



**Lodi Township
Board of Appeals Minutes
March 18, 2021
7:00 p.m.
Zoom and in person**

Meeting was called to order at 7:00 PM and the Pledge of Allegiance was recited.

Present: Bunton, Foley, Bauer, Giezentaner all in person, Little present by Zoom located in Wixom, MI.

Others Present: None

A motion to approve the minutes of September 15, 2020 was made by Foley, second by Bunton, passed 5-0.

Public Hearing for Lodi Township parcel #M-13-13-300-031 for Foley, variance request from Lodi Township Zoning Ordinance Section 30.203 Yard Measurements to put a metal roof on an existing home and extend the roofline with an 18inch overhang on roof for ventilation and add a screened in porch on the East side of the property along with a porch/addition on the north side of the home, within the required setbacks.

Findings of Fact:

1. Practical difficulties: Strict compliance with the specified dimensional standards will deprive the applicant of rights commonly enjoyed by other property owners in the same zoning district (AG), create an unnecessary burden on the applicant by unreasonably preventing the owner from using the property for a permitted use.
2. Substantial Justice: The variance will give substantial relief and justice to the applicant, consistent with justice to other property owners in the same district. (owner will be within the setbacks)

3. Unique Circumstances: Need for the variance is due to unique circumstances, this land was made a flag lot a long time ago and was not created by the owner.
4. Preservation of Property Rights: The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same district. If they did not have the flag lot driveway, they would not need the variance.
5. Public Safety and welfare: The requested variance can be granted in such a fashion that it will not increase the hazard of fire or otherwise endanger public safety, it will not unreasonably diminish or impair the value of surrounding properties, it will not alter the essential character of the area or surrounding properties, it will not impair the adequate supply of light and air to any adjacent property.
6. Not self-created: The problem of the flag lot drive has not been self-created by the applicant. Flag lots were legal when this parcel was created.
7. More than a mere inconvenience: The hardship and practical difficulties that would result from failure to grant this variance include substantially more than an inconvenience or financial return. They are within the setbacks and should be able to add on to the side and rear of the house.
8. Minimum necessary action. The reasons set forth in the application justify the granting of this variance, and the variance is the minimum necessary relief to allow reasonable use of the land and house. The granting of a lesser variance would not give substantial relief and justice to the applicant, consistent with justice to the other property owners in the same district.

Motion made to approve the variance request by Bauer, seconded by Little.

Roll Call: Bauer- Yes, Little- Yes, Bunton- Yes, Giezentaner- Yes, Foley-abstained, Motion passes 4-0.

Motion to adjourn by Bauer, second. Bunton. Motion passed 5-0
Meeting adjourned at 7:12 PM.

Michelle Foley
Secretary, Zoning Board of Appeals