



Zoning Board of Appeals

Regular Meeting

September 10, 2026 - 6:30PM

Saugatuck City Hall - 102 Butler St. Saugatuck, MI 49453

- 1. Call to Order / Roll Call**
- 2. Agenda Changes/Additions/Deletions**
- 3. Approval of Minutes:**
 - A. Minutes of Regular Meeting held on May 14, 2026
- 4. Public Comments on Agenda Items (Limit 3 Minutes)**
- 5. Old Business:** None.
- 6. New Business:**
 - A. 1165/1169 Bridge St. – Dimensional Variance Request (*Pg. 10*)
- 7. Communication:**
- 8. Commission Comments:**
- 9. Public Comments (*Limit 3 Minutes*)**
- 10. Adjourn (*Voice Vote*)**

NOTICE:

This public meeting will be held in-person. The public can join via Zoom video/audio conference technology.

Join online by visiting:

<https://us06web.zoom.us/j/2698572603?omn=83088957018>

Join by phone by dialing:

(312) 626-6799

-or-

(646) 518-9805

Then enter "Meeting ID":

269 857 2603

Please send questions or comments regarding meeting agenda items prior to meeting to:

gmoore@saugatuckcity.com

Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Saugatuck Deputy Clerk at (269)224-9507 or sara@saugatuckcity.com for further information.

Public Hearing Procedure

- A. Hearing is called to order by the Chair
- B. Summary by the Zoning Administrator
- C. Presentation by the Applicant
- D. Public comment regarding the application
 - 1) Participants shall identify themselves by name and address
 - 2) Comments/Questions shall be addressed to the Chair
 - 3) Comments/Questions shall be limited to **three** minutes
 - 1. Supporting comments (audience and letters)
 - 2. Opposing comments (audience and letters)
 - 3. General comments (audience and letters)
 - 4. Repeat comment opportunity (Supporting, Opposing, General)
- E. Public comment portion closed by the Chair
- F. Commission deliberation
- G. Commission action



Zoning Board of Appeals

Meeting Minutes - DRAFT

May 14, 2026, at 6:30 P.M.

Saugatuck City Hall, 102 Butler St, Saugatuck, MI 49453

1. Call to Order

The meeting was called to order at 6:30 by Chair Kubasiak.

2. Roll Call

Members Present: Bouck, Crawford, Holley (arrived at 6:31pm), Raphael, Kubasiak.

Members Absent: None.

Staff Present: Planning & Zoning Director Moore, Deputy Clerk Williams.

Others Present: City Attorney, Trent Cunningham.

3. Approval of Agenda

Motion by Bouck, supported by Raphael, to approve the agenda as presented for May 14, 2026. Via voice vote, motion carried 4-0. Holley was not present for vote.

4. Approval of Minutes

Motion by Crawford, supported by Raphael, to approve the minutes from the March 12, 2026, meeting. Via voice vote, motion carried 5-0.

5. Public Comment

None.

6. New Business

A. 810 Allegan – Dimensional Variance Request

Public Hearing

1. The Public Hearing was called to order by the Chair at 6:35 p.m.

2. Summary by the Zoning Administrator.

Planning & Zoning Director Moore explained that the applicant at 810 Allegan is seeking to expand the existing primary house with two additions: a front porch and a rear sunroom. To do this, they are requesting variances from the minimum front yard setback measured from East Street, a 15-foot variance for the front porch, and

a 6.3-foot variance for the rear sunroom – as well as a variance to exceed the maximum lot coverage requirement by 5.3%.

3. Presentation by the Applicant:

Mark Veins stated that he and his partner at 810 Allegan are seeking limited variances designed to modestly improve and protect their historic home, not to overbuild it. He stressed that their request is different from the prior owner's and should not be judged by that history. The core of their argument is that the lot itself is unusually constrained: it is one of the smallest in the Community Residential R-1 District, it is a corner lot with two front setbacks, and the existing house and prior structures were placed in a way that leaves no area where an addition can be built in full compliance. Because of this, they tried to stay within existing lines proposing the extension of the front porch along an existing façade and enclosing an area that largely matches the current deck footprint – rather than pushing further into setbacks. Veins contrasts their lot with nearby properties that enjoy much larger parcels and homes without needing variances, arguing that those owners can expand by right while they cannot. He also notes that an adjacent city right-of-way provides additional open space that helps offset any small increase in lot coverage. He closes by characterizing the project as a measured, less intrusive way to make normal improvements on a uniquely constrained parcel and asserts that their request satisfies the variance standards, asking the board to approve both the porch and the sunroom.

4. Public comment regarding the application:

- a. Supporting comments (audience and letters): None.
- b. Opposing comments (audience and letters): John Thomas.
- c. General comments (audience and letters): Brian Stephens.
- d. Repeat comment opportunity (Supporting, Opposing, General): None.

5. Public comment portion closed by the Chair at 6:57 p.m.

6. Commission deliberation:

The Commissioners discussed how to evaluate the 810 Allegan request by separating the front porch from the rear sunroom/lot-coverage issues. They clarify that the front porch can be built within the 30% lot coverage limit but needs a 15-foot variance from the East Street front setback (reducing it to a 5-foot setback), while enclosing the rear deck as a sunroom would both encroach into the East Street setback and push lot coverage to 35.3% triggering two variances. They verified how decks and covered/enclosed structures count toward lot coverage and confirm that the existing deck is currently exempt. They note that the garage and upper accessory unit are existing nonconformities that already consume coverage. The board also remarks that some expansion options still exist within the ordinance

(such as building upward within the current footprint or reconfiguring the garage), and that lot coverage rules are intended to preserve open space and neighboring character. They then move into the formal standards review, signaling that the porch will be evaluated as a standalone dimensional variance (with coverage compliant), and the sunroom as a separate request that combines both setback and lot-coverage relief.

FRONT PORCH

ZBA Findings of Fact: *Note: Applicant must show practical difficulty by demonstrating that all four standards are met.*

Standard 1: *That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome.” § 154.155(B)(1).*

The commissioners agree that strict compliance with the 20-foot East Street setback would be unnecessarily burdensome. Bouck noted that blocking a relatively shallow, 254 sq ft porch would prevent a reasonable covered entry and small sitting area the porch would keep total lot coverage under 30% and would only reduce the East Street setback to 5 feet. Commissioners also point out that the existing house is already very close to that lot line, so insisting on the full setback for a modest porch, while the main structure remains nonconforming, does not make practical sense. Bouck, Crawford, Holley, Kubasiak, and Raphael all agreed that the standard was met for the front porch.

Standard 2: *“That a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.” § 154.155(B)(2).*

The commissioners find that the variance would fairly benefit the owners without disadvantaging the neighboring properties. They emphasize that the porch does not add habitable living area, does not push the house closer to Allegan Street, and does not harm neighbor’s light, air, or access. Bouck notes it simply provides a reasonable covered entry and small outdoor sitting area and remains within the 30% lot-coverage cap. They also stress that they are not granting any new relief on the Allegan Street side, which protects other Allegan Street property owners from precedent pressure. On that basis, Bouck, Crawford, Holley, Kubasiak, and Raphael agreed that the standard of substantial justice is satisfied for the porch.

Standard 3: *“That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.” § 154.155(B)(3).*

The commissioners agree the situation arises from the specific conditions of this property, not from general neighborhood patterns. They point to the house's pre-existing nonconforming placement near East Street and the nonconforming lot width/size as the key factors. Because the existing main structure sits so close to the East Street lot line, they view the need of a setback reduction for a modest porch is a direct result of those historic, physical conditions, rather than anything created by the current owners or shared widely by other lots. Bouck, Crawford, Holley, Kubasiak, and Raphael concurred that Standard 3 had been met for the porch.

Standard 4: *"That the problem is not self-created or based on personal financial circumstances." § 154.155(B)(4).*

The commissioners agree the setback problem is rooted in pre-existing conditions, not in choices by the current owners or their finances. They note that the house's age, its historic siting close to East Street, the corner-lot designation, and the nonconforming lot width all pre-date the applicants. They also consider the weather-related deterioration of the front portion of the dwelling as a consequence of those conditions, not something the owners caused. Bouck, Crawford, Holley, Kubasiak, and Raphael concluded that this standard is satisfied for the porch variance.

SUNROOM

ZBA Findings of Fact: *Note: Applicant must show practical difficulty by demonstrating that all four standards are met.*

Standard 1: *That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome." § 154.155(B)(1).*

The commissioners agree that strict compliance with the ordinance would not unreasonably prevent the owners from using the property for a permitted purpose, since the house and accessory dwelling already provide full residential use. Bouck emphasized that the lot is essentially "at build-out" under the 30% coverage rule and that many owners would like more house than their lot allows, but lot-coverage limits are a core intent of the ordinance, not something easily waived. They note there are other theoretical options – such as building upward within the existing footprint or reconfiguring/removing the nonconforming garage and ADU – even if those may be less desirable to the applicants. Because the proposed rear sunroom would push lot coverage well beyond the 30% maximum and there is no clear practical difficulty or hardship tied to continued reasonable use of the property,

Bouck, Crawford, Holley, Kubasiak, and Raphael concluded that the standard has not been met for the sunroom.

Standard 2: *“That a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.” § 154.155(B)(2).*

The commissioners conclude the variance would not be fair relative to other property owners. They note that allowing a rear sunroom that pushes lot coverage to 35.3% would grant these applicants a significant advantage over owners of similarly sized nonconforming lots – who must stay within the 30% cap. They also point out that a “lesser relaxation” already exists in the form of the front-porch-only option, which gives the applicants meaningful relief while keeping lot coverage compliant and better preserving parity with neighbors. On this basis, Bouck, Crawford, Holley, Kubasiak, and Raphael determined that Standard 2 is not satisfied for the sunroom request.

Standard 3: *“That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.” § 154.155(B)(3).*

The commissioners acknowledge that 810 Allegan is somewhat unusual – a small, older corner lot with dual front setbacks and existing nonconformities – but they conclude those factors do not justify the additional enclosed living space and lot-coverage increase being requested. They note that while the lot is smaller than standard, it is not extraordinarily so for the city, and the desire to enlarge indoor space (via a sunroom) is a common situation, not a unique site condition. The key issue – exceeding the 30% lot-coverage limit for more habitable area – is therefore seen as a typical preference rather than a hardship tied to distinctive physical characteristics of the property. As a result, Bouck, Crawford, Holley, Kubasiak, and Raphael find that Standard 3 is not met for the sunroom.

Standard 4: *“That the problem is not self-created or based on personal financial circumstances.” § 154.155(B)(4).*

Commissioners distinguish between the historic, pre-existing conditions that explain the house’s siting and setbacks, which they accepted for the porch, and the new request to enclose additional living space that pushes lot coverage beyond what the ordinance allows. In their view, the need for more indoor area via a rear sunroom is a personal preference and the lot-coverage noncompliance would be a self-created situation, since the property can already be used fully as a residence without it. Because there is no external, property-driven necessity for exceeding

30% coverage, Bouck, Crawford, Holley, Kubasiak, and Raphael find Standard 4 fails for the sunroom request.

Motion by Bouck, second by Holley, to approve the variance request related to Section § 154.026(D), submitted by Marc Viens to construct a 254-square-foot front porch addition with a variance of 15-feet to the western front setback (East Street) to allow a five-foot setback and to deny the variance requests necessary to construct a 464-square-foot rear sunroom addition with a reduced western front setback of 13.7 feet and lot coverage increase to 35.3%. The decision is based upon the board's findings related to Section § 154.155 (B). Upon roll call vote, motion carried 5-0.

7. Communications

John Thomas (Noted in public hearing)

8. ZBA Member Comments

Raphael: He raised a policy-level questions about whether the city should treat corner lots with dual front setbacks differently when calculating what can be built, suggesting there might be a way to adjust how coverage or setback are handles so those owners aren't disproportionately constrained. Bouck and Kubasiak respond that lot coverage is based on the full lot area (lot line to lot line) for everyone, and that the 30% cap plus the larger front setback on corner lots are intentional – to preserve open space, ensure corner visibility for traffic, and maintain neighborhood character. They emphasize that corner lots are common (every block has four), so they are not inherently unique in a zoning sense. The board briefly considers whether this is something to refer to the Planning Commission but ultimately recognize that, in general, people are already able to build adequately sized homes under the current rules, and loosening coverage or setback standards to relieve corner-lot constraints would undercut the core purpose of the ordinance.

Kubasiak: He announced that Dick Bont has sold his home and therefore will be stepping off the ZBA. He noted Dick's long service and said that the City will need to recruit a replacement. Bob also emphasized that board members need earlier notice of upcoming meetings and packets – more than a week in advance – so they can plan around other obligations. He ended by requesting that staff give them as much notice as possible once it's clear a meeting will be held.

9. Public Comments

None.

10. Adjournment

Motion by Crawford, supported by Bouck, to adjourn at 8:14 pm. Via voice vote, Motion carried 5-0.

Submitted by:
Sara Williams
Deputy Clerk
City of Saugatuck



MEMORANDUM

City of Saugatuck Zoning Board of Appeals

Memo Date:	August 31, 2026	Meeting Date:	September 10, 2026
Request:	Variances	Applicant:	Kameron Jordan
Address:	1165 & 1169 Bridge St.	Zoning District:	Community Residential R-1
Parcel:	03-57-016-004-10/20	Recommendation:	Approval
City Staff:	Grayson Moore	Consultant:	David M. Jirousek, AICP

Overview

The applicant proposes two variances for a proposed 175-foot dock project. The first variance is necessary to extend a dock 150 feet past the ordinary high water mark (OHWM), an increase of 50 feet beyond the maximum (Section 154.205 D.1). A second variance is necessary to extend a dock over a wetland area (Section 154.205 G).

Background

The applicant proposes a major waterfront construction project, including a 175-foot boardwalk and dock structure with an associated L-shaped finger pier and mooring piles within the backwaters of the Kalamazoo River. The first 25 feet of the dock is proposed to extend over a wetland between the shore and the OHWM. From there, the dock extends another 150 feet.

The proposed width of the primary dock walking surface and finger pier is five feet. The finger pier extends west from the dock for 12 feet and is 30 feet long in a parallel manner to the main dock. The finger pier does not extend out into the water any further than the main dock and maintains the same five-foot width.

The applicant also requested Planning Commission approval for a “major waterfront construction” project, which is required for any dock that exceeds 45 feet from the OHWM. The application will be reviewed during the rescheduled Planning Commission meeting on September 8, 2026. As such, the variance review will occur after the September Planning Commission meeting, which is typically the less preferable order of review because the Planning Commission should review a compliant site plan or one that has already received

any required variances, if applicable. However, EGLE has indicated that, if the request is approved, construction should occur this fall to avoid impacts to the area's ecosystem patterns. Given this timing consideration, the variance review has been scheduled to proceed following the Planning Commission's review rather than delaying consideration until the next available variance hearing.

Submittal Checklist

The applicant has provided project information, plan renderings, and a copy of their approval from the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The applicant filed an application with the US Army Corps of Engineers (USACE), but the permit is pending.

Zoning Commentary

Section 154.205 (D) of the Zoning Ordinance, Pier or Dock Construction, places a 100-foot maximum on piers or docks, as measured from the OHWM.

- 1. Piers or docks constructed pursuant to this subchapter shall not extend outboard more than 100 feet from the bulkhead, or at a location on the bottom of the ordinary high water, elevation 581.5 International Great Lakes Datum (IGLD). The only exception to the length restriction is as stated in division (D)(9) below for the Neighborhood Marine district (NHM).*

The proposed dock extends approximately 150 feet into the river from the OHWM (elevation of 581.5 feet). As such, it exceeds the requirement by 50 feet, and a variance is required. The proposed length appears necessary given the gentle slope of the lake bottom, as the waterline measured on April 3, 2026, was 90 feet from the OHWM, and the depth at the end of the dock was only 19 inches on the same date.

Additionally, according to Section 154.205 (G), Wetlands, a major construction project shall not occur in wetland lands. The plans indicate a 25-foot wetland system between the upland area and the OHWM, which the proposed dock crosses.

(G) No major construction shall be allowed in wetland areas.

ZBA Authority and Variance Standards

According to Section 154.155 (A), where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this chapter, the Zoning Board of Appeals ("Board") may, in passing on appeals, vary or modify any of the rules or provisions

of the Zoning Ordinance relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings or structures, so that the intent of the ordinance is observed, public safety secured, and substantial justice done. Variances should only be approved in limited cases with unique circumstances and extraordinary conditions.

Section 154.155 (B) provides the standards that must be met for the Board to grant a dimensional (non-use) variance:

1. *That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.*

Comment: Strict compliance with the ordinance would unreasonably prevent the waterfront lot landowner from constructing a dock that meets EGLE requirements. The applicant proposes the specified dock length only to access a water area of 19 inches, as measured on April 3, 2026. The Zoning Ordinance does not anticipate wetlands along river shorelines or the need to cross them to access deeper water.

2. *That a variance would do substantial justice to the owner as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.*

Comment: The variance would do substantial justice to the landowner by allowing the dock to extend to an area that may be reasonable for docking small boats and fishing. It is not proposed to access significantly deep water, and a lesser relaxation would not provide relief. Further, few nearby landowners exist, and the proposed dock is not expected to impact other properties.

3. *That the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions.*

Comment: The shallow nature and gentle underwater slope are unique circumstances that warrant the variance for a longer dock. Further, the ordinance does not anticipate wetlands along a shoreline, and crossing the wetland area is necessary to reach the main body of water.

4. *That the problem is not self-created or based on personal financial circumstances.*

Comment: The problem results from the shallow nature of the water body, gentle underwater slope, and presence of a wetland along the shoreline. The resulting

problems are not self-created or based on personal financial circumstances, but on the physical conditions of the waterfront area.

Recommendation

Pursuant to Section 154.155 (B), if the applicant is not able to meet *all of the standards* noted above, the Board must deny the request. If the Board finds that the practical difficulty is not unique but common to several properties in the area, the finding shall be transmitted by the Board to the Planning Commission, which will determine whether to initiate an amendment to the Zoning Code, per Section 154.156 (C).

Based on our review of the four variance standards, we believe the setbacks are justified. Ultimately, the ZBA must exercise its discretion to assess whether requiring compliance with the Zoning Ordinance is unnecessarily burdensome and a practical difficulty.

Any motion supporting or against the variance request must specifically reference the Board's findings concerning all applicable standards. Possible motions for consideration include the following:

- A. I move to **approve** the variance requests related to Section 154.205 D.1 and Section 154.205 G, submitted by Kameron Jordan to construct a 175-foot dock measuring 150 feet from the ordinary high water mark and also crossing a 25-foot wetland along the shoreline at 1165 & 1169 Bridge Street. The decision is based on the Board's findings related to Section 154.155 (B), which are _____. (**Recommended motion**)
- B. I move to **deny** the variance requests related to Section 154.205 D.1 and Section 154.205 G, submitted by Kameron Jordan to construct a 175-foot dock measuring 150 feet from the ordinary high water mark and also crossing a 25-foot wetland along the shoreline at 1165 & 1169 Bridge Street. The decision is based on the Board's findings related to Section 154.155 (B), which are _____.
- C. I move to **postpone consideration** of the variance requests related to Section 154.205 D.1 and Section 154.205 G, submitted by Kameron Jordan to construct a 175-foot dock measuring 150 feet from the ordinary high water mark and also crossing a 25-foot wetland along the shoreline at 1165 & 1169 Bridge Street for the following reasons:_____.



ALLEGAN COUNTY HEALTH DEPARTMENT

Environmental Health 269-673-5415



System Type:

Label: 1169 BRIDGE ST

Property Information

Address: 1169 BRIDGE ST

City: SAUGATUCK

State: MI

Zip: 49453

Township: City of Saugatuck

County: Allegan County

Tax ID: 57-016-004-20

Parcel accessible to Public Sewer System:

Parcel accessible to Public Water System:

Owner Information

Owner Name: ELHENICK ROBERT S & COOK LYNDAY M

Owner Address: SAME AS PROPERTY

Owner City:

Owner State:

Owner Zip:

Owner Phone:

Owner Email:

PERMIT

Permit Type: Soil Erosion

Permit Status: Issued

Permit Number: 154580

It is the responsibility of the applicant/homeowner to ensure that all components of the proposed and approved earth change(s) be located within the legal boundaries of the property being served unless otherwise approved by the Allegan County Health Department.

Stormwater Operator

Company Name: Robert Elharminy

Company Address:

Company Telephone: [REDACTED]

Company License Number:

Project Information

Start Date: 07/01/2026, 11:58 AM

End Date: 07/15/2026, 11:58 AM

Earth change size (sqft): 200

Earth change size (acres): >1 acre

Earth change within 200ft of storm water catch basin which discharges into body of water: Yes

Earth change within 500ft of body of water: Yes

Project Description: Elevated Boardwalk, Dock, Floating Dock, Pilings.

Soil Erosion Permit Instructions:

Waiver Granted.

Sanitarian Signature:



Issued By: Owain Braddock

Issued Date: 07/08/2026

Expiration Date: 07/08/2027

Permit Conditions

1. The permitted activity shall be completed in accordance with the approved plans and specification, and the attached general and specific conditions.
2. This permit does not waive the necessity for obtaining all other required federal, state, or local permits.
3. Applicant shall notify the permitting agency within one week after completing the permitted activity or one week prior to the permit expiration date, whichever comes first.

In accordance with Rule 1709 promulgated under the authority of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and in addition to the information on the attached plan(s) and special conditions, the following general conditions apply to the earth change authorized by this permit:

Design, construct, and complete the earth change in a manner that limits the exposed area of disturbed land for the shortest period of time.

Remove sediment caused by accelerated soil erosion from runoff water before it leaves the site of the earth change.

Temporary or permanent control measures shall be designed and installed to convey water around, through, or from the earth change at non-erosive velocity.

Install temporary soil erosion and sedimentation control measures before or upon commencement of the earth change activity and maintain the measures on a daily basis. Remove temporary soil erosion and sedimentation control measures after permanent soil erosion measures are in place and the area is stabilized. ("Stabilized" means the establishment of vegetation or the proper placement, grading, or covering of soil to ensure its resistance to soil erosion, sliding, or other earth movement.)

Complete permanent soil erosion control measures for the earth change within five calendar days after final grading or upon completion of the final earth change. If it is not possible to permanently stabilize the earth change, then maintain temporary soil erosion and sedimentation control measures until permanent soil erosion control measures are in place and the area is stabilized.

THIS PERMIT MUST BE POSTED AT THE PROJECT SITE

Fee: \$1,000
Escrow Deposit: \$2000



MAJOR WATERFRONT CONSTRUCTION PERMIT APPLICATION

See Zoning Ordinance for further details.

*Failure to answer all pertinent questions and to supply all of the requested information could delay processing of this application.
Attach additional sheets if necessary.*

PROPERTY ADDRESS 1169 Bridge Street Saugatuck MI 49453-9802

PROPERTY OWNER Robert Elhenicky

EMAIL [REDACTED] PHONE [REDACTED]

ADDRESS / PO BOX [REDACTED]

I hereby authorize that the applicant listed below is authorized to make this application for proposed work as my agent and we agree to conform to all applicable laws and regulations of the City of Saugatuck. I additionally grant City of Saugatuck staff or authorized representatives thereof access to the property to inspect conditions, before, during, and after the proposed work is completed.

SIGNATURE [Signature]

Date 6/30/26

APPLICANT NAME Kameron Jordan

EMAIL [REDACTED]

ADDRESS / PO BOX [REDACTED]

SIGNATURE [Signature]

PHONE [REDACTED]

Proposed waterfront construction, its purpose and intended use:

Construction of a boardwalk and dock to access open water for boat mooring and fishing.

Dates the proposed waterfront construction is intended to commence and be completed:

August 1 through August 15 20206

Location where proposed construction activity will occur:

Parcel B (57-016-004-20) which is street address 1169 Bridge Street Saugatuck MI 49453-9802.

Legal description of upland property at the waterfront construction site:

(Find legal discription for parcel B)

Statement as to why construction will not cause pollution, impair or destroy the water, or any natural resources:

This is the most environmentally sensative way to cross floodplain/wetland to access open water.

Clean non-polluting construction material will be used. No dredging or filling is proposed.

Description of any alternatives to the proposed waterfront construction if any have been considered:

A much longer structure, extending all the way to the Kalamazoo River proper.

Names and addresses of adjacent property owners, and a statement as to whether any objections have been made to the applicant concerning the proposed waterfront construction:

To east Robert Elhenicky 1165 Bridge Street Saugatuck MI 49453-9802

To west Thomas L Harrington 6720 M-89 Fennville MI 49408

Identify whether an application to the other appropriate federal or state agency, as required by law, has been made, and the date the application has been submitted:

Applications were made to EGLE (SOM), and the US Army Corp of Engineers on 3/7/2026.

Statement as to whether the proposed construction has been approved or denied or not acted upon by other state or federal agencies as required by law:

Permit from EGLE (State of Michigan) issued on June 15, 2026.

Permit application with the US Army Corps of Engineers is pending.

Statement as to whether the facility is to be leased, rented or made available to the general public, or is to be used in conjunction with any other commercial facility available for use by the general public:

The structure will be for private use only by the owner and his family. It will not be rented or leased.

CHECKLIST

☐ SURVEY

☒ SITE PLAN (MEETING §154.205 AND OTHER ZONING ORDINANCE REQUIREMENTS)

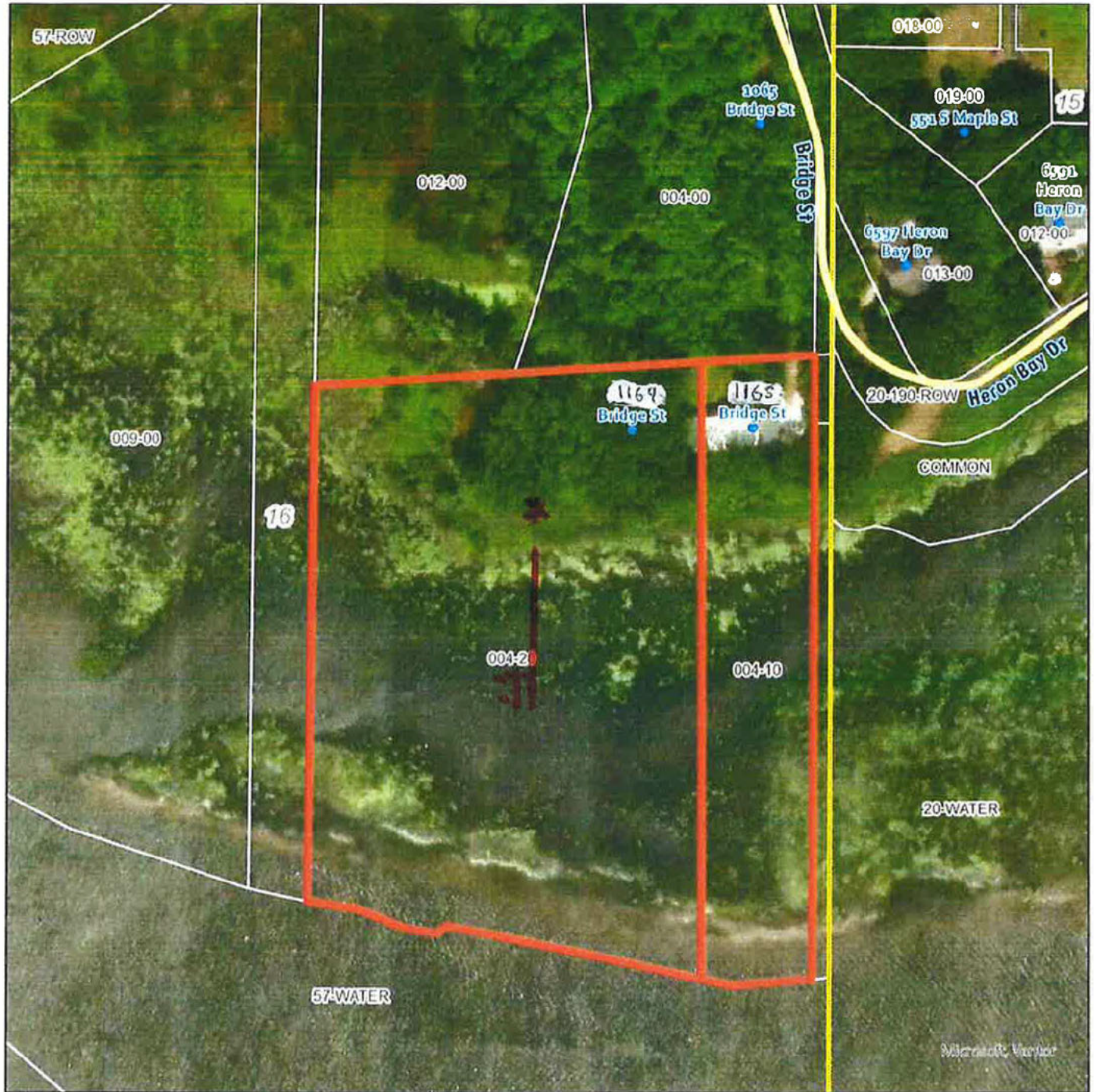
☐ CURRENT SITE IMPROVEMENTS

☒ PROPOSED WATERFRONT CONSTRUCTION AND DIMENSIONS, INCLUDING DISTANCES FROM OTHER IMPROVEMENTS/PROPERTY LINES

☒ LOCATION OF ORDINARY HIGH WATER, FLOOD PLAINS, WATERSHED, WETLANDS, EASEMENTS, CRITICAL DUNES

☒ COPIES OF STATE AND FEDERAL AGENCY REVIEWS/APPROVALS/DENIALS

Parcel Numbers: 57-016-004-20 & 57-016-004-10



0 112.5 225 450 US Feet

Address:

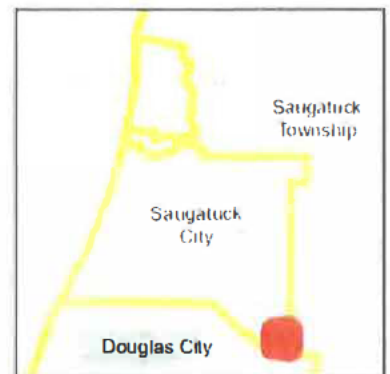
Owner: - Dock/Boardwalk

Acres:



The information contained herein is derived from
reliable sources. It is not intended to be used for
any other purpose. Users are advised to verify the
information before using it for any purpose.

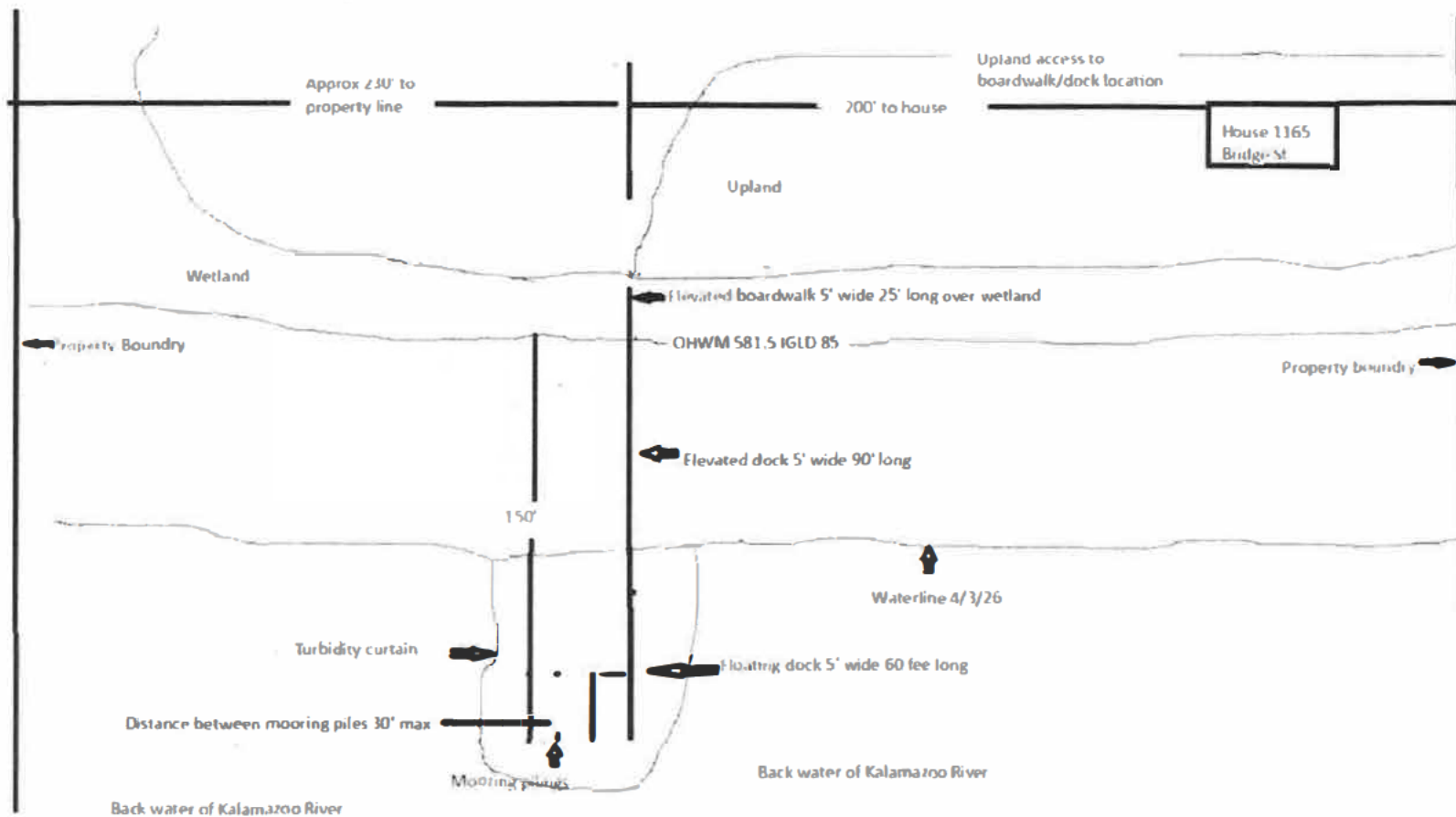
Map Date: 12/17/2020; Parcel Data: 12/17/2020; Map Date: 12/17/2020



1 RI 2021 00877 52
Elhenicky



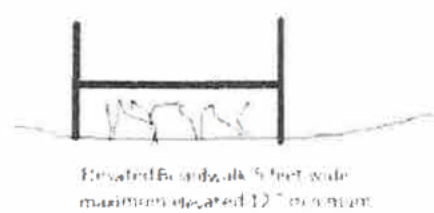
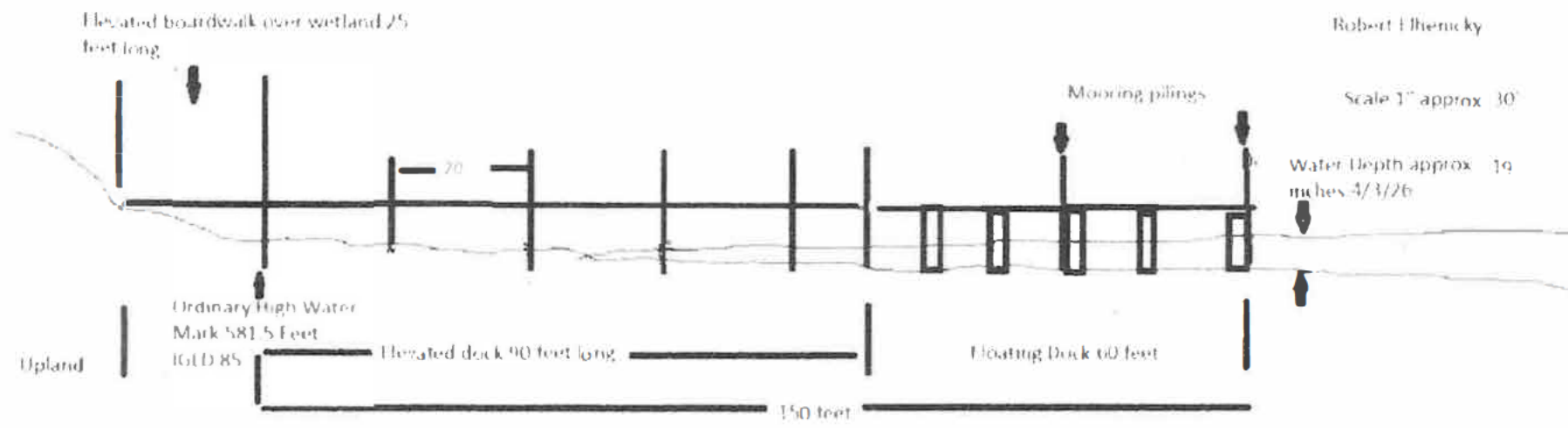
Scale 1" approx 60'



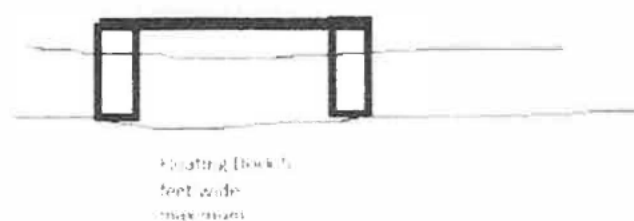
Robert J. Henicky

Scale 1" approx 30'

Water Depth approx 19 inches 4/3/26

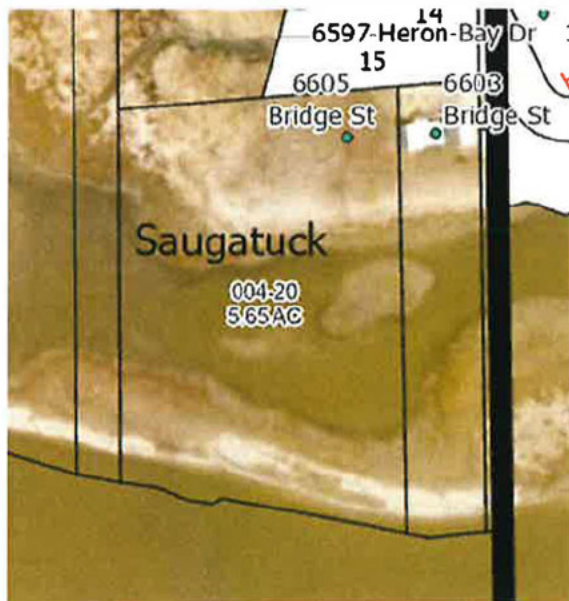


Scale 1" approx 5'



Description for 57-016-004-20:

COM NE COR TH S 982'; TH W 33' TO POB; TH S 165'; TH S 85DEG 30'00" W 343'; TH N 16DEG 30'00" E 176'; TH N 85DEG 30'00" E 297' TO POB EX BEG SE COR LOT 15 PANZER'S ADDITION; TH S 85DEG 30'00" W 120'; TH S PARALLEL WITH E SEC LN TO WATER'S EDGE KALAMAZOO RIVER; TH E'LY ALONG SAID WATER'S EDGE TO A PT 33' W OF E SEC LN; TH N PARALLEL WITH E SEC LN TO POB SEC 16 T3N R16W SURVEY: 0.7 AC / TAX MAP: 5.65 AC (2023)



Christian Parkes, MCAT

Allegan County Equalization

Equalization Technician / Mapper



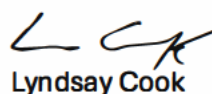
To whom it may concern:

Please note that Robert Elhenicky and Lyndsay Cook, a married couple, who own 1165 and 1169 Bridge Street, Saugatuck Michigan acknowledge and appoint Kameron Jordan as their representative and consultant on all matters pertaining to permitting of a dock and structure. This representation is valid for all matters pertaining to any permit and in front of any local, state or federal body.

Acknowledged January 26, 2026.



Robert Elhenicky



Lyndsay Cook





NOTICE OF AUTHORIZATION

Permit Number: WRP049169 v. 1
Site Name: 03-Harrison on Bridge-Saugatuck

Date Issued: June 15, 2026
Expiration Date: June 15, 2031

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

- ☒ Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
- ☒ Part 301, Inland Lakes and Streams.
- ☒ Part 303, Wetlands Protection.

Authorized activity:

Install a turbidity curtain around the waterward perimeter of the entire project area. Construct 175-linear feet of 5-foot-wide dock and boardwalk within floodplain, wetlands, and the Kalamazoo River, with a 5-foot-wide L-shaped finger pier measuring 12 feet long off the main pier and 30 feet long parallel to the main pier. The structure shall include approximately 40-linear feet of open pile boardwalk through wetlands. Install two mooring pilings approximately 12 feet from the 30-foot-long segment of dock. All work shall be completed in accordance with the attached plans and terms and conditions listed herein.

To be conducted at property located in: Allegan County, Waterbody: Kalamazoo River and adjacent wetland
Section 16, Town 03N, Range 16W, City of Saugatuck

Permittee:
Robert Elhenicky

Frances Whalen
Kalamazoo District Office
Water Resources Division

This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.
Please refer to the above permit number with any questions or concerns.

EGLE
WRP049169 v.1.0
Approved
Issued On: 06/15/2026
Expires: 06/15/2031



**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION
PERMIT**

Issued To:

Robert Elhenicky


Permit No: WRP049169 v.1
Submission No.: HQK-VNHT-B5HM6
Site Name: 03-Harrison on Bridge-Saugatuck
Issued: June 15, 2026
Revised:
Expires: June 15, 2031

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- ☒ **Part 301, Inland Lakes and Streams**
- ☒ **Part 303, Wetlands Protection**
- ☒ **Part 31, Water Resources Protection (Floodplain Regulatory Authority)**

EGLE certifies that the activities authorized under this permit are in compliance with the State Coastal Zone Management Program and certifies without conditions under the Federal Clean Water Act, Section 401 that the discharge from the activities authorized under this permit will comply with Michigan's water quality requirements in Part 31, Water Resources Protection, of the NREPA and associated administrative rules, where applicable.

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Authorized Activity:

Install a turbidity curtain around the waterward perimeter of the entire project area. Construct 175-linear feet of 5-foot-wide dock and boardwalk within floodplain, wetlands, and the Kalamazoo River, with a 5-foot-wide L-shaped finger pier measuring 12 feet long off the main pier and 30 feet long parallel to the main pier. The structure shall include approximately 40-linear feet of open pile boardwalk through wetlands. Install two mooring pilings approximately 12 feet from the 30-foot-long segment of dock. All work shall be completed in accordance with the attached plans and terms and conditions listed herein.

Waterbody Affected: Kalamazoo River and adjacent wetland
Property Location: Allegan County, City of Saugatuck, Town/Range/Section 03N16W16,
Property Tax No. 03-57-016-004-00 & 03-57-016-009-00

EGLE
WRP049169 v.1.0
Approved
Issued 06/15/2026
Expires 06/15/2031

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify EGLE within one week after the completion of the activity authorized by this permit by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the

proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.

- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
 - 1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit <https://www.michigan.gov/egle/about/organization/water-resources/soil-erosion/sesc-overview> and select "Soil Erosion and Sedimentation Control Agencies".
 - 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 - 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 - 4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.

5. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
7. The project is located within a community that participates in the National Flood Insurance Program (NFIP). As a participant in the NFIP, the community must comply with the Michigan Building Code (including Appendix G and listed supporting materials); the Michigan Residential Code; and Title 44 of the Code of Federal Regulations, Part 60, Criteria for Land Management and Use. The community is also responsible to ensure that its floodplain maps and studies are maintained to show changes to flood elevations and flood delineations as described in 44 CFR, Part 65, Identification and Mapping of Special Hazard Areas.
8. The design flood or 1.0% annual chance (100-year) floodplain elevation at this location on Kalamazoo River is 583.5 feet NAVD88.
9. Any other filling, grading, or construction within the 100-year floodplain will require a separate EGLE permit before starting the work.
10. All structures constructed within the floodplain or floodway shall be firmly anchored to prevent flotation or lateral movement.
11. Filling is not authorized by this permit.
- 12. No work or dredging within the water authorized by this permit is allowed from March 15 to June 30 and September 1 to December 15, due to critical spawning, migration, and/or recreational use periods in the Kalamazoo River, unless written approval is requested and obtained by EGLE in coordination with MDNR Fisheries Division**
13. Boardwalk and dock shall be of open construction without fill, maintaining free water movement and circulation.
14. The proposed structure shall not unreasonably interfere with the navigability or boatability of the water involved or interfere with the riparian rights or use of the waters by others.
15. All pilings shall be driven in. Jetting or dredging is not authorized by this permit.
16. Prior to commencing installation of the dock, the entire lakeward perimeter of the project site shall be isolated with a turbidity curtain to prevent movement of suspended sediments. The turbidity curtain shall be installed to extend from the bed of the waterbody to a point above the existing water's surface. The turbidity curtain shall be maintained for the duration of the project and shall be left in place after completion until all disturbed sediments have settled.

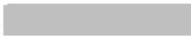
17. This permit authorizes construction of the dock for private, non-commercial use for individuals residing at 1165 Bridge Street, Saugatuck.
18. Additional permanent attachments to permitted structures, including but not limited to cantilevered or other extensions, roofs, sidewalls, handrails, decks, docks, piers, are not authorized by this permit unless specifically stated in the authorized activity, and depicted on the attached plans.
19. The permittee and contractors shall take steps to minimize the risk of spreading terrestrial and aquatic invasive species during this project where feasible, including:
- Visually inspecting footwear (boots, hip-boots, and waders), and removing and properly disposing of any plants or mud.
 - Visually inspecting field equipment (nets, shovels, rakes, etc.) and vehicles, and removing and properly disposing of any plants and mud.
 - Draining all water from vehicles and equipment prior to leaving the site and before entering a new waterbody.
 - Thoroughly drying equipment (5-7 days, if possible) between sites, when possible.
 - Disinfecting vehicles and equipment between sites (e.g. diluted bleach solution, heated pressure washer), when possible. Disinfection shall be conducted away from surface waters, where the disinfecting solution will not enter any storm sewers and/or surface waters.
 - Typical diluted bleach solution treatment is one half cup (4 fluid ounces) bleach to 5 gallons of water, applied by spraying or sponge so that the surface is thoroughly exposed to bleach solution for 10 minutes.
 - Typical heated pressure wash is 140°F water temperature, sprayed for 5-10 seconds.
 - Thoroughly washing vehicles and boats between sites (e.g. drive-through car wash).
 - Using only native plants and seed for restorations and best management practices.

If invasive aquatic or terrestrial plants are removed from a site, the permittee will take steps to minimize the spread of these species. Dispose of invasive plant material by bagging and transporting to a landfill, composting, or burning, as appropriate and in compliance with local and state laws.

A "Watch List" of Michigan's high priority aquatic invasive species along with how to report sightings can be found at <https://www.michigan.gov/invasives/id-report/watchlist>

Issued By:



Frances Whalen
Kalamazoo District Office
Water Resources Division


THIS PERMIT MUST BE SIGNED BY THE PERMITTEE TO BE VALID.

I hereby assure that I have read, am familiar with, and agree to adhere to the terms and conditions of this permit.

Permittee Signature

Date

cc: City of Saugatuck Clerk
Allegan County Drain Commissioner
Allegan County CEA
April Champion, USACE
Kameron Jordan, Agent