

Minutes
Saugatuck Zoning Board of Appeals
Saugatuck, Michigan, June 17, 2021

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**

Chairperson Kubasiak called the meeting to order at 7:03 p.m.

2. **Attendance:**

Present: Bouck, Bont, Kubasiak, Hundreiser

Absent: Zerfas, Ludlow.

Late: Muir joined the meeting at 7:22pm. (excused)

Others Present: Zoning Administrator Osman

3. **Approval of Agenda:**

A motion was made by Bont, 2nd by Kubasiak , to approve the agenda as presented. Upon roll call the motion carried unanimously.

4. **Approval of Minutes:**

A motion was made by Bont, 2nd by Bouck, to approve the December 10, 2020 meeting minutes as presented. Upon roll call the motion carried unanimously.

5. **New Business:** 443 Park Street. Three different issues, bathroom setbacks, four foot fence with gate, and security fence. Zoning Administrator gave an overview of the request. Matt Zimmerman, representing the applicant described the request and made a few points to supplement the information in the application. A bathroom is a customary accessory structure for a marina, permitted by DEQ, now EGLE, and the Army Corp of Engineers. Zimmerman read into the record the definition in the ordinance of Marina. He also read into the record design standards for Marinas and the screening requirements for trash. Needed because there is no area for these structures on land. The bulk of the property is under water. To put those structures on the bottom land would require a permit from EGLE and the Army Corp of Engineers, and they would most likely not approve those permits. There is a lot of traffic including from the chain ferry. There are a lot of other structures between the public road and the water.

The primary use would be in the summer season, one of the letters stated that the area is a very congested during the summer months. And the chain ferry passengers are getting off next to the marina, this burden could be alleviated somewhat by allowing for the screening. He would drop it down to 6 feet for the majority of its length.

It would give substantial justice to the owner and would uphold a written agreement allowing the 8 foot screening. The city directed the applicant to apply for a variance.

The property is unique in that only 4 properties abut the chain ferry. The other three a park and two properties that have a significant set back to the chain ferry.

The problem is not self-created – it has been that way for probably centuries.

The other fence is required because of the narrowness of the lot where people walk along the right-of-way, and would provide some much appreciated height. His client is reaching out for a compromise.

Public hearing opened at 7:35 pm, and attorney Sluggett made some opening comments about the scope of the ZBA's authority and the right of the owner to request a variance and the need to follow the facts and the standards in the ordinance.

Public comments limited to five minutes.

Jane Underwood could not get online but wanted to state there is a safety issue. When the ferry comes in and people get off especially children will run out into the street. Doesn't understand why they need this and it is uncalled for, why so much need for privacy.

Ann Broecker like Jane could not get online so is on her phone. She does not believe the screening section does not apply.

Sue McGee – the west side of the river has a widespread internet outage.

Staff read a couple into the record – Tom and Carol Bruckman.

Tom Bruckman could not connect via internet so was in on his phone. Why is there a screen, and why do they have six slips.

Jim Bouck – significant internet outage on both sides of the river to postpone the meeting until internet is back up – as soon as possible. Bont concurs – public can't get in and some of the members can't get in.

Motion by Bont to continue the meeting with all the letters summarized and attached to record on next Tuesday, June 22 with the public hearing still open, Bouck second, upon roll call the motion carried unanimously.

6. **Communications:** Postponed to June 22nd.
7. **Public Comments:** Postponed to June 22nd.
8. **ZBA Comments:** in person meetings will be decided by City Council.
9. **Adjournment:** A motion was made by Muir, 2nd by Bouck, to adjourn the meeting at 8:1 p.m. Upon roll call the motion carried unanimously.

Respectfully Submitted,

Cindy Osman
Interim City Clerk