

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, APRIL 23, 2014 6:30 PM
TOWN HALL ROOM

A. CALL MEETING TO ORDER

B. APPROVAL OF AGENDA

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

- o Wednesday, April 9, 2014

D. PUBLIC REMARKS

E. UNFINISHED BUSINESS

1. ZBA CASE NO. 13-06-12-2 MICHAEL STEVENS/STEVENS ASSOCIATES BUILDERS, P.O. BOX 127, GRAND LEDGE, MI 48837

DESCRIPTION:	4650 Moore Street
TAX PARCLE:	21-409-003
ZONING DISTRICT:	PO (Professional & Office)

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

- Section 86-471(b)(3), which states the all structures and grading activities shall be setback 50 feet from the ordinary high water mark of the Red Cedar River.
- Section 86-473, which states street trees shall be required along major streets as designated in Section 86-367. Street trees shall also be required along all secondary and local streets as part of any multiple-family or nonresidential development occurring along such streets.
- Section 86-618(2), which states nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the zoning board of appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.
- 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.

The case was heard at the February 26, 2014 meeting of the Zoning Board of Appeals (ZBA) and was tabled by the ZBA until additional information was provided by the applicant. The applicant has provided a revised plan and is requesting variances to add onto a nonconforming building, place a structure (dumpster enclosure) and grade in the 50-foot setback of the Red Cedar River, provide less than the number of required street trees, and provide less than the required landscape buffer at 4650 Moore Street.

F. NEW BUSINESS

1. ZBA CASE NO. 14-04-23-1 TIMOTHY & CYNTHIA STUMP, 181 CINNABAR CIRCLE, WILLIAMSTON, MI 48895.

DESCRIPTION: 6429 E. Reynolds Road
TAX PARCEL: 02-151-034
ZONING DISTRICT: RB (Single Family-High Density)

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

- Section 86-618(1), which states nonconforming single-family structures may be altered, expanded, or modernized without prior approval of the zoning board of appeals, provided, that such alteration, or extension shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

G. OTHER BUSINESS

H. PUBLIC REMARKS

I. BOARD MEMBER COMMENTS

J. ADJOURNMENT

K. POST SCRIPT – BRIAN BEAUCHINE

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
TOWNSHIP CLERK

ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

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

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

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

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES ***DRAFT***
5151 MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, APRIL 9, 2014

PRESENT: Members, Jackson, LeGoff, Ohlrogge, Hershiser, Chair Beauchine,
ABSENT: None
STAFF: Rick Brown, Associate Planner
Mark Kieselbach, Director of Community Planning & Development

A. CALL MEETING TO ORDER

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

B. APPROVAL OF AGENDA

MEMBER HERSHISER MOVED TO APPROVE THE AGENDA AS WRITTEN

SECONDED BY MEMBER OHLROGGE

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

Wednesday, February 12, 2014

MEMBER OHLROGGE MOVED TO APPROVE THE MINUTES AS WRITTEN

SECONDED BY MEMBER HERSHISER

VOICE VOTE: Motion carried unanimously.

D. UNFINISHED BUSINESS

None

E. NEW BUSINESS

1. ZBA CASE NO. 14-04-09-1 HOWARD GREEN, 6622 WHITE CLOVER DRIVE, EAST LANSING, MI 48823

DESCRIPTION: 2077 Haslett Road
TAX PARCEL: 09-427-006
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-473, which states street trees shall be required along major streets.
- Section 86-618(2), which states nonconforming structures, other than single-family structures may be altered, expanded, or modernized without prior approval of the zoning board of appeals, provided, that such alteration or extension shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.
- Section 86-654(f)(1)(a), which states none of the structure uses permitted shall be any closer than 50 feet to any property or street line.
- Section 86-756(5), which states an access drive shall be provided not less than 25 feet wide.

- 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.
- Section 86-758(2), which states parking areas and driveways shall be separated from the exterior wall of a building, exclusive of pedestrian entrance ways or loading areas, by a landscaped planting area at least four feet in width.

The applicant is proposing an addition to the existing nonconforming assisted living facility located at 2077 Haslett Road, and is requesting the number of street trees required be reduced from two to zero, the building and deck setback from adjacent residential zoning be reduced from 50 feet to 19.85 and 31.55 feet respectively, a reduction in the parking lot setback from adjacent residential zoning from 20 feet to 15.65 feet, a reduction in the access drive width from the required 25 feet to 20 feet, as well as a reduction in the required building perimeter landscaping from four feet to 1.3 feet.

Mr. Brown outlined the case for discussion.

Mr. Greg Petru, 2116 Haslett Road, Haslett, representing the applicant, stated there were a large number of trees on the lot so additional street trees were not necessary. He said the existing non-conformity would not allow the addition to be a useable size if it met the ordinance. He remarked The Ingham County Road Department had requested the driveway to remain 20 feet rather than the 25 feet required by ordinance. Mr. Petru commented the variances are needed to rehabilitate the building and make the property useful. He said the special use permit was approved by the Planning Commission.

Mr. Raymond Creps, 2099 Haslett Road, Haslett, said as a next door neighbor he would like to see a privacy fence to eliminate his view of outdoor lighting. He said he is in support of the project

Ms. Brenda Green, 6622 White Clover Drive, East Lansing, one of the applicants, said she had spoken with Mr. Creps and they would have no problem with installing a privacy fence to satisfy Mr. Creps.

Member Jackson asked staff if the trees on the lot are sufficient substitutes for street trees.

Mr. Brown explained certain types of trees are used as street trees and the trees on the lot are not the correct species and they are not in the usual location for street trees.

Member Jackson asked Mr. Petru if the applicant would have to remove two trees in order to install the street trees.

Mr. Petru said there would be no room for the new trees if all of the existing trees remained on the lot.

Member Hershiser commented he could support the variances for street trees and the width of the driveway but he could not support the remaining variances because in his opinion the project is too large for the lot.

Member Jackson commented on the unique lay out of the lot. She said the lot is long and narrow so it seems as though nothing would fit.

Member LeGoff asked the applicant how many staff members would be parked there during each shift.

Ms. Green stated there would be 3 to 4 staff members per shift.

Chair Beauchine asked staff to list the other uses allowed by special use permit in the Rural Residential zoning district.

Mr. Brown replied day care, churches and non-profit offices among other uses are allowed by special use permit in Rural Residential.

Chair Beauchine asked staff to give the Zoning Board of Appeals a reason why they should approve the project. He said he would really like to support the redevelopment of the property but the project seems too ambitious for the size of the lot.

Mr. Brown stated there is very little room on the lot for a different configuration and explained the setbacks required for a nonresidential use.

Member Ohlrogge voiced her concern about the impact on surrounding properties.

Member Jackson asked how many parking spaces are proposed in the front of the project.

Mr. Petru stated 2 spaces are at the front of the building but they don't intend to use that area.

Member Jackson asked if the parking spaces could be located to the rear of the property.

Mr. Petru said he wasn't sure they could fit the necessary parking spaces to the south.

Chair Beauchine reviewed the variances in relation to the review criteria (Section 86-221). He stated as far as he could tell the variances only meet Review Criteria Number 1 as there are unique circumstances that are peculiar to this land and structure.

Member Hershiser said the surrounding lots are similar in size and layout so he did not think the lot is unique for the area.

Member Jackson said the variances would meet Review Criteria Number 2 because the dimension and layout of the lot is not self-created.

Chair Beauchine remarked the variances would meet Review Criteria Number 4 because denial of the variances would prevent the owner from using the property for a permitted purpose.

Member Ohlrogge commented the variances would not meet number four because the owners are currently using it for its permitted use.

Member Jackson commented the Planning Commission granted the special use permit for as many as 20 residents. She stated the existing building could not house that many residents.

Member Ohlrogge stated the special use permit is only applicable if the applicant is granted the variances. She said Review Criteria Number 6 is major concern. She said since the variances remain with the property regardless of the owner there is no way to ensure this will not adversely affect the adjacent properties. She commented the project is too large for the lot.

Member Hershiser said the variances could have a negative impact on neighboring property.

Member LeGoff asked if the other board members if the project was smaller would it be acceptable to them.

Member Ohlrogge stated it is not the responsibility of the Zoning Board of Appeals to negotiate the size of the building. She said Review Criteria Number 8 is not met because building such a large project on a small lot is not in the public interest.

MEMBER HERSHISER MOVED TO DENY THE VARIANCES BECAUSE THEY DO NOT MEET THE REVIEW CRITERIA.

SECONDED BY MEMBER OHRLOGGE.

Member Ohlrogge said she felt bad having to turn down the application because it is a much needed property improvement and would be a good use of the property.

Member LeGoff commented she does not see the problem since the current neighbors are in support of the project.

Member Ohlrogge stated the support of the current neighbors is outweighed by the effects in the future on properties in the area.

VOICE VOTE: YES: Member Hershiser, Ohlrogge and Chair Beauchine
NO: Member Jackson and LeGoff
Motion carries 3-2.

F. OTHER BUSINESS

None

G. PUBLIC REMARKS

Mr. Creps asked the Zoning Board of Appeals to reconsider as the applicant have been great neighbors.

Mr. Green said assisted living properties are his passion. He said it is not about the money as he has other rental properties but it is about their desire to provide the best place for people to live that need these services. He said the proposed project would have made the facility state of the art. He said he was extremely disappointed in the denial of the variances.

H. BOARD MEMBER COMMENTS

Member Hershiser commented he had driven by and it looks as though the property is not in use.

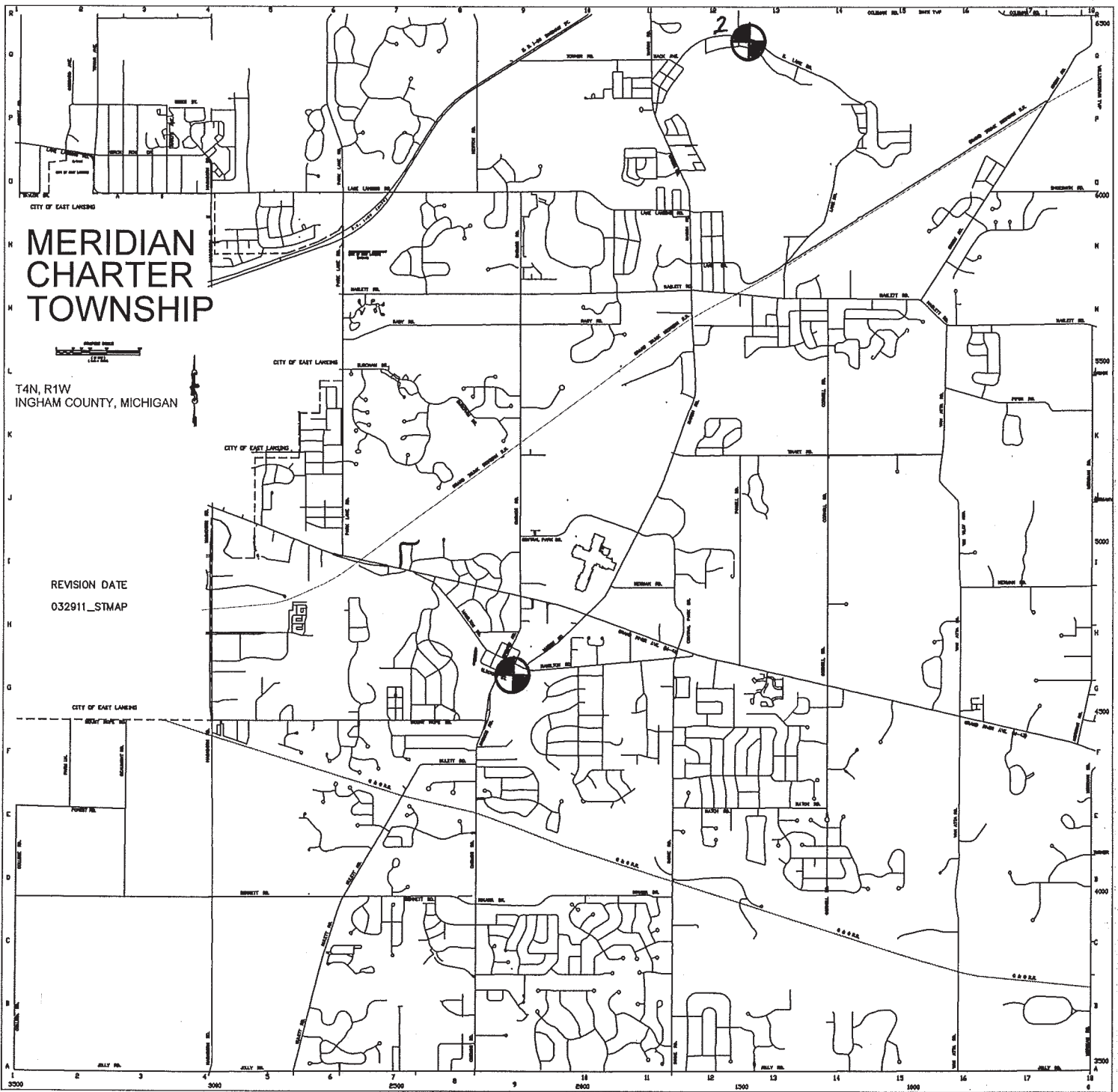
Member Ohlrogge commented it is currently vacant.

I. ADJOURNMENT

Chair Beauchine adjourned the meeting at 7:45 p.m.

Respectfully Submitted,

Angela M. Ryan
Recording Secretary



- 1 ZBA CASE # 13-06-12-2 (STEVENS)
- 2 ZBA CASE #14-04-23-1 (STUMP)



8

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: April 18, 2014

RE: ZBA Case No. 13-06-12-2

ZBA CASE NO.: 13-06-12-2 MICHAEL STEVENS/STEVENS ASSOCIATES BUILDERS, P.O. BOX 127, GRAND LEDGE, MI 48837
DESCRIPTION: 4650 Moore Street
TAX PARCEL: 21-409-003
ZONING DISTRICT: PO (Professional and Office)

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

- Section 86-471(b)(3), which states all structures and grading activities shall be setback 50 feet from the ordinary high-water mark of the Red Cedar River.
- Section 86-473, which states street trees shall be required along major streets as designated in Section 86-367. Street trees shall also be required along all secondary and local streets as part of any multiple-family or nonresidential development occurring along such streets.
- Section 86-618(2), which states nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the zoning board of appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.
- 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.

This case was last heard at the February 26, 2014 meeting of the Zoning Board of Appeals. At the meeting the Zoning Board of Appeals voted to deny a variance from Section 86-755 to provide less than the required number of parking spaces. The ZBA also voted to table variance requests from Section 86-471(b)(3) and Section 86-618(2).

At the request of the applicant, the plans have been reviewed by several Township departments (Fire, Engineering, and Building) in order to provide some preliminary comments prior to the applicant formally applying for site plan review. Staff and the applicant also contacted the Ingham County Road Department (ICRD) for their comments on the site plan.

Following is a summary of the comments from the Township and the ICRD:

- The Fire Department noted the proposed addition will not require fire suppression or an on-site fire hydrant.
- The Department of Public Works and Engineering does not have any concerns at this time.
- The Chief Building Inspector noted detailed comments regarding accessibility issues for the existing building and proposed addition cannot be provided until stamped and signed plans are submitted from a licensed architect or engineer.
- The proposed addition requires one (1) van accessible barrier-free parking space and an accessible route from the parking lot to the building per current ADA standards.
- The Ingham County Road Department provided the following comments:
 - Parking spaces cannot be located in the street right-of-way on Moore Street.
 - The property use and driveway volume hasn't changed substantially from the grandfathered condition.
 - Their preference is to consolidate the driveways and close the northern driveway, however the ICRD cannot require any changes to the current driveway configuration unless the Township requires the driveways to be modified or there is a significant safety issue.
 - The existing central driveway appears to function well as is (one-way in, one-way out) and their preference is to keep the current design.
 - If the Township requires the central driveway to be narrowed to 25 feet wide, the ICRD would require the closure of the northern driveway per the commercial driveway standards. Any changes to the driveways must be approved by the ICRD. The driveway (modified central driveway) must be built per the ICRD commercial driveway standards. Curb and gutter are required for the portion of the driveway in the street right-of-way.

The applicant was informed of the comments and has provided a revised site plan. The revised plan shows ten (10) parking spaces, with one (1) barrier-free parking space located at the north end of the site, which is accessed from the northern driveway.

As previously discussed, the gross square footage of the existing building (3,088 square feet) plus the proposed 2-story addition (528 square feet) is approximately 3,618 square feet. The required number of parking spaces for an office use is 3 (minimum) to 4 (maximum) spaces per 1,000 square feet of gross floor area. In this case 11 (minimum) to 15 (maximum) parking spaces are required.

Two (2) bicycle spaces are provided with the proposed bicycle rack. Per Section 86-760(h), the number of required motor vehicle parking spaces may be reduced by one (1) motor vehicle parking space for every two (2) bicycle parking spaces installed on a site. In this case the required number of parking spaces can be reduced by one (1) space, thus ten (10) motor vehicle parking spaces are required. Ten (10) parking spaces are provided thus a variance is not required for parking.

Several other variances are still under consideration as part of the original request. An additional variance regarding street trees has also been requested. **Prior to hearing the case, the Zoning Board of Appeals must vote to remove the case from the table.**

The variance request is outlined below by ordinance section number.

Section 86-471(b)(3) Setbacks from Water Features

The applicant is proposing to construct a 2-stall dumpster enclosure and modify the existing parking lot. These improvements are located within the 50-foot structure and grading setback of the ordinary high water mark of the Red Cedar River. The proposed dumpster enclosure is considered a structure. Grading will occur in the 50-foot setback as part of the construction of the dumpster enclosure. The dumpster enclosure is located approximately 30 feet from the ordinary high water mark, at its closest point, thus encroaching into the setback approximately 20 feet.

Additional paving will be added to the parking lot in order to straighten out three (3) parking spaces. The parking lot is considered a structure and is located within the 50-foot structure and grading setback. Grading will occur in the 50-foot setback from the Red Cedar River as part of the parking lot improvement.

The leading edge of the revised parking lot is located approximately 29 feet from the ordinary high water mark of the Red Cedar River, thus encroaching into the setback approximately 21 feet.

The applicant is requesting a variance to encroach into the 50-foot setback of the Red Cedar River. The following chart summarizes the variance request:

	Required Setback	Proposed Setback	Variance Request
Dumpster Enclosure (Structure & Grading)	50 feet	30 feet	20 feet
Parking Lot (Structure & Grading)	50 feet	29 feet	21 feet

Section 86-473 Street Trees

Per Section 86-473, street trees are required along local streets. Typically the street trees are located within the property. The standard formula used for calculating the number of street trees is one street tree per 70 lineal feet of frontage. The site has approximately 132 lineal feet of frontage; thus two (2) street trees are required. Zero (0) street trees are proposed; therefore the applicant is requesting a variance. The following chart summarizes the variance request:

	Required	Proposed	Variance Request
Street Trees	2	0	2

Section 86-618(2) Adding onto a Nonconforming Structure

The existing building is considered nonconforming because the building does not meet current required setbacks for the side yard and the setback from the ordinary high water mark of the Red Cedar River. The required side yard setback in the PO district is 15 feet, per Section 86-432(d)(3)a. The existing building is located approximately 4.7 feet from the north lot line, at the closest point.

Per Section 86-471(b)(3), the required structure and grading setback from the Red Cedar River is 50 feet as measured from the ordinary high water mark. Staff estimates the ordinary high water mark to be the "edge of water" as shown on the plan. The existing building at its closest point is located approximately 46 feet from the ordinary high water mark. The proposed 2nd story addition will also be located approximately 46 feet from the ordinary high water mark.

Section 86-618(2) states a nonconforming structure, other than a single-family structure, may be altered, expanded, or modernized without prior approval of the zoning board of appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

The proposed 2-story addition will increase the area, height, bulk, and extent of the nonconforming building; therefore the applicant is requesting a variance.

Section 86-756(11) Landscaped Buffer

A 20-foot wide landscaped buffer is required between the parking area and the street right-of-way. The existing landscaped buffer along Moore Street (west property line) is approximately four (4) feet wide. The proposed plan has expanded the parking area to the west property line and has reduced the landscaped buffer to zero feet wide; therefore the applicant is requesting a variance. The following chart summarizes the variance request:

	Required Width	Proposed Width	Variance Request
Landscaped Buffer	20 feet	0 feet	20 feet

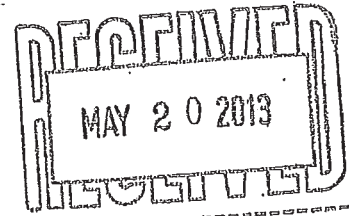
Site History

- On September 12, 1973 site plan review was granted under Site Plan Review #73-12.
- The office building was constructed in approximately 1975.
- A new business permit was issued on December 12, 2012 for current business under PB #12-0778. A Certificate of Occupancy has not been issued as of the date of this memorandum.
- On June 12, 2013 the Zoning Board of Appeals voted to table ZBA Case #13-06-12-2 until additional information was provided by the applicant.
- On February 26, 2014 the Zoning Board of Appeals voted to deny the variance request to provide less than the required number of parking spaces and tabled the request for a variance to add onto a nonconforming building and place a structure and grade within the 50-foot setback from the Red Cedar River, for ZBA Case #13-06-12-2.

Attachments

1. Application
2. Site Location Maps
3. Approved Zoning Board of Appeals minutes dated February 26, 2014, for ZBA Case #13-06-12-2
4. Site plan dated February 17, 2014 (previous design)
5. Revised site plan dated March 28, 2014
6. Site plan showing 50-foot water features setback

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



VARIANCE APPLICATION

A. Applicant MICHAEL STEVENS w/ STEVENS ASSOCIATES BUILDERS
Address of Applicant P.O. Box 127
GRAND LEDGE, MI 48827
Telephone (Work) (517) 204-0967 Telephone (Home) (517) 622-1784
Fax (517) 622-1784 Email address: mike@stevensassociatesbuilders.com
Interest in property (circle one): Owner Tenant Option Other

CALL FIRST

B. Site address/location 4650 MOORE STREET
Zoning district _____ Parcel number 21-429-003

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] MICHAEL STEVENS 5-20-13
Signature of Applicant Print Name Date

Fee: \$450 Received by/Date: Peter Memon 5.20.13

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.)

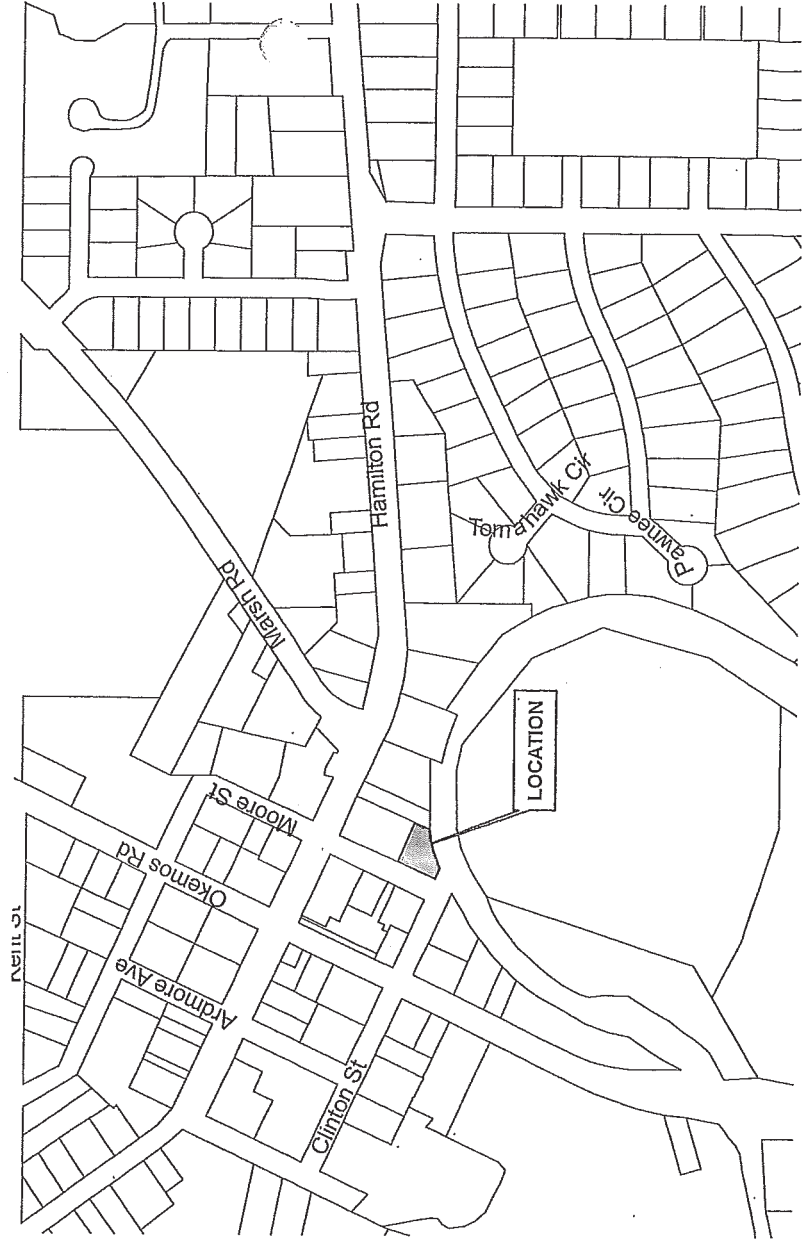
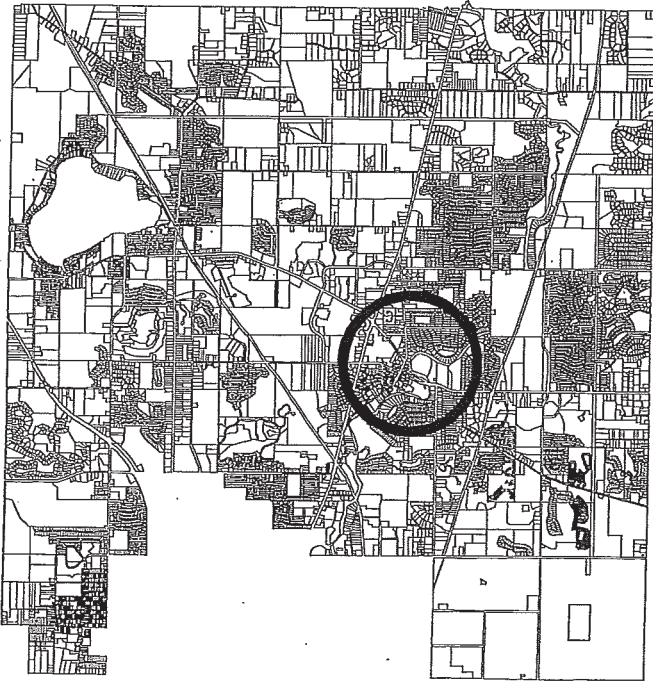
[Signature] 5-20-13
Signature of Applicant(s) Date

Signature of Applicant(s) Date

**ZONING BOARD OF APPEALS #13-06-12-2
(MICHAEL STEVENS)**

**REQUEST TO ADD ONTO
NONCONFORMING BUILDING &
PROVIDE INSUFFICIENT NUMBER
OF PARKING SPACES AT
4650 MOORE STREET**

CHARTER TOWNSHIP OF MERIDIAN



Marsh Rd

Hamilton Rd

2109

Hamilton Centre
C-2

PO

LOCATION

4650

Moore St

2119

Independent Bank
C-2

Arrowhead Apts.
C-2

4659

PO

2120-2126

Okemos Rd

Clinton St

Red Cedar River

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES *****APPROVED*****
5151 MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, FEBRUARY 26, 2014

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

A. CALL MEETING TO ORDER

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

B. APPROVAL OF AGENDA

MEMBER HERSHISER MOVED TO APPROVE THE AGENDA AS WRITTEN
SECONDED BY MEMBER JACKSON
VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

Wednesday, February 12, 2014
MEMBER HERSHISER MOVED TO APPROVE THE MINUTES AS WRITTEN
SECONDED BY MEMBER JACKSON
VOICE VOTE: Motion carried unanimously.

D. UNFINISHED BUSINESS

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TAX PARCLE: 21-409-003
ZONING DISTRICT: PO (Professional & Office)

The case was heard at the June 12, 2013 meeting of the Zoning Board of Appeals (ZBA) and was tabled by the ZBA until additional information was provided by the applicant. The applicant has provided new information.

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

- Section 86-471(b)(3), which states the all structures and grading activities shall be setback 50 feet from the ordinary high water mark of the Red Cedar River.
- Section 86-618(2), which states nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the zoning board of appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

- Section 86-755, which states for general office, three parking spaces per 1,000 square feet of gross floor area (minimum) to four parking spaces per 1,000 square feet of gross floor area (maximum) are required.

The applicant is proposing to place a structure and grade within the 50-foot setback of the ordinary high water mark of the Red Cedar River; add onto a nonconforming building; and provide an insufficient number of parking spaces at 4650 Moore Street; therefore the applicant is requesting variances.

MEMBER HERSHISER MOVED TO REMOVE THE CASE FROM THE TABLE
SECONDED BY MEMBER JACKSON
VOICE VOTE: ALL YES

Ms. Wyatt outlined the case for discussion.

Mr. Michael Stevens, PO Box 127, Grand Ledge, representing the applicant, reviewed the history of the case and commented on the changes to the plan. He remarked the applicant would not be opposed to consolidating the driveways as requested by staff. He said the building will never conform to the existing ordinances. Mr. Stevens stated the site plan is not ready for site plan review because the owner is considering what is possible within the parameters of the Township ordinances.

Mr. John Gilluly, 4650 Moore Street, Okemos, the building's owner, stated the addition will not be visible from the road so it should not have any effect on the surrounding businesses. He is concerned with the amount of parking because he wants his patrons to feel comfortable coming to the site. He commented a plan to consolidate the driveways could alleviate concern over parking.

Chair Beauchine asked the variances be discussed one at a time.

Member Hershiser commented the bank's refusal to sign a written agreement regarding extra parking spaces is a concern and even if the bank would enter into a written agreement, it could be revoked.

Member Ohlrogge said she drove past the site on February 25, 2014 between 1:00 pm and 2:00 pm and there were eleven vehicles parked at the site. She said it was very crowded and appeared unsafe. She voiced concern that the parking at the bank is not enough.

Chair Beauchine commented the variance would stay with the property but the informal parking agreement and additional parking through their other lease may not stay with the property so even with the addition there would not be enough parking.

Member Ohlrogge asked if the applicant had considered other more permanent parking arrangements within the downtown area.

Mr. Gilluly said they had explored possibilities but were unable to reach a long term solution. He said the most permanent solution would be to get the approval of the Ingham County Road Department to consolidate the driveways and possibly to encroach into the road right-of-way to increase the parking area.

Ms. Wyatt explained even if the additional parking were approved by Ingham County Road Department, the applicant would need a variance for reduction of the landscape buffer.

Member Hershiser asked staff if the site plan review had been completed and if staff is certain there would not be any additional variances required.

Ms. Wyatt said there would be one additional variance after site plan review.

Member Ohlrogge asked why the site plan review had not been completed prior to coming before the Zoning Board of Appeals.

Ms. Wyatt said the applicant had not applied for a site plan review.

Member Jackson stated the applicant's representative had indicated the plan was not the formal plan. She asked the applicant to explain why the site plan review had not been completed.

Mr. Stevens stated the applicant wanted to work on solving the issues but needed guidance before completing a final plan.

Member Hershiser suggested tabling the other variance requests.

MEMBER HERSHISER MOVED TO DENY THE VARIANCE TO PROVIDE LESS THAN THE NUMBER OF REQUIRED PARKING SPACES (SECTION 86-755) BECAUSE IT DOES NOT MEET REVIEW CRITERIA (SECTION 86-221)

SECONDED BY MEMBER OHLROGGE.

Member Ohlrogge said additional, permanent parking is obviously needed. She stated the lack of parking would be a public safety hazard.

Member Hershiser said there is not enough parking even with temporary solutions.

Chair Beauchine stated the major problem is the variance would remain with the property regardless of the status of additional leased parking. He said he understands the applicant's struggle.

Member LeGoff asked if the Meridian Asset Resource Center (MARC) could be considered for additional parking.

Member Hershiser said the MARC probably would not be able to provide extra parking due to its limited parking and location, adding if it could be provided, it would be a temporary solution as well.

Member Hershiser stated denial of the variance from Section 86-755 would provide the applicant with guidance regarding parking and if circumstances changed, they could apply for the variance again.

Member Ohlrogge said the building is on a high bluff so in her opinion there is a unique circumstance and it meets a majority of the review criteria (Section 86-221) so she could support a variance from Section 86-471(b)(3).

Member LeGoff asked if the old Central Fire Station could be used for parking.

Mr. Kieselbach said the fire station would have to be made into public parking. He recommended the Ingham County Road Department be consulted regarding if the applicant could encroach into the road right-of-way and/or consolidate driveways.

VOICE VOTE: YES: Member Hershiser, Ohlrogge, Jackson, LeGoff, Chair Beauchine

NO: None

Motion carries 5-0.

Member Hershiser suggested the other variance requests be tabled.

Chair Beauchine said he would like to discuss the other two variances to provide some guidance for the applicant. He said he would most likely support the other two variances.

Member Hershiser commented he would not only support the other two variances but also a variance for the elimination of the landscaping buffer if needed to increase parking.

Member Jackson voiced her support for the other two variances

Member Ohlrogge said the variance for the dumpster enclosure meets the Review Criteria (Section 86-221).

Chair Beauchine commented he would entertain a variance in the future for additional off-site parking and elimination of landscaping if needed.

MEMBER HERSHISER MOVED TO TABLE THE VARIANCE FROM SECTIONS 86-471(b)(3) AND 86-618(2).

SECONDED BY MEMBER JACKSON

VOICE VOTE: YES: Member Hershiser, Jackson, Ohlrogge, LeGoff and Chair Beauchine.

NO: None

Motion carries 5-0.

E. NEW BUSINESS

1. ZBA CASE NO. 14-02-26-1 WILLIAM PIERCE & NANCY INMAN, 6103 E. LAKE DRIVE, HASLETT, MI 48840

DESCRIPTION:	6103 E. Lake Drive
TAX PARCEL:	02-408-013
ZONING DISTRICT:	RB (Single Family-High Density)

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

- Section 86-618(2), which states nonconforming structures, other than single-family structures may be altered, expanded, or modernized without prior approval of the zoning board of appeals, provided, that such alteration, or extension shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

The applicant is proposing an addition to the existing nonconforming accessory building (garage) which is located at 6103 East Lake Drive.

Mr. Brown outlined the case for discussion.

Mr. William Pierce, 6103 E. Lake Drive, Haslett, the applicant, stated there currently is no way to access his garage for parking without removing the adjacent mature oak tree.

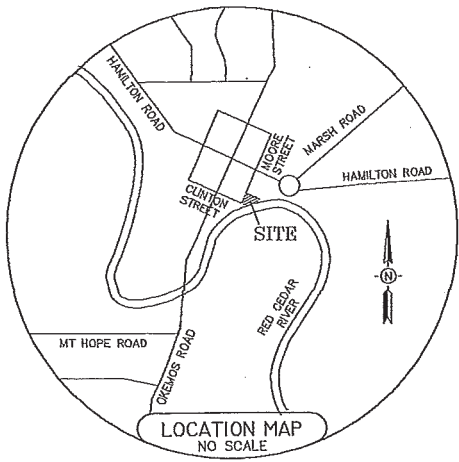
Chair Beauchine commented the tree should stay and the variance meets a good deal of the criteria and he would support the variance.

Member LeGoff stated she couldn't find any substantial problems with granting the variance.

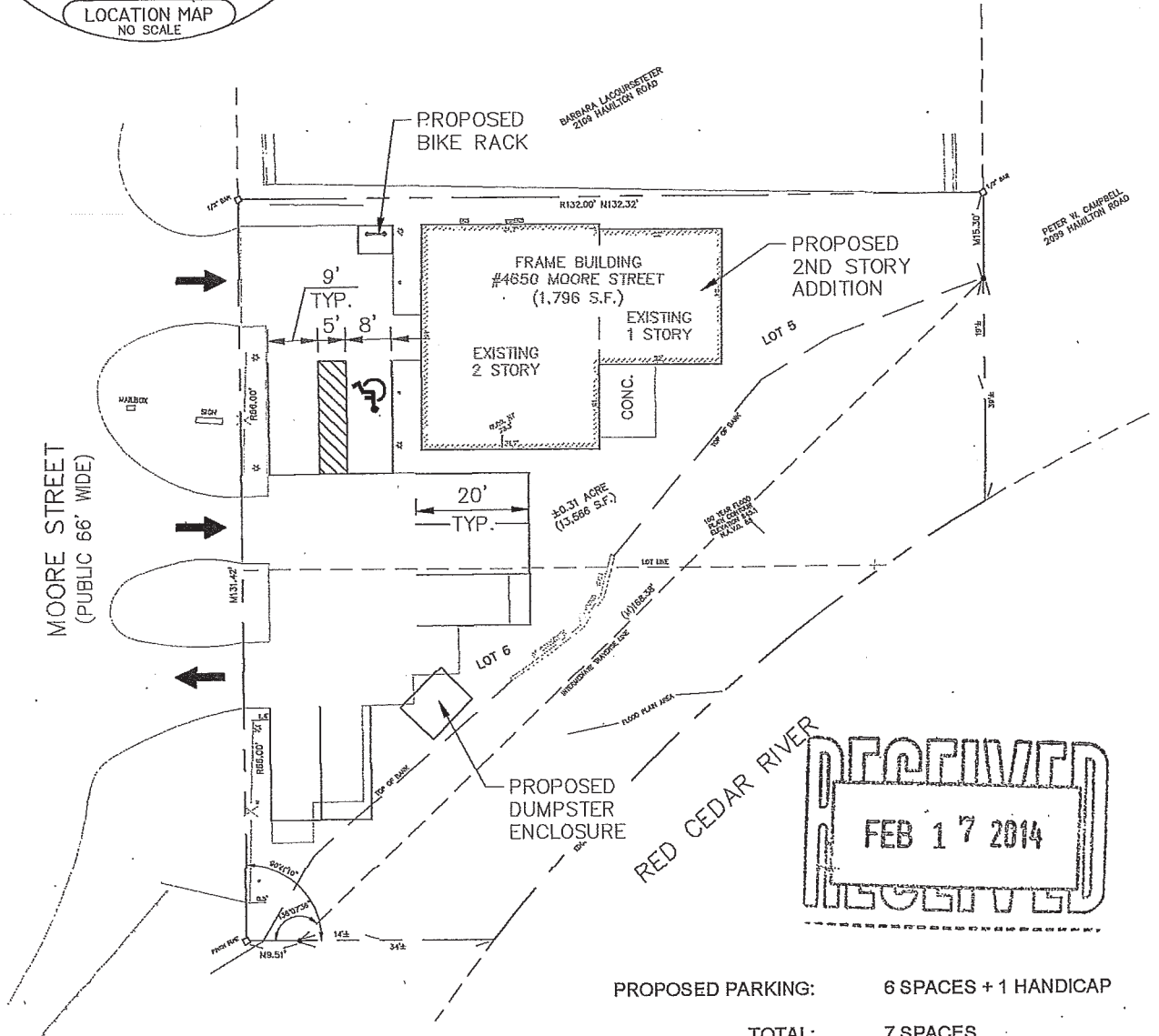
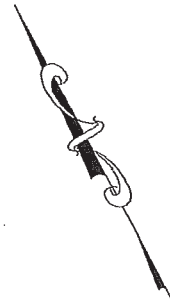
Member Jackson asked if the addition would increase the nonconformity of the building.

Mr. Brown said the addition would increase the nonconformity.

Mr. Pierce commented they had discussed pushing the garage back to create a deeper bay, but the drainage and flooding problem on the property makes it an unappealing and difficult solution.



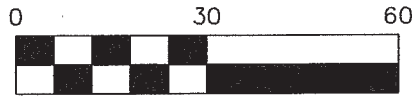
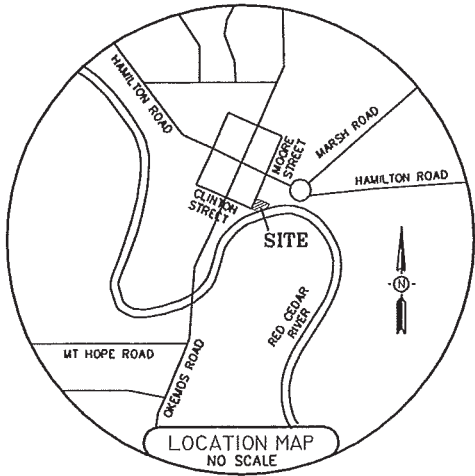
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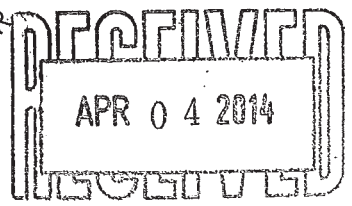
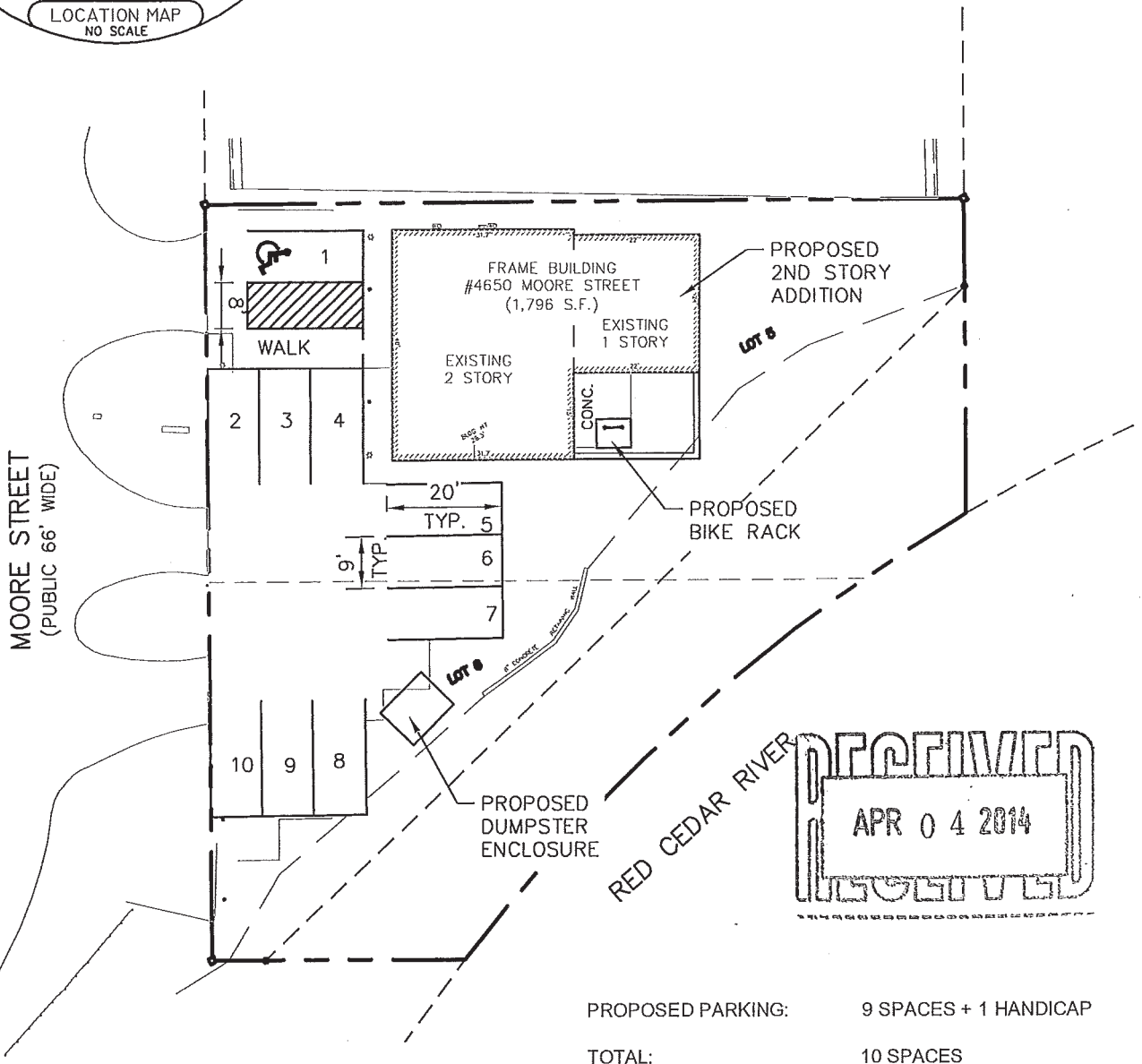
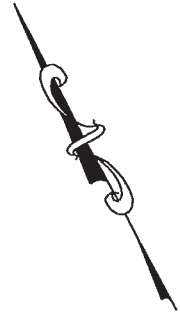
FILE: L:\466 (STEVENS, MOORE ST SITE, PLAN)\C6 PLANS\VEETS\BASE.DWG - PLOT DATE: 2/14/2014 3:28 PM BY: Wendy Fuller SCALE: 1:1

PROPOSED PARKING LAYOUT

4650 MOORE STREET
OKEMOS, MI



Scale 1" = 30'

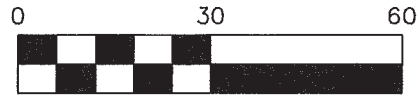
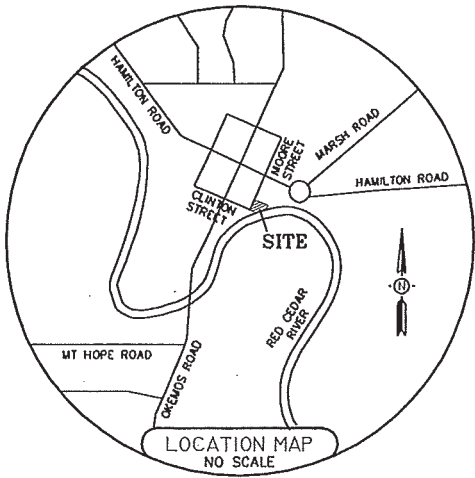


PROPOSED PARKING: 9 SPACES + 1 HANDICAP
 TOTAL: 10 SPACES

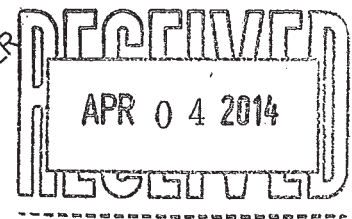
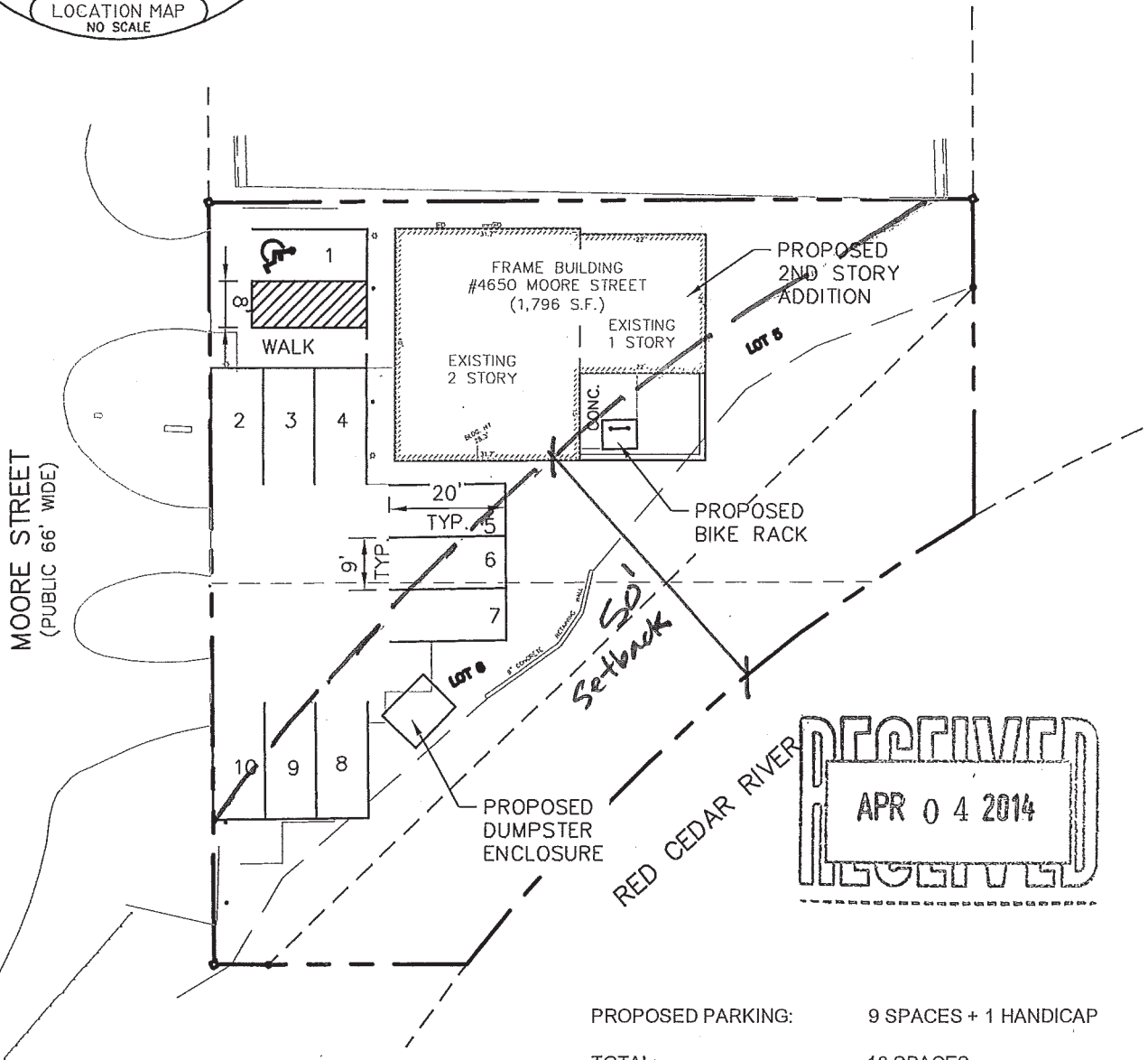
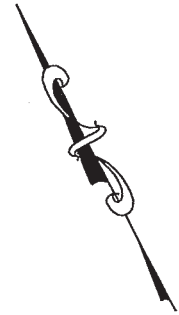
LSG
 Engineers
 & Surveyors

3135 PINE TREE ROAD
 SUITE D
 LANSING, MI 48911
 PH. (517) 393-2902
 FAX (517) 393-2608
 www.lsg-es.com

CONCEPTUAL
 PROPOSED PARKING LAYOUT
 4650 MOORE STREET
 OKEMOS, MI
 MARCH 28, 2014 LSG PROJECT NO. 1488



Scale 1" = 30'



PROPOSED PARKING: 9 SPACES + 1 HANDICAP
 TOTAL: 10 SPACES

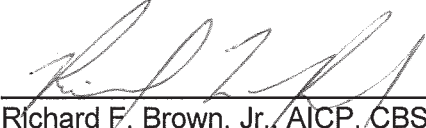
LSG
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 & Surveyors

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CONCEPTUAL
 PROPOSED PARKING LAYOUT
 4650 MOORE STREET
 OKEMOS, MI
 MARCH 28, 2014 LSG PROJECT NO. 1488

MEMORANDUM

TO: Zoning Board of Appeals

FROM: 
Richard F. Brown, Jr., AICP, CBSP
Associate Planner

DATE: April 18, 2014

RE: ZBA Case No. 14-04-23-1

ZBA CASE NO.: 14-04-23-1 TIMOTHY & CYNTHIA STUMP, 181 CINNABAR CIRCLE, WILLIAMSTON, MI 48895

DESCRIPTION: 6429 E. Reynolds Road

TAX PARCEL: 02-151-034

ZONING DISTRICT: RB (Single Family-High Density)

The applicants are requesting variance from the following section of the Code of Ordinances:

- Section 86-618(1) - which states nonconforming single-family structures may be altered, expanded, or modernized without prior approval of the zoning board of appeals, provided, that such alteration or extension shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

Timothy and Cynthia Stump are proposing to replace the existing roof of their one-story single-family dwelling located at 6429 E. Reynolds Road. While the roof was totally replaced in 2010, this past winter's snow loads have caused the need for it to be replaced again. The applicant's intend to replace the existing shallow pitched-roof with a steeper pitched-roof design. In doing so, the project will allow them to add approximately 432 square feet of useable second-story floor space.

The proposed roof will maintain all existing setbacks. Due to the existing nonconforming status of the single-family dwelling, being less than seven feet from the east and west property lines, the addition of second story useable floor space triggers the need for a variance from Section 86-618(1) of the Zoning Code as an increase in height, bulk, and extent of the structure.

Site History

- The single-family dwelling was constructed in 1946.
- The subject site is zoned RB (Single Family-High Density) and located in the Lake Lansing Overlay District, which requires a 20 foot setback from East Reynolds, a five foot setback from each side lot line provided it is built with non-combustible materials or treated with an approved fire retardant, and a 30 foot rear yard setback.
- The submitted plan shows the existing building to be situated as close as 1.53 feet from the east property line and 5 feet from the west property line.

ZBA Case No. 14-04-23-1

April 18, 2014

Page 2

- The second story will occupy a total of 720 square feet, of which, due to ceiling heights, approximately 432 square feet will be useable.
- Previous for this property variances include:
 1. ZBA Case #94-5-25-1, which allowed construction of the freestanding garage on the opposite side of Reynolds Road, but the garage was not built under that variance;
 2. ZBA Case #98-07-08-3, which also allowed construction of a freestanding garage across the road – the garage was built (Building Permit #98-0965); and
 3. ZBA Case #99-01-13-1, which allowed for construction of a new single-family dwelling, but the new dwelling was never built.
- The roof was last replaced (tear-off) in 2010 - Building Permit #10-0423 and new siding was installed under Building Permit #10-0424. The permit does not indicate if the new siding was treated with an fire retardant.

Attachments

1. Site location map and aerial photo
2. Application
3. Submittals from the applicant
4. Copies of past variance approvals

G:\COMMUN PLNG & DEV\PLNG\ZBA\2014 ZBA\Z_14_04_23_1.1doc

PERRY ROAD

RR

LAKE DRIVE

RA

6440

RB

6420

6427

6419

6421

6419

6426

E. REYNOLDS ROAD

6431

6429

6425

6419





PERRY ROAD

LAKE DRIVE

E. REYNOLDS ROAD

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

VARIANCE APPLICATION

- A. Applicant Tim + Cindy Stump
Address of Applicant 181 Ginnabar Williamston MI 48895
Telephone (Work) 2905632 Telephone (Home) 6551258
Fax _____ Email address: CLStump581@gmail.com
Interest in property (circle one): Owner Tenant Option Other
- B. Site address/location 6429 E Reynolds
Zoning district _____ Parcel number _____
- C. Nature of request (Please check all that apply):
 Request for variance(s)
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

Zoning Ordinance section(s) _____

- D. 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)

Tim Stump Tim Stump 3-27-2014
Signature of Applicant Print Name Date

Fee: \$150.00 Received by/Date: [Signature] 3/31/14

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.)

Tim Stump 3-27-2014
Signature of Applicant(s) Date
Cindy Stump 3-27-2014
Signature of Applicant(s) Date

To: Meridian Township Planning Division

Re: Variance Request at, 6429 E. Reynolds Rd., Haslett, MI

We are asking the Township to consider the following request for a variance at 6429 E. Reynolds Rd. Our intention is to change the pitch and direction of the roof line of our retirement home. This change is essential in order to have a structurally sound, properly pitched roof that will eliminate the years of leaking, due to a shallow pitched roof. Our contractor has pointed out that 2x6 roof rafters on this very shallow pitch are not spaced properly for the snow loads we encounter in our area. By changing the direction of the roof line, we will be able to have a view of the lake from inside the home and thus be able to maximize our enjoyment of the property. We believe that the Township will agree that this is not out of the norm in this area, to allow home owners to make these changes to these older properties, keeping the neighborhood quality, consistent with other projects, past and present.

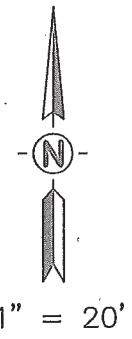
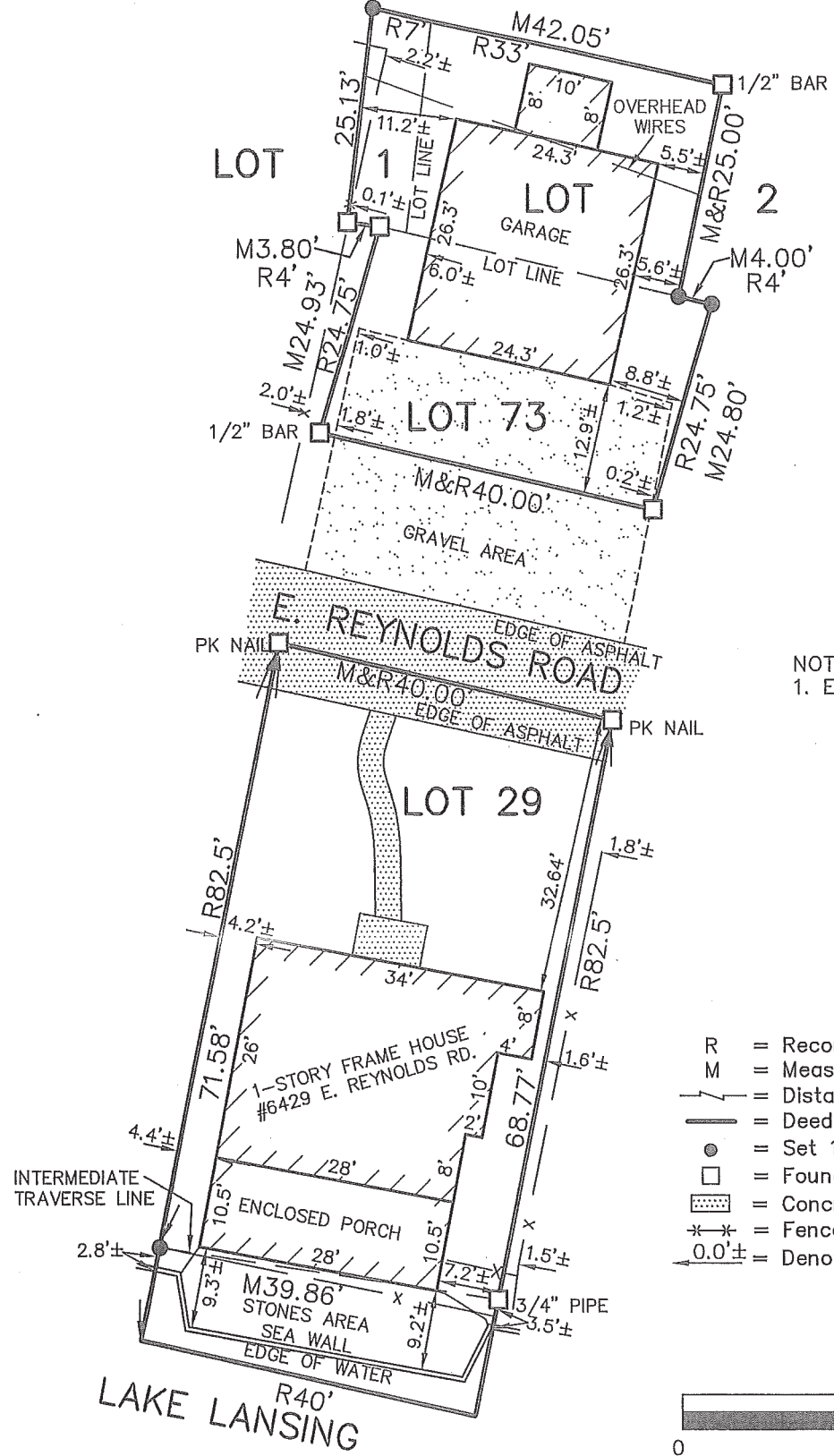
Respectfully,

Tim and Cindy Stump

Review Criteria - Response

1. The roof of the existing structure is not structurally sound. The 2x6 rafters are undersized and the span is too long to support the snow load in this area. In redesigning the roof it became apparent that attic space could then be utilized as living space. The home is small and could benefit from the additional space. The lot is small and the only way to obtain additional living space would be to utilize the second level space created.
2. The home was constructed long before the current owners purchased the property. The second level space would be a bonus to a necessary redesign of the roof.
3. The roof is leaking and the rafters are sagging and damaged from too much snow weight so a change in roof design is necessary. The additional living space resulting from the change in roof line will allow a small cottage to become a full time residence.
4. Shallow pitched roofs are leak prone and high maintenance. This roof is a safety concern and in its current state would not allow the owners any peace of mind to live there. The desire is to change the roof design to something that fits the neighborhood and complements the design of the garage. This design, as an afterthought, creates a second level space, that is greatly needed to enhance the homes usability as a full time residence.
5. Changing the shallow roof to a pitched gable roof, will allow proper sizing of the rafters and will not allow snow and water to build up. It will also allow for the proper amount of insulation to be installed for a more energy efficient and comfortable home. This roof design will also allow the full use of all interior space, including the attic area.
6. Granting this variance will only enhance the appearance of the home and compliment the other homes nearby. The proposed roof and its overhang will not exceed what is currently on the home. The height of the proposed roof is well under the current restrictions. The additional roof height will not obstruct any view from behind the home, as the garage structure there is also owned by this owner.
7. This roof condition exists as a result of years of renovation to the structure which occurred before current standards and practices were observed. This existing roof would not be allowed to be constructed under the current building code. The proposed change would bring the home into compliance with todays building code. The additional second level space is large enough to use and is a byproduct of the improved roof design.
8. Granting this variance will make the home more energy efficient, safe and structurally sound and it complements the existing architecture of the neighborhood. The proposed gable roof design is a prominent and pleasing feature of the lake homes in this area and offers usable space on the second level.

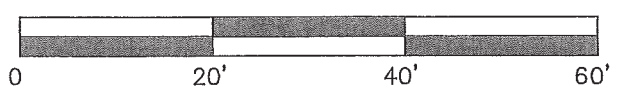
Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 37, Ingham County Records. ALSO, the Easterly 7 feet of the Southerly 25 feet of Lot 1 and the Westerly 33 feet of the Southerly 25 feet of Lot 2 of Perry Road Addition, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 14 of Plats, Page 32, Ingham County Records.



NOTES:
1. EASEMENTS, IF ANY, NOT SHOWN

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- = Set 1/2" Bar with Cap
- = Found "KEBS" Bar & Cap Unless Noted
- ▨ = Concrete, Asphalt, Deck, and Porch
- * * = Fence
- 0.0'± = Denotes Distance to the Survey Line

SCALE 1" = 20'



I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown on this survey. Said lot subject to all easements and restrictions of record.



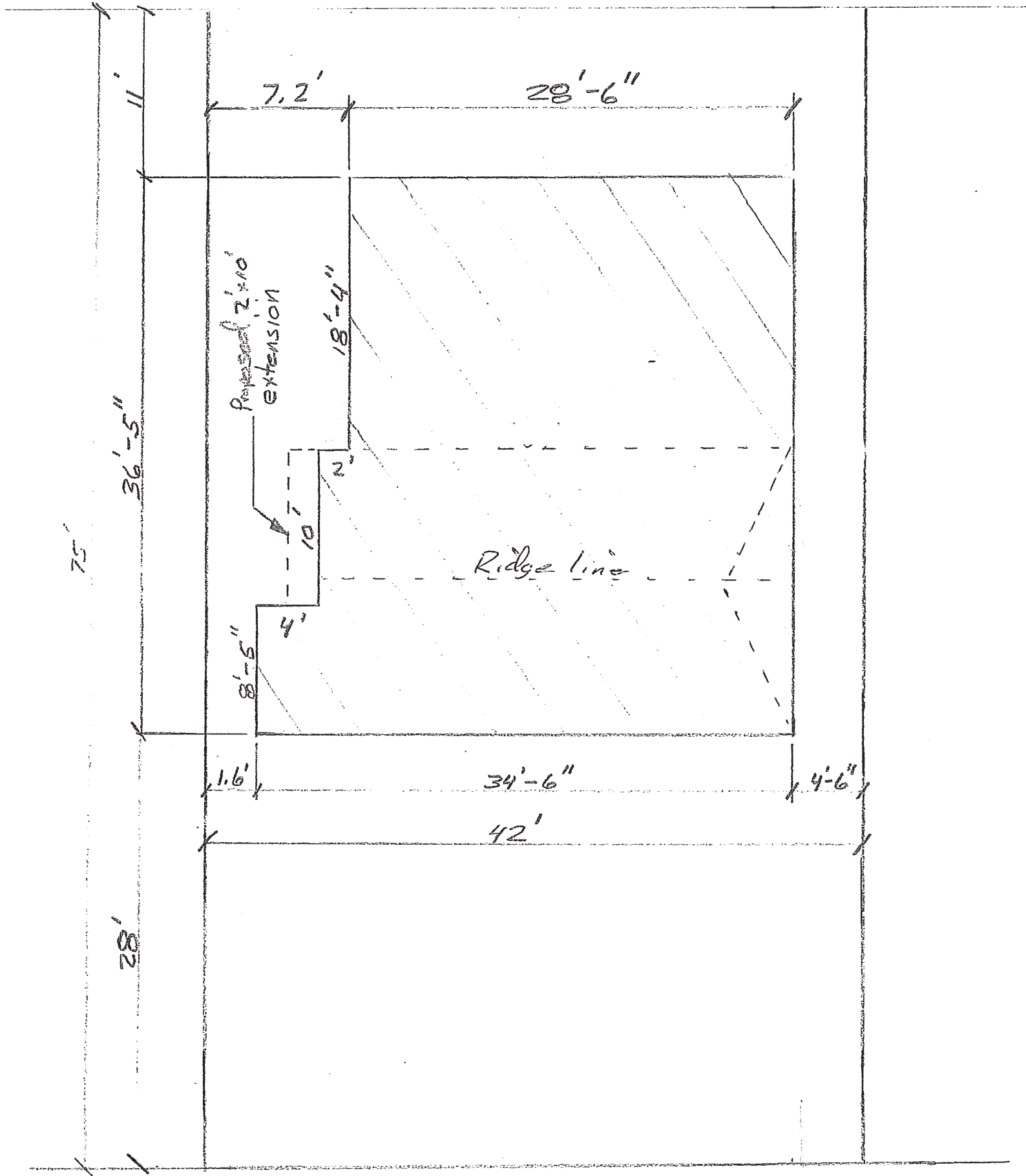
KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068

6429 E. Reynolds, Haslett

Lake

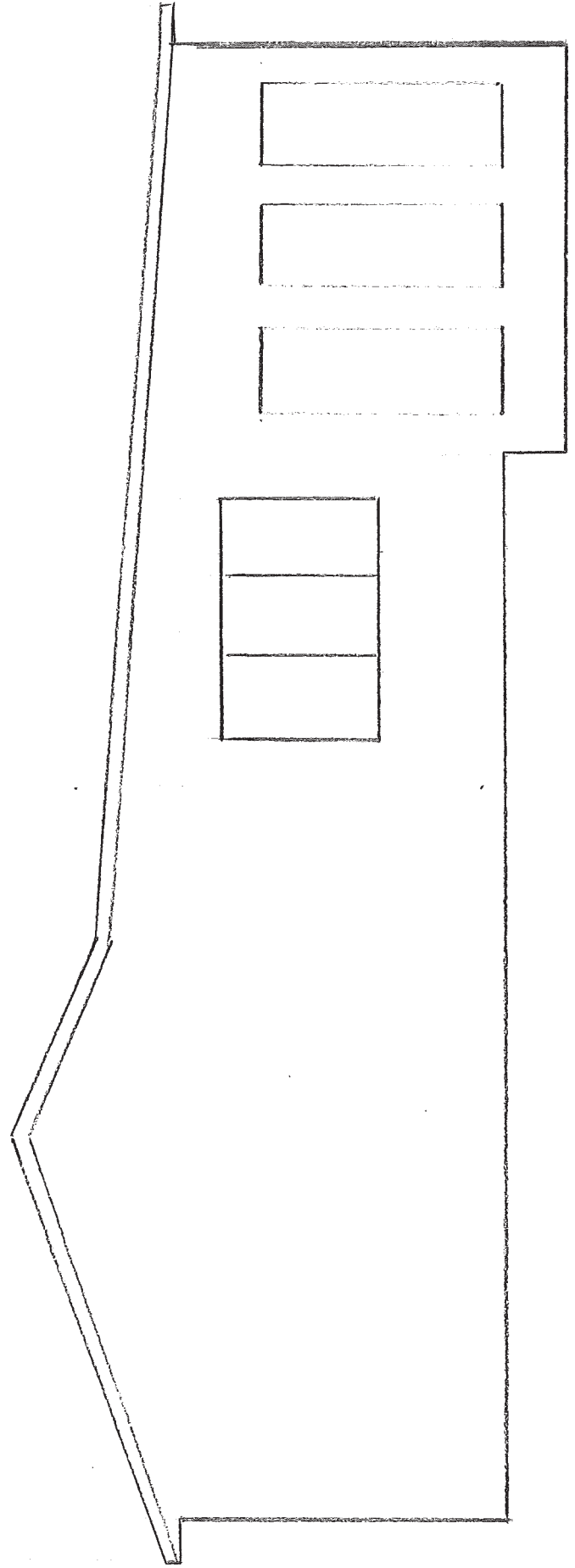


Street

Scale $\frac{1}{8}'' = 1'$

East Elevation

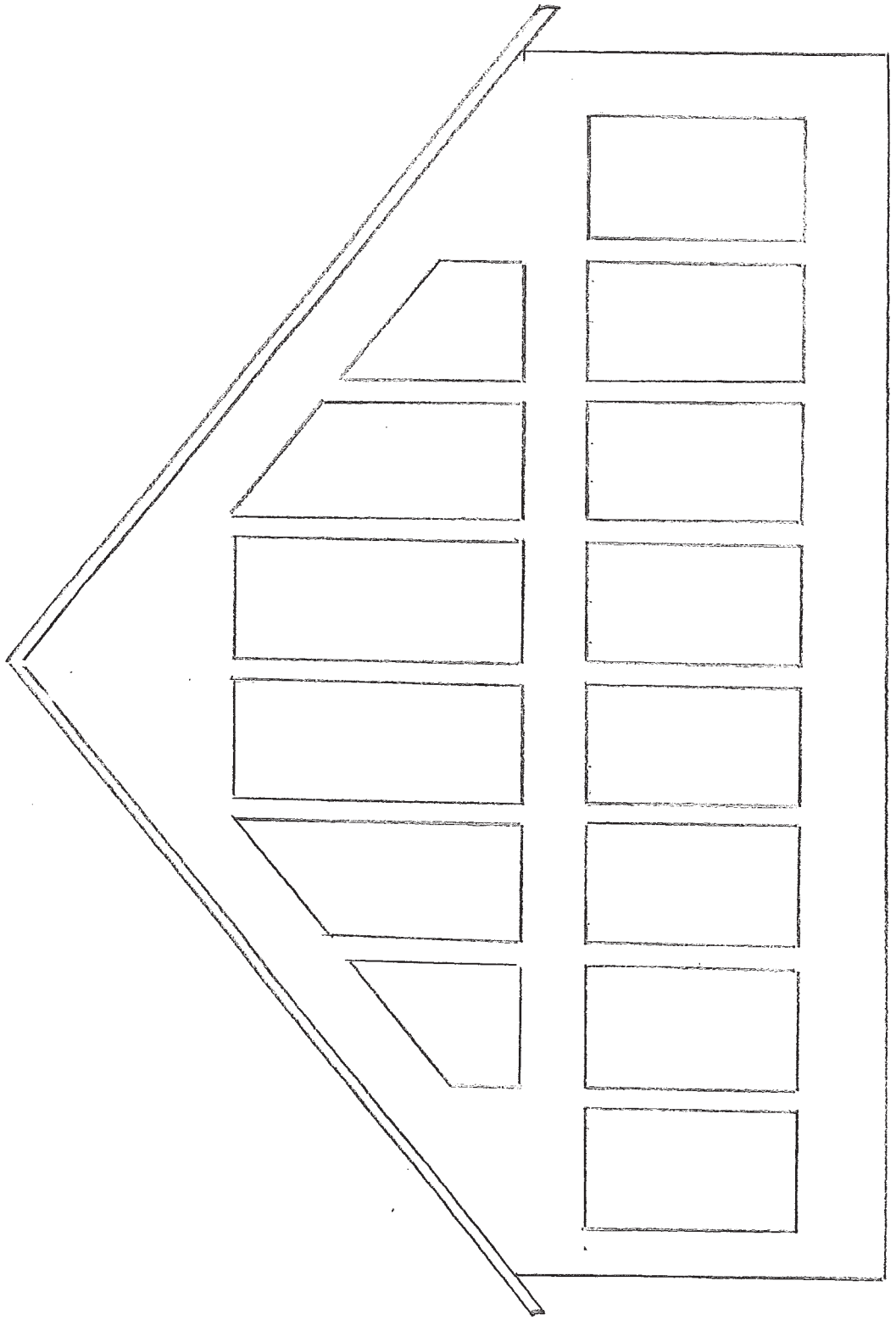
Existing



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North Elevation

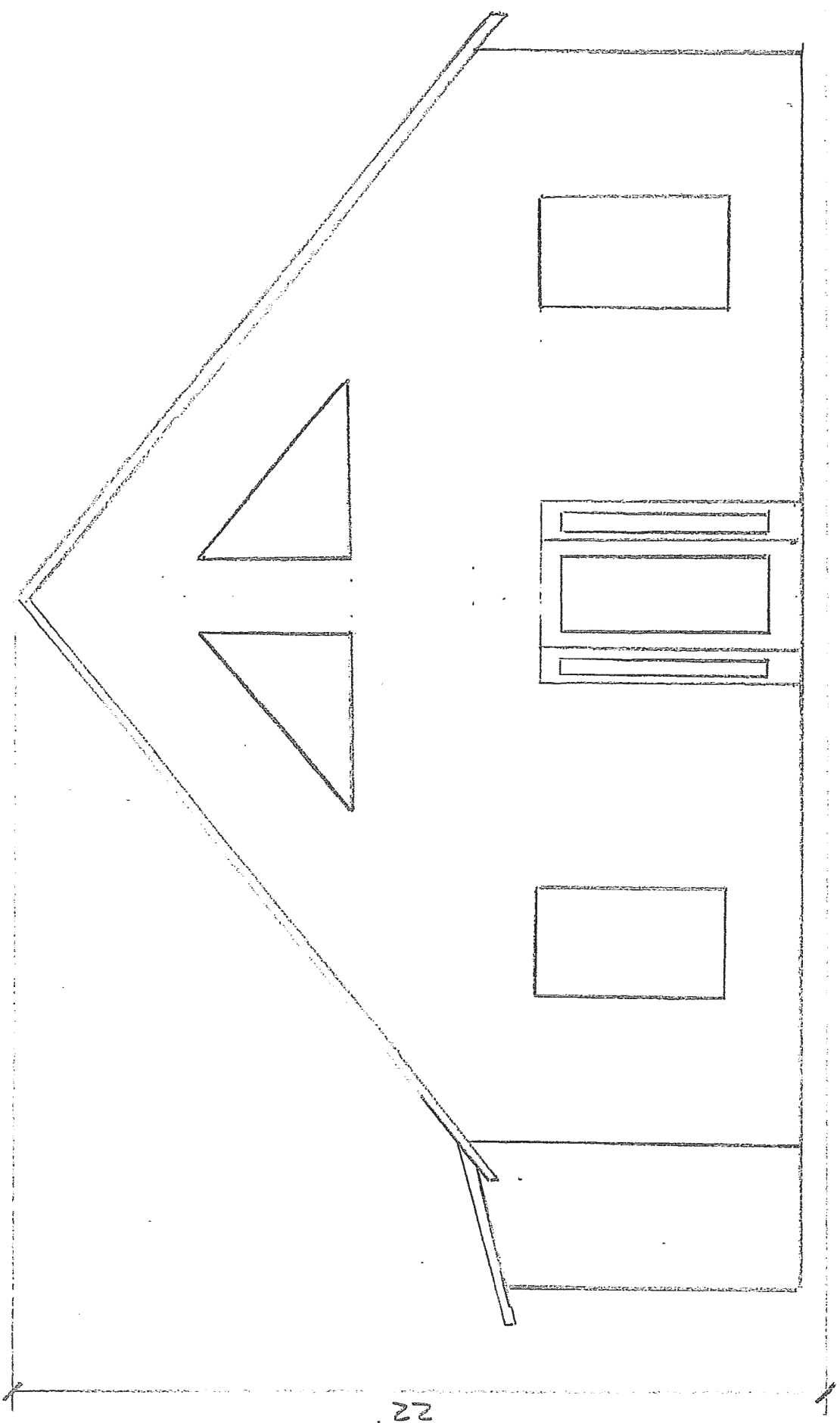
Proposed



Scale $\frac{1}{4}'' = 1'$

South Elevation

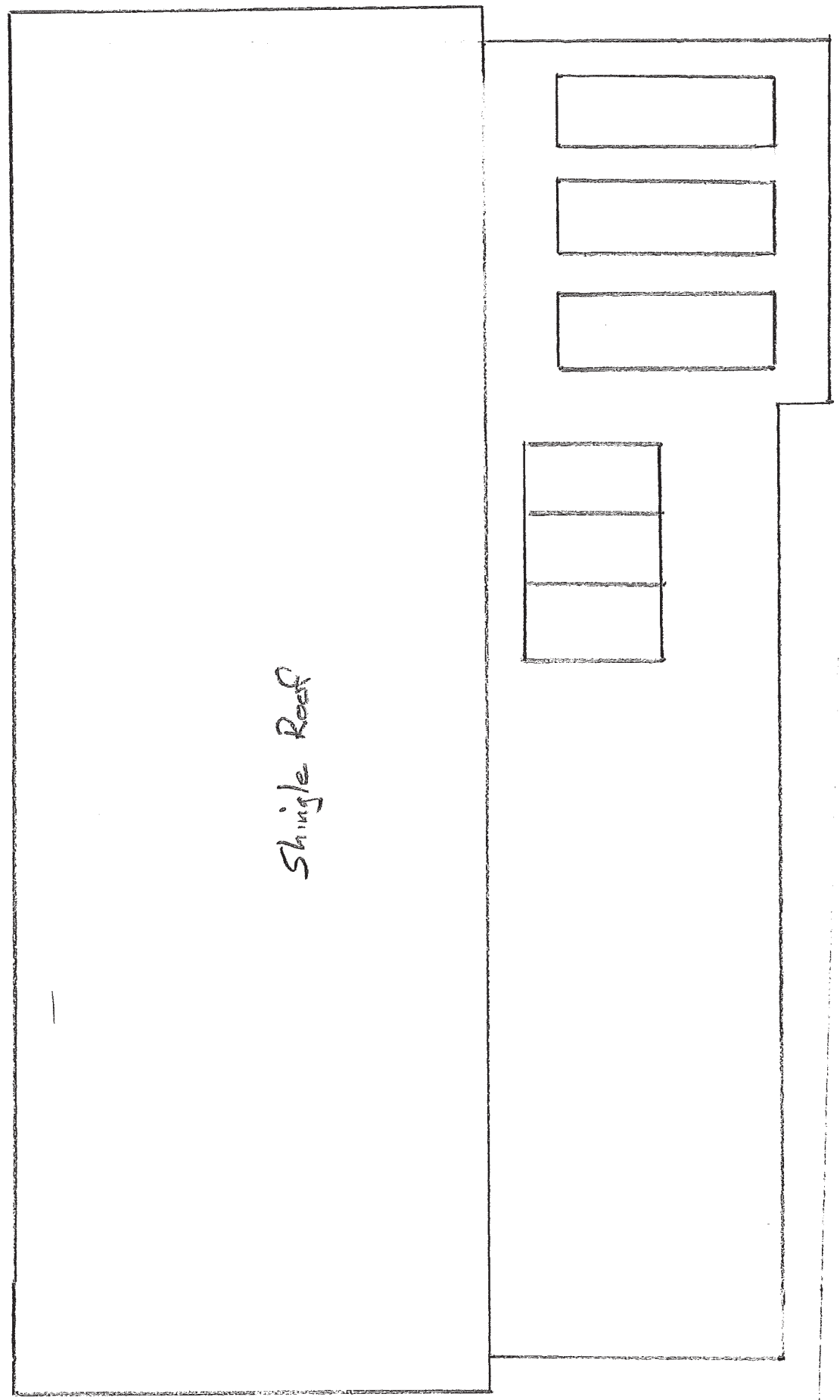
Proposed



Scale 1/4" = 1'

East Elevation

Proposed

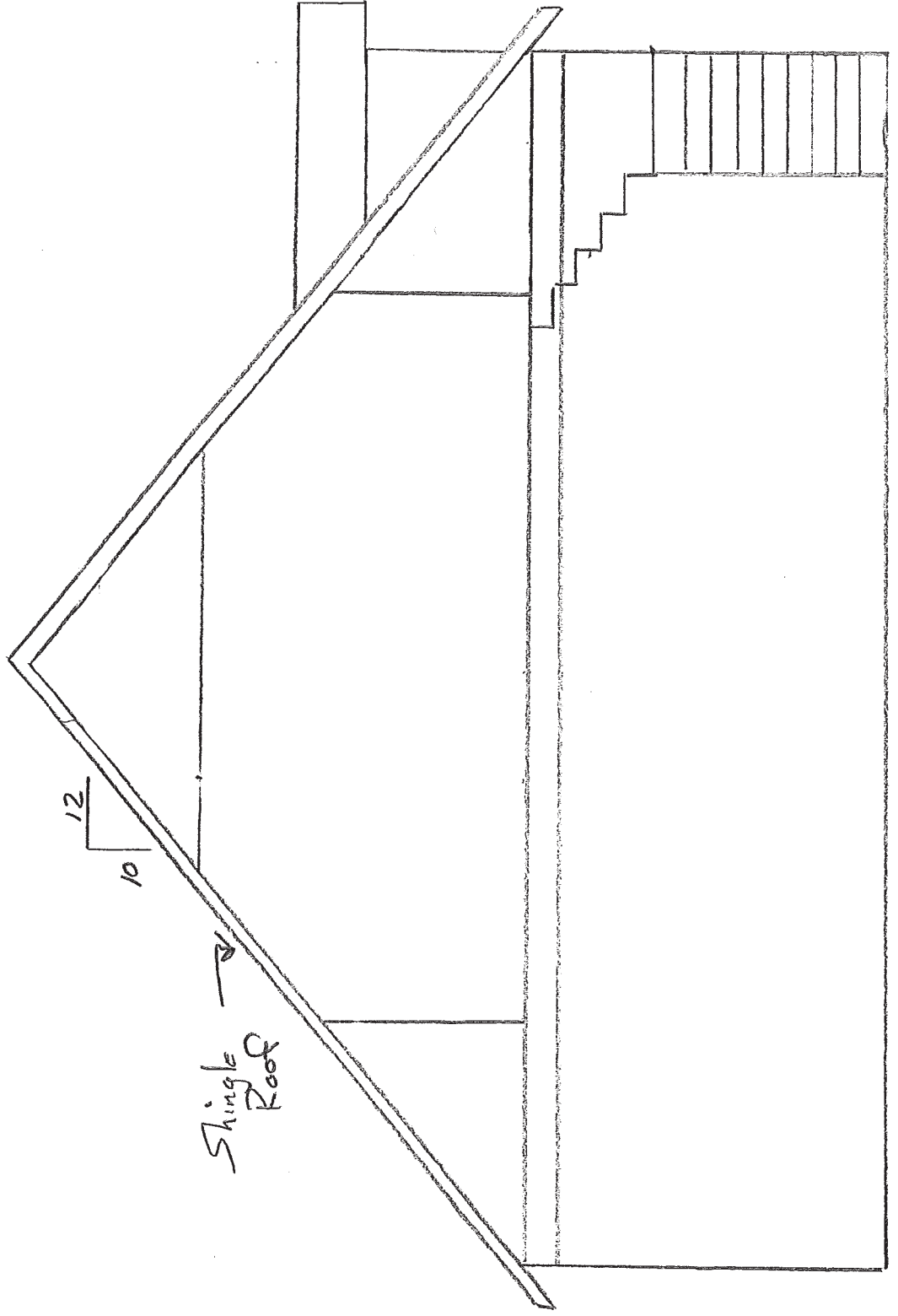


Scale 1/4" = 1'

22'

Proposed

North Elevation
Section



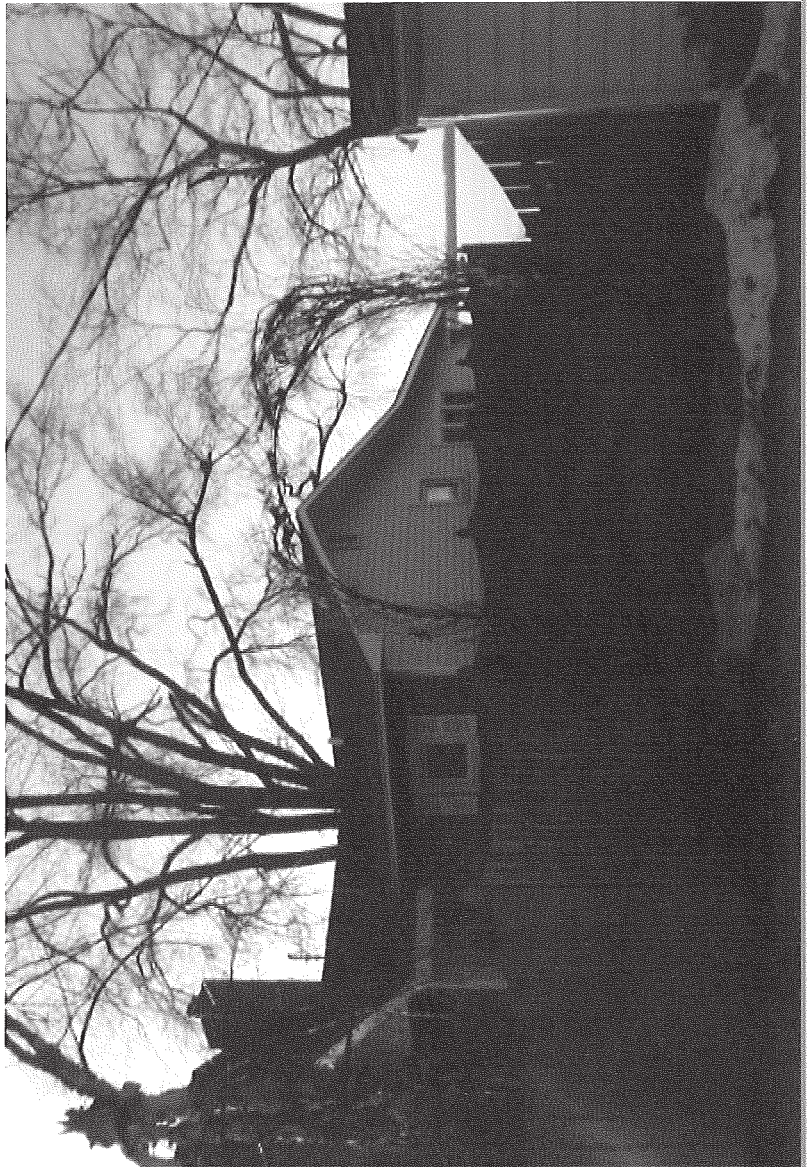
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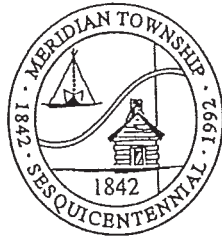




CHARTER TOWNSHIP OF MERIDIAN

Alvin E. House Supervisor
Virginia L. White Clerk
Thomas L. Minter Treasurer

Jeffrey H. Minor Superintendent



Kris Berglund Trustee
Carl A. Burch Trustee
C. Heidi Grether Trustee
Marna Wilson Trustee

May 26, 1994

Gary and Martha Joy Bauer
6429 E. Reynolds Rd.
Haslett, MI 48840

RE: ZBA Case No. 94-5-25-1

Dear Mr. & Mrs. Bauer:

At its meeting of Wednesday, May 25, 1994, the Zoning Board of Appeals voted to approve your request for variances to construct a 26' x 34' detached two-car garage across Reynolds Road from 6229 E. Reynolds. The variances granted are as follows:

- From Section 82-2.2(c) allowing the construction of an accessory structure on a lot not occupied by a principle structure.
- A variance of 15' from Sections 82-5.4(c) and 84-8.5(f) to allow construction of the garage 10' from the street line.
- A variance to allow the structure to exceed the maximum 35% lot coverage by 8%.

The variance is subject to the following condition:

- The garage may only be used as an accessory structure to the residence on Lot 29, Supervisor's Plat No. 1, of the N 1/2 of Sections 2 and 3, T4N, R1W, Meridian Township, Ingham County, Michigan.

The granting of the variance was based on the site plan titled "amended variance request" and information as submitted. Any modification that would affect the intent of the variance would require the approval of the Board.

Gary & Martha Joy Bauer
ZBA Case No. 94-5-25-1
Page 2

Please note that the construction authorized by the variance must begin within one year and be completed within eighteen months from the date of granting. Also be advised that it is still necessary to obtain a building permit prior to commencing construction.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Gail Oranchak". The signature is written in black ink and is positioned above the printed name and title.

Gail Oranchak
Associate Planner

cc: Building Department

GLO/bauer.zba/hld

CHARTER TOWNSHIP OF MERIDIAN

Bruce A. Little Supervisor
Mary M.G. Helmbrecht Clerk
Thomas E. Klunzinger Treasurer
Gerald J. Richards Manager



Bill McCullough Trustee
Susan McGillicuddy Trustee
Kirk K. Squiers Trustee
Andrew J. Such Trustee

July 13, 1998

Martha Joy-Bauer
6429 East Reynolds Road
Haslett, MI 48840

RE: ZBA Case No. 98-07-08-3
 (6429 East Reynolds Road)

Dear Ms. Joy-Bauer:

At its regular meeting on July 8, 1998, the Zoning Board of Appeals voted to approve your variance request from Section 82-2.2(c), Section 82-5.4(e-1), and Section 84-4.5(f), which allows the construction of a twenty-four (24) foot by twenty-six (26) foot detached garage. The detached garage is permitted on a parcel without a principal building and is allowed to be located twelve (12) feet from the Reynolds Road right-of-way. Approval of the variance was subject to the following condition:

- The detached garage may only be used as an accessory structure to the existing residence, located on Lot 29, Supervisor's Plat No. 1

The granting of the variance was based on information submitted by the applicant. Any modification that would affect the intent of the variance would require the approval of the Board.

If you have any questions, please feel free to contact me at (517) 349-1200 ext 362.

Sincerely,

Troy Langer
Assistant Planner

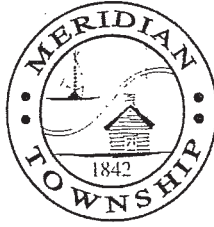
cc: Building Division

TL\PLANNING\ZBA\LETTER.452

PAID
02-151-134

CHARTER TOWNSHIP OF MERIDIAN

Bruce A. Little Supervisor
Mary M.G. Helmbrecht Clerk
Thomas E. Klunzinger Treasurer
Gerald J. Richards Manager



Bill McCullough Trustee
Susan McGillicuddy Trustee
Kirk K. Squiers Trustee
Andrew J. Such Trustee

January 14, 2000

Gary and Martha Bauer
6429 East Reynolds Road
Haslett, MI 48840

**RE: ZBA Case No. 99-01-13-1
 (6429 East Reynolds Road)**

Dear Mr. & Mrs. Bauer:

At its regular meeting on January 12, 2000, the Zoning Board of Appeals voted to grant a one (1) year extension, from Section 82-2(h-5d) of the Code of Ordinances, for your previously approved variance, which was originally granted on January 13, 1999.

The Zoning Board of Appeals approval granted a variance from the following sections of the Code of Ordinances:

- From Section 82-5.4(d), which limits the lot coverage of a parcel to a maximum of thirty-five percent (35%). The proposed single family house covers approximately thirty-nine percent (39%). Therefore, the Zoning Board of Appeals granted a four percent (4%) variance for the proposed house.
- From Section 82-5.4(e-1), which requires a twenty-five-- (25) foot setback from the Reynolds Road right-of-way. The proposed single family house is located seventeen and one-half (17½) feet from the Reynolds Road right-of-way line. Therefore, the Zoning Board of Appeals granted a seven and one-half (7½) foot variance for the proposed house.
- From Section 82-5.4(e-2), which requires a side yard setback of seven (7) feet. The proposed house is located five (5) feet from both side property lines. Therefore, the Zoning Board of Appeals granted a two- (2) foot variance on both sides of the proposed house.


The granting of the variance was based on the site plan and information as submitted. Any modification that would affect the intent of the variance would require the approval of the Zoning Board of Appeals.

Gary and Martha Bauer
January 14, 2000
Page 2

Please note that the construction authorized by the variance must begin within one (1) year and be completed within eighteen (18) months from the date of granting.

If you have any questions, please feel free to contact me at (517) 349-1200, ext. 362.

Sincerely,



Troy D. Langer
Associate Planner

cc: Building Division
Site Plan Review File

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