



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
September 8, 2021 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 25, 2021

4. COMMUNICATIONS
  - A. Drew Lockwood RE: ZBA #21-09-08-1

5. UNFINISHED BUSINESS
6. NEW BUSINESS

**A. ZBA CASE NO. 21-09-08-1 (Kliewer), 5118 Park Lake Road, East Lansing, MI, 48823**

DESCRIPTION: 5118 Park Lake Road  
TAX PARCEL: 17-476-001  
ZONING DISTRICT: RA (Single Family, Medium Density)

The variance requested is to construct an approximately 1,260 square attached garage.

7. OTHER BUSINESS
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT

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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:  
Assistant Planner Keith Chapman, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4580 - Ten Day Notice is Required.  
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES \*DRAFT\*  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, AUGUST 25, 2021  
REGULAR TELEVISED MEETING**

PRESENT: Vice-Chair Field-Foster, Members Opsommer, Hendrickson

ABSENT: Chairperson Mansour, Members Newman, Shorkey

STAFF: Assistant Planner Chapman; IT Director Stephen Gebes

**1. CALL MEETING TO ORDER**

Vice-Chairperson Field-Foster called the meeting to order at 6:39 p.m.

**2. APPROVAL OF AGENDA**

**Member Hendrickson moved to approve the agenda as submitted. Seconded by Member Opsommer.**

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Opsommer, Vice-Chairperson Field-Foster

NAYS: None

Motion carried: 3-0

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

A. August 11, 2021 Meeting Minutes

**Member Opsommer moved to approve the minutes from Wednesday, August 11, 2021 as submitted. Seconded by Member Hendrickson.**

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Opsommer, Vice-Chairperson Field-Foster

NAYS: None

Motion carried: 3-0

**4. COMMUNICATIONS - NONE**

**5. UNFINISHED BUSINESS - NONE**

**6. NEW BUSINESS**

**A. ZBA CASE NO. 21-08-25-1 (5680 Marsh LLC), 5680 Marsh Road, Haslett, MI, 48840**

DESCRIPTION: 5680 Marsh Road

TAX PARCEL: 10-426-011

ZONING DISTRICT: PO (Professional Office)

The variance requested is to construct a 25 square foot freestanding sign within five feet of the intersection of the road and access drive, where twenty feet is required.

Assistant Planner Chapman outlined the case for discussion.

Tom Johnson, resident of 5680 Marsh Road, Haslett, MI stated he would like to replace a sign that was destroyed in an accident.

Member Hendrickson asked what would happen if the next door business wanted to add their business to the sign.

Assistant Planner Chapman stated they could reface the sign without issue, but the dimensions of the sign must be kept.

Member Opsommer stated the current plan shows the sign will not be at its maximum allowed size and could be added on to as long as it does not exceed the maximum allowed size.

Assistant Planner Chapman stated that if the sign became larger than 25 feet a variance would be required.

Mr. Johnson stated he has no intention of including both businesses on the sign in the future.

Member Opsommer 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. Member Opsommer stated the older, smaller parcels do not have the greenbelt allowing flexibility in sign placement, meeting criteria one.

Member Hendrickson read review criteria two which states these special circumstances are not self-created. Member Hendrickson stated the special circumstances are not self-created due to being an older, smaller parcel, meeting criteria two.

Vice-Chairperson Field-Foster read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. Vice-Chairperson Field-Foster stated a sign is needed to advertise the business, and given the current placement of the sign is the least disruptive option available. Criteria three is met.

Vice-Chairperson Field-Foster 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. Vice-Chairperson Field-Foster reiterated the point made in criteria three, stating criteria four has been met.

Member Hendrickson 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. Member Hendrickson stated criteria five had been met.

Member Opsommer 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. Member Opsommer stated this variance is consistent with neighboring land and that criteria six is met.

Vice-Chairperson Field-Foster read review criteria seven which states the conditions pertaining to the land or structure are not as general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. Vice-Chairperson Person Field-Foster stated that while the conditions are common among older, smaller parcels, it is not so recurrent to create general regulation, meeting criteria seven.

Member Hendrickson mentioned that as signs are replaced on these old parcels it may become a recurring problem in the future.

Vice-Chairperson Field-Foster read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter. Vice-Chairperson Field-Foster stated criteria eight had been met.

**Member Hendrickson moved to approve the variance request ZBA CASE NO. 21-08-25-1 (5680 Marsh LLC), 5680 Marsh Road, Haslett, MI, 48840. Seconded by Member Opsommer.**

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Opsommer, Vice-Chairperson Field-Foster

NAYS: None

Motion carried: 3-0

## **7. OTHER BUSINESS – None**

## **8. PUBLIC REMARKS**

Vice-Chairperson Field-Foster opened the floor for public remarks at 7:01 pm

**None**

Vice-Chairperson Field-Foster closed public remarks at 7:01 pm

## **9. MEMBER COMMENTS**

Member Hendrickson thanked Vice-Chair Field Foster for doing an excellent job running the meeting and wished Member Kulhanek farewell who recently resigned from the Zoning Board of Appeals.

Vice-Chairperson Field-Foster wished Member Kulhanek farewell.

## **10. ADJOURNMENT**

Chairperson Mansour Adjourned the meeting at 7:02 pm.

## Keith Chapman

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**From:** Drew <ramaiv@gmail.com>  
**Sent:** Tuesday, August 24, 2021 8:43 AM  
**To:** Keith Chapman  
**Subject:** Kliewer Variance for 5118 Park Lake Rd

Hi Keith, or to whom it may concern,

In response to the township letter of August 20, 2021 concerning a request for variance from Chris Kliewer of 5118 Park Lake Rd, I would like to voice support of the variance to construct the proposed garage on the property.

Thank you,

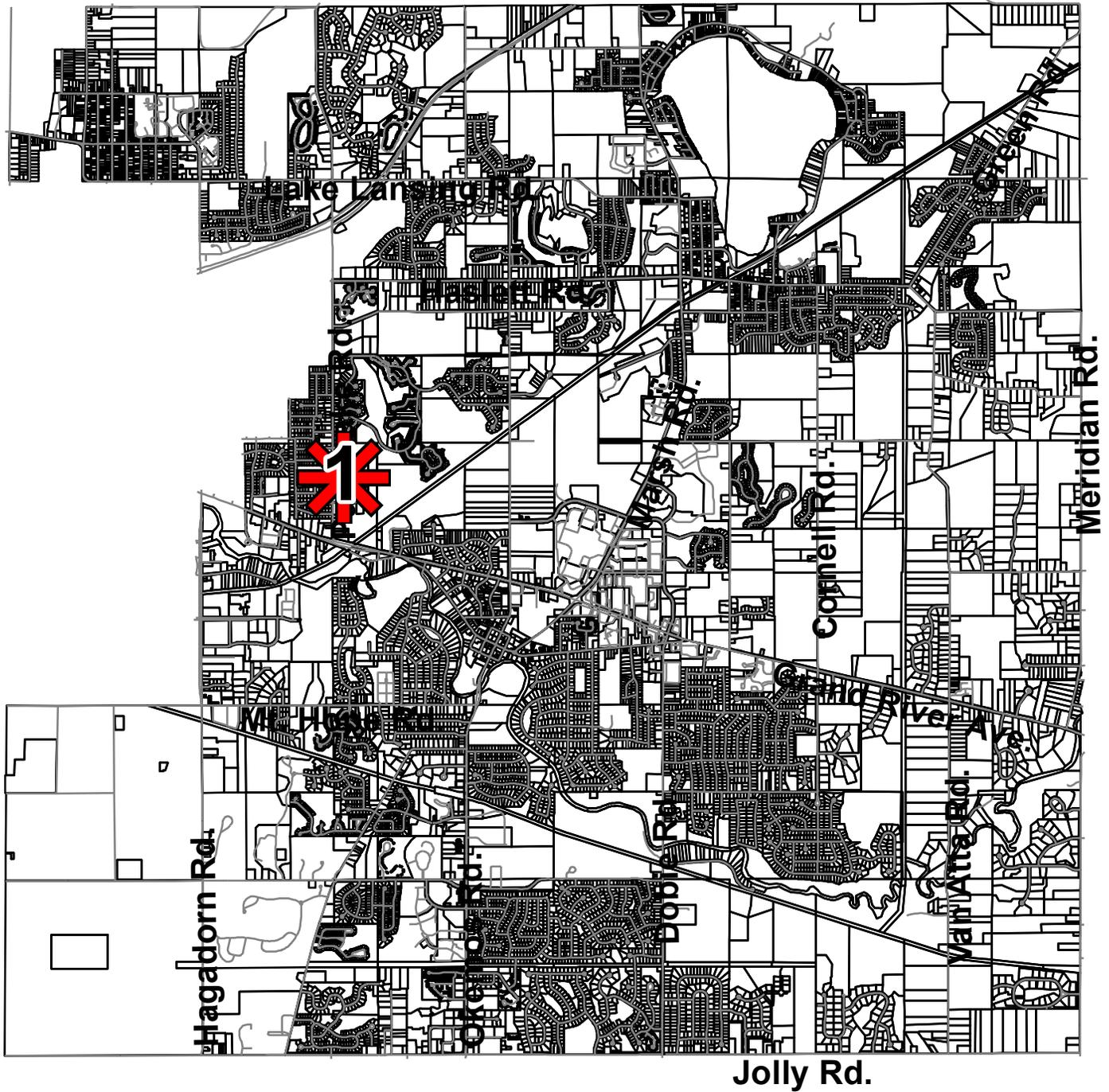
Drew Lockwood  
5144 Park Lake Rd  
517-290-4820

## 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.

# Meridian Township



Location Map

1. ZBA #21-09-08-1 (Kliewer)





**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** September 3, 2021  
**Re:** ZBA Case No. #21-09-08-1 (Kliwer)

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**ZBA CASE NO.:** 21-09-08-1 (Kliwer), 5118 Park Lake Road, East Lansing, MI 48823  
**LOCATION:** 5118 Park Lake Road  
**PARCEL ID:** 17-476-001  
**ZONING DISTRICT:** RA (Single Family, Medium Density)

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

- Section 86-373(e)(5)(a) - Front yards. In accordance with the setback requirements of § 86-367 for the type of street upon which the lot fronts. The front yard setback is 100 feet from the centerline of the right-of-way on Park Lake Road.

The applicant intends to add an approximately 1,260 square foot attached garage to the existing 1,522 square foot single-family dwelling at 5118 Park Lake. At its closest point, the existing single-family home is approximately 74 feet from the centerline of the Park Lake Road right-of-way. According to Township records, the one-story home was constructed in 1947 and the applicant has owned the home since 2017.

Section 86-367 is the Township map that designates street setbacks and in this case Park Lake Road is designated as a minor arterial street with a front yard setback of 100 feet from the centerline of the street. The proposed 1,260 square foot garage addition will be located on the south side of the existing single-family home. At its closest point the building addition will be approximately 75 feet from the centerline of the Lake Drive right-of-way. A variance of 25 feet is requested.

Alternatively, the Ordinance allows for the Zoning Board of Appeals to establish the required front yard setback. Section 86-561 states any front yard in any single-family residential district may be reduced below the minimum required only when the front yards of existing principal structures within 200 feet of a proposed principal building location are less than the minimum required. The applicant provided a map that shows some of the approximate existing setbacks within the immediate area of the subject property. The Zoning Board of Appeals, if it so chooses, can establish the front yard setback for this property under this section, bypassing the need for a variance.

#### **Attachments**

1. Variance application and Site Plan, dated August 6, 2021 and received by the Township on August 6, 2021.
2. Location map

G:\COMMUN PLNG & DEV\PLNG\ZBA\2021 ZBA\ZBA 21-09-08\ZBA 21-09-08-1 (Kliwer)\ZBA 21-09-08-1 staff report

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

VARIANCE APPLICATION

A. Applicant Chris Kliever  
Address of Applicant 5118 Park Lake Rd, East Lansing, MI 48823  
Telephone (Work/cell) 517-449-2619 Telephone (Home) \_\_\_\_\_  
Fax \_\_\_\_\_ Email address: chriskliever1@yahoo.com  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 5118 Park Lake Rd, East Lansing 48823  
Zoning district \_\_\_\_\_ Parcel number 33-02-02-17-476-001

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)

Chris Kliever                      Chris Kliever                      Aug. 6, 2021  
Signature of Applicant                      Print Name                      Date

Fee: \_\_\_\_\_ 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.**)

Chris Kliever                      Aug. 6, 2021  
Signature of Applicant(s)                      Date

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

## Variance Application Supplement

**Proposed Project and Reasoning For a Variance-Summary:** Hi, my name is Chris Kliewer and I live at 5118 Park Lake Road, in East Lansing. I would like to add a two stall garage to the existing garage at my house. My house was originally built at 75' from the center of Park Lake Road. The current ordinance states, "All new construction in this area must be at 100' from the center of Park Lake Rd. Therefore, I am requesting a "Front Yard Reduction" to 75'. All the houses in my immediate area are also near the 75' set back, so this "Front Yard Reduction" will not change the look of the neighborhood or be out of the ordinary for this area. In addition I have a floodplain in my backyard that will not allow me to build a garage there. I have attached the requested supporting documents for this Variance.  
-Thank you for your consideration in this matter!

**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.

**Answer: Unique circumstances exist, since 5118 Park Lake was originally constructed at 75' from the center of the road and all the houses in the immediate area are also approximately 75' from the center of the road. In addition, there exists a "floodplain" approximately 20' behind the house which prevents the construction of such a garage in the backyard. There is also a steep elevation change starting approximately 10' behind the house.**

2. These special circumstances are not self-created.

**Answer: These special circumstances are not self-created, since 5118 Park Lake was originally constructed at 75' from the center of the road in 1965. The current ordinance of 100' was not in place at that time.**

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

**Answer: Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties, since 5118 Park Lake Rd. was originally constructed at 75' from the center of the road and there exists a "floodplain" behind the house, the only allowable place to add on a garage or any other structure would be to the North and South (left and right side) of the house. In addition, any garage built more than a few feet back from the front of the current garage will result in an unnecessary and unusually long driveway and an unusual shape to the existing structure.**

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.

**Answer: Practical difficulties will result from a failure to grant the variance and prevent the owner from using the property for a permitted purpose, since**

there is substantial land to the North and South (left and right) side of the house at 5118 Park Lake Rd. for additional structures, such as a garage. In addition, the floodplain in the back of the house prevents such a structure from being constructed in that area.

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.

**Answer: Granting the variance is the minimum action that will make possible the use of the land, since 5118 Park Lake Rd. was originally constructed at 75' from the center of the road and all the houses in the immediate area are also approximately 75' from the center of the road. In addition to the fact of the floodplain in the back of the house.**

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

**Answer: Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property, since 5118 Park Lake Rd. was originally constructed at 75' from the center of the road and all the houses in the immediate area are also at approximately 75' from the center of the road.**

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.

**Answer: The conditions pertaining to the land or structure are general recurrent on Park Lake Rd as to make the formulation of a general regulation for such conditions practicable. Such as, "New construction will be allowed the same distance to the road as the original structure is to the road on Park Lake Road."**

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

**Answer: Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter, since the proposed variance is not "out of the ordinary" for this area. All the surrounding houses are located approximately the same distance of 75' from the center of the road and most also have garages.**

**Note: Why is this ordinance not as follows... "All new construction will not be constructed any closer to Park Lake Rd. than the original structure."**

**Since there are so many houses in this area that are already closer than 100' to the center of Park Lake Rd?**

**Thank you!**

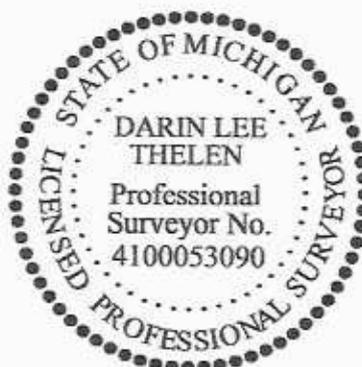
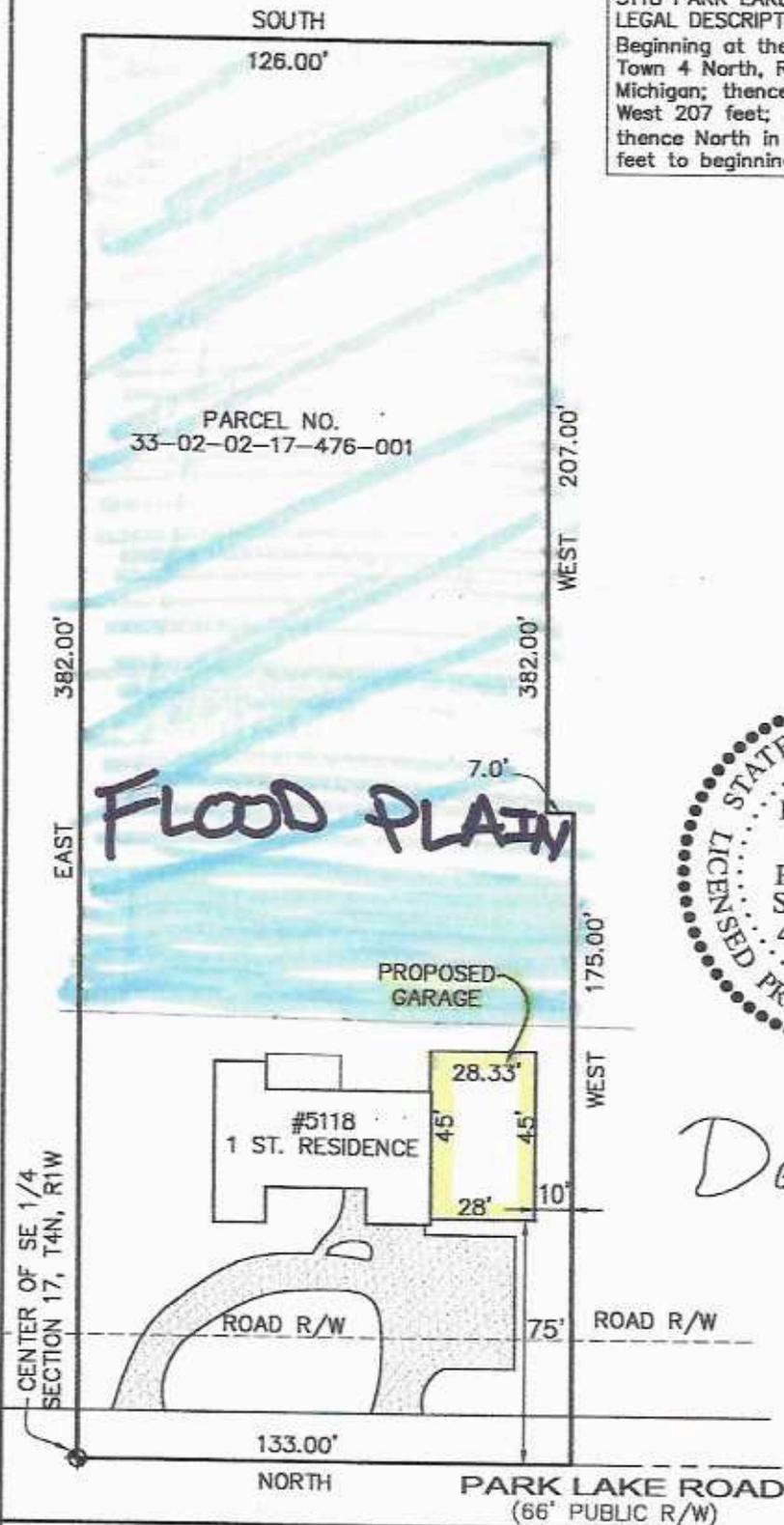
**-Chris Kliewer**

# PLOT PLAN



## LEGAL DESCRIPTION:

5118 PARK LAKE ROAD - PARCEL NO. 33-02-02-17-476-001  
 LEGAL DESCRIPTION:  
 Beginning at the center of the Southeast 1/4 of Section 17,  
 Town 4 North, Range 1 West, Meridian Township, Ingham County,  
 Michigan; thence East 382 feet; thence South 126 feet; thence  
 West 207 feet; thence South 7 feet; thence West 175 feet;  
 thence North in the center of Park Lake Road on 1/8 line 133  
 feet to beginning.



*Darin Thelen*

## NOTES:

1. THE PROPERTY LINES SHOWN HEREON ARE NOT THE RESULT OF A CERTIFIED LOT SURVEY.
2. EASEMENTS OF RECORD, IF ANY, ARE UNKNOWN AND THEREFORE NOT SHOWN HEREON.

## LEGEND:

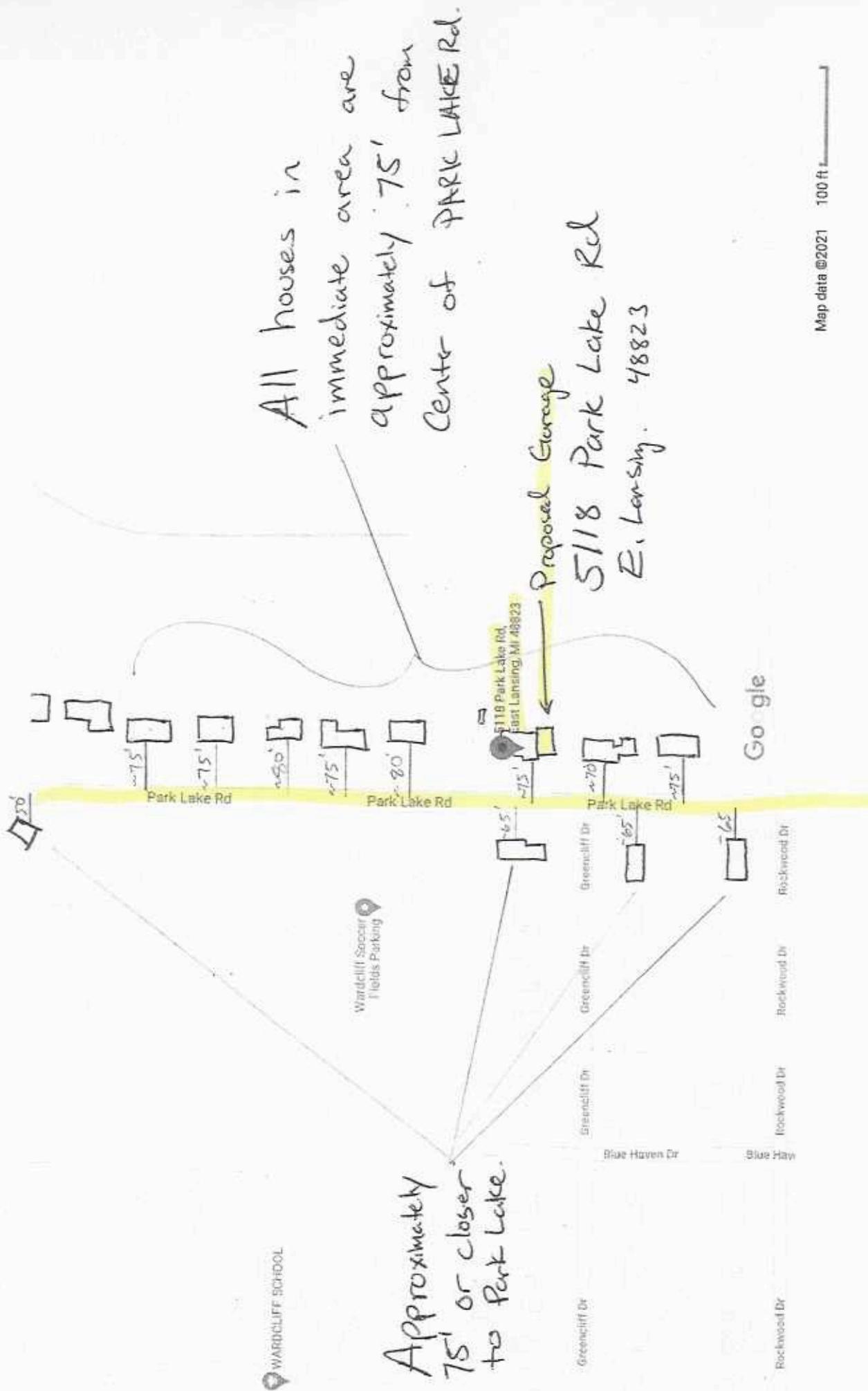
— = PROPERTY BOUNDARY

SW CORNER  
 OF SE 1/4  
 SECTION 17  
 T4N, R1W

**D. L. THELEN**  
 Land Surveying & Mapping, LLC  
 6025 Claremont Ct. Lansing, MI 48917  
 (517) 449-8330

FOR: CHRIS KIEWER		PG. 1 OF 1	
LOCATION: 5108 & 5118 PARK LAKE ROAD PART OF THE SE 1/4 OF SECTION 17, MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN			
DATE: 7-29-21	DRAWN: DLT	CHK'D: DLT	PROJ. NO.: 21.0007

Google Maps 5118 Park Lake Rd



All houses in immediate area are approximately 75' from center of PARK LAKE RD.

Approximately 75' or closer to Park Lake.

Proposed Garage  
5118 Park Lake Rd  
E. Lansing. 48823

5118 Park Lake Rd.

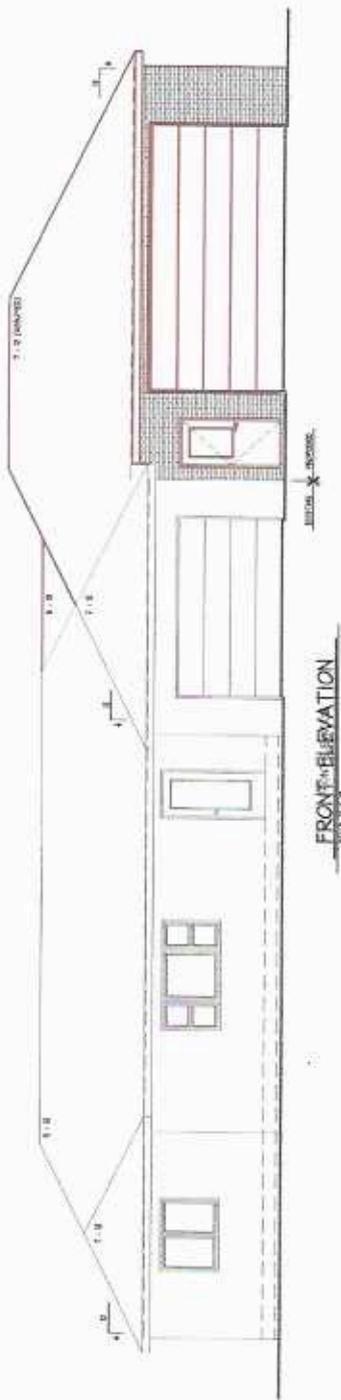
NO.	REVISION

**BR**  
BUILDING  
REPAIR  
CORPORATION  
1027 EASTMAN AVE.  
DUNN, NORTH CAROLINA 27826  
TEL: 919-286-1111

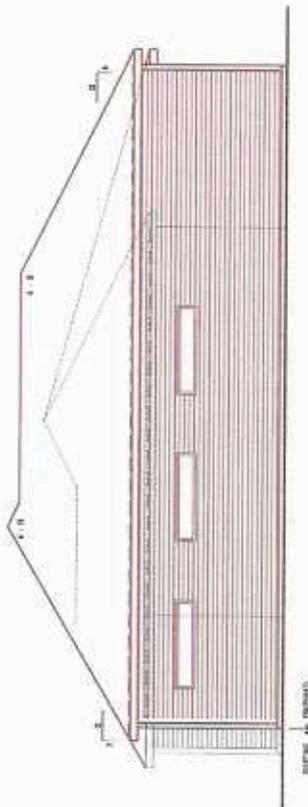
DATE: 08/11/2011

**PRELIMINARY FLOOR PLAN**  
FOR  
**CHRIS KLEWER**  
3167 S. HUNTER RD. #104  
DUNN, NC 27826-1400  
TEL: 919-286-1111

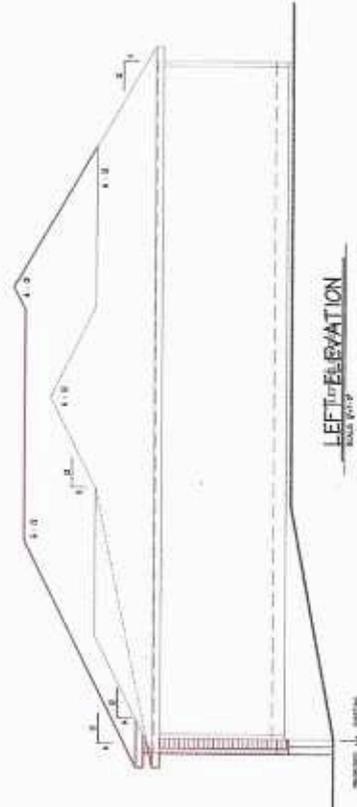
3 of 3  
DATE: 08/11/2011  
DRAWN BY: [unclear]



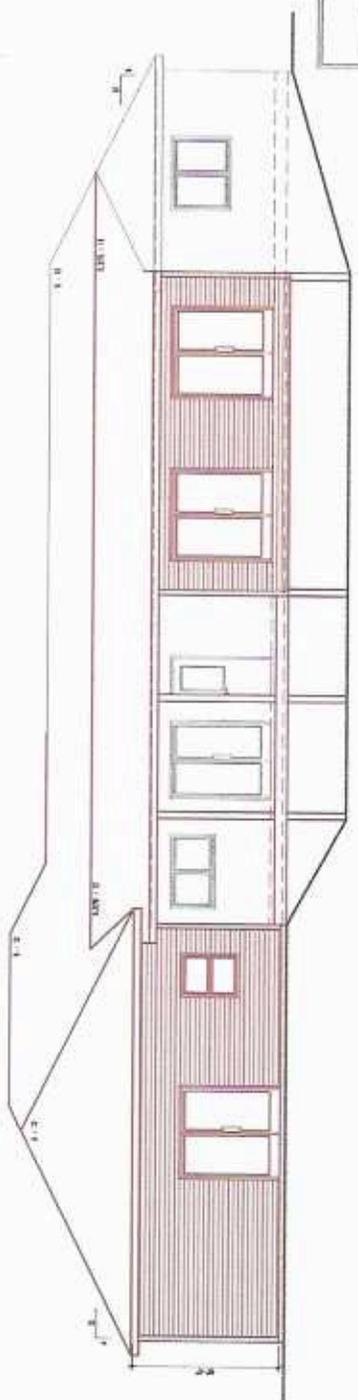
**FRONT ELEVATION**



**RIGHT ELEVATION**



**LEFT ELEVATION**



**REAR ELEVATION**

**LEGEND**

---	EXISTING FINISH / CONSTRUCTION
---	NEW FINISH / CONSTRUCTION

5118 Park Lake Rd.

NO.	REVISION	DATE

3037 PENNSYLVANIA  
LITTLE ROCK, AR 72616  
501-771-1111  
**PR**  
PROFESSIONAL REGISTERED ARCHITECT

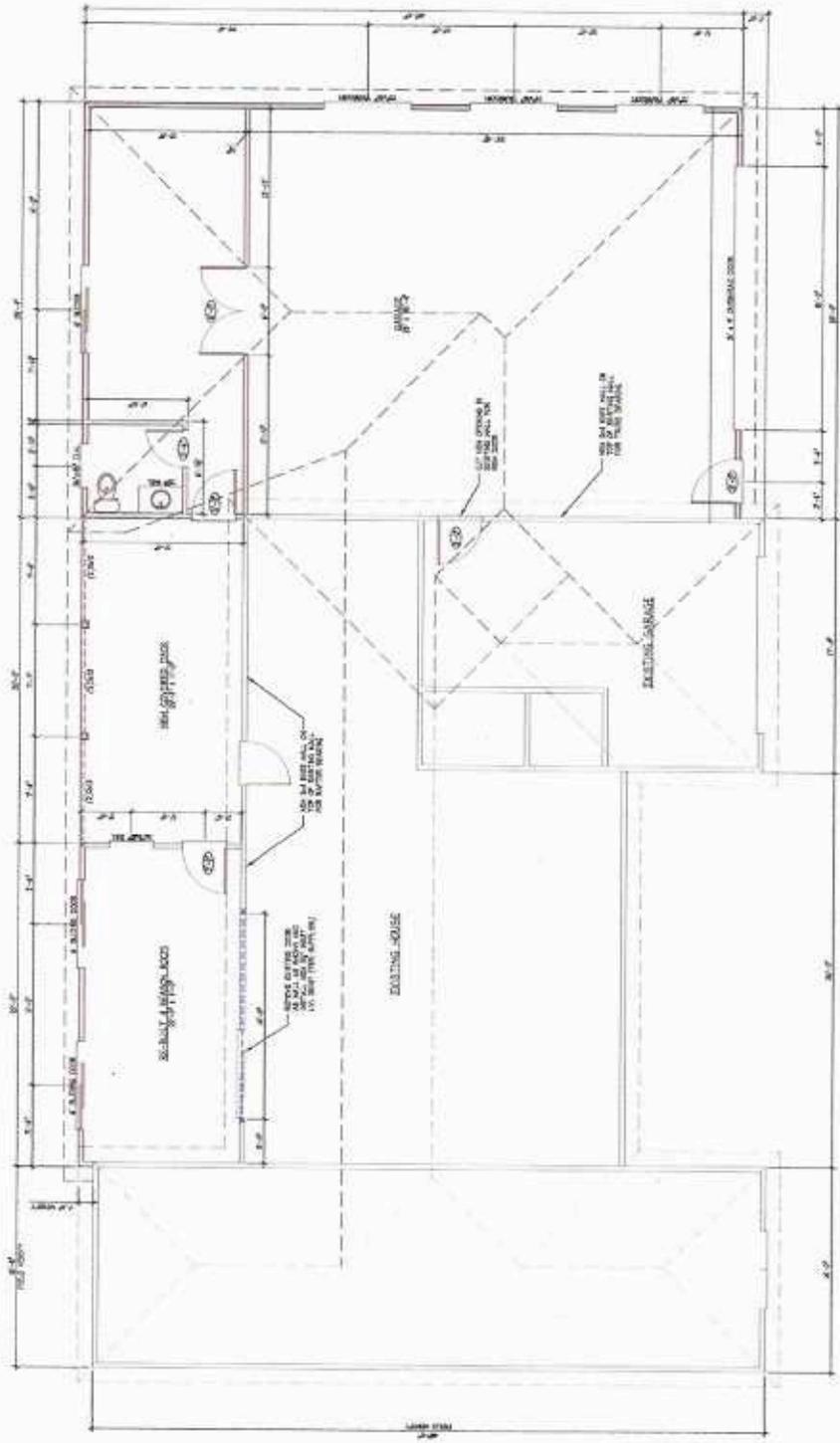
NO. \_\_\_\_\_

**FLOOR PLAN**  
FOR  
**CHRIS KLEWER**  
2817 PARK LAKE RD. - 5118  
LITTLE ROCK, AR 72616

DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
SCALE: \_\_\_\_\_  
SHEET NO. **2** OF **3**

LEGEND

---	EXISTING ITEM / CONSTRUCTION
---	NEW ITEM / CONSTRUCTION
---	REMOVE TO BE REINSTALLED / DEMO
---	REMOVE ITEM / CONSTRUCTION



**FLOOR PLAN**



