



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
October 9, 2019 6:30 pm

1. CALL MEETING TO ORDER*
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
 - A. Wednesday, September 18, 2019
4. COMMUNICATIONS
 - A. Bear Lake Homeowners Association RE: ZBA #19-09-18-4
5. UNFINISHED BUSINESS
6. NEW BUSINESS

A. ZBA CASE NO. 19-10-09-1 (Schoen & Schneider), 6102 Columbia Street, Haslett, MI, 48840

LOCATION: 6102 Columbia Street
PARCEL ID: 03-476-001
ZONING DISTRICT: RB (Single Family-High Density), Lake Lansing Overlay

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

- Section 86-442(f)(9)(a), Maximum driveway coverage. A driveway shall not occupy more than 50 percent of the total area of the front yard for residential lots created prior to October 5, 1960, and are less than 65 feet in width at the street line.

The variance request is to install a driveway which exceeds the maximum allowed coverage of the front yard at 6102 Columbia Street.

B. ZBA CASE NO. 19-10-09-2 (O'Reilly Auto Enterprises, LLC), 233 S. Paterson, Springfield, MO, 65802

DESCRIPTION: 2703 Grand River Avenue
TAX PARCEL: 20-203-012
ZONING DISTRICT: C-2 (Commercial)

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

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



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
October 9, 2019 6:30 pm

- Section 86-441(e)(6), Access management standards. Based on the posted speed limit along the public street segment, access points shall have a minimum of 350 feet of spacing provided from other access points along the same side of the street, measured centerline to centerline.
- Section 86-441(e)(8), Access management standards. Based on the posted speed limit along the public street segment, access points shall be aligned with driveways on the opposite side of the street or offset 630 feet, measured centerline to centerline. The Director of Community Planning and Development may reduce this to not less than 150 feet where the offsets are aligned to not create left-turn conflicts.
- Section 86-441(e)(9), Access management standards. The minimum required driveway spacing from the intersection of Grand River Avenue and a Collector or Local street is 200 feet, measured pavement edge to pavement edge.
- Section 86-755, Schedule of requirements for parking space. Parking space shall be provided in accordance with the design standards of this chapter and according to this schedule: for commercial centers having a gross floor area (GFA) less than 25,000 square feet, 5 spaces per 1,000 square feet (minimum) to 5.5 spaces per 1,000 square feet (maximum).

The variance requests are to construct a driveway that would not meet the setback from an existing driveway along the same side of the street, the required offset from an existing driveway on the opposite side of the street, and the setback from a street intersection. A variance to construct a parking lot without the required number of parking spaces is also requested. The subject site is located at 2703 Grand River Avenue.

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

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.

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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, SEPTEMBER 18, 2019 6:30 PM
TOWN HALL ROOM**

PRESENT: Chair Beauchine, Members, Lane, Mansour, Wisinski
ABSENT: Member Field-Foster
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 p.m.

2. APPROVAL OF AGENDA

MEMBER LANE MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER MANSOUR.

VOICE VOTE: Motion carried unanimously.

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, July 24, 2019.

MEMBER MANSOUR MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, JULY 24, 2019.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

4. COMMUNICATIONS

None.

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

A. ZBA CASE NO 19-09-18-1 (Peterson), 2705 Linden Street, East Lansing, MI, 48823

LOCATION: 2705 Linden Street

PARCEL ID: 17-253-002

ZONING DISTRICT: RA (Single Family-Medium Density)

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

- Section 86-373(e)(5)(a), Minimum yard dimensions. Front yards. In accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts.

- Section 86-373(e)(5)(b), Minimum yard dimensions. Side yards: 10 feet.

The variance requests are to construct an attached garage that would project 2.7 feet into the side yard setback and 2.3 feet into the front yard setback at 2705 Linden Street.

Assistant Planner Quagliata outlined the case for discussion. He noted the previous owner obtained a building permit in 2016 to demolish an existing garage and construct a carport. The carport was not constructed and the building permit had expired.

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

Mr. Barry Peterson, the applicant, 2705 Linden Street, East Lansing, stated the existing stairs to the house extended approximately four feet from the side of the house. The garage needed to be wide enough to accommodate two cars. He noted there was a downward slope in elevation south of the concrete slab that had been poured for the carport which prohibited constructing the proposed garage off the back of the house.

Chair Beauchine opened the floor for public remarks.

Michael Breen, 2517 Linden Drive, East Lansing, spoke in support of the requested variances.

Chair Beauchine closed the floor for public remarks.

Member 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. She stated the house was purchased without a garage and an existing concrete slab installed for a carport that was never constructed was unique.

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

Member 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. She stated the property currently did not have a garage.

Member 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. She stated adding to an existing garage would be excessive but the property currently did not have a garage which created practical difficulties.

Member 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. She noted the proposed encroachment into the front and side yard setbacks was minimal.

Member 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. She stated a neighbor spoke in support of the requested variances.

Member Mansour 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 this criteria had been met.

Member 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. She stated this criteria had been met.

Chair Beauchine stated the current owners' personal circumstances could not be considered because variances stay with the property which make it difficult to meet review criteria four. He noted the applicant could construct a single car garage with the existing stairs. His concern was there were variances requested from both the front and side yard setbacks.

Member Wisinski asked staff if the proposed garage would be the same size as the previous garage removed in 2011.

Assistant Planner Quagliata stated the proposed garage would be larger than the garage removed in 2011. He added the previous garage met the 10 foot setback from the side lot line and the 25 foot front yard setback.

Member Mansour asked staff if the requested variances were needed to ensure car doors could open. She also asked if the existing stairs were constructed by the previous owner.

Assistant Planner Quagliata stated the stairs were existing when the prior owner removed the garage.

Mr. Peterson stated the variances were needed so car doors could be opened due to the width of the existing stairs.

Member Mansour asked the applicant if they considered replacing or reconfiguring the stairs.

Mr. Peterson stated moving the stairs back would place the entrance to the house in the bathroom and shortening the stairs was not feasible because they were concrete.

Member Lane stated the existing stairs were unique and to construct a two car garage and accommodate the stairs would require the variances. He noted most new houses built included two car garages and most of the houses in the neighborhood had two car garages. He stated not allowing a two car garage would be a practicable difficulty.

Chair Beauchine stated if the proposed garage could be moved back to match the original front facade of the house then it could be considered the minimum action necessary.

Member Lane asked the applicant their reasoning for extending the garage into the front yard setback.

Mr. Peterson stated because of the location of the stairs a car door would not be able to be opened inside the garage.

Member Lane asked the applicant if the slope of the concrete slab was south the proposed garage.

Mr. Peterson responded yes and to move the proposed garage back would require supporting and pouring additional concrete.

MEMBER MANSOUR MOVED TO APPROVE BOTH VARIANCES.

SECONDED BY MEMBER WISINSKI.

Member Wisinski stated the stairs were problematic and the applicant had considered alternative options.

Member Mansour stated the applicant had requested the minimum variances necessary.

ROLL CALL TO VOTE: YES: Members Mansour, Wisinski, Lane, Chair Beauchine
NO:
Motion carried unanimously.

B. ZBA CASE NO. 19-09-18-4 (Frankovich), 6814 Kingdon Avenue, Holt, MI, 48842

LOCATION:	2552 Bruin Drive
PARCEL ID:	17-228-004
ZONING DISTRICT:	RA (Single Family-Medium Density)

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

- Section 86-564(b)(2), Unenclosed porches. Roofed or unroofed porches may project into a required side or rear yard a distance not to exceed eight feet, provided: the porch shall not be closer than eight feet at any point to any side or rear lot line.
- Section 86-564(e), Fire escapes, outside stairways, and balconies. Fire escapes, outside stairways, and balconies, if of open construction, may project into the yard up to a maximum of five feet.

The variance requests are to construct a deck and outdoor stairway which would encroach into the required setback from the side lot line at 2552 Bruin Drive.

Assistant Planner Quagliata outlined the case for discussion. He noted the property was part of the Wildwood Lakes Planned Unit Development and setbacks were established by the Township Board. The previous decks had not received building permits. The decks were deemed unsafe by the Township Building Inspector and required to be removed. He also stated the existing stairway was nonconforming and built two feet onto the adjacent property.

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

Ms. Lee Reiman, the property owner, 2552 Bruin Drive, East Lansing, stated the request was to reconstruct the deck in the side yard to the width of the previous deck that had been removed. Unlike the previous deck the new deck would extend south toward the driveway for a ramp to the side door of the garage. She stated the configuration of lots in the Bear Lake subdivision was unique.

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

Chair Beauchine stated the ZBA had considered variance requests for other properties in the Bear Lake subdivision. He noted the setbacks in the subdivision and the Wildwood Lakes Planned Unit Development were unique. Chair Beauchine asked staff if an addition to the house could be built up to the property line.

Assistant Planner Quagliata noted an addition to the house could be built up to the lot line provided there was 20 feet between buildings. He stated side yards in the Bear Lake subdivision were established at the time of construction on each lot. The required side yard for the subject property on the east side was 8.4 feet. An encroachment of a deck into the side yard was not permitted without a variance.

Chair Beauchine asked staff what the distance was between the house on the subject property and the house on the lot to the east.

Assistant Planner Quagliata stated the distance between buildings was approximately 34 feet.

Member Mansour asked staff if the proposed outdoor stairway could be constructed without a variance if the stairway projected five feet from the house.

Assistant Planner Quagliata stated yes an outside stairway may project into the side yard up to a maximum of five feet.

Chair Beauchine asked staff if the proposed outdoor stairway would be the only means of access to the rear yard.

Assistant Planner Quagliata stated the rear yard could be accessed from the west side of the. He also noted access to the rear yard was provided from the walkout basement and the deck at the northeast corner of the house.

Member Mansour questioned if the proposed deck and outdoor stairway were necessary and if not allowing those structures would result in practical difficulties. She stated there was access to the rear yard and did not believe the proposed outdoor stairway was necessary.

Chair Beauchine stated relocating the outdoor stairway to be adjacent to the house may block a window on the east side of the house.

Chair Beauchine asked staff if a five foot addition could be built on the east side of the house.

Assistant Planner Quagliata stated an addition to the house could be built up to the lot line if 20 feet was provided from the structure on the adjacent property.

Member Lane stated the setbacks for the Bear Lake subdivision were a unique circumstance which could satisfy review criteria one. He stated the setbacks were not self-created which could satisfy review criteria two.

Member Lane stated review criteria three and four had not been met. Not granting the variances would not result in practical difficulties or unreasonably prevent the applicant from using the property for the permitted purpose.

Ms. Reiman stated the door on the east side of the house provided access to the garage and the reason for requesting a longer deck was to provide a ramp to the door from the south.

Assistant Planner Quagliata stated the applicant did plan to construct a ramp to the front door to provide barrier free access to the house.

Member Lane stated the house had existing points of ingress and egress and did not believe the proposed deck was necessary. He noted the inability to build the deck was not a practical difficulty.

Ms. Reiman stated while the house had multiple points of access the proposed deck in the side yard would provide barrier free access from the rear yard to the front yard.

Member Mansour stated the Board used the eight review criteria found in Section 86-221 of the Code of Ordinances which did not allow the Board to consider the applicant's personal circumstances. She stated all eight review criteria must be met in order to grant a variance. She added the request was not the minimum action necessary and believed there were alternatives to what was proposed by the applicant.

Member Lane stated there were ways to provide barrier free access to the house in compliance with the zoning ordinance. He noted the Board's purview was to consider if the request met the eight review criteria in the zoning ordinance.

MEMBER LANE MOVED TO DENY THE VARIANCE REQUESTS BASED ON FAILURE TO MEET REVIEW CRITERIA THREE AND REVIEW CRITERIA FOUR.

SECONDED BY MEMBER MANSOUR.

ROLL CALL TO VOTE: YES: Members Lane, Mansour, Wisinski, Chair Beauchine
NO:
Motion carried unanimously.

C. ZBA CASE NO. 19-09-18-3 (Woodward Way LP), 500 S. Front Street, Columbus, OH, 43215

DESCRIPTION: East of Sirhal Drive, west of Greycliff Drive
TAX PARCEL: 17-377-031
ZONING DISTRICT: RC (Multiple Family)

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

- Section 86-376(g)(7)(iii), Other yard dimensions. No single building or connected building may exceed 200 feet in any one dimension. All buildings shall be so arranged as to permit emergency vehicle access, by some practical means, to all sides.
- Section 86-376(g)(9)(e), Parking requirements. Every multiple-family structure shall provide motor vehicle parking facilities which shall provide a minimum of 200 square feet in area for each vehicle parking space, each space shall be definitely designated and reserved for parking purposes, and each space shall be accessible separately from a drive.

The variance requests are to exceed the maximum building dimension by 37 feet in length for two buildings and construct 98 residential parking spaces 20 square feet less than the required size on a currently undeveloped parcel identified by Parcel Number 17-377-031.

Assistant Planner Quagliata outlined the case for discussion. He noted the Township Fire Inspector reviewed the site plan and did not have an issue with the length of the buildings.

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

Mr. Frank Fugate, the applicant's representative, 500 S. Front Street, Columbus, Ohio, stated the site was designed to meet all building and parking area setbacks. He noted the site plan allocated area for parking expansion.

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

Chair Beauchine asked staff the origin of the 200 foot maximum building dimension in the multiple family design standards.

Director Kieselbach stated the maximum 200 foot dimension was based on a provision of the Fire Code and how emergency responders have to lay hoses in the event of a fire. He noted the reason the Township Fire Inspector approved the length of the buildings was because other methods of fire suppression would be required.

Member Lane stated the project was before the Planning Commission for special use permits which were approved and mentioned the applicant satisfied the concerns of the Planning Commission by revising the site design and reducing the number of variances from 10 to two. He stated the multiple family land uses surrounding the subject site along with its location and former use of the property as a mobile home park created unique circumstances.

Member Mansour stated requiring other methods of fire protection was important if the Board was to grant the 37 foot variance from the maximum building dimension.

Member Wisinski stated she supported the project since the applicant revised the site plan to meet zoning ordinance requirements. She stated the required supplemental fire protection helped her support the variance from the maximum building dimension.

Member Lane asked staff why the parking dimensions required for this project were different than other projects in the Township.

Assistant Planner Quagliata stated except for multiple family developments and planned unit developments 9 feet by 20 feet was an allowed parking space size. The parking ordinance also allowed a 10 foot by 18 foot parking space.

Member Mansour asked staff why the required parking space size was different for multiple family developments.

Assistant Planner Quagliata stated the standard had been in the ordinance since the 1970s.

Member Mansour asked staff to reiterate the parking space size requirement for the proposed development.

Assistant Planner Quagliata stated parking spaces in multiple family developments must be 200 square feet in size, which was 10 feet in width by 20 feet in length.

Director Kieselbach stated the most common parking space size in the Township was 9 feet by 20 feet and multiple family developments were required to provide 200 square foot parking spaces. He stated the Township Board assigned staff to review the parking standards and research showed a 180 square foot parking space size was too large. The average size parking space in most communities was 9 feet by 18 feet (162 square feet).

Chair Beacuhine stated if the Township Board directed staff to review the parking ordinance then review criteria seven could be met.

MEMBER LANE MOVED TO APPROVE BOTH VARIANCE REQUESTS.

SECONDED BY MEMBER WISINSKI.

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 multiple family land uses surrounding the subject site along with its location and former use of the property as a mobile home park created unique circumstances.

Member Lane read review criteria two which states these special circumstances are not self-created. He stated this criteria had been 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 stated the applicant had revised the site plan to reduce the number of variances and not granting the variances would result in practical difficulties because a multiple family development would not be feasible.

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 property was zoned RC (Multiple Family) and not granting the variances would not allow the applicant to use the property for the permitted purpose.

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 stated the requested variances were the minimum necessary and the Township Fire Inspector concluded the length of the buildings was not a safety issue.

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 the property had a history of being used for residential purposes so this criteria had been 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 stated this criteria had been met.

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 had been met.

ROLL CALL TO VOTE: YES: Members Lane, Wisinski, Chair Beauchine, Member Mansour
NO:
Motion carried unanimously.

7. OTHER BUSINESS

None.

8. PUBLIC REMARKS

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

9. BOARD MEMBER COMMENTS

Assistant Planner Quagliata informed the Board the next meeting was on October 9, 2019.

10. ADJOURNMENT

Meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Justin Quagliata
Assistant Planner

RECEIVED
SEP 30 2019

September 17, 2019

Craig Newman, President
Bear Lake Homeowners Association
2537 Kodiak Drive
East Lansing, Michigan 48823

Meridian Township Zoning Board of Appeals
5151 Marsh Road
Okemos, Michigan 48864

Re: Chris and Lee Reimann Deck Replacement and Property Line Setback

Dear Chair Beauchine and Board Members,

It is a requirement of the Bear Lake Homeowners Association (BLHOA) Restrictive Covenants that prior to any modification to the "buildings, structures, and other improvements placed on each lot," homeowners must present a project plan and a request for review by the BLHOA Board of Directors seeking permission for the improvement. The BLHOA Board of Directors then carefully review the plan to insure that it meets covenant guidelines and is a positive for the community. The BLHOA Board of Directors has the authority to refuse an improvement for any reason, including purely aesthetic reasons whereby the board believes the improvement is not in harmony with the neighborhood. As a Board, we take our improvement permission review responsibility very seriously.

Chris and Lee Reimann submitted a deck replacement plan detailed on a lot survey to the BLHOA Board of Directors on September 6, 2019. The Reimann's also made the board aware that the existing deck was not in compliance with township setback provisions. It is the Board's belief that the existing deck has (likely) occupied this space since the home was built in the 1980's.

Upon review by the board and following the request for approval to construct the replacement deck with modest additions, unanimous BLHOA Board of Directors approval was granted to the Reimanns, contingent upon approval by the Meridian Township Zoning Board of Appeals

The BLHOA Board of Directors is of the opinion that since the existing deck has occupied essentially the same space within the lot line setback the new deck will occupy without issue or complaint, the Board has no issue with the new deck. In fact, the Board is pleased that the homeowners are seeking to remove the old, decaying structure and improve their living space with new construction. The Board believes the deck addition is an improvement to the Bear Lake community.

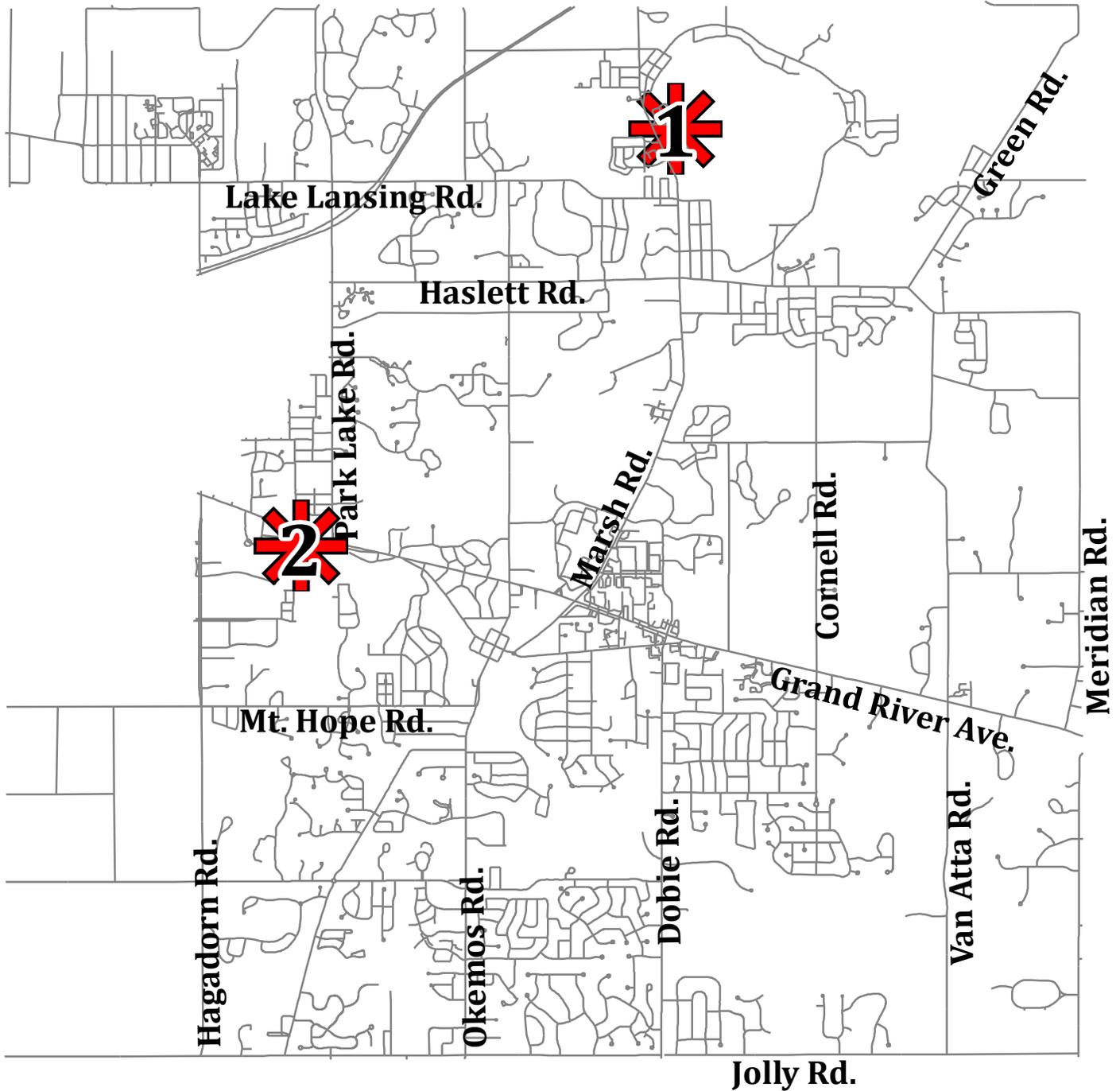
Insofar as the BLHOA is concerned, we welcome the deck improvement the Reimanns' have planned. We hope that the Meridian Township Zoning Board of Appeals agrees with us.

Respectfully,



Craig Newman, President
Bear Lake Homeowners Association

Meridian Township



Location Map

1. ZBA #19-10-09-1 (Schoen & Schneider)
2. ZBA #19-10-09-2 (O'Reilly Auto Enterprises)



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: Justin Quagliata, Assistant Planner
Date: October 4, 2019
Re: ZBA Case No. 19-10-09-1 (Schoen and Schneider)

ZBA CASE NO.: 19-10-09-1 (Schoen and Schneider), 6102 Columbia Street, Haslett, MI 48840
LOCATION: 6102 Columbia Street
PARCEL ID: 03-476-001
ZONING DISTRICT: RB (Single Family-High Density), Lake Lansing Overlay

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

- Section 86-442(f)(9)(a), Maximum driveway coverage. A driveway shall not occupy more than 50 percent of the total area of the front yard for residential lots created prior to October 5, 1960, and are less than 65 feet in width at the street line.

Kevin Schoen and Linda Schneider, the applicants, are proposing to expand the existing driveway at 6102 Columbia Street. The approximately 0.121 acre (5,270.76 square feet) subject property is zoned RB (Single Family-High Density) and located in the Lake Lansing Residential Overlay District. The subject parcel was platted in 1903 as part of the Lakeview subdivision and contains 40 feet of lot width at the street line of Columbia Street.

The property contains frontage along Lake Street unimproved right-of-way, which means although the right-of-way for the street exists, the street was not physically constructed. The unimproved right-of-way is 33 feet in width. The existing two-story house was built in 2005 and is approximately 2,526 square feet in size. The Zoning Board of Appeals (ZBA) granted a variance in 2004 (ZBA #04-07-14-1) to allow the new house construction to be setback three feet from the Lake Street right-of-way line, which is the north lot line of the subject site. Under the same case the ZBA denied variance requests for the house to be located closer than seven feet to the south lot line and closer than 25 feet to the Columbia Street right of way line.

The existing gravel driveway is approximately 760 square feet in size and is nonconforming at approximately 66.7 percent coverage of the front yard, which is approximately 1,140 square feet in size. For lots less than 65 feet in width the Lake Lansing Residential Overlay District allows a driveway to cover a maximum 50 percent of the total area of a front yard. The submitted site plan shows a brick or concrete driveway in the front yard which would cover approximately 74.4 percent of the front yard, or 848 square feet. The applicant is requesting a variance to exceed the maximum allowed driveway coverage by 24.4 percent. The proposed driveway would be an increase of coverage over the existing driveway by approximately 7.7 percent or 88 square feet.

ZBA Case No. 19-10-09-1 (Schoen and Schneider)
Zoning Board of Appeals (October 9, 2019)
Page 2

In 2013 the current applicant received approval of the same request for the driveway from the Zoning Board of Appeals (ZBA #13-05-22-3). The project was not completed during the effective period of the variance and the previous approval expired and is void.

Site History

- The original house was constructed in 1925 and demolished in 2000 (Building Permit #00-0685).
- On September 13, 2000 the Zoning Board of Appeals approved a variance to allow a single family house to be built five feet from the south property line, five feet from the north property line, and 20 feet from the Columbia Street right-of-way line (ZBA #00-09-13-5).
- On April 25, 2001 the Zoning Board of Appeals denied a variance request to construct a house three feet from the south property line, three feet from the north property line, and 20 feet from the Columbia Street right-of-way line (ZBA #01-04-25-2).
- On June 12, 2002 the Zoning Board of Appeals denied a variance request to construct a house 3.5 feet from the south property line, five feet from the north property line, and 20 feet from the Columbia Street right-of-way line (ZBA #02-06-12-1). The variance also included a request to exceed the maximum lot coverage and driveway coverage standards.
- On July 11, 2002 the Zoning Board of Appeals determined it would not rehear case #02-06-12-1 because less than one year had passed since the previous request (ZBA #02-07-10-3).
- On July 14, 2004 the Zoning Board of Appeals approved a variance to construct a single family house to be built three feet from the north lot line (ZBA #04-07-14-1). Under the same case the Zoning Board of Appeals denied a request for the house to be located closer than seven feet from the south lot line and closer than 25 feet to the Columbia Street right-of-way line.
- The house was constructed in 2005 under Building Permit #05-0542.

Attachments

1. Variance application dated August 3, 2019 and received by the Township on September 4, 2019.
2. Applicant's response to review criteria received by the Township on September 4, 2019.
3. Lot survey (existing) dated April 25, 2013 and received by the Township on September 30, 2019.
4. Site plan showing proposed driveway expansion dated April 25, 2013 and received by the Township on September 30, 2019.
5. Site location map.

G:\COMMUN PLNG & DEV\PLNG\ZBA\2019 ZBA\ZBA 19-10-09\ZBA 19-10-09-1 (Schoen)\ZBA 19-10-09-1 staff report.zba1



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

VARIANCE APPLICATION

A. Applicant KEVIN SCHON + LYNDIA SCHNEIDER
Address of Applicant 6102 COLUMBIA ST

Telephone (Work) 517-231-7715 Telephone (Home) SAME

Fax _____ Email address: _____

Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 6102 COLUMBIA ST
Zoning district _____ Parcel number _____

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]
Signature of Applicant

KEVIN SCHON 08-03-19
Print Name Date

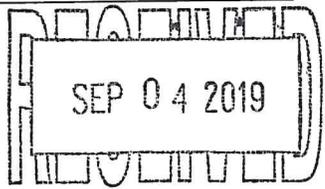
Fee: \$150

Received by/Date: Justin Quagliata 9-4-19

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 of Applicant(s) Date

Signature of Applicant(s) Date



Written Statement of how the review criteria will be met.

We had a previous variance approval to expand the driveway. We did not act on this as at the time the applicants mother had cancer and we were consumed with that family issues

We wish to put pavers on the driveway, and put a deep gravel base to ensure permeability. Currently it is unpaved. The property is on Lake Lansing. Most houses in this area have their entire "front yard" paved with every house using more than 50% of their "front yard" for a driveway. We wish to pave less than the entire front yard, and will put in landscaping, high quality brick driveway, etc. to make it look nice.

We purchased the property in October of 2010.. It was built in 2006. The owner at the time requested a variance to put the house within 3 feet of the public access space that is to the north of the property. We wish our driveway to be within 3 feet of the public access, and therefore are requesting a variance of two feet on the north side of the property.

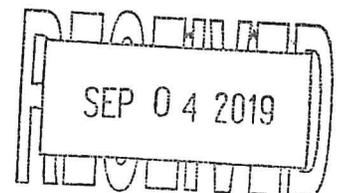
Our property is adjacent to the public access area where people who do not have lake front property can use. The public access area is used only rarely. We maintain the public access area, including landscaping, mowing, trimming bushes, trees, and have filled in the eroded areas around the seawall. We perform maintenance of the public access at our own expense. Occasionally we have clean up materials left by renters that use the public access. About half of the houses behind us are rentals. We have a good relationship with the public access users.

Sincerely,

Kevin Schoen & Lynda Schneider

kevinclarkschoen@gmail.com

517-231-7715 cell



1) **Unique Characteristics exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district.**

The property is on the lakefront. The lots in this area are very narrow, but long. Most all properties on this street on the lake have large "front yard" driveways, taking all or most of the front yards. Our property is no different. Currently most of the "front yard" is used primarily for parking, on dirt and gravel. We wish to pave or put in a brick driveway in areas that we already park, and to access the two car garage. Other properties in the RB area are usually not on the lake and have a different lot configuration.

Additionally this area is low lying and often a lot of water accumulates on the road and in the depression in the park during heavy rains. Having a paved parking area would provide less mud and would decrease erosion. We also would put some drainage gravel, plastic tubing under the driveway as water tends to come across our driveway during heavy rains.

2) **These Special Circumstance are not self-created:**

The lot size and configuration were determined prior to us purchasing the house. A special use permit was previously approved for the prior owner to build the house in the configuration that it is, and the special permit allowed the north side of the house to be at (3ft) three feet of the property line, we wish to put the driveway in the configuration in relation to the surround property of house.

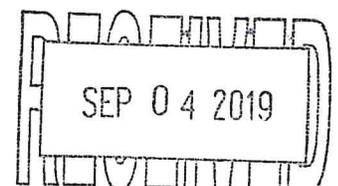
3) **Strict Interpretation and Enforcement of the literal terms and provisions of the ordinance would result in practical difficulties:**

If strictly interpreted we would have limitations on parking used to get to our garage and to our garage via a paved areas. Absent paving, would be continued to be parked in the unpaved areas, disrupting the grass and landscaping.

4) **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 or would render conformity with such restriction unnecessarily burdensome.**

The practical difficulty without granting this application would be limited parking and access, and access to the garage via paved area, and paved access to our front door.

The property is intended to be used as a residential area, and thus having landscaped and paved areas where vehicles will be parking, and high use pedestrian areas is consistent with the use of the property.



- 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.**

The layout of the house (as approved via variance 2006, when built), was found to be in the public interest. What we want to do is maintain the same layout and distances from the adjacent public access space, and the neighbors property.

Many of the properties that are on Lake Lansing are in precisely the same configuration as what we want.

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

The houses on the lake on Columbia, almost all have small driveways that take up most of the "front" yard due to the narrowness of the lots. Our house will look consistent with the other properties in this area.

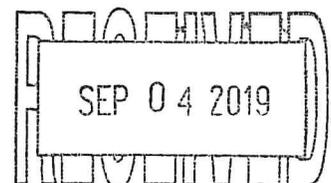
Most owners on the lake with limited "front yard", which are usually driveways, significantly landscape or put in decorative quality driveways. We intend to do the same. We will maintain and improve the character of the neighborhood.

- 7) **The conditions pertaining to the land are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.**

These conditions that exist cover a number of the house that are on narrow lots that are on Lake Lansing. The narrow lots on RB areas that are not on Lake Lansing, generally do not apply.

- 8) **Granting the variance will be generally consistent with public interest, the purposes and intent of the Zoning Ordinance.**

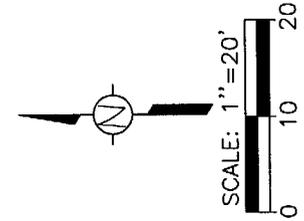
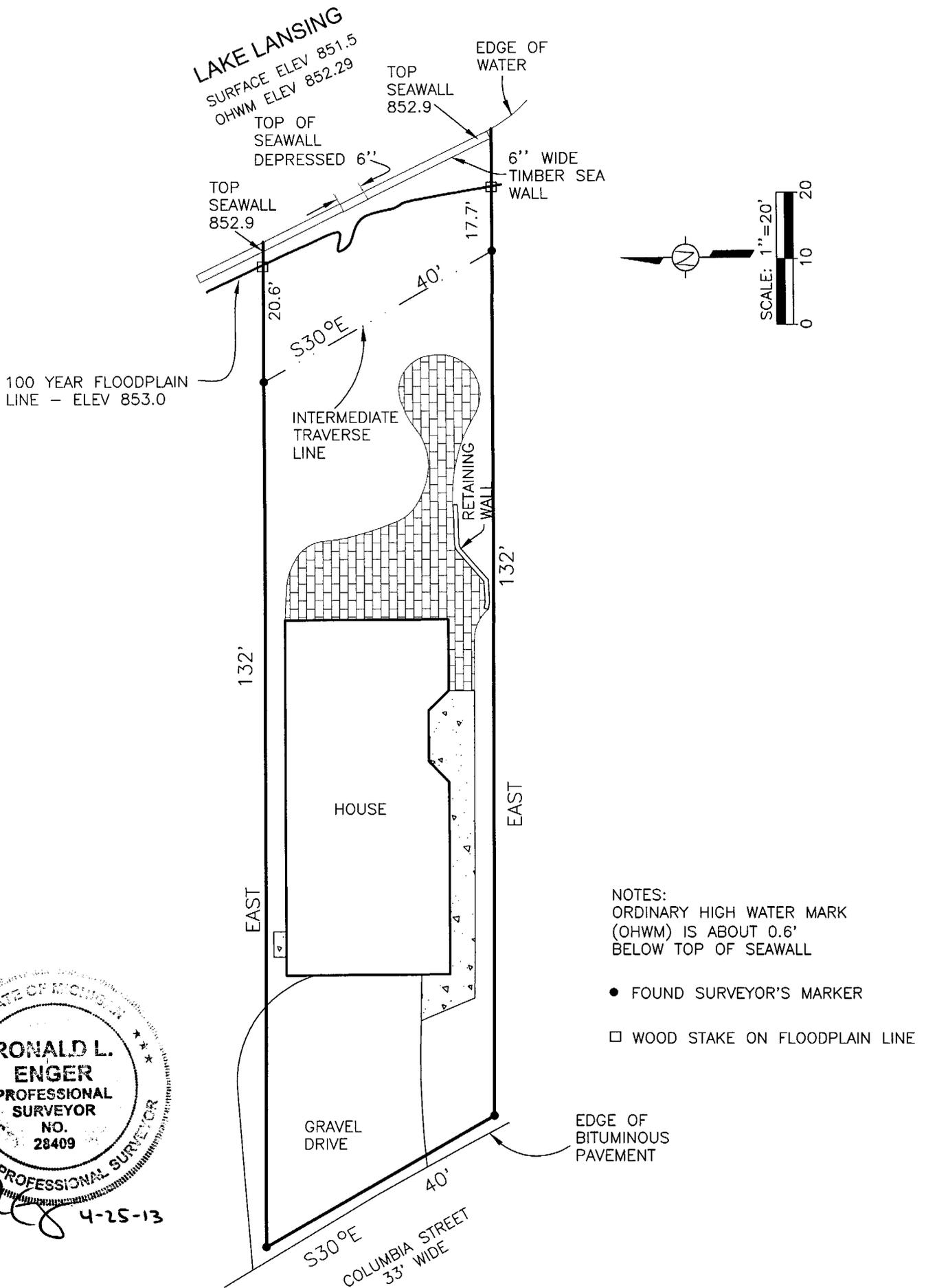
The layout proposed will provide for a consistent look and feel in the area in which our property is in, is consistent with the other lake properties in this area. Therefore, it is consistent with the public interest.



SURVEY

LEGAL DESCRIPTION:

LOT 1, BLOCK 1, LAKEVIEW, SE 1/4 SECTION 3, T4N, R1W, MERIDIAN TWP., INGHAM CO., MICHIGAN

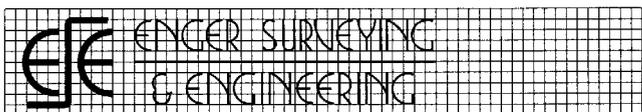


NOTES:
ORDINARY HIGH WATER MARK (OHWM) IS ABOUT 0.6' BELOW TOP OF SEAWALL

- FOUND SURVEYOR'S MARKER
- WOOD STAKE ON FLOODPLAIN LINE



This drawing reflects the location of the improvements, floodplain line and OHWM existing house on subject lot on April 15, 2013. Elevations are NAVD datum.



805 N. CEDAR PO BOX 87
MASON, MICHIGAN 48854-0087
517-676-6565

6102 Columbia Street
Lot 1, Block 1, Lakeview Subdivision
Meridian Twp, Ingham County, Michigan

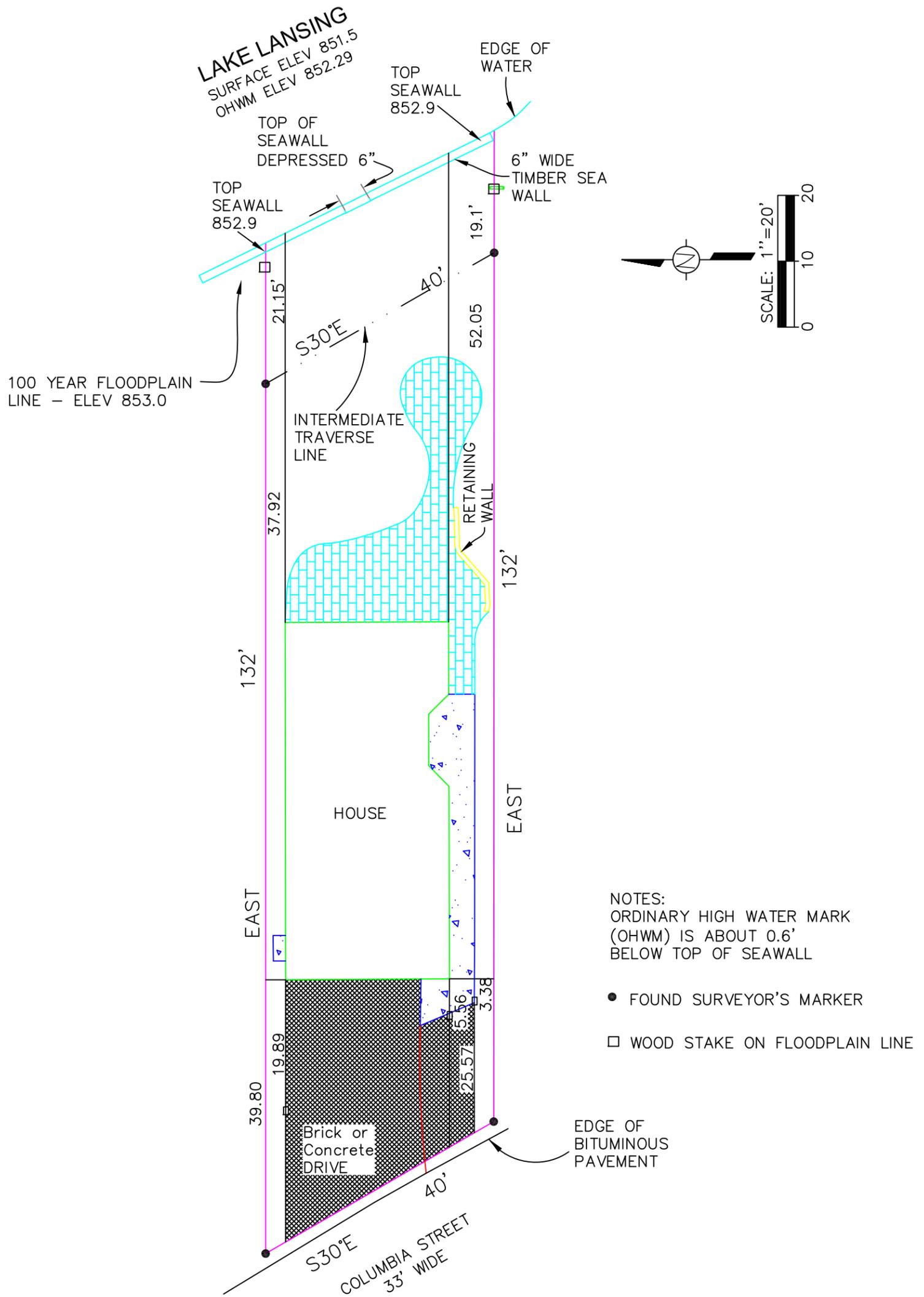
For:
Keven Schoen
April 25, 2013

Job No. 33-2734
Sheet 1 of 1

SURVEY

LEGAL DESCRIPTION:

LOT 1, BLOCK 1, LAKEVIEW, SE 1/4 SECTION 3, T4N, R1W, MERIDIAN TWP., INGHAM CO., MICHIGAN



- NOTES:
- ORDINARY HIGH WATER MARK (OHWM) IS ABOUT 0.6' BELOW TOP OF SEAWALL
 - FOUND SURVEYOR'S MARKER
 - WOOD STAKE ON FLOODPLAIN LINE

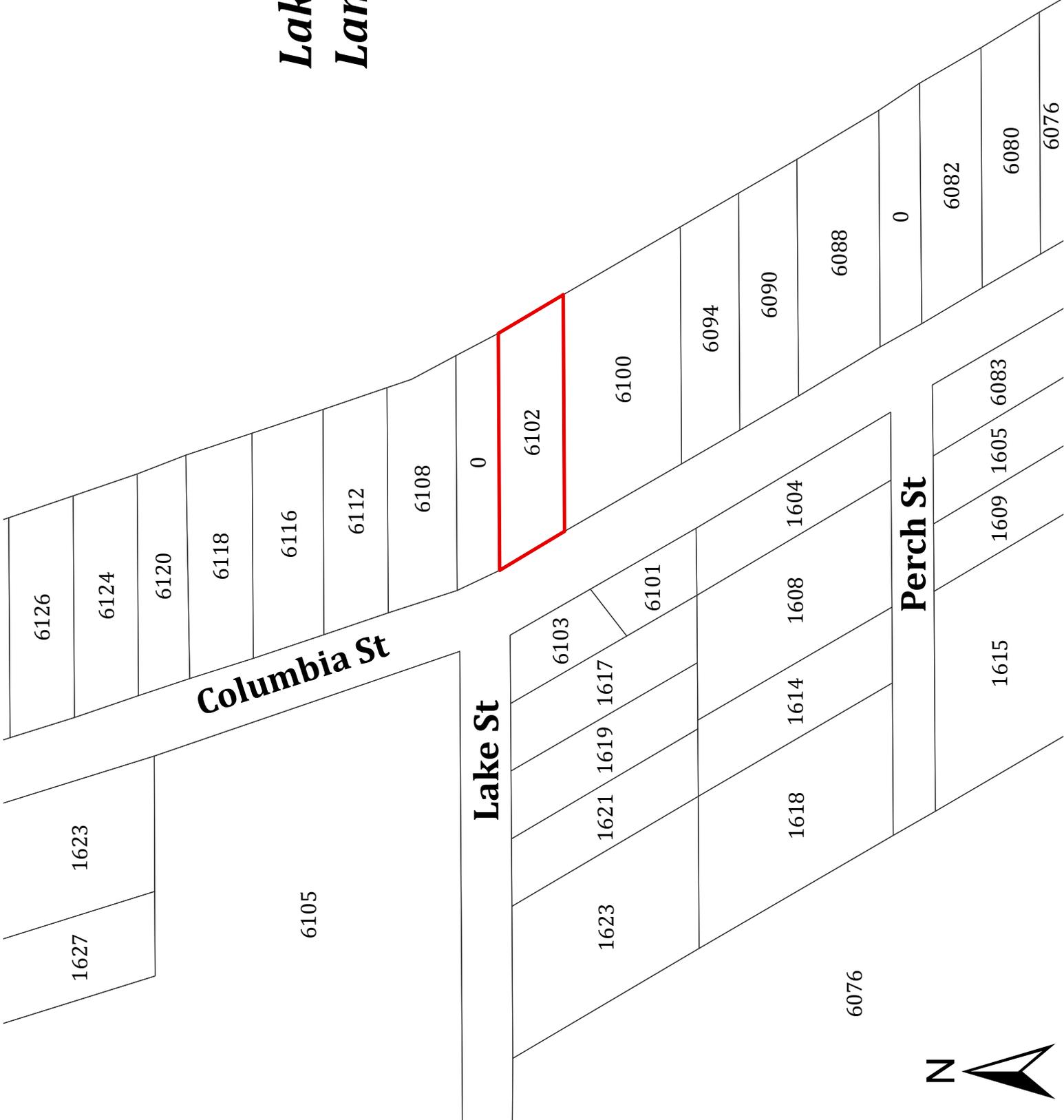
This drawing reflects the location of the improvements, floodplain line and OHWM existing house on subject lot on April 15, 2013. Elevations are NAVD datum.

6102 Columbia Street
 Lot 1, Block 1, Lakeview Subdivision
 Meridian Twp, Ingham County, Michigan

For:
 Kevin Schoen
 April 25, 2013

Job No. 33-2734
 Sheet 1 of 1

**Lake
Lansing**





To: Zoning Board of Appeals
From: Justin Quagliata, Assistant Planner
Date: October 4, 2019
Re: ZBA Case No. 19-10-09-2 (O'Reilly Auto Enterprises, LLC)

ZBA CASE NO.: 19-10-09-2 (O'Reilly Auto Enterprises, LLC), 2703 Grand River Avenue, East Lansing, MI 48823
LOCATION: 2703 Grand River Avenue
PARCEL ID: 20-203-012
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-441(e)(6), Access management standards. Based on the posted speed limit along the public street segment, access points shall have a minimum of 350 feet of spacing provided from other access points along the same side of the street, measured centerline to centerline.
- Section 86-441(e)(8), Access management standards. Based on the posted speed limit along the public street segment, access points shall be aligned with driveways on the opposite side of the street or offset 630 feet, measured centerline to centerline. The Director of Community Planning and Development may reduce this to not less than 150 feet where the offsets are aligned to not create left-turn conflicts.
- Section 86-441(e)(9), Access management standards. The minimum required driveway spacing from the intersection of Grand River Avenue and a Collector or Local street is 200 feet, measured pavement edge to pavement edge.
- Section 86-755, Schedule of requirements for parking space. Parking space shall be provided in accordance with the design standards of this chapter and according to this schedule: for commercial centers having a gross floor area (GFA) less than 25,000 square feet, 5 spaces per 1,000 square feet (minimum) to 5.5 spaces per 1,000 square feet (maximum).

O'Reilly Auto Enterprises, LLC, the applicant, is proposing to construct a driveway that would not meet the required setback from an existing driveway along the same side of the street, the offset from an existing driveway on the opposite side of the street, and the setback from a street intersection. A variance to construct a parking lot without the required number of parking spaces is also requested. The approximately 0.896 acre (39,029.76 square feet) subject property is zoned C-2 (Commercial) and located at 2703 Grand River Avenue, at the southeast corner of Dawn Avenue and Grand River Avenue.

Driveway variances

The applicant intends to demolish the existing 2,823 square foot building (former Paul Revere's Tavern) and parking lot to construct a 7,402 square foot building. The redevelopment plans include closing the two existing driveways on Grand River Avenue and constructing one new driveway on Grand River Avenue, and closing the existing driveway on Dawn Avenue. The proposed driveway would not meet the standards of the Grand River Avenue Corridor Access Management Overlay District (Section 86-441 of the zoning ordinance).

The proposed Grand River Avenue driveway must be aligned with the existing driveway on the opposite side of the street or offset 630 feet, measured centerline to centerline. The Director of Community Planning and Development may reduce this to not less than 150 feet where the offsets are aligned to not create left-turn conflicts. The Township Chief Engineer reviewed the proposed driveway and determined the offset and alignment of driveways would create left-turn conflicts. The centerline of the proposed driveway would be offset approximately 70 feet from the existing driveway (Firestone Auto Care) on the north side of Grand River Avenue. The applicant is requesting a variance of 560 feet for the offset.

Driveways must have a minimum of 350 feet of spacing provided from other driveways along the same side of the street, measured centerline to centerline. The centerline of the proposed driveway would be located approximately 230 feet from the existing driveway (Denny's) to the east, therefore a 120 foot variance is requested from the required setback between driveways.

The minimum required driveway setback from the intersection of Grand River Avenue and a Collector or Local street is 200 feet, measured pavement edge to pavement edge. Dawn Avenue is a two-lane road without curb and gutter classified as a Local street on the Street Setbacks and Service Drives Map in the zoning ordinance. The setback from the west edge of the pavement of the proposed driveway to the east edge of Dawn Avenue pavement is approximately 135 feet. The applicant is requesting a 65 foot variance from the required street intersection setback.

In December 2018 the Director of Community Planning and Development denied a site plan review application submitted by the current applicant after required revisions to the site plan were not submitted. Staff informed the applicant access to the site must be provided from Dawn Avenue. The Ingham County Road Department (ICRD) Director of Engineering informed the Township and the applicant the ICRD would approve maintaining the existing driveway to the subject site on Dawn Avenue at its present location.

In April 2019 the applicant's architect submitted a request for administrative waivers from the standards of the access management overlay district. The Director of Community Planning and Development did not grant the waivers to allow a driveway on Grand River Avenue and informed the applicant the requirement of maintaining the Dawn Avenue driveway was appealable to the Zoning Board of Appeals. The applicant did not file an appeal of the Director's decision.



The Grand River Avenue Corridor Access Management Overlay District was adopted by the Township Board in 2004. The access management standards were developed collaboratively among the Township, Michigan Department of Transportation (MDOT), and Ingham County Road Department. MDOT has reviewed the site plan and did not have a concern with the proposed driveway location. Section 86-441(c)(8) states where conflict occurs the more restrictive standards shall apply. The ordinance also states the permissible number of access points along Grand River Avenue is the fewest needed to allow motorists reasonable access to the site.

Parking

For commercial centers with less than 25,000 square feet of gross floor area the Code of Ordinances requires a minimum of five parking spaces per 1,000 square feet of floor area. The submitted site plan shows the proposed building would be 7,402 square feet in size, therefore 37 parking spaces are required to serve the building (not including a two space reduction for the provision of bicycle parking) and 27 spaces are provided.

One bicycle parking space must be provided for every ten motor vehicle parking spaces required. With 37 parking spaces required to serve the building, four bicycle parking spaces are required. The submitted site plan shows four bicycle parking spaces (two bike racks) proposed at the northwest corner of the building. The ordinance allows the number of required motor vehicle parking spaces on the site to be reduced by one motor vehicle parking space for every two bicycle parking spaces installed on a site, up to a maximum of 10 percent of the total number of required motor vehicle parking spaces. Using this formula the required number of motor vehicle parking spaces can be reduced by two spaces. With the allowed reduction granted for bicycle parking, the total required motor vehicle parking is reduced to 35 spaces.

With 35 parking spaces required to serve the site and 27 parking spaces proposed the applicant is requesting a variance of eight parking variances.

Attachments

1. Variance application dated August 15, 2019 and received by the Township on September 12, 2019.
2. Applicant's response to review criteria dated August 15, 2019 and received by the Township on September 12, 2019.
3. Lot survey (existing) dated May 1, 2014 and received by the Township on September 12, 2019.
4. Site plan dated May 7, 2018 (revision date August 22, 2019) and received by the Township on September 12, 2019.
5. Driveway variance plan dated August 15, 2019 and received by the Township on September 12, 2019.
6. Site plan review denial letter dated December 13, 2018.
7. Zoning ordinance Sections 86-441 A-C.
8. Site location map.

G:\COMMUN PLNG & DEV\PLNG\ZBA\2019 ZBA\ZBA 19-10-09\ZBA 19-10-09-2 (O'Reilly)\ZBA 19-10-09-2 staff report.zba1



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

VARIANCE APPLICATION

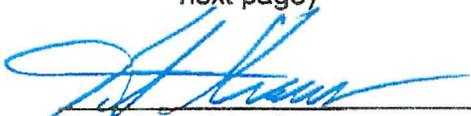
A. Applicant Scott Kraus, Sr VP Real Estate & Expansion, O'Reilly Auto Enterprises, LLC
Address of Applicant 233 S Patterson Springfield, MO 65802
Telephone (Work) 417-862-2674 Telephone (Home) _____
Fax _____ Email address: oreillyauto@andersonengineeringinc.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 2703 E. Grand River Avenue, East Lansing, MI
Zoning district C-2 Parcel number 33-02-02-20-203-012

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) 86-441 (e) (6), 86-441 (e) (8), 86-441 (e) (9), 86-775

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 of Applicant

Scott Kraus
Print Name

08/15/2019
Date

Fee: \$450.00

Received by/Date: Justin Quagliata 9/12/19

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 of Applicant(s)

8-29-19
Date

Signature of Applicant(s)

Date

RECEIVED

SEP 12 2019

EXHIBIT 1: VARIANCE APPLICATION REVIEW CRITERIA – SECTION 86-441 (e) (6)

THE PROPOSED DRIVEWAY WOULD NOT BE SEPARATED AT LEAST 350 FEET FROM THE EXISTING DENNY'S DRIVEWAY TO THE EAST.

August 15, 2019

Proposed New O'Reilly Auto Parts Store, 2703 E. Grand River Avenue, East Lansing, Michigan

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 existing small property is unique compared to other land in that it currently has 2 driveways to E Grand River Ave (M-43) and 1 driveway to Dawn Ave. The existing site is already in conflict with Meridian Township regulations with all existing driveways not being in compliance. The proposed O'Reilly Auto Parts development proposes to reduce the existing driveways to 1 driveway which is consistent with the Michigan DOT access management goal of reducing accesses. Due to the very small size & location of the site at an intersection, the E Grand River Ave drive location provides the most consistent & efficient use of the site including the safest access for delivery trucks entering and leaving the site. Conversely, a drive entrance on Dawn Avenue aligned with the drive on the opposite side of the street will force all traffic & delivery onto a substandard road (<24' at driveway) resulting in traffic conflicts. Michigan Department of Transportation has agreed to approval of a driveway on E Grand River Avenue. The single E Grand River Ave driveway has excellent clear visibility allowing drivers ample decision time for turning movements.

2. These special circumstances are not self-created.

The special circumstances are not self-created since the lot is an existing platted lot of record with existing connections and no rezoning proposed. The O'Reilly Auto Parts development actually proposes to remove an existing access on E Grand River Ave that is already closer to the neighboring Eastern driveway than the proposed plan.

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

Strict enforcement would result in all traffic (including delivery) being forced on Dawn Ave which is small substandard road (less than 2 way traffic at the existing driveway). This may cause backups and possible conflicts onto E Grand River Ave. Michigan DOT recognizes this and has approved a single E Grand River Ave driveway.

4. That the alleged practical difficulties which result from a failure to grant the variance would unreasonably prevent the owner from using the property for a permitted purpose.

If access to E Grand River Ave is not granted, the property would not be able to safely receive delivery trucks and customers would be directed away from the property due to the only access being on a substandard road. This results in an unique, unfair and undue burden specific to this property that would unreasonably prevent this owner or future owners from using the property per current permitted purposes. All of the neighboring properties have direct access to E Grand River Ave which the expected access for business traffic.

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.

Yes. Granting the variance by allowing 1 driveway to E Grand River Ave will allow the fair use of the property consistent with public interest for new jobs with safe and expected access to the property. The spirit of the zoning ordinance is met by removing 2 existing driveways resulting in reduced traffic conflicts overall.

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

Granting the variance will not adversely affect the adjacent lands or essential character in the vicinity of the property. Granting the variance will actually improve the area since the existing site currently has 2 driveways to E Grand River Ave & 1 driveway to Dawn Ave that do not comply with current standards. Therefore, the granting of 1 driveway to E Grand River Ave will actually have a positive effect on the neighboring properties by keeping commercial traffic on E Grand River Ave which is the expected conveyance of traffic. Michigan DOT agreed and supports 1 driveway on E Grand River Ave.

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.

This property is very unique in its location, layout and existing multiple driveways resulting in this specific and unique variance need. This condition is not general or recurrent and specifically unique. The granting of the variance is consistent with proper Engineering judgment and benefits the public good.

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

Yes. Granting the variance to allow a single driveway on E Grand River Ave is consistent with public interest and intent of this chapter since E Grand River Ave is the intended conveyance of commercial traffic. Michigan DOT has reviewed and approved this layout due to the nature of the area.

RECEIVED
SEP 12 2019



EXHIBIT 2: VARIANCE APPLICATION REVIEW CRITERIA – SECTION 86-441 (e) (8)

ACCESS POINTS SHALL BE ALIGNED WITH DRIVEWAYS ON THE OPPOSITE SIDE OF THE STREET OR OFFSET THE DISTANCE INDICATED IN TABLE 86-441.2, MEASURED CENTERLINE TO CENTERLINE AS SHOWN IN FIGURE 86-441.2: 45 MPH = 630 FEET.

August 15, 2019

Proposed New O'Reilly Auto Parts Store, 2703 E. Grand River Avenue, East Lansing, Michigan

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 existing small property is unique compared to other land in that it currently has 2 driveways to E Grand River Ave (M-43) and 1 driveway to Dawn Ave. The existing site is already in conflict with Meridian Township regulations with all existing driveways not being in compliance. The proposed O'Reilly Auto Parts development proposes to reduce the existing driveways to 1 driveway which is consistent with the overall access management. Due to the very small size & location of the site at an intersection, the E Grand River Ave drive location provides the most consistent & efficient use of the site including the safest access for delivery trucks entering and leaving the site. The required 630' offset is not obtainable by any property in the area resulting in all properties being in conflict with this regulation. Michigan Department of Transportation has agreed to approval of a driveway on E Grand River Avenue. The single E Grand River Ave driveway has excellent clear visibility allowing drivers ample decision time for turning movements.

2. These special circumstances are not self-created.

The special circumstances are not self-created since the lot is an existing platted lot of record with existing connections and no rezoning proposed. The O'Reilly Auto Parts development actually proposes to remove an existing access on E Grand River Ave that is already closer to the neighboring Eastern driveway than the proposed plan.

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

Strict enforcement would result in all traffic (including delivery) being forced on Dawn Ave which is small substandard road (less than 2 way traffic at the existing driveway). This may cause backups and possible conflicts onto E Grand River Ave. Michigan DOT recognizes this and has approved a single E Grand River Ave driveway.

4. That the alleged practical difficulties which result from a failure to grant the variance would unreasonably prevent the owner from using the property for a permitted purpose.

If access to E Grand River Ave is not granted, the property would not be able to safely receive delivery trucks and customers would be directed away from the property due to the only access being on a substandard road. This results in an unique, unfair and undue burden specific to this property that would unreasonably prevent this owner or future owners from using the property per current permitted purposes. All of the neighboring properties have direct access to E Grand River Ave which the expected access for business traffic.

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.

Yes. Granting the variance by allowing 1 driveway to E Grand River Ave will allow the fair use of the property consistent with public interest for new jobs with safe and expected access to the property. The spirit of the zoning ordinance is met by removing 2 existing driveways resulting in reduced traffic conflicts overall.

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

Granting the variance will not adversely affect the adjacent lands or essential character in the vicinity of the property. Granting the variance will actually improve the area since the existing site currently has 2 driveways to E Grand River Ave & 1 driveway to Dawn Ave that do not comply with current standards. Therefore, the granting of 1 driveway to E Grand River Ave will actually have a positive effect on the neighboring properties by keeping commercial traffic on E Grand River Ave which is the expected conveyance of traffic. Michigan DOT agreed and supports 1 driveway on E Grand River Ave.

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.

This property is very unique in its location, layout and existing multiple driveways resulting in this specific and unique variance need. This condition is not general or recurrent and specifically unique. The granting of the variance is consistent with proper Engineering judgment and benefits the public good.

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

Yes. Granting the variance to allow a single driveway on E Grand River Ave is consistent with public interest and intent of this chapter since E Grand River Ave is the intended conveyance of commercial traffic. Michigan DOT has reviewed and approved this layout due to the nature of the area.

RECEIVED
SEP 12 2019



EXHIBIT 3: VARIANCE APPLICATION REVIEW CRITERIA – SECTION 86-441 (e) (9)

MINIMUM SPACING OF ACCESS POINTS FROM INTERSECTIONS SHALL BE IN ACCORDANCE WITH THE FIGURE 86-441.4 AND TABLE 86-441.3 (MEASURED FROM PAVEMENT EDGE TO PAVEMENT EDGE AS SHOWN ON THE ADJACENT FIGURE): 45 MPH = 200 FEET.

August 15, 2019

Proposed New O'Reilly Auto Parts Store, 2703 E. Grand River Avenue, East Lansing, Michigan

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 existing small property is unique compared to other land in that it currently has 2 driveways to E Grand River Ave (M-43) and 1 driveway to Dawn Ave. The existing site is already in conflict with Meridian Township regulations with all existing driveways not being in compliance. The proposed O'Reilly Auto Parts development proposes to reduce the existing driveways to 1 driveway which is consistent with the Michigan DOT access management goal of reducing accesses. Due to the very small size & location of the site at an intersection, the E Grand River Ave drive location provides the most consistent & efficient use of the site including the safest access for delivery trucks entering and leaving the site. Conversely, a drive entrance on Dawn Avenue aligned with the drive on the opposite side of the street will force all traffic & delivery onto a substandard road (<24' at driveway) resulting in traffic conflicts. Michigan Department of Transportation has agreed to approval of a driveway on E Grand River Avenue. The single E Grand River Ave driveway has excellent clear visibility allowing drivers ample decision time for turning movements.

2. These special circumstances are not self-created.

The special circumstances are not self-created since the lot is an existing platted lot of record with existing connections and no rezoning proposed. The O'Reilly Auto Parts development actually proposes to remove an existing access on E Grand River Ave that is already closer to the neighboring Eastern driveway than the proposed plan.

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

Strict enforcement would result in all traffic (including delivery) being forced on Dawn Ave which is small substandard road. This may cause backups and possible conflicts onto E Grand River Ave. Michigan DOT recognizes this and has approved a single E Grand River Ave driveway.

4. That the alleged practical difficulties which result from a failure to grant the variance would unreasonably prevent the owner from using the property for a permitted purpose.

If access to E Grand River Ave is not granted, the property would not be able to safely receive delivery trucks and customers would be directed away from the property due to the only access being on a substandard road. This results in an unique, unfair and undue burden specific to this property that would unreasonably prevent this owner or future owners from using the property per current permitted purposes. All of the neighboring properties have direct access to E Grand River Ave which the expected access for business traffic.

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.

Yes. Granting the variance by allowing 1 driveway to E Grand River Ave will allow the fair use of the property consistent with public interest for new jobs with safe and expected access to the property. The spirit of the zoning ordinance is met by removing 2 existing driveways resulting in reduced traffic conflicts overall.

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

Granting the variance will not adversely affect the adjacent lands or essential character in the vicinity of the property. Granting the variance will actually improve the area since the existing site currently has 2 driveways to E Grand River Ave & 1 driveway to Dawn Ave that do not comply with current standards. Therefore, the granting of 1 driveway to E Grand River Ave will actually have a positive effect on the neighboring properties by keeping commercial traffic on E Grand River Ave which is the expected conveyance of traffic. Michigan DOT agreed and supports 1 driveway on E Grand River Ave.

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.

This property is very unique in its location, layout and existing multiple driveways resulting in this specific and unique variance need. This condition is not general or recurrent and specifically unique. The granting of the variance is consistent with proper Engineering judgment and benefits the public good.

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

Yes. Granting the variance to allow a single driveway on E Grand River Ave is consistent with public interest and intent of this chapter since E Grand River Ave is the intended conveyance of commercial traffic. Michigan DOT has reviewed and approved this layout due to the nature of the area.

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EXHIBIT 4: VARIANCE APPLICATION REVIEW CRITERIA

SECTION 86-775: THE REQUIRED NUMBER OF PARKING SPACES IS 37 (MINIMUM).

August 15, 2019

Proposed New O'Reilly Auto Parts Store, 2703 E. Grand River Avenue, East Lansing, Michigan

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 existing site is unique in that complying with development building & landscaping setbacks, interior landscaping, driveway area & access connections, and stormwater requirements results in very limited area to meet the full parking requirements with the full building area counted as retail (and not accounting for the storage area). We request a variance to this ordinance to allow a minimum of 27 spaces as indicated on the attached Site Development Plan since it is not possible to provide any more spaces and comply with Meridian Township development requirements. The Owner's experience with operating similarly sized stores throughout the nation indicates that 27 spaces is typically more than adequate, since only approximately 3,280 square feet of the building is retail area, and the remainder of the building serves primarily as storage and delivery area. If the variance is granted, any future use will have to comply with the constructed parking spaces since the variance stays with the site.

2. These special circumstances are not self-created.

The lot is an existing platted lot of record with no rezoning proposed which allows the proposed use; however, the strict interpretation of the whole building as full retail (only ~3,280 square feet of the building is retail) results in excessive parking required. After providing the required building & landscaping setbacks, interior landscaping, driveway area & access connections, and stormwater requirements, the property can only provide 27 spaces.

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

The lot is an existing platted lot of record with no rezoning proposed with existing connections which should allow development; however, the strict interpretation of the whole building as full retail results in excessive parking required. In reality, only ~3,280 square feet of the building is retail.

4. That the alleged practical difficulties which result from a failure to grant the variance would unreasonably prevent the owner from using the property for a permitted purpose.

The lot cannot meet the full parking requirement as an existing platted lot of record with no rezoning proposed due to the strict interpretation of the whole building as full retail and complying with the building & landscaping setbacks, interior landscaping, driveway area & access connections, and stormwater requirements. The reality is only ~3,280 square feet of the building is retail.

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SEP 12 2019

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.

Yes. The allowance of reduction of required parking will result in less impervious surface resulting in less stormwater discharge which is better for the overall area. The spirit of the zoning ordinance is met by the Owner (as an expert in retail sales) stating that the full 37 spaces are not needed.

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

No. It will actually improve the essential character of the area by reducing impervious surface and by complying with the landscaping requirements to maintain the character of the area.

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.

This property is very unique in its location and layout resulting in this specific and unique variance need. This condition is not general or recurrent.

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

Yes. The allowance of reduction of required parking will result in less impervious surface resulting in less stormwater discharge which is better for the overall area. The spirit of the zoning ordinance is met by the Owner (as an expert in retail sales) stating that the full 37 spaces are not needed.

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SEP 12 2019

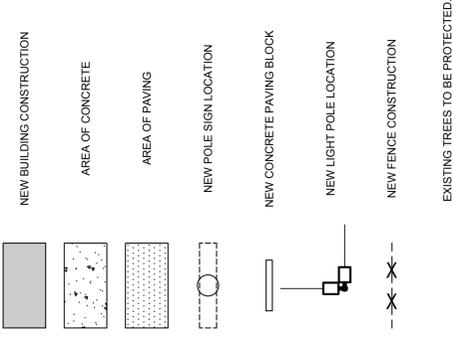


ZONING CODE

ZONING CLASSIFICATION: C-2 (COMMUNITY/DISTRICT)
PROPERTY AREA: (REFER SURVEY)
PAVEMENT AREA: 14,107 SQ. FT.
PARKING SUMMARY:
PARKING FORMULA: 5 SP. PER 1,000 SQ. FT. GFA (MIN)
 5.5 SP. PER 1,000 SQ. FT. GFA (MAX)
SPACE SIZE: 10' x 20'
SPACES REQUIRED: 37 - 3(bicycle parking reduction) = 34
SPACES PROVIDED: 27
H.C. SPACES PROVIDED: 2

SYMBOLS LEGEND

NOTE: REFER TO SURVEY FOR EXISTING CONDITIONS SYMBOLS LEGEND.



GENERAL NOTES

- (A) REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS. ALL ON SITE CONCRETE TO BE 4,000 PSI.
- (B) SITE DIMENSIONS TO FACE OF CONCRETE FOUNDATION, SIDEWALK CURB GUTTER LINE, PROPERTY LINE, OR CENTER LINE OF STRIPING UNLESS OTHERWISE NOTED.
- (C) COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- (D) REFER TO STRUCTURAL DRAWINGS FOR BUILDING DIMENSIONS AND LAYOUT OF SIDEWALKS ADJACENT TO BUILDING PERIMETER.
- (E) PRIOR TO INSTALLATION, CONTRACTOR TO VERIFY LOCATIONS OF LIGHT POLES, LANDSCAPING, AND UTILITIES DO NOT CONFLICT WITH SITE SIGN LOCATION SHOWN. IF CONFLICT IS DISCOVERED, CONTRACTOR TO NOTIFY OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH THE WORK.
- (F) FOR BUILDING FRONT SIDEWALK GENERAL DEVELOPMENT LAYOUT CONCEPT, REFER TO DETAIL 12/C2.2.

KEY NOTES

- (1) CONCRETE PAVING (STANDARD DUTY) AT PARKING AREAS, REFER TO DETAIL 1/C2.2.
- (2) CONCRETE PAVING (HEAVY DUTY) AT DRIVE AREAS, DRIVE APRONS, FIRE LANES, AND REFUSE AREA, REFER TO DETAIL 2/C2.2.
- (3) CONCRETE CURB, REFER TO DETAIL 3/C2.2.
- (4) CONCRETE SIDEWALK CURB, REFER TO DETAIL 4/C2.2. REFER TO STRUCTURAL DRAWINGS FOR LAYOUT OF CONTROL AND EXPANSION JOINTS ADJACENT TO BUILDING PERIMETER.
- (5) CONCRETE SIDEWALK OR DOOR LANDING, REFER TO DETAIL 5/C2.2 AND STRUCTURAL DRAWINGS. LANDING MAY BE POURED MONOLITHIC WITH PAVING IF CONCRETE PAVING IS PROVIDED.
- (6) ACCESSIBLE PARKING SYMBOL, PAVEMENT STRIPPING, REFER TO DETAIL 6/C2.2.
- (7) STEEL BOLLARD, REFER TO DETAIL 7/C2.2. PROVIDE (2) AT REFUSE CONTAINER AREA, (2) AT SECTIONAL OVERHEAD FREIGHT DOOR, AND (8) AT FRONT ENTRY, REFER TO STRUCTURAL DRAWINGS FOR LAYOUT OF BOLLARDS ADJACENT TO BUILDING PERIMETER.
- (8) ACCESSIBLE PARKING SIGN, REFER TO DETAIL 8/C2.2.
- (9) DETECTIBLE WARNING SURFACE, REFER TO DETAIL 9/C2.2.
- (10) ACCESSIBLE CONCRETE CURB RAMP TO BE INSTALLED PER CITY AND/OR STATE DESIGN STANDARDS. IF NO STANDARDS PROVIDE CONCRETE CONSTRUCTION PER DETAIL 10/C2.2.
- (11) ACCESSIBLE PARKING SPACE WITH ACCESSIBLE (ADA COMPLIANT) TO SLOPE 2% MAXIMUM IN ALL DIRECTIONS. PROVIDE PAVEMENT MARKINGS TO MATCH STRIPING COLOR UNLESS OTHERWISE REQUIRED TO COMPLY WITH GOVERNING ACCESSIBILITY REGULATIONS.
- (12) REFUSE ENCLOSURE, REFER TO 1/C3.
- (13) CONCRETE BUMPER BLOCK (8" X 5" X 6" 0" LONG) ANCHORED TO PAVING WITH (2) 1/2" LONG #4 REBAR.
- (14) PARKING LOT LIGHTING, REFER TO SITE UTILITY PLAN FOR TYPE AND CONSTRUCTION.
- (15) 4" WIDE PAVEMENT STRIPING AS SHOWN USING HIGHWAY MARKING PAINT - YELLOW (2 COATS).
- (16) SITE SIGN, REFER TO SHEET SG-1 FOR TYPE AND CONSTRUCTION. SIGN OWNER FURNISHED AND INSTALLED (REFER TO SCOPE OF WORK SCHEDULE). REFER TO SITE UTILITY PLAN FOR ADDITIONAL REQUIREMENTS.
- (17) CONCRETE DRIVE APPROX TO BE INSTALLED PER CITY AND/OR STATE DESIGN STANDARDS. NO STANDARDS PROVIDE CONCRETE CONSTRUCTION PER DETAIL 2/C2.2.
- (18) LIMITS OF NEW PAVING, MATCH EXISTING PAVEMENT TRANSITION ELEVATIONS. AT TRANSITIONS OF NEW CONCRETE TO EXISTING CONCRETE PAVEMENT, EPOXY DOWEL (8" MINIMUM INTO EXISTING PAVEMENT) TO BE INSTALLED PER DETAIL 11/C2.2. PROVIDE JOINT REINFORCEMENT SPACING, PROVIDE SEALANT AT JOINTS.
- (19) ROLL DOWN CURB END TRANSITION SLOPING 1:2.
- (20) CONCRETE CURB IN RIGHT-OF-WAY TO MATCH EXISTING PER CITY AND/OR STATE DESIGN STANDARDS.
- (21) CURB OPENING, REFER TO SITE GRADING PLAN FOR ADDITIONAL REQUIREMENTS. (NOT USED)
- (22) CONCRETE SIDEWALK IN RIGHT-OF-WAY TO BE INSTALLED PER CITY AND/OR STATE DESIGN STANDARDS. NO STANDARDS PROVIDE CONCRETE CONSTRUCTION PER DETAIL 5/C2.2.
- (23) 3" WIDE MINIMUM DESIGNATED ACCESSIBLE ROUTE, SLOPE 5% MAXIMUM IN DIRECTION OF TRAVEL WITH 2% MAXIMUM GROSS SLOPE. PROVIDE PAVEMENT STRIPING AS INDICATED.
- (24) CONCRETE STORM WATER CONTROL SYSTEM, REFER TO SITE GRADING PLAN.
- (25) HVAC SCREEN FENCE, REFER TO DETAIL 13/C2.2. PROVIDE GATE PER DETAIL 3/C3.
- (26) BIKE RACK, REFER TO DETAIL 11/C2.2.

PROJECT:
NEW O'REILLY AUTO PARTS STORE
2703 E. GRAND RIVER AVE.
EAST LANSING, MICHIGAN

Architect - Consultant
Buddy D. Webb
 3057 EAST CAIRO
 SPRINGFIELD, MISSOURI 65802
 (417) 877-1385 TELEPHONE
 (417) 877-9736 FAX

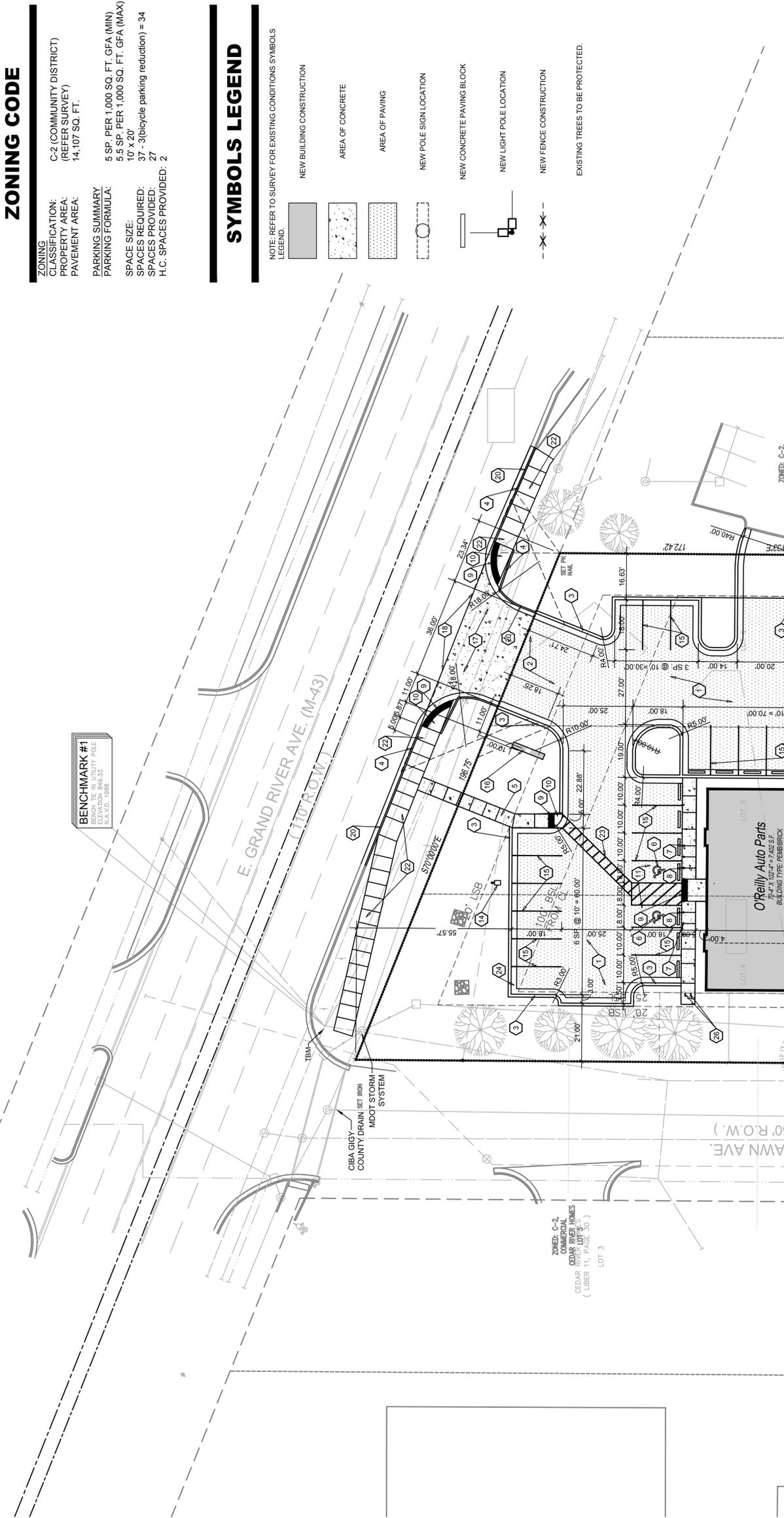
DOWN BY: _____ CHECKED BY: **LG**

DATE: **5/07/18**

REVISION: **A7 AD #7 8/22/19**

PROJECT NUMBER: **MWVP**

SHEET NUMBER: **C2.1**



BENCHMARK #1
 BENCH THE IN UTILITY POLE
 ELEVATION 84.33
 (L.I.B. 11, P. 21)
 S.V.A.D. 1988

BENCHMARK #2
 BENCH THE IN UTILITY POLE
 ELEVATION 83.65
 (L.I.B. 11, P. 21)
 S.V.A.D. 1988

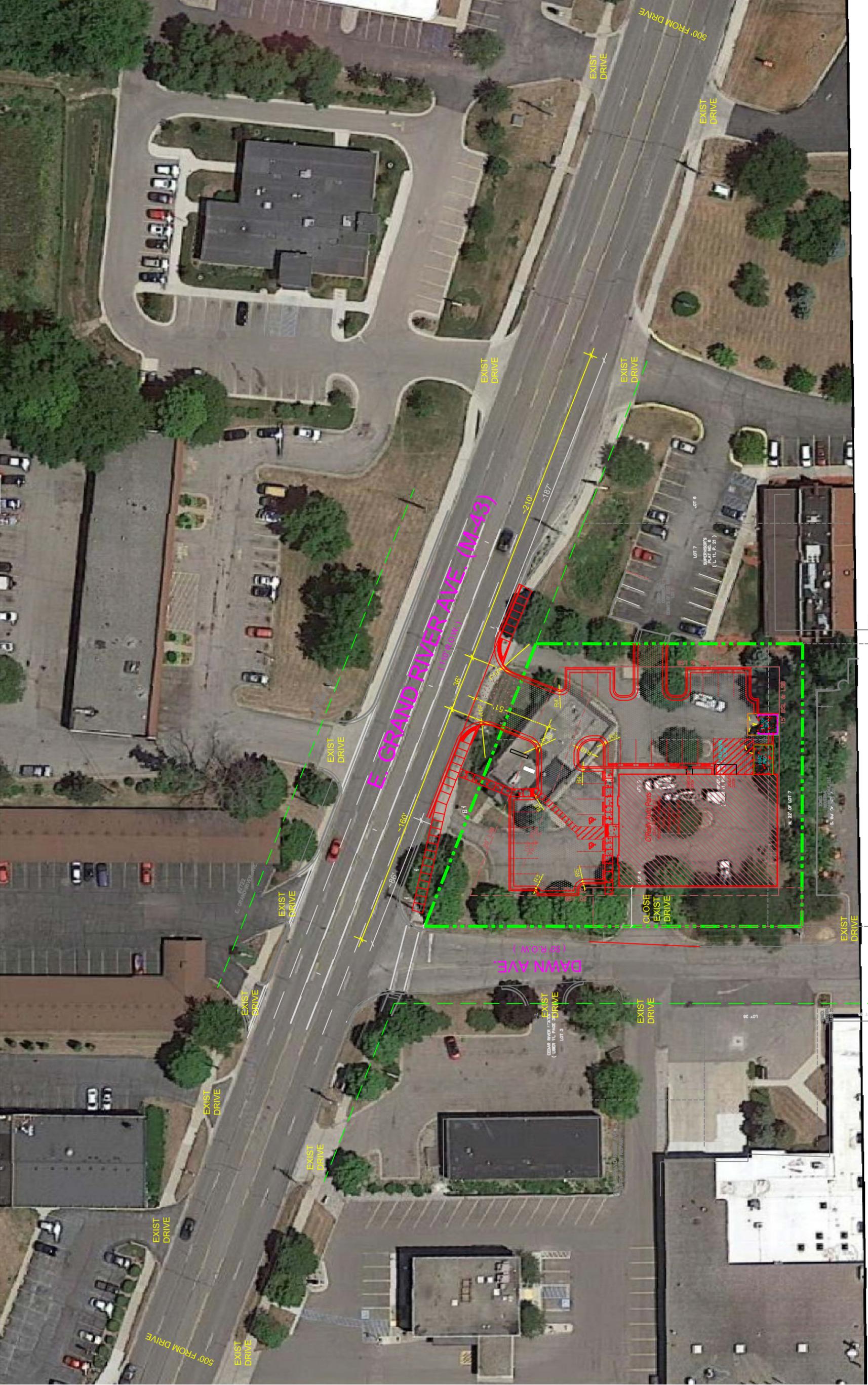
SPECIAL NOTE:
 POINT OF BEGINNING FOR SITE DEVELOPMENT IS PARALLEL TO THE DEVELOPMENT PARTY BOUNDARY LINE. (S01'2633"E)

SPECIAL NOTE:
 PRIOR TO CONTRACT CLOSOUT, CONTRACTOR SHALL SECURE THE SERVICES OF A REGISTERED LAND SURVEYOR TO VERIFY THE BOUNDARY LINES, ELEVATIONS, AND SURVEY DATA. CONTRACTOR SHALL REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.

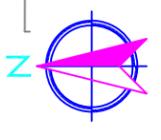
Know what's below
Call before you dig.

CAUTION: INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS FOR INFORMATION ONLY. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.





1 DRIVEWAY VARIANCE PLAN
1 SCALE: 1" = 60'



MO ANDERSON ENGINEERING, INC. ENGINEERS • SURVEYORS • LABORATORS • DRILLING 2045 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741 AARON T. HARGRAVE, PE# 62010-88964	PROJECT: NEW O'REILLY AUTO PARTS STORE 2703 E. GRAND RIVER EAST LANSING, MICHIGAN
	DRAWING # WB-110-209 BY: PJE

18SP10285
 08/15/19
 PJE
 MWPP

PROJECT:
O'Reilly AUTO PARTS
 CORPORATE OFFICES
 233 SOUTH PATTERSON
 SPRINGFIELD, MISSOURI 65802
 (417) 862-2674 TELEPHONE

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CHARTER TOWNSHIP OF MERIDIAN

Ronald J. Styka
Brett Dreyfus
Julie Brixie
Frank L. Walsh

Supervisor
Clerk
Treasurer
Manager



Phil Deschaine
Patricia Herring Jackson
Dan Opsommer
Kathy Ann Sundland

Trustee
Trustee
Trustee
Trustee

December 13, 2018

Lesley Guillot
Buddy Webb and Company
3057 E. Cairo
Springfield, MO 65802

**RE: Site Plan Review #18-08
2703 Grand River Avenue**

Dear Ms. Guillot,

Staff has reviewed the submitted site plan for the proposed 7,402 square foot O'Reilly Auto Parts store at 2703 Grand River Avenue. Conditional site plan approval was granted on November 15, 2018, subject to revisions as required by the Director of Community Planning and Development. Conditional site plan approval is valid for a period of 30 days, in which time the applicant must submit a revised site plan. A revised site plan was not submitted, therefore the conditional approval expired and shall be void. As conditional approval was not met, final site plan review approval is hereby **denied** based on the following reasons:

Access

- a. Based on the standards in the Grand River Avenue Corridor Access Management Overlay District (Section 86-441), access to the site from Dawn Avenue is required. A Grand River Avenue driveway is not permitted for the following reasons:
 - i. Access points must have a minimum of 350 feet of spacing provided from other access points along the same side of the street, measured centerline to centerline. As proposed, the driveway on Grand River Avenue is not 350 feet from the existing driveway located to the east (Section 86-441(e)(6)).
 - ii. Access points shall be aligned with driveways on the opposite side of the street or offset 630 feet, measured centerline to centerline. The Director of Community Planning and Development may reduce this to not less than 150 feet where the offsets are aligned to not create left-turn conflicts (Section 86-441(e)(8)). As proposed, the driveway on Grand River Avenue does not align with the opposing driveway on the north side of Grand River Avenue, and does not meet the required 630 foot offset. To site a driveway anywhere along the property's Grand River Avenue frontage would not meet a minimum 150 foot offset.
 - iii. The minimum required driveway spacing from the intersection of Grand River Avenue and Dawn Avenue is 200 feet (Section 86-441(e)(9)). As proposed, the driveway on Grand River Avenue is not 200 feet from the intersection of Grand River Avenue and Dawn Avenue.
- b. The Ingham County Road Department stated it would approve maintaining the existing driveway to the subject site on Dawn Avenue at its present location.

Site Plan Review #18-08 (Buddy Webb and Company)

2703 Grand River Avenue

Page 2

- c. The future access drive connection to the adjacent property to the east of the subject site must have a minimum width of 20 feet (Section 86-441(e)(12)(d)). As proposed, the service drive is 17.90 feet in width.
- d. An easement for the service drive connection to the adjacent property east of the subject site was not provided (Section 86-441(e)(12)(b)).

Parking

- a. The required number of parking spaces is 37 (minimum) to 41 (maximum) and 29 parking spaces are proposed (Section 86-755).
- b. The plan was not revised to label the loading/unloading space on Sheet C2.1 (Section 86-721).
- c. The plan was not revised to update the parking calculation summary on Sheet C2.1, based on the standards in Section 86-755.

Site

- a. A waiver from the 250 foot minimum lot width requirement for corner lots located on an Arterial street was not requested (Section 86-402(e)).
- b. The pervious/impervious plan was not revised to remove the 197 square foot landscape island from being counted as pervious surface (Section 86-402(17)(c)).
- c. The plans were not revised to address the comments from the Township Chief Engineer as outlined in his review letter dated September 24, 2018 (attached).

Landscaping

- a. Seven interior canopy trees are required for the parking area and three trees are proposed (Section 86-758(1)(c)).
- b. No landscaped area shall have a dimension less than 10 feet nor an area less than 200 square feet (Section 86-758(b)(2)). Several areas do not meet this standard.
- c. The landscape plan was not revised to list the correct landscape requirements, based on the standards for street trees in Section 86-473, buffers in Section 86-756(11) and Section 86-756(14), and landscaping in Section 86-758.
- d. The landscape plan was not updated to include two additional species of shrubs, to be intermixed throughout the landscape screen along the parking area, as well as be intermixed throughout the building perimeter landscaping.
- e. The landscape plan was not revised to add a landscape island to the east of the six parking spaces at the northwest corner of the site.

Site Plan Review #18-08 (Buddy Webb and Company)
2703 Grand River Avenue
Page 3

Outdoor Lighting

- a. The photometric plan was not revised to meet the footcandle requirements based on the standards in Section 38-380(c). Footcandles at the property line shall not exceed one when abutting nonresidential property.

Decisions by the Director of Community Planning and Development regarding site plan denial may be appealed to the Zoning Board of Appeals. Such an appeal must be made within ten (10) days of the date of staff action and must be in accordance with Section 86-186 of the Township Code of Ordinances.

If you have any questions, please contact Justin Quagliata, Assistant Planner at (517) 853-4580 or email at quagliata@meridian.mi.us.

Sincerely,



Mark Kieselbach
Director of Community Planning and Development

Attachment

1. Review letter from the Township Chief Engineer, dated September 24, 2018.

cc: John Heckaman, Chief Building Inspector
Younes Ishraidi, Chief Engineer
Tavis Millerov, Fire Inspector

G:\Community Planning & Development\Planning\SITE PLAN REVIEW (SPR)\CASE_MGMT\2018 SPR\SPR 18-08 (O'Reilly)\SPR 18-08 final site plan review denial letter.docx

Chapter 86. Zoning

ARTICLE IV. District Regulations

DIVISION 4. Other Districts

§ 86-441. Grand River Avenue (M-43) Corridor Access Management Overlay District.

[Ord. No. 2004-06, 9-5-2004]

- (a) Findings. A primary function of Grand River Avenue (M-43) is to move traffic through Meridian Township and to points beyond. As the primary arterial road for Meridian Township and many of the communities along the corridor, a high percentage of the traffic has an origin and/or destination in the local communities. Thus, Grand River Avenue (M-43) also has a secondary, but important, function to provide access to adjacent and nearby land uses.

Continued development along the Grand River Avenue M-43 corridor will increase traffic volumes and introduce additional conflict points which will further erode traffic operations and increase potential for crashes. Numerous published studies and reports document the relationship between systems and traffic operations and safety. Those reports and experiences of other communities demonstrate standards on the number and placement of access points (driveways and side street intersections) that can preserve the capacity of the roadway and reduce the potential for crashes. The standards herein are based on recommendations published by various national and Michigan agencies that were refined during preparation of the M-43/52 Corridor Access Management Plan, dated July 2003.

The Charter Township of Meridian finds that special comprehensive zoning standards are needed along the Grand River Avenue (M-43) corridor based upon the following findings:

- (1) The combination of roadway design, traffic speeds, current and projected traffic volumes, traffic crashes and other characteristics necessitate special access standards.
 - (2) Studies by transportation organizations in Michigan and nationally have found a direct correlation between the number of access points and the number of crashes.
 - (3) The standards are based upon considerable research and recommendations contained within the Michigan Department of Transportation (MDOT) Access Management Handbook.
 - (4) Preservation of roadway capacity through access management protects the substantial public investment in the roadway system and helps avoid the need for costly reconstruction, which disrupts businesses.
- (b) Purpose. The Michigan Department of Transportation (MDOT) has jurisdiction within the highway's right-of-way, while the Charter Township of Meridian has authority for land use and site plan decisions within individual lots or parcels along the highway. The access management standards were created to help ensure a collaborative process between the MDOT and the Charter Township of Meridian on access decisions along Grand River Avenue (M-43) to implement the recommendations of the "M-43/52 Corridor Access Management Plan" dated July 2003 and other adopted Charter Township of Meridian plans.

Among the specific purposes of this corridor access management overlay district are to:

- (1) Preserve the capacity of Grand River Avenue (M-43) by limiting and controlling the number, location and design of access points and requiring alternate means of access through shared driveways, service drives, and access off cross streets in certain locations.
- (2) Encourage efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.
- (3) Improve safety and reduce the potential for crashes.
- (4) Avoid the proliferation of unnecessary curb cuts and driveways, and eliminate or reconfigure existing access points that do not conform to the standards herein, when the opportunities arise.
- (5) Implement the recommendations of the M-43/52 Corridor Access Management Plan, dated July 2003.
- (6) Require longer frontages or wider minimum lot widths than required in other zoning districts to help achieve access management spacing standards.
- (7) Require coordinated access among adjacent lands where possible.
- (8) Require demonstration that resultant lots or parcels are accessible through compliance with the access standards herein prior to approval of any land divisions to ensure safe accessibility as required by the Land Division Act.
- (9) Address situations where existing development within the corridor area does not conform to the standards of this overlay district.

- (10) Identify additional submittal information and review procedures required for lots or parcels that front along Grand River Avenue (M-43).
 - (11) Avoid the need for unnecessary and costly reconstruction, which disrupts business operations and traffic flow.
 - (12) Ensure efficient access by emergency and public transportation vehicles.
 - (13) Improve safety for pedestrians and other nonmotorized travelers through reducing the number of conflict points at access crossings.
 - (14) Establish uniform standards to ensure fair and equal application.
 - (15) Provide landowners with reasonable access, though the access may be restricted to a shared driveway or service drive or via a side street, or the number and location of access may not be the arrangement most desired by the landowner or applicant.
 - (16) Promote a more coordinated development review process for the Charter Township of Meridian with the Michigan Department of Transportation (MDOT) and the Ingham County Road Commission (ICRC).
- (c) Applicability. The standards of this section shall apply to all lots and parcels with frontage along Grand River Avenue (M-43) and along intersecting roads within 350 feet of the Grand River Avenue (M-43) right-of-way (see Figure 86-441.1). The standards herein apply in addition to, and simultaneously with, the other applicable regulations of the zoning ordinance. Permitted and special land uses on these lands shall be as regulated in the applicable zoning district (as designated on the Zoning Map), and shall meet the following additional provisions:

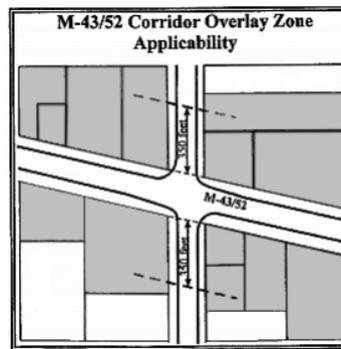


Figure 86-441.1

- (1) The number of access points is the fewest needed to allow motorists reasonable access to the site.
 - (2) Access spacing from intersections and other driveways shall meet the Grand River Avenue (M-43) access management standards and MDOT's guidelines.
 - (3) Provision has been made to share access with adjacent uses, either now or in the future, including any necessary written shared access and maintenance agreements to be recorded with the county specifying that the Charter Township of Meridian approval is required for any change to the easement.
 - (4) No building or structure, nor the enlargement of any building or structure, shall be erected unless the Grand River Avenue (M-43) access management regulations are met and maintained in connection with such building, structure, or enlargement.
 - (5) All subdivisions and condominium projects shall comply with the access spacing standards as herein demonstrated. Compliance with this section shall be required to demonstrate that a lot is accessible as required under the Land Division Act (Act 288 of 1967, as amended).
 - (6) Any change in use that requires a site plan review per § 86-151, the applicant shall identify the extent of compliance with the standards herein and shall submit information to the MDOT to determine if a new access permit is required.
 - (7) For building or parking lot expansions, or changes in use or property, the Director of Community Planning and Development shall determine the extent of upgrades to bring the site into greater compliance with the access standards. In making a decision, the Director of Community Planning and Development shall consider the existing and projected traffic conditions, any sight distance limitations, site topography or natural features, impacts on internal site circulation, and any recommendations from the MDOT. Required improvements may include removal or rearrangement or redesign of site access points.
 - (8) The standards herein were developed collaboratively between the Charter Township of Meridian, MDOT and Ingham County Road Commission. Where conflict occurs, the more restrictive standards shall apply.
- (d) Additional submittal information. In addition to the submittal information required for a special use permit in § 86-124 and site plan review in § 86-15(4), the following information shall be provided with any application for site plan review or special use permit. The information listed in items (1)—(4) below shall also be required with any request for a land division, subdivision plat or site condominium.
- (1) Existing access points. Existing access points within 500 feet on both sides of the Grand River Avenue (M-43) frontage, and along both sides of any adjoining roads, shall be shown on the site plan, aerial photographs, plat or survey.
 - (2) The applicant shall submit evidence indicating that the applicable Charter Township of Meridian's, ICRC or MDOT sight distance requirements are met.

