

**VILLAGE OF FRANKLIN  
VILLAGE COUNCIL  
SPECIAL MEETING  
November 11, 2013  
7:00 PM  
AT THE VILLAGE HALL  
32325 FRANKLIN ROAD  
FRANKLIN, MICHIGAN**

**SPECIAL MEETING**

**I. CALL TO ORDER.**

President Kochensparger called the meeting to order at 7:00 PM.

Present: Jim Kochensparger, Judy Moenck, Ed Saenz, Mike Seltzer

Absent: Brian Gordon, Pam Hanson, Tom Morrow

Also Present: Eileen Pulker, Clerk; Amy Sullivan, Administrator; John Staran, Village Attorney

Kochensparger explained the procedures that the Village Council will adhere to when hearing the Right Of Way Appeals.

**II. ADOPTION OF AGENDA.**

**III. CONSIDER ROAD RIGHT OF WAY OBSTRUCTION APPEALS.**

Sullivan introduced **Sydell Schubot, 32860 Whatley**, who is requesting a variance to the Road ROW Ordinance. Schubot explained that the rocks in question have been there for more than 15 years. They are off the edge of the road but not 3 ft. off; small, 4-5 inches in height, and embedded in the ground. They were originally placed there to prevent the previous owner of the house across the street from parking cars on the grass in front of their property.

Kochensparger stated the options she had: A. Have the rocks completely removed, B. Dig deeper holes for the individual rocks, or C. Put dirt around the rocks, thus building up the surrounding grade.

Kochensparger explained that the Council is trying to establish a standard. The goal is to make the area along the roads safe. He stated that the burden of proof is on the resident to show cause.

Shubot stated that she is willing to remedy the situation, whether it be to dig deeper holes or bring in dirt but the work cannot be done until May, 2014. Kochensparger stated that the Village is willing to assist in this matter.

**#2013-96 Motion by Seltzer, seconded by Moenck, that the resident at 32860 Whatley will attempt to remedy this obstruction by either increasing the grade around the rocks or digging deeper holes for the individual rocks. The Village contractor can assist the resident but the resident will be financially responsible for the project. The resident will be in compliance by June 15, 2014.**

**Ayes: Kochensparger, Moenck, Saenz, Seltzer**

**Nays: None**  
**Absent: Gordon, Hansen, Morrow**

Sullivan introduced **Tom and Lisa Pullman, 32360 Scenic Lane**, who live at the end of the cul-de-sac, and are requesting a variance for the 6 rocks that are taller than 4 inches and within 3 ft. of the edge of the road.

Mr. Pullman explained the situation when trucks drive on the lane and especially around the cul-de-sac, adding that because the lane is narrow and the turning radius is very tight, trucks tend to drive onto the grass in front of their house.

Seltzer explained that it was the Franklin Fire Department. which raised the concern with the rocks, particularly on cul-de-sacs. Council members provided the homeowner with several options so as to comply with the ordinance.

**#2013-97 Motion by Moenck, seconded by Saenz to deny the request for a variance to the Road ROW Ordinance for 32360 Scenic Lane.**

**Ayes: Kochensparger, Moenck, Saenz, Seltzer**  
**Nays: None**  
**Absent: Gordon, Hansen, Morrow**

Sullivan explained that Joseph Gyongyosi, 25900 Romany Way, was out of town but submitted his written request for a variance. Moenck stated that the arborvitae are not in violation of the Ordinance, but that the rocks were.

**#2013-98 Motion by Saenz, seconded by Moenck to deny the request for a variance to the Road ROW Ordinance for 25900 Romany Way.**

**Ayes: Kochensparger, Moenck, Saenz, Seltzer**  
**Nays: None**  
**Absent: Gordon, Hansen, Morrow**

#### **IV. PUBLIC COMMENTS.**

No comments were made at this time.

#### **V. ADJOURNMENT.**

**Motion by Saenz, seconded by Seltzer to adjourn the meeting.**

**Ayes: Hansen, Kochensparger, Moenck, Saenz, Seltzer**  
**Nays: None**  
**Absent: Gordon, Morrow**

There being no further business the meeting was adjourned at 7:20 PM.

Respectively submitted,

Gail Beke, Recording Secretary

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Eileen H. Pulker, Clerk

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James Kochensparger, President