

CHARTER TOWNSHIP OF MERIDIAN ZONING BOARD OF APPEALS MEETING

May 22, 2019 6:30 pm

- 1. CALL MEETING TO ORDER*
- 2. APPROVAL OF THE AGENDA
- 3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
 - A. Wednesday, May 8, 2019
- 4. COMMUNICATIONS

A. Shannon Beckman RE: ZBA #19-05-22-3B. James Harding RE: ZBA #19-05-22-3

- 5. UNFINISHED BUSINESS
- 6. NEW BUSINESS

A. ZBA CASE NO. 19-05-22-1 (Power Home Solar), 919 N. Main Street, Mooresville, NC, 28115

LOCATION: 2000 Lake Lansing Road

PARCEL ID: 04-400-008

ZONING DISTRICT: RA (Single Family-Medium Density)

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

• Section 86-565(1), which states, no accessory building shall project into any front yard.

The variance request is to install an accessory structure that would project 49 feet into the front yard at 2000 Lake Lansing Road.

B. ZBA CASE NO. 19-05-22-3 (Timmer), 242 Abbott Woods Drive, East Lansing, MI, 48823

DESCRIPTION: 4990 Country Drive

TAX PARCEL: 24-202-001

ZONING DISTRICT: RR (Rural Residential)

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

• Section 86-565(1), which states, no accessory building shall project into any front yard.

The variance request is to construct an accessory building that would project 242 feet into the front yard at 4990 Country Drive.

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

AGENDA



CHARTER TOWNSHIP OF MERIDIAN ZONING BOARD OF APPEALS MEETING May 22, 2019 6:30 pm

C. ZBA CASE NO. 19-05-22-2 (Delta Dental), 4100 Okemos Road, Okemos, MI, 48864

DESCRIPTION: 4100 Okemos Road

TAX PARCEL: 28-400-009, 28-400-011, and 28-400-012

ZONING DISTRICT: PO (Professional and Office)

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

- 86-686(3)(a), Freestanding signs. One freestanding sign shall be permitted and shall be located in the front yard with the leading edge at least 10 feet back of the street right-of-way line.
- Section 86-686(3)(b), Freestanding signs. The surface display area of the freestanding sign conveying the business carried on the premises shall not exceed 25 square feet per side. An additional three square feet of surface display area of the freestanding sign shall be set aside to accommodate the street number of the structure.
- Section 86-471(b)(1), all structures and grading activities shall be setback from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area; 40 feet.
- Section 86-471(c)(1), to minimize erosion, stabilize streambanks and wetland edges, protect water quality, and preserve fish and wildlife habitat, a natural vegetation strip shall be maintained from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law; 20 feet.
- Section 86-471(b)(4), all structures and grading activities shall be setback from the edge of a water feature as follows: open county drains or creeks; 50 feet, as measured from the top of the bank on the side of the drain where the structure is to be located or grading activity is to occur.
- Section 86-471(c)(3), to minimize erosion, stabilize streambanks and wetland edges, protect water quality, and preserve fish and wildlife habitat, a natural vegetation strip shall be maintained from the edge of a water feature as follows: open county drains or creeks; 25 feet, as measured from the top of the abutting bank.

The variance requests are to install five freestanding signs and to construct an approximately 4,300 square foot deck in the wetland setback, the drain setback, and the associated natural vegetation strips at 4100 Okemos Road.

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.

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AGENDA

CHARTER TOWNSHIP OF MERIDIAN ZONING BOARD OF APPEALS MEETING May 22, 2019 6:30 pm

- 7. OTHER BUSINESS
- 8. PUBLIC REMARKS
- 9. BOARD MEMBER COMMENTS
- 10. ADJOURNMENT
- 11. POSTSCRIPT Ken Lane

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CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *DRAFT*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, May 8, 2019 6:30 PM
TOWN HALL ROOM

PRESENT: Chair Beauchine, Members, Lane, Mansour, Wisinski

ABSENT: Member Field-Foster

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

Planner Justin Quagliata

1. CALL MEETING TO ORDER

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

2. APPROVAL OF AGENDA

MEMBER WISINSKI MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER MANSOUR.

VOICE VOTE: Motion carried unanimously.

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, April 24, 2019.

MEMBER MANSOUR MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, APRIL 24, 2019.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

4. **COMMUNNICATIONS**

A. Vance and Carrie Boyd RE: ZBA #19-05-08-1

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

A. ZBA CASE NO. 19-05-08-1 (Fouty), 6220 Hilltop Court, Bath, MI, 48808

LOCATION: 119 and 131 Sherwood Road PARCEL ID: 24-477-012 and 24-477-013 RR (Rural Residential)

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

- Section 86-368(d)(1), Minimum lot area. No lot shall hereafter be subdivided to provide less than 40,000 square feet of lot area.
- Section 86-368(d)(2), Minimum lot width: 200 feet.

The applicant is requesting variances to split a parcel that does not meet the requirements for minimum lot area and minimum lot width of the RR (Rural Residential) zoning district at 119 and 131 Sherwood Road.

Assistant Planner Quagliata outlined the case for discussion. He noted the Zoning Board of Appeals (ZBA) may consider including a condition for the property resulting from the split of Lot 13 be combined with Lot 12.

Chair Beauchine asked the applicant if they would like to address the ZBA.

Mr. Marvin Fouty, the applicant, 6220 Hilltop Court, Bath, MI, 48808, stated the new common lot line would keep both houses in compliance with 20 foot side yard setback.

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

Chair Beauchine read a communication received in opposition from Vance and Carrie Boyd, 88 Sherwood Road, Okemos, MI 48864. Mr. Boyd voiced granting the variance may set a precedent for splitting Rural Residential zoned properties on Sherwood Road and elsewhere which may not meet minimum lot area and lot width standards.

Chair Beauchine noted the survey presented by staff was current, and noted the lot survey submitted by the applicant was completed prior to 1994. He asked what the total lot area was on Lot 13.

Assistant Planner Quagliata stated the current lot area of Lot 13 was 41,243.75 square feet, which exceeds the minimum standard for lot area in the RR zoning district.

Chair Beauchine asked if the variances were approved would Lot 13 not meet the minimum lot area standard in addition to currently not meeting the minimum lot width standard.

Assistant Planner Quagliata stated yes.

Member Mansour asked the applicant the purpose of realigning the lot lines and if he owned both properties.

Assistant Planner Quagliata noted the applicant was the representative for both property owners and did not own the properties. He stated Lot 13 was for sale and the request was to straighten the common lot line and eliminate irregular shaped parcels.

Chair Beauchine stated the houses currently meet the 20 foot side yard setback.

Assistant Planner Quagliata noted both houses are currently meeting the 20 foot side yard setback and the split would keep both houses in compliance with the required side yard setback.

Chair Beauchine stated he thought the lot stakes were the corners of the current configuration.

Assistant Planner Quagliata stated the current lot stakes indicated the proposed common lot line shown on the submitted survey.

Member Lane asked if any of the surrounding lots on Sherwood Road did not meet the 200 foot lot width requirement.

Assistant Planner Quagliata stated most of the lots in Sherwood Hills Subdivision did not meet the 200 foot lot width requirement and noted most of the lots were platted with 125 feet of lot width.

Member Lane noted the lots are currently nonconforming and if the variances were approved they would be making one of the lots more nonconforming.

Assistant Planner Quagliata stated the lots are not nonconforming, they are lots of record set by a previous ZBA decision in 1994.

Member Lane stated the request would take two conforming lots and make one of them not meet the lot width or lot area requirements in the RR district. He noted the request to straighten the common lot line for sale purposes was not a reason to grant the variance.

Director Kieselbach noted lots of record are neither conforming nor nonconforming. He stated the lots predate the Rural Residential zoning district and were created in compliance with the zoning ordinance at the time and allowed to be used for single family purposes. He added any additions to the houses could be done if all requirements of the ordinance were met. He noted the variance would allow the lot line to deviate from what the Rural Residential standards are and if the variances were granted the lots would be conforming. He stated the current land division ordinance would not allow the creation of an irregular shaped lot.

Chair Beauchine stated the community has a harder time understanding irregular shaped lots when considering where to mow or plant trees and it is easier to tell where the property line is when it is not irregular.

Chair Beauchine asked if the same person has owned the lots since 1994.

Assistant Planner Quagliata stated the same person has owned both lots since 1956 before selling Lot 13 in 1994.

Chair Beauchine asked if the owner in 1994 had requested a straight property line and if the ZBA at the time decided the irregular lot line was the minimum action necessary.

Assistant Planner Quagliata noted the intent of the ZBA in 1994 was to maintain the lot width of 125 feet and only reduce the lot area for one of the parcels.

Chair Beauchine stated the situation was not self created because the ZBA had granted a variance.

Member Mansour read review criteria one from Section 86-221 of the Code of Ordinances 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 the subject properties were the only irregular shaped lots in the subdivision which were created by the ZBA in 1994.

Chair Beauchine noted the original lots were platted 25 feet wider than required by the zoning ordinance at the time and now both lots do not meet the required minimum lot width standard.

Member Mansour read review criteria two which states these special circumstances are not self created. She stated the circumstances were created by the ZBA in 1994.

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 noted the common property line is difficult to locate, particularly when someone is buying the parcel and is not familiar with the current configuration of the common lot line.

Member Mansour added the irregular line is intricate and even a diagonal line would be easier to see visually.

Member Mansour 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 noted this criteria was not met.

Member Wisinski noted the application stated the current lot lines would prevent Lot 13 from being sold with a clear title.

Assistant Planner Quagliata clarified the current configuration would not prevent Lot 13 from being sold with a clear title.

Member Mansour 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 property was useable and functional as currently configured, so this criteria was not met.

Member Mansour 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 straightening the common lot line would be keeping in character with other properties in the vicinity.

Member Mansour 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 stated the subject properties were the only lots in the subdivision with irregular lot lines.

Member Mansour read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this chapter. She noted the variance would benefit the homeowner but that does not necessarily mean the review criteria was met.

Chair Beauchine thought criteria eight could be met, but had an issue with criteria four and five. He referenced Communication 4A and stated no precedence would be set by granting the variances because each variance request was considered independently on its own merits.

Member Mansour noted practical difficulties for criteria four would include constructing a fence, landscaping, building a shed, pool, or other structure. She stated criteria five could almost be met by straightening the line being the minimum action necessary.

Chair Beauchine noted the variances would create a more conforming lot without meeting the minimum lot width or lot area requirements.

Assistant Planner Quagliata clarified the lot would not be nonconforming if the ZBA granted the variances.

Member Mansour asked if Lot 13 would be nonconforming if the variances were granted.

Assistant Planner Quagliata stated if the ZBA granted the variances Lot 13 would not be nonconforming.

Director Kieselbach noted adjoining properties could be combined but the properties may not meet the requirements for the zoning district. He added the requested variances would be the best way to meet the standards of the ordinance.

Member Mansour asked if criteria four could be met since future use of the parcel would be easier with a straight common lot line.

Director Kieselbach stated if the variances were granted the property owners would not have difficulties using the properties.

Member Lane stated approving the variances with the condition from staff that the portions of Lot 13 resulting from the split be combined with Lot 12 would help meet criteria five, but still does not meet criteria four.

Chair Beauchine stated he understood the request but all eight criteria had to be met and was not sure if criteria four could be met.

Member Mansour read criteria number four again and stated failure to grant the variances would not prevent the owners from using the properties as currently configured.

MEMBER MANSOUR MOVED TO DENY THE VARIANCE BASED ON FAILURE TO MEET CRITERIA NUMBER FOUR.

SECONDED BY MEMBER LANE.

ROLL CALL TO VOTE: YES: Members Mansour, Lane, Wisinski, Chair Beauchine.

NO:

Motion carried unanimously 4-0

7. OTHER BUSINESS

None.

8. PUBLIC REMARKS

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

9. BOARD MEMBER COMMENTS

None.

10. ADJOURNMENT

Meeting adjourned at 7:07 p.m.

11. POST SCRIPT

None.

Respectfully Submitted, Riley Millard Recording Secretary



Meridian Township Planning Department Attention Justin Quagliata 5151 Marsh Road Okemos, MI 48864

Re: Timmer/Meservey Garage Variance

Dear Mr. Quagliata,

We are neighbors of Amy Timmer's and Mark Meservey's home at 4990 Country Drive. They have informed us of their request for a variance to build a garage in front of their home. We have reviewed the drawings of the proposed garage and the site where it is proposed to be placed.

We do not object to having the garage where they have proposed to place it and, in fact, we much prefer the garage to having to see their extra vehicles parked in the driveway. They have proposed to place the garage in a spot that is barely visible from the road, and not visible to the neighbor to the south or to the closest neighbor to the north.

We appreciate your interest in our opinion.

Shanna Bulen
Mah 5/2

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Meridian Township Planning Department Attention Justin Quagliata 5151 Marsh Road Okemos, MI 48864



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We appreciate your interest in our opinion.

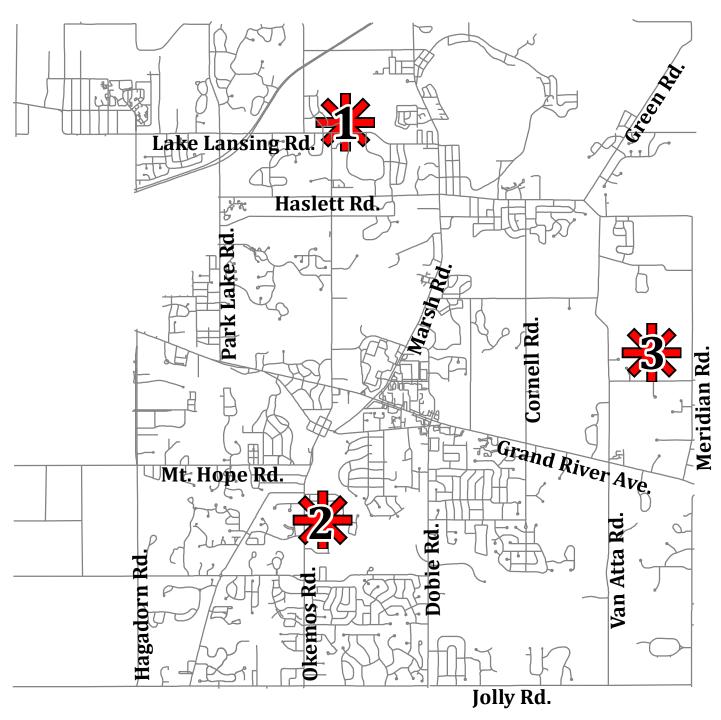
James Harding Swiley Hard

Sincerely yours,

5055 Country Dr. OKemos, MI 48864

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Meridian Township



Location Map

- 1. ZBA #19-05-22-1 (Power Home Solar)
 - 2. ZBA #19-05-22-2 (Delta Dental)
 - 3. ZBA #19-05-22-3 (Timmer)



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.

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To: Zoning Board of Appeals

From: Justin Quagliata, Assistant Planner

Date: May 17, 2019

Re: ZBA Case No. #19-05-22-1 (Power Home Solar)

ZBA CASE NO.: 19-05-22-1 (Power Home Solar), 919 N. Main Street, Mooresville, NC

<u> 28115</u>

LOCATION: 2000 Lake Lansing Road

PARCEL ID: 04-400-008

ZONING DISTRICT: RA (Single Family – Medium Density)

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

• Section 86-565(1), which states, no accessory building shall project into any front yard.

Power Home Solar, the applicant, is proposing to construct an accessory structure (ground-mounted solar panel array) in the front yard at 2000 Lake Lansing Road. The 3.55 acre subject property is zoned RA (Single Family – Medium Density) and is located on the north side of Lake Lansing Road, east of Okemos Road.

The subject property's front yard consists of 427.75 feet of frontage along Lake Lansing Road. The front yard is defined by the area between the leading edge of the principal structure and the road right-of-way. The required front yard setback is 100 feet from the centerline of Lake Lansing Road.

The proposed ground-mounted solar panel array is 9 feet by 33 feet (297 square feet) in size. The applicant intends to locate the solar array south of the existing house, in the front yard along the frontage of Lake Lansing Road. The distance between the house and the proposed garage is 49 feet. The solar array would be located 193 feet from the street right-of-way line and 153 feet from the east (side) property line.

The zoning ordinance prohibits accessory structures from projecting into a front yard. The applicant is requesting a variance for the proposed ground-mounted solar panel array to project 49 feet into the front yard along Lake Lansing Road.

Attachments

- 1. Variance application dated March 13, 2019 and received by the Township on March 13, 2019.
- 2. Applicant's response to the review criteria received by the Township on March 26, 2019.
- 3. Boundary survey dated May 16, 2019 and received by the Township on May 16, 2019.
- 4. Site location map.

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

VARIANCE APPLICATION

Α.	Applicant Power Home Solar Address of Applicant 919 N Main Street, Mooresville NC 28115					
	Telephone (Work) 704.800.606		Telephone (Hor	me)		
	Fax 980.689.3067	Email add	ress: permit@po	werhome.com		
	Interest in property (circle o		The Control of the Co	Option	✓ Other	
B.	Site address/location 2000 La					
90	Zoning district	P	arcel number 33-02-	02-04-400-008	A CONTRACTOR OF THE PARTY OF TH	
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					
Zonin	g Ordinance section(s)					
D.	Required Supporting Materi- Property survey Legal description Proof of property ownership approval letter from owner- Site plan to scale Written statement, which denekt page)	p or r	orting Material if Ar -Architectural sk -Other w all the review crit	etches	t (See	
		Peter Denicola		3/13/2019		
Signat	ture of Applicant	Print Name		Date		
Fee: _	\$150.00	Recei	ved by/Date: Ju	stin Qua	gliata 3/13/	
E e e ii	(we) hereby grant permission Board of Appeals, Township experts the right to enter on attached information) in my including but not limited to the This is optional and will not	o staff member nto the above of (our) absence taking and the	rs and the Towns described property for the purposes use of photographs	ship's represe (or as descri of gathering s. (Note to Ap	ntatives or ibed in the information	
Sign	ature of Applicant(s)		Date			
Sign	ature of Applicant(s)		Date			

- 1) The ground mounted solar array location is determined by the uniqueness of the land and locating the main service panel is a key to less trenching as well as the most due south location on the property. The location on this property has unique circumstances, as of the location of the drive way does keep the panel location from being in the back of the lot. The main service panel is located on the East side of the home, located near the southern location of the property. Each home does have different locations for their main service panels and the location of the drive ways very per home. This would be the unique circumstances existing with his home, and the choice of location for the solar array.
- 2) The special circumstances are not self-created due to the homeowner can not control the solar array needing to be southern facing.
- 3) Strict enforcement of the literal terms and provisions of this chapter will result in practical difficulties due to the panel location needs to be southern facing. The panels as stated in #1, the location is chosen by the location of the main service panel on the home as well as the most due southern facing for the property. As stated before, the trenching required for the installation of the solar array can not go through concrete/driveways. So, the panels will need to be due east toward the front of the property to ensure they can trench successfully to panel location.
- 4) A result in a failure of the variance will prevent the owner from being able to use the property for the permitted reason for the Solar Array, the location of the array is placed based on a few different factors as stated in previous answers. The most southern the panels the more production to help offset the power bill.
- 5) The solar array will not have a negative impact on the community for the panels are not unsafe for the public or surrounding neighbors for they do not have any moving parts. The solar array does lessen the carbon foot print as well.
- 6) Granting the variance will not adversely affect adjacent properties due to the Solar Array is anti-Glare, to keep any reflections from the panels. The solar array is not unsafe for the neighbors or adjacent properties for which they do not move or have any mechanical moving parts. It will only help to have the neighbors support.
- 7) The conditions pertaining to the Solar Array is not recurrent to other properties in the neighborhood, for the location of the driveway as well as the tree line are both factors that have a key part in the placement of the panels. The ground mounted array will need trenching to property connect the panels to there needed power supply, so the location is needed so the trenching can take place to the main service panel on to the home. If they were to be moved to the back location of the yard to the north, they would have to trench through the drive way which can not happen since the driveway is concrete.
- 8) The location of the panels is highly important for the production for this home, keeping the panels due south and closest to the main service panel does increase production of the panels as well as keeping trenching down to a minimum. The lay out of this lot does affect the choices of where the panels can be placed. As stated above, the placement of the panels is highly important to creating the production needed per home.

COMMENTS WITNESSES TO SECTION CORNERS: 90, 04/24/2019 04/24/2019 REVISIONS 05/16/2019 CERTIFICATE OF SURVEY: 30, ,09 (As Provided): To BEG. AT SE SEC. PROFESSIONAL SALAN SCALE 1" East 1/4 corner S Found "KEBS" nail Found "KEBS" nail Found nail & tag Found nail & tag 05/16/19 48840" 30, . N ERICK R. FRIESTROM PROFESSIONAL SURVEYOR HASLETT, SURVEY 200.20,52"E 5634.26° EAST LINE SECTION 4 SOUTHEAST CORNER SECTION 4, TAN R1W (В)ИОВІН **(М)**200.20,52"Е 202.00, EAST 1/4 CORNER SECTION 4, T4N R1W LAKE LANSING ROAD, £.33 158.6 BOUNDARY ∓,£61 72.7'± LAKE LANSING ROAD (PUBLIC - 66' WIDE R.O.W.) R)EAST (M)S89'30'01"W 427.75 (R)WEST (M)N89°30'01"E 427.75 ±3.87 ACRES 243.1'± 2—STORY FRAME HOUSE & GARAGE #2000 LAKE LANSING 2000 DISTANCE NOT TO SCALE SET 1/2" BAR WITH CAP FOUND IRON AS NOTED DEED LINE CONIFEROUS TREE OVERHEAD WIRES EDGE OF WOODS DECIDUOUS TREE HOME UTILITY POLE SET PK NAIL & TAG CONCRETE ASPHALT FENCE DECK SOLAR, POWER (R)SOUTH (M)NOO'30'25"W 395.00' LEGEND SOUTH 1/4 CORNER SECTION 4, T4N R1W FOR:

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in April 2019.

2. All bearings and distances on the survey are record and measured unless otherwise noted. All bearings are Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.

3. All dimensions are in feet and decimals thereof.

are to be used for 4. No building tie dimensions cestablishing the property lines. from

5. There are no observable potential encroachments onto the subject property from adjoining lands, or fresthe subject property onto adjoining lands, except as shown hereon.

I hereby certify only to the parties named hereon that we have surveyed at the direction of said parties, a parcel of land previously described as:

 \mathcal{O} (As Provided): Tax ID: 33-02-02-04-400-008 BEG. AT SE SEC. COR N ON SEC. LINE 395 FT W. 427.75 FT. PLL WITH S. SEC. LINE 395 FT E 427.75 FT. TO BEG., ON SE 1/4 SEC. 4, T4N R1W.

and that we have found or set, as noted hereon, permanent markers to all corners and angle points of the boundary of said parcel and that the more particular legal description of said parcel is as follows:

A parcel of land in the Southeast 1/4 of Section 4, T4N, R1W, Meridian Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Beginning at the Southeast corner of said Section 4; thence S89°30'01"W along the South line of said Section 4 a distance of 427.75 feet; thence N00°30'25"W parallel with the East line of said Section 4 a distance of 395.00 feet; thence N89°30'01"E parallel with said South line 427.75 feet to said East line; thence S00°30'25"E along said East line 395.00 feet to the point of beginning; said parcel containing 3.87 acres more or less; including 0.32 acre more or less presently in use as public right—of—way; said parcel subject to all easements and restrictions if any.

South 1/4 corner Section 4, T4N, R1W, Liber 11, Page 289 Found Remon. bar & cap #47942 in monument box in centerline of Lake Lansing Road Newton Road.

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Found nail & tag #25832 in Southwest side of utility pole, N41"W, 45.65' Found cut "x" in top East arm of a fire hydrant, N63"W, 91.03' Found nail & tag #16053 in North side of a utility pole, S47"W, 47.13' Found "KEBS" nail & tag in the West side of a 6" Locust, S12"W, 33.63'

Lansing Southeast corner Section 4, T4N, R1W, Liber 11, Page 283
Found Remon. bar & cap #47942 in a monument box in centerline of Lake
Found nail & tag #17741 in Southeast side 18" Pine, S42*W, 41.95'
Found nail & tag #17741 in Southwest side of 18" Pine, S21*E, 37.28'
Found nail & tag #47942 in Northeast side of utility pole, S26*E, 84.00'
Found nail & tag #47942 in Southeast side of a 10" Elm, N80*E, 56.39'

Road

ner Section 4, T4N, R1W, Liber 11, Page 281 nail & tag in the Northwest side of a 12" Oak, N75°E, 30.70' nail & tag in the West side of a 10" Oak, N18°W, 24.25' nail & tag in the South side of a 8" Oak, N65°W, 36.45' tag #25832 in West side of a 40" Oak, S30°W, 4.10' tag #47942 in Southwest side of a 30" Cottonwood, S36°E, 78

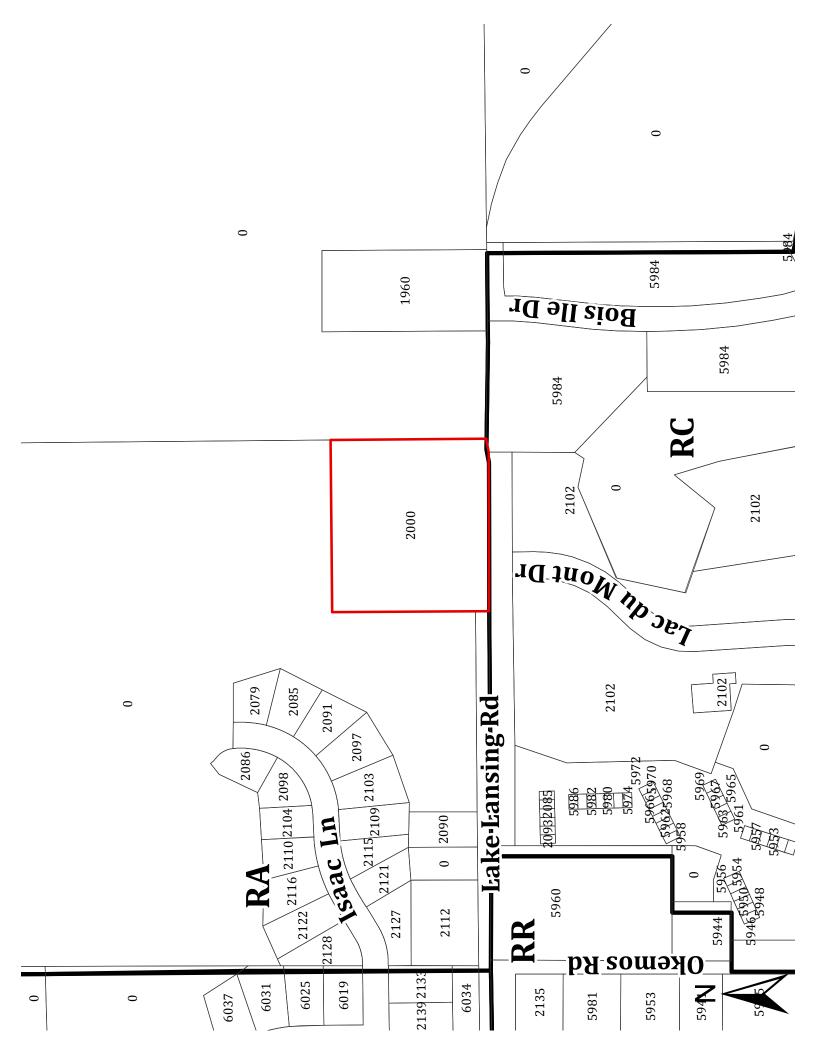
78.14,

SECTION 4, T4N, R1W 2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX. 517-339-8047 JOB NUMBER Marshall Office Ph. 269-781-9800 SW KEBS, SSF OF. FIELD WORK BY DRAWN BY ADJUST ARRAY LOCATION SIGNED FINAL PRELIMINARY DATE 53497

94986.BND

ENGINEERING AND LAND SURVEYING

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To: Zoning Board of Appeals

From: Justin Quagliata, Assistant Planner

Date: May 17, 2019

Re: ZBA Case No. #19-05-22-3 (Timmer & Meservey)

ZBA CASE NO.: 19-05-22-3 (Timmer), 242 Abbott Woods Drive, East Lansing, MI 48823

LOCATION: 4990 Country Drive

PARCEL ID: 24-202-001

ZONING DISTRICT: RR (Rural Residential)

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

• Section 86-565(1), which states, no accessory building shall project into any front yard.

Amy Timmer and Mark Meservey, the applicants, are proposing to construct an accessory building (detached garage) in the front yard at 4990 Country Drive. The 5.26 acre subject property is zoned RR (Rural Residential) and is located on the east side of Country Drive, north of Newman Road.

The subject property's front yard consists of 248.61 feet of frontage along Country Drive. The front yard is defined by the area between the leading edge of the principal structure and the road right-of-way. The required front yard setback is 25 feet from the right-of-way line of Country Drive.

The proposed detached garage is 26 feet by 30 feet (780 square feet) in size. The applicant intends to locate the detached garage west of the existing house, in the front yard along the frontage of Country Drive. The distance between the house and the proposed garage is 242 feet. The detached garage would be located 105 feet from the street right-of-way line and 100 feet from the north (side) property line.

The zoning ordinance prohibits accessory buildings from projecting into a front yard. The applicant is requesting a variance for the proposed detached garage to project 242 feet into the front yard along Country Drive.

Attachments

- 1. Variance application dated May 1, 2019 and received by the Township on April 29, 2019.
- 2. Letter from the applicant dated May 1, 2019 and received by the Township on April 29, 2019.
- 3. Boundary survey dated April 19, 2019 and received by the Township on April 29, 2019.
- 4. Site plan dated April 24, 2019 and received by the Township on April 29, 2019.
- 5. Building elevations and floor plans dated October 20, 1994.
- 6. Township wetland map.
- 7. Site location map.

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

VARIANCE APPLICATION

A.	Applicant Amy Timmer and Mark	Meservey				
					ods	
	Drive, E. Lansing, MI 48823					
	Telephone (Work) 517 449-19		Telephone (Home) 5	517 351-8252		
	Fax 517 334-5774	Email addre				
	Interest in property (circle of		Tenant	Option Oth	er	
B.	Site address/location 4990 Country Drive, Okemos, MI					
	Zoning district RR	Par	cel number 33-0	2-02-24-0	202-001	
C.	Nature of request (Please c	heck all that apply	y):			
	Request for variance	e(s)				
	Request for interpre Ordinances	tation of provisior	(s) of the "Zoning Or	dinance" of the Code	e of	
	CONTROL CONTRO	quirements, decis	ion, or a determination	n of a Township off	icial	
			the provisions of the	"Zoning Ordinance	e" of	
	the Code of Ordinan	ices				
Zoning	Ordinance section(s) Section	86-565(1)				
D.	Required Supporting Materi	al Suppor	ting Material if Applica	able		
_,	-Property survey	<u>ouppor</u>	-Architectural sketch			
	-Legal description		-Other			
	-Proof of property ownership	n or	Otrioi			
	approval letter from owner					
	-Site plan to scale	l				
	-Written statement, which de	emonstrates how	all the review criteria	will be met (See		
	, next page)					
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<u> </u>	thy when	Amy Timmer		May 1, 2019		
Signat	ur d of Applicant	Print Name		Date	5.7	
Fee: _	\$150.00	Receive	ed by/Date: <u>Ju Stiv</u>	· Quagliata	4-29-19	
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	lan Luciana		U-19 10			
Ciar	the June		7 0 1-19		_	
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Signa	Applicatif(s)	U	Date			

Zoning Board of Appeals 5151 Marsh Road Okemos, MI 48864

Dear Zoning Board:

Thank you in advance for considering this request for a variance to build a two-car garage *in front* of our home in Okemos, in a secluded spot surrounded on three sides by heavy brush. We make this request primarily because of the practical difficulty of placing the garage anywhere else on the property, and because of the unique and secluded area in which we can place it.

In regard to the Review Criteria, I have addressed each below:

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.

Most homes in the zoning district do not have wetlands as close to their homes as we do. The wetland map attached indicates that the water is close to our house on the east (rear of house), north, and west sides, leaving no space for a garage. The area to the northeast that is not wetland is a heavily forested hill that is too small in area to accommodate a two car garage (with required wetland buffers) and a driveway to it. Immediately to the south of our house and driveway/parking pad is a septic system drain field. So we cannot place the garage anywhere in proximity to the house, in the back or on the sides. That means we can only build a garage in front of the house.

Our property extends west to the road and most of our acreage is in front of the house. South of the driveway and farther west of the house, is low but fairly dry land that is covered with mature gardens. If we built the garage there, it would be visible to the neighbors to the south and would destroy the gardens and be subject to flooding. And it would still be in front of the house.

But we are fortunate to have an area closer to the road but north of the driveway that was once a tennis court. That area appears to have been slightly elevated and leveled, and the tennis court is no longer there. It is a big enough area to accommodate the garage and still maintain the required 45 foot buffer to the wetland. Best of all, it is surrounded on

three sides by heavy brush: to the north, we have a neighbor who will not be able to see the garage because of the brush. To the east is our house and we will barely see the garage from our front porch, again because of the brush and how far it will be set back from the driveway. To the west is the road and the brush is so think, people on the road and neighbors across the street will not see it. To the south is our other neighbor's front yard pond, and because of additional trees and brush, they will not be able to see it. What we have proposed is the best spot for a garage from the point of view of the neighborhood, the wetlands, and the aesthetic goals of the ordinance.

2. These special circumstances are not self-created.

This is not a self-created problem. We bought the house where it stands—in close proximity to wetlands. We have not attempted to build the garage without permission.

3. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.

Enforcement of the ordinance would prohibit us from building the garage. Without the additional garage, we will have a van and another car parked in the driveway area, along with a lawn tractor. We do have a two-car garage attached to the house, but we have four vehicles and a lawn tractor. Our driveway is visible to neighbors and those passing on the road. So to leave our vehicles unprotected and in the driveway, rather than tucked away in a garage barely visible from the road, would actually defeat the aesthetic purpose of the ordinance.

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.

Homeowners are permitted to have garages and outbuildings, just not in front of the house. The presumed purpose is to provide cover for vehicles and equipment so they are not exposed to the environment or to the sight of the neighborhood. Since we cannot build behind or beside the house, a failure to allow us a variance to build in front of the house will result in our having to park two vehicles and a lawn tractor in the driveway area. That would prevent us from having an unencumbered driveway and would create an eyesore for the neighborhood.

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.

We assume that the spirit of the ordinance is to keep the front lawns of homes uncluttered and aesthetically pleasant. Our proposed garage would be barely visible from the road. It sits on a slightly elevated area that was once a tennis court, and that area is bounded by thick shrubbery on the road-side and the north side where the closest neighbor lives. The neighbor cannot see it, and others won't really see the garage until they pull into our driveway and look to the left. The driveway to it will run off our existing driveway, so there will be no additional driveway opening to Country Drive.

Therefore, granting the variance is the minimum—and only—action that will allow us to build a garage that would not negatively impact the neighborhood or the environment, or our use of the property to store our vehicles. Our proposal is in keeping with public safety and substantial justice.

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

The garage would be built with appropriate buffers from the wetland in front of the house. As stated, others would not see much if any of it until they pull into our driveway and look left. Thus, the aesthetics of the neighborhood would not be disturbed and the garage would not adversely affect the land or any adjacent properties.

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.

I'm not sure I understand this provision, but if you are asking whether a general regulation *allowing garages in front* of houses would be practicable, it would *not* be, as that would impact the aesthetics of the neighborhood.

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

The stated purpose of the chapter is to promote the public health, safety, economic, and general welfare of the residents of the Township by regulating the development of land and establishing districts in which

uses of land and structures are regulated. It is specifically designed to accomplish the purposes set forth in the Michigan Zoning Enabling Act including limiting the improper use of land and natural resources, promoting and enhancing the stability of the Township's neighborhoods, providing for adequate space, light, and air, and establishing controls for activities, operations, or uses that produce environmental impacts or irritants to sensory perception. Therefore, we presume that the purpose of the particular section of the ordinance is to keep garages out of front yards for aesthetic purposes. Our plan would comply with the aesthetic goals of the ordinance by placing our garage in a secluded area only partially visible to people on the street, and not visible at all to our neighbor to the north, and would protect the wetlands and forest behind our home from any disturbance.

Further, adding the garage will not add an additional driveway from Country Road. The garage will not exceed the allowed 15' maximum height for garages. The vehicles we would store in it are licensed and we use them from time to time.

I look forward to discussing this in person to answer any other questions you may have.

Sincerely yours,

Amy Timmer

4990 Country Drive

Okemos, MI 48864

or

242 Abbott Woods Drive

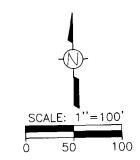
East Lansing, MI 48823

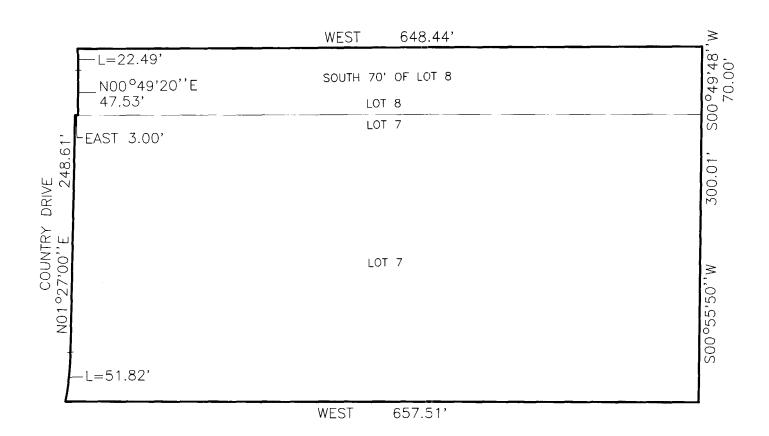
timmera@cooley.edu

517.449.1958

For: Amy Timmer

LEGAL DESCRIPTION: LOT 7 ENTIRE AND S. 70 FT OF LOT 8 COUNTRYSIDE ESTATES AND COUNTRYSIDE ESTATES NO. 2





LEGEND



805 N. CEDAR PO BOX 87 MASON, MICHIGAN 48854-0087 517-676-6565 4990 COUNTRY DRIVE, OKEMOS MICHIGAN Parcel Number: 33-02-02-24-202-001

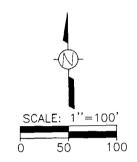
April 19, 2019

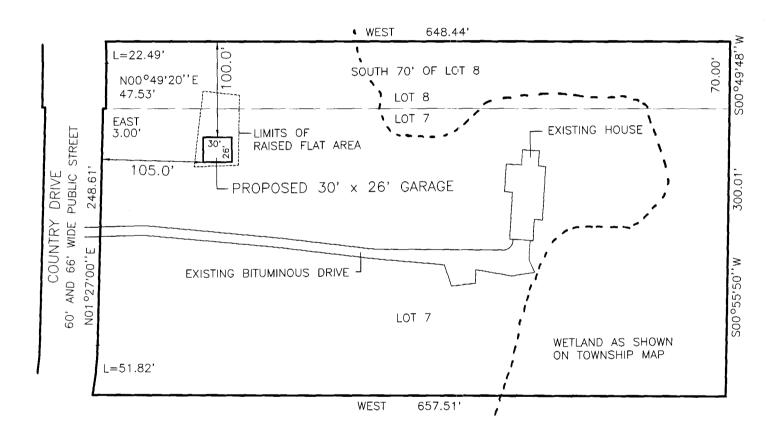
Job No. 33-3254 Sheet 1 of 1 For: Amy Timmer

LEGAL DESCRIPTION:

Parcel Number: 33-02-02-24-202-001

LOT 7 ENTIRE AND S. 70 FT OF LOT 8 COUNTRYSIDE ESTATES AND COUNTRYSIDE ESTATES NO. 2

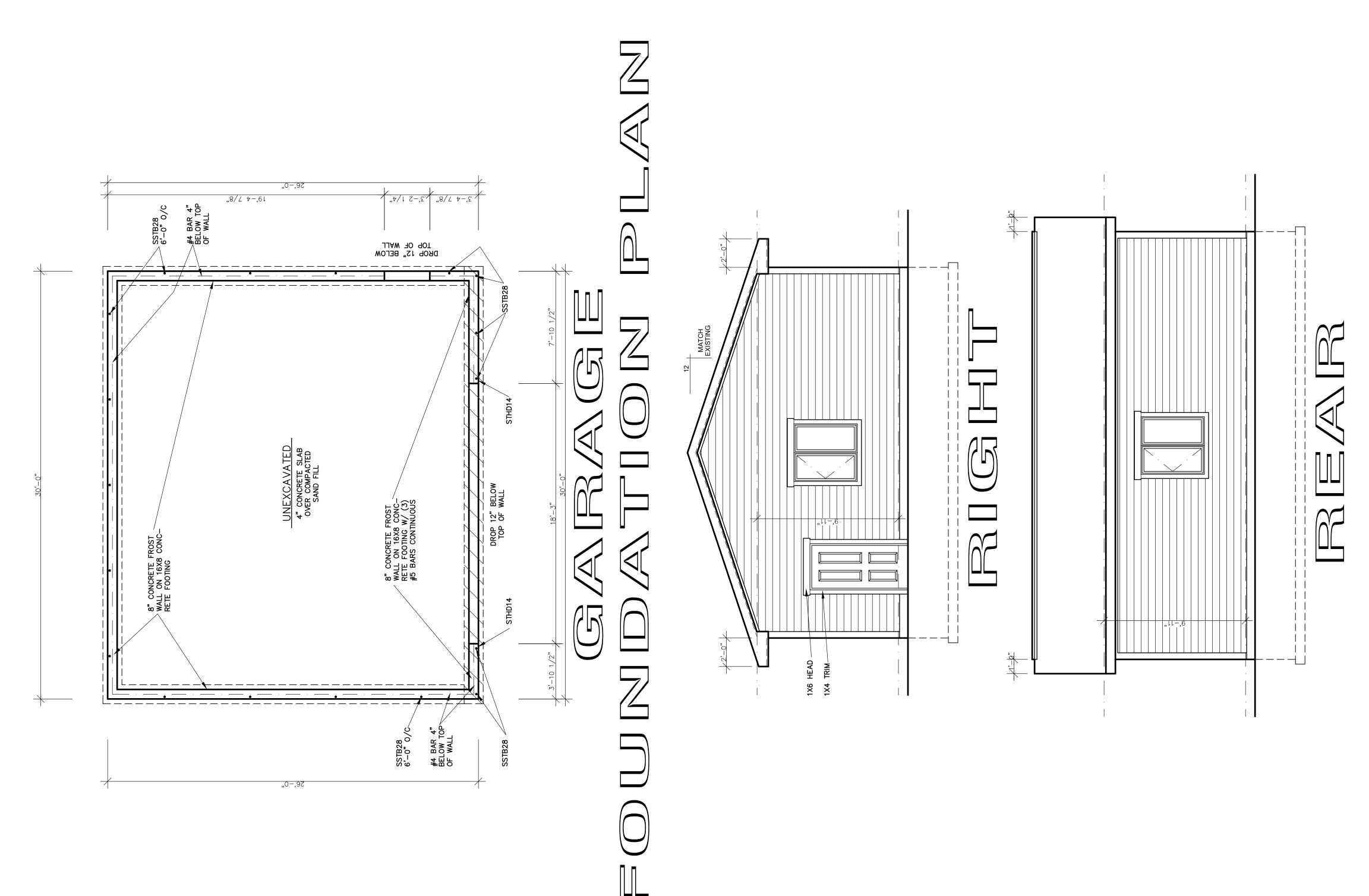


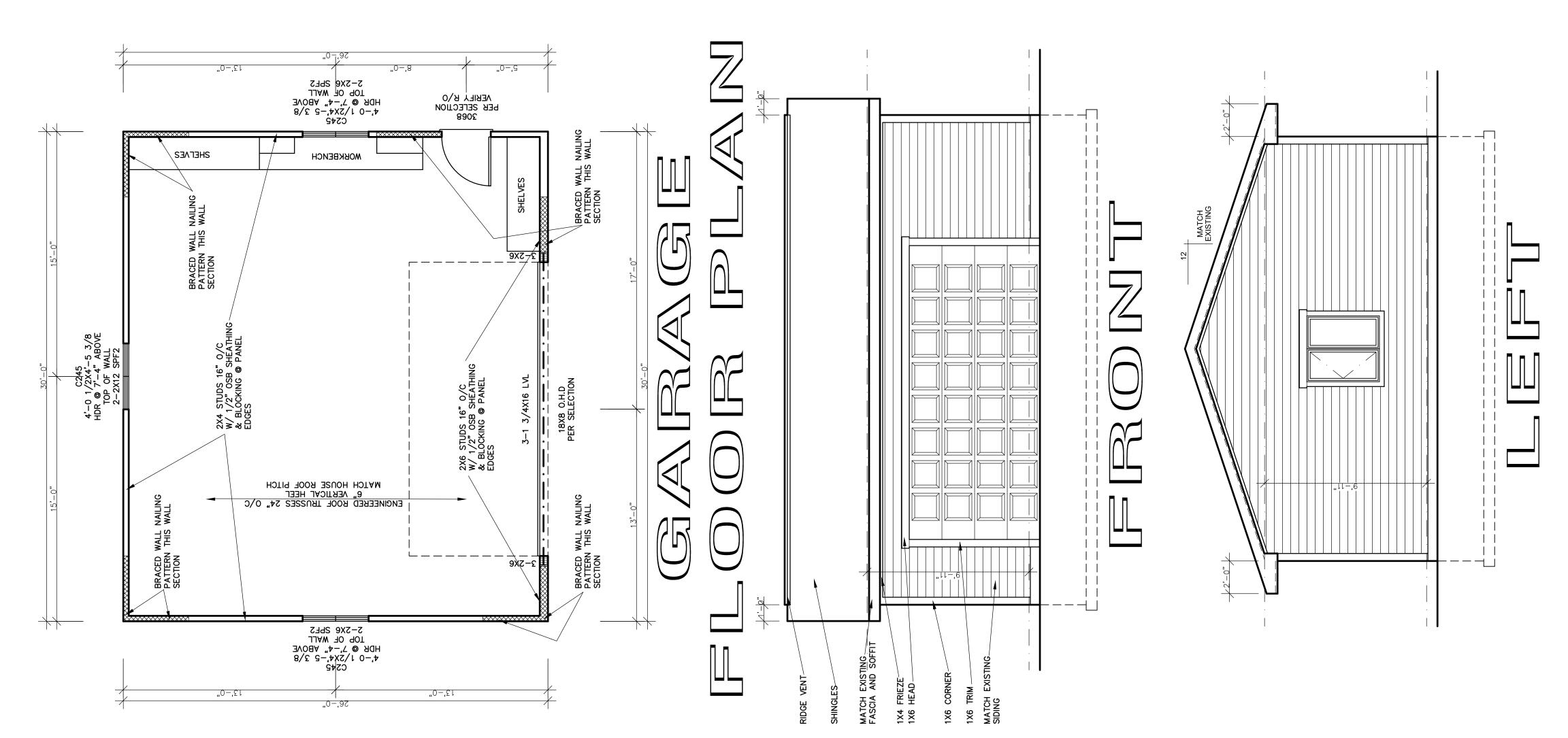


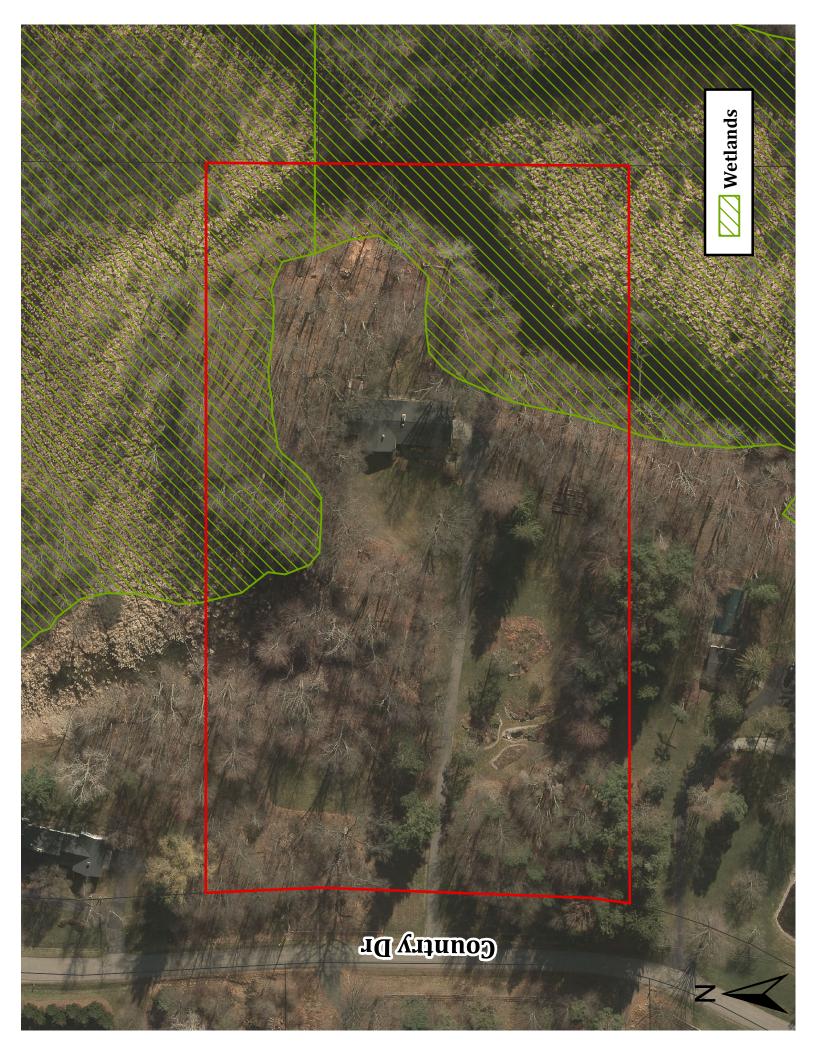
4990 COUNTRY DRIVE, OKEMOS MICHIGAN Parcel Number: 33-02-02-24-202-001

April 24, 2019

Job No. 33-3254 Sheet 1 of 1









To: Zoning Board of Appeals

From: Justin Quagliata, Assistant Planner

Date: May 17, 2019

Re: ZBA Case No. #19-05-22-2 (Delta Dental of Michigan)

ZBA CASE NO.: 19-05-22-2 (Delta Dental of Michigan), 4100 Okemos Road, Okemos, MI

48864

LOCATION: 4100 Okemos Road

PARCEL ID: 28-400-009, 28-400-011, and 28-400-012

ZONING DISTRICT: PO (Professional and Office)

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

- 86-686(3)(a), Freestanding signs. One freestanding sign shall be permitted and shall be located in the front yard with the leading edge at least 10 feet back of the street right-of-way line.
- Section 86-686(3)(b), Freestanding signs. The surface display area of the freestanding sign conveying the business carried on the premises shall not exceed 25 square feet per side. An additional three square feet of surface display area of the freestanding sign shall be set aside to accommodate the street number of the structure.
- Section 86-471(b)(1), all structures and grading activities shall be setback from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area; 40 feet.
- Section 86-471(c)(1), to minimize erosion, stabilize streambanks and wetland edges, protect water quality, and preserve fish and wildlife habitat, a natural vegetation strip shall be maintained from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law; 20 feet.
- Section 86-471(b)(4), all structures and grading activities shall be setback from the edge of a water feature as follows: open county drains or creeks; 50 feet, as measured from the top of the bank on the side of the drain where the structure is to be located or grading activity is to occur.
- Section 86-471(c)(3), to minimize erosion, stabilize streambanks and wetland edges, protect water quality, and preserve fish and wildlife habitat, a natural vegetation strip shall be maintained from the edge of a water feature as follows: open county drains or creeks; 25 feet, as measured from the top of the abutting bank.

ZBA Case No. 19-05-22-2 (Delta Dental) Zoning Board of Appeals (May 22, 2019) Page 2

Delta Dental of Michigan, the applicant, is proposing to install five freestanding signs and to construct an approximately 4,300 square foot deck on its campus. The 56.5 acre subject site is zoned PO (Professional and Office) and is located at 4100 Okemos Road. The site has two access drives off of Okemos Road, one access drive on the north end and one access drive on the south end of the subject site.

Two office buildings totaling 273,750 square feet in size, a 20,100 square foot remote data center, and a 2,000 square foot maintenance garage are located on the property. Delta Dental received special use permit approval in 2008 (SUP #08-08041) for a group of buildings greater than 25,000 square feet in size. Site plan review approval was granted in 2008 (SPR #08-78-11-1 and SPR #08-78-11-2) to construct the remote data center at the east portion of the property, to construct the 91,775 square foot north office building, and to construct a 25,700 square foot addition to the south office building. In 2008 variances were granted (ZBA #08-07-23-1) to allow the north office building and adjacent patio to encroach into the Smith Drain and wetland setbacks. A variance was granted in 2011 (ZBA #08-04-09-1) to waive the installation of curb and gutter along the asphalt service drive to the remote data center.

Delta Dental was granted wetland use permit approval in 2009 (WUP #09-01) to impact wetlands on the property. A half-acre of Wetland #28-6, which is contiguous to the Smith Drain, was reshaped through excavation and dredging to accommodate construction of a bridge, boardwalk, dock, and observation deck. Stormwater drainage was also directed to Wetland #28-6. A one acre mitigation wetland was created around the Smith Drain.

Freestanding Signs

One freestanding sign is permitted per parcel and must be set back at least 10 feet from the street right-of-way line. Freestanding signs in the PO zoning district are permitted 25 square feet of surface display area per side and cannot exceed 16 feet in height. Sign Type 1, the primary identification sign, contains 123.75 square feet of surface display area (the "green area" above the sign base), so a 98.75 square foot variance is being requested. Types 2-5 each contain 29.75 square feet of surface display area per side (the entire area above the base of the sign), so a 4.75 square foot variance is being requested for the surface display area of each of the four additional signs.

Following is a description of each proposed sign:

- Sign Type 1 ('Delta Dental' 123.75 square feet; 8.5 feet in height) is located near the center of the site, approximately 483 feet from the north access drive and approximately 298 feet from the south access drive. The sign is 24.5 feet from the Okemos Road right-of way line. Sign Type 1 is the primary identification sign for the Delta Dental site.
- Sign Type 2 ('Delta Dental Main Entrance' 29.75 square feet; 4.33 feet in height) is intended to identify the south access drive as the main point of entry for guests and visitors to the Delta Dental site. Sign Type 2 is located 16 feet north of the south access drive and 26.5 feet from the Okemos Road right-of-way line.



ZBA Case No. 19-05-22-2 (Delta Dental) Zoning Board of Appeals (May 22, 2019) Page 3

- Sign Type 3 ('Delta Dental Staff Entrance' 29.75 square feet; 4.33 feet in height) is intended to identify the north access drive as the entry point for Delta Dental staff. Sign Type 3 is located eight feet north of the north access drive and 20 feet from the Okemos Road right-of-way line.
- Sign Type 4 ('Delta Dental Visitor Entrance' and 'Staff/Deliveries' 29.75 square feet; 4.33 feet in height) is located three feet south of the south access drive and 401 feet from the Okemos Road right-of-way line. Sign Type 4 is intended to direct visitors to the front (west) parking area and to direct staff and deliveries to the rear (east) parking and loading/unloading area.
- Sign Type 5 ('Delta Dental Deliveries' 29.75 square feet; 4.33 feet in height) is located three feet south of the south access drive and 566.17 feet from the Okemos Road right-of-way line. Sign Type 5 is intended to direct deliveries to loading/unloading areas on the site.

In 2011 Delta Dental received variances (ZBA #11-05-11-3) to install three freestanding signs on the property. Sign A (the primary identification sign), which read 'Delta Dental', was 155.44 square feet in size and located parallel to Okemos Road near the center of the site. Sign B, which read 'Delta Dental Guest Entry', was 17.99 square feet in size and located north of the south access drive. Sign C, which read 'Guest Entry', was 7.67 square feet in size and located 371 feet east of Sign B, south of the south access drive. The three freestanding signs have been removed from the subject property so the 2011 sign variances are void.

Deck

The proposed deck is approximately 4,300 square feet in size and would be located adjacent to an existing patio off of the north building and would be cantilevered over the Smith Drain. The applicant applied for a special use permit to work in the 100-year floodplain (floodway fringe) to construct the deck. In addition to the required special use permit, the Michigan Department of Environment, Great Lakes, and Energy (EGLE) reviewed the proposed work in the floodplain and issued approval on April 22, 2019.

At its May 13, 2019 meeting the Planning Commission held a public hearing on the special use permit request. At its May 20, 2019 meeting the Planning Commission will consider a resolution to approve the special use permit with conditions, with approval of the project subject to the applicant receiving variances from the Zoning Board of Appeals to construct the deck within the required 40 foot wetland setback and 50 foot setback from the Smith Consolidated Drain.

Wetland #28-6 is located on the subject site. The wetland in this area is associated with the Smith Consolidated Drain. The wetland is regulated jointly by the Township and Michigan Department of Environment, Great Lakes, and Energy (EGLE). No part of the proposed deck would be located in the wetland, however the submitted plans depict the deck encroaching within both the 40 foot wetland setback and the 20 foot natural vegetation strip. At the closest point the deck would be located 2'-10" from the wetland boundary, encroaching 17'-2" into the 20 foot natural vegetation strip and 37'-2" into the 40 foot wetland setback. The applicant is requesting a 17'-2" variance to construct the deck within the natural vegetation strip and a 37'-2" variance to construct the deck within the wetland setback.

ZBA Case No. 19-05-22-2 (Delta Dental) Zoning Board of Appeals (May 22, 2019) Page 4

The Smith Consolidated Drain, an open (unenclosed) county drain, flows from west to east at the project site. A 50 foot setback from open county drains is required and is measured from the top of the bank on the side of the drain where a structure would be located or where grading activity would occur. A 25 foot natural vegetation strip is required from the top of the abutting bank of the drain. As the proposed deck is located entirely within the Smith Consolidated Drain, there would be a zero foot setback from the drain. The applicant is requesting a 25 foot variance to construct the deck within the natural vegetation strip of the drain and a 50 foot variance to construct the deck within the Smith Consolidated Drain.

Attachments

- 1. Variance application dated April 17, 2019 and received by the Township on April 17, 2019.
- 2. Variance application dated May 16, 2019 and received by the Township on May 16, 2019.
- 3. Letter from the applicant dated April 17, 2019 and received by the Township on April 17, 2019.
- 4. Letter from the applicant dated May 16, 2019 and received by the Township on May 16, 2019.
- 5. Sign plans dated April 9, 2019 and received by the Township on April 17, 2019.
- 6. Sign renderings dated April 9, 2019 and received by the Township on April 17, 2019.
- 7. Deck plan dated May 16, 2019 and received by the Township on May 16, 2019.
- 8. Deck rendering dated March 26, 2019 and received by the Township on March 26, 2019.
- 9. Site location map.

G:\ COMMUN PLNG & DEV\PLNG\ZBA\2019 ZBA\ZBA 19-05-22\ZBA 19-05-22-2 (Delta Dental)\ZBA 19-05-22-2 staff report.zba1

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

VARIANCE APPLICATION

A.	Applicant Delta Dental of Michigan - Brian McCarthy Address of Applicant 4100 Okemos Road					
	Telephone (Work) 517-347-5234	Telephone	(Home) N/A			
		100 D D D D D D D D D D D D D D D D D D	carthy@deltadentalmi.com	-		
		Owner Tena		Other		
B.	Site address/location 4100 Okemos Road Zoning district PO-Professional Office	Parcel number	28-400-009 and 28-400-012			
	Zorning district visite same					
C.	Nature of request (Please check all that Request for variance(s) Request for interpretation of property or continuous Review an order, requirements charged with interpreting or entire the Code of Ordinances	rovision(s) of the "Z s, decision, or a det	ermination of a Township	official		
Zonin	g Ordinance section(s) 86-686 Professional and	Office Districts				
D.	, ,	Supporting Material -Architecture -Other	al sketches			
		1 1 50				
1	2. Afected 7	1/17/18	04/17/2019			
Signa	ture of Applicant Print Na	me /	Date			
Fee:	\$200 F	Received by/Date:	Sustin Quagliata	4/17/		
i i	(we) hereby grant permission for member and of Appeals, Township staff merexperts the right to enter onto the absorber that attached information) in my (our) absorber but not limited to the taking and the continuity of the taking and the continuity of the continui	embers and the To ove described prop ence for the purpo If the use of photogr	ownship's representatives perty (or as described in ses of gathering informa aphs. (Note to Applicant	or the tion		
	B- MC	4	12/17			
Sign	ature of Applicant(s)	Date				
Sign	ature of Applicant(s)	Date				
	*		APR 1 7 20	019		

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

VARIANCE APPLICATION

A.	Applicant Delta Dental of Michigan - Brian McCarthy Address of Applicant 4100 Okemos Road					
	Telephone (W	ork) 517-347-5234		Telephone (Hom	ne) <u>N/A</u>	
	Fax N/A		Email addres		deltadentalmi.com	
	Interest in prop	perty (circle one):	✓ Owner	Tenant	Option	Other
B.		PO-Professional Office		cel number 28-400-	011	
C.	Requestrements Requestrements Review Charge	est (Please check st for variance(s) st for interpretation nces an order, required with interpreting de of Ordinances	of provision	(s) of the "Zoning ion, or a determir	nation of a Tow	nship official
Zoning	Ordinance sec	tion(s)				
D.	-Property survey -Legal description -Proof of proper approval letter -Site plan to so	tion erty ownership or er from owner		ing Material if App -Architectural ske -Other	etches	(See
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Signat	ure of Applicant	Pri			Date	
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Signa	ature of Applica	nt(s)		Date		
		. !	-	MAY	1 6 2019	



MEMO

April 17, 2019

TO: Mark Kieselbach

Community Planning & Development Director

Meridian Charter Township

5151 Marsh Road Okemos, MI 48864

FROM: Andrew Parin, Senior Associate

RE: Delta Dental Headquarters – ZBA Sign Variance Request

Dear Mark,

I am providing this letter as supplemental information to our sign variance request application for the corporate identity and wayfinding signs at Delta Dental's Headquarters. The application identifies numerous questions that the applicant shall respond to. Below are responses to these questions which are in an effort to identify the approval of these signs would not be detrimental to the site, general public or the spirit of the local zoning ordinance.

- Unique circumstances which exist include the expansive nature of the property (+/- 56ac) and the configuration of the vehicular systems with entrance/exits located at both the north and south sides of the property. It is desired that these entrances serve different functions and the proposed signage identifies what those functions are.
- 2. These unique circumstances are existing conditions and therefore we feel they should not be considered self-created.
- 3. Strict interpretation of the ordinance requirements would result in the corporate identity sign to be out of scale with its surrounding context and in turn the text would be too small to read. Similarly the wayfinding signage is meant to identify specific entrances or uses within the property and must be appropriately sized so they can be read at safe distances when approaching.
- 4. A failure to grant the variance would result in the property owner to have signage which is less legible and does not fit with their desire to utilize the signage as a means for brand identity and adequate wayfinding which the site currently lacks.
- 5. Granting the variance would not be contrary to public interest or safety and would still be in the spirit of the zoning ordinance.
- 6. Granting the variance would not negatively affect adjacent land as the light levels associated with the signs is low enough there would be no wash onto adjacent lands.

7. Being that all signs which do not meet the ordinance must be thoroughly reviewed and approved by the ZBA on an individual basis per their own property conditions, we do not



April 17, 2019 Mark Kieselbach Community Planning & Development Director Page 2

feel the conditions related to these signs creates a general regulation practical for other property owners to replicate.

8. We believe granting the variance request does not affect public interest and will be in line with the intent of the ordinance.

In conclusion, while the proposed signage areas are larger than is allowed by the ordinance, we believe we have unique conditions to accommodate both in the scale of the site and the owner's wish to utilize these signs as part of their corporate brand identity while providing efficient wayfinding. We also believe these signs will be an attractive addition to the Okemos Road street frontage and hope our variance request will meet with your approval.

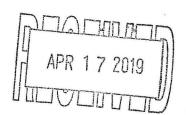
If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,

Andrew Parin Senior Associate

/ATP

Enc.





MEMO

May 16, 2019

TO:

Mark Kieselbach

Community Planning & Development Director

Meridian Charter Township

5151 Marsh Road Okemos, MI 48864

FROM:

Andrew Parin, Senior Associate

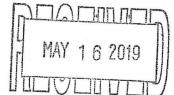
RE:

Delta Dental Headquarters - ZBA Deck Variance Request

Dear Mark,

I am providing this letter as supplemental information to our deck variance request application for the proposed deck off the dining terrace at Delta Dental's Headquarters. We are proposing variance requests for both the 40' wetland setback and the 50' drain setback. The application identifies numerous questions that the applicant shall respond to. Below are responses to these questions, which are in an effort to identify that the approval of this deck would not be detrimental to the site, general public or the spirit of the local zoning ordinance.

- Unique circumstances which exist include the proximity of the Smith Consolidated Drain and its accompanying floodplain and wetland / drain setbacks. Additionally, the grading within the floodplain and the side slopes down to the water line are a unique feature within this area.
- These unique circumstances are existing conditions and therefore we feel they should not be considered self-created. The design of the Smith Drain was developed by the Ingham County Drain Commissioners Office and documented and installed under a previous development.
- 3. Strict interpretation of the ordinance requirements would result in Delta Dental not being able to build the deck.
- 4. A failure to grant the variance would result in the property owner not to be able to build the deck, therefore not being able to better engage their employees with the natural environment that exists within the Smith Drain.
- Granting the variance is the minimum action that would make building the deck possible and would not be contrary to public interest or safety and would still be in the spirit of the zoning ordinance.
- 6. Granting the variance would not negatively affect adjacent land as it is contained within a very specific location within the property.





May 16, 2019 Mark Kieselbach Community Planning & Development Director Page 2

- 7. Being that the Smith Drain is such a unique environement, and the unique circumstances described herein are strictly related to the Smith Drain, we do not feel the conditions related to the deck creates a general regulation practical for other property owners to replicate.
- 8. We believe granting the variance request does not affect public interest and will be in line with the intent of the ordinance.

In conclusion, while the proposed deck is within both the wetland and drain setbacks as shown on the enclosed drawings, we believe we have very unique conditions to accommodate which are related to the Smith Drain. We also believe this deck will be an attractive addition to the Delta Dental dining terrace and a desirable amenity for both current and future employees. Please note that EGLE (DEQ) has approved a deck permit for work within the floodplain and that approval has been provided to the Township. We also have been told the Ingham County Drain Commissioners Office has approved the deck and is working on their paperwork. We will provide that documentation to the Township as soon as we receive it. We hope our variance request will meet with your approval.

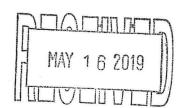
If you have any questions or need further information, please don't hesitate to contact me.

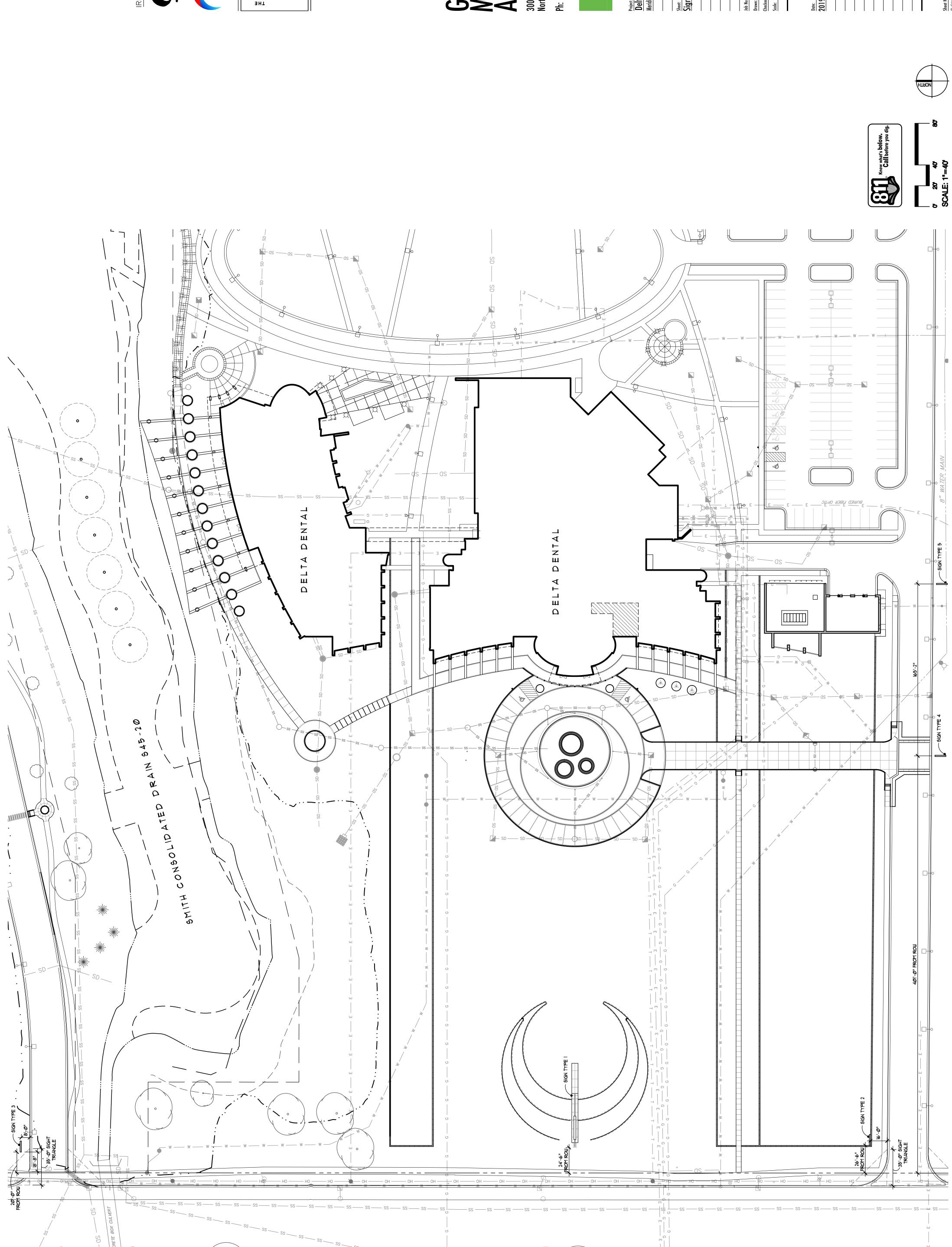
Sincerely,

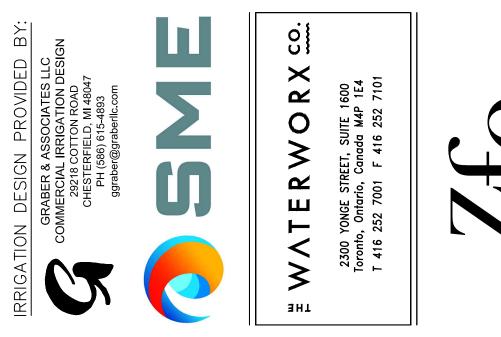
Andrew Parin Senior Associate

/ATP

Enc.







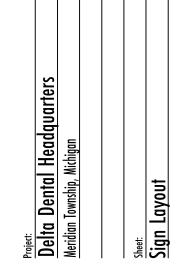
ZIEMNICK FOSTER ENGINEERING, LLC

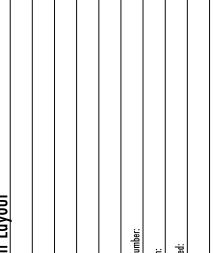
ZIEMNICK FOSTER ENGINEERING, LLC 426 S. Clinton Street Grand Ledge, MI 48837 517.627.8068 www.zfengineering.com

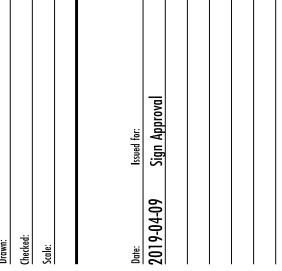


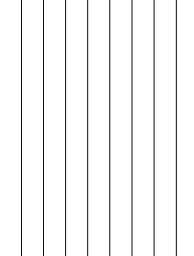
300 East Cady Street Northville, MI 48167 Ph: 248-347-7010

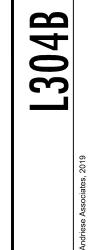


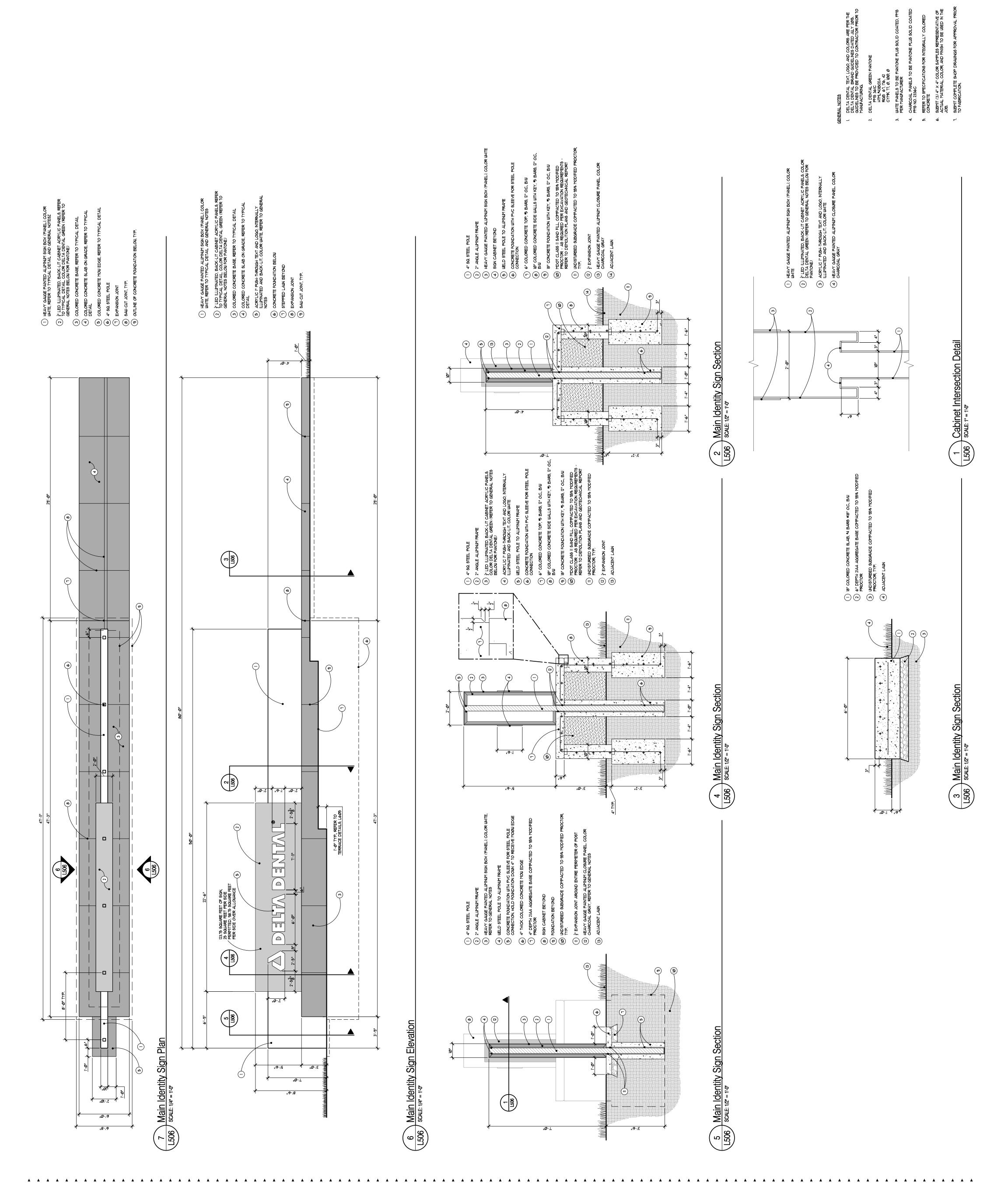












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WATERWORX 500.

2300 YONGE STREET, SUITE 1600 Toronto, Ontario, Canada M4P 1E4 T 416 252 7001 F 416 252 7101 ZIEMNICK FOSTER ENGINEERING, LLC 426 S. Clinton Street Grand Ledge, MI 48837 517.627.8068 www.zfengineering.com

GRISSIM METZ ASSOCIATES ANDRIESE

300 East Cady Street Northville, MI 48167

Ph: 248-347-7010

△ DELTA DENTAL

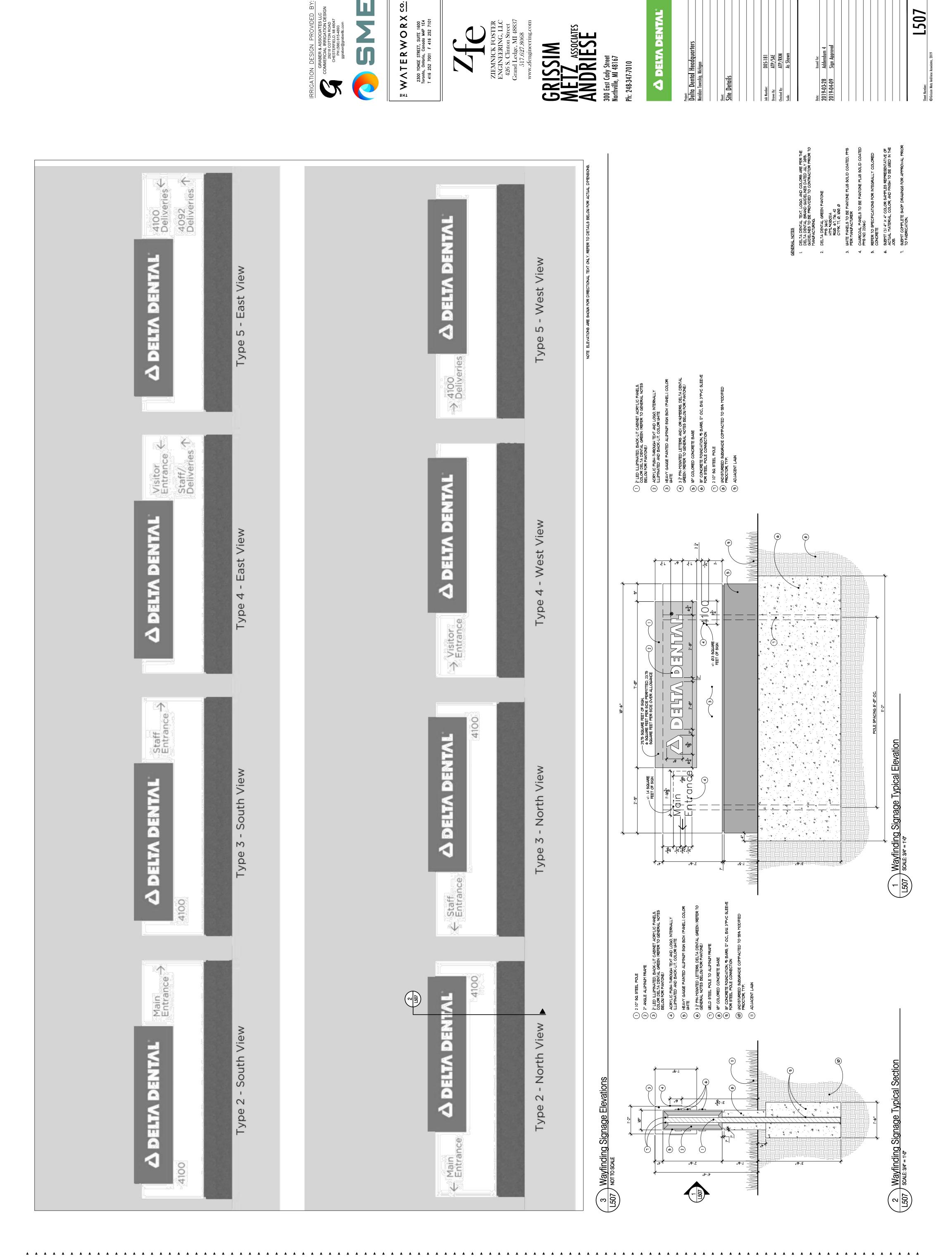
Project: **Delta Dental Headquarters** Meridian Township, Michigan

Sheet: Site Details 1506

Issued For:
Addendum 4
Sign Approval

Date: 2019-03-28 2019-04-09

DOS-181 ATP/SAE ATP/RKM As Shown



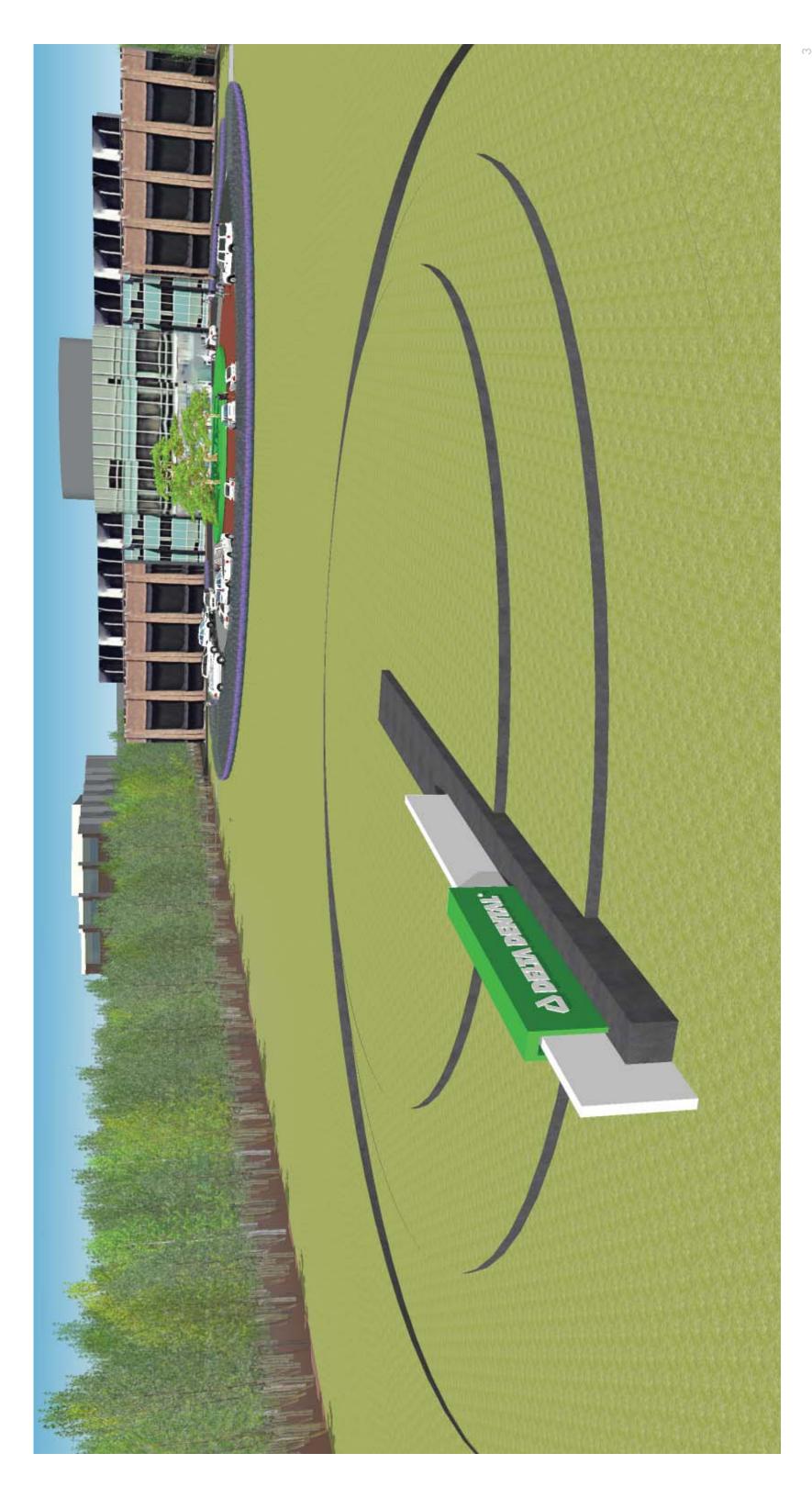
L507

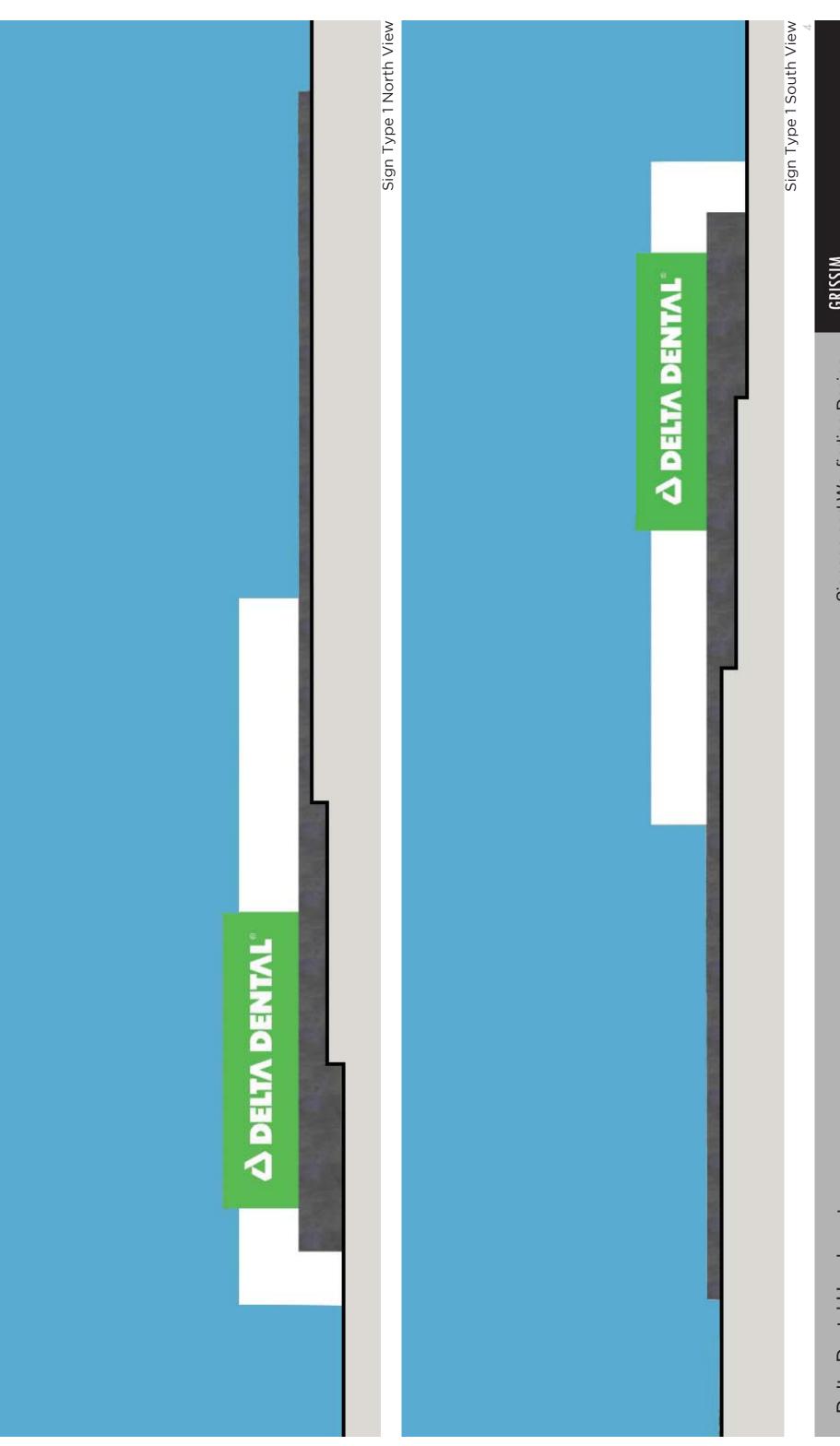


Delta Dental Headquarters
Okemos, Michigan



Delta Dental Headquarters





Sign Type 1 - Corporate Identity Sign - Elevations



