



"A Community For All Seasons"

# Dexter Township

## Zoning Board of Appeals

6880 Dexter-Pinckney Road  
Dexter, MI 48130

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Steve Burch,  
Chair  
James Cormier,  
Vice Chair  
Pat Kelly,  
Secretary  
Bill Gajewski  
Mary Adams  
Paul Godek, Alt.

DeNette Bolyard,  
Recording Secretary

### REGULAR MEETING OF THE DEXTER TOWNSHIP ZONING BOARD OF APPEALS

Tuesday, January 8, 2008  
7:00 PM

Members present: Steve Burch, Chairman, Pat Kelly, Secretary, Bill Gajewski, Mary Adams

Absent: Jim Cormier

Also Present: Patrick Sloan, Director of Planning and Zoning, DeNette Bolyard, Recording Secretary

- 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:** There was a motion by, Kelly, supported by Gajewski to approve the agenda as submitted. Carried.
- IV. Approval of Meeting Minutes**

Motion by Kelly, supported by Gajewski to approve the meeting minutes of November 13, 2007 as amended. Carried 4-0.

Motion by Gajewski, supported by Kelly to approve the meeting minutes of December 11, 2007 as amended. Carried 4-0.
- V. Election of Officers**

Motion by Gajewski, supported by Adams to elect Steve Burch as ZBA Chair for the 2008 calendar year. Motion Carried.

Motion by Kelly, supported by Adams to elect Bill Gajewski as ZBA Vice-Chair for the 2008 calendar year. Motion Carried.

Motion by Gajewski, supported by Adams to elect Pat Kelly as ZBA Secretary for the 2008 calendar year. Motion Carried.
- VI. Public Comment- Non Agenda Items:** None

**VII. Action Items:**

<b>Agenda Item #</b>	1			
<b>Appeal Number:</b>	07-ZBA-675B			
<b>Property Tax ID:</b>	04-14-400-011			
<b>Applicant Name(s):</b>	Kevin & Sandy Sloan			
<b>Property Address:</b>	9838 North Territorial Road			
<b>Variances Requested Per Submitted ZBA Application:</b>				
<b>Section</b>	<b>Current</b>	<b>Requested</b>	<b>Permitted</b>	<b>Description/Notes</b>
12.01.E.1	1.17 acres	1.17 acres	2 acres	Recognize lot area is less than 2 acres.
12.01.E.2	125 feet	125 feet	150 feet	Recognize lot width/frontage is less than 150 feet.
12.01.E.3.a	Approx. 145 ft.	Approx. 145 ft.	150 feet	To change the profile, square footage, and foundation footprint of a nonconforming structure.
19.04.B.2	Current Structure is Legal Nonconforming	Yes	No	Allow change in profile, foundation footprint, and square footage of nonconforming structure.

The purpose of this variance request is to allow for construction of a 30' x 40' attached addition to the rear (north) side of the existing single family home at 9838 North Territorial Road, Dexter, MI 48130 (parcel 04-14-400-011).

This request was tabled from the November 13, 2007 meeting. The Zoning Board of Appeals was not comfortable approving a garage that the applicant would have to obtain entry by going across the neighbors property.

The amended request moves the proposed addition eastward by 3 feet to be even with the western elevation of the portion of the house it connects to. By doing this, the applicant no longer needs to request a side yard setback variance on the west side. The amended request also removes the 2-car side entry garage in the northernmost part of the proposed addition on the west side and replaces it with a 6' door and a 40" door. However, the amended request keeps the 2-car (18 feet wide) side entry garage door in the southernmost part of the proposed addition. The plot plan measures the shortest distance between the proposed garage door edge and the western property line to be 22 feet, with turn radius of 30 feet. For parking lots, Section 21.04(C)(1) of the Zoning Ordinance requires a minimum of 24 feet for a maneuvering lane to a 90-degree parking stall. Since this regulation assumes a 2-way maneuvering lane, a distance of between 22-30 feet should be adequate for a single family residence.

**Board Comments:**

- Gajewski stated that he prefers side entry garages instead of front load garages to preserve rural character.

A motion was made by Gajewski, supported by Kelly to approve the variance as requested with the condition that the driveway cannot be expanded to the west. The practical difficulty is that the house cannot be moved.

BURCH – YES      KELLY – YES      ADAMS- YES      GAJEWSKI – YES

Motion Carried

<b>Agenda Item #</b>	2
<b>Appeal Number:</b>	07-ZBA-677
<b>Property Tax ID:</b>	04-18-432-004
<b>Applicant Name(s):</b>	Jon & Janice Inwood
<b>Property Address:</b>	13776 Rustic Drive

<b>Variations Requested Per Submitted ZBA Application:</b>				
<b>Section</b>	<b>Current</b>	<b>Requested</b>	<b>Permitted</b>	<b>Description/Notes</b>
12.02.E.1	.14	.14 acres	1 acre	Recognize lot is less than 1 acre. No change is proposed.
12.02.E.2	47.5 feet	47.5 feet	150 feet	Recognize lot width is less than 150 feet. No change is proposed.
12.02.E.3.a (home)	42.5' (road); 42' (water)	42.5' (road); 42' (water)	50 feet	Extend nonconforming front yard setback on the road side by 7'-11" westward and upward to the roof line. Encroachment will not exceed 42.5' from the road right-of-way line. No change proposed on the water side.
12.02.E.3.a (deck)	28' (water)	28' (water)	50 feet	Recognize current front yard setback nonconformity. No change is proposed.
12.02.E.3.a (garage)	2.5' (road)	2.5' (road)	50 feet	Keep the same setback distance, but extend nonconforming front yard setback on the road side upward by 3 feet.
12.02.E.3.b (home)	4' (east)	4' (east)	9 feet	Recognize previously approved nonconforming side yard setback.
12.02.E.3.b (1 <sup>st</sup> story deck)	4' (east)	4' (east)	5 feet	Recognize current side yard setback nonconformity. No change is proposed.
12.02.E.3.b (2 <sup>nd</sup> story deck)	38.5' (water)	38.5' (water)	50 feet	Add a new 4' x 8' deck on the second story of the north side of the home.
12.02.E.3.b (garage)	2.5' (west)	2.5' (west)	5 feet	Keep the same setback distance, but extend nonconforming side yard setback on the west side upward by 3 feet.

The purpose of this variance request is to allow for an addition to the house, a new second story deck, and a replacement garage.

At its September 11, 2007 meeting, the Zoning Board of Appeals granted the Inwoods a variance, with conditions, to renovate their single family home. The approved renovation included raising the roof lines by 4', extending the front porches on the road side upward to the second story of the home, and reducing the overhangs from 12 inches to 6 inches.

A Zoning Permit for the proposed renovation was issued on September 21, 2007. On November 15, 2007, it came to the attention of Dexter Township that the residence was completely demolished. The shed on the waterside had also been demolished. According to Mr. Inwood, the foundation was damaged beyond repair and had to be replaced to handle the proposed addition. At the same time, it was either not possible or not financially feasible to also keep the existing structure. Mr. Inwood stated that he obtained all the necessary demolition permits from Chelsea Area Construction Agency (CACA) and that the foundation footprint, building profile, and square footage of the new house would be the same as the previous house. There were no plans to replace the demolished shed. On November 15, 2007, CACA faxed the township a copy of the foundation to be replaced. This foundation plan matched the existing foundation.

Board Comments:

- Kelly felt that typically a tear down and rebuild would be seen by the ZBA as an opportunity to require that the structure be made more conforming. Also had storm water management concerns.
- Gajewski discussed storm water best management practices.
- Burch supports the request, contingent on MLWSA approval.

Mr. Inwood stated that percolation is good. White Pines are to be planted in front. Terraced rain garden is to remain. The massive snow melt and additional rain over the past few days have been accommodated by the temporary piping.

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A motion was made by Kelly, supported by Gajewski to table this request until the February 12, 2008 meeting. A stop work order is to be issued by Patrick Sloan, Director of Planning and Zoning, until Mr. Sloan is satisfied that Multi Lakes Water and Sewer (MLWSA) requirements regarding MLWSA equipment, including the grinder pump, have been met.

Motion Carried 4-0

<b>Agenda Item #</b>	<b>3</b>
<b>Appeal Number:</b>	07-ZBA-665
<b>Property Tax ID:</b>	04-03-226-011
<b>Applicant Name(s):</b>	Thomas Flynn
<b>Property Address:</b>	9377 Anne Drive

<b>Variances Requested Per Submitted ZBA Application:</b>				
<b>Section</b>	<b>Current</b>	<b>Requested</b>	<b>Permitted</b>	<b>Description/Notes</b>
12.02.E.1	Approx. .16 ac.	Approx. .16 ac.	1 acre	Recognize lot is less than 1 acre.
12.02.E.2	Approx. 50 feet	Approx. 50 feet	150 feet	Recognize lot width is less than 150 feet.
12.02.E.3.a (Home)	19.8 feet (road); Approx. 33 feet (water)	19.8 feet (road); Approx. 33 feet (water)	50 feet	To extend the front yard setback nonconformities of the home by adding a second story to match the first story elevation.
12.02.E.3.a (Overhang)	Approx. 30 feet (road); Approx. 40 feet (water)	19.8 feet (road); Approx. 33 feet (water)	50 feet	To increase front yard setback nonconformities of the overhang on the west side of the home by enlarging it to have the same front yard setbacks as the home.
12.02.E.3.a (Decks)	Approx. 0 feet (road); Approx. 13 feet (water)	Approx. 0 feet (road); Approx. 13 feet (water)	50 feet	To extend front yard setback nonconformities by extending the deck in the northwest to the same road side setback as the home and connect the decks in the southwest side of the home.
12.02.E.3.a (Garage)	Approx. 36 feet (south); Approx. 12 feet (east)	Approx. 36 feet (south); Approx. 12 feet (east)	50 feet	Recognize existing front yard setback nonconformities of the existing garage. No change proposed.
12.02.E.3.b (Home)	Approx. 10 feet (west); .8 ft .(east)	Approx. 10 feet (west); .8 ft .(east)	8 feet	To extend the side yard setback nonconformities of the home by adding a second story to match the first story elevation.
12.02.E.3.b (Overhang)	-1 foot (west)	+1 foot (west)	8 feet	To decrease the side yard setback nonconformity of the overhang on the west side of the home and extend the nonconformity to be the same length as the west side of the home (34.6 feet).
12.02.E.3.b (Decks)	0 feet (west); 1.8 feet (east)	0 feet (west); 1.8 feet (east)	5 feet	To extend the west side setback nonconformity in the southwest corner and slightly increase the nonconforming setback in the northwest corner by adding deck in those areas per the plans.
12.02.E.4	41.88%	43.62%	25%	To increase the nonconforming lot coverage as a result of the proposed overhang increase on the west side of the home.
18.18.C (Garage)	Approx. 4' (west); Approx. .5' (north)	Approx. 4' (west); Approx. .5' (north)	16 feet	Recognize existing rear yard setback nonconformities of the existing garage. No change proposed.
18.18.D (Garage)	144%	144%	25%	Recognize that the lot coverage of the garage is greater than 25% of the ground floor area of the principal structure. No change proposed.

The purpose of this variance application is to renovate the existing single family home.

At the October 9, 2007 meeting a motion was made by Kelly, supported by Godek to table Mr. Flynn's request to allow him additional time to submit a new plan. Mr. Flynn was to submit to Patrick Sloan all prior requested material by November 5<sup>th</sup> to be placed on the December 11<sup>th</sup> agenda. However, no variance requests were heard at the December meeting. Therefore, Mr. Flynn's application review was placed on this month's agenda.

Patrick Sloan stated that he had not received any additional information from Mr. Flynn.

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A motion was made by Kelly, supported by Gajewski to deny the applicants because the applicant failed to provide any of the additional information requested by the ZBA on July 10, 2007 including:

1. Details concerning the legal and illegal existing non-conformities on the property.
2. A stormwater runoff plan to include runoff from the proposed house and garage..
3. Plan revisions to reduce the footprint of the home to address excessive lot coverage concerns.
4. Plan revisions to address concerns of adjacent property owners, including overall size and loss of view concerns.

. Carried 4-0.

Patrick Sloan to contact Chelsea Area Construction Agency to see if the Dangerous Building Ordinance may apply to this home. (There is currently a tarp on the roof and other areas in need of repair).

**VII. Public Comment:** None

**VIII. Concerns of Board Members, Zoning Administrator, Recording Secretary**

**IX. Adjournment**

Meeting declared adjourned at 9:40 p.m.

Respectfully submitted,

DeNette Bolyard,  
Recording Secretary

Pat Kelly,  
Secretary