



WEBSTER TOWNSHIP ZONING BOARD OF APPEALS AGENDA

Special Meeting & Public Hearing

Wednesday, August 07, 2024 | 7:00 PM | Webster Township Hall

1. **CALL TO ORDER**
2. **ROLL CALL:** Becker, Harms, Hopkins, Savander, Kleinschmidt, Peterson (alternate)
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES:** May 07, 2024 ZBA Meeting
5. **CONFLICTS OF INTEREST DISCLOSURE**
6. **PUBLIC HEARING**
 - a. **9869 LEACH LANE (C-03-06-115-004):** Susan and Vic Elner are seeking approval for expanding an existing legal non-conforming single-family dwelling per sec.13.90. I. expansion and extension of nonconforming structure. **(Application No. 24-ZBA-001)**
 - b. **8249 SCULLY ROAD (C-03-10-300-007):** Vincent and Melissa Due Duhaime are seeking approval for expanding an existing legal non-conforming single-family dwelling per sec.13.90. I. expansion and extension of nonconforming structure. **(Application No. 24-ZBA-002)**
7. **FINDINGS OF FACTS & MOTIONS**
 - a. 9869 Leach Lane (C-03-06-115-004): Application No. 24-ZBA-001
 - b. 8249 Scully Road (C-03-10-300-007): Application No. 24-ZBA-002
8. **TOWNSHIP UPDATES**
 - a. Planning & Zoning Update
 - b. Township Board Update
 - c. Planning Commission Update
9. **PUBLIC COMMENTS** *(limited to three minutes per speaker)*
10. **ATTORNEY REMARKS**
11. **ZBA REMARKS**
12. **ADJOURNMENT**

Packet information and full set plans are available to view at the Township Hall. People with disabilities needing accommodations for effective participation in this meeting should contact the Township Clerk at 734.426.5103 at least seven business days in advance of the meeting. An attempt will be made to make reasonable accommodations.

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Webster Township Zoning Boards of Appeals: Rules of Procedure

PUBLIC HEARINGS

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes procedures/rules to be followed during the hearing.
3. Applicant presents their request.
4. Township Zoning Administrator, planning consultant, or other authorized Township agent presents a summary or analysis of the request.
5. Persons wishing to comment on the request are recognized. Members of the public who support or oppose the petitioner speak, and correspondence is read. Each person may be limited to 3 minutes of speaking, unless otherwise permitted by the chairperson. All comments by the public shall be directed to the chairperson.
6. The Chairperson declares the public hearing closed. At this point, all public participation on the issue ends.

The procedure is repeated for each item on the agenda.

FINDINGS OF FACT & MOTION

1. The Chairperson opens discussion for each request in the order noted on the agenda.
2. No person, other than a Board member, shall speak following the closing of the public hearing by the Chairperson, unless directed by the Chairperson or the Board to respond.
3. The Chairperson may permit the applicant or their designee to rebut any statements made during the public hearing.
4. The Zoning Board of Appeals deliberates and acts on the application.
 - (a) The Board may address each standard separately and make a finding before moving on to the next one or may discuss all items and make findings of fact in a global conclusion.
 - (b) The findings of fact shall be based on all information presented, including the application, written request for appeal, zoning ordinance, physical characteristics of the parcels, observations from site visits, summary presented in the staff report, and public hearing statements.
5. The Chairperson or Board may request postponement of a matter if additional information is identified and needed following discussion. Alternatively, the Board may deny a request but waive any timeline normally required before reapplication which would allow the applicant to incorporate feedback and re-apply.
6. A proposed motion should briefly identify or summarize the key facts, rationale, and conclusions of the Board. If the Board imposes any condition(s) then it must be clearly stated as part of the motion.

The procedure is repeated for each item on the agenda.

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WEBSTER TOWNSHIP ZONING BOARD OF APPEALS
MAY 7, 2024

The Meeting was called to order in the Township Hall at 7:00 p.m. by Chairperson Kleinschmidt.

WTZBA Members Present: Rick Kleinschmidt, Jeff Harms, Connie Savander, Joe Petterson

WTZBA Members Absent: Ernie Becker, Gene Hopkins

Also Present: Martha Zeeb, John Kingsley, Sri Komaragiri, David Szymanski

I. Approval of Agenda: Rick Kleinschmidt noted that under Approval of Minutes it should be October 24, 2023. Sri Komaragiri noted that we can add the Special Meeting minutes to the agenda. Rick Kleinschmidt asked for approval of agenda and Jeff Harms moved, 2nd by Connie Savander, to amend the agenda to add these notes from our Special Meeting - the Training meeting on May 4, 2024. Motion carried.

II. Election of Officers: Rick Kleinschmidt said Jennifer Simonds was not reappointed to the ZBA but we appreciate her almost 30 years of service.

A. Jeff Harms moved, 2nd by Joe Peterson, to have Gene Hopkins as Chairperson. A roll call vote was taken, and it carried unanimously.

B. Jeff Harms moved, 2nd by Connie Savander, to have Rick Kleinschmidt as Vice-Chairperson. A roll call vote was taken, and it carried unanimously.

C. Connie Savander moved, 2nd by Joe Peterson, to have Jeff Harms as Secretary. A roll call vote was taken, and it carried unanimously.

III. Approval of Minutes:

A. Jeff Harms moved, 2nd by Connie Savander, to approve the minutes of the October 24, 2023 meeting. Motion carried.

B. Jeff Harms moved, 2nd by Joe Peterson, to approve the minutes of the Joint Meeting May 4, 2024. Motion carried.

IV. Call to the Public: None

V. Essential Elements of ZBA Meetings: Deliberation, Decision & Documentation presentation was given by Sri Komaragiri. (See attached).

VI. Revised ZBA Application for Zoning Board of Appeals Determination: The ZBA Board discussed the proposed Application and attachments. They made the following adjustments:

A. On page 10: Items 1 and 3 under the Submittal Checklist are the same and should only need one of them.

B. On page 11: Connie Savander suggested the "Burden of Proof" is up to the applicant so this box could be put on the Application. Also, the Burden of Proof statements similar to page 13 and 21 could be added to page 25. Sri Komaragiri will revise the statements into common language.

C. On page 14: Item #5 is missing wording at the end of the sentence.

D. On page 19 Classification of a Use: Rick Kleinschmidt said this has not come before the ZBA in the past.

E. On page 25: Sri Komaragiri said she would recommend the Planning Commission add the 4 items to the Zoning Ordinance at their May 22, 2024 meeting

F. Jeff Harms moved, 2nd by Joe Peterson, to approve the revised ZBA Application with the modifications we just discussed. A roll call vote was taken, and it carried unanimously.

VII. ZBA By-laws: The ZBA Board discussed the revised draft:

A. Item C. Cancellations on page 31:

1. Add an "s" after "Township".

2. The Commissioners questioned their ability to cancel a meeting 24 hours beforehand when due to a weather emergency. Dave Szymanski said meetings must be in person and members could independently notify the Township of their inability to attend so if a quorum is not available the meeting could be cancelled. Rick Kleinschmidt suggested we approve now and asked Sri Komaragiri to change the wording and if we don't agree we can change our bylaws at our next meeting.

- B. Item H Application Packets: The ZBA Board asked to remove the proposed 7 days and continue the 14 days.
- C. Item E on page 33: “consideration” should be changed to “consider” in the 2nd sentence.
- D. Jeff Harms moved, 2nd by Joe Peterson, to approve the ZBA Bylaws as amended with the corrections. A roll call vote was taken, and it carried unanimously.

VIII. Board Policy Review and Recommendation: The ZBA Board discussed making a recommendation to the Township Board on if there is a need for legal counsel at each meeting. David Szymanski said hardships need to be a product of the land, and not the owner. If an item is not in the record, it won't be considered by the court. Even neighbors can appeal if a variance is granted. Sri Komaragiri said the variance stays with the land. The Board decided to continue with legal counsel at our meetings and decide later.

IX. 2024 Meeting Calendar: The ZBA Board was happy with the 1st Tuesday of each month with the exception of July 2nd and September 3rd. Sri Komaragiri will revise the schedule.

X. Rick Kleinschmidt gave the Planning Commission update.

XI. Jeff Harms gave the Township Board update.

XII. Sri Komaragiri gave the Planning and Zoning Update.

XIV. Call to the Public – None.

XV. ZBA Member Remarks: Rick Kleinschmidt welcomed Joe Peterson and Connie Savander to the Board.

XVI. Jeff Harms moved, 2nd by Connie Savander, to adjourn. Motion Carried. The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Jeff Harms, Secretary

MLz

These Minutes are not official until signed

PUBLIC NOTICES

WEBSTER TOWNSHIP ZONING BOARD OF APPEALS SPECIAL MEETING/PUBLIC HEARINGS WEDNESDAY, AUGUST 07, 2024 AT 7:00 P.M.

The Webster Township Zoning Board of Appeals will hold a Special Meeting/Public Hearings at the Webster Township Hall, 5665 Webster Church Road, at 7:00 p.m. on Wednesday, August 07, 2024, to hear the following requests:

1. 9869 LEACH LANE (C-03-06-115-004): Susan and Vic Elner are seeking approval of two requests in order to expand their existing residence.
* Approval for expanding an existing legal non-conforming single-family dwelling per sec.13.90. I. expansion and extension of nonconforming structure. (Application No. 24-ZBA-001)

* Approval of a dimensional variance for not meeting the minimum front yard setback per section 9.22.D. iv. for expansion of their existing residence (Application No. 24-ZBA-002)
2. 8249 SCULLY ROAD (C-03-10-300-007): Vincent and Melissa Due Duhaime are seeking approval for expanding an existing legal non-conforming single-family dwelling per sec.13.90. I. expansion and extension of nonconforming structure. (Application No. 24-ZBA-003)

Copies of the application materials and Zoning Ordinance are available at the Township Hall for review during regular business hours or by request. Written comments may be dropped off or mailed in advance to the Township Hall, 5665 Webster Church Road, Dexter, MI 48130 or emailed to Zoningadmin@webstermi.us

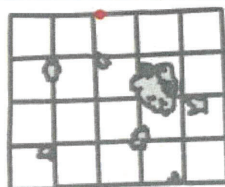
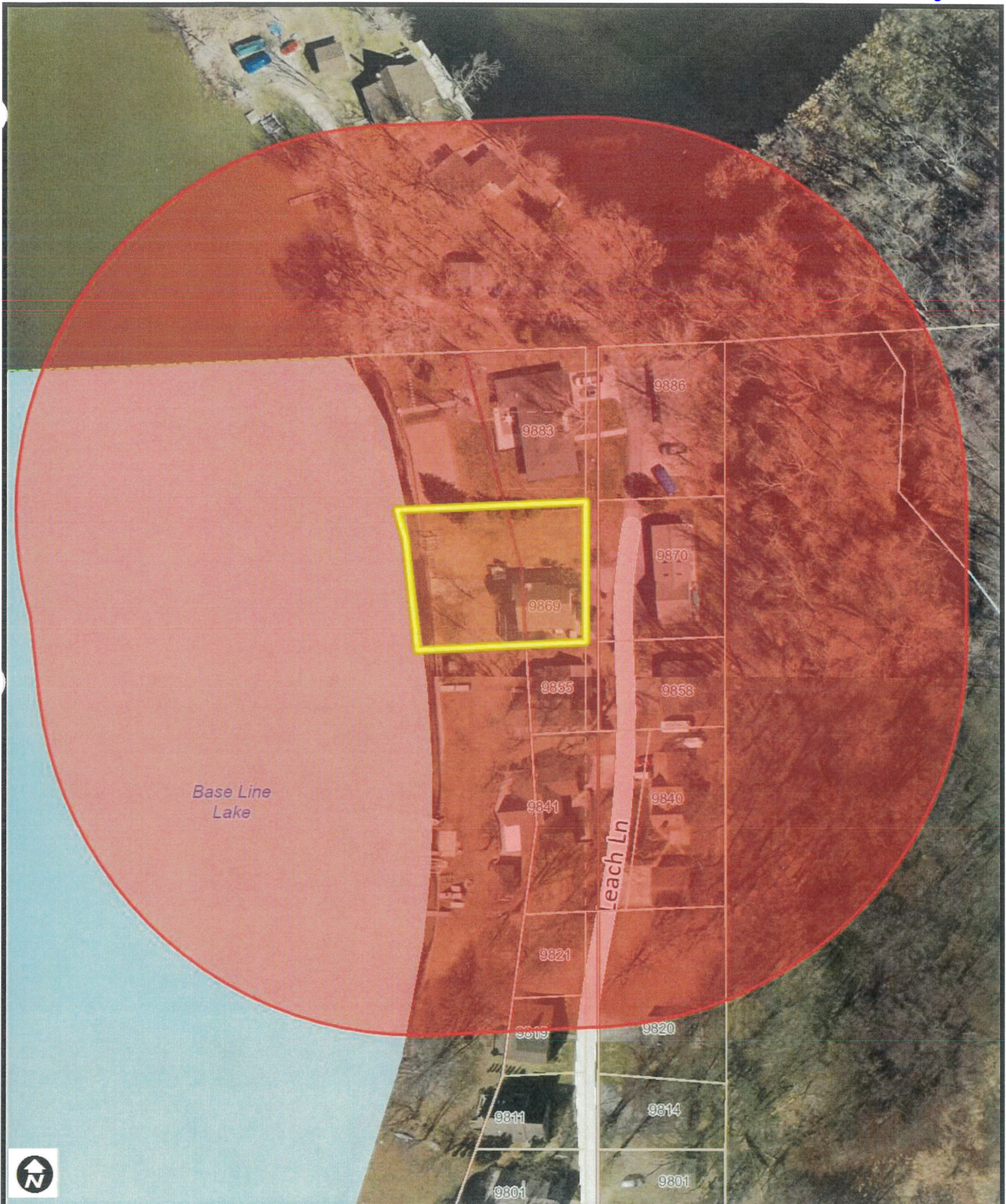
Verbal comments may be heard at the hearing. All correspondence needs to be received no later than 3 PM on Wednesday, August 07, 2024.

Those with disabilities must notify the Township Clerk at least seven (7) days before the meeting to allow time to arrange for any necessary accommodations to satisfy their disability and allow for meaningful attendance.

Gene Hopkins, Chairperson
Zoning Board of Appeals

Published in The Sun Times News
July 17th, 2024

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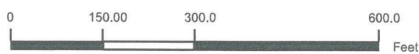
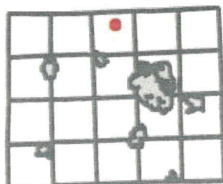
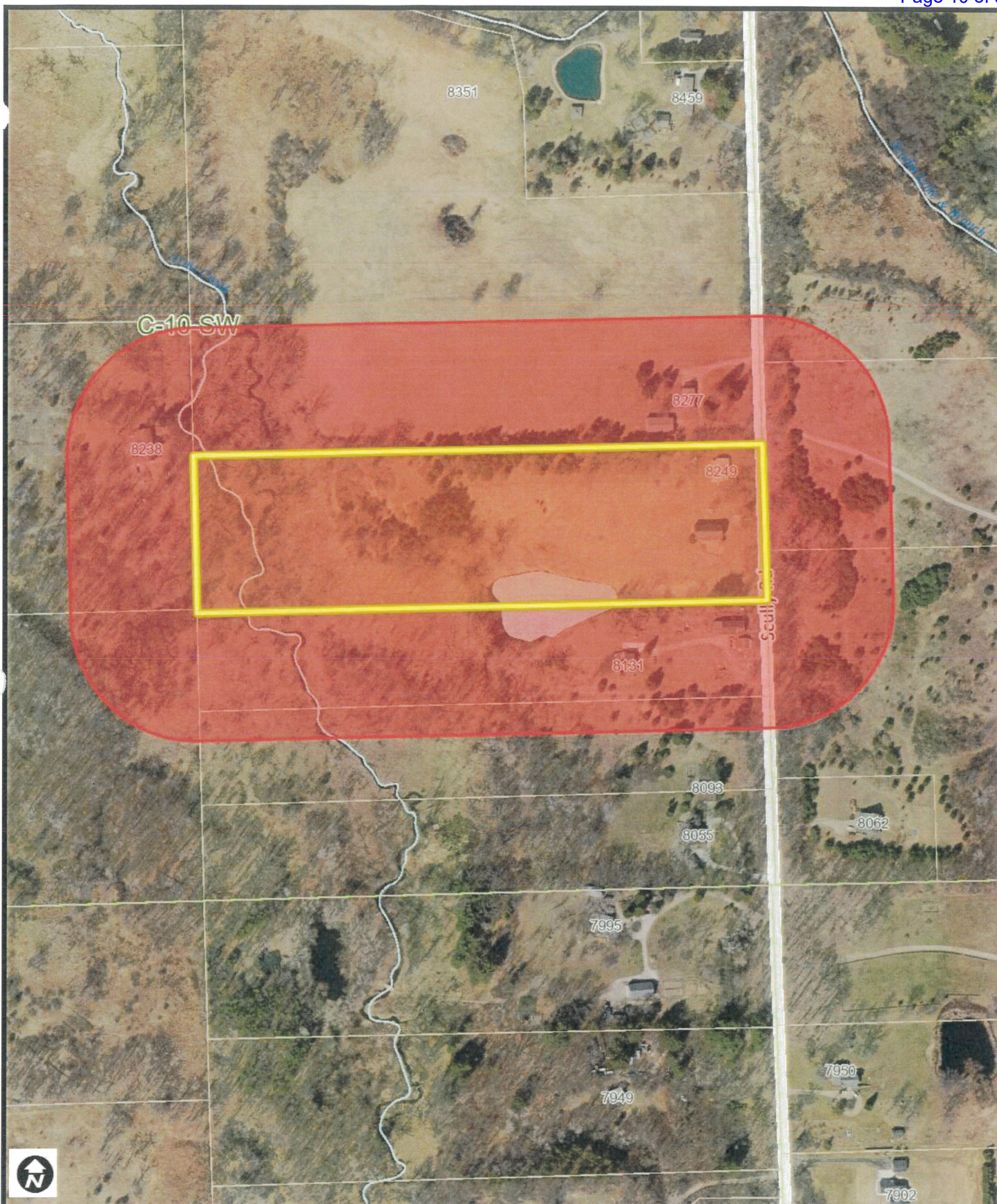
1: 1,200

7/2/2024



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.



1: 3,600

7/2/2024



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DELIBERATION: DO'S

Always!!

SPEAK UP.

When in doubt, ask the applicant or the chair, aloud. Do not discuss with a member next to you.

EXPRESS YOUR OPINIONS.

- Do let everyone know why you are voting, whether for or against the issue.
- Your comments may help others decide (or change their vote).
- It also lets the applicant and the audience know the strengths or weaknesses of the proposal.
- Moreover, it may add to the record if the case goes to court.

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DELIBERATION: DON'TS

Avoid the instinct

- Do not respond to a question from audience, if it is better answered by the applicant.
- Do not help the applicant find a solution or an acceptable alternative.
- Do not help the applicant justify a hardship by asking implied questions.

8





Checked by Supervisor
Date: _____

FINDINGS OF FACTS

Questions to Consider

- ✓ How is this property different from others in the same zoning district and neighborhood?
- ✓ Is this a situation we are likely to encounter often?
- ✓ If the variance was not granted, would the property owner still be able to do the same things other owners similarly situated can do, but perhaps in not the same way?

9



Checked by Supervisor
Date: _____

FINDINGS OF FACTS

Questions to Consider

- ✓ If the variance was granted, would it compromise the intended purposes for which the regulation was written?
- ✓ Is there a way to accomplish the same purpose without a variance even it is more inconvenient or expensive? then a variance should not be granted.
- ✓ **GENERAL RULE OF THUMB:** Out of every 10 request, 8 should be denied

10





Created by National Risk Protection
Board (NRPB)

INCORRECT REASONS

To avoid

- X No one came to object, I do not see any harm
- X I think the Ordinance is too strict
- X I think this is what the ordinance meant
- X They already have a site plan approval
- X We know the developer will do a good job
- X It is a just a foot difference
- X It will impact the property values
- X The applicant has a unique health condition



Variance stays with the land, not the owner.

Findings of fact should be based on the land, not an individual

12



Created by National Risk Protection
Board (NRPB)

CORRECT REASONS

To follow

- ✓ Represent reasonable exercise of discretion granted by law
- ✓ Use the review standards of the Ordinance to support its decisions
- ✓ Each finding of fact is supported by competent, material, and substantial evidence on the record.
- ✓ **WHEN IN DOUBT, THINK ABOUT....**

Amount of time and amount that went into drafting the ordinance

Hundreds of property owners who DID comply with the Ordinance

About the people who didn't show but may be/may not effected

13





DOCUMENTATION: CONDITIONS

Condition(s) may be attached to any affirmative decision

CONDITION(S) OF APPROVAL MUST BE

- ✓ Related to the Standards of Review
- ✓ Reasonable

THE REASONABLENESS TEST. If this condition was not attached to the decision, the standards for review would not be met and the request would be denied

TYPES OF CONDITIONS

- ✓ Conditions "precedent": Must be fulfilled before approval can become final
- ✓ Conditions "subsequent": Restrict use of the property going forward (ex., hours of operation)
- ✓ Delegate duties only to the applicant
- ✓ No off-site improvements

14



DOCUMENTATION: MOTIONS

Be Specific

- ✓ Include the request
- ✓ Include the relief granted by the ZBA
- ✓ Include who made the motion and who seconded it
- ✓ Explain how each standard is met. If it is not unanimous, explain why
- ✓ Include all conditions. Specify why a condition passed the reasonableness test
- ✓ If there are deadlines or milestones, include them

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Memorandum

9869 LEACH LANE (C-03-06-115-004): 24-ZBA-001

Date	July 22, 2024
To	Webster Township Zoning Board of Appeals
From	Sri Ravali Komaragiri, AICP, Township Planner & Zoning Administrator
Site	9869 LEACH LANE
Parcel ID	C-03-06-115-004
Zoning	Base Line Lake Residential District (BLLR)
Owner	Susan and Vic Elnor
Applicant	Susan and Vic Elnor

REQUEST FOR APPROVAL

Susan and Vic Elnor are seeking approval for expanding an existing legal non-conforming single-family dwelling per sec.13.90. I. expansion and extension of nonconforming structure.

ZONING SUMMARY

Why is the single-family dwelling located on the subject property considered non-conforming?

- *Section 2.10. Definitions. Nonconforming Structure.* A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the provisions of this Ordinance relative to height, bulk, area, placement or yards for the zoning district in which it is located. Such building and/or structure may be further defined as provided by statute and/or case law.
- *Sec. 9.22.D.vii. Minimum Side Yard for all Structures – Ten (10') feet one side with no encroachments (buildings, trees, bushes) to allow unimpeded access to the lake; five (5') feet for the other side yard, with a minimum of fifteen (15') between the structures and any structure on the abutting property. The existing sun-room on the south west corner of the existing single-family home encroaches into the minimum side yard of 5 ft.*
- *Sec. 13.60. states that fences are not allowed in any yard of lots bordering Base Lake Drive and Leach Lane. The existing structure includes fenced area attached to the front of the building which appear to encroaches into front setback area. The applicant is proposing to remove the fence as part of this expansion.*
- *Sec. 9.22.D. viii. c. No deck shall extend beyond twenty (20') feet beyond the rear (lake) façade'.*
Sec. 9.22.D. viii. e. Maximum deck height: Thirty (30") inches. The deck height shall be measured at the perimeter of the deck and the highest point shall be used for determining deck height. If the deck height exceeds thirty inches, the deck shall become part of the building structure and subject to the calculation of yard setbacks.
Sec. 16. 20. D. Minimum setback from the Ordinary highwater mark: 75 ft. for lots with public sewer.
The existing deck stays within the maximum allowable projection, however, encroaches into the minimum required waterfront setbacks.

The board may refer to the applicant for any background that resulted in the non-conformities listed above.

Why is the applicant seeking approval of the proposed expansion?

- The applicant is proposing to expand the existing single-family dwelling to create more living space to accommodate their family. Please refer to the completed questionnaire for more information.
- The existing home is a two story 4-bedroom. The applicant has provided the following data with regards to proposed expansion
 - First Floor - 1627sf existing, 994 sf proposed
 - Second Floor - 692 sf existing, 601 sf proposed
 - Deck - 275 sf existing, 216 sf proposed

13.90.I. Expansion and Extension of Nonconforming Structure. A nonconforming structure, no matter what type of use, may only be expanded or extended with approval from the Board of Appeals per the procedures in Section 13.90 (O). A structure that does not conform to zoning ordinance regulations shall not be substituted for, or replace, any conforming or nonconforming structure.

Does the expansion conform to all applicable standards?

The proposed expansion complies with all other zoning standards except for the proposed deck.

- **Option 1:** If the ZBA allows the expansion of deck as proposed, it shall be subject to a waiver being granted by the zoning administrator subject to standards listed in section 16.20.F. If the requests meet the standards, the zoning administrator may permit a reduction of the setback from 75 ft. to 50 ft. This can be addressed administratively. In case a waiver is not granted, the plans should be revised to remove the expansion.
- **Option 2:** If the ZBA does not approve expansion of deck as part of their review, the plans should be revised to remove the expansion.

STANDARDS OF REVIEW: EXPANSION AND EXTENSION OF NONCONFORMING STRUCTURE

In considering this request, the board shall determine if each of the following standards is met.

Standard and Burden - Nonconforming Structure. (13.90.O.(5)(b)). *The applicant shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact.*

- A.** *Retention of the nonconforming structure is reasonably necessary for the proposed improvement or that requiring removal of such structure would cause undue hardship.*

Suggested question for the board to consider. Can the encroaching part of the structure be removed without causing undue hardship to remove non-conformity or reducing non-conformity?

- B.** *The proposed improvement is reasonably necessary to be able to continue to use the lot.*

Suggested question for the board to consider. Are all the proposed expansion areas (bedroom, game room, deck, etc.) necessary for the continued use of the property, as explained in the applicant's questionnaire?

- C.** *The proposed enlarged or otherwise improved nonconforming structure will not adversely affect the public health, safety and welfare.*

Planner Comments.

1. The findings of fact shall be based on all information presented from the application, written request for appeal, zoning ordinance, physical characteristics of the parcels, observations from site visits, summary presented in the staff report and hearing testimony.
2. In approving the application, the Board of Appeals may impose reasonable conditions. The conditions may include those necessary (Sec. 13.90.O(6)).
 - To protect the natural environment and conserve natural resources,
 - To further compatibility with adjacent land uses, and
 - To promote the use of land in a socially and economically desirable manner.
 - A condition may include site plan review by the planning commission.

EFFECT OF APPROVAL (13.90.O(7)).

Approval of a structural change shall expire at the end of one hundred eighty (180) days, unless a certificate of zoning compliance authorizing construction has been obtained and construction has started and proceeds to completion in accordance with the terms of the certificate of zoning compliance

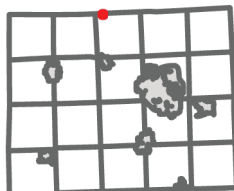
SUPPORTING MATERIALS PROVIDED BY THE APPLICANT

The applicants have provided the following information to support their request.

- Completed application form. All fees are paid.
- Completed questionnaire.
- Existing and proposed floor plan and elevations.
- Photographs
- The applicant has been advised to stake the property.



9869 Leach Lane



1: 2,400

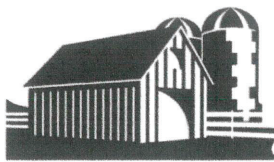
7/19/2024

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.

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WEBSTER TOWNSHIP

5665 Webster Church Road, Dexter MI 48130, (734) 426-5103, www.webstermi.us

JUN 20 2024

Received

Application for Zoning Board of Appeals

Prior to applying, it is recommended to call the Zoning Administrator at 734-426-5103 or via e-mail zoningadmin@webstermi.us to discuss submittal requirements.

WHAT IS THE ZONING BOARD OF APPEALS?

The ZBA consists of five (5) members appointed by the Webster Township Board of Trustees. The Michigan Zoning Enabling Act of 2006 gives the Zoning Board of Appeals the power to do the following:

1. Hear appeals to grant variances from the requirements set forth in the Zoning Ordinance.
2. Render decisions based on interpretation of text contained within the Zoning Ordinance.
3. Render decisions based on interpretation of the boundaries contained within the Zoning Map.
4. Hear appeals of an administrative order, requirement, decision or determination made by an administrative official charged with the enforcement of the Zoning Ordinance.
5. Approval of changes, re-establishment expansion of non-conforming lots and structures.

The ZBA does not have authority to hear an appeal by an aggrieved person regarding a decision of the Township Board on an application for special use or site plan review. The ZBA does not have the authority to grant a land use variance.

ADMINISTRATIVE USE ONLY Application updated per applicant's email dated 07-10-24 (attached)

815\$ Fee ~~1130~~ \$815 per each request Date Paid 6/20/24 Permit No 24-ZBA-001
~~24-ZBA-002~~

SUBJECT PROPERTY

Parcel ID	C - 03 06 - 115 - 004	Lot Size	.35AC + .25AC	Zoning	BLLR
Site Address	9869 Leach Lane				
Current Use	Residence				

APPLICANT

Company Name (If any)			
Primary Contact			
Mailing Address			
Phone Number		E-mail	

PROPERTY OWNER (Leave blank if same as the applicant)

The application must be signed by all person(s) whose name(s) appear on the deed to the Subject Property. **If applicant is not the property owner, you must attach a completed "[Letter of Authorization to apply](#)"**

Property Owner(s)	Susan + Vic Elner		
Mailing Address	1495 Morehead Dr		
Phone Number	734-657-4505	E-mail	selner@med.umich.edu

TYPE OF REQUEST (Check all that apply)

<input checked="" type="checkbox"/> Dimensional Variance (1)	<input type="checkbox"/> Dimensional Variance (2)	<input type="checkbox"/> Dimensional Variance (3)
<input type="checkbox"/> Text Interpretation	<input type="checkbox"/> Map Interpretation	<input type="checkbox"/> Use Classification
<input type="checkbox"/> Appeal: Zoning Administrator Decision	<input type="checkbox"/> Appeal: Zoning Enforcement Officer Decision	<input type="checkbox"/> Appeal: Planning Commission (site plans only)
<input checked="" type="checkbox"/> Non-conforming structures: Expansion	<input type="checkbox"/> Non-conforming structures: Re-establishment	<input type="checkbox"/> Non-conforming structures: Repair
<input type="checkbox"/> Non-conforming uses: Expansion	<input type="checkbox"/> Non-conforming uses: Re-establishment	<input type="checkbox"/> Other

Briefly describe the nature of your request(s): Complete and attach related Questionnaire

~~Minimum Front (Streetside) setback calculation, and expansion of non-conforming structure (Expansion is within the conforming area of the lot)~~

BURDEN OF PROOF

The applicant has the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact.

SUBMITTAL CHECKLIST

Failure to provide the required information will result in an incomplete application and may cause a delay or cancellation of the Public Hearing and/or determination by the ZBA.

Included	N/A	ITEM
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Cash or check made payable to "Webster Township". \$815 per each request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. One (1) copy of the following both in printed for and a PDF format:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a. Mortgage survey or land survey for residential requests.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b. Site plan of a scale that clearly depicts all the required information to support your request and is easily legible.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c. Completed questionnaire to address ZBA's decision criteria. Refer to Article 6 of Webster Township Zoning Ordinance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	d. Building plans and elevations or other plans as needed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	e. Photographs and exhibits to support your request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	f. Other supporting documents, such as, but not limited to, contracts, agreements, correspondence from other agencies.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	g. Additional information as necessary, if requested by the ZA at a pre-application meeting.

Once the zoning administrator verifies the completeness of the application, the ZA will request additional six (6) copies for distributing to the Zoning Board of Appeals.

ZONING BOARD OF APPEALS PROCEDURE

1. Within 10 business days of receipt of the application, the Zoning Administrator and the ZBA chairperson shall review the application for completeness.
2. If deemed necessary, the Zoning Administrator will notify the applicant in writing about any additional information required by the Township to deem the application "complete," and if any escrow amount is necessary.
3. Following this, the Chairperson will confirm the date of the ZBA meeting.
4. Upon confirmation of the application's completeness, the Zoning Administrator will request an additional six (6) copies for distribution among the members of the Zoning Board of Appeals.
5. Notice shall be provided in accordance with Section 3.40 of Webster Township Zoning ordinance.
6. The applicant is responsible for marking the property as indicated in the application, no later than 15 days prior to the scheduled hearing.
7. Members of the Zoning Board of Appeals may conduct a site visit, individually, to facilitate their review.
8. The Zoning administrator shall review the application and provide a summary of review to the ZBA along with the application and record documents to the Members of the Zoning Board of Appeals.
9. The Zoning Board of Appeals will hold the scheduled public hearing in accordance with the regulations specified in the Bylaws of the Board of Appeals.
10. Following the hearing, or at a subsequent meeting, the members of the Board of Appeals may engage in discussions and/or render their decision. The Board reserves the right to adjourn the hearing to procure additional information if necessary.

ESCROW DEPOSIT

6.05. B. (10). The Zoning Administrator shall establish an amount, if any, to be deposited by the applicant with the Township Clerk as an escrow deposit to defray the anticipated costs incurred by the Township to review and process the application.

STAKING

The Applicant must place clearly visible stakes where the relevant property lines are located and stakes showing the location of any proposed structure that is the subject of the Application. **These stakes must be in place at least two (2) weeks prior to the public hearing on the application.** Failure to stake will result in the cancellation or postponement of the Public Hearing and/or the postponement of the determination.

RIGHT OF ENTRY

The filing of this application shall constitute permission from the owner/applicant to the entry of Township officials, employees, agents, and/or representatives to complete an on-site investigation of the subject property for purposes related to this application.

SIGNATURES

I do hereby attest that all statements, signatures, descriptions, and exhibits submitted on/or with this application are true and accurate to the best of my knowledge and I am the property owner or I am authorized to file this application and act on behalf of the property owner and I have attached a letter of authorization to apply from the owner who grants me permission to act on his/her behalf.


Signature of Applicant

Date

6/17/24

From: [Elner, Susan](#)
To: [Zoning Administrator](#)
Subject: Elner variances
Date: Wednesday, July 10, 2024 11:18:55 PM

Sri,

Kyle, my husband and I took your suggestions to heart regarding trying to find an alternative plan and stay within the setbacks. After 2 nights of discussions, we feel we have found an acceptable plan for our needs and can stay within setbacks. As a result we will only pursue the nonconforming structure variance on the August 7th meeting and not the setback variance. Kyle will speak with you to provide the revised plan.

Will it be possible to refund the fee for the setback variance we will not pursue ? I am happy to deliver any revised plans or other paperwork needed for the variance meeting this week.

Thank you for your guidance. Regards, Susan Elner

Get [Outlook for iOS](#)

Electronic Mail is not secure, may not be read every day, and should not be used for urgent or sensitive issues

NON-CONFORMING STRUCTURES (Sec. 13.90)

A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the provisions of this Ordinance relative to height, bulk, area, placement or yards for the zoning district in which it is located. Such building and/or structure may be further defined as provided by statute and/or case law.

The Board of Appeals or the Zoning Administrator has authority to provide for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures upon terms and conditions provided in Section 13.90 of Township Zoning Ordinance.

Address	
Parcel ID	
Zoning	
Proposed Use	

The applicant shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact. Explain how your request meets the following standards of approval? Use a separate paper if necessary.

1. Retention of the nonconforming structure is reasonably necessary for the proposed improvement or that requiring removal of such structure would cause undue hardship

Requirement Met - removing the existing home would be an undue hardship, and the current home is almost fully conforming to the requirements of the zone. Nonconforming portion is an unconditioned sunroom area on the opposite side of the house to where the additions/new work is proposed

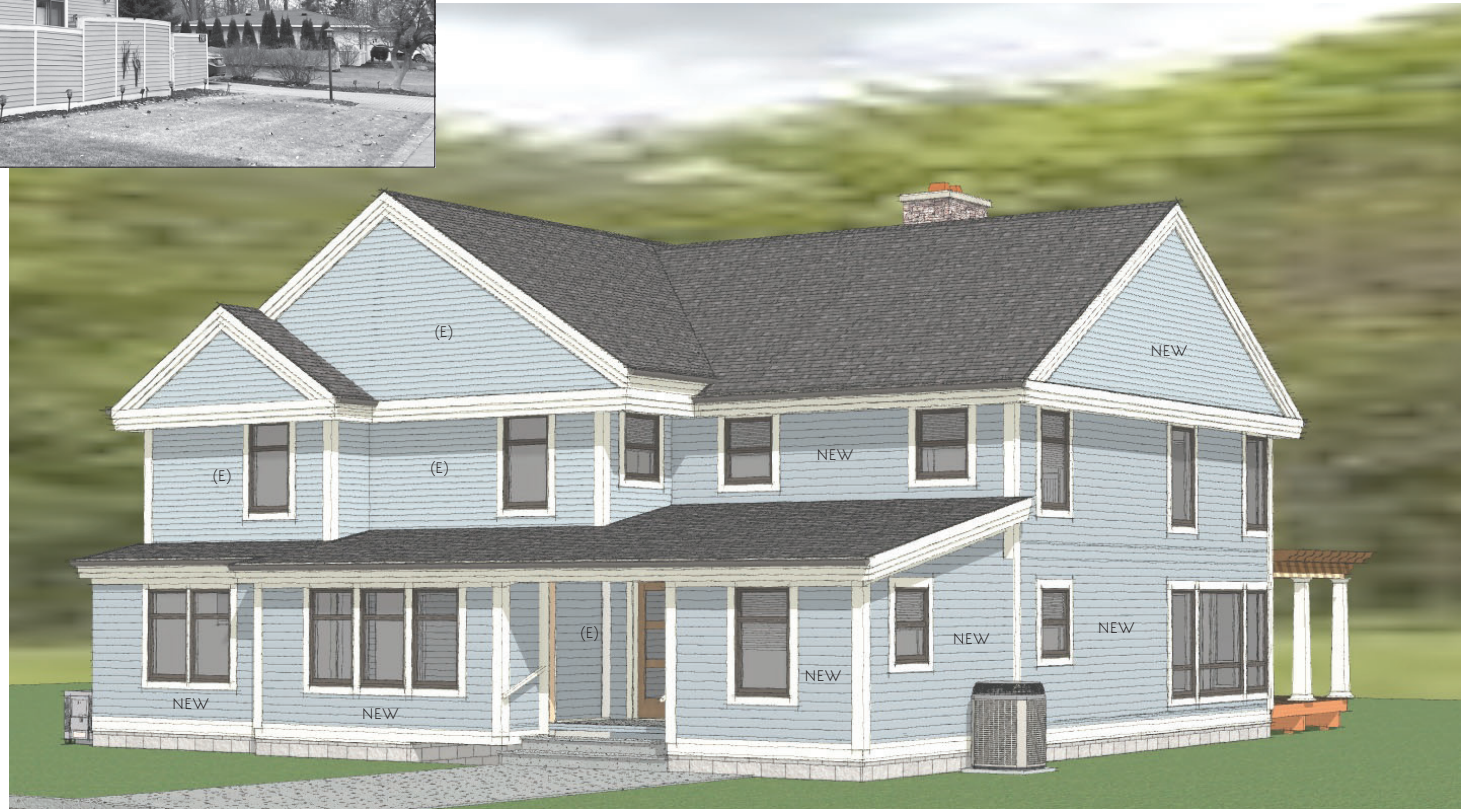
2. The proposed improvement is reasonably necessary to be able to continue to use the lot.

With a growing family and a desire for the owners to potentially make this their primary residence, the addition of both the new living space with bedroom upstairs, and the new home office space is necessary for the continued use of the structure.

3. The proposed enlarged or otherwise improved nonconforming structure will not adversely affect the public health, safety and welfare.

Requirement Met - this home is in good condition and adding these portions will continue to add to the beauty and value of the homes along the street.

Left blank on purpose



THE ELNER ADDITION PROJECT

SITE PLAN REVIEW
JULY 17, 2024



A. Intent. This district is established to permit single-family detached residences and other residential uses at an appropriate density on the southern shore of Base Line Lake. To maintain the environmental quality of the lake, public sewer connection is required in the BLR District. The intent of this district is to maintain the area's unique aesthetic appearance, maintain the established view sheds and open space as well as to protect the health, safety and welfare of the residents and the environment, in particular the health of Base Line Lake.

- i. Dwelling: Single Family Detached.
- ii. Family Day-Care Home.
- iii. Home Occupation.
- iv. State Licensed Residential Facility.

- i. Group Day-Care Home.
- ii. Recreational Park.
- iii. Recreational Facility

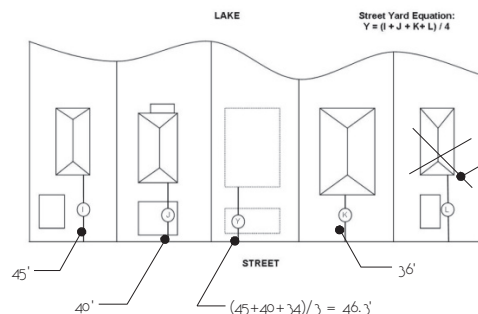
To prevent encroachments and maintain the integrity of setbacks as defined in Article 2 of this Ordinance, all setbacks shall be measured from the property line to the nearest portion of the structure, including eaves, porches and attached accessory buildings, per Section 13.15.B, excluding decks as specified below.

Where the setback is determined by the average of the setbacks on adjacent and nearby zoning lots, the distances may be determined by one of the following methods: sealed surveys of the properties, measurements from aerial photographs, or other methods approved by the Zoning Administrator. The method used for determining average setbacks must be noted on the drawings submitted for the preliminary certificate of zoning compliance.

- | | | |
|------|--|--------------------|
| i. | Minimum Lot Area - Ten thousand (10,000') square feet. | LE7 UILEMENT MET ✓ |
| ii. | Minimum Lot Width - Fifty (50') feet. | LE7 UILEMENT MET ✓ |
| iii. | Maximum Lot Coverage - Thirty (30%) percent. | LE7 UILEMENT MET ✓ |

- iv. Minimum Front (Street) Yard for principal building- Front, side, or rear yard abutting a public or private road: the average of the distances from the street right-of-way to the street-facing façade closest to the street of the principal buildings on the four zoning lots closest to the subject site on the same side of the street (see illustration below).

~~The front (roadside) setback requirements for principle and secondary structures do not apply to lots where the center of principle structure rear (lakeside) façade is greater than 150 feet from established lake shoreline (seawall) and lot maximum side dimension is greater than 250 feet. Only minimum front (roadside) street yard requirement (5 feet) and minimum side yard requirement for all structures must be met.~~



USED
SULLEY

LE7 UILEMENT MET ✓
LE7 UILEMENT MET ✓
LE7 UILEMENT MET ✓

USED NEVLEST TWO
YOUSES TO SOUTY -
- ONPY ONE YOUSE.
TO NOLTY ECISTING
IN TYF ROUNTY

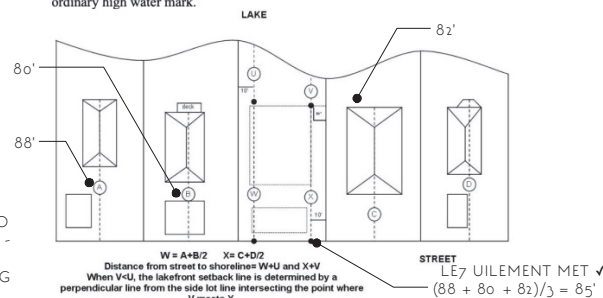
- NO SEROND
NEIGYBOL TO
NOLTY (ROUNTY
PINE)

- v. Minimum Rear (Lake) Yard for principal building – The intent of the minimum rear yard setback regulations is to maintain the established building wall facing Base Line Lake. The lakeside setback will be determined by the following procedure, based on the accompanying illustration:

- a. **Potential Minimum Rear (Lake) Yard** – One of the potential minimum rear lake yards will be determined by the average of the distance from the street right-of-way line to the centerpoint of the façade of the principal buildings (including building projections such as french windows and attached accessory buildings) facing the lake on the two zoning lots to the left of the subject site (distance “W” on below illustration). The second potential minimum rear lake yard will be determined using the same method using the distances on the two zoning lots to the right of the subject site (distance “X” on below illustration). The measurements identified as “W” and “X” shall each be taken ten feet (10’) from the nearest, parallel lot line although the sideyard setbacks remain as five and ten feet each.

- b. Selection of Minimum Rear (Lake) Yard Control Point - Whichever of the two averaged distances results in a point closest to the ordinary high water mark will determine the control point for the establishment of the minimum rear (lake) yard line so that when "V" measures less than "U", the point where "V" meets "X" is the control point.

- c. **Minimum Rear (Lake) Yard Line** – The minimum rear (lake) yard line, behind which all building on the lot must occur, is determined by drawing a line perpendicular to the nearest side lot line from this control point to establish the lakeside setback from the ordinary high water mark.

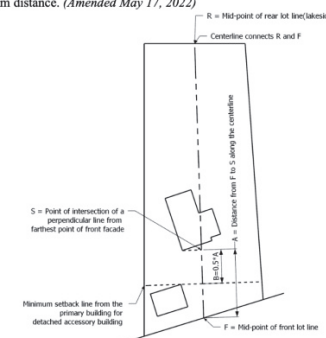


- vi. Maximum Height Principal Structure – Thirty-five (35') feet. LE7 UILEMENT MET ✓
- vii. Minimum Side Yard for all Structures – Ten (10') feet one side with no encroachments (buildings, trees, bushes) to allow unimpeded access to the lake; five (5') feet for the other side yard, with a minimum of fifteen (15') between the structures and any structure on the abutting property. LE7 UILEMENT MET ✓

- viii. **Deck Regulations:**
- a. Location: Decks are allowed in all yards.
 - b. Minimum side yard – See minimum side yard for all structures.
 - c. Maximum encroachment into rear (lake) yard - No deck shall extend beyond twenty (20') feet beyond the rear (lake) façade.
 - d. Maximum encroachment into the front (street) yard – For properties with no front yard detached structures, no deck shall extend beyond twenty (20') feet beyond the front (street) façade. If a detached structure exists in the front yard, no deck shall extend beyond the street side wall of the structure.
 - e. Maximum deck height: Thirty (30'') inches. The deck height shall be measured at the perimeter of the deck and the highest point shall be used for determining deck height. If the deck height exceeds thirty inches, the deck shall become part of the building structure and subject to the calculation of yard setbacks.

- ix. Detached Accessory Structure Regulations

- a. Maximum Height - Twenty-five (25') feet.
- b. Location - Front (street) and side yards only. No detached accessory structures are allowed in the front (lake) yards.
- c. Minimum Front (Street) Yard - Five (5') feet.
- d. Minimum Side Yard - See minimum side yard for all structures.
- e. Distance from Front façade of Principal Structure - Rear (lakeside) façade of the detached accessory structure shall be setback a minimum of 50% of the distance between the mid-point of the front lot line to the farthest point of where the front façade of the primary building meets the centerline at a perpendicular, measured along the centerline of the lot. Centerline is the line that connects the midpoints of the front and rear lot lines. See the illustration for methodology for measuring the minimum distance. (Amended May 17, 2022)



- x. **Parking-** A single family dwelling shall provide at least one on-site parking space.



Washtenaw County Parcel Report

Parcel ID: C-03-06-115-004

Report generated 3/26/2024 10:44:16 AM

Parcel Information

PIN: C-03-06-115-004
CVT Code: C
CVT Description: TOWNSHIP OF WEBSTER
School: 81050 , DEXTER COMMUNITY SCHOOLS
Property Class: 401 , RESIDENTIAL

Property Information

Address: 9869 LEACH LN
DEXTER , MI 48130

Owner Information

Owner: ELNER VICTOR M & SUSAN G
Address: 1495 MOREHEAD DR
ANN ARBOR , MI 48103



Parcel highlighted in blue

Homestead Information

Homestead Percent: 0%

Values

Assessed Value: \$ 396300 **SEV:** \$ 396300
Capped Value: \$ 246617 **Taxable Value:** \$ 246617

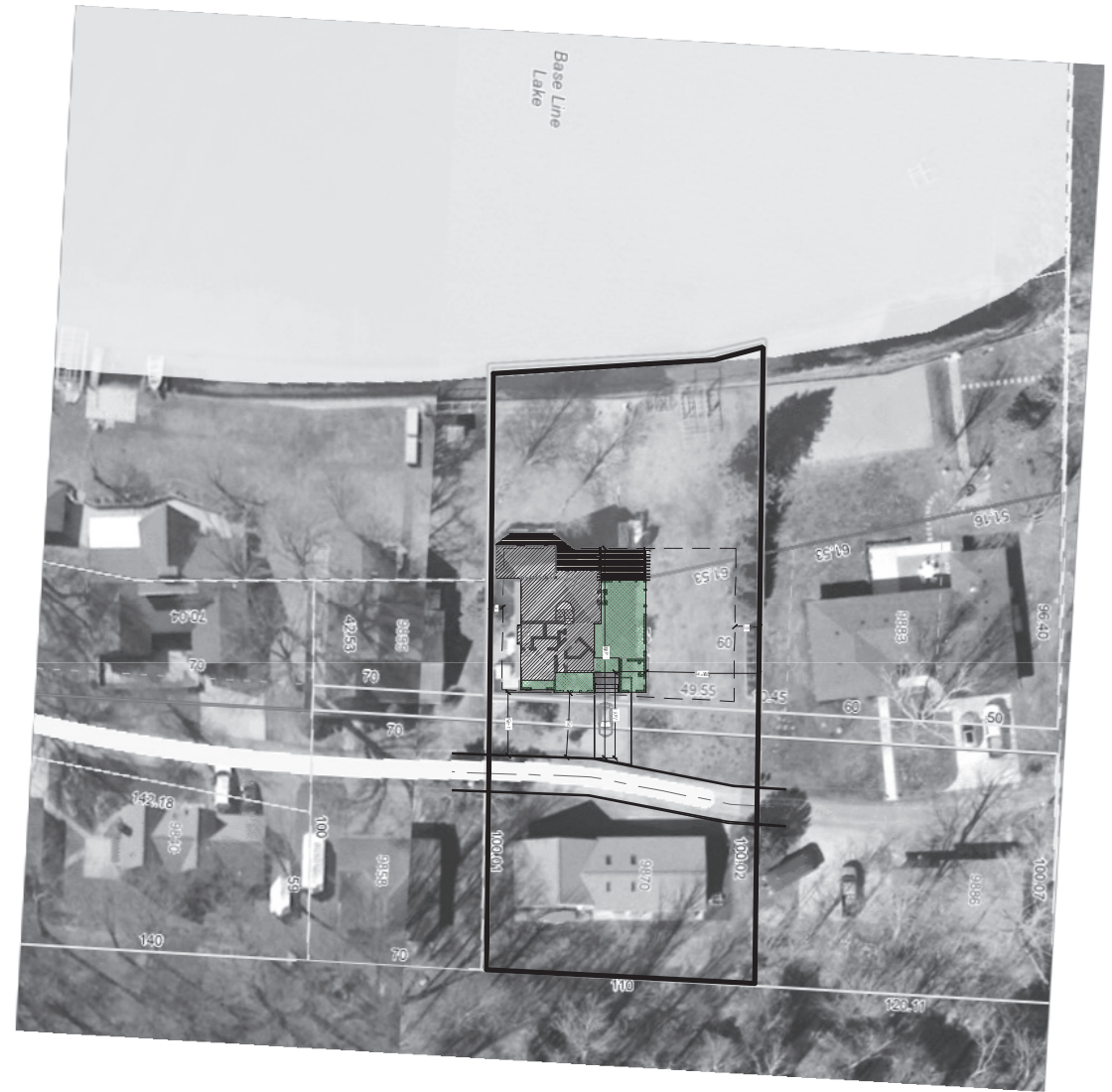
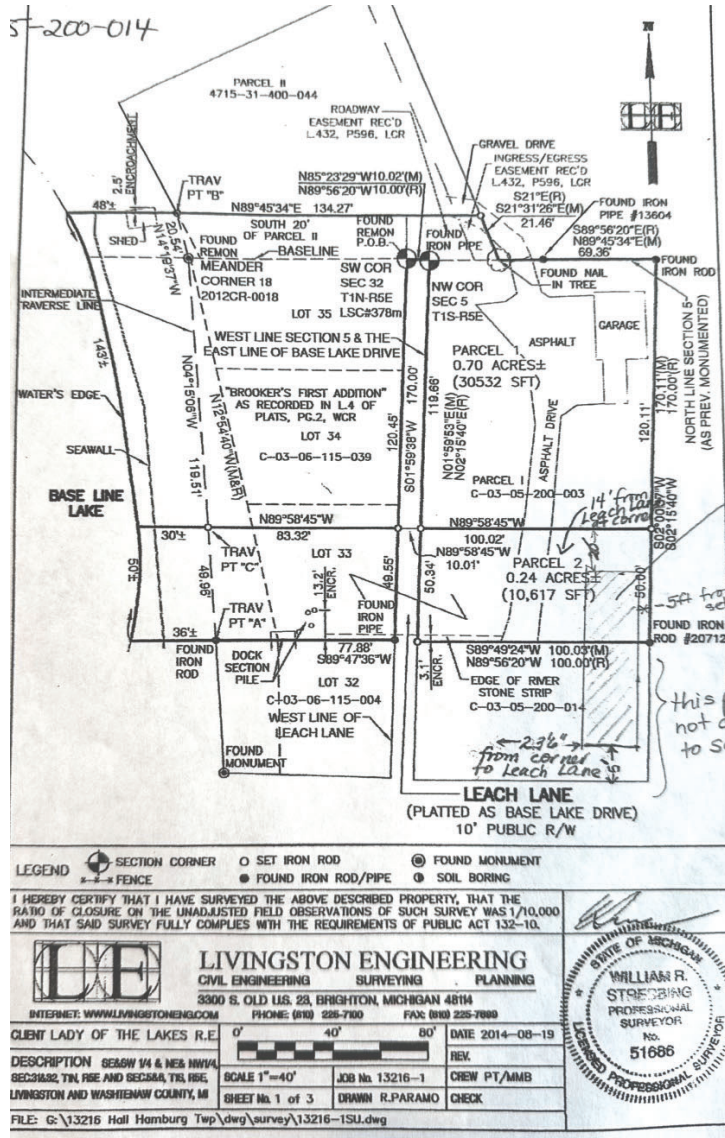
Drain Assessment (not incl. drain debts)

Year	Drain Name	Amount
2012	PORTAGE BASELINE L.L.	\$ 25.35
2013	Portage-Baseline L.L.	\$ 20.94
2014	Portage-Baseline LL	\$ 23.02
2010	Portage-Baseline L.L.	\$ 21.40
2015	Portage-Baseline LL	\$ 25.46
2016	Portage-Baseline LL	\$ 24.87
2017	PORTAGE BASELINE LL	\$ 17.40
2018	CHAIN OF LAKES LIP	\$ 173.00
2018	PORTAGE BASELINE LL	\$ 37.84
2017	CHAIN OF LAKES LIP	\$ 86.50
2019	PORTAGE BASELINE LL	\$ 46.01
2019	CHAIN OF LAKES LIP	\$ 173.00
2020	CHAIN OF LAKES LIP	\$ 173.00
2020	PORTAGE BASELINE LL	\$ 28.83
2021	CHAIN OF LAKES LIP	\$ 173.00

Sales (last 3 max)

Date	Sale Price	Type
10/17/2011	549000	WARRANTY DEED
08/09/1994	0	WARRANTY DEED

This report is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
Washtenaw County Equalization Department: (734) 222-6662
Office of the Washtenaw County Water Resource Commissioner: (734) 222-6860

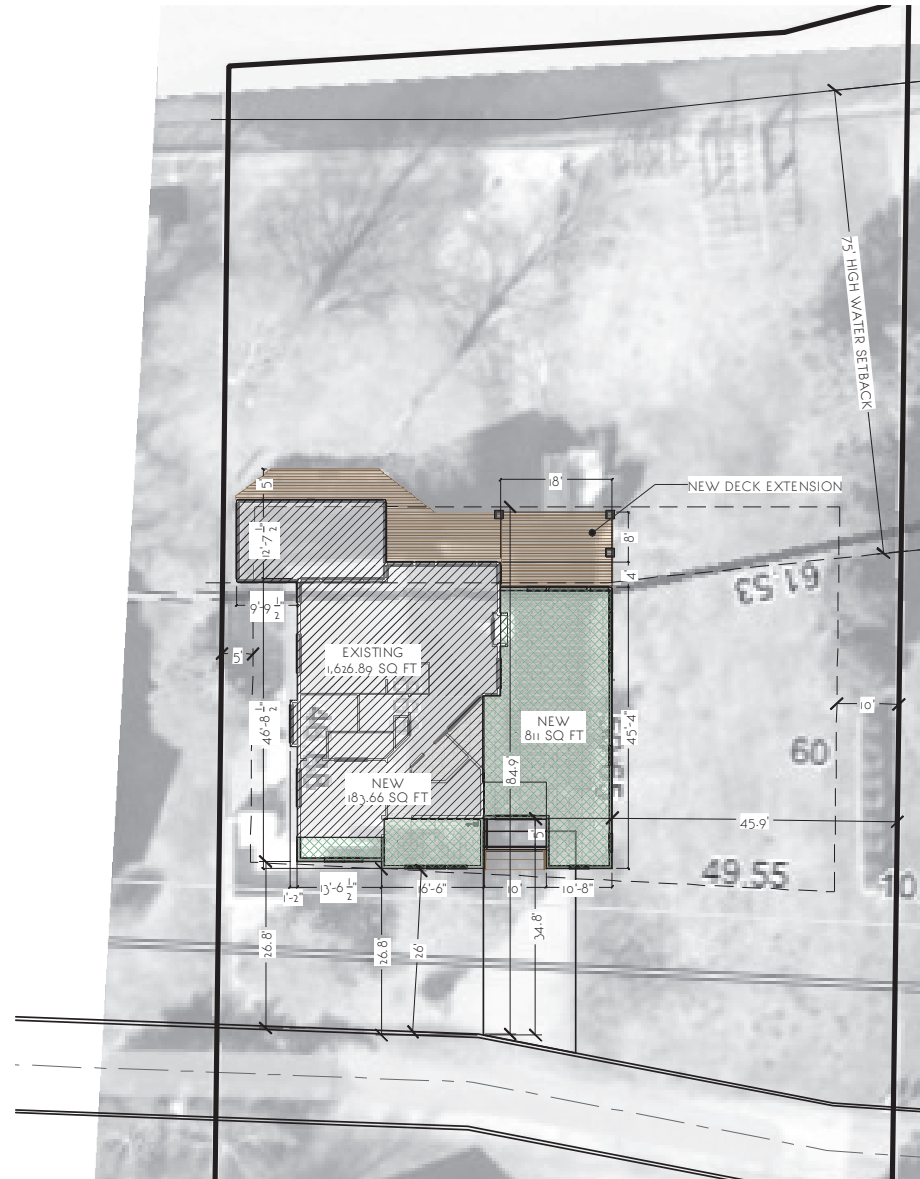


OVERVIEW SITE PLAN

THE ELNER ADDITION PROJECT

SITE PLAN REVIEW
 JULY 17, 2024





 ENLARGED SITE PLAN
1" = 20'

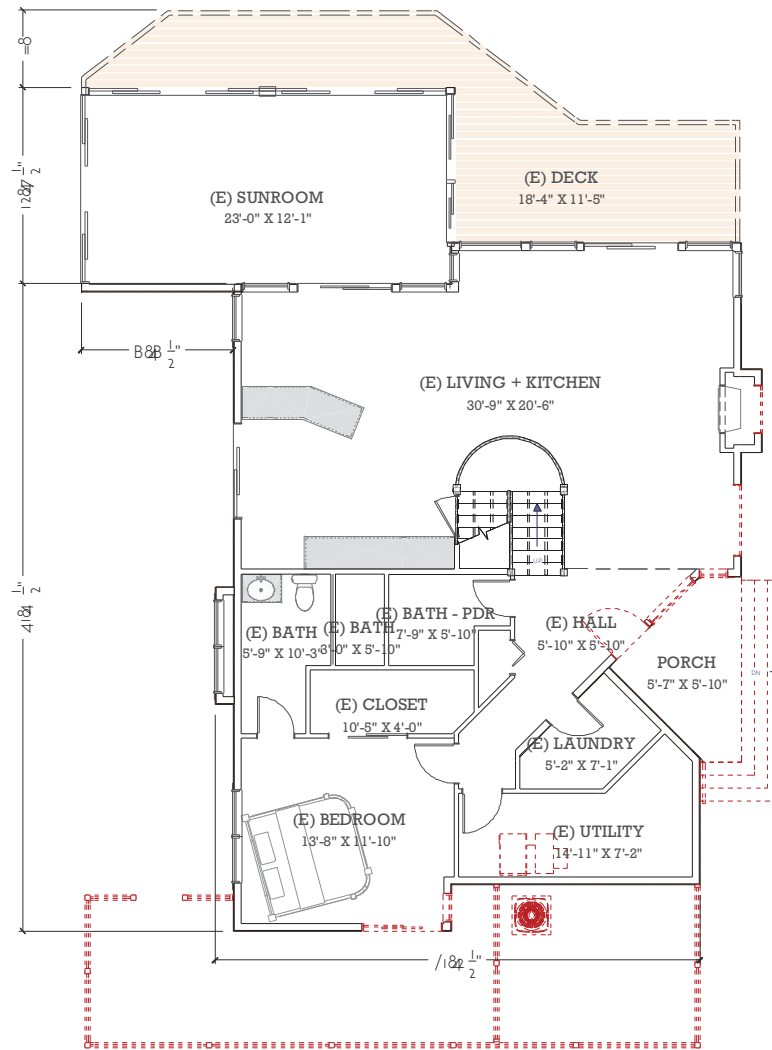
1 - SUMMARY

(E) LIVING + KITCHEN	51=
(E) 6EDROOM	1. 0
(E) HALL	87
(E) 6ATH 4PDR	44
(E) CLOSET	45
(E) 6ATH	21
(E) FP	1/
(E) 6ATH	=8
(E) LAUNDRY	45
(E) 6AY 46ATH	11
(E) UTILITY	108
(E) PANTRY	/4
(E) CLOSET	10
TOTALS:	12. =

1 - GARAGE

1 - OUTDOOR

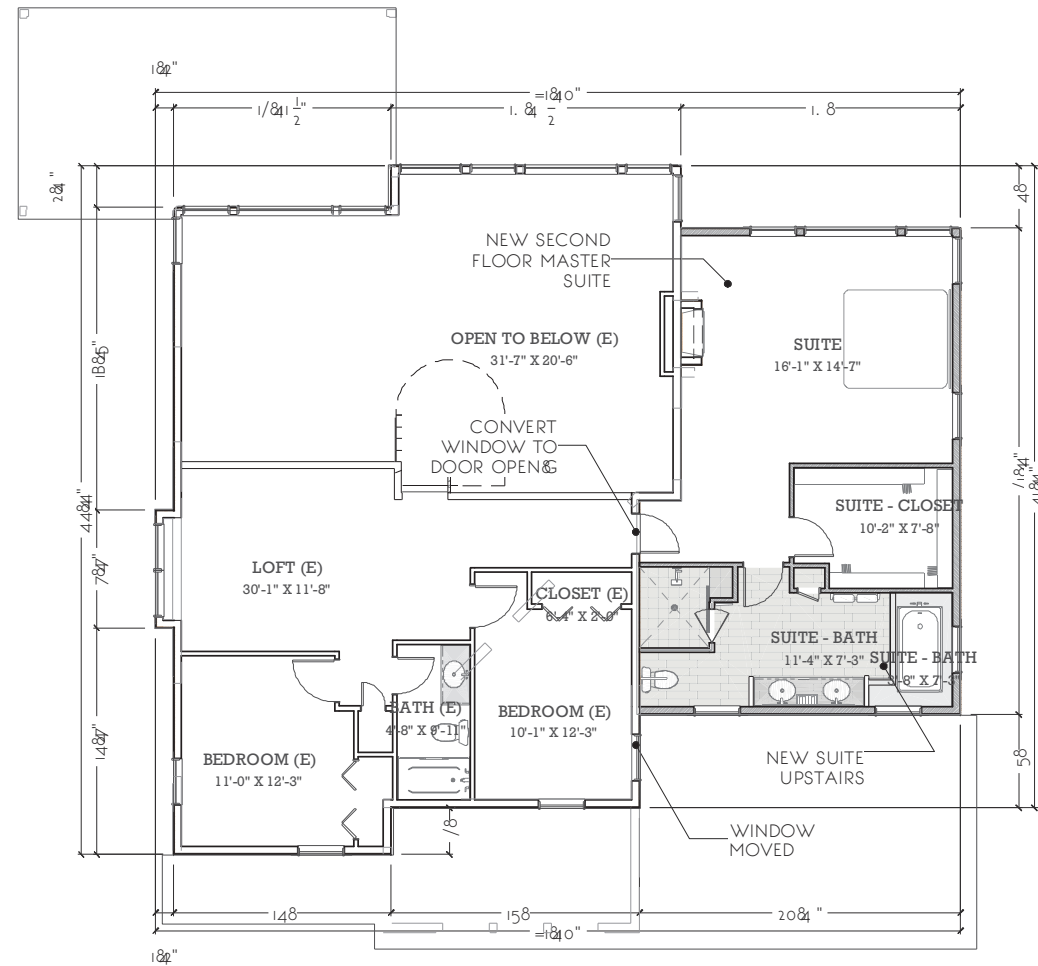
PORCH	55
(E) DECK	2. 7
(E) SUNROOM	/01
TOTALS:	5=4



 FIRST FLOOR (E)
1/4" = 1'-0"

2 - SUMMARY

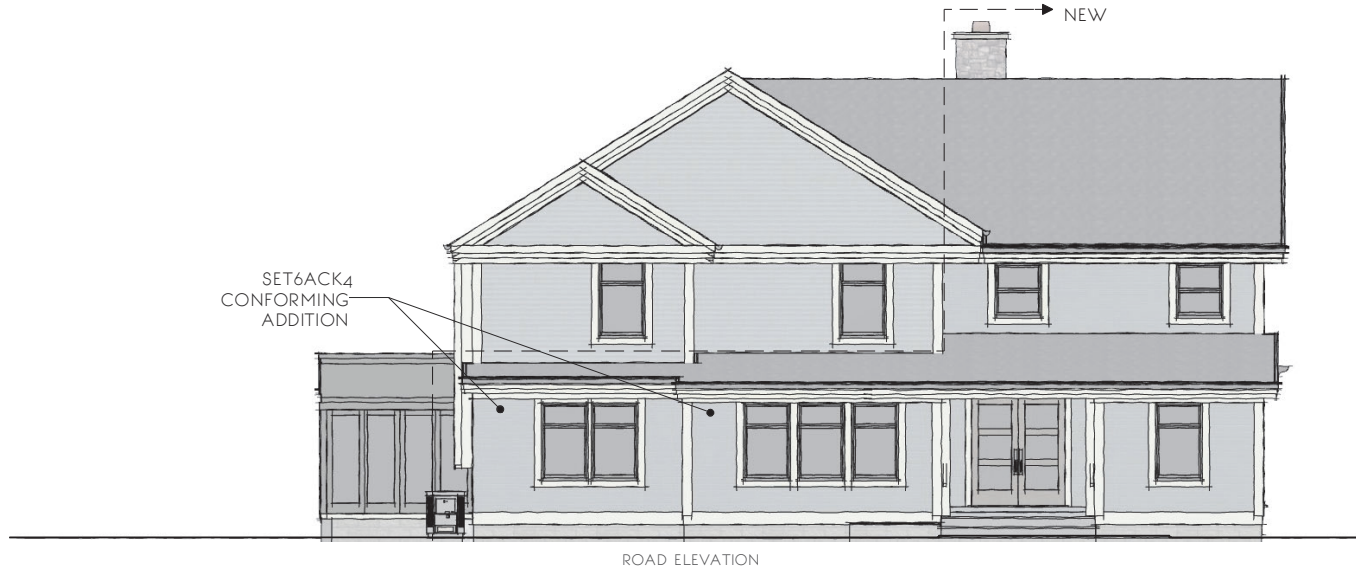
SUITE 4CLOSET	.4
LOFT (E)	2B
6EDROOM (E)	147
FP (E)	5
6EDROOM (E)	147
6ATH (E)	=/
CLOSET (E)	1=
CLOSET (E)	7
CLOSET (E)	15
SUITE 46ATH	11=
SUITE 46ATH	/0
SUITE 4CLOSET	4
SUITE	//7
SUITE 46ATH	/.
TOTALS:	12B.



SECOND FLOOR



ELEVATIONS (E)
1/4" = 1'-0"



ELEVATIONS

1/4" = 1'-0"

THE ELNER ADDITION PROJECT

SITE PLAN REVIEW
JULY 17, 2024



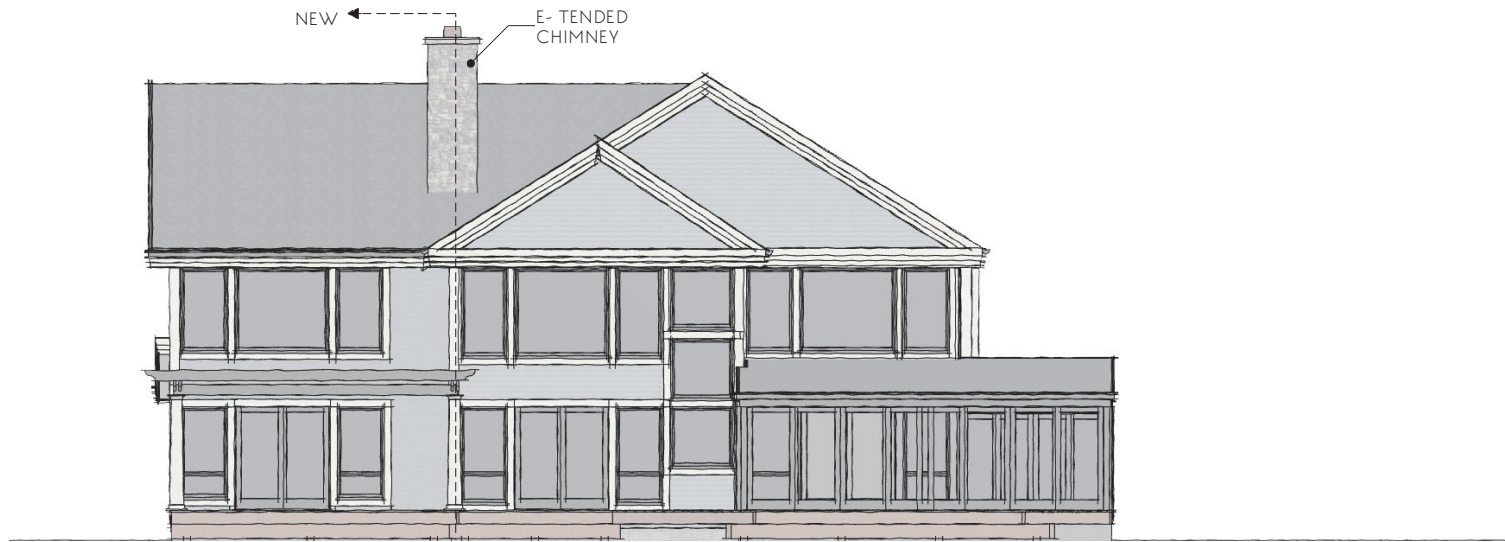


LAKESIDE ELEVATION



FRONT ELEVATION

ELEVATIONS (E)
1/4" = 1'-0"

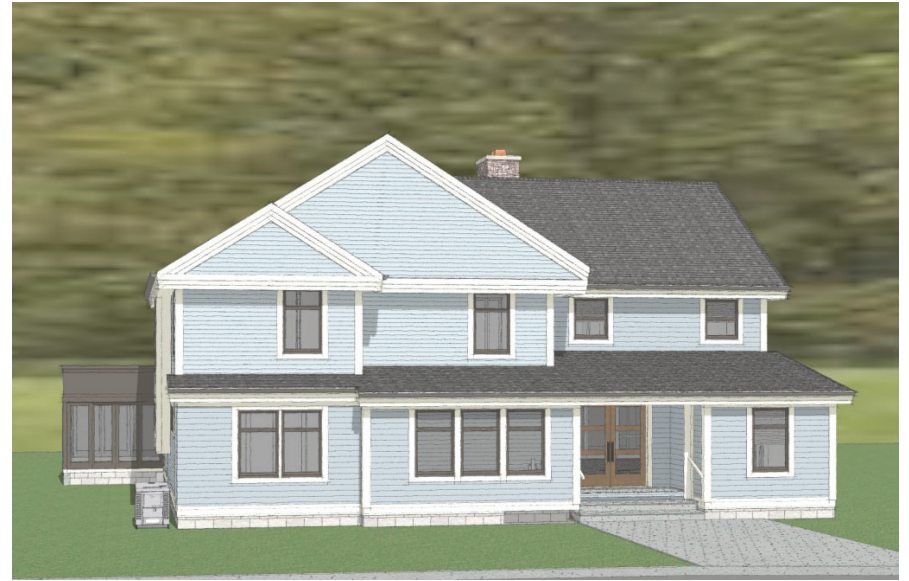


LAKESIDE ELEVATION



FRONT ELEVATION

ELEVATIONS
14' " x 18' "



THE ELNER ADDITION PROJECT

SITE PLAN REVIEW
JULY 17, 2024



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Memorandum

8249 SCULLY ROAD (C-03-10-300-007): 24-ZBA-002

Date	July 22, 2023=4
To	Webster Township Zoning Board of Appeals
From	Sri Ravali Komaragiri, AICP, Township Planner & Zoning Administrator
Site	8249 SCULLY ROAD
Parcel ID	C-03-10-300-007
Zoning	Agriculture (AG)
Owner	Vincent and Melissa Due Duhaime
Applicant	Vincent and Melissa Due Duhaime

REQUEST FOR APPROVAL

Vincent and Melissa Due Duhaime are seeking approval for expanding an existing legal non-conforming single-family dwelling per sec.13.90. I. expansion and extension of nonconforming structure.

ZONING SUMMARY

Why is the single-family dwelling located on the subject property considered non-conforming?

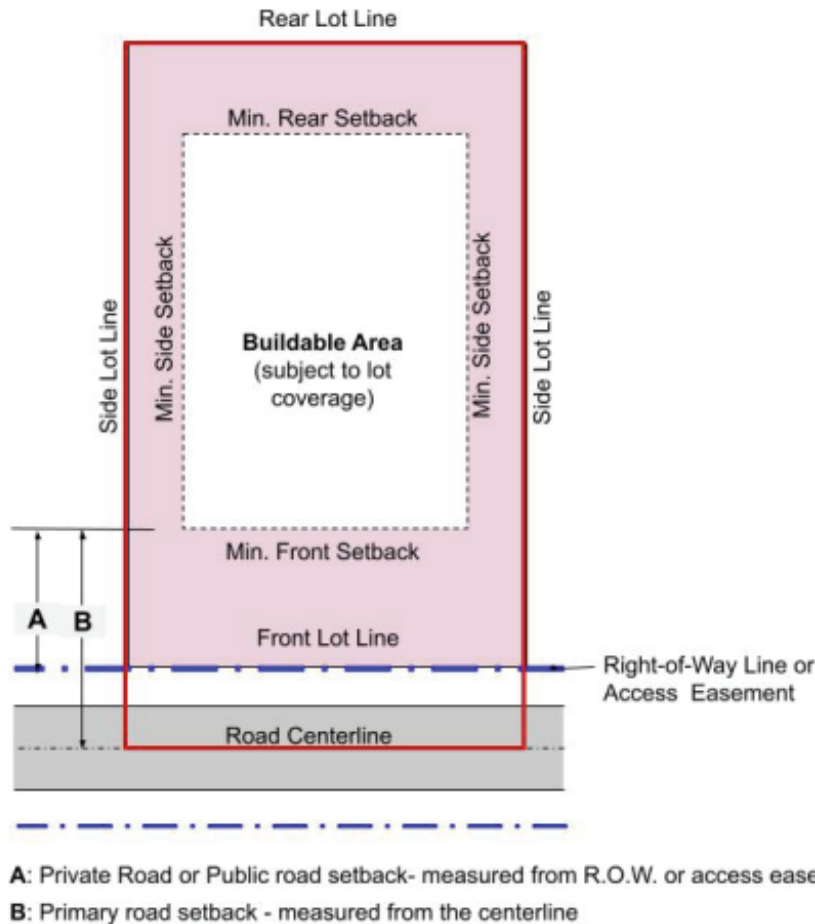
- Section 2.10. Definitions. Nonconforming Structure. A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the provisions of this Ordinance relative to height, bulk, area, placement or yards for the zoning district in which it is located. Such building and/or structure may be further defined as provided by statute and/or case law.
- Sec. 9.10. D. v. Minimum Yards - Front, Side or Rear Yard abutting a Public or Private Road: sixty (60') feet. The front part of the existing house is within the minimum required yard for Scully Road. A minimum of 96' is required from centerline of Scully Rd, the existing house is setback 69 feet. (See image on next page)

The board may refer to the applicant for any background that resulted in the non-conformities listed above.

Why is the applicant seeking approval of the proposed expansion?

- The applicant is proposing to expand the existing single-family dwelling to create more living space to accommodate their family. Please refer to the completed questionnaire for more information.
- The existing home is a one-story two story 4-bedroom dwelling measuring 1,300 sq.ft. The applicant is proposing to add 900 sf. of building expansion, which he states is within the existing footprint.

13.90.I. Expansion and Extension of Nonconforming Structure. A nonconforming structure, no matter what type of use, may only be expanded or extended with approval from the Board of Appeals per the procedures in Section 13.90 (O). A structure that does not conform to zoning ordinance regulations shall not be substituted for, or replace, any conforming or nonconforming structure.



Does the expansion conform to all applicable standards?

Yes. The proposed expansion complies with all other zoning standards.

STANDARDS OF REVIEW: EXPANSION AND EXTENSION OF NONCONFORMING STRUCTURE

In considering this request, the board shall determine if each of the following standards is met.

Standard and Burden - Nonconforming Structure. (13.90.O.(5)(b)). *The applicant shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact.*

A. *Retention of the nonconforming structure is reasonably necessary for the proposed improvement or that requiring removal of such structure would cause undue hardship.*

Suggested question for the board to consider. Can the encroaching part of the structure be removed without causing undue hardship to remove non-conformity or reducing non-conformity?

B. *The proposed improvement is reasonably necessary to be able to continue to use the lot.*

Suggested question for the board to consider. Are all the proposed expansion areas (bedroom, game room, deck, etc.) necessary for the continued use of the property, as explained in the applicant's questionnaire?

C. *The proposed enlarged or otherwise improved nonconforming structure will not adversely affect the public health, safety and welfare.*

Planner Comments.

1. The findings of fact shall be based on all information presented from the application, written request for appeal, zoning ordinance, physical characteristics of the parcels, observations from site visits, summary presented in the staff report and hearing testimony.

2. In approving the application, the Board of Appeals may impose reasonable conditions. The conditions may include those necessary (Sec. 13.90.O(6)).
- To protect the natural environment and conserve natural resources,
 - To further compatibility with adjacent land uses, and
 - To promote the use of land in a socially and economically desirable manner.
 - A condition may include site plan review by the planning commission.

EFFECT OF APPROVAL (13.90.O(7)).

Approval of a structural change shall expire at the end of one hundred eighty (180) days, unless a certificate of zoning compliance authorizing construction has been obtained and construction has started and proceeds to completion in accordance with the terms of the certificate of zoning compliance

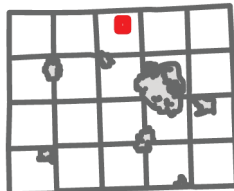
SUPPORTING MATERIALS PROVIDED BY THE APPLICANT

The applicants have provided the following information to support their request.

- Completed application form. All fees are paid.
- Completed questionnaire.
- Existing and proposed floor plan and elevations.
- Photographs
- The applicant has been advised to stake the property.



8249 Scully Road



1: 9,600

7/19/2024

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.

JUN 20 2024

Received



WEBSTER TOWNSHIP

5665 Webster Church Road, Dexter MI 48130, (734) 426-5103, www.webstermi.us

Application for Zoning Board of Appeals

Prior to applying, it is recommended to call the Zoning Administrator at 734-426-5103 or via e-mail zoningadmin@webstermi.us to discuss submittal requirements.

WHAT IS THE ZONING BOARD OF APPEALS?

The ZBA consists of five (5) members appointed by the Webster Township Board of Trustees. The Michigan Zoning Enabling Act of 2006 gives the Zoning Board of Appeals the power to do the following:

1. Hear appeals to grant variances from the requirements set forth in the Zoning Ordinance.
2. Render decisions based on interpretation of text contained within the Zoning Ordinance.
3. Render decisions based on interpretation of the boundaries contained within the Zoning Map.
4. Hear appeals of an administrative order, requirement, decision or determination made by an administrative official charged with the enforcement of the Zoning Ordinance.
5. Approval of changes, re-establishment expansion of non-conforming lots and structures.

The ZBA does not have authority to hear an appeal by an aggrieved person regarding a decision of the Township Board on an application for special use or site plan review. The ZBA does not have the authority to grant a land use variance.

ADMINISTRATIVE USE ONLY

Fee	\$815	\$815 per each request	Date Paid	6/20/24	Permit No	24-ZBA-003
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SUBJECT PROPERTY

Parcel ID	C - 03 -10 - 300 - 007	Lot Size	11.41 acres	Zoning	AG
Site Address	8249 Scully Rd, Dexter MI 48130				
Current Use	Residential				

APPLICANT

Company Name (If any)					
Primary Contact	Vincent Deneff and Melissa Dude Duhaime				
Mailing Address	8249 Scully Rd				
Phone Number	5102772919	E-mail	lissvin.dude@gmail.com		

PROPERTY OWNER (Leave blank if same as the applicant)

The application must be signed by all person(s) whose name(s) appear on the deed to the Subject Property. If applicant is not the property owner, you must attach a completed "Letter of Authorization to apply"

Property Owner(s)	Vincent Deneff and Melissa Dude Duhaime				
Mailing Address	8249 Scully Rd, Dexter, MI 48130				
Phone Number	5102772919	E-mail	lissvin.dude@gmail.com		

Webster Township Zoning Board of Appeals Application

TYPE OF REQUEST (Check all that apply)

<input type="checkbox"/> Dimensional Variance (1)	<input type="checkbox"/> Dimensional Variance (2)	<input type="checkbox"/> Dimensional Variance (3)
<input type="checkbox"/> Text Interpretation	<input type="checkbox"/> Map Interpretation	<input type="checkbox"/> Use Classification
<input type="checkbox"/> Appeal: Zoning Administrator Decision	<input type="checkbox"/> Appeal: Zoning Enforcement Officer Decision	<input type="checkbox"/> Appeal: Planning Commission (site plans only)
<input checked="" type="checkbox"/> Non-conforming structures: Expansion	<input type="checkbox"/> Non-conforming structures: Re-establishment	<input type="checkbox"/> Non-conforming structures: Repair
<input type="checkbox"/> Non-conforming uses: Expansion	<input type="checkbox"/> Non-conforming uses: Re-establishment	<input type="checkbox"/> Other

Briefly describe the nature of your request(s): Complete and attach related Questionnaire

Current house is ~1,300 square feet. We moved to the current address in 2023 with a family of 5, with the intent to expand the house to make it the size appropriate for us to live in. Upon submitting zoning permit application, we learned the house is 10-15' too close to the road based on current zoning ordinances. Current addition plan adds ~900 square feet in a single story, all further than the required minimal distance from the road and other property boundaries. Also, most of this 900 square feet is in the footprint of a currently existing screened in porch, deck, and covered porches.

BURDEN OF PROOF

The applicant has the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact.

SUBMITTAL CHECKLIST

Failure to provide the required information will result in an incomplete application and may cause a delay or cancellation of the Public Hearing and/or determination by the ZBA.

Included	N/A	ITEM
<input type="checkbox"/>	<input type="checkbox"/>	1. Cash or check made payable to "Webster Township". \$815 per each request.
<input type="checkbox"/>	<input type="checkbox"/>	2. One (1) copy of the following both in printed for and a PDF format:
<input type="checkbox"/>	<input type="checkbox"/>	a. Mortgage survey or land survey for residential requests.
<input type="checkbox"/>	<input type="checkbox"/>	b. Site plan of a scale that clearly depicts all the required information to support your request and is easily legible.
<input type="checkbox"/>	<input type="checkbox"/>	c. Completed questionnaire to address ZBA's decision criteria. Refer to Article 6 of Webster Township Zoning Ordinance.
<input type="checkbox"/>	<input type="checkbox"/>	d. Building plans and elevations or other plans as needed.
<input type="checkbox"/>	<input type="checkbox"/>	e. Photographs and exhibits to support your request.
<input type="checkbox"/>	<input type="checkbox"/>	f. Other supporting documents, such as, but not limited to, contracts, agreements, correspondence from other agencies.
<input type="checkbox"/>	<input type="checkbox"/>	g. Additional information as necessary, if requested by the ZA at a pre-application meeting.

Once the zoning administrator verifies the completeness of the application, the ZA will request additional six (6) copies for distributing to the Zoning Board of Appeals.

Webster Township Zoning Board of Appeals Application

ZONING BOARD OF APPEALS PROCEDURE

1. Within 10 business days of receipt of the application, the Zoning Administrator and the ZBA chairperson shall review the application for completeness.
2. If deemed necessary, the Zoning Administrator will notify the applicant in writing about any additional information required by the Township to deem the application "complete," and if any escrow amount is necessary.
3. Following this, the Chairperson will confirm the date of the ZBA meeting.
4. Upon confirmation of the application's completeness, the Zoning Administrator will request an additional six (6) copies for distribution among the members of the Zoning Board of Appeals.
5. Notice shall be provided in accordance with Section 3.40 of Webster Township Zoning ordinance.
6. The applicant is responsible for marking the property as indicated in the application, no later than 15 days prior to the scheduled hearing.
7. Members of the Zoning Board of Appeals may conduct a site visit, individually, to facilitate their review.
8. The Zoning administrator shall review the application and provide a summary of review to the ZBA along with the application and record documents to the Members of the Zoning Board of Appeals.
9. The Zoning Board of Appeals will hold the scheduled public hearing in accordance with the regulations specified in the Bylaws of the Board of Appeals.
10. Following the hearing, or at a subsequent meeting, the members of the Board of Appeals may engage in discussions and/or render their decision. The Board reserves the right to adjourn the hearing to procure additional information if necessary.

ESCROW DEPOSIT

6.05. B. (10). The Zoning Administrator shall establish an amount, if any, to be deposited by the applicant with the Township Clerk as an escrow deposit to defray the anticipated costs incurred by the Township to review and process the application.

STAKING

The Applicant must place clearly visible stakes where the relevant property lines are located and stakes showing the location of any proposed structure that is the subject of the Application. These stakes must be in place at least two (2) weeks prior to the public hearing on the application. Failure to stake will result in the cancellation or postponement of the Public Hearing and/or the postponement of the determination.

RIGHT OF ENTRY

The filing of this application shall constitute permission from the owner/applicant to the entry of Township officials, employees, agents, and/or representatives to complete an on-site investigation of the subject property for purposes related to this application.

SIGNATURES

I do hereby attest that all statements, signatures, descriptions, and exhibits submitted on/or with this application are true and accurate to the best of my knowledge and I am the property owner or I am authorized to file this application and act on behalf of the property owner and I have attached a letter of authorization to apply from the owner who grants me permission to act on his/her behalf.



Signature of Applicant

June 18, 2024

Date

NON-CONFORMING STRUCTURES (Sec. 13.90)

A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the provisions of this Ordinance relative to height, bulk, area, placement or yards for the zoning district in which it is located. Such building and/or structure may be further defined as provided by statute and/or case law.

The Board of Appeals or the Zoning Administrator has authority to provide for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures upon terms and conditions provided in Section 13.90 of Township Zoning Ordinance.

Address	8249 Scully Rd, Dexter, MI 48130
Parcel ID	C-03-10-300-007
Zoning	AG
Proposed Use	Residential

The applicant shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact. Explain how your request meets the following standards of approval? Use a separate paper if necessary.

1. Retention of the nonconforming structure is reasonably necessary for the proposed improvement or that requiring removal of such structure would cause undue hardship

We currently live in the existing house that is non-conforming based on its distance to the road. We do not have the monetary means to build an entirely new home in another location on the property but can afford adding modestly to the house to ensure it fits our needs. We also invested significant amounts of money in removing vermiculite insulation (likely asbestos containing), re-insulation, chimney repair, and replacement of falling apart windows to enable us to move in the current house that would be lost if we had to build another structure.

2. The proposed improvement is reasonably necessary to be able to continue to use the lot.

We currently live in the existing structure with 2 adults and 3 children. The house has only three bedrooms, which is insufficient for a family our size, creating increased stress in our family, due to having to share too little space across the 5 of us. Adding the space to meet our needs is necessary for us to keep living here. We purchased the property because of the land and AG zoning allows for us to establish a small farm, knowing the house as it was would not suit our needs, but with a modest expansion could do so. While the burden on knowing the ordinances is on the homeowner, the zoning non-compliance was not communicated at the time of sale.

3. The proposed enlarged or otherwise improved nonconforming structure will not adversely affect the public health, safety and welfare.

The addition is on the back of the current structure and will barely be visible from the road. In fact, it is mostly replacing the footprint of current structures attached to the house (screened-in porch, deck, concrete slab covered porches) that are within an area compliant to zoning rules. It will not affect any waterways, lines of view for road traffic, or the views of our neighbors. As it is modest in size and further away from the neighbor's lot than the current house boundary, and mostly replaces current footprints of existing attached structures, it will also not negatively affect the neighbors any more than the current structure does.

Legal description:

HA 06/24/95 *OLD SID - C 03-010-016-00 WE 10-12B-2 COM AT S 1/4 COR,
 TH N 0 DEG 20' 30" E 667.2 FT ON NS 1/4 LN TO POB, TH N 0 DEG 20' 30" E 366.6 FT,
 TH N 89 DEG 30' W 1349.66 FT, TH S 0 DEG 33' W 369.79 FT,
 TH N 89 DEG 31' E 1350.36 FT TO POB PART SW 1/4 SEC 10 T1S R5E. 11.41 AC.



C-03-10-300-007
 Vincent Deneff
 Melissa Dude Duhaime
 8249 Scully Rd, Dexter, MI 48130
 510-277-2919



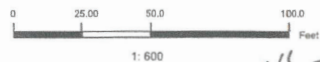
C-03-10-300-007

Vincent Denef

Melissa Dude Duhaime

8249 Scully Rd, Dexter, MI 48130

510-277-2919



2/8/2024



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 assessment and zoning 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.

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 734-252-4862.

ZBA - 8249 Scully Rd: site photographs

West side of house: side of house expansion. Note the existing screened in porch, deck and covered porch that will be demolished to be replaced by the new structure, which will extend 14-22' from the current main house. The expansion will not extend beyond current northern boundary of the house that is facing the nearest neighbor's lot.

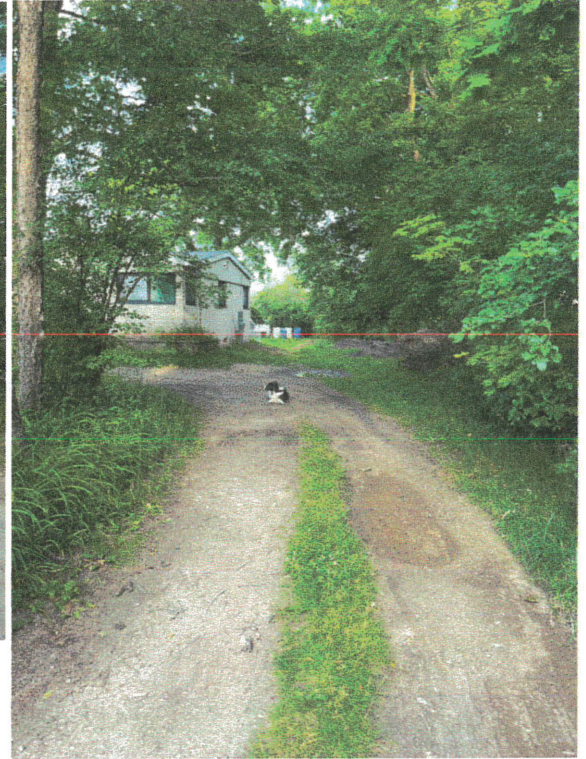


Picture from southern side of the house. Expansion on this side will replace and expand current concrete covered patio, stairs and path. Note the (to be demolished) foundation wall in the grass on the south side, remnant of a previous carport that marks the edge of where the new living space structure of the west side addition will end in the southwest corner.



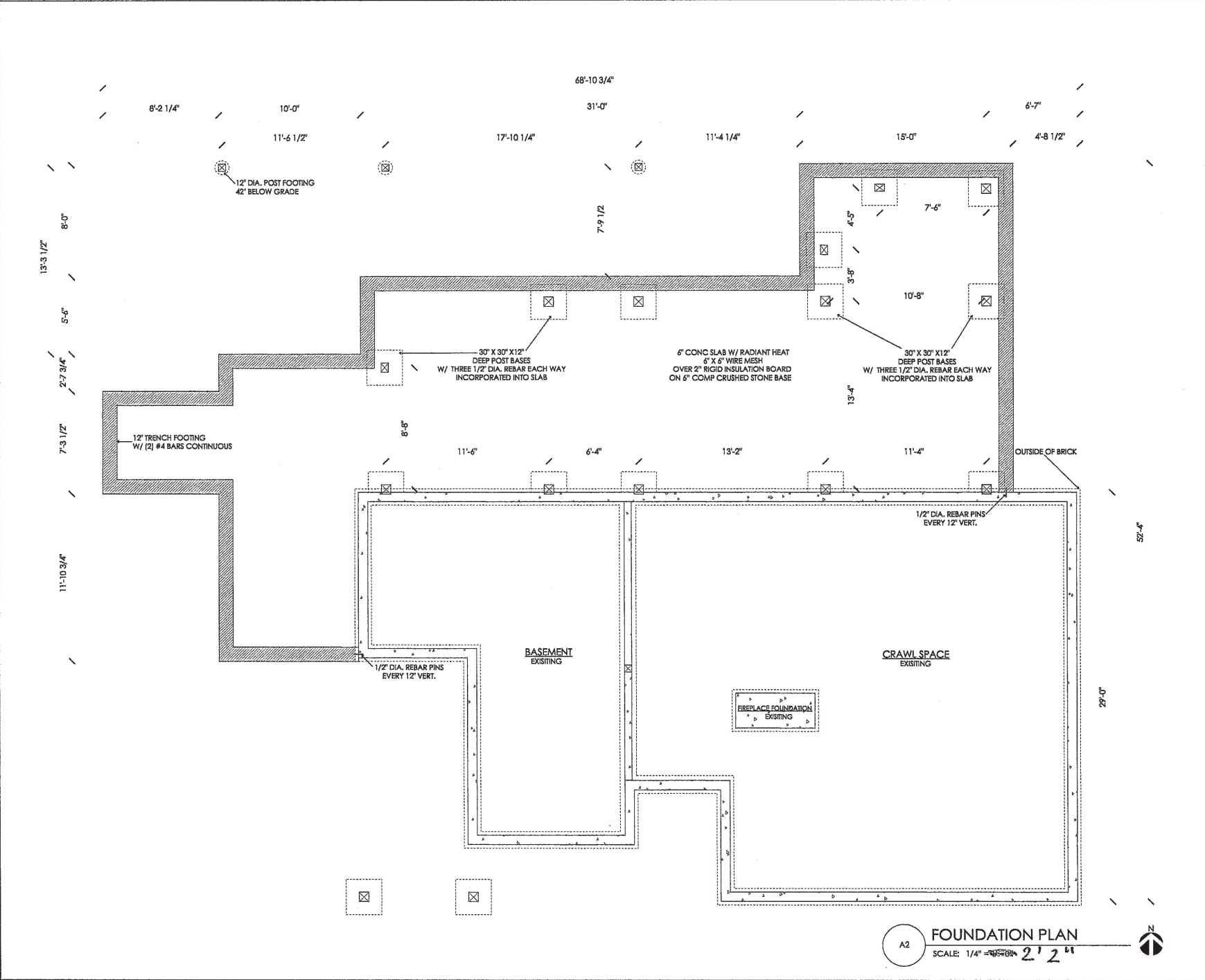
ZBA - 8249 Scully Rd: site photographs

View from street



North side of house showing distance to road and edge of neighbor lot





8249 Scully Rd
Dexter, MI 48130

Timberframe/Strawbale
Addition



1334 Sheehan
Ann Arbor MI
48104
734 223 5153

DATE: 05/08/2024
SCALE: 1/4" = 1' - 0"

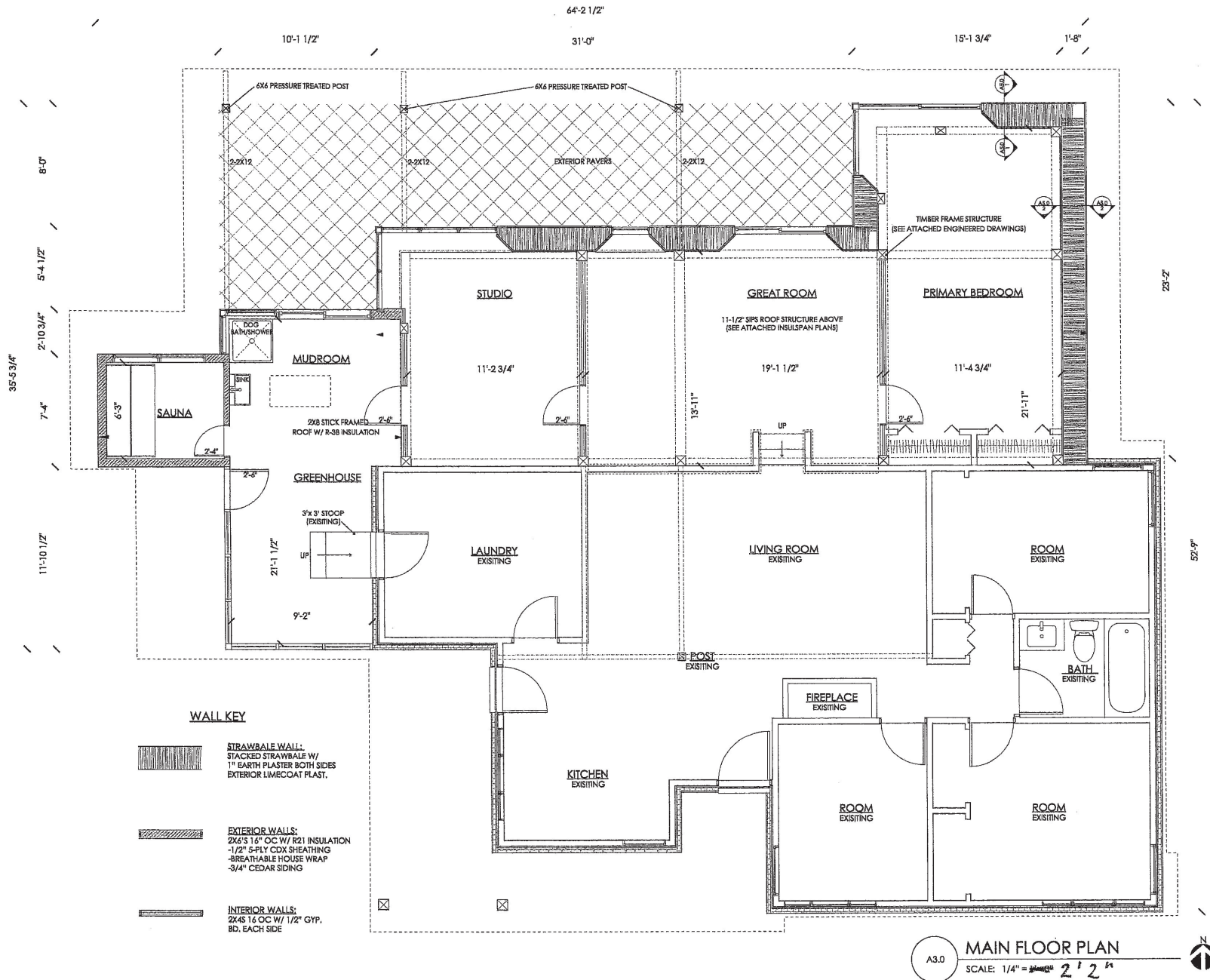
FOUNDATION
PLAN

A2.0

8249 Scully Rd
Dexter, MI 48130

Timberframe/Strawbale
Addition

1334 Sheehan
Ann Arbor MI
48104
734 223 5153



DATE: 05/08/2024

SCALE: 1/4" = 1' - 0"

MAIN FLOOR
PLAN

A3.0

8249 Scully Rd
Dexter, MI 48130
Timberframe/Strawbale
Addition

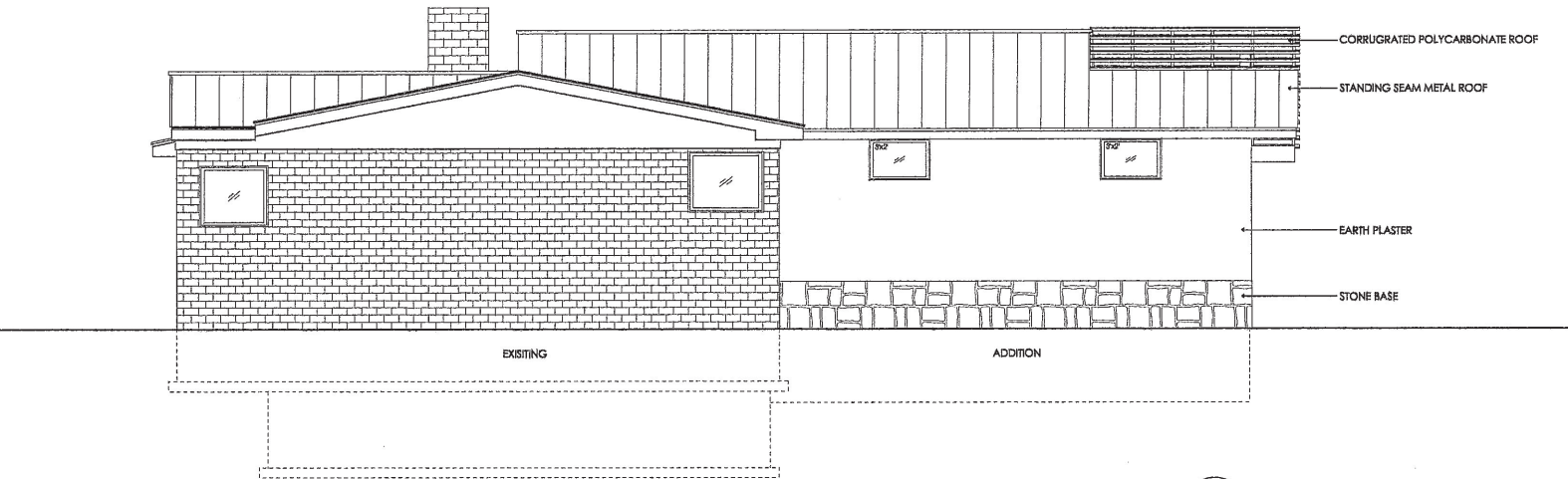


1334 Sheehan
Ann Arbor MI
48104
734 223 5153

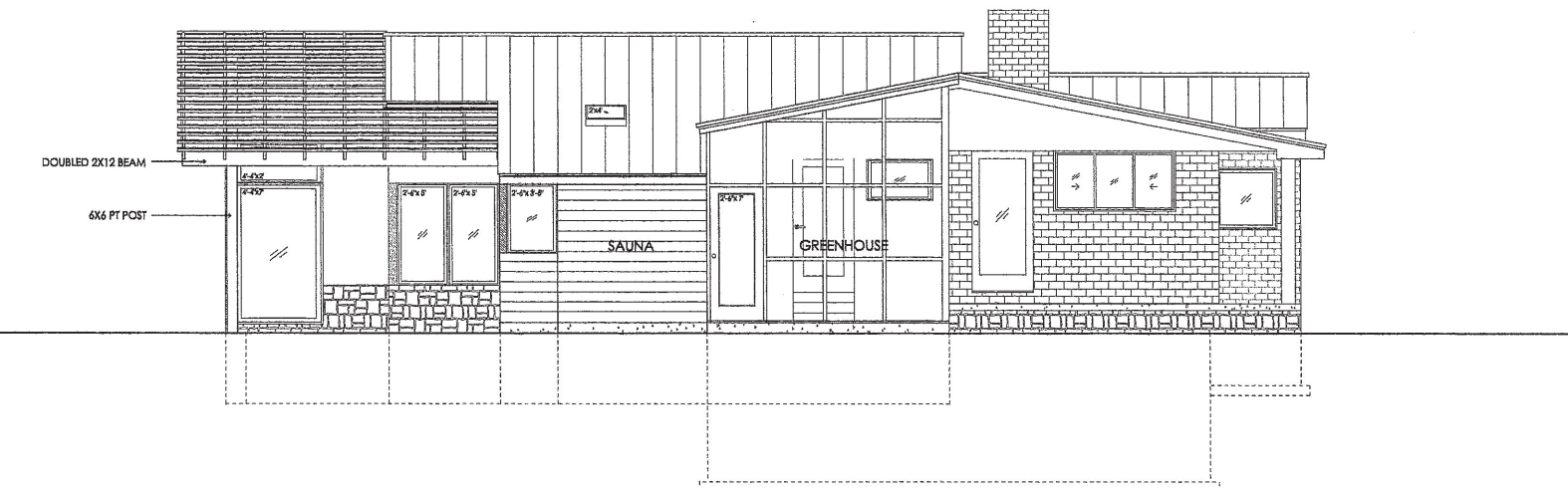
DATE: 05/08/2024
SCALE: 1/4" = 1' - 0"

NORTH-SOUTH
ELEVATIONS

A4.0



1 NORTH ELEVATION
A4 SCALE: 1/4" = 1' - 0" 2' 2"

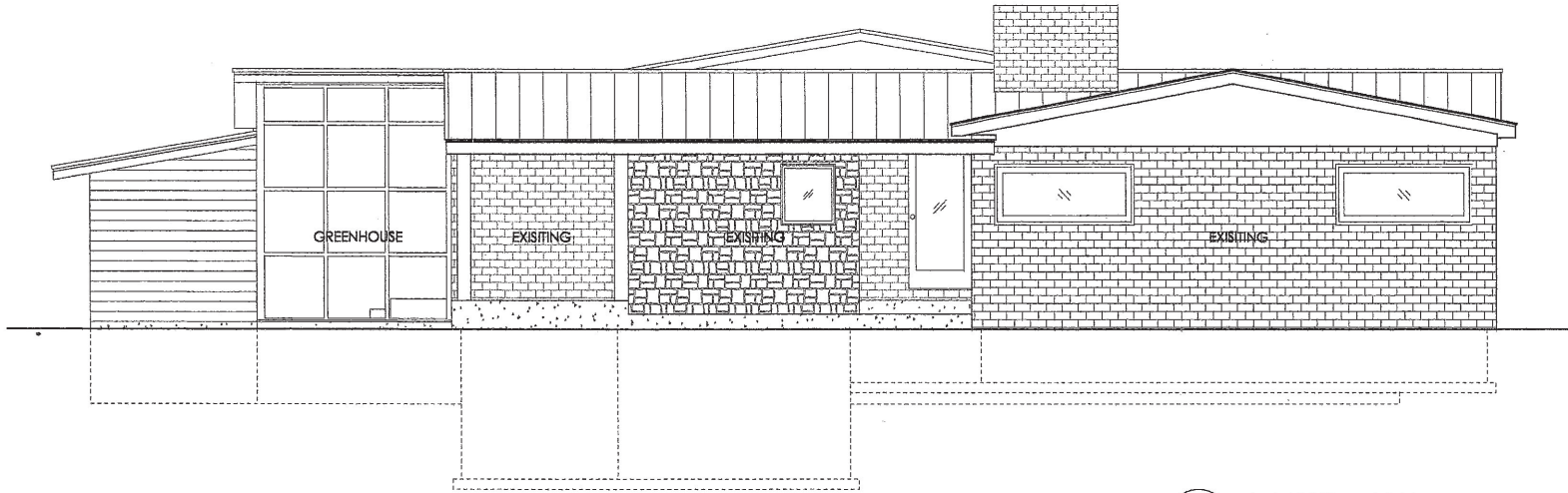


2 SOUTH ELEVATION
A4 SCALE: 1/4" = 1' - 0" 2' 2"

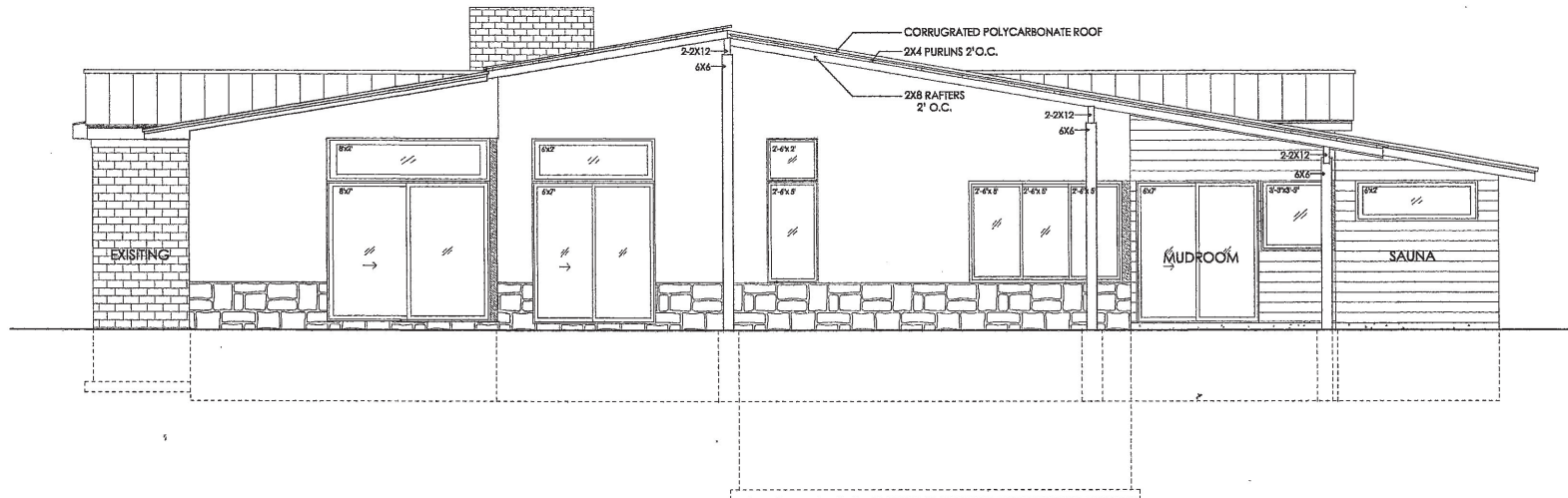
8249 Scully Rd
Dexter, MI 48130
Timberframe/Strawbale
Addition



1334 Sheehan
Ann Arbor MI
48104
734 223 5153



3 EAST ELEVATION
A4 SCALE: 1/4" = 1' - 0" 2' 2"



4 WEST ELEVATION
A4 SCALE: 1/4" = 1' - 0" 2' 2"

DATE: 05/08/2024
SCALE: 1/4" = 1' - 0"

EAST-WEST
ELEVATIONS

A4.1