

SAUGATUCK TOWNSHIP ZONING BOARD OF APPEALS

WEDNESDAY, October 8, 2014 4:00 p.m.
Saugatuck Township Hall
3461 Blue Star Hwy, Saugatuck, MI 49453

MINUTES

Chairman Shawn Powers called the meeting to order at 4:00 p.m.

Members present: Shawn Powers, Marcia Tucker & Bill Rowe.

Also present: Applicant, Robert Sievers & Zoning Administrator, Steve Kushion.

Approval of minutes: **Motion by Rowe seconded by Tucker to approve the minutes of January 17, 2014.**
Rowe, Powers approved, Tucker abstained.

Chairman Powers read the notice: A request from Robert Sievers for Blue Star Lodging, Inc., 0320-010-017-20 for a variance from sign standards in the C-1 Zoning District to allow a freestanding sign to be located within the MDOT/Blue Star Highway road right of way, 3353 Blue Star Highway.

Z. Administrator Kushion explained that the brick base in which the proposed sign still exist. The minimum 60 foot road right of way would create a physical practical difficulty for the applicant due to the heavy vegetation on the property line. The sign if located behind the 60 foot road right of way would not be seen on Blue Star Highway until it is too late to turn. If granted the variance the 2 existing signs near the driveway should be removed and if the sign has internal light that it has an opaque panel so only letters and symbols can shine through at night and also to shield it from Blue Star Hwy so the light does not shine into the road.

Sievers described what the sign would look like. He also stated that the brick base still exists from the previous sign that was there. He stated that he would take down the other 2 existing signs.

Rowe stated that the Zoning Board of Appeals has granted variances along the Blue Star corridor because of the practical difficulty that exist caused from the ROW easement.

Chair Powers pointed out that the same variance happened in Jan. 2007 for this same parcel and that the key components that gave them that variance still exists today.

Chairman Powers read through the 5 questions of finding the facts for approval/denial for dimensional variance from section 40-426 of the Saugatuck Township zoning ordinance:

- 1) There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to its intended use, that do not generally apply to other properties or classes of uses in the same zone. Rowe, yes, Powers, yes, Tucker, no.
- 2) The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. The possibility of increased financial return shall not of itself be deemed sufficient to warrant the granting of a variance. Rowe, yes, Powers, yes, Tucker, yes.

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- 3) The variance, if granted, will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this chapter or the public interest. Rowe, yes, Powers, yes, Tucker, yes.
- 4) The condition or situation of the property or its intended use is not of so general or recurrent a nature as to make reasonably practicable a general regulation for such condition or situation. Rowe, yes, Powers, yes, Tucker, yes.
- 5) Any exceptional or extraordinary circumstances applying to the property in question are not self-created. Rowe, yes, Powers, yes, Tucker, yes.

**Motion by Rowe to approve the variance with the conditions that the 2 existing signs near the driveway must be removed before a sign permit is issued and that the sign shall have an opaque panel so only letters and symbols can shine through at night and to have county approval, seconded by Tucker.
Unanimously approved.**

There being no further business meeting adjourned at 4:15 pm

Lori Babinski, Recording Secretary