

CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING AGENDA  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, APRIL 9, 2014 6:30 PM  
TOWN HALL ROOM

- A. CALL MEETING TO ORDER
- B. APPROVAL OF AGENDA
- C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES
  - o Wednesday, February 26, 2014
- D. PUBLIC REMARKS
- 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.

F. OTHER BUSINESS

G. PUBLIC REMARKS

H. BOARD MEMBER COMMENTS

I. ADJOURNMENT

J. POST SCRIPT - NONE

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

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#### ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

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

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

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

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

**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 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.

Member Ohlrogge outlined the review criteria (Section 86-221) and stated the variance meets the majority of the review criteria and would increase safety for the owners and neighbors.

MEMBER JACKSON MOVED TO APPROVE THE VARIANCE AS WRITTEN

SECONDED BY MEMBER HERSHISER

VOICE VOTE: YES: Member Jackson, Hershiser, Ohlrogge, LeGoff, and Chair Beauchine  
NO: None  
Motion carries 5-0.

2. ZBA CASE NO. 14-02-26-2 BELLE TIRE, INC., 1000 ENTERPRISE DRIVE, ALLEN PARK, MI 48101

DESCRIPTION: 2045 Grand River Avenue  
TAX PARCEL: 21-276-009  
ZONING DISTRICT: C-2 (Commercial)

**\*\*\*\*APPLICANT HAS CANCELLED THE REQUEST UNTIL A FUTURE DATE\*\*\*\***

3. ZBA CASE NO. 14-02-26-3 PETER B.HOLZ, 2215 BURCHAM DRIVE, EAST LANSING, MI 48823

DESCRIPTION: 2090 Grand River Avenue  
TAX PARCEL: 21-226-003  
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-618(2), which states nonconforming structures, other than single-family 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.

The applicant is to proposing to remodel the front façade of the nonconforming multi-tenant building located at 2090 Grand River Avenue; therefore the applicant is requesting a variance.

Ms. Wyatt outlined the case for discussion.

Mr. Peter Holtz, 2215 Burcham Drive, East Lansing, the applicant for the owner, said updating the facade is important to make the building more attractive for new and current tenants. He stated the update will help the building to be consistent with neighboring buildings.

Member Hershiser stated the update is in keeping with goals for the development of the Grand River Corridor. He said he would support the variance because the update will not increase the buildings non-conformity.

MEMBER HERSHISER MOVED TO APPROVE THE VARIANCE AS WRITTEN

SECONDED BY MEMBER JACKSON

VOICE VOTE: YES: Member Hershiser, Jackson, Ohlrogge, LeGoff and Chair Beauchine  
NO: None  
Motion carries 5-0.

**F. OTHER BUSINESS**

None

**G. PUBLIC REMARKS**

None

**H. BOARD MEMBER COMMENTS**

Member Hershiser made a request for the Township Attorney to speak to the Zoning Board of Appeals about the review criteria.

Mr. Kieselbach said staff will set a meeting for a training session with the Township Attorney.

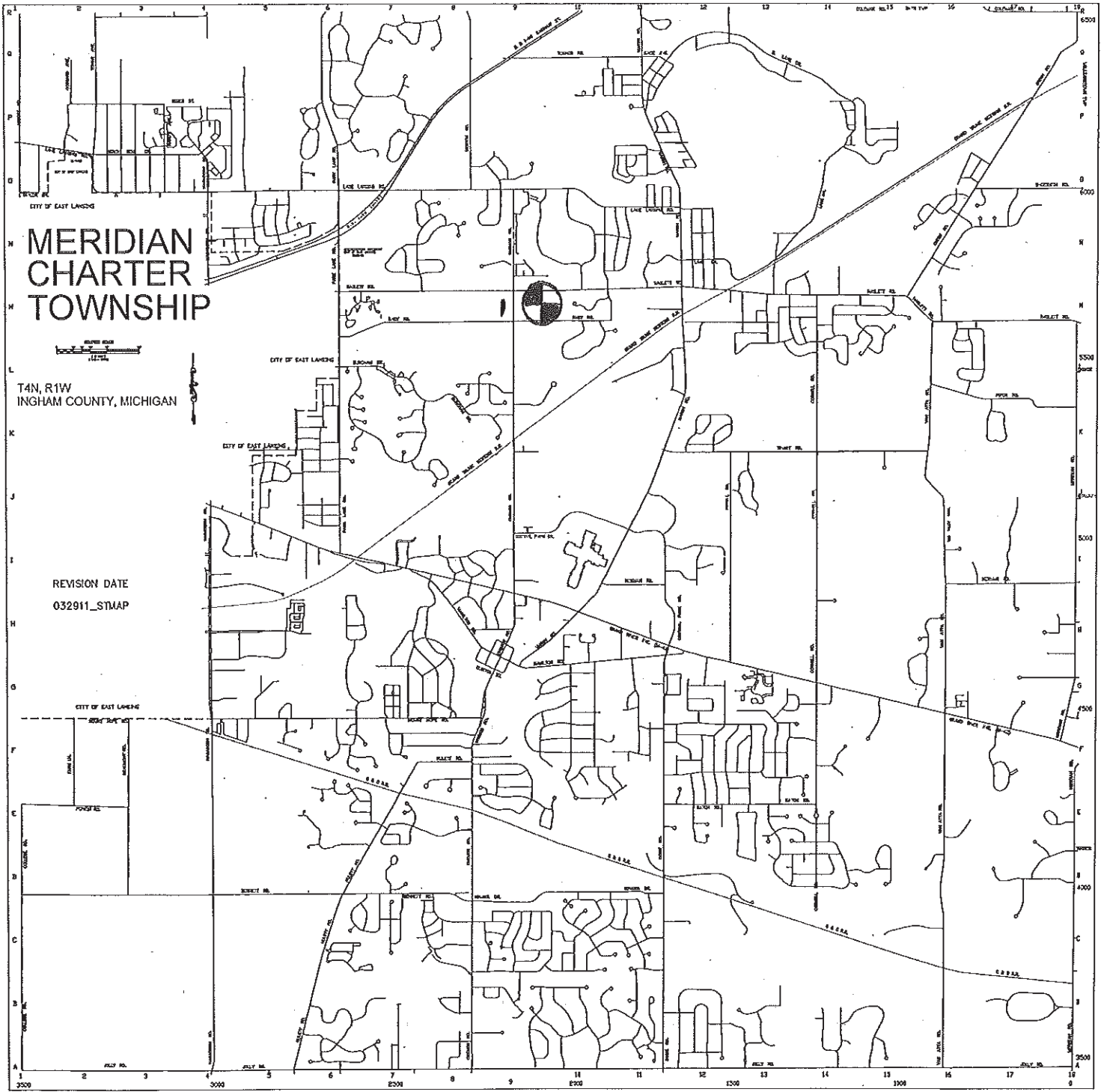
**I. ADJOURNMENT**

Chair Beauchine adjourned the meeting at 8:20 p.m.

Respectfully Submitted,

Angela M. Ryan  
Recording Secretary





1 ZBA CASE 14-04-09-1 (GREEN)



# MEMORANDUM

TO: Zoning Board of Appeals

FROM:

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

DATE: April 4, 2014

RE: ZBA Case No. 14-04-09-1

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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.

Howard Green is proposing a 3,580 square foot addition onto an existing 2,783 square foot assisted living center situated at 2077 Haslett Road. The addition will increase its licensed capacity of the center from 12 to 20 residents. Ten off-street parking spaces, a bicycle parking rack, an approximate 600 square foot deck, and associated landscaping are proposed as part of the project.

The first variance pertains to the required number of street trees along the site's frontage on Haslett Road. Street trees are required along major streets. The standard used for determining the number of street trees is one street tree per 70 lineal feet of frontage. Based on this standard, two street trees are required for the 115 feet of frontage along Haslett Road. The applicant is requesting a variance to not install street trees.

Secondly, the applicant is asking for a variance from Section 86-618(2) to increase the area, height, bulk, use, and extent of the pre-existing nonconforming assisted living facility by extending the building southward by approximately 120 feet. The existing building is considered nonconforming because its east façade it is located between 9.8 and 10.5 feet from east property line. The required building setback is 50 feet.

The third variance, from Section 86-654(f)(1)(a), would allow both the proposed building addition and the proposed attached deck at the south end of the addition to be constructed within the required 50 foot building setback from adjacent residentially zoned properties to the east. The variance requested for the building is from 50 feet to 19.85 feet from the east property line, while the variance for the deck would be from 50 feet to 31.55 feet from the east property line.

The fourth variance is from Section 86-756(5) which requires the access drive to be a minimum of 25 feet in width. After consulting the Ingham County Road Department, the applicant is proposing the new access drive to be 20 feet wide.

The fifth variance is from Section 86-756(10) which requires a minimum 20 foot setback for parking lots of less than 50 spaces from adjacent residential properties. The applicant is requesting a variance to allow the off-street parking lot to be placed 15.65 feet from the west property line for 190 feet along the length of the expanded parking area and for 45 feet along the existing nonconforming parking lot. The variance would bring the existing parking lot into conformity.

Lastly, a sixth variance is requested from Section 86-758(2) to allow the required four foot perimeter landscaping for 110 feet between the sidewalk adjacent to the new parking spaces and the west side of the proposed building addition to be reduced to 1.3 feet in width.

#### Site History

- The original single-family dwelling was constructed in 1953.
- The subject site is zoned RR (Rural Residential), which requires a a 100 foot setback from the center of Haslett Road, a 20 foot setback from each side lot line, and a 35 foot rear yard setback.
- Special Use Permit #82021, a request to convert the single-family dwelling into a veterinary office, was denied by the Planning Commission on April 19, 1982.
- A variance (ZBA #85-08-14-1) was approved on August 14, 1985 to allow an addition onto the back of the existing dwelling. The variance of nine feet allowed it to be located 11 feet from the east property line instead of the required 20 feet.

The submitted plan shows the existing building to be situated as close as 9.8 feet from the east property line instead of the 11 feet allowed by the 1985 variance.

- A special use permit (SUP #86241) to operate a foster care home was approved by the Planning Commission on October 18, 1986.
- On June 28, 1989, a variance (ZBA #89-06-28-1) was granted to allow for an addition onto an existing nonconforming structure, but the project never took place.
- The assisted living center has been formerly known as Grandma's Pad and Ivy's Pad.
- On February 10, 2014, the Planning Commission approved Special Use Permit #14011 to allow the assisted living facility to expand to 20 residents, subject to conditions including obtaining the necessary variances from the Zoning Board of Appeals.
- The project is currently being reviewed under Site Plan #14-89-14.

**Attachments**

1. Site Location Map
2. Application
3. Submittals from the applicant



ZBA #14-04-09-1 (GREEN) at 2077 Haslett Road

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

VARIANCE APPLICATION

A. Applicant HOWARD GREEN  
Address of Applicant 6622 WHITE CLOVER DRIVE  
Telephone (Work) (517) 282-0556 Telephone (Home) SAME  
Fax (517) 839-0051 Email address: GUNSMITH1234@AOL.COM  
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 2077 HASLETT ROAD, HASLETT, MI 48840  
Zoning district RR Parcel number 33-02-02-09-427-006

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

Zoning Ordinance section(s) 86-618(2), 86-654(F)(1)(a), 86-756(10), 86-758(2), 62-64(2)(a)

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]                                      HOWARD K. GREEN                                      3/17/14  
Signature of Applicant                      Print Name                                      Date

Fee: \$450                                      Received by/Date: \_\_\_\_\_

*I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purposes of gathering information including but not limited to the taking and the use of photographs. (Note to Applicant(s): This is optional and will not affect any decision on your application.)*

[Signature]                                      3/17/14  
Signature of Applicant(s)                      Date

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



## **New Life Assisted Living Center**

### Answers to supplemental questions on Zoning Board of Appeals Application

1. This project consists of a parcel located in the RR Zoning District. The current use of the property is an assisted living center that is licensed for 12 residents. The recently approved special use permit allows the property to license 20 residents. This is unique because the special use exists between two properties that are also zoned RR.
2. The circumstances encumbering the site are caused by the governing Zoning Ordinance, not the developer. RR zoning with a special use (that is non-residential) adjacent to Residential zoning creates difficulties in conventional development. The site currently operates with a building that is not functional for 20 residents. There is also deficient parking and access at the existing property. The developer would like to create an aesthetically pleasing site while maintaining as much of the functionality of the current use as possible. The zoning ordinance does not allow the necessary improvements to the site without the need for variances. One example would be the 50' required setbacks from adjacent residential properties. If both setbacks are met, the property would only allow a 14.42' wide building (a sketch has been included as example 2a).
3. The requirements in the Zoning Ordinance make the parcels unfairly restricted in the re-development of the site. Strict interpretation of the ordinance would not allow for a feasible development mainly due to the required building and parking setbacks from a residential zoning district. (adjacent to a non-residential use)
4. RR zoning (with an approved special use that is considered non-residential) adjacent to Residential zoning creates difficulties in conventional development. The requirements in the Zoning Ordinance make the parcels unfairly restricted in the re-development of the site. (see example 2a).
5. Kebs, Inc. looked at many different layouts for this site to minimize variance requests. Kebs, Inc. feels that the proposed site plan reduces the variances to the minimum required to develop the site. The current site has no "walkability" to the existing commercial development that exists one parcel to the West. There are currently no sidewalks on the parcel. The proposed development would be in the best interest of the public with the installation of a sidewalk, a bike rack and a parking area that controls traffic flow.
6. Granting the variance would not adversely affect the adjacent land or character of the area. The existing property is heavily screened from Haslett Road and is proposing to buffer itself from both existing residences even further. The owner has discussed the improvements with both adjacent residences and neither has expressed any concerns. The updated and improved facility and site layout will be in the best interest of the public and allow for the property to be functional again.

7. This site is unfairly restricted due to the requirements of the Zoning Ordinance. The Zoning Ordinance applies to most RR Zoned properties in the Township without the need for variances. This is a special case of a special use that was granted in the RR district and should not necessitate the need to revise the Zoning Ordinance.
8. Granting the variances for this project will improve the existing property and enhance the surrounding properties, which is in the best interest of the public. It will allow the outdated facility to be expanded and improved upon to make it functional for years to come. The site will be newly landscaped, buffered and enhanced with a new public sidewalk. The site improvements meet the intent of the zoning ordinance for a special use within the RR district.

Prepared by: Greg Petru, P.E.  
Kebs, Inc.  
2116 Haslett Road  
Haslett, Michigan 48840

December 13, 2013

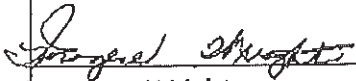
Brenda and Howard Green have an agreement to purchase a building located at 2077 Haslett Road in Haslett, Michigan for the agreed upon price of \$145,000.00 from Imogene Wright. Brenda and Howard Green will be responsible for all fees and costs involved in the process of obtaining a special land use for the building in order to obtain a license from the State of Michigan to open a 20 bed adult foster care facility.



Brenda Green



Howard Green



Imogene Wright

Office of Midstate Title Agency Date 12-1-2013 AM/PM  
 1. BUYER Renee Green and Howard Green spouse or other called the BUYER, OFFERS TO BUY FROM  
 SELLER THROUGH Magene Wright THE FOLLOWING PROPERTY located in the City/Town of Meridian  
 County of Tipton Michigan located at 3077 Harlett Rd and legally described as:  
3077 Harlett Rd.

Subject to any existing building and use restrictions, zoning ordinances and easements, if any. The Property includes all buildings: GAS, OIL AND MINERAL RIGHTS OWNED BY SELLER, all attached fixtures such as carpeting and linoleum, mirrors, complete lighting and fan fixtures, drapery and curtain hardware, window shades and blind screens, storm windows, and doors; stationary laundry tub; heating and air conditioning equipment; water heater, water softener (unless rented), water pump and pressure tank; sump pump; T.V. antenna, complete water equipment; satellite dish; and controls; garage door opener and controls; attached work benches; all attached shelving; stationary outdoor grill; all support equipment for in-ground pools; detached storage buildings; fireplace doors and screens; built-in appliances and box all plumbing; underground sprinkling system, water pumps and timers; fences; fuel in tanks; awnings; basketball hoop/backboard; outdoor play equipment; EXCEPTIONS OR ADDITIONS: None

2. AGENCY DISCLOSURE: THE UNDERSIGNED BUYER AND SELLER EACH ACKNOWLEDGE THAT THEY HAVE READ AND SIGNED THE DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIPS. THE SELLING BROKER/SALESPERSON IS ACTING AS (CHECK ONE)  AGENT/SUBAGENT OF THE SELLER  BUYER'S AGENT

3. THE SALES PRICE WILL BE ONE HUNDRED EIGHTY-FIVE THOUSAND dollars 185,000.00

4. METHOD OF PAYMENT: ALL MONIES MUST BE PAID IN U.S. FUNDS IN THE FORM OF U.S. CASH, CERTIFIED CHECK, CASHIER CHECK, OR BANK MONEY ORDER.

The sale will be completed by the following method:  
 CASH. The full price upon delivery of a warranty deed.  
 FINN M/GGE. This contract is contingent on BUYER'S ability to obtain a \_\_\_\_\_ mortgage in the amount of \$ \_\_\_\_\_ or \_\_\_\_\_ % of price. BUYER will apply for loan within \_\_\_\_\_ days after SELLER'S acceptance. If BUYER fails to deliver to SELLER acceptable evidence of loan approval before \_\_\_\_\_ SELLER may cancel this contract. The Sale will be completed upon delivery of a warranty deed.

5. CONTRACT: \$ \_\_\_\_\_ down payment upon BUYER and SELLER signing a Greater Lansing Association of REALTORS® contract for the sale of Real Estate (Latest Revision), or other form specified in item 17. BUYER will pay monthly installments (principal and interest) of \$ \_\_\_\_\_ or more, beginning \_\_\_\_\_ days after close, and including annual interest of \_\_\_\_\_ percent. BUYER will pay the entire balance within \_\_\_\_\_ years after Closing, and in addition 1/12 of SELLER'S estimate of annual real estate taxes will be paid by the BUYER each month by  add back,  escrow, OR  real estate taxes will be paid by BUYER.

6. ASSUMPTION/ASSIGNMENT: Delivery of  Warranty Deed subject to BUYER'S  Formal  Informal Assumption of existing mortgage, OR  Assignment of SELLER'S interest in Land Contract with monthly principal and interest payments of \$ \_\_\_\_\_ at \_\_\_\_\_ percent interest  fixed  variable, provided mortgage or Land Contract is assumable by BUYER. BUYER to pay the difference (approximately \$ \_\_\_\_\_) between sales price and balance of mortgage/land contract. BUYER WILL REIMBURSE SELLER FOR ANY FUNDS HELD IN ESCROW.

7. PRORATED ITEMS: interest, rent, association fees, service and usage fees, however if assigned, will be current and prorated to the date of Closing. Exceptions: None

8. SPECIAL ASSESSMENTS which are or become a lien on the property on or before date of Closing of this Agreement will be paid by the SELLER. Exceptions: None

9. TAXES will be treated as if they cover the CALENDAR YEAR in which they are first billed. TAXES first billed in years prior to year of Closing will be paid by SELLER without proration. TAXES which are first billed in the year of Closing will be prorated so that SELLER will pay taxes from the first of the year to Closing Date and BUYER will pay taxes for the balance of year, including day of Closing. If any bill for taxes is not issued as of the date of Closing, the then current taxable value and tax rate and any administrative fee will be substituted and prorated.

10. A BUYER WILL PAY FOR transfer fees on mortgage assumption; recording of deed and/or security instruments; attorney's opinion and/or services for BUYER; mortgage closing costs required by Lender including mortgage title insurance, appraisal, closing fees, all inspections including soil and/or septic system, pest, plumbing, heating, electrical and structural inspections; recording soil borings; franchise agreements; use permits; drain and/or other easements; rights-of-way; and  stake, or  mortgage report survey. Exceptions: None

11. SELLER WILL PAY FOR an owner's policy of title insurance with standard exceptions in the amount of the sale price; all costs required to convey clear title; closing fee (if closing a cash, land contract, V.A. or purchase money mortgage transaction); all transfer taxes on Deed, preparation of Deed, Land Contract, and/or security instruments and other documents necessary to convey clear title. Exception: \_\_\_\_\_

12. TITLE: If defects exist, SELLER will have 90 days after receiving written notice to remedy the defects. After the 90 days, SELLER will refund the deposit in full satisfaction of the contract if unable to remedy the defects.

13. ATTORNEY:  BUYER acknowledges that it has been recommended that an attorney be retained to review the marketability of title and all Closing documents including the Greater Lansing Association of REALTORS® Closing Agreement form and to determine that the terms of this contract have been met.  
 Documents and transaction to be reviewed by: Attorney Name: \_\_\_\_\_  
 Attorney Address: \_\_\_\_\_  
 Attorney Phone Number: \_\_\_\_\_ OR  BUYER acknowledges that contrary to Broker recommendation, BUYER DOES NOT DESIRE TO RETAIN AN ATTORNEY.

14. SALE will be closed within \_\_\_\_\_ days after all necessary Closing documents are ready. SALE will be closed by \_\_\_\_\_, 19\_\_\_\_ unless extended by written addendum to this Agreement.

15. OCCUPANCY: THE SELLER will deliver and the BUYER will accept possession of the property at Closing, subject to the rights of present tenants if any. If the SELLER occupies the property, it will be vacated not later than \_\_\_\_\_ days after the Closing. At Closing, SELLER will pay BUYER the total sum of \$ \_\_\_\_\_ based upon \$ \_\_\_\_\_ per day, as occupancy charge for period from Closing date through agreed surrender date. Charges for unused days will be reimbursed to SELLER upon vacating. SELLER is responsible for utilities and any repairs of damage caused to the property by the SELLER after Closing and before vacating and will transfer the property rubbish free. If tenants occupy property  BUYER will assume responsibility for tenants and security deposits. Security deposits, leases, and move-in check sheets, if any, will be transferred to BUYER at Closing OR  Property will be vacant at Closing.

16. BUYER HAS PERSONALLY EXAMINED THIS PROPERTY AND AGREES TO ACCEPT IT "AS IS" IN ITS PRESENT CONDITION AND AGREES THAT THERE ARE NO ADDITIONAL WRITTEN OR ORAL UNDERSTANDINGS EXCEPT AS SPECIFIED BELOW. BUYER ACKNOWLEDGES THAT ALL INFORMATION PROVIDED BY THE GREATER LANSING ASSOCIATION OF REALTORS® ATTACHED LINESIDE IS DEEMED CORRECT BUT IS NOT GUARANTEED OR WARRANTED.

This offer is contingent upon a satisfactory inspection of the premises, at BUYER'S expense, by a licensed contractor and/or inspector of BUYER'S choice no later than \_\_\_\_\_ business days after SELLER'S acceptance. If BUYER is not satisfied with the results of the inspection, upon receipt of written notice specifying the defect delivered to SELLER within this period, this Buy and Sell Agreement will be null and void, and BUYER'S earnest money will be returned. UNLESS, AT SELLER'S OPTION, WITHIN \_\_\_\_\_ BUSINESS DAYS SELLER AGREES IN WRITING TO CORRECT STATED DEFECTS TO BUYER'S SATISFACTION. OR  BUYER acknowledges that it has been recommended that a licensed contractor and/or inspector of BUYER'S choice be retained to inspect the premises. Contrary to Broker recommendation, BUYER DOES NOT DESIRE TO OBTAIN AN INSPECTION OF THE PREMISES.

17. SELLER'S DISCLOSURE:  BUYER acknowledges that a Seller's Disclosure Statement satisfactory to the BUYER has already been provided; OR  A Seller's Disclosure Statement will be provided with the SELLER'S response to this offer unless exempt by current statute. BUYER will have \_\_\_\_\_ days after SELLER'S acceptance to cancel this Agreement if conditions unacceptable to BUYER are disclosed.

18. BUYER DEPOSITS \$ \_\_\_\_\_ showing BUYER'S good faith which will be deposited in \_\_\_\_\_ (REALTOR'S/BROKER) trust account under current Regulation of the Michigan Department of Commerce, Bureau of Occupational and Professional Regulation - Real Estate Division, and apply as part of the purchase price. If this offer is not accepted, or title is not marketable or insurable, or if the terms of purchase are contingent upon ability to obtain a new mortgage, or if sale is on contract subject to sale of such contract, or any other contingencies as specified, which cannot be met, this deposit is to be refunded, to the extent of default by BUYER, all deposits made may be forfeited as liquidated damages at SELLER'S election; or SELLER may retain such deposits as part of payment of the purchase price and pursue his/her legal or equitable remedies against BUYER. If there is a default by either party and the deposit is forfeited, the deposit will be transferred to the Listing Broker's trust account for distribution.

19. BUYER and SELLER agree that any dispute related to this contract shall be referred to mediation. This mediation shall be according to the NATIONAL ASSOCIATION OF REALTORS® (NAR) rules and procedures of the HomeSeller/HomeBuyer Dispute Resolution System. If the parties cannot reach a binding agreement to mediation, they have the right to use other legal remedies. BUYER acknowledges receipt of the NAR brochure titled "disputing the mediation system".

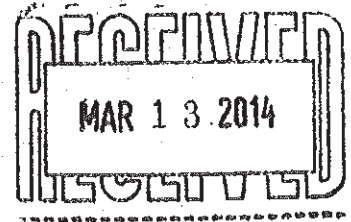
20. BUYER will not assign this Agreement without consent of SELLER.

21. OTHER PROVISIONS: special land use required

RECEIPT OF A COPY OF PAGE 1 AND ATTACHMENTS, IF ANY, ARE ACKNOWLEDGED BY THE BUYER.  
 WITNESS \_\_\_\_\_ X \_\_\_\_\_ BUYER  
 WITNESS \_\_\_\_\_ X \_\_\_\_\_ BUYER  
 Received from above named BUYER deposit monies in the form of \_\_\_\_\_ of \_\_\_\_\_  
 SELLER'S SIGNATURE ACKNOWLEDGES RECEIPT OF A COPY OF PAGE 1 AND ATTACHMENTS, IF ANY. X \_\_\_\_\_ SELLER  
 Date: 12-1-2013 X \_\_\_\_\_ SELLER

DISCLAIMER: This form is provided as a service of the Greater Lansing Association of REALTORS®. Users who use this form are expected to review both the form and the details of the particular transaction to ensure that each section of the form is appropriate for the transaction. The Greater Lansing Association of REALTORS® is not responsible for use or misuse of this form. For more information, or for a complete guide to cooperation with this form.

MARCH 18, 2014



MR. RICK BROWN  
MERIDIAN TOWNSHIP, MICHIGAN

DEAR MR. BROWN:

AS OWNER OF 2077 HAGLETT RD., MERIDIAN TOWNSHIP, MICHIGAN, I CARL D. McDANIEL, A SINGLE MAN, DO GIVE MY PERMISSION AND APPROVAL TO HOWARD GREEN AND FOR HOWARD AND BRENDA GREEN TO APPLY FOR AND ACQUIRE ANY AND ALL PERMITS AND VARIANCES REQUIRED TO IMPROVE AND QUALIFY THE ABOVE REFERENCED PROPERTY AS AN ADULT FOSTER CARE FACILITY.

THIS PROPERTY IS IN THE PROCESS OF BEING SOLD BY MYSELF TO HOWARD GREEN WITHIN THE NEXT 30 DAYS

Sincerely:

Carl D. McDaniel  
386-677-2229



09-427-006



Tx:4087008  
1/27/2014 10:28:00 AM

**2014-003632**  
**CURTIS HERTEL JR**  
**INGHAM COUNTY MICHIGAN**  
**REGISTER OF DEEDS**  
**RECORDED ON:**  
**01/29/2014 10:07 AM**  
**PAGES: 1**

RECEIVED FEB 07 2014

**QUIT CLAIM DEED**

File No.: 132192

Drafted by:  
Imogene Wright, 705 E. Church Street , Williamston, MI 48895  
When recorded return to:  
Carl D. McDaniel, 111 S. Atlantic Avenue, #405, Ormond Beach , FL 32176

KNOW ALL MEN BY THESE PRESENTS: That Imogene Wright  
whose address is: 705 E. Church Street , Williamston, MI 48895

Quit claim(s) to Carl D. McDaniel, a single man  
whose address is: 111 S. Atlantic Avenue, #405 , Ormond Beach, FL 32176

the following described premises situated in the Township of Meridian Charter, County of Ingham, and State of Michigan, and particularly described as follows:

✓ Lot 47, of Pleasant Acres Subdivision, Township of Meridian Charter, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 13, Page(s) 50, Ingham County Records.

Tax Parcel No.: 33-02-02-09-427-006  
Commonly known as: 2077 Haslett Road, Haslett, MI 48840

for the sum of ONE AND NO/100 Dollars (\$1.00)

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act."

Subject to easements, reservations and restrictions of record.

Dated: January 27, 2014

Signed and Sealed:

Imogene Wright

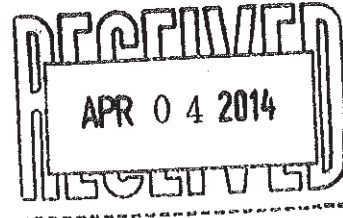
STATE OF Michigan }  
COUNTY OF Ingham } ss

On this 27<sup>th</sup> day of January, 2014, before me personally appeared Imogene Wright to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

LYNETTE S. HAWKINS  
NOTARY PUBLIC-STATE OF MICHIGAN  
COUNTY OF CLINTON  
My Commission Expires May 6, 2019  
Acting in the County of Ingham

Notary Public:   
Printed Name: \_\_\_\_\_  
County, Michigan  
My Commission Expires: \_\_\_\_\_





# Memorandum

To: Rick Brown & Martha Wyatt  
CC:  
From: Greg Petru  
Date: 4/4/2014  
Re: 2077 Haslett Road – Entrance Variance

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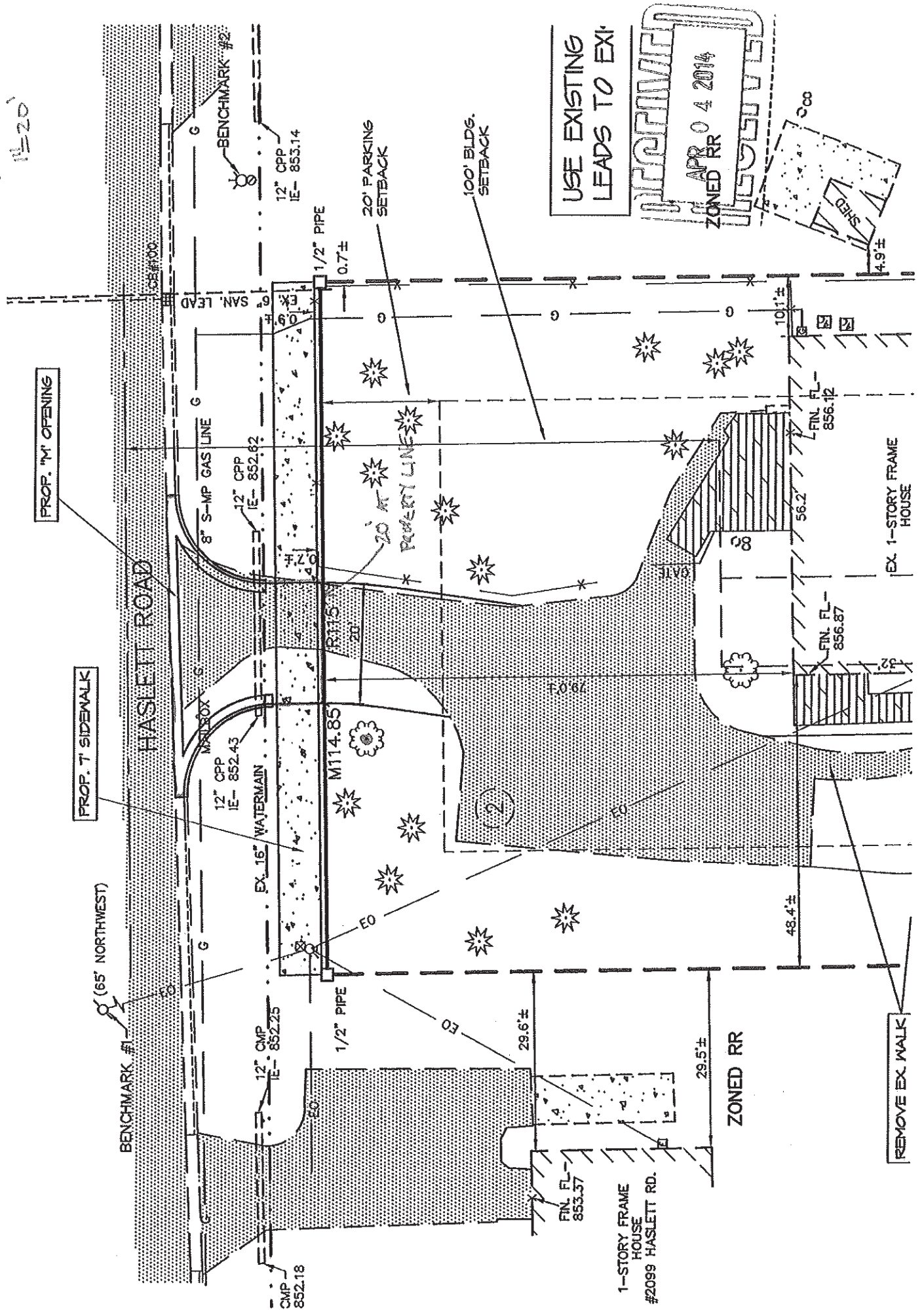
## Entrance Variance

The existing entrance at 2077 Haslett Road is a residential drive that varies between 9'-12'. After discussing it with the Township planning staff, the Township Fire Inspector and the Ingham County Road Department, it was determined that it would be a requirement to improve the entrance to allow for 2-way traffic. (It would be a requirement of both the Fire Inspector and the Road Department to widen the entrance)

The Township requires a commercial entrance to be 25' at the property line. After discussions with the Ingham County Road Department, they determined they would rather see it be 20' wide. The provided plan (1"=20' scale) shows the entrance at 20' wide. The applicant would like to request a variance of 5' for their entrance to meet the Ingham County Road Department's request.

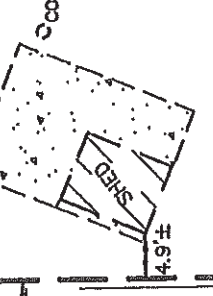
The 5' variance is necessary to meet the Ingham County Road Department request. The 5' variance is also necessary to keep an existing tree from being removed.

SCALE  
1"=20'



USE EXISTING  
LEADS TO EXI.

APR 04 2014  
ZONED RR #2



PROP. 'M' OPENING

PROP. 'T' SIDEWALK

BENCHMARK #1 (65' NORTHWEST)

HASLETT ROAD

MAN BOX

EX. 16" WATERMAIN

12" CPP IE-852.25

CMP 852.18

1/2" PIPE

M114.85

EO

EO

EO

EO

EO

EO

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EO

EO

EO

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EO

FIN. FL. 853.37

1-STORY FRAME HOUSE #2099 HASLETT RD.

ZONED RR

48.4'±

FIN. FL. 856.87

FIN. FL. 856.12

EX. 1-STORY FRAME HOUSE

REMOVE EX. WALK

20' PARKING SETBACK

100' BLDG. SETBACK

1/2" PIPE

0.7±

0.7±

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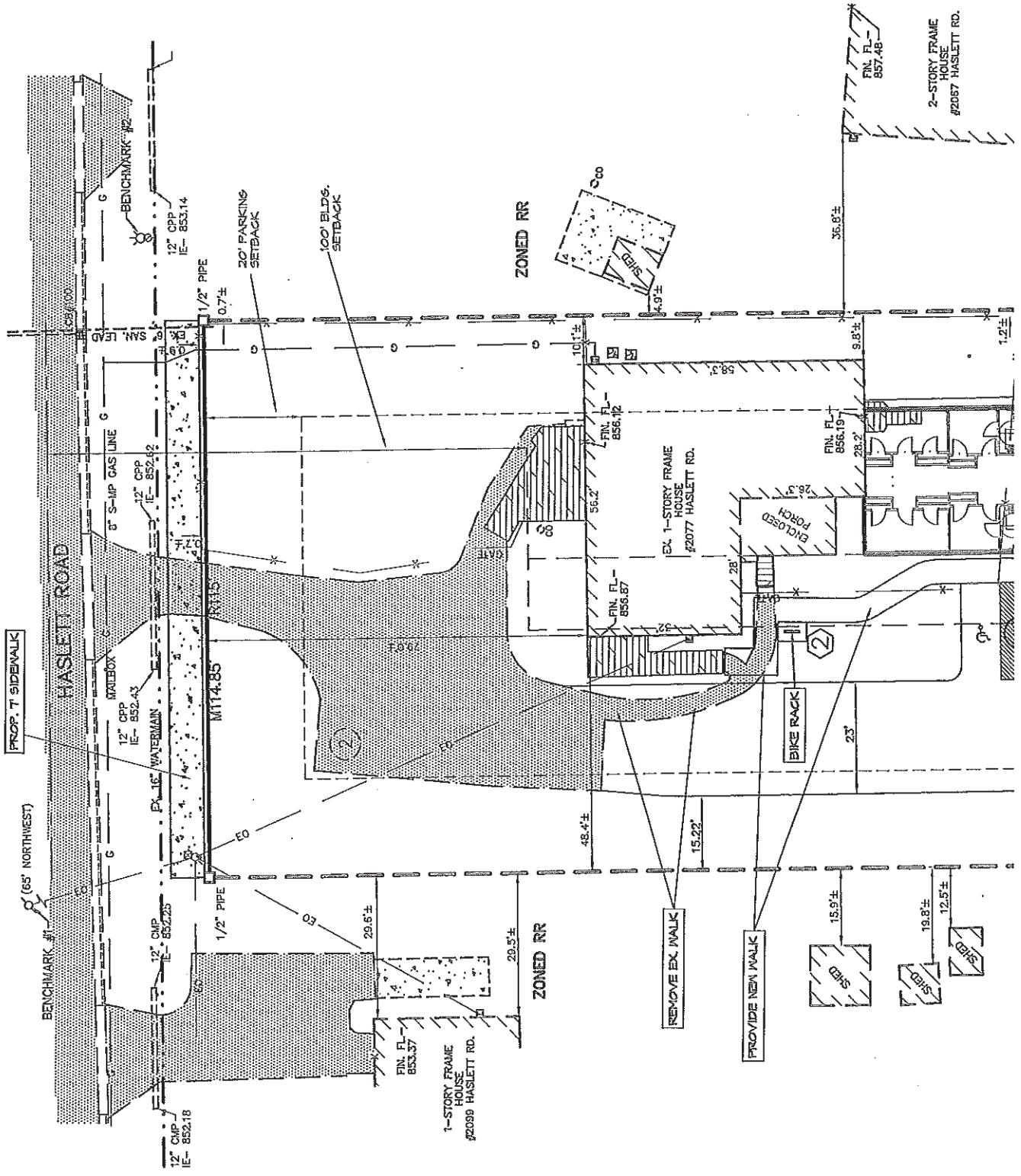
0.7±

0.7±

0.7±

0.7±

0.7±



PROP. T. SIDEWALK

65' NORTHWEST

HASLETT ROAD

M114.85

BIKE RACK

1-STORY FRAME HOUSE #2099 HASLETT RD.

EX. 1-STORY FRAME HOUSE #2077 HASLETT RD.

2-STORY FRAME HOUSE #2067 HASLETT RD.

ZONED RR

ZONED RR

REMOVE EX. WALK

PROVIDE NEW WALK

12" CPP IE-852.18

12" CPP IE-852.25

12" CPP IE-852.43

12" S-IP WATER MAIN IE-852.14

12" S-IP GAS LINE

1/2" PIPE 0.7'±

20' PARKING SETBACK

100' BLDG. SETBACK

FIN. FL. 853.37

FIN. FL. 856.57

FIN. FL. 856.12

FIN. FL. 856.19

FIN. FL. 857.48

48.4'±

15.22'

29.5'±

15.9'±

19.8'±

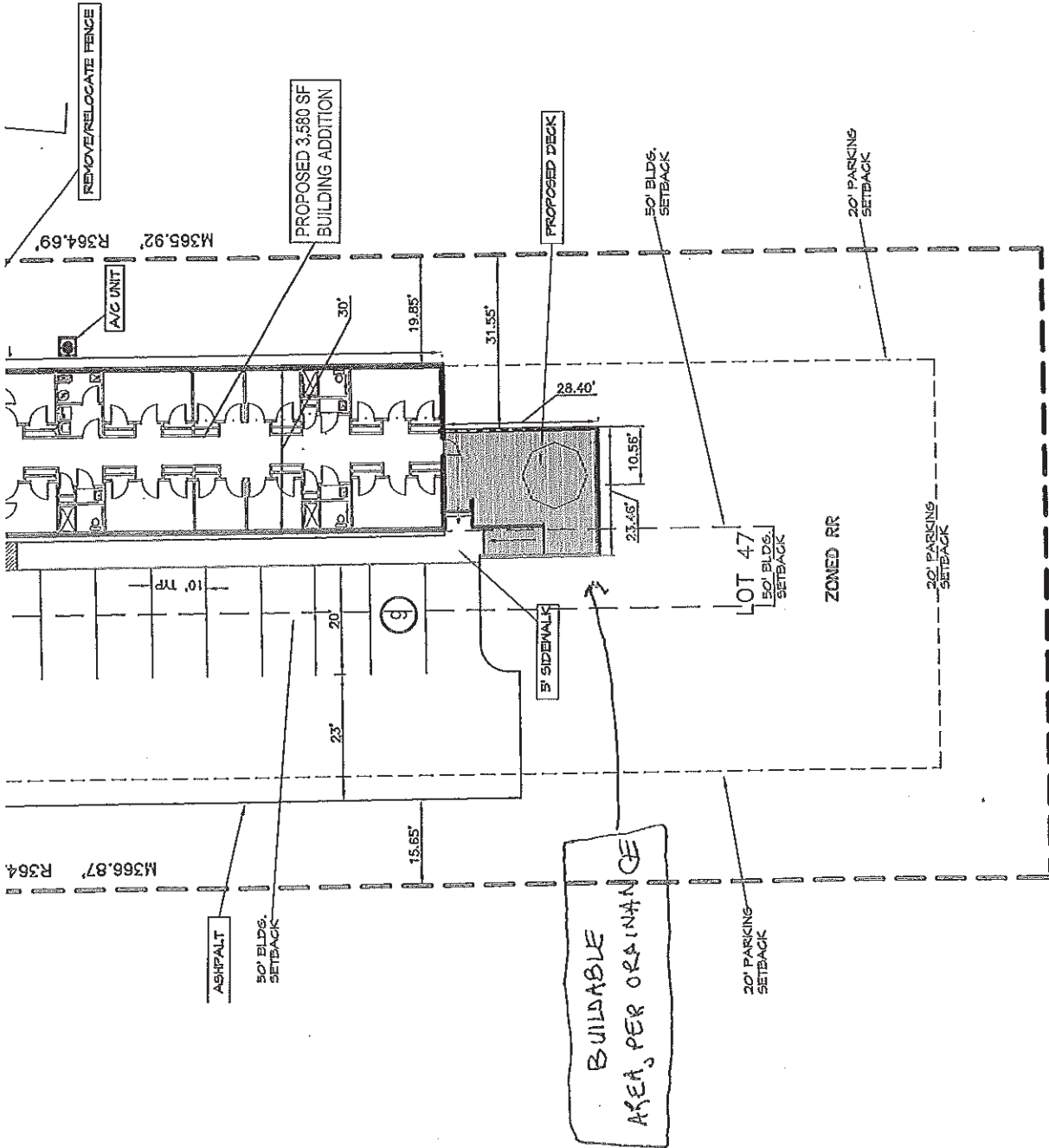
12.5'±

23'

9.8'±

1.2'±

36.6'±



EXAMPLE 2A