

PENTWATER TOWNSHIP
327 SOUTH HANCOCK STREET P.O. BOX 518
PENTWATER, MICHIGAN 49449
(231) 869 6231 FAX (231) 869 4340

Zoning Board of Appeals Meeting
Tuesday, July 16, 2019

CALL TO ORDER

Jean Russell called the meeting to order at 7:00 pm. Jean Russell asked for the Pledge of Allegiance.

ROLL CALL

Jean Russell	Present
Randy Hepworth	Present
Mike Flynn	Present
Terry Cluchey	Present
Glenn Beavis	Excused

Keith Edwards the Zoning Administrator was present at the meeting.

APPROVAL OF THE MINUTES

Jean Russell asked that the minutes from the June 18, 2019 meeting be approved. Randy Hepworth made a motion to approve and Mike Flynn seconded. All ayes and the minutes were approved as written.

OLD BUSINESS – None

NEW BUSINESS

7a. 5869 W. Longbridge Road

Property ID #64-001-374-006-00, N. 206 ¼ feet W. 198 feet of Lot 6 of Block 74, Mears Addition to Middlesex Plat.

The applicant is requesting to add a covered porch to the existing nonconforming (1,024 sq. ft.) detached accessory building (pole barn). The applicant seeks to add a 10ft. x 32 ft. (320 sq. ft.) covered but unenclosed porch.

Mike Flynn stated this variance if approved would show improvement. Terry Cluchey had no questions.

Jean Russell asked for a roll call vote according to the review standards for variances in Section 18.08 of the Zoning Ordinance:

1. Granting the variance will not be contrary to the public interest and will ensure that the spirit of this Ordinance is observed.

Vote: Mike Flynn	Yes
Randy Hepworth	Yes
Jean Russell	Yes
Terry Cluchey	Yes

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.

Vote: Mike Flynn	Yes
Randy Hepworth	Yes
Jean Russell	Yes
Terry Cluchey	Yes

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.

Vote: Mike Flynn	Yes
Randy Hepworth	Yes
Jean Russell	Yes
Terry Cluchey	Yes

4. That there are practical difficulties in the way of carrying out the strict letter of these regulations which re 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 or 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.

Vote: Mike Flynn Yes
 Randy Hepworth Yes
 Jean Russell Yes
 Terry Cluchey Yes

- 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.

Vote: Mike Flynn Yes
 Randy Hepworth Yes
 Jean Russell Yes
 Terry Cluchey Yes

- 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.

Vote: Mike Flynn Yes
 Randy Hepworth Yes
 Jean Russell Yes
 Terry Cluchey Yes

Jean Russell asked for any written responses from the public:

- Lynn M. Bergren, 5828 W. Longbridge - Supports request.
- Carolyn Augustine, 5832 Longbridge - Supports request.
- Gary Liebert, 5844 Longbridge - Supports request.
- Paula Ellis, 5837 Longbridge - Supports request.
- Doug Irvine, 5844 Longbridge - Supports request

Randy Hepworth made a motion to approve the request for the 10 ft. x 32 ft. open and unenclosed porch addition to the west side of the existing nonconforming detached accessory building subject to the application submitted. Motion seconded by Jean Russell. The motion was approved unanimously.

7b. 5824 W. Longbridge,

Property ID #64-001-368-005-00, Mears Addition to Middlesex, E 12 Lot 5 & Lot 6 Except E 10 ft OF W 30 ft & Except Gamble S. D., BLK 68.

The applicant is requesting to remove the required breezeway between the Principal (main) building and the recently constructed accessory building.

Jean Russell asked for any comments from the Zoning Board. Seeing none, Jean Russell asked for a roll call vote on each item below in review of the standards for variances in accordance with the Zoning Ordinance in Section 18.08:

1. Granting the variance will not be contrary to the public interest and will ensure that the spirit of this Ordinance is observed.

Mike Flynn	Yes
Randy Hepworth	No
Jean Russell	No
Terry Cluchey	No

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.

Mike Flynn	Yes
Randy Hepworth	Yes
Jean Russell	Yes
Terry Cluchey	Yes

3. Mike Flynn Yes
Randy Hepworth Yes
Jean Russell Yes
Terry Cluchey Yes

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 or 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.

Mike Flynn	Yes
Randy Hepworth	No
Jean Russell	No
Terry Cluchey	No

- 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.

Mike Flynn	No
Randy Hepworth	Yes
Jean Russell	No
Terry Cluchey	No

- 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.

Mike Flynn	No
Randy Hepworth	No
Jean Russell	No
Terry Cluchey	No

Jean Russel asked if there were any responses from any people living within 300 ft of said variance request. Per Keith Edwards here are the responses.\

- 5795 W. Longbridge, Greg Lankfer – Supports request.
- 5828 W. Longbridge, Lynn Bergren – Supports request.
- 5832 W. Longbridge, Carolyn Augustine – Supports request.
- 5844 W. Longbridge, Douglas Irvine - Supports request.
- 5869 W. Longbridge, Terry Schrauben – Supports request.
- 5837 W. Longbridge, Paula Ellis – Supports request.

Mike Flynn made a motion to deny the applicant’s request to remove the breezeway between the home and accessory building. Randy Hepworth Seconded.

Jean Russell asked for a Roll Call vote:

Mike Flynn	Yes
Randy Hepworth	Yes
Jean Russell	Yes
Terry Cluchey	Yes

Motion Approved, and the request was denied, 4 to 0.

Jean Russell made a motion to adjourn the meeting. Terry Cluchey seconded. 4 votes in favor, zero against, the meeting ended at 7:45 Pm.

Respectfully submitted by,

Janet K. Schomberg, Recording Secretary, July 21, 2019

Approved by the Zoning Board of Appeals on _____.

Terry Cluchey, Secretary