

CHARTER TOWNSHIP OF MERIDIAN

ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES *APPROVED*****

5151 MARSH ROAD, OKEMOS, MI 48864-1198

(517) 853-4000

WEDNESDAY, October 10, 2018 6:30 PM

TOWN HALL ROOM

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

ABSENT:

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

1. CALL MEETING TO ORDER

Chair Beauchine called the meeting to order at 6:32 p.m.

2. APPROVAL OF AGENDA

MEMBER OHLROGGE MOVED TO APPROVE THE AGENDA AS AMENDED.

SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, August 8, 2018

MEMBER OHLROGGE MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, AUGUST 8,
2018 AS WRITTEN.

SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

4. COMMUNICATIONS

None.

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

**A. ZBA CASE NO. 18-10-10-1 (6025 Partners LLC), 1120 KEYSTONE AVENUE, LANSING,
MI 48864**

DESCRIPTION:	6025 North Hagadorn Avenue
TAX PARCEL:	06-477-020
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 has requested a variance to construct a 1,848 square foot addition to 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).

Mr. Ryan Love, the applicant, 6240 Reynolds, stated he had nothing to add.

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

Chair Beauchine stated the building was nonconforming due to the setback requirement. He added the proposed addition was not in violation, but required ZBA review for the modification.

Chair Beauchine asked Township staff if the addition would need to meet building code requirements for office space.

Assistant Planner Chapman responded the addition would have to meet current building code requirements.

Director Kieselbach added if use of the addition was changed from storage to office space, there may have to be an additional permit process.

Member Ohlrogge stated the proposed addition would meet the required setback from the south property line.

Member Jackson stated the addition doesn't increase the nonconformity and benefits the use of the building.

Member Lane stated the building location was not conducive for the banking industry but is more fitting for an office.

MEMBER JACKSON MOVED TO APPROVE THE VARIANCE REQUEST WITH THE CONDITION THE STORAGE USE MUST BE LIMITED TO THE APPLICANT'S TAX AND ACCOUNTING BUSINESS.

SECONDED BY MEMBER MANSOUR.

Member Ohlrogge read review criteria one (Section 86-221 of the Code of Ordinances), which states unique circumstances that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district. She stated the building when built was conforming but with the change to the setback is no longer conforming.

Member Ohlrogge read review criteria two, which states these special circumstances are not self-created. She stated the criteria was met because the building already exists.

Member Ohlrogge read review criteria three, which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. She stated the request is reasonable and does not increase the nonconformity.

Member Ohlrogge read review criteria four, which states 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. She stated the proposed modification is needed for the property to be adequately utilized.

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 setback makes the building nonconforming, but that the proposed addition does not infringe on the current setback.

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 proposal would improve the surrounding properties.

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 mentioned the unique circumstance due to the setback and the reuse of the building supported of this criteria.

Member Ohlrogge read review criteria eight, which states granting the variance will be generally consistent with public interest and the purposed and intent of this Chapter. She stated granting the variance will enable this new business to meet their needs with no impact on surrounding properties or setback.

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

NO:

Motion carried unanimously

B. ZBA CASE NO. 18-10-10-2 (Buckley), 3914 CALYPSO ROAD, HOLT, MI 48864

DESCRIPTION:	5998 Martinus Road & Vacant Lot
TAX PARCEL:	06-477-020
ZONING DISTRICT:	C-2 (Commercial)

The applicant is requesting a variance from the following section of the Code of Ordinances: Section 86-374 (d)(1), Minimum lot area: 8,000 square feet. No lot shall hereafter be subdivided to provide less than 8,000 square feet of lot area.

The applicant has requested a variance to create a 7,883 square foot lot that does not meet the required minimum of 8,000 square feet for lot area at 5998 Martinus Road & Vacant Lot (Tax I.D. #10-25-002)

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.

Pat and Don Buckley, the applicants, 3914 Calypso Rd., Holt, stated their intent was to demolish the dilapidated house and build a new house on the property.

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

Member Lane stated the Planning Commission supported the rezoning of the property to residential.

Member Jackson added the Township Board was currently reviewing the rezoning request.

Chair Beauchine stated the surrounding zoning is residential, aside from AT&T building and the restaurant.

Chair Beauchine asked what the current zoning designation of the property.

Member Jackson stated the zoning is C-1 (Commercial) but the use had been residential.

Member Jackson pointed out the properties to the west were zoned RB (Single Family).

Member Lane stated the current Master Plan Future Land Use designation is residential.

Member Jackson asked if future construction would have to meet RB building standards.

Director Kieselbach stated lot coverage would be the only exception, all other residential standards would have to be met.

Member Mansour asked if proposed construction had received a building permit yet.

Director Kieselbach stated the building permit would come after the variance and rezoning was granted.

Member Ohlrogge asked if the lot was buildable.

Director Kieselbach responded the lot was buildable if all standards were met.

Chair Beauchine stated the new house would benefit the neighborhood.

MEMBER JACKSON MOVED TO APPROVED ZBA CASE NO. 18-10-10-02.

SECONDED BY MEMBER OHLROGGE.

Member Ohlrogge read review criteria one (Section 86-221 of the Code of Ordinances), which states unique circumstances that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district. She stated the two lots were small and combining the lots would maximize the buildable area.

Member Ohlrogge read review criteria two, which states these special circumstances are not self-created. She stated the lots were platted in 1935.

Member Ohlrogge read review criteria three, which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. She stated denying the variance would cause one lot to remain vacant and undeveloped.

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 public interest would be respected and lot size would stay within current standards.

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 proposal would improve the property.

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 mentioned the unique circumstance of combining two small lots.

Member Ohlrogge read review criteria eight, which states granting the variance will be generally consistent with public interest and the purposed and intent of this Chapter. She stated that combining the lots would help promote development consistent with the surrounding neighborhood.

Member Lane asked if granting the variance should be conditional to the rezoning being approved by the Township Board.

Member Jackson stated if the rezoning is not approved then the variance would be void.

Director Kieselbach added even if the rezoning did not pass, the variance could still be enacted but would not allow for a single family home to be constructed on the two lots.

ROLL CALL TO VOTE: YES: Members Jackson, Ohlrogge, Mansour, Chair Beauchine, Member Lane
NO:
Motion carried unanimously

7. OTHER BUSINESS

MEMBER OHLROGGE MOVED TO PASS THE 2019 ZONING BOARD OF APPEALS MEETING SCHEDULE AS PRESENTED.

SECONDED BY MEMBER LANE.

Member Jackson noted the schedule presented follows the usual pattern of twice a month meetings, the second and fourth Wednesdays, at 6:30 pm.

ROLL CALL TO VOTE: YES: Members Lane, Jackson, Chair Beauchine, Members Mansour, Ohlrogge

8. PUBLIC REMARKS

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

9. BOARD MEMBER COMMENTS

Member Mansour thanks the ZBA members for welcoming her and demonstrating meeting procedures.

10. ADJOURNMENT

Meeting adjourned at 7:14 p.m.

11. POST SCRIPT - Chair Beauchine

Respectfully Submitted,
Riley Millard
Recording Secretary