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CITY CLERK
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City of Fraser

CENTENNIAL COMMUNITY

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MAYOR PRO-TEM
Patrick O'Dell
COUNCIL
Amy Baranski
Kenny Perry
Patrice Schornak
George Michael Higgins
Crystal Fletcher

AGENDA
CITY OF FRASER ZONING BOARD OF APPEALS
Thursday, September 3, 2026 @ 7:00 P.M.
COUNCIL CHAMBERS, 33000 GARFIELD, FRASER, MI 48026

- 1. Call Meeting to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of Agenda – September 3, 2026**
- 5. Approval of Minutes – August 6, 2026**
- 6. Formal Statement by Chair**
- 7. New Business**
 - a. ZBA 26-04 34625 Utica Road – Mister Car Wash - Sign**

To obtain a variance from Section 32-121(b) to exceed the maximum allowable Monument Sign area from 67.89 square feet to 91 square feet.
- 8. Unfinished Business of the Board - None**
- 9. Monthly Report**
 - a. July 2026 Monthly Reports
 - b. Action Items Update – None
- 10. Planning Commission Liaison**
- 11. Public to be Heard**
- 12. Adjournment.**

Posted: August 27, 2026



MCKENNA

August 20, 2026

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

Subject: ZBA Report / #26-04 Variance Request / 34625 Utica Road
Applicant: Gary Potts, Professional Permits
Section: Section 32-121(b) of the Fraser Zoning Ordinance
Location: 34625 Utica Road, Fraser, Michigan 48026
Request: To obtain a variance from Section 32-121(b) to exceed the maximum allowable Monument Sign area in the CG, Commercial General zoning district by 23.11 square feet. The maximum allowable Monument Sign area permitted for the site based on its total lot frontage is 67.89 square feet and the applicant is proposing a 91 square foot sign.

Dear Members of the Zoning Board of Appeals:

We have reviewed the above referenced application for increasing the maximum allowable sign area on a Monument Sign within the Commercial General (CG) Zoning District and 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.

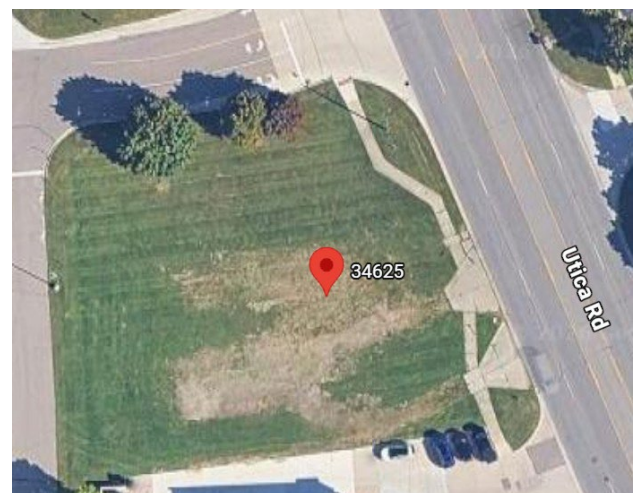
ADMINISTRATIVE STATEMENT OF FACTS

34625 Utica Road is currently zoned CG, Commercial General, and is located on the west of Utica Road and south of 15 Mile Road. The parcel has 135.77 linear feet of frontage along Utica Road and is located on a 1.21-acre lot.

The applicant is seeking a variance to:

- 1) Exceed the maximum allowable Monument Sign area in the CG district by 23.11 feet – increasing the limit from 67.89 feet to 91 feet.

Section 32-121(b) limits the maximum area of Monument Signs to 1 square foot for every 2 linear feet of lot frontage up to a maximum of 75 square feet per sign, whichever is less.



Google Aerial View (2026, pre-construction)

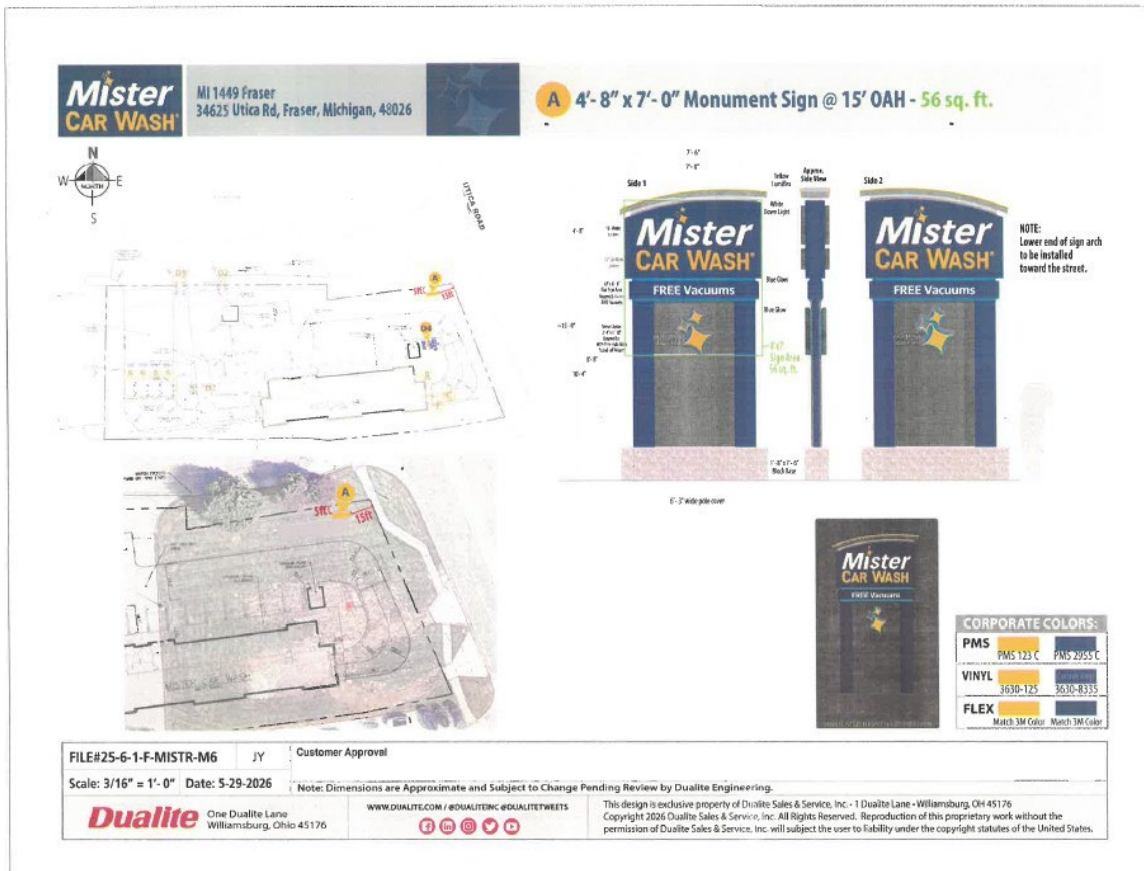
HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
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PROPOSED PLANS



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.

As described in §32-228(a)(2)*, the ZBA must find evidence of evidence that:

- all the facts and conditions of a. thru d. exists,
- or e. or f. exists independently to grant a variance.

* The applicant submitted their application for appeal on July 29, 2026 just prior to the effective date the City of Fraser's Zoning Ordinance Update being codified. As such the review procedures for administrative appeals follows the ordinance language at the time of the application received for review. The sign ordinance requirements as it relates to this project remain unchanged.

Our comments related to the proposal are included as follows:



- 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.*

Applicant Comments	There are exceptional physical conditions applying to this property that prevent a strictly compliant 68 sq. ft. sign from functioning effectively. Specifically, the site features mature trees and a complex driving environment that significantly reduces the visibility of the proposed signage. These specific site constraints are unique to this parcel and do not apply generally to other properties within the same zoning district, necessitating the requested 91sq. ft. to achieve adequate visibility.
Planning Comments	We do not find that there are exceptional or extraordinary circumstances that prevent the applicant from meeting the ordinance requirements for the property in question.

- 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.*

Applicant Comments	Granting this variance is necessary for the preservation of a substantial property right- specifically, the right to safe, clear, and adequate business identification, which is currently enjoyed by other commercial properties in the immediate vicinity. The request for a 91 sq. ft. sign is not driven by the possibility of increased financial return, but rather by the practical necessity of providing functional wayfinding for motorists navigating to the site given the unique constraints.
Planning Comments	We do not believe the site provides unique constraints that limit wayfinding, nor have there been examples provided of businesses that have monument signs that exceed the maximum allowable sign area in the immediate vicinity.

- 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.*

Applicant Comments	The authorization of a 91 sq. ft. sign will not be a detriment to adjacent properties, nor will it impair the intent of the zoning chapter. The additional 23 square feet is a modest increase that remains proportional to the scale of the site and will be professionally designed to complement the commercial corridor. Furthermore, it serves the public interest by enhancing traffic safety; the appropriately sized sign will allow drivers adequate time to read the display and safely decelerate to enter the property without disrupting the flow of traffic.
Planning Comments	We believe the intent and purpose of this chapter is to limit the maximum allowable square footage of signage in proportion to the property size. The applicant is proposing a 34% increase over the maximum allowed square footage.

- d. *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.*



Applicant Comments	The need for this variance arises directly from the site-specific constraints mentioned previously, specifically mature trees and the complex driving environment. Because this request is tied directly to the unique physical reality of this specific piece of property rather than a general deficiency in the zoning ordinance, granting this variance will not create a general rule, precedent, or recurrent situation for other properties in the district.
Planning Comments	We do not believe the conditions of the site provide a practical difficulty in meeting the ordinance standards, and that granting the variance could create a precedent for establishing a general rule.

OR

- e. *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). **Not applicable.***

OR

- f. *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. **Not applicable.***

CONCLUSION

We recommend the ZBA consider the applicant's justifications of hardship to determine if a variance is warranted. Additional information brought forward by the Board, the applicant, and/or during the public hearing should be incorporated into the record prior to the Board making any determination.

Please let me know if you have any questions.

Respectfully Submitted,

McKenna

Dan Commer, AICP
Senior Planner

cc: Applicant, City Manager, Building Official, City Attorneys



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 34625 Utica Rd CROSS STREETS: Clarkson Dr & Woodlane

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

Legal Description: T2N, R13E, SEC 31; COMM AT N 1/4 POST SEC 31; TH S89°24'07"W 184.68 FT; TH S21°47'00"E 64.34 FT; TH S89°24'07"W 64.34 FT; TH S21°47'00"E 770.62 FT; TH S21°21'55"E 196.12 FT TO POB; TH S21°21'55"E 139.42 FT; TH S79°12'06"W 60.17 FT; TH S83°52'10"W 112.45 FT; TH N83°38'56"W 20.08 FT; TH S89°09'19"W 197.57 FT; TH N00°41'58"E 150.12 FT; TH N89°12'35"E 214.03 FT; TH S00°37'35"E 15.67 FT; TH N82°18'46"E 122.72 FT TO POB 1.21 AC

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

We are seeking approval to install (1) freestanding sign which is being measured as 91 sq ft where 67.89 SQ FT

is allowed by code. Reducing the height and size will reduce motorists wayfinding by limiting sign legibility.

SECTION OR ORDINANCE INVOLVED: 32-85.(g)(2)Table

ZONING DISTRICT OF PROPERTY: CG

APPLICANT

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

APPLICANT: Professional Permits % Garry Potts

ADDRESS: 58171 Dragonfly Court Osceola IN 46561

PHONE: 574-229-0635 INTEREST: owner agent

APPLICANT: CWP WEST, LLC

ADDRESS: 222 E 5th St Tucson, AZ 85705

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: [Signature]

Date: 7/13/2016

Signature of legal property owner (if not applicant): See letter to Potts

Date: 7/13/2016



June 22, 2026

CWP West, LLC
222 E 5th St
Tucson, AZ. 85705

Phone _____ 520-615-4000 _____

Email _____ compliance@mistercarwash.com _____

RE: Mister Car Wash 34625 Utica Rd Fraser, MI

I, _____ Ryan Darby _____, acknowledge Dualite Signs and their agent Professional Permits to act on our behalf and execute all necessary municipal documents specific to the Mister Car Wash signage for the above referenced properties. This authorization is limited to variance application, site plan amendment, meeting representation, and sign permit applications and related documents.

If you have any questions, please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Darby", written over a horizontal line.

Date: Jun 26, 2026

July 13, 2026

City of Fraser

Zoning Board of Appeals

33000 Garfield

Fraser, MI 48026

RE: Mister Car Wash Sign – 34625 Utica Rd

Restrictions of board action. No variance in the provisions or requirements of this chapter shall be authorized by the board, unless the board finds evidence that all the following facts and conditions of a. thru d. exists or e. or f. exists independently.

- 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.

Response: There are exceptional physical conditions applying to this property that prevent a strictly compliant 68 sq. ft. sign from functioning effectively. Specifically, the site features mature trees and a complex driving environment that significantly reduces the visibility of the proposed signage. These specific site constraints are unique to this parcel and do not apply generally to other properties within the same zoning district, necessitating the requested 91 sq. ft. to achieve adequate visibility.

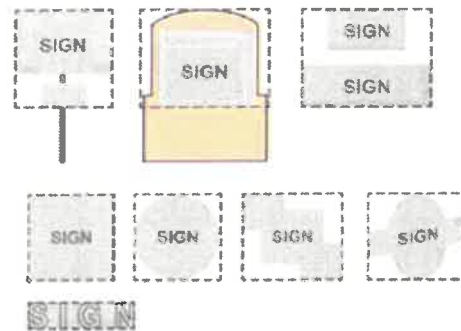
- b. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

Response: Granting this variance is necessary for the preservation of a substantial property right—specifically, the right to safe, clear, and adequate business identification, which is currently enjoyed by other commercial properties in the immediate vicinity. The request for a 91 sq. ft. sign is not driven by the possibility of increased financial return, but rather by the practical necessity of providing functional wayfinding for motorists navigating to the site given the property's unique constraints.

- 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.

Response: The authorization of a 91 sq. ft. sign will not be a detriment to adjacent properties, nor will it impair the intent of the zoning chapter. The additional 23 square feet is a modest increase that remains proportional to the scale of the site and will be professionally designed to complement the commercial corridor. Furthermore, it serves

28. **Sign Area.** The entire area within a circle, triangle, rectangle, oval, or other geometric shape enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material or element forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. Where a sign has two faces, the area of both faces shall be included in determining the area of the sign, except that where two such faces are placed back-to-back and less than 24 inches apart, the area of the sign shall equal the area of one face.



Computation of Sign Area

■ Sign Area
 □ Computed Sign Area

I look forward to answering any questions that you may have regarding our request at the next available meeting.

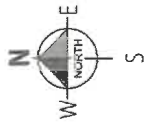
Sincerely,

Garry P Potts II
 Professional Permits
gpotts@professionalpermits.com
 5742290635

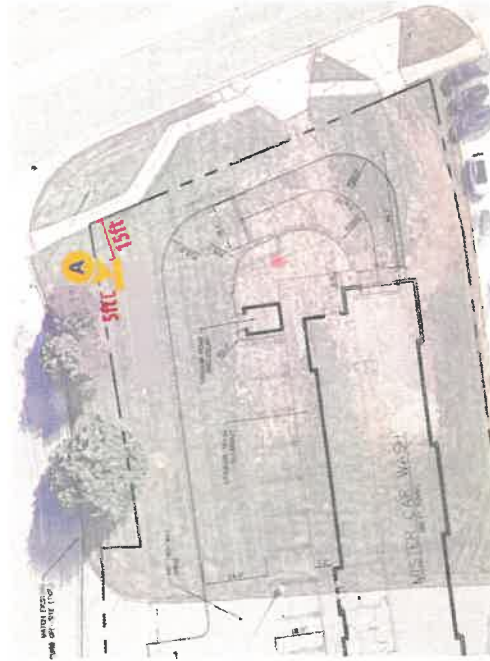


MI 1449 Fraser
34625 Utica Rd, Fraser, Michigan, 48026

A 4'-8" x 7'-0" Monument Sign @ 15' OAH - 56 sq. ft.



UTICA ROAD



NOTE:
Lower end of sign arch
to be installed
toward the street.

6'-3" wide pole cover



CORPORATE COLORS:			
PMS	PMS 123 C	PMS 2955 C	
VINYL	3630-125	3630-8335	
FLEX	Match 3M Color	Match 3M Color	

FILE#25-6-1-F-MISTR-M6 JY Customer Approval

Scale: 3/16" = 1'-0" Date: 5-29-2026

Note: Dimensions are Approximate and Subject to Change Pending Review by Dualite Engineering.

Dualite
One Dualite Lane
Williamsburg, Ohio 45176

WWW.DUALITE.COM / @DUALITEINC @DUALITETWEETS



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AFFIDAVIT OF PUBLICATION

39949 Garfield Rd., Suite D, Clinton Twp., MI 48038

CITY OF FRASER
33000 GARFIELD
FRASER, MI 48026

STATE OF MICHIGAN COUNTY OF MACOMB

The undersigned, **NOELLE KLOMP** being duly sworn he/she is the principal clerk of **The Macomb Daily**, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

PC 34625 Utica Rd

Published in the following edition(s)

The Macomb Daily: 18 Aug 2026

A handwritten signature in black ink, appearing to read 'Noelle Klomp', written over a horizontal line.

Signature of Principle Clerk

Noelle Klomp

Name of Principle Clerk

Sworn to and subscribed before me this 18 Aug 2026,

A handwritten signature in black ink, appearing to read 'Vicki Arsenault', written over a horizontal line.

**Notary Public, State of Michigan
Acting in Oakland County**

VICKI ARSENAULT
Notary Public - State of Michigan
County of Oakland
My Commission Expires 05/11/2032
Acting in the County of _____

Advertiser Name / ID: CITY OF FRASER / 262703 - Ad ID: 118176-435218 - PO: - Affidavit ID: 41130



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, September 3, 2026** at 7:00 p.m. in the Fraser City Hall Council Chambers at 33000 Garfield Road, Fraser, Michigan for the purpose of conducting a Public Hearing and making a decision on the following request:

APPEAL #ZBA 26-04:

34625 UTICA ROAD - MISTER CAR WASH

BY REASON OF:

SECTIONS 32-121(B) OF THE FRASER ZONING ORDINANCE (CHAPTER 32 OF THE FRASER CODE OF ORDINANCES)

PURPOSE OF REQUEST:

To obtain a variance from Section 32-121(b) to exceed the maximum allowable Monument Sign area in the CG, Commercial General zoning district by 23.11 square feet. The maximum allowable Monument Sign area permitted for the site based on its total lot frontage is 67.89 square feet and the applicant is proposing a 91 square foot sign.

PROPERTY IN QUESTION:

34625 UTICA RD., FRASER MICHIGAN, 48026

NOTICE IS FURTHER GIVEN that any interested person may appear and comment upon the requested variance themselves or by agent or attorney.

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.

Pertinent information relating to the variance request 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 variance request can be directed to the Planner, c/o Building Department at 596-293-3100, extension 153. Written comments may be submitted to the Fraser Building Department at 33000 Garfield Road, Fraser, Michigan 48026, or by email to zoning@frasercitymi.gov up to 4:30 p.m. on the meeting date.

Advertiser Name / ID: CITY OF FRASER / 262703 - Ad ID: 118176-435218 - PO: - Affidavit ID: 41130



MCKENNA

Monthly Planning & Zoning Report

For July 2026

McKenna provides day-to-day assistance to the City, applicants, and the public regarding zoning, planning and economic development matters.

PLANNING, ZONING, DESIGN & ECONOMIC DEVELOPMENT ACTIVITY

As part of our services to the City, McKenna reviews Planning Commission applications and provides recommendations on long range planning, land use, zoning, and design. The following is a summary of active developments; **yellow highlighting indicates new updates for the month.**

PROJECT # / ADDRESS	SCOPE	STATUS / NEXT STEPS
RZ23-02 32981 & 32875 Utica Road Sheetz	Conditional rezoning from CBD to CG to operate a gas station and fast food restaurant.	Preconstruction meeting occurred with City Staff on September 26, 2025. Building permits have been issued. Final Certificate of Occupancy is still pending.
ZBA 24-06 33420 Utica Road Use Variance for multiplex development SP 24-07 33420 Utica Road	Request for a use variance to construct a multiplex development in the RM district. Request for site plan approval for multiplex development.	The Zoning Board of Appeals approved the use variance at the November 7, 2024 meeting. Planning Commission tabled site plan on January 13, 2025. Applicant to return with revisions. The site plan was conditionally approved at the March 5, 2025 meeting. The applicant has submitted updated plans that meet the conditions required and is now in engineering review. The applicant received an extension on the site plan for 1 year (March 5, 2027).
RZ 25-01, Hayes Road	Rezoning from RL to RM to develop site condominiums.	Planning Commission recommended approval of the rezoning request to rezone a parcel on Hayes Road near 14 Mile Road from RL to RM, in order to develop 8-site condominiums on May 7, 2025. City Council approved the rezoning on June 12, 2025. The applicant is currently in the process of creating the site plan for Planning Commission.
SP 25-03 18380 Malyn Industrial Building	To obtain site plan approval to construct an industrial warehousing building.	The PC conditionally approved the site plan at the January 7, 2026 meeting. Final Site Plan was administratively approved on April 21, 2026.
SP 26-01: 34860 Utica Road	To obtain approval to use EFIS on the building façade in the CG district.	Planning Commission approved the façade at the February 4, 2026 Planning Commission Meeting.

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

○ 248.596.0920
F 248.596.0930
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PROJECT # / ADDRESS	SCOPE	STATUS / NEXT STEPS
<i>Birdies and Brews</i>		The applicant will return to obtain Special Land Use approval for an amusement and recreation service use in April.
<i>ZBA 26-01: 34860 Utica Road</i>	To obtain a variance for 23 parking spaces when 34 are required.	ZBA postponed the following variances at the March 5, 2026 meeting.
<i>Birdies and Brews</i>	To obtain a variance for an indoor recreation use to be located adjacent to a residential district.	The ZBA will review these variance requests at the May 7, 2026 meeting. The ZBA postponed the public hearing to approve or deny the request for variances at the May 7, 2026 meeting. The ZBA approved an amended variance request at the August 6, 2026 meeting. The applicant will still need to receive Special Land Use approval from the Planning Commission for their proposed use.
<i>City of Fraser Zoning Ordinance Update</i>	To consider the proposed citywide zoning ordinance update and make recommendation to City Council for adoption.	The Planning Commission recommended approval of the Zoning Ordinance update, with revisions, to City Council at the May 6, 2026 meeting. The City Council postponed the public hearing to approve or deny the proposed Zoning Ordinance update at the June 11, 2026 meeting. The City Council adopted the Zoning Ordinance Update at the July 16, 2026 meeting and the Ordinance became effective July 31, 2026.
<i>SP26-03: 32540 Utica Road</i>	To obtain site plan approval to construct a new parking lot.	The Planning Commission conditionally approved the site plan at the August 5, 2026 meeting.
<i>AJ's Appliance Repair & HVAC</i>		The applicant will need to submit a revised Final Site Plan addressing all items listed in the Planning and Engineering review letters, and obtain all necessary variances. The applicant will need to obtain approval of the Macomb County Road Commission to make improvements in the Right-of-Way.

CONTACT US

Should you have any questions on the above projects or would like additional information, please contact your City of Fraser team at:

- Dan Commer (dcommer@mcka.com)
- Sidney Wuycheck (swuycheck@mcka.com)