



**CITY OF SAUGATUCK
REGULAR MEETING ZONING BOARD OF APPEALS
APRIL 14, 2022 – 7:00 PM
SAUGATUCK, 102 BUTLER STREET**

In person meeting

1. Call to Order/Roll Call
2. Agenda Changes
3. Approval of Minutes: February 10, 2022
4. New Business:
 - A. 336 Hoffman Street - 8 foot high fence
 - B. 569 Hoffman Street – side yard setback
 - C. 135 Van Dalson Street – various setbacks
5. Unfinished Business: None
6. Communications: None
7. Public Comments:
8. ZBA Comments:
9. Adjourn:

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

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”:
269 857 2603

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

Proposed Minutes
Saugatuck Zoning Board of Appeals Meeting
Saugatuck, Michigan, February 10, 2021

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

1. **Call to Order** by Chairperson Kubasiak at 7:00 p.m.

Attendance:

Present: McPolin, Bouck, & Kubasiak

Absent: Bont, Zerfas, Muir, Hundrieser

Others Present: Zoning Administrator Osman

2. **Approval of Agenda:**

McPolin made a motion, 2nd by Bouck to approve the agenda as submitted. The motion carried unanimously.

3. **Approval of Minutes:**

Bouck made a motion, 2nd by McPolin, to approve the minutes as submitted. The motion carried unanimously.

4. **New Business:**

A. Public Hearing 143 Park Street – two docks.

Kubasiak opened the public hearing at 7:04. ZA Osman gave a brief overview of the application, and how legal came to the conclusion it is a non-use variance, and that no interpretation is needed. Steve Merkle, representing AJ Nassar made a brief presentation. There was no public comment and no written communication. The public hearing was closed at 7:11.

The board determined that the ordinance refers to only waterfront lots or parcels.

The Board discussed the standards:

Standard 1. This discussion revolved around the fact that he can use the property with one dock, customarily boat owners have only access to one side of the boat. Strict compliance would not be unnecessarily burdensome. He can use the property for a permitted use. This standard is not met.

Standard 3. Unique circumstances in this case, are not related to the property, they are related to the physical circumstances to the property owner. This standard is not met.

Standard 2. Justice to the applicant as well as justice to others or whether a lesser relaxation would be consistent with others. Others may have been grandfather or installed illegally. Or they may have more than one lot.

Standard 4. Is the problem self-created – yes, is it based on personal circumstances – no. This standard is not met.

Comments – we reviewed the standards for a non-use variance but if we had reviewed it as a use variance, the conclusion would have been the same. Our review concluded that it did not meet any of the standards.

A motion was made by Bouck 2nd by McPolin, that the application for a variance for a second dock at 143 Park Street be denied, based on our assessment of the findings of fact covering four standards that are required to grant a variance in this case and that the findings are included in this report. and the staff report is attached as part of the findings of fact noted above. Upon roll call the motion carried unanimously.

Annual report 2021. A motion was made by Kubasiak 2nd by Bouck, to accept the annual report as written to be submitted to City Council. Upon voice vote the motion carried unanimously.

5. Unfinished Business: None

6. Communications: None

7. Public comment:

Jim Lindsey asked various questions regarding the street end. He will submit images from Google Earth and staff will respond.

Maureen Scheller asked about other owners that have more docks than then are permitted to have and just put up illegally. The question was about enforcement.

8. Reports of Officers and Committees:

9. Adjournment: Meeting adjourned at 7:53 by Kubasiak.

Respectfully Submitted,

Jamie Wolters
City Clerk

**BACKGROUND REPORT
ZONING BOARD OF APPEALS APRIL 14, 2022**

APPLICATION: V220002

336 HOFFMAN ST 57-300-116-00

BYRNE THOMAS F II & CYNTHIA M

REQUEST: Eight foot high privacy fence in the rear yard.

Thomas and Cynthia Byrne, owners of property located at **336 HOFFMAN ST** have submitted an application to the Zoning Board of Appeals for a variance. The purpose of this report is to provide a review of the application, standards for consideration, and any available history of zoning activity for this parcel.

BACKGROUND: The property is approximately 8,477 square feet, 52 feet wide, and is located in the **CR-COMM RES R-1**.

The applicant proposes to install an eight foot high privacy fence in the rear yard.

(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 this chapter 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 this chapter should be observed, public safety secured, and substantial justice done.

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: The applicant states that the additional height is due to lack of privacy in the back yard because the next door house uses the carriage house as an airb&b. A part of the back yard abuts the church parking lot. I suppose it would be possible to make a case that the carriage house is closer to the lot line than most other houses or a change in grade makes it easier to look down to the neighboring back yard. But that would not justify the height on the other sides of the patio enclosure.

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: Would a seven foot high fence give the same privacy?

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

Comment: The applicant did not respond to this question. I did reach out to them via email and have not received a response.

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

Comment: The applicant did not respond to this question. I did reach out to them via email and have not received a response.

RECOMMENDATION: We bring to your attention that pursuant to section 154.156 that if the applicant is not able to meet all the required standards noted above, the Board shall deny the request. If the Board finds that the hardship or 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.

Possible motion:

I move to approve/deny a variance for an 8 foot privacy fence enclosing a portion of the rear yard at 336 Hoffman Street where the maximum permitted height is 6 feet, resulting in a 2 foot variance.

Findings of fact:

2nd Thursday
30 days in advance



\$300.00 Fee.

Zoning Board of Appeals Application

LOCATION INFORMATION APPLICATION NUMBER _____ - _____

Address 3310 Hoffman St. Parcel Number 0357-300-1110-00

APPLICANTS INFORMATION

Name TOM BYRNE Address / PO Box 3310 Hoffman St.
City SAUGATUCK State MI Zip 49453 Phone (269) 416-2750
Interest In Project PROPERTY OWNER E-Mail TOM@LAKEARAGE.COM
Signature [Signature] Date 2.10.22

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name _____ Address / PO Box _____
City _____ State _____ Zip _____ Phone _____

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 _____
License Number _____ Expiration Date _____

PROPERTY INFORMATION

Depth 38' Width 52' Size _____ Zoning District R1 Current Use R1
Check all that apply: Waterfront _____ Historic District _____ Dunes _____ Vacant _____
Application Type: Interpretation _____ Dimensional Variance _____ Use Variance _____

REQUEST DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

8' FENCE TO THE N AND NW SIDES OF PROPERTY -
SHOWN IN DRAWINGS. WE ARE ALSO PROPOSING WE
USE OUR CURRENT FENCE - 3 YRS. OLD - TO REPLACE
THE LEANING AND MUCH OLDER FENCE OF THE CHURCH
PARKING LOT THAT BORDERS OUR PROPERTY TO NW.



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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Dimensions of property of the total site area, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Parking areas |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Driveways |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Required and proposed building setbacks |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Proposed water supply and wastewater systems locations and sizes; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Signs, including type, locations and sizes; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Location and dimensions of all access drives, including <u>driveway dimensions</u> , pavement markings, traffic-control signs or devices, and service drives; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Exterior lighting showing area of illumination and indicating the type of fixture to be used. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Location, if any, of any views from public places to public places across the property; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 REQUESTED HEIGHT VARIANCE IS DUE TO THE LACK OF PRIVACY BECAUSE THE PROPERTY TO OUR WEST IS USED AS AN AIR B&B AND TO DEPOSIT INOPERABLE CAR AND TRASH. ALSO THE PROPERTY TO THE NW IS A PARKING LOT TO DAY VISITORS.

- (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;

IT WOULD ALLOW US ADDITIONAL PRIVACY IN OUR BACK YARD. ADDITIONALLY, IT WOULD NOT OBSTRUCT ANY VIEWS FOR OUR NEIGHBORS EXCEPT INTO OUR BACK YARD.

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

N/A

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

N/A



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;

BECAUSE THE CARRIAGE HOUSE TO THE WEST (SECOND STORY) IS BEING USED AS AN AIR B&B / SHORT TERM RENTAL, WE EXPERIENCE AN INVASION OF OUR PRIVACY.

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

EXPLAINED IN PREVIOUS ANSWERS

- (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 ____



VISBEEN
architects
www.visbeen.com
616•285•9901
©VISBEEN ARCHITECTS, LLC

PROJECT No.:
20.4.02

STAFF CREDITS
DESIGN:
Rhys Altman
PROJECT MANAGEMENT:
Rhys Altman

CLIENT:

PROJECT:

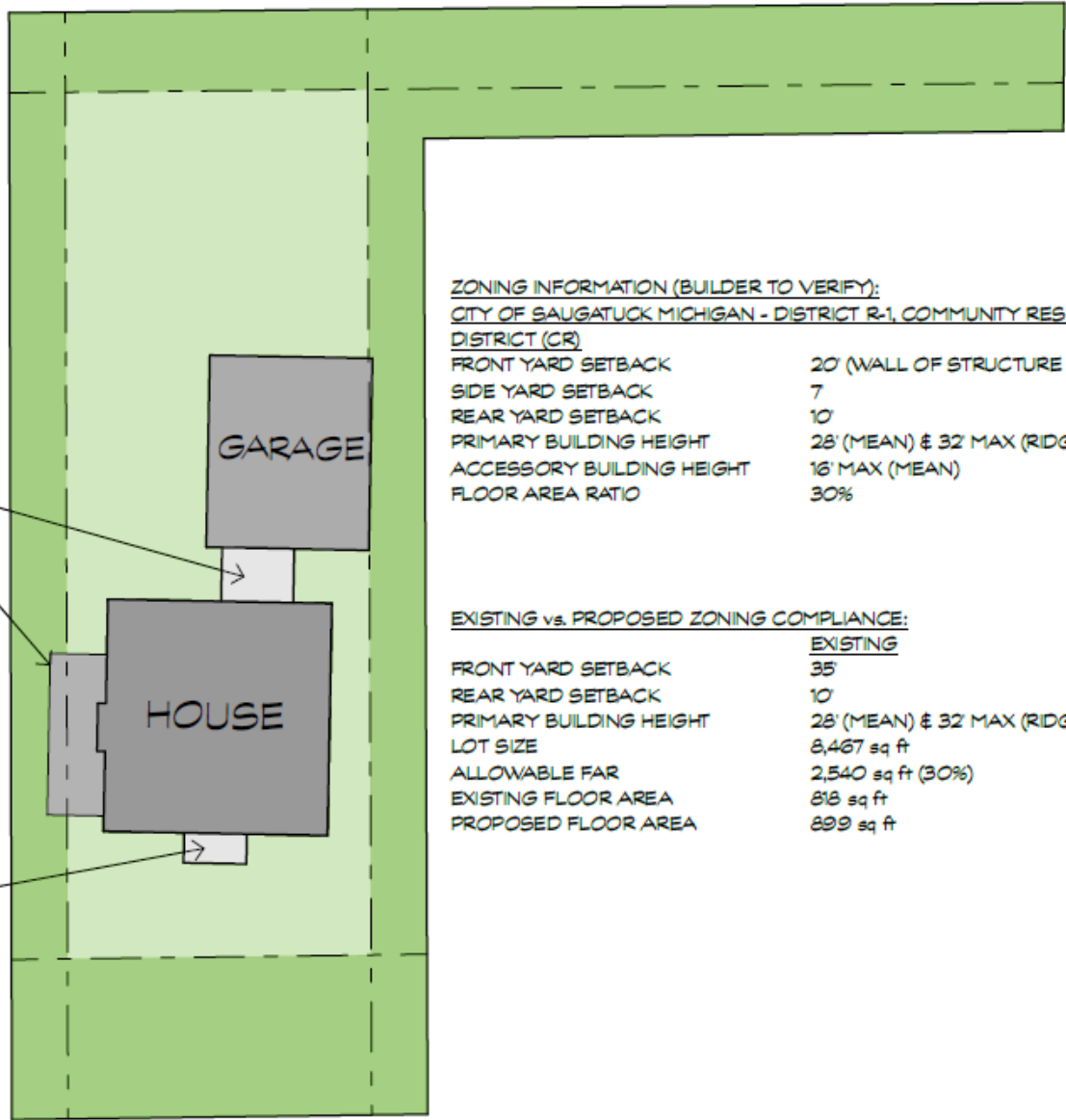
Tom & Marlo BYRNE Residence
335 HOFFMAN ST.
SAUGATUCK MICHIGAN

SHEET TITLE:
SITE PLAN

DATE:
5/22/20

SHEET DESCRIPTION:
DESIGN DEVELOPMENT

SHEET NO:
AO.1



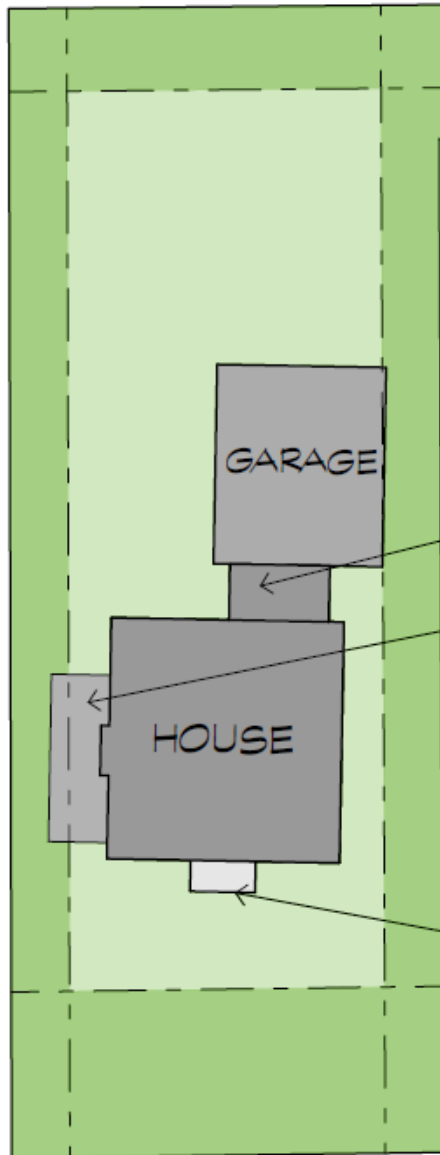
EXISTING

ZONING INFORMATION (BUILDER TO VERIFY):
CITY OF SAUGATUCK MICHIGAN - DISTRICT R-1, COMMUNITY RESIDENTIAL DISTRICT (CR)

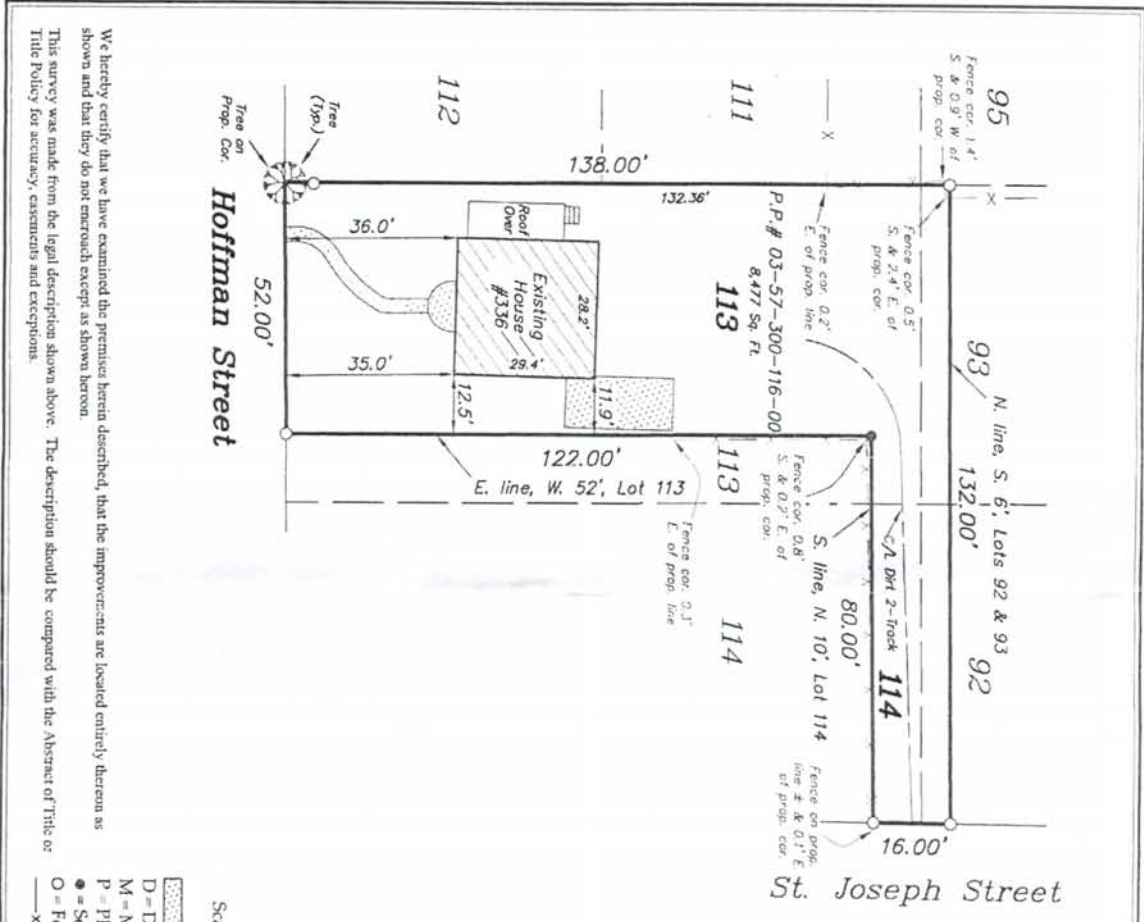
FRONT YARD SETBACK	20' (WALL OF STRUCTURE - TYPICAL)
SIDE YARD SETBACK	7'
REAR YARD SETBACK	10'
PRIMARY BUILDING HEIGHT	28' (MEAN) & 32' MAX (RIDGE)
ACCESSORY BUILDING HEIGHT	16' MAX (MEAN)
FLOOR AREA RATIO	30%

EXISTING vs. PROPOSED ZONING COMPLIANCE:

	<u>EXISTING</u>
FRONT YARD SETBACK	35'
REAR YARD SETBACK	10'
PRIMARY BUILDING HEIGHT	28' (MEAN) & 32' MAX (RIDGE)
LOT SIZE	8,467 sq ft
ALLOWABLE FAR	2,540 sq ft (30%)
EXISTING FLOOR AREA	818 sq ft
PROPOSED FLOOR AREA	899 sq ft



PROPOSED



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" = 30'
- = Concrete
 - D = Description Dimension
 - M = Measured Dimension
 - P = Platting Dimension
 - = Set Iron Stake
 - = Found Iron Stake
 - X— = Fence Line

PREPARED FOR: Rebecca Ulkes
P.O. Box 233
Saugatuck, MI 49453

RE: 336 Hoffman Street

The following described premises situated in the City of Saugatuck, County of Allegan, State of Michigan.

The West 52 feet of Lot 113 and the North 10 feet of the East 14 feet of Lot 113 and the North 10 feet of Lot 114; also the South 6 feet of Lots 92 and 93, Kalamazoo Plat, now Saugatuck Village, according to the recorded plat thereof, Allegan County Records.

(Warranty Deed recorded in Liber 3776, Page 206, Allegan County Records)



By: *Scott A. Hendges*
Scott A. Hendges Licensed Professional Surveyor No. 47953

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ANN ARBOR 3025 Miller Road Ann Arbor, MI 48103 PHONE: 734.929.6963	COLUMBIUS 6353 Old Avery Road, Suite A Dublin, OH 43016 PHONE: 614.859.1127	HOLLAND 347 Hoover Boulevard Holland, MI 49423 PHONE: 616.393.0449
CHICAGO 1082 National Parkway Schaumburg, IL 60173 PHONE: 312.878.3897	GRAND RAPIDS 217 Grandville Ave, Suite 202 Grand Rapids, MI 49503 PHONE: 616.575.5190	INDIANAPOLIS 8459 Castlewood Dr, Suite B Indianapolis, IN 46250 PHONE: 317.288.3782

rev.:
project no.: 14200266
date: 03-31-14 cb

BACKGROUND REPORT
ZONING BOARD OF APPEALS May 26, 2022

APPLICATION: V220003

569 HOFFMAN ST 57-501-008-00

VON DER SITT CARRIE & ROBERT

REQUEST: To construct an addition to the rear of the house that will encroach into the side yard setback.

Carrie and Robert Von Der Sitt, owners of property located at **569 HOFFMAN ST** has submitted an application to the Zoning Board of Appeals for a variance. The purpose of this report is to provide a review of the application, standards for consideration, and any available history of zoning activity for this parcel.

BACKGROUND: The property is approximately 8,844 square feet, and is located in the **CR-COMM RES R-1**.

The applicant proposes to construct an addition to the house that is in line with the existing house. The addition is approximately 12.5 feet wide and will project approximately 7 feet from the existing rear of the house. The addition will allow for a full bathroom and closet for the master bedroom. As proposed the addition will be in line with the existing house which is 2 feet from the property line at the front corner, and 1.8 feet at the rear corner, so the addition will be ever so slightly (less than ¼ inch) closer than 1.8 to the side property line for a variance of 5.2 feet.

(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 this chapter 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 this chapter should be observed, public safety secured, and substantial justice done.

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: A single family home with 2 full bathrooms is a permitted use in this zone district. According to the applicant, the difficulty is where the plumbing is located in the house, and where the exterior door is located.

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 proposed addition will be located at the rear of the house, and a letter in support was received from the adjacent resident. There is a driveway between the two homes that allows for additional separation.

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

Comment: The house was built in 1953, and there have been no lot line adjustments. It is the original lot 8 of Morrison's Addition Plat.

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

Comment: The house was built in 1953, and there have been no lot line adjustments. It is the original lot 8 of Morrison's Addition Plat.



RECOMMENDATION: We bring to your attention that pursuant to section 154.156 that if the applicant is not able to meet all the required standards noted above, the Board shall deny the request. If the Board finds that the hardship or 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.

Potential Motion:

Motion to approve/deny an addition to 569 Hoffman with a setback of approximately 1.8 feet to the west property line for a variance of 5.2 feet as submitted.



Zoning Board of Appeals Application

LOCATION INFORMATION

APPLICATION NUMBER _____ - _____

 Address 569 Hoffman St, Saugatuck Parcel Number 57-501-008-00

APPLICANTS INFORMATION

 Name Rob & Carrie von der Sitt Address / PO Box 569 Hoffman St
 City Saugatuck State MI Zip 49453 Phone 773-450-1176
 Interest In Project owner DocuSigned by: _____ E-Mail rob@northpointlending.com
 Signature Robert von der Sitt Date 2/26/2022

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

 Name same Address / PO Box _____
 City _____ State _____ Zip _____ Phone _____

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 Nelson Builders Contact Name Josh Nelson
 Address / PO Box 217 E 24th St City Holland
 State MI Zip 49423 Phone 616-335-9840 Fax _____
 License Number 2101156237 Expiration Date 5/31/2023

PROPERTY INFORMATION

 Depth 132 Width 66 Size _____ Zoning District _____ Current Use residential
 Check all that apply: Waterfront _____ Historic District _____ Dunes _____ Vacant _____
 Application Type: Interpretation _____ Dimensional Variance XX Use Variance _____

REQUEST DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

We are seeking approval to build a small addition to our home, which will expand our current, primary bedroom and convert an existing half bath into a full bathroom. We are seeking the variance since the addition will be within 7 feet of the property line. This is due to the fact that the existing building is within 7 feet and we will need to build along the same line. There are no other options due to the location of the existing room/half bathroom, and the inability to add to the other parts of the home. We intend to spend many years, and ultimately retire in this home. Currently, there is only one full bath, which has a necessary bathtub, in our three-bedroom home. We feel adding this extra space and a full bathroom with an easily accessible, walk-in shower and bench will be very important going forward as we age. We have full approval from our adjacent neighbor. Another positive is that there is a driveway between their home and our side in question, creating good separation between the two properties.



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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Locations of all buildings |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Driveways |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 |



Zoning Board of Appeals

Application # ____ - ____

- 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 addition would need to follow the existing line of the home. It would not be feasible to move it or make it smaller due to a exterior door and the continuity of the property.

- (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;

We feel that adding this full bath with a walk in shower will be very beneficial to us as we age and our family expands down the road. Since we are still set back, are following the existing property/structure line, and there is a driveway between our planned addition and the neighbor's home, we feel we are still maintaining consistency.

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

We are following the existing structure line, adding 7 feet in depth. We have not found a viable solution to add anywhere else to the home. This is primarily due to the existing half bath and the location of the rear exterior door.

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

This existing structure was built in 1953. We are subject to this and the non-feasibility of adding space anywhere else.



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.



Zoning Board of Appeals

Application # ____ - ____

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:

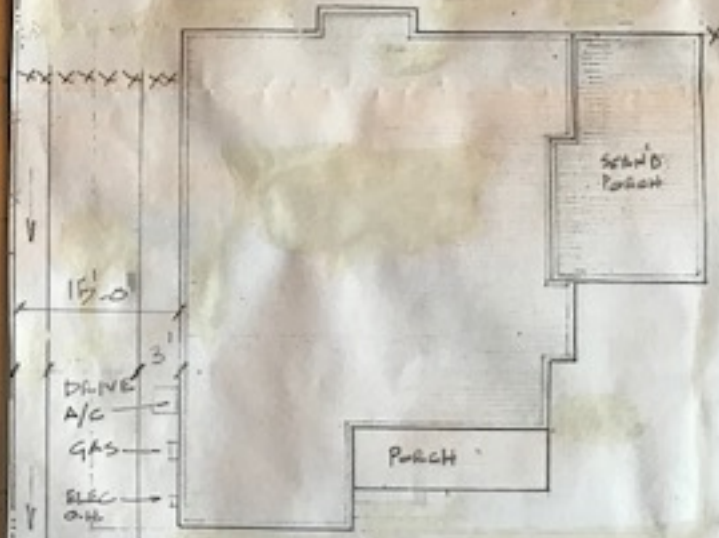
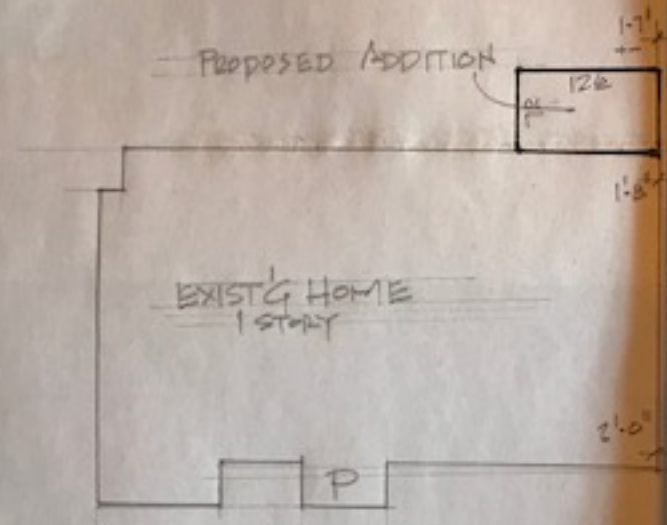
Chair Signature _____ Vote ____

Member Signature _____ Vote ____

Member Signature _____ Vote ____

Member Signature _____ Vote ____

Member Signature _____ Vote ____

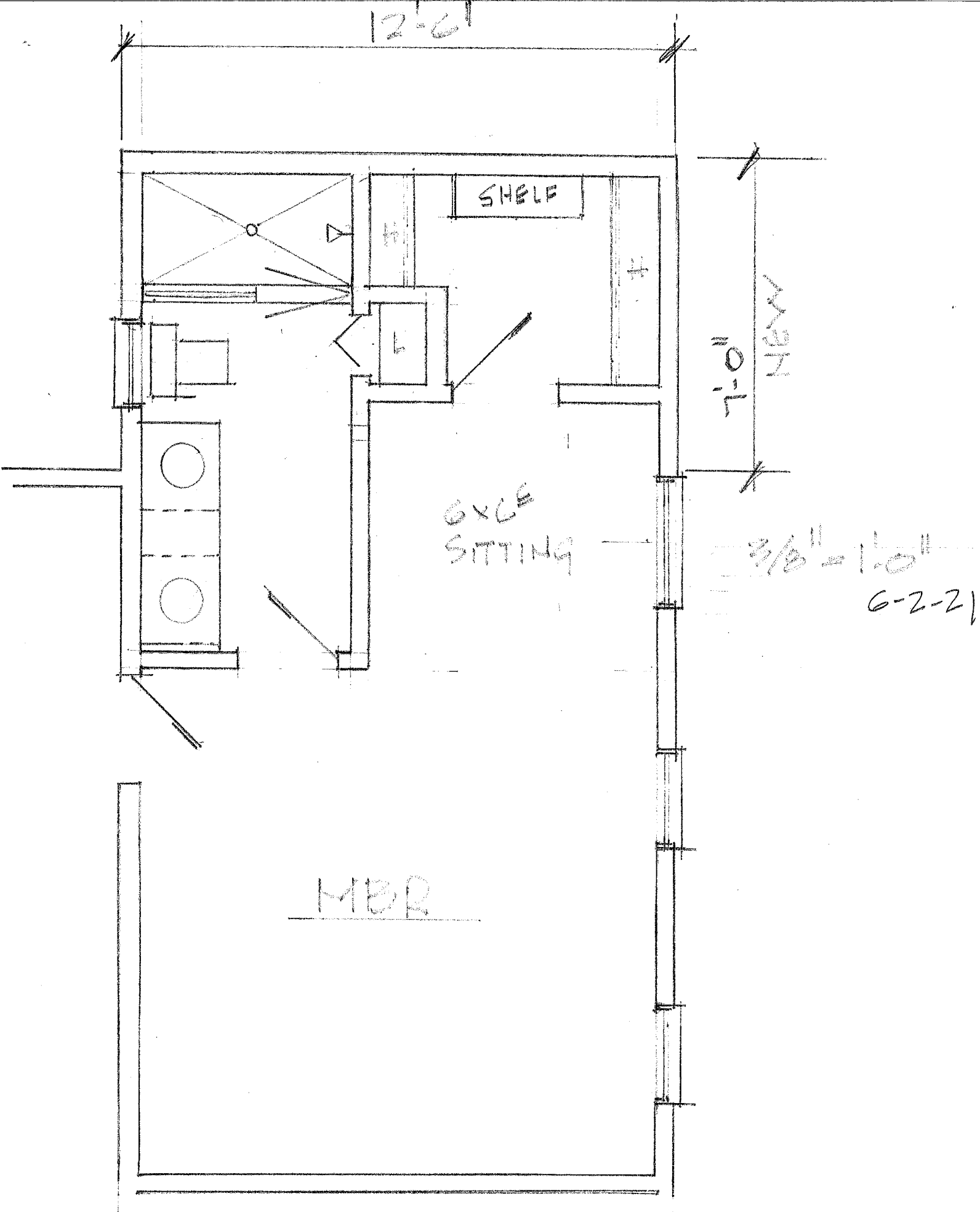


569 HOFFMAN ST.

559 HOFFMAN ST.

66.0
APPROX LOC.
SAN HOUSE LEAD

123.23 EXIST
123.1 PROPOSED



City of Saugatuck

Zoning Board of Appeals

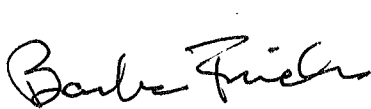
Re: 569 Hoffman Street- addition and variance request

To whom it may concern:

We are next door neighbors with Rob and Carrie von der Sitt, of 569 Hoffman Street. We are directly west and adjacent to the planned new addition. We are separated by our driveway. We fully support their request to add additional space, continuing along the current house line. We understand that the building code requires a 7 foot set back, but we support the variance to allow the addition to be built closer to the lot line. The driveway ensures adequate separation. Aesthetically, building along the current house line makes most sense. We will also allow use of our driveway for the construction.

I am a retired homebuilder and would be happy to discuss this in more detail.

Sincerely,



Steve and Barb Friedman

559 Hoffman Street



**BACKGROUND REPORT
ZONING BOARD OF APPEALS APRIL 14, 2022**

APPLICATION: V220004

135 VAN DALSON ST 57-650-010-00

CRAFT JAMES C & BETH A

REQUEST: To expand the existing deck in the side yard and in the front yard on Van Dalson Street by approximately 2 feet, add roof cover over existing front door, add outdoor shower in the Houtkamp Street front yard. The total lot coverage will be 38.78%

James and Beth Craft, owners of property located at **135 VAN DALSON ST** have submitted an application to the Zoning Board of Appeals for a variance. The purpose of this report is to provide a review of the application, standards for consideration, and any available history of zoning activity for this parcel.

BACKGROUND: The property is 4,356 square feet (66 x 66) and is located in the P S R -1 zone district.

The applicant proposes to expand the existing deck in the side yard and in the front yard on Van Dalson Street by approximately 2 feet, add roof cover over existing front door, add outdoor shower in Houtkamp Street front yard total lot coverage will be 38.78%

§ 154.155 STANDARDS FOR VARIANCES.

(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 this chapter 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 this chapter should be observed, public safety secured, and substantial justice done.

Special note: All of the requested variances are based on the size of the lot, (1/2 typical lot size) and a rather steep slope on the south side of the lot. Almost all the lots in this subdivision were platted at 66 x 66 in 1898. This particular lot is on a corner, so there is no opportunity to get more area to the north and west, the lot to the south is also substandard and the lot to the east is 66 x 66, meaning there is no opportunity to expand the lot size with out buying an adjoining house and tearing it down. There is also a drainage/erosion problem with the property. There are existing encroachments into all of the required yards except to the south.

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: A single family house with a deck and covered porch is a permitted use in this zone district. See special note above.

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: It looks like the applicant has limited their request to the minimum already, these requests are for basically 2 additional feet of deck to the north and east, and a covered porch to the west and to the north, with larger porch cover to the west that faces the unimproved Houtkamp Street.

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

Comment: There are other lots in this subdivision that have similar issues, but not all of them. See special note above.

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

Comment: The house was built c. 1953. It was demolished in 2001 or 2002 and rebuilt in 2002. There were changes to the non-conforming section of the ordinance at about the same time, perhaps as a result of that activity, but I am looking for that documentation.

RECOMMENDATION: We bring to your attention that pursuant to section 154.156 that if the applicant is not able to meet all the required standards noted above, the Board shall deny the request. If the Board finds that the hardship or 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.

Possible motion:

Motion to approve/deny the application for variances to the property at 135 Van Dalson Street as submitted and shown on the survey and description with the following conditions:



Zoning Board of Appeals Application

LOCATION INFORMATION APPLICATION NUMBER _____ - _____

Address 135 VAN DALSON

Parcel Number 03-57-650-010-00

APPLICANTS INFORMATION

Name BETH CRAFT Address / PO Box 1100 DOUGLAS LANE

City CRETE State IL Zip 60417 Phone 708-768-2309

Interest In Project OWNER E-Mail cretedaisy@sbcglobal.net

Signature *Beth Craft* Date 3-18-22

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name _____ Address / PO Box _____

City _____ State _____ Zip _____ Phone _____

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 _____

License Number _____ Expiration Date _____

PROPERTY INFORMATION

Depth 66' Width 66' Size 0.1 acre Zoning District R-1 Current Use RESIDENTIAL

Check all that apply: Waterfront _____ Historic District _____ Dunes Vacant _____

Application Type: Interpretation Dimensional Variance _____ Use Variance _____

REQUEST DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Marginally increase area of northeast corner
of existing deck area to allow great access
and which is outside the property setback.
Improve west entry and add cover/roof to prevent
winter ice buildup.
Exceed the max. lot coverage.

18, March, 2022

Craft Residence
135 Van Dalson Street
Saugatuck, Michigan



Area Calculations for Variance Request

Site Area: 4,356 SF

House Areas: 1,243.2 SF (unchanged)

Existing Porch Area: 21 SF

Proposed Covered Porch Area: 32.5 SF (area including roof)

Existing Deck Area: 337 SF

Proposed Deck Area: 413.46 SF (existing and new)

Existing Lot Coverage: 36.75% (1,601.20 SF)

Proposed Lot Coverage: 38.78% (1,689.16 SF)

Increased Lot Coverage: 2.03% or 87.96 SF

If this was developed on the standard lot size of 8,712 SF in the R-1 Peninsula South District, the lot coverage would only be 19.39%.

VAN DALSON STREET

C.B.

TREE

RAISE DECK TO BE FLUSH WITH HOUSE FLOOR LINE

NEW WRAP AROUND STEPS

DIRECT SURFACE WATER

RETAINING WALL

EXPAND CORNER OF DECK

EXISTING PAVER WALK

STEP

15' SETBACK

NEW LARGER COVERED PORCH 6 FT. WIDE

H.B.

H+C WATER

NEW OUTDOOR SHOWER

HOUSE

GEN.

EXISTING DECK W/ NEW COMPOSITE DECKING & RAILINGS

NEW SHRUBS WITH NEIGHBORS APPROVAL

LOT 16

HOUTKAMP STREET

66.00'

66.00'

LOT 14

LOT 15
R-1 PENINSULA DISTRICT

SUPPORT POSTS BELOW THE DECK

10' SETBACK

GARAGE
16' x 22'

TOE OF BANK

RETAINING WALL

10' SETBACK

AC

66.00'


NORTH
SCALE: 1" = 10'

CRAFT RESIDENCE

135 VAN DALSON STREET
SAUGATUCK, MICHIGAN
STUDIO TWO | ARCHITECTURE
03/16/2022

