

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

A. CALL MEETING TO ORDER

B. APPROVAL OF AGENDA

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

- Wednesday, July 9, 2014

D. NEW BUSINESS

1. ZBA CASE NO. 14-08-06-1 CLINTON J. SCHEIDEGGER, 1436 JOLLY ROAD, OKEMOS, MI 48864

DESCRIPTION: 1436 Jolly Road
TAX PARCEL: 35-300-005
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-618(1) which states non-conforming 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 extent of the non-conformity and shall satisfy all other applicable site development regulations.

The applicant is requesting a variance to allow for the addition of a 12' x 16' deck onto the rear of the dwelling at 1436 Jolly Road.

2. ZBA CASE NO. 14-08-06-2 WILLIAM KIRK, 2533 KOALA DRIVE, EAST LANSING, MI 48823

DESCRIPTION: 2533 Koala Drive
TAX PARCEL: 17-280-009
ZONING DISTRICT: RA (Single Family-Medium Density)

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

- Section 86-618(1) which states non-conforming 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 extent of the non-conformity and shall satisfy all other applicable site development regulations.

The applicant is requesting a variance to allow replacement of the existing decks on a non-conforming single-family dwelling at 2533 Koala Drive.

E. OTHER BUSINESS

1. Review of Site Plan Review #14-89-14 to determine compliance with the variances granted under ZBA case #14-05-14-1 (Howard Green) at 2077 Haslett Road.

F. PUBLIC REMARKS

G. BOARD MEMBER COMMENTS

H. ADJOURNMENT

I. POST SCRIPT – Jim Hershiser

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.

G:\COMMUN PLNG & DEV\PLNG\ZBA\ZBA AGENDAS\2014 ZBA AGENDAS\ZBAGNDA.140806

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

PRESENT: Members, Deschaine (alt.) arrived 6:32 pm, LeGoff, Ohlrogge, Hershiser, Chair
Beauchine
ABSENT: Member Jackson
STAFF: Rick Brown, Associate Planner
Mark Kieselbach, Director of Community Planning & Development

A. CALL MEETING TO ORDER

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

B. APPROVAL OF AGENDA

MEMBER HERSHISER MOVED TO APPROVE THE AGENDA AS WRITTEN

SECONDED BY MEMBER LEGOFF

VOICE VOTE: Motion carried unanimously (4-0).

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

Wednesday, February 12, 2014

MEMBER HERSHISER MOVED TO APPROVE THE MINUTES AS WRITTEN

SECONDED BY MEMBER OHLOGGE

VOICE VOTE: Motion carried unanimously.

D. UNFINISHED BUSINESS

None

E. NEW BUSINESS

1. ZBA CASE NO. 14-07-09-1 MERIDIAN TOWNSHIP PARKS, 2100 GAYLORD C SMITH COURT, HASLETT, MI 48840

DESCRIPTION: 4555 Okemos Road (Wonch Park)
TAX PARCEL: 21-451-004
ZONING DISTRICT: RB (Single Family-High Density)

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

- Section 86-471(b)(3), which states all structures and grading activities shall be setback from the edge of a water feature as follows – 50 feet from the ordinary high water mark of the Red Cedar River.
- Section 86-471(b)(1) which states all structures and grading activities shall be setback 40 feet from the edge of wetlands regulated by the township or state which are two acres or greater in size.
- Section 86-471(c)(1) which states a 20 foot natural vegetation strip shall be maintained from the edge of wetlands regulated by the township or state.

The applicant is requesting variances for a proposed eight-foot wide paved pathway within the required water features setback and the natural vegetation strip from the ordinary high water mark of the Red Cedar River and from regulated wetlands. The proposed setback for

the paved pathway in Wonch Park, located at 4555 Okemos Road, is 25 feet from the ordinary high water mark of the Red Cedar River and 12 feet from regulated wetlands.

Mr. Brown summarized the changes in the proposed plan since the May meeting where the case was initially heard. The Parks Department has significantly reduced the amount of work within the setbacks. Mr. Brown stated the Zoning Board of Appeals must decide if there is enough newly discovered evidence or proof of changed circumstances to hear the case again. Mr. Brown also listed letters of support that were received.

MEMBER HERSHISER MOVED TO HEAR THE CASE DUE TO SIGNIFICANT CHANGES.

SECONDED BY MEMBER DESCHAINE.

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

Ms. LuAnn Maisner, Meridian Township Parks and Recreation Director, the applicant, stated the project has been a long time in the planning process and this portion of the plan is meant to increase access to the park for residents who have challenges with mobility. Ms. Maisner outlined the reasons the case met all the Review Criteria (Section 86-221).

Mr. George Kass, 4512 Nakoma Drive, Okemos, asked what the maintenance cost would be for the pathway. He was concerned regular maintenance had not been done in the park this year. He said the Parks and Recreation Department should spend the money on repairing the parking lot, mowing the grass and new picnic tables. He said the pathway should be located in Ferguson Park which is across Okemos Road from Wonch Park.

Ms. Melanie Jaramillo, 2080 Ashland Avenue, Okemos, stated as a Meridian Township Park Commissioner, she is in support of the project. She summarized the needs of the park. Ms. Jaramillo stated the grant from the State of Michigan would allow the Park Commission to start the redevelopment of Wonch Park without a large capital outlay.

Mr. John Veenstra, 320 Piper Road, Haslett, spoke in support of the project. He outlined the reasons the park improvements are necessary. He urged the Zoning Board Appeals to approve the variances so the project can proceed.

Ms. Marsha Madle, 1373 Sebewaing Road, Okemos, spoke in support of the pathway. She explained parks that are well maintained attract businesses and residents to communities. She said the project is an important part of revitalizing Okemos' downtown area.

Mr. Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke in support of the project but pointed out that certain members of the Zoning Board of Appeals should not be voting on this case because they had already heard the case while sitting on other boards.

Mr. Bruce Little, 5015 Meridian Road, Williamston, spoke in support of the project because it is part of the current budget.

Mr. Todd Wilson, 1897 Wilder Street, Haslett, spoke in support of the project.

Ms. Maisner addressed Mr. Kass' concerns regarding the maintenance of Wonch Park. She stated it had been a difficult year due to the ice storm in December of 2013. She stated the clean-up and maintenance from the storm had delayed park personnel from regular park maintenance.

Chair Beauchine asked Mr. Kieselbach for an explanation of Mr. Bowlby's concerns.

Mr. Kieselbach explained there was not a conflict under the Zoning Enabling Act as there was no appeal of the special use permit for the work in the flood plain for the pathway. The Zoning Enabling Act states the Zoning Board of Appeals must have a member from the Township Board and a member from the Planning Commission.

Chair Beauchine thanked Township Staff for staking the pathway location. He said it was easier to visualize once it was staked. He said there was no building associated with the project and no grading would take place so work in the area would be minimal.

Member Deschaine agreed with Ms. Maisner's outline of the Review Criteria (Section 86-221) and said he would support the variances. He said residents who want low taxes and maintained parks should volunteer their time and efforts to support the parks.

Member Ohlrogge asked Ms. Maisner how the path would be maintained throughout the year to ensure it is completely safe or closed if it is not safe.

Ms. Maisner commented any accumulation of material on the pathway from flooding would be sandy deposits which could be blown or swept off. She said the pathway would not be maintained in the winter but the park would be open.

MEMBER DESCHAIINE MOVED TO APPROVE THE VARIANCES.

SECONDED BY MEMBER OHLROGGE

Chair Beauchine asked for a friendly amendment to specify the variances.

MEMBER DESCHAIINE ACCEPTED THE FRIENDLY AMENDMENT AND MOVED TO APPROVE THE VARIANCES FROM SECTION 86-471(b)(3) AND SECTION 86-471(b)(1).

SECONDED BY MEMBER OHLROGGE

Member Ohlrogge outlined the review criteria and the reasons why the variances met the criteria as outlined in Section 86-221.

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

NO: None

Motion carries 5-0.

F. OTHER BUSINESS

None

G. PUBLIC REMARKS

Mr. Bruce Little, 5050 Meridian Road, encouraged voters to vote no on the parks millage in August.

Mr. John Veenstra, Piper Road, Haslett, encouraged voters to vote yes on the parks millage in August.

H. BOARD MEMBER COMMENTS

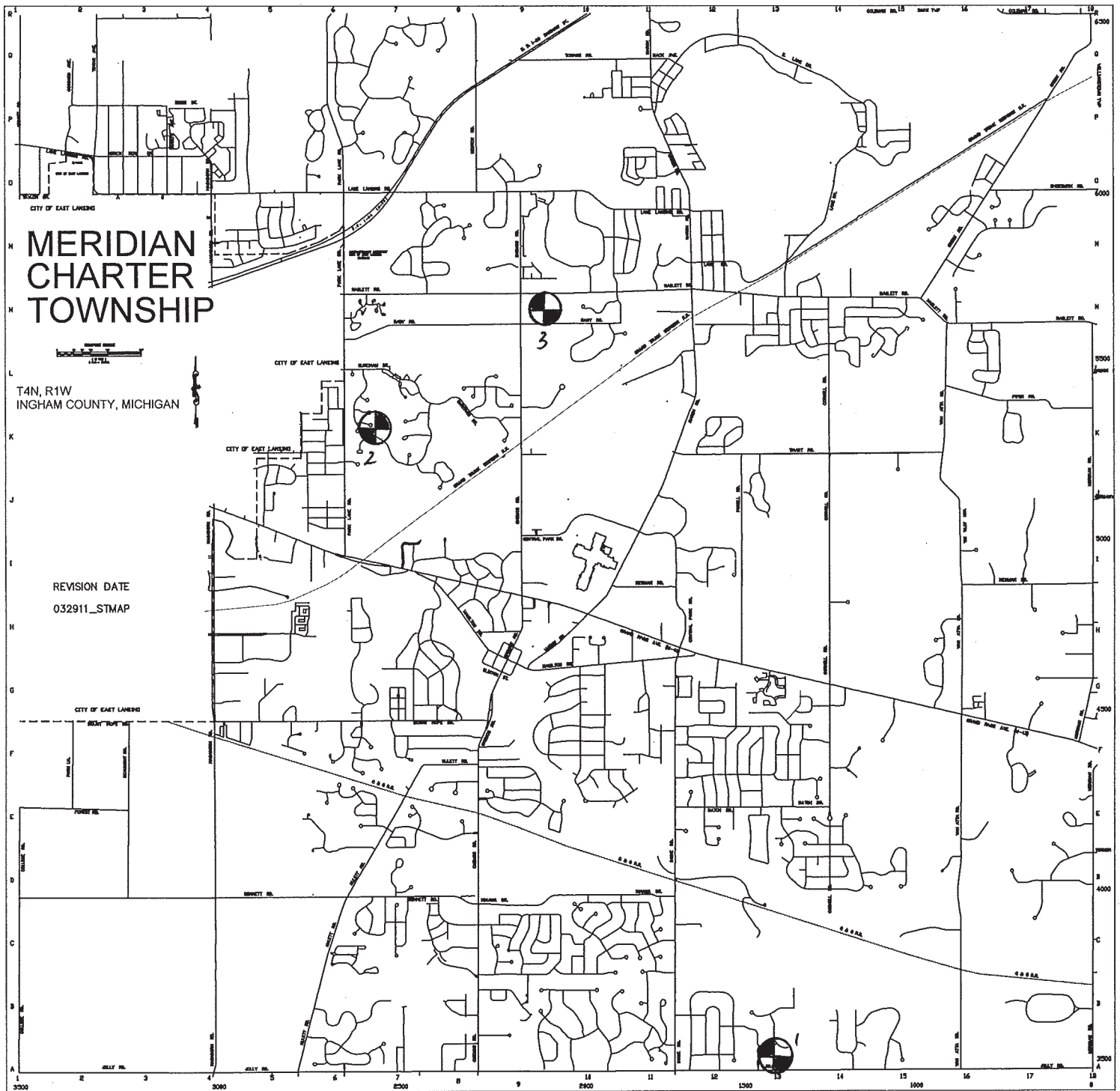
Member Hershiser stated during a recent walk through Wonch Park he was dismayed at how much maintenance was needed.

I. ADJOURNMENT

Chair Beauchine adjourned the meeting at 7:40 p.m.

Respectfully Submitted,

Angela M. Ryan
Recording Secretary



1 – ZBA CASE #14-08-06-1 (SCHEIDEGGER)

2 – ZBA CASE #14-08-06-2 (KIRK)

3 – ZBA CASE #14-05-14-1 (GREEN)

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: July 31, 2014

RE: ZBA Case No. 14-08-06-1

ZBA CASE NO.: 14-08-06-1 CLINTON SCHEIDEGGER, 1436 JOLLY ROAD, OKEMOS, MICHIGAN 48864

DESCRIPTION: 1436 Jolly Road
TAX PARCEL: 35-300-005
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-618(1) which states non-conforming 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 extent of the non-conformity and shall satisfy all other applicable site development regulations.

Clinton Scheidegger is requesting the variance to allow the construction of a 12 x 16 deck (192 square feet) onto the rear of the existing single-family dwelling at 1436 Jolly Road. In 1980, the previous property owner received a variance (ZBA case # 80-07-09-2) which allowed a deck to extend up to 12 feet into the rear yard, leaving a 13 foot setback from the rear (north) property line. Instead, a smaller 8 x 12 deck (96 square feet) was constructed by the property owner at the time. The deck was recently removed by the applicant.

The proposed variance would allow the applicant to add the 192 square foot deck onto the rear (north) of the existing non-conforming single family dwelling. The existing dwelling is non-conforming for the following reasons:

- It is located approximately 80 feet from the center of Jolly Road when a minimum of 100 feet is required by Section 86-368(d)(4)a; and
- It is situated 25 feet from the rear property line when a minimum of 35 feet is required in Section 86-368(d)(4)c.

The proposed deck would encroach a total of 12 feet into the existing 25 foot rear yard.

Site History

- The existing single-family dwelling was constructed in 1967.

ZBA Case No. 14-08-06-1

July 31, 2014

Page 2

- ZBA case #80-07-09-1 allowed the previous property owner to add onto an existing single-family structure by constructing a 12 x 12 deck onto the rear of the dwelling, though a smaller 8 x 12 deck was constructed and since removed.
- The property owner received a variance in 1999 (ZBA case #99-05-12-1) to add onto the nonconforming single-family structure by replacing of a single stall garage with a two-stall garage.
- In 2004, ZBA case #04-06-23-1 was allowed to add onto the west elevation of the existing nonconforming single-family structure, though the applicant had originally requested it be on the north (rear) elevation.

Attachments

1. Site Location Map
2. Application
3. Submittals from the applicant
4. Copy of ZBA Cases #80-07-09-1, #99-05-12-1, and #04-06-23-1

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LOCATION

Jolly Rd

1384

1396

1402

1421

1417

1425

1480

1502

Algoma Dr

W Arbutus Dr

E Arbutus Dr

Otsego Dr

E Hiawatha Dr

Wenonah Dr

Otsego Dr

Wandering Way
Cabaret Trl

Ambassador Dr

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

VARIANCE APPLICATION

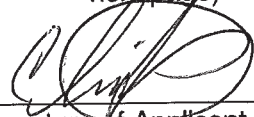
A. Applicant Clinton J Scheidegger
Address of Applicant 1436 Jolly Rd. Okemos 48864
Telephone (Work) 517-372-6910 Telephone (Home) 517-349-3962
Fax _____ Email address: fast562003@yahoo.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location _____
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)

 Clinton J Scheidegger 6-24-14
Signature of Applicant Print Name Date

Fee: \$150 Received by/Date:  6/25/14

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.)

 6-25-14
Signature of Applicant(s) Date

Signature of Applicant(s) Date

Variance Request

Dear Meridian Township

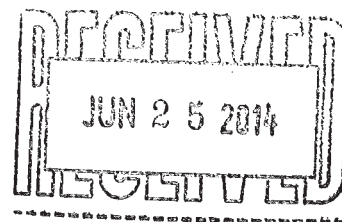
On behalf of my wife and I we are requesting a variance in order to rebuild our well severed deck. Our deck was built before we purchased our home and is believed to have been constructed when the house was built in 1969. It has severed well but, had become old and unsafe.

With the builder challenge by the weather this spring and committed to playing catch up and us excited about a new deck and hoping to have it before summer arrived, we came to the agreement that as the builder was dealing with the paper work and permits I would concentrate on the removal of our tiring deck.

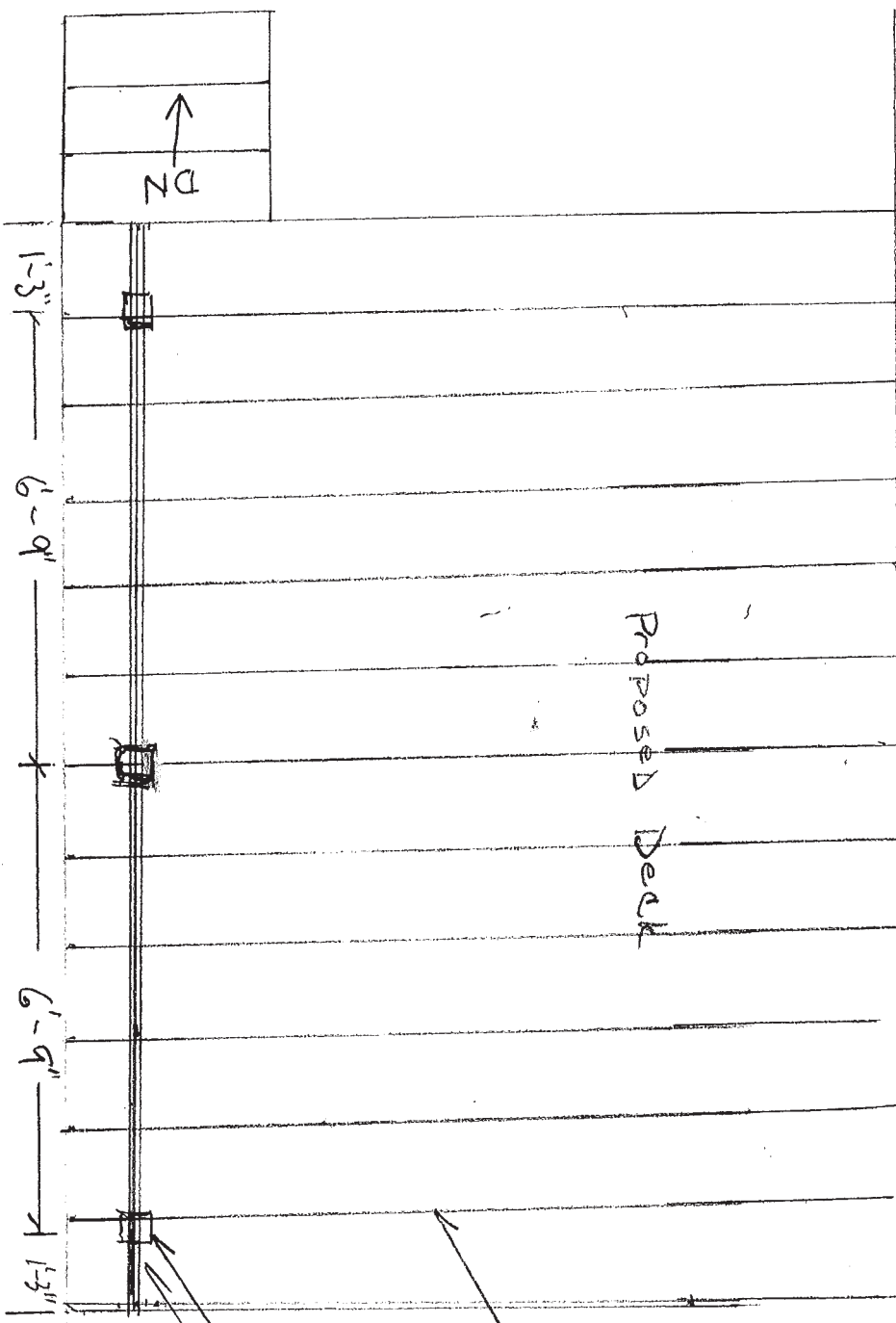
Our old deck was eight feet deep and ten feet wide. At my last variance meeting for our addition we had built ten years ago I was told that our deck was actually smaller than the variance that was granted. Unfortunately, Richard Brown was unable to find any record of this variance.

The size deck that we were visualizing enjoying beautiful Okemos sunsets on would be twelve feet deep by eighteen feet wide. The deck we have arranged to have built by our builder would be ten feet deep by sixteen feet wide.

Hasty decisions and a minor confusion have left us without a deck and with no set-back do to our house set deeper on our odd shaped property has left us with no option but to ask for a variance.



Ice + Water Shield (Existing House Wall)
 Vapor Barrier



Proposed Deck

- * Post Holes 12" Dia. x 42" D w/ 8" Thick Concrete Footing
- * All Lumber is treated
- * 1/2" Lag bolts staggered on Board @ 16" OC

* All Fasteners will be ACQ grade

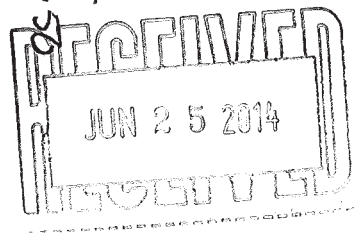
2x10 FJ @ 16" OC, Bearing on Beam and Hangers at End

4x6 Treated Posts

2x10-2ply Beam Bearing on Notched Post

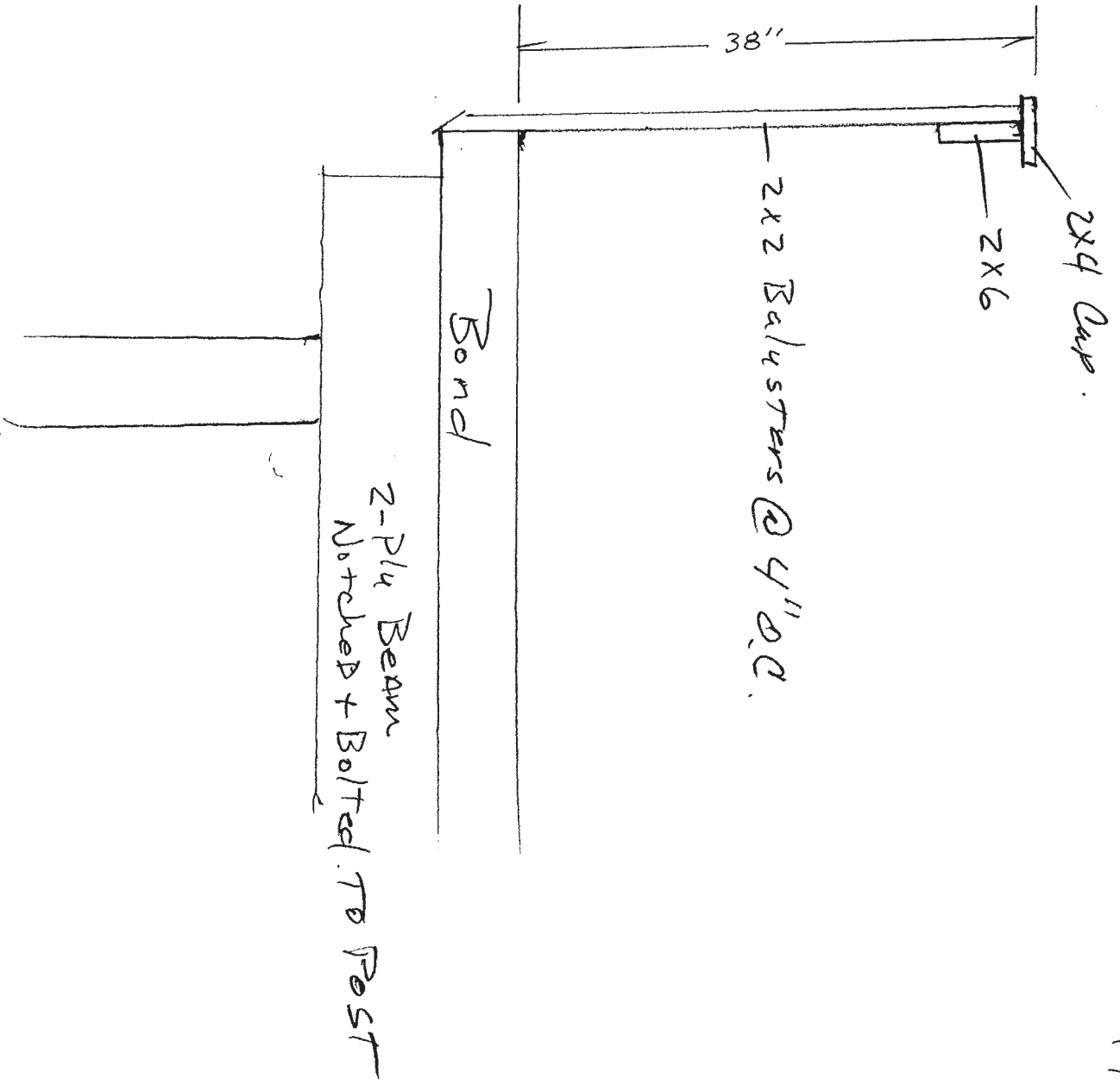
Scale
 3/8" = 1'-0"

Contractor:
 Bryan Miller
 517-281-3950

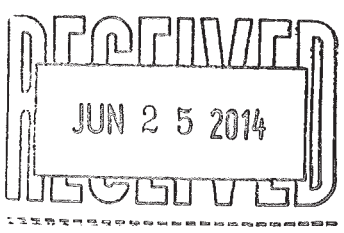


Clinton + Mylinh Scheidegger
 1436 Jolly Rd Okemos
 Rev. 6/26/14

Railing Detail

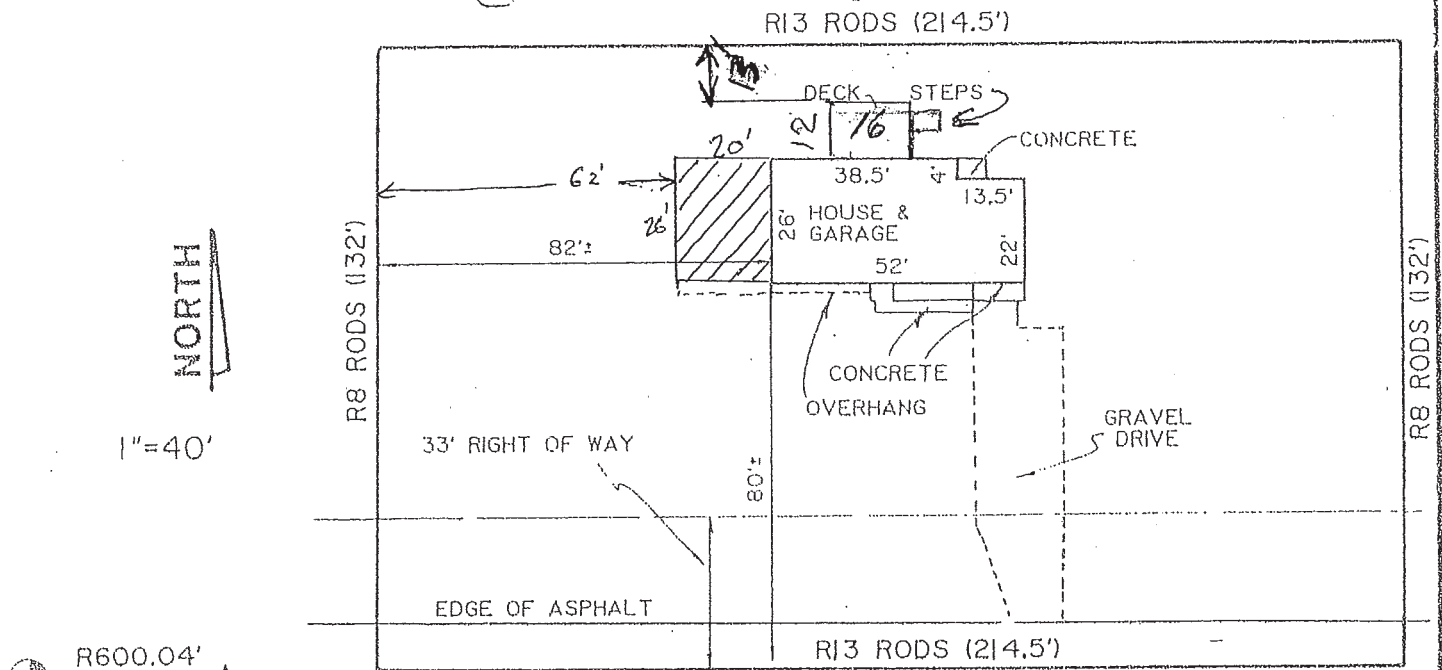


Bryan Miller
Clint Scheidegger
1436 Jolly Rd.



The above described parcel does not lie within the 100 year Flood Boundary as established by the National Flood Insurance Program.

(old Deck is gone)

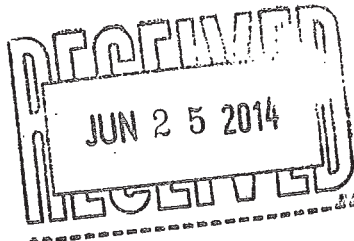


R600.04'
SOUTHWEST CORNER
SECTION 35, T4N, R1W

☉ JOLLY RD.

This report is intended solely for mortgage purposes and no property lines were monumented. No dimensions hereon are to be used to establish property lines or in the building of structures or fences. I hereby certify that we have inspected the above described parcel of land and that all visible encroachments of a permanent nature upon said parcel are as shown on this report. Said parcel and or lot subject to all easements and restrictions of record.

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line



BRYAN LAND SURVEYS, P.C.

6019 Marsh Road

HASLETT, MICHIGAN 48840 Ph. (517) 339-1014

Larry A. Bryan 6-10-88
LARRY A. BRYAN DATE
LICENSED LAND SURVEYOR NO. 25832

DRAWN BY	SL	SECTION 35, T4N, R1W
FIELD WORK BY	DH	JOB NUMBER:
SHEET	OF	88-M-20736

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

June 24, 2004

Clinton J. Scheidegger
1436 Jolly Road
Okemos, MI 48864

**RE: ZBA Case No. 04-06-23-1
 (1436 Jolly Road)**

Dear Mr. Scheidegger:

At its regular meeting on June 23, 2004, the Zoning Board of Appeals voted to approve your variance request from Section 86-618(1) of the Code of Ordinances, which permits an addition to an existing non-conforming single family residential structure. The existing structure is considered non-conforming because it does not comply with the required front and rear yard setback standards. The request was to construct a fifteen (15) foot by twenty-eight (28) foot addition to the rear of the house, or the north side of the house. Approval of the variance permits an addition to the west side of the house, subject to the following conditions:

- The addition shall not encroach closer to Jolly Road than the existing single family structure.
- The addition shall not encroach closer to the rear property line than the existing single family structure.
- The addition shall not extend more than twenty (20) feet on the west side of the house.

Based on these conditions, the addition would be limited in size to twenty (20) feet by twenty-six (26) feet in area.

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

5151 MARSH ROAD, OKEMOS, MICHIGAN 48864-1198 (517) 349-1200 FAX (517) 349-0506

<http://www.twp.meridian.mi.us>

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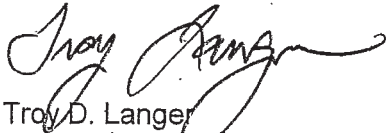
CLINTON J. SCHEIDEGGER (ZBA CASE NO. 04-06-23-1)

June 24, 2004

Page 2

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

Sincerely,

A handwritten signature in black ink, appearing to read "Troy D. Langer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

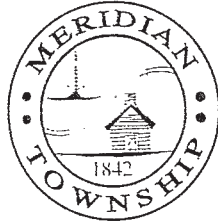
Troy D. Langer
Senior Planner

cc: Building Division

TL\PLANNING\ZBA\ZBA LETTERS\LETTER.1363

CHARTER TOWNSHIP OF MERIDIAN

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



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

May 13, 1999

Clinton J. Scheidegger
1436 Jolly Road
Okemos, MI 48864

**RE: ZBA Case No. 99-05-12-1
 (1436 Jolly Road)**

Dear Mr. Scheidegger:

At its regular meeting on May 12, 1999, the Zoning Board of Appeals voted to approve your variance request from Section 84-6.3(a) of the Code of Ordinances, which allows the construction of an attached garage, measuring approximately twenty-four (24) feet by thirty-four (34) feet, to an existing non-conforming single family house.

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

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

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

Sincerely,

Troy Langer
Assistant Planner

cc: Building Division

TL\PLANNING\ZBA\LETTER.593

MEMBER YOUATT MOVED THAT CASE NO. 80-7-9-1 BE TABLED UNTIL THE AUGUST 13, 1980 MEETING. Supported by Member Mostosky.

Voice vote. Motion unanimous.

CASE NO. 80-7-9-1 TABLED UNTIL AUGUST 13, 1980.

- B. Case No. 80-7-9-2, Robert L. Myers and Sharon F. Myers,
1436 Jolly Road, Okemos, MI 48864
DESCRIPTION OF PROPERTY: 35-12-2, 1436 Jolly Road.
ZONING DISTRICT: RR (Rural Residential)

Applicant is requesting a variance from Section 84-4.4(b) of the Code of Ordinances which stipulates that unenclosed porches roofed or unroofed, may project into a required side yard or rear yard a distance not to exceed eight feet. The required minimum rear yard in an RR district is 35 feet. An unenclosed porch in an RR district may be located no closer than 27 feet from the rear property line. The applicant proposes to construct a deck which is to be located 13.5 feet from the rear (north) property line. A variance of 13.5 feet is requested.

Mr. McBurrows outlined the proposed request and its location.

Mr. Myers, the applicant, was present in the audience to answer any questions.

MEMBER MOSTOSKY MOVED APPROVAL OF THE VARIANCE AS REQUESTED WITH THE STIPULATION THAT THE DECK CANNOT BE CONVERTED IN THE FUTURE AS PART OF THE HOUSE FOR YEAR ROUND USE. Supported by Member Youatt.

Roll call vote.

YES: Chairperson Roach, Members Mostosky, Youatt.

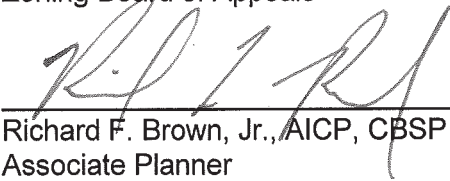
NO: None

- C. CASE NO. 80-7-9-3, Donald A. Weidman, 1224 E. Saginaw,
Apart #4, East Lansing, MI 48823
DESCRIPTION OF PROPERTY: Lot 4 of the O.M. Randall Sub.
ZONING DISTRICT: RA (Single Family - Medium Density)

Applicant is requesting a variance from Section 82-4.4 (e,2) of the Code of Ordinances which stipulates that structures in an RA district located on corner lots shall be placed in accordance with the setback designated in the "Master Plan for Major Streets and Highways". The setback stipulated is 85 feet from the centerline of Perry Road. The applicant proposes to construct a single family residence which will be located 47 feet from the centerline of Perry Road. A variance of 38 feet is requested.

MEMORANDUM

TO: Zoning Board of Appeals

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

DATE: July 31, 2014

RE: ZBA Case No. 14-08-06-2

ZBA CASE NO.: 14-08-06-2 WILLIAM KIRK, 2533 KOALA DRIVE, EAST LANSING, MICHIGAN 48823

DESCRIPTION: 2533 Koala Drive
TAX PARCEL: 17-280-009
ZONING DISTRICT: RA (Single Family-Medium Density)

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

- Section 86-618(1) which states non-conforming 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 extent of the non-conformity and shall satisfy all other applicable site development regulations.

William Kirk, the property owner, is requesting a variance to allow the replacement of existing decks on the rear of 2533 Koala Drive. Two existing decks are connected by an elevated walkway behind the dwelling. The north deck occupies 262.5 square feet (26.5 feet x 10 feet), while the south deck occupies 153 square feet (17 feet x 9 feet). Stairs also lead down from the decks to the yard. The existing decks did not receive building permits from the Township. The proposed northern deck is approximately 11 feet from the rear property line, while the proposed southern deck is located four feet from the property line. The applicant is requesting that they be the same size and in the same location as the existing structures

The variance would allow the applicant to replace these deck features (decks, walkway, and stairs) on the pre-existing, non-conforming single-family dwelling. The existing dwelling is considered non-conforming because its 14.2 foot rear yard setback does not comply with the required 20 foot minimum setback for the approved Bear Lake subdivision plat.

The 1983 final plat for Bear Lake shows an area of 100-year floodplain at the northeast corner of the property, while overlaying the 2010 Flood Insurance Rate Map onto the parcel shows the 100-year floodplain being off-site. Prior to replacement of the decks, spot elevations or a survey will be required to avoid an accidental encroachment into the 100-year floodplain.

Site History

- The final plat for phase one of the Bear Lakes subdivision was approved by the Township Board on July 21, 1983.

ZBA Case No. 14-08-06-2

July 31, 2014

Page 2

- The existing single-family dwelling was constructed in 1984.

Attachments

1. Site Location Map
2. Application
3. Submittals from the applicant
4. Bear Lakes preliminary plat approval letter
5. Copy of building permit

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LOCATION

Kodiak Dr

Koala Dr

W Hidden Lake Dr

E Hidden Lake Dr

Bear Lake Dr

Park Lake Rd

Whistler Dr

Melville Dr

2540

2546

2534

2551

2539

2545

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

VARIANCE APPLICATION

- A. Applicant William Kirk and Rosalind Kirk
Address of Applicant 2533 Koala Drive, East Lansing, MI 48823
Telephone (Work) 517-353-4481 Telephone (Home) 517 455-7307
Fax _____ Email address: kirkw@msu.edu
Interest in property (circle one): Owner Tenant Option Other
- B. Site address/location 2533 Koala Drive East Lansing, MI 48823
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) _____

- | <u>Required Supporting Material</u> | <u>Supporting Material if Applicable</u> |
|--|--|
| -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) ✓ | |

William Kirk William Kirk 6/28/14
Signature of Applicant Print Name Date

Fee: \$150 Received by/Date: [Signature] 6/29/14

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.)

William Kirk 6/29/14
Signature of Applicant(s) Date
[Signature] 6/29/14
Signature of Applicant(s) Date

2533 Koala Drive
East Lansing, MI 48823
26 June 2014

Dear Sir

Re. Variance application for replacing aging deck

The existing deck on the north side of the property located at 2533 Koala Drive, East Lansing, MI 48823 is aging and in need of replacement. We request a variance to allow us to replace the existing deck as shown on survey.

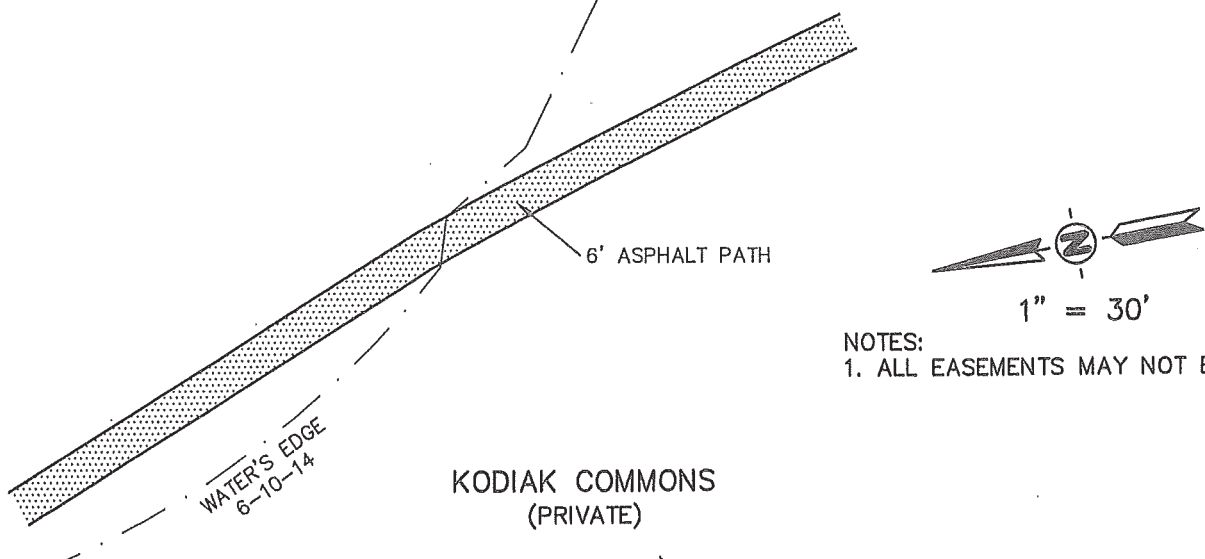
1. The original deck was built in 1984 at the time of construction of the property however from the survey the house was not built exactly as planned and the setbacks are too close to the property boundary.
2. These circumstances were not self-created and existed at the time we purchased the property in 2004. The appraiser or anyone else did not note these circumstances at the time of purchase.
3. Strict interpretation of the literal terms of the Ordinance would result in practical difficulties as the existing deck gives us access from the main living area of the house to the north side of the property. The deck is accessed by three sliding doors on the main level of the property.
4. The removal of the aging deck without replacement would render the property difficult to inhabit and would detract from the aesthetic quality of the area and neighborhood.
5. Granting the variance would keep the property largely unaltered but improved in that the deck would be integral and constructed of new materials in keeping with the aesthetic qualities of the property and neighborhood.
6. Granting the variance will not adversely affect adjacent land. In fact although the association owns the adjacent land I have paid for the upkeep of lawn on the adjacent land, flower borders and hedges for the past 10 years.
7. The conditions pertaining to the replacement of the deck do not 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.

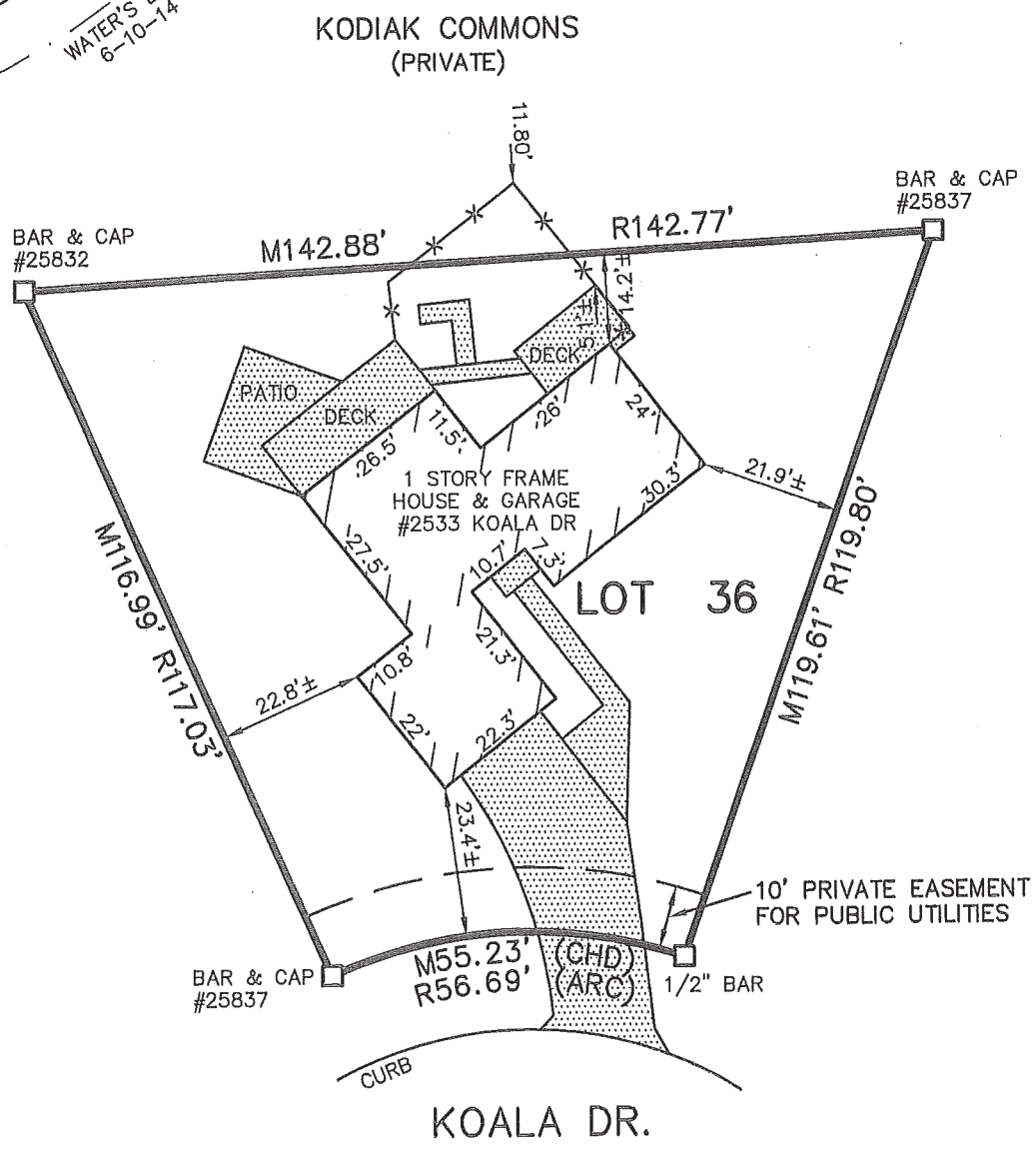


William Kirk and Rosalind Kirk

of the East 1/2 of Section 17, 14N, 11W, Meridian Township, Ingham County, Michigan, as recorded in Liber 38 of Plats, Page 31, Ingham County Records.




NOTES:
1. ALL EASEMENTS MAY NOT BE SHOWN



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

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- ⊙ = Set 1/2" Bar with Cap
- = Found iron as Noted



KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

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

13432 PRESTON DRIVE, MARSHALL, MI 49068

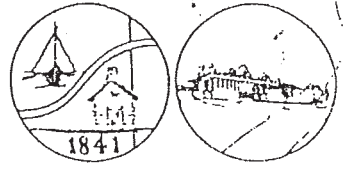
80

Bear Lake Sub

CHARLETTOWN TOWNSHIP OF MERIDIAN

TOWNSHIP BOARD

FRANK L. WEBSTER	SUPERVISOR
AL WHITE	CLERK
ST. MINTER	TREASURER
BRUCE KELLEY	TRUSTEE
THOMAS KLUNZINGER	TRUSTEE
WILLIAM S. YODAT	TRUSTEE
DEBRA J. STOSKY	TRUSTEE



PHILIP N. CONTI SUPERINTENDENT

March 8, 1983

Mr. Scott Fairmont
 Dunn & Fairmont
 1705 Coolidge Road
 East Lansing, MI 48823

RE: Preliminary Plat #83012

Dear Mr. Fairmont:

At their regular meeting held on February 21, 1983, the Planning Commission voted to APPROVE your request for the preliminary plat of Wildwood Lakes - Bear Lake Subdivision. Also at their regular meeting held on March 1, 1983 the Township Board voted to approve the preliminary plat. Approval was granted with the following stipulations:

1. Approval is granted for the subdivision plan drawn by Snell Environmental Group dated 1/20/83.
2. Applicant will change the names of all the streets within the plat. The new street names shall be subject to the approval of Tri-County Regional Planning and the Township Fire Marshall.
3. The concrete bicycle-pedestrian pathways proposed to be located within the right-of-way of Van Dyke Drive; shall be extended eastwardly into the plat and shall be constructed between lots 56 and 57 of the subdivision. This location is also the proposed location of the storm sewer and water main utility corridor. The pathway proposed to be located along the western side of the plat north of Lake Crest Circle shall be relocated between the southern boundary of Lake Crest Circle and the northern boundary of Woodhue Circle. This pathway shall also be constructed of concrete. An easement shall be granted to the Township for that portion of the bike path located within the confines of the plat for purposes of maintenance. The final design, location and construction timing of all bicycle-pedestrian pathways associated with the plat shall be subject to the approval of the Township Engineer.

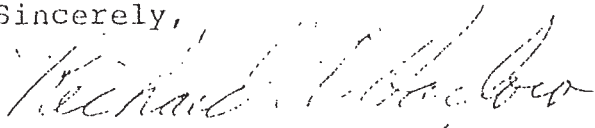
ott Fairmont
March 8, 1983
Page two

4. Lots 2, 23, 57 and 66 shall be widened at the rear of the lot to a minimum of 30 feet in width.
5. The following minimum building setbacks shall be utilized in the development of Wildwood Lakes - Bear Lake Subdivision.
 - a. A 15-foot front yard setback from the front lines. Such a setback will allow for sufficient off-street parking between the curb and the fronts of garages.
 - b. A 20-foot side yard separation between buildings. Such a setback would be consistent with the requirements set forth in the RA zoning district regulations and would allow the developer the flexibility to utilize the zero lot line concept of development where appropriate.
 - c. A 20-foot rear yard setback from rear lot line. Such a setback would be consistent with the minimum setback permitted for smaller size lots as set forth in the Code of Ordinances.
6. Prior to final plat approval all necessary permits shall be acquired from the State Department of Natural Resources for floodplain work for each phase of the plat.
7. All footing tiles shall be connected to the internal storm drain system, except where other methods of discharge are approved by the Township Engineer.

Preliminary plat approval is valid for a period of two years from the date of approval. Please also note that the final P.U.D. process, as well as the final plat process, are required to be completed because the plat is part of the Wildwood Lake P.U.D.

If you have any questions regarding the plat, please let me know.

Sincerely,


Richard A. Harlow
Director, Planning Division

RAH:sj

BUILDING PERMIT

June 18, 1984

MERIDIAN CHARTER TOWNSHIP
BUILDING DEPARTMENT

CERTIFICATE OF OCCUPANCY

PERMIT NO. 14809

DATE November 9, 1984

This is to certify that the following building or structure erected on Lot No. 36

Subdivision Bear Lake

Street No. 2533 Koala Dr., East Lansing, MI 48823

Occ. Group R-3

Zoning RA

has been inspected and the following occupancy thereof is hereby authorized.

Single family dwelling

State Inspections

Fairmont Builders, Inc.
1501 N. Shore Dr.
East Lansing, MI 48823

Electrical 11/8/84
Plumbing 11/9/84
Mechanical 11/6/84

This certificate shall be readily available for inspection upon request of the Building Department, Fire Department, Health Department, or any other Government Agency.

MERIDIAN CHARTER TOWNSHIP

[Signature]
Zoning & Building Department

The Issuance of This Occupancy Permit Shall Not Be Construed To Be A Permit For, or An Approval of, Any Violation of The Meridian Charter Township Zoning, Building, Fire, and Health Ordinance.

NOTE: Permit is void unless signed by authorized agent

48823
48823
Single Dwelling
1
DSD

Director of Development Control

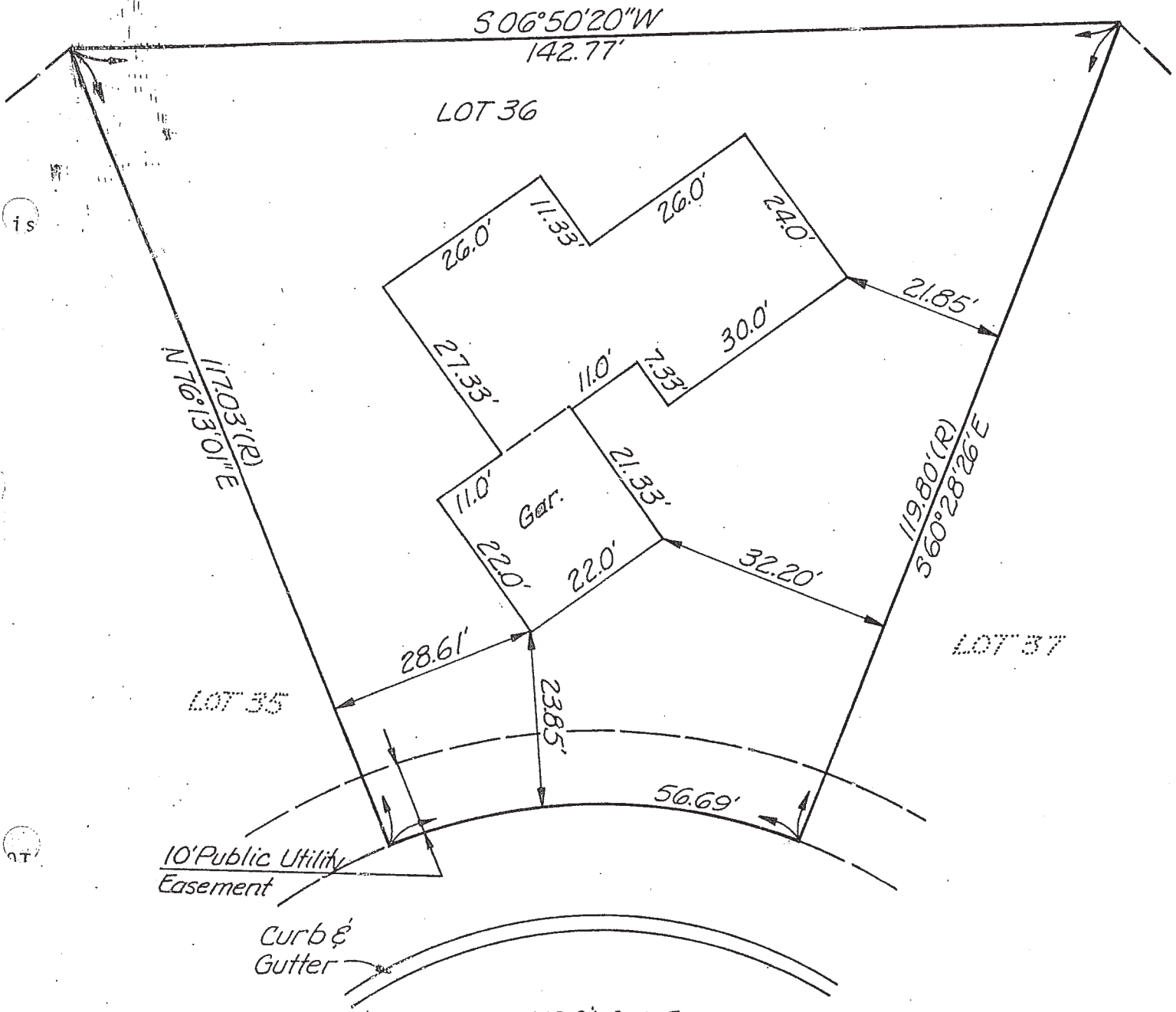
is permit. The holder shall
ing states of construction:

before concrete is placed.
or proofing, drain tile, and
before back filling.

It.
AYS following receipt of

e requirements at any stage,
y authorized to cancel the
ancellation to be securely
shall be considered as service
ancellation thereof.

itted upon such construction
been issued.
proval of the Building Official.
ut proper authority from



KOALA DR.
Cul-de-Sac
75'R R.O.W.

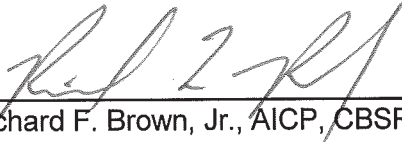
CLIENT: WILDWOOD LAKES DEV.



1120 May Street
Lansing, Michigan 48906
(517) 374-6800

MEMORANDUM

TO: Zoning Board of Appeals

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

DATE: July 31, 2014

RE: Consideration of changes to the approved plan for ZBA case #14-05-14-1

ZBA CASE NO.: 14-05-14-1 HOWARD GREEN, 6622 WHITE CLOVER DRIVE, EAST LANSING, MI 48823

DESCRIPTION: 2077 Haslett Road

TAX PARCEL: 09-427-006

ZONING DISTRICT: RR (Rural Residential)

On May 14, 2014, the Zoning Board of appeals approved two variances for Howard Green:

- 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 110 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.
- A variance from Section 86-654(f)(1)(a), would allow the proposed building 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 20 feet from the east property line.

The approval for ZBA case #14-05-14-1 was based on a site plan prepared by KEBS, Inc., dated April 21, 2014 which showed a 420 square foot deck situated at the southwest corner of the proposed building addition and fully compliant with all required setbacks. Since the variance decision in May, the applicant has submitted a revised site plan as part of Site Plan Review #14-89-14.

The revised site plan, dated July 14, 2014, shows a new location the deck at the southwest corner of the existing building. The approximate 477 square foot deck is also connected to the proposed addition and replaces an existing 240 square foot covered porch. The new deck location does not comply with the 50 foot setback from the east property line.

The applicant has provided a written rationale for the change. The case is being brought back to the Zoning Board of Appeals for consideration whether there is a consensus among the members that the applicant's proposed change in the deck location is consistent with its approval of ZBA case #14-05-14-1. If not, the case will need to be brought back to the Zoning Board of appeals for a hearing.

ZBA Case No. 14-05-14-1
July 31, 2014
Page 2

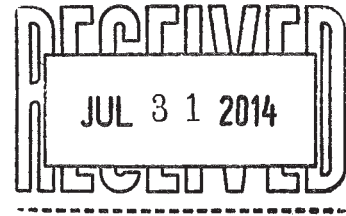
Attachments

1. Correspondence from the applicant
2. Staff report for ZBA case #14-05-14-1
3. Site plan approval letter
4. Original site plan reviewed by the ZBA
5. Current site plan as approved by staff

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Rick Brown

From: bgreen6622@aol.com
Sent: Wednesday, July 30, 2014 9:56 PM
To: Rick Brown
Subject: 2077 Haslett Road



To: Meridian Township ZBA

From: Brenda & Howard Green
New Life Assisted Living Center

The current set of plans submitted to the ZBA has a deck off the back of the new addition. We have revised the plans to have the deck moved up to the west side of the building off the dining room, where there is currently a covered porch.

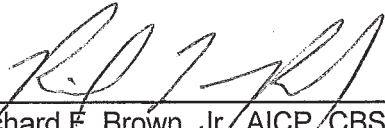
The deck is easily accessible to our elderly residents if it is closer to the main common living areas of the building. The current plans have the deck too far away from this area. There is more of a safety risk when the residents are out of view of the staff. The staff would not be able to keep a close eye on our residents from the front of the building if the deck was in the rear of the building. From the new location, the staff can view the residents going in and out of the door in the dining room. There are also windows in the dining room and the office so that the staff and management can view what the residents are doing while they enjoy the outdoor area.

Thank you for allowing us to do this project. Now help us make it more functional.

*Brenda Green
New Life Assisted Living Center #1
607 Turner Street, DeWitt, MI 48820
Phone (517) 277-0544 Fax: (517) 277-0545
New Life Assisted Living Center #2
5905 Edson Street, Haslett, MI 48840
Phone: (517) 339-3677 Fax: (517) 339-3679
New Life Assisted Living Center #3 coming this fall.
www.newlifeassistedlivingcenter.com*

MEMORANDUM

TO: Zoning Board of Appeals

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

DATE: May 9, 2014

RE: ZBA Case No. 14-05-14-1

ZBA CASE NO.: 14-05-14-1 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 86-618(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.

Howard Green is proposing a 3,300 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 420 square foot deck, and associated landscaping are proposed as part of the project.

The applicant came before the Zoning Board of Appeals on April 9, 2014 requesting six variances. The six variances were denied 3-2. Prior to moving forward on this new case, the Zoning Board of Appeals must determine whether the changes made by the applicant constitute either "changed circumstances" or "newly discovered evidence." Otherwise, the applicant must wait one year from the date of the denial before re-submitting a variance request.

- Changed circumstances is defined within Section 86-2 as: *a material alteration of facts relevant to a rezoning and/or variance request occurring since the date of the township's denial of that request.*
- New discovered evidence is defined as: *the relevant facts, data, or other proof supporting a request for rezoning and/or variance that was not known, and through the exercise of reasonable diligence could not have been known, by the applicant prior to*

the date of the township's denial of that request.

The revised request is for two variances, as the variances for the parking lot setback, the number of street trees, the four-foot building perimeter landscaping, and the deck setback have been eliminated. Five of the off-street parking spaces were moved to the front of the site along Haslett Road. Two of the living units were moved into the existing structure, thereby reducing the length of the addition by approximately ten feet. Furthermore, the addition has been adjusted to be 20 feet from the east property line instead of 19.5 feet and the deck has been reduced from 600 square feet to 420 square feet in size.

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 110 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 second variance, from Section 86-654(f)(1)(a), would allow the proposed building 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 20 feet from the east property line.

Site History

- The original single-family dwelling was constructed in 1953.
- The subject site is zoned RR (Rural Residential), which requires 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 Case #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 Case #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

ZBA Case No. 14-05-14-1

May 9, 2014

Page 3

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 Zoning Board of Appeals voted 3-2 to deny Mr. Green's original request for six variances (ZBA Case #14-04-09-1) on April 9, 2014.

Attachments

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

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RR

RAAA/PRD

RAAA

PO

RX

PO

RAA

RAA

RR

RA

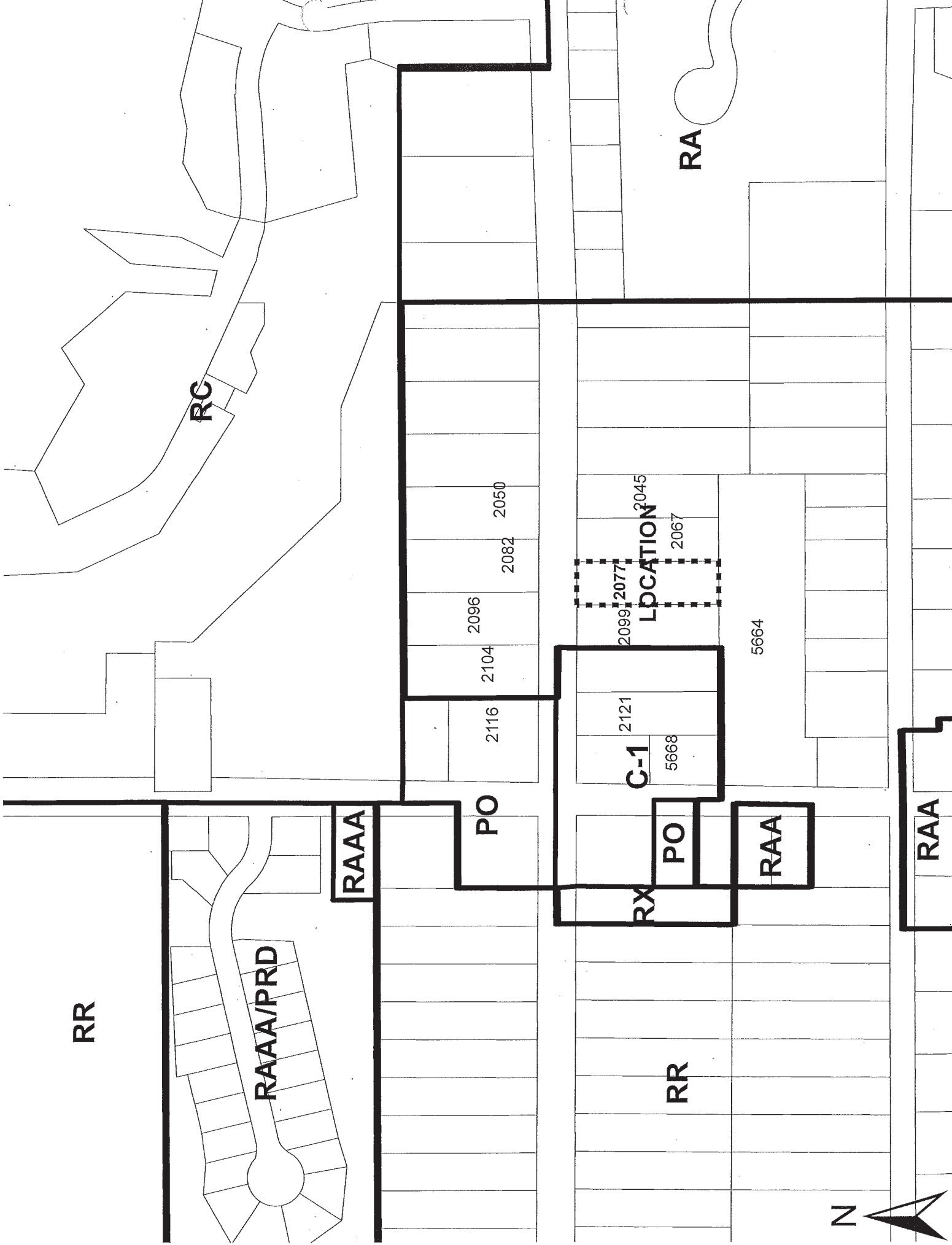
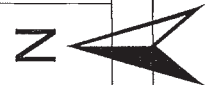
RC

2096
2082
2050

2099 2077
LOCATION 2045
2067

C-1
2121
5668

5664



Memorandum

To: Rick Brown
CC:
From: Greg Petru
Date: 4/21/2014
Re: 2077 Haslett Road – Variance Re-submittal

Mr. Brown,

The owner has re-evaluated the proposed site plan and has made substantial changes to the site plan in hopes of having his variance heard again. The following items have been revised on the plan, eliminating 4 of the 6 variances.

1. The building was reduced in size to 3,300 sf and a corridor was added to provide access to a deck on the West side of the building. The deck was also reduced in size and moved within the setback so that the variance for the deck was eliminated.
2. One of the existing ramps/stairs was removed on the West side of the building. By removing this, we were able to provide parking, drives and a 4' landscaped area within the parking setbacks.
3. The parking has been altered at the far North end of the property to help provide 3 new spaces near the front entrance. In addition, this helped reduce overall pavement coverage by reducing the amount of pavement needed at the South end.
4. The 2 street trees have been added to the property frontage and the entrance was widened to 25', to help eliminate the need for these additional variances.
5. Pictures have been included to show the interior of the house. After a walk through, it has been determined that the majority of the doors and aisle widths are too narrow and do not meet code. As the building currently sits, it is not usable for the special use that was granted.

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) 339-0051 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)

- 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

Signature of Applicant [Signature] Print Name HOWARD K. GREEN Date 4/21/14

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 of Applicant(s) [Signature] Date 4/21/14

Signature of Applicant(s) _____ Date _____

New Life Assisted Living Center

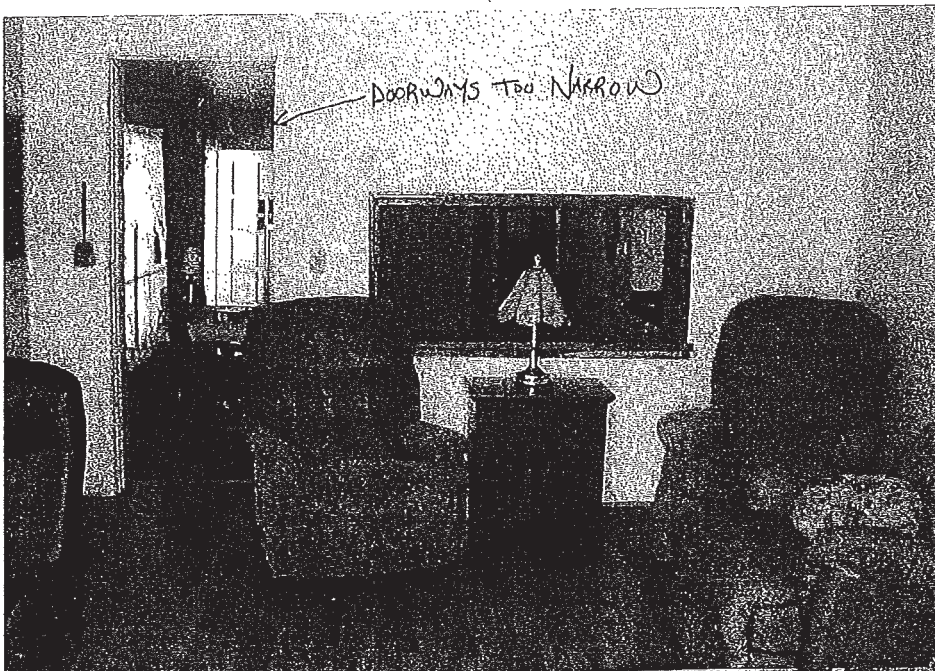
Answers to supplemental questions on Zoning Board of Appeals Application

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 up to 12 residents. The recently approved special use permit allows the property to license 20 residents. This is a unique circumstance because the special use of the property exists between two properties that are also zoned RR. Typically in a RR zoned property there is a wider lot that would allow construction within the (2) 50' setbacks, but this lot is unique in that it is much longer than wider. This creates a unique situation in which the existing building and any addition could not be practically constructed and used.
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. In order to use the existing building for the special use, the majority of the building would have to be gutted and fully re-designed. Several of the existing doors and hallways no longer meet code requirements for this type of facility (doors and travel aisles are not wide enough). Ultimately, this ex. facility may only be able to practically service 4-5 individuals after it is brought up to code.
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. After reviewing the site again, some existing decks were removed and we were able to eliminate 3 additional variances. 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 an improved parking area.
6. Granting the variances 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 (He has agreed to provide

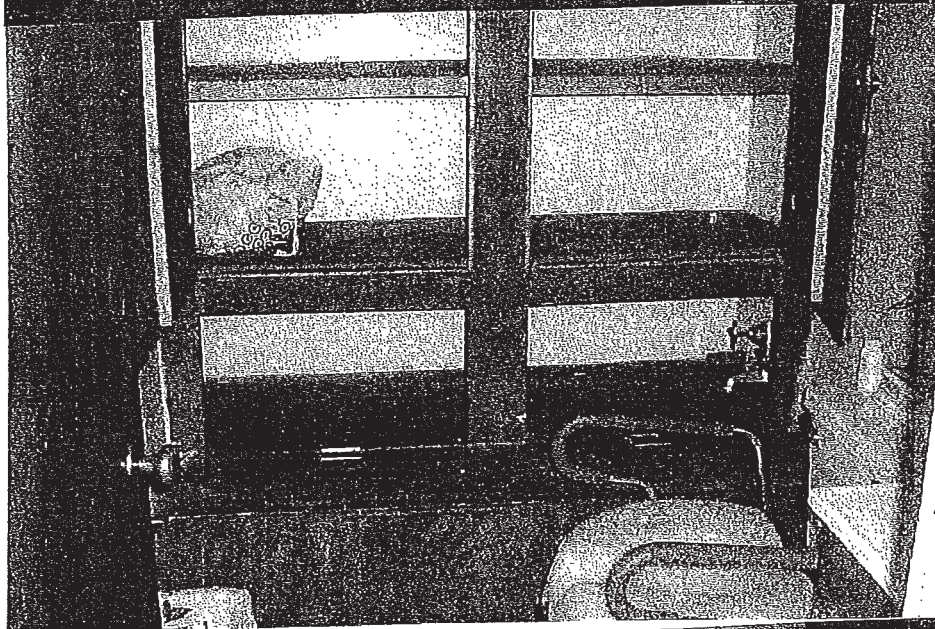
additional privacy fence for the owner to the West). The updated and improved facility and site layout will not affect the essential character of the area, if anything, it will improve a property that has a residence that is deteriorating quickly.

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.

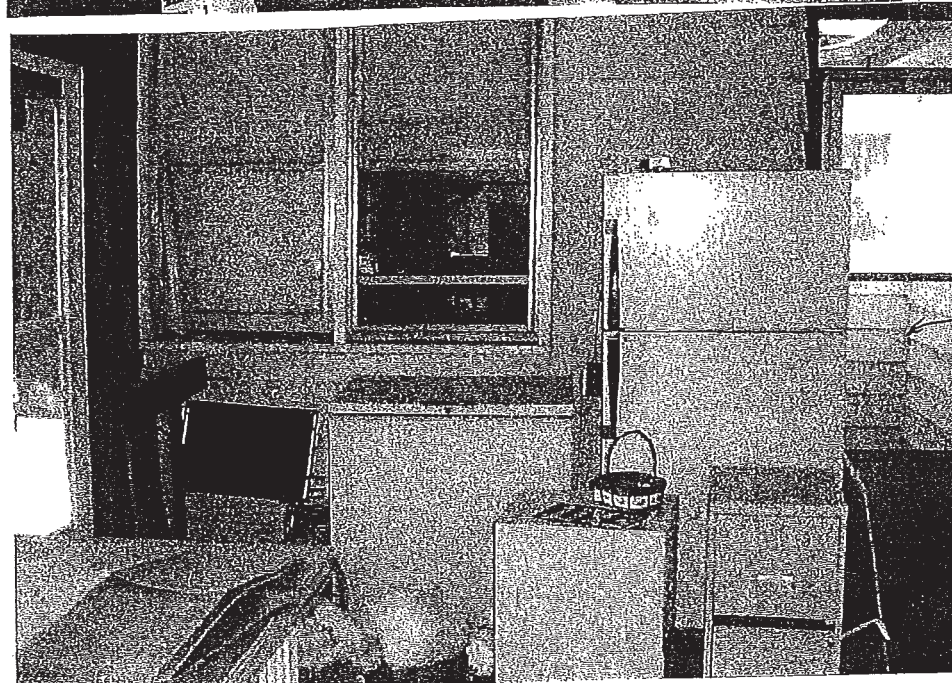
Prepared by: Greg Petru, P.E.
Kebs, Inc.
2116 Haslett Road
Haslett, Michigan 48840



DOORWAYS TOO NARROW



EX.
BATHROOM



STOVE OUTSIDE
IN REAR

CHARTER TOWNSHIP OF MERIDIAN

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



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

July 29, 2014

Howard Green
6622 White Clover Drive
East Lansing, MI 48823

**RE: Site Plan Review #14-89-14 (Howard Green)
 2077 Haslett Road**

Dear Mr. Green:

Staff has reviewed the submitted site plans for proposed expansion of the existing adult foster care facility located at 2077 Haslett Road. The proposed project is a request to expand an adult foster care facility from 12 to 20 residents and to construct an approximate 3,300 square foot addition to the existing building (existing building is 2,783 square feet) for a total gross floor area of approximately 6,083 square feet. Site plan review approval is hereby granted subject to the following conditions:

1. Approval is granted in accordance with the site plans prepared by KEBS, Inc. dated July 14, 2014, subject to the following conditions:
 - a. The proposed deck on the west side of the building (between the existing building and the proposed addition) is approved subject to the approval of the Zoning Board of Appeals.
 - b. A specification sheet or scaled drawings for the proposed temporary (seasonal) gazebo shall be submitted with the building permit. The gazebo shall not be permanently attached to the deck without prior approval from the Director of Community Planning and Development.
2. Approval is granted in accordance with the landscape plan prepared by KEBS, Inc. dated July 14, 2014, subject to the following condition:
 - a. Protective fencing shall be installed around Trees #4, #9, and #11 in areas where grading will occur for the construction of the 7-foot pedestrian/bicycle pathway along the frontage of the subject site (Haslett Road).



3. Approval is granted in accordance with the floor plans and building elevations prepared by Roger L. Donaldson, AIA, PLC, dated July 22, 2014, subject to the following condition:
 - a. Revisions may be required depending on the determination by the Zoning Board of Appeals regarding the proposed deck on the west side of the building.
4. Approval is granted in accordance with the photometric plan prepared by EAI, LLC, dated June 23, 2014.
5. Approval is granted for the proposed LED wall mounted light fixture (Cooper Lighting, Model #XTOR3A, 2,649 lumens) and LED parking lot light (Cooper Lighting, Model #RV SL2, 3,706 lumens).
6. Approval is granted in accordance with all applicable conditions of Special Use Permit #14011 and variances granted by the Zoning Board of Appeals under ZBA Case #14-05-14-1.
7. Approval is granted in accordance with the waiver granted by the Director of Community Planning and Development on July 29, 2014, which waived the requirement to install curb and gutter for the proposed parking area and drive aisles.
8. The applicant shall obtain all necessary approvals, licenses, or permits to operate an adult foster care facility up to 20 persons from the State of Michigan.
9. Debris found on the subject site, and debris resulting from clearing, grading, or construction activities related to the proposed project shall be removed from the site and shall be properly disposed.
10. All new utility service distribution lines shall be underground.
11. The applicant shall secure all necessary approvals from the Township Fire Department.
12. Utility plans and soil erosion and sedimentation control plans are subject to the approval of the Director of Public Works and Engineering.
13. Site plan approval does not include approval of any wall, free-standing, or other site signs. Separate approvals and permits are required for any sign.
14. Prior to the issuance of any permit for construction activity permits, including grading permits, wellheads) located on the site shall be properly closed and abandoned pursuant to the requirements of the Ingham County Health Department.
15. Prior to the issuance of any grading permit or building permit for the proposed project, the applicant shall submit the following items to the Department of Community Planning and Development:
 - a. Copies of all necessary and applicable permits, licenses, and approvals from the Ingham County Road Department, Ingham County Drain Commissioner's office, Ingham County Health Department, and the Township.

16. Prior to construction, the applicant shall schedule a meeting with the necessary agencies to establish a construction program.
17. Prior to the commencement of any grading, construction or land clearing activities, protective fencing shall be installed around all vegetation to be preserved to at least the drip line. The property owner shall schedule an on-site meeting with the Township staff to verify the protective fencing. Any and all plant material that dies from moving, relocation or as a result of construction activities shall be replaced with a similar type and size of plant species, subject to the approval of the Director of Community Planning and Development.
18. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit all applicable licenses and permits from the State of Michigan for the operation of the adult foster care facility.
19. All guy wires installed on deciduous or coniferous trees shall be removed by the property owner one (1) year after installation of the trees.
20. Once the proposed landscaping is installed per the approved plans, it is the on-going responsibility of the property owner to properly maintain the landscaped areas and plant material. All dead, diseased or, missing vegetation shall be replaced within 30 days or as soon as weather allows.
21. Upon completion of the landscape installation, as-built landscape plans, that exist in a computer format, shall be submitted to the Director of Community Planning and Development for review and approval.
22. Upon completion of the installation of the outdoor light fixtures and prior to the issuance of a certificate of occupancy, a registered engineer or architect shall verify in writing to the Director of Community Planning and Development the outdoor lighting was installed in accordance with Section 38-371 (Outdoor Lighting).
23. The approved site, landscape, and photometric plans and the building elevations shall be the official plans for the construction of the proposed adult foster care facility. It is the responsibility of the owner to provide a set of approved plans to the appropriate construction companies for said project. Copies of the signed and approved plans are enclosed for your files. Revisions, if necessary, to the approved site, landscape, or photometric plans, or the building elevations shall be subject to the approval of the Director of Community Planning and Development.

Decisions by staff, regarding the site plan review approval, may be appealed to the Zoning Board of Appeals. Such an appeal would have to be made within ten (10) days of the date of staff action and must be in accordance with Section 86-186 of the Township Code of Ordinances. Consequently, your site plan review approval will not become valid until August 7, 2014. A building permit must be approved within 24 months of the effective date of the site plan, otherwise the site plan approval shall be void.

Howard Green
July 29, 2014
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If you have any questions, please contact me at 517-853-4580.

Sincerely,



Martha K. Wyatt
Associate Planner/Landscape Architect

Approved:



Mark Kieselbach
Director of Community Planning and Development

Enclosures

cc: Carl McDaniel
John Heckaman
Ray Severy
Fred Cowper

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