

VILLAGE OF FRUITPORT  
REGULAR SESSION VARIANCE HEARING  
OCTOBER 19,2009

Meeting called to order by President Roger Vanderstelt at 7:00 p.m.

Pledge of Allegiance given.

Prayer offered by Roger Vanderstelt.

Roll call: Donna Pope, Bruce Raymond, Can Rothenberger III, Roger Vanderstelt, Jacob Wier, Carolyn Lemler. Absent: Joe Vanderstelt, Jerry Alger.

Minutes: Motion made by D. Pope to approve the minutes from the previous meeting. Motion seconded by B. Raymond. Roll call: All ayes. Motion passed.

VISITORS: Brenda Moore, Professional Planner & Project Manager, was asked to address the Council regarding the Village Master Plan and Zoning Ordinances. She presented to the Council her qualifications and an overview of what the Village of Fruitport would need to do to update the Master Plan and to also update the Zoning and Building Ordinances. The updating is necessary in order for the Village to be able to apply for grants for different projects. Council will consider her proposals and take action at the November 19, 2009 meeting.

Gold Wings Road Riders Association presented the Village with a new flag to replace the Pomona Park flag which was destroyed in the August 9, 2009 storm. This group has an annual picnic in Pomona Park and wanted to thank the Village for getting the park cleaned up so their group could use the park the weekend after the storm.

John VanEpps, Pine Street. thanked the Village Council for the prompt actions to get the Village cleaned up after the August 9 storm.

Ken Punter, candidate for the 9Jst State District. attended the meeting to meet the Council and explain some of his views about serving as a representative.

8:00PM REGULAR SESSION CLOSED AND VARIANCE HEARING OPENED

Marian VanWert, 44 N 7<sup>TH</sup> Avenue, fruitport. is asking the Council for a set back variance to construct a deck on the front of her home. Notice of this hearing was published in the Muskegon Chronicle, letters were sent to property owners within three hundred feet of the lot in question, and notices were posted at 5-3 Bank and the Village of Fruitport DPW Office. No responses were received from any neighbors or other interested parties.

The variance request is to allow the set back from the road to be changed from the required thirty (30) feet from the road right of way to twenty (20) feet from road right of way. B. Raymond had concerns the granting of the variance may set a precedent for others to want to build closer to the road right of way.

8: 11 PM VARIANCE HEARING CLOSED AND REGULAR SESSION REOPENED

Motion made by D. Pope to allow the variance for 44 N 7<sup>TH</sup> Avenue by changing the set back requirements of thirty (30) feet from road right of way to twenty (20) feet from the road right of way to allow the construction of a deck. Motion seconded by C. Rothenberger. Roll call: Ayes - D. Pope. C. Rothenberger. R. Vanderstelt, J. Wier. Nays: B. Raymond. Motion passed.

CORRESPONDENCE: Letter received from DEQ granting the Village of Fruitport a Certificate of Coverage under the National Pollutant Discharge Elimination System. The issuance of this permit requires annual update filings by the Village of Fruitport to comply with permit requirements.

Village of Fruitport has received a copy of permit issued by Muskegon County DPW for Soil Erosion and Sedimentation Control. The permit has been issued to Norman Cruthers, 63 Bridge Street, Fruitport, to allow the construction of a garage at this address.

#### COMMITTEE REPORTS:

Donna Pope (Insurance/Personnel): No report.

Joe Vanderstelt: Absent.

Carl Rothenberger III (Ordinances and Garbage Service): A letter will be sent to reinforce the ordinance regarding lawn mowing and parking requirements will be sent to Diane's School of Dance. The property owner of 205 N 3<sup>RD</sup> Avenue is working on getting the yard cleaned up.

Jerry Alger (DPW & Streets): Absent.

Bruce Raymond (Parks/Public Safety): Park: Insurance Company has sent check for damage claim on the restrooms in Pomona Park. Work on repairs will start this week. Lion's Club has hired Matt Jones to trim and remove storm damaged trees in Pomona Park. Zelenka Nursery has donated twenty four trees of various kinds to help re-forest Pomona Park. Also donated were three shrubs and forty five ornamental lily plants. Planting of trees will begin this week.

Jacob Wier (Special Projects): Learning about the Grant application process. Encourage the Council to consider the hiring of Brenda Moore to write Master Plan as this is a necessary component to applying for and receiving grant money.

Roger Vanderstelt: Report in Old Business - Storm Damage.

#### OLD BUSINESS:

Storm Cleanup: R. Vanderstelt reports RV Tree Service is working on trimming damaged trees; J. Remwolt has sweeping the sidewalks, bike path and streets in the early morning hours.

Bike Path: New fence is being installed and asphalt paving will be done this month.

Traffic Signal: Bill was sent to Tom Drake; no response as yet - clerk will check into this.

**NEW BUSINESS:**

DPW workers report that they are catching up on work after the storm cleanup.

Old Blue Plow Truck: Truck is being painted and repaired for the upcoming plow season.

Motion made to approve the warrants made by D. Pope. Motion seconded by B. Raymond. Roll call: All ayes. Motion passed.

Motion made to adjourn meeting made by D. Pope. Motion seconded by B. Raymond. Roll call: All ayes. Motion passed.

Meeting adjourned at 9:00pm.

Respectfully submitted by Carolyn A Lemler

Village Clerk

865-3234