

MINUTES

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

AUGUST 26, 2020
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, J. Cogley, J. Stinedurf, S. Theis, J. Dorset, J. Gibbons, J. McKeon

CALL TO THE PUBLIC

None.

AGENDA

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

Ayes: F. Grapentien, J. Cogley, J. Stinedurf, J. Dorset, J. Gibbons

Nays: None

Motion carried.

J. McKeon joined the meeting a few minutes late.

MINUTES

J. Cogley moved and J. Stinedurf seconded **to approve the June 24, 2020 regular meeting minutes as presented.**

Ayes: F. Grapentien, J. Cogley, J. Gibbons, J. Stinedurf, J. Dorset

Nays: None

Abstain: J. McKeon

Motion carried.

S. Theis joined the meeting a few minutes late.

ZBA APPLICATION # 20/03; LOCATION: 5118 KENICOTT; TAX ID # 12-33-204-019; OWNER: IRENE DEGROAT AND CATHY MCALEER; APPLICANT: GARY MCALEER: R-2 (RESIDENTIAL SINGLE FAMILY)

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

Applicant Gary McAleer overviewed their variance request. Several support letters were in the application package. K. Mathews reviewed her report dated July 28, 2020.

PUBLIC HEARING

The public hearing opened at 6:52 p.m.

None

The public hearing closed at 6:52 p.m.

J. Gibbons moved and S. Theis seconded **to approve the variance request, Lot Coverage, a five percent (5%) increase over the allowable lot coverage of fifteen (15%) percent, a variance from Article 3, Sec. 3-03 for ZBA Application # 20/03; Tax ID #12-33-204-019 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; there are exceptional circumstances or conditions applicable to the property.

Ayes: F. Grapentien, J. McKeon, J. Cogley, J. Stinedurf, S. Theis, J. Dorset, J. Gibbons

Nays: None

Motion carried.

ZBA APPLICATION # 20/04; LOCATION: 870 WINDEMERE; TAX ID # 12-06-301-002; OWNER AND APPLICANT: BYRON DAVID; ZONING: RC (RESIDENTIAL COUNTRY)

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

Applicant Byron David overviewed his variance request. Several support letters were in the application package. K. Mathews reviewed her report dated July 28, 2020.

PUBLIC HEARING

The public hearing opened at 7:13 p.m.

Becky McLaughlin, 919 Windemere - support.

Abigail White, 826 Windemere - support.

Phil Prystash, 8421 McClements - support.

Jim Browne, 8439 McClements - support.

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

J. Dorset moved and J. Stinedurf seconded to approve the variance request, Lot Coverage, a variance from *Article 3, Sec. 3-03, District Regulations*, of the Zoning Ordinance for ZBA Application # 20/04; Tax ID #12-06-301-002 to allow an eight (8%) percent lot coverage over the allowable five percent (5%) 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.

Ayes: F. Grapentien, J. McKeon, J. Cogley, J. Stinedurf, S. Theis, J. Dorset, J. Gibbons

Nays: None

Motion carried.

ZBA APPLICATION # 20/05; LOCATION: WOODLAND SHORE DRIVE; TAX ID # 12-18-300-031; OWNER: COREY AND KARI RUTHIG; APPLICANT: TIM CHOUINARD; ZONING: R-5 (WATERFRONT RESIDENTIAL)

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

Applicant Representative Tim Chouinard, Chouinard Custom Homes, overviewed the variance request.

K. Mathews reviewed her report dated July 28, 2020.

PUBLIC HEARING

The public hearing opened at 7:28 p.m.

None

The public hearing closed at 7:28 p.m.

J. Cogley moved and J. Stinedurf seconded to approve the variance request, Lot Coverage, a variance from *Article 3, Sec. 3-03, District Regulations*, of the Zoning Ordinance for ZBA Application # 20/05; Tax ID #12-18-300-031 to allow a four (4%) percent lot coverage over the allowable twenty-five percent (25%) 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.

Ayes: F. Grapentien, J. McKeon, J. Cogley, J. Stinedurf, S. Theis, J. Dorset, J. Gibbons

Nays: None

Motion carried.

ADOPTION OF UPDATED ZBA BYLAWS

P. Lyon provided some new additions to the bylaws that will be reviewed at the next ZBA meeting so the matter was tabled.

J. Cogley moved and S. Theis seconded **to table the ZBA bylaws.**

Ayes: F. Grapentien, J. Cogley, J. Gibbons, J. Stinedurf, J. Dorset, J. McKeon, S. Theis

Nays: None

Motion carried.

REPORTS AND CORRESPONDENCE

J. Stinedurf - PC Update - Master Plan

F. Grapentien - Utilities Committee Update - Chuck Moran

CALL TO THE PUBLIC

None.

S. Theis moved and J. Cogley seconded **to adjourn.**

Ayes: F. Grapentien, J. McKeon, J. Cogley, J. Stinedurf, S. Theis, J. Dorset, J. Gibbons

Nays: None

Motion carried.

The meeting adjourned at 7:37 p.m.

Respectfully submitted,

Frank Grapentien, Chairperson

John Gibbons, Secretary

Kelly Mathews, Recording Secretary