



Armada Township

ZONING BOARD OF APPEALS

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ZONING BOARD of APPEALS

MINUTES

Monday, September 30, 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, Kehrig, Moegle, Xagoraris (arrived 7:04). Members Absent: Board Liaison Goetzing. Also Present: Cris Martin, Recording Secretary.
 - 4) APPROVE / AMEND AGENDA: **Motion** by Kehrig, second by Hicks, to approve the agenda as presented. **All Ayes, Motion Carried.**
 - 5) APPROVAL OF MINUTES: **Motion** by Kehrig, second by Hicks, to approve the minutes of the September 9, 2024, meeting as presented. **All Ayes, Motion Carried**
 - 6) PUBLIC HEARING: **SEMCO 16671 Irwin Rd Fence and Driveway Variance - Motion** by Kehrig, second by Hicks, 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 the variances needed for their project. Colton Burch representing SEMCO presented the variances needed for an eight (8) foot fence with three (3) strand barbed wire (not razor wire) to secure the building and equipment on the site. The ordinance only allows a six (6) foot fence, and barbed wire is only allowed for agricultural uses. They have already experienced a break-in and had equipment stolen. They are also looking for a variance to allow a gravel drive. The ordinance only allows a hard surface driveway. The property is at the corner of Romeo Plank and Irwin, both of which are gravel roads. When construction is completed, there will only be workers coming once a week or less to do maintenance. PUBLIC COMMENTS: Yvonne Brown 76845 Romeo Plank, Susan Kolar 16835 Irwin Concerns of changes in property values, believes it should have been a brick building, wants evergreens all the way around. Doesn't want to see it or hear it. Wants wrought iron fencing, doesn't want barbed wire. Make it more aesthetically appealing. Feels notifications should go to all homes within a half mile to a mile in rural areas. It was noted that the Planning Commission did require evergreen plantings around the entire property where possible. **Motion** by Kehrig, second by Hicks, to close the public hearing at 7:13 p.m. **All Ayes, Motion Carried.**
 - 7) NEW BUSINESS:
SEMCO 16671 Irwin Rd Fence and Driveway Variance – Deliberation began by confirming the ordinances that the applicant was seeking variances from. Section 2.14.2.c addresses the use of barbed wire; 2.14.2.e addresses fence heights; and section 16.30.A.3 addresses driveways for public utility buildings. The board then discussed each of the five conditions required to be considered by the variance review procedures. 1) The board felt that the strict enforcement of the provisions of the ordinances would cause a

practical difficulty because a gas utility needs to be more secure than a standard six (6) foot fence would provide, and a gravel drive is more appropriate for the area. 2) The conditions and circumstances are unique to utilities requiring the site to be secured so would not be applicable to other uses. 3) The circumstances were not created by the owner or his predecessor in title. 4) It would not confer special privileges because the same variances were allowed for other local utility properties, and 5) is not contrary to the spirit of the ordinances. The hard surface drive was intended for heavy traffic conditions to reduce dust. **Motion** by Kehrig, second by Moegle, to grant a variance to SEMCO at 16671 Irwin Rd from Section 2.14.2.c and 2.14.2.e to allow an eight (8) foot fence with three (3) strand barbed wire; and section 16.30.A.3 to allow a gravel driveway due to the unique nature of the utility site and because the applicant met all the requirements of section 18.02 review standards of the Zoning Ordinance. **All Ayes, Motion Carried.**

8) PUBLIC COMMENTS: Marcia Hollins, Susan Kolar, clarify the height of the fence, who can change the required notification distance, plead with SEMCO to use wrought iron, not barbed wire.

9) ADJOURNMENT: **Motion** by Kehrig, second by Moegle to adjourn at 7:39 p.m. **All Ayes, Motion Carried.**

Respectfully submitted:
Cris Martin
Recording Secretary

Approved:

Gail Hicks, Chairperson

Date