

## **MEMORANDUM**

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**TO:** Zoning Board of Appeals

**FROM:** Adam Poll, Planning and Development Director

**SUBJECT:** ZBA 18-05, Framon Manufacturing Co, 1201 W Chisholm Street-  
Findings of fact

**DATE:** October 19, 2018

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**In Case ZBA 18-04, Framon Manufacturing Co, 909 Washington Avenue, Alpena, MI 49707, on behalf of Thunder Bay Properties, is requesting a use variance to allow for the operation of light manufacturing equipment in addition to their retail/service business (Franks Lock and Key) to be located at 1201 W Chisholm Street in an B-2 General Business District. Article 5.17**

**Property Address: 1201 W Chisholm Street**

To authorize a variance, the Board shall find that all of the following conditions are met:

1. The building, structure, or land cannot be reasonably used for any of the uses permitted by right or by special use permit in the zoning district in which it is located.
2. The need for the requested variance is due to unique circumstances or physical conditions of the property involved such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic hardship.
3. The proposed use will not alter the essential character of the neighborhood.
4. The immediate hardship causing the need for the use variance was not created by the property owner or previous property owners (self-created).

Staff evaluation of the four conditions relative to this petition is as follows:

The applicant is requesting to relocate their existing business (Franks Lock and Key) from 909 W Washington Avenue (3,093 SF) to a larger building at 1201 W Chisholm Street (former Wright & Fillippis 6,600 SF). The existing business is principally retail/service based and currently includes

the light industrial machines in question which are allowed in the current location without a use variance as a legal non-conforming use.

1. The property could be utilized as a form many general business uses that are permitted by right. The unique size and layout of the building has led to it being vacant or underutilized since Wright & Fillippis move out of the location two years ago.
2. The applicant has indicated they are in need of a larger building and want to remain in Alpena. This building would meet their needs and still allow them to operate their existing business with additional space for their needs.
3. The proposed use would not appear to alter the essential character of the neighborhood. Wright & Fillippis utilized this space as a retail/medical storefront. Franks Lock and Key would utilize the space principally retail and service purposes. Franks Lock and Key has been in operation for many years at their location at 909 Washington and at a similar distance to residential houses and there have not been any complaints known.
4. The applicant did not cause the immediate hardship. The building has a unique size and location that has led it to be vacant or underutilized for two years. Franks Lock and Key would like a building with additional floor space and this would appear to meet their needs.

In granting a variance, the Board may attach conditions regarding the location, character and other features of the proposed structure as it may deem reasonable in furtherance of the purpose of this Ordinance. In granting a variance, the Board shall state the grounds upon which it justifies the granting of said variance.

## Poll, Adam

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**From:** Phil Agius <phil@framon.com>  
**Sent:** Tuesday, October 02, 2018 6:10 AM  
**To:** Poll, Adam  
**Subject:** Variance  
**Attachments:** IMG\_0508.jpg; IMG\_0509.jpg; IMG\_0510.jpg; IMG\_0511.jpg

Hi Adam,

Here are pictures of the machines we would anticipate moving to 1201 W Chisholm if the variance is approved. Included are one CNC Machining Center, Lathe, Grinder, Hone, and a Bridgeport (mill). We have two other machines currently but are on the fence as to whether we need them at this time or should just sell and potentially replace down the road after the dust settles on the move.

I would add that we have talked to another business associate that has a small machine shop about him renting a bit of space from us. That hasn't been decided upon yet nor do I expect an answer within the next few months, however if that did happen there would be 3-5 additional machines going in.

Typically our shop runs from 5 AM until about 3 PM. As you can probably find out, we have never had a complaint about any noise issues in the 38 years we have been at the Washington location. Any delivery trucks arrive mid morning to early afternoon typically. I believe our current neighbors here on Washington are closer in proximity than those at the Chisholm St location.

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

Best regards,

Phil Agius  
Frank's Key & Lock Shop, Inc  
Framon Mfg Co Inc  
989-354-5623















