

## Minutes of the Gun Plain Twp. Zoning Board of Appeals – October 5, 2011

Meeting was called to order by Chairman Kellogg at 6:00 p.m.

Members present: Alternate Bill Vance, Tim Oosting, Ron Kopka, Connie Haan, Jack Kellogg

Absent: Rob Busk

Applicant: Dixon Pulver and Builder Mark Pulver

No Public

*Approval of Minutes: Motion Kopka/Vance to approve the Minutes of August 29, 2011, meeting as written. Carried.*

*Motion Oosting/Kopka to close the regular meeting and open the meeting to the Public. Carried*

Agenda Item: Request from R. Dixon and Karena Pulver for a setback variance for a deck and pool. Location 787 11<sup>th</sup> Street, Otsego, Michigan, 49083. Parcel number 03-08-501-003-00. A variance was approved at the August 29, 2011, meeting for the replacement of an existing deck. The request for a variance for the pool and deck was tabled to give the owners time to provide a land survey and not just a bank survey to better determine the actual setback variance necessary.

Mark Pulver representing the owners presented the updated survey, which did show a clearer view of the present setback dimensions.

*Motion Oosting/Vance to close the open meeting and open the regular meeting. Carried.*

In general discussion the Board felt that this is an oddly shaped lot that is a Legal Non-Conforming lot. It is a unique lot with roads both in front and the rear of the house. One issue with this request is that the owner was told that he did not need a permit for an above the ground pool. This information was incorrect. The structure has been built. The Board felt it would do justice to the owners to look at this situation as if they would be requesting this variance had they known they did need to secure a permit.

The Board reviewed the four (4) questions and criteria to evaluate a request for a variance. To all the questions the Board answered yes.

*Motion Kopka/Vance to grant a variance for lot parcel number 03-08-501-003-00, of 21.2' setback from the property line on 11<sup>th</sup> Street and a variance of 30' setback from the property line on Top View Drive for the purpose of the construction of an above the ground pool and deck.*

*Roll call: Vance yes, Haan yes, Oosting yes, Kopka yes, Kellogg yes. 5 yes 0 no Motion Carried.*

Motion Vance/Kopka to adjourn at 6:40 p.m.

Respectfully submitted,  
Connie Haan, Secretary

*Jack Kellogg*  
*Oct 6, 2011*