

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, SEPTEMBER 23, 2015 6:30 PM
TOWN HALL ROOM

A. CALL MEETING TO ORDER

B. APPROVAL OF AGENDA

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

- o Wednesday, September 9, 2015

D. UNFINISHED BUSINESS

E. NEW BUSINESS

1. ZBA CASE NO. 15-09-23-1, CHERIE & PAT MANN, 5934 MONTEBELLO AVENUE, HASLETT, MI 48840

DESCRIPTION:	5934 Montebello Avenue
TAX PARCEL:	10-301-001
ZONING DISTRICT:	RA (Single- Family-Medium Density)

The applicant is requesting variances to allow an addition onto the east side of the existing non-conforming single-family residence located at 5934 Montebello Avenue.

- ☞ 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.

F. OTHER BUSINESS

G. PUBLIC REMARKS

H. BOARD MEMBER COMMENTS

I. ADJOURNMENT

J. POST SCRIPT – PATRICIA JACKSON

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

BRET DREYFUS
TOWNSHIP CLERK

ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

Persons wishing to address the topic of a scheduled public hearing are encouraged to present their remarks during the public hearing portion of the Zoning Board of Appeals meeting. If you do intend to

Speak before the Zoning Board of Appeals please sign in at the door. During a public hearing, the following order shall be used:

1. Township Staff Review
2. Comments by the applicant or applicant's designee(s)
3. Comments by other persons
4. Applicant rebuttal
5. ZBA members discuss the case. If necessary, the applicant may be asked to respond to questions from the ZBA members
6. Action by the ZBA

Persons wishing to appeal a decision of the Zoning Board of Appeals shall do so in accordance with Michigan Court Rules of Appeals to Circuit Court MCR 7.101.

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**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES ***DRAFT***
5151 MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, September 9, 2015**

PRESENT: Members Jackson, Lane, Chair Beauchine
ABSENT: Members Hershiser, LeGoff, Ohlrogge
STAFF: Rick Brown, Associate Planner

A. CALL MEETING TO ORDER

Chair Beauchine called the meeting to order at 6:35 p.m.

B. APPROVAL OF AGENDA

MEMBER JACKSON MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER LANE.

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

Wednesday, August 26, 2015

MEMBER JACKSON MOVED TO APPROVE THE MINUTES AS WRITTEN.

SECONDED BY CHAIR BEAUCHINE.

VOICE VOTE: Motion carried unanimously.

D. UNFINISHED BUSINESS

None.

E. NEW BUSINESS

1. ZBA CASE NO. 15-09-09-1, MARIO & EMILY DIONISE, 180 WIND-N-WOOD DRIVE, OKEMOS, MI 48864

DESCRIPTION:	180 Wind-N-Wood Drive
TAX PARCEL:	36-426-002
ZONING DISTRICT:	RR (Rural Residential)

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

- Section 86-470 which states in no case shall any dwelling unit be located closer than 175 feet from a railroad right-of-way.

The applicant is requesting a variance to enclose an existing deck on the rear of the dwelling at 180 Wind-N-Wood Drive, Okemos.

Mr. Brown outlined the case for discussion.

Chair Beauchine informed the applicant only three board members were present. There are five members on the Zoning Board of Appeals (ZBA), and applicant is entitled to have five board members hear the case.

Chair Beauchine specified the ZBA Rules of Procedure states a majority of three voting members must be present in order for a variance to be approved or denied, and since only three board members were present, the vote must be unanimous in order to proceed. The

applicant was given the option to move ahead with the case or postpone it until the next meeting on September 23, 2015. The applicant chose to have the case heard at the present meeting.

Emily Dionise, 180 Wind-N-Wood, Okemos, the applicant, said she and her husband have enjoyed the birds and wildlife from their deck, but with the increasing mosquito problem they decided to convert their deck into a three-season room.

Chair Beauchine explained the 175 foot setback requirement from a railroad right-of-way was a safety issue. The ordinance changed after the home was built. The setback requirement ensured enough distance between a residence and the railroad tracks in the event of a train derailment.

Member Jackson confirmed the home was built in 1980 and the ordinance was put into place in 1988. She indicated there was a forested buffer between the residence and the railroad tracks.

Member Lane attested to the mosquito problem adding the renovation was to enclose an existing deck foundation without adding to the footprint of the home and he was in favor of approving the variance.

MEMBER JACKSON MOVED TO APPROVE THE VARIANCE AS REQUESTED.

SECONDED BY CHAIR BEAUCHINE.

ROLL CALL VOTE: YES: Members Jackson, Lane, Chair Beauchine
NO: None.
Motion carried 3-0.

F. OTHER BUSINESS

None.

G. PUBLIC REMARKS

Mr. Brown said there is a case to be heard at the September 23, 2015 meeting.

H. BOARD MEMBER COMMENTS

Chair Beauchine stated the Farmer's Market is temporarily located in the Meridian Mall parking lot. He also indicated Eve, Inc. is having their 19th Annual Forget-me-Not auction on Thursday, September 17th and suggested going to their website at <http://www.eveinc.org> for more information.

I. ADJOURNMENT

Chair Beauchine adjourned the meeting at 6:45 p.m.

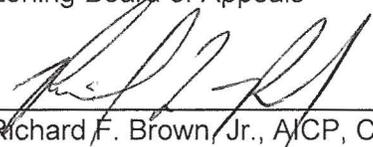
Respectfully Submitted,

Erin M. Bierly
Recording Secretary

MEMORANDUM

TO: Zoning Board of Appeals

FROM:


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

DATE: September 17, 2015

RE: ZBA Case No. 15-09-23-1

ZBA CASE NO.: 15-09-23-1, CHERIE & PAT MANN 5934 MONTEBELLO AVENUE, HASLETT, MICHIGAN 48840

DESCRIPTION: 5934 Montebello Avenue
TAX PARCEL: 10-130-001
ZONING DISTRICT: RA (Single Family-Medium Density)

The applicants are 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.

Cherie & Pate Mann are requesting the variance to allow the construction of a 544 square foot addition (17 x 32) onto the rear of their existing single-family dwelling located at 5934 Montebello Drive.

The existing dwelling is non-conforming for the following reason:

- It is located approximately 88 feet from the center of Lake Lansing Road when a minimum of 100 feet is required by Section 86-368(d)(4)a.

The existing dwelling is located 29 feet from the rear property line. Pursuant to the rear yard setback allowances provided for shallow depth lots of 115 feet or less in depth contained in Section 86-563, the subject site has a required rear yard setback of 22.5 feet. This setback is calculated by subtracting the actual lot depth of 85 feet from 115 feet (115 feet - 85 feet = 30 feet); then multiplying the 30 foot difference by 0.25 to determine the allowance of 7.5 feet. Subtracting the 7.5 feet allowance from the normally required 30 foot rear yard setback results in an allowed setback of 22.5 feet.

The proposed 17 foot deep addition would bring the dwelling to within 12 feet of the rear property line (29 foot exiting setback – 17 foot addition), thus requiring a variance of 10.5 feet from the required 22.5 foot rear yard setback. This information is depicted in the chart below.

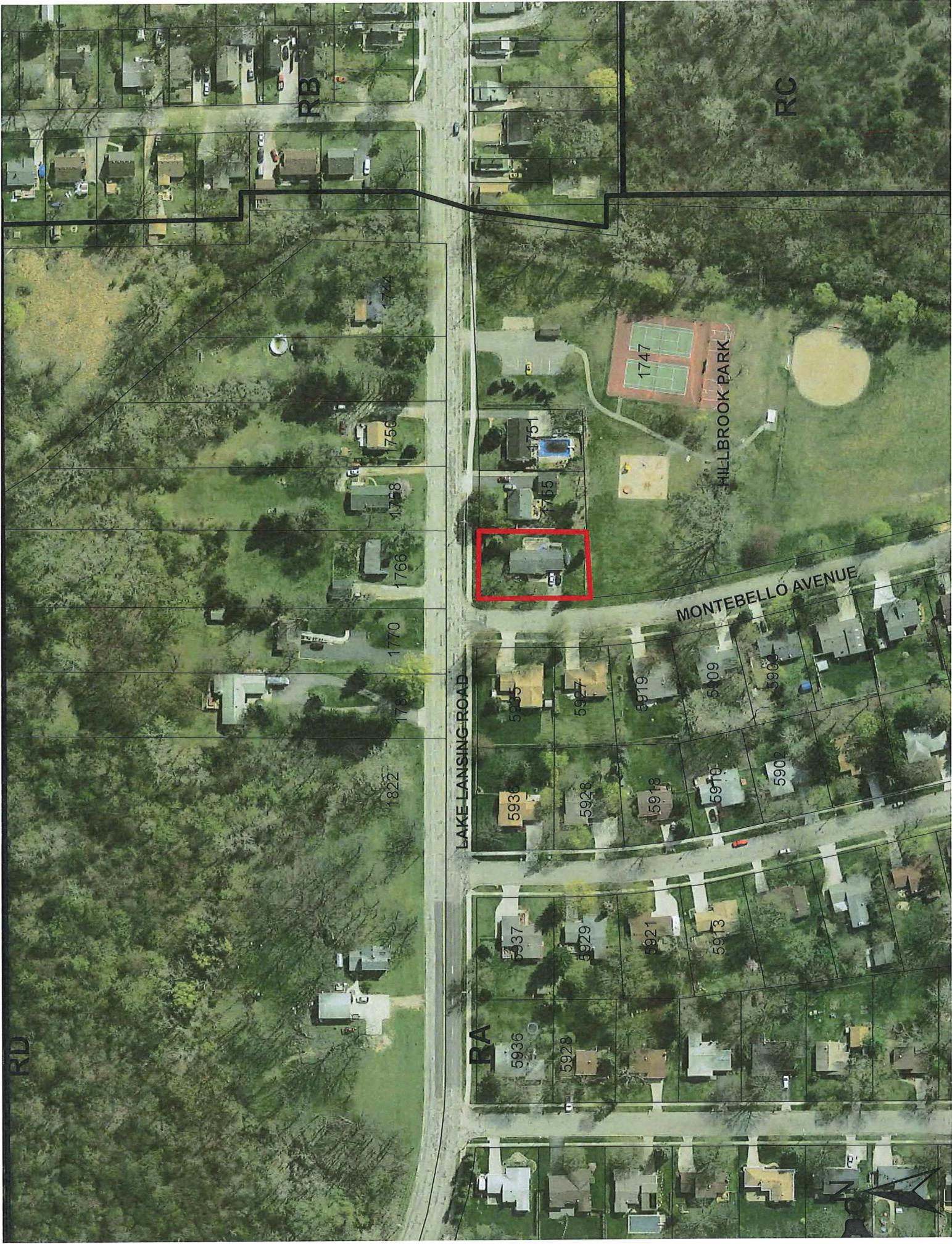
REQUIRED SETBACK	PROPOSED SETBACK	VARIANCE REQUESTED
22.5 feet	12 feet	10.5 feet

Site History

- The existing single-family dwelling was constructed in 1971 and contains 1,156 square feet of floor area.
- The subject site consists of 0.264 acres (or 11,500 square feet) at the southeast corner of Lake Lansing Road & Montebello Avenue.
- No previous variances have been sought/obtained for the subject site.

Attachments

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



RB

RC

LAKE LANSING ROAD

MONTEBELLO AVENUE

BA

RD

1744

1756

1758

1766

1770

1822

1747

1751

1765

5936

5937

5928

5929

5921

5913

5935

5927

5919

5909

5903

5938

5918

5910

5902

5936

5928

5921

5913



HILLBROOK PARK



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

VARIANCE APPLICATION

A. Applicant CHERIE MANN
Address of Applicant 3934 MONTEBELLO
HASLET MI 48870
Telephone (Work) _____ Telephone (Home) 455-3764
Fax _____ Email address: _____
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 3934 MONTEBELLO
Zoning district _____ Parcel number J.D. 33-02-02-10-130-001

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)

[Signature] Cherie Mann 8/26/15
Signature of Applicant Print Name Date

Fee: \$150.00 Received by/Date: [Signature] 8/28/15

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] 8/26/15
Signature of Applicant(s) Date

Signature of Applicant(s) Date

Rick Brown

From: pcpkmann@comcast.net
Sent: Friday, August 28, 2015 11:52 AM
To: Rick Brown
Cc: Pat Mann
Subject: Township mtg

Dear Mr. Richard Brown Jr. ,

Please allow Raymond Waldmiller of Raven Enterprises; who we have contracted as our builder; to speak at the upcoming township meeting on matters concerning survey of property, building plans, etc.

Sincerely,
Pat and Cherie Mann
5934 Montebello Ave.
Haslett, MI 48840

Sent from XFINITY Connect Mobile App



Raven Enterprises
Building & Remodeling
Home Improvement Since 1969



310 South Howard Street, Lansing, Michigan 48912 ▪ Phone: 517.374.6000 ▪ Fax: 517.374.6002 ▪ Email: ravenoflansing@aol.com

August 26, 2015

Charter Township of Meridian Planning Division
5151 Marsh Road
Okemos, Michigan 48864

Dear Members of Charter Township of Meridian Zoning Board of Appeals,

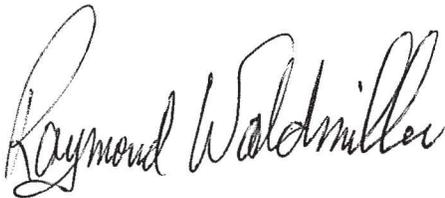
1. The house sets on a corner lot with a minor street (Montebello) and a major street (Lake Lansing). Because of the set back requirements from a major road, the sun room cannot be built on the north end. The house was set back from Montebello 4 feet more than necessary, which restricted the rear yard by 4 feet more than necessary.
2. The home owners were not the original owners, therefore; could not control the placement of the house or which yard was designated as the front.
3. & 4. The sun room cannot be placed on the north end.

If the sun room were on the south end, it would have to project 8 feet beyond the front of the garage. There would be no direct way for access from the house. Walking through the garage, especially in the winter, for access to the exercise pool, would be extremely burdensome, and not have handicap access in the future.

5. Building the sun room / exercise room, on the rear of the house is the only practical location for the access and appearance. There is a privacy fence on the Lake Lansing Road side of the property. The exercise pool is 19' x 8'. The manufacturer requires 3 feet on all sides of the pool for access to maintain and make any needed repairs to the pool equipment. The added dimension is for access to the pool. The 32 ft. length on the house is needed for a seating area beyond the pool itself.

6. Roads are on two sides of the property and the park is on the south side. If the house were situated on the lot as it is, but the access was from Lake Lansing Road, the area in question would be a side yard and only need a 10 ft. set back. The driveway access is determining the use of the east yard. The essential character of the property wouldn't be changed. The character would be the same as the only adjacent properties going down Lake Lansing Road.
7. All of the previously mentioned peculiarities of this lot and house, make it highly unlikely to have duplicate conditions.
8. Granting the variance would be consistent with the only adjacent house by treating the common lot line as a side yard for both.

Sincerely,

A handwritten signature in cursive script that reads "Raymond Waldmiller". The signature is written in black ink and is positioned below the word "Sincerely,".

Ray Waldmiller
President of Raven Enterprises

Cherie and Pat Mann
5934 Montebello
Haslett, MI 48840

August 26, 2015

Charter Township of Meridian Planning Division
5151 Marsh Road
Okemos, Michigan 48864

Dear Members of Charter Township of Meridian Zoning Board of Appeals,

We have lived in this house for many years and intend to retire and stay here. We have remodeled the entire exterior as you can see. We have remodeled the entire interior making it entirely handicap accessible. This is so we can stay in our home if this becomes necessary.

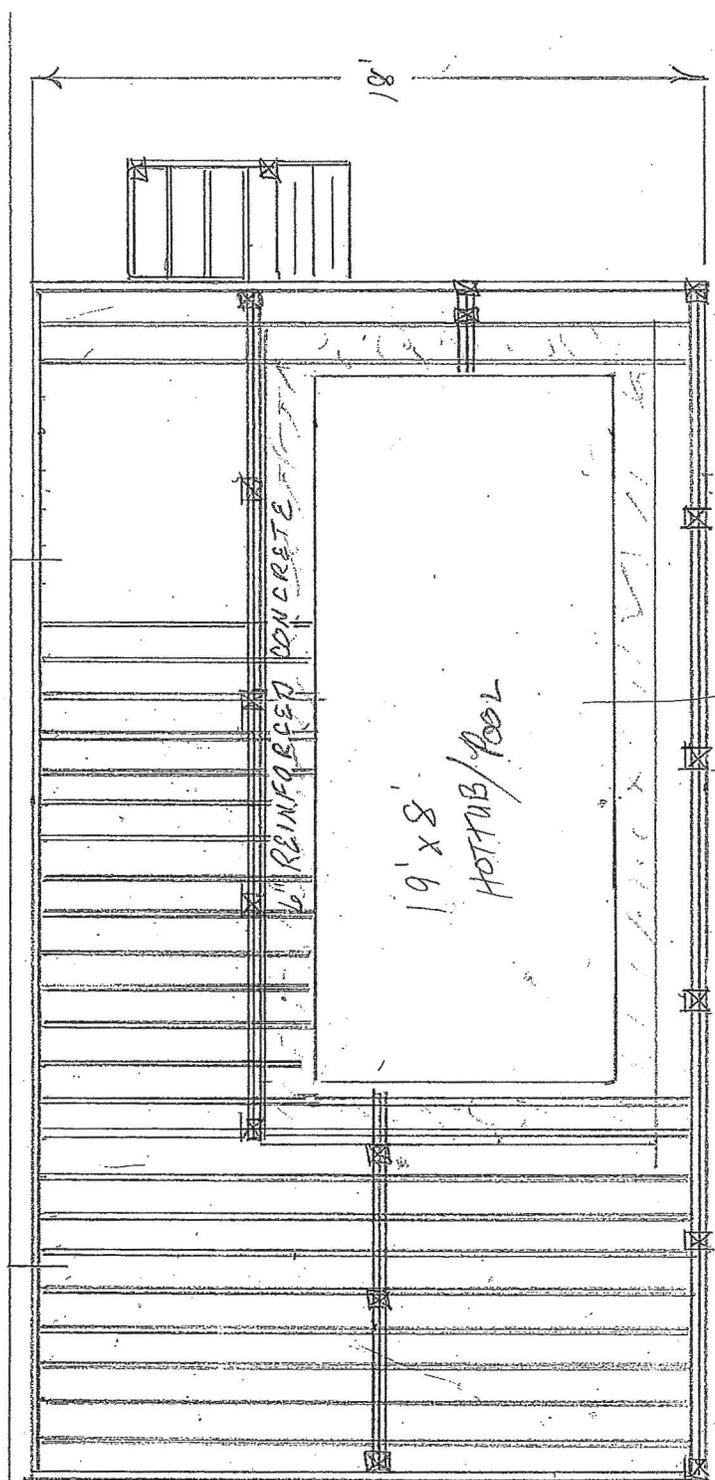
We have both had bariatric surgery and have diabetes and heart problems. Our doctors have stated that we must be on a regular diet and exercise program for the rest of our lives. The exercise pool would afford us this experience on a daily basis, winter or summer and into our future years. Being on the rear and accessed directly from our house, at the same level, makes it useable for the foreseeable future.

Sincerely,

A handwritten signature in black ink, appearing to read "Cherie Mann", with a long, sweeping horizontal flourish extending to the right.

Pat and Cherie Mann

House



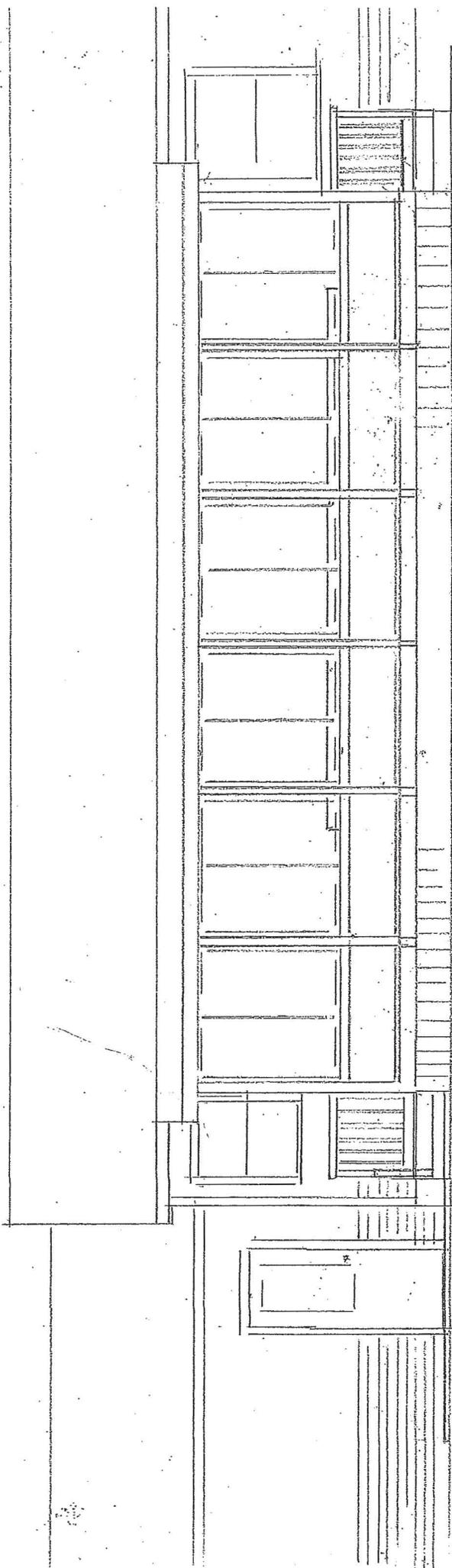
pool sitting on 1 concrete

SCALE
1/4" = 1'

2-3'x4' DECKS AT EXIT DRG.

FLOOR

- 2x8 BAND JOISTS + 2 LATERAL TIES
- 2x8 JOISTS 16" OC - HANGERS - DIRECT BEARING
- ON BEAM - DIRECT BEARING ON 4x4 POSTS
- DOUBLE 2x8 CARRIER BEAMS
- 16x16 FT 42" DEEP
- 3/4" OSB DECKING



V