



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
August 8, 2018 6:30 pm

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1. CALL MEETING TO ORDER\*
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
  - A. Wednesday, June 6, 2018
  - B. Wednesday, June 13, 2018
4. COMMUNICATIONS
5. UNFINISHED BUSINESS
6. NEW BUSINESS

**A. ZBA CASE NO. 18-08-08-1 (SAROKI ARCHITECTURE), 430 N. OLD WOODWARD, BIRMINGHAM, MI, 48009**

DESCRIPTION: 5110 Times Square Drive  
TAX PARCEL: 15-400-025  
ZONING DISTRICT: CS (Community Service)

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

Section 86-687 (3)(a), One wall sign shall be permitted and may be located flat against the building's front facade or parallel to the front facade on a canopy. For businesses with frontage on more than one public street, two signs may be permitted. In no case shall more than one wall sign be located on a facade and no wall sign shall be located on a rear facade.

The applicant is requesting to add a 20.65 square foot wall sign to the front façade.

7. OTHER BUSINESS
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT
11. POSTSCRIPT – Patricia Herring Jackson

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Variance requests may be subject to change or alteration upon review of request during preparation of the staff memorandum. Therefore, Sections of the Code of Ordinances are subject to change. Changes will be noted during public hearing meeting.

Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting:  
Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required.  
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

**CHARTER TOWNSHIP OF MERIDIAN**

**ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES \*\*\*DRAFT\*\*\***

**5151 MARSH ROAD, OKEMOS, MI 48864-1198**

**(517) 853-4000**

**WEDNESDAY, June 6, 2018 6:30 PM**

**TOWN HALL ROOM**

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

ABSENT:

STAFF: Peter Menser, Principal Planner, Keith Chapman, Assistant Planner, and Justin Quagliata, Assistant Planner

**1. CALL MEETING TO ORDER**

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

**2. APPROVAL OF AGENDA**

MEMBER RIOS MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER OHROGGLE.

VOICE VOTE: Motion carried unanimously.

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

None

**4. COMMUNICATIONS**

Chair Beauchine mentioned two communications in favor of the variance request.

- a. Nick Hammond 4784 Nakoma Drive
- b. A.C. Peterson Indian Hills Golf Course

**5. UNFINISHED BUSINESS**

NONE.

**6. NEW BUSINESS**

**A. ZBA CASE NO. 18-06-06-1 (PANGBORN), 4805 NAKOMA DRIVE, OKEMOS, 48864**

DESCRIPTION: 4805 Nakoma Drive  
TAX PARCEL: 21-152-002  
ZONING DISTRICT: RAA (Single Family, Low Density)

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

Section 86-436 (r) Standards for variance by the Zoning Board of Appeals from the strict interpretation of the regulations set forth in Section 86-436.

The applicant has requested a variance to construct a 352 square foot deck in the flood plain.

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).

Aaron Pangborn, the applicant, 4805 Nakoma Drive, Okemos, stated he had nothing to add however he would be available for questions from the ZBA.

Chair Beauchine opened the floor for public comment and seeing none closed public comment.

Member Rios asked the applicant if the deck plans had been submitted to the MDEQ and Community Planning and Development for approval.

Mr. Pangborn stated yes, the plans had been approved by both.

Member Ohlrogge asked the applicant how egress and ingress to the rear yard would occur if the variance for the deck was not approved.

Mr. Pangborn replied originally there were windows which he replaced with doors. His intent was to build a deck.

Member Rios, asked the applicant the location of Mr. Hammond's (4784 Nakoma Drive) property in relation to his property.

Mr. Pangborn stated Mr. Hammond's property is on the east side of the street approximately three lots south of his property.

Member Ohlrogge asked the location of the 100 year flood plain on the applicant's property.

Assistant Planner Chapman stated the entire property was in the floodplain.

Member Jackson questioned the direction the water flowed across the property during a flood.

Assistant Planner Chapman indicated west towards Ottawa Drive.

Member Ohlrogge asked what the water level was from the spring flooding.

Mr. Pangborn indicated the location on his site plan where the water crested. He added that Nakoma Drive has been under water every year he has owned the property, yet the house and surrounding property remained dry.

Member Jackson questioned Mr. Pangborn if the approval from the MDEQ set standards on the deck which would not increase the flood heights.

Mr. Pangborn replied the MDEQ did place requirements for the construction of the deck and also the proper anchoring of the deck.

Member Ohlrogge reminded the ZBA of meeting the criteria requirements from Section 86-436(r) set forth in the Conservancy District (CV District) of the Zoning Ordinance since the subject property is in the floodway.

MEMBER RIOS MOVED TO APPROVED THE VARIANCE REQUEST SUBJECT TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) REQUIREMENTS FOR THE DECK.

SECONDED BY CHAIR BEAUCHINE.

Chair Beauchine read review criteria one from Section 86-436(r) which states no variance shall be granted for the development of new structures, the substantial improvement or relocation of old structures, or development of any kind within the floodway area when such development, construction, improvement, or relocation would cause any increase in flood levels associated with the base flood elevation. He stated since the applicant had received approval from the MDEQ the criteria had been met.

Chair Beauchine read review criteria (2) a. which states a sufficient cause for granting the variance must be shown.

Member Jackson replied by granting the variance the applicant would have ingress and egress into the house.

Chair Beauchine read review criteria (2) b. which states a determination that failure to grant the variance would result in a practical difficulty to the applicant.

Member Rios replied if the variance was not granted it would create a practical difficulty without egress from the house in case of emergency.

Chair Beauchine read review criteria (2) c. which states a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense or will not create nuisances, cause fraud on or victimization of the public or conflict with this Chapter. He stated with the structure being anchored this criteria had been met.

Chair Beauchine read review criteria (2) d. which states a determination that the variance is the minimum necessary to afford relief.

Member Lane stated the deck as proposed met the criteria and with no encroachments into the setbacks it was the minimum action.

Chair Beauchine read the review criteria one from (Section 86-221) 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. He replied because the entire structure was in the floodway it created a unique circumstance.

Chair Beauchine read review criteria two which states these special circumstances are not self-created. He agreed the request was not self-created.

Chair Beauchine read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this Chapter would result in practical difficulties. He agreed it would.

Chair Beauchine 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. He replied the request met the review criteria in Section 86-436 (r).

Chair Beauchine 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. He replied the request met the review criteria in Section 86-436 (r).

Chair Beauchine 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. He stated the variance as requested would not affect adjacent properties.

Chair Beauchine 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. He agreed the conditions pertaining to the variance were not general or recurrent in nature.

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

Member Lane replied if the applicant meets all the requirements from the Michigan Department of Environmental Quality (MDEQ) the variance request met the review criteria.

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

NO:

Motion carried unanimously

**7. OTHER BUSINESS**

None.

**8. PUBLIC REMARKS**

Chair Beauchine opened the floor for public remarks seeing none he closed public remarks

**9. BOARD MEMBER COMMENTS**

None.

**10. ADJOURNMENT**

Meeting adjourned at 7:35 p.m.

**11. POST SCRIPT - Member Lane**

Respectfully Submitted,

Rebekah Kelly  
Recording Secretary

**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING MINUTES \*\*\*DRAFT\*\*\*  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, June 13, 2018 6:30 PM  
TOWN HALL ROOM**

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

**1. CALL MEETING TO ORDER**

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

**2. APPROVAL OF THE AGENDA**

MEMBER OHLROGGE MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

**3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES**

Wednesday, May 23, 2018

MEMBER LANE MOVED TO APPROVE THE MINUTES OF WEDNESDAY May 23, 2018 AS WRITTEN.

SECONDED BY MEMBER OHLROGGE.

VOICE VOTE: Motion carried unanimously.

**4. COMMUNICATIONS**

None.

**5. UNFINISHED BUSINESS**

**6. NEW BUSINESS**

**A. ZBA CASE NO. 18-06-13-1 (VASILAKIS), 5291 BARRINGTON DRIVE, ROCHESTER, MI. 48306**

DESCRIPTION: 3554 Okemos Road  
TAX PARCEL: 33-454-001  
ZONING DISTRICT: C-2 (Commercial)

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

Section 86-687 (3)(a), One wall sign shall be permitted and may be located flat against the building's front facade or parallel to the front facade on a canopy. For businesses with frontage on more than one public street, two signs may be permitted. In no case shall more than one wall sign be located on a facade and no wall sign shall be located on a rear facade.

The applicant is requesting to add a 44 square foot wall sign on the south façade where only one wall sign is permitted on the west façade.

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.

Randy W. Evans, Midthumb Signs & Lighting Service, Inc., representing the applicant, 8342 Wilcox Road, Brown City, stated the request was to place a sign on the south side of the building for visibility.

Chair Beauchine opened the floor for public comment and seeing none closed public comment.

Member Jackson asked staff if the south side of the building was the front of the building.

Assistant Planner Chapman replied the side of the building facing Okemos Road and the side of the building facing the private road are considered fronts.

Mr. Evans added the main entrance for the building is located at the southwest corner facing Okemos Road and the private road. The façade on the south side of the building is identical to the façade on the west side of the building, facing Okemos Road. There is an existing sign on the west side of the building

Member Jackson asked what was the difference between a private road and a service road.

Director Kieselbach replied a service road is considered a drive that connects businesses which provides access without using the main road. A private road means the road is not owned or maintained by the Ingham County Road Department.

Member Ohlrogge inquired about the maintenance of the private road.

Director Kieselbach replied since the road is under private ownership the owner maintains the road.

Member Jackson stated private roads do not necessarily have less traffic than public roads. The only difference is the development standards. She asked the reasoning for the ordinance not including private roads for signage.

Chair Beauchine replied it was to prevent private road owners from abusing the purpose and intent of the ordinance.



Member Lane added this private road is unique because it has other businesses on the road which generates a greater flow of traffic.

Member Ohlrogge expressed concern with the Township overseeing repairs and maintenance of the private road.

Director Kieselbach replied the Township does have the authority to require the owner of the private road to maintain the road.

Member Lane replied unique circumstances exist and except for the wording of the ordinance two signs would have been allowed if the road was public.

Member Jackson asked if the applicant could install a monument sign for the business.

Director Kieselbach replied yes.

Member Ohlrogge stated a monument sign could be used instead of granting a variance for a sign on the south side of the building.

Member Jackson replied if there were two public roads a monument sign and 2 signs one for each façade would be allowed. She added the private road is also functioning as a public road.

Member Ohlrogge stated the minimum action would be for a sign on the Okemos Road side of the building and the applicant could install a monument sign.

Chair Beauchine replied the applicant is asking for a sign that is half the size of what would be allowed. He added due to the amount of traffic on the private road, it should be treated as a public road.

Member Lane asked if the monument sign would be in addition to the sign on the west façade.

Assistant Planner Chapman replied yes.

Chair Beauchine asked if a condition could be added to limit the applicant from having a wall sign and a monument sign.

Director Kieselbach stated a condition could be added. With the private road to the south a freestanding sign and a wall sign on the Okemos Road facade would be allowed.

Member Jackson asked if the term monument sign and free standing sign were interchangeable.

Director Kieselbach replied a freestanding sign is allowed up to a maximum of 16 feet in height while a monument sign is allowed up to a maximum of 5 feet in height.

Chair Beauchine read review criteria one (Section 86-221) 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. He stated the zoning ordinance, creates a unique circumstance due to fact the subject property is adjacent to a private road.

Chair Beauchine 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. He said the request met this criteria.

Chair Beauchine read review criteria eight which states granting the variance will be generally consistent with public interest, the purposes and intent of this Chapter. He agreed this criteria had been met.

Chair Beauchine 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.

Member Lane replied the requested variance would not adversely affect adjacent land or the essential character but would actually enhance the character of adjacent land. The wall sign would bring consistency to the west and south façade and no comments were received from surrounding property owners.

Chair Beauchine 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. He stated traffic approaching from east would have difficulty identifying the business without signage.

Chair Beauchine read review criteria two which states these special circumstances are not self-created. He agreed the circumstance was not self-created.

Chair Beauchine read review criteria three which states strict interpretation and enforcement of the literal terms and provisions this chapter would result in practical difficulties.

Member Lane stated there was no practical difficulty because other options were available for signage.

MEMBER LANE MOVED TO DENY THE REQUEST BASED ON THE FAILUE TO MEET REVIEW CRITERIA THREE, FOUR, FIVE AND EIGHT FROM (SECTION 86-221) OF THE ZONING ORDIANCE.

SECONDED BY MEMBER JACKSON.

ROLE CALL TO VOTE: MOTION TO DENY

YES: Members, Jackson, Ohlrogge, Lane, and Chair Beauchine

NO: None

Motion carried unanimously.

**B. ZBA CASE NO. 18-06-13-2 (ROSTONI), 5949 EDSON STREET, HASLETT, MI, 48840**

DESCRIPTION:	5949 Edson Street
TAX PARCEL:	10-227-007
ZONING DISTRICT:	RN (Village of Nemoka), Lake Lansing Residential Overlay

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

Section 86-565(1), No accessory building shall project into any front yard.

The applicant is requesting to construct an accessory building that will project 15 feet into the front yard.

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.

Jeff Rostoni, the applicant, 5949 Edson Street, Haslett, stated the email from the Ingham County Road Department (ICRD) indicated a structure could be up to 33 feet from the middle of the road right-of-way and the proposed structure met the requirement. He addressed the eight review criteria from (Section 86-221) of the Zoning Ordinance, which was included as part of the application.

Chair Beauchine opened the floor for public comment and seeing none closed public comment.

Member Ohlrogge asked what the accessory structure setbacks were for the front yard and side yard.

Assistant Planner Chapman stated the setback was 5 feet for the side yard and 5 feet for the rear yard. An accessory structure cannot project in front of the principle structure. He added the structure would project 15 feet in front of the principal (house) structure.

Member Ohlrogge inquired on the approval from the ICRD.

Mr. Rostoni referred to the email which indicated the ICRD doesn't provide letter pertaining to the road right-of-way. He would present his plans to the ICRD for a final approval.

Member Lane stated according to the review criteria from (Section 86-221) of the Zoning Ordinance he could not find a unique circumstance or a practical difficulty.

Chair Beauchine replied there were other options for the applicant.

Members Ohlrogge stated the request does not meet criteria one 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.

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 there is an existing garage on the subject property and building another garage it is not the minimum action necessary.

Member Jackson stated not allowing the applicant to construct an accessory structure that projects in front of the primary structure is not unreasonable. She added the request did not meet review criteria one, three, and four.

MEMBER LANE MOVED TO DENY THE REQUEST BASED ON (SECTION 86-221) OF THE ZONING ORDINANCE AND NOT MEETING REVIEW CRITERIA ONE, THREE, FOUR AND FIVE.

SECONDED BY MEMBER CHAIR BEAUCHINE

ROLE CALL TO VOTE: MOTION TO DENY

YES: Members, Jackson, Ohlrogge, Lane, and Chair Beauchine

NO: None

Motion carried unanimously.

**C. ZBA CASE NO. 18-06-13-3 (SHAFFIER), 1765 NEMOKE TRAIL, HASLETT, MI, 48840**

DESCRIPTION:	1765 Nemoke Trail
TAX PARCEL:	15-100-011
ZONING DISTRICT:	RC (Multiple Family)

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

Section 86-685 (c)(2), Development entry sign. A permanent structure, which may be illuminated, may be permitted at each entrance to a development and shall be located at least 10 feet back from the street right-of-way line. Development entry signs shall be no larger than 32 square feet in surface display area. A sign on such structures shall be limited to the name of the development and the telephone number to be called for leasing information.

The applicant has requested to add a second development entry sign for Nemoke Trails Apartments.

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.

Ashley Shaffier, 1804 #4 Nemoke Trail, Haslett, applicant and representing Nemoke Trails Apartments, stated the reason for the variance request was the lack of signage hindered their business.

Chair Beauchine opened the floor for public comment and seeing none closed public comment.

Member Ohlrogge stated she had visited the subject property and it was difficult to locate the office without an identification sign.

Member Jackson stated it could be considered a safety issue without proper identification.

Chair Beauchine noted the existing sign is approximately 32 square feet and the new sign is approximately half the size with a request of 17.06 square feet.

Member Lane asked if there was any other options for signage.

Assistant Planner Chapman replied no, only one development entry sign is permitted.

Member Jackson read review criteria one (Section 86-221) 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 said stated the layout of the property and how the land is used was unique.

Member Ohlrogge read review criteria two which states these special circumstances are not self-created. She agreed the circumstance was not self-created.

Member Ohlrogge read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of the Chapter would result in practical difficulties. She stated not being able to find the office did create a practical difficulty.

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. She commented it is essential for people to find the main office and the club house.

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 the applicant is requesting a smaller sign than the size allowed and granting the variance would secure public safety and be in the public interest.

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 said the office is located in the middle of the property and the sign would not adversely affect adjacent land.

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 commented due to the layout of the property and the location of the office makes the request unique.

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 replied the signage would be helpful to find the office.

MEMBER LANE MOVED TO APPROVE THE REQUEST BASED ON MEETING THE REVIEW CRITERIA (SECTION 86-221) OF THE ZONING ORDINANCE.

SECONDED BY MEMBER JACKSON.

ROLE CALL TO VOTE: MOTION TO APPROVE.

YES: Members, Jackson, Ohlrogge, Lane, and Chair Beauchine

NO: None

Motion carried unanimously.

## 7. OTHER BUSINESS

None.

**8. PUBLIC REMARKS**

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

**9. BOARD MEMBER COMMENTS**

**10. ADJOURNMENT**

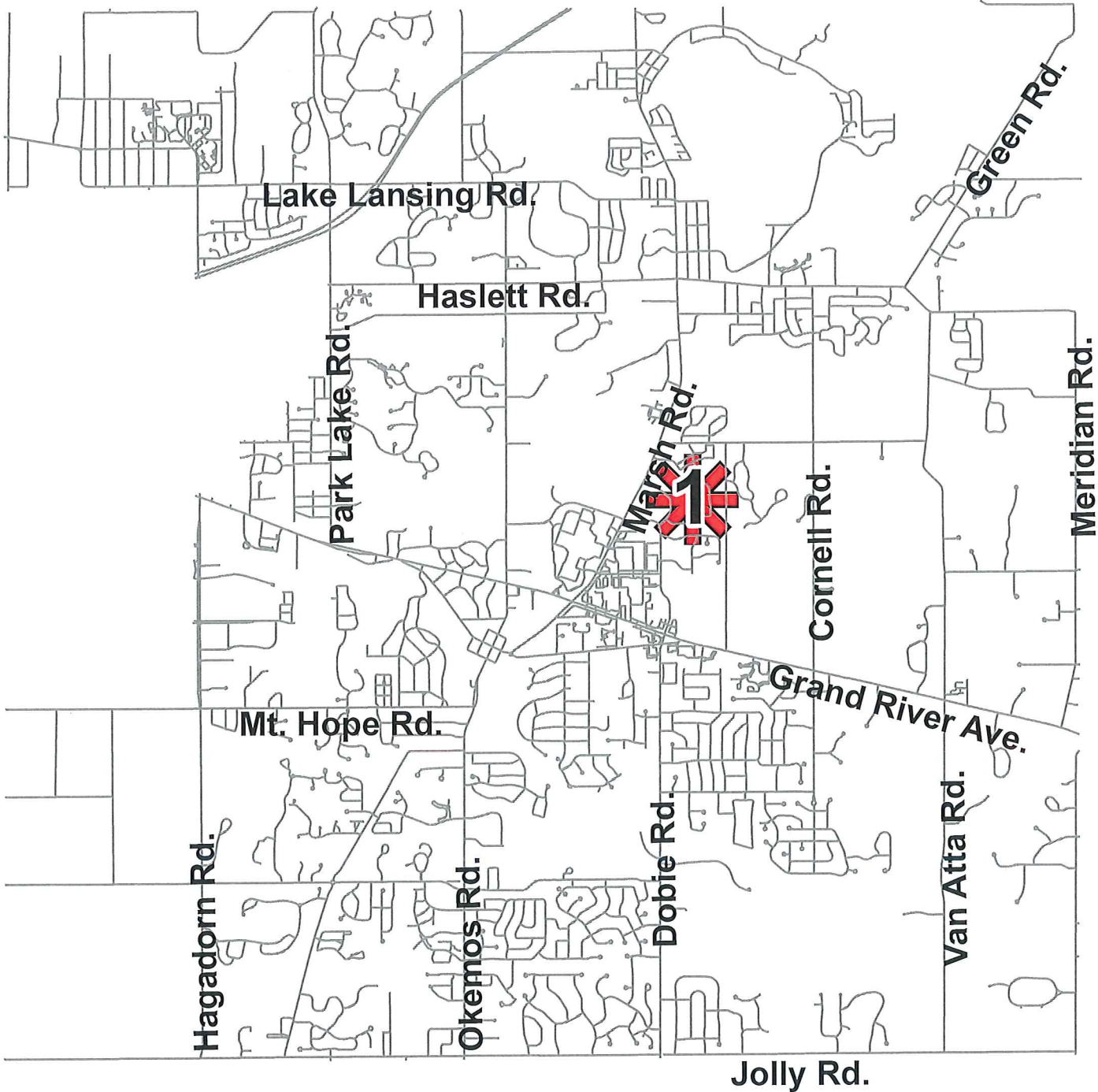
Meeting adjourned at 8:45 p.m.

**11. POST SCRIPT – Member Lane**

Respectfully Submitted,

Rebekah Kelly  
Recording Secretary

# Meridian Township



Location Map



1. ZBA #18-08-08-1 (Saroki Architecture)

## VARIANCE APPLICATION SUPPLEMENT

**A variance will be granted, if the following Review Criteria are met:**

1. 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.
2. These special circumstances are not self-created.
3. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.
4. That 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.
5. 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.
6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
7. 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.
8. Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.





**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** August 3, 2018  
**Re:** ZBA Case No. 18-08-08-1 (Saroki Architecture)

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**ZBA CASE NO.:** 18-08-08-1 (Saroki Architecture), 430 N. Old Woodward, Birmingham, MI 48009  
**DESCRIPTION:** 5110 Times Square Drive  
**TAX PARCEL:** 15-400-025  
**ZONING DISTRICT:** CS (Community Service)

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

- Section 86-687(3)(a), which states one wall sign shall be permitted and may be located flat against the building's front façade or parallel to the front façade on a canopy. For businesses with frontage on more than one public street, two signs may be permitted. In no case shall more than one wall sign be located on a façade and no wall sign shall be located on a rear façade.

The applicant is requesting to install a 20.65 square foot wall sign to the front (west) façade at 5110 Times Square Drive.

In 2000, a variance was granted by the Zoning Board of Appeals, permitting six (6) wall signs for the Walmart store (ZBA Case #00-02-23-3). The permitted wall signs are listed (and numbered) as follows:

**WALL SIGNS PERMITTED WITH VARIANCE (ZBA #00-02-23-3)**

<b><u>Sign</u></b>	<b><u>Location</u></b>	<b><u>Dimensions</u></b>	<b><u>Size (sq. ft.)</u></b>
(#1) WAL*MART	West Elevation Near Front Entrance	37.67' x 5.0'	<b>188.35</b>
(#2) WAL*MART Tire & Lube Express	South End of Building	15.88' x 6.84'	<b>108.62</b>
(#3) Quaker State or Penzoil	South End of Building	5.0' x 6.0'	<b>30.00</b>



<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
(#4) Tires	South End Above Bay Door	0.5' x 0.64'	0.32
(#5) Tires	South End Above Bay Door	0.5' x 0.64'	0.32
(#6) Lube Express	South End	0.5' x 4.48'	2.24
<b>TOTAL SQUARE FEET (6 SIGNS)</b>			<b>329.85 SF</b>

Sign #1 and #2 were installed on the building as described above. The four (4) remaining wall signs (signs #3-#6) approved as part of the variance request in 2000 were not installed. The timeframe of the original sign variance has expired and the variance is considered void; therefore the signs which were not installed as part of the original variance cannot be installed (signs #3, #4, #5, and #6).

In 2014, a variance was granted by the Zoning Board of Appeals, permitting four (4) wall signs for the Walmart store (ZBA Case #14-01-08-1). The existing wall signs are summarized below:

**EXISTING WALL SIGNS:**

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
WALMART	West Elevation Near Front Entrance	6' x 6'-6'-6 9/16"	199.54
Auto Center	South End	2'-0" x 15'-3 1/8"	31.47
Tire	South End	1'-0" x 2'-3 3/8"	2.38
Tire	South End	1'-0" x 2'-3 3/8"	2.38
<b>TOTAL SQUARE FEET (4 PROPOSED SIGNS)</b>			<b>235.77</b>

Per Section 86-687(3)(a), one wall sign is allowed on the building's front façade; the size is equivalent to one square foot for each lineal foot of building frontage occupied. The lineal frontage of the Walmart store is approximately 500 feet; thus allowing one (1) wall sign, up to 500 square feet in size.



The applicant is proposing to install one (1) new wall sign (Michigan First Credit Union) on the west elevation to the south of the main entrance door, approximately 20.65 square feet in size (2'-2 5/8" x 9'-3 1/2").

The applicant is requesting to install one (1) additional wall sign on the west elevation where four (4) are currently located; therefore the applicant is requesting a variance for one additional wall sign.

**Attachments**

1. Application materials
2. Site location map
3. Site Photos

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-08-08\ZBA 18-08-08-1 (Saroki Architecture)\STAFF REPORT SAROKI ARCH

CHARTER TOWNSHIP OF MERIDIAN  
PLANNING DIVISION  
5151 MARSH ROAD, OKEMOS, MI 48864  
(517) 853-4560

VARIANCE APPLICATION

A. Applicant Saroki Architecture  
Address of Applicant 430 N. Old Woodward, Birmingham, MI 48009


Telephone (Work) 248-258-5707 Telephone (Home) \_\_\_\_\_  
Fax 248-258-5515 Email address: dveneziano@sarokiarchitecture.com  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 5110 Times Square Pl., Okemos, MI 48864  
Zoning district \_\_\_\_\_ Parcel number \_\_\_\_\_

C. Nature of request (Please check all that apply):  
 Request for variance(s)  
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances  
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances


Zoning Ordinance section(s) \_\_\_\_\_

D. Required Supporting Material                      Supporting Material if Applicable  
-Property survey    -Architectural sketches  
-Legal description    -Other  
-Proof of property ownership or approval letter from owner  
-Site plan to scale  
-Written statement, which demonstrates how all the review criteria will be met (See next page)

                      DENIS VENEZIANO                      07/08/2018  
Signature of Applicant                      Print Name                      Date

Fee: 200,00 \$                      Received by/Date: \_\_\_\_\_

*I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purposes of gathering information including but not limited to the taking and the use of photographs. (Note to Applicant(s): This is optional and will not affect any decision on your application.)*

                      07/08/2018  
Signature of Applicant(s)                      Date

\_\_\_\_\_  
Signature of Applicant(s)                      Date

## VARIANCE APPLICATION SUPPLEMENT

### **A variance will be granted, if the following Review Criteria are met:**

1. 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.
2. These special circumstances are not self-created.
3. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.
4. That 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.
5. 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.
6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
7. 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.
8. Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.

### **Effect of Variance Approval:**

1. Granting a variance shall authorize only the purpose for which it was granted.
2. The effective date of a variance shall be the date of the Zoning Board of Appeals approves such variance.
3. A building permit must be applied for within 24 months of the date of the approval of the variance, and a Certificate of occupancy must be issued within 18 months of the date the building permit was issued, otherwise the variance shall be null and void.

### **Reapplication:**

1. No application for a variance, which has been denied wholly or in part by the Zoning Board of Appeals, shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions found by the Zoning Board of Appeals to be sufficient to justify consideration.

July 5<sup>th</sup>, 2018

**Zoning Board of Appeals**  
Charter Township of Meridian  
5151 Marsh Road,  
Okemos, MI 48864

***Review Criteria Implementation for Variance Application***

RE: Michigan First Credit Union – Exterior Wall Sign at Walmart Store  
5110 Times Square Pl.  
Okemos, MI 48864

Dear Zoning Board Members,

The purpose of this letter is to respectfully assess that the following Review Criteria are met:

1. *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.*  
Saroki response: The lease space occupied by the tenant (Michigan First Credit Union) is part of the Walmart retail store, only structure where placing the tenant's exterior sign will be possible.
2. *These special circumstances are not self-created.*  
Saroki response: The need for the requested variance is not self-created due to the actions of the applicant, owner, or their predecessors. The Walmart retail store is an existing structure;
3. *Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.*  
Saroki response: strict interpretation of the Zoning Ordinance would result in the unnecessarily burdensome impossibility of the tenant to show their business activity to potential customers;
4. *That 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.*

Saroki response: the practical impossibility of the tenant to advertise their business activity would hinder the tenant's permitted purpose of servicing costumers, because of the absence of visibility from the street;

5. *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.*

Saroki response: The granting of the variance does not imply any alteration to the existing structure and the installation of the requested exterior sign will not be contrary to the public safety. The granting of this variance, being a benefit to all and a detriment to none, would still carry out the spirit of this zoning ordinance, maintain public interest and provide substantial justice;

6. *Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.*

Saroki response: The granting of the variance will not affect land or the essential character in the vicinity of the property since the exterior sign will be a wall sign of approximately 20 square feet.

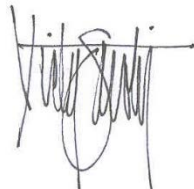
7. *The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.*

Saroki response: as stated at point 1 this is the only structure where placing the tenant's exterior sign will be possible.

8. *Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.*

Saroki response: as stated at point 5, the variance will be generally consistent with public interest and the purposes and intent of this Chapter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victor Saroki', written over a horizontal line.

**Victor Saroki, FAIA**



Walmart

5110





Auto Center

Tire

Tire

CUSTOMER SERVICE

10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100

Goodyear

A  
B  
C  
D  
E  
F  
G  
H



C6 Front Elevation  
A900 SCALE: 1/16" = 1'-0"

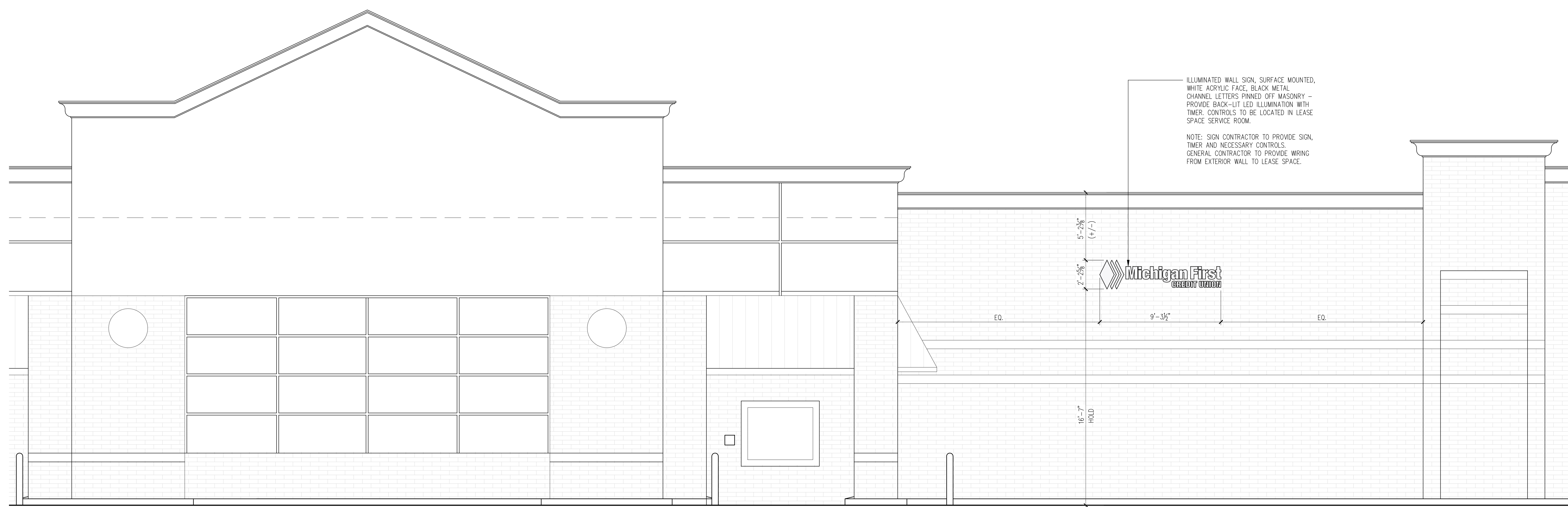


**SAROKI**  
ARCHITECTURE  
430 N. OLD WOODWARD  
BIRMINGHAM, MI 48009  
P. 248.258.5707  
F. 248.258.5515  
SarokiArchitecture.com

**Project:**  
MICHIGAN FIRST CREDIT UNION  
5110 Times Square Pl.  
Okemos, MI 48864

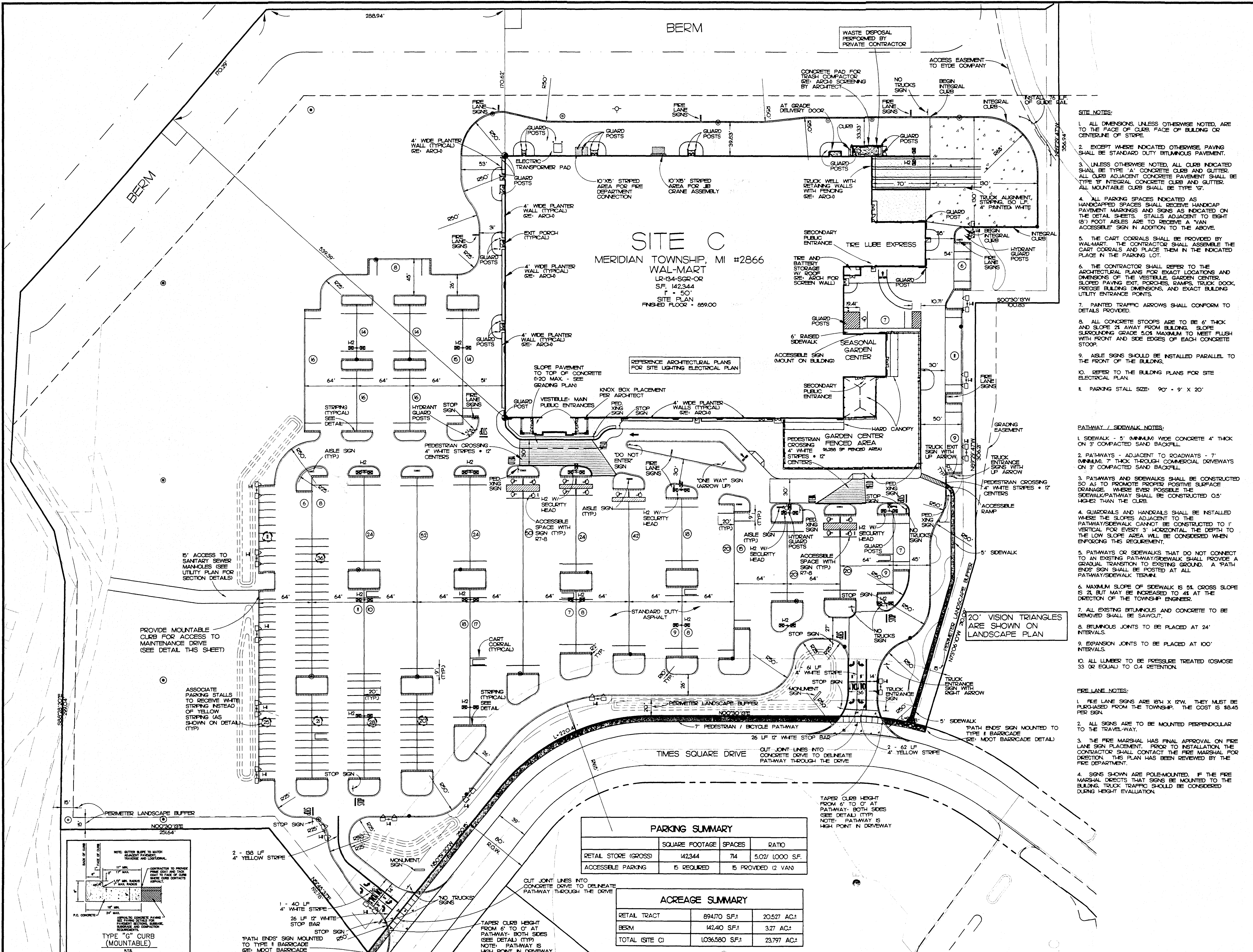
**Date:** 05-03-2018  
**Issued For:** EXTERIOR SIGNAGE  
05-17-2018 WALMART REVIEW

**Sheet No.:**  
**A950**  
EXTERIOR SIGNAGE



H6 Enlarged Partial Front Elevation  
A950 SCALE: 1/4" = 1'-0"

1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10



**SITE C**  
**MERIDIAN TOWNSHIP, MI #2866**  
**WAL-MART**  
 LR-134-SGR-OR  
 S.F. 142,344  
 SITE PLAN  
 FINISHED FLOOR = 869.00

**PARKING SUMMARY**

	SQUARE FOOTAGE	SPACES	RATIO
RETAIL STORE (GROSS)	142,344	714	5.02/ 1,000 SF.
ACCESSIBLE PARKING	15 REQUIRED	15 PROVIDED (2 VAN)	

**ACREAGE SUMMARY**

RETAIL TRACT	894,770 SF±	20.577 AC±
BERM	142,410 SF±	3.27 AC±
TOTAL (SITE C)	1,036,580 SF±	23.797 AC±

- SITE NOTES:**
- ALL DIMENSIONS, UNLESS OTHERWISE NOTED, ARE TO THE FACE OF CURB, FACE OF BUILDING OR CENTERLINE OF STRIP.
  - EXCEPT WHERE INDICATED OTHERWISE, PAVING SHALL BE STANDARD DUTY BITUMINOUS PAVEMENT.
  - UNLESS OTHERWISE NOTED, ALL CURB INDICATED SHALL BE TYPE 'A' CONCRETE CURB AND GUTTER. ALL CURB ADJACENT CONCRETE PAVEMENT SHALL BE TYPE 'B' INTEGRAL CONCRETE CURB AND GUTTER. ALL MOUNTABLE CURB SHALL BE TYPE 'G'.
  - ALL PARKING SPACES INDICATED AS HANDICAPPED SPACES SHALL RECEIVE HANDICAP PAVEMENT MARKINGS AND SIGNS AS INDICATED ON THE DETAIL SHEETS. STALLS ADJACENT TO EIGHT (8) FOOT AISLES ARE TO RECEIVE A 'VAN ACCESSIBLE' SIGN IN ADDITION TO THE ABOVE.
  - THE CART CORRALS SHALL BE PROVIDED BY WAL-MART. THE CONTRACTOR SHALL ASSEMBLE THE CART CORRALS AND PLACE THEM IN THE INDICATED PLACE IN THE PARKING LOT.
  - THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF THE VESTIBULE, GARDEN CENTER, SLOPED PAVING, EXIT, PORCHES, RAMPS, TRUCK DOCK, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE POINTS.
  - PAINTED TRAFFIC ARROWS SHALL CONFORM TO DETAILS PROVIDED.
  - ALL CONCRETE SToops ARE TO BE 6" THICK AND SLOPE 2% AWAY FROM BUILDING. SLOPE SURROUNDING GRADE 5.0% MAXIMUM TO MEET FLUSH WITH FRONT AND SIDE EDGES OF EACH CONCRETE STOOB.
  - AISe SIGNS SHOULD BE INSTALLED PARALLEL TO THE FRONT OF THE BUILDING.
  - REFER TO THE BUILDING PLANS FOR SITE ELECTRICAL PLAN.
  - PARKING STALL SIZE: 90' x 20'

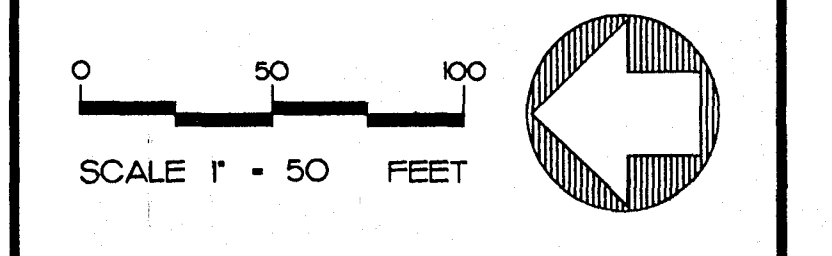
- PATHWAY / SIDEWALK NOTES:**
- SIDEWALK - 5' MINIMUM WIDE CONCRETE 4" THICK ON 3" COMPACTED SAND BACKFILL.
  - PATHWAYS - ADJACENT TO ROADWAYS - 7' MINIMUM 7" THICK THROUGH COMMERCIAL DRIVEWAYS ON 3" COMPACTED SAND BACKFILL.
  - PATHWAYS AND SIDEWALKS SHALL BE CONSTRUCTED SO AS TO PROMOTE PROPER POSITIVE SURFACE DRAINAGE. WHERE EVER POSSIBLE THE SIDEWALK/PATHWAY SHALL BE CONSTRUCTED 0.5" HIGHER THAN THE CURB.
  - GUARDRAILS AND HANDRAILS SHALL BE INSTALLED WHERE THE SLOPES ADJACENT TO THE PATHWAY/SIDEWALK CANNOT BE CONSTRUCTED TO 1" VERTICAL FOR EVERY 3" HORIZONTAL. THE DEPTH TO THE LOW SLOPE AREA WILL BE CONSIDERED WHEN ENFORCING THIS REQUIREMENT.
  - PATHWAYS OR SIDEWALKS THAT DO NOT CONNECT TO AN EXISTING PATHWAY/SIDEWALK SHALL PROVIDE A GRADUAL TRANSITION TO EXISTING GROUND. A PATH ENDS SIGN SHALL BE POSTED AT ALL PATHWAY/SIDEWALK TERMINI.
  - MAXIMUM SLOPE OF SIDEWALK IS 5% CROSS SLOPE IS 2% BUT MAY BE INCREASED TO 4% AT THE DIRECTION OF THE TOWNSHIP ENGINEER.
  - ALL EXISTING BITUMINOUS AND CONCRETE TO BE REMOVED SHALL BE SAWCUT.
  - BITUMINOUS JOINTS TO BE PLACED AT 24' INTERVALS.
  - EXPANSION JOINTS TO BE PLACED AT 100' INTERVALS.
  - ALL LUMBER TO BE PRESSURE TREATED (OSMOSE 33 OR EQUAL) TO 0.4 RETENTION.

- FIRE LANE NOTES:**
- FIRE LANE SIGNS ARE 18" X 12". THEY MUST BE PURCHASED FROM THE TOWNSHIP. THE COST IS \$845 PER SIGN.
  - ALL SIGNS ARE TO BE MOUNTED PERPENDICULAR TO THE TRAVEL-WAY.
  - THE FIRE MARSHAL HAS FINAL APPROVAL ON FIRE LANE SIGN PLACEMENT. PRIOR TO INSTALLATION, THE CONTRACTOR SHALL CONTACT THE FIRE MARSHAL FOR DIRECTION. THIS PLAN HAS BEEN REVIEWED BY THE FIRE DEPARTMENT.
  - SIGNS SHOWN ARE POLE-MOUNTED. IF THE FIRE MARSHAL DIRECTS THAT SIGNS BE MOUNTED TO THE BUILDING, TRUCK TRAFFIC SHOULD BE CONSIDERED DURING HEIGHT EVALUATION.

**REVISIONS**

72 HOURS (3 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG 1-800-482-7171 (TOLL FREE)

BENCHMARK: TOP OF BOLT (X), EAST END OF MULTI-PLATE ARCH; MARSH ROAD AT THE MUD LAKE DRAIN, ±800' SOUTH OF THIRT ROAD.  
 ELEVATION: 842.52 (N.G.V.D. DATUM)



**LEGEND**

EXISTING	DESCRIPTION
FENCE	—
LIGHT POLE	⊙
MAILBOX	⊞
MEASURED	(M)
DESCRIBED	(D)
FOUND IRON	F.I.
SET IRON	S.I.

PROPOSED	DESCRIPTION
---	PROPERTY LINE
⊙	NO. OF PARKING SPACES
⊞	HANDICAP PARKING SYMBOL
—	CONCRETE CURB & GUTTER
⊞	SITE LIGHTING STRUCTURE
⊞	ASSOCIATE STALLS (1 PER 1000)
—	SIGN
—	STOP BAR
—	YIELD PAVEMENT MARKING
⊞	GUARD POST
⊞	CONCRETE PER ARCHITECT
⊞	HEAVY DUTY CONCRETE
⊞	HEAVY DUTY ASPHALT

**WAL-MART**  
 WAL-MART STORES, INC.  
 Sam M. Walton Development Complex  
 2001 S.E. 10th St., Department 8703  
 Bentonville, Arkansas 72712-6489  
 501-273-4000

**FKF** Freeland-Kauffman & Fredeen, Inc.  
 Civil Engineers - Landscape Architects  
 5201 Village Parkway Suite 201  
 Rogers, Arkansas 72758  
 501-464-9745  
 fax 501-464-9748

Zoning: COMMUNITY SERVICE  
 Address: MARSH ROAD AND TIMES SQUARE DRIVE

**SITE PLAN**  
 JUL 01 2002  
**WAL-MART STORE #2866**  
 MERIDIAN TOWNSHIP (PLANS EAST), MICHIGAN

Drawn: LDF  
 Check: kfr  
 Date: 6/9/02  
 Drawing: 7 of 27