

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *APPROVED*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, DECEMBER 8, 2021
REGULAR TELEVISED MEETING**

PRESENT: Chair Mansour, Members Opsommer, Hendrickson

ABSENT: Vice-Chair Field-Foster

STAFF: Director of Community and Planning Timothy Schmitt, Assistant Planner Chapman,
IT Director Stephen Gebes

1. CALL MEETING TO ORDER

Chair Mansour called the meeting to order at 6:30 p.m. and called the role of the board.

Vice-Chair Field-Foster is absent. All others present.

2. APPROVAL OF AGENDA

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

ROLE CALL TO VOTE:

YEAS: Members Hendrickson, Opsommer, Chair Mansour

NAYS: None

Motion carried: 3-0

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

A. November 10, 2021 Meeting Minutes

Member Hendrickson moved to approve the minutes from Wednesday, November 10, 2021 as presented. Seconded by Member Opsommer.

ROLE CALL TO VOTE:

YEAS: Chair Mansour, Members Opsommer, Hendrickson

NAYS: None

Motion carried: 3-0

4. COMMUNICATIONS - NONE

5. UNFINISHED BUSINESS

A. **ZBA CASE NO. 21-10-27-1 (Loveridge & Dohr), 2050 Sheldrake Avenue, Okemos, MI, 48864**

DESCRIPTION: 6074 Columbia Street

TAX PARCEL: 03-477-004

ZONING DISTRICT: RB (Single Family, High Density), Lake Lansing Overlay District

The variance requested is to construct a single-family home that does not meet the front yard setback and driveway coverage requirements. The variance for the side yard setback has been removed since the last meeting.

Assistant Planner Chapman outlined the case for discussion.

Applicant's representative Timothy Mrozowski 613 Grove St., East Lansing MI, 48823 further outlined the case for discussion.

Member Hendrickson thanked Assistant Planner Chapman for his work on this case, and thanked the applicant for the changes they've made to their plans to require less variances.

Chair Mansour 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.

Chair Mansour stated criteria one has been met.

Chair Mansour read review criteria two which states these special circumstances are not self-created.

Chair Mansour stated criteria two has been met.

Chair Mansour read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.

Chair Mansour stated criteria three has been met.

Chair Mansour 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.

Chair Mansour stated criteria four has been met.

Chair Mansour 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.

Chair Mansour stated criteria five has been met.

Chair Mansour 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.

Chair Mansour stated criteria six has been met.

Chair Mansour 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.

Chair Mansour stated she does have a hard time with this criteria as many of the parcels in this area have required variances. However she does not believe it is fair to hold that against the applicant.

Member Hendrickson stated the Planning Commission is working with staff to draft an ordinance amendment to address the Lake Lansing overlay district. He also does not believe it is fair to hold this against the applicant.

Director Schmitt stated he and staff are working on two fixes to address the Ordinance causing issues in this area of the township.

Chair Mansour stated criteria seven has been met.

Chair Mansour read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.

Chair Mansour stated criteria eight has been met.

Member Hendrickson moved to approve the variances as requested in ZBA CASE NO. 21-10-27-1 (Loveridge & Dohr), 2050 Sheldrake Avenue, Okemos, MI, 48864. Seconded by Member Opsommer.

Member Opsommer thanked Member Hendrickson for his input last meeting and Assistant Planner Chapman for his work on this case that led to being able to take this minimum action tonight.

ROLE CALL TO VOTE:

YEAS: Members Opsommer, Hendrickson, Chair Mansour

NAYS: None

Motion carried: 3-0

6. NEW BUSINESS

A. ZBA CASE NO. 21-12-08-1 (SH G2755 LLC & Green Peak Industries, Inc.), 5030 Northwind Drive Ste. 120, East Lansing, MI, 48823

DESCRIPTION: 2755 Grand River, 4972 Northwind Drive, & Vacant Parcel ID #20-127-003

TAX PARCEL: 20-127-001, 20-127-002, & 20-127-003

ZONING DISTRICT: C-2 (Commercial)

The variance requested is to exceed the maximum allowed parking spaces at 2755 Grand River, 4972 Northwind Drive, & Vacant Parcel ID #20-127-003.

Assistant Planner Chapman outlined the case for discussion.

Applicant's representative Robert Ford 809 Center St., Lansing MI, further outlined the case for discussion.

Member Opsommer asked who the tenant is.

Mr. Ford replied Trader Joe's is the proposed tenant.

Member Hendrickson stated the property is already paved over so no pervious land is going to be lost by approving extra parking spaces. He further stated that he believed this business would do well in the township as there appears to be a large demand.

Chair Mansour stated that as the land is already paved over the space could be a safety hazard and wasted space if the variance is not approved.

Member Opsommer asked if the applicant had met with Hobby Lobby to discuss shared parking.

Mr. Ford stated they had considered it, but at this time are not sure if it is an option. He further stated this project would increase the impervious space by 14%.

Chair Mansour asked what would happen if the variance is not approved.

Mr. Ford stated he could not speak directly for the client, but he assumed they would look for another location.

Chair Mansour 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.

Chair Mansour stated Criteria one has been met.

Chair Mansour read review criteria two which states these special circumstances are not self-created.

Member Hendrickson stated that since the land had already been paved over the applicant did not create this situation themselves.

Chair Mansour stated Criteria two has been met.

Chair Mansour read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties.

Member Opsommer stated that not granting this variance would create practical difficulties as it is inevitable that customers will start parking in neighboring lots.

Chair Mansour stated Criteria three has been met.

Chair Mansour 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.

Chair Mansour stated Criteria four has been met.

Chair Mansour 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 that having sufficient parking on site is critical to public safety.

Chair Mansour stated Criteria five has been met.

Chair Mansour 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.

Chair Mansour stated Criteria six has been met.

Chair Mansour 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.

Chair Mansour stated Criteria seven has been met.

Chair Mansour read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter.

Chair Mansour stated Criteria eight has been met.

Member Hendrickson moved to approve the variance as requested for ZBA CASE NO. 21-12-08-1 (SH G2755 LLC & Green Peak Industries, Inc.), 5030 Northwind Drive Ste. 120, East Lansing, MI, 48823. Seconded by Chair Mansour.

ROLE CALL TO VOTE:

YEAS: Members Opsommer, Hendrickson, Chair Mansour

NAYS: None

Motion carried: 3-0

7. OTHER BUSINESS

A. 2022 Meeting Schedule

Chair Mansour outlined the 2022 Meeting Schedule.

Chair Mansour moved to adopt the resolution approving the 2022 Zoning Board of Appeals Meeting Schedule. Seconded by Member Opsommer.

ROLE CALL TO VOTE:

YEAS: Chair Mansour, Members Hendrickson, Opsommer

NAYS: None

Motion carried: 3-0

8. PUBLIC REMARKS

Chair Mansour opened the floor for public remarks at 7:27 pm

None

Chair Mansour closed public remarks at 7:27 pm

9. MEMBER COMMENTS

Member Hendrickson

- Announced that if a resident of Meridian Township would like to serve on the Zoning Board of Appeals you may submit an applicant to the township. Applications can be found on the township website at:

<https://www.meridian.mi.us/Home/Components/FormBuilder/FormBuilder/ab645b1f6ad340fa8df777891a5f6bbe/1365>

10. ADJOURNMENT

Chair Mansour Adjourned the meeting at 7:28 pm.