

SPRINGFIELD TOWNSHIP  
ZONING BOARD OF APPEALS-SPECIAL MEETING  
April 29, 2015

Call to Order: Chairperson Wendt called the April 29, 2015 Zoning Board of Appeals Special meeting to order at 7:30pm at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

In attendance:           Dean Baker  
                              Virginia Fischbach  
                              Denny Vallad  
                              Skip Wendt  
                              Bill Whitley

Absent:                   None

PUBLIC COMMENT:       None

OLD BUSINESS:

1.       (TABLED FROM 3/18/2015 MEETING) Request from Thomas Hempel, 6131 Hillsboro Road, Davisburg, 48350 for the following variances to allow an accessory structure to remain on a parcel resulting in:
  - a.       A parcel that does not contain a dwelling which requires a variance per Springfield Township Code of Ordinances, Chapter 40, Section 40-156 and Section 40-274.
  - b.       Resulting in a front yard setback of forty six feet (46) feet rather than the fifty (50) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-572.
  - c.       Resulting in a rear yard setback of five feet (5) rather than the thirty five (35) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-572.

The property that is the subject of the request is located on Neilson in Springfield Township and is zoned R-2, One Family Residential. P.I. #07-28-227-036.

Lisa Jamieson, 6226 Neilson, explained her opposition to the shed remaining on the subject property. She stated that it is unsightly and will devalue their property.

Greg Jamieson, president of Colonial Acres Association, explained his opposition to the shed remaining on the property. He stated that he has spoken to several neighbors and members of the Association and they are all opposed to the shed remaining. He stated that there is nothing in the Association By-Laws that prevents it but at the upcoming

meeting in May, the Association will address the situation of having accessory structures on vacant lots.

Board member Vallad asked Mr. Jamieson how many homeowners he spoke to that formed his opinion that the majority of homeowners were opposed to the shed being there.

Mr. Jamieson replied that everyone he spoke to in the Association is opposed to the shed and he spoke to several people. There are 100 households in the Association.

Mr. Hempel stated that he has spoken to several neighbors including the one directly across the street and they have no problem with the shed, including the neighbor that lives directly behind it. He stated that there are accessory buildings too close to the property lines or on the property lines all up and down the street, including the Jamison's. It is noticeable while driving through the neighborhood. He purchased this property as an accessory to his property six houses down. He plans to continue to improve the lot. He stated if the Board wants him to move the shed within the required setbacks, he can do that.

Chairperson Wendt asked the applicant if he researched the proper uses of the property and had full knowledge of all of the restrictions of the property before he purchased it.

Mr. Hempel answered no. He was not aware that he could not put up a shed on the property.

Scott Blackette, 6165 Neilson, introduced himself to the Board. He stated that since Mr. Hempel purchased the property, it has undergone an improvement and is no longer an eyesore. He has no objection to the shed. He stated that the shed is sitting next to a house that it compliments. He stated that he does belong to the Colonial Acres Homeowners Association.

Chairperson Wendt stated that an eyesore and how it is zoned are two different things.

Board member Vallad asked when Mr. Hempel bought his residence at 6131 Hillsboro Road.

Mr. Hempel replied January 2013.

Board member Vallad asked if there were any restrictive covenants on that property that he was aware of.

Mr. Hempel replied no.

Board member Vallad asked him if he looked.

Mr. Hempel replied no, other than what his realtor told him.

Board member Vallad asked if he had approached the neighbors about a lot split and combination for the vacant property.

Mr. Hempel answered no; he purchased this from a tax auction. Anyone had the chance to make an offer or to purchase it when it went up for sale and no one else bid on it. He stated that he wouldn't have bought it if he had known he could not put a shed on it; he did not know this. He stated that this is zoned R-2 but you cannot build a residential dwelling on this property with today's restrictions so he does not understand what it is to be used for.

Chairperson Wendt suggested fallow land or possibly the Association could buy it.

Mr. Hempel replied that when it was up for sale and no one else wanted to purchase it, he bought it and paid the taxes and improved it.

**Board member Whitley moved to DENY the request of Thomas Hempel, 6131 Hillsboro Road, Davisburg for the following reasons:**

- 1. There is not a principle use from which to create a variance because there is no residential use**
- 2. This is not an issue for a variance because it would create a new principle use in this zoning district**
- 3. Should this motion pass, there is no need to address the request for variance for the setbacks.**

**Seconded by Board member Vallad. Voted yes: Vallad, Wendt, Whitley. Voted no: Baker, Fischbach. Absent: None. Motion approved.**

ADJOURNMENT:

**Board member Whitley moved to ADJOURN the meeting at 7:53 PM. Seconded by Board member Baker. Voted yes: Baker, Fischbach, Vallad, Wendt, Whitley. Voted no: None. Absent: None. Motion approved.**

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Erin Mattice, Recording Secretary