



**Zoning Board of Appeals
Regular Meeting
August 10, 2023 – 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. June 8, 2023 Regular Meeting**
- 4. Public Comments**
- 5. Unfinished Business: None**
- 6. New Business:**
 - A. 321 Water St – Fence Height**
- 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 June 8, 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 Chairman Kubasiak at 7:03 p.m.

Attendance:

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

Absent: None.

Others Present: Director of Planning, Zoning, & Project Management Ryan Cummins, & Deputy Clerk and DPW Administrative Assistant Sara Williams, City Attorney Jacob Witte

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

Motion by McPolin, second by Bouck to approve the agenda for June 8, 2023, meeting as presented. Upon voice vote, motion carried unanimously.

3. **Approval of Minutes:**

Motion by Bont, second by McPolin, to approve as amended, the minutes from April 13, 2023, as submitted. Upon voice vote, motion carried unanimously.

Motion by Crawford, second by Bont, to approve the minutes from May 18, 2023, Special Meeting, as submitted. Upon voice vote, motion carried unanimously.

4. **Public Comments:** Anne Guild lives south and above the proposed home at 184 Park Street. She is in attendance to gather more information regarding the project and see how that may affect her property.

5. **Unfinished Business:** None.

6. **New Business:**

A. 184 Park – Front Setback:

1. The Public Hearing was called to order by the Chair at 7:07 p.m.

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

The applicant requests a dimensional variance to construct a new dwelling at 184 Park Street, which requires a reduced front setback of 15 feet instead of the minimum 25-foot setback from the Vine Street right-of-way, a reduction of 10 feet. The request relates to Section 154.036 (D) of the Zoning Ordinance, and the purpose of this report is to provide a review of the application and standards of approval.

The property is located in the Peninsula West R-1 zoning district. The corner lot is approximately 100 feet wide and 294 feet deep, and the property is just over one half (1/2) acre in size. The property is narrower toward the Park Street frontage due to a jog in the southside property line.

The ZBA previously granted variances, and all have expired. Most recently, in 2021, a front setback variance from the Vine Street right-of-way was granted for a 15-foot setback, a reduction of 10 feet. Similar variance requests were considered and approved in 2016 and 2018.

It should be noted that the site plan incorrectly applies a 25-foot setback to the southeast of the proposed dwelling. Although there is a jog in the south property boundary, it does not result in a 25-foot front setback anywhere that does not abut road right-of-way. A 25-foot front setback will only apply along the road right-of-ways (Park and Vine), and a 25-foot rear setback will apply from the western rear property line. The entire southern boundary is subject to a 10-foot side setback.

The setback determination is important as it increases the size of the building envelope beyond what was understood by the applicant at the time of plan development. When this issue was presented to the applicant, Mr. Damstra provided the following supplemental information in an email to Ryan Cummins (June 1, 2023):

EGLE has approved the existing site plan as the only solution for the parcel due to slope. While previous variances were approved by the ZBA, none had EGLE approval. It would seem reasonable that a site plan that is more conforming than previously approved plans and that is also EGLE-approved would meet the ZBA's expectations for variance approval.

It should also be noted that the 10-foot setback reduction is the same as previously approved on three occasions, although the plans indicate an 18-foot and five (5) inch setback. The previously referenced email correspondence also stated that an 18-foot and six (6) inch setback should be sufficient, but they still requested the 10-foot reduction for a 15-foot setback to cover contingencies.

3. Presentation by the Applicant:

Doug Damstra, from Damstra Consulting was here to present on behalf of Patricia Galleon and Skipper's Construction. He was hired to take care of their due diligence permitting, utilities and in this case because of the variance required, he was tasked with taking care of this as well. He said that there were three previous variances on the books that had been approved. They hoped they would get an extension, however with Ryan's guidance they realized that the variance had expired and could not be extended, so they applied for a new variance. This was very much dictated by Holland Engineering in their design to have the least impact on the property on the parcel from an engineering standpoint, and also with guidance from EGLE. Because of the steep grade on this particular property, they are using their guidance to locate it in the optimal position to be able to make this particular one work with Ryan's. They did have a misunderstanding about the front setback on Park Street. They were under the impression that the front setback was 15 feet and apparently, that is not the case, the front setback can actually be 10 feet. However, this particular corner is an individual lot owned by Kalamazoo Lake Sewer and Water Authority.

There is a big, barbed wire fence surrounding that and at this point it doesn't necessarily impact the variance but at the same time the client would prefer not to have their deck hanging out over the front over the top of the pump station. He said that the location of this house is really dictated by EGLE and Holland Engineering as far as location.

Damstra said that one question that came up regarding impact to neighboring properties, one thing that will occur, is they will be driving steel retention sheets into the ground to prevent any over digging on this part during excavation. They will be driving in steel along here and along the back of the property where they will be driving in steel to make sure that there is no way that hill can fall down into the excavation site, and it will be backfilled to make sure everything remains the same. He said that there is still some confusion on this. These two-iron imperforated potentially would be wing walls, those are not wing walls, there will not be any additional retention walls as part of the foundation on this. They have applied for a 15-foot setback because the previous variance was with a 15-foot setback that had never been approved by EGLE. It was great that it was approved but whether or not it actually ever would have been built is unlikely because of the fact that it never was approved at this point. This is fully ready to go, subject to your approval.

Damstra explained that they did just get full approval from the fire department. There was some confusion about whether or not that was going to be any kind of a problem. They made sure that they met the minimum expectations, even though it's within 100 feet of the roadway. Chris Mantells still wanted them to make sure that they had a way to meet the expectations. They met the minimum width as far as zoning for each individual parking spot, which is two or three parking spots for this particular property and of course trying to minimize the impact to the lot.

4. Public comment regarding the application:

- a. Supporting comments: None.
- b. Opposing comments (audience and letters): None.
- c. General comments (audience and letters): Anne Guild lives South and above the proposed home at 184 Park Street. She is in attendance to gather more information regarding the project and see how that may affect her property.
- d. Repeat comment opportunity (Supporting, Opposing, General): None.

5. Public comment portion closed by the Chair at 7:26 p.m.

6. Commission deliberation:

The board went into deliberation and discussed a dimensional variance to construct a new dwelling at 184 Park Street, which requires a reduced front setback of 15 feet instead of the minimum 25-foot setback from the Vine Street right-of-way, a reduction of 10 feet. The request relates to Section 154.036 (D) of the Zoning Ordinance, and the purpose of this report is to provide a review of the application and standards of approval.

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

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). Bont, Bouck, Crawford, Kubasiak, and McPolin found this standard is met because:*

The footprint of the home is 1,208 square feet, which is reasonable for a half (1/2) acre lot. Although there is extra room to shift the home to the southeast and comply with the 10-foot setback, the location would be very close to a barbed wire fence and a City pump station. Because of the slope constricting the building envelope, proximity to the City pump station, and the limitations of the EGLE permit, requiring a compliant home with a significantly reduced footprint could be considered unreasonably burdensome.

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).* Commissioner Bouck wanted to make it clear that they were referring to a 10-foot variance, which would give them a 15-foot setback. Bont, Bouck, Crawford, Kubasiak, and McPolin found this standard is met because:

Only a small corner of the home would fall within the required 25-foot setback from the Vine Street right-of-way. However, the applicant cannot simply remove a small triangular portion of the proposed home without significantly altering the home design and overall footprint. Compliance with current City requirements and the EGLE-approved location would require a greater footprint reduction than the small area shown within the setback.

The request is not extreme and is only enough to construct a reasonable-sized home on the property. As such, a variance may give substantial relief to the applicant and allow for justice for neighboring property owners. While the ZBA could consider less relaxation, such as a reduction of six (6) feet and six (six) inches, the 10-foot reduction would allow for contingencies and unanticipated field adjustments due to the unique nature of the site.

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).* Bont, Bouck, Crawford, Kubasiak, and McPolin found this standard is met because:

The site is unique based on a combination of factors: the corner lot requires two (2) front setbacks; the buildable area is constricted by steeper slopes to the southwest and northeast of the site; a pump station and barbed wire fence exist to the southeast; and the southern boundary of the lot jogs inward for a narrower width for approximately one-third (1/3) of the site.

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

The problem is not self-created as the conditions are unique, as stated in standard #3, and compliant placement and size of a home could be considered unnecessarily burdensome. Additionally, the variance request has no relationship to the project cost.

Per Chair Kubasiak, the Commission voted, and all four standards were met with strong backing for the application that has been presented. The applicant had a nice set of

documents for the Commission to review. He thanked the applicant for organizing something that is worth looking at and understanding.

7. Commission action: ZBA Decision (Approve):

Motion by Bouck, second by McPolin, to approve a variance to reduce the northern front setback from the Vine Street right-of-way from 25 feet to 15 feet for the construction of a new dwelling at 184 Park Street based on the positive findings documented in the staff memo provided to the ZBA for its June 8, 2023 meeting as well as the comments made by the members of the board during the meeting, as documented in the minutes. This approval is contingent upon the construction of the dwelling being in substantial conformance with the location, design and size, as proposed as included in the ZBA variance application, and that the height be in conformance with the city requirements. Upon roll call vote, motion carried unanimously.

7. Communications: None.

8. ZBA Comments:

Chairman Kubasiak said that they have complimented, and all enjoyed the Training Session with Chris Patterson. He thought it was great that they reached out to other Zoning Boards and had great participation.

9. Public Comments: None.

10. Adjournment: *Motion by Bont, second by Crawford to adjourn. Motion carried unanimously. The meeting was adjourned at 7:49 pm by Chair Kubasiak.*

Respectfully Submitted,
Sara Williams
City Deputy Clerk



**BACKGROUND REPORT
ZONING BOARD OF APPEALS AUGUST 10, 2023**

321 WATER STREET 03-57-300-102-00

BRAD NORTHMAN

REQUEST: The applicant requests a dimensional variance to construct a fence at 321 Water Street to increase the height to six feet and ten inches (6'10") instead of the maximum six-foot (6') fence height, an increase of 10 inches (10"). The request relates to Section 154.143 (E)(4) of the Zoning Ordinance.

Fences located within a rear or side yard shall not exceed six feet in height measured from the surface of the ground...

BACKGROUND: The property is located in the C-2 Water Street East (WSE) District zoning district. The corner lot is approximately 3,700 square feet, with commercial businesses on each side. The C-2 WSE allows a variety of uses: retail services, accommodations, restaurants, and residential dwellings.

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 Board of Appeals 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: Commercial businesses are located on each side of the subject lot, and higher fences exist along the existing fence line on abutting properties. While a conforming fence could be built, the ZBA may consider conformity unnecessarily burdensome based on conditions and adjacent uses and structures.

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: The request is not extreme (10”) and is only enough to provide reasonable visual relief of the view of nearby businesses, structures, and higher fences. As such, a variance may give substantial relief to the applicant and allow for justice for neighboring property owners. Commercial businesses subject to site plan review may be approved to include fences higher than six feet (6’), so it is not uncommon to find higher fences in the downtown area, now or in the future. A lesser relaxation would defeat the purpose and need for the higher fence (visual screening).

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

Comment: The site is unique based on its location in a commercial/mixed use zoning district, commercial uses on each side, and nonconforming fencing abutting the property lines.

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

Comment: While the higher fence is desirable from the personal perspective of the applicant, they did not create the circumstances and characteristics of abutting land uses and structures. Additionally, the variance request has no relationship to the project cost.

FINDINGS OF FACT: Please note that any motion supporting or against the variance requests must specifically reference the ZBA’s findings concerning all applicable standards. The ZBA must provide its own findings on why the request meets or does not meet the applicable standards.

The comments in this report may be used as a basis for the ZBA’s positive findings and referenced in their entirety. Regardless of the decision, the minutes and written record of the decision must document the ZBA’s findings and conclusions. As such, it is essential for findings to be read aloud or referenced from this report during the meeting.

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).

The requested variance could be justified based on a strict review of the City’s variance standards. While the applicant can construct a conforming fence without issue, the circumstances and nearby uses and structures create a situation where compliance may be unnecessarily burdensome and unreasonable.

Possible motion:

I move to approve a variance to increase the allowable fence height to six feet and ten inches (6’10”) instead of the maximum six-foot (6’) fence height, an increase of 10 inches (10”), based on the positive findings documented in the staff memo provided to the ZBA for its August 10, 2023 meeting, as well as the following:

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

This approval is contingent upon the construction of the fence being in substantial conformance with the location, design, and height as proposed and included in the ZBA variance applicant materials.



Zoning Board of Appeals Application

LOCATION INFORMATION APPLICATION NUMBER _____ - _____

Address 321 WATER STREET Parcel Number 03-57-300-102-00

APPLICANTS INFORMATION

Name BRAD NORTHMAN Address / PO Box 306 BUTLER APT E
City SAUGATUCK State MI Zip 49453 Phone 616 648 7922
Interest In Project BUILDER E-Mail BNORTHMAN@MSN.COM
Signature B. Northman Date 6/27/23

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Marilyn Migliore Address / PO Box 321 Water Street Box 144
City Saugatuck State MI Zip 49453 Phone 734-417-7165
E-Mail mforeverblue@aol.com

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 Marilyn Migliore Date 6/27/2023

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

Name BRAD NORTHMAN Contact Name _____
Address / PO Box 508 ELLIOTT City GRAND HAVEN
State MI Zip 49417 Phone 616 648 7922 Fax _____
E-Mail BNORTHMAN@MSN.COM
License Number 2101172774 Expiration Date 5/31/2025

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 6 FEET HIGH Proposed Variance 10 INCHES
Zoning Requirement _____ Proposed Variance _____
Zoning Requirement _____ Proposed Variance _____

MOST OF THE FENCE HEIGHT WILL MEET THE 6 FOOT HEIGHT REQUIREMENT. SOME AREAS BETWEEN POST WILL REACH 6'-10" DUE TO VARIATION IN GROUND HEIGHT AND TO ALLOW FOR PLUMB & LEVEL HEIGHT AND CROWN FENCE TOP.



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 | |
|--------------------------|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Dimensions of property of the total site area, |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Contours at 2-foot intervals |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Locations of all buildings |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Parking areas |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Driveways |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Required and proposed building setbacks |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Proposed water supply and wastewater systems locations and sizes; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Proposed common open spaces and recreational facilities, if applicable; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Signs, including type, locations and sizes; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Exterior lighting showing area of illumination and indicating the type of fixture to be used. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Elevations of proposed buildings drawn to an appropriate scale shall include: <ol style="list-style-type: none"> 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. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Location, if any, of any views from public places to public places across the property; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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;

THE OWNER DESIRES THE REPLACED FENCE BOARDS TO MATCH THE STYLE & HEIGHT OF THE EXISTING GATE. WITHOUT THIS THE FENCE WILL NOT COVER THE EXISTING ADJACENT FENCE BOARDS

- (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;

THIS SMALL VARIANCE WILL ALLOW THE OWNER TO COVER THE UNSIGHTLY ADJACENT FENCE AND PROVIDE SOME ADDITIONAL COVERAGE OF AN UNSIGHTLY COMMERCIAL SHED.

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

THE UNIQUE CONDITIONS ARE BECAUSE THIS RESIDENTIAL LOT IS BORDERED ON ALL SIDES BY COMMERCIAL PROPERTY WITH FENCING EXCEEDING 6 FT.

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

ADJACENT FENCING EXISTS TALLER THAN 6 FEET.



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;

*HOMEOWNER IS TRYING TO CREATE RESIDENTIAL
 PRIVACY IN THE MIDDLE OF COMMERCIAL PROPERTIES*

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

THIS IS SPECIFIC TO THE PROPERTIES LOCATION

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

*THE SLIGHT INCREASE IN FENCE HEIGHT WILL
 NOT BE VISIBLE OUTSIDE OF THE PROPERTIES
 BACKYARD*

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

EXISTING FENCE NEEDING REPAIR



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 ____



16

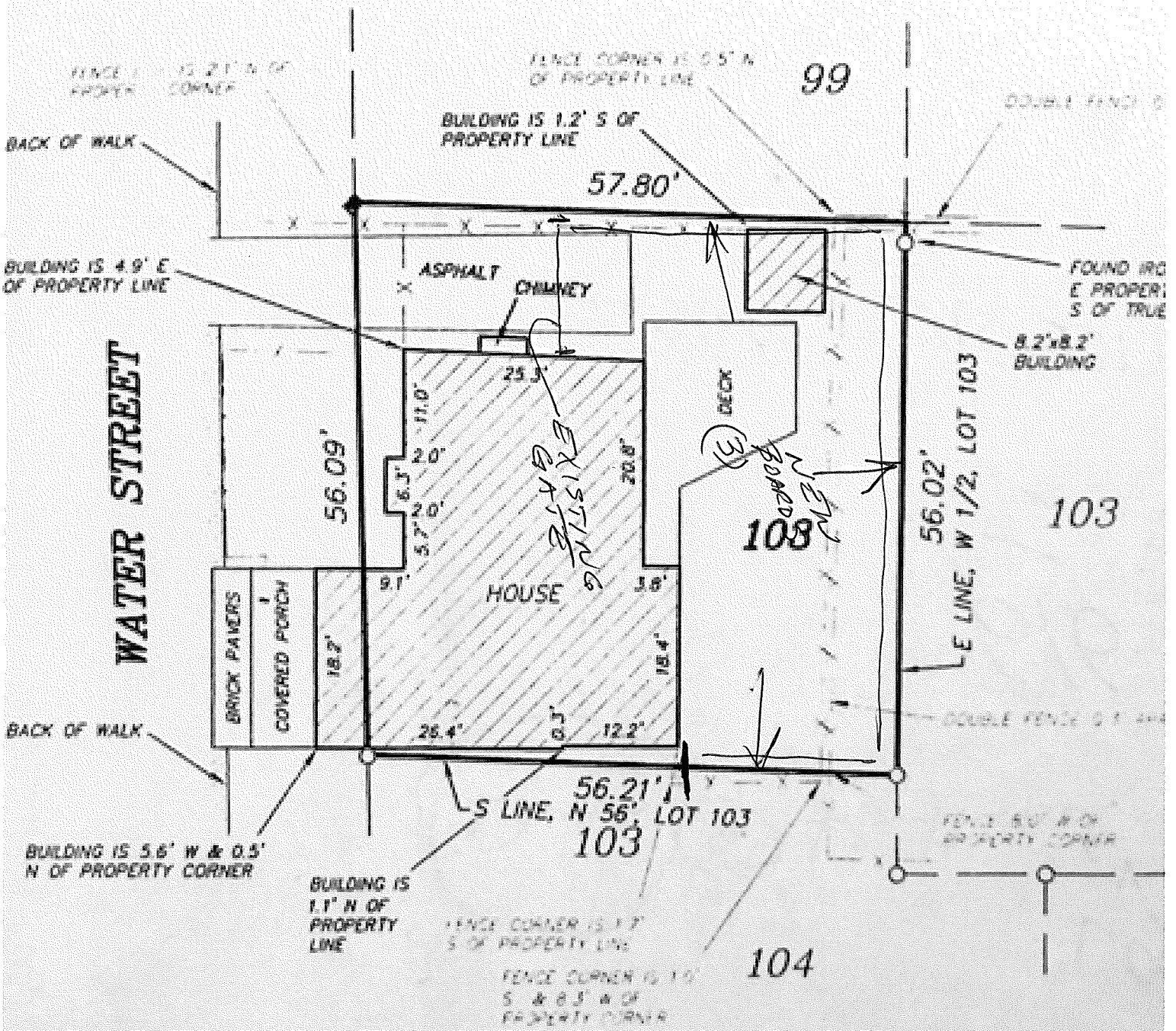
80 inches



6 feet and 10 inches at the highest point. This is the fencing I would like to install around the backyard of my property.







WATER STREET

FENCE CORNER IS 12.21' N & 0.7' E OF PROPERTY CORNER

FENCE CORNER IS 0.5' N OF PROPERTY LINE

99

BUILDING IS 1.2' S OF PROPERTY LINE

DOUBLE FENCE

BACK OF WALK

57.80'

BUILDING IS 4.9' E OF PROPERTY LINE

ASPHALT CHIMNEY

FOUND IRON PIPE PROPERTY CORNER S OF TRUE

8.2' x 8.2' BUILDING

56.09'

11.0'
2.0'
5.7' 0.0'

EXISTING HOUSE

DECK

108

56.02'

103

E LINE, W 1/2, LOT 103

BACK OF WALK

BRICK PAVERS
COVERED PORCH

18.2'

9.1'

HOUSE

18.8'

15.4'

DOUBLE FENCE

56.21'
S LINE, N 56' LOT 103
103

BUILDING IS 5.6' W & 0.5' N OF PROPERTY CORNER

BUILDING IS 1.1' N OF PROPERTY LINE

FENCE CORNER IS 1.7' S OF PROPERTY LINE

FENCE CORNER IS 1.0' S & 8.5' W OF PROPERTY CORNER

104

FENCE CORNER IS 0.7' N OF PROPERTY CORNER

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.

- D = D
- M = M
- P = P
- = S
- = F
- = X