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**CITY OF FRASER ZONING BOARD OF APPEALS
NOVEMBER 2, 2023 @ 7:00 P.M.
COUNCIL CHAMBERS, 33000 GARFIELD, FRASER, MI 48026
AS APPROVED DECEMBER 7, 2023**

I. Call Meeting to Order

A regular meeting of the City of Fraser Zoning Board of Appeals was held on Thursday, November 2, 2023 at 7:00 pm. In City Council Chambers. The meeting was called to order by Chairman Farina at 7:00 p.m.

II. Pledge of Allegiance

Chairman Farina led the Pledge of Allegiance.

III. Roll Call

PRESENT: Burley, Farina, Lesich, Menendez

ABSENT: Chimenti, Goodell

OTHERS: City Attorney Alyssa Ericson, City Planner Lauren Sayre, City Clerk Greenia

AYES: Burley, Farina, Lesich, Menendez

NAYS: None

Motion Carried

IV. Approval of Agenda – November 2, 2023

Motion by Menendez supported by Lesich to amend the agenda to remove Item #9, a and b.

AYES: Burley, Farina, Lesich, Menendez

NAYS: None

Motion Carried

V. Approval of Minutes – October 5, 2023

Chairman Farina stated he had given City Clerk Greenia one correction to the minutes regarding his attendance at the October meeting.

Motion by Lesich supported by Menendez to approve the minutes of the City of Fraser Zoning Board of Appeals Meeting for October 5, 2023 as amended.

AYES: Burley, Farina, Lesich, Menendez

NAYS: None

Motion Carried

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VI. Formal Statement by Chair

Since there were no audience members, Chairman Farina did not read the formal statement into the record.

VII. Public Hearing

City of Fraser ZBA #23-05 Variance Request Monticello Company LLC

Request for variance to City of Fraser Zoning Ordinance Section 32-85-1-O, Provisions, Pertaining to accessory, freestanding signs. Request to increase the maximum freestanding sign height to 11 feet, 4.54 inches where section 32-85-1-O specifies that freestanding signs shall be at least ten (10) feet at their lowest point above the sidewalk level or less than four (4) feet in height at the highest point.

Location: 31471 Utica Road; Fraser, MI 48026

Chairman Farina indicated that the applicant was not present at the meeting.

Motion by Menendez supported by Lesich to postpone hearing on City of Fraser Zoning Board of Appeals Variance Request #23-05.

AYES: Burley, Farina, Lesich, Menendez

NAYS: None

Motion Carried

VIII. Old Business (Postponed Cases)

a. Residential Driveway Expansion Discussion

Planner Lauren Sayre reviewed the memo dated September 28, 2023, regarding driveway expansion. This memo was in the October packet as well, but the Zoning Board of Appeals felt it would be good to let the members that were absent from that meeting weigh in on this memo.

The Board discussed their thoughts on this. Board Member Menendez indicated it was her recollection that they had requested ordinance language on this issue that other cities used. Ms. Ericson noted that Ms. Tomich, a member of her law firm, spent an extensive amount of time researching this and only found perhaps two (2) other such ordinances. There is not a lot out there regarding this specific language on driveways.

Board Member Menendez stated that there were some inconsistencies in the Ordinance. If you have a recreational vehicle, boat or trailer you are required to have an additional hard surface on your property for them. But, if you currently wanted to expand your driveway for additional vehicle parking, you could not. She felt there is disparity and the ordinance should be fair.

Chairman Farina was very concerned with the number of impervious surfaces in the City and that the Planning Commission and administration should keep that in mind when determining how this could be addressed.

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Motion by Menendez supported by Lesich to postpone further discussion on this matter until the next Zoning Board of Appeals Meeting.

Discussion on motion: Attorney Ericson asked what the Board was looking for. Chair Farina stated that he would like to see both the attorney and planner review with other cities have on this matter and we could review those.

Vote on Motion:

AYES: Burley, Farina, Lesich, Menendez

NAYS: None

Motion Carried

IX. New Business of the Board

X. Unfinished Business of the Board

XI. Monthly Report

a. October 2023 Monthly Report

Planner Sayre noted the only items that have changed since last month were that the Planning Commission approved with conditions the revised Site Plan #23-03 on Utica Road and the postponement of the sign variance request that was on the agenda tonight.

The Board discussed the October 2023 Monthly report and some other concerns they had with it.

Discussion was had on the procedure for stamping approved site plans at the meeting. Attorney Ericson stated she would investigate it. Planner Sayre stated that Planning Commission Czarnecki noted that she would be in to sign the approved site plan that was on the agenda for the November 1, 2023 meeting when the applicant had turned in the site plan that reflected all the conditions to be met.

Smokey Joe's

Planner Sayre noted she spoke with the Building Official that he was ready to issue a citation on Smokey Joe's but was waiting for some information from the attorney before doing so. No citation had yet been issued. Attorney Ericson stated Attorney DeNault was looking at this matter at this time.

XII. Planning Commission Liaison

Chairman Farina noted that Planning Commission granted conditional approval to Site Plan #23-03 at 32660 Utica Road. They continued to review the sign ordinance. The Board discussed a sign ordinance amendment that was worked on in 2007. Attorney Ericson stated she would check into this at the office.

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XIII. Public to be Heard

No public to be heard.

Discussion was had on the status of Hockeyland.

City Clerk Greenia noted that it looked like the joint Planning Commission and Zoning Board of Appeals training would most likely be held in January.

XIV. Adjournment

Motion by Lesich supported by Menendez to adjourn the meeting at 7:40 p.m.

AYES: Burley, Farina, Lesich, Menendez

NAYS: None

Motion Carried

Respectfully Submitted

Cindi Greenia, Clerk
City of Fraser