



**Zoning Board of Appeals
Regular Meeting
November 10, 2022 – 7:00PM
102 Butler St, Saugatuck, MI**

In person meeting

- 1. Call to Order/Roll Call**
- 2. Agenda Changes**
- 3. Approval of Minutes:**
 - A. October 13, 2022 Regular Meeting**
- 4. New Business:**
 - A. 525 Butler St – Side Yard Setback and Lot Coverage**
 - B. 640/650 Water St – Height, Waterfront Setback and Use (Dwelling on First Floor)**
- 5. Unfinished Business: None**
- 6. Communications: None**
- 7. Public Comments**
- 8. ZBA Comments**
- 9. Adjourn**

This public meeting will be held in person at Saugatuck City Hall. Interested parties may attend in person or participate by using Zoom video/audio conference technology.

Join online by visiting:
<https://us02web.zoom.us/j/2698572603>

Join by phone by dialing:
**(312) 626-6799 -or-
(646) 518-9805**

Then enter "Meeting ID":
2698572603

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

Public Hearing Procedure

- A. Hearing is called to order by the Chair
- B. Summary by the Zoning Administrator
- C. Presentation by the Applicant
- D. Public comment regarding the application
 - Participants shall identify themselves by name and address
 - Comments/Questions shall be addressed to the Chair
 - Comments/Questions shall be limited to five minutes
 - 1. Supporting comments (audience and letters)
 - 2. Opposing comments (audience and letters)
 - 3. General comments (audience and letters)
 - 4. Repeat comment opportunity (Supporting, Opposing, General)
- E. Public comment portion closed by the Chair
- F. Commission Deliberation
- G. Commission Action

Saugatuck Zoning Board of Appeals Meeting
Saugatuck, Michigan, October 13, 2022, Minutes- Proposed

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

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

2. **Attendance:**

Present: Bouck, Crawford & Kubasiak.

Absent: Bont, Hundrieser & McPolin.

Others Present: Director of Planning, Zoning and Project Management Cummins and City Manager Heise.

3. **Agenda Changes/Approval of Agenda:** None

Motion by Kubasiak, second by Bouck to approve the agenda for the October 13 meeting as written. Upon roll call vote, motion carried 3-0.

4. **Approval of Minutes:**

a. Changes to minutes as follows:

i. Change to show Bont adjourned meeting

ii. Change adjourn time to 7:30pm

iii. Change to item #5, paragraph B to change "where maximum of 20 feet" to "where maximum 28 feet".

Motion by Bouck, second by Kubasiak, the approval of the minutes be approved as amended. Upon roll call vote, motion carried 3-0.

5. **New Business:**

221 Water St- Side and Rear Yard Setbacks:

Public Hearing Procedure:

A. Hearing was called to order by the Chair at 7:03 p.m.

B. Summary by Interim Zoning Administrator:

Mr. Plum, who is here this evening resides at 221 Water Street and his property is located in the Water Street East district. The lot is approximately 40 feet wide, 90 feet deep and a single family detached home exists on the site. The applicant is requesting variances for three projects at the subject address, including a 10 foot by 10 foot shed with a zero foot side and rear setback instead of the minimum 10 foot setback requirement. A deck with a zero foot side setback instead of the minimum seven foot setback and a hot tub with a zero foot set side setback instead of the minimum seven foot setback.

A. Presentation by the Applicant:

Mr. Plum presented the following. His home was originally purchased by his grandparents in 1927. His lot is a non-conforming lot with size of 40 by 90. He has attended HDC and ZBA for other requested variances that were approved. He is requesting a hot tub, shed and deck in backyard. He does not have a garage to store anything so he would like a shed. The lot is the same lot that his grandparents purchased. With a 10-foot setback with a 10 by 10 shed and also the deck, it would move it right into the middle of his yard. The hot tub, shed and deck are all permitted purpose uses. He asked if he could change his shed to a 10 by 12.

- 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)-
 - a. Sandra Randolph, neighbor of applicant.
 2. Opposing comments (audience and letters)- **None**
 3. General comments (audience and letters)- **None**
 4. Repeat comment opportunity (Supporting, Opposing, General)-**None**
- E. Public comment portion closed by the Chair at 7:22 p.m.
F. Commission deliberation
G. Commission action

The board went into deliberation and the Board discussed the standards as the standards need to be met by all three asks being shed, deck and hot tub.

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

Standard 1: “That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.” § 154.155(B)(1). Crawford, Bouck and Kubasiak found this standard is met because:

It would make conformity unnecessarily burdensome due to the size of the lot which was platted in the 1920s and is grandfathered and legally non-conforming today. The lot is so small that to make this conforming would leave the applicant with almost no useable yard at all.

Standard 2: “That a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.” § 154.155(B)(2). Crawford, Bouck and Kubasiak found this standard is met because:

There would be justice to the property owner and his small lot. The reasoning parallels the same reasoning as standard 1. All adjacent neighbors are in support of the variance request. The surrounding neighborhood and zoning.

Standard 3: “That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.” § 154.155(B)(3). Crawford, Bouck and Kubasiak found this standard is met because:

It is a unique circumstance and not due to general neighborhood conditions. The request for a shed and deck are common and approved uses. This property is most unique compared to the general neighborhood.

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

The problem is not self-created. The platting of the lot goes back to the 1920s. The applicant has invested a great amount of money in restoring a historical home in the community and is trying to make it useful, useable, to fit in and maintain the character of the town. This is consistent with the neighborhood.

Practical Difficulty: A request for a dimensional variance shall be denied if the ZBA finds “that the requirements of this chapter, as written, can be met or that there is no practical difficulty preventing a reasonable use of the land.” § 154.156(A). Crawford, Bouck and Kubasiak found this standard is met because:

The lot size is smaller, it is unique compared to neighborhood conditions and adjacent properties, it is an old, platted lot before standard lot sizes were established.

Motion by Bouck, second by Crawford, to approve application V22008, for a 10-foot by 12-foot shed with zero-foot (0') side and rear setbacks instead of the minimum 10-foot setback requirements; a deck with a zero-foot (0') side setback instead of the minimum seven-foot (7') setback; and a hot tub with a zero-foot (0') side setback instead of the minimum seven-foot (7') setback, with placement and construction consistent with the photo and materials submitted with the variance application. This motion is conditioned upon the applicant meeting all other zoning requirements.

- 6. Unfinished Business:** None
- 7. Communications:** None
- 8. Public comment:** None
- 9. Reports of Officers and Committees:** None

Zoning and Project Management Cummins advised the board that they would hear two cases next month, including 640/650 Water St.

- 10. Adjournment:** Meeting adjourned at 8:07 by Kubasiak.

Respectfully Submitted,
Jamie Wolters
City Clerk



**BACKGROUND REPORT
ZONING BOARD OF APPEALS NOVEMBER 10, 2022**

525 BUTLER STREET 03-57-300-044-00

MIKE MINSTER

REQUEST: The applicant requests a dimensional variance and increased lot coverage (non-variance) to expand an existing single-family dwelling.

1. A dimensional variance to reduce the north side setback to four feet (4') instead of the minimum seven-foot (7') setback, a reduction of three feet (3'). Request relates to Section 154.025 (D) of the Zoning Ordinance; and
2. Approval of an increase of maximum lot coverage to 30 percent instead of the 27.5 percent maximum lot coverage required for the nonconforming lot. Request relates to Section 154.025 (D) of the Zoning Ordinance.

The purpose of this report is to provide a review of the application and standards of approval.

BACKGROUND: The property is located in the R-4 City Center Transitional Residential District (CER) zoning district. The lot is approximately 60 feet wide and 131 feet deep (7,889 square feet), and a single-family detached home exists on the site. The application states that variance was previously approved for a rear addition in 2009. Prior to that variance, the existing building was determined to be legally nonconforming to the north side setback. The lot size is also nonconforming.

This application is also subject to Historic District Commission (HDC) review. Please note that architectural design is reviewed by the HDC and should not be a consideration during the review of the proposed variances.

ZBA AUTHORITY: According to Section 154.155 (A), where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this chapter, the Board of Appeals may, in passing on appeals, vary or modify any of the rules or provisions of the Zoning Ordinance relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings or structures, so that the intent of the ordinance is observed, public safety secured, and substantial justice done. Variances should only be approved in limited cases with unique circumstances and extraordinary conditions.

DIMENSIONAL VARIANCE: Section 154.155 (B) provides the standards that must be met in order for the Board to grant a dimensional (non-use) variance:

1. *That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.*

Comment: Strict compliance would not prevent the applicant from using the property. However, the driveway is located to the south of the building, and rear expansion may unreasonably encroach into the rear yard. Extending an addition forward along a similar nonconforming plane would be reasonable. Based on the lot dimensions, building placement, and driveway location, compliance could be considered 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*

Comment: As stated earlier, extending an addition forward along a similar nonconforming plane could be reasonable. Further, the addition is minor in nature, which could be considered when assessing justice and fairness to neighboring property owners.

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

Comment: The lot is somewhat unique due to its narrow nature, and the building was constructed prior to the applicable setback regulations. The lot appears to be the narrowest on the block, aside from 229 Francis.

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

Comment: The applicant did not divide the lot into its current configuration, nor did they build the original structure in its current location. Additionally, the variance requests have no relationship to project cost but the feasibility of expanding living space.

DIMENSIONAL VARIANCE RECOMMENDATION: Pursuant to Section 154.155 (B), if the applicant is not able to meet all the required standards noted above, the Board must deny the request. If the Board finds that the practical difficulty is not unique but common to several properties in the area, the finding shall be transmitted by the Board to the Planning Commission, who will determine whether to initiate an amendment to the Zoning Code, per Section 154.156 (C).

It appears as though a setback variance could be justified, as it is not an extreme request and allows for reasonable expansion of the home along the same general nonconforming north-side setback.

Possible motion:

Move to approve/deny the application to reduce the north side setback to four feet (4') instead of the minimum seven-foot (7') setback, a reduction of three feet (3').

If a motion for approval, the following may be added to the motion: Approval of the side setback variance is conditioned upon consistency with the building footprint shown within the application materials.

FINDINGS OF FACT: Please note that any motion supporting or against the variance requests must specifically reference the ZBA's findings concerning all applicable standards. The ZBA must provide its own findings on why the request meets or does not meet the applicable standards. The comments in this report may be used as a basis for the ZBA's positive findings and referenced in their entirety. Regardless of the decision, the minutes and written record of the decision must document the ZBA's findings and conclusions. As such, it is essential for the findings to be read aloud or referenced during the meeting.

LOT COVERAGE INCREASE

According to Section 154.025 (D), the ZBA can approve lot coverage increase to 35 percent. The applicant requests 30 percent lot coverage, which can be approved if the ZBA determines it would not impact adjacent properties. Based on a review of the plans, this minor increase will be unnoticeable with no impact on adjacent properties.

Please note that the same findings are not necessary for a lot coverage maximum waiver for nonconforming lots. A simple motion could be used to approve 30 percent lot coverage while referencing the lack of impact on adjacent properties.



Zoning Board of Appeals Application

LOCATION INFORMATION APPLICATION NUMBER _____ - _____

Address 525 Butler St.

Parcel Number 035730004400

APPLICANTS INFORMATION

Name Mike Minster Address / PO Box #972 - 525 Butler

City Saugatuck State MI Zip 49453 Phone 708-769-6883

Interest In Project owner E-Mail Michaelminster@gmail.com

Signature Michael Minster Date 10-12-2022

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name same 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 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 AHK Construction Contact Name Aaron Kronmeyer

Address / PO Box Box 169 City Saugatuck

State MI Zip 49453 Phone 616-215-8835 Fax _____

E-Mail a.h.kronmeyer@yahoo.com

License Number 2101213465 Expiration Date 5-31-2023

PROPERTY INFORMATION

Depth 132 Width 60 Size 7,920 Zoning District R4CER Current Use single family ho

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

Application Type: Interpretation _____ Dimensional Variance _____ Use Variance _____

REQUEST DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

1) We are requesting 30% lot coverage.

2) We are requesting the North side setback be decreased by 3'.

* See attached doc titled "ZISA APP PAGE 1" for details.



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 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 checked="" type="checkbox"/> | <input 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 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 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 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 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 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 checked="" 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;

see attached: ZBA App, Page 3, Item 1

- (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;

see attached: ZBA App, Page 3, Item 2

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

see attached: ZBA App, Page 3, Item 3

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

see attached: ZBA App, Page 3, Item 4



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 _____

ZBA APP PAGE 1

We are requesting lot coverage of 30%.

7,920 sq/ft lot with existing lot coverage of 1,921 sq/ft.

71 sq/ft living room addition

202 sq/ft bedroom addition

164 sq/ft porch addition

2,358 sq/ft proposed lot coverage = 29.77%.

We also request a side yard setback variance of 3' in line with the existing house. This variance will allow us to create a third bedroom and bath.

The above will allow us to create a fully functioning 3-BR, 3-BATH family home with minimal encroachments. As currently configured, 525 Butler is only suitable for couple or a rental.

525 Butler is listed as an HDC "nonconforming asset" due to many changes made to the house thru the years (per Williams & Works reconnaissance survey dated 4-20-2010).

525 Butler was granted two variances (one acted upon and one not acted upon) in the past. Both variances involved the North side setback (see attached Doc tagged "Previously Granted Variances"). We wish to extend the line of the previously granted variances.

— PREVIOUSLY GRANTED
VARIANCES —
1/4

Williams & Works
engineers . planners . surveyors *a tradition of service*

MEMORANDUM

TO: Zoning Board of Appeals
City of Saugatuck

FROM: Michael Clark, AICP
Larry Nix, PCP

DATE: March 5, 2009

RE: Application 09-006; 525 Butler Street, 1.9-foot side yard setback variance request

① This application was approved 3-12-2009.
② Note on next page that a much larger addition was approved in 2007 according to Mike Clark. I cannot find the meeting notes to confirm this.

The purpose of this memo is to provide a review of the request for a variance at 525 Butler Street. The applicants, Mike and Sharron Minster are requesting a 1.9-foot variance from the 7-foot side yard setback requirement for the construction of an addition onto the rear of the existing legal nonconforming structure.

Background: The subject property is 60 feet wide by approximately 131 feet deep constituting a lot area of 7,889 square-feet and is located within the R4 City Center Residential district. The lot is improved with a 1,300 square-foot single-family dwelling. The dwelling encroaches approximately 2.5 to 1.9 feet into the required 7-foot side yard setback, and the lot also has a 600 square-foot detached garage located within the required rear yard setback. The dwelling was constructed prior to the adoption of existing regulations making it legally nonconforming due to setbacks. While no specific construction date can be determined for the dwelling or garage, historic photos of the structure confirms that it predates the Zoning Ordinance. Section 154.025(D) states that the R4 dimensional standards are as follows:

Front Setback - 25 Feet;

Side Setback - 7 Feet each side;

Rear setback - 10 Feet;

Minimum Lot Area - 8,712 Square Feet;

Minimum Lot Width - 66 Feet;

Maximum Lot Coverage - 25% or 35% on lots substandard in required area; and

Maximum Building Height - 28 feet.

Request: The applicant is requesting a variance to construct an addition onto the rear of the structure, 1.9 feet of which would encroach into the required 7-foot side yard setback as part of an extensive remodeling project. Because the proposed addition would not be any closer to the side

See attached drawing SPL. 1

property line than the current wall, this request will not increase the degree of the existing nonconformity, it would increase the extent of nonconformity in regards to the amount of space within the required setback. The applicant received a similar variance in the fall of 2007 to allow a greater addition onto the rear of the structure; however the approval expired after one year of inactivity. The applicant also received approval from the Historic District Commission on February 26, 2009 for this portion of the project subject to approval from the Zoning Board of Appeals.

Review: Section 154.155 (B) provides the standards that must be met for the Zoning Board of Appeals to consider a variance for approval. These are as follows:

(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 indicates that in 2007, the Historic District Commission denied a demolition permit due to the historic character of the house, preventing the property owner from constructing a dwelling which would meet all applicable setback and building regulations.

(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 applicant indicates that the variance would allow the owner to maintain the historic character of neighborhood. Furthermore, the 60-foot wide lot is non-conforming in that 66 feet is required within the R4 City Center Residential District, which reduces the width of available building area. However, the existing structure, without the addition, meets minimum size requirements. Additionally, the portion of the proposed addition within the side yard setback would provide space for a closet and the location is not visible from the public right-of-way which would limit its impact on the historic character of the neighborhood.

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

Comment: The lot is non-conforming, and the structure is legally nonconforming in that the structure predates the Zoning Ordinance. This however is not a unique circumstance given there are several nonconforming properties and structures within close proximity of the subject property.

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

Comment: The applicant indicated that current condition predates the establishment of the City Zoning Ordinance regulations, however it could be argued that the current owners of the property did not do their due diligence when purchasing the property, therefore the situation could be perceived as self created.

Tax ID # 03573004400

PREPARED FOR:
 Jeff Wilcox
 Woodland Realty
 P.O. Box 2717
 Douglas, MI 49406

RE: 525 Butler Street

DESCRIPTION: Lot 44, except the North 6 feet, Original Plat of the Village of Kalamazoo, part of Section 9, Town 3 North, Range 16 West, Village of Saugatuck, Allegan County, Michigan.

131.54' = 131.54
 131.54' = 131.54
 1900

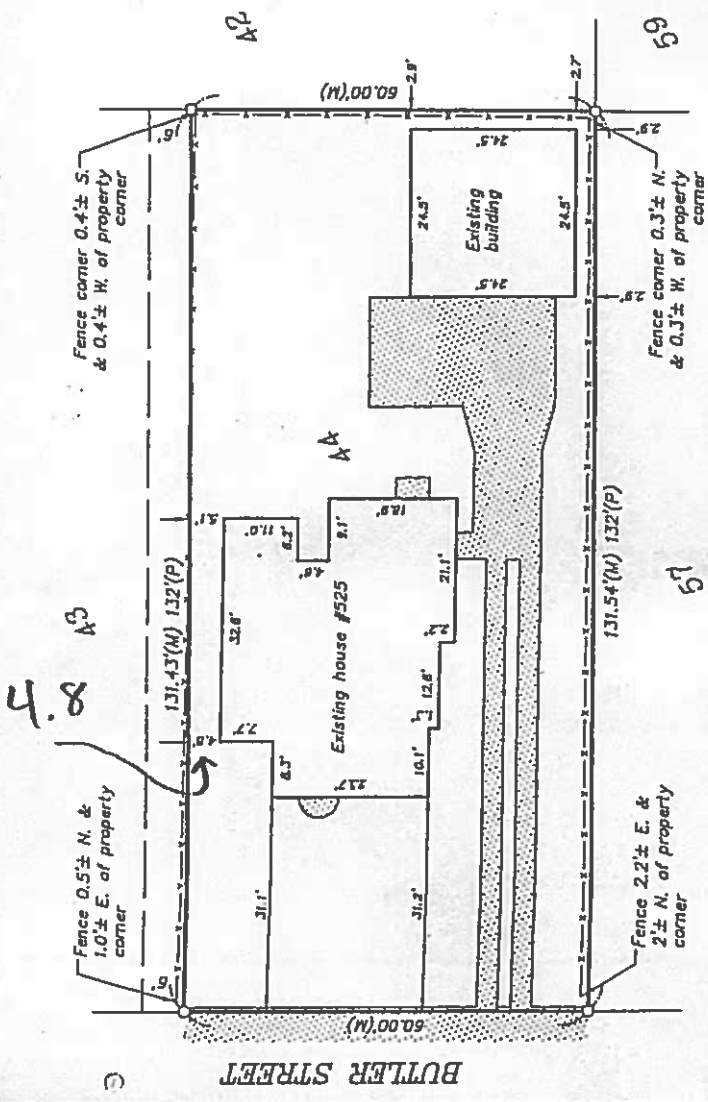


By *Scott A. Hendges*
 Scott A. Hendges Licensed Professional Surveyor No. 47953

nederveld associates, inc.
 engineering • surveying

CORPORATE OFFICE Ph: (616) 689-5190 Fax: 689-6899
 P.O. Box 10, 3570 13th Avenue, Holland, Michigan 49426
 TOLL FREE PHONE No. 1-(800)-222-1668 www.nederveld.com
 HOLLAND OFFICE Ph: (616) 393-0419 Fax: 393-3510
 347 Hoover Boulevard - Suite C, Holland, Michigan 49423
 GRAND RAPIDS OFFICE Ph: (616) 575-5190 Fax: 575-6644
 1079 Post East Court SE, Suite C, Grand Rapids, Michigan 49548

File No.: 05201200 Date: 9-28-05 CH



Scale 1" = 20'

[Stippled] = Concrete
 D = Description dimension
 M = Measured dimension
 P = Platted dimension
 ● = Set Iron Stake
 ○ = Found Iron Stake
 ---X--- = Fence Line

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.

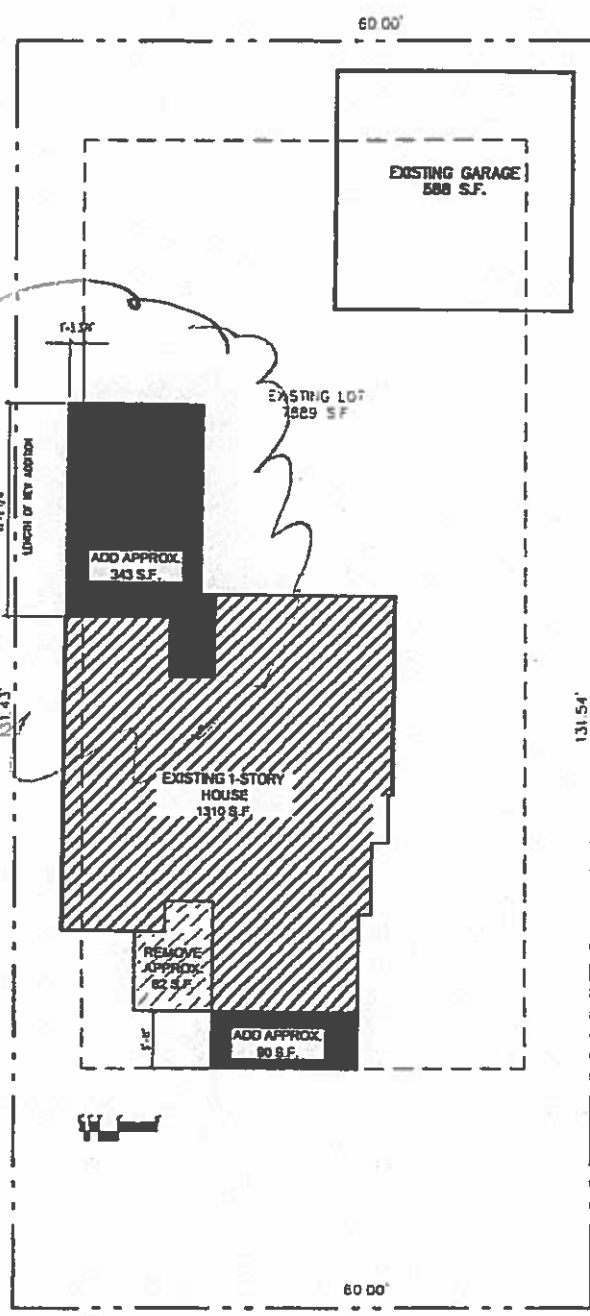
COPYRIGHT © 2005 NEDERVELD ASSOCIATES, INC.

05201200 0 10/04/05 12

3/4

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF THE DESIGNER AND MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE DESIGNER

Approved in
2007
Not
acted
upon



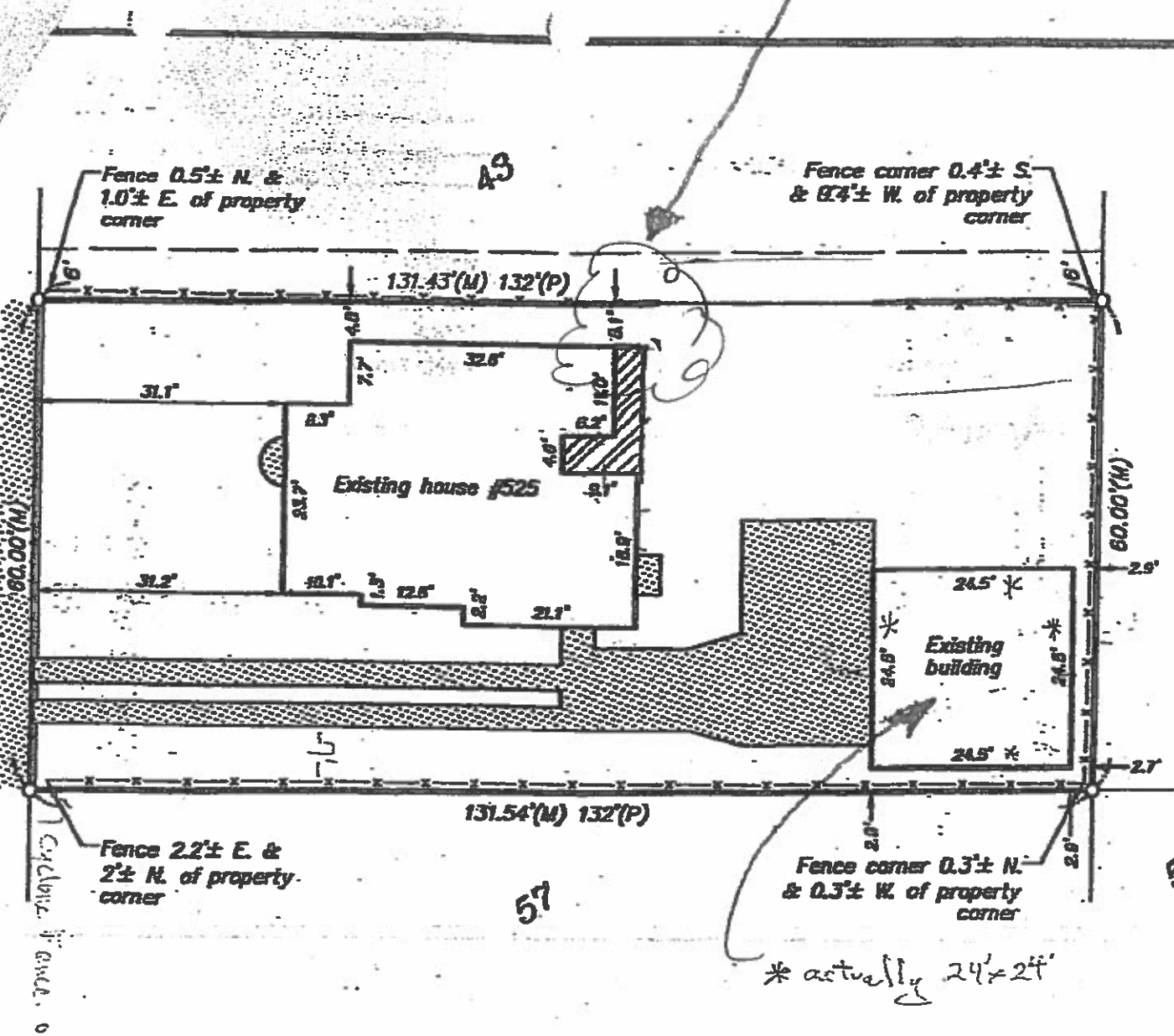
EXISTING: $(1311 + 588) = 1899 / 7829 = 24.2\% < 25\%$ (OK)
 PROPOSED: $(1310 + 588 + 351 - 82) = 2249 / 7829 = 28.7\% > 25\%$

williams design studio llc po box 1826 douglas, wa 99606 t 261.793.9129 e williams@pdad.com	MINSTER RESIDENCE		
	Address: 525 BUTLER STREET	Project Number:	Reference: SP1
	Title: SITE PLAN AREA CALCULATIONS		Sheet Number:
Scale: 1" = 20'-0" (FORMAT: 11 X 17)	Date: 10.11.2007	Bulletin / Revision / Issue: ZBA	SP1.1

This variance was granted on
 March 12, 2009 and was
 built in 2009

4/

BUTLER STREET



Cyclone fence out of view

Ron

3B



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" = 20'
- = Concrete
- D = Description dimension
- M = Measured dimension
- P = Plotted Dimension
- = Set Iron Stake
- = Found Iron Stake
- x— = Fence Line

ZBA APP PAGE 3 ITEM 1

The existing house was built in 1940, long before zoning ordinances.

It would unreasonably burdensome to move the house 2-3' to bring the new addition into compliance with side setback code.

Conforming to current setback rules is very burdensome. We cannot create a third bedroom and bath if we conform. We also cannot create reasonable living space if we conform to lot coverage rules. We have spent many years trying to come up with acceptable designs (probably more than 15 at this point) that meet all the rules while still allowing for a fully functioning single family home. The proposed project is the only design that creates a single family home with minimal impact on the property.

We applied to the HDC to demolish this house after 1-1/2 years of working closely with the HDC to create an acceptable renovation. Finally, they were in agreement the house should be demolished. They requested we bring them an historically appropriate design for the new house and that they would then allow a demolition. We complied, spending five months and \$12,000 on a beautiful farmhouse style design that met all setback requirements. Without even looking at the new drawings, they denied our request to demolish the house. Instead of going to court, we pushed ahead and did the best we could at that time. I truly believe that no homeowner in Saugatuck has spent as much time, money and effort on their property as we have.

With all due respect, conforming to current lot coverage and setback rules is unreasonably burdensome and would mean we cannot have the home this neighborhood deserves.

ZBA APP PAGE 3 ITEM 2

This project will be very beneficial to our neighborhood. It will create a fully functioning home (adding more primary living space, a third bedroom/bath and a front porch) in a neighborhood that needs family friendly housing. Currently, the house is only suitable for a couple or for use as a short-term rental. The current front room (it is open to the rest of the house) is 16" lower than the rest of the house creating a very awkward living space. The proposed addition will remedy this by creating one level throughout.

The proposed addition will only increase lot coverage to 30% and still leave a large back yard, unlike neighboring properties which have no back yards and which grossly exceed maximum lot coverage. The ZBA previously approved three variances for neighboring homes which allowed for massive lot coverages, greatly expanded "bulk", no back yards and a rear setback encroachment for 521 Butler. I am noting ZBA minutes dated 3-12-2009 that states there were "past ZBA actions" on three neighboring properties. Also see attached aerial view Doc tagged "Neighbors".

This project creates a home consistent with neighboring properties in that the new "look" is consistent with an original build date of 1940 and adds a quaint, friendly front porch such as was added to 521 Butler. Several other homes on Butler that are close to 525 Butler have porches.

ZBA APP, PAGE 3, ITEM 3

The house built in 1940 is already encroaching on the side setback, plus it sits on a small lot (60 x 132 vs the normal 66 x 132). The small lot size creates a hardship when trying to conform.

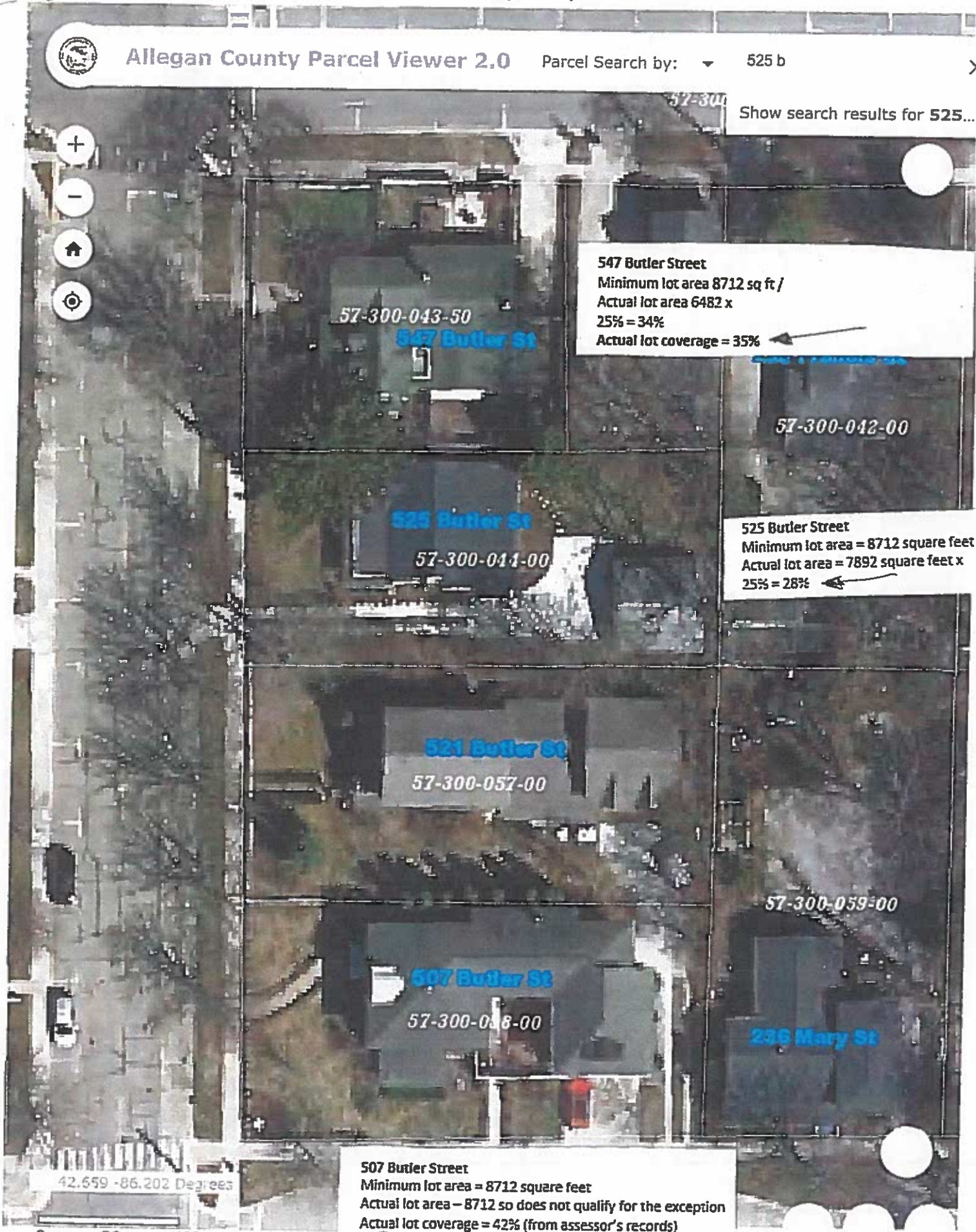
We are not able to purchase additional property from my neighbors to alleviate the encroachment.

ZBA PAGE 3 ITEM 4

The current house was this way when we bought it. It was built prior to zoning ordinances.

Financial circumstances have nothing to do with this project. We are spending money to greatly improve the house.

This lot is smaller than normal and that creates a hardship for us.

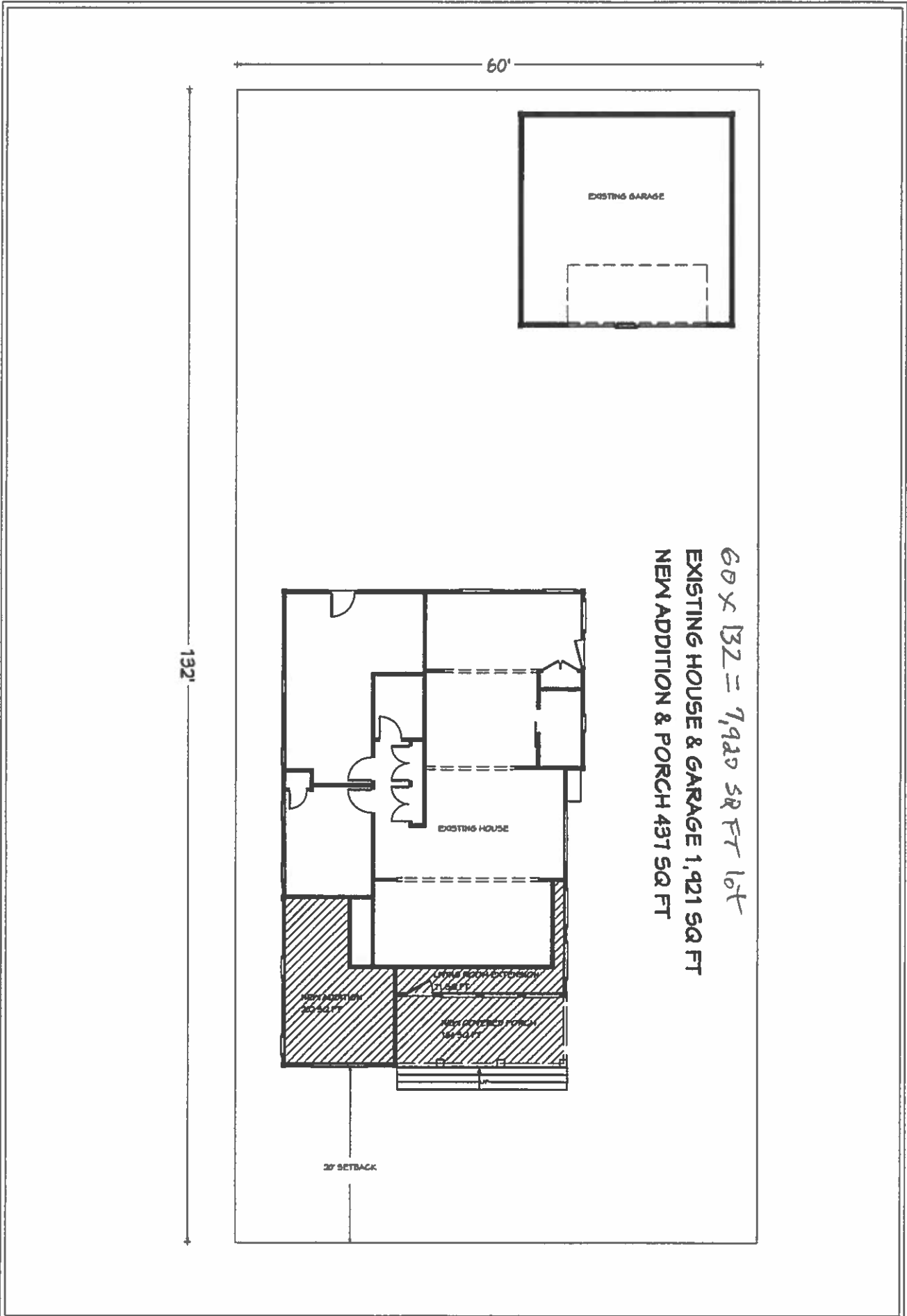


547 Butler Street
 Minimum lot area 8712 sq ft /
 Actual lot area 6482 x
 25% = 34%
 Actual lot coverage = 35%

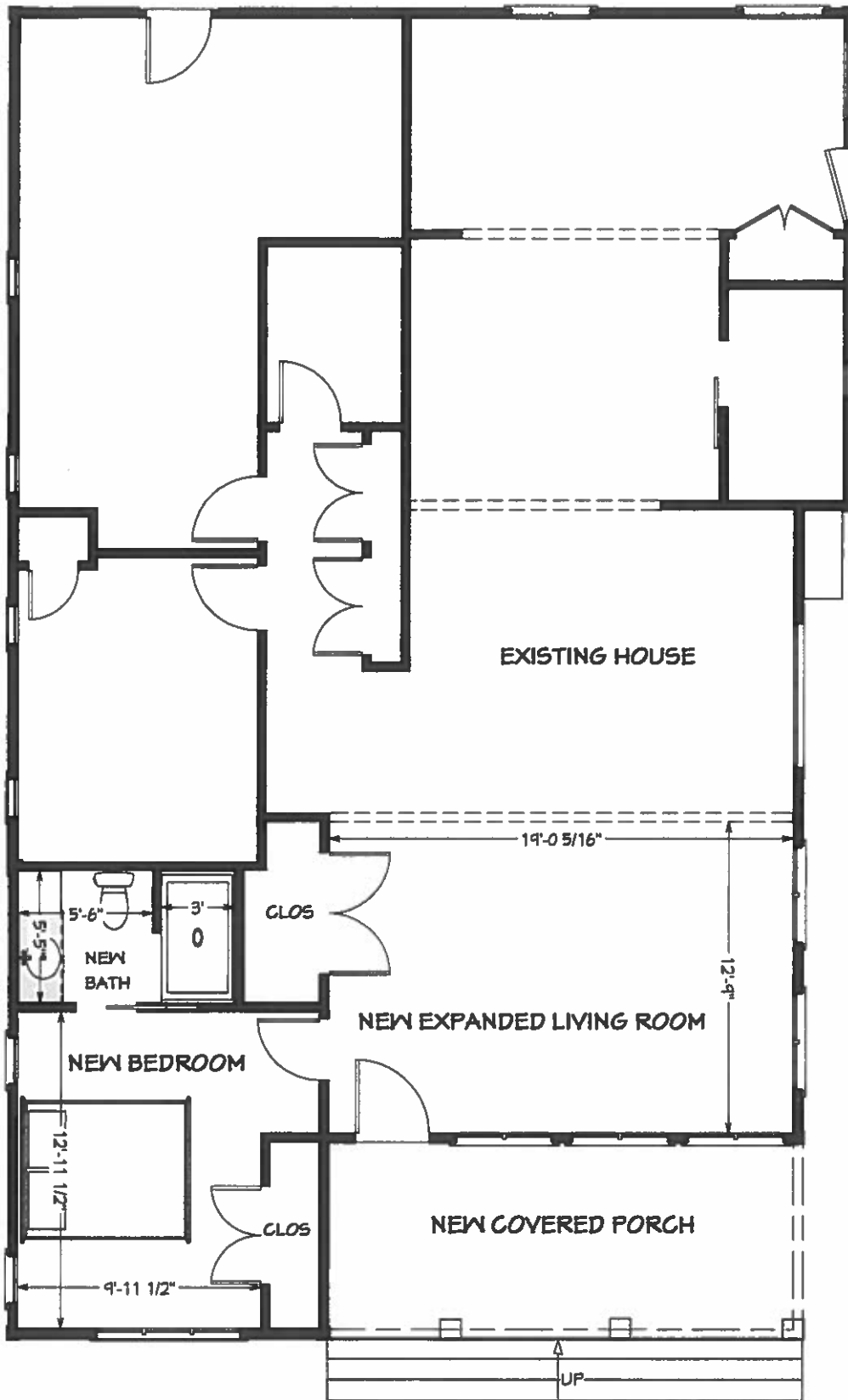
525 Butler Street
 Minimum lot area = 8712 square feet
 Actual lot area = 7892 square feet x
 25% = 28%

507 Butler Street
 Minimum lot area = 8712 square feet
 Actual lot area - 8712 so does not qualify for the exception
 Actual lot coverage = 42% (from assessor's records)

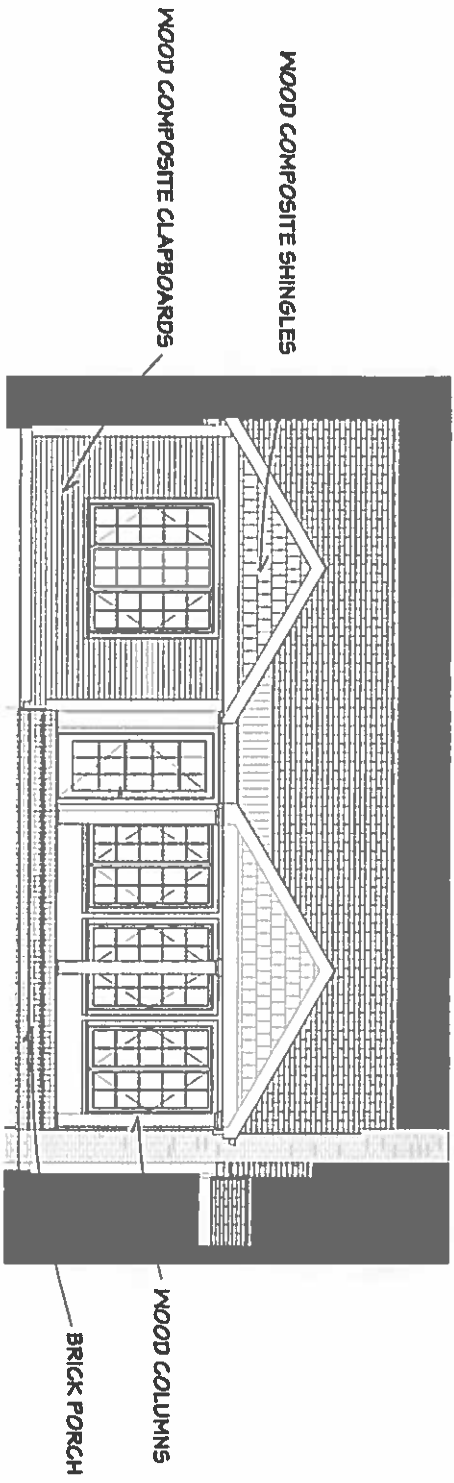
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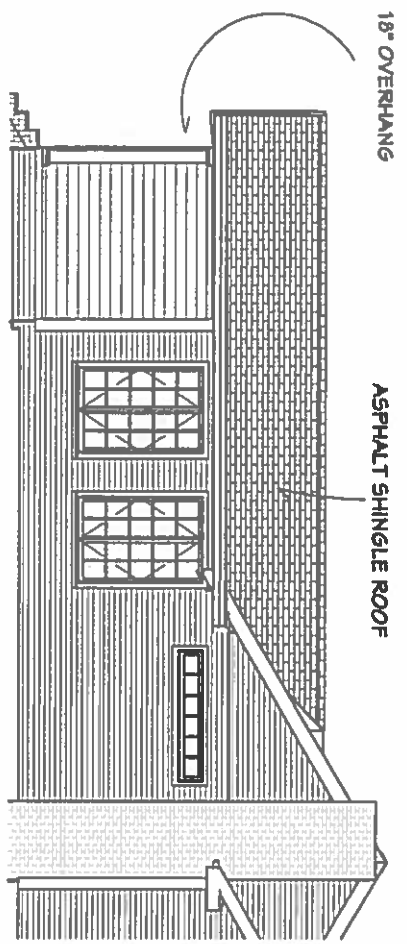
A-1	SHEET:	DATE:	CONSTRUCTION:	PROJECT DESCRIPTION:	SHEET TITLE:	DESIGN:
		10/10/2022		MINSTER RESIDENCE 525 BUTLER STREET SAUGATUCK, MI 49453	PROPOSED ADDITION	NORTH MAIN DESIGN (312) 636-9470



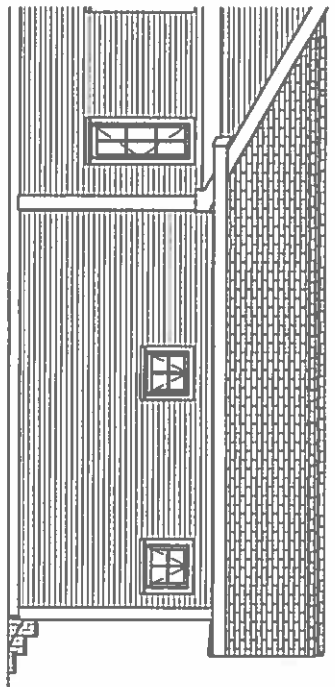
A-2	SHEET:	SCALE:	DATE:	CONSTRUCTION:	PROJECT DESCRIPTION:	SHEET TITLE:	DESIGN:
		1/2" = 1'	10/10/2022		MINSTER RESIDENCE 525 BUTLER STREET SAUGATUCK, MI 49453	FLOOR PLAN	NORTH MAIN DESIGN (312) 696-3470



WEST ELEVATION



PARTIAL SOUTH ELEVATION



PARTIAL NORTH ELEVATION

SHEET: A-3	SCALE: 1/2" = 1'	DATE: 10/10/2022	CONSTRUCTION:	PROJECT DESCRIPTION: MINSTER RESIDENCE 525 BUTLER STREET SAUGATUCK, MI 49453	SHEET TITLE: ELEVATIONS	DESIGN: NORTH MAIN DESIGN (312) 636-3470



EXISTING FACADE



PROPOSED FACADE

SHEET: A-4	SCALE: 1/2" = 1'	DATE: 10/10/2022	CONSTRUCTION:	PROJECT DESCRIPTION: MINSTER RESIDENCE 525 BUTLER STREET SAUGATUCK, MI 49453	SHEET TITLE: FACADE	DESIGN: NORTH MAIN DESIGN (312) 636-3470
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**BACKGROUND REPORT
ZONING BOARD OF APPEALS NOVEMBER 10, 2022**

**640 AND 650 WATER ST - 03-57-300-029-00 AND
03-57-300-030-00**

**INTEGRATED ARCHITECTURE ON BEHALF OF
3520 36TH STREET LLC**

REQUEST: The applicant requests two (2) dimensional variances and a land use variance for a redevelopment project at the subject site. The applicant proposes to construct a three-story mixed-use building. The following variances are requested:

1. A dimensional variance to increase the maximum height requirement to 32 feet instead of a maximum height of 28 feet, an increase of four feet (4'). Request relates to Section 154.022 (D) of the Zoning Ordinance; and
2. A dimensional variance to reduce the waterfront setback to six feet and two inches (6'2") for the rear building wall and four feet and ten inches (4'10") for balconies instead of the minimum 25-foot setback, a reduction of 18 feet and ten inches (18'10") and 20 feet and two inches (20'2"), respectively. Request relates to Section 154.022 (F)(4) of the Zoning Ordinance; and
3. A use variance to allow a dwelling unit ("apartment") on the first floor of the proposed building in a zoning district where dwelling units are only allowed on upper floors. Request relates to Section 154.040 (B) of the Zoning Ordinance.

The purpose of this report is to provide a review of the application and standards of approval.

BACKGROUND: The properties are approximately 7,000 square feet (650 Water) and 10,500 square feet (640 Water) and are located in the C-1 Water Street North District (WSN) Zoning District. The existing buildings encroach into the required setbacks and the City right-of-way and are proposed to be removed and replaced with a single new building. If redeveloped, these parcels will need to be combined as one development site.

The applicant proposes a 20,237-square-foot, three-story, mixed-use building. The first floor is proposed to include commercial tenants, a single dwelling unit, and dock support. The commercial end-users are not known at this time, but this is not uncommon during preliminary planning efforts. The second and third floors are proposed for residential dwelling units.

This application is also subject to Historic District Commission (HDC) review and site plan review by the Planning Commission. If a future commercial use is classified as a special land use, a public hearing will occur as part of a future review. Condominium approval will be necessary if individual units are intended to be sold. Please note that architectural design is reviewed by the HDC and should not be a consideration during the review of the proposed variances.

The first request is a dimensional variance related to maximum building height. Section 154.022 (D) of the Zoning Ordinance outlines the height requirement:

(D) Height limit. In the case of a principal building, the vertical distance measured from the average grade to the highest point of flat roofs, to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip and gambrel roofs, shall not exceed 28 feet unless otherwise specified in this chapter. In no case shall the overall peak building height be greater than 32 feet when measured from the natural average grade.

In this case, the applicant requests the highest point of the proposed flat roof to be 32 feet, which is four (4) feet over the maximum requirement. It should be noted that mechanical equipment and the elevator overrun exceed 32 feet but are exempt from the height requirement per Section 154.022 (E)(2).

The second request is a dimensional variance related to the minimum waterfront setback. Section 154.022 (F)(4) of the Zoning Ordinance outlines the waterfront setback requirement:

(4) Waterfront lots. Notwithstanding any other provisions of this chapter, all structures on a waterfront lot shall have a setback of 25 feet from the waterfront. The lot line which abuts the street shall be deemed to be the front lot line, and the two remaining yards shall both be required side yards.

The waterline is not parallel to the street. For the southern component of the building, proposed setbacks range from 4'11" to 20'6" for balconies and 6'2" to 25'4" for the rear wall. As the lot deepens to the north, the northern component of the building jogs westward toward the waterline. In this area proposed setbacks range from 4'10" to 5'7" for balconies and 7'10" to 9'9" for the rear wall. However, the variance request considers the minimum balcony and rear wall setbacks proposed at 4'10" and 6'2", respectively.

If this application were to be approved, the minimum setbacks would be referenced. The other dimensions on the plan would be approved by way of referencing all other measurements as shown on the October 14, 2022, site plan. Please note that the setbacks of the existing buildings have no relationship to the proposed building, as all nonconforming rights are lost as soon as the buildings are demolished.

The third request is a land use variance to allow a residential dwelling unit on the first floor of the building. In the subject zoning district, only "second- and third-floor apartments" are permitted, which means first-floor residential units are prohibited by Section 154.040 (B).

ZBA AUTHORITY: According to Section 154.155 (A), where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this chapter, the Board of Appeals may, in passing on appeals, vary or modify any of the rules or provisions of the Zoning Ordinance relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings or structures, so that the intent of the ordinance is observed, public safety secured, and substantial justice done. Variances should only be approved in limited cases with unique circumstances and extraordinary conditions.

DIMENSIONAL VARIANCES: 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.*

Setback Comments: The north end of the building could conceivably meet setback requirements because the lot is approximately 65 feet in depth (650 Water Street), while the property to the south constricts to 46 feet in depth (640 Water Street). It appears that the northern 40 percent of the building could conform to the 25-foot setback if the building jog was not proposed. For the southern 60 percent, the building depth would need to be constricted at the same rate as the lot constricts to conform to the 25-foot setback.

One could argue that a setback variance for the north end of the building is not justified as it would not be unnecessarily burdensome to restrict the northern 40 percent of the building to 40 +/- feet in depth while conforming to the 25-foot setback.

The building could only be approximately 20-21 feet deep to conform to the 25-foot setback at the south end. This depth could be considered unnecessarily burdensome for a commercial and mixed-use structure.

The applicant states that “the existing irregular waterfront creates a narrow and unusually shaped building envelope not conducive to the program requirements of a mixed-use commercial and residential building.” I would tend to agree with this comment, but only as it relates to the south end of the project area.

Height Comments: The applicant states that the 28-foot height restriction makes a three-story building impossible, which may be the exact intent of the ordinance. However, the ordinance may allow third floor living space with lower ceilings and more limited square footage under a pitched roof, depending on the architectural design. Most zoning ordinances that allow three stories include a 35-foot maximum height, so this restriction may be intentional in the City of Saugatuck. In any case, a compliant two or two-and-a-half-story building could be constructed, which would be a reasonable use of the property.

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.*

Setback Comments: The buildings to the south of the subject site are generally aligned with the proposed rear elevation of the proposed building, and the building to the north extends further west toward the river than the proposed building. One could argue that since the proposed building does not extend further west than adjacent buildings, a variance would do justice to the applicant and preserve justice related to adjacent property owners.

Height Comments: Height increase over the maximum requirement of a community can cause visual impacts and degrade existing neighborhood character. It should be noted that there are larger three-story buildings across the street at Water and Spear and three-story buildings along the waterfront. However, it appears that the waterfront three-story buildings are more limited in bulk and mass and have varying rooflines. One could argue that the height and dimension of the proposed building are out of scale compared to other waterfront buildings.

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

Setback Comments: The applicant states that the waterfront setback is irregular. I agree that the constricting nature of the lot is irregular, and some degree of setback relief could be justified. Further, this condition does not appear to apply to nearby waterfront properties, meaning this situation is fairly unique.

Height Comments: The applicant offers a building code argument that does not relate to irregular site conditions.

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

Setback Comments: The applicant did not create the irregular-shaped lot, and a financial argument was not offered.

Height Comments: The applicant offers a building code argument related to building a third story. Since a third story is the applicant's desire, and other compliant development options are feasible, the problem is self-created.

DIMENSIONAL VARIANCE RECOMMENDATION: We bring to your attention that pursuant to Section 154.155 (B) that if the applicant is not able to meet **all the required standards noted above**, the ZBA Board must deny the request. If the Board finds that the practical difficulty is not unique but common to several properties in the area, the finding shall be transmitted by the Board to the Planning Commission, who will determine whether to initiate an amendment to the Zoning Code, per Section 154.156 (C).

It does not appear that any of the standards related to building height have been satisfied. A setback variance could be justified, but substantial relief could likely be achieved with a lesser reduction.

Possible setback variance motion:

Motion to approve/deny the variance application for waterfront setbacks of _____ (4’10” or greater) for balconies and _____ (6’2” or greater) for the rear building wall for the properties at 640 and 650 Water Street based on the following findings:

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

If a motion for approval, the following may be added to the motion: Approval of a waterfront setback variance is conditioned upon the following:

- 1. The site plan and building footprint submitted for Planning Commission review shall reflect the concept plan submitted as part of the variance review titled “Site Plan | Ground Floor” prepared by Integrated Architecture, last revised October 14, 2022 (if needed, add “except the setback shall be no less than _____ feet from the waterfront”).
- 2. The building shall comply with all other dimensional requirements of the Zoning Ordinance or per approved variances.
- 3. The properties shall be joined as a single lot.
- 4. _____
- 5. _____

Possible height variance motion:

Motion to approve/deny the variance application for a maximum building height of 32 feet at 640 and 650 Water Street based on the following findings:

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

If a motion for approval, the following may be added to the motion: Approval of a maximum height variance is conditioned upon the following:

1. The building plan submitted for HDC review shall reflect the building dimensions submitted as part of the variance review titled “Elevations | Schematic Design” prepared by Integrated Architecture, last revised October 14, 2022.
2. The building shall comply with all other dimensional requirements of the Zoning Ordinance or per approved variances.
3. The properties shall be joined as a single lot.
4. _____
5. _____

USE VARIANCE: Section 154.155 (C) provides the standards that must be met in order for the Board to grant a use variance. To obtain a use variance, the applicant must show an unnecessary hardship by demonstrating that all of the following standards are met:

1. *That the property in question cannot be used for any of the uses permitted in the district in which it is located;*

Comment: By proposing that commercial use is feasible on the first floor, the applicant has demonstrated that the property in question can be used for other land uses other than residential.

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

Comment: While the property is unique as it relates to its constricting dimension, that factor does not relate to the feasibility of first-floor land uses.

3. *That by granting the variance, the essential character of the neighborhood would not be altered; and*

Comment: Committing a small percentage of the first-floor area to a rear-facing apartment would not likely change the neighborhood's character (620 square feet or 10 percent of ground floor).

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

Comment: A problem that relates to these standards has not been identified by the applicant. The situation is self-created.

USE VARIANCE RECOMMENDATION: We bring to your attention that pursuant to Section 154.155 C 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 is not unique but common to several properties in the area, the finding shall be transmitted by the Board to the Planning

Commission, who will determine whether to initiate an amendment to the Zoning Code, per Section 154.156 (C).

It appears that three of four standards have not been satisfied.

Possible motion: Motion to approve/deny a use variance for an apartment on the first floor at 640/650 Water Street with the following findings of fact:

Possible motion:

Motion to approve/deny the application for a use variance for one (1) first-floor dwelling unit within the proposed building at 640 and 650 Water Street based on the following findings:

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

If a motion for approval, the following may be added to the motion: Approval of the use variance is conditioned upon the following:

1. The first-floor dwelling unit shall be no greater than 620 square feet.
2. The first-floor dwelling shall be oriented to the rear of the building and the central pedestrian arcade.
3. The first-floor dwelling shall generally comply with the floor plan shown on the plan titled "Site Plan | Ground Floor" prepared by Integrated Architecture, last revised October 14, 2022.
4. _____
5. _____
6. _____

FINDINGS OF FACT: Please note that any motion, in support or against the variance requests, must specifically reference the ZBA's findings concerning all applicable standards. The ZBA must provide its own findings on why the request meets or does not meet the applicable standards. The comments in this report may be used as a basis for the ZBA's findings. Regardless of the decision, the minutes and written record of the decision must document the ZBA's findings and conclusions. As such, it is essential for the findings to be read aloud or referenced during the meeting.



Zoning Board of Appeals Application

LOCATION INFORMATION **APPLICATION NUMBER** _____ - _____

Address 640 / 650 Water Street Parcel Number 03-57-300-029-00, 03-57-300-030-00

APPLICANTS INFORMATION

Name Integrated Architecture Address / PO Box 840 Ottawa Avenue
City Grand Rapids State Michigan Zip 49503 Phone (616) 574-0220
Interest In Project Project architect E-Mail dhuizenga@intarch.com
Signature [Signature] Date 7-15-2022

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name 3520 36th St. LLC Address / PO Box 4720 52nd St. SE
City Grand Rapids State Mi Zip 49512 Phone 616-437-6219
E-Mail dj@grandridgemi.com

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

Signature [Signature] Date 7/18/2022

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 _____
E-Mail _____
License Number _____ Expiration Date _____

PROPERTY INFORMATION

Depth ~65' Width ~166' Size ~.227 acres Zoning District C-1 WSN Current Use commercial
Check all that apply: Waterfront Historic District Dunes Vacant
Application Type: Interpretation Dimensional Variance Use Variance

REQUEST DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Please see attached

640/650 Water Street

PROJECT BRIEF

The existing buildings at 640 and 650 water street do not comply with the 25’ waterfront setback requirement for waterfront properties in the Water Street North district. The proposed development retains a similar waterfront setback defined by the footprints of the existing buildings. The proposed front yard setback will be zero feet at the front property line, addressing the existing buildings footprint encroachments over the property line at the street.

The proposed project includes ground level commercial spaces, waterfront dock support spaces, and a residential entrance lobby. A pedestrian arcade bisects the ground floor commercial spaces allowing views and access to the waterfront areas and existing docks and terrace to the west. Floors 2 and 3 include 7 residential units each. A single ground floor residential unit is proposed.

VARIANCE REQUEST DESCRIPTIONS

DIMENSIONAL VARIANCES

WATERFRONT SETBACK

Requirement 25’ waterfront setback.

Request Waterfront setbacks described on Site plan page 7

Building setbacks 6’-2” to 25’-4”
Balcony setbacks 4’-10” to 20’ 6”

Variance Building setbacks 18’-10” to 0’
Balcony setbacks 20’-2” to 4’-6”

HEIGHT

Requirement 28’ measured from the average grade to highest point of a flat roof.
In no case shall the overall peak building height be greater than 32 feet when measured from the natural average grade.

Request 32’ measured from the average grade to highest point of the flat roof.
Approximately 4’ for an unoccupied elevator overrun enclosure.
Approximately 4’ rooftop mechanical condensing units.

Variance 4’ measured from the average grade to highest point of the flat roof.

Exceptions for elevator overrun and mechanical units

(E) Height limit exceptions. The following may be exempted from height limit requirements, provided that no portion of the excepted structure may be used for human occupancy:

- (1) Those purely ornamental in purpose such as belfries, cupolas, domes and ornamental towers/monuments, provided they do not exceed 40 feet in height above the average grade of the lot or parcel on which the feature will be located;
- (2) Those necessary appurtenances to mechanical or structural functions, such as radio towers, masts and aerials, television antennas, wire transmission structures or other structures where the manufacturing process requires a greater height but do not exceed 100 feet in height.

USE VARIANCE

Requirement - Residential use is not permitted on the ground floor in this zoning district.

Request - One ground floor unit.

Variance- One ground floor unit.

DIMENSIONAL VARIANCE REQUEST STANDARDS

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.

WATERFRONT SETBACK

BUILDING

The 25’ waterfront setback from the existing irregular waterfront creates a narrow and unusually shaped building envelope not conducive to the program requirements of a mixed use commercial and residential building. See diagram on page 6

BALCONIES

The 25’ waterfront setback from the existing irregular waterfront in addition to the area requirements for the permitted level 2 and 3 residential units prevents the inclusion of this amenity found on all neighboring multi-level buildings in the WSN waterfront district. See images on page 20

HEIGHT

The 28’ flat roof height limit combined with current building and energy code dimensional requirements for structure and insulation does not allow permitted level 2 and 3 residential uses over ground level commercial space.

The proposed building program is possible within a 32’ maximum building height.

CONTINUED

DIMENSIONAL VARIANCE REQUEST STANDARDS

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

WATERFRONT SETBACK

BUILDING

A variance to the 25’ waterfront setback allows the proposed building to retain a similar waterfront setback to the existing structures on the site. See page 7
The proposed building edge along the waterfront retains the edge alignment with existing neighboring structures. Retaining the proposed building depth provides a viable ground level commercial lease depth attractive to a variety of tenant uses.

The non-conforming front yard setback condition of the existing structures will now conform to the required front yard setback and provide additional street side open space aligning with neighboring properties.

BALCONIES

A variance to the 25’ waterfront setback allows the proposed building to offer a balcony amenity found on neighboring properties.
Balconies offer waterfront activation and social interaction unique to waterfront activities and boating.

HEIGHT

The proposed 32’ maximum height would allow the permitted level 2 and 3 residential use over a ground floor commercial use.
Three level buildings including level 2 and 3 residential uses currently exist on the WSN waterfront and in this district. See page 20

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

WATERFRONT SETBACK

BUILDING

The plight of the owner is caused by the irregular line of the existing waterfront.

BALCONIES

The plight of the owner is caused by the irregular line of the existing waterfront.

HEIGHT

The 28’ flat roof height limit combined with current building and energy code dimensional requirements for structure and insulation does not allow permitted level 2 and 3 residential uses over ground level commercial space.
The proposed building program is possible at a 32’ maximum building height.

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

WATERFRONT SETBACK

BUILDING

The problem is created by the irregular line of the existing waterfront.

BALCONIES

The problem is created by the irregular line of the existing waterfront.

HEIGHT

The 28’ flat roof height limit combined with current building and energy code dimensional requirements for structure and insulation does not allow permitted level 2 and 3 residential uses over ground level commercial space.
The proposed building program is possible at a 32’ maximum building height.

USE VARIANCE REQUEST STANDARDS

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.

The proposed development will include permitted commercial and residential uses.
The proposed single ground floor residential use allows the greatest accessible route to an accessible residential unit without using a stair or elevator.

2. Please explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.

The proposed single ground floor residential use allows the greatest accessible route to an accessible residential unit without using a stair or elevator. This is a use included in neighboring properties and allows the option of improved accessibility.

3. Please explain how by granting the variance, the essential character of the neighborhood would not be altered.

Existing neighboring properties include ground floor residential uses.

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

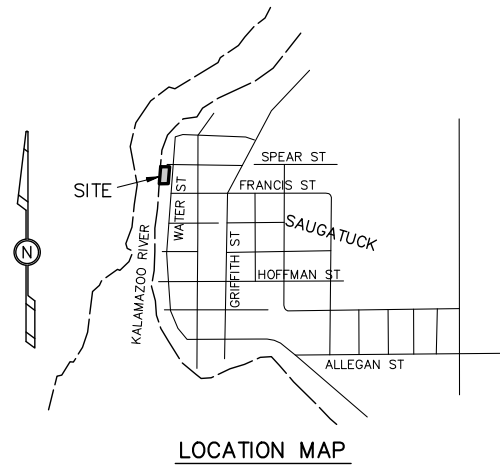
The single ground floor residential unit is desired to offer an easily accessible residential option, and is not required for the viability of the proposed project.

KALAMAZOO RIVER

640 650

WATER STREET





Property Description (from Commitment No.: 939529):
 Land in the City of Saugatuck, Allegan County, MI, described as follows:
 Lot(s) 29, 30 and the North one-half of Lot 31 of KALAMAZOO PLAT,
 according to the plat thereof recorded in Liber 111 of Plats, Page 551 of
 Allegan County Records.

(for informational purposes only)
 Tax Item No. 03-57-300-029-00, as to Lot 29
 Property Address: 650 Water Street, Saugatuck, MI 49453

Tax Item No. 03-57-300-030-00, as to Lot 30 and North 1/2 of Lot 31
 Property Address: 640 Water Street, Saugatuck, MI 49453

Notes:

- Description of record and recorded easement information shown hereon is based on First American Title Insurance Company, Commitment No. 939529, with a commitment date of July 21, 2021. There were no recorded easements listed in this commitment.
- The bearings shown hereon are assumed, based on the West line of Water Street as S00°45'15"W
- This property contains 0.23 acres, more or less.
- The dimensions of the structures shown hereon are based on exterior building measurements at ground level.
- Utility structures visible on the ground surface have been located and shown per actual measurements. Lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted.
- The boundary along the Kalamazoo River is subject to change due to natural causes and may or may not represent the actual location of the limit of title.
- This property lies within Special Flood Hazard Area Zone A2 (areas of 100-year flood; base flood elevations and flood hazard factors determined), as identified on Flood Insurance Rate Map Community Panel No. 260305 0001 C, dated February 1, 1980, published by the U.S. Department of Housing and Urban Development, Federal Insurance Administration.
- The centerline for the Kalamazoo River as shown hereon are based on photographic images of the Kalamazoo River.
- The riparian lines as shown hereon are drawn perpendicular to the centerline of the Kalamazoo River to the point of intersection of the property line and shoreline.
- In our professional opinion, the equitable proportionment of the riparian rights to the sub-aqueous lands adjoining the parcels would be depicted as shown hereon. However, in a court of law, the final determination of the riparian line may differ.

Elevation Notes:

- Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929 (NGVD 29) per GPS observation using MDDOT CORS.
- Flood Insurance Rate Map Community Panel No. 260305 0001 C shows the Special Flood Hazard Area Zone A2 at an elevation of 584. This elevation is referenced to the National Geodetic Vertical Datum of 1929 (NGVD 29).

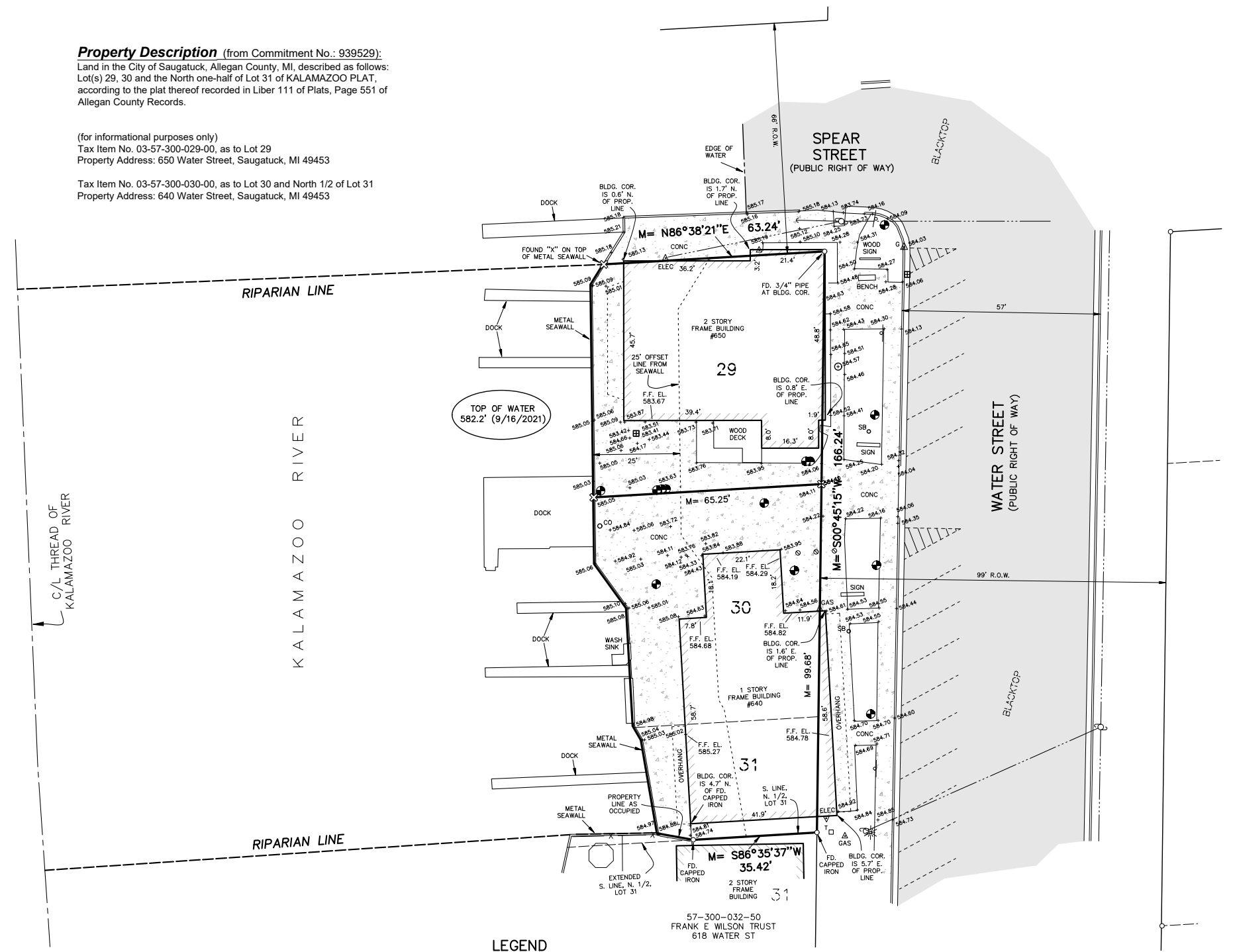
SURVEYOR'S CERTIFICATE
 WE HEREBY CERTIFY to:

3520 36th Street Property, LLC
 First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 7a, 8 and 13 of Table A thereof. The field work was completed on September 16, 2021.

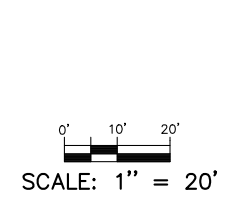
Date of Map: September 28, 2021

PRELIMINARY
 Kenneth J. Vlietken R.S. 4001051491



LEGEND

- = IRON STAKE FOUND
- = IRON STAKE SET
- ✕ = FOUND "X"
- ⊙ = MONITORING WELL
- ⊕ = UTILITY POLE & GUY WIRE
- ☼ = LIGHT POLE
- = SIGN
- = BOLLARD
- ⊞ = STOP BOX
- ⊞ = CATCH BASIN
- = MANHOLE
- ∞ = CLEAN OUT
- ⊞ = TELEPHONE BOX
- ⊞ = BURIED GAS LINE MARKER
- x— = FENCE LINE
- · — = OVERHEAD WIRES
- M = MEASURED DIMENSION



PRELIMINARY

ALTA/NSPS LAND TITLE SURVEY

RE: 640 & 650 WATER STREET, SAUGATUCK, MI

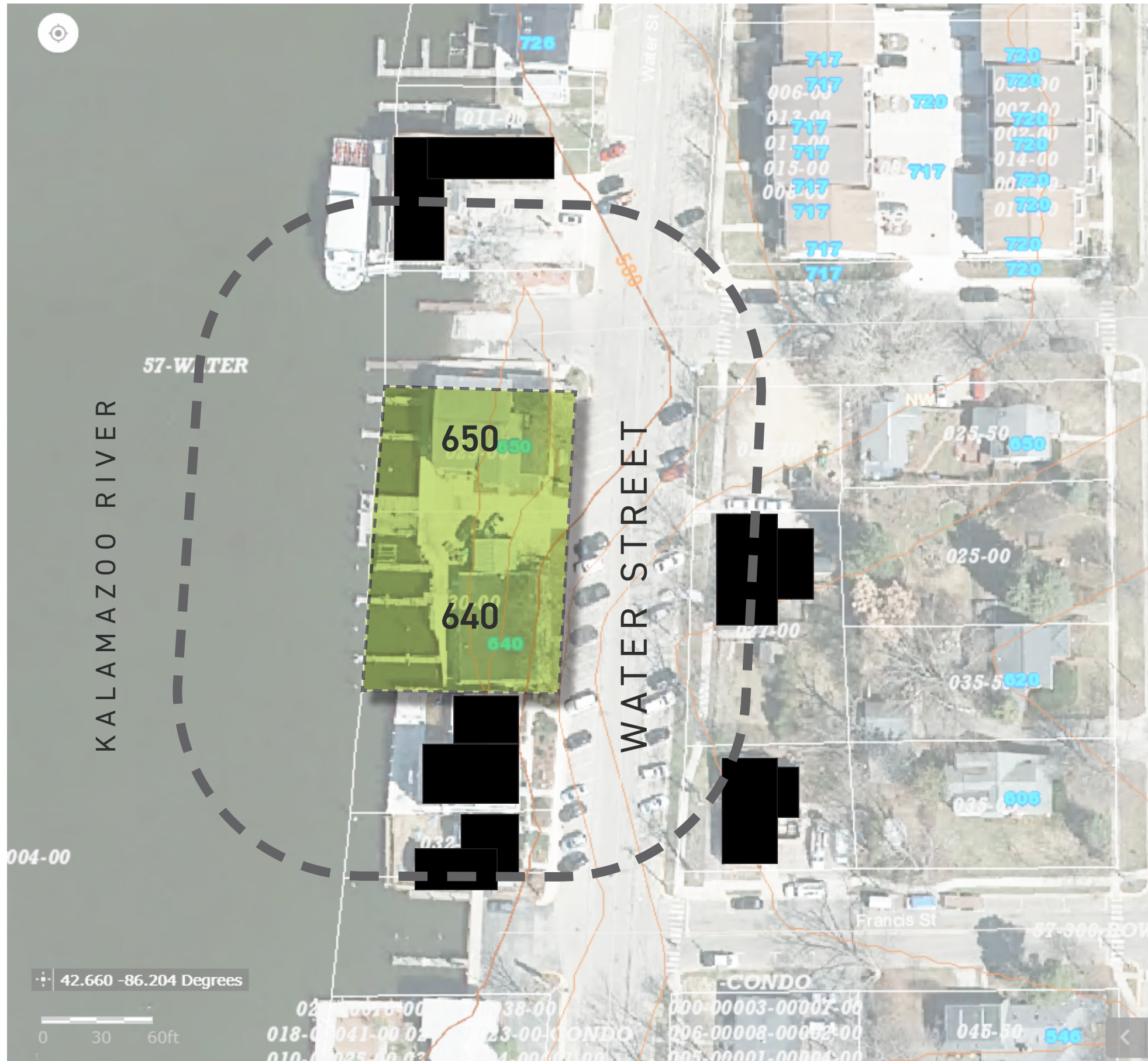
FOR: 3520 36th STREET PROPERTY, LLC
 ATTN: DJ VANDERSLIK
 4720 52nd STREET SE
 GRAND RAPIDS, MI 49512
 PART OF THE NW 1/4, SECTION 9, T3N, R16W, CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN

exel engineering, inc.
 planners · engineers · surveyors
 5252 Clyde Park, S.W. • Grand Rapids, MI 49509
 Phone: (616) 531-3660 www.excelengineering.com

DATE	REVISION	BY

DRAWN BY: BAB	PROJ. ENG.: KJV	SHEET
APPROVED BY: S211791	PROJ. SURV.: KJV	1 of 1
FILE NO.: S211791	DATE: 09/28/2021	

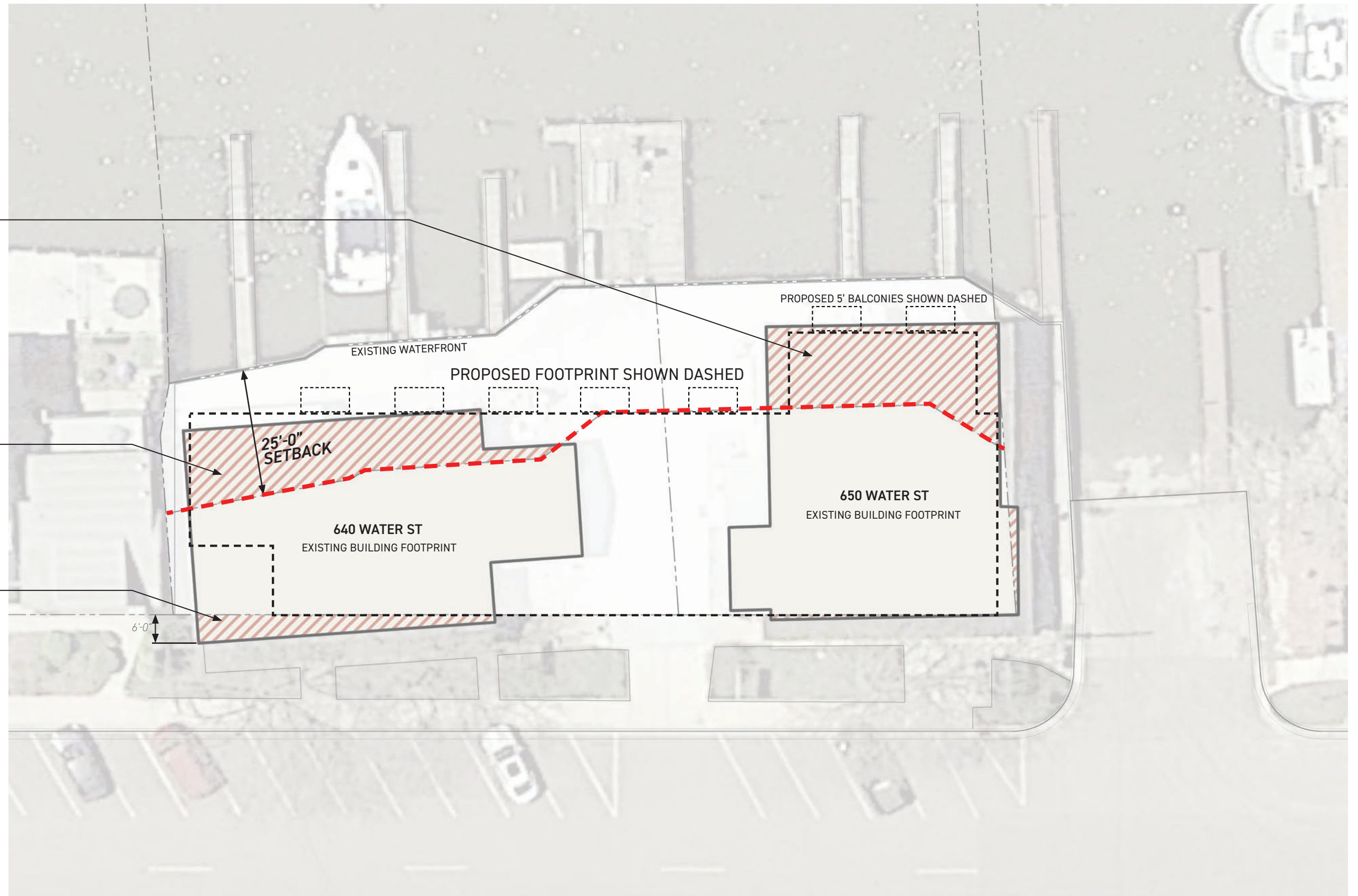
P:\Projects\2021\211791\Drawings\211791.dwg-ALTA-1.dwg



784SF ENCROACHMENT
TO WATERFRONT SETBACK

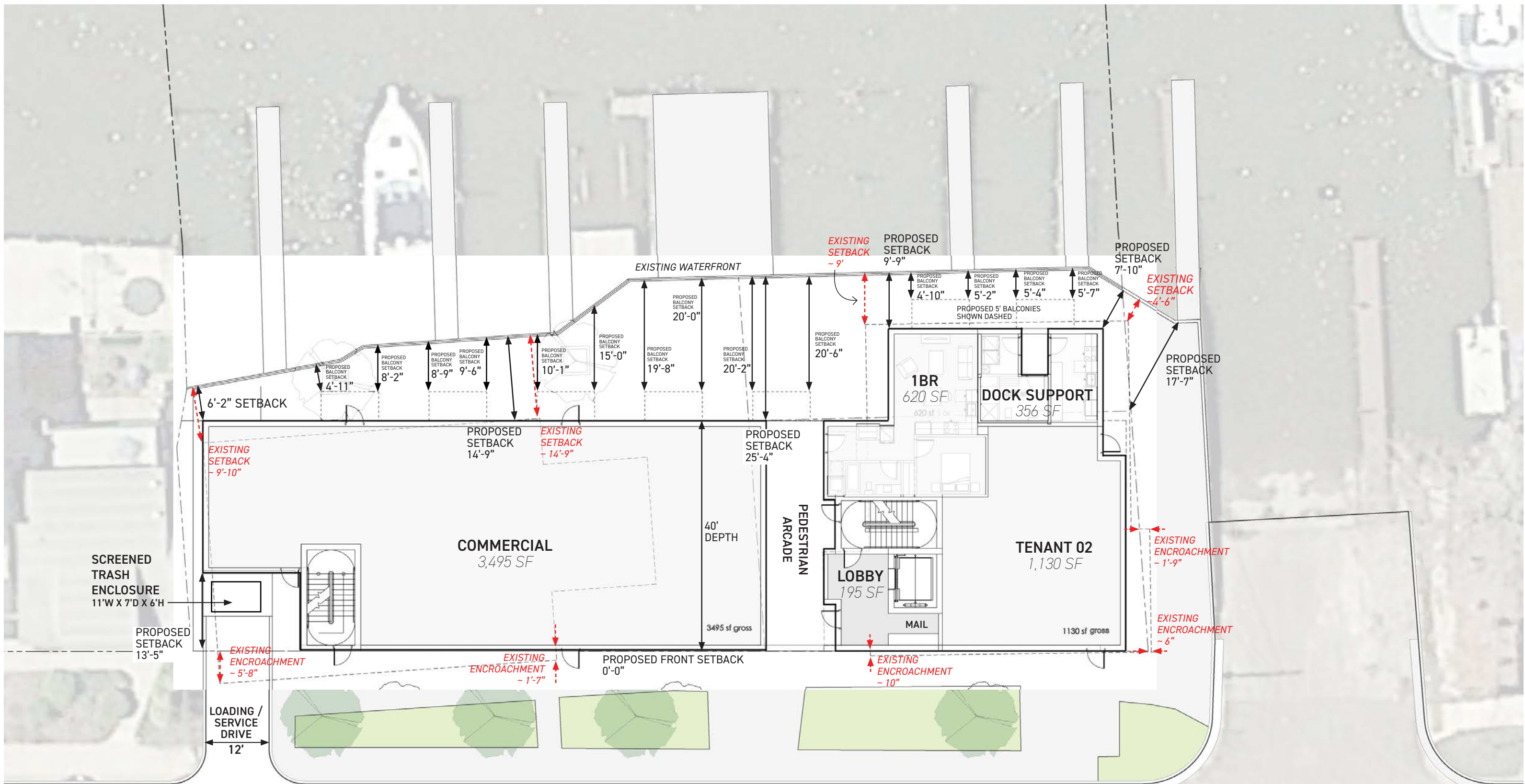
747SF ENCROACHMENT
TO WATERFRONT SETBACK

213SF ENCROACHMENT
IN FRONT PROPERTY LINE



EXISTING GROUND FLOOR FOOTPRINTS 5,691 GSF

SITE PLAN | EXISTING CONDITIONS



6,467 GSF

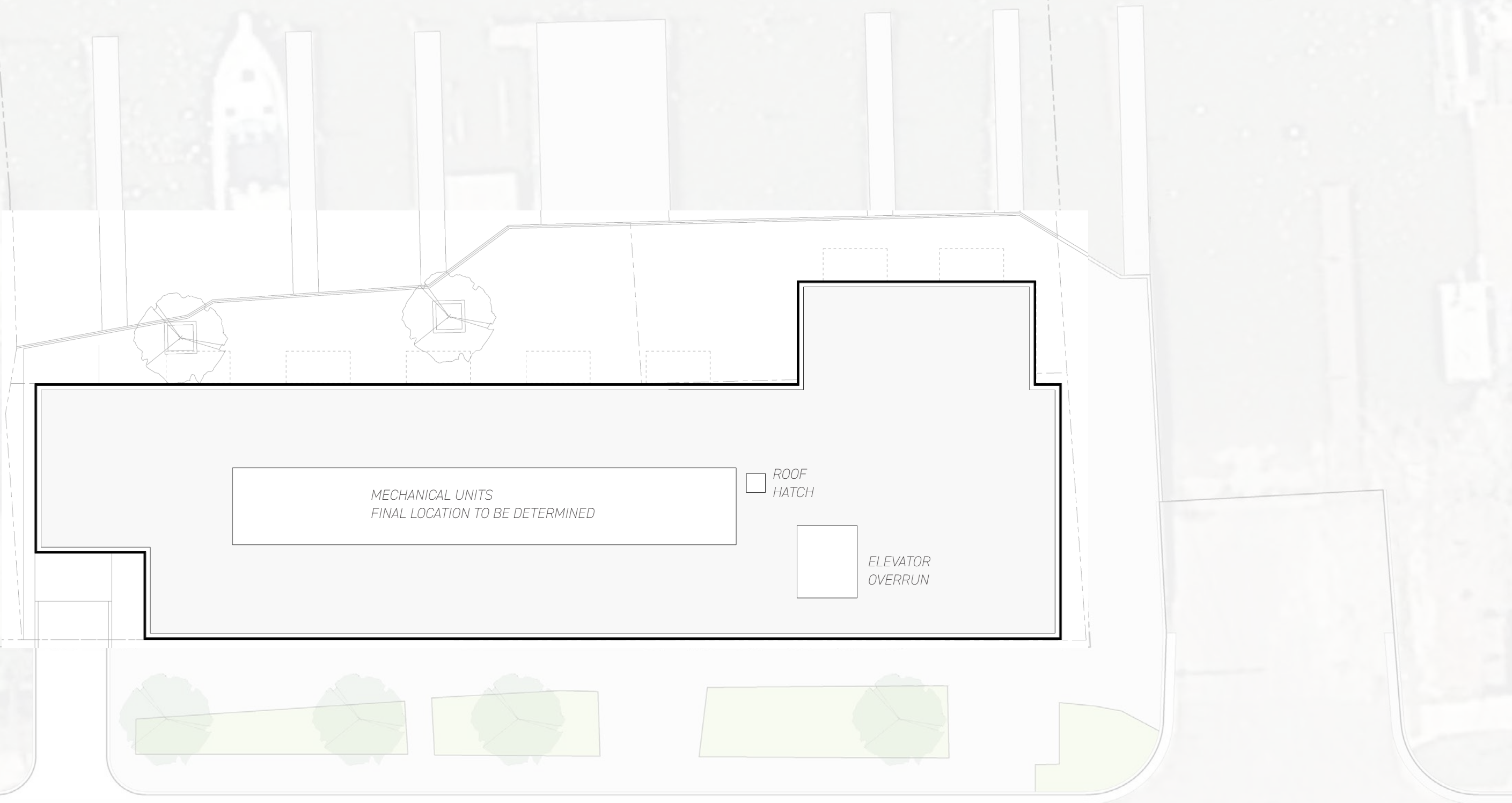
SITE PLAN, FLOOR PLAN | GROUND FLOOR AND SETBACK DIMENSIONS



	STUDIO	1BR	2BR	3BR	TOTAL
FLOOR 1	-	1	-	-	1
FLOOR 2	-	6	*	1	7
FLOOR 3	-	6	*	1	7
TOTAL	-	13	*	2	15

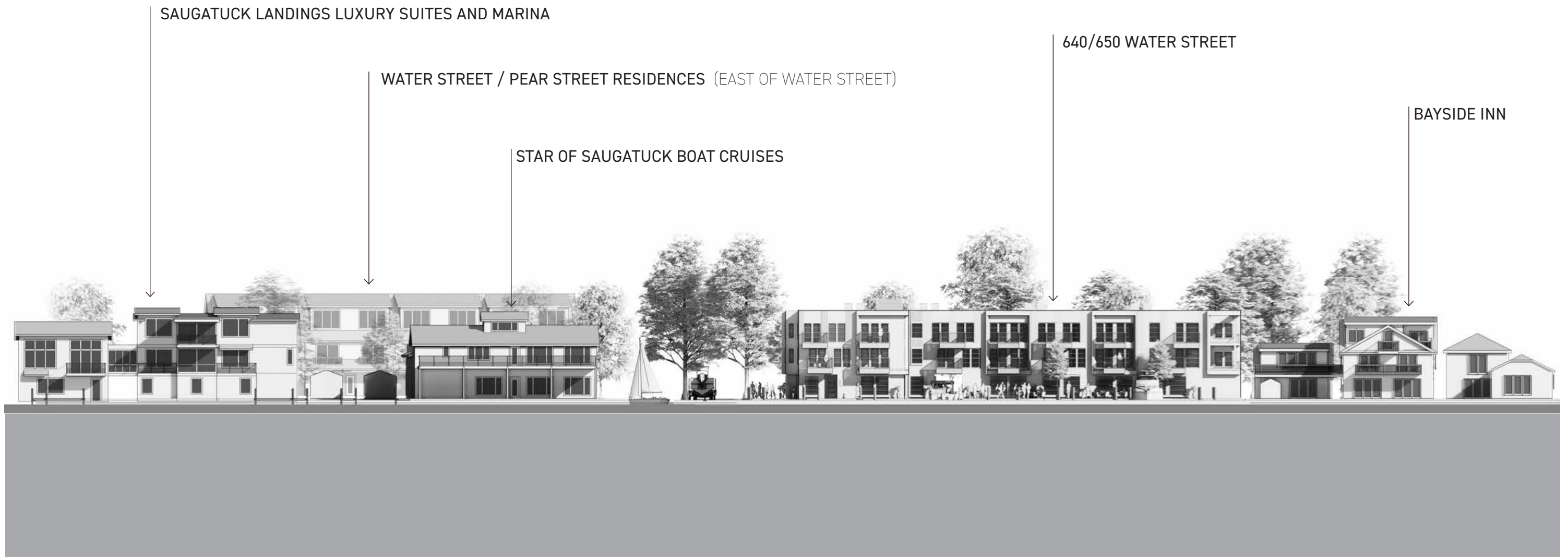
(2 LEVELS) 6,885 GSF EACH = 13,770 SF

FLOOR PLANS | LEVELS 2 AND 3



6,885 GSF

FLOOR PLANS | ROOF



SAUGATUCK LANDINGS LUXURY SUITES AND MARINA

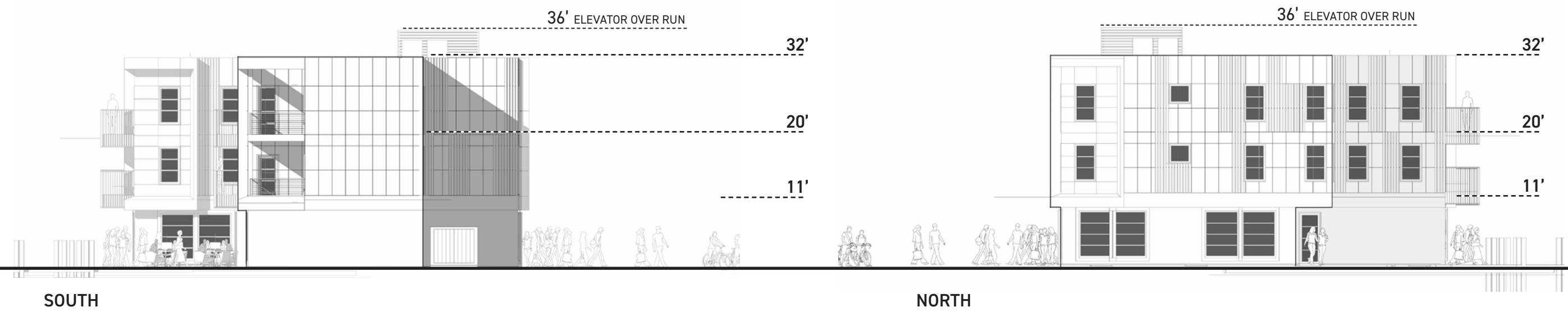
WATER STREET / PEAR STREET RESIDENCES (EAST OF WATER STREET)

STAR OF SAUGATUCK BOAT CRUISES

640/650 WATER STREET

BAYSIDE INN





SOUTH

NORTH



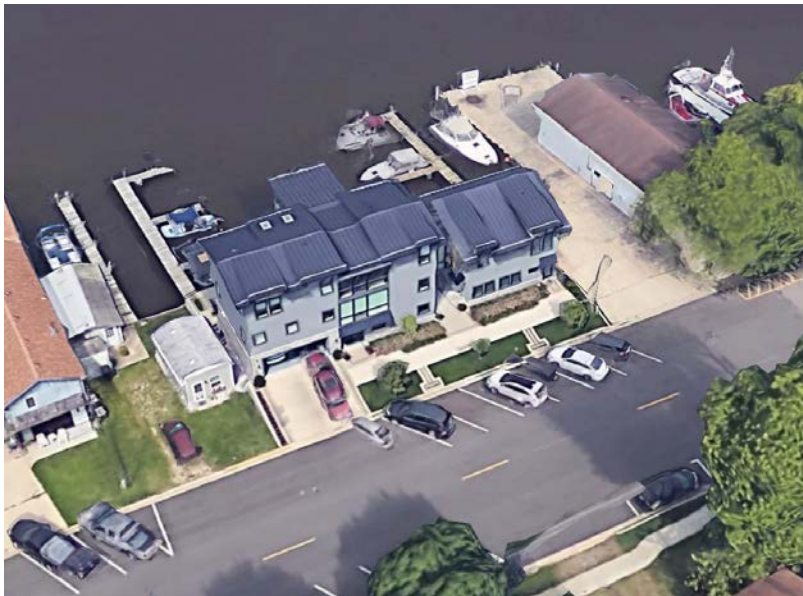












Saugatuck Zoning Board of Appeals
City Hall
102 Butler Street
Saugatuck, MI 49453

Dear Members of the Zoning Board of Appeals,

I am writing to oppose the variances and setbacks requested for the properties at 640 and 650 Water Street based with several concerns.

My first concern is parking in the greater Water and Spear Street area of the City. This summer finding parking downtown has incredibly difficult not just on the "big weekends" but once summer was in full swing, locating a parking spot in town on weekend days and evenings has been challenging to say the least. This year, for the first time in my life in Saugatuck, I have seen arguments and yelling over parking spots. If I am looking at the renditions of what the VERY LARGE new structures would look like, they will include a lot more room to accommodate overnight visitors with no thought to how few parking spots already exist in the area (which gets even more challenging as the Star of Saugatuck prepares to shove off).

My second concern is that the current structures, if they were granted the current setbacks and variances, were given such accommodations for the laundry mat and the small grocery store (that were in the current structures) both of which benefitted a large group of customers from throughout town (a lot of the summer people did not have laundry machines and many of the fulltime residents that rented did not as well). The requests before the Board currently would seem to benefit the building owner but not necessarily a lot of other current taxpayers.

Finally, in looking at the renditions, the variances would create buildings that do not fit the area at all. Diners at the quaint Ida Red's Cottage would look over onto a three story building that resembles an apartment complex more appropriate for a Chicago. If I am looking at the footprint correctly, the proposed structures would usurp a side walk already challenged with a lot of foot traffic, baby strollers and equipment going to and coming from charter boats. We really can't be giving up any more of the public right away without asking people to be walking into traffic (which is already dangerous on a Wednesday night in that area when people are in a hurry to get to Music in the Park). And three stories - really? I remember when locals raised all sorts of concerns about condo-izing the top floor of what used to be Gleason's Party Store (at 650 Water Street) which did even change the outside or footprint of the existing structure. With the limited amount of space at those two addresses, three story structures would overwhelm and dwarf other structures in the area including historic homes of Butler Street block over.

Board members, I am not against progress and certainly do not oppose people trying to monetize a real estate investment. However, we have zoning regulations for a reason, and given some of the issues we have regarding the city's limited number of parking spots and the balance of historic charm with new construction, I ask that you reject the request for special treatment on 640 and 650 Water Street properties.

Sincerely,

Bob Genetski, 717 Water St. U-2, Saugatuck

Jamie Wolters

From: Cindy Osman
Sent: Monday, August 1, 2022 4:28 PM
To: Jamie Wolters; David Jirousek
Subject: FW: 640 and 650 Water St variance.

First letter in opposition.

-----Original Message-----

From: Daniel Printz's <printz879@aol.com>
Sent: Monday, August 1, 2022 3:31 PM
To: Cindy Osman <Cindy@saugatuckcity.com>
Subject: 640 and 650 Water St variance.

Oppose the variance of the setback. The 25 feet should be used.

Due to the flooding in that area I do not think an apartment just above river level is warranted. Also I have some concerns about safety since that new large facility is next to the boat access easement. Also assume a large structure will block the view or the river from the townhouse across the street.

Judith Printz
717 Water St.
Unit 1

Sent from my iPhone

August 10, 2022

Mr. Ryan Heise
Saugatuck City Manager
102 Butler St PO Box 86
Saugatuck, Michigan 49453

Re: Variance Application V220007 for 640 & 650 Water Street

Dear Mr. Heise,

I am writing this letter on behalf of my client, Kathy Wilson, regarding Variance Application V220007 for 640 & 650 Water Street (the "Property"). Kathy owns 608 & 618 Water Street, which are adjacent to the subject property to the South. Applicant is seeking approval for a dimensional (non-use) variance for the required waterfront setback and a use variance for a residential unit on the first floor of a proposed new mixed-use development. We ask that both the dimensional variance and use variance be denied as the standards required under the Zoning Code (the "Code") have not been met.

The Property is located in the C-1 Water Street North ("WSN") District and is also subject to Section 154.022(F)(4) *Waterfront Lots*, which requires all structures on a waterfront lot to have a setback of 25 feet from the waterfront. The Property is approximately 65 feet deep at the North end and constricts to approximately 46 feet deep at the south end, which results in a buildable area of approximately 40 feet deep at the North end and 21 feet deep at the south end of the Property, assuming the building utilizes the entire width of the Property.

REQUESTED DIMENSIONAL (NON-USE) VARIANCE

Section 154.155(B) of the Code provides that, in order to obtain a dimensional (non-use) variance, an applicant must show that ALL of following standards are met:

- 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.**

Applicant states that the "irregular shoreline creates a narrow and unusually shaped buildable area not conducive to the program requirements of a mixed use commercial and residential building."

Regarding the proposed variance for the on the North end of the Property, the 40 foot depth available at the North end of the Property is sufficient to allow Applicant to utilize the Property for a permitted use under the Code. As such, Applicant is not prevented, let alone unreasonable prevented, from utilizing the Property for a permitted purpose. Further, as noted in the staff report, the 40 foot depth available at the North end of the Property is not “unreasonably burdensome”.

As to the proposed variance for the setback on the South end of the Property, Applicant provides no reasoning as to why the 21 foot depth available while conforming to the 25 foot setback is “unreasonably burdensome”. Furthermore, the 21 foot depth available at the South end of the Property only comes into play because the proposed building spans the entire width of the Property. If the available 21 foot depth is burdensome, Applicant could construct a smaller building which does not extend as far to the South line of the Property. The inability to utilize the *entire* Property is not “unreasonably burdensome” and does not meet the standard.

Additionally, Applicant is seeking to develop the Property as mixed use. This standard requires that compliance unreasonably prevents Applicant from using the Property for *a* (singular) permitted use. Here, Applicant is seeking to utilize the Property for multiple uses, some permitted and some special uses under the Code. Again, Applicant could reasonably utilize the Property for a single, permitted use by constructing a smaller building.

Further, granting the variance would undermine the existing 25 foot waterfront setback. The waterfront setback was drafted and added to the Code to bring nonconforming properties into conformance upon redevelopment. Opportunities to bring nonconforming properties into conformance are extremely few and far between. The buildings on the Property are over fifty years old and it will likely be at least that long before there is another opportunity to bring the Property into conformance. To approve the requested variance, especially considering that Applicant is able to utilize the Property for a permitted use without the variance, would render the waterfront setback requirement pointless and undermine the purpose for which it was added to the Code in the first place.

Applicant is not prevented, let alone unreasonably, from utilizing the Property for a permitted use. A 40 foot deep building could be constructed over the majority Property’s width while still observing the 25 foot waterfront setback, and a 40 foot depth does not constitute an unreasonable burden. As such, Applicant does not meet this standard and the requested dimensional variance should not be granted.

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.

Applicant states “a variance to the 25’ waterfront setback allowing a structure with similar waterfront setbacks to the existing structures provides a viable commercial lease depth and retains pedestrian access to the waterfront through the site. The non-conforming front yard setback condition of the existing structures will now conform to the ordinance with the proposed structure, effectively increasing the depth of the public streetscape along Water Street.”

As noted in the staff report, the setbacks of the existing buildings are irrelevant to the proposed building. The nonconforming setbacks of the buildings to the North and South of the Property are also irrelevant as they would be subject to the same 25 foot waterfront setback in the event they were redeveloped. Granting a variance for the waterfront setback would not do justice to the other property owners in the WSN District unless similar variances are intended to be granted upon redevelopment of other properties in the WSN District.

Furthermore, as stated above, Applicant could construct a smaller building which would conform with the waterfront setback requirement. Neighboring property owners do not have an inherent right to utilize their *entire* properties. They have a right to utilize their property for a permitted use under the Code. In this case, Applicant is able to utilize the Property for a permitted use under the Code by constructing a smaller building. Therefore, there is no injustice to address. As such, Applicant does not meet this standard and the requested dimensional variance should not be granted.

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

Applicant states that “the plight of the owner is caused by the irregular line of the existing waterfront.”

While Applicant did not create the “irregular” lot line, as noted in the staff report, the lot line is not the cause of the Applicant’s plight. The plight is the result of Applicant’s desire to construct a building spanning the entire width of the Property and utilize the Property as mixed use. Again, Applicant’s plight could be remedied by constructing a smaller building that does not extend all the way to the South line of the Property.

As the Applicant’s plight is not created by the characteristics of the Property, but rather by Applicant’s desire to construct a building spanning the entire width of the Property, this standard is not met and the requested variance should not be granted.

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

Applicant states that “the problem is created by the irregular existing waterfront.”

As stated above, the problem is a result of Applicant’s desire to utilize the Property as mixed use and construct a building spanning the entire width of the Property, and not by the “irregular existing waterfront”.

The staff report notes that Applicant did not offer a financial argument. While this may be accurate on its face, the financial component seems to be the driving force behind Applicant’s request. As stated numerous times, Applicant could utilize the Property for a permitted use under the Code while observing all setback requirements by constructing a smaller building which does not extend all the way to the South line of the Property. Applicant is seeking to construct a larger building not because it is the only way possible to utilize the Property for a permitted use, but because it is more economically efficient. In fact, in response to the second standard, Applicant

stated that the proposed variance to the waterfront setback would provide “a viable commercial lease depth”, which indicates that the requested variance is indeed financially motivated.

As the underlying reason for the requested variance to the waterfront setback is financial in nature and the “problem” is self-created due to the ability to utilize the Property for a permitted use by constructing a smaller building, Applicant does not meet this standard and the requested dimensional variance should not be granted.

REQUESTED USE VARIANCE

Section 154.155(C) of the Code provides that, in order to obtain a use variance, an applicant must demonstrate and unnecessary hardship by showing that ALL of following standards are met:

1. That the property in question cannot be used for any of the uses permitted in the district in which it is located.

Applicant states that “the proposed development will include permitted commercial and residential uses.”

Applicant’s response fails to demonstrate that the Property cannot be used for any of the permitted uses in the WSN District. As stated in the staff report, Applicant’s response actually does the opposite and acknowledges that the Property can be utilized for uses already permitted in the WSN District.

As Applicant has clearly failed to show that the Property cannot be used for any of the uses permitted in the WSN District, Applicant does not meet this standard and the requested use variance should not be granted.

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

Applicant states that “the request for (1) ground floor residential unit provides additional area for permitted uses by lessening area limitations created by the irregular waterfront site. This would remove additional area otherwise required by an elevator for vertical circulation, now made available for level 2 and 3 residential uses.”

Applicant’s response again fails to address the required standard. Applicant does not provide any reasoning as to why the unique circumstances of the property require use variance to allow for a first-floor apartment. In fact, Applicant’s response to the first question to the previous standard undermines the assumption that Applicant has a valid plight at all, as they have not demonstrated an inability to utilize the Property for a permitted purpose. As such, Applicant does not meet this standard and the requested use variance should not be granted.

3. That by granting the variance, the essential character of the neighborhood would not be altered.

Applicant states that “the area for permitted uses would be increased without altering the program for the proposed development. Other structures in the neighborhood include ground floor residential uses.”

Again, the first part of Applicant’s response fails to address the required standard as increasing the area for permitted uses is not relevant to whether the essential character of the neighborhood would be altered. The second part of Applicant’s response fails to consider whether the first-floor residential uses elsewhere in the WSN District are nonconforming and will be lost when those properties are redeveloped.

The staff report notes that 600 square feet is a small enough that it will not likely change the character of the neighborhood. However, the burden of establishing that the standard is met is on the Applicant. Here, Applicant has not provided relevant facts to establish that this standard is met. As such, the requested use variance should not be granted.

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

Applicant states that “the problem is created by the area limitations inherent to the existing site.”

Applicant has not stated a valid problem. As stated above, Applicant’s response to previous standards acknowledges that the Property can be utilized for uses permitted in the WSN District. As no underlying problem has been identified by Applicant, this standard has not been met and the requested use variance should not be granted.

CONCLUSION

In conclusion, both the dimensional variance and use variance should be denied as the standards required under the Code have not been met. Applicant has attempted to frame requested variances as necessary due to the dimensions of the Property. However, Applicant could utilize the Property for a permitted use by simply constructing a smaller building than what is proposed. Applicant’s reasoning wrongly assumes that a property owner has an inherent right to utilize the *entirety* of their property. Applicant’s inability to utilize the *entirety* of the Property for Applicant’s desired purposes is not relevant to the standards required for a variance to be granted. Furthermore, it appears that the underlying and real reason for Applicant’s variance request is to be able to increase the economic efficiency of the Property, which is specifically held out as not being a valid reason for granting dimensional and use variances. As such both the requested dimensional variance and the requested use variance should be denied.

Sincerely,



Steven M. Krommendyk

Jamie Wolters

From: felicia fairchild <fvfairchild@comcast.net>
Sent: Thursday, August 11, 2022 4:46 PM
To: Ryan Heise
Cc: Jamie Wolters
Subject: Variance Application V220007 for 640 & 650 Water Street

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council:

I am writing to oppose the Variance Application V220007 for 640 & 650 Water Street.

As a long time resident and founding Director of the Saugatuck-Douglas Convention and Visitors bureau, I was involved with the members of the City Council during the development of the area's Master Plan. Prime planning emphasis was placed on protecting the character of this community and insuring that we absolutely maintained unobstructed views of the water. Strict conditions were outlined to maintain the integrity of the image, history and architectural feel of our our community. That included restrictions on appropriate architectural design, compatibility and harmony with existing structures and strict height restrictions throughout the community... especially along the waterfront. This proposed structure violates all of the above.

For thirty years we worked tirelessly, at our "own expense", to build one of the top tourist destinations in the Mid West. Unfortunately, fame attracts commercial opportunists. Their primary objective routinely seems to be to piggy back on the success of little towns like Saugatuck in order to make a quick buck.... at the town's expense.

Our City Council predecessors did an excellent job on the Master Plan. They realized these problems would arise at some point in the future and jeopardize our vision.... more importantly; they realized that opportunists with deep pockets could easily destroy the very reasons that people come here year after year and generation after generation. Our City Council, our Administrators and our Planning officials have the responsibility to safeguard what we have built here and strictly enforce the intended vision of our Master Plan.

Kind Regards,

Felicia Fairchild

10/24/2022

Saugatuck Zoning Board of Appeals

Hello, my name is John Mayer and I live at 233 Lucy Street. My wife Vicki and I strongly support the Mike and Sharon Minster's renovation project. We fully understand the challenges these types of projects have on historic homes, as we have been approved twice in the past.

Their project will help our neighborhood by creating a welcoming, historically appropriate exterior. The porch is a great idea and it's just right for Butler Street with all its foot traffic. One of the greatest amenities in our home is our porch.

We notice that this new floor plan adds a third bedroom and fixes the dropped floor in the front area of the house. That lowered floor was a bad idea when it was created decades ago. It's nice to see that's going to be fixed. And an additional bedroom will also be a great benefit. It also means their grandkids can visit.

The Minster's home at 525 Butler is on a small lot and presents difficult challenges, which they are addressing quite well. We are fortunate that our larger lot on Lucy Street has made our challenges easier to accommodate. We think they care a lot about what happens to this property because it is their home, not a rental property, and they intend to be here for many years to come. They've already lived here about 15 years and that says a lot. It also says a lot that they are going to keep their backyard open. Way to go!

We hope this letter is helpful. We want what's best for our neighborhood and the Historic District in general. And we know that Mike and Sharon want the same thing. Please approve their application so our wonderful neighborhood will be even more wonderful.

Thank you!

John and Vicki Mayer
233 Lucy St.
847-815-3923

A handwritten signature in black ink that reads "John B. Mayer" with a long horizontal flourish extending to the right.

Ryan Cummins

From: asmehler@aol.com
Sent: Monday, October 31, 2022 11:27 AM
To: Ryan Cummins
Subject: Variances for 640 and 650 Water Street

City of Saugatuck Zoning Board of Appeals:

Dear Board Members:

As a resident of the Saugatuck Townhomes, I believe that allowing the proposed variances for 640 and 650 Water Street will unfairly affect my co-residents on the Water Street side and perhaps all of us in the complex. One of the benefits of purchasing a Water Street unit in our complex is having a river view. That view will be compromised by allowing a variance for increased elevation. Additionally, the completed project will also require the need for additional street parking, which is already very challenging between Memorial Day and Labor Day.

I hope that you will take these concerns into consideration and not disadvantage our community with these variance requests.

Thank you for your consideration

Allen Mehler
720 Butler Street #11
Saugatuck, Michigan 49453

Ryan Cummins

From: Chris Cox <chriscox9@me.com>
Sent: Tuesday, November 1, 2022 11:29 AM
To: Ryan Cummins
Subject: 640 & 650 Water Street Zoning Variances for November 10th Meeting

Dear Mr. Cummins,

We are the owners and full-time residents of 717 Water Street unit 4 and we are writing this email to voice our concern regarding the proposed building at 640 & 650 Water Street. We have many concerns regarding this project, but I will focus on the three variance requests that will be discussed at the November 10th zoning meeting:

- 1.) We disagree with the request of increasing the maximum height of the building to 32' (Section 1540.22 D) We understand that 4' variance request may not seem like much, but it will have a major impact on the river view from our home and others nearby. It is also a major variance to the current buildings at 640 & 650 Water Street. It also changes the view for those using the river. Please do not approve this request.
- 2.) We do not have an issue with the request for this variance (Section 154.022 F4) as that is similar to the current buildings at 640 & 650 Water Street.
- 3.) We do not have an issue with the request for this variance (Section 154.040 B) as this request by itself does not impact the views. However, we are concerned about how parking for tenants will be accommodated.

We have vacationed in Saugatuck for 20+ years and bought our townhome in 2009 and moved to Saugatuck full time in 2019. We understand that things change over time, but we must also remember that these ordinances were written for a reason and simply requesting variations because they own the land should not be enough. Does the request help the future of Saugatuck and preserve the river front? We do not think building a tall structure at 640 & 650 Water Street achieves that objective. I appreciate you time reviewing this email and we will be at the November 10th meeting.

Best Regards,

Chris & Marcy Cox
717 Water Street, Unit 4
920-285-9131

October 24, 2022

To whom it may concern:

We live at 333 Lucy Street. It is one of the houses that came from old Singapore. We are very interested in renovation projects in the area and have spent many happy hours with our neighbors, the Minsters, at their small cottage at 525 Butler Street.

In our opinion, we strongly support their project and believe that it will be very good for the Historic District.

The existing house has a very weird floor plan that makes it difficult to properly use the house. The front of the house is lower than the rest of the house and the step down is a real challenge for the floorplan. The proposed renovation will solve this problem and make the house much more livable.

Adding a third bedroom will turn this small cottage into a family home. Allowing friends and family to visit. It's also very important to me that this is a personal home and not a short-term rental.

The porch will be delightful. We often join them when they are sitting in their front yard. But I believe the porch will be more comfortable and inviting and a nice way to compliment their small lot.

Future generations will appreciate and enjoy the thoughtful planning the Minsters are doing today. With all of the renovations taking place in our community, we hope that this project is approved by the Historic District.

Kind regards,



Maureen Hayes and Annette Berard

333 Lucy Street

October 24, 2022

To the Saugatuck ZBA Board,

My husband, Howard, and I strongly support the Minster project for 525 Butler street. We have a unique perspective we hope will be helpful in your deliberations.

We lived on Holland Street across from what is now The Southerner. We met the Minsters at an HDC meeting in the fall of 2006, I think. We were applying for a project and they were just beginning their journey with the HDC and the Zoning Administrator.

Eventually, we became intimately involved in their project, even doing design work and demolition work. We know the property and its history fairly well. The house was a complete disaster due to neglect and several poorly designed and executed room additions to what was a tiny "box" house. The house absolutely reeked of urine and should have been demolished. The HDC agreed at one point to grant a demo permit but reneged later after the Minsters spent a considerable amount on a new design, at the HDC's request, it was never even looked at. Over the next two years the Minsters struggled to get approval. It was awful to watch.

The many problems of this house could have been fixed in 2009 but the HDC would not consider most of the necessary upgrades. The resulting renovation (the house was completely gutted down to the studs) was a work-around but positively first class, expertly designed and done with the best materials available. Today, they are trying to correct the many problems left behind by the previous owners and the HDC's imperious behavior.

The house needs a third bedroom and bath. It needs to have the level of the front room raised up to the level of the rest of the house (what an awkward, horrible floor plan). And the house needs a porch to make it cozy and inviting, just as it should have been when it was built in the 1940's. Who wouldn't want to sit on the porch watching the world walk by? That's why you live on Butler Street.

We trust the Minsters implicitly. They think of themselves as the conservators, not the owners, of 525 Butler and act accordingly. They want to leave behind a valuable legacy for their children and a home that greatly benefits the neighborhood. And they will.

Thank you for your time and consideration.

Judi and Howard Vanderbeck

Handwritten signature in blue ink, reading "Judi" on the top line and "Howard Vanderbeck" on the bottom line.

Ryan Cummins

From: Kevin Burt <kevindburt@gmail.com>
Sent: Tuesday, October 25, 2022 4:55 PM
To: Ryan Cummins
Subject: 525 Butler Street Renovations

To Whom It May Concern:

As close neighbors and closer friends we fully support the renovations Mike and Sharon are planning for their home on Butler. We feel the proposed enhancements will add value to their home, as well as the surrounding homes, while providing the Minsters with additional space to share with friends and family. We spend a lot of time at the Minsters and, as parents of a 15-month-old child, are thrilled with the idea of our son being able to play in their living room without having to worry about him falling off the elevated ledge into the sunken front porch area. We value our relationship with the Minsters and we value the integrity and charm of our neighborhood. As such, please consider the Minsters proposal knowing we fully support the enhancements.

Sincerely,

Kevin, Stephanie & George Burt
233 Francis Street
Saugatuck, MI 49453

Sent from my iPhone

October 26, 2022

To: City of Saugatuck Zoning Board of Appeals

Dear Members,

I write in support of Sharon and Mike Minster's request for two variances for a proposed improvement project on their home at 525 Butler Street.

Mike and Sharon have been good friends to many of us, and we've spent countless hours visiting them in their home over the years.

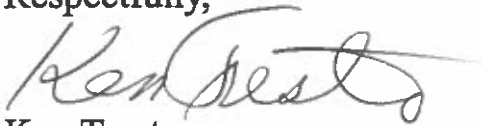
They're asking you to approve a small amount of extra lot coverage and setback relief which will enable them to add a third bath and bedroom and level off their living room area which is now chopped up into two levels, making entertaining guests not only difficult but potentially dangerous if one were to actually stumble and fall from the upper level.

Their proposal to add a front porch would vastly enhance the street-view attractiveness of the home, and make its appearance much more consistent with those of the neighbors.

By expanding the home in this way, the Minster's plan is very careful to utilize their small lot size in the best way possible and still create a family home, not just a cottage.

Thanks for your consideration.

Respectfully,



Ken Trester
Member, Saugatuck City Council
987 Lake Street
Saugatuck, MI 49453
(313) 515-0321

Saugatuck Historic District Commission

Dear Members,

Our names are Greg and Krissy Newman. We own the house at the corner of Butler and Francis. It is next door to 525 Butler, the Minster's home. Greg's family owned a home here for over a generation and we grew up loving Saugatuck.

We hope you approve the Minster's project. It will be a definite plus for our neighborhood and make the house more comparable to neighboring homes. Adding a porch will be so good for the house and for neighbors, too. We like to gather in Mike and Sharon's front yard in the early evening. However, it would be much better to gather on a cozy porch.

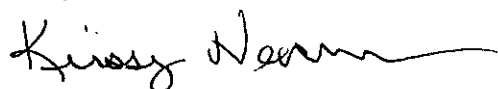
The addition they propose is fairly small and will leave their back yard wide open. That's unique on this block and a big plus for the area. And they will still have a nice front yard which we're certain will be beautiful as they have won several Garden Club awards over the years.

As for the interior, they really need to make the front room level with the rest of the house. Its incredibly difficult to deal with as it sits today. And adding a third bedroom will create a family home. Currently, their home is a small cottage and its difficult to have visitors. This will solve that problem.

The Minsters are approaching "old-timer" status as they have lived on Butler since 2007 and we know they intend to live here for many more years. They have helped to create a real neighborhood by having weekly driveway parties all summer long. They welcome newcomers and introduce them to locals. It really helps people establish roots in Saugatuck and we want to retire here ASAP.

Please approve their project. It's going to make Butler Street even nicer than it already is.

Thank you.

A handwritten signature in black ink, appearing to read "Greg Newman". The signature is fluid and cursive, with a long horizontal stroke at the end.A handwritten signature in black ink, appearing to read "Krissy Newman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Greg and Krissy Newman
547 Butler Street
Saugatuck, MI. 49453
608-358-1795
Hello.newmans@gmail.com