

CHARTER TOWNSHIP OF OXFORD ZONING BOARD OF APPEALS MEETING,  
APRIL 8, 2024

A Meeting of the Charter Township of Oxford Zoning Board of Appeals was held Monday, April 8, 2024 at the Oxford Township Meeting Room, 300 Dunlap Road, Oxford, MI 48371.

**RESPECTS TO THE FLAG**

**NOTING OF ROLL**

Members Present: **Mageli, Birch, Walters, Bailey, Butler**

Members Absent: Payne (excused)

Also Present: Recording Secretary McCullough, one OCTV cameraperson and 12 residents.

The meeting was called to order by Chairman Butler at 7:00 p.m.

**APPROVAL OF THE AGENDA**

Board Member Walters moved, Board Member Mageli seconded, to approve the April 8, 2024 agenda as presented.

Ayes: 5      Nays: 0      Absent: 1  
Motion Carried.

**APPROVAL OF MINUTES**

**Regular Minutes – March 11, 2024**

Board Member Bailey moved, Board Member Birch seconded, to approve the March 11, 2024 regular meeting minutes, as presented.

Ayes: 5      Nays: 0      Absent: 1  
Motion Carried.

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

One resident spoke during public comment.

**NEW BUSINESS**

**Case 24-ZBA-002 – Ryan Adam, Applicant**

The subject property is located at 1697 Deer Path Trail, Oxford, MI (Lot 53) in Lakes of Indianwood Sub No. 4. Parcel No. 04-33-476-015.

The applicant is requesting a variance from Section 3.8.A.6.a of the Zoning Ordinance which states roofs on single-family dwelling units shall be double pitched, having a slope of at least six (6) feet of rise for every twelve (12) feet of run over the majority of the dwelling unit.

The applicant is seeking to construct a single-family dwelling unit with single pitched roofs and to allow for slopes of three (3) feet of rise for every twelve (12) feet of run over the majority of the dwelling unit.

**Ryan Adam, 3862 Waterland Drive W., Metamora, MI 48455** presented the request and was available to answer any questions of the Board.

The Board referenced the review dated 04/01/2024 from Carlisle|Wortman Associates, Inc.

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Chairman Butler opened the public hearing at 7:11 p.m.

Tony Richards, 1779 Deer Path Trail, stated that this proposed home is not consistent with the other homes in the subdivision.

Sam Abu-Hamdan, 1753 Deer Path Trail, stated that all homes should look similar to keep the aesthetic of the development.

Four items of correspondence were received from the public and read into the record:

- Letter dated 04/01/2024 from Jim and Mary Thomas, 1673 Deer Path Trail, expressing opposition to the requested variance.
- Letter dated 03/29/2024 from Michael and Pamela Liedtke, 1801 Deer Path Trail, expressing opposition to the requested variance.
- Letter dated 04/04/2024 from Tyler and Tara Cooper, 1651 Deer Path Trail, expressing opposition to the requested variance.
- Letter dated 04/02/2024 from Anthony Richards, 1779 Deer Path Trail, expressing opposition to the requested variance.

Hearing no further public comments, Chairman Butler closed the public hearing at 7:15 p.m.

FINDINGS OF FACT

The Board of Appeals shall make a Finding of Fact based upon competent evidence that the requirements of *Section 17.8, subsection C.(1) through (5) have been met. [Article XXVII, Section 17.8 C.)]*

Neither the nonconforming use of neighboring lands, structures, or buildings in the same district, nor either the permitted or nonconforming use of lands, structures, or buildings in any other district(s) shall be considered grounds for the issuance of a variance.

SECTION 17.8 – SUBSECTION C(1):

1. Strict compliance with restrictions governing area, setback, frontage, height, bulk, density, or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.
  - The Board finds that this standard does not apply.
2. The variance will do substantial justice to the applicant, as well as to other property owners.
  - The Board finds that the requested variance would do justice to the applicant, but not to other property owners.
3. A lesser variance than requested will not give substantial relief to the applicant and will not be more consistent with justice to other property owners.
  - The Board finds that this standard does not apply given that the applicant has expressed that he is not interested in a lesser variance.

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4. The need for the variance is due to the unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.
  - The Board finds that this standard does not apply.
  
5. The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.
  - The Board finds that the need for the variance has been self-created.

Board Member Birch moved, Board Member Mageli seconded, regarding 24-ZBA-002 (Adam), 1697 Deer Path Trail (Parcel No. 04-33-476-015), to deny the following variance to: Section 3.8.A.6.a in which roofs on single-family dwelling units shall be double pitched, having a slope of at least six (6) feet of rise for every twelve (12) feet of run over the majority of the dwelling unit.

This is based on the public hearing and discussion within the Findings of Fact listed above.  
Roll call:

Ayes: Mageli, Birch, Walters, Bailey, Butler  
Nays: None  
Absent: Payne  
Motion Carried.

**BOARD MEMBER COMMENTS**

Chair Butler stated that he appreciates the opportunity to be Chair again.

**ADJOURNMENT**

Board Member Walters moved, Board Member Bailey seconded, to adjourn the meeting at 7:33 p.m.

Ayes: 5            Nays: 0            Absent: 1  
Motion Carried.

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James Butler, Chairperson

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Norris Mageli, Secretary

Approved: July 8, 2024  
/smm