



SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



In-Person Meeting Location
Saugatuck Township Fire District
3342 Blue Star Highway
Saugatuck, MI 49453

3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: info@saugatuckfire.org

FIRE CODE BOARD of APPEALS MEETING

3:30pm – February 3rd, 2025

APPROVED MINUTES

1. Call to Order / Roll Call: **Meeting called to order by Chair Beckman at 3:30pm.**
PRESENT: J. Verplank, E. Beckman, C. North.
ABSENT: None
Also Present: Chief Greg Janik, D.C. Mantels, W. Bales, and Attorney Randy Schipper.
2. Reminder: It is requested that the board silences cell phones and put them away for the duration of the meeting.
3. Approval of Agenda (*additions / deletions*):
Motion by C. North, second by J. Verplank, to approve the agenda as presented. No discussion. Motion passes unanimously by voice vote.
4. Approval of Minutes:
A. January 27th, 2025 – 6545 Clearbrook Dr – Appeal Follow-Up Hearing
Motion by J. Verplank, second by C. North, to approve the minutes of the 1/27/2025 hearing as presented. No discussion. Motion passes unanimously by voice vote.
5. Unfinished Business:
A. Appeal of 6545 Clearbrook Dr., K & E Ventures, LTD.
 - i. Discussion
 - ii. Re-Open Hearing (Chair) (*Roll Call Vote*)
YEAS: Verplank, Beckman, North
NEAS: None
ABSENT: None
Motion Passes – 3:0
 - iii. Presentation by the Applicant or designee. (Limit 5 minutes)
 1. Mr. Schipper read some additional comments and provided a copy of the same that are included in the public record.
 2. Mr. Schipper provided an updated site drawing from CKC architect showing the parking was challenging to fit.
 - iv. Presentation by the Fire Code Official or designee. (Limit 5 minutes)
 1. Chief Janik provided a copy of the survey and easement that was obtained from the Township Zoning Administrator.
 2. The Township Zoning Administrator indicated they will also have to comply with the width and other driveway requirements of the Township.
 3. There is no such thing as fire resistive construction in a residential dwelling and the older legacy is less of a “fire trap” than today’s construction. .
 4. D.C. Mantels provided a copy of the updated site plan received 5 minutes ago showing additional **Locations for parking** that could fit on the latest plan.



SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



- v. **Presentation by other parties** (Limit 3 minutes)
 - 1. **None**
- vi. **Discussion**
 - 1. **Discussion ensued between the BOA members and Mr. Schipper.**
- vii. **Close Hearing (Roll Call Vote)**
 - Motion by Verplank, 2nd by North to close the public hearing. No further discussion.**
 - YEAS: Verplank, North, Beckman**
 - NEAS: None**
 - ABSENT: None**
 - Motion Passes – 3:0**
- viii. **Action by Board (Roll Call Vote)**
 - 1. **Verplank feels that the fire code does apply and the property needs to comply as they are tearing down the existing dwelling and proposing a new one.**
 - 2. **North agrees with Jane that the code needs to be met and would vote to deny.**
 - 3. **Beckman stated that he agrees that the different points of the appeal are not met. He advised that the Fire District would have it's legal counsel draft up a letter regarding the decision and it would be shared with Mr. Schipper when completed.**
 - 4. **Meeting to review the letter from the attorney will hopefully be just before the next Fire Board meeting at 3:30pm in two weeks.**
- 6. **New Business:**
 - A. None**
- 7. **Public Comments: (Limit 3 minutes):**
 - A. None**
- 8. **Board of Appeal Member Comments:**
 - A. None**
- 9. **Adjournment:**
 - A. Meeting adjourned at 3:56pm.**

NOTICE

Request for accommodations or interpretive services must be made 48 hours prior to this meeting.
Please contact Saugatuck Township Fire District at 269-857-3000 for further information.

02/03/2025 Fire BOA Outline

Randy Schipper for Culver and Karen Lamb, through their LLC, K&E Ventures, Ltd.

We are appealing the refusal of the STFDistrict to allow the existing access to the existing parcel to continue serving that parcel if the old house is replaced with a new house.

The Lambs can legally continue occupying the existing residence with no further approval. But it is unsafe for handicapped persons in their family due to its cramped size, non-fire retardant materials, not being up to current code, and lack of sprinkling.

All the Lambs want to do is replace that firetrap with a house that is handicap accessible, of fire-retardant materials, with sprinkling, and up to current building codes. That is, a much safer house.

You want them to upgrade their driveway to current fire codes if they do that. They cannot create the IFC required turnaround within their parcel. Their architect has tried a number of different layouts and could not come up with one that met the requirements of the IFC and township while still leaving a feasible building footprint for a new ADA compliant residence and parking area.

The STFD report submitted for this meeting identifies a “slanted turnaround” plan as a reasonable accommodation—on the last page of its report. That drawing was an off-the-cuff last ditch attempt by the Lambs’ architect to come up with a workable plan. After Mr. Mantels indicated it may work, the architect went back to see if he could work in the required parking with the handicap ramps with the final layout of the residence. He could not, as shown on the drawing I am providing you today.

If they cannot install an IFC compliant turnaround, we could not widen the driveway throughout the 750 ft easement providing access and could not replace the driveway with one sufficient to meet the 80,000 lb weight-bearing capacity. Because fire trucks would not be able to use it anyway, we would not be able to overcome the objections of the owners of the land on which the driveway sits by convincing a court that those improvements are necessary. Even if we could create an IFC turnaround, we may not be able to convince a court they are

necessary, given the drive has been used for decades without those improvements.

The Lambs have to continue to rely on the fire hydrants for firefighting because they cannot install an IFC compliant turnaround on their land. You have acknowledged that you can cross private property in emergency situations such as presented by a fire, and the neighbors have told us they would have no objection to your doing so. They probably can improve the driveway sufficiently for ambulance use but not for large firetrucks.

In this situation, the local fire code must give way to the federal Fair Housing Act, as set out in our appeal of December 2, 2024, and our presentation at the hearing of January 27, 2025.

We all agree that emergency access to this property is not up to current codes. However, the Lambs cannot make the fundamental changes you request for a fire truck turnaround at the end of the driveway on their property, and may not be able to make the other requested changes to the driveway. And the Lambs can continue to occupy the existing house without making any changes. An exemption from compliance with the IFC Code would enable them to replace that firetrap with a new, much safer home.

Mr. Mantels raised a rhetorical question at the prior hearing whether the house will be used for short-term rentals, given it is owned by an LLC with that as its identified purpose. It will not. It will be used by Culver and Karen from spring to fall. Their daughters and husbands also use it, as do their nieces and nephews. They do let some close friends use it, mostly without compensation, but some friends do give them a little something in return. That is why their Ohio attorney recommended the LLC. They do not rent it out beyond family and close friends and have no plans to do so.

As I have previously said, our menu is limited. We have *bad*: the Lambs continue to use the unsafe firetrap currently on their property, or *better*: the Lambs replace the existing firetrap with an ADA-accessible home, of fire retardant materials, with sprinkling, and up to current codes. What we don't have on the menu is *perfect*: that they replace the firetrap with a new safer home and replace the existing access with access meeting the IFC and township requirements. They simply cannot do that.

Where “perfect” is not available, the federal Fair Housing Act requires local units of government to accept “better”, a reasonable accommodation that allows a handicapped person to enjoy his or her property as others can. That is what we are seeking by requesting that the Lambs be allowed to replace the existing firetrap with a safer home without having to bring the driveway up to the current requirements of the IFC and township.

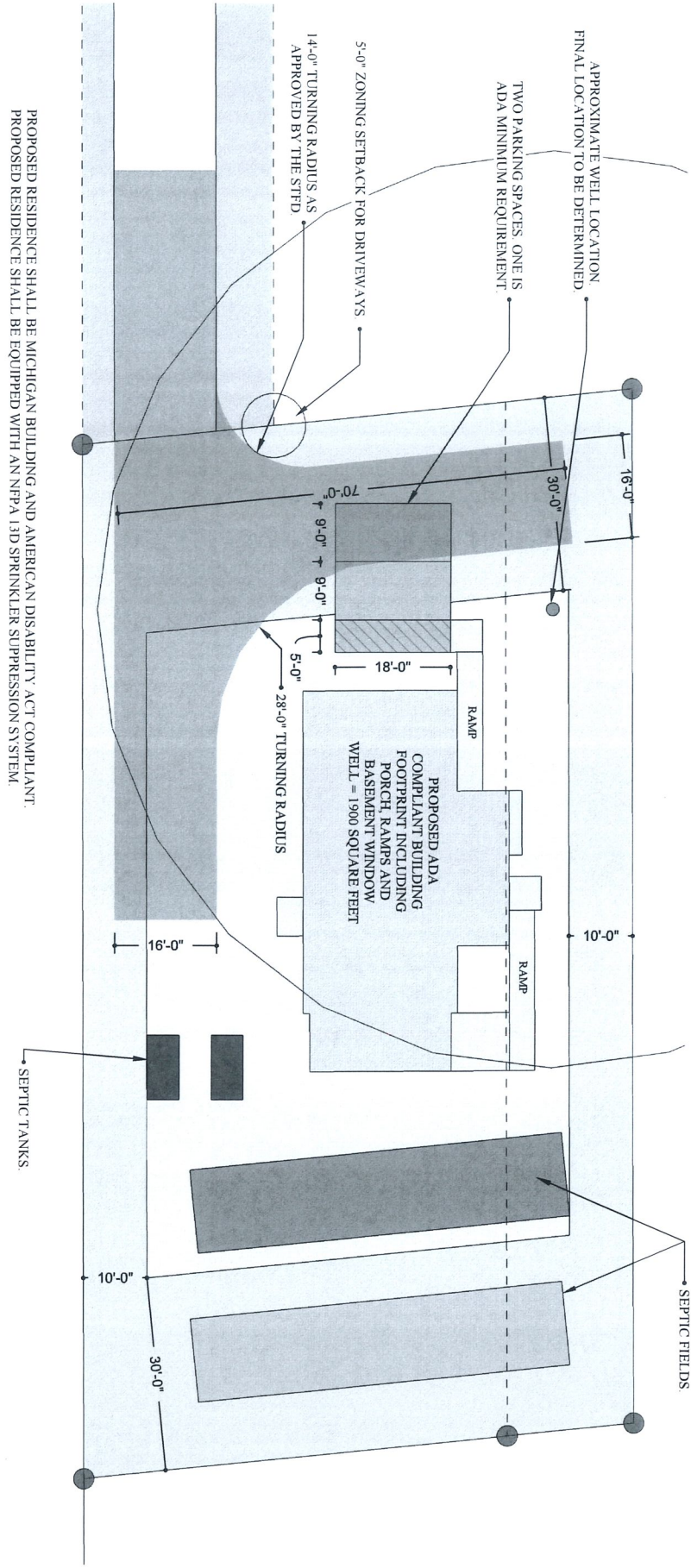


The Lamb Residence
6545 Clearbrook Drive
Saugatuck, MI 49453

Alternate Hammerhead with Smaller
Turning Radius

February 3, 2025

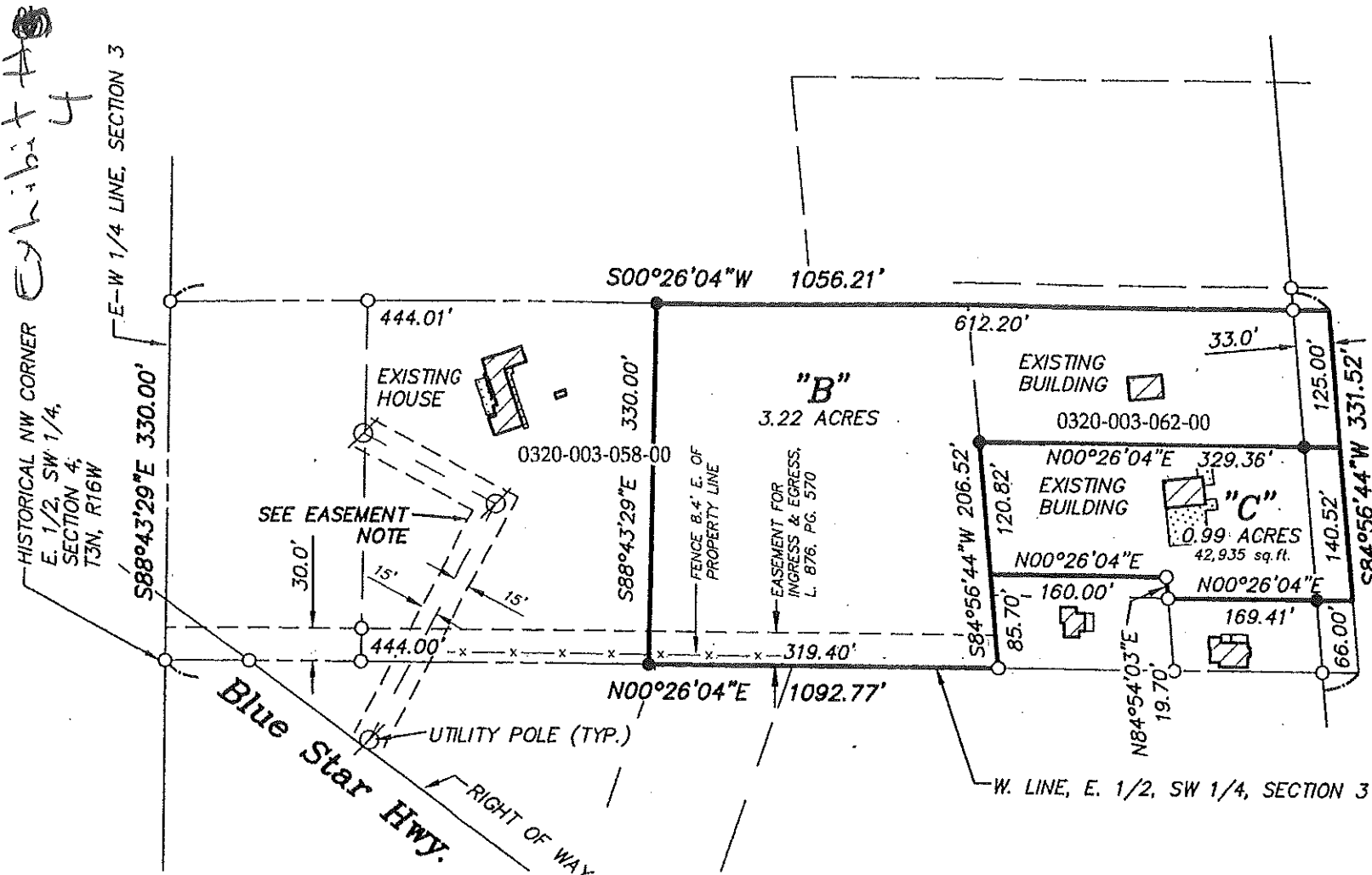
01 of 01



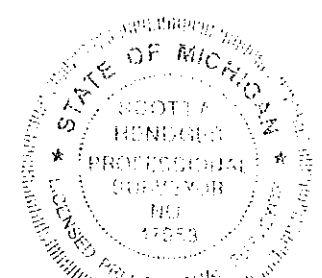
PREPARED FOR: Coldwell Banker Woodland Schmidt
 Jeff Wilcox
 P.O. Box 2717
 Douglas, MI 49406

RE: John W. Warner
 6540 Washington Road
 (Blue Star Highway)

PARTIAL DESCRIPTION: Part of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan. (See Sheet 2 of 2 for complete descriptions).



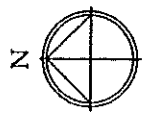
Clearbrook Avenue
 (OLD HOLLAND ROAD)



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

EASEMENT NOTE: Easement as shown is per a Partial Release of Easement, (such easement as was granted to Consumers Power Company, now known as Consumers Energy, and recorded in Liber 620, Page 68), as recorded in Liber 3221, Page 736.

Scale 1" = 150'



- = Concrete
- D = Description dimension
- M = Measured dimension
- P = Platted Dimension
- = Set Iron Stake
- = Found Iron Stake
- x- = Fence Line

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

www.nederveld.com

GRAND RAPIDS
 4079 Park East Court
 Grand Rapids, MI 49546
 PHONE: (616) 575-5190

HUDSONVILLE
 5570 32nd Avenue
 Hudsonville, MI 49426
 PHONE: (616) 669-5190

HOLLAND
 347 Hoover Boulevard
 Holland, MI 49423
 PHONE: (616) 393-0449

ANN ARBOR
 944 N. Main St.
 Ann Arbor, MI 48104
 PHONE: (734) 929-6963

rev.: Revised frontage on "B"

date: 6-4-08 CH

project no.: 07200667 DSC3.2

date: 4-4-08 CH

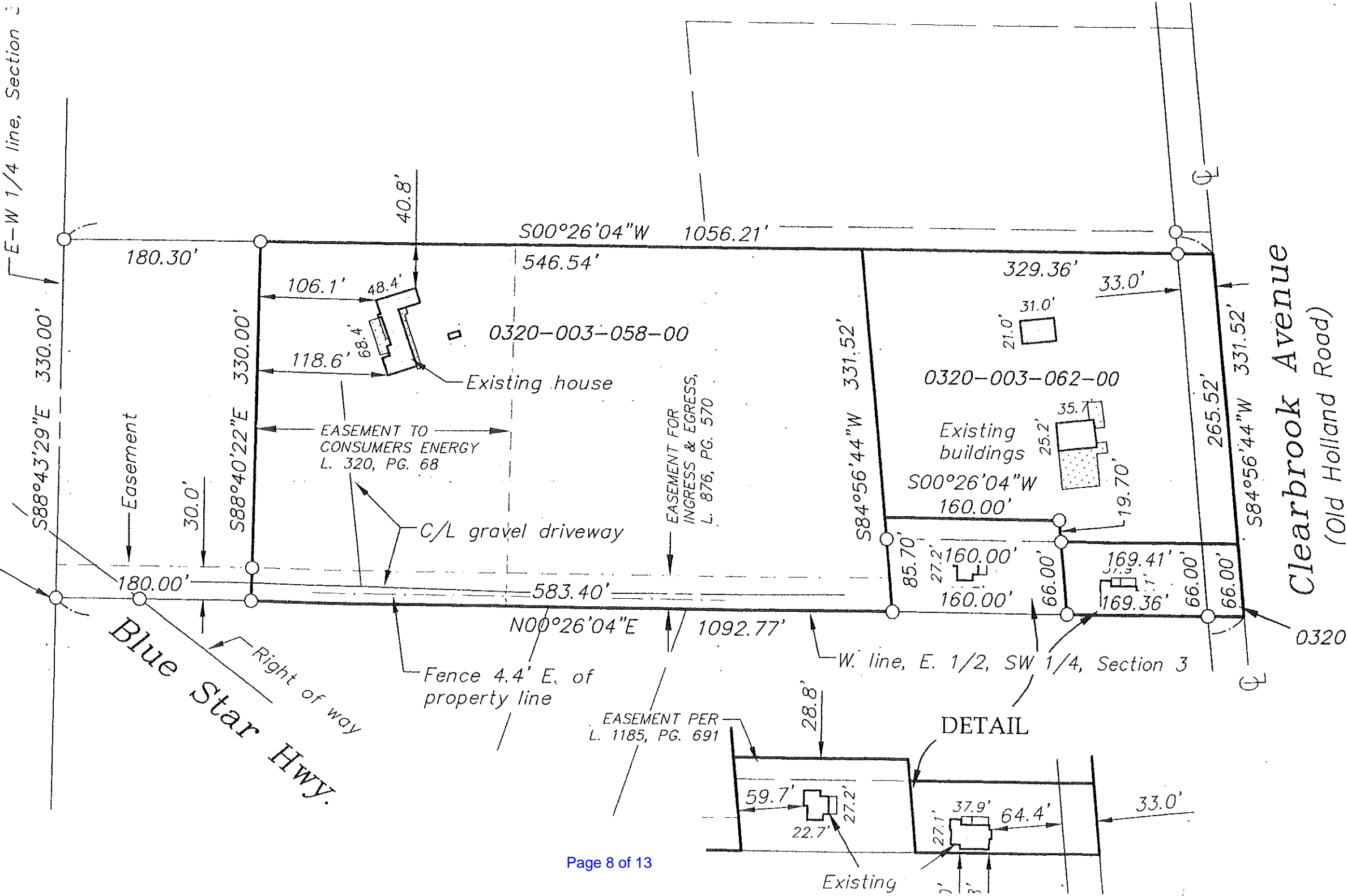
© 2007 Nederveld, Inc.

07200667DSC3H 06/04/08 7:51

Historical NW corner
E. 1/2, SW 1/4,
Section 4,
T3N, R16W

Exhibit #1

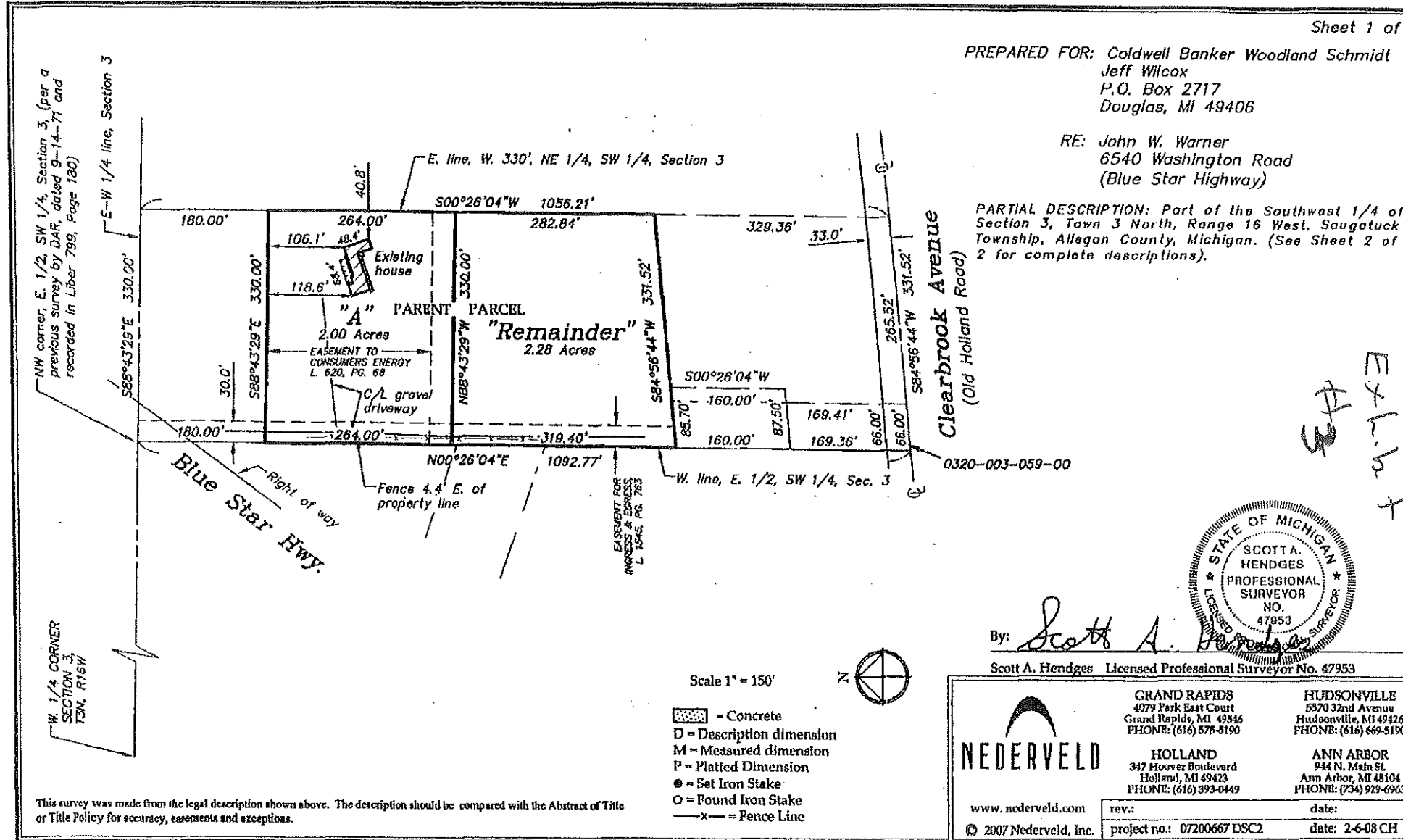
E-W 1/4 line, Section 3



PREPARED FOR: Coldwell Banker Woodland Schmidt
 Jeff Wilcox
 P.O. Box 2717
 Douglas, MI 49406

RE: John W. Warner
 6540 Washington Road
 (Blue Star Highway)

PARTIAL DESCRIPTION: Part of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan. (See Sheet 2 of 2 for complete descriptions).



Handwritten notes: \$5, Explain



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

NEDERVELD

GRAND RAPIDS 4079 Park East Court Grand Rapids, MI 49546 PHONE: (616) 575-5190	HUDSONVILLE 5370 32nd Avenue Hudsonville, MI 49426 PHONE: (616) 669-5190
HOLLAND 347 Hoover Boulevard Holland, MI 49423 PHONE: (616) 393-0449	ANN ARBOR 944 N. Main St. Ann Arbor, MI 48104 PHONE: (734) 929-6963

www.nederveld.com rev.: date:
 © 2007 Nederveld, Inc. project no: 07200667 DSC2 date: 2-6-08 CH

Handwritten signature: *John W. Warner*

All that certain piece or parcel of land situated and being in the Township of Saugatuck, Allegan County, Michigan, and described as follows, to-wit:

THE WEST 330 FEET OF THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWN 3 NORTH, RANGE 16 WEST, LYING NORTH OF THE HOLLAND ROAD,

EXCEPT A PARCEL IN THE SOUTHWEST CORNER 85.7 FEET BY 170 FEET.

EXCEPT FOR A PARCEL OF LAND 16 RODS WIDE EAST AND WEST, BY 20 RODS IN LENGTH NORTH AND SOUTH, LYING IN THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIPTION; COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWN 3 NORTH, RANGE 16 WEST, RUNNING THENCE EAST ON QUARTER LINE 20 RODS, THENCE SOUTH ABOUT 65 RODS TO THE CENTER OF THE OLD HOLLAND ROAD, THENCE WEST BY ABOUT 18 DEGREES SOUTH ALONG CENTER OF SAID HIGHWAY TO THE EIGHTH LINE, THENCE NORTH ON SAID EIGHTH LINE TO PLACE OF BEGINNING.

ALSO EXCEPT FOR THE SOUTH 160 FEET OF THE NORTH 902.5 FEET OF THE WEST 66 FEET OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWN 3 NORTH, RANGE 16 WEST; SAID PROPERTY BEING ALSO DESCRIBED AS COMMENCING AT A POINT WHERE THE WEST 8TH LINE OF THE SOUTHWEST 1/4 OF SECTION 3, TOWN 3 NORTH, RANGE 16 WEST, INTERSECTS THE CENTER OF THE OLD HOLLAND ROAD, THENCE NORTH ALONG SAID 8TH LINE 170 FEET FOR THE POINT OF BEGINNING, THENCE NORTHEASTERLY PARALLEL WITH THE CENTER OF SAID HIGHWAY 66 FEET, THENCE DUE NORTH PARALLEL WITH SAID 8TH LINE 160 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE CENTER OF SAID HIGHWAY 66 FEET, THENCE SOUTH ALONG SAID 8TH LINE 160 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT FOR COMMENCING AT A POINT WHERE THE WEST EIGHTH LINE OF THE SOUTHWEST 1/4 OF SECTION 3, TOWN 3 NORTH, RANGE 16 WEST INTERSECTS THE CENTER OF THE OLD HOLLAND ROAD, THENCE NORTH ALONG SAID EIGHTH LINE 170 FEET, THENCE EAST PARALLEL WITH THE CENTER OF SAID HIGHWAY 66 FEET TO A POINT OF BEGINNING OF THIS DESCRIPTION, THENCE NORTH PARALLEL WITH THE WEST EIGHTH LINE 160 FEET, THENCE EASTERLY PARALLEL WITH SAID HIGHWAY 19.7 FEET, THENCE SOUTH PARALLEL WITH THE WEST EIGHTH LINE 160 FEET, THENCE WESTERLY 19.7 FEET TO POINT OF BEGINNING.

ALSO EXCEPT THE NORTH ONE-HUNDRED EIGHTY FEET OF THE WEST 20 RODS OF THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 3, TOWN 3 NORTH, RANGE 16 WEST, ALLEGAN COUNTY, MICHIGAN.

TOGETHER WITH AN EASEMENT OVER THE WEST 30 FEET OF THE NORTH 180 FEET OF THE WEST 20 RODS OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWN 3 NORTH, RANGE 16 WEST, FOR INGRESS AND EGRESS.

P.P. 0320-003-058-00

SCHEDULE "A"

Charlyne Kimble
Charlyne Kimble

Notary Public, Allegan Co., MI
My commission expires: 11-10-97

Prepared by:
Philip J. Sheridan P27328
SHERIDAN LAW OFFICES, P.C.
62 Center Street
Douglas, MI 49406
(616) 857-2119

49-
49-B

0320-003-058-10K
0320-003-058-176
0320-003-060-00
3-17-92

WARRANTY DEED

The Grantor(s) JAMES A. LAMB, SR. and DORIS E. LAMB, husband and wife, whose address is 10654 Deerfield Road, Montgomery, Ohio 45242, convey(s) and warrant(s) to CULVER S. LAMB and KAREN L. LAMB, husband and wife, as tenants by the entireties, whose address is 576 Commonwealth Drive, Cincinnati, Ohio 45244.

for the sum of **TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$27,500.00)**

the following described premises situated in the Township of Saugatuck, County of Allegan, and State of Michigan:

See reverse side for property description.

Grantor, James A. Lamb, is the survivor of himself and Celia M. Lamb; Celia M. Lamb's Death Certificate is recorded in Liber _____, Page _____, REGISTER OF DEEDS ALLEGAN COUNTY, MICH.

Dated this 28 day of Feb, 1992.

Signed in the presence of:

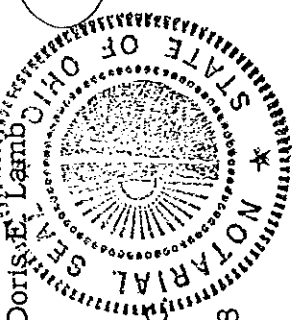
[Signature]
Linda S. La Dow
[Signature]
Joan E. Byrge
STATE OF OHIO)
COUNTY OF Stam)

Signed by:

[Signature]
James A. Lamb
[Signature]
Doris E. Lamb

The foregoing instrument was acknowledged before me this 28 day of Feb 1992, by James A. Lamb and Doris E. Lamb.

Prepared by:
William W. Coupe
✓ COUPE & VAN ALLSBURG, P.C.
P.O. Box 1408
Holland, Michigan 49422-1408



Notary Public, Clermont County, Ohio
My commission expires:

Tax certification # 13698
obtained from Allegan County
Treasurer prior to recording

The Current Delinquent Return Was Not Available For Examination

RECORDED
1992 MAR 11 PM 4:08

PARCEL A: The South 160 feet of the North 902.5 feet of the West 66 feet of the East 1/2 of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West; said property being also described as commencing at a point where the West 8th line of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West, intersects the center of the old Holland Road, thence North along said 8th line 170 feet for the point of beginning, thence Northeasterly parallel with the center of said highway 66 feet, thence due North parallel with said 8th line 160 feet; thence Southwesterly parallel with the center of said highway 66 feet, thence South along said 8th line 160 feet to the point of beginning.

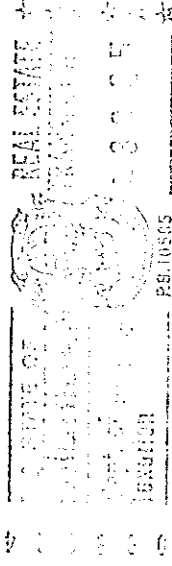
PARCEL B: Commencing at a point where the West eighth line of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West intersects the center of the old Holland Road, thence North along said eighth line 170 feet; thence East parallel with the center of said highway 66 feet to a point of beginning of this description, thence North parallel with the West eighth line 160 feet, thence Easterly parallel with said highway 19.7 feet, thence South parallel with the West eighth line 160 feet, thence Westerly 19.7 feet to point of beginning, Township of Saugatuck, Allegan County, State of Michigan.

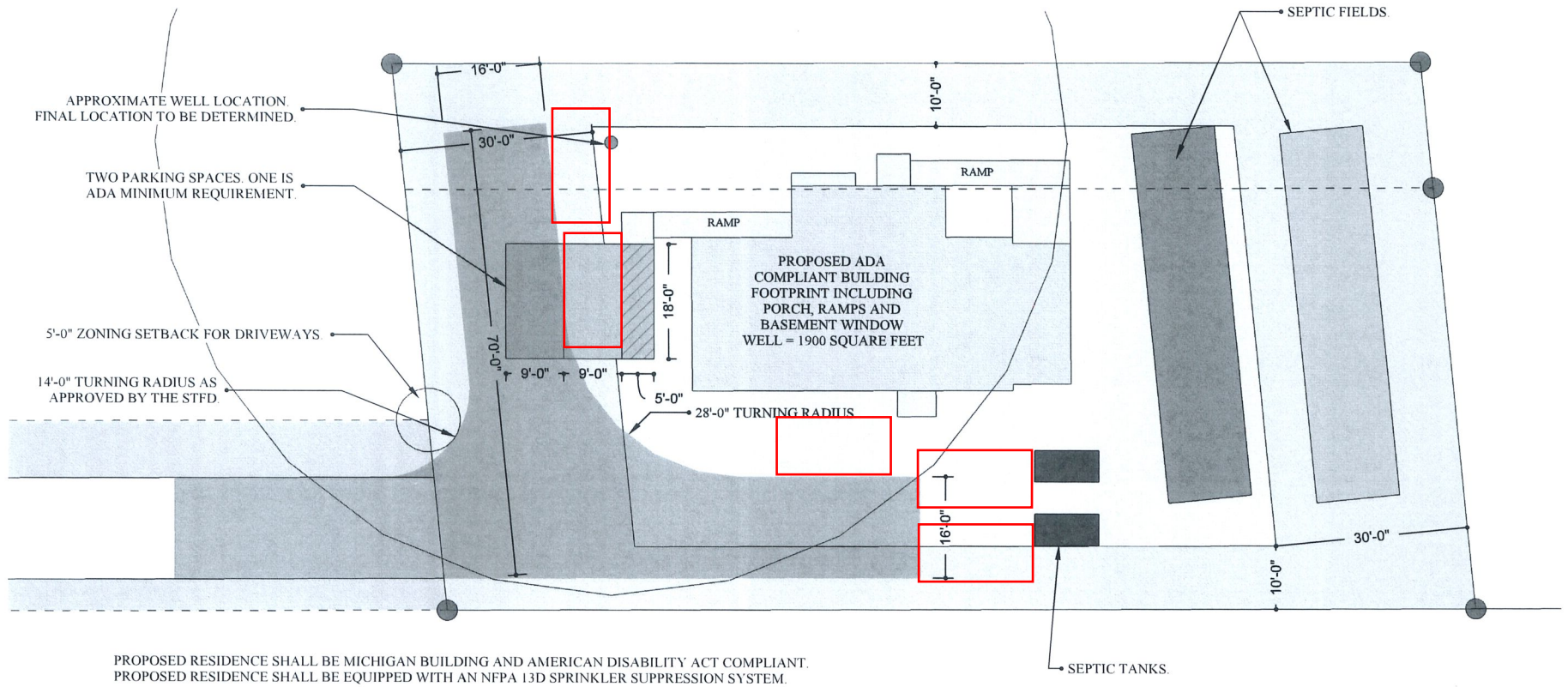
Together with an easement for ingress and egress across the West 30 feet of the North 742.5 feet of the West 20 rods of the East 1/2 of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West. *

Subject to any easements of record and subject to any portion thereof decided or used for street or highway purposes.

*

ALSO an easement in common with others described as commencing at a point where the West 8th line of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West intersects the center of the Old Holland Road; thence North along said 8th line 170 feet, thence East parallel with the center of said highway 66 feet to a point of beginning of this description, thence North parallel with the West 8th line 160 feet, thence Easterly parallel with said highway 19.7 feet, thence South parallel with the West 8th line 160 feet, thence Westerly 19.7 feet to point of beginning.





Red parking spaces added during 2/3/2025 BOA meeting by D.C. Mantels to outline other parking options.



The Lamb Residence
 6545 Clearbrook Drive
 Saugatuck, MI 49453

Alternate Hammerhead with Smaller
 Turning Radius

February 3, 2025

01 of 01