

The Saugatuck Township Zoning Board of Appeals met on December 2, 2004 at 4:00 P.M  
At the township hall on Blue Star Highway, Saugatuck MI.

Present: Oyler, Wester, Marzuk.

Also Present: Al Elsinga, Zoning Administrator

Chairman Oyler called the meeting to order at 4:00 P.M. One hearing was scheduled:  
A variance request from Jeff Wilcox, 2987 Blue Star Highway, Douglas, Mi. Acting as  
agent for Ben Ebling, 213 Maple St to allow for the division of the property located  
at 213 Maple St (Parcel #0320-010-041-00). The parcel in question is currently  
zoned part R-1 and C-2 and fronts on both Maple St and Blue Star Highway. The  
applicant is requesting a variance from the minimum lot width in the C-2 zone of 200  
feet as required in Section 40-422(2) of the Saugatuck Township Zoning Ordinance and  
may also need a variance for the minimum lot are of 65,000 sq.ft. (Section 40-422(1) depending  
upon the position of the existing dwelling and accessory structure on the parcel.

Motion by Wester to approve the minutes of November 4, 2004, seconded by Marzuk,  
carried..

Chairman Oyler read the public notice.

Elsinga informed the board in 1995 Mr. Ebling came before the ZBA for a variance  
from the minimum lot width requirements and was granted the variance. At that  
time the minimum was 20,000 sq.ft and it is now 65,000 sq. ft. The zoning ordinance  
changed therefore previous variance is not valid. The issue is Mr. Ebling wants to  
split property, making one commercial and one residential.

Jeff Wilcox spoke on behalf of Mr. Ebling. Requesting split at the R -1 and C-2 line,  
making R-1 double the requirement and C-2 only 40,000 sq.ft. He stated there is  
a buyer interested in purchasing if split, however, the buyer has no anticipated use.  
The buyer would have to do a site plan. Also a portion of R-1 could be added to  
C-2 and could be used for such things as parking.

Board discussion regarding hardship, property is zoned commercial but can't be function  
as commercial, thee 1995 variance, and setting a precedent. Oyler stated property shouldn't  
be zoned useless. Marzuk and Wester stated the Mr. Ebling created a hardship as he did  
not split the property in 1995. After a lengthy discussion regarding the issues the board  
addressed the finding of facts

A - No

B - Oyler - No Marzuk and Wester-Yes

3 - Yes

4 - Oyler-Yes Marzuk and Wester-No

5 - Yes

Motion by Wester to deny the variance request, seconded by Wester. Roll Call Vote  
Marzuk-yes, Wester-yes, Oyler-Yes. The Variance request was denied.

Oyler stated he felt this made the property unmarketable and useless.

There will be a planning commission meeting at St Peter's Church for the Wolters project.

Meeting was adjourned at 4:45 P.M.

Tarue Pullen  
Recording Secretary