

**PENTWATER TOWNSHIP
ZONING BOARD OF APPEALS
327 S. HANCOCK – P.O. BOX 512
PENTWATER, MICHIGAN 49449
TELEPHONE (231) 869-6231 FAX (231) 869-4340**

November 10, 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

Randy Hepworth	Present
Dan Kelly	Present
Dave Spitler (Alternate)	Present
Mike Flynn	Present
Jean Russell	Present
Paula DeGregorio	Excused

Keith Edwards the Zoning Administrator was present at the meeting.

APPROVAL OF THE MINUTES

Jean Russell asked for approval of the minutes from the August 25, 2015. Jean Russell made note of a couple of corrections. Randy Hepworth made a motion to approve with corrections and Dan Kelly seconded. All ayes and the minutes were approved with added corrections.

APPROVAL OF THE AGENA

Jean Russell asked for a motion to approve the Agenda. Jean Russell made a motion to approve the Agenda and Dave Spitler seconded. All ayes and the Agenda was approved as written.

OLD BUSINESS

Jean Russell stated they received word back from the Planning Commission and their recommendation was that "nothing" would be allowed in the required side setback area. They will need to set up a date to have a hearing to finalize the discussion and make a decision for the Cameron variance request. Dan Kelly stated we need to have this hearing as soon as we have an available date. Randy Hepworth asked if anyone had spoken to Rich Johnson regarding this issue. The definition states nothing can be in the side yard setback. Randy Hepworth is questioning what does "nothing" mean? Dave Spitler stated he has dealt with issues in the Village with air conditioners.

NEW BUSINESS

The applicant, Harbor Design and Construction on behalf of James and Joyce Jacques are requesting an Interpretation of the Zoning Ordinance, Chapter 3 –General Provisions, Section 3.02 et. Seq. Maximum Permitted Building Height. Jean Russell asked if Jeremy Horton or Bert Stephany had anything they wanted to share with the Zoning Board. They are requesting an exemption for building height for a residence being built, property number 64-001-350-002-00, it is located in the McCall Estates Subdivision lots 2 & 15 on Timber Shores Drive. Access to the residence is off Lansing Road. The Ordinance states the property has a 30 ft. height requirement. The request is for a 38.5 feet to accommodate a penthouse containing a staircase and elevator to the roof top deck and a mechanical room. Mike Flynn had questioned where the average grade of the property was? Dan Kelly had questions regarding a 216 sq. ft. Mechanical Room on the top level. Mike Flynn feels the neighbors view will be blocked.

The board asked what would be housed in the Mechanical Room. It will have a furnace, air conditioning, hot water heater, stairwell with an Elevator. Randy Hepworth states as long as the room is just used for a mechanical room.

Jean Russell is asking for a motion regarding the request for an interpretation. Dan Kelly made a motion that this should be brought to the Zoning Board of Appeals as a variance and not made a blanket interpretation. Jean Russell seconded.

ROLL CALL VOTE

Randy Hepworth	Yes
Mike Flynn	Yes
Jean Russell	Yes
Dan Kelly	Yes
Dave Spitler	No (Reason Mechanical Issue)

Per Jean Russell the motion passed.

Jean Russell made a motion to adjourn and Dave Spitler seconded. The meeting adjourned at 8:27 pm.

Respectfully submitted by

Date

Janet K. Schomberg, Recording Secretary

12-07-2015

Minutes approved as amended by the Zoning Board of Appeals on December 15, 2015