

Minutes of the Gun Plain Charter Township Zoning Board of Appeals – August 24, 2006

Meeting was called to order by Chairman Jerry Pickett at 7:08 p.m.

Members present: Ron Kopka, Jack Kellogg, Jerry Pickett, Connie Haan

Guest: Bill Nelson-Allegan Co. Road Commission

Public: Richard and Cathy Dunn
Brian Steensma
James and Sherry Stallings

Chairman Pickett explained the procedure to state the reasons for the requested variances and introduced the board members.

First Agenda Item: A request from Dick and Cathy Dunn owners of the Fly Inn Restaurant located at 626 N 10th Street. for a dimensional variance to construct a new restaurant building on the property and to continue business in the old building until the new building is completed.

Mr. Dunn presented complete and detailed site plans of the new restaurant. The Dunn's have first requested to purchase additional land from the City of Plainwell to be able to build the new restaurant within the established guidelines. This request from the City was denied. In order to build the restaurant according to the presented plans the Dunn will need a front variance of 25 feet. The road frontage set back required is 50 feet. The new restaurant will be in line with the old building that will be removed when the new one is completed.

Bill Nelson spoke in support of the variance. He stated that this will not impact future growth because the state has purchased the necessary land to accommodate further expansion.

The board consensus was that the Dunn's have made an attempt to purchase land from the City of Plainwell to be able to achieve compliance with the set back of 50 feet. This attempt was denied by the City. Also the road commission has no objection to the location of the new building and the new building will be the same distance from the road as the present building.

After reviewing the four questions the board considers when granting a variance the Chairman entertained a motion.

Motion Kopka/Kellogg to grant a variance of 25 feet from the 50 feet required front set back for the new construction as presented in the site plans for the Fly Inn Restaurant.

Roll call: Kellogg yes, Kopka yes, Haan yes, Pickett yes. Motion carried 4 yes 0 no

Second Agenda Item: Request from Brian Steensma of Steensma Lawn and Power Equipment 7561 Stadium Drive, Kalamazoo, MI 49009, for a sign variance on the property of Conley Equipment 633 11th Street, Plainwell MI 49080.

Brian Steensma is purchasing the Conley Equipment business located at 633 11th Street. He will be replacing several signs with the name change from Conley to Steensma. One request is to replace a current John Deere sign that is out of date along 131 with a larger sign. He presented detailed sizes and pictures of the new John Deere sign and a sign that will be attached to the building.

Originally Mr. Steensma believed the business was in C-2 however the business is in C-1 which allows for less square footage for signage.

After discussion the board consensus was that this property was unique to other businesses normally described in C-1 due to the location with the back of the business facing 131 and also having frontage along 11th Street. Most business in a C-1 area would only have exposure along the front. Also with the back along 131 it is an important to have signage on that side.

The board considered the four questions to grant a variance and felt that this situation was unique and it was appropriate to grant a variance of the required sign ordinance for C-1.

Motion Kopka/Haan to grant the following variances for the signage for Steensma Lawn and Power, new owners of Conley Equipment located at 633 11th Street, Plainwell, MI, 49080.

- To allow a 10 foot variance to allow for a sign 30 feet tall. The land is low in the area and a higher sign would do justice since the area allows for billboards.
- To allow an area variance of 25 square feet to allow for a sign of 95 square feet.
- To allow a total square footage of 400 square feet of signage for the business due to the exposure of both front and back to road frontage.

Roll call vote: Kellogg yes, Kopka yes, Haan yes, Pickett yes. Motion carried 4 yes 0 no

Third Agenda Item: Request from James and Sherry Stallings, 204 Deer Run, Plainwell, MI 49080. The Stallings are requesting a front set back dimensional variance for an extension of their garage which would bring the garage closer to the road.

The board first apologized to the Stallings for the delay in hearing their request for this variance. It was not the common practice of this board for such a delay to occur and should not have occurred. The board thanked the Stallings for their understanding and patience.

Mr. Stallings presented to the board two surveys and a site plan for the new garage addition and explanation that the reason for the construction was to allow a safer access to their home. Presently their driveway is very steep and it makes it difficult for people to park and get out of their cars on such a steep area. Their present garage is also less than the required set back and they would like to build the new addition even with the present building. Their lot is also at an angle. They are requesting a variance of 10 feet to allow for this new addition.

The board consensus after review of the four questions considered when granting variance was the situation of the steep driveway would be corrected with the new addition. This lot and situation is unique due to the steep drive and the way cars must presently park.

Motion Kellogg/Haan to grant a variance of 10 feet from the required 30 feet front set back to allow for a new addition of a garage as presented in the site plan this would allow for improvement and safer access to the home located at 204 Deer Run, Plainwell, MI 49080.

Roll call vote: Kellogg yes, Kopka yes, Haan yes, Pickett yes. Motion carried 4 yes 0 no.

In other business: Jerry Pickett agreed to be the Chairman of the Board and other members will assist when needed. Also, discussion on an additional board member and an alternate. Kopka will bring this up with the Township Board for an appointment of a new member.

Motion to adjourn Kellogg/Haan carried at 8:35 p.m.

Respectfully submitted,
Connie Haan, Secretary