



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
October 10, 2018 6:30 pm

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1. CALL MEETING TO ORDER\*
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
  - A. Wednesday, August 8, 2018
4. COMMUNICATIONS
5. UNFINISHED BUSINESS
6. NEW BUSINESS

**A. ZBA CASE NO. 18-10-10-1 (6025 Partners LLC), 1120 Keystone Avenue, Lansing, MI, 48911**

DESCRIPTION: 6025 North Hagadorn Road  
TAX PARCEL: 06-477-020  
ZONING DISTRICT: C-2 (Commercial)

Request to construct a 1,848 square foot addition to a nonconforming building at 6025 North Hagadorn Road.

**B. ZBA CASE NO. 18-10-10-2 (Don & Pat Buckley), 3914 Calypso Road, Holt, MI, 48842**

DESCRIPTION: 5998 Martinus Road & Vacant Lot (Tax I.D. #10-25-002)  
TAX PARCEL: 10-205-001 & 10-205-002  
ZONING DISTRICT: C-1 (Commercial)

Request to create a 7,883 square foot lot that does not meet the required minimum of 8,000 square feet for lot area at 5998 Martinus Road & Vacant Lot (Tax I.D. #10-25-002).

7. OTHER BUSINESS
  - A. 2019 Meeting Schedule
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT
11. POSTSCRIPT – Rico Rios

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Variance requests may be subject to change or alteration upon review of request during preparation of the staff memorandum. Therefore, Sections of the Code of Ordinances are subject to change. Changes will be noted during public hearing meeting.

Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting: Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required.  
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES \*\*\*DRAFT\*\*\*  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, August 8, 2018 6:30 PM  
TOWN HALL ROOM**

PRESENT: Members Ohlrogge, Lane, Jackson, Rios, Chair Beauchine  
ABSENT:  
STAFF: Assistant Planner Keith Chapman, Community Planning and Development  
Director Mark Kieselbach

**1. CALL MEETING TO ORDER**

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

**2. APPROVAL OF AGENDA**

MEMBER OHLROGGE MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

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

Wednesday, June 6, 2018

MEMBER LANE MOVED TO APPROVE THE MINUTES OF WEDNESDAY JUNE 6, 2018 AS WRITTEN.

SECONDED BY MEMBER OHLROGGE.

VOICE VOTE: Motion carried unanimously.

Wednesday, June 13, 2018

MEMBER JACKSON MOVED TO APPROVE THE MINUTES OF WEDNESDAY JUNE 13, 2018 AS WRITTEN

SECONDED BY MEMBER OHLROGGE

VOICE VOTE: Motion carried unanimously.

**4. COMMUNICATIONS**

None.

**5. UNFINISHED BUSINESS**

None.

**6. NEW BUSINESS****A. ZBA CASE NO. 18-08-08-1 (SAROKI ARCHITECTURE), 430 N. OLD WOODWARD, BIRMINGHAM, MI 48009**

DESCRIPTION: 5110 Times Square Drive  
TAX PARCEL: 15-400-025  
ZONING DISTRICT: CS (Community Service)

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

Section 86-687 (3)(a), One wall sign shall be permitted and may be located flat against the building's front façade or parallel to the front façade on a canopy. For businesses with frontage on more than on public street, two signs may be permitted. In no case shall more than one wall sign be located on a façade and no wall sign shall be located on a rear façade.

The applicant is requesting to add a 20.65 square foot wall sign to the front façade.

Assistant Planner Chapman outlined the case for discussion.

Chair Beauchine asked the applicant or the applicant's representative if they would like to add anything.

Mr. Dennis Veneziano, the applicant's representative, 430 N. Old Woodward, Birmingham, MI 48009, stated he did not have anything to add.

Chair Beauchine opened the floor for public comment and seeing none closed public comment.

Chair Beauchine stated he had been on the Zoning Board of Appeals (ZBA) in 2000 when the initial request for six signs was granted. The square footage of the signs were lower than what would have been permitted. He was also a member in 2014 when Walmart requested a variance for additional signage.

Member Ohlrogge commented, granting the variance in 2014 was due to the fact the signs were considered directional, or informational signs.

Member Ohlrogge asked the applicant where the business would be located in the building.

Mr. Veneziano stated the business, Michigan First Credit Union, would be near the main entrance to the building and access to the credit union would be through Walmart's main entrance.

Member Ohlrogge read review criteria one (SECTION 86-221 of the Code of Ordinances), which states 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.

Member Ohlrogge mentioned the existence of another store in the Township that had multiple businesses within the building. She asked the applicant to explain how their situation was different than other stores.

Mr. Veneziano stated that Walmart authorizes exterior signage for businesses located within the building, which is common with other businesses. He indicated people need to be aware the credit union was within the building.

Member Ohlrogge commented the request in particular didn't meet review criteria one.

Chair Beauchine asked if the credit union would advertise their location on a search database such as Google Maps.

Mr. Veneziano responded the credit union would be advertised at the same address as Walmart, but would not be identified as within the Walmart store.

Chair Beauchine questioned if people would be able to find the credit union without the assistance of an exterior sign.

Member Jackson responded the public could assume the credit union was located within the Walmart if they knew the address.

Mr. Veneziano commented the sign would help direct customers to the correct location.

Member Rios stated the sign would not only help direct the public to the Credit Union, but could also aid first responders.

Member Lane asked Assistant Planner Chapman, given the credit union is located within another business, were there any other options for signage.

Assistant Planner Chapman answered a sign could be added to the existing Walmart monument signs, if space was available.

Member Jackson asked staff to clarify the total amount of signage currently on the building.

Assistant Planner Chapman responded the existing signage is 235.77 square feet.

Member Rios added the proposed sign is only an additional 20 square feet, which is lower than the 500 square feet allowed based on the size of the building.

Member Ohlrogge read review criteria seven, which states 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. She stated if Walmart was allowed to have exterior

signage for businesses within the building, then the zoning ordinance should allow all stores to do the same.

Member Rios commented the ZBA could not use this specific case against other business in the Township, the ZBA can only consider the variance request in front of them.

Member Jackson stated this was not a unique situation.

Member Lane commented the reason other businesses haven't requested signage could be those other businesses don't allow it. The fact Walmart did allow signage created a unique situation, and thus met review criteria one.

Member Jackson did not agree Walmart's practice should be used to influence what the Township allows.

Chair Beauchine referenced review criteria seven, stating the lack of large buildings in the Township makes it not so general or recurrent in nature, and thus the request meets review criteria seven.

Chair Beauchine commented a directional sign would be acceptable. He asked the applicant if the sign would be in the approximate location of the credit union.

Mr. Veneziano responded it was in the approximate location and the request was similar to other variances granted for directional signs at this location.

Chair Beauchine stated the sign was located too far from the entrance to be considered directional.

Member Jackson asked if the ZBA would want to allow each business to have a sign on the façade?

Member Ohlrogge stated granting the variance would set a precedent to allow signage for all interior businesses at this location.

Member Jackson read review criteria four; which states the alleged practical difficulties which will result from a failure to grant the variance would unreasonable prevent the owner from using the property for a permitted purpose. She stated this criteria had not been met.

Member Ohlrogge commented Walmart could change the existing monument sign for this business.

Member Rios stated the decision made in 2014 allowing the directional signage would mean the current request met review criteria seven.

Chair Beauchine asked staff if Walmart could include the 20.65 square foot sign under their existing wall sign and count it as one sign.

Director Kieselbach responded that the sign would need to be adjacent.

Member Ohlrogge asked if the proposed sign was near the existing wall sign and submitted as one sign would it be acceptable.

Director Kieselbach responded the sign would need to appear as one sign.

MEMBER RIOS MOVED TO GRANT THE VARIANCE.

MOTION FAILED FOR LACK OF SUPPORT.

MEMBER OHLROGGE MOVED TO DENY ZBA CASE 18-08-08-1 BASED ON FAILURE TO MEET ALL REVIEW CRITERIA FROM (SECTION 86-221) OF THE ZONING ORDINANCE.

SECONDED BY MEMBER JACKSON

Member Ohlrogge read review criteria two, which states these special circumstances are not self-created. She stated criteria two had been met.

Member Ohlrogge read review criteria three, which states strict enforcement of the literal forms and provisions of this chapter would result in practical difficulties. She stated the request did not meet the criteria, given other businesses can exist without an exterior sign.

Member Ohlrogge read review criteria four again and stated the credit union can still use the property without the variance.

Member Ohlrogge read review criteria five, which states 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. She stated there were other signage options available.

Member Ohlrogge read review criteria six, which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. She stated the request did meet this criteria.

Member Ohlrogge read review criteria seven again and stated there were other existing businesses had not requested a variance, and granting the variance could create a precedence.

Member Ohlrogge read review criteria eight, which states granting the variance will be generally consistent with public interest and the purpose and intent of this Chapter. She stated the purpose of the Chapter was to avoid excess signage.

Member Jackson referenced the importance of review criteria five in that there are other options for signage that did not require a variance and would serve the same purpose.

ROLL CALL TO VOTE: YES: Members Ohlrogge, Jackson, Lane, and Chair Beauchine.

NO: Member Rios

Motion carried 4-1

**7. OTHER BUSINESS**

None.

**8. PUBLIC REMARKS**

Chair Beauchine opened the floor for public remarks seeing none he closed public remarks

**9. BOARD MEMBER COMMENTS**

Member Ohlrogge stated her appreciation to the board for their careful deliberation.

**10. ADJOURNMENT**

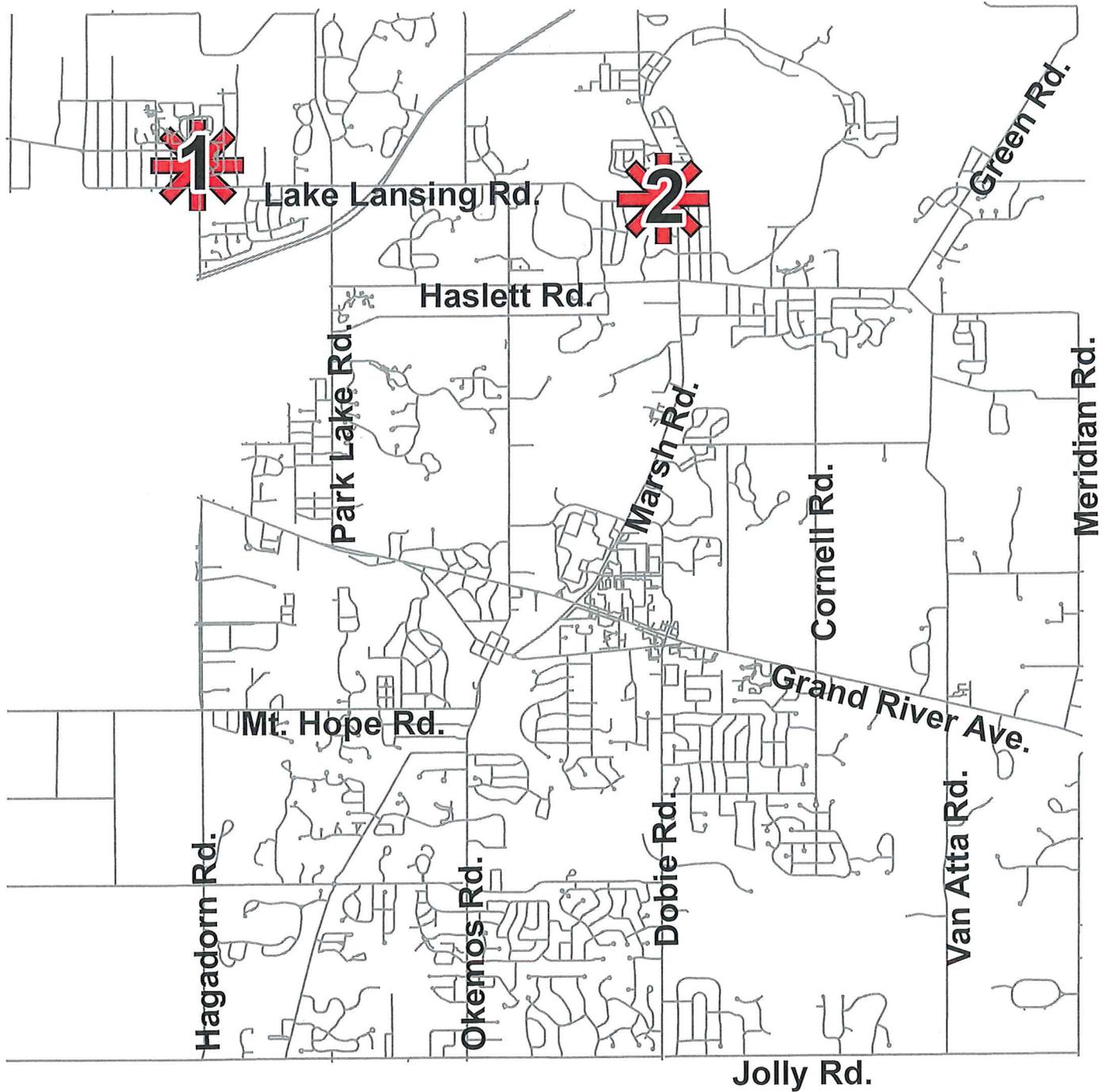
Meeting adjourned at 7:14 p.m.

**11. POST SCRIPT - Member Lane**

Respectfully Submitted,

Riley Millard  
Recording Secretary

# Meridian Township



Location Map

1. ZBA #18-10-10-1 (6025 Partners LLC)
2. ZBA #18-10-10-2 (Buckley)



## 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 this chapter would result in practical difficulties.
4. That 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.
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 and the purposes and intent of this Chapter.



**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** October 5, 2018  
**Re:** ZBA Case No. 18-10-10-1 (6025 Partners LLC)

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**ZBA CASE NO.:** 18-10-10-1 (6025 Partners LLC), 1120 Keystone Avenue, Lansing, MI 48911  
**DESCRIPTION:** 6025 North Hagadorn Avenue  
**TAX PARCEL:** 06-477-020  
**ZONING DISTRICT:** C-2 (Commercial)

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

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

The applicant has requested a variance to construct a 1,848 square foot addition to a nonconforming building at 6025 North Hagadorn Road. The approximate 0.943 acre site is zoned C-2 (Commercial).

The applicant is proposing to remodel the existing drive-through bank facility located at 6025 N. Hagadorn Road. The building was formerly occupied by Option 1 Credit Union. The applicant intends to open a tax and accounting office. The building is located adjacent to the Carriage Hills shopping center. In 2013, four variances were granted for renovations to the existing building, an additional wall sign on the building façade, a rear yard setback for a dumpster enclosure, adding an atrium to the top of a nonconforming building, and adding height to the fencing along the south property line.

The existing building is considered nonconforming because the building is located approximately ten (10) feet from the rear (south) lot line and does not meet the current zoning standard of a 15 foot rear yard setback. The required rear yard setback was 10 feet when the building was built in 1978.

The applicant is proposing to enclose the 1,848 square foot drive-through canopy on the west side of the building. The addition will be used for storage and may be converted to office space in the future. The existing canopy to be enclosed is located on the west side of the building and is approximately 21 feet from the rear property line. The applicant is proposing to add an addition to a nonconforming building; therefore the applicant is requesting a variance.

**Zoning Board of Appeals**  
**October 10, 2018**  
**RE: ZBA Case No. 18-10-10-1 (6025 Partners LLC)**  
**Page 2**

If approved, the staff recommends the condition that the storage use be limited to the applicant's tax and accounting business.

**Attachments**

1. Application materials
2. Site location map

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-10-10\ZBA 18-10-10-1 (6025 Partners LLC)\STAFF REPORT 6025 PARTNERS LLC

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

VARIANCE APPLICATION

A. Applicant 6025 Partners LLC / Simplified Accounting and Tax Service PC  
Address of Applicant 1120 Keystone Ave., Lansing, MI 48911  
Telephone (Work) 517-882-2441 Telephone (Home) 517-204-5534  
Fax 517-913-4397 Email address: rlove@simplifiedaccounting.com  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 6025 North Hagadorn  
Zoning district C-2 Parcel number 33-02-02-06-477-020

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) sec 86-618(2) - Nonconforming structure

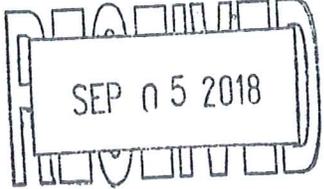
D. Required Supporting Material                      Supporting Material if Applicable  
-Property survey    -Architectural sketches  
-Legal description    -Other  
-Proof of property ownership or approval letter from owner  
-Site plan to scale  
-Written statement, which demonstrates how all the review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

  
Ryan Lowe                      Digitally signed by Ryan Lowe  
Date: 2018.08.27 12:24:37 -0400                      Ryan Lowe, CPA                      8/27/18  
Signature of Applicant                      Print Name                      Date

Fee: 450.00                      Received by/Date: 9/5/18 [Signature]

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

Ryan Lowe                      Digitally signed by Ryan Lowe  
Date: 2018.08.27 12:24:53 -0400                      8/27/18  
Signature of Applicant(s)                      Date  
Ryan Lowe                      Digitally signed by Ryan Lowe  
Date: 2018.08.27 12:25:02 -0400                      \_\_\_\_\_  
Signature of Applicant(s)                      Date



## 6025 N Hagadorn: Zoning Variance Supplement

A variance request from the following section of the Code of Ordinances:

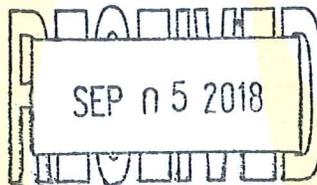
- Section 86-506(2), which states nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the zoning board of appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.

The existing building at 6025 N Hagadorn was built in 1978 as a branch for Clinton National Bank. Option One Credit Union purchased the building in 2012 and modernized the bank branch. The credit union closed the branch in summer of 2017, no doubt due in part to the location of the building tucked back off of Lake Lansing Road. The property was purchased by 6025 Partners LLC (a sister company to Simplified) in July of 2018. Simplified intends to operate the building as professional office space, which seems to be the best use of the property.

The variance request is to enclose the current drive through as future office space. The space will be initially used as storage with an overhead door that will be converted to commercial entry doors, when the interior is completed. The exterior will be a mix of split faced block, commercial windows, and cedar wood siding consistent with the current structure's modern design. This update is necessary to convert the building from a banking center with drive through teller windows to a professional office building. These improvements would not normally require a variance, but because the building was built in 1976 with a 10' side yard setback along the south property line instead of the 15' setback that would be required by zoning today. The enclosure of the drive through will meet current setback requirements at 20'.

These special circumstances are not self-created, but rather created by the prior owners as a limited use design for a bank branch.

Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties, namely preventing the new owner from being able to update or expand the current building, as they otherwise would be able to do if it weren't for the current 15' setback requirements since the building as originally built at a 10' setback.



**Corporate Office**  
1120 Keystone Avenue  
Lansing, MI 48911  
Phone: 517-882-2441  
Fax: 517-882-3433

**Charlotte**  
200 North Cochran  
Charlotte, MI 48813  
Phone: 517-541-7010

**DeWitt**  
116 East Main Street  
DeWitt, MI 48820  
Phone: 517-913-4380

**East Lansing**  
2001 Abbot Road  
East Lansing, MI 48823  
Phone: 517-351-9200

**Eaton Rapids**  
142 North Main Street  
Eaton Rapids, MI 48827  
Phone: 517-441-4000

**Owosso**  
1310 East Main Street  
Owosso, MI 48867  
Phone: 989-725-5747

**Delta Township**  
4608 West Saginaw Street  
Lansing, MI 48917  
Phone: 517-708-3000

**Williamston**  
153 East Grand River Avenue  
Williamston, MI 48895  
Phone: 517-913-4399

**St. Johns**  
114 North Clinton Avenue  
St. Johns, MI 48879  
Phone: 989-292-8337

The practical difficulties which will result from failure to grant the variance, would unreasonably prevent the new owner from updating the building to its highest and best use as a professional office building.

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.

Granting the variance will not adversely affect the adjacent land or the essential character in the vicinity of the property, but rather will improve the character of the area and allow for additional professionals to work in the neighborhood.

The conditions pertaining to the land or structure are unique to its particular site and building design, and therefore not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.

Granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance. Allowing for the drive through to be enclosed, the building will bring additional professionals to the local neighborhood and shopping center.

We are excited to be in our new Meridian Township location and appreciate your consideration in this matter.

Best Regards,



Ryan Lowe, CPA  
Partner, Simplified Accounting and Tax Service PC  
Member / Manager, 6025 Partners LLC

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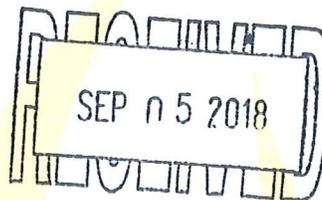
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**St. Johns**  
114 North Clinton Avenue  
St. Johns, MI 48879  
Phone: 989-292-8337



**Legal Description: 6025 N Hagadorn, East Lansing MI**

MP 7397-3 PART OF LOT 23 DESC AS BEG ON E LINE OF LOT 23 AT PT N 0 DEG 04' 34" W 160 FT FROM SE COR OF LOT 23, SAID PT BEING N 0 DEG 04' 30" W 220 FT & N 89 DEG 51' 23" W 50 FT FROM SE COR OF SEC 6, N 89 DEG 51' 23" W 265 FT PLL WITH S SEC LINE- N 0 DEG 04' 34" W 154.55 FT PLL WITH E SEC LINE- N 89 DEG 55' 26" E 265 FT TO E LINE OF LOT 23- S 0 DEG 04' 34" E 155.57 FT TO PT OF BEG CARRIAGE HILL ESTATES.

**Corporate Office**  
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Lansing, MI 48911  
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St. Johns, MI 48879  
Phone: 989-292-8337

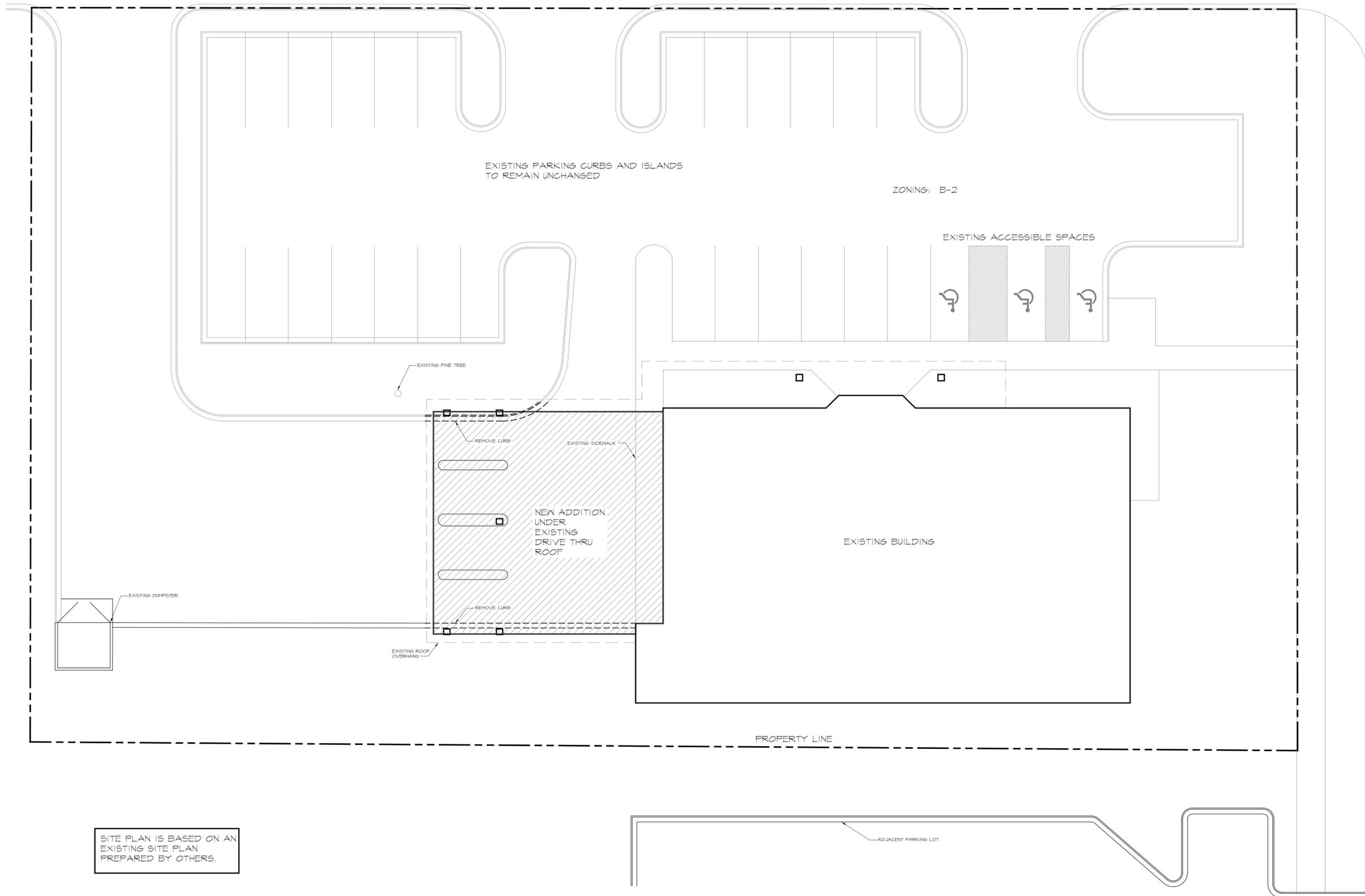




studio  
[intrigue]  
ARCHITECTS



RECEIVED  
SEP 05 2011



SITE PLAN IS BASED ON AN EXISTING SITE PLAN PREPARED BY OTHERS.

**SITE PLAN**  
1" = 10'

HAGADORN ROAD

BIDDING AND PERMITS	
CHANGE PLAN SCALE	
08/01/18	
09/05/18	

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ARCHITECTS

104 S. WASHINGTON AVE. • SUITE 100 • LANSING • MICHIGAN • 48202  
313.272.8804 PHONE • 313.272.8805 FAX • WWW.STUDIOINTRIGUE.COM

Project Type  
**BUILDING RENOVATION**

Project  
**OFFICE RENOVATION**  
6025 HAGADORN DR.  
LANSING, MI

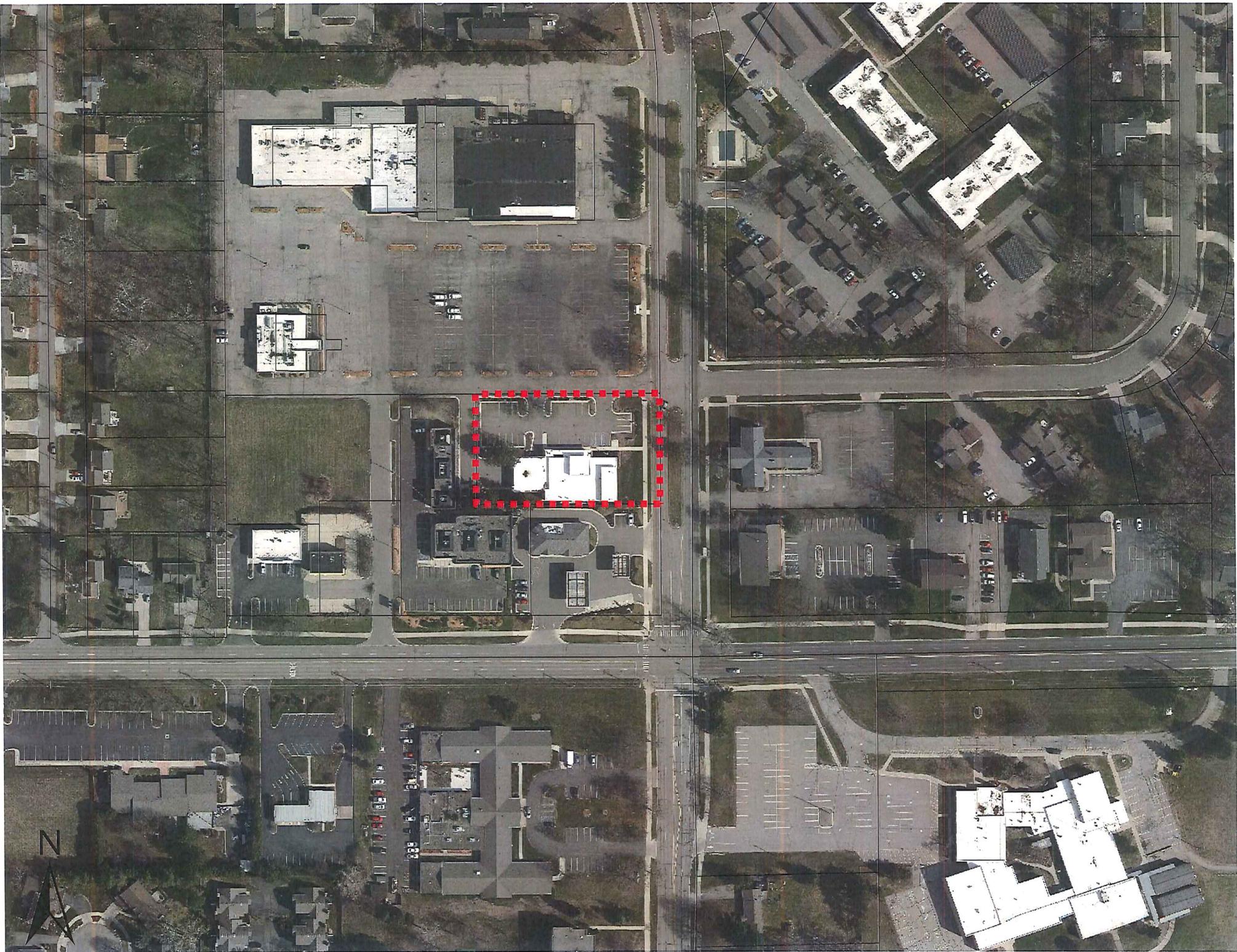
Client  
**RYAN LOWE**  
1120 KEYSTONE DR.  
LANSING, MI 48911

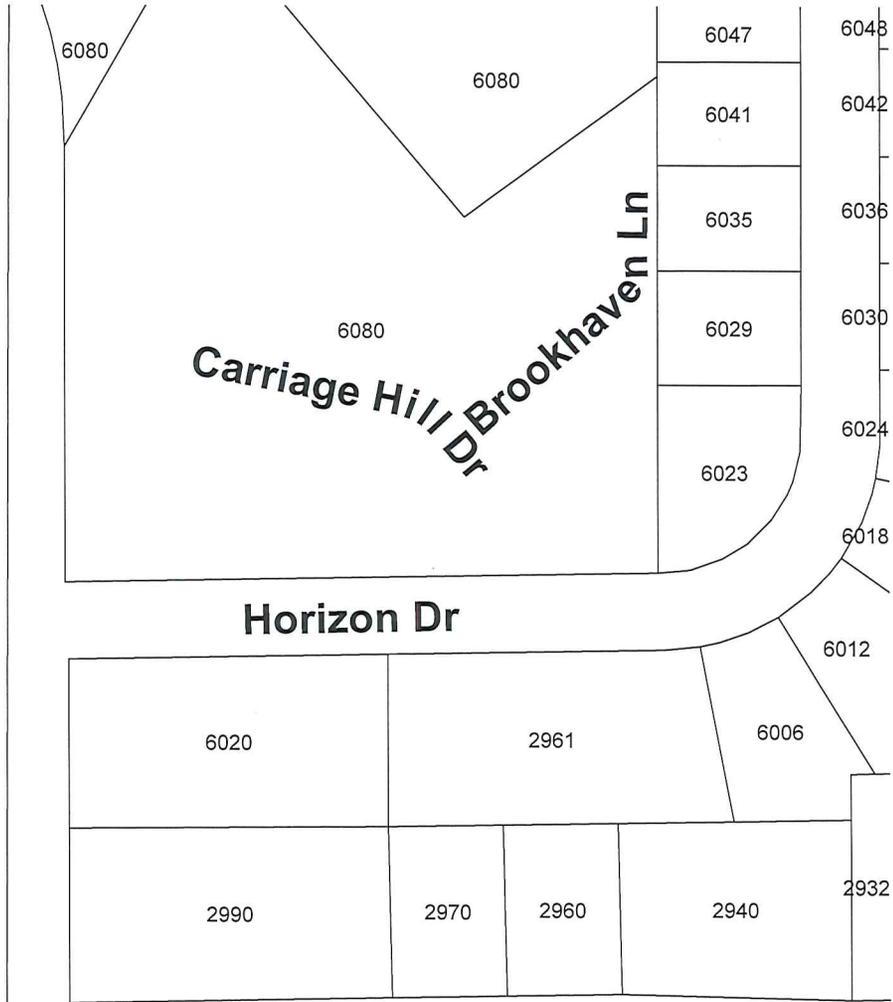
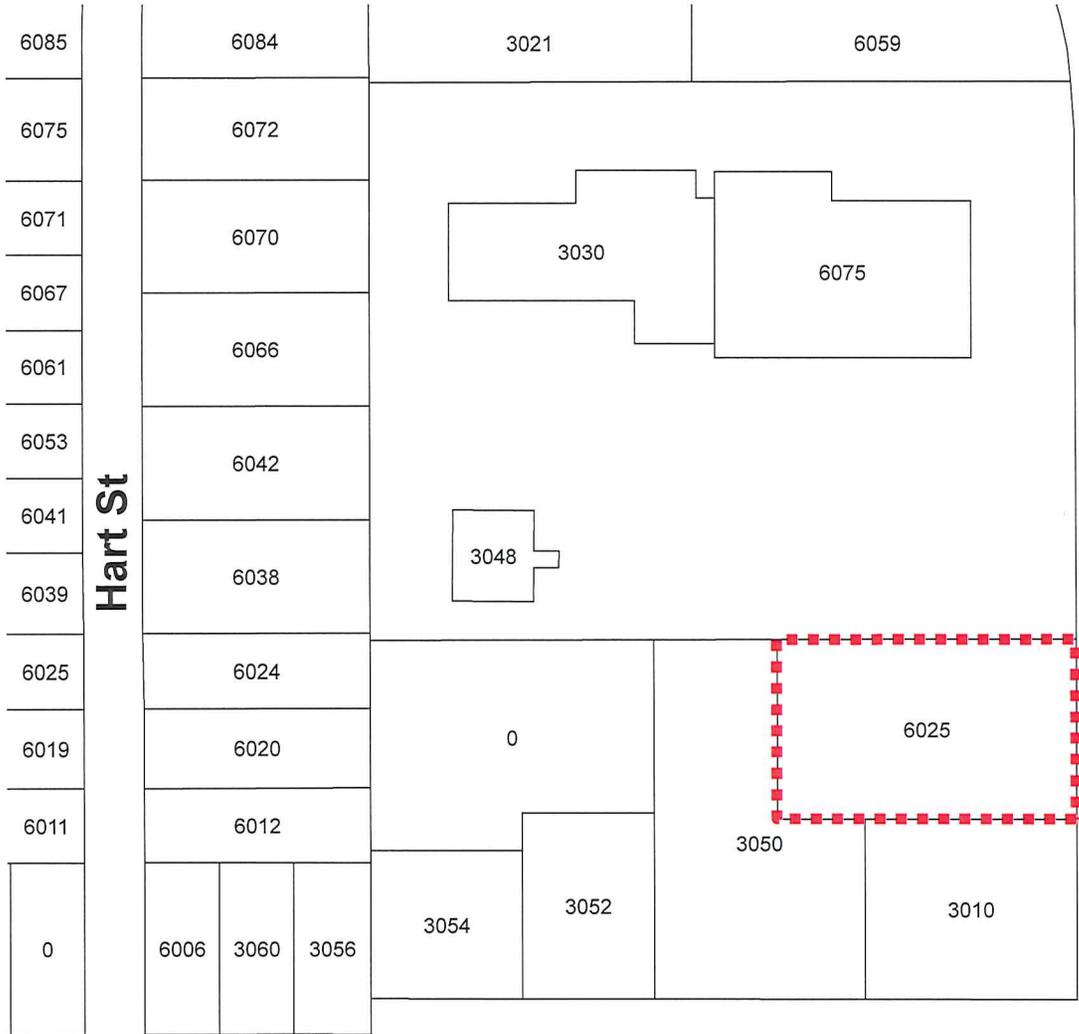
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Project Number  
**18.098**

Sheet  
**C-1**

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**E Lake Lansing Rd**

**N Hagadorn Rd**

**Horizon Dr**

**Carriage Hill Dr**  
**Brookhaven Ln**



**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** October 5, 2018  
**Re:** ZBA Case No. 18-10-10-2 (Buckley)

---

**ZBA CASE NO.:** 18-10-10-2 (Buckley), 3914 Calypso Road, Holt, MI 48842  
**DESCRIPTION:** 5998 Martinus Road & Vacant Lot (Tax I.D. #10-25-002)  
**TAX PARCEL:** 10-205-001 & 10-205-002  
**ZONING DISTRICT:** C-1 (Commercial)

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

- Section 86-374 (d)(1), Minimum lot area: 8,000 square feet. No lot shall hereafter be subdivided to provide less than 8,000 square feet of lot area.

The applicant has requested a variance to create a 7,883 square foot lot that does not meet the required minimum of 8,000 square feet for lot area at 5998 Martinus Road & Vacant Lot (Tax I.D. #10-25-002). The approximate 0.18 acre site is zoned C-1 (Commercial). The applicant is currently in the process of rezoning the property to RB (Single Family, High Density) (REZ #18110).

The submitted survey shows lots 34 & 35 of Oak Grove Park subdivision, which was platted in 1906. The two lots combined have 75 feet of frontage on Martinus Street. The subject site is currently vacant. A demo permit was issued in June 2018 for a 995 square foot single-family home built in 1935 that was located at 5998 Martinus Street. The property is nonconforming because it does not meet the minimum lot area requirement of 8,000 square feet.

The proposal is to create one lot which would have 7,883 square feet of lot area. The applicant is requesting a 117 square foot variance for lot area.

#### **Attachments**

1. Application materials
2. Site location map

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-10-10\ZBA 18-10-10-2 (Buckley)\STAFF REPORT BUCKLEY

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

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SEP 13 2018

VARIANCE APPLICATION

A. Applicant Don & Pat Buckley  
Address of Applicant 3914 Calypso Rd  
Holt, MI 48842  
Telephone (Work) 517-908-0654 Telephone (Home) 517-896-3623 or 517-231-0416  
Fax \_\_\_\_\_ Email address: pat.buckley@premierthermal.com  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 5998 Martinus Rd & vacant lot 34, Haslett  
Zoning district C-1 and pending RB Parcel number 10-205-001, 10-205-002

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) \_\_\_\_\_

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)

Don Buckley  
Signature of Applicant

Don Buckley  
Print Name

9-13-18  
Date

Fee: \_\_\_\_\_

Received by/Date: Nita Mense 9-13-18

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.**)

Don Buckley  
Signature of Applicant(s)

9-13-18  
Date

Nita Mense  
Signature of Applicant(s)

9-13-18  
Date

RECEIVED

SEP 13 2018

Variance Request Review Criteria

- 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.**

The old Meridian Township Oak Grove Platt from the early 1900s shows that lots like #34 and #35 that we purchased were small. Existing houses that were built some time ago on other lots in the same zoning district were not affected by the more recent 8,000 square feet minimum requirement nor today's expanded setbacks. Combining these two lots creates a new lot that is just 1-2% short of meeting the minimum lot size for building a new house.

- 2. These special circumstances are not self-created.**

The Oak Grove platt records the sizes of lots #34 and #35 as 30 feet and 45 feet wide, respectively, by 105 feet deep. This makes the new improved lot a combined 7,875 square feet, approximately. We did not create the circumstance.

- 3. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.**

When we took down the abandoned house that was on Lot #35 we were then subject to the more recent provision that any new house could only be built if the combined new lot was a minimum 8,000 square feet. We could not build the new house since the combined lot was about 7,875 square feet. It was useless but still would require paying taxes, upkeep, etc.

- 4. That 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.**

We have spent over \$60,000 of our retirement savings acquiring the property, clearing away the abandoned house on lot #35 that was an eyesore and safety concern, obtaining house plans for a building a structure that would easily fit on the improved lot and bringing added value to the neighborhood. Without the variance the lot would be too small to build on.

- 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 the zoning ordinance, secure public safety and provide substantial justice.**

Granting a variance to allow building a house on property that is only 1.5% short of the 8,000 square feet of the required minimum would improve a lot that had a crumbling abandoned house on it, bring a new family to a family-oriented neighborhood, generate tax income, add value to the zoning district and put us close to our daughter who lives across the street.

- 6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity in the property.**

The area contains mostly single-family homes and we are a single family. The neighbors have already been supportive of our efforts to build this new house. The owner of the commercial property to the North sold us these two lots and supports our effort to build our house there.

- 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.**

Meridian Township Planning and Development team will calculate the lot frontages for other residential zoned houses. There should not be any recurring event resulting from this variance that would make it necessary to form a general regulation. Current township requirements could remain the same.

- 8. Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.**

The intent to move toward residential use as evidenced in the future use plan by granting this variance would support the obvious public interest to keep the area family oriented. We are meeting all required residential setbacks with our planned house. We need the relief of knowing that the house we are dreaming of building can be possible!

PLAT OF

OAK GROVE PARK  
IN SECTION 10 TOWNSHIP MER  
INGHAM CO., MICH.

DEDICATION.

Know all Men by these Presents, That we Walter C. Popper and Florence Popper his wife, have caused the land embraced and numbered plot 6 to be surveyed, laid out and platted, to be known as Oak Grove Park and that the streets and alleys so shown on said plat are here by dedicated to the use of the public.

signed and sealed in the presence of  
 Charles F. Hammond }  
 Florence Pinkworth }  
 Walter C. Popper [W.C.]  
 Florence Popper [F.P.]  
 by Walter C. Popper her attorney

STATE OF MICHIGAN } ss. On this twenty third day of  
 County of Ingham } before me, a Notary Public in and for said county, personally  
 the above named Walter C. Popper for himself and so attorney  
 for Florence Popper his wife, known to me to be the personal owner  
 of the above dedication and acknowledged the same to be his  
 act and deed

Witness my hand and seal of office  
 this 23rd day of March 1907 Notary Public Ingham Co., Mich.

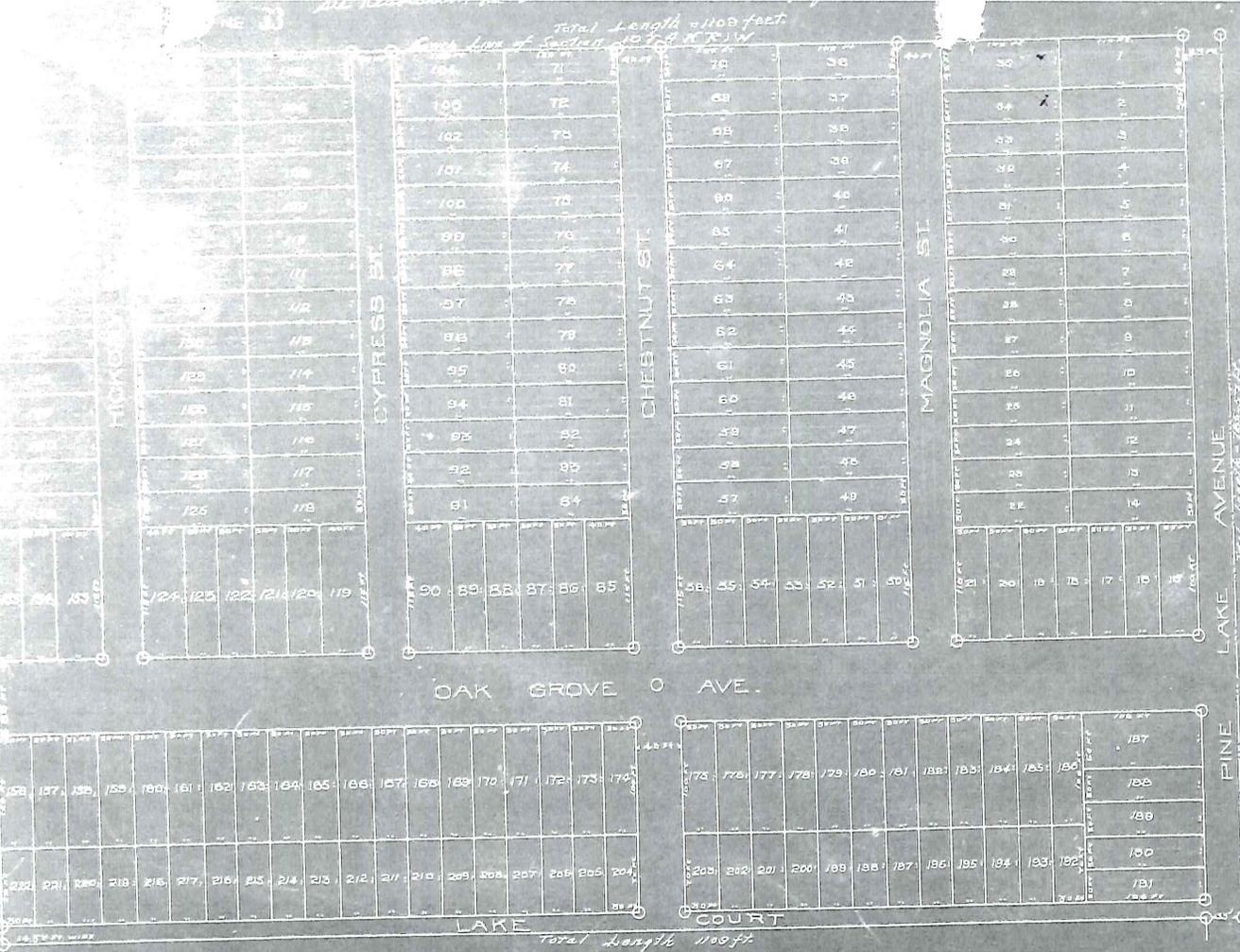
SURVEYERS CERTIFICATE

I here by certify that the plat here on delineated so as  
 and that per monument monuments, consisting of gas pipes 3/4 inch  
 and 1 1/2 x 2 1/2 inch hard wood stakes have been planted at points  
 O as shown at all angles in the boundaries of  
 platted, and at all other corners of streets or streets and  
 Henryman Kraemer  
 SURVEYOR

DESCRIPTION OF LAND PLATTED

Commencing at the North E. Post Section 10 T. 4-N. R. 1 W. E.  
 thence east to the section line 1109 ft to the center of  
 way, known as Pine Lake Road; thence south along the  
 said highway 785.57 ft thence west parallel with the  
 Section line 1109 ft to the north and south quarter  
 section; thence north along said line 785.57 feet to place  
 beginning; containing in all 20 acres of land.

Examined and Approved  
 June 23 1906  
 James B. Bradley  
 Auditor General



STATE OF MICHIGAN } ss. We C. M. Hrentel, Register of Deeds, and Hermon Kraemer Surveyor,  
 County of Ingham } hereby certify that we have each carefully compared this copy with the original plat of Oak Grove Park  
 and that it is an exact copy thereof and of the whole of such original map or plat

C. M. Hrentel Register of Deeds,  
 Hermon Kraemer Surveyor

RECEIVED  
SEP 13 2018

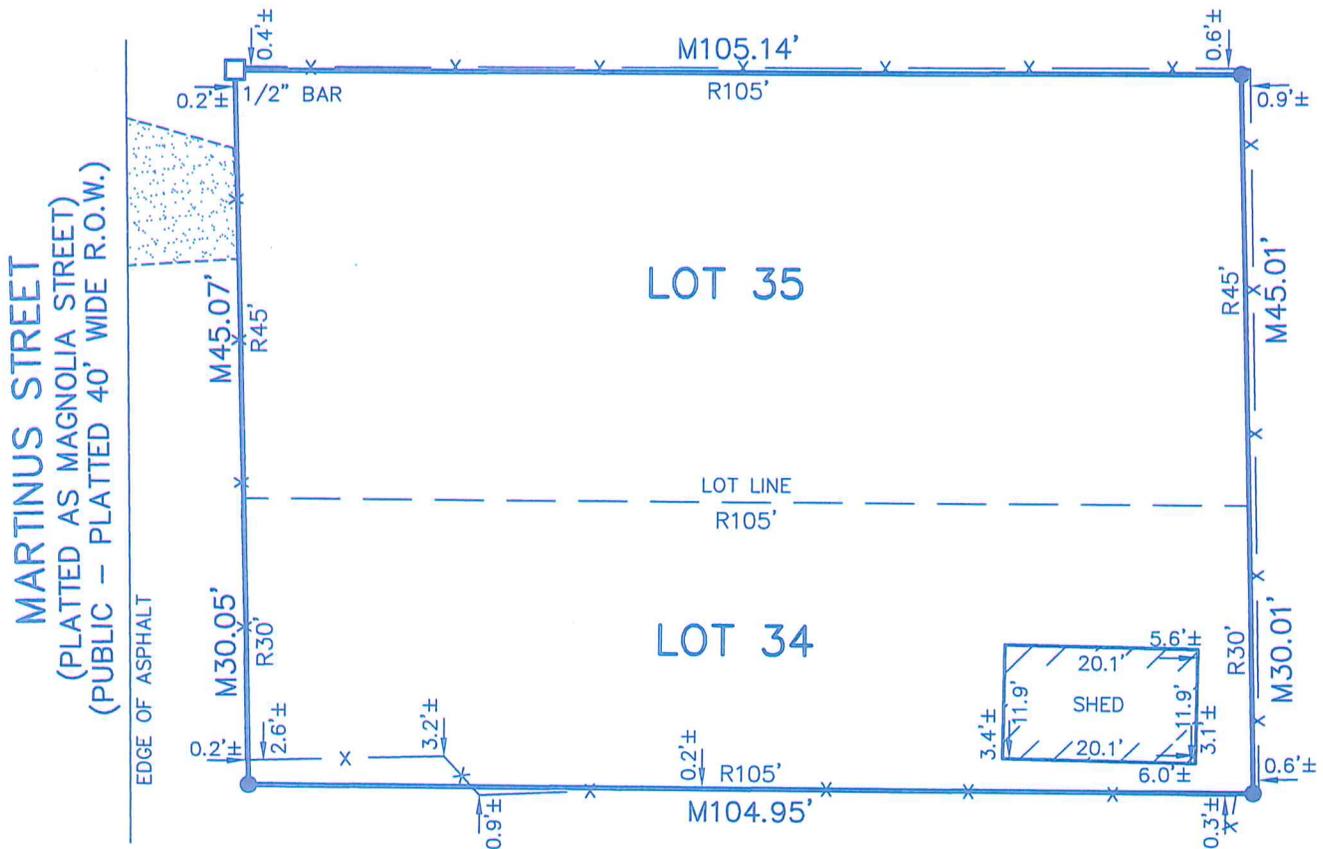
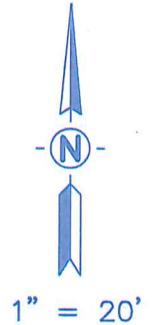
PLAT FOR RECORD THIS 23rd  
 June A. D. 1906  
 and recorded in Lib. 3  
 Plat 33  
 1907

# LOT SURVEY

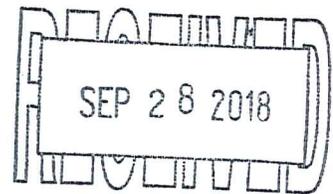
For:  
 Don Buckley  
 3914 Calypso Road  
 Holt, MI 48842

Survey Address:  
 5998 & Vacant Martinus Street  
 Haslett, MI 48840  
 IDs: 33-02-02-10-205-002  
 & 33-02-02-10-205-001

Legal Description (as provided): Lots 34 & 35, Oak Grove Park, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 33, Ingham County Records.



NOTES:  
 1. EASEMENTS, IF ANY, NOT SHOWN.  
 2. OVERALL COMBINED AREA OF LOTS 34 & 35 IS ±7,883 SQUARE FEET.



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
- ▨ = Gravel
- \* \* = Fence
- ← 0.0± = Denotes Distance to the Survey Line

**KEBS, INC.** KYES ENGINEERING  
 BRYAN LAND SURVEYS

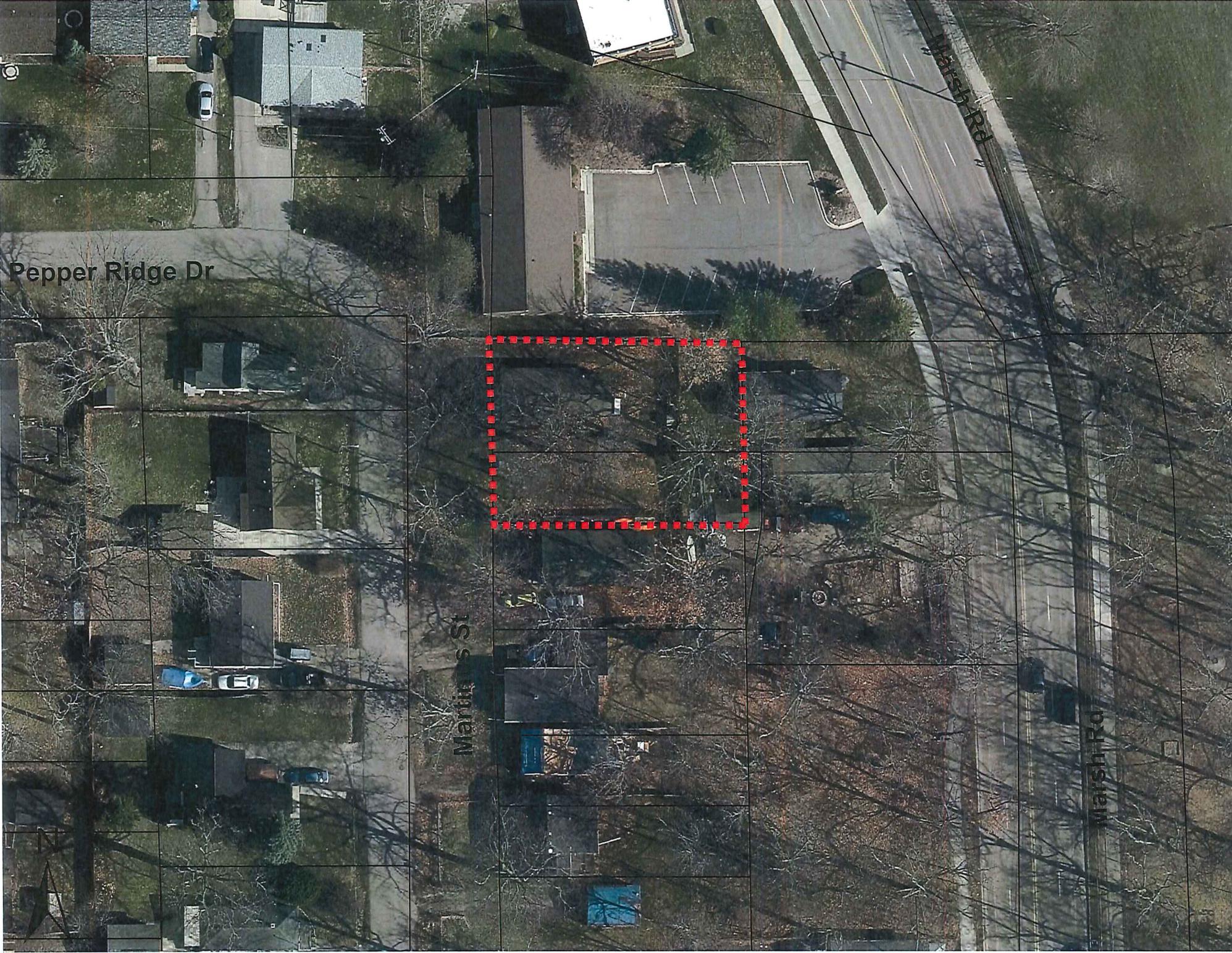
2116 HASLETT ROAD, HASLETT, MI 48840  
 PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068  
 PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY <b>SSF</b>	SECTION <b>10, T4N, R1W</b>
FIELD WORK BY <b>NAW</b>	JOB NUMBER:
SHEET <b>1 OF 1</b>	<b>94272.LOT</b>

ERICK R. FRIESTROM

ERICK R. FRIESTROM      DATE 09/29/18  
 PROFESSIONAL SURVEYOR      NO. 53497



Pepper Ridge Dr

Marsh Rd

Marjorie's St

Marsh Rd

1672

1664

1660

6019

6009

Marsh Rd

Pepper Ridge Dr

5999

5992

5995

5998

5999

5991

5994

5997

Martinus St

5990

5988

5981

5986

5987

5983

Marsh Rd

5984

5980





**To: Zoning Board of Appeals**

**From: Keith Chapman  
Assistant Planner**

**Date: October 5, 2018**

**Re: 2019 Meeting Schedule**

---

Following is the list of proposed Zoning Board of Appeals meeting dates for 2019. Usually two regular meetings are scheduled each month. No special or work session meetings are planned but may be added by the Zoning Board of Appeals during the year if warranted.

Typically the Zoning Board of Appeals meets on the second and fourth Wednesday of each month. As in past years, only one meeting is scheduled in the months of November and December to avoid conflicts with holiday activities.

#### 2019 MEETING CALENDAR

January	9 - regular meeting 23 - regular meeting
February	13 - regular meeting 27 - regular meeting
March	13 - regular meeting 27 - regular meeting
April	10 - regular meeting 24 - regular meeting
May	8 - regular meeting 22 - regular meeting
June	12 - regular meeting 26 - regular meeting
July	10 - regular meeting 24 - regular meeting
August	14 - regular meeting 28 - regular meeting

**2019 Meeting Schedule**  
**Zoning Board of Appeals (October 10, 2018)**  
**Page 2**

September     11 - regular meeting  
                     25 - regular meeting

October         9 - regular meeting  
                     23 - regular meeting

November      13 - regular meeting

December      11 - regular meeting

A resolution is provided to adopt the above meeting schedule.

- **Motion to adopt the resolution approving the 2019 Zoning Board of Appeals Meeting Schedule.**

Attachment

1. Resolution to approve 2019 Zoning Board of Appeals Meeting Schedule

G:\Community Planning & Development\Planning\ZBA\MTG SCHEDULE\2019 ZBA Calendar memo.docx

**2019 Zoning Board of Appeals  
Meeting Schedule**

**RESOLUTION**

At a regular meeting of the Zoning Board of Appeals of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, 5151 Marsh Road, Okemos, MI 48864-1198, on the 10th day of October 2018, at 6:30 p.m., Local Time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_

WHEREAS, Public Act 261 of the Public Acts of 1968 requires a publication of the meeting schedule of every Municipal Board at least once a year; and

WHEREAS, the Zoning Board of Appeals desires to announce the time, date, and place of all meetings of the Zoning Board of Appeals including so called work sessions pursuant to the provisions of Act 267 of the Public Acts of 1976. It is the desire of the Zoning Board of Appeals to maintain a meeting schedule, which is generally the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Wednesday of each month.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF APPEALS OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN as follows:

1. The Zoning Board of Appeals will meet in regular session in the Town Hall Room, Meridian Municipal Building, 5151 Marsh Road, Okemos, MI, 48864, unless noticed or posted otherwise, at 6:30 p.m. on the second and fourth Wednesday for the months of January, February, March, April, May, June, July, August, September, and October. Only one meeting will be held in November and December, on the second Wednesday of each month.

2. The specific dates for meetings are as follows:

January	9 - regular meeting 23 - regular meeting
February	13 - regular meeting 27 - regular meeting
March	13 - regular meeting 27 - regular meeting
April	10 - regular meeting 24 - regular meeting
May	8 - regular meeting 22 - regular meeting

**2019 ZBA Meeting Schedule**  
**Page 2**

June	12 - regular meeting 26 - regular meeting
July	10 - regular meeting 24 - regular meeting
August	14 - regular meeting 28 - regular meeting
September	11 - regular meeting 25 - regular meeting
October	9 - regular meeting 23 - regular meeting
November	13 - regular meeting
December	11 - regular meeting

3. A summary of this resolution stating date, place, and time shall be posted in the Meridian Municipal Building within ten (10) days after the first regularly scheduled meeting of the year in accordance with MCL 15.265.

ADOPTED: YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

STATE OF MICHIGAN )

) ss

COUNTY OF INGHAM )

I, the undersigned, the duly qualified Chairperson of the Zoning Board of Appeals, Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Zoning Board of Appeals held on the 10th day of October 2018.

\_\_\_\_\_  
Brian Beauchine, Chair  
Zoning Board of Appeals