

Minutes
Saugatuck Zoning Board of Appeals Meeting
Saugatuck, Michigan, April 14, 2022

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 Vice Chairperson Bont at 7:00 p.m.

Attendance:

Present: McPolin, Bouck, Bont, Hundrieser, Zervas

Absent: Kubasiak, Muir

Others Present: Zoning Administrator Osman

2. **Approval of Agenda:**

McPolin made a motion, 2nd by Bouck to approve the agenda as amended to include election of officers under unfinished business. The motion carried unanimously.

3. **Approval of Minutes:**

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

4. **New Business:**

A. Public Hearing 336 Hoffman – 8 foot privacy fence.

Bont opened the public hearing at 7:03. ZA Osman gave a very brief overview of the application. The applicant did not appear to make a presentation. A neighbor was recognized as being present to hear the process. The public hearing was closed at 7:11. Hundrieser made a motion to deny the variance for the 8 foot fence height at 226 Hoffman, 2nd by McPolin, the motion to deny carried unanimously and the following findings of fact were adopted:

1. While there might be circumstances that it is easier to look down into the back yard from the adjacent carriage house, it does not prevent them from using the property as a single family dwelling. Standard 1 is not met.
2. A lesser height would not satisfy the desire for privacy; it would probably require a 12 foot high fence for complete privacy and that is not an expectation anticipated in the ordinance. This standard is not met.
3. The property is not unique, there are many short term rentals in the area, and many of them are two stories in height. The applicant bears the burden of proof and did not respond to this standard. This standard is not met.
4. The applicant bears the burden of proof and did not respond to this standard. This standard is not met.

B. Public Hearing 569 Hoffman – side yard setback for addition.

Bont opened the public hearing at 7:15. ZA Osman gave a very brief overview of the application while Robert and Carrie VonderSitt were available via Zoom to present their application. The public hearing was closed at 7:22. A motion was made by Hundrieser 2nd by

Zerfas to approve the application, noting that support from the adjacent property owner was received. The motion carried unanimously, and the following findings of fact were adopted.

Standard 1. The applicant stated that they have explored other areas to add on to the house, but it would be unnecessarily burdensome to move all the plumbing and exterior entrance of the building for this 84 square foot addition.

Standard 2. The addition is in the rear of the house, a letter in support of the application was received by the neighbor most affected by the addition, and the neighbor's driveway separates the two houses.

Standard 3. The house was built in 1953, before there was zoning in place, and the applicant did look for other resolutions.

Standard 4. The house was built in 1953 predating the zoning ordinance. So it was not self-created.

B. Public Hearing 135 Van Dalson – various setbacks.

Bont opened the public hearing at 7:32. ZA Osman gave an overview of the application while James and Beth Craft presented their application assisted by Bruce Stewart. The public hearing was closed at 7:40. A motion was made by McPolin, 2nd by Bouck to approve the application, noting that this is an unusually small lot, with a steep slope on the south side. The motion carried unanimously, and the following findings of fact were adopted.

Standard 1. The applicant proposes to add two feet to a deck at the east and north sides of the deck. It really is a safety concern that once furniture is added on the deck, the occupants are very close to the edge of the deck and could fall, at the west side of the house there is inadequate cover over the porch to deflect rain and snowfall, and porch does not meet the requirements of the building code, as the door swings over the steps.

Standard 2. There is not a lot of room to work with here on this small lot. And it is required by the building code that a door has to swing over a landing, not over the steps.

Standard 3. The lot is very unique.

Standard 4. The house was built in a subdivision platted in about 1898. So it was not self-created.

5. Unfinished Business: Election of officers.

A motion was made by Bouck, supported by Hundrieser to nominate Kubasiak as chair, upon vote, Kubasiak was unanimously elected as Chair.

A motion was made by McPolin, supported by Bouck to nominate Bont as Vice-Chair, upon vote, Bont was unanimously elected as Vice-Chair.

6. Communications: None

7. Public comment: None

8. Reports of Officers and Committees:

A very brief update was given on the litigation – because there has been no action on the litigation as of April 14, 2022.

9. Adjournment: Meeting adjourned at 7:55 by Bont.

Respectfully Submitted,

Jamie Wolters
City Clerk