

VILLAGE of DEXTER

ZONING BOARD OF APPEALS

April 21, 2002

The meeting was called to order at 7:00 PM by Chair Hansen at the Dexter Senior Citizen Center, 7720 Ann Arbor Street.

Present: Hansen, Kowalski, Steptoe, Carson

Absent: Adams

Also Present: Zoning Officer Menard

Approval of Minutes

-Moved Steptoe, support Kowalski to postpone approval the minutes of the March 17, 2003, regular ZBA meeting until the next ZBA meeting.

Voice Vote: Unanimous

Motion Carried

Approval of Agenda

-Moved Kowalski, support Steptoe to approve the agenda as presented.

Voice Vote: Unanimous Motion Carried

Site Inspections

Members have visited the site.

Public Hearings

1. ZBA Case #2003-03, Request for Special Use Cemetery/Memorial Garden, St. James Episcopal Church, Broad Street, and Waiver for Lot Size and Setback Requirement

As Chair Hansen is on a Committee that represents the Episcopal Church, Vice Chair Steptoe took over for her during this portion of the meeting.

The hearing was opened to the public at 7:04 PM.

The Zoning Officer made a brief presentation.

S. Hansen and A. Angelocci explained the church's intent and plans for the memory garden.

There were no other citizens who wished to speak and the hearing was closed to public comment at 7:20 PM.

(Board Member Hansen returned to the table at this point.)

2. ZBA Case 2003-04

Request by Eleanor Sewell, 8025 Fifth Street, to Waive sections 4.05 Restriction on Creating Nonconformities to allow the applicant to add on to an existing structure that encroaches on the rear and side yard setbacks and Section 20.01 Schedule of Use Regulations for Rear Yard Setbacks to allow 3 foot rear yard setback where 25 feet is the requirement, and Section 20.01 Schedule of Use Regulations for side yard setbacks to waive the required 10 foot side yard setback and allow a side yard setback of 3 feet.

The hearing was opened by Chair Hansen at 7:23 P.M.

Zoning Officer Menard gave a brief overview.

K. Kolb, representing the Applicant made presentation of the request.

There were no citizens who wished to speak and the hearing was closed to the public at 8:32 PM.

Optional Recess - None

Business Session

(Board Member Hansen left the table at this point.)

1. ZBA Case #2003-03, Request for Special Use Cemetery/Memorial Garden, St. James Episcopal Church, Broad Street, and Waiver for Lot Size and Setback Requirement

-Moved Kowalski, support Carson to approve the St. James Episcopal Church request for variance from Section 8.11 (b) 12a of the Village of Dexter Zoning Ordinance, Special Land Use Specific Requirements for Cemeteries (20) acre minimum, to allow for a cemetery/memorial garden at 3279 Broad Street, where the lot size is approximately .75 acres, as per Section 24.05 Criteria Applicable to Variances, Appeals, Exceptions, based on items 2. Substantial Justice to the Property Owner, 4. Extraordinary Circumstances and 5. No Safety Hazard or Nuisance.

Ayes: Carson, Kowalski, Steptoe

Nays: None Motion Carried

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-Moved Kowalski, support Carson to approve the St. James Episcopal Church request for variance from Section 8.11 (b) 12a of the Village of Dexter Zoning Ordinance, Special Land Use Specific Requirements for Cemeteries to waive the requirement that all grave sites, building and structures be setback at least twenty-five feet and to allow the memorial garden to be setback 18 feet from the side of the side property line at 3279 Broad Street, and with the following contingencies:

- 1) Memorial garden use shall be limited to the Church and
- 2) Lighting will be limited to vigil lighting and

as per Section 24.05 Criteria Applicable to Variances, Appeals, Exceptions, based on items 2. Substantial Justice, 4. Extraordinary Circumstances, and 5. No Safety Hazard or Nuisance.

Ayes: Carson, Kowalski, Steptoe

Nays: None

Motion Carried

(Board Member Hansen returned to the table at this point.)

2. ZBA Case 2003-04

Request by Eleanor Sewell, 8025 Fifth Street, to Waive sections 4.05 Restriction on Creating Nonconformities to allow the applicant to add on to an existing structure that encroaches on the rear and side yard setbacks and Section 20.01 Schedule of Use Regulations for Rear Yard Setbacks to allow 3 foot rear yard setback where 25 feet is the requirement, and Section 20.01 Schedule of Use Regulations for side yard setbacks to waive the required 10 foot side yard setback and allow a side yard setback of 3 feet.

-Moved Kowalski, support Carson to table ZBA Case 2003-04 until the next scheduled ZBA meeting to allow the applicant to prepare information to answer questions raised by Board members.

Ayes: Carson, Hansen, Kowalski, Steptoe

Nays: None

Motion Carried

Adjournment

-Moved Carson, support Steptoe to adjourn the meeting at 8:47 PM.

Ayes: Hansen, Kowalski, Carson, Steptoe

Nays: None

Motion Carried

Respectfully submitted,

Donna L. Fisher, Recording Secretary

Filing Approved____5-19-03_____