

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
SEPTEMBER 26, 2022**

A regular meeting of the City of Lapeer Zoning Board of Appeals was held at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Monday, September 26, 2022 at 6:30 p.m.

Members Present: Chairman Jeff Hogan, Vice Chairperson Catherine Bostick-Tullis, Eric Cattane, Dan Farrington, Lynne McCarthy and Paul Parsch.

Members Absent: None.

Also Present: Caitlyn Habben and Lauren Marshall, Rowe Professional Services Company Planning Consultants, and Recording Secretary Kimberly Hodge.

Chairman Hogan called the meeting to order at 6:31 p.m.

MINUTES

043 2022 9-26 MINUTES

Moved by Bostick-Tullius. Seconded by Cattane.

To approve the minutes of the regular ZBA meeting held on May 23, 2022 as presented.

Yeas: Hogan, Bostick-Tullius, Cattane, Farrington, McCarthy and Parsch.

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARING SCHEDULED

Purk – 205 N. Calhoun St. – Front Yard Setback Variances for Covered Porches

Planning Consultant Marshall reviewed the request from Malcolm Purk for two front yard setback variances in order to rebuild two porches at the property known as 205 N. Calhoun Street. Marshall reviewed the Zoning Map of the subject site, the plot plan submitted by the applicant showing the proposed design of the porches to be rebuilt and stated the property is a legal non-conforming single-family use zoned RM-1 Multiple-Family Residential located on a corner lot which requires 2 front yard setbacks of 30 feet. Marshall reviewed photos of the previous porches which were demolished and stated the general exception provision allows an exemption for open, unenclosed porches to encroach up to 10 feet into the required front yard setback and that the Single-Family Residential district allows the substitution of the front yard setback to be the average front yard of the block.

Consultant Habben reviewed design renderings of the proposed porches, aerial photos of the subject area, estimated setbacks of the existing structures in the surrounding area, the required standards for approval of Section 7.22.04(e) and staff findings in support and opposition of each standard. Habben reviewed the applicants response to the request and stated the proposed porches will be covered and it appears several of the surrounding homes have legal, nonconforming setbacks.

Chairman Hogan opened the public hearing at 6:41 p.m.

Candace Purk, owner, stated the porch will be an asset and not a detriment to the neighborhood, that the underpinnings of the porch were deteriorated and needed repair and apologized for not contacting the City for permits before demolishing the previous porch.

Sara Kucken, 138 N. Calhoun, stated she is in favor of the request, that it is a pleasant neighborhood with people always sitting outside.

Robert Hill, 228 N. Monroe, stated it will be a nice front porch and that the new porch will be smaller and not block anything.

Malcolm Purk, owner, stated the property was a multiple-family unit when he purchased the home which he has converted back to single-family.

Discussion was held on the intent of the ordinance not to allow setback exemptions for larger multiple-family structures of cluster developments, timeline of the demolition and anticipated completion schedule for the project, footing materials, construction materials of the new porches and the non-conforming use clause for single-family structures.

There being no further comments, the public hearing was closed at 6:58 p.m.

Discussion was held on expansion of a non-conforming use, the fact the project will be an enhancement to the corner, the fact the property is an owner-occupied single family use in a multiple-family zoning district and the setback of porches on other homes in the surrounding area.

044 2022 9-26 205 N. CALHOUN – FRONT YARD SETBACK – N. CALHOUN

Moved by Cattane. Seconded by Parsch.

To approve the variance requested by J. Malcolm Purk for a 13 foot front yard setback variance along N. Calhoun Street for the property located at 205 N. Calhoun Street from Section 7-4.03 Table 7.4.02 because it does meet all the standards in Section 7-22.04(e).

Yeas: Hogan, Bostick-Tullius, Farrington, Cattane, McCarthy and Parsch.

Nays: None.

Absent: None.

MOTION CARRIED.

045 2022 9-26 205 N. CALHOUN – FRONT YARD SETBACK – L.C. CRAMTON

Moved by Cattane. Seconded by McCarthy.

To approve the variance requested by J. Malcolm Purk for a 17 foot front yard setback variance along Louis C. Cramton Street for the property located at 205 N. Calhoun Street from Section 7-4.03 Table 7.4.02 because it does meet all the standards in Section 7-22.04(e).

Yeas: Hogan, Bostick-Tullius, Farrington, Cattane, McCarthy and Parsch.

Nays: None.

Absent: None.

MOTION CARRIED.

TRAINING REPORT

Discussion was held on possible dates to schedule a board member training session with the consensus being to schedule the session for the January 2023 meeting.

ADJOURNMENT

There being no further business, it was moved by Cattane and supported by Farrington to adjourn the meeting at 7:12 p.m.

MEETING ADJOURNED.

Eric Cattane, Secretary

Kimberly Hodge, Recording Secretary