



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

April 2, 2024

6:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes- January 9, 2024
5. Public Comment (*Non-agenda Items*)
6. Action Items

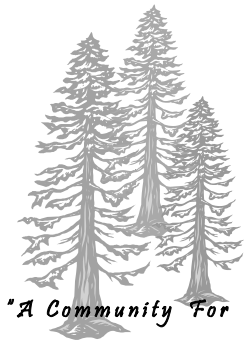
Item #1

Introduction of the case

Petition Number:	(24-ZBA-001)
Applicant(s):	Image 360 Brighton on behalf of Wonderland Marine
Project Description:	Remove existing business sign and install a new 6-foot tall ground sign.
Petition Description:	a) Request for variance from Section 19.06(A)- Maximum sign area 16 square feet
Property Location:	4815 Dexter-Pinckney Rd, D -04-25-460-014

- 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, Director of Planning and Zoning, and Recording Secretary
 - a. Planning Department Monthly Report

9. Adjournment



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BROOK SMITH
Dexter Township 4/2/2024 ZBA Packet

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 January 9, 2024

Members present: Chairperson Brook Smith, Vice-Chairperson Beth Filip, Secretary Peter Maier, Marty Straub, and Kathy Bradbury.

Absent:

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

1. **Call to Order:** Chairperson Smith called the meeting to order at 6:00 PM.
2. **Pledge of Allegiance:** Recited by all.
3. **Approval of Agenda:** Addition of 3a) Election of Officers. Discussion regarding the requirement that the previous meeting minutes be approved before motions can be effective. Motion by Straub to move the approval of the December meeting minutes to the end of the agenda. Motion seconded by Maier. All ayes. Motion carried.

3.a) Election of Officers:

Straub suggests maintaining the current slate of officers. Supported by Bradbury.

Motion by Filip to elect the current Chair Brook Smith, current Vice Chair Beth Filip, and current Secretary Peter Maier as ZBA officers for 2024. Motion seconded by Straub.

All ayes. Motion passed.

4. **Approval of Minutes:** Moved to end of agenda.
5. **Public Comment – Non-Agenda Items:** Opened 6:05 PM. No public comments.

6. Action Items:

Item #1 (23-ZBA-006) Bradley Devries on behalf of Cornman, LLC

Variances:

- a) Request for variance from Section 16.12 requiring maximum lot building coverage be 11,543 sq. ft.

a. **Conflict of Interest/Ex-parte Contact Review:** None by Board members.

b. Staff Presentation and Questions from ZBA members:

Zoning Officer Ashley Cepeda reviewed what was in the Board packets noting: this is an approved Special Land Use Event Facility on 22.32 acres in Dexter Township, with

contiguous acreage in Webster Township. The request is to replace the tent with a commercial building in a smaller footprint. The requested lot coverage is 19,450 sq. ft. The property is zoned Rural Residential (RR) with a farmhouse, workshop, barns, hoophouse, tent, and gardens. The 2003 Zoning Ordinance allowed up to 10% maximum lot coverage, which the current 2020 Zoning Ordinance does not. The site plan, not the lot coverage, has been approved by the Planning Commission.

c. Petitioner Presentation and Questions from ZBA members:

Bradley Devries spoke on behalf of Cornman LLC: There have been no additional structures built since the previous site plan approval in 2013. They are looking to replace the tent with a structure that is smaller, for a less intense use of the property.

d. Public Comment:

- i. letters and/or emails** None.
- ii. comments from public in attendance** No public comments.

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

Deliberations: Lack of practical difficulty, nothing unique about the property. They are being penalized due to the Rural Residential zoning. The 2003 Zoning Ordinance would have let them build what they want without a variance. Suggested adjournment to gather more documentation and historical permits and variances.

Standards of Review:

<p>(1) Practical Difficulty §29.06(C)(1) Does the requested variance meet the following standard</p>	<p>18.18(D)(1) Lot Coverage</p>
<p><i>The strict application of the terms of this Ordinance would constitute a practical difficulty.</i></p>	<p><u>YES</u> None</p>
<p>Notes: Bradbury – Based on the parameters that we have to function under currently, I would say no. Filip – I would say no because as previously mentioned all the properties are of Rural Residential District all fall under the same guidelines in Section 16.12. Straub – Agree with Beth. No.</p>	<p><u>NO</u> Bradbury Filip Straub Maier Smith</p>
<p>(2) Physical Conditions §29.06(C)(2) Does the requested variance meet the following standard</p>	<p>18.18(D)(1) Lot Coverage</p>
<p><i>The practical difficulty is due to some physical condition peculiar to the property involved.</i></p>	<p><u>YES</u> None</p>
<p>Notes: Smith – We discussed this at length and the practical difficulty is not specifically apparent on this property.</p>	<p><u>NO</u> Bradbury Filip Straub Maier Smith</p>

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Discussion: If there is no finding of practical difficulty, how do we proceed with the next couple of questions that assumes there is practical difficulty? Chairperson Smith asked if there would be a motion based upon failure of criteria one to discontinue the rest of the choices, as it's necessary to ask all seven of these with a positive vote.

Motion by Straub that without practical difficulty the rest of the questions don't apply, so I move that we skip questions 2 – 7. No second to motion. Straub withdraws motion.

<p>(3) Self-Created §29.06C)(3) Does the requested variance meet the following standard</p>	<p>18.18(D)(1) Lot Coverage</p>
<p><i>The practical difficulty is not self-created.</i></p> <p>Notes: Bradbury – The practical difficulty, if there were one, would not be self-created, in my opinion. Filip – Yes, because the issue is meeting the parameters of the Zoning Ordinance. Maier – Yes, with the caveat that this does not assume that we agree that there is a practical difficulty.</p>	<p><u>YES</u> Bradbury Filip Straub Maier Smith</p> <p><u>NO</u> None</p>
<p>4) Reasonable Amount Necessary §29.06(C)(4) Does the requested variance meet the following standard</p>	<p>18.18(D)(1) Lot Coverage</p>
<p><i>The variance is a reasonable amount necessary to mitigate the practical difficulty.</i></p> <p>Notes: Bradbury – In my opinion I think that because we can't show a practical difficulty, the amount is a reasonable request, so I say yes. Filip – I have to disagree with this. No. The variance is not a minimum amount, reasonable amount, necessary to mitigate the practical difficulty Straub – Yes, I think it is a reasonable amount in that it will result in less coverage than the current situation if the event tent were there in perpetuity. Filip – I am going to change my answer because what they're asking for is less overall, in practical terms. Maier – Yes with the caveat that we don't agree this is a practical difficulty but the request is not unreasonable. Smith – Yes, concurring with Peter's analysis.</p>	<p><u>YES</u> Bradbury Straub Maier Smith Filip</p> <p><u>NO</u> Filip</p>
<p>(5) Public Health, Safety, and Welfare §29.06(C)(5) Does the requested variance meet the following standard</p>	<p>18.18(D)(1) Lot Coverage</p>
<p><i>Approval of the variance will not be injurious to the public health, safety, and welfare.</i></p> <p>Notes: Filip – Yes, because there's been no evidence that it would be. Smith – Yes, for the standards established by Beth, no evidence to the contrary.</p>	<p><u>YES</u> Bradbury Filip Straub Maier Smith</p> <p><u>NO</u> None</p>

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<p>(6) Adverse Effect §29.06(C)(6) Does the requested variance meet the following standard</p>	<p>18.18(D)(1) Lot Coverage</p>
<p><i>Approval of the variance will not affect the use of the adjacent properties or the area in a substantially adverse manner.</i></p>	<p><u>YES</u> Bradbury Filip Straub Maier Smith</p>
<p>Notes: Filip – Yes, on two points. One is the reduction of square feet once you consider the size of the tent into perpetuity. Also, it does reduce the encroachment, even though the setback from the road is not a situation here, it does reduce that setback. So, I have to say yes on both of those points. Straub – Yes and I would add to points that Beth just made, that also the plan that was presented to us will involve smaller events, perhaps likely fewer events with less traffic in the neighborhood. Maier – I think from a planning standpoint this is a good plan, it’s just from a legal standpoint it’s not a good plan. So, from that standpoint I would be voting yes. Smith – Yes for the reasons Peter stated on the record.</p>	<p><u>NO</u> None</p>

<p>(7) Intent of the Ordinance §29.06(C)(7) Does the requested variance meet the following standard</p>	<p>18.18(D)(1) Lot Coverage</p>
<p><i>Approval of the variance is consistent with the intent and purpose of this Ordinance.</i></p>	<p><u>YES</u> None</p>
<p>Notes: Bradbury – I feel that it doesn’t fit with the ordinance the way it is written so I’ll say no. Filip – I have to agree with Kathy. I’d have to say no for the same reason she said no. Straub – I agree. The only thing I can infer about the intent is what is written in the ordinance and the ordinance maxes it out at 11,745 sq. ft.</p>	<p><u>NO</u> Bradbury Filip Straub Maier Smith</p>

f. Motion by Zoning Board of Appeals:

Motion by Filip to deny petition number (23-ZBA-006), the property located at 8540 Island Lake Road, tax id D-04-36-400-002, made by Bradley Devries on behalf of Cornman LLC, and to deny the request for 19,450.5 square feet, from the variance of Section 16.12, requiring a maximum lot coverage to be of 11,543 sq. ft. Motion seconded by Bradbury.

Roll Call Vote: Yeas – Bradbury, Filip, Straub, Maier, and Smith: Nays - None: Absent – None. Motion carried 5 - 0.

Chairperson Smith stated that the ZBA was sorry but hoped that they could get relief through the Planning Commission and Township Board.

7. Public Comment: Opened 7:31 PM. No public comments.

8. Concerns of ZBA Members, DPZ, and Recording Secretary:

a) “Reasonable amount vs minimum” Zoning Ordinance §29.06 update

The township is waiting on a brief from Bodman (attorneys) for a determination in

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language. Planner Megan Masson-Minock sent an email stating the standard should be “reasonable amount”.

Chairperson Smith read the email into the record.

“Thank you, Mr. Smith for the analysis. Based on what you presented, I agree with your recommendation that reasonable may be the more important aspect. I’m sure the township attorneys will have further insight.”

Chairperson Smith reviewed information from Michigan State and found no case law that stated “minimum” was the standard.

Zoning Officer Ashley Cepeda said this was on the Planning Commission agenda for January 23rd.

Beth Filip put on the record: It makes no sense (to her) if the attorney hasn’t weighed in on this, and explained their position that this is going before the Planning Commission for an ordinance change where it’s clearly an issue of law, case law.

Motion by Maier: the ZBA supports a change to Ordinance 29.06(C)(4), to delete the word “minimum”, substitute the word “reasonable”, subject to review by the Township Attorney. Motion seconded by Filip. All ayes. Motion carried.

- b) When do variance approvals become executable – do minutes need approval (approx. 30 days after the meeting) before the motions are activated?

When minutes are approved. Section 20.05(G) says with final adoption of minutes or adoption of resolution. This becomes a problem when an applicant needs a permit and the minutes are not approved for a month or more. Suggested that the approval of minutes and issuing of permits be two separate issues.

9. Approval of Minutes:

Amendment: remove Filip from vote on page 5 and change vote to 4-0.

Motion by Maier to approve the minutes as amended. Motion seconded by Straub. All ayes. Filip abstains. Motion carried.

10. Adjournment

Chairperson Smith declared the meeting adjourned at 8:18 PM.

Respectfully submitted,

Peter Maier, Secretary

Janis Miller, Recording Secretary

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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 type="checkbox"/> Owner <input type="checkbox"/> Agent for the Owner <i>(check one)</i>		a. <input type="checkbox"/> Same as Applicant <i>(check if appropriate)</i>	
b. Name(s) Image 360 Brighton - Joe Agius		b. Name(s) <i>(if different from applicant)</i> Wonderland Marine West - Paul Mitter	
c. Mailing Address 2150 Pless Drive Suite 3A Brighton MI 48114		c. Mailing Address <i>(if different from applicant's mailing address)</i> 5796 E. Grand River Howell MI 48843	
d. Phone Number 810-225-7446		d. Phone Number <i>(if different from applicant's phone number)</i> 517-548-5122	
e. Email brighton@image360.com		e. Email <i>(if different from applicant's email)</i> pmitter@wonderlandmarinewest.com	
(3) Property Information: <i>(property where the variance is being requested)</i>			
a. Physical Address <i>(city and zip code not required)</i> 8789 Mcgregor		d. Size and nature of existing structures on and uses of the property: Boat Marina, service and sales	
b. Parcel/Tax ID Number(s)			
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 checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
b. Application Fee. Cash or check to Dexter Township, as outlined in the current fee schedule.	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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"/>	N/A
h. Decision Criteria Answers. Answers to the decision criteria, if not fully completed in Section 7 of this application.	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
k. Other. Describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(5) Project Description: <i>Describe the project in general- what is being built, how big is it, etc.</i>			
Demo existing 32 square footx approximately 10' tall pole sign and install new 6' tall ground sign at new location.			

VARIANCE APPLICATION FORM

(6) Variance(s) Description: Describe the variance(s) being requested. Attach additional sheets if necessary.

a.	Ordinance Section	b. Requested	c. Required	d. Description of Variance Request
a)	Article 19 - table 19.01	32 square feet	16 square feet	request to increase size of sign to 32 sq' from current ordinance of 16
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 current ordinance of 16 square feet of signage inhibits proper business identification and notification of services and products available to the consumer. With growing competition or products and services it is important to make the consumers aware of available products and special rates and sales. Consumer sales by drive by identification is still a large part of businesses growth, especially in the local community where competition is expanding by online sales.

- b. The practical difficulty is due to some physical condition peculiar to the property involved. §29.06(C)(2)
Due to the natural growth of the trees on adjacent properties, visibility of entrances, building and signs are greatly diminished leaving a short time to view any identification or services provided.

- c. The practical difficulty is not self-created. §29.06(C)(3)
Current sign is 32 square feet in size and located near corner of property. Current sign was installed by previous owner and was approved by ordinance at that time. Current sign is blocked by tree growth and is in need of relocating and replacement as general improvement to property and business. Growth in trees and change of ordinance has not been created by current land owner.

- d. The variance is a reasonable amount necessary to mitigate the practical difficulty. §29.06(C)(4)
Yes, the height of the proposed sign will be reduced from approximately 12' depending on where you measure grade to 6 feet from grade at proposed location. Size will remain the same allowing message and name to be easily read with a quick glimpse. Attached you will find documentation of Electronic Message Center ease of readability and sizing.

- e. Approval of the variance will not be injurious to the public health, safety, and welfare. §29.06(C)(5)
No, in face proper signage will help with traffic and safety.

- 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)
No. A marina has existed at this location for decades and has been a part of the community. The fact that Wonderland will continue to upgrade the property and improve its services will enhance the surrounding area.


- g. Approval of the variance is consistent with the intent and purpose of this Ordinance. §29.06(C)(7)
If the ordinance is intending to help the growth of a business that serves the community, then Yes.

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

VARIANCE APPLICATION FORM

(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

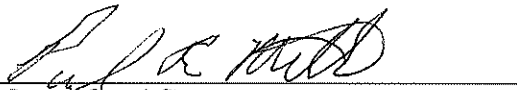
2/29/2024
 Date

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


 Property Owner's Signature

2-27-24
 Date

 Property Owner's Signature

 Date

(10) Administrative Section:

<input type="checkbox"/> Request Approved <i>(List conditions- if any.)</i> 	<input type="checkbox"/> Request Denied <i>(List reasons.)</i> 	<input type="checkbox"/> Request Amended New file # _____ Date Submitted: _____
-------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------



Petition Information:

Petition Number:	(24-ZBA-001)
Applicant(s):	Image 360 Brighton on behalf of Wonderland Marine
Project Description:	Demo existing 32 square foot, 10-foot tall pole sign and install a new 6-foot tall ground sign at new location.
Petition Description:	a) Request for variance from Section 19.06(A)- Maximum sign area 16 square feet
Property Location:	8789 McGregor Rd. (D-04-01-470-005)

Property Information:

Existing Zoning:	Lakes 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:	Marina
Future Land Use Map:	Neighborhood Commercial
Area:	126,846.72 square feet, 2.912 acres

Zoning Information:

	North	East	South	West
Surrounding Zoning	N/A	Lake Residential (LR)	Public Recreation (PR)	Lake Residential (LR)
Surrounding Land Uses	N/A	Single-family Residential	Metropark	Vacant
Future Land-Use Map	N/A	Lake Residential (LR)	Institution/Preservation	Lake Residential (LR)



Figure 1: Parcel Map



Project Narrative:

The subject property consists of an existing marina that offers service and sales. The applicant is proposing the installation of a new road sign as a replacement to an existing pole mounted road sign.



Figure 2: Existing Conditions

Section 19.06 requires a maximum permanent freestanding sign area size of 16 square feet for parcels located in Lake Residential. The applicant is requesting a variance from the maximum sign area to allow a sign area of 32 square feet.

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
19.06(A)	Max. area of 16 square feet	32 square feet	

Recognition of Nonconformities:

Applicant is currently legally nonconforming with a 32 square foot pole mounted sign.



Other Department Comments:

N/A

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
- Sign Renderings
- Survey w/ Sign Location Details
- Decision Criteria Review



121" x 38" = 31.9 sq ft

PROOF



P: 810.225.7446
2150 Pless Dr. Ste 3A Brighton, MI 48114
Brighton@image360.com

APPROVAL PROCESS:

- Please Respond with Approval or Not Approved to Continue
- Give us a Call with 50% Deposit
- Once both are received, your order will be released to PRODUCTION

APPROVED

if everything looks good and you have reviewed all details carefully

NOT APPROVE

if you have any revisions/edits OR if you have any questions

Dexter Township 4/2/2024 ZBA Packet

2021 IMAGE 360 BRIGHTON
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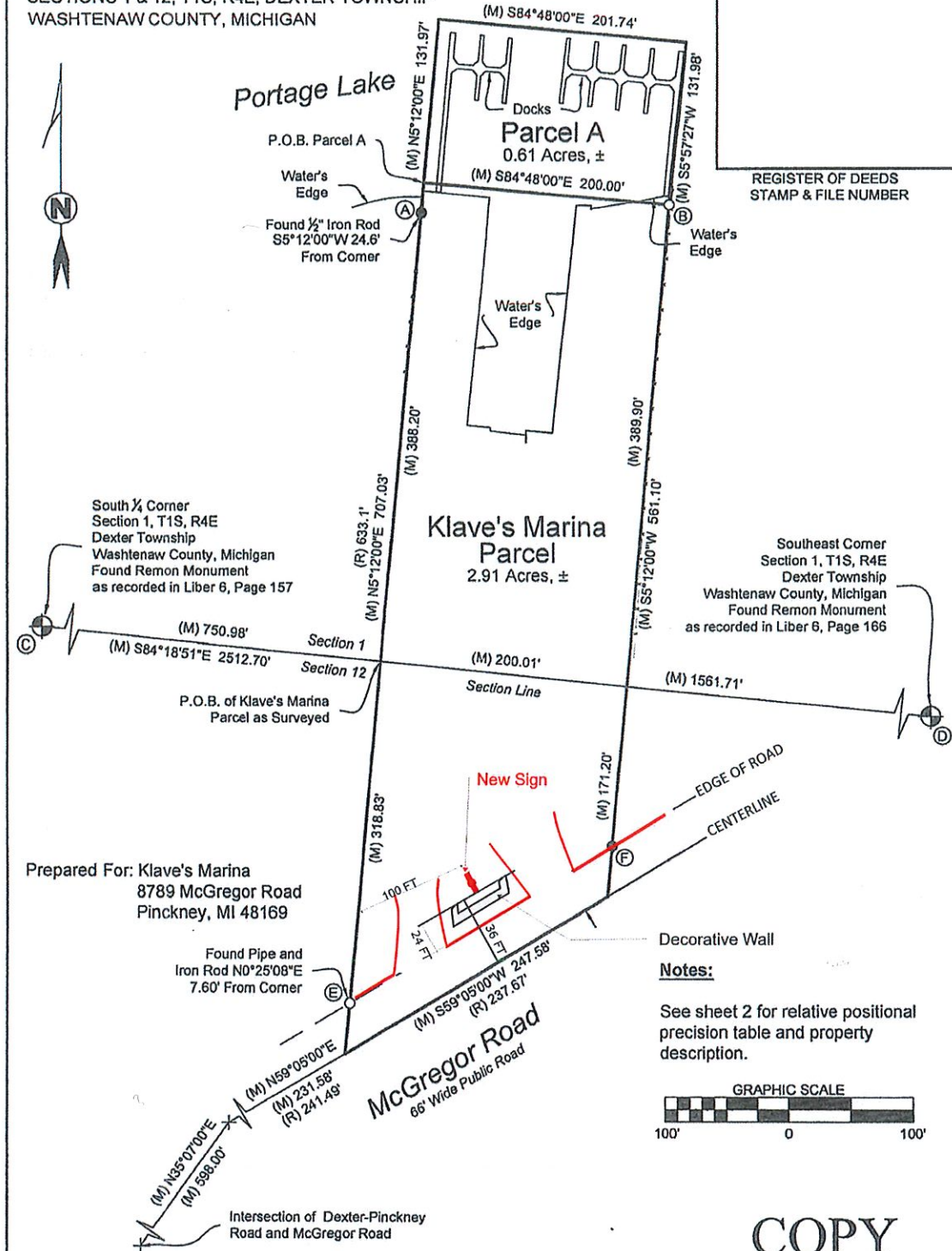


Wonderland Dexter,fs
T:\JOBS BY CUSTOMER\Wonderland Main\Wonder

It is the client's responsibility to ensure that the proof is correct in all areas. Please be sure to double-check spelling, grammar, layout, color, sizes, quantities and design before APPROVING the proof. We are happy to fix any errors before APPROVAL or answer any questions. The final product will be produced as shown on this proof with the exception of some logos/art may appear blurry because the proof is low resolution. We can email a screen shot of any areas you are concerned about at 100% size to show how it will print. If a proof containing errors is approved by the client, it is the client's responsibility for payment of all original costs of printing, including corrections and reprints.

CERTIFICATE OF SURVEY

SECTIONS 1 & 12, T1S, R4E, DEXTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN



REGISTER OF DEEDS
STAMP & FILE NUMBER

Prepared For: Klave's Marina
8789 McGregor Road
Pinckney, MI 48169

Decorative Wall

I, Terry R. Campbell, hereby certify that I have surveyed the above mapped and described property, and that this map complies with section 3 (a-f), Act 132, P.A. 1970

LEGEND

- ⊙ FOUND CAPPED IRON
- SET CAPPED IRON
- FOUND IRON
- FOUND CONCRETE MONUMENT
- (R) RECORD (M) MEASURED

Terry R. Campbell, P.S. No: 60806

ORIGINAL SIGNATURE IN BLUE

OFFICIAL SEAL

Bearing Basis: W.D. Liber 2245, Page 460	
DATE: October 14, 2020	PAGE: Sheet 1 of 3
SCALE: 1" = 100'	REVISED:
DWG NO: S20J05AR	DRAWN BY: TRC
CLIENT: JOB Klave: S20J05A	CHK:

Campbell
Surveying Engineering, Inc.
Professional Surveying Services

10051 E. Highland Road, Suite 29 www.campbellse.com
Howell, Michigan 48843 (989) 390-1189

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COPY

EDGE OF SIGN

TO EDGE OF ROAD 27 FT

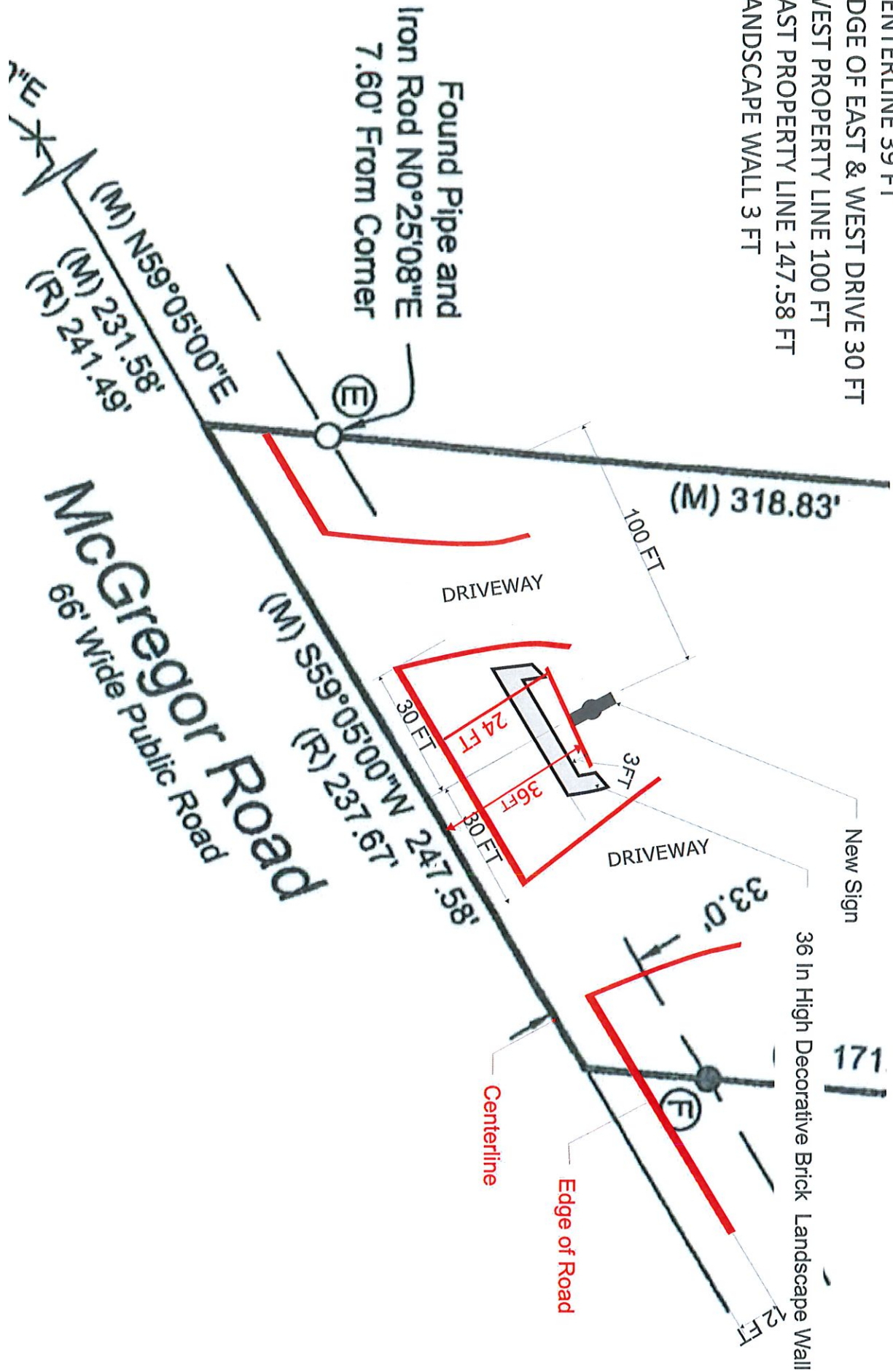
TO CENTERLINE 39 FT

TO EDGE OF EAST & WEST DRIVE 30 FT

TO WEST PROPERTY LINE 100 FT

TO EAST PROPERTY LINE 147.58 FT

TO LANDSCAPE WALL 3 FT



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 32 square foot sign area instead of the maximum 16 square foot area

(1) Practical Difficulty 19.06(A) Does the requested variance meet the following standard:	A
	19.06(A) Footnotes – 16 sqft Maximum Sign Area Exceptions
<i>The strict application of the terms of this Ordinance would constitute a practical difficulty.</i>	
(2) Physical Conditions 19.06(A) Does the requested variance meet the following standard:	A
	19.06(A) Footnotes – 16 sqft Maximum Sign Area Exceptions
<i>The practical difficulty is due to some physical condition peculiar to the property involved.</i>	
3) Self-Created 19.06(A) Does the requested variance meet the following standard:	A
	19.06(A) Footnotes – 16 sqft Maximum Sign Area Exceptions
<i>The practical difficulty is not self-created.</i>	
(4) Reasonable Amount Necessary 19.06(A) Does the requested variance meet the following standard:	A
	19.06(A) Footnotes – 16 sqft Maximum Sign Area Exceptions
<i>The variance is a reasonable amount necessary to mitigate the practical difficulty.</i>	

(5) Public Health, Safety, and Welfare 19.06(A) Does the requested variance meet the following standard:	A
	19.06(A) Footnotes – 16 sqft Maximum Sign Area Exceptions
<i>Approval of the variance will not be injurious to the public health, safety, and welfare.</i>	
(6) Adjacent Properties 19.06(A) Does the requested variance meet the following standard:	A
	19.06(A) Footnotes – 16 sqft Maximum Sign Area 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 19.06(A) Does the requested variance meet the following standard:	A
	19.06(A) Footnotes – 16 sqft Maximum Sign Area Exceptions
<i>Approval of the variance is consistent with the intent and purpose of this Ordinance.</i>	

Please place an ad in The Sun Times to run, **March 13, 2024**

MEETING NOTICE

Dexter Township Zoning Board of Appeals will meet on
Tuesday, April 2, 2024 at 6:00 pm
Dexter Township Hall, 6880 Dexter-Pinckney, Dexter, MI 48130
734 426.3767

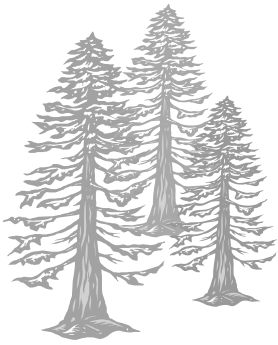
A copy of the application and submitted materials may be viewed at the Dexter Township Hall during business hours (8:30 am - 4:30 pm weekdays, excluding holidays). Information will also be available on the Zoning Board of Appeals page of the Township’s website, [http://dextertownship.org/ Board Commission/ZoningBoardofAppeals.aspx](http://dextertownship.org/BoardCommission/ZoningBoardofAppeals.aspx), five to seven days before the public hearing date.

Petition Number:	(24-ZBA-001)
Applicant(s):	Image 360 Brighton (contractor) on behalf of Wonderland Marine West (Owner)
Project Description:	Remove existing business sign and install a new 6’ tall ground sign.
Petition Description:	a) Request for variance from Sec 19.06(A)- Maximum sign area 16 square feet Pub
Property Location:	8789 McGregor Rd, D -04-01-470-005

Members of the public are welcome to attend the public hearing in person or by counsel to express views on the petition. Written comments should be addressed to the Zoning Board of Appeals, at the address above, or may be sent by email to the Director of Planning and Zoning at dpz@dextertownship.org. All correspondence must be received by 12:00 noon on the public hearing date.

This notice is posted in compliance with PA 267 of 1976 as amended (Michigan Open Meetings Act), being MCL 15.265(4), and the Americans with Disabilities Act (ADA) of 1990, as amended, being Title 42 Chapter 126 and Title 47 Chapter 5 of the United States Code.

The Zoning Board of Appeals will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon seven days’ notice to the Dexter Township Zoning Board of Appeals. Individuals with disabilities requiring auxiliary aids or services should contact the Office Manager at the address and/or phone number above.



DEXTER TOWNSHIP

6880 DEXTER-PINCKNEY ROAD

DEXTER, MI 48130

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"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 (January 2024)

Date: March 11, 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 **February 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>We expect the applicant to submit for zoning and building permits in March 2024.</p>

Zoning Board of Appeals – Variance (PBA), Interpretation, Appeal of Admin Decision		
Type of Request	Location	Current Status and Progress
Variance from building coverage	8540 Island Lake Road	<p>The proposed amendment to the special event venue's site plan and special land use, described above, exceeds the maximum building coverage. The case was heard at the December 5, 2023 Zoning Board of Appeals meeting and postponed until the ZBA January 2024 meeting, when the ZBA denied the variance. The Board felt that a zoning ordinance change was the more appropriate route since other larger properties in the Township had the same constraints due to the building coverage restrictions.</p> <p>The Township Board, at its February 20, 2024 meeting, passed Zoning Ordinance amendments that affect this development.</p>
Variance from sign area size	8789 McGregor	<p>A new application was received and is scheduled to be heard by the Zoning Board of Appeals on April 2, 2024. This variance is requesting an increase in the allowed commercial front yard sign area size in the Lakes Residential district.</p>

Approved Projects		
Name of Project	Location	Current Status and Progress
Hillside Acres	Southwest corner of N. Territorial Rd. and Dexter Townhall Rd.	A pre-construction meeting with OHM, the Township, and Multi Lakes Water and Sewer Authority occurred in fall 2022. The mass grading and storm sewer installation is complete. Sanitary sewer installation is expected to be completed by mid to end of November. Contractor has indicated they plan to pave the asphalt road(s) before the cold weather hits (asphalt construction is weather-dependent). Home construction is expected to begin shortly after asphalt pavement is constructed. OHM estimates home construction will begin in early 2024. Per the applicant, the Washtenaw County Road Commission is extending their permit.
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. Planning & Zoning staff is researching the site plan status.

Zoning Ordinance (Adopted and Proposed)	
Adopted Amendment	Summary
	None
Proposed Amendment	Current Status and Progress
Section 29.06(C)(4) "Reasonable" versus "Minimum"	<p>The ZBA has requested the change from "minimum" to "reasonable" in this standard for a variance review to be reviewed. They would like direction/guidance on how to implement that language.</p> <p>At their November 28, 2023 meeting, the Planning Commission reviewed draft language. The Planning Commission held a public hearing and recommended zoning ordinance amendment language to the Township Board on January 23, 2024.</p> <p>The Township Board passed the draft language with a slight change at their meeting on February 20, 2024.</p>

Zoning Ordinance (Adopted and Proposed - continued)	
Proposed Amendment	Current Status and Progress
<p>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</p>	<p>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).</p> <p>The Planning Commission held a public hearing on January 23, 2024 meeting and recommended revised 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% as a zoning ordinance text amendment.</p> <p>The Township Board passed the draft language as recommended at their meeting on February 20, 2024.</p>
<p>Table 25.1 in Section 25.03 Amend what requires a zoning permit.</p>	<p>On January 23, 2024, the Planning Commission reviewed recommendation by staff and the consultant to 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.</p> <p>The Planning Commission held a public hearing at their February 28, 2024 meeting and recommended the zoning ordinance amendments as presented.</p>
<p>Article 4 Change title from "Table of Regulations" to "Table of Uses."</p>	<p>On January 23, 2024, the Planning Commission reviewed recommendation by staff and the consultant to change 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.</p> <p>The Planning Commission held a public hearing at their February 28, 2024 meeting and recommended the zoning ordinance amendments as presented.</p>

Zoning Permits			
Permits Issued	February	YTD	2023
Zoning Minor	6	31	134
Zoning Major	3	6	79
Sign	0	0	1
Temporary	0	1	2
TOTAL		38	216

Code Enforcement			
Violation #	Address	Description	Status
E23-CE-0019	9122 McGregor Rd	Boat storage too close to water	Seeking resolution
E23-CE-0016	8095 Stonehedge	Fence and screening wall not conforming	Resolution imminent
E24-CE-0003	9441 Dexter Pinckney Rd	Exterior lights too bright and/or flashing	New complaint

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.

Thank you!