

SAUGATUCK TOWNSHIP BOARD OF APPEALS

November 9, 2006

The Saugatuck Township Zoning Board of Appeals met on November 9, 2006, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Marczuk, Oyler and VanOss.

Absent: None

Z. A. Ellingsen, Wester, Tom Bowen, Mark Hofmeyer, several members of the general public.

Chairman Oyler called the meeting to order at 4:00 P.M.

One hearing was scheduled: A request from Tom Bowen, 456 East 16th Street, Holland, Michigan 49423 for a variance from Section 40-372 which requires an 85,000 sq. ft. minimum lot size. The applicant owns two parcels at 6473 Blue Star Highway (Parcel #'s 0320-003-011-00 & 0320-003-011-10) neither of which comply with the minimum area in the C-1 zone, but otherwise would be considered "lots of record". One parcel is approximately 5,750 sq.ft. and has a commercial building on it and the other parcel is approximately 83,000 sq.ft. and is vacant. The applicant wishes to perform a boundary line adjustment to increase the size of the smaller parcel to accommodate parking for the commercial building and thus decrease the size of the larger parcel.

Approval of August 3, 2006 ZBA minutes, motioned by Marczuk, VanOss seconded. Unanimously approved.

Z. A. Ellingsen stated that the purpose for the boundary line adjustment is to accommodate more parking and to sell the other part to the RV Park.

Hofmeyer stated that the lot that the building is on utilizes most of the area so there is little parking so they would like to expand the lot line so it is larger for parking. Parcel 0320-003-011-00 is adjacent to the other lot and surrounds the building. Both parcels are non-conforming and are non-build able. Hofmeyer stated what would seem natural is to break it off and sell what is left of parcel 0320-003-011-00 to the RV Park or to the Dune Schooner.

January 04 is when Bowen & Hofmeyer (Tee2Green) purchased the parcel from Tom Zuidema.

Marczuk asked Bowen & Hofmeyer if their intentions are to sell it back to RV Park. Hofmeyer said it seemed like they would be the natural purchaser for the lot.

Clete & Nita Brummel, 6473 Blue Star Hwy, Lot 111, asked if trees and fence would remain and also concerned about the noise pollution.

Hofmeyer stated he had no intentions on removing the fence.

Rich Smit, 6473 Blue Star Hwy, Lot 87, asked if the lot lines would affect the easement.

Chairman Oyler stated it would not change the easement because it runs with the land.

Marczuk stated that with both lots not being the 8500 sq. ft. lot requirement and both being non-conforming, its not doing justice to the zoning laws. He suggested using both lots for parking.

Hofmeyer replied that we have plenty of parking but would like additional parking but want to split it off because on the west side of the lot there are tennis courts, basketball courts, and currently picnic tables that they do not utilize and would just seem natural for the RV park to buy it since they walk their dogs and like the buffer area. Plus it doesn't make sense for people to park that far away to walk to the retail store.

Chairman Oyler closed the hearing for the request for a variance from Section 40-372. Oyler went through the 4 required conditions for Variance, Sec. 40-76.

1. Yes
2. No- Fails to meet this condition.
3. No
4. No

Motion to deny the variance. Motioned by Marczuk to deny the request due to not meeting all 4 conditions under Sec. 40-76. VanOss seconded. Unanimously denied.

Chairman Oyler stated to Hofmeyer the reason it was denied was that the ordinance didn't create this problem, you bought knowing the ordinance was already in place.

Diane Durian, Manager of the RV Park, wants to put on record that Tom Zuidema is not the owner of the RV Park any more; it's an independent condominium project.

Marczuk motion to adjourn at 4:35 p.m., VanOss seconded.

Lori Babinski, Recording Secretary