

VILLAGE of DEXTER
ZONING BOARD OF APPEALS
August 16, 2004

The meeting was called to order at 7:10 PM by Chair Hansen at the Dexter Senior Citizen Center, 7720 Ann Arbor Street.

Present: Hansen, Adams, Walters, Alt. Lester

Absent: Lovell, Rush

Also Present: Zoning Officer Menard

Approval of Minutes

-Moved Adams, support Lester to approve the minutes of the July 19, 2004, regular ZBA Meeting minutes with the following change, make reference in the July 19, 2004 and the April 19, 2004 ZBA meeting minutes that ZBA Case #2004-02, Conspiracy Cycle Works was reconsidered in July and the April decision was overturned due to the additional information provided.

Voice Vote: Unanimous Motion Carried

Approval of Agenda

-Moved Adams, support Walters to approve the agenda as presented.

Voice Vote: Unanimous Motion Carried

Site Inspections - Members are familiar with the site.

Public Hearings

1. **Variance Request – ZBA Case 2004-03**

The Public Hearing is being held to hear public comment regarding a request submitted by Gary Gochanour for 7870 Forest Street. The variance is being requested from Section 20.01, Lot Width requirements for parcels in the R1-B zoning district. The applicant is requesting a variance to permit a 50.17' lot width. The requirement per Section 20.01, Lot Width for a parcel in the R1-B district is 60'. The applicant is requesting the variance to split the parcel at 7870 Forest Street that currently has a lot width of 100.34'. The applicant is requesting a variance to permit a 50.17-foot lot width that would result from a land division at 7870 Forest Street. A land division is being proposed in order for the applicant to move the structure located at 8040 Forest Street to the resulting split.

Chair Hansen opened the hearing at 7:15 P.M.

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

Applicant, Gary Gochanour, 2350 North Dancer Road, Dexter, addressed the Board explaining his request and plans for future use of the property and plans for the relocation of the structure at 8040 Forest Street.

Applicant, Chandra Gochanour, 2350 North Dancer Road, Dexter, addressed the Board explaining the request and how the applicant is proposing to relocate a home housing a nonconforming use to a conforming district.

The hearing was opened to public comment. The following citizens addressed the Board:

David Wilber, 7850 Forest Street, addressed how he did not think that the drainage in the area would be a problem and how he plans to work with his neighbor in the redevelopment of the area.

The Chair then recognized the Petitioner for a rebuttal comment.

Gary Gochanour provided more details about his plans for the building relocation and redevelopment.

There were no other citizens who wished to speak and the hearing was closed to public comment at 7:35 P.M.

2. Variance Request – ZBA Case #2004-04

The Public Hearing is being held to hear public comment regarding a request submitted by David Wilber and Jeanne Wald for 7850 Forest Street. The variance is being requested from Section 4.05A, Restriction on Creating Nonconformities, to allow for the enlargement of the nonconforming structure. The applicant is also requesting a variance from Section 20.01, Schedule of Regulations for side yard setbacks in the R1-B District, to allow for the continued 5-foot and 2-foot encroachment of the structure into the side yard setback.

Chair Hansen opened the hearing at 7:35 PM.

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

Applicant, David Wilber, 7850 Forest Street, Dexter, addressed the Board and explained the request.

Applicant, Jeanne Wald, 7850 Forest Street, Dexter, addresses the Board and said how much they wanted to stay in the village, but could not due to the existing size of the house and their growing family.

The hearing was opened to public comment. The following citizens addressed the Board:

Gary Gochanour, 2350 North Dancer Road, Dexter, addressed the Board and said how much he likes to see people improve their property and that is what the applicant is proposing to do.

Optional Recess – None

Business Session

1. Variance Request – ZBA Case #2004-03

Request by Gary Gochanour for 7870 Forest Street

Section 20.01 Schedule of Regulations for Lot Width in the R1-B District.

-Moved Lester, support Walters, Based on the information provided by the applicant at the August 16, 2004 Zoning Board of Appeals meeting the board determines that the variance request submitted by Gary Gochanour to permit a lot width deviation from Section 20.01, Schedule of Regulations for R1-B of the Village of Dexter Zoning Ordinance, for the property located at 7870 Forest Street meets the conditions required for the granting of a variance. The variance is granted with the following condition: The Village Council's approval of the land division application.

The determination was made with consideration of following:

#1 Practical Difficulties

#2 Substantial Justice

#4 Extraordinary Circumstances

Ayes: Hansen, Walters, Lester, Adams

Nays: None

Motion Carried

2. Variance Request – ZBA Case #2004-04

Request by David Wilber and Jeanne Wald for 7850 Forest Street

Section 4.05A Restrictions on Creating Nonconformities

Section 20.01 Schedule of Regulations for Side Yard setbacks within the R1-B District.

-Moved Adams, support Walters, Based on the information provided by the applicant at the August 16, 2004 Zoning Board of Appeals meeting the board determines that the variance request submitted by David Wilber and Jeanne Wald of 7850 Forest Street to permit the expansion of a nonconforming structure, deviating from the requirements of Section 4.05A and to permit the continued encroachment of the structure into the required side yard setback, deviating from Section 20.01, Schedule of Regulations for side yard setbacks for R1-B of the Village of Dexter Zoning Ordinance, meets the conditions required for the granting of a variance.

The determination was made with consideration of following:

#1 Practical Difficulties

#2 Substantial Justice

#6 Relationship to Adjacent Land Uses

Ayes: Adams, Walters, Lester, Hansen

Nays: None

Motion Carried

Adjournment

-Moved Walters, support Adams to adjourn the meeting at 8:10 PM.

Voice Vote: Unanimous

Motion Carried

Respectfully submitted,

Allison Menard, Recording Secretary

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