

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, March 8, 2016 6:30 PM
TOWN HALL ROOM

A. CALL MEETING TO ORDER

B. APPROVAL OF AGENDA

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

- o Wednesday, February 22, 2017

D. COMMUNICATIONS

- o Amna & Shafait Khan, 2730 Loon Lane RE: ZBA #17-03-08-1
- o Julie VanDyke, 2641 Loon Lane RE: ZBA #17-03-08-1
- o Patricia David, 3715 Hulett Road RE: ZBA #17-03-08-1
- o David M. Hallman, DDS, 3922 Hulett Road RE: ZBA #17-03-08-1
- o Timothy Mansfield, 2630 Loon Lane RE: ZBA #17-03-08-1
- o William & Nova Fleming, 2675 Loon Lane RE: ZBA #17-03-08-1
- o Vasif C. Kalfa, 2663 Loon Lane RE: ZBA #17-03-08-1
- o Hayong & Minjung Yun, 2648 Loon Lane RE: ZBA #17-03-08-1
- o Anne Miranda, 2725 Loon Lane RE: ZBA #17-03-08-1

E. UNFINISHED BUSINESS

F. NEW BUSINESS

1. ZBA CASE NO. 17-03-08-1 (Charles Maniaci), PARCEL NORTH OF 3690 HULETT ROAD, OKEMOS, MI, 48864

DESCRIPTION:	Parcel north of 3690 Hulett Road
TAX PARCEL:	32-400-014
ZONING DISTRICT:	RAA (Single Family, Low Density)

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

- Section 86-378(e)(5)a. which states front yard setbacks shall be in accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts. Hulett Road is classified as a Collector street which has a required setback of eighty-five feet from the street right-of-way.

The applicant is requesting a variance to construct a single family home that does not meet the setback from Hulett Road.

- ☞ Variance requests may be subject to change or alteration upon review of request during preparation of the staff memorandum. Therefore, Sections of the Code of Ordinances are subject to change. Changes will be noted during public hearing meeting.

G. OTHER BUSINESS

H. PUBLIC REMARKS

I. BOARD MEMBER COMMENTS

J. ADJOURNMENT

K. POST SCRIPT – No Post Script

Information regarding the request may be examined at the Department of Community Planning and Development, 5151 Marsh Road, Okemos, Michigan 48864-1198, between the hours of 8:00 am and 5:00 pm, Monday through Friday. Comments may be made in writing addressed to the Zoning Board of Appeals at 5151 Marsh Road, Okemos, MI 48864 or may be made at the hearing.

BRET DREYFUS, CMMC
TOWNSHIP CLERK

ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

Persons wishing to address the topic of a scheduled public hearing are encouraged to present their remarks during the public hearing portion of the Zoning Board of Appeals meeting. **If you do intend to speak before the Zoning Board of Appeals please sign in at the door.** During a public hearing, the following order shall be used:

1. Township Staff Review
2. Comments by the applicant or applicant's designee(s)
3. Comments by other persons
4. Applicant rebuttal
5. ZBA members discuss the case. If necessary, the applicant may be asked to respond to questions from the ZBA members
6. Action by the ZBA

Persons wishing to appeal a decision of the Zoning Board of Appeals shall do so in accordance with Michigan Court Rules of Appeals to Circuit Court MCR 7.101.

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES ***DRAFT***
5151 MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, February 22, 2017**

- PRESENT: Members Jackson, Ohlrogge, Lane, Stivers, Chair Beauchine
- ABSENT: None
- STAFF: Mark Kieselbach, Director of Community Planning and Development,
Keith Chapman, Assistant Planner

A. CALL MEETING TO ORDER

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

B. APPROVAL OF AGENDA

MEMBER OHLROGGE MOVED TO APPROVE THE AGENDA AS WRITTEN

SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, February 8, 2017

MEMBER LANE MOVED TO APPROVE THE MINUTES OF WEDNESDAY FEBRUARY 8, 2017 AS WRITTEN.

SECONDED BY MEMBER OHLROGGE.

VOICE VOTE: Motion carried unanimously.

D. ELECTION OF OFFICERS

MEMBER OHLROGGE MOVED TO NOMIATE BRIAN BEAUCHINE AS CHAIR.

SECONDED BY MEMBER JACKSON.

MEMBER JACKSON MOVED TO NOMIATE EMILY STIVERS AS VICE CHAIR.

SECONDED BY MEMBER LANE.

VOICE VOTE: Motion carried unanimously.

E. COMMUNICATIONS

Willy Martinez RE: ZBA #17-02-22-1

Chair Beauchine stated Mr. Martinez communication would be addressed by the Zoning Board of Appeals (ZBA) during new business.

F. UNFINISHED BUSINESS

None.

G. NEW BUSINESS**1. ZBA CASE NO.17-02-22-1(Tim Pearl), 1477Haslett Road, Haslett MI, 48840**

DESCRIPTION: 1477 Haslett Road, Haslett, MI 488
TAX PARCEL: 11-303-004
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-618(2), Which states nonconforming structures other than single-family 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 applicant is requesting a variance to construct an awning on the non-conforming building at 1477 Haslett Road.

Keith Chapman, Assistant Planner, outlined the case for discussion and corrected the wording for Section 86-618(2) that the variance request was for a nonresidential structure. He referenced the email communication from Willy Martinez, 1476 Haslett Road, in favor of granting the variance.

Tim Pearl, 1477 Haslett Road, Haslett, the owner and applicant, stated the property had been in an undesirable state for several years. The plan is to revitalize the structure in order to attract tenants. He added the awning would provide safety and shelter to the public.

Chair Beauchine opened and closed public remarks.

Member Stivers asked Mr. Pearl what was the purpose of the awning.

Tim Pearl replied the awning is decorative, provides shelter when it rains and prevents ice from forming at the front door and along the side walk. He added the awning matches other awnings along Haslett Road.

Member Jackson inquired if Mr. Pearl knew the history of the widening of Haslett Road.

Mr. Pearl stated he was not familiar with the history of the road widening but the first use of the subject property was for a Chevrolet dealership.

Member Ohlrogge read from (Section 86-221) 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. She stated the structure was built in 1930's which created the unique circumstance and applying a 100 foot setback from Haslett Road is not possible.

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

written response provided by Mr. Pearl for review criteria two indicated the variance request was for public safety.

Member Ohlrogge read review criteria three which states, strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. She replied if the variance was not granted it would create a practical difficulty for customers during inclement weather.

Member Ohlrogge read review criteria four which states that the alleged practical difficulties which will result from a failure to grant the variance would unreasonably prevent the owner from using the property for a permitted purpose. She stated the property could be used without the variance however in the interest of public safety the awning is a significant component.

Member Ohlrogge read review criteria five which states, granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice. She commented the purpose for the variance was to keep people safe when using the sidewalk.

Member Ohlrogge read review criteria six which states, granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. She added no properties would be adversely affected as other buildings in the vicinity also have awnings.

Member Ohlrogge read review criteria seven which states, the conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. She stated the conditions are not recurrent in nature as the buildings in the area were constructed in the 1930's.

Member Ohlrogge 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 commented the intent of the request is for public safety and the upgrade to the structure is an improvement for the community.

MEMBER OHLROGGE MOVED TO APPROVE THE VARIANCE REQUEST FROM SECTION 86-618(2) FOR THE STRUCTURAL ALTERATION OF A NONCONFORMING STRUCTURE

SECONDED BY MEMBER JACKSON.

Member Stivers questioned whether it was the minimum action necessary as the width of the awning could be reduced to less than 3 ½ feet. She inquired about the feasibility of a retractable awning.

Member Jackson commented the dimension of 3 ½ feet was a reasonable request. She added her support in favor of the motion based on the reuse of the structure and allowing the awning was in the public interest.

Chair Beauchine stated even with a retractable awning a variance request would still be needed.

Member Ohlrogge replied she inspected the subject property and the additional footage for the awning would not create a visual barrier for either for walkers or automobile traffic.

ROLL CALL VOTE: YES: Members Stivers, Jackson, Lane, Ohlrogge and Chair Beauchine.
NO: None.
Motion carried unanimously.

G. OTHER BUSINESS

H. PUBLIC REMARKS

None.

I. BOARD MEMBER COMMENTS

Chair Beauchine commented he had attended the 175th Enactment Celebration and it was a wonderful event. He thanked Deborah Guthrie and HOMTV for hosting the celebration.

J. ADJOURNMENT

Chair Beauchine adjourned the meeting at 6:55 pm.

K. POST SCRIPT – Pat Jackson

Respectfully Submitted,

Rebekah Lemley
Recording Secretary

Subject: Disagreement With Upcoming Variance Request For 3690 Hulett Rd
From: AMNA KHAN (khanamna2001@yahoo.ca)
To: kieselbach@meridian.mi.us;
Date: Saturday, January 28, 2017 12:30 PM

Mr. Mark Kieselbach
Director Community Planning & Development

This is in regard to the upcoming Variance request by Chuck and Renee for their new construction at 3690 Hulett Rd, Okemos MI.


The proposed plan DOES NOT FALL in the current setback of the Meridian Township (which should be less than 85 feet from the centre of the Hulett RD and 30 feet from the back of the lot line). As a result they are seeking a Variance of 10 to 20 feet from the Standard City Requirements.

We are next door neighbors of this site . Any such construction will DIRECTLY JEOPARDIZE the Privacy and the FUTURE VALUE/WORTH of our property. Moreover, building this close to the PRESERVE AREA will have a potential to damage natural habitats, threatening wildlife and plant species.

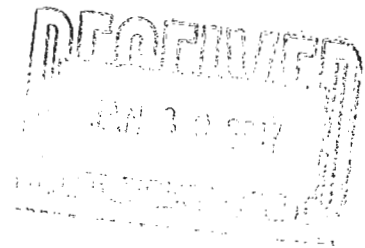
Therefore, we strongly oppose this proposal/plan and request Meridian Township to Strictly Enforce the Standard Guidelines for this Upcoming Construction.

Your consideration in this regard will be highly appreciated and help to minimize any future issues.

Sincerely


Amna Khan / Shafait Khan
2730 Loon Lane, Okemos MI 48864
H 517-347-6121
C 517-648-2437

01/28/17



January 2017


Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: Patricia David

Address: 3715 Hulett Rd Okemos, MI 48864

Signature: 

January 2017


Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: DAVID M. HALLMAN, DDS

Address: 3972 Hulett Road Okemos, MI 48864

Signature:  DDS

January 2017

Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: Timothy Mansfield

Address: 2630 Loon Lane Okemos, MI 48864

Signature: 

January 2017

Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: William + Nova Fleming

Address: 2675 Loon Lane Okemos, MI 48864

Signature: 

January 2017

Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: V. Cuneff Kalpa

Address: 2683 Loon Ln Okemos, MI 48864

Signature: Dr. V. Kalpa

January 2017

Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: Hayong Yun & Minjung Yun

Address: 2648 Loon Lane Okemos, MI 48864

Signature:  1/31/2017

January 2017

Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: Anne Miranda

Address: 2725 Loon Lane Okemos, MI 48864

Signature: 

January 2017

Chuck & Renee Maniaci
2553 Sundance Lane
Okemos, MI 48864

Dear Mr. and Mrs. Maniaci,

We support your request for a variance of up to 20 feet from the current 85 foot setback requirement from the center line of Hulett Road to allow you to build your new home on the parcel immediately north of 3690 Hulett.

Name: Julie Van Dyke

Address: 7641 Loon Lane Okemos, MI 48864

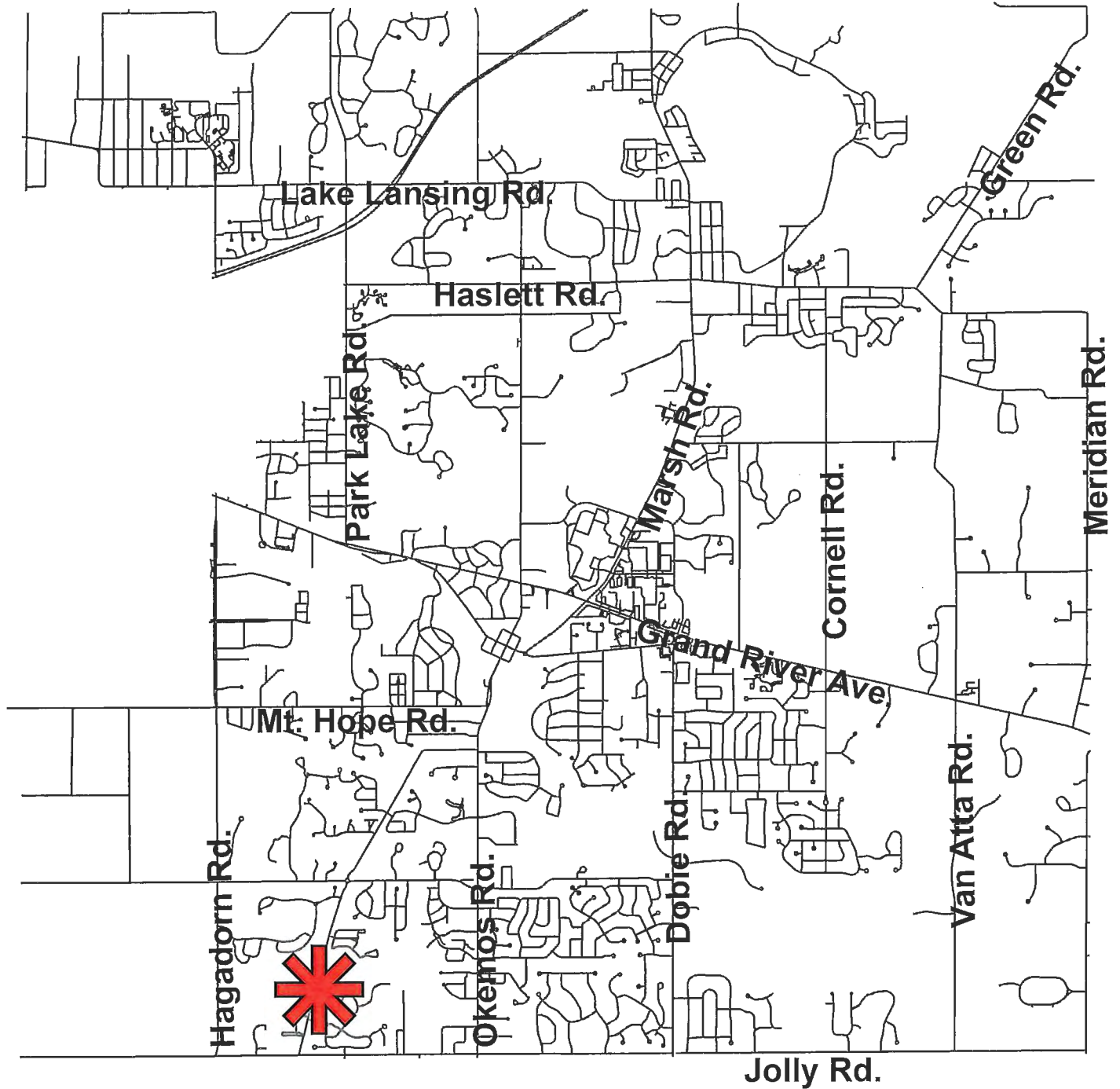
Signature: Julie Van Dyke

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

N
ZBA #17-03-08-1 (Charles Maniaci)
Parcel north of 3690 Hulett Rd.

MEMORANDUM

TO: Zoning Board of Appeals

FROM: 
Keith Chapman
Assistant Planner

DATE: March 8, 2017

RE: ZBA Case No. 17-03-08-1

ZBA CASE NO. 17-03-08-1 CHARLES MANIACI, PARCEL NORTH OF 3690 HULETT ROAD, OKEMOS, MI 48864

DESCRIPTION: Parcel north of 3690 Hulett Road

TAX PARCEL: 32-400-014

ZONING DISTRICT: RAA (Single Family, Low Density)

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

- Section 86-378(e)(5)a. which states front yard setbacks shall be in accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts. Hulett Road is classified as a Collector street which has a required setback of eighty-five feet from the centerline of the street right-of-way.

The applicant in December 2016 requested a land division to divide the existing parcel to create a second parcel north of the existing house. The land division was approved in January 2017. The north parcel has 129.29 feet of width along Hulett Road and is 18,790 square feet in area, which meets the minimum width and area requirement for a parcel in the RAA zoning district. The applicant is now proposing to construct a house of approximately 2100 square feet on the northern parcel. Based on the submitted site plan, the house (garage) at its closest point will be setback 68 feet from the centerline of the Hulett Road right-of-way.

The following chart summarizes the variance request:

Required Setback	Proposed Setback	Variance Request
85 feet	68 feet	17 feet

Approval of a land division is based on the parcel meeting the minimum width and area requirement for the zoning district where the parcel is located, The RAA zoning district requires a width along the road right-of-way of 90 feet and a minimum area of 13,500 square feet. A land division does not take into consideration if an existing building will become nonconforming due to how the parcel is divided.

The land division approved in 2017 caused the existing garage and the existing pole barn on the northern parcel to be nonconforming. Section 86-502 of the Zoning Ordinance requires accessory buildings (garage/pole barn) to be located on the same parcel as the principal building (house). The construction of the new house will remove that nonconformity but will create another nonconformity related to the existing garage. Section 86-565(1) does not allow an accessory building to project into a front yard. The existing garage is also nonconforming because it does not meet the setback of 85 feet from the centerline of the Hulett Road right-of-

way. The existing garage was built in 1960, and the existing pole barn was built in 1991.

Site History

- On October 4, 2016 the site was rezoned from RR (Rural Residential) to RAA (Single Family, Low Density).
- On January 13, 2017 the original parcel, 3690 Hulett Road, was split to create two parcels.

Attachments

1. Application Materials
2. Aerial photographs

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

VARIANCE APPLICATION

A. Applicant Charles Maniaci
Address of Applicant 2553 Sundance Lane
Okemos, MI 48864
Telephone (Work) 517-256-9099 Telephone (Home) 517-256-9099
Fax _____ Email address: chuckmaniaci@gmail.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location Parcel immediately to the north of 3690 Hulett Rd
Zoning district _____ Parcel number Not yet assigned. This
parcel was recently split
from 3690 Hulett Road

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 Front yard setback

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)

CG Maniaci Charles Maniaci 2/9/2017
Signature of Applicant Print Name Date

Fee: 150.00 Received by/Date: [Signature] 2/9/17

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.**)

Charles G Maniaci 2/9/2017
Signature of Applicant(s) Date

Signature of Applicant(s) Date

Variance Application Supplemental Criteria

1. Unique Circumstances that exist that are not applicable to other land in the same zoning district.

The newly created parcel, split from 3690 Hulett Road and adjacent to The Sanctuary subdivision, is zoned RAA, Residential Low Density. This zoning is consistent with the Township Master Plan as well as consistent with The Sanctuary subdivision. *See Exhibit A*

- Since the houses located in The Sanctuary subdivision are not on a Collector, Minor Arterial or Principal Arterial road, the setback requirement is only 25 feet from the street right-of-way.
- Hulett Road in this area between Jolly Road and Bennett Road is classified as a "Collector" road. As a result, even though our parcel size is similar or greater than many of those in the Sanctuary, the setback requirement is 85 feet from the center line of the road. This results in a much more stringent (and difficult to adhere to) setback criteria. *See Exhibit B*
- A large tree with a 40 foot canopy sits close to the rear of the lot. It is the only live tree on the parcel. We intend to keep that tree, or replace it with one recommended for the soil conditions that exist in that spot. If we leave the tree there or plant a new one that will grow to a large size, it would be best to have the house 40 feet from the back of the lot line instead of 30 feet that Harmony Gmazel indicated is the required minimum setback based upon the depth of our lot. *See Exhibit C*

2. The special circumstances are not self-created

Actions taken by me as the property owner include:

- a. Requested a rezoning from Rural Residential (RR) to Rural Low Density (RAA) to have it be consistent with the adjacent subdivision. *See Exhibit A* for the township zoning map which highlights how the rezoning was a very logical decision. It was the only piece within that rectangular section of the map that was not zoned RAA.
- b. Divided the approximately 1 acre RAA parcel into two parcels that are slightly more than 0.4 acres each. This division did not impact the depth of the lot. The variance request is due to the depth of the lot and the required setback from the center line of Hulett Road.

If the parcel remained the original size before being split and it maintained the original RR zoning, the 85 foot setback requirement would be the same. No actions taken by me caused the special circumstances.

There are nine residential parcels facing the section of Hulett Road between Jolly and Bennett Roads. The two parcels I own just north of Loon Road are much less deep than the others.

3. Strict Interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.

Options related to the footprint and layout of the house were discussed with the person who will likely be the builder, who has built a significant number of houses in Meridian Township. One such option included pushing back the garage further from the road and attempting to have the entrance from the side instead of the front. Another option explored included pushing back the garage and maintaining the front entry. Unfortunately, both of these options still resulted in the need for a variance to the 85 foot setback requirement (albeit a lesser

variance would be needed), and the impact to the floor plan caused an undesirable flow within a portion of the house and restricted the ability to place sufficient windows in the master bedroom.

- 4. 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 or would render conformity with such restrictions unnecessarily burdensome.**

The inability to build a contemporary, open floor plan style home that is consistent with others being built or recently built in the immediate area (The Sanctuary and College Fields) on this parcel would be extremely burdensome to me as the property owner. The property was purchased and zoned for the purpose of building a home consistent with the other ranch style homes being built in the area. Being restricted to building a house shaped like a narrow rectangle in order to conform with a setback requirement that is not consistent with the other property of similar zoning is not allowing one to use their property for the intended purpose of having a newly constructed, more contemporary style home.

- 5. Granting the variance is the minimum action that will make possible the use of the land 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.**

In my opinion, based upon a review of township records and the existing houses along Hulett Road, granting the variance is not contrary to the public interest. It is being consistent with what has occurred along that section of Hulett Road from the early 1900s through 2011. The house immediately to the north of the proposed build site (3720 Hulett Road) and south (3690 Hulett Road) which, as well as one or two homes further north on Elderberry Drive in Okemos Preserve that back up to Hulett Road, are less than 85 feet from the center line of Hulett Road. There has been no public safety concern related to the proximity of these existing houses to the center line of Hulett Road, even though they are less than 85 feet from the center line.

I can't speculate much about why or when the zoning ordinance was established, or the spirit of the ordinance. However, it likely was established with the thought that the parcels would be much deeper than what some of them actually are today. If one reviews the township records, I believe there are only eight residential parcels facing the section of Hulett Road between Jolly and Bennett Roads. The two parcels just north of Loon Road are much less deep than the others. I happen to own and desire to build a house on one of those parcels.

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

The requested variance is to allow for building a house that is set back from the center line of Hulett road at a consistent or greater distance to the setback of the house immediately to the north. The granting of a variance to build a house less than 85 feet from the center line of Hulett does not adversely affect adjacent land or the character in the vicinity of the property, as it is consistent with what exists today. This is residential property that meets the required lot dimensions for the RAA zoning. It just happens to be on a road classified as a 'Collector' road with a setback requirement that is greater than the other property with the same zoning.
Reference Exhibit B

- 7. The conditions pertaining to the land are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.**

There are very few residential parcels on this portion of Hulett Road in Meridian Township. According to township assessment records, only eight appear to exist between Jolly Road and Bennett Road. The 2nd entry in the table of nine line items below belongs to Meridian Township.

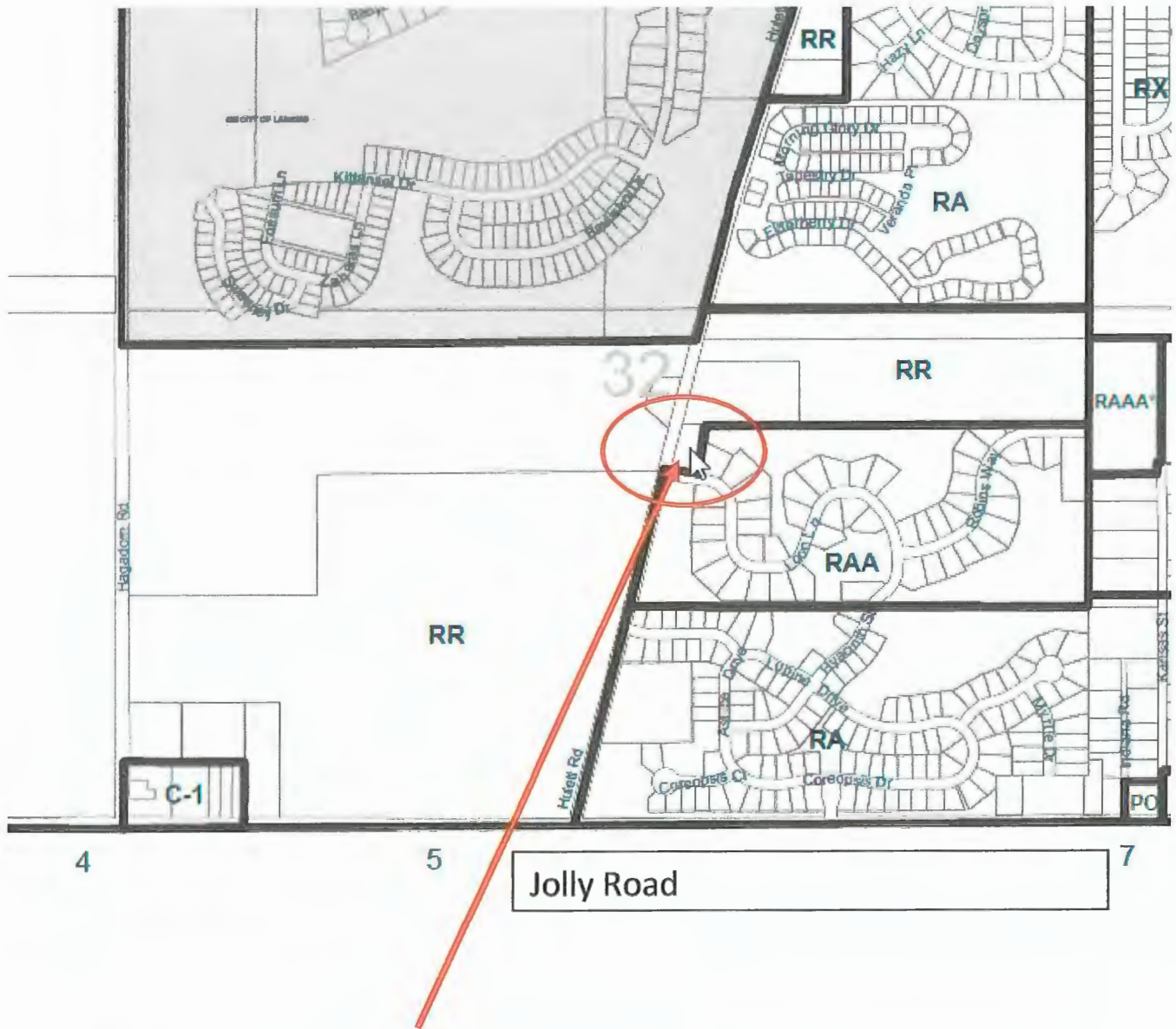
Hulett Road residential parcels between Jolly Road and Bennett Road

3560 HULETT	33-02-02-32-400-012 (Parcel Number)	NETZLOFF, RICHARD & LINDA
3685 HULETT	33-02-02-32-300-024 (Parcel Number)	MERIDIAN CHARTER TOWNSHIP
3690 HULETT	33-02-02-32-400-003 (Parcel Number)	MANIACI, CHARLES
3715 HULETT	33-02-02-32-400-001 (Parcel Number)	DAVID, PATRICIA
3730 HULETT	33-02-02-32-400-002 (Parcel Number)	BAIRD, GARY & CATHERINE
3760 HULETT	33-02-02-32-400-005 (Parcel Number)	GEAR, NORMAN L & CARMEN L
3914 HULETT	33-02-02-32-200-021 (Parcel Number)	WALLINGTON, SCOTT J & URSULA D
3922 HULETT	33-02-02-32-200-020 (Parcel Number)	HALLMAN, DAVID M
3936 HULETT	33-02-02-32-200-023 (Parcel Number)	CHALOU TRUST, ROBERT A & CYNTHIA

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

While it is almost impossible to have an absolute consensus, based upon the information provided in the answers to numbers 1 through 7 above, one should come to a reasonable conclusion that granting the variance is consistent with the interest of the majority of the general public. To demonstrate the decision to grant the variance is consistent with public interest, we received letters of support from seven of our future neighbors, two who live on Hulett Road and the rest in The Sanctuary subdivision on Loon Lane. See copies of the letters that are included with this Variance Application.

Exhibit A Meridian township Zoning

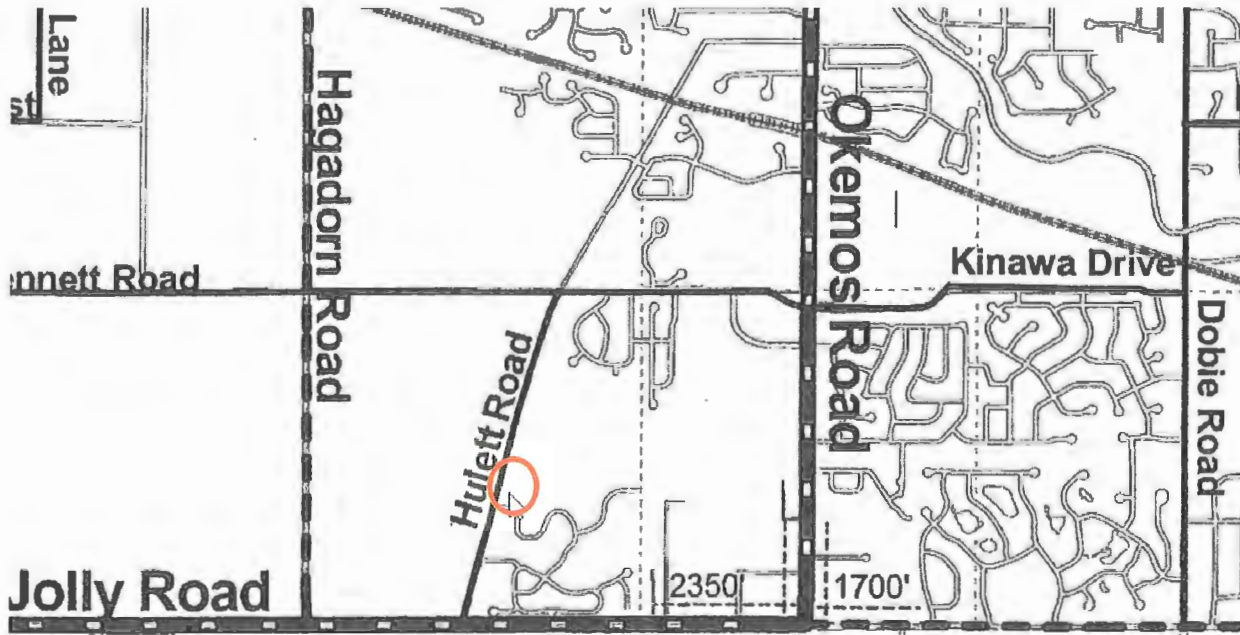


- 3690 Hulett Road and the newly created parcel just north of 3690 (the subject of the variance application) are now zoned RAA to correspond with the Sanctuary subdivision to the east. The 'notch' within the oval that indicates different zoning than RAA no longer exists.
- Since the houses located in The Sanctuary subdivision are not on a Collector, Minor Arterial or Principal Arterial road, the setback requirement is 25 feet from the street right-of-way.
- Hulett Road in this area between Jolly Road and Bennett Road is classified as a "Collector" road. As a result, the setback requirement is 85 feet from the center line of the road.

Exhibit B

Setback requirement for buildings based upon type of road the parcel faces

Source: <http://www.ecode360.com/28781502#28781502>



Classifications	Setback from C/L
— Collector	85'
--- Minor Arterial	100'
▬ Principal Arterial	100'
-----	Required Frontage Road/Service Drive Locations

Local Street Setback: 25' from street right-of-way line

Street Trees required along all Principal and Minor Arterials

For designated Truck Routes, refer to Chapter 21 of the Code of Ordinances

Exhibit C

Rear Setback Requirement of 30 feet or 40 feet for RAA

Source: <http://www.ecode360.com/28781674>

The purpose of the RAA district is to achieve the same character, stability, and sound residential environment as intended for the one-family rural residential districts (RR). The difference between RR and RAA districts is that a higher density of population will be permitted through the construction and occupancy of one-family dwelling structures on smaller lot areas. There is no intent to promote by these regulations a residential district of lower quality than the RR one-family rural residential districts. This section applies to the RAA district.

§ 86-372 RAA District: One-Family/Low-Density Residential District.

(5) Minimum yard dimensions.

- a. Front yards. In accordance with the setback requirements of § 86-367 for the type of street upon which the lot fronts.
- b. Side yards: 10 feet.
- c. Rear yards. For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth; for lots over 150 feet in depth the rear yard shall not be less than 40 feet in depth.**
- d. Corner lots. A front yard shall be maintained on each street side of a corner lot. Setbacks shall be equal to those required in § 86-367 for the type of streets upon which the lot has frontage and all regulations applicable to front yards shall apply.
- e. Through and reverse frontage lots. Principal buildings shall be located in accordance with the front yard setback requirements of § 86-367 for the type of streets upon which the through or reverse frontage lot abuts. Access to residential sites shall be located on the street with the lowest functional classification as illustrated in § 86-367. All regulations applicable to front yards shall apply except freestanding accessory buildings or structures, such as decks, garages, sheds, swimming pools, and tennis courts, proposed for reverse frontage lots shall be located no closer than 30 feet from the right-of-way of the designated rear yard.

To determine rear yard setback:	Northern most point of lot	Northern most point of house	At north point of garage	At south point of garage	At south lot line
Lot depth including the 33' county Right-of-Way (ROW)	162.0	163.0	166.0	167.5	176.6
County Right of Way from Center Line of Hulett Road	33.0	33.0	33.0	33.0	33.0
Lot depth for calculating rear yard setback requirement (exclude ROW)	129.0	130.0	133.0	134.5	143.6

functional lot depth is less than 150', so rear yard setback should be 30'

Exhibit D

Ariel images

3720 Hulett

New Parcel

3690 Hulett Road



The white star identifies the site for the new house

Proof of Ownership

Parcel Number - 33-02-02-32-400-003 | Meridian Charter Township | Ac... <https://accessmygov.com/SiteSearch/SiteSearchDetails?SearchFocus=As...>

3690 HULETT OKEMOS, MI 48864 (Property Address)

Parcel Number: 33-02-02-32-400-003



Item 1 of 3 [1 Image / 2 Sketches](#)

Property Owner: MANIACI, CHARLES

Summary Information

> Residential Building Summary

- Year Built: 1900
- Full Baths: 1
- Sq. Feet: 1,560
- Bedrooms: 3
- Half Baths: 0
- Acres: 0.820

> Assessed Value: \$62,800 | Taxable Value: \$59,277

> Property Tax Information found

> Building Department Information found

Owner and Taxpayer Information

Owner	MANIACI, CHARLES 2553 SUNDANCE OKEMOS, MI 48864	Taxpayer	SEE OWNER INFORMATION
--------------	---	-----------------	-----------------------

General Information for Tax Year 2016

Property Class	RESIDENTIAL	Unit	02 MERIDIAN TOWNSHIP
School District	OKEMOS	Assessed Value	\$62,800
MG	No Data to Display	Taxable Value	\$59,277
APPRAISAL	Not Available	State Equalized Value	\$62,800
NEIGH #	Not Available	Date of Last Name Change	09/09/2016
INFLUENCE	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	No Data to Display
PROBLEMS	Not Available		

Principal Residence Exemption Information

Homestead Date 06/30/1994

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	100.0000 %	100.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2015	\$59,100	\$59,100	\$59,100
2014	\$63,100	\$63,100	\$62,687
2013	\$61,700	\$61,700	\$61,700

Land Information

Zoning Code	RAA	Total Acres	0.820
Land Value	\$25,000	Land Improvements	\$1,854
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	4000 RESIDENTIAL U	Mortgage Code	999
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
--------	----------	-------

No lots found.

Total Frontage: 0.00 ft

Average Depth: 0.00 ft

CHARTER TOWNSHIP OF MERIDIAN

Ronald J. Styka Supervisor
Brett Dreyfus Clerk
Julie Brixie Treasurer
Frank L. Walsh Manager



Phil Deschaine Trustee
Patricia Herring Jackson Trustee
Dan Opsommer Trustee
Kathy Ann Sundland Trustee

January 13, 2017

Charles Maniaci
2553 Sundance Road
Okemos, MI 48864

*Proof of
Ownership
New parcel
formed*

**RE: Commission Review #16083 (Maniaci)
3690 Hulett Road**

Dear Mr. Maniaci:

The Department of Community Planning and Development has reviewed your request to divide an approximate .82 acre parcel (Tax Identification Number 32-400-003) with approximately 238.24 feet of lot width on Hulett Road. The proposed request would create:

- Parcel 1: An approximate .43 acre (18,790 square feet) parcel with approximately 129.29 feet of lot width on Hulett Road.
- Parcel 2: An approximate .39 acre (17,035 square feet) parcel with approximately 114.04 feet of lot width on Hulett Road.

Approval is hereby granted based on the following findings:

- Approval is based on the Certificate of Survey and legal descriptions prepared by Great Lakes Geomatics dated September 20, 2016.
- The request is consistent with the standards for approving a land division found in Section 62-94 of the Meridian Township Land Division Ordinance:
 - The entire .82 acres was rezoned from RR (Rural Residential) to RAA (Single Family-Low Density) per Rezoning #16030 on October 4, 2016.
 - Parcel 1, with 129.29 feet of lot width along the east side of Hulett Road and 18,790 square feet of lot area, meets and exceeds the minimum RAA (Single Family-Low Density) district standards for lot width (90 feet) and lot area (13,500 square feet).
 - Parcel 2, with 114.04 feet of lot width along the east side of Hulett Road and 17,035 square feet of lot area, meets and exceeds the minimum RAA (Single Family-Low Density) district standards for lot width (90 feet) and lot area (13,500 square feet).

An applicant aggrieved by the decision of the Director of Community Planning and Development or his designee may, within thirty (30) days of said decision, appeal the decision to the Township Board. A decision approving a land division is effective for ninety (90) days, after which it shall be

5151 MARSH ROAD, OKEMOS, MICHIGAN 48864-1198 (517) 853-4000

www.meridian.mi.us



CR #16083 (Maniaci)
January 13, 2017
Page 2

considered revoked unless within such period a document is recorded with the Ingham County Register of Deeds Office and filed with the Director of Community Planning and Development.

The approval of this land division is not a determination the resulting parcels comply with other ordinances or regulations. The creation of these two parcels will result in the accessory buildings located on parcel 1 (.43 acres) to be non-conforming structures based on Section 86-368 (a)(3) of the Code of Ordinances, which states any accessory building or use shall be located on the same structure with the principal building.

If you have any questions regarding this matter, please contact me.

Sincerely,



Mark Kieselbach
Director of Community Planning and Development

cc: Ingham County Tax Mapping
Treasurer's Office
Public Works and Engineering Department
Assessing Department
Building Division



DESCRIPTIONS

Professional Surveyors • 3D Laser Scanning
 12504 Stephens, Warren MI 48089
 TEL (586) 755-5770 • FAX (586) 755-5774
 www.greatlakesgeomatics.com

AS-SURVEYED PARCEL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 32, T.04N., R.01W., MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN, COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 32, THENCE S00°28'37"E ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 458.00 FEET TO THE NORTHEAST CORNER OF SANCTUARY, A SUBDIVISION IN PART OF THE SOUTHEAST 1/4 OF SECTION 32, T4N, R1W, MERIDIAN TOWNSHIP, INGHAM COUNTY MICHIGAN (L.57, P.11-18, I.C.R.), THENCE S89°45'08"W ALONG THE NORTH LINE OF SAID SUBDIVISION 2086.05 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE POINT OF BEGINNING, THENCE S07°47'10"W ALONG THE WEST LINE OF SAID SUBDIVISION 261.35 FEET, THENCE N81°42'50"E ALONG THE NORTH LINE OF SAID SUBDIVISION 189.50 FEET TO THE CENTERLINE OF HULETT ROAD (66 FEET WIDE), THENCE N14°17'10"E ALONG SAID CENTERLINE LINE 238.29 FEET, THENCE N89°45'08"E 164.13 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE POINT OF BEGINNING; CONTAINING +/- 1 ACRES (43,690 SQUARE FEET). SUBJECT TO AN EASEMENT FOR A BICYCLE/PEDESTRIAN PATHWAY OVER THE WESTERLY THIRTY-THREE FEET OF SAID PARCEL AS RECORDED IN BOOK 3367, PAGE 306, INGHAM COUNTY RECORDS.

PROPOSED PARCEL "A" DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 32, T.04N., R.01W., MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN, COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 32, THENCE S00°28'37"E ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 458.00 FEET TO THE NORTHEAST CORNER OF SANCTUARY, A SUBDIVISION IN PART OF THE SOUTHEAST 1/4 OF SECTION 32, T4N, R1W, MERIDIAN TOWNSHIP, INGHAM COUNTY MICHIGAN (L.57, P.11-18, I.C.R.), THENCE S89°45'08"W ALONG THE NORTH LINE OF SAID SUBDIVISION 2086.05 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE POINT OF BEGINNING, THENCE S07°47'10"W ALONG THE WEST LINE OF SAID SUBDIVISION 147.93 FEET, THENCE N81°42'50"E 176.59 FEET TO THE CENTERLINE OF HULETT ROAD (66 FEET WIDE), THENCE N14°17'10"E ALONG SAID CENTERLINE 124.25 FEET, THENCE N89°45'08"E 164.13 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE POINT OF BEGINNING; CONTAINING +/- 0.53 ACRES (22,931 SQUARE FEET). SUBJECT TO AN EASEMENT FOR A BICYCLE/PEDESTRIAN PATHWAY OVER THE WESTERLY THIRTY-THREE FEET OF SAID PARCEL AS RECORDED IN BOOK 3367, PAGE 306, INGHAM COUNTY RECORDS.

PROPOSED PARCEL "B" DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 32, T.04N., R.01W., MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN, COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 32, THENCE S00°28'37"E ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 458.00 FEET TO THE NORTHEAST CORNER OF SANCTUARY, A SUBDIVISION IN PART OF THE SOUTHEAST 1/4 OF SECTION 32, T4N, R1W, MERIDIAN TOWNSHIP, INGHAM COUNTY MICHIGAN (L.57, P.11-18, I.C.R.), THENCE S89°45'08"W ALONG THE NORTH LINE OF SAID SUBDIVISION 2086.05 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION, THENCE S07°47'10"W ALONG THE WEST LINE OF SAID SUBDIVISION 147.93 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING S07°47'10"W 113.42 FEET, THENCE, N81°42'50"E 189.50 FEET TO THE CENTERLINE OF HULETT ROAD (66 FEET WIDE), THENCE ALONG SAID CENTERLINE N14°17'10"E 114.04 FEET, THENCE N81°42'50"E 176.59 FEET TO THE WEST LINE OF SANCTUARY AND THE POINT OF BEGINNING; CONTAINING +/- 0.48 ACRES (20,759 SQUARE FEET). SUBJECT TO AN EASEMENT FOR A BICYCLE/PEDESTRIAN PATHWAY OVER THE WESTERLY THIRTY-THREE FEET OF SAID PARCEL AS RECORDED IN BOOK 3367, PAGE 306, INGHAM COUNTY RECORDS.

New Parcel for Variance

3690 Hulett

TITLE: 3690 HULETT R-0-W DEDICATION
 CLIENT: MR. CHARLES MANIACI
 ADDRESS: 2553 SUNDANCE
 CITY, STATE & ZIP: OKEMOS, MI 48864
 CITY/TWP: MERIDIAN SEC./R.C.: 32 COUNTY: INGHAM
 DATE: SEPTEMBER 20, 2016 DRAWN BY: ND
 JOB NO.: N/A SHEET NO.: 2 OF 2
 SCALE: 1" = 50'
 BOOK/PAGE: N/A



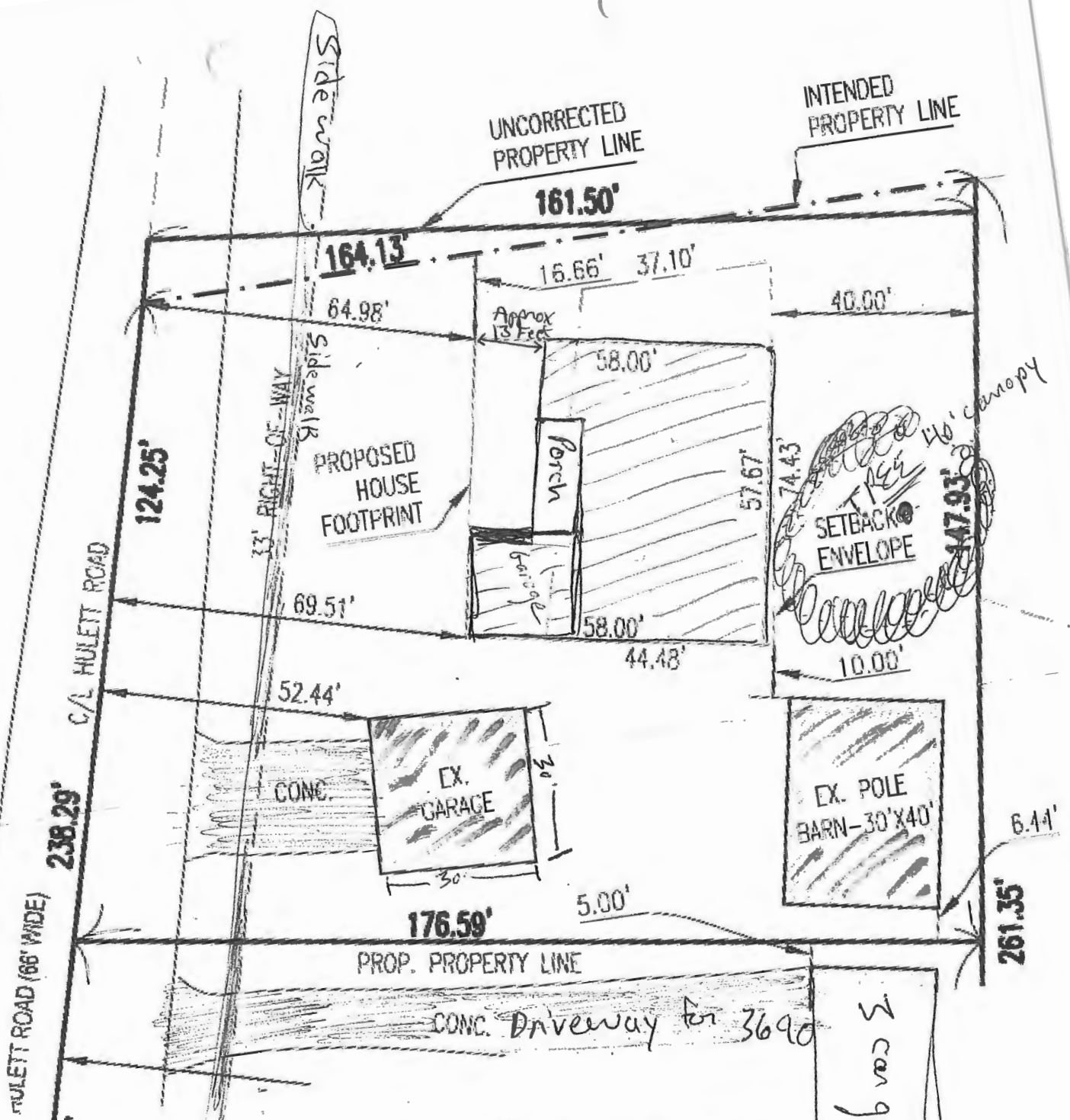
PROPERTY DESCRIPTION:

DESCRIPTION
 SEE ABOVE



CERTIFICATION:

John R. Monte
 JOHN R. MONTE PROFESSIONAL SURVEYOR #50443



February 9, 2017

Charter Township of Meridian
Planning Division
5151 Marsh Road
Okemos, MI 48864

Dear Township Planning team;

Enclosed is a Variance Application to allow the construction of a new single family home on a parcel located on Hulett Road, slightly north of Loon Lane. The variance is requested for:

Ordinance 86-367, which requires an 85 foot setback from the center line of Hulett Road. My wife Renee and I would like to build a house with an attached garage that will be less than 85 feet from the center line of Hulett Road. We anticipate needing a variance of approximately 17 to 20 feet. Since the front and rear lot lines are not parallel with each other, the amount of required variance can vary slightly depending on the final placement of the new house.

Requested variance is based upon the numbers below:

Estimated Required Variance	Northern most point of house	At north point of garage	At south point of garage
lot depth including county Right-of-Way	163	166.0	167.5
setback required from center of Hulett Road	-85	-85	-85
setback from back lot line	-30	-30	-30
Maximum house depth allowed under ordinance	48.0	51.0	52.5
Proposed house depth	45	58	58
Minimum variance required (house depth minus max. allowed) if adhering to a 30' rear yard setback	-3	7.0	5.5
increase rear yard setback from 30' to 40' to allow for tree to remain	10	10	10
Total variance expected to be needed	7.0	17.0	15.5


Variance requested to be granted is a minimum of 17 feet, with the ability to increase up to 20 feet, depending on final placement of the house.

I have also enclosed payment of \$150 to accompany the Variance Application, as well as the documentation specified in the application. This includes:

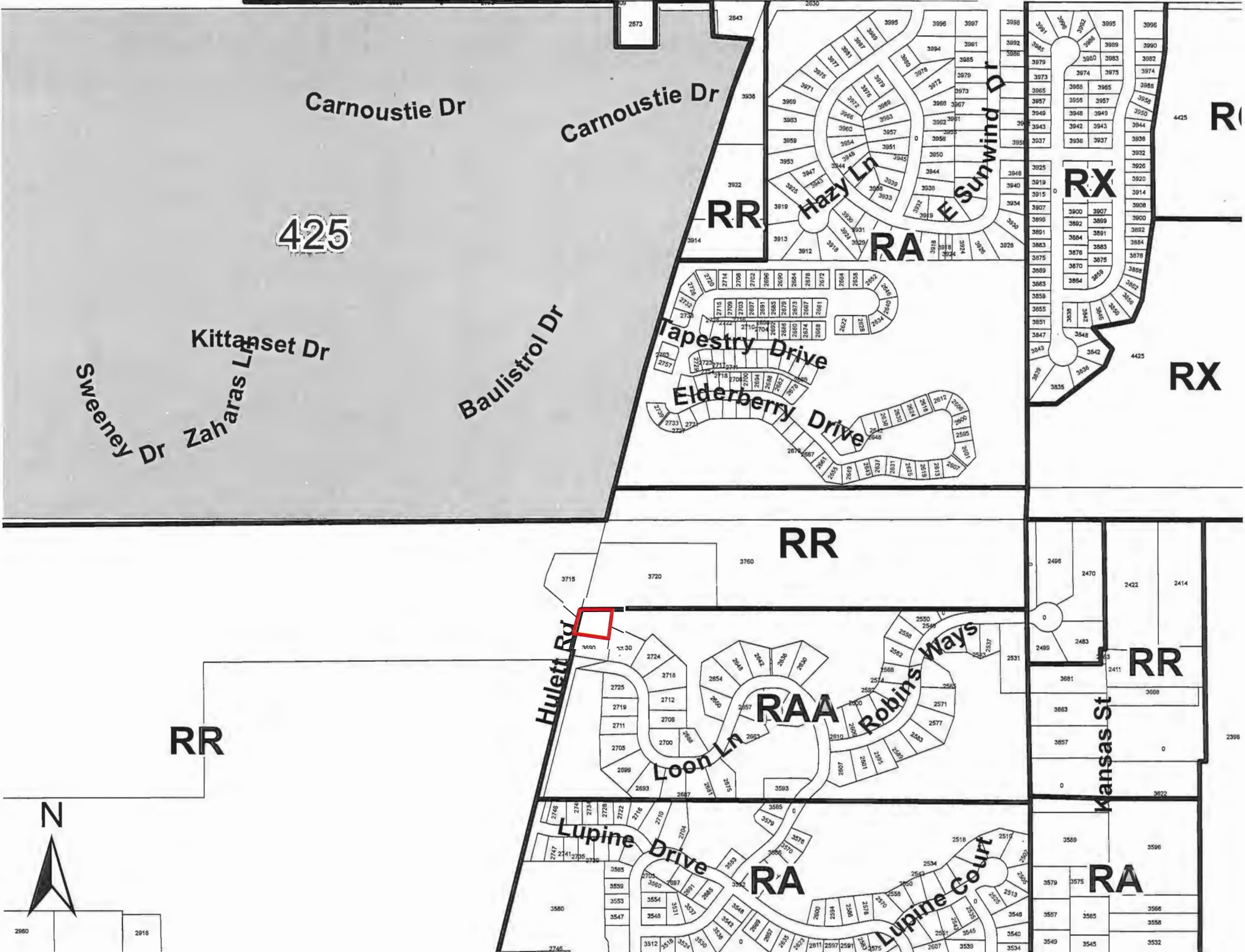
- Proof of property ownership
- Survey, legal description and site plan drawn to scale
- A written statement to address the Variance Application Supplemental Criteria

Please let me know if there are any questions upon receiving this application package.

Sincerely,



Chuck Maniaci 517-256-9099
2553 Sundance Lane
Okemos, MI 48864



425

Carnoustie Dr

Carnoustie Dr

RR

RA

RX

RX

RR

RR

Hulett Rd

RAA

RR

Kansas St

RA

RA

Kittanset Dr

Sweeney Dr

Zaharas Ln

Baulistrol Dr

Tapestry Drive

Elderberry Drive

Robins Ways

Lupine Drive

Lupine Court



2960

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4425

4425

3760

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3681

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