



**Zoning Board of Appeals
Regular Meeting
January 11, 2024 – 7:00PM
102 Butler St, Saugatuck, MI**

In person meeting

- 1. Call to Order/Roll Call**
- 2. Approval of Agenda**
- 3. Approval of Minutes:**
 - A. November 9, 2023 Regular Meeting
- 4. Public Comments**
- 5. Unfinished Business:** None
- 6. New Business:**
 - A. Election of officers
 - B. 145 Grant St – Variance request to increase lot coverage.
 - C. 2023 ZBA Activity Report
- 7. Communications:**
- 8. ZBA Member Comments**
- 9. Public Comments**
- 10. Adjourn (Voice Vote)**

This public meeting will be held in person at Saugatuck City Hall. Interested parties may attend in person or participate by using Zoom video/audio conference technology.

Join online by visiting:
<https://us02web.zoom.us/j/2698572603>

Join by phone by dialing:
**(312) 626-6799 -or-
(646) 518-9805**

Then enter "Meeting ID":
2698572603

Please send questions or comments regarding meeting agenda items prior to meeting to:
rcummins@saugatuckcity.com

Public Hearing Procedure

- A. Hearing is called to order by the Chair
- B. Summary by the Zoning Administrator
- C. Presentation by the Applicant
- D. Public comment regarding the application
 - Participants shall identify themselves by name and address
 - Comments/Questions shall be addressed to the Chair
 - Comments/Questions shall be limited to five minutes
1. Supporting comments (audience and letters)

2. Opposing comments (audience and letters)
 3. General comments (audience and letters)
 4. Repeat comment opportunity (Supporting, Opposing, General)
- E. Public comment portion closed by the Chair
 - F. Commission Deliberation
 - G. Commission Action



Saugatuck Zoning Board of Appeals Meeting - *PROPOSED* **November 9, 2023, Minutes**

The Saugatuck Zoning Board of Appeals
Met in regular session at 7:00 p.m.
City Hall, 102 Butler Street, Saugatuck, Michigan.

- 1. Call to Order** by Vice Chairman Bouck at 7:00 p.m.

Attendance:

Present: Chairman Kubasiak, Vice Chairman Bouck, Board Members Crawford, Hundreiser, & McPolin.

Absent: Board member Bont.

Others Present: Deputy Clerk Sara Williams, City Attorney Jacob Witte, and Director of Planning and Zoning Ryan Cummins (via Zoom)

- 2. Agenda Changes/Approval of Agenda:** Approved.

Motion by Bouck, second by McPolin to approve the agenda for November 9, 2023, meeting as presented. Upon voice vote, motion carried 5-0.

- 3. Approval of Minutes:** Approved.

Motion by Crawford, second by Hundreiser, to approve the minutes from October 12, 2023, as submitted. Upon voice vote, motion carried 5-0.

- 4. Public Comments:**

- Dan Fox (1006 Elizabeth) – In support of project at 145 Grant Street.

- 5. Unfinished Business:** None.

- 6. New Business:**

- A. 145 Grant St – Variance request to reduce front setbacks, reduce rear setback, increase lot coverage, and reconstruct within, or so as to encroach on, a public right-of-way or public easement.**

1. The Public Hearing was called to order by the Chair at 7:06 p.m.

2. Summary by Director of Planning, Zoning & Project Management Ryan Cummins.

The applicant requests several variances for a comprehensive building and renovation project at 145 Grant Street. This project includes a renovation of the existing dwelling, expansion of the dwelling, and a new detached garage building. The variance requests relate to Section 154.026(D) and Section 154.174(C)(4)(a) of the Zoning Ordinance and are the following:

1. Reduce the front setback on Grant Street to ten feet (10') instead of the minimum 20-foot setback, a reduction of ten feet (10') for an addition and garage.
2. Reduce the rear setback to seven feet (7') instead of the minimum 10-foot setback, a reduction of three feet (3') for a detached three-stall garage.
3. Reduce the front setback on Elizabeth Street to fifteen feet (15') instead of the minimum 20-foot setback, a reduction of 5 feet (5') for a detached three-stall garage.
4. Reduce the front setback on Elizabeth Street to zero feet (0') instead of the minimum 20-foot setback, a reduction of twenty feet (20'), for the reconstruction and enclosure of a porch.
5. Reconstruct within, or so as to encroach on, a public right-of-way or public easement for the reconstruction and enclosure of a porch.
6. An increase in lot coverage to 42.62% instead of the maximum of 30%, an increase of 12.62% for an addition, porch enclosure, and new garages.

The property is located in the R-1 Community Residential District (R-1 CR). The corner lot is 54 feet wide along Grant Street and 157 deep along Elizabeth Street (8,497 square feet in area). Dimensional requirements for the R-1 CR zoning district are shown below.

Front setback: 20 feet

Side setback: 7 feet

Rear setback: 10 feet

Minimum lot area: 8,712 square feet

Minimum lot width: 66 feet

Maximum lot coverage: 30%

The subject lot does not conform to the minimum lot area requirement (8,712 square feet) and the minimum lot width requirement (66 feet). While the property is a corner lot, Elizabeth Street, where abutting the property, has a dirt/gravel surface which eventually ends before the right-of-way reaches Simonson Street. There is no further development potential along Elizabeth Street, as the parcel across the street narrows considerably to its south boundary, and the rest of the property to the east is City-owned.

Due to its nonconforming nature and location along a terminating street, the lot is somewhat unique.

3. Presentation by the Applicant: Jim Smitt

4. Public comment regarding the application:

a. Supporting comments:

- Dan Fox (1006 Elizabeth) – in support of project.

b. Opposing comments (audience and letters):

- Carol Nash (997 Elizabeth) – Opposed to project.
- Mark & Deidre Levine (1005 Elizabeth) - Opposed to project.
- Douglas & Linda Lampen (995 Holland) - Opposed to project.
- Jim and Lorna Farrell (945 Elizabeth) - Opposed to project.

c. General comments (audience and letters): None.

d. Repeat comment opportunity (Supporting, Opposing, General): None.

5. Public comment portion closed by the Chair at 7:43 p.m.

6. Commission deliberation:

The board went into deliberation and discussed several variances for a comprehensive building and renovation project at 145 Grant Street. This project includes a renovation of the existing dwelling, expansion of the dwelling, and a new detached garage building. The variance requests relate to Section 154.026(D) and Section 154.174(C)(4)(a) of the Zoning Ordinance and are the following:

1. Reduce the front setback on Grant Street to ten feet (10') instead of the minimum 20-foot setback, a reduction of ten feet (10') for an addition and garage.
2. Reduce the rear setback to seven feet (7') instead of the minimum 10-foot setback, a reduction of three feet (3') for a detached three-stall garage.
3. Reduce the front setback on Elizabeth Street to fifteen feet (15') instead of the minimum 20-foot setback, a reduction of 5 feet (5') for a detached three-stall garage.
4. Reduce the front setback on Elizabeth Street to zero feet (0') instead of the minimum 20-foot setback, a reduction of twenty feet (20'), for the reconstruction and enclosure of a porch.
5. Reconstruct within, or so as to encroach on, a public right-of-way or public easement for the reconstruction and enclosure of a porch.
6. An increase in lot coverage to 42.62% instead of the maximum of 30%, an increase of 12.62% for an addition, porch enclosure, and new garages.

The property is located in the R-1 Community Residential District (R-1 CR). The corner lot is 54 feet wide along Grant Street and 157 deep along Elizabeth Street (8,497 square feet in area). Dimensional requirements for the R-1 CR zoning district are shown below.

Front setback: 20 feet

Side setback: 7 feet
Rear setback: 10 feet
Minimum lot area: 8,712 square feet
Minimum lot width: 66 feet
Maximum lot coverage: 30%

ZBA Findings of Fact: *Note: Applicant must show practical difficulty by demonstrating that all four standards are met.*

Review # 1 (applies to variance request numbers 1, 4, & 5 shown above).

Standard 1: *“That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome.” § 154.155(B)(1). Bouck, Crawford, McPolin, Hundreiser, Kubasiak, & McPolin found this standard is met because:*

The Board may consider full conformity unnecessarily burdensome based on the nonconforming nature of the lot, its corner-lot characteristics, and the current placement of the nonconforming principal building. As such, front setback variances from the public street rights-of-way for the principal dwelling seem reasonable, especially considering improvements to an aging structure and limited ability to expand and improve in a conforming manner.

Standard 2: *“That a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.” § 154.155(B)(2). Bouck, Crawford, Hundreiser, Kubasiak, & McPolin found this standard is met because:*

Front setbacks and right-of-way construction for improvements to the existing principal building area are reasonable and would provide sufficient relief to the property owner to allow modest expansion to the dwelling.

Standard 3: *“That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.” § 154.155(B)(3). Bouck, Crawford, Hundreiser, Kubasiak, & McPolin found this standard is met because:*

While the lot is narrower than a conforming lot and subject to greater restrictions than an interior lot, the conditions are somewhat unique. The placement of the existing dwelling within the required setback area and right-of-way is certainly unique, though, so reasonable relief appears to be appropriate.

Standard 4: *“That the problem is not self-created or based on personal financial circumstances.” § 154.155(B)(4). Bouck, Crawford, Hundreiser, Kubasiak, & McPolin found this standard is met because:*

The problem regarding the expansion of the existing dwelling is not self-created, as the owner was not involved with the construction of the original dwelling. Although the owner desires an expansion to the dwelling, improving the dwelling and even expanding the footprint is not unreasonable. Based on the placement of the building, the owner did not create the circumstances that warrant the front setback variances.

7. Commission action: ZBA Decision (Approve):

Motion by Bouck, second by McPolin, to approve front setback relief and allowance for construction within the public right-of-way for renovations and expansion to the existing principal dwelling based on the positive findings documented in the staff memo provided to the Board for its November 9, 2023, meeting as well as the Board finding that all four requirements have been satisfied. This approval is contingent upon the renovation and expansion of the dwelling occurring in conformance with the plans submitted with the application materials. The motion was amended to include that all building within the Elizabeth Street right-of-way is approved by the City Council. Upon roll call vote, motion carried 5-0.

ZBA Findings of Fact: *Note: Applicant must show practical difficulty by demonstrating that all four standards are met.*

Review #2 applies to variance request numbers 2, 3, & 6 shown above.

Standard 1: *“That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome.” § 154.155(B)(1). Bouck, Crawford, McPolin, Hundreiser, Kubasiak, & McPolin found this standard is NOT met because:*

There are no extraordinary conditions regarding compliance with the detached garage setbacks (front/rear) and the lot coverage maximum. The request for a 3-stall detached garage is excessive for a lot of this size, especially when reasonably sized and conforming garage space can be constructed in attached or detached designs.

Standard 2: *“That a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.” § 154.155(B)(2). Bouck, Crawford, Hundreiser, Kubasiak, & McPolin found this standard is NOT met because:*

Relaxation of the lot coverage and detached accessory garage would give the

owner rights that are not available to other property owners in the area, and denial of these requests would not affect the justice to the owner. The significant increase in lot coverage and garage space is far beyond allowable, and there are no reasonable justifications for the large garage based on the conditions of the lot and land.

Standard 3: *“That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.” § 154.155(B)(3). Bouck, Crawford, Hundreiser, Kubasiak, & McPolin found this standard is NOT met because:*

Similar lots are evident throughout the City, and the conditions and circumstances are not so unique as to warrant relief, let alone relief to construct such significant garage space for a dwelling on an R-1 CR lot.

Standard 4: *“That the problem is not self-created or based on personal financial circumstances.” § 154.155(B)(4). Bouck, Crawford, Hundreiser, Kubasiak, & McPolin found this standard is NOT met because:*

The detached garage, which requires a rear setback, front setback, and lot coverage variances, is certainly a self-created issue and, based on a personal desire, not relief necessary for reasonable use of the property.

7. Commission action: ZBA Decision (Deny):

Motion by Bouck, second by Kubasiak to deny the rear setback at 7-foot instead of the 10-foot minimum, deny the front setback at 15 ft instead of the 20 ft minimum, and deny increasing lot coverage to 42.62%. Upon roll call vote, motion carried 5-0.

7. Communications: None.

8. ZBA Comments:

Chair Kubasiak told the Board that they did a good job and said that the application tonight was a challenging case.

9. Public Comments: None.

10. Adjournment: *Motion by Crawford, second by Bouck to adjourn. Motion carried 5-0. The meeting was adjourned at 8:39 pm by Chair Kubasiak.*

Respectfully Submitted,
Sara Williams
City Deputy Clerk



**BACKGROUND REPORT
ZONING BOARD OF APPEALS JANUARY 11, 2024**

145 GRANT STREET 03-57-052-008-50

JIM SMIT

REQUEST: The applicant requests a variance to construct a new two-story detached garage at 145 Grant Street with 676 square feet of lot coverage. The variance request relates to the total lot coverage requirement noted in Section 154.026(D) of the Zoning Ordinance:

Lot Coverage	Requirement	Requested	Variance
Maximum for all buildings	30%	34%	4%

BACKGROUND: The property is located in the R-1 Community Residential District (R-1 CR). The corner lot is 54 feet wide along Grant Street and 157 deep along Elizabeth Street (8,497 square feet in area). The lot does not conform to the minimum lot area requirement (8,712 square feet) and the minimum lot width requirement (66 feet). The ZBA previously denied variances related to the proposed detached garage in November but approved variances for the renovation and expansion of the principal dwelling.

While the property is a corner lot, Elizabeth Street, abutting the property, has a dirt/gravel surface, which eventually ends before the right-of-way reaches Simonson Street. There is no further development potential along Elizabeth Street, as the parcel across the street narrows considerably to its south boundary, and the rest of the property to the east is City-owned. Due to its nonconforming nature and location along a terminating street, the lot is somewhat unique. However, the ZBA must determine if the lot is unique in relation to the lot coverage requirement.

ZBA AUTHORITY: According to Section 154.155 (A), where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this chapter, the Zoning Board of Appeals (“Board”) may, in passing on appeals, vary or modify any of the rules or provisions of the Zoning Ordinance relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings or structures, so that the intent of the ordinance is observed, public safety secured, and substantial justice done. Variances should only be approved in limited cases with unique circumstances and extraordinary conditions.

DIMENSIONAL VARIANCE: Section 154.155 (B) provides the standards that must be met in order for the Board to grant a dimensional (non-use) variance:

1. *That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.*

Comment: While the shape and orientation of the lot do not impact the ability to comply with lot coverage, the lot is approximately 215 square feet less than the minimum lot size for the zoning district. The previous request for a three-stall detached garage was considered excessive for a lot of this size, especially considering the proposed increase in the size of the principal dwelling.

The owner would need to reduce the size of the proposed garage footprint by 301 square feet for a total of 375 square feet to comply with the ordinance, which would not adequately accommodate two vehicles. It could be argued that preventing a detached two-car garage on a lot that is only slightly smaller than a conforming lot could be unreasonable. However, one could counter that the applicant previously proposed an attached garage space on the principal dwelling. Hence, the inside storage of two vehicles in a compliant manner is possible with different variations of attached or detached garage space.

2. *That a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.*

Comment: Relaxation of the lot coverage for additional garage space may give the owner rights unavailable to owners of similar-sized lots. However, the request is not particularly excessive, as four percent of the lot is just over 300 square feet.

3. *That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.*

Comment: The shape and orientation of the lot are unique, but these factors do not directly relate to the lot coverage requirement. The lot is 215 square feet less than required by the district, and while not the smallest lot in the area, the size falls on the smaller end of the range compared to neighboring properties.

4. *That the problem is not self-created or based on personal financial circumstances.*

Comment: One could argue that the size of the proposed principal dwelling and attached garage space has limited the ability of the owner to construct a detached garage with 676 square feet of coverage and that various compliant scenarios could have been presented. However, the ZBA may wish to consider the redevelopment and renovation project on a

nonconforming lot, which may present challenges beyond what would be created by the development of a vacant lot.

RECOMMENDATION: Pursuant to Section 154.155 (B), if the applicant is not able to meet all the required standards noted above, the Board must deny the request. If the Board finds that the practical difficulty is not unique but common to several properties in the area, the finding shall be transmitted by the Board to the Planning Commission, who will determine whether to initiate an amendment to the Zoning Code, per Section 154.156 (C). Any motion supporting or against the variance request must specifically reference the Board’s findings concerning all applicable standards.

Regardless of the decision, the minutes and written record of the decision must document the Board’s findings and conclusions.

Possible motion:

I move to _____ a variance to increase the maximum lot coverage from 30 percent to 34 percent for the construction of a two-story detached garage with 676 square feet of ground floor space based on the following findings:

1. _____.
2. _____.
3. _____.
4. _____.

(if a motion for approval) This approval is contingent upon the construction of the garage occurring in conformance with the plans submitted with the application materials.



Zoning Board of Appeals Application

LOCATION INFORMATION APPLICATION NUMBER _____ - _____

Address _____ Parcel Number _____

APPLICANTS INFORMATION

Name _____ Address / PO Box _____
City _____ State _____ Zip _____ Phone _____
Interest In Project _____ E-Mail _____
Signature _____ Date _____

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name _____ Address / PO Box _____
City _____ State _____ Zip _____ Phone _____
E-Mail _____

I hereby authorize that the applicant as listed above is authorized to make this application for proposed work as my agent and we agree to conform to all applicable laws and regulations of the City of Saugatuck. I additionally grant City of Saugatuck staff or authorized representatives thereof access to the property to inspect conditions, before, during, and after the proposed work is completed or to gather further information related to this request.

Signature _____ Date _____

CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name _____ Contact Name _____
Address / PO Box _____ City _____
State _____ Zip _____ Phone _____ Fax _____
E-Mail _____
License Number _____ Expiration Date _____

PROPERTY INFORMATION

Depth ___ Width _____ Size _____ Zoning District _____ Current Use _____
Check all that apply: Waterfront ___ Historic District _____ Dunes ___ Vacant _____
Application Type: Interpretation ___ Dimensional Variance ___ Use Variance _____

REQUESTED VARIANCE AND DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Zoning Requirement _____ Proposed Variance _____
Zoning Requirement _____ Proposed Variance _____
Zoning Requirement _____ Proposed Variance _____



SITE PLAN REQUIREMENTS (SECTION 154.061)

A site plan and survey showing the following information shall be submitted with the coverage of this application and other required information as outlined below. (Please note that not all will apply for minor waterfront construction)

Y N NA

- Dimensions of property of the total site area,
- Contours at 2-foot intervals
- Locations of all buildings
- Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property
- Parking areas
- Driveways
- Required and proposed building setbacks
- Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths;
- Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate;
- Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths;
- Proposed water supply and wastewater systems locations and sizes;
- Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain;
- Proposed common open spaces and recreational facilities, if applicable;
- Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials;
- Signs, including type, locations and sizes;
- Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives;
- Exterior lighting showing area of illumination and indicating the type of fixture to be used.
- Elevations of proposed buildings drawn to an appropriate scale shall include:
 1. Front, side and rear views;
 2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and
 3. Exterior materials and colors to be used.
- Location, if any, of any views from public places to public places across the property;
- Location, height and type of fencing; and



- The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.
- Other information as requested by the Zoning Administrator

DIMENSIONAL VARIANCE REQUEST STANDARDS PER SECTION 154.155(B)

Please respond to each of the following questions. As part of your request to obtain a dimensional or non-use variance, the owner must show a practical difficulty by demonstrating that all of the following standards are met:

- (1) Explain how strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome;

- (2) Explain how a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others;

- (3) Explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions; and

- (4) Explain how the problem is not self-created or based on personal financial circumstances.



Page 4 is not Applicable

USE VARIANCE REQUEST STANDARDS PER SECTION 154.155(C)

Please respond to each of the following questions. As part of your request to obtain a use variance, the applicant must show an unnecessary hardship by demonstrating that all of the following standards are met:

- (1) Please explain how the property in question cannot be used for any of the uses permitted in the district in which it is located;

- (2) Please explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions;

- (3) Please explain how by granting the variance, the essential character of the neighborhood would not be altered; and

- (4) Please explain how the problem is not self-created or based on personal financial circumstances.



OFFICE USE ONLY:

Application Complete _____ Date _____ Fee Paid _____ Date Paid _____

Date Notice Sent _____ Date Resident Notification _____ Hearing Date _____

Notes: _____

Motion to Approve _____ Deny _____

Findings of Fact:

Chair Signature _____ Vote _____

Member Signature _____ Vote _____

Member Signature _____ Vote _____

Member Signature _____ Vote _____

Member Signature _____ Vote _____

DIMENSIONAL VARIANCE REQUEST STANDARDS PER SECTION 154.155(B)

Please respond to each of the following questions. As part of your request to obtain a dimensional or non-use variance, the owner must show a practical difficulty by demonstrating that all of the following standards are met:

- (1) Explain how strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome;

I am writing to respectfully request a 4% Lot Coverage variance from the 30% required per the zoning ordinance for my property located at 145 Grant Street. The circumstances surrounding my property present a unique challenge that both prevent permitted purposes and hinder its effective use under the current regulations.

The property's lot configuration is set apart from the standard properties in the area. A few noteworthy facts. My property does not meet the minimum lot size of 8,712 square feet. The average lot size in the neighborhood is just over 11,000 square feet. Over 15,000 square feet are maintained due to the unique road placement within the road right away. The proposed garage is smaller than the house that was previously on the property, generally in the same location, but was taken by fire.

Considering these factors, I kindly request your consideration in granting a Lot Coverage variance. This variance would enable me to utilize the property in a manner that respects the character of the neighborhood while also aligning with the broader goals of the zoning ordinances. It would allow me to store my vehicle and boat along with yard equipment.

- (2) Explain how a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others;

A variance would achieve substantial justice to the owner and neighboring property owners by recognizing the unique circumstance of the property while still upholding the intent of zoning regulations. It acknowledges that the smaller lot size creates constraints that prevent strict compliance.

Granting a Lot Coverage variance rather than a full relaxation aligns with justice for others as well. This approach acknowledges the need to balance the property owner's interests with those of the community. A lesser relaxation allows the property to be used effectively while preserving the overall character and objectives of the district.

In essence, a Lot Coverage variance strikes a balance between the owner's rights and the community's welfare, providing relief without unduly compromising the broader goals of the zoning ordinances.

- (3) Explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions; and

The "plight of the owner" in this case arises from specific factors intrinsic to the property, notably the land divisions that were determined before the current regulations. While it's true that some of my neighbors share similar hardships, it is essential to recognize that these shared challenges stem from lot divisions and possibly road right away standards prior to zoning ordinances.

The historical context of the lot splits and divisions sets the situation apart from typical neighborhood conditions designed within zoning ordinances. The challenge I face with the maximum lot coverage ordinance is tied to the post zoning ordinance. Therefore, it can be recognized that the difficulty I encounter is rooted in the unique circumstance of my property, rather than reflecting commonplace conditions within the neighborhood.

(4) Explain how the problem is not self-created or based on personal financial circumstances.





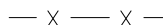

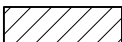
The issue at hand is not centered solely around personal interests or financial circumstances. Instead, it revolves around the broader context of property characteristics and their implications. The challenge being described is rooted in the historical nature of the property and its unique configuration.

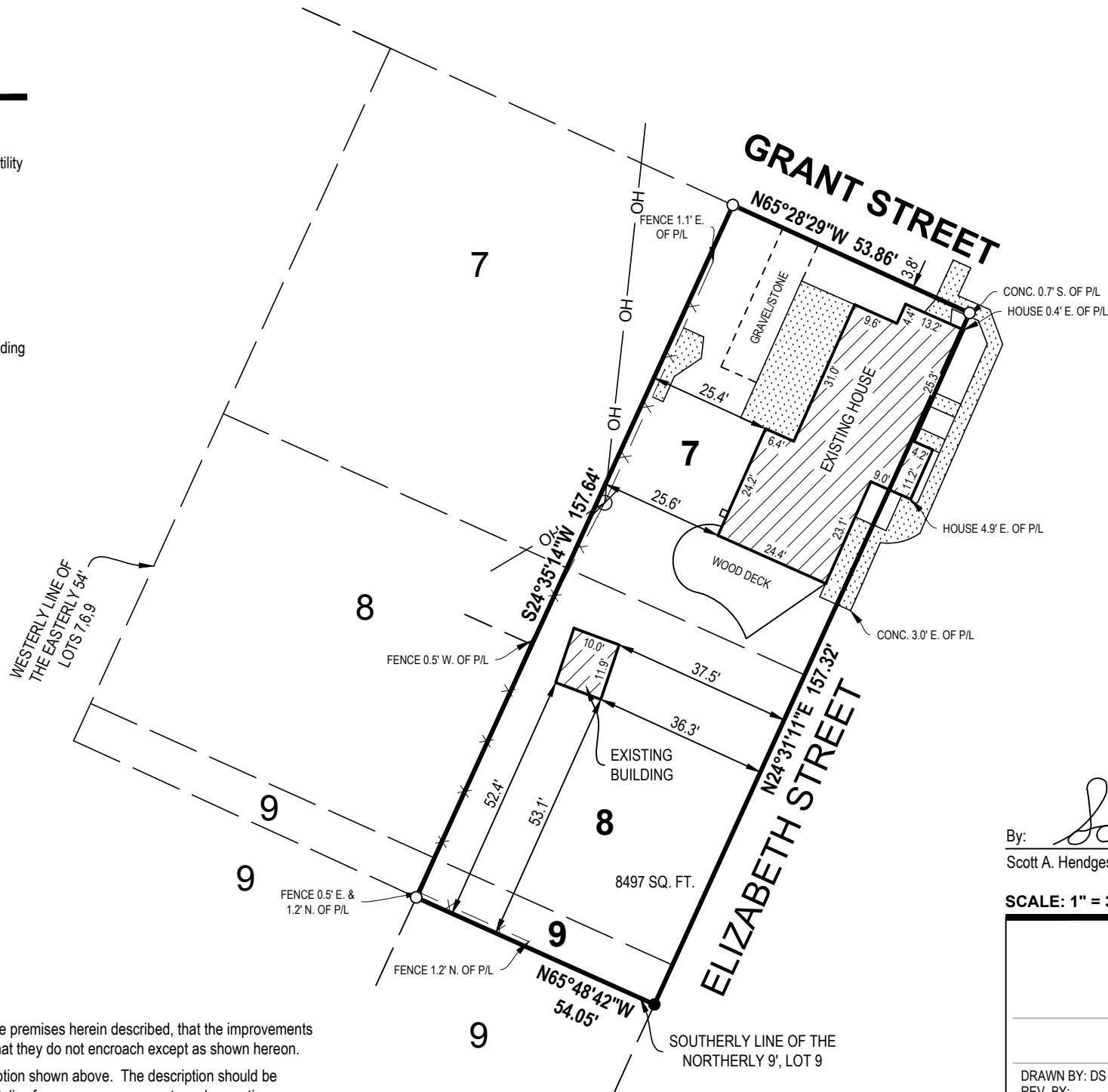
The intention here is not to prioritize personal financial gain, but to address the genuine constraint imposed by the property's size. By seeking the variances, the goal is to find a balanced resolution that accommodates the property's specific circumstances while still aligning with the neighborhood's overall well-being and the intent of zoning regulations.

In essence, the issue extends beyond individual financial concerns and focuses on recognizing and working within the framework of the property's distinct attributes to ensure a fair and equitable outcome that serves both the owner's interests and the community's welfare.

I am committed to maintaining the integrity of the community while making reasonable use of my property. Your understanding and support in this matter is greatly appreciated.

LEGEND

-  Utility Pole
-  Overhead Utility
-  Iron - Set
-  Iron - Found
-  Fence
-  Concrete
-  Existing Building



DESCRIPTION

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

The Easterly 54 feet of Lots 7 and 8 and the Northerly 9 feet of the Easterly 54 feet of Lot 9, Block 2, Bandle's Addition to the Village of Saugatuck, Allegan County, Michigan, according to the recorded plat thereof, subject to easements and restrictions of record.

(Quit Claim Deed, recorded in Liber 4470, Page 487, dated June 9, 2020, 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.

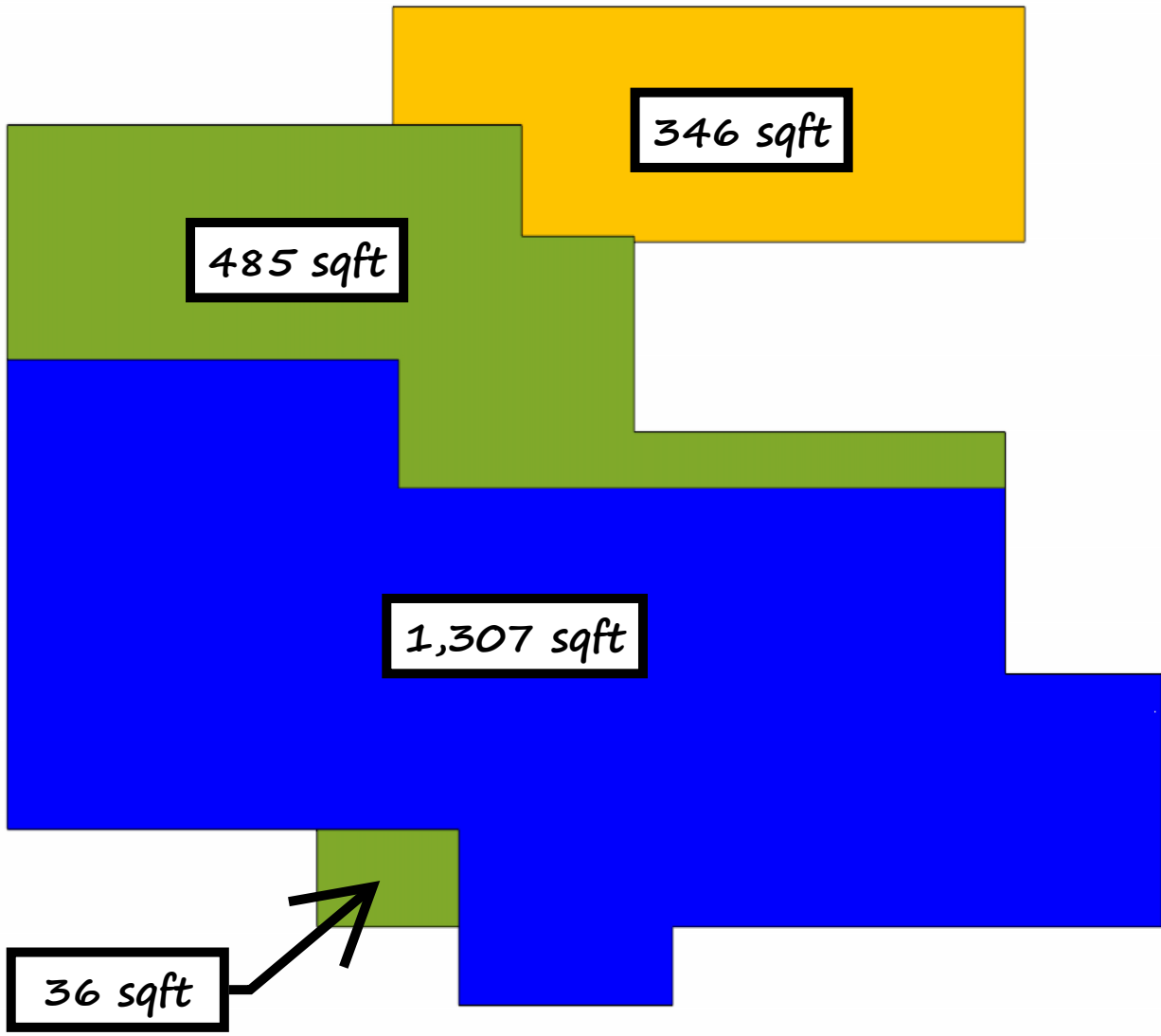
This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

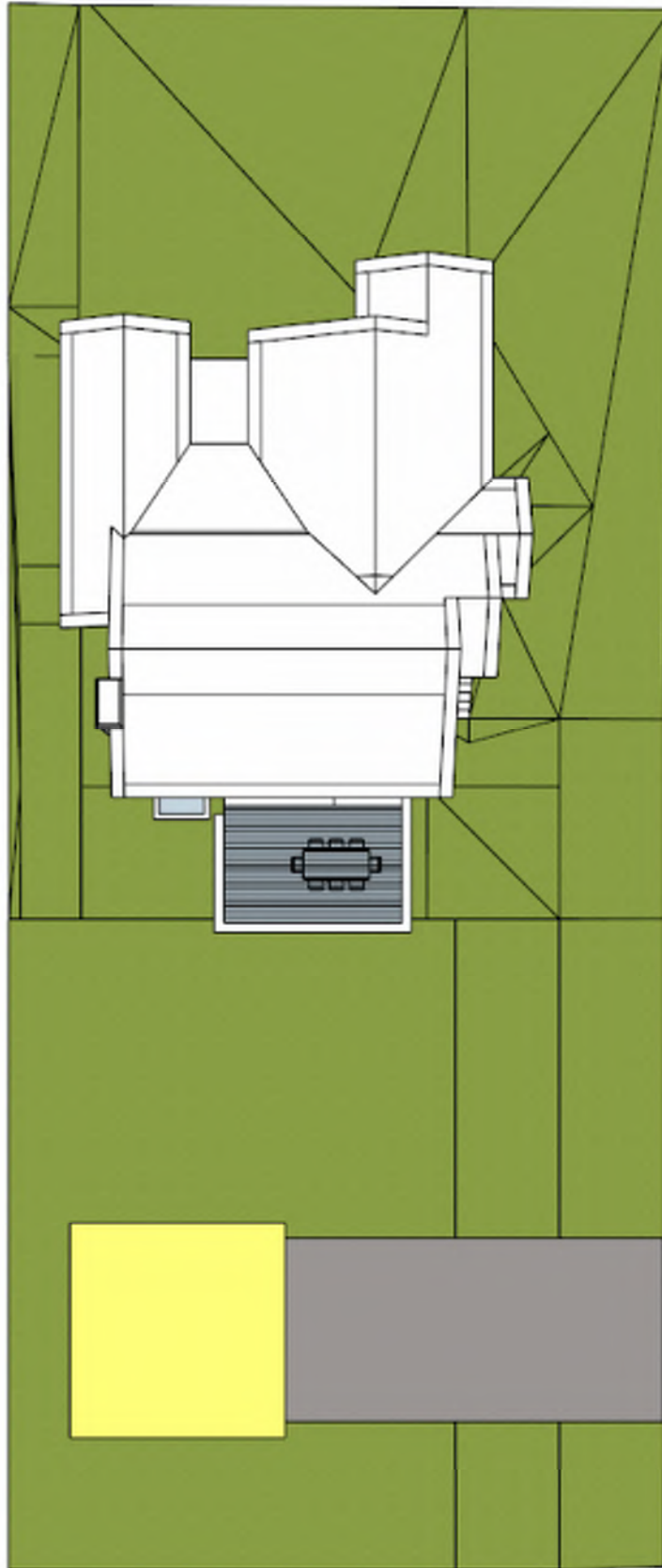
By: *Scott A. Hedges*
 Scott A. Hedges Licensed Professional Surveyor No. 4001047953

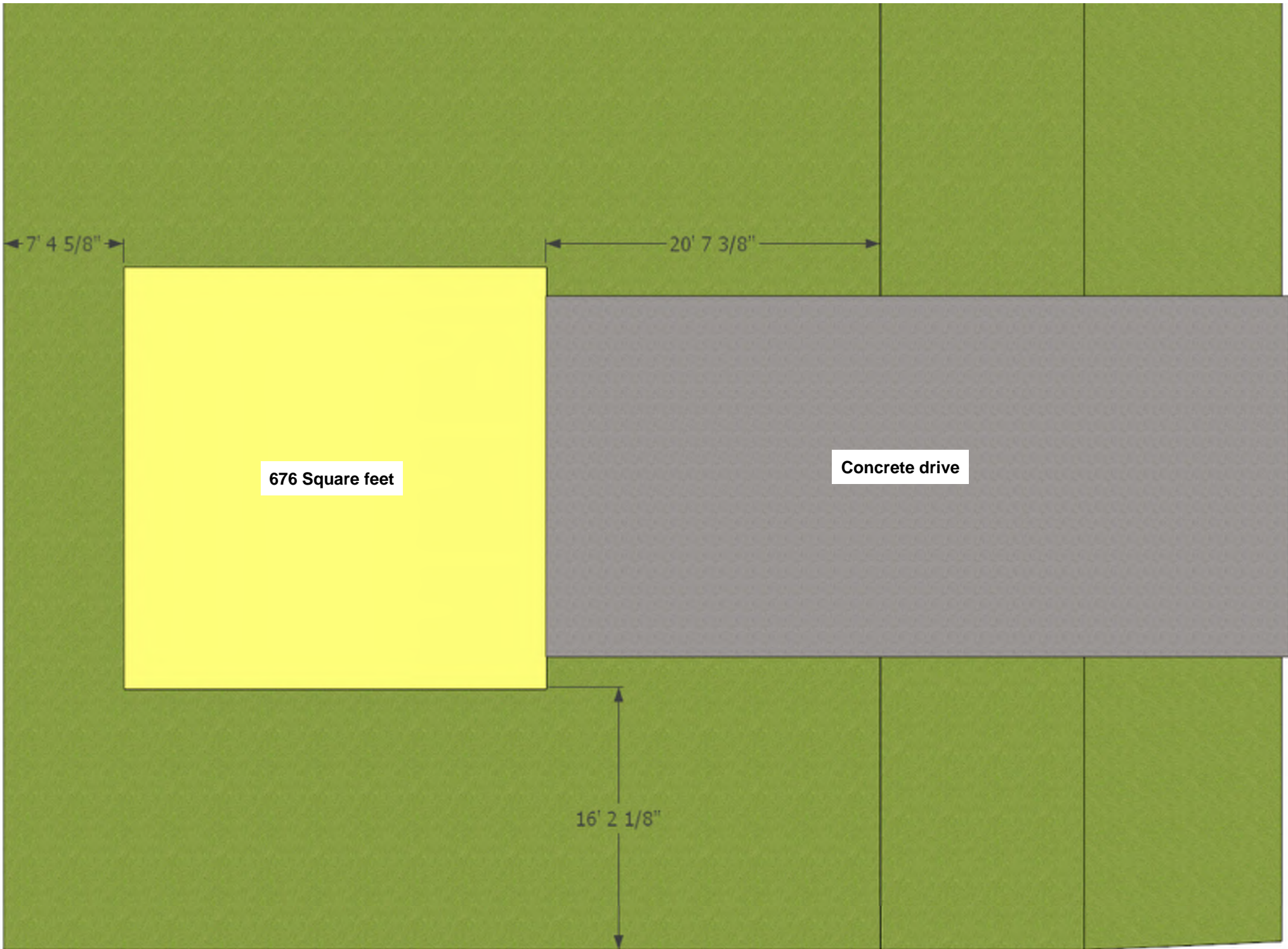


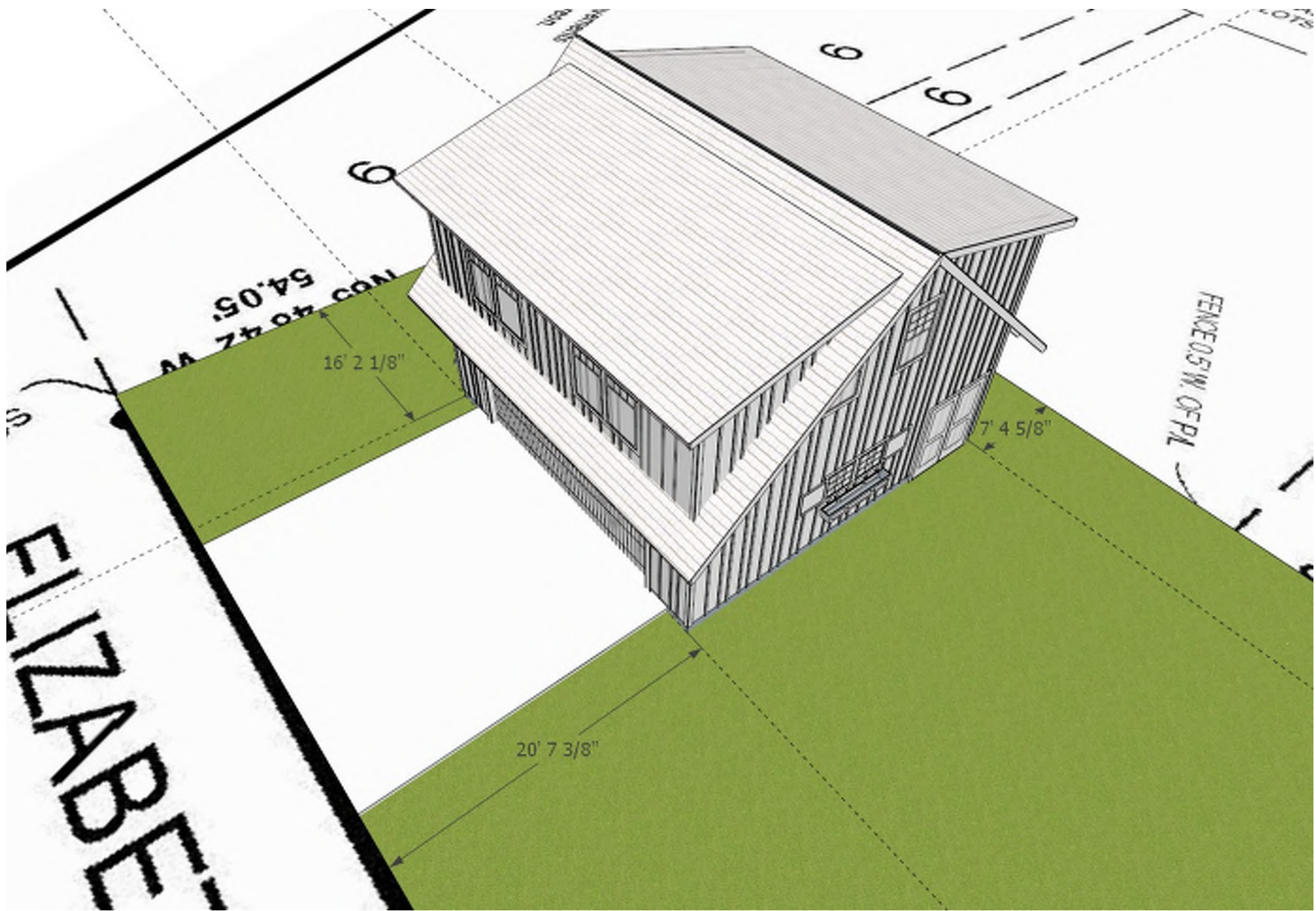
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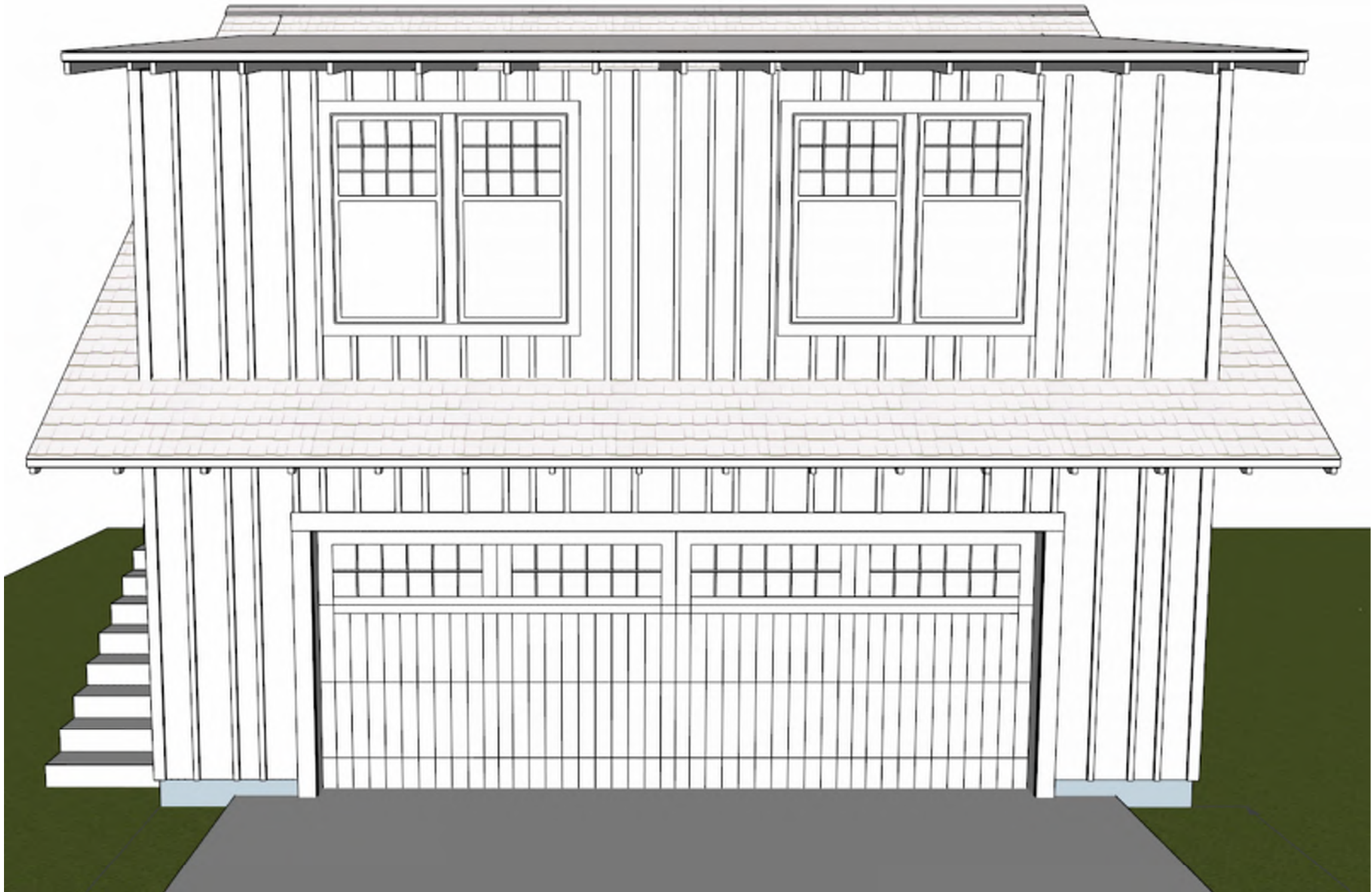
Jim Smit 865 Holland Street Saugatuck, MI 49453		 www.nederveld.com • 800.222.1868 Holland 347 Hoover Blvd. Holland, MI 49423 Ann Arbor, Chicago, Columbus, Grand Rapids, Indianapolis, St. Louis
145 Grant Street		
DRAWN BY: DS REV. BY: REV.:	DATE: 3/30/2021 REV. DATE:	PRJ #: 21200517 1 OF 1





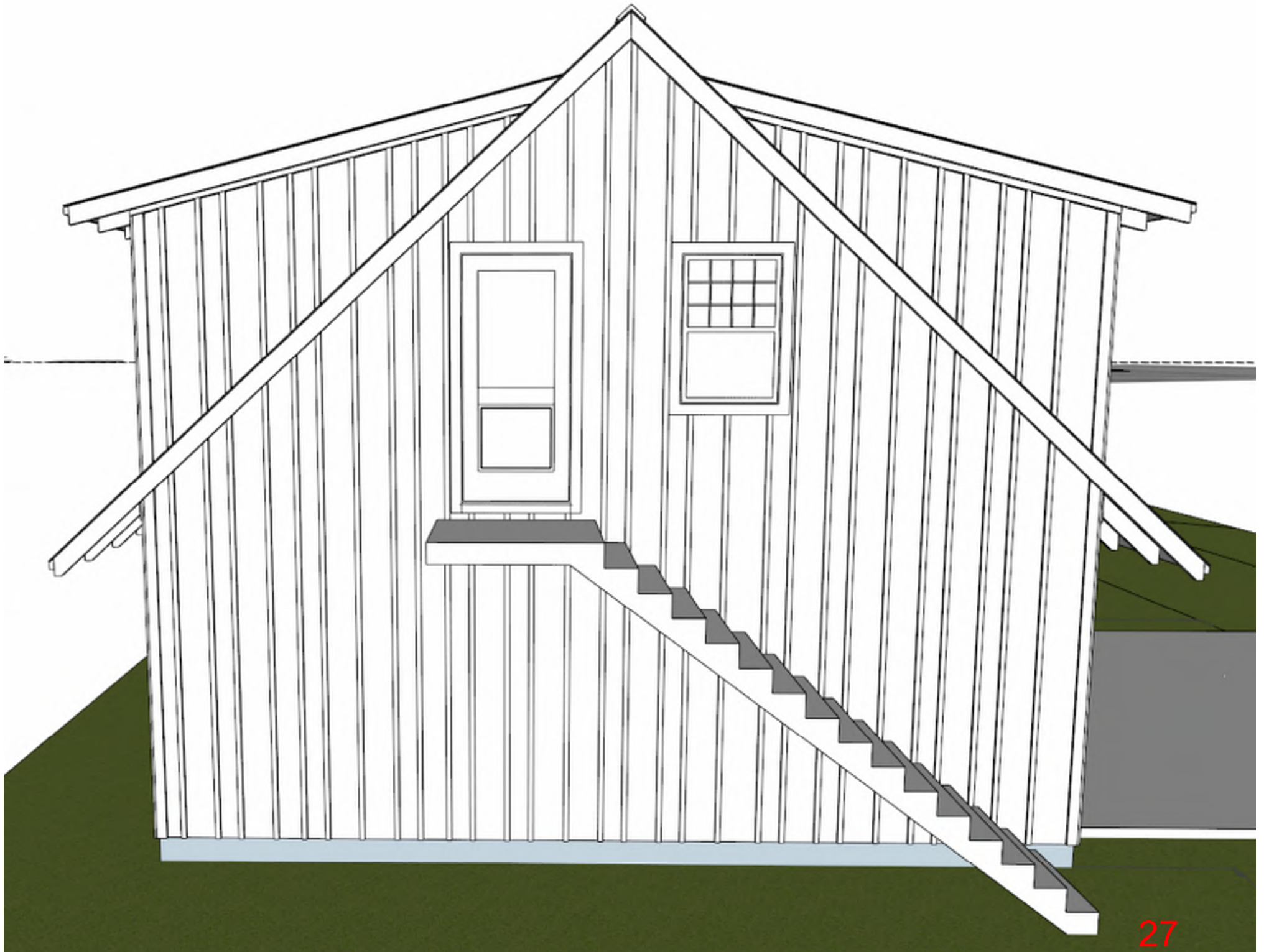


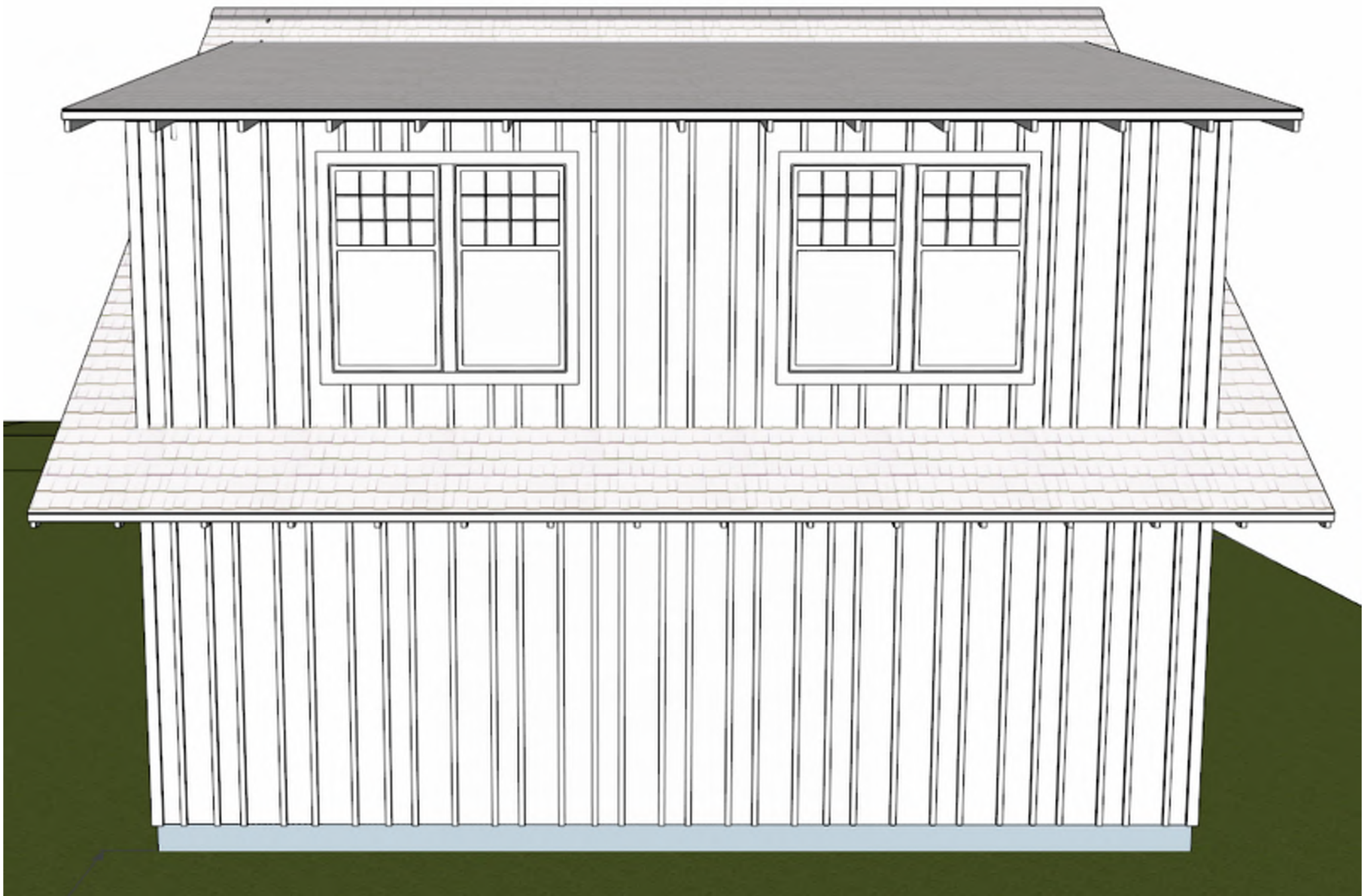


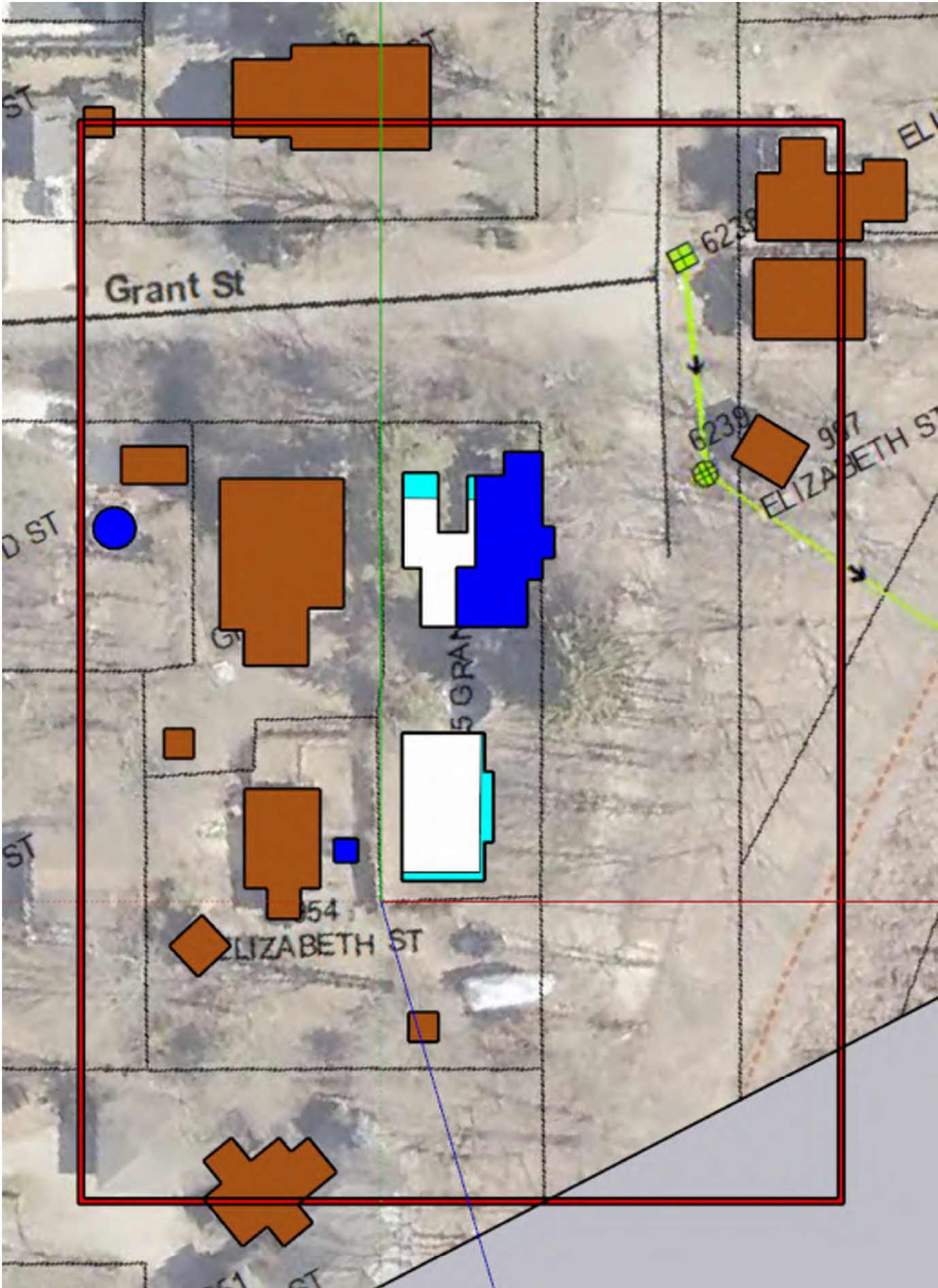


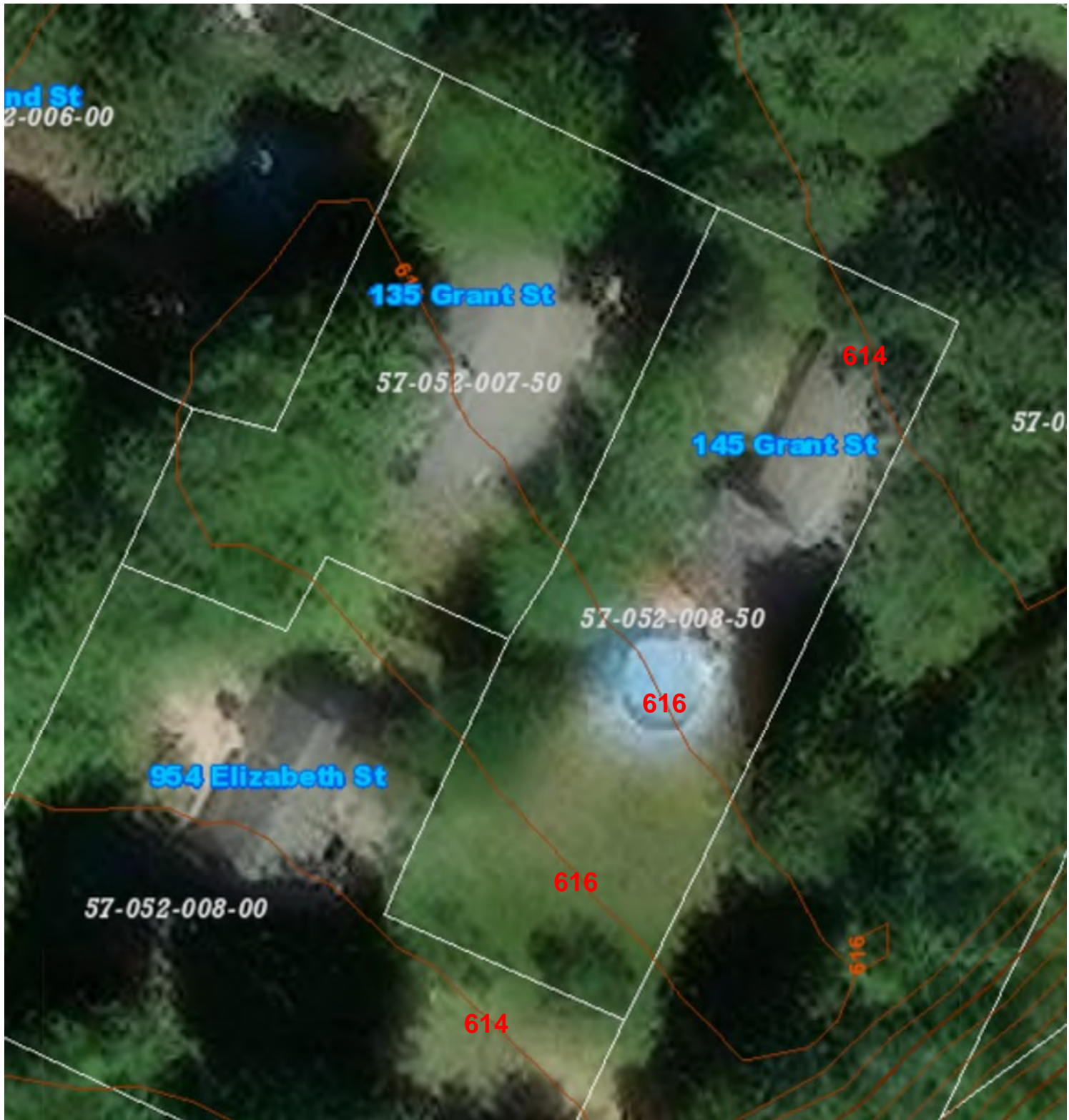












Proposed Exterior Lighting

145 Grant Street

The proposed plan for lighting is to maintain the existing down lighting where applicable and add lighting where necessary to meet current building codes at points of egress and ingress.

2023 Zoning Board of Appeals Cases

Application Date	Zoning District	Property Address	Variance #	Parcel #	Description	Decision
12/16/2022	CR-COMM RES R-1	233 LUCY ST SAUGATUCK, MI 49453	V220010	57-300-002-00	A dimensional variance to reduce the front setback to five feet and three inches (5'3") instead of the minimum 20-foot setback, a reduction of 14 feet and nine inches (14'9"). Request relates to Section 154.026 (D) of the Zoning Ordinance.	Granted
1/27/2023	CER-CENT RES R4	510 BUTLER ST SAUGATUCK, MI 49453	V230002	57-300-055-00	Construction of an addition at 510 Butler Street (R-4 City Center Transitional Residential District) after the demolition of a portion of the existing structure, which requires a dimensional variance to increase lot coverage to 27.7% instead of the minimum 25% lot coverage, an increase of 2.7%. Request relates to Section 154.025 (D) of the Zoning Ordinance.	Granted
2/8/2023	CER-CENT RES R4	350 MASON ST SAUGATUCK, MI 49453	V230003	57-300-156-00	Construction of a new bed and breakfast at 350 Mason Street (R-4 Center Transitional Residential District) after the demolition of existing structures which requires a dimensional variance to eliminate the screening requirement instead of the required properly maintained landscape separation strip at least five feet in width along all property lines and streets on which the off-street parking is located; and parking spaces with a length of eighteen feet (18') instead of the minimum of twenty feet (20'). Request relates to Sections 154.134 (G)(1) and 154.134 (B) of the Zoning Ordinance.	Denied
2/24/2023	LS-LAKE ST R-2	333 CULVER ST SAUGATUCK, MI 49453	V230004	57-870-004-00	Construction of new decks at 329-339 Culver Street (R-2 Lake Street District) after the demolition of the east and west decks, which requires a dimensional variance to increase lot coverage to 29% instead of the minimum 25% lot coverage, an increase of 4%. Request relates to Section 154.030 (D) of the Zoning Ordinance.	Granted
2/24/2023	CR-COMM RES R-1	865 HOLLAND ST SAUGATUCK, MI 49453	V230005	57-051-002-00	Construction of an addition at 865 Holland Street (R-1 Community Residential District) which requires a use variance for a two-family dwelling where only single family detached dwellings are permitted. Request relates to Section 154.026 (B) of the Zoning Ordinance.	Denied
3/13/2023	P S R -1	181 PARK ST SAUGATUCK, MI 49453	V230006	57-700-003-00	Construction of a garage at 181 Park Street (R-1 Peninsula South District) which requires a dimensional variance to reduce the front setback to fifteen feet (15') instead of the minimum 25-foot setback for lots fronting on Park St, a reduction of 10 feet (10'). Request relates to Section 154.035 (D) of the Zoning Ordinance.	Granted

5/8/2023	P W R-1	184 PARK ST SAUGATUCK, MI 49453	V230008	57-009-073-10	Construction of a new single-family dwelling at 184 Park Street (R-1 Peninsula West District), which requires a dimensional variance to reduce the front setback to fifteen feet (15') instead of the minimum 25-foot setback, a reduction of 10 feet (10'). Request relates to Section 154.036 (D) of the Zoning Ordinance.	Granted
6/28/2023	WSE-WATER E C2	321 WATER ST SAUGATUCK, MI 49453	V230010	57-300-102-00	Construction of a fence at 321 Water Street (C-2 Water Street East District), which requires a dimensional variance to increase the height to six feet and ten inches (6'10") instead of the maximum six foot fence height, an increase of 10 inches (10"). Request relates to Section 154.143 (E) of the Zoning Ordinance.	Granted
9/8/2023	CRC CAMP/REC	750 PARK Saugatuck, MI 49453	V230011	57-009-052-01	Construction of a new platform and equipment at 750 Park Street (Conservation, Recreation and Camp District), which requires a dimensional variance to extend a lawful nonconforming use to occupy land or air space outside the building. Request relates to Section 154.174(D)(1) of the Zoning Ordinance.	Granted
9/25/2023	ICE & SNOW, WSE C2 WATER EST	118 HOFFMAN ST SAUGATUCK, MI 49453	V230012	57-300-105-00	Dimensional variances for a shed/walk in freezer: Reduce both the rear and side yard setback to one foot (1') instead of the minimum 10-foot setback, a reduction of nine feet (9'). An increase in lot coverage to 85.3% instead of the maximum of 65%, an increase of 20.3%. Reduce the distance between the accessory building and principal building to four feet (4') instead of the minimum of 10-feet, a reduction of six feet (6').	Withdrawn before hearing.

10/8/2023	CR-COMM RES R-1	145 GRANT ST SAUGATUCK, MI 49453	V230013	57-052-008-50	<p>The following variances were granted: Construction of an addition, attached garage, and reconstruction of a porch at 145 Grant Street (R-1 Community Resident District), which requires dimensional variances to:-Reduce the front setback on Grant Street to ten feet (10') instead of the minimum 20-foot setback, a reduction of ten feet (10') for an addition and garage. Reduce the front setback on Elizabeth Street to zero feet (0') instead of the minimum 20-foot setback, a reduction of twenty feet (20'), for the reconstruction and enclosure of a porch. Reconstruct within, or so as to encroach on, a public right-of-way or public easement, for the reconstruction and enclosure of a porch. Requests relates to Section 154.026(D) and Section 154.174(C)(4)(a) of the Zoning Ordinance.</p> <p>The following variances related to a detached garage were denied: Reduce the rear setback to seven feet (7') instead of the minimum 10-foot setback, a reduction of three feet (3') for a detached three stall garage. Reduce the front setback on Elizabeth Street to fifteen feet (15') instead of the minimum 20-foot setback, a reduction of 5 feet (5') for a detached three stall garage. An increase in lot coverage to 42.62% instead of the maximum of 30%, an increase of 12.62% for an addition, porch enclosure, and new garages.</p>	Granted in part, denied in part.
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Total Records:

11