

SPRINGFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
April 17, 2019

Call to Order: Chairperson Whitley called the April 17, 2019 Zoning Board of Appeals meeting to order at 7:30 pm at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

In attendance:       Dean Baker  
                             Matt Underwood  
                             Denny Vallad  
                             Skip Wendt  
                             Bill Whitley

Absent:                 None

PUBLIC COMMENT:  
None

AGENDA:

**Board member Underwood moved to proceed with the agenda as presented. Supported by Board member Wendt. Vote yes: Baker, Underwood, Vallad, Wendt, Whitley. Vote no: None. Absent: None. Motion approved.**

APPROVAL OF MINUTES:

**Board member Wendt moved to approve the minutes of the March 20, 2019 meeting as presented. Supported by Board member Underwood. Vote yes: Baker, Underwood, Wendt, Whitley. Vote no: None. Abstain: Vallad. Absent: None. Motion approved.**

**OLD BUSINESS:**

**1. (TABLED ON MARCH 20, 2019) Request from Trista Baker/Allen Industries, 28054 Center Oaks Ct., Wixom, MI 48393 for a variance to install building signage in the amount of three hundred thirty-nine (339) square feet rather than the one-hundred (100) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-751.**

**The property that is the subject of the request is located at 8665 Dixie Highway in Springfield Township and is zoned C-2 General Business. P.I.#07-24-101-005.**

Dave Brink, Allen Industries, introduced himself and Bill Brown, Manager of General RV, to the Board members.

Mr. Brink stated that they are proposing an alternative to the wall sign request which is a road sign along I-75. It is single sided which is only visible traveling north. He provided sign copies to the Board members. He also distributed a revised application. He explained and summarized the new ground sign request.

Mr. Brown stated that General RV has purchased additional land from the church that provides them the additional property to locate the sign on.

Board members discussed why they would not be able to act on this new request. This request has not been noticed and is so different from the original request that a new application must be submitted for the new variance request.

Board members suggested items that should be included in the new variance request including exact location of the proposed sign and the variances that might be included in the new request.

Supervisor Walls explained that he was told the easement area on the area next to the recently acquired property is needed so that if Dixie Baptist no longer owns the building, there will be an easement to protect and maintain a continuation of the existing Dixie Baptist sign. He indicated that he would encourage the applicant to make an appointment with the Planning Administrator and himself to go through the application and answer any questions that the applicant may have.

Board member Baker asked if it was the intent for the sign to stay lit all night.

Mr. Brown answered yes, and they could look at dimming it too, if required. He explained the reason behind now asking for the additional monument sign.

Board member Vallad expressed concern about the LED signage and light impact.

Applicant concluded that he will re-apply for the monument sign and all the variance requests that will go along with it.

**Board member Vallad moved to deny the request from Trista Baker/Allen Industries, 28054 Center Oaks Ct., Wixom, MI 48393 for a variance to install building signage in the amount of three hundred thirty-nine (339) square feet rather than the one-hundred (100) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-751 at the location of General RV, 8665 Dixie Highway, Parcel ID #07-24-101-005 because applicant has decided to pursue an alternate design. Supported by Board member Underwood. Vote yes: Baker, Underwood, Vallad, Wendt, Whitley. Vote no: None. Absent: None. Motion approved.**

**2. (TABLED ON MARCH 20, 2019) Request from Jim Miller, 9916 King Road, Davisburg, 48350 to construct a house and garage resulting in the following variances:**

**a.) Distance from a septic system to the high-water mark of Susin Lake of eighty (80) feet rather than the one hundred (100) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-639**

**b.) Distance from a principal structure to the high-water of Susin Lake of forty (40) feet rather than the fifty (50) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-639**

**c.) Side setback of five (5) feet rather than the eight point two five (8.25) feet allowed per Springfield Township Code of Ordinances, Chapter 40, Section 40-932, Setbacks for Nonconforming Lots**

**The property that is the subject of the request is located at 9876 Dixie Highway in Springfield Township and is zoned R3 One Family Residential. P.I. #07-11-376-004.**

Mr. Miller introduced himself and Mr. Erznoznik, general contractor, to the Board.

Mr. Erznoznik apologized to the Board members for providing different versions of the plan for this property. The sanitarian for OCHD, Kristen, wanted the pods turned on the plan and he was able to provide the site plan for which they are requesting. This revised site plan was given to the Board members at the table tonight. They are now 98 feet away from the high-water mark for the septic. The house structure is 43.5 feet from the high-water mark. The Board asked them to move away from the high-water mark at the previous meeting, and this is what they have done.

Mr. Miller included that they now have a side setback of 5.5 feet. The Board was concerned with having an engineered field and they are now installing an Eljen septic system.

Mr. Erznoznik stated that they provided the Board members information on the Eljen septic and two homes on Susin Lake were recently approved for variances for these types of systems.

Chairperson Whitley confirmed that the increase in distance from the high-water mark is due to the reduction in field requirements because of the Eljen system.

Mr. Erznoznik stated that they were able to reduce the field by approximately 38%.

Chairperson Whitley asked if the Eljen system is an electronically warned system.

Mr. Erznoznik replied no, this is not electronic and there are no audible warnings associated with it.

Chairperson Whitley commented that it is a passive system.

Mr. Erznoznik replied yes.

Board member Underwood said that the applicant followed through on the suggested installation of an engineered system and decreasing the variance requests.

Board member Vallad stated that it comes close to the 100 feet requirement. Applicant has done a good job of working with the site and minimizing the variance requests.

Mr. Erznosnik commented that the plan still includes moving the neighbor's well.

**Board member Wendt moved to approve the variances as requested as per the latest drawings that have been presented to the Board (Drawing revision date 4-17-19) that shows movement of the septic system, side lot line to be more in conformance with current ordinance standards. Supported by Board member Underwood. Vote yes: Baker, Underwood, Vallad, Wendt, Whitley. Vote no: None. Absent: None. Motion approved.**

**3. (TABLED ON MARCH 17, 2019) Request from Harding Leasing and Equipment Company, 4701 White Lake Road, Clarkston, 48346, for the following variances that, if approved, would allow a land division administratively of parcel #07-36-401-004 resulting in three parcels: Parcel A, 84.49 acres; Parcel B, 12.07 acres and Parcel C, 18.25 acres:**

**a.) Variance to allow four (4) parcels the right to utilize an existing access strip rather than one (1) parcel as per Springfield Township Code of Ordinances, Chapter 40, Section 40-642**

**b.) Variance for use of an access strip length of one thousand seven hundred eighty-five (1,785) feet rather than the six hundred sixty (660) feet required as per Springfield Township Code of Ordinances, Chapter 40, Section 40-642**

**c.) Variance for minimum frontage on a public road of a forty-eight (48) foot access strip instead of the one hundred twenty (120) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-572**

**The property that is the subject of the request is located at 4701 Clawson Tank Drive in Springfield Township and is zoned M1 Light Industrial. P.I. #07-36-401-004.**

Mr. Chris Martella, attorney, introduced himself to the Board members as representing the applicant. The first item that the Board asked was for Mr. Martella to approach Independence Township's opinion of potentially making it a private road or how they view the strip of land within Independence Township. He provided a new survey to the Board members. He spoke to Brian Oppmann, Planning and Zoning Manager for Independence Township, about this access strip. Mr. Oppmann told him that Independence Township has always looked at the access strip as a driveway and it has never bothered them, and Independence Township doesn't care what is done with it. Mr. Oppmann told Mr. Martella that the lot split is of no significance to Independence Township. The second item that the Board asked for was information about dedication. He spoke to the Road Commission about dedication and they explained that it must be

built to spec and if that is done, they will review it and think about it. He pointed out Appendix 4 which shows the RCOC road specs. He pointed out the water main that runs the entire length of the current access road and this is shown on the survey that he provided. The road is only 47 to 48 feet wide which is much less than the 70 feet required for dedication. He heard from 3 of the 4 Harding family members that the property owner to the south was approached on numerous occasions over the last 20 years about buying either the property or a strip. Every time the property owner to the south was approached, the price was astronomical and they were not willing to sell a strip to widen it. The property to the north is not interested in selling any property because they have an access road that runs along there as well.

Mr. Martella continued with an electronic presentation explaining the request and additional information about the request gained since the last meeting. If they expanded the property to the south, they would also have to move the water main.

Board member Wendt asked about the page in the original submission titled alternative road locations. He asked about the yellow line touching 7A, 7B and 6 and if it could do the same thing the applicant is asking for without any purchase of property.

Mr. Martella replied that this alternative would also require a variance. The location of the loading docks and buildings on Parcel #6 make this alternative more difficult. He was required to come to the Board with alternative options. It would also involve dividing up the property that may become a problem down the road under the Michigan Land Division Act. There are also power lines along the back that would interfere.

Board member Wendt asked if the Road Commission had any response to increasing traffic on White Lake Road. He pointed out traffic congestion in this area.

Mr. Martella pointed out that the land division being done is to service the existing buildings and businesses. There are no additional buildings or uses that have not been there. The amount of traffic, in theory, would not change.

Board member Wendt answered that is true today, he is looking down the road.

Mr. Martella stated that if any of the businesses look to increase, they would have to go through site plan amendment approval and the traffic would be looked at then. If the Andersonville Road drive becomes a possibility, they would have to approach the Road Commission about a curb cut along Andersonville Road. There is a left turn lane and deceleration skirt along the access drive currently. This does not exist currently on Andersonville Road.

Board member Wendt reiterated traffic concerns at Andersonville Road and White Lake Road.

Chairperson Whitley stated that whether the traffic comes out on White Lake Road or Andersonville Road, they are both congested during rush hour periods.

Supervisor Walls stated that this stretch of White Lake Road already has plans for improvement. The new development on the west side is doing improvements. There was a meeting with the Road Commission where this intersection is being explored for improvements.

Chairperson Whitley stated that if they put more truck traffic onto Andersonville Road, most of this will want to head to I-75 and the route to I-75 would take them right to White Lake Road taking a left whereby they would be increasing the semi traffic at this intersection.

Mr. Martella concurred. Also, putting the drive off Andersonville Road would be putting truck traffic closer to already existing residential areas. Now, the exiting onto White Lake Road from the access drive is all industrial zoned property.

Chairperson Whitley stated that operations are already in place for the variances being requested with the exception of adding parcels to the access strip. He reiterated the presence of the access strip that has existed and the deviation in frontage that has existed. The only item that is changing is the number of parcels that would be accessed from the strip if the lot splits took place.

Chairperson Whitley stated his concern is that Parcel A would become multiple parcels in the future and they all would have access to the access strip. He believes though, that Parcel A would become landlocked from the access strip by parcel #6, 7A and 7B.

Mr. Martella confirmed that this is correct. He pointed out an area that is a gap that could possibly come onto Clawson Tank Drive. There is no other access to a public road for parcel 7A.

Board member Baker confirmed that there is no new pavement proposed. This is only speaking towards the existing paved area and the ability for another lot to access it.

Mr. Martella replied it would be for two new parcels accessing it rather than one, 7B and 7C. There is no increased pavement, buildings or hardscape. The same tenants will remain, and the plan is to sell the buildings to their existing tenants.

Supervisor Walls suggested that they make the limited access use a condition of approval; only those parcels currently noted, 7B, 7C and Parcel 6 are the only ones that can be provided access to the drive.

Mr. Martella stated that they will work with the Township Attorney to give the Board members comfort that the road will be maintained. There already is a road maintenance agreement but a new one will need to be prepared since there are new owners. He explained that part of Parcel 6's site plan approval included two points of access. The truck access is off the access road. Parcel 4 and Parcel 5 are accessible from Clawson Tank Drive.

Chairperson Whitley asked if Parcel 5 uses the access strip.

Mr. Martella replied that Parcel 5 is undeveloped. Parcel 5 is accessible to Clawson Tank Drive. Parcel 4 and Parcel 5 both touch Clawson Tank Drive.

Chairperson Whitley stated that if there were a restriction, it would be 7B, 7C and Parcel 6. Those are effectively the businesses that are currently using the access strip.

Mr. Martella agreed; there are three of them.

Supervisor Walls stated that this can be put in the recorded documents so it is a matter of record.

Mr. Martella stated that they have no objection to limiting it to the current users if they are granted the variance.

Chairperson Whitley added that there should also be a review by the Township Attorney and an agreement that it is acceptable.

Mr. Martella stated that based on the parcel size and shape, the property to the south of the access drive does not touch and does not have access to White Lake Road. He may have to connect to White Lake Road Court. This property is vacant land now and does not use the access strip.

**Board member Vallad moved to approve request from Harding Leasing and Equipment Company, 4701 White Lake Road, Clarkston, 48346, for variances that would allow a land division administratively of parcel 07-36-401-004 resulting in three (3) parcels: Parcel A of 84.49 acres, Parcel B of 12.07 acres and Parcel C of 18.25 acres. Further, that the variance would allow three (3) parcels the right to utilize an existing access strip rather than the one (1) parcel as per Springfield Township Code of Ordinances, Chapter 40, Section 40-642, those parcels being the proposed Parcel 7B from the land division, Parcel 7C from the land division and existing Parcel 6, identified as parcel #07-36-401-005. The variance approves the use of an access strip length of 1,785 feet rather than the 660 feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-642. Further, the variance be approved for minimum frontage on a public road of forty-eight (48) feet for the access strip instead of the one-hundred twenty (120) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-572. The approval is contingent on the Springfield Township Attorney reviewing and approving all easement agreements and other legal descriptions as required. The access strip currently exists and has been used in the past and will be used in the future in the same manner at this particular point in time and would result in no additional traffic anticipated and the existing conditions have been in place for some period of time and do not appear to be an issue either in Independence Township or Springfield Township. Supported by Board member Underwood. Vote yes: Baker, Underwood, Vallad, Wendt, Whitley. Vote no: None. Absent: None. Motion approved.**

PUBLIC COMMENT:

None

ADJOURNMENT:

**Board member Wendt moved to adjourn the meeting at 9:02 pm. Supported by Board member Underwood. Vote yes: Baker, Underwood, Vallad, Wendt, Whitley. Vote no: None. Absent: None. Motion approved.**

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Erin Mattice, Recording Secretary