

PROPOSED AGENDA

CHARTER TOWNSHIP OF BRIGHTON
ZONING BOARD OF APPEALS
4363 BUNO ROAD
BRIGHTON, MI 48114

JANUARY 28, 2026
REGULAR MEETING
6:30 P.M.
(810) 229.0562

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. CALL TO THE PUBLIC
- E. A G E N D A
- F. MINUTES

1. NOVEMBER 19, 2025 REGULAR MEETING

G. BUSINESS

1. ELECTION OF 2026 OFFICERS

2. ZBA APPLICATION #25/16; APPLICANT AND OWNER: SANDRA MCCOTTER; ADDRESS: 2060 ORE CREEK LANE.; TAX ID#: 12-18-104-100; ZONING: R-3 (RESIDENTIAL SINGLE FAMILY)

- a) Variance from *Article 3, Sec. 3-04, Accessory Structure in Front Yard*, of the Zoning Ordinance

3. ZBA APPLICATION #25/17; APPLICANT AND OWNER: JORDAN FOSTER; ADDRESS: 2481 WOODVALE TRAIL; TAX ID#: 12-14-101-020; ZONING: RC (RESIDENTIAL COUNTRY)

- a) Variance from *Article 13, Sec. 13-13, Pool in Side Yard*, of the Zoning Ordinance

H. REPORTS AND CORRESPONDENCE

I. CALL TO THE PUBLIC

J. ADJOURNMENT

The Charter Township of Brighton will provide the necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon 10 days' notice to the Charter Township of Brighton, Attn: Township Manager. Individuals should contact the Charter Township of Brighton by writing or contacting the following: Kelly Mathews, 4363 Buno Road, Brighton, MI 48114. Telephone: 810-229-0562 or e-mail planner@brightontwp.com.

MEMORANDUM

TO: BRIGHTON TOWNSHIP RESIDENTS
FROM: JOSEPH R. RIKER, CLERK
SUBJECT: ZONING BOARD OF APPEALS ELECTRONIC PACKETS
DATE: JANUARY 31, 2019

Packets for the Brighton Township Zoning Board of Appeals meetings posted to the website contain scanned original documents. These electronic packets are subject to change based on meeting material presented to the Zoning Board of Appeals throughout the course of the meeting. For a complete original packet following the Zoning Board of Appeals meeting contact the Clerk's Office at 810-229-0560 or via email: clerk@brightontwp.com

PROPOSED MINUTES

**CHARTER TOWNSHIP OF BRIGHTON
ZONING BOARD OF APPEALS
4363 BUNO ROAD
BRIGHTON, MI 48114**

**NOVEMBER 19, 2025
REGULAR MEETING
6:30 P.M.
(810) 229.0562**

Chairperson F. Grapentien called the meeting to order at 6:30 P.M. The Pledge of Allegiance was said.

Present: F. Grapentien, B. Kittridge, J. Cogley, J. Serge (alt.), J. Dorset, R. Drouillard, J. Gibbons

Absent: S. Holden

CALL TO THE PUBLIC

None

AGENDA

J. Dorset moved and B. Kittridge seconded **to approve the agenda as presented.**

Ayes: F. Grapentien, B. Kittridge, J. Cogley, J. Serge (alt.), J. Dorset, R. Drouillard, J. Gibbons

Nays: None

Motion carried.

MINUTES

J. Cogley moved and B. Kittridge seconded **to approve the September 24, 2025 regular meeting minutes as presented.**

Ayes: F. Grapentien, B. Kittridge, J. Cogley, J. Serge (alt.)

Nays: None.

Abstain: J. Dorset, R. Drouillard, J. Gibbons

Motion carried.

BUSINESS

ZBA APPLICATION #25/15; APPLICANT AND OWNER: JULIE JACQUAY-KOEPELE; ADDRESS: 10725 CULVER RD.; TAX ID#: 12-33-204-085; ZONING: R-2 (RESIDENTIAL SINGLE FAMILY)

a) Variance from *Article 3, Sec. 3-03, Lot Coverage*, of the Zoning Ordinance

Chairperson F. Grapentien overviewed the variance request. Applicant Julie Jacquay-Koepele overviewed her variance request.

PUBLIC HEARING

The public hearing opened at 6:38 p.m.

Theresa Stefanko, 5292 Kenicott - stated as a resident and a member of the LOP Board there are many sheds in the neighborhood which may or may not meet ordinance. This applicant went through their process.

The public hearing closed at 6:40 p.m.

Jack C. moved and Jack S. seconded **to approve the variance request for ZBA Application #25/15; Applicant and Owner: Julie Jacquay-Koepele; Address: 10725 Culver Rd.; Tax ID#: 12-33-204-085; Zoning: R-2 (Residential Single Family), a variance to allow larger lot coverage than allowable, a variance from Article 3, Sec. 3-03, District Regulations, of the Zoning Ordinance based on the fact that the subdivision was developed with a particular lot size and those lots do not meet the size requirements of the zoning district.**

Ayes: F. Grapentien, B. Kittridge, J. Cogley, J. Serge (alt.) J. Dorset, R. Drouillard, J. Gibbons

Nays: None.

Motion carried.

REPORTS AND CORRESPONDENCE

R. Drouilliard - Chicken ordinance 1st reading, road SAD's.

CALL TO THE PUBLIC

None.

John D. moved and J. Serge seconded **to adjourn.**

Ayes: F. Grapentien, B. Kittridge, J. Cogley, J. Serge (alt.) J. Dorset, R. Drouillard, J. Gibbons

Nayes: None

Motion carried.

The meeting adjourned at 6:50 p.m.

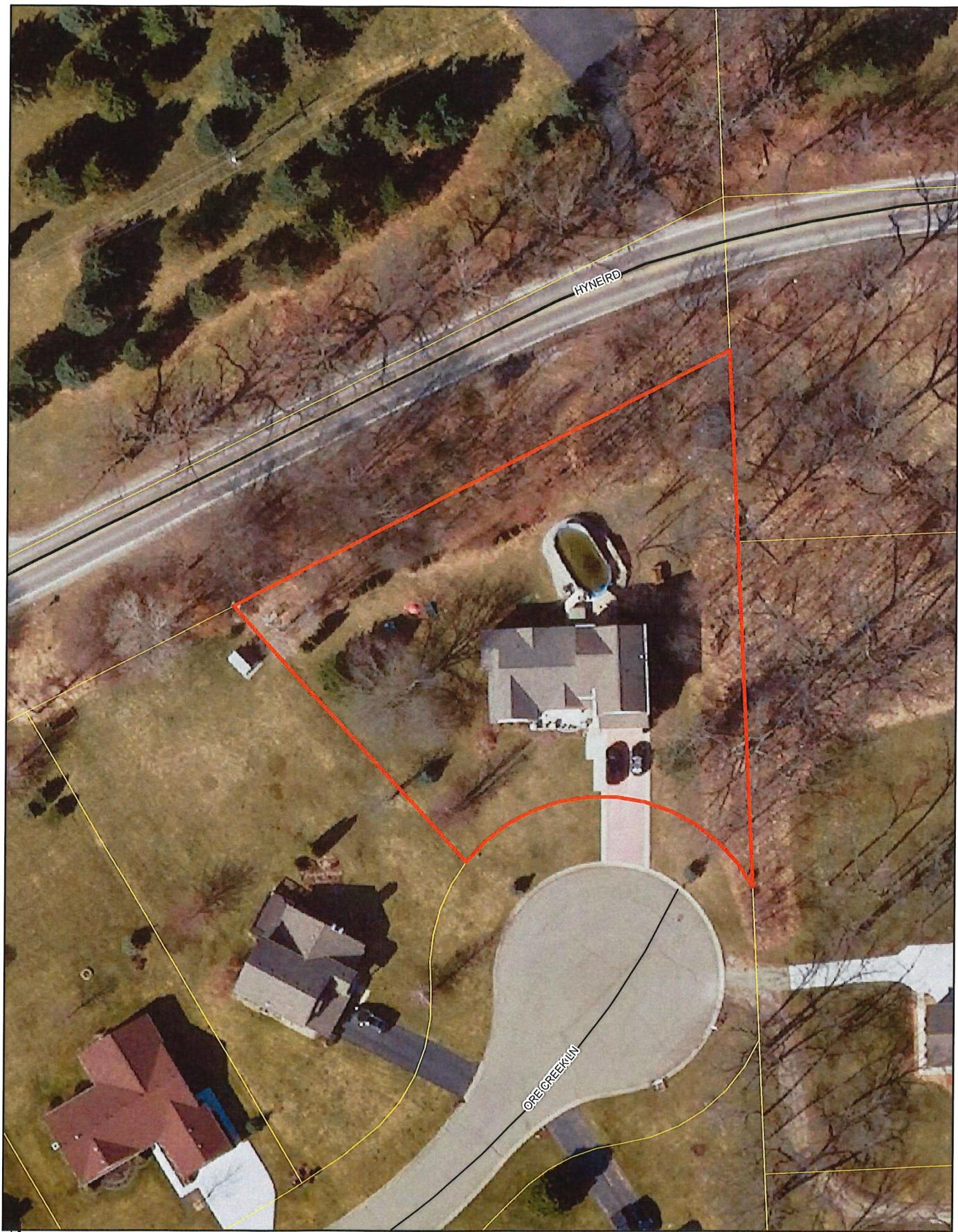
Respectfully submitted,

Frank Grapentien, Chairperson

John Gibbons, Secretary

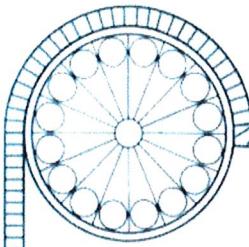
Kelly Mathews, Recording Secretary

2060 Ore Creek



Charter Township of Brighton

0 15 30 60 90 120
Feet



CHARTER TOWNSHIP OF BRIGHTON

4363 Buno Rd. • Brighton, Michigan 48114-9298. • Telephone: (810)229-0550 Fax: (810) 229-1778
www.brightontwp.com

ZONING BOARD OF APPEALS APPLICATION

1. Date Filed 11/20/25 3. ZBA Number 25-014
2. Meeting Date 1/28/26 4. Fee Paid ✓

5. Applicant Information

Name Sandra McCotter
Address 2060 Ore Creek Lane
City/State/Zip Brighton, Mi 48114
Phone 734-646-7480 Fax _____
Email _____
Interest in the Property (e.g. fee simple, land option, etc.)
 Property Owner Other (Specify) _____

RECEIVED
NOV 20 2025
BRIGHTON TOWNSHIP

6. Current Property Owner Information

Name Sandra McCotter
Address 2060 Ore Creek Lane
City/State/Zip Brighton, Mi 48114
Phone 734-646-7480 Email _____
Length of Ownership 13 years

7. Location of Property for which the Variance is Requested

Address 2060 Ore Creek Lane
Cross Streets Hyne and Eastpointe Blvd
Tax I.D. # 4712-18-104-100

8. Property Information

Zoning District R-3
Area (Acreage) 0.662 Width 176.7' Depth 149.7'
Current Use Single Family Residential

9. Variance Request

Total Number of Variances Requested One

Describe your Request: Request to place a detached accessory structure in a front yard

Section(s) of the Zoning Ordinance Section 3-04 (c)

10. Criteria for a Dimensional Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance.

a. How would the strict compliance with the area, setbacks, frontage, height, bulk, density, or other non-use matters unreasonably prevent the owner from using the property for a permitted purpose or render the conformity unnecessarily burdensome?

Strict compliance with the ordinance would eliminate our ability to have a detached structure and require that it is connected to the existing home. With the existing utilities located at the north east corner of the home, this would mean adding to the east and extending towards Ore Creek further, which is out of character for the neighborhood

b. How would a variance do substantial justice to the applicant as well as to other property owners in the district?

Placement of the structure behind the home is visually more appealing to the property owners' in this district while allowing for the additional storage that would be granted for any other parcel in the district. There have been complaints about the storage of our motorhome at our house, and this would allow it to be stored out of sight from the neighbors, hopefully addressing those concerns.

c. Would a lesser variance than the requested give substantial relief to the applicant and or be more consistent with justice to other properties? If not, please explain why?

A lesser variance would require moving this structure forward to be within the side yard

This is inconsistent with neighboring properties where all accessory structures are behind the home. The visual impact of moving into the side yard is not consistent with the surrounding neighbors

d. Have the special conditions and circumstances relating to the variance request resulted from the actions of the applicant?

We did not develop the subdivision which creates a small section of lots such as ours which has no legal rear yard, but two front yards. This variance has been granted for other parcels in this development because of the unique condition of the 10 front lots

e. Is the variance requested the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty?

Yes, the variance is the minimum amount necessary to overcome the inequality and be more compatible with surrounding neighborhood. The intent is to maintain the required rear yard setback distance of 35.0' from the "front property line" to provide additional buffer and be more compatible with other structures in this zoning district.

f. Will the granting of the variance materially impair the intent and purpose of this ordinance?

The granting of this ordinance does not impare the intent or purpose of the ordinance to prevent large structures in front of a home. The front yard we are requesting the variance for has almost 50' of woods between the proposed structure and roadway which will not be disturbed. This provides a visual buffer from the road, protecting the intent of the ordinance

11. Criteria for a Use Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance.

a. Can the site be reasonably used for any of the uses allowed within the current zoning designation?

b. Are there unique circumstances peculiar to the property and not generally applicable in the area to other properties in the same zoning district?

c. Was the need for a variance self-created by either the applicant or the applicant's immediate predecessor?

d. Will the capacity and operation of the infrastructure be significantly compromised?

e. Will the granting of a use variance not alter the essential character of the neighborhood nor be a detriment to adjacent properties?

12. Criteria for Appeals and Interpretations

The Zoning Board of Appeals is bound by the same rules, procedures, and standards of the Ordinance. The Zoning Board of Appeals should uphold the original decision unless the record clearly shows that the original decision body or official was one of the following:

- a. Arbitrary and capricious; or
- b. Filled to ensure consistency with ordinance standards; or
- c. Made an error, such as relying on false or inaccurate information, or
- d. Constituted an abuse of discretion; or
- e. Was based upon erroneous interpretation of the zoning ordinance or zoning law.

Please describe how your appeal meets one of these criteria: _____

Charter Township of Brighton
Zoning Board of Appeals Application

Page 6

I, Sandra L. McTeller (applicant), do hereby swear that the above statements are true.

I, Sandra L. McTeller (property owner), hereby give permission for the Charter Township of Brighton officials, staff, and consultants to go on the property for which the above referenced petition is proposed for purposes of verifying information provided on the submitted application.

Sandra L. McTeller 11-19-25
Signature of Applicant Date

Sandra L. McTeller 11-19-25
Signature of Property Owner Date

Brighton Township Zoning Board of Appeals Action

Approved/Denied _____
Date _____

Conditions of Approval _____

**BRIGHTON TOWNSHIP
ZONING BOARD OF APPEALS (ZBA)
FILING PROCEDURE**

1. The applicant must consult with the Building and Zoning Official relative to the subject matter, in person, prior to filing any application. In addition, the applicant must receive an administrative review, in writing, from the Building and Zoning Official.
2. The applicant must be the property owner or his authorized agent. If the property owner is represented by an agent, the agent must provide a **NOTARIZED LETTER OF AUTHORIZATION** from the property owner. A copy of said authorization to be filed with application.
3. The applicant must submit one (1) paper copy and one (1) digital copy of the site plan (if available), or a sketch plan that includes the following information, where applicable:
 - a. Application must be filled out completely.
 - b. Property identification (Sidwell) number, scale, north point, and dates of submission and revisions.
 - c. Zoning classification of petitioner's parcel and all abutting parcels.
 - d. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within fifty (50) feet of the site.
 - e. For variances requested from any dimensional standard of this ordinance, the sketch plan shall include verified measurements of existing conditions and the proposed dimensions or calculations regarding the specific standards from which the variance is sought.
 - f. Any additional information required by the Building Official or the ZBA to make determination requested herein.
 - g. The applicant or his designated agent **MUST BE PRESENT AT ANY AND ALL MEETINGS.**

**FAILURE TO COMPLY WITH THE FOREGOING,
SHALL RESULT IN THE DENIAL OF THE PETITION.**

4. Fees: \$1,000.00
5. One (1) paper copy and one (1) digital copy of picture or color copies of picture depicting the applicant's property and adjacent properties where the variance(s) are proposed.
6. NOTE: An evaluation of water & sewer REU'S will be part of the review.

IMPORTANT NOTICE

All petitions and fee payments incidental thereto must be filed with the Planning Department **THIRTY DAYS (30)** prior to the scheduled meeting. Phone: 810.229.0562. Email: planner@brightontwp.com.

PRESENTATION

While the manner in which the applicant presents his/her case to the ZBA is a matter of individual choice, it is recommended the applicant be familiar with Article 22 and especially Section 22-06 Standards for ZBA action, and address those standards in the presentation. While there is no prescribed method to the presentation, it is obvious that the applicant should be prepared to provide all available proofs to support the request for a variance at the hearing. Building plans, photographs, witnesses and/or any other tangible evidence to support the validity of the request for variance, will be accepted and considered by the ZBA.

NOTE: USE VARIANCE REQUESTS REQUIRE A PRE-HEARING CONFERENCE.

PLEASE NOTE

- a. **Sec. 22-05 (e) Approval Period.** If construction has not commenced within twelve (12) months after the ZBA grants a variance to allow the erection or alteration of a building, then the variance becomes null and void. The period of approval may be automatically extended by twelve (12) months if the variance was sought in conjunction with a site plan for which approval has been extended by the Planning Commission.
- b. **Sec. 22-07 (a) Building Permit Required.** No order of the ZBA allowing the erection of a building or other structure shall be valid for a period longer than twelve (12) months unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.
- c. **Sec. 22-07 (b) Use Establishment.** No order of the ZBA allowing the use of a building premises shall be valid for a period longer than twelve (12) months unless such a use is established within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building or structure, such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with their terms of such permit.
- d. On any tabled item, if petitioner fails to return to the ZBA for proper disposition, within ninety (90) days, the variance shall be considered denied.



2 OVERALL PERSPECTIVE

SCALE: NOT APPLICABLE

LEGAL DESC.

SECTION 18 TOWN 2 NORTH RANGE 6
EAST, RAVINES OF WOODLAND LAKE #2,
LOT #100 SPLIT FROM 12-18-100-025
AND 12-18-200-024 ON 1/97

ID NUMBER: 4712-18-104-100

ZONING CLASSIFICATION: R3

TOTAL LOT AREA: 28,830 S.F.

EXIST/PROP STRUCTURES: 4,041 S.F.

PROP. LOT COVERAGE: 14.0%



4712-07-300-018
ZONING - RC

4712-07-400-027
ZONING - RC

4712-18-200-146
ZONING - R2

4712-18-104-101
ZONING - R3

4712-18-104-101
ZONING - R3

1 PLOT PLAN.
SCALE: 1" = 20'-0"



McCOTTER
Architecture
and Design

2060 ORE CREEK LANE
BRIGHTON, MI 48114
PHONE: 734.216.7768
www.mccotterarchitecture.com

Project:
McCOTTER
RESIDENCE ADDITION
2060 ORE CREEK LANE
BRIGHTON, MI 48114

Owner:
SANDRA
MCCOTTER
2060 ORE CREEK LANE
BRIGHTON, MI 48114

Issue/Revision:
ZBA APP 11/19/25

Sheet Title:
PLOT AND ELEVATION

ZBA-1
COPYRIGHT 2025

Date: November 20, 2025

To: Zoning Board of Appeals
Charter Township of Brighton

From: Kelly Mathews

Location: 2060 Ore Creek Lane

Request: Barn/Garage in Front Yard

Zoning: R-3, Residential Single Family

Tax ID#: 12-18-104-100

Applicant: Sandra McCotter

Owner: Sandra McCotter

Dear ZBA Members:

At your request, the Zoning Board of Appeals (ZBA) application has been reviewed. The review is based upon the standards contained in the Zoning Ordinance and a review of the application materials. The applicant would like to construct a detached garage that is located in the front yard. The property is zoned R-3. The parcel is .776 acres. The existing shed will be demolished as part of the permit. All other Zoning Ordinance requirements will be met. The following comments are offered for your review.

VARIANCE REQUEST:

Variance to allow a detached garage in the front yard, a variance from *Sec. 3-04* of the Zoning Ordinance.

STANDARDS FOR ZBA ACTION

The ZBA should only grant a dimensional variance to the Zoning Ordinance when circumstances of practical difficulty, unnecessary hardship unique to a particular property, or extraordinary circumstances are present. *Article 22, Section 22-06* outlines a number of criteria applicable to dimensional variances that the ZBA should review in order to determine the need for the requested as discussed below.

1. Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of the requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.

The site is a .776-acre parcel of land. The variance request to allow a detached garage in the front yard, a variance from *Sec. 3-04* of the Zoning Ordinance. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property for the detached garage. Granting of the requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel for the detached garage. Site has two (2) road frontages which makes it difficult to meet the Zoning Ordinance.

2. *Public Safety and Welfare. The requested variance does not interfere with the public safety and welfare, increase the hazard of fire, impair the adequate supply of light and air, or create nuisances.*

The variance to allow a detached garage in the front yard will not substantially interfere with the public safety and welfare, increase the hazard of fire, impair the supply of light, or create a nuisance.

3. *Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.*

The variance to allow a detached garage in the front yard will not substantially impact the appropriate development, continued use, or value of adjacent properties.

4. *Extraordinary Circumstances. There are exceptional circumstances or conditions applicable to the property or the intended use that do not generally apply to other properties or uses. The need for the variance was not self-created by the applicant.*

The requested variance for the detached garage is not self-created. There are exceptional circumstances or conditions applicable to the property or the intended use that do not generally apply to other properties or uses for the detached structure.

RECOMMENDATION

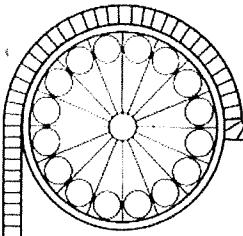
Variance to allow a detached garage in the front yard, a variance from *Sec. 3-04* of the Zoning Ordinance. Site has two (2) road frontages which makes it difficult to meet the Zoning Ordinance.

2481 Woodvale Trail



Charter Township of Brighton

0 25 50 100 150 200
Feet



CHARTER TOWNSHIP OF BRIGHTON

4363 Buno Rd. • Brighton, Michigan 48114-9298. • Telephone: (810)229-0550 Fax: (810) 229-1778
www.brightontwp.com

ZONING BOARD OF APPEALS APPLICATION

1. Date Filed 12/29/2025
3. ZBA Number 25-017
2. Meeting Date 01/28/2026
4. Fee Paid ✓

5. Applicant Information

Name JORDAN FOSTER
Address 2481 WOODVALE TRL.
City/State/Zip BRIGHTON, MI 48114
Phone 248-672-0924 Fax
Email JORDAN@FOSTER.US

Interest in the Property (e.g. fee simple, land option, etc.)

Property Owner Other (Specify) _____

RECEIVED
DEC 29 2025
BRIGHTON TOWNSHIP

6. Current Property Owner Information

Name SAME AS ABOVE
Address _____
City/State/Zip _____
Phone _____ Email _____
Length of Ownership 8 YEARS

7. Location of Property for which the Variance is Requested

Address 2481 WOODVALE TRL. BRIGHTON, MI 48114
Cross Streets PLEASANT VALLEY RD & WOODVALE TRL.
Tax I.D. # 1214101020

8. Property Information

Zoning District R-C
Area (Acreage) 2.278 Width 370' Depth 267'
Current Use RESIDENTIAL

9. Variance Request

Total Number of Variances Requested One

Describe your Request: REQUEST TO CONSTRUCT NEW IN-GROUND
POOL IN SIDE YARD. THIS LOCATION IS NECESSARY DUE
TO EXISTING RETENTION BASIN IN REAR OF HOUSE.

Section(s) of the Zoning Ordinance 13-13

10. Criteria for a Dimensional Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance.

a. How would the strict compliance with the area, setbacks, frontage, height, bulk, density, or other non-use matters unreasonably prevent the owner from using the property for a permitted purpose or render the conformity unnecessarily burdensome?

EXISTING STORM WATER RETENTION BASIN RUNS THE
ENTIRE LENGTH OF THE YARD IN THE REAR OF THE
HOUSE. THIS MAKES THE ONLY FEASIBLE LOCATION ON THE
SIDE OF THE HOUSE. WE SELECTED THE SOUTH SIDE OF THE
HOUSE AS IT SHARES WITH NO OTHER NEIGHBOR ON THAT SIDE,

b. How would a variance do substantial justice to the applicant as well as to other property owners in the district?

THE ADDITION OF A POOL TO OUR PROPERTY WILL IMPROVE
THE AESTHETIC OF AN UNDEVELOPED SECTION OF THE PROPERTY
AND MAINTAIN OR INCREASE PROPERTY VALUES. THIS LOCATION WOULD
PROVIDE THE LEAST IMPACT ON OTHER NEIGHBORS FROM A VISUAL
AND NOISE IMPACT.

c. Would a lesser variance than the requested give substantial relief to the applicant and or be more consistent with justice to other properties? If not, please explain why?

THIS IS THE MINIMAL AMOUNT WE COULD REQUEST
WITHOUT ANY DISRUPTION TO THE RETENTION BASIN.

d. Have the special conditions and circumstances relating to the variance request resulted from the actions of the applicant?

NO, THE PROPERTY HAD A RETENTION BASIN IN PLACE
AND THE HOUSE SETBACK REQUIREMENTS LEFT US WITH
NO SUBSTANTIAL USABLE BACK YARD FOR A POOL.

e. Is the variance requested the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty?

YES.

f. Will the granting of the variance materially impair the intent and purpose of this ordinance?

NO. THE VARIANCE LOCATION WOULD PROVIDE THE SAME
INTENT OF THE ORDINANCE - LIKELY EVEN IMPROVE THE
INTENT BY "HIDING" THE POOL MORE THAN IN THE REAR
OF THE HOUSE.

11. Criteria for a Use Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance.

a. Can the site be reasonably used for any of the uses allowed within the current zoning designation?

NO. THERE IS NO USABLE SPACE IN THE REAR OF THE
HOUSE.

b. Are there unique circumstances peculiar to the property and not generally applicable in the area to other properties in the same zoning district?

YES.

RETENTION BASIN IN ENTIRE REAR YARD (EAST)
SETBACK REQUIREMENTS IN FRONT YARD (WEST)
SEPTIC AND NEIGHBOR TO THE NORTH

c. Was the need for a variance self-created by either the applicant or the applicant's immediate predecessor?

NO.

d. Will the capacity and operation of the infrastructure be significantly compromised?

NO.

e. Will the granting of a use variance not alter the essential character of the neighborhood nor be a detriment to adjacent properties?

IT WILL NOT. ADJACENT PROPERTIES ARE UNAFFECTED. THE ONLY NEIGHBOR WHO THE LOCATION VARIANCE MOVES THE POOL CLOSER TO HAS PROVIDED ME WITH AN EMAIL STATING THEY HAVE NO OBJECTION.

12. Criteria for Appeals and Interpretations

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- a. Arbitrary and capricious; or
- b. Filled to ensure consistency with ordinance standards; or
- c. Made an error, such as relying on false or inaccurate information, or
- d. Constituted an abuse of discretion; or
- e. Was based upon erroneous interpretation of the zoning ordinance or zoning law.

Please describe how your appeal meets one of these criteria:

Charter Township of Brighton
Zoning Board of Appeals Application

Page 6

I, Jordan Foster JORDAN FOSTER (applicant), do hereby swear that the above statements are true.

I, Jordan Foster JORDAN FOSTER (property owner), hereby give permission for the Charter Township of Brighton officials, staff, and consultants to go on the property for which the above referenced petition is proposed for purposes of verifying information provided on the submitted application.

Jordan Foster 12/29/25
Signature of Applicant Date

Jordan Foster 12/29/25
Signature of Property Owner Date

Brighton Township Zoning Board of Appeals Action

Approved/Denied _____
Date _____

Conditions of Approval _____

**BRIGHTON TOWNSHIP
ZONING BOARD OF APPEALS (ZBA)
FILING PROCEDURE**

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2. The applicant must be the property owner or his authorized agent. If the property owner is represented by an agent, the agent must provide a **NOTARIZED LETTER OF AUTHORIZATION** from the property owner. A copy of said authorization to be filed with application.
3. The applicant must submit one (1) paper copy and one (1) digital copy of the site plan (if available), or a sketch plan that includes the following information, where applicable:
 - a. Application must be filled out completely.
 - b. Property identification (Sidwell) number, scale, north point, and dates of submission and revisions.
 - c. Zoning classification of petitioner's parcel and all abutting parcels.
 - d. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within fifty (50) feet of the site.
 - e. For variances requested from any dimensional standard of this ordinance, the sketch plan shall include verified measurements of existing conditions and the proposed dimensions or calculations regarding the specific standards from which the variance is sought.
 - f. Any additional information required by the Building Official or the ZBA to make determination requested herein.
 - g. The applicant or his designated agent **MUST BE PRESENT AT ANY AND ALL MEETINGS.**

**FAILURE TO COMPLY WITH THE FOREGOING,
SHALL RESULT IN THE DENIAL OF THE PETITION.**

4. Fees: \$1,000.00
5. One (1) paper copy and one (1) digital copy of picture or color copies of picture depicting the applicant's property and adjacent properties where the variance(s) are proposed.
6. NOTE: An evaluation of water & sewer REU'S will be part of the review.

IMPORTANT NOTICE

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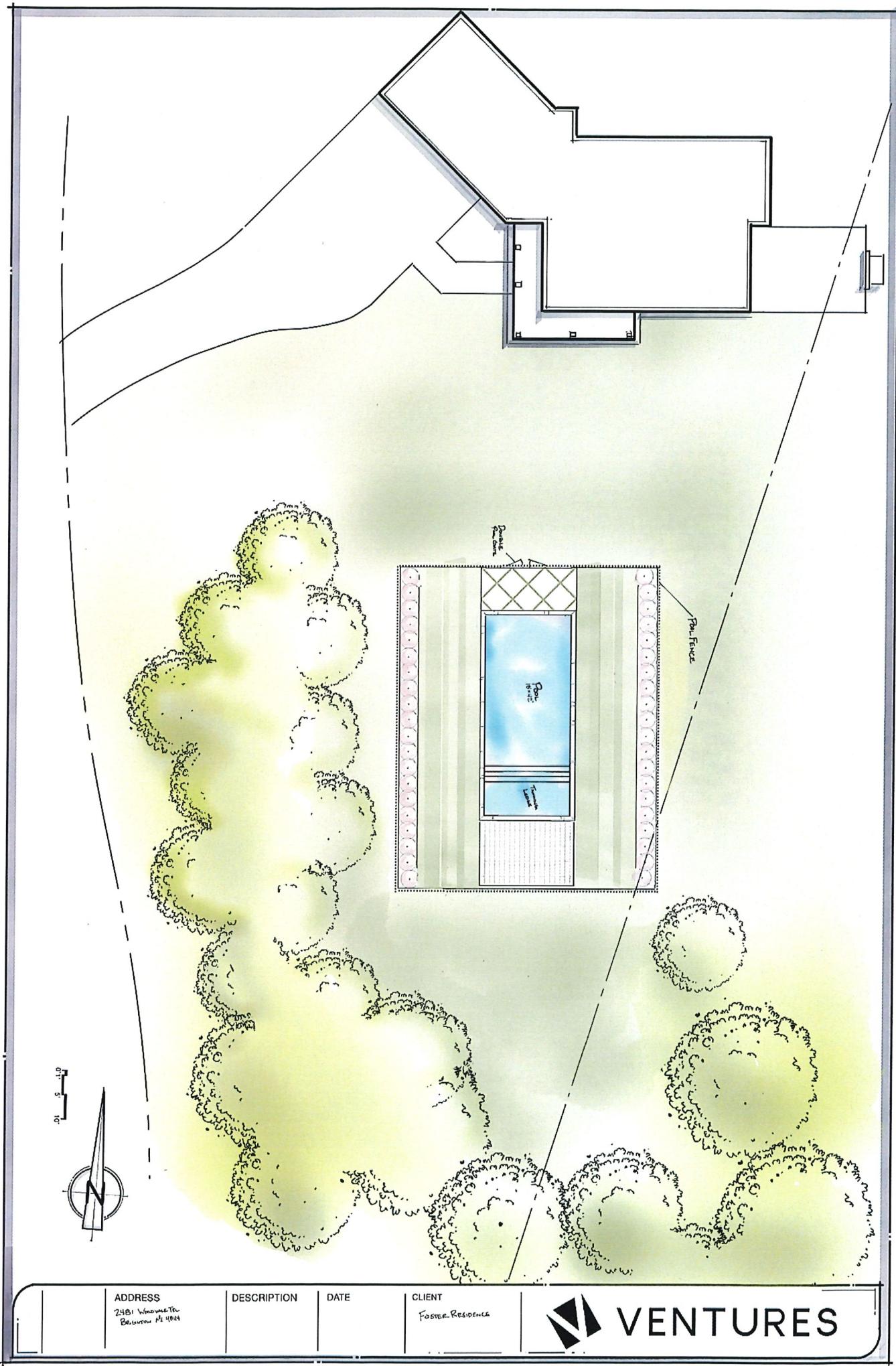
PRESENTATION

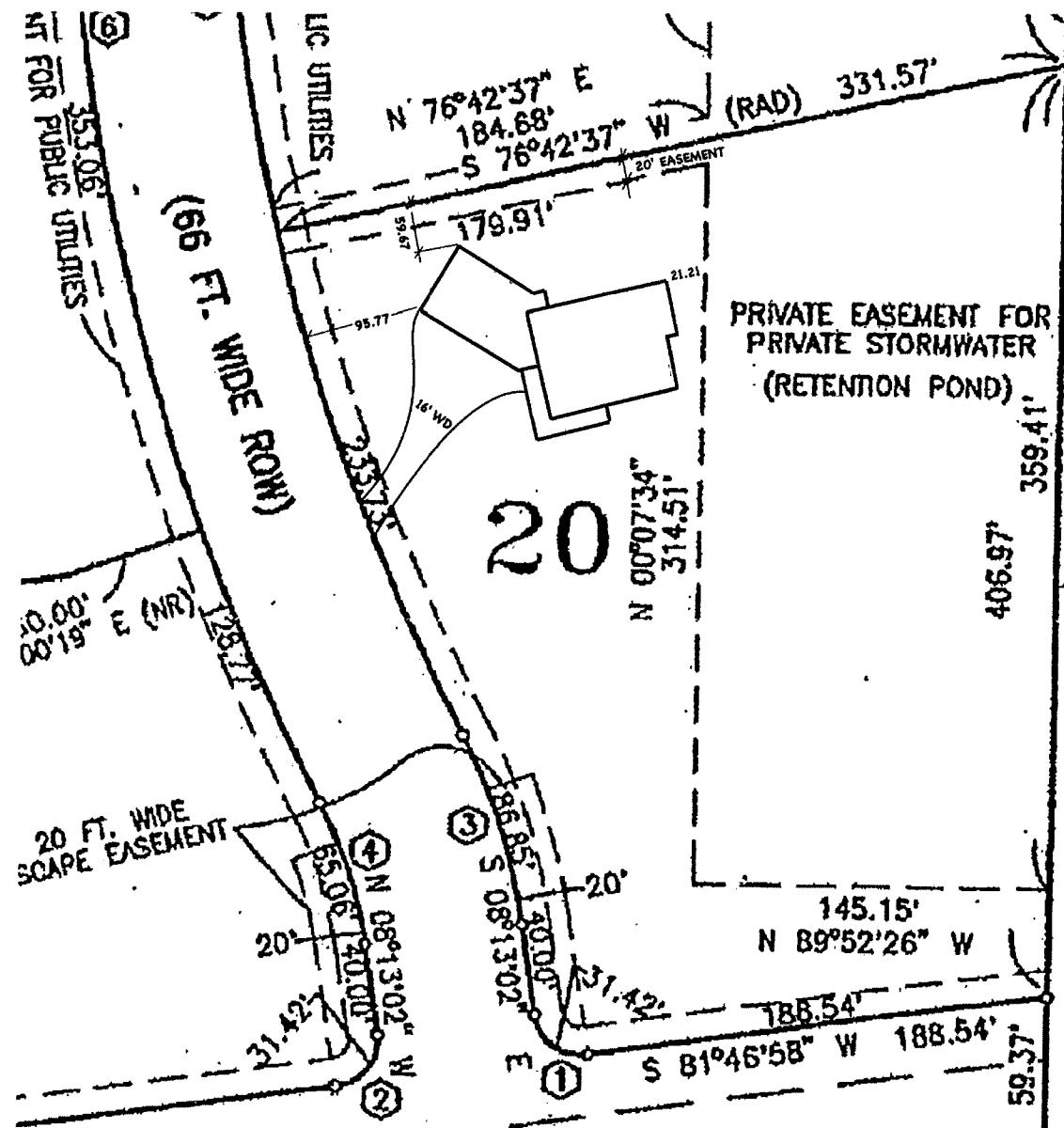
While the manner in which the applicant presents his/her case to the ZBA is a matter of individual choice, it is recommended the applicant be familiar with Article 22 and especially Section 22-06 Standards for ZBA action, and address those standards in the presentation. While there is no prescribed method to the presentation, it is obvious that the applicant should be prepared to provide all available proofs to support the request for a variance at the hearing. Building plans, photographs, witnesses and/or any other tangible evidence to support the validity of the request for variance, will be accepted and considered by the ZBA.

NOTE: USE VARIANCE REQUESTS REQUIRE A PRE-HEARING CONFERENCE.

PLEASE NOTE

- a. Sec. 22-05 (e) **Approval Period.** If construction has not commenced within twelve (12) months after the ZBA grants a variance to allow the erection or alteration of a building, then the variance becomes null and void. The period of approval may be automatically extended by twelve (12) months if the variance was sought in conjunction with a site plan for which approval has been extended by the Planning Commission.
- b. Sec. 22-07 (a) **Building Permit Required.** No order of the ZBA allowing the erection of a building or other structure shall be valid for a period longer than twelve (12) months unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.
- c. Sec. 22-07 (b) **Use Establishment.** No order of the ZBA allowing the use of a building premises shall be valid for a period longer than twelve (12) months unless such a use is established within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building or structure, such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with their terms of such permit.
- d. On any tabled item, if petitioner fails to return to the ZBA for proper disposition, within ninety (90) days, the variance shall be considered denied.





FOR INFORMATION
CALL MISSISSIPPI
1-800-442-2771

1 OF 1	SHEET NO.	JOB NO.	JOB DATE	SCALE	CHECKED BY:	DRAWN BY:	DESIGNED BY:	PROJECT		UNIT 20, WOODLORE			PREPARED FOR	FOSTER RESIDENCE	TITLE	PRELIMINARY PLOT PLAN	DO NOT SCALE
								1	AB	ADJUST HOUSE & GRADING		NO BY					

NORTH - SOUTH 1/4 LINE, SECTION 14 (AS MONUMENTED)

5 00°07'34" W 2088.07'

264.43'

406.87

四

**PRIVATE EASEMENT FOR
PRIVATE STORMWATER
(RETENTION POND)**

19

82°26'35" W (RAD)

N 89°48'43" W 281.29'

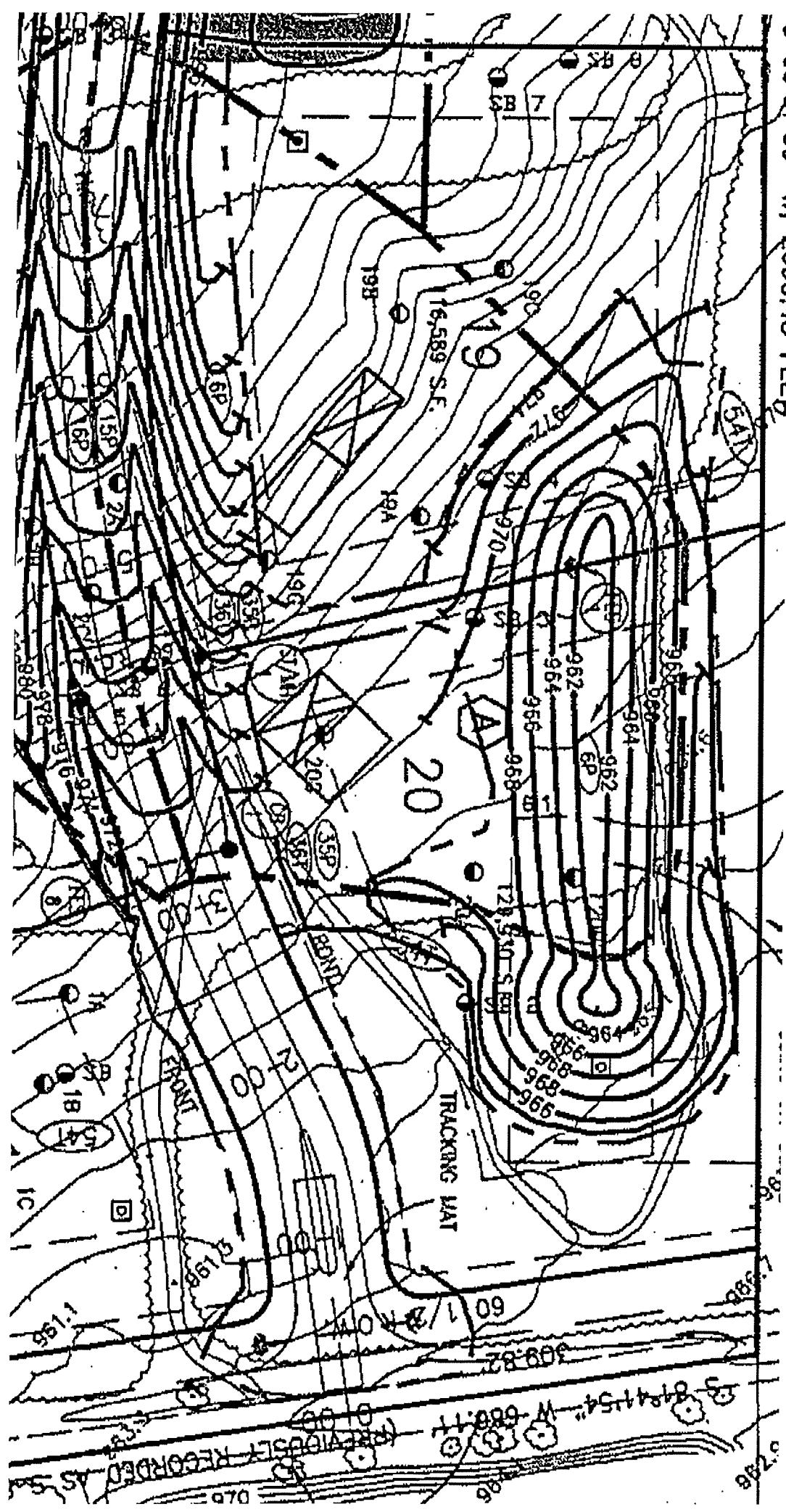
N 76°42'37" E
184.68'
-5 76°42'37" W
S 179.91' W
E 20 FT. WIDE PVT.
EASEMENT FOR
PVT. STORM DRAINAGE

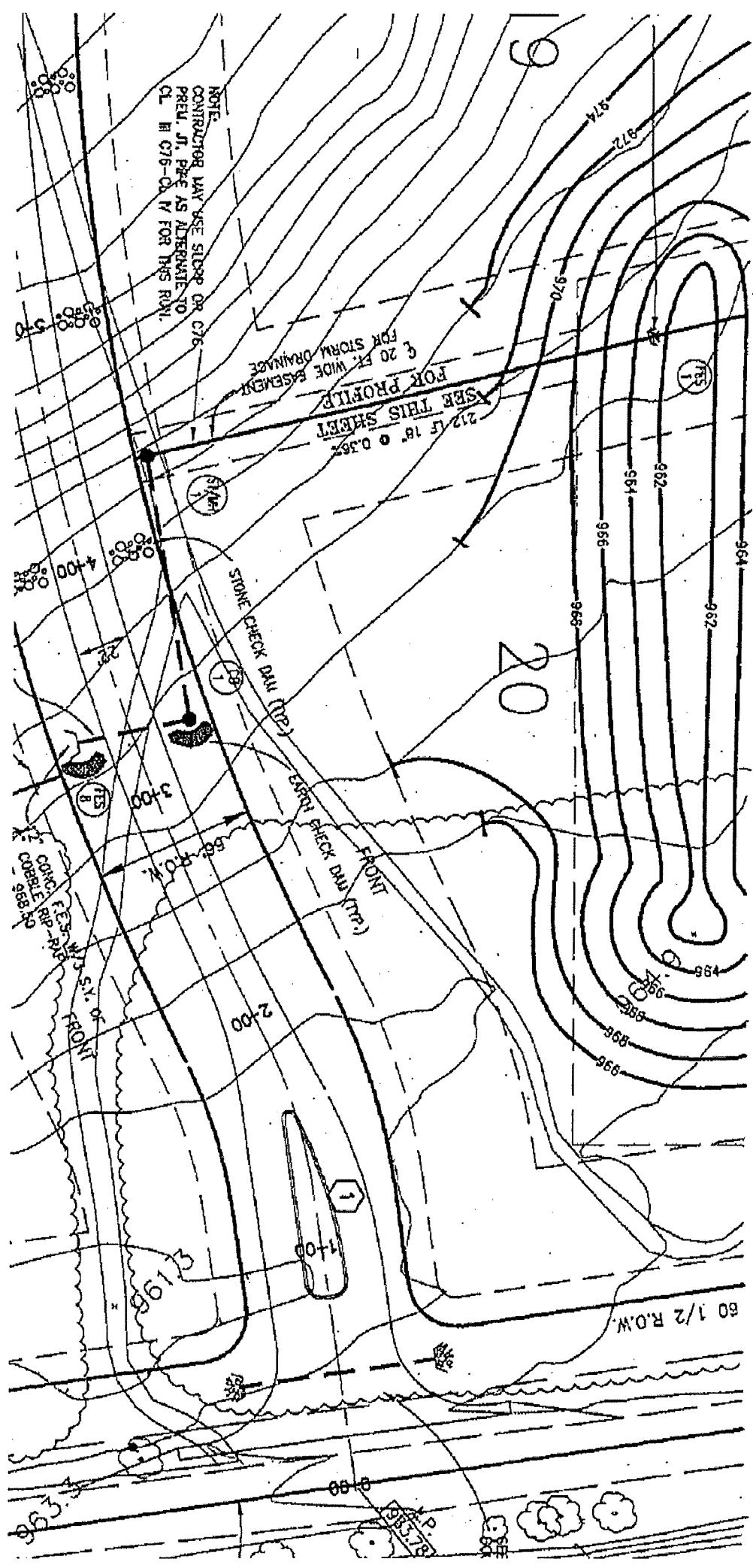
20

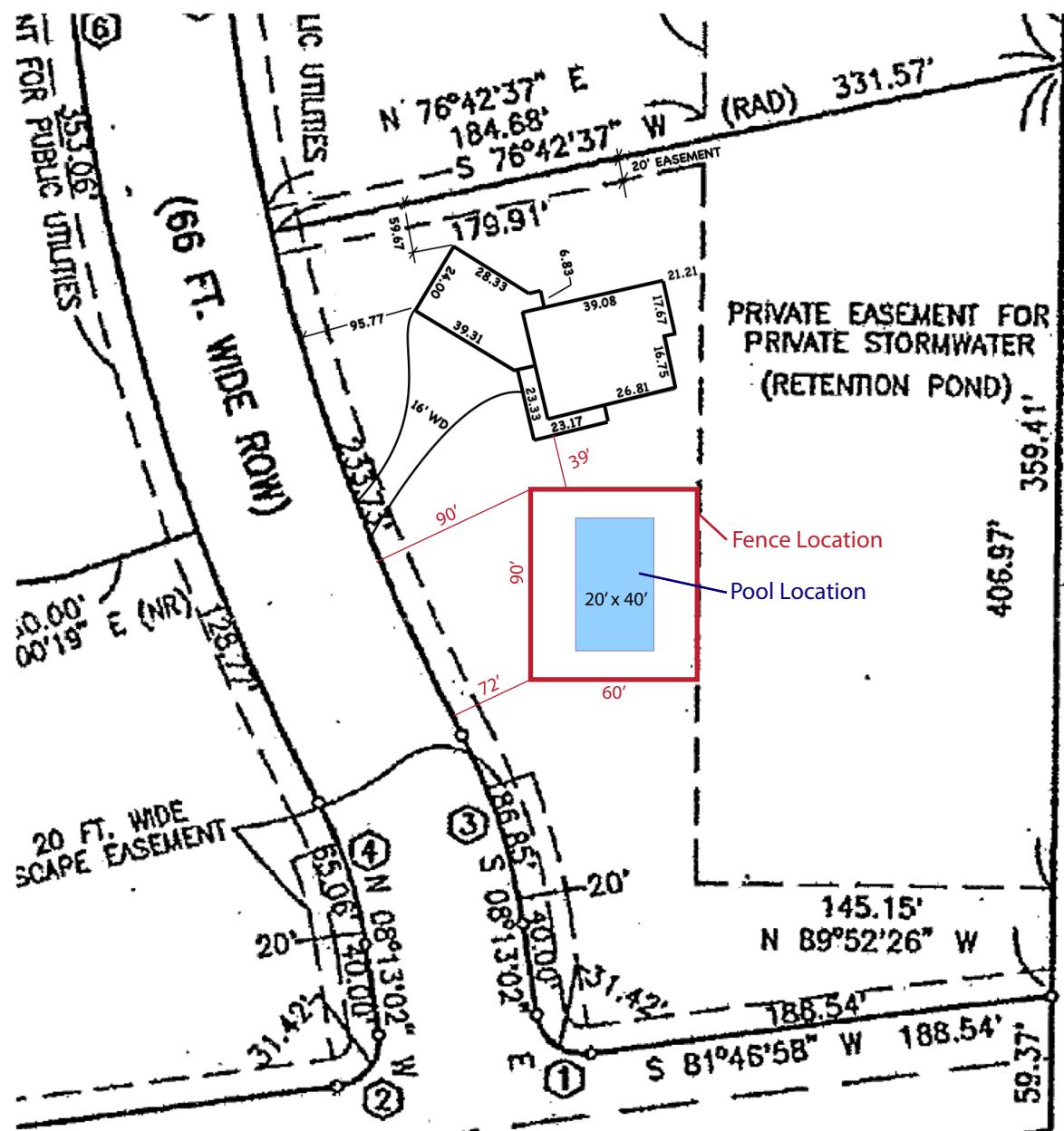
M 807,34

20 FT. WIDE
ESCAPE EASEMENT

81°41'54" W 686.11'
EAGAN VALLEY ROAD (60 FT. 1/2 R.O.W. - PUBLIC)







Date: January 5, 2026

To: Zoning Board of Appeals
Charter Township of Brighton

From: Kelly Mathews

Location: 2481 Woodvale Trail

Request: Pool in Side Yard

Zoning: RC, Residential Country

Tax ID#: 12-14-101-020

Applicant: Jordan Foster

Owner: Jordan Foster

Dear ZBA Members:

At your request, the Zoning Board of Appeals (ZBA) application has been reviewed. The review is based upon the standards contained in the Zoning Ordinance and a review of the application materials. The applicant would like to construct a pool that is located in the side yard. The property is zoned RC. The parcel is 2.4 acres. All other Zoning Ordinance requirements will be met. The following comments are offered for your review.

VARIANCE REQUEST:

Variance to allow a pool in the side yard, a variance from *Sec. 13-13* of the Zoning Ordinance.

STANDARDS FOR ZBA ACTION

The ZBA should only grant a dimensional variance to the Zoning Ordinance when circumstances of practical difficulty, unnecessary hardship unique to a particular property, or extraordinary circumstances are present. *Article 22, Section 22-06* outlines a number of criteria applicable to dimensional variances that the ZBA should review in order to determine the need for the requested as discussed below.

- 1. Practical Difficulty/Substantial Justice. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property. Granting of the requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel.*

The site is a 2.4-acre parcel of land. The variance request to allow a pool in the side yard, a variance from *Sec. 13-13* of the Zoning Ordinance. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would unreasonably prevent the use of the property for the pool. Granting of the requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity of the subject parcel for the pool

2. *Public Safety and Welfare. The requested variance does not interfere with the public safety and welfare, increase the hazard of fire, impair the adequate supply of light and air, or create nuisances.*

The variance to allow a pool in the side yard will not substantially interfere with the public safety and welfare, increase the hazard of fire, impair the supply of light, or create a nuisance.

3. *Impact on Surrounding Neighborhood. The variance will not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood.*

The variance to allow a pool in the side yard will not substantially impact the appropriate development, continued use, or value of adjacent properties.

4. *Extraordinary Circumstances. There are exceptional circumstances or conditions applicable to the property or the intended use that do not generally apply to other properties or uses. The need for the variance was not self-created by the applicant.*

The requested variance for the pool is not self-created. There are exceptional circumstances or conditions applicable to the property or the intended use that do not generally apply to other properties or uses for the pool.

RECOMMENDATION

Variance to allow a pool in the side yard, a variance from *Sec. 13-13* of the Zoning Ordinance.

Planner

From: Jordan Foster <jordan@foster.us>
Sent: Monday, January 5, 2026 12:44 PM
To: Planner
Subject: Fwd: Fosters ZBA

Here is the email from 2478 Woodvale Trl for our pool ZBA Application at 2481 Woodvale Trl

Jordan Foster | President
FOSTER SPECIALTY FLOORS
jordan@foster.us
C: 248-672-0924 | O: 248-669-5311 ext. 107
Foster.us

Please leave us a review here: <https://g.page/r/CVJvSEOaZutWEAI/review>
Design your own gym floor at www.gymfloordesigns.com

----- Forwarded message -----

From: **Jordan Foster** <jordanfoster7@gmail.com>
Date: Mon, Dec 29, 2025 at 3:34 PM
Subject: Fwd: Fosters ZBA
To: Jordan Foster <jordan@foster.us>

----- Forwarded message -----

From: **Jamie Natter** <natterj@icloud.com>
Date: Mon, Dec 29, 2025, 12:31 PM
Subject: Re: Fosters ZBA
To: Jordan Foster <jordanfoster7@gmail.com>

Hi Jordan,

Hope your Christmas was great! We've been in Seattle with Bryce so have dodged the weather there. Stay safe! I showed BJ this, and we are both fine with the pool plan. Your family will enjoy it so much! Thanks for being so respectful and asking. Happy New Year!!

Jamie

> On Dec 29, 2025, at 8:52 AM, Jordan Foster <jordanfoster7@gmail.com> wrote:

>
>
> Hi Jamie,
>
> Hope you guys are doing well and had a good Christmas. Hopefully you are even out of town somewhere nice and not dealing with the weather here!

>

> Andrea and I have been looking into getting a pool next year and based on the layout of our lot with the retention basin for stormwater in the backyard, we have to submit a request to the Township Zoning Board of Approvals to get a Variance to have the pool in the "side yard" as opposed to behind the house as there isn't room there.

>

> That being said, this would put the pool location on the side of the house essentially across the street from you - so I wanted to check with you guys about it as part of the ZBA process would be putting it out for neighbors to have input on the case if they were to object to it. And honestly I don't think it would have a perceived negative effect on any other neighbor by moving it from the standard back yard location to the side yard except for in your case as it would in theory be moving it closer to you than if it were behind the house. With us backing up to Pleasant Valley on that side there aren't any other direct neighbors that would be impacted. Anyway all that said, I wanted to check with you guys before we go down the process of applying for the variance and spending the money to do that if you guys have any concern or issue with it.

>

> I know that kind of puts you on the spot for a direct response, but in researching this it seems to typically go 1 of 2 ways.

> 1) A neighbor doesn't have an issue with the variance and has a written response/letter to that effect that we can supply with the application.

> 2) A neighbor does not want the variance approved and they come to the approval meeting to voice their objection.

>

> So I figured I would come to you guys now and just ask. Please let me know your honest concerns as I wouldn't want to create an awkward situation where we get way into making this plan and find out we could be rejected.

>

> I have attached a screenshot of the approximate pool location below. Also for what it's worth we would maintain a tree line at the road to block view from Woodvale and add additional evergreens there and other trees to keep a constant visual and sound barrier between the pool and the road. Also, as I'm sure you have noticed, we aren't ones for loud late night activities and that would remain true if we were to move forward with this, so it wouldn't be something that would be bringing a new noise annoyance to you all. Also my intent would be to have all the construction traffic come in off of Pleasant Valley directly on a little "road" through the trees so I would hopefully avoid any dirt or large truck traffic from coming into the neighborhood at all.

>

> <image.png>

>