

Gun Plain Charter Township
Zoning Board of Appeals
January 29, 2019

Members present: Oosting (Chair), Busk, Sullivan, Kopka

Item 1: CALL TO ORDER:

Chairman Oosting called the meeting to order at 7:00 p.m.

Item 2: ELECTION OF OFFICERS FOR 2019:

Motion made by Kopka to nominate Oosting as Chair, Busk as Vice Chair, Sullivan as Secretary. Motion seconded and unanimously approved.

Item 3: APPROVAL OF MINUTES :

A copy of the November 26, 2018 Zoning Board of Appeals Meeting Minutes was provided to the members prior to the meeting. With a review of the minutes completed, and upon motion by Kopka, supported by Oosting, and unanimous approval, the November 26, 2018 Meeting Minutes were approved as presented.

Item 4: OPEN TO THE PUBLIC :

Public Comment --None.

Item 5: PUBLIC HEARING : LOYAL PERRY III – 326 MIDLAKES BLVD.

Motion to open Public Hearing portion of the meeting made by Kopka, supported by Busk and unanimously approved. Public Comment --None. Motion to close Public Hearing portion of the meeting and to open the Regular portion of the meeting was made by Kopka, supported by Busk and unanimously approved.

The Board undertook the review of the issues and data regarding a request by Loyal Perry III for the granting of a 10 ft. Variance to the existing 50 ft. Set back requirement for structures (from road side frontage). The Variance Request is needed to facilitate the construction of a new home on the site where the previous structure had been destroyed by fire. In the Request Application, Mr. Perry points out that the new home,

as constructed with the requested set back variance, would still provide more distance between road and structure than most of the homes currently in place in the surrounding neighborhood.

A drawing of the property, the home layout (dimensioned) and the relative property boundaries and road position, prepared by Jensen Land Surveying and provided with the Variance Request was reviewed and discussed by the Board. Two Board Members, Busk and Sullivan had viewed the property, the new construction planned location, and the contiguous properties and were able to answer questions and provide insight during the discussions.

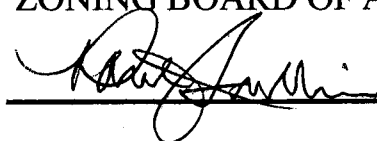
With discussions completed, the Board Members present subjected the Request to the Criteria outlined in Section D, Part 1, a, b, c, and d. The consensus of the Board Members present was that the Request under review:

- a. Strict compliance with the governing restrictions (ie; setback requirements) would represent an unnecessary burden and cause an unreasonable prevention of lot placement and construction.
- b. The Variance would provide justice to the applicant and would not cause any injustice or hardship to the surrounding property owners.
- c. The need for the variance is in fact due to the irregular shaping of the lot, and the lot's location and topography.
- d. The need for the variance was not created by the applicant.

Upon completion of the discussions and Criteria Review, a motion was made by Busk, supported by Sullivan and carried unanimously to approve the Variance of 10 ft. from the Front Line requirement of 50 ft. as per the Request.

There being no other business before the Board, a motion made by Kopka, supported by Oosting, to adjourn was carried unanimously and the Meeting was adjourned at 7:11 p.m..

GUN PLAIN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

 13 Feb 2019

Paul Sullivan, Secretary