

**City of Brighton
Zoning Board of Appeals
200 N. First St. Brighton, MI 48116
Regular Meeting Minutes
July 8, 2021**

The Board for the Zoning Board of Appeals held a Regular Meeting on Thursday, July 8, 2021 at 7:00 p.m., conducted electronically.

1. Call to Order

Chairperson Urbain called the meeting to order at 7:00 p.m.

2. Roll Call

Board Members present were Dave Chaundy, Renee Pettengill, Barbara Curtis, Alicia Urbain, Caitlyn Perry-Dial and Jordan Genso. All Members participated remotely and disclosed their location.

Board Member absent was Mike Schutz.

Also present were Mike Caruso, Community Development Manager; Kelly Haataja, Executive Assistant to Community Development and an audience of four persons.

Motion by Genso, seconded by Pettengill to excuse Board Member Schutz for personal reasons. **Motion carried unanimously by a roll call vote.**

Consent Agenda

3. Approval of the June 10, 2021 Meeting Minutes

4. Approval of the July 8, 2021 Agenda

Motion by Pettengill seconded by Perry-Dial to approve the Consent Agenda. **The motion carried unanimously by a roll call vote.**

Old Business

None

New Business

Ross & Lisa Gemuend, 1318 Brighton Lake Rd. are requesting variances from Chapter 98, Section 98-3.4 (D) of the zoning ordinance, for a decrease in minimum lot area, a decrease to the minimum front-yard setback, and an increase to the maximum lot coverage.

Section 98-3.4 (D) "R1 – Development Standards" states; The minimum lot area is 8,700 square feet. The applicants are requesting a lot area of 7,789 square feet. A variance of 911 square feet is being requested.

Section 98-3.4 (D) "R1 – Development Standards" states; The minimum front-yard setback is 25 feet. The applicants are requesting a front-yard setback of 10 feet. A variance of 10 feet is being requested.

Section 98-3.4 (D) "R1 – Development Standards" states; The maximum lot coverage is 25 percent. The applicants are requesting a lot coverage of 37 percent. A variance of 12 percent is being requested.

Mr. Caruso stated the owner of the property has a desire to split the property into two parcels and construct a home on the vacant piece. Three variances would be required for the split and zoning conformance. The properties would be deeded to two siblings of the property owner.

Mr. Ross Gemuend explained demolition of the detached garage would be necessary to accommodate the split. They would replace the garage by constructing a two-car attached garage in front of the existing home. He stated they are requesting a variance for lot coverage on the vacant parcel to provide a larger main floor area to assist with anticipated accessibility needs. He noted they are unable to put in a basement due to location and several properties down the street exceed lot coverage.

Board Member Curtis asked the applicant for clarification the setback for the garage is a fifteen feet variance.

Mr. Gemeund confirmed fifteen feet is being requested.

Board Member Pettengill asked about the replacement garage being proposed in front of the house.

Mr. Caruso stated attaching it in the front of the house would require the least amount of variance distance.

Board Member Pettengill asked the applicant to state their hardships for the variance requests.

Mr. Gemuend stated the current garage has to be removed to split the property, leaving no garage for the current home. The existing lot is not large enough to be split to make both lots have a minimum of 8,700 square feet. And he stated the in order to provide protection from the sun on the patio, the proposed plans overhang increases lot coverage and they need the home large enough to accommodate additional family members in the future.

Chairperson Urbain opened the Public Hearing at 7:15 p.m.

Susan Bakhaus, Brighton Lake Rd. spoke about variance requests in the past that were denied.

Hearing and seeing no further comments, Chairperson Urbain closed the Public Hearing at 7:18 p.m.

Chairperson Urbain commented due to the lake, there's odd lot shapes which has created a need for variances.

Motion by Genso, supported by Pettengill to provide a variance of 911 square feet as requested for the lot size, based on the hardship the lot is not quite large enough to meet the minimum of those two lots and will still end up being the largest in the area and because of the shape of the lake and the shape of the road you get abnormal lot shapes and sizes and there's not enough total square footage to be able to do it without the variance but it should still be allowed because it will still be large enough lots.

Motion carried unanimously by a roll call vote.

Motion by Perry-Dial, supported by Pettengill to approve a 15 feet variance from the minimum front-yard setback of 25 feet, due to the hardship the split lot will eliminate the current garage and the only place to put another garage is in the front. **Motion carried unanimously by a roll call vote.**

Motion by Perry-Dial, supported by Chaundy to approve a variance of 8 percent which would meet a lot coverage of 33 percent, a change of the maximum lot coverage of 25 percent, with the hardship being that the overhangs create a much larger presence on the property, while the actual footprint of the home would fit in the 25 percent. **Motion carried unanimously by a roll call vote.**

Other Business

5. Staff Updates

No report.

6. Call to the Public

Chairperson Urbain opened the Call to the Public at 7:38 p.m.

Susan Bakhaus spoke about the public hearing notice and agenda for tonight's meeting.

7. Adjournment

Motion by Pettengill, supported by Genso to adjourn the meeting. **Motion passed unanimously by a roll call vote. The meeting adjourned at 7:40 p.m.**

Respectfully submitted,

Kelly Haataja
Executive Assistant to Community Development