

**Alma Zoning Board of Appeals  
December 28, 2023  
Meeting Minutes**

A special meeting of the Alma Zoning Board of Appeals was called to order at 5:00 p.m. by Chairperson David Justin in the Alma Municipal Building, 525 E. Superior Street, Alma, Michigan. A quorum of the Board was present.

Present: Josh Cromer, Tadd Godfrey, David Justin, and Russ Wight.  
Absent: Nina Guerrero.

Also present: Jim Blick, Frank Nerychel, and Aeric Ripley.

Motion by Wight to approve minutes of September 6, 2022, and December 21, 2023.

Godfrey requested an amendment to minutes of December 21, 2023, to precede each instance of "Episcopal Church" with the following language: "land to the north of the old". Godfrey noted an instance on page 3 and another on page 4.

Chairperson Justin called for a motion to approve as amended.

**Motion by Cromer, seconded by Wight, to approve minutes of September 6, 2022, as presented, and minutes of December 21, 2023, as amended. Motion carried.**

**Yes: Cromer, Godfrey, Justin, and Wight.**  
**No: none.**  
**Absent: Guerrero.**

Chairman Justin provided the following information regarding Avalon & Tahoe's request for a variance: an appeal of the required front and rear yard setbacks for the construction of a new 38,600 sq. ft. industrial building at 725 E. Superior Street, replacing the former Alma Products industrial building, which was demolished in November 2023. The building will use the footing of the former structure and in doing so requires the need for the variance. The requested front yard setback off of East Superior Street is 18' and the rear yard setback off of Michigan Avenue is on the property line. The request matches the setbacks of the former industrial building. This parcel is zoned LI, Limited Industrial, and the required setbacks for the front and rear yard are 35'.

**Motion by Wight, seconded by Cromer, to open a public hearing at 5:05 p.m. regarding the variance request for 725 East Superior Street. Motion carried.**

**Yes: Cromer, Godfrey, Justin, and Wight.**  
**No: none.**  
**Absent: Guerrero.**

City Manager Aeric Ripley provided actual setback measurements retrieved from a survey and indicated the survey was received following publication of the meeting notice. Ripley told Board members the actual front yard setback is 29'6" and the rear yard setback is 8'. He went on to review the six requirements that must be met for granting a variance:

1. Will not be contrary to the public interest and will not be contrary to the spirit and intent of this chapter.
  - The project included the demolition of an industrial building that was no longer useful for the needs of modern industrial uses. The original intent was to keep the western portion of the building that included the loading dock, but the main support being the brick/block walls were unstable, that portion of the building was removed. The project did retain the newer office portion of the building on the east side of the building, which will be reused as a part of the new structure.

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2. Shall not permit the establishment within a zoning district of any use that is not permitted by right within the district.
  - The parcel is zoned LI, Limited Industrial, the district allows for industrial uses, such as manufacturing, fabricating, and warehousing.
3. Will not cause any adverse effect to property in the vicinity or in the zoning district of the city.
  - The new building will occupy the same space, not changing or requesting to change the use, the project removed a run-down industrial building that was not being used to its fullest potential.
4. Is not where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.
  - The former industrial building occupied the space within the variance request. The new building will reuse the existing foundations with new footings to support the steel structure. The building will utilize the existing floor as well. If the walls on the western portion of the building were stable enough to support the new building, the west portion of the building would have remained. The setbacks requested are the same as the former building.
5. Affects only property subject to exceptional or extraordinary circumstances or conditions that do not generally apply to other property or uses in the vicinity and have not resulted from any act of the applicant.
  - The proposed building will be rebuilt on the same footprint, the footprint will not be enlarged. The former building was not usable for modern industrial uses and has not been used for an industrial use for almost 20 years. Without the proposed building the likelihood of the lot being vacant is high, since it is a long-standing industrial property and a fairly small piece of land for industrial uses, space is at a premium.
6. Must be granted in order to avoid practical difficulties or unnecessary hardship that would result from enforcement of the strict letter of this chapter.
  - The purchase of the property included the need for the amount of space the former building occupied. If the variance were not provided, the project would not have the ability to reuse the foundations, loading dock, the floor to reconnect back to the remaining office portion of the former structure. This would change the project completely; the total space was the reason the parcel was purchased. If the western portion of the building could have been saved, a request for variance would not have been needed.

Brief discussion followed regarding confirmation of setbacks following receipt of survey information.

No public comments were offered.

At an invitation from the Chair, Frank Nerychel, VP of Operations for Avalon & Tahoe, spoke about their attempts to retain a portion of the original building and reasons for eventual removal. He also explained environmental issues with the property and their wish to stay on the footprint of the original building to avoid environmental problems.

Nerychel answered questions from Board members regarding existing foundation, current and former use of the existing buildings, and cinder block walls.

Godfrey made a motion to approve the variance request, then withdrew it, and moved to close the hearing.

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**Motion by Godfrey, seconded by Cromer, to close the public hearing regarding a request for variance at 725 E. Superior Street at 5:22 p.m. Motion carried.**

**Yes: Cromer, Godfrey, Justin, and Wight.**

**No: none.**

**Absent: Guerrero.**

**Motion by Godfrey, seconded by Cromer, to approve a setback variance request for the property located at 725 E. Superior Street, owned by Avalon & Tahoe Manufacturing, Inc., parcel #29-51-343-506-00, #29-51-343-509-00, #29-51-343-507-15, and #29-51-343-506-10, allowing previously existing setbacks of 29'6" front yard and 8' rear yard, as all six of the guiding factors for approval have been satisfied. Motion carried.**


**Yes: Cromer, Godfrey, Justin, and Wight.**

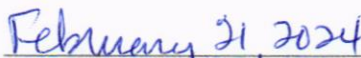
**No: none.**

**Absent: Guerrero.**

No new business was presented, and no public comment was offered or received.

**Motion to adjourn at 5:25 p.m. by Cromer, seconded by Godfrey. Motion carried unanimously.**

  
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Sara Anderson, Alma City Clerk

  
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Date of Approval