



Armada Township

ZONING BOARD OF APPEALS

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ZONING BOARD of APPEALS

Draft Minutes

November 21, 2013

7:00 p.m.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
Hicks___; Kehrig___; Kappa___; Xagoraris___; Goetzinger___.
4. APPROVE / AMEND AGENDA
5. APPROVAL OF MINUTES
6. PUBLIC HEARING:
 - A.) Variance Application / Armada Rubber
7. NEW BUSINESS:
 - A.) Variance Application / Armada Rubber - 24586 Armada Ridge
8. PUBLIC COMMENTS:
9. ADJOURNMENT:

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- 1.) **Call to Order:** Chair Hicks called the meeting to order at 7:00 p.m.
 - 2.) Chair Hicks led the audience in the **Pledge of Allegiance**.
 - 3.) **Roll Call:** Members Present: Chair Hicks, Vice-Chair Kehrig, Xagoraris, Goetzinger. Members Absent: Kappa. Also present: Christine White, Recording Secretary.
 - 4.) **Approve/Amend Agenda:** Motion made by Kehrig, seconded by Xagoraris, to approve the amended agenda adding items approve minutes from March 21, 2012 under number 5. Adding under New Business B.) Election of Officers. C.) Set date for approval of minutes. All ayes; Motion Carried.
 - 5.) **Approval of Minutes:** Motion made by Kehrig, seconded by Xagoraris, to approve the minutes from March 21, 2012 as presented. All ayes; Motion Carried.
 - 6.) **Public Hearing:**

A.) Chair Hicks **opened the Public Hearing at 7:03 p.m.** Chair Hicks affirmed the receipt and adequacy of publication of notice and distribution list for notices to neighbors. Chair Hicks explained the public hearing procedure. Chair Hicks requested applicant's application.

Bob Bova, controller for Armada Rubber presented that a request for variance is being sought for parking. Plans were submitted to the Planning Commission at the October meeting to add approximately 910 square feet of floor space to be used for equipment and material storage which will not affect employee head count. The company currently has 67 parking spaces available, they need 85 spaces to meet the ordinance. The company has 61 employees, spread over two and half shifts, and the customers of the company. The addition of eighteen spaces would create an unnecessary financial burden and would be an inefficient use of capital. Approximately 33% of the building floor space consists of warehousing with a significantly lower employee/floor space density than the office and manufacturing areas of the facility. The maximum number of employees on any one shift is forty seven. The Planning Commission granted a conditional approval based on parking calculations being met per ordinance. Armada Rubber has been existence, at the current location since 1947. The addition of the parking spaces would require removal of mature trees and natural grass lands. The company is located in an M-1 district that is bordered on all sides by R-1 residential properties. There are no other properties similarly situated in the same zoning district. The existing parking capacity is sufficient to provide safe, clearly marked off road parking and loading for employees and customers. Currently there are twenty extra spaces for visitors and vendors. The company is automotive based and is currently coming out of the worst economic downturn. To add parking at this time would be financially burdensome. They have always been a good corporate neighbor and employee local people.

No general public were in attendance for comments or concerns. The mature trees are providing a barrier between the residential area and the site. A deferment for parking was discussed by the board members. The addition is very small and would not be noticed. A variance for section 6.02, G. Industrial, five spaces for every five-hundred square feet is what the applicant is seeking.

The strict enforcement of the provisions of the Township Zoning Ordinance would cause practical difficulty and deprive the owner the right enjoyed by all other property owners within the same zoning district. By granting this variance this is not something anyone else in the area would require.

The conditions and circumstances unique to the property, which are not similarly applicable to other properties in the same zoning district are unique because they are surrounded by residential properties.

The conditions and circumstances unique to the property were not created by the owner, or his predecessor in title, within the time following the effective date of the provisions alleged to adversely affect such property. The business has been open since 1947 which was well ahead of the township zoning ordinances. The ordinances have changed around them.

The requested variance will not confer special privileges that are denied other properties similarly situated and in the same zoning district because there are no others.

The requested variance will not be contrary to the spirit and intent of the Zoning Ordinance because all the neighbors are being protected. If trees were to be torn up it would be a detriment to the residential area. There is adequate parking at this time.

Chair Hicks asked for any further public comment. None were given. **Motion made by Kehrig, seconded by Xagoraris, to close Public Hearing at 7:23 p.m. All ayes; Motion Carried.**

7.) New Business:

A.) **Variance Application/Armada Rubber:** The board was satisfied with the presentation and was confident that all questions and concerns had been addressed. **Motion made by Kehrig, seconded by Xagoraris, to grant a variance approval from Section 6.02, G. Industrial 1.) Industrial, Wholesale or Warehouse, for the additional eighteen parking spaces based on the facts that the strict enforcement would cause practical difficulty, the additional parking is not necessary, that the property is unique in location in the residential area. The conditions and circumstances were not**

created by the owner. No special privileges are being conferred that are denied to other properties similarly situated in the same zoning district. The variance is in the spirit and intent of the zoning ordinance by protecting the surrounding residential properties. All ayes; Motion Carried.

B.) Election of Officers: Motion made by Kehrig, seconded by Goetzinger to nominate Diane Xagoraris for secretary. Diane Xagoraris accepts nomination. All ayes; Motion Carried. Motion made by Kehrig, seconded by Xagoraris, to nominate Gail Hicks for chair. Gail Hicks accepts nomination. All ayes; Motion Carried. Motion made by Hicks, seconded by Xagoraris to nominate D.J. Kehrig for vice-chair. D.J. Kehrig accepts nomination. All ayes; Motion Carried.

C.) Set Agenda for next meeting: Motion made by Kehrig seconded by Xagoraris, to set agenda for December 4, 2013 at 6:45 p.m. to approve the minutes from November 21, 2013. All ayes; Motion Carried.

8.) Public Comments: Kehrig would like information from the planner in regards to changing the elections of officer's to every two years.

9.) Adjournment: Motion made by Kehrig, seconded by Goetzinger, to adjourn meeting at 7:44 p.m. All ayes; Motion Carried.

Respectfully submitted:

Christine White
Recording Secretary

Approved:

Gail Hicks, Chairperson

Date