



Fruitland Township Zoning Board of Appeals Minutes of August 8, 2022

CALLED TO ORDER: 6:02 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 6 interested parties.

AGENDA: Motion by Judy Marcinkowski, second from Eileen Stoffan, ***ADOPTED***, to accept the August 8, 2022 Zoning Board of Appeals agenda as written.

5 AYES

MINUTES: Motion by Eileen Stoffan, second from Duke Schropp, ***ADOPTED***, to accept the July 11, 2022 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 an 832 sq. ft. addition to an existing 1,092 sq. ft. home (**pursuant to section 19.03(C) of the Zoning Ordinance**).

Public Hearing Open 6:07 p.m.

Correspondence

None.

Phil Johnson, Resource Planning & Design LLC, spoke on behalf of the applicants. He advised a revised plan was submitted for an 832 sq. ft. addition and that he was here to answer any questions.

Zoning Administrator Jensen advised the revised plan will now only be 126 sq. ft. more than what is allowed. He referenced Article III, General Provisions, Section 3.23 (C) (1) and that moving the patio makes the existing less non-conforming and that should be considered.

- C. Change or Discontinuance. The nonconforming use of a building or structure or land shall not be:
1. Changed to any other nonconforming use unless the Board of Zoning Appeals finds that such change in use will have a less harmful effect on neighboring properties than the existing nonconforming use.

Public Comment

- Roger Mckee, 2807 Scenic Drive, supports.
- John Gloster, 2823 Scenic Drive, supports fully.

Public Hearing Closed 6:17 p.m.

Chairperson Warner asked if there would be any discussion by the board before reviewing the decision checklist? Consensus was no. The variance decision checklist was done and it was a tie, 4 unfavorable to granting variance, 4 favorable to granting variance.

Chairperson Warner asked again if there was any discussion to be put out there. Hearing none, he called for the motion.

Motion by Eileen Stoffan, second from Duke Schropp, ***ADOPTED***, to ***GRANT*** variance as requested to construct an 832 sq. ft. addition to an existing 1,092 sq. ft. home (***pursuant to section 19.03(C) of the Zoning Ordinance***).

ROLL CALL: Campeau ***NAY***, Stoffan ***AYE***, Marcinkowski ***AYE***, Schropp ***AYE***, Warner ***AYE***.

Judy Marcinkowski stated that only the ordinance can be used to make a decision, it can't hinge on the need for more room for family members.

Eileen Stoffan is in support because variances have been granted to update and beautify older homes and that the township has narrowed this from being able to be done. It doesn't impede views or emergency access.

Cindy Campeau feels they could improve upon and beautify as others have meeting out 50% rule.

County Commissioner Doug Brown introduced himself and Kim Cyr, they are the two County Commissioners for Fruitland Township.

Motion by Cindy Campeau, second from Judy Marcinkowski, ***ADOPTED***, to adjourn the August 8, 2022 meeting adjourned at 6:32 p.m.

Respectfully Submitted,

Sally Dion
Recording Secretary