

**SUPERIOR CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
3040 N. PROSPECT RD., YPSILANTI, MI 48198**

**WEDNESDAY  
SEPTEMBER 06, 2023  
7:00 P.M.  
AGENDA**

1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. APPROVAL OF MINUTES
  - A. Approval of the February 7, 2023 minutes
5. CITIZEN PARTICIPATION
6. COMMUNICATIONS
7. PUBLIC HEARINGS AND CONSIDERATION OF APPEALS
  - A. **ZBA #23-02 5843 Vreeland Road – Accessory Structure**  
Variance from Section 3.101 (Dimensional Standards) to allow for an increase in ground floor coverage (GFC) and floor area ratio (FAR) in order to build an accessory structure.
8. OLD BUSINESS
9. OTHER BUSINESS AS NECESSARY
10. ADJOURNMENT

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1. CALL TO ORDER

The meeting of the Superior Charter Township Zoning Board of Appeals was called to order by Chairman Dail at 7:00 p.m.

2. ROLL CALL

The Zoning Board of Appeals members present were Brennan, Craigmile, Dail, and Lewis. Parm and Deeds were absent. Laura Bennett, Planning & Zoning Administrator, was also in attendance. A quorum was present.

3. ADOPTION OF AGENDA

A motion was made by Member Brennan and supported by Member Lewis to adopt the agenda as presented. The motion carried.

4. APPROVAL OF MINUTES

A motion was made by Member Craigmile and supported by Member Brennan to postpone approval of the minutes of January 31, 2023, to give Members additional time to review. The motion carried.

5. CITIZEN PARTICIPATION

None.

6. COMMUNICATIONS

None.

7. PUBLIC HEARINGS AND CONSIDERATION OF APPEALS

None.

8. OLD BUSINESS

A. ZBA 23-01 10024 Ford Road – Solar

Member Dail reviewed the following standards of review set forth in Section 13.08B:

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***B. Standards for Review.***

*A variance shall not be granted unless all of the following standards are met:*

*1. Special conditions and circumstances exist that are unique to the land, structures, or buildings involved, and are not applicable to other lands, structures, or buildings in the same district, subject to the following:*

*a. The existence of nonconforming dwellings, lots of record, structures, uses, or sites on neighboring lands in the same zoning district or other zoning districts shall not be considered grounds for a variance.*

*b. The special conditions and circumstances on which the variance request is based do not result from the actions of the applicant.*

*2. Literal interpretation of this Ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the same district under the terms of this Ordinance.*

*3. Granting the variance requested would not confer upon the applicant any special privilege that is denied by the Ordinance to other lands, structures, or buildings in the same district.*

*4. A variance granted shall be the minimum that will make possible a reasonable use of the land, building, or structure. The Board of Appeals may consider lesser variances than that requested by an applicant.*

*5. The variance granted shall be in harmony with the intent of this Ordinance and will not be injurious to the environment, neighborhood, or otherwise detrimental to the public interest.*

Zoning Board of Appeals Members were in agreement that most homeowners in the A-1 (Agricultural District) Zoning District, could install ground-mounted solar panels without needing to seek a variance. However, Member Dail shared thoughts that approving this variance could set a precedent for future homeowners in this situation.

Members discussed whether granting this variance could confer special privileges. There was agreement that special privileges could be conferred.

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Additionally, Members felt that this solar panel array would not be harmonious with the intent of the Ordinance. With the site being located so close to Ford Road, Member Dail feels it would be injurious to the environment due to viability and esthetics. The other Members agreed with Member Dail.

Motion by Member Brennan, supported by Member Craigmile, to deny ZBA 23-01, 10024 Ford Road – Solar Variance, find that it does not meet the Standards of Review set forth in Section 13.08B of the Superior Township Zoning Ordinance.

Roll Call:

Yes: Brennan, Craigmile, Dail, Lewis.  
No: None.  
Absent: Deeds, Parm.  
Abstain: None.

The motion carried.

9. OTHER BUSINESS AS NECESSARY

None.

10. ADJOURNMENT

A motion was made by Member Lewis and supported by Member Brennan to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

Doug Dail, Chairman Zoning Board of Appeals

Laura Bennett, Recording Secretary  
Superior Charter Township  
3040 N. Prospect, Ypsilanti, MI 48198

**ZONING BOARD OF APPEALS  
SUPERIOR CHARTER TOWNSHIP  
SUPERIOR TOWNSHIP HALL  
3040 N. PROSPECT, YPSILANTI, MI 48198  
WEDNESDAY, SEPTEMBER 6, 2023  
7:00 p.m.**

**ZBA #23-02**

The Superior Township Zoning Board of Appeals will hold a public hearing on **Wednesday, September 6, 2023, at 7:00 p.m.** at the Superior Township Hall, 3040 N. Prospect, on a request for the following variance from the Superior Township Zoning Ordinance:

Variance from Section 3.101 (Dimensional Standards) to allow for an increase in ground floor coverage (GFC) and floor area ratio (FAR) in order to build an accessory structure.

**The property is located at 5843 Vreeland Road** and is zoned A-1 (Agriculture District).

Parcel ID # J-10-19-400-010

A complete copy of the petition for variance is available for inspection or copying at the Township Hall 9:00 a.m. – 4:00 p.m. weekdays, and also online at [www.superiortownship.org/meetings/zoning-board-of-appeals](http://www.superiortownship.org/meetings/zoning-board-of-appeals).

Persons wishing to express their views may do so in person at the public hearing, or in writing addressed to the Zoning Board of Appeals at the above address. Superior Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon four (4) business days notice to the Township. Individuals requiring auxiliary aids or services should contact Superior Charter Township by writing the Township Clerk.

Laura Bennett, Planning & Zoning Administrator  
3040 N. Prospect  
Ypsilanti, MI 48198  
[planning@superior-twp.org](mailto:planning@superior-twp.org)  
734-482-6099

## ZONING BOARD OF APPEALS APPLICATION

(This application must be typewritten or printed. All questions must be answered.)

**Request is hereby** made for one of the following:

☐ Interpretation of the Zoning Ordinance/Official Zoning Map (Section 13.07)

☒ Variance from the requirements of the following Zoning Ordinance

Section(s): 3.101

☐ Appeal of the decision of the Township Zoning Official

### APPLICANT INFORMATION

Name Brian Garrott

Address 5843 Vreeland Ypsilanti MI 48198

Phone Number 734-255-6512

Email Brian.Garrott@gmail.com

Is the property owned by the applicant? ☒ YES ☐ NO

If "NO", what is the applicant's interest in the property? \_\_\_\_\_

Name, address and telephone number of owner(s): \_\_\_\_\_

### DESCRIPTION OF THE PROPERTY

Address 5843 Vreeland Ypsilanti MI 48198

Parcel ID# J -10-19-400-010

Parcel size .5 acres

Size of the proposed building or addition, if any 832 SF

Use of existing building (if any) and property Residential

Zoning classification of property A-1

If a new building is proposed, has the Building Inspection department examined the plans for the proposed building? ☐ YES ☒ NO

Has the department refused a permit? ☐ YES ☒ NO

Has there been any previous land use application involving this property? ☐ YES ☒ NO

If "YES", state the date of filing, the character of appeal and the disposition.

## DESCRIBE THE REASONS FOR YOUR APPEAL

Note: The Zoning Board of Appeals is required to use the standards listed in Section 13.08(B) of the Zoning Ordinance when considering an appeal. It is recommended that applicants review these standards and consider them in preparing a description of why the variance is needed. A copy of the standards is attached to the application.

**See Attached**

YOU MAY WISH TO ASK YOUR NEIGHBORS TO SIGN THE FOLLOWING SECTION IF THEY HAVE NO OBJECTION TO THE APPEAL YOU ARE MAKING.

We the undersigned, as owners of property any part of which is located within 300 feet of any part of the property involved in this appeal, have no objections to the granting of the request made in this appeal:

NAME (PLEASE PRINT)

SIGNATURE

STREET ADDRESS

### INFORMATION REQUIRED TO BE SUBMITTED WITH APPEAL

The following must attached and submitted with the application:

- Ten (10) sets of drawings, all on sheets 8 ½ inches by 11 inches or 8 ½ inches by 14 inches, drawn to scale and showing all measurements, features and structures, including the general location of all natural features on the property, measurements to show distances between structures, measurements between structures and property lines, measurements for lot width and lot area, and height of structures. Rights-of-way and easements must also be shown.
- A letter of authority, or power of attorney, in the event the appeal is being made by a person other than the actual owner of the property.
- A complete legal description of the premises (as stated on the property deed or property tax bill.)

**APPLICANT'S DEPOSITION** – Must be completed by applicant.

*I hereby state that all of the statements and information contained in this application and the supporting documents herewith are true and correct.*

Signature of applicant  Date 7-26-23

**NOTARY PUBLIC** – Applicant's signature must be notarized.

Sworn to before me this 26<sup>th</sup> day of July, 2023

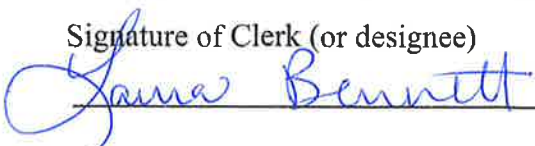
My commission expires   
(Notary Public, Washtenaw County, Michigan)

\*\*\*\*\*

*To be filled in by Township Clerk (or designated Township Officer/Personnel)*

I hereby state that this petition was properly received and filed on 7/26/23 (date)

Signature of Clerk (or designee)



Fee paid 175.00

NANCY L. MASON  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WASHTENAW  
MY COMMISSION EXPIRES Jun 16, 2027  
ACTING IN COUNTY OF

Washtenaw



## **Notice to Applicants for the Zoning Board of Appeals**

### **Filing Applications**

You must call and schedule an appointment with the Township Planning & Zoning Administrator, Laura Bennett, to file an application. She may be reached at the Township Office at (734) 482-6099 or [planning@superior-twp.org](mailto:planning@superior-twp.org).

### **Meeting Schedule**

The Zoning Board of Appeals does not have a regular meeting schedule. Meetings are called whenever there is an application for a variance. Because variance requests require a public hearing, it generally takes four (4) weeks from the date an application is received until a meeting of Zoning Board of Appeals can be held. This time is needed to schedule the meeting date and to mail out notices of the public hearing.

### **Reasons for the Appeal**

The Zoning Board of Appeals is required to use the standards listed in Section 13.08 of the Zoning Ordinance when considering the appeals. It is recommended that applicants review these standards and consider them in preparing a description of why the variance is needed.

### **Site Visits**

Filing an application gives the implied consent for Township officials and/or consultants to visit the subject site.

### **Application Fees**

An application fee must be paid when you file your application. The fees are as follows:

1. Appeals brought by the owner of a single-family dwelling for a variance from density and height regulations of the Zoning Ordinance = **\$175.00**
2. Any other appeal = **\$500.00**

### **Applicant's Acknowledgement**

*I hereby acknowledge that I have read and agree to the above and that I have been given a copy of this notice.*

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

#### 5843 Vreeland Reasons for appeal:

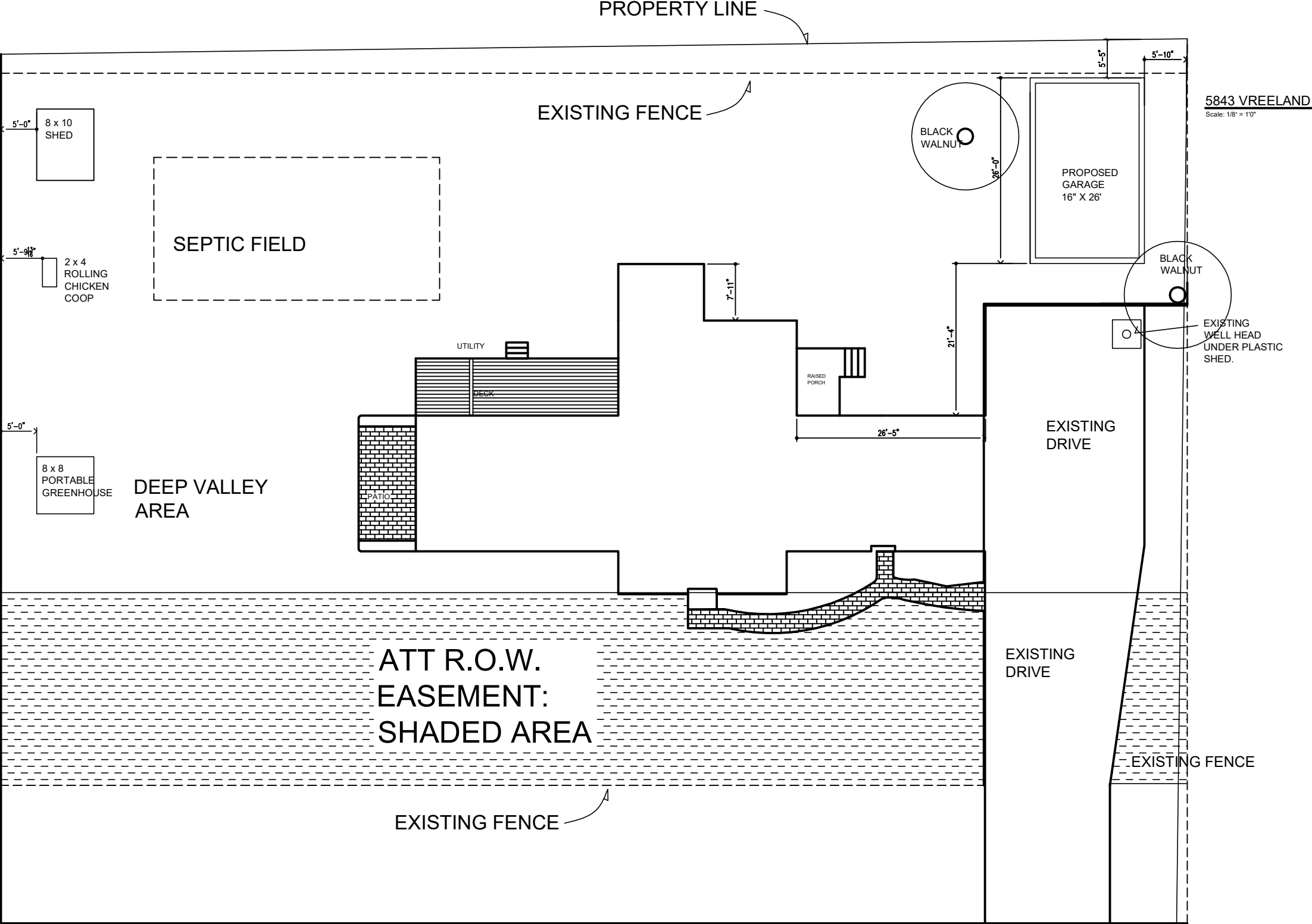
We are writing to obtain a variance from section 3.101 for Ground Floor Coverage (GFC) and Floor Area Ratio (FAR) from the Superior Twp ZBA, for the purpose of constructing a garage on our property. We are fortunate enough to live in the Gale Schoolhouse which was originally built in 1870 and was used for 80 years in this township as the District #5 School. This property has the unique circumstance of sitting on a smaller lot of just over half an acre while nearly everything else in the A-1 district is 5 acres or more. Since the property division was created long ago when the building was intended for use as a school, the use of this property for residential purposes could not have been reasonably foreseen at that time. A literal interpretation of this ordinance would deny the ability to build a garage, which is a right enjoyed by other property owners in the A-1 district. Uses for this structure will include vehicle, tool and lawn equipment storage on the lower level, and an upstairs loft that will include additional storage space and a small desk for homework, crafting, or zoom meetings.

Due to this lot size, condition, the location of the current structure on the site, and the unique topography of the site, we are very limited as to potential location for a garage on our property. The location proposed is ideal in that the existing driveway already leads to the area, the land is relatively flat, natural features including landmark trees will not be negatively impacted, and the location meets all Zoning requirements with the exception of the two mentioned above that are solely related to lot size. Other locations were considered, but these areas would require several additional variances, would be difficult and expensive to build on due to property grade, would adversely harm natural features, and would not make sense from a functional standpoint.

We do hope the ZBA will consider our appeal which would allow us to add a small functional garage to our property in keeping with what is reasonable, customary, and consistent with other properties in the area. Furthermore, given that our property is adjacent only to farmland, we have no neighbors on the impacted side (east property line) for well over 300 feet, nor will we be negatively impacting green-views, allowing our variance to be granted while in keeping with the original spirit, purpose, and intent of the ordinance.

#### PROPERTY LEGAL DESCRIPTION:

"OLD SID - J 10-019-034-00 SU 19-13 COM AT SW COR OF E 1/2 OF SE1/4, TH N 89 DEG 55' 45" E 148.5 FT, TH N 0 DEG 4' 15" E 132.0 FT, TH N 89 DEG 55' 45" E 165.0 FT, TH S 0 DEG 4' 15" W 132.0 FT, TH S 89 DEG 55' 45" W 165.0 FT ALONGS LINE OF SEC TO PL OF BEG, BEING PART OF E 1/2 OF SE 1/4 SEC 19 T2S-R7E 0.50 AC.



5843 VREELAND

Scale: 1/16" = 1'0"

PROPERTY LINE

EXISTING FENCE

5843 VREELAND  
Scale: 1/8" = 1'0"

BLACK WALNUT

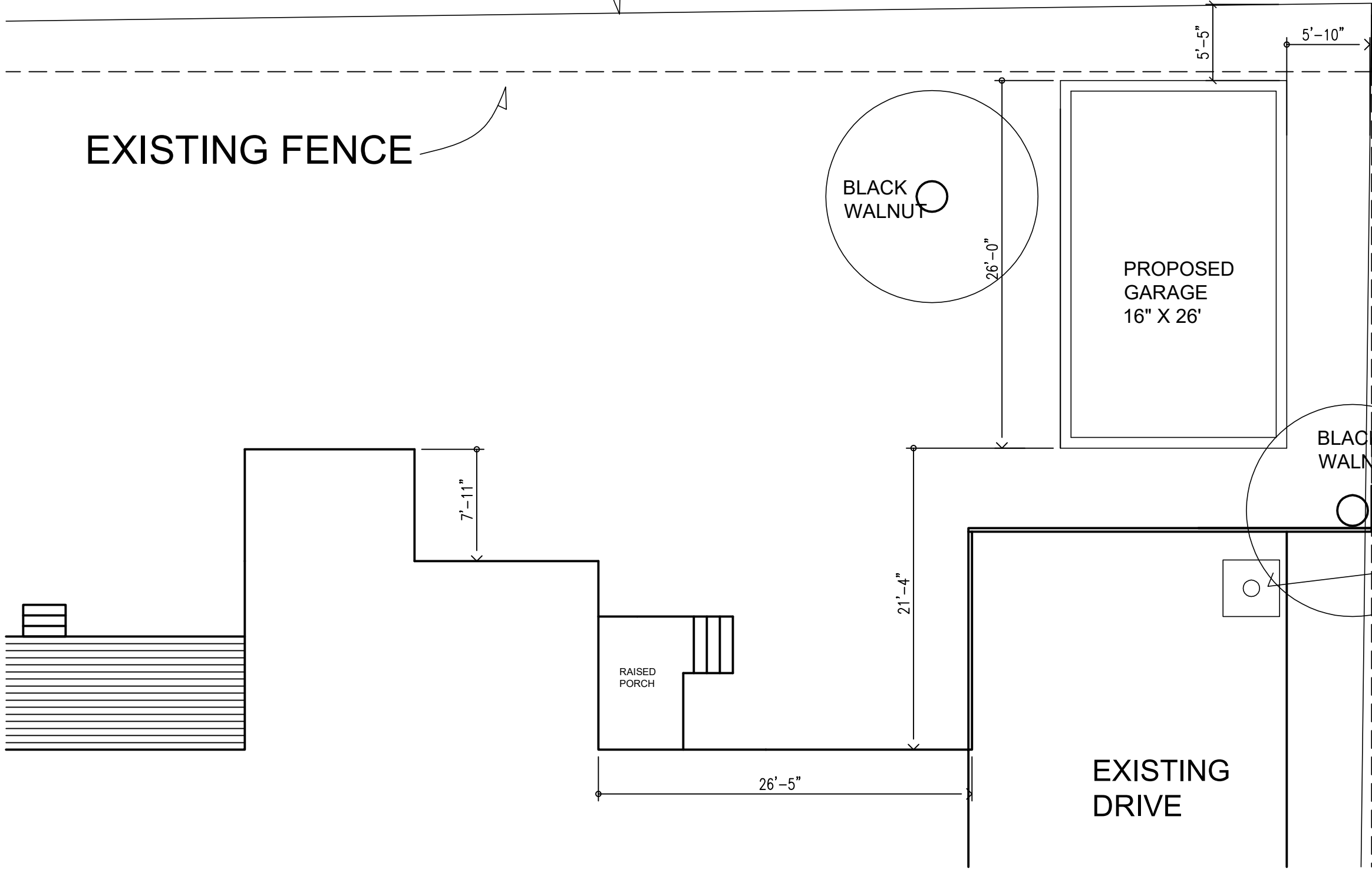
BLACK WALNUT

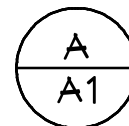
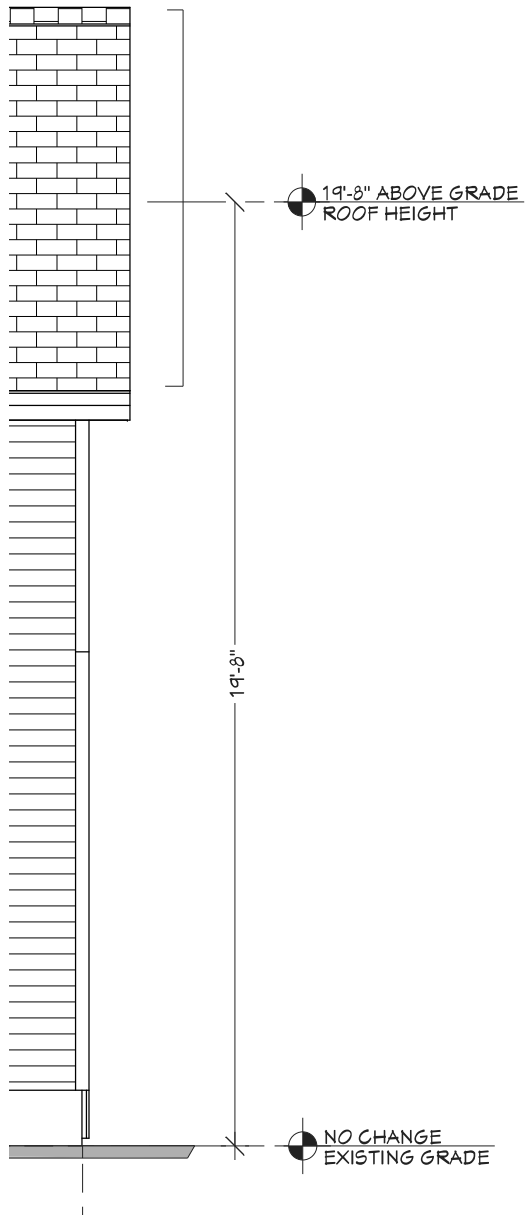
EXISTING WELL HEAD UNDER PLASTIC SHED.

PROPOSED GARAGE  
16' X 26'

RAISED PORCH

EXISTING DRIVE





ELEVATION

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