

**ZONING BOARD OF APPEALS
MEETING
MONDAY, AUGUST 15, 2016**

A. CALL TO ORDER:

The meeting was called to order at 7:00 PM by Chairman Phil Mekas at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan.

B. ROLL CALL:

P. Mekas
M, Schmid

S. Hansen
Zach Michels

J. Rush

Also present: Michelle Aniol, Community Development Manager; Julie Knight, City Council Member; Carol Jones, Interim City Clerk; and Allison Bishop and Dr. David Traynor, representing the applicant.

C. APPROVAL OF THE MINUTES

1. Regular Meeting – May 19, 2014

Motion Michels; support Rush to approve the minutes of the Regular Meeting of April 18, 2016 with the following corrections:

- Page 2, mid page paragraph beginning with Mark Chalou addressed the board - the last line should read and *then* described the sign.
- Page 3, sixth bullet point, second sentence should read there *may* need to be...

Unanimous voice vote approval.

D. APPROVAL OF THE AGENDA

Motion Schmid; support Hansen to accept the agenda as presented.

Unanimous voice vote approval.

E. STAFF REPORT

Ms. Aniol provided the following information and updates:

- The Home Store and Nicholls & Stafford have closed and moved to the former Huron Camera space and will be called 3bird.
- The former Nicholls & Stafford space will become the Dexter Creamery with frozen yogurt and gourmet popsicles.
- There is interest in the former Home Store space.

- Jack Savas (Strawberry Alarm Clock) has let the City know he will not be going through with his project. The special use for the Broad Street property has expired and there is one year left on the site plan for the space.
- Grandview Commons (Grand Street) has received conditional area plan approval for 76 units.
- We have received a concept plan for 3045 Broad Street. The RFQ Committee will meet with the developer on the proposal. If the DDA favors the plan, there will be a fourth public meeting on the concept plan. Discussion followed.

F. SITE INSPECTION (Conduct on own)

G. PUBLIC HEARINGS

1. OPEN PUBLIC HEARING FOR VARIANCE REQUEST – ZBA Case #2016-03. Variance Request for 7200 Dan Hoey (parcel ID numbers: 08-08-05-380-000, 08-08-05-380-001, 08-08-05-380-02, 08-08-05-380-03, 08-08-05-380-04, 08-08-05-380-05, and 08-08-05-380-06)

Applicant: Dexter Commerce Center Association

Public Hearing to consider a request for a variance from Section 7.03 (1) F, setback from the road right-of-way and property line for ground signs, due to practical difficulties. The applicant is requesting the following variances, for property located at 7200 Dan Hoey Road, (parcel ID numbers: 08-08-05-380-000, 08-08-05-380-001, 08-08-05-380-02, 08-08-05-380-03, 08-08-05-380-04, 08-08-05-380-05, and 08-08-05-380-06):

- 10-foot variance from the required 10-foot setback from the Dan Hoey Road right-of-way, to allow a 0-foot setback from the road right-of-way;
- 15-foot variance from the 15-foot required setback from the property line, along Dan Hoey Road, to allow an 0-foot setback from the property line; and
- 8-foot variance from the required 15-foot setback from the property line, along Lexington Road, to allow a 7-foot setback from the property line along Lexington Road.

Chairperson Mekas opened the Public Hearing at 7:11 PM.

Ms. Aniol presented the three variance requests from the Dexter Commerce Center Association on behalf of the owners of the units. The conclusions/findings are as follows:

- The stormwater basin is a practical difficulty, not of the applicant's creation.
- A lesser variance would not provide substantial justice.
- Risk to public safety and welfare would not be compromised, provided Dan Hoey Road is not expanded.
- The stormwater basin presents an extraordinary circumstance unique to the subject site.
- The hazard of fire or other dangers to public safety or creation of a public nuisance would not be increased, provided Dan Hoey Road is not expanded,

- The proposed location of the ground site is not consistent with the location of ground signs on adjacent properties, but not adjacent properties do not experience the same physical constraints, as the subject site.

Chairperson Mekas inquired if the retention basin was there before or required by the City. (It was created for the project.) He also asked if a sign could be installed at the other end of the property along the drive going to Dan Hoey Road. (The owner would prefer the location at Lexington.)

Ms. Hansen commented she feels the entrance/exit to the west is too far to be visually effective.

Mr. Rush asked about the language in the report that refers to a lot line. He stated that there isn't anything at the site to distinguish the location of the sign requested. (There is a marker now on the property.) Mr. Rush also commented on the visibility at the western location.

Mr. Michels asked question regarding sign ordinances and setback requirements.

The petitioner representatives, Allison Bishop of Dexter Commerce Center Association and David Traynor of Beacon Dental, gave the following information that there are six owners in the development and the newest owner has asked for this signage and the property is unique especially due to the reconfiguration of Dan Hoey Road. They were asked if any other location on the property was considered for a sign (not much of a space available for a sign) and is the sign to be back lit (not yet determined).

There were no comments from the public and Chairperson Mekas closed the Public Hearing at 7:40 PM.

H. BUSINESS SESSION

Motion Michels; support Hansen to postpone until the next special meeting scheduled for Monday, August 22 at 6:00 PM to obtain additional information regarding an alternative location.

Ayes: Hansen, Rush, Schmid, Michels and Mekas

Nays: None

Motion carries

I. ADJOURNMENT

Motion Rush; support Schmid to adjourn at 8:22 PM.

Unanimous voice vote approval.

Respectfully submitted,

Carol J. Jones



OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

STAFF REVIEW

TO: Chairman Phil Mekas and the Zoning Board of Appeals
FROM: Michelle Aniol, Community Development Director
DATE: August 22, 2016
RE: **ZBA #2016-03, 7200 Dan Hoey Sign Setback Variance Request POSTPONED on August 15, 2016**
Applicant: Dexter Commerce Center Association

Following the public hearing on August 15, 2016 the ZBA voted unanimously to postpone the variance request submitted by Dexter Commerce Center Association, on behalf of the owners of property at 7200 Dan Hoey Road (parcel ID numbers: 08-08-05-380-000, 08-08-05-380-001, 08-08-05-380-002, 08-08-05-380-503, 08-08-05-380-513, 08-08-05-380-004, 08-08-05-380-005, and 08-08-05-380-006), to allow the applicant time to demonstrate the sign could not meet the setback requirements if it was located east of the west entrance drive from Dan Hoey Road.

As a reminder, applicant requested the following variances from Section 7.03(1) to allow the erection of a ground sign:

1. 10-foot variance from the required 10-foot setback from the Dan Hoey Road right-of-way;
2. 15-foot variance from the 15-foot required setback from the property line, along Dan Hoey Road, to allow an 0-foot setback from the property line; and
3. 8-foot variance from the required 15-foot setback from the property line, along Lexington Road, to allow a 7-foot setback from the property line along Lexington Road.

The applicant cites practical difficulties associated with the property.

If the request is granted, a 0-foot setback from the Dan Hoey Road right-of-way/property line and a 7-foot setback from the Lexington Road right-of-way/property line would be allowed.

FOLLOW-UP FROM APPLICANT

The applicant submitted the attached email stating, "*Dexter Commerce Center Association representative, Rob Marshke would be attending the meeting on Monday, August 22, 2016 to continue the discussion on the original variance application.*"

BACKGROUND

The applicant seeks to erect a 58 sq. ft., double-sided ground mounted sign at 7200 Dan Hoey. The property is located at the northwest corner of the intersection of Dan Hoey Road and Lexington Drive. The subject site is a retail condominium with seven units. The proposed sign panel would measure 7.25 ft. x 8-foot wide. The height of the proposed sign would measure 9.75 ft. According to Section 7.03(1)D, one freestanding (i.e. ground mounted) identification sign maybe erected for a shopping center, office park, industrial park or other integrated group of stores, commercial buildings, office buildings or industrial buildings. Such sign can be used to identify the name of the business center or tenants. The sign area cannot exceed 1 square foot per front foot of the building or buildings for which the sign would be erected. The area of the sign is not permitted to exceed 60 square feet (per side). Additionally, the maximum height of the sign shall not exceed 10 feet. The proposed area and height of the sign complies with the Ordinance.

The subject site is zoned Dexter Commerce Center PUD, with C-1 General Business District as the underlying zoning district. The C-1 Zoning District is intended for planned and integrated groupings of retail, service, and administrative establishments, which will:

- offer convenience and comparison goods;
- provide personal and professional services for the entire City and tributary areas; and
- accommodate commercial establishments, which cannot be practically provided in the city

commercial area, but can be integrated into the city at a scale and intensity consistent with the small Midwest town character.

VARIANCE CONSIDERATIONS

Section 24.05 A. outlines the criteria applicable to variance considerations. Variances shall be granted only in accordance with the Michigan Public Act 110 of 2006, as amended and based on the findings set forth below. The extent to which the following criteria apply to a specific case shall be determined by the ZBA; however, at least one (1) of the applicable criteria must be found by the ZBA for each variance request.

1. **Practical Difficulties:** *Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create practical difficulties, unreasonably prevent the use of the property for a permitted purpose, or render conformity with such restrictions unnecessarily burdensome. The showing of mere inconvenience is insufficient to justify a variance.*

The stormwater basin encompasses nearly all of the undeveloped area of the site, from the parking lot to the property/ROW line, and from the east property line (along Lexington Drive) to the entrance drive on the west side of the site. Strict application of the setback requirement would cause the sign to be located in the stormwater basin. Permanent improvements, such as a signs are not permitted within stormwater basins.

The stormwater basin presents a practically difficulty that is not of the applicant's creation.

2. **Substantial Justice:** *Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district; or, as an alternative, granting of lesser variance than requested would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.*

As stated above, compliance with the required setbacks would not be possible due to the existing stormwater basin. Furthermore, due to the slope of the basin, a lesser variance in the immediate vicinity would not provide any relief. However, the propose ground sign may be able to meet the setbacks if it was installed east of the west entrance.

3. **Public Safety and Welfare:** *The requested variance or appeal can be granted in such fashion that the spirit of these regulations will be observed and public safety and welfare secured.*

Dan Hoey is a major road, which experiences significant motor vehicle and semi-truck traffic to and from the industrial park, as well as school bus traffic to and from Cornerstone Elementary and the Dexter Community Schools complex. The proposed location of the sign should not present a risk to public safety and welfare, provided Dan Hoey Road is not expanded, as planned.

4. **Extraordinary Circumstances:** *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties of other similar uses in the same zoning district. The conditions resulting in a variance request cannot be self-created.*

The size and location of the stormwater basin is unique to this site and not experience by other properties in the vicinity. As such, conditions at the subject site are exceptional and do not apply to other properties of similar uses, in the same zoning district.

5. **No Safety hazard or Nuisance:** *The granting of a variance or appeal will not increase the hazard of fire or otherwise endanger public safety or create a public nuisance.*

The proposed location of the sign should not increase the hazard of fire or otherwise endanger public safety or create a public nuisance, provided Dan Hoey Road is not expanded, as planned.

6. **Relationship to Adjacent Land Uses:** *The development permitted upon granting of a variance shall relate harmoniously in a physical and economic sense with adjacent land uses and will not alter the essential character of the neighborhood. In evaluating this criterion, consideration shall be given*

prevailing shopping pattern, convenience of access for patrons, continuity of development, and the need of particular services and facilities in specific areas of the City.

The subject property is zoned Dexter Commerce Center PUD with an underlying zoning of C-1, General Commercial District. A variety of retail, business, professional and/or medical office uses currently occupy the site. Zoning and use of adjacent properties is provided in the following table:

Property Location	Zoning	Use
North	R-3, Multiple-Family Residential & C-1 General Business	Single family residential, Gas station
East	C-1 General Business	Bank
South	Dexter Crossing PUD with an underlying zoning of PB, Professional Business	Medical office (under construction)
West	R-3, Multiple-Family Residential	Single family residential

The proposed location of the ground site is not consistent with the location of ground signs on adjacent properties, with the exception of the DAPCO sign, west of the subject site. However, adjacent properties are not constrained by a stormwater basin, in the same manner as the subject site.

CONCLUSION/FINDINGS

- The stormwater basin is a practical difficulty, not of the applicant's creation.
- A lesser variance will not provide substantial justice in the requested location. However, the proposed sign might meet the required setbacks if it were located east of the west entrance from Dan Hoey Road.
- Risk to public safety and welfare would not be compromised, provided Dan Hoey Road is not expanded.
- The stormwater basin presents an extraordinary circumstance unique to the subject site.
- The hazard of fire or other dangers to public safety or creation of a public nuisance would not be increased, provided Dan Hoey Road is not expanded.
- The proposed location of the ground site is not consistent with the location of ground signs on adjacent properties, but adjacent properties do not experience the same physical constraints, as the subject site.

SUGGESTED MOTIONS

Based on the information provided by the applicant and staff at the August 15, 2016 Zoning Board of Appeals meeting, the Board determines the application, ZBA #2016-03, submitted by Dexter Commerce Center Association, on behalf of the owners of property at 7200 Dan Hoey Road (parcel ID numbers: 08-08-05-380-000, 08-08-05-380-001, 08-08-05-380-002, 08-08-05-380-503, 08-08-05-380-513, 08-08-05-380-004, 08-08-05-380-005, and 08-08-05-380-006), **(MEETS/FAILS TO MEET)** the criteria required for the considering a variance request, pursuant to Section 24.05, sub-section A.

Therefore let it be resolved, the Zoning Board of Appeals **(GRANTS/DOES NOT GRANT)** the following variances from Section 7.03(1):

1. 10-foot variance from the required 10-foot setback from the Dan Hoey Road right-of-way;
2. 15-foot variance from the 15-foot required setback from the property line, along Dan Hoey Road; and
3. 8-foot variance from the required 15-foot setback from the property line, along Lexington Road.

Let it further be resolved, the applicant is **(PERMITTED / NOT PERMITTED)** to install a ground sign with a 0-foot setback from the Dan Hoey Road right-of-way/property line, and a 7-foot setback from the Lexington Road right-of-way/property line.

The determination was made based on the following findings per Section 24.05 of the City of Dexter Zoning Ordinance (list criteria):

- 1. _____
- 2. _____
- 3. _____

OR

The Board moves to **postpone** ZBA #2016-03 until (____(date)____) to allow the applicant time to address the following items: (list items)

- 1. _____
- 2. _____
- 3. _____

Please contact me prior to the meeting if you have questions.

From: [Allison Bishop](#)
To: [Michelle Aniol](#)
Cc: [Michelle Aniol](#)
Subject: ZBA
Date: Friday, August 19, 2016 10:24:38 AM

Michelle,

Per your request the Dexter commerce center association representative Rob Marshke plans to attend the 6:00, August 22nd ZBA meeting to continue the discussion on the original variance application.

Thank you.

Allison Bishop

Sent from my iPhone=



OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

STAFF REVIEW

TO: Chairman Phil Mekas and the Zoning Board of Appeals
FROM: Michelle Aniol, Community Development Director
DATE: August 15, 2016
RE: **ZBA #2016-03, 7200 Dan Hoey Sign Setback Variance Request**

The Zoning Board of Appeals is scheduled to conduct a public hearing on August 15, 2016. The purpose of the hearing is to consider a variance request, submitted by Dexter Commerce Center Association, on behalf of the owners of property at 7200 Dan Hoey Road (parcel ID numbers: 08-08-05-380-000, 08-08-05-380-001, 08-08-05-380-002, 08-08-05-380-503, 08-08-05-380-513, 08-08-05-380-004, 08-08-05-380-005, and 08-08-05-380-006). Dexter Commerce Center Association has requested the following variances from Section 7.03(1) to allow the erection of a ground sign:

1. 10-foot variance from the required 10-foot setback from the Dan Hoey Road right-of-way;
2. 15-foot variance from the 15-foot required setback from the property line, along Dan Hoey Road, to allow an 0-foot setback from the property line; and
3. 8-foot variance from the required 15-foot setback from the property line, along Lexington Road, to allow a 7-foot setback from the property line along Lexington Road.

The applicant cites practical difficulties associated with the property.

If the request is granted, a 0-foot setback from the Dan Hoey Road right-of-way/property line and a 7-foot setback from the Lexington Road property line would be allowed.

ZONING

The applicant seeks to erect a 58 sq. ft., double-sided ground mounted sign at 7200 Dan Hoey. The property is located at the northwest corner of the intersection of Dan Hoey Road and Lexington Drive. The subject site is a retail condominium with seven units. The proposed sign panel would measure 7.25 ft. x 8-foot wide. The height of the proposed sign would measure 9.75 ft. According to Section 7.03(1)D, one freestanding (i.e. ground mounted) identification sign maybe erected for a shopping center, office park, industrial park or other integrated group of stores, commercial buildings, office buildings or industrial buildings. Such sign can be used to identify the name of the business center or tenants. The sign area cannot exceed 1 square foot per front foot of the building or buildings for which the sign would be erected. The area of the sign is not permitted to exceed 60 square feet (per side). Additionally, the maximum height of the sign shall not exceed 10 feet.

The subject site is zoned Dexter Commerce Center PUD, with C-1 General Business District as the underlying zoning district. The C-1 Zoning District is intended for planned and integrated groupings of retail, service, and administrative establishments, which will:

- offer convenience and comparison goods;
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- accommodate commercial establishments, which cannot be practically provided in the city commercial area, but can be integrated into the city at a scale and intensity consistent with the small Midwest town character.

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The stormwater basin encompasses nearly all of the undeveloped area of the site, from the parking lot to the property/ROW line, and from the east property line (along Lexington Drive) to the entrance drive on the west side of the site. Strict application of the Section 7.03(1) would cause the sign to be located in the stormwater basin. Permanent improvements, including signs are not permitted within stormwater basins.

The stormwater basin presents a practical difficulty that is not of the applicant's creation.

- 2. Substantial Justice:** *Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district; or, as an alternative, granting of lesser variance than requested would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.*

As stated above, compliance with the required setbacks would not be possible due to the existing stormwater basin. Furthermore, due to the slope of the basin, a lesser variance would not provide any relief. The requested variance is the appropriate alternative.

- 3. Public Safety and Welfare:** *The requested variance or appeal can be granted in such fashion that the spirit of these regulations will be observed and public safety and welfare secured.*

Dan Hoey is a major road, which experiences significant motor vehicle and semi-truck traffic to and from the industrial park, as well as school bus traffic to and from Cornerstone Elementary and the Dexter Community Schools complex. The proposed location of the sign should not present a risk to public safety and welfare, provided Dan Hoey Road is not expanded, as planned.

- 4. Extraordinary Circumstances:** *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties of other similar uses in the same zoning district. The conditions resulting in a variance request cannot be self-created.*

The location and configuration of the stormwater basin is unique to this site, and not conditions experienced by other properties in the zoning district. As such, conditions at the subject site are exceptional and do not apply to other properties of similar uses, in the same zoning district.

- 5. No Safety hazard or Nuisance:** *The granting of a variance or appeal will not increase the hazard of fire or otherwise endanger public safety or create a public nuisance.*

The proposed location of the sign should not increase the hazard of fire or otherwise endanger public safety or create a public nuisance, provided Dan Hoey Road is not expanded, as planned.

- 6. Relationship to Adjacent Land Uses:** *The development permitted upon granting of a variance shall relate harmoniously in a physical and economic sense with adjacent land uses and will not alter the essential character of the neighborhood. In evaluating this criterion, consideration shall be given prevailing shopping pattern, convenience of access for patrons, continuity of development, and the need of particular services and facilities in specific areas of the City.*

The subject property is zoned Dexter Commerce Center PUD with an underlying zoning of C-1, General Commercial District. A variety of retail, business, professional and/or medical office uses currently occupy the site. Zoning and use of adjacent properties is provided in the following table:

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CONCLUSION/FINDINGS

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SUGGESTED MOTIONS

Based on the information provided by the applicant and staff at the August 15, 2016 Zoning Board of Appeals meeting, the Board determines the application, ZBA #2016-03, submitted by Dexter Commerce Center Association, on behalf of the owners of property at 7200 Dan Hoey Road (parcel ID numbers: 08-08-05-380-000, 08-08-05-380-001, 08-08-05-380-002, 08-08-05-380-503, 08-08-05-380-513, 08-08-05-380-004, 08-08-05-380-005, and 08-08-05-380-006), **(MEETS/FAILS TO MEET)** the criteria required for the considering a variance request, pursuant to Section 24.05, sub-section A.

Therefore let it be resolved, the Zoning Board of Appeals **(GRANTS/DOES NOT GRANT)** the following variances from Section 7.03(1):

1. 10-foot variance from the required 10-foot setback from the Dan Hoey Road right-of-way;
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3. 8-foot variance from the required 15-foot setback from the property line, along Lexington Road.

Let it further be resolved, the applicant is **(PERMITTED / NOT PERMITTED)** to install a ground sign with a 0-foot setback from the Dan Hoey Road right-of-way/property line, and a 7-foot setback from the Lexington Road property line.

The determination was made with consideration of following per Section 24.05 of the City of Dexter Zoning Ordinance (list criteria):

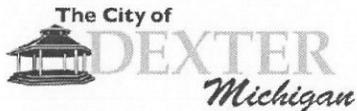
1. _____
2. _____
3. _____

OR

The Board moves to **postpone** ZBA #2016-03 until **(____(date)_____)** to allow the applicant time to address the following items: **(list items)**

1. _____
2. _____
3. _____

Please contact me prior to the meeting if you have questions.



OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

APPLICATION FOR ZONING BOARD OF APPEALS HEARING

Application is being made for: Appeal Variance

Property Address: 7200 Dan Hoey Road Tax ID Number: 08-08-05-380-004

Proposed Use: Retail/Office Center Sign

Applicant Name: Dexter Commerce Center Association Phone: 734-426-9980

Applicant Address: 7444 Dexter Ann Arbor Road Suite F, Dexter, MI 48130

Email Address: allisonbishop@arbrouwer.com Mobile Phone: 734-260-3275

Property Owner Name: Dexter Commerce Center Association Phone: 734-426-9980

Property Owner Address: 7444 Dexter Ann Arbor Suite F, Dexter, MI 48130

Email Address: allisonbishop@arbrouwer.com Mobile Phone: 734-260-3275

Type of Improvement Proposed: Installation of a Business Center monument sign

Reason Waiver is Requested (explain practical difficulty or hardship): ROW width and site topography

Application Procedure: Please check if the following information is being provided, and attach the required documents to this application.

Yes	No	
X		A complete, signed application form, with application fee.
X		A site plan, drawn to scale and fully dimensional, showing the entire lot; the location of all existing structures including buildings and signs; the proposed improvements; lot area calculations to show compliance with building coverage allowances for the zoning district; and land contours (if applicable).
X		In the case of buildings, sketches or elevations. For additions, both the old and new structures must be included to show how the addition relates to the existing structure.
X		In case of appeals, a clear description of the order, requirement, decision, or determination for which the appeal is made and grounds for appeal (Please attach to this application).

Application Zoning Board of Appeals Hearing – Page 2

General Information

At the public hearing, the applicant must present the Board with proof that there is a practical difficulty in carrying out the strict letter of the ordinance. By ordinance, the following four standards apply in determining whether practical difficulty is sufficient to warrant granting of the variance.

1. Compliance with the strict letter of the restrictions governing area, setbacks, frontage, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render the conformity with such restrictions unnecessarily burdensome;
2. Granting the variance would do substantial justice to the applicant as well as other property owners in the district; or granting some portion of the variance would give substantial relief to the owner and be more consistent with justice to other property owners;
3. The plight of the land owner is due to unique circumstances of the property; and
4. The problem is not self-created.

The application and a site plan must be filed at least 4 weeks prior to the public hearing. Please call the City Community Development Office at (734) 426-8303 x 15 for meeting dates and deadlines.

		<u>6/22/16</u>				<u>6/22/16</u>
Owner's Signature		Date		Applicant's Signature		Date

Staff Review:	Fee:	Residential \$250	Non-Residential \$350
	Date Received:	_____	Receipt # _____

Regulations (Ordinance Sections) to be waived: _____

Code Requirement: _____

Proposal: _____

Zoning Board of Appeals Action: Approved Denied Date: _____

APPROVAL STAMP:

DEXTER COMMERCE CENTER CONDOMINIUM ASSOCIATION

June 20, 2016

City of Dexter
Zoning Board of Appeals
8140 Main Street
Dexter, MI 48130

Dear Zoning Board of Appeals,

The Dexter Commerce Center was constructed in 2008 at 7200 Dan Hoey Road. The Center is currently owned by five condominium association owners that wish to install a monument sign to identify the Dexter Commerce Center.

The proposed sign will meet all the dimensional requirements per the City of Dexter's Sign Ordinance, however a variance is being requested for the front yard setback requirements due to the following:

1. Location of existing public road right of way.

Over 20 years ago the physical location of Dan Hoey Road was relocated to the south of its current location. The road was realigned to improve the intersection at Dan Hoey Road and Dexter Ann Arbor Road. As a result there was a sliver of land that remained a parcel island. This island parcel was subject to a Supreme Court case for the following 15+ years and was recently purchased by the City. This parcel is approximately 54 feet from the inside edge of the sidewalk to the property line. We are proposing a 0 foot setback from the property line and an approximately 54 foot setback from the sidewalk.

The variance is being requested due to the City owned parcel that lies between the right of way and the Dexter Commerce Center.

2. Existing topography.

The Dexter Commerce Center is part of a 3 building development including the Mobil Gas Station and the Chelsea State Bank. The Dexter Commerce Center provides detention to all 3 buildings. The topography of the detention basin results in a depression in the open space where a sign would logically be placed. Placement of the sign at a 15 foot setback as required would result the sign not being visible or providing identification to the center.

Based on the island parcel and the topography of the site the Dexter Commerce Center respectfully requests a variance from the front yard setback 15' along Dan Hoey Road and 7' along Lexington Drive.

Based on the standards of Article 24, Zoning Board of Appeals we respectfully request that the Zoning Board of Appeals grant the requested variance due to the following:

1. Practical Difficulties – Requiring the sign to meet the front yard setback requirements would place the sign in a detention basin unreasonably preventing the usefulness of a sign as permitted in Article 7, Signs.

DEXTER COMMERCE CENTER CONDOMINIUM ASSOCIATION

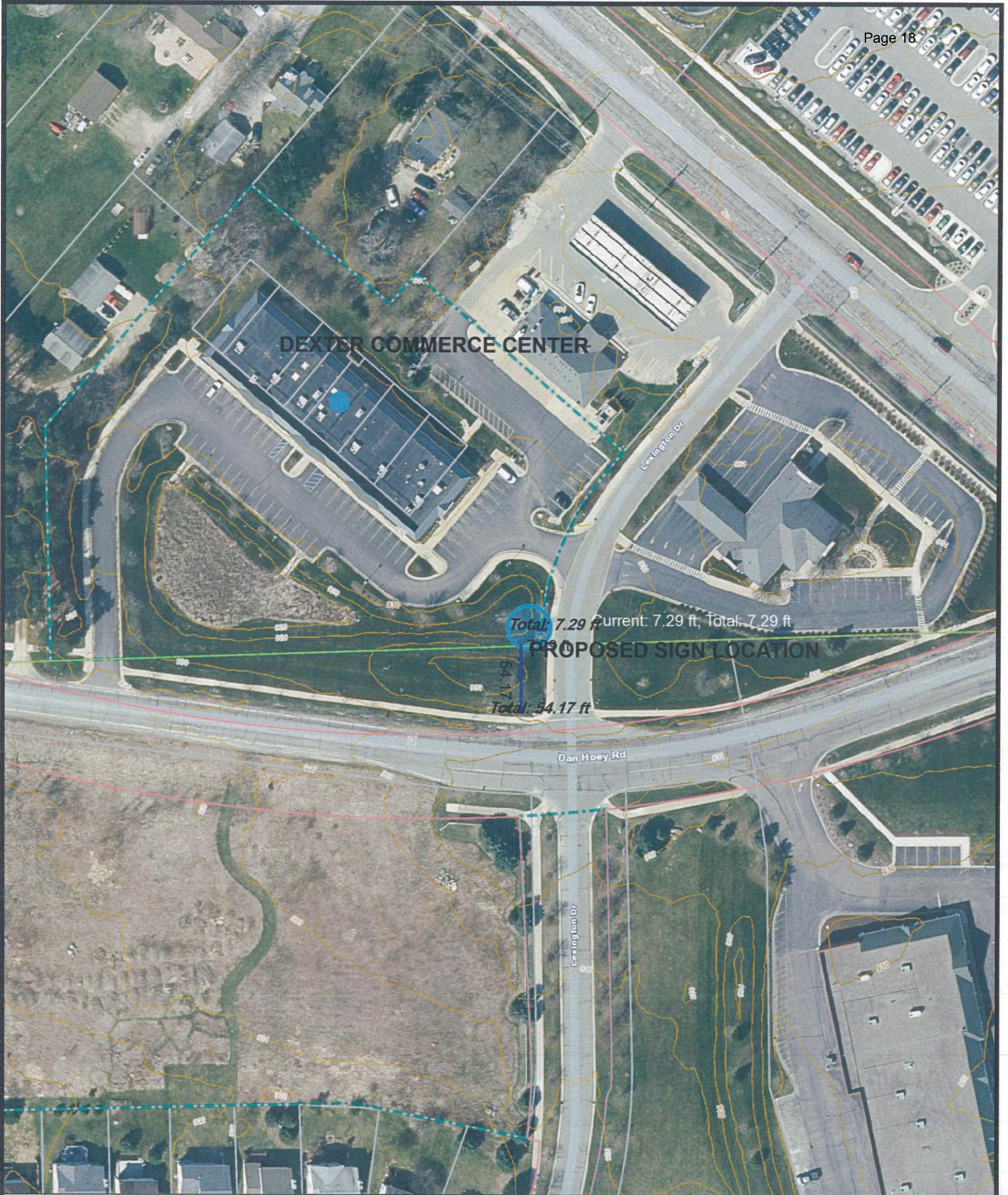
2. Substantial Justice – Granting the variance will permit the business owners to identify their business and the business center.
3. Public Safety and Welfare – The public's safety and welfare will not be impacted. The proposed sign location is over 54' from the back of the sidewalk and over 40 feet from the closest center entrance located off of Lexington Drive.
4. No Safety Hazard or Nuisance – There is no safety hazard of public nuisance created through the placement of a sign on the property.
5. Relationship to adjacent land uses – Variances have been granted to numerous property owners in the area due to the future roadway widths of the roads in the vicinity. Most recently a sign setback variance has been granted across the street. The circumstances of this case are unique in that the City owns a parcel between the subject property and the road right of way.

Please feel free to contact the Dexter Commerce Center if you have any questions, concerns or if additional information would be helpful.

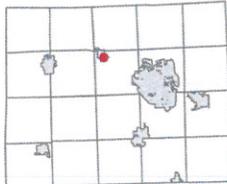
Thank you for your consideration.



Steve Brouwer, Property Manager
Dexter Commerce Center



7200 Dan Hoey Road -



1: 1,199

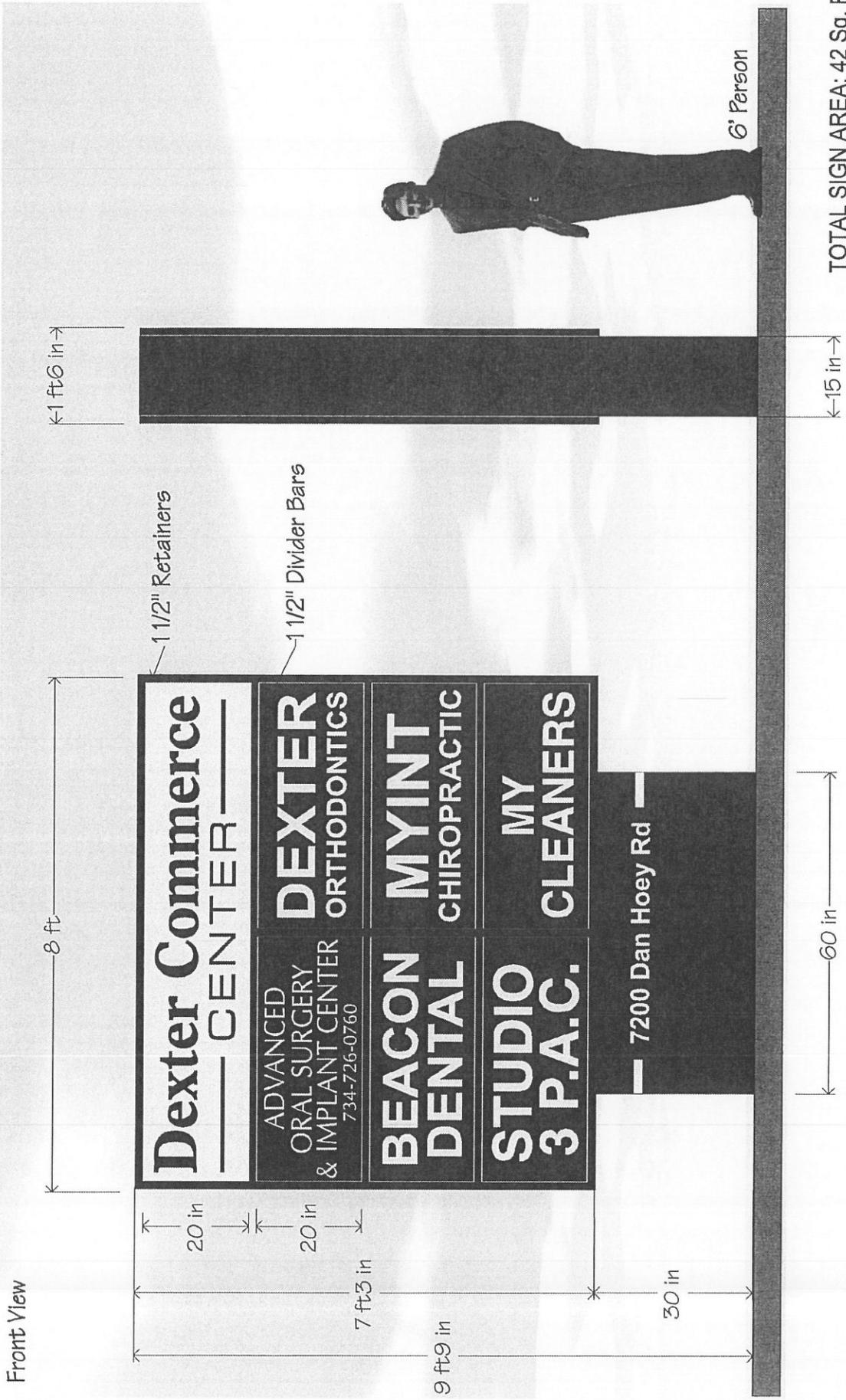
6/21/2016



NOTE: Parcels may not be to scale.

The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.

Item #2: Monument Sign - Double Sided



TOTAL SIGN AREA: 42 Sq. Ft.

Date: _____ Ph: 586.468.7110 Fx: 586.468.7449

Client Approval: _____

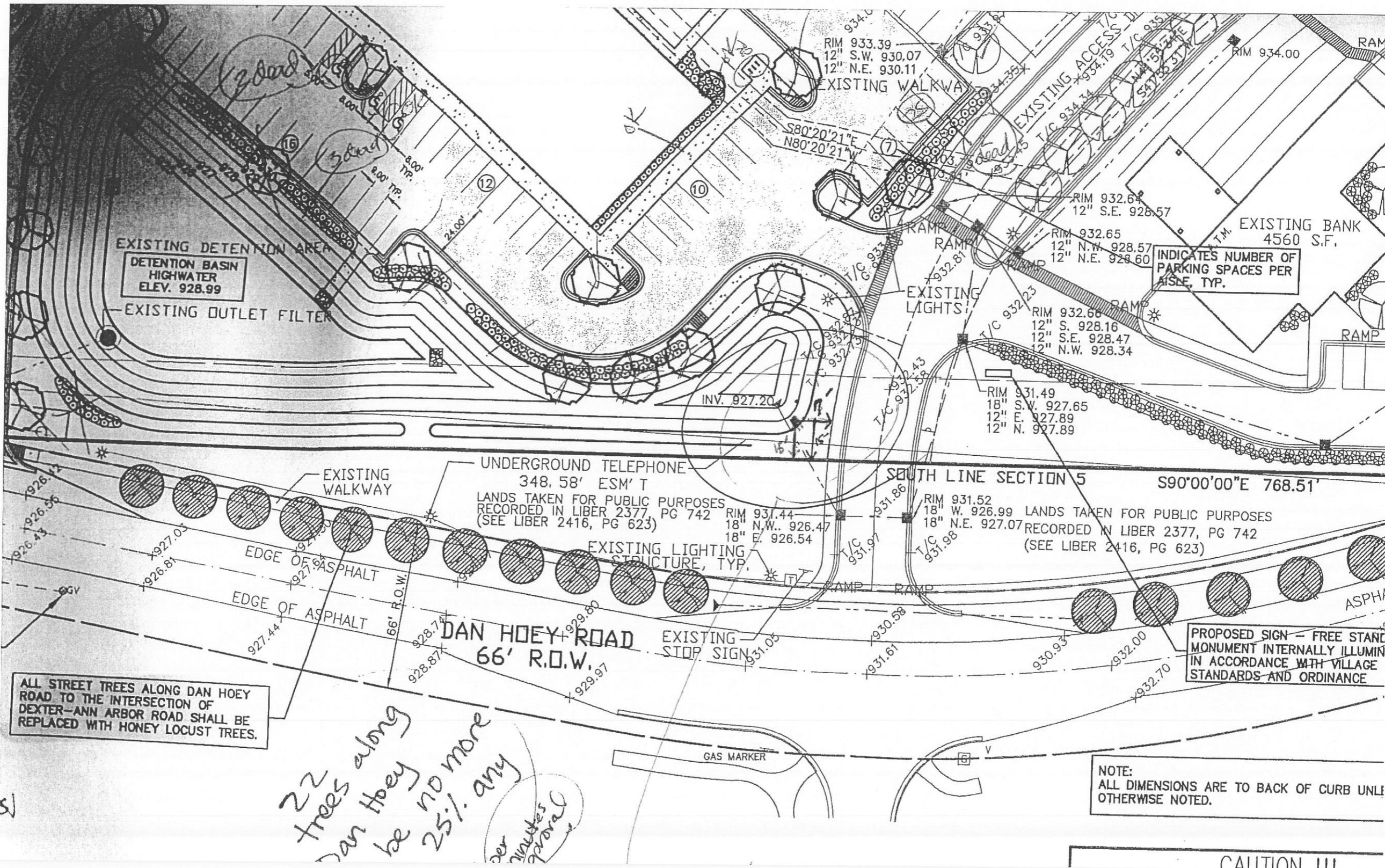
Phillips SIGN & LIGHTING inc.
 40920 Executive Drive
 Harrison Twp., MI
 48045-1363

JOB NO: _____

Designs, details and plans represented herein are the sole property of Phillips Sign & Lighting, Inc. All or any part of these designs (except registered trademarks) are protected. Attempts to duplicate designs without written consent may result in Legal Repercussions.

PROJECT: Advanced Oral Surgery & Implant Ctr/Dexter
 FILE: Advanced Oral Surgery & Implant Ctr/Dexter
 SITE ADDRESS: 7200 Dan Hoey Rd, Dexter, MI. 48130
 ARTIST: CG DATE: 3-30-16 REV: CG 6-13-16





51

22 trees along
 Dan Hoey be no more
 25% any

NOTE:
 ALL DIMENSIONS ARE TO BACK OF CURB UNL
 OTHERWISE NOTED.

CAUTION !!!