

DRAFTED MINUTES
approved 8-2-2012

SAUGATUCK TOWNSHIP ZONING BOARD OF APPEALS

THURSDAY, April 19, 2012 5:00 p.m.

SAUGATUCK TOWNSHIP HALL

3461 BLUE STAR HWY, SAUGATUCK, MICHIGAN 49453

MINUTES

Chairman Shawn Powers called the meeting to order at 5:00 p.m.

Members present: Shawn Powers, Bill Rowe & Mark Putnam.

Also present: Zoning Administrator, Al Ellingsen, Applicant, Tony Marr, Sign Artist, Robert Krause, Applicant, Matthew Elliot, Applicant, Jerry Chew, Developer of Maple Greens, Doug Gritter, also residence from Riverside Dr.

Approval of minutes: **Motion by Putnam, seconded by Powers to approve the minutes of December 8, 2011.**

Powers read the three hearings from the paper.

First hearing: A request from Anthony Marr, 206 72nd St. South Haven, MI 49090 to erect a new sign contrary to Sections 40-143(b) and Section 40-143(c)(1) which requires signs to be 10 feet from the road right-of-way and be no greater than 32 sq.ft. in area. The applicant wishes to place a 96 sq.ft. sign three feet into the ROW. The parcel in question is located at the Blue Star Farms(Krupka), 2647 68th St(Blue Star Hwy), Fennville, MI 49408.(Parcel# 0320-028-019-00).

Zoning Administrator, Ellingsen stated that he noticed that they were putting in new post at the southern entrance and also noticed the sign on the northern entrance was taken down. Which when you take a sign down you need to follow the ordinance. The originally sign that was up was non-conforming because of where it was at and the size. In section 40-634(k)(2) it states if a sign loses its right of continuation under Sec.40-1011 the sign(and all portions thereof) shall be removed immediately and shall not be repaired, replaced or rebuilt unless it fully complies with all requirements of this chapter as amended. A nonconforming sign shall lose its right of continuation if the Zoning Administrator determines that any of the following is applicable. Which the sign was relocated, moved and rebuilt.

Tony Marr stated he was not aware of the ordinance. He was just relocating it towards the southern entrance which is the packaging entrance. The road commission granted Mr. Marr by letter giving him permission to place the sign where it states. Mr. Marr stated that the FDA requirements are to place a sign at least 50' to identify the entrance of the packaging building. There was no documentation presented. He also mentioned the proposed sign is set back farther than the previous sign.

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Robert Krause stated he professional painted the sign with the correct business name, but did not change the size of the sign. Mr. Krause stated the new sign was ready to be installed. The new sign approximate cost is 5000.00.

Letter was received from the Saugatuck Woods association which is located directly across where the sign would be located, stated that they did not have no objection to the proposed sign.

Discussion took place regarding moving the sign back, calling it a billboard, repairing the non-conforming sign.

Chairman Powers went through the form for approval/denial of variance request for a variance from Section 40-143(b & c)(1).

- 1) Rowe-No, Putnam-No, Powers-No
- 2) Rowe-No, Putnam-No, Powers-No
- 3) Rowe-Yes, Putnam-Yes, Powers-Yes
- 4) Rowe-Yes, Putnam-Yes, Powers-Yes
- 5) Rowe-No, Putnam-No, Powers-No

Motion by Putnam, seconded by Rowe not to approve the variance. Carried unanimously.

Second hearing: A request from Matthew Elliot, 507 Woodland Pass, East Lansing, MI 48823 to erect a 380 sq.ft. garage and storage building to within 22'4" from the front road right-of-way and 2'8" from the side lot line contrary to the provisions of Section 40-277(3)b which requires a front yard setback of 40 feet from the road ROW and 10 feet from the side lot line in the R-2 zoning district. The parcel in question is located at 3428 Riverside Dr., Saugatuck, MI 49453(Parcel#0320-340-005-00).

Bill Rowe made a statement that his realty sign is posted on Mr. Elliot's parcel and wanted to state that it is not listed at this time. There is no business relationship with Bill's office or Mr. Elliot.

Zoning Administrator stated Mr. Elliot submitted the site plan for the proposed garage. He needs a variance for the ROW and the side lot line. A. Ellingsen is questioning why the building couldn't be closer to the house. The site plan shows guest entry which is an issue.

Debra Hopper, 3424 Riverside Dr. questioning if it's a rental, she sees a lot of people come and go. She opposes the garage.

Don Schipper, 3438 Riverside Dr. was present and also submitted a letter urging the board to decline this request. Feels there are alternatives.

Discussion took place regarding the guest house converting into a garage. Mr. Elliot did not want to do that. Board also discussed attaching the garage to the home. Mr. Elliot said

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he was willing to adjust the plans so he could get a garage. Mr. Elliot stated they could easily build a garage on the north side of the house without a needing a variance.

Chairman Powers went through the form for approval/denial of variance request for a variance from Section 40-277(3)a1 and 40-277(3)b.

- 1) Putnam-No, Rowe-No, Powers-Yes
- 2) Putnam-No, Rowe-No, Powers-No
- 3) Putnam-Yes, Rowe-No, Powers-No
- 4) Putnam-No, Rowe-No, Powers-No
- 5) Putnam-No, Rowe-No, Powers-No

Motion by Putnam, seconded by Rowe not to approve the variance. Carried unanimously.

Third hearing: A request from Jerry Chew, 3393 Maple Green, Saugatuck, MI 49453(Parcel# 0320-255-001-00) to erect an attached 11' x 20' storage building to within 32 feet of the road right-of-way contrary to Section 40-232(a)1 which requires a 40 foot setback from the road right-of-way.

Ellingsen stated that Mr. Chew came in and asked about putting in a storage building like his neighbor has directly across from him. The storage building would be adjacent to the garage. The neighbor's building envelope is tilted for a storage building but Mr. Chew's building envelope is skewed way out of line so he suggested him to come before the ZBA for a variance. The zoning administrator stated that it's the best place for the garage in that building envelope and also stated it's a double frontage lot.

Mr. Chew stated that he lives in a duplex condominium. There are a total of four duplexes. Out of the eight condo's, three have storage buildings. His home is the only one out of the eight condo's that is close to the 40' set back.

Doug Gritter, 3392 Maple Greens, was the developer of Maple Greens. Stated that seven of the eight people in the association signed a permission stating they are ok with the variance. He mentioned when they developed they tried to save as many trees as they could and that's why the duplexes are staggered. He also stated that the three that do have the storage units is storing their golf carts being that they are on the golf course.

Chairman Powers went through the form for approval/denial of variance request for a variance from Section 40-232(a).

- 1) Powers-Yes, Rowe-Yes, Putnam-Yes
- 2) Powers-Yes, Rowe-Yes, Putnam-Yes
- 3) Powers-Yes, Rowe-Yes, Putnam-Yes
- 4) Powers-Yes, Rowe-Yes, Putnam-Yes
- 5) Powers-Yes, Rowe-Yes, Putnam-Yes

Motion by Rowe, seconded by Putnam to approve the variance. Carried

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unanimously.

Discussion took place on changing the time for meetings from 4:00 to 5:00. All commissioners agreed that a later time would work.

There being no further business meeting adjourned at 6:06 p.m.

Lori Babinski, Recording Secretary