



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
June 26, 2019 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 12, 2019

4. COMMUNICATIONS
  - A. Dr. Nancy DeJoy RE: ZBA #19-06-26-1

5. UNFINISHED BUSINESS

**A. ZBA CASE NO. 19-06-12-1 (Miller), 5411 Marsh Road, Haslett, MI, 48840**

LOCATION: 5411 Marsh Road  
PARCEL ID: 15-251-001  
ZONING DISTRICT: RA (Single Family-Medium Density)

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

- Section 86-754, which states, parking on nonpaved open space is prohibited. Parking in driveways is prohibited, except in one-family residential districts. In one-family residential districts, no motor vehicle parking space shall be provided in the front yard, except on a paved or gravel driveway that occupies no more than 35% of the total area of the front yard.

The variance request is to exceed the maximum front yard driveway coverage at 5411 Marsh Road.

6. NEW BUSINESS

**A. ZBA CASE NO. 19-06-26-1 (Jager), 2545 Bruin Drive, East Lansing, MI, 48823**

LOCATION: 2545 Bruin Drive  
PARCEL ID: 17-228-008  
ZONING DISTRICT: RA (Single Family-Medium Density)

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

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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



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
June 26, 2019 6:30 pm

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- Section 86-618(1), Nonconforming structures. Nonconforming single-family structures may be altered, expanded, or modernized without prior approval of the Zoning Board of Appeals; provided, that such structural alteration or extension shall not increase the extent of the nonconformity and shall satisfy all other applicable site development regulations.

The variance request is to expand a nonconforming single family structure by constructing a building addition (deck) that encroaches into the required rear yard setback at 2545 Bruin Drive.

7. OTHER BUSINESS
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT
11. POSTSCRIPT – Brian Beauchine

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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.

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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 REGULAR MEETING MINUTES \*DRAFT\*  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, JUNE 12, 2019 6:30 PM  
TOWN HALL ROOM**

PRESENT: Chair Beauchine, Members, Lane, Mansour, Field-Foster, Wisinski  
ABSENT:  
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 FIELD-FOSTER MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

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

Wednesday, May 22, 2019.

MEMBER MANSOUR MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, MAY 22, 2019.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

**4. COMMUNICATIONS**

None.

**5. UNFINISHED BUSINESS**

None.

**6. NEW BUSINESS**

**A. ZBA CASE NO. 19-06-12-1 (Miller), 5411 Marsh Road, Haslett, MI, 48840**

LOCATION: 5411 Marsh Road  
PARCEL ID: 15-251-001  
ZONING DISTRICT: RA (Single Family-Medium Density)

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

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

- Section 86-754, which states, parking on nonpaved open space is prohibited. Parking in driveways is prohibited, except in one-family residential districts. In one-family residential districts, no motor vehicle parking space shall be provided in the front yard, except on a paved or gravel driveway that occupies no more than 35% of the total area of the front yard.

The variance requests are to construct an accessory building that would project into the front yard and to exceed the maximum front yard driveway coverage at 5411 Marsh Road.

Assistant Planner Quagliata 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. Glenn Miller, the applicant, 5411 Marsh Road, Haslett, indicated he did not have anything to add.

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

Member Wisinski stated it appeared there was 15 feet between the pool and the proposed garage.

Assistant Planner Quagliata stated that was correct.

Member Wisinski asked the applicant why the proposed garage could not be moved back five feet.

Mr. Miller stated the reason the garage was not moved back five feet was if lawn furniture was placed in that area there would be less than two feet of area. He wanted the garage closer to the existing driveway to reduce the amount of new driveway.

Member Wisinski asked staff what constituted a driveway.

Assistant Planner Quagliata stated any surface that allowed vehicles to access the site such as gravel, asphalt, or concrete.

Chair Beauchine asked staff why the ordinance considered gravel impervious surface. He stated it seemed the reason the ordinance did not want 100 percent front yard coverage was to ensure there was adequate drainage.

Director Kieselbach stated the ordinance requires a residential property to have a driveway for access to the property. He stated the ordinance requires a driveway to be hard surface such as gravel, asphalt, or concrete. He added a gravel driveway, once compacted down, is not pervious. He stated the issue was the amount of driveway coverage in the front yard.

Chair Beauchine stated the ZBA had approved variances from driveway coverage and required a pervious surface which would allow water to pass through. The ZBA could condition the variance if granted.

Member Lane read review criteria three from Section 86-221 of the Code of Ordinances which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. He noted not having enough garage space did not constitute a hardship. He stated if the garage was moved back five feet the variance for encroachment into the front yard would not be needed.

Chair Beauchine stated review criteria three would be directly related to 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.

Member Mansour asked the applicant why this request would constitute a practical difficulty.

Mr. Miller stated he does woodworking and has a lot of tools, there were four or more vehicles at the household, and his truck and snow plow did not fit in the existing garage. He stated there was no shed on the property and rather than have multiple small buildings it would look better to have one building. He also stated the proposed driveway was shown as small as possible.

Member Mansour asked the applicant if he had determined what materials would be used for the driveway.

Mr. Miller stated he was flexible.

Member Field-Foster stated the ZBA was struggling with the fact the garage could be moved back and there would not be the need for the variance.

Mr. Miller stated moving the garage back would block the sun from the pool. He noted placing the garage that close to the pool was not practical.

Chair Beauchine stated the applicant could attach the garage to the house but it would need footings and meet building code.

Mr. Miller stated it was his understanding attaching the garage to the house would be \$10,000 to \$15,000.

Assistant Planner Quagliata stated the garage could be attached to the house which would require footings but the footing would not have to be continuous. He also stated the cost for the footing could not be considered in the ZBA's decision.

Chair Beauchine stated the applicant could move the garage back, make the garage smaller by five feet, or attach the garage to the house, but would still need a variance for the driveway.

Chair Beauchine read review criteria one which states unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district. He stated the lot had limited space to construct a garage.

Chair Beauchine read review criteria two which states these special circumstances are not self-created. He stated this criteria was met.

Chair Beauchine review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. He stated he was unsure if this criteria could be met.

Chair Beauchine 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. He stated he was unsure if this criteria could be met.

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 stated there were other options for the garage, but the driveway coverage variance would still be needed.

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 this criteria was met.

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 stated this criteria was met.

Chair Beauchine read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this chapter. He stated this criteria was met.

Member Mansour stated review criteria three, four, and five were not met and there were other minimal actions that could be taken.

MEMBER LANE MOVED TO DENY THE VARIANCE REQUEST FROM SECTION 86-565(1) BASED ON FAILURE TO MEET REVIEW CRITERIA THREE, FOUR, AND FIVE.

SECONDED BY MEMBER MANSOUR.

ROLL CALL TO VOTE: YES: Members Lane, Mansour, Wisinski, Field-Foster, Chair Beauchine  
NO:  
Motion carried unanimously.

Assistant Planner Quagliata stated if the garage location changed the variance for the driveway coverage would change.

MEMBER LANE MOVED TO POSTPONE ACTION ON THE VARIANCE REQUEST FROM SECTION 86-754 UNTIL THE JUNE 26 ZONING BOARD OF APPEALS MEETING.

SECONDED BY MEMBER WISINSKI.

ROLL CALL TO VOTE: YES: Members Lane, Wisinski, Chair Beauchine, Field-Foster, Mansour.  
NO:  
Motion carried unanimously.

**B. ZBA CASE NO. 19-06-12-2 (Johnson Sign Company), 2240 Lansing Avenue, Jackson, MI, 49202**

LOCATION: 2947, 2911, & 2875 Eyde Parkway  
PARCEL ID: 20-303-004  
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-687(4)(a), Freestanding signs. One freestanding sign per parcel shall be permitted, except a site with 500 feet or more of contiguous frontage on one street and more than one point of access on that street may have one additional freestanding sign. If two freestanding signs are located on a site based on this provision, a minimum of 250 feet shall separate the two signs.

The variance request is to install three freestanding signs on one parcel with three buildings at 2947, 2911, and 2875 Eyde Parkway.

Assistant Planner Quagliata 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. Jim Johnson, Johnson Sign Company, the applicant, 2240 Lansing Avenue, Jackson, MI 49202, stated the request was to allow each office building to have a freestanding sign that met the code regarding the size. He noted the property was unique in the sense it had 944 feet of frontage on Eyde Parkway and was 6.49 acres in size. Each of the three office buildings are independent and have their own tenants and it was important for the tenants to be able to properly identify their business. He noted there were approximately three to four tenants in each of the three office buildings. The signs would be similar in design to the existing freestanding sign at the southeast corner of Hagadorn Road and Eyde Parkway. The tenants had provided letters in support of needing additional signage.

Samantha Eyde, 2290 Science Parkway, East Lansing, the owner's representative, noted the need for a variance to allow the signs to be closer than 250 feet.

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

Chair Beauchine stated he was employed by one of the companies that leased office space in one of the buildings on the property but he did not believe he had a conflict hearing the request. He noted the variance stayed with the property not the tenants.

Member Wisinski asked staff if the three buildings on the property were in compliance with Township ordinances.

Assistant Planner Quagliata stated the buildings were in compliance.

Member Wisinski asked staff if the total square footage of 24.5 square feet met the Township sign ordinance.

Assistant Planner Quagliata stated in commercial zoning districts the maximum size allowed for a freestanding sign is 25 square feet. He noted the maximum height is 16 feet and the proposed signs were six feet in height. The ordinance requires a 10 foot setback between the leading edge of the sign and the adjacent road right-of-way and the signs met the 10 foot setback.

Member Wisinski asked the applicant if there were signs on the buildings other than the building address.

Ms. Eyde stated there was a freestanding sign outside of Mary Free Bed facing both sides of the parking lot.

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 circumstance was unique being three buildings on one parcel, the large parcel size, and the fact the tenants can change.

Member Mansour read review criteria two which states these special circumstances are not self-created. She stated the parcel being so large was not self-created.

Member Mansour 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 when dealing with such a large parcel and large parking lot and not being able to identify tenants in the buildings from the road was a practical difficulty.

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 stated a tenant that leased space in a building would want customers to know where they are located.

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 this was the minimum action to secure public safety and provide substantial justice within the zoning ordinance.

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 the signs seemed to fit with the environment of the property.

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 size of the parcel was a unique circumstance.



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 stated this criteria was met.

Assistant Planner Quagliata suggested if the ZBA approved the variance it be conditioned on removing any existing freestanding signs from the property.

Member Lane stated the variance request met the review criteria because with the existing trees along the street the spacing between two of the three sign signs should be allowed to be 215 feet rather than 250 feet.

MEMBER LANE MOVED TO APPROVE THE VARIANCE FROM SECTION 86-687(4)(a) CONDITIONED ON THE PROPERTY OWNER REMOVING ALL OTHER FREESTANDING SIGNS FROM THE PROPERTY.

SECONDED BY MEMBER WISINSKI.

ROLL CALL TO VOTE: YES: Members Lane, Wisinski, Field-Foster, Mansour. Chair Beauchine  
NO:  
Motion carried unanimously.

**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**

Chair Beauchine announced the opening of Nancy Moore Park Small Dog Park on June 19 and the Road Bond discussion on June 27 in the Town Hall Room at 6 p.m.

Member Wisinski announced the need for volunteers for the Celebrate Meridian Beer and Wine Tent on June 29.

**10. ADJOURNMENT**

Meeting adjourned at 7:21 p.m.

**11. POST SCRIPT**

None.

Respectfully Submitted,  
Riley Millard  
Recording Secretary

## Justin Quagliata

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**From:** Nancy DeJoy <nancydejoy@gmail.com>  
**Sent:** Wednesday, June 12, 2019 12:49 PM  
**To:** Justin Quagliata  
**Subject:** Zoning Board of Appeals #19-06-26-1

Justin,

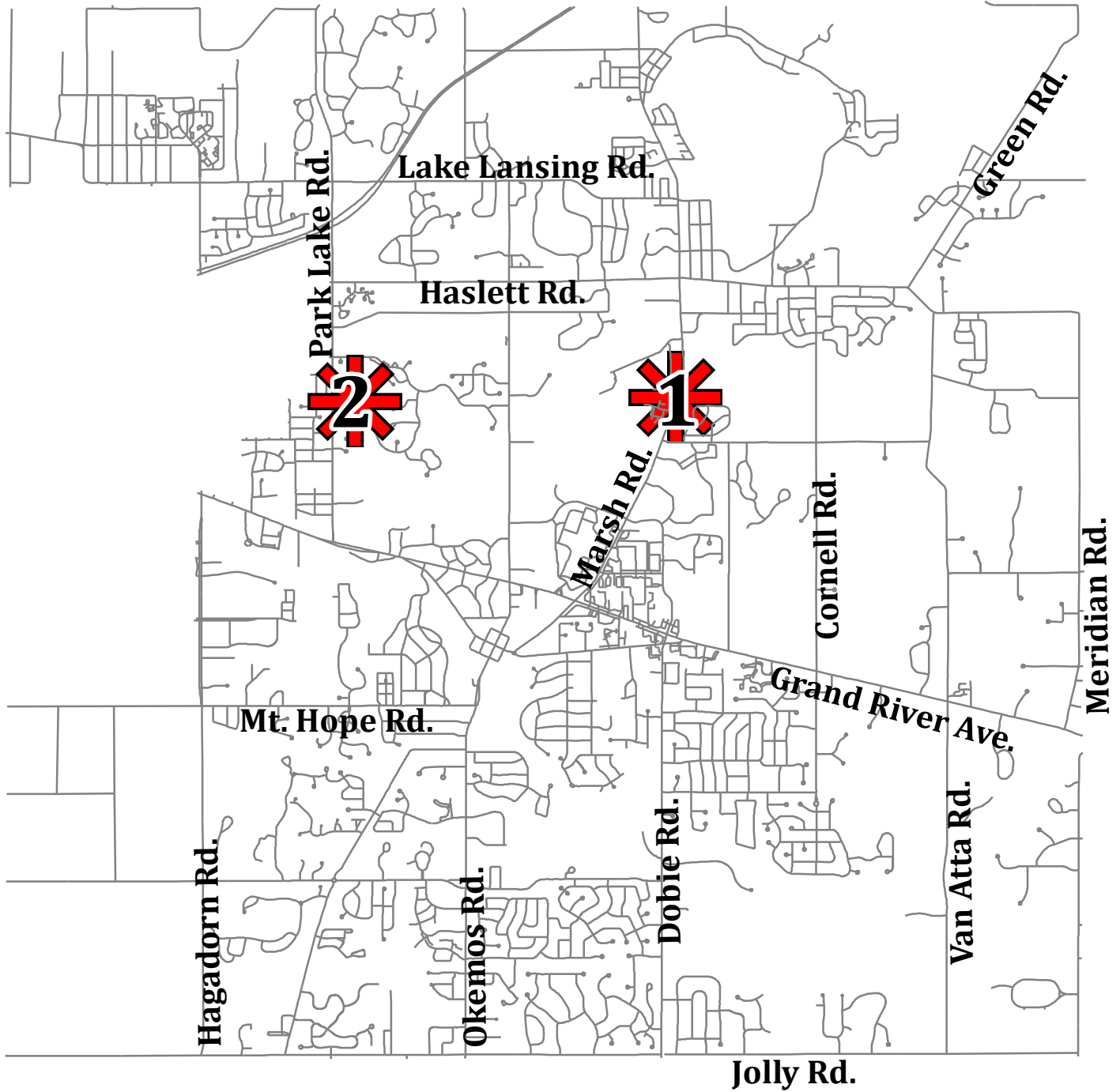
I live behind and to the side of the property that is making this request. I write to ask you not to allow the property owners to construct a building addition that violates the required rear-yard setback at 2545 Bruin Drive. This structure will affect my view of the lake (Bear Lake) in a negative way; that view is one of the the main reasons I purchased my home. At the time of purchase I was told that no obstructions to my view were allowed by the homeowner's association. There was no mention that appeals could be made to change those rules, and I did not see a clause allowing such appeal in my homeowner's association agreement.

It is not fair to allow violation of that agreement. The value of my property and my quality of life will be negatively affected if neighbors are allowed to dishonor that agreement. The homeowner's association should be required to warn potential buyers if such violations will be allowed by the township in the future, but such permission should not be granted in order to protect those of us who purchased our homes when no such condition was stated at the time of purchase.

I am not available to attend the hearing.

Thank You,  
Dr. Nancy DeJoy

# Meridian Township



Location Map

1. ZBA #19-06-12-1 (Miller)
2. ZBA #19-06-26-1 (Jager)



## 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:** Justin Quagliata, Assistant Planner  
**Date:** June 21, 2019  
**Re:** ZBA Case No. 19-06-12-1 (Miller)

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**ZBA CASE NO.:** 19-06-12-1 (Miller), 5411 Marsh Road, Haslett, MI 48840  
**LOCATION:** 5411 Marsh Road  
**PARCEL NO.:** 15-251-001  
**ZONING DISTRICT:** RA (Single Family-Medium Density)

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

- Section 86-754, which states, parking on nonpaved open space is prohibited. Parking in driveways is prohibited, except in one-family residential districts. In one-family residential districts, no motor vehicle parking space shall be provided in the front yard, except on a paved or gravel driveway that occupies no more than 35% of the total area of the front yard.

The public hearing for case number 19-06-12-1 was held at the June 12, 2019 Zoning Board of Appeals (ZBA) meeting. A five foot variance to allow an accessory building (garage) to project into the front yard at 5411 Marsh Road was denied. The ZBA concluded failure to grant the variance would not result in practical difficulties, there were no practical difficulties that would unreasonably prevent the owner from using the property for the permitted purpose, and the request was not the minimum action necessary that would make possible the use of the land. Based on the denial of the variance for the location of the garage, the ZBA voted to postpone action on the variance request to exceed the maximum driveway coverage until the June 26, 2019 meeting.

Since the last meeting the applicant has submitted a revised plot plan. The garage was moved one foot back (west) and reduced four feet in length, which eliminated the projection of the building into the front yard. The garage was also moved two feet to the north closer to the house. The proposed building would be 24 feet by 28 feet (672 square feet) in size and meet the required five foot setback from the south (side) lot line and the minimum 10 foot setback from other structures on the property (house and pool).

The current asphalt driveway occupies 35 percent (2,100 square feet) of the front yard, which is approximately 6,000 square feet in size. The submitted plot plan indicates the driveway would be extended to provide access to the garage. Section 86-754 of the zoning ordinance states a driveway may occupy no more than 35 percent of the front yard. The new portion of the driveway would be 658 square feet in size. The total area of the driveway would occupy approximately 46 percent (2,760 square feet) of the front yard. The applicant is requesting a variance to exceed the maximum front yard coverage by 11 percent.

**ZBA Case No. 19-06-12-1 (Miller)**  
**Zoning Board of Appeals (June 26, 2019)**  
**Page 2**

**Attachments**

1. Variance application dated May 3, 2019 and received by the Township on May 3, 2019.
2. Lot survey dated March 25, 2019 and received by the Township on May 16, 2019.
3. Plot plan dated March 25, 2019 and received by the Township on June 21, 2019.
4. Site location map.

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

VARIANCE APPLICATION

A. Applicant GLENN A. MILLER  
Address of Applicant 5411 MARSH RD HASLETT, MI 48840  
Telephone (Work) \_\_\_\_\_ Telephone (Home) 517-974-5291  
Fax \_\_\_\_\_ Email address: GAM668@AOL.COM  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location SAME.  
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)

Glenn A Miller                      GLENN A. MILLER                      5-3-2019  
Signature of Applicant                      Print Name                      Date

Fee: \$150.00                      Received by/Date: 5-3-2019 Justin Quagliata

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.)

Glenn A Miller                      5-3-2019  
Signature of Applicant(s)                      Date

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



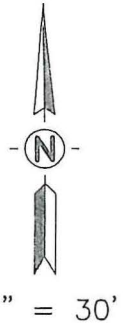
# LOT SURVEY

For:  
 Glenn Miller  
 5411 Marsh Road  
 Haslett, MI 48840

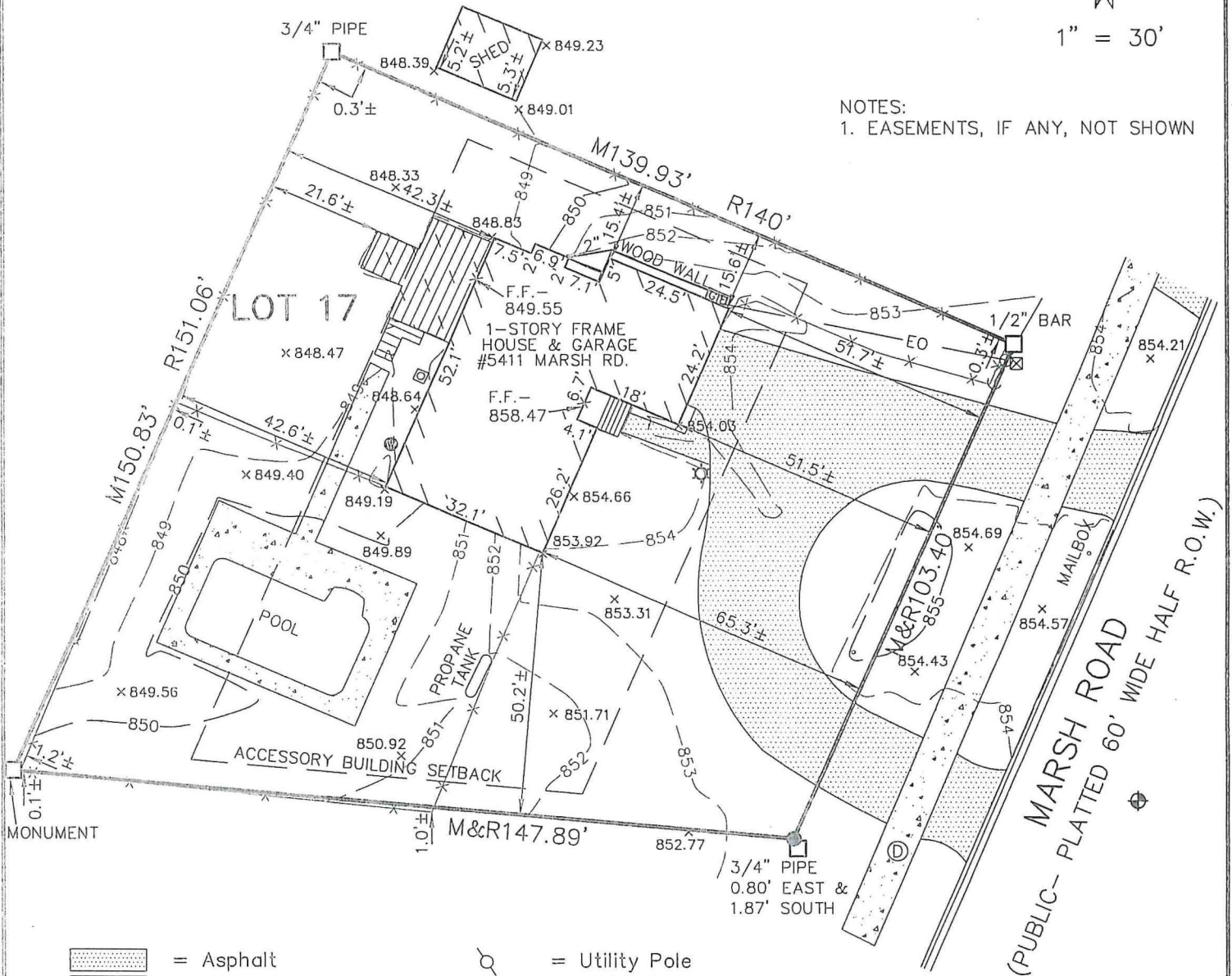
Survey Address:  
 5411 Marsh Road  
 Haslett, MI 48840  
 ID: 33-02-02-15-251-001

Legal Description (as provided): Lot 17, Sunrise Estates, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 44 of Plats, Page 46, Ingham County Records.

BUILDING COVERAGE:  
 TOTAL LOT AREA: 17,794 S.F.  
 EXISTING BUILDING COVERAGE: 2,048 S.F. (11.5%)



NOTES:  
 1. EASEMENTS, IF ANY, NOT SHOWN



- |  |                  |  |                         |
|--|------------------|--|-------------------------|
|  | = Asphalt        |  | = Utility Pole          |
|  | = Concrete       |  | = Utility Pedestal      |
|  | = Deck           |  | = Storm Manhole         |
|  | = Fence          |  | = Air Conditioning Unit |
|  | = Electric Meter |  | = Well                  |
|  | = Gas Meter      |  | = Ground Elevation      |
|  | = Overhead Wires |  | = Spot Elevation        |

I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown on this survey. Said lot subject to all easements and restrictions of record.

- R = Recorded Distance  
 M = Measured Distance  
 = Distance Not to Scale  
 = Deed Line  
 = Set 1/2" Bar with Cap  
 = Found Iron as Noted  
 0.0± = Denotes Distance to the Survey Line

**KEBS, INC.** KYES ENGINEERING  
 BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840  
 PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068  
 PH. 269-781-9800 FAX. 269-781-9805

*ERICK R. FRIESTROM*  
 ERICK R. FRIESTROM  
 PROFESSIONAL SURVEYOR

03/25/19  
 DATE  
 NO. 53497

DRAWN BY SLH	SECTION 10, T4N, R1W
FIELD WORK BY RR	JOB NUMBER:
SHEET 1 OF 1	94857.LOT



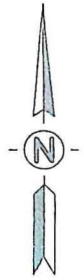
# LOT SURVEY

For:  
 Glenn Miller  
 5411 Marsh Road  
 Haslett, MI 48840

Survey Address:  
 5411 Marsh Road  
 Haslett, MI 48840  
 ID: 33-02-02-15-251-001

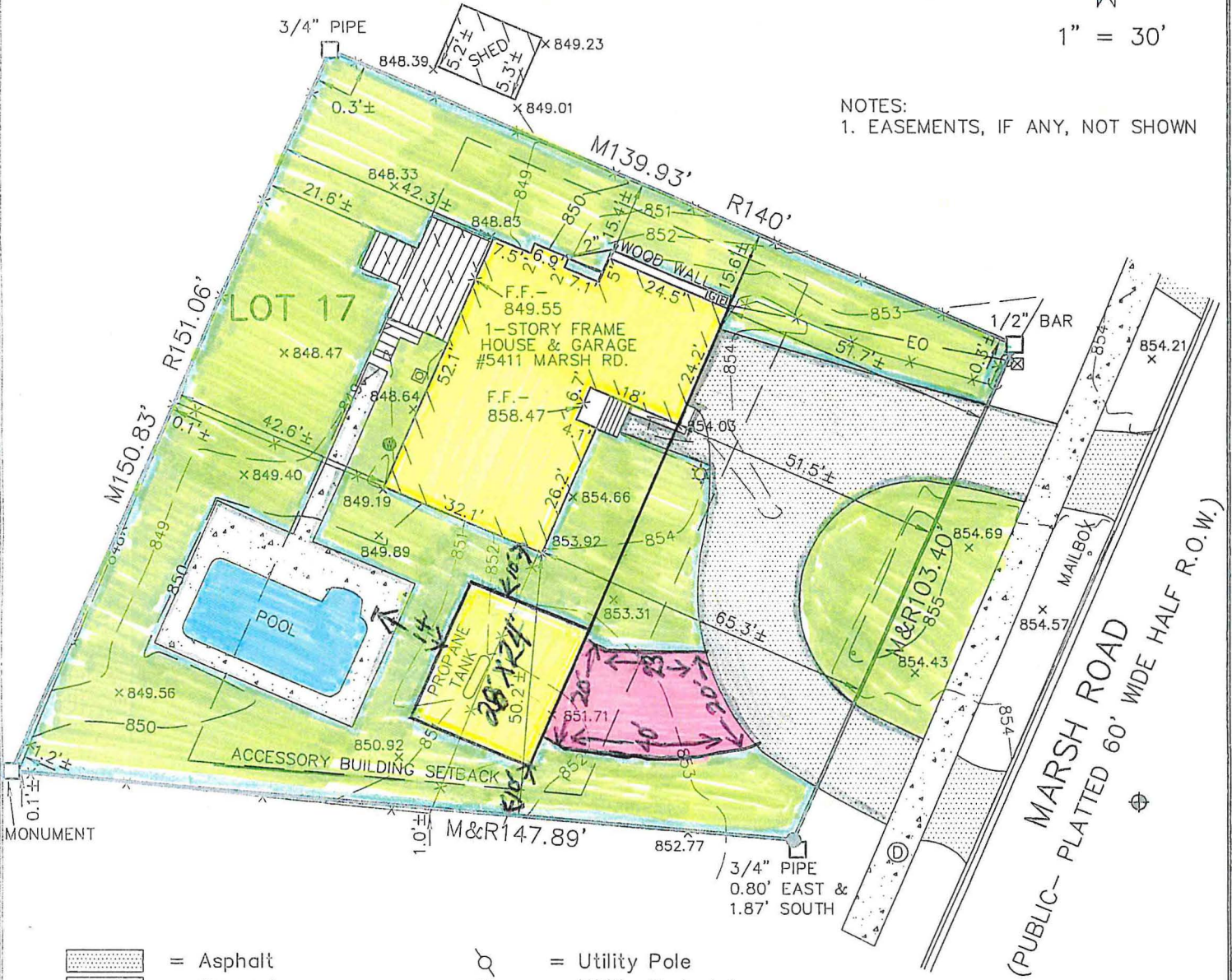
Legal Description (as provided): Lot 17, Sunrise Estates, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 44 of Plats, Page 46, Ingham County Records.

BUILDING COVERAGE:  
 TOTAL LOT AREA: 17,794 S.F.  
 EXISTING BUILDING COVERAGE: 2,048 S.F. (11.5%)



1" = 30'

NOTES:  
 1. EASEMENTS, IF ANY, NOT SHOWN



- |  |                  |  |                         |
|--|------------------|--|-------------------------|
|  | = Asphalt        |  | = Utility Pole          |
|  | = Concrete       |  | = Utility Pedestal      |
|  | = Deck           |  | = Storm Manhole         |
|  | = Fence          |  | = Air Conditioning Unit |
|  | = Electric Meter |  | = Well                  |
|  | = Gas Meter      |  | = Ground Elevation      |
|  | = Overhead Wires |  | = Spot Elevation        |

I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown on this survey. Said lot subject to all easements and restrictions of record.

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
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	<b>KEBS, INC.</b> KYES ENGINEERING BRYAN LAND SURVEYS
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DRAWN BY    SLH	SECTION    10, T4N, R1W
FIELD WORK BY    RR	JOB NUMBER:
SHEET    1    OF    1	94857.LOT

E. R. Friestrom

ERICK R. FRIESTROM      DATE      03/25/19  
 PROFESSIONAL SURVEYOR    NO. 53497

**Rolling Hills Dr**

**Marsh Rd**

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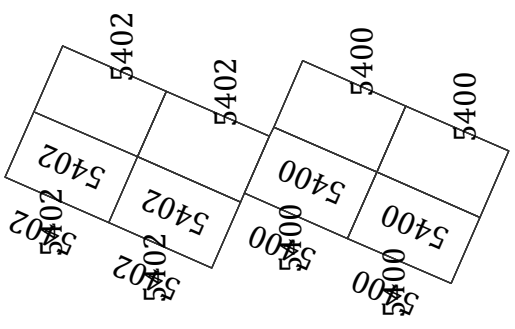
**RA**

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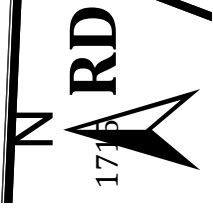
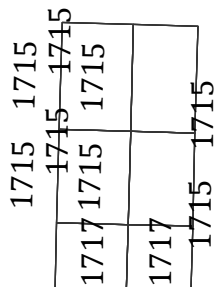
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**Maple Ridge Rd**

**RC**





**To: Zoning Board of Appeals**  
**From: Justin Quagliata, Assistant Planner**  
**Date: June 21, 2019**  
**Re: ZBA Case No. 19-06-26-1 (Jager)**

---

**ZBA CASE NO.:** 19-06-26-1 (Jager), 2545 Bruin Drive, East Lansing, MI 48823  
**LOCATION:** 2545 Bruin Drive  
**PARCEL NO.:** 17-228-008  
**ZONING DISTRICT:** RA (Single Family-Medium Density)

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

- Section 86-618(1), Nonconforming structures. Nonconforming single-family structures may be altered, expanded, or modernized without prior approval of the Zoning Board of Appeals; provided, that such structural alteration or extension shall not increase the extent of the nonconformity and shall satisfy all other applicable site development regulations.

Kevin and Suzanne Jager, the applicants, intend to replace existing decks on the west and south sides of a single family house at 2545 Bruin Drive. The 0.22 acre (9,408.96 square feet) subject property is zoned RA (Single Family-Medium Density) and located on the south side of Bruin Drive, east of West Hidden Lake Drive.

The existing house is nonconforming because it is located 16.3 feet from the rear lot line which does not comply with the required 20 foot minimum rear yard setback for the Bear Lake subdivision plat, which is part of the Wildwood Lakes planned unit development (PUD). The PUD ordinance allows the Township Board to waive the standard lot area and lot width requirements of the underlying zoning district.

For principal buildings the RA zoning district requires a 10 foot setback from side lot lines and a 30 or 40 foot setback from the rear lot line based on the depth of the lot. Front yard setbacks are in accordance with the required street setback, which is based on the type of street upon which the lot fronts. The following minimum building setbacks were established by the Township Board for the Bear Lake subdivision plat:

- Front yard: 15 feet from the front lot line (street right-of-way)
- Side yard: 20 feet between buildings
- Rear yard: 20 feet from the rear lot line



**ZBA Case No. 19-06-26-1 (Jager)**  
**Zoning Board of Appeals (June 26, 2019)**  
**Page 2**

Two existing decks are currently attached to the house. An elevated wood deck, 6 feet by 10.5 feet (63 square feet) in size, is located in the side yard on the west side of the house. A 12 foot by 27 foot (324 square feet) wood deck is located in the rear yard on the south side of the house approximately 5.5 feet from the rear lot line. Stairs are located on the west side of the deck in the rear yard. The existing decks did not receive building permits from the Township and are considered nonconforming because of setbacks.

The proposed project would involve the removal of the two existing decks and the construction of one deck with connected upper and lower levels. The upper level would be 10 feet by 17.75 feet (177.5 square feet) in size including the stairs, elevated approximately 14 feet, and located on the west side of the house. The lower level deck would be approximately 396 square feet in size and located on the south side of the house in the same location as the current deck with an additional expansion to the west. Stairs on the west side of the deck would connect the upper and lower levels, and stairs at the southwest corner of the deck would provide access to the rear yard.

The zoning ordinance allows decks to project eight feet into a required side or rear yard provided the structure is located at least eight feet at any point from a side or rear lot line. The proposed deck at its closest point (stairs) would be located three feet from the rear lot line. The applicants are requesting a variance to expand a nonconforming single family structure to construct the deck.

**Attachments**

1. Variance application dated May 28, 2019 and received by the Township on May 29, 2019.
2. Letter from the applicant dated June 18, 2019 and received by the Township on June 18, 2019.
3. Lot survey dated May 17, 2019 and received by the Township on May 29, 2019.
4. Site plan dated May 17, 2019 and received by the Township on May 29, 2019.
5. Site location map.

G:\COMMUN PLNG & DEV\PLNG\ZBA\2019 ZBA\ZBA 19-06-26\ZBA 19-06-26-1 (Jager)\ZBA 19-06-26-1 staff report.zba1

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

**VARIANCE APPLICATION**

A. Applicant KEVIN & SUZANNE JAEGER  
 Address of Applicant 2545 BRVIN DRIVE  
EAST LANSING, MI 48823  
 Telephone (Work) \_\_\_\_\_ Telephone (Home) 517 449 3363  
 Fax \_\_\_\_\_ Email address: KEVIN.JAEGER@ICLOUD.COM  
 Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 2545 BRVIN DRIVE E. LANSING MI 48823  
 Zoning district MERIDIAN TOWNSHIP Parcel number 33-02-02-17-228-008

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)

[Signature] KEVIN JAEGER 5/28/19  
 Signature of Applicant Print Name Date

Fee: \$ 150.00 Received by/Date: Justin Quagliata 5/29/19

*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.)*

[Signature] 5/28/19  
 Signature of Applicant(s) Date

[Signature] 5/29/19  
 Signature of Applicant(s) Date

## Justin Quagliata

---

**From:** Kevin Jager <kevin.jager@icloud.com>  
**Sent:** Tuesday, June 18, 2019 2:54 PM  
**To:** Justin Quagliata  
**Subject:** Variance 2545 Bruin Drive

This email is intended to serve as explanation for the variance requested for the residence of 2545 Bruin Drive, East Lansing, MI 48823. As of now, an existing 12 foot by 28 foot deck that is constructed on the back of the residence is in need of replacement. Relative to the residence lot survey, the existing structure falls within the "buffer zone" of the back lot line, however does not encroach or surpass the lot line itself. Furthermore, common area is located to the east and to the south of the residence lot boundaries, which does not directly affect neighbors on either side of the residence lot boundaries.

2. When we (as current homeowners) purchased the property in 2000, there was the decking structure already constructed and in existence, which apparently Meridian Township has no record of. This existing deck, already present when home was purchased 19 years ago, lies within the "buffer zone" of the the lot. This is partly the reason for a variance request, to satisfy the board regarding the current structure and the zoning interaction that it had created before the home was purchased by us, the current homeowners.

3. Because of the existing zoning infraction with the deck off the back (east side) of the house, and further renovation or re-building of the existing structure poses an impractical if not impossible utilization of the deck for its intended purpose - to enjoy the property and the surrounding nature areas that the neighborhood has to offer. The current lot, as surveyed by Kebs in May 2019, shoes the residence and its placement within the lot as being quite impractical if not altogether impossible to make any type of renovation or remodeling of existing deck structures without a variance request and subsequent approval by the Board.

4. By not allowing a variance for the proposed deck renovation and remodel, practical and "normal usage" of the deck structure would therefore be in violation of the township zoning regulations and would directly impact the utilization of not only the existing structure, but any future structures as well. This has many ramifications on the value of the lot and resale value of the home.

5. By granting the variance, this would be the only limitation or barrier that is currently impeding and preventing the landscape remodeling project from continuing to its completion. This is variance has essentially no direct impact on neighbors to the south and to the east of the residence and lot in question, as the other side of the lot boundaries is common area that is not owned by neighbors who feasibly could or would be impacted by the variance request.

6. As mentioned in response #5, granting of the variance has not direct on the neighboring lots since the areas opposite the lot borders is common area, not owned by any one individual but rather the Bear Lake Homeowners Association. The essential character in the vicinity of the property has been, and will be, preserved.

7. The conditions pertaining to the land and / or the structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable: Not exactly sure what this means, but essentially the variance to allow deck renovation to go into, but not over, the buffer zone of the lot line, which does not affect anything or anyone adjacent to the lot.

8. By granting the variance, this would be in keeping with other variances that have been approved in this neighborhood in the past, due to impractical lot lines relative to the house or attached structures, or merely for landscape / beautification projects financed by the homeowner.

Also, please let this serve as written statement of my landscape contractor Clay Carstensen to serve as my proxy, my representative, and my voice should I not be able to attend the upcoming meeting with Meridian Township Board.

Thank you,

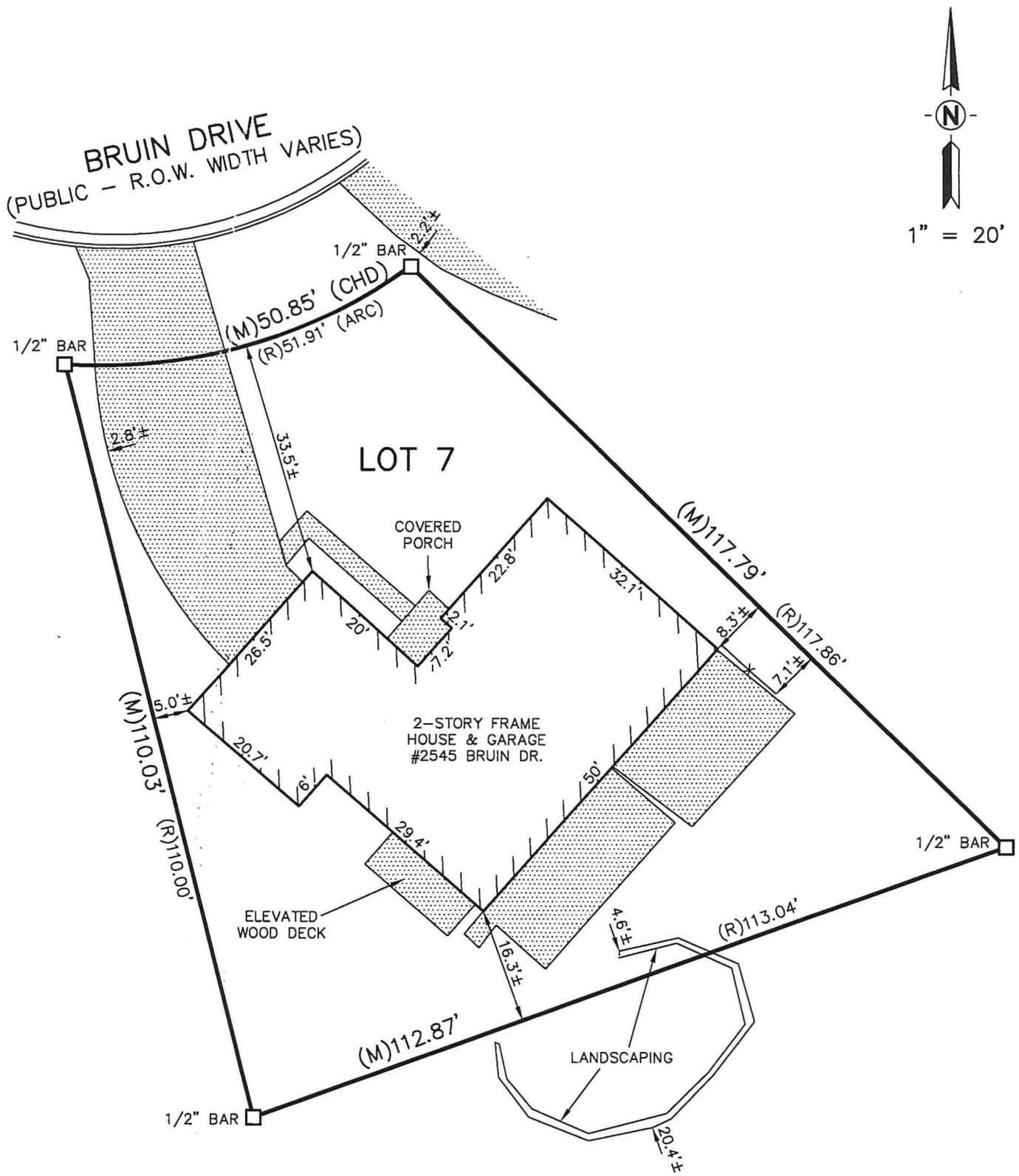
Kevin and Suzie Jager, homeowners,  
2545 Bruin Drive  
East Lansing MI 48823  
517-449-3363

# LOT SURVEY

For:  
 R & D Landscape  
 194 S. Michigan Road  
 Eaton Rapids, MI 48827

Survey Address:  
 2545 Bruin Drive  
 East Lansing, MI  
 ID: 33-02-02-17-228-008

Legal Description (as provided): Lot 7, Bear Lake Subdivision No. 1, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 38 of Plats, Page 31, Ingham County Records.



NOTES:  
 1. EASEMENTS, IF ANY, NOT SHOWN

I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown on this survey. Said lot subject to all easements and restrictions of record.

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- = Set 1/2" Bar with Cap
- = Found Iron as Noted
- ▨ = Concrete, Asphalt, Deck, and Porch
- \*--- = Fence
- 0.0'± = Denotes Distance to the Survey Line

*E. R. Friestrom*  
 ERICK R. FRIESTROM  
 PROFESSIONAL SURVEYOR

05/17/19  
 DATE

NO. 53497

	<b>KEBS, INC.</b> KYES ENGINEERING BRYAN LAND SURVEYS	
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	13432 PRESTON DRIVE, MARSHALL, MI 49068 PH. 269-781-9800    FAX. 269-781-9805	
DRAWN BY <b>SSF</b>	SECTION 17, T4N, R1W	
FIELD WORK BY <b>SW</b>	JOB NUMBER:	
SHEET    1    OF    1	<b>95148.LOT</b>	

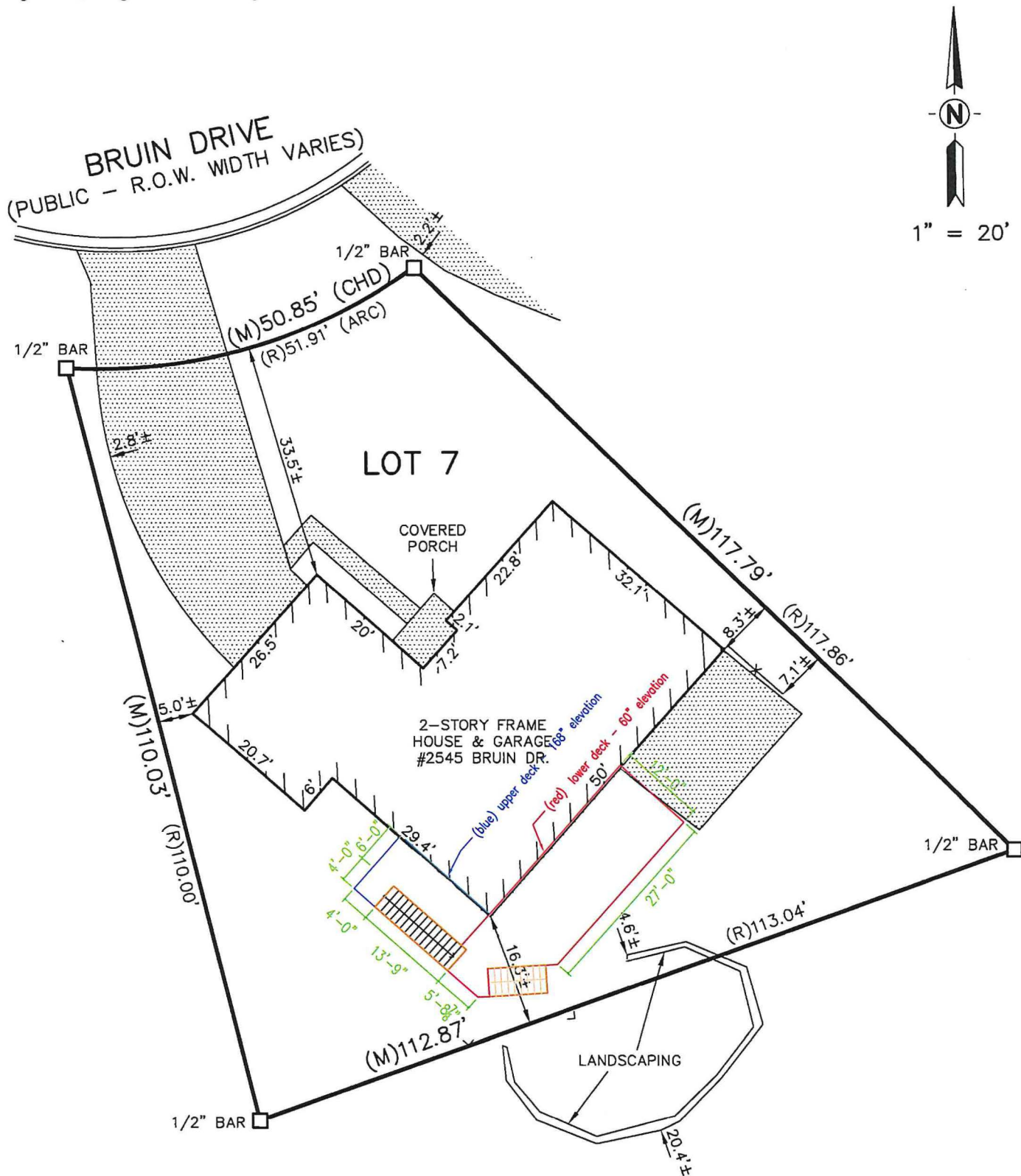


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*Erick R. Friestrom*  
 ERICK R. FRIESTROM  
 PROFESSIONAL SURVEYOR NO. 53497

05/17/19  
 DATE

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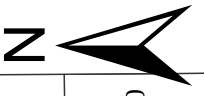
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**W Hidden Lake Dr**

**Bruin Dr**

**Kodiak Dr**

**RA**

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