



Armada Township
ZONING BOARD OF APPEALS
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ZONING BOARD of APPEALS

Minutes

August 20, 2018

7:00 p.m.

1. CALL TO ORDER
 2. PLEDGE OF ALLEGIANCE
 3. ROLL CALL
 4. APPROVE / AMEND AGENDA
 5. APPROVAL OF MINUTES: September 7, 2017
 6. PUBLIC HEARING: Variance requests for Side, Rear, & Fence DeHondt Electrical
 7. NEW BUSINESS: Variance requests for Side, Rear, & Fence DeHondt Electrical
 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, Tharp, Finlay, Xagoraris. Also present: Christine White, Recording Secretary.
- 4.) **Approve/Amend Agenda: Motion made by Kehrig, seconded by Xagoraris, to approve the agenda as presented. All ayes: Motion Carried.**
- 5.) **Approval of Minutes:** Minutes from September 7, 2017. **Motion made by Kehrig, seconded by Tharp, to approve minutes from September 7, 2017 as presented. All Ayes: Motion Carried.**
- 6.) **Public Hearing: Variance Requests for Side, Rear, & Fence DeHondt Electrical: Motion made by Kehrig, seconded by Xagoraris, to open the Public Hearing at 7:03 p.m. All ayes: Motion Carried.** Chair Hicks mentioned that the notices for the Public Hearing had been documented. Mr. Robert Lindh from Urban Land Consultants presented on behalf of Mr. Gerald DeHondt the uniqueness and constraints of the property. There is 360 feet of frontage with a 66 feet gas main easement that slopes off toward the north branch of the Clinton River. The Macomb County Road Commission is requiring that the driveway align with the drive across the road into the Hidden River development. The owner to west has no objections to the side yard setback and included a statement in that regard. Mrs. Share Rodzewicz, 15295 33 Mile Rd. lives across the road and is livid with the proposed development. She wants tomatoes, not industrial. A maintenance agreement with Henshaw to keep weeds and buildings up will be done. Stone will be put down along the fence line, and the fence will be a buffer zone used for security purposes. The high pressure gas main restricts the room needed for vehicles to turn. There will be security cameras. The use is permitted as a Special Land Use. Mr. Jerry Rodzewicz mentioned that he understands the process. **Motion made by Kehrig, seconded by Hicks to close the Public Hearing at 7:13 p.m. All ayes: Motion Carried.**

7.) **New Business: Variance requests for Side, Rear, & Fence DeHondt Electrical:** Kehrig went through the Planner outline for the proposed self-storage facility. Mr. DeHondt is seeking variances from the side and rear set-backs of the M-1 district and the maximum front yard fence height standard. The minimum side yard setback in the M-1 district is 20 feet. The applicant is proposing to place a self-storage building for RV's 2 feet off the western side property line. An 18-foot variance is sought. The rear yard setback in the M-1 district is 50 feet. The applicant is proposing to place the westernmost storage building 20 feet from the rear property line. A 30-foot variance is sought for the westernmost building, and a 20.82-foot variance is sought for the middle building. The applicant is seeking to install a 6-foot aluminum fence in the front yard, which exceeds the maximum permitted front yard fence height of 42 inches. The fence will include a gate securing the site, accessed via card reader. The applicants goal is to get vehicles through. The neighbor did send an email saying he is okay with the variance for the side yard set-back. The strict enforcement of the zoning ordinance would cause practical difficulty and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district because in M-1 he would be able to build a shop but would not be able to put storage units up. The conditions and circumstances are unique to the subject property and are not similarly applicable to other properties in the same zoning district because of the gas main line, the irregular shape of the property, and the Macomb County Road Commission requirements for the entry drive. The conditions and circumstances unique to the property were not created by the owner, or his predecessor in title. The requested variances will not confer special privileges that are denied other properties similarly situated and in the same zoning district, the fence height is typical of this type of business, and has been granted for cemeteries. The requested variances will not be contrary to the spirit and intent of the Township Zoning Ordinance because it is not to hinder development, and it is following variance standards. **Motion made by Kehrig, seconded by Finlay, to approve, due to the unique circumstances of the property not caused by the property owners and the strict enforcement of the ordinance would cause practical difficulty the following variance requests: Eighteen (18) feet variance from the side yard set-back; Thirty (30) and Twenty-one (21) feet variance from the rear yard set-back; also to allow a six (6) feet high fence encompassing the entire site for security. All ayes: Motion Carried.**

8.) **Public Comments: None.**

9.) **Adjournment: Motion made by Finlay, seconded by Tharp, to adjourn meeting at 7:59 p.m. All ayes: Motion Carried.**

Respectfully submitted:



Christine White

Recording Secretary

Approved:

Gail Hicks, Chairperson

Date