



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
August 11, 2021 6:30 pm

1. CALL MEETING TO ORDER
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
 - A. Wednesday, June 23, 2021
4. COMMUNICATIONS
5. UNFINISHED BUSINESS

A. ZBA CASE NO. 21-06-23-1 (EROP, LLC), 2390 E. Federal Drive, Decatur, IL, 62526

DESCRIPTION: 2703 Grand River Avenue
TAX PARCEL: 20-203-012
ZONING DISTRICT: C-2 (Commercial)

The variances requested is to construct a drive through car wash facility. This is a revised request.

6. NEW BUSINESS

A. ZBA CASE NO. 21-08-11-1 (Sina), 5786 Lake Drive, Haslett, MI, 48840

DESCRIPTION: 5786 Lake Drive
TAX PARCEL: 10-278-022
ZONING DISTRICT: RN (Village of Nemoka), Lake Lansing Overlay District

The variance requested is to construct a 400 square foot addition on the south side of the existing single-family home.

7. OTHER BUSINESS
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT

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: Assistant Planner Keith Chapman, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4580 - 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 23, 2021
VIRTUAL MEETING**

PRESENT: Chair Mansour, Members Hendrickson, Field-Foster, Opsommer, Kulhanek

ABSENT: None

STAFF: Community Planning and Development Director Schmitt; Assistant Planner Chapman; IT Director Stephen Gebes

1. CALL MEETING TO ORDER

Chair Mansour called the meeting to order at 6:31 p.m.

2. APPROVAL OF AGENDA

MEMBER HENDRICKSON MOVED TO APPROVE THE AGENDA AS SUBMITTED.

SECONDED BY MEMBER FIELD-FOSTER

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Field-Foster, Opsommer, Kulhanek, Chair Mansour

NAYS: None

Motion carried: 5-0

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

A. April 28, 2021 Meeting Minutes

FIELD FOSTER MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, APRIL 28, 2021 AS SUBMITTED.

SECONDED BY CHAIR MANSOUR.

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Field-foster, Opsommer, Kulhanek, Chair Mansour

NAYS: None

Motion carried: 5-0

B. May 12, 2021 Meeting Minutes

MEMBER HENDRICKSON MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, MAY 12, 2021 AS SUBMITTED.

SECONDED BY MEMBER OPSOMMER.

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Field-foster, Opsommer, Kulhanek, Chair Mansour

NAYS: None

Motion carried: 5-0

4. COMMUNICATIONS - NONE

5. UNFINISHED BUSINESS - NONE

6. NEW BUSINESS

A. ZBA CASE NO. 21-06-23-1 (EROP, LLC), 2390 E. Federal Drive, Decatur, IL, 62526

DESCRIPTION: 2703 Grand River
TAX PARCEL: 20-203-012
ZONING DISTRICT: C-2 (Commercial)

The variance requested is to construct a drive through car wash facility at 2703 Grand River Avenue.

Assistant Planner Chapman outlined the case for discussion.

Chair Mansour asked the applicant or the applicant's representative if they would like to address the Zoning Board of Appeals (ZBA).

Erin McMachen, 607 Shelby St. Suite 200, Detroit, Michigan thanked the board for their time and proposed that all variances were justified as they met all eight criteria reviewed by Meridian Township.

Chair Mansour opened the case to public comment at 6:42 P.M. No comments were made.

Member Hendrickson asked staff to clarify if the diagram was showing a 100ft setback, and if the diagram was accurately representing the building envelope.

Assistant Planner Chapman replied yes to both.

Member Hendrickson stated that it appeared as if the building was moved about 15-20 feet to the south the requested driveway would already be in compliance. He asked why this couldn't be done.

Erin McMachen replied that this same question was asked by the Planning Commission. She stated that such short entrance and exits are rarely seen at a carwash. She said that they reduced the driveways to the absolute minimum length of 30 feet which allows for a standard pickup truck to turn in or out of the car wash.

Member Hendrickson asked for an explanation as to why the criteria for a vegetation buffer in the perimeter landscaping couldn't be met.

Erin McMachen stated that they don't typically propose planting so close to their foundations, but they had relocated the plantings to the landscaping island to the west. This planting would be over the 50% that's required up against the foundation.

Member Hendrickson asked if the applicant was closing off a curb cut to Grand River Ave.

Erin McMachen replied that they were closing off two curb cuts on Grand River Ave.

Member Opsommer asked if the previous owner, O'Reilly Auto Parts had sold the property.

Assistant Planner Chapman replied O'Reilly Auto Parts still owns the property.

Member Opsommer voiced concern about granting the 20 foot Right-of-Way buffer as it would impact the connection of service drives.

Director Schmitt stated that an easement would be an option, and that the building design presented today would not likely stop the inclusion of a service road in the future.

Member Opsommer stated that the current plans would cause the service drive to dead end into the carwash after passing through Denny's.

Director Schmitt replied that he was previously speaking more in terms of a true service drive, but that yes the current service drive would not be able to pass through the carwash with the current plans.

Member Field-Foster asked for further clarification on why the vegetation buffer couldn't be planted more closely to the foundation.

Erin McMachen stated that it's was not part of the plans to plant vegetation so close to the foundation, but if it's something that the board absolutely needs to have happen that she would relay that information to the applicant for revision.

Member Field-Foster asked what impact a vegetation buffer could have on the foundation.

Erin McMachen stated that the moisture content along the side of the building is not good practice. Normally trees are kept 15 feet away and small shrubs and plantings are generally three feet away. She also stated all of the utilities are entering the building on the west side and the applicant would like to avoid utility conflict.

Chair Mansour asked to if that this line of questioning was in regards to the building permit or landscape and not the parking lot buffer.

Erin McMachen replied yes it was.

Chair Mansour asked for the reasoning for not being able to add the 20 foot parking lot buffer.

Erin McMachen said it is a practicality issue. The length of the building is determined by the length of the conveyor used, and the applicant had already reduced the required space as much as possible.

Member Hendrickson stated all of the variances could be avoided if the applicant would move the building the west side of the lot, and questioned why the applicant has not researched that option.

Erin McMachen replied the applicant had thought of placing the building on the west side of the lot but that it was a safety issue for vehicles exiting and entering the carwash on just the one driveway on Grand River, and also it would give them no access to Dawn Avenue.

Chair 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. Chair Mansour stated the parcel is uniquely shaped.

Member Hendrickson stated that he does not believe this to be a unique parcel.

Member Opsommer agreed with Member Hendrickson.

Chair Mansour stated that what she found unique was the Grand River Avenue and Dawn Avenue entrances and curb cuts.

Member Field-Foster asked if there is a way to redesign the facility.

Erin McMachen replied the applicant had looked at different layouts but there would be other issues, and that the applicant had proposed the bare minimum building dimensions.

Member Kulhanek stated that he also does not think this is a unique parcel.

Chair Mansour read review criteria two which states these special circumstances are not self-created. Chair Mansour stated she believes the special circumstances are self-created.

Chair Mansour 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 Mansour stated that she did not believe strict interpretation and enforcement of the literal terms and condition would not create practical difficulties.

Chair 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. Chair Mansour stated that she did not believe that the alleged practical difficulties would not unreasonable prevent the owner from using the property for the permitted purpose.

Chair 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. Chair Mansour said the granting of the variance in perpetuity would open the township to issues down the line and that it is not a minimum action.

Chair 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. Chair Mansour stated that while the design may not currently adversely affect the adjacent land, it could have an effect in the future.

Chair Mansour read review criteria seven which states the conditions pertaining to the land or structure are not as general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. Chair Mansour stated the current plan could meet this criteria.

Chair 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. Chair Mansour stated this criteria would be met by the current plan.

Member Hendrickson stated the majority of the board could not agree that the parcel was unique and to grant the first variance, than that would hold true for the remaining two variances.

Erin McMachen asked if the applicant would be allowed to table the application so that they may gather additional evidence for review.

Director Schmitt encouraged the Board to grant permission to the applicant to gather further evidence.

Member Opsommer asked which trees would be cut down on the parcel as it contains many mature trees.

Erin McMachen stated they would maintain 10 of the mature trees. She asked if the applicant made changes to their plans, would they have to go through the Planning Commission again.

Director Schmitt stated it would depend on what the changes would be.

MEMBER OPSOMMER MOVED TO TABLE THE CASE NO. **21-06-23-1 (EROP, LLC)**.

SECONDED BY MEMBER HENDRICKSON.

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Field-foster, Opsommer, Kulhanek, Chair Mansour

NAYS: None

Motion carried: 5-0

7. OTHER BUSINESS

None

8. PUBLIC REMARKS

Chair Mansour opened the floor for public remarks at 7:31 pm

None

Chair Mansour closed public remarks at 7:32 pm

9. MEMBER COMMENTS

Chair Mansour thanked everyone for their patience and hard work during the requirement of virtual meetings.

Member Field-Foster thanked Chair Mansour for her flexibility and openness during the use of virtual meetings.

Member Hendrickson stated he is looking forward to the return of in-person meetings.

10. ADJOURNMENT

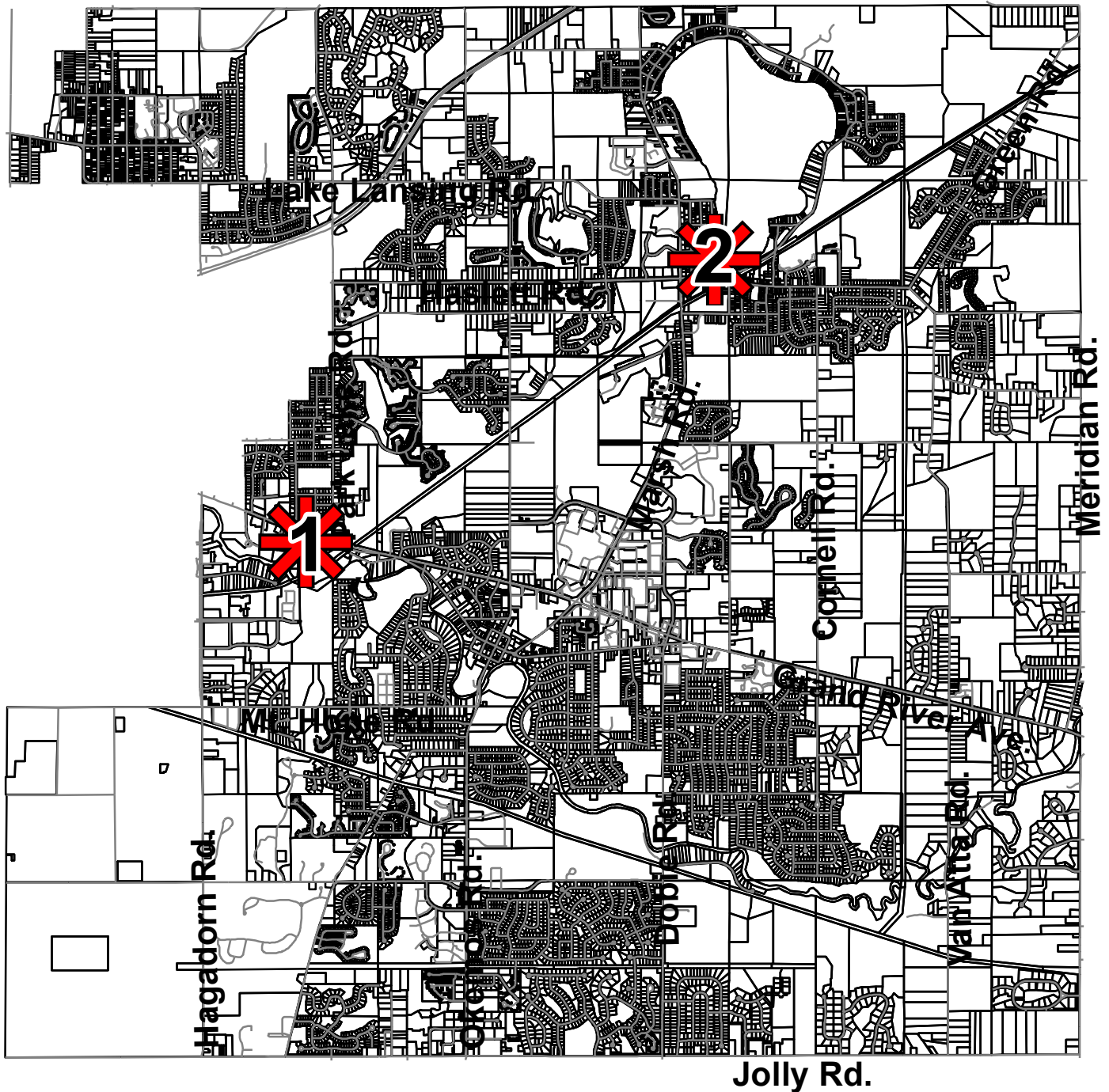
Chair Mansour Adjourned the meeting at 7:36 pm.

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.

Meridian Township



Location Map

1. ZBA #21-06-23-1 (EROP, LLC)
2. ZBA #21-08-11-1 (Sina)





To: Zoning Board of Appeals
From: Keith Chapman, Assistant Planner
Date: August 6, 2021
Re: ZBA Case No. 21-06-23-1 (EROP, LLC)

ZBA CASE NO.: 21-06-23-1 (EROP, LLC), 2390 E. Federal Drive, Decatur, IL 62526
LOCATION: 2703 Grand River Avenue
PARCEL ID: 20-203-012
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-441(e)(6), Access management standards. Based on the posted speed limit along the public street segment, access points shall have a minimum of 350 feet of spacing provided from other access points along the same side of the street, measured centerline to centerline.
- Section 86-441(e)(8), Access management standards. Based on the posted speed limit along the public street segment, access points shall be aligned with driveways on the opposite side of the street or offset 630 feet, measured centerline to centerline. The Director of Community Planning and Development may reduce this to not less than 150 feet where the offsets are aligned to not create left-turn conflicts.
- Section 86-441(e)(9), Access management standards. The minimum required driveway spacing from the intersection of Grand River Avenue and a Collector or Local street is 200 feet, measured pavement edge to pavement edge.

At the June 23, 2021 Zoning Board of Appeals meeting the applicant, EROP, LLC, requested to postpone their variance request. The revised submission shows the proposed building on the west side of the property and the driveway on Dawn Avenue closed with one driveway on Grand River Avenue. The applicant is proposing to construct a driveway that would not meet the required setback from an existing driveway along the same side of the street, the offset from an existing driveway on the opposite side of the street, and the setback from a street intersection. The approximately 0.88-acre subject property is zoned C-2 (Commercial) and located at 2703 Grand River Avenue, at the southeast corner of Dawn Avenue and Grand River Avenue.

The applicant intends to demolish the existing 2,823 square foot building (former Paul Revere's Tavern) to construct a 3,300 square foot drive through car wash. The redevelopment plans include closing the two existing driveways on Grand River Avenue and constructing one new driveway on Grand River Avenue and closing the existing driveway on Dawn Avenue. The proposed driveway would not meet the standards of the Grand River Avenue Corridor Access Management Overlay District (Section 86-441 of the zoning ordinance).

The proposed Grand River Avenue driveway must be aligned with the existing driveway on the opposite side of the street or offset 630 feet, measured centerline to centerline. The Director of Community Planning and Development may reduce this to not less than 150 feet where the offsets are aligned to not create left-turn conflicts. The Township Chief Engineer reviewed the proposed driveway and determined the offset and alignment of driveways would create left-turn conflicts. The centerline of the proposed driveway would be offset approximately 73.7 feet from the existing driveway (Firestone Auto Care) on the north side of Grand River Avenue. The applicant is requesting a variance of 556.3 feet for the offset.

Driveways must have a minimum of 350 feet of spacing provided from other driveways along the same side of the street, measured centerline to centerline. The centerline of the proposed driveway would be located approximately 221.2 feet from the existing driveway (Denny's) to the east, therefore a 128.8 foot variance is requested from the required setback between driveways.

The minimum required driveway setback from the intersection of Grand River Avenue and a Collector or Local street is 200 feet, measured pavement edge to pavement edge. Dawn Avenue is a two-lane road without curb and gutter classified as a Local street on the Street Setbacks and Service Drives Map in the zoning ordinance. The setback from the west edge of the pavement of the proposed driveway to the east edge of Dawn Avenue pavement is approximately 144.2 feet. The applicant is requesting a 55.8 foot variance from the required street intersection setback.

The Grand River Avenue Corridor Access Management Overlay District was adopted by the Township Board in 2004. The access management standards were developed collaboratively among the Township, Michigan Department of Transportation (MDOT), and Ingham County Road Department. MDOT has reviewed the site plan and did not have a concern with the proposed driveway location. Section 86-441(c)(8) states where conflict occurs the more restrictive standards shall apply. The ordinance also states the permissible number of access points along Grand River Avenue is the fewest needed to allow motorists reasonable access to the site.

Attachments

1. Variance application dated July 14, 2021 and received by the Township on July 15, 2021.
2. Site plan dated March 1, 2021 (revision date August 6, 2021) and received by the Township on August 6, 2021.
3. MDOT Correspondence dated June 29, 2021.
4. Letter from Township Engineer dated July 16, 2021.
5. Zoning ordinance Sections 86-441 A-C.
6. 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 _____ Address of Applicant

Telephone (Work)

Telephone (Home) _____ Fax _____ Email
address: _____ Interest in property (circle one): Owner
Tenant Option Other

B. Site address/location _____ 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. <u>Required Supporting Material</u> | <u>Supporting Material if Applicable</u> |
| -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 of Applicant

Print Name

Date

Fee: _____

Received by/Date: _____

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



Signature of Applicant(s)

Date

Signature of Applicant(s)

Date

VARIANCE APPLICATION SUPPLEMENT

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

1. Unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district.
2. These special circumstances are not self-created.
3. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.
4. That the alleged practical difficulties which will result from a failure to grant the variance would unreasonably prevent the owner from using the property for a permitted purpose.
5. Granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.
6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
7. The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.
8. Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.

Effect of Variance Approval:

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

Reapplication:

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

From: [Thelen, Lawrence \(MDOT\)](#)
To: [McMachen, Erin](#)
Cc: [Cooksey, Reid](#)
Subject: RE: 2703 E Grand River Meridian Twp, MI - Preliminary Access Review
Date: Tuesday, June 29, 2021 1:41:51 PM
Attachments: [2021-06-28 \(SITE A\) 2703 E GRAND RIVER, MERIDIAN TWP, MI.pdf](#)

CAUTION: External Email

Hello Erin,

MDOT would approve of the layout as submitted utilizing Grand River for access, closing the westernmost curb cut on Grand River.

Thanks,
Larry Thelen
Permit Agent/Transportation Technician
Lansing TSC(MDOT)
Phone:517-749-8733
Fax:517-335-3751
Thelenl3@michigan.gov

 Please consider the environment before printing this email. Thanks!

From: McMachen, Erin <emcmachen@stonefieldeng.com>
Sent: Tuesday, June 29, 2021 12:12 PM
To: Thelen, Lawrence (MDOT) <Thelenl3@michigan.gov>
Cc: Cooksey, Reid <jcooksey@stonefieldeng.com>
Subject: 2703 E Grand River Meridian Twp, MI - Preliminary Access Review

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Hello Larry,

My name is Erin McMachen I work with Stonefield Engineering & Design. We are working on a project at 2703 E Grand River in Meridian Township and I was hoping you could provide some insight. Project details are as follows:

1. Existing site has been vacant for years, previous use was a tavern/restaurant
 - a. Existing access is via two curb cuts on E Grand River, one egress only one ingress only
 - b. Additionally, there is an existing full movement driveway on Dawn Avenue
2. Proposed 3,300 SF car wash
 - a. 14 vacuum spaces proposed
 - b. Adequate stacking provided (>20 spaces)
Initially we proposed site access from Dawn Avenue utilizing the existing driveway and

- c. closing the two (2) existing E Grand River curb cuts
- d. This required a front yard building setback variance, and when presented to the Township Zoning Board of Appeals they stated they would like to see access from Grand River with the building located to the West to eliminate the variances
- e. Attached is this alternate layout requested by the Township utilizing Grand River for access, closing the westernmost curb cut on Grand River as well as closing the Dawn Avenue driveway

We understand both the Township and MDOT are pushing to eliminate curb cuts on Grand River when other access points are available. We were hoping you could provide some direction on which access points MDOT would ultimately approve so we may revise our plan as required and bring this information to the Zoning Board of Appeals. If you would like to schedule a call to further discuss the project we would be happy to set something up as we are looking to finalize this site plan as soon as possible to obtain approval from ZBA.

Please let me know if you have any questions.

Thanks,

Erin McMachen

STONEFIELD

607 Shelby Street, Suite 200, Detroit, MI 48226
T 248.247.1115 | M 586.854.0554 | F 201.340.4472
emcmachen@stonefieldeng.com | stonefieldeng.com



To: Keith Chapman – Assistant Planner

From: Younes Ishraidi, P.E.; Chief Engineer

Date: July 16, 2021

Re: Carwash – 2703 Grand River Avenue – Driveway locations

Based upon our review of the latest plans submitted for the subject development, received by email on July 13, 2021 we offer the following comments related to the proposed driveway.

The “Access Management Plan” for Grand River Avenue calls for the deletion of the existing drives on Grand River Avenue. However, due to the decision of the ZBA to deny a setback variance that would have made it feasible to attain this goal, and in light of MDOT’s approval of said plan, we will recommend approval of the plan with the following condition:

Construct shared access with the adjacent parcel to the east to improve accessibility to the site, and to reduce potential conflict points with vehicular and non-motorized traffic.

Chapter 86. Zoning

ARTICLE IV. District Regulations

DIVISION 4. Other Districts

§ 86-441. Grand River Avenue (M-43) Corridor Access Management Overlay District.

[Ord. No. 2004-06, 9-5-2004]

- (a) Findings. A primary function of Grand River Avenue (M-43) is to move traffic through Meridian Township and to points beyond. As the primary arterial road for Meridian Township and many of the communities along the corridor, a high percentage of the traffic has an origin and/or destination in the local communities. Thus, Grand River Avenue (M-43) also has a secondary, but important, function to provide access to adjacent and nearby land uses.

Continued development along the Grand River Avenue M-43 corridor will increase traffic volumes and introduce additional conflict points which will further erode traffic operations and increase potential for crashes. Numerous published studies and reports document the relationship between systems and traffic operations and safety. Those reports and experiences of other communities demonstrate standards on the number and placement of access points (driveways and side street intersections) that can preserve the capacity of the roadway and reduce the potential for crashes. The standards herein are based on recommendations published by various national and Michigan agencies that were refined during preparation of the M-43/52 Corridor Access Management Plan, dated July 2003.

The Charter Township of Meridian finds that special comprehensive zoning standards are needed along the Grand River Avenue (M-43) corridor based upon the following findings:

- (1) The combination of roadway design, traffic speeds, current and projected traffic volumes, traffic crashes and other characteristics necessitate special access standards.
 - (2) Studies by transportation organizations in Michigan and nationally have found a direct correlation between the number of access points and the number of crashes.
 - (3) The standards are based upon considerable research and recommendations contained within the Michigan Department of Transportation (MDOT) Access Management Handbook.
 - (4) Preservation of roadway capacity through access management protects the substantial public investment in the roadway system and helps avoid the need for costly reconstruction, which disrupts businesses.
- (b) Purpose. The Michigan Department of Transportation (MDOT) has jurisdiction within the highway's right-of-way, while the Charter Township of Meridian has authority for land use and site plan decisions within individual lots or parcels along the highway. The access management standards were created to help ensure a collaborative process between the MDOT and the Charter Township of Meridian on access decisions along Grand River Avenue (M-43) to implement the recommendations of the "M-43/52 Corridor Access Management Plan" dated July 2003 and other adopted Charter Township of Meridian plans.

Among the specific purposes of this corridor access management overlay district are to:

- (1) Preserve the capacity of Grand River Avenue (M-43) by limiting and controlling the number, location and design of access points and requiring alternate means of access through shared driveways, service drives, and access off cross streets in certain locations.
- (2) Encourage efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.
- (3) Improve safety and reduce the potential for crashes.
- (4) Avoid the proliferation of unnecessary curb cuts and driveways, and eliminate or reconfigure existing access points that do not conform to the standards herein, when the opportunities arise.
- (5) Implement the recommendations of the M-43/52 Corridor Access Management Plan, dated July 2003.
- (6) Require longer frontages or wider minimum lot widths than required in other zoning districts to help achieve access management spacing standards.
- (7) Require coordinated access among adjacent lands where possible.
- (8) Require demonstration that resultant lots or parcels are accessible through compliance with the access standards herein prior to approval of any land divisions to ensure safe accessibility as required by the Land Division Act.
- (9) Address situations where existing development within the corridor area does not conform to the standards of this overlay district.

- (10) Identify additional submittal information and review procedures required for lots or parcels that front along Grand River Avenue (M-43).
 - (11) Avoid the need for unnecessary and costly reconstruction, which disrupts business operations and traffic flow.
 - (12) Ensure efficient access by emergency and public transportation vehicles.
 - (13) Improve safety for pedestrians and other nonmotorized travelers through reducing the number of conflict points at access crossings.
 - (14) Establish uniform standards to ensure fair and equal application.
 - (15) Provide landowners with reasonable access, though the access may be restricted to a shared driveway or service drive or via a side street, or the number and location of access may not be the arrangement most desired by the landowner or applicant.
 - (16) Promote a more coordinated development review process for the Charter Township of Meridian with the Michigan Department of Transportation (MDOT) and the Ingham County Road Commission (ICRC).
- (c) Applicability. The standards of this section shall apply to all lots and parcels with frontage along Grand River Avenue (M-43) and along intersecting roads within 350 feet of the Grand River Avenue (M-43) right-of-way (see Figure 86-441.1). The standards herein apply in addition to, and simultaneously with, the other applicable regulations of the zoning ordinance. Permitted and special land uses on these lands shall be as regulated in the applicable zoning district (as designated on the Zoning Map), and shall meet the following additional provisions:

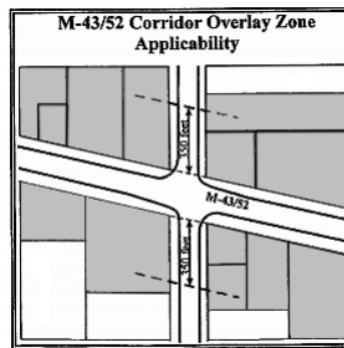
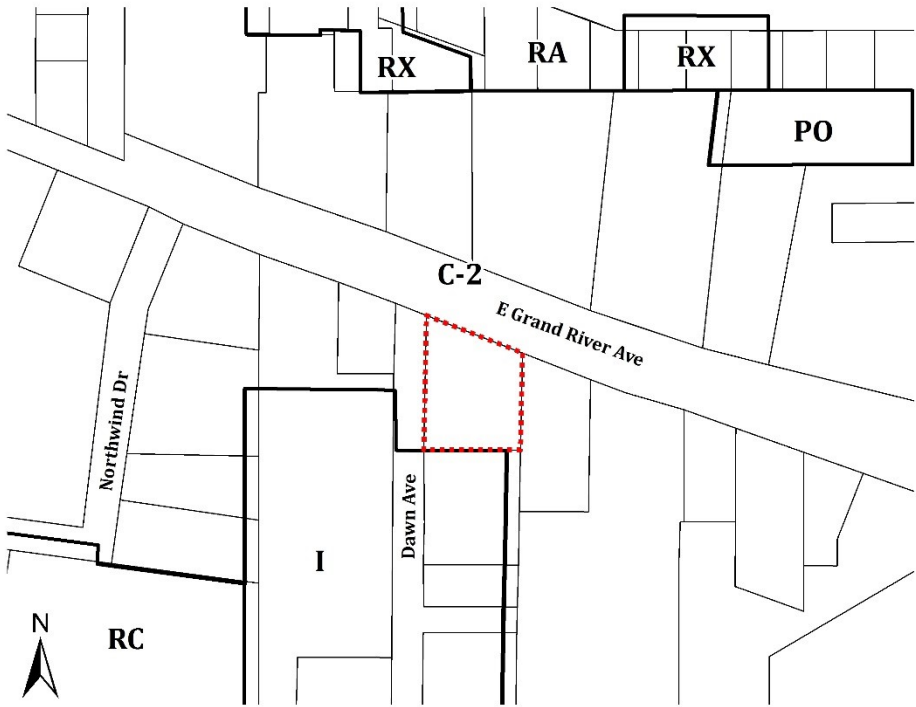


Figure 86-441.1

- (1) The number of access points is the fewest needed to allow motorists reasonable access to the site.
 - (2) Access spacing from intersections and other driveways shall meet the Grand River Avenue (M-43) access management standards and MDOT's guidelines.
 - (3) Provision has been made to share access with adjacent uses, either now or in the future, including any necessary written shared access and maintenance agreements to be recorded with the county specifying that the Charter Township of Meridian approval is required for any change to the easement.
 - (4) No building or structure, nor the enlargement of any building or structure, shall be erected unless the Grand River Avenue (M-43) access management regulations are met and maintained in connection with such building, structure, or enlargement.
 - (5) All subdivisions and condominium projects shall comply with the access spacing standards as herein demonstrated. Compliance with this section shall be required to demonstrate that a lot is accessible as required under the Land Division Act (Act 288 of 1967, as amended).
 - (6) Any change in use that requires a site plan review per § 86-151, the applicant shall identify the extent of compliance with the standards herein and shall submit information to the MDOT to determine if a new access permit is required.
 - (7) For building or parking lot expansions, or changes in use or property, the Director of Community Planning and Development shall determine the extent of upgrades to bring the site into greater compliance with the access standards. In making a decision, the Director of Community Planning and Development shall consider the existing and projected traffic conditions, any sight distance limitations, site topography or natural features, impacts on internal site circulation, and any recommendations from the MDOT. Required improvements may include removal or rearrangement or redesign of site access points.
 - (8) The standards herein were developed collaboratively between the Charter Township of Meridian, MDOT and Ingham County Road Commission. Where conflict occurs, the more restrictive standards shall apply.
- (d) Additional submittal information. In addition to the submittal information required for a special use permit in § 86-124 and site plan review in § 86-15(4), the following information shall be provided with any application for site plan review or special use permit. The information listed in items (1)–(4) below shall also be required with any request for a land division, subdivision plat or site condominium.
- (1) Existing access points. Existing access points within 500 feet on both sides of the Grand River Avenue (M-43) frontage, and along both sides of any adjoining roads, shall be shown on the site plan, aerial photographs, plat or survey.
 - (2) The applicant shall submit evidence indicating that the applicable Charter Township of Meridian's, ICRC or MDOT sight distance requirements are met.





To: Zoning Board of Appeals
From: Keith Chapman, Assistant Planner
Date: August 6, 2021
Re: ZBA Case No. #21-08-11-1 (Sina)

ZBA CASE NO.: 21-08-11-1 (Sina), 5786 Lake Drive, Haslett, MI 48840
LOCATION: 5786 Lake Drive
PARCEL ID: 10-278-026
ZONING DISTRICT: RN (Village of Nemoka, Mixed Residential), Lake Lansing Overlay

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

- Section 86-442(f)(5)(a) - Front yards. The front yard setback shall not be less than 20 feet from the street line, except for lots fronting on Lake Drive, East Lake Drive, West Lake Drive, or Marsh Road where the front yard setback shall be in accordance with the setback requirements of Section 86-367. The front yard setback is 85 feet from the centerline of the right-of-way on Lake Drive.

The applicant intends to add an approximately 400 square foot addition to the existing 1,575 square foot single-family dwelling at 5786 Lake Drive. At its closest point the existing single-family home is approximately 65 feet from the centerline of the Lake Drive right-of-way. According to Township records the one-story home was constructed in 1947 and the applicant has owned the home since 2004.

The Lake Lansing Overlay zoning district requires a minimum front yard setback of twenty feet, except for lots fronting on Lake Drive, East Lake Drive, West Lake Drive, or Marsh Road where the front yard setback shall be in accordance with the setback requirements of Section 86-367. Section 86-367 is the Township map that designates street setbacks and in this case Lake Drive is designated as a collector street with a front yard setback of 85 feet from the centerline of the street. The proposed 400 square foot building addition will be located on the south side of the existing single-family home. At its closest point the building addition will be approximately 45 feet from the centerline of the Lake Drive right-of-way. A variance of 40 feet is requested.

Attachments

1. Variance application and Site Plan, dated July 5, 2021 and received by the Township on July 6, 2021.
2. Location map

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

VARIANCE APPLICATION

A. Applicant JUDY + REDDOG SINA Address of Applicant
5786 LAKE DR
HASLETT, MI 48840
517-214-8157 Telephone (Home) 517-8621267 Telephone (Work) _____
address: REDDOG.SINA@GMAIL.COM Interest in property (circle one): Owner
Tenant _____ Option _____ Other _____

B. Site address/location 5786 LAKE DR Zoning district
RN VILLAGE OF MEMORA Parcel number 33-02-02-10-278-022

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) 86-367 STREET SETBACKS

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)

Judy Jirafawake Sina
Riley Egan
Signature of Applicant

JUDY SINA
REDDOG SINA
Print Name

7/5/2021
Date

Fee: _____

Received by/Date: _____

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

Judy Jirafawake Sina
Signature of Applicant(s)

7/5/2021
Date

Riley Egan
Signature of Applicant(s)

7/5/2021
Date

To: Charter Township of Michigan, Planning Division/Zoning Board of Appeals

From: Judy and Reddog (Jefferson) Sina

Re: Request for variance

Date: 7/5/21

Reddog (Jefferson) and Judy Sina, owner/occupants of 5786 Lake Dr. Haslett, MI, are requesting a variance to allow them to build a 20'X20' (400 square feet) addition to the South side of their home (facing Lake Dr). This request is submitted because the addition would be non-compliant with the 85-foot setback for a "Collector" classified road. Sketches prepared by the architect/designer are attached. Not included in the drawings is the height, which will not exceed an average of approximately 13.5th feet.

Property Description:

MP 1939 1940 LOTS 20 & 21, BLOCK 7 VILLAGE OF NEMOKA. SPLIT ON 01/19/2018 WITH 33-02-02-10-278-013 INTO 33-02-02-10-278-026, 33-02-02-10-278-025

The following review criteria are met:

1. Unique circumstances exist that are peculiar to the structure but are not applicable to many dwellings in our area:
 - Currently, few if any of the houses along Lake Drive between the Lake Lansing and Marsh Road comply with an 85-foot setback.
 - Directly across the street is a property for which the Lake Drive setback requirement would preclude building, and the house next door may also sit within 85 feet of Lake Drive.
 - We have a double lot that is substantially larger than many of our neighbors, so allowing this variance will not set a precedent for allowing increased percentages of improved land in other properties.
 - This addition will provide a large enough space for our family (children, grandchildren) to gather during winter holidays
2. These circumstances are not self-created. We purchased this home in 2004 thus we were not involved in the original design.
3. Practical difficulties that impact our family if the variance is not approved include the inability of our house to reasonably accommodate indoor gatherings as we currently have less than 1600 sq feet (much of which is bedroom space) which does not lend itself to gathering as a family with 2 adult children and 5 grandchildren, who are at our house regularly.
4. Although not approving the variance request does not prevent use of the property, it does seriously impact our comfort and potential safety when gathered as a family. The layout of our home is such that expansion for these purposes can only be done

in the southern direction, as rooms run linearly east to west, and the only space to add to any rooms efficiently is to the south (see attached overhead photo):

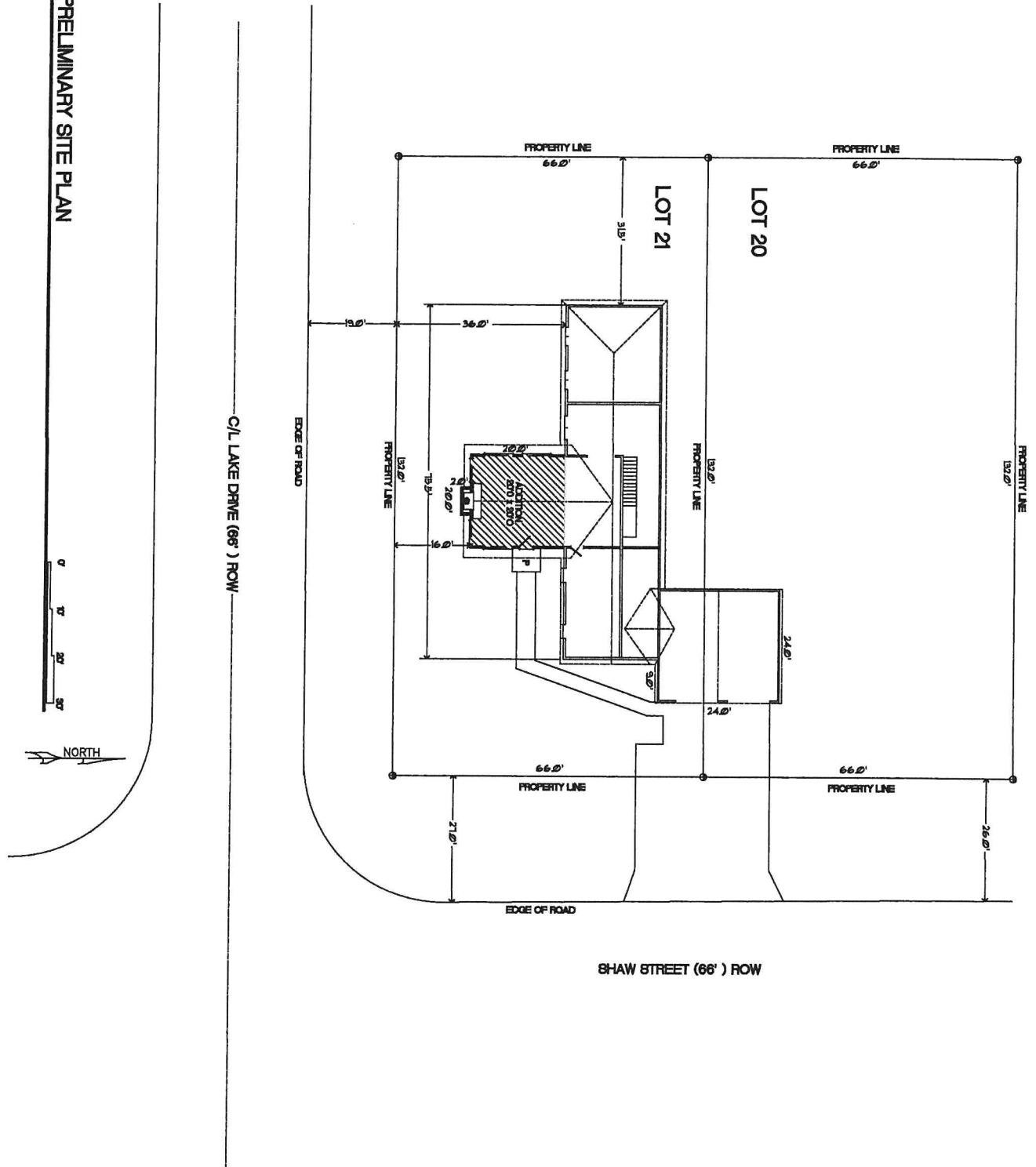
- The garage is north of our Master bedroom
 - The pool is north of our large second bedroom
 - The kitchen would have to be reconstructed and the stairs to the basement would have to be moved (at a much greater expense) to create a continuous gathering space to the north from the center of the house
5. Granting the variance to build this addition is in no way contrary to public interest and is congruent with the spirit of the zoning ordinance.
 - Haslett is a family-friendly community and this adds to our family's quality of life.
 - The addition will enhance the visual attractiveness of the neighborhood and likely increase property values of surrounding properties.
 - Because the new interurban path runs through our side yard on Shaw Street, the new construction will be seen by more people living outside Haslett and may encourage community growth.
 6. Granting the variance does not negatively impact adjacent lands or the character of the neighborhood.
 - We would argue that this along with other updates we have made (stone facing on house) has improved the family-friendliness and curb appeal on Lake Drive.
 - The recent construction of the (now) Clarkson Eyecare (5700 Marsh Rd) was a benefit to the community and an appropriate exception to zoning ordinances, as is the current construction of the new convenience store at the site of the Marathon Station at the corner of Marsh Rd. and Haslett Rd.
 7. The conditions pertaining to the land and structure are specific and will adhere to all rules and regulations set forth by Meridian Township.
 8. Granting the variance is consistent with public interest and will allow our family to gather safely throughout the year. It may also raise the property values and subsequent property taxes generated within our neighborhood.

We understand and promise that the variance, if approved, will be used for the purpose intended. We would respectfully request for the Zoning Board of Appeals to consider our case at the July 28th meeting if your agenda allows. We are aware that the application deadline for the July 28th meeting was July 1, but between the Pandemic and the Holiday we missed the deadline by two business days. We only ask this because we are hoping to complete construction before the weather worsens in the fall and an extra two weeks may make a huge difference.

Thank you for your consideration.

Regards,
Judy and Reddog Sina

PRELIMINARY SITE PLAN



SHAW STREET (66') ROW

C/L LAKE DRIVE (66') ROW

NORTH



Comedian Landry - YouTube

Treasurer's Office | Meridian Tow...

Parcel Number - 33-02-02-10-2...

17.20.020 Zoning Districts

5786 Lake Dr - Google Maps

5786 Lake Dr, Haslett, MI 48840



Home

Building



Directions



Save



Nearby



Send to your phone



Share



5786 Lake Dr, Haslett, MI 48840



Suggest an edit on 5786 Lake Dr



Add a missing place



Add your business



Label Home

Photos



At this location

Judy J. Sina, PhD



5786 Lake Dr, Haslett, MI 48840

Layers

Lake Dr

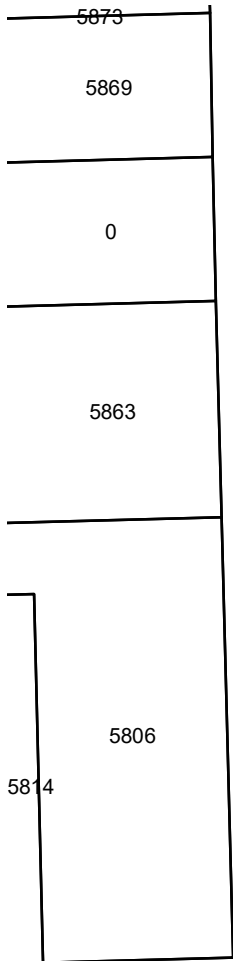
Lake Dr

Google Lake Dr

Lake Dr

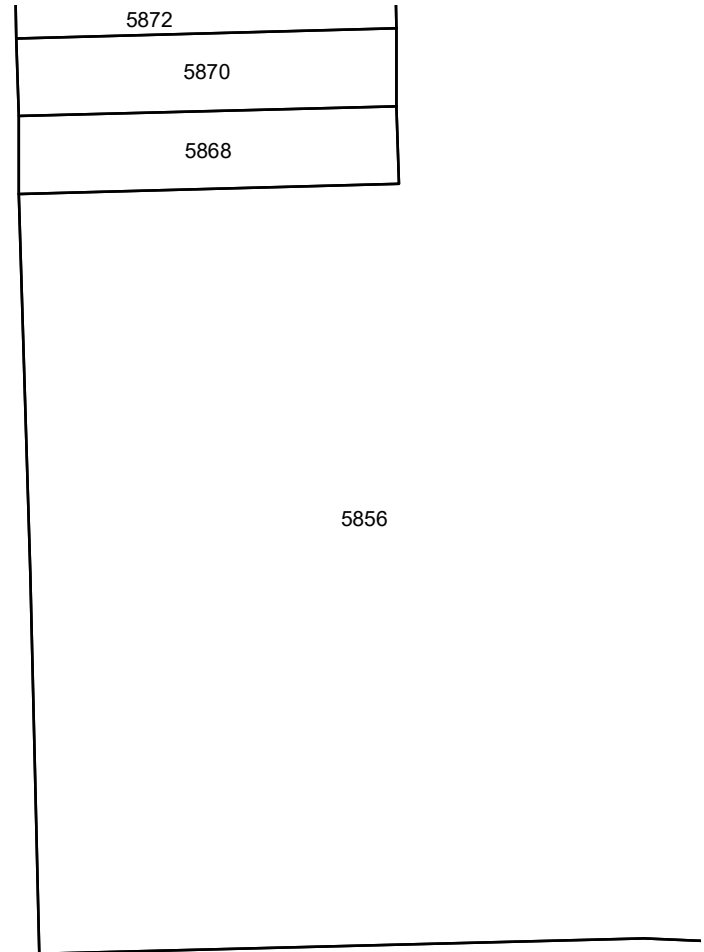
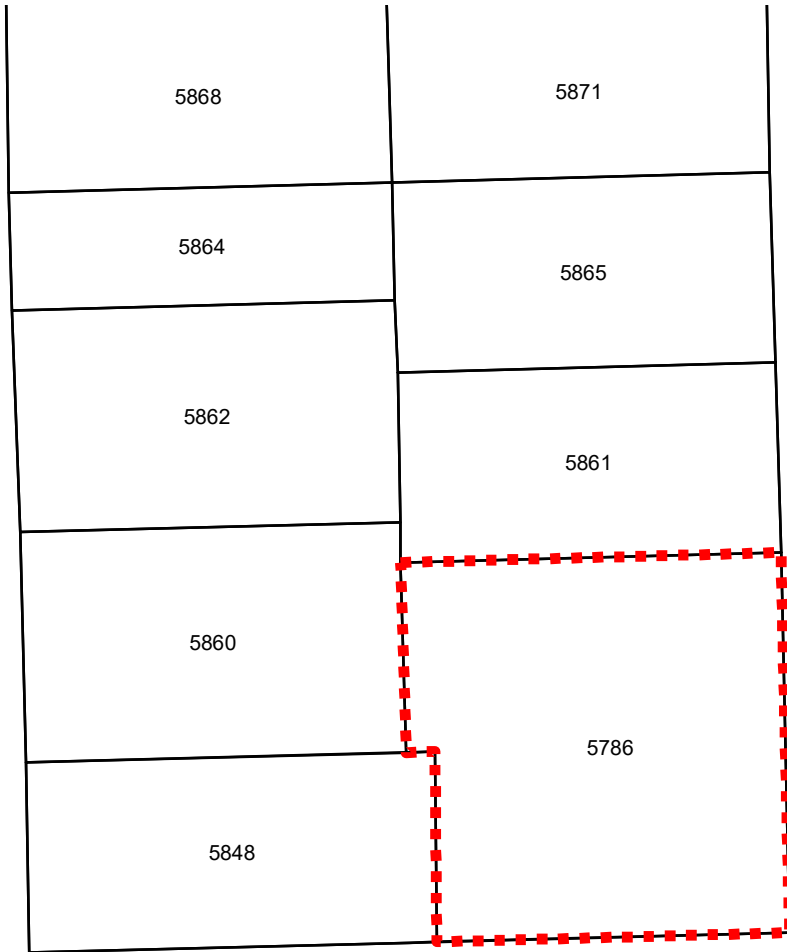
Shaw St





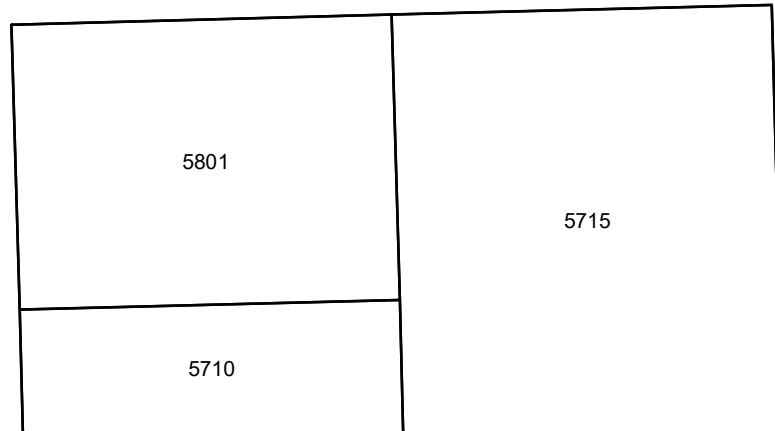
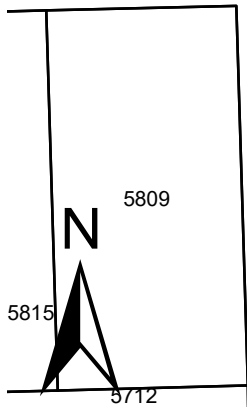
Potter St

RN



Shaw St

Lake Dr



Lake Dr

