dan Kelly stated he would like information regarding the easements. Jean Russell asked if Duna Vista had anything written regarding the easements on the property. Per Duane Hamburger there are none. Duane Hamburger will look and see if Duna Vista has any in place. Per Ralph Kayler the houses where the Kaylers and other residents live are not a part of Duna Vista but they pay Dues and use the facilities by paying dues. Duane Hamburger states you have to abide by Duna Vista rules and bylaws. The Road to the homes is a series of easements.

Jean Russell would like information on easements, drainage, and have their Architect present. Also the drawing from the DEQ as to where they could build a house. Jean Russell asked the Kayler's to find a date when the property they want to build on was purchased.

Dan Kelly made a motion to table the issue until a new Public Notice is sent out and the applicants bring in more documentation. Dave Spitler seconded. All ayes and the motion passed.

Mike Flynn made a motion to adjourn and Dave Spitler seconded. All ayes and the meeting adjourned at 7:43 Pm.

Respectfully submitted by,

Date

Janet K. Schomberg, Recording Secretary

Approved by the ZBA - August 25, 2015