

**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING AGENDA  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, FEBRUARY 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, January 27, 2016

**D. UNFINISHED BUSINESS**

**E. NEW BUSINESS**

**1. ZBA CASE NO. 16-02-10-1 ANDY MARSH (PLAYMAKERS), 2299 GRAND RIVER AVENUE, OKEMOS, MI 48864**

DESCRIPTION:	2299 Grand River Avenue
TAX PARCEL:	21-131-002
ZONING DISTRICT:	C-2 (Commercial)

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

- Section 86-687(12), which states window signs shall not exceed more than 40 percent of the surface area of the window in which they are displayed. Window signs shall not exceed ten percent of the building face of which the window is a part.

The applicant is requesting a variance to allow window signs that are in excess of 40% coverage of each window and covers more than 10% of the building face at Playmakers, located at 2299 Grand River Avenue, Okemos.

**2. ZBA CASE NO. 16-02-10-2 AUTOZONE DEVELOPMENT, LLC, 123 S. FRONT STREET 3<sup>RD</sup> FLOOR, MEMPHIS, TN, 38103**

DESCRIPTION:	2649 Grand River Avenue
TAX PARCEL:	20-205-012
ZONING DISTRICT:	C-2 (Commercial)

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

- Section 86-755, which outlines the off-street parking standards, and requires 5 to 5.5 parking spaces per 1,000 square feet of gross floor area for a retail use.
- Section 86-756(14), which states where a parking area, or its associated internal access or service drives, adjoins the same or other nonresidential district, a landscaped buffer at least 15 feet wide, shall be provided between the parking area and the property line. A vertical screen shall be erected consisting of a masonry wall, plant material, a landscaped berm, or combination thereof, as appropriate for the site, no less than three feet in height.

The applicant is requesting a variance to have an insufficient number of off-street parking spaces and provide a landscaped buffer less than 15 feet wide along the east property line, at 2649 Grand River Avenue (proposed AutoZone store), East Lansing.

**3. ZBA CASE NO. 16-02-10-3 ROBBIE PAIROLERO, 1536 HASLETT ROAD, HASLETT, MI, 48840**

DESCRIPTION:	Marsh Road (east side) south of Lake Drive
TAX PARCEL:	10-280-002 & 10-280-003
ZONING DISTRICT:	RN (Multiple Family, Mixed Residential)

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

- Section 86-376(g)(4)c., which states the building shall not be less than 40 feet from the property line (rear) for one- or two-story buildings.
- Section 86-376(g)(4)d., which states the building shall be located in accordance with the particular setback requirement of Section 86-367, for the type of street upon which the lot fronts. In this case the required front yard setback is 100 feet from the centerline of Marsh Road.
- Section 86-686(3)a., which states one freestanding sign shall be permitted and shall be located in the front yard with the leading edge at least ten feet back of the street right-of-way.
- Section 86-755, which outlines the off-street parking standards, and requires five parking spaces per 1,000 square feet of gross floor area for a stand-alone medical office.
- Section 86-756(10), which states where a parking area with a capacity of less than 50 vehicles, or its associated internal access or service drives, adjoins a residential district, a landscaped buffer, at least 20 feet wide, shall be provided between the parking area and the adjoining property and a vertical screen shall be erected consisting of a masonry wall, plant materials, a landscaped earth berm, or a combination thereof, as appropriate for the site, no less than four feet in height.
- Section 86-756(11), which states where a parking area, or its associated internal access or service drives, adjoins a public street, except parking areas on individual residential driveways, a landscaped buffer at least 20 feet wide shall be provided between the parking area and the adjacent right-of-way, as measured from the back of the parking lot curb to the right-of-way line. A vertical screen, consisting of a masonry wall, plant material, a landscaped earth berm, or combination thereof, as appropriate for the site, no less than three feet in height, shall be provided to screen the parking area from view along the entire length of this buffer strip.
- Section 86-758(1)b., which states landscaped areas shall be provided throughout the parking area in the amount of 200 square feet for each ten parking spaces.
- Section 86-758(2), parking areas and driveways shall be separated from the exterior wall of the building, exclusive of pedestrian entrance ways, or loading areas, by a landscaped planting area of at least four feet in width. A minimum 50 percent of this landscaped area, at the time of planting, shall be planted with grass, ground cover, shrubs, or other living vegetation.

The applicant is requesting variances to have an insufficient number of off-street parking spaces; locate a parking lot that does not meet the required setbacks; locate a building that does not meet the required setbacks; locate a freestanding sign closer than 10 feet from the street right-of-way; provide zero building perimeter landscaping on the west side of the building; and provide zero interior landscaped areas in the parking lot for the proposed optometry clinic, to located on the east side of Marsh Road, south of Lake Drive, Haslett.

- ☞ 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**

**G. PUBLIC REMARKS**

**H. BOARD MEMBER COMMENTS**

**I. ADJOURNMENT**

**J. POST SCRIPT – PATRICIA JACKSON**

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

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**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, January 27, 2016**

PRESENT: Members Hershiser, Jackson, LeGoff, Ohlrogge, Chair Beauchine  
ABSENT: None  
STAFF: Martha Wyatt, Associate Planner/Landscape Architect  
Director Mark Kieselbach, Community Planning and Development

**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 REVISED AGENDA AS WRITTEN.  
SECONDED BY MEMBER HERSHISER.

VOICE VOTE: Motion carried unanimously.

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

Wednesday, January 13, 2016

MEMBER HERSHISER MOVED TO APPROVE THE MINUTES AS WRITTEN.  
SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

**D. UNFINISHED BUSINESS**

None.

**E. NEW BUSINESS**

**1. ZBA CASE NO. 16-1-27-1, LUIGI G. BALDINO, 5668 OKEMOS ROAD, OKEMOS, MI 48864**

DESCRIPTION: 5668 Okemos Road  
TAX PARCEL: 09-427-001; 09-427-002; 09-427-003; 09-427-004  
ZONING DISTRICT: C-1 (Commercial)

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

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

The applicant is requesting a variance to install a second freestanding sign for the commercial center located at the southeast corner of Haslett Road and Okemos Road (retail multitenant building and office building). The freestanding sign is to be located at 5668 Okemos Road (office building), Haslett.

Ms. Wyatt outlined the case for discussion.

Mr. Luigi (Gino) Baldino, 1812 N. College Road, Mason, MI 48854, applicant, said he was available to answer any questions.

Member Jackson asked the applicant if the new tenant would occupy the entire building or would other tenant names need to be added to the proposed freestanding sign.

Mr. Baldino confirmed the new tenant is the Red Cedar Surgery Center (RCSC) and they would occupy the entire building. He also explained there is 700 square feet of unused office space in the building that would also be utilized by RCSC in the future.

Chair Beauchine asked staff for the dimensions of the building and the linear frontage of the parcel on Haslett Road and Okemos Road.

Ms. Wyatt clarified the determining factor was not the building dimension but the parcel frontage, which measured 377 feet on Haslett Road and 366 feet on Okemos Road.

Chair Beauchine pointed out if the frontage of the parcel for both Haslett and Okemos Roads was combined it would total 743 square feet with two access points and would exceed the required 500 feet of frontage needed to allow for a second freestanding sign.

Ms. Wyatt agreed and added the freestanding signs must be spaced 250 feet apart.

Chair Beauchine asked staff how many other parcels in the Township were treated as one parcel but separated out for tax purposes.

Ms. Wyatt explained this parcel was separated into four tax parcels. She cited Meridian Mall, Meijer and Meridian Towne Centre as similar parcel examples.

Chair Beauchine confirmed the existence of precedence.

Chair Beauchine indicated the proposed 20 square foot freestanding sign for RCSC was within the allowed 28 square feet.

Chair Beauchine asked staff if the previous tenant's wall sign had been removed.

Ms. Wyatt answered the previous wall sign was removed and a new wall sign for RCSC has been installed.

Member Hershiser stated there was a densely wooded area south of the building on Okemos Road and this caused limited visibility for northbound traffic which created a practical difficulty.

Member Ohlrogge pointed out the two buildings are architecturally different, the existing freestanding sign is not in close proximity to the Okemos Road building, and RCSC is a medical facility which needs clear identification from Okemos Road.

Member Ohlrogge outlined the review criteria (Section 86-221) to be considered for approval. Unique circumstances exist and are not self-created because the existing freestanding sign is not in close proximity to RCSC. Strict interpretation and enforcement would result in practical difficulties since the medical facility is not easily visible from the road, preventing the owner from using the property for its permitted purpose. Granting this variance is the minimum action to make use of the structure, is not contrary to public interest, and will not affect the adjacent land since a modest road sign would decrease the need for adjacent landowners to offer directional assistance. Granting this variance will be consistent with the public interest

because patrons need a sign on Okemos Road to overcome the limited visibility from the wooded area. Member Ohlrogge concluded all eight criteria were met.

Member Hershiser stated this proposed sign is modest in size and was not lighted.

MEMBER HERSHISER MOVED TO APPROVE THE VARIANCE AS REQUESTED.

SECONDED BY MEMBER LEGOFF.

Member Ohlrogge suggested an amendment be added to ensure RCSC would not add their name to the list of businesses on the existing freestanding sign at the northwest corner of the development.

Member Hershiser asked staff if the amendment was necessary as the buildings are on separate parcels.

Ms. Wyatt answered since this is considered a commercial center the tenants would be allowed to use the two signs interchangeably.

The maker restated his motion, as follows:

MOVED TO APPROVE THE VARIANCE WITH THE AMENDMENT THE SIGN FOR 5668 OKEMOS ROAD WOULD BE EXCLUSIVE TO THAT ADDRESS AND BUSINESSES AT 5668 OKEMOS ROAD MAY NOT PRESENT ONTO THE CURRENT SIGN ON THE NORTHWEST CORNER OF OKEMOS AND HASLETT ROADS.

SECONDED BY MEMBER LEGOFF.

Member Ohlrogge asked Director Kieselbach if the amendment was allowed as part of the variance approval.

Director Kieselbach replied in the affirmative.

Chair Beauchine clarified the friendly amendment on the proposed freestanding sign would be specific to the businesses at 5668 Okemos Road, and the existing freestanding sign on the northwest corner of the development would be specific to the businesses on Haslett Road. Therefore, the occupants at 5668 Okemos Road may not place their nameplate on the existing freestanding sign.

Member Jackson asked staff to clarify the correct street number on Okemos Road.

Ms. Wyatt confirmed it was 5668 Okemos Road.

Chair Beauchine asked Director Kieselbach to confirm his calculations the second sign would meet the required 250 feet of separation from the existing freestanding sign.

Director Kieselbach confirmed the signs would have at least 250 feet of separation between them.

Chair Beauchine restated the motion on the floor for approval, as follows:

MOVED TO APPROVE THE VARIANCE WITH THE RESTRICTION THE OCCUPANTS OF 5668 OKEMOS ROAD ARE NOT ALLOWED TO PLACE THEIR BUSINESS NAME ON THE SIGN THAT CURRENTLY EXISTS ON THE NORTHWEST CORNER OF OKEMOS AND HASLETT ROADS.

ROLL CALL VOTE: YES: Members Hershiser, Jackson, LeGoff, Ohlrogge, Chair Beauchine  
NO: None  
Motion carried 5-0.

**F. OTHER BUSINESS**

Chair Beauchine announced Member Hershiser resigned from the Zoning Board of Appeals (ZBA) effective immediately and offered a resolution of appreciation.

CHAIR BEAUCHINE MOVED (AND READ INTO THE RECORD), NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF APPEALS OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, as follows:

The Zoning Board of Appeals of the Charter Township of Meridian, by means of resolution, extends to Jim Hershiser grateful thanks for his voluntary effort on behalf of all residents of this community during his period of dedicated service on the Zoning Board of Appeals.

SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

**G. PUBLIC REMARKS**

Mr. Troy Langer, former employee of Meridian Township, said it was a pleasure and honor to serve with Jim and was sad to see him go but wished him the best and looked forward to good times ahead.

**H. BOARD MEMBER COMMENTS**

Member Hershiser thanked the Board for the resolution and kind words.

Chair Beauchine thanked Jim for his service.

Member Ohlrogge said Jim set an example of integrity and respect in accord with who we want to be as a board, and she wished him the best.

Member Jackson said she was impressed with Jim's 19 year commitment and wanted to let him know his insight and perspective of the issues helped in her own resolution on cases and she was grateful to serve with him and learn from him.

Member LeGoff agreed with Member Jackson and she appreciated Jim's succinctness and expertise on the board.

Chair Beauchine said in 1997 both he and Jim were vying for the same board position and Jim won the seat. They have known each other a long time and he thanked Jim for his service.

Member Ohlrogge said Jim really understood the ordinances, the criteria, the Township and the whole process and helped them all better understand the community.

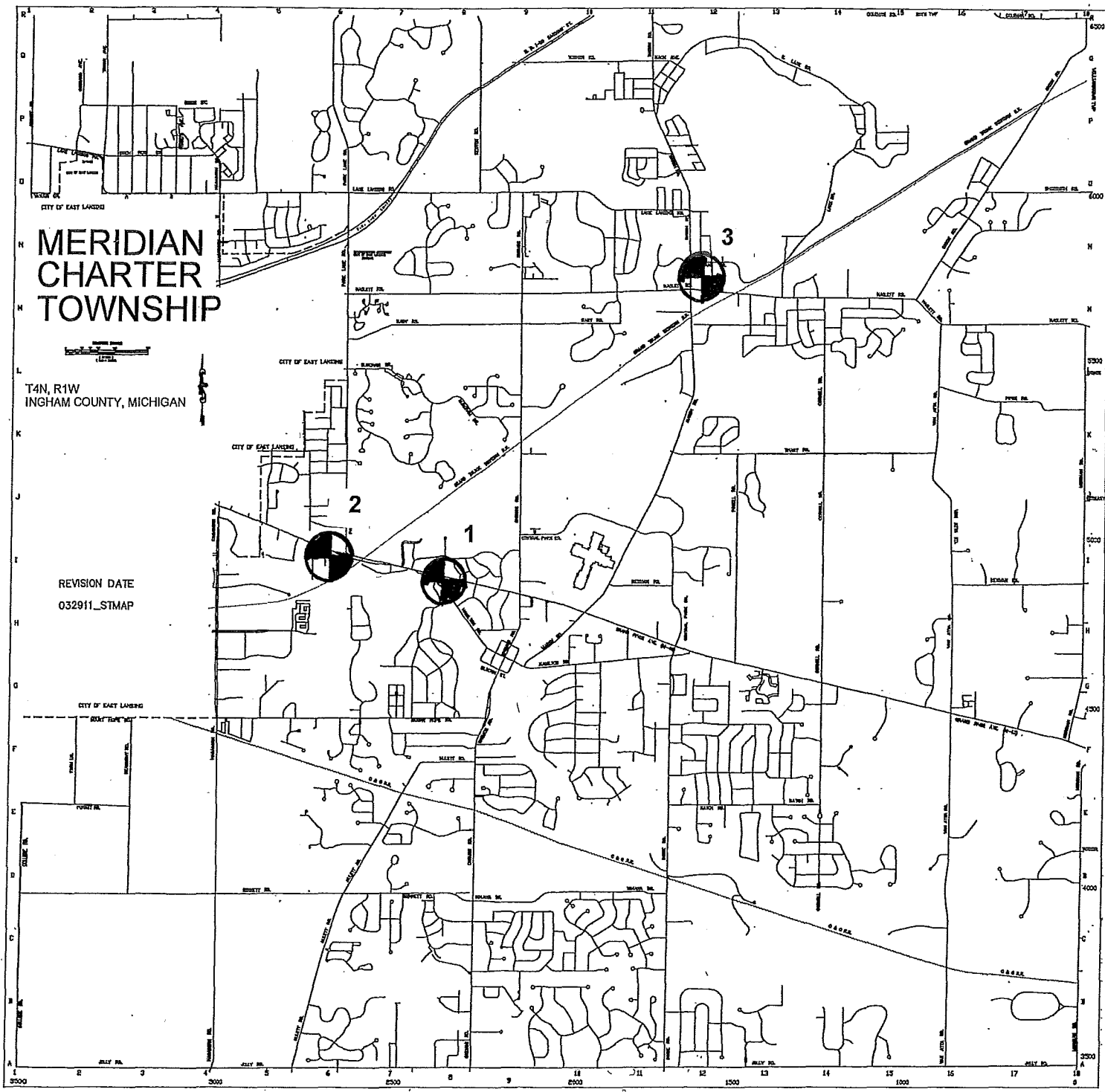
Member Hershiser again thanked the board for their kind words and extended thanks to staff for providing the much needed information and training which helped the board do their job. He believes the ZBA is the most functional board in the Township with the most respect for each other and whose members get along better than any other board, and he thanked the other board members.

**I. ADJOURNMENT**

Chair Beauchine adjourned the meeting at 7:13 p.m.

Respectfully Submitted,

Erin M. Bierly  
Recording Secretary



**MERIDIAN  
CHARTER  
TOWNSHIP**

T4N, R1W  
INGHAM COUNTY, MICHIGAN

REVISION DATE  
032911\_STMAP

**LOCATION MAP**

1. ZBA CASE NO. 16-02-10-1
2. ZBA CASE NO. 16-02-10-2
3. ZBA CASE NO. 16-02-10-3



## 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.

**Martha Wyatt**

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**From:** capcon@voyager.net  
**Sent:** Friday, February 05, 2016 1:59 PM  
**To:** Martha Wyatt  
**Subject:** ZBT #16-02-10-1 (playmakers)  
**Attachments:** untitled-[2]

----- Original Message -----

Subject:  
From: [capcon@voyager.net](mailto:capcon@voyager.net)  
Date: Thu, February 4, 2016 4:13 pm  
To: [mwyatt@meridian.mi.us](mailto:mwyatt@meridian.mi.us)

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Dear Ms. Wyatt;

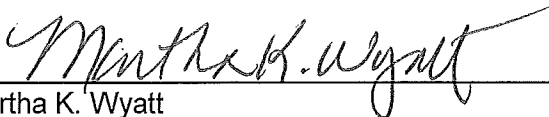
This is in response to Zoning Board of Appeals case #16-02-10-1 Playmakers). I own the building to the west of this building. My Tenants and I have no objections to this request.

However after my wife walked into a store in one of my buildings during an armed robbery and was roughed up by a robber with a gun, she has never again gone into a store that she cannot see into because the windows are fully covered with advertising and what is going on inside is concealed from the public on the exterior. She now considers these circumstances very unsafe and consequently we limit our Tenants to 40% window coverage in our leases for safety purposes.

Sincerely, Chad Walter

# MEMORANDUM

TO: Zoning Board of Appeals

FROM:   
Martha K. Wyatt  
Associate Planner/Landscape Architect

DATE: February 5, 2016

RE: ZBA Case No. 16-02-10-1

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**ZBA CASE NO.:** 16-02-10-1 ANDY MARSH (PLAYMAKERS), 2299 GRAND RIVER AVENUE, OKEMOS, MI 48864

**DESCRIPTION:** 2299 Grand River Avenue

**TAX PARCEL:** 21-131-002

**ZONING DISTRICT:** C-2 (Commercial)

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

- Section 86-687(12), which states window signs shall not exceed more than 40 percent of the surface area of the window in which they are displayed. Window signs shall not exceed ten percent of the building face of which the window is a part.

The applicant is requesting a variance for a window sign to cover more than 40 percent of the surface area of a window for several windows at the Playmakers store, located at 2299 Grand River Avenue. A variance is also being requested to allow window signs to exceed ten percent of the building face of which the window is a part, on two different building elevations.

The Township Code Enforcement officer issued a code violation notice on July 21, 2015 regarding the window signs, stating several window signs cover more than 40 percent of a window. The property owner has submitted the current variance application to address the window sign issues.

Currently 11 window signs are in violation as each sign covers 100% of the window in which it is displayed. Additionally the existing window signs on two different building faces exceed 10 percent coverage of each building face. The applicant is requesting to maintain the pictures (signs) in the windows as they are currently displayed and update the signs on a regular basis with a variety of photographs that will cover 100 percent of each window (11 windows).

As an informational note, windows that are covered with a solid color backdrop that includes a company logo or graphic can be permitted as a window sign as long as the square footage of the graphic plus symbol or wording (as measured to the furthest extent), is less than 40 percent of the surface area of the window. The solid color background is not counted as part of the sign area calculations. The applicant noted these types of window signs may be displayed on a rotating basis (signs such as Nike, UGG, North Face, etc.). In those cases the applicant stated the signs would comply with the 40 percent limitation for a window sign. Although a sign permit is not required for window signs, scaled sign drawings would be required for staff to confirm compliance regarding window coverage.

The window signs are located along the front (north) side of the building that faces Grand River Avenue. Each building face has been assigned a number for discussing the variance request. The applicant has provided dimensions of windows and building faces. An analysis for each building face is provided regarding the percentage of sign coverage of each window and the overall coverage of each building face with window signs.

### **Building Face 1**

Building Face 1 is at the eastern end of the building, where the kids clothing sales area is located, and faces north. Six windows comprise the building face. The upper tier of windows does not have window signs. The lower tier of three windows includes three window signs as follows: two window signs have photographs and the center window has a 'Playmakers Kids' sign comprised of words on a solid white backdrop.

### **Window signs-Surface Area of a Window**

Two windows have signs (photographs) which cover 100 percent of the surface area of each window. Each window is approximately 28.1 square feet in size (54" in height by 75" in width). Per Section 86-687(12) a window sign cannot exceed 40 percent of the surface area of the window, which in this case equates to a maximum of 11.24 square feet of signage is allowed per window (40% of 28.1 square feet).

The middle window is approximately 19.5 square feet in size (54" in height and 52" in width). The words on solid white backdrop are considered the sign portion of the window sign ('Playmakers Kids'). When measured to the fullest extent of the letters, the sign is approximately 7 square feet in size (21" in height and 48" in width). The sign covers approximately 36 percent of the window, thus a variance is not required for this sign for window coverage; however the sign square footage is included in the building face coverage (see below).

### **Window Signs-Building Face Coverage**

The building face is approximately 200 square feet (10'-6" in height by 19' in width). Window signs are permitted to cover up to 10 percent of the building face of which the window is a part; thus window signs could cover up to 20 square feet of Building Face 1. The square footage of the three window signs is summarized below:

Photograph sign (54" in height by 75" in width= 28.1 sq. ft. each) x 2 signs	= 56.25 sq. ft.
'Playmakers Kids' sign	= 7 sq. ft.
TOTAL COVERAGE OF BUILDING FACE 1 (SQ. FT.)	= 63.25 sq. ft.
% COVERAGE OF BUILDING FACE 1	= 31.6%
(63.25 ÷ 200 = 31.6%)	

The applicant is requesting a variance to have two window signs cover 100% of each window and exceed 10 percent of the building face of which it is a part. The following chart summarizes the variance request:

	<b>MAXIMUM ALLOWED COVERAGE</b>	<b>PROPOSED COVERAGE</b>	<b>VARIANCE REQUEST</b>
Window sign* (photograph)	40%	100%	60% additional coverage
Building face	10%	31.6%	21.6%

\* For each window (2 windows)

**Building Face 2**

Building Face 2 is the west facade of the kids clothing sales area. Four windows comprise the building face. The upper tier of windows does not have window signs. The lower tier has two windows with photographs that cover 100% of each window.

Window signs-Surface Area Coverage of a Window

Two windows have signs (photographs) which cover 100 percent of the surface area of each window. Each window is approximately 20.6 square feet in size (54" in height by 55" in width). Per Section 86-687(12), a window sign cannot exceed 40 percent of the surface area of the window, which in this case equates to a maximum of 8.24 square feet of signage is allowed per window (40% of 20.6 square feet = 8.24 square feet).

Window Signs-Building Face Coverage

The building face is approximately 106.75 square feet (10'-6" in height by 122" in width). Window signs are permitted to cover up to 10 percent of the building face of which the window is a part; thus window signs could cover up to 10.67 square feet of Building Face 2. The square footage of the two window signs is summarized below:

Window signs-photographs: 20.6 sq. ft. each (54" in ht. by 55" in width) x 2 signs = 41.2 sq. ft.  
 TOTAL COVERAGE OF BUILDING FACE 2 (SQ. FT.) = 41.2 sq. ft.  
 % COVERAGE OF BUILDING FACE 2 = 38.6%  
 (41.2 sq. ft. ÷ 106.75 sq. ft.)

The applicant is requesting a variance to have two window signs cover 100% of each window and exceed ten percent of the building face of which it is a part. The following chart summarizes the variance request:

	<b>MAXIMUM ALLOWED COVERAGE</b>	<b>PROPOSED COVERAGE</b>	<b>VARIANCE REQUEST</b>
Window sign* (photographs)	40%	100%	60% additional coverage
Building face	10%	38.6%	28.6%

\* For each window (2 windows)

**Building Face 3**

Building Face 3 is the north elevation of the building which includes the arched facade and main entrance door to Playmakers (labeled as Building Face 3A on the photograph) as well as a section of the façade associated with the kids clothing sales area (Labeled as Building Face 3B on the photograph).

Window signs-Surface Area Coverage of a Window for Building face 3A

Six windows have signs (photographs or other signs) which cover 100 percent of the surface area of each window. Each window is approximately 20.1 square feet in size (58" in height by 50" in width). Per Section 86-687(12), a window sign cannot exceed 40 percent of the surface area of the window, which in this case equates to a maximum of 8.04 square feet of signage is allowed per window (40% of 20.1 square feet = 8.04 square feet).

The applicant is requesting a variance to have six window signs cover 100% of each window. The following chart summarizes the variance request:

	<b>MAXIMUM ALLOWED COVERAGE</b>	<b>PROPOSED COVERAGE</b>	<b>VARIANCE REQUEST</b>
Window sign*	40%	100%	60% additional coverage

\* For each window (6 windows)

Window signs-Surface Area Coverage of a Window for Building Face 3B

One window has a sign (photograph) which covers 100 percent of the window. The window is approximately 17 square feet in size (54" in height by 45" in width).

The applicant is requesting a variance to have one window sign cover 100 percent of the window. The following chart summarizes the variance request:

	<b>MAXIMUM ALLOWED COVERAGE</b>	<b>PROPOSED COVERAGE</b>	<b>VARIANCE REQUEST</b>
1 Window sign	40%	100%	60% additional coverage

Following is a summary of other signage on Building Face 3, which does not require variances but quantifies window coverage of the existing window signs.

Building Façade 3B has a second window sign, 'Playmakers Kids', which is comprised of words on a solid white backdrop. The window is approximately 17 square feet in size (54" in height by 45" in width). The words are considered the sign portion of the window sign. When measured to the fullest extent of the letters, the sign is approximately 5 square feet in size (18" in height and 48" in width). The sign covers approximately 29 percent of the window, thus this sign does not require a variance for window coverage.

Window Signs-Building Face Coverage for Building Face 3

Building Face 3 includes the combined total of the square footage of Building Face 3A and 3B. Based on the information presented by the applicant staff estimated Building Face 3A is approximately 1,903 square feet and Building face 3B is approximately 221 square feet, with a combined total of approximately 2,124 square feet. Using this figure windows signs could cover up to 212.4 square feet (10 percent of Building Face 3).

The square footage of the window signs as proposed on Building Face 3 is summarized as follows:

Building Face 3A: 6 signs* x 20.1 sq. ft. per sign	= 120.6 sq. ft.
Building Face 3B: 1 sign* at 17 sq. ft.	= 17 sq. ft.
Building face 3B: 1 sign at 5 sq. ft. (Playmaker Kids Logo)	= 5 sq. ft.
<b>TOTAL SQUARE FEET</b>	<b>=142.6 sq. ft.</b>
<b>PERCENT COVERAGE</b> (142.6 sq. ft. ÷ 2,124 sq. ft.)	<b>=6.7%</b>

\*100% coverage of each window (7 windows)

The combined total of the 8 window signs on Building Face 3 is less than 10% coverage thus a variance is not required. This information will be utilized for future window signs to calculate both window sign and building face coverage.

**Site History**

- The building has been occupied by Schmidt's Food Market; Barnes and Noble Bookstore and Cappuccino Café.
- Playmakers moved into the building in 2002.

**Attachments**

1. Application
2. Site Location Map
3. Sign Package from Applicant
4. Photographs with Measurements and Building Face Designations

G:\COMMUN PLNG & DEV\PLNG\ZBA\2016ZBA\ZBA 16-01-27\Z\_16\_02\_10\_1.1.doc



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

fr 18<sup>th</sup>  
Need 10 copies  
of photos, plans

VARIANCE APPLICATION

A. Applicant Andy Marsh (Playmakers)  
Address of Applicant 2299 W. Grand River Ave.  
Okemos, MI 48864  
Telephone (Work) 517-349-3803 Telephone (Home) 517-420-0432  
Fax 517-349-8627 Email address: Andy@playmakers.com  
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location Playmakers - 2299 W. Grand River Ave.  
Zoning district C-2 Parcel number 21-131-002

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) Section 86-687 Window signs are in excess of 40% of windows

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)

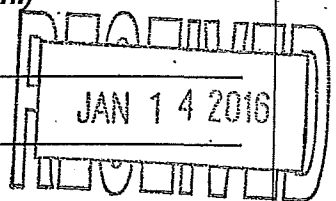
Andrew C Marsh                      Andrew C. Marsh                      1-10-16  
Signature of Applicant                      Print Name                      Date

Fee: 200.00                      Received by/Date: Martha Wyatt 1/14/16

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.)

Andrew C. Marsh                      1-12-16  
Signature of Applicant(s)                      Date

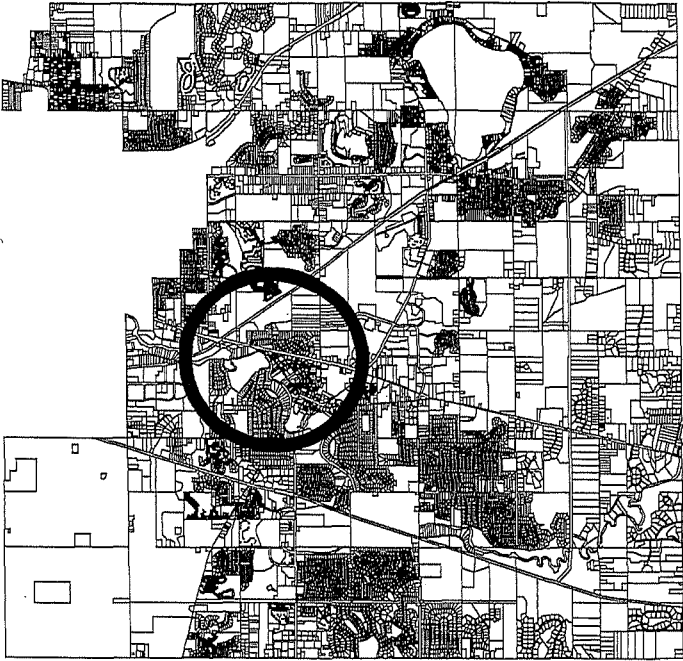
Signature of Applicant(s)                      Date



**ZONING BOARD OF APPEALS #16-02-10-1  
(PLAYMAKERS)**

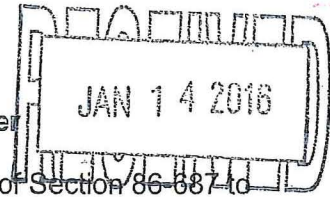
**REQUEST A VARIANCE TO ALLOW WINDOW  
SIGNS TO COVER MORE THAN  
40% OF EACH WINDOW  
AT 2299 GRAND RIVER AVE. (PLAYMAKERS)**

**CHARTER TOWNSHIP OF MERIDIAN**





## Playmakers Window Variance - Application Letter



Playmakers - 2299 W. Grand River Avenue - is applying for a variance of Section 86-687 to accommodate local event photos that cover more than 40% of a single pane of glass. Playmakers is not looking to expand the amount of windows covered, just maintain and update the windows that are currently covered with photos. The ordinance has been clarified by Steve McGuire stating that Playmakers can cover an entire window with a photo/graphic, as long as the backdrop is a solid color and the graphic or photo, takes up less than 40% of the surface area.

Playmakers has been a locally owned business in the Greater Lansing and Meridian Township area for 35 years. In 2002 the Playmakers storefront moved from the Meridian Mall to the current location, within the historic confines of Schmidt's Grocery Store. Both the Playmakers storefront and the Playmakers Kid's storefront, a former coffee shop Playmakers subsequently moved into, are primarily windows. Since moving to it's current location in 2002, Playmakers has used the inside of the windows as display space while having graphics and photos visible from the outside of the store.

The graphics and photos in the specified windows takes up 100% of the panes of glass they cover. The images have consisted of Playmakers store logos on a solid color backdrop, brand logos on a solid color backdrop, and photos from local running and walking events that Playmakers sponsors and promote. While the windows with Playmakers logos and brand logos comply with Meridian Township Ordinance Section 86-687, the window panes that are covered with photos violate this ordinance.

To note, Playmakers highly prefers to have the majority of the windows that are covered to feature a local race/event/athlete rather than a brand or store logo. These photos represent local charities, local races, and most importantly runners and walkers of all ages in our community.

In 2015, Playmakers was able to support hundreds of races through free services offered on our website, free clinics, and assisting over 120 events with our event truck onsite at no cost. The vast majority of these events support charities, municipalities, and local schools. In 2015 this included field days and fundraisers for Okemos Public Schools, assisting at the Polar Bear 5K hosted by Meridian Township Parks and Recreation, and the Celebrate Okemos Downtown 5K hosted by the Meridian Downtown Development Authority. In addition to these events, if granted the variance, one of the new images on our kids store will be of the Playmakers Kids Running Club that Playmakers hosts in-conjunction with Meridian Township Parks and Recreation.

Playmakers is not looking to increase the amount of windows that are covered, but rather just maintain the pictures in the windows that have been covered since the store moved to its current location. If the variance request is granted, Playmakers would update all of the photos to include events that were held in 2015 and 2016 in Greater Lansing.

Please see the attached photos for more information on the current view of Playmakers storefront, images of Playmakers if directed to come within compliance of Ordinance Section 86-687, and images of what Playmakers updated graphics will look like.

Thank you for your consideration and please do not hesitate to contact us with questions.



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

Need 10 copies  
of photos, plans

VARIANCE APPLICATION

A. Applicant Andy Marsh (Playmakers)  
Address of Applicant 2299 W. Grand River Ave.  
Okemos, MI 48864  
Telephone (Work) 517-349-3803 Telephone (Home) 517-420-0432  
Fax 517-349-8627 Email address: Andy@playmakers.com  
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location Playmakers - 2299 W. Grand River Ave.  
Zoning district C-2 Parcel number 21-131-002

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) Section 86-687 *Window signs are in excess of 40% of windows*

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)

Andrew C Marsh Andrew C. Marsh 1-10-16  
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.)

Andrew C. Marsh 1-12-16  
Signature of Applicant(s) Date

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

# CHARTER TOWNSHIP OF MERIDIAN

Elizabeth Ann LeGoff    Supervisor  
Brett Dreyfus            Clerk  
Julie Brixie                Treasurer  
Frank L. Walsh            Manager



Milton L. Scales            Trustee  
Ronald J. Styka            Trustee  
John Veenstra              Trustee  
Angela Wilson              Trustee

July 21, 2015

JJV PROPERTIES LLC  
4900 MONTROSE AVE #100  
OKEMOS, MI 48864

## RE: ZONING ORDINANCE VIOLATION AT 2301 GRAND RIVER, OKEMOS

Dear Property Owner:

A violation of Section 86-687 of the Township Zoning Ordinance has been found at the property located at the above address.

The violation to the zoning code is as follows:

**Section 86-687 ZONING VIOLATION (WINDOW SIGNS ARE IN EXCESS OF 40% OF WINDOW AT PLAYMAKERS STORE.)**

Said violation must be corrected within ten (10) days of the date of this notice.

**The Township may also issue to the person(s) responsible for the violation a municipal civil infraction violation notice, subject to a payment of a civil fine of \$75.00.**

We appreciate your cooperation in this matter. Please call (517) 853-4550 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. McGuire', is written over a horizontal dashed line.

Steve McGuire, Code Enforcement Officer (517) 853-4554  
Code Enforcement Division  
Community Planning and Development

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

[www.meridian.mi.us](http://www.meridian.mi.us)



**Playmakers - Current Window Images Exterior**

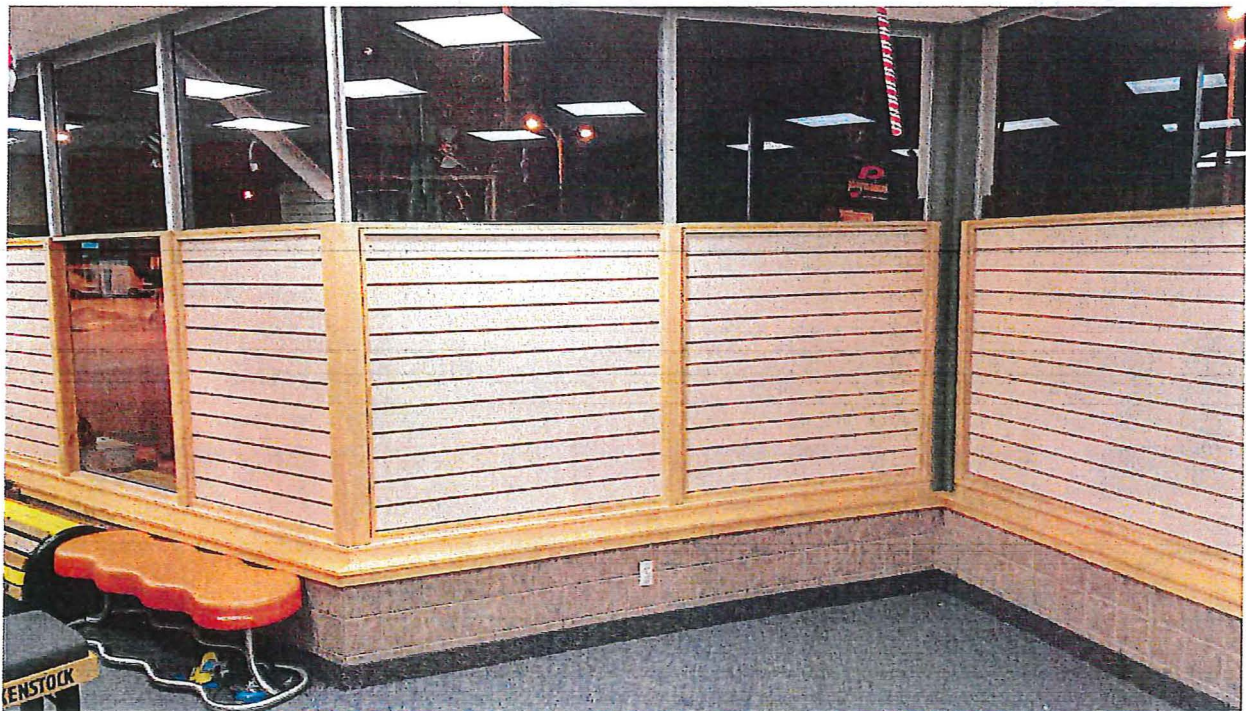
Section 86-687 (12) Window signs - Window signs shall not exceed more than 40% of the surface area of the window in which they are displayed. Window signs shall not exceed 10% of the building face of which the window is a part.



Playmakers - Current Window Images Exterior - Cont.



Playmakers - Current Window Images Interior





**Playmakers - Draft Images - Complying with Section 86-687**



**Please Note - The pictures in the photo below take up 40% of the total window pane. The remainder of the window have be blacked out in a solid color in accordance with Section 86-687**



### Playmakers - Proposed Storefront - Kids Store



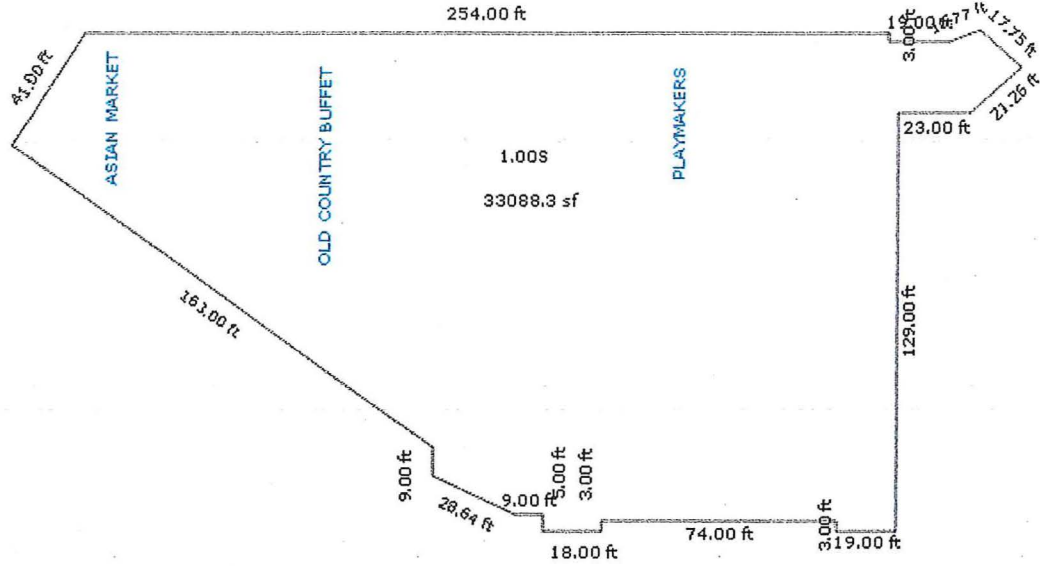
### Playmakers - Proposed Storefront - Main Store

Playmakers would continue to change out the 6 windows (displayed below with black background and vendor logos) on the main store rotating between pictures highlighting local runners, walkers, and scholastic athletes while occasionally including a logo of a vendor partners. The windows that contain the vendor partner logos, currently comply with, and would continue to comply with Meridian Township Ordinance - Section 86-687.

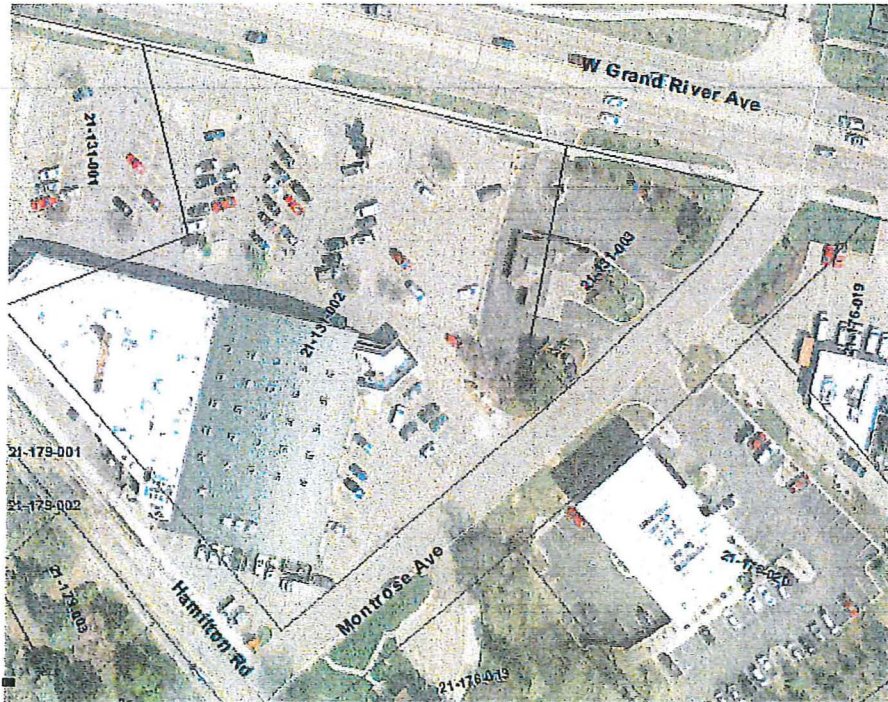


# Playmakers Property Information - Cont.:

21-131-002



Sketch by Apex Sketch

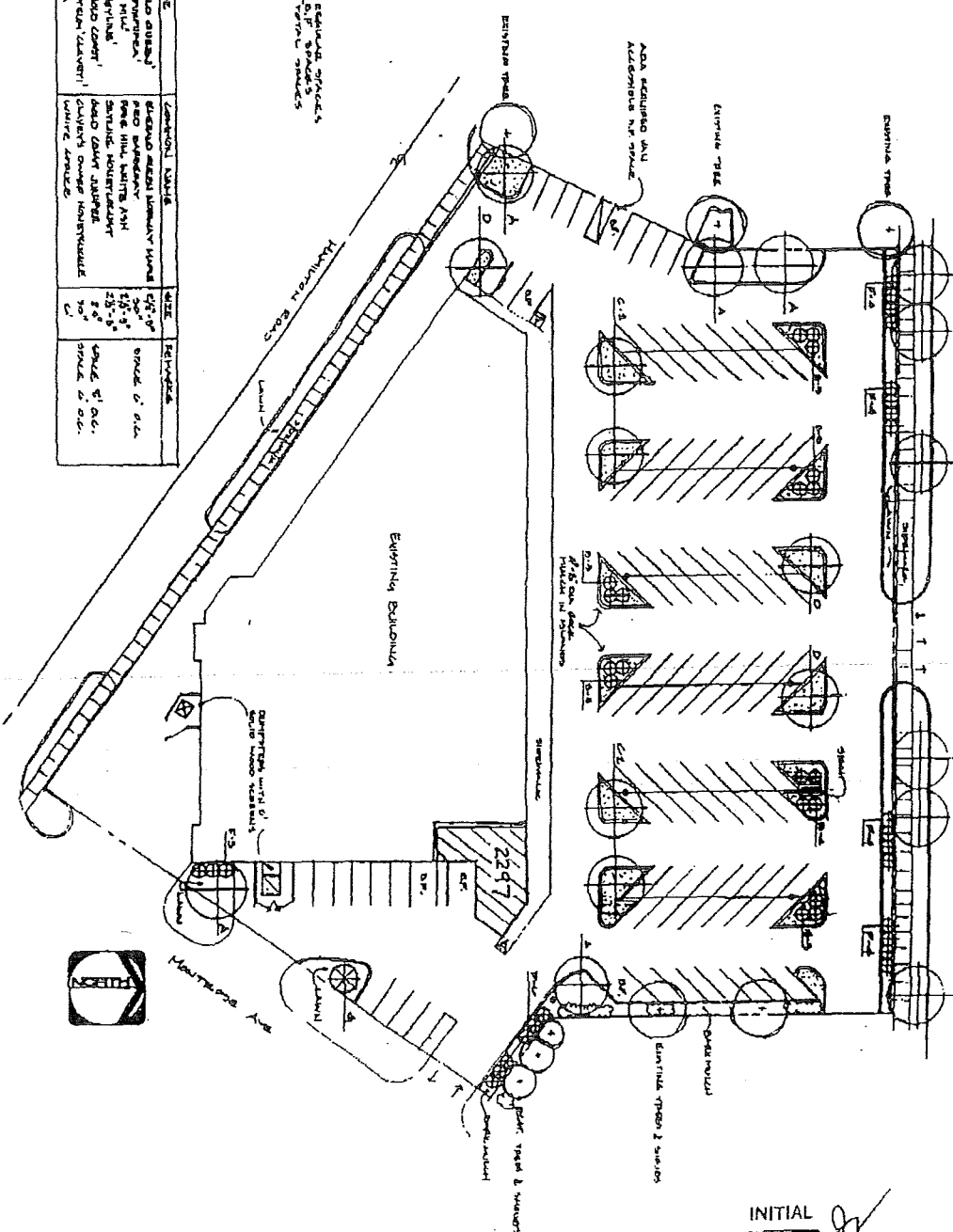


# EXHIBIT "A"

Plant List:

NO.	SYM.	DESCRIPTION	QUANTITY	SIZE	REMARKS
A	1	Red F. (variegated)	1	12" x 12"	Space 1 of 12
B	2	Red F. (variegated)	1	12" x 12"	Space 2 of 12
C	3	Red F. (variegated)	1	12" x 12"	Space 3 of 12
D	4	Red F. (variegated)	1	12" x 12"	Space 4 of 12
E	5	Red F. (variegated)	1	12" x 12"	Space 5 of 12
F	6	Red F. (variegated)	1	12" x 12"	Space 6 of 12
G	7	Red F. (variegated)	1	12" x 12"	Space 7 of 12
H	8	Red F. (variegated)	1	12" x 12"	Space 8 of 12
I	9	Red F. (variegated)	1	12" x 12"	Space 9 of 12
J	10	Red F. (variegated)	1	12" x 12"	Space 10 of 12
K	11	Red F. (variegated)	1	12" x 12"	Space 11 of 12
L	12	Red F. (variegated)	1	12" x 12"	Space 12 of 12

Planting: 12" square spaces  
15' x 15' spaces  
15' x 15' spaces



INITIAL

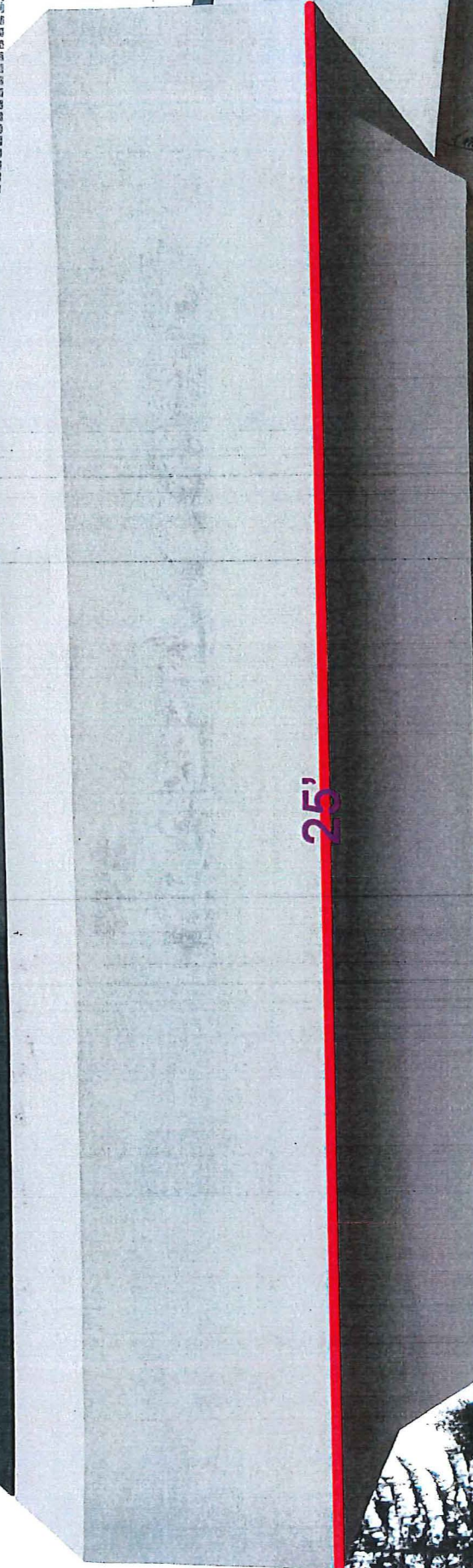
FRANK SCHMIDT'S SUPERMARKET  
LANDSCAPE PLAN  
CREATED BY MICHAEL

KEYSTONE DESIGN GROUP  
SENIOR DESIGNER  
DAVID WOOD JOHNSON  
ARCHITECT

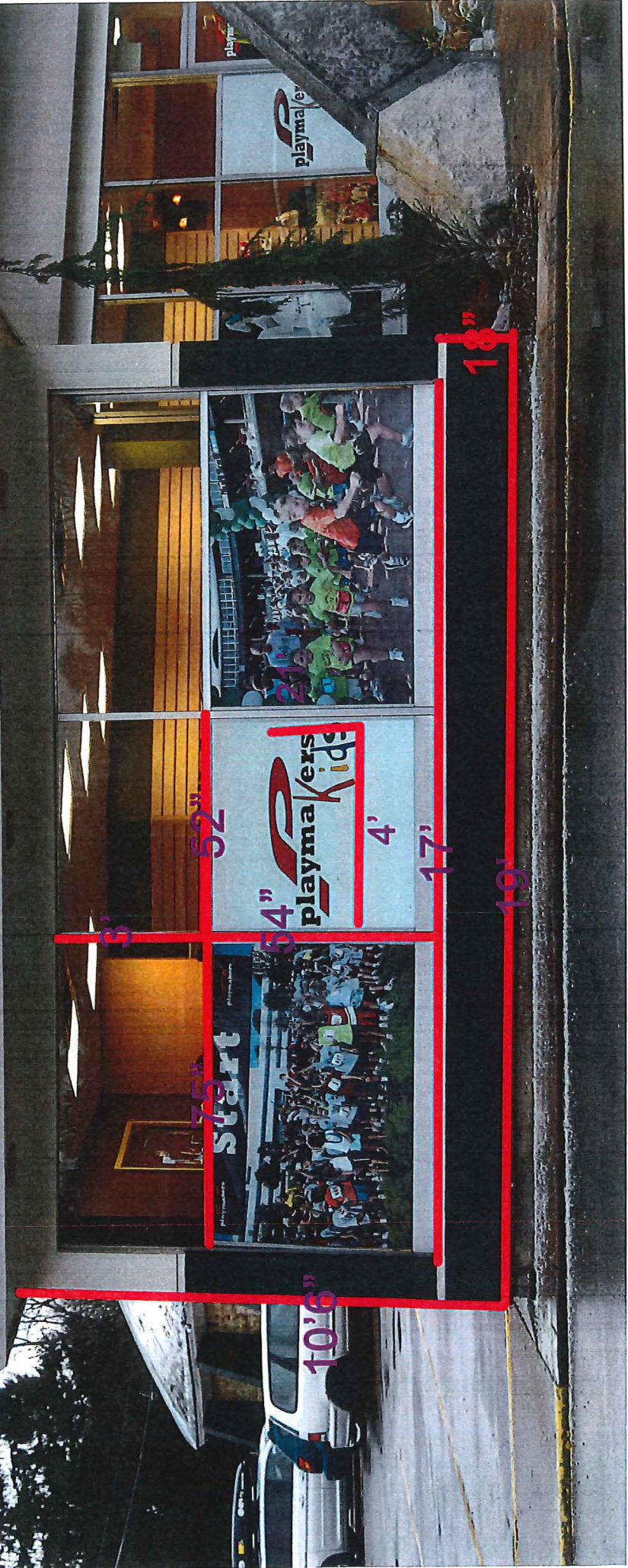


BUILDING FACE 1

PERMISSION  
FEB 03 2016



25'



3'

52"

54"

4'

17'

10'6"

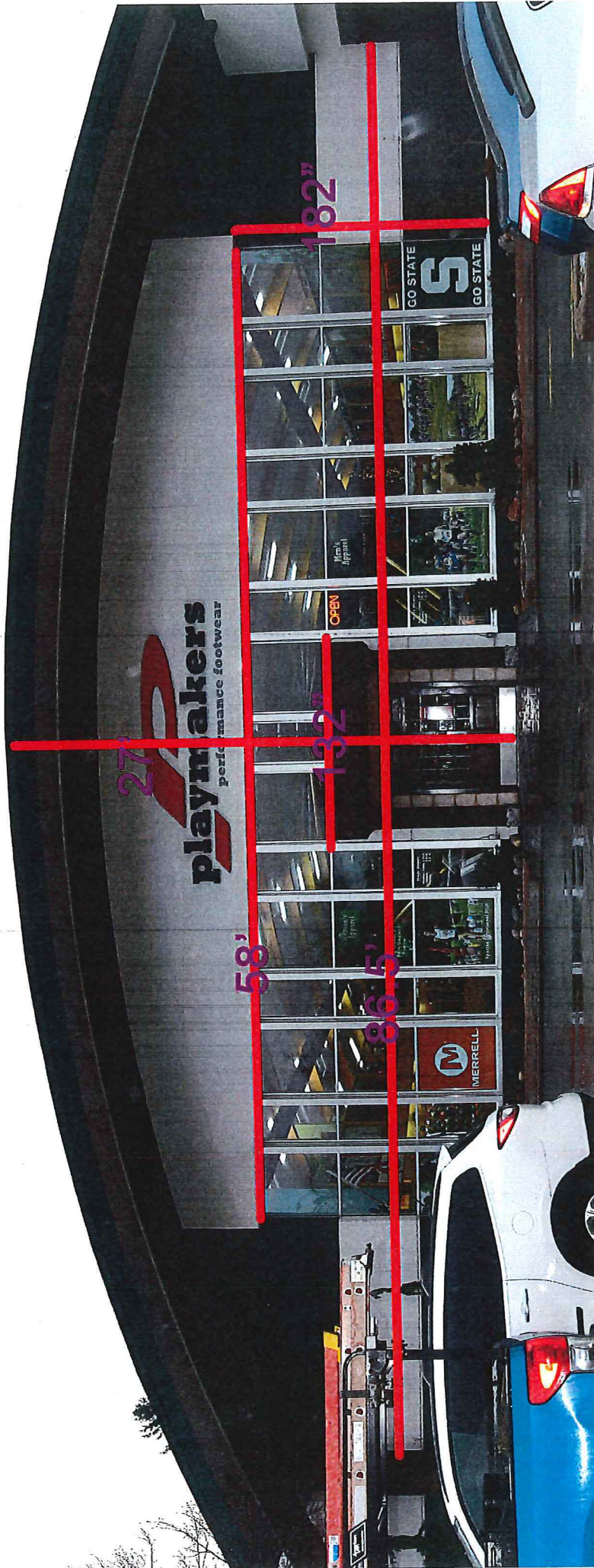
18"

19'

# BUILDING FACE 2



BUILDING FACE 3A



PRELIMINARY  
FEB 03 2016

THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 08/28/2018 BY 60322 UCBAW/STP



BUILDING FACE 3A- WINDOW DETAIL



RECEIVED  
FEB 03 2016


BUILDING FACE 3B



FEB 03 2016

# MEMORANDUM

TO: Zoning Board of Appeals

FROM:   
Martha K. Wyatt  
Associate Planner/Landscape Architect

DATE: February 5, 2016

RE: ZBA Case No. 16-02-10-2

---

**ZBA CASE NO.** 16-02-10-2 AUTOZONE DEVELOPMENT, LLC, 123 S. FRONT STREET 3<sup>RD</sup> FLOOR, MEMPHIS, TN 38103

**DESCRIPTION:** 2649 Grand River Avenue

**TAX PARCEL:** 20-205-012

**ZONING DISTRICT:** C-2 (Commercial)

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

- Section 86-755, which outlines the off-street parking standards, and requires 5 to 5.5 parking spaces per 1,000 square feet of gross floor area for a retail use.
- Section 86-756(14), which states where a parking area, or its associated internal access or service drives, adjoins the same or other nonresidential district, a landscaped buffer at least 15 feet wide, shall be provided between the parking area and the property line. A vertical screen shall be erected consisting of a masonry wall, plant material, a landscaped berm, or combination thereof, as appropriate for the site, no less than three feet in height.

The applicant, AutoZone Development, LLC is proposing to raze the existing automotive repair building, known as Kildea Kar Kare, and construct an approximate 6,000 square foot AutoZone store at 2649 Grand River Avenue. The proposed project was approved in 2015 under Site Plan Review #15-08, subject to the applicant applying for and receiving all applicable variances.

As background information, a recorded easement agreement was put in place when the shopping center to the south was developed in the 1990's, by Talon Development. Currently the tenants of the shopping center include The Salvation Army store, Foods for Living, and State of Fitness. Through the easement agreement, an easement area was established over the south portion of the Kildea Kar Kare property that allowed the shopping center to construct a parking area that is dedicated to the shopping center, including drive aisles and parking spaces. The easement agreement allows for pedestrian and vehicular ingress and egress across and over the easement area. The Township Attorney has reviewed the recorded documents and determined the terms of the easement agreement remain in place.

A separate access easement was established in 1997 to allow access to the property at 2643 Grand River Avenue (Eastside Animal Hospital) via the Kildea Kar Kare site. A connecting driveway is located on the east property line of the Kildea Kar Kare site, which will remain intact for the AutoZone development, with slight modifications.

Following is a summary of the variance request by ordinance section number.

- Section 86-755-Off-street Parking Standards

The required number of off-street parking spaces for the proposed retail building is 5 to 5.5 parking spaces per 1,000 square feet of gross floor area. The gross floor area of the proposed store is approximately 6,000 square feet, thus requiring 30 to 33 parking spaces. Section 86-760(h) allows a reduction in the number of off-street parking spaces if bicycle parking is provided, with no more than a 10% reduction of the required number of off-street parking spaces. In this case a maximum of three off-street parking spaces could be eliminated if bicycle parking is provided. The plan shows six bicycle parking spaces (3 bicycle racks) thus the required number of off-street parking space is 27 spaces.

The plan shows 23 off-street parking spaces; therefore the applicant is requesting a variance of four parking spaces.

The following chart summarizes the request:

<b>Required Parking</b>	<b>Proposed Parking</b>	<b>Variance Request</b>
27 parking spaces*	23 parking spaces	4 parking spaces

\*Includes bicycle parking reduction

- Section 86-756(14)-Landscaped Buffer

Where a parking area, or its associated internal access or service drives, adjoins the same or any other nonresidential district, a landscaped buffer at least 15 feet wide, shall be provided between the parking area and the property line. The vertical screen in the landscaped buffer must be a minimum of three feet in height.

The area under consideration for the variance is along the eastern property line, north of the connecting drive with the adjacent property at 2643 Grand River Avenue (Eastside Animal Hospital). The landscaped buffer in this area starts from the north end of the connecting drive and travels north for approximately 53 feet. The width of the landscaped buffer at its closest point is two feet (by the connecting drive) and widens out to 15 feet as traveling north. The applicant is requesting a variance to provide a landscaped buffer less than 15 feet in width.

The following chart summarizes the request:

	<b>Required Width- Landscaped Buffer</b>	<b>Proposed Width- Landscaped Buffer</b>	<b>Variance Request</b>
East property line	15 feet	2 feet	13 feet

### **Site History**

- The Kildea Kar Kare building was constructed in 1979 (BP #11877).
- The proposed AutoZone project was approved on January 5, 2016 under Site Plan Review #15-08.

### **Attachments**

1. Application and Submittals from Applicant
2. Site Location Map
3. Site Plans

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

**VARIANCE APPLICATION**

A. Applicant AutoZone Development, LLC (Jeff Kauertz)  
Address of Applicant 123 S. Front Street, 3rd Floor  
Memphis, TN 38103  
Telephone (Work) 901-495-8771 Telephone (Home) \_\_\_\_\_  
Fax 901-495-8300 Email address: jeff.kauertz@autozone.com  
Interest in property (circle one): Owner Tenant **Option** Other

B. Site address/location 2649 Grand River, Meridian Twp, MI 48823  
Zoning district C-2 Parcel number 33-02-02-20-205-012

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

86-755 (parking count),  
Zoning Ordinance section(s) 86-756(14) (15' landscape buffer east property line)

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)

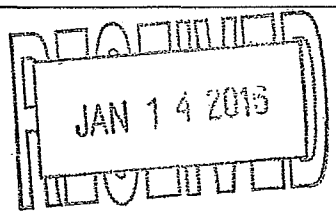
[Signature]                                      JEFF KAUERZ FOR                      1-13-16  
Signature of Applicant                      Print Name                      AUTOZONE                      Date

Fee: \$450                      Received by/Date: Maureen Regatt 1/14/16

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]                                      1-13-16  
Signature of Applicant(s)                      Date

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





Civil Engineers | Land Surveyors | Landscape Architects

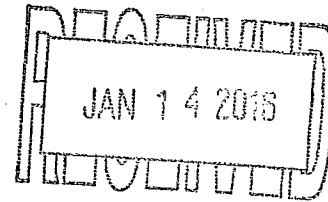
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Corporate Office: 2430 Rochester Court • Suite 100 • Troy, MI 48083  
t: 248.689.9090 • f: 248.689.1044 • www.peainc.com

January 13, 2016  
PEA Project No: 2015-189

Ms. Martha Wyatt  
Charter Township of Meridian  
5151 Marsh Road  
Okemos, MI 48864-1198

**RE: Site Plan Review #15-08 (AutoZone Development, LLC)  
2649 Grand River Avenue  
Meridian Township, MI  
Variance Request**



Dear Ms. Wyatt:

During the Site Plan approval process, AutoZone reduced their building size from the largest prototype footprint to their smallest footprint in an effort to reduce or eliminate Zoning Variances for this project. The site has also been configured in a manner to reduce or eliminate Zoning Variances and maximize greenspace for the proposed AutoZone.

The following is a list of responses to the eight review criteria for each of the two variances being requested:

- A) 4 parking spaces (Section 86-755) – 27 required, 23 proposed
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.*
    - i) The southern portion of the site (0.17 acres) was converted to an access easement as part of the "Talon Development" project that occurred in the 90's. The area can only be used for cross-access and parking for the development to the south. This limits the area available for parking on the subject parcel. Four (4) parking stalls physically exist in this easement area that are within the proposed AutoZone site boundary. However, these stalls cannot be counted toward the AutoZone parking requirements since they are part the approved PUD development to the south.
    - ii) Cross-access agreements were created with both the parcel to the south (Talon Development) and the parcel to the east (Animal Hospital) for access across the subject parcel. Shared access must be maintained for both parcels, limiting the available space on the site for parking.
    - iii) A future cross-access connection for the parcel to the west is required for the AutoZone Development per the Grand River Avenue (M-43) Corridor Access Management Overlay District which limits the area available for parking on the subject parcel.
  2. *These special circumstances are not self-created.*
    - i) The circumstances listed above are created from previously approved development agreements or result from Township site access requirements. The circumstances were not self-created by the applicant.
  3. *Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.*

- i) The ordinance calculations for parking count are based on gross floor area with no reduction allowed for portions of the building that are restricted from customer access. Therefore, strict interpretation of the Ordinance requires 27 parking spaces. The proposed building is the smallest available footprint for an AutoZone store. Due to required setbacks, maximum impervious area, cross-access easements, storm water management etc., only 23 parking spaces can be accommodated on the site. AutoZone has done a thorough market analysis and the 23 proposed parking spaces will meet their demand. Requiring more than the needed 23 parking spaces to adequately serve this development would be unnecessarily burdensome.
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.*
  - i) Due to constraints on the parcel and other ordinance requirements listed above, the building size would be required to be reduced significantly in order to meet the parking requirement which would make the parcel unfeasible for AutoZone to develop on. Failure to grant the variance would significantly limit the potential developments that could utilize the parcel, creating a burden to the current owner, Kildea Kar Kare.
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.*
  - i) Granting of the parking variance would make this parcel useable for the proposed AutoZone development. The proposed development carries out the spirit of the zoning ordinance by reducing the amount of pavement on the property and increasing landscape areas while providing the appropriate number of parking spaces needed for the proposed use. The proposed development also provides cross-access/shared drives with all adjacent parcels in order to improve traffic safety for the area. Granting of the parking variance would allow Kildea Kar Kare to justly sell their parcel without creating the burden of finding a new buyer that can feasibly develop the parcel with limited space for parking and building footprint size constraints.
6. *Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.*
  - i) The proposed development will not adversely affect the adjacent land or essential character in the vicinity of the property. The proposed project will positively affect adjacent land both aesthetically and functionally by reducing impervious surface, providing additional greenspace and landscaping features, providing storm water quality improvements, providing an attractive building with a new parking area, and improving site interconnectivity and safety.
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.*
  - i) The constraints on the parcel are unique due to its location as part of the Grand River Avenue (M-43) Corridor Access Management Overlay District and adjacent to a planned PUD development to the south as well as existing shared access easement constraints added to the parcel as part of the previous developments that occurred in this area in the 90's.
8. *Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.*
  - i) Granting of the variance will reduce unnecessary excess pavement and will allow the parcel to be redeveloped, improving the appearance of the area with more upscale building materials and increased landscaping. Stormwater quality of runoff from the site will be improved as well with the proposed bioretention area. In addition, the proposed new use for the site will eliminate the potential for site contamination based on the proposed Retail Sales use category. Granting the variance will generally be consistent with public interest and the intent of the ordinance.



B) 15 foot wide landscape buffer along portion of eastern property line (Section 86-756) – 53 feet along eastern property line, north of shared access drive to Animal Hospital

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.*
  - i) Cross-access agreements/shared drives were created on the subject parcel in the 90's as part of the "Talon Development" to the south as a requirement by the Township. Cross-access must be provided across the subject parcel for all adjacent parcels which limits available space for landscaping. Prior to the development in the 90's, a 10' wide buffer existed which met the buffer requirements of the Ordinance at that time. Per agreements required by the Township, the landscape buffer was removed to provide shared access and connected parking areas with the adjacent parcels. The proposed AutoZone development adds a small landscape buffer along the eastern property line as much as possible while meeting all other requirements of the Ordinance and maintaining the required cross-access to adjacent parcels. The provided buffer is an improvement relative to existing conditions to the extent feasible. The current site configurations and access requirements are considered unique circumstances peculiar to this parcel.
2. *These special circumstances are not self-created.*
  - i) The circumstances listed above were created from previous development agreements required by the Township as well as the addition of the Grand River Avenue (M-43) Corridor Access Management Overlay District requirements. The circumstances were not self-created.
3. *Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.*
  - i) Strict interpretation of the Ordinance would require a 15 foot wide buffer along both the eastern and western property lines which would reduce the available development width of the site to approximately 102 feet. With required parking, stormwater management, and cross-access drives, the site area available for redevelopment is significantly reduced and limits the marketability of the site to potential buyers. AutoZone does not have a building footprint that would fit on this parcel and meet all of the site constraints and Ordinance requirements. Strict interpretation and enforcement would result in practical difficulties due to the existing site layouts in the vicinity combined with the required access between sites.
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.*
  - i) With required 15 foot landscape buffers on both the west and eastern property lines as well as requirements for parking, stormwater management, cross-access drives and previously required access easements over a large portion of the parcel, the site area available for redevelopment is significantly reduced and limits the marketability of the site to potential buyers. AutoZone does not have a building footprint that would fit on this parcel and meet all of the site constraints and Ordinance requirements. If the variance is not granted, the current property owner, Kildea Kar Kare, will be forced to seek another buyer that could feasibly utilize the parcel while meeting all of the current site constraints and requirements which would be unnecessarily burdensome and difficult for the current property owner.
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.*
  - i) Granting of the variance would allow the site to be redeveloped, meeting other requirements of the zoning ordinance, including upgraded building materials, increased landscaping, and increased stormwater runoff control. The redevelopment will greatly improve the visual character of the

area, complimenting neighboring sites and structures which carries out the spirit of the zoning ordinance while providing cross-access to adjacent parcels, greatly improving traffic safety of the area. The requested variance has been minimized to the extent feasible, and the proposed buffer improves upon existing conditions.

6. *Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.*
  - i) The proposed development will not adversely affect the adjacent land or essential character in the vicinity of the property. The proposed project will positively affect adjacent land both aesthetically and functionally by reducing impervious surface, providing additional greenspace and landscaping features, providing storm water quality improvements, providing an attractive building with a new parking area, and improving site interconnectivity and safety.
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.*
  - i) The conditions of the parcel are unique. The combination of the current site configurations in the vicinity, existing parking and access agreements, and access requirements per the Grand River Avenue (M-43) Corridor Access Management Overlay District are particular to this site.
8. *Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.*
  - i) Granting of the variance is beneficial for all developments in the area and consistent with public interest. The proposed development meets the Zoning Ordinance outside of the requested variances. The requested buffer variance improves upon existing site conditions and is consistent with the purpose and intent of the Variances Ordinance. The current and adjacent property owners have indicated support for the proposed redevelopment including the requested variances. The proposed redevelopment improves the building materials, landscaping, storm water quality as well as reduces the potential for site contamination by changing the proposed use of the site from auto repair shop to Retail Sales.

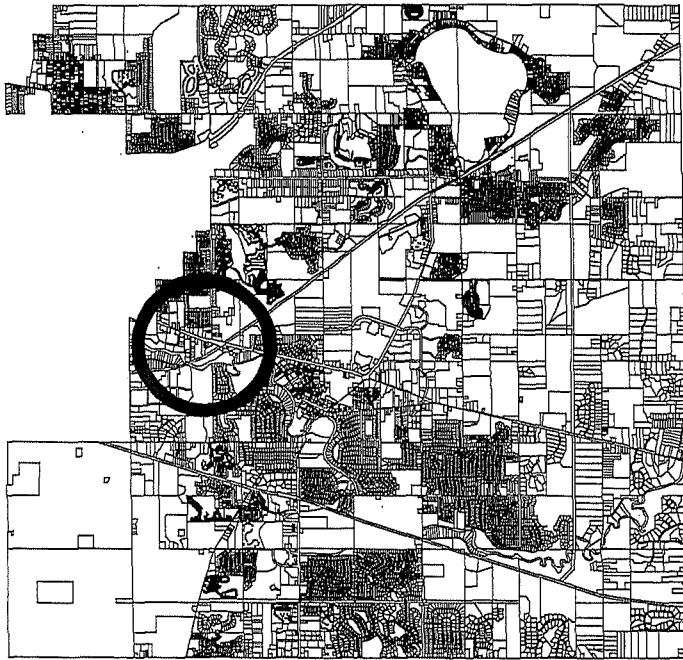
If you have any questions/comments, please feel free to call or email me.

Thank you,

**PEA, Inc.**



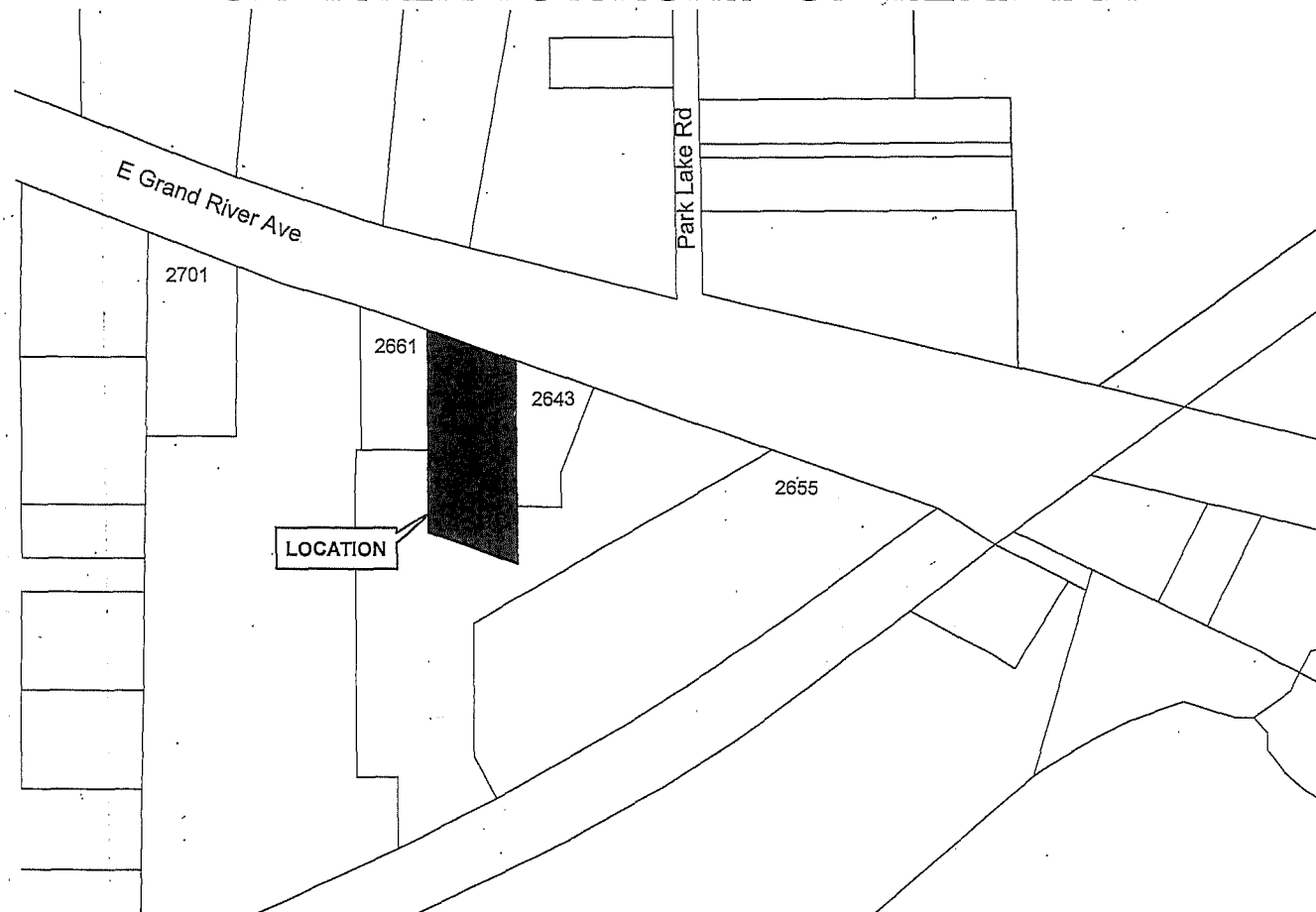
Rachel L. Smith, PE, LEED AP, CFM  
Senior Project Engineer  
t: 248.689.9090 ext. 111  
d: 248.528-7379  
[rachel.smith@peainc.com](mailto:rachel.smith@peainc.com)

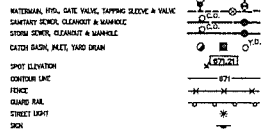
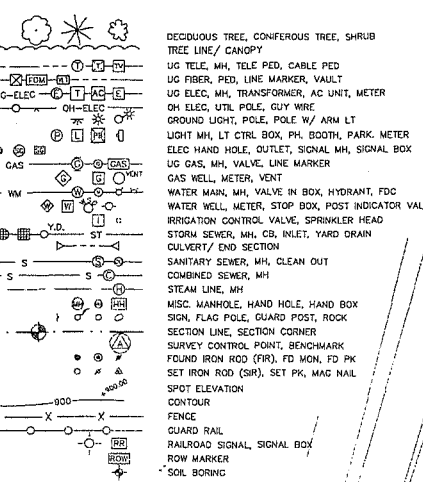


**ZONING BOARD OF APPEALS #16-02-10-2  
(AUTOZONE DEVELOPMENT, LLC)**

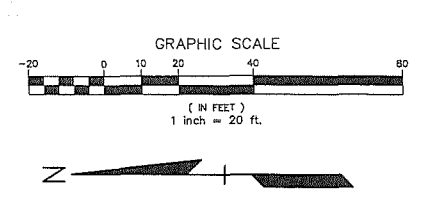
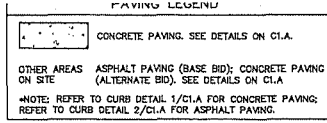
**REQUEST VARIANCES TO PROVIDE INSUFFICIENT  
NUMBER OF PARKING SPACES & PROVIDE  
LESS THAN THE REQUIRED 15-FOOT WIDE  
LANDSCAPED BUFFER (EAST SIDE)  
AT 2649 GRAND RIVER AVENUE**

**CHARTER TOWNSHIP OF MERIDIAN**





**TOPOGRAPHIC AND BOUNDARY SURVEY DISCLAIMER:**  
 TOPOGRAPHIC AND BOUNDARY SURVEY, INCLUDING PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, EXISTING ELEVATIONS, EXISTING PHYSICAL FEATURES AND STRUCTURES WAS PROVIDED BY MONUMENT ENGINEERING GROUP ASSOCIATES, INC.  
 PROFESSIONAL ENGINEERING ASSOCIATES, INC. WILL NOT BE HELD RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR FOR DESIGN ERRORS/OMISSIONS RESULTING FROM SURVEY INACCURACIES.

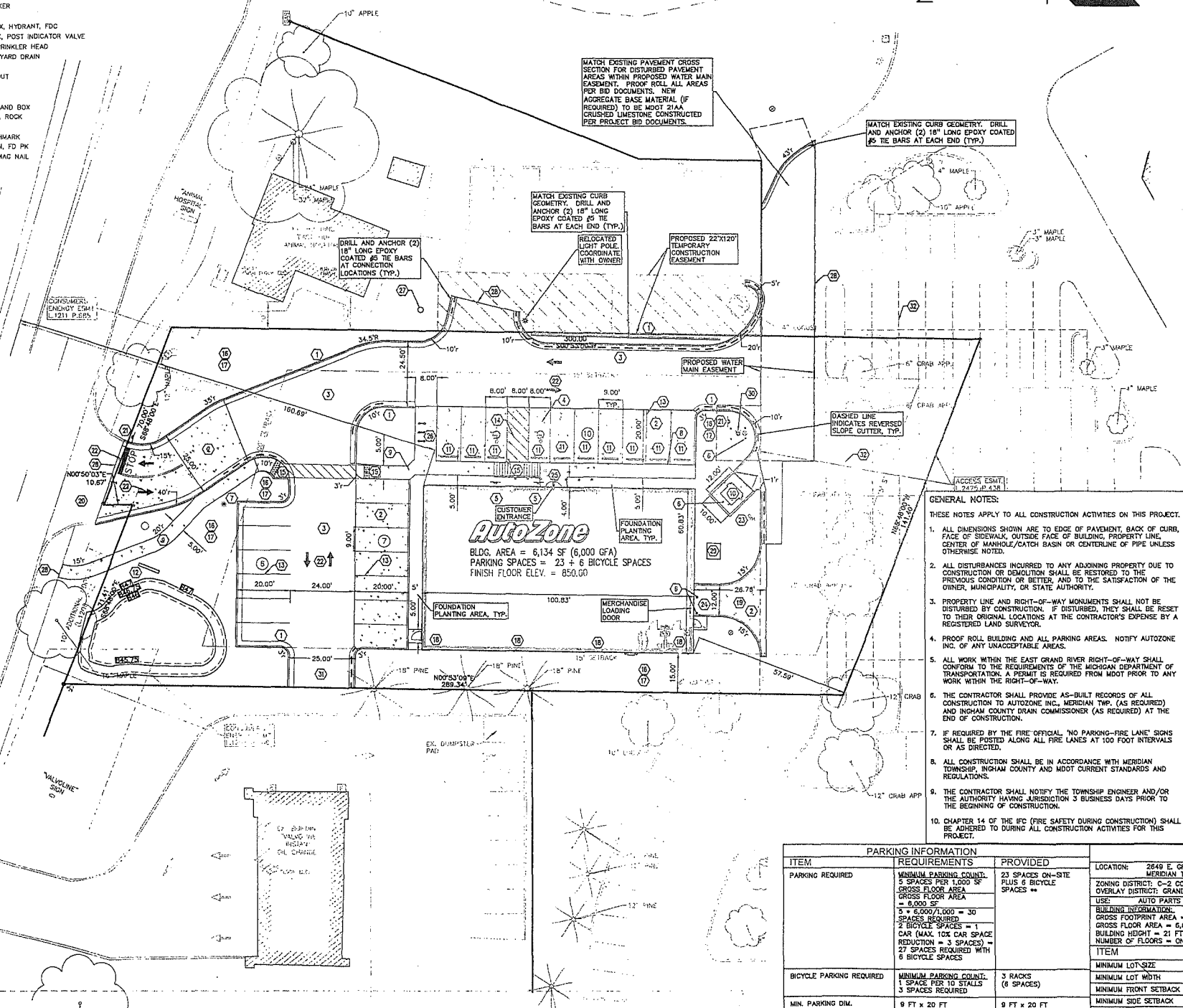


**CHMARKS**

NAVD88 marks are based off a point that was tied with RTK (GPS).

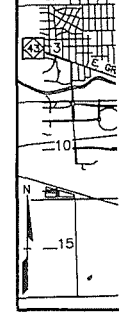
Side of concrete light foundation in parking near East property line of NE Property corner. 151.73

in catch basin 10'± ± of on South Property 147.74



- GENERAL NOTES:**  
 THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES ON THIS PROJECT.
- ALL DIMENSIONS SHOWN ARE TO EDGE OF PAVEMENT, BACK OF CURB, FACE OF SIDEWALK, OUTSIDE FACE OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
  - ALL DISTURBANCES INCURRED TO ANY ADJOINING PROPERTY DUE TO CONSTRUCTION OR DEMOLITION SHALL BE RESTORED TO THE PREVIOUS CONDITION OR BETTER, AND TO THE SATISFACTION OF THE OWNER, MUNICIPALITY, OR STATE AUTHORITY.
  - PROPERTY LINE AND RIGHT-OF-WAY MONUMENTS SHALL NOT BE CONSTRUCTION BY CONSTRUCTION. IF DISTURBED, THEY SHALL BE RESET TO THEIR ORIGINAL LOCATIONS AT THE CONTRACTOR'S EXPENSE BY A REGISTERED LAND SURVEYOR.
  - PROOF ROLL BUILDING AND ALL PARKING AREAS. NOTIFY AUTOZONE INC. OF ANY UNACCEPTABLE AREAS.
  - ALL WORK WITHIN THE EAST GRAND RIVER RIGHT-OF-WAY SHALL CONFORM TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION. A PERMIT IS REQUIRED FROM MDOT PRIOR TO ANY WORK WITHIN THE RIGHT-OF-WAY.
  - THE CONTRACTOR SHALL PROVIDE AS-BUILT RECORDS OF ALL CONSTRUCTION TO AUTOZONE INC. (AS REQUIRED) AND INGHAM COUNTY DRAIN COMMISSIONER (AS REQUIRED) AT THE END OF CONSTRUCTION.
  - IF REQUIRED BY THE FIRE OFFICIAL, "NO PARKING-FIRE LANE" SIGNS SHALL BE POSTED ALONG ALL FIRE LANES AT 100 FOOT INTERVALS OR AS DIRECTED.
  - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH MERIDIAN TOWNSHIP, INGHAM COUNTY AND MDOT CURRENT STANDARDS AND REGULATIONS.
  - THE CONTRACTOR SHALL NOTIFY THE TOWNSHIP ENGINEER AND/OR THE AUTHORITY HAVING JURISDICTION 3 BUSINESS DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.
  - CHAPTER 14 OF THE IFC (FIRE SAFETY DURING CONSTRUCTION) SHALL BE ADHERED TO DURING ALL CONSTRUCTION ACTIVITIES FOR THIS PROJECT.

PARKING INFORMATION			BULK AREA REQ	
ITEM	REQUIREMENTS	PROVIDED	LOCATION:	2648 E. GRAND RIVER AVE. MERIDIAN TOWNSHIP, INGHAM COUNTY, L1
PARKING REQUIRED	MINIMUM PARKING COUNT: 5 SPACES PER 1,000 SF GROSS FLOOR AREA GROSS FLOOR AREA = 6,000 SF 5 = 6,000/1,000 = 30 SPACES REQUIRED 2 BICYCLE SPACES = 1 CAR (MAX. 10% CAR SPACE REDUCTION = 3 SPACES) = 27 SPACES REQUIRED WITH 6 BICYCLE SPACES	23 SPACES ON-SITE PLUS 6 BICYCLE SPACES =	ZONING DISTRICT: O-2 COMMUNITY SERVICE DISTRICT OVERLAY DISTRICT GRAND RIVER AVE. OVERLAY DISTRICT	USE: AUTO PARTS RETAIL
BICYCLE PARKING REQUIRED	MINIMUM PARKING COUNT: 1 SPACE PER 10 STOPS 3 SPACES REQUIRED	3 RACKS (6 SPACES)	BUILDING INFORMATION: GROSS FOOTPRINT AREA = 6,134 SF (EXTERIOR FACE) GROSS FLOOR AREA = 6,000 SF (INTERIOR OF BRICK) BUILDING HEIGHT = 21 FT (TOP OF PARAPET WALL) NUMBER OF FLOORS = ONE	ITEM REQUIRED
MIN. PARKING DIM.	9 FT x 20 FT	9 FT x 20 FT	MINIMUM LOT-SIZE	4,000 SF
			MINIMUM LOT WIDTH	100 FT
			MINIMUM FRONT SETBACK	100 FT (FROM CL R)
			MINIMUM SIDE SETBACK	15 FT
			MINIMUM REAR SETBACK	15 FT




- LOCAT**
- BUILDING & PAV CONCRETE CURB
  - CONCRETE PAVING - CONTROL JOINTS - SPACING FOR CONTR
  - ASPHALT PAVING (E PROVIDE ALTERNATE 4/C.I.A.
  - HANDICAP PARKING (TYP.) - SEE DETAI
  - HANDICAP PARKING ACCESSIBLE SIGN W
  - PIPE GUARD-SEE DE
  - LIGHT POLE WITH CC INDICATED ON PHOT
  - 6" HT. INTEGRAL CO 20/C.I.A FOR SIDEW
  - 4" THICK x 5' WIDE SLOPE. 5'x5' PANELS SHEETS.
  - DUMPSTER ENCLOSU SEE DETAILS 8,9,10,1
  - 6'-0" LONG CONCRE SEE DETAIL 17/C.I.A. SIDEWALK.
  - PLYON SIGN - 3'x8' SIGN PLANE.
  - 4" WIDE PARKING ST
  - 4" WIDE DIAGONAL S
  - CONCRETE HANDICAP (PER A.D.A. REQUIRE (2,000). DETECTABLE CONTRASTING IN CO
  - NEW LANDSCAPE AR SHEET 1.0 TO 1.10
  - SLOPE GRADE IN LA PROVIDE POSITIVE SL
  - BUILDING DOWNSPOT UNDERGROUND STORI DETAIL 3/C.I.A.
  - LOADING AREA. SEE
  - EXISTING CURB CUT TO REMAIN.
  - STOP SIGN - SEE DI
  - PAVEMENT MARKINGS
  - FREEZELESS YARD H PREVENTION AS REQ 4/SHEET M2.
  - SERVICE DOOR PLAN
  - BOLLARD PLAN FOR
  - BICYCLE PARKING RA REQUIREMENTS. REPE
  - RELOCATED UTILITY I WITH APPROPRIATE I
  - MATCH INTO EXISTING
  - 6" THICK CONCRETE
  - PROPOSED FIRE HYD BOLLARDS PER TOW
  - CROSS-ACCESS DRIV
  - FUTURE PARKING MO

DESCRIPTION (AS SURVEYED)

# MEMORANDUM

**TO:** Zoning Board of Appeals

**FROM:**   
Martha K. Wyatt  
Associate Planner/Landscape Architect

**DATE:** February 5, 2016

**RE:** ZBA Case No. 16-02-10-3

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**ZBA CASE NO.** 16-02-10-3 ROBBIE PAIROLERO, 1536 HASLETT ROAD, HASLETT, MI 48840

**DESCRIPTION:** Marsh Road (east side) south of Lake Drive

**TAX PARCEL:** 10-280-002 & 10-280-003

**ZONING DISTRICT:** RN (Multiple Family, Mixed Residential)

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

- Section 86-376(g)(4)c., which states the building shall not be less than 40 feet from the property line (rear) for one- or two-story buildings.
- Section 86-376(g)(4)d., which states the building shall be located in accordance with the particular setback requirement of Section 86-367, for the type of street upon which the lot fronts. In this case the required front yard setback is 100 feet from the centerline of Marsh Road.
- Section 86-686(3)a., which states one freestanding sign shall be permitted and shall be located in the front yard with the leading edge at least ten feet back of the street right-of-way.
- Section 86-755, which outlines the off-street parking standards, and requires five parking spaces per 1,000 square feet of gross floor area for a stand-alone medical office.
- Section 86-756(10), which states where a parking area with a capacity of less than 50 vehicles, or its associated internal access or service drives, adjoins a residential district, a landscaped buffer, at least 20 feet wide, shall be provided between the parking area and the adjoining property and a vertical screen shall be erected consisting of a masonry wall, plant materials, a landscaped earth berm, or a combination thereof, as appropriate for the site, no less than four feet in height.

- Section 86-756(11), which states where a parking area, or its associated internal access or service drives, adjoins a public street, except parking areas on individual residential driveways, a landscaped buffer at least 20 feet wide shall be provided between the parking area and the adjacent right-of-way, as measured from the back of the parking lot curb to the right-of-way line. A vertical screen, consisting of a masonry wall, plant material, a landscaped earth berm, or combination thereof, as appropriate for the site, no less than three feet in height, shall be provided to screen the parking area from view along the entire length of this buffer strip.
- Section 86-758(1)b., which states landscaped areas shall be provided throughout the parking area in the amount of 200 square feet for each ten parking spaces.
- Section 86-758(2), parking areas and driveways shall be separated from the exterior wall of the building, exclusive of pedestrian entrance ways, or loading areas, by a landscaped planting area of at least four feet in width. A minimum 50 percent of this landscaped area, at the time of planting, shall be planted with grass, ground cover, shrubs, or other living vegetation.

The applicant, Robbie Pairolo is proposing to construct an optometry clinic on two vacant platted parcels, on the east side of Marsh Road, and south of Lake Drive. The property is zoned RN (Multiple Family, Mixed Residential) which allows for a clinic as a nonresidential use in a residential zoning district with a special use permit, approved by the Planning Commission. The Planning Commission approved the clinic use under Special Use Permit #15131, on December 21, 2015.

The approximate 3,588 square foot clinic has exam rooms, office space, pre-testing rooms, and an optical sales area. There is also an unfinished daylight basement (partially underground) which is intended for storage only. The basement has daylight windows along the east façade. Access to the basement is from an internal staircase.

A special use permit granted in the RN district is subject to the procedures and restrictions outlined in Section 86-376 (Multiple Family Residential). The site development standards outlined in Section 86-376(g)(4) (Multiple Family Residential) are applicable for the required building setbacks.

Following is a summary of the variance request by ordinance section number.

- Section 86-376(g)(4)c.-Rear Yard Setback (Building)

The required rear yard setback for the building is 40 feet. The proposed rear setback is 20.14 feet; therefore the applicant is requesting a variance.

The following chart outlines the request:

	<b>Required Setback</b>	<b>Proposed Setback</b>	<b>Variance Request</b>
Rear yard (Building)	40 feet	20.14 feet	19.86 feet

- Section 86-376(g)(4)d.-Front Yard Setback (Building)

The front yard setback is based on the type of the street upon which the lot fronts. In this case Marsh Road is classified as a Principal Arterial street with a building setback of 100 feet from the centerline of Marsh Road. The proposed setback for the building is 98.98 feet; therefore the applicant is requesting a variance.

The following chart outlines the request:

	<b>Required Setback</b>	<b>Proposed Setback</b>	<b>Variance Request</b>
Front yard (Building)	100 feet	98.98 feet	1.02 feet

- Section 86-686(3)a.-Setback for Freestanding Sign

The required setback for a freestanding sign is ten feet from the street right-of-way line, as measured from the leading edge of the sign. The leading edge of the proposed freestanding sign is one foot from the street right-of-way line; therefore the applicant is requesting a variance.

The following chart outlines the request:

	<b>Required Setback</b>	<b>Proposed Setback</b>	<b>Variance Request</b>
Freestanding sign	10 feet	1 foot	9 feet

- Section 86-755-Parking Spaces

For a stand-alone medical office five parking spaces are required per 1,000 square feet of gross floor area. The proposed 3,855 square foot building (using the first floor only and not the basement) requires 18 motor vehicle parking spaces. Using the allowed reduction of motor vehicle parking spaces (no more than 10% of the required number) as outlined in the bicycle parking ordinance (Section 86-760), two motor vehicle parking spaces could be eliminated, and thus 16 parking spaces are required. The plan shows four bicycle parking spaces (two bicycle racks). The plan shows 14 parking spaces, thus the applicant is requesting a variance.

The following chart outlines the request:

	<b>Required Parking</b>	<b>Proposed Parking</b>	<b>Variance Request</b>
Off-street parking	16 spaces	14 spaces	2 spaces

- Section 86-756(10)-Landscaped Buffer Adjacent to Residential Zoning

A landscaped buffer, at least 20 feet wide, is required between the parking area or its associated internal access or service drives and the adjoining property, where adjacent to a residential zoning district, and the parking area has less than 50 parking spaces. A four foot high vertical screen is required in the landscaped buffer.

The proposed landscaped buffer on north and south property lines are less than 20 feet wide; therefore the applicant is requesting a variance.

The following chart outlines the request:

	<b>Required Buffer Width</b>	<b>Proposed Buffer Width</b>	<b>Variance Request</b>
North	20 feet	6 feet	14 feet
South	20 feet	6 feet	14 feet

- Section 86-756(11)-Landscaped Buffer where Parking Area/Access Drive Adjoins a Street

Where a parking area or its associated internal access or service drives, adjoins a public street, a 20-foot wide landscaped buffer is required between the parking area and the adjacent right-of-way, as measured from the back of the parking lot curb to the right-of-way line. The subject site is located on Marsh Road and a 20-foot wide landscaped buffer is required along the west. The proposed landscaped buffer is seven feet wide; therefore the applicant is requesting a variance.

The following chart outlines the request:

	<b>Required Buffer Width</b>	<b>Proposed Buffer Width</b>	<b>Variance Request</b>
Marsh Road	20 feet	7 feet	13 feet

- Section 86-758(1)b.-Interior Landscaped Areas in Parking Area

Interior landscaped areas are required throughout the parking area in the amount of 200 square feet for each ten parking spaces, which equates to a parking island approximately 10 feet wide by 20 feet long, for every ten parking spaces. In this case with 14 parking spaces, 280 square feet of interior landscaped area is required. This does not include any required perimeter buffers.



Zero square footage of interior landscaped area is provided; therefore the applicant is requesting a variance.

The following chart outlines the request:

	<b>Required Landscaping</b>	<b>Proposed Landscaping</b>	<b>Variance Request</b>
Interior Landscaping	280 sq. ft.	0 sq. ft.	280 sq. ft.

- Section 86-758(2)-Building Perimeter Landscaping

A four foot wide landscaped area is required between a parking area and the exterior wall of a building, exclusive of pedestrian entrance ways, or loading areas. A landscaped area is not provided along the west façade of the building, between the parking area and the building; therefore the applicant is requesting a variance to eliminate the required four foot wide landscape buffer in this area.

### Site History

- On December 21, 2015 the Planning Commission approved Special Use Permit #15131 to establish an optometry clinic, a non-residential use permitted by special use permit in a residential district, on two undeveloped platted lots zoned RN Mixed Residential located on the east side of Marsh Road, north of Haslett Road.

### **Attachments**

1. Application
2. Site Location Map
3. Letter from Applicant
4. Site Plans and Building Elevations

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

VARIANCE APPLICATION

- A. Applicant Robbie Pairolero  
Address of Applicant 1536 ~~Marsh Road~~ Haslett Rd  
Haslett MI 48840  
Telephone (Work) 517 339-4100 Telephone (Home) 517 888-4486  
Fax 517-339-4199 Email address: rpairolero@yahoo.com  
Interest in property (circle one): Owner Tenant Option Other - Purchase agreement
- B. Site address/location Marsh Road  
Zoning district R.N Parcel number 10-280-002 & 10-280-003
- 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)

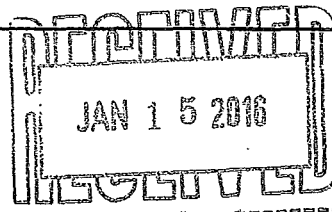
[Signature] Robbie Pairolero 12-23-15  
Signature of Applicant                      Print Name                      Date

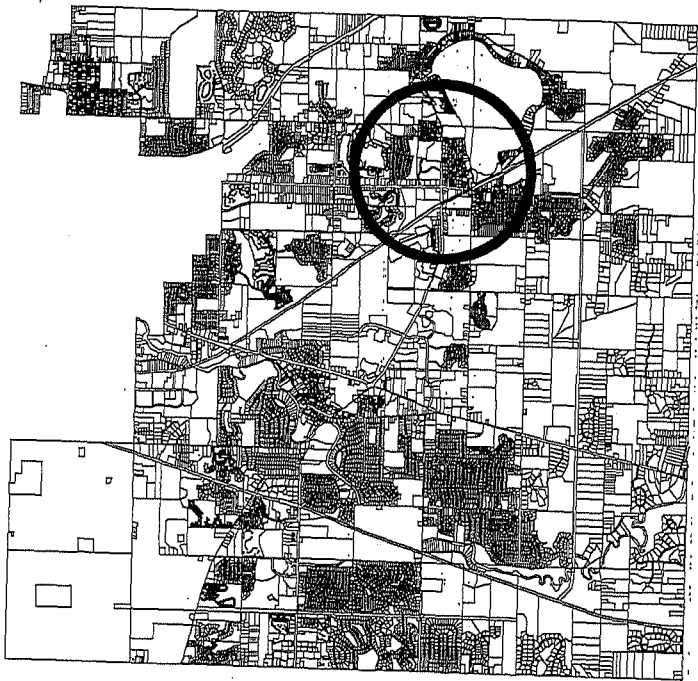
Fee: 450.00                      Received by/Date: Maureen Wyatt 1/5/16

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] 12-23-15  
Signature of Applicant(s)                      Date

Signature of Applicant(s)                      Date

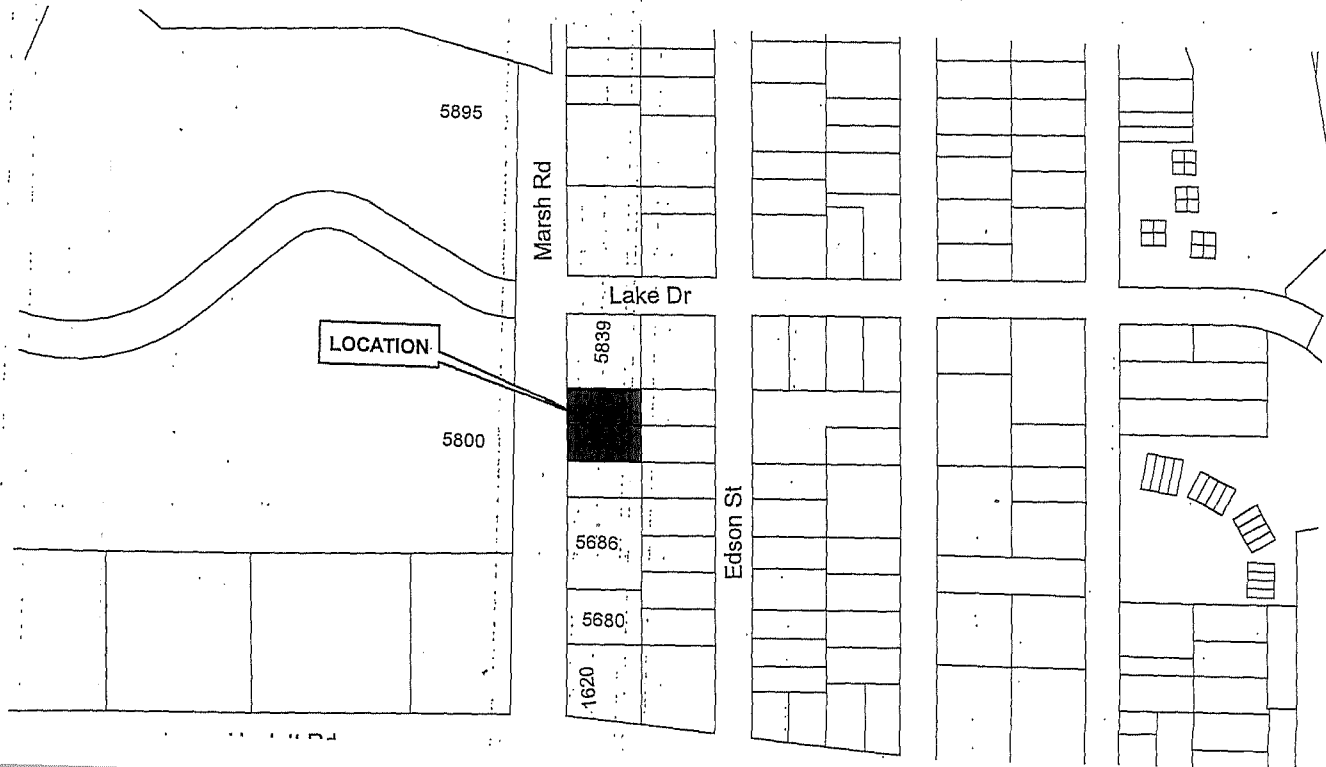




**ZONING BOARD OF APPEALS #16-02-10-3  
(ROBBIE PAIROLERO)**

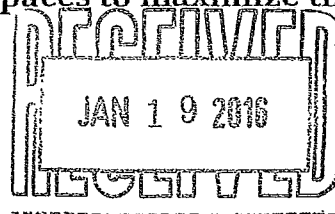
**REQUEST VARIANCES FOR  
PARKING & BUILDING SETBACKS;  
INSUFFICIENT NUMBER OF  
PARKING SPACES; SETBACK FOR  
FREESTANDING SIGN; & ELIMINATE  
BUILDING PERIMETER LANDSCAPED  
AREA FOR PROPOSED OPTOMETRY CLINIC  
ON MARSH ROAD (EAST SIDE), SOUTH OF LAKE DRIVE**

**CHARTER TOWNSHIP OF MERIDIAN**



**Variances application supplement answers for Eye care Associates  
Marsh Road Haslett Michigan**

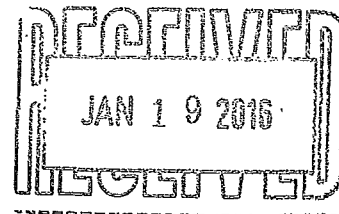
- 1.) With the current ordinance it was determined that with the front and rear setbacks a structure of only 15'7" inches deep would fit on the site creating an unbuildable site and hardship.**
- 2.) These circumstances are not self-created and were thoroughly explored with the Planning Commission which gave the special use permit for this property**
- 3.) The strict interpretation and enforcement of the ordinance would make this site unbuildable and would result in practical difficulties for any structure to be built.**
- 4.) The alleged practical difficulties of these variances if not approved would again result in an unusable site and would not go with the wishes of the planning commission for site conformity, with the veterinary clinic adjacent to subject property, and or the doctor's office.**
- 5.) Granting these variances is the minimum action to go with the public interest and make the best possible use of the land as negotiated with the Planning Commission. The applicant made adjustments at the requests of the Planning Commission members at 3 meetings to ensure the utmost conformity, and to secure public safety to its utmost potential.**
- 6.) Granting these variances will not adversely affect adjacent land or the character in the vicinity of the adjacent properties. In fact, it will enhance the current property neighbors which are the vet clinic and doctors' office. The applicant made several adjustments to the proposed structure including reduction of the size of the building, reduction of the parking spaces to maximize the rear**



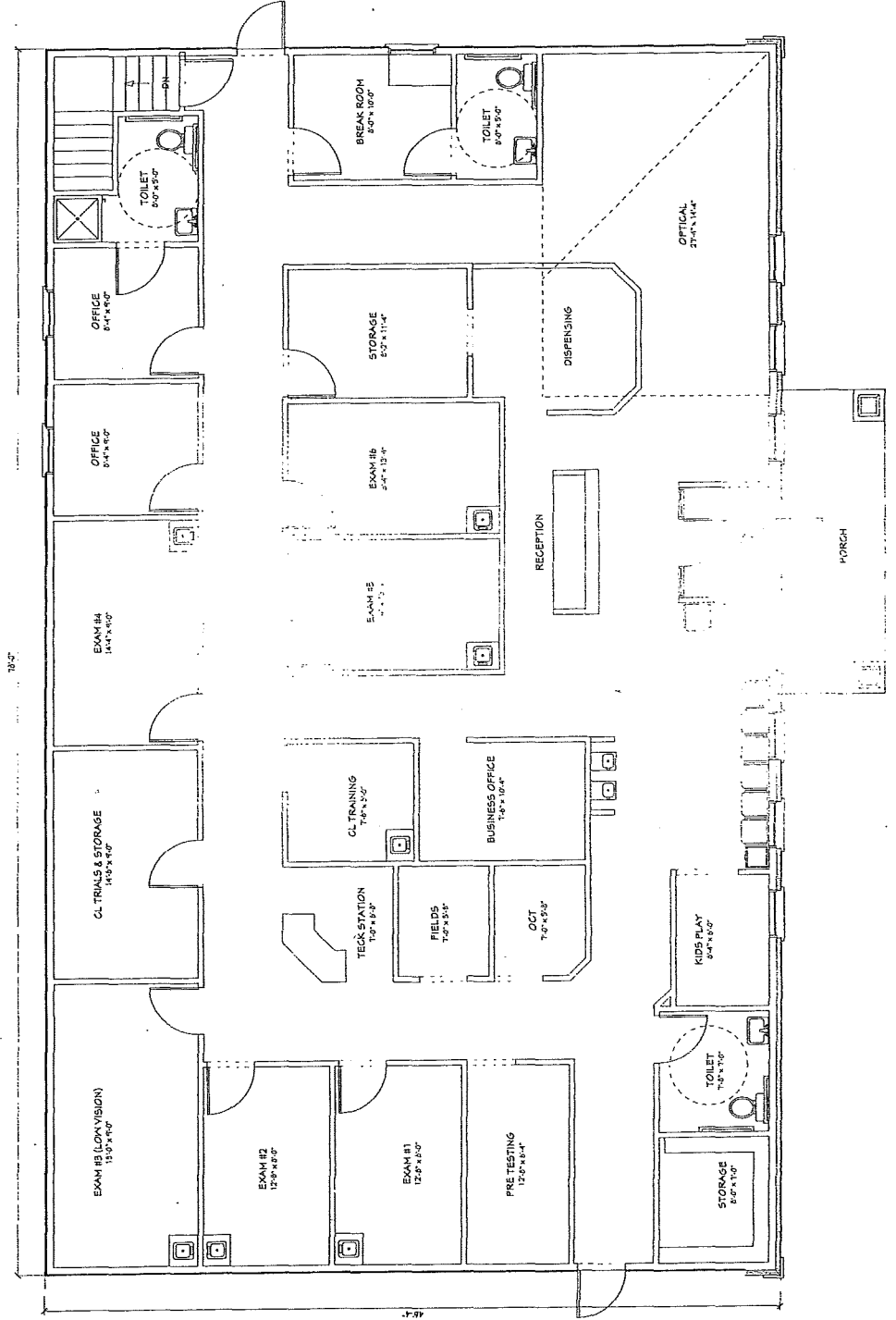
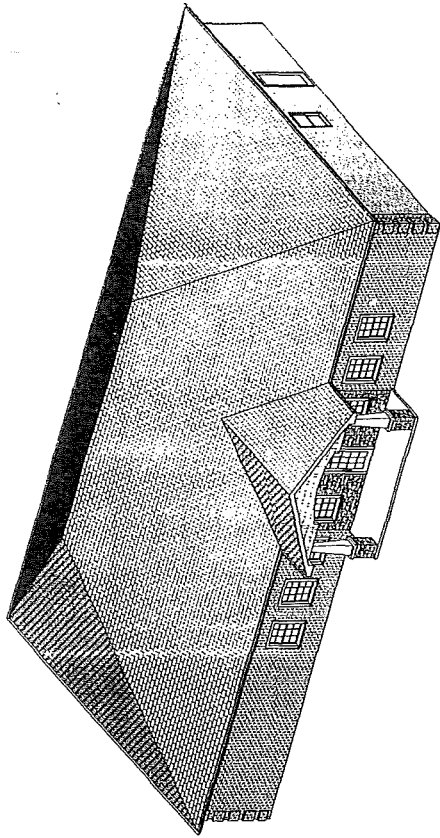
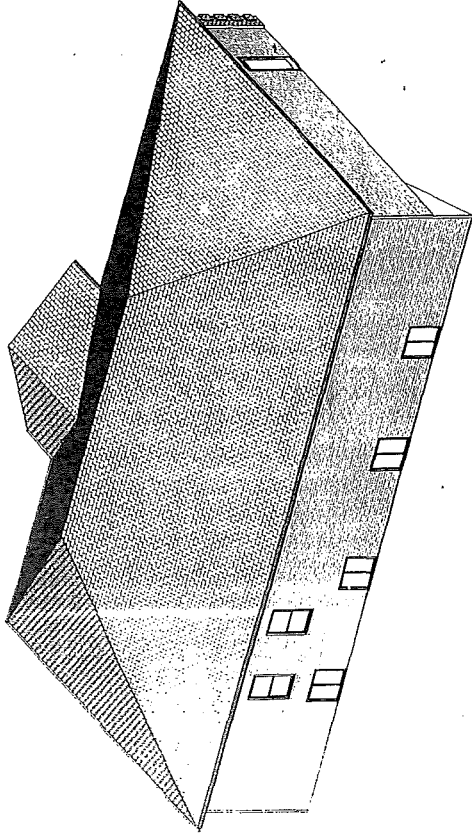
setback thus honoring the Planning Commissions' request to make as much harmony with all the buffering neighbors, including the residential neighbors on Edson Street.

7.) The conditions pertaining to the land are not so general as to make the formulations of a general regulation practical since the vet clinic and the doctors' office are existing and this new eye care building is harmonious and will be harmonious with the overall best use for all.

8.) Granting these variances definitely is consistent with the public interest and the intent of the zoning ordinance because without these variances, this is a non-self-created hardship.







NOV 18 2015

Sup 15131