



DEXTER TOWNSHIP

ZONING BOARD OF APPEALS

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PAT KELLY,
SECRETARY
BILL GAJEWSKI
MARY ADAMS
PAUL GODEK, ALT.

DENETTE BOLYARD,
RECORDING SECRETARY

REGULAR MEETING OF THE ZONING BOARD OF APPEALS

Tuesday, April 1, 2008
7:00 PM

Members present: Steve Burch, Chair, Pat Kelly, Secretary, Bill Gajewski, Paul Godek, Alternate

Absent: Mary Adams, Planning Commission Representative, Jim Cormier, Vice Chair

Also present: Patrick Sloan, Director of Planning and Zoning (DPZ)

- I. **Call to Order:** The meeting was called to order by Chairman Burch at 7:07 p.m.
- II. **Pledge of Allegiance:** Chair Burch led the Pledge of Allegiance to the Flag
- III. **Approval of Agenda:** Chair Burch reviewed the agenda. Member Kelly moved approval of the presented agenda with a revision to move approval of previous meetings minutes to after the action items. Member Godek supported the motion. **Motion carried.**
- IV. **Approval of Meeting Minutes** (*Considered and acted on after agenda item VI - Action Items.*)

Motion by Kelly, support by Gajewski to approve the February 12, 2008 meeting minutes as amended. Amendment as follows to page 5:

Strike: ~~Kelly made a motion, supported by Gajewski to table this request pending review and recommendations by the Planning Commission. With respect to the parking.~~

Replace with: Motion by Kelly, support by Gajewski to table the request pending review and recommendation of the site plan by the Planning Commission, acknowledging that the applicant's property has a practical difficulty with respect to providing the required number of parking places.

Motion Carried.

Motion Kelly, support by Gajewski to approve the March 11, 2008 meeting minutes as amended. Amendments as follows:

Page 2, paragraph 2, strike ~~length~~, replace with number.

Page 2, 2nd to last paragraph, strike ~~finished grade~~, replace with lot grading.

Page 3, item 1 of Concerns of Board Members:

Strike: ~~His variance was approved in February, but not in its entirety.~~

Replace with: Requested variances pertaining to the single family home were approved. However, a variance to allow the demolition and reconstruction of a detached garage was denied.

Page 3, last paragraph, changed as follows: ~~His hopes are that they expectation is that the Planning Commission will refer the record back to the ZBA for consideration of variance requests. to discuss what variances may be needed.~~

Motion carried.

- V. **Public Comment- Non Agenda Items:**

JoAnne Bertoni, 7315 Webb's Landing, informed the ZBA that emergency response to her residence is negatively impacted due to confusion over the "name" of her road. The road is known as "Webb's Landing" and also as "Webb Shore Drive" Supervisor Kelly indicated that she would speak to the Road Commission about the problem.

VI. Action Items:

Agenda Action Item	1
Appeal Number:	08-ZBA-682
Property Tax ID:	04-18-179-020
Applicant Name(s):	Richard Bradburn
Property Address:	7295 Webb Shore Drive

Variations Requested Per Submitted ZBA Application:				
<u>Section</u>	<u>Current</u>	<u>Requested</u>	<u>Permitted</u>	<u>Description/Notes</u>
12.02(E)(1)	.064 acres	.064 acres	1 acre	Recognize lot area is less than 1 acre.
12.02(E)(2)	32.82 feet	32.82 feet	150 feet	Recognize lot width is less than 150 feet.
18.23(A) (road)	1' (road)	1' (road)	50 feet	Recognize current front yard setback of the home on the road side is less than 50 feet.
18.23(B) (water) (home)	48' (water)	48' (water)	50 feet	Recognize current front yard setback of the home on the water side is less than 50 feet.
18.23(B) (water) (deck*)	37' (water)*	37' (water)*	50 feet	<u>To allow further encroachment</u> on the water side via the deck.
12.02(E)(3)(b) (home)	1' (south)	1' (south)	5 feet	Recognize current side yard setback of the home on the south side is less than 5 feet.
12.02(E)(3)(b) (shed)	3' (north)	3' (north)	5 feet	Recognize current side yard setback of the shed on the north side is less than 5 feet.
12.02(E)(3)(b) (deck*)	2' (south)*	2' (south)*	5 feet	<u>To allow further encroachment</u> on the side yard setback on the south side via the deck.
12.02(E)(4)	32.32%	32.32%	25%	Recognize lot coverage is greater than 25%.
18.22(A)	24 feet	24 feet	26 feet	Recognize that the front elevations are less than 26 feet.
Purpose: Allow for construction of a 12-foot wide deck along the west (lake side) elevation of the existing single family home. The parcel currently contains a two-story single family home. The attached deck was recently constructed without a Zoning Permit or variance.				

Chair Burch informed the ZBA and public that, due to the length of the list of persons notified for the variance request, he would not read aloud, noting that the list is on file at the township.

DPZ Sloan gave a brief description of the variance request from his memo of February 26, 2008 that was distributed with the ZBA board packets.

Chair Burch read aloud and submitted for the record a letter dated March 26, 2008 from neighboring property owners Don and Donna Dettling. The Dettling's letter indicated support for the variance request.

Mr. Bradburn, the applicant, expressed regret at not following proper procedure and channels prior to constructing the deck. He stated that he believed the deck is modest in size and fits in with the neighborhood.

Member Gajewski led off an extensive discussion of the significant stormwater runoff challenges of the surrounding area. In particular, Mr. Gajewski noted the severe detrimental impact of a grate-covered stormwater basin with a 12" diameter PVC pipe running directly into North Lake which appears to be located on the applicant's property. The steep topography of all the surrounding property also presents a major challenge to the management of stormwater runoff. Other members of the board concurred with the concern about stormwater runoff and noted that stormwater issues were really a problem for the entire neighborhood. Several stormwater mitigation scenarios were discussed with member Kelly noting that any

plan submitted should use best management practices and be verifiable. Mr. Bradburn indicated that he was willing to consider and install some stormwater mitigation.

Member Gajewski noted that height of the deck would most likely require a railing and this might create a lake view problem for the neighbor to the south. Member Kelly agreed noting that aerial photos of the properties illustrated that the angle of the homes to the lake would cause a problem.

Motion by Kelly, support by Gajewski to defer a decision on the request until, at the discretion of the applicant, the May or June ZBA meeting to allow the applicant to provide a comprehensive stormwater runoff plan and a letter from the neighbor to the south indicating approval of the deck with the required railing. **Motion Carried**

VII. Public Comment: None.

VII. Concerns of Board Members, Zoning Administrator, Recording Secretary:

Member Gajewski noted that he had received a brochure for Advanced Citizen Planner training to be held in June and that he would like to attend.

IX. Adjournment

Motion by Kelly, supported by Gajewski to adjourn at 8:45 p.m. **Motion Carried.**

Respectfully submitted,

Pat Kelly,
Secretary