FRUITLAND TOWNSHIP
ZONING BOARD OF APPEALS MEETING
FOR AUGUST 10, 2026

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

PLEDGE OF ALLEGIANCE

ROLL CALL Members Campeau, Marcinkowski, Warner, and Fonger.

MEMBERS ABSENT Chairperson Stoffan and Member Beaune. This meeting will be directed by Vice Chair Warner.

ALSO PRESENT Anne Stewart Recording Secretary, and 1 interested parties.

Discussion by the Zoning Board of Appeals, to remove Mr. Buhle's request for variance per recommendation by the Township Attorney.

AGENDA Motion by Member Marcinkowski, seconded by Member Campeau, **ADOPTED**, to accept the agenda as amended.

4 AYES

MINUTES Motion by Member Marcinkowski, seconded by Member Campeau, **ADOPTED**, to accept the minutes of July 13, 2026 meeting as amended.

4 AYES

PUBLIC COMMENT

None.

CORRESPONDENCE

There was no correspondence received for Mr. Paul Kuipers' variance request.

NEW BUSINESS

6757 South Shore Drive, Whitehall, MI 49461 **61-06-012-400-0005-00**

1. **Mr. Paul Kuipers, 6757 South Shore Drive, Whitehall, MI 49461** is requesting a variance to the front yard setback in the **Article III, General Provisions Swimming Pools**, reference **Article III, General Provisions, Swimming Pools, Section 3.27 B**. **(pursuant to Article XIX Board of Zoning Appeals Section 19.03(C) Duties and Powers of the Zoning Ordinance).** Mr. Kuipers would like to install an inground plunge pool 10 x 15 feet.

   Motion by Member Fonger, seconded by Member Campeau, **ADOPTED**, to open the public hearing at 6:05 p.m.

4 AYES

Mr. Kuipers was present to explain the unique property constraints. He stated the impact to the neighbors would be minimal as the pool will be small and not visible due to planned landscaping to be installed around the plunge pool. He stated he will comply with the rules and ordinances for pools. He stated that he had verbal support from neighbors.

Member Marcinkowski questioned the size of the pool and whether he had received any letters of support from the neighbors. He stated the size would be 10 x 15 x 5. He also stated that he had received verbal encouragement but no letters. Member Marcinkowski also asked Mr. Kuipers if the pool would fit on the backside of the home. Mr. Kuipers stated that if it were to be located on the backside of the house, some long-existent trees would have to be removed. Mr. Kuipers is not sure of the fit in the setback requirements.

Member Fonger stated that he saw the large natural area in front yard of intended pool installation and asked what type of landscaping would be used around the pool. The homeowner stated it would be grasses and shrubs or similar. Member Fonger questioned the homeowner about the location of the drain field and septic. Mr. Kuipers stated it was south of the existing deck. Member Fonger asked Mr. Kuipers if there is going to be a berm around or in front of the pool. Mr. Kuipers stated that he did not want a specific berm. Member Fonger questioned fencing. Mr. Kuipers stated he planned to use an auto safety cover for the pool, which would not require a fence.

Motion by Member Fonger, seconded by Member Campeau, **ADOPTED**, to close the public hearing at 6:21 p.m.

4 AYES

DISCUSSION

Member Fonger stated that the house is 150 ft. from South Shore and would hate to see long-established trees removed.

Member Marcinkowski stated that she still wants to entertain using the backside instead. She believes it could work but acknowledges some trees would probably have to be removed.

Motion by Member Marcinkowski, seconded by Member Fonger, **FAILED**, to grant Mr. and Mrs. Paul Kuipers' variance request for **6757 South Shore Drive, Whitehall, MI 49461,** parcel #**61-06-012-400-000500,** to the front yard setback in the **Article III, General Provisions Swimming Pools**, reference **Article III, General Provisions, Swimming Pools, Section 3.27 B**. **(pursuant to Article XIX Board of Zoning Appeals Section 19.03(C) Duties and Powers of the Zoning Ordinance) with the conditions set forth in the site plan to include plantings and landscaping to be installed as soon as possible.** Mr. Kuipers would like to install an inground plunge pool 10 x 15 x 5 feet.

ROLL CALL	
Member Campeau	No
Member Marcinkowski	No
Member Fonger	Yes
Member Warner	No

Vice Chair Warner stated the owners have 30 days to petition the Circuit Court of Muskegon County to appeal the decision.

Adjournment

Motion by Member Campeau, seconded by Member Fonger, **ADOPTED** to adjourn the meeting at 6:42 p.m.

Respectfully submitted by,

Anne Stewart
Recording Secretary