

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

**Zoning Board of Appeals Meeting
May 23, 2023, In-Person
7:00 P.M.**

CALL TO ORDER

Jean Russell called the meeting to order at 7:03 pm.

ROLL CALL

Jean Russell	Present
Randy Hepworth	Present
Mike Flynn	Present
Terry Cluchey	Present
Mark Trierweiler	Present

Keith Edwards the Zoning Administrator was present during the meeting.

APPROVAL OF THE AGENDA

Randy Hepworth moved to approve the agenda of May 23, 2023, and Mark Trierweiler seconded. All ayes and the agenda was approved.

APPROVAL OF MINUTES

Mark Trierweiler made a motion to approve the minutes of April 4, 2023 as written, and Terry Cluchey seconded. All ayes and the minutes of April 4, 2023 were approved.

OLD BUSINESS – None

NEW BUSINESS

A. Property ID #64-001-550-002-00, Lot 2 of the Pentwater Heights Subdivision, a.k.a. 5387 W. Lake View Drive.

The applicant seeks to demolish the existing home and detached garage and reconstruct the home with an attached garage within 15 feet of the Lake View Drive right-of-way line, where 30 feet is required. Section 6.04.E of the Zoning Ordinance requires a minimum front yard setback of 30 feet from the north lot line adjacent to Lake View Drive, where 15 ft. is proposed.

Chairperson Jean Russell opened the public hearing at 7:09 pm and asked for comments from the public.

Zoning Administrator Keith Edwards read a letter of opposition to the request that he received from neighboring property owners Mark Benner, John Melse, Don McGahan, Jan Gooding, Tony Monton, Joe Primozich and Jeff Nardulli. The letter dated May 16, 2023, expressed concerns that there is adequate space on the lot to move the location of the proposed new building, parking has been a problem in the past, site distance from vehicles on Lakeview seeking to enter Monroe Road is a safety concern, and that the proposal does not meet the standards of Section 18.08 of the Zoning Ordinance for approval of the request. Mr. Edwards also received an email from Janice Gooding on May 19, 2023 which states that the May 16 letter as reviewed by an MDOT engineer named Cam Lipko supports the letter's conclusions, especially as it related to traffic safety concerns.

Don McGahan of 5339 W. Lake View Drive stated that he does not support the variance due to the proximity to Lake View Drive and traffic safety concerns. Mr. McGahan is also concerned about the possibility of a spring or groundwater that flows beneath the foundation of the existing home on the subject site.

John Melse, of 5349 W. Lake View Dr. cannot support the request.

John Kraus of 5321 Lake View Dr., a civil engineer, cannot support the request for similar safety concerns.

Jeff Nunham of 5387 W. Lake View Dr., the subject property stated that he did not remove the "No Parking on Pavement" sign on the road near his property. He is also concerned about the speed of traffic along Monroe Road, and that the line of sight for drivers on Lake View would be improved by his proposal.

The public hearing closed at 7:52 pm.

ZBA Members asked several questions of the applicant Jeff Nunham for which Mr. Nunham provided his responses. The items discussed included consideration for moving the house to the south, installing a retaining wall on the east side and consideration for making the house and or attached garage smaller than proposed.

After the question-and-answer session and prior to the ZBA's review and deliberation on Section 18.08 of the Zoning Ordinance, the applicant, Jeff Nunham withdrew his request.

ADJOURNMENT – Randy Hepworth moved to adjourn the meeting at 8:07 pm. Terry Cluchey seconded. All Ayes and the motion to adjourn was approved.

Respectfully submitted by,

Keith Edwards, Zoning Administrator

May 30, 2023

Approved by the Zoning Board of Appeals on June 22, 2023