

Springfield Township
Zoning Board of Appeals Meeting
Minutes of January 17, 2008

Call to Order: Board Member Bill Whitley Called the January 17, 2008 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

Dean Baker
Bill Whitley
Jim Carlton
Dennis Vallad

Board Members Absent

Skip Wendt

Staff Present

Nancy Strole

Approval of Agenda:

- **Board Member Whitley moved to approve the agenda as presented. Board Member Baker Supported the motion. Vote on the Motion Yes: Whitley, Baker, Carlton and Vallad; No: none; Absent: Wendt. The motion carried by a 4 to 0 vote.**

Approval of Minutes: November 20, 2007

- **Board Member Baker moved to approve the minutes of November 20, 2007 as presented. Board Member Carlton supported the motion. Vote on the Motion Yes: Whitley, Baker, Carlton and Vallad; No: none; Absent: Wendt. The motion carried by a 4 to 0 vote.**

Old Business: None

New Business:

1. Michael and Cynthia Huntwork, 4781 Hillsboro Rd., Davisburg. P.I. # 07-33-401-006

The applicant is requesting to temporarily allow two (2) dwellings on one (1) single family residential lot, per Section 19.01.5.b of Springfield Township Zoning Ordinance No. 26, in order to reside in the existing dwelling while a new dwelling is constructed. The property is located at 4781 Hillsboro Rd. in Springfield Township, is approximately 2.21 acres in size and is zoned R-1A One Family Residential.

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Mr. & Mrs. Huntwork and Edward Richardson were present in regard to this request.

Board Member Whitley asked if there was anyone in the audience here to speak on this issue tonight. Mr. Edward Richardson, the builder, located at 12300 W. Dodge Rd., Montrose, MI 48457 said he would speak on the applicant's behalf.

Board Member Whitley asked Mr. Richardson to give a description of the intent of the request. Mr. Richardson introduced himself as the builder of the project, then went on to state that it would be a hardship on the Huntworks to move away and stay in motels until the project is completed. Mr. Richardson went on to explain that all of the financing for the new house and demo of the old house is in place with Franklin Bank and that he is not able to collect his payment until the whole job is done. As long as the weather holds, the whole job should only take 45 to 60 days for the new house to be done. The Health Department has approved that the existing well and septic can be used, so the family will have to move out of the old house prior to moving into the new house. The family would like to be able to keep the old house up for approximately a week to move their belongings to the new house. At that time Mr. Richardson will demo the old house. In the event that the frost laws are on and he can not move heavy equipment, he will put yellow tape around the house and will smash it up enough to show that nobody can live in it.

Board Member Whitley recapped the timing of construction as 45 to 60 days to construct the new dwelling, approximately a week to change the well and septic from the old house to the new house, then approximately two additional weeks to demo the old house for a total of 10 to 12 weeks for the entire project. Mr. Richardson agreed on this timing.

Board Member Vallad asked when construction will be started. Mr. Richardson answered by stating that if this request is approved tonight, he will be obtaining a building permit tomorrow.

Board Member Vallad asked if the weather will hold up construction at all. Mr. Richardson replied that, no, the weather shouldn't hold him up unless it rains.

Mr. Richardson went on to explain that the new home is a manufactured home, with a walk out basement.

Board Member Baker asked if they were going to use the existing propane and if Detroit Edison is going to provide the electricity for the new house and how long it will take for Detroit Edison to respond. Mr. Richardson stated that Detroit Edison has been notified and Miss Dig has already been out. The propane company will be out at the same time that the well and septic is being done, to hook up the propane tank to the new house.

Board Member Whitley explained that there are two similar precedents and that the ordinance allows the temporary installation of a mobile home, modular or prefabricated dwelling on a single family residential lot while a permanent structure is being built. So

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the question here is can we build a permanent structure while another permanent structure is on the lot.

Mr. Richardson explained again of the hardship this will cause the family if they have to move out prior to moving into the new home, since all of their money is tied up in this project.

Board Member Whitley asked if there were any more comments from the Board. Board Member Baker stated that looking at section 19.01 item 5 subsection b, he feels the intent of the ordinance is speaking toward using a temporary structure when there is no other permanent structure on the lot. The circumstances of tonight's request are not clearly dealt with in the ordinance language presented, but it's not prohibited. Board Member Carlton agreed. Board Member Vallad also agreed.

- **Board Member Carlton moved that the request by Mr. and Mrs. Huntwork at 4781 Hillsboro Rd., to temporarily allow two dwellings on a single family residence, because it meets the intent of the ordinance and is in harmony with the surrounding neighborhood, be approved with the condition that only one of those homes be occupied at a time; that the existing home be removed within 90 days after occupancy of the new house; that an enforceable agreement be prepared by the Township attorney and signed by the applicant that would ensure that demolition or provide the Township the ability to demolish the existing home and assess the cost on the tax roll and that \$1,000 cash bond be placed with the Township to be used only if necessary to cover the legal fees for the removal. Board Member Vallad supported the motion. Vote on the motion. Yes: Whitley, Vallad, Carlton, Baker; No: none; Absent: Wendt. The motion carried by a 4 to 0 vote.**

Adjournment:

Hearing no other Business, Board Member Whitley adjourned the meeting at 8:20 p.m.

Michelle Cox, Acting Recording Secretary