



**VILLAGE OF FRUITPORT
ZBA PUBLIC HEARING AGENDA
JUNE 27, 2023 AT 7:00 PM
PUBLIC HEARING FOR 264 LAKE STREET**

1. **Call to Order:** The meeting was called to order by Chairperson Haack at 7:00 p.m.
2. **Roll Call:** Don Haack, John Winkas, and Matt Slagle were all present. Brian Pelke owner of 264 Lake Street was present. Cecil Colthrop was present as a member of the public.
3. **Variance Application for 264 Lake Street:** Haack stated the legal notice for the ZBA Hearing was published on June 3, 2023 and letters regarding the hearing were sent to neighbors on June 5, 2023.
4. **Review of Variance Request:** The variance request was reviewed by committee.
5. **Applicant Presentation:** Pelke presented his variance request.
6. **Correspondence from Neighbors:** No correspondence was received from neighbors.
7. **Public Comment:** Cecil Colthrop, 275 Lake Street, asked if the pool would be too close to the lake and if Pelke had EGLE (formerly known as DEQ) approval. Haack responded that is not a ZBA issue and is a separate matter between the homeowner and EGLE. Colthrop then asked if the septic met the criteria. John showed Colthrop the letter that was in the packet from the Village allowing the septic. Colthrop said thank you.
8. **Close Public Hearing:** Haack closed the public hearing.
9. **Open Board Meeting:** Haack opened the ZBA board meeting.
 - a. Haack asked Winkas and Slagle if they had any discussion points to talk about. Winkas responded no and Slagle said he talked with Greg Mason from Michigan Township Services and Mason had no issues with the requested setbacks. Pelke asked for a further setback for a front deck and Slagle replied with we are not able to approve that request. Haack then showed the map and why this was out of variance. Pelke understood. Haack asked if there was any other discussion needed and called for a motion.
 - b. Slagle made a motion that the ZBA approve the following: 264 Lake Street - Reduce front yard (Lake side) set back from 50 feet to 40 feet, reduce the rear yard (street side) setback from 25 feet to zero feet, side yard setbacks to remain 6 feet and that is from the edge of the roof hangover not the foundation. Setbacks are measured to all built structures including roof overhangs. John seconded the motion.
 - c. Haack asked for a roll call vote: Winkas then proceeded with a roll call vote and Slagle said yes, Don said Yes and John also voted yes with the variance granted.
10. **Adjournment:** Slagle made a motion to adjourn the meeting and Winkas seconded the motion. Don closed meeting at 7:18 p.m.