

CHARTER TOWNSHIP OF OXFORD  
ZONING BOARD OF APPEALS MEETING  
AGENDA

Date: Monday, November 19, 2018  
Time: 7:00 p.m.  
Place: Oxford Township Meeting Room  
300 Dunlap Road, Oxford, MI 48371

1. CALL TO ORDER
2. RESPECTS TO THE FLAG
3. NOTING OF ROLL: Bailey, Butler, Payne, Roesner-Meyers, Walters
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
  - A. Regular Meeting – October 8, 2018
6. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA
7. REGULAR BUSINESS
  - A. ZBA015.18 – Request for interpretation of the Zoning Ordinance, and a decision on questions that arise in the administration of the Zoning Ordinance. The request is in connection with the existing use of the Oakwood Wedding Chapel on Parcel 1 which is zoned R-1(Single Family Residential) (located at 2750 N. Baldwin Road, Oxford, MI, Tax I.D. No. 04-07-101-019), and the proposed construction of a barn-like structure intended for the gathering of persons on a portion of Parcel 2 that is zoned R-1 (located at 2740 N. Baldwin Road, Oxford, MI, Tax I.D. No. 04-07-101-018). However, the issue of whether the existing and proposed buildings and their use meet the definition of a “Church” under the Zoning Ordinance is not presently an issue before the ZBA.

*“This application seeks an interpretation of the Zoning Ordinance, and a decision on questions that arise in the administration of the Zoning Ordinance. This is within the jurisdiction of the ZBA under Article 17, Section 17.6. No public hearing is set forth for this process in Article 17.*

*Article 2 of the zoning ordinance, at Section 2.2, sets forth definitions of certain terms used in Zoning Ordinance.*

*The definition of ‘Church’ reads as follows:*

*‘Church. A building wherein persons assemble regularly for religious worship, and is maintained and operated by an organized religious body, as well as those structures within a religious complex that, while ancillary to the central location of worship, support regular assembly for worship. Churches include, but shall be not limited to, temples, synagogues and mosques’.*

*Article 2, Section 2.1, provides the basic rules of construction.*

## **II. INTERPRETATION REQUEST**

*In connection with the definition of ‘church’ as outlined above, the applicant seeks guidance on the following from a zoning administration standpoint and from a zoning interpretation standpoint. This request is limited to*

*the word 'church' and its application in the zoning ordinance and as defined in the Zoning Ordinance as set forth above.*

*The applicant has been advised by various Township representatives that the property use at issue is not a 'church' as defined in the Zoning Ordinance. This occurred at various meetings (some public) and other meetings at the Township offices.*

- A. What department, board, person or official determines whether a use, existing or proposed, is a church as defined in the Zoning Ordinance?*
- B. Does a use have to be a non-profit 501(C)(3) entity for taxing exemption status to be a church as defined in the Zoning Ordinance?*
- C. What frequency of assembly is required by the phrase 'assemble regularly' for a church as defined in the Zoning Ordinance?*
- D. What department, board, person or official determines whether a 'religious worship' is consistent with the definition of a church in the Zoning Ordinance?*
- E. What information or status must be in place to be considered an 'organized religious body' as that phrase is used in the definition of a church in the Zoning Ordinance?*
- F. Is a religious wedding service a 'religious worship' under the definition of a church in the Zoning Ordinance?*
- G. Is a religious funeral service a 'religious worship' under the definition of a church in the Zoning Ordinance?*
- H. Is the gathering together for food and fellowship a 'religious worship' under the definition of a church in the Zoning Ordinance?*
- I. Is the gathering together for organized prayer a 'religious worship' under the definition of a church in the Zoning Ordinance?*
- J. Is the gathering together for organized bible study a 'religious worship' under the definition of a church in the Zoning Ordinance?"*

#### 8. BOARD MEMBER COMMENT(S)

#### 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 W. Wright, Township Clerk, (248) 628-9787, as soon as possible to allow the Township sufficient time to have available the aids and services.

James Butler, Chairperson  
Charter Township of Oxford  
Zoning Board of Appeals  
300 Dunlap Road  
Oxford, MI 48371-0003 (248) 628-9787 x 110

Meeting Procedure\*

\* Per Oxford Township Zoning Board of Appeals Bylaws, Article VII, Section E

During a business meeting, the following Rules of Procedure shall apply to consideration of any item on the ZBA Agenda:

1. Applicant Statement
2. Open Public Hearing
3. Comments/Questions from the Public
4. Close Public Hearing
5. Building Administrator's Comments
6. Board Member Questions and Comments
7. Findings of Fact (Article 17, Section 17.8 – Variances, (C) - Standards
8. Motion
9. Board Member Discussion and Comment
10. Vote