



# DEXTER TOWNSHIP

## ZONING BOARD OF APPEALS

6880 DEXTER-PINCKNEY ROAD  
DEXTER, MI 48130

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## AGENDA

### February 13, 2007

- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Agenda
- IV. Public Comment – Non Agenda Items
- V. Action Items:

1)

<b>Appeal Number:</b>	06-ZBA-650
<b>Property Tax ID:</b>	04-13-100-021
<b>Applicant Name(s):</b>	John & Jane Kelly (Owners)/ Susan Bryan (Landscape Architect)
<b>Property Address:</b>	9449 Huron River Drive

<b>Appeals Requested Per Submitted ZBA Application:</b>	
<b>Section</b>	<b>Description/Notes</b>
4.06.A.2	Administrative Review of Zoning Administrator decision to deny Home Occupation Permit
4.06.A.2	Administrative Review of Zoning Administrator interpretation of on-site operation as “landscape nursery operation.”

The purpose of this variance application is to appeal my decision to deny the owner a home occupation permit. The site is located at 9449 Huron River Drive, Dexter, MI 48130 (parcel 04-13-100-021). The primary use of the site is single family residential. The buildings on the site include a single family home and a detached 40’ x 64’ pole barn. The pole barn is used for storing materials and heavy machinery associated with John Kelly Landscaping. The front (east) portion of the site contains a large area dedicated to the storage of sand, stone, mulch, soil, and firewood. According to the applicant, employees drive to the house, park their vehicles, load a truck, drive the truck off-site, return the truck to the site, and leave at the end of the day. Any land use that includes employee parking, storage and loading of materials, and regular on-site operation of heavy machinery is not a permitted use in the Rural Residential District. Therefore, I denied the Home Occupation Permit application from the applicant and told him that the on-site use was a “landscape nursery operation,” which is a Special Land Use in the Rural Residential District. The applicant has appealed both decisions to the Zoning Board of Appeals. This appeal is in accordance with Section 4.06.A.2 of the Dexter Township Zoning Ordinance.

2)

<b>Appeal Number:</b>	06-ZBA-644
<b>Property Tax ID:</b>	04-02-400-023
<b>Applicant Name(s):</b>	Charles Sessink (builder)/ Terry & Ellen Walter (owners)
<b>Property Address:</b>	9451 Dexter-Pinckney Road

<b>Variance 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	.29 acres	.29 acres	1 acre	Recognize lot is less than 1 acre.
12.02.E.2	70 feet	70 feet	150 feet	Recognize lot width is less than 150 feet.
12.02.E.3.a (home)	86' (road); 8' (water)	89' (road); 8' (water)	200' (road); 50' (water)	To reduce the front yard setback nonconformity on the road side, but increase the length of the nonconformity.
12.02.E.3.a (garage)	15' (road)	15' (road)	200' (road)	Recognize current garage is within the front yard setback on the road side.
12.02.E.3.b (home)	2' (northwest)	2' (northwest)	5'	Recognize existing side yard setback is less than 5 feet. No change proposed.

The purpose of this variance application is to build an addition on the front (northeast) side of the single family home at 9451 Dexter-Pinckney Road, Pinckney, MI 48169 (parcel 04-02-400-023). The parcel currently contains a single family home and a detached garage, both of which are legal nonconforming structures. The single family home is nonconforming due to its current front yard setbacks (86' on the road side and 8' on the water side) and side yard setback (2' on the northwest side of the parcel). The detached garage is nonconforming due to its current front yard setback (15' on the road side). According to Section 19.04.A (Nonconforming Structures) of the Dexter Township Zoning Ordinance, "No structure may be enlarged or altered in a way which increases its nonconformity." The proposed changes will alter and, in the case of the front yard setback of the home on the road side, increase the length of the nonconformity. Furthermore, Section 19.04.B.3 states, "In the case where the Zoning Board of Appeals finds a proposed increase in the nonconformity, the applicant may seek a variance."

3)

<b>Appeal Number:</b>	07-ZBA-651
<b>Property Tax ID:</b>	04-32-400-006
<b>Applicant Name(s):</b>	Howard Schenk (owner)/William Risner (builder)
<b>Property Address:</b>	3110 McKinley Road

<b>Variance 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	1.9 acres	1.9 acres	2 acres	Recognize lot is less than 2 acres.
12.01.E.3.a	27 feet	25 feet	100 feet	To increase the front yard setback nonconformity.

The purpose of this variance application is to expand the covered porch on the front (west) side of the single family home at 3110 McKinley Road, Chelsea, MI 48118 (parcel 04-32-400-006). The parcel currently contains a single family home, which is a legal nonconforming structure.

4)

<b>Appeal Number:</b>	07-ZBA-652
<b>Property Tax ID:</b>	04-02-175-002
<b>Applicant Name(s):</b>	Claire & Robert Hogikyan (owners)/H. Scott Diels (architect)

<b>Property Address:</b>	9944 Winston Drive
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<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	.11 acres	.11 acres	1 acre	Recognize lot is less than 1 acre.
12.02.E.2	55 feet	55 feet	150 feet	Recognize lot width is less than 150 feet.
12.02.E.3.a (home)	22.5' (road); 23.3' (water)	22.5' (road); 15.3' (water)	50' (road); 50' (water)	To increase the front yard setback nonconformity on the water side.
12.02.E.3.a (shed)	26' (road)	26' (road)	50' (road)	Recognize current shed is within the front yard setback on the road side.

The purpose of this variance application is to renovate the rear (southeast) side of the single family home at 9944 Winston Drive, Pinckney, MI 48169 (parcel 04-02-175-002). The parcel currently contains a single family home and a shed, both of which are legal nonconforming structures. The single family home is nonconforming due to its current front yard setbacks (22.5' on the road side and approximately 18' on the water side). The shed is nonconforming due to its current front yard setback (approximately 26' on the road side). The proposed renovation includes remodeling the addition in the southeast corner of the home, extending the overhand from the addition to the attached deck, and adding additional decking toward the lake. According to Section 19.04.A (Nonconforming Structures) of the Dexter Township Zoning Ordinance, "No structure may be enlarged or altered in a way which increases its nonconformity." The proposed changes will alter and, in the case of the front yard setback of the deck on the water side, increase the nonconformity. Furthermore, Section 19.04.B.3 states, "In the case where the Zoning Board of Appeals finds a proposed increase in the nonconformity, the applicant may seek a variance."

5)

<b>Appeal Number:</b>	07-ZBA-653
<b>Property Tax ID:</b>	04-13-300-027
<b>Applicant Name(s):</b>	Carl Read (owner)/Joseph Roperti (builder)
<b>Property Address:</b>	9013 North Territorial Road

<b>Variations Requested Per Submitted ZBA Application:</b>				
<b>Section</b>	<b>Current</b>	<b>Requested</b>	<b>Permitted</b>	<b>Description/Notes</b>
11.02.E.1	2.29 acres	2.29 acres	5 acres	Recognize lot is less than 5 acres.
11.02.E.2	187 feet	187 feet	330 feet	Recognize lot width is less than 330 feet.
11.02.E.5	7.06%	7.55%	5%	To increase the existing nonconforming lot coverage.

The purpose of this variance application is to build a 2-bedroom addition on the rear (south) side of the single family home at 9087 North Territorial Road, Dexter, MI 48130 (parcel 04-13-300-027). The parcel currently contains a single family home and 3 accessory structures. These structures are nonconforming due to their combined lot coverage of 7.06%. The maximum allowable lot coverage in the RC – Recreation Conservation District is 5%. The proposed addition would increase the lot coverage to 7.55%. According to Section 19.04.A (Nonconforming Structures) of the Dexter Township Zoning Ordinance, "No structure may be enlarged or altered in a way which increases its nonconformity." The proposed changes will alter and, in the case of the front yard setback of the deck on the water side, increase the nonconformity. Furthermore, Section 19.04.B.3 states, "In the case where the Zoning Board of Appeals finds a proposed increase in the nonconformity, the applicant may seek a variance."

6)

<b>Appeal Number:</b>	07-ZBA-654
<b>Property Tax ID:</b>	04-18-130-003, -004, -005, and 04-18-133-006 and -007
<b>Applicant Name(s):</b>	Virginia Morgan (owner)/Jay Holland (builder)
<b>Property Address:</b>	7905 Sauer Drive and 7911 Sauer Drive

<b>Variations Requested Per Submitted ZBA Application:</b>				
<u>Section</u>	<u>Current</u>	<u>Requested</u>	<u>Permitted</u>	<u>Description/Notes</u>
12.02.E.1	.28 acres	.28 acres	1 acre	Recognize lot is less than 1 acre.
12.02.E.2 (Principal Parcels)	Approx. 61' (north); Approx. 82' (west); Approx. 100' (south)	Approx. 61' (north); Approx. 82' (west); Approx. 100' (south)	150 feet	Recognize lot width is less than 150 feet.
12.02.E.3.a (Home at 7905 Sauer)	36' (north); -3' (west); -3' (south)	11' (north); +13' (west); +4' (south)	50' (north); 50' (west); 50' (south)	To reduce and enlarge existing nonconformities.
12.02.E.3.a (Home at 7911 Sauer)	47' (north) 11' (south)	11' (north); +13' (west); +4' (south)	50' (north); 50' (west); 50' (south)	To reduce and enlarge existing nonconformities.
12.02.E.3.a (Shed at 7905 Sauer)	30' (north); 18' (west)	To be demolished	50' (north); 50' (west)	Recognize existing front yard setback is less than 50 feet.
12.02.E.3.b (Home at 7905 Sauer)	-1' (east)	N/A. Parcels to be combined.	5' (for structures at most 18' high)	Recognize existing side yard setback is less than 5 feet.
12.02.E.3.b (Home at 7911 Sauer)	5.2' (east)	4' (east)	6' (for structures between 18-20' high)	To reduce the existing side yard setback.
12.02.E.3.b (Shed at 7905 Sauer)	1' (east)	To be demolished	5'	Recognize existing side yard setback is less than 5 feet.

The purpose of this variance application is to demolish the 2 homes and shed at 7905 and 7911 Sauer Drive, Gregory, MI 48137 (parcels 04-18-130-004 and -005, respectively. These 2 parcels are hereinafter referred to as the “principal parcels.”) and replace them with 1 single family home and an attached 2-car garage. The applicant also owns 3 contiguous parcels (04-18-130-003, and 04-18-133-006 and -007), which are vacant. Both single family homes and the shed are nonconforming due to their current front yard setbacks (For the home at 7905 Sauer, 36 feet on the north side, -3 feet on the west side, and -3 feet on the south side. For the home at 7911 Sauer, 47 feet on the north side and 11 feet on the south side. For the shed, 30 feet on the north side and 18 feet on the west side). In addition, the existing deck at 7911 Sauer encroaches on the property at 7911 Sauer by about 1 foot and the shed has a side yard setback of approximately 1 foot.

**VI. Public Comment:**

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

**VIII. Approval of Meeting Minutes**

**IX. Adjournment**