

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS
January 18, 2024

The meeting was called to order by Chairman Horen at 7:00 p.m.

Members present: J. Horen, J. Kruger, A. C. Schweitzer, G. Brandt, D. Zube
(Alternate)
Members absent: A. Lyday
Also present: R. Sheppard-Attorney

The Pledge of Allegiance of the United States of America was recited by those present.

**Motion by Zube, seconded by Schweitzer to adopt the agenda as presented.
Motion unanimously carried.**

**Motion by Schweitzer, seconded by Zube to approve the minutes of November 16, 2023, meeting.
Motion unanimously carried.**

Election of Officers

Attorney R. Sheppard was present and presided over elections.
Nominations were opened for Chair, Vice-Chair and Secretary

**Motion by Zube, supported by Schweitzer to nominate Horen for Chair for 2024
Motion carried by unanimous vote.**

**Motion by Zube, supported by Schweitzer to nominate Lyday for Vice Chair for 2024
Motion carried by unanimous vote.**

**Motion by Zube, supported by Schweitzer to nominate Krueger for Secretary for 2024
Motion carried by unanimous vote.**

Nominations closed. The officers elected accepted their respective offices and thereafter Horen presided at the meeting as Chairperson, Lyday as Vice-Chair and Krueger acted as Secretary of the meeting.

Public Input

Public input was opened and closed at 7:02 p.m. with no one present from the public wishing to speak.

Items for Consideration

09-100-013-200-010-11

Menards Inc.

2864 Wilder Road

Fence Height & Aisle width

Horen read the public hearing letter sent out to adjoining property owners. Menards is requesting two variances, for aisle width to be reduced to 25 feet and the fence height increased to 10 feet.

Krueger requested that the two items be separated as individual requests.

Horen read the letter sent to the zoning board of appeals members from Sheppard regarding subsection 9 of the Unified Zoning Enabling Act of 2006 along with Amendment in 2008 subparagraph 7.

Nick Brenner, representative from Menards, addressed the members.

Brenner began with the fence height requested, ten (10) feet verses eight (8) feet.

Krueger asked the height of the garage door area.

Brandt asked about employees patrolling the area.

Brenner explained that there is a four-digit code to enter and exit the storage area, as well as surveillance cameras.

Brandt asked about snow removal.

Brenner explained that two of the five fenced in areas can be opened and closed for snow removal.

The members tried to find a hardship.

Much discussion continued.

Motion by Horen supported by Schweitzer to *deny* the ten (10) foot fence height, due to no justification was found in 18.10 (a) (b) and (c)

Roll Call Vote

Yes: Horen, Schweitzer, Krueger, Brandt, Duff

No: none

Absent: Lyday

Motion carried

Menards second request for reduced aisle width was discussed.

Brenner used a 28-foot fire truck as a turning example. He also spoke of the substantial number of parking spots and the loss of the out lot to the north of the proposed self-storage. He also said that four fire hydrants will be installed.

Krueger said that Chief Kramer, Monitor Township Fire Department stated that the fire trucks are 35 to 38 feet long.

Discussion continued.

Joe Baker, Monitor Township Fire Department said the proposed site meets and exceeds the fire departments expectations.

Sheppard asked Baker if he would put a firefighter between the 25-foot buildings?

Baker replied, "I would but it would depend on a lot of things, the problem with self-storage is we don't know what is stored in the units"?

Sheppard pointed out to the board that section 9.03 uses permitted with special land use approval, the planning commission may modify parking standards based on a parking study.

Discussion continued.

Brenner asked the Zoning Board for approval to table the variance request, until the planning commission reviews a parking study.

Motion by Zube supported by Schweitzer to table the aisle width variance.

Roll Call Vote

Yes: Horen, Schweitzer, Krueger, Brandt, Duff

No: none

Absent: Lyday

Motion carried

Discussions

Ordinance 67 section 3.52 review

3.52 B. 1. Any accessory part or device of a solar energy system that does not require direct access to sunlight, such as batteries, electric meters, converters, or water heater tanks.

Schweitzer discussed with the members section 3.52 C. 5.

section 3.52 C. 5. Ancillary Solar Equipment: Where feasible, ancillary solar equipment shall be located inside of a building or be screened from public view. **All** ancillary solar equipment such as, but not limited to, water tanks, supports, batteries, and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the construction codes of this state, and when no longer in use shall be disposed of in accordance with applicable laws and regulations.

Motion by Schweitzer supported by Horen, that, any accessory part or device of a solar energy system must be screened.

Roll Call Vote

Yes: Horen, Schweitzer, Krueger, Brandt, Duff

No: none

Absent: Lyday

Motion carried

Communications received.

Motion by Horen to adjourn.

Motion unanimously carried.

The meeting was adjourned at 8:42 p.m.

Respectfully,

Joy Krueger

Secretary

Jk/djp