



City of Fraser

CENTENNIAL COMMUNITY

CITY MANAGER

Elaine Leven

CITY CLERK

Cynthia Greenia

MAYOR

Michael Lesich

MAYOR PRO-TEM

Dana Sutherland

COUNCIL

Amy Baranski

Patrick O'Dell

Kenny Perry

Patrice Schornak

Sherry Stein

**CITY OF FRASER ZONING BOARD OF APPEALS
APRIL 4, 2024 @ 7:00 P.M.
COUNCIL CHAMBERS, 33000 GARFIELD, FRASER, MI 48026
AS APPROVED MAY 2, 2024**

I. CALL MEETING TO ORDER

A regular meeting of the City of Fraser Zoning Board of Appeals was held on Thursday, May 2 at 7:00 pm in City Council Chambers. The meeting was called to order by Chairman Farina at 7:02 p.m.

II. PLEDGE OF ALLEGIANCE

Chairman Farina led the Pledge of Allegiance.

III. ROLL CALL

PRESENT: Burley, Chimenti, Farina, Green, Menendez, Stasek

ABSENT:

OTHERS: City Attorney Hayley Tomich, City Planner Lauren Sayre, Planner Alicia Warren

AYES: Burley, Chimenti, Farina, Green, Menendez, Stasek

NAYS: None

Motion Carried

IV. APPROVAL OF AGENDA – April 4, 2024

Motion by Chimenti, supported by Menendez, to approve the agenda as written.

AYES: Burley, Chimenti, Farina, Menendez, Stasek

NAYS: None

Motion Carried

V. APPROVAL OF MINUTES – March 7, 2024

Motion by Menendez, supported by Burley, to approve the minutes as presented.

AYES: Burley, Chimenti, Green, Farina, Menendez, Stasek

NAYS: None

Motion Carried

VI. FORMAL STATEMENT BY CHAIR

Chairman Farina gave a formal statement relative to the powers of the Zoning Board of Appeals and the facts and conditions for granting appeals.

**CITY OF FRASER ZONING BOARD OF APPEALS
APRIL 4, 2024 @ 7:00 P.M.**

VII. NEW BUSINESS OF THE BOARD

A. Public Hearings

- i. ZBA #24-02: Variance Request – Sunbelt Rentals / Location: 31253 Utica Rd. Request is to obtain a variance from zoning ordinance standards to allow a front setback for parking of 87.13 ft and a 51.6 ft front setback for a storage area in the IC District, which requires a 110 ft parking setback. And, to obtain a variance from the zoning ordinance to allow a front setback for a fence of 51.6 ft in the IC District, which requires a 110 ft parking setback.

Chair Farina opened the public hearing at 7:05 pm. No one wished to be heard. Chair Farina closed the public hearing at 7:06 pm.

Motion by Menendez, supported by Burley, to postpone ZBA 24-02 Sunbelt Rentals, 31253 Utica Road until next month's meeting as the applicant requested.

AYES: Burley, Chimenti, Farina, Green, Menendez, Stasek

NAYS: None

Motion Carried

- ii. ZBA #24-02: Variance Request – Foundation Solutions 360, 34400 Klein Road,

Planner Lauren Sayre presented the case for the variance. Planner Sayre did note to the board that if an additional gravel storage bay, two in total, is requested by the applicant an additional variance and public hearing would be required. Request is to obtain a variance from zoning ordinance standards to increase the existing nonconforming front parking setback from 63 feet to 51 feet in the IR District, which does not allow parking in the required front or side yard setbacks. And, to modify to the approved variance conditions of ZBA 22-03, approved on October 6, 2022, to allow the storage of gravel outside in the IR District. The applicant is seeking to remove condition 4, which requires: a shared parking agreement with the adjacent property owner in recordable form is provided to and approved by the city attorney.

Joseph Marth, representing the property, answered concerns and questions from the board. Concerns included parking space counts, the timeframe for the scope of work, and current site configuration of the parking lot.

Chair Farina opened the public hearing at 7:45pm. No one wished to be heard. Chair Farina closed the public hearing at 7:46pm

Motion by Chair Farina, supported by Burley, to approve the variance request ZBA 24-02, 34400 Klein Road, for a 51-foot front parking setback and amend the previous condition for the shared parking agreement.

Member Burley withdrew his second of the motion.

Chair Farina rescinded his original motion.

Motion by Chair Farina, second by Burley to postpone variance request ZBA 24-02, 34400 Klein Rd, for the applicant to revise plans with additional parking spaces identified and come back next month.

AYES: Burley, Chimenti, Farina, Green, Menendez, Stasek

NAYS: None

Motion Carried

CITY OF FRASER ZONING BOARD OF APPEALS
APRIL 4, 2024 @ 7:00 P.M.

VIII. OLD BUSINESS (POSTPONED CASE)

- A. VARIANCE REQUEST #ZBA 24-01 – 16659, Suite B, 14 Mile Road, use variance to operate a use permitted in the IR district in the CBD district.
Member Green excused himself for personal conflict on the matter.

Planner Lauren Sayre presented the case for the use variance. Request to obtain a use variance from zoning ordinance to allow a powder coating business, which is allowed in the industrial Restricted District (IR), in the Community Business District (CBD). Planner Sayre noted that five votes from the board were needed for the use variance to be approved, and the standards are required to approve the variance. Planner Sayre noted that the original use of the building was as an accessory building and was not for any particular use. Planner Sayre noted the adjacency of residential areas and concerns from the Building Department and Public Safety. Planner Sayre recommended denial of the use variance for 16659, Suite B, 14 Mile Road.

Trevor Tuller was present for discussion and to answer questions from the board.

Chair Farina opened the public hearing at 8:14pm. No one wished to be heard. Chair Farina closed the public hearing at 8:14pm.

Motion by Farina, supported by Stasek, to the use variance request #24-01 16659 E. 14 Mile Road, Suite B to utilize the existing building for a powder coating business, which is allowed in the IR district, with the condition of the variance to be tied directly to the applicant and any change of ownership or operational space the variance be rescinded.

AYES: Burley, Chimenti, Stasek
NAYS: Menendez, Farina
ABSTAIN: Green

Motion Denied

IX. UNFINISHED BUSINESS OF THE BOARD

None at this time.

X. MONTHLY REPORT

- A. March Monthly Reports
Planner Sayre provided an update on activity for the month of March.
- B. Action Items Update
None at this time.

XI. PLANNING COMMISSION LIAISON REPORT

Chair Farina summarized the April Planning Commission meeting items, including 34400 Klein Road, Foundation Solutions 360, site plan review postponement.

XII. PUBLIC TO BE HEARD

None at this time.

Member Menendez requested the packets for the meetings to be printed on single sheets and not double sided.

**CITY OF FRASER ZONING BOARD OF APPEALS
APRIL 4, 2024 @ 7:00 P.M.**

Member Chimenti stated on April 21st, J.F. Kennedy on Kelly Road Knights of Columbus, from 3pm-7pm, there will be an Italian dinner fundraiser.

Member Burley asked about the drive-way expansion of the ordinance.

XIII. ADJOURNMENT

Motion by Green, supported by Chimenti to adjourn at 8:30 pm

All Ayes

Motion Carried

Respectfully Submitted:

Cindi Greenia, Clerk
City of Fraser