

MINUTES

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

JANUARY 26, 2022
REGULAR MEETING
6:30 P.M.
(810) 229.0562

Acting Chairperson J. Dorset called the meeting to order at 6:30 P.M. The Pledge of Allegiance was said.
Present: J. Dorset, J. Gibbons, J. McKeon, J. Cogley, R. Drouillard, A. Lutes (alt.), P. Lyon (alt.)
Absent: F. Grapentien

CALL TO THE PUBLIC
None.

AGENDA

J. McKeon moved and A. Lutes seconded to approve the agenda as presented.
Ayes: J. McKeon J. Cogley, J. Dorset, J. Gibbons, R. Drouillard, A. Lutes, P. Lyon
Nays: None
Motion carried.

MINUTES

J. Cogley moved and R. Drouillard seconded to approve the October 27, 2021 regular meeting minutes as presented.
Ayes: J. Gibbons, J. Dorset, J. Cogley, R. Drouillard, A. Lutes, P. Lyon
Nays: None
Abstain: J. McKeon
Motion carried.

2022 ELECTION OF OFFICERS

A. Lutes moved and P. Lyon seconded to appoint F. Grapentien, Chairperson, J. Dorset, Vice-Chairperson, and J. Gibbons, Secretary, for 2022
Ayes: J. Gibbons, J. Dorset, J. Cogley, R. Drouillard, A. Lutes, P. Lyon. J. McKeon
Nays: None
Motion carried.

ZBA APPLICATION #21/07: APPLICANT AND OWNER: DANIEL AND NANCY McGRAW; ADDRESS: 3275 CAUSEWAY; TAX ID#: 12-19-103-013; ZONING: R-5 (WATERFRONT RESIDENTIAL)
a. Waterfront/Natural Features Setback, a variance from Article 3, Sec. 3-03 of the Zoning Ordinance
Applicant Nancy McGraw overviewed the variance request for a deck addition to their home. K. Mathews overviewed her report dated December 16, 2021.

PUBLIC HEARING

The public hearing opened at 6:38 p.m.
1/25/22, e-mail from Doug Taylor, 3319 Oak Knoll - support.
Letter signed by Jacqueline Aguilar, 3295 Causeway; Bradford Huff, 3313 Oak Knoll; and Ron Cervenak, 3307 Oak Knoll dated January 2022 - support.
The public hearing closed at 6:42 p.m.

J. Cogley moved and J. McKeon seconded to approve the variance request, a variance to allow a deck in the waterfront yard, a variance from Section 3-03 of the Zoning Ordinance for ZBA Application # 21/07; Tax ID #12-19-103-013 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 will 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 does not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood; the variance is not self-created; and there are exceptional circumstances or conditions applicable to the property. The deck will not impact any neighbors' views of the lake and the neighbors are in support of the project.

Ayes: J. McKeon, R. Drouillard, J. Dorset, J. Gibbons, J. Cogley, P. Lyon, A. Lutes

Nays: None

Motion carried.

ZBA APPLICATION #21/08: APPLICANT AND OWNER: MICHAEL AND JULIE CORRIGAN; ADDRESS: 3662 FLINT; TAX ID#S: 12-19-400-021 AND 022; ZONING: R-2 (RESIDENTIAL SINGLE FAMILY)

a. Accessory Structure in Front Yard, a variance from Article 3, Sec. 3-04(c) of the Zoning Ordinance

b. Fence Height, a variance from Sec. 13-04(b) of the Zoning Ordinance

c. Fence Height, a variance from Sec. 13-04(f)(1&3) of the Zoning Ordinance

Applicant Mike and Julie Corrigan and Applicant Representatives Wayne Perry, Desine Inc. and Tony Pucci, Anthony Pucci and Associates, PC, were in attendance. Applicant Mike and Julie Corrigan overviewed the need for the variances in order to construct a tennis court. K. Mathews overviewed her report dated December 22, 2021.

PUBLIC HEARING

The public hearing opened at 6:55 p.m.

Lou Ann Lathrop, 8950 Flint - presented pictures and questions regarding the privacy fence height.

Scott Shearer, 3575 Flint - support.

The public hearing closed at 7:05 p.m.

a.P. Lyon moved and A. Lutes seconded to approve the variance request, a variance to allow an accessory structure in the front yard, a variance from *Section 3-04(c)* of the Zoning Ordinance for ZBA Application # 21/08; Tax ID #12-19-400-021 and 022 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 will 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 does not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood; the variance is not self-created; and there are exceptional circumstances or conditions applicable to the property (wetlands and woodlands which prevent the accessory use from not being in the front yard).

Ayes: J. McKeon, R. Drouillard, J. Dorset, J. Gibbons, J. Cogley, P. Lyon, A. Lutes

Nays: None

Motion carried.

b.P. Lyon moved and R. Drouillard seconded to approve the variance request, a variance to allow a privacy fence of six (6) ft high v. four (4) ft. high per the plan, with the limitation of only allowing fencing sixty (60) ft. north of the turn from the Southeast corner of the northerly neighbor lot at 8950 Flint, as allowed in the Zoning Ordinance, a variance from *Section 13-04(b)* of the Zoning Ordinance for ZBA Application # 21/08; Tax ID #12-19-400-021 and 022 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 will 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 does not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood; the variance is not self-created; and there are exceptional circumstances or conditions applicable to the

property.

Ayes: J. McKeon, R. Drouillard, J. Dorset, P. Lyon

Nays: A. Lutes, J. Gibbons, J. Cogley

Motion carried.

c. P. Lyon moved and A. Lutes seconded to approve the variance request, a variance to allow a fence surrounding the tennis court of ten (10) ft. high, a variance from *Section 13-04(f)(1&3)* of the Zoning Ordinance for ZBA Application # 21/08; Tax ID #12-19-400-021 and 022 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 will 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 does not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood; the variance is not self-created; and there are exceptional circumstances or conditions applicable to the property (wetlands and woodlands which prevent the accessory use from not being in the front yard).

Ayes: J. McKeon, R. Drouillard, J. Dorset, J. Gibbons, J. Cogley, A. Lutes, P. Lyon

Nays: None

Motion carried.

REPORTS AND CORRESPONDENCE

K. Mathews - PC update: Weber Street Park

R. Drouillard - TB update: Budget and ARPA money

CALL TO THE PUBLIC

None.

P.Lyon moved and R. Drouillard seconded to adjourn.

Ayes: J. McKeon, R. Drouillard, J. Dorset, J. Gibbons, J. Cogley, A. Lutes, P. Lyon

Nays: None

Motion carried.

The meeting adjourned at 7:28 p.m.

Respectfully submitted,

Frank Grapentien, Chairperson

John Gibbons, Secretary

Kelly Mathews, Recording Secretary