

**PENTWATER TOWNSHIP  
500 N. HANCOCK ST.  
P.O. BOX 512  
PENTWATER, MICHIGAN 49449**

**Zoning Board of Appeals Meeting  
December 16, 2021 In-Person  
7:00 P.M.**

**CALL TO ORDER**

Jean Russell called the meeting to order at 7:00 pm.

**ROLL CALL**

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

Keith Edwards the Zoning Administrator was present during the meeting.

**APPROVAL OF MINUTES**

Randy Hepworth made a motion to approve the minutes of September 23, 2021 as written, and Glenn Beavis seconded. All ayes and the minutes were approved.

**APPROVAL OF THE AGENDA**

Jean Russell moved to approve the agenda of December 16, 2021, and Randy Hepworth seconded. All ayes and the agenda was approved.

**OLD BUSINESS – None**

## **NEW BUSINESS**

- 7a. **Nobles Residence – 6158 W. Longbridge Road, Property ID #64-001-370-007-00 part of Lot 7 & the west 30 feet of Lot 8 in Block 70 of the Mears Addition to Middlesex.**

The applicant is requesting to add 3 feet to the south side of the existing garage adjacent to Longbridge Road, thereby reducing the existing nonconforming 19.2 ft setback from the Longbridge Road right-of-way to 16.2 feet. Thus, the applicant is requesting a 13.8 - foot variance for the rear (roadside of this waterfront lot) setback, where Section 6.04.E of the Pentwater Township Zoning Ordinance requires a minimum of thirty (30) feet. If approved, the garage portion of the home would be within 16.2 feet of the south property line.

**Chairperson Jean Russell opened the public hearing at 7:10 pm and asked for comments from the public.**

Per Keith Edwards, Zoning Administrator, received two written responses, one from Nancy Szikszay of 6182 Longbridge Road and one from John Carnes of 6152 Longbridge Rd., both in favor of the request.

David Nobles and Greg Nielsen, the builder were both in the audience to support the request. There were no other members in the audience.

**Public hearing closed at 7:20 pm.**

Jean Russell asked for a voice vote from the ZBA members on each of the following Review Standards for variances in Section 18.08 of the Zoning Ordinance.

1. **First Standard – Practical Difficulty.** ZBA members found that the applicant purchased the home as it is currently constructed and that the current configuration of the home and the steep slope toward Pentwater Lake does not provide an opportunity to expand the existing attached garage except to expand toward Longbridge Road.

**VOTE: 5 Yes, 0 no – vote passes.**

2. **Second Standard – Special or Unusual Circumstances.** The existing garage has a set of interior stairs and a deck, that takes up interior space not allowing the applicant to park his extended half-ton truck fully inside the garage.

**VOTE: 5 yes, 0 no – vote passes.**

3. **Third Standard – Substantial Justice.** Since the applicant only expects to use the garage as a two-car garage, there is substantial justification for allowing the existing building to expand three feet toward Longbridge Road.

**VOTE: 5 yes, 0 no – vote passes.**

4. **Fourth Standard – Protecting Neighborhood Properties.** The Zoning Board of Appeals finds that the request will not generate substantial detriment or harm to other lands and uses, nor is the request contrary to the spirit and purpose of the Zoning Ordinance Regulations.

**VOTE: 5 yes, 0 no – vote passes.**

5. **Fifth Standard – Not Self-Created.** the Zoning Board of Appeals determines that the applicant or the applicant’s representatives were not involved in any action or inaction with respect to the property, prior to the variance request, where such action or inaction created the circumstances which prompts the variance request.

**VOTE: 5 yes, 0 no - vote passes.**

6. **Sixth Standard – Minimum Variance Necessary.** After review of the site plan submitted, the Zoning Board of Appeals finds the applicant is requesting the minimum variance necessary from current Zoning Ordinance provisions to afford the applicant the relief necessary by the requested variance.

**VOTE: 5 yes, 0 no – vote passes.**

7. **Seventh Standard – Voting.** Hepworth moved to grant a 140 sq. ft. variance from Section 3.08.D.2 of the Zoning Ordinance for the size of Accessory Buildings.

**VOTE: 5 yes, 0 no – Motion Passes.**

**ADJOURNMENT** – Randy Hepworth moved to adjourn the meeting at 8:00 pm. Glenn Beavis seconded. All Ayes and the motion to adjourn was approved.

Respectfully submitted by,

Keith Edwards, Zoning Administrator

December 21, 2021

Approved by the Zoning Board of Appeals on May 12, 2022.

Terry Cluchey, Secretary