



Fruitland Township

Zoning Board of Appeals

Minutes of

July 12, 2021

CALLED TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Chairperson Warner, Board members Cindy Campeau, John Ruck, and Judy Marcinkowski.

NOT PRESENT: Board member Eileen Stoffan, excused.

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

AGENDA: Motion by Judy Marcinkowski, second from Cindy Campeau, ***ADOPTED***, to amend the agenda by changing date from April 12, 2021 to July 12, 2021 for Accept/Amend agenda and adding Accept/Amend April 12, 2021 Meeting Minutes and accept the July 12, 2021 Zoning Board of Appeals agenda as amended.

4 AYES
1 ABSENT

MINUTES: Motion by John Ruck, second from Judy Marcinkowski, ***ADOPTED***, to accept the April 12, 2021 meeting minutes as written.

4 AYES
1 ABSENT

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

5742 Murray Road

61-06-011-400-0004-00

Applicant WinBerg Construction Inc., 8868 Water Street, Montague, MI 49437 on behalf of owner Joseph Gerard Kerschen, DO, 5742 Murray Road, Whitehall, Michigan 49461, requests variance from the following Article, ARTICLE III, GENERAL PROVISIONS, SECTION 3.08 G. ACCESSORY

BUILDING SIZES, HEIGHTS AND SETBACKS to construct a 1,970 sq. ft. accessory building which exceeds the 1,536 sq. ft. maximum allowed by 434 sq. ft. (pursuant to section 19.03(C) of the Zoning Ordinance).

Public Hearing Open 6:05 p.m.

Correspondence

Recording Secretary Sally Dion advised there was a letter received from the applicants.

Norman Dodds explained the site plan. He stated for the size of this parcel the maximum square foot allowed for an Accessory Building is 1,536. They are asking to add an addition 434 square feet. The current Accessory Building is a 30' X 32' (960 sq ft.).

Chairperson Warner asked why they can't build to meet the township requirement. The response was the area is very tight, it's a challenge to get things up the hill, needs extra space to store things inside.

Owner explains the property needs refreshing. Northwest corner of the proposed building would allow for a utility room, small bathroom, furnace, etc., without it they lose storage elsewhere.

Board Member Campeau asked about the need for a full bath. The response was they have a sport court area, shower needed.

Board Member Marcinkowski asked about the Art Studio, who is the artist? The response was the area is initially going to be storage and then give a little bit of private space, some might refer to as a "man cave" or "studio" for the Mrs. She also asked if they plan to put a kitchen/kitchenette in and it was stated there are no plans for that.

The owners said the father has health issues and they would like to split off a portion of this parcel to build a house for him. They would still be allowed the maximum of 1,536 sq. ft.

Public Comment

Chairperson Warner advised of letter received from Janet Nedeau, 5744 Murray Road, **supports**.

Brian Lernowich, 5740 Murray Road, **supports**, as long as the building is not being used as a dwelling.

Public Hearing Closed at 6:23 p.m.

Review standards for variances were reviewed and found un-favorable.

Motion by John Ruck, second from Judy Marcinkowski, **ADOPTED**, to, **DENY**, the variance as requested to construct a 1,970 sq. ft. accessory building which exceeds the 1,536 sq. ft. maximum allowed by 434 sq. ft. **ROLL CALL VOTE:** Campeau **AYE**, Marcinkowski **AYE**, Ruck **AYE**, Warner **AYE**.

Chairperson Warner informed that they have up to 30 days to appeal in Circuit Court the denial of their variance request.

Motion by Cindy Campeau, second from Judy Marcinkowski,
ADOPTED, to adjourn the July 12, 2021 meeting at 6:36 p.m.

Respectfully Submitted,

Sally Dion
Recording Secretary