

**CITY OF BRIGHTON  
ZONING BOARD OF APPEALS  
MINUTES  
January 12, 2017**

**1. Call to Order**

Chairperson Angst called the meeting to order at 7:30 p.m. and the following members were present:

**2. Roll Call**

David Chaundy – Present  
Russ Gottschalk – Present  
Doug Angst – Present  
Dave Senak – Present  
David McLane – Present  
Alicia Urbain – Present  
Renee Pettengill - Present

Mike Caruso, Community Development Zoning Administrator

Audience – 1

**3. Approval of the November 10, 2016 Meeting Minutes**

**Moved** by Board Member Urbain, seconded by Board Member Chaundy, to approve the meeting minutes of November 10, 2016 as presented. **The motion carried unanimously.**

**4. Approval of the January 12, 2017 Meeting Agenda**

**Moved** by Board Member Pettengill, seconded by Board Member Senak, to approve the January 12, 2017 agenda as presented. **The motion carried unanimously.**

**Old Business**

**New Business**

5. **Livingston Real Properties Inc., property owner of 1320 Rickett Rd (Vacant Parcel) and Shahid Imran (Proposed Developer)**, are requesting a variance from loading spaces required, and front yard parking restrictions for a proposed development at this location.

Mr. Scott Bell of Lapham Associates, the engineering and planning firm for the project, advised they are requesting two variances. The hardships are the configuration and the topography of the lot. It is triangular in shape. The site is lowest at Rickett Road and then steeps upward. The pond to the rear of the site is two to three feet above the road.

They are proposing an assisted living facility.

They have met the requirements for the number of parking spaces; however, they are proposing to put it in the front of the site. He stated that this parcel is zoned OS and the parcels surrounding it are zoned IS and they have parking in the front. Having their parking in the front would be consistent with other properties in the area.

They do not have the space or the need for two spaces in the loading zone area. Most of their deliveries are food, which would come in a small box truck.

Mr. Caruso stated that the plan is in the preliminary stage, and any site plan issues that arise will be addressed with Staff and the consultants before it is submitted to the Planning Commission.

Board Members asked questions regarding the frequency of deliveries, parking spaces for residents, storm water control, number of occupants, etc.

Board Member McLane feels having the parking in front is appropriate for this type of development.

The call to the public was made at 7:54 pm with no response.

**Moved** by McLane, seconded by Gottschalk, to grant the variance for front yard parking based on the hardship of the shape and topography of the land and the project presents itself well.

**The motion carried unanimously with a roll-call vote**

**Moved** by Urbain, seconded by Pettengill, to grant the loading dock variance due to the use of the facility and it is unnecessary to have two spaces and the hardship of the design of the land.

**The motion carried unanimously with a roll-call vote.**

## **6. Staff Updates**

Mr. Caruso asked the Board if they would like to have the packets delivered electronically; however, hard copies of the packet and larger prints of site plans, etc. would be available at the meeting. All Board Members agree to have the packets delivered electronically.

Mr. Caruso noted that the election of officers is to be done in October. It was decided to hold the elections at the next meeting.

Chairman Angst and Board Member Gottschalk will not be in attendance at the February meeting. Mr. Caruso will call in one of the alternates.

## **7. Call to the Public**

Chairman Angst opened the Call to the Public at 8:08 pm.

Mr. Tony Kissel, who owns the Brookside Mall, stated that he has a marquee sign on Grand River. They have sixteen tenant spaces and the size of the sign does not allow for all of them to be represented. He submitted a variance request last year to increase the size of the sign; however, the City did not accept the application.

City of Brighton  
Zoning Board of Appeals  
January 12, 2017

Mr. Caruso stated that he did not accept Mr. Kissel's application because there is a court order regarding the sign from many years ago that is still in place. The sign cannot be changed unless the court order is changed. Additionally, Mr. Kissel is in violation of his site plan.

Mr. Kissel does not agree with Mr. Caruso bringing up the issue of him being in violation of his site plan.

Mr. Caruso stated he will have the City attorney review the court order.

The call to the public was closed at 8:23 pm.

### **8. Adjournment**

**Motion** by Board Member Pettengill, seconded by Board Member Senak, to adjourn the meeting at 8:23 p.m. **The motion passed unanimously.**

Respectfully submitted,

Patty Thomas  
Recording Secretary