



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS SPECIAL MEETING
June 6, 2018 6:00 pm

1. CALL MEETING TO ORDER*
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
4. COMMUNICATIONS
5. UNFINISHED BUSINESS
6. NEW BUSINESS

A. ZBA CASE NO. 18-06-06-1 (PANGBORN), 4805 NAKOMA DRIVE, OKEMOS, MI, 48864

DESCRIPTION:	4805 Nakoma Drive
TAX PARCEL:	21-152-002
ZONING DISTRICT:	RAA (Single Family, Low Density)

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

Section 86-436 (r). Standards for variance by the Zoning Board of Appeals from the strict interpretation of the regulations set forth in Section 86-436.

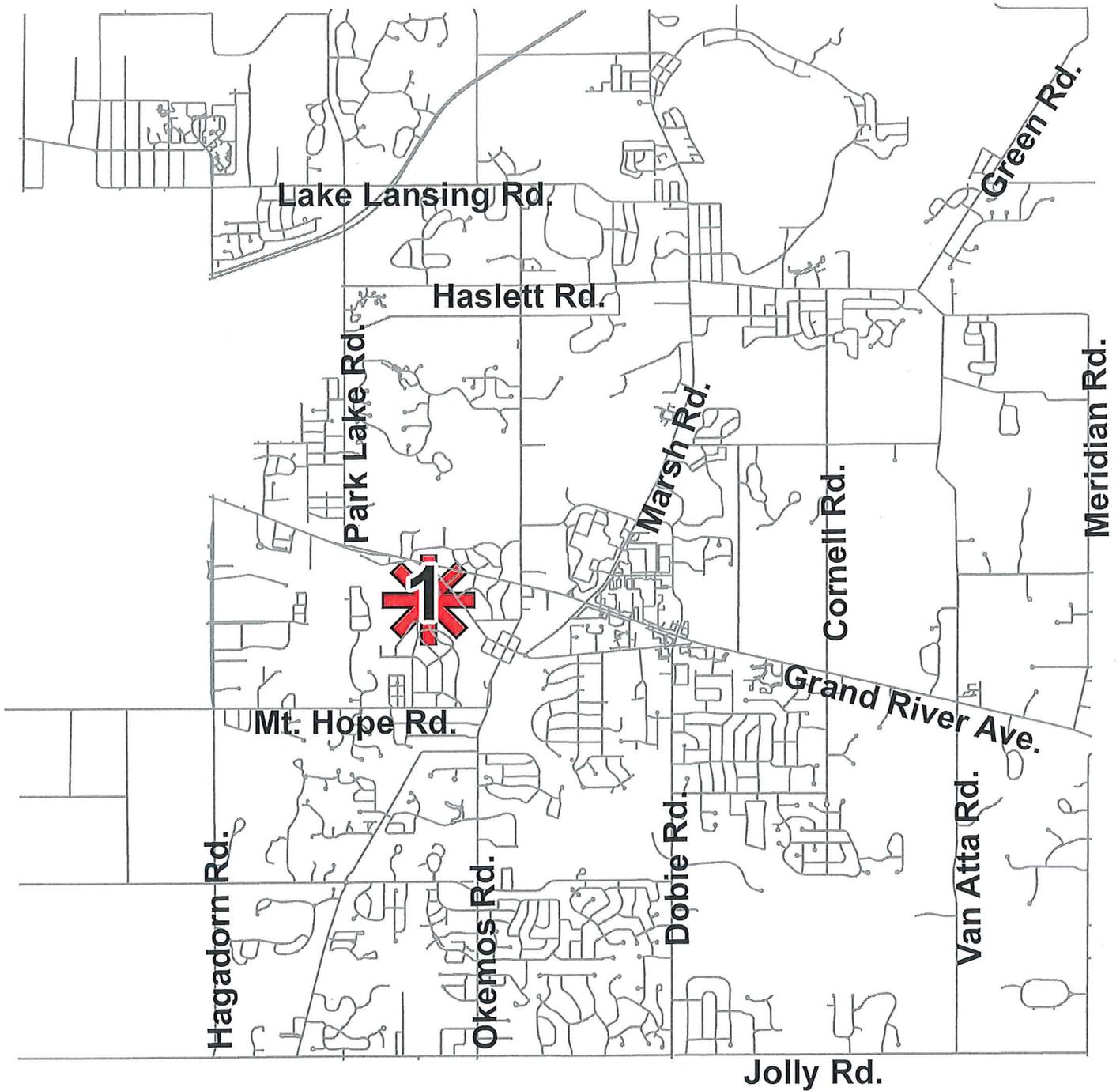
The applicant has requested a variance to construct a 352 square foot deck in the floodplain.

7. OTHER BUSINESS
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT
11. POSTSCRIPT – No Post Script

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

Meridian Township



Location Map

1. ZBA #18-06-06-1 (Pangborn)



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: Keith Chapman, Assistant Planner
Date: June 1, 2018
Re: ZBA Case No. 18-06-06-1 (Pangborn)

ZBA CASE NO.: 18-06-06-1 (Pangborn), 4423 Wausau Road, Okemos, MI 48864
DESCRIPTION: 4805 Nakoma Drive
TAX PARCEL: 21-152-002
ZONING DISTRICT: RAA (Single Family, Low Density)

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

- Section 86-436(r). Standards for variance by the Zoning Board of Appeals from the strict interpretation of the regulations set forth in Section 86-436.

The applicant has requested a variance to construct a 352 square foot deck in the floodplain at 4805 Nakoma Drive. The approximate 0.545 acre site is zoned RAA (Single Family, Low Density).

The site plan shows an existing 2,218 square foot single family house built in 1956. The proposed deck is 16 feet by 22 feet for a total of 352 square feet and is located on the west side of the house. The deck will be 30 feet from the rear property line. The rear yard setback in the RAA (Single Family, Low Density) district is 30 feet and decks can encroach 8 feet into the setback. The property is located in the floodway portion of the 100 year flood plain. The flood plain consists of two sections, the floodway and the floodway fringe. The floodway is the channel of the watercourse and those portions of the adjoining floodplains which carry and discharge the base flood, as determined by the Federal Emergency Management Agency and as indicated on the Flood Insurance Rate Map (FIRM). The floodway fringe is the portion of the base flood area located outside of the floodway which may generally be considered as the backwater area of the base flood.

The applicant has received approval for a permit from the Michigan Department of Environmental Quality (MDEQ) to construct the deck. The MDEQ stated the deck will need to be anchored to prevent flotation or lateral movement.

Zoning Board of Appeals
June 6, 2018
RE: ZBA Case No. 18-06-06-1 (Pangborn)
Page 2

Section 86-436(r) allows for the Zoning Board of Appeals (ZBA) to grant a variance from the strict interpretation of the regulations set forth in in the Conservancy District (CV District) section of the Zoning Ordinance. The ZBA will have to consider the following criteria that must be met in addition to the eight criteria stipulated in Section 86-221, before a variance can be granted:

1. No variance shall be granted for the development of new structures, the substantial improvement or relocation of old structures, or development of any kind within the floodway area when such development, construction, improvement, or relocation would cause any increase in flood levels associated with the base flood elevation.
2. a. A sufficient cause for granting the variance must be shown.

b. A determination that failure to grant the variance would result in a practical difficulty to the applicant.

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense or will not create nuisances, cause fraud on or victimization of the public or conflict with this chapter.

d. A determination that the variance is the minimum necessary to afford relief.

If the Zoning Board of Appeals decides to approve the request, the staff recommends the following condition:

- The applicant completes all conditions specified in the MDEQ permit.

Attachments

1. Application materials
2. Site location map

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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.

My home, and most homes my neighborhood are in a floodplain, and would require variances for improvements and construction. If my home was not in a floodplain, a variance would not be required, and deck would be permitted.

2.These special circumstances are not self-created.

Floodplain was not self-created.

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

If a variance is not approved, egress from the rear doors of my home would be rendered virtually useless and could present a safety concern.

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.

Construction and use of a deck is a permitted purpose. Failure to grant the variance would unreasonably prevent me, the homeowner, from using the property for a permitted purpose and would render conformity with such restrictions unnecessarily burdensome.

5.Granted 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.

Granting the variance is the minimum action required and would be the final step in this process. DEQ permitting has been approved, building permit is ready for issue from Meridian Township, and soil erosion permit has been issued from Meridian Township.

6.Granted 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 adjacent land or affect my neighbor's property in the vicinity. The deck will be built well within our property lines and will not negatively impact the neighborhood. My neighbors are in fact excited that we are building a deck and have expressed to us on several occasions that they are happy we have been updating our home and yard.

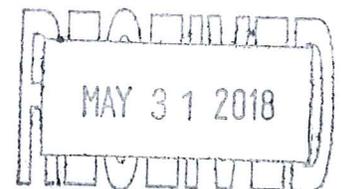
7.The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.

To the best of my knowledge, these conditions are not so general or recurrent in nature. as to make the formulation of a general regulation for such conditions practicable.

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

With the board's approval, granting a variance will be generally consistent with public interest and the purposes and intent of this Chapter.

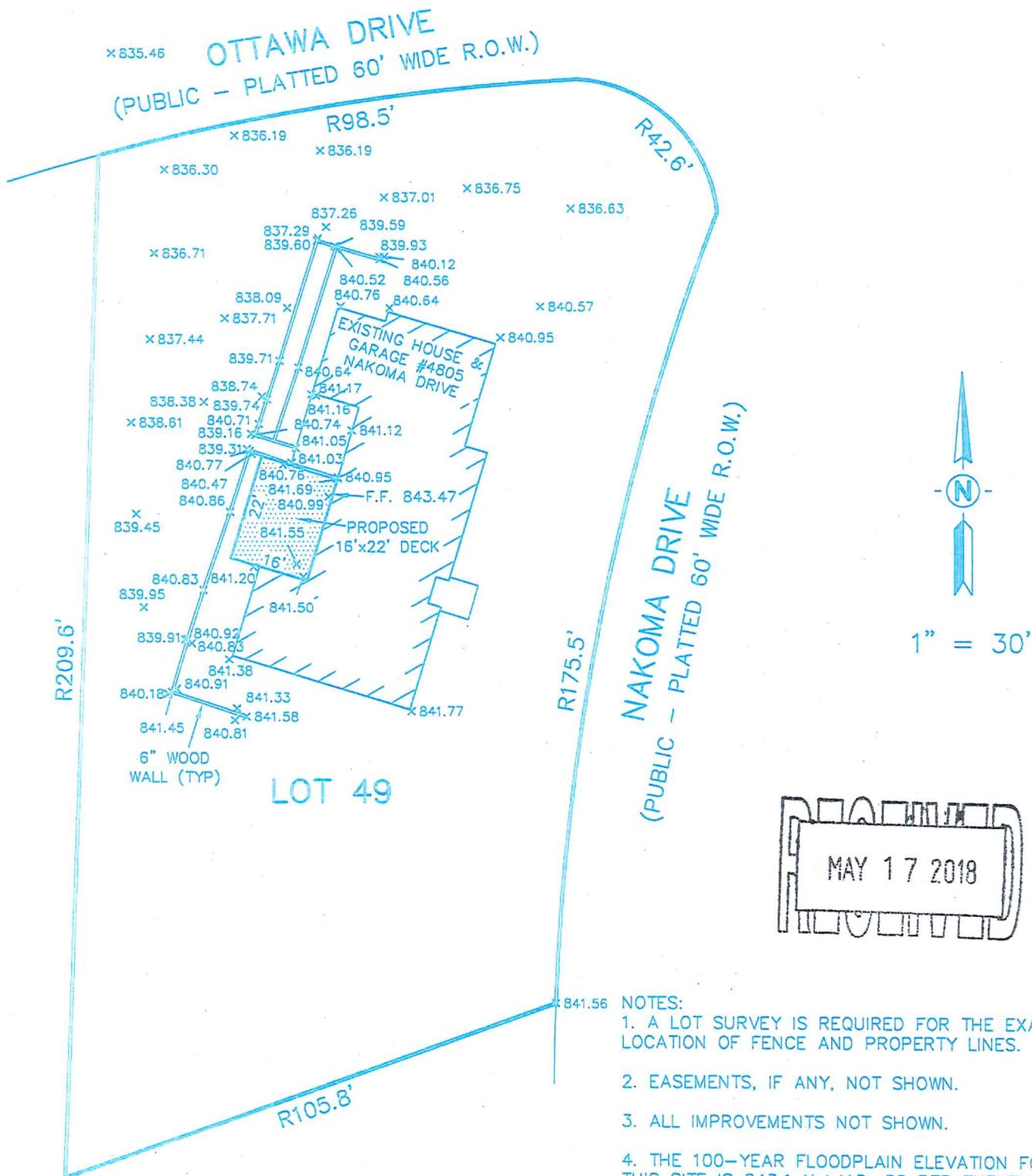
Thank you for your consideration in this matter.



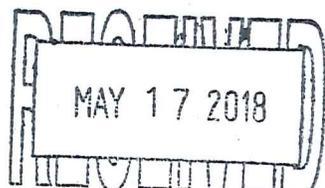
PLOT PLAN

For:
 Aaron Pangborn
 4805 Nakoma Drive
 Okemos, MI 48864

Legal Description (as provided): Lot 49, Indian Hills Plat, Meridian Township Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 11 of Plats, Page 16, Ingham County Records.



1" = 30'



- NOTES:
1. A LOT SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES.
 2. EASEMENTS, IF ANY, NOT SHOWN.
 3. ALL IMPROVEMENTS NOT SHOWN.
 4. THE 100-YEAR FLOODPLAIN ELEVATION FOR THIS SITE IS 843.1 N.A.V.D. 88 PER THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 260093 0158 D, DATED AUGUST 16, 2011.

This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Distance
- x = Existing Elevation
- = Deed Line
- - - = Distance Not to Scale
- ▨ = Deck, Porch, Sidewalk, & Patio Areas



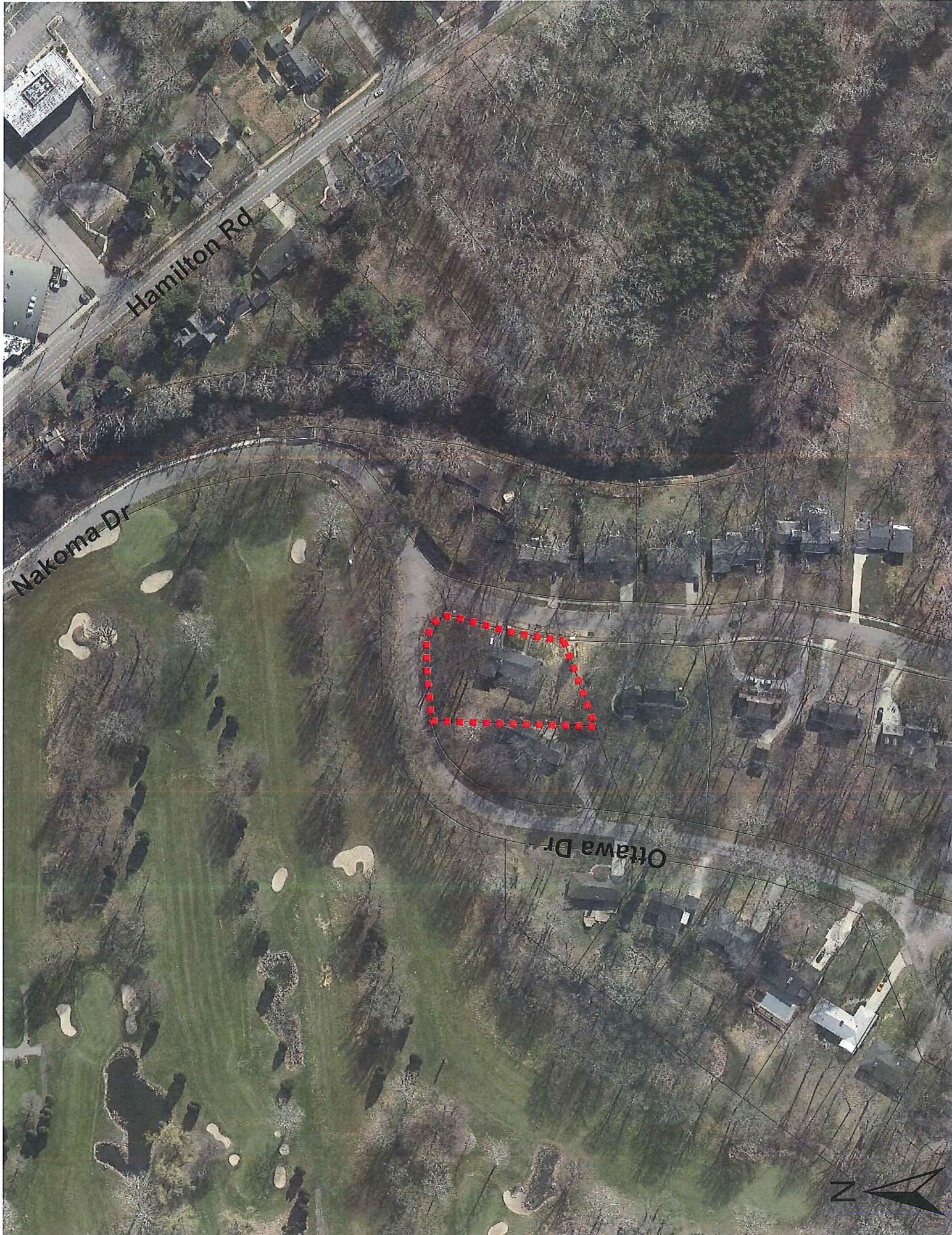
KEBS, INC. KYES ENGINEERING
 BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
 PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
 PH. 269-781-9800 FAX. 269-781-9805

E. R. Friestrom 05/16/18
ERICK R. FRIESTROM DATE
PROFESSIONAL SURVEYOR NO. 53497

DRAWN BY	KDB	SECTION	21, T4N, R1W
FIELD WORK BY	JF	JOB NUMBER:	
SHEET	1 OF 1		93697.FLD

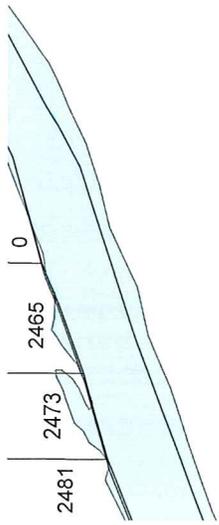
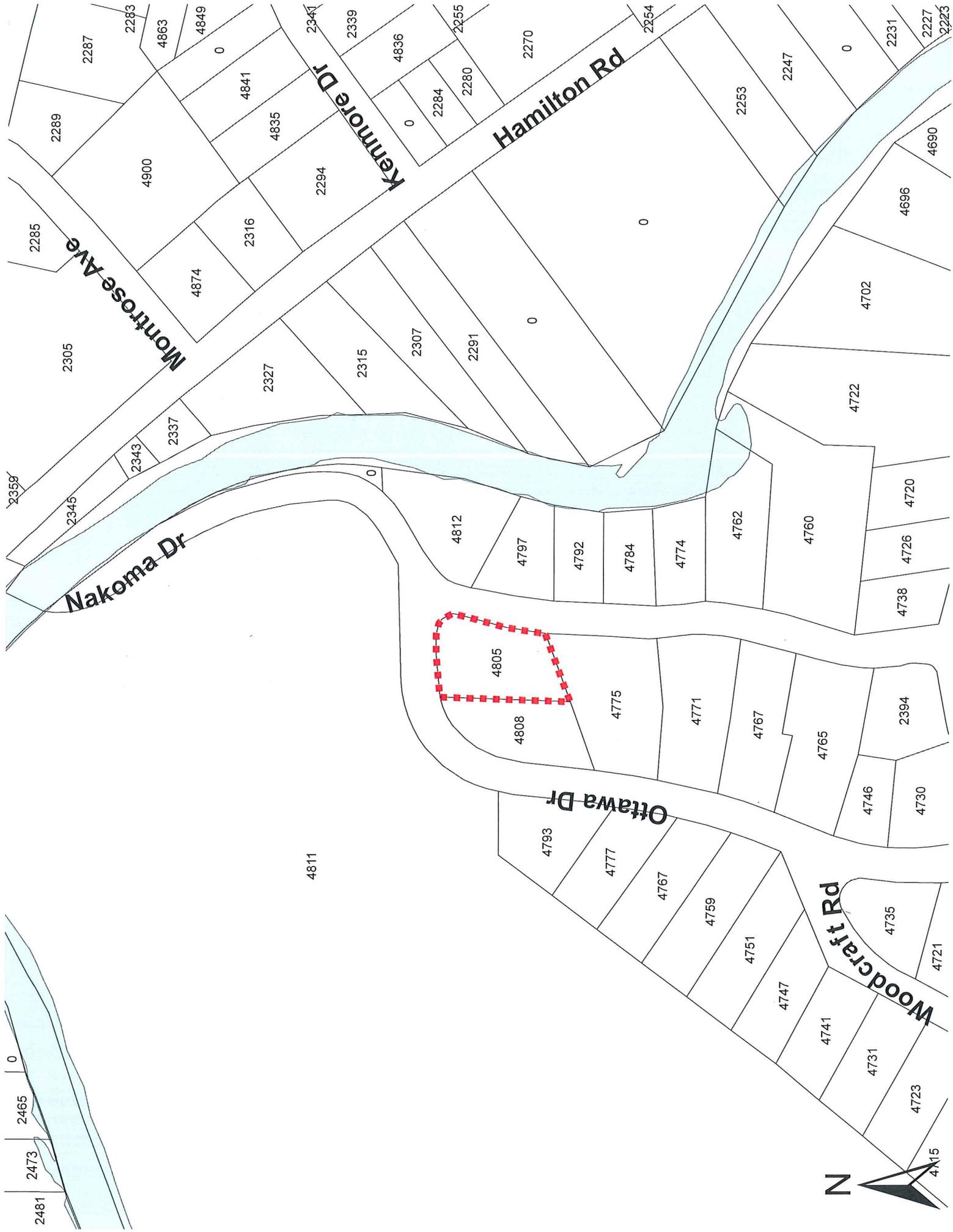


Hamilton Rd

Nakoma Dr

Ottawa Dr





Nakoma Dr

Hamilton Rd

Montrose Ave

4811

Ottawa Dr

Woodcraft Rd

4805

4808

4812

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4784

4774

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4726

4720

4722

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