

**CITY OF FRASER, MICHIGAN
ZONING BOARD OF APPEALS
THURSDAY, June 3, 2021 – 7:00PM
MINUTES APPROVED SEPTEMBER 3, 2021**

Present: Chairman Stimac; Members: Burley, Chimenti, Farina, Logan, Menendez

Excused Absence: Hunt

Also Present: Donald DeNault, City Attorney (O'Reilly Rancilio)
Alyssa Albright, City Attorney (O'Reilly Rancilio)
Dylan Church, City Attorney (O'Reilly Rancilio)
Paul Urbiel, City Planner (McKenna)

1. Call Meeting to Order

Chairman Stimac called the meeting to order at 7:00 PM

2. Pledge of Allegiance

Roll Call Chairman, Stimac: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Burley: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Chimenti: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Farina : Present (participating from Macomb County, City of Fraser, Michigan)
Member, Logan: Present (participating from Macomb County, City of Fraser, Michigan)
Member, Menendez: Present (participating from Macomb County, City of Fraser, Michigan)

3. Approval of Agenda as amended - Regular Meeting of Thursday June 3, 2021. Amendments include:

1. To amend appeal case number from #20-02 to #21-02 on Agenda Item 5A.

Motion by Member: MENENDEZ (TO APPROVE) **Support by Member:** FARINA

To: Approve the agenda of June 3, 2021 as amended.

AYES 6 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN, MENENDEZ)

NAYS 0

MOTION CARRIED

4. Formal Statement: Chairman Stimac gave a formal statement relative to the powers of the Zoning Board of Appeals and the facts and conditions for granting appeals.

5. Old Business (Postponed Cases)

A. Appeal #21-02: Variance Request / Best Tires Wall Sign

By Reason of: Section 32-85.2.E of the Fraser Zoning Ordinance applies to wall signs in the IC, Industrial Controlled Zoning District

Purpose of Request: To obtain a variance from Zoning Ordinance standard to exceed the building wall sign allowable area by approximately 28 square feet (60 square feet requested; 32 square feet allowed)

Property in Question: 33733 Groesbeck Highway, Fraser Michigan, 48026

DISCUSSION: ALBRIGHT explained that the previous ZBA Meeting held on May 6, 2021 included a motion to deny Appeal #21-02 by LOGAN supported by BURLEY. ALBRIGHT explained that the motion should be addressed first and either acted upon or withdrawn. BURLEY withdrew support from that motion and no other member supported the motion to deny. The motion to deny Appeal #21-02 was withdrawn due to lack of support.

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URBIEL explained that the ZBA Board Members voted to postpone Appeal #21-02 at the previous Meeting held on May 6, 2021. The reason for the postponement was to allow the applicant additional time to confirm the total sign package for the Best Tires site located at 33733 Groesbeck Highway. The applicant confirmed to the administration via written correspondence that the intent of the variance request was to exceed allowable sign area by approximately 28 square feet for the Best Tires sign only. The applicant provided administration with images of the proposed signage for the site.

STIMAC questioned if the Finishmaster sign (located adjacent to the subject site) has any impact on the allowable signage for the Best Tires site. URBIEL confirmed it does not.

STEVE RAYES, petitioner, noted that the client, Best Tires, agrees to remove the additional window and garage door signage located on the building, with exception of the wall signage requested as part of Appeal #21-02. FARINA requested the petitioner to explain the hardship related to the requested variance from signage standards. The petitioner explained that they were under the impression that the sign was approved by the City's Building Inspector. RAYES noted that the Best Tires site is setback further from Groesbeck Highway, making the storefront hard to see when traveling at the speed limit. Additionally, several trees located on the site fronting Groesbeck Highway make the storefront less visible from the road. Images were displayed to demonstrate this notion.

URBIEL stated that no written comments regarding Appeal #21-02 were received by the administration.

Motion by Member: FARINA (TO APPROVE)

Supported by Member: BURLEY

To: Approve Appeal #21-02: Variance Request / Best Tires Wall Sign for a variance from ordinance standards to exceed the building wall sign allowable area by approximately 28 square feet (60 square feet requested; 32 square feet allowed) with the following conditions:

1. The applicant removes all other signage located on the Best Tires tenant space facing Groesbeck Highway.

AYES: 6 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN, MENENDEZ)

NAYS: 0

MOTION CARRIED

6. Public Hearing: None.

7. New Business: Discussion Regarding Transition Back To In-Person Meetings

DISCUSSION: URBIEL explained that the City passed a local state of emergency in light of the Covid-19 pandemic and restriction on indoor gatherings. With State regulations lessening, the City is discussing the schedule to begin returning to in-person meetings. URBIEL requested that the ZBA Members reach out either publicly during the meeting, or privately to note their comfort level with returning back in-person.

8. Unfinished Business of the Board: None.

9. Planning Commission Liaison: FARINA noted that the City of Fraser Planning Commission held a meeting on Wednesday, June 2, 2021. The development, located 34400 Utica Road, is planned for a new Big Boy restaurant. The Special Land Use and corresponding site plan was approved by the Planning Commission. The Planning Commission also discussed the new Taco Bell site and previous conditions of approval.

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10. Public to be Heard: None.

11. Approval of Minutes – May 6, 2021

Motion by Member: MENENDEZ (TO APPROVE) **Support by Member:** FARINA
To: Approve the May 6, 2021 Minutes as presented.

MOTION WAS NOT VOTED ON

Motion by Member: STIMAC (TO APPROVE) **Support by Member:** MENENDEZ

To: Approve the May 6, 2021 Minutes as amended. Amendments include:

1. Amend the Minutes under Item #6A to from “Appeal 21-021” to “Appeal 21-01.”
2. Amend the Minutes under Item #6B to “Section 32-85.2.E” from “Section 32-85.2.D.”

AYES 6 (STIMAC, BURLEY, CHIMENTI, FARINA, LOGAN, MENENDEZ)

NAYS 0

MOTION CARRIED

12. Members’ Comments and Items of Interest

FARINA	On the 3 rd Sunday of August St. Malachy is planning a one-day festival.
LOGAN	Hank Dolland passed away with a memorial on Saturday, June 5 th
MENENDEZ	Requested the status of the sign ordinance review
McKENNA	Planners are in the process of reviewing of the sign ordinance

13. Adjournment

Motion by Member: MENENDEZ (TO ADJOURN) **Support by Member:** CHIMENTI

To: Adjourn the meeting on Thursday, June 3, 2021 at 8:01pm.

AYES 6 (STIMAC, MENENDEZ, BURLEY, CHIMENTO, FARINA, LOGAN)

NAYS 0

MOTION CARRIED

ZBA Secretary, Rosanne Menendez

Recording Secretary, Danielle Bouchard, Senior Planner, McKenna