

**Minutes**  
**Saugatuck Zoning Board of Appeals**  
**Saugatuck, Michigan, August 19, 2020, adjourned from August 13, 2020**

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

1. **Call to Order** by Bont 7:00 p.m.

**Attendance:**

Present: Bouck, Bont, Vlasity, Zervas

Absent: Kubasiak, Ludlow

Others Present: Zoning Administrator Osman, City Manager Harrier

2. **Old Business:**

A. **Dimensional Variance for 295 Park Street/V200002:** A public hearing was tabled to this date to hear comments regarding the raising of the existing house at 295 Park Street that encroaches into the rear yard and the side yard at the same location.

A motion was made to remove the application to elevate 295 Park Street V200002 from the table by Bouck, supported by Zervas. Upon roll call the motion carried unanimously.

Vice Chairperson Bont opened the hearing at 7:18 p.m.

Greg Plowe of 295 Park Street introduced himself.

A diagram of the location to make it compliant with the rear and side yard setbacks was submitted. Per the applicant this would place the house only 17.5 feet from busy Park Street property line. Applicant Plowe finds this location too dangerously close to Park Street at the beginning of a hill and on a curve for backing out a car. The applicant is still requesting the variance as described in the original application.

The high water conditions are what puts the building at risk. Photos are attached to the application.

There being no further discussion, Vice Chairperson Bont opened the floor to public comment.

Three letters in support are attached to the application.

The public hearing was closed by Vice Chair Bont at 7:16.

A motion was made by Bouck, 2<sup>nd</sup> by Vlasity, to approve application V200002 to raise the house above the flood plain with the following stipulations; that the applicant obtain the appropriate permits to raise the house up out of the floodplain, that there will be no encroachments into the front yard, no encroachments into the side yard, and the encroachment into the rear yard be reduced by aligning the front of the house with the required front yard setback of 25 feet to make the location more in conformance with the setbacks. This will result in the south side of the house being approximately 21.5 feet from the property line to 18 feet from the property line at each corner, for a variance of 3.5 feet to 7 feet side to side. Finding that the house meets all the standards as follows, and all written materials are attached as part of the findings of fact. Upon roll call the motion carried unanimously.

- (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 to conform to all setbacks, however, it could be made more conforming to the side yard and still meet the front yard setback, a variance for the rear yard would be required.

- (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 as there are other lots that are small, narrow and low. A lesser relaxation would give substantial relief to the owners and other property owners and eliminate the need for a variance on the side yard.
- (3) That the plight of the owner is not due to unique circumstances of the property but to general neighborhood conditions as the entire river frontage is experiencing high water conditions.
- (4) That the problem is not self-created or based on personal financial circumstances. That the house was built some time ago in the flood plain does not make it self-created or based on financial circumstances.

**5. Unfinished Business:** None

**6. Communications:** None

**7. Public Comments:** Plowe asked if the profile on Linked In influenced his decisions. He also asked some questions about widening Park Street.

Carlson commented

**11. Adjournment:** A motion was made by Bouck, 2<sup>nd</sup> by Vlasity, to adjourn the meeting at 7:58 p.m. Upon roll call the motion carried unanimously.

Respectfully Submitted,

Cindy Osman  
Interim City Clerk