

PENTWATER TOWNSHIP
500 North HANCOCK
P.O. BOX 518
PENTWATER, MICHIGAN 49449

Zoning Board of Appeals Meeting
March 18, 2021 Via Zoom
7:00 P.M.

CALL TO ORDER

Jean Russell called the meeting to order at 7:02 pm.

ROLL CALL

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

Keith Edwards the Township Zoning Administrator was present during the meeting.

APPROVAL OF MINUTES

Jean Russell asked that the minutes from the August 20, 2020 meeting be approved. Glenn Beavis made a motion to approve the minutes as written, and Terry Cluchey seconded. All ayes and the minutes were approved.

APPROVAL OF THE AGENDA

Terry Cluchey made a motion to approve the agenda as presented, and Randy Hepworth seconded. All ayes and the agenda was approved.

OLD BUSINESS – None

NEW BUSINESS

7a. Keith & Julie Miller, property owners of Lot 21 of Smith's Subdivision, Parcel ID No. 64-001-690-021-10, are requesting the following variances from the Pentwater Township Zoning Ordinance to construct a 1440 sq. ft. single family residential building with a garage on the first floor and a dwelling unit on the second floor:

1. Section 6.04.E requires that a minimum floor area of 750 sq. ft. of a residential dwelling be constructed on the first floor – where the owners propose to construct the residential dwelling on the second floor only; and,
2. Section 6.04.E requires a minimum front yard setback of 30 feet from the south lot line adjacent to Mohawk Drive, where 8 ft. is proposed, therefore, a 22 ft. variance is requested.

Chairperson Jean Russell opened the public hearing at 7:15 pm by asking Zoning Administrator Keith Edwards to read any public comments received into the record. Written comments were received from Barb Brown of 5757 W. Longbridge Road, in support of the request. John Faas of 5762 W. Longbridge Road submitted written comments that were delivered by hand to the Township offices whereby Mr. Faas expressed his support for the 8' setback from the Mohawk Street right-of-way and recommended that an alternative design of the building be considered. and asked for comments from the public.

John Faas arrived at the meeting at 7:25 pm to explain his comments.

Keith Miller gave a presentation of the proposal and feels that the design proposed is appropriate for the property and his needs.

Chuck Miller, who has worked in residential development and is the brother of Keith Miller was also online during the meeting.

Glenn Beavis commented that another design might be better in order to address the 750 sq. ft. dwelling on the first-floor rule. Terry Cluchey supported the comment.

Public hearing closed at 7:30 pm.

ZBA members discussed the south setback to the Mohawk Street right-of-way and Randy Hepworth moved to grant the 22 ft. variance to allow the 8' setback since the original plat did not adequately accommodate the later installed Mohawk Street to another adjacent plat. Motion was seconded by Terry Cluchey. All ayes and the motion was approved.

Randy Hepworth then introduced discussion regarding the design of the building into the hill which may define the lower (garage) level as a basement especially because there is a private road called Wintergreen on the west side of the property that the miller property has access too. Additionally, a review of the proposed grading on the site plan indicated that the lower (garage level) may qualify as a basement, thereby making what appears to be a second level actually the ground level as it presents to the private Wintergreen Road frontage on the west side of the lot. When asked, Mr. Edwards did not feel comfortable with the plans as submitted.

Glenn Beavis moved and Hepworth seconded a motion to postpone a decision on the requirement for 750 sq. ft. of residential space on the first floor until the next meeting which was scheduled for April 22, 2021.

All Ayes, and the motion was approved.

PUBLIC COMMENTS – None.

Jean Russell adjourned the meeting at 8:07 pm.

Respectfully submitted by,

Keith Edwards, Zoning Administrator

March 26, 2021

Approved by the Zoning Board of Appeals on April 22, 2021.

A handwritten signature in cursive script, appearing to read "Terry Cluchey", is written over a horizontal line.

Terry Cluchey, Secretary