

AMENDED



Fruitland Township Zoning Board of Appeals Minutes of November 13, 2018

CALLED TO ORDER: 6:00p.m. by Recording Secretary Dion.

PLEDGE OF ALLEGIANCE

PRESENT: Board members Cindy Campeau, Eileen Stoffan, John Ruck and David Stevens (Alternate).

NOT PRESENT: Chairperson Judy Macinkowski **Marcinkowski** and Board member John Warner.

ALSO PRESENT: Zoning Administrator Jensen, Recording Secretary Sally Dion and 5 interested parties.

Recording Secretary Dion advised that both Chair Marcinkowski and Vice Chair Warner were absent and asked for nominations for interim Chair to conduct meeting.

Motion by Cindy Campeau, second from David Stevens, **ADOPTED**, to nominate Eileen Stoffan as interim Chair for this meeting.

4 AYES

AGENDA: Motion by Cindy Campeau, second from David Stevens, **ADOPTED**, to accept the November 13, 2018 Zoning Board of Appeals agenda as written.

4 AYES

MINUTES: Motion by Cindy Campeau, second from John Ruck, **ADOPTED**, to accept the September 10, 2018 Zoning Board of Appeals minutes as written.

4 AYES

Interim Chairperson Stoffan explained the purpose and function of the Zoning Board of Appeals.

4786 Bluff Road

61-06-445-003-0015-00

Applicant William Josephson on behalf of Nelson L. and Elizabeth I. Huldin, 4786 Bluff Road, Whitehall, Michigan requests a variance to re-build an accessory building on Bluff Road in the Inland

Lakes Zoning District from the following articles: **Article III**, General Provisions, Section 3.23 Non-conforming Buildings, Structures and Uses, B. 1., as the rebuilding does not meet all of the setback requirements of that zoning district, **Article VIIIa**, Inland Lakes District, Section 8.02a Front Yard Setbacks and **Article III** General Provisions, Section 3.31, Average Setback Lines, **(pursuant to section 19.03(C) of the Zoning Ordinance.**

Public Hearing Opened 6:06 p.m.

Interim Chairperson Stoffan asked Zoning Administrator Jensen for his comments on review of the proposed project.

Zoning Administrator Jensen stated that zoning approval was denied due to the front yard setback of 50' not being met. It was sent to the Zoning Board of Appeals because according to Article III, General Provisions, Section 3.23 Non-conforming Buildings, Structures and Uses, 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.

Applicant William Josephson stated they have already obtained approval for the demolition and rebuild of the house. The proposed location of the garage is further back from the road than the existing one.

Owner Nelson Huldin stated this is to be their permanent home upon retirement. At this time the existing garage is maybe big enough to get a car in, it is mainly used to store things right now. If the proposed garage is approved, they will also remove a rather large tree which will make this area more accessible for both them and those using Bluff Road.

Public Comment:

- Diana Stevens, 4622 Bluff Road, **supports.**

Correspondence:

- Becky and Don Nordlund, 4854 Bluff Road, **supports.**
- Theodore F. and Phyllis A. Sirotko, 4788 South Shore Drive, **supports.**
- Greg and Marsha Butzer, 4752 Bluff Road, **supports.**
- Steve and Cheryl Mairs, 4832 bluff Road, **supports.**
- Joanne DeHaan, 4772 Bluff Road, **supports.**
- Tom and Kathy Huldin, 4792 Bluff Road, **supports.**
- Steve and Liz Murrill, 4634 Bluff Road, **supports.**
- Rick and Sandy Pageot, 4782 Bluff Road, **supports.**

Public Hearing Closed 6:18 p.m.

Board Comments:

Board member Stevens stated with the garage doors being proposed not facing the road he fully supports. With the garages being so close to the road, his included, it is very dangerous backing out of them. The proposed plan is making it safer.

Review standards for variances were reviewed.

Motion by David Stevens, second from John Ruck, ***ADOPTED***, to ***GRANT***, the variance as requested for parcel 61-06-445-003-0015-00. **ROLL CALL VOTE:** Campeau ***NAY***, Ruck ***AYE***, Stevens ***AYE***, Stoffan ***AYE***.

Interim Chairperson Stoffan informed that they have 180 days to begin the project.

The November 13, 2018 Zoning Board of Appeals meeting adjourned at 6:50 p.m.

Respectfully Submitted,

Sally Dion
Recording Secretary