



### **Petition Information:**

<b>Petition Number:</b>	(23-ZBA-001)
<b>Applicant(s):</b>	Jackie Bates
<b>Project Description:</b>	Renovation of existing house with addition. a) <i>Reduced front setback of 21.87 feet rather than the 25 feet required.</i> b) <i>Reduced waterbody setback of 27.58 feet rather than the 35 feet required.</i>
<b>Petition Description:</b>	
<b>Property Location:</b>	9405 Linck Dr. (D-04-02-400-016)

### **Property Information:**

<b>Existing Zoning:</b>	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>
<b>Existing Land Use:</b>	Single-family House
<b>Future Land Use Map:</b>	Lake Residential
<b>Area:</b>	4,500 square feet, 0.10 acres

### **Zoning Information:**

	North	East	South	West
<b>Surrounding Zoning</b>	Lake Residential (LR)	Lake Residential (LR)	Lake Residential (LR)	Portage River
<b>Surrounding Land Uses</b>	Vacant	Vacant	Single-family houses	Portage River
<b>Future Land-Use Map</b>	Lake Residential (LR)	Lake Residential (LR)	Lake Residential (LR)	Portage River



**Project Narrative:**

The applicant intends to renovate an existing 635 sq ft home. The renovation will include a new addition on the front yard side of the property, which will necessitate a front yard setback variance. The applicant intends to utilize the new flat roof on the waterbody side as an open deck with semi transparent hand rails. This will increase the overall height on the waterbody side which will also require a variance. The proposed structure will be a 1.5 story 1,348 sq ft home.

The parcel to the north, 9407 Linck Dr. is vacant. The first parcel to the south, 9403 Linck Dr., has an approximately 35' front yard setback and 19' waterbody setback. The second parcel to the south, 9401 Linck Dr., has an approximately 35' front yard setback and 8' waterbody 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
7.02	25'	21.87'	Front setback
7.02 & 16.34	35'	27.58'	Waterbody setback

**Recognition of Nonconformities:**

- Minimum Lot Area – Sec. 7.02
- Waterbody setback – Sec. 7.02

**Other Department Comments:**

The plot plan has been reviewed and approved by Portage and Base Lakes Sewer Authority.

**Potential Conditions:**

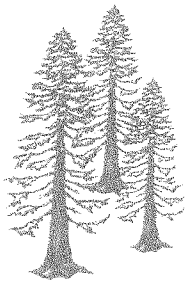
*Potential conditions are developed prior to a public hearing and are intended to aid the Zoning Board of Appeal's review. The Zoning Board of Appeals may adopt the above condition(s), adopt additional or other condition(s), or adopt no conditions if a variance is approved.*





**Attached Materials:**

- Variance Application
- Survey/Plot Plan/Elevations
- Decision Criteria Review



# DEXTER TOWNSHIP

6880 DEXTER-PINCKNEY ROAD  
DEXTER, MI 48130

TELEPHONE: 734-426-3767  
FAX: 734-426-3833  
WWW.DEXTERTOWNSHIP.ORG

## VARIANCE APPLICATION FORM

File #: -ZBA-

Received on:

Fee: \$

Receipt #:

<b>(1) Applicant Information:</b> <i>(the person(s) applying for the variance(s))</i>		<b>(2) Owner Information:</b> <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) Jackie Bates		b. Name(s) <i>(if different from applicant)</i>	
c. Mailing Address 9405 LINCK DR PINCKNEY, MI 48169		c. Mailing Address <i>(if different from applicant's mailing address)</i>	
d. Phone Number 248-982-5522		d. Phone Number <i>(if different from applicant's phone number)</i>	
e. Email jackie@jackiestransport.com		e. Email <i>(if different from applicant's email)</i>	
<b>(3) Property Information:</b> <i>(property where the variance is being requested)</i>			
a. Physical Address <i>(city and zip code not required)</i> 9405 LINCK DR PINCKNEY, MI 48169		d. Size and nature of existing structures on and uses of the property: EXISTING 635.10 SQ. FT. SINGLE-FAMILY HOME WITH PROPOSED ADDITION	
b. Parcel/Tax ID Number(s) Parcel Number: D -04-02-400-016			
c. Zoning District <i>(circle one)</i> PL AG RC RR <b>LR</b> CU MHPR C-1			
<b>(4) Application Checklist:</b> <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. <b>Application.</b> A completed variance application signed by the applicant and the property owner(s).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
b. <b>Application Fee.</b> Cash or check to Dexter Township, as outlined in the current fee schedule.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
c. <b>Site Plan or Plot Plan.</b> 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. <b>Legal Description.</b> A legal description of the property for which the variance is being requested.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
e. <b>Survey.</b> A mortgage or boundary survey of the property for which the variance is being requested.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
f. <b>Building Plans.</b> 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. <b>Sewer District Approval.</b> 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
h. <b>Decision Criteria Answers.</b> Answers to the decision criteria, if not fully completed in Section 7 of this application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
i. <b>Letters of Support.</b> Letters of support or non-objection from neighboring property owners or signatures on a petition.	<input type="checkbox"/>	<input type="checkbox"/>	
j. <b>Pictures.</b> Pictures of the property and the area affected by the variance request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
k. <b>Other.</b> Describe:	<input type="checkbox"/>	<input type="checkbox"/>	
<b>(5) Project Description:</b> <i>Describe the project in general- what is being built, how big is it, etc.</i>			
EXISTING 635.10 SQ. FT. SINGLE-FAMILY HOME WITH PROPOSED ADDITION AND REQUESTING A FRONT YARD VARIANCE.			

# VARIANCE APPLICATION FORM

File #: -ZBA-

**(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) Section 7.02 Front Yard Setback	21.87'	25.00'	Proposed 3.13' Front Yard Variance other Township standards are met.
b) Sec. 7.02 & 16.34	27.58	35.00'	
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)  
 A 635 sq. ft. existing home and the owner would like a larger home more suitable for typical/modern living and more conducive to the neighboring homes.
- b. The practical difficulty is due to some physical condition peculiar to the property involved. §29.06(C)(2)  
 The lot is 45' wide x 100' deep, much smaller than the Townships requirement.
- c. The practical difficulty is not self-created. §29.06(C)(3)  
 Owner purchased property with all of the existing conditions.
- d. The variance is a reasonable amount necessary to mitigate the practical difficulty. §29.06(C)(4)  
 Amount of variance request would be a practical solution at a minimum to achieve the owners request.
- e. Approval of the variance will not be injurious to the public health, safety, and welfare. §29.06(C)(5)  
 It would not.
- 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)  
 It would not.
- g. Approval of the variance is consistent with the intent and purpose of this Ordinance. §29.06(C)(7)  
 We believe this is a practical solution to achieve a home which would be harmonious with the existing surrounding homes with a minimal variance request.
- h. ☐ 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.

Joachie Bates  
Applicant's Signature

1/26/23  
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.)*

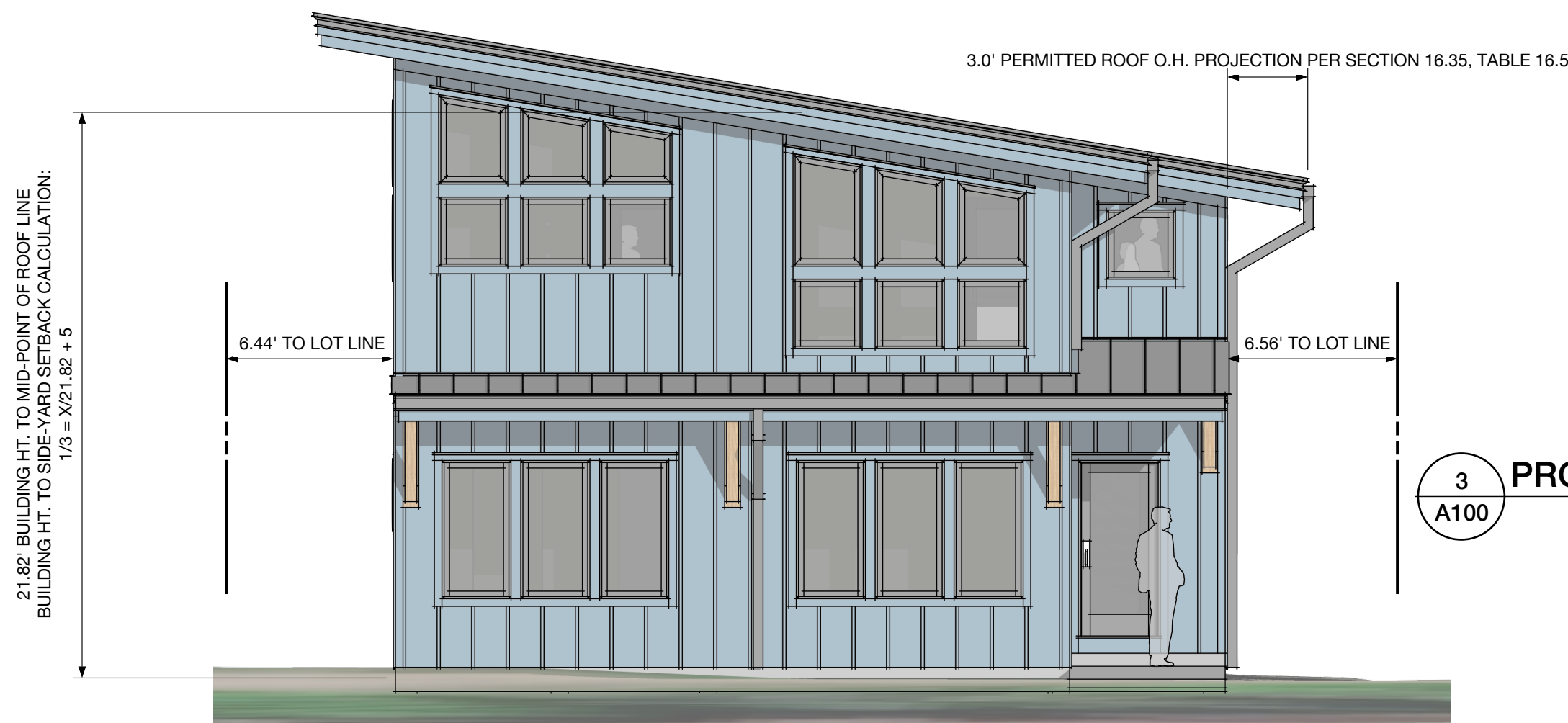
☐ **Request Denied**  
*(List reasons.)*

☐ **Request Amended**

*New file #*

*Date Submitted:*





3 PROPOSED EAST EL.

3/16" = 1'-0"

LAKE RESIDENTIAL (LR) SITE DEVELOPMENT STANDARDS  
(EXISTING CONDITIONS WITH PORTIONS RAZED)

EXISTING LOT AREA (BOUNDED BY PROPERTY LINES) =  
4,500.00 SQ. FT.

LOT WIDTH = 45.00 FT.

FRONT YARD SETBACK = 25.00 FT.  
EXISTING CONDITIONS = 45.98 FT.

SIDE YARD SETBACK = 5.00 FT.  
EXISTING CONDITIONS = 12.56 FT. (NORTH SIDE)  
EXISTING CONDITIONS = 12.47 FT. (SOUTH SIDE)

REAR YARD (WATER-FRONT) SETBACK = 35.00 FT.  
EXISTING CONDITIONS = 22.13 FT.  
REF. TO WATERS EDGE = 27.58 FT.

BUILDING TO BUILDING DISTANCE = 10.00 FT.  
EXISTING CONDITIONS (SOUTH SIDE) = 19.53 FT.

BUILDING MAXIMUM HEIGHT = 30.00 FT.  
EXISTING CONDITIONS (MIDPOINT OF EX. GABLE ROOF) =  
13.45 FT.

MAXIMUM LOT COVERAGE = 30.00% FOR BUILDINGS  
= 45.00% FOR IMPERVIOUS SURFACES  
EXISTING CONDITIONS (BUILDING) = 14.11%  
EXISTING CONDITIONS (IMPERVIOUS SURFACES WITH  
PORTIONS RAZED) = 14.11%

EXISTING HOUSE SQUARE FOOTAGE = 635.10 SQ. FT.

EL. @ TOP OF STEEL  
SEAWALL = 852.65'

LITTLE PORTAGE LAKE

LEGAL DESCRIPTION PER DEED, L. 5444, P. 678:  
A parcel of land in the Southeast 1/4 of Section 2, Town 1 South,  
Range 4 East, Dexter Township, Washtenaw County, Michigan,  
being described as follows: Commencing at the Northeast corner  
of the Southwest 1/4 of the Southeast 1/4 of said Section 2;  
thence South 197 feet; thence West 45 feet; thence North 152  
feet for a PLACE OF BEGINNING, thence North 45 feet, thence  
West 100 feet, thence South 45 feet, thence East 100 feet to the  
PLACE OF BEGINNING.

#9207 LINCK DR.  
D -04-02-400-015  
VACANT

OWNER INFORMATION:  
JACKIE BATES  
9405 LINCK DR.  
PINCKNEY, MI 48169  
E: jackie@jackiestransport.com  
T: 248-962-5522

EX. SINGLE FAMILY (635.10  
SQ. FT.) RESIDENCE TO BE  
RENOVATED.

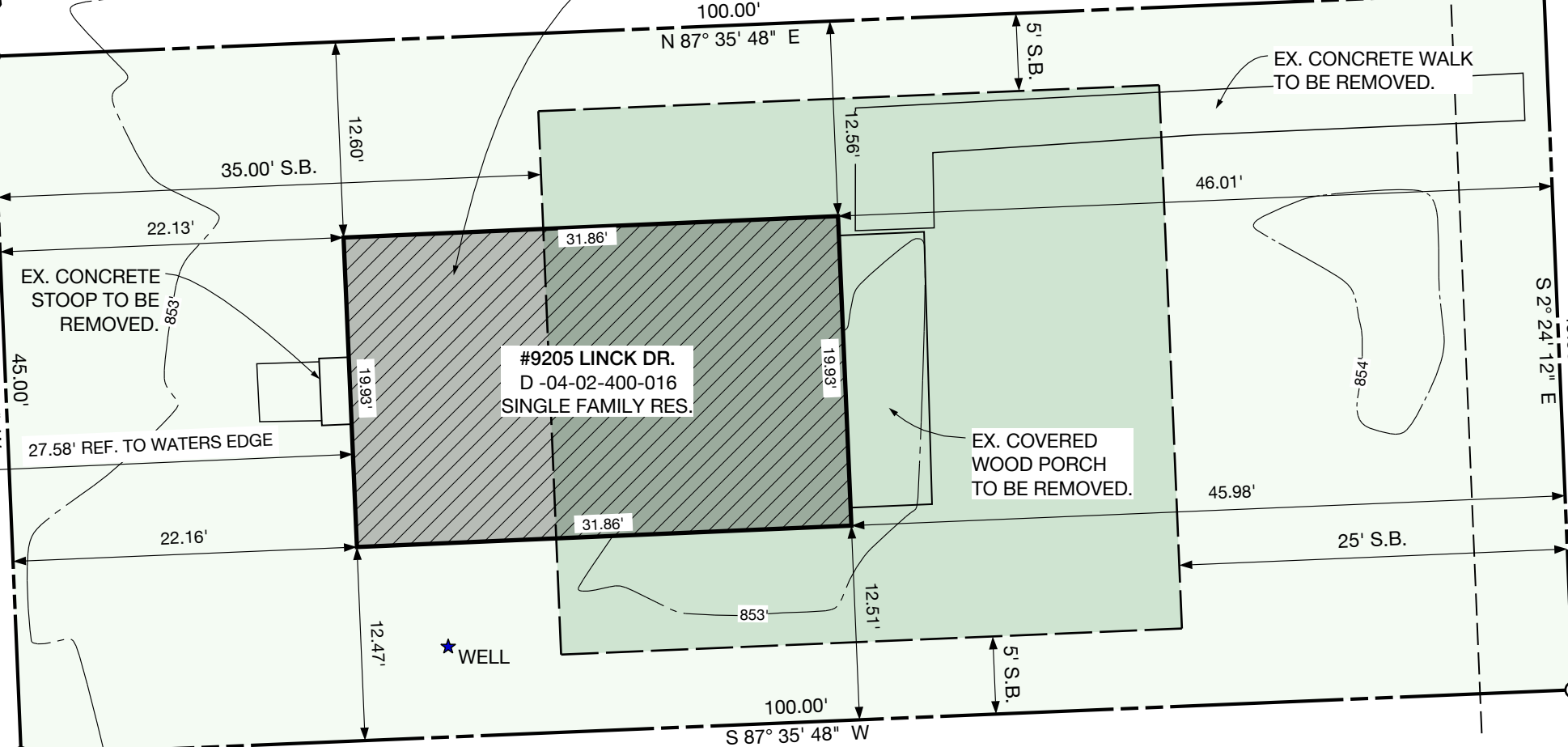
EX. CONCRETE WALK  
TO BE REMOVED.

EX. COVERED  
WOOD PORCH  
TO BE REMOVED.

LINCK DR.  
(45' WIDE PRIVATE DRIVE)

12'-00"  
PIPELINE  
EASEMENT

EDGE OF GRAVEL DR.



1 EXISTING SITE PLAN

1" = 10'-0"

#9203 LINCK DR.  
D -04-02-400-017  
SINGLE FAMILY RES.

EL. @ TOP OF STEEL  
SEAWALL = 852.65'

LITTLE PORTAGE LAKE

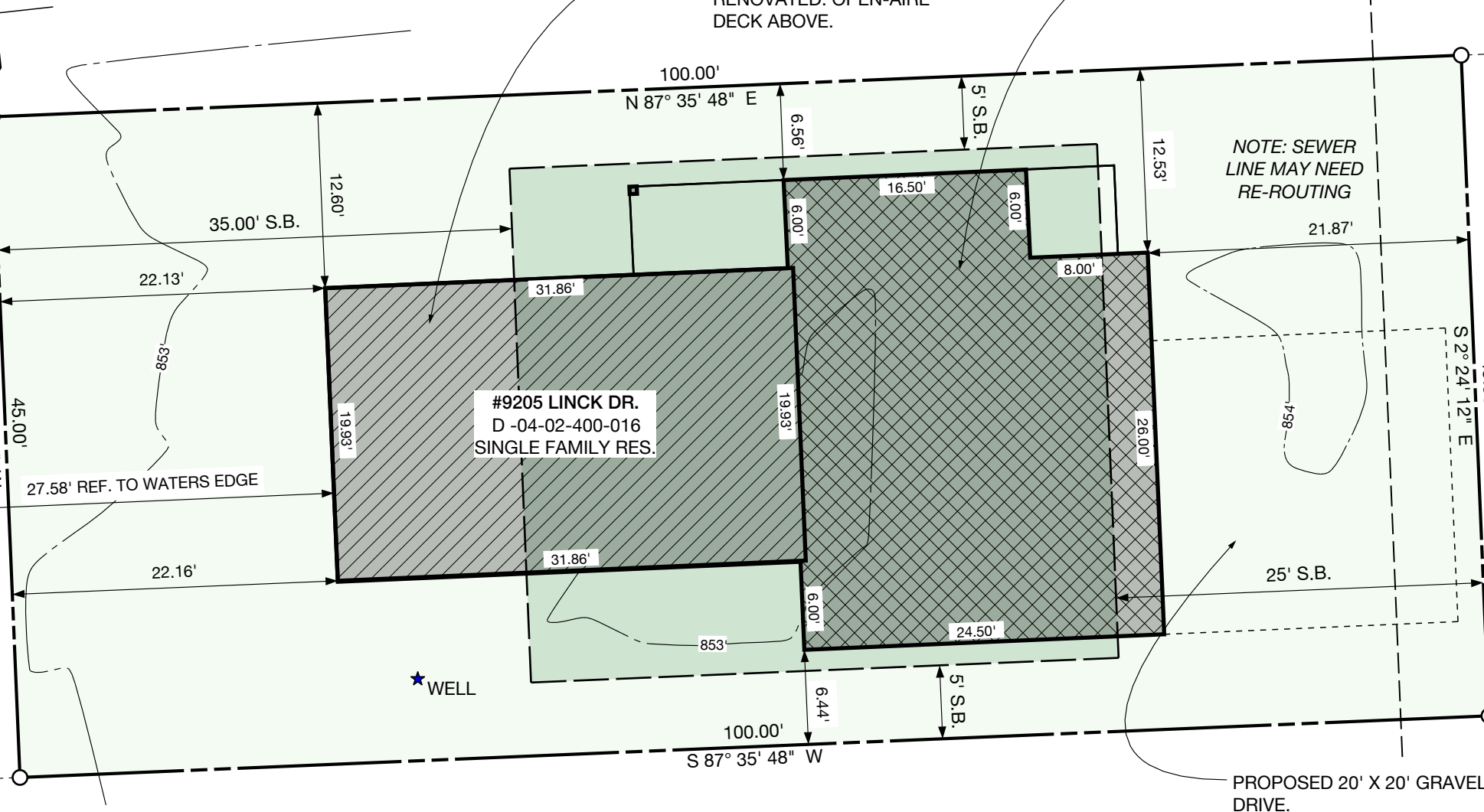
EX. SINGLE FAMILY (635.10  
SQ. FT.) RESIDENCE TO BE  
RENOVATED. OPEN-AIRE  
DECK ABOVE.

PROPOSED SINGLE FAMILY  
ADDITION (747.00 SQ. FT.)  
2-STORY

NOTE: SEWER  
LINE MAY NEED  
RE-ROUTING

LINCK DR.  
(45' WIDE PRIVATE DRIVE)

PROPOSED 20' X 20' GRAVEL  
DRIVE.



2 PROPOSED SITE PLAN

1" = 10'-0"

4 PROPOSED SOUTH EL.

A100

3/16" = 1'-0"

EXISTING TO BE RENOVATED



5 PROPOSED WEST EL.

A100

3/16" = 1'-0"

LAKE RESIDENTIAL (LR) SITE DEVELOPMENT STANDARDS  
(PROPOSED CONDITIONS)

EXISTING LOT AREA (BOUNDED BY PROPERTY LINES) =  
4,500.00 SQ. FT.

LOT WIDTH = 45.00 FT.

FRONT YARD SETBACK = 25.00 FT.  
PROPOSED CONDITIONS = 21.87 FT.

SIDE YARD SETBACK = 5.00 FT.  
PROPOSED CONDITIONS = 5.87 FT. (NORTH SIDE)  
PROPOSED CONDITIONS = 6.47 FT. (SOUTH SIDE)

REAR YARD (WATER-FRONT) SETBACK = 35.00 FT.  
EXISTING CONDITIONS = 22.13 FT.  
REF. TO WATERS EDGE = 27.58 FT.

BUILDING TO BUILDING DISTANCE = 10.00 FT.  
EXISTING CONDITIONS (SOUTH SIDE) = 13.47 FT.

BUILDING MAXIMUM HEIGHT = 30.00 FT.  
PROPOSED CONDITIONS (MIDPOINT OF NEW SHED ROOF)  
= 21.82 FT.  
@ EXISTING HT. = 13.97' TO TOP OF GUARD

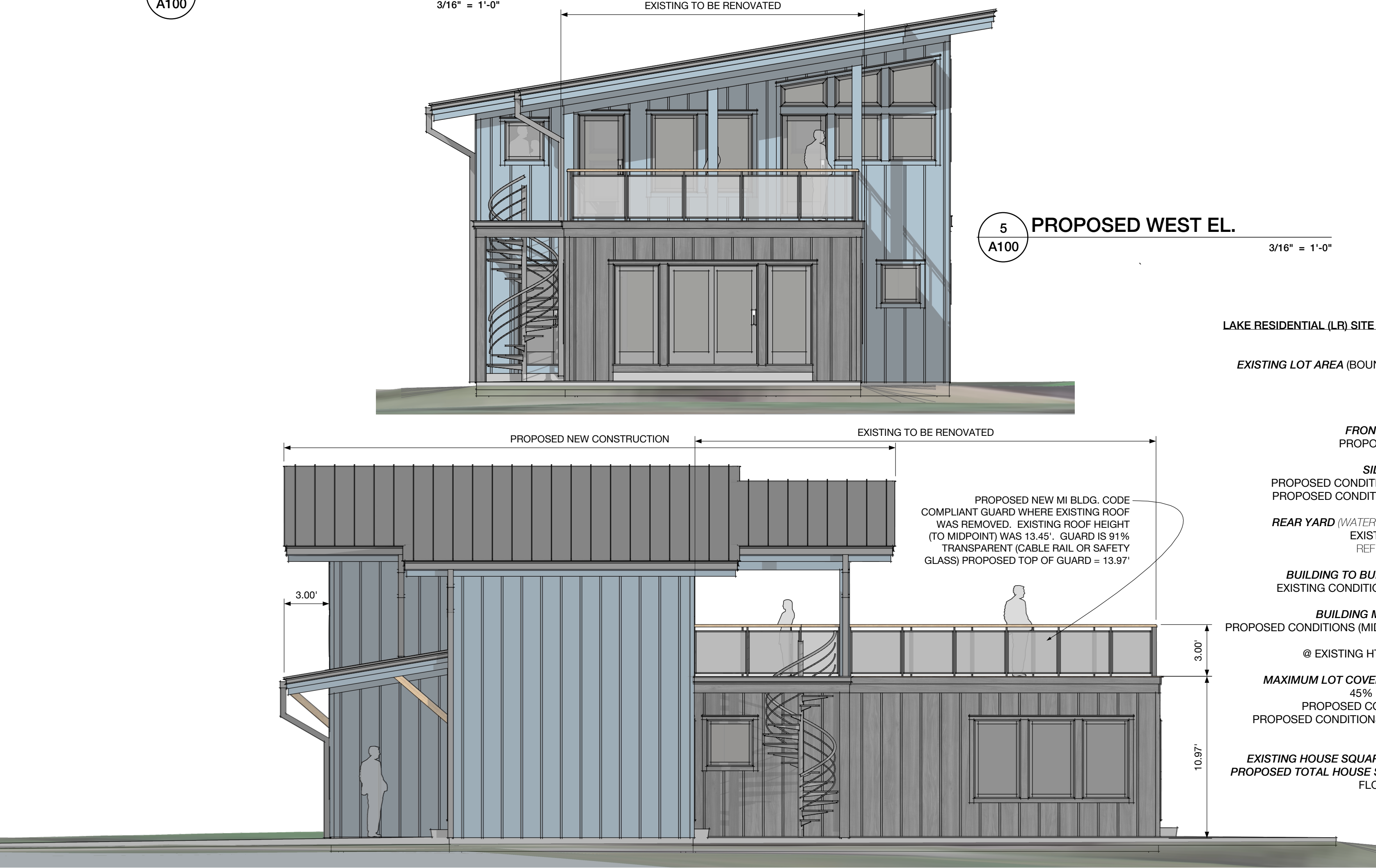
MAXIMUM LOT COVERAGE = 30% FOR BUILDINGS  
45% FOR IMPERVIOUS SURFACES  
PROPOSED CONDITIONS (BUILDING) = 30%  
PROPOSED CONDITIONS (IMPERVIOUS SURFACES) =  
39.68%

EXISTING HOUSE SQUARE FOOTAGE = 635.10 SQ. FT.  
PROPOSED TOTAL HOUSE SQUARE FOOTAGE (GROUND  
FLOOR AREA) = 1,348.62 SQ. FT.

6 PROPOSED NORTH EL.

A100

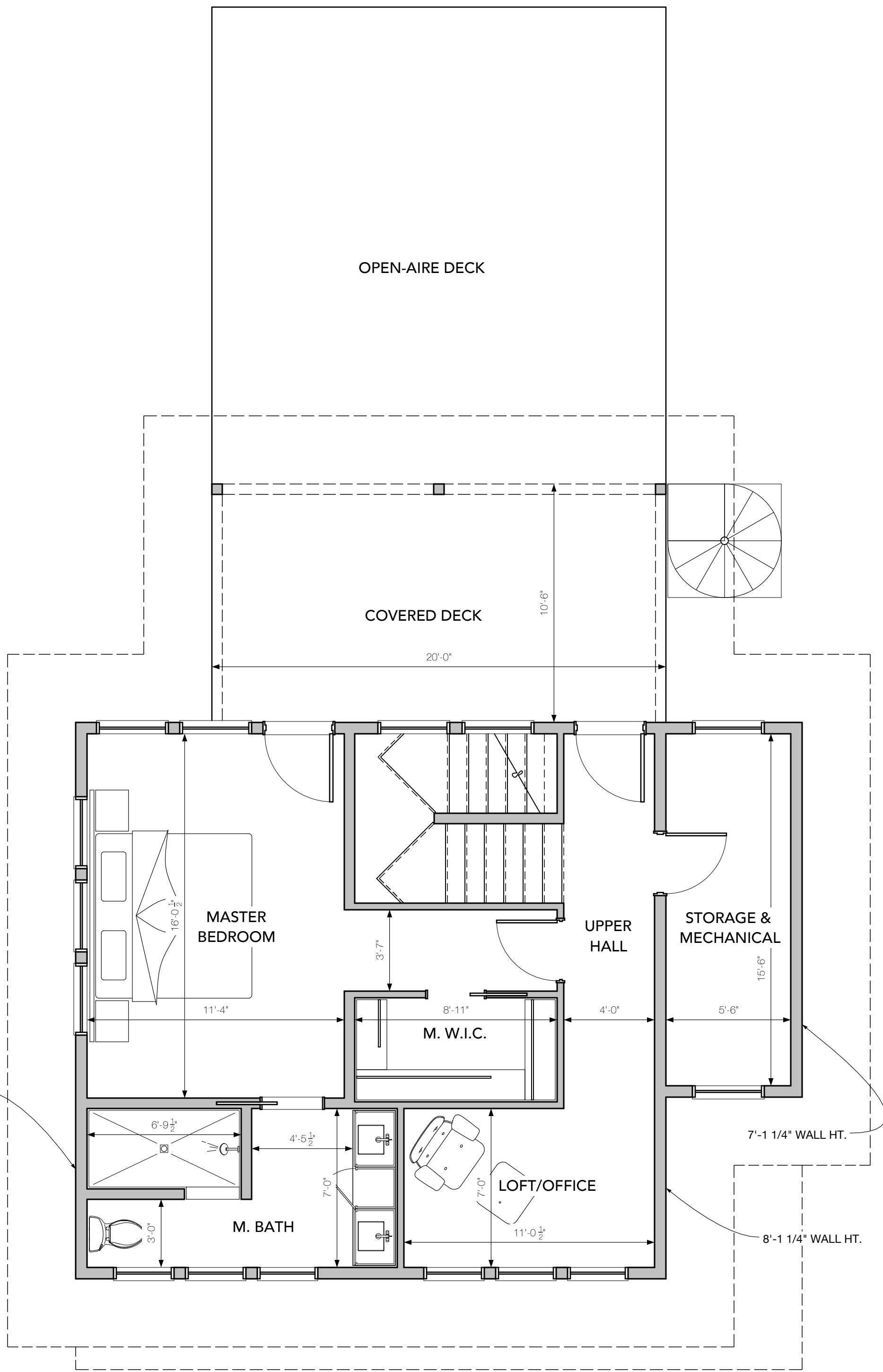
3/16" = 1'-0"



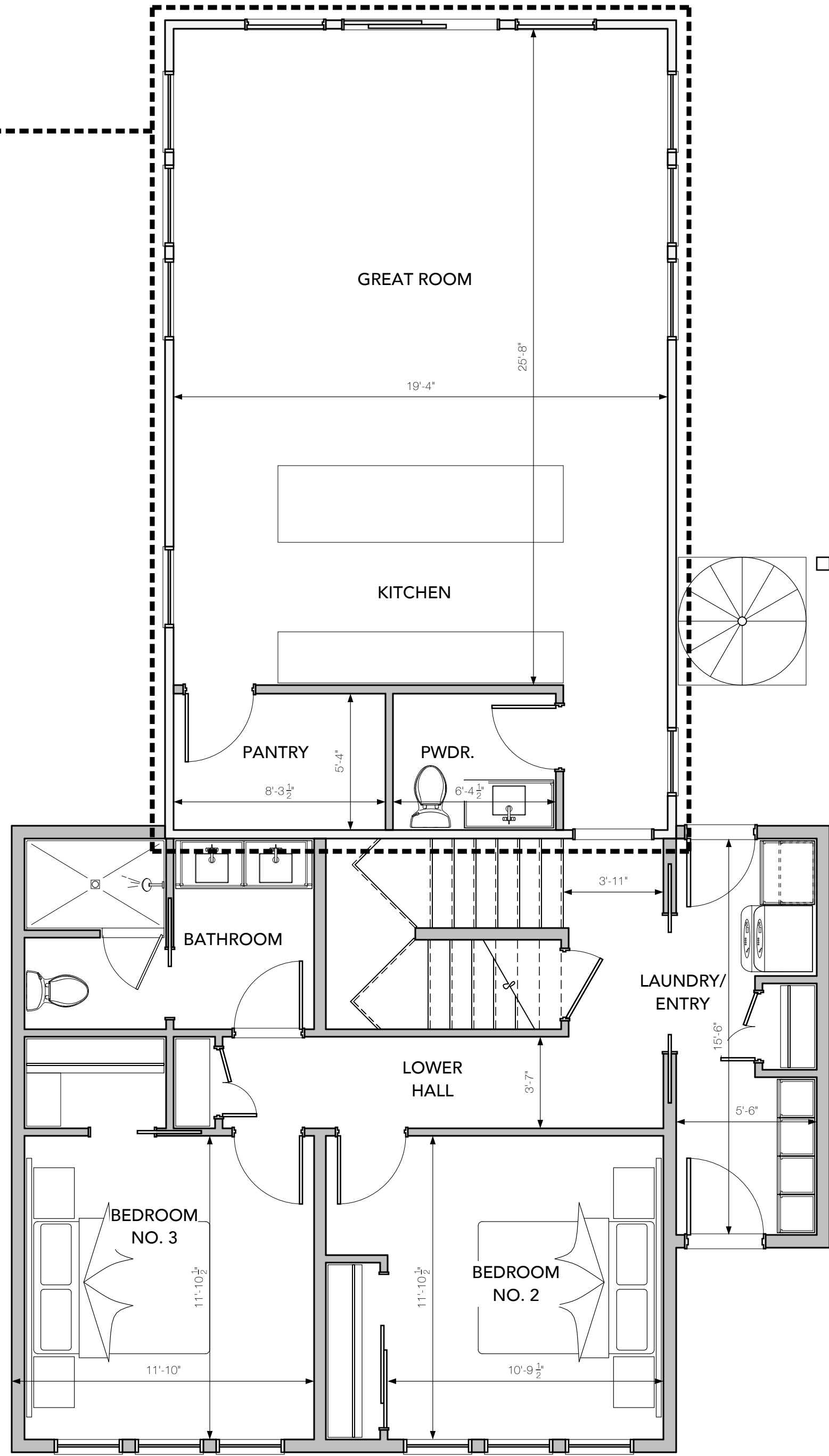




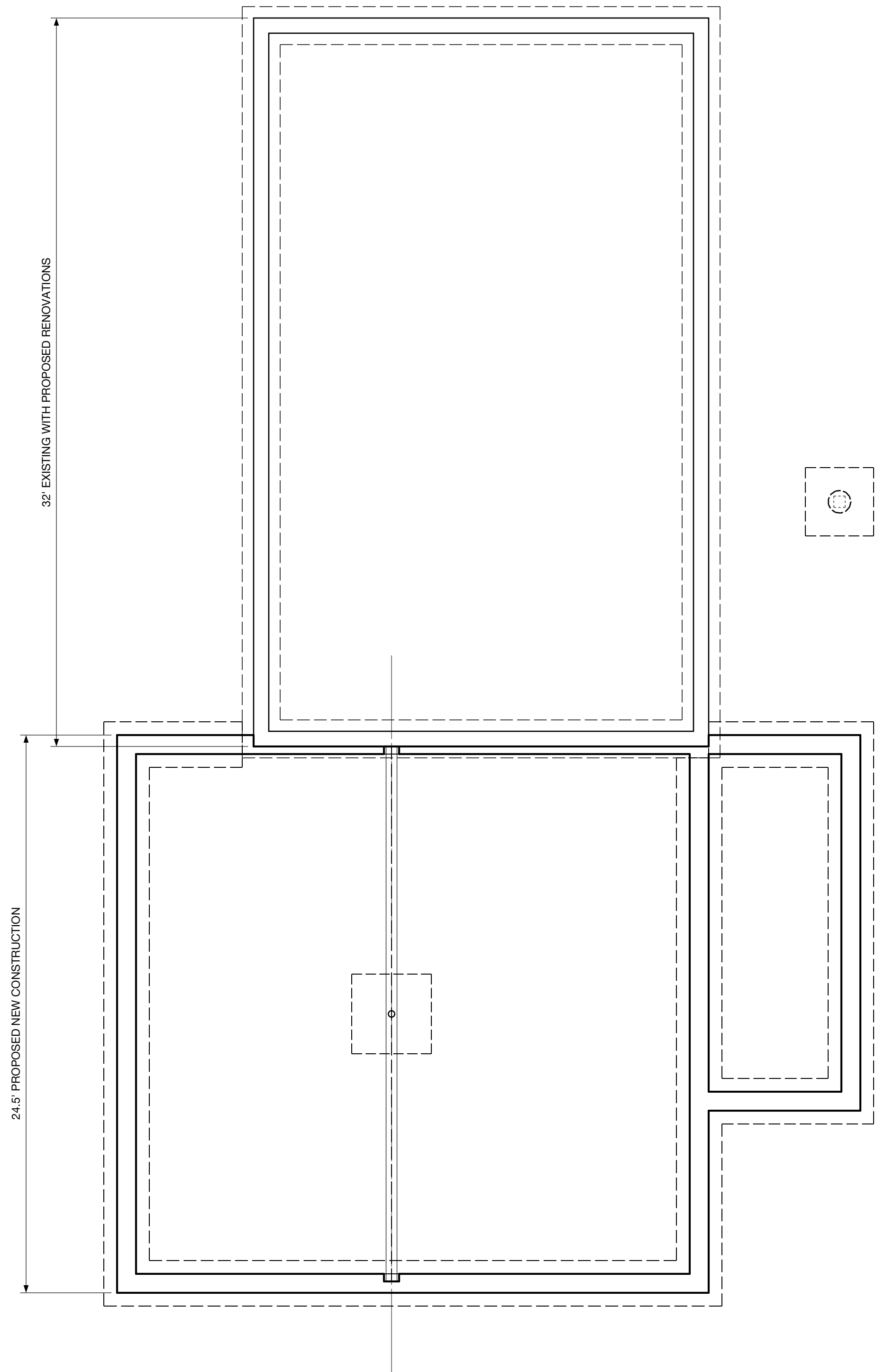
4 SUBJECT PROPERTY  
NO SCALE



3 UPPER LEVEL  
A200 1/4" = 1'-0"



2 MAIN LEVEL  
A200 1/4" = 1'-0"



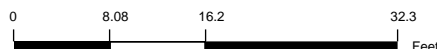
1 FOUNDATION  
A200 1/4" = 1'-0"







9405 Link Dr.



1: 194

2/15/2023

THIS MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHTENAW COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734-222-6662.



**NOTE: Parcels may not be to scale.**

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



9405 Linck Dr.

Waterbody Setback. (Sec. 16.34)

Legend

SCHOOLS

9405 Linck Dr.





**From:** [Tony Randazzo](#)  
**To:** [DPZ](#)  
**Subject:** 9405 Linck  
**Date:** Thursday, January 26, 2023 3:59:24 PM

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Hi David,

Kevin Kolb sent me the plans for the addition to 9405 Linck Dr. This property is already connected to our sewer system so there is no concern about this project from our standpoint.

Thanks,  
Tony Randazzo

### **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) Reduced Front setback of 21.87 feet rather than the 25 feet required.*

*b) Reduced Waterbody setback of 27.58 feet rather than the 35 feet required.*

<b>(1) Practical Difficulty 29.06(C)(1)</b> <b>Does the requested variance meet the following standard:</b>	<b>A</b> 7.02 Front Setback	<b>B</b> 7.02 & 16.34 Waterbody Setback	<b>C</b>	<b>D</b>	<b>E</b>
<i>The strict application of the terms of this Ordinance would constitute a practical difficulty.</i>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>
	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>
<b>(2) Physical Conditions 29.06(C)(2)</b> <b>Does the requested variance meet the following standard:</b>	<b>A</b> 7.02 Front Setback	<b>B</b> 7.02 & 16.34 Waterbody Setback	<b>C</b>	<b>D</b>	<b>E</b>
<i>The practical difficulty is due to some physical condition peculiar to the property involved.</i>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>
	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>
<b>3) Self-Created 29.06(C)(3)</b> <b>Does the requested variance meet the following standard:</b>	<b>A</b> 7.02 Front Setback	<b>B</b> 7.02 & 16.34 Waterbody Setback	<b>C</b>	<b>D</b>	<b>E</b>
<i>The practical difficulty is not self-created.</i>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>
	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>

<b>(4) Reasonable Amount Necessary 29.06(C)(4)</b> <b>Does the requested variance meet the following standard:</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	7.02 Front Setback	7.02 & 16.34 Waterbody Setback			
<i>The variance is a reasonable amount necessary to mitigate the practical difficulty.</i>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>
	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>
<b>(5) Public Health, Safety, and Welfare 29.06(C)(5)</b> <b>Does the requested variance meet the following standard:</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	7.02 Front Setback	7.02 & 16.34 Waterbody Setback			
<i>Approval of the variance will not be injurious to the public health, safety, and welfare.</i>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>
	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>
<b>(6) Adjacent Properties 29.06(C)(6)</b> <b>Does the requested variance meet the following standard:</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	7.02 Front Setback	7.02 & 16.34 Waterbody 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>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>
	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>
<b>(7) Intent of the Ordinance 29.06(C)(7)</b> <b>Does the requested variance meet the following standard:</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	7.02 Front Setback	7.02 & 16.34 Waterbody Setback			
<i>Approval of the variance is consistent with the intent and purpose of this Ordinance.</i>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>
	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>