

MINUTES OF THE
ZONING BOARD OF APPEALS
January 11, 2018

At a meeting of the Attica Township Zoning Board of Appeals held on the 11th day of January, 2018 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI, 48412. The meeting was called to order at 6:30 p.m. by Chairman Gierman. PRESENT: Kent Gierman, Elaine Thayer, Bill Winslow, Carol Eisenhardt and Richard Lacey. ABSENT: None. Also present: Attorney Michael Gildner.

REVIEW MINUTES:

The Board having reviewed the last meeting minutes of September 14, 2017 and there being no corrections, additions or deletions:

MOTION by Thayer, seconded by Lacey to approve the September 14, 2017 Zoning Board of Appeal minutes as presented. A vote was taken. Ayes: All (5); Nays: None (0). Absent: None.
MOTION CARRIED.

ZBA HEARING for ZAREMBA GROUP, LLC (DOLLAR GENERAL PROJECT):

Chairman Gierman opened the Public Hearing at 6:30 p.m. to consider the request of Zaremba Group, LLC (Dollar General Project) to be granted the following variances:

- 1) Front yard setback variance of 8 feet.
- 2) Parking variance of 19 spaces (49 required, 30 proposed).
- 3) Side yard loading variance.

Land situated in the Township of Attica, Lapeer County, Michigan, described as 4474 Imlay City Road, Attica, MI 48412.

Chairman Gierman reviewed Zaremba Group, LLC's request for variances. Mr. Todd Hamula, developer for Zaremba Group, described the proposed Dollar General Project and the three variance requests.

ZBA member Carol Eisenhardt asked about the parking variance and the Lapeer County Road Commission's reasons for the right of way request, the building size and if there are any proposed extra tall utility poles.

Chairman Gierman opened the Public Comment period at 6:39 p.m.

Resident Tracy Sparks of 4436 Imlay City Road asked about the address on the public notice he received and stated that he opposes the construction and variances of the proposed Dollar General Retail Store.

Chairman Gierman closed the Public Comment period at 6:42 p.m.

Attorney Gildner advised the ZBA members that reasons for their decision to grant or deny the variance requests should be included in their motion.

~~**MOTION** by Winslow, seconded by Thayer, to grant the requests of Zaremba Group, LLC for the following zoning ordinance variance requests for property located at 4474 Imlay City Road, Attica, MI 48412:~~

- ~~1. Section 3.1.9 D. Front yard setback variance of 8 feet due to the Lapeer County Road Commission's granting of a driveway permit for the parcel being contingent on adding 17 feet to the road right of way on Lake Pleasant Road.~~
- ~~2. Section 5.2.12. Parking variance of 19 spaces (49 required, 30 proposed) due to an administrative agreement, subject to ZBA concurrence, in return for an upgraded silhouette of the building to enhance compatibility with neighborhood.~~
- ~~3. Section 5.4.1. Side yard loading variance due to the nature of Dollar General's unique methodology of deliveries utilizing semi-trailers with tailgate delivery systems which is best suited by a side delivery system verses a rear delivery system.~~

~~A roll call vote was taken. Lacey: Aye; Thayer: Aye; Eisenhardt: Aye; Winslow: Aye and Gierman: Aye. Ayes: All; Nays: None. Absent: None (0). **MOTION CARRIED.**~~

MOTION by Winslow, seconded by Thayer, to grant the requests of Zaremba Group, LLC for the following zoning ordinance variance requests for property located at 4474 Imlay City Road, Attica, MI 48412: THE REASON FOR GRANTING THE REQUEST IS DUE TO THE FACT THAT DURING THE PROCESS OF DEVELOPING THE SITE THE ROAD COMMISSION REQUESTED AN ADDITIONAL 17 FEET OF PROPERTY FOR AN EASEMENT WHICH THE DEVELOPER GRANTED THEM:

4. Section 3.1.9 D. Front yard setback variance of 8 feet due to the Lapeer County Road Commission's granting of a driveway

permit for the parcel being contingent on adding 17 feet to the road right of way on Lake Pleasant Road.

5. Section 5.2.12. Parking variance of 19 spaces (49 required, 30 proposed) due to an administrative agreement, subject to ZBA concurrence, in return for an upgraded silhouette of the building to enhance compatibility with neighborhood.

6. Section 5.4.1. Side yard loading variance due to the nature of Dollar General’s unique methodology of deliveries utilizing semi-trailers with tailgate delivery systems which is best suited by a side delivery system verses a rear delivery system.

A roll call vote was taken. Lacey: Aye; Thayer: Aye; Eisenhardt: Aye; Winslow: Aye and Gierman: Aye. Ayes: All; Nays: None. Absent: None (0). **MOTION CARRIED.**

There being no further business before the Zoning Board of Appeals, **MOTION** by Lacey, seconded by Eisenhardt to adjourn the meeting at 6:48 p.m. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

Kent Gierman, ZBA Chairman
Valerie Schultz, Recording Secretary