

## MINUTES

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

**NOVEMBER 18, 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, J. Dorset, J. Gibbons, J. McKeon, S. Theis

### CALL TO THE PUBLIC

None.

### AGENDA

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

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

Nays: None

Motion carried.

J. Cogley joined the meeting a few minutes late.

### MINUTES

J. Stinedurf moved and J. Dorset seconded **to approve the October 28, 2020 regular meeting minutes as presented.**

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

Nays: None

Motion carried.

ZBA APPLICATION # 20/09; LOCATION: 2653 PARKLAWN; TAX ID # 12-16-301-050; OWNER: DONALD AND ELIZABETH BARGO; APPLICANT: TRI-COUNTY BUILDERS; ZONING: R-5 (WATERFRONT RESIDENTIAL)

a. Expansion of a Non-Conforming Building and Use, variances from *Article 21, Sec.'s 21-03 and 21-04*, of the Zoning Ordinance

b. Side Yard Setback, *Article 3, Sec. 3-03, District Regulations*, of the Zoning Ordinance

Chairperson F. Grapentien overviewed the variance request. Ten (10) e-mails from neighboring properties dated September 22, 2020 were read into the record - all in support. (2635 Parklawn – Rebekah Skiver; 2639 Parklawn – Theresa Leibold; 2667 Parklawn – Daniel and Roxanne Garber; 2675 Parklawn – Kevin Opalek; 2735 Parklawn – Thomas Westran; 2611 Parklawn – Ken Bogos; 2662 Parklawn – Pamela Favio; 2650 Parklawn – Jared Graham; 2659 Parklawn – John Hasley; 2647 Parklawn – Brenda Scotton). One e-mail dated October 27, 2020 from Brian Tatum, 2683 Parklawn, inquiring about the Applicant parking cars on the park property to the west was also read into the record. Applicant Representative Chris Childs, Tri-County Builders, overviewed the variance requests. Donald and Elizabeth Bargo, Owners, were in attendance. Mr. Childs explained that the proposal was for a sunroom to be built over a non-conforming deck and they made the changes as requested by the ZBA at the last meeting and that the fireplace was in the same location on the east side in the last set of prints which is right at the five (5) ft. setback. K. Mathews overviewed her report dated November 10, 2020.

### PUBLIC HEARING

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

None.

**The public hearing closed at 6:55 p.m.**

J. Cogley moved and J. Dorset seconded **to approve the variance request, an expansion to an existing non-conforming building and use, variances from Article 21, Sec.'s 21-03 and 21-04, of the Zoning Ordinance for ZBA Application # 20/09; Tax ID #12-16-301-050 to allow an addition to a non-conforming building and use**

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, J. Dorset, J. Gibbons. S. Theis

Nays: None

Motion carried.

J. Dorset moved and J. Stinedurf seconded to approve the variance request for a west side yard setback variance, a variance from *Article 3, Sec. 3-03, District Regulations*, of the Zoning Ordinance for ZBA Application # 20/09; Tax ID #12-16-301-050 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, J. Dorset, J. Gibbons. S. Theis

Nays: None

Motion carried.

ZBA APPLICATION#: 20/10; LOCATION: 5835 KINYON; TAX ID#: 12-32-402-047; OWNER AND APPLICANT: CLIFFORD BUFFETT; ZONING: R-5 (WATERFRONT RESIDENTIAL)

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

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

Chairperson F. Grapentien overviewed the variance requests. Applicant Clifford Buffett overviewed his variance requests. The detached garage is in poor shape and he needs to rebuild in roughly the same location as previously constructed. K. Mathews overviewed her report dated October 13, 2020.

#### PUBLIC HEARING

##### **The public hearing opened at 7:02 p.m.**

Jim Labelle for Beverly LaBelle, 5825 Kinyon - Questioned where the garage was going; she was O.K. with the location on the west side.

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

J. Cogley moved and J. Dorset seconded to approve the variance requests for variances from the west side yard and front yard, variances from *Article 3, Sec. 3-03, District Regulations*, of the Zoning Ordinance for ZBA Application # 20/10; Tax ID #12-32-402-047 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. Additionally, with the understanding that the Applicant will receive a driveway permit from the LCRC and

**that the improvement will eliminate a safety issue in the area.**

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

Nays: None

Motion carried.

#### REPORTS AND CORRESPONDENCE

J. Stinedurf - PC Update: Rezoning for Samona (mini storage)

S. Theis - TB Update: Grinder pump purchase

F. Grapentien - Sewer Purchases at recent TB meetings

#### CALL TO THE PUBLIC

None.

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

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

Nays: None

Motion carried.

The meeting adjourned at 7:21 p.m.

Respectfully submitted,

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Frank Grapentien, Chairperson

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John Gibbons, Secretary

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Kelly Mathews, Recording Secretary