



Zoning Board of Appeals

Regular Meeting

May 14, 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 March 12, 2026
- 4. Public Comments on Agenda Items (Limit 3 Minutes)**
- 5. Old Business:** None.
- 6. New Business:**
 - A. 810 Allegan – Dimensional Variance Request
- 7. Communication:**
 - A. John Thomas (letter)
- 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://us02web.zoom.us/j/2698572603>

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 City Clerk at 269-857-2603 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 – Subject to Approval

March 12, 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, Raphael, Kubasiak.

Members Absent: Bont.

Staff Present: Clerk Wolters.

Others Present: David Jirousek and Trent Cunningham.

3. Approval of Agenda

Motion by Bouck, supported by Raphael, to approve the agenda as presented for March 12, 2026. Via voice vote, motion carried 4-0.

4. Approval of Minutes

Motion by Bouck, supported by Crawford, to amend the January 8, 2026, minutes, to include two separate motions for item 6B, noting that Bouck did not motion to nominate himself for Vice Chair. Via voice vote, motion carried 4-0.

5. Public Comment

None.

6. New Business

A. 250 Mason – Dimensional Variance Request

Public Hearing

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

2. Summary by Horizon Planning's David Jirousek.

Consulting Planner Jirousek explained the dimensional variance request for 250 Mason Street. He stated the applicant wants to convert an existing historic church into a bed and breakfast with nine guest rooms plus an owner's unit, in the R-4 City Center Transitional Residential District, where B&Bs are a permitted use. The lot is just at the minimum conforming size and width, and the building footprint takes up a large portion of it. He outlined the parking requirements: a B&B needs one space per three sleeping units, meaning only four spaces are required by ordinance, yet the applicant proposes 11 on-site spaces to avoid relying on on-street parking. To accommodate 11 spaces with code-compliant stall sizes (9' x 20') and a 22-foot drive aisle, the layout encroaches into the required 5' landscape separation strip along the north property line, violating Section 154.134(G)(1), which requires that off-street parking has at least a 5-foot landscaped separation along all property lines and streets. Jirousek noted that if the ordinance were fully met, roughly eight on-site spaces would fit. He explained that alternatives exist - such as fewer on-site spaces with more on-street parking or reducing the number of guest rooms. However, the owner wants to accommodate all guest and owner parking on site. He then reviewed the four variance approval standards in Section 154.155(B) (unnecessarily burdensome, substantial justice to owner and neighbors, unique circumstances vs. general neighborhood conditions, and not self-created/financial) and said the staff report lays out pros and cons for each to assist the board in determining whether positive findings for all four standards can be made.

3. Presentation by the Applicant:

Kendra Scheerhorn, the co-owner of 250 Mason Street, explained that she and her husband (the project's general contractor) are converting a contributing historic church into a bed and breakfast with 9 guest rooms plus an owner's suite in the lower level. The exterior changes and use have already been approved by the Historic District Commission and the City's Zoning Administrator, and they have their building permit. She emphasized that the church has never had on-site parking or a driveway and that the building's size and location on a small, conforming lot leave only the rear yard available for parking. Their plan shows 11 spaces (one per guest room plus two for the on-site owners), all meeting the required stall and drive-aisle dimensions, and they've voluntarily sacrificed a potential 12th space to use that area for HVAC screening instead. The fire department and city engineer have tentatively approved the layout. Because there isn't enough depth to also provide the required 5-foot landscape strip on the north property line, they are requesting a variance there and proposing instead a 6-foot cedar fence on the north line, which Kendra argued would provide better visual screening for the neighbor than a landscaped strip inside the lot. She stressed their long-term investment, intent to live on-site, desire to avoid burdening limited on-

street parking, and commitment to making the project a positive asset for downtown Saugatuck.

4. Public comment regarding the application:

- a. Supporting comments (audience and letters): None.
- b. Opposing comments (audience and letters): Katherine Lake.
- c. General comments (audience and letters): None.
- d. Repeat comment opportunity (Supporting, Opposing, General): None.

5. Public comment portion closed by the Chair at 6:54 p.m.

6. Commission deliberation:

During deliberation on the 250 Mason variance, the board focused heavily on how to reconcile two ordinance sections: §154.134(G)(1) (5-foot landscaped separation for parking lots) and §154.142 (screening/buffering between non-residential or multifamily uses and residential property, which can be met by either a 10-foot landscaped buffer, a berm, or a 5–6 ft solid fence). Jim Bouck argued §154.142 is the more restrictive, “controlling” standard and that the proposed 6-foot fence along the north line should fully satisfy screening without needing the 5-foot landscape strip. David Jirousek and Attorney Trent Cunningham agreed both sections apply but serve different purposes (one for parking separation, one for land-use screening) and that §154.134(G)(1) still requires a variance; §154.142 can be handled administratively or via its own waiver language. The board debated whether to postpone for a formal interpretation but ultimately decided to proceed under §154.134(G)(1) and treat the fence as satisfying §154.142. Members discussed the lot’s constrained size, the historic, existing building footprint, the city’s seasonal parking demand, and whether alternatives (8-space lot, fewer rooms, off-site parking) meant the request was or was not “unnecessarily burdensome” or self-created. Views were mixed on hardship, with Chris Raphael more skeptical and Kubasiak, Bouck, and Crawford emphasizing the uniqueness of adapting a historic church and the public benefit of on-site parking.

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).*

Crawford and Kubasiak agree the standard is met and vote yes, reasoning that under these conditions and given seasonal parking pressures, requiring strict compliance

with the landscape strip would be unnecessarily burdensome. Bouck, Crawford, and Kubasiak agree that the standard has been met. Raphael concluded that the standard had not been satisfied.

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).*

Bouck says the variance meets the standard because it allows the owner to reasonably accommodate all guests with on-site, off-street parking, which he sees as substantial justice to both the owner and the public. He notes that a lesser relaxation wouldn't really accomplish anything in this case and adds that his support assumes stormwater runoff will be properly managed by the zoning administrator. Bouck, Kubasiak, and Raphael agree that the standard has been satisfied. Crawford disagreed and said that the standard had not been met.

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).*

Raphael expressed concern that reasonable alternatives may exist, including reducing the number of rooms, decreasing on-site parking, or utilizing nearby off-site parking, and questioned whether the applicant's circumstances were unique to the property. Upon deliberation, and at the time of voting, Raphael supported Standard 3, finding that the combination of the lot configuration, existing historic structure, and dimensional constraints constituted a unique circumstance applicable to the property. Bouck, Crawford, Kubasiak, and Raphael concurred that Standard 3 had been met.

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

Kubasiak reads and adopts staff's reasoning that, although a smaller parking lot or fewer guest rooms are theoretically possible, the need to provide on-site, off-street parking in a town with heavy seasonal demand is not a self-created hardship. He also notes that constructing a larger, 11-space lot with fencing is not clearly more financially advantageous than a smaller, compliant lot. Bouck, Crawford, and Kubasiak agreed that the standard had been met. Raphael disagreed that the standard had been met.

Motion by Bouck, second by Raphael, based upon findings for each of the four standards as described in the meeting minutes, to approve the variance requests

related to section 154.134(G1) submitted by Kendra Scheerhorn to construct an 11-space parking lot at 250 Mason Street in the rear yard, without a five-foot northern landscape separation strip based on the boards findings related to 154.155(B).
Upon roll call vote, motion carried 4-0.

7. Communications

None.

8. ZBA Member Comments

Bouck: He expressed appreciation for the thorough discussion and differing viewpoints among board members, emphasizing the importance of clearly stating opinions and the basis for them. He also thanks the consultant and city attorney for their input, the applicant for staying through the lengthy discussion, and Jamie for the work put into supporting the meeting.

9. Public Comments

None.

10. Adjournment

Motion by Crawford, supported by Bouck, to adjourn at 8:24 pm. Via voice vote, Motion carried 4-0.

Submitted by:
Sara Williams
Deputy Clerk
City of Saugatuck



MEMORANDUM

City of Saugatuck Zoning Board of Appeals

Memo Date:	May 8, 2026	Meeting Date:	May 14, 2026
Request:	Dimensional Variances	Applicant:	Marc Viens
Address:	810 Allegan	Zoning District:	R-1 CR
Parcel:	03-57-350-023-00	Recommendation:	See report
City Staff:	Grayson Moore	Consultant:	David M. Jirousek, AICP

Overview

The applicant requests variances to expand the existing principal dwelling at 810 Allegan Street. The variance requests relate to Section 154.026(D), Dimension and Area Regulations for the R-1 Community Residential District (CR), specifically, the minimum front setback measured from the East Street right-of-way and the maximum lot coverage requirement.

Requirement	Existing	Required	Requested	Variance
Maximum Lot Coverage	26.6%	30%	35.3%	5.3%
Minimum Front Setback for Principal Building (Secondary Front Setback on Corner Lot- East Street)	0 feet	20 feet	5 feet for front covered porch	15 feet
			13.7 feet for rear sunroom addition	6.3 feet

Background

The corner lot is 57.50 feet wide along Allegan Street and 142 feet wide along East Street, with a total lot area of 8,165 square feet. The lot is nonconforming because the width along Allegan Street is 12.9% below the minimum requirement (66 feet), and the existing lot area is 6.3% below the district minimum (8,712 square feet). The lot is not irregular in shape, and the degree of its nonconforming nature is not extreme.

A principal single-family detached dwelling and a detached garage with a second-floor accessory dwelling unit exist on the lot. The placement of the principal dwelling falls within the East Street front setback and encroaches into the City's right-of-way. The accessory

building also falls within the East Street front setback and is seven feet from the right-of-way.

The ZBA previously approved a variance in 2018 to allow an addition at the northwest corner of the home, within the front setback, to extend the building along the same nonconforming plane. It is assumed that a setback variance was also secured for the accessory building front setback of seven feet. In 2024, the ZBA denied front setback reductions for additions to the principal dwelling and the accessory building, as well as an associated increase in lot coverage beyond the maximum.

Submittal Checklist

The applicant has responded to the variance standards, project information, survey information, and concept renderings for the front and rear additions.

Zoning Commentary

Concerning the lot coverage request, the applicant proposes an additional 718 square feet of building area (254 square feet for the proposed front porch and 464 square feet for the proposed sunroom). Considering the existing lot area (8,165 square feet) and buildings (2,168 square feet), the applicant currently has approximately 281.5 square feet available before the 30% lot coverage maximum is exceeded. The request of 718 square feet is 436.5 square feet beyond what the zoning district requires based on the land area (35.3% lot coverage).

Concerning the corner lot designation, a corner lot has a smaller allowable building envelope than a similarly sized interior lot, as front setbacks are applied from both abutting rights-of-way. The nonconforming lot width, coupled with two (2) front setbacks, certainly affects its development potential.

While the setback variances are less concerning, the full project cannot move forward without a lot coverage variance. Lot coverage variances are very difficult to justify based on the standards noted on the following pages. Typically, when lot coverage is maximized, it means the lot is “built-out” from a zoning perspective. It should also be noted that a lot coverage variance would not be necessary if the project were limited to the front porch addition.

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 in order 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 not unreasonably prevent the owner from using the property for a permitted purpose. The property already includes a dwelling and detached garage with a second-floor accessory dwelling unit (ADU). However, the lot is approaching build-out, given the maximum lot coverage required by the zoning district.

However, preventing a relatively shallow front porch addition may be considered unnecessarily burdensome. It is a minor architectural accent that would allow for a covered entry to the dwelling as well as a reasonably sized outdoor sitting area. Further, the size of the front porch (254 square feet) alone would not result in a lot coverage over 30% based on the information provided by the applicant. A reduced setback of five feet would allow the porch to extend along the primary façade.

The rear sunroom, while an attractive and reasonable addition, could be considered excessive relative to the maximum lot coverage required by the zoning district.

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: A lesser relaxation to allow the front setback reduction for the front porch would give substantial relief to the applicant and would respect the justice and rights of other property owners. However, a further increase in the size of the dwelling to provide additional indoor living space would grant the applicant a significant right beyond what is available to owners of similar-sized nonconforming lots and to owners of conforming lots.

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

Comment: The corner lot designation and nonconforming size and width are somewhat unique, but these factors do not relate to the lot coverage requirement. Regarding the front setback, the corner-lot designation and nonconforming width are somewhat unique and have a greater impact on compliance. Additionally, the design of the existing façade and the need for a reasonably sized covered entry to mitigate weather-related impacts and deterioration may be considered unique circumstances related to the need for a setback reduction. However, there are no unique circumstances warranting additional indoor (sunroom) living space or excess lot coverage.

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

Comment: The problem related to setback compliance for the front porch addition could be considered a factor related to the preexisting conditions of the building, the corner lot designation, and the existing lot width. Additionally, the problems resulting from weather-related impacts and the deterioration of the front portion of the dwelling are not considered self-created.

However, the need for the rear sunroom is a personal preference, and the zoning compliance issue is a self-created circumstance, as there are no unique circumstances related to the increased lot coverage for the additional indoor living space.

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 a setback variance is justified for the front covered porch addition. However, it does not appear that all standards can be met for the rear addition, particularly regarding lot coverage. 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:

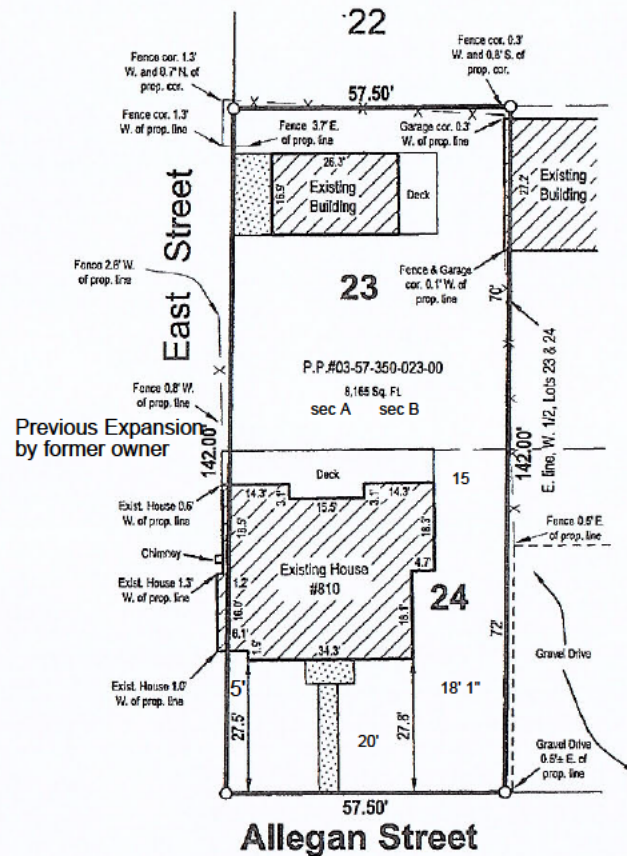
- A. I move to **APPROVE** the variance request related to Section 154.026(D), submitted by Marc Viens to construct a 254-square-foot front porch addition with a reduced western front setback (5 feet) and to **DENY** the variance requests necessary to construct a 464-square-foot rear sunroom addition with a reduced western front setback (13.7 feet) and lot coverage increase (35.3%). The decision is based on the board's findings related to Section 154.155 (B). (**Recommended motion**)
- B. I move 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 reduced western front setback (5 feet) and to **APPROVE** the variance requests necessary to construct a 464-square-foot rear sunroom addition with a reduced western front setback (13.7 feet) and lot coverage increase (35.3%). The decision is based on the board's findings related to Section 154.155 (B).
- C. I move to **DENY** the variance request related to Section 154.026(D), submitted by Marc Viens to construct a 254-square-foot front porch addition with a reduced western front setback (5 feet) and to **DENY** the variance requests necessary to construct a 464-square-foot rear sunroom addition with a reduced western front setback (13.7 feet) and lot coverage increase (35.3%). The decision is based on the board's findings related to Section 154.155 (B).
- D. I move to **POSTPONE CONSIDERATION** of the variance requests related to Section 154.026(D), submitted by Marc Viens to construct a 254-square-foot front porch addition with a reduced western front setback (5 feet) and to **POSTPONE CONSIDERATION** of the variance requests necessary to construct a 464-square-foot rear sunroom addition with a reduced western front setback (13.7 feet) and lot coverage increase (35.3%) to provide the applicant with the opportunity to provide further justification for their request.
1. 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 because of the following:

2. *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, because of the following:*

3. *The plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions because of the following:*

4. *The problem is not self-created or based on personal financial circumstances because of the following:*

Exhibit B



LEGEND

- Concrete
- Building
- Iron - Found
- Iron - Set
- Fence

DESCRIPTION

The West 1/2 of Lots 23 and 24, Leland's Addition to the Village (now city) of Saugatuck, Section 9, Town 3 North, Range 16 West, Allegan County, Michigan.

By: *Scott A. Hendges*
 Scott A. Hendges Licensed Professional Surveyor No. 47953

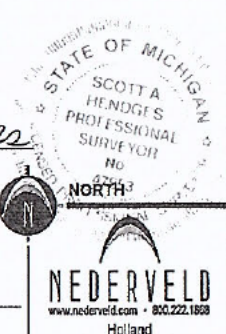
SCALE: 1" = 30' 0' 15' 30'

PREPARED FOR: Five Star Real Estate Lakeshore
 Sarah Lilly

810 Allegan Street

DRAWN BY:cb DATE: 02-05-15 PRJ#: 15200089MB

REV. BY: REV. DATE: 1 OF 1



We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

10 April 2026

Marc Viens & William Collins

Zoning Board of Appeals
Saugatuck City Hall
102 Butler Street
Saugatuck, MI 49453

RE: Variance Request – Front Porch and Rear Sunroom Additions

Property Address: 810 Allegan Street, Saugatuck, MI 49453
Parcel Number: 57-350-023-00

Dear Members of the Zoning Board of Appeals,

We respectfully submit this request for dimensional variances to permit two modest residential improvements to our home: (1) the construction of a covered front porch, (2) the enclosure of an existing rear deck into a sunroom, and (3) a necessary subsequent relief from the 30% lot coverage limitation.

Our home, originally constructed in 1890, is a lawful pre-existing nonconforming structure. Due to its historic placement on the lot, portions of the home do not meet current setback requirements. These conditions were established long before modern zoning regulations and create practical limitations on our ability to make reasonable improvements to the property.

Summary of Requests

1. Front Porch Variance

We propose to remove the existing uncovered, nonconforming front porch and replace it with a covered porch that will protect the front entrance and adjacent windows. The current porch lacks overhead protection, leaving the entry exposed to rain and snow. This exposure allows precipitation to enter the home when the door is opened and has contributed to ongoing erosion and deterioration of the existing concrete porch.

Due to the home's location directly along the west property line, compliance with the required 20-foot setback would make any covered porch impossible. We are requesting relief to allow a modest covered structure with a reduced setback of 5' from west property line, and 18' 1" setback of east property line. A relief of 15' and 2' 11" respectively. This is the minimum necessary to provide functional weather protection and preserve the integrity of the structure.

2. Rear Sunroom Variance

We also propose to construct an enclosed sunroom on the rear of the home, located approximately within the eastern border of the existing deck. The deck currently sits within a nonconforming side yard setback along the east property line.

Measurements confirm the following existing conditions:

- Western front portion of the home: approximately 1' encroachment past of property line
- Eastern front portion of the home: approximately 18' 1' from the property line
- Eastern rear portion of the home: varying approximately 13' 1' to 15' from the property line
- Existing deck edge (proposed sunroom wall): approximately 15' from the property line

Because the deck already exists within this reduced setback, strict compliance with the 20-foot requirement would prohibit enclosing the space. The proposed sunroom does not expand the footprint further into the setback but simply improves and formalizes an existing structure.

3. Lot Coverage Variance

The applicant also respectfully requests relief from the 30% lot coverage limitation as set forth in the zoning ordinance.

The proposed improvements—a front porch and rear sunroom—will add approximately 718 square feet of additional lot coverage, resulting in a total lot coverage of approximately 35%, or a 5% deviation from the permitted maximum.

Basis for Variance

The requests arise from the same underlying condition: the historic placement of the home, which predates zoning regulations and results in legally nonconforming setbacks.

Strict enforcement of current setback requirements would:

- Prevent reasonable improvements to the home
- Limit the ability to protect the structure from weather-related deterioration
- Impose unnecessary hardship by restricting use of existing spaces

The proposed improvements are modest, residential in nature, and represent the minimum relief necessary.

Impact on Neighborhood and Surroundings

The requested variances will not alter the essential character of the neighborhood. Both improvements:

- Maintain the residential use and scale of the property
- Do not increase density or intensity of use
- Do not extend beyond approximate existing building footprints (rear) or established building line (front context)
- Will not negatively impact neighboring properties in terms of light, air, or access

The front porch enhances the architectural character of the home in a manner consistent with historic residential design, while the rear sunroom is located at the back of the property and will have minimal visibility.

Unique Circumstances and Non-Self-Creation

The hardship is due to unique conditions specific to this property, including:

- The age of the home (built in 1890)
- Its placement directly on or within required setback areas
- The existing nonconforming layout of the structure and deck

These conditions are not typical of all properties in the district and were not created by the current owners. The request is not based on financial considerations but on the need to reasonably maintain and improve the property.

Conclusion

The requested variances are reasonable, limited in scope, and necessary to allow the continued safe use and preservation of an historic home. The proposals do not expand nonconformities beyond their approximate current footprint (rear) and introduce only minimal, functional improvement (front) to address exposure and deterioration.

A prior variance in 2018 allowed construction within the existing setback encroachment, establishing precedent for reasonable improvements to this nonconforming property, reflecting recognition of the property's unique conditions and supports the reasonableness of the current request.

Additionally, this is a narrow lot of approximately 0.19 acres, further impacted by the presence of City-owned land along the west side of the property and East Street, totaling approximately 3,000 square feet of right-of-way and maintained land. The abutment of this City-owned land provides functional open space that supports drainage, access, and maintenance.

While some corner or smaller lots may experience similar conditions, very few—if any—are affected to this extent, where such a substantial adjacent area is excluded from lot coverage calculations. This size of the City-owned land is approximately 37% of the requester's lot's size, creating a unique condition not commonly found in the neighborhood.

These combined factors are specific to this parcel and have already been partially recognized through prior variance approval.

We respectfully request approval of these variances to allow improvements that will enhance the safety, functionality, and longevity of the property while maintaining compatibility with the surrounding neighborhood.

Thank you for your time and consideration.

Sincerely,

Marc Viens and William Collins

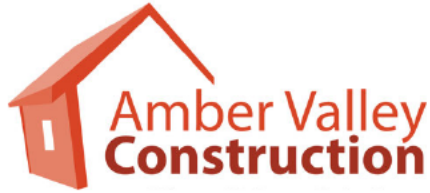
A handwritten signature in blue ink, appearing to be 'MVC', with a long horizontal flourish extending to the right.

Attachments:

Variance application for front porch

Variance application for rear sunroom

Variance application for lot coverage relief



CONTRACTOR ASSESSMENT & RECOMMENDATION MEMORANDUM

Property: 810 Allegan Street, Saugatuck, MI
Owners: Marc Viens & William Collins
Contractor: Amber Valley Construction, Grand Rapids, MI
Prepared by: Derek Anderson
Date: 3/25/26

1. Purpose of Memorandum

This memorandum documents the existing conditions at the rear of the home and provides a professional recommendation regarding the enclosure of the existing deck into a sunroom structure.

2. Existing Conditions Observed

Amber Valley Construction performed a site review of the rear (east-facing) portion of the property. The following conditions were observed:

- The home is legally nonconforming, with the east wall located approximately 13'–17' from the property line.
- An existing deck structure is already constructed within this reduced setback, approximately 15' from the property line.
- The deck functions as an established and regularly used outdoor living space directly connected to the home.
- The deck is fully exposed to weather, limiting its usability and contributing to ongoing wear and maintenance needs.

The deck is not a new encroachment; it is an existing condition tied to the historic placement of the home.

3. Functional Limitations of Existing Condition

The current open deck presents several limitations typical of exposed exterior structures:

- Limited seasonal usability due to weather exposure

- Accelerated material deterioration from precipitation, UV exposure, and freeze-thaw cycles
- Lack of protection for adjacent building materials where the deck connects to the home
- Reduced functional utility compared to typical enclosed or semi-conditioned residential spaces

While the deck is usable, it does not provide the level of function commonly expected in residential living space.

4. Recommended Improvement

We recommend enclosing the existing deck area to create a sunroom addition.

Key characteristics of the proposed improvement:

- Constructed entirely within the existing deck footprint
- No expansion further into the setback than what currently exists
- Designed as a residential-scale addition consistent with the home
- Intended to create a weather-protected, usable space while maintaining the character of the structure

This is a standard method of improving an existing deck area and is consistent with common residential construction practices.

5. Minimum Necessary Scope

Based on our evaluation:

- The proposal does not increase the building footprint beyond the existing deck
- The location of the structure is dictated by the existing nonconforming layout of the home and deck
- Relocating or reducing the structure to meet current setback requirements would eliminate the ability to enclose the space entirely
- The request therefore represents the minimum necessary relief to achieve a functional improvement of an already established structure

No lesser modification would provide equivalent utility or reasonable use of the existing space.

6. Impact on Property and Surroundings

The proposed sunroom:

- Does not introduce a new use beyond single-family residential
- Does not extend further into the setback than existing improvements
- Is located at the rear of the property, minimizing visibility from the street
- Will not materially impact adjacent property light, air, or access

- Maintains the scale and character of surrounding residential structures

The improvement is consistent with typical residential enhancements and does not create adverse external impacts.

7. Consistency with Dimensional Variance Standards

Based on our professional evaluation, the proposed improvement meets the standards for practical difficulty:

- Practical Difficulty Due to Unique Conditions: The existing home and deck are located within a legally nonconforming setback due to historic placement. This restricts the ability to improve the structure in compliance with current zoning.
- Not Self-Created: The nonconforming condition predates current ownership and zoning requirements. The deck and home placement are existing conditions.
- Minimum Necessary Relief: The enclosure is limited strictly to the existing deck footprint, representing the least deviation possible from the ordinance.
- No Adverse Impact on Surrounding Properties: The addition does not extend further into the setback, is located at the rear, and maintains residential scale and character.
- No Harm to Public Health, Safety, or Welfare: The improvement enhances the durability and usability of the structure without introducing hazards or intensifying use.
- Consistent with Intent of the Ordinance: The proposal allows reasonable improvement of residential property while respecting the established building envelope and neighborhood character.

8. Conclusion

The proposed sunroom enclosure is a reasonable and minimal improvement to an existing deck located within a legally nonconforming area. The request does not expand the footprint or increase encroachment, but instead improves the usability and longevity of an established structure.

It is our professional opinion that the requested dimensional variance is appropriate and necessary to allow reasonable use of the property.

Prepared by:
Derek Anderson
Amber Valley Construction
Grand Rapids, MI



Zoning Board of Appeals Application

LOCATION INFORMATION

APPLICATION NUMBER _____ - _____

Address: 810 Allegan Street

Parcel Number: 57-350-023-00

APPLICANTS INFORMATION

Name: Marc Viens & William Collins

Address / PO Box: 810 Allegan Street

City: Saugatuck

State: MI

Zip: 49453

Phone: _____

Interest In Project Owner

E-Mail: _____

Signature _____ Date _____

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name: As Above

Address / PO Box:

City:

State:

Zip:

Phone:

E-Mail:

I hereby authorize that the applicant as listed above 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 or to gather further information related to this request.

Signature _____ Date _____

CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name: Amber Valley Construction

Contact Name: Derek Anderson

Address _____

City: _____

State: MI

Zip: _____

Phone: _____

Fax _____

E-Mail:

License Number _____

Expiration Date 05/31/2027

PROPERTY INFORMATION

Depth: 142'

Width: 57.50'

Size: 8165 sqf

Zoning District: R-1

Current Use

Check all that apply:

Waterfront

Historic District

Dunes

Vacant

Application Type: Interpretation

Dimensional Variance

Use Variance

REQUESTED VARIANCE AND DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Zoning Requirement: 20' setback property line

Proposed Variance: 15' from east property line. (A

5' relief.)

The homeowners propose to construct an enclosed sunroom on the rear of the home, located directly over the existing deck footprint. The proposed structure will not expand beyond the current deck area but will enclose and improve an already established outdoor space.

The need for a variance arises from the existing nonconforming placement of the home along the east property line. The zoning ordinance requires a 20-foot side yard setback; however:

- The eastern front portion of the home is located approximately **18 feet 1 inches** from the property line
- The eastern mid-rear portion (“outcrop”) is approximately **13 feet 6 inches** from the property line
- The edge of the existing deck—where the proposed east wall of the sunroom would be located—is approximately **15 feet** from the property line

Because the rear structure of the home predate current setback requirements, the property is legally nonconforming. Strict compliance with the 20-foot setback would make it impossible to enclose the existing deck area.

Existing structure.



AI rendering showing open porch *example* of matching architectural style and aesthetic (not to actual size)





SITE PLAN REQUIREMENTS (SECTION 154.061)

A site plan and survey showing the following information shall be submitted with the cover page of this application and other required information as outlined below. (Please note that not all will apply for minor waterfront construction)

Y N NA

- | | | | |
|-------------------------------------|--------------------------|--------------------------|--|
| ☒ | ☐ | ☐ | Dimensions of property of the total site area, |
| ☐ | ☐ | ☐ | Contours at 2-foot intervals |
| ☐ | ☐ | ☐ | Locations of all buildings |
| ☐ | ☐ | ☐ | Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property |
| ☐ | ☐ | ☐ | Parking areas |
| ☐ | ☐ | ☐ | Driveways |
| ☐ | ☐ | ☐ | Required and proposed building setbacks |
| ☐ | ☐ | ☐ | Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths; |
| ☐ | ☐ | ☐ | Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate; |
| ☐ | ☐ | ☐ | Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths; |
| ☐ | ☐ | ☐ | Proposed water supply and wastewater systems locations and sizes; |
| ☐ | ☐ | ☐ | Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain; |
| ☐ | ☐ | ☐ | Proposed common open spaces and recreational facilities, if applicable; |
| ☐ | ☐ | ☐ | Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials; |
| ☐ | ☐ | ☐ | Signs, including type, locations and sizes; |
| ☐ | ☐ | ☐ | Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives; |
| ☐ | ☐ | ☐ | Exterior lighting showing area of illumination and indicating the type of fixture to be used. |
| ☐ | ☐ | ☐ | Elevations of proposed buildings drawn to an appropriate scale shall include: <ol style="list-style-type: none">1. Front, side and rear views;2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and3. Exterior materials and colors to be used. |
| ☐ | ☐ | ☐ | Location, if any, of any views from public places to public places across the property; |
| ☐ | ☐ | ☐ | Location, height and type of fencing; and |



- ☐ ☐ ☐ The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.
- ☐ ☐ ☐ Other information as requested by the Zoning Administrator

DIMENSIONAL VARIANCE REQUEST STANDARDS PER SECTION 154.155(B)

Please respond to each of the following questions. As part of your request to obtain a dimensional or non-use variance, the owner must show a practical difficulty by demonstrating that all of the following standards are met:

- (1) Explain how 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;**

Strict compliance with the 20-foot side yard setback would unreasonably prevent the owners from making reasonable improvements to a permitted residential use.

The home is a pre-existing nonconforming structure, with the east side of the house and existing deck located between approximately 13 feet 6 inches and 18 feet 1 inches from the property line. Because the proposed sunroom is located approximately along the eastern border of the existing deck, compliance with the current setback would make enclosure of this space impossible.

Without a variance, the owners are effectively prevented from improving or enclosing an existing and functional portion of their home. This renders conformity unnecessarily burdensome, as it restricts normal residential enhancements without any expansion beyond the established footprint.

- (2) Explain how 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;**

Granting the variance would do substantial justice to both the property owner and neighboring properties.

The proposed sunroom:

- Does not extend further into the setback than the approximate eastern boundary of the existing deck
- Does not increase density or change use
- Maintains the established building line
- Will not adversely impact light, air, or neighboring property use

Because the request is limited to enclosing an essentially existing structure, it represents the minimum necessary relief. A lesser relaxation would not permit enclosure and would therefore fail to provide meaningful benefit to the owner.

The improvement enhances the property while preserving fairness and consistency within the district.



(3) Explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions; and

The hardship is due to unique conditions specific to the property:

- The home's historic placement results in an existing nonconforming east side setback
- The deck is already located within this reduced setback
- The lot configuration and structure placement limit compliant expansion options

These conditions are not general to the neighborhood but are specific to this parcel due to its historic development and existing layout.

Many modern homes in the district were built after zoning adoption and comply with setback requirements. This property cannot comply because its original placement predates zoning laws by decades.

(4) Explain how the problem is not self-created or based upon personal financial circumstances.

The hardship is not self-created.

The nonconforming setbacks predate current ownership and zoning regulations. The existing deck footprint was established prior to this request. The variance is not sought for financial gain, but to allow reasonable use and improvement of the property consistent with residential norms.

USE VARIANCE REQUEST STANDARDS PER SECTION 154.155(C)

Please respond to each of the following questions. As part of your request to obtain a use variance, the applicant must show an unnecessary hardship by demonstrating that all of the following standards are met:

(1) Please explain how the property in question cannot be used for any of the uses permitted in the district in which it is located;

The property is currently used as a single-family residence, which is a permitted use in the district.

However, strict enforcement of the setback ordinance limits the reasonable use and enjoyment of that permitted use. Specifically, it prevents enclosure and improvement of an existing deck area, which is a customary residential enhancement. While the property can technically still be used as a residence, the inability to improve an existing structure imposes a practical hardship on normal residential use.

(2) Please explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions;

The hardship is due to the specific physical characteristics of the property:

- The home's placement within the side yard setback
- The existing deck's location within that same nonconforming area
- Limited buildable space outside the setback



These conditions are unique to this property and not broadly applicable to other properties in the neighborhood.

(3) Please explain how by granting the variance, the essential character of the neighborhood would not be altered; and

Granting the variance will not alter the essential character of the neighborhood.

The proposed sunroom:

- Is residential in nature and scale
- Does not introduce a new or intensified use
- Maintains the visual and structural character of the home
- Is located at the rear of the property, minimizing visibility

The addition is consistent with typical residential improvements and will not negatively impact the surrounding area.

(4) Please explain how the problem is not self-created or based on personal financial circumstances.

The hardship is not self-created and is not based on financial circumstances.

The home's nonconforming placement predates current ownership and zoning requirements. The request is based on reasonable property improvement and preservation—not economic hardship or personal preference.

Supplemental Argument in Support of Variance Request – See Attachment B

This application is supported by clear and directly relevant precedent specific to the subject property.

In 2018, the prior property owners were granted a variance to construct an addition that extended into the encroachment area (west property line). This prior approval demonstrates that the governing authority has already evaluated the unique physical constraints of this parcel and determined that relief from strict application of setback or boundary requirements was both reasonable and appropriate.

The current request is consistent with—and more conservative than—the previously approved variance:

- The applicant seeks to remain entirely within the deeded property boundaries, avoiding any expansion beyond legal ownership limits.
- The request is limited to relief from setback/property line restrictions, rather than extending into adjacent properties or creating new nonconformities.
- The proposal therefore represents a less intrusive and more compliant approach than what has already been approved on this same parcel.



Consistency & Fairness

Granting this variance ensures:

- Consistency in zoning decisions affecting the same property
- Avoidance of arbitrary or unequal treatment between successive property owners
- Recognition that the underlying hardship is inherent to the lot itself, not the current owner

Hardship Runs with the Land

The conditions necessitating the variance—whether related to lot configuration, existing improvements, or prior encroachments—are not self-created and have already been acknowledged through the 2018 approval. These constraints continue to limit reasonable use of the property unless similar relief is granted.

**OFFICE USE ONLY:**

Date Notice Sent _____ Date Resident Notification _____ Hearing Date _____

[illegible]

Findings of Fact:

Member Signature _____ Vote _____



Zoning Board of Appeals Application

LOCATION INFORMATION

APPLICATION NUMBER _____ - _____

Address: 810 Allegan Street

Parcel Number: 57-350-023-00

APPLICANTS INFORMATION

Name: Marc Viens & William Collins

Address / PO Box: 810 Allegan Street

City: Saugatuck

State: MI

Zip: _____

Phone: _____

Interest In Project Owner

E-Mail: marc.viens@icloud.com

Signature Marc D. Viens Date 10 April 2026

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name: As Above

Address / PO Box:

City:

State:

Zip:

Phone:

E-Mail:

I hereby authorize that the applicant as listed above 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 or to gather further information related to this request.

Signature Marc D. Viens Date 10 April 2026

CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name: Amber Valley Construction

Contact Name: Derek Anderson

Address: _____

City: _____

State: _____ Zip: _____ Phone: _____

Fax

E-Mail:

License Number 2102203198

Expiration Date 05/31/2027

PROPERTY INFORMATION

Depth: 142'

Width: 57.50'

Size: 8165 sqf

Zoning District: R-1

Current Use

Check all that apply:

Waterfront Historic District

Dunes

Vacant

Application Type: Interpretation

Dimensional Variance

Use Variance

REQUESTED VARIANCE AND DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Zoning Requirement: 20' setback property line

Proposed Variance: 5' setback from west property line, and 18' 1" setback from east property line. A relief of 15' and 2' 11" respectively.

The current owners propose to remove the existing nonconforming front porch and construct an open covered porch matching the current structure's architecture and aesthetic that will protect the front door and adjacent east and west house windows. The home was originally built without adequate overhead coverage, leaving the entry and windows exposed to rain and snow. When the front door is opened, precipitation can enter the home, and continued exposure has caused erosion and deterioration of the existing concrete porch.

Existing structure.



AI rendering showing open porch *example* of matching architectural style and aesthetic(not to actual size)





SITE PLAN REQUIREMENTS (SECTION 154.061)

A site plan and survey showing the following information shall be submitted with the cover page of this application and other required information as outlined below. (Please note that not all will apply for minor waterfront construction)

Y N NA

- | | | | |
|-------------------------------------|--------------------------|--------------------------|--|
| ☒ | ☐ | ☐ | Dimensions of property of the total site area, |
| ☐ | ☐ | ☐ | Contours at 2-foot intervals |
| ☐ | ☐ | ☐ | Locations of all buildings |
| ☐ | ☐ | ☐ | Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property |
| ☐ | ☐ | ☐ | Parking areas |
| ☐ | ☐ | ☐ | Driveways |
| ☐ | ☐ | ☐ | Required and proposed building setbacks |
| ☐ | ☐ | ☐ | Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths; |
| ☐ | ☐ | ☐ | Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate; |
| ☐ | ☐ | ☐ | Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths; |
| ☐ | ☐ | ☐ | Proposed water supply and wastewater systems locations and sizes; |
| ☐ | ☐ | ☐ | Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain; |
| ☐ | ☐ | ☐ | Proposed common open spaces and recreational facilities, if applicable; |
| ☐ | ☐ | ☐ | Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials; |
| ☐ | ☐ | ☐ | Signs, including type, locations and sizes; |
| ☐ | ☐ | ☐ | Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives; |
| ☐ | ☐ | ☐ | Exterior lighting showing area of illumination and indicating the type of fixture to be used. |
| ☐ | ☐ | ☐ | Elevations of proposed buildings drawn to an appropriate scale shall include: <ol style="list-style-type: none">1. Front, side and rear views;2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and3. Exterior materials and colors to be used. |
| ☐ | ☐ | ☐ | Location, if any, of any views from public places to public places across the property; |
| ☐ | ☐ | ☐ | Location, height and type of fencing; and |



- ☐ ☐ ☐ The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.
- ☐ ☐ ☐ Other information as requested by the Zoning Administrator

DIMENSIONAL VARIANCE REQUEST STANDARDS PER SECTION 154.155(B)

Please respond to each of the following questions. As part of your request to obtain a dimensional or non-use variance, the owner must show a practical difficulty by demonstrating that all of the following standards are met:

- (1) Explain how 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;**

Strict compliance with current setback regulations (20-foot setback from the east and west property lines) would unreasonably prevent the owner from using the property for a permitted residential purpose in a safe and reasonable manner.

The home was constructed in 1890 and sits directly on the west property line as a lawful pre-existing nonconforming structure. Because of this historic placement:

- The west side yard is effectively zero feet.
- No covered porch can be constructed that complies with the 20-foot setback.
- The primary entrance, and front windows remain fully exposed to rain, snow, and freeze-thaw cycles.

Without relief, the owner is prevented from reasonably protecting the main residential entrance from the elements. This exposes the property to:

- Accelerated erosion of the existing concrete porch
- Water infiltration near the foundation
- Ice accumulation creating safety hazards
- Ongoing structural deterioration

Strict enforcement would therefore render ordinary residential maintenance and protection unnecessarily burdensome and impractical. The requested variance is not for expansion of living space or increased density, but solely to allow functional weather protection of an existing permitted residential use.

- (2) Explain how 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;**

Granting the variance would do substantial justice to the owner while preserving fairness to neighboring property owners.



The proposed covered porch:

- Does not expand the building footprint for habitable space
- Does not increase residential density
- Does not encroach onto or further toward the street
- Does not impair light, air, or access to neighboring properties

The relief requested is limited to a 6-foot setback — the minimum necessary to construct a functional covered entry. A lesser relaxation would not allow meaningful weather protection and would therefore fail to provide practical relief.

The improvement will:

- Reduce stormwater runoff
- Prevent ice hazards
- Preserve a historic structure
- Improve the visual appearance of the property

Granting the variance preserves neighborhood character and promotes responsible stewardship of an aging home.

(3) Explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions; and

The plight of the owner arises from unique circumstances specific to this property:

- The structure was built in 1890, long before current zoning requirements.
- The house sits directly on the west property line.
- The lot configuration and historic building placement eliminate any compliant side yard.

These conditions are not general neighborhood characteristics but are specific to this parcel due to its age and historic development pattern.

Many modern homes in the district were built after zoning adoption and comply with setback requirements. This property cannot comply because its original placement predates zoning laws by decades.

(4) Explain how the problem is not self-created or based upon personal financial circumstances.

The hardship is not self-created.

The owner did not construct the home on the property line. The structure has existed in its current configuration for over 130 years.

The need for relief is based on:

- The age of the structure
- Exposure of the entrance to weather
- Physical placement of the home



The request is not based on financial hardship, economic gain, or personal preference. It is based on reasonable property maintenance and preservation needs.



USE VARIANCE REQUEST STANDARDS PER SECTION 154.155(C)

Please respond to each of the following questions. As part of your request to obtain a use variance, the applicant must show an unnecessary hardship by demonstrating that all of the following standards are met:

(1) Please explain how the property in question cannot be used for any of the uses permitted in the district in which it is located;

The property is located within a residential district where single-family residential use is permitted. The structure is currently used for that purpose. However, strict enforcement of the setback ordinance prevents reasonable enjoyment and maintenance of the permitted residential use because:

- The primary entrance and windows cannot be protected.
- Ongoing environmental exposure threatens the structural integrity of the home.
- Safety hazards from ice and water accumulation persist.

While the property can technically be occupied as a residence, strict compliance prevents reasonable and safe use consistent with modern residential standards.

(2) Please explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions;

The hardship is due to:

- The historic age of the structure (1890)
- Placement directly on the property line
- The absence of any side yard area

These are property-specific conditions and are not typical of all properties in the district.

(3) Please explain how by granting the variance, the essential character of the neighborhood would not be altered; and

Granting the variance will not alter the essential character of the neighborhood.

The proposed covered porch:

- Will be consistent with late-19th-century residential architecture and aesthetic
- Does not introduce commercial or intensified use
- Maintains residential scale and design
- Improves aesthetic cohesion

The neighborhood remains residential in character. The addition enhances, rather than detracts from, its historic fabric.



(4) Please explain how the problem is not self-created or based on personal financial circumstances.

The hardship is not self-created and is not based on financial circumstances. The condition predates current ownership and modern zoning laws. The request is not motivated by economic return but by:

- Preservation
- Safety
- Structural protection
- Reasonable residential use

Supplemental Argument in Support of Variance Request – See Attachment B

This application is supported by clear and directly relevant precedent specific to the subject property.

In 2018, the prior property owners were granted a variance to construct an addition that extended into the same encroachment area (west property line) now under consideration. This prior approval demonstrates that the governing authority has already evaluated the unique physical constraints of this parcel and determined that relief from strict application of setback or boundary requirements was both reasonable and appropriate.

The current request is consistent with—and more conservative than—the previously approved variance:

- The applicant seeks to remain entirely within the deeded property boundaries, avoiding any expansion beyond legal ownership limits.
- The request is limited to relief from setback/property line restrictions, rather than extending into adjacent properties or creating new nonconformities.
- The proposal therefore represents a less intrusive and more compliant approach than what has already been approved on this same parcel.

Consistency & Fairness

Granting this variance ensures:

- Consistency in zoning decisions affecting the same property
- Avoidance of arbitrary or unequal treatment between successive property owners
- Recognition that the underlying hardship is inherent to the lot itself, not the current owner

Hardship Runs with the Land

The conditions necessitating the variance—whether related to lot configuration, existing improvements, or prior encroachments—are not self-created and have already been acknowledged through the 2018 approval. These constraints continue to limit reasonable use of the property unless similar relief is granted.

**OFFICE USE ONLY:**

Date Notice Sent _____ Date Resident Notification _____ Hearing Date _____

[illegible]

Findings of Fact:

Member Signature _____ Vote _____



Zoning Board of Appeals Application

LOCATION INFORMATION	APPLICATION NUMBER ____ - ____
-----------------------------	---------------------------------------

Address 810 Allegan St Parcel Number 350-023

APPLICANTS INFORMATION

Name Chris + Whitney Viskey Address / PO Box 810 Allegan St
 City Saugatuck State MI Zip 49453 Phone [REDACTED]
 Interest In Project Owner/Current Resident E-Mail [REDACTED]
 Signature Chris Viskey Date 10/17/2018

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)
--

Name Same as above Address / PO Box _____
 City _____ State _____ Zip _____ Phone _____

I hereby authorize that the applicant as listed above 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 or to gather further information related to this request.

Signature _____ Date _____

CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name John Westing Bldg Contact Name John Westing
 Address / PO Box [REDACTED] City [REDACTED]
 State [REDACTED] Zip [REDACTED] Phone [REDACTED] Fax [REDACTED]
 License Number [REDACTED] Expiration Date 5/31/2020

PROPERTY INFORMATION

Depth ____ Width ____ Size ____ Zoning District ____ Current Use ____
 Check all that apply: Waterfront ____ Historic District ____ Dunes ____ Vacant ____
 Application Type: Interpretation ____ Dimensional Variance ____ Use Variance ____

REQUEST DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)
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Current owners and full-time residents of 810 Allegan St. are looking to convert the usage of current deck space to inhabitable space on the northwest corner of the house. The house was first built in 1890 and experiences complications of East Street being subsequently developed.



SITE PLAN REQUIREMENTS (SECTION 154.061)

A site plan and survey showing the following information shall be submitted with the coverage of this application and other required information as outlined below. (Please note that not all will apply for minor waterfront construction)

- | Y | N | NA | |
|-------------------------------------|-------------------------------------|-------------------------------------|--|
| ☒ | ☐ | ☐ | Dimensions of property of the total site area, |
| ☐ | ☐ | ☐ | Contours at 2-foot intervals |
| ☒ | ☐ | ☐ | Locations of all buildings |
| ☐ | ☒ | ☐ | Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property |
| ☐ | ☐ | ☒ | Parking areas |
| ☒ | ☐ | ☐ | Driveways |
| ☒ | ☐ | ☐ | Required and proposed building setbacks |
| ☒ | ☐ | ☐ | Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths; |
| ☐ | ☒ | ☐ | Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate; |
| ☒ | ☐ | ☐ | Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths; |
| ☐ | ☒ | ☐ | Proposed water supply and wastewater systems locations and sizes; |
| ☐ | ☒ | ☐ | Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain; |
| ☐ | ☒ | ☐ | Proposed common open spaces and recreational facilities, if applicable; |
| ☐ | ☒ | ☐ | Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials; |
| ☐ | ☒ | ☐ | Signs, including type, locations and sizes; |
| ☒ | ☐ | ☐ | Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives; |
| ☐ | ☒ | ☐ | Exterior lighting showing area of illumination and indicating the type of fixture to be used. |
| ☐ | ☒ | ☐ | Elevations of proposed buildings drawn to an appropriate scale shall include: <ol style="list-style-type: none"> 1. Front, side and rear views; 2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and 3. Exterior materials and colors to be used. |
| ☐ | ☒ | ☐ | Location, if any, of any views from public places to public places across the property; |
| ☐ | ☒ | ☐ | Location, height and type of fencing; and |



- ☒ ☐ ☐ The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.
- ☒ ☐ ☐ Other information as requested by the Zoning Administrator

DIMENSIONAL VARIANCE REQUEST STANDARDS PER SECTION 154.155(B)

Please respond to each of the following questions. As part of your request to obtain a dimensional or non-use variance, the owner must show a practical difficulty by demonstrating that all of the following standards are met:

- (1) Explain how 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;

The house was built in 1890 and impacted by the development of East St. with the house extending over current property lines. Strict compliance prevents any additional development on the NW corner of the property. This area of the home requires additional support to remain sustainable, safe, and ability to maintain its intended purpose.

- (2) Explain how 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;

We would be able to increase the area of our house nominally & sufficiently to be structurally sustainable and safe for the longevity of our ownership.

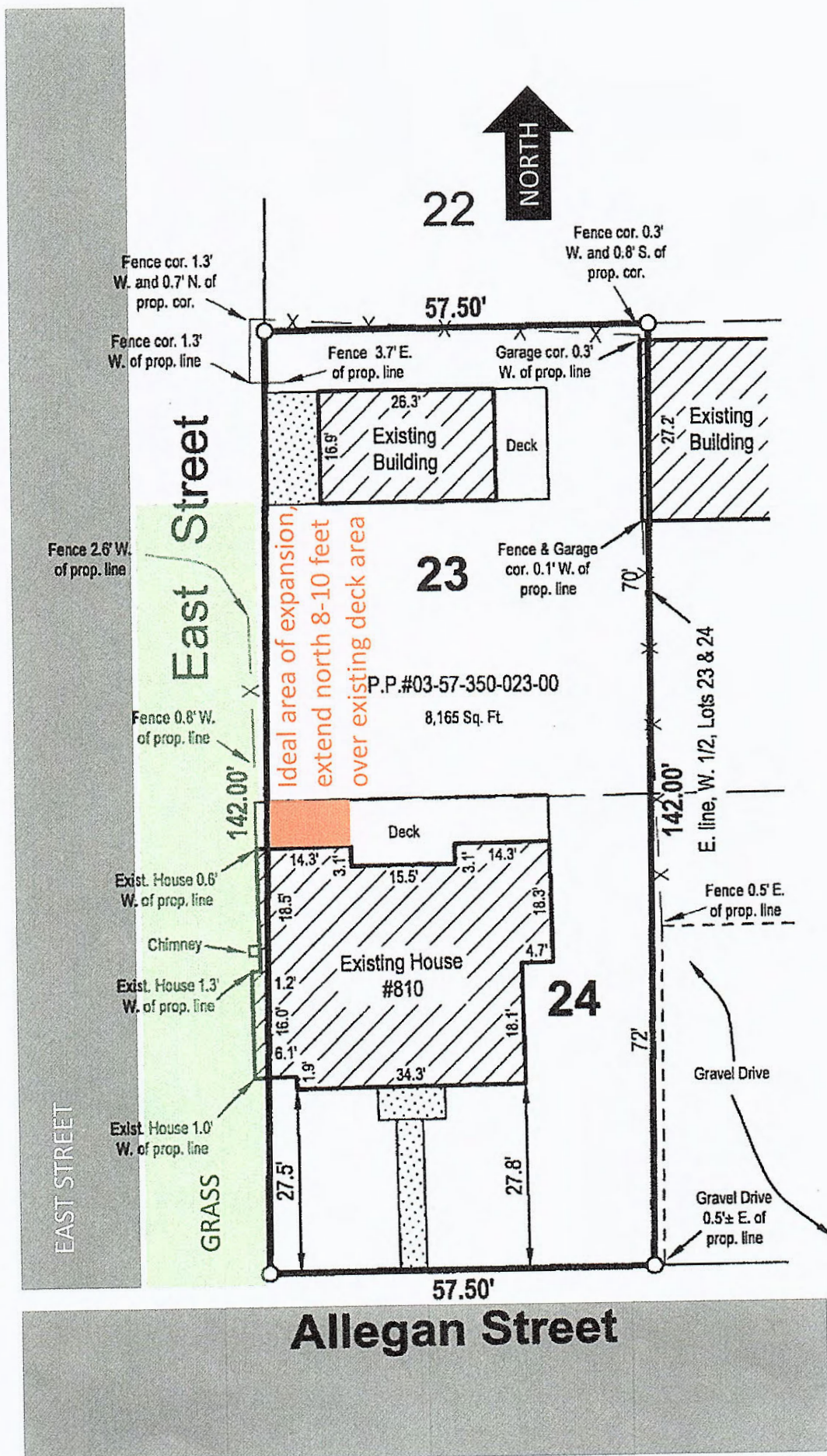
Thus maintaining property value, and appeal to the neighborhood without minimizing the current egress.

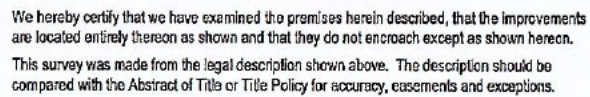
- (3) Explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions; and

At some point in time, the city developed East St. after our house was first built in 1890. We know this because the west side of our house is on/over the property line and reviewing the timing of historical MI LARA plat records

- (4) Explain how the problem is not self-created or based on personal financial circumstances.

The problem has been present prior to our occupancy and since East St. has been developed.



[illegible]

The West 1/2 of Lots 23 and 24, Leland's Addition to the Village (now city) of Saugatuck, Section 9, Town 3 North, Range 16 West, Allegan County, Michigan.

	Concrete
	Building
	Iron - Found
	Iron - Set
	Fence

STATE OF MICHIGAN
SCOTT A
HENDGES
PROFESSIONAL
SURVEYOR
No
874613
NORTH

NEDERVELD



Zoning Board of Appeals Application

LOCATION INFORMATION

APPLICATION NUMBER _____ - _____

Address: 810 Allegan Street

Parcel Number: 57-350-023-00

APPLICANTS INFORMATION

Name: Marc Viens & William Collins

Address / PO Box: 810 Allegan Street

City: Saugatuck

State: MI

Zip: 49453

Phone: _____

Interest In Project Owner

E-Mail: _____

Signature Marc D. Viens Date 10 April 2026

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name: As Above

Address / PO Box:

City:

State:

Zip:

Phone:

E-Mail:

I hereby authorize that the applicant as listed above 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 or to gather further information related to this request.

Signature Marc D. Viens Date 10 April 2026

CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name: Amber Valley Construction

Contact Name: Derek Anderson

Address / PO Box: _____

City: _____

State: _____

Zip: _____

Phone: _____

Fax _____

E-Mail:

License Number _____

Expiration Date 05/31/2027

PROPERTY INFORMATION

Depth: 142'

Width: 57.50'

Size: 8165 sqf

Zoning District: R-1

Current Use

Check all that apply:

Waterfront Historic District

Dunes

Vacant

Application Type: Interpretation

Dimensional Variance

Use Variance

REQUESTED VARIANCE AND DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Zoning Requirement: structures on property may not exceed 30% of surface area

Proposed Variance: 5% additional coverage of property surface area, totaling 35% lot coverage.

The applicant also respectfully requests relief from the **30% lot coverage limitation** as set forth in the zoning ordinance.

The proposed improvements—a **front porch and rear sunroom**—will add approximately **718 square feet** of additional lot coverage, resulting in a total lot coverage of approximately **35%**, or a **5% deviation** from the permitted maximum.

Property Summary

- Lot Size: **8,165 sq ft**
- Permitted Coverage (30%): **2,446.8 sq ft**
- Existing Coverage: **2,168 sq ft (~26.5%)**
- Proposed Additions:
 - Front Porch: **254 sq ft**
 - Rear Sunroom: **464 sq ft**
 - Total Added: **718 sq ft**
- Proposed Total Coverage: **2886 sq ft (~35%)**
- Variance Requested: **~5% over allowable coverage**



SITE PLAN REQUIREMENTS (SECTION 154.061)

A site plan and survey showing the following information shall be submitted with the cover page of this application and other required information as outlined below. (Please note that not all will apply for minor waterfront construction)

Y N NA

- | | | | |
|-------------------------------------|--------------------------|--------------------------|--|
| ☒ | ☐ | ☐ | Dimensions of property of the total site area, |
| ☐ | ☐ | ☐ | Contours at 2-foot intervals |
| ☐ | ☐ | ☐ | Locations of all buildings |
| ☐ | ☐ | ☐ | Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property |
| ☐ | ☐ | ☐ | Parking areas |
| ☐ | ☐ | ☐ | Driveways |
| ☐ | ☐ | ☐ | Required and proposed building setbacks |
| ☐ | ☐ | ☐ | Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths; |
| ☐ | ☐ | ☐ | Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate; |
| ☐ | ☐ | ☐ | Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths; |
| ☐ | ☐ | ☐ | Proposed water supply and wastewater systems locations and sizes; |
| ☐ | ☐ | ☐ | Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain; |
| ☐ | ☐ | ☐ | Proposed common open spaces and recreational facilities, if applicable; |
| ☐ | ☐ | ☐ | Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials; |
| ☐ | ☐ | ☐ | Signs, including type, locations and sizes; |
| ☐ | ☐ | ☐ | Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives; |
| ☐ | ☐ | ☐ | Exterior lighting showing area of illumination and indicating the type of fixture to be used. |
| ☐ | ☐ | ☐ | Elevations of proposed buildings drawn to an appropriate scale shall include: <ol style="list-style-type: none">1. Front, side and rear views;2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and3. Exterior materials and colors to be used. |
| ☐ | ☐ | ☐ | Location, if any, of any views from public places to public places across the property; |
| ☐ | ☐ | ☐ | Location, height and type of fencing; and |



- ☐ ☐ ☐ The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.
- ☐ ☐ ☐ Other information as requested by the Zoning Administrator

DIMENSIONAL VARIANCE REQUEST STANDARDS PER SECTION 154.155(B)

Please respond to each of the following questions. As part of your request to obtain a dimensional or non-use variance, the owner must show a practical difficulty by demonstrating that all of the following standards are met:

- (1) Explain how 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;**

Strict enforcement of the 30% lot coverage limitation would unreasonably restrict the owner's ability to make modest, customary residential improvements that are otherwise permitted within the district.

The proposed front porch and rear sunroom are not expansions of use or intensity, but rather functional and protective enhancements:

- The front porch provides necessary weather protection to the primary entrance, mitigating exposure to rain and snow.
- The rear sunroom adds modest, enclosed living space that enhances usability of the home in a manner typical of the neighborhood.

Without the requested variance:

- The owner would be prevented from making reasonable, customary improvements
- The property would remain functionally limited compared to similarly situated homes
- Compliance would impose an unnecessary burden disproportionate to the minimal 2% deviation requested

- (2) Explain how 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;**

Granting the variance achieves substantial justice:

- The request reflects only a minimal deviation (5%)
- The additions are architecturally consistent, subordinate and low-profile
- All improvements remain within the deeded property boundaries

Importantly, the presence of approximately 3,000 square feet of adjacent City-owned right-of-way and maintained land (approximately 37% of the requester's lot size) provides functional open space that supports drainage, access, and maintenance.

As a result:



- The effective impact of the increased lot coverage is significantly mitigated
- The property retains adequate openness and functionality comparable to—or better than—similarly situated lots

Further:

- A 2018 variance granted to the prior owners allowed a more impactful encroachment condition
- Approval here ensures consistency and fairness in zoning decisions affecting this parcel

A lesser relaxation would not provide meaningful relief, as the proposal is already appropriately scaled and minimally impactful.

The improvement enhances the property while preserving fairness and consistency within the district.

(3) Explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions; and

The hardship arises from unique, site-specific conditions, including:

- The home's historic construction (circa 1890) predating zoning regulations, and East Street development
- Existing nonconforming placement along a property line
- Lot configuration and structural constraints limiting expansion options

Additionally, this is a narrow lot of approximately 0.19 acres, further impacted by the presence of City-owned land along the west side of the property and East Street, totaling approximately 3,000 square feet of right-of-way and maintained land.

While some corner or smaller lots may experience similar conditions, very few—if any—are affected to this extent, where such a substantial adjacent area is excluded from lot coverage calculations. This City-owned land represents approximately 37% of the requester's lot's size, creating a unique condition not commonly found in the neighborhood.

These combined factors are specific to this parcel and have already been partially recognized through prior variance approval.

(4) Explain how the problem is not self-created or based upon personal financial circumstances.

The hardship:

- Is inherent to the property, not created by the current owner
- Is not driven by financial gain, but by functional necessity
- Relates to reasonable use, protection, and livability of the home

USE VARIANCE REQUEST STANDARDS PER SECTION 154.155(C)

Please respond to each of the following questions. As part of your request to obtain a use variance, the applicant must show an unnecessary hardship by demonstrating that all of the following standards are met:

(1) Please explain how the property in question cannot be used for any of the uses permitted in the district in which it is located;



Without the variance, the property cannot reasonably support:

- Protected entry improvements (front porch)
- Functional, enclosed living space (sunroom)

While technically usable, the property is deprived of full, reasonable residential functionality, placing it at a disadvantage relative to similar properties.

(2) Please explain how the plight of the owner is due to unique circumstances of the property and not to general neighborhood conditions;

The hardship is due to the specific physical characteristics of the property:

- Historic structure
- Existing nonconformities
- Prior 2018 variance approval

These conditions are unique to this property and not broadly applicable to other properties in the neighborhood.

(3) Please explain how by granting the variance, the essential character of the neighborhood would not be altered; and

Granting the variance will not alter the essential character of the neighborhood. The proposal:

- Maintains residential scale and architectural consistency
- Does not increase density or change use
- Enhances the property in a manner consistent with surrounding homes

There is no adverse visual or functional impact. The addition is consistent with typical residential improvements and will not negatively impact the surrounding area.

(4) Please explain how the problem is not self-created or based on personal financial circumstances.

The hardship is not self-created and is not based on financial circumstances. The hardship:

- Runs with the land
- Is tied to historic and physical constraints
- Exists independent of ownership

**OFFICE USE ONLY:**

Date Notice Sent _____ Date Resident Notification _____ Hearing Date _____

[illegible]

Findings of Fact:

Member Signature _____ Vote _____

Zoning Board of Appeals,

I am writing in response to a zoning variance request for 810 Allegan Street.

I am opposed to both the coverage variance, as well as the setback requests because there does not appear to be a hardship or other compelling reason/s to waive guidelines that apply to everyone else. I am sure the request would make the property owners happy, but I don't think that is sufficient reason to change the rules that have been established for a variety of good reasons.

Additionally, if I understand correctly, this property has already benefited from variances in the past and the recent buyers should have researched things like coverage and setbacks when they bought. If they had, they would have learned that 810 was denied a variance request on similar grounds not that long ago.

John Thomas,
A close proximity property owner.
5/10/26

A handwritten signature in black ink that reads "John Thomas". The signature is written in a cursive, flowing style with a large initial "J" and a long, sweeping underline.