

MINUTES

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

JULY 25, 2018
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, J. Dorset, J. Stinedurf, C. Moran (alt.), J. McKeon, F. Grapentien, J. Cogley
Absent: S. Theis

CALL TO THE PUBLIC
None.

AGENDA

J. Dorset moved and J. Stinedurf seconded **to approve the agenda with item G6 postponed until next month.**
Ayes: J. Gibbons, J. Dorset, J. Stinedurf, C. Moran (alt.), J. McKeon, F. Grapentien, J. Cogley
Motion carried.

MINUTES

J. McKeon moved and J. Dorset seconded **to approve the June 27, 2018 regular meeting minutes with the changes as presented.**
Ayes
Motion carried.

ZBA APPLICATION # 18/08; LOCATION: 2635 PARKLAWN; TAX ID # 12-16-301-054; OWNER: GREG SKIVER; APPLICANT: SPENCER & SONS CONSTRUCTION; ZONING: R-5 (WATERFRONT RESIDENTIAL)

a. Waterfront Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.
Applicant Representative, John Spencer, Spencer & Sons and Applicant Mrs. Skiver were in attendance. They discussed that they have made modifications from the application reviewed by the ZBA in April and had made those modifications to ensure that the neighbor to the east did not have his visibility blocked. They have reduced the proposed waterfront setback by three (3) ft. and will not have a balcony on the second (2nd) floor which reduces the variance request to forty (40) ft. from forty-three (43) ft.

PUBLIC HEARING

The public hearing opened at 7:15 p.m.
None.
The public hearing closed at 7:15 p.m.

Planner K. Mathews reviewed her report dated June 11, 2018.

J. Dorset moved and J. Cogley seconded **to approve the variance request, Waterfront Setback, a variance of forty (40) ft. from the average of ninety-nine (99) ft. in the area within 300 ft. of this property, a variance from Article 3, Sec. 3-03 of the Zoning Ordinance for ZBA Application # 18/08; Location: 2635 Parklawn; Tax ID # 12-16-301-054; Owner: Greg Skiver; Applicant: Spencer & Sons Construction for the following reasons: the property is old; the placement of the house; have the neighbor's support; will be a positive impact on the neighborhood; and the variance is conditioned upon what was presented as part of the ZBA application, namely the addition is only twelve (12) ft; no upper balcony; and no privacy fencing.**

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

ZBA APPLICATION # 18/09; LOCATION: WOODLAND SHORE DR.; TAX ID # 12-18-300-030; OWNER AND APPLICANT: RAYMOND & KONSTANTINA PHILLIPS; ZONING: R-5 (WATERFRONT RESIDENTIAL)

- a. Waterfront Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.
- b. Front Yard Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.

Applicant Representative, Dennis Disner, Arcadia Design, and Applicants Mr. and Mrs. Phillips were in attendance. They discussed the issues with the property i.e. that part of the lot goes into the middle of the road and the fact that the non-conforming apartment building is included in the 300 ft. average for waterfront setback in the area. Without the apartment building setback, they are requesting very small setbacks from the water and the R.O.W. of Woodland Shore Drive. They stated that they have worked very hard to design the home to work within the character of the neighborhood.

PUBLIC HEARING

The public hearing opened at 7:30 p.m.

Gary Mitter, 8400 Woodland Shore Drive - Stated that this was one lot that was split into 3 lots and that Woodland Shore Drive is a busy road with the trailers and other homes in the area and that he doesn't; feel that the home should be located close to the R.O.W. He would be fine with the home being located closer to the water; other than that, he supports the request.

The public hearing closed at 7:30 p.m.

Planner K. Mathews reviewed her report dated June 27, 2018.

J. Stinedurf moved and J. Cogley seconded to approve the variance request, Waterfront Setback, a variance of 5'9" from the average of 48'9" (excluding the non-conforming apartment building from the calculation) in the area within 300 ft. of this property, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance for ZBA Application # 18/09; Location: Woodland Shore Drive; Tax ID # 12-18-300-030; Owner and Applicant: Raymond & Konstantina Phillips for the following reasons: the variance request will do the owner and neighbors substantial justice; will not interfere with other property owners in the area; extraordinary circumstance of the lot extending into the middle of the R.O.W.; to improve the distance from the R.O.W. for safety reasons will push the home closer to Woodland Lake; and is not impacting future development of lots in the area. The plans will be revised to depict the twenty-five (25) ft. setback from the R.O.W. and a closer distance to the lake.

(No action is required on the front yard setback).

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

ZBA APPLICATION # 18/12; LOCATION: 3103 CAUSEWAY; TAX ID # 12-19-103-009; OWNER AND APPLICANT: PHILLIP MULDOWNEY; ZONING: R-5 (WATERFRONT RESIDENTIAL)

- a. Lot Coverage, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.
- b. Waterfront Residential Floor Area Ratio, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.
- b. Front Yard Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.

Applicant Phillip Muldowney was in attendance. He discussed his three (3) variance requests in order to build additions to his home. He stated that he did not feel that he has an issue with the front yard setback since Causeway is a private road and he's at the end of the cul-de-sac. He stated as part of his construction, he will be relocating the gas and sewer/grinder station from the east to the west side of his property. He stated that they need the additions in order to be able to stay in their home. He is requesting a twenty (20%) increase over the allowed 150% waterfront residential ratio and a lot coverage of 38% v. the allowable of 25%.

Planner K. Mathews reviewed her report dated June 27, 2018.

PUBLIC HEARING

The public hearing opened at 8:15 p.m.

A letter was presented at the table dated 7/25/18 from Terry and Cynthia Pitt, 3124 Causeway, which was read into record, support.

The public hearing closed at 8:15 p.m.

It was discussed that Causeway Drive is part of the earthen dam and that it is a private road with one ingress/egress and the neighborhood is responsible for keeping snow off of the road. It was discussed that there is sloping topography which requires decks in order to add onto the property.

J. Dorset moved and C. Moran seconded to approve the variance requests, Lot Coverage, Waterfront Residential Floor Area Ratio, and Front Yard Setback, a variance of thirteen (13%) for lot coverage; twenty (20%) percent for waterfront residential floor area ration; and a 12.5 ft. front yard setback variance, variances from *Article 3, Sec. 3-03* of the Zoning Ordinance for ZBA Application # 18/12; Location: 3103 Causeway; Tax ID # 12-19-103-009; Owner and Applicant: Phillip Muldowney for the following reasons: It was discussed that Causeway Drive is part of the earthen dam and that it is a private road with one ingress/egress and the neighborhood is responsible for keeping snow off of the road. It was discussed that there is sloping topography which requires decks in order to add onto the property. Granting of the variances would enhance safety and add to the aesthetics of the area.

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

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

Motion carried.

ZBA APPLICATION # 18/11; 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. Front Yard Parking Lot Setback, a variance from *Article 6, Sec. 6-03* of the Zoning Ordinance.

Applicant Steve Samona, explained their plans for a 10,500 sq. ft. retail building and a future building behind the retail building. In order to improve circulation, share parking and reduce a curb cut on Grand River, a parking lot setback variance is required in order to connect the proposed parking lot to the Brighton Gate Commons Shopping Center. Additionally, there will be a connection to Victor Drive. The current Zoning Ordinance requires a twenty (20) ft. parking lot setback and the old Zoning Ordinance required a ten (10) ft. parking lot setback.

K. Mathews reviewed her report dated June 27, 2018.

PUBLIC HEARING

The public hearing opened at 8:45 p.m.

6/25/18 letter from Brighton Gate Commons, support.

6/25/18 letter from DFCU, support.

The public hearing closed at 8:45 p.m.

Planner K. Mathews reviewed her report dated June 11, 2018.

J. Cogley moved and J. Stinedurf seconded to approve the variance request, Front Yard Parking Lot Setback, a variance of ten (10) ft. from the requirement of twenty (20) ft., a variance from *Article 6, Sec. 6-03* of the Zoning Ordinance for ZBA Application # 18/11; Location: 9984 E. Grand River; Tax ID #'s 12-32-300-023, 063 and 073; Owner and Applicant: Grand River Old 23 LLC for the following reasons: better circulation within this site and the adjacent Brighton Gate Commons site, shared parking, and the reduction of a curb cut on Grand River will greatly improve the safety in the area.

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

Motion carried.

ZBA APPLICATION # 18/10; LOCATION: 12851 E. GRAND RIVER; TAX ID # 12-35-400-001; OWNER: BRIGHTON HOSPITAL FOUNDATION; APPLICANT: SIGNS BY CRANNIE; ZONING: PSP (PUBLIC/SEMI-PUBLIC)

a. Specific Sign Regulations, variances from *Article 17, Sec. 17-06* of the Zoning Ordinance (height, number, and square footage).

Applicant Representative, Nick with Signs by Crannie, and Applicant Rick Frankhart, Brighton Hospital, were in attendance. Nick discussed the need for greater visibility being a medical facility and that the name change is due to the rebranding for Ascension. It was discussed that they would like to replace the two (2) entrance signs with

two (2) new signs which are larger and higher than what is allowed by the Zoning Ordinance.

Planner K. Mathews reviewed her report dated June 26, 2018.

PUBLIC HEARING

The public hearing opened at 9:00 p.m.

None.

The public hearing closed at 9:00 p.m.

J. Stinedurf moved and J. Cogley seconded **to table the variance request, Sign Regulations, variances from Article 17, Sec. 17-06 of the Zoning Ordinance (height, number, and square footage).**

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

Motion carried.

ZBA APPLICATION # 18/07; LOCATION: LANGDON DR.; TAX ID #'s 12-32-201-086 and 085; OWNER AND APPLICANT: JOHN AND JENNIFER CONELY; ZONING: R-4 (RESIDENTIAL SINGLE FAMILY)

a. Front Yard Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.

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

Per the applicant's request, the matter is postponed until the August 22nd ZBA meeting.

REPORTS AND CORRESPONDENCE

J. Stinedurf - No PC or Utilities Committee update.

F. Grapentien - Board of ~~Appeals~~ ^{REVIEW} update.

CALL TO THE PUBLIC

None.

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

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

Motion carried.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Frank Grapentien, Chairperson

John Gibbons, Secretary

Kelly Mathews, Recording Secretary

Ann M. Bollin, CMC, CMMC, Clerk