

**Lodi Township  
Zoning Board of Appeals Meeting Minutes  
May 17, 2022**

**Call to Order/Pledge of Allegiance:** Meeting was called to order at 7:02 pm by Chair Bauer. Pledge of Allegiance was recited.

**Roll Call: Present:** Bauer, Schaible, Strader **Absent:** Chronis

**Others Present:** Mr. William Reminder, Mr. And Mrs. Randall Langford

**Approval of Meeting Minutes:** A motion to approve the minutes from the 2/15/22 ZBA meeting was made by Schaible, second by Bauer. No discussion. **YEA: 3, NAY: 0, Absent:1** Motion passed 3-0.

**Approve/Amend Agenda:** A motion to approve the agenda was made by Schaible, second by Strader. **YEA: 3, NAY: 0, Absent:1** Motion passed 3-0.

**Public Hearing for the purpose of hearing all objections to, and support of, the application of William Reminder, 4207 Pleasant Lake Road, Ann Arbor, MI 48103, Lodi Township parcel #M-13-23- 200-010 for the construction of a garage 48'x34' variance of Lodi Township Zoning Ordinance Article #55.17 B-7a to construct a garage in front of a home.**

**Motion to open Public Hearing** made by Bauer, second by Schaible. **YEA: 3, NAY: 0, Absent:1** Motion passed 3-0.

**Public Comment:** Chairman Bauer asked if Mr. Reminder wished to comment on, or add information to his application. He said he applied for and received proper permits from the Township and the County, began construction and was told by the Township there was an error made in the Townships approval. They suggested he apply for a variance. No further comment.

**Motion to close the Public Hearing:** Motion by Schaible, second by Bauer to close the Public Hearing. **YEA: 3 NAY: 0, Absent:1** Motion passed 3-0.

**Discussion:** Schaible commented that the location requirements for accessory buildings were changed by the Township just a few years ago. Strader noted that since the applicant did all he was supposed to do in order to meet the zoning requirements, and the error was the Townships, that the variance should be granted according to the findings of fact based on Zoning Ordinance Section 59.08 subsection B., Standards of Review, as follows:

**Findings of Facts**

1. Practical Difficulty: denying the application would deprive the applicant of rights commonly enjoyed by other property owners in the same zoning district. The error was the Townships and it would be difficult to relocate the garage.
1. Substantial Justice: allowing the variance will provide relief and justice to the applicant similar to other owners in the district. The error was the Townships, not the Applicants.
1. Unique Circumstances: The error was the Townships.
1. 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 zoning district. Denying the variance would not preserve the substantial property rights enjoyed and possessed by other property owners.

1. Public Safety and Welfare: The requested variance can be granted that the spirit of this Ordinance will be observed and public safety and welfare is secured in such a way that a) it will not increase hazard of fire or endanger public safety, b) it will not unreasonably diminish or impair the value of surrounding properties, c) it will not alter the essential character of the area or surrounding properties, d) it will not impair the adequate supply of light and air to surrounding properties. Variance meets this requirement.

1. Not Self -Created: it was not created by the applicant – the Township created the issue.

1. More than Mere Inconvenience: the alleged hardship and practical difficulties that will result from a failure to grant the variance are substantially more than mere inconvenience or an ability to attain a higher financial return. By strict adherence to the ordinance there would be extreme burden to the applicant.

1. Minimum Necessary Action: for the reasons set forth in the application, the variance is the minimum necessary relief to allow reasonable use of the land and home. Yes.

**Motion** by Strader, second by Bauer, to approve the variance from Lodi Township Zoning Ordinance Article 55.17 B.7.A based on the findings of fact, for the construction of a 48 ft by 34 ft garage located in front of the existing house on parcel # M-13-23-200-010, as described in the application dated Apr. 18, 2022, by William Reminder.

**Roll Call Vote: YEA-Strader, Bauer, Schaible . NAY- none. Absent – 1. Motion passed 3-0**

**Public Hearing for the purpose hearing all objections to, and support of, the application of Gregory William Degrand, 3755 Taylor Lane, Saline, MI 48176, Lodi Township parcel #M-13-34-110-013 for a variance of Lodi Township Zoning Ordinance 30.101 side yard setback from the required 30' in a PUD to 20' for the construction of a pool and patio.**

**Motion to open Public Hearing** made by Bauer, second by Strader. **YEA: 3, NAY: 0, Absent:1**  
Motion passed 3-0.

**Public Comment:** Chairman Bauer asked if there was anyone who wished to comment on, or add information to this application. The Applicant was not present, however neighbors Mr. and Mrs. Randall Langford at 3835 Taylor Lane were present and were in favor of the project, and answered some questions for the board in regards to some site concerns (Low areas at the rear of the property have a sump drainage line running from the applicant's house to it) and an easement between their property and the applicants is for a common walking path for the subdivision. Applicant proposes an in-ground pool. No further comments.

**Motion to close the Public Hearing:** Motion by Schaible, second by Bauer to close the Public Hearing. **YEA: 3 NAY: 0, Absent:1** Motion passed 3-0.

**Discussion:** Board was grateful for the neighbor's input as there were many questions as to why the pool wasn't proposed to be located on the other open area in the backyard.

Based on Zoning Ordinance Section 59.08 subsection B., Standards of Review, the Findings of Fact are as follows:

**Findings of Facts**

1. Practical Difficulty: denying the application would deprive the applicant of rights commonly enjoyed by other property owners in the same zoning district. There appears to be only one practical location for the pool which puts it 10 ft inside the 30 ft side yard setback.

1. Substantial Justice: allowing the variance will provide relief and justice to the applicant similar to other owners in the district. Yes.

1. Unique Circumstances: The location of the existing well, sump pump line and common easement create a limited area for construction of the pool.

1. 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 zoning district. Yes.

1. Public Safety and Welfare: The requested variance can be granted that the spirit of this Ordinance will be observed and public safety and welfare is secured in such a way that a) it will not increase hazard of fire or endanger public safety, b) it will not unreasonably diminish or impair the value of surrounding properties, c) it will not alter the essential character of the area or surrounding properties, d) it will not impair the adequate supply of light and air to surrounding properties. Variance meets this requirement.

1. Not Self -Created: The existing site utilities and easement were already there.

1. More than Mere Inconvenience: the alleged hardship and practical difficulties that will result from a failure to grant the variance are substantially more than mere inconvenience or an ability to attain a higher financial return. Yes.

1. Minimum Necessary Action: for the reasons set forth in the application, the variance is the minimum necessary relief to allow reasonable use of the land and home. Yes.

**Motion** by Schaible, second by Bauer, to approve the variance from Lodi Township Zoning Ordinance Article 30.101 side yard set-back from 30 ft to 20 ft based on the findings of fact, for the construction of an in-ground pool and patio on parcel # M-13-34-110-013, as described in the application dated Apr. 28, 2022, by Gregory DeGrand.

**Roll Call Vote: YEA-Strader, Bauer, Schaible . NAY- none. Absent – 1. Motion passed 3-0**

**Other Business:** None

**Motion to Adjourn by Schaible, second by Bauer. YEA: 3 NAY: 0, Absent:1 Motion passed 3-0.**

**Meeting Adjourned: 7:36 pm**

**Respectfully Submitted,**

**Cindy Strader, Secretary Lodi Township Zoning Board of Appeals**