

**Springfield Township
Zoning Board of Appeals Meeting
Minutes of July 21, 2004**

Call to Order: Chairperson Wendt called the July 21, 2004 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

Skip Wendt
Collin Walls
Jim Carlton
Dennis Strelchuk
Roger Lamont

Board Members Absent

Staff Present

Leon Genre
Mary Blundy

Approval of Agenda:

- **Board Member Walls moved to approve the agenda as presented. Board Member Strelchuk supported the motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Strelchuk and Lamont; No: none. The motion carried by a 5 to 0 vote.**

Approval of Minutes: June 16, 2004

- **Board Member Walls moved to approve the minutes of June 16, 2004 as presented. Board Member Strelchuk supported the motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Strelchuk and Lamont; No: none. The motion carried by a 5 to 0 vote.**

Old Business: None

New Business:

1. Marcus M. DeLisle, 4905 Fox Creek #220, Clarkston, MI. Property located at 11444 Clark Road; Davisburg, MI. Parcel # 07-07-16-451-007

The applicant is requesting an access strip to a parcel of less than five (5) acres; and to allow a width of 90 feet, rather than the required 165 feet at setback line; and to allow a 1 to 6 and a 1 to 8 width-to-depth ratio, rather than the required 1 to 4 width-to-depth ratio.

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Mr. Marcus DeLisle is present in regard to this request.

Mr. DeLisle thanked the Board for their time. He explained that the property belongs to his grandparents and is currently a horse farm with a riding arena. His grandparents have supported a horseback riding program for the handicapped and they will continue to offer this program. Mr. DeLisle said the farm will remain in the family. The property is a unique shape and the railroad contributes to this shape; therefore making it non-conforming.

Board Member Walls asked the applicant if he explored other alternatives versus a variance request and, if so to explain. Mr. DeLisle explained that he did look for other property but could not find a house that would achieve what he will with this property. The portion that the variance would be granted on is a portion of property this is not used regularly. Board Member Walls asked Mr. DeLisle if he considered applying for a variance to have two homes on one parcel without dividing the property? Mr. DeLisle said he did not want to do that because he did not want to burden his grandparents by requiring them to obtain a mortgage for a new house and does not believe that choice is feasible.

Board Member Carlton said the parcel is very odd shaped and asked the applicant if he has considered what type of house to build and how much space is available? Mr. DeLisle showed the plans and where he would consider construction of a home that would be approximately 2,300 square feet.

Board Member Walls said the property meets both major criteria in Section 16.20 for access strips. There are six access strips within 2000 feet, and the property contains wetlands and other natural constraints that limit development.

- **Board Member Walls moved that the Zoning Board of Appeals grant the access strip because of its conformity to Section 16.20, and approve the variance to allow that access strip to be to a parcel that is at least 2 1/2 acres but less than 5 acres that would contain at least 90 feet width at the setback line, and to allow a width-to-depth ratio of 1 to 8 on the balance of the parent parcel and 1 to 6 on the 2 1/2 acre parcel, because of the unique character of the property in reference to the wetland and the extra depth for the new parcel; it will not cause any change in the functional or usable area of the site and the very irregular and non-conforming nature of the existing parcel; also recognizing that this is a long-standing agricultural and public service use to the community that should be retained. Board Member Strelchuk supported the motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Strelchuk and Lamont; No: none. The motion carried by a 5 to 0 vote.**

Other Business:

Leon Genre, Building and Planning of Springfield Township explained that a resident has proposed to the Township, an accessory structure to a resident on a 1.8 acre parcel. When he calculated this, the first floor square footage is 1,810 square feet and then with a second story, it

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ends up being a 3,700 square foot accessory structure. Mr. Genre believes this person, and others, are trying to circumvent the ordinance by using the Township's own ordinance. It states that a principal dwelling has a principal kitchen. Barring the principal kitchen, everything else about the second floor says it is a home. It contains a full bath, walk-in closet, fireplace, exercise room and a solarium. It does not have access to the garage, via an inside stairway. It has egress doors, doorwall, bay window and a deck. However, it does not have a principal kitchen.

Chairperson Wendt said, looking at the plans, this appears to be a house. The Board Members unanimously concurred. Mr. Genre said he would ask this applicant to apply for a variance to the Board of Appeals.

Adjournment:

Hearing no other Business, Chairperson Wendt adjourned the meeting at 8:25 p.m.

Susan Weaver, Recording Secretary