

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
AUGUST 27, 2018**

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, August 27, 2018 at 7:00 p.m.

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

Members Absent: None.

Also Present: Ms. Caitlyn Habben, Rowe Professional Services Company Planning Consultant.

Chairman Black called the meeting to order at 7:00 p.m.

MINUTES

It was moved by Mr. Hogan and supported by Mr. Parsch to approve the minutes of the meeting held on July 23, 2018 as presented. **MOTION CARRIED.**

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARING SCHEDULED

Victory Land Management – 3373 Davison Rd. – Variance for Partial Gravel Surface

Ms. Habben reviewed the request from Victory Land Management for a variance to Section 7.16.04(b)(1) of the Zoning Ordinance in order to allow the former Lapeer Lanes property located at 3373 Davison Road to be redeveloped with a partial gravel surface. Ms. Habben reviewed the proposal to locate a travel trailer and RV dealership on the site to include up to 182,575 square feet of gravel surface area to be used for display spaces and loading/unloading only. Ms. Habben reviewed an aerial photo of the site showing the proposed building area, areas to remain paved surface and the area proposed for gravel surface.

Ms. Habben reviewed the standards and conditions to be met in order to consider approving the variances, the applicant's response to each standard and staff findings in support and in opposition to each required standard. Ms. Habben reported the applicant has also indicated other neighboring communities permit similar uses with gravel surfaces and that allowing more pervious surface will improve site drainage.

Discussion was held regarding the potential for storm run-off into the small pond on the site, storm water detention, the uniqueness of the RV dealership business, the option to request an ordinance text amendment to allow gravel surfaces for RV dealerships and the need to set a square footage limit on the area allowed to be developed with a gravel surface.

Chairman Black opened the public hearing at 7:17 p.m.

Mr. Cory Mabery of Davis Land Surveying was present representing the applicant and reviewed the existing features on the site, area planned for construction of a new building and future expansion areas of the site to be developed. Mr. Mabery stated the pond area was recently expanded by a peat mining operation, that the site is unique due to the nature of the RV dealership use and total area of the site to be developed and that the weight of the vehicles could potentially damage an asphalt surface. Mr. Mabery also stated the applicant was looking for a good site with access to I-69 to expand and grow his existing business, that issues such as site drainage, oil separation, landscaping and site lighting will be addressed during the site plan review process.

Discussion was held regarding the existing paved area on the site to be improved and repaired, the fact the site is not currently served by City water and sewer utilities and the gravel surface area at the Jim Riehl's dealership on M-24 which was annexed into the City from Lapeer Township.

Mr. Dave Shiflett, 40 Lake Nepessing Road, was present and expressed concerns regarding the low land areas on the subject site, drainage into wetlands which filter and flow to the Flint River, potential traffic increases, backups caused by the railroad crossing, turning radius issues for large vehicles using the new round-a-bout and site lighting.

Mr. Jim Harrington was present and stated he owns the 52 acre parcel across Davison Road from the subject site and that he has no issues with the request.

Mr. Chris Hettinger, of Victory Land Management, was present and reviewed various details of the proposed RV dealership business and proposed operation and plans for a new building with shop bays, office area and showroom space to be constructed on the existing foundation of the former bowling alley structure.

There being no further comments, the public hearing was closed at 7:40 p.m.

Discussion was held regarding the fact no footprint of the building has been established yet, allowing the gravel surface area due to the fact the existing pond makes the site unique, the need to mitigate run-off into the existing pond, potential future uses on the property, the size of the existing paved area on the site, site drainage, unknown locations of field drainage tiles which would be required to be repaired, the previous peat mining operation conducted on the site, the option to reduce the area allowed to be gravel surface and the need for maneuvering space for larger trailers.

After discussion, it was moved by Mr. Bennett and supported by Mr. Hogan to approve the request from Victory Land Management for a variance to the concrete or plant-mixed bituminous material requirements of Section 7.16.04(b)(1) in order to allow a 182,575 square foot gravel area for loading and display areas for a proposed travel trailer and RV dealership at 3373 Davison Road based upon:

The requested variance does meet all of the standards for granting approval, and specifically (select one below):

- (1) The standard for which the variance is being granted would unreasonably prevent the owner from using property for a permitted purpose or would render conformity unnecessarily burdensome; and
- (2) The variance would do substantial justice to the applicant as well as to other property owners in the zoning district and a lesser relaxation of the standard would not provide substantial relief and be more consistent with justice to others; and
- (3) The problem is due to circumstances unique to the property due to the size of the existing pond on the property and potential drainage into the pond and not to general conditions in the area; and
- (4) The problem that resulted in the need for the variance was not created by the applicant or previous owners of the property and is due to the existing physical characteristics of the site and how the paved surface will be developed; and
- (5) Issuance of the variance would still ensure that the spirit of the ordinance is observed, public safety secured and substantial justice done.

MOTION CARRIED

ADJOURNMENT

There being no further business, it was moved by Mr. Butterfield to adjourn the meeting at 7:54 p.m. **MEETING ADJOURNED.**

Mr. Joe Black
Chairman