

## SAUGATUCK TOWNSHIP BOARD OF APPEALS

July 12, 2007

The Saugatuck Zoning Board of Appeals met on July 12, 2007, at the township hall on Blue Star Highway, Saugatuck, MI 49453.

Present: Wester, Oyler and Powers

Absent: None

Also present: Z. A. Ellingsen, Todd VanHuis, acting agent for Jim Cady

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

One hearing was scheduled: A request from Jim Cady, 2742 68<sup>th</sup> St., Fennville, MI 49408(Parcel # 0320-029-004-10) to add a 9' x 20' addition to the rear of the existing non-conforming dwelling.

Chairman Oyler read the notice from the paper.

Z. A. Ellingsen stated that the notice needed corrections. The parcel is located in the C-2 zone. Section 40-424(2), side yard setbacks are 20 feet instead of 15. Section 40-1012, expansion of non-conforming use.

Z. A. Ellingsen stated that the notice requirements stated in section 40-79 and that this notice meets all those requirements.

Z. A. Ellingsen stated that it became commercial in the 80's. The building has been there for at least 35 years.

Chair Oyler stated to the Mr. VanHuis that the expansion has to stay within the existing setback.

Chair Oyler went through the conditions to see whether or not a variance is issued.

- 1) Can the land be reasonably built or used in conformance with the Ordinance?  
Oyler-No, Wester-No, Powers-No.
- 2) Was the hardship self-imposed? Oyler-No, Wester-No, Powers-No.
- 3) Do unique circumstances exist for this parcel? Oyler-Yes, Wester-Yes, Powers-Yes.
- 4) Would a variance alter the character of the neighborhood? Oyler-No, Wester-No, Powers-No.
- 5) Do unique or exceptional extraordinary conditions apply to this property that generally do not apply to other properties in the same zoning district? Oyler-Yes, Wester-Yes, Powers-Yes.

Powers made a motion to approve the variance, Wester seconded. Carried unanimously.

Chair Oyler closed the hearing.

Approval of June 14, 2007 ZBA minutes as amended. Motion by Wester to approve the ZBA minutes as amended, Powers seconded. Unanimously approved.

Meeting adjourned at 4:15 P.M.

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Lori Babinski, Recording Secretary