



**CITY OF SAUGATUCK
SPECIAL MEETING ZONING BOARD OF APPEALS
THURSDAY NOVEMBER 12, 2020 – 7:00 PM**

1. Call to Order/Roll Call
2. Agenda Changes
3. Approval of Minutes: September 3, 2020
4. New Business
 - A. Height Variance for 10 Park Street – Public Hearing
5. Unfinished Business:
6. Communications:
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

PROPOSED Minutes
Saugatuck Zoning Board of Appeals
Saugatuck, Michigan, September 3, 2020

The Saugatuck Zoning Board of Appeals met in regular session at 7:00 p.m. via Zoom video/conference technology due to COVID-19 restrictions currently in place.

1. **Call to Order** by Chairperson Kukasiak 7:02 p.m.

Attendance:

Present: Bouck, Bont, Kubasiak

Absent: Zerfas, Ludlow, Vlasity

Others Present: Zoning Administrator Osman, Clerk Wilkinson

2. **Approval of Agenda:** A motion was made by Bouck, 2nd by Bont, to approve the agenda as presented. Upon roll call the motion carried unanimously.

Approval of Minutes:

A motion was made by Bont, 2nd by Bouck, table the approval the April 30, 2020 meeting minutes to complete the height variance standards. Upon roll call the motion carried unanimously.

A motion to approve the corrected minutes of the August 13th, 2020 meeting was made by Bont and supported by Bouck. Upon roll call the motion carried unanimously.

A motion to approve the corrected minutes of the special meeting of September 30, 2020 was made by Bont supported by Bouck. Upon roll call the motion carried unanimously.

5. **Unfinished Business:** None

6. **Communications:** None

7. **Public Comments:** None

8. **ZBA Comments:** Question on status of 1034 Holland Street.

11. **Adjournment:** A motion was made by Bont, 2nd by Bouck, to adjourn the meeting at 7:39 p.m. Upon roll call the motion carried unanimously.

Respectfully Submitted,

Erin Wilkinson
City Clerk



**BACKGROUND REPORT
ZONING BOARD OF APPEALS December 10, 2020**

APPLICATION: V200004

10 PARK ST 57-008-013-13

LANNING ERIC T & TERESA

REQUEST: Eric and Teresa Lanning are requesting a variance for roof height for a new house at 10 Park Street, 40 feet to the peak and 33 feet to the average.

Chuck Posthumus, on behalf of Eric and Tracy Lanning, owners of property located at **10 PARK 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 0.78 acres and is located in the **PW PEN WEST**.

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.
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.
3. That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.
4. That the problem is not self-created or based on personal financial circumstances.

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/modify application **V200004** for variances at the property known as 10 Park Street. The first variance request of a 5 feet variance above the maximum average roof height of 28 feet, and second is for a variance of 8 feet for the maximum peak height of 32 feet.



Zoning Board of Appeals Application

LOCATION INFORMATION **APPLICATION NUMBER** ____ - ____

Address 10 Park St, Saugatuck MI Parcel Number 0357-008-013-13

APPLICANTS INFORMATION

Name Chuck Posthumus Address / PO Box 307 Union Ave SE
City Grand Rapids State MI Zip 49503 Phone 616.437.7037
Interest In Project Architect E-Mail posthumusarch@gmail.com
Signature _____ Date 10/16/20

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Eric & Tracy Lanning Address / PO Box 703 Madison Ave SE
City Grand Rapids State MI Zip 49503 Phone 616.437.4167

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 Curt Moran Builders, Inc Contact Name Curt Moran
Address / PO Box PO Box 543 City Allendale
State MI Zip 49401 Phone 616.893.1930 Fax _____
License Number 2102148053 Expiration Date 5/31/23

PROPERTY INFORMATION

Depth 275 Width 123 Size _____ Zoning District _____ Current Use vacant
Check all that apply: Waterfront _____ Historic District _____ Dunes _____ Vacant X
Application Type: Interpretation _____ Dimensional Variance X Use Variance _____

REQUEST DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Height 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;

Enlarging the footprint would push into the slope to the west or impact the low area to the east. More trees would be lost.

(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;

To the southeast - taller multi-family.

To the west - a house 30'+ higher to the base.

To the south - future house (if built) would start 10' higher.

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

The geography is unique. High water table does not permit a crawlspace or basement. Adjacent home to west is 30' up. Unique 'low spot'.

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

The site's geography is existing.

October 16, 2020

City of Saugatuck
Zoning Board of Appeals
P.O. Box 86
Saugatuck, MI 49453

Dear Members,

Please find the Application for Variance pertaining to our new home construction at 10 Park St. Note that a variance was approved for this site in 2014, under the address of 500 Campbell Rd, with a different house plan.

We love this site for its natural beauty, its abundance of mature, diverse trees, and its vistas. It provides an intimate and protected setting for a home, tucked against a tall hillside on the west portion of the lot. Our goal is to have a home that celebrates and compliments the setting and minimizes its impact on nature.

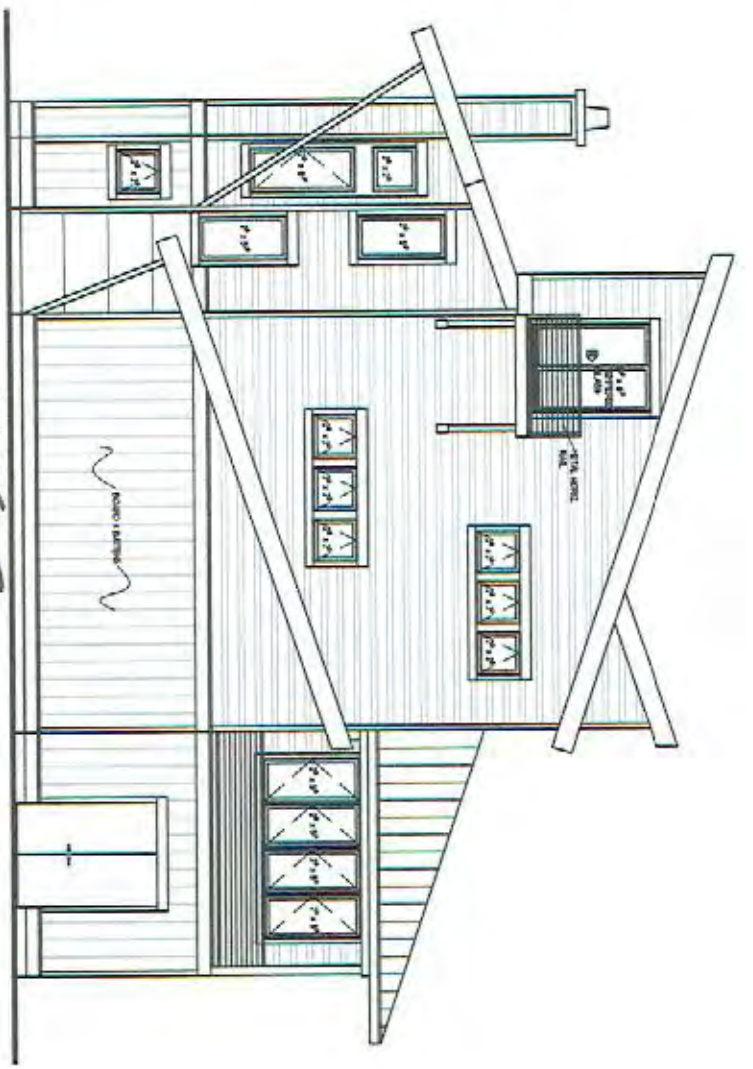
There are certain challenges to this unique site. For example, the ground water level is relatively high. This a) dictates what portion of the site we can build on, and b) prohibits having a basement (the home will be on a slab). Also, our goal to preserve as many of the mature hardwood trees and natural areas as possible influenced our placement of the home.

Across Park St. to the east between our site and the channel, are two commercial entities: Saugatuck Yacht Club and Singapore Harbor Condominiums. Both are of relatively tall height. To the west is a tall, steep slope with a home at the top (540 Campbell). It is worth noting that this home's view of the channel will not be obstructed by our home.

In addition to this lot, we also own the adjacent properties on either side: 4 Park St. to the south (aka 500 Campbell in City records), and 16 Park St. to the north. Our intent is to make 10 Park St. our full-time home and maintain ownership of all three properties. Also, we will utilize the existing driveway at 16 Park St. for the new home, eliminating the need for a new curb cut.

Thank you for considering our application.

Best Regards,
Eric and Tracy Lanning

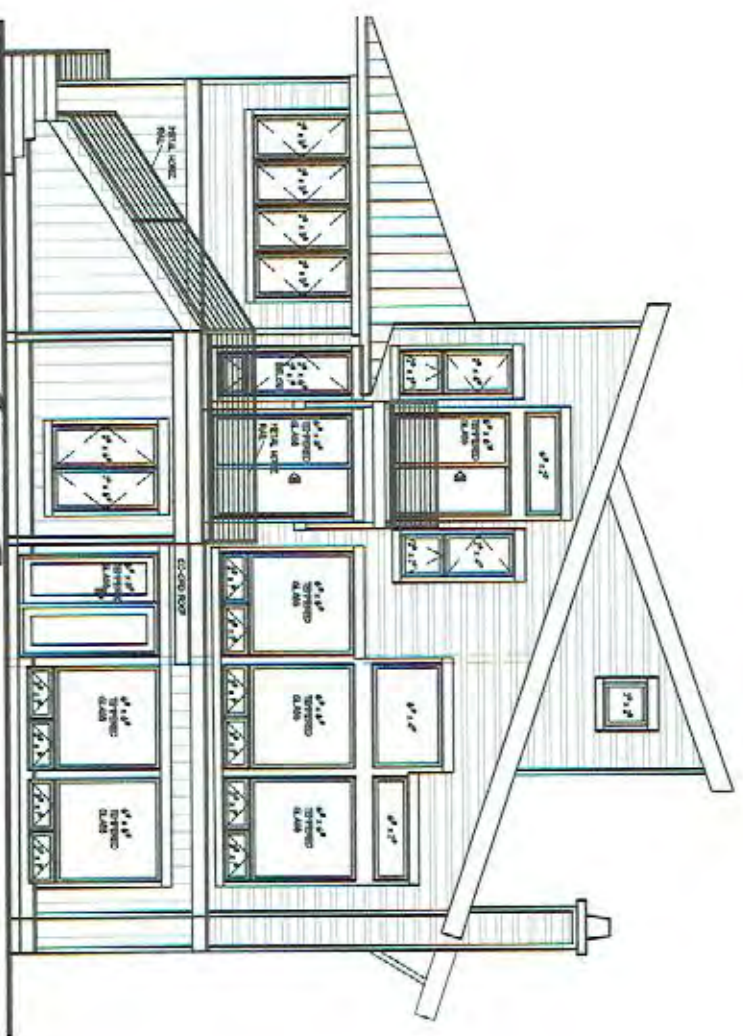


WEST
SCALE: 3/32" = 1'-0"



NORTH
SCALE: 3/32" = 1'-0"

0 5' 10' 20'
POSTHUMOUS ARCH.



EAST
SCALE: 3/32" = 1'-0"



SOUTH
SCALE: 3/32" = 1'-0"

UNKNOWN
10 PARK STREET. (2)

LANNING SITE PLAN

10 PARK ST., SKIDDAK TRUCK

123' x 275' LOT # 33,825 A

AIR WATER + SEWER

SCALE

R-1 ZONING DISTRICT.

PEN. WEST. LOT

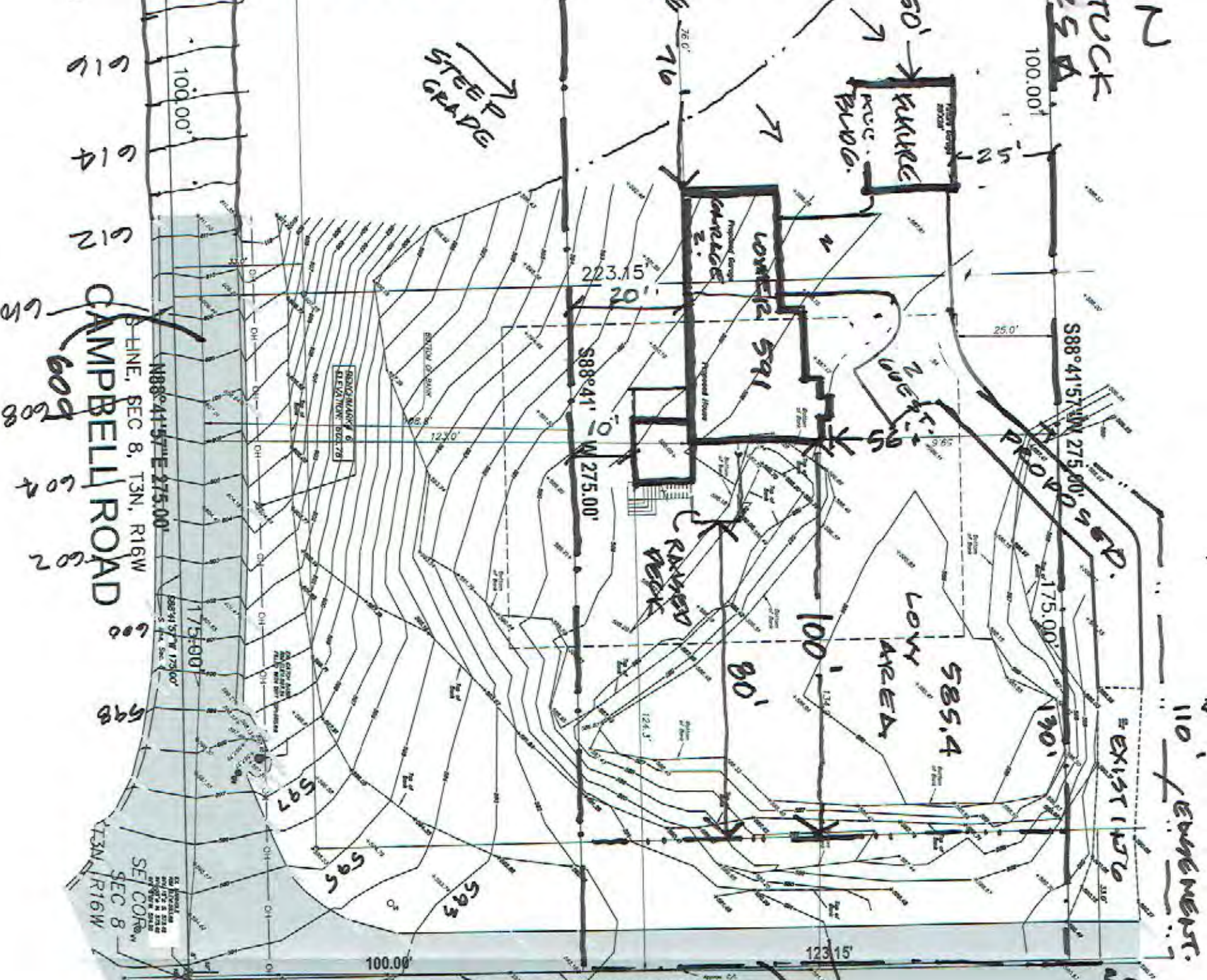


S01°21'38"E 223.15'

PARCEL "A"

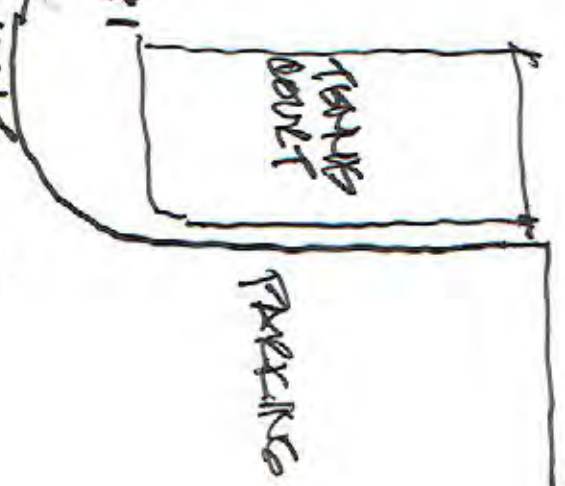
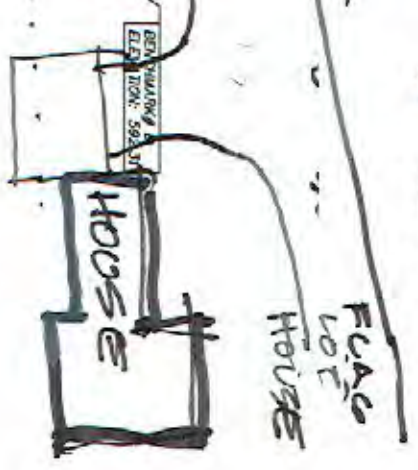
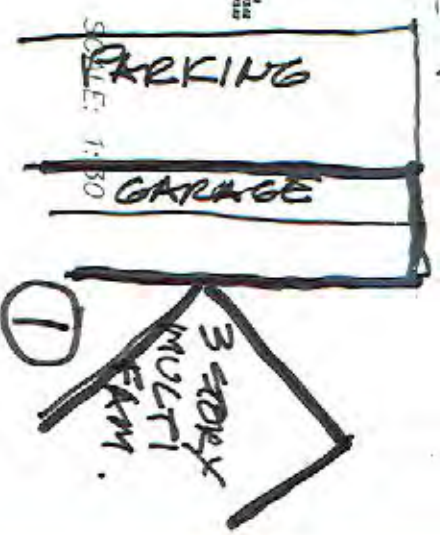
PARCEL "B"

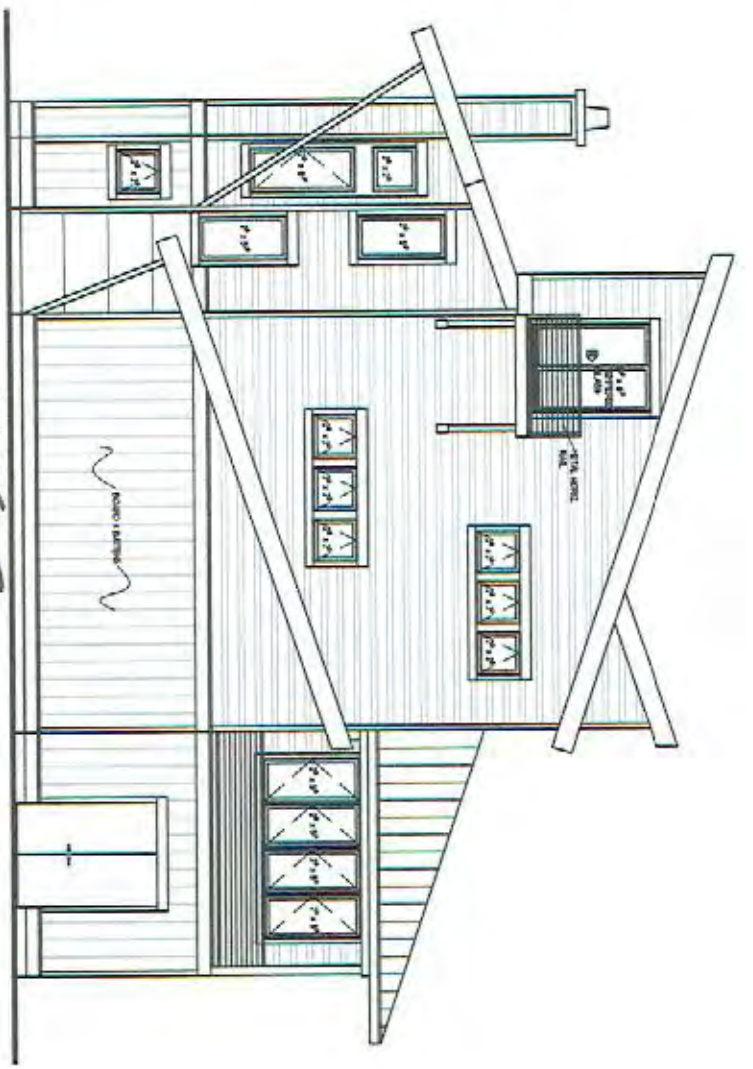
POSTHUMUS ARCHITECTS
307 UNION AVE S.E.
GRAND RAPIDS, MI
49503
616.437.7037
posthumusarch@aol.com
10.15.2020



CAMPBELL ROAD
LINE, SEC 8, T3N, R16W
N88°41'57"E 275.00'
173.00'
598
597
595
593

PARK STREET
N01°21'38"W 223.15'
LINE, SEC 8, T3N, R16W



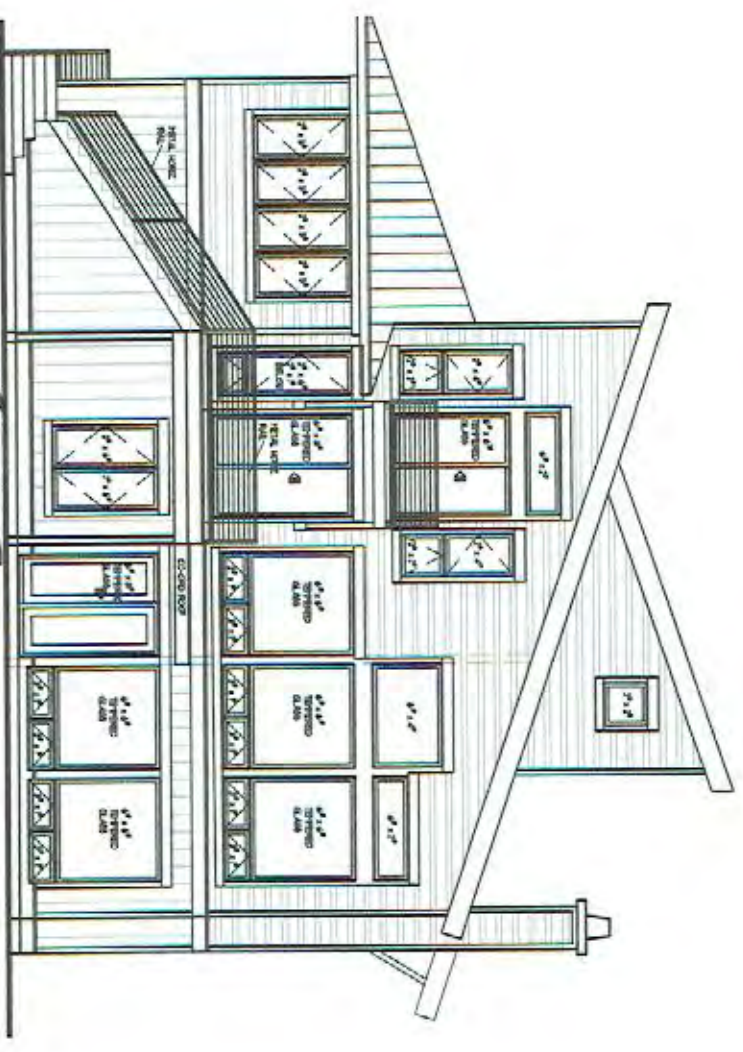


WEST
SCALE: 3/32" = 1'-0"



NORTH
SCALE: 3/32" = 1'-0"

0 5' 10' 20'
POSTHUMOUS RECT.
10.19.20

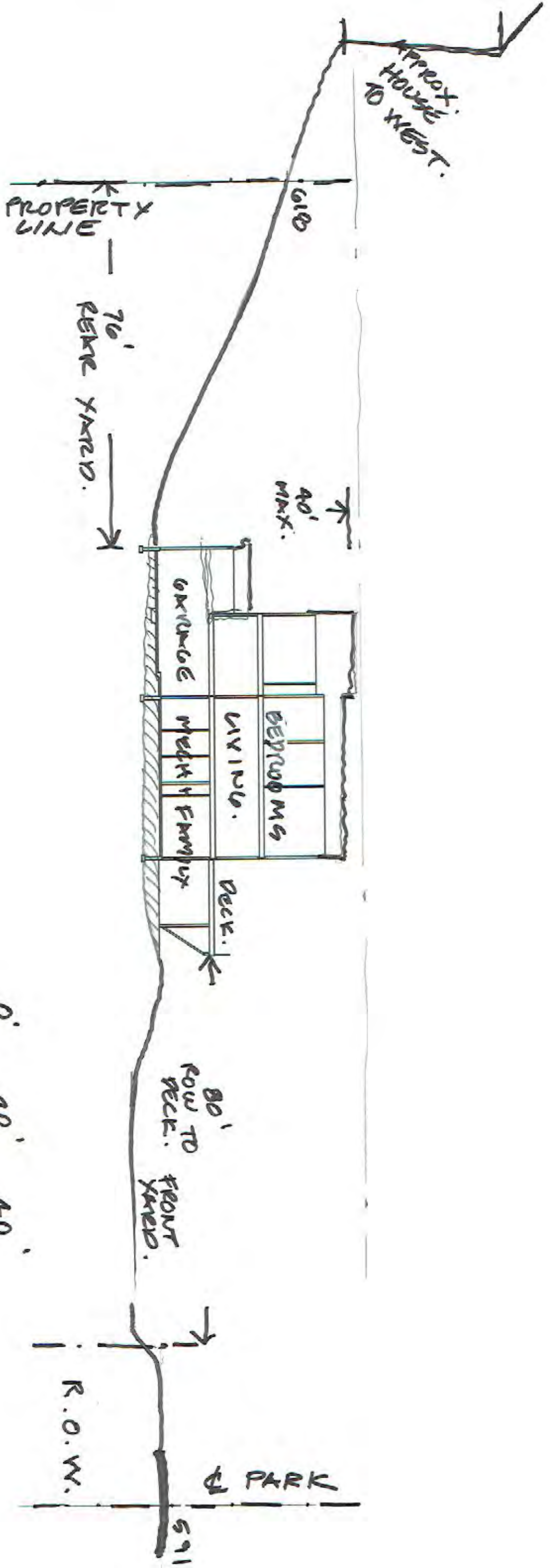


EAST
SCALE: 3/32" = 1'-0"



SOUTH
SCALE: 3/32" = 1'-0"

UNKNOWN
10 PARK STREET. (2)



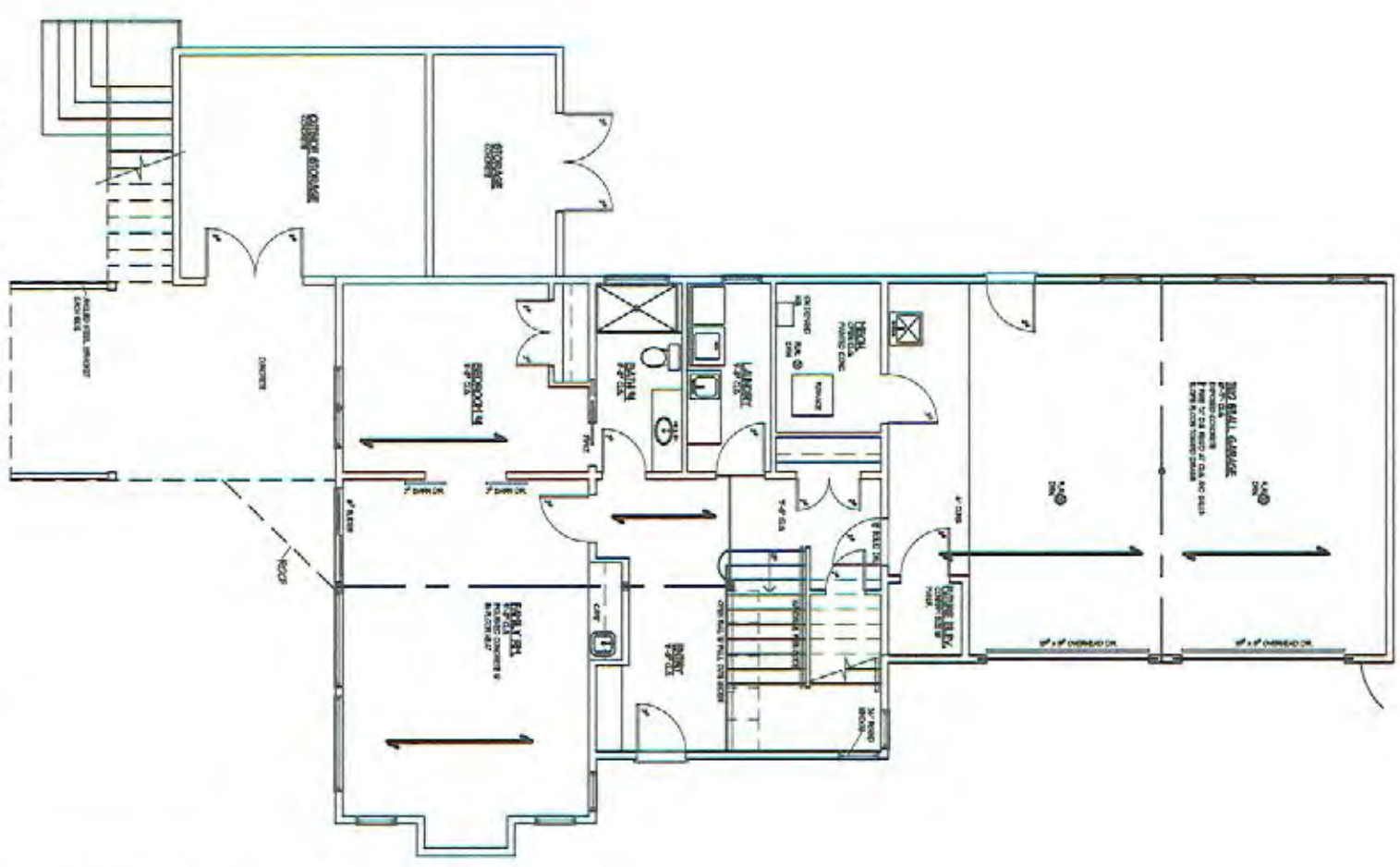
SITE SECTION
LOOKING NORTH

LABUING
10 PARK STREET
10.15.2020
POSTHUMUS WEST.

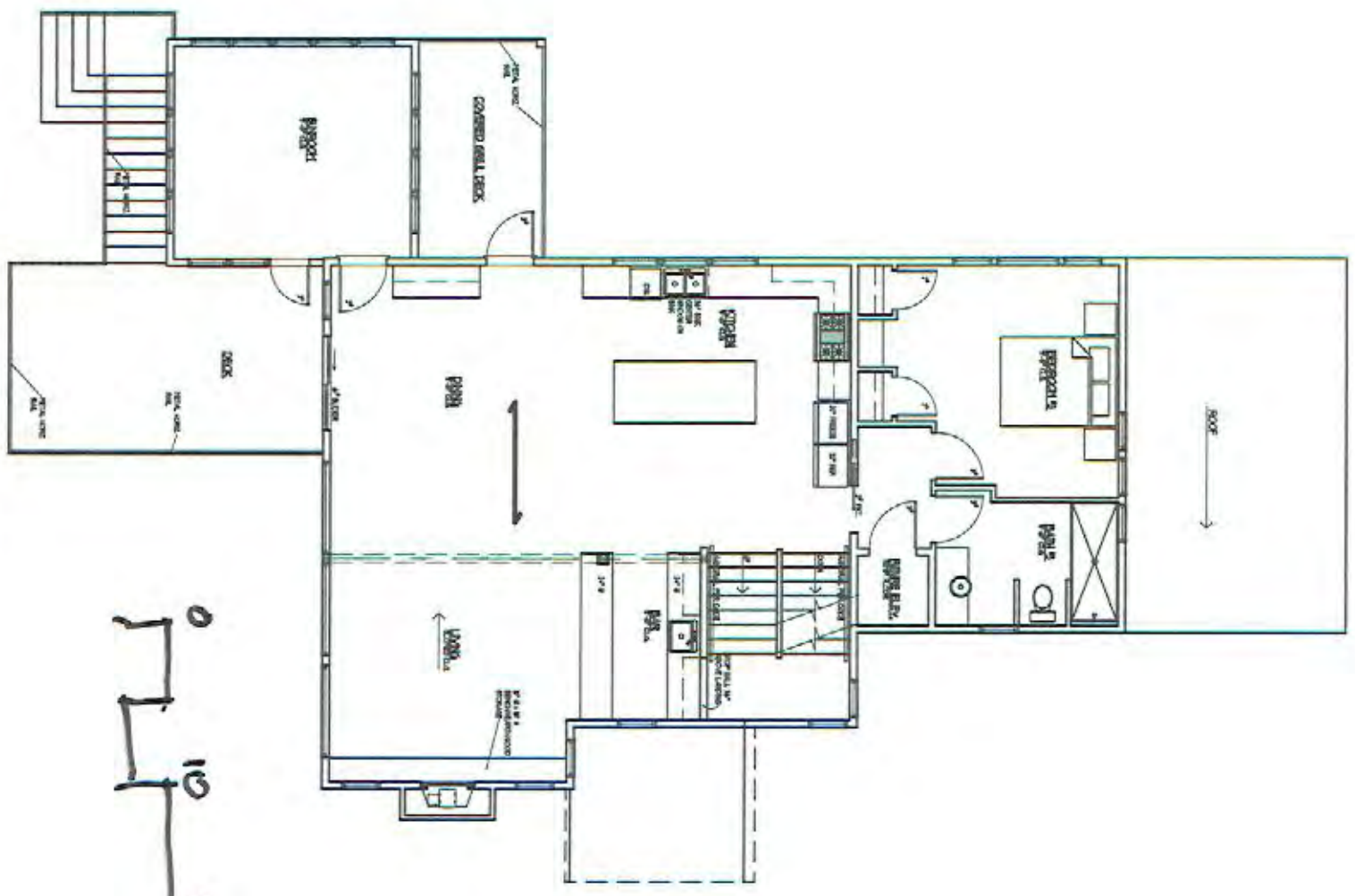
SCALE: 1:20

3

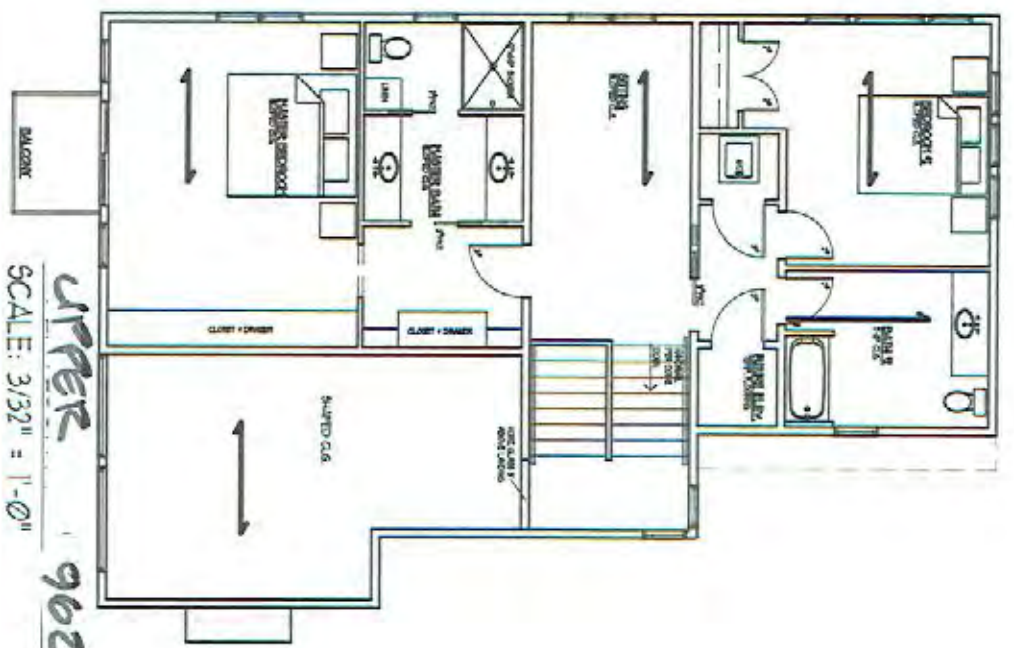
LOWER 744
SCALE: 3/32" = 1'-0"



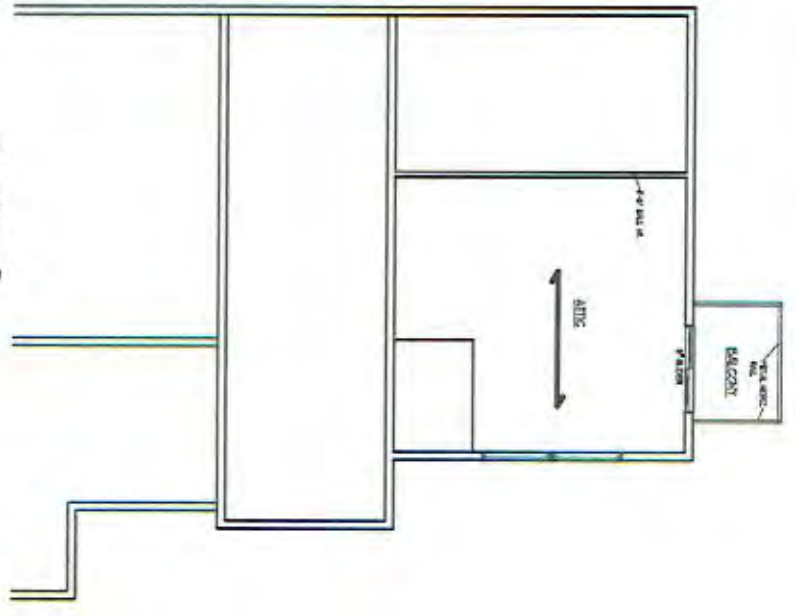
MAIN 1721
SCALE: 3/32" = 1'-0"



UPPER 962
SCALE: 3/32" = 1'-0"



ATTIC
SCALE: 3/32" = 1'-0"



④

LANNING
10 PARK STREET.
10.15.20



2014

Zoning Board of Appeals Application

Address 500 Campbell Rd Parcel Number 03-57-008-013-10

Name Jeff Spangler Address / PO Box 18 Park St.
City Saugatuck State MI Zip 49453 Phone 616-836-3624
Interest In Project Builder E-Mail lakehomebuilders@gmail.com
Signature [Signature] Date _____

Name Eric & Tracy Lanning Address / PO Box 703 Madison Ave.
City Grand Rapids State MI Zip 49503 Phone 616-481-4514

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 [Signature] Date 5/12/14

Name Lake Home Builders Contact Name Jeff Spangler
Address / PO Box 18 Park St. City Saugatuck
State MI Zip 49453 Phone 269-857-5253 Fax same
License Number 2102121763 Expiration Date 5/31/2017

Depth 223' Width 175' Size 39,025/.90AG Zoning District PW Current Use Vacant
Check all that apply: Waterfront _____ Historic District _____ Dunes _____ Vacant
Application Type: Interpretation Dimensional Variance _____ Use Variance _____

Exception to height limit. Height limit 28'. Requesting 35'

RECEIVED

MAY 12 2014

SAUGATUCK CITY HALL

2014

DIMENSIONAL VARIANCE REQUEST STANDARDS PER SECTION 154.155 (B)

(1) If a home was built that was compliant with the height limit, it would be out of character with the surrounding homes appearing as it was built in a hole, thus depriving the owners of the street presence afforded to adjacent properties. Views of the water would also be compromised.

(2) Allowing a variance to the height limit, would provide a consistent streetscape.

The home would essentially be the same as any other only that the basement level would be above grade. Each floor of the home requires about 10 feet of height. Allowing a lesser relaxation would essentially eliminate a floor. We would incorporate a flat or low pitched roof to keep the height to a minimum while meeting the needs of the owner.

(3) The lot is unique in that the natural grade sets five to seven feet below the grade of the two streets. There are wetlands located on the north side of the property where adding fill is prohibited. Accordingly, the owners would like to leave the property in its natural state with minimal fill.

(4) The parcel is a legal lot which allows a home to be built there. We are asking for a reasonable relaxation of height requirements to make it consistent with properties in the area.

Proposed Minutes
Saugatuck Zoning Board of Appeals Meeting
Saugatuck, Michigan, June 12, 2014

2014

The Saugatuck Zoning Board of Appeals met in regular session at 7:00 p.m. in Council Chambers of Saugatuck City Hall, 102 Butler Street, Saugatuck, MI 49453

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

Attendance:

Present: Bouck, Kubasiak, Riekse, Bont

Absent: Zerfas

Others Present: Zoning Administrator Clark

2. **Approval of Agenda:** A motion was made by Bont, 2nd by Riekse, to approve the agenda as presented. Upon voice vote the motion carried unanimously.

3. **Approval of Minutes:** A motion was made by Bouck, 2nd by Kubasiak, to approve the April 10, 2014 regular meeting minutes as presented. Upon voice vote the motion carried unanimously.

4. **Public Comments** (*agenda items only*): None

5. **Old Business:** None

6. **New Business:**

A. Application 14-016 / 10 Park Street Height Variance Request: A public hearing was scheduled on this date regarding the applicant requesting a 7-foot height variance to allow the construction of a single family dwelling unit to have a maximum height of 35-feet where a maximum height of 28-feet is permitted.

Chairperson Kubasiak opened the public hearing at 7:05 p.m.

Ken Tornvail (*resident*) expressed concern regarding structures obscuring his view.

Chairperson Kubasiak closed the public hearing at 7:22 p.m.

A motion was made by Bouck, 2nd by Riekse, to approve Application 14-016 / 10 Park Street (300 Campbell Street) granting a height variance request to allow for the construction of a 35-foot tall single family dwelling unit (maximum height of 35-feet) finding that the standards of Section 154.155(B) of the Zoning Ordinance have been met. Upon voice vote the motion carried unanimously.

C. Discussion of Number of Board Members: None

7. **Communications:**

A. Staff Updates on Past Projects to be Presented at the Meeting

8. **Commission Comments:** None

9. **Public Comments:** None

10. **Adjournment:** Chairperson Kubasiak adjourned the meeting at 7:50 p.m.

Respectfully Submitted,

Monica Looman, CMC
City Clerk



Scale: 1" = 400'

This map was compiled for tax administration purposes only. It does not represent a legal property survey.

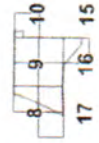
Taxyear: 2013

Map Printed: 06/13/2013

Saugatuck City

Gap
Overlap

Parcel Prefix: 03-57-008-

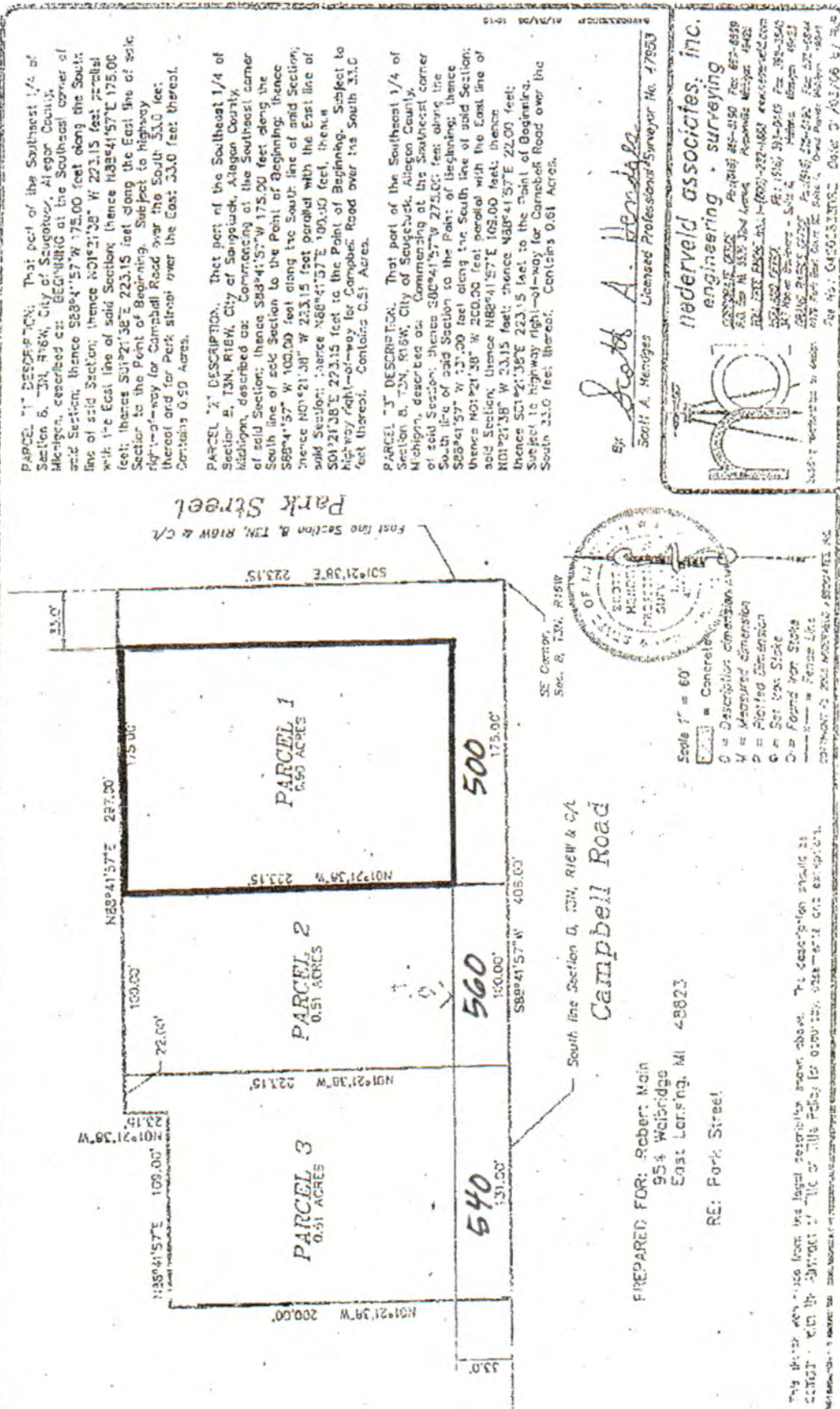


SECTION 08 SE



SUBJECT PROPERTY

2014



PARCEL 1'S DESCRIPTION: That part of the Southeast 1/4 of Section 8, 13N, 11E & C/1, City of Sougebuch, Allegan County, Michigan, described as: BEGINNING at the Southeast corner of said Section; thence S88°41'57"W 175.00 feet along the South line of said Section; thence N01°21'38"W 223.15 feet parallel with the East line of said Section; thence N138°41'57"E 108.00 feet along the East line of said Section to the Point of Beginning. Subject to highway right-of-way for Campbell Road over the South 33.0 feet thereof. Contains 0.93 Acres.

PARCEL 2'S DESCRIPTION: That part of the Southeast 1/4 of Section 8, 13N, 11E & C/1, City of Sougebuch, Allegan County, Michigan, described as: Commencing at the Southeast corner of said Section; thence S88°41'57"W 175.00 feet along the South line of said Section to the Point of Beginning; thence S88°41'57"W 100.00 feet along the South line of said Section; thence N01°21'38"W 223.15 feet parallel with the East line of said Section; thence N138°41'57"E 100.00 feet, thence N501'21'38"E 223.15 feet to the Point of Beginning. Subject to highway right-of-way for Campbell Road over the South 33.0 feet thereof. Contains 0.51 Acres.

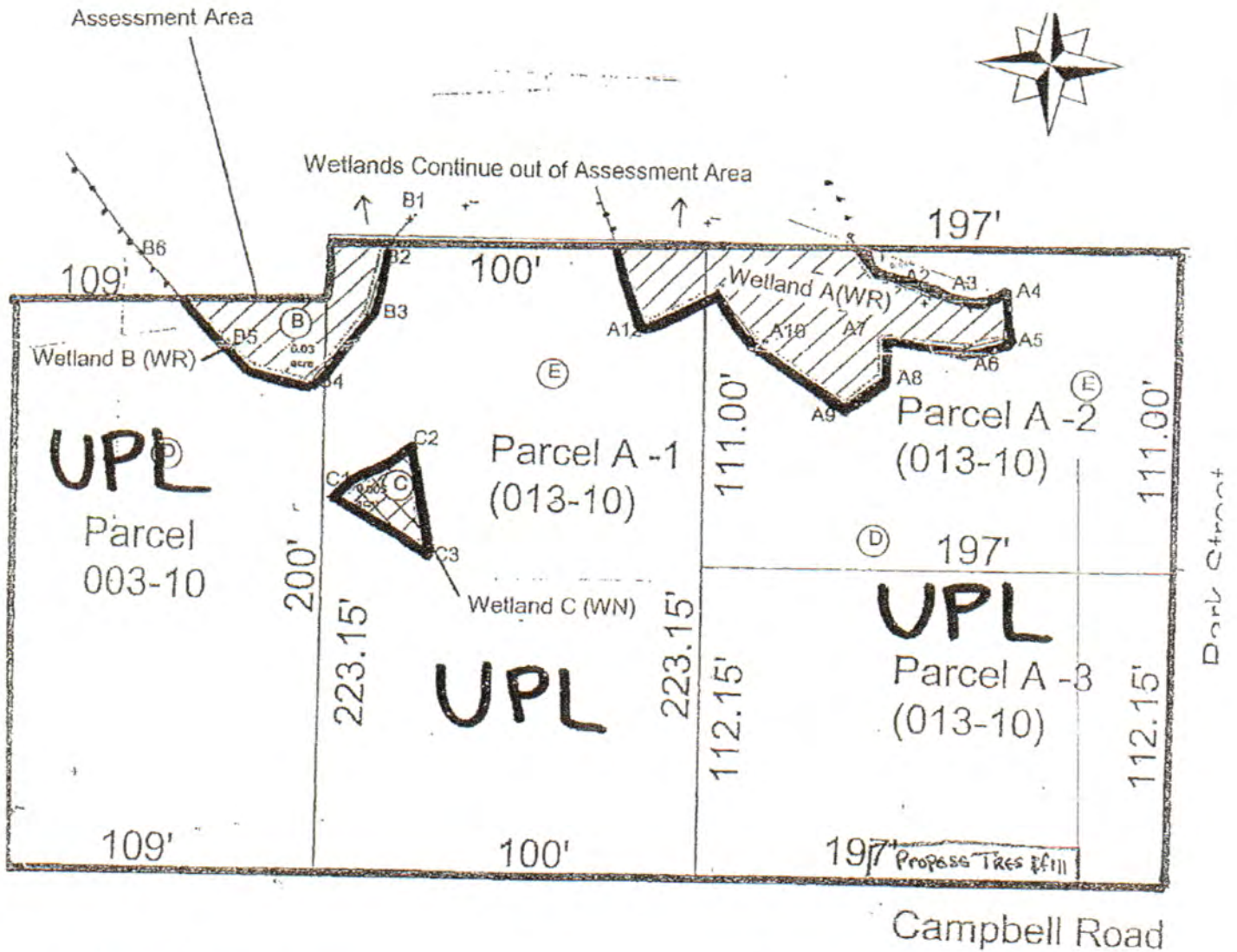
PARCEL 3'S DESCRIPTION: That part of the Southeast 1/4 of Section 8, 13N, 11E & C/1, City of Sougebuch, Allegan County, Michigan, described as: Commencing at the Southeast corner of said Section; thence S88°41'57"W 175.00 feet along the South line of said Section to the Point of Beginning; thence S88°41'57"W 120.00 feet along the South line of said Section; thence N01°21'38"W 223.15 feet to the Point of Beginning. Subject to highway right-of-way for Campbell Road over the South 33.0 feet thereof. Contains 0.51 Acres.

PREPARED FOR: Robert Main
954 Weisbridge
East Lansing, MI 48823

RE: Park Street

This plat was prepared from the legal description shown above. The description results in a closing error of 0.00 feet. The survey was conducted on 08/14/14.

2014



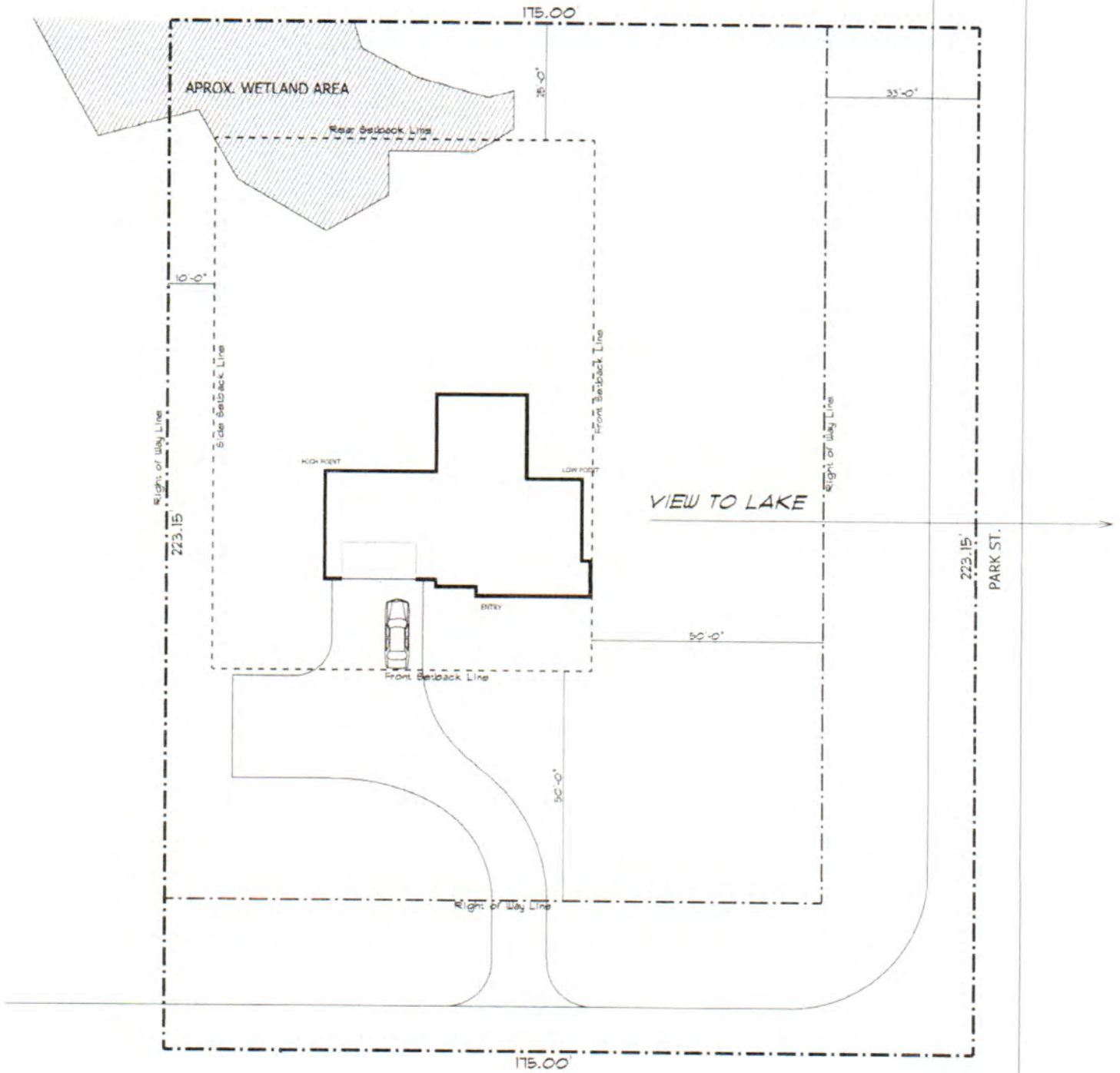
Legend:

- WR = Wetland- Regulated
- WN =Wetland- Not Regulated
- UPL = Upland (non-wetland)

Approximate Scale: 1 inch = 50 feet

This drawing showing those areas containing wetland and not containing wetland is an approximation of the boundaries flagged on-site.
 This drawing does not authorize or permit activities requiring a permit in accordance with Part 303 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Map Prepared By: Derek Haroldson 10/31/05

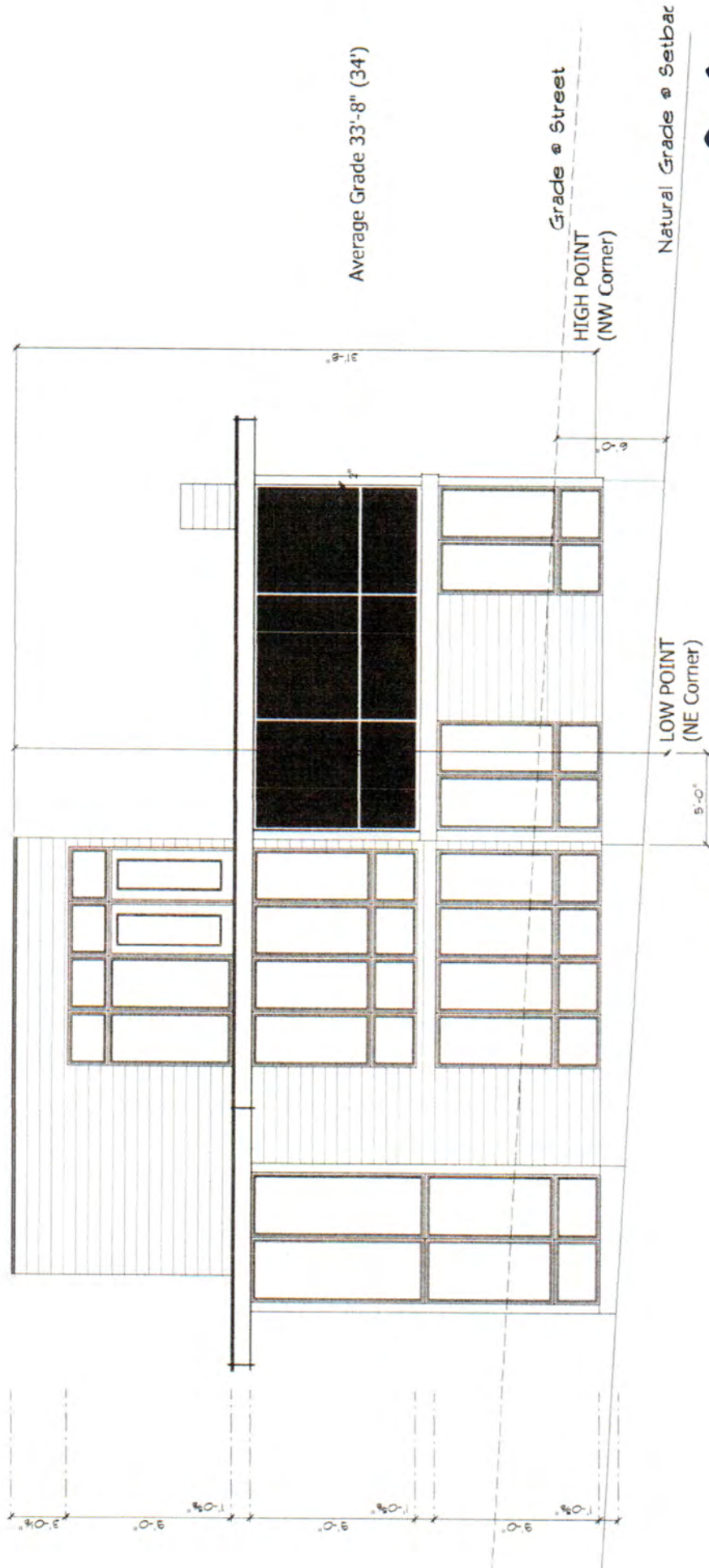
2014



LAKE HOME BUILDERS LLC
4 PARK STREET, SUITE 110, HULLAND HAVEN
08847-1253 lakehomebuilders.com

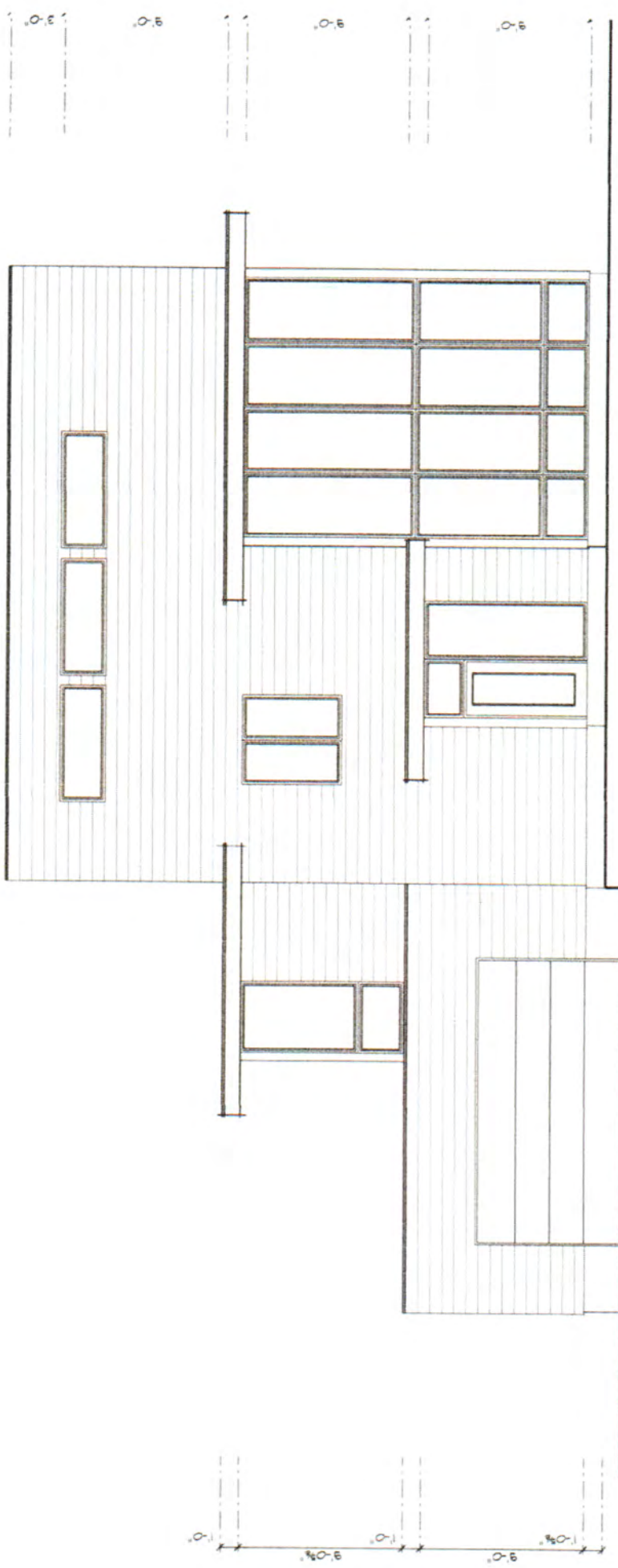
SITE PLAN
Scale: 1" = 30'

2014



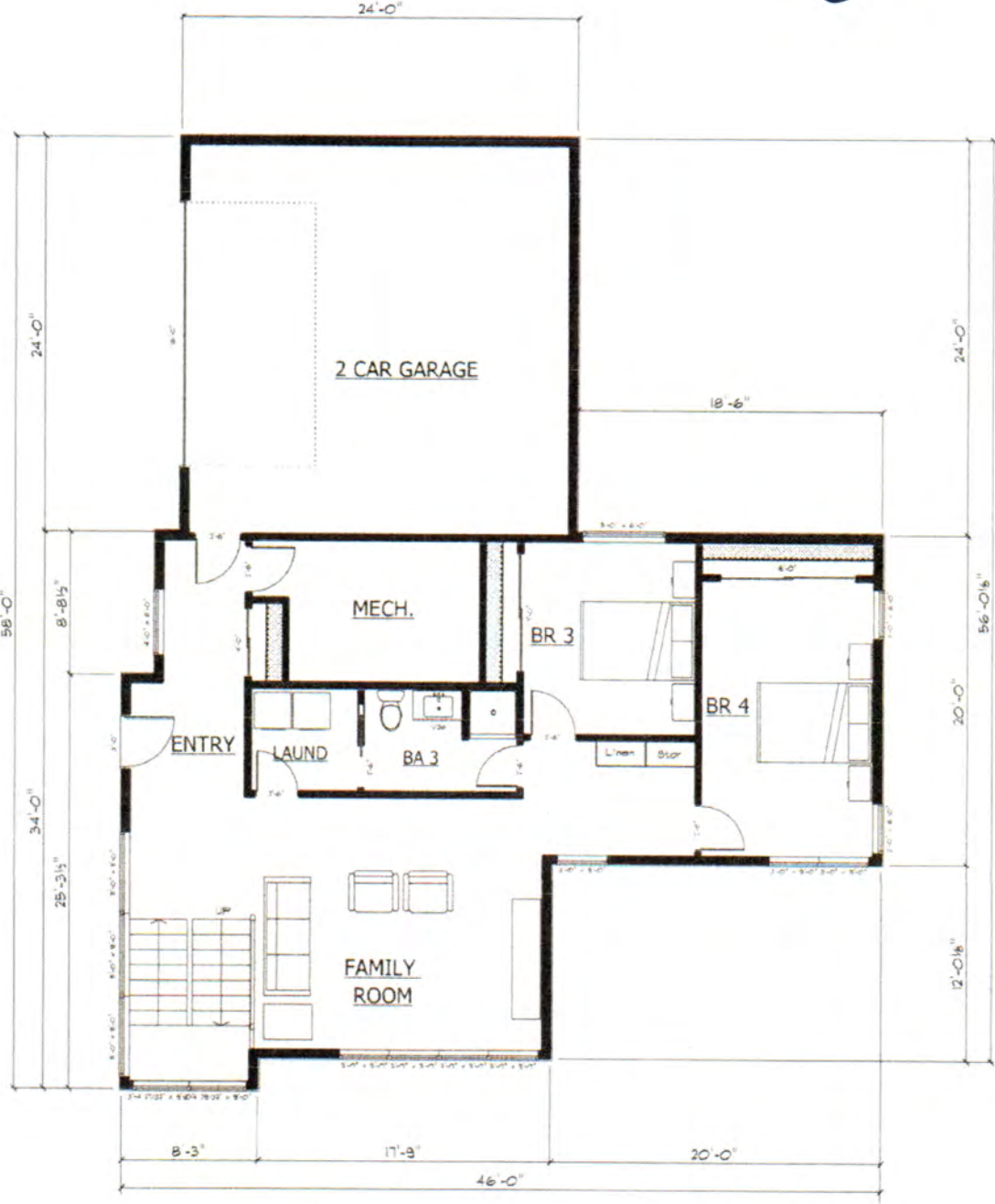
EAST ELEVATION

ZD14



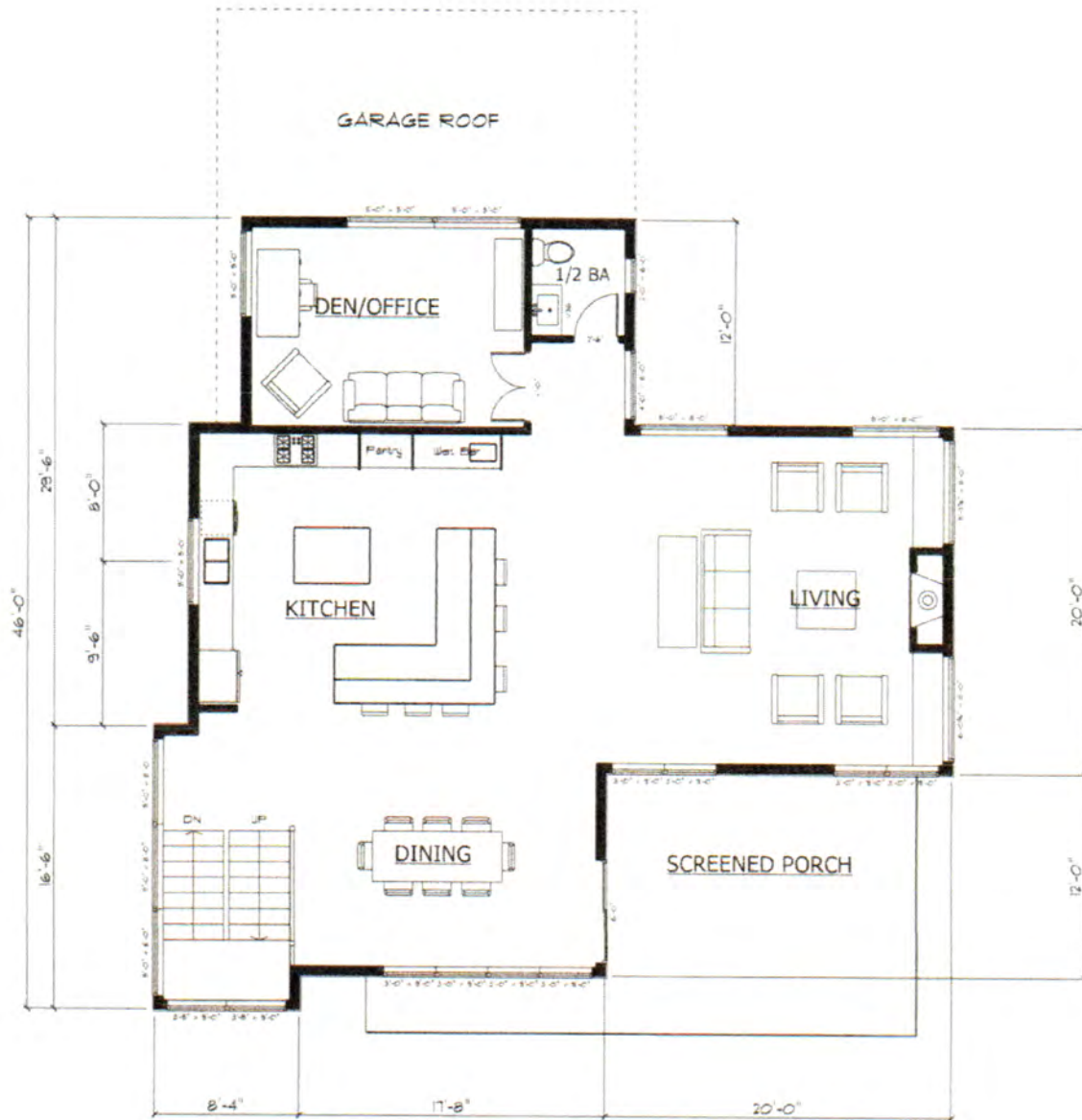
SOUTH ELEVATION

2014



LOWER LEVEL

2014



MAIN LEVEL

2014



UPPER LEVEL

2014

