

SPRINGFIELD TOWNSHIP
ZONING BOARD OF APPEALS
August 17, 2011

Meeting is called to order at 7:41 pm by Chairman, Jim Carlton, acting Chairperson in Skip Wendt's absence.

In attendance: Dean Baker, Zoning Board Member
 Jim Carlton, Zoning Board Member
 Denny Vallad, Zoning Board Member

Absent: Bill Whitley, Zoning Board Member
 Skip Wendt, Chairman

AGENDA: Approved as presented.

PUBLIC COMMENT: None.

CONSENT MOTION: Minutes of the August 3, 2011 special meeting.

Board member Baker moved to approve the minutes of the August 3, 2011 meeting with the following amendment: Page 2, paragraph 3, revise to "800 square feet plus one square foot for each 100 square feet of lot area." Supported by Board member Vallad. Voted yes: all. Voted no: none. Absent: Whitley, Wendt. Motion approved.

NEW BUSINESS:

1. *Request from Jim Cai, GZA GeoEnvironmental, Inc., 19500 Victor Parkway, Livonia, MI 48152 to construct a fence to enclose an area of approximately 5600 square feet around an existing groundwater treatment building. Fence will be nine (9) foot high rather than the six (6) foot allowed per Section 16.13 of the Zoning Ordinance.*

The property that is the subject of this request is located at 12955 Woodland Trail, Davisburg, in Springfield Township and is zoned R1A, Suburban estates. P.I.#07-32-300-009.

Jim Cai, GZAEnvironmental, Inc. appeared at the meeting as applicant.

Board member Carlton asked Mr. Cai if he had information that he wanted to share with the Board.

Mr. Cai stated that present on the agreement signed with the property owner Carrine Nickson in October 2010, was a stipulation that they would add the 9 foot fence around

the proposed area. They want the additional fencing to help eliminate theft and vandalism.

Board member Vallad asked Mr. Cai if there was just the pumping station equipment in the building structure, or if there were additional items.

Mr. Cai responded just the pumping station equipment is located in the structure.

Board member Vallad stated that he was curious why Ms. Nickson would want this added to the agreement.

Mr. Cai stated that when there was an incident, the Sheriff's Department would end up knocking on Ms. Nickson's door and it was becoming annoying.

Board member Vallad asked when the last occurrence of vandalism was.

Mr. Cai responded that it was November 2010.

Board member Carlton clarified that since they didn't have staff that visited the site daily, perhaps they wouldn't know about an incident right away when it happened.

Mr. Cai agreed.

Board member Baker asked if the fence would be chain link.

Mr. Cai stated that he has not gone over the exact fence proposal with the engineer, but he was suggesting that it was going to be chain link with barbed wire along the top which is identical to the existing fence. The height from bottom to top of the fence would be nine feet.

Board member Carlton stated that the intent of the 6 foot limit in the ordinance is to protect the view from adjacent properties. He stated that he did not walk the lot due to the "No Trespassing" signs, but there is no impact on any neighboring properties, even in the winter.

Board member Baker stated that the area is zoned residential, this is not a use that that this site will ever be utilized for again. The nature of the condition of the property qualifies it for special conditions peculiar to the land, structure or building involved. He looked through the list of conditions one by one. The other properties in the zoning district do not have the right to have a 9 foot fence, but there are some very unique features about this site that does not exist in any other residential zoning, or any other location in the Township. He stated that he does not see that granting this variance would be out of harmony. It is an isolated tract. It is not viewed by neighboring properties and the granting of the variance would not infringe upon neighboring parcels. There are definitely special circumstances that exist. He looked to other members of the Board for

their determination that the applicant's request meets all of the criteria. He stated that there are unique conditions and he is in support of granting this variance.

Board member Carlton concurred. All five of the conditions have been met. The property is so unique that he does not find issue with any of the five conditions.

Board member Vallad stated that the owners and operators of this facility have a right to protect the property in reference to the health, safety and welfare of the residents of the Township. This is the Superfund Site and it is incumbent on the Township to give it the best chance to operate at full efficiency. If protecting against vandalism requires the 9 foot fence, which may not even be enough, the request should be granted.

Board member Baker made a motion to approve the request for a variance received from Jim Cai, of GZA GeoEnvironmental to permit the construction or enhancement of an existing fence where appropriate to a 9 foot height rather than the 6 foot limitation that is present in Zoning Ordinance #26, section 16.13 based on the fact that there are special conditions and circumstances that exist that are peculiar to this site, mainly it is a Superfund Site and granting this variance will not, in any way, infringe upon the rights of neighboring parcels and consequently it is in harmony with the intent to maintain a safe and environmentally improved condition at this location. Supported by Board member Vallad. Voted yes: all. Voted no: none. Absent: Whitley, Wendt. Motion approved.

ADJOURNMENT:

Board member Baker moved to adjourn the meeting at 7:55 pm, supported by Board member Vallad. Voted yes: all. Voted no: none. Absent: Whitley, Wendt. Motion approved.

Erin Mattice, Recording Secretary