

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
OCTOBER 23, 2023**

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, October 23, 2023 at 6:30 p.m.

Members Present: Chairman Jeff Hogan, Vice Chairperson Catherine Bostick-Tullis, Eric Cattane, Lynne McCarthy, Dwayne Burda and Alternate Ken Parker.

Members Absent: Paul Parsch.

Also Present: Jason Ball Rowe Professional Services Company Planning Consultant and Recording Secretary Kimberly Hodge.

Chairman Hogan called the meeting to order at 6:30 p.m.

MINUTES

068 2023 10-23 MINUTES

Moved by Cattane. Seconded by Burda.

To approve the minutes of the regular ZBA meeting held on June 26, 2023 as presented.

Yeas: Hogan, Bostick-Tullius, Cattane, McCarthy, Burda and Parker.

Nays: None.

Absent: Parsch.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING SCHEDULED

Blain's Farm & Fleet–SE Corner S. Lapeer Rd./Turrill Rd. – Exterior Building Materials

Planning Consultant Jason Ball reviewed the request from Blain's Farm & Fleet for approval to allow metal panels as an exterior building finish similar to the previous variance granted in January 2023 to allow the use of precast panels as a predominant building material stating the metal panels are designed to imitate the look of stucco. Ball reviewed the site location and aerial photos, the current site plan for the Blain's development as approved by the Planning Commission and the various perspective design renderings of the proposed amended exterior building design provided by the applicant. Ball reviewed the material calculation list for the building exterior and the previous variance which allowed for non-decorative tilt-up panels.

Ball reviewed the predominate building material language of Zoning Ordinance Section 7.15.01D(2) and the process for the request to be considered by the ZBA as a variance or by a determination by the Planning Commission. Discussion was held on whether the site plan will be resubmitted to the Planning Commission, the difference between decorative and non-decorative tilt-up panels and the proposed texture clad metal wall panel. Ball reviewed the Standards for Approval and staff findings in support and opposition to each standard, the role of the ZBA in granting variances and the Master Plan goals for the development area.

David Wynn, of Blain's Farm & Fleet, reviewed the proposed building size and design changes from the original plan, cost issues which caused Blain's to reconsider the overall building prototype while maintaining the Blain's identity and distributed a sample of the proposed metal panel. Wynn reviewed the site topography, plans to install split-face masonry along the bottom of the building façade and the durability and make-up of the various materials proposed for the building exterior.

Chairman Hogan opened the public hearing at 7:04 p.m.

Barbara Walker, 948 Turrill Road, inquired how the materials will hold up to damages.

There being no further comments the public hearing was closed at 7:05 p.m.

Discussion was held on the fact cost cannot be a consideration when granting a variance, the large amount of the requested variance, whether the Planning Commission should make a determination on the proposed material and the ability of the applicant to appeal the Planning Commission determination to the ZBA.

Brian Najor, of Lapeer Crossing LLC, stated reasons the variance is being requested is not due to just cost, the reasons are the same as when the original variance was approved including maintenance needs and requested clarification on the procedure and process of the Planning Commission and ZBA board relating to the request approval.

Discussion was held on the process if the Planning Commission denies the request.

069 2023 10-23 Postponement – Blain's Exterior Building Material Request

Moved by Cattane. Seconded by Burda.

To postpone a decision on the requested variance from Blain's Farm & Fleet until the Planning Commission makes a determination on whether the proposed building material is a quality material characteristic of Michigan per the standards of Section 7-15.01.D(2).

ON A ROLL CALL VOTE:

Yeas: Parker, McCarthy, Hogan, Cattane and Burda.

Nays: Bostick-Tullius.

Absent: Parsch.

MOTION CARRIED.

TRAINING REPORT

There was not a training report.

ADJOURNMENT

There being no further business, it was moved by Cattane to adjourn the meeting at 7:26 p.m.

MEETING ADJOURNED.

Eric Cattane, Secretary

Kimberly Hodge, Recording Secretary