

Minutes of  
**ZONING BOARD OF APPEALS  
REGULAR MEETING**

**March 16, 2022**

**SPRINGFIELD**  
CHARTER TOWNSHIP



Sean R. Miller, Clerk

**Call to Order:** Chairperson Baker called the March 16, 2022, Zoning Board of Appeals meeting to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, Michigan, 48350.

**In attendance:** Dean Baker, Chairperson  
Skip Wendt, Vice Chair  
Jim Carlton, Board Member  
Bill Whitley, Board Member  
Matt Underwood, Board Member

**Staff Members Present:**  
Laura Moreau, Supervisor  
Joan Rusch, Planning Administrator

**Approval of Agenda:**  
Board Member Whitley moved to approve the agenda as presented. Supported by Board Member Carlton. Vote: Yes: Baker, Carlton, Wendt, Whitley, Underwood. No: None. Motion approved.

**Public Comment:**  
None

**Approval of Minutes:**  
Board Member Carlton moved to approve the minutes of the January 19, 2022, meeting as presented. Supported by Board Member Whitley. Vote: Yes: Baker, Carlton, Wendt, Whitley, Underwood. No: None. Motion approved.

**Old Business:**

1. Tabled request from Brian Stogsdill and Kyla Berden, 3819 S. Ortonville Rd., Clarkston, MI 48348, for a variance to construct a house and a garage with a front setback of thirty-six (36) ft., nine (9) inches (36.8 ft.) instead of seventy-five (75) feet allowed per Springfield Township Ordinances, Chapter 40, Section 40-572.

The property that is the subject of this request is located at 8001 Knox Road, Clarkston, MI 48348, in Springfield Township and is zoned R-1-A One Family Residential, P.I. #07-01-400-037.

Brian Stogsdill and Kyla Berden explained that they have revised the original plan brought before the Board in January. The new plan is less intrusive of the required setback. They are

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now asking for a 12-foot variance instead of the 38-foot variance requested previously. They have decided on a new home plan and will face the house towards Ellis Road. The house will have a driveway access from Knox Road and one from Ellis Road.

Board Member Whitely asked if the rectangle on the drawing provided showed the building envelope of the house.

Board Member Carlton asked if the drawing included the garage.

Mr. Stogsdill stated that the drawing does include the building envelope which does include the garage.

Chairperson Baker commented that the new plans offered are a reasonable and appropriate response to the lot challenges. He was glad to hear that the new house design appeals to the applicant, and that they are building a home they will like despite the restrictions of the parcel.

**Board Member Carlton moved to approve the variance to construct a residence with an attached garage with a front setback of 63 feet, instead of 75 feet, for the property located at 8001 Knox Road based on the plans as presented tonight. Special conditions and circumstances exist which are peculiar to the land, which include the DTE power line and two front yard setbacks; literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district; the special conditions do not result from the actions of the applicant; the variance is the minimum variance that will make possible the reasonable use of the land – note that the plans were revised quite a bit to meet the ordinance; the granting of the variance will be in harmony with the neighborhood and will not be injurious to the neighborhood. Supported by Board Member Whitley. Vote: Yes: Baker, Carlton, Wendt, Whitley, Underwood. No: None. Motion Approved.**

**New Business:**

**1. Request from Stephen Grigg, 12493 Blueberry Lane, Davisburg, 48350, for a variance to construct a 780 sq. ft. garage with a side setback of fifteen (15) feet instead of twenty-five (25) feet allowed per Springfield Township Code of Ordinances, Chapter 40, Section 40-572.**

**The property that is the subject of this request is located at 12493 Blueberry Lane, Davisburg, 48350, in Springfield Township and is zoned R-1 One Family Residential, P.I. # 07-20-403-001.**

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Stephen and Gail Grigg explained that their lot is hilly and that there is a drainage easement that prevents placement of a garage too far back. They want to place the garage entrance so it will blend with the existing driveway into the garage, and to make the grade manageable. They also want room to regrade the property at the rear of the garage without encroaching on the drainage area.

Chairperson Baker noted the map of the drainage easement and inquired where the house currently sits in regards to this easement and how the easement impacts the location of the proposed structure.

Mr. Grigg explained on the drawing where this easement is located.

Board Member Carlton noted that if the garage was moved closer to the house, then it would be too close to the slope. He discussed with the applicant different ways the garage could be placed on the lot to reduce the variance or to eliminate the need for a variance all together.

Chairperson Baker stated that there appears to be a way to put the structure on the lot that would not be in the drainage easement and would not require a variance.

Mr. Grigg explained that a different placement would affect blending the grading and impair his ability to mow the lawn.

Chairperson Baker commented that there is a way to place this garage outside the drainage easement and within the setback limitations. There are options available.

Board Member Whitley stated that the garage could be moved ten feet to the west.

Mr. Grigg stated that this would move the garage more into the hill where there are grade challenges.

Board Member Whitley commented that there isn't a significant change in the rate of gradient change if the structure is moved ten feet to the west, especially since the garage door is on the easterly end of the building.

Chairperson Baker stated that the request is based on the aesthetic element of the garage wall foundation being exposed and not totally below ground. This aesthetic element does not make the lot unusable. He stated that the applicant could use the lot without needing a variance by moving the garage over ten feet. Landscaping could be done to improve the aesthetics.

Mrs. Grigg stated that their foundation contractor recommended placing the garage where they have proposed, because there is too much of a hill to build a garage in a different place.

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**Board Member Whitley moved that the request for a side setback variance of 15 ft. for the property at 12493 Blueberry Lane, Davisburg, MI 48350 be denied. The reason being there are other alternatives that would still allow the construction of an additional accessory structure within the setbacks. Specifically, the request does not meet the requirement of the variance being the minimum variance that will make possible use of the land, building, or structure. Supported by Board Member Carlton. Vote: Yes: Baker, Carlton, Wendt, Whitley, Underwood. No: None. Motion Approved.**

**Public Comment:**

None

**Adjournment:**

- **Board Member Wendt moved to adjourn the meeting at 8:05 p.m. Supported by Board Member Carlton. Vote: Yes: Baker, Carlton, Wendt, Whitley, Underwood. No: None. Motion approved.**

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Joan Rusch, Recording Secretary