

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, July 27, 2016 6:30 PM
TOWN HALL ROOM**

- A. CALL MEETING TO ORDER**
- B. APPROVAL OF AGENDA**
- C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES**
 - o Wednesday, July 13, 2016
- D. UNFINISHED BUSINESS**
- E. NEW BUSINESS**

- 1. ZBA CASE NO. 16-07-27-1 FLOYD SULLIVAN, 4510 MERIDIAN ROAD, WILLIAMSTON, MI 48895**

DESCRIPTION:	4510 Meridian Road
TAX PARCEL:	24-480-005
ZONING DISTRICT:	RR (Rural Residential)

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

- Section 86-368(d)(4)(a), which states the front yard dimension must be in accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts.

The applicant is requesting a variance to build an addition onto a single family residence that will encroach eight feet into the 100-foot front yard setback located at 4510 Meridian Road, Williamston, MI.

- 2. ZBA CASE NO. 16-07-27-2 MID-MICHIGAN PONDS, 6500 HOWE ROAD, BATH, MI 48808**

DESCRIPTION:	575 Piper Road
TAX PARCEL:	13-100-036
ZONING DISTRICT:	RR (Rural Residential)

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

- Section 86-471(b)(1), which states all structures and grading activities shall be setback from the edge of wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area by 40 feet.
- Section 86-471(c)(1), which states that a 20-foot natural vegetation strip shall be maintained from the edge of a water feature.

The applicant is requesting a variance to work within the water features setback and natural vegetation strip of a regulated wetland to improve an existing pond at 575 Piper Road, Haslett, MI.

- ☞ Variance requests may be subject to change or alteration upon review of request during preparation of the staff memorandum. Therefore, Sections of the Code of Ordinances are subject to change. Changes will be noted during public hearing meeting.

- F. OTHER BUSINESS
- G. PUBLIC REMARKS
- H. BOARD MEMBER COMMENTS
- I. ADJOURNMENT
- J. POST SCRIPT – KEN LANE

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

BRET DREYFUS, CMMC
TOWNSHIP CLERK

ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

Persons wishing to address the topic of a scheduled public hearing are encouraged to present their remarks during the public hearing portion of the Zoning Board of Appeals meeting. **If you do intend to speak before the Zoning Board of Appeals please sign in at the door.** During a public hearing, the following order shall be used:

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

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

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES ***DRAFT***
5151 MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, July 13, 2016**

PRESENT: Members Jackson, Lane, Chair Beauchine, Alternate Member Ballard
ABSENT: Members LeGoff, Ohlrogge
STAFF: Mark Kieselbach, Director of Community Planning and Development

A. CALL MEETING TO ORDER

Chair Beauchine called the meeting to order at 6:30 p.m.

B. APPROVAL OF AGENDA

MEMBER JACKSON MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER LANE

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

Wednesday, June 8, 2016

MEMBER LANE MOVED TO APPROVE THE MINUTES OF WEDNESDAY, June 8, 2016 AS WRITTEN.

SECONDED BY MEMBER JACKSON

VOICE VOTE: Motion carried unanimously.

D. UNFINISHED BUSINESS

None.

E. NEW BUSINESS

1. ZBA CASE NO. 16-07-13-1 CHARTER TOWNSHIP OF MERIDAIN (PARKS), 5151 MARSH ROAD, OKEMOS, MI, 48864

DESCRIPTION: 2055 Towner Road

TAX PARCEL: 04-276-008

ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-471(b)(1), which states all structures and grading activities shall be setback from the edge of wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area by 40 feet.

The applicant is requesting a variance to grade and construct a paved trail/boardwalk within the 40-foot setback from water features associated with the development of Towner Road Park located at 2055 Towner Road, Haslett, MI.

Director Kieselbach outlined the case for discussion and recommended if the Zoning Board of Appeals (ZBA) decides to approve the variance it be conditioned upon all necessary permits and approvals being obtained.

Applicant LuAnn Maisner, Director of Meridian Township Parks and Recreation highlighted the past and present developments of Meridian Township Parks.

Applicant's representative, John McCain, Viridis Design Group, 313 North Burdick, Kalamazoo, MI 49007, summarized the project and how the design was developed for the park.

Chair Beauchine opened the floor for public comment.

Director Maisner introduced Park Commission members Mike McDonald (Chair) and Mark Stevens.

Chair Beauchine closed public remarks and moved to ZBA Discussion.

Chair Beauchine welcomed Alternate Member Ballard to her first ZBA meeting.

Member Lane said he felt because of the wetlands and the topography of the site there exist unique circumstances on the property, which are not self-created. He further stated without granting a variance the path that connects the fields with the parking area would not be possible. In his opinion these reasons satisfy review criteria one –four (Section 86-221).

Chair Beauchine 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 further stated without the variance it would be impossible to use the land making the land contrary to public interest and creating a safety issue.

Chair Beauchine 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 felt there would be no adverse effects to the adjacent land, and granting the variance would improve the essential character of the property in the vicinity.

Chair Beauchine 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. In his opinion this case is unique and would not create a precedence or be recurrent in nature.

Chair Beauchine read review criteria eight, which states, granting the variance will be generally consistent with public interest, the purposes and intent of the Zoning Ordinance. He stated the request was consistent with public interest and in his opinion all eight review had been met.

MEMBER LANE MOVED TO GRANT THE VARIANCE TO ALLOW FOR GRADING AND CONSTRUCTION OF A PAVED TRAIL, WITHIN THE 40 FOOT SETBACK OF THE WETLANDS, CONTINGENT UPON THE APPLICANT OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TOWNSHIP.

SECONDED BY MEMBER JACKSON

ROLL CALL VOTE: YES: Members Lane, Alternate Member Ballard, Member Jackson,
Chair Beauchine

NO: None

Motion carried unanimously

F. OTHER BUSINESS

None.

G. PUBLIC REMARKS

Chair Beauchine opened and closed public remarks.

H. BOARD MEMBER COMMENTS

Member Jackson inquired of Director Maisner the location on the Township website of the 5 year Parks and Recreation Master Plan for 2011-2015.

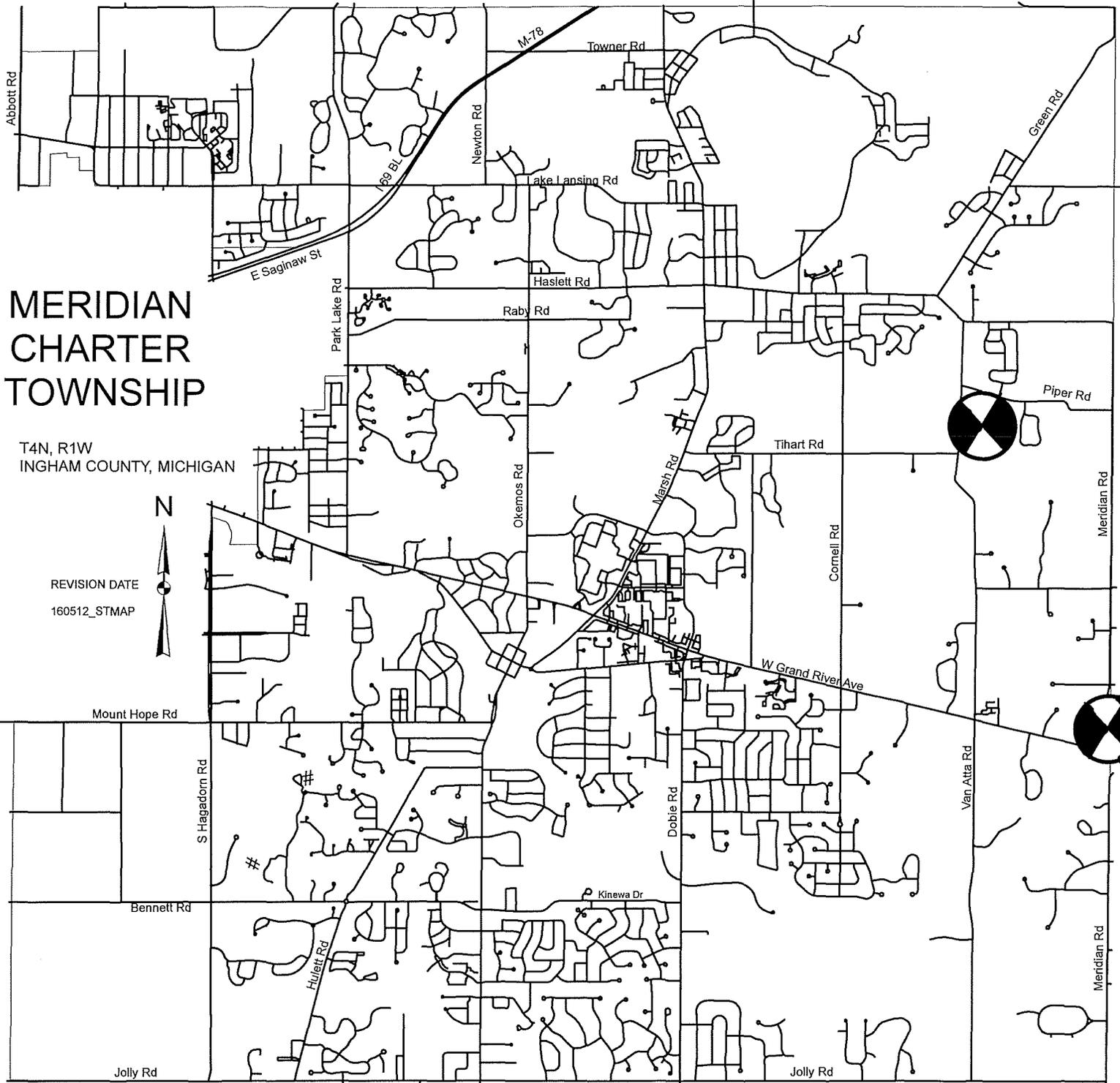
Director Maisner, shared the location on the Township website.

I. ADJOURNMENT

Chair Beauchine adjourned the meeting at 7:05 p.m.

Respectfully Submitted,

Rebekah Lemley
Recording Secretary



MERIDIAN CHARTER TOWNSHIP

T4N, R1W
INGHAM COUNTY, MICHIGAN



REVISION DATE
160512_STMAP

LOCATION MAP

Sec. 86-126. Review criteria.

Applications for special use permits shall be reviewed for compliance with the following standards and requirements, where applicable. An application for a special use permit that complies with all the following standards and requirements in this chapter may be approved. The applicant shall assure that:

- (1) The project is consistent with the intent and purposes of this chapter.
- (2) The project is consistent with applicable land use policies contained in the township's comprehensive development plan of current adoption.
- (3) The project is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.
- (4) The project will not adversely affect or be hazardous to existing neighboring uses.
- (5) The project will not be detrimental to the economic welfare of surrounding properties or the community.
- (6) The project is adequately served by public facilities, such as existing roads, schools, stormwater drainage, public safety, public transportation, and public recreation, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide any such service.
- (7) The project is adequately served by public sanitation facilities if so designed. If on-site sanitation facilities for sewage disposal, potable water supply, and stormwater are proposed, they shall be properly designed and capable of handling the longterm needs of the proposed project.
- (8) The project will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
- (9) The project will not directly or indirectly have a substantial adverse impact on the natural resources of the township, including, but not limited to, prime agricultural soils, water recharge areas, lakes, rivers, streams, major forests, wetlands, and wildlife areas.

(Code 1974, § 81-3.2(F))

Sec. 86-127. Conditions.

The planning commission may require additional conditions, beyond those specified for the particular special use in this chapter, necessary to accomplish the purposes and intent of this chapter as follows:

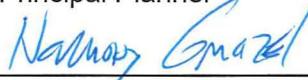
- (1) Site conditions including, but not limited to, the following:
 - a. Special yards, open spaces, or buffers.

MEMORANDUM

TO: Zoning Board of Appeals

FROM: 

Gail Oranchak, AICP
Principal Planner



Harmony Gmazel, AICP
Associate Planner

DATE: July 22, 2016

RE: ZBA Case No. 16-07-27-1

ZBA CASE NO. 16-07-27-1 SULLIVAN
4510 MERIDIAN ROAD, WILLIAMSTON, MI 48895
DESCRIPTION: 4510 Meridian Rd, Williamston MI 48895
TAX PARCEL: 24-480-005
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-368(d)(4)(a), which states the front yard dimension shall be in accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts.

The applicant intends to attach a seventeen (17) foot wide and sixteen (16) foot deep carport to the front (west) façade of his existing garage. As confirmed with the applicant, the house is currently set back 106 feet from the centerline of Meridian Road, which is six (6) feet more than required.

The variance request is to permit the front edge of the structure to be located closer than the required one hundred (100) feet from the centerline of Meridian Road. Per the submitted information the front of the carport is located approximately ninety-two (92) feet from the road centerline; therefore the applicant is requesting a variance. The following chart summarizes the variance request:

Required Setback	Proposed Setback	Variance Request
100 feet	92 feet	8 feet

Side and rear yard setbacks are also met. There are no existing variances affiliated with this property. Once built, the carport becomes part of the principal residence. It is not an accessory structure.

Attachments

1. Application Materials

By July 5

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

VARIANCE APPLICATION

A. Applicant Floyd Sullivan
Address of Applicant 4510 Meridian RD Williamston MI 48895
Telephone (Work) 517-347-5235 Telephone (Home) 517-819-9221
Fax _____ Email address: FSullivan@gmail.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 4510 Meridian RD Williamston MI 48895
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)

Floyd Sullivan Floyd Sullivan 6/17/16
Signature of Applicant Print Name Date

Fee: \$150 Received by/Date: Harmony Grant

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.**)
Floyd Sullivan 6/30/16
Signature of Applicant(s) Date

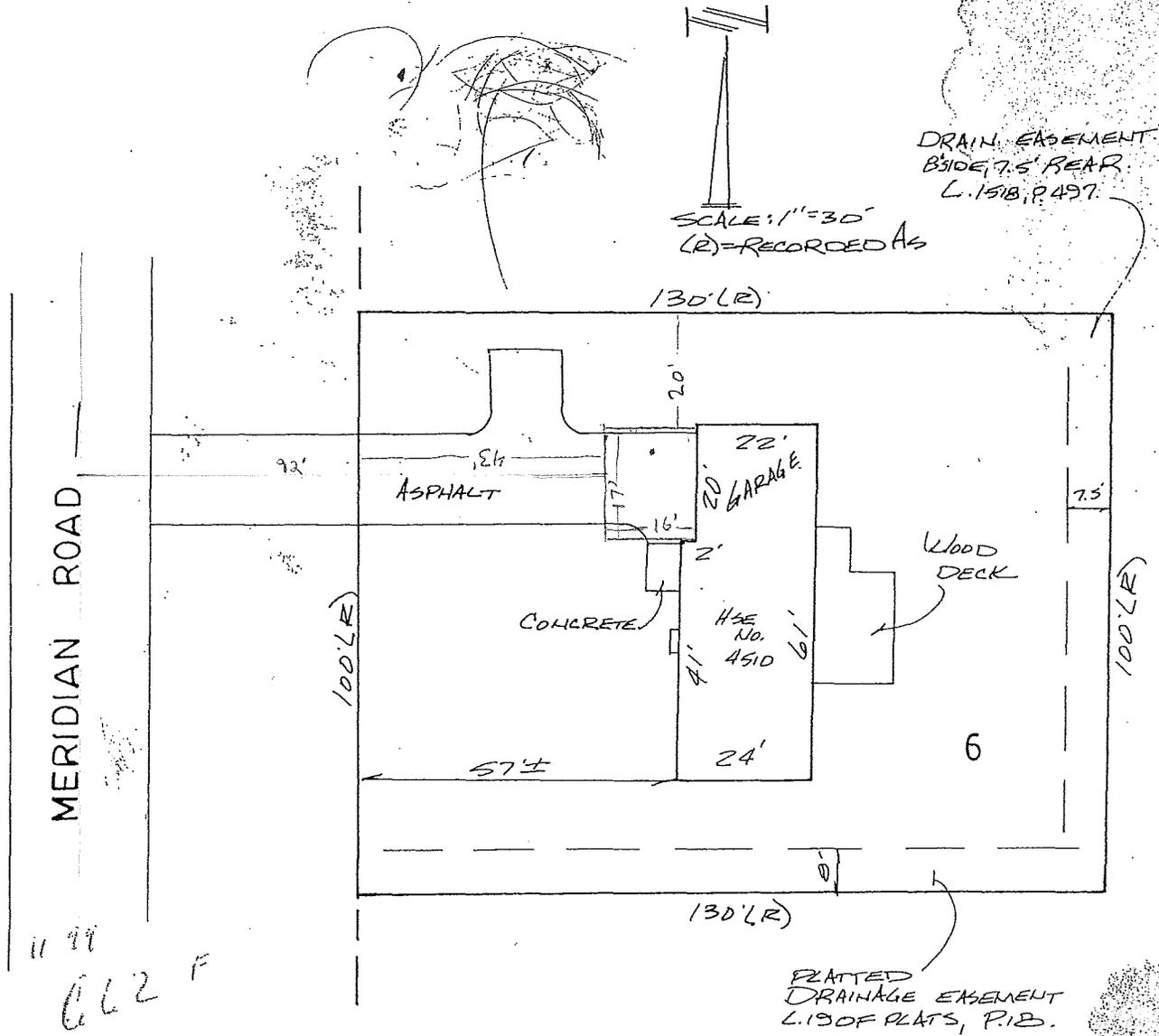
Signature of Applicant(s) Date

To the ZBA:

From Mr. Sullivan, as transcribed by Township staff.

My application for a front yard variance is based on a practicality. My family needs space added to the garage, and we think that even with an 8 foot variance, our house and lot will still be in keeping with my neighbors' setbacks and the character of houses on this portion of Meridian Road. Building additional space on the other sides of the garage will end up too close to the neighbors. The best alternative is to build towards the road, where there is a setback that won't be intrusive to neighbors, even with an 8-foot variance. Thank you.

MORTGAGE LOAN INSPECTION



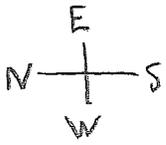
LEGAL DESCRIPTION (AS PROVIDED BY TITLE INSURANCE COMPANY): Lot 6, Red Cedar Manor, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 19 of Plats, Page 18, Ingham County Records.

Mortgage Loan Inspection For: Floyd Greg Sullivan and Transnation Title Insurance Co.
Property Address: 4510 Meridian Road

Scale: 1"=30'	Date: 12/2/97	By: KJS	Job No.: 97-710	Location: Meridian Township
---------------	---------------	---------	-----------------	-----------------------------

NOTE: A mortgage loan inspection relates the location of permanent structures to approximate property limits. It is in your best interest to request a certified boundary survey, rather than a mortgage loan inspection. SES will not be responsible for encroachments identified later by a certified boundary survey.

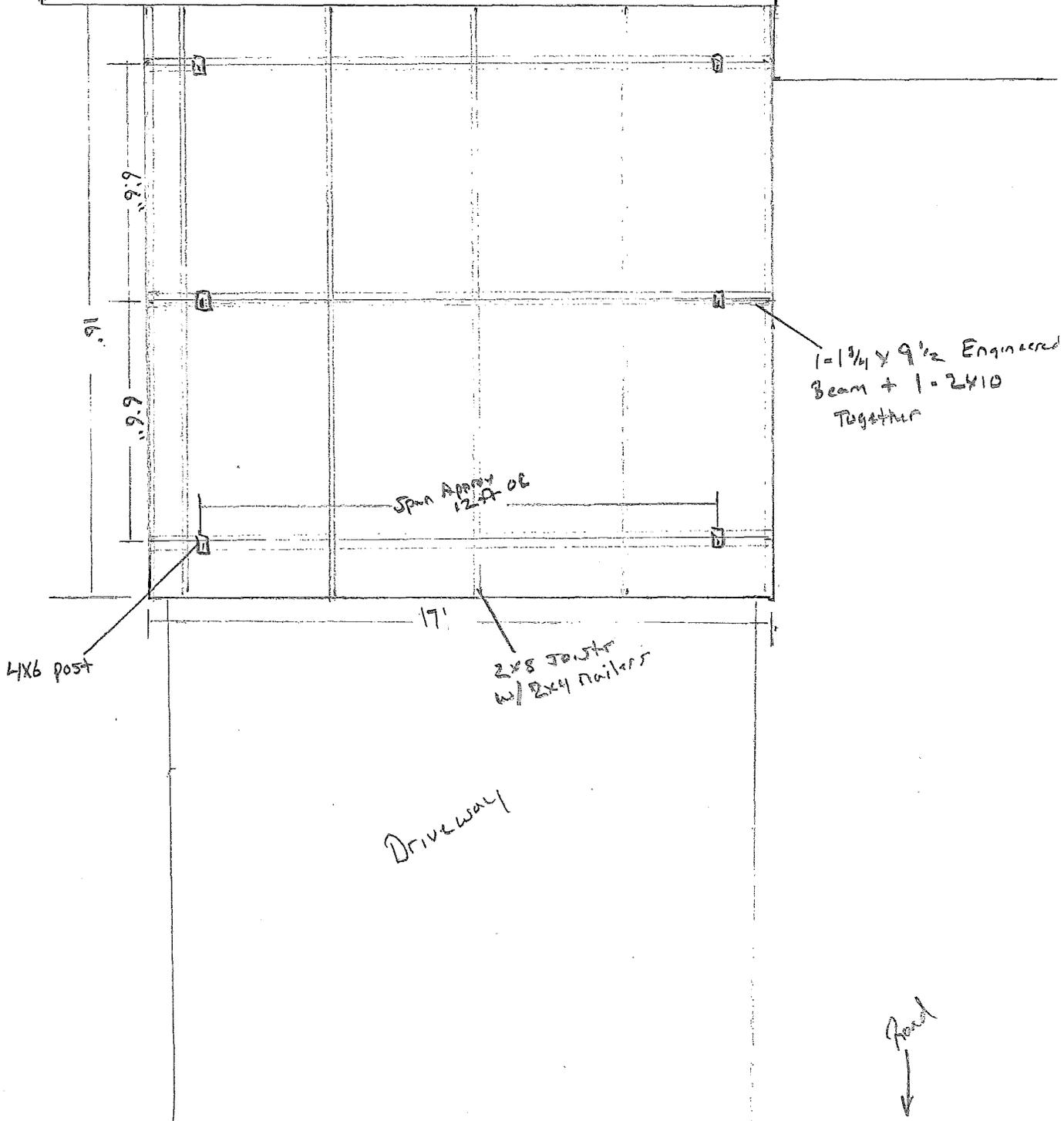
1/4" = 1 ft



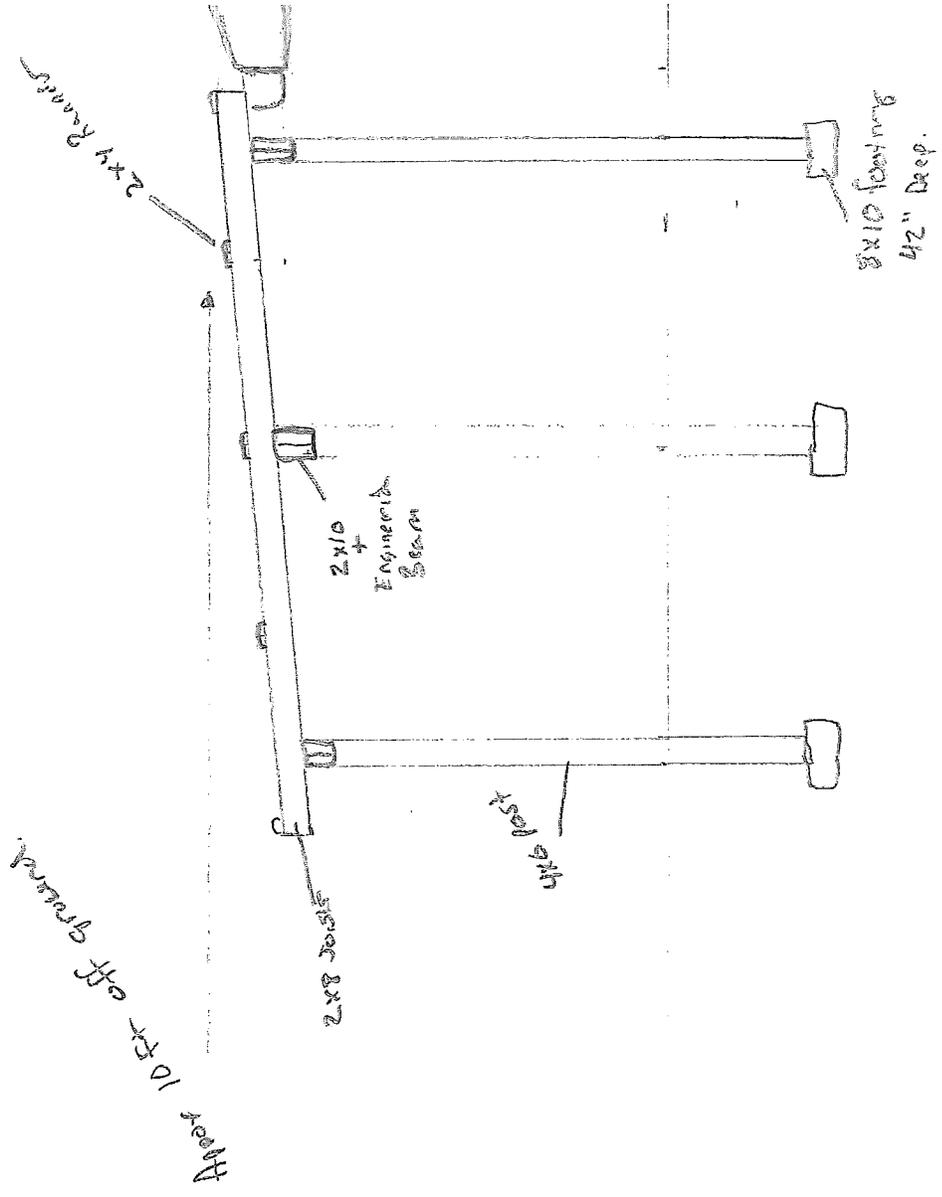
Steel Roof

Garage

House



with 1 1/2" dia
Address



10 FT off ground

Grade

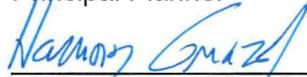
MEMORANDUM

TO: Zoning Board of Appeals

FROM:



Gail Oranchak, AICP
Principal Planner



Harmony Gmazel, AICP
Associate Planner

DATE: July 20, 2016

RE: ZBA Case No. 16-07-27-2

ZBA CASE NO. 16-07-27-2 Mid-Michigan Ponds
6500 Howe Rd, Bath MI 48808
DESCRIPTION: 575 Piper Rd, Haslett MI 48840
ZONING DISTRICT: RR (Rural Residential)

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

- Section 86-471(b)(1) which states all structures and grading activities shall be setback 40 feet from the edge of wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area
- Section 86-471(c)(1) which states that a 20-foot natural vegetation strip shall be maintained from the edge of a wetland regulated by the Township, State of federal law.

The applicant states that he "intends to restore an existing 0.56 acre pond that is filling with sediments and has an invasive plant called phragmites taking over the shoreline areas." This project includes the removal of sediment to an average depth of ten (10) feet in the pond, and a re-sloping of the pond banks to a 3:1 ratio. The grading impacts will occur within the forty (40) foot setback from a wetland greater than two (2) acres in size, and within the twenty (20) foot natural vegetation strip of Township Wetland #13-12D.

Based on the Township Wetland Map, Township Wetland #13-12D is an extensive system of emergent and shrub-scrub wetlands associated with the Foster Drain extending from Piper Road south beyond the subject site. According to a wetland delineation completed for a pond improvement project on a parcel to the west, the regulated wetland wraps around the north and west banks of the pond. A survey showing the wetland boundary is attached. The boundary was verified by the Township Environmental Consultant. This wetland lies approximately 20 feet west of the pond. To the north, the regulated wetland lies approximately 50 to 60 feet from the edge of the pond. Application materials do not show the extent to which grading will encroach into the wetland setback and natural vegetation strip.

Exhibit A, below, depicts where the activity will occur at 575 Piper Road, Exhibit B depicts the Township Wetland Map, and Exhibit C depicts a map of the site.

Exhibit A: Location Map



Exhibit B: Township Wetland Map

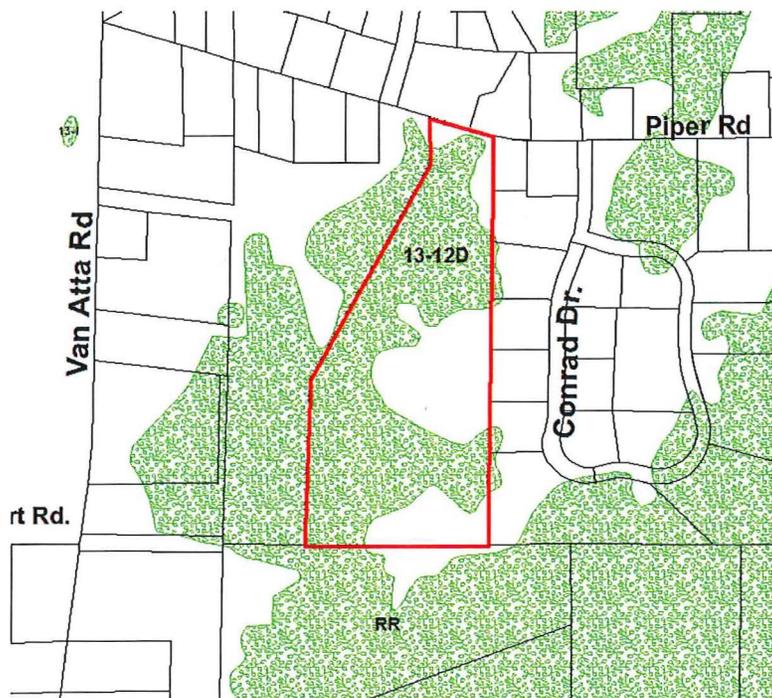


Exhibit C: Site Map

Note:

The wetland boundary is depicted as the white line along the west edge of the site. The pond area is encircled in blue.



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

- The applicant shall install appropriate soil erosion and sedimentation control measures during construction to ensure there are no impacts to areas outside of project area.
- The applicant shall obtain all necessary permits and approvals from the Township.

Attachments

1. Application Materials
2. Survey, received 10/02/15

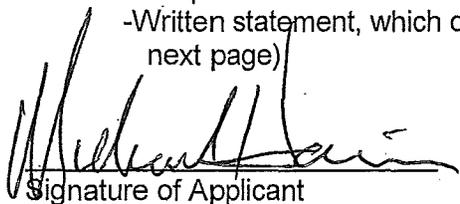
CHARTER TOWNSHIP OF MERIDIAN
PLANNING DIVISION
5151 MARSH ROAD, OKEMOS, MI 48864
(517) 853-4560

VARIANCE APPLICATION

- A. Applicant Mid-Michigan Ponds
Address of Applicant 6500 Howe Rd., Bath, MI 48808
Telephone (Work) (517) 927-4830 Telephone (Home) _____
Fax _____ Email address: mike@midmichiganponds.com
Interest in property (circle one): Owner Tenant Option Other
- B. Site address/location 575 Piper Rd., Haslett, MI 48840
Zoning district RR Parcel number _____
- C. Nature of request (Please check all that apply):
 Request for variance(s) cleaning out existing pond near a wetland
 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 of Applicant

Michael Harris
Print Name

7-6-16
Date

Fee: \$ 150. -

Received by/Date: Gail Ornduff 7/6/16

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

Mid-Michigan Ponds
Statewide Service

6500 Howe Rd.
Bath, MI 48808
517-927-4830
midmichiganponds.com

July 6th, 2016

To the Zoning Board of Appeals:

The purpose of this project is to restore an existing 0.56 acre pond that is filling in with sediments and has an invasive plant called phragmites taking over the shoreline areas.

The property in question is a horse farm located at 575 Piper Road, Haslett, Michigan. The pond on the property could potentially be used for watering purposes and recreational uses, but is currently surrounded by an approximate 25-foot barrier of phragmites and has filled in with a significant amount of sediment and organic matter build-up. As a result, the pond is being choked out by the excessive submerged aquatic weed and algae growth and is currently not suitable for intended purposes.

Mid-Michigan Ponds proposes to clean out the sediments from the bottom to an average depth of 10 feet and re-slope the banks around the pond at a 3:1 ratio. This will also include removing the phragmites. To eliminate the chance of the phragmites spreading, it will be buried underneath the spoils. All of the spoils will be hauled to designated upland areas on the property, leveled off and re-seeded.

The township is requiring a variance for this project due to the close proximity (approximately ³⁰~~40~~ feet) of the western edge of the pond to a neighboring wetland. No activities will be performed within this wetland. Granting the variance will not have any adverse effects on any adjacent land or essential character in the vicinity of the property.

Thank you for your consideration of this project.

Sincerely,



Legend

- Property Boundary
- Pond being cleaned out
- Delineated Wetland Location
- Spoils Placement
- Silt Fence Placement



Lyle Stephen's Property – 575 Piper Road,
Haslett, Michigan 48840

Google

Parcel

33-02-02-13-100-036

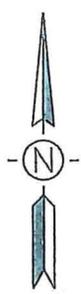
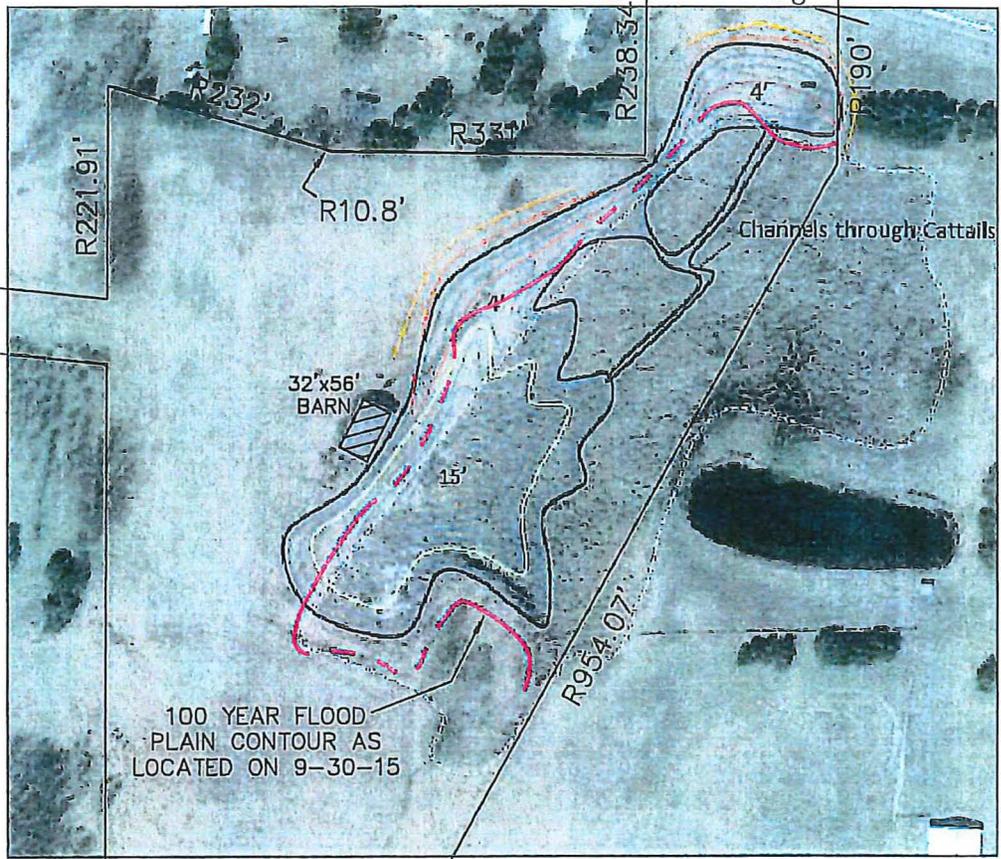
Legal Description

M13-4-2-1 COM @ THE W 1/4 COR SEC
13 -S 89 DEG 41'06"E ALNG EW 1/4 LN
1637.61 FT TO POB -N 0 DEG 40'01"W
629.86 FT -N 29 DEG 31'17"E 954.07 FT -
N 0 DEG 49'11"E 190 FT TO C/L OF PIPER
RD -S 73 DEG 26'24"E ON C/L 261.08 FT -
S 01 DEG 13'20"W 1579.70 FT TO EW
1/4 LN -N 89 DEG 41'06"W ON 1/4 LN
682.07 FT TO POB T4NR1W 20 AC M/L

SKETCH PLAN

VAN ATTA ROAD

PIPER ROAD



1" = 200'

NOTES:

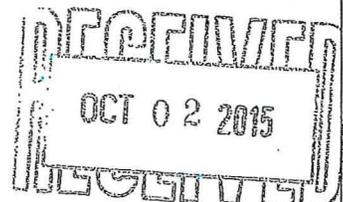
1. A CERTIFIED BOUNDARY SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES.
2. EASEMENTS, IF ANY, NOT SHOWN

PER CLIENT PROVIDED MITIGATION SKETCH

- BLACK OUTLINE - TOTAL POND AREA (2.3 ACRES)
- YELLOW OUTLINE - DEEPWATER HABITAT
- WHITE DOTTED LINE - CURRENT WETLAND AREA
- RED DOTTED LINE - MITIGATED WETLAND AREAS
- BLUE LINES - ONE FOOT CONTOUR LINES
- YELLOW LINES - SILT FENCE PLACEMENT

WEST 1/4 CORNER
SECTION 13, T4N, R1W

R1321.30' R316.32'
EAST-WEST 1/4 LINE SECTION 13



Meridian Charter Township
Department of Public Works & Engineering
5151 Marsh Road, Okemos, MI 48864
Ph: 517-853-4440 Fax: 517-853-4095

LETTER OF AUTHORIZATION

To secure a Soil Erosion and Sedimentation Control Permit

Date: JUNE 8 2016

I, the landowner of property, Parcel No. 35-02-02-13-100-036
Address: 575 PIPER ROAD HASLETT, MI 48840
authorize MIKE HARRIS MID MICHIGAN PONDS
Print Designated Agent's Name

to secure a Soil Erosion and Sedimentation Control Permit for the earth disturbance on my property.

Landowner's Name: LYLE L. STEPHENS

Company Name: _____

Address: 575 PIPER ROAD

City: HASLETT State: MICHIGAN Zip: 48840

Phone Numbers: Home: _____ Cell: 941/628-0750 Work: _____

LYLE L. STEPHENS
Print Landowner's Name

Lyle L. Stephens
Landowner's Signature

Designated Agent's Name: Mid-Michigan Ponds - Mike Harris

Company Name: Mid-Michigan Ponds

Address: 6500 Howe Rd.

City: Bath State: MI Zip: 48808

Phone Numbers: Home: (517) 927-4830 Cell: _____ Work: _____

Michael Harris
Print Designated Agent's Name

Michael Harris
Designated Agent's Signature