

MINUTES

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

APRIL 26, 2023
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: J. Gibbons, P. Lyon (alt.), J. Cogley, J. Dorset, J. McKeon, F. Grapentien, S. Holden
Absent: R. Drouillard

CALL TO THE PUBLIC

None

AGENDA

P. Lyon moved and J. McKeon seconded **to approve the agenda as presented.**
Ayes: J. Gibbons, P. Lyon (alt.), J. Cogley, J. Dorset, J. McKeon, F. Grapentien, S. Holden
Nays: None
Motion carried.

MINUTES

J. Cogley moved and J. Dorset seconded **to approve the December 21, 2022 regular meeting minutes as presented.**
Ayes: J. Cogley, J. Dorset, J. Gibbons, F. Grapentien
Nays: None
Abstain: P. Lyon (alt.), J. McKeon, S. Holden
Motion carried.

MINUTES

P. Lyon moved and J. Gibbons seconded **to approve the January 25, 2023 regular meeting minutes as presented.**
Ayes: J. Cogley, J. Dorset, J. Gibbons, P. Lyon (alt.), J. McKeon
Nays: None
Abstain: F. Grapentien, S. Holden
Motion carried.

ZBA APPLICATION #23/01: APPLICANT AND OWNER: ALVIN, MATTSON; ADDRESS: 10459 HYNE; TAX ID#: 12-09-100-006; ZONING: R-1 (RESIDENTIAL SINGLE FAMILY)
Accessory structure in Front Yard, a variance from *Article 3, Sec. 3-04(c)* of the Zoning Ordinance. F. Grapentien overviewed the variance request. Applicant Alvin Mattson overviewed his request. K. Mathews acknowledged her report.

PUBLIC HEARING

The public hearing opened at 6:42 p.m.

None.

The public hearing closed at 6:42 p.m.

J. Cogley moved and P. Lyon seconded **to approve the variance request, a variance to allow an accessory structure in the front yard, a variance from Article 3, Sec. 3-04(c) of the Zoning Ordinance for ZBA Application #23/01; Tax ID #12-09-100-006 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. Additionally, the unique nature of the property with wetlands and topography to the east and soils to the north make it difficult to comply with the Zoning Ordinance.

Ayes: J. Gibbons, P. Lyon (alt.), J. Cogley, J. Dorset, J. McKeon, F. Grapentien, S. Holden

Nays: None

Motion carried.

ZBA APPLICATION #23/03: APPLICANT: PEOPLE AND PETS PHARMACY; OWNER: OLD POST INC.; ADDRESS: 9995 E. GRAND RIVER; TAX ID#: 12-33-106-022; ZONING: B-2 (GENERAL BUSINESS)

a. *Section 6-02 (7) e.* requires a drive-through by-pass lane, a variance from the Zoning Ordinance.

b. *Section 6-03 (a)* requires a 20-foot front yard setback and 10-foot side and rear yard setback for parking/pavement, a variance from the Zoning Ordinance.

c. *Section 14-02 (e)* requires a 20-foot-wide greenbelt along frontage adjacent to and outside of the road right-of-way, a variance from the Zoning Ordinance.

d. *Section 14-02 (f)* requires a 10-foot-wide "Type C" buffer zone along the west and north property lines, a variance from the Zoning Ordinance.

e. *Section 15-02 (b)* requires the off-street loading space be located in the rear yard so it is screened from view from adjoining roads, a variance from the Zoning Ordinance.

F. Grapentien overviewed the variance requests. Applicants for Pets and People Pharmacy overviewed their requests. K. Mathews acknowledged her report.

PUBLIC HEARING

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

Donna and Robert Campbell, RJC Investments, LLC - 9987 E. Grand River voiced their support for the project; had questions regarding the curb height and snow storage and snow plows.

The public hearing closed at 7:00 p.m.

P. Lyon moved and J. Dorset **seconded to approve the variance requests, *Section 6-02 (7) e.* requires a drive-through by-pass lane; *Section 6-03 (a)* requires a 20-foot front yard setback and 10-foot side and rear yard setback for parking/pavement; *Section 14-02 (e)* requires a 20-foot-wide greenbelt along frontage adjacent to and outside of the road right-of-way; *Section 14-02 (f)* requires a 10-foot-wide "Type C" buffer zone along the west and north property lines; *Section 15-02 (b)* requires the off-street loading space be located in the rear yard so it is screened from view from adjoining roads of the Zoning Ordinance for ZBA Application # 23/03; Tax ID #12-33-106-023 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 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 variances do not interfere with or discourage the appropriate development, continued use, or value of adjacent properties and the surrounding neighborhood; the variances are not self-created; and there are exceptional circumstances or conditions applicable to the property. THE lot is very small which makes it inherently difficult to meet the Zoning Ordinance; no objections from the neighborhood and positive support from the immediate neighbor. The Applicant will need to work with the Planning Commission and staff to figure out the traffic concerns for the site.**

Ayes: J. Gibbons, P. Lyon (alt.), J. Cogley, J. Dorset, J. McKeon, F. Grapentien, S. Holden

Nays: None

Motion carried.

REPORTS AND CORRESPONDENCE

None.

CALL TO THE PUBLIC

None.

* P. Lyon moved and J. Dorset seconded **to adjourn.**


Ayes: J. Gibbons, P. Lyon (alt.), J. Cogley, J. Dorset, J. McKeon, F. Grapentien, S. Holden


Nays: None

Motion carried.

The meeting adjourned at 7:25 p.m.

Respectfully submitted,


Frank Grapentien, Chairperson


John Gibbons, Secretary


Kelly Mathews, Recording Secretary