

**Springfield Township  
Zoning Board of Appeals Meeting  
Minutes of January 20, 2005**

**Call to Order:** Chairperson Wendt called the January 20, 2005 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  
Dean Baker  
Frank Aiello

**Board Members Absent**

**Staff Present**

Leon Genre  
Mary Blundy

**Approval of Agenda:**

Chairperson Wendt introduced two new Board Members, Dean Baker and Frank Aiello.

- **Board Member Walls moved to approve the agenda for January 20, 2005 as presented. Board Member Carlton supported the motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Baker and Aiello; No: none. The motion carried by a 5 to 0 vote.**

**Approval of Minutes:**

**November 18, 2004**

- **Board Member Walls moved to approve the Minutes of November 18, 2005 as presented. Board Member Carlton supported the motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Baker and Aiello; No: none. The motion carried by a 5 to 0 vote.**

**Old Business:**

- 1. Duane Sterling, 31120 Dalhay Street, Livonia, MI. Parcel # 07-28-401-007  
Property located at 5810 Morning Drive, Davisburg.**

The applicant is requesting a five (5) foot side yard setback rather than the required fifteen (15) foot setback, and a fifteen (15) foot rear yard setback rather than the required thirty-five (35) foot setback to allow the construction of a detached garage.

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Mr. Sterling is present in regard to this request.

Chairperson Wendt noted a letter from Mr. Sterling indicating that the parcel with the residence will be used by he and his wife during construction of a home. Once the home is completed, the residence will become rental property inclusive of the garage.

Mr. Sterling said he is open to suggestions as far as what will work with the height of the building. The current roof runs north/south and he did not consider the idea of the garage roof running the same way, but does not have an issue. He is concerned with the pitch and does not want to make it too low. He would like to stay with an 8:12 roof pitch even if it means changing the direction to follow the existing house. Mr. Sterling said he would drop the wall height if he had to, rather than lower the pitch. Chairperson Wendt said Mr. Sterling would have a better chance of drying the roof out if it were parallel and not perpendicular to the existing building, and lowering the side wall height by one foot would also diminish part of the problem of the building not fitting the character of the neighborhood.

Board Member Walls asked if the septic is closer to the proposed garage than the drawing shows? Mr. Sterling said, that is correct. It is under two feet away.

Chairperson Wendt said he believes the applicant has tried to work with the Board in all of their suggestions and has supplied an email stating that the rental property will have use of the garage. Board Member Walls said he agrees.

- **Board Member Carlton moved to approve the five (5) foot side yard setback rather than the required fifteen (15) and fifteen (15) rear yard setback rather than the required thirty-five (35) at 5810 Morning Drive for the construction of a detached garage due to the odd shape of the lot and existing septic. Conditioned upon the existing garage be removed after completion of this garage and also the pitch of the new garage will be parallel with the house and the roof will have an 8:12 pitch and a wall height of eight (8) feet.**
- **Board Member Walls asked to add to the motion, in addition to the odd shape of the lot, a pre-existing, non-conforming status of the property. Board Member Carlton amended his motion to include this. Board Member Walls supported the amended motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Baker and Aiello; No: none. The motion carried by a 5 to 0 vote.**

### **New Business:**

- 1. Martin J. Everett, 7900 Ormond Rd., Davisburg, MI. Parcel #07-18-426-001  
Property located at same.**

The applicant is requesting a side yard setback of thirteen (13) feet rather than the required twenty-five (25) feet to add an addition to the existing garage.

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Mr. Everett is present in regard to this request.

Chairperson Wendt noted that the Board is in receipt of a letter from Mr. and Mrs. Marlan Hillman of 7880 Ormond Dr., expressing that they have no objections to this variance request. **[A copy of this correspondence is on file at the Office of the Clerk, Springfield Township].**

Board Member Walls asked what the reason is for an addition to the garage? Mr. Everett said he has a very small home and needs some storage. Board Member Walls said it appears that the 13 foot asked for includes a one foot overhang and the wall would only be 14 feet. Mr. Everett said, that is correct. Leon Genre confirmed that the overhang is allowed to extend into the side setback. Board Member Walls asked if the primary reason is because the house was set at a slight angle rather than parallel to the lot line? Mr. Everett said, yes.

- **Board Member Walls moved to approve the variance request to allow a side yard setback of thirteen (13) feet on the south property line based on the pre-existing, non-conforming, size of the lot and building location on the lot. Board Member Baker supported the motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Baker and Aiello; No: none. The motion carried by a 5 to 0 vote.**

### **2. Frederick Vigelius, Jr., 5969 North Bay, Clarkston, MI Parcel # 07-26-228-011. Property located at same.**

The applicant is requesting a front setback of twenty-four feet, six inches (24.6 feet) rather than the required fifty (50) feet and a side yard setback of four (4) feet rather than the required fifteen (15) feet to construct an attached garage.

Mr. Frederick Vigelius is present in regard to this request.

Board Member Walls asked the applicant why he cannot add on to the rear of the house ? Mr. Vigelius said there is a sudden drop-off that is very steep right behind the house along with an existing well. Board Member Walls asked the applicant if he considered an addition with a lower level walk-out? Mr. Vigelius said there is a walk-out on one side of the house and there is not much to fit storage needs. He said to keep cost down, it made more sense to turn the existing garage into living space and add another garage.

Board Member Walls said there is no indication on the application as to what necessitates more than doubling the size of the house. Mr. Vigelius said it is now a very small house. Board Member Walls asked if there are two bedrooms in the existing house? Mr. Vigelius said, three small bedrooms upstairs and confirmed that the first level is just the kitchen and living room as it stands now. However, he is not planning on doing anything on that side of the house except perhaps remove a wall and make two smaller rooms into one bigger room. Board Member Walls asked what requires the additional side yard variance since it looked easy enough to move the garage over and reduce the size of the den or mud room? Mr. Vigelius said he could do that but the added space will help for his family.

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Chairperson Wendt said the applicant could meet or lessen the variance by the way the garage could be positioned and changing the interior of the house. The proposed plan creates a man-made hardship, not something that is natural or pre-existing. Mr. Vigelius said going forward makes the most sense.

Board Member Carlton said two houses in the area looked like the garages would be similar to the front of the current house and there is no one on the side of the proposed variance, there is just a park. Board Member Carlton said with a garage of 22 or 24 feet, he doesn't know that making it much smaller is an alternative, and the only alternative is to get rid of some of the mud room or office. Mrs. Vigelius said the septic is in front.

Board Member Walls asked where the proposal is in relationship to the septic? Mr. Vigelius said the new porch would come out in front just a few feet closer. He showed the Board on the plans how this would work.

Board Member Walls said he believes there is no impact on moving the garage over. The applicant simply needs to alter the front to incorporate an entry.

Board Member Carlton commented that he believes something could be worked out but with different scaled drawings, he believes the Board may not have all the information, and perhaps the applicant needs to see if the garage can be moved. Chairperson Wendt said we could table the request to allow the applicant to provide more thorough information. Board Member Carlton said he would be in favor of that.

Board Member Baker said he would encourage the applicant to accept a tabling motion to provide additional dimensions. Board Member Baker said, without that information, he would be compelled to deny at this point.

- **Board Member Baker moved to table the application of Frederick Vigelius, Jr. at 5969 North Bay, Clarkston, MI. Board Member Aiello supported the motion. Vote on the motion. Yes: Wendt, Walls, Carlton, Baker and Aiello; No: none. The motion carried by a 5 to 0 vote.**

### **Adjournment:**

Hearing no other Business, Chairperson Wendt adjourned the meeting at 8:30 p.m.

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Susan Weaver, Recording Secretary

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