

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, AUGUST 13, 2014 6:30 PM
TOWN HALL ROOM**

- A. CALL MEETING TO ORDER**
- B. APPROVAL OF AGENDA**
- C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES**
- D. NEW BUSINESS**

- 1. ZBA CASE NO. 14-08-13-1 CONSUMERS ENERGY, ONE ENERGY PLAZA, JACKSON, MI 49201**
 - DESCRIPTION: 4761 Marsh Road
 - TAX PARCEL: 22-152-002
 - ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-367, which requires a minimum 100 foot setback from the center of Marsh Road.
- Section 86-474(2), which states no plant material, berm, fence, wall screen, sign, or other structure shall obstruct the visibility of motorists, pedestrians, or cyclists within a sight triangle at street and driveway intersections between the height(s) of three feet and ten feet as measured from the back of the curb or edge of pavement.
- Section 86-506, which states no fence, wall, or screen shall be erected higher than six feet, as measured from the ground upon which it sits to its highest point.
- Section 86-565(1), which states no accessory building shall project into any front yard.
- Section 86-565(3), which states no accessory building shall closer than five feet to any lot line.

The applicant is requesting variances to allow an accessory heating enclosure to remain where it was installed at 4761 Marsh Road. The variances would allow the heating enclosure to be located in the front yard approximately 58 feet from the center of Marsh Road and two feet from the north property line, while also allowing eight foot tall screen walls to be constructed east and south of the heating enclosure, one of which is proposed within the sight triangle.

- 2. ZBA CASE NO. 14-08-13-2 KELVIN POTTER, 4175 VAN ATTA ROAD, OKEMOS, MI 48864**
 - DESCRIPTION: 4175 Van Atta Road
 - TAX PARCEL: 25-351-010
 - ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-565(1), which states no accessory structure shall project into the front yard.

The applicant is requesting a variance to allow construction of a 1,200 square foot garage in the front yard at 4175 Van Atta Road.

3. ZBA CASE NO. 14-08-13-3 JERRY SOHN, 6117 GREEN ROAD, HASLETT, MI 48840

DESCRIPTION: 6117 Green Road
TAX PARCEL: 01-401-007
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-565(1), which states no accessory structure shall project into the front yard.

The applicant is requesting a variance to allow construction of a 1,280 square foot pole barn in the front yard at 6117 Green Road.

E. OTHER BUSINESS

F. PUBLIC REMARKS

G. BOARD MEMBER COMMENTS

H. ADJOURNMENT

I. POST SCRIPT – Patricia Jackson

Information regarding the request may be examined at the Department of Community Planning and Development, 5151 Marsh Road, Okemos, Michigan 48864-1198, between the hours of 8:00 am and 5:00 pm, Monday through Friday. Comments may be made in writing addressed to the Zoning Board of Appeals at 5151 Marsh Road, Okemos, MI 48864 or may be made at the hearing.

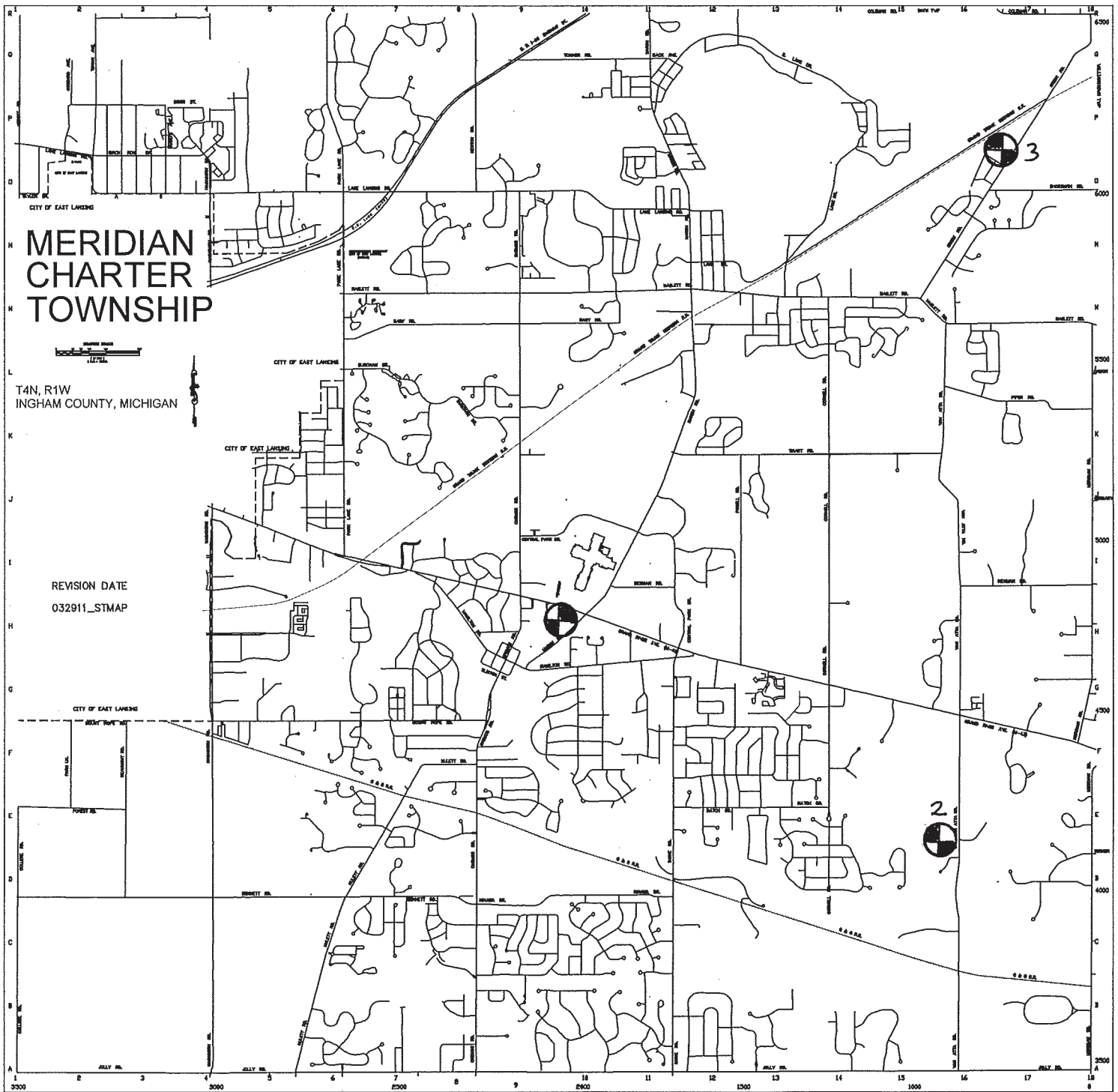
BRET DREYFUS
TOWNSHIP CLERK

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.



- 1 ZBA CASE NO. 14-08-13-1 (CONSUMERS ENERGY)
- 2 ZBA CASE NO. 14-08-13-2 (KELVIN POTTER)
- 3 ZBA CASE NO. 14-08-13-3 (JERRY SOHN)

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:

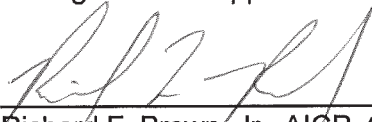
1. Granting a variance shall authorize only the purpose for which it was granted.
2. The effective date of a variance shall be the date of the Zoning Board of Appeals approves such variance.
3. A building permit must be applied for within 24 months of the date of the approval of the variance, and a Certificate 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: 
Richard F. Brown, Jr., AICP, CBSP
Associate Planner

DATE: August 7, 2014

RE: ZBA Case No. 14-08-13-1

ZBA CASE NO.: 14-08-13-1 CONSUMERS ENERGY, ONE ENERGY PLAZA, JACKSON, MICHIGAN 49201

DESCRIPTION: 4761 Marsh Road
TAX PARCEL: 22-152-002
ZONING DISTRICT: C-2 (Commercial)

In September 2013, Consumers Energy installed a 70 square foot (5' x 14') heating enclosure at its gas regulator station located at 4761 Marsh Road. The heating enclosure's purpose is to keep the natural gas pipes and valves warm during cold weather conditions. Installation was done without first obtaining an amendment to the special use permit for the site (SUP #01081) or the necessary variances from the Township.

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

- Section 86-367, which requires a minimum 100 foot setback from the center of Marsh Road.
- Section 86-474(2), which states no plant material, berm, fence, wall screen, sign, or other structure shall obstruct the visibility of motorists, pedestrians, or cyclists within a sight triangle at street and driveway intersections between the height(s) of three feet and ten feet as measured from the back of the curb or edge of pavement.
- Section 86-506, which states no fence, wall, or screen shall be erected higher than six feet, as measured from the ground upon which it sits to its highest point.
- Section 86-565(1), which states no accessory building shall project into any front yard.
- Section 86-565(3), which states no accessory building shall closer than five feet to any lot line.

The variance from Section 86-367 would allow the closest point of the installed heating enclosure to remain situated approximately 58 feet from the center of Marsh Road instead of the required 100 feet.

The variance from Section 86-474(2) would allow the applicant to install an eight-foot tall screening wall south of the heating enclosure within the required 35 foot sight visibility triangle.

The eight-foot tall south screening wall was proposed by the applicant to address its visual impacts since the heating enclosure was installed in the front yard. When staff visited the subject site to observe the proposed wall's staked location, its height became a concern as the wall will impede exiting vehicles from clearly seeing pedestrians and bicyclists traveling southbound on the adjacent pathway.

The third variance would permit eight-foot tall screening walls to be erected to the east and south of the heating enclosure to help shield visibility of it from Marsh Road. Section 86-506 allows a maximum of six feet in total height.

The variance from Section 86-565(1) would allow the heating enclosure to remain where it was installed in the front yard of the subject site with the leading edge of unit extending approximately 29 feet in front of the gas regulator station building.

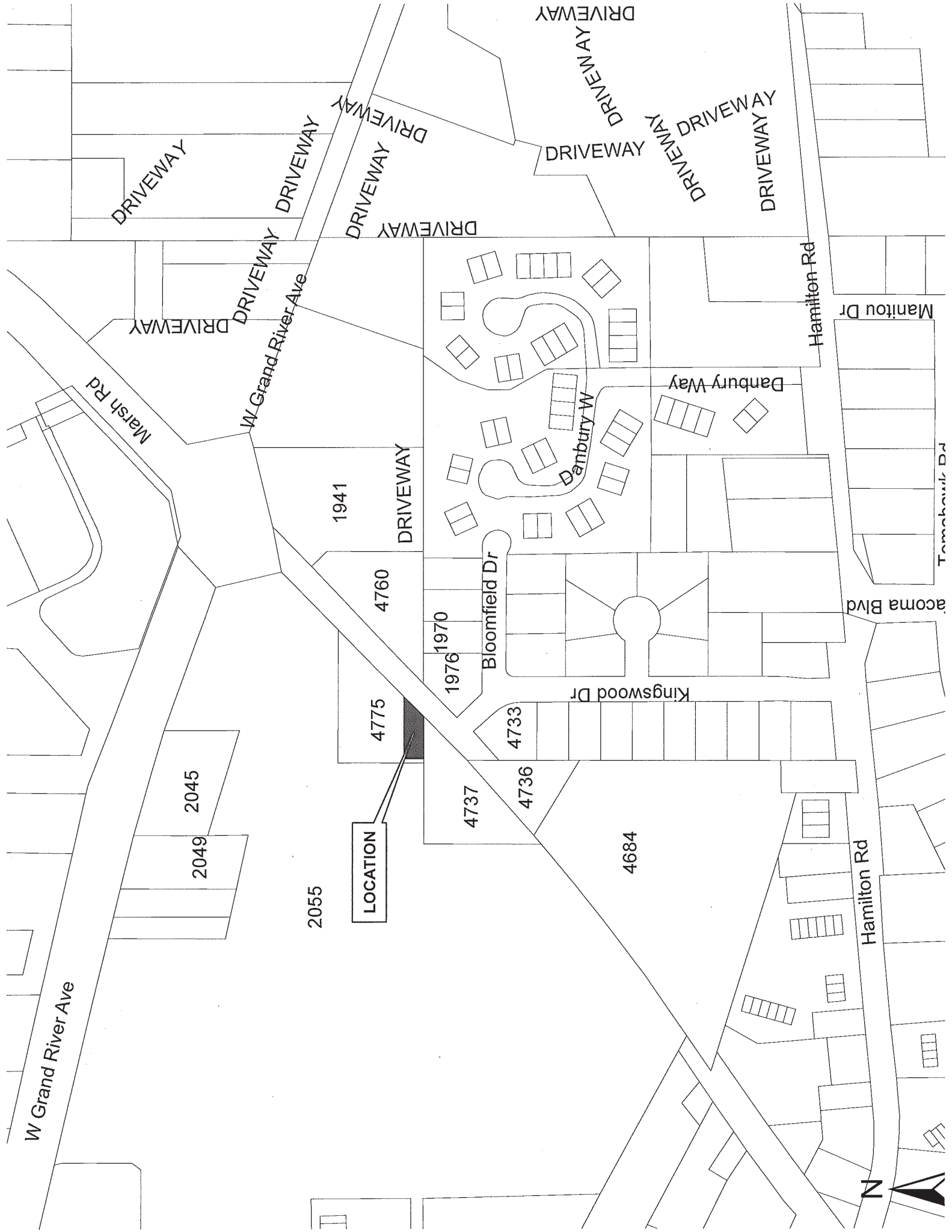
The fifth variance being requested would allow the heating enclosure to remain situated two-feet from the north property line instead of being setback five feet as is required by Section 86-565(3).

Site History

- The gas regulator station was first completed in 1957.
- Consumers Energy received a special use permit (SUP #01081) for the gas regulator station in 2001 when the site was reconstructed and upgraded.
- The applicant received variances (ZBA Case # 01-05-09-2) on May 9, 2001 to allow the gas regulator station building to be located within the 100 foot setback of Marsh Road and within the 15 foot rear and side yard setbacks.
- The heating unit was installed on the site in September 2013 without the applicant first obtaining an amendment to the special use permit or variances from the Township.
- The footprint of the heating enclosure is 5 feet x 14 feet and it rests upon a concrete pad. The enclosure is approximately 8.5 feet tall.
- The special use permit amendment (SUP #13-01081) for adding the heating enclosure on the subject site was approved by the Department of Community Planning & Development on June 23, 2014, subject to the applicant receiving variances from the Zoning Board of Appeals.

Attachments

1. Site Location Map
2. Application
3. Submittals from the applicant
4. Copies of SUP and variance approvals



W Grand River Ave

Marsh Rd

W Grand River Ave

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

Hamilton Rd

Manitou Dr

Tamchaud Dr

acoma Blvd

Hamilton Rd

1941

DRIVEWAY

4760

1970

1976

Bloomfield Dr

Danbury W

Danbury Way

Kingswood Dr

4775

4733

4737

4736

4684

2045

2049

2055

LOCATION



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

VARIANCE APPLICATION

A. Applicant CONSUMERS ENERGY
Address of Applicant ONE ENERGY PLAZA
JACKSON, MI 49201
Telephone (Work) (517) 788-2308 Telephone (Home) _____
Fax (517) 788-1216 Email address: michael.briston@cmsenerg.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 4761 MARSH ROAD
Zoning district C-2 COMMUNITY SERVICE Parcel number 33-02-02-22-152-002

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

Zoning Ordinance section(s) SEE ATTACHED SUMMARY - 4 REQUESTED

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

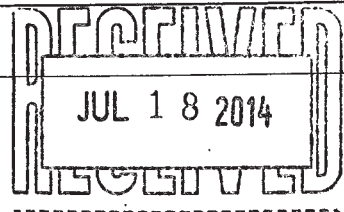
Michael A. Brista MICHAEL S. BRISTOR 7/17/14
Signature of Applicant Print Name Date

Fee: \$450.00 Received by/Date: 7/18/14 Martha Wejant

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 of Applicant(s) Date

Signature of Applicant(s) Date



Meridian Township – Zoning Board of Appeals
July 2014

Property Address: 4761 Marsh Road

Parcel: 33-02-02-22-152-002

Existing Zoning: C-2 Community Service or C-2 Commercial in zoning ordinance

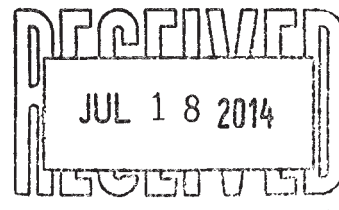
Variance Request with Zoning Ordinance Section(s): (see plan for location)

1. Front yard setback (58' from the centerline of Marsh Road)
 - Section 86-367 - 100' Setback from Marsh Road centerline

2. Side yard setback (2' from property line)
 - Section 86-565, #1 – No accessory building in front yard setback.
#3 - No accessory building shall be closer than 5' to any lot line.

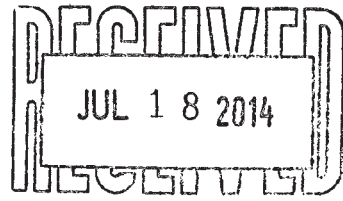
3. Screen wall height (8' height)
 - Section 86-506 – No fence, wall or screen shall be erected higher than six feet
(see east elevation attached)

4. Site Triangle (35')
 - Section 86-474 – 35' Site Triangle



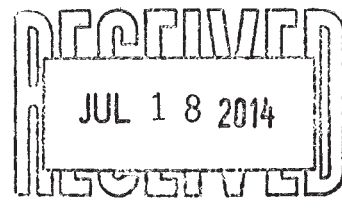
Attachment A

1. *Unique circumstances exist that are peculiar to the land or structures that are not applicable to other land or structures in the same zoning district.*
 - This has been a natural gas regulator site since 1957 and is an “essential service”
 - We installed the Heating Enclosure in this location because the Michigan Gas Safety Standards requires a shut off valve. It requires it to be placed a 16’ minimum distance from the Regulator Station Building near the front of the property for emergency situations.
 - The Heating Enclosure Building has a shut off valve in the front and it needs to be isolated in case of a fire or emergency in the Regulator Station Building. Consumers Energy complies with this regulation by maintaining a minimum of 16’ from any valves to the Regulator Station Building
 - Our site is “unique” it is currently a non-conforming use because of a 100’ setback from Marsh Road, the remaining developable area is limited to an 8’x 8’ triangle in the northwest corner
 - The site has size limitations and is surrounded by commercial development on three sides
 - Our site size has been reduced from .17 acres to .05 acres because of the widening of Marsh Road. A 71% reduction in area
 - There is no other location on this site to meet the minimum spacing requirements of the Michigan Gas Safety Standards and install this facility
2. *These special circumstances are not self-created.*
 - We replaced an existing heating unit that was leaking. It is industry standard is to install a heating enclosure per the Michigan Gas Safety Standards.
 - The sites small size and setback limitations have created this “unique” circumstance
 - This site has been a natural gas regulator site since 1957. Our function has not changed, however the surrounding area has developed and our site size has been reduced
 - This serves as an “essential service” to all 39,688 natural gas customers of Meridian Township
3. *Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.*
 - The site serves the residents of Meridian Township.
 - Not providing heating enclosure would include a possible natural gas outage, freezing of pipes and valves, separation of pipes at bends, valves and connections which results in leaks and then public safety concerns.
 - There would also be damage to the surrounding infrastructure (curb & gutter, sidewalks and roadways)
 - It would violate “standard” natural gas industry standards
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.

- Not granting would cause an unnecessary burden because of the amount of area lost due to the Marsh Road widening
 - The heat enclosure protects critical natural gas infrastructure and surrounding Meridian Township infrastructure (curb & gutter, sidewalks and roadways)
 - Not granting the variance would not allow us to meet industry standards to heat natural gas at regulator stations
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.*
- We are proposing an 8' high brick wall instead of 6' high to screen the view as much of the heating enclosure as possible
 - The heating enclosure is a required vital function of the gas transmission facility therefore, allowing this use meets the spirit of the existing use and is not contrary to public interest
6. *Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.*
- We are specifying brick on our screen walls that matches the color and character of the existing gas regulator building on site
 - The landscaping and brick wall are designed to restrict views and buffer the heat enclosure from adjacent views
 - The existing character of the adjacent properties has significantly changed over time since we acquired the property. The surrounding area has gone from farm fields to commercial development on three sides
 - This heater enclosure is installed in a commercial district which is a compatible use
7. *The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formation of a general regulation for such conditions practicable.*
- This site is "unique" because we are a public utility providing natural gas service which is an "essential service" to Meridian Township
 - We are forced to work within the confines of a small parcel that includes many existing fixed elements.
 - A turnaround is required which takes up much of the site which limited the final location of the heating enclosure
8. *Granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance.*
- We are recognized as an "essential service" which allows utilities to install facilities that serve the general public

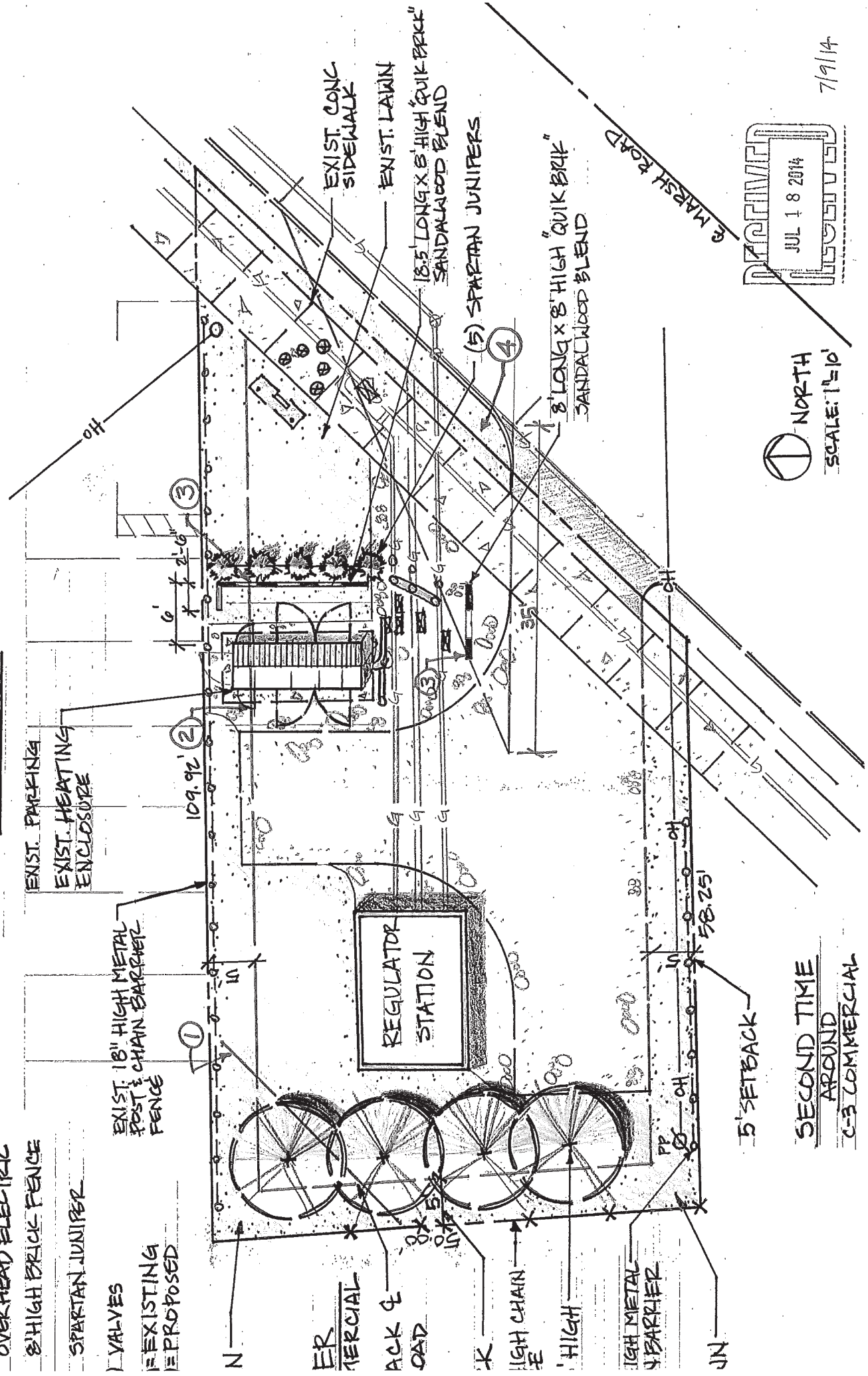


1D

- SIDEWALK
- GRAVEL
- NATURAL GAS LINE
- OVERHEAD ELECTRIC
- 8' HIGH BRICK FENCE
- SPARTAN JUNIPER
- VALVES
- EXISTING
- PROPOSED

PIGRIM HOUSE FURNITURE
C-3 COMMERCIAL

CONSUMERS ENERGY
REGULATORY STATION
PARCEL # 33-02-02-22-152-002
4761 MARSH ROAD

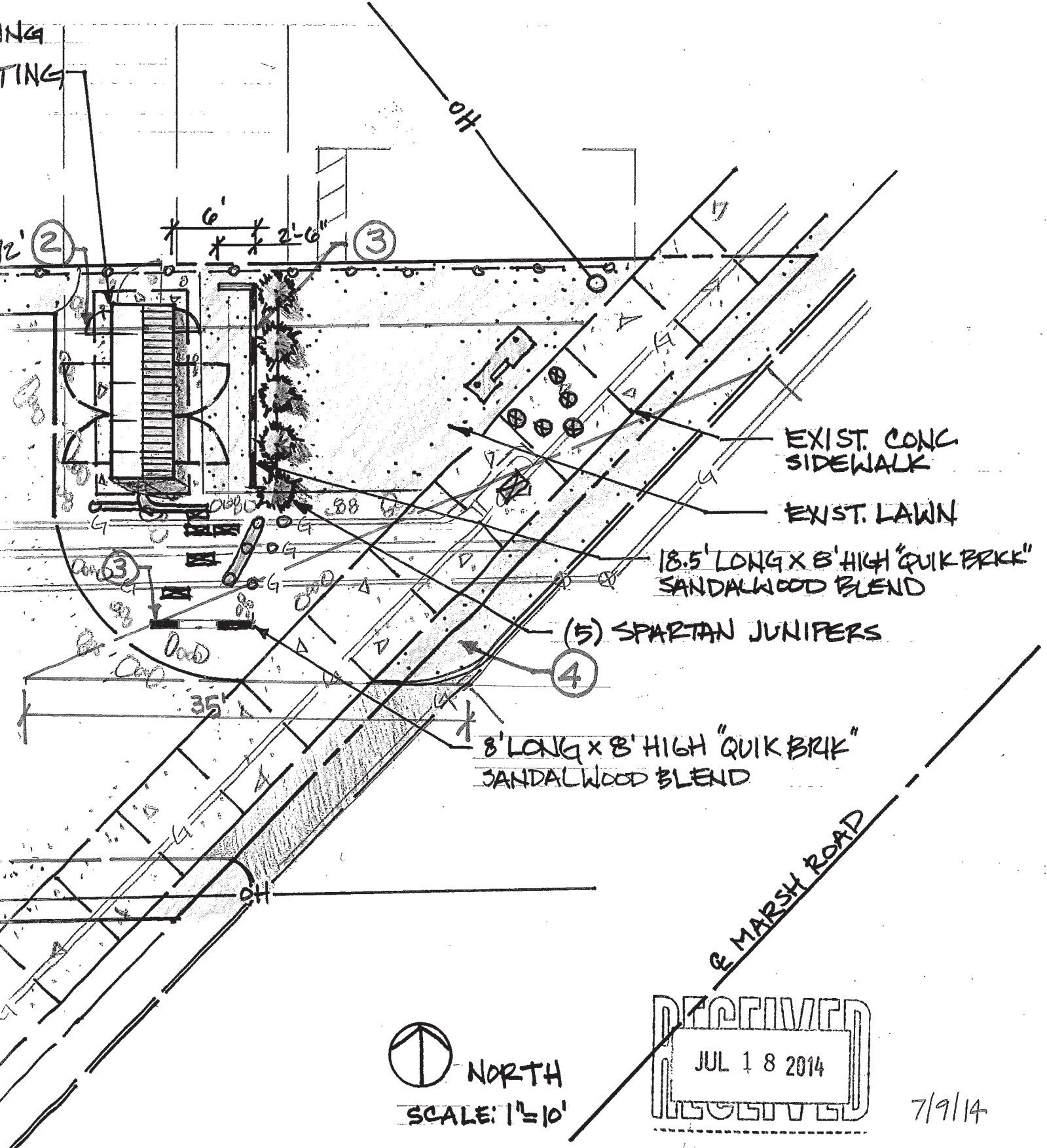


SECOND TIME
AROUND
C-3 COMMERCIAL

7/9/14

CONSUMERS ENERGY
REGULATORY STATION
PARCEL # 33-02-02-22-152-002
4761 MARSH ROAD

HOUSE FURNITURE
COMMERCIAL



EXIST. CONC
SIDEWALK


EXIST. LAWN

18.5' LONG x 8' HIGH "QUICK BRICK"
SANDALWOOD BLEND

(5) SPARTAN JUNIFERS

8' LONG x 8' HIGH "QUICK BRICK"
SANDALWOOD BLEND

E MARSH ROAD

 NORTH
SCALE: 1"=10'

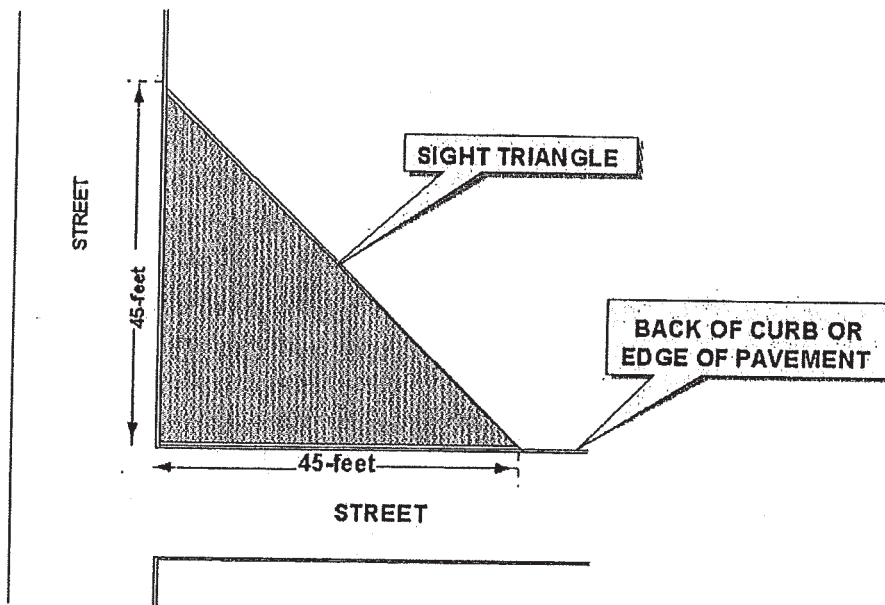
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7/9/14

Sec. 86-474. - Sight triangle.

The following sight triangle standards shall apply to all zoning districts:

- (1) *Street intersections.* No plant material, berm, fence, wall screen, sign, or other structure shall obstruct the visibility of motorists, pedestrians, or cyclists within a sight triangle at street intersections between the height(s) of three feet and ten feet, as measured from the back of the curb or edge of the pavement. The sight triangle shall be formed by measuring 45 feet in each direction from the intersection of the back of curb or edge of asphalt of each street and connecting the two points (See Figure 1).

FIGURE 1**SIGHT TRIANGLE AT THE INTERSECTION OF TWO STREETS**

- (2) *Intersection of a driveway and street.* No plant material, berm, fence, wall screen, sign, or other structure shall obstruct the visibility of motorists, pedestrians, or cyclists within a sight triangle at street and driveway intersections between the height(s) of three feet and ten feet, as measured from the back of the curb or edge of the pavement. The sight triangle shall be formed by measuring 35 feet along the back of curb or edge of asphalt of the street and edge of the driveway from the intersection of the driveway and then connecting the two points (See Figure 2).

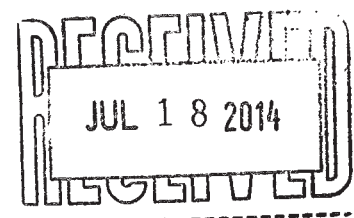
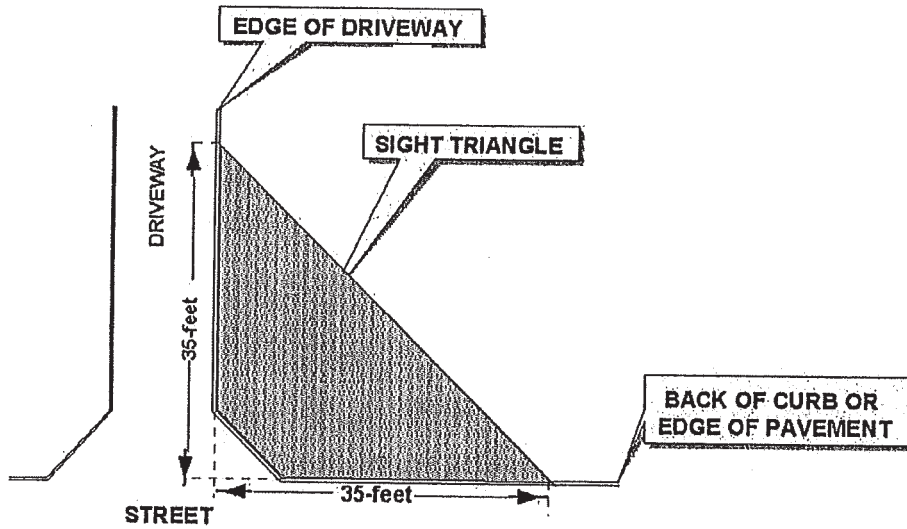


FIGURE 2

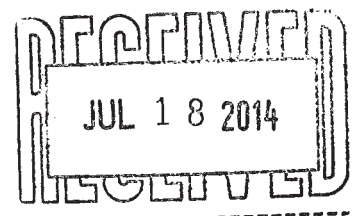


**SIGHT TRIANGLE AT THE
INTERSECTION OF A STREET
AND DRIVEWAY**

(Ord. No. 2006-06, § 1.B, 11-26-2006)

Editor's note—

Section 1.B of Ord. No. 2006-06, effective Nov. 26, 2006, amended § 86-474 in its entirety to read as herein set out. Former § 86-474 pertained to visibility and derived from § 83-1.15 of the 1974 Code.



BRICK TO MATCH
REGULATOR STATION
BUILDING

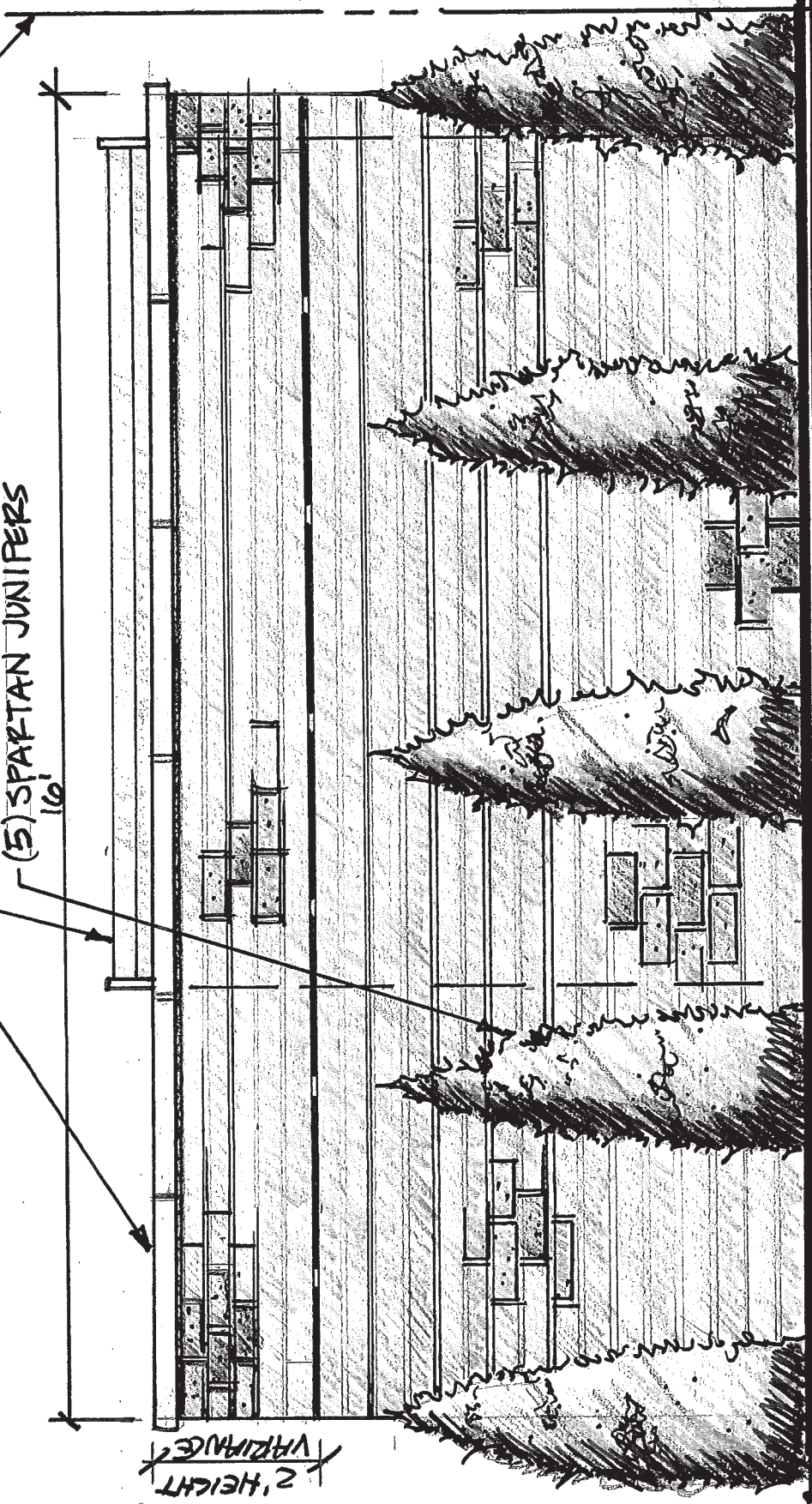
8' HIGH BRICK WALL

HEAT ENCLOSURE

(5) SPARTAN JUNIPERS
16'

PROPERTY LINE

PILGRIM
HOUSE
FOUNDATION

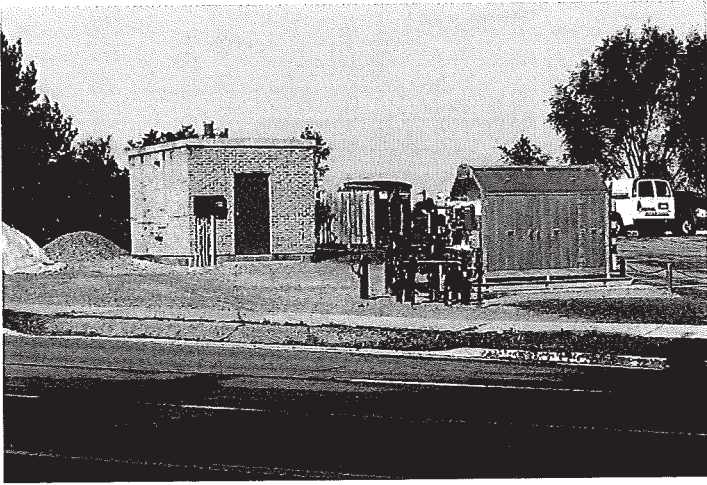


EAST ELEVATION

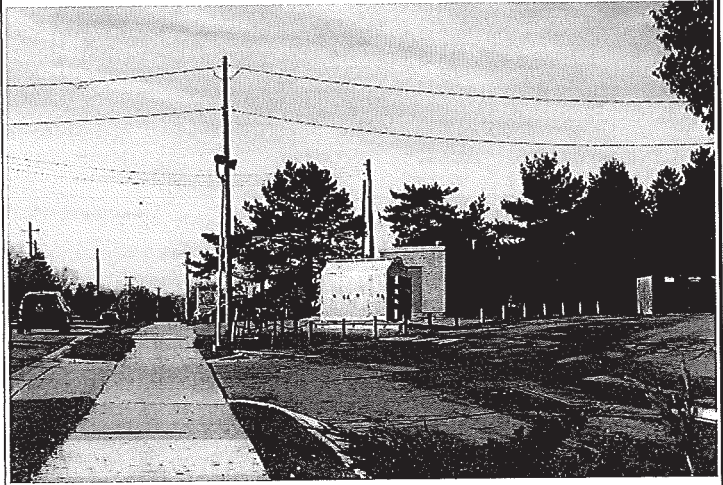
SCALE: HORIZ: 1/2" = 1'
VERT: 1/2" = 1'

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PHOTOGRAPHS



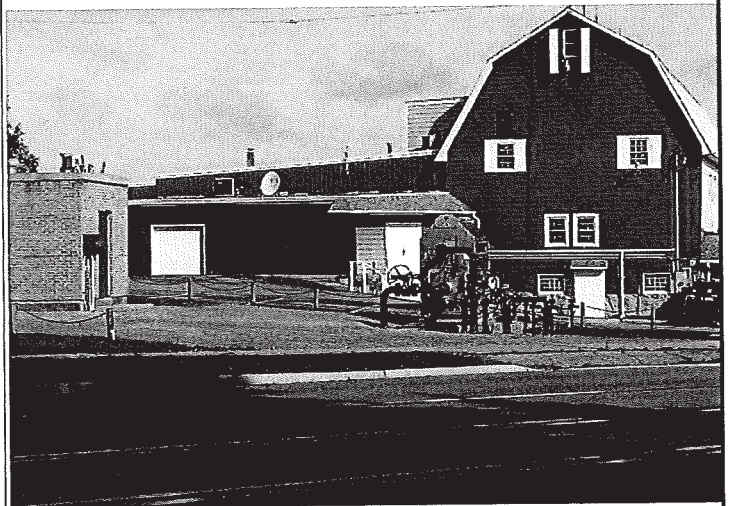
1. Looking West off Marsh Road



2. Looking South West off Marsh Road



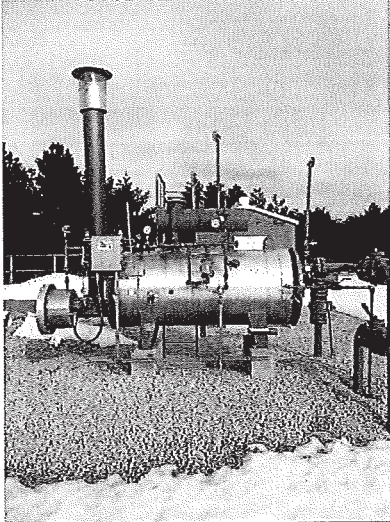
3. Looking North West from Marsh Road



4. Looking North West off Marsh Road

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JUL 18 2014
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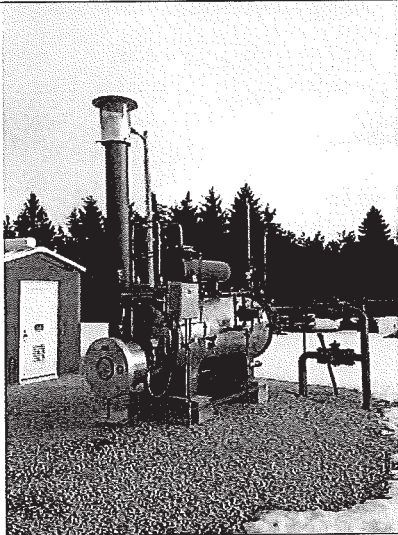
PHOTOGRAPHS



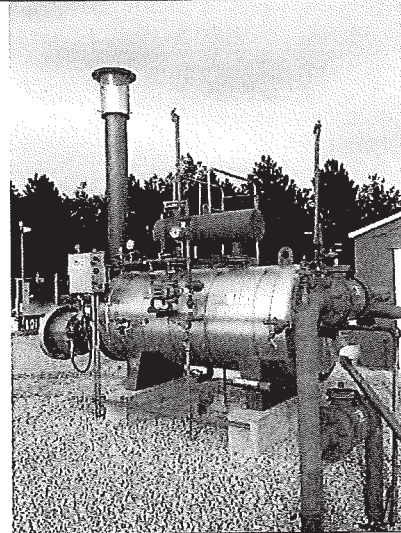
1. Looking at side view of heat exchanger



2. Looking at end of heat exchanger



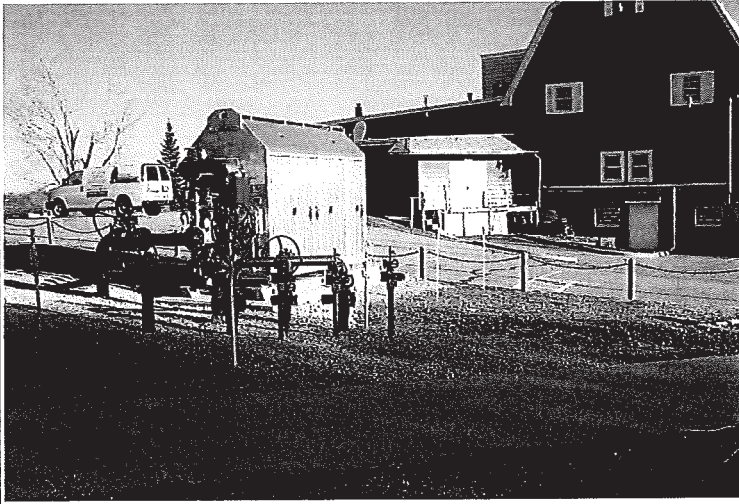
3. Looking at side view of heat exchanger



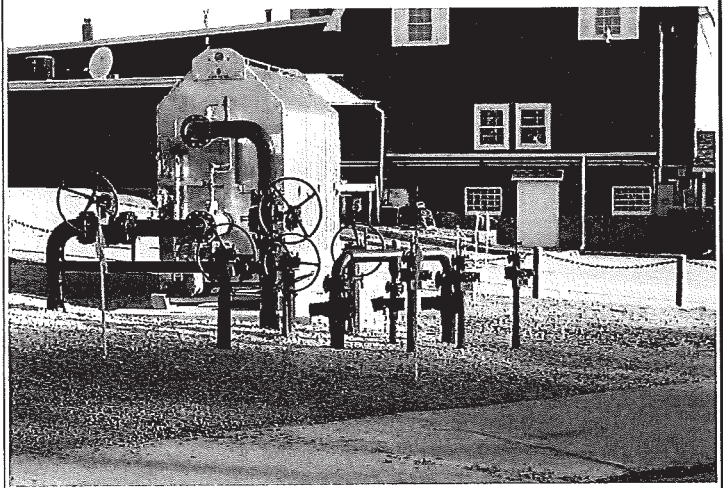
4. Looking at side view of heat exchanger

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JUL 18 2014
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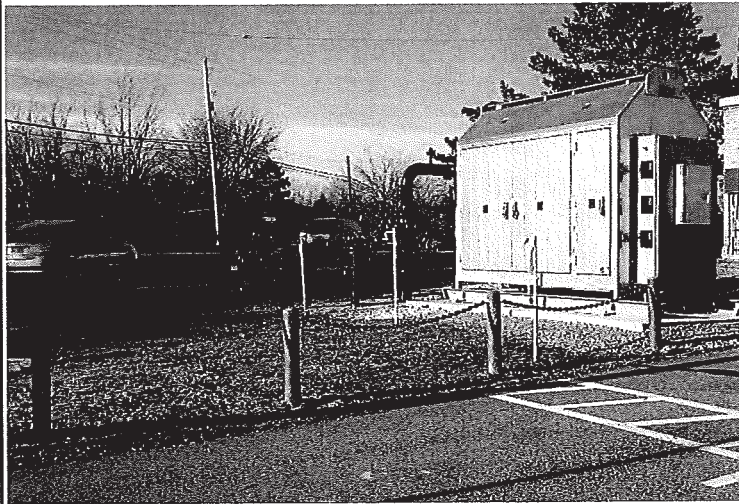
PHOTOGRAPHS



1. Looking North West off Marsh Road



2. Looking North West off Marsh Road



3. Looking South from the Pilgrim House

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JUL 18 2014

CHARTER TOWNSHIP OF MERIDIAN

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



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

June 23, 2014

Tyler Remington
Consumer Energy
821 Hastings Street
Traverse City, MI 49686

RE: Special Use Permit #13-01081 (Consumers Energy)

Dear Mr. Remington:

The Department of Community Planning and Development has completed its review of your request for a minor amendment to Special Use Permit #01081. The minor amendment was requested by the applicant after work took place without an approved permit on the site to add an exterior heating unit at the existing gas regulator station at 4761 Marsh Road.

A revised site plan was received by the Township on June 19, 2014, which depicts an eight-foot tall brick wall to the east and south of the heater and five Spartan junipers along the east side of the brick wall.

Approval of Special Use Permit #13-01081 is hereby granted with the following conditions:

1. Approval is based on the application materials submitted by the applicant and the revised site plan received by the Township on June 19, 2014, subject to revisions as required.
2. Approval of the minor amendment is subject to the applicant obtaining all necessary variances from the Zoning Board of Appeals or amending the plans to meet all requirements of the zoning ordinance.
3. Should the variances for the location and height of the brick walls, which are intended to screen the heating unit, be denied, the applicant shall submit a revised plan showing that sufficient screening will be provided, subject to the review and approval of the Director of Community Planning & Development.
4. All landscaping planted on the site shall be maintained in a healthy condition and kept free of debris. Dead, diseased, or missing plant material shall be replaced by the applicant within 30 days or as soon as weather permits.
5. The Charter Township of Meridian reserves the right to enforce its ordinances if violation(s) are not satisfactorily addressed through variances or corrective measures.

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

www.meridian.mi.us



SUP #13-01081 (Consumer Energy)

Page 2

Decisions by the Director of Community Planning and Development regarding a minor amendment to a special use permit may be appealed to the Planning Commission. An appeal must be filed within ten days of the date of the Director's action and be in accordance with Section 86-188 of the Code of Ordinances. Consequently, your amendment to the special use permit will not become valid until July 4, 2014.

This letter shall act as the permit for the amendment, Special Use Permit #13-01081. The use permitted by the granting of the amendment must have commenced within two years after issuance or the permit shall be void. If you have any questions regarding this matter, please contact me.

Sincerely,

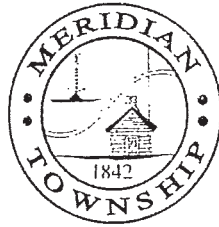
A handwritten signature in cursive script that reads "Mark Kieselbach".

Mark Kieselbach
Director of Community Planning and Development

cc: Martha Wyatt
John Heckaman
David Coats, Pilgrim House
Mike Bristor
Chris Thelen

CHARTER TOWNSHIP OF MERIDIAN

Susan McGillicuddy Supervisor
Mary M.G. Helmbrecht Clerk
Bruce D. Hunting Treasurer
Gerald J. Richards Manager



Julie Brixie Trustee
Steve Stier Trustee
Andrew J. Such Trustee
Anne M. Woiwode Trustee

April 24, 2001

Mr. Ernie Sakraska
Area Manager
Consumers Energy
530 W. Willow Street
P.O. Box 30162
Lansing, MI 48909

RE: Special Use Permit #01081 (Consumers Energy)

Dear Mr. Sakraska:

At its regular meeting held on April 23, 2001, the Planning Commission voted to approve Special Use Permit #01081, to replace/enlarge the natural gas regulator station at 4761 Marsh Road, Okemos. Approval was granted with the following conditions:

1. Approval is granted in accordance with the site layout and location plan and the building elevation details prepared by Consumers Energy and received by the Township on March 27, 2001, subject to revisions as required.
2. The final site plan, including landscaping shall be subject to the approval of the Director of Community Planning & Development. If pre-fabricated materials are used, they shall be brick-faced (on all four sides).
3. Prior to any construction, all necessary permits and approvals from the Ingham County Drain Commissioner's office and the Township shall be secured. A copy of the approvals shall be submitted to the Department of Community Planning & Development. Further, the applicant shall discuss with staff fume dispersal or filtration from the site, which shall be required if feasible and commonly utilized.
4. The applicant shall receive all necessary variances from the Zoning Board of Appeals or shall revise the plans to eliminate the need for variances.

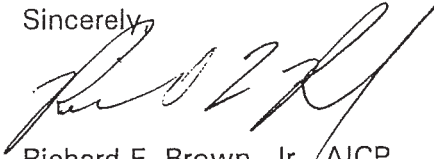
Decisions by the Planning Commission regarding Special Use Permits may be appealed to the Township Board. Such an appeal would have to be made within 10 days of the date of the

Mr. Ernie Sakraska
April 24, 2001
Page 2

Planning Commission's action and must be in accordance with Section 81-3.2.E of the Code of Ordinances. Consequently, your Special Use Permit will not become valid until May 4, 2001.

As is customary, this letter shall act as the Special Use Permit. The use permitted by the granting of the Special Use Permit must have commenced within one year after issuance or the permit shall become null and void. The next step in the process is for you to proceed through site plan review, as well as obtain all required permits and approvals, including any necessary variances from the Zoning Board of Appeals. If you have any questions regarding this matter, please contact me at (517) 349-1200, ext. 373.

Sincerely,



Richard F. Brown, Jr., AICP
Associate Planner

Attachments

cc: Martha Wyatt, Landscape Architect
John Heckaman, Chief Building Inspector
Troy Langer, Associate Planner

planning\brown\sup01081.let

CHARTER TOWNSHIP OF MERIDIAN

Susan McGillicuddy Supervisor
Mary M.G. Helmbrecht Clerk
Bruce D. Hunting Treasurer
Gerald J. Richards Manager



Julie Brixie Trustee
Steve Stier Trustee
Andrew J. Such Trustee
Anne M. Woiwode Trustee

May 10, 2001

Ernie Sakraska
CONSUMERS ENERGY COMPANY
1945 W. Parnall Road
Jackson, MI 49201

**RE: ZBA Case No. 01-05-09-2
(Marsh Road, South of Grand River Avenue)**

Dear Mr. Sakraska:

At its regular meeting on May 9, 2001, the Zoning Board of Appeals voted to approve your variance requests from the following Sections of the Code of Ordinances:

- From Section 82-12.4(c-1), which requires a one-hundred (100) foot setback from the centerline of the Marsh Road right-of-way. Approval of the variance permits the utility structure to be located approximately seventy-one (71) feet from the centerline of the Marsh Road right-of-way line.
- From Section 82-12.4(c-2), which requires a fifteen (15) foot side yard setback. Approval of the variance permits the utility structure to be located approximately 14.58 feet from the northern side property line.
- From Section 82-12.4(c-2), which requires a fifteen (15) foot rear yard setback. Approval of the variance permits the utility structure to be located approximately twelve (12) feet from the rear property line.

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.

Please note that a permit to authorize the construction approved by the variance must be granted within eighteen (18) months and completed within eighteen (18) months from approval date of the permit.

CONSUMERS ENERGY (ZBA 01-05-09-2)

May 10, 2001

Page 2

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

Sincerely,



Troy D. Langer
Associate Planner

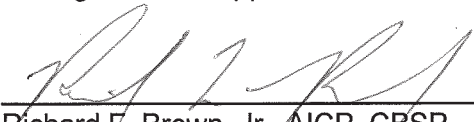
cc: Building Division
Special Use Permit File
Site Plan Review File

TL\PLANNING\ZBA\LETTER.1055

MEMORANDUM

TO: Zoning Board of Appeals

FROM:


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

DATE: August 7, 2014

RE: ZBA Case No. 14-08-13-2

ZBA CASE NO.: 14-08-13-2 KELVIN POTTER, 4175 VAN ATTA ROAD, OKEMOS, MICHIGAN 48864

DESCRIPTION: 4175 Van Atta Road
TAX PARCEL: 25-351-010
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-565(1), which states no accessory structure shall project into the front yard.

The applicant is proposing to construct a 1,200 square foot (30' x 40') freestanding garage to the northeast of the existing single-family dwelling at 4175 Van Atta Road. The applicant is requesting a variance to allow the leading edge of the proposed garage to project into the front yard approximately 45 feet closer to Van Atta Road than the leading edge of the existing single-family dwelling. The proposed garage will be setback approximately 305 feet from the edge of the Van Atta Road pavement or 275 feet from the edge of the street right-of-way.

Site Information

- No variances have been granted for the subject property.
- The existing single-family dwelling was constructed in 1974.
- The applicant has removed the pre-existing shed located in the front yard.
- The proposed garage complies with all other required setbacks of the Code of Ordinances.
- There are no regulated wetlands on the subject site nor floodplain in the vicinity of the proposed garage.

Attachments

1. Site Location Map
2. Application
3. Submittals from the applicant
4. Communications from Thomas L. Deits



Van Alta Road

Red Cedar Drive

Red Cedar River

4180

4166

715

4084

4221

4215

4195

LOCATION

4085

4137

4103

N

Aug 13th

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

VARIANCE APPLICATION

A. Applicant Kelvin Potter
Address of Applicant 4175 Van Atta, Okemos
Telephone (Work) _____ Telephone (Home) (517) 489-2540
Fax _____ Email address: _____
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 4175 Van Atta
Zoning district RR Parcel number 23-02-02-25-351-010

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

Zoning Ordinance section(s) _____

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

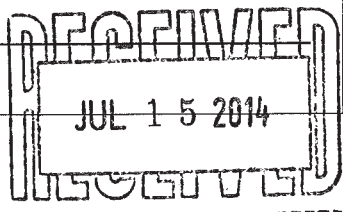
Kelvin Potter Kelvin Potter 7/10/14
Signature of Applicant Print Name Date

Fee: \$150⁰⁰ Received by/Date: 7/15/14 Matthew Wyatt

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.**)

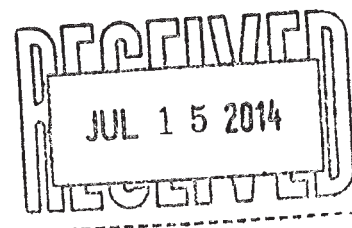
Kelvin Potter 7/10/14
Signature of Applicant(s) Date

Signature of Applicant(s) Date

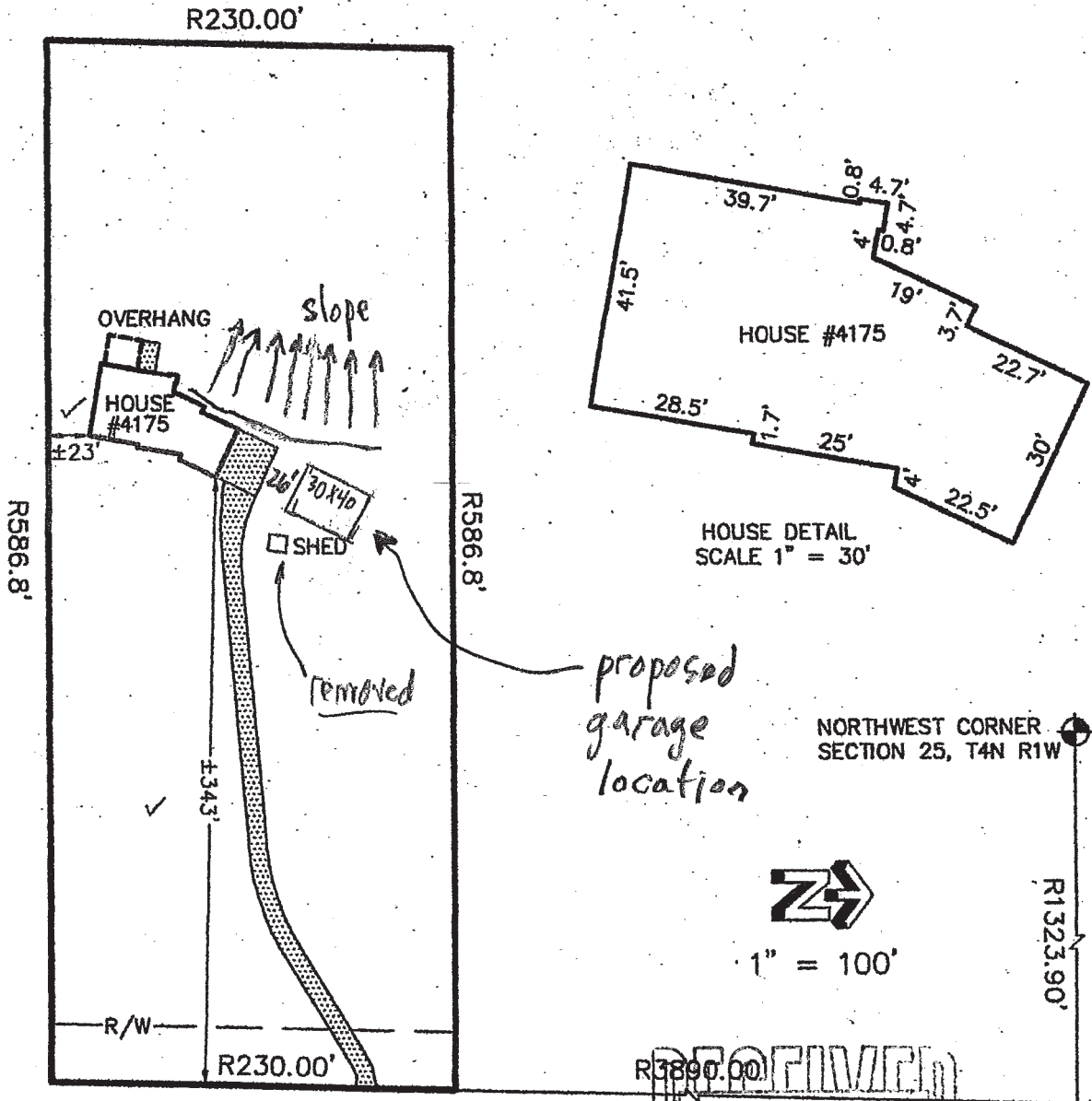


Variance Application Supplement Responses

1. Unique circumstance specific to this variance request are as follows. First is to keep the new garage within the plane of the front of the house, which was built on an angle to the street. Second, to comply with the existing ordinance, we would have to remove two large walnut trees and move a lot of fill due to the sloping nature of the lot.
2. Circumstances that are causing this request for a variance are not self-created.
3. Strict enforcement of ordinance would require the garage to be situated behind the optical plane of the front of the house because the house is on an angle to the street.
4. Alleged practical difficulties include having to remove two nice mature walnut trees and having a structure that looks out of place on the property
5. Granting the variance would not be contrary to the public interest. In fact the home and structure cannot be seen from the road.
6. Granting the variance would not adversely affect adjacent land. It would improve the character of the area by matching the location of the current home better.
7. The conditions are not so general. We have two large trees that would preclude moving the structure back away from the street any further without their removal, and a home who's placement on the lot is on an angle.
8. Granting the variance would allow the new garage to fit in with the nature and layout of the property.



minutes 40 seconds East 586.8 feet to the Point of Beginning. ✓



Van Atta Rd. ✓

RECEIVED
JUL 16 2014
BUMSTEAD

I hereby certify only to the parties named hereon that we have inspected the above parcel and that any visible encroachments are as shown. No property corners were monumented as this report is not intended to establish deed lines. A Certificate of Survey is required to accurately locate deed, drive and fence lines.

Legend:

- = Deed Line
- = Distance Not to Scale
- ▒ = Concrete or Asphalt
- = Porch or Deck
- M = Measured Value
- R = Recorded Value

**Bumstead
Land Surveys**



518 W. Lovett No. 3
Charlotte, Michigan 48813
Phone (517)543-0194 Fax (517)543-0258

Client: Eaton Federal Savings Bank

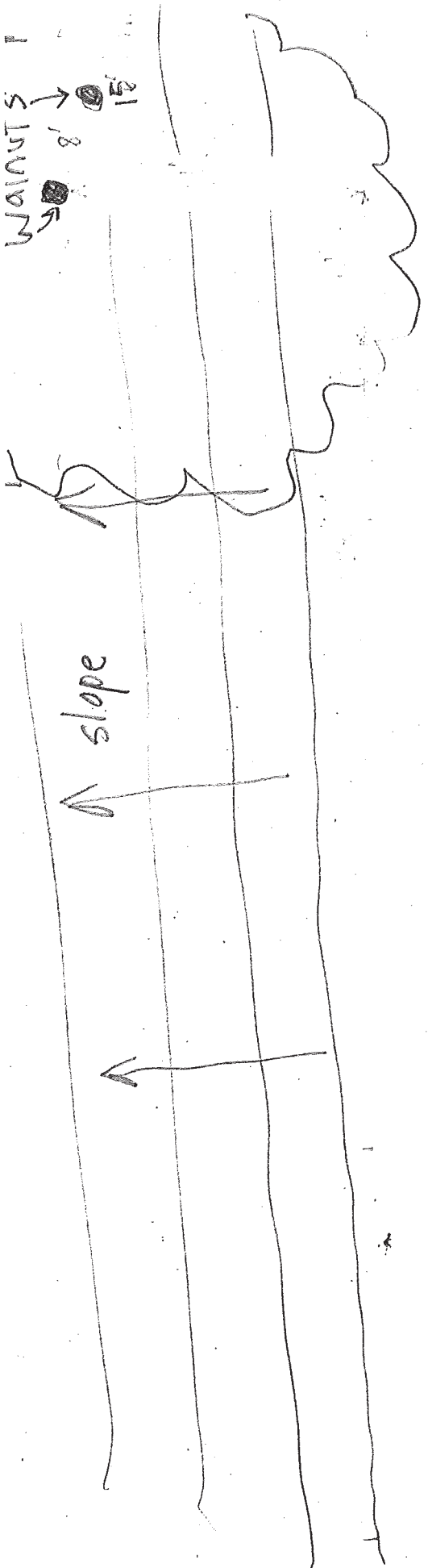
Revised: N/A Scale: 1" = 100'

Sheet 1 of 1 Job No.: 13162

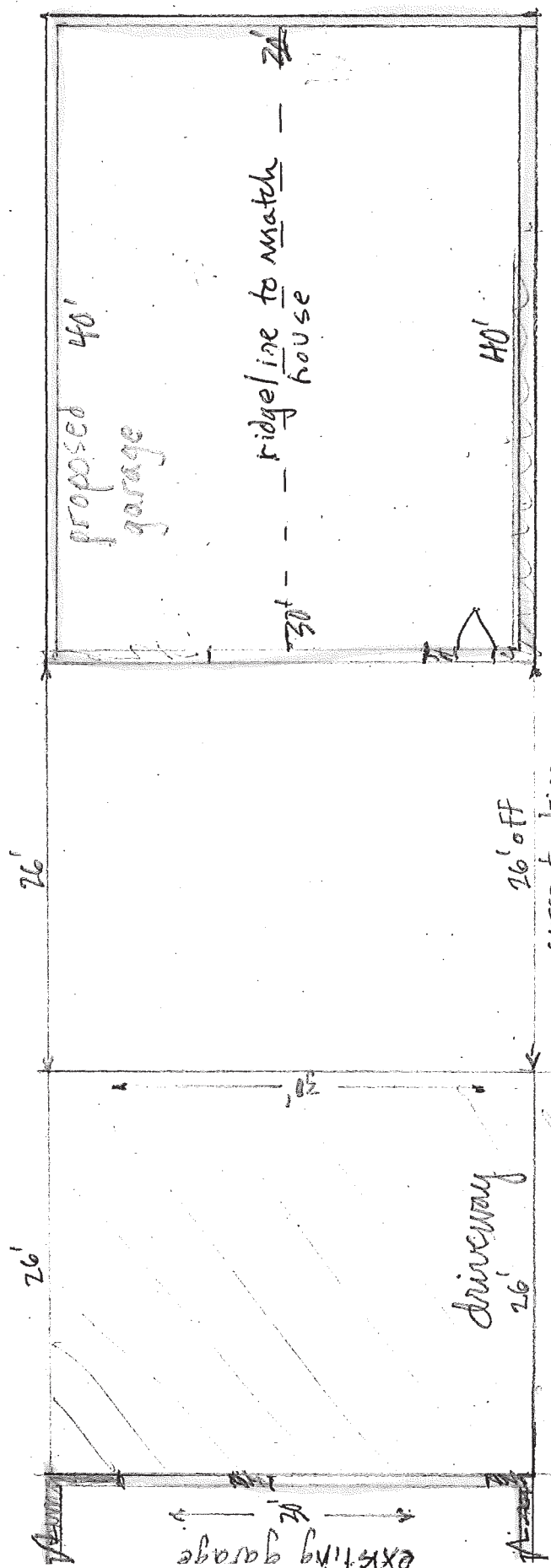
Anthony Bumstead
10/03/13

Anthony Bumstead Date:
Professional Surveyor No. 41095

WALNUTS
21
8



N ↑



APPROVED
JUL 16 2014

4175 Van Atta Rd

scale 1" = 10'

existing garage

driveway
26'

26' off
current drive

proposed
garage
40'

ridgeline to match
house

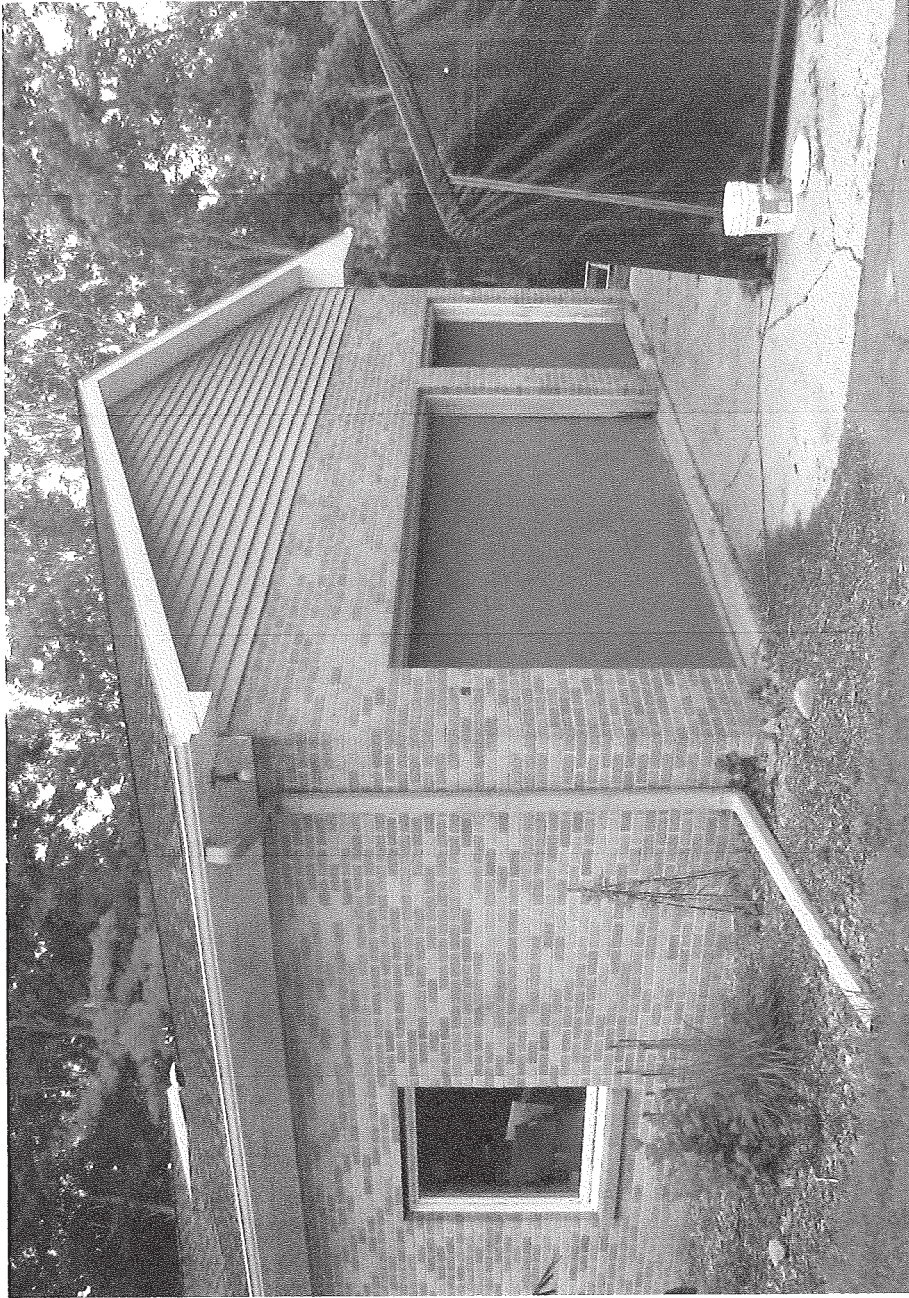
40'

26'

26'

26'

26'



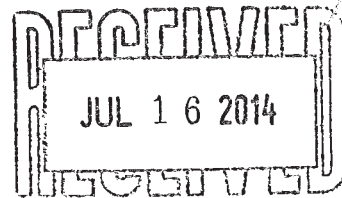
RECEIVED
JUL 16 2014

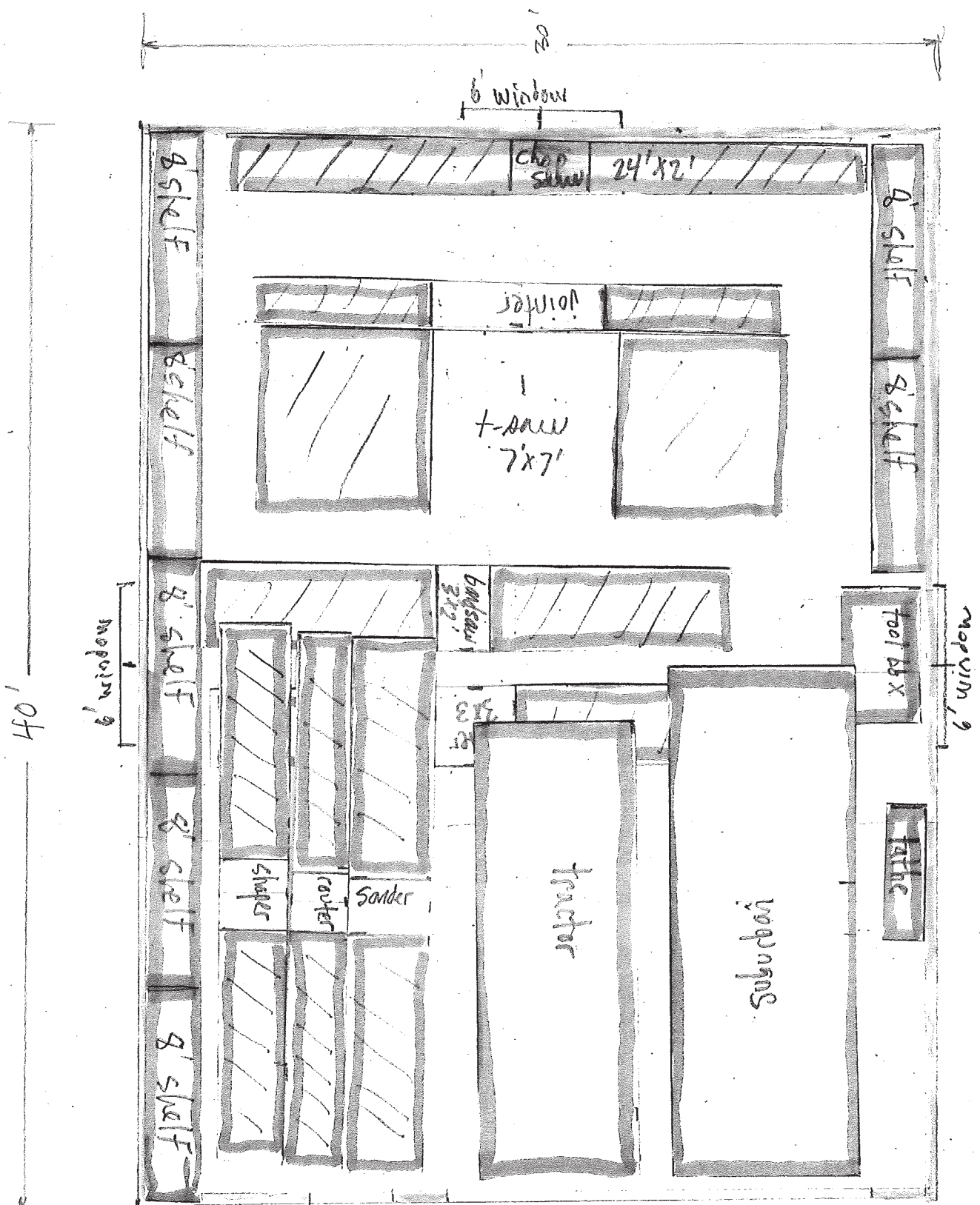
4175 Van Alta existing garage, to match with
new garage



4175 Van Atta
representative garage

- * vinyl siding to match home
- * shingles to match home
- * roof trusses to match home 4/12
- * 30' wide by 40' deep
- * regular soffits, no returns as in picture (to match home)

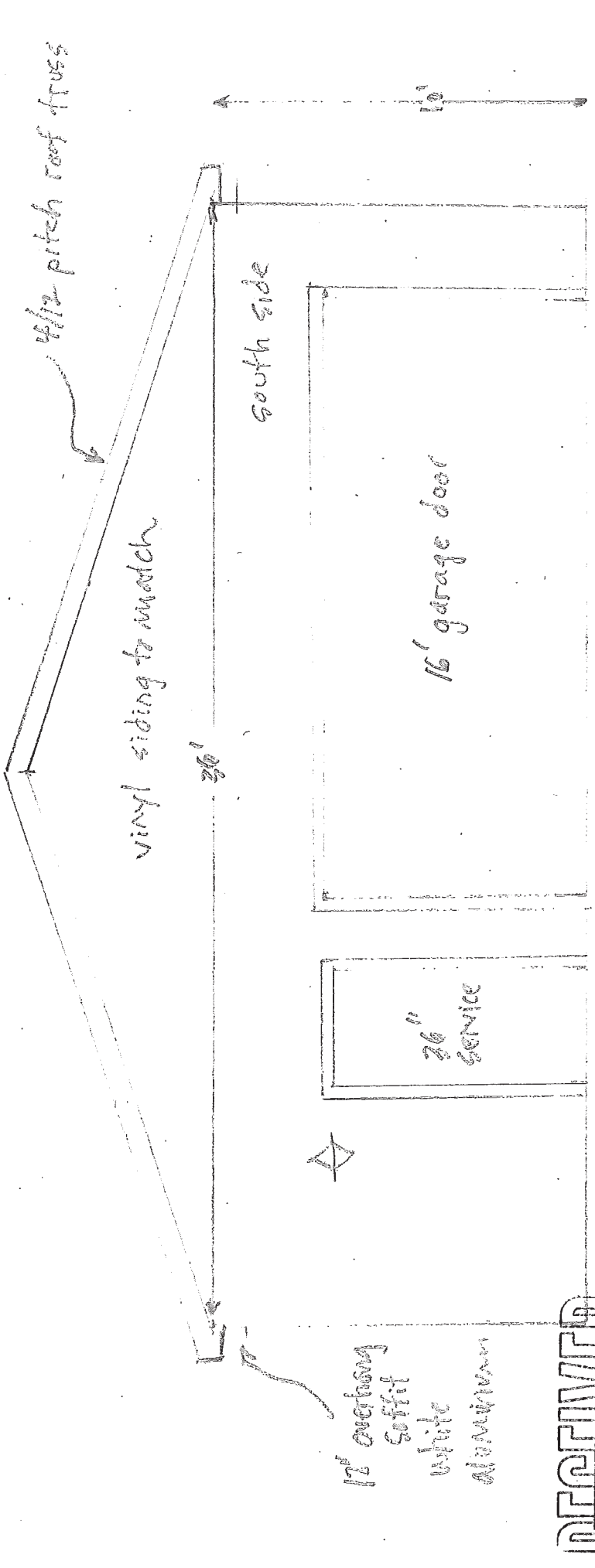
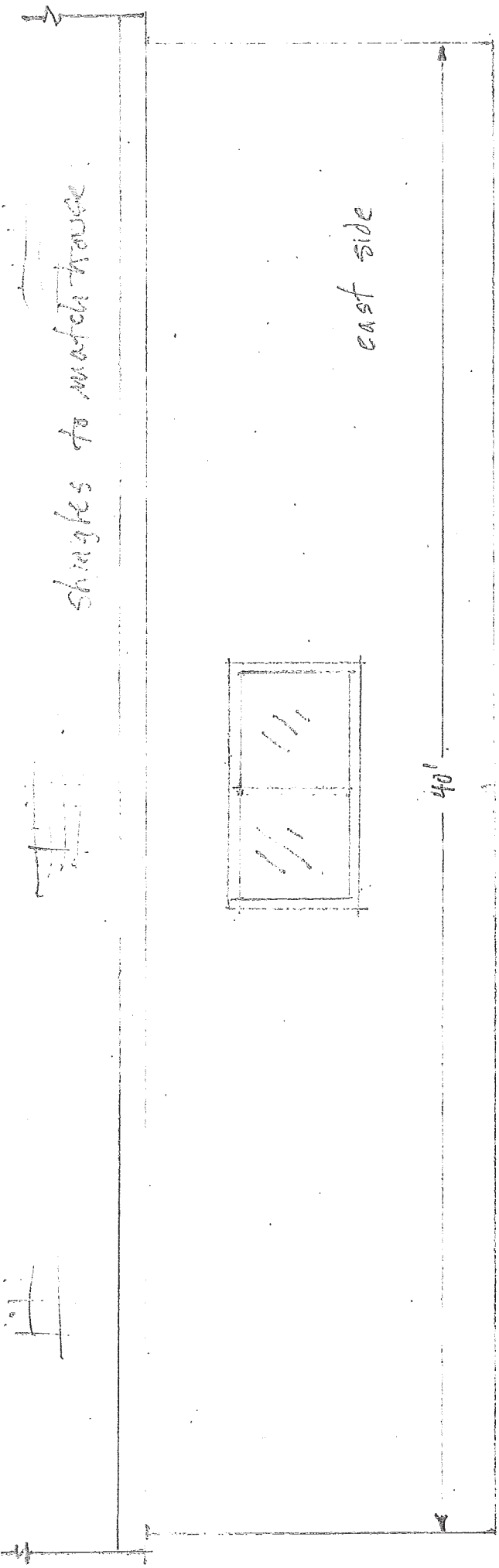




Scale 3/16" = 1'

417S Van Atta Garage

RECEIVED
JUL 16 2014



PREPARED

JUL 16 2014

front & side elevations
4175 Van Atta proposed garage

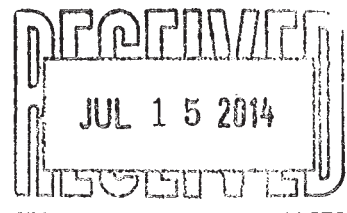
scale 1/4" = 1'



proposed
garage
site

Looking north at 2 Walnuts
that I am wanting to save

4175 Van Alta



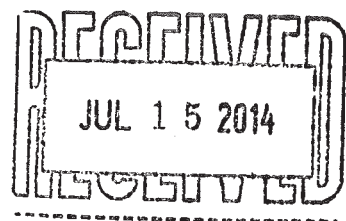
garage
site ↓



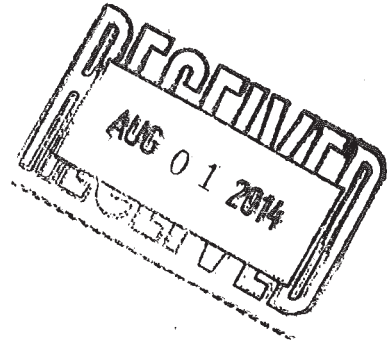
Walnuts

Looking south towards
home

4175 Van Alta Rd



July 31 2014



Meridian Township Zoning Board of Appeals

RE: ZBA case # 14-08-13-2 (Kelvin Potter)

I am the owner of the property immediately to the south of the subject property.

I have no objection to the issuance of the requested variance.

Sincerely,

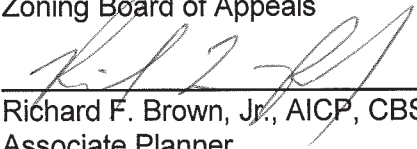
A handwritten signature in black ink, appearing to read "Thomas L. Deits". The signature is fluid and cursive.

Thomas L. Deits

4045 Van Atta Rd
Okemos MI 48864

MEMORANDUM

TO: Zoning Board of Appeals

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

DATE: August 7, 2014

RE: ZBA Case No. 14-08-13-3

ZBA CASE NO.: 14-08-13-3 JERRY SOHN, 6117 GREEN ROAD, HASLETT, MICHIGAN 48840

DESCRIPTION: 6117 Green Road
TAX PARCEL: 01-401-007
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-565(1), which states no accessory structure shall project into the front yard.

The applicant is proposing to construct a 1,280 square foot (40' x 32') freestanding pole barn to the northeast of the existing single-family dwelling at 6117 Green Road. The applicant is requesting a variance to allow the leading edge of the proposed pole barn to project into the front yard approximately 50 feet closer to Green Road than the leading edge of the existing single-family dwelling. The proposed pole barn will be setback approximately 340 feet from the edge of the Green Road pavement and the entire structure will be at least ten feet in front of the existing dwelling.

Site Information

- No variances have been granted for the subject property.
- The existing single-family dwelling was constructed in 1994.
- The proposed pole barn complies with all other required setbacks of the Code of Ordinances.
- An approximate 0.69 acre Township regulated wetland (#01-19) is located to the east of the applicant's property line. From the applicant's submitted drawing, the pole barn is proposed to be approximately 85 feet from the edge of the pond. This conforms to the minimum 20 foot setback required by the Code of Ordinances.

Attachments

1. Site Location Map
2. Application
3. Submittals from the applicant
4. Communications from Chris Stephon



CN Railroad

Green Road

LOCATION

6137

6121

6122

6100

6086

6072

6081

516

528

538

548

562

588



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

VARIANCE APPLICATION

A. Applicant Jerry Sohn
Address of Applicant 6117 Green Road, Haslett, MI 48840
Telephone (Work) cell 517-388-8910 Telephone (Home) 517-339-0072
Fax _____ Email address: jerrysohn@sohninen.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 6117 Green Road, Haslett
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)

[Signature] Jerry Sohn 7-21-14
Signature of Applicant Print Name Date

Fee: \$150.00 Received by/Date: [Signature] 7/21/14

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.)

[Signature] 7-21-14
Signature of Applicant(s) Date

Signature of Applicant(s) Date

Request for variance for pole barn

I would like to put a pole barn on my property, size 40 x 32, which will extend in front of my house. My reasons for the placement:

- I have a wooded lot and the proposed placement will keep as many trees standing as possible
- Most of the land behind my house is low
- The drain field is behind the house

The placement will be consistent with the surroundings as the neighbor next door has the exact same placement for a garage.

Thank you,

Jerry Sohn

6117 Green Road

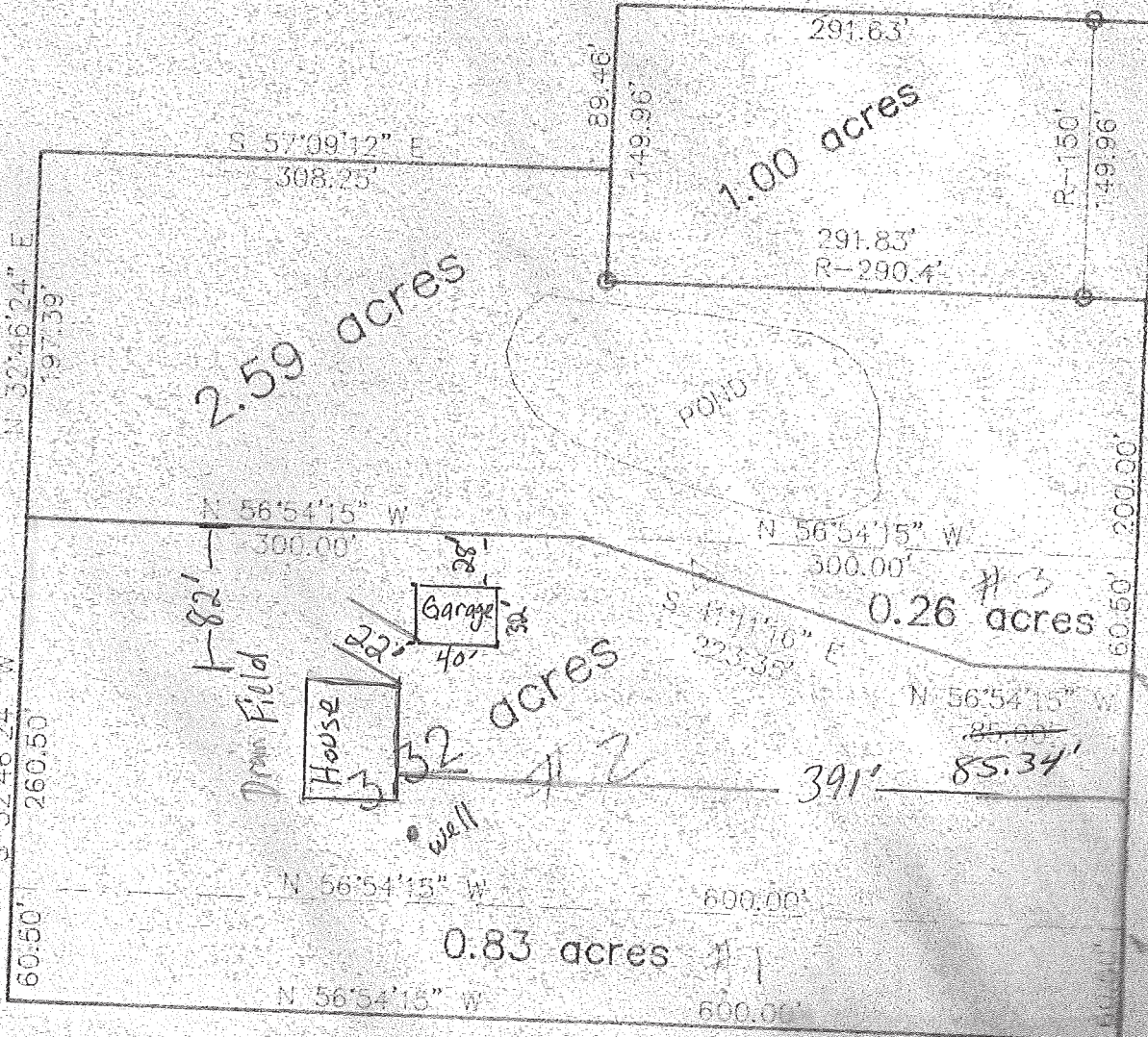
Haslett, MI 48840

N. V. R.
EASTERN RIGHT OF WAY LINE
2198.77'

10.01 acres

S 32°46'24" W
1992.03'

476.99'



2.59 acres

1.00 acres

0.26 acres #3

0.32 acres #2

0.83 acres #1

Green Road

Property line

N 56°54'15" W
940.55'

...LY RIGHT OF WAY LI...
2198

10.01 acres

4.53 acres

1.00 acres

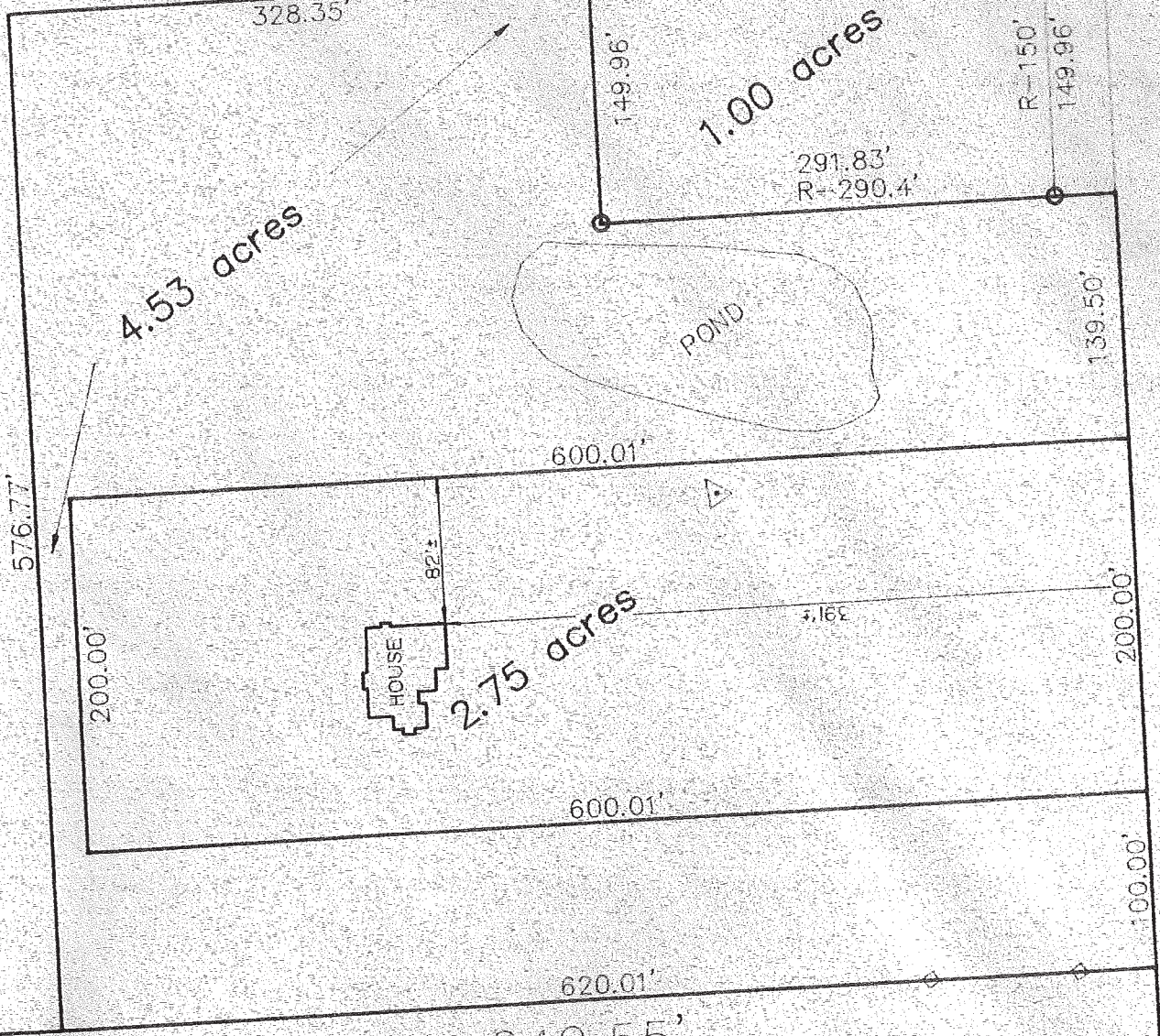
HOUSE
2.75 acres

POND

576.77'

56°54'15" W

940.55'



S 32°46'24" W
1992.03'

This page shows the distance from the house to the property line to the north 82'

Rick Brown

From: Chris Stephon <castephon@hotmail.com>
Sent: Saturday, August 02, 2014 5:51 PM
To: Rick Brown
Subject: Case 14-08-13-3 Sohn

Mr Brown,

I have no objection to the project however, I would like to point out it is wet (constant standing water) between the Sohn property and the property directly to the south close to Green Road. I'm assuming you are aware of it.

Regards,

Chris Stephon
6065 Green Road

August 8, 2014

Attached are additional materials submitted by Mr. Sohn as part of his variance request - ZBA Case #14-08-13-3. My apologies for not listing/including them with the original staff report.

Rick

Request for variance for pole barn

I would like to put a pole barn on my property, size 40 x 32, which will extend beyond the front of my house on the north side. My reasons for the placement:

- I have a wooded lot and the proposed placement of the structure will keep as many trees standing as possible.
- The land surrounding the house is completely wooded and has been that way since before the house was built, so the circumstances are not self-created.
- The drain field is behind the house under the entire back yard. Beyond that is land that is too low on which to build. Putting the structure on either side of the house, but within the specifications of the ordinance, will make it impractical to access by vehicle and nearly impossible to back a trailer into it without removing substantially more trees than will be moved in the requested location.
- The house is placed where it is because officials from Ingham County determined that this location is where the land perks the best.
- Moving the pole barn forward near the driveway puts it in the closest spot to meeting the spirit of the ordinance while remaining practical to use. It will be close enough to the house to nicely accent it and easily accessible at the same time.
- The placement will be consistent with the surroundings, as the neighbor next door has a similar placement for a garage.
- Granting the variance will be consistent with the purpose of the zoning ordinance because it will not be an eyesore and will not change the look of the surrounding area. In fact, the house and the proposed structure are not readily visible from the road.

Thank you,

Jerry Sohn

6117 Green Road

Haslett, MI 48840

