

DEXTER TOWNSHIP

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Zoning Board of Appeals

Meeting Minutes

January 11, 2005

Present: James Cormier, Acting Chairman, David Millar, Acting Secretary, Pat Kelly, Wendell Wagner, Alternate.

Absent: Steve Burch, Chairman, William Smith

The meeting was called to order at 7:35 p.m. by Acting Chair Cormier

1)

04-14-400-018

04-ZBA-581

Faith Lutheran Church

9575 North Territorial Road

Applicant requests relief from:

Section 22.04.A.16. To allow a 52.5 square foot sign (16 square foot permitted). Also to allow the sign to be 5'3" tall, where 4' is permitted.

And to recognize the following existing non-conformities:

All non-conformities were recognized in January of 2004.

To allow for the removal of a 63 square foot sign, and to construct a 52.5 square foot sign. Sign is requested to be 5'3" tall. A variance was granted in 1973 for the sign that exists today.

Steve Piatt to contact applicant to discuss whether or not they wish to continue to be tabled.

2)

04-24-300-007

04-ZBA-584

Huron Creek Party Store (Ali Damsaz)

6100 Dexter – Pinckney Road

(Previously Distributed Materials)

To be tabled until the April 2005 Meeting

Motion by Kelly, supported by Wagner to request status of site plan application submittal as directed by the Court Order. Kelly will follow up with Peter Flintoft, Attorney.

Motion carried

3)

04-01-108-018

04-ZBA-599B

Richard Naylor/Greg Koepp

9818 Portage Lake Ave

Applicant requests relief from:

Section 18.23.A to allow a 33' setback from new construction to Portage Lake Ave. (50' Req. and presently only 7.9' from existing home to Portage Lake Ave.)

Section 12.02.E.3.b. To allow a 6.5' Setback on both the North and South side of new home to property line. (7' required)

Sections 18.22A. to allow a front and rear elevation of 25' where 26' is required.

And to recognize the following existing non-conformities:

Lot less than one acre.

Lot less than 150' wide.

Existing home is only 7.9' from Portage Lake Avenue.

This request was tabled from last month therefore did not need to be re-noticed.

Comments from the public were:

Robert Buchholz – 9838 Anne St. – In support of the neighbors request.

Joe Ringwelder – Previous Owner – Also in favor of proposed plan.

Mrs. Widener – 9810 Portage Lake Ave. would like to know how close the new dwelling will be to her house. She is concerned about the water run off that it would create.

Discussion by the Board followed.

Kelly questioned the height of the basement. Kelly requested an interpretation of section 12.5.E re: maximum height, from Steve Piatt, Zoning Administrator.

It was determined that this section of the zoning ordinance did not pertain.

It was noted that if overhangs are limited to 6" then the new dwelling would meet the required side yard set backs. The Board also felt that even though the requested square

footage of the dwelling (2,997) which is under the allotted 25% lot coverage is still more than what would be considered the minimum amount necessary to overcome the inequality inherent in the particular property of mitigate the hardship.

Kelly questioned whether or not the storm water management plan was adequate.

Applicant requested that his variance request be approved with the condition that he submit an adequate plan for storm water run off.

After further discussion a 10 minute recess was called.

A motion was made by Kelly, supported by Wagner to table this request to the February meeting to allow the applicant time to prepare a vicinity sketch showing all neighboring properties and also time to submit the appropriate storm water management plan.

Motion carried 4-0

4)
04-18-210-009
04-ZBA-600
Robert Rock/Eugene McKee
13953 Gilbert Drive
November 12, 2004

Applicant requests relief from:

Section 18.23.B to allow a 19'9" setback from the edge of North Lake to the new deck.

Section 12.02.E.3.c. To allow a 13'7" setback from rear property line to new deck.

Section 12.02.E.3.b to allow a 1'6" setback on the East Side and a 2' setback on the West Side from property line to side of new deck.

And to recognize the following existing non-conformities:

36'4" from the existing garage to Gilbert Drive.

25'7" from enclosed porch to North Lake

4' from existing garage and existing home, to East Side property line.

Lot less than one acre.

Lot less than 150' wide.

To allow for the construction of a 6' x 32'6" deck located on the waterside of the existing residence.

Motion by Kelly, support by Wagner to table this variance request for a maximum of three months. (To be placed back on agenda April 2005)

5)

04-06-286-001

04-ZBA-601

Thomas Prose

9485 Lakeview Drive

Applicant requests relief from:

Section 18.23.A. to allow a 42' setback on the North side of property to proposed deck. (50' req)

Also to allow a 10.3' East Side setback from the Easement to the new garage.

Section 12.01.E.3.C to allow a 15' setback on the West Side to proposed deck. (30' req)

Also to allow a 15' setback on the South side to new home.

Section 12.02.E.4. To allow 27.2% lot coverage where 25% is allowed.

Persons notified were read into the record and present were numerous neighbors and interested parties along with the applicants attorney Joseph Lloyd. Also present was a stenographer.

Joseph Lloyd presented the variance being requested by the applicant and also requested that the Board make an interpretation regarding what is to be considered front, rear, and side yards.

Neighbors that read letters aloud were:

(Letters will be placed in the file for review)

Chris Donajkowski – 13900 Lakeview Drive

Myrna Brown – 9225 Lakeview Drive

Elaine Stahl – 13862 Lakeview Drive

Joseph Kelly – 9585 Half Moon Lake Drive

Harold Baker – 9375 Lakeview Drive

Bob Von Berge 9535 Lakeview-

Has concerns regarding proposed driveway along easement. Stated that the easement is also dedicated for overflow parking.

Wagner – ZBA Member - Looked up calculations for a 1' rain fall event per roof coverage and stated 8,000 gallons of storm water would be generated. Which is a astronomical amount per year. Questioned Lloyd if a storm water management plan had been submitted.

Lloyd stated that the landscape architect will design what is needed.

Millar had numerous concerns:

- 1) Where the line is to be measured from for the height of the dwelling. Looking over the prints it suggested to him that the plans called for “filling in” and changing the grade.
- 2) Footings versus the grade. Would that be considered another story.
- 3) Driveway will probably require fill which will impact the surrounding area.
- 4) Had questions regarding both a south side and a east side door on the proposed garage.
- 5) Impervious surfaces - the dwelling proposed would cover 50% of the lot – with roof, driveway, decks, etc. That is definitely an environmental concern.
- 6) “The Wall” covering the lake and impeding the view. How big is this wall going to be ? Feels it cannot be determined at this time because the height cannot be calculated to the fill needed.
- 7) Questioned what is considered front yard. Stated that there is access easements on 3 sides of the property, which would suggest three front yards.

Lloyd stated for the record that he thought the Association owned the property of the lake side. (Discussion determined that because there was not enough information submitted it could not be decided what the answer was).

Larry Ferguson – 13195 Lakeview Drive
East Easement is not for driveway usage.

Peggy Clough – 9601 Lakeview
Sewer Easement and fill for a driveway would cause problems for the Sewer Authority if repairs were ever needed. Stated she was the President of the Association when the Sewer Authority granted the sewer easement and believes that driveways aren’t allowed over the sewer line.

Bill Wetzel – 9597 Half Moon Lake Drive
East Easement should provide access to Dr. Nulf’s. (Neighbor to the South)

Lloyd stated he spoke to the Sewer Authority and was told that driveway was not allowed to be paved so that it would not impede repair if needed.

Cormier – ZBA Member –

Had numerous concerns regarding:

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Change in grade
Ornamental structure
Height, Basement
Driveway
Storm water run off
Easement of west side – Title Search
Vicinity sketch

After discussion a motion was made by Millar, supported by Wagner to table this request to allow the applicant time to provide a title search regarding easements, vicinity sketches, storm water run off plan, height of structure, final grade plan.

Motion carried 3-0.
Kelly abstained

Approval of minutes- November 2004 to be tabled until the next meeting.

Meeting declared adjourned at 10: 40 p.m.

Sincerely,

DeNette Bolyard,
Recording Secretary

David Millar,
Acting Secretary