

**CITY OF BRIGHTON
ZONING BOARD OF APPEALS
MINUTES
FEBRUARY 9, 2017**

1. Call to Order

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

2. Roll Call

David Chaundry - Present
Russ Gottschalk – Absent
Doug Angst – Present
Dave Senak – Present
David McLane – Absent
Alicia Urbain – Absent
Renee Pettengill – Present
Barbara Curtis – Present

Nate Geinzer, City Manager

Scott Barb, Livingston County Planning Department

Audience - 14

Motion by Board Member Pettengill, seconded by Board Member Chaundry, to excuse the absences of Board Members Gottschalk, McLane and Urbain. The motion passed unanimously.

3. Approval of the January 12, 2017 Meeting Minutes

Moved by Board Member Chaundry, seconded by Board Member Senak, to approve the meeting minutes of January 12, 2017 as presented. The motion passed unanimously.

4. Approval of the February 9, 2017 Agenda

Moved by Board Member Senak, seconded by Board Member Pettengill, to approve the February 9, 2017 agenda as presented. The motion passed unanimously.

Old Business

New Business

5. Raymond Coffman, owner of 655 Brighton Lake Rd., is requesting a 2 foot height variance to construct a detached accessory building in the R-1, Single Family Residential District. Section 98-49 (b) states that detached accessory buildings shall not exceed one story, nor 10 feet in height to the eaves.

Mr. Raymond Coffman, home owner of 655 Brighton Lake Road, advised he wants to build a workshop 12 ft. in height to the eaves, so it will accommodate a vehicle hoist, which will be used for hobby purposes. He is requesting the 2 ft. variance so he can avoid having a higher pitched roof, and to reduce the cost and complexity of the project. He feels this would aesthetically look better than a higher pitched roof. Practical difficulty is noted as the hardship.

Board member Curtis stated this is a self-made problem, and the reason for the zoning ordinance is to maintain the same look in neighborhoods. Board member Senak feels it would be a trade-off visually to increase the height to the eaves instead of increasing the pitch. Chairperson Angst added that although this request doesn't show a geographical condition, it does show reasonableness, it will not be unsightly, and public safety will not be an issue. Board member Pettengill asked if a petition had been done. Mr. Coffman replied that he did not do a petition. City Manager Geinzer noted that City Staff did a 300 foot mailing to the surrounding owners, and the City did not receive any feedback.

Chairperson Angst opened the call to the public at 7:49 pm.

Dick Thompson, 635 Brighton Lake Road, neighbor to Mr. Coffman, stated that he has no problems with the proposed project and he would prefer seeing extra height, instead of a wider building with an increased pitch, also the proposed workshop will be located in a lower part of the back property and he feels that the height of the building will not be noticeable.

Call to the public was closed at 7:51 pm.

Moved by Board member Senak, seconded by Chaundry, to grant the variance for up to an additional height of 2 ft. to the eaves for a total of 12 ft. to the proposed accessory building based on the hardship of practical difficulty and the topography of this property. The motion passed unanimously with a roll-call vote.

6. T & G Fluids Systems, 100 Brighton Interior Dr., is seeking a variance to construct a proposed building addition that will extend into the 50 ft. front yard setback area on Brighton Interior Drive. Section 98-724 (C) (1) states that each lot shall have a front yard depth of not less than 50 feet.

Kevin Staley of PEA, the engineer for the project, advised they are requesting a variance for the front yard setback off of Brighton Interior Drive for the purpose of expanding the facility. The hardship is steep slopes, a large pond, and the woodlands making it not feasible to expand to the north or east. Mr. Staley also mentioned the west parking lot will need to be maintained, and they will be eliminating one of the entrances. Mr. Staley presented plans to the board showing the existing layout of the building and property, and the proposed expansion. He pointed out that only the corners of the building will barely cross over the setback.

Chairperson Angst asked about eliminating an entrance, and if there would be enough parking for the expansion. Mr. Staley stated that they cannot decrease parking spaces, however, there will still be adequate parking, and they have already consulted with the Fire Department about eliminating an entrance and they feel it is acceptable. Mr. Geinzer also mentioned there was a pre-submittal meeting which included the Fire Department's input, and the same feedback was received.

Mark Allen, General Manager of Finance of T & G Fluids, 100 Brighton Interior Dr., advised the board

that due to business growth they have been leasing a building outside of the community. The expansion will allow them to combine facilities and continue their operations in the City. T & G Fluids has another facility in the City located at 740 Advance St.

Chairperson Angst opened the call to the public at 8:16 pm. No comment was made and the call to the public was closed.

Chairperson Angst said this project was well thought of. Board member Senak agreed and stated that the hardship is justified and thanked T & G Fluids for choosing to keep their services in the City.

Moved by Board member Pettengill, seconded by Curtis to grant a variance request of 25 ft. due to the geographical and topography hardships of the location, to allow for the expansion of the facility. The motion passed unanimously with a roll call vote.

7. Dan Cheresko, 317 W. Main St., is requesting a variance of 25 feet from the required 10 feet to 35 feet, to exceed the maximum frontage line for the building façade along Main Street. Section 98-462 (b) (1) states that all new building facades on Main Street or Grand River Avenue, at the first story, may be located at the frontage line, but shall not exceed 10 feet from any frontage line.

Mr. Dan Cheresko, purchaser of 317 W. Main St. presented the board with sketches of his proposal to construct a “sister building” adjacent to the existing building. The concept is for both buildings to mirror one another, making them symmetrical. There will be 8 feet in between the buildings. 2 feet will be for vegetation and 4 feet for a walkway. Mr. Cheresko said there will be adjacent court yards, which eliminates the boxed in feeling. Restaurants, office space, residential lofts, balconies, and private roof top decks are proposed ideas for the space. Mr. Cheresko states he wants the theme of the buildings to be old nostalgia.

Board members Curtis and Pettengill mentioned concerns for public safety in between the buildings at night. Mr. Cheresko said the alley will be 40 – 50 feet long and lighted, which meets safety requirements.

Mr. Geinzer mentioned that this ordinance was put in place to prevent parking in front of buildings, and to keep them in line with each other. The existing building and layout make this proposal unique.

Chairperson Angst opened the call to the public at 8:55 p.m. Adam Oprisiu, 7881 Winfield, said this would be a great benefit to the City, and would offer a nice visual experience.

The call to the public was closed at 8:55 pm.

Board members discussed the hardship and agreed this proposal doesn’t interfere with what the ordinance was established for. They were impressed with Mr. Cheresko’s design.

Board member Pettengill thanked Mr. Cheresko for choosing to invest in the City.

Moved by Board member Curtis, seconded by Pettengill to grant a variance of 25 ft. to allow for the construction of a building to mirror an existing building on Main Street. Motion passed unanimously with a roll call vote.

8. Staff Updates

Manager Geinzer advised the board that the Planning Commission is making progress on the Zoning Code updates. A draft should be available soon. The updates will make Zoning easier to understand and navigate. They are also working on a Comprehensive Master Plan.

Chairperson Angst mentioned using the large screen during meetings that point specifically to the hardships would make for an easier format. He stated it was harder for him to understand what he was looking at by the letter size packet hand out. Chaundry and Senak agreed. Board member Pettengill reminded the board that they agreed to stop having the larger packets delivered to them prior to meetings. Pettengill suggested zooming in and enlarging the areas of variance requests to be included in the packet and on the screen. Mr. Geinzer stated that he and staff will look at bringing back previous formats as well as incorporating new ones to make things easier.

9. Call to the Public

Chairperson Angst opened the call to the public at 9:16 pm. No comment was made and the call to the public was closed.

10. Adjournment

Moved by Board member Pettengill, seconded by Curtis to adjourn the meeting at 9:16 pm. The motion passed unanimously.

Respectfully submitted,

Kelly Haataja
Deputy City Clerk