



Fruitland Township Zoning Board of Appeals Minutes of July 11, 2022

CALLED TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Chairperson Warner, Board members Cindy Campeau, Duke Schropp, Judy Marcinkowski and Eileen Stoffan.

ALSO PRESENT: Zoning Administrator Val Jensen, Recording Secretary Sally Dion and 7 interested parties.

AGENDA: Motion by Eileen Stoffan, second from Cindy Campeau, ***ADOPTED***, to accept the July 11, 2022 Zoning Board of Appeals agenda as written.

5 AYES

NOMINATIONS: Motion by Judy Marcinkowski, second from Eileen Stoffan, to nominate John Warner as Chairperson.

Motion by Judy Marcinkowski, second from Eileen Stoffan, ***ADOPTED***, to close nominations and elect John Warner as Chairperson for the Zoning Board of Appeals year of April 2022 to April 2023.

4 AYES

1 ABSTAIN (Warner)

Motion by Eileen Stoffan, second from Judy Marcinkowski, to nominate Cindy Campeau as Vice Chair.

Motion by Eileen Stoffan, second from Judy Marcinkowski, ***ADOPTED***, to close nominations and elect Cindy Campeau as Vice chair for the Zoning Board of Appeals year of April 2022 to April 2023.

4 AYES

1 ABSTAIN (Campeau)

Motion by Cindy Campeau, second from Eileen Stoffan, to nominate Judy Marcinkowski as Secretary.

Motion by Cindy Campeau, second from Eileen Stoffan, **ADOPTED**, to close nominations and elect Judy Marcinkowski as Secretary for the Zoning Board of Appeals year of April 2022 to April 2023.

4 AYES
1 ABSTAIN (Marcinkowski)

MINUTES: Motion by Judy Marcinkowski, second from Cindy Campeau, **ADOPTED**, to accept the July 12, 2021 meeting minutes as written.

5 AYES

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

2835 Scenic Drive

61-06-131-100-0030-00

Applicants Daniel & Deborah Barry, 2835 Scenic Drive, Muskegon, Michigan 49445, requests variance from the following Article, ARTICLE III, GENERAL PROVISIONS, SECTION 3.23 NON-CONFORMING BUILDINGS, STRUCTURES AND USES; (B) EXPANSION AND SUBSTITUTION OF NON-CONFORMING BUILDINGS OR STRUCTURES (3), to construct a 2,405 sq. ft. addition to an existing 1,092 sq. ft. home (**pursuant to section 19.03(C) of the Zoning Ordinance**).

Public Hearing Open 6:10 p.m.

Correspondence

None.

Phil Johnson, Resource Planning & Design LLC, spoke on behalf of the applicants. He advised that the plan had been changed significantly, decreasing the proposed addition square footage.

Board members discussed the plan being revised. They can only vote on the proposed, which was both published and noticed, however, if it was denied the applicants must wait 1 year to reapply.

The question was asked if the wrap around covered deck is considered square footage. If not, Mr. Johnson stated the revised plan would be for 800 sq. ft.

Chairman Warner asked why the applicants want to exceed the 50% expansion that is allowed by ordinance. Mr. Johnson stated it doesn't fit with the family plan and use. Deborah Barry commented they have four grown children and grandchildren, what is allowed will not help with the needs they have.

Public Comment

- John Gloster, 2823 Scenic Drive, supports fully.
- Brian Sytsma, Sytsma Construction LLC stated he is the contractor and they are not pushing any side setbacks.
- Dan Sutherland, 2983 Scenic Drive, asked if this was a single topic meeting, he was advised it was, it was a Zoning Board of Appeals hearing. He asked if the water setback was historic. Chairman Warner answered that it is the ordinary high-water mark.

- Ace Covey, 3901 Nestrom Road, he stated he would support the modifications for sure, if he was a neighbor, he would be thrilled they are scaling the project back.
- Jeff Marcinkowski, 3767 Jay Road, said publishing is legal, feels procedure should be not making a decision on something other than was originally submitted and published.

Phil Johnson wants the board members to table and give time to submit new plan. Chairperson Warner advises it would probably be best to withdraw this application and reapply for the August meeting, however, for publishing reasons would need to be done as soon as possible.

Public Hearing Closed 7:18 p.m.

Meeting adjourned for five minutes for applicant to hold discussion on if should withdraw or have a decision made on what was proposed.

Meeting called back into session at 7:23 p.m.

After discussion the applicants withdrew the proposed plan that was published and noticed. They will reapply for the August meeting with the revised 800 sq. ft. addition plan.

Phil Johnson asked again if the covered decks are part of the footprint. Zoning Administrator Jensen said not according to Article II, Definitions, Floor Area, Gross (GFA).

The July 11, 2022 meeting adjourned at 7:30 p.m.

Respectfully Submitted,

Sally Dion
Recording Secretary