

**FRUITLAND TOWNSHIP
PLANNING COMMISSION MEETING
June 4, 2026**

CALL TO ORDER

The meeting was called to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENT

Chairperson Warner, Commissioners Campeau, Josephson, Butler and Huldin.

ABSENT

Commissioners Holman and Lundell.

ALSO PRESENT

Anne Stewart Recording Secretary, Zoning Administrator Mike Baker and 2 interested parties.

AGENDA

Chairperson Warner discussed adding a line item to the new business to include language for a moratorium to data centers. Motion Commissioner Campeau, seconded by Commissioner Butler, **ADOPTED**, to accept the agenda as written with the addition to the agenda.

5 AYES

MINUTES

Motion by Commissioner Campeau, seconded by Commissioner Huldin, **ADOPTED**, to accept the May 7, 2026 minutes as written.

5 AYES

PUBLIC COMMENT

1. Glen Hayden, 5706 Duck Lake Rd stated he was concerned with short-term rental owners occupying homes next door to him. He stated he has had problems with this in the past. He states he sees homes being sold to out-of-state owners and made into short term rentals. He stated that the review of the master plan will be allowing short term rentals in the future. He asked what recourse the neighbors will have if problems arise again? Chairperson Warner stated that if STR (short-term rentals) are allowed, there would be a good deal of restrictions to go with them.

NEW BUSINESS

1. Zoning language clarifications/amendments/changes to various sections in Article II. The modifications and clarifications are as follows:

**Proposed Language Change for Various Sections
Corrected after 04 June 2026 meeting**

Article II - Definitions
Section 2.02 Definitions – A
ACCESSORY BUILDING

Existing Language:

A building or portion of a building subordinate to a main building on the same lot occupied by or devoted exclusively to an accessory use. An independent structure, either temporary or permanent, having a roof supported by columns, walls or any other support used for the housing or storage of persons, animals or property, or carrying on business activities. When an accessory building is attached to a main building in a substantial manner, such as a common wall or roof, enclosed breezeway or a covered colonnade, the accessory building shall be deemed to have been integrated into the main building and no longer considered an accessory building.

New Language:

A building or portion of a building subordinate to a main building on the same lot occupied by or devoted exclusively to an accessory use. An independent structure, either temporary or permanent (as defined in Section 2.19), having a roof supported by columns, walls or any other support used for the storage of animals or property, or carrying on business activities. When an accessory building is attached to a main building in a substantial manner, such as a common wall or roof, enclosed breezeway or a covered colonnade, the accessory building shall be deemed to have been integrated into the main building and no longer considered an accessory building.

Article II - Definitions
Section 2.04 Definitions – C
COMMERCIAL

Existing Language:

This term relates to the use of property in connection with the lodging of transient guests for profit for a rental fee or the purchase, sale, lease, barter, display or exchange of goods, wares, merchandise or personal services or that is used in commerce or the maintenance of service offices or recreation or amusement enterprise or garage/basement/yard sales operating more than six (6) days during any one (1) twelve (12) month period and designed to make a profit. Any rental of a dwelling for a fee if

less than 30 consecutive days is a commercial use.

New Language:

This term relates to the use of property in connection with the lodging of transient guests for profit for a rental fee or the purchase, sale, lease, barter, display or exchange of goods, wares, merchandise or personal services or that is used in commerce or the maintenance of service offices or recreation or amusement enterprise or garage/basement/yard sales operating more than six (6) days during any one (1) twelve (12) month period and designed to make a profit. Any rental of a dwelling for a fee if less than thirty (30) consecutive days is considered to be a commercial use, regardless of which zoning district the dwelling lies in.

Article II - Definitions

Section 2.07 Definitions – F

Floor Area, Usable (UFA)

Existing Language

That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers; or area used in a dwelling unit for living purposes. Floor area which is used for or intended to be used principally for the storage or processing of merchandise, for hallways, or for utilities shall be excluded for the computation of usable floor area. Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building measured from the interior faces of the exterior walls.

Proposed Language:

That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers; or area used in a dwelling unit for living purposes. Floor area which is used for or intended to be used principally for the storage or processing of merchandise, for hallways, or for utilities shall be excluded for the computation of usable floor area. For attached garages, floor area which is used for landings, stairways to subfloors/basements shall be excluded for the computation of usable floor area. Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building measured from the interior faces of the exterior walls.

Article II - Definitions

Section 2.19 Definitions – S

SETBACK LINES

Existing Language:

Lines marking the setback distance for the lot lines which establish the minimum permitted front, side, or rear yards required in this Ordinance for the district in which the lot is located.

- A. Front Setback Line. The line marking the setback distance from the front lot line.
- B. Rear Setback Line. The line marking the setback distance from the rear lot line.
- C. Side Setback Line. The line marking the setback distance for the side lot lines as measured to either the eaves or foundation, whichever is closer.

New Language:

Imaginary lines drawn parallel to the respective lot lines which establish the minimum distance from the lot lines which any portion of a structure may be placed as defined for each zoning district in Article IV – Zoning Districts and Article III – General Provisions, Sections 3.07 and 3.08.

- A. Front Setback Line. The line marking the minimum setback distance from the road right-of-way line or the front lot line, whichever is closer.
- B. Rear Setback Line. The line marking the minimum setback distance from the road right-of-way line or the rear lot line, whichever is closer.
- C. Side Setback Line. The line marking the minimum setback distance from the road right-of-way line or side lot lines, whichever is closer.

Article II - Definitions

Section 2.19 Definitions – S

STRUCTURE – PERMANENT

Proposed Language:

Any structure which is not intended to be readily movable or which is anchored to the ground through the use of a permanent subsurface foundation (regardless of the material used) or concrete slab-on-grade.

Article II - Definitions

Section 2.19 Definitions – S

STRUCTURE – TEMPORARY

Proposed Language:

Any structure which is readily movable or which is anchored to the ground through the use of a readily removable subsurface foundation, regardless of the material used. Temporary structures may include such structures as cargo/shipping containers being used for storage, shelters with flexible walls or roof, tents, plastic sheds, prefabricated play equipment, kit structures or other similar structures.

Article II - Definitions
Section 2.23 Definitions – Y
YARD

Existing Language:

A yard is an open space on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied by any structure and unobstructed from the ground upward, except as provided herein.

- A. A Front Yard is the open space extending the full width of the lot, uniform depth of which is measured at right angles to the front lot line.
- B. A Rear Yard is the open space extending the full width of the lot, the uniform depth of which is measured at right angles to the rear lot line.
- C. A Side Yard is an open unoccupied space between the main building and the side lot lines extending from the front yard area to the rear yard area. The width of the side yard shall be measured horizontally from and at right angles to the nearest point of the side lot line.

New Language:

A yard is an open space on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied by any structure and unobstructed from the ground upward, except as provided herein.

- A. A Front Yard is the open space extending from side lot line to side lot line, the depth of which is measured at right angles to the front lot line from any point on a building.
- B. A Rear Yard is the open space extending from side lot line to side lot line, the depth of which is measured at right angles to the rear lot line from any point on a building.
- C. A Side Yard is an open unoccupied space between the main building and the side lot lines extending from the front lot line to the rear lot line. The width of the side yard shall be measured horizontally from and at right angles to the side lot line from the point on the building nearest to the side lot line.

2. Zoning language clarifications/amendments/changes to various sections in Article III. The modifications and clarifications are as follows:

Article III – General Provisions
Section 3.08 B.

Existing Language:

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 1000 square feet.

New Language:

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 twelve-hundred (1,200) square feet of usable ground floor area for attached garages (see Floor Area, Usable) or exceed a maximum footprint of twelve-hundred (1,200) square feet including any cantilevered or open-sided lean-to for detached garages.

Article III – General Provisions

Section 3.08 H.(1)

Accessory building sizes, heights and setbacks.

Existing Language:

The total area for all accessory buildings shall not exceed the maximum footprint area, including any cantilevered or open-sided lean-to, noted below, as required by Section 3.08 H. (2.) herein, except that in no case shall the total square footage of all accessory buildings exceed thirty-two hundred (3,200) square feet.

Proposed Language:

The total area for all accessory buildings shall not exceed the maximum footprint area, including any cantilevered or open-sided lean-to, noted below, as required by Section 3.08 H. (2.) herein, except that in no case shall the total square footage of all accessory buildings exceed twelve-thousand and ninety (12,090) square feet.

Article III – General Provisions

Section 3.09 A.

REGULATIONS APPLICABLE TO ALL SINGLE-FAMILY DWELLINGS

Current language:

1. New and certified by the manufacturer and/or appropriate inspection agency as meeting the Mobile Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development of 1976, as amended, or any

- similar successor or replacement standards which may be promulgated; or
2. Used and certified by the manufacturer and/or appropriate inspection agency as meeting the standards referenced in subsection (1) above, and found, on inspection by the Building Inspector or his designee, to be in excellent condition and safe and fit for residential occupancy.

Proposed Language:

1. Manufactured homes are only permitted in a manufactured Home Park (MHP) licensed by the Michigan Mobile Home Commission and approved by the Township or as Temporary Dwelling for Residential Purpose approved by the Zoning Administrator.
2. The manufactured home must either be:
 - a. New and certified by the manufacturer and/or appropriate inspection agency as meeting the Mobile Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development of 1976, as amended, or any similar successor or replacement standards which may be promulgated; or
 - b. Used and certified by the manufacturer and/or appropriate inspection agency as meeting the standards referenced in subsection (a) above, and found, on inspection by the Building Inspector or his designee, to be in excellent condition and safe and fit for residential occupancy.

Article III – General Provisions

Section 3.21 A.

Home Occupations

Existing Language:

No person(s) other than the resident occupant(s) shall be engaged in the home occupation.

New Language:

The resident occupant(s) shall be actively engaged in the home occupation. Non-resident persons may also be employed in the home occupation.

Article III – General Provisions

Section 3.31 A.

Average Setback Lines

Existing Language:

Front (Non-lakefront Lots). When the required front yard setback can not be met if there are existing principal buildings within two hundred (200) feet on each side of a proposed building location, the average setback line shall be determined as the average distance of the nearest principal building on each side located within two hundred (200) feet on the same side of the street. If there is an existing principal building within two hundred (200) feet of the proposed building on only one (1) side, the proposed building location shall be the average of the distance of the nearest principal building within two hundred (200) feet and the otherwise required setback. The building shall not be located closer than fifty (50) feet to an arterial street or thirty-five (35) feet to a residential Street right of way.

New Language:

Front (Non-Lakefront Lots). When the required front yard setback cannot be met and there are existing principal buildings within two-hundred (200) feet on each side of a proposed building location, the required setback line shall be determined as the average distance of the nearest principal building on each side located within two-hundred (200) feet on the same side of the street. If there is an existing principal building within two-hundred (200) feet of the proposed building on only one (1) side, the required setback line shall be the average of the distance of the nearest principal building within two-hundred (200) feet and the otherwise required setback. If there are no principal buildings within two-hundred (200) feet on either side of the proposed building, The proposed building shall not be located closer than fifty (50) feet to the right-of-way line of an arterial street or thirty-five (35) feet to the right-of-way line of a residential street. All setback measurements shall be taken at right angles to the right-of-way.

Article III – General Provisions

Section 3.31 B.

Average Setback Lines

Existing Language:

Front (Lakefront Lots on Arterial Streets). For lakefront lots served by arterial streets the front yard setback for any building including accessory buildings is 100 feet. When the required front yard setback can not be met if there are existing buildings within two hundred (200) feet on each side of a proposed building location, the average setback line shall be determined as the average distance of the nearest building on each side located within two hundred (200) feet on the same side of the street. If there is an existing building within two hundred (200) feet of the proposed building location on only one (1) side, the proposed building location shall be the average of the distance of the nearest building within two hundred (200) feet and the otherwise required setback. The building shall not be located closer to the street right-of-way than the average of those buildings, but in no case closer than fifty (50) feet.

New Language:

Front (Lakefront Lots on Arterial Streets). For lakefront lots served by arterial streets the front yard setback for any building, including accessory buildings, is one-hundred (100) feet. When the required front yard setback cannot be met and there are existing buildings within two-hundred (200) feet on each side of a proposed building location, the required setback line shall be determined as the average setback of the nearest building on each side, located within two-hundred (200) feet and on the same side of the street. If there is an existing building within two-hundred (200) feet of the proposed building location on only one (1) side, the proposed building setback shall be the average of the setback of the nearest building within two hundred (200) feet and the otherwise required setback. If there are no existing structures within two-hundred (200) feet of the proposed building location on the same side of the street, the proposed building shall not be located closer to the street right-of-way line than fifty (50) feet. All setback measurements shall be taken at right angles to the right-of-way line.

Article III – General Provisions

Section 3.31 C.

Average Setback Lines

Existing Language:

Front (Lakefront Lots on Residential Streets). For lakefront lots served by residential streets the front yard setback for any building including accessory buildings is 50 feet. When the required front yard setback cannot be met if there are existing buildings within two hundred (200) feet on each side of a proposed building location, the average setback line shall be determined as the average distance of the nearest building on each side located within two hundred (200) feet. If there is an existing building within two hundred (200) feet of the proposed building location on only one (1) side, the proposed building location shall be the average of the distance of the nearest building within two hundred (200) feet and the otherwise required setback. The building shall not be located closer to the street right-of-way than the average setback of those adjacent buildings, but in no case closer than thirty-five (35) feet.

New Language:

Front (Lakefront Lots on Residential Streets). For lakefront lots served by residential streets the front yard setback for any building, including accessory buildings, is fifty (50) feet. When the required front yard setback cannot be met and there are existing buildings within two-hundred (200) feet on each side of a proposed building location, the required setback line shall be determined as the average setback of the nearest building on each side, located within two-hundred (200) feet and on the same side of the street. If there is an existing building within two-hundred (200) feet of the proposed building location on only one (1) side, the proposed building setback shall be the average of the

setback of the nearest building within two hundred (200) feet and the otherwise required setback. If there are no existing structures within two-hundred (200) feet of the proposed building location on the same side of the street, the proposed building shall not be located closer to the street right-of-way line than thirty-five (35) feet. All setback measurements shall be taken at right angles to the right-of-way line.

Motion by Commissioner Butler, seconded by Commissioner Huldin, **ADOPTED**, to remove changes to Article II, Section 2.09 Definition H – Home Occupations from the public hearing in July to refer to the Township Attorney for clarification.

5 AYES

3. Electric car charging stations. The electric car charging stations language is set to go to public hearing in July.

Motion by Commissioner Butler, seconded by Commissioner Campeau to send the electric car charging stations language to public hearing at the July meeting.

5 AYES

4. Short-term rental discussion. The Township Attorney has not finished reviewing language yet. She stated she will have it ready for the July meeting.

5. Ordinance regarding a moratorium on data centers. A handout has been given to everyone developed by Corporate Counsel and Supervisor Marcinkowski. Currently there is no zoning in place regarding data centers. The handout contains suggested language to set new language for a moratorium on data centers.

Motion by Commissioner Huldin, seconded by Commissioner Campeau, **ADOPTED**, to send the language for a moratorium on data centers to a public hearing in order to create an Article 28 and add Section 3.38 to the General Provisions for this at the July meeting.

5 AYES

OLD BUSINESS

MASTER PLAN. There is a flywheel meeting. Information will be sent to all Commissioners.

PLANNING/ZONING UPDATES

There is no ZBA meeting in June.

COMMISSIONER COMMENTS

The July meeting will be held on July 9, 2026.

PUBLIC COMMENT

Carlet Mitenbuler, 4623 Nestrom Road, stated she thinks the work the Planning Commission does is very important and appreciates it.

Mr. Hayden was one of the people responsible for starting Duck Lake State Park.

Motion by Commissioner Butler, seconded by Commissioner Campeau, **ADOPTED**, to adjourn the meeting at 7:14 pm.