

Gun Plain Township  
Zoning Board of Appeals  
Minutes for August 12, 2024

**ZBA Members present:** Oosting, Bennick, Joslin, Sullivan, Pearson

Meeting called to order by Oosting at 7:00pm

**Motion** by Sullivan 2<sup>nd</sup> Joslin to approve the minutes for April 1, 2024  
All Approve

**Motion** and 2<sup>nd</sup> by all to approve the Agenda of August 12, 2024 All Approve

**Agenda Item:**

Request from Nathan Miller, 944 110<sup>th</sup> Ave. Plainwell, Michigan for a variance for a 6 foot front yard setback on Parcel # 03-08-008-012-00.

**Procedures followed by Board to make a decision:**

#1. **Motion** by Pearson 2<sup>nd</sup> Joslin to close regular meeting and open Public Hearing All Approve

#2. The applicant is requesting a variance to build a pole barn. The applicants Insurance Company would not insure the previous barn because of the condition of the barn.

#3. A letter was submitted in favor of the request from Robert and Arlene Krause who are neighbors to the west of Mr. Miller. There were no other comments.

#4. **Motion** by Pearson 2<sup>nd</sup> Joslin to close the Public Hearing and re-open the regular meeting All Approve

**#5 Evaluate Criteria for a Variance by ZBA members:**

#1 5-yes,

Conformity would be unnecessarily burdensome due to the location of the house.

#2 5-yes

The request would improve the area.

#3 5-yes

There are unique circumstances on the property based on the location to wetlands and the drop off behind the house.

#4 5-yes

This is not self created.

**Motion** by Oosting 2<sup>nd</sup> Bennick to approve variance request for a 6 foot front yard setback which equates to a 44 foot variance for Nathan Miller 944 110<sup>th</sup> Ave Parcel #03-08-008-012-00. **Variance Granted**

Roll Call Vote: 5 Approve

Other Agenda Items: none

**Motion by Oosting 2<sup>nd</sup> Pearson to adjourn All Approve**

**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 alleged self-created?

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Respectfully Submitted,

*Diane Webber*

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