

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *APPROVED*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, April 24, 2019 6:30 PM
TOWN HALL ROOM**

PRESENT: Chair Beauchine, Members Field-Foster, Lane, Mansour, Shafer
ABSENT: Member Wisinski
STAFF: Director of Community Planning and Development Mark Kieselbach, Assistant
Planner Justin Quagliata

1. CALL MEETING TO ORDER

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

2. APPROVAL OF AGENDA

MEMBER FIELD-FOSTER MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER LANE.

VOICE VOTE: Motion carried unanimously.

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, April 10, 2019.

MEMBER MANSOUR MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, APRIL 10, 2019.

SECONDED BY CHAIR BEAUCHINE.

VOICE VOTE: Motion carried unanimously.

4. COMMUNICATIONS

None.

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

A. ZBA CASE NO. 19-04-24-1 (Sveller), 8257 Corunna Road, Flint, MI, 48532

LOCATION: 1710 Lake Lansing Road
PARCEL ID: 10-202-022
ZONING DISTRICT: RB (Single Family-High Density)

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

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

The variance request is to construct an accessory building that would project 34 feet into the front yard at 1710 Lake Lansing Road.

Assistant Planner Quagliata outlined the case for discussion. He noted the Zoning Board of Appeals (ZBA) may consider including a condition the driveway for the accessory building be on Greenman Street if the variance was granted.

Chair Beauchine asked the applicant if they would like to address the ZBA.

Mr. Rick Sveller, the applicant, 1710 Lake Lansing Road, Haslett MI 48840, stated the purpose of the accessory building (garage) was for additional storage and vehicles.

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

Member Field-Foster asked the applicant on what side of the building would the garage door be located.

Mr. Sveller clarified the garage door would be placed facing Greenman Street.

Member Mansour asked the applicant if he had spoken to any neighbors about the proposed accessory building.

Mr. Sveller stated he had talked to the neighbors to the east and to the west across Greenman Street. Both neighbors were in support of the proposed garage.

Member Mansour asked if size of the garage was intended to be similar to the existing house.

Mr. Sveller stated the design of the garage would be similar to the house and the rooflines would match.

Assistant Planner Quagliata noted the maximum height for an accessory building is 15 feet. The building height would have to be verified at the time of the building permit.

Chair Beauchine stated he appreciated the fact the building was place as far back from Lake Lansing Road as possible.

Member Shafer asked staff if there were any other options for placing the accessory building on the lot.

Assistant Planner Quagliata noted the applicant could attach the garage to the house, but the garage then would not meet the 30 foot rear yard setback.

Member Lane read review criteria one from 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. He stated the property has two front yards and does not have a garage.

Member Lane read review criteria two which states these special circumstances are not self created. He stated this criteria was met.

Member Lane read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. He noted having a garage for storage and a place for vehicles in the winter is consistent with a residential use.

Member Lane read review criteria four which states 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. He stated the size of the house alone doesn't allow for storage.

Member Lane 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. He noted the proposed garage would be constructed in the best location on the site.

Member Lane 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. He noted the ZBA had not received any comments from neighbors.

Member Lane 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. He stated the property and situation was unique.

Member Lane read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this chapter. He stated this criteria was met.

MEMBER LANE MOVED TO APPROVE THE VARIANCE WITH THE CONDITION ACCESS TO THE GARAGE BE OFF OF GREENMAN STREET.

SECONDED BY MEMBER MANSOUR.

ROLL CALL TO VOTE: YES: Members Lane, Mansour, Field-Foster, Shafer, Chair Beauchine.

NO:

Motion carried unanimously 5-0

B. ZBA CASE NO. 19-04-24-2 (Meridian Township Public Works and Engineering Department), 5151 Marsh Road, Okemos, MI, 48864

LOCATION:	5191 Meridian Road
PARCEL ID:	13-426-001
ZONING DISTRICT:	RR (Rural Residential)

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

- Section 86-756(7), Curb and gutter. Concrete curb and gutter shall be required in order to control stormwater flow from the parking area and in order to protect landscaped areas such as landscape islands and other plantings.

The variance request is to waive the installation of curb and gutter to expand the existing parking lot at North Meridian Road Park, including adding a second driveway to Meridian Road at 5191 Meridian Road.

Assistant Planner Quagliata outlined the case for discussion.

Chair Beauchine asked the applicant if they would like to address the Zoning Board of Appeals (ZBA).

Ms. Jane Greenway, Meridian Township Senior Parks and Land Management Coordinator, 2100 Gaylord C. Smith Court, East Lansing, MI 48823, on behalf of the applicant, stated the existing parking lot does not have curb and gutter. She noted the additional parking would help accommodate park events.

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

Chair Beauchine noted the need for additional parking. He stated there was no storm sewer in this area and sheet drainage may be the best design.

Member Shafer stated the added parking would improve safety for those attending events at the park.

Member Mansour asked why there were only two barrier free parking spaces.

Ms. Greenway noted there were additional barrier free parking spaces near the restrooms.

Assistant Planner Quagliata stated the applicant would be required to provide barrier free parking spaces in compliance with the American with Disabilities Act (ADA).

Chair Beauchine asked if a gate would be installed at the new driveway.

Ms. Greenway stated a gate would be installed.

Member Lane read review criteria one from 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. He added the current overflow parking was dangerous.

Director Kieselbach noted the variance request was for waiving the curb and gutter requirement.

Member Mansour asked if the applicant installed curb and gutter would it be required for the existing parking lot and the new parking lot.

Director Kieselbach stated the ordinance requires new parking lots be built with curb and gutter to control the flow of stormwater and protect landscaping. He stated if the applicant could show they could control the flow of stormwater without the curb and gutter the variance could be granted. He noted the submitted plans show water flowing to the center of the parking lot then sheet drained across the parking lot to the grass area to the west.

Member Lane read review criteria one from 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. He stated the topography of the site and the greenspace surrounding the parking areas would accommodate water runoff.

Member Lane read review criteria two which states these special circumstances are not self created. He stated this criteria was met.

Member Lane read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. He noted requiring curb and gutter would result in practical difficulties because the applicant demonstrated stormwater could be controlled without curb and gutter.

Member Lane read review criteria four which states 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. He stated it was permissible to have parking on the site and the stormwater is already being managed in an environmentally conscious way for the existing parking lot.

Member Lane 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. He noted the request is similar to the existing parking lot that does not have curb gutter.

Member Lane 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. He stated this criteria was met.

Member Lane 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. He noted the applicant could control stormwater without curb and gutter.

Member Lane read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this chapter. He stated this criteria was met.

MEMBER LANE MOVED TO GRANT THE VARIANCE FOR MEETING ALL REVIEW CRITERIA FROM SECTION 86-221 OF THE CODE OF ORDINANCES.

SECONDED BY MEMBER SHAFER.

Member Mansour stated she has full faith the Township departments have designed the parking lot so the landscape and greenspace is protected as much as possible.

ROLL CALL TO VOTE: YES: Members Lane, Shafer, Mansour, Field-Foster, Chair Beauchine.

NO:

Motion carried unanimously 5-0

7. OTHER BUSINESS

None.

8. PUBLIC REMARKS

Chair Beauchine opened the floor for public remarks.

Ms. Jane Greenway, Meridian Township Senior Parks and Land Management Coordinator, 2100 Gaylord C. Smith Court, East Lansing, MI 48823, announced May 18 2019 is "Love a Park Day."

Chair Beauchine closed public remarks.

9. BOARD MEMBER COMMENTS

Member Mansour apologized to the ZBA for missing the April 10, 2019 meeting.

10. ADJOURNMENT

Meeting adjourned at 7:07 pm.

11. POST SCRIPT

Member Monique Field-Foster.

Respectfully Submitted,
Riley Millard
Recording Secretary