



CITY MANAGER

Elaine Leven

CITY CLERK

Cynthia Greenia

City of Fraser

CENTENNIAL COMMUNITY

MAYOR

Michael Carnagie

MAYOR PRO-TEM

Patrice M. Schornak

COUNCIL

Amy Baranski

Kathy Blanke

Suzanne Kalka

Patrick O'Dell

Dana Sutherland

Fraser Zoning Board of Appeals Agenda City Council Chambers

33000 Garfield, Fraser, MI 48026

Thursday, February 2, 2023 @ 7:00 p.m.

1. Call Meeting to Order/Pledge of Allegiance

2. Roll Call

3. Approval of Agenda

4. Formal Statement by Chair

5. Old Business – None

6. Public Hearings:

a. Variance Requests Appeal #22-05 SMOKEY JOE'S SIGNS

BY REASON OF: SECTION 32-85-2-C PROVISIONS PERTAINING TO
PERMITTED NUMBER AND ALLOWABLE AREA OF SIGNS FOR COMMUNITY
BUSINESS DISTRICT

PURPOSE OF REQUEST: TO OBTAIN A VARIANCE FROM ZONING ORDINANCE
STANDARDS TO EXCEED THE NUMBER OF ALLOWABLE SIGNS ON A
COMMUNITY BUSINESS ZONED PROPERTY (1 SIGN ALLOWED, 3 REQUESTED),
AND TO OBTAIN A VARIANCE FROM ZONING ORDINANCE STANDARDS TO
EXCEED THE ALLOWABLE WALL SIGN AREA ON COMMUNITY BUSINESS
ZONED PROPERTY (ONE 32 SQUARE FEET PERMITTED, 107.5 TOTAL SQUARE
FEET REQUESTED).

PROPERTY IN QUESTION: 16841 FOURTEEN MILE ROAD, FRASER, MI 48026

7. New Business

a. 2022 Fraser Annual Planning Program

8. Unfinished Business of the Board – None

9. Planning Commission Liaison Member Report

10. Public Participation

11. Approval of Minutes – January 5, 2023

12. Members' Comments and Items of Interest

13. Adjournment

POSTED: January 26, 2023

- 6. Public Hearings**
 - a. Variance Request #22-05 Smokey Joe's Signs**

Contents

- 1. Smokey Joe's Variance Request
- 2. Planner's Review of Request
- 3. Public Notice/ "The Macomb Daily"



**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 16841 E. 14 MILE RD CROSS STREETS: @ GARFIELD RD - 16881

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

03-11-32-352-025 KENNEDY SUBDIVISION LOT 7 EXC THE WESTERLY 88.40 FT. ALL OF LOT 2 + EAST 100.41 FT. OF THE WEST 406.81 FT OF THE SOUTH + 100.0 FT OF LOT 4 CONT. 1.354 A. LG PDS. CITY OF FRASER 16841-16881 14 MILE RD.

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

REQUEST TO KEEP EXISTING 59.5 SQ. FT WALL SIGN + ADD (2) LIQUOR WALL SIGN UNDERNEATH + ON SIDE WALL (23.4 SQ. FT EACH)
BUSINESS HAS BEEN GRANTED A NEW LIQUOR LICENSE AND WOULD LIKE CUSTOMERS TO BE MADE AWARE OF THIS AVAILABLE MERCHANDISE

SECTION OR ORDINANCE INVOLVED: OVERLAGE OF ALLOWED SQUARE FOOTAGE OF WALL SIGNAGE.

ZONING DISTRICT OF PROPERTY: CBD / COMMUNITY BUSINESS DISTRICT

APPLICANT

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

APPLICANT: I SIGNS + DESIGNS

ADDRESS: 11391 E. 8 MILE RD WARREN, MI 48089

PHONE: (586) 759-5706 INTEREST: SIGN COMPANY

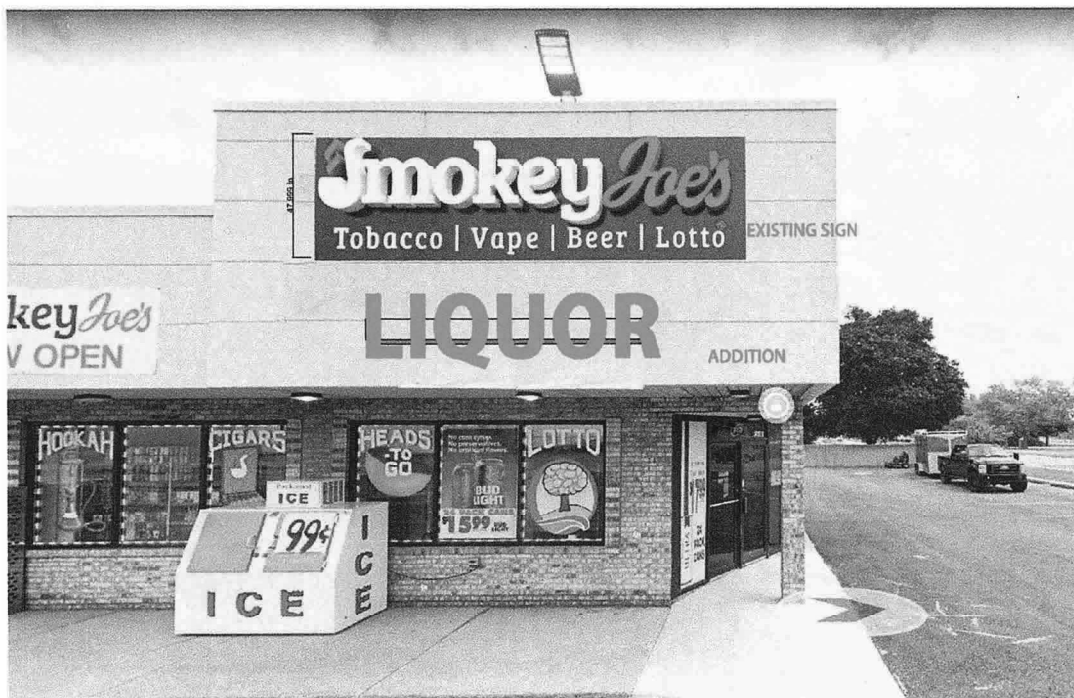
APPLICANT: MARK G. ZOLOTOWSKI

ADDRESS: SAME

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: Mark G. Zolowski Date: 12/20/22

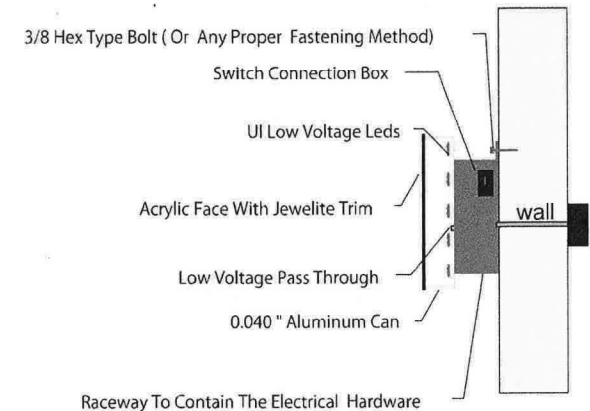
Signature of legal property owner (if not applicant): _____ Date: _____



113.586 in

29.69 in

LIQUOR



UL Underwriters Laboratories, Inc.

MANUFACTURING & INSTALLATION IN ACCORDANCE WITH NATIONAL ELECTRICAL CODE AND LOCAL ELECTRIC CODES OR EQUIVALENT

File Name: _____

Customer: _____

Date: _____

address :- _____

ph# :- _____

description :- _____

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Approval _____

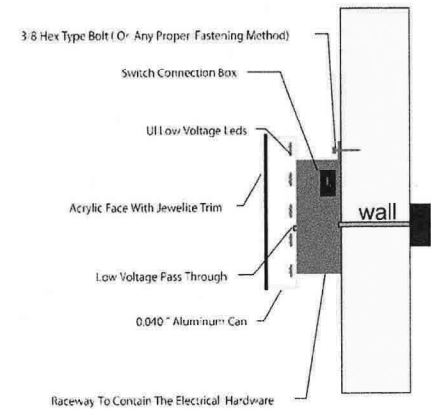
Date _____

NGS

New Generation Signs

we go beyond and further

Ph 586-759-5706 Fax 586-759-5724
11177 e 8 mile rd warren , michigan 48089



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29.69 in
LIQUOR

File Name: _____

Customer: _____

Date: _____

address :- _____

ph# :- _____

description :- _____

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Approval _____ Date _____

NGS

New Generation Signs

We go beyond what you see

Ph 586-759-5706 Fax 586-759-5724
11177 e 8 mile rd warren , michigan 48089



MCKENNA

January 10, 2023

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

**SUBJECT: ZBA REPORT
#22-05 VARIANCE REQUEST / SMOKEY JOE'S SIGNS**

APPLICANT: I SIGNS & DESIGNS (REPRESENTED BY MARK ZOLTOWSKI)

SECTION: SECTION 32-85-2-C: PROVISIONS PERTAINING TO PERMITTED NUMBER AND ALLOWABLE AREA OF SIGNS IN THE COMMUNITY BUSINESS DISTRICT

LOCATION: 16841 FOURTEEN MILE ROAD, FRASER MICHIGAN, 48026

REQUEST: TO OBTAIN VARIANCES FROM ZONING ORDINANCE STANDARDS INCLUDING:

- TO EXCEED THE NUMBER OF ALLOWABLE SIGNS ON A COMMUNITY BUSINESS DISTRICT ZONED PROPERTY (1 SIGN ALLOWED; 3 REQUESTED),
- TO EXCEED THE ALLOWABLE WALL SIGN AREA ON A COMMUNITY BUSINESS DISTRICT ZONED PROPERTY (32 SQUARE FEET PERMITTED, 59.5 SQUARE FEET REQUESTED).

Dear Members of the Zoning Board of Appeals:

We have reviewed the above referenced application for a sign permit, and – as it does not meet the requirements of the code – have prepared the following report, which identifies the relevant facts about the property and the proposal. The report also provides our professional opinion about how the relevant sections of the ordinance that guide the ZBA's decisions apply to this requested variance.

ADMINISTRATIVE STATEMENT OF FACTS

16841 Fourteen Mile Road is currently zoned CBD, Central Business District. This site is planned for "Central Business District Core" land uses, per the City's Master Plan. Except for the area to the south that is zoned "Public/Semi-Public," all surrounding properties to the subject site are either zoned Central Business District Core or Central Business District Fringe. The business on the subject site, I Signs & Designs, is requesting two (2) variances from Ordinance standards limiting the number and size of signage in the Central Business District Core to accomplish the following:

1. To exceed the allowable wall sign area under Section 32-85-2-C, Provisions Pertaining to Permitted Number and Allowable Area of Signs for Community Business District. The proposed wall sign is 59.5 sq. ft., while a maximum of 32 sq. ft. is permitted. As such, the applicant is requesting a variance of 27.5 sq. ft.
2. To exceed the number of allowable signs under Section 32-85-2-C, Provisions Pertaining to Permitted Number and Allowable Area of Signs for Community Business District. The applicant is requesting to add two additional wall signs, one on the side wall and the other underneath the existing 59.5 sq. ft. wall sign. This is a total of 3 signs, where the Ordinance only permits 1 (either freestanding OR ground sign).

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

○ 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



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 that:

- all the 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 application states that the basis for this request is that the “business has been granted a new liquor license and would like customers to be made aware of this available merchandise.” This is clearly not the type of circumstance that is intended to justify a variance. Obtaining a license to sell liquor is neither an “exceptional” nor “extraordinary” occurrence for a business. Moreover, the fact that the store may now sell liquor can be simply incorporated into a new smaller wall sign for the business.



- 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 applicant will be able to continue its business without the additional signage. Many surrounding businesses are successful without having multiple wall signs or signage in excess of the allowable size.
- 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.
It is unlikely that granting the variances would cause substantial detriment to adjacent properties. However, applying different signage standards to similarly situated properties would materially impair the intent and purpose of the Ordinance.
- d. The authorizing of such variances will likely not be of substantial detriment to adjacent properties. Specifically, the Zoning Board of Appeals may consider light and visual impacts of the subject proposal.
It is not likely that authorizing such variances would be of substantial detriment to adjacent properties, particularly in terms of light and visual impacts.
- e. 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.



As noted above, it is not uncommon for a business in the City (whether a store or restaurant) to sell liquor. Therefore, if these variances are granted, it is foreseeable that many other businesses would request larger or extra signage.

- f. 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

- g. 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, this scenario does not apply.

CONCLUSION

Since the applicant has not met the Ordinance standards for obtaining a variance, we recommend that the ZBA deny its request.

Please let me know if you have any questions. I will attend the ZBA meeting on February 2, 2023.

Respectfully submitted,

Andrew Littman
Senior Planner

Cc: Applicant
City Manager
Building Official
City Attorneys



City of Fraser

Building & Code Enforcement Department

NOTICE OF ZONING BOARD OF APPEALS HEARING

NOTICE IS HEREBY GIVEN that the City of Fraser Zoning Board of Appeals will meet on **Thursday, February 2, 2023** at 7:00 p.m. in the Fraser City Hall Council Chambers at 33000 Garfield Road, located at the southeast corner of Fourteen Mile and Garfield Roads, Fraser, Michigan for the purpose of conducting a Public Hearing and making a decision on the following request:

APPEAL #22-05:

VARIANCE REQUESTS / SMOKEY JOE'S SIGNS

BY REASON OF:

SECTION 32-85-2-C, PROVISIONS PERTAINING TO PERMITTED NUMBER AND ALLOWABLE AREA OF SIGNS FOR COMMUNITY BUSINESS DISTRICT

PURPOSE OF REQUEST:

TO OBTAIN A VARIANCE FROM ZONING ORDINANCE STANDARDS TO EXCEED THE NUMBER OF ALLOWABLE SIGNS ON A COMMUNITY BUSINESS ZONED PROPERTY (1 SIGN ALLOWED; 3 REQUESTED), AND TO OBTAIN A VARIANCE FROM ZONING ORDINANCE STANDARDS TO EXCEED THE ALLOWABLE WALL SIGN AREA ON COMMUNITY BUSINESS ZONED PROPERTY (ONE 32 SQUARE FEET PERMITTED, 107.5 TOTAL SQUARE FEET REQUESTED).

PROPERTY IN QUESTION:

16841 FOURTEEN MILE ROAD, FRASER MICHIGAN, 48026

NOTICE IS FURTHER GIVEN that any interested person may appear and comment upon the proposed request in person, or by agent or attorney during the public hearing to be held on the date and time of the meeting. Pertinent information relating to the application 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 requested variance can be directed to the Planner, c/o Building Department at 586-293-3100. Written comments may be submitted to the Fraser Building Department at 33000 Garfield Road, Fraser, Michigan 48026, or email to the Building Department at zoning@micityoffraser.com up to 4:30 p.m. of the meeting date.

The City of Fraser will provide necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting upon four (4) days' notice to the Building Department at the phone number set forth above.

Published: 1/17/2023

6. New Business

- a. 2022 Fraser Annual Planning
Commission Report to City Council**

Contents

- 1. 2022 Fraser Annual Planning
Commission Report to City Council**

Planning Commission

2022 Annual Planning Report to City Council

City of Fraser, MI

INTRODUCTION AND PURPOSE OF THE ANNUAL PLANNING REPORT

As required per the Michigan Planning Enabling Act (MPEA) Act 33 of 2008, as amended, the Planning Commission shall submit a report of its 2022 activities to the Fraser City Council.

"A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development."

In addition to fulfilling this requirement, the Annual Report increases information-sharing between staff, boards, commissions, and the governing body and assists with these entities with anticipating, preparing, and budgeting for upcoming priorities.

PLANNING COMMISSION MEMBERSHIP

The following citizens dedicated their time to serving the City of Fraser as Planning Commissioners in 2022:

- Randy Warunek, Chairperson
- Kenny Perry, Secretary
- Joann Barr
- Kathy Czarnecki
- Frank Farina, ZBA Liaison
- John Keil, Vice Chairperson
- Renee Meyer

PLANNING COMMISSION MEETINGS

The Fraser Planning Commission met six times in 2022. This meets and exceeds the requirements of the MPEA, which requires a minimum of four meetings annually.

1. Wednesday, March 2, 2022
2. Wednesday, June 1, 2022
3. Wednesday, August 3, 2022
4. Wednesday, September 7, 2022
5. Wednesday, October 5, 2022
6. Wednesday, November 2, 2022

2022 in Review

The following tables outline the various development reviews (site plan, special land use, etc.) considered by the Planning Commission.

DEVELOPMENT REVIEWS

City ID	Project Type	Location	Description	Status	Date
SP 21-08	Approval Extension	34400 Utica Road	Request for site plan approval extension for 12 more months.	Approved	August 3, 2022
SP 22-02	Site Plan Amendment Review	34600 Klein	Site plan amendment to make parking lot modifications.	Approved	August 3, 2022
SP 21-08	Site Plan Amendment Review	33400 Utica Road	To amend a previously-approved site plan to redevelop an outlot area of the Big Boy Arena property. Amendments included a smaller building footprint and reconfiguration of the proposed landscaping.	Approved	September 7, 2022
SP 22-03	Site Plan Review	33180 Groesbeck Retail	Modify existing façade of the building, resurfacing the parking lot, addition of a screening wall to the north side of the property.	Partially Approved	September 7, 2022
SLU 22-01	Special Land Use	33460 Utica Road	Special Land Use application to install an outdoor patio at 33460 Utica (Shooter's).	Approved	September 7, 2022
SP 22-04	Site Plan Review	15 Mile Industrial Development	Construction of new 31,489 square foot warehouse and processing facility.	Approved	October 5, 2022
SP 22-06	Site Plan Review	34275 Utica Road	Redevelopment of the Warfield Grille restaurant parcel.	Approved	October 5, 2022
SUB 19-01	Site Plan Amendment Review	Anita Drive SUB parcels 1-10	A site plan amendment to eliminate the required extension of Anita Drive and not develop the furthest east parcel (parcel 5). The applicant is required to combine furthest east parcels 4 & 5 and come back for site plan amendment approval.	Denied	October 5, 2022
RZ 22-01	Rezoning	33071 Garfield	Rezoning of 33071 Garfield from CBD District to RM district.	Denied	November 2, 2022
SP 21-09	Site Plan Amendment Review	34400 Klein	FS 360 site modification application to reconfigure site driveways and add additional parking.	Approved	November 2, 2022
SLU 22-02	Special Land Use	16659 Garfield	Special land use request for an auto vehicle detailing facility. Applicant withdrew request	Withdrawn	November 2, 2022

The following tables outline variances that were considered by the Zoning Board of Appeals in 2022. These are reported to reflect on potential challenges or obsolete regulations within the existing Zoning Ordinance, and to possibly inform future direction for the Planning Commission.

APPEALS

Project Type	Location	Description	Status	Decision	Date
Dimensional Variance	34155 Kelly Road	To place a freestanding sign 41 feet from the Kelly Road centerline (70 feet required). To exceed the number of allowable signs on an Industrial Zoned property (1 allowed, 3 requested).	Approved	Approved	March 3, 2022
Use Variance	34400 Klein	To store gravel outside in the Industrial Restricted district where otherwise not permitted.	Approved	Approved with Conditions	October 6, 2022
Dimensional Variance	33180 Groesbeck Highway	To construct a masonry wall or decorative fence along the north property line.	Approved	Approved	November 3, 2022

Looking Ahead: 2023 Work Plan

In the coming year, the following are additional projects the Planning Commission may undertake:

By preserving what Fraser already has, and enhancing those elements that can be improved, the city can continue to afford residents and visitors with a high-quality place to live, work and play.

MASTER PLAN IMPLEMENTATION

Some of the high priority implementation projects as outlined in the 2021 Master Plan include the following:

- **Business attraction and retention efforts.** The Planning Commission will support business retention and attraction in whatever ways most feasible in 2023. This includes exploring enrollment in the Redevelopment Ready Communities program run by the Michigan Economic Development Corporation.
- Implementation of new districts (and revisions to existing districts) such as Flex Corridor Overlay District and Central Business District (Core and Fringe).
- **Continuing to develop and maintain the City's sidewalk network.** Throughout the course of 2023, the Planning Commission may encourage the construction and/or repair of sidewalks, especially along major thoroughfares.

ORDINANCE UPDATES

In 2023, one of the Planning Commission's work program priorities will include necessary Ordinance updates to address current issues and begin to modernize the Zoning Ordinance.

Sign Regulations

- Ensuring compliance with all State laws
- Ensuring compliance with Reed v. Gilbert
- Analyzing allowable sign area regulations for each zoning district
- Utilizing best practices for signage as they relate to Master Plan implementation, especially along major road corridors such as Groesbeck Highway
- Reorganizing the sign regulations chapter in the Ordinance
- And more!

Mobile Vendor Ordinance

- Address gaps/confusion regarding regulation of temporary uses, specifically food trucks.

Transparency Regulations

Address lack of regulations requiring human-scaled and pedestrian-friendly design of commercial structures

11. Approval of Minutes

a. January 5, 2023 Zoning Board of Appeals

Contents

1. January 5, 2023 Zoning Board of Appeals Minutes



CITY MANAGER

Elaine Leven

CITY CLERK

Cynthia Greenia

City of Fraser

CENTENNIAL COMMUNITY

MAYOR

Michael Carnegie

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Patrice M. Schornak

COUNCIL

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Kathy Blanke

Suzanne Kalka

Patrick O'Dell

Dana Sutherland

MINUTES

CITY OF FRASER

**33000 GARFIELD, FRASER, MI 48026
ZONING BOARD OF APPEALS MEETING
JANUARY 5, 2023 @ 7:00 P.M.
DRAFT**

1. CALL MEETING TO ORDER

Chairman Stimac called the meeting to order at 7:01 p.m. Chairman Stimac then led the Pledge of Allegiance.

2. ROLL CALL

Present: Burley, Chimenti, Farina, Lesich, Menendez, Stimac

Absent:

Others: City Attorney DeNault, City Planner Andrew Littman, City Planner Alicia Warren, and City Clerk Greenia

3. APPROVAL OF AGENDA

Motion by Lesich supported by Farina to approve the agenda for the January 5, 2023 meeting of the City of Fraser Zoning Board of appeals with the following additions:

New Business

- d. Accept Resignation of ZBA Member Robert Logan
- e. New City Ordinance/Recommendation from Planning Commission
- f. Meeting Regularity
- g. Training
- h. Planning and Zoning Report
- i. ZBA and Planning Commission By-Laws

AYES: Burley, Chimenti, Farina, Lesich, Menendez, Stimac

NAYS: None

Motion Carried

4. FORMAL STATEMENT BY THE CHAIR

Since there were no public hearings on the agenda, Chairman Stimac did not read the formal Statement into the record at this time.

5. OLD BUSINESS

None at this time.

6. PUBLIC HEARINGS

None at this time.

7. NEW BUSINESS OF THE BOARD

a. Zoning Board of Appeals 2023 Calendar of Meetings

Discussion was had on the proposed meeting dates for the 2023 Zoning Board of Appeals. Suggestion and discussion was had to move the July meeting from July 6 to July 20, 2023.

Motion by Farina supported by Menendez to accept the proposed meeting dates for the City of Fraser 2023 Zoning Board of Appeals meetings as presented except noting the July meeting will be held on July 20 and not July 6.

AYES: Burley, Chimenti, Farina, Lesich, Menendez, Stimac
NAYS: None Motion Carried

b. Appointment of ZBA Members to City Council For Approval

Chairman Stimac reviewed the proposed applications for reappointment as well as new appointment. Currently Frank Farina and Mark Burley had terms that expired on December 31, 2022 as well as Mark Stimac, who was not applying for reappointment. There was a new applicant as well.

Motion by Menendez supported by Lesich to recommend Frank Farina and Mark Burley for reappointment to the City of Fraser Zoning Board of Appeals with a term ending December 31, 2025.

AYES: Chimenti, Lesich, Menendez, Stimac
NAYS: None
ABSTAIN: Burley, Farina Motion Carried

c. Election of Officers

Motion by Menendez supported by Burley to postpone until City Council acts on reappointment of vacancies for City of Fraser Zoning Board of Appeals Election of Officers to the next regular meeting of the Zoning Board of Appeals.

AYES: Burley, Chimenti, Farina, Lesich, Menendez, Stimac
NAYS: None Motion Carried

d. Accept Letter of Resignation from Zoning Board of Appeals Member Robert Logan

Motion by Stimac supported by Menendez to regretfully accept and file the resignation of Zoning Board of Appeals Member Robert Logan and thank him for all his years of service to the Zoning Board of Appeals and the City of Fraser.

AYES: Burley, Chimenti, Farina, Lesich, Menendez, Stimac
NAYS: None Motion Carried

e. New City Ordinance/Recommendation by Planning Commission

Board Member Farina reviewed that at the Planning Commission meeting last night they discussed and recommended to City Council approval of a Zoning Ordinance Text Amendment regarding membership on the Zoning Board of Appeals and alternates.

The Board discussed this and had some concern with it. Attorney DeNault noted that if this amendment was approved by City Council they had been working on a set of changes to the current Zoning Board of Appeals By-Laws, which would address the concerns. Board Member Menendez suggested there should be required training for the alternates. Board Member Farina wanted to make sure the Zoning Board of Appeals was aware this was a possibility.

f. Meeting Regularity

Board Member Farina suggested that if the Zoning Board of Appeals had no items scheduled on the agenda that they plan some type of training for that evening. He would like to see meetings at least quarterly. Discussion was had on that there could be a cost to the City if they were to meet and train if nothing else was on the agenda. Further discussion was had. Board Member Lesich agreed he would like to see meetings at least quarterly.

Chairman Stimac suggested speaking with the City Administration, finding out when new members will be coming aboard and scheduling a training.

g. Training

Board Member Farina indicated at the Planning Commission meeting last night that he had asked the Planner and Attorney if they might be able to put together a joint meeting of the Planning Commission and Zoning Board of Appeals for the purposes of training sometime in December as they had in 2019.

Discussion was had on the time of year for the training. The Board agreed that maybe early Fall would be a better time to try some type of joint training.

h. Planning and Zoning Report

Board Member Farina indicated that he would like to see the attorney comments and updates be included in the Planning and Zoning report – such as parking agreements, etc. They would have better and more complete information moving forward on all issues and items that way. Attorney DeNault noted that Planning and Zoning and Building were all very good at these updates, but he would be happy to provide additional information.

i. ZBA and Planning Commission By-Laws

Board Member Farina wanted to see if everyone on the Zoning Board of Appeals and Planning Commission had a copy of the most up to date By-Laws. Clerk Greenia stated she would be happy to get everyone a copy of the most recent updated version

Mr. Farina stated that he felt these should be reviewed to see if they need to be updated.

8. UNFINISHED BUSINESS OF THE BOARD

Nothing at this time.

9. PLANNING COMMISSION LISISON MEMBER REPORT

Board Member Farina reviewed the actions taken at the Planning Commission meeting last night. This included the review of the draft Ordinance amendment as well as the newly elected Planning Commission officers.

10. PUBLIC PARTICIPATION

Kathy Czarnecki, 31726 Pam Court asked about the possibility of anyone on the Zoning Board of Appeals being able to live outside of the City limits. Attorney DeNault stated that State of Michigan law would prohibit that. She then thanked Mr. Stimac for his many years of service to the City of Fraser.

11. APPROVAL OF MINUTES NOVEMBER 3, 2022 ZBA MEETING

Motion by Menendez supported by Lesich to approve the City of Fraser Zoning Board of Appeals Meeting minutes of the November 3, 2022 meeting as presented.

AYES: Burley, Chimenti, Farina, Lesich, Menendez, Stimac

NAYS: None

ABSTAIN: Motion Carried

12. MEMBERS COMMENTS AND ITEMS OF INTEREST

Board Member Burley questioned regarding the ZBA meetings being on the website. Discussion on Board Member Lesich's term was had.

Board Member Lesich wanted to thank Mr. Stimac for his professional service to this City.

Board Member Farina thanked Mr. Stimac for his service to the City. He reviewed all the services Mr. Stimac has performed for the City and he stated how much he appreciated him.

Board Member Menendez then shared that Mr. Stimac carried with him and immense amount of knowledge not only regarding the planning and zoning laws but also with his history of the City of Fraser. Everyone would sorely miss him.

Chairman Stimac then spoke. He reviewed with the Board his history of service on this body. He wanted to thank everyone for their support and work over the years. He thanked both City Administration as well as the City's consultants. He thanked his fellow Board members of the years, particularly for their time and efforts in always doing what is right and best for the residents of the City of Fraser. Finally, he thanked his family for their support of him in this service.

13. ADJOURNMENT

Motion by Stimac supported by Farina to adjourn the meeting at 8:06 p.m.

AYES: Burley, Chimenti, Farina, Lesich, Menendez, Stimac

NAYS: None

Motion Carried

Respectfully Submitted:

Cindi Greenia, Clerk
City of Fraser

