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Cynthia Greenia

City of Fraser

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**CITY OF FRASER
ZONING BOARD OF APPEALS MEETING
THURSDAY JANUARY 16, 2025 @ 7:00 P.M.
33000 GARFIELD, FRASER, MI 48026
AS APPROVED MARCH 5, 2025**

A regular meeting of the City of Fraser Zoning Board of Appeals was held Thursday, January 16, 2025 at 7:00 p.m. in City Council Chambers, 33000 Garfield, Fraser, MI 48026.

1. Call to Order

Chair Farina called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

Chair Farina led the Pledge of Allegiance.

Prior to Roll Call, Clerk August Gitschlag swore in Joseph Chimenti and Rosanne Menendez who were reappointed to the ZBA by City Council.

3. Roll Call

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

Absent: None

Others: City Planner Sayre, City Attorney DeNault, City Clerk Gitschlag

4. Approval of Agenda – January 16, 2025

Motion by Menendez supported by Burley to approve the agenda as presented.

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

Nays:

Absent:

Motion Carried

**FRASER ZONING BOARD OF APPEALS MEETING
THURSDAY JANUARY 16, 2025 @ 7:00 P.M.**

5. Approval of Minutes – December 5, 2024

Motion by Menendez supported by Burley to approve the minutes of the December 5, 2024 meeting as presented.

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

Nays:

Absent:

Motion Carried

6. Formal Statement by Chair

Chair Farina read his remarks on the statutory duties of a Planning Commission into the record.

7. New Business of the Board

a. Public Hearings – ZBA 24-08, 18377 East 14 Mile Road - Power Solutions

To obtain a variance from Section 32-141(a) to allow the following exterior façade materials: aluminum plank system with a wood finish and ALPOLIC's aluminum composite material, where only brick or stone building materials are permitted.

Opened: 7:06

Closed: 7:26

Motion by Burley supported by Chimenti to approve ZBA request 24-08 Power Solutions 18337 East 14 Mile Rd to allow the following exterior façade materials: aluminum plank system with a wood finish and ALPOLIC's aluminum composite material, where only brick or stone building materials are permitted as presented this evening because the intent of the codes is for stable secure material as presented in the drawing. Such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same vicinity.

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

Nays: None

Absent:

Motion Carried

b. Other

i. Interview of Scott Wahl for position on the Zoning Board of Appeals

Motion by Chimenti, Burley seconds to recommend to Council Scott Wahl for the position of Zoning Board of Appeals

Motion Carried Unanimously

**FRASER ZONING BOARD OF APPEALS MEETING
THURSDAY JANUARY 16, 2025 @ 7:00 P.M.**

ii. Election of Officers

Motion by Menendez supported by Burley to nominate Frank Farina for Chair of the ZBA

Motion Carried Unanimously

Motion by Farina supported by Burley to nominate Mark Burley for Vice Chair of the ZBA

Motion Carried Unanimously

Motion by Menendez supported by Burley to nominate Roseanne Menendez for Secretary of the ZBA

Motion Carried Unanimously

iii. 2024 Annual Planning and Zoning Report and 2025 Work Plan

Plan was presented to the Board, Planning Commission previously recommended it be sent to Council

8. Old Business

a. ZBA 24-07 – 34625 and 34835 Utica Road, Mister Car Wash

To obtain a variance from Section 32-86(6) of the Zoning Ordinance to allow the applicant to exceed the maximum allowed footcandle illumination measurement in a commercial use.

- The proposed maximum illumination in the driveway is 21 foot-candles where only 4 foot-candles are permitted.
- The proposed maximum illumination for parking areas is 33 foot-candles where only 4 foot-candles are permitted.
- The proposed maximum illumination for walks is 33 footcandles where only 2 foot-candles are permitted for walks.

Motion by Menendez supported by Farina to approve ZBA#224-07 34625 and 34835 Utica Road, Mister Car Wash- Commercial District, request to obtain a variance from Section 32-86(6) of the Zoning Ordinance to allow the applicant to exceed the maximum allowed foot-candle illumination measurement in a commercial use. The proposed maximum illumination in the driveway is 21 foot-candles where only 4 foot-candles are permitted. The proposed maximum illumination for parking areas is 33 foot-candles where only 4 foot-candles are permitted. The proposed maximum illumination for walks is 33 foot-candles where only 2 foot-candles are permitted for walks. We find that complying with the current Ordinance would present a “Practical Difficulty”. The illuminated light levels depicted on the Photometric Plan dated 07/17/2024 Job #230116500 E1.1 submitted to the ZBA on 12.5.24 would provide safe lighting levels for Mister Car Wash Customers while on foot, in and around their vehicles, and while utilizing the

**FRASER ZONING BOARD OF APPEALS MEETING
THURSDAY JANUARY 16, 2025 @ 7:00 P.M.**

vacuum stations, drying their vehicles and applying specialty products to their vehicles during business hours. Additionally, allowing other drivers in the area to safely see Mister Car Wash Customers. Authorizing such a variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this chapter or public interest as the site does not about any non-commercial uses and is located on a major thoroughfare.

There are no other Express Tunnel Car Washes with Exterior Vacuums located within the City of Fraser and the intended use of the property for which the variance is sought is not so general or recurrent in nature, as to create general rule for such a condition or situation. This variance is conditioned upon adhering to the Photometric Plan dated 07/17/2024 Job #230116500 E1.1 submitted to the ZBA on 12.5.24. The elevated illumination levels are to be mitigated onsite during non-operating hours by turning off the Point of Sale Canopy lighting and turning the elevated illumination levels down on every other Vacuum Light Arm as current code permits. The proposed business operations would be from 7:00 am to 8:00 pm. As per code permits.

Ayes: Burley, Chimenti, Farina, Green, Menendez, Stasek
Nays:
Absent:

Motion Carried

9. Unfinished Business

None

10. Monthly Reports

a. December Monthly Report

b. Action items Update

None

11. Planning Commission Liaison

Motion by Burley, supported by Menendez to move the Scheduled December 4, 2025 ZBA Meeting to December 18, 2025.

Ayes: Burley, Chimenti, Farina, Green, Menendez, Stasek
Nays:
Absent:

Motion Carried

**FRASER ZONING BOARD OF APPEALS MEETING
THURSDAY JANUARY 16, 2025 @ 7:00 P.M.**

12. Public Participation

None

13. Adjournment

Motion by Menendez supported by Chimenti to adjourn the meeting at 8:22 p.m.

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

NAYS: None

Absent:

Motion Carried

Respectfully Submitted:

August Gitschlag, City Clerk
City of Fraser