

DEXTER TOWNSHIP

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Zoning Board of Appeals

Meeting Minutes

March 9, 2004

Present: Steve Burch, Chairman, David Millar, Secretary, Mark Wojno, Alternate
William Gajewski, Pat Kelly

Absent: James Cormier

The meeting was called to order at 7:30 p.m. by Chairman Burch

AGENDA

1)

04-12-400-013

04-ZBA-572

Charles Wolf

9565 Huron River Drive

Applicant requests relief from:

Section 18.23.A to allow an 88' setback on the front yard, rather than the required 100';
(currently 88' to overhang of existing home.)

And to recognize the following existing non-conformities:

10' south side setback, from property line to existing home.

Lot less than 2 acres,

Lot less than 150' width,

To allow for the construction of a two story addition with basement. New addition to be
25'x 16'. Existing 12.7'x 9.8' piece of home to be torn off. The overhang on the North
side of new home is to be 6".

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Persons notified were read into the record and present were the applicants and a neighbor James Bateson.

Notice of Appeal – Charles Wolf (File No. 04-ZBA-572)

The following preamble and resolution were offered by Member Kelly and supported by Member Gajewski:

Whereas, on February 10, 2004 Charles Wolf filed a Notice of Appeal requesting a variance to Section 18.23.A of the Dexter Township Zoning Ordinance to permit an extension of the current front yard setback of 88 feet for an additional 16 feet to the North of the existing SFH structure to allow the construction of a 25' x 16' two-story addition with basement on property located at 9565 Huron River Drive (Parcel ID # 04-12-400-013) and

Whereas, a public hearing before the Dexter Township zoning board of Appeals held on March 9, 2004, was attended by the applicant and members of the public and application materials were reviewed and public comments, both oral and written, were entered into the record and,

Whereas, per section 4.05.C.1.a and 4.05.C.1.b, that the narrow width of the subject parcel represents a genuine practical difficulty that is not economic and is not generally applicable to other properties within the Rural Residential zoning district and,

Whereas, per section 4.05.C.1.c, the special condition does not result from the actions of the applicant and,

Whereas, per section 4.05.C.1.d, the variance relates only to the subject property under the control of the applicant and,

Whereas, per section 4.05.C.1.e, the variance will be in harmony with the general purpose and intent of the Ordinance and will not cause any adverse effect upon surrounding property, property values and,

Whereas, per section 4.05.C.1.f, the existing non-conforming location of the home on the subject property renders compliance with the front setback requirement of the Dexter Township Zoning Ordinance unreasonably burdensome and would impair the owner from using the property for a permitted purpose and,

Whereas, per section 4.05.C.1.g, the requested variance is the minimum amount necessary to overcome the inequality inherent in the subject property and,

Whereas, per section 4.05.C.1.h, the requested variance permits only a principally permitted use within the Rural Residential zoning district,

Be it therefore resolved that the request to permit a front yard setback of 88 feet for an additional 16 feet is approved with the following conditions:

1. The submission of all required Plot Plan data per Sections 6.03.A.1.a thru 6.03.A.1.k of the Zoning Ordinance to the Zoning Administrator prior to issuance of a zoning permit.

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2. Conformance with all applicable provisions of Article 18, General Provisions and Article 24, Environmental Protection of the Dexter Township Zoning Ordinance prior to the issuance of a final certificate of zoning compliance.

3.

Be it also resolved that the following existing non-conformities be recognized:

1. Lot less than 2 acres.
2. Lot less than 150' wide.
3. South side setback to existing garage of 8 feet.

Wojno – yea

Burch – yea

Gajewski – yea

Kelly – yea

Millar – yea

Carried

2)

04-18-400-004

03-ZBA-573

Mark Mesko

13591 North Territorial Road

Applicant requests relief from:

Section 18.23.A. to allow a 86' setback on the front yard, rather than the required 150'; (currently 75')

And to recognize the following existing non-conformities:

75' north side setback, from front of existing home to North Territorial Road.

2' West Side setback from existing barn to property line.

Lot less than 2 acres,

To allow for the construction of a one and one- half story addition as well as a breezeway, wrap around covered porch, and a 24' x 24' attached garage. Existing garage to be torn down.

Persons notified were read into the record and present were the applicant and

Questions and answers were exchanged and a motion was made by Kelly, supported by Gajewski to

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Notice of Appeal – Mark and Michelle Mesko (File No. 04-ZBA-573)

The following preamble and resolution were offered by Member Kelly and supported by Member Millar:

Whereas, on February 4, 2004 Mark and Michelle Mesko filed a Notice of Appeal requesting a variance to Section 18.23.A of the Dexter Township Zoning Ordinance to permit a front yard setback at its closest point of 84 feet to allow the construction of a one and one-half story addition, breezeway, wrap-around porch and 24' x 24' garage on property located at 13591 North Territorial Road (Parcel ID # 04-18-400-004) and

Whereas, a public hearing before the Dexter Township zoning board of Appeals held on March 9, 2004, was attended by the applicant and members of the public and application materials were reviewed and public comments, both oral and written, were entered into the record and,

Whereas, per section 4.05.C.1.a and 4.05.C.1.b, that the placement of existing structures on the subject parcel represent a genuine practical difficulty that is not economic that does not generally apply to other properties within the Rural Residential zoning district and,

Whereas, per section 4.05.C.1.c, the special condition does not result from the actions of the applicant and,

Whereas, per section 4.05.C.1.d, the variance relates only to the subject property under the control of the applicant and,

Whereas, per section 4.05.C.1.e, the variance will be in harmony with the general purpose and intent of the Ordinance and will not cause a adverse effect upon surrounding property, property values and,

Whereas, per section 4.05.C.1.f, the existing non-conforming location of the home on the subject property renders compliance with the front setback requirement of the Dexter Township Zoning Ordinance unreasonably burdensome and would impair the owner from using the property for a permitted purpose and,

Whereas, per section 4.05.C.1.g, the requested variance is the minimum amount necessary to overcome the inequality inherent in the subject property and,

Whereas, per section 4.05.C.1.h, the requested variance permits only a principally permitted use within the Rural Residential zoning district,

Be it therefore resolved that the request to permit a front yard setback of 88 feet for an additional 16 feet is approved with the following conditions:

4. The submission to the Zoning Administrator of all required Plot Plan data per Sections 6.03.A.1.a thru 6.03.A.1.k of the Zoning Ordinance prior to issuance of a zoning permit.
5. Conformance with all applicable provisions of Article 18, General Provisions and Article 24, Environmental Protection of the Dexter Township Zoning Ordinance prior to the issuance of a final certificate of zoning compliance.

6. The restoration or removal of the 18' x 24' wood barn located on the west property line.

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Be it also resolved that the following existing non-conformities be recognized:

4. Lot less than 2 acres.
5. Front side setback to North Territorial of 75 feet.

Gajewski – yea
Kelly – yea
Burch – yea
Wojno – yea
Millar – yea

Carried

**3)
04-03-385-009
03-ZBA-574
Jody Watters
8722 Silver Drive**

Applicant requests relief from:
Section 18.23.A to allow a 9'4" setback on the front yard, rather than the required 50';
(currently 20'3")

And to recognize the following existing non-conformities:
4' north side setback, from existing deck to property line.
20'3" West side setback, from front of home to Silver Drive.
7' East Side setback, from rear of existing home to rear of lot 33.
Lot less than 1 acre,
Lot less than 150' width,
To add on a 10'6" x 12'9" addition.

Persons notified were read into the record and present were the applicant.

Concerns of the Board were the availability of two parking spaces. Applicant agreed to turn a garden area into parking.

A motion was made by Gajewski, supported by Millar to approve the above request and to allow 2 parking spaces at 9'4" x 20', instead of the required 10" x 20".

Kelly – Nay

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Wojno – Nay
Millar – Nay
Gajewski – Yea
Burch – Yea

Millar asked for a re-vote as me misunderstood the motion when read.

Wojno – Nay
Millar – Nay
Gajewski – Yea
Burch – Yea

A motion was made by Kelly, supported by Wojno to approve the meeting minutes of February 10, 2004.

Meeting was adjourned at 9:25 p.m.

Respectfully submitted,

David Millar, Secretary