

**Gun Plain Township
Zoning Board of Appeals
Minutes**

May 2, 2016

- Call to Order:: by Chairman Kellogg at 7:00 PM
- Introduction of Board Members:
- Attendees Kopka, Oosting, Busk, Sullivan (alternate), Kellogg
Excused: Haan.
- Township supervisor VanDenBerg
- Approval of Minutes: **April 25 meeting** – Brandes Variance request Motion Kopka/Oosting. All approve. **Minutes of July 25, 2015 meeting** approving the minutes from regular ZBA for Pine Lake Marine. Motion: Busk/Oosting. Vote all approve.
- Open meeting and reopen tabled request to floor. Motion: Kopka/Sullivan All approve.
- Discussion of the variance request by board members, reviewing the documented survey from Brandes.
- Agenda Item: Request for a variance from Kevin and Amy Brandes to construct a new building structure less than 7 feet from the property line. Location is 1120 102nd Ave, Plainwell, Mi. Parcel #03-08-160-003-00.
-
- Board Discussion: 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? Board discussion: Yes
 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? Board Discussion: Yes granting the variance request will do justice.
 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?

Board Discussion: Yes, deterioration of the building is due to the placement on the concrete pad that already exists. Building needs to be rebuilt.

4. Are the practical difficulties alleged is self-created? Board Discussion: No, was a preexisting condition when property was purchased..

- Motion: Kopka/Oosting: To approve the variance request of 4 feet. Three feet from the west side lot line. Roll call – Kopka yes, Sullivan yes, Oosting yes, Busk yes, Kellogg yes. Motion carries and variance is granted.
-
- Public comment : None
- Motion to adjourn: Kopka/Busk all in favor at 7:15 PM

Submitted by Jack Kellogg, Chairman