

**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING MINUTES \*\*\*APPROVED\*\*\*  
5151 MARSH ROAD, OKEMOS MI 48864-1198  
517.853.4000  
WEDNESDAY, October 25, 2017**

PRESENT: Members Ohlrogge, Stivers, Jackson, Chair Beauchine  
ABSENT: Member Lane  
STAFF: Mark Kieselbach, Community Planning and Development Director  
and Keith Chapman, Assistant Planner

**A. CALL MEETING TO ORDER**

Chair Beauchine called the meeting to order at 6:30 p.m.

**B. APPROVAL OF AGENDA**

MEMBER JACKSON MOVED TO APPROVE THE AGENDA WITH AN AMENDMENT TO ITEM 7 OTHER BUSINESS TO ADD TRAINING SESSION FOR ZONING BOARD OF APPEALS (ZBA), AND THE 2018 ZBA MEETING SCHEDULE.

SECONDED BY MEMBER STIVERS.

VOICE VOTE: Motion carried unanimously.

**C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES**

Wednesday, October 11, 2017

MEMBER OHROGGLE MOVED TO APPROVE THE MINUTES OF WEDNESDAY October 11, 2017 AS WRITTEN.

SECONDED BY MEMBER STIVERS.

VOICE VOTE: Motion carried unanimously.

**D. COMMUNICATIONS**

Chair Beauchine replied communications would be addressed after Assistant Planner Chapman outlined the case.

**E. UNFINISHED BUSINESS**

None.

**F. NEW BUSINESS**

1. ZBA CASE NO. 17-10-25-1 (BARTOW),  
6154 WEST LONGVIEW DRIVE, EAST LANSING, MI 48864  
DESCRIPTION: 6200 Columbia Street  
TAX PARCEL: 03-403-001  
ZONING DISTRICT: RB (Single Family, High Density). Lake Lansing Residential  
Overlay District

The applicant is requesting a variance from the following sections of the Code of Ordinances:

Section 86-374 (d)(1), Minimum lot area: 8,000 square feet. No lot shall hereafter be sub-divided to provide less than 8,000 square feet of lot area.

Section 86-374 (d)(2), Minimum interior lot width less than 65 feet.

The applicant is requesting to create two new lots that are less than the minimum lot area of 8,000 square feet and the minimum lot width of 65 feet.

Assistant Planner Chapman outlined the case for discussion. He referenced an error in the staff report which indicated the width of lots 12 and 13 totaled 77.94 feet on Columbia Street but should have been are 79 feet. He added there were 3 communications in favor and 2 communications in opposition to variance request.

Chair Beauchine asked the applicant or the applicant's representative if they would like to address the Zoning Board of Appeals (ZBA).

Mr. Bartow, the applicant replied no.

Chair Beauchine opened the floor for public comments.

Don Winchell, 6203 Columbia Street, Haslett, read the letter dated October 16, 2017 which he had previously submitted. He asked the ZBA not to approve the variances due to safety issues on Columbia Street.

Lisa Hansknecht 6178 Columbia Street, Haslett, stated she opposed the variances due to larger construction on narrower lots. She added the increase of short terms rentals creates a transient population. She stated her concern was safety issues on Columbia Street.

Catherine Ferguson, 6177 Foster Drive, Haslett, referenced her letter dated October 24, 2017 objecting to the variances. She added there was little green space along Columbia Street.

Ann Whitmer, 6190 Columbia Street, Haslett, stated her main concern was parking on the street and safety issues involving traffic and walkers. She added a structure larger than two stories impinges on her view of the lake.

Karen Reiff, 6174 Columbia Street, Haslett, stated her main concern was safety on Columbia Street. She added Columbia Street is narrow and with the curve there is low visibility for oncoming traffic.

Tony Schmidt, 6200 W Reynolds, Haslett, stated the variances would not enhance the area in the vicinity of the property and with 3 new docks for each lot would affect fishing in that area of the lake. He preferred the construction of 2 houses that did not tower over other houses in the area.

Chair Beauchine referenced a letter dated October 23, 2017 from the Ingham County Land Bank that recommended the split.

Chair Beauchine asked the applicant or the applicant's representative if they had anything to add.

Jim Bartow, 6151 Park Lake Road, East Lansing, stated the variances would not impact the current road or safety issues. The construction will be built according to Township requirements.

Chair Beauchine closed public remarks.

Chair Beauchine stated the Lake Lansing Overlay District was created to bring some relief to property owners. He read review criteria seven from (Section 86-221) of the Zoning Ordinance, which states the conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. He stated he preferred the current Lake Lansing Overlay District and had no interest in re-verting back to the original zoning. He added he is not in favor of the variances.

Member Stivers replied Mr. Bartow made a good point addressing the use of the property in terms of what might be constructed, along with safety issues and the hypothetically height of the structures. However, she did not see any reason to approve the variances. She read review criteria one, which states unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district. She stated there were no unique or special circumstances.

Member Jackson agreed and doesn't see any value in approving the variances when one property satisfies the current ordinances.

Member Ohlrogge questioned Mr. Bartow's statement the land division would create revenue for the Township. The ZBA is considering the unique circumstances that exist which are peculiar to the land or structure.

Chair Beauchine replied Mr. Bartow did not submit his reasons based on the review criteria however, the ZBA is not allowed to consider revenue.

Member Jackson stated how the land would be used if the variances were granted is important because the new lots may require variances. She read review criteria two, which states these special circumstances are not self-created, and at this point we have self-created circumstances which are created by the ZBA, who granted the first variance, which puts the ZBA in a situation which does not support the zoning criteria.

**MEMBER STIVERS MOVED TO DENY THE VARIANCE BASED ON FAILURE TO MEET REVIEW CRITERIA ONE FROM (SECTION 86-221) OF THE ZONING ORDINANCE.**

**SECONDED BY MEMBER JACKSON, BASED ALSO ON FAILURE TO MEET REVIEW CRITERIA THREE FROM (SECTION 86-221) OF THE ZONING ORDINANCE.**

Member Ohlrogge recommended the ZBA review the criteria from (Section 86-221) of the Zoning Ordinance. She read review criteria four, which states the alleged practical difficulties which will result from a failure to grant the variance would unreasonably prevent the owner from using the property for a permitted purpose. She stated there was no need to divide the lots to use the property for a permitted purpose.

Member Ohlrogge read review criteria five, which states granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice. She added the minimum action would be to leave the subject property as it currently exists.

Member Ohlrogge read review criteria six, which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. She replied construction on narrow lots would affect adjacent land and the character of the neighborhood in the vicinity.

Member Ohlrogge read review criteria seven, which states the conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. She added the creation of the Lake Lansing Overlay District addresses this question.

Member Ohlrogge read review criteria seven, which states granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter. She replied she could not determine how variances would be consistent with public interest.

ROLL CALL VOTE: YES: Members, Ohlrogge, Stivers, Jackson and Chair Beauchine.

NO:

Motion carried unanimously.

#### **G. OTHER BUSINESS**

1. Chair Beauchine presented the proposed ZBA meeting schedule for 2018.

MEMBER JACKSON MOVED TO ADOPT THE RESOLUTION FOR THE 2018 MEETING SCHEDULE

SECONDED BY MEMBER OHLROGGE

VOICE VOTE: Motion carried unanimously.

2. Chair Beauchine addressed training for the ZBA and asked Director Kieselbach about the items for the training.

Director Kieselbach stated the training would be on specific questions from the ZBA.

Member Ohlrogge suggested the ZBA take time to comply questions for the Township Attorney and recommended advanced notice on training dates.

Chair Beauchine asked if the ZBA would prefer taking until November 15<sup>th</sup> to comply questions for the Township Attorney which would help expedite the process for training.

Member Jackson referenced the training from Michigan Township Association (MTA) and the Michigan Municipal League (MML) newer members and the alternate members may be interested in participating in those trainings. She commented the opportunity for training should be made known to all members of the ZBA, and recommended attending the basic training offered through the various organizations.

Chair Beauchine recommended the ZBA target November 15<sup>th</sup> to have their questions for training to staff.

**H. PUBLIC REMARKS**

Chair Beauchine opened the floor for public remarks, seeing none, closed public remarks.

**I. BOARD MEMBER COMMENTS**

None.

**J. ADJOURNMENT**

Chair Beauchine adjourned the meeting at 7:29 p.m.

**K. POST SCRIPT – Member Stivers**

Respectfully Submitted,

Rebekah Kelly  
Recording Secretary