

**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING AGENDA  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, MARCH 23, 2016 6:30 PM  
TOWN HALL ROOM**

**A. CALL MEETING TO ORDER**

**B. APPROVAL OF AGENDA**

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

- o Wednesday, February 10, 2016
- o Wednesday, March 9, 2016

**D. UNFINISHED BUSINESS**

**E. NEW BUSINESS**

**1. ZBA CASE NO. 16-03-23-1 ROSE E. PARKER, 1328 HASLETT ROAD, HASLETT, MI 48840**

DESCRIPTION: 1328 Haslett Road  
TAX PARCEL: 11-327-011  
ZONING DISTRICT: RC (Multiple Family, Medium Density)

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

- Section 86-502, 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 and not made part of the principal building as provided in the preceding statement shall not be nearer than ten feet from any other separate structure on the same lot.
- Section 86-565(1), which states no accessory structure shall project into the front yard.

The applicant is requesting a variance to allow a detached accessory building (garage) to be located closer than 10 feet from the principal building (house) and project into the front yard at 1328 Haslett Road, 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 – CAROL OHLROGGE**

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.

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**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING MINUTES \*\*\*DRAFT\*\*\*  
5151 MARSH ROAD, OKEMOS MI 48864-1198  
517.853.4000  
WEDNESDAY, February 10, 2016**

PRESENT: Members Jackson, Lane, LeGoff, Ohlrogge, Chair Beauchine  
ABSENT: None  
STAFF: Martha Wyatt, Associate Planner/Landscape Architect

**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 LEGOFF.

VOICE VOTE: Motion carried unanimously.

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

Wednesday, January 27, 2016

MEMBER LANE MOVED TO APPROVE THE MINUTES AS WRITTEN.

SECONDED BY MEMBER OHLROGGE.

VOICE VOTE: Motion carried unanimously.

**D. UNFINISHED BUSINESS**

None.

**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% 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.

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.

Ms. Wyatt outlined the case for discussion.

Chair Beauchine asked if the applicant was present and wanted to speak. The applicant declined to speak at that time.

Member Jackson asked if the term window referred to the individual window panes for both measurements relative to the window coverage and the building face.

Ms. Wyatt answered both the windows and the window borders were included in calculating the allowed dimensions.

Chair Beauchine said this is a historic building and place of interest for the Township. The windows are original to the building. The ordinance doesn't specifically define a window. The Township is classifying a window as the pane within the window trim based on the Director's interpretation of a window. According to the image on Building Face 1, there are six windows with the bottom left window showing 100% window coverage and the top left zero window coverage. He cautioned the Board not to try to say the photographs are or are not a sign. He noted one of the communications discussed a concern where a robbery occurred inside a store and could not be seen from the exterior due to full window coverage. He asked the board to look at the facts of the case without making interpretations.

Member Jackson said there was a complaint made to code enforcement, the ordinances were reviewed, and a violation was written that needed to be addressed.

Chair Beauchine noted Playmakers is using part of the bottom row of windows as a display area for merchandise inside the store.

Member Ohlrogge pointed out the review criteria (Section 86-221) were not addressed by the applicant in his variance application.

Kurt Munson, 1157 Fox Chase, Okemos, owner, said they prefer to display photographs of community events on the windows rather than a black wall. He explained the interior sides of the windows have a wood backing used to display merchandise.

Chair Beauchine offered the applicant to explain their position verbally on each of the review criteria.

Chair Beauchine outlined the review criteria to be considered for approval of the variance. He stated unique circumstances exist and are not self-created. Granting the variance would not adversely affect adjacent land, is not general in nature, and will be consistent with the public interest.

Member Ohlrogge understood the logistics of the store's interior displays by the windows could be considered a unique situation to satisfy review criteria one.

Chair Beauchine added the building's community value could also be considered a unique situation for review criteria one.

Member Jackson said another unique circumstance is the wall of glass as an exterior wall. She noted for review criteria three was to use part of the glass wall for merchandise displays with a wood backing and their strategy to cover the backing is to use photographs as window coverings.

Member Jackson asked if there was a historical designation for the building.

Mr. Munson said they were not aware of any historical designations.

Chair Beauchine noted the minimum action for review criteria five could be allowing community event photos but not logos or advertisements.

Member Jackson asked staff about the outcome of using murals and graphics on the sides of buildings.

Ms. Wyatt said there were regulations outlined in the ordinance for murals.

Member Jackson said the photographs could be considered art and not signage since there is no wording on the photographs. She suggested using the percentage calculations in the context of wall art on the sides of buildings.

Chair Beauchine stated there were restrictions on photographs used on window storefronts.

Member LeGoff added the photographs are newsworthy for the community since they show people in the community and not actually advertising logos.

Member Ohlrogge indicated the photographs may be an artistic expression of public information for review criteria five, but may not keep with the spirit of the zoning ordinance, and setting an unintended precedence would not provide substantial justice.

Member Jackson asked if a photograph could be allowed to cover 100% of the window regardless of the content of the photograph.

Ms. Wyatt replied the Director of Community Planning and Development made the determination the photographs were window signs.

Chair Beauchine reminded the board the variance stays with the property forever and must consider future ownership of the building.

Member Ohlrogge inquired of staff if the variance could be satisfied by the photographs only covering 40% of the window pane and the rest of the pane was open or had a plain colored background.

Ms. Wyatt responded in the affirmative.

Member Lane asked if it would be considered window signage if the back of the wooden display rack was placed against the window.

Ms. Wyatt replied it would not be considered signage.

Member Ohlrogge stated the minimum action necessary for review criteria five, per the ordinance, would be to only cover 40% of the window.

Mr. Munson inquired if the variance would be grandfathered in if they were to sell the building.

Chair Beauchine clarified when a variance is granted it stays with the property forever.

Member Jackson pointed out for review criteria six granting this variance could be considered adverse to the whole shopping center since it only affects the Playmakers portion.

Chair Beauchine stated for review criteria eight, although it would be consistent with public interest, it is not the intent of the zoning ordinance. He believed advertising is considered anything that draws attention to itself.

MEMBER OHLROGGE MOVED TO DENY THE VARIANCE AS WRITTEN.

SECONDED BY MEMBER JACKSON.

ROLL CALL VOTE: YES: Members Jackson, Lane, Ohlrogge, Chair Beauchine  
NO: Member LeGoff  
Motion carried 4-1.

Chair Beauchine recessed the meeting at 7:35 P.M.

Chair Beauchine reconvened the meeting at 7:43 P.M.

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

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

The applicant is requesting a variance from the following section 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.

Ms. Wyatt outlined the case for discussion.

Rachel Smith, PEA Civil Engineers, 2430 Rochester Court, Suite 100, Troy Michigan, 48083, stated the applicant submitted a letter with their application describing the eight criteria for each variance. She noted the large portion of the site to the south is part of an easement agreement and not allowed to be used for parking or landscaping. Ms. Smith added PEA's client went through many site plan iterations to try to minimize the footprint in an effort to reduce the number of variances needed, including an upgrade to their building materials to help improve site visibility. She stated it is the applicant's intent to add a shrub row in two places on the site to buffer the parking from Grand River Avenue. As the site is also within the Grand River Corridor Access Management District, Ms. Smith indicated cross access is required to all adjacent parcels which results in limiting the area available for on-site parking and landscaping. She noted the proposed use is lower in intensity, less traffic and less potential for groundwater contamination than what is currently on the site.

Paul Vlahakis, 4900 Montrose Avenue, Okemos, representing Kildea Kar Kare, voiced support for the variance requests. He offered history on the previous development of the site where Kildea provided an easement which now limits the applicant's ability to meet requirements on the subject site regarding parking and landscape. Mr. Vlahakis noted the Township desired to reduce the number of approaches on Grand River Avenue for safety reasons which has created a problem securing the appropriate buffer for the proposed approach. He stated Kildea cooperated with Talon Development and the Township for the shopping center, "giving up" property for the easement in exchange for 22 parking spaces used to park Kildea's moving trucks.

Mr. Vlahakis noted Kildea has agreed to relinquish those 22 parking spaces in an effort for the new developer to utilize those spaces toward their own parking requirement. He iterated AutoZone had redesigned the plan to reduce the amount of variances needed for the site.

Member Jackson asked if the variance needed from the landscaping requirement is to keep the width of the east/west drive open.

Ms. Smith responded the applicant attempted to provide as much landscaping as possible, but a certain width is needed for truck access and compliance with the ordinance requirement.

Commissioner Jackson inquired as to the current pervious/impervious ratio on the subject site.

Ms. Smith replied it is currently 31% pervious and will remain the same, even with the proposed changes and the bio detention area.

Member Ohlrogge requested Ms. Wyatt offer history on the easement agreement.

Ms. Wyatt explained the Township Attorney has reviewed the documents concerning the easement agreement, dedication of the access aisles and parking spaces to the existing shopping center in relation to the proposed development. She stated they was a legal easement agreement created in the 1990s in which Kildea allowed the use of a portion of their property and a dedication of 22 parking spaces in the northeast corner of the shopping center for the Ryder Truck business. Ms. Wyatt explained the Township has relinquished their part of the easement agreement. She clarified the useable part of the property "stands as it is today" and does not include the triangular area dedicated to the shopping center. As such, Ms. Wyatt explained the applicant can't attribute the parking spaces to AutoZone nor were they attributed to Kildea once the 50 year easement agreement was put in place. She indicated the Township Attorney reviewed the recorded easement agreement during the site plan review process, his opinion was that AutoZone could not include the aforementioned parking spaces as part of their parking requirement.

Chair Beauchine offered his recollection at the time the site was first being developed, there were discussions about the need to make the area have connectivity and a continuous flow. He stated the applicant has made a case regarding the need to keep lanes open along the Grand River Corridor for safety reasons. Chair Beauchine indicated the new proposal makes the area look much better.

Member Jackson asked the applicant how many employees will be working at Auto Zone at any one time.

Ms. Smith responded there will be from three (3) to five (5) employees per shift. She added historical data on Auto Zone stores show the maximum number of customers at the store during peak hours would be 18, clarifying several larger AutoZone stores in Michigan function fine with the same number of parking spaces being requested.

Member Jackson stated there were more ways to access the AutoZone site than there were to access the Kildea site. She believed the various ways of access add to the function and appeal of the drive across the land which houses various businesses within the block. Member Jackson voiced appreciation for the new design. She expressed support for the reduction in the number of required parking spaces and also the use of a green hedge which will separate the two properties.

**MEMBER JACKSON MOVED TO APPROVE THE VARIANCES AS WRITTEN.**

**SECONDED BY MEMBER LEGOFF.**

Member Lane added the easement agreement and shared driveway with the veterinary clinic creates a unique circumstance on the site which is not self-created. The request also meets review criteria one and two.

Upon inquiry by Member LeGoff, Chair Beauchine explained the pond on site is a bio swale engineered by the Ingham County drain Commissioner (ICDC).

Chair Beauchine read review criteria three (Section 86-221) and believed strict interpretation of the ordinance would result in practical difficulty. He noted the Grand River Corridor is a good example of shared easements and allowing the landscape buffer to go to the property line on the east side of the parcel provides continuity and visual appeal.

Chair Beauchine read review criteria four, adding the existing easement would render conformity with such restriction unnecessarily burdensome. He believed nearby alternate parking is available.

Member Jackson added that as a practical matter, there is more than sufficient parking in the vicinity and limiting the number of required parking spaces assigned to this site would not create a difficulty.

Chair Beauchine read review criteria five. Member Ohlrogge stated respecting and maintaining the way traffic currently moves through the property is an important public safety element.

Chair Beauchine read review criteria six, seven and eight, and agreed the applicant's proposal met those criteria.

Chair Beauchine noted there are certain rules and restrictions for property along the Grand River Corridor. He indicated the applicant has provided an aesthetically pleasing project and addresses some of the parking issues with the veterinarian business.

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

**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.

Ms. Wyatt outlined the case for discussion.

Mr. Tom Gottschalk, 6170 E. Lake Drive, Haslett, builder for the applicant, stated the applicant was counseled to obtain the special use permit first. He noted the applicant has outgrown his current location and desired to have a larger building. Mr. Gottschalk noted during the special use permit process, several different site configurations were offered as a result of input from staff and the Planning Commission.

Member Jackson clarified the applicant was before the Planning Commission over the course of three meetings to work on the unique challenges of the site. She noted there is a drop in elevation to the east that presented a problem with the building location.

Member Ohlrogge stated she is uncertain how to respond to a request for multiple variances when strict interpretation of the review criteria (Section 86-221) would prohibit construction on an unbuildable lot.

Member Jackson explained the Planning Commission operates under the assumption the owner has the right to use their property. She stated if the applicant followed all of the zoning requirements for this parcel, a building could not be constructed on the property without requesting variances. Member Jackson added the Planning Commission had explained to the applicant the decision of the Zoning Board of Appeals (ZBA) would be to decide the degree of each variance needed in order to make the land useful for the applicant. She added the Planning Commission was most concerned about how this non-residential use in a residential district would affect adjacent homes and believed it was essential to have the building as close to Marsh Road as feasible.

Member Ohlrogge responded the Planning Commission has different criteria than what the ZBA needs to consider. While she was appreciative of the fact all Township representatives want to help owners develop their property in a way allowed according to the zoning district, she was concerned the only size of building allowed would be 16 feet in width, and concluded it appears the property is not developable.

Member Jackson suggested ZBA members gauge the degree of each variance requested and the impact on the health, safety, welfare and community characteristics of the Township.

Chair Beauchine stated the picture on the overhead projector showed the similar placement of another professional building located just south of the subject parcel. He stated many properties along Marsh Road present unique challenges due to the age of the road. He specified the length of time this parcel has been vacant, acknowledging he did not think people would want to live on Marsh Road as it is such a busy street.

Chair Beauchine stated in his opinion, the most important piece relative to the variance requests is to protect the nearby residences. He believed the nature of the property is fitting with the rest of the businesses in the neighborhood.

Member Jackson added the sight triangles are a safety concern and important to consider.

Member Ohlrogge stated several variances specifically relate to safety and traffic on Marsh Road (i.e., freestanding sign next to the road and insufficient number of parking spaces).

Member Jackson explained when the project was before the Planning Commission, Dr. Pairolero described his clientele relative to the number of parking spaces requested. She suggested Dr. Pairolero address the members of the ZBA.

Dr. Pairolero, 1536 Haslett Road, Haslett, clarified patients are scheduled 20 to 30 minutes apart; therefore the patients are not at the office for an extended period of time. He reminded the ZBA he is requesting a variance of only two (2) parking spaces. He reiterated the direction he received from the Planning Commission was one of not focusing on the number of variances, but development of a site plan which best protects the adjacent residential parcels, specifically the residence abutting the rear of the property.

Dr. Pairolero indicated that even if a 15 foot wide building was constructed, it would not meet the minimum square footage requirement

Member Jackson added when the special use permit was before the Planning Commission, one item which came out of the discussion was a residential building could not be more than 15 feet in width due to all the setback requirements.

Chair Beauchine reviewed the issue of the freestanding sign and determined it to be outside of the sight triangle. He addressed lack of space for the sign, due to the effort by the applicant to provide parking spaces. Chair Beauchine noted there are six (6) exam rooms proposed for the building and felt confident the applicant would not offer less parking than what was needed to adequately serve his patients. He recalled there were variances given for Dr. Pairolo's current practice to address patients with special needs. Chair Beauchine reminded fellow ZBA members that neighbors were notified of this meeting and no one has either written or voiced an objection.

Member Ohlogge reminded the applicant ZBA members must evaluate his request based on the review criteria and not their respect and appreciation for his business in the community.

Chair Beauchine stated the applicant is allowed, by ordinance, to request a non-residential use in a residential district through approval of a special use permit request. He believed Marsh Road is more suited for commercial and professional office uses. There are several commercial establishments on the other side of Marsh Road and Lake Lansing Road which are surrounded by residential. He stated the applicant has put together a plan which minimizes the effect of the variances in an effort to be the least obtrusive on the residential neighborhood.

Member LeGoff believed the applicant is working within the Township's ordinances to the best extent possible in an effort to develop the parcel.

Member Jackson read review criteria one noting there are peculiar circumstances relative to this property which require variances in order to construct a building on this platted lot with an approved special use permit.

Member Jackson read review criteria two, and did not believe the application created the special circumstances.

Member Jackson read review criteria three and four, stating a 15 foot wide building is a major practical difficulty for building on this property.

Member Jackson read review criteria five, indicating none of the variances would result in a building contrary to public interest, compromise public safety or the right of the owner to use the property.

Member Jackson read review criteria six, pointing out Chair Beauchine noted earlier there is commercial property to the south and west across Marsh Road. She reiterated the type of use being proposed is office, a reasonable use in the immediate area.

Member Jackson read review criteria seven, as mentioned earlier there are several properties along Marsh Road which have the same depth-to-width ratio problem. She believed those parcels are labeled as commercial on the Township's Master Plan, although they may be zoned (and used) as residential.

Chair Beauchine clarified for this parcel, there is no opportunity for transitional zoning along the eastern property boundary.

Member Jackson read review criteria eight, alleging the granting of these variances would be consistent with public interest and the purposes and intent of the Township's zoning ordinance.

MEMBER JACKSON MOVED TO APPROVE THE VARIANCES AS WRITTEN.

SECONDED BY MEMBER LANE.

Member Ohlrogge said she would like to support this proposal as it makes perfect sense for this property to house a professional building. She did not believe, however, the proposal before the ZBA meets all eight (8) of the review criteria, citing a safety issue with the sign, lack of adequate parking, and the proper buffer from residences on either side.

Dr. Pairolero voiced appreciation for the ZBA's need to use the review criteria when assessing his request for multiple variances. He explained he worked with the Planning Department to keep the sign out of the 35 foot safety zone. He also spoke with the Township's Chief Engineer, Younes Ishraidi, who suggested he reduce the size of his sign from six (6) to five (5) feet to ensure its protection when the sidewalk is plowed.

ROLL CALL VOTE: YES: Members Jackson, Lane, LeGoff, Chair Beauchine  
NO: Member Ohlrogge  
Motion carried 4-1.

#### **F. OTHER BUSINESS**

None.

#### **G. PUBLIC REMARKS**

None.

#### **H. BOARD MEMBER COMMENTS**

Member Jackson reported Chair Beauchine and she attended the January 28<sup>th</sup> Volunteer Appreciation event where two (2) members of the community were being commended by Township staff for their volunteer efforts. She noted Chair Beauchine was named as a recipient of the Meridian Leadership Award and commended for his service to the Township.

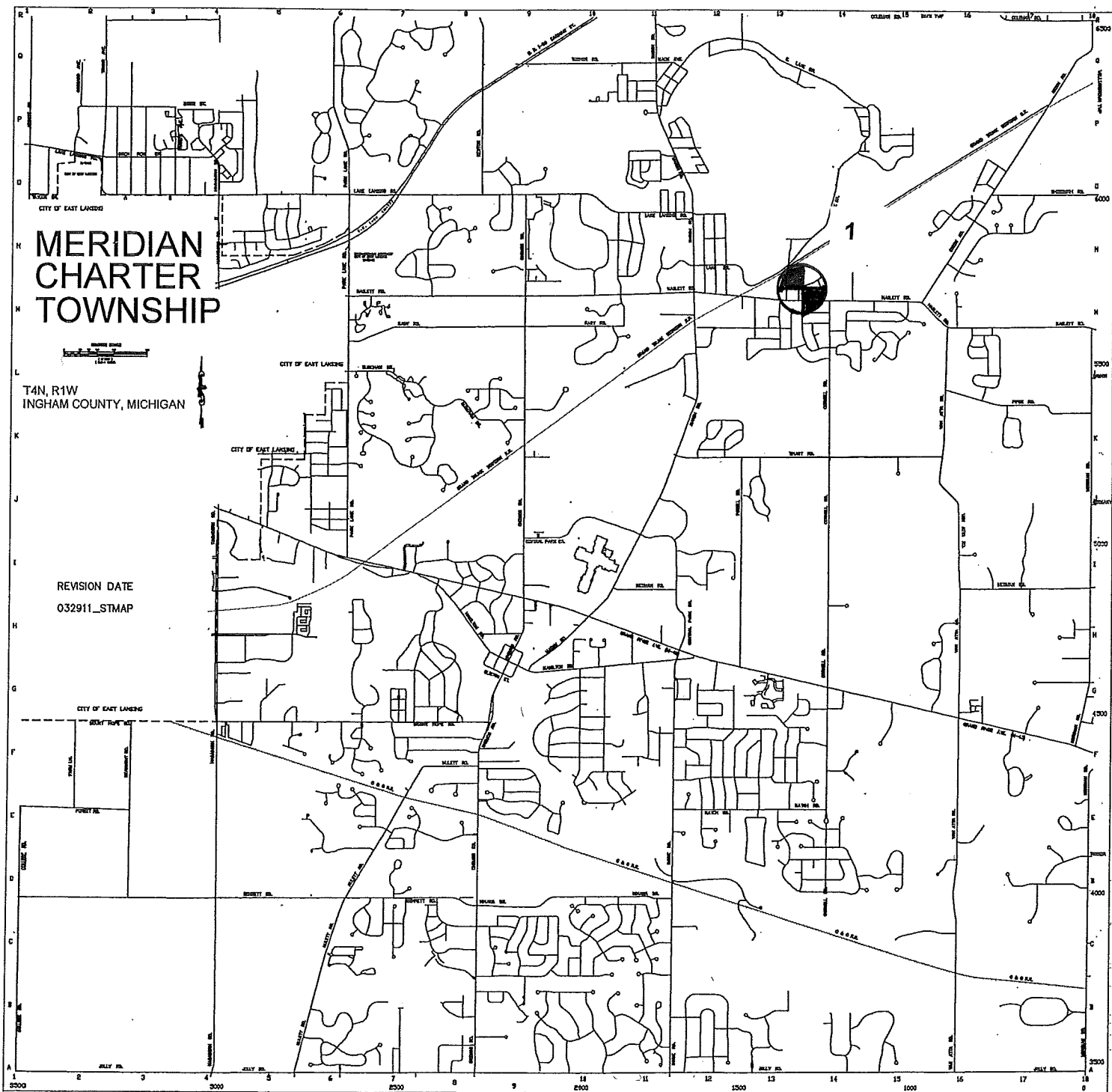
Chair Beauchine introduced Ken Lane, the ZBA's newest ZBA member.

#### **I. ADJOURNMENT**

Chair Beauchine adjourned the meeting at 9:03 p.m.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary



# LOCATION MAP

1. ZBA CASE NO. 16-03-23-1

## 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.

# MEMORANDUM

**TO:** Zoning Board of Appeals

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

**DATE:** March 18, 2016

**RE:** ZBA Case No. 16-03-23-1

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**ZBA CASE NO.:** 16-03-23-1 ROSE E. PARKER, PO BOX 906, OWOSSO, MI 48867  
**DESCRIPTION:** 1328 Haslett Road  
**TAX PARCEL:** 11-327-011  
**ZONING DISTRICT:** RC (Multiple Family, Medium Density)

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

- Section 86-502, 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 and not made part of the principal building as provided in the preceding statement shall not be nearer than ten feet from any other separate structure on the same lot.
- Section 86-565(1), which states no accessory structure shall project into the front yard.

The applicant has installed a metal, detached accessory building (garage) without a building permit at 1328 Haslett Road which is a duplex. The duplex is at the northeast corner of Haslett Road and Ridgeway Drive and is addressed as 1328 and 1330 Haslett Road. The accessory building is located on the driveway of the duplex unit that faces Ridgeway Drive.

A complaint was filed with the Township in September 2015 regarding the detached accessory building and a zoning ordinance violation letter was issued on September 30, 2015. The letter stated the accessory building was in violation of Section 86-565 as the building was too close to the house and property line. The accessory building in its current location appears to be partially positioned over the north lot line.

As background information the house is considered nonconforming as it does not meet the rear yard setback of 40 feet, based on the current zoning regulations for RC (Multiple Family, Medium Density) zoning found in Section 86-376(g)(4)c. The zoning regulations for rear yard setbacks have changed since the house was built in 1966. Initially the applicant intended to connect the accessory building to the house using an awning structure. This would be considered adding onto a nonconforming structure and would also need a variance. In the end the applicant preferred to keep the accessory building detached, thus the current variance request is based on regulations pertaining to a detached accessory building.

The survey from the applicant shows the proposed location and size of the detached accessory building. The applicant intends to shorten the existing accessory building by approximately four feet, so that the dimensions of the building will be approximately 20.2 feet in width and 22.0 feet in depth. The accessory building will also be moved south, to be approximately eight feet from the north lot line. The required setback for an accessory building where the rear line of a corner lot coincides with the side line of an adjoining lot in a residential district is eight feet thus the building complies for this setback (Section 86-565(5)).

Section 86-502 requires a detached accessory building to be a minimum ten feet from the principal building or any other separate structure on the same lot. The accessory building is located approximately six feet from the house (principal building) on two elevations of the house (north and west); therefore the applicant is requesting a variance of four feet for two areas. The following chart summarizes the variance request.

<b>Elevation</b>	<b>Required Setback</b>	<b>Proposed Setback</b>	<b>Variance Request</b>
North	10 feet	6 feet	4 feet
West	10 feet	6 feet	4 feet

Section 86-565(1), states no accessory building shall project into the front yard. The proposed accessory building projects approximately 14 feet into the front yard as measured from the leading edge of the front elevation of the house (facing Ridgeway Drive); therefore the applicant is requesting a variance. For informational purposes the required front yard setback is 25 feet from the street right-of-way (ROW) of Ridgeway Drive and the house is approximately 26 feet from the Ridgeway Drive ROW. The accessory building is approximately 12 feet from the street ROW.

The maximum allowed lot coverage is 35% (in RC zoning) and the property is has approximately 25.3% lot coverage for all buildings and the pool.

A building permit is required for the detached accessory building and is under review (PB #16-0079). The accessory building must be on a permanent foundation with footings and appropriate attachments of the building to the footings to meet the building code. Approval is pending the outcome of the current variance request.

### **Site History**

- Pine Ridge Estates was approved in 1966 under Preliminary Plat #66142, which included a mix of apartment and duplex units.
- The house/duplex was constructed in 1966. Other improvements include a rear addition (PB #8038 in 1970); in-ground pool (PB #9017 in 1973); and front porch at 1330 Haslett Road, facing Haslett Road (PB #15564 in 1985).
- In 1985 the Zoning Board of Appeals approved the front porch for 1330 Haslett Road to be set back 99 feet from the centerline of Haslett Road and the required setback was 110 feet, under ZBA Case #85-5-8-2.



**ZBA Case No. 16-03-23-1**

**March 18, 2016**

**Page 3**

**Attachments**

1. Application
2. Site Location Map
3. Submittals from Applicant
4. Photographs
5. Specifications for Accessory Building
6. Survey showing yard designations
7. Site Plan/Survey from Applicant

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

VARIANCE APPLICATION

A. Applicant Rose E PARKER  
Address of Applicant PO Box 906, Okemos, MI 48867  
Telephone (Work) \_\_\_\_\_ Telephone (Home) 517 204 3144  
Fax \_\_\_\_\_ Email address: rose11641@yahoo.com  
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 1328 Haslett Rd, Haslett, MI 48840  
Zoning district \_\_\_\_\_ Parcel number 11-327-011

- 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
  - Legal description
  - 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)
- Architectural sketches  
-Other

Rose E Parker                      Rose E Parker                      2-18-16  
Signature of Applicant                      Print Name                      Date

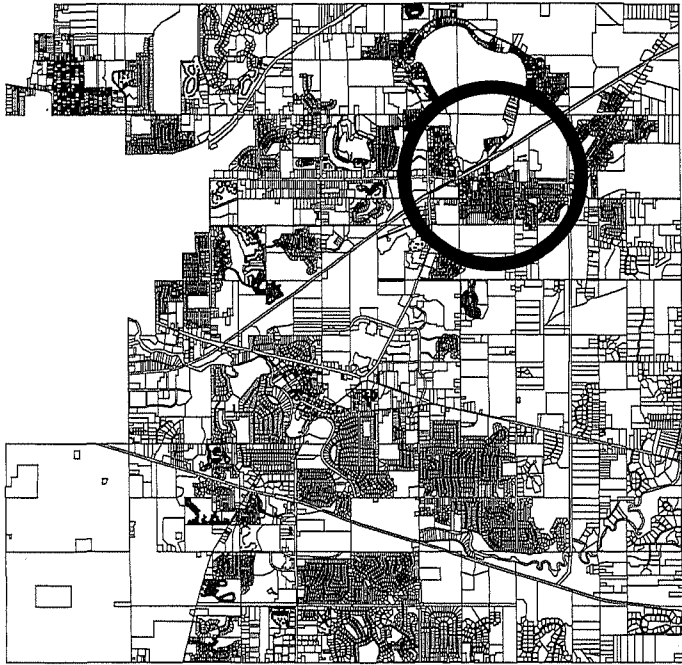
Fee: 150.00                      Received by/Date: 2/23/16 M. W. [Signature]

*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.)*

Rose E Parker                      2-18-16  
Signature of Applicant(s)                      Date

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

FEB 23 2016



**ZONING BOARD OF APPEALS #16-03-23-1  
(ROSE E. PARKER)**

**REQUEST TO ALLOW DETACHED GARAGE  
TO ENCROACH INTO THE FRONT YARD &  
BE LOCATED CLOSER THAN ALLOWED  
TO THE PRINCIPAL STRUCTURE  
AT 1328 HASLETT ROAD**

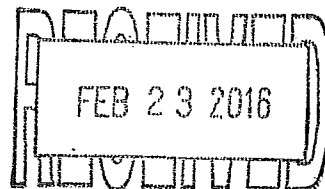
**CHARTER TOWNSHIP OF MERIDIAN**



Rose Parker

1328 Haslett Road

1. Property being on a corner lot has more restrictions that we were not aware of when we purchased the property.
2. We bought the property as is.
3. We need shelter and storage space at this property.
4. A garage would help older people with shelter and storage if they were living at this property.
5. A garage would help keep the property tidy and offer more storage and shelter from the elements.
6. It will be located completely on this property and not interfere with anyother properties.
7. There might be a need for a general regulation if more people have this same problem with property lines and setbacks.
8. It would make it easier for occupants, both present and future to have this shelter and storage space. Shelter is always needed in Michigan winters.



FEB 23 2016





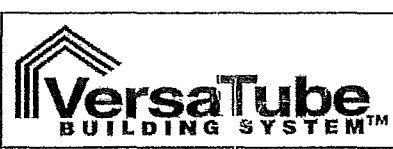
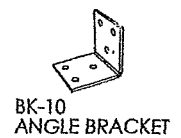
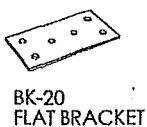
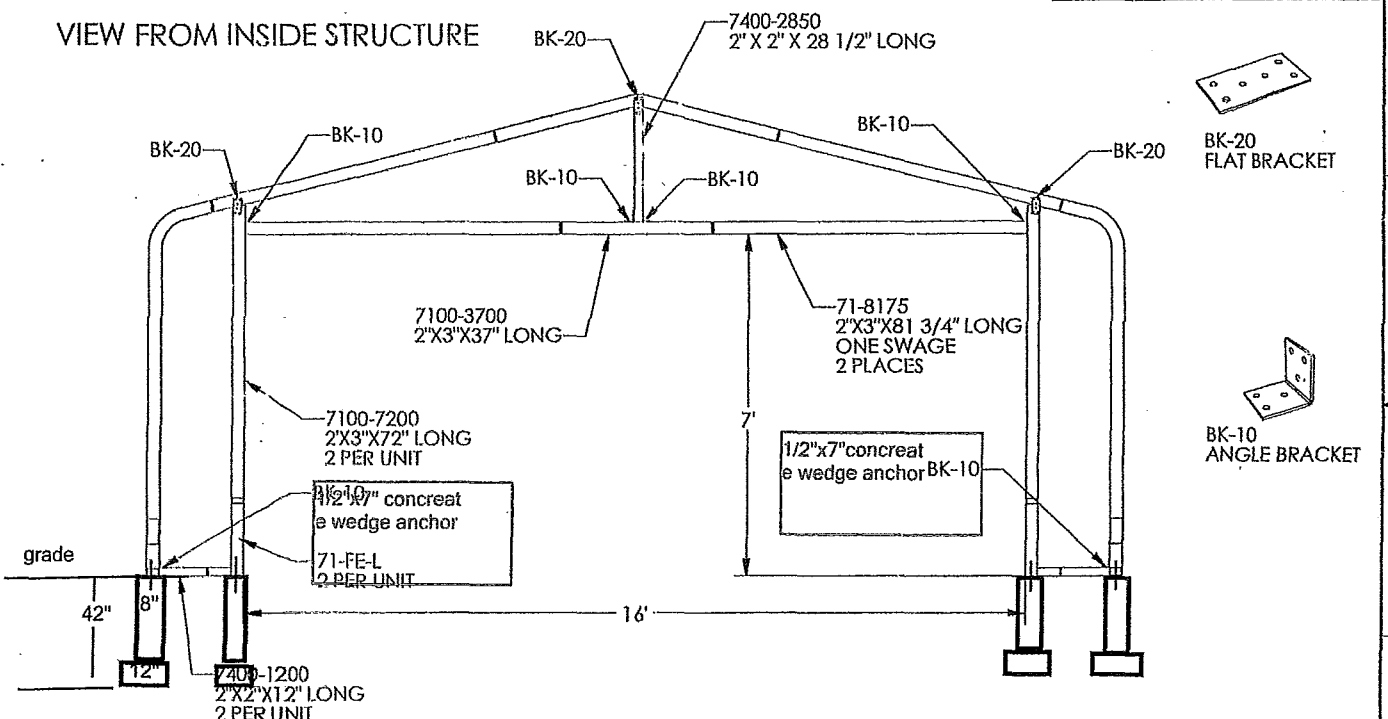
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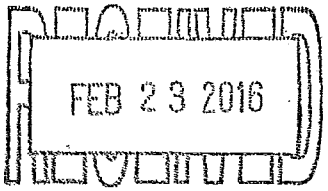
THIS INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS THE PROPERTY OF VERSATUBE BUILDING SYSTEMS, INC. ANY REPRODUCTION IN PART OR WHOLE WITHOUT THE WRITTEN PERMISSION OF VERSATUBE BUILDING SYSTEMS, INC. IS PROHIBITED.

REV.	DESCRIPTION	DATE	BY
A	CHANGED CENTER BRACE FROM 30" TO 28 1/2"	7-24-00	

VIEW FROM INSIDE STRUCTURE



UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES TOLERANCES ARE: FACED SURFACES ± .015 HOLE LOCATIONS ± .015 HOLE DIAMETER ± .005	DATE RELEASED OR REVISED: BY AND AUTHORITY: YOUNG 6-20-00	MID-SOUTH METAL PRODUCTS, INC.
MATERIAL: 2X2 15GA 10-10 CR STEEL	DESIGNED BY: [blank]	FRONT ENCLOSURE FOR 20' WIDE
TREATMENT: GALVANIZED	DATE: [blank]	REV. 8
NO HOT SCALE CRANDED	DATE: [blank]	FE-20

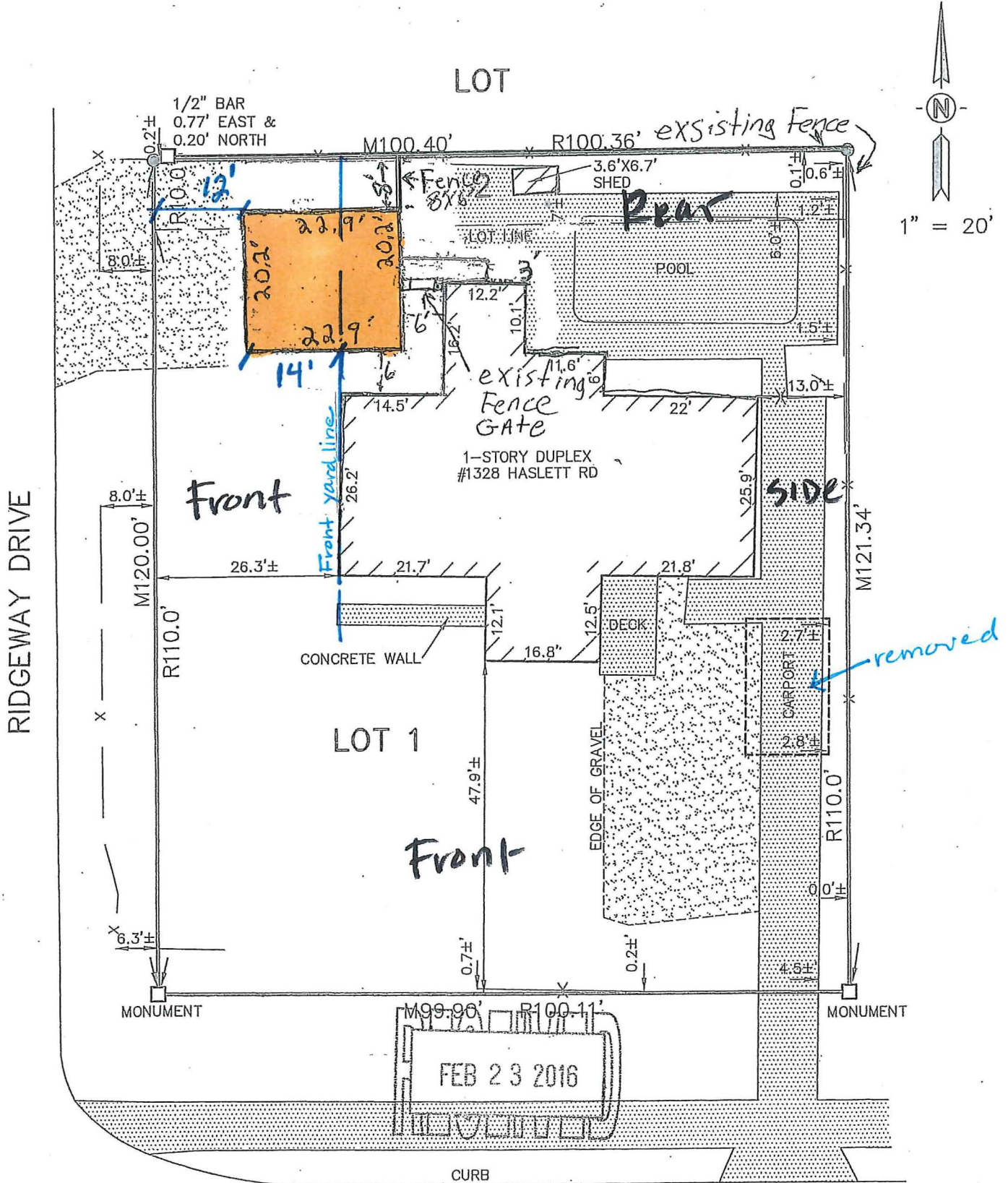


# LOT SURVEY

For:  
 Rosellen Parker  
 255 N. Hintz Road  
 Owosso, MI 48867

Survey Address:  
 1328 Haslett Road  
 Haslett, MI 48840

Legal Description (as provided): Lot 1 and the South 10 feet of Lot 2, Pine Ridge Estates, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 27 of Plats, Pages 49-50, Ingham County Records.



FEB 23 2016

NOTES:  
 1. EASEMENTS, IF ANY, NOT SHOWN



# LOT SURVEY

For:  
 Rosellen Parker  
 255 N. Hintz Road  
 Owosso, MI 48867

Survey Address:  
 1328 Haslett Road  
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