

## **TOWN OF ARGOS**

### **REPORT OF BZA - 06/04/2019**

#### **Call to Order:**

Meeting was called to order by President Rob Hurford at 6:03 p. m.

#### **Roll Call:**

Present at the meeting were President Rob Hurford, Vice President Jim Hoffer, Members Ray Trump, Ronda Davis and Attorney Derek Jones. Clerk-Treasurer Lisa Mullaney took minutes.

#### **Minutes:**

Minutes from the May 4, 2019 were presented. Vice President Hoffer motioned to accept the minutes as written. Member Trump seconded; motion carried unanimously.

#### **Old Business:**

None

#### **New Business:**

##### **19-BZA-04:**

This petition is for Affordable Storage, LLC. owner Garrett Howell to build self – storage or mini-warehouses on the property currently owned by Bravokilo Properties. Mr. Chuck DeWitt started the discussion by explaining why the Variance of Use is required due to property zoned as B2 and the use intended would require zoning of L1. Mr. DeWitt also stated the reasons as to why his recommendation to the members of the BZA would be unfavorable and that in his professional opinion this project conflicts with the Town's Comp Plan.

The Petitioner first requested the BZA to make a decision as to their appeal of the decision of Mr. Dewitt to deny a building permit.

Attorney Janette Surrisi spoke on behalf of her client to the BZA on the many things that would be permitted to be built on that property. Many of them would cause more disruption than what her client is intending. Attorney Surrisi also presented a letter of support from local business owner Tim Hartman. A realtor representing the current owners of the property spoke in favor of allowing the variance based upon not much interest in the property and length of time it has sat empty.

After discussion Mr. Hoffer motioned that to affirm Mr. Dewitt's decision that building permit should not be issued at this time. President Hurford seconded; motion carried unanimously.

President Hurford opened the Public Hearing regarding 19-BZA-04 at 6:27p.m. Member Hoffer motioned to open the Public Hearing. Member Trump seconded; motion carried unanimously.

President Hurford then asked for comments in favor of the Variance of Use.

Attorney Janette Surrisi listed several reasons why the BZA should grant the variance.

- A letter of support from respected local business owner Tim Hartman
- This would not be injurious to the community
- Environmentally safe
- Will add revenue to tax base
- Will clean up on otherwise overgrown property
- Will provide affordable storage options for residents
- Owner is a proven responsive and reliable owner
- Traffic will be minimal

President Hurford then asked for comments from anyone opposed to the variance.

Mr. Chuck DeWitt read a letter of opposition from resident Phillip Lewellan.

Resident Freida Conn of 643 W. Walnut St stated she was against variance for the reasons of sound and trash.

Resident George Null of 427 Railroad St. stated he was against variance due to sight line of when you enter Argos and that the business will bring no jobs to the town and therefore does not really benefit community.

Resident Paul Striver of 450 Woodland Train asked MR. Howell what type of lighting would be used due to it being close to a residential area. Mr. Howell stated he normally used one light every 30' and downlighting only. He would be willing to look at new lighting options if necessary.

Member Hoffer then motioned to close the public hearing. Member Trump seconded. Public hearing was closed at 6:44 p.m.

President Hurford then proceeded to ask the five questions for Variance of Use:

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community. All members stated yes
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. All members stated yes
3. The need for the variance arises from some condition peculiar to the property involved. Four members no with Member Hoffer stating yes
4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought. All members stated no
5. The approval doesn't interfere substantially with the comprehensive plan. All members stated no

President Hurford then explained to Mr. Howell that any "no" and the variance would be denied. President Hurford then asked Mr. Howell if he would like to proceed with his request. Mr. Howell stated he would like to proceed.

Member Hoffer motioned to go forward with the decision. Member Trump seconded; motion carried unanimously.

Member Hoffer motioned to deny the application for variance of use presented by Affordable Storage Solutions. Member Davis seconded; motion carried unanimously. President Hurford stated the application for the variance was denied.

Adjournment:

With no more business to be brought before the BZA, Member Hoffer motioned to adjourn the meeting at 6:56 p.m. Member Trump seconded; motion carried unanimously.

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President Rob Hurford

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Attest: Lisa Mullaney  
Clerk - Treasurer