

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

**Zoning Board of Appeals Meeting  
September 23, 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**

Jean Russell made a motion to approve the minutes of June 3, 2021 as written, and Randy Hepworth seconded. All ayes and the minutes were approved.

**APPROVAL OF THE AGENDA**

Jean Russell moved to approve the agenda of September 23, 2021, and Terry Cluchey seconded. All Ayes and the agenda was approved.

**OLD BUSINESS – None**

## **NEW BUSINESS**

**7a. Lighthouse Lutheran Church of 8786 N. Business Route U.S. 31, Property ID #64-001-435-001-00 and 64-001-438-013-00, Block 5 of the Pentwater Beach Addition No. 1 Plat.**

The applicant is requesting to add 260 sq. ft. of restrooms and storage area to the existing 1,248 sq. ft. detached fellowship hall (accessory building) and to approve an existing detached shed of 132 sq. ft. in size. Thus, requesting approval for a total of 1,640 sq. ft. of Accessory Building Area. Section 3.08.D.2.a of the Pentwater Township Zoning Ordinance allows a maximum of 1,500 sq. ft. for detached accessory buildings, on a property of 2 acres but less than 5 acres in size. Thus, the applicant is seeking a variance for 140 sq. ft. of accessory building area.

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

Per Keith Edwards, Zoning Administrator, he has no written responses.

Kevin Motyka from Architectural Classics, LLC and Pastor Patterson from Lighthouse Lutheran Church represented the applicant and presented their information regarding their request.

No one in the audience spoke on this matter

**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.** The applicant still has a great deal of vacant property and cannot acquire more due to being landlocked by platted roads and Business Route US 31, which has bisected the property, leaving part of the existing property unusable.

**VOTE: 5 Yes, 0 no – vote passes.**

2. **Second Standard – Special or Unusual Circumstances.** The building now requires barrier free male and female bathrooms for this place of assembly, which was not contemplated when the original structure was constructed.

**VOTE: 5 yes, 0 no – vote passes.**

3. **Third Standard – Substantial Justice.** The Zoning Board of Appeals finds that strict application of the ordinance provisions would deprive the applicant of property rights that are commonly enjoyed by other properties in the same zoning district.

**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** – Mike Flynn moved to adjourn the meeting at 7:45 pm. Randy Hepworth seconded. All Ayes and the motion to adjourn was approved.

Respectfully submitted by,  
Keith Edwards, Zoning Administrator

October 1, 2021

Approved by the Zoning Board of Appeals on December 16, 2021  
Terry Cluchey, Secretary