

MINUTES

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

JANUARY 23, 2019
REGULAR MEETING
7:00 P.M.
(810) 229.0562

Chairperson F. Grapentien called the meeting to order at 7:00 P.M. The Pledge of Allegiance was said.
Present: J. Gibbons, F. Grapentien, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset
Absent: S. Theis

CALL TO THE PUBLIC
None.

AGENDA

J. Dorset moved and J. McKeon seconded **to approve the agenda as presented.**
Ayes: J. Gibbons, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, F. Grapentien
Nays: None
Motion carried.

MINUTES

J. Dorset moved and J. Stinedurf seconded **to approve the November 28, 2018 regular meeting minutes as presented.**
Ayes: J. Gibbons, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, F. Grapentien
Nays: None
Motion carried.

ELECTION OF 2019 OFFICERS

F. Grapentien moved and J. Cogley seconded **to appoint F. Grapentien as Chairperson, J. Dorset as Vice-Chairperson, and J. Gibbons as Secretary for 2019.**
Ayes: J. Gibbons, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, F. Grapentien
Nays: None
Motion carried.

ZBA APPLICATION # 18/20; LOCATION: 9500 BITTEN DRIVE; TAX ID # 12-05-200-035; OWNER AND APPLICANT: DONALD DIETRICH; ZONING: RC (RESIDENTIAL COUNTRY)

a. Detached Structure in Front Yard, a variance from *Article 3, Sec. 3-04(c)* of the Zoning Ordinance.
Chairperson F. Grapentien overviewed the variance request. Applicant Donald Dietrich explained that he would like to construct an accessory structure on his property which is in the front yard but he considers it a side yard. His difficulties on the site include ponds, septic and well locations, and placement of the house. K. Mathews reviewed her report dated December 18, 2018.

PUBLIC HEARING

The public hearing opened at 7:10 p.m.
None.
The public hearing closed at 7:10 p.m.

J. Dorset moved and C. Moran seconded **to approve the detached structure in the front yard, a variance from Zoning Ordinance Article 3, Sec. 3-04(c) for ZBA Application # 18/20, Tax ID # 12-05-200-035, with the structure being moved as far south (at least 10 ft.) as possible from the proposed location for the following reasons: compliance with the strict letter of the restrictions governing placement of an accessory structure would unreasonably prevent the use of the property; granting of the requested variance 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 requested variance does not substantially 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 will not substantially interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood; and there are exceptional circumstances or conditions applicable to the property and the intended use that do not generally apply to other properties or uses.

Ayes: J. McKeon, J. Dorset, C. Moran, F. Grapentien

Nays: J. Gibbons, J. Cogley, J. Stinedurf

Motion carried.

ZBA APPLICATION # 18/21; LOCATION: 9984 E GRAND RIVER; TAX ID # 12-32-300-023, 063 AND 073; OWNER AND APPLICANT: GRAND RIVER OLD 23 LLC; ZONING: B-2 (GENERAL BUSINESS)

a. Cumulative Wall Signage, a variance from *Article 17, Sec. 17-06(b)(24)d, Specific Sign Requirements* of the Zoning Ordinance.

b. Ground Signage (height and size), variances from *Article 17, Sec. 17-06(a), Specific Sign Requirements*, and *Sec. 17-04(j), Prohibited Signs*, of the Zoning Ordinance.

Applicant Steve Samona overviewed his request to have additional cumulative wall signage over what the Zoning Ordinance allows and a larger and higher ground sign than what the ordinance requires. He stated there is about an eight (8) ft. grade change between his property and the DFCU property and also the retaining wall blocks visibility to his property. Additionally, he stated that his building is planned about 350 ft. from the road ROW and the PC reviewed the wall signage conceptually in November and agreed in concept with the cumulative wall signage. Additional factors include the speed of Grand River being 45 mph which makes it difficult to see signage. Finally, he said national tenants are looking at the building and need the signage in order to be viable. K. Mathews reviewed her report dated December 27, 2018.

PUBLIC HEARING

The public hearing opened at 7:45 p.m.

None.

The public hearing closed at 7:45 p.m.

Discussion ensued regarding the type of signage proposed for the wall signage i.e. it will be race way mounted and may be LED and it was discussed that each tenant will meet the 10% of the wall space that they are on which many of the other buildings in the Township have complied with. Additionally, it was discussed that the existing pole sign will be removed. No box signs and no permanent window signs will be allowed and the maximum number of signs is nine (9) signs for up to seven (7) tenants.

a. J. Dorset moved and J. Cogley seconded to approve the variance request, Cumulative Wall Signage, a variance from *Article 17, Sec. 17-06(b)(24)d, Specific Sign Requirements* of the Zoning Ordinance for ZBA Application # 18/21, Tax ID # 12-32-300-023, 063 and 073 for the following reasons: compliance with the strict letter of the restrictions would unreasonably prevent the use of the property; granting of the requested variance 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 requested variance does not substantially interfere with the public safety and welfare, increase the hazard of fire, impair the adequate supply of light and air, or create nuisances; and the variance will not substantially interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. Additional requirements are that each tenant will meet the 10% of the wall space that they are on; the existing pole sign will be removed; no box signs; no permanent window signs will be allowed; and the maximum number of wall signs is nine (9) signs for up to seven (7) tenants.

Ayes: J. Gibbons, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, F. Grapentien

Nays: None

Motion carried.

Applicant Steve Samona overviewed the proposal for ground signage. He stated the future approximate 10,000 sq. ft. medical office/office building needs visibility on Grand River so he's proposing an additional sixteen (16) sq. ft. above the thirty-two (32) sq. ft. allowable for the front building and a height of seven (7) ft. due to the grade change and retaining wall from DFCU. He stated he needs this signage for the national tenants to be viable. It was discussed that the three (3) parcels may not all be combined and that the signage can be measured at forty-two (42") inches above the existing elevation of the R.O.W. and this is considered a joint application for the two (2) buildings.

b. F. Grapentien moved and J. Stinedurf seconded **to approve the variance request, Ground Signage, a variance from Article 17, Sec. 17-06(a), Specific Sign Requirements of the Zoning Ordinance for ZBA Application # 18/21, Tax ID # 12-32-300-023, 063 and 073 for the following reasons: compliance with the strict letter of the restrictions would unreasonably prevent the use of the property; granting of the requested variance 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 requested variance does not substantially interfere with the public safety and welfare, increase the hazard of fire, impair the adequate supply of light and air, or create nuisances; and the variance will not substantially interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood. This is being allowed because of the definition in Article 25-10 of measurement of forty-two (42") inches above the existing elevation of the R.O.W. and being considered a joint application between two (2) buildings, not prohibited signage for the rear building on the front building's sign. Additionally, no additional ground signage will be allowed on the three (3) parcels; only wall signage that meets the Zoning Ordinance.**

Ayes: J. Gibbons, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, F. Grapentien

Nays: None

Motion carried.

J. Stinedurf moved and J. Gibbons seconded **to appoint K. Mathews as scribe for the ZBA for 2019.**

Ayes: J. Gibbons, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, F. Grapentien

Nays: None

Motion carried.

REPORTS AND CORRESPONDENCE

F. Grapentien - Welcomed J. Stinedurf as the ZBA liaison from the PC.

J. Stinedurf - PC update from December and January meetings: 2 Verizon towers on GM property; LCPC presentation; Recreational Marihuana Zoning Ordinance; Master Plan; and Elections of Officers.

K. Mathews - Overviewed the Master Plan consultant selection and process going forward.

CALL TO THE PUBLIC

None.

J. Stinedurf moved and J. Gibbons seconded **to adjourn.**

Ayes: J. Gibbons, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, F. Grapentien

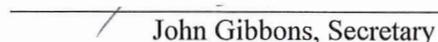
Nays: None

Motion carried.

The meeting adjourned at 8:40 p.m.

Respectfully submitted,


Frank Grapentien, Chairperson


John Gibbons, Secretary


Kelly Mathews, Recording Secretary