

SAUGATUCK TOWNSHIP ZONING BOARD OF APPEALS

July 28,2005

The Saugatuck Township Zoning Board of Appeals met on July 28, 2005, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Oyler, Marczuk and Wester

Absent: None

Also present: Z. A Ellingsen, Paul Zehner, Atty: Randy Schipper, Pat Mahoney

Chairman Oyler called the meeting to order at 4:00 P.M. Approval of June 16, 2005 ZBA minutes, Motion by Marczuk, Wester seconded. Carried unanimously.

Oyler introduced the request from Paul Zehner, 2091 66th St., Fennville, MI 49408 to expand the non-conforming building and use on the property located at 6261 124th Ave., (M-89), Fennville, MI 49408(Parcel#0320-035-028-00) in the A-1 zone and consisting of 4.5 acres. The existing structure is used for storage and is 9748 sq. ft. in area and the applicant wishes to expand the building to 14528 sq. ft. in area, an enlargement of slightly less than 50% of the existing structure.

The request will be adjudicated using the standards found in Section 40-1012(b) of the Saugatuck Township Zoning Ordinance.

Oyler read Section 40-1012(b) stating that it's not a variance it's an expansion of a non-conforming use and is not to exceed 50%. In considering such authorization, the ZBA shall consider the following standards:

- (1) Whether the extension or enlargement will substantially extend the probable duration of such Nonconforming Use; and
- (2) Whether then extension or enlargement will interfere with the use of other properties in the surrounding neighborhood for the Uses for which they have been zoned or with the use of such other properties in compliance with this chapter.

Paul Zehner stated that the building was a non-conforming use and will not exceed 50% expansion. He stated that the building is masonry and will be adding a pole building addition and keeping the existing walls. Zehner does meet the setbacks. Zehner said his intentions are by expanding would eliminate the storage trailers and would stop the cost of leasing and it would make the property more attractive, it would also help his business grow. Zehner has owned this property for 13 years and has no intentions on selling it.

The new structure will be built on the back (north) of the existing building. It will not be visible from the road (M-89).

Pat Mahoney, 6275 124th Ave, neighbor of the building, has no objection of the expansion. There were no letters or no objection to this hearing.

Marczuk asked Zehner if he was planning on installing outdoor lights. Zehner responded saying he doesn't have windows or lights now and is not planning on putting them in facing Mahoney's property (southeast side).

The ZBA went through the criteria for the 2 questions for the authorization for the expansion.

- 1) The new expansion being made out of pole building would not substantial have a longer duration than the existing masonry building.
- 2) The extension of the building does not interfere with the other adjacent properties.

Z. A Ellingsen suggested putting a condition of the granting of the extension. After further discussion the ZBA set conditions as follows:

- 1) Any storage trailers left on property has to be as far away from the road (M-89).
- 2) Shall be no more than 5 storage trailers on site at any one time.
- 3) Number 2 conditions will be met by August 1, 2006 that there will not be more than 5 storage trailers on site at any one time.

Oyler motioned to approve a request the subject of this hearing to extend the non-conforming use allowing the extension of the storage building up to 50% of the building permit processing and no more than 50% addition sq. ft. to the current structure. Oyler made a motion to approve Zehner's expansion, and Marczuk seconded. The motion carried unanimously.

Wester motion to adjourned, Marczuk second.

Meeting adjourned at 4:33 P.M.

Lori Babinski, Recording Secretary