

**CITY OF LAPEER  
MINUTES OF A REGULAR  
ZONING BOARD OF APPEALS MEETING  
JUNE 22, 2020**

A regular meeting of the City of Lapeer Zoning Board of Appeals was held in the Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Monday, June 22, 2020 at 7:00 p.m.

**Members Present:** Chairman Bernard Jocuns, Vice Chairman Jeff Hogan, Mr. Joe Black and Mr. Eric Cattane.

**Members Absent:** Mr. Paul Parsch and Ms. Bailey RaCosta.

**Also Present:** Ms. Caitlyn Habben, Rowe Professional Services Company Planning Consultant.

Chairman Jocuns called the meeting to order at 7:01 p.m.

**MINUTES**

It was moved by Mr. Hogan and supported by Mr. Black to approve the minutes of the meeting held on February 24, 2020.

**MOTION CARRIED.**

**PUBLIC COMMENTS**

There were no public comments.

**PUBLIC HEARING SCHEDULED**

**Khasiyatullin/Usmanoff LLC – MMMP Grow Facility – John Conley Dr. – Parcel # L20-83-358-080-20 – Curbing & Exterior Building Materials**

Ms. Habben reviewed the request from Mars Khasiyatullin/Usmanoff LLC for variances to the curbing requirements of Section 7.16.04.C and the building material requirements of Section 7.15.01.D of the Zoning Ordinance for the proposed MMMP grow facility to be constructed on Parcel #20-83-358-080-20 on John Conley Drive in the Lapeer Industrial & Research Park. Ms. Habben reviewed the site location, aerial photos of the subject site and surrounding uses and the site plan showing where the applicant is proposing not to install 178 feet of curbing on the south/east side of the parking lot area due to the need to remove the curbing when the phase 2 building is constructed.

Ms. Habben reviewed the standards to be met in order to approve the variances, the location of the future phase 2 building on the site and the intent of the curbing requirement. Ms. Habben also reviewed the exterior building materials proposed to be used, the request for a 35% variance to the requirement to allow a total of 16% of the building facades to be of quality material as described in the ordinance example photos of other industrial building in the industrial park which meet the material requirement and the applicant's response for both variance requests.

Ms. Habben reviewed staff findings in support and opposition of both variance requests to each standard and the intent of the building material requirement.

Discussion was held on the construction design requirements to support the required building materials, whether the grow facility is considered a Class A, B or C, the 6,000 sq. ft. size of the proposed building, the orientation of the building on the parcel and the side entry location. Discussion was also held on the proposed curb abatement area, site drainage design, the parking lot area, the unknown timeline for constructing the phase 2 building and the option of requiring a surety bond for installation of the required curbing in the future.

Chairman Jocuns opened the public hearing at 7:31 p.m.

Mr. Bill Arens, the project architect, stated the proposed exterior building materials meet the restrictive covenant requirements of the Lapeer Industrial & Research Park.

There being no further comments, the public hearing was closed at 7:32 p.m.

It was moved by Mr. Black and supported by Mr. Cattane to **deny** the request from Mars Khasiyatullin/Usmanoff LLC for a 178 foot curb abatement variance located on parcel # L20-83-358-080-20 due to the request does not meet any of the standards in Section 7.22.04(e).

**ON A ROLL CALL VOTE:**

**Yeas:** Mr. Black, Mr. Cattane, Mr. Hogan.

**Nays:** Mr. Jocuns

**Absent:** Mr. Parsch and Ms. RaCosta.

**Abstain:** None.

**MOTION FAILED.**

It was moved by Mr. Black and supported by Mr. Hogan to **deny** the request from Mars Khasiyatullin/Usmanoff LLC for a 35% façade building material variance located on parcel # L20-83-358-080-20 due to the request does not meet any of the standards in Section 7.22.04(e).

**ON A ROLL CALL VOTE:**

**Yeas:** Mr. Black, Mr. Cattane, Mr. Hogan.

**Nays:** Mr. Jocuns

**Absent:** Mr. Parsch and Ms. RaCosta.

**Abstain:** None.

**MOTION FAILED.**

Discussion was held regarding postponing further action on the variance requests pending submittal of additional information including a cost/benefit analysis, utilization of other building materials and the option of constructing the entire parking lot including the area for the phase 2 building.

It was moved by Mr. Black and supported by Mr. Jocuns to postpone action on the two variance requests until additional information is provided. **MOTION CARRIED.**

**BOARD MEMBER COMMENTS**

Mr. Jocuns and Mr. Cattane stated the board should consider the option of holding meetings remotely in the future.

**TRAINING REPORT**

Ms. Habben informed the board a virtual training session is being presented by Rowe Professional Services Company on July 29<sup>th</sup>.

**ADJOURNMENT**

There being no further business, it was moved by Mr. Cattane and supported by Mr. Hogan to adjourn the meeting at 7:52 p.m. **MEETING ADJOURNED.**

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Mr. Paul Parsch  
Secretary