

## SPRINGVALE TOWNSHIP PLANNING COMMITTEE

Regular Meeting Minutes for January 26, 2026

Draft

Members present: William Shorter, Joel Kato, Jeff Sheldon, Becky Fettig, Nancy Brady

Members absent: None.

1. Call to order: Chairperson William Shorter brought the meeting to order at 7:00 pm.
2. Election of Officers: Chairperson William Shorter, Vice Chairperson Joel Kato, and Secretary Nancy Brady were nominated by Becky Fettig and seconded by Jeff Sheldon, and unanimously elected to continue their positions on the Springvale Planning Committee.
3. Minutes: Motion to accept the minutes from 11/24/2025 made by Joel Kato.  
Motion seconded by Becky Fettig. Minutes approved by a vote of 5-0.
4. Springvale Township Planning Committee 2026 meeting schedule was presented by chairperson William Shorter. Joel Kato made a motion to accept the schedule as presented, Jeff Sheldon seconded the motion, and the Board unanimously accepted it. It was noted that the May meeting will take place a week early due to the holiday on the fourth Monday. Otherwise, all other monthly meetings will occur on the fourth Monday of each month.
5. Public Comment: None.
6. Reports: None.
7. New Business: Case #PZBA26-001. A request by Robert Berriman for a side yard setback variance of 1.5 feet, and a waterfront setback variance of 3.75 feet to expand a nonconforming structure by constructing an addition to the existing dwelling at 10943 Botsford Lane in Section 36 of Springvale Township. The property is zoned RR Recreational Residential and is tax parcel 24-14-36-101-024, being Lot 13 of Supervisor John Roy's Plat of Pickerel Lake Shores. The request will be reviewed per Articles 23 and 25 of the zoning ordinance. Mr. Berriman provided a comprehensive description of this property and the need for the proposed changes. This proposed upgrade would result in a dwelling more in line with adjacent lakeside properties, with improved visibility of the lakefront. It was noted that most of the area properties are two-story dwellings. Chairperson Shorter inquired about the lack of a driveway. Currently, the owners park on their grassy area. Mr. Berriman indicated that they might consider adding a garage to this property in the future, but that is not under consideration at this time. Mr. Berriman noted the 1.5-foot variance is 14'. Chairman Shorter stated the variance request is 21 square feet. If the 75-square-foot non-conforming building closest to the lake is removed, the non-conforming footprint would be reduced by 54 square feet. The 10' x 16', 160 square foot building could be moved to a 10-foot setback. Mr. Berriman stated he didn't think it would even survive the move. The Board discussed the following points of the Zoning Evaluation.

### **A. Section 23.01 Board of Appeals Variance: Nonconformities**

Although it is the intent of this ordinance to restrict the expansion and perpetuation of nonconforming uses of land and/or buildings, the Board of Appeals, subject to a Hearing, may allow an expansion or enlargement, if it is conclusively shown that such extension or enlargement (a) will not further reduce the value or otherwise limit the lawful use of adjacent properties, (b) will essentially keep the character and environment of abutting properties, and (c) will not materially increase or perpetuate the nuisance aspects of the use upon adjacent uses (noise, glare, traffic congestion, and land over-crowding and related). Applicant believes "the proposed addition will add value to the existing property and be visually appealing to the community, while not harming or impeding the community in any way." This standard was deemed met.

### **B. Section 23.03 Nonconforming Uses of Land and/or Structures**

Except as provided in Section 23.01, the following shall apply: **23.03.2 Alteration of Nonconforming Structure** No such nonconforming structure is to be enlarged or altered in a way which increases its nonconformity. This section will be addressed in the motion to follow.

- C. **Section 25.04 Zoning Board of Appeals-Jurisdiction** The Board of Appeals shall have the following powers and it shall: **25.04.3 Dimensional Variance** (a) Permit zoning variances from the strict requirements of this Ordinance, so that the spirit of the Ordinance is observed, public safety is secured, and substantial justice done, but only in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following standards:
- (1) That the practical difficulty was not created by an action of the applicant or property owner (self-created); and either existed at the time of the adoption of the requirement from which the zoning variance is requested, or is necessary as the result of governmental action such as a road widening. This standard was deemed met.
  - (2) That the strict compliance with the regulations governing area, setback, frontage, height, bulk, density, or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome. This standard was deemed met.
  - (3) That the requested zoning variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. This standard was deemed met.
  - (4) That the requested zoning variance will not cause an adverse impact on surrounding property values, or the use and enjoyment of property in the neighborhood or zoning district. The northeast side of the property, where the nonconforming side setback is expanding, is adjacent to a lake access pathway. This standard was deemed met.
  - (5) That the zoning variance shall not increase any inconsistency that may exist between the zoning ordinance or structures or uses any airport zoning regulations, airport layout plan, or airport approach plan. This standard is not applicable.

Joel Kato made the following motion: I recommend approval of Case PZBA26-001, with the understanding that the sections 23.01, 23.03, and 25.04 have been reviewed and that Mr. Berriman consider removing the two existing non-conforming structures/sheds that are presently in place on the property. One shed is 7'6" x 10', and the other is 16' x 10' for a total of 235 square feet. The proposed new addition to the existing structure comprises approximately 196 square feet. The removal of the two existing outbuildings would result in a reduction of the non-conforming area. Based on that, I make the motion to approve this case.

At the close of the discussion following this motion, the motion was amended to require the removal of the two non-conforming structures from the property within 120 days of construction completion. Relative to zoning evaluation item #4, it should be noted that the lake access pathway is actually a deeded Road Right-of-Way known as Sylvia Street and is part of John Roy's Plat of Pickerel Lake Shores. It begins at the shoreline and runs SW 178' to Botsford Lane and is 33' wide.

The motion was seconded by Becky Fettig. A roll-call vote was held, and the motion passed unanimously, 5-0.

8. Planning Ideas and Work in Progress – There is an amendment to the Master Plan regarding storage buildings. This Board is expected to respond by March.
9. Public Comment: There were no additional public comments.
10. Announcements: none.
11. The meeting was adjourned at 8:11 pm.

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Authorized Signature

\*\* SPC minutes are "not approved" until accepted at a subsequent SPC meeting, and/or signed by the Chairman, Acting Chairman, or Secretary