ZONING BOARD OF APPEALS
Tuesday, November 10 at 12:00PM (Noon)

Saugatuck Township Hall, 3461 Blue Star Highway, Saugatuck, Michigan 49453

https://us02web.zoom.us/j/88459789039?pwd=bVKwQ9XLgTu15oykWVmAfzFCIOHYC2.1

Meeting ID: 884 5978 9039
Passcode: 2021 One tap mobile
+13052241968,,85437827951#,,,,*2021# US
+13092053325,,85437827951#,,,,*2021# US

1. Call to Order, Roll Call

2. Approval of Agenda for this Meeting

3. Approval of the Minutes from prior meetings of

    - September 16 ,2025

4. Public Comment on Items Not Related to the agenda

5. New business

    A. Olmsted-Larime Trust, 6309 Riverside Road, Parcel: 0320-023-010-00 seeking dimensional variances 1) accessory building located 49.6' from property line, representing a setback variance of 150.6' and placement in front of the principal dwelling; and 2) accessory dwelling unit size of 683sf, representing an 83sf variance to the maximum allowable size of 600sf.

    B. Michael Dezsi, 6487 124th Avenue, Parcel: 0320-034-019-01 seeking dimensional variance of 65' from the required 200' setback of accessory buildings, as well as placement of the accessory building in front of the principal dwelling.

6. Old business

7. Public comment

8. Adjourn

Saugatuck Township

3461 BLUE STAR HIGHWAY
P.O. BOX 100
SAUGATUCK, MI 49453
info@saugatucktownshipmi.gov
PHONE: (269) 857-7721
www.saugatucktownshipmi.gov

VARIANCE APPLICATION

Fees and escrow per the Township Consolidated Fee Schedule
2 Hard Copies of Site Plan and Application + 1 Digital Copy emailed to cosman@saugatucktownshipmi.gov

APPLICANT INFORMATION

Company Name: OLMSTED-LAMME TRUST Phone: [redacted]
Applicant Name: KARL OLMSTED, MARK LAMME Address: 6309 RIVERSIDE ROAD
Email: [redacted]

PROPERTY INFORMATION

Company Name: OLMSTED-LAMME TRUST Phone:
Owner / Agent Name: KARL OLMSTED, MARK LARIME Title: MR.
Address: 6309 RIVERSIDE ROAD City/State/Zip Code: FENNVILLE, MI
Parcel Number: 0320-023-010-00 Zoning District: R-2 MEDIUM DENSITY RESIDENTIAL — R-2 RIVERSIDE RESIDENTIAL

REQUEST INFORMATION

Describe nature of request (use additional pages if necessary):
PLEASE SEE MORE DETAILED ATTACHMENT

Zoning Section for variance (list all that may apply):
PLEASE SEE MORE DETAILED ATTACHMENT

Supplemental Information for Application to Board of Appeals:

Since a variance cannot be authorized by the Board of Appeals unless it finds reasonable evidence that all of the following conditions exist, it is imperative that you give information to show that these facts and conditions do exist. See Article 18.

A. That there are exceptional or extra-ordinary circumstances or conditions applying to the property in question as to the intended use of same that do not apply generally to other properties in the same zone district.
PLEASE SEE MORE DETAILED RESPONSES TO THE FOLLOWING QUESTIONS ATTACHED.

Saugatuck Township

3461 BLUE STAR HIGHWAY
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B. That such variance is necessary for preservation and enjoyment of a substantial property right similar to that possessed by other property right similar to that possessed by other properties in the same zone district and in the vicinity; provided that the possibility of increased financial return shall not of itself be deemed to warrant variance.

C. That the authorizing of such variance will not be of substantial detriment of adjacent property and will not materially impair the intent and purposes of the Zoning Ordinance of the public health, safety, and welfare.

D. That the condition or situation of the specific piece of property or the intended use of said property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation.

E. Any exceptional or extraordinary circumstances applying to the property in question are not self-created

By signing below, I grant Township staff or authorized representatives thereof access to the property to conduct inspections as needed.

Applicant/Agent Signature: _____ Date: 09.09.2026

Land Owner Signature: _____ Date: 09.09.2026

RESPONSES TO APPLICATION QUESTIONS:

Please find below more detailed responses to the application questions.

Request Information

Describe nature of request (use additional pages if necessary)

After having a second home in Saugatuck Township, out on Indian Point for nearly 12 years, we purchased the property at 6309 Riverside Road on April 1, 2026 as our retirement home. We've never been landlords but were attracted by the promotion of two rentals on the property to offset some of the cost of the taxes. After a very professional Saugatuck Township Fire Department response due to a stove gas leak, we have learned that the two rentals do not meet zoning regulations.

Our current understanding of the variances needed to get our outbuilding into compliance are outlined below. Therefore we are requesting the following zoning variances:

A) Dimensional variance based on the ADU being in front of the principal home that was built in an existing pole barn.
B) Keeping the original ADU Unit A that the current tenant has lived in for 6 years.
C) We are also seeking a variance on the square footage of Unit A which is approximately 683 square feet.

We are committed to bringing the property into compliance by reducing it to a single accessory dwelling unit by taking out Unit B and restoring it to its original non-dwelling storage use. Our goal is get the remaining ADU and the building into compliance by April 2027, and we are willing to invest in zoning and code upgrades while working in conjunction with Saugatuck Township zoning and code officials.

We've also made the fire safety updates including having a fuel shut off valve installed at the building by Keystone Cooperative.

Zoning Section (list all that may apply)

These are the Saugatuck Township Zoning Ordinance Use Requirements we believe we need to address as we seek a variance in our appeal:

Section 8.30 Accessory Dwelling Unit

A. General Requirements

4. Setbacks. Attached accessory dwelling units shall comply with all setback requirements applicable to the principal dwelling. Detached accessory dwelling units shall comply with all setback requirements applicable to accessory buildings.

6. Area. Accessory dwelling livable floor area shall not exceed 600 square feet. The square footage shall also not exceed the maximum accessory building square footage per Section 8.20 A.7. The minimum area is subject to Building Code compliance.

Supplemental Information for Application to Board of Appeals

Since a variance cannot be authorized by the Board of Appeals unless it finds reasonable evidence that all of the following conditions exist, it is imperative that you give information to show that these facts and conditions do exist. See Article 18.

A. That there are exceptional or extra-ordinary circumstances or conditions applying to the property in question as to the intended use of same that do not apply generally to other properties in the same zone district.

We find ourselves and our tenant in a unique circumstance that in our opinion constitutes a practical difficulty based on the actions of the previous owner who may have built the ADUs in ignorance of the zoning requirements or with a total lack of regard for them. This has put us in between a rock and hard place with our tenant that has been living there for many years longer than we have. There would be no way an ADU could be constructed or accessed behind the house due to the steep sloping topography of the property towards the river.

B. That such variance is necessary for preservation and enjoyment of a substantial property right similar to that possessed by other property right similar to that possessed by other properties in the same zone district and in the vicinity; provided that the possibility of increased financial return shall not of itself be deemed to warrant variance.

One of the main reasons we are attempting to maintain ADU Unit A, in addition to trying to salvage an asset we thought we paid for, is to provide affordable housing to a senior member of the community on a fixed income. Our tenant has lived there for nearly six years and we charge $1,000 a month that includes utilities and internet which is far below market rates.

C. That the authorizing of such variance will not be of substantial detriment of adjacent property and will not materially impair the intent and purposes of the Zoning Ordinance of the public health, safety, and welfare.

The ADU is located far away from any other structures in a safe, non-congested, easily accessible location on the property for fire, police and snow removal. The building is screened by a heavy tree line on two sides, so much so that no one realizes it is there. The building is over 200 yards from the principal house (as seen in the overhead photo included in the addendum section).

D. That the condition or situation of the specific piece of property or the intended use of said property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation.

The 10-acre property is unique based on its size, topography, vegetation that ranges from mowed lawn, meadows, mature parkland-like forests and water features. This offers privacy and screens other properties from even knowing the building is there. The adjacent properties and our neighbors in the vicinity do not have sites that could accommodate a building like this so as not to set a precedent for application at other homesites in the R2 Riverside District.

E. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.

As we have mentioned previously we purchased this property assuming we were acquiring two legally vetted ADUs based on the Affidavit and Estoppel Certificate the previous owner signed. After thinking we were following proper channels (working with real estate professionals and a title company, and conducting a survey and home inspection) in purchasing the property we have been caught in a unique case of “buyer beware.” We’ve attempted to reach out to the individual we purchased the house from through a third party for further clarification from their perspective and to see if anything may have ever been inspected or approved.

ADDENDUM:

Supporting Background Information and Documents.

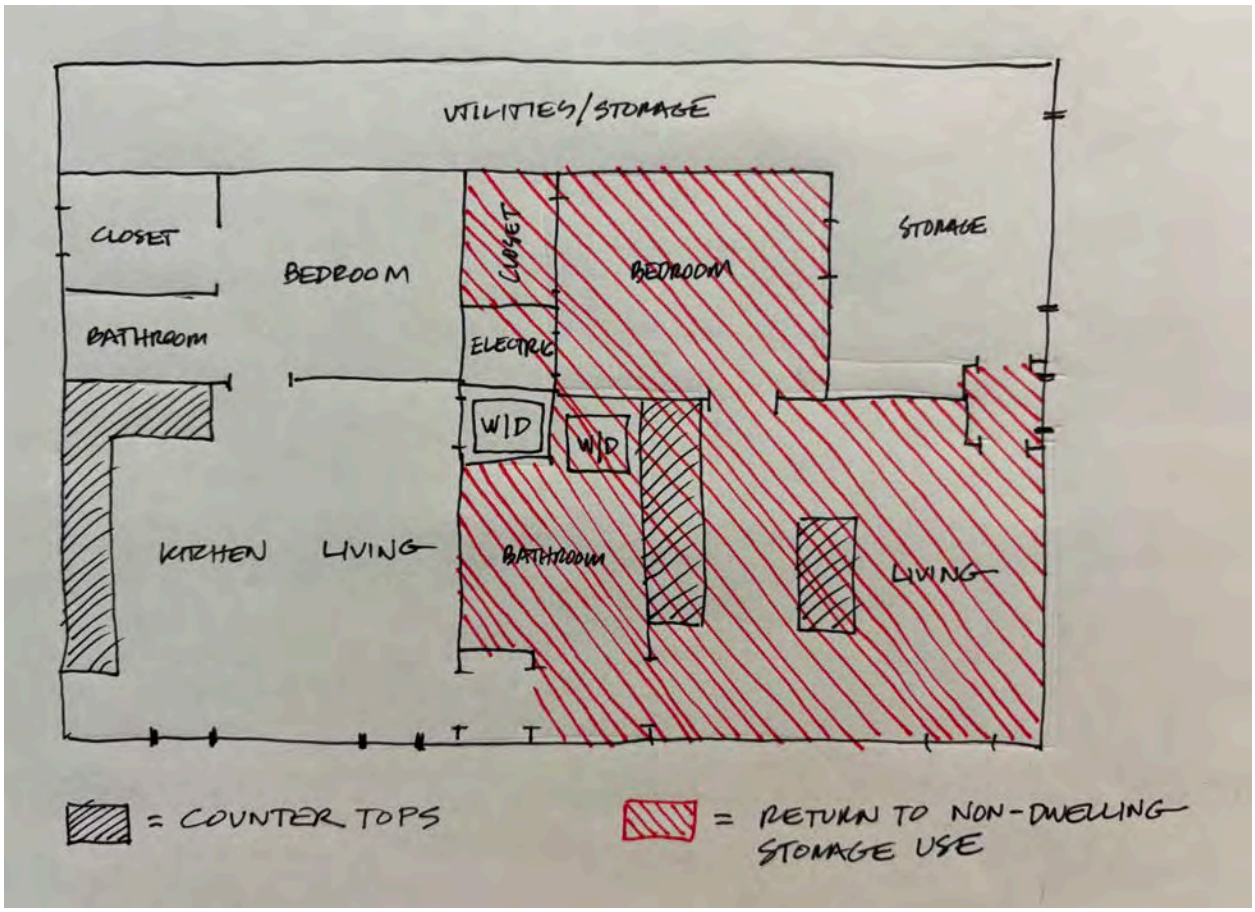
Property Overview, Interior & Exterior Photos

Aerial photo of site (outbuilding is in lower left hand corner towards Riverside Road).

Unit A exterior entrance and living room / kitchen interior.

Unit B exterior entrance and living room interior. Unit B to be removed and returned to its original non-dwelling storage use beginning April 1, 2027.

Out Building Schematic



Hand Sketched – Not to Scale

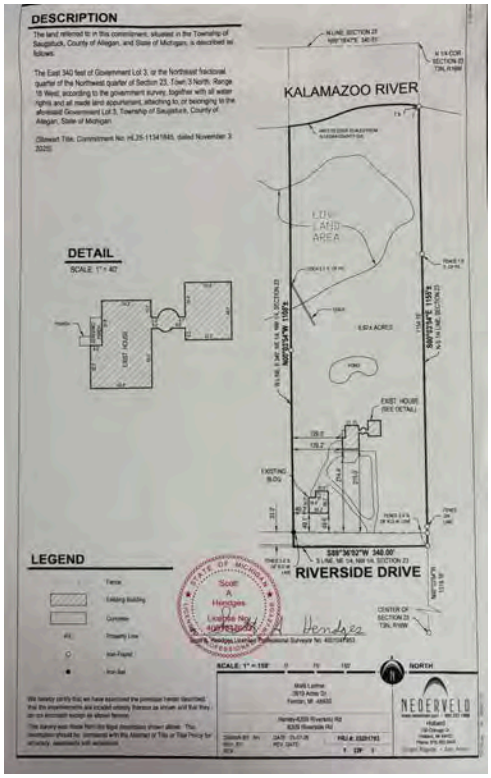
Unit A (left): Approx. 683 Square Feet

Unit B (right): Approx. 613 Square Feet – To be removed and returned to original non-dwelling storage use beginning April 1, 2027.

Zillow Listing

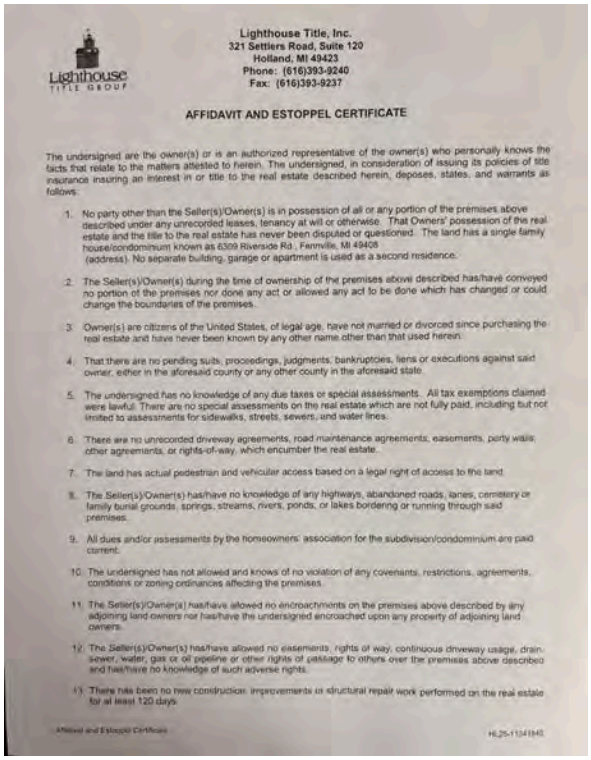
Marketing promotion of two bedrooms and two bathrooms in out building.

Nederveld Survey



Please see full sized copy of survey dated 01.07.2026 in hard copy version supplied.

Lighthouse Title Group Affidavit and Estoppel Certificate

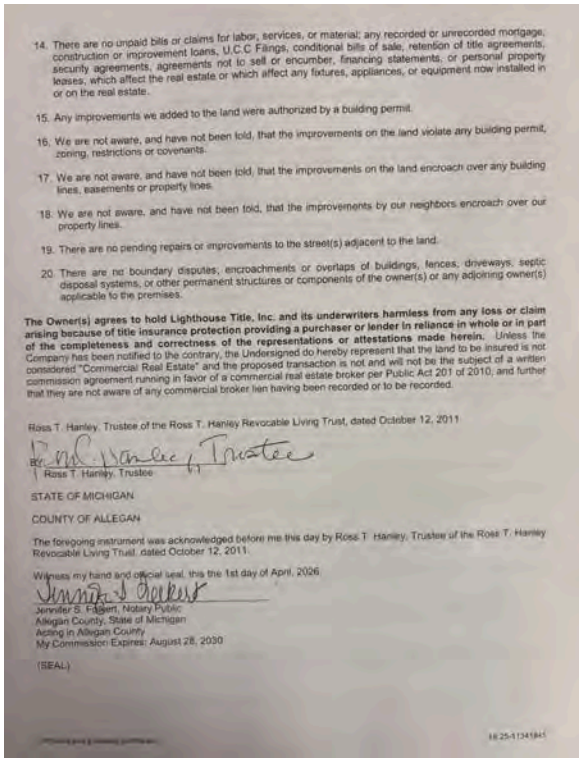


Lighthouse Title, Inc.
321 Settlers Road, Suite 120
Holland, MI 49423
Phone: (616)393-9240
Fax: (616)393-9237

AFFIDAVIT AND ESTOPPEL CERTIFICATE

The undersigned are the owner(s) or is an authorized representative of the owner(s) who personally knows the facts that relate to the matters attested to herein. The undersigned, in consideration of issuing its policies of title insurance insuring an interest in or title to the real estate described herein, deposes, states, and warrants as follows:

1. No party other than the Seller(s)/Owner(s) is in possession of all or any portion of the premises above described under any unrecorded leases, tenancy at will or otherwise. That Owners' possession of this real estate and the title to the real estate has never been disputed or questioned. The land has a single family house/condominium known as 6309 Riverside Rd., Fennville, MI 49408 (address). No separate building, garage or apartment is used as a second residence.
2. The Seller(s)/Owner(s) during the time of ownership of the premises above described has/have conveyed no portion of the premises nor done any act or allowed any act to be done which has changed or could change the boundaries of the premises.
3. Owner(s) are citizens of the United States, of legal age, have not married or divorced since purchasing the real estate and have never been known by any other name other than that used herein.
4. That there are no pending suits, proceedings, judgments, bankruptcies, liens or executions against said owner, either in the aforesaid county or any other county in the aforesaid state.
5. The undersigned has no knowledge of any due taxes or special assessments. All tax exemptions claimed were lawful. There are no special assessments on the real estate which are not fully paid, including but not limited to assessments for sidewalks, streets, sewers, and water lines.
6. There are no unrecorded driveway agreements, road maintenance agreements, easements, party walls, other agreements, or rights-of-way, which encumber the real estate.
7. The land has actual pedestrian and vehicular access based on a legal right of access to the land.
8. The Seller(s)/Owner(s) has/have no knowledge of any highways, abandoned roads, lanes, cemetery or family burial grounds, springs, streams, rivers, ponds, or lakes bordering or running through said premises.
9. All dues and/or assessments by the homeowners' association for the subdivision/condominium are paid current.
10. The undersigned has not allowed and knows of no violation of any covenants, restrictions, agreements, conditions or zoning ordinances affecting the premises.
11. The Seller(s)/Owner(s) has/have allowed no encroachments on the premises above described by any adjoining land owners nor has/have the undersigned encroached upon any property of adjoining land owners.
12. The Seller(s)/Owner(s) has/have allowed no easements, rights of way, continuous driveway usage, drain, sewer, water, gas or oil pipeline or other rights of passage to others over the premises above described and has/have no knowledge of such adverse rights.
13. There has been no new construction, improvements or structural repair work performed on the real estate for at least 120 days.



14. There are no unpaid bills or claims for labor, services, or material; any recorded or unrecorded mortgage, construction or improvement loans, U.C.C Filings, conditional bills of sale, retention of title agreements, security agreements, agreements not to sell or encumber, financing statements, or personal property leases, which affect the real estate or which affect any fixtures, appliances, or equipment now installed in or on the real estate.
15. Any improvements we added to the land were authorized by a building permit.
16. We are not aware, and have not been told, that the improvements on the land violate any building permit, zoning, restrictions or covenants.
17. We are not aware, and have not been told, that the improvements on the land encroach over any building lines, easements or property lines.
18. We are not aware, and have not been told, that the improvements by our neighbors encroach over our property lines.
19. There are no pending repairs or improvements to the street(s) adjacent to the land.
20. There are no boundary disputes, encroachments or overlaps of buildings, fences, driveways, septic disposal systems, or other permanent structures or components of the owner(s) or any adjoining owner(s) applicable to the premises.

The Owner(s) agrees to hold Lighthouse Title, Inc. and its underwriters harmless from any loss or claim arising because of title insurance protection providing a purchaser or lender in reliance in whole or in part of the completeness and correctness of the representations or attestations made herein. Unless the Company has been notified to the contrary, the Undersigned do hereby represent that the land to be insured is not considered "Commercial Real Estate" and the proposed transaction is not and will not be the subject of a written commission agreement running in favor of a commercial real estate broker per Public Act 201 of 2010, and further that they are not aware of any commercial broker lien having been recorded or to be recorded.

Ross T. Hanley, Trustee of the Ross T. Hanley Revocable Living Trust, dated October 12, 2011

By: Ross T. Hanley, Trustee

STATE OF MICHIGAN

COUNTY OF ALLEGAN

The foregoing instrument was acknowledged before me this day by Ross T. Hanley, Trustee of the Ross T. Hanley Revocable Living Trust, dated October 12, 2011.

Witness my hand and official seal, this the 1st day of April, 2026.

Jennifer S. Fagan, Notary Public
Allegan County, State of Michigan
Acting in Allegan County
My Commission Expires: August 28, 2030

(SEAL)

Please see full sized, two page copy of Affidavit and Estoppel Certificate signed by the seller on April 1, 2026 in hard copy version that outlines the following:

15. Any improvements we added to the land were authorized by a building permit.

16. We are not aware, and have not been told, that the improvements on the land violate any building permit, zoning restrictions or covenants.

About Our Tenant

09.09.2026

To Whom It May Concern:

My name is Lynn Soderstrom, and I am 71 years old. I have lived in my home at 6309 Riverside Rd since March of 2020, and during that time it has become a very important part of my life.

I have lived in this area for most of the past 30+ years. I have worked here, raised my family here, supported local businesses, and made many friends and memories here. Years ago, I was also fortunate to help open the Macatawa Bank location in Douglas, which I was very proud to be a part of. I have always loved this area and have considered it my community and my home.

At this point in my life, being close to family is especially important to me. My daughter and son-in-law live nearby, my mother, who is 96 lives in Holland, and almost two years ago my sister moved in next door to me. Having my sister next door has been such a blessing. As we get older, knowing we can check on one another provides us with a sense of comfort and security.

I live on a fixed income, and I am very fortunate to have a home that is affordable for me, well maintained, and in a community where I feel safe and comfortable. I don't take any of that for granted.

This is my home.

It is where I feel safe and settled. It is a home I can afford. My sister is only steps away, my daughter and son-in-law are close by, and my mother is in Holland. I am able to maintain my independence while being surrounded by the people who matter the most to me.

I am not asking for anything more than the opportunity to continue living quietly and independently in the home I've loved for more than six years.

I sincerely hope you will take my circumstances into consideration. I am very grateful that you took the time to read my letter and learn a little bit about me and why this home and community mean so much to me.

My hope is simply to be able to stay in the place I call home, close to the family I love. Thank you for your time and consideration.

Sincerely,

Lynn Soderstrom

Saugatuck Township

MEMORANDUM

TO: Saugatuck Township Zoning Board of Appeals

FROM: Lynée Wells, AICP, Township Planner

DATE: November 3, 2026

RE: **6309 Riverside Drive, Non-Use Variances – Detached Accessory Dwelling Unit Setback and Floor Area, Olmsted-Larime Trust (Karl Olmsted and Mark Larime), Parcel: 03-20-023-010-00**

Request: Dimensional Variance

The applicants purchased the property on April 1, 2026, with an outbuilding near Riverside Drive containing two dwelling units (Unit A and Unit B) that were never approved. They propose to remove Unit B and return it to storage, and to keep Unit A as a single detached accessory dwelling unit (ADU). They request:

A. **Setback (Section 8.30 A.4 / 8.20 A.3.a):** a detached ADU must meet accessory building setbacks, which require 200 feet in a front yard. Per the survey, the building is about 49 feet from the right-of-way, so the variance needed is about 151 feet. Because the ADU would also sit closer to the road than the dwelling, staff recommends the relief also cover Section 8.30 B.2, which applies to new detached ADUs constructed; this corresponds to the applicants' request A.

B. **Floor area (Section 8.30 A.6):** Unit A is about 683 sq. ft.; the maximum is 600 sq. ft. The variance needed is 83 sq. ft. (14%).

The applicants also ask to "keep" Unit A. That is not a variance: an ADU is a permitted use in R-2 (Table 3.30). If the variances are granted, Unit A would be permitted administratively once it meets all other Section 8.30 and code requirements.

BACKGROUND AND FACTS

- **Property:** 8.92 acres (340 ft. wide, ±1,108–1,155 ft. deep), zoned R-2 Riverside Residential, extending from Riverside Drive north to the Kalamazoo River. The river end includes a low land area, pond, and dock.
- **Buildings:** The principal dwelling sits about 215 feet from the right-of-way. The outbuilding (about 50 by 56 feet) sits about 49 feet from the right-of-way and 40 feet from the west line, which meets the R-2 setbacks for a principal building but not the 200-foot accessory building setback.
- **Units:** Unit A (±683 sq. ft.) has been occupied by the same tenant since March 2020. Unit B (±613 sq. ft.) would be returned to storage beginning April 1, 2027. The property was marketed with both rentals. A recent stove gas leak brought the units to the Fire District's attention, and the applicants have since installed a fuel shut-off valve.
- **Applicants' position:** They relied on the seller's April 1, 2026 Affidavit and Estoppel Certificate, which stated that improvements were permitted and complied with zoning. They state that slopes toward the river prevent an ADU behind the house, and that the building is well screened by trees. The Unit A tenant, a 71-year-old resident on a fixed income, submitted a letter of support.

No permits for converting the outbuilding to dwelling units were included with the application. The Township's permit history does not include any permits for the interior work at the outbuilding making these two ADUs. The building itself was built in the 1980s and might have had a farm property exemption.

Other Section 8.30 requirements, including owner occupancy, a single rental permit, no separate meter or address, and Health Department well and septic approval, are addressed in the recommended conditions.

ANALYSIS OF ARTICLE 18 STANDARDS

The sympathetic circumstances of the tenant and the applicants' reliance on the seller are real, but the ZBA must decide the request on the Article 18 standards, which focus on the property rather than the owner or occupant. The seller's affidavit is a private matter between the parties and the title insurer (Section 1.70 B).

1. **Does strict compliance unreasonably prevent use of the property or render conformity unnecessarily burdensome?**

   Setback: Arguably met. The house sits near the 200-foot line, and the land behind it slopes to the river, so a compliant detached ADU would need a new building. Using the existing outbuilding avoids new construction and site disturbance.

   Area: Not met. Strict compliance is not burdensome. Reducing Unit A by 83 sq. ft. can be done by relocating an interior wall, and the applicants are already reconfiguring the building to remove Unit B.

2. **Is the predicament caused by a unique circumstance related to the property?**

   Met as to setback: the location of an existing outbuilding near the road on a deep, river-sloping lot is a property-specific condition. Not met as to area: unit size is a design choice, not a property condition.

3. **Did the predicament result from a circumstance other than a self-created problem caused by the current landowner or any previous landowner?**

   This standard expressly includes previous landowners. The unpermitted units, including Unit A's size, were created by a previous owner, so the area request does not meet this standard. The setback issue may meet it if the outbuilding itself was lawfully built at its current location; however, the outbuilding was never permitted.

4. **Will the variance, or a lesser variance, provide substantial justice?**

   Granting the setback variance alone, while requiring Unit A to meet the 600 sq. ft. limit, is the lesser variance and allows one ADU to continue. The financial benefit of rental income is not, by itself, a basis for relief.

5. **Is there acceptable or no impact on public health, safety, welfare, and character of the area?**

   Met with conditions. The building is screened and set apart on a large lot. However, the units were never inspected, and a gas leak has occurred. Building, fire, and Health Department approvals must be obtained before continued occupancy.

6. **Does the variance align with the intent and spirit of the Ordinance?**

   Setback: arguably met, as the ADU provisions support housing options and the building is existing and screened, although Section 8.30 B.2 generally keeps detached ADUs from sitting closer to the road than the dwelling. Area: not met; the 600 sq. ft. cap is a core limit of the ADU provisions.

SUGGESTED MOTIONS

Setback – Approve with conditions: *"To approve a variance of approximately 151 feet from the 200-foot front setback of Sections 8.30 A.4 and 8.20 A.3.a, and relief from Section 8.30 B.2, allowing one detached ADU within the existing outbuilding at its surveyed location, closer to Riverside Drive than the principal dwelling, finding Article 18 Standards 1–6 are met, subject to the following conditions:"*

(1) Only one ADU (Unit A) is permitted. Dwelling use of Unit B shall cease, and Unit B shall be returned to non-dwelling storage, by April 1, 2027, verified by Township inspection.

(2) Unit A shall not exceed 600 sq. ft. of livable floor area (Section 8.30 A.6).

(3) Building, electrical, mechanical, plumbing, and Fire District inspections and permits, and Allegan County Health Department well and septic approval, shall be obtained within [90] days and before any certificate of occupancy.

(4) The principal dwelling or ADU shall be the owners' primary, year-round residence; only one rental permit shall be issued; no separate utility meter or mailing address (Sections 8.30 A.3 and A.7).

(5) The outbuilding shall not be enlarged, and the existing tree screening shall be maintained.

Floor area – Deny: *"To deny the requested 83 sq. ft. floor area variance from Section 8.30 A.6 because Article 18 Standards 1, 2, 3, and 6 are not met."*

Alternatively, if the ZBA finds the area standards met, it may approve the area variance and remove Condition 2.

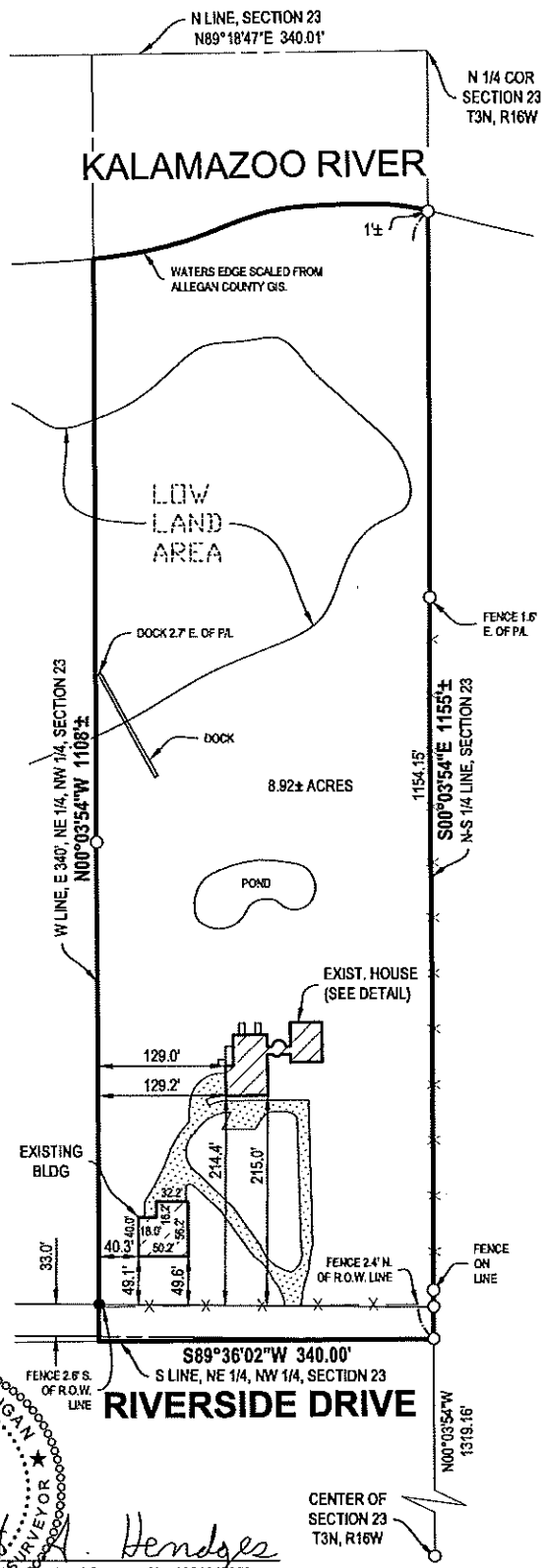
Attachments: Variance application (9/9/26); Request for Variance narrative, REV2 (9/9/26); Nederveld survey (1/7/26); Affidavit and Estoppel Certificate (4/1/26); tenant letter (9/9/26).

DESCRIPTION

The land referred to in this commitment, situated in the Township of Saugatuck, County of Allegan, and State of Michigan, is described as follows:

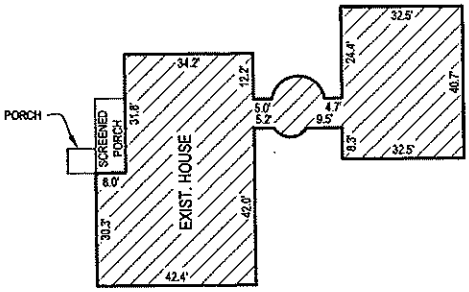
The East 340 feet of Government Lot 3, or the Northeast fractional quarter of the Northwest quarter of Section 23, Town 3 North, Range 16 West, according to the government survey, together with all water rights and all made land appurtenant, attaching to, or belonging to the aforesaid Government Lot 3, Township of Saugatuck, County of Allegan, State of Michigan.

(Stewart Title, Commitment No. HL25-11341845, dated November 3, 2025)



DETAIL

SCALE: 1" = 40'



LEGEND

— X — X —	Fence
	Existing Building
	Concrete
P/L	Property Line
○	Iron-Found
●	Iron-Set

STATE OF MICHIGAN
Scott A Hendges
License No. 4001047953
LICENSED PROFESSIONAL SURVEYOR

Scott A. Hendges Licensed Professional Surveyor No. 4001047953

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

SCALE: 1" = 150' 0' 75' 150' NORTH

Mark Larime
3619 Arbor Dr
Fenton, MI 48430

Hanley-6309 Riverside Rd
6309 Riverside Rd

DRAWN BY: NH DATE: 01-07-26
REV. BY: REV. DATE:
REV.:

PRJ #: 25201793

1 OF 1

NEDERVELD
www.nederveld.com • 800.222.1868
Holland
730 Chicago Dr.
Holland, MI 49423
Phone: 616.393.0449
Grand Rapids • Ann Arbor

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Lighthouse Title, Inc.
321 Settlers Road, Suite 120
Holland, MI 49423
Phone: (616)393-9240
Fax: (616)393-9237

AFFIDAVIT AND ESTOPPEL CERTIFICATE

The undersigned are the owner(s) or is an authorized representative of the owner(s) who personally knows the facts that relate to the matters attested to herein. The undersigned, in consideration of issuing its policies of title insurance insuring an interest in or title to the real estate described herein, deposes, states, and warrants as follows:

1. No party other than the Seller(s)/Owner(s) is in possession of all or any portion of the premises above described under any unrecorded leases, tenancy at will or otherwise. That Owners' possession of the real estate and the title to the real estate has never been disputed or questioned. The land has a single family house/condominium known as 6309 Riverside Rd., Fennville, MI 49408 (address). No separate building, garage or apartment is used as a second residence.

2. The Seller(s)/Owner(s) during the time of ownership of the premises above described has/have conveyed no portion of the premises nor done any act or allowed any act to be done which has changed or could change the boundaries of the premises.

3. Owner(s) are citizens of the United States, of legal age, have not married or divorced since purchasing the real estate and have never been known by any other name other than that used herein.

4. That there are no pending suits, proceedings, judgments, bankruptcies, liens or executions against said owner, either in the aforesaid county or any other county in the aforesaid state.

5. The undersigned has no knowledge of any due taxes or special assessments. All tax exemptions claimed were lawful. There are no special assessments on the real estate which are not fully paid, including but not limited to assessments for sidewalks, streets, sewers, and water lines.

6. There are no unrecorded driveway agreements, road maintenance agreements, easements, party walls, other agreements, or rights-of-way, which encumber the real estate.

7. The land has actual pedestrian and vehicular access based on a legal right of access to the land.

8. The Seller(s)/Owner(s) has/have no knowledge of any highways, abandoned roads, lanes, cemetery or family burial grounds, springs, streams, rivers, ponds, or lakes bordering or running through said premises.

9. All dues and/or assessments by the homeowners' association for the subdivision/condominium are paid current.

10. The undersigned has not allowed and knows of no violation of any covenants, restrictions, agreements, conditions or zoning ordinances affecting the premises.

11. The Seller(s)/Owner(s) has/have allowed no encroachments on the premises above described by any adjoining land owners nor has/have the undersigned encroached upon any property of adjoining land owners.

12. The Seller(s)/Owner(s) has/have allowed no easements, rights of way, continuous driveway usage, drain, sewer, water, gas or oil pipeline or other rights of passage to others over the premises above described and has/have no knowledge of such adverse rights.

13. There has been no new construction, improvements or structural repair work performed on the real estate for at least 120 days.

14. There are no unpaid bills or claims for labor, services, or material; any recorded or unrecorded mortgage, construction or improvement loans, U.C.C Filings, conditional bills of sale, retention of title agreements, security agreements, agreements not to sell or encumber, financing statements, or personal property leases, which affect the real estate or which affect any fixtures, appliances, or equipment now installed in or on the real estate.

15. Any improvements we added to the land were authorized by a building permit.

16. We are not aware, and have not been told, that the improvements on the land violate any building permit, zoning, restrictions or covenants.

17. We are not aware, and have not been told, that the improvements on the land encroach over any building lines, easements or property lines.

18. We are not aware, and have not been told, that the improvements by our neighbors encroach over our property lines.

19. There are no pending repairs or improvements to the street(s) adjacent to the land.

20. There are no boundary disputes, encroachments or overlaps of buildings, fences, driveways, septic disposal systems, or other permanent structures or components of the owner(s) or any adjoining owner(s) applicable to the premises.

The Owner(s) agrees to hold Lighthouse Title, Inc. and its underwriters harmless from any loss or claim arising because of title insurance protection providing a purchaser or lender in reliance in whole or in part of the completeness and correctness of the representations or attestations made herein. Unless the Company has been notified to the contrary, the Undersigned do hereby represent that the land to be insured is not considered "Commercial Real Estate" and the proposed transaction is not and will not be the subject of a written commission agreement running in favor of a commercial real estate broker per Public Act 201 of 2010, and further that they are not aware of any commercial broker lien having been recorded or to be recorded.

Ross T. Hanley, Trustee of the Ross T. Hanley Revocable Living Trust, dated October 12, 2011

BY: R. T. Hanley, Trustee

Ross T. Hanley, Trustee

STATE OF MICHIGAN

COUNTY OF ALLEGAN

The foregoing instrument was acknowledged before me this day by Ross T. Hanley, Trustee of the Ross T. Hanley Revocable Living Trust, dated October 12, 2011.

Witness my hand and official seal, this the 1st day of April, 2026.

Jennifer S. Folkert, Notary Public
Allegan County, State of Michigan
Acting in Allegan County
My Commission Expires: August 28, 2030

(SEAL)

Saugatuck Township

VARIANCE APPLICATION

SUBMISSION REQUIREMENTS

Fees and escrow as outlined in the Township Consolidated Fee Schedule.
Submit 2 hard copies of the site plan and application, plus 1 digital copy emailed to info@saugatucktownshipmi.gov.

APPLICANT INFORMATION

Contact Name: Michael R Dezsi

Address: 303 Crane Ave

Royal Oak	MI	48067
City	*State*	*Zip Code*

[redacted] [redacted]

PROPERTY INFORMATION

Parcel Number: 20-034-019-01 **Acreage:** 7.1 acres

Physical Address: 6487 124th Ave, Fennville, MI

Current Zoning: A-1

REQUEST INFORMATION

Describe nature of request (use additional pages if necessary): Seeking variance to build an accessory building (a barn/garage) that is slightly under the 200' front setback requirement of Sec 8.20 (accessory buildings).

Zoning Section for variance (list all that may apply): Sec 8.20(A)(3)(a), accessory building, requiring 200' of setback from road.

3461 BLUE STAR HIGHWAY P.O. BOX 100 SAUGATUCK, MI 49453
INFO@SAUGATUCKTOWNSHIPMI.GOV | (269) 857-7721 | WWW.SAUGATUCKTOWNSHIPMI.GOV

Saugatuck Township

VARIANCE APPLICATION

SUPPLEMENTAL INFORMATION FOR APPLICATION TO BOARD OF APPEALS:

A variance can only be granted by the Board of Appeals if there is sufficient evidence demonstrating that all required conditions are met. Therefore, it is essential to provide detailed information supporting these conditions. Refer to Article 18 for guidance.

That there are exceptional or extra-ordinary circumstances or conditions applying to the property in question as to the intended use of same that do not apply generally to other properties in the same zone district.

Yes, please see attached

That such variance is necessary for preservation and enjoyment of a substantial property right similar to that possessed by other property right similar to that possessed by other properties in the same zone district and in the vicinity; provided that the possibility of increased financial return shall not of itself be deemed to warrant variance.

Yes, the variance is necessary for full preservation and enjoyment of a substantial property righ

garage to store auto/equipment to maintain the property/space for modern accessories

That the authorizing of such variance will not be of substantial detriment of adjacent property and will not materially impair the intent and purposes of the Zoning Ordinance of the public health, safety, and welfare.

the variance presents no detriment (substantial or otherwise) to any adjacent property and wou

impair the intent/purposes of the zoning ordinance as to public health, safety, or welfare.

That the condition or situation of the specific piece of property or the intended use of said property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation.

not applicable

Any exceptional or extraordinary circumstances applying to the property in question are not self-created

None - this request is made because the existing home was converted from an old/existing barı

AGREEMENT

By signing below, I grant Township staff or authorized representatives thereof access to the property to conduct inspections as needed.

Michael Bezi — September 9, 2026

Applicant Signature — *Date*

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INFO@SAUGATUCKTOWNSHIPMI.GOV | (269) 857-7721 | WWW.SAUGATUCKTOWNSHIPMI.GOV

Supplement to Variance Application

Nature of Request and Exceptional or Extra-Ordinary Circumstances or conditions that apply to the property supporting variance:

- Based on the vintage photos below, the proposed accessory building is located approximately in the same location as the prior assessory building was located.
- There is not an attached garage to the current dwelling (converted from the old barn). There is no basement or crawl space.
- The septic field is located in the rear of the back of the current dwelling house; The main dwelling house on the property was recently converted from an old existing barn into a residence. The old farmhouse that was on the property is now long gone and was located in front of the barn (which is now the dwelling house). Hence, the long distance from the road to the current dwelling (220 feet);
- The proposed accessory building is located off the existing gravel driveway and in-between existing trees to be saved.
- The accessory building is primarily a garage for the owner's cars.
- It would be reasonable to have the garage close to the house.
- The garage doors are not street facing rather side entry
- The accessory building is smaller than the primary house.
- The accessory building is behind the required primary building setbacks.
- Originally there was a farmhouse in front of the accessory buildings. It is understood that the house was lost in a fire.
- The barn was converted to a residence and was not moved in location.
- The owners saved a piece of local history by saving the barn (built circa 1870) and converting it to a house.
- The location of the old barn that was converted into the current dwelling did not change;
- The old barn was an on-grade building

These factors thus present the practical difficulty of building an accessory building (barn/garage) in the back of the current dwelling as that is the location of the septic field. The proposed location of the accessory building would therefore be 187 feet setback from the road (or 135 feet setback from the right of way/easement), which is nominally under the 200' required setback under Section 8.20(A)(3)(a). In short, Applicant seeks variance such that the proposed accessory building would be 187' set back from the road. The other setback requirements under this Section (10 feet side and 10 feet rear) are easily satisfied by the proposed location of the accessory building given the property is 7 acres.

Part of the accessory building will be used as a garage and would be constructed at a reasonable distance from the dwelling house (approximately 53 feet west of the dwelling). Granting the variance still satisfies the goal of the ordinance (Sec 8.20(A)(3)(a)) which is to ensure a reasonable amount of distance from the accessory building (garage) to the dwelling house. As shown on the attached site plan, the proposed location of the accessory building would still be 53 feet west of the dwelling thus ensuring adequate space/turn-around for emergency vehicles.

Furthermore, as the dwelling house is on a slab on grade there is not a basement for the typical types of modern accessories such as an exercise room, sauna, or home office space/small workshop. The proposed accessory building would provide the necessary space for such modern accessories while also providing the dwelling occupants with garage space for vehicles and equipment to maintain the 7 acres of property.

The design concept calls for a continuation of board and batten siding similar to that of the dwelling house. The accessory building would also have similar windows and roof pitch to the dwelling

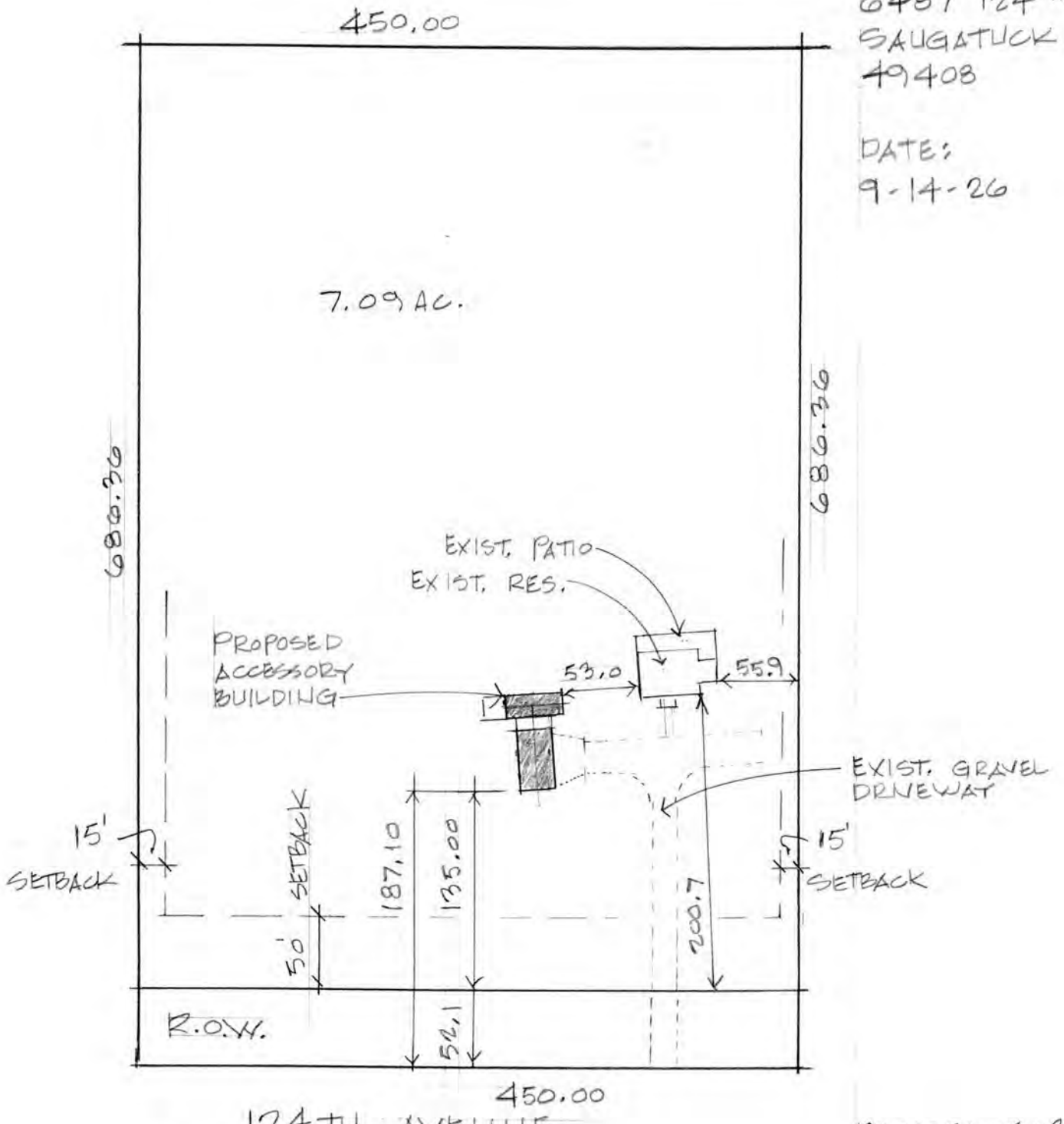
house thus maintaining congruity as between the structures. The accessory building is designed to rise 1-½ story above the exercise space. The ground to the ridge would be under 25'.

As the site plan reflects, the proposed location of the accessory building would not hinder, impede, or block access or egress to the dwelling house as it would be located at a reasonable and safe distance (53 feet) west of the dwelling. Furthermore, the current driveway to the dwelling (inspected and approved by the Fire Dep't) provides adequate space to turn around emergency vehicles and would not be affected by the variance.

The variance would not affect or impact any adjacent property given the ample set back west of the proposed accessory building (251 feet, 187 feet from the road, and 53 feet from the primary dwelling).

ACCESSORY BUILDING
6487 124TH AVE
SAUGATUCK TWP.
49408

DATE:
9-14-26



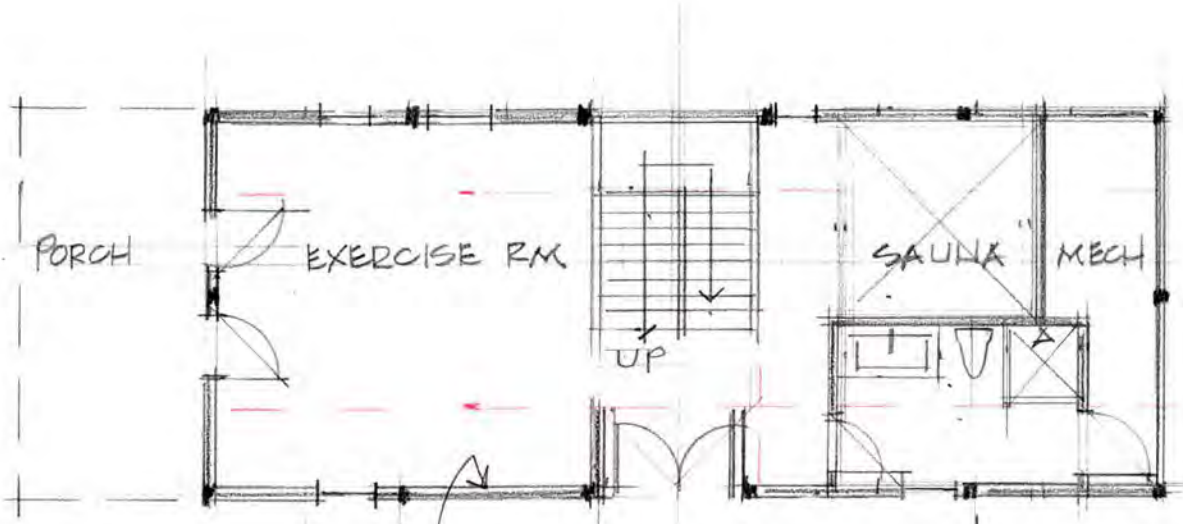
SITE PLAN
SCALE: 1" = 100'

SURVEY BY:
NEDERVELD

RESIDENCE: 2,347.74

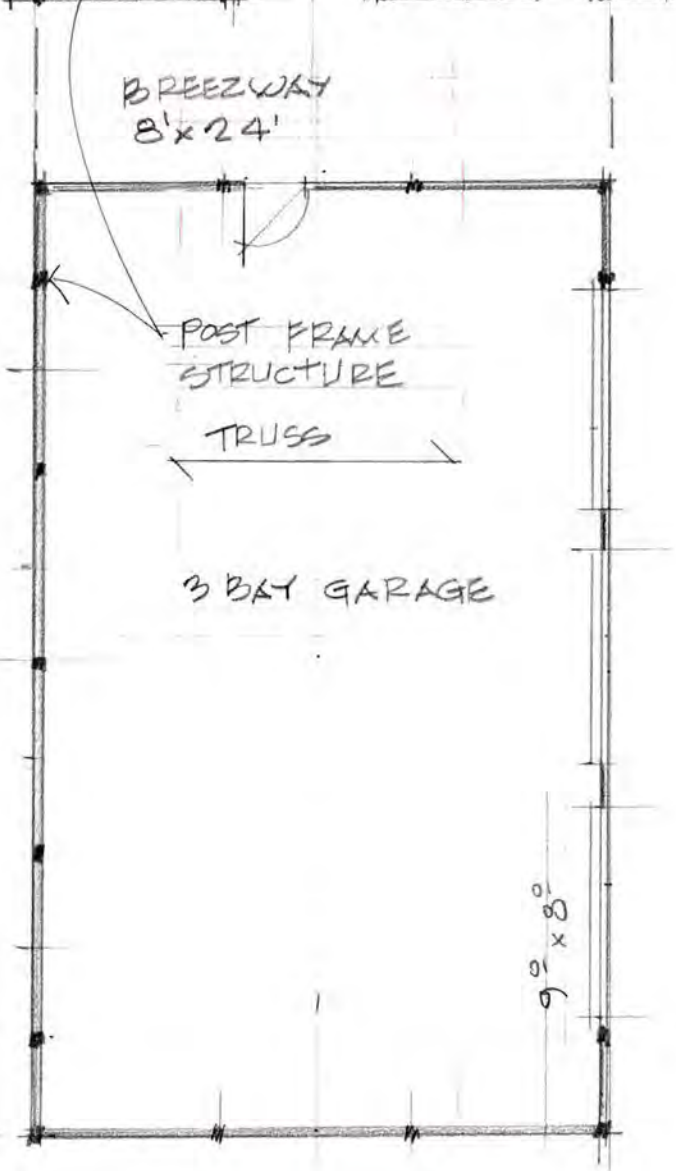
PROPOSED ACCESSORY: 1,920.00

POLE BARN
6487 124TH AVE 49408
S.D. "A" 1/8" = 1'-0"
4-11-25
9.14.26



40' x 16'
640 S.F.
SEC. FLOOR
320 S.F.
960 S.F.
(HEAT'D)

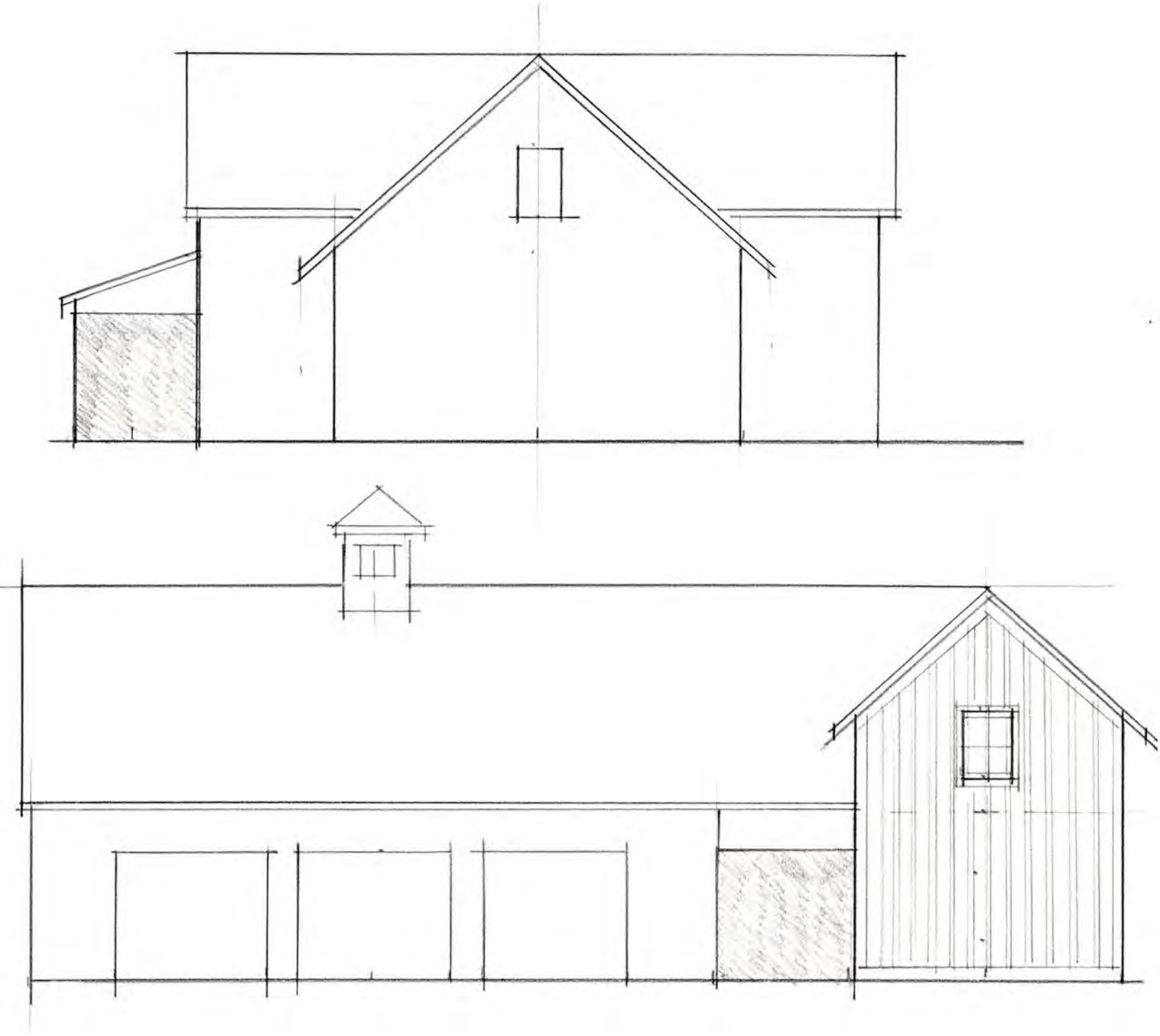
10'
120"
16R
@ 7 1/2
15 T @ 10"
150"
12'-6"
70 ÷ 12 = 5'-8



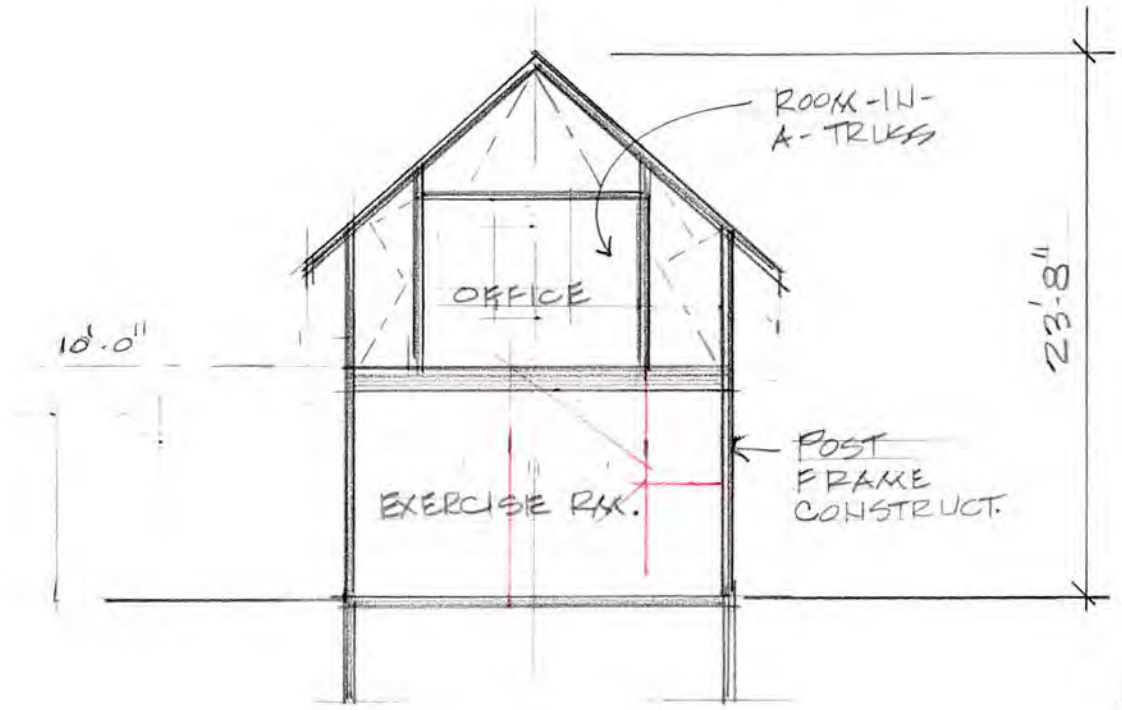
24' x 40'
960 S.F.

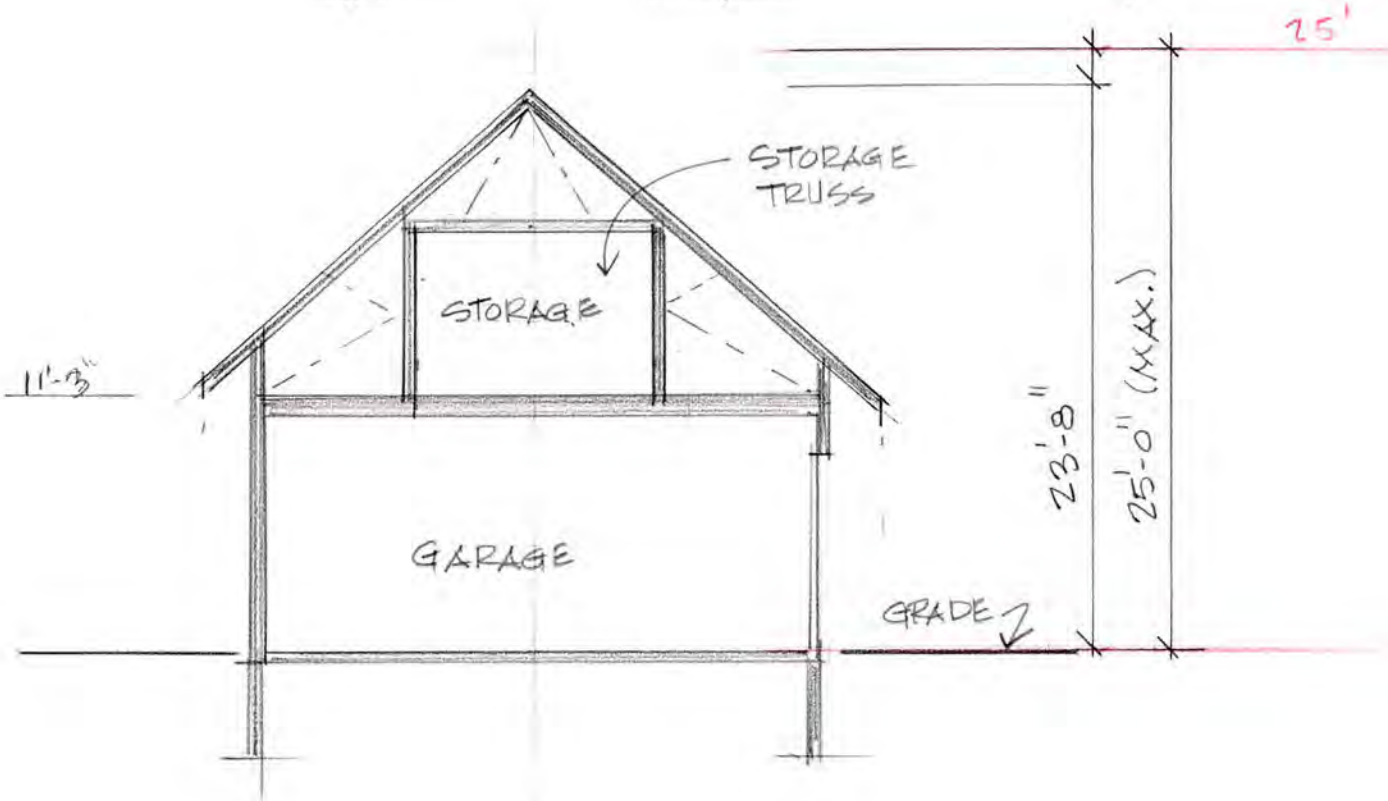
POLE BARN
6487 124TH AVE 49408
S.D. "A" 1/8" = 1'-0

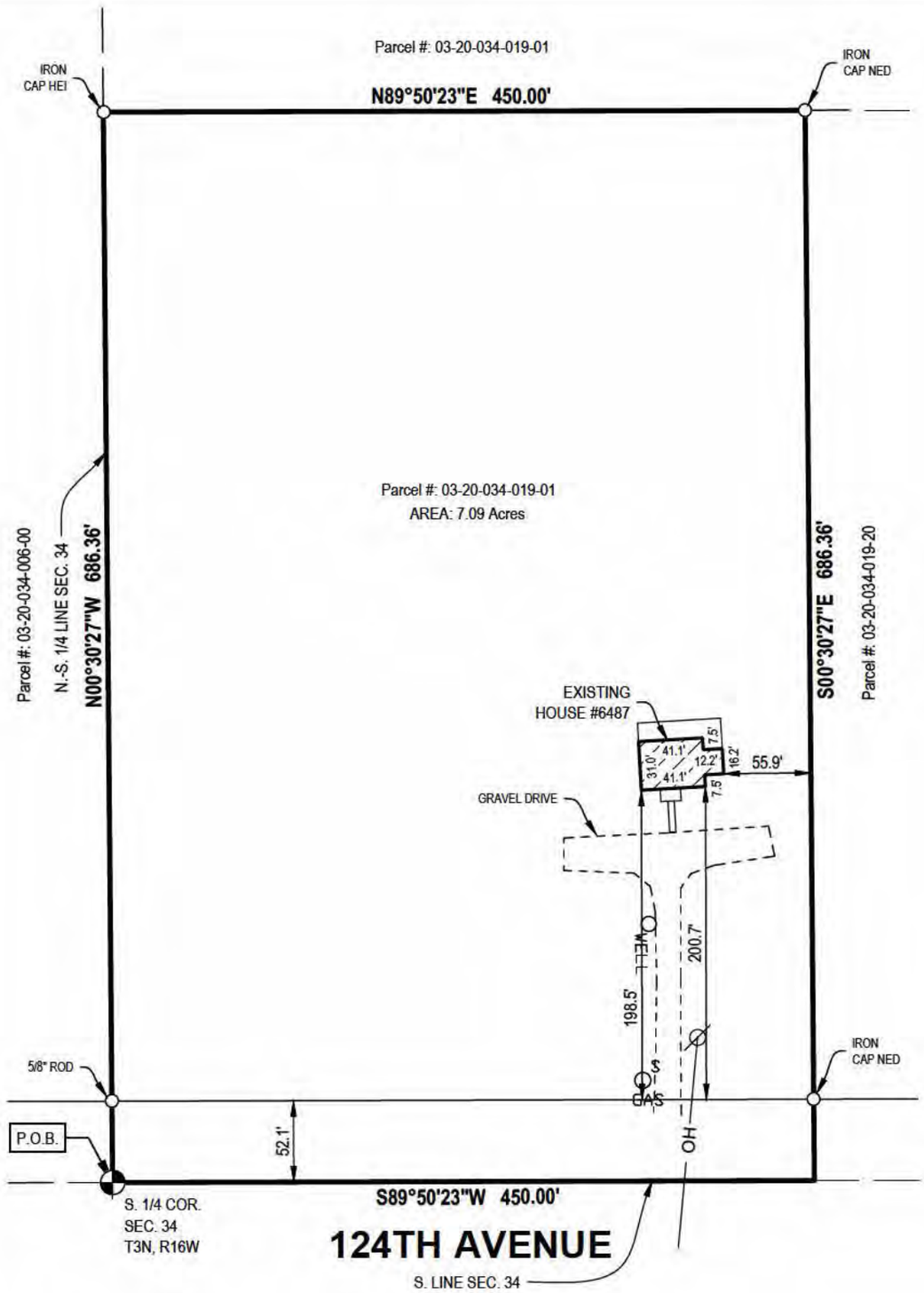
4-11-25
9-14-26



POLE BARN
6487 124TH AVE 49408
S.D. "A" 1/8" = 1'-0"
4-11-25
9-14-26







DESCRIPTION

The following described premises situated in the City of Fennville, County of Allegan, State of Michigan to wit:

Beginning at the South 1/4 corner, thence North 00° 30'27" West 686.36 feet; thence North 89° 50'23" East 450 feet; thence South 00° 30'27" East 686.36 feet; thence South 89° 50'23" West 450 feet to the point of beginning. Section 34, Town 3 North, Range 16 West. Survey: 7.09 acres (2024). Split/Combined on 08/24/2023 from 20-034-019-00, 20-034-019-30

(Quit Claim Deed, Instrument No. 2025019044, Dated November 24, 2024, Allegan County Register of Deeds)

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

LEGEND

- Section Corner
- Iron - Found
- Utility Pole
- GAS — Underground Gas Marker
- WELL — Water Well
- OH — Overhead Utility
- Existing Building
- Concrete

STATE OF MICHIGAN
Scott A Hendges
License No. 4001047953
LICENSED PROFESSIONAL SURVEYOR

By: Scott A. Hendges

Scott A. Hendges Licensed Professional Surveyor No. 4001047953

SCALE: 1" = 100' 0' 50' 100' **NORTH**

Michael Dezsi
303 Crane Ave
Royal Oak, MI 48067-1717

6487 124th Ave
Fennville, MI 49408-8702

DRAWN BY: RP
REV. BY:
REV.:
DATE: 2026.08.07
REV. DATE:
PRJ #: 26201736
1 OF 1

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Saugatuck Township

MEMORANDUM

TO:	Saugatuck Township Zoning Board of Appeals
FROM:	Lynée Wells, AICP, Township Planner
DATE:	November 3, 2026
RE:	**6487 124th Avenue, Non-Use Variance – Accessory Building Front Setback, Michael R. Dezsi, Parcel: 03-20-034-019-01**

Request: Non-Use Variance

The applicant requests a variance from Section 8.20 A.3.a, which requires accessory buildings in a front yard to be set back 200 feet, to build a 1,920 sq. ft., 1½-story accessory building (garage, exercise room, office) about 53 feet west of the dwelling.

Amount of variance. The application cites 187 feet, but that is measured to the road centerline. Under Section 7.100 A.2, setbacks are measured from the right-of-way, and the applicant's site plan shows the building at 135 feet. **The variance required is 65 feet.**

BACKGROUND AND FACTS

- **Property:** 7.09 acres (450′ × 686′), zoned A-1, acquired by the applicant in November 2024.
- **Dwelling:** A c.1870 barn converted in place to a residence; slab-on-grade, no garage, located about 200 feet from the right-of-way per the survey.
- **Proposed building:** 3-bay garage, breezeway, and wing with exercise room, sauna, bathroom, and upper-level office; 23′-8″ to ridge; board-and-batten to match the dwelling; side-entry garage doors.
- **Stated hardship:** The septic field is behind the dwelling; the proposed site is off the existing driveway between trees to be saved, near where a historic outbuilding stood.

All other Section 8.20 requirements are met (side and rear setbacks, 53-foot separation from the dwelling, height and stories, and total area well under 10% of the lot). **Because the plans include a bathroom and office, a condition prohibiting dwelling or sleeping use (Section 8.20 A.2) is recommended.**

ANALYSIS OF ARTICLE 18 STANDARDS

1. **Does strict compliance unreasonably prevent use of the property or render conformity unnecessarily burdensome?**

   With the house at about 200 feet, a compliant site would be beside or behind it. The septic field, reserve area, and well are not shown on any plan, so staff cannot confirm that no compliant location exists on this 7-acre parcel, such as west of the dwelling roughly 65 feet north of the proposed site. Convenience and driveway cost are not practical difficulties.

2. **Is the predicament caused by a unique circumstance related to the property?**

   Met. Converting the barn in place left the dwelling at the 200-foot line, unlike typical A-1 lots.

3. **Did the predicament result from a circumstance other than a self-created problem?**

   Arguably met. The barn location predates the owner, but the conversion and septic placement were owner choices. The ZBA should ask when and why the septic system was placed where it is.

4. Will the variance, or a lesser variance, provide substantial justice?

Met. A garage is a customary accessory use, and the dwelling has none. The ZBA should consider whether shifting the building north would allow a lesser variance.

5. Is there acceptable or no impact on public health, safety, welfare, and character of the area?

Met. The building is 135 feet from the road and over 200 feet from the nearest side line, matches the dwelling, preserves trees, and is consistent with the rural farmstead character.

6. Does the variance align with the intent and spirit of the Ordinance?

Arguably met with conditions. The 200-foot rule keeps accessory buildings behind and subordinate to the house; this building would sit in front of it. Compatible design, tree retention, and preservation of the historic barn mitigate this.

SUGGESTED MOTIONS

Postpone (recommended if septic information is not provided at the hearing): *"To postpone the variance request at 6487 124th Avenue pending documentation of the septic field, reserve area, well, and isolation distances, and why a location at 200 feet or more from the right-of-way is not feasible."*

Approve with conditions: *"To approve a 65-foot variance from Section 8.20 A.3.a, allowing an accessory building no closer than 135 feet from the 124th Avenue right-of-way, finding Article 18 Standards 1–6 are met, subject to the following conditions:"*

(1) Location, size (1,920 sq. ft.), and height per the site plan and drawings dated September 14, 2026.

(2) No dwelling or sleeping use (Section 8.20 A.2); any future ADU requires review under Section 8.30.

(3) Exterior consistent with the dwelling and submitted elevations; garage doors shall not face 124th Avenue.

(4) Existing trees between the building and the road shall be preserved or replaced if lost.

(5) Health Department and Fire District approvals prior to building permit.

(6) The variance expires if a building permit is not obtained within one year.

Attachments: Variance application and supplement (9/9/26); site plan and building drawings (9/14/26); Nederveld survey (8/7/26).