

**VILLAGE of DEXTER
ZONING BOARD OF APPEALS
December 13, 2005**

The meeting was called to order at 7:07 PM by Chair Hansen at the Dexter Senior Citizen Center, 7720 Ann Arbor Street.

Present: Hansen, Rush, Lovell, Stacey
Absent: Adams, Walters
Alternates: Lester

-Moved Lovell, support Rush to approve the October 17, 2005 minutes as presented.
Voice Vote: Unanimous Motion Carried

-Moved Stacey, support Rush to approve the December 13, 2005 agenda as presented.
Voice Vote: Unanimous Motion Carried

Site Inspections – site visits were conducted individually

Public Hearings

1. Variance Request-ZBA Case #2005-11

This Public Hearing is being held to hear public comment regarding a request submitted by Paul Cook and Kathleen Irvine for 2830 Baker Road, Tax ID HD-08-06-400-005. The variance is being requested from Section 6.06, Landscaping Buffers between land uses. The applicant proposed to encroach 6 feet into the 10 foot required landscape buffer A.

Chair Hansen opened the hearing at 7:09 pm

Community Development Manager Allison Bishop gave a presentation of the applicant's request and the review.

Applicant representatives Rich Henes, Cornerstone Design and Abe Landow, Alpha Engineering addressed the Board to explain the reasons for the request and answer questions from the Board members.

The hearing was opened to public comment- no public comments

No rebuttal by the petitioner

The hearing was closed to public comment at 7:40 pm

Recess: none

Business Session

1. Variance Request-ZBA Case # 2005-11

A request submitted by Paul Cook and Kathleen for 2830 Baker Road, Tax ID HD-08-06-400-005. The applicant is requesting a variance from the buffer requirements between land uses. The ordinance requires a 10 foot planted berm; the applicant is proposing a 4 foot planted berm.

The Board began discussed the variance request and opened dialogue with the applicant.

The Board and the applicant discussed the request, including but not limited to the following: surrounding building setbacks, the approximately 5 foot grade/elevation difference between the building to the south (Colorbok), possibility of the installation of shrubs to break up with wall, and the applicant's elimination of a curb cut and plans to move the building to the front of the site.

The board discussed how the request was not self created because of the applicant's choosing to bring the building to the front of the site based on village goals despite the site constraints that it posed. The board also discussed the applicant's building design as promoting the village's goals for the Baker Road Corridor.

-Moved Stacey, support Rush, Based on the information provided by the applicant at the December 13, 2005 Zoning Board of Appeals meeting the board determines that the request to waive the requirements of Section 6.06 Landscape Screening Between Land Uses, submitted by Katie's Restaurant to permit the construction of an access drive six (6) feet within the required landscape buffer **GRANTED**, for the property located at 2830 Baker Road because the proposed variance **MEETS** the conditions required for the granting of a variance.

The determination was made with consideration of the following per Section 24.05 of the Village of Dexter Zoning Ordinance and as stated in the review:

1. Substantial Justice
2. Practical Difficulties
3. Relationship to adjacent land uses

Ayes: Hansen, Rush, Lovell, Stacey

Nays: none

Motion carried

Adjournment

-Moved Rush, support Lovell to adjourn the meeting at 8:07 pm

Voice Vote: Unanimous Motion Carried

Respectfully submitted,

Allison Bishop, AICP
Recording Secretary
Community Development Manager

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