



Dexter Township

Zoning Board of Appeals

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Steve Burch,
Chair

Bill Gajewski,
Vice Chair

Pat Kelly,
Secretary

Mary Adams
James Cormier

Paul Godek, Alt
Wendell Wagner, Alt

DeNette Bolyard,
Recording Secretary

REGULAR MEETING OF THE ZONING BOARD OF APPEALS

Tuesday, January 6, 2009 7:00 PM

Members present: Steve Burch, Chair, Bill Gajewski, Vice Chair, Pat Kelly, Secretary, Mary Adams, Planning Commission Representative, Mary Herda-Sprawka.

Absent: None

Also Present: Patrick Sloan, Director of Planning and Zoning

- I. **Call to Order:** The meeting was called to order by Chairman Burch at 7:04 p.m.
- II. **Pledge of Allegiance:** Chair Burch led the Pledge of Allegiance to the Flag
- III. **Approval of Agenda:** Election of Officers were added as an agenda item as number VI.

Add Public Comment and Concerns of Board members, Director of Planning and Zoning and Recording Secretary at the end of the agenda.

There was a motion by, Gajewski, supported by Adams to approve the agenda as amended. Carried.

- IV. **Approval of Meeting Minutes:** Motion by Adams, supported by Gajewski to defer the approval of the December meeting minutes until the February meeting. Carried.
- V. **Public Comment- Non Agenda Items:** None

VI. **Election of Officers:**

Nomination by Gajewski to elect Pat Kelly as Secretary. Adams supported the nomination. 5-0 Carried.

Nomination by Kelly to elect Bill Gajewski as Vice Chair. Supported by Adams. 5-0 carried.

Nomination by Gajewski to elect Steven Burch as Chair. Supported by Kelly. 5-0 carried.

VII. **Action Items:**

Agenda Item #	1
Appeal Number:	08-ZBA-694
Property Tax ID:	04-01-181-002
Applicant Name(s):	Paul & Nancy Godek

Property Address:	9669 Portage Lake Ave.
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This item was deferred from a previous meeting. The purpose of this variance request is to allow for construction of an attached 2-car garage and second story addition on the east side of the existing home at 9669 Portage Lake Ave., Pinckney, MI 48169 (parcel 04-01-181-002).

Chair Burch explained to Paul Godek, applicant, in order to be approved for his variance that he would need three affirmative votes and that a new ZBA member was recently appointed by the Township Board. The Board wished to give the applicant the opportunity to request that his variance be tabled until the February meeting to allow the new member to become familiar with Mr. Godek's application. Mr. Godek requested a recess so that he may discuss with his attorney. Chair Burch stated that they would table his request and proceed with the other items on the agenda and that they would discuss his request after other agenda items.

After other agenda items were deliberated on a motion was made by Kelly, supported by Gajewski, to remove the Godek case from the table. Carried

Godek addressed the Board and stated that he wished to wait until the ZBA had a full Board before discussing his variance request.

Kelly made a motion, supported by Gajewski, to defer the variance application to the February 11, 2009 meeting, noting there would not be any additional charges to the applicant. This will allow time for the new member to become familiar with this case. Carried.

Agenda Item #	2
Appeal Number:	08-ZBA-703
Property Tax ID:	04-30-400-005
Applicant Name(s):	Washtenaw County Parks & Recreation Commission
Property Address:	No address. Located on the north side of Waterloo Road, south of West Lake and west of Shagbark Street

Variations Requested Per Submitted ZBA Application:				
<u>Section</u>	<u>Curre nt</u>	<u>Requested</u>	<u>Permitted</u>	<u>Description/Notes</u>
20.04	---	8-foot clear zone triangle	20-foot clear zone triangle	To allow the entrance sign within the 20-foot clear vision zone triangle between the driveway and the road.
21.04(B)(1)	---	24 feet	30 feet	To allow a narrower driveway.
21.04(D)	---	Gravel	Hard Surfaced	To allow a parking lot surface that is not "durable smooth and dustless" (e.g. asphalt, concrete, etc.)
22.03(B)	---	8 feet	30 feet	To allow the entrance sign to be closer than 30 feet to the road right-of-way.
22.05(B)(1)(b)	---	2 freestanding	1 freestanding sign	To allow 2 freestanding signs (1 entry sign and 1 trailhead sign)

		signs		
22.05(B)(2) (b)	---	7 feet (entry sign); 5' 8" (trailhead sign)	4 feet	To allow 2 freestanding signs (1 entry sign and 1 trailhead sign) that exceed 4 feet in height.

The purpose of this variance request is to allow for construction of a driveway, parking lot, and 2 signs for a proposed nature preserve on parcel 04-30-400-005 on the north side of Waterloo Road.

Sloan, DPZ, gave a brief synopsis of the application.

Coy Vaughn, representative for the Washtenaw County Parks, was present to discuss the application and answer any questions the Board may have.

Discussion was held regarding the clear vision zone. Burch asked why the sign can't be moved out of clear zone. Mr. Vaughn stated that due to topography, it may not be feasible to get completely of clear vision zone, but probably can move back some while maintaining visibility from the road.

Gajewski said that the entry sign is about 30' from the edge road. He does not have an issue with safety but does have a problem with our Zoning Ordinance.

Gajewski also noted to the PC to look at Zoning Ordinance. Gajewski believed that our ZO is out of sync with WCRC standards and good planning principles. Chair Burch asked Adams if she would relay this concern. Adams indicated that yes, she would.

Burch asked Sloan if he thought the request compromised any safety standards. Sloan said, based on the proposed use and anticipated traffic, the proposed variances would likely not compromise safety.

PUBLIC COMMENT:

Guerin Wilkison
13765 Waterloo

Stated he thinks that the curb cut is arbitrary and seems to be an old driveway. Kelly answered with concurrence from Coy Vaughn that the using the old curb cut prevented regulations for more extensive clearing for site lines. Vaughn said that the WCPC wanted to keep the driveway, considering there is an existing approved curb cut to the west at West Lake Hills.

Borek Janik
13805 Waterloo

Would like to endorse the idea of a non-paved parking lot.

Norm Koch
14045 Island Lake Rd.

Asked what about West Lake ? Will there be hunting and fishing? Vaughn said that hunting is not allowed, but possibly fishing, although generally not allowed. Kiosk will state there will be no fishing or swimming. Kelly suggested to Mr. Koch that he share his concerns with the Planning Commission. Vaughn also stated that the land use is limited based on the restrictions outlined in the millage agreement.

PUBLIC HEARING CLOSED

A motion was made by Gajewski to approved variance as requested. Nature preserve will help protect water quality of West Lake by minimizing impervious surfaces and preserving natural areas. Kelly requested that an amendment be made to include that public safety is not impacted because variance meets requirements of WCRC for clear vision triangles.

Roll Call Vote:

BURCH – YES KELLY – YES ADAMS- YES GAJEWSKI – YES
HERDA-SPRAWKA – YES

Motion Carried

Agenda Item #	3
Appeal Number:	08-ZBA-704
Property Tax ID:	04-36-300-016
Applicant Name(s):	Fred Fauser
Property Address:	No address, but owned by and adjacent to 9040 Island Lake Rd.

Variances Requested Per Submitted ZBA Application:				
Section	Current	Requested	<i>Permitted</i>	Description/Notes
12.01(E)(2)	138' of frontage; 121' of width	Same	150 feet	To make parcel 04-36-300-016 a buildable lot per Section 19.02(A).
19.02(A)(1)(c)	Nonconforming lot	At least 100' wide over 60% of the lot area	150 feet wide over 60% of the lot area	To make parcel 04-36-300-016 a buildable lot per Section 19.02(A).

The purpose of this variance request is to allow for 04-36-300-016 (a nonconforming parcel) to be a buildable parcel.

Mr. Fauser had emailed Sloan, DPZ and requested that his variance application be removed from the agenda.

VIII. Public Comment: None

IX. Concerns of Board Members, Zoning Administrator, Recording Secretary

Sloan wished to remind the Board that Public Advisory meetings would be held here at the township on January 13th at 7:00 p.m., Saturday, January 24th 1:00 (Lakes Residential),
Thursday, February 5th at 7:00 p.m. (Rural Residential and Commercial)

X. Adjournment- Motion by Kelly, support by Herda-Sprawka to adjourn at 8:25 p.m.

Respectfully submitted,

DeNette Bolyard,
Recording Secretary

Pat Kelly,
Secretary

These minutes have been approved by majority vote at the
_____ Zoning Board of Appeals Meeting.