

**CITY OF BRIGHTON
ZONING BOARD OF APPEALS
MINUTES
July 13, 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 Chaundy - Present
Russ Gottschalk – Present
Doug Angst – Present
Dave Senak – Present
David McLane – Present
Alicia Urbain – Absent
Renee Pettengill – Present

Michael Caruso, Zoning Administrator

Audience – 2

Moved by Board Member McLane, seconded by Board Member Pettengill, to excuse the absence of Board Member Urbain. The motion passed unanimously.

3. Approval of the June 8, 2017 Meeting Minutes

Moved by Board Member Pettengill, seconded by Board Member Chaundy, to approve the meeting minutes of June 8, 2017 as presented. The motion passed unanimously.

Old Business

New Business

4. ZBA 17-007, The Brixmor Holdings 11 Group LLC, (Grand Crossing Shopping Center) 9870 E. Grand River, is requesting a variance from Section 66-94(1) which allows for one pole sign not exceeding 300 square feet for two or more faces. The applicant is seeking to increase the pole sign located at this address to 312 square feet. A variance to allow an additional 12 square feet of facing to the current pole sign located at 9870 E Grand River is being requested.

Mike Ellithorpe, Bill Carr Signs, representing Brixmor Holdings, presented his request. He stated that due to the building being set back off of Grand River, there is no visibility from the road. This has been an issue for the tenants for years who are now asking to have their name on the sign. The proposed sign has five spaces and shrinking the size to meet the ordinance would make the letters too small to read from the road.

Board member Senak asked if the maximum amount of tenants the sign will have will be five.

Mr. Ellithorpe stated the property owners will only be allowing five tenants on the sign.

Board member Pettengill asked if only one of the panels on the sign needs a variance.

Mr. Caruso clarified that the other four panels were approved for a sign permit because they were within the ordinance. The applicant later re-submitted to add the fifth panel, which will put them 12 square feet over the limit. He also added that there are currently more than five tenants in that plaza and a lot of new tenants have moved in recently. Getting exposure for these businesses has been an ongoing problem. There are a total of 14 tenants in that building and he has discussed with the owners the possibility of installing a new sign. The owners believe it would be too big of a project at this time and would like to get as much exposure for the tenants as they can for now.

Board member Pettengill commented that the design of the arched panel sitting on top of the other four panels looked nice.

Board Chairman Angst opened the Call to the Public for this variance request at 7:36 p.m.

Board Chairman Angst closed the Call to the Public at 7:36 p.m.

Board Chairman Angst asked what the hardship would be.

Board member Chaundy stated the configuration of the building was a hardship.

Mr. Caruso stated the hardship would be the lack of visibility of the building.

Board member McLane said he thought the design was tasteful and there was a safety issue for drivers.

Motion by McLane, seconded by Chaundy, to grant the variance to allow five panels due to the hardship of the setback of the building and its visibility of off Grand River, as well as the safety issue for drivers. Motion carried unanimously.

5. ZBA 17-008 Sarah Giuliani, 303 N Fifth is proposing to construct a privacy fence 6 feet in height beyond the foremost position of the principal building on the non-addressed front yard side of the property. Chapter 98, Article II, Sec. 98-38 (C)(2), states "a fence located within the non-addressed side of the front yard that extends beyond the foremost portion of the principal building may not be more than 36 inches in height". A variance to allow a privacy fence 6 feet in height is being requested.

The applicant, Sarah Giuliani, presented her request to the Board. She stated there is an existing tree that would not allow for her fence to be located at the required setback and a six-foot fence would be necessary because she owns a large dog.

Mr. Caruso added that the existing fence faces the entrance to Lindbom School, which is potentially being redeveloped, but there is no certainty in what will be developed on the site. He mentioned his discussion with the applicant regarding not being able to put the new fence in the same location as the old fence due to the new ordinance. The large tree will make it impossible to put a fence there. The existing fence is in disrepair and needs to be replaced. The existing garage goes past the house and lines

up with the fence. If the fence were to be installed at the required location, the garage would stick out past the fence.

Board Chairman Angst opened the call to the public for this variance at 7:44 p.m.

Bryan Klear, 225 N. Fifth St., lives across the street from the applicant. He has lived there 22 years. He supports a new fence being built in the same location as the existing fence as he has no issue with it being there and is the only neighbor that sees the fence from his house.

Jan Goodall, stated she lives across the street from the applicant and the existing fence was there when the house was bought. Ms. Goodall has lived there since 1956 and has no issue with the fence being where it is.

Board Chairman Angst closed the call to the public at 7:46 p.m.

Mr. Caruso stated the applicant submitted a letter from a resident at 304 N. First St. stating their full approval of the new fence and seeing no problem with the proposed height.

Board Member Gottschalk stated it was an impressive hardship.

Mr. Caruso stated the hardship was mostly the privacy from being next to the entrance to the school property and having a large dog.

Motion by McLane, seconded by Pettengill, to approve the variance for the additional 3 feet to the fence due to the hardship of the driveway to Lindbom School being a safety issue, the existing tree, and the large dog. The motion carried unanimously.

6. Staff Updates

Mr. Caruso announced there was one submittal for next month's meeting.

9. Call to the Public

Chairperson Angst opened the call to the public at 7:55 pm. No comment was made and the call to the public was closed at 7:55 pm

10. Adjournment

Moved by Board member Pettengill, seconded by Chaundy, to adjourn the meeting. The motion passed unanimously. Board Chairman closed the meeting at 7:56 pm.

Respectfully submitted,

Wendy Ayala
Recording Secretary