

SAUGATUCK TOWNSHIP BOARD OF APPEALS

April 27, 2006

The Saugatuck Township Zoning Board of Appeals met on April 27, 2006, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Marczuk, Oyler and Wester.

Absent: None

Also present: Z. A. Ellingsen

Chairman Oyler called the meeting to order at 4:00 p.m.

Approval of April 6, 2006 ZBA minutes, motioned by Marczuk, Wester seconded. Carried Unanimously.

Two hearings were scheduled: The first hearing was a request from Dr. Christopher Wiley, 3463 Blue Star Highway, Saugatuck, Michigan 49453 for a variance from Section 40-849 of the Saugatuck Township Zoning Ordinance that requires 275 feet between driveways on streets with a speed limit of 50 miles per hour. The applicant wishes to erect a 2700 sq. ft. office building to be used as a dental facility at approximately 6415 Blue Star Highway (Parcel #0320-003-005-10). The parcel is located on the north side of Blue Star Highway adjacent to the Burger King restaurant in the C-3 Interchange Commercial District. A "SAU" (Special Approval Use) has been granted and Site Plan Review has previously been approved by the Planning Commission.

Z. A. Ellingsen stated that the Planning Commission has approved this with conditions that they get a variance for the driveways from the ZBA. The lot is narrow (154 feet) and they asked Burger King if they could share their driveway but they declined in a letter.

Cal Becksvoort, Latitude Engineering & Surveying, representing Dr. Wiley, Mr. Becksvoort went through the 4 conditions listed on the variance application.

Chairman Oyler went through the 4 required conditions for Variance, Sec. 40-76.

1. Yes
2. Yes
3. Yes
4. Yes

Motion to approve the variance. Motioned by Marczuk, Wester seconded. Unanimously approved.

Anne Wiley stated that her husband Dr. Wiley would not have any tenants in his office. The proposed bike trail would be going through that lot which Dr. Wiley said that he would put that trail in there.

Second hearing: A request from DeYoung Enterprises, LLC, 496 Lincoln, Holland, MI 49423 to allow for the construction of a single family residence contrary to the requirements of Section 40-142(2) which requires a side yard setback of 10 feet in the R-

2 Zone. The applicant wishes to place the building to within two(2) feet from the west property line and 6 feet from the east property line. The parcel is an existing lot of record which fronts on Silver Lake, is east of 6357 Silver Lake Drive and the lot width is 44 feet.

Z. A. Ellingsen stated that this is a small skinny lot. The applicant wishes to place a house on this 44-foot lot.

Gerrit Sturuss, 6377 Old Allegan Road, opposes the request stating it's a bad situation and that the applicant should obey the setbacks like he had to at one time.

Gordon Stannis, applicant who wishes to purchase this lot from DeYoung Enterprises, is requesting to build a 30-foot wide home on a 44-foot wide lot. There are 2 bump outs one is 12 feet and 10 feet, which steps out from that 30 feet wide boundary.

Marczuk questioned Stannis that he should go to an architect to have them design a house that meets the setbacks. Stannis said it would be challenging that the house would only be 24 feet wide.

Tammy Kerr, 6363 Old Allegan Road, is in support for the variance.

Jeff & Cindy Tolbert, 6357 Silver Lake Dr., opposes the request stating that it would be "extreme crowding" in that area if he is granted this variance.

Betty Johnson, 6351 Old Allegan Road, opposes the request also.

Chairman Oyler stated that buying property already knowing the setbacks requirements on what they are. The hardship was already there.

Al Malkowski, 6365 Old Allegan Road, opposes the request also.

There were 2 letters submitted to the township. David & Patsy Burham in support for the variance. Jim Slaghuis also submitted a letter opposing the variance.

Chairman Oyler went through the 4 required conditions for a Variance, Sec. 40-76.

1. No
2. No
3. Wester-No, Oyler-No, Marczuk-Yes
4. Yes, Oyler- Zoning change needed. Marczuk will bring it up to the Planning Commission.

Motion to deny this variance. Does not meet setbacks or required conditions. Motioned by Wester, Marczuk seconded. Unanimously approved to deny variance.

Meeting adjourned at 4:50 p.m.

Lori Babinski, Recording Secretary

