

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
JUNE 27, 2016**

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 27, 2016 at 7:00 p.m.

Members Present: Chairman Joe Black, Mr. A. Wayne Bennett, Mr. Wes Butterfield, Mr. Jeff Hogan and Mr. Michael Stuart.

Members Absent: Vice Chairman Bernard Jocuns and Mr. Paul Parsch.

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. Hogan to approve the minutes of the meeting held on March 28, 2016 as presented. **MOTION CARRIED.**

PUBLIC COMMENTS

There were no public comments

PUBLIC HEARING SCHEDULED

Vidon Plastics – Front Yard Setback Variance – 3171 John Conley Drive

Mr. Kree reviewed the request from Vidon Plastics for an 11 foot variance to the front yard setback requirements of Article 7.08.03 (Table 7.08.2) to allow a 50 ft. by 50 ft. addition to the northwest corner of their facility located at 3171 John Conley Drive. Mr. Kree reviewed the site location zoned I-2 Planned Industrial which is a large industrial facility located on the curve of the street with a large front yard on the north and west sides of the building and stated the I-2 district requires the largest setback of any district in the City and the original setback requirement of 75 feet was reduced to 50 feet.

Mr. Kree reviewed the site plan, the location of the addition and the various standards and conditions to be met in order to grant the variance. Mr. Kree reported the original 75 ft. front yard setback requirement dictated how the site was originally laid out, that the proposed addition will increase the total building square footage by 3% and that 6% of the total addition will be located within the required 50 ft. front yard setback.

Discussion was held on the Public Safety Department's review of the site plan and the 80 to 85 total number of employees.

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

Mr. Don Dube, of Vidon Plastics, stated the original building did not encroach into the 75 ft. required front yard setback when constructed, that the proposed addition will be utilized as the Maintenance Department and will improve the internal flow of the plant.

There being no further comments, the public hearing was closed at 7:10 p.m.

It was moved by Mr. Bennett and supported by Mr. Butterfield to approve the request from Vidon Plastics for an 11 foot variance to the front yard setback requirements of Article 7.08.03 (Table 7.08.2) to allow a 50 ft. by 50 ft. addition to their facility located at 3171 John Conley Drive with a setback of 39 feet from John Conley Drive based upon the following standards:

- The variance would allow for a logical addition to the existing building, thus, squaring off a corner of the facility and creating needed space within the building. The building placement on site was guided by more strict setbacks in the past and thus, parking and other site improvements are in areas which could have been used for a building addition. Not allowing the addition because of how the building was constructed in the past would be seen as unnecessarily burdensome, being that it was following the zoning ordinance at that time.
- Not allowing the variance and redesigning the structure of the proposed addition would create odd angles or precarious jogs in the structure and façade. Having the addition in other places on the building would create an excess of materials and would modify previously approved site plan improvements that were done by the zoning ordinance standards. This variance would do substantial justice to the applicant for use of the site and existing structure.
- The building placement on site and the layout was guided by more strict setbacks in the past. Due to the road curvature and the site having a very large front yard this situation is unique to this site and not general conditions in the area.
- The addition is a 3% increase of the total building square footage and is being proposed in the most structurally logical area on the site. The front yard setback is the largest in the area and effects multiples sides of the building. The building was built in accordance with past ordinances. Additions in other areas are not practical and this addition is needed to maintain use of the building. These issues are not seen as self created.
- 153.3 square feet of the proposed building sits within the setback and the total encroachment is 11 feet of the 50 foot existing setback; this would make the corner of the addition setback a total of 39 feet. This is a total of 6% of the proposed addition which is small in comparison to the existing building, existing site, and adjacent properties. The spirit of the ordinance is observed, public safety has been secured and substantial justice done.

MOTION CARRIED.

ADJOURNMENT

There being no further business, it was moved by Mr. Bennett and supported by Mr. Hogan to adjourn the meeting at 7:13 p.m. **MOTION CARRIED.**

Mr. Joe Black
Chairman