

DEXTER TOWNSHIP

ZONING BOARD OF APPEALS

6880 DEXTER-PINCKNEY ROAD
DEXTER, MI 48130

TELEPHONE: 734-426-3767
FAX: 734-426-3833

WWW.DEXTERTOWNSHIP.ORG

AGENDA

June 4, 2024

6:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes- May 7, 2024
5. Public Comment (*Non-agenda Items*)
6. Action Items

Item #1

Introduction of the case

Petition Number:	<u>(24-ZBA-002)</u>
Applicant(s):	Fred Dehn
Project Description:	Demolish and remove an existing mobile home to construct a new two-story single-family home with attached garage.
Petition Description:	a) <i>Request for variance from Section 7.07(3): 25-foot local and private road setback</i>
Property Location:	13879 Sauer Dr (D -04-18-132-016 and D -04-18-132-015)

- a. **Conflict of Interest/Ex-parte Contact Review**
 - b. **Staff Presentation and Zoning Board of Appeals Member Questions**
 - c. **Petitioner Presentation and Zoning Board of Appeals Member Questions**
 - d. **Zoning Board of Appeals deliberations and Standards of Review**
 - e. **Action on Petition-** Motions by the Zoning Board of Appeals
7. **Public Comment** (*Non-agenda Items*)

 8. **Concerns of Zoning Board of Appeals Members, Planning and Zoning Department, and Recording Secretary**
 9. **Adjournment**



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BROOK SMITH
CHAIRPERSON

BETH FILIP
VICE CHAIRPERSON

PETER MAIER
SECRETARY

KATHY BRADBURY
MARTY STRAUB

DON DARNELL, *ALT.*
VACANT, *ALT.*

JANIS MILLER
RECORDING SECRETARY

REGULAR MEETING OF THE ZONING BOARD OF APPEALS

Tuesday May 7, 2024

Members present: Chairperson Brook Smith, Vice-Chairperson Beth Filip, Secretary Peter Maier, Marty Straub, and Kathy Bradbury. Absent: None.

Also present: Ashley Cepeda, Zoning Administrator; Alexandra Dieck, Attorney, and Janis Miller, Recording Secretary.

1. Call to Order: Chairperson Smith called the meeting to order at 6:04 PM.

2. Pledge of Allegiance: Recited by all.

3. Approval of Agenda:

Zoning Administrator Cepeda stated that it was brought to our attention that the requirement for having the property staked for a proposed structure was not met by the applicant so although there will be no vote on this variance the public hearing and presentations can go forward. The Zoning Ordinance requires staking 15 days prior to the meeting so the ZBA members question is, how can we hold a public hearing? Attorney Dieck said the applicant, who is present tonight, can share information in an informal meeting and re-notice a public hearing for next month. Chairperson Smith suggested adjourning the variance request and noticing a public hearing for the following month.

Motion by Maier to remove this agenda item from the agenda and move it to next month, or the next meeting. Motion seconded by Filip.

Discussion: Allow the applicant to present information tonight, thereby giving the ZBA the opportunity to request more information for next month. The applicant did not stake and mark the proposed structure so therefore it is inappropriate to hold a public hearing that hasn't been properly noticed.

Motion restated: To table [24-ZBA-002] and re-notice it for next month.

Vote: Ayes 4, Opposed 1 (Straub)

Item 1 is removed and will be heard a month from now.

Chairperson Smith deemed the agenda approved as amended.

3. Approval of Minutes:

Amendments: Page 2 E – change Wonderland from RR to LR, page 4 #8 – remove apostrophe from want's and remove 's' from Lakes Residential.

Motion by Straub to approve the April 2, 2024 minutes as amended. Motion seconded by Maier. All ayes. Motion carried.

5. **Public Comment – Non-Agenda Items:** Opened 6:17. No public comments.

6. **Action Items:**

Item #1 (24-ZBA-002) Fred Dehn, 13879 Sauer Drive

This item has been tabled until next month.

Item #2 (24-ZBA-003) RIEMCO Design + Build on behalf of Brad and Sarah Shugart, 14486 Edgewater Drive

Variance:

- a) Request for variance from Zoning Ordinance 7.07(3) requirement of a 25-foot setback for local and private roads.

A. Conflict of Interest/Ex-parte Contact Review:

As this property is contiguous (easterly neighbor) to Kathy Bradbury’s property, she has recused herself from discussion, deliberation, and voting. No other board members have a conflict of interest.

B. Staff Presentation and Questions from ZBA members:

The existing home was demolished in 2019 leaving a vacant lot. The current owners would like to build a single-family, two-story home with an attached garage. Historically this land has been residential and it will continue to be Lake Residential. Edgewater is an exception of a twenty-foot setback instead of a twenty-five-foot setback. The lot is legally non-conforming as it is less than one-half acre, they are requesting a variance for road setbacks.

C. Petitioner Presentation and Questions from ZBA members:

Peter Shaw, Riemco Design and Build

A single-story ranch, with a larger footprint, was previously on the lot. The goal was to build a modest house that was in line with the adjacent houses. They are seeking the two extra feet (a road setback of 18 feet) to acquire a bit more living space. The sight lines line up with the houses on either side. This property is second to the last on Edgewater, with the gravel road fading in front of their property, so it was hard to determine where the road actually existed until the survey was completed.

D. Public Comment:

- i. letters and/or emails
- ii. comments from public in attendance – none.

E. Zoning Board of Appeals deliberations and Standards of Review:

Deliberations: This property was staked properly so one could visualize the structure to be built. The practical difficulty is that this is a tiny lot that existed prior to the Zoning Ordinance and they want to build a modest size single-family home.

Documents regarding the agenda items can be obtained at the Township Hall during normal business hours, the Townships website: www.dextertownship.org and can be viewed on ew.livestream.com/dextertownship.org.

Chairperson Smith stated that they were unable to get an alternate for the ZBA this evening, and with only four members present, the applicant would have to receive three yes votes on each of the seven criteria. He asked the applicant if they wanted to adjourn for a month in hopes of having an alternate (five members) next month.

The applicant has chosen to proceed.

Standards of Review:

<p>(1) Practical Difficulty §29.06(C)(1) Does the requested variance meet the following standard</p>	<p>7.07(3) Road setback</p>
<p><i>The strict application of the terms of this Ordinance would constitute a practical difficulty.</i></p>	<p><u>YES</u> Filip Straub Maier Smith</p> <p><u>NO</u> None</p>
<p>Notes: Smith – Yes for the reason I enunciated earlier, a definite practical difficulty on this little lot.</p>	
<p>(2) Physical Conditions §29.06(C)(2) Does the requested variance meet the following standard</p>	<p>7.07(3) Road setback</p>
<p><i>The practical difficulty is due to some physical condition peculiar to the property involved.</i></p>	<p><u>YES</u> Filip Straub Maier Smith</p> <p><u>NO</u> None</p>
<p>Notes: Smith – Yes, it’s a tiny lot.</p>	
<p>(3) Self-Created §29.06(C)(3) Does the requested variance meet the following standard</p>	<p>7.07(3) Road setback</p>
<p><i>The practical difficulty is not self-created.</i></p>	<p><u>YES</u> Filip Straub Maier Smith</p> <p><u>NO</u> None</p>
<p>Notes: Filip – Yes, there is no evidence that the applicant did anything to influence the creation of the size of this lot..</p>	

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4) Reasonable Amount Necessary §29.06(C)(4) Does the requested variance meet the following standard	7.07(3) Road setback
<i>The variance is a reasonable amount necessary to mitigate the practical difficulty.</i>	<u>YES</u> Filip Straub Maier Smith
Notes: Smith – The request is well within the ground of reasonable.	<u>NO</u> None

(5) Public Health, Safety, and Welfare §29.06(C)(5) Does the requested variance meet the following standard	7.07(3) Road setback
<i>Approval of the variance will not be injurious to the public health, safety, and welfare.</i>	<u>YES</u> Filip Straub Maier Smith
Notes: Filip – Yes, there has been no evidence presented that it would be injurious to public health, safety, and welfare.	<u>NO</u> None

(6) Adverse Effect §29.06(C)(6) Does the requested variance meet the following standard	7.07(3) Road setback
<i>Approval of the variance will not affect the use of the adjacent properties or the area in a substantially adverse manner.</i>	<u>YES</u> Filip Straub Maier Smith
Notes: Filip – There’s been no evidence presented that it would.	<u>NO</u> None

(7) Intent of the Ordinance §29.06(C)(7) Does the requested variance meet the following standard	7.07(3) Road setback
<i>Approval of the variance is consistent with the intent and purpose of this Ordinance.</i>	<u>YES</u> Filip Straub Maier Smith
Notes:	<u>NO</u> None

F. Motion by Zoning Board of Appeals:

Motion by Filip to approve petition number (24-ZBA-003), for the property located at 14486 Edgewater Drive, tax id D-04-06-355-025, for the requested variance from §7.07(3), normally requiring a twenty-foot local and private road setback to

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the requested eighteen-foot setback, recognizing any legal non-conformities.
Motion seconded by Straub.

**Roll Call Vote: Yeas – Filip, Straub, Maier, and Smith: Nays - None:
Absent – None; Recused - Bradbury. Motion carried 4 - 0.**

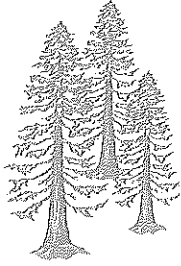
Chairperson Smith congratulated the applicant and stated they needed to use the variance before it expired in a year.

7. **Public Comment:** Opened 6:45. No public comment.
8. **Concerns of ZBA Members, Zoning Administrator, and Recording Secretary:**
Zoning Officer Cepeda – She provided last month’s planning and zoning report in their packets. Code enforcement complaints are up. The planning and zoning department is restructuring the workload. The Development Manual draft and Single Family New Home Checklist draft for the Board of Trustees review this month.
Filip – She appreciates the board packets showing the actual set marks relative to the project as it is helpful in the decision making.
9. **Adjournment:**
Chairperson Smith declared the meeting adjourned at 6:49 p. m.

Respectfully submitted,

Peter Maier, Secretary

Janis Miller, Recording Secretary



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DEXTER, MI 48130

TELEPHONE: 734-426-3767
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VARIANCE APPLICATION FORM

File #:	-ZBA-
Received on:	
Fee: \$	
Receipt #:	

(1) Applicant Information: <i>(the person(s) applying for the variance(s))</i>		(2) Owner Information: <i>(the person(s) owning the property)</i>	
a. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent for the Owner <i>(check one)</i>		a. <input checked="" type="checkbox"/> Same as Applicant <i>(check if appropriate)</i>	
b. Name(s) FRED DEHN		b. Name(s) <i>(if different from applicant)</i>	
c. Mailing Address 13884 SAUER DR. GREGORY MI 48137		c. Mailing Address <i>(if different from applicant's mailing address)</i>	
d. Phone Number 734 385 6036		d. Phone Number <i>(if different from applicant's phone number)</i>	
e. Email dehnfred@gmail.com		e. Email <i>(if different from applicant's email)</i>	
(3) Property Information: <i>(property where the variance is being requested)</i>			
a. Physical Address <i>(city and zip code not required)</i> 13879 SAUER DRIVE		d. Size and nature of existing structures on and uses of the property:	
b. Parcel/Tax ID Number(s) D-04-18-132-016			
c. Zoning District <i>(circle one)</i> PL AG RC RR LR CU MHPR C-1			
(4) Application Checklist: <i>Check all of the information that is included as part of this application. Items a-e are required for all variance applications.</i>			
Item and Description	YES	NO	Attachment Number
a. Application. A completed variance application signed by the applicant and the property owner(s).	<input type="checkbox"/>	<input type="checkbox"/>	n/a
b. Application Fee. Cash or check to Dexter Township, as outlined in the current fee schedule.	<input type="checkbox"/>	<input type="checkbox"/>	n/a
c. Site Plan or Plot Plan. A complete plot or site plan, as outlined in §26.03 or §27.09 of the Zoning Ordinance. One (1) copy is required if the Township is able to make reproductions <i>(legible letter, legal or 11x17 sheets)</i> . Eight (8) copies are required if the Township is not able to make reproductions <i>(larger sheets, color prints, etc)</i> . Please contact staff if you have any questions before submitting this application.	<input type="checkbox"/>	<input type="checkbox"/>	
d. Legal Description. A legal description of the property for which the variance is being requested.	<input type="checkbox"/>	<input type="checkbox"/>	
e. Survey. A mortgage or boundary survey of the property for which the variance is being requested.	<input type="checkbox"/>	<input type="checkbox"/>	
f. Building Plans. Plans illustrating the floor plans, elevations, and sections of buildings or details of the structure. <i>Required for all variance applications involving a structure.</i>	<input type="checkbox"/>	<input type="checkbox"/>	
g. Sewer District Approval. Approval of the Multi-Lakes Water and Sewer Authority or the Portage Lakes Area Water and Sewer Authority. <i>Required for all properties located within a sewer district.</i>	<input type="checkbox"/>	<input type="checkbox"/>	
h. Decision Criteria Answers. Answers to the decision criteria, if not fully completed in Section 7 of this application.	<input type="checkbox"/>	<input type="checkbox"/>	
i. Letters of Support. Letters of support or non-objection from neighboring property owners or signatures on a petition.	<input type="checkbox"/>	<input type="checkbox"/>	
j. Pictures. Pictures of the property and the area affected by the variance request.	<input type="checkbox"/>	<input type="checkbox"/>	
k. Other. Describe:	<input type="checkbox"/>	<input type="checkbox"/>	
(5) Project Description: <i>Describe the project in general- what is being built, how big is it, etc.</i>			
Demolish and remove an eight hundred square foot mobile home to construct a new two-story single-family home with attached garage. The proposed two-story single-family home with attached garage has a footprint of sixteen hundred square feet.			

VARIANCE APPLICATION FORM

File #: -ZBA-

(6) Variance(s) Description: <i>Describe the variance(s) being requested. Attach additional sheets if necessary.</i>				
a.	Ordinance Section	b. Requested	c. Required	d. Description of Variance Request
a)	7.07(3)	13'	25'	Front setback
b)				
c)				
d)				
e)				
f)				
g)				

(7) Decision Criteria Answers: *Please describe how you think your variance(s) meets all of the following standards. Attach additional sheets if necessary. You will have an opportunity to provide additional information and address these decision criteria at the public hearing.*

- a. The strict application of the terms of this Ordinance would constitute a practical difficulty. §29.06(C)(1)
The existing topography restricts the proposed home to be constructed within the prescribed setbacks of the district. Therefore creating a practical difficulty, thus creating this request of variance from the prescribed setback from Sauer Drive.

- b. The practical difficulty is due to some physical condition peculiar to the property involved. §29.06(C)(2)
There is approximately a thirty-foot change in elevation from Sauer Drive down to the lake level. The change in elevation matched with the sizable setback from Sauer Drive, does not offer a buildable area to construct an average size home on the lot.

- c. The practical difficulty is not self-created. §29.06(C)(3)
The physical difficulty is due to the existing topography, therefore the difficulty is not self-created.

- d. The variance is a reasonable amount necessary to mitigate the practical difficulty. §29.06(C)(4)
The proposed size of the home was designed based upon creating a small footprint with maximizing livability. The proposed location was chosen based upon the consistent topography at the top of the hill near Sauer Drive.

- e. Approval of the variance will not be injurious to the public health, safety, and welfare. §29.06(C)(5)
The proposed location of my new home will not be a danger to public health, safety, or welfare

- f. Approval of the variance will not affect the use or value of the adjacent properties or the area in a substantially adverse manner. §29.06(C)(6)
The approval of this variance will not negatively affect adjacent properties, nor block any views to the lake.

- g. Approval of the variance is consistent with the intent and purpose of this Ordinance. §29.06(C)(7)
Approval of this variance would be consistent with the intent and purpose of this ordinance.


I prefer not to share these decision criteria answers with the Zoning Board of Appeals members.

VARIANCE APPLICATION FORM

File #: -ZBA-

(8) Applicant(s) Affidavit: *(to be signed and dated by the applicant)*

- I hereby certify that I am the owner of the subject property or have been authorized to act on behalf of the owner(s) and that all of the statements and attachments are true and correct to the best of my knowledge and belief.
- I acknowledge that approval of a variance only grants that which was presented to the Zoning Board of Appeals.
- I acknowledge that I have received and reviewed the Dexter Township "Variance Guide" booklet.
- I acknowledge that filing of this application grants access to the Township to conduct onsite investigation of the property in order to review this application.
- I understand that I must post the public notice sign and mark the location of proposed structure and lot corners and lot lines of my lot that are within 100 feet of the proposed structure at least 15 days before the public hearing date.
- I understand that the house or property must be marked with the street address clearly visible from the roadway.
- I understand that a Zoning Permit is required prior to construction if a variance is granted.



 Applicant's Signature

2024 04 29

 Date

 Applicant's Signature

 Date

(9) Property Owner(s) Affidavit: *(to be signed and dated by the property owner(s) if the applicant is not the property owner- it should be signed by all property owners.)*

I, _____, hereby state that I am the owner of the property described in this application and that I have authorized _____ to act as my agent for the purpose of obtaining the variance(s) described in this application.

 Property Owner's Signature

 Date

 Property Owner's Signature

 Date

(10) Administrative Section:

Request Approved
(List conditions- if any.)

Request Denied
(List reasons.)

Request Amended

New file #

Date Submitted:



WRECKING CLEARANCE

DATE: April 4th 2024

RE:

E-Mail dehnfred@gmail.com
E-Mail
ADDR: 13879 Sauer Dr
Gregory, MI 48137

The electric meters and service connections were disconnected
and removed from the buildings as of

1/10/2024

WO# 70415927

Sincerely,

DTE Energy

LNH

Re: [EXTERNAL] Re: DTE - SERVICE REQUEST UPDATE - Work Order 70415927 - SERVICE REQUEST COMPLETED - 13879 SAUER DR, GREGORY, MI 48137-9682

1 message

Fred Dehn <dehnfred@gmail.com>
To: Pauline C Lessnau <pauline.lessnau@dteenergy.com>

Thu, Apr 4, 2024 at 6:14 AM

Good morning Pauline,
It seems that I still have not received my disconnect letter. Could you please look into this for me? I'm trying to get my permits done today and the township requires this letter.

Thank you

Fred Dehn
(734) 385-6036
dehnfred@gmail.com

On Fri, Jan 12, 2024 at 7:49 AM Pauline C Lessnau <pauline.lessnau@dteenergy.com> wrote:

Hello,

This is sent from the dispatcher by email and should arrive in 2 business days. Please let me know if you do not receive.

Thank you,

Pauline

From: Fred Dehn <dehnfred@gmail.com>
Sent: Friday, January 12, 2024 7:34 AM
To: Pauline C Lessnau <pauline.lessnau@dteenergy.com>
Subject: [EXTERNAL] Re: DTE - SERVICE REQUEST UPDATE - Work Order 70415927 - SERVICE REQUEST COMPLETED - 13879 SAUER DR, GREGORY, MI 48137-9682

CAUTION: THIS MESSAGE IS FROM AN EXTERNAL SENDER. This email was sent from outside our company. Please do not click links or open attachments unless you recognize the source of this information and are expecting this email. If you suspect this message is suspicious, report it by using the "report phishing" function.

Pauline,

When will I be getting the disconnect letter stating that the services have been removed? I will need this so I can begin demolition.

Thanks

Fred Dehn

(734) 385-6036

dehnfred@gmail.com

On Fri, Jan 12, 2024 at 7:32 AM PAULINE.LESSNAU@DTEENERGY.COM <PAULINE.LESSNAU@dteenergy.com> wrote:

Hello,

Your Electric Service request has been reported as complete by our crews. If you are experiencing any issues, please contact me. We want to make sure you are completely satisfied.

Thank you for being a valued DTE Energy customer.

Sincerely,

Pauline Lessnau

Case Manager

Scheduling and Construction
313.549.6081

PAULINE.LESSNAU@DTEENERGY.COM

13879 Sauer Dr.

1 message

Multi Lake Water & Sewer Authority <multilake@gmail.com>

Fri, Dec 15, 2023 at 1:18 PM

To: Fred Dehn <dehnfred@gmail.com>

Our field staff went out to your property and successfully removed your pump and panel. Your quarterly bill will now go down to debt only.

The field staff questioned the exterior measurements of the new home. You need to submit another drawing to us with exterior measurements. If you have any questions, please contact us.

Kathy Piatt
MLWSA

--

Multi Lake Water and Sewer Authority

12088 N. Territorial Rd.

Dexter MI 48130

734-426-9797

Visit our website at: mlwsa.org



Count on Us

Support Specialist Mailing Center

530 W Willow Street, PO Box 30162 Lansing, MI 48937-001

January 2, 2024

FRED H DEHN
13884 SAUER DR
GREGORY, MI 48137-9682

Notification #1066585377

RE: CONSUMERS ENERGY DISCONNECTION OF GAS SERVICE

Dear Valued Customer:

This is to notify you that Consumers Energy has disconnected the GAS SERVICE for 13879 SAUER DR, in GREGORY, Michigan.

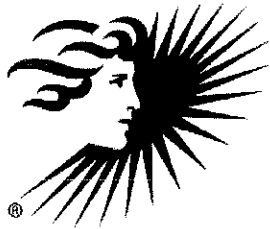
In the interests of safety, the applicant agrees to make a final inspection of the building and if not satisfied that GAS SERVICE are disconnected, will call Consumers Energy. A company representative will respond as soon as practical to resolve the problem.

If you need any further information or assistance, please feel free to call me at 844-316-9537.

LISA MITCHELL
Consumers Energy Representative

REMEMBER: Please contact MISS DIG at 1-800-482-7171, 72 hours prior to digging.

DTE Energy®



Detroit Edison

WRECKING CLEARANCE

DATE: April 4th 2024

RE:

E-Mail dehnfred@gmail.com

E-Mail

ADDR: 13879 Sauer Dr
Gregory, MI 48137

The electric meters and service connections were disconnected
and removed from the buildings as of

1/10/2024

WO# 70415927

Sincerely,

DTE Energy

LNH

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dehnfred@gmail.com

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Thank you for being a valued DTE Energy customer.

Sincerely,

Pauline Lessnau

Case Manager

Scheduling and Construction

313.549.6081

PAULINE.LESSNAU@DTEENERGY.COM

13879 Sauer Dr.

1 message

Multi Lake Water & Sewer Authority <multilake@gmail.com>
To: Fred Dehn <dehnfred@gmail.com>

Fri, Dec 15, 2023 at 1:18 PM

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The field staff questioned the exterior measurements of the new home. You need to submit another drawing to us with exterior measurements. If you have any questions, please contact us.

Kathy Piatt
MLWSA

--

Multi Lake Water and Sewer Authority
12088 N. Territorial Rd.
Dexter MI 48130
734-426-9797
Visit our website at: mlwsa.org



Support Specialist Mailing Center
530 W Willow Street, PO Box 30162 Lansing, MI 48937-001

January 2, 2024

FRED H DEHN
13884 SAUER DR
GREGORY, MI 48137-9682

Notification #1066585377

RE: CONSUMERS ENERGY DISCONNECTION OF GAS SERVICE

Dear Valued Customer:

This is to notify you that Consumers Energy has disconnected the GAS SERVICE for 13879 SAUER DR, in GREGORY, Michigan.

In the interests of safety, the applicant agrees to make a final inspection of the building and if not satisfied that GAS SERVICE are disconnected, will call Consumers Energy. A company representative will respond as soon as practical to resolve the problem.

If you need any further information or assistance, please feel free to call me at 844-316-9537.

LISA MITCHELL
Consumers Energy Representative

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Petition Description:	a) Request for variance from Section 7.07(3): 25-foot local and private road setback
Property Location:	13879 Sauer Dr (D -04-18-132-016 and D-04-18-132-015)

Property Information:

Existing Zoning:	Lake Residential (LR) <i>The Lake Residential District provides opportunities for relatively high-density residential uses in a manner that is consistent with the unique physical, economic, and social characteristics of lakefront properties. The regulations applicable to properties in this district are intended to provide opportunities for the recreational uses that are consistent with the character of these lake areas, while protecting the Township’s waters and other natural resources by fostering a healthy environment that enhances the use and enjoyment of these areas. Infill development that is consistent with the character of established neighborhoods should be supported.</i>
Existing Land Use:	Residential
Future Land Use Map:	Lake Residential
Area:	10,933.56 square feet, 0.251 acres

Zoning Information:

	North	East	South	West
Surrounding Zoning	Rural Residential (RR)	Lake Residential (LR)	N/A	Lake Residential (LR)
Surrounding Land Uses	Rural Residential (RR)	Lake Residential (LR)	N/A	Lake Residential (LR)
Future Land-Use Map	Rural Residential (RR)	Lake Residential (LR)	N/A	Lake Residential (LR)



Figure 1: Parcel Map

Project Narrative:

The subject property consists of a manufactured home. The applicant is proposing to demolish the manufactured home and construct a new two-story single-family home with attached garage. The proposed two-story single-family home with attached garage has a footprint of 1,600 square feet.

Section 7.07(3) requires a 25-foot front yard setback from local and private roads for parcels located in Lake Residential. The applicant is requesting a variance from the front yard setback to allow a 13-foot setback.

Applicable Land Use Standards:

The following table lists the requested variance for the proposed project and the Zoning Ordinance standard.

Ordinance Section	Required	Requested	Notes
7.07(3)	25 feet	13 feet	

Recognition of Nonconformities:

- The minimum area size for lots served by off-site septic or sewer is .5 acres. The current total lot size is .251 acres.
- The minimum gross floor area for single-family dwellings shall be 1,000 square feet and an additional 100 square feet for each bedroom. The mobile home is approx. 800 square feet with two bedrooms.



- The current mobile home is located on two parcels.

Other Department Comments:

- It is recommended by the Township Assessor to combine both parcels prior to zoning permits being issued.

Potential Conditions:

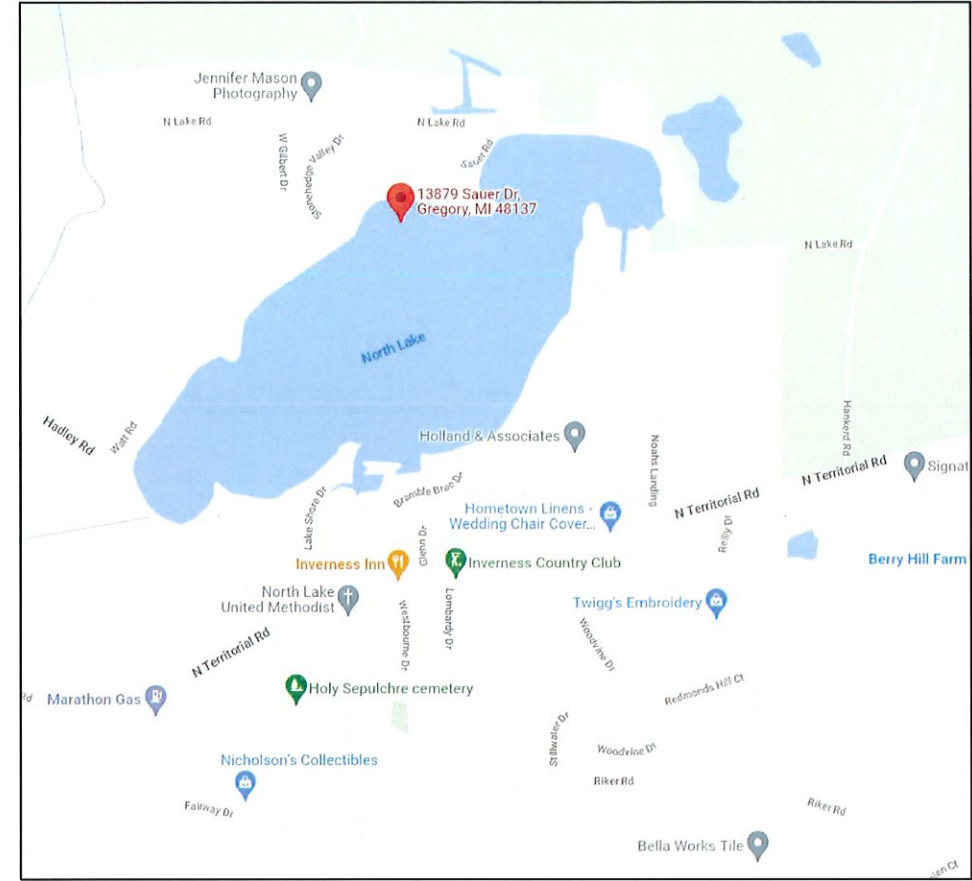
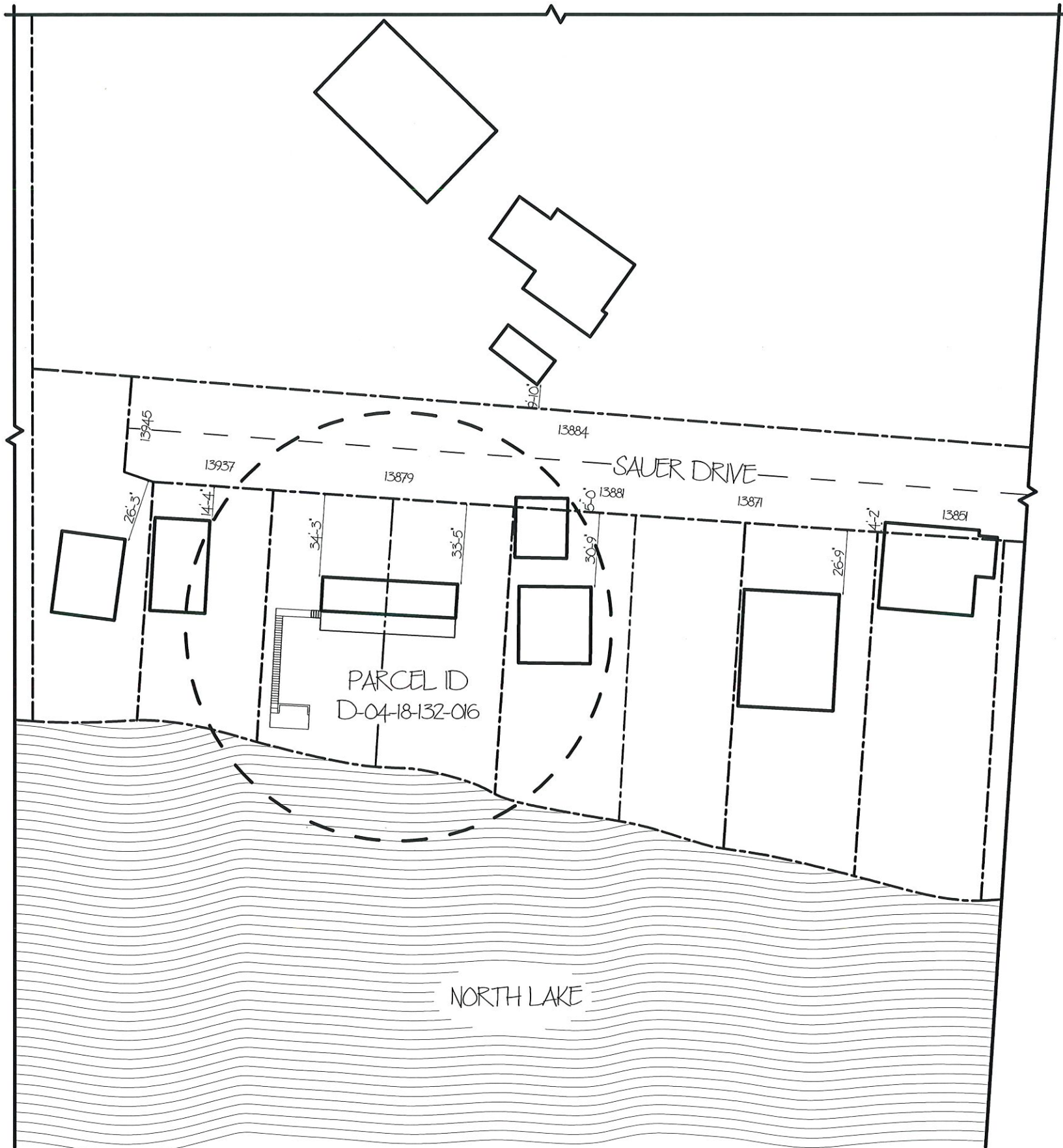
Potential conditions are developed prior to a public hearing and are intended to aid the Zoning Board of Appeals review. The Zoning Board of Appeals may adopt the above condition(s), adopt additional or other condition(s), or adopt no conditions if a variance is approved.

Attached Materials:

- Variance Application
- Plot Plan
- Architectural Drawings
- Letter of Support
- Decision Criteria Review

SINGLE FAMILY RESIDENTIAL ZBA SET

13879 SAUER DRIVE GREGORY, MI 48137

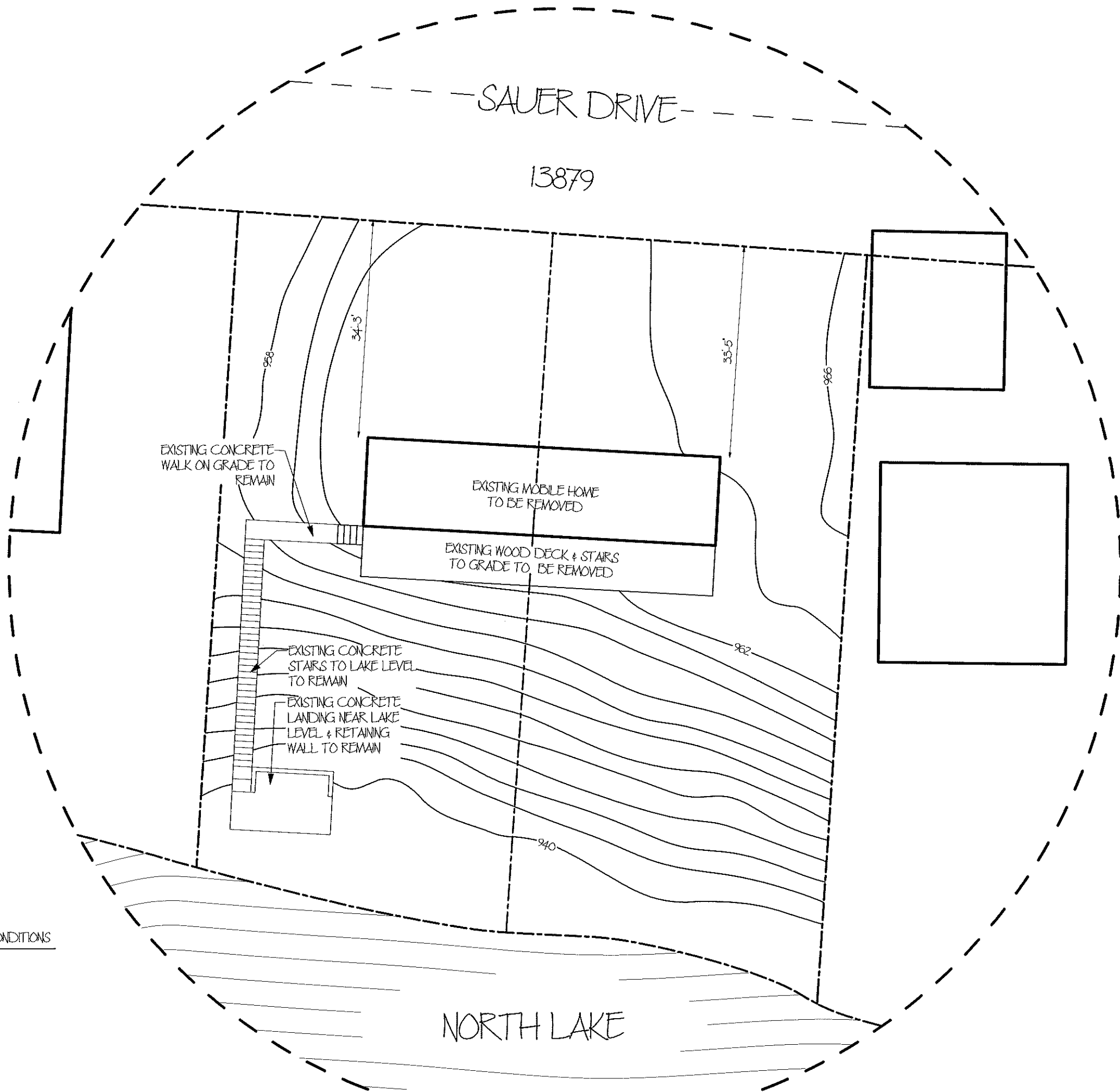


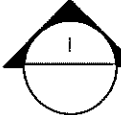
PARCEL NUMBER	D-04-18-132-016
0122 ACRES	
ZONING DISTRICT	LR
FRONT YARD SETBACK:	25
SIDE SETBACK:	5
FOR BUILDINGS WITH A HEIGHT GREATER THAN EIGHTEEN FEET, THE SIDE YARD SETBACK SHALL BE INCREASED AT A RATIO OF ONE FOOT FOR EVERY THREE FEET, OR FRACTION THEREOF, OF BUILDING HEIGHT OVER EIGHTEEN FEET	
REAR YARD SETBACK:	30
WATER SETBACK:	50
BUILDING TO BUILDING SETBACK:	10
MAXIMUM HEIGHT:	30
MAXIMUM LOT COVERAGE:	30%
MAXIMUM IMPERVIOUS SURFACES	45%

LEGAL DESCRIPTION

*OLD SID - D 04-018-078-00 DE 18-384-1 COM AT THE N 1/4 POST OF SEC, TH S 0 DEG 21' W 628.9 FT IN THE N & S 1/4 LINE, TH S 84 DEG 53' E 94.88 FT FOR A PL OF BEG TH S 84 DEG 53' E 50 FT, TH S 5 DEG 07' W 683.61 FT, TH N 89 DEG 39' W 50 FT, TH N 50 DEG 07' E 687.78 FT TO THE PL OF BEG, BEING A PART OF NW 1/4 OF NE 1/4 SEC. 18 T1S R4E LOT 42 SAUERS UNRECORDED PLAT.

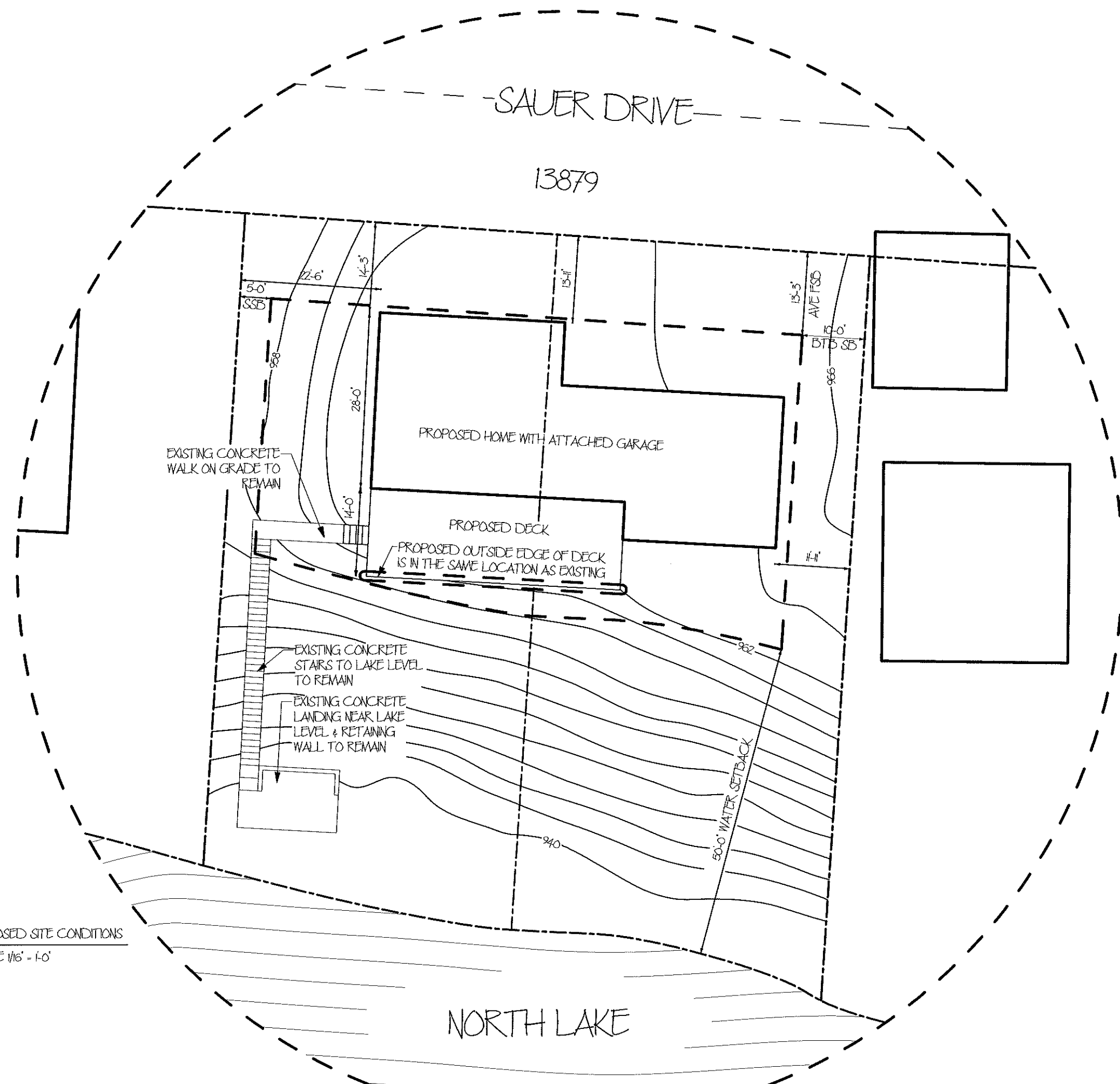
CLIENT NAME: FRED DEHN
 PROJECT ADDRESS: 13879 SAUER DRIVE GREGORY, MI 48137
 PROJECT NUMBER: 202207
 PLOT DATE: 02/18/2024




 1
 EXISTING SITE CONDITIONS
 SCALE 1/16" = 1'-0"

CLIENT NAME: FRED DEHN
 PROJECT ADDRESS: 13879 SAUER DRIVE GREGORY, WI 48157
 PROJECT NUMBER: 202207
 PLOT DATE: 02/18/2024

SHEET NUMBER
 2



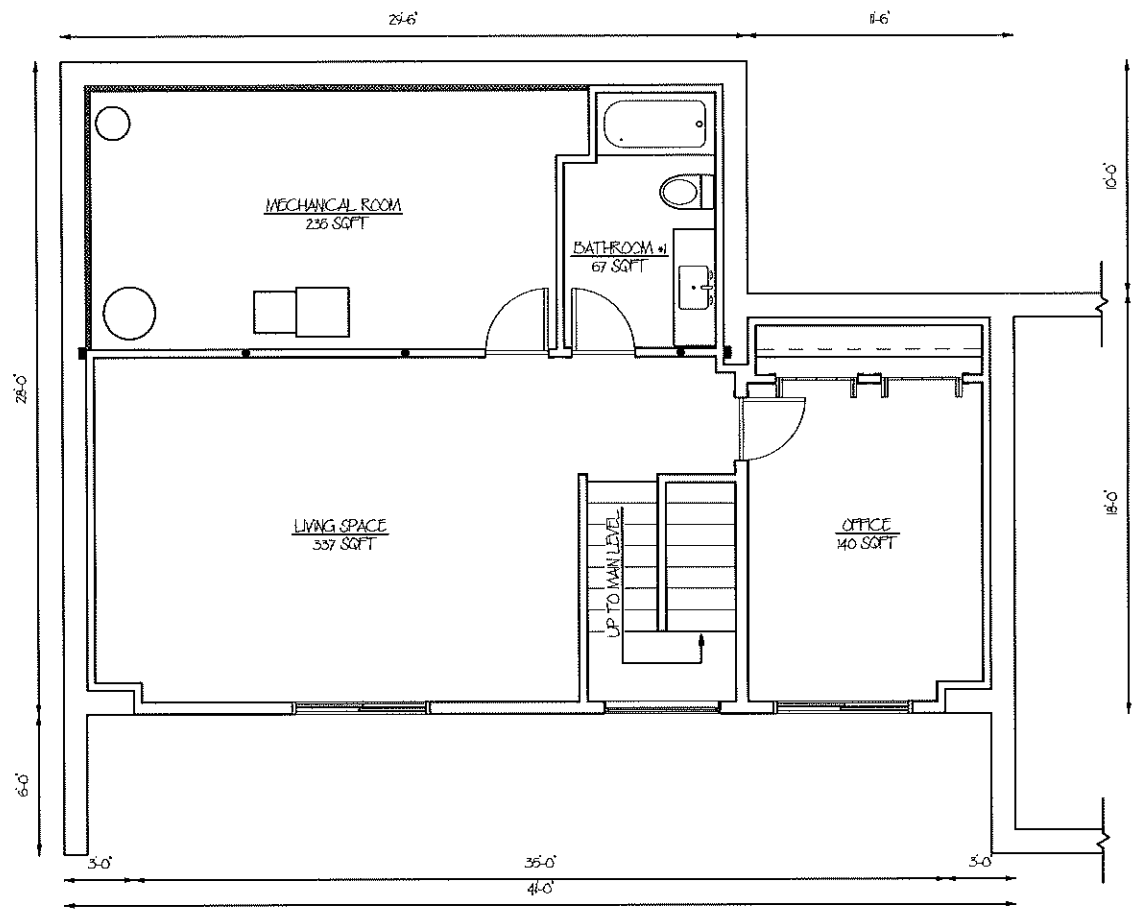
PARCEL NUMBER D-04-18-132-016 0.122 ACRES	
ZONING DISTRICT	LR
FRONT YARD SETBACK:	25
SIDE SETBACK: FOR BUILDINGS WITH A HEIGHT GREATER THAN EIGHTEEN FEET, THE SIDE YARD SETBACK SHALL BE INCREASED AT A RATIO OF ONE FOOT FOR EVERY THREE FEET, OR FRACTION THEREOF, OF BUILDING HEIGHT OVER EIGHTEEN FEET	5
REAR YARD SETBACK:	30
WATER SETBACK:	50
BUILDING TO BUILDING SETBACK:	10
MAXIMUM HEIGHT:	30
MAXIMUM LOT COVERAGE:	30%
MAXIMUM IMPERVIOUS SURFACES	45%

CLIENT NAME: FRED DEHN
 PROJECT ADDRESS: 13879 SAUER DRIVE GREGORY, MI 48157
 PROJECT NUMBER: 202207

PLOT DATE: 02/18/2024

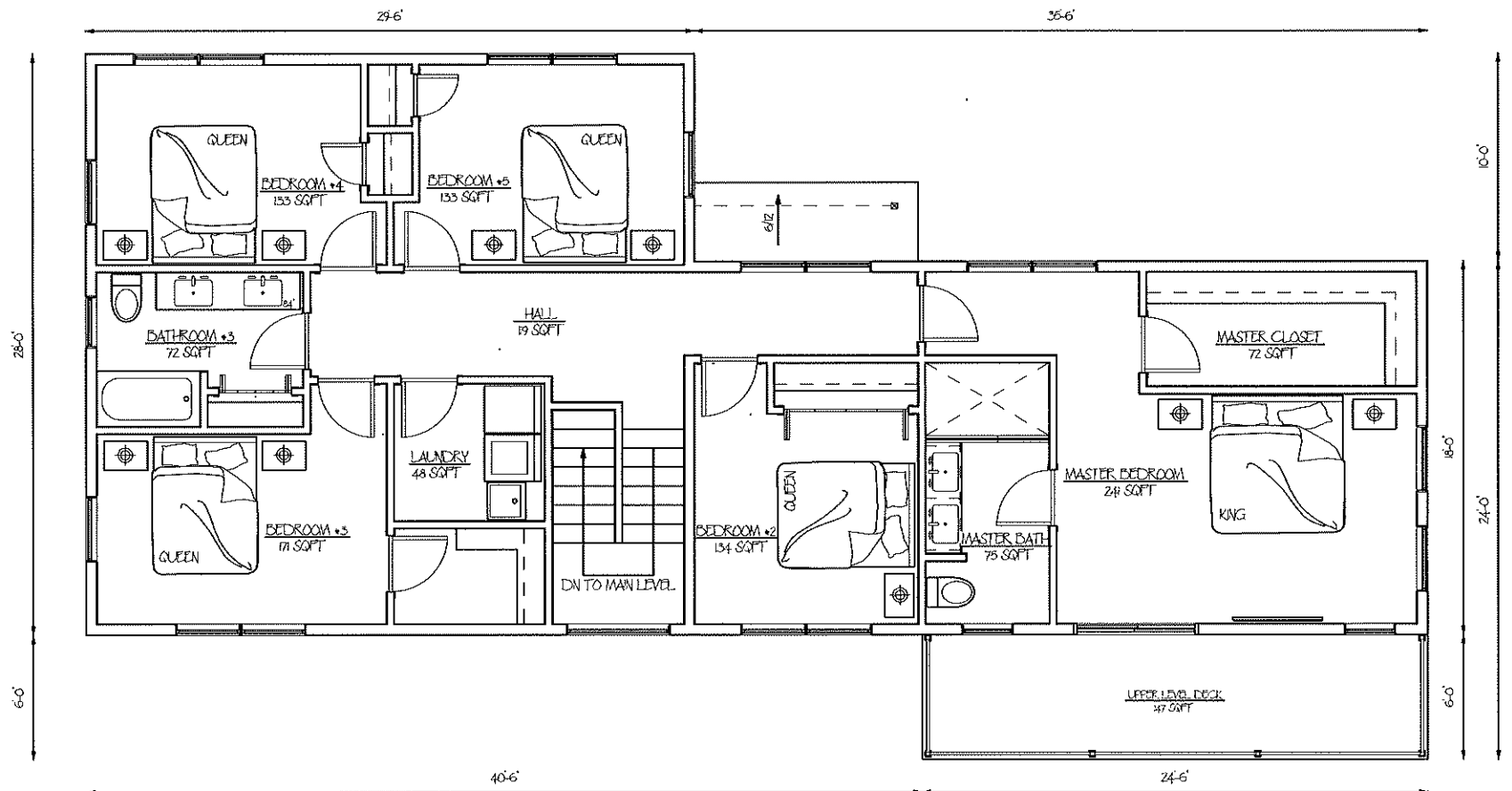
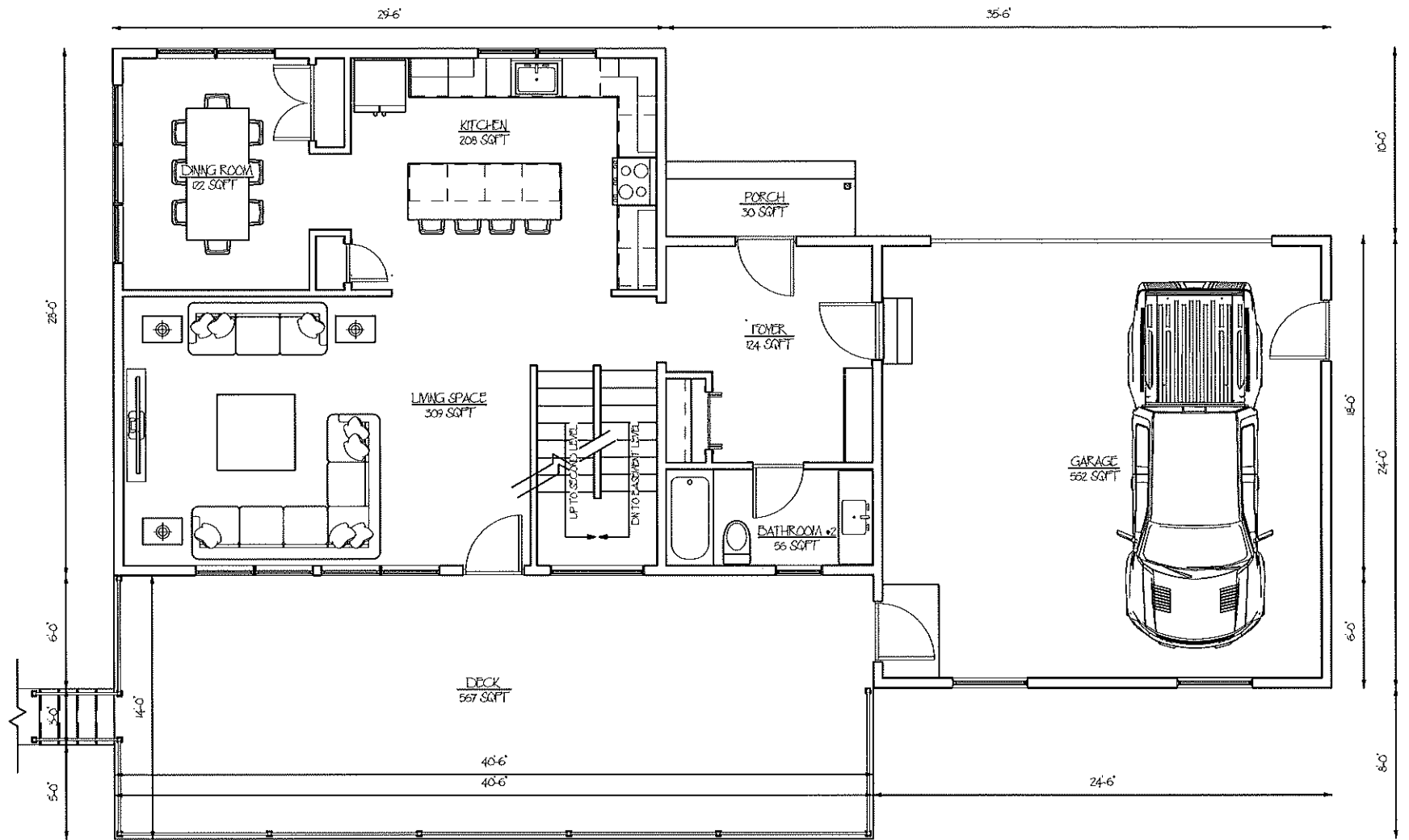
1 PROPOSED SITE CONDITIONS
 SCALE 1/16" = 1'-0"

SHEET NUMBER
 3



1 PROPOSED BASEMENT LEVEL PLAN
SCALE 1/8" = 1'-0"

2 PROPOSED MAIN LEVEL PLAN
SCALE 1/8" = 1'-0"



3 PROPOSED SECOND LEVEL PLAN
SCALE 1/8" = 1'-0"

CLIENT NAME: FRED DEHN
 PROJECT ADDRESS: 13879 SAUER DRIVE GREGORY, MI 48157
 PROJECT NUMBER: 202207
 PLOT DATE: 02/18/2024

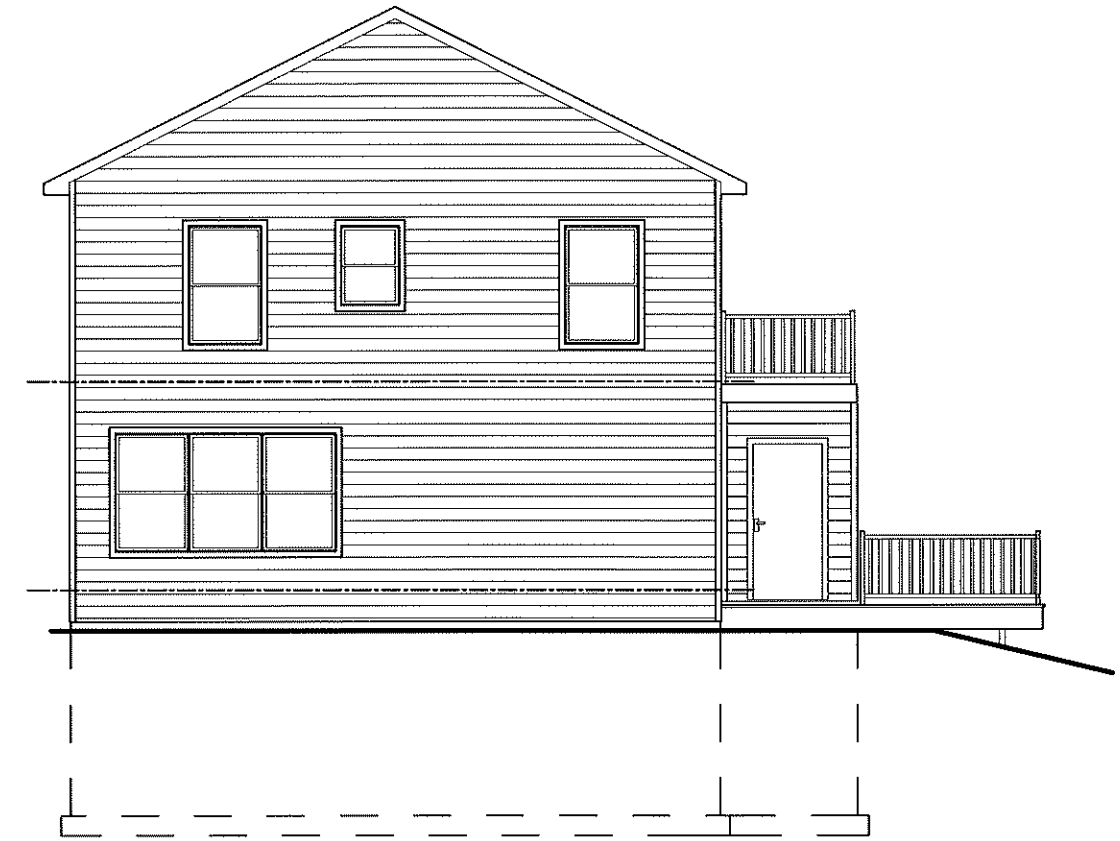
SHEET NUMBER
4



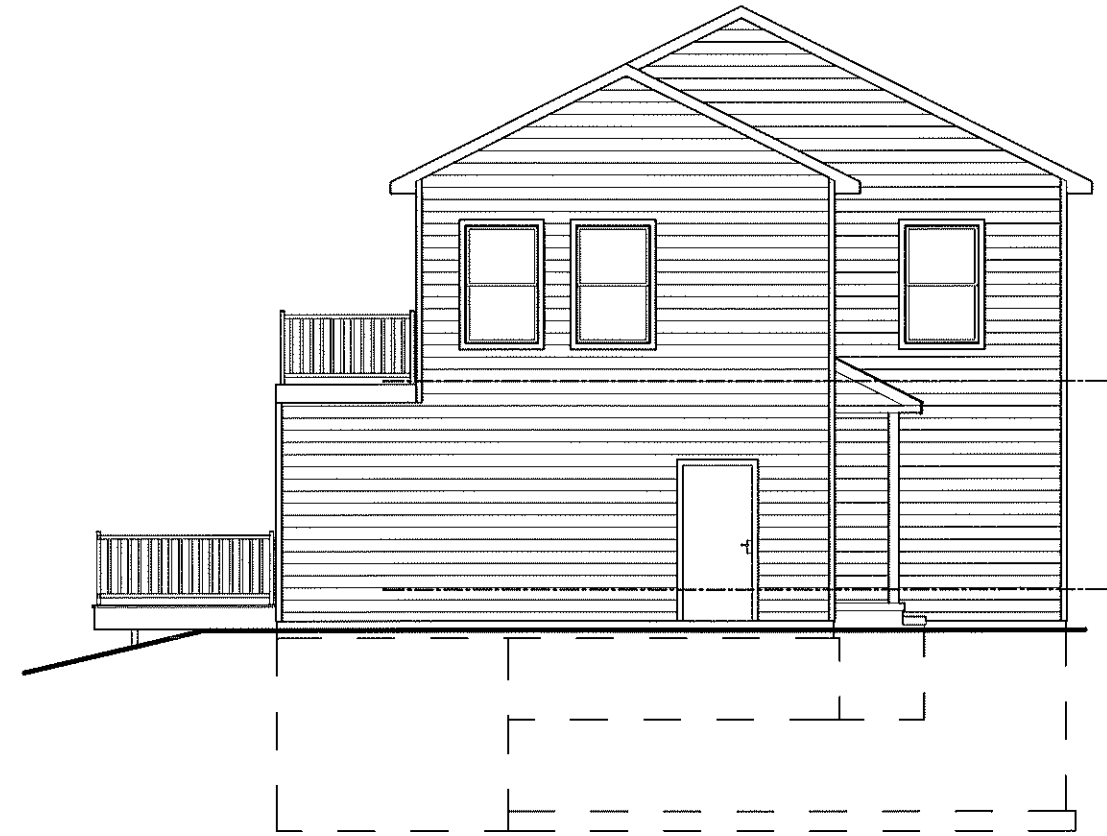
1 PROPOSED NORTH ELEVATION
SCALE 1/8" = 1'-0"



2 PROPOSED SOUTH ELEVATION
SCALE 1/8" = 1'-0"



3 PROPOSED EAST ELEVATION
SCALE 1/8" = 1'-0"



4 PROPOSED WEST ELEVATION
SCALE 1/8" = 1'-0"

CLIENT NAME: FRED DEHN
PROJECT ADDRESS: 15879 SAUER DRIVE GREGORY, MI 4837
PROJECT NUMBER: 202207
PLOT DATE: 02/18/2024

SHEET NUMBER
5

Zoning Officer

From: DPZ
Sent: Monday, May 6, 2024 2:44 PM
To: Zoning Officer
Subject: Fw: Petition 24-ZBA-002

Ashley,

For the ZBA tomorrow night.

Thanks,
Megan

From: Shannon Steinbach <shannon.steinbach@gretchenshouse.com>
Sent: Sunday, May 5, 2024 1:33 PM
To: DPZ <dpz@dextertownship.org>
Subject: Petition 24-ZBA-002

Shannon Steinbach
13851 Sauer Drive
Gregory, MI 48137

Dear Dexter Township Zoning Board,

I am writing to you to support Fred Dehn, Petition Number 24-ZBA-002, to allow the variance requested. This property is toward the end of the private drive and would not limit the flow of traffic on the road.

If you have any questions feel free to reach out to me at 734-478-5507.

Sincerely,

Shannon S. Steinbach

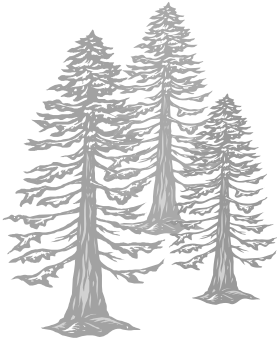
Decision Criteria Review:

The Zoning Board of Appeals shall have the power to authorize specific variances from the standards of the Zoning Ordinance provided that the spirit of that Ordinance is observed, the public safety secured, and substantial justice done. All the required findings listed below shall be met and the record of proceedings of the Zoning Board of Appeals shall contain evidence supporting each conclusion.

A) Allow 13-foot front yard setback instead of 25-foot front yard setback

<p>(1) Practical Difficulty 29.06 (C)(1) Does the requested variance meet the following standard:</p>	<p style="text-align: center;">A 7.07(3) Footnotes –25-foot Setback Exceptions</p>
<p><i>The strict application of the terms of this Ordinance would constitute a practical difficulty.</i></p>	
<p>(2) Physical Conditions 29.06 (C)(2) Does the requested variance meet the following standard:</p>	<p style="text-align: center;">A 7.07(3) Footnotes –25-foot Setback Exceptions</p>
<p><i>The practical difficulty is due to some physical condition peculiar to the property involved.</i></p>	
<p>3) Self-Created 29.06 (C)(3) Does the requested variance meet the following standard:</p>	<p style="text-align: center;">A 7.07(3) Footnotes –25-foot Setback Exceptions</p>
<p><i>The practical difficulty is not self-created.</i></p>	
<p>(4) Reasonable Amount Necessary 29.06 (C)(4) Does the requested variance meet the following standard:</p>	<p style="text-align: center;">A 7.07(3) Footnotes –25-foot Setback Exceptions</p>
<p><i>The variance is a reasonable amount necessary to mitigate the practical difficulty.</i></p>	

(5) Public Health, Safety, and Welfare 29.06 (C)(5) Does the requested variance meet the following standard:	A
	7.07(3) Footnotes –25-foot Setback Exceptions
<i>Approval of the variance will not be injurious to the public health, safety, and welfare.</i>	
(6) Adjacent Properties 29.06 (C)(6) Does the requested variance meet the following standard:	A
	7.07(3) Footnotes –25-foot Setback Exceptions
<i>Approval of the variance will not affect the use of the adjacent properties or the area in a substantially adverse manner.</i>	
(7) Intent of the Ordinance 29.06 (C)(7) Does the requested variance meet the following standard:	A
	7.07(3) Footnotes –25-foot Setback Exceptions
<i>Approval of the variance is consistent with the intent and purpose of this Ordinance.</i>	



DEXTER TOWNSHIP

6880 DEXTER-PINCKNEY ROAD

DEXTER, MI 48130

TELEPHONE: 734-426-3767

FAX: 734-426-3833

WWW.DEXTERTOWNSHIP.ORG

"A Community For All Seasons"

MEMORANDUM

To: Dexter Township Board

From: Megan Masson-Minock, Township Planning Consultant
Ashley Cepeda, Township Zoning Officer

Subject: Planning and Zoning Department Report (April 2024)

Date: May 14, 2024

The following Planning and Zoning Department report has been provided to the Dexter Township Board to provide an update on ongoing planning and zoning cases, ordinance amendments, and department activities. The staff is excited to report on the progress of existing development projects that have been reviewed by the PC, cases reviewed by the ZBA, and other duties, such as, zoning administration, ordinance review and future amendments, zoning permits, etc.

The following report will cover activities that have occurred **April 2024**, as well as an update on past projects:

- Planning Activities, including a summary of applications with the Planning Commission, Zoning Board of Appeals and/or Township Board.
- Zoning Administration, including zoning permits and projects that do not require Planning Commission review and approval.
- Zoning Ordinance, including summary and status of ordinance amendments.
- Planning and Zoning Department, including permits issued.
- Code Enforcement.
- Other Community Development Projects

Please let us know how this report can be improved. The Planning and Zoning Department will share an updated report with the Township Board on a monthly basis.

Planning Activities – PC, ZBA, Approved Projects		
Planning Commission – Site Plan, Special Land Use, Rezoning		
Name of Project	Location	Current Status and Progress
Cornman Farms Site Plan & Special Land use	8540 Island Lake Road	<p>The applicant submitted a special land, preliminary site plan, and variance request for the replacement of the tent at this special event facility with a building addition of a pavilion, the enclosure of a walkway, interior remodels of buildings on-site and the addition of an amphitheater. The additional buildings necessitate an amendment to the existing site and plan and special land use.</p> <p>A Planning Commission public hearing for special land use amendment and preliminary site plan was held on November 28, 2023. The Planning Commission approved both applications with conditions.</p> <p>The Planning Commission approved the final site plan with conditions on January 23, 2024.</p> <p>The applicant submitted for zoning and building permits in March 2024. The plans have been approved by OHM and have a conditional approval from DAFD. A driveway agreement has been approved by the Township Attorney. The DPZ Department has authorized CACA to issue building permits.</p>

Zoning Board of Appeals – Variance (PBA), Interpretation, Appeal of Admin Decision		
Type of Request	Location	Current Status and Progress
Sign Variance	Wonderland Marina 4816 Dexter-Pinkney Road	The request was to remove the existing freestanding sign and replace it with a sign that exceeded the maximum height and square footage for a sign in that location. The request was denied.

Approved Projects		
Name of Project	Location	Current Status and Progress
Hillside Acres	Southwest corner of N. Territorial Rd.	A pre-construction meeting with OHM, the Township, and Multi Lakes Water and Sewer Authority occurred in fall 2022. The mass grading, storm sewer, and sanitary sewer installation

Approved Projects		
Name of Project	Location	Current Status and Progress
	and Dexter Townhall Rd.	is complete. Road paving is expected to be completed by mid-May. Home construction is expected to begin shortly after asphalt pavement is constructed.
Nature's Preserve	11966 N. Territorial Rd.	The Natures Preserve open space community site condominiums went before the Township Planning Commission in April 2016. The final site plan for 20 homes was approved by OHM in October 2020. The applicant has yet to submit construction escrow, as well as provide the insurance and bonds that are required to schedule a pre-construction meeting. The Township Planning Consultant sent a letter to the applicant in March that stated the escrow must be deposited by April 15, 2024, schedule pre-construction meeting with OHM by May 31, 2024 and construction started on Phases 1 and 2 by May 2024. If one of these conditions is not met, the site plan will expire. The applicant has reached out to the Township Planning Consultant and Engineer about the deadline. The applicant was told that an extension was not possible. The escrow has not been deposited. The Township Planning Consultant will send the applicant a site plan expiration letter by the end of the month.

Zoning Ordinance (Adopted and Proposed)	
Adopted Amendment	Summary
Section 29.06(C)(4) "Reasonable" versus "Minimum"	The Township Board passed the proposed amendments at their meeting on February 20, 2024. The amendments became effective on March 13, 2024.
Table 16.3 in Article 16 Increase building coverage for parcels greater than 5 acres, zoned RR or RC or for residential uses in AG	The Cornman Farms application brought up the inconsistency in the Zoning Ordinance that building coverage for parcels greater than 5 acres, zoned Rural Residential or Recreation Conservation or residential uses in the Agricultural Zoning District is capped at 11,543 square feet, while smaller parcels building coverage is a percentage (up to 5.3% for lots between 4.9 and 5 acres). The Township Board passed language to increase the building coverage on parcels greater than 5 acres, zoned Recreation Conservation to 5% and Rural Residential or residential uses in the Agricultural Zoning District to 10% on February 20, 2024, effective March 13, 2024.

Zoning Ordinance (Adopted and Proposed)	
Adopted Amendment	Summary
Table 25.1 in Section 25.03 Amend what requires a zoning permit.	The amendments decrease the number of zoning permits required for the following reasons: the zoning permit is not required elsewhere in the Zoning Ordinance, the Chelsea Area Construction Agency has advised the Township that a zoning permit is not necessary, staff has found the permit requirement to be overly burdensome, or there is no corresponding regulation in the Zoning Ordinance to support the requirement. Processes requiring a zoning permit elsewhere in the Zoning Ordinance were added. The Township Board passed the draft language at their meeting on March 19, 2024. The amendments will be effective on April 9, 2024.
Article 4 Change title from "Table of Regulations" to "Table of Uses."	The amendment changed the title of Article 4 from "Table of Regulations" to "Table of Uses" to reflect the nature of the regulations more accurately in that Article. The Township Board passed the draft language at their meeting on March 19, 2024. The amendments will be effective on April 9, 2024.
Proposed Amendment	Current Status and Progress
Allow open air markets as a temporary accessory use in the AG, RR, CU, RC, PI, PR and C zoning districts.	The Planning Commission held a public hearing on March 26, 2024 and recommended approval of the proposed zoning ordinance amendments with recommended edits. The revised zoning ordinance amendments will be on the Township Board agenda for May 21, 2024.
	An Ordinance Review Committee has been established to develop potential zoning ordinance amendments for the Planning Commission's consideration. The Committee has met twice and plans to bring ordinance amendments to the May and June Planning Commission meetings.

Zoning Permits			
Permits Issued	April*	YTD*	2023
Zoning Minor	2	43	134
Zoning Major	5	21	79
Sign	0	0	1
Temporary	0	1	2
TOTAL		65	216

- * Zoning Permits in 2024, between April and December, are expected to be less than 2023 due changes in Zoning Permits requirements per Zoning Ordinance amendments effective on April 9, 2024

Code Enforcement			
Violation #	Address	Description	Status
E23-CE-0016	8095 Stonehedge	Fence	Inspection scheduled
E23-CE-0017	5721 Dexter-Pinckney	Trash	Inspection scheduled
E23-CE-0019	9122 McGregor	Storage of watercrafts and trailers	Inspection scheduled
E24-CE-003	9441 Dexter-Pinckney	Lights	Inspection scheduled
E24-CE-0004	8780 Parkview	Inoperable vehicles	Inspection scheduled
E24-CE-0005	14500 Edgewater	Inoperable vehicles	Inspection scheduled
E24-CE-008	6786 Reilly Drive	Abandoned Home	House secured & follow up inspection scheduled
E24-CE-009	14049 Edgewater	Storage of RV/Boat	Violation under investigation

Other Planning and Zoning Projects	
Solar Committee	The Planning and Zoning Department is providing support to the Solar Committee. The work of the Committee will likely result in zoning ordinance amendments regarding renewable energy, including solar.
Development Review Guidebook	The Planning and Zoning Department has drafted a Development Review Guidebook to assist property owners, the development community, and the general public to navigate development applications with a step by step guide. The current draft is attached for your information. We plan for this to be a public document, available at Township Hall and on the Township website.
Single Family Home Checklist	The Planning and Zoning Department has drafted a Single Family Home checklist, to be publicly available and used internally for single family home reviews. The current draft is attached for your information.

Thank you!