

**CHARTER TOWNSHIP OF OXFORD
ZONING BOARD OF APPEALS MEETING
NOTICE AND AGENDA**

Date: Monday, October 14, 2024

Time: 7:00 p.m.

Place: 300 Dunlap Road, Oxford, MI 48371

1. Call to Order
2. Respects to the flag
3. Noting of roll
4. Approval of the agenda
5. Approval of minutes of Regular Meeting September 9, 2024
6. Public comment on items not on the agenda
7. Unfinished Business
8. New Business

A. Case 24 ZBA 005– Tom Siwek, Applicant

The property is located at 3020 Adventure Ln, Oxford, MI 48371. Parcel No. 04-04-376-006. The applicant is seeking the following variances:

1. Applicant is seeking a variance from Section 3.7 of the Oxford Township Zoning Ordinance to allow for a front yard building setback of 28 feet instead of the required 50 feet along Adventure Lane (Private Road).
2. Applicant is seeking a variance from Section 8.7.C.1 of the Oxford Township Zoning Ordinance to allow for a front yard parking setback of 38 feet instead of the required 50 feet along Oakwood Road (Public Road).

9. Board Member Comments
9. Adjournment.

The Charter Township of Oxford will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting/hearing. Individuals with disabilities requiring auxiliary aids or services shall contact the Charter Township of Oxford, by writing or calling, Curtis Wright, Township Clerk, (248) 628-9787, as soon as possible to allow the Township sufficient time to have available the aids and services.

Jim Butler, Chair
Zoning Board of Appeals
Charter Township of Oxford
300 Dunlap Road, Oxford, MI 48371
(248) 628-9787

CHARTER TOWNSHIP OF OXFORD ZONING BOARD OF APPEALS MEETING,
SEPTEMBER 9, 2024

A Meeting of the Charter Township of Oxford Zoning Board of Appeals was held Monday, September 9, 2024 at the Oxford Township Meeting Room, 300 Dunlap Road, Oxford, MI 48371.

RESPECTS TO THE FLAG

NOTING OF ROLL

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

Members Absent: None

Also Present: Recording Secretary Richter, Planning & Zoning Executive Assistant Cheryl Lotan, one OCTV cameraperson and 4 citizens.

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

APPROVAL OF THE AGENDA

Board Member Walters moved, Board Member Payne seconded, to approve the September 9, 2024 agenda as presented.

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

APPROVAL OF MINUTES

Regular Minutes – July 8, 2024

Board Member Mageli moved, Board Member Walters seconded, to approve the July 8, 2024 regular meeting minutes, as presented.

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

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No residents spoke during public comment.

NEW BUSINESS

Case 24-ZBA-003 – Gjeto Kalaj, Applicant

The subject property is located at 643 S. Lapeer Rd., Oxford, MI. Parcel No. 04-33-476-015. Applicant is applying for certain variances to be eligible to install a commercial sign at his automated car wash business.

The applicant is seeking variances from Sec.85.A.001 of Oxford Township's Ordinances as follows:

1. Variance to allow for a freestanding sign setback from a right-of-way to be a minimum of nine (9) feet instead of the required fifteen (15) foot minimum.
2. Variance to allow for a freestanding sign side setback of five-point five (5.5) feet instead of the required fifteen (15) foot minimum.

Chairman Butler reviewed the meeting procedures.

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Gjeto and Karen Kalaj, 2777 Stanis Lane, Washington, MI 48095 presented the request and was available to answer any questions of the Board.

Chairman Butler opened the public hearing at 7:08 p.m.

Hearing no public comments, Chairman Butler closed the public hearing at 7:08 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 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 and 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 apply given that the applicant has expressed that he is not interested in a lesser variance.
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 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 not been self-created.

CHARTER TOWNSHIP OF OXFORD ZONING BOARD OF APPEALS MEETING,
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Board Member Walters moved, Board Member Mageli seconded, regarding 24-ZBA-003 (Gjeto Kalaj) 643 S. Lapeer Rd., Oxford, MI (Parcel No. 04-26-303-012), to approve the setback of the proposed sign to be 9 feet from the road right of way and 5.5 feet from the side lot line as opposed to the 15 feet in our Ordinance.

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

Roll call:

Ayes: Mageli, Payne, Walters, Butler, Bailey

Nays: None

Absent: None

Motion Carried.

Case 24-ZBA-004 – Thomas William, Applicant

The subject property is located at 735 Indian Lake R., Oxford, MI. Parcel No. 04-36-300-047. Applicant is seeking variance from Sec 6.2 D 3 of the Zoning Ordinance to construct a second accessory structure on the property.

The applicant is seeking a variance from Zoning Ordinance Section 6.2.D.3 to allow a maximum accessory structure height in the R3 zoning district to be seventeen (17) feet, seven (7) inches instead of the maximum height of fifteen (15) feet.

Chairman Butler reviewed the meeting procedures.

Thomas William, 524 Seventh St., Rochester, MI 48307 presented the request and was available to answer any questions of the Board.

Chairman Butler opened the public hearing at 7:24 p.m.

Hearing no public comments, Chairman Butler closed the public hearing at 7:24 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.

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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.
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 does not apply.

Board Member Payne moved, Board Member Mageli seconded, regarding 24-ZBA-004 (Thomas William)) 735 Indian Lake Rd., Oxford, MI 48371 (Parcel No. 04-36-300-047), to deny the variance.

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

Roll call:

Ayes: Payne, Butler, Walters, Mageli

Nays: Bailey

Absent: None

Motion Carried.

BOARD MEMBER COMMENTS

It was noted that there will be an October 14, 2024 Zoning Board of Appeals meeting.

ADJOURNMENT

Board Member Walters moved, Board Member Bailey seconded, to adjourn the meeting at 7:30 p.m.

Ayes: 5 Nays: 0 Absent: 0

Motion Carried.

James Butler, Chairperson

Norris Mageli, Secretary

Approved:

/kmr

PUBLIC NOTICE

Because the People Want to Know

OXFORD TWP.

CHARTER TOWNSHIP OF OXFORD ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Notice is hereby given that, under the provisions of §17.8 and §16.9 of Oxford Township Zoning Ordinance 67A, the Oxford Township Zoning Board of Appeals will hold a PUBLIC HEARING at the Oxford Township Office at 300 Dunlap Rd, Oxford, MI 48371.

DATE: Monday, October 14, 2024

TIME: 7:00 PM

PURPOSE OF THE PUBLIC HEARING

Petition Number: 24 ZBA 005

Applicant(s): Tom Siwek, H&S United Construction

Project Description: The applicant has applied for preliminary site plan review to construct an expansion on an existing industrial building. The proposed site layout will require two variances relating to allowing a building and parking area in the front yard setbacks.

Variance Description: The petitioner is requesting the following variance approvals:

1. Applicant is seeking a variance from Section 3.7 of the Oxford Township Zoning Ordinance to allow for a front yard building setback of 28 feet instead of the required 50 feet along Adventure Lane (Private Road).
2. Applicant is seeking a variance from Section 8.7.C.1 of the Oxford Township Zoning Ordinance to allow for a front yard parking setback of 38 feet instead of the required 50 feet along Oakwood Road (Public Road).

Property Location(s): 3020 Adventure Lane, Oxford MI

Parcel ID #04-04-376-006

A copy of the application and submitted materials may be viewed at Oxford Township Office, Building Department, during normal business hours (9:00 am - 4:00 pm weekdays, excluding holidays).

Members of the public are welcome to attend the public hearing in person or by counsel to express views on the application. Written comments should be addressed to Jim Butler, Zoning Board of Appeals Chair, 300 Dunlap, Oxford, MI 48731-0003, or may be sent by email to Cheryl Lotan, clotan@oxfordtownship.org. All correspondence must be received by 12:00 noon on Wednesday, October 9, 2024.

The Charter Township of Oxford will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting/hearing. Individuals with disabilities requiring auxiliary aids or services shall contact the Charter Township of Oxford, by writing or calling, Curtis W. Wright, Township Clerk, (248) 628-9787, as soon as possible to allow the Township sufficient time to have available the aids and services.



Received

SEP 05 2024

Case # 24 ZBA 005

Oxford Township

Zoning Board of Appeals Application

I (We) the undersigned, do hereby make application to the Zoning Board of Appeals of Oxford Township for a hearing on the following described matter:

1. NAME OF APPLICANT: Siwek Tom

ADDRESS: 5388 S Saginaw Rd Flint 48507 810.691.2934
Street City Zip Phone

EMAIL ADDRESS: Tom.siwek@hsunitedc.com

2. NAME OF PROPERTY OWNER: Barron Greg

ADDRESS: 215 Plexus Oxford 48371 248.628.4300
Street City Zip Phone

EMAIL ADDRESS: gbarron@barron-industries.com

3. LEGAL DESCRIPTION OF PROPERTY: Please see attached Site Plans, Cover sheet, Right side on page.

4. ZONING OF PROPERTY: I-1 PARCEL #: 04-04-376-006

INSTRUCTION TO APPELLANT: Fill in #1-10 and the appropriate Section A, B, C or D, on the application. Do not fill in more than ONE of these sections unless you are seeking more than one type of relief from the Zoning Board of Appeals. This application is not acceptable unless all required statements have been made in each Section that you choose to fill-out. Additional information may be supplied on separate sheets if the space provided on this form is inadequate. You must provide the specific code sections or ordinance provisions that support the relief being requested.

SECTION A: INTERPRETATION: Check the appropriate box below:

- The Appellant requests that an interpretation be made by the Zoning Board of Appeals of Article 3, Section 3.4 J of the Township Zoning Ordinance
An appeal is made for an interpretation of the Zoning Map

The above interpretation is requested for the following reason(s): 1. Reduce front setback for both Oakwood Road

and Adventure Lane, Oakwood Road (public) from 50 foot front setback to 38 foot, to accommodate parking spaces; and Adventure Ln (private) from 50 foot to 28 foot to accommodate new building add'n.

SECTION B: DIMENSIONAL VARIANCE: The Appellant requests a variance to be granted from the terms of Article 3, Section 3.4 J of the Zoning Ordinance in the case of his/her property because the following peculiar or unusual conditions are present which justify a variance:

1. Reduce Front Building Setback from 50 feet to 28 feet along Adventure Lane (Private Road) to allow for the Proposed Building Expansion/Addition. 2. Reduce Front Parking Setback from 50 feet to 38 feet along Oakwood Road (Public Road) to allow parking spaces within the Front Yard Setback.

The following describes the unnecessary hardship or practical difficulty that will result if the variance is not granted:

1. If variance is not granted, then would prevent us from constructing a building sized to accommodate the daily operations required to perform manufacturing operations. 2. If this variance is not granted, then we would not have enough parking spaces to accommodate personnel/employee parking for said expansion, therefore no expansion can occur.

Has a Building Permit been refused for this request: Yes No

Is this appeal the result of an Ordinance Violation Notice: Yes No

Is this an existing condition? Yes No

SECTION C: APPEAL: The Appellant requests reversal of the following decision(s) of the _____ made on _____, 20____, regarding the following matters: _____

Article _____, Section _____ of the Zoning Ordinance authorizes the Zoning Board of Appeals to address the appeal.

SECTION D: OTHER RELIEF REQUESTED OR SPECIAL EXCEPTION: The Appellant requests that the following request be approved: **Requesting landscape waivers along both said front setbacks, the 20 foot wide landscape buffers along Adventure Lane, and Oakwood Road due to the building addition and parking spaces occupying said buffers. Can and will plant bush hedge rows instead of trees due to the lack of space remaining.**

Authorization for the above is found in Chapter 7, Article 7, Section 7.8 of the Township Code of Ordinances.

5. Do you have control over any of the properties adjoining the site you have described in #3 of this application?
 Yes No If yes, describe the properties involved: _____

6. How long have you owned the property described in #3 and #6 of this application? 4 Years +/-

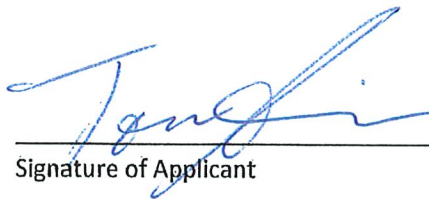
7. What hardships or practical difficulties are connected with your property that owners of similar lots or parcels do not possess? The location of the existing building is the cause of these proposed variance requests

8. Did you cause these special conditions and circumstances? Yes No
Explain your answer: No, the location of the existing building on this site is the cause of these requested variances and waivers we did not create this situation, the location of the existing building location is the cause of these requested variances.

9. How would the literal interpretation of the provisions of the Township's Zoning Ordinance deprive you of rights commonly enjoyed by other properties having the same zoning?
by limiting us to expand the manufacturing operations to a building size that would not allow us the proper space to expand the current manufacturing operations, as well as not having the proper amount of parking spaces to accommodate said operations.

10. Would granting of the relief you have requested in this application confer a special privilege denied to others?
 Yes No If yes, explain: looking at a few of the adjacent properties, parcel no. 04-09-127-003 allows parking within the front setback of Oakwood Road, and Parcel no. 04-04-376-017 also allow parking in front setback.

AFFIDAVIT: I agree that the statements made above are true, and if found not to be true, any Zoning Board of Appeals ruling that may be issued may be void. Further I agree, any Zoning Board of Appeals ruling is with the understanding that applicable sections of the Oxford Township Zoning Ordinance will be complied with as well as, if applicable, any conditions imposed by the Zoning Board of Appeals. Further, I agree to give permission for officials of the Charter Township of Oxford, including Zoning Board of Appeals members, to enter the property subject to this application for the purposes of inspection. Also, I understand any action by the Zoning Board of Appeals only gives land use rights and does not include any representation or conveyance of rights in any other statute, building code, deed restriction or other property rights.



Signature of Applicant

9/4/2024

Date



Signature of Owner

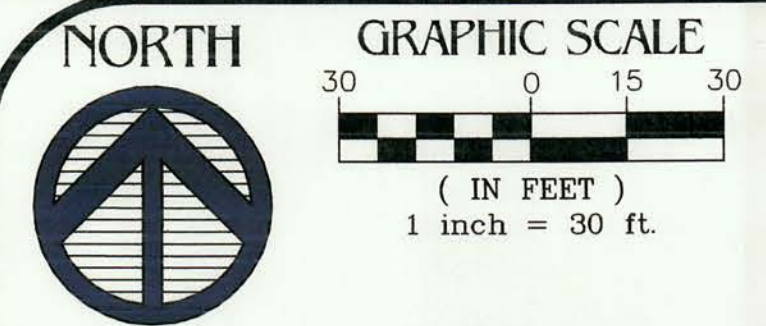
9/4/2024

Date

Received

SEP 05 2024

Oxford Township



EXISTING ZONING INFORMATION:
 ACCORDING TO THE CURRENT OXFORD TOWNSHIP ZONING ORDINANCE, THIS PROPERTY IS CURRENTLY ZONED I-1 (LIGHT INDUSTRIAL), AND IS SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) MINIMUM LOT AREA = 1 ACRE
- 2) MINIMUM LOT FRONTAGE = 150 FEET
- 3) FRONT SETBACK = 50 FEET
- 4) SIDE SETBACK = 25 FEET
- 5) REAR SETBACK = 50 FEET
- 6) MAXIMUM BUILDING HEIGHT = 40 FEET (2 STORIES)
- 7) MAXIMUM LOT COVERAGE = 35 PERCENT

PROPERTY DESCRIPTION
 RECORDED IN LIBER 14727, PAGE 705 OF O.C.R.
 PARCEL NUMBER 04-04-376-006:

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 5 NORTH, RANGE 10 EAST, OXFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 4, IT BEING 720.97 FEET SOUTH 88 DEGREES 33 MINUTES 07 SECONDS WEST FROM THE SOUTH 1/4 CORNER OF SAID SECTION 4; THENCE EXTENDING SOUTH 88 DEGREES 33 MINUTES 07 SECONDS WEST 500.00 FEET ALONG SAID SOUTH LINE OF SECTION 4; THENCE ALONG THE NORTHEASTLY RIGHT OF WAY LINE OF THE PENN CENTRAL RAILROAD 251.25 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST WHOSE LONG CHORD IS DESCRIBED AS BEARING NORTH 10 DEGREES 11 MINUTES 06 SECONDS WEST 251.15 FEET; THENCE NORTH 07 DEGREES 34 MINUTES 38 SECONDS WEST 68.75 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 82 DEGREES 25 MINUTES 22 SECONDS EAST 548.63 FEET; THENCE SOUTH 01 DEGREES 26 MINUTES 53 SECONDS EAST 375.17 FEET TO THE POINT OF BEGINNING, CONTAINING 4.186 ACRES OF LAND, SUBJECT TO THE RIGHTS OF THE PUBLIC IN OAKWOOD ROAD AND ANY EASEMENTS OF RECORD.

EASEMENT DESCRIPTION:
 COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 4, IT BEING 1117.97 FEET SOUTH 88 DEGREES 33 MINUTES 07 SECONDS WEST FROM THE SOUTH 1/4 CORNER OF SAID SECTION 4; THENCE EXTENDING SOUTH 88 DEGREES 33 MINUTES 07 SECONDS WEST 103.00 FEET; THENCE ALONG THE NORTHEASTLY RIGHT OF WAY LINE OF THE PENN CENTRAL RAILROAD 251.25 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST WHOSE LONG CHORD IS DESCRIBED AS BEARING NORTH 10 DEGREES 11 MINUTES 06 SECONDS WEST 251.15 FEET; THENCE NORTH 07 DEGREES 34 MINUTES 38 SECONDS WEST 68.75 FEET; THENCE NORTH 82 DEGREES 25 MINUTES 22 SECONDS EAST 105.75 FEET; THENCE SOUTH 20 DEGREES 10 MINUTES 19 SECONDS EAST 135.03 FEET; THENCE SOUTH 01 DEGREES 26 MINUTES 53 SECONDS EAST 200.00 FEET TO THE POINT OF BEGINNING.

PRELIMINARY SITE PLAN LAYOUT

CHARACTERISTICS OF THE DEVELOPMENT STATEMENT:

THIS PROJECT WILL CONSIST OF A NEW 17,600 SFT BUILDING ADDITION ON THE WESTERLY SIDE OF THE EXISTING BUILDING, FOR A TOTAL BUILDING AREA OF 27,125 SFT, ALONG WITH A NEW TRUCK DOCK WELL, AND ANOTHER LOADING/UNLOADING SPACE FOR DELIVERIES. THE PARKING LOT WILL BE EXPANDED TO ACCOMMODATE 30 REGULAR PARKING SPACES, AND 2 BARRIER FREE SPACES. MAJOR GRADING AND EARTHWORK ALONG THE EASTERLY SIDE OF THE PROPERTY DUE TO A EXISTING 10 FOOT HIGH GRADE DIFFERENTIAL ALONG THIS SIDE OF THE PROPERTY. A NEW DUMPSTER ENCLOSURE IS PROPOSED AS WELL AS A 14'x35' AIR COMPRESSOR ENCLOSURE ON THE EASTERLY SIDE OF THE EXISTING BUILDING. THE EXISTING DETENTION BASIN ALONG THE WEST SIDE OF THE EXISTING BUILDING WILL BE REGRADED/RESHAPED AND INSTALL A NEW DRAINAGE OUTLET SYSTEM. A PROPOSED BIO-SWALE TO BE CONSTRUCTED ON THE EAST SIDE OF THE EXISTING BUILDING FOR THE STORMWATER RUNOFF TO BE COLLECTED AND THEN THRU A PROPOSED DRAINAGE OUTLET SYSTEM SOUTHERLY TO ANOTHER PROPOSED NEW DETENTION BASIN ALONG THE SOUTH SIDE OF THE SITE, ADJACENT TO OAKWOOD ROAD TO COLLECT THE NEW PARKING LOT STORMWATER RUNOFF. THIS WILL EVENTUALLY RUN WESTERLY THRU A NEW DRAINAGE OUTLET SYSTEM TO THE ROADSIDE DITCH OF ADVENTURE LANE TO AN EXISTING 12 INCH PIPE THE CROSSES ADVENTURE LANE TO THE EXISTING STORMWATER DETENTION BASIN. A NEW WATER STORAGE TANK WILL ALSO BE INSTALLED FOR THE FIRE DEPARTMENT TO CONNECT TO.

FLOOD PLAIN NOTE:

THIS PROPERTY IS IN ZONE "X" (AREAS OF MINIMAL FLOODING) OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 26125C02107 WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 29, 2006, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

SEWER & WATER NOTE:

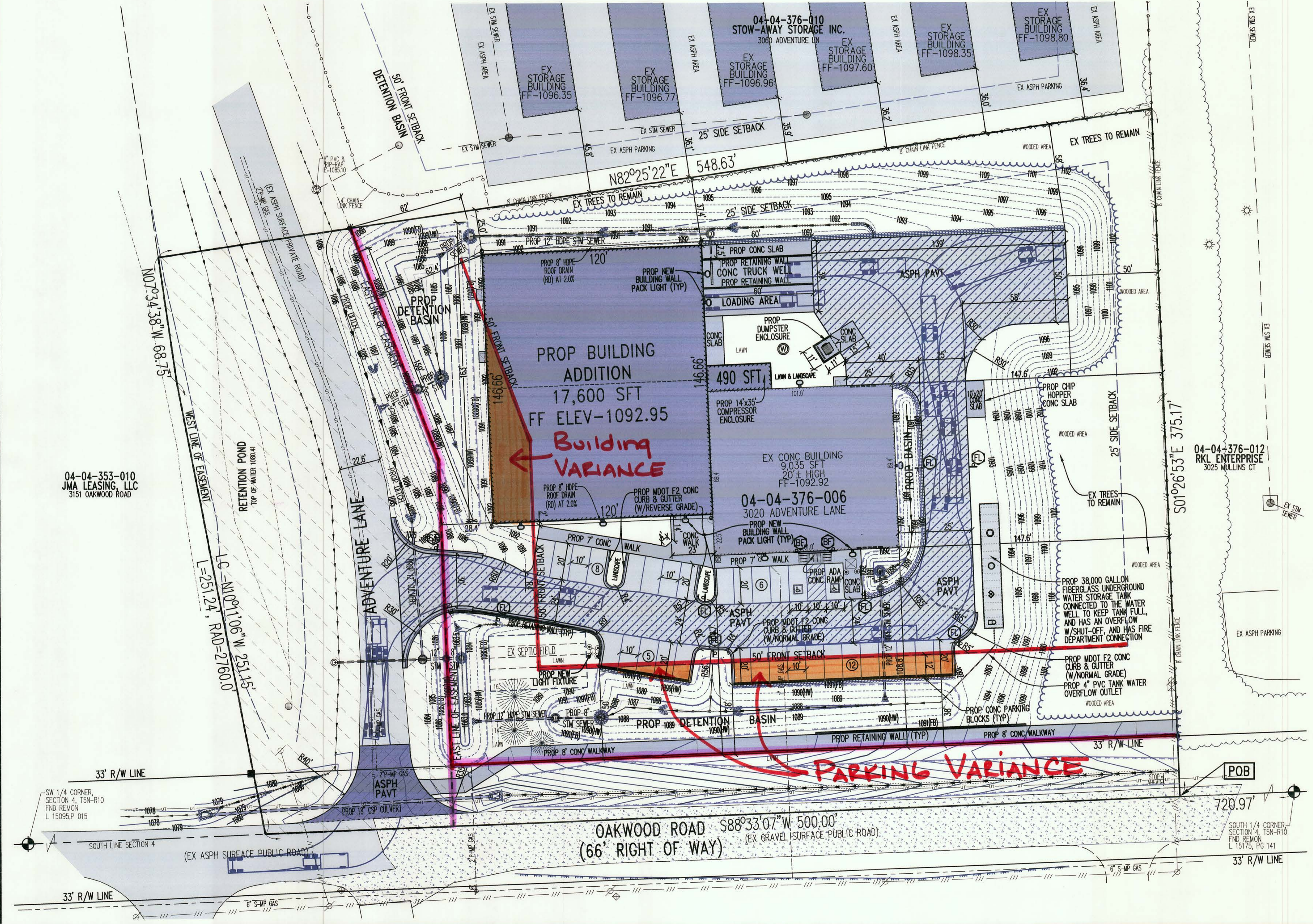
THIS SITE IS CURRENTLY SERVICED BY WATER WELL AND A SEPTIC SYSTEM.

REGULATORY SIGN LEGEND:

- ST STOP SIGN (18"x18")
- PL NO PARKING FIRE LANE (12"x18")
- BF BARRIER FREE PARKING (12"x18")

SITE DATA:

- 1) SITE ZONING = I-1 (LIGHT INDUSTRIAL DISTRICT)
- 2) ADJACENT ZONING = I-1 (NORTH, SOUTH, EAST, WEST)
- 3) TOTAL GROSS OVERALL AREA = 182,345 SFT or 4.186 ACRES
 TOTAL PRIVATE DRIVE EASEMENT AREA = 38,993 SFT or 0.895 ACRE
 TOTAL OAKWOOD ROAD R/W AREA = 15,089 SFT or 0.346 ACRES
 TOTAL NET OVERALL AREA = 167,256 SFT or 3.840 ACRES
 MINIMUM PROPERTY AREA ALLOWED = 43,660 SFT or 1 ACRE
- 4) TOTAL GROSS BUILDING AREA: EXISTING GROSS BLDG FLOOR AREA = 9,157 SFT
 REMOVE EX VESTIBULE & COMPRESSOR BLDG = (-122 SFT) (9,035 SFT)
 PROPOSED GROSS BLDG FLOOR AREA = 17,600 SFT
 PROPOSED COMPRESSOR ENCLOSURE = 490 SFT
 OVERALL TOTAL GROSS FLOOR AREA = 27,125 SFT
- 5) MAXIMUM BUILDING HEIGHT ALLOWED = 40 FEET (2 STORIES)
 EXISTING BUILDING HEIGHT = 20 FEET +/-
 PROPOSED BUILDING HEIGHT = 25 FEET +/-
- 6) MAXIMUM BUILDING COVERAGE ALLOWED = 35%
 EXISTING BUILDING SITE COVERAGE = 9,157/167,256 = 5.47%
 PROPOSED BUILDING SITE COVERAGE = 27,125/167,256 = 16.22%
- 7) MAXIMUM SITE IMPERVIOUS ALLOWED = NONE SPECIFIED
 EXISTING IMPERVIOUS COVERAGE = 50,945/167,256 = 30.46%
 PROPOSED IMPERVIOUS COVERAGE = 69,609/167,256 = 41.62%
 (INCLUDES ALL PAVEMENT AREAS, ROOF, & WALKWAYS)
- 8) PARKING SPACE & LANE SIZE REQUIREMENTS
 a) REGULAR PARKING SPACE = 10' x 20'
 b) BARRIER FREE SPACE = 10' x 20' W/8' AISLE (VAN ACCESSIBLE)
 c) DRIVE AISLE = 24' MIN (TWO WAY)
- 9) PARKING REQUIRED (MANUFACTURING):
 1 SPACE PER 800 SFT OF USEABLE FLOOR AREA = 26,757 + 80X UFA = 21,406 SFT / 800 = 26.75 or 27 SPACES
 TOTAL SPACES REQUIRED = 27 SPACES
 OR 1 SPACE PER EACH 1.5 EMPLOYEES (PEAK SHFT) = 40 EMPLOYEES/1.5 SPACES PER EMPLOYEE = 26.67 or 27 SPACES
 TOTAL SPACES REQUIRED = 27 SPACES
- 10) SITE PARKING PROVIDED:
 TOTAL PARKING PROVIDED = 31 SPACES
- 11) BARRIER FREE PARKING REQUIRED:
 BARRIER FREE PARKING REQUIRED = 2, PROVIDED = 2
- 11) PARKING LOT LANDSCAPING REQUIRED:
 32 SPACES x 20 SFT PER SPACE = 640 SFT
 PROVIDED 717 SFT OF LANDSCAPED ISLANDS
- 12) LOADING SPACES REQUIRED = 1; PROVIDED = 2
- 13) EXISTING LAND USE = MANUFACTURING CASTINGS
- 14) PROPOSED LAND USE = SAME
- 15) EXISTING ADDRESS = 3020 ADVENTURE LANE



LEGEND

●	FOUND IRON	—○—○—	EX CHAIN LINK FENCE
■	FOUND CONCRETE MONUMENT	—○—○—	EX TOP OF BANK
○	EX UTILITY PEDISTAL	—○—○—	EX C/L SWALE or DITCH
○	EX UTILITY POLE W/GUY WIRE	—○—○—	EX ROAD & PARKING LOT SIGNS
○	EX LIGHT POLE	—○—○—	EX MAILBOX
○	EX BUILDING LIGHT	—○—○—	EX BUILDING AREA
○	EX BOLLARD	—○—○—	EX PAVEMENT AREAS
—○—○—	EX OVERHEAD POWERLINES	—○—○—	EX PARKING SPACE COUNT
—○—○—	EX BURIED TELEPHONE	—○—○—	PROP BARRIER FREE (ADA) PARKING
—○—○—	EX GASMAIN	—○—○—	PROP PAINTED TRAFFIC FLOW ARROW
—○—○—	EX GAS VALVE	—○—○—	PROP CONCRETE AREAS
—○—○—	EX GAS METER	—○—○—	PROP ASPHALT PARKING PAVEMENT
—○—○—	EX SANITARY MANHOLE	—○—○—	PROP HEAVY-DUTY ASPHALT PAVEMENT
—○—○—	EX SANITARY CLEANOUT	—○—○—	PROP BUILDING AREA
—○—○—	EX SANITARY SEWER	—○—○—	PROP TRAFFIC/PARKING SIGN & SYM
—○—○—	EX WATER WELL	—○—○—	PROP WALL PACK LIGHT
—○—○—	EX FIRE DEPT WATER CONNECTION	—○—○—	PROP SURFACE CONTOUR
—○—○—	EX STORM CATCHBASIN	—○—○—	PROP NEW TREE LINE
—○—○—	EX STORM SEWER	—○—○—	PROP DITCH/SWALE & FLOW DIRECTION
—○—○—	EX ROCK WALL/SPILLWAY	—○—○—	PROP RIPRAP/SLINED DITCH/SWALE
—○—○—	EX TREE/BRUSH LINE	—○—○—	PROP 36" CSP STAND PIPE W/GRATE
—○—○—	EX DECIDUOUS TREE	—○—○—	PROP STORM END SECTION W/GRATE
—○—○—	EX CONIFEROUS TREE	—○—○—	PROP STORM SEWER or CULVERT

EXISTING IMPERVIOUS ON-SITE AREA:

THERE IS A TOTAL OF 50,945 SFT OF IMPERVIOUS AREA COMBINING THE EXISTING PAVEMENT AREAS, BUILDINGS, WALKS, AND DECKS/PATIOS. (DOES NOT INCLUDE AREA WITHIN THE OAKWOOD ROAD RIGHT-OF-WAY).

THEREFORE 50,945/167,256 = 0.3046 or 30.46% IMPERVIOUS

PROPOSED IMPERVIOUS ON-SITE AREA:

THERE IS A TOTAL OF 69,609 SFT OF IMPERVIOUS AREA COMBINING THE PROPOSED ASPHALT AND CONCRETE PAVEMENT AREAS, BUILDINGS, AND WALKS. (DOES NOT INCLUDE AREA WITHIN THE OAKWOOD ROAD RIGHT-OF-WAY).

THEREFORE 69,609/167,256 = 0.4162 or 41.62% IMPERVIOUS

ADDITIONAL NOTES FOR SITE PLANS:

1. SAND FILL UNDER ANY FLOOR SLAB, WALKS, PAVED AREAS, ETC. SHALL BE MINIMUM MDOT CLASS II SAND BACKFILL (A5). FILL SAND SHALL NOT HAVE MOISTURE CONTENT GREATER THAN 15%. THE SAND SHALL BE COMPACTED TO 95% OF MATERIAL THE UNIT WEIGHT BY MODIFIED PROCTOR.
2. ALL EXISTING UTILITIES SERVING THE PROPERTY SHALL BE PROPERLY TERMINATED IN COMPLIANCE WITH LOCAL AND/OR COUNTY REGULATIONS, REMOVING ALL TREES, INCLUDING ROOT STRUCTURES, EXCEPT THOSE SPECIFICALLY NOTED TO REMAIN, AND THOSE ON PROPERTY LINES. DO NOT CLEAR SITE PRIOR TO COORDINATING WITH THE OWNER AND THE LANDSCAPING PLAN TO DETERMINE ALL TREES TO REMAIN.
3. FOR ANY DEMOLITION WORK, PLEASE SEE DEMOLITION NOTES ATTACHED HERewith.
4. VERIFY EXACT LOCATION OF UNDERGROUND UTILITIES PRIOR TO BEGINNING CONSTRUCTION.
5. CONTRACTOR IS TO ADJUST ANY UTILITY ELEMENT MEANT TO BE FLUSH WITH GRADE (CLEAN OUT, VALVE BOXES, MANHOLES, CATCH BASINS, INLETS, ETC) THAT IS AFFECTED BY SITE WORK OR GRADE CHANGES, WHETHER SPECIFICALLY NOTED ON PLANS OR NOT. THE CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS FOR ADJUSTMENT AT THE CONTRACTOR'S EXPENSE.
6. THE CONTRACTOR SHALL NOTIFY MISS DIG (811) THREE (3) WORKING DAYS PRIOR TO STARTING ANY EXCAVATION WITH POWER EQUIPMENT.
7. THE CONTRACTOR SHALL COMPLY WITH ALL LOCAL, COUNTY, STATE, AND LOCAL REGULATIONS FOR ALL WORK THAT TAKES PLACE ON THE SITE.
8. THE CONTRACTOR/DEVELOPER SHALL PAY FOR AND OBTAIN ALL PERMITS REQUIRED BY FEDERAL, STATE, LOCAL, OR PRIVATE AGENCIES AND PAY ALL CHARGES FOR INSPECTION AND TESTING.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING UP THE PREMISES, AND UPON COMPLETION OF THE PROJECT, LEAVE THE SITE IN AN ACCEPTABLE CONDITION AS DETERMINED BY THE ENGINEER OR OWNER.

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS, IF AVAILABLE. THE SURVEYOR AND/OR ENGINEER MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR AND/OR ENGINEER FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR AND/OR ENGINEER HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



Know what's below. Call before you dig.

SCALE: 1"=30'
 JOB NO. 24-194

OWNER/DEVELOPER:
BARRON INDUSTRIES
 C/O GREG BARRON
 215 PLEXUS DRIVE, OXFORD, MI 48371
 PHONE: (248) 628.4300

PART OF THE SOUTHWEST 1/4,
 SECTION 4, T5N-R10E
 OXFORD TWP, OAKLAND CO, MI

F&E Fenton Land Surveying & Engineering, Inc
 14165 N. FENTON ROAD, SUITE 101A, FENTON, MI 48430
 PHONE: 810.354.8115 EMAIL: INFO@FENTONLSE.COM

PRELIMINARY SITE PLAN LAYOUT FOR:
BARRON INDUSTRIES
 3020 ADVENTURE LANE, OXFORD, MI

REVISIONS 09.03.2024	DRN. BY: DSN BY:	J.R.B. J.R.B.	07.31.2024	SHEET NO: C-1
	CHK'D BY:	J.P.W.		
	APPR BY:	J.B.M.		



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

ZONING BOARD OF APPEALS REPORT FOR OXFORD TOWNSHIP

TO: Oxford Township Zoning Board of Appeals
FROM: Matteo Passalacqua, Associate Planner
DATE: September 30, 2024
RE: Front Yard Building and Parking Setback Variance Request
CASE: 24 ZBA 005

PETITION INFORMATION

Applicant(s):	Tom Siwek, President at H&S United Construction
Owner(s):	Barrons Industries, INC
Project Description:	The applicant is proposing the construction of a building expansion, which will require a variance to the mandatory front yard setback. Additionally, the applicant seeks a variance to allow parking within the front yard, as the proposed design would place parking in an area typically restricted by zoning regulations.
Petition Description:	The petitioner is requesting the following variance approvals: <ol style="list-style-type: none">1. Applicant is seeking a variance from Section 3.7 of the Oxford Township Zoning Ordinance to allow for a front yard building setback of 28 feet instead of the required 50 feet along Adventure Lane (Private Road).2. Applicant is seeking a variance from Section 8.7.C.1 of the Oxford Township Zoning Ordinance to allow for a front yard parking setback of 38 feet instead of the required 50 feet along Oakwood Road (Public Road).
Property Location:	3020 Adventure Lane, Oxford MI Parcel ID 04-04-376-006

PROPERTY INFORMATION

Existing Zoning	(I-1) Light Industrial
Existing Land Use	Manufacturing
Future Land Use Map	Light Industrial
Area	4.186 acres

The Light Industrial districts are intended to accommodate certain industrial, research and warehousing activities whose external physical effects are minimal, plus wholesale and intensive service activities of a nature that does not justify their inclusion in any commercial use district. It is also the intent of this Article to encourage the development of planned industrial parks characterized by principal uses which are located in a building on a landscaped site, served by adequate off-street parking, loading, and screening of adjacent districts.

The Light Industrial designation is intended for industrial development having limited environmental and external impacts (light manufacturing, warehousing, etc.). Light industrial development should be well buffered (through setbacks and landscape screening) from adjacent residential areas and major roadways. Such uses are intended to be enclosed within a building and any external effects are not to be experienced beyond property boundaries.

FIGURE 1. AERIAL IMAGE OF PROPERTY

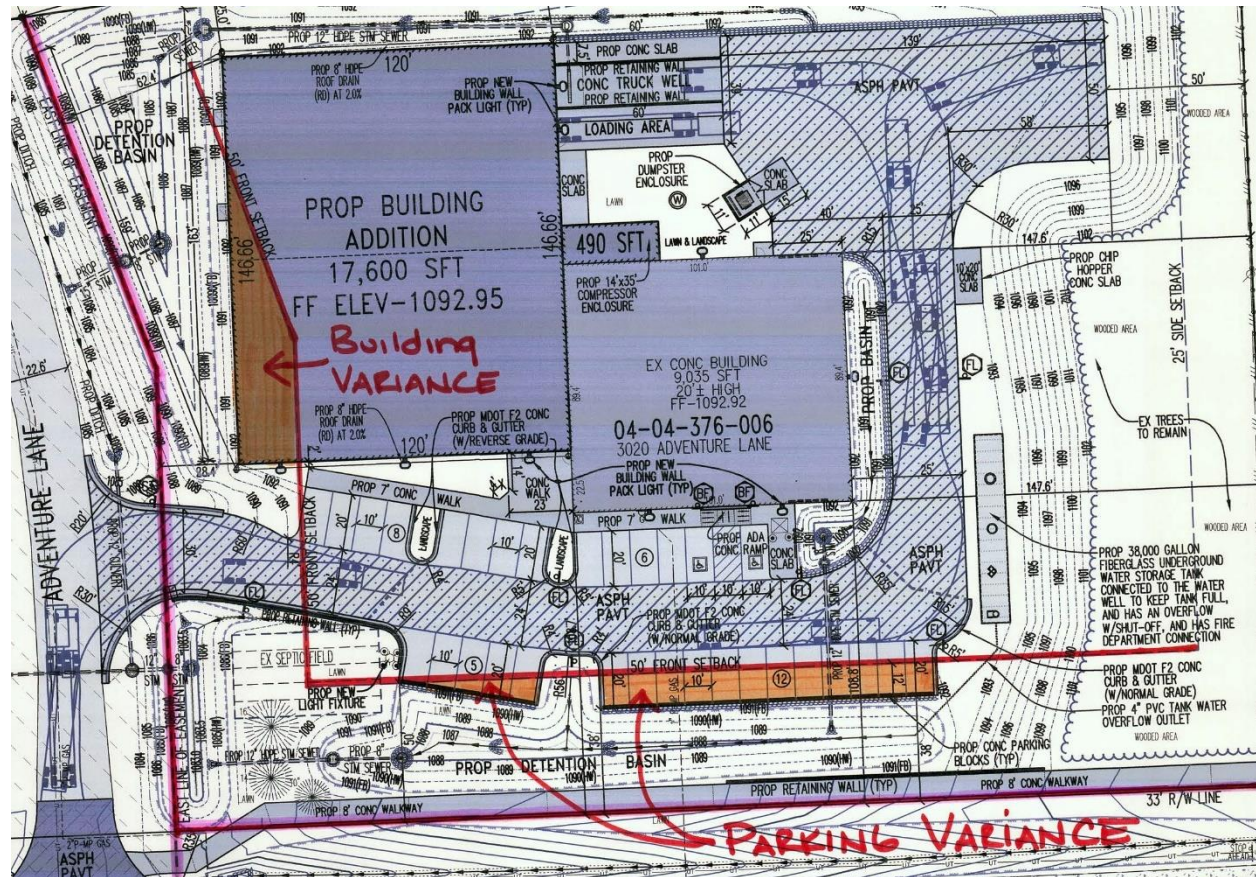


Source: NearMap (June 1, 2024)

(24-ZBA-005) 3020 Adventure Lane – Front Yard Setback

Variance Report
September 13, 2024

Figure 2. Variance Requests from Site Plan



Source: Application Exhibit

ZONING INFORMATION

	North	East	South	West
Surrounding Zoning	(I-1) Light Industrial	(I-1) Light Industrial	(I-1) Light Industrial	(I-1) Light Industrial
Surrounding Land Uses	Storage Facility	Manufacturer	Manufacturer	Vacant
Future Land-Use Map	Light Industrial	Light Industrial	Light Industrial	Light Industrial

PROJECT NARRATIVE

On February 13th, 2024, the applicant and Township conducted a pre-application meeting to discuss general parameters of the project. During that meeting, it was noted that the measurement used to determine the building setback was from the Adventure Lane right-of-way (ROW) easement, and not the property line. This was discussed to determine whether a variance would be needed for the front yard setback along Adventure Lane. The applicant was asked if the building expansion could be modified to

(24-ZBA-005) 3020 Adventure Lane – Front Yard Setback

Variance Report
September 13, 2024

conform to the setbacks. The applicant stated this was not possible due to the nature of the CNC process and warehouse floor layouts.

Township legal counsel confirmed on February 14th, 2024, that the setback measurement needed to be from the ROW as indicated on the drawing. The applicant was emailed this information along with instructions that a preliminary site plan would need to be approved by the Planning Commission prior to the variance being sought from the Zoning Board of Appeals.

Upon preliminary site plan review, it was noted by Township consultants that the property required three (3) variances, not one (1). One for the proposed building expansion being permitted in the front yard and two (2) to allow parking in front yards given the site is a corner lot with frontage on Oakwood Road and Adventure Lane Road.

As a result, the applicant modified their site plan and resubmitted to reduce the number of required variances from three (3) and two (2) by eliminating the front yard parking variance along Adventure Lane.

On September 26th, 2024, the Planning Commission granted conditional approval of the site plan. One condition of approval was the granting of requested variances to the applicant by the Zoning Board of Appeals.

APPLICABLE LAND USE STANDARDS

Applicant is seeking a variance of twenty-eight (28) feet from the required front yard setback of fifty (50) feet along Adventure Lane (Private Road) to comply with Section 3.7 of the Oxford Township Zoning Ordinance.

Applicant is seeking a variance of thirty-eight (38) feet from the required front yard setback of fifty (50) feet along Oakwood Road (Public Road) to comply with Section 8.7.C.1 of the Oxford Township Zoning Ordinance which does not permit parking within the front yard setback.

The table below lists the requested variance and corresponding sign regulation.

I-1: Light Industrial District				
Variance Request	Ordinance Section	Permitted	Requested	Notes
Minimum required front building setback in the Light Industrial District.	3.7	Front yard building setbacks are to be a minimum of fifty (50) feet from the right of way line.	Minimum setback of twenty-eight (28) feet along Adventure Lane.	<i>The existing building meets the required fifty (50) foot setback.</i>
Minimum required front parking setback in the Light Industrial District.	8.7.C.1	Front yard setbacks are to be a minimum of fifty (50) feet. (No parking is permitted within a front yard setback.)	Minimum setback of thirty-eight (38) feet along Oakwood Road to avoid parking within the front yard setback.	<i>The existing lot does not include parking within the front yard setback.</i>

We recommend that the Zoning Board of Appeals consider the following:

- Corner lot setback requirements of fifty (50) feet on both adjoining streets.
- The current site meets ordinance requirements but not the applicant’s current needs.
- The intent of the future land use zoning designation.
- The lot is located in an industrial area and surrounded by industrial zones and uses.
- The Planning Commission approved the current site plan pending the granting of the two (2) requested variances.

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. In reviewing a request for variance, the following standards for determining practical difficulty shall be considered, with no single factor being determinative as outlined in Section 17.8 Variances of the Zoning Ordinance:

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.
2. The variance will do substantial justice to the applicant, as well as 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.
4. The need for a 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.
5. The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant’s predecessors.

Please contact us if you should have any questions regarding this case.



CARLISLE/WORTMAN ASSOC., INC.
Matteo Passalacqua
Community Planner