

MINUTES OF REGULAR MEETING – *Approved December 11, 2025*

BOARD OF ZONING APPEALS

Thursday, October 9, 2025, 6:30 P.M.

600 W. Maple Street, Lansing MI

I. ROLL CALL

The meeting was called to order by Chairperson Alling at 6:30 p.m.

Present: M. Alling, H. Lowry, M. Jackson, M. Rice, K. Berryman & S. Robertson

Absent: B. Fryling & C. Iannuzzi

Staff: S. Stachowiak

A quorum of at least five members was present, allowing voting action to be taken.

II APPROVAL OF AGENDA

III. PUBLIC COMMENT – None

IV. PUBLIC HEARING/ACTION

A. BZA-4098.25, 2701 S. M. L. King Jr. Blvd., Variance to permit an 8-foot high, screen fence in the front yard

Ms. Stachowiak stated that while a quorum was not present, the public hearing was held at the September 11, 2025, meeting at which the applicant’s representative spoke in favor of the variance and the owner of the land north of the subject property asked questions about the proposed project.

Ms. Stachowiak stated that this is a request by the Lansing Board of Water & Light to permit an eight (8) foot high, mesh/spiked, black, iron fence in the front yards of the industrially zoned property at 2701 S. M. L. King Jr. Boulevard. Section 1250.04.06 (1) (e) of the City of Lansing Zoning Ordinance permits eight (8) foot high fences in the front yards of industrially zoning properties, if the fence is at least 75 percent visually open and is made only of wrought-iron or other materials resembling wrought-iron.

Ms. Stachowiak stated that staff is recommending approval of the request as the proposed fence is necessary to address the unique security issues associated with the use. She said that unlike most industrial operations, the site will be unmanned the vast majority of the time and thus, more susceptible to unlawful entry wherein a person could get seriously injured on the equipment/towers, etc. She further stated that the applicant is proposing a fence that is of similar style to a typical wrought-iron fence except that the pickets will be located approximately 2-3 inches apart and it will have a mesh backing that will make it appear to be almost completely opaque. Ms. Stachowiak stated that the proposed fence will come as close as possible to complying with the ordinance requirements while meeting the applicant’s need for security.

Steve Swan, Board of Water & Light Construction Manager, showed the Board a sample of the proposed fence and explained that BWL substations have experienced vandalism and theft in the past which can be very costly and hazardous to those who commit these offenses which is why it is imperative that the Board secures the site to the maximum extent possible.

Mr. Rice spoke in support of the variance based upon the applicant's need for a fence to prevent unlawful entry into the site.

Mr. Lowry questioned why this variance is receiving a positive staff recommendation when the variance for the fence on W. Shiawassee Street that was considered at the last meeting did not.

Ms. Stachowiak explained this is a unique situation in that the Board has an obligation to ensure that its sites are secured for the protection of the community and to prevent vandalism that could be very expensive to repair or replace the costs of which are paid for by the rate payers. She said there was nothing unique about the situation on W. Shiawassee that prevented or hindered compliance with the ordinance.

Mr. Berryman spoke about the possibility of a standard variance or exception to the fence regulations for the BWL sites so that they do not have to frequently come before the Board in the future as more electrical power substations are developed throughout the City.

Mr. Rice made a motion, seconded by Mr. Jackson to approve BZA 4098.25, variances to Section 1250.04.06 (1) (e) of the Zoning Ordinance of two (2) feet to the eight (8) foot fence height restriction and 25% to the 75% restriction on the visual openness of a front yard fence to permit an eight (8) foot high, mesh/spiked, black, iron fence in the front yards of the industrially zoned property at 2701 S. M. L. King Jr. Boulevard, on a finding that the variance requests satisfy the applicable evaluation criteria set forth in Sections 1274.06 (c) & (e) of the Zoning Ordinance. On a roll call vote, the motion carried 5-1. Mr. Lowry cast the dissenting vote.

V. **OLD BUSINESS** – None

VI. **NEW BUSINESS**

A. **Public Hearings, Motions & Voting**

Ms. Stachowiak reviewed the provision in the Board's Rules of Administrative Procedure that requires a majority vote of those present at the meeting to pass a motion. She also stated that future agendas will be structured differently than they have in past such that the Board will hold a public hearing, after which there will be a separate item on the agenda wherein a motion to approve the variance(s) will need to be made, and supported, followed by discussion by the Board and then a vote. Ms. Stachowiak stated that motions need to be made in the affirmative, allowing the Board members to vote yes for approval and no for denial. She further stated that the Board members making or supporting do not have to vote in favor of the motion. It just gets the request on the table for discussion.

B. Excused Absences

Mr. Berryman made a motion, seconded by Mr. Rice, to grant excused absences for Mr. Iannuzzi and Mr. Fryling. On a voice vote, the motion carried 6-0.

VII. APPROVAL OF MINUTES

A. Regular Meeting, August 14, 2025

Mr. Rice made a motion, seconded by Mr. Jackson to approve the August 14, 2025, meeting minutes with the correction to the statement under “Roll Call” that a quorum was not present as there was a quorum allowing voting action to be taken at the meeting. On a voice vote, the motion carried 6-0.

VIII. PUBLIC COMMENT - None

IX. ADJOURNMENT AT 7:02 p.m.

Respectfully Submitted,

Susan Stachowiak, Zoning Administrator