PENTWATER TOWNSHIP

Planning Commission June 8, 2021 @ 6:00 P.M. In-Person

500 N. Hancock St. Pentwater, Michigan 49449

AGENDA

1. Opening

A. Call to Order with the Pledge of Allegiance and Roll Call.

2. Approval of Agenda, Minutes and Chairperson's Remarks

- A. Approval of the Agenda.
- B. Approval of the Minutes of the Regular Meeting held February 9, 2021.
- C. Chairperson's Remarks and report of members on potential conflict of interest.
- 3. Public Comment For Items not on the Agenda.
- 4. **Public Hearings** None.
- 5. Old Business None.

6. New Business:

- A. Proposed Nonconforming Building Expansion 9455 Montgomery Blvd. Harris Cottage Parcel ID No. 64-001-740-007-00 Whispering Sands.
- B. Proposed Nonconforming Building Expansion 5463 Ridge Road.

 Manley Cottage Parcel ID No. 64-001-586-005-00 Pleasant Beach Resort
- C. Consideration for the 2020 2021 Meeting Schedule.
- D. Election of Officers and ZBA Representative.

7. Department / Committee Reports

- A. Zoning Administrator See attached report.
- B. Zoning Board of Appeals See attached ZA Report.
- 8. Other Items from Planning Commission Members
- 9. Public Comment
- 10. Adjournment

Pentwater Township Planning Commission 500 N. Hancock Street Pentwater, Michigan 49449

February 9, 2021 via Zoom

Tony Monton called the Zoom meeting to order at 6:00 pm. The Pledge of Allegiance was recited.

ROLL CALL

Terry Cluchey

Present

Paula DeGregorio

Present

Heather Douglas

Present

Buz Graettinger

Present

Joe Beavan

Absent

Tony Monton

Present

Peter Zangara

Present

Keith Edwards the Zoning administrator was present at the meeting.

APPROVAL OF AGENDA, MINUTES AND CHAIRPERSON'S REMARKS.

Paula DeGregorio moved to approve the Agenda, seconded by Terry Cluchey. All ayes and the Agenda was approved.

Buz Graettinger made a motion to approve the minutes of November 19,2020 as submitted and Peter Zangara seconded. All ayes and the minutes of November 19, 2020 were approved.

Chairperson Tony Monton requested if there was any conflict of interest to be identified in accordance with the items on the meeting agenda. No conflicts of interest were identified. Tony also welcomed heather Douglas, the newly elected Township Treasurer to the Planning Commission.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA - None

PUBLIC HEARING - None.

OLD BUSINESS - None.

NEW BUSINESS

A. Site Plan Review of the Station Apartments, 9523 & 9531 N. Business Route US 31, Property ID Nos. 64-001-615-009-00, 64-001-616-001-00 and 64-001-616-016-00. Properties that were recently rezoned from R-2 and C1 to R-3, Multiple Family Residential.

Zoning Administrator Keith Edwards reviewed the Staff report regarding conversion of the former Main Event restaurant and apartments into nine (9) two-bedroom and three-bedroom apartments. After a short discussion, Buz Graettinger moved to grant site plan approval to the project subject to the conditions listed on page 7 of Staff's Site Plan Review Report dated February 2, 2021 and submitted for final approval by the Zoning Administrator. Heather Douglas seconded the motion. The conditions of site plan approval are:

The applicant must address all items listed in bold type above and resubmit the drawings for review by the Zoning Administrator, including, but not limited to the following:

- a. The existing distance between buildings A and B.
- b. Calculation of proposed final impervious surface of the property.
- c. Reconciliation of the survey and the site plan with respect to the location of buildings.
- d. Determination of any required barrier-free dwelling units and/or parking space requirements.
- e. Details of parking lot and any other exterior lighting.
- f. Cross-sections of the proposed parking area and access driveway improvements.
- g. Application to MDOT for required and proposed improvements in the Bus. Rt. US 31 right-of-way.

Vote: 6 ayes, 0 nays, 1 absent – Motion is approved.

B. Election of Planning Commission Secretary

Chairperson Tony Monton nominated Heather Douglas to serve as Planning Commission Secretary fulfilling the office vacated by Jan Siska, until the Annual Meeting of the Planning Commission in June, 2021.

Terry Cluchey moved to elect Heather Douglas as Secretary of the Planning Commission until June, 2021. Buz Graettinger seconded the motion.

Vote 6 Ayes, 0 nays, 1 absent. – Motion Passes.

DEPARTMENT COMMITTEE REPORTS

Keith Edwards' Zoning Administrator and ZBA reports were accepted by the Planning Commission.

OTHER ITEMS FROM PLANNING COMMISSION MEMBERS – None

PUBLIC COMMENTS – None

ADJOURNMENT

Peter Zangara made a motion to adjourn the meeting and heather Douglas seconded. All ayes and the meeting adjourned at 6:24 pm.

Respectfully submitted by,	
Keith Edwards, Zoning Administrator	February 16, 2021
Approved by the Planning Commission	
Secretary	 Date

MEMORANDUM

To:

Planning Commission

From:

Keith Edwards, Zoning Administrator

Date:

June 1, 2021

Subject:

9455 Montgomery Blvd. – Whispering Sands Subdivision

Request to remodel and enlarge a non-conforming building

Architect, Kevin Motyka, on behalf of the property owner Mary Pat Harris is requesting to remodel the existing cottage and enlarging the existing main level over the lower-level (basement) garage by 8 feet toward the east of Montgomery Boulevard. The existing building is non-conforming with respect to the existing north side setback.

According to the applicant's site plan, the existing house is within 8 feet of the adjacent property to the north of the subject site, where 10 feet is required.

The proposed project includes remodeling of both levels, adding a fireplace on the south side of the main level, as well as creating a master suite on the east end of the main level. Some other minor changes include replacement of a block retaining wall with wood and the replacement of the existing fireplace and chimney with a new fireplace. The existing nonconformities will not be expanded or exacerbated.

In accordance with Section 3.24 - Non-conforming Buildings and Uses, Paragraph B. Nonconforming Buildings or Structures, sub-paragraphs 1.a. - d:

B. Nonconforming Buildings or Structures

- 1. Nonconforming building or structures may only be extended, enlarged, altered, remodeled or modernized when the Planning Commission determines that the following conditions are met:
 - a. The building or structure shall comply with all height, area, and/or parking and loading provisions with respect to such extension, enlargement, alteration, remodeling or modernization.

This condition is met as the proposed addition to the main level over the garage will be 21 feet tall and will not exceed the 35 feet allowed. The required parking area remains within the existing garage.

b. The enlargement or extension is limited to the same parcel the nonconforming building or structure was located on at the time of the adoption of this Ordinance.

This condition is met.

c. The enlargement or extension will not interfere with the use of other properties in the vicinity.

This condition is met.

d. The enlargement or extension shall not exceed fifty percent (50%) of the GFA of the original building or structure when it became nonconforming; except that the Planning Commission may permit a greater percentage where all yard setbacks for the district in which the building is located are met without need of a variance to such setback(s).

The proposed main level expansion will add approximately 216 sq. ft. sq. ft. to the existing 1870 sq. ft of existing house, or 12%. Thus, this condition is met.

8. Where a building or structure is nonconforming for setback by a distance equal to or less than one-half (1/2) of the distance required by this Ordinance the nonconforming setback (may) be extended along the same plane as the existing nonconforming setback, provided that in so doing, the setback itself is not further reduced and all other required setbacks are met.

This condition is met according to the applicant's proposal since the proposed construction is will not exacerbate the existing nonconformities on the north and west sides of the buildings.

Additionally, the proposed addition will not increase the impervious surface of the property. Because the above listed conditions of Section 3.24.B.1a-1d and Section 3.24.B.8 are met according to my review, Staff recommends the Planning Commission consider approval of the proposed nonconforming building expansion for 9455 Montgomery Blvd.

Pentwater Township

500 N. Hancock Street, P.O. Box 512, Pentwater, Michigan 49449

Phone (231) 869-6231

Website: www.pentwatertwp.org.

Revised January 2021

Email: zoningadministrator@pentwatertwp.org

	APPLICATION FOR ZO	
Date Application Pre	pared: <u>6 May 2021</u>	\$125.00 Planning Commission Review Application Fee \$ 40.00 Zoning Permit
Date Application Rec	ceived:	Receipt No
	Property Location I	<u>nformation</u>
Parcol ID: 64 001		9455 Montgomery Blvd Pentwater, MI 49449
Property Location	Pentwater Township, Oceana Co	burity
Section No. 211	Subdivision Name Whispering S	ands
	Applicant Inform	<u>mation</u>
Applicant (circle one):		
Contractor	Property Owner	Other Architect/Agent
Kevin Motyka, Archite	ectural Classics, LLC	
(applicant)	0.11.004	
409 W Ludington Ave	Suite 204	
Ludington, MI 4943	1	
(city, state, zip code)		
231-845-3985		
(telephone, home, cell and/or	r business)	
klmo@mac.com		
(email address)		
Property owner's name	and address (if not the applicant)	
Mary Pat Harris		
385 Dorsey Lane	marypat.harris@icloud.com	
Virginia Beach, VA 23451		757-409-6031 Phone ()

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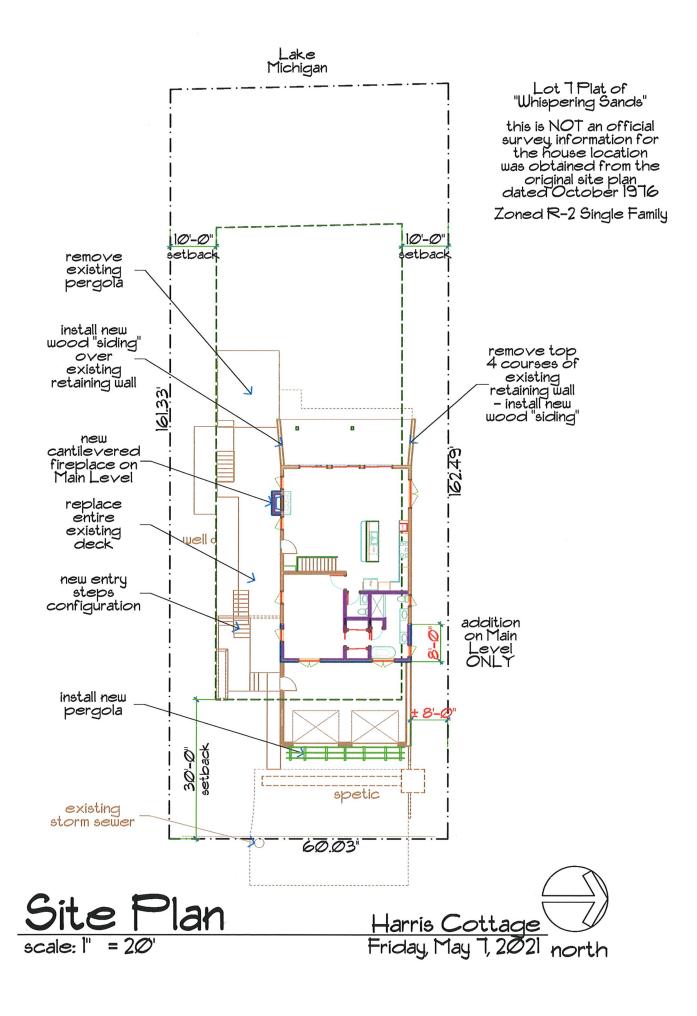
Land Use and Zoning Information

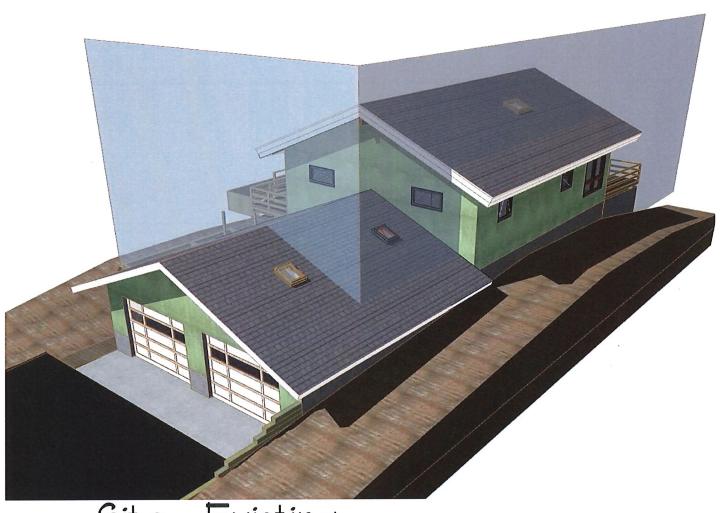
Proposed Land Use (i.e. Single, Duplex or Multiple Family Residential, Commercial or Industrial Use)
Single Family
Zoning Map Classification of Property: R-2
Lot Area:22 acres_ sq. ft. or acres. Lot width:60 ft. Waterfront? YesX No
Size(s) and Type(s) of building, addition, accessory building, deck, fence or other structure,
Please see attached Project Phasing Proposal. All activities need Pentwater Township Zoning Approval
Some activities need an additional EGLE permit. (Cantilevered fireplace and retaining wall modification.)
Minimum setbacks (Minimum 8 ^{1/2} x 11 inch Plot Plan or Sketch Required): (Setbacks for accessory buildings are measured from lot lines to the drip edge or eave of the building)
Waterfront Setback Required = 30 ft. Proposed =ft. Currently 20 ft. Addition will not change this.
Front Setback: Required = 30 ft. Proposed = ft.
Corner Lot? Yes No X Side Street Front Setback: Req. =ft. Prop. =ft.
Side Setback: Required = (N or E)ft. Proposed =ft.
Side Setback: Required = (S or W) 10 ft. Proposed = ft. Currently ± 8 ft. Addition will not change this.
Rear Setback: Required =ft. Same as waterfront
Other Zoning Requirements:
Percent (%) Lot Coverage (Impervious Surface): Existing = <u>±41</u> % Proposed = <u>±41</u> %
Principal Building Area Required = <u>750</u> sq. ft. Proposed = <u>1680</u> sq. ft.
Principal Building Height: Allowed = 35 ft. from grade to peak. Proposed = 21 ft. from grade to peak.
Acc. Building Area: Allowed = NA sq. ft. Proposed = sq. ft.
Acc. Building Height: Allowed = NA ft. from grade to peak. Proposed = ft. from grade to peak.
Zoning Variance Required? Yes No_X_
I Attest that the above information is true, to the best of my knowledge:
Applicant's Signature Date: 6 May 2021

Revised January 2021

<u>Miscellaneous</u>

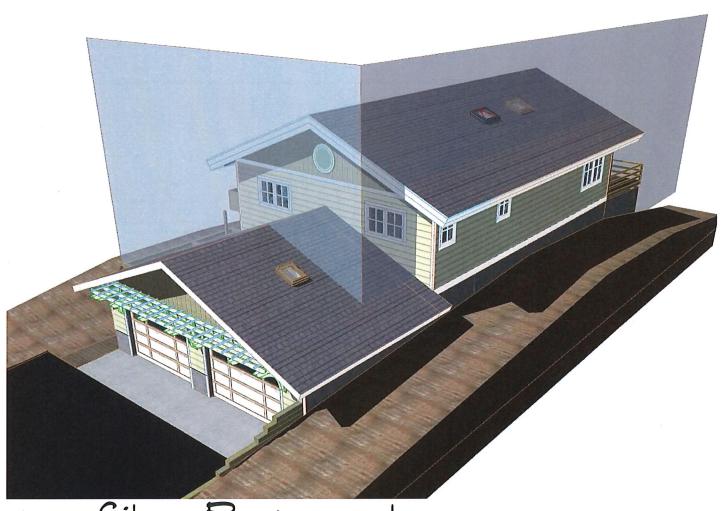
Check	all attached information:		
×	Plot Plan or Sketch of property and setbacks. Survey (if available).		
X	Building Elevation Drawings.		
П	Critical Dune Area, High-Risk Erosion Area or Wetlands? Yes_X_ No		
Ц	MDEQ, MDNR or USACE Permit Required? Yes No Yes, for part of the work		
Ц	Septic System – Requires DHD #10 Approval existing - NO change		
Ц	Sanitary Sewer? – Requires Pentwater Village Manager Approval existing - NO change		
Ц	Well - Requires DHD #10 Approval existing - NO change		
П	Municipal Water? – Requires Pentwater Village Manager Approval		
×	Soil Erosion Permit May be Required from Oceana County Drain Commissioner's Office Exemption Attached		
Ц	Date of Zoning Board of Appeals (ZBA) Meeting/Hearing 8 June 2021		
Ц	ZBA Decision		
Staff,	Authorization for On-Site Inspection gning below, the Applicant and/or Property Owner authorize Pentwater Township Elected or Appointed Officials permission to enter the property for the purposes of		
	tigating any question that they may have relative to this Zoning Permit Application. Cant Signature Date: 6 May 2021_		
Prope	erty Owner Signature See Attached Authorization Date:		
	Zoning Permit Approval		
Zoni	ng Permit No Date: Expiration Date:		
	Signed:Zoning Administrator		





Site - Existing

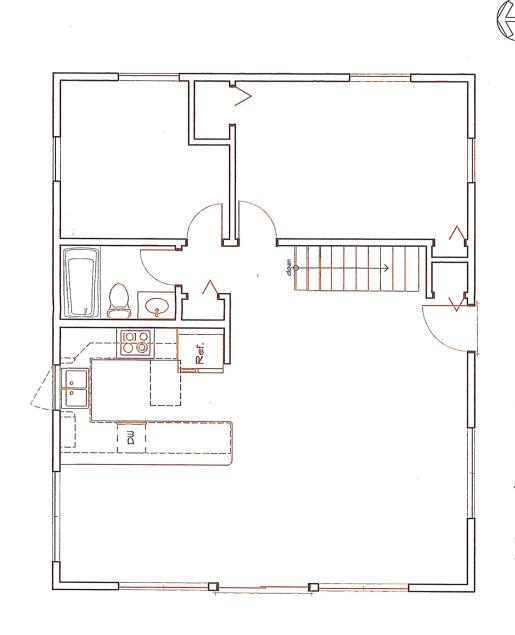
Harris Cottage Wednesday, May 5, 2021



Site - Proposed scale: Not To Scale

Harris Cottage Wednesday, May 5, 2021

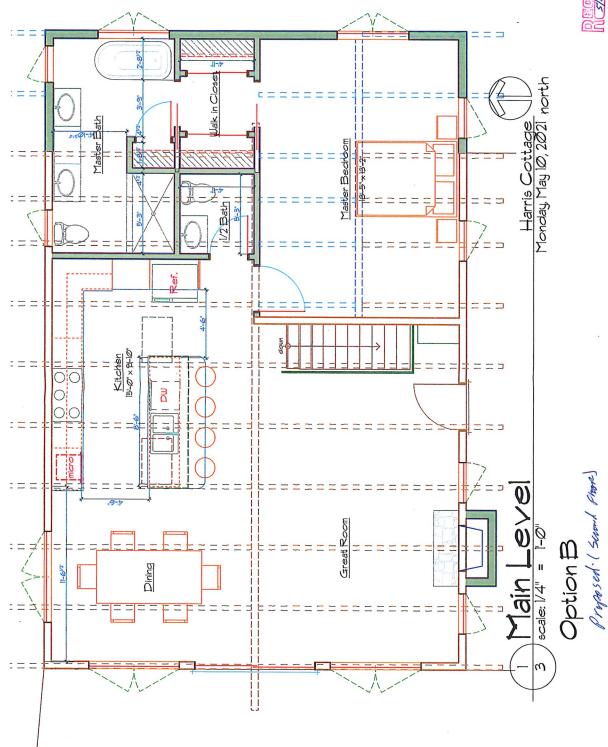


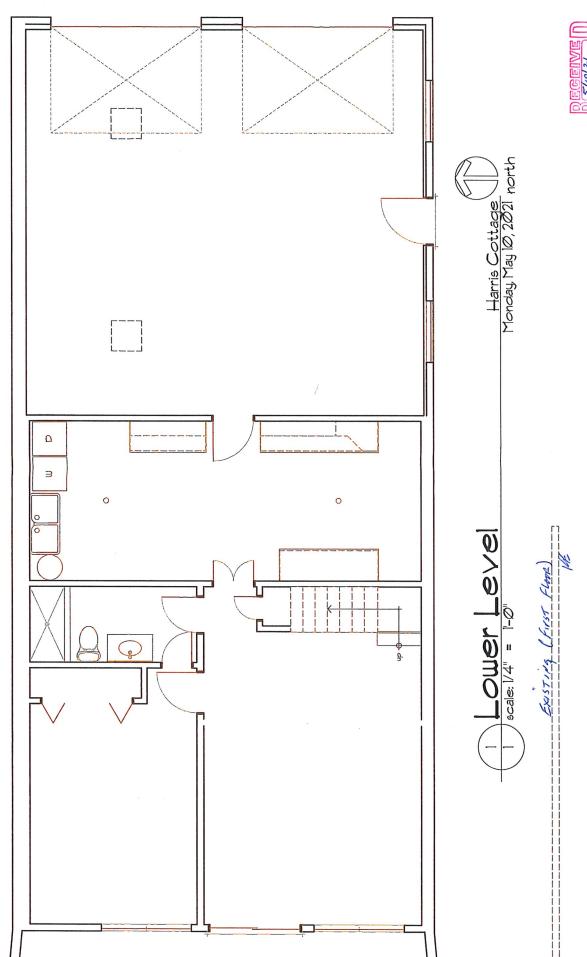


Harris Cottage
Monday May 10, 2021 north

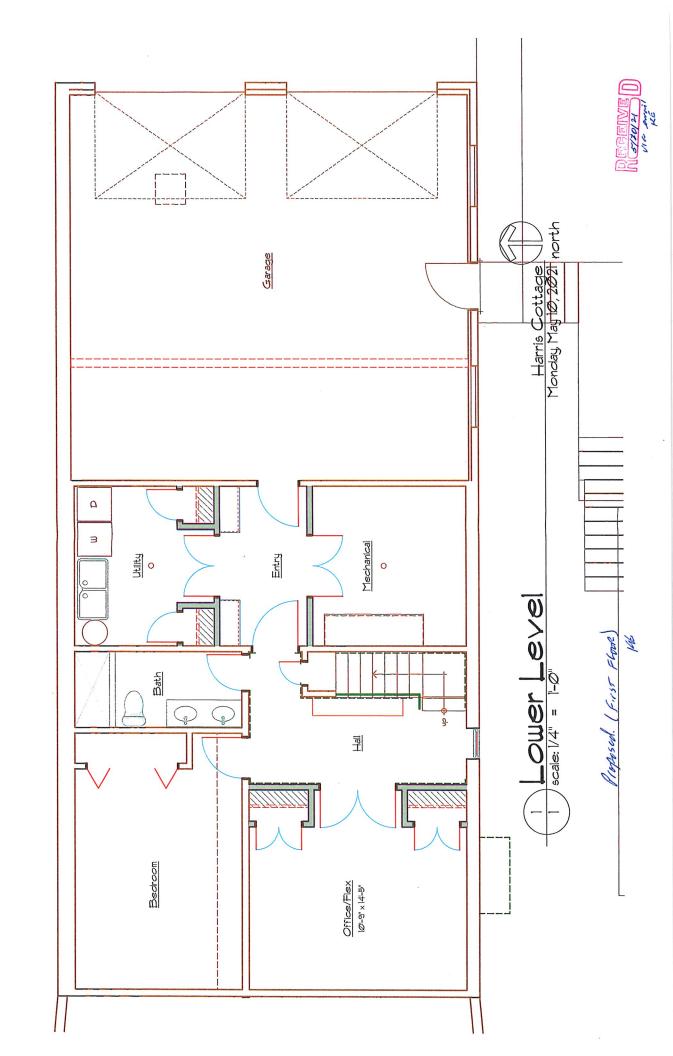
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MEMORANDUM

To:

Planning Commission

From:

Keith Edwards, Zoning Administrator

Date:

June 1, 2021

Subject:

5463 Ridge Road. – Pleasant Beach Resort Subdivision

Request to demolish, reconstruct and enlarge a nonconforming building. Parcel ID No. 64-001-586-005-00

Consultant Steve DeBrabander of Shoreline Development Assistance, on behalf of the property owners Frank and Jennifer Manley is requesting to demolish the existing cottage and reconstruct a new cottage with an expanded (conforming) foundation that will result in a home that is larger than the existing cottage.

According to the applicant's site plan, the existing house is within 3.68 feet of the adjacent property to the north of the subject site, where 10 feet is required.

The proposed project includes demolition of the existing single-story cottage with basement garage, rebuilding the majority of the new home in the same location as the existing cottage with a waterside addition, deck and covered front porch that conforms to the setback requirements. The existing nonconformities will not be expanded or exacerbated.

In accordance with Section 3.24.B, Nonconforming Buildings or Structures, and more specifically Sub-section 9, paragraph 'a',

"A single-family dwelling which is legally non-conforming as to setbacks and/or as to lot coverage may be voluntarily removed or demolished and replaced by a new single-family dwelling which has the same non-conforming setbacks and/or lot coverage as the prior non-conforming dwelling; provided, that the non-conformity shall not be increased".

Thus, Staff has gained sufficient information, subject to receipt of a sealed and signed survey, that this requirement can be met.

However, the applicant seeks to add onto the footprint of the home, where the proposed addition and new deck will conform to the current requirements of the Zoning Ordinance – see enclosed site plan. So, to accommodate the request for the addition to the new home that will be non-confirming as soon as it is reconstructed, Staff has also reviewed the project in accordance with the following provisions allowing nonconforming houses to expand:

In accordance with Section 3.24 - Non-conforming Buildings and Uses, Paragraph B. Nonconforming Buildings or Structures, sub-paragraphs 1.a. - d:

B. Nonconforming Buildings or Structures

- 1. Nonconforming building or structures may only be extended, enlarged, altered, remodeled or modernized when the Planning Commission determines that the following conditions are met:
 - a. The building or structure shall comply with all height, area, and/or parking and loading provisions with respect to such extension, enlargement, alteration, remodeling or modernization.

This condition is met as the proposed addition to the main level over the garage will be 31.5 feet tall and will not exceed the 35 feet allowed. The required parking area will be within the proposed basement garage.

b. The enlargement or extension is limited to the same parcel the nonconforming building or structure was located on at the time of the adoption of this Ordinance.

This condition is met.

c. The enlargement or extension will not interfere with the use of other properties in the vicinity.

This condition is met.

d. The enlargement or extension shall not exceed fifty percent (50%) of the GFA of the original building or structure when it became nonconforming; except that the Planning Commission may permit a greater percentage where all yard setbacks for the district in which the building is located are met without need of a variance to such setback(s).

The proposed expansion will add approximately 669.14 sq. ft. to the existing

1786.86 sq. ft of existing house, or 37%. Thus, this condition is met.

8. Where a building or structure is nonconforming for setback by a distance equal to or less than one-half (1/2) of the distance required by this Ordinance the nonconforming setback (may) be extended along the same plane as the existing nonconforming setback, provided that in so doing, the setback itself is not further reduced and all other required setbacks are met.

This condition is met according to the applicant's proposal since the proposed construction is will not exacerbate the existing nonconformities on the north side of the building.

Additionally, the proposed addition will increase the impervious surface of the property from 8.7% to 11.2%.

Because the above listed conditions of Section 3.24.B.1a-1d and Section 3.24.B.8 are met according to my review, Staff recommends the Planning Commission consider approval of the proposed nonconforming building expansion for 5463 Ridge Rd.

Pentwater Township 500 N. Hancock Street, P.O. Box 512, Pentwater, Michigan 49449

Phone (231) 869-6231

Email: zoningadministrator@pentwatertwp.org

APPLICATION FOR ZONING PERMIT		
Date Application Prepared: MAY 3, 2021 Application Fee \$ 40.00		
Date Application Received: Receipt No		
Parcel ID: 64 - 001 - 586-005-00 Property Address 5463 Ridge Road		
Property Location <u>Fentwater Twp.</u> Section No. 33 Subdivision Name <u>Pleasent Beach</u> Resort		
Applicant Information Applicant Information Applicant (circle one): Contractor Property-Owner Shoveline Development Assistance—Steve DeBrabancer (applicant) 635 Worthington Drive (address) LANSING, MI 48906 (city, state, zip code) Cell 517-Z85-4096 (telephone, home, cell and/or business) Shoveline Dev. Asst @ gmail. Com (email address)		

Good Did MT

Property owner's name and address (if not the applicant)

Website: www.pentwatertwp.org.

48438

_ Phone (<u>810) 874-6953</u>

Revised January 2021

Land Use and Zoning Information

Proposed Land Use (i.e. Single, Duplex or Multiple Family Residential, Commercial or Industrial Use)
Single Family home
Zoning Map Classification of Property: R-Z Single Family Residential
Lot Area: <u>43.63</u> sq. ft. or acres Lot width: ft. Waterfront? Yes X No
Size(s) and Type(s) of building, addition, accessory building, deck, fence or other structure,
Proposed: House on basement Foundation 1,406.08 sq. Ft
Deck on posts 232 sqft, Porch (covered) on-posts 144 sq. ft
Minimum setbacks (Minimum 8 1/2 x 11 inch Plot Plan or Sketch Required): (Setbacks for accessory buildings are measured from lot lines to the drip edge or eave of the building)
Waterfront Setback Required = 30 ft. Proposed = 92 ft.
Front Setback: Required = $\frac{30}{10}$ ft. Proposed = $\frac{92}{10}$ ft.
Corner Lot? Yes No Side Street Front Setback: Req. =ft. Prop. =ft.
Side Setback: Required = (Nor EY 10 ft. Proposed = 3.68 ft. (SAME AS CXISTING house)
Side Setback: Required = (Sor W) 10 ft. Proposed = 2.87 ft. (SAME as existing house)
Rear Setback: Required = 30 ft. Proposed = 100 ft.
Other Zoning Requirements:
Percent (%) Lot Coverage (Impervious Surface): Existing = 8.7 % Proposed = 1.2 %
Principal Building Area Required = $\underline{750}$ sq. ft. Proposed = $\underline{400}$ sq. ft.
Principal Building Height: Allowed = 35 ft. from grade to peak. Proposed = 313 ft. from grade to peak.
Acc. Building Area: Allowed = NA sq. ft. Proposed =sq. ft.
Acc. Building Height: Allowed = MR ft. from grade to peak. Proposed = ft. from grade to peak.
Zoning Variance Required? Yes No
Attest that the above information is true, to the best of my knowledge:
1100
Applicant's Signature
Date: 5-17-71

Revised January 2021

<u>Miscellaneous</u>

Check all attached information:
Plot Plan or Sketch of property and setbacks. Survey (if available).
Building Elevation Drawings.
Critical Dune Area, High-Risk Erosion Area or Wetlands? Yes No
MDEQ, MDNR or USACE Permit Required? Yes No Has been optowed
Septic System - Requires DHD #10 Approval DHD #10 Approval has been obtained
□ Sanitary Sewer? – Requires Pentwater Village Manager Approval
Well - Requires DHD #10 Approval Existing
☐ Municipal Water? – Requires Pentwater Village Manager Approval
Soil Erosion Permit May be Required from Oceana County Drain Commissioner's Office obtained
□ Date of Zoning Board of Appeals (ZBA) Meeting/Hearing
□ ZBA Decision
Authorization for On-Site Inspection
By signing below, the Applicant and/or Property Owner authorize Pentwater Township Staff, Elected or Appointed Officials permission to enter the property for the purposes of investigating any question that they may have relative to this Zoning Permit Application.
Applicant Signature Date: 5-17-21
Property Owner Signature Date:
Zanta Barrett A
Zoning Permit Approval
Zoning Permit No Date: Expiration Date:
Signed:
Zoning Administrator

Frank and Jennifer Manley 9350 Hegel Road Goodrich, MI 48438 January 19, 2021

To whom it may concern:

RE: 5463 Ridge Road

64-001-586-005-00

Section 33, T16N, R18W

Pentwater Township

Oceana County

With this letter I hereby authorized Mr. Steve DeBrabander of Shoreline Development Assistance to act as my agent to pursue the issuance of all necessary permits/approvals to construct new home, septic system and driveway on the parcel listed above.

Please contact me if you have any questions regarding this matter.

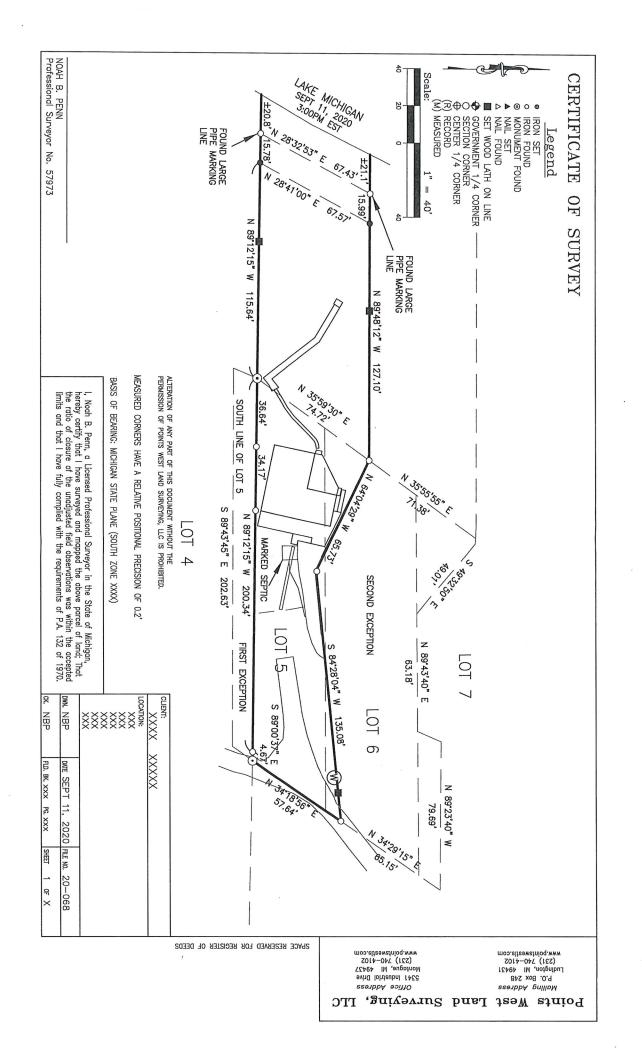
Sincerely,

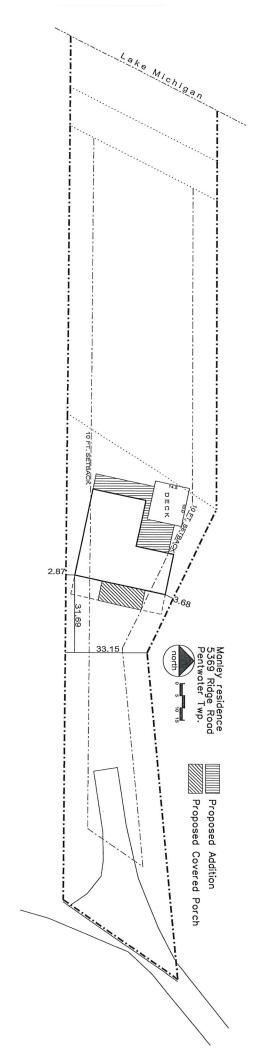
Frank and Jennifer Manley

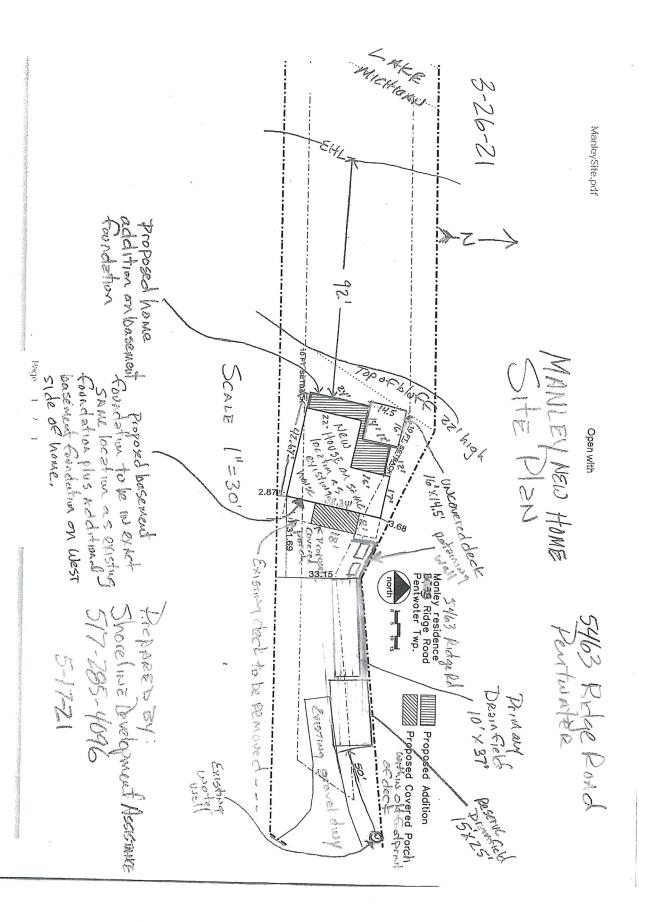
Property owners

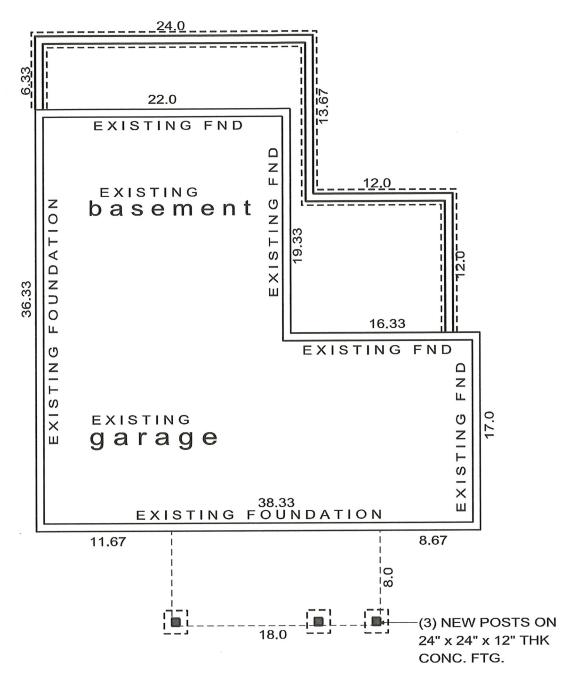
jmanley@co.genesse.mi.us

810-874-6903





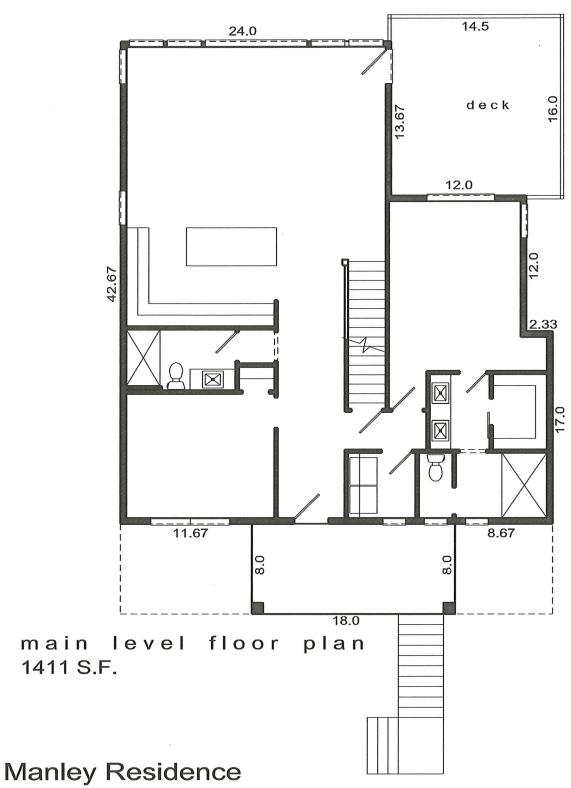




foundation plan

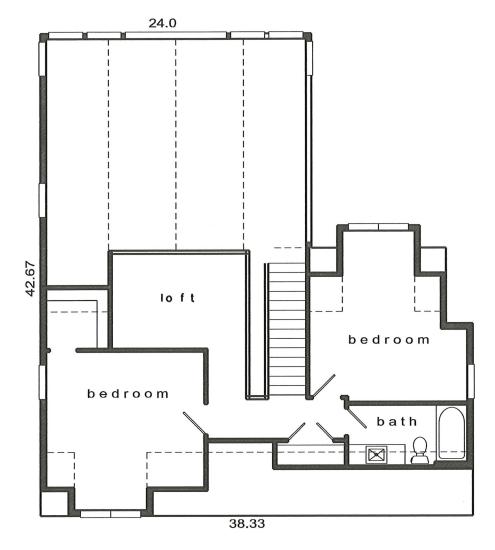
Manley Residence 5463 Ridge Road Pentwater, MI 49449 PP* 64-001-586-005-00





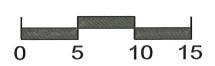
Manley Residence
5463 Ridge Road
Pentwater, MI 49449
PP# 64-001-586-005-00

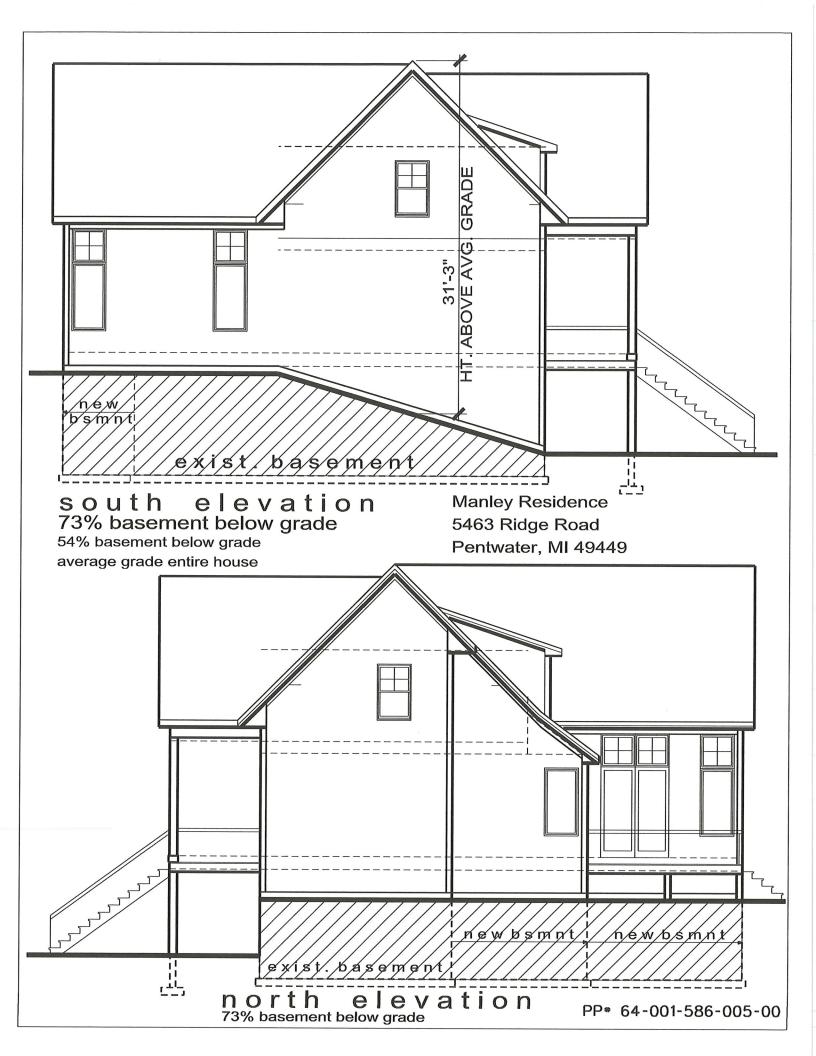




upper level floor plan 719 S.F.

Manley Residence 5463 Ridge Road Pentwater, MI 49449 PP# 64-001-586-005-00







PENTWATER TOWNSHIP PLANNING COMMISSION MEETING SCHEDULE 2021 - 2022

Tuesday, August 10, 2021

Tuesday, October 12, 2021

Tuesday, December 14, 2021

Tuesday, February 8, 2022

Tuesday, April 12, 2022

Tuesday, June 14, 2022 - Election of Officers

All Planning Commission meetings are scheduled for 6:00 pm at the Pentwater Township Hall, located at 500 N. Hancock Street, Pentwater, MI (unless otherwise posted).

Meeting agendas can be found on the Township website prior to the meeting date at www.pentwatertwp.org. We welcome your attendance.

For more information, please contact the Pentwater Township Zoning Administrator, Keith Edwards at (231) 869-6231 or via email to zoningadministrator@pentwatertwp.org

Pentwater Township Zoning Administrator and Ordinance Enforcement Officer Monthly Report – June 1, 2021

Board Members, the following is a summary of activities conducted by the Zoning Administrator and Ordinance Enforcement Officer for the month of May 2021.

Code Enforcement – Nothing to report at this time.

<u>Planning Commission</u> - The Planning Commission did not meet in May, 2021.

Zoning Board of Appeals - The Zoning Board of Appeals did not meet in May, 2021.

Zoning Permits – The following Zoning Permits were issued in May, 2021:

- 1. ZP 3354 was issued to Eric Klassen for construction of a 3,000 sq. ft. new home and detached garage at 5437 N. Ridge Rd. in Pleasant Beach Resort.
- 2. ZP 3355 was issued to Apex Renovation & Remodeling for a 24' x 38' accessory building at 5541 Second Street.
- 3. ZP 3356 was issued to Precision Enterprises, LLC for a renovation and second-story addition to the existing home at 5387 W. Lakeview Dr.
- 4. ZP 3357 was issued to Snug Harbor Marina for two new signs at 5593 W. Madison.
- 5. ZP 3358 was issued to Snug Harbor Marina for two new signs at 5560 W. Madison.
- 6. ZP 3359 was issued to Lisa McGregor to move a shed at 9542 Pentwater Blvd.
- 7. ZP 3360 was issued to Ryan Scott for an attached garage and new deck at 9021 62nd Ave.

Other Comments

None.

Sincerely,

Keith J. Edwards

Pentwater Township

Zoning Administrator & Ordinance Enforcement Officer