

# Armada Township

## ZONING BOARD OF APPEALS

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## ZONING BOARD of APPEALS

### MINUTES

**Monday, August 26, 2024**

**7:00 p.m.**

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- 1) CALL TO ORDER: Chair Hicks Called the meeting to order at 7:00 p.m.
  - 2) PLEDGE OF ALLEGIANCE: Chair Hicks led the Pledge of Allegiance
  - 3) ROLL CALL: Members present – Chair Hicks, Board Liaison Goetzinger, Kehrig, Moegle, Members Absent: Xagoraris. Also Present: Cris Martin, Recording Secretary.
  - 4) APPROVE / AMEND AGENDA: **Motion** by Kehrig, second by Goetzinger, to approve the agenda as presented. **All Ayes, Motion Carried.**
  - 5) APPROVAL OF MINUTES: **Motion** by Goetzinger, second by Kehrig, to approve the minutes of the August 2, 2023, meeting as presented. **All Ayes, Motion Carried**
  - 6) PUBLIC HEARING: **SEMCO 16671 Irwin Rd Setback Variance - Motion** by Kehrig, second by Goetzinger, to open the public hearing at 7:02 p.m. **All Ayes, Motion Carried.** Note: Public hearing publishing and adjacent property notifications documentation was provided but not requested to be presented. Chair Hicks invited the applicant to describe their project. Colton Burch and Jason Livingston representing SEMCO presented the project on a 1.54-acre lot and requested variances for the setbacks on both Romeo Plank and Irwin Roads. The variances are needed due to MPSC safety requirements dictating the distances needed between valves and other equipment on the site, and where the existing pipes have been installed within SEMCO's existing ROW. There is also a drain on the east side of the property limiting the position that the building can be placed. There was discussion on the required setbacks for gas valves from power poles and other MPSC safety requirements. The valves and heater do not need to be enclosed, but the regulators need to be protected from the weather. Kehrig read a comment letter into the record from the neighbor Greg Clark at 16755 Irwin with concerns about the noise coming from the site. Mr. Burch confirmed that all noise currently emanating from the site is due to the construction, and that once this is complete, there will be no noise. The building will be insulated. A question from Beth Abercrombie regarding the ability of utilities to install equipment without local permits, currently the township does not require permits be pulled by public utilities for anything but buildings. All permitting is done at the county level. **Motion** by Kehrig, second by Goetzinger, to close the public hearing at 7:18 p.m. **All Ayes, Motion Carried.**
  - 7) NEW BUSINESS:
    - a) **SEMCO 16671 Irwin Rd Setback Variance** - Deliberation began with confirmation that the equipment they want to enclose is already there. Question was asked clarifying the distances required between the different valves and other equipment, Mr. Burch explained that any other configuration of the various pipes would cause those pipes to cross and become more difficult to maintain. The county approved the

site plan for those conditions that they would require. Kehrig began reading the five standards, and discussed that since this is a utility, many of the standards are not like residential uses. Changing the layout would cause practical difficulty due to requirements of the MPSC. The conditions and circumstances are unique to utilities so would not be applicable to other uses. It would not confer special privileges and is not contrary to the spirit of the ordinance. **Motion** by Kehrig, second by Goetzinger, to grant a variance from section 8.03 D for a 15-foot setback variance from Romeo Plank Rd, and a 52-foot setback variance from Irwin Rd because the applicant met all the requirements of section 18.02 of the Zoning Ordinance. **All Ayes, Motion Carried.** There was a concern on the proposed fence. It was not documented on the site plan what the proposed height of the fence would be. Mr. Burch responded 8 ft, Kehrig noted that the ordinance only allows 6ft and the ZBA cannot vote on a variance that was not part of the public notice.

b) **Election of officers** – Motion by Kehrig, second by Goetzinger to re-elect Hicks as Chair, Kehrig as Vice-chair and Xagoraris as Secretary. **All Ayes, Motion Carried.**

8) PUBLIC COMMENTS: None

9) ADJOURNMENT: **Motion** by Goetzinger, second by Hicks to adjourn at 7:51 p.m. **All Ayes, Motion Carried.**

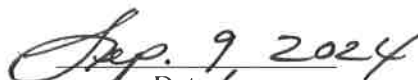
Respectfully submitted:

Cris Martin

Recording Secretary

Approved:

  
Gail Hicks, Chairperson

  
Date