



**City Manager**  
Elaine Leven  
**City Clerk**  
Cindi Greenia

# City of Fraser

CENTENNIAL COMMUNITY

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**CITY OF FRASER ZONING BOARD OF APPEALS**  
**MAY 2, 2024 @ 7:00 P.M. Meeting Minutes**  
**COUNCIL CHAMBERS, 33000 GARFIELD, FRASER, MI 48026**  
**As Approved August 15, 2024**

**1. CALL MEETING TO ORDER**

A regular meeting of the City of Fraser Zoning Board of Appeals was held on Thursday, May 2, 2024 at 7:00 pm in City Council Chambers. The meeting was called to order by Chairman Farina at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Chairman Farina led the Pledge of Allegiance.

**3. ROLL CALL**

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

ABSENT:

OTHERS: City Attorney Hayley Tomich, City Planner Lauren Sayre, City Clerk Cindi Greenia

**4. APPROVAL OF AGENDA – May 2, 2024**

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

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

NAYS: None

**Motion Carried**

**5. APPROVAL OF MINUTES – April 4, 2024**

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

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

NAYS: None

**Motion Carried**

**6. 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.

**7. NEW BUSINESS OF THE BOARD**

**a. Public Hearings**

**i. ZBA #24-02: Variance Request – Sunbelt Rentals / Location: 31253 and 31285 Utica Road the request is to obtain three variances from zoning ordinance**

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**standards including 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.**

Planner Sayre presented the review and purpose for the request and answered administration questions from the Board.

Civil Engineers for the site were present to represent the property and answer any questions from the Board that included screening, lighting, and how much storage they are proposing on site.

Chair Farina opened the public hearing at 7:30 pm. No one wished to be heard. Chair Farina closed the public hearing at 7:31 pm.

**8. OLD BUSINESS (POSTPONED CASE)**

- a. VARIANCE REQUEST ZBA #24-02: Sunbelt Rentals / Location: 31253 and 31285 Utica Road to obtain three variances from zoning ordinance standards including 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.**

Planner Lauren Sayre presented the case for the variance request.

Discussion with applicant regarding Captain John Gillies, Fraser Department of Public Safety's, concerns dated 3/25/24 regarding this development:

The FDC for the building is located on the North wall of Building, roughly 20 ft from the north/east corner. If a fence is proposed for this corner, it will block their access to the FDC. If there is no fence, it appears the Northern most parking spot would still need to be eliminated to provide access to the FDC. Additionally, there are gate and lock requirements. These issues are to be addressed in sight plan review. Applicant stated they will make the area fully accessible and want to work with Public Safety to find a solution so they are fully compliant. Planning Commission will have to approve final sight plan.

**Motion** by Burley, supported by Chimenti, to approve three variance requests ZBA 24-02 Sunbelt Rentals, 31253 and 31285 Utica Road in the IC District from zoning ordinance standards to allow a front setback for parking of 87.13 ft. where 110 ft. is required, for a variance of 22.87 ft. A 51.6 ft front setback for gravel storage area which requires a 110 ft. setback for a variance of 58.4 ft. Lastly, to obtain a variance from the zoning ordinance to allow a front setback for a fence located 20 ft from the front property line, 51.6 ft from the centerline of the roadway, which requires a 110 ft. setback for a variance of 58.4 feet.

AYES: Burley, Chimenti, Farina, Green, Menendez, Stasek  
NAYS: None

**Motion Carried**

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- b. VARIANCE REQUEST ZBA #24-03: Foundation Solutions 360 / Location: 34400 Klein Road 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 of ZBA 22-03 approval, which requires: a shared parking agreement with the adjacent property owner in recordable form is provided to and approved by the city attorney.**

Planner Lauren Sayre presented the case for the variance request including the revised site plan with suggestions from the board from last month's meeting.

Joe Marth, applicant for the project, was present to answer questions from the board.

**Motion** by Farina, supported by Chimenti, approve the variance from the zoning ordinance standards to increase the existing nonconforming front parking setback from 63 feet to 51 feet in the IR District. And, to modify the previously approved variance conditions of ZBA 22-03 in the IR District, approved on October 6, 2022, to allow the outside storage of loose gravel, limited to 10 yards, but to remove condition 4 only. The previously approved variance, which required a condition of a shared parking agreement with the adjacent property owner is removed for reasons stated in the recommendation section of the staff report that the applicant indicated they no longer need the same level of parking (4/18/2024).

*We find that Sweeney Drain provides a practical difficulty in developing the property. Additionally, we do not anticipate any detrimental impacts to neighboring properties.*

AYES: Burley, Chimenti, Farina, Green, Menendez, Stasek  
NAYS: None

**Motion Carried**

**9. UNFINISHED BUSINESS OF THE BOARD**

**Driveway Expansion Discussion**

Planner Sayre presented the driveway expansion discussion and how the Zoning Ordinance can be amended or corrected to include the allowance of expansion. City Attorney Tomich also held discussion on interpretation of the ordinance for the Board members.

The board thinks that the correction should come with the Zoning Ordinance re-write that is planned to begin in the Fall 2024, prior to City Council approval.

**10. MONTHLY REPORT**

**a. April Monthly Reports**

Planner Sayre provided an update on activity for the month of April. Including Big Boy/Hockeyland property, 32660 Utica proposed car wash, Sheetz development, Sign Ordinance, and other small items.

**b. Action Items Update**

None at this time.

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**11. PLANNING COMMISSION LIAISON REPORT**

Chair Farina summarized the May Planning Commission meeting items including 34575 Commerce and sign ordinance.

**12. PUBLIC TO BE HEARD**

None at this time.

**13. ADJOURNMENT**

**Motion** by Green, supported by Farina to adjourn at 8:26 pm

All Ayes

**Motion Carried**

Respectfully Submitted:

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Cindi Greenia, Clerk  
City of Fraser