

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
FEBRUARY 27, 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, February 27, 2023 at 6:30 p.m.

Members Present: Chairman Jeff Hogan, Vice Chairperson Catherine Bostick-Tullis (arrived 6:34 p.m.), Eric Cattane, Dan Farrington, Lynne McCarthy and Paul Parsch (arrived 6:32 p.m.)

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 6:30 p.m.

MINUTES

057 2023 2-27 MINUTES

Moved by Cattane. Seconded by Farrington.

To approve the minutes of the regular ZBA meeting held on January 23, 2023 as presented.

Yeas: McCarthy, Hogan, Cattane and Farrington.

Nays: None.

Absent: Bostick-Tullius and Parsch.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

Bostick-Tullius arrived at 6:32 p.m.

Parsch arrived at 6:34 p.m.

PUBLIC HEARING SCHEDULED

Beasley – 891 Baldwin Rd. – Exterior Building Materials

Planning Consultant Habben briefly reviewed the request from Matt Beasley for a variance to the exterior building material requirements of Section 7-15.01(D) in order to upgrade the existing façade of the building located at 891 Baldwin Road to vertical board and batten vinyl siding.

Planning Consultant Marshall reviewed the B-2 General Business zoning of the parcel, the zoning map of the area, aerial photos of the subject site and surrounding area and uses, the previously approved site plan for the renovation project and the new concept drawing showing the proposed dark grey board and batten vinyl siding with white aluminum trim as the exterior building materials. Marshall reviewed photos of building exteriors of neighboring businesses and reported the site is being converted from single-family residential to office use.

Habben reviewed the two options of approving a 49% variance to the non-improved material requirements or to allow vertical board and batten vinyl siding as proposed. Habben and Marshall also reviewed the standards for approval and staff findings in support and opposition of each standard, the applicant's response and the intent of the material requirements.

Chairperson Hogan opened the public hearing at 6:46 p.m.

Matt Beasley stated the proposed materials were not included on the approved site plan, that he did not realize vinyl siding was not allowed, that the proposed materials will be nice looking and aesthetically pleasing, that the neighboring Wild Bill's and Domino's building is ugly and that installing brick exterior material is not financially feasible.

A letter of correspondence was received by email from Jason Amell and signed by Sam Chand, owners of the property located at 880 S. Main Street, expressing concerns with any damage to their property and seeking several listed protections during construction and re-development of the 891 Baldwin Road site. No comment was made in the correspondence either in favor or opposed to the building materials variance being requested.

Discussion was held on the proposed material colors, the 900 sq. ft. size of the building, changes proposed to the roof and the installation process for board and batten vinyl siding.

There being no further comments, the public hearing was closed at 6:51 p.m.

Discussion was held regarding the improved materials ordinance language, the former use of the structure as a residential home, zoning designations and exterior materials of surrounding businesses, the fact the project is a remodel and not a new build and that the proposal would be an improvement to the existing materials. Discussion was also held on previous variances granted to the adjacent Domino's/Wild Bill's/Tropical Smoothie development which did not include any exterior building materials variances, the need to research whether there is a need to update the ordinance language and the possibility of using other materials in addition to the board & batten siding.

058 2023 2-27 Beasley – 891 Baldwin – Exterior Materials Variance

Moved by Cattane. Seconded by Farrington.

To approve the variance requested by Matthew Beasley to allow the use of vertical board and batten vinyl siding for the predominate building material at 891 Baldwin, from Section 7-15.01.D.2 because it does meet all of the standards from Section 7-22.04(E).

ON A ROLL CALL VOTE:

Yeas: Cattane and Farrington.

Nays: Parsch, McCarthy, Hogan and Bostick-Tullius.

Absent: None.

MOTION FAILED.

Discussion was held on the possibility of reducing the amount of board & batten siding materials and considering an alternative design requiring a lesser variance or compliance.

059 2023 2-27 Beasley – 891 Baldwin – Request for Alternative Design

Moved by Bostick. Seconded by McCarthy.

To request the applicant provide an alternative design for consideration at the next meeting.

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

Nays: None.

Absent: None.

MOTION CARRIED.

TRAINING REPORT

Consultant Habben provided a Basic ZBA Training session covering the topics of Planning Education, 5 Steps of the Planning Process, Relationship Between Planning & Zoning, How the Master Plan Serves as a Basis for Zoning, Statutory Authority of the Michigan Planning & Enabling Act 33 of 2008 and Roles and Responsibilities of the City Commission, Planning Commission, Zoning Board of Appeals and City Staff.

March Meeting Absences

Hogan and Farrington informed the board they will be unable to attend the March meeting.

ADJOURNMENT

There being no further business, it was moved by Cattane to adjourn the meeting at 7:54 p.m.

MEETING ADJOURNED.

Eric Cattane, Secretary

Kimberly Hodge, Recording Secretary