

**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-sign 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
Clerk, Village of Dexter

Approved for Filing, as amended: August 22, 2016