

Gun Plain Township
Zoning Board of Appeals
Minutes for December 19, 2023

ZBA Members Present: Sullivan, Pearson, Joslin and Bennick. **ZBA member not present excused absence.** Oosting.

Meeting called to order by Vice-chairman Sullivan @6pm.

Approval of October 30,2023 Minutes. Motion to approve the minutes as amended 12/14/2023 by Joslin. Seconded by Sullivan. Motion carried.

Motion to Approve the Agenda by Bennick. Second by Joslin. Motion carried.

Open to Public Comment: None.

Agenda Item: Request from Arron Morehouse, 355 and 360 Riverview Dr. Plainwell Michigan for a 2296' variance. Parcels # 08-08-035-014-00 & 03-08-540-023-00.

Procedures Followed by Board to make a Decision:

1. Motion to Close Regular Meeting and Open Public Hearing: Motion by Bennick and seconded by Joslin. Motion carried 4-0.
2. Applicant states request: A Variance to construct a Duplex on parcels 08-035-014-00 & 08-540-023-00.
3. Open to the Public Comments: None. Supervisor Vandenberg presented a report to the ZBA. No letters or calls for or against this variance request.
4. Motion to close the Public Hearing and re-open regular meeting : Motion made by Joslin, seconded by Bennick. Motion carried 4-0.
5. Evaluate criteria for a Variance: See below.

Objective criteria to evaluate a nonuse or dimensional variance-Practical Difficulties.

#1 Would strict compliance with the strict letter of the Zoning Ordinances regulating the minimum are, yard setbacks, frontage, height, bulk or density or other regulation render conformity with such restricts on the Zoning Ordinance keep the owner from using the property for the permitted use, or would conformity be unnecessarily burdensome? Yes-4.

#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? Yes-4.

#3 Is the plight of the owner/applicant due to unique circumstances of the property and not to the general neighborhood conditions in the area? Yes-4.

#5 Are the practical difficulties alleged self-created? Yes-4.

6. Motion and Second. Motion made by Joslin to approve the variance upon the Township Board approving the combination of the two parcels. Seconded by Bennick. Passed 4-0.

Findings of Fact

1. Due to the development next to the parcels not granting the variance would do substantial harm to the applicant because of the placement of well and septic on adjacent parcels would prohibit him (with his two parcels) from placing well and septic properly on property.

Motion made by Joslin to approve the variance (with the Township Boards approval of combining lots 03-08-540-023-00 and 03-08-035-014-00). Second by Bennick. All in favor. Motion carried.

Adjournment: Motion to adjourn by Joslin, seconded by Bennick. Approved 4-0.

Respectively submitted,

Jenann Pearson