

**PLANNING COMMISSION**  
**(DRAFT) Minutes for Regular Meeting of**  
**July 7, 2010**

- PRESENT** Chairperson Carol Kooistra, Tom Thompson, Jan Deur, William Josephson, Brian Lernowich, Steve Nagengast and Susan Hertel.
- ALSO PRESENT** Zoning Administrator Sandel, Recording Secretary Garvey and 2 interested parties.
- CALL TO ORDER** Chairperson Kooistra called the July 7, 2010 meeting to order at 7:00 p.m. and led those in attendance in the Pledge of Allegiance.
- AGENDA** **Motion by Jan Deur, second from Sue Hertel, *ADOPTED*, to accept the July 7, 2010 meeting agenda as written.**  
**7 AYES**
- MINUTES** **Motion by Steve Nagengast, second from Brian Lernowich, *ADOPTED*, to accept the June 2, 2010 regular meeting minutes as written.**  
**7 AYES**

**PUBLIC COMMENT**

Gerard Martin, 2335 Lorenson Road, questions how the accessory building height requirements were determined and if they could be amended. An accessory building has been constructed on his property by a builder without the necessary zoning or building approvals and the township has notified him that the size is okay but the height is higher than the 20' allowed for the square footage. He believes the full square footage using both the main and an upper floor should be used for calculation which then would meet the height requirement. Zoning Administrator Sandel explains we determine the square footage by the length and width of the building not the space in the building. Zoning Administrator Sandel explains that maybe this requirement does need to be reviewed and maybe the height requirement should be determined by the acreage and not the size of the building. He gives scenario of someone having enough acreage to build a 2,400 square foot building which has a 24' height requirement; however, they don't want a building that big. Consensus of Commissioners is to put this on the Zoning Ordinance Review Committee's list. Chairperson Kooistra explained to Mr. Martin that unfortunately even if the Ordinance is amended it would not be retroactive. She advised him of three (3) options for rectifying his situation, 1) Apply to get a variance from the zoning board of appeals, 2) take the roof off and lower it to 20 feet, 3) expand the size of the accessory building to the required size for a 24' roof.

**OLD BUSINESS**

1. Amend Article III, General Provisions, Section 3.32 Driveways

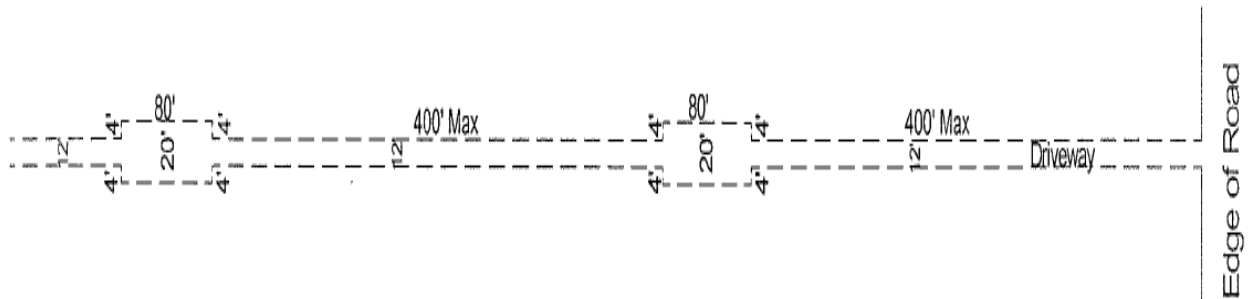
**Motion by William Josephson, second from Sue Hertel, *ADOPTED*, to recommend approval of the language as written below to the Township Board of Trustees.**

**7 AYES**

The Zoning Ordinance Review Committee with the inclusion of Commissioner Deur met and discussed the concerns brought forth at the Public Hearing at the June meeting, revisions were made to address these concerns and the language if adopted will read as follows:

**SECTION 3.32 DRIVEWAYS**

Each building site is to be serviced by a driveway. All new driveways must have a travel surface of 12 foot wide constructed of gravel, concrete, asphalt, crushed limestone, crushed concrete, slag or combination of these or other materials as may be approved by the Zoning Administrator with an additional cleared 3 feet on each side, a cleared height of 13 ½ feet and for every 400 foot interval a 20 X 80 foot area for pass or re-pass of emergency vehicles. Driveways shall not be closer than 80 feet to an intersection, except for exceptional circumstances as approved by the Fruitland Township Board, or their designated representative, and the Muskegon County Road Commission. Except for building sites on private streets, an approved driveway permit must be obtained from the Muskegon County Road Commission (MCRC) and submitted to the Building Inspector prior to the issuance of a building permit. Adjacent to and on both sides of a driveway, the area between the right-of-way line and the pavement edge shall be maintained clear of any objects that obstruct the vision of the roadway from the driveway.



**2. Review Sign Ordinance**

After a lengthy discussion regarding frequency lights can blink, definition of blinking and flashing, consensus was to have the Zoning Ordinance Review Committee with the inclusion of Commissioner Deur review the Sign Ordinance, especially Section 17.03 Signs Prohibited which reads as follows:

**SECTION 17.03 SIGNS PROHIBITED**

The following types of signs are expressly prohibited:

- A. Signs that have flashing, moving, oscillating or blinking lights, any visible moving part, visible revolving parts, or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, including intermittent electrical pulsations or by action of natural wind currents, or that revolve or have other visible moving parts (excluding time temperature and barber shop poles signs).

**3. Zoning Ordinance Review Committee – Update**

Commissioners Josephson and Thompson met and compared the Future Land Use Map with the Current Zoning Map for possible discrepancies and have provided a list to be taken under advisement and for review for discussion at the August meeting.

**ADJOURNMENT**

**Motion by Sue Hertel, second from Jan Deur, ADOPTED, to adjourn the July 7, 2010 regular meeting at 8:30 p.m.**

**7 AYES**

Respectfully Submitted,

Sally Garvey, Recording Secretary