

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *APPROVED*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, NOVEMBER 13, 2019 6:30 PM
TOWN HALL ROOM**

PRESENT: Chair Beauchine, Members Field-Foster, Wisinski, Lane
ABSENT: Member Mansour
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.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, October 23, 2019

MEMBER LANE MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, OCTOBER 23, 2019.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

4. COMMUNICATIONS

None.

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

A. ZBA CASE NO. 19-11-13-1 (East Lansing Lodge, Inc.), 2736 Grand River, East Lansing, MI, 48823

DESCRIPTION: 2736 Grand River Avenue
TAX PARCEL: 17-460-017
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-618(2), Nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the Zoning Board of Appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.
- Section 86-402(17). Maximum impervious surface. The maximum percentage of impervious surface permitted on a site shall be 70 percent. Impervious surfaces shall include all land covered with paving and buildings. The impervious surface shall be calculated by dividing the total impervious surface by the gross area of the site.
- Section 86-755, Schedule of requirements for parking space. Parking space shall be provided in accordance with the design standards of this chapter and according to this schedule: for motels, hotels, or other commercial lodging establishments, one for each one unit plus extra spaces for dining rooms, ballrooms, or meeting rooms as required by this division.
- Section 86-756(2). Design and construction requirements. For the layout of off-street parking facilities the required maneuvering lane width for 10 foot by 18 foot parking spaces shall be 25 feet.
- Section 86-756(7), Curb and gutter. Concrete curb and gutter shall be required in order to control storm water flow from the parking area and in order to protect landscaped areas such as landscape islands and other plantings.

The variance requests are to expand a nonconforming nonresidential structure, exceed 70 percent impervious surface coverage, and reconfigure the parking lot at 2736 Grand River Avenue.

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. William Jarratt, 108 N. LaFayette, South Lyon, MI, the applicant's representative, indicated the applicant's preference was to keep the existing layout with the same size parking spaces and aisle width and no curb and gutter.

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

Assistant Planner Quagliata stated the existing building had 82 rooms and the applicant proposed to remove four rooms. With 78 rooms 78 parking spaces were required and the applicant proposed 76 parking spaces so a variance for two parking spaces was requested. The applicant intended to resurface the parking lot and was required to restripe the spaces to 10 feet in width and 18 feet in depth. He also stated the applicant had to demonstrate how stormwater runoff could be controlled without curb and gutter.

Mr. Jarratt stated nine foot wide parking spaces would allow for more spaces. He stated short-term parallel parking spaces could be striped where drive aisles were wide enough to add two parking spaces.

Assistant Planner Quagliata stated short-term parallel parking would not be counted as two permanent parking spaces. The existing driveways were nonconforming to Michigan Department of Transportation (MDOT) and Township standards and with nonconforming maneuvering lane widths cars parked in drive aisles and parallel at the driveways would block access to and circulation around the site.

Chair Beauchine 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. He stated the site met this requirement.

Assistant Planner Quagliata stated three items could be counted towards pervious surface: (1) perimeter landscape buffers, (2) fifty percent of a stormwater detention or retention basin, and (3) parking lot islands and medians that are 20 feet or greater in each dimension.

Member Wisinski asked staff how the pervious surface was calculated.

Assistant Planner Quagliata stated the applicant's engineer would need to do calculations.

Member Field-Foster stated it was difficult to determine the minimum action necessary due to the lack of information provided by the applicant.

Member Lane suggested considering the area on the northern portion of the site as impervious unless information was submitted that demonstrated otherwise. He stated while the site may be unique the hotel had been there for many years without a porte-cochere and not having it was not a hardship.

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.

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 review criteria three and four had not been 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 not allowing the porte-cochere would be the minimum action.

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 not met as no information regarding how the stormwater would be managed was provided.

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 had been 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 the proposed project would improve the site.

Chair Beauchine stated the maximum impervious surface coverage was over 70 percent and could not meet review criteria three, four, five, and six.

Chair Beauchine asked staff if 9 foot by 20 foot parking spaces could be striped on the site.

Assistant Planner Quagliata stated the intent of requiring 10 foot by 18 foot parking spaces was to keep the maneuvering lane widths closer to compliance with the ordinance.

Member Lane asked staff what was the number of rooms in the hotel.

Assistant Planner Quagliata stated following interior renovations the hotel would contain 78 rooms so 78 parking spaces were required. He added with 76 parking spaces proposed a variance for two parking spaces was requested.

Member Field-Foster questioned whether the number of parking spaces was conforming with 82 parking spaces.

Assistant Planner Quagliata stated the existing number of parking spaces was conforming but the dimensions of the parking spaces were nonconforming.

Member Lane stated if it were not for the porte-cochere and the circle drive there would be sufficient parking.

Mr. Jarratt stated in order to upgrade the hotel it would be a hardship not to include a porte-cochere in order to compete with other hotels.

Member Lane stated the hardship had to be tied to the use of the land and whether the hotel could operate without the porte-cochere. He noted the hotel could be operated without a porte-cochere.

Chair Beauchine stated the concern with the lack of information and a case had not been made to satisfy review criteria two, three, four, five, and six.

Chair Beauchine stated the ZBA could deny the request, table the request, or postpone the request which would allow the applicant to come back with additional information.

Assistant Planner Quagliata expressed preference for tabling the case. He stated whether the case was tabled or denied new noticing would be required.

Chair Beauchine asked the applicant if they had anything to add regarding disposition.

Mr. Jarratt reiterated the financial difficulty of delaying the project.

Chair Beauchine stated the ZBA could not consider the financial difficulties of the applicant when making a decision.

MEMBER FIELD-FOSTER MOVED TO DENY ZBA CASE NO. 19-11-13-1, THE VARIANCES REQUESTED FROM SECTION 86-618(2), SECTION 86-402(17), SECTION 86-755, SECTION 86-756(2), AND SECTION 86-756(7) BASED ON THE INABILITY OF ANY OF THE FIVE REQUESTS TO MEET REVIEW CRITERIA THREE, FOUR, AND FIVE.

SECONDED BY MEMBER LANE.

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

7. OTHER BUSINESS

A. 2020 Meeting Schedule

MEMBER WISINSKI MOVED TO ADOPT THE RESOLUTION APPROVING THE 2020 ZONING BOARD OF APPEALS MEETING SCHEDULE.

SECONDED BY MEMBER FIELD-FOSTER.

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

8. PUBLIC REMARKS

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

9. BOARD MEMBER COMMENTS

Assistant Planner Quagliata noted the next ZBA meeting was December 11, 2019.

10. ADJOURNMENT

Meeting adjourned at 7:31 p.m.

Respectfully Submitted,

Justin Quagliata
Assistant Planner