



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
June 28, 2017 6:30 pm



1. CALL MEETING TO ORDER*
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
 - A. Wednesday, May 24, 2017

4. COMMUNICATIONS
 - A. Sanjay & Kiran Gupta, 3611 Beech Tree Lane RE: ZBA #17-06-28-1
 - B. Piyush & Vinha Desai, 3620 Beech Tree Lane RE: ZBA #17-06-28-1
 - C. Adrienne Gelardi, 6130 Pollard Avenue RE: ZBA #17-06-28-3
 - E. Max Prosser, 6129 Pollard Avenue RE: ZBA #17-06-28-3
 - F. Sara, 6079 Pollard Avenue RE: ZBA #17-06-28-3
 - G. Ann Fuller, 6070 Pollard Avenue RE: ZBA #17-06-28-3
 - H. Steven But, 6082 Pollard Avenue RE: ZBA #17-06-28-3
 - I. Nasser Almutairi, 6100 Pollard Avenue RE: ZBA #17-06-28-3
 - J. Mary Diaz, 6081 Pollard Avenue RE: ZBA #17-06-28-3
 - K. Michael Womboldt, 6078 Pollard Avenue RE: ZBA #17-06-28-3
 - L. Jack & Julie Magruder, 3176 Birch Row Drive RE: ZBA #17-06-28-3
 - M. Barry Gibson, 3169 Birch Row Drive RE: ZBA #17-06-28-3

5. UNFINISHED BUSINESS
6. NEW BUSINESS
 - A. ZBA CASE NO. 17-06-28-1 (FATTEH),
3615 BEECH TREE LANE, OKEMOS, MI 48864

DESCRIPTION: 3615 Beech Tree Lane
TAX PARCEL: 34-377-010
ZONING DISTRICT: RB (Single Family, High Density)

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

Section 86-374 (d)(5)(c), for lots over 150 feet in depth, the rear yard setback shall not be less than 40 feet in depth.

The applicant is requesting to construct a 168 square foot enclosed porch within the rear yard setback.

AGENDA page 2
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
June 28, 2017 6:30 pm

- B. ZBA CASE NO. 17-06-28-2 (ZHANG),
6954 ABBY LANE, GRAND LEDGE, MI 48837

DESCRIPTION: 4719 Powell Road
TAX PARCEL: 22-426-003
ZONING DISTRICT: RA (Single Family, Medium Density)

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

Section 86-471(b)(1), for all structures and grading activities shall be setback from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area; 40 feet.

Section 86-471(c)(1), to minimize erosion, stabilize streambanks and wetland edges, protect water quality, and preserve fish and wildlife habitat, a natural vegetation strip shall be maintained from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law; 20 feet.

The applicant is requesting to construct a driveway within the wetland setback.

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

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AGENDA page 3
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
June 28, 2017 6:30 pm

- C. ZBA CASE NO. 17-06-28-3 (NEMETH),
3159 BIRCH ROW DRIVE, EAST LANSING, MI 48823

DESCRIPTION: 3159 Birch Row Drive
TAX PARCEL: 06-425-001
ZONING DISTRICT: RB (Single Family, High Density)

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

Section 86-565 (1), no accessory building shall project into any front yard.

Section 86-374 (d)(5)(a), front yard setbacks shall be in accordance with the setback requirements of section 86-367 for the type of street upon which the lot fronts. The front yard setback for Pollard Avenue is 25 feet.

The applicant is requesting to construct an 864 square foot accessory building.

7. OTHER BUSINESS
8. PUBLIC REMARKS
9. ADJOURNMENT
10. POSTSCRIPT – Kenneth Lane

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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**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES ***DRAFT***
5151 MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, May 24, 2017**

PRESENT: Members Jackson, Rios, Lane, Stivers, Chair Beauchine
ABSENT: Member Ohlrogge
STAFF Director Kieselbach, Community Planning and Development
Keith Chapman, Assistant Planner

A. CALL MEETING TO ORDER

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

B. APPROVAL OF AGENDA

MEMBER RIOS MOVED TO APPROVE THE AGENDA AS WRITTEN.

SECONDED BY MEMBER STIVERS.

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, May 10, 2017

MEMBER LANE MOVED TO APPROVE THE MINUTES OF WEDNESDAY MAY 10, 2017 AS WRITTEN.

SECONDED BY MEMBER STIVERS.

VOICE VOTE: Motion carried unanimously.

D. COMMUNICATIONS

None.

E. UNFINISHED BUSINESS

None.

F. NEW BUSINESS

1. ZBA CASE NO. 17-05-24-1 (STOCKWELL DEVELOPMENT CO. LLC), 4277 OKEMOS ROAD, OKEMOS, MI 48865

DESCRIPTION: 1560 Grand River Avenue
TAX PARCEL: 22-426-006
ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-755, for commercial centers having a gross floor area of less than 25,000 square feet, a minimum of 5 parking spaces per 1,000 square feet to a maximum of 5.5 parking spaces per 1,000 square feet are required.

The applicant is requesting to construct an 11,736 square foot shopping center with a drive-through window.

Keith Chapman, Assistant Planner, outlined the case for discussion.

Jeff Kyes, Kees Inc. 2116 Haslett Road, Haslett, the representative for the applicant, stated market research had drawn mainly restaurant business interest to the subject site. However, to draw other food service businesses, additional parking spaces are required, but the ordinance is restrictive to the number allowed based on the gross square footage. He said if the calculation is based on a standalone restaurant there are different ways to calculate parking spaces needed. He pointed out two restaurant locations where the zoning restriction is causing parking issues. One location is at Okemos Road and Jolly Road, and another at Grand River on the east side of Marsh Road. He added the subject property size allows for 70% impervious area, but the site plan with the additional parking spaces is only at a 45% range. He added they had met all the standards required by the Country Drain Commission Office for storm water management.

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

Chair Beauchine asked Ken Lane, Planning Commissioner, and Pat Jackson, Township Trustee, if there are any special ordinances for restaurants whether it is in a commercial district or not. He also asked if there have been any applicant who has appeared before the Planning Commission with concerns about the zoning restrictions for restaurant parking.

Member Lane stated not to his knowledge.

Member Jackson replied most of the commercial applications requesting variances, are for more parking spaces than the ordinance allows, but she didn't remember any cases for restaurants.

Chair Beauchine added there is nothing in the site plan dealing with restaurants; it is only a proposed future development, which could be retail space as well. He commented on the ebb and flow of traffic patterns at various public events, which do fill up the parking spaces of the businesses located at Okemos Road and Jolly Road. He added Meridian Road Park deals with the same issue during soccer events, with overflow parking on Meridian Road, creating traffic issues, then returning to empty parking after an event.

Member Rios added that the subject site plan has no public parking or residential streets to be utilized for overflow parking such as special events, and without the additional parking spaces it could limit the parking spaces available for business.

Member Lane replied from the Planning Commission perspective when the project developer presented the site plans, the developer envisioned the site being filled with restaurants, and he originally requested two drive-through windows, which one was approved. He added if the plan for filling the site with restaurants happens without the extra parking spaces people could end up parking across the street.

Member Jackson responded another perspective from the Planning Commission was some members were interested in the walkable business to the site location, and suggestions were made on how walkers could approach the restaurant, which did lead to the suggestion of additional parking spaces.

Member Stivers asked the applicant the reason for the additional 110 parking spaces.

Mr. Keyes replied the original site plan had 170 parking spaces. The plan now is for a larger anchor restaurant on the east end of the property, and a smaller restaurant with a drive-through on the west end. He added the applicant is looking at two of the units being used for a larger restaurant, which is the reason for additional parking spaces, and on what their Real Estate Agent can market successfully. He stated anything above 100 parking spaces is good, but 110 parking spaces are more desirable for marketing to larger restaurants.

Member Jackson stated the Zoning Board of Appeals (ZBA) is being asked to alter the C2 Zoning District requirements for additional parking space, and she is not comfortable making an adjustment to the ordinance based on the assumption of restaurants using the location.

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. He questioned whether or not the ordinance needs to be looked at based on the applicant's request for additional parking spaces, however; the township parking requirements are fairly strict, 5.5 parking per 1,000 square feet of space, and the applicant is requesting 9.5 per 1,000 square feet of space. He added the ZBA cannot grant a variance for "use" on proposed future restaurants. He further questioned staff if at one time the total number of chairs and tables was used to calculate parking space for restaurants.

Director Kieselbach replied there are two calculations for standalone restaurants only, and not a multi-tenant building, which may or may not have several restaurants. One calculation is based on the useable floor area plus one for every four seats in a restaurant, and another is at 37.5 square feet per useable floor area. The calculations are done using both methods, and whatever is the most is the figure used for determining parking spaces. He stated the useable floor area in a restaurant where patrons will be seated or served is used. He added if it is an allowed "use" it does not restrict the "use," and the ZBA is being asked for a request based on an unknown "use" at this time. However, the ordinance is written to cover general standards.

Member Jackson asked Mr. Keyes about the vertical lines on the site plan, and wondered if the lines are an indication of the number of individual suites.

Mr. Keyes replied those areas are set up for suites. There are six suites which could be combined into one larger area, and there has been an expressed interest for a restaurant food service business on this site.

Member Stivers questioned as she was looking at review criteria one, could the parcel to the east be zoned C2 too, and she wondered if in the future could there be a potential for other restaurants to want to build there requesting a variance for additional parking spaces.

Chair Beauchine replied only if it is a restaurant.

Member Stivers stated the applicant is planning already for more restaurants to this site. She questioned the potential for others to want to put restaurants on the parcel to the east.

Member Rios restated the ZBA is only looking at the case being presented.

Member Jackson replied she also wanted to emphasize the same point as member Rios, and also remind the ZBA of the fact the ZBA is working with a C2 zoning district, and not a restaurant zoning district.

Member Stivers replied her point is that this circumstance could apply to some other C2 zoned areas as well and should it be addressed now.

Member Jackson commented, Mr. Keyes talked about other C2 zoning areas in strip malls with restaurants, which also have C2 zoning district that does not require additional parking spaces.

Member Lane added the circumstance which is being offered is if the building is used for a restaurant there will not be enough parking spaces, does this create a unique circumstance which fits into the review criteria.

Member Jackson questioned staff on Commercial Planned Unit Development (Commercial PUD) and asked if it is attainable.

Director Kieselbach replied yes.

Member Jackson questioned if the subject site is developed as a restaurant focused site under a Commercial PUD, could the problem be resolved.

Director Kieselbach stated under a Commercial PUD; the Planning Commission would review it first and make a recommendation, then the Township Board has the ultimate authority on it. The Board can waive setbacks, parking requirements, and can put restrictions on the type of use and base the parking on the specific use. However, in this case, it was only the drive-through window which required a special use permit. Without the drive-through window, the 12,000 square foot building would have been approved by right, whether as a standalone restaurant or a multi-tenant structure. He added without a specific use, the staff looks at how it is shown, and the subject site is shown as general retail, and that is how the parking spaces have been calculated.

Member Jackson stated her point to the questioning is if built with a particular type of use getting a variance for the amount of parking space the applicant is asking for is not the only way the applicant can approach it.

Chair Beauchine replied yes, and asked what review criteria would her line of questioning fall under.

Member Jackson replied it would fall under 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 stated based on the line of her questioning; this is not a true statement.

Member Stivers asked about the spirit of the zoning ordinance and questioned the purpose of the ratio of parking spaces to the square footage of a building, or is there an environmental concern which limits the number of parking spaces.

Member Jackson stated the purpose is to fit all C2 type uses and to meet the needs required for C2 structures and uses.

Chair Beauchine questioned staff about the restrictions which would prevent the applicant from paving a larger portion of parking spaces and not striping the spaces.

Director Kieselbach replied he would ask what the use is. If, it is not there for a particular purpose such as parking, then what is the use? The ordinance has a minimum and maximum required, to pave an area for parking is not the intent of the ordinance. Also, the site plan would not be approved without a use for the paved area.

Chair Beauchine asked what guidelines are there to prevent the applicant from converting a standalone restaurant structure to a multi-use structure.

Director Kieselbach replied a "change of use." The request opens it up for staff to review, and then parking calculations would be reviewed again.

Member Jackson read review criteria one, 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 said the only unique circumstance she sees is the request for more restaurants than anything else.

Member Stivers stated the request could become more frequent due to economic conditions and retail purchases being purchased online over instore purchases could create frequent visits to brick and mortar locations for food purchases. She added perhaps the Planning Commission should review the request for more parking spaces in general for new construction sites.

Chair Beauchine opened the floor for public remarks.

Amanda Hopper, 5485 Martinique Circle, East Lansing, replied the reason for the variance request is to make the subject site more marketable for larger restaurants, which are requiring at least 100 parking spaces. She added when the ordinance was first instituted; she believes it was a control issue and should be reconsidered due to the restriction it creates in new construction for commercial properties.

Member Stivers commented that Ms. Hopper is saying the site cannot be used for its permitted "use," because businesses require more parking spaces and questioned how the ZBA addresses this issue.

Member Jackson stated what she heard was Ms. Hopper indicated no restaurants want to be there. Member Jackson added in a C2 zoning district with a multi-tenant building; there are many other options for business to be located at the subject property site. She stated the marketability issue is not a problem for the ZBA to address.

Member Lane added he is a supporter of the project, but the best way to get additional parking space can be either through a Commercial PUD or an ordinance amendment. He added with the site plan as a conceptual idea he is unable to match the request to the review criteria, especially when there are other ways to get the additional parking space requested.

Member Stivers replied based on review criteria one; there are no unique circumstances which exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district. She added criteria five is also not meet, as the land is still usable without the variance.

MEMBER STIVERS MOVED TO DENY THE VARIANCE REQUEST SECTION 86-755.

MEMBER LANE SECONDED.

Chair Beauchine stated the ZBA believes there are other options for the applicant; the Commercial Planning Urban Development is one if the applicant would like to continue with the project.

ROLL CALL VOTE: YES: Members Stivers, Jackson, Lane, and Chair Beauchine.

NO: Rios

Motion carried 4:1.

G. OTHER BUSINESS

H. PUBLIC REMARKS

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

I. BOARD MEMBER COMMENTS

J. ADJOURNMENT

Chair Beauchine adjourned the meeting at 7:20 p.m.

K. POST SCRIPT – Chair Beauchine

Respectfully Submitted,

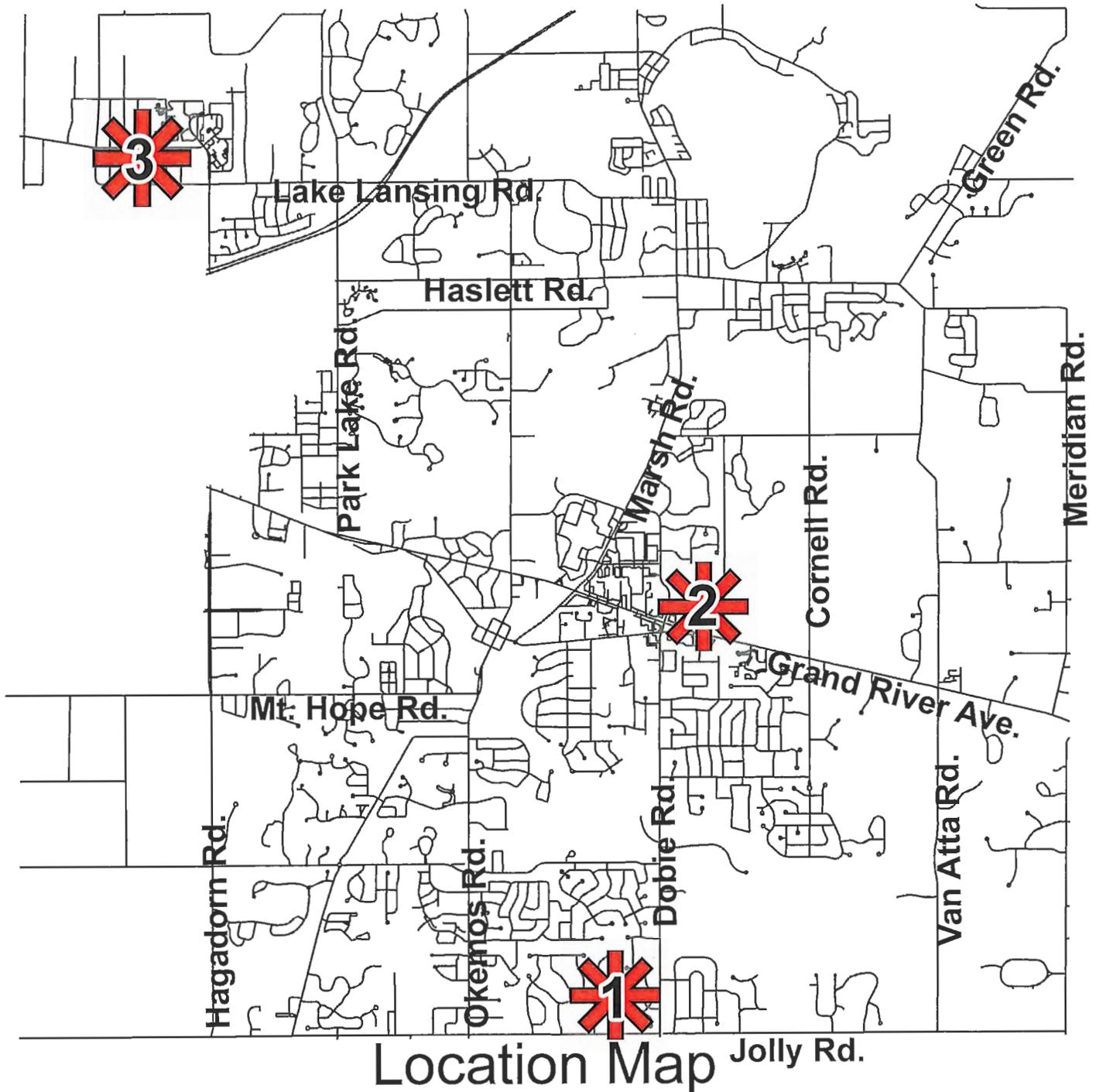
Rebekah Lemley
Recording Secretary

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.

Meridian Township



Location Map

1. ZBA #17-06-28-1
2. ZBA #17-06-28-2
3. ZBA #17-06-28-3



Meridian Township,
Building Department

To whom it may concern, .

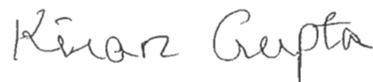
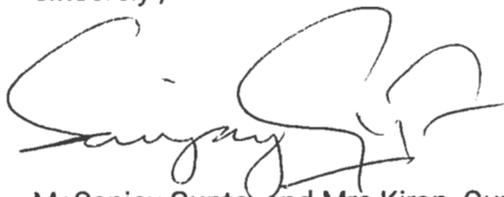
Our names are Mr and Mrs Gupta. We live at 3611 Beechtree Lane, Okemos Michigan. Mr. and mrs. Fatteh live next door at 3615 Beech Tree Lane, Okemos Michigan. They are thinking of building a small sunroom on existing deck close to the kitchen. They have asked me if we would have any objection to them building such sunroom.

We hereby make a statement that we do not have any objection to them building a small sunroom on the existing deck.

If you have any questions, please call us at 517-349-4422.

Thank you.

Sincerely ,



Mr. Sanjay Gupta and Mrs Kiran Gupta
3611 Beechtree Lane, Okemos Michigan. 48864

May 17, 2017

Meridian Township,
Building Department

To whom it may concern, .

Our names are Mr and Mrs Desai. We live at 3620 Beechtree Lane, Okemos Michigan. Mr. and mrs. Fatteh live next door at 3615 Beech Tree Lane, Okemos Michigan. They are thinking of building a small sunroom on existing deck close to the kitchen. They have asked me if we would have any objection to them building such sunroom.

We hereby make a statement that we do not have any objection to them building a small sunroom on the existing deck.

If you have any questions, please call us at 517-349-1983

Thank you.

Sincerely ,

Piyush Desai 5/17/17

Vinha Desai 5/17/2017

Mr. Piyush Desai and Mrs Vinha Desai
3620 Beechtree Lane, Okemos Michigan.48864

Zoning Board of Appeals #17-06-28-3 (Nemeth)
3159 Birch Row Drive

June 12th, 2017

Dear Zoning Board of Appeals,

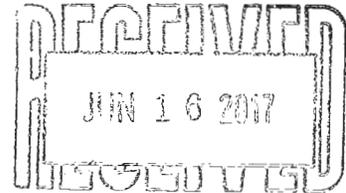
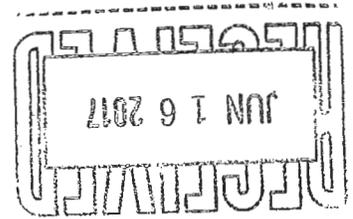
Please allow Richard Nemeth to construct a non conforming accessory building on his own property that he owns at 3159 Birch Row Drive.

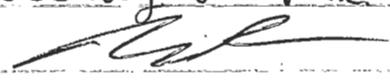
Also, please allow all of us property owners the same courtesy.

Sincerely,

Adrienne Gelardi

Adrienne Gelardi
6130 Pollard Ave
East Lansing, MI 48823
734-748-0370



I am in support of removal and replacement
of storage building on Mr Rich Nemeth
Max Poeser 
address 6129 Pollard Ave East Lansing

I support Mr. Nemeths request
to replace existing building with a
new one. Sara
6079 Pollard East Lansing

It's fine if Rich Nemeth takes
down the garage/boyn & put up
another building. Ann Fuller
6070 Pollard Ave 517-819-0774

It's OK  6082 Pollard
E Lansing

I think it is great thing to get rid of that old building.
Thank you for making our street look great again.
Nasser Almutairi
6100 Pollard Ave.
B.L.

it OK with me if and it Mary E. Dias
6081 Pollard E. Lansing

I Dont Care
6078 Pollard E Lansing ~~Phil~~

I don't have a problem with
the Nemeths tearing down their
Storage building ^{at} Jack Magruder
(3176 Birch Row Dr) Jack Magruder
Jack Magruder

I have no objection to Mr.
Nemeth Replacing his existing Garage
Barry L. C. C. C.
3169 Birch Row Dr
E. Lansing MI.
696-7522



To: Zoning Board of Appeals
From: 
Keith Chapman, Assistant Planner
Date: June 23, 2017
Re: ZBA Case No. 17-06-28-1 (Fatteh)

ZBA CASE NO.: 17-06-28-1 (Fatteh), 3615 Beech Tree Lane, Okemos, MI 48864
DESCRIPTION: 3615 Beech Tree Lane
TAX PARCEL: 34-377-010
ZONING DISTRICT: RB (Single Family, High Density)

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

- Section 86-374 (d)(5)(c), for lots over 150 feet in depth, the rear yard setback shall not be less than 40 feet in depth.

Parveen Fatteh, the applicant, has requested a variance to construct a 168 square foot enclosed porch located at 3615 Beech Tree Lane. The approximate 0.491 acre site is zoned RB (Single Family, High Density).

Section 86-374 (d)(5)(c), rear yard setback, states that for lots over 150 feet in depth, the rear yard setback shall not be less than 40 feet in depth. The lot has an average depth of approximately 178 feet. The site plan shows an existing wrap around deck on the south side of the house. The deck encroaches 8 feet into the rear yard setback. The applicant intends to enclose approximately 168 square feet of the existing deck to create a three season's room. Section 86-564 of the Zoning Ordinance allows for unenclosed porches to encroach into a rear yard setback not to exceed eight feet. Enclosed porches, however, shall be considered an integral part of the building and be subject to all yard and area dimensional requirements established for principal buildings. At its closest point the enclosed porch is 34 feet from the rear property line, requiring a variance of 6 feet.

Site History

- Assessing Department records indicate that the single family home was constructed in 1993.

Attachments

1. Application materials
2. Site location map

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

VARIANCE APPLICATION

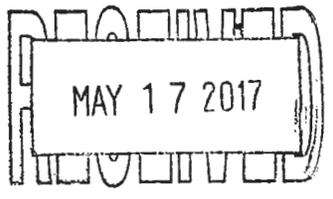
A. Applicant PARVEEM FATTEH
Address of Applicant 3615 beech tree
Okemos, MI 48864
Telephone (Work) 517-648-1026 Telephone (Home) 517-349-5487
Fax 517-349-6556 Email address: parveem.f@comcast.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 3615, beech tree, Okemos, MI
Zoning district RB Parcel number 33-02-02-34-337-010

- 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) 86-374 (d) (5) (c)

- D. Required Supporting Material Supporting Material if Applicable
- Property survey
 - Legal description
 - 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)
- Architectural sketches
 -Other



Parveen Fattah Parveen Fattah 5/3/17
Signature of Applicant Print Name Date

Fee: \$ 150.00 Received by/Date: Rebecca 5/17/17

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.**)

Parveen Fattah 5/2/17
Signature of Applicant(s) Date

Alshob Fattah 5/2/17
Signature of Applicant(s) Date

Charter township of Meridian

Planning Division

5151 Marsh Road, Okemos, MI 48864

Variance Application

Subject: Sunroom variance request for 3615 Beech Tree lane, Okemos, MI 48864

To whom it may concern

We request Variance for a small sunroom on existing deck for the following reasons.

- 1) Our house is by the creek leading to mosquitoes, flies and insects breeding problem making deck unusable. A small sunroom on existing deck will allow us to use deck without nuisance.
- 2) We have sunroom upstairs but due to arthritis issues for me and my wife we can't use it. Our master bedroom is at main level where we are requesting this variance.

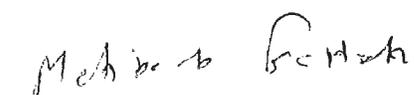
We request this variance application request to be processed for next upcoming township meeting in June 2017.

If any further information needed prior to June meeting please contact us.

Thanks for your kind consideration.

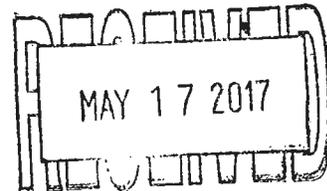
Thanks


Parveen Fatteh


Mehboob Fatteh

517-648-1026

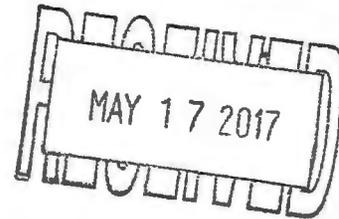
gesu73@gmail.com





Property Details

Property address	3615 Beech Tree, Okemos, MI 48864
Parcel ID	33-02-02-34-377-010
School district	33170
Neighborhood	662
Acreage	0.49
Frontage	130
Depth	185
Property class	Residential Improvement (401)



SITE PLAN

1" = 20'

MEB FATTEH ADDITION
3615 BEECH TREE LN.
OKEMOS, MI 48864
SPRING LAKE SUBDIVISION

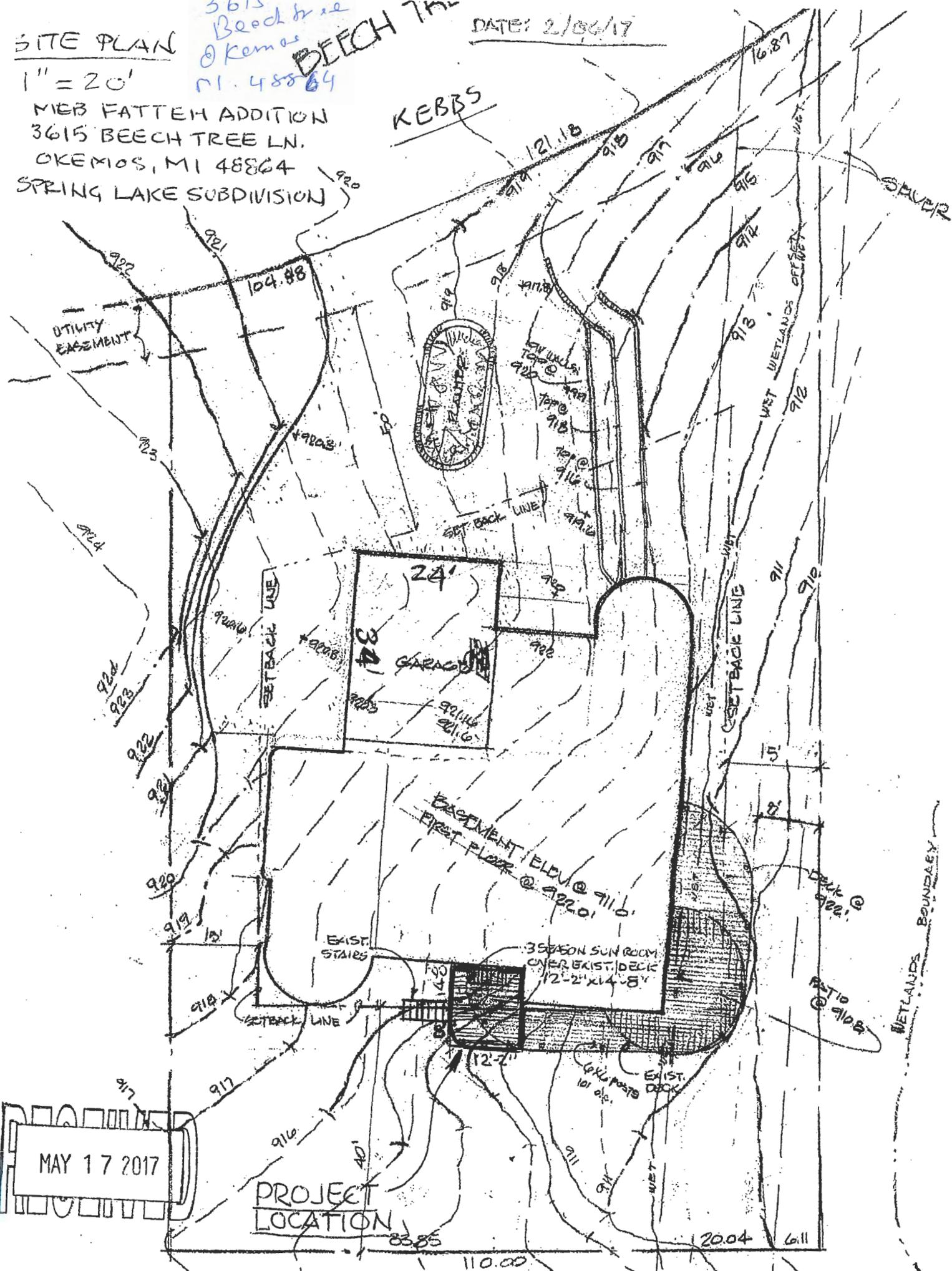
3615
Beech tree
Okemos
MI 48864

BEECH TRM

DATE: 2/04/17

KEBBS

SEWER



MAY 17 2017

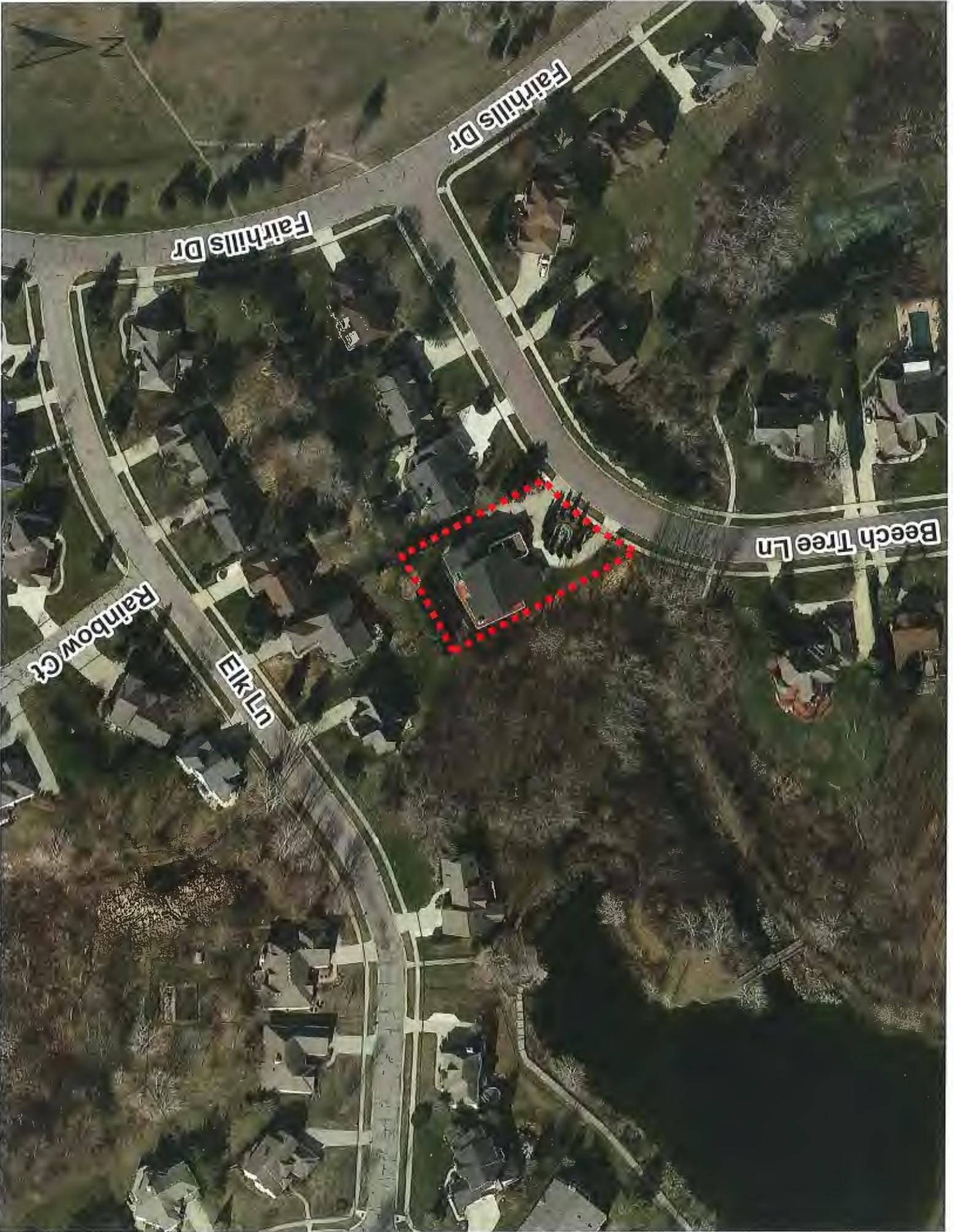
PROJECT LOCATION

8385

20.04

6.11

110.00



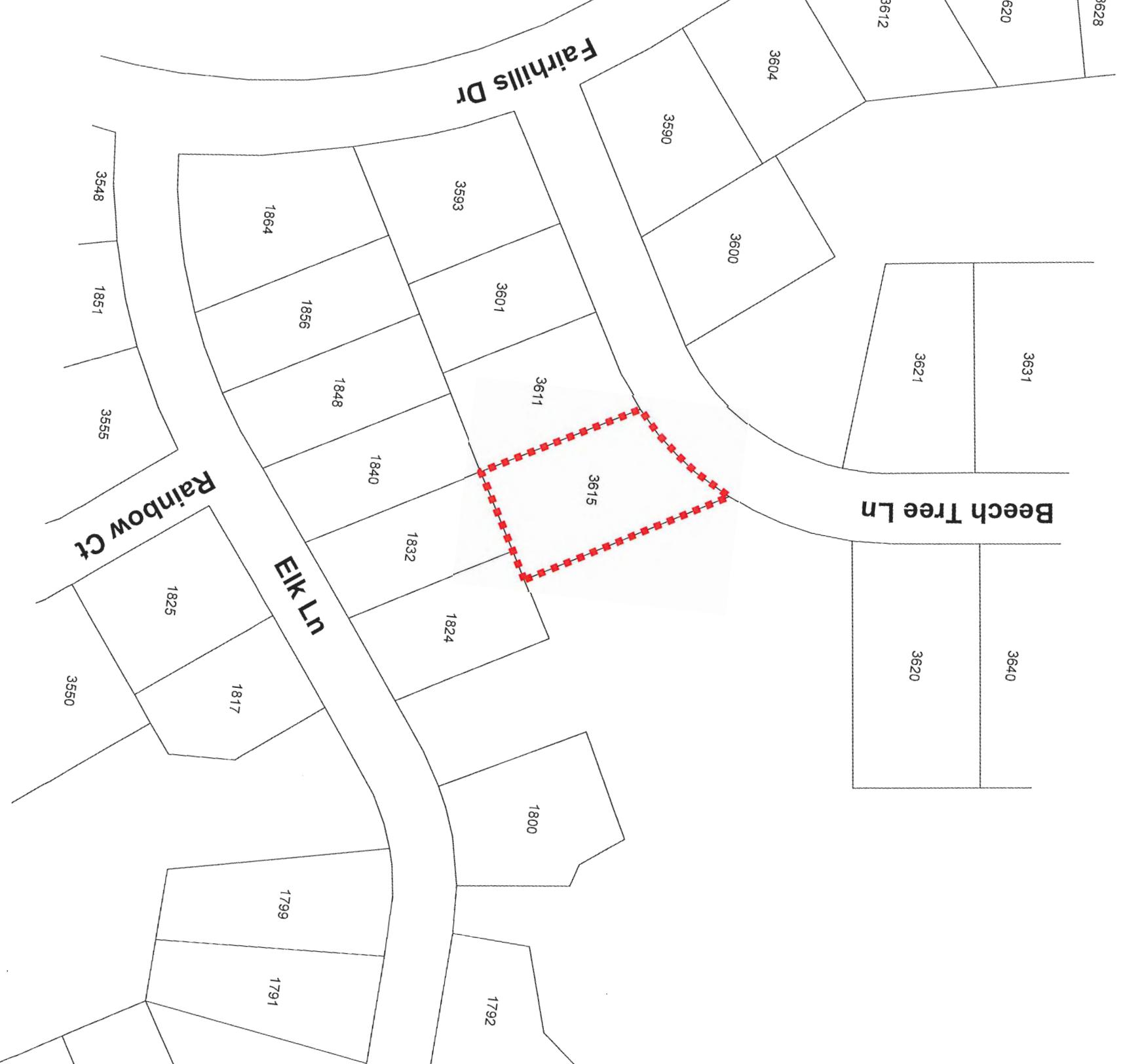
Fairhills Dr

Fairhills Dr

Beech Tree Ln

Rainbow Ct

Elk Ln





To: Zoning Board of Appeals
From: 
Keith Chapman, Assistant Planner
Date: June 23, 2017
Re: ZBA Case No. 17-06-28-2 (Zhang)

ZBA CASE NO.: 17-06-28-2 (Zhang), 6954 Abby Lane, Grand Ledge, MI 48837
DESCRIPTION: 4719 Powell Road
TAX PARCEL: 22-426-003
ZONING DISTRICT: RA (Single Family, Medium Density)

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

- Section 86-471(b)(1), for all structures and grading activities shall be setback from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area; 40 feet.
- Section 86-471(c)(1), to minimize erosion, stabilize streambanks and wetland edges, protect water quality, and preserve fish and wildlife habitat, a natural vegetation strip shall be maintained from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law; 20 feet.

Haibiao Zhang, the applicant, has requested a variance to construct a driveway for a proposed single family house located at 4719 Powell Road. The site is undeveloped. The approximate 5.736 acre site is zoned RA (Single Family, Medium Density).

The applicant intends to construct an approximately 450 foot gravel driveway near the north property line. The driveway will be located within both the 40 foot wetland setback and the 20 foot natural vegetation strip. At the closest point the new driveway will be 10 feet from the wetland boundary. The applicant intends to utilize the existing driveway until the new house is constructed.

There are 2 wetlands located on the property. One located on the west half of the property that extends offsite to the north, south, and the west. The total acreage of the wetland is 8.95 acres and is regulated by both the State of Michigan and the Township. The second wetland is located near the southeast corner of the property and extends off the site to the south. The wetland is 5.51 acres in size and is also regulated by both the State of Michigan and the Township.

Zoning Board of Appeals
June 28, 2017
RE: ZBA Case No. 17-06-28-2 (Zhang)
Page 2

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

- The applicant shall obtain a soil erosion permit from the Meridian Township Department of Public Works and Engineering, if necessary.
- The applicant shall install erosion control silt fencing along the boundary of the wetland before construction of the house and new driveway to prevent further erosion into the regulated wetland. The silt fencing shall remain for the duration of the house and new driveway construction.

Site History

- On July 2, 2014, the Township's wetland consultant delineated the subject property (WDV #14-01).

Attachments

1. Application materials
2. Site location map

G:\COMMUN PLNG & DEV\PLNG\ZBA\2017 ZBA\ZBA 17-06-28\ZBA 17-06-28-2 (Zhang)\STAFF REPORT ZHANG

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

VARIANCE APPLICATION

A. Applicant Haibiao Zhang
Address of Applicant 8954 Abby Lane, Grand Ledge MI 48837

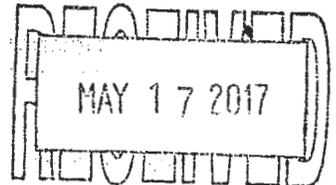
Telephone (Work) 517-242-4525 Telephone (Home) 269-924-9965
Fax _____ Email address: Haibiao.zhang@gmail.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 4719 Powell Rd Okemos MI 48864
Zoning district _____ Parcel number 03-02-02-22-426-003

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) 86-471(6)(1)

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)



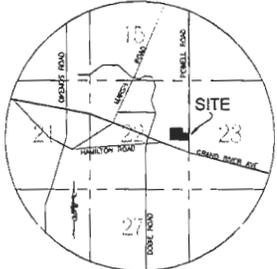
[Signature] HAIBIAO ZHANG 4/28/2017
Signature of Applicant Print Name Date

Fee: \$ 250 Received by/Date: [Signature] 5/17/17

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



LOCATION MAP

PROPERTY INFORMATION:
 TAX ID #33-02-02-22-428-003
 CURRENTLY ZONED: RA
 SETBACKS: FRONT/STREET 85' FROM CENTERLINE
 SIDE: 10'
 REAR: 40'
 PROPERTY IS CURRENTLY VACANT THEREFORE HAS NO ADDRESS.

LEGAL DESCRIPTION:
 A parcel of land in the Southeast 1/4 of Section 22, T4N, R1W, Meridian Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Commencing at the East 1/4 corner of said Section, thence S00°22'40"E along the East line of said Section 164.00 feet to the line point of beginning of this description; thence S00°22'40"E continuing along said East line 232.00 feet; thence S89°56'54"W parallel with the East-West 1/4 line of said Section 743.00 feet; thence N00°22'40"W parallel with said East line 398.00 feet to said East-West 1/4 line; thence N89°56'54"E along said East-West 1/4 line 476.40 feet; thence S00°22'40"E parallel with said East line 164.00 feet; thence N89°56'54"E parallel with said East-West 1/4 line 266.60 feet to point of beginning; said parcel containing 0.75 acres more or less including 0.18 acre more or less presently in use as public right of way; said parcel subject to all easements and restrictions if any.

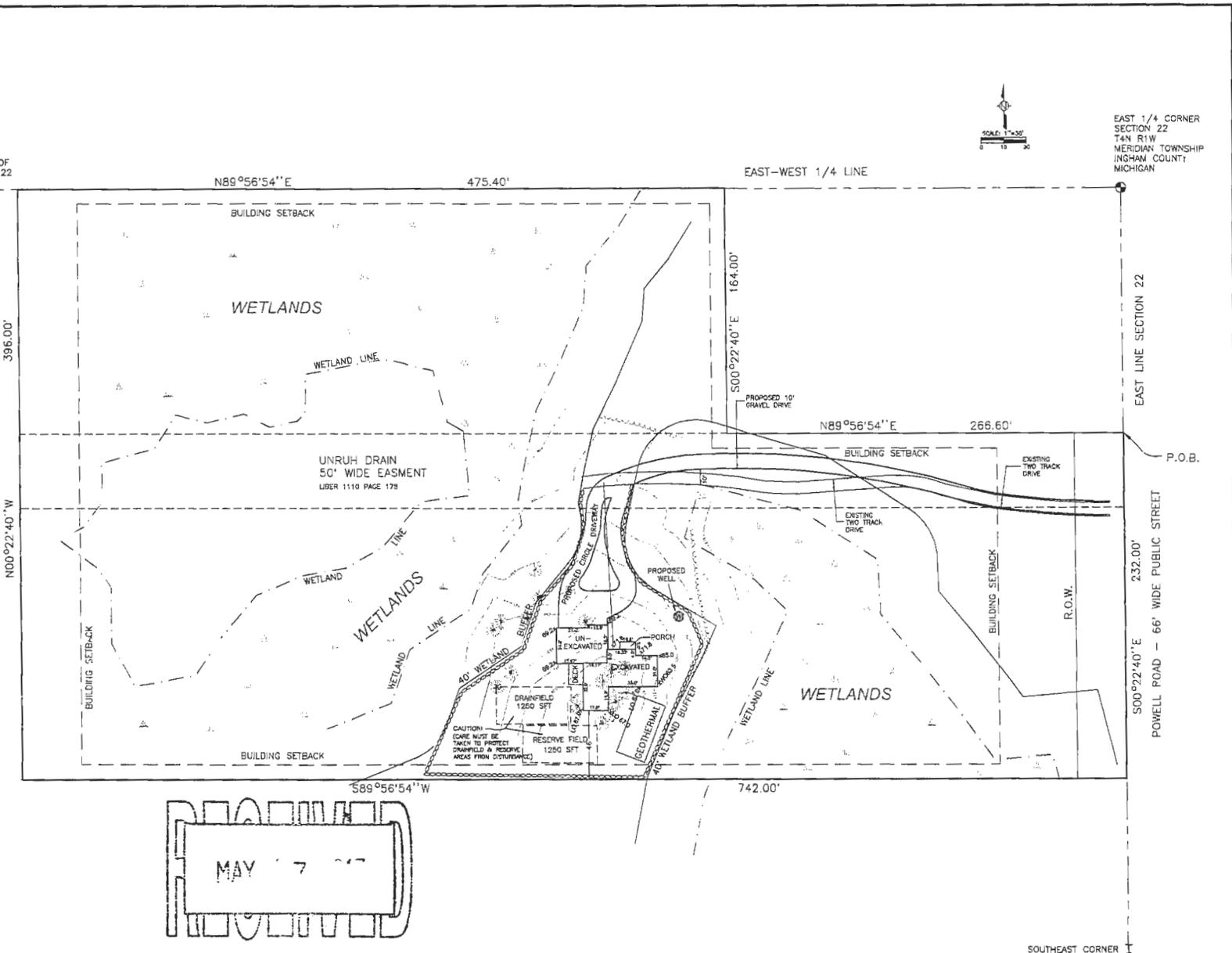
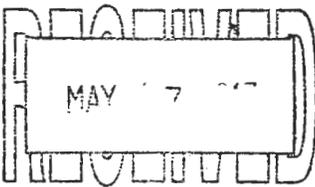
LINE WETLAND LINE SHOWN WAS DERIVED FROM GPS COORDINATES OBTAINED FROM FICAH WHO PERFORMED THE WETLAND DELINEATION IN JULY 2014.

LEADS:
 PROPOSED ELEVATION: +74.2
 EXISTING ELEVATION: +87.2
 FLOW DIRECTION: [Symbol]
 EXISTING CONTOUR: [Symbol]
 SILT FENCE & AREA: [Symbol]
 DISTURBANCE: [Symbol]
 (DISTURBED AREA = 0.36 ACRES)

PROPOSED BSMT FLOOR = 863.2
 PROPOSED TOP OF WALL = 873.2
 PROPOSED GARAGE FLOOR = 863.2

This drawing reflects the location of a house to be staked out on subject parcel for property owners Jack Zhang & Cindy Liu.

- SOIL EROSION CONTROL NOTES:**
1. INSPECT AND MAINTAIN SILT FENCE ONCE A WEEK
 2. KEEP SOIL EROSION PERMIT POSTED AT ALL TIMES UNTIL SITE IS STABILIZED
 3. SOIL TYPES: CLAY LOAM TO SANDY LOAM
 4. EXISTING SLOPES VARY - SEE CONTOURS
 5. EXCAVATED SOILS TO BE USED AS FILL ON SITE
 6. TEMPORARY SESC MEASURES TO BE INSTALLED AND MAINTAINED BY CONTRACTOR
 7. PERMANENT SESC MEASURES TO BE INSTALLED AND MAINTAINED BY OWNER



EAST 1/4 CORNER SECTION 22
 T4N R1W
 MERIDIAN TOWNSHIP
 INGHAM COUNTY
 MICHIGAN

SOUTHEAST CORNER SECTION 22
 REV DATE: APR 28, 2017
 PLAN DATE: NOV. 14, 2014

DATE	REVISIONS
4-28-17	ADD PROPOSED GRAVEL DRIVE

ENGINE SURVEYING & ENGINEERING
 RICH M. CEDARI, P.E. PLS. 07
 HAZEN, MICHIGAN 48854-0087
 517-878-8884
 FAX 517-878-8675

OWNERS:
 JACK ZHANG & CINDY LIU
 8054 ABBY LANE
 GRAND LEDGE, MI 48837
 PHONE: 517-233-1002

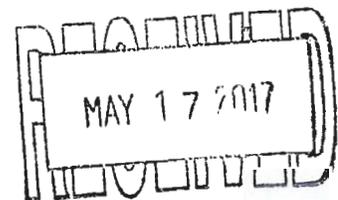
EST. JOB#33-2890 SITEPLAN.DWG

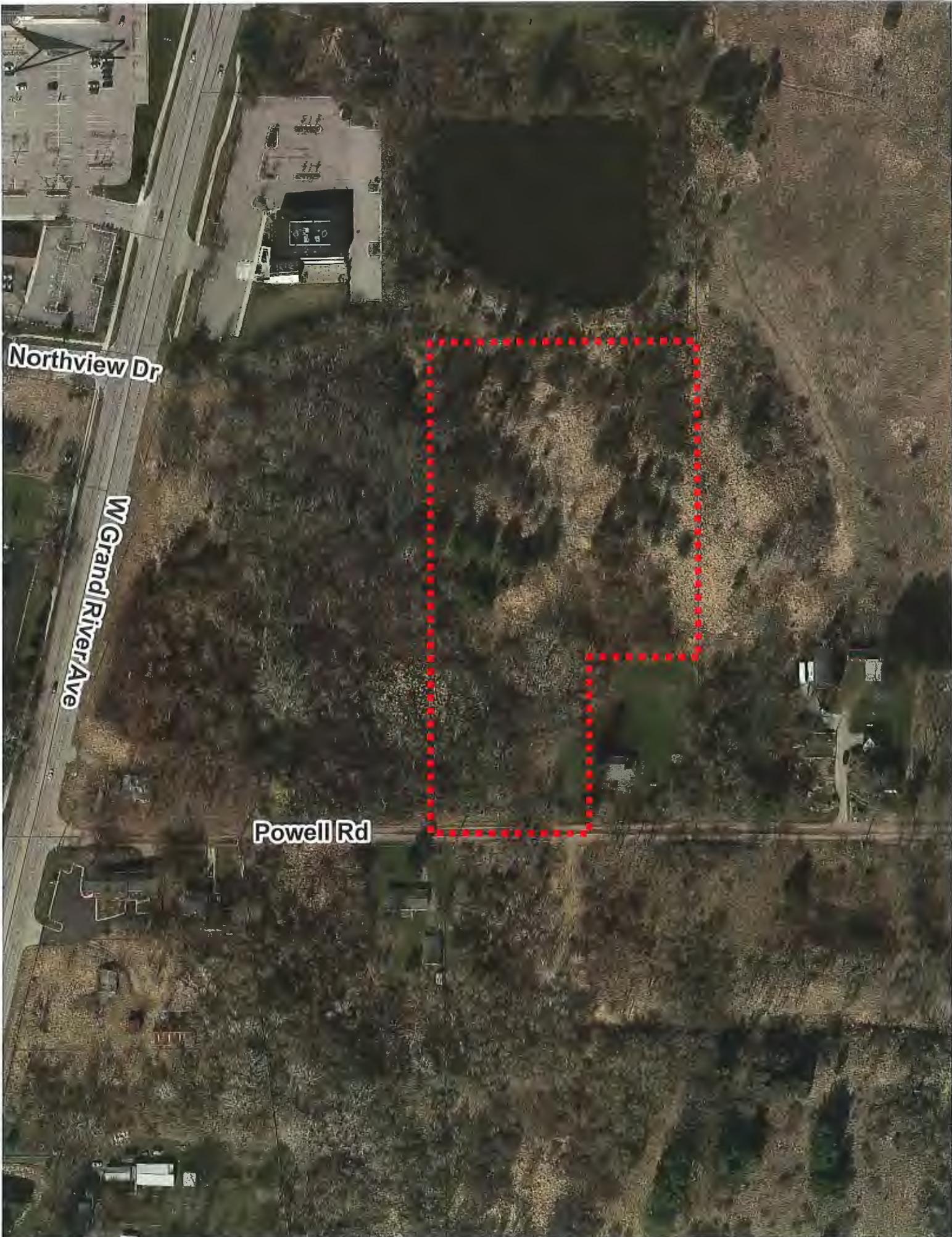
PLOT PLAN	HORIZ SCALE: 1"= 30'
VACANT LAND ON POWELL ROAD SE 1/4 SEC 22, T4N, R1W MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN	SHEET 1 OF 1

Variance Supplement

4719 Powell Rd, Okemos MI

1. The unique circumstances are the drive way access on the east part of the property which does not allow a driveway 40' wetland buffer even though the home meets the 40' buffer requirement.
2. This circumstance is not self-created by owner. It is preexisting even before I purchased the property.
3. The home could not be accessed if we used the strict guidelines of this Chapter.
4. Since the home could not be accessed at all if the variance is not granted, it would not allow the owner to access his property. However, the property is approved by the township as a residential lot and a land clearing permit issued.
5. Granting the variance is the minimal action that will make possible the use of the land and allow access to the new home.
6. Granting the variance will not adversely affect the adjacent land or the character in the vicinity of the property and will actually enhance the adjacent properties.
7. The conditions pertaining to the land are not so general that the formulation of a general regulation is not practical for this land.
8. Granting the variance will be consistent with the public interest and the purpose and intent of this Chapter, and will result in the owner of this property not having a true hardship.





Northview Dr

W Grand River Ave

Powell Rd





To: Zoning Board of Appeals
From: 
Keith Chapman, Assistant Planner
Date: June 23, 2017
Re: ZBA Case No. 17-06-28-3 (Nemeth)

ZBA CASE NO.: 17-06-28-3 (Nemeth), 3159 Birch Row Drive, East Lansing, MI 48823
DESCRIPTION: 3159 Birch Row Drive
TAX PARCEL: 06-425-001
ZONING DISTRICT: RB (Single Family, High Density)

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

- Section 86-565 (1), no accessory building shall project into any front yard.
- Section 86-374 (d)(5)(a), front yard setbacks shall be in accordance with the setback requirements of section 86-367 for the type of street upon which the lot fronts. The front yard setback for Pollard Avenue is 25 feet.

Richard Nemeth, the applicant, has requested a variance to construct an 864 square foot accessory building located at 3159 Birch Row Drive. The approximate .231 acre site is zoned RB (Single Family, High Density).

Currently, there is an approximately 880 square foot accessory building on the property. The applicant will demolish the existing structure to construct a new one. The new building will project approximately 3 feet in front of the principal structure (house) along Pollard Avenue. The new accessory building also will not meet the required 25 foot front yard setback of the underlying zoning district. The building will be located 17 feet from the front property line on Pollard Avenue, requiring a variance of 8 feet.

The new building will be shifted 0.1 feet to the west to comply with the 5 foot minimum side yard setback for an accessory building. The distance between the house and the new accessory building will be increased to 36 feet from 26 feet. The accessory building will not be any closer to Pollard Avenue than the previous accessory building.

Site History

- On November 22, 1983, two variances were denied to increase the height and enlarging more than 30% of the assessed value of a non conforming accessory building that was located 4'6" from the Pollard Avenue right of way, where a 25 foot setback was required (ZBA #83-11-09-8). On May 9, 1984, the two previously denied variances were requested again with an accessory building that was six feet shorter on the north side (ZBA #84-05-09-1). The variances were denied. On August 8, 1984, the two variances were requested to be reheard with the building being moved 18 feet from the Pollard Avenue right of way, for a variance of 7 feet (ZBA #84-08-08-1). The variances were approved.
- On May 13, 2015, the Zoning Board of Appeals granted a variance to add a 532 square foot addition to the non conforming single family home.

Attachments

1. Application materials
2. Site location map

G:\COMMUN PLNG & DEV\PLNG\ZBA\2017 ZBA\ZBA 17-06-28\ZBA 17-06-28-3 (Nemeth)\STAFF REPORT NEMETH

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

VARIANCE APPLICATION

A. Applicant Richard P. Nemeth
Address of Applicant 3159 Birch Row
East Lansing, MI 48823
Telephone (Work) — Telephone (Home) 517 645-7054
Fax — Email address: buga.gramy@yahoo.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 3159 Birch Row, East Lansing
Zoning district RB Parcel number 06452001

- 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) 86620A

- D. Required Supporting Material Supporting Material if Applicable
- Property survey
 - Legal description
 - 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)
- Architectural sketches
-Other



Richard P. Nemeth Richard P. Nemeth 5-23-17
Signature of Applicant Print Name Date

Fee: \$ 150.00 Received by/Date: [Signature] 5/23/17

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

May 23, 2017

Proposal letter to the building/zoning department requesting a variance for allowing a storage building to be built on the south end of the existing house at 3159 Birch Row Dr. in East Lansing, MI.

I am asking that a variance allowing a new storage building be built where an existing building is following the same setback distance as the existing structure. The reason for this building is to meeting existing storage needs for my family and to complement the townships efforts to beautify/update this entire Tower Gardens area.

It is the absolute intent for our own personal architectural preferences as well as the needs of the Zoning Administrator/Planning Commission to build this building that specifically blends in with not only, the existing neighborhood but also in complete harmony with the townships vision for this residential community. This variance would apply primarily to the area on the west side of the property on Pollard St.

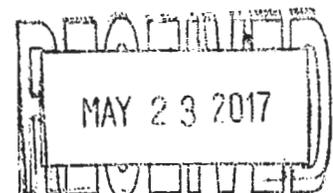
Support of favorable findings

- A) "Literal enforcement" ...would result in unnecessary hardship for us to store essential vehicles, tools, supplies and keepsakes in a very old and deteriorating existing building.
- B) The granting of such variance will not be materially detrimental to the public welfare. A variance was granted for the placement of the existing building by the township. This is the building we want to replace.
- C) The proposed variance does no harm to either public or private interest and is not injurious to any property or interest. In fact, granting of the proposed variance will serve only to create a more pleasing visual harmony by virtue of the careful architectural design to make the storage building visually appealing, not negatively affecting the neighbor's quality of life, property value, or peaceful co-existence. Quite the contrary.
- D) We did not create the non-conformity. We are not the original owners. The new building is not as wide as the original.
- E) We are only asking for the minimum allowable set back variance to construct this storage building.
- F) We are not changing the essential character of the neighborhood. We would be eliminating old worn out construction with a new updated building.
- G) I have not had any negative feedback from the neighbors about this proposed addition.
- H) Other houses built in the same era on Pollard and Birch Row have similar setback distances and storage/garage buildings.

Photos and diagrams in support of the requested variance are attached.

Respectfully submitted,

Richard Nemeth
3159 Birch Row Dr.
East Lansing, MI 48823
Phone number – 517-645-7054
E-mail address- buga.gramy@yahoo.com



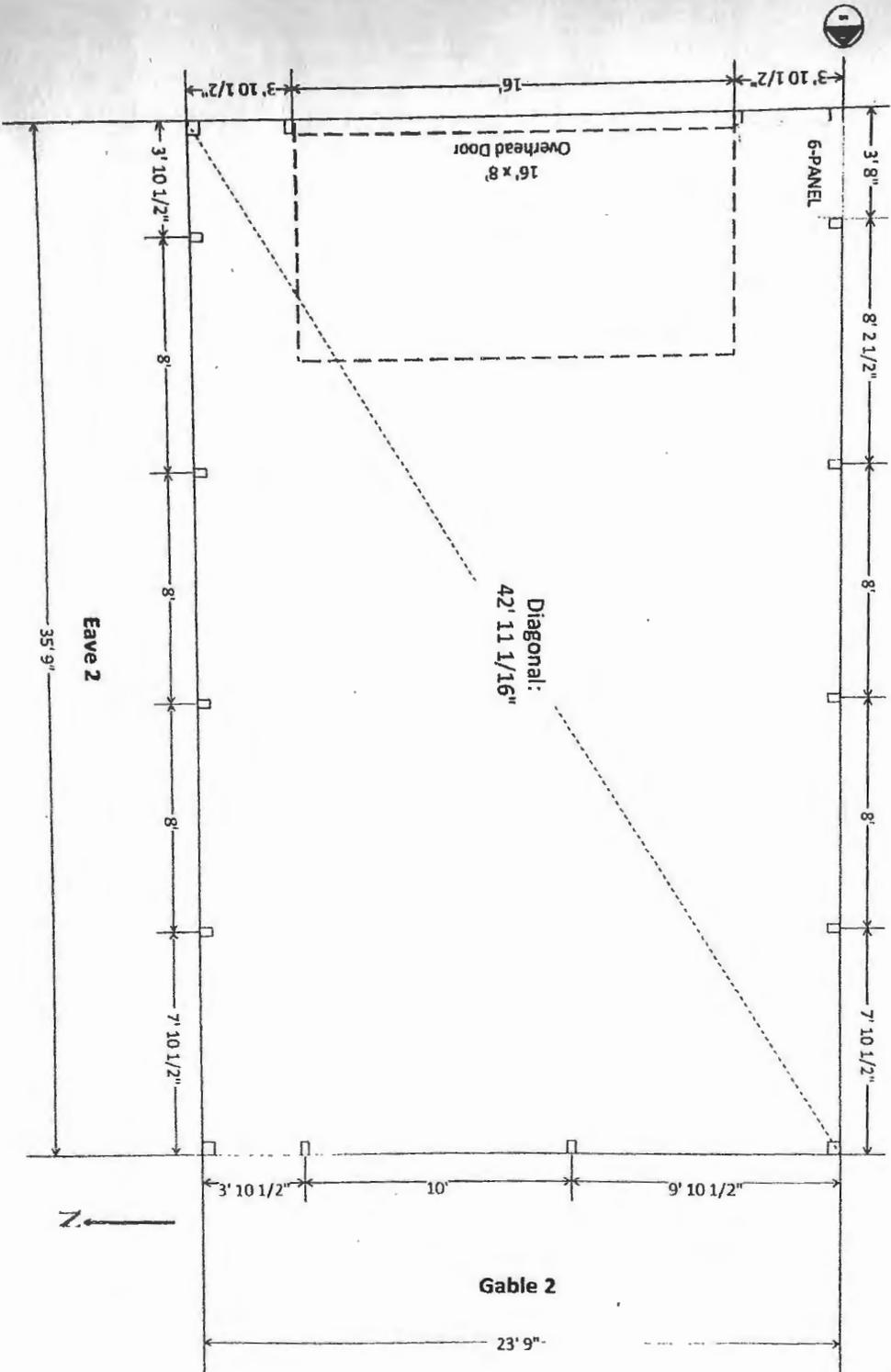
**YOUR LOGO
HERE**

POLE LAYOUT

Personal Use: 864 sq. ft.

Construction
Maestro
Engineering Software
For Plans, Quotes & More

Eave 1



Gable 1

Gable 2

Wick Road
Estimate Number 1375
5/8/2017

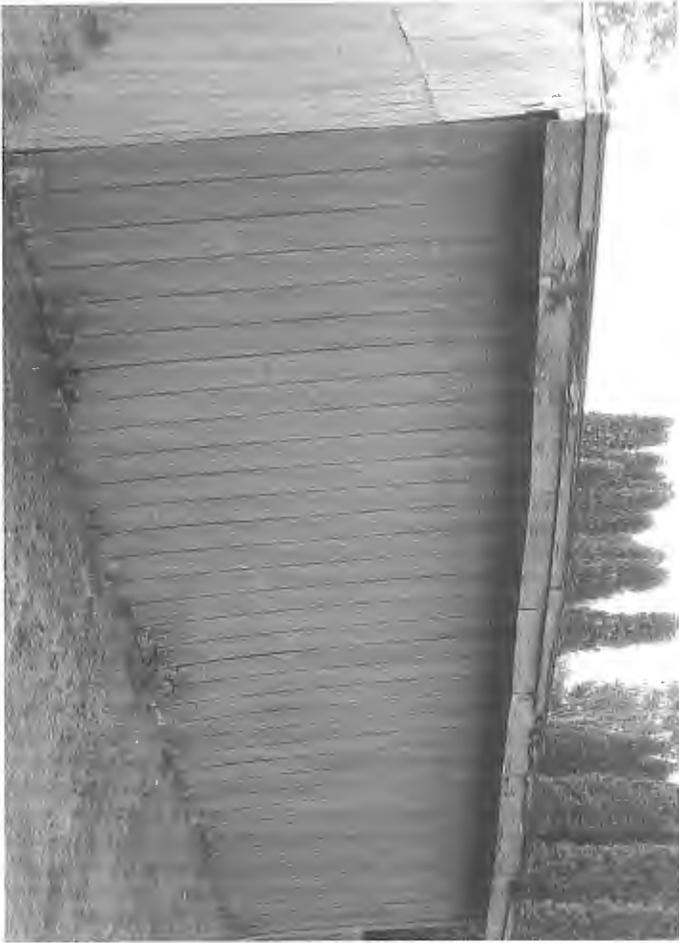
Nest

MAY 23 2017



0EV 7599





RECEIVED
MAY 23 2017



Neighbors storage building

MAY 23 1917



RECEIVED
MAY 23 2017
RECEIVED

Porter Ave

Pollard Ave



Birch Row Dr

N Raindrop Rd

Gibson Ave

Raindrop Rd

6136	6137			
6130	6135			
	6133			
3190	3180	3176	3172	3168
				6129

Pollard Ave

6142	6124		6100
6130	3150	3146	
6128			

6142		3138	3134	3126	3120	3114
3143						

N Raindrop Rd

Raindrop

6213

3191	3189	3187	3185	3169
6090				
6082	6081			
6078	6079			
6074	6075			
6060	6073		6071	
6056				
6050	6043			

3159	3155	3151	3147
6082	6078		
6074	6070		
6060	6046		

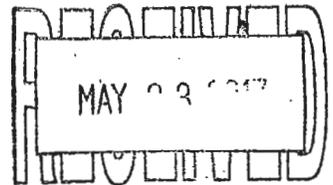
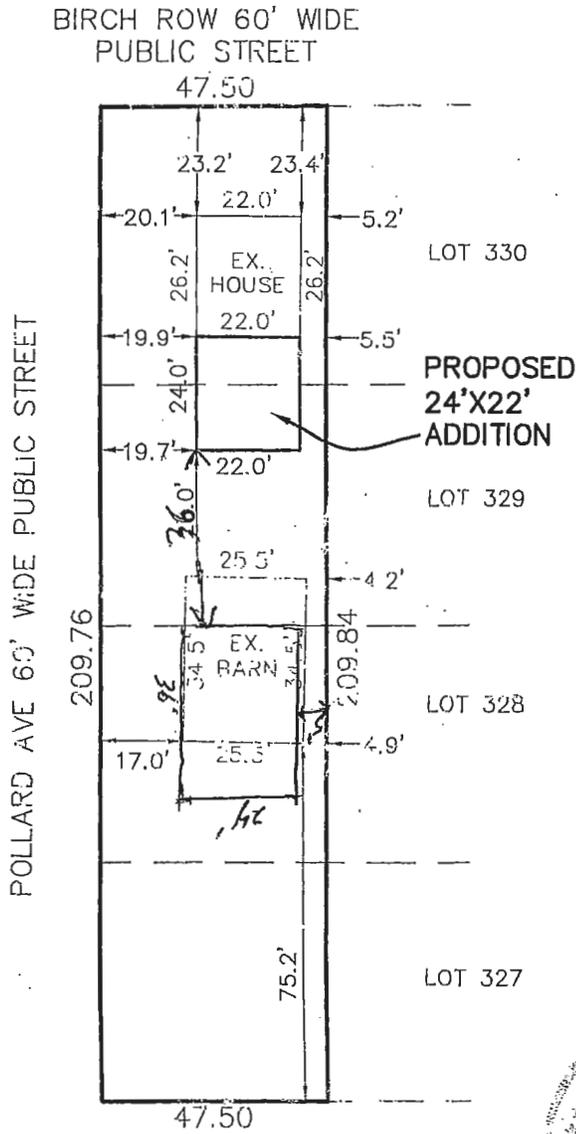
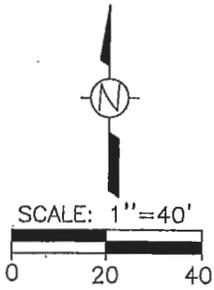
3143	3133	6083	6067	6063	6059	6053
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Gibson Ave

3129	3127	3119	6088	6080	6072	6064	6058	6054	6042
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PLOT PLAN

LEGAL DESCRIPTION: Parcel Number 33-02-02-06-452-001
 W 1/2 OF W 1/2 OF LOTS 327, 328, 329 AND 330, TOWAR GARDENS



4-13-15