

## **TOWN OF ARGOS**

### **REPORT OF BZA - 04/06/2021**

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

Meeting was called to order by President Rob Hurford at 6:00 p. m.

#### **Roll Call:**

Present at the meeting were Members Rob Hurford, Ray Trump, Ken Harrington. Clerk-Treasurer Lisa Mullaney took minutes. Advisor Chuck DeWitt was present. Member Rice was absent due to illness.

#### **Minutes:**

Minutes from the February 3, 2021 were presented. Vice President Trump motioned to accept the minutes as written Member Harrington seconded; motion carried unanimously.

#### **Old Business:**

None

#### **New Business:**

##### **21-BZA-04 – Marshall County Fiber – Property near 9010 19<sup>th</sup> Rd -**

Advisor Chuck DeWitt explained the need for a variance of developmental standards based on the property being a non-conforming lot and would not be meet the guidelines for split off the main property. Advisor DeWitt recommends allowing the property to be split off as presented. Member Harrington motioned to open the public hearing at 6:05 pm. Vice President Trump seconded; motion carried unanimously.

Attorney David Fortin spoke in favor of allowing the split due to the lot size and location.

No one spoke against

Vice President Trump motioned to close the public hearing at 6:09 pm. Member Harrington seconded; motion carried unanimously.

President Hurford then read the three questions for the variance of developmental standards. All members answered yes to all questions. Vice President Trump motioned to grant the variance of developmental standards. Member Harrington seconded; motion carried unanimously.

##### **21- BZA- 05 Split of Property owned by the Nifong Trust located near 9698 16<sup>th</sup> Rd-**

Attorney Fortin explained his clients wish to split an 10 acre piece of land to add to a non-conforming lot. The purchase agreement was for .48 acre parcel of land and after survey it was only .38 acres. They will take the remainder from the lot next to it. Advisor Chuck DeWitt is in favor as long as the owner combines all lots owned into one lot.

Vice President Trump motioned to open the public hearing. Member Harrington seconded. Hearing opened at 6:15 pm.

Resident Mark Owen who is purchasing the property spoke in favor and agreed to combine lots into one. A letter from one of the family members of the Nifong Trust that owns the property is in favor.

No one spoke against.

Vice President Trump motioned to close the public hearing. Member Harrington seconded; motion carried unanimously. Public hearing closed at 6:22 pm.

All three questions were asked of the members they all responded "yes" to all questions.

President Hurford made a motion to grant the variance with the stipulation all lots combine into one parcel.

### **21-BZA-06 Jon and Jackie Alcorn-**

This is a request for variance of developmental standards. They would like to build a 30' x 30' garage two story and request a variance in height. They would like the garage to be 28' instead of the limited 25' in the 2015 Land Use Book. Advisor Chuck DeWitt is against this variance. He believes the builder could structure the roof in a manner that would comply with the height of 25'.

Vice President Ray Trump motioned to open the public hearing at 6:27 pm. Member Harrington seconded; motion carried unanimously.

Jackie Alcorn spoke in favor of the variance stating it would not be taller than her house. President Hurford and Advisor Chuck Dewitt gave recommendations for their builder.

No one spoke against.

Member Harrington motioned to close the public hearing at 6:35 pm. Vice President Trump seconded; motion carried unanimously.

President Hurford explained if they ask the questions, and anyone votes "no" then she has the right to withdraw her request. Mrs. Alcorn requested to withdraw her application. Until she consults with her builder.

### **21-BZA-07- Jon & Jackie Alcorn Variance of Use-**

Advisor Chuck DeWitt explained that Jackie Alcorn would like a variance to run a home-based business from her garage. No traffic just shipping. Advisor DeWitt is for allowing this home-based business.

Vice President Trump motioned to open the public hearing at 6:44pm. Member Harrington seconded; motion carried unanimously.

Jackie Alcorn spoke in favor of the variance. A letter from neighbor Nancy Hoffer was read in favor of allowing the variance.

No one spoke against.

Vice President Trump motioned to close the public hearing at 6:45 pm. Member Harrington seconded; motion carried unanimously.

President Hurford then read the five questions for Variance of Use. All members stated “yes” to all questions.

Vice President Trump motioned to allow the Variance of Use for home based business for Jackie Alcorn. Member Harrington seconded; motion carried unanimously.

**21-BZA -08 – Variance of Developmental Standards for 222 N. Michigan St. fence in the front yard due to corner lot –**

Advisor Chuck Dewitt explained the need for a fence for the back yard. He felt the fence would not hinder any sight lines. He was in favor of the fence.

Vice President Trump motioned to open the public hearing at 6:47 pm. Member Harrington seconded; motion carried unanimously.

Resident Nicole Sharkey presented a map of her property and explained her need to make a play area for her daughter.

Residence Chuck and Jennifer Calhoun also spoke in favor of her having her fence.

No one spoke against.

Vice President Trump motioned to close the public hearing at 6:55 pm. Member Harrington seconded; motion carried unanimously.

President Hurford then read the three questions for the Variance of Use. All members answered “yes” to all questions.

Vice President Trump motioned to approve the Variance of Use for fence on the front yard of a corner lot with the stipulation the fence facing Church St cannot be more than 6’ in height. Member Harrington seconded; motion carried unanimously.

With no more business brought before the board Vice President Trump motioned to adjourn the meeting at 7:03 pm. Member Harrington seconded; motion carried unanimously.

**Adjournment:**

With no more business brought before the board. Member Rice motioned to adjourn the meeting and Member Harrington seconded. Motion carried unanimously. Meeting adjourned at 6:50 pm.

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President Rob Hurford

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Attest: Lisa Mullaney  
Clerk – Treasurer