

SAUGATUCK TOWNSHIP BOARD OF APPEALS

April 24, 2008

The Saugatuck Zoning Board of Appeals met on April 24, 2008, at the township hall on Blue Star Highway, Saugatuck, MI 49453.

Present: Shawn Powers, Tedd Oyler, Bill Rowe

Absent: None

Also present: Z.A.Ellingsen, Jason Kalajainen, Jack Murchie

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

One hearing was scheduled: A request from Ox-Bow to expand the existing facility located at 3435 Ruprecht Way. The applicant wishes to gain approval for the construction of a 2050 square foot Paper Studio located in the R-4 zone.

Chairman Oyler read the notice from the paper.

Z.A. Ellingsen stated the current use is non-conforming because Section 40-341 requires any use in the R-4 zone to be adjudicated as a PUD process which could be a long process. The applicant has requested that the enlargement be adjudicated as an expansion of a non-conforming use as stated in Section 40-1012(b). The square footage cannot be allowed to expand more than 50% and the Paper Studio is no where near that.

Mr. Murchie stated that the square footage was 4000 sq. ft. The paper studio is a 2 story building with the loft and gallery on the upper level. The lower level would be the print making. The expansion would not increase the capacity it would expand more programs and serve the students better.

Z. A. Ellingsen stated that the square footage is based upon the foot print of the building and not the whole building. Mr. Murchie calculated the whole building.

Z. A. Ellingsen stated that when the R-4 was passed and what ever buildings were in place there that's when they started calculating the 50% of expansion of the non-conforming.

Rowe made a motion to approve the expansion contingent upon receipt and acceptance by the Zoning Administrator of calculated baseline as of date of zoning change to R-4 within 30 days of date of hearing. Powers seconded.

Chair Oyler read in Section 40-1012, factors in expanding non-conforming use.

- 1) Whether the extension or enlargement will substantially extend the probable duration of such Nonconforming Use; and

Oyler-No, Powers-No, Rowe-No

- 2) Whether the extension or enlargement will interfere with the use of other properties in the surrounding neighborhood for the Uses for which they have been zoned or with the use of such other properties in compliance with this chapter.

Oyler-No, Powers-No, Rowe-No

Rowe stated that Planner Sisson's opinion that the expansion would not go over 50% and that it should be reviewed under Sec. 40-1012.

Unanimously approved.

A report dated April 18, 08 from Z. A. Ellingsen indicating that all conditions were met from what was set on January 17, 2008 to Mr. Bouwens Special Approval Use.

Z. A. Ellingsen suggested reinstating the SAU permit with conditions.

- 1) Pylons along Blue Star Hwy to be installed if and only if boats are displayed there & "No Parking" signs are to be installed.

- 2) Boats may be parked outside on either side of the building (North or South).

Motion by Powers to reinstate Special Approval Use with the 2 conditions. Rowe seconded.

Unanimously approved.

Approval of the minutes of February 28, 2008, motioned by Rowe, Powers seconded.

Unanimously approved.

Meeting adjourned at ~~3:30~~ 4:30 P.M.

Lori Babinski, Recording Secretary