

SAUGATUCK TOWNSHIP ZONING BOARD OF APPEALS

THURSDAY, October 17, 2013 5:00 p.m.
Kalamazoo Sewer & Water Authority
6449 Old Allegan Rd, Saugatuck, MI 49453

MINUTES

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

Members present: Shawn Powers, Marcia Tucker & Mark Putnam.

Excused Absent: Zoning Administrator, Al Ellingsen.

Also present: Applicant, Skip Williams and Assessor, Sherry Mason.

Approval of minutes: **Motion by Powers, seconded by Putnam to approve the minutes of August 29, 2013.**
Motion by Powers, seconded by Putnam to approve the minutes of September 5, 2013. Unanimously approved.

Chairman Powers read the notice: A request from Skip Williams, 6202 131st Ave., Saugatuck, MI 49453(Parcel # 0320-014-014-10) to construct a 24'x24' garage contrary to the provisions of Section 40-277(3)a2 which requires a front yard setback of 50 feet from the road right-of-way(ROW). The applicant wishes to construct the building to within 32 feet from the ROW.

Chairman Powers read Z. Administrator's letter regarding today's variance request. He stated he would not be at the ZBA hearing on 17 October 2013 due to the fact I will be at State of Michigan mandated classes for four days during that week so I am writing a short memo regarding the request by Skip Williams for a variance from the front yard setback to add a new garage at 6202 131st Ave.. This request should be a much easier issue to adjudicate than the last few formal hearings that you participated in and deliberated to come to a decision.

The Zoning Ordinance requirement for the front yard setback in the R-2 zone is currently 50 feet from the road right-of-way(ROW) since 131st Avenue is considered a "major" road. I'm not sure I agree with that classification, but the road classification map I have in my office shows that to be the case. Several years ago all front yard setbacks in all residential zones were 40 feet from the ROW.

As you can see by the submitted site plan(survey) in your packets, the lot in question is a very irregularly shaped lot and the building envelope is also very small because of the 75 foot setback from the river and the now required 50 foot setback from the ROW. The survey from 1979 shows the building envelope with a 40 foot setback and the applicant shows that one corner of the proposed new garage would be 32 feet from the ROW which would, therefore, require a variance of 18 feet. I have requested that Mr. Williams place two visible stakes marking the front two corners of the proposed garage and ask that the ZBA members visit the site individually to verify the location of the building in relation to the distance from the road and the ROW. You then should be able to determine if the new structure would interfere with traffic or the line of sight of adjacent neighbors traversing from their driveways.

Mr. Williams stated that was the only logical place for the garage to go because of the irregular lot.

All three board members went out and viewed the site.

Putnam questioned Williams on how the stakes were located. Williams stated he measured from a survey stake from one of the corners of his lot. Putnam questioned that he was not sure the measurement was correct because of the survey being not up to date. Williams stated he would get an up to date survey if needed.

Assessor, Sherry Mason pointed out to the members that she feels the survey is outdated and does not show any structures on the survey which plays a part in the Assessor's job.

Chairman Powers suggest having a survey done before the garage being built.

Discussion took place regarding an updated survey being done and the possibilities of moving the garage inside the building envelope.

Letter sent to the board from Kathleen Markland, 3125 Indian Pt. Rd, feels the proposed garage would be a safety hazard.

**Motion by Putnam, seconded by Powers to table the request until Mr. Williams hands in an up to date survey where the house and garage are located at in terms of the ROW.
Unanimously approved.**

The board told Mr. Williams as soon as they get word from Mr. Ellingsen that there is an updated survey. A public hearing will be posted 18 hours prior to the meeting.

There being no further business meeting adjourned at 5:33 pm

Lori Babinski, Recording Secretary