



**Planning Commission Regular Meeting
February 16, 2023 7:00PM
City Hall
102 Butler Street, Saugatuck, MI**

1. Call to Order/Roll Call:

2. Approval of Agenda: (Voice Vote)

3. Approval of Minutes: (Voice Vote)

- A. Regular Meeting Minutes – January 19, 2023
- B. Special Meeting Minutes – February 2, 2023

4. Public Comments on Agenda Items: (Limit 3 minutes)

5. Old Business:

- A. Recommendation to Council to create a Short-Term Rental Task Force – Verbal Update

6. New Business:

- A. 324 N Maple St. – Public Hearing for a Special Land Use
Request for a Rented Accessory Dwelling Unit and Site Plan Review

7. Communication:

- a. Letter from Jim Bouck
- b. E-mail from Linda DeWindt
- c. E-mail from Terri Lynn Shanahan

8. Reports of Officers and Committees:

9. Public Comment: (Limit 3 minutes)

102 Butler St. ★ PO Box 86 ★ (269) 857-2603 ★ www.SaugatuckCity.com

NOTICE:
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

10. Adjourn (Voice Vote)

***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
 - 1) Participants shall identify themselves by name and address
 - 2) Comments/Questions shall be addressed to the Chair
 - 3) Comments/Questions shall be limited to **three** 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



Planning Commission Meeting Minutes - *Proposed*

The Planning Commission met for a Regular Committee Meeting, January 19, 2023, at 7:00 p.m.
at City Hall
102 Butler St., Saugatuck, MI 49453.

1. Call to Order/Attendance:

The meeting was called to order by Chair Manns at 7:00 p.m.

Present: Chairman Manns, Vice-Chair Broeker, Commission members: Anderson, Bagierek, Gardner, Gaunt, and LaChey.

Absent: None.

Others Present: Director of Planning, Zoning, and Project Management Ryan Cummins, City Attorney Kyle O'Meara, and Deputy Clerk Sara Williams.

2. Approval of agenda:

Motion by Gaunt, second by Gardner to approve the agenda as presented for December 15, 2022. Upon voice vote, the motion carried unanimously.

3. Approval of Minutes:

Motion by Anderson, second by LaChey to approve the minutes as presented for regular meeting December 15, 2022. Upon voice vote, the motion carried unanimously.

Motion by LaChey, second by Bagierek to approve the minutes as presented for special meeting December 21, 2022. Upon voice vote, the motion carried unanimously.

4. Public Comment on Agenda Items:

- Nancy Kimble (resident): Mrs. Kimble had questions regarding Agenda Item 6A under New Business for the 700 N Maple lot split. She stated that if splitting the property was an existing code that she would be in favor of the lot split. She would not be in favor of giving it a special variance because it is adjacent to the Peterson Preserve and she would prefer to limit development.
- Kelsey Anderson (resident): He is here to represent the Anderson Trust, his sister Ashley Anderson, and his father David Anderson. He says the intention is not to develop the lot

into multiple homes but to remove the current structure and build a new home in that same location.

5. Old Business:

A. Public Hearing Signage: Director of Planning, Zoning, and Project Management Cummins gave brief update. He said that the signage will be used for both the Zoning Board of Appeals and the Planning Commission. After using the signage for the first time, he has heard some positive feedback.

6. New Business:

A. 700 N Maple – Lot Split:

The applicant has applied for a land division of the subject property to create two resulting parcels (see Figure 1). After several compliance reviews and discussions with the applicant, we request that the Planning Commission provide a decision on this matter and direct the Zoning Administrator to take final action on the land division application.

The primary questions and issues are as follows:

1. Is the application an attempt to further divide a flag lot? Or is the proposed lot fronting an existing “private street,” thus avoiding the issue?
2. Is the existing shared gravel drive considered a “private street?”

On a side note, the plans also show an accessory building that will be divided from the existing principal dwelling. An accessory building may not be established on a lot without a principal building. This must be addressed but can be handled administratively.

Lot A is proposed to be split out to have frontage on a 66-foot access easement used to gain access to multiple developed and undeveloped parcels (the 66-foot easement is wider than the narrow 54-foot portion of the lot extending to North Maple Street). There is an existing gravel driveway, and a 20-foot “fire lane” is proposed. The applicant argues that the fire lane within the easement is an existing private street, thus, should comply with street frontage requirements.

Zoning Administrator Cummins explained that he has the authority to ultimately make the decision on the land division. There is no formal action that the Planning Commission needs to take as he is just looking for input and feedback. The Commission discussed the application and Zoning Administrator Cummins recommended that the

applicant would still need to meet Fire Authority Standards, make sure that City Engineers are good with the setup, and that they have a Maintenance Agreement in place that would be sufficient to say that it meets the standard for a private street based on ambiguity that we have in our Zoning Ordinance.

B. 1044 Holland St -

The applicant for 1044 Holland St has withdrawn their application. The cost to build on the steep slope is beyond what their clients currently wish to spend, so they are redesigning things. They advised, in all likelihood, the new plans will have a floor area ratio below .3:1 which will negate a future Planning Commission public hearing.

C. Review of Short-Term Rental Data and Discussion of Holding a Joint Workshop with City Council:

At a special meeting of the Planning Commission held on December 21, the Planning Commission requested short term rental data, a staff recommendation on forming an ad hoc committee, and proposed timeline.

Both the City Council and the Planning Commission have established reviewing short-term rentals as a priority for 2023. Staff is recommending that the City Council and Planning Commission conduct a joint workshop to hear information about the legal landscape from the City Attorney and discuss potentially forming an advisory committee in accordance with Section 4.28 of the City Charter. During the workshop meeting, the City Council and Planning Commission should discuss the priorities for the advisory committee and what the makeup of the committee should be. The selection of actual members to serve on such a committee would follow the City Council's Boards and Commissions selection policy. All meetings of the committee would comply with the Open Meetings Act requirements which include providing public notice and gathering public comments.

The Planning Commission discussed holding a joint meeting with the City Council and ultimately decided that they would forgo the joint meeting at this time. Chair Manns proposed a Resolution to present to City Council at their next workshop February 8th, for consideration to assemble a committee. They decided to hold a Special Meeting on February 2, at 5pm to adopt the Resolution.

D. 2023 Meeting Schedule and Discussion of Start Time:

The Commission discussed and 2023 Meeting schedule and the start time for their upcoming meetings. They decided to continue with the start time of 7 pm as it works best for most members of the Commission.

E. Training Opportunities – MS Extension Citizen Planner Program:

Director of Planning, Zoning, and Project Management Cummins presented some training opportunities that are available to Commission members and said that there is funding available. He told them he will send an email with the website and training opportunities that would be of value. He will also help facilitate payment and make sure that those interested are signed up for the training.

7. Communications:

- A. Report of 2022 Planning Commission Activity.
- B. Zoning Administrator Casework Reports.

8. Reports of Officers and Committees:

Commission member Gardner said that the City Council will be very appreciative of the Planning Commission’s sense of urgency and the approach that is being taken regarding the topic of Short-Term Rentals.

9. Public Comments: None.

10. Adjournment:

Motion by LaChey, second by Anderson, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned at 8:45 PM.

Respectfully Submitted,

Sara Williams, City Deputy Clerk & DPW Administrative Assistant



Planning Commission (Special) Meeting Minutes - Proposed

The Planning Commission met for a Special Committee Meeting, February 2, 2023, at 5:00 p.m.
at City Hall
102 Butler St., Saugatuck, MI 49453.

1. Call to Order/Attendance:

The meeting was called to order by Vice-Chair Broeker at 5:00 p.m.

Present: Vice-Chair Broeker, Commission members: Anderson, Bagierek, Gardner, Gaunt, and LaChey.

Absent: Chairman Manns.

Others Present: Director of Planning, Zoning, and Project Management Ryan Cummins, City Attorney Chris Patterson, and Deputy Clerk Sara Williams.

2. Approval of agenda:

Motion by Gaunt, second by Anderson to approve the agenda as presented for February 02, 2022. Upon voice vote, the motion carried 6-0.

3. Approval of Minutes: None.

4. Public Comment on Agenda Items:

- Jane Underwood (resident): Jane hopes that the Committee that is formed is made up of residents of the City of Saugatuck.
- Brian Elmore (resident): Brian would like to make sure that the committee is actually representative of all potential people that are being impacted by the decisions that are made. He would like to see a blend of people that are both representing the citizens that reside in the City full time, but also those that may have partial interest in the City they love and the homes that they use for varying portions of the year. He wants to make sure that the people that represent the committee and whatever their interests they are particularly representing that they have a means of gathering feedback from others and it doesn't just become an advocacy point for one person's opinion that happens to represent a particular constituency of the committee.

- Richard Williams (resident): Richard believes that the committee should be comprised of property owners, business owners, and residents of the city and that should be the major component of the committee, those that are stakeholders in the City. That includes property owners, who may not be here all the time, but have a right to a voice and could also be on the committee even though they may not be residents here. Business owners who may not be voters here, or property owners should be eligible for the committee because they are stakeholders, and whatever decisions are made, will affect them financially and within the community. He also thinks that whatever surveys are conducted should be done properly and completely so that the data collected is complete and accurate so that not just limited people are polled for their opinions, it should be done similarly to the marijuana query that was completed a few years ago with the direction of Cindy Osman, it should be complete. The data should be accurate and reliable, not faulty.

5. **Old Business:** None.

6. **New Business:**

A. Resolution No. 230202-A, Recommending the Creation of a Short-Term Rental Advisory committee in Accordance with Section 4.28 of the City Charter (Voice Vote):

Motion by Gaunt, second by Gardner to approve the motion to adopt the resolution that was discussed. Upon voice vote, the motion carried 6-0.

7. **Communications:**

- Jim Bouck – Email regarding the proposed short Term Rental Advisory Committee Resolution. This will also be included in the packet for the Planning Commission meeting on February 16, 2023.

8. **Reports of Officers and Committees:** None.

9. **Public Comments:**

- Suresh Rajapakse (Resident) – Suresh said that he knows that there was mention of individuals being selected for the task force with the right intentions and coming in without biases around short-term rentals and wants to make sure there is some level of indication in relation to the intention behind Planning Commission members that are selected for the task force.

10. Adjournment:

Motion by LaChey, second by Bagierek, to approve adjournment of the meeting. Upon voice vote, motion carried 6-0. Vice-Chair Broeker adjourned at 6:01 PM.

Respectfully Submitted,

Sara Williams, City Deputy Clerk & DPW Administrative Assistant



MEMORANDUM

City of Saugatuck Planning Commission

Memo Date:	February 8, 2023	Meeting Date:	February 16, 2023
Request:	Special Land Use	Applicant:	Chris and Kelli Bowman
Address:	324 N. Maple	Project Name:	ADU Rental Proposal
Parcel:	03-57-009-091-02	Plan Date:	May 10, 2021
Acreage:	0.35 acres	Zoning District:	R-1 Maple Street District- MS
Complete:	Yes	Recommendation:	Approval
Staff:	Ryan Cummins	Consultant:	David M. Jirousek, AICP

Overview

The applicant has applied for special land use approval to rent an existing accessory dwelling unit (ADU) at 324 North Maple Street (R-1 Maple Street District- MS) in accordance with Section 154.031 (C)(3) of the Zoning Ordinance. The purpose of this memo is to provide a compliance review related to all applicable zoning standards and requirements and to assist the Planning Commission with developing findings related to special land use and site plan standards and specific requirements for the rental of ADUs.

Background

A garage with an upper floor 597 square foot ADU was approved on August 3, 2021, and the building and ADU currently exist on the site (Exhibit 1). The owner now wishes to manage the rental of the unit. It is assumed that rentals will be short-term, in accordance with Section 154.022 V, which involves an administrative permit review process.

Review Process and Standards

The application requires review in accordance with the following sections of the City of Saugatuck Zoning Ordinance:

- Compliance with Section 154.092 J- Rental of an Accessory Dwelling Unit
- Compliance with Section 154.022 W- Accessory Dwelling Unit

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com

- Site Plan approval in accordance with Section 151.060
- Special Land Use approval in accordance with Section 154.080

Rental of an Accessory Dwelling Unit

In accordance with Section 154.092 J, a rental accessory dwelling unit shall conform to all regulations in Section 154.022(W) and the following:

1. *A rented accessory dwelling unit shall only be permitted on a parcel that contains an owner occupied detached single-family dwelling unit;*

Comment: The owners intend to remain occupants of the principal detached single-family dwelling. This will remain an ongoing requirement.

2. *An accessory dwelling unit to be rented is subject to inspection by a city official before occupancy and must meet all applicable health, fire, and safety codes; and*

Comment: The ADU was inspected as part of the original building permit. However, additional inspections may be necessary if determined by the Zoning Administrator and Building Official.

3. *Signage shall be per the regulations for short-term rentals.*

Comment: A sign was not proposed. Any future sign must receive administrative approval.

Accessory Dwelling Unit

In accordance with Section 154.022 W, an accessory dwelling unit shall meet the following criteria:

1. *Occupancy shall be limited to invited guests;*

Comment: The ADU was permitted and was built in late 2021. Until it is approved for renters, the unit is limited to invited guests of the owner-occupants.

2. *Rental of an accessory dwelling, separate from a detached single-family dwelling, shall be prohibited without receiving special land use approval from the Planning Commission as authorized in § 154.092(J);*

Comment: The applicant is currently seeking approval to rent the ADU.

3. *An accessory dwelling unit shall have a minimum of 375 square feet of gross floor area and shall not exceed the lesser of 30% of the gross floor area contained within the detached single-family dwelling unit or 600 square feet of gross floor area; except, in the CRC zone district when the parcel on which the accessory dwelling unit is located is two or more acres in area, the floor area of an accessory dwelling unit shall not exceed the lesser of 30% of the gross floor area of the principal residence or 1,500 square feet. For purposes of this section, the floor area of an accessory dwelling unit is the total finished floor area intended for living, sleeping, bathing, eating and cooking.*

Comment: The existing ADU is 597 square feet in size and conforms with zoning requirements.

4. *An accessory dwelling, which is not located within the detached single-family residential dwelling, shall not be located between the front door of the detached single-family dwelling and the public right-of-way, unless located above an existing detached accessory structure;*

Comment: The ADU is located above an existing detached accessory structure (garage).

5. *An accessory dwelling shall be subject to all applicable setback and lot coverage requirements of a detached single-family dwelling in the district if which it is located;*

6. **Comment:** The existing buildings comply with all setback and lot coverage requirements.

7. *An accessory dwelling unit shall only be permitted on a lot where the principle use is an existing detached single-family dwelling unit;*

Comment: The existing ADU is over a garage and is an accessory to an existing single-family dwelling.

8. *No more than one accessory dwelling unit is permitted on any lot;*

Comment: Only one ADU exists on the site. No other ADUs are proposed.

9. *Accessory dwellings shall not be permitted to have independent electric, gas, or water meters from the detached single-family dwelling unit;*

Comment: The ADU was approved by the City in 2021, and it is assumed this requirement is satisfied.

10. *An accessory dwelling unit located within a detached single-family dwelling unit shall have a separate entrance from the exterior of the structure and shall not have interior access to the detached single-family dwelling unit;*

Comment: Not applicable.

11. A lot with an accessory dwelling unit shall provide one additional parking space on a fully improved surface of concrete, asphalt, or brick, gravel, stone, or other surface approved by the city; and

Comment: Sufficient parking exists on the site within the garage, driveway, and an attached parking pad.

12. Accessory dwelling units may be included with the rental of a detached single-family dwelling on the same property if it is done so under a single contract.

Comment: Not applicable.

Site Plan Standards of Approval

The following standards for site plan review and approval apply to the project per Section 154.063. Findings related to each standard are provided for consideration by the Planning Commission.

A. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings. The site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.

Comment: The ADU already exists, and the site is developed. The overall existing design is harmonious and compatible with nearby properties and land uses.

B. The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter.

Comment: The existing building footprints are reasonable in relation to the lot size.

C. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, to accomplish these purposes.

Comment: As a single residential dwelling with an existing ADU in an established residential area, screening is not necessary or recommended.

D. All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department.

Comment: Site improvements were previously approved by all applicable City departments.

E. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic. All federal, state, and local barrier free requirements shall be met.

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

F. The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern serving adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan.

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

G. All streets shall be developed in accordance with city specifications, unless developed as a private road.

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

H. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.

Comment: Site impact and stormwater management were previously approved as part of the building and zoning permit process.

I. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height. (See §§ 154.142 through 154.144).

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

- J. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.*

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

- K. In approving the site plan, the Planning Commission may recommend that a bond or other financial guarantee of ample sum be furnished by the developer to ensure compliance for such requirements as drives, walks, utilities, parking, landscaping and the like (see § 154.173).*

Comment: A financial guarantee is not necessary. The site is already developed.

Special Land Use Standards of Approval

In accordance with Section 154.080, before any special land use permit is granted, the Planning Commission shall make findings of fact based upon competent evidence certifying compliance with the specific regulations governing individual special land uses and, in addition, ensure that the following general standards have been met. Findings related to each standard are provided for consideration by the Planning Commission.

- 1. In location, size, height and intensity of the principal and/or accessory operations, be compatible with the size, type and kind of buildings, uses and structures in the vicinity and on adjacent property;*

Comment: As stated earlier, the principal dwelling and ADU already exist and are compatible with nearby properties and land uses.

- 2. Be consistent with and promote the intent and purpose of this chapter;*

Comment: All other standards and zoning requirements have been met, including those for the ADU and the rental of the ADU.

- 3. Be compatible with the natural environment and conserve natural resources and energy;*

Comment: The site is already developed, and building coverage is well under the required maximum. Ample yard and green space exist on the site.

- 4. Be consistent with existing and future capabilities of public services and facilities affected by the proposed use;*

Comment: The rental of the existing ADU will have no additional impact on public services.

5. *Protect the public health, safety, and welfare as well as the social and economic well-being of those who will use the land use or activity, residents, businesses and landowners immediately adjacent and the City as a whole;*

Comment: The rental of the existing ADU will have no additional impact on public health, safety, and welfare, as well as the social and economic well-being of the community.

6. *Not create any hazards arising from storage and use of inflammable fluids;*

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

7. *Not be in conflict with convenient, safe and normal vehicular and pedestrian traffic routes, flows, intersections and general character and intensity of development. In particular:*

- (a) *The property shall be easily accessible to fire and police; and*
- (b) *Not create or add to any hazardous traffic condition.*

Comment: The rental of the existing ADU will have a negligible impact on traffic conditions.

8. *Be of such a design and impact that the location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping on the site shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;*

Comment: The rental of the existing ADU will not impede the use of adjacent properties or negatively impact them.

9. *That in the nature, location, size, and site layout of the use, be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district; and*

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

10. *That in the location, size, intensity and site layout be such that operations will not be objectionable to nearby dwellings, by reason of noise, fumes, pollution, vibration, litter, refuse, glare or flash of lights to an extent which is greater than would be operations of any*

use permitted by right for that district within which the special land use is proposed to be located.

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

Recommendation

Based on the findings in this report, all standards of approval have been satisfied, and all zoning requirements have been met. Approval is recommended.

Exhibit: Assessor’s Record Photo (ADU above garage)



57-009-091-02

01/06/2023



Special Land Use Application

LOCATION INFORMATION APPLICATION NUMBER _____

Address 324 N Maple St

Parcel Number 57-009-091-02

APPLICANTS INFORMATION

Name Chris and Kelli Bowman Address / PO Box 324 N Maple St

City Saugatuck State MI Zip 49453 Phone 3125157778

Interest In Project Short Term Rental E-Mail klea.bowman@gmail.com

Signature *Chris Bowman* *Kelli Bowman* Date 1/10/2023

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name _____ Address / PO Box _____

City _____ State _____ Zip _____ Phone _____

E-Mail _____

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

Signature _____ Date _____

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

Name Patrick Murphy Builders, LLC Contact Name Pat Murphy

Address / PO Box 186 Hamilton Rd City Dougals

State MI Zip 49406 Phone 2699065004 Fax _____

E-Mail pat@omurphy.com

License Number _____ Expiration Date _____

PROPERTY INFORMATION

Depth 148 Width 102 Size .347 acres Zoning District MS-MAPLE ST R-1 Current Use Residential

Check all that apply:

Waterfront _____ Historic District _____ Dunes _____ Vacant _____

PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

We are asking for a special land use for our detached garage which has a 650 sq ft apartment above. We currently live and will continue to live in the single family home on the same property and manage the rental on our own. The renters will have access to above garage apartment as well as front and side of the home. We have clearly marked paths for the renters as well as parking that is set aside just for them. This allows us to come and go freely without us causing congestion to renters or anyone in the area. Our backyard is clearly marked with a privacy fence. We have added additional parking with a gravel path near the front of our home for additional company we may have over while renting as to not add congestion to road. It will sleep 4 total. Its a 1 bed, 1 bath space with a sleeper sofa.



SITE PLAN REQUIREMENTS (SECTION 154.061)

A) Applications for preliminary site plan approval shall consist of the following information unless waived by the Zoning Administrator.

Y N NA

- Property dimensions
- Significant vegetation
- Water courses and water bodies, including human-made surface drainage ways
- Existing public right-of-way, pavements and/or private easements
- Existing and proposed uses, buildings, structures and parking areas
- Zoning classification of abutting properties
- The name, address and telephone number of the person and firm who prepared the site plan, and the date on which it was prepared
- A north arrow

B) Applications for final site plan approval shall consist of the following information unless waived by the Zoning Administrator. One (1) paper copy of a final site plan (no greater than 11" x 17") and one (1) digital copy, at a scale of not less than one inch equals ten feet, shall include:

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;



Special Land Use Application

Application # _____ - _____

- 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.

STANDARDS FOR APPROVAL (SECTION 154.082)

Please respond to how the request will meet each of the following standards for special land use:

- (1) How will the location, size, height and intensity of the principal and/or accessory operations, compatible with the size, type and kind of buildings, uses and structures in the vicinity and on adjacent property?

The size and space was designed to match the flow of our home and fits well with the size of our lot and in the allowed zoning requirements by the city.

- (2) How will the proposed request consistent with, and will promote the intent and purpose of this chapter?

We live next door and will ensure that the rental is used as stated in the rental contract. Taking into account the number of occupants as well as noise and other requirements.

- (3) How will the proposed request compatible with the natural environment and will it conserve natural resources and energy?

With it being the size that is required by zoning it will stay within the allotted resources needed to use space. We also have energy star appliances installed.

- (4) How will the proposed request consistent with existing and future capabilities of public services and facilities?

All codes were followed and met in regards to services and facilities and all inspections passed.

- (5) How will the proposed request protect the public health, safety and welfare as well as the social and economic well-being of those who will use the land use or activity, residents, businesses and landowners immediately adjacent and the city as a whole?

Our home is right next door as well so it is also in our best interest to maintain this rental to the highest standard. We will not allow parties or loud gatherings here and since it is a smaller space it will not accommodate this.



Special Land Use Application

Application # _____ - _____

(6) How will the proposed request create any hazards arising from storage and use of inflammable fluids?
No flammables or hazardous fluids will be allowed.

(7) How will the proposed request will be in conflict with convenient, safe and normal vehicular and pedestrian traffic routes, flows, intersections and general character and intensity of development? In particular:

(a) Will the property be easily accessible to fire and police?

Yes

(b) Will measure be taken as to not create or add to any hazardous traffic condition?

Yes, as stated above we have ample parking in which the main driveway and street will never be congested from excess parking.

(8) How will the proposed request be of such a design and impact that the location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping on the site not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof?

The design of the rental fits perfect with the design of the home and keeps the neighborhood feel and integrity intact. All codes and regulations were followed in building this property as well. Fences are added to protect space and create privacy for us as well as those around us.

(9) How will the nature, location, size and site layout of proposed request be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district?

Or rental is situated so that renters staying here, especially during warm months, can walk downtown to shopping and restaurants which will free up parking in this congested area. We will also have bikes available for people to use as well which will limit car usage and give information to use the Interurban for beach access in summer.

(10) How will the location, size, intensity and site layout be such that operations will not be objectionable to nearby dwellings, by reason of noise, fumes, pollution, vibration, litter, refuse, glare or flash of lights to an extent which is greater than would be operations of any use permitted by right for that district within which the special land use is proposed to be located?

Because we live here too we are greatly for how our home is maintained. Strict rental guidelines will be made for how to manage garbage, noise, and litter. Excess noise, lights, etc will not be tolerated and clearly outlined in our rental agreement.

OFFICE USE ONLY:

Application Complete _____ Date _____ Fee Paid _____ Date Paid _____
Notice Sent _____ Resident Notification _____ Hearing Date _____

Notes: _____



NOT FOR CONSTRUCTION

SHEET:
A-1

SCALE:
N.T.S.

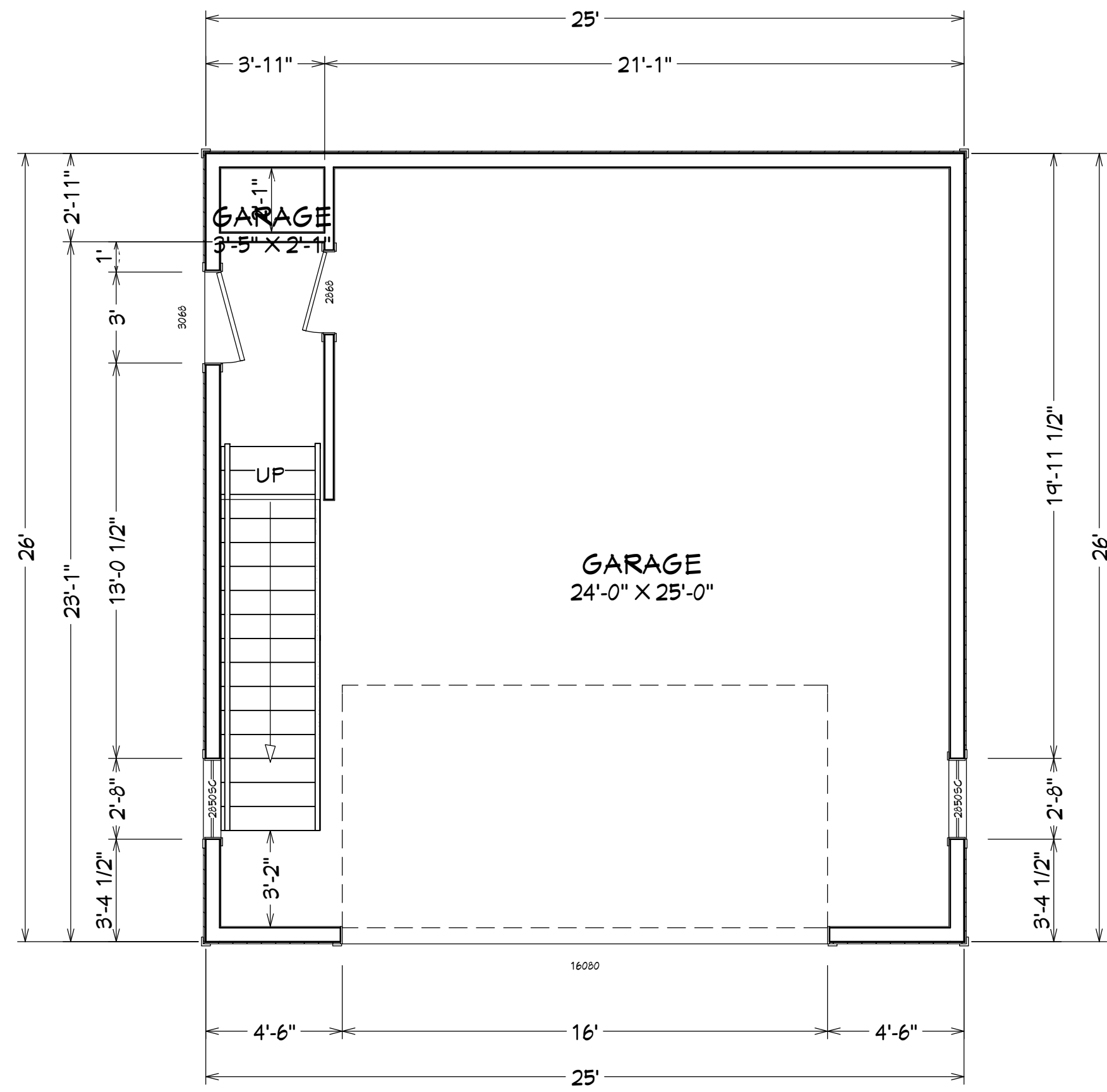
DATE:
5/10/21

DRAWINGS PROVIDED BY:
**PATRICK MURPHY
DESIGN**

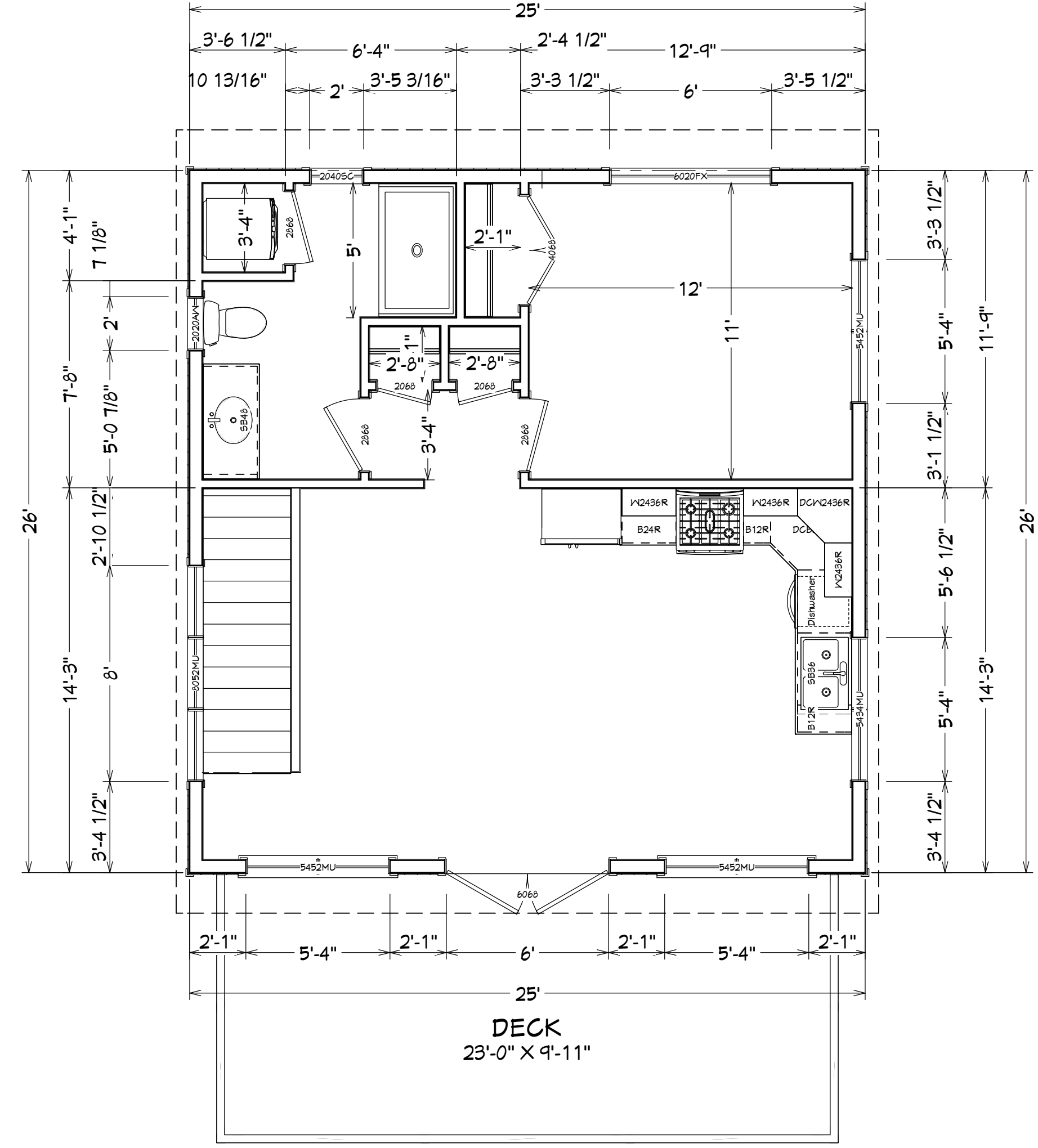
PROJECT DESCRIPTION:
324 MAPLE ST.
SAUGATUCK
. GARAGE

SHEET TITLE:
PERSPECTIVE VIEW

Patrick Murphy Design
It's about pride....



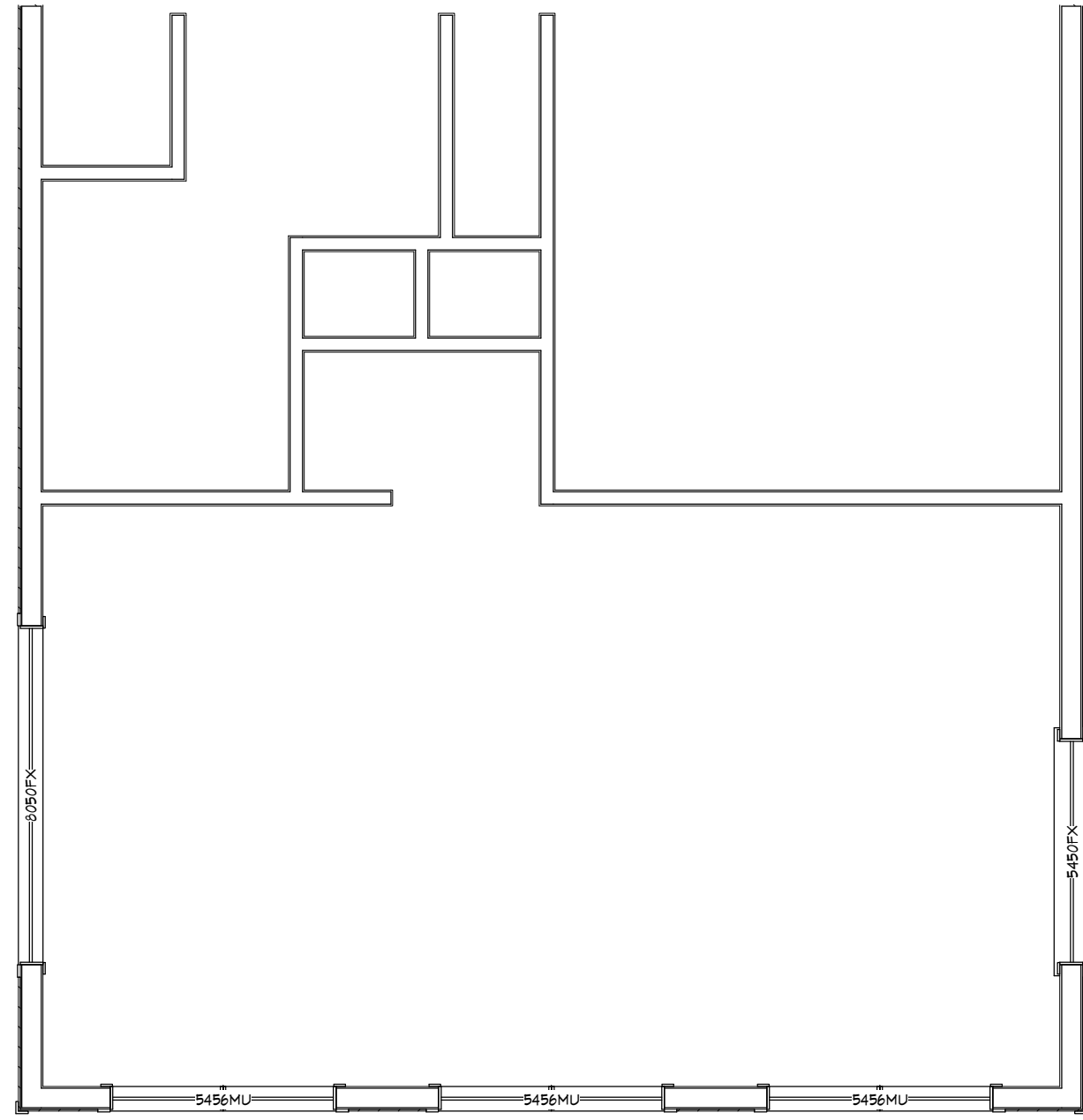
MAIN GARAGE LEVEL



SECOND FLOOR

LIVING AREA
597 SQ FT

NOT FOR CONSTRUCTION



UPPER WINDOWS

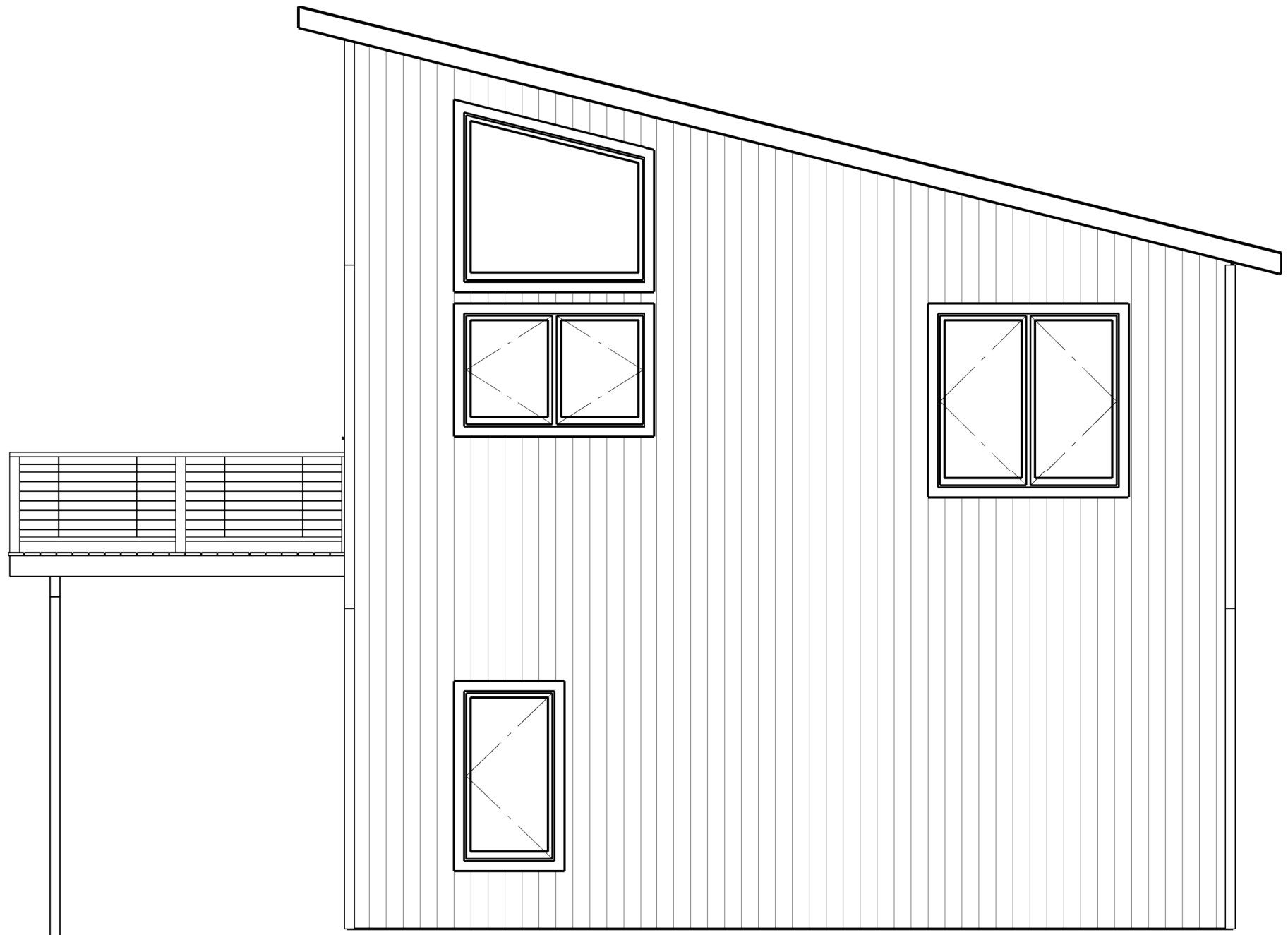


EAST ELEVATION

WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

NOT FOR CONSTRUCTION

Patrick Murphy Design
It's about pride....

SHEET TITLE:
**UPPER WINDOWS
AND ELEVATIONS**

PROJECT DESCRIPTION:
**324 MAPLE ST.
SAUGATUCK
GARAGE**

DRAWINGS PROVIDED BY:
**PATRICK MURPHY
DESIGN**

DATE:

5/10/21

SCALE:

1/4" = 1'

SHEET:

A-3

February 1, 2023

Subject: Comments for Planning Commission meeting February 2, 2023

Dear Ms. Wolters:

This comment letter is submitted for inclusion in the Record for the February 2, 2023 Planning Commission Meeting.

The proposed “Short-Term Rental Advisory Committee Resolution” creates a committee vastly different than originally put forward by the Planning Commission.

The original proposal envisioned an independent committee of residents:

- To fully comprehend the current Master Plan objectives and zoning requirements for short-term rental properties in Saugatuck.
- To study what has been both attempted and successfully accomplished in similar communities to better manage short-term rental properties while maintaining community character.
- To conduct public meetings with separate groups of people with different interests in short-term rentals to create a clear and common understanding of each groups’ attitudes, understanding and desires.
- All groups within the community would have the opportunity to express their opinions of the current situation and to propose actionable plans for the future of short-term rentals in Saugatuck.
- Only after study and public hearings of all opinions, both pro and con, and after consideration of proposals would this committee draft a summary and analysis with proposed plans for the future of short-term rentals in Saugatuck.

The committee as proposed by this Resolution:

- Has too many members to function effectively. 5 to 8 is generally recognized as effective in this situation.
- Lacks a clear and defining statement of purpose, mission, process, and goals.
- Has no measurable and verifiable performance metrics.
- Does not require committee members be residents or registered voters of Saugatuck.
- Composition of committee members is overly skewed with individuals having a vested interest in maintenance of the status quo rather than developing appropriate short-term rental proposals.
- Is heavily biased toward individuals engaged in, or supported directly or indirectly, by short-term rentals
- Is heavily biased toward current City Council members’ influence.

- Does not include representation of the local School Board. Saugatuck schools are essential to the character and quality of this community and are heavily impacted by the profusion of short-term rentals.

The right to criticize carries with it the responsibility of offering alternatives. Suggestions are as follows:

1. This Resolution should be denied or at least tabled for further study and consideration of public input, there being no immediate urgency or harm.
2. A clear statement of mission and goals for this Advisory Committee needs to be defined to clarify purpose and method of operation and to ensure verifiable measurement of progress, including continuously accurate and publicly available updates.
3. Only after a clear and comprehensive statement of mission, process and goals can the composition and specific membership of this Advisory Committee be constituted.
4. The composition of this Advisory Committee to investigate short-term rental policy should be studied for bias and potential effectiveness. All proposed members should be required to disclose their interests in and to short-term or long-term rentals within the City or elsewhere.
5. To assure local control and full transparency all proposed Short-Term Rental Advisory Committee members shall be registered voters in the City of Saugatuck
6. To minimize the possibility of membership bias, consider requiring a super majority for support of each proposal and outcome.
7. Provide the Advisory Committee and the public with historical information on short-term rentals since enactment of Code Section 154.022 (V), including number of registered properties and locations, number and categories of complaints filed with the City and any enforcement actions taken by the City related to short-term rentals.
8. Any final report or recommendations should include all dissenting opinions for consideration of City Council and the public.

Respectfully Submitted

James Bouck

638 Spear Street

Saugatuck, Michigan

From: Linda DeWindt <lindew50@gmail.com>
Sent: Thursday, February 2, 2023 3:53 PM
To: Ryan Cummins <rcummins@saugatuckcity.com>
Subject: Short term rentals

As a resident of the city of Saugatuck with concerns about the increasing amount of short term rentals, I just wanted to say that I agree wholeheartedly with everything Craig Baldwin said in his letter to the planning commission that was published in the February 2nd Commercial Record. The time has come for Saugatuck to join the neighboring resort towns in adapting and enforcing an ordinance to control the growing number of short term rentals, especially in our residential districts.

On the street that we live on, with less than a dozen houses, there are four short term rentals. The issues that Mr Baldwin mentioned, loud noise, trash and parking illegally have been a problem, along with general upkeep of some of the properties.

Two houses on our street have sold for a million plus recently and others on the street are valued above that. Yet, we have to look at a rental property nextdoor that is an eyesore. The fence is in dire need of painting and repair. The landscaping is pathetic at best and the house itself will need scraping and painting very soon. The owners live on the other side of the state and obviously don't care or don't realize that the property management company is falling down on the job. The reviews on line for this house mention that the interior is in need of repairs and that there has been a rodent problem as well. If this is happening on my street, I'm sure it is happening through out the city.

After reading the Resolution of Recommendation to the city council by the Planning Commision I'm hopeful that we are on our way to finding a solution that we can all live with.

Linda DeWindt

From: Terri Lynn Shanahan <tshanahan@mindspring.com>
Sent: Tuesday, February 7, 2023 5:01 PM
To: Ryan Cummins <rcummins@saugatuckcity.com>
Subject: Response for Planning meeting on 2/16

Saugatuck Planning Commission:

I am writing to detail for you some of the issues caused by short term rental properties before you approve a variance allowing another property for short term rental use.

I have lived at 305 N Maple St for more than 35 years, a beautiful place to live on a beautiful street in a lovely, small city. The trees, the friends and neighbors, the gorgeous scenery all made for a harmonious life. It was an amazing place to raise children.

However, during the past 15 years, the quality of life on Maple St has significantly changed because of first long term, then short term rentals. I have sent emails to Saugatuck Township a number of times detailing the issues over more than a decade. Most significantly, we have had trespassers, parking problems, noise – including fireworks, loud music and fighting, vandalism, thefts, and trash problems. These are indicative of the problems caused in a neighborhood when strangers double down on their rights to ride roughshod over a neighborhood of friends and to leave their trail of trash for others to pick up.

Many of these problems have evolved over the years by the absentee owner at 319 N Maple St. I am being as specific as possible so maybe you can understand the damage, including to my beloved dogs, and the heartache of the past decade.

Noise: One of the most continuous problems we have had from the property is fireworks, specifically firecrackers. For some reason renters think that being short term renters allows them to behave in a way they would not in their own neighborhood. I have always had large happy dogs running around my back yard, but renters throwing fireworks around terrified them. While humans understand the noises, though I once mistook firecrackers for gunfire, dogs do not understand. It scares even the biggest, bravest dog.

Noise from late night partying: Music and parties often go way past midnight. It is generally not that big of a problem when they are harmonious and the music is not booming, but it does become a problem when alcohol is involved and fighting starts. Usually, one call to the police and one response from the police deals with the problem. Last summer, we had the police at the same incident three times. They stopped fighting after being broken up the first time, but went straight back to screaming and fighting as soon as the police left. They also went back to screaming and fighting after the police left the second time. Not sure how the police dealt with the problem the third time but it did stop.

Parking problems: On one occasion there were approximately 25 cars parked on the small property at 319, though this was before the current owner. In any case, there are often 4 or 5 cars parked in the driveway or on the grass near the street in front of my house, sometimes overlapping my property line. I used to have a problem with headlights pointed at my home office where I work: my brother fixed that with a strategically parked van. People also feel free to park inside my property line in my side yard that was raised for flowers. The short-term renters have also been known to park RVs on the property where they keep overflow guests, once on the front lawn of 319.

Even now, I have seen that one of the new building sites have made extra parking spaces in the front area of 310 N Maple St, well inside that neighbor's property line. At first, it looked like it was the builders making

temporary space, but it seems that this area will continue to be used for parking.

Trespassing: Most often, the trespassing issues have to do with the animals who are welcomed at the 319 N Maple site, which is called “Dog Days of Summer.” My side yard garden was torn up so many times that I pretty much gave up on most of it, leaving only the most resilient grasses and day lilies to grow there.

On one occasion, I came home from work in the early evening to find children jumping in the trampoline in my – fenced-in – back yard. Their parents were in my side yard while their dogs snuffled and did their business in what was a flower garden.

Many of the trespassing problems came from the motel on the Blue Star Highway. We often found people in our backyard or on our property, one time cutting down trees to build a teepee.

Earlier events of trespassing had people hanging over the privacy fence talking to my then 5-year-old child. Talking to the then owners solved that problem immediately.

Vandalism and thefts: I have had a lot of damages done to my property from renters at 319, though obviously I could never prove who did it. We have had broken fences and stolen bikes. Bikes in our driveway were never stolen until a few years ago, including my favorite turquoise Diamondback and several antique bikes last summer. We have missing cameras. Windows have been broken. Plants have been torn up. Cars have been searched.

Trash: Dozens of times, dozens and dozens, I have cleaned up the trash near the street from overfilled trash barrels including food garbage and beer bottles and cans that did not fit in the trash barrel. For some reason, the short-term renters pile their extra garbage in bags up on the ground next to the trash can. That trash is then redistributed on the street by animals, probably racoons and vermin. For years, I took pictures, cleaned it up, and called Steve Kushing, the former Township zoning administrator. He would drive by a few days later and say the trash was not a problem that he could see. Of course, it wasn't.

Fires: The short-term renters at 319 have often thought it was a good idea to start a fire too close to the house. For a while, I was instructed by Steve Kushing, the former Township zoning administrator, to leave a message on his voice mail at the Township office about the fires. Then, the next time he was in the office on his return from vacation, he would listen to the message and decide whether or not to call the Fire Dept. The Fire Department helped clear up this issue: fires needed to be reported to them, regardless of the changes made to the Fire ordinance.

In conclusion, the problems that I have experienced being next door to an AirBnB for 12 years are small compared to the problems I have heard from neighbors farther north on Maple Street. I would also like to comment that though I have not met the new people in the neighborhood, everyone who has assures me they are nice people. I am sure they would not desire to exacerbate the problems that are already being caused by short term rentals and that their presence on the property next to the rental may ameliorate many of the behaviors described above. I do not imagine they would tolerate the kinds of behaviors happily allowed in the rental at 319 N Maple. Last summer, I heard children laughing in the yards across the street and it was very good for my heart. Children laughing is good for the neighborhood.

Terri Lynn Shanahan

Property owner

305 N Maple St

Saugatuck, MI 49453