

**PAW PAW TOWNSHIP  
ZONING BOARD OF APPEALS MINUTES**

**Regular Meeting – March 18, 2026**

Chairman Arbanas called the Paw Paw Township Zoning Board of Appeals (ZBA) meeting to order at 7:00 pm.

**ROLL CALL:**

Members Present: Phillip Arbanas, Nate Smallcombe, Neil Boff, Tom Beam, Trish Downard

Members Absent: None

Chairman Arbanas led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA:**

A motion was offered by Boff to approve the agenda as published. The motion was supported by Downard, and the motion passed 5 to 0.

Ayes: Phillip Arbanas, Nate Smallcombe, Neil Boff, Tom Beam, Trish Downard

Nays: None

**APPROVAL OF MINUTES:**

A motion was offered by Boff to approve the minutes from the meeting held on December 17, 2025. The motion was supported by Downard, and the motion passed 5 to 0.

Ayes: Phillip Arbanas, Nate Smallcombe, Neil Boff, Tom Beam, Trish Downard

Nays: None

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Chairman Arbanas called for public comment on non-agenda items. There were no public comments.

**NEW BUSINESS:**

**1. Public Hearing and Consideration of a Variance: Palmer Drive LLC - LCH requests a variance to construct a new home with a rear setback of 24 feet (the requirement is 50 feet). The variance relates to Chapter 42, Article 6, Attachment 3 of the Paw Paw Township Zoning Ordinance (dimensional requirements). The subject property is located on Palmer Drive, Paw Paw, MI 49079 (no address number, but north of 69696 Palmer Drive), parcel # 80-14-430-069-00.**

Chairman Arbanas stated that the applicant, Palmer Drive LLC – LCH, is requesting a variance to allow construction of a new single-story home with a reduced rear setback of 24 feet, where 50 feet is required under the Paw Paw Township Zoning Ordinance. The subject property is located on Palmer Drive in the Waterfront Area (WFR) zoning district. He explained that the proposed home would be approximately 3,000 square feet, including an attached garage, with a driveway connecting to the public street. The site plan also includes a septic system to the rear, a drainfield in the northwest portion of the lot, and a well in the southwest corner. The total lot coverage is proposed at approximately 23 percent, which complies with the 30 percent maximum allowed in the district.

The applicant, Andy Louwaert, joined by Jeffrey Grendel, stated that a modest home is proposed, but the shallow depth of the lot makes it difficult to meet both the 50-foot front and rear setbacks, resulting in a limited building envelope. The ZBA discussed the proposal, noting that the front setback is consistent with neighboring properties and provides adequate space for septic considerations. Members also discussed the ownership of the property to the rear, noting it is owned by an adjacent property owner. The applicant indicated that the proposed rear setback is also consistent with neighboring homes. Overall, the Board expressed agreement with the findings outlined in the March 10, 2026, report prepared by Township Planner David Jirousek.

The ZBA made the following findings against Section 42-11.03 B.4.a:

1. *Strict compliance with the letter of the Zoning Ordinance will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.*

**Finding:** Strict compliance with the Zoning Ordinance would result in a building footprint of 35 feet in depth and 120 feet in width. The ZBA determined that a shallower and wider home footprint would be “unnecessarily burdensome.”

2. *A grant of the variance will do substantial justice to the applicant, as well as to other property owners.*

**Finding:** Granting the variance could do substantial justice to the applicant by allowing the construction of a home in a size and arrangement that is consistent with other property owners in the vicinity. Maintaining the proposed 50-foot front setback would ensure compatibility with nearby homes.

3. *A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.*

**Finding:** The size of the proposed home is reasonable. A lesser variance, or no variance, would require the design to be rearranged and to have a shallower, wider footprint. A lesser setback would not increase or preserve justice for other property owners, as nearby homes have similar existing setbacks.

4. *That the hardship asserted by the applicant by way of justification for a variance is due to the unique circumstances of the property.*

**Finding:** The hardship situation is caused by the existing size and dimensions of the nonconforming lot. The lot is shallow relative to the 50-foot front and rear setbacks required by the WFR zoning district. Additionally, the lot is 68% of the required size for the zoning district, which further constrains the building envelope.

5. *The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.*

**Finding:** The need for the variance is generally based on the substandard size and shallow nature of the lot, as compared to the deeper required front and rear setbacks.

6. *That, in granting a variance, the ZBA is ensuring that the spirit of the Zoning Ordinance is observed, public safety secured, and substantial justice done.*

**Finding:** The requested relief will enable the reasonable use of the property based on its constricted building envelope.

A motion was offered by Downard to approve the variance requests based on the aforementioned findings and the staff report dated March 10, 2026, provided by the Township Planner. The motion was supported by Boff, and the motion passed 5 to 0.

Ayes: Phillip Arbanas, Nate Smallcombe, Neil Boff, Tom Beam, Trish Downard  
Nays: None

**OLD BUSINESS:** None

**OTHER BUSINESS:** None

**ADDITIONAL PUBLIC COMMENT:** None

**ADJOURNMENT:**

A motion was offered by Boff to adjourn the meeting at 7:11 pm. The motion was supported by Downard, and the motion passed 5 to 0.

Ayes: Phillip Arbanas, Nate Smallcombe, Neil Boff, Tom Beam, Trish Downard  
Nays: None

Prepared by: David Jirousek, March 19, 2026

Approved: