

MINUTES

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

APRIL 27, 2022  
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. Dorset, J. Gibbons, J. McKeon, J. Cogley, F. Grapentien, R. Drouillard  
Absent: B. Prine

CALL TO THE PUBLIC  
None.

AGENDA  
J. McKeon moved and J. Dorset seconded to **approve the agenda as presented.**  
Ayes: J. McKeon J. Cogley, J. Dorset, J. Gibbons, F. Grapentien, R. Drouillard  
Nays: None  
Motion carried.

MINUTES  
J. Cogley moved and J. Dorset seconded to **approve the March 23, 2022 regular meeting minutes as presented.**  
Ayes: J. Gibbons, J. Dorset, J. Cogley, J. McKeon, R. Drouillard, F. Grapentien  
Nays: None  
Motion carried.

ZBA APPLICATION #22/07: APPLICANT AND OWNER: GIOVANNI AND ELIZABETH DIMATTEO;  
ADDRESS: 12246 BIRCHCREST; TAX ID#: 12-02-300-003; ZONING: RCE (RESIDENTIAL COUNTRY  
ESTATES)

- a. Accessory Structure in Front Yard, a variance from *Article 3, Sec. 3-04* of the Zoning Ordinance.
  - b. Front Yard Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.
- Applicant Giovanni DiMatteo overviewed their need for an accessory structure in the front yard. K. Mathews overviewed her report dated March 23, 2022.

PUBLIC HEARING  
**The public hearing opened at 6:40 p.m.**  
None.  
**The public hearing closed at 6:40 p.m.**

J. Cogley moved and J. Dorset seconded to **approve the variance requests, variances to allow an accessory structure in the front yard and to not meet the front yard setback, variances from *Article 3, Sec. 3-04 and 3-03* of the Zoning Ordinance for ZBA Application # 22/07; Tax ID #12-02-300-003 for the following reasons: compliance with the strict letter of the restrictions would unreasonably prevent the use of the property; granting of the requested 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 variance is not self-created; and there are exceptional circumstances or conditions applicable to the property. Additionally, the lot is very wooded so**

**the proposed structure will have no impact on the neighboring properties.**

Ayes: J. McKeon, J. Dorset, J. Gibbons, J. Cogley, R. Drouillard, F. Grapentien

Nays: None

Motion carried.

ZBA APPLICATION #22/08: APPLICANT AND OWNER: GREGORY BLASTIC AND MICHELLE SUNNY; ADDRESS: 3529 OAK KNOLL; TAX ID#: 12-19-201-055; ZONING: R-5 (WATERFRONT RESIDENTIAL)

- a. Lot Coverage, a variance from *Article 3, Sec. 3-03, District Regulations*, of the Zoning Ordinance.
- b. Waterfront Residential Floor Area Ratio, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.
- c. Waterfront/Natural Features Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance.

Applicant Gregory Blastic overviewed their need for three (3) variances in order to construct a new home on the lot. K. Mathews overviewed her report dated April 1, 2022.

#### PUBLIC HEARING

**The public hearing opened at 7:00 p.m.**

Ed Swamba, 3535 Oak Knoll – support.

**The public hearing closed at 7:02 p.m.**

J. Dorset moved and J. McKeon seconded to approve the variance requests, variances to Lot Coverage, a variance from *Article 3, Sec. 3-03, District Regulations*, of the Zoning Ordinance; Waterfront Residential Floor Area Ratio, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance; and Waterfront/Natural Features Setback, a variance from *Article 3, Sec. 3-03* of the Zoning Ordinance for ZBA Application # 22/08; Tax ID #12-19-201-055 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 variance is not self-created; and there are exceptional circumstances or conditions applicable to the property.

Ayes: J. McKeon, J. Dorset, J. Gibbons, J. Cogley, R. Drouillard, F. Grapentien

Nays: None

ZBA APPLICATION #22/05: APPLICANT AND OWNER: TEE BONE'Z REAL ESTATE LLC; ADDRESS: 4900 OLD US 23; TAX ID#: 12-32-203-050; ZONING: B-2 (GENERAL BUSINESS)

- a. Variances from *Article 21, Sec.'s 21-03, and 21-04* of the Zoning Ordinance, Expansion of a non-conforming use.
- b. Variance from *Article 6, Sec. 6-03* of the Zoning Ordinance, front yard setbacks.

Applicants Don Kroeyr and Vinny Morales overviewed their need for two (2) variances in order to utilized their outside patio. K. Mathews overviewed her report dated April 4, 2022.

#### PUBLIC HEARING

**The public hearing opened at 7:08 p.m.**

None.

**The public hearing closed at 7:08 p.m.**

a. J. Cogley moved and J. Gibbons seconded to approve the variance request, variances from *Article 21, Sec.'s 21-03, and 21-04* of the Zoning Ordinance, Expansion of a non-conforming use for ZBA Application # 22/05; Tax ID #12-32-203-050 for the following reasons: compliance with the strict letter of the restrictions would unreasonably prevent the use of the property; granting of the requested 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 variance is not self-created; and there are exceptional circumstances or conditions applicable to the property. Additionally, Applicant must record a shared parking agreement with the neighboring property behind and all items presented in that shared parking agreement must be complied with.

Ayes: J. McKeon, J. Dorset, J. Gibbons, J. Cogley, R. Drouillard, F. Grapentien

Nays: None

#### PUBLIC HEARING

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

Several e-mails were read into the record and are on file.

Christine Duda, 3082 Cady - support.

Dave Krause, 110 Allen Drive - support.

Jerry, Ben Hur - support.

Ken, Owner of Zukey Lake Tavern, Pinckney - support.

The public hearing closed at 7:37 p.m.

b.J. Cogley moved and J. Gibbons seconded to approve the variance request, variances from *Article 6, Sec. 6-03 of the Zoning Ordinance*, front yard setbacks for ZBA Application # 22/05; Tax ID #12-32-203-050 for the following reasons: compliance with the strict letter of the restrictions would unreasonably prevent the use of the property; granting of the requested 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 variance is not self-created; and there are exceptional circumstances or conditions applicable to the property. Additionally, it is a very unique piece of property and with the expansion of Old 23 they lost a significant amount of parking.

Ayes: J. McKeon, J. Dorset, J. Gibbons, J. Cogley, R. Drouillard, F. Grapentien

Nays: None

#### REPORTS AND CORRESPONDENCE

R. Drouillard - TB update

#### CALL TO THE PUBLIC

None.

J. Dorset moved and J. Gibbons seconded to adjourn.

Ayes: J. McKeon, J. Dorset, J. Gibbons, J. Cogley, R. Drouillard, F. Grapentien

Nays: None

Motion carried.

The meeting adjourned at 7:52 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

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Charter Township of Brighton - ZBA

Minutes - April 17, 2022 Regular Meeting

Approved -

*May 25, 2022*