

**VILLAGE of DEXTER
ZONING BOARD OF APPEALS
OCTOBER 20, 2014**

The meeting was called to order at 7:01 PM by board member Sandy Hansen at the Dexter Senior Citizen Center, 7720 Ann Arbor Street.

Present: Hansen, Mekas, Gray, Rush, Schmid, Carson
Absent: none

Approval of Minutes

-Moved Carson, support Gray to approve the July 31, 2014, Regular Meeting Minutes.
Voice Vote: Unanimous Motion Carried

Approval of the Agenda

-Moved Carson, support Rush to approve the agenda as presented.
Voice Vote: Unanimous Motion Carried

Site Inspections – none

Public Hearings

1. Variance Request-ZBA Case #2014-05 3677 South Downs, HD-08-08-260-124

This Public Hearing is being held to hear public comment regarding a request submitted by Michael Garlick, for 3677 South Downs, HD-08-08-260-124

The applicant is requesting a variance from section Section 20.01, Schedule of Regulations, required rear yard setback.

Proposal – the applicant proposes a 5-foot 6-inch variance from the 15-foot rear yard setback required in Section 20.01, for properties in the R1B District. The applicant desires to construct a 10-foot x 20-foot deck on the rear of the home, located at 3677 South Downs Dr., resulting in a 9-foot-4-inch rear yard setback. The applicant requests the variance due to practical difficulties associated with the property.

Hansen opened the hearing at 7:06 pm

Community Development Manager Michelle Aniol gave a presentation of the applicant's request and the review.

The hearing was opened to public comment

Roger Piehl, 3737 Bristol Dr., former Dexter Crossing HOA member, spoke briefly about issues that came before the board because of the way some of the properties were laid out.

The hearing was closed to public comment at 7:38 pm

Recess: none

Business Session

1. Variance Request-ZBA Case # 2014-05

Variance request submitted by Michael Garlick, for 3677 South Downs Dr., HD-08-08-260-124 Section 20.01, Schedule of Regulations.

Proposal – the applicant proposes a 5-foot 6-inch variance from the 15-foot rear yard setback required in Section 20.01, for properties in the R1B District. The applicant desires to construct a 10-foot x 20-foot deck on the rear of the home, located at 3677 South Downs Dr., resulting in a 9-foot-4-inch rear yard setback. The applicant requests the variance due to practical difficulties associated with the property.

The Board began discussing the variance request.

1. Was the applicants lot included in previous request to the HOA
2. Was there any contact from nearby residents
3. HOA was concerned that we would approve request without their prior consent
4. What would be elevation up to back door
5. How high up is the deck going to be
6. Are you putting up rails
7. Nice neighborhood, there are many decks
8. Is there any other option
9. We could be setting a precedence at future meetings, using former variances
10. The lots were built so developer could get the most out of the land

Move Mekas, support Rush, based on the information provided by the applicant at the October 20, 2014 Zoning Board of Appeals meeting, the board determines that the request to waive the requirements of Section 20.01, Schedule of Regulations for the rear yard setback, submitted by Michael Garlick to permit the applicant to construct a deck that encroaches 5 feet into the rear yard setback **granted** for the property located at 3677 South Downs Dr., HD-08-08-260-124 because the proposed variance **meets** the conditions required for the granting of a variance.

The determination was made based on the applicant's ability to meet Section 24.05 of the Village of Dexter Zoning Ordinance:

1. Practical Difficulties
2. Substantial Justice
3. Extraordinary Circumstances
4. Relationship to Adjacent Land Uses

Ayes: Hansen, Gray, Rush, Carson, Schmid, Mekas

Nays: None

Motion Carried

3. Zoning Board of Appeals Officers Elections

Election of new Chair and Vice Chair

Move Carson, support Schmid to nominate Brian Gray as Vice-Chair.

Voice Vote: Unanimous Motion Carried

Move Carson, support Rush to nominate Phil Mekas as Chair

Voice Vote: Unanimous Motion Carried

Adjournment

-Move Schmid, support Mekas meeting adjourned at 7:52 pm

Respectfully submitted,

Brenda Tuscano
Recording Secretary

Filing Approved: December 15, 2014