

**2 CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING MINUTES \*\*\*APPROVED\*\*\*  
5151 MARSH ROAD, OKEMOS MI 48864-1198  
517.853.4000  
WEDNESDAY, January 10, 2018**

PRESENT: Members Jackson, Ohlrogge, Rios, Lane, Chair Beauchine

ABSENT: None

STAFF: Mark Kieselbach, Director of Community Planning and Development, and Keith Chapman, Assistant Planner Chapman

**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.

SECONDED BY MEMBER LANE.

VOICE VOTE: Motion carried unanimously.

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

Wednesday, October 25, 2017

MEMBER OHLROGGE MOVED TO APPROVE THE MINUTES OF WEDNESDAY October 25, 2017 AS WRITTEN.

SECONDED BY MEMBER RIOS.

VOICE VOTE: Motion carried unanimously.

**D. COMMUNICATIONS**

Chair Beauchine recommended addressing the communications per case.

Chair Beauchine addressed the cancellation of the December 10, 2017 Zoning Board of Appeals (ZBA) meeting, due to a storm. He apologized to those who came for the meeting to find the Township was closed. He hopes for better communication from the Township and HOMTV in the future.

**E. UNFINISHED BUSINESS**

None.

**F. NEW BUSINESS**

**1. ZBA CASE NO. 17-10-25-1(BARTOW), 6154 WEST LONGVIEW DRIVE, EAST LANSING, MI, 48823**

DESCRIPTION: 6200 Columbia Street and a vacant parcel (Tax I.D. #03-403-007)

PARCEL NUMBER: 03-403-001 & 403

ZONING DISTRICT: RB (Single Family, High Density). Lake Lansing Overlay

The applicant is requesting to create two new lots that are under the minimum lot width of 65 feet at 6200 Columbia Street and a vacant parcel (Parcel #03-403-007).

Assistant Planner Chapman stated the Zoning Board of Appeals (ZBA) would need to approve rehearing the case. If the ZBA does approve to rehear the case the variance would be from Section 86-374 (d)(2), minimum interior lot width of 65 feet.

Chair Beauchine requested Assistant Planner Chapman to outline the case in order for the ZBA, and the public to understand any changes that have been made from the original request.

Assistant Planner Chapman stated the applicant was requesting a variance to reconfigure the lot widths of two parcels that are under the minimum lot width of 65 feet. The proposal would create two lots, with 58.09 feet and 57.81 feet of lot width. The applicant is requesting variances of 6.91 feet and 7.19 feet.

Chair Beauchine asked the applicant or the applicant's representative if they would like to address the ZBA.

Tomas Brown, representative for the applicant, 3695 Okemos Road, stated originally when the request was presented, it was to create 3 lots but is now to create two lots. He indicated several communications had been submitted in favor of the change. He stated the new construction would present no obstruction to the view or road safety. He added the buildings will meet setback requirements.

Member Ohlrogge commented the new plan from 3 lots to 2 lots present a change in the request.

MEMBER OHLROGGE MOVED TO REHEAR THE CASE

SECONDED BY MEMBER ROIS

ROLL CALL TO VOTE: YES: Members, Ohlrogge, Rios, Jackson, Lane, and Chair Beauchine.

NO: None

Motion carried unanimously.

Chair Beauchine opened the floor for public remarks.

Catherine Ferguson, 6177 Foster Drive, Haslett, stated she is opposed to the request and although her property is not directly affected, her concern is the density which would affect the quality of life. She added if the variance was granted, it could affect the Lake Lansing watershed management.

Tony Schmidt, 6200 West Reynolds, Haslett, stated he opposes the request for 2 lots and 2 houses, but would not oppose a larger house and garage on the property.

Chair Beauchine summarized the communications received:

- Lane & Charlotte McFarland, 6196 Columbia Street, Haslett, in support of the request.
- Lisa Hanskenecht, 6178 Columbia Lane, Haslett, in support of the request.

- Don Winchell, 6203 Columbia Street, Haslett, prefers one larger home, but in support of the request, with conditions.
- Deborah Quick, 6171 Columbia Street, in support of the request with conditions.

Chair Beauchine closed public remarks.

Member Jackson asked Assistant Planner Chapman in the Lake Lansing Overlay District is the minimum lot width 35 feet.

Assistant Planner Chapman replied if the lot was created prior to 1960 then 35 feet was the minimum, but for the subject property 2 lots were combined. The 35 feet per lot was not applicable.

Chair Beauchine stated due to the original lot sizes it was difficult to build houses that could meet the zoning restrictions. The Lake Lansing Overlay District was created to allow smaller lots to be used for new construction.

MEMBER RIOS MOVED TO APPROVE THE VARIANCE AS REQUESTED.

SECONDED BY THE CHAIR BEAUCHINE.

Member Jackson asked if the curve of Columbia Street affects the frontage of the lots.

Assistant Planner Chapman stated lots are measured different because of the curve. Lot width is measured from the setback at the front property line.

Member Lane asked staff what was the width of lot 11.

Assistant Planner Chapman commented the lot was just over the 35 feet.

Member Lane replied in essence the request is to move the property line in order to make the larger lot smaller and smaller lot larger.

Chair Beauchine added the current minimum lot width is 65 feet. The proposed lot division result in an approximately 58 feet lot width for both lots, with approximately variance of 7 feet request per lot.

Member Lane stated with one lot being larger than other lots in the area and the other lot smaller than lots in the area, and both with frontage on a curve creates unique circumstances which are peculiar to the subject property. He added adjusting the lot sizes makes them more consistent with land in the same area, and meets review criteria one (Section 86-221 of the Zoning Ordinance).

Member Jackson read review criteria five, which reads granting the variance is the minimum action that will make possible the use of the land. She stated it would make both lots fairly equal in size.

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 asked if other properties on Lake Lansing asked for a variance would it become recurrent in nature.

Director Kieselbach stated the request for the subject property is not recurrent in nature as to set a new standard. The variance for lot width is due to a proposed land division. He added the Lake Lansing Overlay District was created to reduce the standards from the typical RB lot of 8,000 square feet and 65 feet of frontage to accommodate lots which do not meet those requirements.

Member Ohlrogge stated the larger of the 2 lots is buildable and the smaller lot is buildable but with difficulty even though it is the original size from when it was platted.

Chair Beauchine stated lot 11 is not a usable lot because it is so narrow. He asked staff what was the size of lot 11.

Assistant Planner Chapman replied lot 11 is 8040 square feet in area.

Chair Beauchine commented lot 11 meets the over square foot dimension but possibility could meet the other setbacks which are required to make it a buildable lot.

ROLL CALL VOTE: YES: Members Rios, Jackson, Chair Beauchine  
NO: Members, Ohlrogge, Lane  
Motion approved 3:2

- 2. ZBA CASE NO. 17-12-13-1 (LANSING MART ASSOCIATES, LLC) 31500 NORTHEWESTERN HIGHWAY SUITE 100, FARMINGTON HILLS, MI 48334**  
DESCRIPTION: 2020 West Grand River Avenue  
TAX PARCEL: 21-226-008  
ZONING DISTRICT: C-3 (Commercial)

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

- Section 86-618 (2), Nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the Zoning Board of Appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

The applicant is requesting to increase the height of the front façade of a nonconforming building at 2020 West Grand River Avenue.

Assistant Planner Chapman outlined the case for discussion.

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

Gary Cooper, Cooper Consulting, representative for the applicant Gary Gershenson, 1975 Cragin Dr. Bloomfield Hills, Mi. 48302, stated the subject property has been owned by Mr. Gershenson since the building was constructed in the 70's for a KMart. He explained the plan was to reconstruct the building façade. He added the sign panel would slightly increase the height of the building for greater visibility from Grand River Avenue.

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

Member Ohlrogge asked Mr. Cooper if he was aware of the ordinances which cover signage.

Mr. Cooper replied, yes and the plans are within the requirements of the ordinances.

Chair Beauchine remarked the façade changes make it a much safer site for the public. He asked staff about an ordinance in regards to signage above the roof line of a structure, and had the ordinance been changed.

Director Kieselbach replied that section of the ordinance had been removed.

Chair Beauchine reminded the ZBA the request was to allow the applicant to increase the height of a nonconforming building.

Member Lane stated the building sits a distance back from Grand River Avenue and the need for larger signage to be seen from Grand River Avenue creates a unique circumstance which is peculiar to the subject property.

MEMBER RIOS MOVED TO APPROVE THE VARIANCE AS REQUESTED.

SECONDED BY MEMBER JACKSON.

Member Ohlrogge read the review criteria one (Section 860-221 of the Zoning Ordinance) which states unique circumstances exist that are peculiar to the land or structure that is not applicable to other land or structures in the same zoning district. She stated she agreed it was the location of the building from Grand River Avenue that created the unique circumstance.

Member Ohlrogge read review criteria two, which states these special circumstances are not self-created. She agreed with criteria two.

Member Ohlrogge read review criteria three, which states strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties. She commented without appropriate signage you could not see the building from Grand River Avenue.

Member Ohlrogge 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 or would render conformity with such restrictions unnecessarily burdensome. She added it is important the public is able to find the business location and proper signage helps.

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 stated how public safety plays a significant role and granting the request would provide substantial justice to businesses located in the building.

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 stated the proposed plan would bring balance to the façade.

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 agreed the request would not be recurrent.

Member Ohlrogge read review criteria eight, which states granting the variance will be generally consistent with public interest, the purposes and intent of this Chapter. She agreed the request would be in the public interest.

ROLL CALL VOTE: YES: Members, Ohlrogge, Rios, Jackson, Lane and Chair Beauchine.  
NO: None  
Motion carried unanimously.

### **3. ZBA CASE NO. 18-01-10-1 (CARLIN), 1593 MAIDEN LAKE, OKEMOS 48864.**

DESCRIPTION: 1841 Newman Road  
TAX PARCEL: 02-177-006  
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-618 (2), Nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the Zoning Board of Appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

The applicant is requesting a variance to add a 116 square foot addition to the front façade for a vestibule and waiting area of a nonconforming building.

Assistant Planner Chapman outlined the case for discussion.

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

Brian Carlin, applicant, 1593 Maiden Lane, Okemos, stated he is planning to move his dentist office to 1841 Newman Road.

Paul Barbour, architect for the project, 9617 Columbia Highway, Eaton Rapids 48827, stated the plan was to modernize the exterior of the building. An addition is proposed to a recessed portion of the building, approximately 4 feet wide, located on the north and east side of the building. The recessed area is an L-shape, which does not extend beyond the footprint of building. He added the change is about 4% of current building size and does not affect the required side yard setback.

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

Member Ohlrogge read the review criteria one from (Section 860-221) of the Zoning Ordinance, which states unique circumstances exist that are peculiar to the land or structure that is not applicable to other land or structures in the same zoning district. She stated the side yard setback was changed after the building was built and does not affect the setback for the addition.

Member Ohlrogge read review criteria two, which states these special circumstances are not self-created. She agreed with review criteria two.

Member Ohlrogge read review criteria three, which states strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties. She replied the addition makes sense and provides safety for the public.

Member Ohlrogge 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 or would render conformity with such restrictions unnecessarily burdensome. She commented the addition fits within review criteria four.

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 said the size of the addition was the minimum action necessary.

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 the addition will improve and upgrade the building.

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 agreed the request would not be recurrent.

Member Ohlrogge read review criteria eight, which states granting the variance will be generally consistent with public interest, the purposes and intent of this Chapter. She agreed with criteria eight.

MEMBER RIOS MOVED TO APPROVE THE REQUEST.

SECONDED MEMBER JACKSON.

Member Jackson stated the addition is a way of updating the building so it can continue to be used in an effective manner.

Chair Beauchine added the addition is on the opposite side of building from the nonconforming side yard.

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

NO: None

Motion carried unanimously.

**G. OTHER BUSINESS**

None.

**H. PUBLIC REMARKS**

None.

**I. BOARD MEMBER COMMENTS**

Chair Beauchine announced the need for individuals as an alternate or full-time member on the Zoning Board of Appeals. Applications for public service are available on the Township website or in the Administrative offices of Meridian Township. For questions about public service, contact Director Kieselbach, Community Planning and Development. He congratulated Member Stivers on her move to serve on the Planning Commission.

Member Jackson shared her experience on the Planning Commission. She encouraged interested individuals to please submit an application as training is available.

**J. ADJOURNMENT**

Chair Beauchine adjourned the meeting at 7:31 p.m.

**K. POST SCRIPT – Chair Beauchine**

Respectfully Submitted,

Rebekah Kelly  
Recording Secretary