

## **ALBION BOARD OF ZONING APPEALS - REGULAR MEETING MINUTES**

**February 24, 2021 - Albion Municipal Building**

**ROLL CALL AND DETERMINATION OF QUORUM:** Lori Gagen, Secretary, called the meeting to order. She determined a quorum was present with Dave Dunn and Jared Owen present. Mark Hunter and David Bremer were absent. Attorney Steve Clouse and Town Manager Tena Woenker were present.

### **ELECTION OF OFFICERS**

Dunn nominated Gagen for President, Hunter to remain as Vice President, and to appoint Tena Woenker as secretary. Hearing no other nominations, Gagen called for a motion to adopt the slate of officers. Owens made the motion, Dunn seconded. All voted in favor.

### **PUBLIC HEARING - 208-210 W HIGHLAND**

Public Hearing opened at 6:07 p.m.

Woenker explained that Justin Diehm applied for a variance in development standards because he would like to purchase the house owned by Albion Presbyterian Church. In order to sell the house, the church would have to split the parcel into two to separate the buildings. The distance between the house and the church is less than six feet but the setback of 6' is required for the property boundary per the Albion Zoning development standards. Each property would need six feet to the boundary in order to not require a variance. Justin Diehm was present to explain his intentions and said he would not add on to the rental house or infringe any further on the boundary. There was nobody present in opposition and only one person contacted the Plan Administrator to ask if Noble House would use the property. When questioned, he answered that Noble House would not and has not used it for several years.

Clouse read through the findings to the Commission members. Findings are attached.

Question 1- All Commission members voted yes.

Question 2- All Commission members voted yes.

Question 3 - All Commission members voted yes.

The finding for Variance in reduced boundary setbacks was granted. Diehm is to bring a new survey to the Plan Administrator for a Statement of Compliance for the Exempt 1 subdivision of the lot. Hearing closed 6:15 p.m.

### **PUBLIC HEARING - 407 S ORANGE STREET**

Gagen opened the hearing at 6:16 p.m. for Robert and Dennis Allman, who were present. Tony Allman was also present. Robert explained application had multiple addresses but the only property in question is 407 S. Orange. Gagen asked the group what the intention was for the building. Dennis explained that they may use the building for a surplus resale shop however, if they don't find a tenant then the plan is to create several walled 5x10' and 10 x 20' units on the main level, and a 15x30' unit in the basement. The units would be keyed entry, climate-controlled storage spaces. There would be no hazardous chemicals or electricity in the units. There were questions about whether the building would require fireproof materials or special permits. Those questions were referred to the building inspector. Owen asked if there is someone interested in the resale business idea. Allman said yes, he showed it earlier for that purpose but did not have a commitment. Gagen asked if the special use is approved, would it be dissolved if they use it as a resale shop or do not use it as a self-storage or mini warehouse. Clouse answered that conditions can be made for the approval, and also a time limit could be established. Owen asked how much

time he would want the approval to remain if the surplus store or another use was put in place instead of the storage units, or if the resale use closed. The answer was a couple of years.

Vicki Jellison was present as an adjacent landowner on behalf of the Albion Water Department, their only concern would be if chemicals or hazardous materials would be stored and was satisfied that there would not be by Dennis Allman's answer. Jellison said there would be no concerns if that was the case.

Gagen asked if there was more discussion? No reply. Clouse read through the findings to the Commission members. Findings are attached.

Question 1- All Commission members voted yes.

Question 2- All Commission members voted yes.

Question 3 -All Commission members voted yes.

Question 4- All Commission members voted yes.

Question 5- All Commission members voted yes.

Conditions for the approval of the special use: Dunn suggested the variance use as self-storage units would be dissolved if not implemented in 36 months, Owen seconded. All voted in favor.

Findings are granted based upon the condition approved.

Hearing closed at 6:35 p.m.

**REGULAR MEETING:**

Dunn made the motion to approve the meeting minutes from January 15, 2020. Woenker mentioned there would be updated meeting rosters prepared with the new officer information and she would send them to the Board members by email.

Dunn motioned to adjourn, Owen seconded. Gagen adjourned the meeting at 6:40 p.m.