

**VILLAGE OF DEXTER
ZONING BOARD OF APPEALS MEETING**

******* 7720 Ann Arbor Street *******

**Dexter Senior Center
November 15, 2004, 7:00 pm**

AGENDA

A. CALL TO ORDER

- B. ROLL CALL - MEMBERS:**
- | | |
|-----------------------|----------------------|
| S. Hansen | J. Rush |
| J. Adams | E. Lovell – PC Rep. |
| J. Lester - Alternate | T. Walters – VC Rep. |
| Vacancy - Alternate | |

C. APPROVAL OF MINUTES –August 16, 2004

D. APPROVAL OF THE AGENDA

E. SITE INSPECTION

F. PUBLIC HEARINGS

1. Open Public Hearing for Variance Request (ZBA 2004-05) OPEN TIME _____

This Public Hearing is being held to hear public comment regarding a request submitted by Thomas and Nancy Kuthy for 3647 and 3667 Inverness Street. The variance is being requested from Section 4.03, Nonconforming Lots that states the following:

If two or more lots or combination of lots with contiguous frontage in single ownership are of record at the time of adoption or amendment of this Ordinance, and if all or part of the individual lots do not meet the requirements established for lot width and area, the lots involved shall be considered to be an individual parcel for the purposes of this Ordinance. No portion of said parcel shall be used, occupied, or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division of an parcel be made which creates a lot with width or area less than the requirements stated in this Ordinance. These provisions shall not apply to contiguous lots in single ownership where each of the lots is occupied by a dwelling unit.

The applicant is requesting a variance to permit the lot combination of two nonconforming lots in the R-3 zoning district (see Map 1, existing). The variance is also to permit for the splitting of the resulting nonconforming lot into two different nonconforming lots (see Map 2, proposed) to allow the structures to be located on individual lots versus the structures straddling a shared lot line. The ordinance requires that the resulting lots be conforming to the ordinance, however the minimum lot size in the R-3 district is 45,560 sq. ft and the proposed splits will result in 2 lots, 1) 13,054 sq. ft. and 2) 17,596 sq. ft. The applicant is requesting the variance to permit the parcel to be split into two nonconforming lots that do not meet the minimum lot size.

- a. Staff presentation.
- b. Petitioner's presentation.
- c. ZBA member reports on conversations and site inspections.
- d. Public comment (State name and address).
- e. Rebuttal by petitioner (At chairman's discretion).
- f. Close the public comment portion of the public hearing.

CLOSE _____

G. RECESS (OPTIONAL)

H. BUSINESS SESSION

1. Variance Request (ZBA Case #2004-05)

A request submitted by Thomas and Nancy Kuthy for 3647 and 3667 Inverness, from:

- A. Section 4.03, Nonconforming Lots. The applicant is requesting a variance to permit the creation of two nonconforming lots from two pre-existing nonconforming lots.
 - 1. Discussion: Review of facts based on all information presented (from the application, written request for appeal, zoning ordinance, physical characteristics of the parcels, staff reports, hearing testimony). Discussion continues until a member is confident enough to propose a motion that includes a “finding of fact” and/or “conclusions”, and “rationale explaining why conclusions are reached” and “conditions” if any.
* This would be the appropriate time for the Board to call witnesses, and ask questions of owners, consultants, staff, etc.
 - 2. Motion is proposed on “finding of fact, rationale, conclusions and conditions.”
 - 3. Discussion on standards and requirements of the ordinance.
 - 4. Action on the motion.

I. ADJOURNMENT