



# Fruitland Township Zoning Board of Appeals Minutes of September 14, 2015

***CALLED TO ORDER:*** 6:02 p.m.

***PLEDGE OF ALLEGIANCE***

***PRESENT:*** Chairman John Warner, Board members Penny Larson, Herbert Huch, Judy Marcinkowski and Eileen Stoffan.

***ALSO PRESENT:*** Zoning Administrator Jensen, Recording Secretary Sally Dion and 3 interested parties.

***AGENDA:*** Motion by Penny Larson, second from Judy Marcinkowski, ***ADOPTED***, to accept the September 14, 2015 Zoning Board of Appeals agenda as written.  
***5 AYES***

***MINUTES:*** Motion by Judy Marcinkowski, second from Penny Larson, ***ADOPTED***, to accept the June 8, 2015 Zoning Board of Appeals minutes as written.  
***5 AYES***

Chairman Warner explained the purpose and function of the Zoning Board of Appeals.

***4752 Bluff Road***

***61-06-275-000-0014-00***

**Applicant Gregory Butzer, 4752 Bluff Road, Whitehall, MI, 49461**, requests a variance from the following article: Article III, General Provisions, Section 3.08 Accessory Buildings and Uses, to allow a greater maximum square footage than allowed.

***Public Hearing Open 6:13 p.m.***

Chairperson Warner asked Zoning Administrator Jensen for his report. Zoning Administrator Jensen stated the existing building appears to be three separate buildings put together as one. Other than the size if approved it would be less non-conforming because the existing does not meet the required setbacks and the proposed does.

***Correspondence:***

- Rick & Sandra Paggeot, 4782 Bluff Road, supports variance.

- R. Hildebrandt, 4732 Bluff Road, supports variance.
- Brian Doherty, 4762 Bluff Road, supports variance.

Brad VanBergen, 1625 South Mears, is here as a friend of the applicant. He stated the existing Accessory Building is non-conforming due to both the size and setbacks. He explained the size allowed for this size parcel (672 square feet) would not allow the parking of cars, storage of mower, etc. and it is not insulated. The applicant does not have a basement and would like a workshop space. The proposed building would meet the setbacks making it less non-conforming and will better the property.

Board Member Marcinkowski asked what the 5' X 8' area was for. Mr. VanBergen answered that area will be for the storage of the lawn mower, bicycles, rakes, etc. She asked if the proposed building was going to be heated and have plumbing. Mr. VanBergen answered yes it will be heated eventually and no it will not have plumbing.

Board Member Larson asked if this residence was year round or seasonal. Mr. Butzer answered it is year round.

Chairperson Warner stated the proposed building is actually 80 square feet less than the existing and it will meet the setbacks.

***Public Comment:***

None

***Public Hearing Closed 6:18 p.m.***

***Board Comments:***

Board Member Stoffan is definitely in favor; she believes it will be less non-conforming.

Board Member Marcinkowski stated she was in the existing building a few years back and it was in disrepair, however, she is having trouble with the size.

Board Member Larson stated she likes the idea of the building being moved back from the road and out of the side yard setback.

Board Member Huch stated the size exceeds the maximum allowed by a lot.

Chairperson Warner stated again the existing may be more than allowed, however, it is bringing it back into compliance some by meeting the setbacks. It will not adversely affect anyone.

Review standards for variances were reviewed.

Motion by Eileen Stoffan, second from Penny Larson, ***ADOPTED***, to ***GRANT***, the variance as requested allowing them an Accessory Building that exceeds the maximum size for the parcel size to replace one being demolished because it is in disrepair and did not meet setbacks, the new building is some smaller in size and does meet setbacks.

***Roll Call Vote: Huch AYE, Stoffan AYE, Larson AYE, Marcinkowski NAY, Warner AYE***

Chairman Warner informed that they have 180 days to begin the project.

***ADJOURNMENT***

Motion by Herbert Huch, second from Eileen Stoffan, ***ADOPTED*** to adjourn the September 14, 2015 Zoning Board of Appeals meeting at 6:37 p.m.

**5 AYES**

Respectfully Submitted,

Sally Dion  
Recording Secretary