



City of Fraser

Building & Code Enforcement Department

AGENDA

CITY OF FRASER ZONING BOARD OF APPEALS – (VIRTUAL MEETING)
MUNICIPAL BUILDING ~ 33000 GARFIELD ~ PHONE: 586-293-3100
THURSDAY OCTOBER 7, 2021 at 7:00pm via ZOOM

1. Call Meeting to Order/Pledge of Allegiance

2. Roll Call

3. Approval of Agenda

4. Formal Statement by the Chair

5. Old Business (Postponed Cases)

A. APPEAL #21-05: VARIANCE REQUEST / 17157 ANITA ACCESSORY STRUCTURE

BY REASON OF: SECTION 32-121 OF THE FRASER ZONING ORDINANCE, PROVISIONS APPLICABLE TO RESIDENTIAL DISTRICTS.

PURPOSE OF REQUEST: TO OBTAIN VARIANCES FROM ZONING ORDINANCE STANDARDS TO CONSTRUCT A TWO-STORY ACCESSORY BUILDING CONTAINING AN INDEPENDENT DWELLING UNIT THAT EXCEEDS THE ALLOWABLE HEIGHT (ONE DWELLING PER PARCEL ALLOWED; ONE STORY/15 FEET ACCESSORY BUILDING HEIGHT ALLOWED).

PROPERTY IN QUESTION: 17157 ANITA AVENUE, FRASER MICHIGAN, 48026

6. Public Hearings (None)

7. New Business of the Board (None)

8. Unfinished Business of the Board (None)

9. Planning Commission Liaison Member Report

10. Public Participation

11. Approval of Minutes: September 2, 2021

12. Members' Comments and Items of Interest

13. Adjournment

NOTICE OF ELECTRONIC PUBLIC MEETING

To protect public health and in accordance with the City of Fraser's local state of emergency due to the ongoing COVID-19 pandemic, the Fraser Zoning Board of Appeals will meet electronically on **October 7, 2021 at 7:00pm**, in accordance with the Open Meetings Act, using Zoom for videoconferencing and public access.



City of Fraser

Building & Code Enforcement Department

This notice is required to ensure that those wishing to observe and/or participate in the meeting have the opportunity to do so. The public can participate via the Zoom application, internet access via the Zoom website, and/or via telephone using the Zoom telephone number and meeting ID. The public will be able to hear Zoning Board of Appeals members and will be permitted to speak for up to five minutes during the public participation portion(s) of the agenda. Please note that callers/viewers will automatically be muted, and must remain muted until called upon to speak by the Chair.

Written comments will be accepted prior to the date and time (no later than 4:30pm on the day of the meeting) by the Building Department at zoning@cityoffraser.com, which is the method by which members of the public may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting. Public Hearing comments will be heard during any Public Hearing that is conducted during the meeting, and other comments will be heard or reviewed during public participation. In the event of a change in the status of statewide or local states of emergency, the Zoning Board of Appeals meeting may be changed from a remote meeting to a live in-person meeting to be held at Fraser City Hall, 33000 Garfield Road, Fraser, MI 48026, on the same date and at the same time. The City will post notice of any change in method of conducting the meeting from a remote meeting to an in-person live meeting, and/or any change in the meeting place for this meeting, to the City's website at www.ci.fraser.mi.us. Interested parties should periodically check for such changes or contact the City Clerk's Office at (586) 293-3100.

Pertinent information relating to the proposed variance requests may be reviewed at the Fraser Building Department during regular business hours, which are 8:00 a.m. to 4:30 p.m., Monday through Friday at the Fraser City Hall, 33000 Garfield Road, Fraser, Michigan. Questions regarding the appeals can be directed to the Planner, c/o Building Department at 586-293-3100, extension 153.

The City of Fraser thanks all of you for your understanding and support as we all attempt to navigate these challenging times together.

ZOOM MEETING DETAILS

Topic: Fraser Zoning Board of Appeals September 2, 2021
Time: Oct 7, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84190629875>

Meeting ID: 841 9062 9875

Passcode: 382159

One tap mobile

+13126266799,,84190629875# US (Chicago)

+19292056099,,84190629875# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 841 9062 9875

Find your local number: <https://us02web.zoom.us/j/84190629875>

5.

A. APPEAL #21-05: VARIANCE REQUEST / 17157 ANITA ACCESSORY STRUCTURE

Contents:

1. Administration Memorandum
2. Application Materials



MCKENNA

September 23, 2021

Hon. Members of the Zoning Board of Appeals
City of Fraser
33000 Garfield Road
Fraser, Michigan 48026

SUBJECT: ZBA REPORT #2: #21-05 VARIANCE REQUEST / 17157 ANITA AVENUE
APPLICANT: RICHARD AND BEVERLY BABECKI
SECTION: SECTION 32-121 OF THE FRASER ZONING ORDINANCE, PROVISIONS APPLICABLE TO RESIDENTIAL DISTRICTS.
LOCATION: 17157 ANITA, FRASER MICHIGAN 48026

Members of the Zoning Board of Appeals:

We have reviewed the above referenced appeal, and additional information provided by the applicant since the Board's September meeting. At the September meeting, the Board postponed this case to give the applicant an opportunity to provide more information about the case and the practical difficulty that they assert requires this variance. Additional information was submitted and is attached to this letter. We've updated the report with pertinent information about how the relevant sections of the ordinance that guide the ZBA's decisions apply to the requested variance.

VARIANCE REQUEST SUMMARY

The applicant originally requested a variance from zoning ordinance standards to construct a two-story accessory building with an independent dwelling unit that exceeds the allowable height (one story/15 feet accessory building height allowed). They have revised this request to omit the portions of the plan that qualified the second story space as an independent dwelling unit, and thus are now requesting only a variance to exceed the allowable height for an accessory building.

ADMINISTRATIVE STATEMENT OF FACTS

The applicants, owners of the subject property, are proposing to repurpose the approximate footprint of their existing garage to build a two-story accessory structure.

Section 32-121 of the Fraser Zoning Ordinance regulates accessory structures in residential districts. 32-121 a(3) states that *"accessory buildings and garages shall not exceed one (1) story of fifteen (15) feet in height, and shall not occupy more than thirty (30) percent of the area of any rear yard, and shall not be nearer than six (6) feet from the rear and three (3) feet from the side lot line; further, that in no instance shall the accessory buildings be so large as to dominate the neighborhood or principal use, nor shall it exceed two-thirds (2/3) of the total floor area of the principal building."*

The proposed structure is two stories and 22', exceeding the allowable height of one story and 15'.

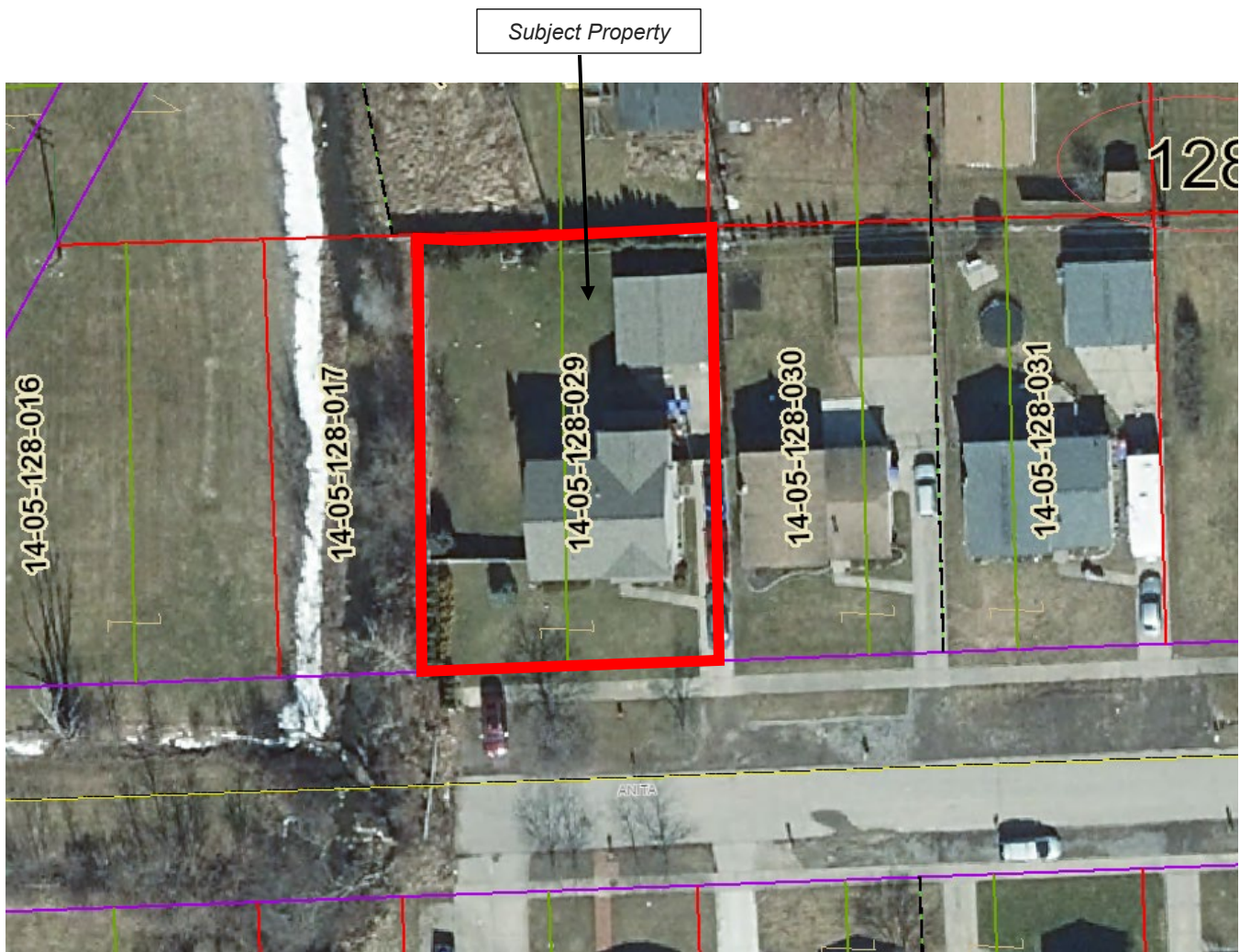
HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



The original request from the applicant proposed an accessory structure that also had independent cooking and sleeping facilities, which met the ordinance definition of a dwelling unit. Section 32-12(b) states that in one-family districts, only one dwelling unit is allowed per parcel. A dwelling unit is defined by the Zoning Ordinance as “A room or rooms connected together, constituting a separate, independent housekeeping establishment for one (1) family only, for owner occupancy or for rental, lease or other occupancy on a weekly or longer basis, physically separated from any other rooms of dwelling units, and containing independent cooking and sleeping facilities.” The revised plans are similar to the ones previously submitted but omits the kitchen appliances. The proposed occupancy is for daytime use and not as a ‘separate, independent housekeeping establishment’. This space as proposed no longer meets the entirety of the definition of a separate dwelling unit.





ZONING BOARD OF APPEALS VARIANCES AND BOARD ACTION RESTRICTIONS

The ZBA is a body of limited powers. §32-228 explains how Fraser administers variance requests. Where there are practical difficulties or unnecessary hardships in the way of strict enforcement of the zoning ordinance, the ZBA may grant appeals to vary or modify any zoning provisions that apply to dimensional standards like construction, structural changes in equipment, or alteration of buildings or structures. The ZBA's actions must uphold the zoning ordinance, secure public safety, and provide substantial justice for all property owners.

The ZBA must consider whether the property in question exhibits practical difficulty, like geographical or topographical conditions that impair its improvements without the modifications requested.

*As described in §32-228(a)(2), the ZBA must find evidence of evidence that all the following facts and conditions of a. thru d. exists, or e. or f. exists independently, to grant a variance. Our comments related to the proposal follow each clause in **bold**.*

- a. That there are exceptional or extraordinary circumstances or conditions applying to the property in question or as to the intended use of the property that do not apply generally to other properties in the same zoning district.

The applicants contend that the location of an easement for the Sweeney Drain, as well as the existing configuration of their house, prevent them from constructing and addition to the existing principal structure to accomplish their goals of providing additional living space on a single level. They have provided a plot plan and drawings of the existing house. The Sweeney Drain encroachment on the property (though not completely unique to this property) is not a typical condition, nor does it apply generally to other properties in the zoning district.

The configuration of the existing house certainly makes an addition more challenging and perhaps more expensive, but is not a condition of the property itself.

- b. That such variance is necessary for the preservation and enjoyment of a substantial property right like that possessed by other properties in the same vicinity. The possibility of increased financial return shall not of itself be deemed enough to warrant a variance.

The drain encroachment does impact the applicant's ability to build to the extent of the property that would otherwise be available to them by the provisions of the ordinance and to the extent possessed by other properties in the same vicinity. From our site observations, the accessory structures in the same vicinity do not exceed the allowable height.

- c. That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this chapter or the public interest.

We do not believe that there will be a substantial detriment to adjacent property as a result of this particular proposal. If the applicants are granted this variance and the property is used as proposed, there will not be an increase in traffic or parking demand on the street. Given the property's location on the end of a dead-end street, occupiable space in the accessory building does not present any obvious privacy concerns.

As of this writing, no public comment has been received regarding this request that informs the consideration of whether or not this proposal would cause a detriment to adjacent property.

- d. That the conditions or situation of the specific piece of property, or the intended use of the property for which the variance is sought, is not of so general or recurrent in nature as to create a general rule for such condition or situation.

The encumbrance of the drain on this property is not general or recurrent in nature in the zoning



district. Regarding the intended use: it could be argued that building a two-story garage to expand the available living space when it is difficult or impossible to add additional living space to the principal structure is a situation that is recurrent.

or

- e. That the modification to setback, location, site or building requirements is sponsored by the Planning Commission for a specific proposal that benefits the City by providing better design or efficient use of the site or results in a more creative development (all fees to be paid by the applicant).

The Planning Commission did not sponsor this proposal as a part of a site plan and/or special land use approval.

or

- f. That phasing of required site plan improvements may be warranted because the cost of such improvements is relatively high in relation to the total cost of the applicant's development or addition. Planning Commission recommendations shall be required, together with a financial security in the amount of the deferred improvements.

The applicant cannot meet the zoning ordinance's standards through phasing or deferment; therefore, the scenario in subsection f. does not apply.

CONCLUSION

We recommend the ZBA consider the applicant's justifications of hardship to determine if a variance is warranted. Additional information brought forward by the Board, the applicant, and/ or during the public hearing should be incorporated into the record prior to the Board making any determination.

Please let me know if you have any questions. We will attend the ZBA meeting on October 7, 2021.

Respectfully submitted,

McKENNA

Paul Urbiel, AICP

Senior Principal Planner

Cc: Applicant
Elaine Leven, City Manager
Bruce Eck, Building Official
Don Denault and Alyssa Albright, City Attorneys



**CITY OF FRASER
APPLICATION FOR APPEAL
ZONING BOARD OF APPEALS**

Office Use Only

APPEAL # _____
DATE OF MTG. _____
DATE REC'D _____
RECEIPT #: _____

CIRCLE ALL THAT APPLY:

VARIANCE

APPEAL

TEMPORARY

INTERPRETATION

GENERAL LOCATION OF PROPERTY:

ADDRESS: 17157 Anita CROSS STREETS: 14 Mile Rd & Garfield

LEGAL DESCRIPTION (Lot number, subdivision, metes/bounds or attach on a separate sheet):

Parcel Number: 03-14-05-128-029

BASIS FOR REQUEST: (Hardship or practical difficulty imposed by Ordinance):

Attached separately

SECTION OR ORDINANCE INVOLVED: _____

ZONING DISTRICT OF PROPERTY: RM RESIDENTIAL MEDIUM-ONE FAMILY

APPLICANT

NAME AND ADDRESSES OF PARTIES OF INTEREST AND/OR APPLICANT SETTING FORTH THE LEGAL INTEREST IN SAID PREMISES:

APPLICANT: RICHARD & BEVERLY BABECKI

ADDRESS: 17157 ANITA

PHONE: 586-296-3161

INTEREST: HOMEOWNER

APPLICANT: _____

ADDRESS: _____

I (We) hereby request a hearing on the above-mentioned matter before the City of Fraser Zoning board of Appeals. The undersigned swear(s) the foregoing statements and answers herein contained and accompanied information and data are in all respects true and complete. I (we) grant permission to Members of the Zoning Board of Appeals and to the City of Fraser Administration to enter the land in order to view the outside premises in preparation for hearing our case.

Signature of Applicant: Beverly Babeski & Richard Babeski Date: 8.12.21

Signature of legal property owner (if not applicant): _____ Date: _____

September 14, 2021

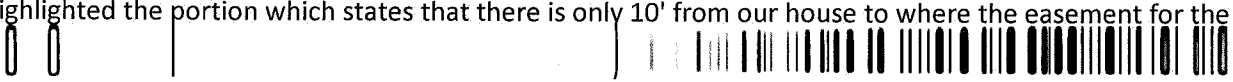
Dear Zoning Board of Appeals Members,

At the September 2nd ZBA meeting, we were seeking a variance to demo our existing garage and construct a slightly larger two-level garage. The reason behind this request is that one of the homeowners, Beverly Babecki, has a permanent mobility issue and is having great difficulty trying to ambulate in their present home which has six levels. Critical areas such as the kitchen, living room, and bathroom (with shower) are on different levels of the home. If allowed to construct this new garage, she would only have to traverse the stairs once in the morning and once in the evening instead of the multiple times required in her present living situation. She will not sleep in the upper level of the garage and will only access it during the daytime hours.

We were asked to provide documentation on the how the easement for the Sweeney Drain restricts us from putting an addition on the west side of our house. We were also asked to demonstrate why we were not able to construct an addition on the back of our house. Additionally, we were requested to submit a drawing of our property depicting the location of the new garage from our house.

At the September 2nd meeting, we had submitted the "License To Use Easement" paperwork from Macomb County allowing us to construct a fence (non-permanent structure) on the west side of our property. The ZBA requested clarification as to where the easement extends onto the property.

We are resubmitting the same drawing that was submitted at the September 2nd meeting and have highlighted the portion which states that there is only 10' from our house to where the easement for the

Sweeney Drain begins. We have also highlighted the location of the Sweeney Drain. The drawing verifies that there is an 80' easement on the drain - 40' from the center on each side of the drain. This easement is imposed by Macomb County. As you can see, this easement extends over a large portion of our property which restricts the construction of any type of permanent structure.

Due to the style of our house, we are unable to construct any type of addition on the back of our house. As you can see from the elevation views submitted, there is a cantilever on the back of our house. It is also important to note that any type of addition would conflict with the lower rear windows which are near ground level. Any addition of standard height would also eliminate the egress windows in the upper level. The elevation of these windows is lower than the average second story window because our home is a quadlevel. Also, even if it were possible to construct an addition at the rear of the home, there is no way that we could exit out of our family room into the addition because the west wing of the house is partially underground

We are also including a proposed site plan and proposed garage plan for your consideration.

I hope that these reasons are acceptable and the Zoning Board of Appeals will permit us to construct a two level garage.

Thank you,

Beverly & Richard Babecki

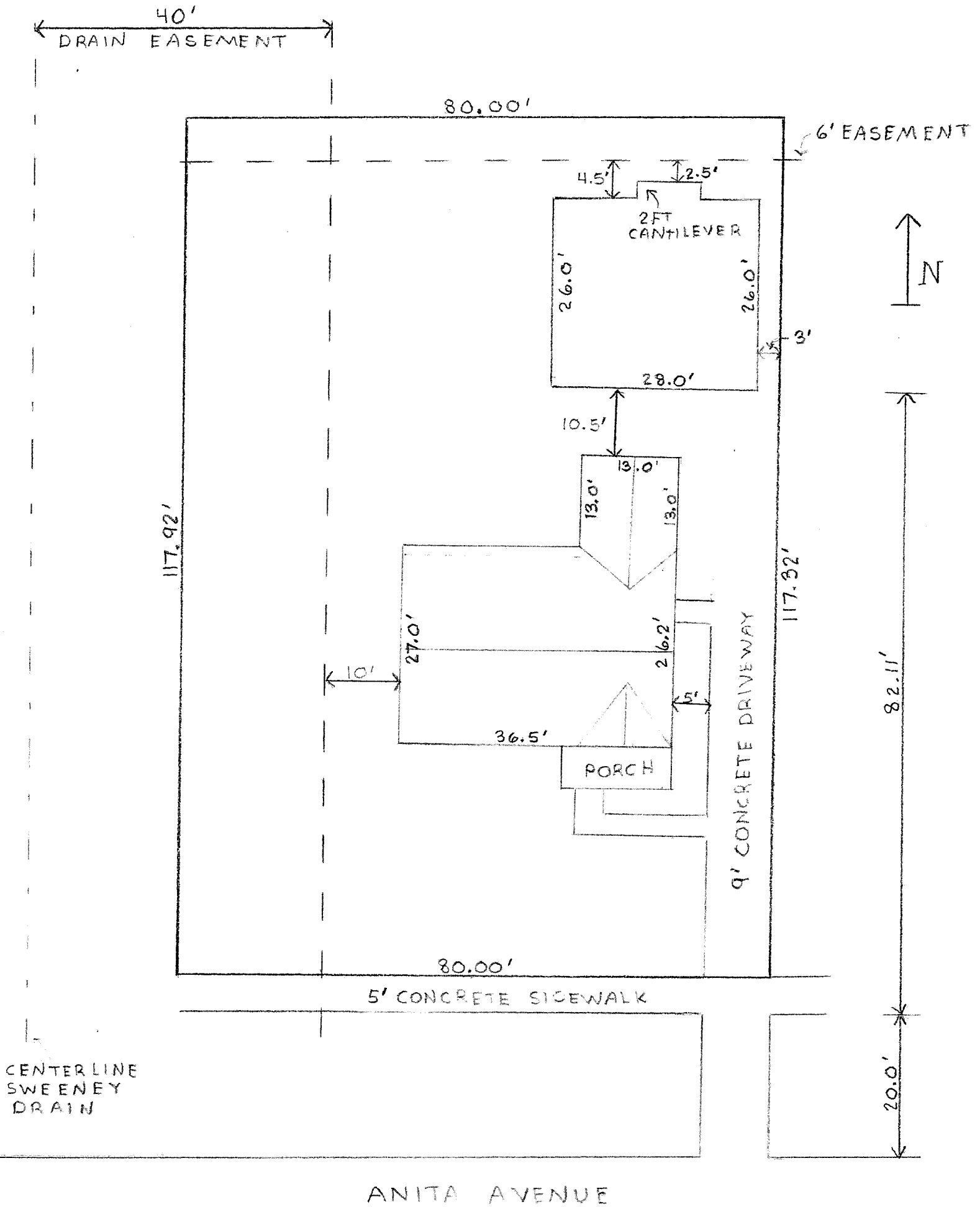
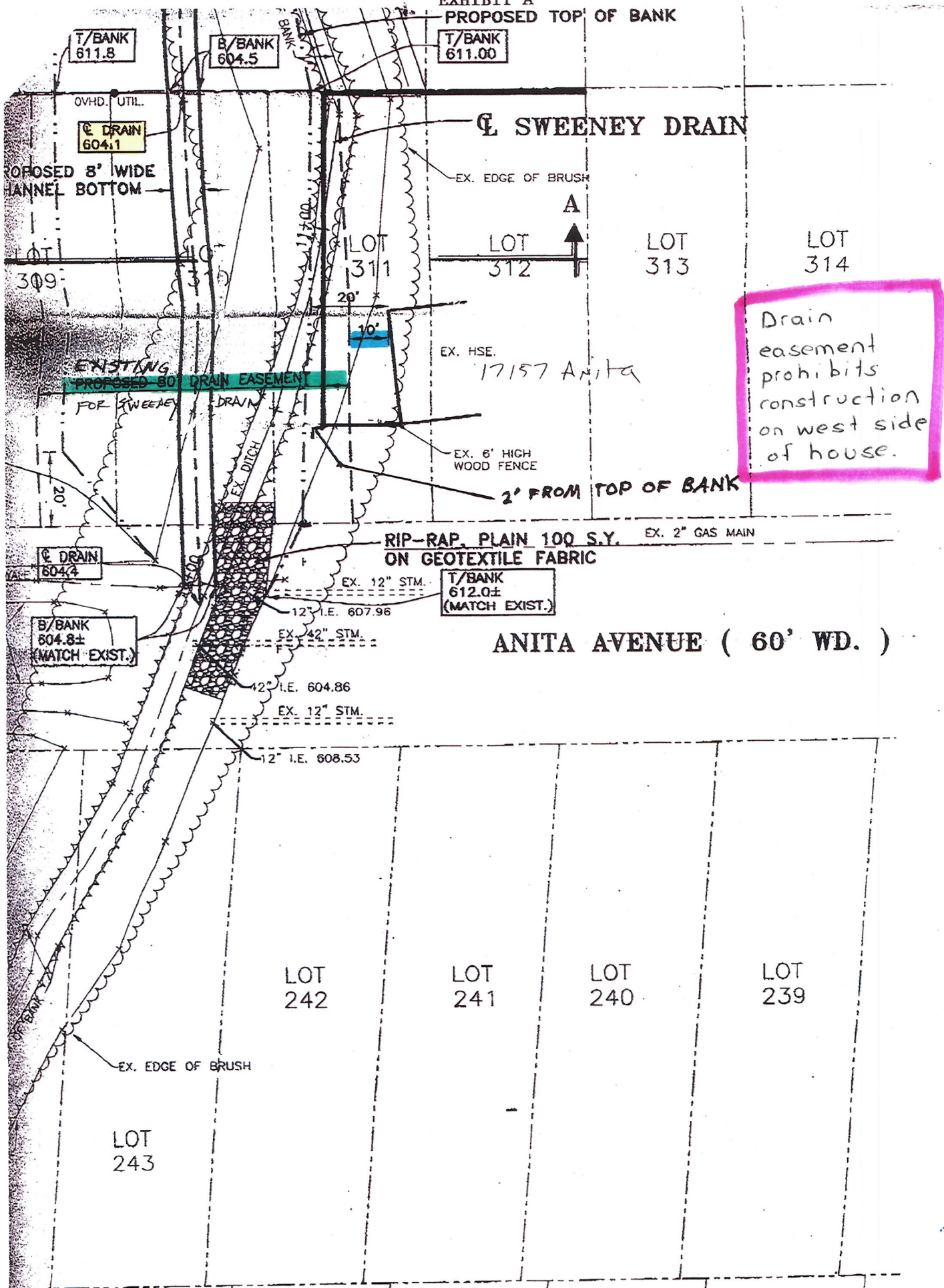
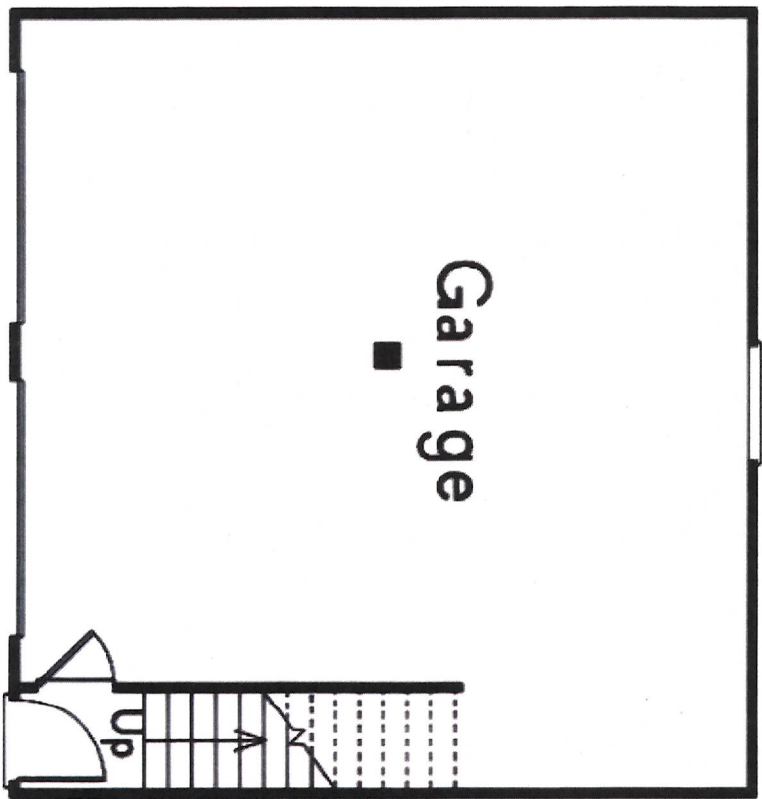
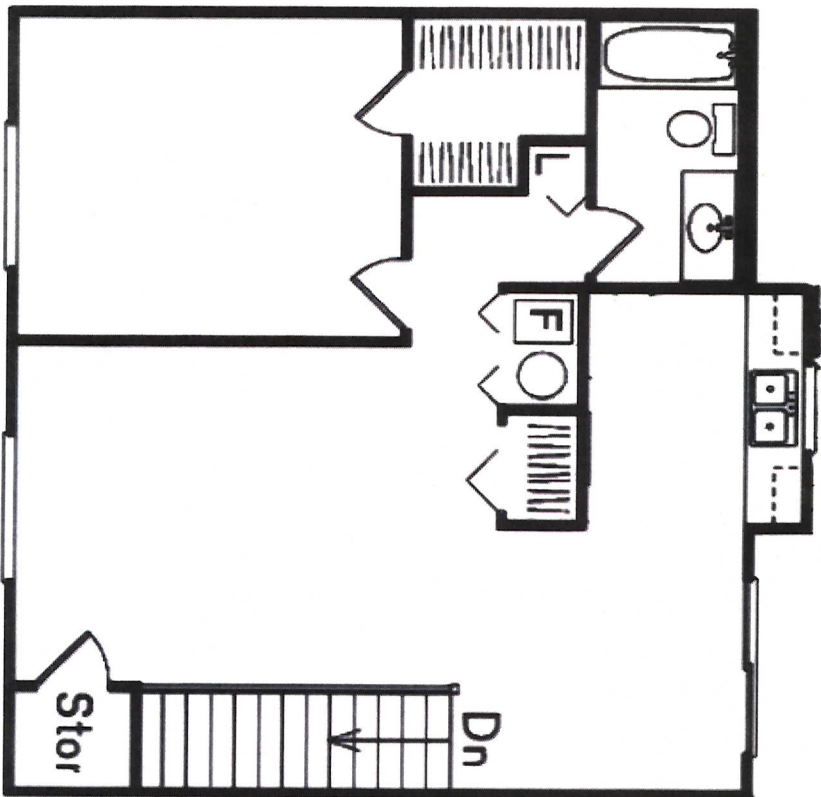


EXHIBIT A
PROPOSED TOP OF BANK





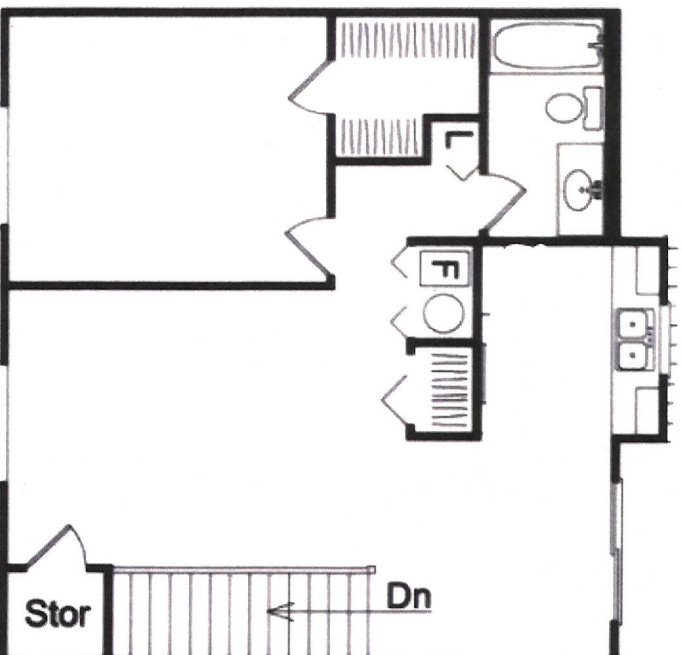




PROJECT PLAN #593-002D-7510

[view plan pricing](#)

[buy this plan](#)



QUICK DETAILS

- 746 Total Square Feet
2nd Floor 746
- Width: 28'-0" Depth: 26'-0"

ADDITIONAL OPTIONS

- [Print This Project Plan](#)
- [Customize A Garage](#)
- [Add To Favorites](#)
- [Ask The Professional](#)
- [Share](#)   

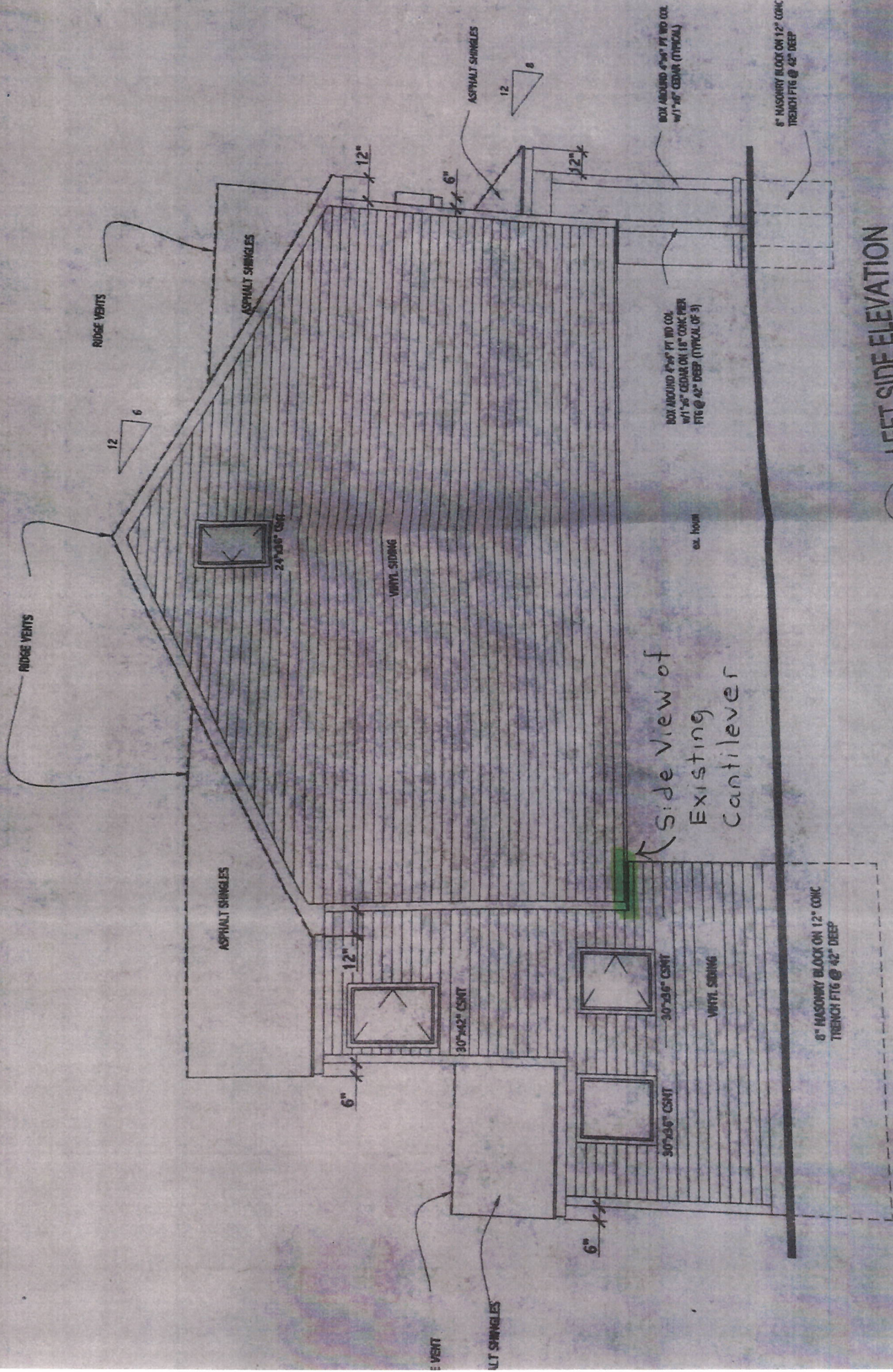
PLAN FEATURES

- Narrow Lot
- CAD File
- Right Reading Reverse

SPECIAL FEATURES

- Building height - 22'
- Roof pitch - 4/12
- Ceiling height - First floor - 8' Second floor - 8'
- Two 9' x 7' overhead doors

[Complete list of materials](#)



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

Architectural drawing of a house exterior. The drawing shows a gabled roof with a 12/6 pitch. The walls are labeled 'VINYL SIDING'. There are several windows: a double window on the left, a single window in the center, and a double window on the right. The roofline is labeled '12', '6', and '12'. The windows are labeled '12', '12', and '12'. The drawing includes a note 'ON 1" CONC. KEEP' and a label 'est. house'.

11.

Approval of Minutes: September 2, 2021

**CITY OF FRASER, MICHIGAN
ZONING BOARD OF APPEALS
THURSDAY, September 2, 2021 – 7:00PM**

Present: Chairman: Stimac Members: Chimenti, Farina, Logan, Burley
Excused Absence: Hunt, Menendez

Also Present: Donald DeNault, City Attorney (O'Reilly Rancilio)
Alyssa Albright, City Attorney (O'Reilly Rancilio)
Dylan Church, City Attorney (O'Reilly Rancilio)
Paul Urbiel, City Planner (McKenna)

1. Call Meeting to Order

Chairman Stimac called the meeting to order at 7:00 PM

2. Pledge of Allegiance

Roll Call Chairman, Stimac: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Burley: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Chimenti: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Farina: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Hunt: Absent
Member, Logan: Present (participating Macomb County, City of Fraser, Michigan)
Member, Menendez: Absent

3. Approval of Agenda as amended - Regular Meeting of Thursday, September 2, 2021

Motion by Member: FARINA (TO APPROVE) **Support by Member:** CHIMENTI

To: Approve the agenda of September 2, 2021 as presented.

AYES 5 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN)

NAYS 0

MOTION CARRIED

4. **Formal Statement:** Chairman Stimac gave a formal statement relative to the powers of the Zoning Board of Appeals and the facts and conditions for granting appeals.

5. **Old Business:** None.

6. Public Hearings:

A. Appeal #21-05: VARIANCE REQUEST / 17157 ANITA ACCESSORY STRUCTURE

BY REASON OF: SECTION 32-121 OF THE FRASER ZONING ORDINANCE, PROVISIONS APPLICABLE TO RESIDENTIAL DISTRICTS.

PURPOSE OF REQUEST: TO OBTAIN VARIANCES FROM ZONING ORDINANCE STANDARDS TO CONSTRUCT A TWO-STORY ACCESSORY BUILDING CONTAINING AN INDEPENDENT DWELLING UNIT THAT EXCEEDS THE ALLOWABLE HEIGHT (ONE DWELLING PER PARCEL ALLOWED; ONE STORY/15 FEET ACCESSORY BUILDING HEIGHT ALLOWED).

PROPERTY IN QUESTION: 17157 ANITA AVENUE, FRASER MICHIGAN, 48026

DISCUSSION: URBIEL explained that the site includes a single-family residence including a garage. The applicant is requesting to utilize a similar footprint to construct another garage that has an apartment on a second story. The apartment will meet the City's definition of a dwelling unit. The

**CITY OF FRASER, MICHIGAN
ZONING BOARD OF APPEALS
THURSDAY, September 2, 2021 – 7:00PM**

Ordinance permits only one dwelling unit per parcel. Further, the applicant is requesting an exception from Ordinance standards for height on accessory buildings.

FARINA questioned where on the site the drain easement is located and if the applicant can build the accessory dwelling unit further back on the lot. DeNAULT confirmed that the ZBA's powers only include exceptions to the Zoning Ordinance given that a true hardship is determined. STIMAC noted that the plan submitted by the applicant does not include the existing garage and questioned if a mandatory distance between the existing garage and new proposed garage is required. URBIEL confirmed a 10-foot separation is required. STIMAC noted that to grant a variance, the decision requires a board majority vote and gave opportunity for the applicant to postpone their petition until a full Board is present.

The applicant noted that they cannot build on the west side of the house due to the drain easement and the applicant has a mobility issue. The accessory dwelling unit is not intended to be rented out. URBIEL explained that based on the applicant's testimony, removing the kitchen from the space would remove the need for a variance for a second independent dwelling unit on the same property. Without a kitchen, the space would not be considered a dwelling unit.

FARINA questioned why the applicant cannot build an addition on the existing house. The applicant noted that the easement on the site prohibits the addition and there is not enough space on the other side of the home for an addition. STIMAC noted that the ZBA must find a hardship associated with the land. But, the hardship in this case is associated with the occupant, rather than with the land. The applicant would likely be able to build off the back of the home. LOGAN questioned how would approving the variance for the independent dwelling unit would prevent the unit from being rented in the future if the applicant sells the home. The applicant noted that if the kitchen is removed then it would not be considered a separate dwelling unit and render it not likely to be rented.

The public hearing was opened at 7:29pm.

No public comment was received. No written correspondence was received.

The public hearing was closed at 7:29pm.

Motion by Member: STIMAC (TO POSTPONE) **Support by Member:** FARINA

To: Postpone Appeal #21-05: VARIANCE REQUEST / 17157 ANITA ACCESSORY STRUCTURE for a period of one month to allow the applicant time to submit revised plans for review and consideration by the Board. The revised plans shall include a plot plan with true and accurate building sizes and locations as well as location of the Sweeny drain easement.

AYES 5 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN)

NAYS 0

MOTION CARRIED

B. APPEAL #21-06: VARIANCE REQUEST / BELDEN BRICK FREESTANDING SIGN

BY REASON OF: SECTION 32-85 (3) OF THE FRASER ZONING ORDINANCE APPLIES TO FREESTANDING SIGNS IN THE IC INDUSTRIAL CONTROLLED ZONING DISTRICT.

PURPOSE OF REQUEST: TO OBTAIN A VARIANCE FROM ZONING ORDINANCE STANDARDS TO PLACE A FREESTANDING SIGN 48 FEET FROM THE UTICA ROAD CENTER LINE (70 FEET REQUIRED)

PROPERTY IN QUESTION: 31470 UTICA ROAD, FRASER, MICHIGAN, 48026

DISCUSSION: URBIEL explained that the subject site is located at the intersection of Utica Road and Grand Trunk Railroad on a triangular site. The request is to place a freestanding sign 48 feet from the centerline of Utica Road. City regulations requires a 70-foot setback from Utica Road, as it is classified as a major road. The stated hardship is that the 70 feet setback creates complications on

**CITY OF FRASER, MICHIGAN
ZONING BOARD OF APPEALS
THURSDAY, September 2, 2021 – 7:00PM**

the site given its size and triangle shape. The drawing received by administration indicates removal of existing sign on the roof of the building.

FARINA noted that the City's direction for a new sign ordinance would encourage monument signs rather than freestanding signs. The applicant was not made aware of this. The proposed sign height is 10 feet minimum clearance. STIMAC questioned if the 70-foot setback is based upon an anticipated 60-foot right-of-way from the road and a 10-foot setback from the property line and if any other businesses in the vicinity have an existing 60-foot right-of-way for Utica Road. URBIEL noted that in the vicinity, the right-of-way is consistent with the 33 feet of half right-of-way for Utica Road.

The applicant representative, SCHWARTZ noted that in order to be behind the setback to meet standards, that would put the sign in the existing parking lot. Additionally, the sign would not be visible in that spot due to other existing structures in that area. The angle of the building from the road driving west would make it difficult for customers to see the building. The proposed sign will have a pole encased in brick and remove existing windmill on the site. LOGAN questioned how tall the existing billboard sign is. The applicant does not have a number on hand. If the new sign is placed on the property line, only one parking spot would be lost. The applicant explained that they are trying to put up a new sign on the site in place of the windmill that is currently there. STIMAC questioned how much higher than 10 feet is the sign planned to be. The applicant noted that the proposed sign would be shorter than the existing windmill and will comply with Ordinance standards for height.

The public hearing was opened at 7:57pm.

No public comment was received. No written correspondence has been received.

The public hearing was closed at 7:58pm.

Motion by Member: BURLEY (TO APPROVE) **Support by Member:** FARINA

To: Approve Appeal #21-06 TO OBTAIN A VARIANCE FROM ZONING ORDINANCE STANDARDS TO PLACE A FREESTANDING SIGN 48 FEET FROM THE UTICA ROAD CENTER LINE (70 FEET REQUIRED) due to the hardship of the triangular parcel size, location of existing structures, it is a right enjoyed by other property owners in the area, and the existing right-of-way in a majority of the immediate area is much smaller than typically found for a major throughfare. Requiring the 70-foot setback would be an undue hardship.

AYES 5 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN)

NAYS 0

MOTION CARRIED

7. New Business: None.

8. Unfinished Business: None.

9. Planning Commission Liaison Member Report

FARINA noted that the September 1, 2021 Planning Commission meeting was cancelled due to lack of business. The Master Plan is moving forward.

10. Public Participation: None.

11. Approval of Minutes as presented – June 3, 2021

**CITY OF FRASER, MICHIGAN
ZONING BOARD OF APPEALS
THURSDAY, September 2, 2021 – 7:00PM**

Motion by Member: FARINA (TO APPROVE) **Support by Member:** BURLEY

To: Approve the June 3, 2021 minutes as presented.

AYES 5 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN)

NAYS 0

MOTION CARRIED

12. Members' Comments and Items of Interest

BURLEY: Next month's on Zoom or in-person? URBIEL noted that all non-Council meetings are virtual.

CHIMENTI: None.

FARINA: None.

LOGAN: None.

STIMAC: None.

13. Adjournment

Motion by Member: CHIMENTI (TO ADJOURN) **Support by Member:** LOGAN

To: Adjourn the meeting on Thursday, September 02, 2021 at 8:08 pm.

AYES 5 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN)

NAYS 0

MOTION CARRIED

ZBA Secretary, Rosanne Menendez

Recording Secretary, Danielle Bouchard, Senior Planner, McKenna