



Fruitland Township Zoning Board of Appeals Minutes of July 10, 2023

CALLED TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

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

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

AGENDA: Motion by Eileen Stoffan, second from Judy Marcinkowski, ***ADOPTED***, to accept the July 10, 2023 Zoning Board of Appeals agenda as written.

5AYES

The recorder stopped at this point.

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

Motion by Judy Marcinkowski, second from Cindy Campeau, ***ADOPTED***, to close nominations and elect John Warner as Chairperson for the Zoning Board of Appeals year of April 2023 to April 2024.

4AYES 1ABSTAIN (Warner)

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

Motion by Eileen Stoffan, second from Duke Schropp, ***ADOPTED***, to close nominations and elect Cindy Campeau as Vice chair for the Zoning Board of Appeals year of April 2023 to April 2024.

4AYES 1ABSTAIN (Campeau)

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

Motion by Eileen Stoffan, second from Judy Macinkowski, **ADOPTED**, to close nominations and elect Judy Marcinkowski as Secretary for the Zoning Board of Appeals year of April 2023 to April 2024.

4 AYES 1 ABSTAIN (Marcinkowski)

MINUTES: Motion by Eileen Stoffan, second from Cindy Campeau, **ADOPTED**, to accept the January 9, 2023 meeting minutes as written.

5 AYES

Correspondence

None received by Clerk Fagan or Recording Secretary Dion.

Vacant River Park Drive

61-06-134-400-0001-40

Applicants Justin & Aleigha Pruitt, 2416 River Park Drive, Muskegon, MI 49445 requests variance from the following Article, ARTICLE III, GENERAL PROVISIONS, SECTION 3.08 ACCESSORY BUILDING AND USES, (B.) In addition to the accessory buildings and structures permitted herein, each single-family and each two-family dwelling may provide one garage for use by the occupants of each dwelling unit. The garage may be attached to the dwelling or detached from the dwelling. The maximum size of such garage shall not exceed 1,000 square feet. The applicants have proposed construction of a 2,400 square foot attached garage to a new proposed home (**pursuant to section 19.03(C) of the Zoning Ordinance**).

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

Public Hearing Open 6:12 p.m.

Nicole Larabel, Real Estate Agent and friend explained the Pruitt's son who is handicapped has had many surgeries and will require more. He uses a wheelchair with the need of being transferred at this time. The house they are in now is not suitable any longer. They need more room. They don't feel this would set precedent because no one could have the same issues. The question was asked of how much Accessory Building square footage is allowed on this size parcel.

Ms. Larabel thanked everyone for being here serving on the Zoning Board of Appeals.

PUBLIC COMMENT

1. Andrew Smith, 2575 River Park Drive, stated has known the Pruitt's for 2 to 2 ½ years. What they are proposing will look great, will improve property values for all houses in the area.

Mrs. Pruitt handed out letters from neighbors in support. Chairperson Warner reviewed, stated there are six (6) letters in support. Board members reviewed. Chairperson Warner read names and addresses to be made part of the record.

1. David/Crystal Essing, 2345 River Park Drive, supports.
2. Tyson/Trisha Cesaretti, 2387 River Park Drive, supports.
3. Steve/Candis Essing, 2425 River Park Drive, supports.

4. Carly Jahn, 2487 River Park Drive, supports.
5. Bradley/Jennifer Courter, 2290 River Park Drive, supports.
6. Devon/Mindy Kieft, 2354 River Park Drive, supports.

Zoning Administrator Jensen explains the reason for denial was that the 2,400 sq. ft. proposed attached garage exceeds the 1,000 sq. ft. maximum allowed. The lot coverage meets requirements, however, the square footage does not.

Board Member Marcinkowski asked how many cars would fit in a 1,000 sq. ft. garage and specifically asked if the son's equipment needs would fit into one of the "stalls" into the garage to give perspective as to space required. The answer given from the applicant was yes.

Zoning Administrator Jensen advised at least three (3) cars.

Board Member Campeau asked if there wasn't room for the mechanical room in basement or crawl space area. Applicants advised there is no basement or crawl space, the home would be on a slab because they are building a Barndominium. She asked how much of the 2,400 sq. ft. proposed attached garage would be for the mechanical room. Applicants advised approximately 80 sq. ft. She asked why do they need this much space. Applicants advised for medical needs of their handicapped son, therapy equipment, etc. Mr. Pruitt advised he is a construction contractor and has a large truck, he needs room for storage of truck and equipment. They need room for treadmill, walkers, exercise equipment for son.

Board Member Stoffan states the house could be made larger; the garage should be for cars.

Nicole Larabel states the Pruitt's are trying to build for something for their family that they can afford. Making the house bigger adds more corners, more expense.

Board Member Campeau asks out of the 2,400 sq. ft. proposed garage how much is designated for his business. It was stated in the application a portion would be used for tools and small equipment. She asked how big his work truck is. Mr. Pruitt stated he owns a 2008 Duramax Diesel (4 door). Board Member Campeau asked again how much square footage is needed for his business and tools? Mr. Pruitt responded that he would need about 300 square feet for his business. She asked then how much square footage is needed to accommodate the son's needs. Mr. Pruitt responded about the same amount with a little more, one stall. Board member Campeau responded so about 333 square feet. She then responded to the Pruitt's to clarify our earlier discussion you then need 80 square feet for the mechanical room, so if math is calculated correct you needs are indicating you need 713 square feet. She further asked and what additional need do you have for the other square feet you are requesting. The Pruitt's responded they need room to fit two cars for their other two children that would be driving a couple of years and Chairperson Warner responded to them that the kids could park outside and that wasn't a valid reason for the request.

Andrew Smith commented he knows ADA has requirements; however, a normal size garage does not allow much leeway to walk around.

Board Member Campeau clarified her questions. They own a 672 sq. ft. attached garage and she knows what fits in it. They also own a 1,092 sq. ft. accessory building so she knows what can fit in that space as well.

Mrs. Pruitt stated they do not have a wheelchair van so her full back of vehicle needs to be open and room to get her son in and out safely. She also stated they want privacy; they have a wooded lot and if has to make the house bigger it will take away from that. She also stated she sent Zoning Coordinator/Recording Secretary Dion the plan with her first email asking if a Barndominium/Pole Barn home was allowed and

that I responded it was. That is correct, I sent response that we allow that type of house, however, I believe it requires some sort of engineering. You can reach our Building Official, Val Jensen at 231-638-0529. I also sent the Minimum Dwelling Unit Floor requirement and that there are front/rear and site setbacks as well. I did not even realize there was a plan attached, I would have no reason to review that.

Public Hearing Closed 6:51 p.m.

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

Board Member Stoffan states if approved it needs to be based on the son's medical needs.

Board Member Campeau states she had reason for her hard questions which was to gain a better understanding of their needs.

Board Member Marcinkowski states she feels they have other options.

Board Member Schropp concurs with Board Member Marcinkowski.

Chairperson Warner states there are other ways to look at this proposed project.

Motion by Judy Marcinkowski, second from Duke Schropp, ***ADOPTED***, to ***DENY***, the variance as submitted for 61-06-134-400-0001-40, vacant River Park Drive parcel, for a 2,400 sq. ft. proposed attached garage based on it exceeds the 1,000 sq. ft. maximum allowed.

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

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

ADJOURN

Motion by Eileen Stoffan to adjourn the July 10, 2023 meeting at 7:05 p.m.

Respectfully Submitted,

Sally Dion
Zoning Board of Appeals Recording Secretary