

**NOTICE
REQUEST FOR VARIANCES
ZONING BOARD OF APPEALS**

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Charter Township of Springfield will hold a meeting on Thursday, April 20, 2006, beginning at 8:00 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, Michigan to hear the following appeals:

PUBLIC COMMENT:

OLD BUSINESS: none

NEW BUSINESS:

1. Raymond Russell, 5525 Ormond Rd., Davisburg, MI 48350, to allow a front yard setback of forty-eight (48) feet from Leddy's Lane rather than the required seventy-five (75) feet per Section 25 of Zoning Ordinance 26; and to allow a 1:7.25 (one to seven and one quarter) width-to-depth ratio rather than the required 1:4 (one to four) width-to-depth ratio, per Section 16.18 of Zoning Ordinance 26, to allow a land division. P.I. #07-30-401-014.
2. John Steckling, 8006 Caribou Lake Lane, Clarkston, MI 48346, owner of Holly Greens Storage, to allow steel instead of the required masonry walls for a self storage building, per Sections 12.01 and 18.07 of Zoning Ordinance 26. Subject parcel is located at 10475 Dixie Highway. P.I. #07-03-451-006.
3. Karen Wiltfang, 10227 King Rd., Davisburg, MI 48350, to allow a five (5) foot side yard setback rather than the required fifteen (15) feet, to construct an attached garage. P.I. #07-10-476-045.
4. Martin and Paula Rathsburg, 9663 Westwood Circle, Clarkston, MI 48350, to allow a five (5) foot rear setback rather than the required twenty-five (25) feet; and to allow a combined total of fifty-three (53) feet for front and rear setbacks rather than the required seventy-five (75) feet, per Section 18.11 of Zoning Ordinance 26. P.I. #07-03-426-015.

NOTICE IS FURTHER GIVEN, that the maps and variance requests may be examined at the Springfield Township Clerk's Office, 12000 Davisburg Rd., Davisburg, MI 48350 during regular office hours Monday through Friday. Written comments may be submitted to the Clerk's Office until the date of the meeting. Anyone needing a special accommodation at the meeting should contact the Township Clerk at least two (2) business days in advance. 248-846-6510.

NANCY STROLE, Clerk

**Springfield Township
Zoning Board of Appeals Meeting
Minutes of April 20, 2006**

Call to Order: Acting Chairperson Walls called the April 20, 2006 Regular Meeting of the Springfield Township Zoning Board of Appeals to order at 8:00 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, MI 48350.

Attendance:

Board Members Present

Collin Walls
Jim Carlton
Dean Baker

Board Members Absent

Skip Wendt
Frank Aiello

Staff Present

Approval of Agenda:

Board Member Walls noted that Mr. Steckling asked to table his request until the next month. There were no objections to that request.

- ★ **Board Member Carlton moved to approve the agenda as revised. Board Member Baker supported the motion. Vote on the motion. Yes: Walls, Carlton and Baker; No: none; Absent: Wendt and Aiello. The motion carried by a 3 to 0 vote.**

Public Comment: None

Approval of Minutes: March 16, 2006

- ★ **Board Member Baker moved to approve the minutes of March 16, 2006. Board Member Carlton supported the motion. Vote on the motion. Yes: Walls, Carlton and Baker; No: none; Absent: Wendt and Aiello. The motion carried by a 3 to 0 vote.**

New Business:

1. Raymond Russell, 5525 Ormond Rd., Davisburg, MI 48350. Parcel I.D. # 07-30-401-014

The applicant is requesting a front yard setback of 48 feet from Leddy's Lane rather than the required 75 feet per Section 25 of Zoning Ordinance 26; and to allow a 1:7.25 width to depth ratio rather than the required 1:4 width-to-depth ratio, per Section 16.18 of Zoning Ordinance 26, to allow a land division.

Mr. and Mrs. Russell, the owners and Mr. Tim Hart of Kieft of Engineering are present in regard to this request.

Mr. Hart explained that he cannot meet the width to depth ratio because of the odd shape of the property.

Board Member Carlton asked if the applicant could split this so the access is on Leddy's Lane? Board Member Walls said that is not possible since Leddy's Woods is a private road. Board Member Carlton said the proposed house is 85 feet toward Ormond Rd. but the requirement is 75 feet. Mr. Hart said the applicant may wish to build a covered porch in the future. Board Member Carlton said he does not see any different way of splitting the property.

Board Member Walls noted that a few years ago the owners looked at trying to get access to a new parcel on the north side of the existing house. Board Member Walls confirmed with Mr. Hart that all but the pole barn and one small shed would be removed. Board Member Walls explained that the accessory structures to be removed would have to be done before the land division can be processed and clean up would be required.

Mr. Bill Leddy of Leddy's Woods said he has no objection to the requested variance and they would like the applicant to try to preserve the pond if possible. Mr. Hart and Mr. Russell said they have no objections to that.

- * Board Member Baker moved to approve the request on Parcel I.D. 07-30-401-014 to permit a width to depth ratio of 1:7.25, to permit a front yard setback of 48 feet from Leddy's Woods Dr. contingent upon the removal of all accessory structures as presented on the diagram and that the property also be cleaned up to the satisfaction of the Building Director before any permitting is issued. Board Member Carlton supported the motion.**

Board Member Walls said it would be appropriate that the applicant be strongly encouraged to work out with the Building Director or Mr. Leddy some appropriate conservation language for the woods and wetlands in the rear. The Board members all agreed.

- * Vote on the motion. Yes: Walls, Carlton and Baker; No: none; Absent: Wendt and Aiello. The motion carried by a 3 to 0 vote.**

2. Karen Wiltfang, 10227 King Rd., Davisburg, MI 48350. Parcel I.D. #07-10-476-045.

The applicant is requesting a five foot side yard setback rather than the required 15 feet to construct an attached garage.

Ms. Wiltfang is present in regard to this request.

Board Member Walls and Board Member Carlton said the applicant has done a nice job with the house.

Board Member Walls noted that there is a letter from Robert and Christine Smith, 10280 King Rd., in support of the variance request. **[A copy of this letter is on file at the Office of the Clerk, Springfield Township].**

Board Member Walls confirmed that the applicant is requesting approval for the same size garage that was approved a number of years ago. The applicant said that is correct.

- * Board Member Carlton moved to approve the request for a five foot setback rather than the required 15 feet to construct an attached garage at 10227 King Rd. because of special conditions, because of the size and shape of the lot, also the variance is the minimum variance that makes reasonable use of the land and granting it would be in harmony of the adjacent neighborhood. Board Member Baker supported the motion. Vote on the motion. Yes: Walls, Carlton and Baker; No: none; Absent: Wendt and Aiello. The motion carried by a 3 to 0 vote.**

3. Martin and Paula Rathsburg, 9663 Westwood Circle, Clarkston, MI 48350. Parcel I.D. 07-03-426-015.

The applicant is requesting a five foot setback rather than the required 25 feet and a combined front and rear setback of 53 feet rather than the required 75 feet.

Mr. and Mrs. Rathsburg are present in regard to this request.

Board Member Walls said there is a letter from the Homeowners Association of Westwood Hills supporting the request and stating that they have no objections to the requested variance.

Mr. Rathsburg showed pictures of the proposed pool to the Board.

Board Member Walls asked the applicant what they plan on doing to accommodate the grade from the rear of the house to the back of the lot? Mr. Rathsburg said the level of the pool will be even with the bottom step of the doorwall and the pool man will be filling in with excess dirt to make it level. Mr. Rathsburg said they will have a natural slope down the back and side into the park/common area; if they do not have enough free dirt, he will build a brick retaining wall.

Board Member Baker asked the applicant if they checked the By-Laws to see if this is even possible? Mr. Rathsburg said he did not see anything in the By Laws that said he could not do it.

Board Member Walls asked what width of apron will be around the pool? Mr. Rathsburg said it would be a 4 foot apron. Board Member Walls said that really only leaves 1.8 feet for the retaining wall. Mr. Rathsburg said, yes.

Board Member Walls said the apron is not a problem as far as the setback but it creates a problem in constructing a retaining wall. Mr. Rathsburg said they also looked at different shaped and size pools.

Board Member Walls said in his opinion, he does not see a problem with a very restricted rear setback as long as it is properly engineered and everything they do stays on their own property but the Board cannot knowingly and intentionally give permission to encroach on the common area.

Board Member Carlton said he is hesitant and thinks perhaps the property could not handle a pool at all.

Mr. Rathsburg said another alternative is to go with a 20 foot round pool rather than the 24 foot proposed. Board Member Baker said the lot is irregular and the fact that the park is behind them bodes well but he is hesitant and would like to know that the subdivision knows that the pool will only be 1.84 feet from the property line. Board Member Baker said the 20 foot pool is a much more appealing choice.

Board Member Carlton agreed a 20 foot pool is more acceptable and he would not go along with the 24 foot. Mrs. Rathsburg said she didn't think a 20 foot pool would be big enough for her 16 year old.

- * Board Member Walls moved to table the request to allow the applicant to prepare a topographical and detailed plan showing the construction of the pool with all work totally on their property, to get a sign-off from that topographical detailed plan from the Association and to allow a full contingent of the Board of Appeals to be present at the next hearing. Board Member Carlton supported the motion. Vote on the motion. Yes: Walls, Carlton and Baker; No: none; Absent: Wendt and Aiello. The motion carried by a 3 to 0 vote.**

Adjournment:

Hearing no other Business, Acting Chairperson Walls adjourned the meeting at 8:55 p.m.

Susan Weaver, Recording Secretary