

VILLAGE of DEXTER
ZONING BOARD OF APPEALS
May 16, 2005

The meeting was called to order at 7:02 PM by Lovell at the Dexter Senior Citizen Center, 7720 Ann Arbor Street.

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

Approval of Minutes

-Moved Rush, support Stacey to approve the minutes of the April 18, 2005, regular ZBA Meeting minutes

Voice Vote: Unanimous Motion Carried

Approval of Agenda-no motion made

-Moved Rush, support Lovell to approve the Agenda as presented

Voice Vote: Unanimous Motion Carried

Site Inspections

Public Hearings

1. **Variance Request – ZBA Case 2005-01**
-Moved Stacey, support Rush to postpone indefinitely ZBA Case #2005-01.
2. **Variance Request-ZBA Case 2005-07**

This Public is being held to hear public comment regarding a request submitted by Fireside Home Construction, 7940 Ann Arbor Street, HD-08-06-129-011. The applicant has requested a variance from the following Section to permit the redevelopment of the single-family home into a commercial office.

Section 6.06, Landscape Screening Between Land Uses-The standards states that uses within the Village Commercial District shall have a 10-foot landscape buffer when they are adjacent to other uses within a commercial district. The applicant is proposing to have the parking lot and sidewalk encroach approximately 5 feet into the landscaping buffer.

Vice Chair Lovell opened the hearing at 7:04 pm.

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

Applicant Bonnie Bona of Bona & Kolb Architects & Designers at 7910 Ann Arbor Street, addressed the Board explaining the reasons for the request and landscaping materials are the same as what's required for a 10 foot buffer.

The hearing was opened to public comment:

Mark Wolcott 7921 Fifth Street addressed concerns about:

1. Zoning Concepts
2. Employee parking on Fifth Street
3. Concerned with the business section overflowing into residential section
4. Concerned about traffic going down the alley
5. Installing of speed bumps on alley and a privacy fence

No rebuttal by petitioner.

The hearing was closed to public comment at 7:26 pm.

Optional Recess-none

Business Session

1. Variance Request – ZBA Case #2005-01

The request was postponed indefinitely

2. Variance Request – ZBA Case # 2005-07

The Public Hearing is being held to hear public comment regarding a request submitted by Fireside Home Construction for 7940 Ann Arbor, Tax ID HD-08-06-129-011.

Section 6.06, Landscape screening between land uses

The Board began discussing the variance request.

The Board, the applicant and the Community Development Manager discussed the request and the practical difficulties and substantial justice.

-Moved Lovell, support Rush, based on the information provided by the applicant at the May 16, 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 Fireside Home Construction to permit the construction of a parking lot and sidewalk, shown on the site plan dated April 18, 2005, five (5) feet inside of the landscape buffer be **granted** for the property located at 7940 Ann Arbor Street 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:

1. Meets substantial justice-maximum building coverage
2. Practical difficulties-conflicting ordinance requirements
3. The applicant must receive site plan approval from the Village Council prior to the variance being effective.

Yeas: Stacey, Lovell, Rush

Nays: none

Motion Carried

Adjournment

-Moved Stacey, support Rush to adjourn the meeting at 7:51 pm

Voice vote: Unanimous Motion Carried

Respectfully submitted,

Brenda Dirkse, Recording Secretary

Filing Approved 7-19-05