

MINUTES

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

APRIL 24, 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: F. Grapentien, A. Lutes (alt.), J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset
Absent: S. Theis, J. Gibbons

CALL TO THE PUBLIC
None.

AGENDA

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

A. Lutes came in five (5) minutes late.

MINUTES

J. Stinedurf moved and J. McKeon seconded **to approve the February 27, 2019 regular meeting minutes as amended.**
Ayes: J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, A. Lutes (alt.)
Nays: None
Abstain: F. Grapentien
Motion carried.

ZBA APPLICATION # 19/03; LOCATION: 8729/8735 HILTON; TAX ID # 12-19-400-020; OWNER: MIKE AND LYNN VANBUREN; APPLICANT: BELANGER BUILDERS INC.; ZONING: R-4 (RESIDENTIAL SINGLE FAMILY)

a. Addition to a Non-Conforming Building, a variance from *Article 21, Sec. 21-04* of the Zoning Ordinance. Applicant Representative Steve Belanger explained that the Applicant is planning to live in the home which was two (2) cottages and they are constructing a 900 sq. ft. addition to accommodate the needs. A variance to add onto a non-conforming home is required. K. Mathews reviewed her report dated April 1, 2019.

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 J. Cogley seconded **to approve the variance request, addition to a non-conforming building, a variance from Article 21, Sec. 21-04 for ZBA Application # 19/03; Tax ID # 12-19-400-020 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; 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 (alt.), A. Lutes (alt.) F. Grapentien, J. Cogley, J. Stinedurf

Nays: None.

Motion carried.

ZBA APPLICATION # 19/05; LOCATION: 8411 CAROLS; TAX ID # 12-19-102-003; OWNER AND APPLICANT: JAMES COUGHENOUR; ZONING: R-5 (WATERFRONT RESIDENTIAL)

a. Lot Coverage, a variance from *Article 3, Sec. 3-03, District Regulations* of the Zoning Ordinance.

Applicant James Coughenour overviewed his need for a lot coverage variance of eight (8%) percent to construct a detached garage. He stated that his lot is about half of the size if created new in the R-5 zoning district. K. Mathews reviewed her report dated April 1, 2019.

PUBLIC HEARING

The public hearing opened at 7:20 p.m.

None.

The public hearing closed at 7:20 p.m.

J. Cogley moved and C. Moran seconded to **approve the variance request, a lot coverage variance for ZBA #19/05, 8411 Carols; Tax ID # 12-19-102-003 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; 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: F. Grapentien, J. Stinedurf, C. Moran (alt.), J. McKeon, J. Cogley, J. Dorset, A. Lutes (alt.)

Nays: None.

Motion carried.

ZBA APPLICATION # 19/04; LOCATION: LOCH LOMOND/WALSH; TAX ID # 12-32-203-044; OWNER AND APPLICANT: EQUITY TRUST COMPANY LLC; ZONING: B-3 (SPECIAL BUSINESS)

a. Front Setback, a variance from *Article 6, Sec. 6-03, District Regulations* of the Zoning Ordinance.

b. Rear Setback, a variance from *Article 6, Sec. 6-03, District Regulations* of the Zoning Ordinance.

Applicant Orval Hayes overviewed his need for front and rear setback variances to construct a home. He stated the lot is very small and has two (2) road frontages which makes it very difficult to build without the variances. K. Mathews reviewed her report dated March 27, 2019.

PUBLIC HEARING

The public hearing opened at 7:27 p.m.

Joseph Boggs, 4985 Langdon - Asked how the variance, if approved, would affect a similar request that the ZBA had a few months back.

The public hearing closed at 7:29 p.m.

J. Cogley moved and J. Stinedurf seconded to **approve the variance requests, front and rear setback variances for ZBA #19/04, Loch Lomond/Walsh; Tax ID # 12-32-203-044 for the following reasons: compliance with the strict letter of the restrictions would unreasonably prevent the use of the property; granting of the requested variances 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**

variances do 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 variances 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: F. Grapentien, J. Stinedurf, J. McKeon, J. Cogley, J. Dorset, A. Lutes (alt.)

Nays: C. Moran (alt.)

REPORTS AND CORRESPONDENCE

J. Stinedurf - PC Updates - IHA and Master Plan

F. Grapentien - Open Meetings Act - Site Visits, E-mail

CALL TO THE PUBLIC

None.

C. Moran moved and J. Dorset seconded **to adjourn.**

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

Nays: None

Motion carried.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Frank Grapentien, Chairperson

John Gibbons, Secretary

Kelly Mathews, Recording Secretary