

SPECIAL SAUGATUCK TOWNSHIP ZONING BOARD OF APPEALS

Thursday, September 28, 2023, 4:00 p.m.
Saugatuck Township Hall
3461 Blue Star Hwy, Saugatuck, MI 49453

APPROVED MINUTES

Vice Chair Stewart called the meeting to order at 4:00 p.m.

Members present: Patrick Stewart, Harry Adams, Catherine Dritsas, Tammy Kerr, Denise Webster, and Alternate Rex Felker.

Members absent: Alternate Richard Brady

Also present: Cindy Osman, Building Official

Stewart delegated the duties of running the meeting to Osman.

Review and Adopt agenda: Webster made a motion, seconded by Dritsas to approve the agenda. Motion carried 6-0.

Review minutes of September 11, 2023: Not ready for approval

New business: Stewart made a motion to open the public hearing at 4:06 p.m, seconded by Kerr, motion carried. Osman read the notice into the record for the variance request for a water front setback at 3428 Riverside: Michael and Robyn Morse, owners of property at 3428 Riverside Drive, propose to enclose an existing flat patio with a screened in three season porch with a roof that encroaches approximately 14 feet into the required setback of 75 to the water's edge. 40-277(1)

Written Communications were read into the record:

Steele - in support

Caruthers – in support

Davis – in support

Morse presented his application, and indicated the exact size of the addition is 14 feet 4 inches by 22 feet, 4 inches. Screens and windows to match the house. Metal roof to match. Would not make any difference if it was a 4-season room Morse stated that he had recently updated his storm water run off drains to carry the higher capacity. The foundation for the addition is already existing. It may be heated for use in the 4th season. Webster reiterated that this is an expansion of a non-conforming structure.

A motion was made by Webster that the first condition could not be met as there are no extraordinary circumstances. The motion died for lack of support.

There was discussion about the surrounding properties and how that applies to the extraordinary circumstances and other property rights, the other houses are closer, there is already a foundation there so soil will not be disturbed, and the drainage has been upgraded.

This home is smaller and set back further from the river than all the others. Webster was not satisfied with an estimated average.

The other houses are on the bluff, but this house is set further back from the bluff. Housing changes, setbacks change.

The other houses are arranged to take advantage of view of the river, and this house does not have a great view of the river. It actually has a yard and grass. Both Stewart and Kerr made onsite visits and Adams viewed it from the river.

Motion by Stewart, supported by Dritsas, that 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 as discussed above. Roll call vote, yeas – Adams, Dritsas, Felker, Kerr, and Stewart, Nays - Webster.

Motion by Dritsas, supported by Stewart that 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. Again, refer to discussion noted above. Roll call vote, yeas – Adams, Dritsas, Felker, Kerr, and Stewart, Nays - Webster.

Motion by Dritsas, supported by Stewart that 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. Upon roll call vote motion carries 6-0.

Motion by Adams, supported by Dritsas, that 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. Upon roll call vote motion carries 6-0.

Motion by Webster, supported by Adams, any exceptional or extraordinary circumstances applying to the property in question size and shape are not self-created. Upon roll call vote motion carries 6-0.

Motion by Dritsas support by Kerr to approve the variance as requested as all of the five conditions were found to be met and individually voted on by the Board. Roll call vote, yeas – Adams, Dritsas, Felker, Kerr, and Stewart, Nays - Webster.

Public hearing closed at 4:42

Next meeting October 2, 2023.

Meeting adjourned at 4:42 pm.

Respectfully submitted,

Cindy Osman, Building Official