

## Minutes of the Gun Plain Zoning Board of Appeals – July 2, 2009

Meeting as call to order by Ron Kopka in the lateness of Chairman Kellogg at 6:05 pm.

Members present: Tim Oosting, Ron Kopka, Rob Busk, Alternate & Recording Secretary Bill Vance, Jack Kellogg – Late. Connie Haan – Absent. Public: 10 residents & Mike VanDenBerg – Twp Supervisor - Guest

Introduction of Board Members to the public.

Acting Chair Ron Kopka opened the meeting by explaining the procedures that will be followed.

### Minutes:

- The minutes of the December 22, 2008 meeting were reviewed. Motion Vance/Busk to approved the minutes. Carried

### Request:

- Randy Shook is requesting a variance to construct a new building structure 50 feet from the centerline of the road. Location is 1073 107<sup>th</sup> Ave., Plainwell, MI. Parcel#03-08-018-032-20.

### Presentation by applicant:

- Randy Shook explained that the request site was the high land of his property and the least likely are to flood. His reasoning to have the 36" X 30" building facing west towards the house was for security reasons. This was the only reasonable area to build this Pole Barn construction garage.

### Public Comments:

- Andrew Truax asked what the required zoning set back was and what the structure was going to be used for. The R-2 Low Density Residential District 6.04 B & C were read. The applicant explained that the structure was going to be used for storage.

### Zoning Board Comments:

- Could the structure be turned 90<sup>0</sup> and moved back so to give an additional 10' to the set back. Applicant explained that it would require going to the county for a three vehicle wide driveway and culverts. It was than brought forth that the ordinance only allows one driveway per plot.
- Could the structure be turned 180<sup>0</sup> and be attached to the east end of the present house. It was explained that the septic tank and bed was there in that area.

### Objective criteria to evaluate dimensional variance:

1. Strict compliance with the strict letter of the Zoning Ordinance regulations would prevent the owner from using the property for the permit use.
2. Granting the requested variance would do justice to the applicant, as this would allow the permitted structure to be in line with the current set back of the house.
3. The plight of the property owner is due to the unique circumstances of the property surroundings and not the general neighborhood conditions.
4. The practical difficulties are not self-created in that the nature of the land would not allow for other plans.

No further discussion - Motion:

- Motion was made by Rob Busk to Allow easement of the building 50 feet from the center line of 107<sup>th</sup> Ave. Seconded by Tim Oosting. Roll call: Oosting-Yes, Kopka-Yes, Busk-Yes, Vance-Yes Motion carried - 4 yes 0 no.

Meeting set for July 15, 2009 – 6:45 pm to approve minutes.

Meeting was adjourned at 6:35 pm

Respectfully submitted,  
William Vance, Acting Secretary