

**GUN PLAIN TOWNSHIP
Zoning Board of Appeals
Minutes of April 1, 2024**

ZBA Members Present: Oosting, Sullivan, Joslin, Bennick
Mike Vandenberg, Township Supervisor
ZBA Members Not Present: Pearson

Applicants Present: Any Gilpin – Consumers Energy, Anthony Stepke –
Consumers Energy, Katie Lambert+Rowe – Public Service Commission

Meeting Called to Order: President Oosting called the meeting to order at 7:04pm.

Introduction of ZBA Board Members: The four (4) Board Members present introduced themselves.

Approval of February 12, 2024 Minutes: Motion made by Sullivan, seconded by Oosting, motion carried unanimously.

Approval of the Agenda Item: Motion to approve Agenda of the April 1, 2024 Meeting made by ALL, seconded by ALL, motion carried unanimously.

Notice: Mr. Vandenberg, Gun Plain Township Supervisor reported that he and Mr. Tim Oosting, President, Gun Plain Township Zoning Board of Appeals, have a conflict of interest with this Agenda Item due to both being on the Conservation Club Board of Directors which is within 300 feet of this Consumers Energy Variance Request. The ZBA had no problem with Tim voting.

Procedures Followed by Board to make a Decision:

- #1. Motion to close regular meeting and open Public Hearing: Motion made by Joslin, seconded by Sullivan, motion carried unanimously.
- #2. Applicant states request: Applicants explained the need for a new “Odorizer” which is larger equipment which would reduce the road setback. This upgrade is necessary to comply with Federal Regulations.
- #3. Open to Public Comments: There were no Public Comments.
- #4. Motion made to close Public Hearing and reopen Regular Meeting. Motion made By Joslin, seconded by Sullivan, motion carried unanimously.
- #5. Evaluate criteria for Variance as follows:

1. 4 Yes	3. 4 Yes
2. 4 Yes	4. 4 Yes

#6. Motion: Motion made by Sullivan of Review Analysis to approve the variance and seconded by Joslin, motion carried unanimously.

#7. Roll Call Vote: 4 in favor, 0 opposed, carried unanimously.
Variance Granted

Agenda Item:

- #1.** Request from Consumers Energy, 690 11th Street, Plainwell, Michigan, 49080 for a 30 foot front yard setback. Parcel #03-08-018-019-00.

Other Items: None.

Adjournment: Motion made by to Close the Meeting by Sullivan, seconded by Joslin, approved unanimously.

Meeting Adjourned at 6:30pm

**Objective criteria to evaluate a non-use or dimensional variance –
“Practical Difficulties”:**

1. Would strict compliance with the strict letter of the Zoning Ordinance regulating the minimum area, yard setbacks, frontage, height, bulk or density or other regulation render conformity with such restrictions of the Zoning Ordinance keep the owner from using the property for the permitted use, or would conformity be unnecessarily burdensome?
2. Would granting the requested variance do substantial justice to the applicant as well as to other property owners in the district, or would a lesser relaxation than that applied for would give substantial relief to the owner of the property and be more consistent with justice to other property owners?
3. Is the plight of the property owner/applicant due to unique circumstances of the property and not to the general neighborhood conditions in the area?
4. Are the practical difficulties self-created?

Respectfully Submitted,



Thomas Bennick