

SAUGATUCK TOWNSHIP BOARD OF APPEALS

July 31, 2008

The Saugatuck Zoning Board of Appeals met on July 31, 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, Nicolas Wilkins, acting agent for Travis Randolph

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

Approval of the minutes of April 24, 2008, Oyler stated the time was incorrect and should be 4:30 instead of 3:30. Motioned by Powers to amend the minutes, Rowe seconded. Unanimously approved.

One hearing was scheduled: A request from Nicolas Wilkins, acting agent for Travis Randolph, 3442 Riverside Dr. (0320-340-014-00) for a variance for structural alterations and remodeling. The dwelling is non-conforming because it is setback closer than the 75 foot required setback from the Kalamazoo River in the R-2 Riverside Residential Zone. FEMA is requiring that the owners elevate a portion of the dwelling above the Flood Plain elevation which would result in structural alterations.

Chairman Oyler read the notice from the paper.

Z.A. Ellingsen stated that expanding the lower level building, also known as the River room is not attached to the house. The roof acts as the deck. Any remodeling requires that any portion be above flood plain. Also they need to change the roof line. They will not be changing the foot print they just need to elevate it.

Wilkins, acting agent for the Randolph's to renovate their house. He pointed out on the site plans what part of the house will be elevated. He pointed out the 100 yr. flood line. He pointed out the set back lines and essentially a portion of the house was built outside the set back line. He mentioned that the renovation would all be kept inside the set back line. The River room which is 2" below flood level, would be raised to 1" above flood level. This room is not assessable to the house it is basically a boat storage and a concrete deck on top. He mentioned using the existing headers and creating a new roof. He stated the square footage is 2737. Proposed 3253 sq.ft. . Net size 516 sq. ft.

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

Received 2 letters in favor of the remodeling.
Dennis & Linda Maurer, 3446 Riverside Dr.
Frank Voris, 3430 Riverside Dr.

Mr. Wilkins stated that the Randolph's would remove the septic and also remove a section of the house on the south side which over hangs on the other property.

Chair Oyler read the 5 questions on finding facts for approval/denial of variance request:

- 1). No
- 2). No
- 3). Yes
- 4). No
- 5). Yes

Chair Oyler read the 2 questions in Section 40-1012 (b).

- 1) Will extension or enlargement substantially extend the probable duration of such nonconforming use? Oyler-No, Rowe-No, Powers-No.
- 2) Will extension or enlargement interfere with use of other properties in the neighborhood? Not an issue.

Motion by Rowe with conditions:

- 1) That work uniform to plan dated 6/30/08 (Wilkins Design Studio, LLC) submitted to ZBA.
- 2) That existing septic system be removed & owner connect to municipal utilities.
- 3) That existing encroachment on south side be removed.

Powers seconded. Unanimously approved.

Meeting adjourned 4:35 p.m.

Lori Babinski, Recording Secretary