

Minutes
Saugatuck Zoning Board of Appeals
Saugatuck, Michigan, July 28, 2021

The Saugatuck Zoning Board of Appeals met in regular session at 7:00 p.m. at Saugatuck City Hall - 102 Butler St., Saugatuck, MI 49453.

1. **Call to Order**

Chairperson Kubasiak called the meeting to order at 7:00 p.m.

2. **Attendance:**

Present: Bouck, Kubasiak, Hundrieser, Zerfas

Absent: Bont, Muir, Ludlow

Others Present: Zoning Administrator Osman, City Manager Heise

3. **Approval of Agenda:**

Motion made by Bouck, 2nd by Zerfas to approve the agenda as presented. Motion carried unanimously by voice vote.

4. **Approval of Minutes:**

A motion was made by Kubasiak, 2nd by Bouck to approve the minutes from the July 14, 2021 minutes. Motion carried unanimously by voice vote.

5. **Public Comments:**

Jane Underwood – Addressed the board about the fence built on a property on park street as dangerous.

Neil LeFort – Agreed with Jane Underwood and addressed the board about meeting on Zoom and not in person.

Ann Broecker - Thanked the ZBA for their work on this issue and wanted to understand how and when the city reached the conclusion about a 6-foot-tall fence built.

Megan Hopkins – Addressed the board of the safety of pedestrians on Park Street near the Chain Ferry entrance/exit. The tall fence limits visibility of cars coming in. The property that the fence is built on does not have a permit and is not an appealing landscape for the city.

Susan Hopkins – Addressed the board about the fence built on 443 Park Street and why it has not been taken down when they don't have a permit and it is a safety hazard.

Ruth Johnson – Addressed the board about the traffic on Park Street and the fence at 443 Park Street is a safety hazard. It is a barrier.

Holly Lindsey – Addressed the board about a photo on her phone pertaining to 443 Park Street.

Matt Zimmerman – on behalf of the applicant – Addressed the board about the uniqueness of the property and the approval of the variance in previous meeting minutes, as well as an agreement signed with the City, approving the approval of the building of the privacy screen.

Neil Lefort – East side traffic is different traffic than the west side of the river and it is a disaster waiting to happen.

Jane Underwood – Addressed Council about how the rules and regulations were followed in the approval and building of the fence.

Matt Zimmerman – The safety issue can be resolved with signage.

6. **New Business:**

Presentation and Legal Review

City Manager Heise introduced new legal counsel to the Board, and described how and why we would enter closed session.

7. **Closed Session:**

Motion by Bouck, 2nd by Zerfas to go into closed session pursuant to MCL 15.268(h) to discuss a confidential written legal opinion from the City's legal counsel regarding the ZBA's legal questions about the pending variance requests. Motion carried unanimously by voice vote.

Motion made by Bouck, 2nd by Hundrieser to come out of closed session at 8:43pm. Motion carried unanimously by voice vote.

8. **Unfinished Business:**

443 Park Street – Various Variance requests

i. Bathroom Setbacks

Motion was made by Bouck, 2nd by Hundrieser to direct legal counsel to prepare a draft written decision of the ZBA's findings and conclusions relative to variances number one and two based on the deliberations to be presented to the ZBA at the next regularly scheduled meeting on August 12, 2021 at 7:00pm. Motion carried unanimously by roll call vote.

ii. Fence Height & Opacity

Motion was made by Bouck, 2nd by Hundrieser to direct legal counsel to prepare a draft written decision of the ZBA's findings and conclusions relative to variance number three based on the deliberations to be presented to the ZBA at the next regularly scheduled meeting on August 12, 2021 at 7:00pm. Motion carried unanimously by roll call vote.

9. **Communications:**

Gary Medler – Photos sent to be added to record.

10. **Public Comments:**

Jane Underwood thanked the ZBA and City Staff. She hopes we can wrap this up and wants to welcome people safely to the West Side of the river.

11. **ZBA Comments:**

12. **Adjournment:** A motion was made by Zerfas, 2nd by Kubasiak for continuation of the Board meeting on August 12 at 7:00 pm. Upon roll call the motion carried unanimously.

Respectfully Submitted,

Padley Gallagher
City Clerk