

GUN PLAIN TOWNSHP
Zoning Board of Appeals
Minutes of October 30, 2023

ZBA Members Present: Sullivan, Pearson, Joslin and Bennick.

ZBA Member not present excused absence: Oosting.

Meeting Called to Order by Vice-Chairman Sullivan @ 6:00.

Approval of August 27, 2023 Minutes. Motion made by Joslin to approve, seconded by Bennick. Motion carried...

Open to Public Comment: None.

Agenda Item: Request from Kelly Black, 579 110th Ave. Plainwell Michigan for a variance to put solar panels on the house front roof. Parcel #03-08-003-013-00-10.

Procedures Followed by Board to make a Decision:

1. Motion to Close Regular Meeting and Open Public Hearing: motion made by Bennick, seconded by Joslin, motion carried 4-0.
2. Applicant states request: None.
3. Open to the Public Comments: None. Supervisor Vandenberg presented a report to ZBA, No letters or calls for or against request.
4. Motion to close the Public Hearing and re-open regular meeting: Motion made by Bennick, seconded by Joslin, motion carried 4-0.
5. Evaluate criteria for a Variance: See below:

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 restricts on the Zoning Ordinance keep the owner from using the property for the permitted use, or would conformity be unnecessarily burdensome? No-4

#2. Would granting the requested variance do substantial justice to the applicant as well as to the 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 the

justice to other property owners? No-4

#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? No-4.

#4. Are the practical difficulties alleged self-created? No-4.

6. Motion and Second: Motion made by Bennick, seconded by Joslin to approve the variance. Passed 4-0...Despite the results of the objective criteria evaluation.

Findings of Fact

1. From question #1. The board agreed that strict compliance would not keep the owner from using the property.
2. The distance from the road to the building is 600'. The property is zoned agriculture. The roof faces the South.

The ZBA granted the variance as a result as one of non precedented setting decision.

Other agenda items: None

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

Meeting adjourned at 7:08 PM

Respectively submitted,

Jenann Pearson

ZBA Secretary