



# DEXTER TOWNSHIP

## ZONING BOARD OF APPEALS

6880 DEXTER-PINCKNEY ROAD  
DEXTER, MI 48130

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SECRETARY

JIM CORMIER, ALT  
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DeNETTE Bolyard,  
RECORDING SECRETARY

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## AGENDA

### December 3, 2013

### 6:00 P.M.

#### I. Call to Order

#### II. Pledge of Allegiance

#### III. Approval of Agenda

#### IV. Public Comment – Non-Agenda Items

#### V. Action Items:

##### Item #1

1. Introduction of the case
  - a. Appeal Number: 13\_ZBA-779B
  - b. Applicant Name(s): John & Keri Riegger
  - c. Address: 9265 Lakeview Drive
  - d. Property Tax ID: 04-06-176-026
  - e. Reading of persons noticed or reference to the notice list on file
  - f. Purpose of Variance Request: Variance are for a reduced front-yard (road) setback of eleven point seventy-five (11.75) feet rather than the twenty-five (25) required and a reduced rear-yard setback of eleven point seventy-five (11.75) feet rather than the eighteen point five (18.5) feet required.
2. Report from the Director of Planning & Zoning (DPZ)
3. ZBA Q&A with the DPZ
4. Applicant presentation and Q&A with the ZBA
5. OPEN PUBLIC HEARING ON AGENDA ITEM
  - a. Reading of letters into the record
  - b. Comments from public in attendance (SEE PUBLIC COMMENT POLICY ON THE LAST PAGE)
6. CLOSE PUBLIC HEARING ON AGENDA ITEM
7. ZBA deliberations and Standards of Review
8. Motions by the ZBA

##### Item #2

1. Introduction of the case

- a. **Appeal Number:** 13-ZBA-786
- b. **Applicant Name(s):** Thomas Hooper
- c. **Address:** 6580 Lombardy Drive
- d. **Property Tax ID:** 04-18-466-013
- e. **Reading of persons noticed or reference to the notice list on file**
- f. **Purpose of Variance Request:** Variances are for a *reduced front-yard (road) setback of twenty-five point seventy-five (25.75) feet rather than the thirty-five (35) feet required* and an *increased lot coverage of ten point two (10.2) percent rather than the ten (10) percent allowed.*
2. **Report from the Director of Planning & Zoning (DPZ)**
3. **ZBA Q&A with the DPZ**
4. **Applicant presentation and Q&A with the ZBA**
5. **OPEN PUBLIC HEARING ON AGENDA ITEM**
  - a. **Reading of letters into the record**
  - b. **Comments from public in attendance (SEE PUBLIC COMMENT POLICY ON THE LAST PAGE)**
6. **CLOSE PUBLIC HEARING ON AGENDA ITEM**
7. **ZBA deliberations and Standards of Review**
8. **Motions by the ZBA**

**Item #3**

1. **Introduction of the case**
  - a. **Appeal Number:** 13-ZBA-787
  - b. **Applicant Name(s):** Joanne Bertoni
  - c. **Address:** 7315 Webbs Shore
  - d. **Property Tax ID:** 04-18-179-016/04-18-180-014
  - e. **Reading of persons noticed or reference to the notice list on file**
  - f. **Purpose of Variance Request:** . Variances are for a *reduced front-yard (road) setback of three (3) feet rather than the twenty-five (25) feet required*, a *reduced rear-yard setback of eleven (11) feet rather than the twelve point five (12.5) feet required*, and an *increased lot coverage of twenty-six point nine (26.9) percent rather than the twenty-five (25) percent allowed.*
2. **Report from the Director of Planning & Zoning (DPZ)**
3. **ZBA Q&A with the DPZ**
4. **Applicant presentation and Q&A with the ZBA**
5. **OPEN PUBLIC HEARING ON AGENDA ITEM**
  - a. **Reading of letters into the record**
  - b. **Comments from public in attendance (SEE PUBLIC COMMENT POLICY ON THE LAST PAGE)**
6. **CLOSE PUBLIC HEARING ON AGENDA ITEM**
7. **ZBA deliberations and Standards of Review**
8. **Motions by the ZBA**

Please also review the two following items.

(13-ZBA-777) Huddleston was postponed by the Zoning Board of Appeals on September 3, 2013, until the December 3, 2013, meeting. The applicants have not submitted any new materials and have requested an additional postponement until the February 4, 2013, meeting. Let me know if you need any additional information.

(13-ZBA-785) Nowak and Levandowski was denied by the Zoning Board of Appeals on November 5, 2013. The applicants' agent was not present earlier in the meeting and was not made aware of the opportunity to request postponement to allow for amendment of the proposed project. While the practice of offering postponements is not explicitly addressed in the Zoning Ordinance or the Rules of Procedure, it has been common practice to allow for it. Failure to offer the opportunity raises concerns of equal treatment and due process for applicants. The Township Attorney has recommended that the Zoning Board of Appeals reopen the case and allow the applicant the opportunity to request postponement. Let me know if you need any additional information.

**Rules of Procedure: Public Comment/Input Policy**

**PUBLIC COMMENT/INPUT POLICY**

1. Speakers shall address the ZBA from the front table/lectern and begin by stating their name and address.
2. Speakers are encouraged to be as factual and brief as possible, and to restrict comments to the application and property under consideration.
3. Speakers shall address all comments and questions to the Chair.
4. Speakers may address the ZBA more than once, but subsequent comments must bring new information, correct the record, or raise new questions.
5. If there are numerous people in the audience who would like to comment on an issue, and it is known that all share the same opinion, it is requested that a spokesperson be selected to speak for the entire group. If this arrangement cannot be made, it may be necessary for the Chair to restrict each speaker to a limited time in order that all may be heard.
6. Members of the ZBA may question any speaker to gather information.
7. Off-topic comments and interruptions from members of the audience shall be ruled out of order.

**VI. Public Comment –**

**VII. Approval of Previous Meeting Minutes-**

**VIII. Concerns of ZBA Members, DPZ, and Recording Secretary**

**IX. Adjournment**