

**PLANNING COMMISSION**  
**Minutes for Regular Meeting of**  
**August 4, 2022**

**PRESENT** Commissioners Dave Roesler, John Warner, Mike Holman, John Gloster, Maribeth Picard, and Chad Kuipers.

**NOT PRESENT** Paul Josephson, excused.

**ALSO PRESENT** Zoning Administrator Jensen, Recording Secretary Sally Dion and 0 interested parties.

**CALL TO ORDER** Chairperson Roesler called the August 4, 2022 to order at 6:00 p.m.

**AGENDA** Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to amend the agenda by adding under New Business, Article II, Definitions – D, Section 2.05 – D, Day Care, Private Homes, A. Family Child Care Home, B. Group Child Care Home.

**7 AYES**

**MINUTES** Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, to accept the July 12, 2022 Regular Meeting Minutes as written.

**7 AYES**

**PUBLIC COMMENT**

None

**NEW BUSINESS**

**1. White Lake Drive Zoning**

Chairperson Roesler spoke with Attorney Even regarding the possibility of changing the zoning. Attorney Even stated it would probably take eight to ten years, first changing the Master Plan to allow for it. Chairperson Roesler also stated he believes some of those properties may not be usable because of the grade and he isn't sure about the water table, also said the bike path goes through this area which could cause some concern. The impact to current owners using as residential needs to be given thorough thought.

Commissioner Holman stated he thinks this should be put on hold.

Chairperson Roesler asked if there is a need?

Commissioner Picard asked, why this area?

Consensus was to not pursue this.

**2. Article III, General Provisions, Section 3.07, Projections into Yards, B. 4. Porches, terraces, decks, balconies, window awnings, and similar structures which are open on all sides, unenclosed and uncovered:**

**FRUITLAND TOWNSHIP PLANNING COMMISSION August 4, 2022 REGULAR MEETING MINUTES**

4. on parcels contiguous to Lake Michigan, White Lake and Duck Lake, the highest point of any deck, including railings, shall not exceed 6' above the original grade.

Zoning Administrator Jensen stated he believes the 6' above the original grade was language put in when it was believed you had the right to a view across a neighbor's property.

Consensus was to carry this to next agenda for further discussion.

Zoning Administrator Jensen said neighbors of the old Lakeside Inn property are concerned if what is proposed to be built there will impede their view. Fill is being brought in changing the grade 5' over the entire area. When they do build what will be considered average grade for height? He believes our definition of Grade conflicts in three ways.

Anything over 300 cubic yards requires a Filling of Land permit which is approved by the Zoning Administrator.

Chairperson Roesler believes the height would be calculated at the grade when the building is started. Maybe amend to reference new construction?

Commissioner Warner said grade must be defined, there is rough grade/original grade and final grade.

Chairperson Roesler believes there is no hurry to amend, the project is already in the works. He would think as he said before the calculation for height starts with the grade that is there. If the neighbors are upset, they would have to contest it.

Zoning Administrator Jensen stated it seems as though the fill was necessary for the work to hook into the county drain.

Consensus was to maybe work on language to amend the Filling of Land language.

3. Article II, Definitions – D, Section 2.05 – D, Day Care, Private Homes, A. Family Child Care Home, B. Group Child Care Home.

Chairperson Roesler spoke with Attorney Even; he asked if we had to hold a Public Hearing to change the number of children allowed. Attorney Even, stated, yes. He will provide language so it automatically changes without a public hearing in the future. Chairperson Roesler will get that language to Recording Secretary Sally Dion as soon as he receives it. She will also try and publish so the hearing can be held in September.

**OLD BUSINESS**

1. Single Family Dwelling – Minimum square footage

Chairperson Roesler said tiny houses are very popular in urban areas. He doesn't feel our township residents want this, according to surveys, they want to be rural. He said he thought it would be strange to allow smaller houses when we just amended to allow bigger accessory buildings. He thinks people would start using smaller houses as rentals when they realize they are too small to live in. The question is to reduce the square footage or not? Finding a spot for them and then zoning said area for them. The Master Plan would need to be amended to create a new zone.

Consensus was not to amend the minimum square footage.

**FRUITLAND TOWNSHIP PLANNING COMMISSION August 4, 2022 REGULAR MEETING MINUTES**

**2. Solar Farm Ordinance**

Chairperson Roesler said he would rather tweak an existing ordinance from another area. Zoning Administrator Jensen said that Montague Township is working on language at this time. We will leave on the agenda, wait and review that language when adopted.

Motion by Commissioner Holman, second from Commissioner Warner,  
***ADOPTED***, to adjourn the August 4, 2022 regular meeting at 7:05 p.m.

**7 AYES**

Respectfully Submitted,

Sally Dion, Recording Secretary  
Township of Fruitland