

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
NOVEMBER 23, 2015**

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, November 23, 2015 at 7:00 p.m.

Members Present: Chairman Joe Black, Vice Chairman Bernard Jocuns, Mr. Paul Parsch, Ms. Linda Ambrose, Mr. A. Wayne Bennett and Mr. Wes Butterfield.

Members Absent: None.

Also Present: Mr. Scott Kree, Rowe Professional Services Company Planning Consultant.

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

MINUTES

It was moved by Mr. Bennett and supported by Mr. Jocuns to approve the minutes of the meeting held on September 28, 2015 as presented. **MOTION CARRIED.**

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARING SCHEDULED

Lapeer Farm & Garden – 1381 Imlay City Rd. – Parking Variance

Mr. Kree reviewed the request from Lapeer Farm & Garden for a variance to the parking space requirements of Article 7.16.02, Table 7.16.1 to allow a retail farm and garden business use at the property known as 1381 Imlay City Road. Mr. Kree reviewed the site location which is zoned B-2 General Business and stated the site is the former location of Ray C's Extreme and that the applicant is requesting approval for 10 spaces to be provided on the site based on the low number of customers the store will generate as compared to their Oxford location which has a maximum of 8 customers at a time.

Mr. Kree reported based on the 9,576 sq. ft. size of the building 39 spaces are required and a variance of 29 spaces would be required. Mr. Kree stated the site is a narrow lot with limited space for front parking and that parking in the side or rear areas of the building would create issues with loading and possible fire lane issues. Mr. Kree reported the former Ray C's extreme operation was a recreational dealership use which required less parking, that Ray C's also had a shared parking agreement with the adjacent property owner to the west and reviewed site diagrams and street level photos of the site. Mr. Kree also reviewed the standards to be met in order to grant the requested variance and concluded that due to the nature of the business less parking is needed, that the existing site is difficult to meet parking requirements with the needed material storage and the applicant could pursue a shared parking agreement with the neighboring property owner to minimize the amount of the variance.

Discussion was held regarding the type of existing business use located to the west of the subject site and the shared parking agreement between the previous owner and the adjacent business.

Chairman Black opened the public hearing at 7:08 p.m.

Mr. Scott Sluiter, owner of Lapeer Farm & Garden, stated he is not aware if the previous owner had a written shared parking agreement with the adjacent business to the west, that he believes it was a handshake agreement and Ray C's mowed the grass and snow plowed the lot in return for using the spaces. Mr. Sluiter provided copies of a written agreement between Lapeer Farm and Garden and Comprehensive Dermatology Center which owns the adjacent site to the west at 1333 Imlay City Road for shared parking of 20 spaces in return for snow removal and lawn care services to be re-evaluated in one year. Mr. Sluiter stated his employees will be directed to park in the shared parking area, that 3-4 employees are on site during winter months and 4-6 are on site during summer months and that the rear of the site is muddy and needs surface work. Mr. Sluiter also stated his business will be in competition with the TSC store in the feed and farming supplies area, that TSC has more products and inventory, that approximately half of his building is storage area, that his business was formerly located on the Lapeer Grain site and he has kept the former employees of Lapeer Grain which are now employed by Lapeer Farm and Garden.

There being no further comments, the public hearing was closed at 7:23 p.m.

Discussion was held regarding the need for signage directing customers to the additional parking area available on the adjacent parcel and the time period of the shared parking agreement.

After discussion, it was moved by Mr. Bennett and supported by Mr. Butterfield to approve the request from Scott Sluiter of Lapeer Farm and Garden for a variance of 9 spaces to the parking requirements of Article 7.16.02, Table 7.16.1 in order to allow a retail farm and garden use at the property known as 1381 Imlay City Road subject to annual review of the shared parking agreement with the neighboring property owner and placement of signage for the additional parking area due to the staff recommendation that the request meets the standards for the variance approval.

MOTION CARRIED.

OTHER BUSINESS

December Meeting

Discussion was held regarding the fact two cases have been submitted for the December meeting and the need to reschedule the December meeting date due to the Christmas holiday. It was moved by Mr. Bennett and supported by Mr. Jocuns to schedule the December meeting of the Zoning Board of Appeals for 7:00 p.m. on December 14, 2015. **MOTION CARRIED.**

ADJOURNMENT

There being no further business, it was moved by Mr. Bennett to adjourn the meeting at 7:35 p.m. **MOTION CARRIED.**

Mr. Joe Black
Chairman