

SAUGATUCK TOWNSHIP ZONING BOARD OF APPEALS

Tuesday, August 18, 2020 4:00 p.m.
Saugatuck Township Hall
3461 Blue Star Hwy, Saugatuck, MI 49453

Approved MINUTES

Chairperson Bill Rowe called the meeting to order at 4:03 p.m.

Members present: Alan Kercinik, Bill Rowe, Rick Brady.

Also present: Lynee Wells, Zoning Administrator

Review and Adopt agenda: Motion by Rowe seconded by Kercinik to approve the agenda and to ratify the procedures for public participation and meeting conduct as described in the Notice of Public Meeting via Video Conference. Unanimously approved.

Review minutes of April 21, 2020: Motion by Rowe seconded by Kercinik to approve the minutes of April 21, 2020. Roll call vote. Unanimously approved.

Dimensional Variance request from Renee Saint Amour, 3421 Holland St, Parcel number: 20-380-014-00. The dimensional variance would a 24’x24’ garage to be built within the setback area of the parcel.

Zoning Administrator Wells stated that the parcel is legal non-conforming as it is too small. The home is also a legal non-conforming building, as it does not meet the required setbacks. The applicant is seeking to build a 24’x24’ garage.

The applicant is seeking variances from 2 sections of the Zoning Ordinance.

1. 40-631- Accessory buildings shall have the same setbacks as principal buildings. The applicant would need a variance for the front yard setback.
2. 40-232 – You need a 40’ front yard from the right of way. The applicant would need a 32’ variance. The garage would be 8’ from the property line (right of way line).

Zoning Administrator Wells went through the 5-question standard for review with her comments. She also stated that property owners within 300’ were notified and had no response or complaints received.

Applicant, Eric Koster stated that the parking would be safer and further away from Holland St. if the garage were to be built.

Going through the 5-question standard for review. The Board must find that all of the following facts and conditions exist.

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to its intended use, that do not apply generally to other properties or classes of uses in the same zone.
 - a. Brady-yes Rowe-yes Kercinik-yes
2. The Variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. The possibility of increased financial return shall not of itself be deemed sufficient to warrant the granting of a variance.
 - a. Brady-yes Rowe-yes Kercinik-yes
3. The Variance, if granted, will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this chapter or the public interest.
 - a. Brady-yes Rowe-yes Kercinik-yes

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Brady mentioned if the garage could be moved as far back to Elizabeth St and still meet the 15' setback because of the visibility from Cemetery Rd.

4. The condition or situation of the property or its intended use is not of so general or recurrent a nature as to make reasonably practicable a general regulation for such condition or situation.
 - a. Brady-yes Rowe-yes Kercinik-yes
5. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.
 - a. Brady-yes Rowe-yes Kercinik-yes

Chairperson Rowe made a motion to grant the dimensional variance with the condition that the applicant move back the garage as close to Elizabeth St. and still maintain the setback.

Public Comments and Correspondence: None.

Motion by Rowe, seconded by Kercinik to adjourn the meeting.

Meeting adjourned at 4:23 pm.