

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, August 10, 2016 6:30 PM
TOWN HALL ROOM**

- A. CALL MEETING TO ORDER**
- B. APPROVAL OF AGENDA**
- C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES**
 - o Wednesday, July 27, 2016
- D. UNFINISHED BUSINESS**
- E. NEW BUSINESS**

1. ZBA CASE NO. 16-08-10-1 JOE CIARAMELLA, 1262 FLAMINGO AVE, HASLETT, MI 48840

DESCRIPTION: 1262 Flamingo Ave
TAX PARCEL: 11-331-018
ZONING DISTRICT: RA (Single Family Residential)

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

- Section 86-373 (e)(5)a. Front Yards which states, In accordance with the setback requirements of Section 86-367 for the type of street on which the lot fronts.

The applicant is requesting an after-the-fact variance for an accessory structure placed four feet into the 25-foot front yard setback located at 1262 Flamingo Ave, Haslett, MI

2. ZBA CASE NO. 16-08-10-2 CHARLES & KATHY WHITED, 6192 COLUMBIA ST, HASLETT, MI 48840

DESCRIPTION: 6192 Columbia St., Haslett, MI 48840
TAX PARCEL: 03-403-009
ZONING DISTRICT: RB (Single Family Residential)

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

- Section 86-502 Accessory Building which states, Authorized accessory buildings may erected as part of the principal building or may be connected to it roofed-over-porch, patio, or breezeway or similar structure or they may be completely detached. If attached to the principal building an accessory building shall be made structurally a part of it and shall comply in all respect with the requirements applicable to the principal building. An accessory building not attached or made a part of the principal building as provided in the preceding statement shall not be nearer than 10 feet than any other separate structure on the same lot.

The applicant is requesting a variance to encroach into the ten (10) foot required setback between an accessory structure and any other separate structure on the same lot to construct an addition onto the principle structure at 6192 Columbia St., Haslett MI.

- ☞ 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.

F. OTHER BUSINESS

1. Electronic Packets

G. PUBLIC REMARKS

H. BOARD MEMBER COMMENTS

I. ADJOURNMENT

J. POST SCRIPT – ELIZABETH LE GOFF

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, July 27, 2016**

PRESENT: Members Jackson, Lane, LeGoff, Ohlrogge, Chair Beauchine
ABSENT: None
STAFF: Gail Oranchak, AICP Principal Planner

A. CALL MEETING TO ORDER

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

B. APPROVAL OF AGENDA

MEMBER JACKSON MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER LANE

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

Wednesday, July 13, 2016

MEMBER LEGOFF MOVED TO APPROVE THE MINUTES OF WEDNESDAY, July 13, 2016 AS WRITTEN.

SECONDED BY MEMBER OHLROGGE

VOICE VOTE: Motion carried unanimously.

D. UNFINISHED BUSINESS

None.

E. NEW BUSINESS

1. ZBA CASE NO. 16-07-27-1 FLOYD SULLIVAN, 4510 MERIDIAN ROAD, WILLIAMSTON, MI 48895

DESCRIPTION: 4510 Meridian Road
TAX PARCEL: 24-480-005
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-368(d)(4)(a), which states the front yard dimension must be in accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts.

The applicant is requesting a variance to build an addition onto a single family residence that will encroach eight feet into the 100-foot front yard setback located at 4510 Meridian Road, Williamston.

Ms. Oranchak outlined the case for discussion.

Applicant, Floyd Sullivan, 4510 Meridian Road Williamston, addressed the Zoning Board of Appeals (ZBA), with his plan and purpose for the addition of a carport to his current garage.

Chair Beauchine opened the floor for public comment.

Marilyn Bowker, 4558 North Meridian Road Williamston, stated she was concerned over the current collection of automobiles and clutter in the applicant's yard. She felt the addition of a carport will only add to the accumulation of storage.

David Zarka, 4530 Meridian Road Williamston, stated he was in support of the addition to the garage. He felt it would not detract from the property value, but would add value.

The applicant, Floyd Sullivan, finalized his presentation by sharing with the ZBA a description of the building and its appearance matching the home.

Chair Beauchine closed public remarks and moved to board discussion.

Chair Beauchine explained to the applicant and the public the role of the ZBA, and how the eight review criteria from Section 86-221 in the Code of Ordinances influences their decision making process.

Chair Beauchine asked Ms. Oranchak for clarification on the zoning and its application to the property after the Red Cedar subdivision had been developed.

Ms. Oranchak replied the Red Cedar development was created when the lot width requirement was 100 feet. She believed the requirement changed in the 1960's to the current lot width of 200 feet and a lot area of 40,000 square feet. The property is considered a legal nonconforming lot.

Member Lane stated he can appreciate the narrowness of the lot and the applicant's desire for additional space for his vehicles. However, he feels since there is an existing garage on the property he is having difficulty matching the applicant's request to the review criteria. In his opinion this is a self-created hardship. He further stated if no garage existed, there may be a case for a practical difficulty.

Member Ohlrogge read review criteria one, which reads, unique circumstances exist that are peculiar to the land or structure that is not applicable to other land or structures in the same zoning district. She stated she could not see unique circumstances for this property since there is an existing garage.

Member Ohlrogge read review criteria two, which reads, these special circumstances are not self-created. She indicated the property dimensions and the current buildings define the existing space available.

Member Ohlrogge read review criteria three, which reads, strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties. She referred to Member Lane's comment on the existing garage, and further stated if there weren't any shelter on his property for the applicant's cars it would be different.

Member Ohlrogge read review criteria four, which reads, 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. She stated this does not apply since there is an existing garage.

Member Ohlrogge read review criteria five, which reads, granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice. She stated if there were no safe place for storing a vehicle it would address the issue of safety and provide substantial justice, but there is an existing garage

Member Ohlrogge skipped review criteria six, and read review criteria seven, which reads, 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 zoning ordinance as it stands addresses this issue.

Member Ohlrogge read review criteria eight, which reads, granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance. She stated the established setbacks provide consistency for new structures.

Chair Beauchine reread review criteria five and stated in ranking all eight criteria, five was one he could not justify as a reason for granting the variance.

LeGoff stated it could be considered a minimum action.

Chair Beauchine commented if there were other conditions, such as no garage and different setbacks on this narrow lot a variance request may be feasible.

Member Jackson stated she could not find unique circumstances to either the land or the structure to approve this variance request, which is fundamental to the list of review criteria.

MEMBER LANE MOVED TO DENY THE VARIANCE REQUEST.

SECONDED BY MEMBER JACKSON

ROLL CALL TO VOTE: YES: Member Lane, Jackson, Ohlrogge, and Chair Beauchine

NO: LeGoff

Motion carried 4-1

REQUEST WAS DENIED

2. ZBA CASE NO. 16-07-27-2 MID-MICHIGAN PONDS, 6500 HOWE ROAD, BATH, MI 48808

DESCRIPTION: 575 Piper Road
 TAX PARCEL: 13-100-036
 ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-471(b)(1), which states all structures and grading activities shall be setback from the edge of wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area by 40 feet.

- Section 86-471(c)(1), which states that a 20-foot natural vegetation strip shall be maintained from the edge of a water feature.

The applicant is requesting variances to work within the water features setback and natural vegetation strip of a regulated wetland to improve an existing pond at 575 Piper Road, Haslett, MI.

Ms. Oranchak outlined the case for discussion.

The applicant's representative, Stephanie Jubb, Mid-Michigan Ponds 600 Howe Road, Bath, explained the reason for the project was to restore the existing pond and remove invasive plant life, phragmites, which has taken over the shoreline of the pond and obstructing the view of the pond.

Chair Beauchine opened for public comment.

Being none Chair Beauchine moved to ZBA discussion.

Chair Beauchine referenced a Department of Natural Resources documentary on invasive phragmites in Michigan.

Member Ohlrogge shared her experience and knowledge, where phragmites has taken over in many parts of Michigan.

Member Ohlrogge questioned Ms. Jubb on the degree of the damage done to the pond from this invasive plant.

Ms. Jubb, showed additional photos of the pond pointing out the water clarity. She further added once the plants are removed their company can help to keep the pond free of the invasive plants.

Chair Beauchine questioned Ms. Oranchak, if granting the variance would remain with the property and could future work be continued.

Ms. Oranchak stated the potential is there to allow the applicant to continue doing working on the pond in the future; however it would be restricted within the 20 feet on the western boundary of the pond.

Member Lane stated if the variance was granted, the ZBA should follow the recommendations of the Community Planning and Development staff, and have the applicant apply for the appropriate soil erosion and sedimentation control measures during construction, grading or additional work required in the future, along with all necessary permits and approvals need to be obtained from the Township.

Member Jackson questioned Ms. Oranchak, if the special use permit to work in the floodplain would apply also.

Ms. Oranchak stated yes, it would apply.

Member Jackson asked Ms. Jubb, if the acceptable practice is to bury the phragmites underground.

Ms. Jubb stated burying the plant is one method. Other methods involve herbicides, and burning to some degree. The burial of the plant prevents the plant from reestablishing itself. She further commented that using herbicides in this location would be discouraged as it could be detrimental to the body of water.

Member Lane referred to criteria one and two by stating there are unique circumstances which exist that are peculiar to the land, and further added since this was dealing with plants the circumstances are not self-created.

Member Lane read review criteria three, which reads, strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties. He stated without the variance there will be no other way to remove the invasive plants.

Member Lane read review criteria four, which reads, 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. He stated if the invasive species cannot be removed the pond will become unusable.

Member Lane read review criteria five, which reads, granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice. He felt the variance request would be a benefit to the public by eliminating the invasive species.

Member Lane read review criteria six, which reads, granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. He stated it would not affect adjacent lands.

Member Lane read review criteria seven, which reads, the conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. He commented the condition of the pond is unique to the property.

Member Lane read review criteria eight, which reads, granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance. He stated it was the minimum action necessary to make use of the land.

MEMBER JACKSON MOVED TO APPROVE THE REQUEST WITH THE FOLLOWING CONDITIONS THE APPLICANT SHALL INSTALL APPROPRIATE SOIL EROSION AND SEDIMENTATION CONTROL MEASURES DURING CONSTRUCTION TO ENSURE THERE ARE NO IMPACTS TO AREAS OUTSIDE OF PROJECT AREA AND SECONDALY THE APPLICANT SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE TOWNSHIP.

SECOND BY MEMBER LEGOFF

ROLL CALL VOTE: YES: MEMBERS JACKSON, LANE, OHLROGGE, LEGOFF, CHAIR
BEAUCHINE

NO:

Motion Carried unanimously

F. OTHER BUSINESS

1. Electronic Packets

Member Ohlrogge questioned Ms. Oranchak on the revised agenda pertaining to the electronic packets.

Ms. Oranchak stated the topic was brought up at the last ZBA meeting.

Chair Beauchine updated Member Ohlrogge on the topic of receiving electronic packets since she was not at the last ZBA meeting.

Member Ohlrogge stated having an electronic packet would be a difficulty for her, plus she prefers the hard copy. In her opinion she was concerned laptops would create some type of barrier for the public.

Chair Beauchine commented perhaps more conversation would be needed to see if the ZBA members could opt out of receiving the hard copy, with the exclusion of the larger maps and site plans.

Member Jackson stated receiving the electronic copy would save the weekly mileage and trips made by the Police Cadets. She further added the Planning Commission members have a choice whether they receive their packet via electronic or paper copy. She is open to having the same option for the ZBA.

Member LeGoff commented that she prefers the paper copy however she is open to receiving the electronic copy.

Member Lane stated if there was a choice he would prefer electronic copy. He also expressed the same concern over presenting a barrier for the public.

Chair Beauchine finalized the conversation by stating he is not looking for a motion tonight. He appreciated the conversation and at this time he is undecided. He questioned Ms. Oranchak from a staff member's viewpoint if the option to opt in or out would create more work for them.

Ms. Oranchak stated for the Planning Commission, when there are larger site plans or larger packets staff sends a paper copy. Either method is available; staff would work with the desires of the ZBA.

Chair Beauchine suggested tabling the discussion for now and bring it back when the regular ZBA members are all present again. At a later time the ZBA can address any other issues and guidelines for laptop usage.

Member Jackson disagreed with the idea whether or not the public would assume the ZBA is using a laptop for work or for personal business or creates a barrier. She felt the ZBA members take their role seriously and would use the laptops as a tool.

Chair Beauchine added there are many times a laptop would be handy as a reference tool for further research.

Member Jackson felt it would not be inappropriate to use a laptop as a resource tool for research during a ZBA meeting. The information gained from the research needs to be shared among the members.

Chair Beauchine ended the discussion and thanked everyone for their comments.

G. PUBLIC REMARKS

Chair Beauchine opened and closed public remarks.

H. BOARD MEMBER COMMENTS

Chair Beauchine reminded everyone about Meridian Township's Farmers Market and added a comment about the State Farmers Market at the Capitol on Thursdays. He added the State Farmers Market brings in vendors from all over the State of Michigan, with items not found at other Farmers Market. He further stated they are open to coincide with the State of Michigan's pay days, three times throughout the year.

I. ADJOURNMENT

Chair Beauchine adjourned the meeting at 7:26 p.m.

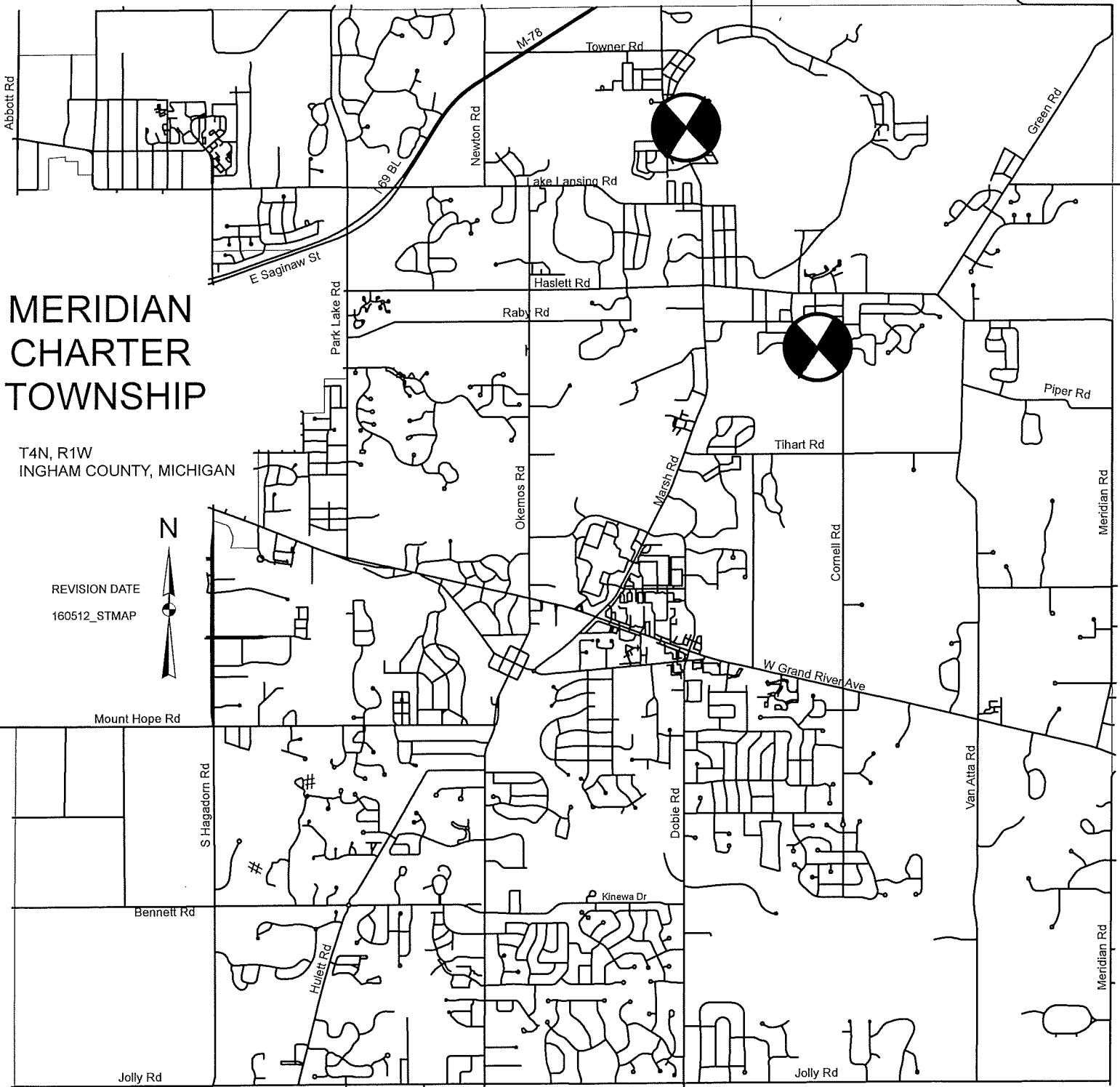
Respectfully Submitted,

Rebekah Lemley
Recording Secretary

MERIDIAN CHARTER TOWNSHIP

T4N, R1W
INGHAM COUNTY, MICHIGAN

REVISION DATE
160512_STMAP



LOCATION MAP

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 the Ordinance would result in practical difficulties.
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.
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, the purposes and intent of this Zoning Ordinance.

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.

July 26, 2016

RE: Zoning Board of Appeals #16-08-10-2 (Whited)
6192 Columbia St. Haslett, Mi 48840

Dear Zoning Board of Appeals,

We will be out of town on vacation on Wednesday, August 10, 2016 or we would attend the public meeting in person instead of writing our comments.

We understand that the Whiteds have requested a variance for an accessory structure to be placed eight feet away from an existing accessory structure at 6192 Columbia St., Haslett Mi.

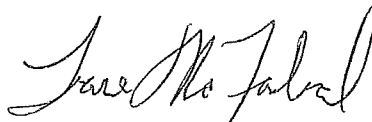
We are the neighbors to the Whiteds. We are the owners of 6196 Columbia St., Haslett Mi where we reside. We have no objections to this variance request.

If we can be of any further assistance, please let us know.

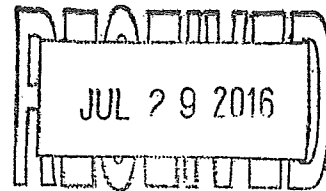
Sincerely,



Cheryl McFarland



Lane McFarland



MEMORANDUM

TO: Zoning Board of Appeals

FROM:



Gail Oranchak, AICP
Principal Planner

DATE: August 4, 2016

RE: ZBA Case No. 16-08-10-1

ZBA CASE NO. 16-08-10-1 JOE CIARAMELLA, 1262 FLAMINGO, HASLETT, MI 48840
DESCRIPTION: 1262 Flamingo
TAX PARCEL: 11-331-018
ZONING DISTRICT: RA (Single Family, Medium 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. Flamingo Avenue is classified as a Local street which has a required setback of twenty-five feet from the street right-of-way.

The applicant constructed an addition to the front (south) façade of the house at 1262 Flamingo consisting of a multi-tiered deck/porch without a building permit. According to the attached survey, the entire deck/porch structure measures 19 feet in width, along the front of the house, by 10 feet in depth.

The existing house is approximately 31.1 feet from the Flamingo Avenue right-of-way line. The proposed deck/porch as measured from the edge closest to Flamingo, is located approximately 21.1 feet from the street line of Flamingo Avenue, therefore the applicant is requesting a variance.

The following chart summarizes the variance request:

Required Setback	Proposed Setback	Variance Request
25 feet	21.1 feet	3.9 feet

The existing house was constructed in 1955. Both the photograph of the front of the house found in Assessing Department files and the circa 2015 aerial show a roofed area as a previously existing feature of the house. The applicant purchased the property in 2015.

Attachments

1. Application Materials
2. Assessing Department photograph
3. Aerial photograph

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

VARIANCE APPLICATION

A. Applicant Joe ~~James~~ Ciaramella
Address of Applicant 1262 FLAMINGO AVE
HASLET 48840
Telephone (Work) 517 749 8758 Telephone (Home) _____
Fax _____ Email address: LIONCHASERS@HOTMAIL.COM
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location SAME 0.25 acre
Zoning district PA Parcel number 33-02-02-11-331-018

C. Nature of request (Please check all that apply):
 Request for variance(s)
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

Zoning Ordinance section(s) _____

D. Required Supporting Material Supporting Material if Applicable
-Property survey -Architectural sketches
-Legal description -Other
-Proof of property ownership or approval letter from owner
-Site plan to scale
-Written statement, which demonstrates how all the review criteria will be met (See next page)

[Signature] JOE CIARAMELLA 7-13-16
Signature of Applicant Print Name Date

Fee: \$150.00 Received by/Date: Harvey Gvozden 7/15/16

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] 7-13-16
Signature of Applicant(s) Date

Signature of Applicant(s) Date

PLEASE CALL ME ... 517 749 8758

7-14-16

To: Meridian Charter Twp. Zoning Board of Appeals

Re: 1262 Flamingo Ave

I respectfully ask the Board to approve my request for a variance based on paragraph 6 of the "Variance Application Supplement" which states;

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

In my quest to make my home more comfortable and to provide a space for our elderly parents to sit and enjoy the outdoors, I inadvertently encroached on the setback by 3-4 ft.

Being a new resident of Meridian Township I was unaware of the rules and ordinances that are put in place for the betterment of our neighborhoods and in no way intentionally meant to circumvent these rules. It is a lesson learned and when I get ready to put up my privacy fence, (which, because of the recent storm, may happen sooner than later), I will be in touch with Rick to be sure I pull the proper permits and make sure that the fence will fall within the guidelines.

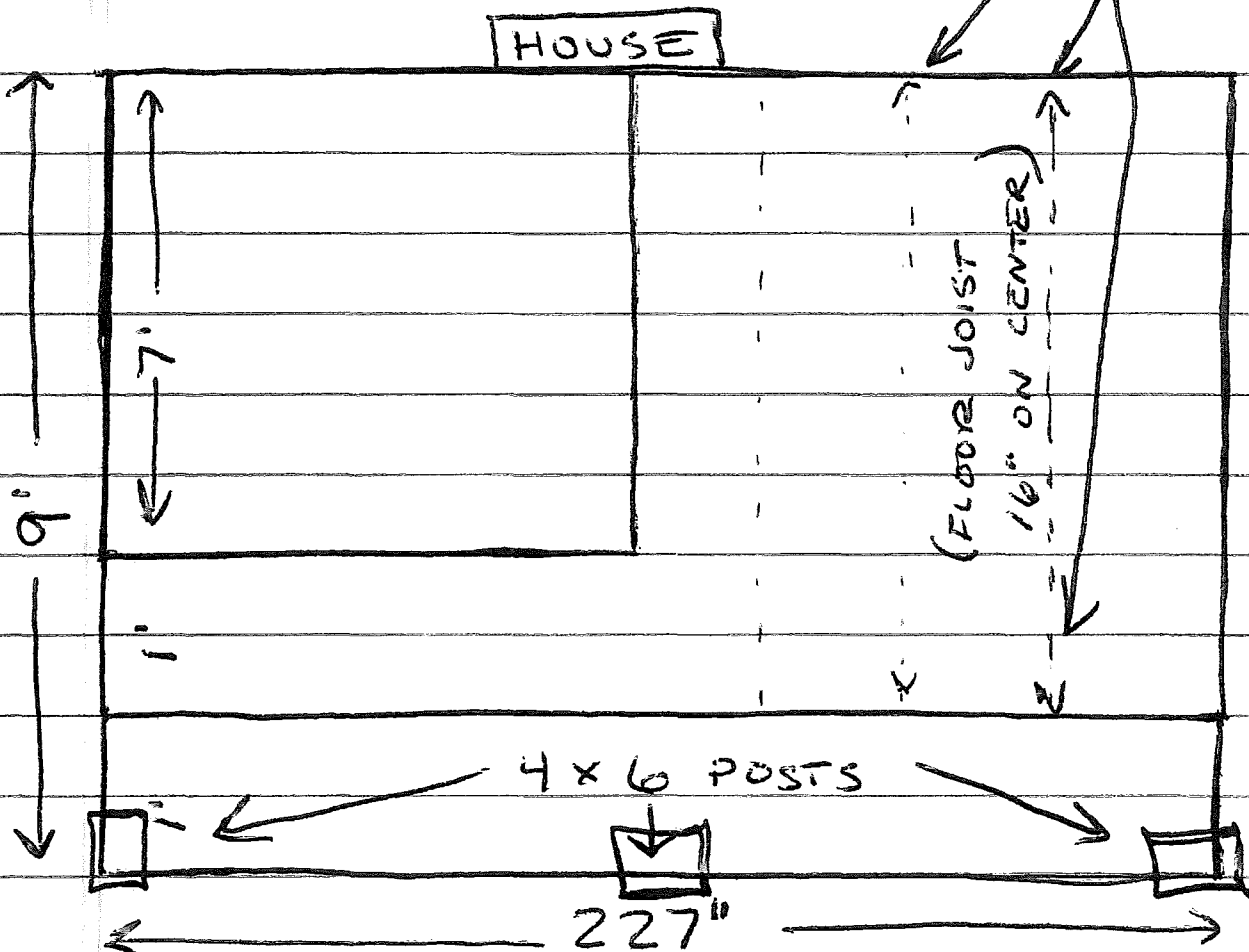
Thank You for your consideration.



Joe Ciaramella
1262 Flamingo Ave
Haslett 48840
517 749 8758

1262 FLAMINGO AVE.

- FLOOR JOIST: 2x8 TREATED
ON 16" CENTERS
- JOIST HANGERS ON BOTH ENDS
- 4x6 TREATED POSTS 42" DEEP W/
FOOTING PADS
- CONCRETE ANCHORS INTO HOUSE
FOUNDATION
- TREATED 5/4 DECK BOARDS
- 6^{3/4}" RISE ON STEPS





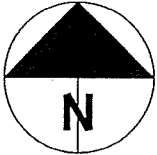
1262

MORTGAGE REPORT

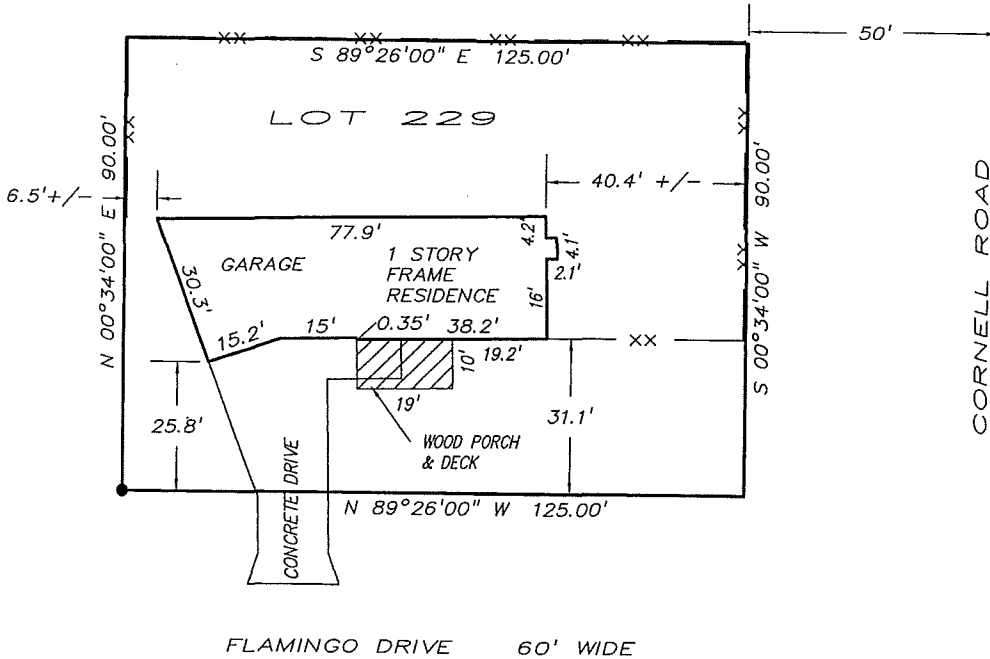
MORTGAGOR: OWNER: JOSEPH J. CIARAMELLA ORDERED BY: NONE
 1262 FLAMINGO DRIVE
 HASLET, MICHIGAN

LEGAL DESCRIPTION: (AS FURNISHED)

LOT 229 LAKEVIEW HEIGHTS #4 SUBDIVISION, MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF AS RECORDED IN LIBER 18 OF PLATS, PAGES 2 & 3, INGHAM COUNTY RECORDS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



SCALE 1"=30'



MORTGAGE REPORT
 I hereby certify that this inspection plat shows the improvements as located on the premises described, that the improvements are entirely within the lot lines, except as indicated, and that there are no encroachments upon the premises described by the improvements of any adjoining premises, except as indicated.
 I further certify that this MORTGAGEE'S INSPECTION was prepared for IDENTIFICATION PURPOSES only for the MORTGAGEE in connection with a new mortgage and is not intended or represented to be a land or property line survey; that no property corners were set; and is not to be used, or relied upon, for the establishment of any fence, building or other improvement lines. No responsibility is extended herein to the present or future land owner or occupant.

BY: Arden S. Pierson DATE: 7/06/16
 ARDEN S. PIERSON PS#13039

LEGEND ● - FOUND PROPERTY CORNER AS NOTED ○ - SET 1/2" X 24" IRON W/RLS CAP R - RECORDED M - MEASURED	DRAWN BY: A.S.P.	JOB NO. LAKE229
	SCALE: 1"=30'	SHEET <u>1</u> OF <u>1</u>
DATE 7/06/2016	REVISIONS	

PIERSON SURVEYING
 8728 AIRPORT ROAD
 DEWITT, MICHIGAN 48820
 TELEPHONE 1-517-669-6249
 FAX 1-517-668-2264





12

Flamingo Ave

MEMORANDUM

TO: Zoning Board of Appeals

FROM: 
Gail Oranchak, AICP
Principal Planner

DATE: August 4, 2016

RE: ZBA Case No. 16-08-10-2

ZBA CASE NO. 16-08-10-2 CHARLES & KATHY WHITED, 6192 COLUMBIA ST., HASLET, MI 48840
DESCRIPTION: 6192 Columbia
TAX PARCEL: 03-403-009
ZONING DISTRICT: RB (Single Family, High Density)

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

- Section 86-502 Accessory Building which states, Authorized accessory buildings may be erected as part of the principal building or may be connected to it by a roofed-over porch, patio, or breezeway or similar structures or they may be completely detached. If attached to the principal building an accessory building shall be made structurally a part of it and shall comply in all respects with the requirements applicable to the principal building. An accessory building not attached or made a part of the principal building as provided in the preceding statement shall not be nearer than 10 feet from any other separate structure on the same lot.

In 1985, the ZBA granted a variance to construct an accessory structure (detached garage) in the front yard of 6192 Columbia Street. Sixteen feet separates the garage from the principal structure (residence) on the lot. The applicant intends to construct an addition to the front of the principal residential structure that projects eight feet into the 16 feet separating the house from the detached garage.

The variance request is to permit a separation of eight feet between an accessory structure (detached garage) and the principal residential structure thus a variance of two feet is requested.

Required Setback	Proposed Setback	Variance Request
10 feet	8 feet	2 feet

Fire Department staff reviewed the request and commented there are no regulations in the fire code preventing the construction as proposed.

Attachments

1. Application Materials
2. Minutes from the July 10, 1985 Zoning Board of Appeals meeting

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

VARIANCE APPLICATION

A. Applicant Charles & Kathy Whited
Address of Applicant 6192 Columbia St
Haslett, MI 48840
Telephone (Work) 256.5409 Telephone (Home) 517-694-0420
Fax _____ Email address: c.r.whited@comcast.net
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 6192 Columbia St, Haslett, MI 48840
Zoning district RB .22 acres Parcel number 33-02-02-03-403-009

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) Sec. 86-502

<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)	

Charles Whited
Signature of Applicant

Charles Whited
Print Name

7/15/16
Date

Fee: \$150

Received by/Date: Gail Orndahl 7/15 (HG)

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 Whited
Signature of Applicant(s)

7/15/16
Date

Charles Whited
Signature of Applicant(s)

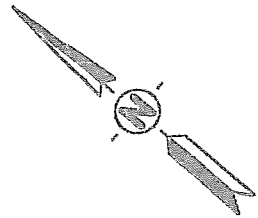
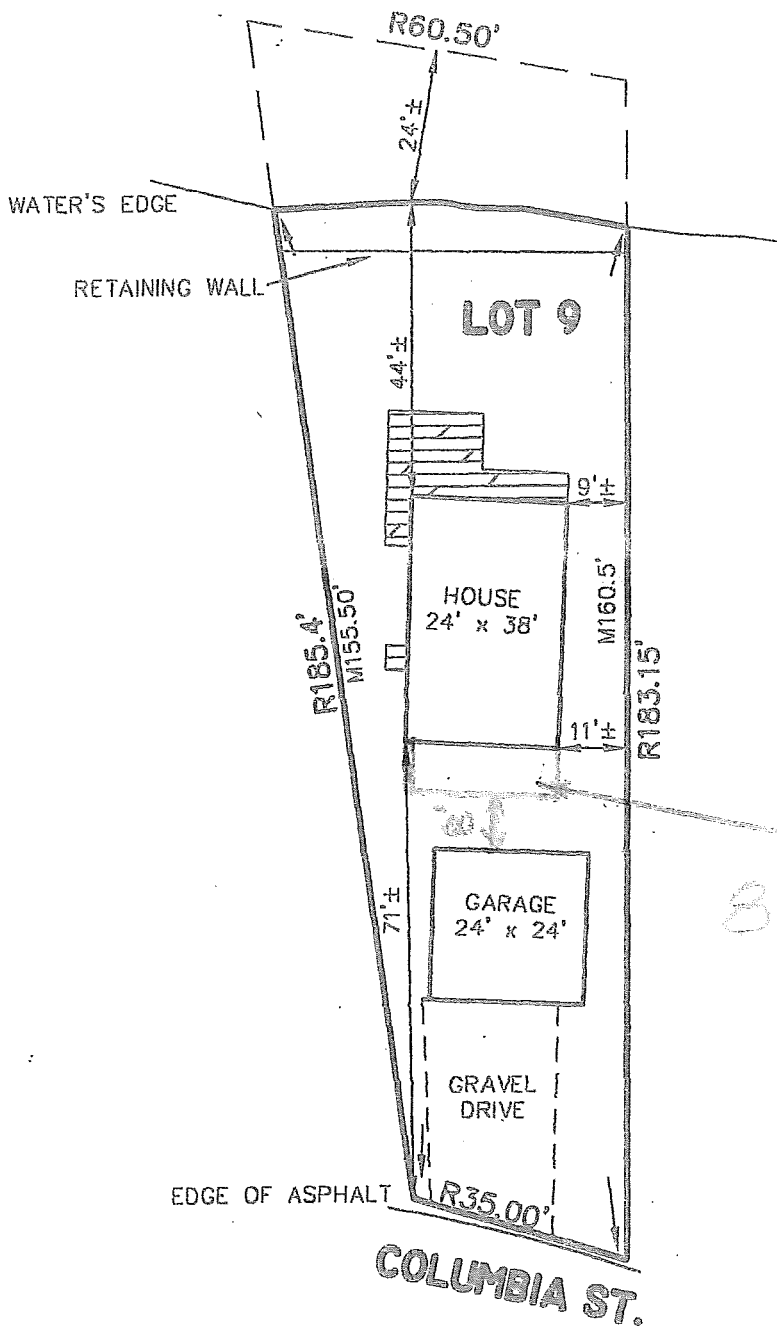
7/15/16
Date

PLOT PLAN

For:
Jim Crays
6192 Columbia
Haslett, MI 48840

Legal Description (as provided): Lot 9, Lakebrook No. 1, a subdivision of a part of the Southeast Fractional 1/4 Section 3, T4N, R1W, Meridian Township, Ingham County, Michigan.

LAKE LANSING



1" = 30'

A LOT SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES.

*PROPOSED
8' x 24' ADDITION*

Variance Application Supplement

CHARLES & KATHY WHITED

6192 Columbia St

Haslett, MI

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.

Our home is 912 square feet, with an awkward floorplan, one bath, little storage, and no basement. It also has a detached garage. We purchased the property in August 2015 with the intent of completing a 384 square foot addition to connect the house to the garage, providing an improved floorplan, additional bath and added storage. Informal discussion with Meridian Township planning staff indicated our lot size would support the increased square footage within the current zoning requirements.

In working with our builder to plan the addition, it was discovered that our lot contains organic fill material from dredging of the lake. Building requirements will not allow for foundation footings to be built on such material. The excavating of this material to expose compressed soil required for footings is problematic due to the close proximity of the adjoining properties. There is inadequate space for the heavy equipment required to remove the amount of material required from our lot.

After reviewing alternatives to our original plan, we, along with our builder, have developed a plan for a smaller addition of 192 square feet to be built on piers that have been augured into compressed soil and requires little removal of fill material. This plan provides us the minimum space required for an additional bath and needed storage. It does, however, reduce the distance between the house and garage to 8'.

2. These special circumstances are not self-created.

The existence of organic fill on our lot, and the close proximity of the adjoining houses that make its removal extremely difficult, were existing when we purchased the property.

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

Maintaining 10' between the house and garage would restrict an addition to 6' which would not allow sufficient space to correct the substandard floorplan.

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.

This property was purchased with the expectation that an adequate addition would be possible. With the discovery of the problematic soil and the zoning requirements, this property cannot be modified to correct the substandard floorplan.

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.

Variance Application Supplement

CHARLES & KATHY WHITED

6192 Columbia St

Haslett, MI

A 2' reduction in the minimum distance between structures will allow for the minimum space necessary to correct the substandard design of our house.

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

As demonstrated in the attached photos, the separation of 8' between structures, as opposed to the required 10', will not adversely affect the adjacent properties or character in the vicinity. The orientation of our house and garage on our lot and in relation to our neighbors' homes minimizes the visual impact.

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.

The combination of organic fill on our lot, along with the proximity of the existing house and garage to each other which limit our construction options, are unique to our situation and would not be generally recurrent.

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

Zoning Ordinances are to protect the public interest and provide consistent guidelines to promote good housing and good neighborhoods. The poor design of this house (the only direct entry into our house in through the furnace/water heater/laundry room, lack of closets or indoor storage, galley kitchen, 912 total square feet) is not desirable in any circumstance. Our expectation upon purchase was to correct this situation by attaching the house and garage with an addition, which would not have needed a variance, and using the new space to correct the substandard floor plan. The subterranean soil conditions and site limitations do not allow this. We have worked through many design options on our own and with our builder. Our proposed addition is the minimum size that allows the space to correct the substandard design of our house which is not only in our best interest but improves the house for future owners which is in the public interest and is consistent with the intent of the Zoning Ordinance.

Variance Application Supplement
CHARLES & KATHY WHITED
6192 Columbia St
Haslett, MI



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CHARLES & KATHY WHITED
6192 Columbia St
Haslett, MI



ZONING BOARD OF APPEALS MINUTES, July 10, 1985 (cont.)

9. CASE NO. 85-7-10-9 James C. Crays 6192 Columbia, Haslett, MI 48840
DESCRIPTION OF PROPERTY: Lot 9, LakeBrook No. 1, 6192 Columbia Street
ZONING DISTRICT: RB (Single family-high density)

Applicant is requesting a variance from Section 84-4.5 (a) of the Code of Ordinances which stipulates that detached garages may not be located in a front yard. The applicant is proposing to construct a 24' x 24' detached garage on the Columbia Road side of the house. This area is considered to be a front yard. Consequently a variance to construct the garage is requested

Mr. Harlow outlined the proposed request and its location, at which time the hearing was opened to the public for discussion.

COMMUNICATIONS:

Letter from resident of vicinity, V. Fisher 6171 Columbia.
 The applicant as far as I know has poured the foundation without a permit, why doesn't the building commission of Meridian Township get with it and put a stop to it. In upper corner of letter states "I vote no for the request."

Mr. Crays was available for comments.

Was not informed about the variance petition until after the foundation had been poured.

MEMBER TWOHY moved that the variance be approved.
 Supported by Member Halverson.

Roll Call Vote: Yes, Easley, Members Twohy, Wing, Halverson

NO: NONE

MEMBER HALVERSON MADE MOTION FOR 10 day waiver.
 Supported by Member Twohy.

Waiver was granted

Respectively submitted Carolyn Stevens

Time of meeting close - 9:31 p.m.